FLORIDA

JOURNAL

OF THE

SENATE

VOLUME I

REGULAR SESSION
March 4
through
May 2, 2008

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Journal

of the

S E N A T E

State of Florida

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This 2008 JOURNAL OF THE SENATE is dedicated to Faye W. Blanton for her 38 years of outstanding and diligent service to the Florida Senate, including the last 12 years as our distinguished Secretary of the Senate (1996-2008).

Ken Pruitt, President of the Senate
and the
Professional Staff of the Senate Secretary's Office

JOURNAL OF THE SENATE

Faye W. Blanton
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PUBLICATION STAFF

Lucy Carter

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Carolyn Embry

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Journal

of the

S E N A T E

State of Florida

FORTIETH REGULAR SESSION

UNDER THE CONSTITUTION AS REVISED IN 1968

MARCH 4 THROUGH MAY 2, 2008

MEMBERS OF THE SENATE

(26 Republicans, 14 Democrats)

REGULAR SESSION

March 4 through May 2, 2008

District 1: Anthony C. "Tony" Hill, Sr. (D), Jacksonville*
Parts of Duval, Flagler, Putnam, St. Johns and Volusia

District 2: Durell Peaden, Jr. (R), Crestview**
Holmes, Washington, and parts of Bay, Escambia, Okaloosa, Santa Rosa and Walton

District 3: Charles S. "Charlie" Dean, Sr. (R), Inverness***
Baker, Dixie, Hamilton, Lafayette, Suwannee, Taylor and parts of Citrus, Columbia, Jefferson, Leon, Levy, Madison and Marion

District 4: Don Gaetz (R), Niceville**
Parts of Bay, Escambia, Okaloosa, Santa Rosa and Walton

District 5: Stephen R. Wise (R), Jacksonville*
Parts of Clay, Duval, Nassau and St. Johns

District 6: Alfred "Al" Lawson, Jr. (D), Tallahassee**
Calhoun, Franklin, Gadsden, Gulf, Jackson, Liberty, Wakulla and parts of Bay, Jefferson, Leon and Madison

District 7: Evelyn J. Lynn (R), Ormond Beach*
Parts of Clay, Marion, Putnam and Volusia

District 8: James E. "Jim" King, Jr. (R), Jacksonville**
Parts of Duval, Flagler, Nassau, St. Johns and Volusia

District 9: Daniel Webster (R), Winter Garden*
Parts of Orange, Osceola and Seminole

District 10: Ronda Storms (R), Brandon**
Parts of Hillsborough, Pasco and Polk

District 11: Mike Fasano (R), New Port Richey*
Parts of Citrus, Hernando, Pasco and Pinellas

District 12: Victor D. Crist (R), Tampa**
Parts of Hillsborough and Pasco

District 13: Dennis L. Jones, D.C. (R), Seminole*
Part of Pinellas

District 14: Steve Oelrich (R), Gainesville**
Alachua, Bradford, Gilchrist, Union and parts of Columbia, Levy, Marion and Putnam

District 15: Paula Dockery (R), Lakeland*
Parts of Hernando, Lake, Osceola, Polk and Sumter

District 16: Charlie Justice (D), St. Petersburg**
Parts of Hillsborough and Pinellas

District 17: JD Alexander (R), Winter Haven*
Hardee, Highlands, and parts of DeSoto, Glades, Okeechobee, Polk and St. Lucie

District 18: Arthenia L. Joyner (D), Tampa**
Parts of Hillsborough, Manatee and Pinellas

District 19: Gary Siplin (D), Orlando*
Parts of Orange and Osceola

District 20: Carey Baker (R), Eustis**
Parts of Lake, Marion, Seminole, Sumter and Volusia

District 21: Michael S. "Mike" Bennett (R), Bradenton*
Parts of Charlotte, DeSoto, Lee, Manatee and Sarasota

District 22: Lee Constantine (R), Altamonte Springs**
Parts of Orange and Seminole

District 23: Lisa Carlton (R), Osprey*
Parts of Charlotte, Manatee and Sarasota

District 24: Bill Posey (R), Rockledge**
Parts of Brevard, Orange and Seminole

District 25: Jeff Atwater (R), Palm Beach Gardens*
Parts of Broward and Palm Beach

District 26: Mike Haridopolos (R), Melbourne**
Parts of Brevard, Indian River, Osceola and St. Lucie

District 27: Dave Aronberg (D), Greenacres*
Parts of Charlotte, Glades, Hendry, Lee and Palm Beach

District 28: Ken Pruitt (R), Port St. Lucie**
Martin and parts of Indian River, Okeechobee, Palm Beach and St. Lucie

District 29: M. Mandy Dawson (D), Ft. Lauderdale*
Parts of Broward and Palm Beach

District 30: Ted Deutch (D), Boca Raton**
Parts of Broward and Palm Beach

District 31: Steven A. Geller (D), Hallandale Beach*
Part of Broward

District 32: Jeremy Ring (D), Margate**
Part of Broward

District 33: Frederica S. Wilson (D), Miami*
Part of Miami-Dade

District 34: Nan H. Rich (D), Weston**
Parts of Broward and Miami-Dade

District 35: Gwen Margolis (D), Miami Beach*
Parts of Broward and Miami-Dade

District 36: Alex Diaz de la Portilla (R), Miami**
Part of Miami-Dade

District 37: Burt L. Saunders (R), Naples*
Parts of Collier and Lee

District 38: J. Alex Villalobos (R), Miami**
Part of Miami-Dade

District 39: Larcenia J. Bullard (D), Miami*
Monroe and parts of Broward, Collier, Hendry, Miami-Dade and Palm Beach

District 40: Rudy Garcia (R), Hialeah**
Part of Miami-Dade

* Holdovers
** Elected General Election November 7, 2006, for a term of 4 years
*** Elected Special Election June 26, 2007, for a term ending November 2008

OFFICERS OF THE SENATE

Ken Pruitt, *President*
Lisa Carlton, *President Pro Tempore*
Daniel Webster, *Majority (Republican) Leader*
Steven A. Geller, *Minority (Democratic) Leader*

Non-member Elected Officer

Faye W. Blanton, *Secretary*

MEMBERS AND OFFICERS OF THE SENATE
THE 2007-2008 FLORIDA SENATE

President

Ken Pruitt (R)
Port St. Lucie
District 28

President Pro Tempore

Lisa Carlton (R)
Osprey
District 23

Majority (Republican) Leader

Daniel Webster (R)
Winter Garden
District 9

Minority (Democratic) Leader

Steven A. Geller (D)
Hallandale Beach
District 31

JD Alexander (R)
Winter Haven
District 17

Dave Aronberg (D)
Greenacres
District 27

Jeff Atwater (R)
Palm Beach Gardens
District 25

Carey Baker (R)
Eustis
District 20

Michael S. "Mike" Bennett (R)
Bradenton
District 21

Larcenia J. Bullard (D)
Miami
District 39

Lee Constantine (R)
Altamonte Springs
District 22

Victor D. Crist (R)
Tampa
District 12

M. Mandy Dawson (D)
Ft. Lauderdale
District 29

Charles S. "Charlie" Dean, Sr. (R)
Inverness
District 3

Ted Deutch (D)
Boca Raton
District 30

Alex Diaz de la Portilla (R)
Miami
District 36

Paula Dockery (R)
Lakeland
District 15

Mike Fasano (R)
New Port Richey
District 11

Don Gaetz (R)
Niceville
District 4

Rudy Garcia (R)
Hialeah
District 40

Mike Haridopolos (R)
Melbourne
District 26

Anthony C. "Tony" Hill, Sr. (D)
Jacksonville
District 1

Dennis L. Jones, D.C. (R)
Seminole
District 13

Arthenia L. Joyner (R)
Tampa
District 18

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THE 2007-2008 FLORIDA SENATE

Charlie Justice (D)
St. Petersburg
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Jacksonville
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Alfred "Al" Lawson, Jr. (D)
Tallahassee
District 6

Evelyn J. Lynn (R)
Ormond Beach
District 7

Gwen Margolis (D)
Miami Beach
District 35

Steve Oelrich (R)
Gainesville
District 14

Durell Peaden, Jr. (R)
Crestview
District 2

Bill Posey (R)
Rockledge
District 24

Nan H. Rich (D)
Weston
District 34

Jeremy Ring (D)
Margate
District 32

Burt L. Saunders (R)
Naples
District 37

Gary Siplin (D)
Orlando
District 19

Ronda Storms (R)
Brandon
District 10

J. Alex Villalobos (R)
Miami
District 38

Frederica S. Wilson (D)
Miami
District 33

Stephen R. Wise (R)
Jacksonville
District 5

Non-member Elected Officer

Faye W. Blanton
Secretary of the Senate

Sergeant at Arms

Donald Severance

Journal of the Senate

Number 1—Regular Session **Tuesday, March 4, 2008**

Beginning the Fortieth Regular Session of the Legislature of Florida convened under the Florida Constitution as revised in 1968, and subsequently amended, and the 110th Regular Session since Statehood in 1845, at the Capitol, in the City of Tallahassee, Florida, on Tuesday, the 4th of March, A.D., 2008, being the day fixed by the Constitution of the State of Florida for convening the Legislature.

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CALL TO ORDER

The Senate was called to order by President Pruitt at 11:00 a.m. A quorum present—40:

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

PRAYER

The following prayer was offered by Rabbi Yossi Eber of Chabad of West Pasco:

God in heaven, Master of the Universe, we stand here before you in prayer. Look favorably upon the honorable members of the Senate, from this great State of Florida. Bless these distinguished individuals, who have been chosen to make laws and decisions for all of the citizens of our state.

Let us recognize that this privileged position enables us to actually perform one of the Seven Noahide Laws given to us by God at the dawn of civilization. You commanded us that every society be governed by just laws which are based in the recognition and acknowledgment of you, O God, as the sovereign ruler of all men and all nations.

We, the citizens of the United States of America, proudly proclaim our commitment to this system of justice in the Pledge of Allegiance, "one nation under God – with liberty and justice for all."

Almighty God, grant those assembled here to enact laws with your assistance and guidance so that they will always be conscious of your presence in their lives, and conduct their work accordingly. May they constantly realize that in laboring for the enactment of just laws, they are doing your will.

We beseech you, almighty and merciful God, bless each and every member of this august body with the joy of life, good health, good cheer, profound wisdom, never-ending compassion and concern for all of mankind, as we strive for an era of peace and justice, and let us say, Amen.

PLEDGE

Senate Pages Antonio Harris of Tallahassee; Katy Melchiorre of Marco Island; JhaRonte James of Tallahassee, grandson of Ruby Dennis, Sergeant at Arms office; and Gregory "Greg" Twogood of Westford, Massachusetts, nephew of Phil Twogood, Rules Committee Staff Director, led the Senate in the pledge of allegiance to the flag of the United States of America.

DOCTOR OF THE DAY

The President recognized Dr. Edward William Pelote of Ft. Pierce, who he sponsored as doctor of the day. Dr. Pelote specializes in Internal Medicine.

SPECIAL GUESTS

The President recognized Chief Financial Officer Alex Sink; former Senator, Commissioner of Agriculture Charles H. Bronson; and Attorney General Bill McCollum.

The President recognized the following Supreme Court Justices: Justice Charles T. Wells, Justice Barbara J. Pariente, Justice Peggy A. Quince, Justice Raoul G. Cantero III and Justice Kenneth B. Bell.

The President recognized the following former Senate Presidents: John Vogt, 1986-88; Gwen Margolis, 1990-92; James Scott, 1994-96; and Jim King, 2002-04, and his wife, Linda.

The President also recognized former Senators John Broxson, John Grant, Van Poole, Congressman Kendrick Meek and former Congresswoman Karen Thurman.

The President recognized Senator King who acknowledged the Senate spouses.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has adopted HCR 8003 and requests the concurrence of the Senate.

William S. Pittman III, Chief Clerk

By Representative Rivera—

HCR 8003—A concurrent resolution providing that the House of Representatives and Senate convene in Joint Session for the purpose of receiving a message from the Governor.

—was read the first time in full. On motion by Senator King, by two-thirds vote **HCR 8003** was read the second time by title, unanimously adopted and certified to the House.

COMMITTEES APPOINTED

On motion by Senator Carlton that a committee be appointed to notify the House of Representatives that the Senate was convened and ready to proceed to the business of the session, the President appointed Senators Webster, Peaden, Lawson, Gaetz, Storms, Geller, Crist, Oelrich, Justice, Joyner, Baker, Constantine, Posey, Haridopolos, Deutch, Garcia, Villalobos, Diaz de la Portilla, Rich and Ring. The committee was excused.

On motion by Senator Carlton that a committee be appointed to notify the Governor that the Senate was convened and ready to proceed to the business of the session, the President appointed Senators Carlton, King, Hill, Dean, Wise, Lynn, Fasano, Jones, Dockery, Alexander, Siplin, Bennett, Atwater, Aronberg, Dawson, Wilson, Margolis, Saunders and Bullard. The committee was excused.

COMMITTEES DISCHARGED

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

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

ADDRESS BY PRESIDENT KEN PRUITT

Senators, families, our professional staff, and our invited guests: Welcome.

When I took the gavel for the first time as President, I spoke about the beginning of our "journey" together. Today, I welcome you to the halfway point. It's been an incredible ride so far.

There are parts of this moment in history that occur as a result of choices we have made. Yet there is one choice that a President does not get to make; that is, which Governor and Speaker he or she will serve with. You have heard me say time and time again how grateful during my term as President, and how blessed I am to have Governor Crist and Speaker Marco Rubio as my partners.

When it comes to Governor Crist, what can I say? He is Franklin Roosevelt and Ronald Reagan all wrapped up in one. I really love this man—his "can do," "It's always morning in America" attitude is an inspiration to every citizen in our great state. It's a sharp contrast to the "gloom and doom," "It's America's fault" attitude that pervades his critics and pundits and some in the media. I count my blessings every day for Charlie Crist.

Speaker Rubio, I love you too. Sometimes he's tough to love, but I do genuinely love him. He is a man who has the courage of his convictions, an inspiring leader who keeps us pushing the envelope of greatness at every turn. I am proud to be his partner.

As I look across this chamber at the faces of our families and loved ones, I see a lot of genuine smiles—smiles not yet faded by the extra responsibilities and sacrifices that they bear because of the duties that take us away from home. *[To the families:]* You may not be elected, but you truly are public servants of the highest order, and we thank you.

To my bride, Aileen, it's been quite a year. You are the strongest person I have ever known. You have lifted me when I was at my lowest points, you, your joy and laughter have brightened my darkest days, and, above all, you have been the perfect match to complete my soul. Aileen, I love you.

Opening days are among those unique jewels in the treasure chest of Senate tradition. They give us the chance to stop for a moment and reflect on what has been done, and what is left for us to do.

Tonight, our Governor will give the State of the State speech. This morning, I have the privilege of reporting to you on the "State of the Senate."

Senators, I am proud to say, the State of our Senate is very, very good. One year ago, we rededicated ourselves to the goal of putting aside partisanship to rise above our individual interests in order to better represent those who we are called to serve. We committed to working together with a united front to do the people's work.

While many words will be spoken today, and many ceremonies will take place, if I could step away from policy and legislation for a moment to speak to you on a personal level, I would like to say to each of you with genuine gratefulness, "Thank you." Thank you for the honor and privilege of being your President. Thank you for your continuing efforts to be a united Senate.

By standing together we not only called upon, as Abraham Lincoln so eloquently described, "the better angels of our nature," but we have also been able to fulfill our very special role in American democracy as the thoughtful, deliberative, and inclusive chamber. Because of you, our work product represented the best and brightest ideas of all Senators—without regard for party, seniority, or alliances. Our work product represented Florida. The results speak for themselves.

With a united voice, this chamber passed comprehensive property insurance reform. The legislation has made significant progress in stabilizing a shell-shocked market. It's frightening to think of what this market would be without those reforms. Rates are finally going down for consumers. The patient is stable, yet we know that there is more to do in order to continue the process of healing and recovery.

We started the 2007 Session with a strong commitment to public safety by passing Florida's Anti-Murder Bill. Again, by unanimous vote, this chamber passed legislation to keep dangerous criminals locked away from hurting our children, our seniors, and our neighbors. And it is working.

Senators, we took on property tax relief and reform; one of the most contentious and complex issues that I have seen while serving in the Legislature. I cannot tell you how proud I am of the way you conducted yourselves during the heat of the battle.

Last year, I called you the master architects of the process, and you were just that. Property taxes are lower today because of you. Despite the many, many, MANY critics and pundits, Floridians got the last word on the issue. They said yes to our reforms by an overwhelming 64 per cent, in one of the largest primary turnouts of BOTH PARTIES in Florida's history. That's a pretty impressive seal of approval.

Though it is less written about, the statutory revenue cap on cities and counties that this Senate championed is working. We've all seen what has come to be known as the "Webster Chart", the line graph that measures the revenue collections of local governments. We said we wanted to end the unaffordable, unsustainable spikes in property taxes. We said taxpayers should not be burdened with the crushing weight of massive increases. Thanks to your efforts, they won't have to.

Our number one priority for the 2007 Legislative Session was to invest in Building Florida's Future, or "BFF" as we affectionately called it. Senators, we invested over 5 billion dollars of non-recurring revenue into Florida's economy. We're building more roads, schools, community colleges, universities; heavily investing in our water quality systems; and most importantly, injecting significant "seed money" to grow a new "knowledge-based" sector for Florida's economy.

We are seeing great success in our efforts. Last year I listed the growing cluster of research-based industries locating to our state: Scripps, Burnham, Torrey Pines, SRI. These are the trailblazing pioneers of a new economic frontier for Florida. Because of the Senate's BFF initiative, we now can add the world-renowned research institutions Max Planck, VGTI, and Genomics to the growing list. Senators, our efforts have caught the attention of the world like a sonic boom. We are growing a new economy in Florida. I believe that 10 or 20 years from now, Floridians will point to this Legislature as the leaders who had the vision and courage to make it happen.

These new initiatives occurred against the backdrop of our long-term and continuing commitment to our state's priorities: Health Care, our Seniors, our Environment, and Education.

In 2008, we will press on. The first two quarters have been played, but there is still a second half to go.

In some ways, it feels like we have never really stopped. I realize the special sessions and additional meetings have taken their toll. It would be tempting to let up, but we cannot. We must not. We are going to keep aggressively moving forward.

There are new challenges. Revenues continue to drop. While there is no unified opinion among the experts or pundits as to whether we are in a recession, near a recession, or will barely avoid a recession, one thing is certain, we are experiencing challenging economic times.

Senators, we will have less money to spend this year than we had last year. Less money means having to say no a whole lot more. It means fewer bills and no special projects.

It is times like these when our mettle is tested. It is a whole lot easier to lead when there is a lot of money. The pressure will be on as we reduce costs, find efficiencies, and say "no" to new initiatives. Now, more than ever, the traditional role of the Senate is going to be vital.

Any legislator who plans on focusing solely on the "here and now" is going to have a long, long session. Seasoned veterans of this process will tell you, you can't live solely for today, we must view our decisions based on the long-term results for Florida.

Senator Margolis, you served as Senate President in 1990, presiding over the last major economic downturn in Florida. Senator King, you led this Senate in the aftermath of 9-11. This body did not only get through those tough times, we came out better and stronger than before.

This isn't the time to shrink back or bunker in; it's the time to act. We are not only going to get through these challenging times, but we are going to move Florida forward.

It's why we are going to continue investing in Florida's infrastructure and economic innovations with Building Florida's Future 2. It is my hope that we can match or exceed the investment that we made last year. The fact remains that non-recurring dollars are best spent on one-time initiatives. It's why we are promoting Building Florida's Future 2, a plan to strategically invest our non-recurring dollars to stimulate Florida's economy.

We are going to continue to move aggressively forward on property insurance reform. The Select Committee on Property Insurance Accountability is meeting and already they have had an impact. Immediately after Senator Atwater and Senator Geller announced that they were bringing insurance executives in under oath, and by subpoenas if necessary, the Office of Insurance Regulation received calls from several companies who suddenly wanted to call off their challenges to the lower rates that OIR demanded. We are going to keep the pressure on. We will continue to get answers. We will change the law if needed to ensure that consumers in Florida get the rate reductions that we intended for them.

We will move forward on energy independence for our state. We are all aware of the scientific and political debates on global warming. Let's not get caught up in that debate. Rather, we must realize that increasing Florida's energy independence can only benefit our state. Let us forge ahead on an alternative energy policy so that we can leave a healthy and vibrant Florida for our children and their children.

We have made tremendous investments in our precious environment, including the Northern Everglades Act passed just last year, and we plan to continue the efforts. Our focus this year will be creating a successor program to Florida Forever, extending our environmentally sensitive land purchase program to take us into the next generation.

We are going to move forward on education accountability with a constitutional amendment that will put the selection of an Education Commissioner back in the hands of the voters. By doing so, we not only give Floridians a meaningful role in the direction of our education system in Florida, but we also elevate education back into a cabinet level position, a place that it rightly deserves.

The amendment will also address the deficiencies in the constitutional amendment in 2003 authorizing the Board of Governors. The authors, for whatever reason, left out what was probably the most important question when the Board of Governors was created. Senators, we are going to allow the people to have a clear and transparent vote on the issue. Do they want an unelected board to set tuition, or do they want their Legislature, a body elected by the people, to set it?

Finally, we will move forward with an initiative to protect our most vulnerable population, our seniors, from financial and criminal predators. To all those, including companies, who confuse and deceive seniors out of their savings with financial schemes that scam thousands upon thousands of dollars from our seniors, we are putting you on notice. We will partner with our Chief Financial Officer and the Department of Financial Services to implement severe penalties to protect our Greatest Generation.

Senators, as I said in my opening, we have finished the first half, but there is still another half before us. When the final gavel falls in just 60 days, I believe we will be able to look back with pride and satisfaction that we did our job, and we did it well. It is also likely that we will finish this session with a little bit of sadness, for the end of session will also mark the last day of legislative service for six of our Senators.

With the departure of these beloved colleagues, we will lose 116 years of combined legislative service. As I read their names, undoubtedly a wave of memories, emotions, and appreciation will flood each of our hearts:

Senator Gwen Margolis,
Senator Burt Saunders,
Senator Mandy Dawson,
Senator Steve Geller,
Senator Lisa Carlton, and
Senator Daniel Webster.

Each one has made significant contributions to our state and indelible marks in our lives.

[To the Senators:] Thank you for your incredible service to the Senate, and to our state. This is your last session, and we plan to make it your best one yet. Most of our "send-off" ceremonies will happen during the last week of session, but I thought it would be fitting to begin your final session with a public tribute to each of you for your incredible service to our state.

Senators, I invite you to take this moment to watch a brief photo presentation honoring our six Senators.

[Video Presentation]

[To the entire Senate:] Senators, let us take every opportunity to spend time with these special people in the last days of their noble service in the Senate. They have fought many battles and navigated through some very choppy waters. They have much to offer, and we should take every chance we can to tap into their storehouse of institutional wisdom.

And so it begins. The 2008 Legislative Session. Our second half. I am proud of the work that we have done, aware of the challenges that are ahead, and confident that together we will accomplish an agenda that will result in a stronger and better Florida for generations to come.

COMMITTEE RECEIVED

A committee from the House of Representatives composed of Representatives Gardiner, Gelber, Grant and Richter was received and informed the Senate that the House of Representatives was convened and

ready to proceed to the business of the session. The committee then withdrew from the chamber.

MOTIONS RELATING TO COMMITTEE MEETINGS

Senator King announced that the Fiscal Policy and Calendar Committee will meet from 1:15 p.m. until 2:00 p.m. this day.

On motion by Senator King, the rules were waived and the following committees were granted permission to meet this day from 2:15 p.m. until 4:30 p.m., Banking and Insurance; Commerce; Regulated Industries; and Transportation.

On motion by Senator King, the rules were waived and the following committees were granted permission to meet Wednesday, March 5: from 9:00 a.m. until 11:30 a.m., Criminal Justice; Judiciary; and Military Affairs and Domestic Security; and from 2:00 p.m. until 4:30 p.m., Children, Families, and Elder Affairs; Education Pre-K - 12; Health Policy; and Health Regulation.

MOTIONS

On motion by Senator King, the rules were waived and by two-thirds vote **SB 1676**, **CS for SB 1678**, **SB 1680** and **SB 1682** were established as the Special Order Calendar for Thursday, March 6.

RECESS

On motion by Senator King, the Senate recessed at 12:02 p.m., and pursuant to **HCR 8003**, the Senate will meet in joint session at 5:30 p.m. this day for the purpose of receiving a message from the Governor.

JOINT SESSION

Pursuant to **HCR 8003**, the Senate met in the chamber of the House of Representatives where they were received in due form. The joint session was called to order by The Honorable Marco Rubio, Speaker of the House of Representatives.

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

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

THE PRESIDENT PRESIDING

The President declared a quorum of the joint session present.

House Chaplain Bob West delivered the prayer.

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

The Speaker recognized Doctor Edward William Pelote of Ft. Pierce, sponsored by the President, as doctor of the day.

On motion by Representative Sansom that a committee be appointed to notify the Governor that the joint session was assembled to receive his message, the President appointed Senators Webster, Carlton, Dawson, Geller, Margolis and Saunders; and on behalf of the Speaker, appointed Representatives Zapata, Ausley, Brown, Cusack, Grant, Hukill, Ross, Traviesa and Troutman. The committee withdrew from the chamber.

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

SPECIAL GUESTS

The President recognized the following guests: First Lady of the Senate, Aileen Pruitt; First Lady of the House, Jeanette Rubio; Senator Lisa Carlton, President Pro Tempore of the Senate; Representative Marsha "Marty" Bowen, Speaker Pro Tempore; former Speakers Lee Moffitt and John Thrasher; former Speaker, Senator Daniel Webster; former Senators Curt Kiser, John Grant, Nancy Argenziano and Van Poole; former Representatives Wilbert "Tee" Holloway and Dixie Sansom; and former Senate Presidents Jim King and Gwen Margolis.

The President presented the Governor to the joint assembly.

ADDRESS BY GOVERNOR CHARLIE CRIST

Good evening. Mr. President, Mr. Speaker, Lt. Governor, Mr. Chief Justice and members of the court, members of the Cabinet, the Legislature, honored guests, and my fellow Floridians across our state. Good evening to you all.

I also want to recognize my family seated in the gallery, my mother, my father, my sisters and their families. Thank you for your support. I love you very much.

I want to thank Sergeant Allison Jean Justice from Jacksonville for her service to the American people. Whether serving in Iraq, Afghanistan or other places around the world, the members of the Florida National Guard and our Armed Forces are protecting our freedoms in distant places. General Burnett, good to see you. And Representative Mike Scionti, Captain Scionti—welcome home.

It is good to be here with all of you this evening.

In many ways, tonight marks a new beginning. We begin a new tradition of speaking to our fellow Floridians at a time of day when every Floridian can explore the opportunities and challenges that lie before us. So, tonight we open another window into the workings of their government. For the Floridians listening to this address for the first time, a special welcome.

Thank you, President Ken Pruitt and Speaker Marco Rubio for your great work. Because of your leadership and the tireless work of the people in this chamber, and the work I know that you will continue to do, tonight my friends I can report to you that the state of our state is indeed strong.

A year ago I stood here before you as Florida's new Governor. Together, we have faced many challenges, from spiraling property taxes and insurance rates, to devastating tornadoes that claimed 21 lives. And together we have taken on these challenges.

Florida's families and business are faced with extraordinary economic times, sky rocketing gas prices, the threat of foreclosure and a softening housing market. And, like Florida's families, these challenging times will require us to meet the demands of declining revenues.

How will we do this? By keeping taxes low, creating jobs, and fueling an economy that ranks ahead of most nations of the world, we set a model at which others can marvel.

Pessimists see problems, while optimists see opportunities. You know I am an optimist, but no matter the perspective, we can dare to be great.

In early 2007, this Legislature passed, and I signed, a law lowering property insurance companies' costs with the condition they pass those savings on to policy holders by cutting rates. Since then, no new rate increases have been approved. Thank you, Commissioner Kevin McCarty for your great work on behalf of the people. Rates have dropped an average of nearly 16 percent—and we will continue fighting for the people. I would urge my fellow Floridians to visit ShopAndCompareRates.com to find lower rates.

The message was clear: This Governor and this Legislature can, and will, work together to help Floridians realize, and keep alive, the dream of owning a home.

Acting as the people's trustees, you passed a $15 billion property tax cut, the largest tax cut in our state's history. Voters made their voices heard loud and clear with the passage of Amendment 1, bringing another $9.3 billion in property tax relief—a $25 billion tax cut over the next five years, all right back into the pockets of Florida's families, at a time when families need it most. Families like the Randolphs...

[Video of personal story about property taxes]

These property tax cuts are just the beginning. We can and should continue to fight for property tax relief and I encourage the Taxation and Budget Reform Commission, led by our great former Speaker of the House Allan Bense, to give the people the opportunity to vote for another tax cut. Thank you, Mr. Speaker.

Just as Amendment 1 gave the people of Florida the opportunity to let their voices be heard, so has the significant election reform you passed last year. By moving up our state's presidential primary, Floridians turned out in record numbers to truly make an impact on who will become the next President of the United States. When we dutifully cast our paper ballots this November, we will do so knowing that the integrity of this process, the very foundation of our democracy, has been protected by the actions of this body. Just 90 miles south of us in Cuba, there are those who dream of having this privilege and we must honor them by casting our ballots in November.

One of my top priorities is making certain that every child in Florida has the opportunity to live in a loving, safe and permanent home. Together, we are increasing the number of successful adoptions. Thanks to the hard work of the Office of Adoption and the Department of Children and Families—Secretary Butterworth, what an incredible advocate you are for the children of our state—and their many workers in the field, who are ensuring that more of Florida's children find loving homes.

Homes like Vivian Wilson's. Vivian chose to adopt three teenage sisters. She is proud of the way the girls have gained confidence socially, academically and intellectually, proud that they are accepting challenges that they used to shy away from.

As much as we focus on finding adoptive families for foster children, we are also focused on protecting those who remain in the state's care. That's why I've recommended $9.8 million to purchase "all-in-one" case management devices. Developed with our friends in the private sector at UPS, we can revolutionize how we protect Florida's foster children. Up until now, we have done a better job in this country tracking packages than we have tracking the children placed in our care. This tool will help our caseworkers focus on doing casework instead of paperwork in living rooms instead of behind a desk. Our children deserve no less and I urge you to support this funding.

I believe in second chances. Every child of God is entitled to a second chance. Not only must we compensate those like Alan Crotzer who have been wrongfully accused, we must also forgive those who broke the law and paid their debt to society and provide them the opportunity to restore their dignity and their self worth. Thanks to the good work of my fellow Cabinet members, the civil rights of thousands of Floridians have been restored, Floridians like Lisa Burford. Here's Lisa's story:

[Video of personal story about restoration of civil rights]

I am proud to say Lisa was able to cast her vote on January 29th.

I am also especially proud of initiatives we have launched in the past year at little or no cost to taxpayers. Proof that government can serve the people without spending their money.

Since December, we have helped over 28,000 Floridians receive discounted prescription drugs through the Florida Discount Drug Card. People like 20 year old Jackie who sent me this e-mail:

"Dear Mr. Crist, I'm a full-time college student and lost both of my parents by the age of 19. I have not been able to go to the doctor due to prescription drugs costing more than my doctors visit. I have applied for the card and I know this will help young adults just like me."

The success of the program lies in the state's ability to negotiate on behalf of millions of Floridians to lower drug prices. Eligible Floridians can go to FloridaDiscountDrugCard.com to sign up.

What will we do in the coming year to continue moving Florida forward? We will plan for the future while still protecting and caring for our most vulnerable, our children, our elderly and our disabled.

Fiscal discipline has afforded us financial reserves to invest in our future while balancing our budget during difficult economic times. We have reserves for times when we need them; for times when we need to sustain our commitment to those who rely upon us most; for times when we need to invest in ourselves and our future; for times when waiting can be too costly.

My legislative package sets clear priorities and outlines a comprehensive plan for moving Florida forward. It strengthens the pillars that make our state great, the pillars that must be in place for us to be strong:

Healthy Families
World Class Schools
Safe Neighborhoods
A Vibrant Economy
Sustainable Natural Resources

These pillars must be our priorities.

The lack of health insurance is the primary barrier to accessing health care. In Florida, 3.8 million people have no health insurance—including 650,000 children. This barrier exists not just for the poor and disadvantaged. Florida's hardworking families and small business owners are facing the same barrier every day, business owners like the Silvermintz family. Here's their story:

[Video of personal story about accessible health care]

This lack of access to health care is unacceptable. Together we can seek a comprehensive, market-based strategy that can provide uninsured Floridians with affordable health and dental care.

I am proposing $63.9 million for the Florida Health Access System. This three-year pilot joins the State, local hospitals and county health departments in partnerships to provide preventive and primary health care services to the uninsured.

Communities across our state have found it difficult to provide access to health care for their people. This is not of their doing, but that of government. Anti-competitive, bureaucratic barriers to affordable health care must be eliminated.

I propose $60.6 million to be targeted toward enrolling more than 46,000 additional children in the KidCare program.

Child obesity is another threat to Florida's children. The Governor's Council on Physical Fitness is charged with developing a state plan to promote physical fitness and sound nutrition. Last week, we challenged our elementary students and schools to do even more by participating in the Governor's Fitness Challenge. With us today is one of our state's outstanding Physical Education teachers, Suzy Corace, Lee County's Teacher of the Year.

We must maintain our commitment to protect Florida's natural beauty and resources. We must establish a successor to Florida Forever. To strive for natural water flow, I also propose that we fully-fund Florida's share of Everglades restoration and continue restoring Lake Okeechobee and downstream coastal estuaries.

Serve to Preserve is this Administration's commitment to lead, and we are leading by example. We will work to conserve energy within State government and, together with the private sector, reduce our carbon emissions.

A recent Orlando Sentinel editorial recognizes that our choice is not whether we can afford to go green but, that even in this tight budget year, we can't afford not to.

Our economy is inextricably linked to our environment. Many businesses are recognizing that there is gold in green. Publix is one such business. Allow me to introduce Mr. Dave Duncan, Vice President of facilities for Publix Super Markets.

[Video of personal story about energy and economic development]

Thank you, Dave and Publix, for your leadership.

We must continue to fuel Florida's Innovation Incentive Program to bring cutting-edge, world-class research centers to the state. These centers are economic catalysts that drive discovery and collaboration, diversify our economy and bring high-wage, high-skill, secure jobs to Florida, and this strategy is already working.

What Florida has done for biotech, it can also do for clean tech. That's why I'm recommending a $200 million economic development package for solar, wind and other renewable energy, and to promote biofuels in

Florida and encourage alternative fuels such as ethanol. We have the opportunity to enhance the use of this cleaner fuel, while also providing a broader market for sugar cane and citrus waste. Thank you, Commissioner Bronson, for your work to explore non-food sources of ethanol production in your Farm to Fuel efforts.

Our current path in education has reaped significant gains in student achievement in reading and math over the past five years. Florida's school performance has now risen from 31st to 14th among all states and risen to 7th in achievement.

While the vast majority of teachers are committed, some demonstrate exceptional creativity in bringing out the best in their students, our children.

In the same way, the Merit Award Program you created last year rewards our best and brightest public school teachers. I recommend we fully fund these teacher bonuses for those who improve student achievement and who work diligently to improve their teaching skills through national peer review.

It is important we continue to tell our best teachers, teachers like Michelle Lingo, Escambia County's Teacher of the Year: Thank you for a job well done.

Florida's universities and community colleges provide the next critical step in the education of our people. These institutions are producing the future leaders of our state, our nation and the world. We must continue to invest in higher education. My budget provides for more than $5 billion for higher education and that is an increase over last year.

Not only is it essential that we stand by our schools, we must also stand by our neighborhoods.

In the Preamble to the Constitution, one of the primary roles of government is defined as ensuring domestic tranquility, which means keeping our people safe.

We are fulfilling this responsibility with tougher laws and increased enforcement along with crime prevention strategies within the criminal justice system. Effective legislation such as Stop Turning Out Prisoners and 10-20-Life is making an impact on the crime rate, while the Anti-Murder Act will prevent future tragedies. Thank you for passing this important legislation. We must also work together to address crime in our state, including gang activity.

I was proud to launch the Attorney General's Cyber Crime Unit in 2005 to thwart the actions of those who target our children. Attorney General Bill McCollum has made fighting this crime a top priority. Thank you, General.

For families to feel safe, for them to be truly safe, they cannot be worried about losing their home to foreclosure. That's why I recently announced the Florida HOPE taskforce charged with making recommendations to help families who have found themselves victims of the housing crisis. Chief Financial Officer Sink, the Lt. Governor and I look forward to working with you on this very important issue.

All of us in this chamber are guided by our instincts, but we must also continue to be responsive to the people who sent us here. Their wisdom and their experience in the real world makes up a significant portion of the knowledge base from which we must lead.

Even in this election year, we must remember our first duty is to the people, not to our parties. Our first duty is to work together, and our first duty, as Abraham Lincoln declared, is to be a government of the people, by the people and for the people. Abraham Lincoln declared to the nation this is a government of the people, by the people and for the people.

I admit to not having all of the answers and believe all of you in this chamber will admit to the same. But we know where to find them. We can find answers in the hearts of the people of Florida. They are our most important resources. The people of Florida offer us our daily education and inspiration. They look to us to be their voice.

We too must inspire. Yes, we face some challenges, or opportunities, but all of us would do well to remember Ronald Reagan's words. He said we must:

"...keep our rendezvous with destiny...uphold the principles of self-reliance, self-discipline, morality, and, above all, responsible liberty for every individual that we will become that shining city on a hill."

Fellow Floridians, President Reagan inspired us to see what is possible and dared us to be great. He was daring us to be leaders.

I love Florida, I love her with all of my heart. Her possibilities are endless, and our optimism should be boundless. Together we are moving Florida forward.

Thank you and God bless the Great State of Florida.

DISSOLUTION OF JOINT SESSION

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

On motion by Senator King, the joint session was dissolved at 6:37 p.m. and the Senators were escorted from the House chamber by the Senate Sergeant at Arms.

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

INTRODUCTION AND REFERENCE OF BILLS

FIRST READING

Senate Bills 2-10—Not used.

By Senators Aronberg, Lawson and Storms—

SB 12—A bill to be entitled An act relating to the relief of Alan Jerome Crotzer; providing an appropriation to compensate Alan Jerome Crotzer for wrongful imprisonment and for being a victim of a miscarriage of justice; directing the Chief Financial Officer to draw a warrant; requiring the purchase of an annuity; providing for the waiver of specified tuition and fees; providing conditions for payment; providing legislative intent; providing a limitation on the payment of fees and costs; providing an effective date.

—was referred to the Special Master on Claims Bills.

By Senator Margolis—

SB 14—A bill to be entitled An act relating to the Department of Transportation; providing an appropriation to compensate the estate of Dr. Sherrill Lynn Aversa for the death of Dr. Sherrill Lynn Aversa, which was the result of negligence by an employee of the department; providing for attorney's fees and costs; providing a limitation on the payment of fees and costs; providing an effective date.

—was referred to the Special Master on Claims Bills.

By Senators Crist and Aronberg—

SB 16—A bill to be entitled An act for the relief of Ashraf Kamel and Marguerite Dimitri by the Palm Beach County School Board; providing for an appropriation to compensate Ashraf Kamel and Marguerite Dimitri for the wrongful death of their minor child, Jean A. Pierre Kamel, as a result of the negligence of the Palm Beach County School Board; providing a limitation on the payment of fees and costs; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Special Master on Claims Bills.

By Senator Atwater—

SB 18—A bill to be entitled An act for the relief of Laura D. Strazza; providing an appropriation to compensate her for injuries she sustained as a result of the negligence of an employee of the Department of Agriculture and Consumer Services; providing a limitation on the payment of fees and costs; providing an effective date.

—was referred to the Special Master on Claims Bills.

By Senator Hill—

SB 20—A bill to be entitled An act relating to the Department of Transportation; providing for the relief of Stephen Hall to compensate him for injuries sustained as a result of the negligence of an employee of the department; providing an appropriation; providing a limitation on the payment of fees and costs; providing an effective date.

—was referred to the Special Master on Claims Bills.

By Senator Hill—

SB 22—A bill to be entitled An act for the relief of the descendents of Mrs. Johnnie Mae Chappell, Claimants; directing the Division of Administrative Hearings to appoint an administrative law judge to determine whether a basis for equitable relief exists for the purpose of compensating the descendents of Mrs. Johnnie Mae Chappell for any wrongful act or omission by the State of Florida, or officials thereof; authorizing such compensation upon a determination by the administrative law judge; requiring a report to the Legislature; providing a limitation on the payment of fees and costs; providing an appropriation; providing an effective date.

—was referred to the Committee on Rules.

By Senator Jones—

SB 24—A bill to be entitled An act relating to the relief of Judge Joseph G. Donahey, Jr., and Tena Donahey, his spouse; providing an appropriation to compensate them for injuries received by Joseph Donahey, Jr., and for damages sustained by Mr. and Mrs. Donahey as a result of the medical treatment of Judge Joseph G. Donahey, Jr., by employees of the State of Florida; providing a limitation on the payment of fees and costs; providing an effective date.

—was referred to the Special Master on Claims Bills.

By Senator Siplin—

SB 26—A bill to be entitled An act relating to Orange County; providing for the relief of Stacie Wagner (formerly known as Stacie Reyes), mother of decedent Angelica Hernandez, a minor, for injuries and damages resulting in the death of the minor child due to the negligence of an employee of the Orange County Fire Department; providing for an appropriation; providing a limitation on the payment of fees and costs; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Special Master on Claims Bills.

By Senator Aronberg—

SB 28—A bill to be entitled An act relating to the Office of the Sheriff of Collier County; providing for the relief of J. Rae Hoyer, individually, and as Personal Representative of the Estate of David J. Hoyer, M.D., deceased, whose demise was due in part to negligence on the part of the Sheriff of Collier County; providing a limitation on the payment of fees and costs; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Special Master on Claims Bills.

By Senator Lawson—

SB 30—A bill to be entitled An act relating to the Agency for Persons with Disabilities; providing for the relief of Eddie Weekley and Charlotte Williams, individually and as co-personal representatives of the estate of Franklin Weekley, deceased, for the disappearance and death of their son, Franklin Weekley, while he was in the care of the Marianna Sunland Center; providing an appropriation; providing a limitation on the payment of fees and costs; providing an effective date.

—was referred to the Special Master on Claims Bills.

By Senator Lawson—

SB 32—A bill to be entitled An act relating to Florida State University; providing for the relief of Dennis Darling, Sr., and Wendy Smith, parents of Devaughn Darling, deceased, for the loss of their son, Devaughn Darling, while he was engaged in football preseason training on the Florida State University campus; providing an appropriation; providing a limitation on the payment of fees and costs; providing an effective date.

—was referred to the Special Master on Claims Bills.

By Senator Lawson—

SB 34—A bill to be entitled An act relating to the Department of Agriculture and Consumer Services; providing for the relief of Laura Laporte for injuries she sustained as a result of negligence by an employee of the department; providing an appropriation; providing a limitation on the payment of fees and costs; providing an effective date.

—was referred to the Special Master on Claims Bills.

By Senator Joyner—

SB 36—A bill to be entitled An act relating to Dennis Gay and Diana Gay, wife of Dennis Gay; providing an appropriation to compensate Dennis and Diana Gay for injuries sustained as a result of the negligence of the Department of Transportation; providing for the use of funds; providing for the reversion of funds to the state; providing for payment by the Chief Financial Officer; providing a limitation on the payment of attorney's fees and lobbying fees and costs; providing an effective date.

—was referred to the Special Master on Claims Bills.

By Senator Deutch—

SB 38—A bill to be entitled An act relating to Memorial Healthcare System of Broward, Inc., d/b/a Memorial Regional Hospital; providing for the relief of Janaria Miller, a minor child, to compensate her for injuries sustained as a result of the negligence of employees of the hospital; providing an appropriation; providing a limitation on the payment of fees and costs; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Special Master on Claims Bills.

By Senator Wilson—

SB 40—A bill to be entitled An act relating to the Miami-Dade County School Board; providing for the relief of Maria Gough and Jorge Gough, parents and natural guardians of Jaime Gough, a minor, and of Jorge Gough, as personal representative of the estate of Jaime Gough, for the

wrongful death of their son, which was due in part to the school board's negligent failure to prevent forseeable violence on school grounds; providing a limitation on the payment of fees and costs; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Special Master on Claims Bills.

By Senator Hill—

SB 42—A bill to be entitled An act for the relief of Rhonda A. Hughes by Escambia County; providing for a county appropriation to compensate Rhonda A. Hughes for injuries sustained as a result of the negligence of a county employee; providing a limitation on the payment of attorney's and lobbying fees and costs; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Special Master on Claims Bills.

SB 44—Withdrawn prior to introduction.

By Senator Lawson—

SB 46—A bill to be entitled An act for the relief of Marissa Amora; providing an appropriation to compensate her, a minor, by and through her legal guardians, Dawn and Rick Amora, for injuries she sustained as a result of the negligence of employees of the Department of Children and Family Services; providing a limitation on the payment of fees and costs; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Special Master on Claims Bills.

By Senator Aronberg—

SB 48—A bill to be entitled An act relating to the Department of Children and Family Services; providing for the relief of Pierreisna Archille, a mentally disabled person, by and through her Limited Guardian of Property, Patrick Weber, to compensate Pierreisna for injuries sustained as a result of the negligence of employees of the department; providing for an appropriation; providing a limitation on the payment of fees and costs; providing an effective date.

—was referred to the Special Master on Claims Bills.

By Senator Baker—

SB 50—A bill to be entitled An act relating to the City of Lake Worth; providing for the relief of Lisa Freeman-Salazar and Andy Salazar, individually and as co-personal representatives of the estate of Alexandria Salazar, deceased, for the death of Alexandria Salazar due to the negligence of the City of Lake Worth; providing for an appropriation; providing for attorney's fees and costs; providing a limitation on the payment of fees and costs; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Special Master on Claims Bills.

By Senator Baker—

SB 52—A bill to be entitled An act relating to the Department of Highway Safety and Motor Vehicles; providing for the relief of Timothy Kulik and Theresa Ann Kulik; providing an appropriation to compensate them for injuries and damages sustained as a result of the negligence of the department; providing a limitation on the payment of fees and costs; providing an effective date.

—was referred to the Special Master on Claims Bills.

By Senator Joyner—

SB 54—A bill to be entitled An act relating to the Orange County School Board; providing for the relief of Daniel Decembre, a minor, by and through his parents and natural guardians, Desnar and Mignone Decembre; providing for an appropriation to compensate Daniel for injuries and damages he sustained as a result of negligence by agents and employees of the school board; providing a limitation on the payment of fees and costs; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Special Master on Claims Bills.

SB 56—Not referenced.

By Senator Villalobos—

SB 58—A bill to be entitled An act for the relief of Luis Diaz; providing an appropriation to compensate Luis Diaz for injuries and damages sustained as a result of his wrongful imprisonment; directing the Chief Financial Officer to draw a warrant; providing conditions for payment; providing a limitation on the payment of fees and costs; providing an effective date.

—was referred to the Special Master on Claims Bills.

By Senator Ring—

SB 60—A bill to be entitled An act relating to the South Broward Hospital District; providing for the relief of Adrian Fuentes, a minor, by and through his parents and natural guardians, Luz Fuentes and Jose Fuentes; providing for an appropriation to compensate him for injuries and damages sustained as a result of the negligence of the South Broward Hospital District, d/b/a Memorial Hospital Primary Care Center; providing a limitation on the payment of fees and costs; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Special Master on Claims Bills.

By Senator Fasano—

SB 62—A bill to be entitled An act relating to the Department of Transportation; providing for the relief of Amie Draiemann Stephenson, individually, and as Personal Representative of the Estate of Christian Darby Stephenson, deceased, and for the relief of Hailey Morgan Stephenson and Christian Darby Stephenson, II, as surviving minor children of the decedent; providing for an appropriation to compensate them for the wrongful death of Christian Darby Stephenson, which was due in part to the negligence of the department; providing a limitation on the payment of fees and costs; providing an effective date.

—was referred to the Special Master on Claims Bills.

By Senator Diaz de la Portilla—

SB 64—A bill to be entitled An act relating to the South Florida Water Management District; providing for the relief of Brian Daiagi; authorizing and directing the South Florida Water Management District to compensate Mr. Daiagi for personal injuries that he suffered due to the negligence of the South Florida Water Management District; providing a limitation on the payment of fees and costs; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Special Master on Claims Bills.

By Senator Atwater—

SB 66—A bill to be entitled An act relating to the Department of Children and Family Services; providing for the relief of Jorge and Debbie Garcia-Bengochea and their adoptive children Brian, Matthew, and James for injuries and damages sustained as a result of negligence by employees of the department or its predecessor agency; providing an appropriation; providing a limitation on the payment of fees and costs; providing an effective date.

—was referred to the Special Master on Claims Bills.

By Senator Dean—

SB 68—A bill to be entitled An act for the relief of Tyler Giblin, a minor, by and through Gina and Mark Giblin, parents of Tyler Giblin; providing for an appropriation by the Marion County Hospital District to compensate Tyler for injuries sustained as a result of the negligence of the district; providing for the use of funds; providing for the reversion of funds to the state; providing a limitation on the payment of fees and costs; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Special Master on Claims Bills.

By Senator Lawson—

SB 70—A bill to be entitled An act relating to the City of Belle Glade; providing for the relief of Willie Police, III, Cora Donaldson, Willie Police, Sr., and the Estate of Willie Police, Jr.; authorizing and directing the City of Belle Glade to compensate them for injuries suffered as a result of the death of Willie Police, Jr., due to the negligence of employees of the city; providing a limitation on the payment of fees and costs; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Special Master on Claims Bills.

SB 72—Withdrawn prior to introduction.

By Senators Geller, King and Aronberg—

SB 74—A bill to be entitled An act relating to distribution of proceeds from excise taxes on documents; amending s. 201.15, F.S.; removing a limitation on the amount of such proceeds which may be deposited into the State Housing Trust Fund on or after a specified date; providing an effective date.

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

By Senators Atwater and Gaetz—

SB 76—A bill to be entitled An act relating to criminal activity; creating s. 790.231, F.S.; prohibiting possession of bulletproof vests by certain individuals; providing penalties; amending s. 823.05, F.S.; revising provisions relating to the enjoining of public nuisances to include certain places frequented by members of criminal gangs; amending s. 874.01, F.S.; revising a short title; amending s. 874.02, F.S.; revising legislative findings and intent; amending s. 874.03, F.S.; creating and revising definitions; redefining "criminal street gangs" as "criminal gangs"; amending s. 874.04, F.S.; conforming provisions; revising an evidentiary standard; creating s. 874.045, F.S.; providing that chapter 874, F.S., does not preclude arrest and prosecution under other specified provisions; amending s. 874.05, F.S.; revising provisions relating to soliciting or causing another to join a criminal gang; amending s. 874.06, F.S.; authorizing the state to bring civil actions for certain violations; providing that a plaintiff has a superior claim to property or proceeds; providing penalties for knowing violation of certain orders; amending s. 874.08, F.S.; conforming provisions relating to forfeiture; amending s. 874.09, F.S.; providing additional powers for the Department of Law Enforcement and local law enforcement agencies relating to crime data information; creating s. 874.10, F.S.; prohibiting use of electronic communications to further the interests of a criminal gang; providing penalties; creating s. 874.11, F.S.; defining the term "identification document"; prohibiting possession of identification documents for specified purposes; providing penalties; creating s. 874.13, F.S.; providing for the suspension of driver's licenses for certain offenses; amending s. 943.031, F.S.; revising provisions relating to the Florida Violent Crime and Drug Control Council; providing duties concerning criminal gangs; creating the Drug Control Strategy and Criminal Gangs Committee; providing for duties of the committee concerning funding of certain programs; providing for reports; creating s. 948.033, F.S., prohibiting certain offenders from communicating with criminal gang members; providing exceptions; amending s. 947.18, F.S.; prohibiting certain parolees from communicating with criminal gang members; providing exceptions; amending s. 947.1405, F.S.; prohibiting certain conditional releasees from communicating with criminal gang members; providing exceptions; amending ss. 893.138, 895.02, 921.0022, 921.0024, 921.141, 984.03, 985.03, 985.047, and 985.433, F.S.; conforming cross-references and terminology to changes made by this act; providing a directive to the Division of Statutory Revision; providing an effective date.

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

By Senator Wilson—

SB 78—A bill to be entitled An act relating to child welfare professionals; designating the second Monday in May as "Child Welfare Professionals Recognition Day"; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; and Governmental Operations.

By Senator Wilson—

SB 80—A bill to be entitled An act relating to the State Housing Trust Fund; amending s. 201.15, F.S.; revising provisions governing the distribution of a portion of the proceeds of the excise tax on documents to the State Housing Trust Fund; providing for the annual appropriation of a portion of the taxes distributed to the State Housing Trust Fund for specified uses conforming to the purposes for which the fund was created; providing an effective date.

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

By Senators Fasano, Justice, Lynn and Jones—

SB 82—A bill to be entitled An act relating to state aid to public libraries; amending s. 257.172, F.S.; revising grant eligibility criteria for multicounty libraries; revising determination for and amount of base grants; amending s. 257.18, F.S.; revising eligibility criteria, calculation, and determination for equalization grants; limiting grants and grant amounts under specified conditions; amending s. 257.22, F.S.; removing a requirement for issuance of warrants to political subdivisions eligible for certain funding; providing an effective date.

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

By Senator Saunders—

SB 84—A bill to be entitled An act relating to the Florida Recreation Development Assistance Program; amending s. 375.075, F.S.; increasing the maximum amount of a project grant which may be awarded to a local government under the program; increasing the number of grant applications a local government may submit; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Community Affairs; and General Government Appropriations.

By Senator Baker—

SB 86—A bill to be entitled An act relating to hurricane preparedness; providing an exemption from the sales and use tax for sales of certain tangible personal property for a certain period; providing an exception for sales within a public lodging establishment, theme park, entertainment complex, or airport; authorizing the Department of Revenue to adopt rules; providing an appropriation; providing an effective date.

—was referred to the Committees on Military Affairs and Domestic Security; Finance and Tax; and General Government Appropriations.

By Senator Baker—

SB 88—A bill to be entitled An act relating to school safety; creating s. 1006.147, F.S.; providing a short title; prohibiting bullying or harassment during education programs or activities, on school buses, or through use of data or computer software accessed through computer systems of certain educational institutions; providing definitions; requiring each school district to adopt a policy prohibiting such bullying and harassment; providing minimum requirements for the contents of the policy; requiring the Department of Education to develop model policies; providing immunity for certain actions; providing restrictions with respect to defenses that may be raised and the application of the act; requiring departmental approval of a school district's policy and its compliance with reporting procedures as prerequisites to receipt of safe schools funds; requiring a report on implementation; providing for construction of the act; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Criminal Justice; and Education Pre-K - 12 Appropriations.

By Senator Saunders—

SB 90—A bill to be entitled An act relating to display of United States flags; providing a short title; creating ss. 125.564 and 166.0481, F.S.; prohibiting a county or municipality from enacting or enforcing an ordinance or regulation that prohibits the display of a United States flag by certain persons in a respectful manner or that requires a permit or payment of a fee to authorize such display; providing an effective date.

—was referred to the Committees on Community Affairs; and Military Affairs and Domestic Security.

By Senator Villalobos—

SB 92—A bill to be entitled An act relating to persons injured by crime; providing a short title; creating s. 843.21, F.S.; prohibiting the depriving of a victim injured by a crime of medical treatment with specified intent; providing penalties; providing an effective date.

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

By Senators Rich, Jones, Storms, Oelrich, Hill, Margolis, Bullard, Carlton, Justice, Gaetz and Peaden—

SB 94—A bill to be entitled An act relating to safety belt law enforcement; creating the Dori Slosberg and Katie Marchetti Safety Belt Law; amending s. 316.614, F.S.; deleting a requirement for enforcement of the Florida Safety Belt Law as a secondary action; providing an effective date.

—was referred to the Committees on Transportation; Judiciary; and Transportation and Economic Development Appropriations.

By Senator Aronberg—

SB 96—A bill to be entitled An act relating to equitable distribution of marital assets and liabilities; amending s. 61.046, F.S.; defining the term "barrier to remarriage"; amending s. 61.075, F.S.; authorizing the court to take into consideration the failure or refusal of one spouse to remove a barrier to the remarriage of the other spouse when considering the equitable distribution of marital assets and liabilities; providing an effective date.

—was referred to the Committee on Judiciary.

By Senator Wilson—

SB 98—A bill to be entitled An act relating to the testing of children for infectious diseases in certain juvenile detention facilities or juvenile assessment centers; creating s. 985.1351, F.S.; requiring each juvenile assessment center or juvenile detention facility to have a written procedure regarding the testing of juveniles for infectious diseases; requiring the Department of Juvenile Justice to designate certain counties, if approved by the county's governing body, to participate in a program to test each juvenile for HIV who is referred to or who is under the supervision of the department; requiring certain juvenile assessment centers or juvenile detention facilities to comply with certain requirements regarding the release of juveniles who are HIV positive; requiring the disclosure of a certain juveniles' HIV tests under certain circumstances; providing that any serologic blood test results of a juvenile is part of the juvenile's permanent medical file; providing sovereign immunity to certain state agencies or employees for negligently causing death or personal injury for complying with the act; amending s. 381.004, F.S.; providing that informed consent is not required for an HIV test of a juvenile which is performed during the intake process at a juvenile assessment center or juvenile detention facility; providing an effective date.

—was referred to the Committees on Health Policy; Criminal Justice; Governmental Operations; and Criminal and Civil Justice Appropriations.

By Senator Wilson—

SJR 100—A joint resolution proposing an amendment to Section 8 of Article IV of the State Constitution, relating to restoration of civil rights, to authorize the Legislature to prescribe additional circumstances under which certain reprieves may be granted and civil rights restored.

—was referred to the Committees on Ethics and Elections; Criminal Justice; Judiciary; and Rules.

By Senator Wilson—

SB 102—A bill to be entitled An act relating to public records; amending s. 985.1351, F.S.; providing an exemption from public-records requirements for serologic blood test results from juveniles referred to or under the supervision of the Department of Juvenile Justice; providing for future legislative review and repeal; providing a statement of necessity; providing a contingent effective date.

—was referred to the Committees on Health Policy; Criminal Justice; Governmental Operations; and Criminal and Civil Justice Appropriations.

By Senator Wilson—

SB 104—A bill to be entitled An act relating to school wellness and physical education policies; amending s. 1003.453, F.S.; revising each school district's requirement for reviewing its wellness and physical education policies; providing specific guidelines for a school district's wellness and physical education policies with regard to nutrition education, physical activity, school-based activities, and nutritional guidelines for food and beverages sold or served on campus; requiring the Department of Education to designate the superintendent of each school district as responsible for implementing and administering the wellness and physical education policies of the school district; prohibiting guidelines for reimbursable school meals from being less restrictive than certain federal regulations and guidelines; requiring the superintendent to report on the school district's compliance to the department; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Health Policy; and Education Pre-K - 12 Appropriations.

By Senator Fasano—

SB 106—A bill to be entitled An act relating to the Florida Retirement System; amending s. 121.0515, F.S.; authorizing certain employees to purchase additional retirement credit in order to upgrade prior service to Special Risk Class service; providing for the calculation of contributions for such service upgrade; authorizing the employer to purchase the additional credit for the employee; providing a statement of important state interest; providing an effective date.

—was referred to the Committees on Community Affairs; Governmental Operations; and General Government Appropriations.

By Senator Fasano—

SB 108—A bill to be entitled An act relating to contracting by state agencies and political subdivisions; providing a goal for governmental contracts with disabled veteran business enterprises; defining terms; providing for businesses to be certified; providing duties of the Department of Veterans' Affairs and the Department of Management Services; requiring an annual report to the Department of Veterans' Affairs and legislative leaders; providing an effective date.

—was referred to the Committees on Military Affairs and Domestic Security; Governmental Operations; and General Government Appropriations.

SR 110—Not referenced.

By Senator Fasano—

SB 112—A bill to be entitled An act relating to student voter education; encouraging district school boards and county supervisors of elections jointly to provide a program of voter education for high school seniors; providing guidelines for the content of the educational program; requiring that the program of voter education be conducted during school hours; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Ethics and Elections; and Education Pre-K - 12 Appropriations.

By Senators Fasano and Gaetz—

SB 114—A bill to be entitled An act relating to postsecondary education fee waivers; amending s. 1009.26, F.S.; requiring the Department of Education to repay student loans outstanding after a waiver has been granted to a decorated combat veteran; requiring certain conditions be met; providing an appropriation; providing an effective date.

—was referred to the Committees on Military Affairs and Domestic Security; Higher Education; and Higher Education Appropriations.

By Senator Fasano—

SB 116—A bill to be entitled An act relating to an electronic monitoring program for tracking lost persons; establishing a grant program to encourage counties to implement county lifesaver programs; describing the components of the program; designating the Department of Law Enforcement as the administrative agency; providing for application for state grant funds and requiring local matching funds; providing a cap on the amount of a grant and for prioritizing and prorating grants; requiring the county sheriff's office or other lead agency to use the funds for purchasing equipment and training; requiring the solicitation of private moneys and the achievement of financial independence for the program within a specified time; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Criminal Justice; and Criminal and Civil Justice Appropriations.

By Senator Fasano—

SB 118—A bill to be entitled An act relating to state public officials; creating s. 112.3142, F.S.; providing legislative intent; defining the term "covered public official"; requiring a covered public official before taking office to place all of his or her personal investments traded on a national or regional exchange into a publicly traded mutual fund or a qualified blind trust; providing for after-acquired financial interests; prohibiting a conflict of interest with respect to a blind trust; prohibiting a covered public official from attempting to influence or exercise any control over decisions regarding the management of the blind trust; authorizing certain communications with the trustee of the blind trust; requiring the covered public official to report the blind trust on his or her financial disclosure statement; setting forth the requirements for a qualifying blind trust; requiring that a copy of the qualified blind trust agreement be filed with the Commission on Ethics within a specified period; providing for the revocation of a qualified blind trust; creating an exemption for certain public officials; providing an effective date.

—was referred to the Committees on Ethics and Elections; Governmental Operations; and Judiciary.

By Senator Fasano—

SB 120—A bill to be entitled An act relating to residential property just valuation; amending s. 193.011, F.S.; providing an alternative methodology for deriving just valuation of residential property; amending s. 420.507, F.S., relating to the Florida Housing Finance Corporation; conforming a cross-reference; providing for retroactive application; providing an effective date.

—was referred to the Committees on Community Affairs; Finance and Tax; and Education Pre-K - 12 Appropriations.

By Senator Fasano—

SB 122—A bill to be entitled An act relating to criminal use of personal identification information; amending s. 817.568, F.S.; providing an enhanced penalty for certain uses of personal identification information concerning an individual 65 years of age or older without consent; deleting fraudulent intent as an element of certain offenses involving personal identification information; amending s. 921.0022, F.S.; conforming the offense Severity Ranking Chart of the Criminal Punishment Code to changes made by the act; providing an effective date.

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

By Senators Fasano and Gaetz—

SB 124—A bill to be entitled An act relating to unauthorized employment; amending s. 193.461, F.S.; requiring denial of agricultural classification and assessment for specified time periods under circumstances

involving knowingly hiring, recruiting, or referring for employment unauthorized aliens; requiring alternative assessment for specified time; amending s. 448.09, F.S.; providing an additional civil penalty for employment of unauthorized aliens; amending s. 570.07, F.S.; requiring the Department of Agriculture and Consumer Services to disseminate information concerning compliance with federal work authorization programs; providing a definition; creating s. 559.7915, F.S.; requiring information demonstrating compliance with federal work authorization program as a condition of licensure, certification, or registration; providing a definition; prohibiting knowingly hiring, recruiting, or referring for employment an unauthorized alien; establishing grounds for disciplinary action by the Department of Business and Professional Regulation; providing penalties; providing an effective date.

—was referred to the Committees on Commerce; Agriculture; Finance and Tax; and General Government Appropriations.

By Senator Wilson—

SB 126—A bill to be entitled An act relating to highway designations; designating a portion of N.W. 135th Street in Miami-Dade County as the "Bishop Victor Tyrone Curry Boulevard"; directing the Department of Transportation to erect suitable markers; providing an effective date.

—was referred to the Committee on Transportation.

By Senator Wilson—

SB 128—A bill to be entitled An act relating to school-based AIDS education; requiring the Department of Education to award grants to public school districts to implement school-based AIDS educational activities; providing for the grant awards to be made from funds appropriated by the Legislature; specifying requirements for grant proposals by school districts; requiring that the department consider specified factors in awarding grants; requiring each school district that receives a grant to file an annual report with the department; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Health Policy; and Education Pre-K - 12 Appropriations.

By Senator Wilson—

SB 130—A bill to be entitled An act relating to the school health services program; amending s. 381.0056, F.S.; defining the term "school-based health center" for purposes of the School Health Services Act; providing that such a center is a health care entity acting as an instrumentality of the state for purposes of certain limitations on liability; providing an effective date.

—was referred to the Committees on Health Policy; Education Pre-K - 12; Judiciary; and Education Pre-K - 12 Appropriations.

By Senator Wilson—

SJR 132—A joint resolution proposing amendments to Section 4 of Article IV and Section 2 of Article IX of the State Constitution to create the position of Commissioner of Education, who will be an elected member of the Cabinet.

—was referred to the Committees on Education Pre-K - 12; Governmental Operations; and Rules.

By Senator Wilson—

SB 134—A bill to be entitled An act relating to elections; amending s. 99.092, F.S.; requiring a write-in candidate who seeks to qualify for nomination or election to any office to pay a qualifying fee equal to a specified percentage of the annual salary for the office sought; providing an effective date.

—was referred to the Committees on Ethics and Elections; Judiciary; and Transportation and Economic Development Appropriations.

By Senator Wilson—

SB 136—A bill to be entitled An act relating to child care facilities; amending s. 402.305, F.S.; requiring each child care facility to establish standards for instructing child care personnel on matters pertaining to domestic violence; requiring that the instruction include a specified training period for new and experienced child care personnel; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; and Health and Human Services Appropriations.

By Senator Wilson—

SB 138—A bill to be entitled An act relating to imitation firearms; defining the term "imitation firearm"; prohibiting the sale of an imitation firearm; providing exceptions; providing penalties for a person who sells an imitation firearm; providing an effective date.

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

By Senator Wilson—

SB 140—A bill to be entitled An act relating to the use of restraints on a child during juvenile proceedings; amending s. 985.35, F.S., and creating s. 985.602, F.S.; prohibiting the use of instruments of restraint on a child during court proceedings or elsewhere in a courthouse; providing specified exceptions; requiring the Department of Juvenile Justice to comply with the Protective Action Response policy whenever mechanical restraints are used; amending s. 985.483, F.S.; conforming a cross-reference; providing an effective date.

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

By Senator Wilson—

SB 142—A bill to be entitled An act relating to racial profiling; prescribing responses that the Attorney General may take upon the filing of a complaint alleging racial profiling against a law enforcement officer or agency; providing an effective date.

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

By Senator Wilson—

SB 144—A bill to be entitled An act relating to female inmates who are parents of minor children; providing legislative findings and intent with respect to the importance of a female inmate maintaining a relationship with her minor child; requiring the Department of Corrections to collect certain information concerning the children of female inmates in the state correctional system; requiring the department to analyze the institutional assignment of each female inmate who is a parent and determine the inmate's proximity to her minor child; providing an exception if the court has restricted a female inmate's contact with her child; amending s. 944.17, F.S.; requiring the department to consider a female inmate's proximity to her minor child when transferring the inmate; amending s. 944.24, F.S.; requiring that a female inmate be assigned to a facility as near as possible to her minor child; providing an exception if the court has restricted the inmate's contact with the child; amending s. 944.8031, F.S.; revising legislative findings with respect to the benefit

of fostering relationships between a female inmate and her minor children; providing an effective date.

—was referred to the Committees on Criminal Justice; Children, Families, and Elder Affairs; and Judiciary.

SR 146—Not referenced.

By Senator Wilson—

SB 148—A bill to be entitled An act relating to the Voluntary Prekindergarten Education Program; amending s. 1002.55, F.S.; revising the number of instructional hours that are required for a school-year prekindergarten program delivered by a private kindergarten provider; amending s. 1002.63, F.S.; revising the number of instructional hours that are required for a school-year prekindergarten program delivered by a public school; amending s. 1002.71, F.S.; revising the number of instructional hours that are required in order for a student in a school-year prekindergarten program delivered by a public school or a private prekindergarten provider to be considered a full-time equivalent student in the Voluntary Prekindergarten Education Program; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; and Education Pre-K - 12 Appropriations.

By Senator Wilson—

SB 150—A bill to be entitled An act relating to reservations of the Miccosukee Tribe of Indians of Florida; amending s. 285.16, F.S.; specifying that the state's jurisdiction over criminal offenses committed within Indian reservations and over civil causes of action arising on reservations between Indians or other persons or to which Indians or other persons are parties does not apply to Indian reservations of the Miccosukee Tribe of Indians of Florida; reenacting s. 285.061(3), F.S., relating to transfer of land to United States in trust for the Seminole and Miccosukee Indian Tribes, and s. 285.18(2)(c), F.S., relating to tribal councils, to incorporate the amendment to s. 285.16, F.S., in references thereto; providing an effective date.

—was referred to the Committees on Criminal Justice; Community Affairs; and Judiciary.

SB 152—Withdrawn prior to introduction.

By Senator Fasano—

SB 154—A bill to be entitled An act relating to pedestrian safety; amending ss. 316.075 and 316.130, F.S.; requiring a driver to stop at certain intersections to allow a pedestrian to cross a roadway when the pedestrian is in the crosswalk or steps into the crosswalk; providing penalties; providing an effective date.

—was referred to the Committee on Transportation.

SB 156—Withdrawn prior to introduction.

By Senator Wilson—

SB 158—A bill to be entitled An act relating to teaching students in grades 1 through 3 in public elementary schools; creating s. 1008.26, F.S.; requiring that certain students who are enrolled in a public elementary school and reading below grade level be placed into an intensive reading lab; specifying criteria for an intensive reading lab; providing for oversight of the progress of students assigned to a lab; encouraging the principal of a school where reading labs are required to ask for donations to secure instructional materials; requiring a principal of a public school where students in grades 1 through 3 are enrolled to create, by hiring or training, a team of teachers for those grades having expertise in specified areas; specifying requirements concerning how to train certain teachers to teach reading; requiring the principal to assign teachers on the team for a specified time to classes of students in grades 1 through 3; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; and Education Pre-K - 12 Appropriations.

By Senator Diaz de la Portilla—

SB 160—A bill to be entitled An act relating to sports franchises; expressing the legislative intent to revise laws relating to sports franchises; providing an effective date.

—was referred to the Committees on Commerce; Community Affairs; Finance and Tax; Transportation and Economic Development Appropriations; and Rules.

By Senators Crist and Gaetz—

SB 162—A bill to be entitled An act relating to tuition waivers; providing a short title; amending s. 1009.26, F.S.; requiring state universities and community colleges to waive a percentage of the in-state tuition rate for veterans who meet specified criteria; providing a percentage cap on the number of required credit hours for which a tuition waiver may be received; providing an effective date.

—was referred to the Committees on Higher Education; Military Affairs and Domestic Security; and Higher Education Appropriations.

By Senator Crist—

SB 164—A bill to be entitled An act relating to coverage for mental, nervous, and substance-related disorders; amending s. 627.668, F.S.; revising requirements for optional coverage for mental, nervous, and substance-related disorders; revising certain benefits limitations; providing an options application requirement; repealing s. 627.669, F.S., relating to optional coverage required for substance abuse impaired persons; amending s. 627.6675, F.S.; conforming a cross-reference; providing an effective date.

—was referred to the Committees on Banking and Insurance; Health Policy; and General Government Appropriations.

By Senator Crist—

SB 166—A bill to be entitled An act relating to the designation of official state orchestras; creating s. 265.2867, F.S.; providing criteria for designation as an "Official Orchestra of the State of Florida"; requiring the Florida Arts Council to review applications for and make designation recommendations to the Secretary of State; providing requirements for retaining the designation; requiring the Secretary of State to make designations and to remove designations under certain circumstances; authorizing the Division of Cultural Affairs of the Department of State to adopt rules; providing an effective date.

—was referred to the Committee on Governmental Operations.

Senate Resolutions 168-170—Not referenced.

By Senator Wilson—

SJR 172—A joint resolution proposing an amendment to Section 1 of Article IX and the creation of Section 27 of Article XII of the State

Constitution to establish beginning and average teacher salaries and to provide an effective date.

—was referred to the Committees on Education Pre-K - 12; Governmental Operations; Education Pre-K - 12 Appropriations; and Rules.

By Senator Wilson—

SB 174—A bill to be entitled An act relating to infant eye care; amending s. 383.04, F.S.; requiring certain eye examinations for all infants born in hospitals in the state; revising an exception to the applicability of certain requirements concerning infant eye care; amending s. 383.07, F.S.; clarifying the application of a penalty; amending ss. 627.6416 and 641.31, F.S.; providing that coverage for children under health insurance policies and health maintenance organization contracts must include certain eye examinations for infants and children; providing that the act fulfills an important state interest; providing for application; providing an effective date.

—was referred to the Committees on Health Policy; Banking and Insurance; and Health and Human Services Appropriations.

By Senator Wilson—

SB 176—A bill to be entitled An act relating to school health services; creating s. 381.0058, F.S., relating to public-private partnerships for the provision of school nurse services; providing legislative intent and purpose; providing duties of the Department of Health and the Department of Education; providing a process for proposal submission and review; providing for the scope of services to be provided; providing for review and selection criteria; providing legislative intent relating to funding of the act; providing an appropriation; providing an effective date.

—was referred to the Committees on Health Policy; Education Pre-K - 12; Judiciary; and Health and Human Services Appropriations.

SB 178—Withdrawn prior to introduction.

By Senator Wilson—

SB 180—A bill to be entitled An act relating to public school teachers; creating s. 1011.635, F.S.; requiring the Legislature to fund a cost-of-living increase in the General Appropriations Act for teachers who teach prekindergarten through grade 12 in the public school system; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Governmental Operations; and Education Pre-K - 12 Appropriations.

By Senator Wilson—

SB 182—A bill to be entitled An act relating to prisoners; authorizing any nonprofit or public health care organization to distribute sexual barrier protection devices to prisoners in prisons; requiring the Department of Corrections to develop a plan to properly dispose of used sexual barrier protection devices; providing an effective date.

—was referred to the Committees on Criminal Justice; and Health Policy.

By Senator Garcia—

SB 184—A bill to be entitled An act relating to telecommunication service contracts; creating s. 364.193, F.S.; prohibiting certain telecommunications service companies, without the express written consent of the customer, from extending the length of a customer's telecommunications contract solely because the customer adds or removes services from the contract; providing an effective date.

—was referred to the Committees on Communications and Public Utilities; and Commerce.

By Senator Alexander—

SB 186—A bill to be entitled An act relating to the University of South Florida Lakeland; creating s. 1004.345, F.S.; establishing and designating the University of South Florida Lakeland campus; providing legislative intent; requiring the Board of Trustees to appoint a Campus Board; providing membership, powers, and duties of the Campus Board; providing that the university is administered by a Campus Executive Officer; requiring the President of the University of South Florida to consult with the Campus Board before hiring or terminating the Campus Executive Officer; providing duties and powers of the Campus Executive Officer; providing that students enrolled at a branch campus of the university have the same rights as other students; requiring the University of South Florida to provide for a system of student registration that meets certain conditions; providing an effective date.

—was referred to the Committees on Higher Education; and Higher Education Appropriations.

By Senator Fasano—

SB 188—A bill to be entitled An act relating to criminal offenses; creating s. 775.0865, F.S.; providing for the reclassification of felonies committed against the elderly or disabled; amending s. 784.08, F.S.; providing for the reclassification of misdemeanors committed against persons 65 years of age or older; amending s. 812.0145, F.S.; providing for a mandatory term of imprisonment for certain thefts against persons 65 years of age or older; amending s. 825.103, F.S.; providing for a mandatory term of imprisonment for certain acts of exploitation against an elderly person or disabled adult; amending ss. 775.0877 and 921.0022, F.S., relating to orders for HIV testing for certain offenses and the sentencing guidelines; revising an offense description and conforming cross-references to changes made by the act; providing an effective date.

—was referred to the Committees on Criminal Justice; Children, Families, and Elder Affairs; and Criminal and Civil Justice Appropriations.

By Senators Fasano and Gaetz—

SB 190—A bill to be entitled An act relating to small business health care insurance assistance; providing legislative intent; establishing a pilot program to provide rebates to small businesses providing comprehensive major medical health insurance coverage for employees; requiring employer and employee participation in certain costs; specifying the amount of the rebate; providing for additional eligibility for certain businesses; limiting authorization to provide rebates under the program pursuant to specific appropriation; providing for administration of the program by the Agency for Health Care Administration; requiring the agency to adopt rules; providing enforcement and audit authority for the agency; providing an effective date.

—was referred to the Committees on Banking and Insurance; Health Policy; and Health and Human Services Appropriations.

By Senator Baker—

SB 192—A bill to be entitled An act relating to state parks; amending s. 258.007, F.S.; deleting a penalty for a rule violation; creating s. 258.008, F.S.; creating penalties for the violation of rules adopted under ch. 258, F.S., and for specified activities within the boundaries of a state park; providing for fines to be deposited into the State Park Trust Fund; amending s. 316.212, F.S.; authorizing the operation of a golf cart within a state park under certain circumstances; amending s. 316.2125, F.S.; conforming a cross-reference; amending s. 316.2126, F.S.; authorizing

municipalities and the Division of Recreation and Parks of the Department of Environmental Protection to operate golf carts and utility vehicles on public roads within municipal corporate limits or state park boundaries for public purposes; conforming cross-references; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; and Transportation.

By Senator Wilson—

SB 194—A bill to be entitled An act relating to school attendance; amending s. 1003.21, F.S.; requiring that a student who is withdrawing from school be assigned a counselor or other school personnel to provide educational information until the student is 18 years old; amending s. 1003.428, F.S.; requiring 9th graders and students who are withdrawing from school to receive instruction about the effects of withdrawing from high school; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; and Education Pre-K - 12 Appropriations.

By Senator Wilson—

SB 196—A bill to be entitled An act relating to independent living; requiring the Department of Children and Family Services to create a pilot program in Miami-Dade County to provide continued foster care until participants reach the age of 21 years; providing eligibility requirements; requiring that the circuit court select participants; prescribing services that will be continued; requiring the periodic assessment of participants in the program; requiring the department to submit a report to the court; requiring the selection of a cohort group for the purpose of comparing results; requiring reports to the Legislature; providing for expiration of the program; providing an appropriation; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Judiciary; and Health and Human Services Appropriations.

By Senator Wilson—

SB 198—A bill to be entitled An act relating to HIV testing in prisons; creating s. 945.351, F.S.; defining the term "HIV test"; requiring the Department of Corrections to perform an HIV test upon inmates upon entry into prison; requiring the department to record the results of an inmate's HIV test in his or her medical record; requiring an HIV-positive inmate to participate in an education program regarding HIV; providing sovereign immunity to the state and its agencies, subdivisions, and employees regarding the death or personal injury of an inmate arising from compliance with the act; providing an effective date.

—was referred to the Committees on Criminal Justice; Health Policy; Judiciary; and Criminal and Civil Justice Appropriations.

By Senator Rich—

SB 200—A bill to be entitled An act relating to adoption; amending s. 63.042, F.S.; providing that a person who is a homosexual is eligible to adopt a child under certain enumerated circumstances; requiring that certain eligibility criteria be met by clear and convincing evidence; providing that a person who is a homosexual is eligible to adopt a child if the child's parents are deceased, the person proposing to adopt the child is the guardian of the child, and certain additional specified conditions have been met; providing that certain provisions of the act apply only with respect to a petition, declaration, or will or codicil that is filed or executed on or after a certain date; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; and Judiciary.

By Senator Lynn—

SB 202—A bill to be entitled An act relating to the DNA testing of offenders; amending s. 943.325, F.S.; requiring persons who are charged with certain specified offenses and adjudicated mentally incompetent to stand trial to submit blood or other biological samples to the Department of Law Enforcement; providing an effective date.

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

By Senator Lynn—

SB 204—A bill to be entitled An act relating to health insurance; amending s. 627.6562, F.S., relating to dependent coverage; revising the criteria governing mandatory coverage of a dependent child under group, blanket, or franchise health insurance policies covering residents of this state; providing for a dependent child to make a written election to extend coverage or restore previously terminated coverage; providing guidelines for extended coverage; providing limitations on additional premiums; providing duties of the Office of Insurance Regulation; requiring that notice regarding coverage for a dependent child be provided to covered persons; providing applicability; providing an effective date.

—was referred to the Committees on Banking and Insurance; Health Policy; and Governmental Operations.

By Senator Lynn—

SB 206—A bill to be entitled An act relating to exemptions from construction licensing; amending s. 489.103, F.S.; providing that the exemption from construction licensing provided to property owners also applies to an owner's guardian or agent in fact; providing an effective date.

—was referred to the Committees on Regulated Industries; and Judiciary.

Senate Resolutions 208-210—Not referenced.

By Senator Wilson—

SB 212—A bill to be entitled An act relating to the testing of inmates for HIV infection in certain county detention facilities; amending s. 951.27, F.S.; requiring the Department of Health to designate certain counties, if approved by the county's governing body, to participate in a program to test each inmate for HIV before the inmate is released if the inmate's HIV status is unknown; providing certain exceptions; requiring that certain county detention facilities notify the Department of Health and the county health department in the county where the inmate plans to reside following release if the inmate is HIV positive; requiring certain detention facilities to provide special transitional assistance to an inmate who is HIV positive; providing for immunity for complying entities; amending s. 381.004, F.S.; providing that informed consent is not required for an HIV test of an inmate before the inmate's release from a municipal or county detention facility; providing an effective date.

—was referred to the Committees on Criminal Justice; Health Policy; Judiciary; and Health and Human Services Appropriations.

SB 214—Withdrawn prior to introduction.

By Senator Fasano—

SB 216—A bill to be entitled An act relating to the Advisory Committee on State Procurement; establishing the Advisory Committee on State Procurement for the purpose of evaluating the state procurement process and carrying out the legislative policy created under the act; providing policy of the Legislature with respect to the procurement of goods,

services, and facilities by the state; providing for membership and organization of the committee; providing duties of the committee; providing powers of the committee; requiring state agency cooperation with the committee; requiring reports of the committee; providing for termination of the committee; providing an appropriation; providing an effective date.

—was referred to the Committees on Governmental Operations; and General Government Appropriations.

By Senator Wise—

SB 218—A bill to be entitled An act relating to firefighter and municipal police pensions; amending s. 175.032, F.S.; revising the definition of "firefighter"; amending s. 175.061, F.S.; authorizing the terms of office for the board of trustees of the firefighters' pension trust fund to be revised under certain circumstances; authorizing the plan administrator to withhold funds to pay for premiums for accident, health, and long-term care insurance for the retiree and the retiree's spouse and dependents; providing an exemption from liability under certain circumstances; amending s. 175.071, F.S.; requiring the board of trustees to perform its powers subject to certain fiduciary standards and ethics provisions; authorizing the use of additional investment policy guidelines; increasing the percentage of assets of the firefighters' pension trust fund which the board of trustees may invest in foreign securities; authorizing certain individuals to sign drafts issued upon the firefighters' pension trust fund; amending s. 175.101, F.S.; clarifying boundaries of a special fire control district; amending s. 185.03, F.S.; specifying application to certain consolidated governments; requiring notice to the Division of Retirement of the Department of Management Services of certain interlocal agreements; authorizing the levy of taxes by municipal ordinance; providing for the distribution of tax proceeds; amending s. 185.05, F.S.; authorizing the terms of office for the board of trustees of the municipal police officers' retirement trust fund to be revised under certain circumstances; authorizing the plan administrator to withhold funds to pay for premiums for accident, health, and long-term care insurance for the retiree and the retiree's spouse and dependents; providing an exemption from liability under certain circumstances; amending s. 185.06, F.S.; requiring the board of trustees to perform its powers subject to certain fiduciary standards and ethics provisions; authorizing the use of additional investment policy guidelines; increasing the percentage of assets of the municipal police officers' retirement trust fund that the board of trustees may invest in foreign securities; authorizing certain individuals to sign drafts issued upon the municipal police officers' retirement trust fund; amending s. 185.08, F.S.; including certain consolidated governments under provisions authorizing imposition of a state excise tax on property insurance premiums covering certain property for certain purposes; providing for severability; providing an effective date.

—was referred to the Committees on Community Affairs; Governmental Operations; Finance and Tax; and General Government Appropriations.

By Senator Wise—

SB 220—A bill to be entitled An act relating to change of name; amending s. 68.07, F.S.; requiring that a person filing a petition for change of name submit fingerprints for a state and national criminal history records check before the court hearing on the petition; providing an exception to such requirement; providing procedures for the taking and submission of fingerprints; providing for the payment of costs associated with processing fingerprints and conducting criminal history checks; requiring the return of the results of a criminal history records check to the clerk of court; providing for the scheduling of a hearing on a petition to restore a former name when a criminal history records check is required; providing an effective date.

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

By Senator Wise—

SB 222—A bill to be entitled An act relating to license plates; amending s. 320.06, F.S.; requiring counties to issue license plates with either "Sunshine State" or the official state motto printed on the plate in lieu of the county name; providing conditions; providing an effective date.

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

By Senator Fasano—

SB 224—A bill to be entitled An act relating to luring or enticing a child; amending s. 787.025, F.S.; increasing the age limit of the victim with regard to the criminal offense of luring or enticing a child; reenacting ss. 775.21(4)(a) and (10)(b), 794.0115(2), 943.0435(1)(a), 944.606(1)(b), 944.607(1)(a), 948.06(8)(c), and 948.32(1), F.S., relating to sexual predator criteria, mandatory sentencing for sexual felony offenders, the registration requirement of sexual offenders, notification upon release of sexual offenders, notification of information on sexual offenders to the Department of Law Enforcement, additional requirements regarding a probationer or offender in community control, and requirements regarding the arrest of persons for certain sex offenses, respectively, to incorporate the amendments to s. 787.025, F.S., in references thereto; providing an effective date.

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

By Senator Rich—

SB 226—A bill to be entitled An act relating to social worker identification; amending ss. 39.01 and 491.003, F.S.; providing definitions; creating s. 491.016, F.S.; prohibiting a social worker from conducting clinical social work unless licensed or certified by the Department of Health; providing a penalty for improper use of the title "social worker"; providing exceptions; requiring the Department of Health to adopt rules; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Higher Education; and Health and Human Services Appropriations.

By Senator Baker—

SB 228—A bill to be entitled An act relating to the sales tax on rent; amending s. 212.031, F.S.; providing that the tax levied on rent or license fees charged for the use or occupancy of certain property may not be assessed against any portion of the rent or license fee attributable to the payment of property taxes; providing an effective date.

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

By Senator Baker—

SB 230—A bill to be entitled An act relating to state symbols; creating s. 15.0526, F.S.; designating the Florida Cracker Horse (Marshtackie) as the official state horse; providing for future legislative review and repeal; providing an effective date.

—was referred to the Committees on Agriculture; and Governmental Operations.

SB 232—Withdrawn prior to introduction.

By Senator Wise—

SB 234—A bill to be entitled An act relating to the Governor's School for Science and Technology; creating s. 1002.371, F.S.; establishing the school within the Florida K-20 public education system and the Department of Education; providing for the Governor's School for Science and Technology to offer intensive instruction for students in grades 9 through 12 and summer programs for teachers; providing for the school to be located in Brevard County; providing for a board of trustees to be appointed by the Governor and subject to confirmation by the Senate; providing for terms of office; providing for members of the board of trustees to be reimbursed for travel expenses; authorizing the board of trustees to adopt rules, subject to approval by the State Board of Education; providing powers and duties of the board of trustees; requiring the board of trustees to submit a progress report; providing requirements for legislative budget requests; providing for funding the Governor's School for Science and Technology in the General Appropriations Act and from private entities; requiring that students enrolled in the school be recorded as enrolled in their home school district for purposes of funding; amending ss. 110.205, 216.251, 1000.04, 1002.20, and 1003.02, F.S., relating to exemptions concerning career service positions, appropriations for salaries, the components of the delivery of public education, the rights of students and parents concerning public school choice, and parental notice of acceleration mechanisms by district school boards; conforming provisions to changes made by the act; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Governmental Operations; and Education Pre-K - 12 Appropriations.

By Senator Wise—

SB 236—A bill to be entitled An act relating to interpreters for the deaf and hard of hearing; creating part XVII of ch. 468, F.S.; creating s. 468.90, F.S.; providing definitions; creating s. 468.901, F.S.; creating the Board of Interpreters for the Deaf and Hard of Hearing under the Florida Registry of Interpreters for the Deaf, Inc.; providing for appointment, qualifications, and terms of board members; creating s. 468.902, F.S.; providing for board headquarters; creating s. 468.903, F.S.; requiring certain persons to be licensed or hold a permit to practice; creating s. 468.904, F.S.; providing for license and permit application and renewal, reinstatement, extension, suspension, and revocation; providing rulemaking authority; creating s. 468.905, F.S.; providing for fees; creating s. 468.906, F.S.; providing for application, examination, license, and permit fees; creating s. 468.906, F.S.; providing restrictions on and qualifications for licensure and permit holding; providing for licensure and permit types; creating s. 468.907, F.S.; providing for surrender or seizure of suspended or revoked licenses and permits; creating s. 468.908, F.S.; providing for inactive status; creating s. 468.909, F.S.; providing continuing education requirements; creating s. 468.910, F.S.; providing a process for submitting complaints; requiring the board to compile certain complaint data; providing for disciplinary proceedings to be conducted under s. 456.073, F.S.; providing grounds for board recommendation of revocation or suspension of license or permit or other disciplinary action; creating s. 468.911, F.S.; providing exemptions from regulation under the part; creating s. 468.912, F.S.; prohibiting certain acts; providing penalties; creating s. 468.913, F.S.; establishing a privilege for certain conversations; providing for voluntary disclosure of certain privileged conversations; creating s. 468.914, F.S.; providing rulemaking authority; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Regulated Industries; Governmental Operations; and General Government Appropriations.

SB 238 and **SB 240**—Withdrawn prior to introduction.

By Senator Wise—

SB 242—A bill to be entitled An act relating to education; authorizing district school boards to establish a school, class, or educational program in which enrollment is limited to pupils of a single gender; providing conditions to such authorization; requiring that pupils' participation in single-gender classes be voluntary; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; and Judiciary.

By Senator Wilson—

SB 244—A bill to be entitled An act relating to the statewide educational assessment program; amending s. 1008.22, F.S.; requiring that the Commissioner of Education receive input as to the statewide educational assessment program from a minimum of two persons recommended by the Florida School for the Deaf and the Blind and from a minimum of two persons recommended by the Americans with Disabilities Working Group; providing an effective date.

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

By Senator Wilson—

SB 246—A bill to be entitled An act relating to restoration of civil rights; providing a short title; providing findings and purpose; creating s. 944.294, F.S.; providing for automatic restoration of a former felon's civil rights following completion of his or her sentence of incarceration and community supervision; providing that the restoration of civil rights does not apply to the right to own, possess, or use firearms; providing conditions for and exemptions from automatic restoration; providing for education concerning the civil rights of people who have felony convictions; amending ss. 944.292, 944.293, and 944.705, F.S., to conform; providing applicability; providing a contingent effective date.

—was referred to the Committees on Ethics and Elections; Criminal Justice; and Judiciary.

By Senator Wilson—

SB 248—A bill to be entitled An act relating to the sentencing of juveniles; amending s. 985.565, F.S.; authorizing the court to sentence a juvenile using juvenile sanctions, adult sanctions, or a blend of juvenile and adult sanctions; requiring the Department of Juvenile Justice to file a written report with the court if the department believes the child's sanction is inappropriate; authorizing the court to place the child on probation; requiring the department to notify the court before it discharges a child from a sanction; requiring the court to review the child's educational needs assessment and make specific findings as to the child's educational status; authorizing the court to order that the child attain appropriate educational goals; listing certain appropriate education goals; reenacting s. 985.556(1), F.S., relating to the voluntary waiver of juvenile court jurisdiction, to incorporate the amendments made to s. 985.565, F.S., in a reference thereto; providing an effective date.

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

By Senator Wilson—

SB 250—A bill to be entitled An act relating to criminal records; amending s. 943.0515, F.S.; requiring the Department of Law Enforcement to notify certain specified agencies of the criminal records of a minor which are expunged; requiring the arresting agency, the county, and the department to notify those entities that received the criminal records information; requiring that criminal history records that are to be expunged be physically destroyed or obliterated by the criminal justice agency having physical custody of the records; amending s. 943.0585, F.S.; prohibiting certain criminal records from being expunged; providing that other records may be expunged under certain circumstances; providing that certain information be included in the application for a certificate of eligibility for expunction; prohibiting an agency, organization, or company to which criminal history information was disseminated from releasing the expunged information after a speci-

fied period; amending s. 943.059, F.S.; prohibiting certain criminal records from being sealed; providing that other records may be sealed under certain circumstances; requiring that certain information be included in the application for a certificate of eligibility for sealing; prohibiting an agency, organization, or company to which criminal history information was disseminated from releasing the sealed information after a specified period; amending s. 943.0582, F.S.; conforming a cross-reference; providing an effective date.

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

By Senator Wilson—

SB 252—A bill to be entitled An act relating to mandatory school attendance; amending ss. 1002.20, 1003.21, and 1003.51, F.S.; changing the ending age for mandatory school attendance from 16 years to 18 years; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; and Education Pre-K - 12 Appropriations.

By Senator Wilson—

SB 254—A bill to be entitled An act relating to public school student progression; amending s. 1008.25, F.S.; revising the components of school district student progression programs; eliminating guidelines for allocating school district remedial and supplemental instruction resources; providing for the retention of students under specified circumstances; eliminating mandatory retention requirements for certain students in grade 3; eliminating midyear promotion; providing procedures for parental requests for retention; providing for appeals; eliminating standards for exemption from mandatory retention, to conform; revising the parental notification requirements; revising guidelines for remedial reading instruction and intervention strategies; revising the purpose of the Reading Enhancement and Acceleration Development Initiative; revising the eligibility criteria for the Intensive Acceleration Class; revising the requirements for reports by district school boards; specifying required rules; amending s. 1002.20, F.S.; conforming a cross-reference; amending s. 1002.23, F.S., to conform; requiring the State Board of Education to initiate the adoption of rules by a time certain; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; and Education Pre-K - 12 Appropriations.

SB 256—Withdrawn prior to introduction.

By Senator Wilson—

SB 258—A bill to be entitled An act relating to the tax on corporate income; amending s. 220.187, F.S.; providing for tax credits for contributions to eligible nonprofit educational-improvement organizations, as well as for contributions to eligible nonprofit scholarship-funding organizations; providing that an additional purpose of the section is to enable students in specified grades in public schools to receive certain assistance in attaining grade-level performance; defining terms; providing for allocating among the categories of recipients the total allowable amount of tax credits which may be granted during each state fiscal year; providing obligations of eligible nonprofit educational-improvement organizations; revising parental obligations; revising provisions relating to administration and to deposits of eligible contributions, to conform; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Finance and Tax; and General Government Appropriations.

By Senator Wilson—

SB 260—A bill to be entitled An act relating to public child care; amending s. 402.301, F.S.; providing legislative intent that children meeting certain requirements be given first priority for placement into the Gold Seal Quality Care Program; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; and Health and Human Services Appropriations.

By Senator Wilson—

SB 262—A bill to be entitled An act relating to hospital county reimbursement; creating s. 154.317, F.S.; authorizing a county hospital or hospital district to request reimbursement of costs of care incurred for an indigent from the county where that indigent is a resident; requiring the county of residency to reimburse the county or county hospital district for costs of care for such indigent within a certain number of days following the date of the request; providing an effective date.

—was referred to the Committees on Health Policy; Community Affairs; and Health and Human Services Appropriations.

By Senator Wilson—

SB 264—A bill to be entitled An act relating to the Kidcare outreach program for uninsured children; requiring the Office of Program Policy Analysis and Government Accountability to perform a study of the outreach efforts of the Kidcare program; providing requirements for the study; requiring a report to the Legislature by a specified date; providing an effective date.

—was referred to the Committees on Health Policy; and Health and Human Services Appropriations.

By Senator Wilson—

SB 266—A bill to be entitled An act relating to the use of cellular telephones; prohibiting the use of a cellular telephone while operating a motor vehicle except when using a headset or hands-free device; providing exemptions; providing a penalty; providing for enforcement only as a secondary offense; providing an effective date.

—was referred to the Committees on Transportation; Communications and Public Utilities; and Transportation and Economic Development Appropriations.

By Senators Villalobos, Ring and Gaetz—

SB 268—A bill to be entitled An act relating to the Legislature; providing a short title; amending s. 11.143, F.S.; eliminating authority for members of a legislative committee to administer certain oaths and affirmations to witnesses; eliminating penalties for false swearing before a legislative committee; conforming to the creation of new provisions relating to oaths and affirmations before a legislative committee; creating s. 11.1435, F.S.; requiring persons who address a legislative committee to take an oath or affirmation of truthfulness; providing exceptions; requiring a member of the legislative committee to administer the oath or affirmation; providing criminal penalties for certain false statements before a legislative committee; authorizing the use of a signed appearance card in lieu of an oral oath or affirmation; prescribing conditions related to the use of the card; providing for penalties for making a false statement after signing the card; providing an effective date.

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

By Senator Wilson—

SM 270—A memorial to the Congress of the United States, urging Congress to support revisions of federal immigration policies in order to provide Temporary Protective Status for Haitians fleeing their home country because of political, religious, and other recognized persecution and to support the humane and just treatment of Haitian immigrants.

—was referred to the Committee on Judiciary.

By Senator Aronberg—

SB 272—A bill to be entitled An act relating to civil causes of action under the Criminal Street Gang Prevention Act of 1996; amending s. 874.06, F.S.; providing for recovery of the costs of investigation and litigation; authorizing municipalities and the state or its agencies or subdivisions to bring a civil action for certain violations of ch. 874, F.S.; providing that a prevailing plaintiff has a claim to property or proceeds which is superior to that of the state or its agencies or subdivisions; providing an effective date.

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

By Senators Dean and Gaetz—

SB 274—A bill to be entitled An act relating to the POW-MIA flag; creating s. 256.14, F.S.; requiring the Department of Environmental Protection to display the POW-MIA flag at state parks displaying the United States flag; providing an effective date.

—was referred to the Committees on Military Affairs and Domestic Security; and General Government Appropriations.

By Senators Rich, Haridopolos, Jones, King, Dean, Hill, Geller, Fasano, Aronberg, Gaetz and Wise—

SB 276—A bill to be entitled An act relating to food donation by public food service establishments; providing a short title; amending s. 768.136, F.S.; expanding the definition of "perishable food" to include foods prepared at a public food service establishment licensed under ch. 509, F.S.; providing an effective date.

—was referred to the Committees on Regulated Industries; and Judiciary.

By Senator Rich—

SB 278—A bill to be entitled An act relating to protection of ocean lifeguards; amending s. 784.07, F.S.; providing a definition; providing enhanced penalties for an assault or battery on an ocean lifeguard while he or she is engaged in the lawful performance of his or her duties; amending ss. 435.04, 901.15, 943.051, and 985.11, F.S.; conforming provisions; amending s. 921.0022, F.S., and reenacting paragraph (3)(d), relating the offense severity ranking chart, to conform; providing an effective date.

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

By Senator Lynn—

SB 280—A bill to be entitled An act relating to religious-exempt child care programs; amending s. 402.316, F.S.; providing that a child care program affiliated with a religious congregation or religious school is exempt from regulation by the Department of Children and Family Services as a religious-exempt child care program; requiring a religious-exempt child care program to display a certificate of compliance issued by an accrediting agency recognized by the department; providing requirements for accrediting agencies recognized by the department; requiring a recognized accrediting agency to conduct an initial onsite review; providing timeframes within which a child care program must meet the requirements for training and credentials; requiring recognized accrediting agencies for religious exemption to submit standards to the department; requiring the department to create and maintain a list of recognized accrediting agencies; providing that the act does not authorize the department to regulate certain specified elements of a religious-exempt child care program; requiring that the department notify recognized accrediting agencies of any revision in standards; requiring that a recognized accrediting agency submit an annual report; providing timeframes within which an exempt child care program must notify an accrediting agency of its transfer and termination of accreditation; prohibiting a recognized accrediting agency for religious exemption from owning, operating, or administering certain programs; requiring the department to facilitate an annual meeting; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Commerce; and Health and Human Services Appropriations.

By Senator Lynn—

SB 282—A bill to be entitled An act relating to driver's license restrictions; amending s. 322.16, F.S.; restricting the number of certain passengers permitted in a vehicle operated by a person under a certain age; providing exceptions; providing for secondary enforcement; providing penalties; amending s. 318.14, F.S.; providing citation procedures for violation of such restrictions; providing an effective date.

—was referred to the Committees on Transportation; and Criminal Justice.

By Senator Wise—

SB 284—A bill to be entitled An act relating to education; amending ss. 218.39, 1002.34, 1003.493, 1004.99, and 1012.467, F.S.; redesignating "technical centers" as "technical colleges"; providing an effective date.

—was referred to the Committees on Higher Education; and Higher Education Appropriations.

By Senators Wise and Gaetz—

SB 286—A bill to be entitled An act relating to the certification of public school educators; creating s. 1012.587, F.S.; specifying inservice requirements for educators who provide instruction in English for Speakers of Other Languages; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; and Education Pre-K - 12 Appropriations.

By Senator Aronberg—

SM 288—A memorial to the Congress of the United States, urging Congress to increase federal funding for home health services for the elderly.

—was referred to the Committee on Health Regulation.

By Senator Geller—

SB 290—A bill to be entitled An act relating to electronic gaming machines; amending s. 24.103, F.S.; providing definitions; amending s. 24.105, F.S.; providing powers and duties of the Department of the Lottery pertaining to video lottery games; creating s. 24.125, F.S.; providing for the adoption of rules; creating s. 24.126, F.S.; prohibiting certain persons from playing video lottery games; creating s. 24.127, F.S.; providing requirements for the operation of video lottery games; providing for fines and orders of suspension; providing for a license fee; providing for the distribution of income; providing for weekly allocations

of income derived from video lottery operations; providing penalties; creating s. 24.128, F.S.; providing for the licensure of video lottery terminal vendors; providing for emergency rules; creating s. 24.129, F.S.; prohibiting certain local zoning ordinances; creating s. 24.130, F.S.; providing requirements for video lottery terminals; creating s. 24.131, F.S.; requiring video lottery terminal vendors to establish training programs for employees who service such terminals; requiring departmental approval of such programs; providing certification requirements for such employees; providing for the adoption of rules; creating s. 24.132, F.S.; requiring video lottery retailers to execute certain agreements governing the payment of purses and special thoroughbred racing awards; requiring the remittance of funds pursuant to such agreements; authorizing the department to sanction certain breeders; prohibiting the operation of video lottery games in the absence of agreements; requiring arbitration if agreements are not in place; requiring the video lottery retailer to make certain payments for the promotion of the racing industry; creating s. 24.133, F.S.; requiring operators of facilities where video lottery games are conducted to post certain signs regarding compulsive gambling; creating s. 24.134, F.S.; providing for compulsive gambling prevention programs; creating s. 24.136, F.S.; authorizing a caterer's license for video lottery retailers; creating s. 24.137, F.S.; prohibiting video lottery retailers from engaging in certain activities; creating s. 24.138, F.S.; providing for the exclusion of certain persons from a retailer's premises; creating s. 24.139, F.S.; requiring retailers to provide office space for department employees; amending s. 212.02, F.S.; excluding video lottery terminals from the definition of the term "coin-operated amusement machine" for purposes of the sales and use tax; amending s. 551.106, F.S.; providing for tax credits on slot machine revenues; providing an appropriation and authorizing additional positions; providing effective dates.

—was referred to the Committees on Regulated Industries; Finance and Tax; and General Government Appropriations.

By Senators Wilson and Bullard—

SB 292—A bill to be entitled An act relating to the school grading system; amending s. 1008.34, F.S.; removing letter grades from the performance grade categories by which schools must be identified in the Commissioner of Education's annual report of the results of the statewide assessment program; amending ss. 1001.42, 1002.33, 1002.38, 1002.415, 1003.62, 1008.33, 1008.345, 1008.36, and 1011.62, F.S.; correcting references to the letter grades, to conform; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; and Education Pre-K - 12 Appropriations.

By Senator Fasano—

SB 294—A bill to be entitled An act relating to retirement; amending s. 121.021, F.S.; redefining the term "compensation" to include certain supplementary payments made to firefighters, paramedics, and emergency medical technicians and certain employer-reported retirement contributions; redefining the term "average final compensation" with respect to members of the Special Risk Class of the Florida Retirement System; providing for contribution rate increases to fund the modification in average final compensation; amending s. 121.0515, F.S.; authorizing certain employees to purchase additional retirement credit for past service at a 3-percent Special Risk Class accrual value; providing for contribution rate increases to fund the benefits provided in s. 121.0515, F.S., as amended; amending s. 121.091, F.S.; revising provisions relating to benefits payable for total and permanent disability for certain Special Risk Class members who are injured in the line of duty; authorizing reemployment of a person who retired with in-line-of-duty disability benefits by employers not participating in a state-administered retirement system; authorizing reemployment of a person who retired with in-line-of-duty disability benefits by an employer participating in a state-administered retirement system after 1 calendar month; providing for contribution rate increases to fund the benefits provided in s. 121.091, F.S., as amended; directing the Division of Statutory Revision to adjust the uniform contribution rates set forth in s. 121.71, F.S., to conform to the changes made by the act; requiring the Division of Retirement to request a letter ruling from the Internal Revenue Service; providing for certain contingent effect; providing legislative findings and a declaration of important state interest; providing effective dates.

—was referred to the Committees on Community Affairs; Military Affairs and Domestic Security; Governmental Operations; and General Government Appropriations.

By Senator Fasano—

SB 296—A bill to be entitled An act relating to bingo games; amending s. 849.0931, F.S.; authorizing the use of electronics or other technology in lieu of vocal verification for bingo games; amending s. 849.0935, F.S.; revising the definition of "organization" to include chambers of commerce; exempting chambers of commerce from provisions prohibiting drawings by chance; providing an effective date.

—was referred to the Committee on Regulated Industries.

By Senator Crist—

SB 298—A bill to be entitled An act relating to literacy education for blind persons; amending s. 1003.55, F.S.; requiring that instruction in braille be part of the individualized education program for a child who is blind or visually impaired; providing exceptions and conditions to that requirement; providing standards for such instruction and specifying contents of the individualized education program; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; and Education Pre-K - 12 Appropriations.

By Senator Crist—

SB 300—A bill to be entitled An act relating to service of process; amending s. 30.231, F.S.; increasing the fees charged by the sheriff in civil cases for service of process; exempting the State of Florida and its agencies from increased fees; deleting a prohibition on additional fees for certain documents; amending s. 48.021, F.S.; providing that criminal witness subpoenas and criminal summonses may be served by a special process server appointed by the local sheriff or by a certified process server; amending s. 56.041, F.S.; providing that all unsatisfied executions in the possession of the sheriff docketed before October 1, 2001, may be returned to the issuing court; amending s. 56.21, F.S.; requiring the submission of an affidavit before levying a judgment upon real property; requiring the sheriff to furnish to the judgment debtor or the debtor's attorney of record a copy of the notice of sale, notice of levy, and affidavit within a specified period before execution of a sale or levy; amending s. 56.27, F.S.; requiring that priority of liens on real property be based on the effective date of the judgment lien; requiring a levying creditor to deliver to the sheriff at the time of the levy request an affidavit setting forth certain information and attestations; amending ss. 741.30 and 784.046, F.S., relating to service of process in cases of domestic violence or sexual abuse; authorizing clerks of court to transmit facsimile copies of previously certified injunctions to sheriffs upon request; requiring sheriffs to verify receipt of facsimile copies of injunctions with clerks of court before attempting service; authorizing law enforcement officers to serve facsimile copies of injunctions in the same manner as certified copies; providing an effective date.

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

By Senator Siplin—

SB 302—A bill to be entitled An act relating to the indecent wearing of below-waist underwear; prohibiting a student from exposing below-waist underwear in a specified manner while on the grounds of a public school; providing penalties; providing an effective date.

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

By Senator Aronberg—

SB 304—A bill to be entitled An act relating to corporations not for profit; amending s. 617.01201, F.S.; requiring a document that is electronically transmitted to be in a format that can be retrieved in typewritten or printed form; requiring that a document be executed by a director of the domestic or foreign corporation; authorizing the delivery of a document by electronic transmission to the extent permitted by the Department of State; amending s. 617.0122, F.S.; requiring the department to collect a fee for filing an agent's statement of resignation from an inactive corporation; amending s. 617.0124, F.S.; authorizing a domestic or foreign corporation to correct a document filed by the department within 30 days after filing under certain circumstances; amending s. 617.01401, F.S.; defining the terms "distribution," "mutual benefit corporation," and "voting power"; amending s. 617.0205, F.S.; requiring the incorporators to hold an organizational meeting after incorporation if the initial directors are not named in the articles of incorporation; amending s. 617.0302, F.S.; authorizing a corporation not for profit to make contracts and guaranties; amending s. 617.0503, F.S.; providing that an alien business organization may withdraw its registered agent designation by delivering an application for certificate of withdrawal to the department; amending s. 617.0505, F.S.; prohibiting a corporation from making distributions to its members; providing an exception; deleting provisions related to the issuance of certificates; amending s. 617.0601, F.S.; correcting a reference to the Solicitation of Contributions Act; providing that certain stock certificates constitute certificates of membership; requiring that a resignation, expulsion, or termination of membership be recorded in the membership book; creating s. 617.0605, F.S.; prohibiting a member of a corporation from transferring a membership under certain circumstances; creating s. 617.0606, F.S.; providing that the resignation of a member does not relieve the member from obligations incurred and commitments made prior to resignation; creating s. 617.0607, F.S.; requiring that a member of a corporation be terminated or suspended pursuant to a procedure that is fair and reasonable; providing criteria that must be met for a procedure to satisfy the requirements of fairness and reasonability; requiring that written notice given by mail be delivered by certified mail or first-class mail; requiring that a proceeding challenging an expulsion, suspension, or termination be commenced within 1 year after the effective date of such expulsion, suspension, termination; providing that a member who has been expelled or suspended may be liable to the corporation for dues, assessments, or fees; creating s. 617.0608, F.S.; prohibiting a corporation from purchasing any of its memberships; authorizing a mutual benefit corporation to purchase the membership of a member who resigns or whose membership is terminated; amending s. 617.0701, F.S.; authorizing the holders of at least 5 percent of the voting power of a corporation to call a special meeting of the members under certain circumstances; authorizing a person who signs a demand for a special meeting to call a special meeting of the members under certain circumstances; amending s. 617.0721, F.S.; providing that members and proxy holders who are not physically present at a meeting may participate by means of remote communication and are deemed to be present at the meeting under certain circumstances; amending s. 617.0725, F.S.; requiring an amendment to the articles of incorporation or the bylaws which adds a greater or lesser quorum or voting requirement to meet certain requirements; creating s. 617.07401, F.S.; prohibiting a person from commencing a proceeding in the right of a domestic or foreign corporation unless the person was a member of the corporation or became a member through transfer by operation of law; requiring that a complaint in a proceeding brought in the right of a domestic or foreign corporation be verified and allege the demand with particularity; authorizing the court to dismiss a derivative proceeding if the court finds that a determination was made in good faith after a reasonable investigation; prohibiting certain proceedings from being discontinued or settled without the approval of the court; authorizing the court to require a plaintiff to pay a defendant's reasonable expenses upon termination of a proceeding, including attorney's fees; amending s. 617.0801, F.S.; providing the duties of the board of directors; amending s. 617.0806, F.S.; providing that directors may be divided into classes; amending s. 617.0808, F.S.; providing that any member of the board of directors may be removed from office with or without cause by a certain vote; providing that a director who is elected by a class, chapter, or other organizational unit may be removed only by members of that class, chapter, or organizational unit; providing that a director elected or appointed by the board may be removed without cause by a vote of two-thirds of the directors then in office; providing that a director of a corporation described in s. 501(c) of the Internal Revenue Code may be removed from office pursuant to procedures provided in the articles of incorporation or the bylaws; amending s. 617.0809, F.S.; providing that a vacancy on the board of directors for a director elected by a class, chapter, unit, or group may be filled only by members of that class, chapter, unit, or group; providing that the term of a director elected or appointed to fill a vacancy expires at the next annual meeting at which directors are elected; amending s. 617.0830, F.S.; authorizing a director to consider such factors as he or she deems relevant in discharging his or her duties; amending s. 617.0832, F.S.; deleting a provision that authorizes common or interested directors to be counted in determining the presence of a quorum at a meeting that ratifies a contract between a corporation and one of its directors and any other corporation in which one of its directors is financially interested; providing circumstances under which a conflict-of-interest transaction is authorized; amending s. 617.0833, F.S.; providing an exception to the requirement that a loan may not be made by a corporation to its directors; amending s. 617.0834, F.S.; providing that an officer or director of a certain nonprofit organization or agricultural or horticultural organization is immune from civil liability; amending s. 617.1007, F.S.; providing that a restatement of the articles of incorporation of a corporation may include one or more amendments; amending s. 617.1101, F.S.; providing requirements for a plan of merger; creating s. 617.1102, F.S.; providing a limitation on the merger of a corporation not for profit; creating s. 617.1301, F.S.; prohibiting a corporation from making distributions to its members under certain circumstances; creating s. 617.1302, F.S.; providing that a mutual benefit corporation may purchase its memberships only under certain circumstances; authorizing a corporation to make distributions upon dissolution; amending s. 617.1405, F.S.; providing that the name of a dissolved corporation may be available for immediate assumption by another corporation if the dissolved corporation provides the department with an affidavit permitting such use; creating s. 617.1407, F.S.; authorizing a dissolved corporation or successor entity to execute certain procedures to resolve payment of unknown claims against it; providing that certain claims against a dissolved corporation are barred; providing that a claim may be entered against a dissolved corporation under certain circumstances; creating s. 617.1408, F.S.; authorizing a dissolved corporation or successor entity to execute certain procedures to dispose of known claims against it; requiring a dissolved corporation deliver written notice of the dissolution to each of its known claimants; providing a procedure under which a dissolved corporation may reject a claim made against it; requiring that a dissolved corporation give notice of the dissolution to persons having known claims that are contingent, conditional, or unmatured; requiring that a dissolved corporation follow certain procedures in offering compensation to a claimant if the claim matures; requiring that a dissolved corporation petition the circuit court to determine the amount and form of security that will be sufficient to provide compensation to certain claimants; providing that the giving of notice or making of an offer does not revive a claim that has been barred; providing that directors of a dissolved corporation or governing persons of a successor entity that has complied with certain procedures are not personally liable to the claimants of a dissolved corporation; providing that certain members of a dissolved corporation are not liable for any claim against the corporation; providing a limit on the aggregate liability of any member of a dissolved corporation; defining the term "successor entity"; repealing s. 617.1421(6), F.S., relating to the assumption and use of the name of a dissolved corporation; amending s. 617.1422, F.S.; deleting certain requirements for an application to reinstate a corporation that has been dissolved; requiring that a corporation submit a reinstatement form prescribed and furnished by the department; providing that the name of a dissolved corporation is not available for assumption or use by another corporation until 1 year after the effective date of dissolution; providing an exception; amending s. 617.1430, F.S.; revising the requirements for members to dissolve a corporation in circuit court; amending s. 617.1503, F.S.; requiring a foreign corporation to deliver a certificate of existence authenticated by the Secretary of State; amending s. 617.1504, F.S.; requiring that a foreign corporation make application to the department to obtain an amended certificate of authority within 90 days after the occurrence of a change; amending s. 617.1506, F.S.; requiring that an alternate corporate name adopted for use in this state be cross-referenced to the real corporate name in the records of the Division of Corporations; requiring that the corporate name of a foreign corporation be distinguishable from the corporate name of a corporation for profit incorporated or authorized to transact business in this state; amending s. 617.1530, F.S.; requiring that the department receive an authenticated certificate from the Secretary of State before commencing a proceeding to revoke the certificate of authority of a foreign corporation; amending s. 617.1601, F.S.; requiring that a corporation keep a

copy of its articles of incorporation; amending s. 617.1602, F.S.; providing that a member of a corporation is entitled to inspect and copy certain records of the corporation at a reasonable location specified by the corporation; requiring that a member give the corporation written notice 10 days before the date on which he or she wishes to inspect and copy records; amending s. 617.1605, F.S.; revising the circumstances under which a corporation is required to furnish a member with its latest annual financial statement; creating s. 617.1703, F.S.; providing for the applicability of certain provisions to corporations regulated under the act; amending s. 617.1803, F.S.; providing for certain changes when a foreign not-for-profit corporation becomes domesticated; amending s. 617.1806, F.S.; revising the provisions for conversion to a corporation not for profit; amending s. 617.1807, F.S.; correcting a reference to the articles of incorporation regarding the process of conversion to a corporation not for profit; amending s. 617.1907, F.S.; providing that the repeal or amendment of a statute does not affect certain operations and proceedings; repealing s. 617.2103, F.S., relating to exemptions for certain corporations; providing an effective date.

—was referred to the Committees on Commerce; Judiciary; Finance and Tax; and Transportation and Economic Development Appropriations.

SB 306—Withdrawn prior to introduction.

By Senator Constantine—

SB 308—A bill to be entitled An act relating to energy conservation; amending s. 163.04, F.S.; revising provisions authorizing the use of solar collectors and other energy devices; providing for the installation of solar collectors on a condominium roof; amending s. 196.175, F.S.; deleting certain limitations on the amount of the renewable energy source property tax exemption; revising the effective date of the exemption; amending s. 212.08, F.S.; revising provisions relating to the sales tax exemption for equipment, machinery, and other materials for renewable energy technologies; revising the definition of "ethanol"; increasing the cap on the exemption for materials used in the distribution of biodiesel and ethanol fuels; limiting the exemption to the end user and to one refund; requiring a purchaser who receives a refund to notify a subsequent purchaser of the eligible item that the refund is no longer available; creating s. 212.0802, F.S.; providing a sales tax exemption for certain energy-efficient products; authorizing the Department of Revenue to adopt rules to implement the exemption; designating certain weeks in 2008 and 2009 as "Energy Efficiency and Conservation Weeks"; creating s. 212.086, F.S.; providing a sales tax refund for any person who purchases an energy-efficient alternative motor vehicle; requiring that the vehicle be certified for the alternative motor vehicle income tax credit under the Internal Revenue Code; placing a cap on the amount of the refund; requiring that an application for refund be filed with the Department of Revenue; limiting the total dollar amount of refunds issued in a fiscal year to the total amount of funds appropriated; authorizing a request for a refund to be processed for payment in the following fiscal year under certain circumstances; authorizing the department to adopt rules; excluding persons claiming a tax refund for renewable energy technologies from also claiming a tax refund under this section; providing for future repeal of the program; amending s. 220.192, F.S.; providing definitions; providing for the transferability and pass through of the renewable energy technologies investment tax credit; authorizing the Department of Revenue to adopt related forms and rules; amending s. 220.193, F.S.; providing a definition of "sale" or "sold"; providing that a taxpayer's use of the renewable energy production tax credit does not prohibit the use of other authorized credits; amending s. 255.251, F.S.; revising a short title; amending s. 255.252, F.S.; revising legislative intent relating to energy conservation in state-owned buildings; requiring that buildings constructed and financed by the state meet a green building rating system; requiring state agencies to identify state-owned buildings that are suitable for the guaranteed energy program and for the department to develop a project schedule; amending s. 255.253, F.S.; defining the terms "sustainable building" and "sustainable building rating"; amending s. 255.254, F.S.; revising provisions relating to the analysis of the life-cycle costs of state facilities; requiring an energy performance analysis of leased facilities; amending s. 255.255, F.S.; revising energy conservation performance guidelines to be used in life-cycle costs analyses; amending s. 287.064, F.S.; revising requirements relating to guaranteed energy performance savings contracts; providing that the expense appropriation category may be used by a state agency to fund such contracts; amending s. 287.16, F.S.; requiring the Department of Management Services to conduct an inventory of state vehicles that are flexible fuel motor vehicles or hybrid motor vehicles; requiring that a specified percentage of such vehicles be part of the state's inventory within a specified time; repealing s. 377.803(2), F.S., relating to the definition of "approved metering equipment"; repealing s. 377.804(6), F.S., relating to bioenergy projects under the Renewable Energy Technologies Grants Program; amending s. 377.806, F.S.; revising requirements for the Solar Energy System Incentive Program; providing that payment may be made only to the final purchaser of an eligible system; limiting the number of rebates that may be made; creating s. 403.0874, F.S.; requiring the Department of Environmental Protection to establish greenhouse gas inventories; requiring a report; amending s. 489.145, F.S.; revising provisions relating to guaranteed energy performance savings contracting by state agencies to address energy-related operational savings; revising definitions; revising criteria for proposed contracts; specifying documentation that must be submitted for contract review by the Chief Financial Officer; creating s. 570.956, F.S.; establishing the Farm-to-Fuel Advisory Council within the Department of Agriculture and Consumer Services; providing membership requirements; providing for council duties; repealing s. 570.957(1)(b) and (3), F.S., relating to provisions defining the term "department" and limiting the establishment of the Farm-to-Fuel Grants Program within the Department of Agriculture and Consumer Services to 1 year; creating s. 570.958, F.S.; establishing the Biofuel Retail Sales Incentives Program in the Department of Agriculture and Consumer Services; providing petroleum consumption replacement goals; providing definitions; providing for incentive payments to qualified retail dealers for increases in the amount of biofuels offered for sale; providing requirements and procedures; authorizing the department to adopt rules; creating s. 570.959, F.S.; establishing the Biofuel Production Incentives Program in the Department of Agriculture and Consumer Services; providing definitions; providing incentive payments to producers of certain biofuels; providing requirements and procedures; authorizing the department to adopt rules; creating s. 683.326, F.S.; designating October as Energy Efficiency and Conservation Month; requiring all county, municipal, and public community college buildings to meet certain energy efficiency standards for construction; providing applicability; establishing standards for the use of biodiesel fuels by school district transportation services; providing legislative intent relating to the leverage of state funds for certain research and production; creating the Florida Energy, Aerospace, and Technology Fund to encourage business and investment opportunities and identify performance goals for investments in the areas of alternative energy development and production infrastructure; requiring a report; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Communications and Public Utilities; Governmental Operations; Finance and Tax; and General Government Appropriations.

By Senator Constantine—

SB 310—A bill to be entitled An act relating to the production of energy from biomass; creating s. 570.956, F.S.; establishing the Farm-to-Fuel Grants Program within the Department of Agriculture and Consumer Services; providing definitions; specifying the types of bioenergy projects to be funded by the program; providing eligibility requirements for sponsoring projects; authorizing the department to adopt rules; providing criteria for grant award consideration; requiring the department to consult with the Department of Environmental Protection, the Office of Tourism, Trade, and Economic Development, and certain experts when evaluating applications; creating s. 570.958, F.S.; establishing the Biofuel Retail Sales Incentive Program; establishing goals for replacing petroleum consumption; providing definitions; providing incentive payments to qualified retail dealers for increases in the amount of biofuels offered for sale; providing requirements and procedures therefor; authorizing rulemaking by the Department of Agriculture and Consumer Services; creating s. 570.959, F.S.; establishing the Florida Biofuel Production Incentive Program; providing definitions; providing incentive payments to producers of certain biofuels; providing requirements and procedures therefor; authorizing the Department of Agriculture and Consumer Services to adopt rules; providing an effective date.

—was referred to the Committees on Agriculture; Communications and Public Utilities; Environmental Preservation and Conservation; and General Government Appropriations.

By Senator Constantine—

SB 312—A bill to be entitled An act relating to state procurement of sustainable buildings and equipment; amending s. 255.251, F.S.; revising a short title; amending s. 255.252, F.S.; revising criteria concerning the energy efficiency and sustainability of state facilities; requiring that buildings constructed, financed, or leased by the state meet various sustainable-building standards; providing for the Department of Management Services to approve certain sustainable-building rating systems; requiring state agencies to identify state-owned facilities that are suitable for guaranteed energy performance savings contracts; providing requirements and procedures therefor; requiring the Department of Management Services to evaluate identified facilities and develop an energy efficiency project schedule; providing criteria for such schedule; amending s. 255.253, F.S.; providing definitions; amending s. 255.254, F.S.; revising criteria governing evaluation and disclosure of life-cycle costs prior to construction of certain state facilities; requiring certain state-owned buildings to meet sustainable-building ratings; revising provisions concerning leasing of certain buildings to require an analysis of energy performance; amending s. 255.255, F.S.; requiring that certain rules and procedures of the department concerning energy efficiency and conservation performance guidelines be based on sustainable building ratings; amending s. 287.063, F.S.; prohibiting extension of the term of payment for consolidated equipment finance contracts beyond the anticipated useful life of the equipment financed; providing exemptions from the prohibition; revising criteria governing appropriations for payment of purchases under certain deferred-payment contracts; amending s. 287.064, F.S.; extending the time allowed for the repayment of funds for certain purchases of energy conservation measures under specified conditions; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Governmental Operations; and General Government Appropriations.

By Senator Constantine—

SB 314—A bill to be entitled An act relating to tax credits for renewable energy technologies; amending s. 196.175, F.S.; revising provisions of the renewable energy source exemption; excluding the assessed value of certain real property for purposes of determining such exemption; amending s. 212.08, F.S.; redefining the term "ethanol" for purposes of the sales tax exemption provided for certain renewable energy technologies; specifying eligible items as limited to one refund; requiring a purchaser who receives a refund to notify a subsequent purchaser of such refund; amending s. 220.192, F.S., relating to the renewable energy technologies investment tax credit; providing a definition; providing for the transferability of such tax credit; providing requirements and procedures therefor; providing rulemaking requirements and authority; amending s. 220.193, F.S.; providing a definition; providing that a taxpayer's use of certain credits does not prohibit the use of other authorized credits; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Communications and Public Utilities; Finance and Tax; and General Government Appropriations.

By Senator Constantine—

SB 316—A bill to be entitled An act relating to governmental procurement of biofuels; establishing standards for the purchase of biodiesel diesel fuel for use in state-owned diesel vehicles and equipment; establishing standards for the purchase of ethanol for use in state-owned flex-fuel vehicles; providing for administration by the Department of Management Services; requiring that the department annually report to the Legislature the extent of biodiesel and ethanol use in state-owned vehicles; establishing standards for the purchase of biodiesel fuel by school district transportation services; providing an effective date.

—was referred to the Committees on Governmental Operations; Environmental Preservation and Conservation; and General Government Appropriations.

By Senator Constantine—

SB 318—A bill to be entitled An act relating to exceptional students; amending ss. 1003.57 and 1003.58, F.S.; specifying responsibility for the cost of providing educational services to an exceptional student with a disability who receives such services in a school district other than his or her assigned school district; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; and Education Pre-K - 12 Appropriations.

By Senators Constantine and Lynn—

SB 320—A bill to be entitled An act relating to state university student fees; amending s. 1009.24, F.S.; modifying the criteria for establishing a uniform maximum undergraduate tuition differential; providing an effective date.

—was referred to the Committees on Higher Education; and Higher Education Appropriations.

By Senators Constantine, Atwater, Justice, Jones and Rich—

SB 322—A bill to be entitled An act relating to local government; creating s. 112.3136, F.S.; specifying standards of conduct for officers and employees of entities serving as the chief administrative officer of a political subdivision; amending s. 112.317, F.S.; providing for penalties to be imposed against persons other than lobbyists or public officers and employers; amending s. 112.324, F.S.; providing for the commission to report to the Governor violations involving persons other than lobbyists or public officers and employees; providing an effective date.

—was referred to the Committees on Ethics and Elections; and Governmental Operations.

By Senator Constantine—

SB 324—A bill to be entitled An act relating to gift certificates; amending s. 501.95, F.S.; clarifying that the term "gift certificate" does not include discount or promotional coupons for purposes of a provision prohibiting gift certificates having expiration dates; providing an effective date.

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

By Senator Constantine—

SB 326—A bill to be entitled An act relating to regulation of releases from vessels; creating s. 376.25, F.S.; providing a short title; providing definitions; requiring that certain vessels operating in coastal waters register with the Department of Environmental Protection; specifying requirements for vessel registration; requiring that ports establish procedures for the release of certain substances by gambling vessels at port facilities; requiring that ports establish and collect certain fees; requiring that the owner or operator of a vessel notify the department of the release of certain substances into coastal waters; requiring that such notification contain certain information; providing civil penalties for violations; requiring the department to consider certain information when determining the amount of a penalty; providing exemptions; requiring that the department establish and collect fees to cover administrative costs; authorizing the department to adopt rules; requiring that the department petition the Federal Government to prohibit certain releases within the federal territorial waters off the shores of this state; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Military Affairs and Domestic Security; Regulated Industries; and General Government Appropriations.

By Senator Aronberg—

SB 328—A bill to be entitled An act relating to the offense of voyeurism; amending s. 810.145, F.S.; providing that it is a third-degree felony for certain persons who are responsible for the welfare of a child younger than 16 years of age to commit the offense of video voyeurism, video voyeurism dissemination, or commercial video voyeurism dissemination against that child; providing criminal penalties; providing that it is a third-degree felony for a person employed at a school to commit the offense of video voyeurism, video voyeurism dissemination, or commercial video voyeurism dissemination against a student of the school; providing criminal penalties; providing that it is a second-degree felony for a person who was previously convicted of or adjudicated delinquent for video voyeurism, video voyeurism dissemination, or commercial video voyeurism dissemination to commit any such third-degree felony against a child younger than 16 years of age or a student; providing criminal penalties; providing an effective date.

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

By Senator Aronberg—

SB 330—A bill to be entitled An act relating to state excise tax on casualty insurance premiums; amending s. 185.03, F.S.; providing that a municipality that has entered into an interlocal agreement to provide police protection services to another incorporated municipality, in its entirety, is eligible to receive the premium taxes reported for the other municipality under certain circumstances; authorizing the municipality receiving the police protection services to enact an ordinance levying a tax as provided by law; amending s. 185.08, F.S.; authorizing certain municipalities to assess and impose the tax to receive certain police protection services; providing for distribution of premium tax proceeds; providing an effective date.

—was referred to the Committees on Community Affairs; Governmental Operations; Finance and Tax; and General Government Appropriations.

By Senator Saunders—

SB 332—A bill to be entitled An act relating to the Construction Lien Law; amending s. 713.135, F.S.; clarifying provisions requiring that an applicant for a building permit record a notice of commencement before the permit is issued if the contract involves greater than a specified amount of money; revising requirements for the notice that appears on the permit card and on the application for a building permit; authorizing an authority that issues building permits to accept notices of commencement in an electronic format; requiring that the authority provide access to electronic notices of commencement in a searchable format by means of the Internet; providing an effective date.

—was referred to the Committees on Regulated Industries; and Community Affairs.

By Senator Saunders—

SB 334—A bill to be entitled An act relating to the practice of pharmacy; amending s. 465.0075, F.S.; revising provisions governing licensure by endorsement; amending s. 465.014, F.S.; providing for the registration of pharmacy technicians; requiring the Board of Pharmacy to set fees and rules to register pharmacy technicians; providing qualification requirements; providing a limitation; exempting pharmacy technician students and licensed pharmacy interns from certain registration requirements; providing continuing education requirements for registration renewal; requiring the board to adopt rules; providing grounds for denial, suspension, or revocation of registration or other disciplinary action; authorizing the board to impose certain penalties; requiring the board to adopt rules requiring a pharmacy to notify the board when employing technicians; requiring the board to maintain a directory of technicians and publish the directory on the Internet; amending s. 465.015, F.S.; prohibiting a person who is not registered as a pharmacy technician from performing certain functions or holding himself or herself out to others as a pharmacy technician; amending s. 465.019, F.S., relating to institutional pharmacies; conforming a reference; providing effective dates.

—was referred to the Committees on Health Regulation; and Health and Human Services Appropriations.

By Senator Saunders—

SB 336—A bill to be entitled An act relating to complaint review boards for law enforcement officers and correctional officers; amending s. 112.532, F.S.; extending the right to a complaint review board to sheriffs and deputy sheriffs; providing an effective date.

—was referred to the Committees on Criminal Justice; and Governmental Operations.

By Senator Saunders—

SB 338—A bill to be entitled An act relating to law enforcement officers and correctional officers; amending s. 112.534, F.S.; providing for sanctions for violation of officers' rights in disciplinary proceedings; authorizing the Criminal Justice Standards and Training Commission to adopt rules; providing an effective date.

—was referred to the Committees on Criminal Justice; Governmental Operations; and Criminal and Civil Justice Appropriations.

By Senator Lynn—

SB 340—A bill to be entitled An act relating to controlled substances; amending s. 893.03, F.S.; including Salvia divinorum and Salvinorin A on the list of controlled substances in Schedule I; reenacting ss. 893.13(1)(a),(c),(d),(e),(f), and (h), (2)(a), (4)(b), and (5)(b), and 921.0022(3)(b),(c), and (e), F.S., relating to prohibited acts and penalties concerning controlled substances and the offense severity chart of the Criminal Punishment Code, to incorporate the amendment to s. 893.03, F.S., in references thereto; providing an effective date.

—was referred to the Committees on Criminal Justice; Health Regulation; and Criminal and Civil Justice Appropriations.

By Senator Lynn—

SB 342—A bill to be entitled An act relating to candidates for public office; amending s. 99.095, F.S.; authorizing a candidate to pay a pro rata portion of the qualifying fee under certain conditions; providing an effective date.

—was referred to the Committees on Ethics and Elections; and Transportation and Economic Development Appropriations.

SB 344—Withdrawn prior to introduction.

By Senator Ring—

SB 346—A bill to be entitled An act relating to student financial assistance; creating s. 1009.893, F.S.; creating the Sure Futures Postgraduate Scholarship Program to match private-sector businesses needing employees having advanced degrees with students who are seeking advanced degrees and employment; establishing the Sure Futures Foundation and a foundation board to administer the program; providing membership and duties of the foundation board; providing criteria for student and corporate partner participation in the program; requiring corporate partners to donate funds for scholarships; providing for corporate income tax credits for amounts donated; providing restrictions on tax credits; providing for scholarship conversion to a low-interest loan

if certain student or employee obligations are not met; providing duties of the Department of Education and state universities; amending s. 220.02, F.S.; adding the new tax credit to the list of allowable credits; amending s. 220.13, F.S.; incorporating the new tax credit to the list of state corporate income tax credits that must be added to a taxpayer's adjusted federal income; providing rulemaking authority; providing an appropriation; providing an effective date.

—was referred to the Committees on Higher Education; Commerce; Finance and Tax; and Higher Education Appropriations.

SB 348 and **SB 350**—Withdrawn prior to introduction.

SR 352—Not referenced.

SB 354—Withdrawn prior to introduction.

By Senator Ring—

SB 356—A bill to be entitled An act relating to public records; defining the term "publicly owned building or facility"; creating an exemption from public-records requirements for information that identifies a donor or prospective donor of a donation made for the benefit of a publicly owned building or facility if the donor desires to remain anonymous; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing an effective date.

—was referred to the Committees on Community Affairs; Higher Education; Governmental Operations; and Rules.

By Senator Fasano—

SB 358—A bill to be entitled An act relating to biomedical research; providing legislative intent to support the development of FDA-recognized botanical drugs from a patented complex that enhances the effects of vaccines, helps suppress cancerous tumors, and improves the functioning of the human immune system; summarizing testing procedures; providing an appropriation; providing an effective date.

—was referred to the Committees on Health Policy; Commerce; and Health and Human Services Appropriations.

By Senator Fasano—

SB 360—A bill to be entitled An act relating to community redevelopment areas; creating s. 163.359, F.S.; authorizing a county or municipality to use ad valorem tax revenues to provide certain services in community redevelopment areas; providing an effective date.

—was referred to the Committees on Community Affairs; and Finance and Tax.

By Senators Margolis, Joyner, Bennett, Deutch, Lawson, Ring, Rich and Jones—

SCR 362—A concurrent resolution ratifying the proposed amendment to the Constitution of the United States relating to equal rights for men and women.

—was referred to the Committees on Judiciary; and Rules.

By Senator Margolis—

SB 364—A bill to be entitled An act relating to cystic fibrosis treatment; creating s. 627.6614, F.S.; requiring a group health insurance policy to cover services needed to treat cystic fibrosis which are authorized by a physician; amending s. 641.31, F.S.; requiring a contract by a health maintenance organization to cover services needed to treat cystic fibrosis as authorized by a physician; amending s. 627.6515, F.S., relating to out-of-state groups; conforming a cross-reference to changes made by the act; providing that the act fulfills an important state interest; providing an effective date.

—was referred to the Committees on Banking and Insurance; Health Policy; and General Government Appropriations.

By Senators Margolis and Fasano—

SB 366—A bill to be entitled An act relating to elderly persons and disabled adults; amending s. 825.102, F.S.; reclassifying the offense of aggravated abuse of an elderly person or disabled adult from a second-degree felony to a first-degree felony; amending s. 921.0022, F.S., relating to the offense severity ranking chart of the Criminal Punishment Code, to conform; creating s. 943.17296, F.S., relating to training on identifying and investigating elder abuse for certified law enforcement officers; requiring that the training be completed by a time certain; providing that an officer's certification becomes inactive in certain circumstances related to the failure to complete the training; providing an effective date.

—was referred to the Committees on Criminal Justice; Children, Families, and Elder Affairs; and Criminal and Civil Justice Appropriations.

By Senators Oelrich, Jones and Gaetz—

SB 368—A bill to be entitled An act relating to collective bargaining; amending s. 447.203, F.S.; specifying that for resolution of a collective bargaining impasse, certain constitutional officers are each deemed the "legislative body" with respect to their employees; providing an effective date.

—was referred to the Committees on Community Affairs; Governmental Operations; and General Government Appropriations.

By Senator Wise—

SB 370—A bill to be entitled An act relating to the personal care attendant program; amending s. 413.402, F.S.; revising provisions governing a program to provide personal care attendants for persons who have disabilities; requiring the Florida Endowment Foundation for Vocational Rehabilitation to enter into an agreement with the Florida Association of Centers for Independent Living to administer a program to provide such attendants to persons who have severe and chronic disabilities; naming the program the "James Patrick Memorial Work Incentive Personal Attendant Services Program"; providing for payment for the administration of the program; removing a provision requiring interagency memoranda of agreement; revising eligibility requirements for participation in the personal care attendant program; removing provisions concerning the training, selection, and recruitment of personal care attendants; providing for training of program participants concerning hiring and managing an attendant; providing for the adoption and revision of program policies and procedures by the association in cooperation with an oversight group; providing for membership in the oversight group; amending s. 413.4021, F.S.; increasing the percentage of revenues collected from persons who fail to remit sales tax which is deposited in the operating account of the Florida Endowment Foundation for Vocational Rehabilitation to administer the program; deleting a provision requiring that the Florida Endowment Foundation for Vocational Rehabilitation select an entity to administer the program; providing for automatic enrollment in the program for certain persons; providing an effective date.

—was referred to the Committees on Health Policy; Children, Families, and Elder Affairs; and Health and Human Services Appropriations.

By Senator Wise—

SB 372—A bill to be entitled An act relating to the Florida Prepaid Tuition Scholarship Endowment; creating s. 215.5605, F.S.; creating the endowment within the State Board of Administration for the purpose of funding scholarships for economically disadvantaged youth; providing for moneys from the tax on slot machines to be transferred from the Educational Enhancement Trust Fund to the endowment as provided in the General Appropriations Act; providing definitions; requiring the board to invest funds of the endowment and provide reports to the Legislature; providing for the transfer of earnings from the endowment to the Educational Enhancement Trust Fund; requiring the Department of Education to be accountable for funds appropriated to the department; providing requirements for costs and fees; providing requirements for the expenditure and use of distributions from the endowment; providing for revenues of the endowment to be appropriated to the direct-support organization of the Florida Prepaid College Board; providing for the reversion of unencumbered balances of appropriations and undisbursed balances of the endowment's principal; providing an effective date.

—was referred to the Committees on Higher Education; Finance and Tax; and Higher Education Appropriations.

By Senator Lynn—

SB 374—A bill to be entitled An act relating to legal representation for children in state custody; amending s. 39.0139, F.S.; deleting a requirement that the court appoint an attorney ad litem for a child alleged to have been abused by a parent or caregiver; amending s. 39.402, F.S.; providing for court appointment of an attorney to represent a child during a shelter hearing; amending s. 39.407, F.S.; providing for a child to be represented by an attorney rather than an attorney ad litem in a hearing involving the child's medical and behavioral status; amending s. 39.4085, F.S.; adding as a goal for children in shelter or foster care that the child's guardian ad litem and attorney meet with the child; deleting a reference to an attorney ad litem; amending s. 39.502, F.S.; providing for the court appointment of an attorney during a dependency hearing; amending s. 39.521, F.S.; providing for the continuation or discharge of a child's attorney during dependency procedures; amending s. 39.701, F.S.; providing for the judicial review of the appointment or continuation of appointment of an attorney for a child during dependency proceedings; amending s. 39.8296, F.S.; deleting a reference to an attorney ad litem; deleting obsolete reporting requirements; creating s. 39.830, F.S.; providing for attorney representation for children in the dependency system; requiring each circuit court to develop a system for providing legal representation; providing for a training program; providing for data collection; repealing s. 39.4086, F.S., relating to a pilot program for attorneys ad litem for dependent children; providing a directive to the Division of Statutory Revision; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Judiciary; and Criminal and Civil Justice Appropriations.

By Senator Lynn—

SB 376—A bill to be entitled An act relating to interspousal transfers of real property; amending s. 201.02, F.S.; providing that a tax on instruments relating to real property does not apply to transfers or conveyances between spouses; deleting an obsolete provision; providing an effective date.

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

By Senator Crist—

SB 378—A bill to be entitled An act relating to urban revitalization; creating s. 288.715, F.S.; creating the Urban Revitalization Congress within the Executive Office of the Governor; providing legislative intent; providing for membership, staff support, and reimbursement for travel and per diem expenses for members; providing tasks; providing an appropriation; providing an effective date.

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

By Senator Fasano—

SB 380—A bill to be entitled An act relating to the tax on sales, use, and other transactions; amending s. 212.02, F.S.; defining the term "fractional aircraft ownership program"; amending s. 212.08, F.S.; providing exemptions for the sale or use of an aircraft for primary use pursuant to a fractional aircraft ownership program and for the parts and labor used in the maintenance, repair, and overhaul associated with aircraft sold or used pursuant to such a program; creating s. 212.0597, F.S.; providing a maximum tax on the sale or use of fractional aircraft ownership interests; providing an effective date.

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

By Senator Baker—

SB 382—A bill to be entitled An act relating to school zone signs; amending s. 316.1895, F.S.; requiring that certain signs contain a warning statement regarding increased fines for speeding in school zones; providing an effective date.

—was referred to the Committee on Transportation.

By Senator Fasano—

SB 384—A bill to be entitled An act relating to restitution in criminal cases; amending s. 775.089, F.S.; requiring that the restitution awarded to the victim of a crime be credited against any civil remedy to the extent that the restitution is actually collected by the victim; providing an effective date.

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

By Senator Crist—

SB 386—A bill to be entitled An act relating to public food service establishments; creating s. 509.054, F.S.; requiring the Division of Hotels and Restaurants within the Department of Business and Professional Regulation to inspect toilet facilities of public food service establishments; providing the minimum sanitation standards for toilet facilities in food service establishments; providing certain exemptions; providing an exemption for a restroom in a public airport; providing for administrative penalties; providing an effective date.

—was referred to the Committees on Regulated Industries; Health Regulation; and General Government Appropriations.

By Senators Fasano and Gaetz—

SB 388—A bill to be entitled An act relating to enforcement of immigration laws; creating chapter 986, F.S.; creating the "Florida Security and Immigration Compliance Act"; providing construction; providing definitions; prohibiting public employers from entering into a contract for the physical performance of services within the state with contractors not registered and participating in a federal work-authorization program by a specified date; providing procedures and requirements with respect to the registration of contractors and subcontractors; providing for enforcement; requiring the Secretary of Business and Professional Regulation to prescribe forms and adopt rules; requiring the Chief of Domestic Security to negotiate the terms of a memorandum of understanding between the state and the United States Department of Justice or the United States Department of Homeland Security concerning the enforcement of federal immigration and customs laws, the detention and

removal of individuals not lawfully present in the United States, investigations related to illegal immigration in the state, the establishment of specified law enforcement training standards, and the creation of specified law enforcement training programs; providing for the establishment of law enforcement training standards and the creation of training programs contingent upon federal funding; providing that law enforcement officers trained in accordance with such programs are authorized to enforce federal immigration and customs laws while performing within the scope of their authorized duties; providing requirements and procedures with respect to the determination of lawful immigration status of persons charged with a crime and confined to jail; providing construction; requiring the Florida Sheriffs Association to prepare and issue specified guidelines and procedures; requiring agencies and political subdivisions of the state to verify the lawful presence in the United States of any natural person 18 years of age or older who has applied for state or local public benefits, or for federal public benefits, that are administered by an agency or a political subdivision of the state by a specified date; providing for enforcement; providing exceptions; requiring the Board of Governors of the State University System to set forth policies regarding postsecondary education benefits; providing procedures and requirements with respect to verification of lawful presence in the United States by an agency or political subdivision; providing a penalty for knowingly and willfully making a false, fictitious, or fraudulent statement or representation in an affidavit executed under the act; providing procedure with respect to verification of eligibility for benefits; prohibiting any agency or political subdivision of this state from providing any state, local, or federal benefit in violation of the act; providing for specified annual reports; creating s. 337.163, F.S.; providing definitions; prohibiting the Department of Transportation from entering into a contract for the physical performance of services within this state with contractors not registered and participating in a federal work-authorization program by a specified date; prohibiting a contractor who receives a contract award from the department for the performance of services within this state from executing a contract, purchase order, or subcontract in connection with the award unless the contractor and all subcontractors providing services register and participate in a federal work-authorization program; providing procedures and requirements with respect to the registration of contractors and subcontractors; providing for enforcement; requiring the Secretary of Transportation to prescribe forms and adopt rules; providing effective dates.

—was referred to the Committees on Military Affairs and Domestic Security; Governmental Operations; Criminal Justice; and General Government Appropriations.

By Senators Oelrich and Gaetz—

SB 390—A bill to be entitled An act relating to controlled substances; amending s. 893.1351, F.S.; prohibiting a person from owning or actually or constructively possessing a place, structure, trailer, or other described place with knowledge that the place will be used to manufacture, sell, or traffic in a controlled substance; providing that possession of a specified number or more of cannabis plants constitutes prima facie evidence of intent to sell or distribute; providing criminal penalties; creating s. 893.1352, F.S.; defining terms; providing that a person with actual or constructive possession of a place, structure, trailer, or conveyance being used to manufacture a controlled substance for sale and distribution commits a felony of the first degree if a minor is present or resides in the place, structure, trailer, or conveyance; providing that a person who allows an infant or toddler to be in close proximity to a controlled substance commits a felony of the first degree; providing criminal penalties; ranking such offenses in the offense severity ranking chart; amending s. 893.10, F.S.; providing that equipment used in the cultivation or manufacture of controlled substances may be photographed or video recorded and the photograph or video recording used as evidence for later use at trial; providing for the destruction of the equipment; providing an effective date.

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

By Senators Storms and Ring—

SB 392—A bill to be entitled An act relating to state and local government spending; providing definitions; requiring the Department of State to create and manage a website disclosing certain spending by state and local governmental entities under certain contracts; providing for free access to the website; providing requirements concerning the content of the website; providing an exemption for public records that are not subject to disclosure; providing an effective date.

—was referred to the Committees on Community Affairs; Governmental Operations; Finance and Tax; and Transportation and Economic Development Appropriations.

By Senators Atwater and Gaetz—

SB 394—A bill to be entitled An act relating to exemptions from the tax on sales, use, and other transactions; amending s. 212.02, F.S.; defining the term "low-volume irrigation" or "microirrigation"; amending s. 212.08, F.S.; including in the exemption for items in agricultural use agricultural machinery or farm equipment used for low-volume irrigation or microirrigation; deleting exemptions relating to certain equipment and fuel used in breeding poultry; providing an effective date.

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

By Senator Fasano—

SB 396—A bill to be entitled An act relating to the defined contribution retirement program; amending s. 121.4501, F.S.; changing the name of the Public Employee Optional Retirement Program to the Public Employee Retirement Investment Program; limiting the option of enrolling in the State Retirement System's defined benefit program or defined contribution program to public employees employed prior to January 1, 2009; requiring public employees employed on or after January 1, 2009, to enroll in the defined contribution program; deleting obsolete provisions relating to the 2002 optional transfer of public employees from the defined benefit program to the defined contribution program; deleting requirements for an educational program that compares retirement programs; amending s. 121.4502, F.S.; changing the name of the Public Employee Optional Retirement Program Trust Fund to the Public Employee Retirement Investment Program Trust Fund; amending ss. 110.123, 112.0801, 112.363, 112.65, 121.021, 121.051, 121.35, 121.71, 121.72, 121.73, 121.74, 121.77, and 121.78, F.S.; conforming cross-references; substituting references to the defined contribution program for references to the Public Employee Optional Retirement Program; amending ss. 121.091, 121.4503, 121.571, 121.591, and 121.5911, F.S.; conforming cross-references; substituting the name of the Public Employee Retirement Investment Program and the Public Employee Retirement Investment Program Trust Fund; amending s. 121.055, F.S.; conforming changes relating to the name of the Florida Employee Retirement Investment Program and deleting obsolete provisions; amending s. 121.70, F.S.; changing the name of the Public Employee Optional Retirement Program to the defined contribution program; deleting provisions relating to having a choice in retirement plans; providing a directive to the Division of Statutory Revision; providing an effective date.

—was referred to the Committees on Community Affairs; Education Pre-K - 12; Governmental Operations; and General Government Appropriations.

SR 398—Withdrawn prior to introduction.

By Senator Fasano—

SB 400—A bill to be entitled An act relating to insurance; amending s. 626.9541, F.S.; providing that an insurer's failure to offer in this state any kind or line of insurance which it offers in another jurisdiction constitutes an unfair method of competition and unfair or deceptive act; providing penalties; providing for rules; providing an effective date.

—was referred to the Committees on Banking and Insurance; and Judiciary.

By Senators Fasano and Gaetz—

SB 402—A bill to be entitled An act relating to expedited permitting process for economic development projects; providing a short title; creating s. 380.0657, F.S.; requiring the Department of Environmental Protection and water management districts to adopt programs to expedite the processing of permits for certain economic development projects; requiring municipalities and counties to identify certain businesses by commission resolution; providing a timeframe for permit application approval or denial; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Community Affairs; Commerce; and General Government Appropriations.

By Senators Aronberg and Atwater—

SB 404—A bill to be entitled An act relating to organized criminal activity; amending s. 874.01, F.S.; revising a short title; amending s. 874.02, F.S.; revising legislative findings and intent with respect to organized criminal activity; amending s. 874.03, F.S.; creating and revising definitions; redefining the term "criminal street gangs" as "organized crime groups"; amending s. 874.04, F.S.; conforming provisions; revising an evidentiary standard for purposes of imposing enhanced penalties; creating s. 874.045, F.S.; providing that ch. 874, F.S., does not preclude arrest and prosecution under other specified provisions; amending s. 874.05, F.S.; revising provisions relating to soliciting or causing another to join an organized crime group; amending s. 874.06, F.S.; authorizing the state to bring civil actions for certain violations; providing that a plaintiff, upon prevailing, has a superior claim to property or proceeds; amending s. 874.08, F.S.; conforming provisions; amending s. 874.09, F.S.; providing additional powers for the Department of Law Enforcement and local law enforcement agencies relating to crime data information; creating s. 874.10, F.S.; prohibiting use of electronic communications to further the interests of an organized crime group; providing penalties; creating s. 874.11, F.S.; defining the term "identification document"; prohibiting possession of identification documents for specified purposes; providing penalties; creating s. 874.12, F.S.; providing for an organized crime prevention and enforcement grant program; creating s. 874.13, F.S.; providing for the suspension of driver's licenses for certain offenses; creating s. 948.033, F.S.; prohibiting certain offenders from communicating with organized crime group members; providing exceptions; amending s. 947.18, F.S.; prohibiting certain parolees from communicating with organized crime group members; providing exceptions; amending s. 947.1405, F.S.; prohibiting certain conditional releasees from communicating with organized crime group members; providing exceptions; amending ss. 435.04, 893.138, 895.02, 921.0022, 921.0024, 921.141, 984.03, 985.03, 985.047, and 985.433, F.S.; conforming cross-references and terminology to changes made by the act; providing a directive to the Division of Statutory Revision; providing an effective date.

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

By Senator Margolis—

SB 406—A bill to be entitled An act relating to commercial parasailing; creating s. 327.375, F.S.; defining the term "commercial parasailing"; requiring each vessel engaged in commercial parasailing to obtain an annual license; requiring each owner to carry liability insurance; providing for minimum amounts of insurance and maximum deductibles; providing requirements for persons conducting commercial parasailing operations; providing criminal penalties; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Banking and Insurance; and General Government Appropriations.

SB 408—Not used.

By Senator Justice—

SB 410—A bill to be entitled An act relating to local government officers and employees; amending s. 110.1228, F.S.; expanding eligibility for participation in the state group health insurance program and the prescription drug coverage program to include all counties, municipalities, and district school boards rather than only small counties and municipalities and certain school boards; specifying prerequisites and conditions for participation; providing a minimum period of enrollment; requiring that a participating county, municipality, or school board reimburse the Department of Management Services for its costs, including administrative costs; prohibiting a county, municipality, or school board from participating in the state's plan allowing for pretax treatment of premium contributions; authorizing the Department of Management Services to adopt rules; providing an effective date.

—was referred to the Committees on Community Affairs; Governmental Operations; and General Government Appropriations.

By Senator Bennett—

SB 412—A bill to be entitled An act relating to energy; amending s. 196.175, F.S.; revising provisions of the property tax exemption provided for renewable energy sources; excluding the assessed value of certain real property for determination of such exemption; amending s. 212.08, F.S.; redefining the term "ethanol" for purposes of a sales tax exemption; specifying eligible items as limited to one refund; requiring a purchaser who receives a refund to notify a subsequent purchaser of such refund; requiring the Florida Alternative Energy Center rather than the Department of Environmental Protection to certify eligibility for the sales tax exemption for equipment, technology, and other materials for renewable energy; amending s. 213.053, F.S.; providing for the Department of Revenue to provide information to the Florida Alternative Energy Center rather than the Department of Environmental Protection for purposes of administering the sales tax exemption and the corporate income tax credit; amending s. 220.192, F.S., relating to the renewable energy technologies investment tax credit; providing a definition; providing for the transferability of such tax credit; providing requirements and procedures therefor; providing rulemaking requirements and authority; amending s. 220.193, F.S.; providing a definition; providing that a taxpayer's use of certain credits does not prohibit the use of other authorized credits; amending s. 255.251, F.S.; revising a short title; amending s. 255.252, F.S.; revising criteria for energy conservation and sustainability for state-owned buildings; requiring buildings constructed and financed by the state to meet certain environmental standards approved by the Department of Management Services; requiring state agencies to identify state-owned buildings that are suitable for guaranteed energy performance savings contracts; providing requirements and procedures therefor; requiring the Department of Management Services to evaluate identified facilities and develop an energy efficiency project schedule; providing criteria for such schedule; amending s. 255.253, F.S.; providing definitions; amending s. 255.254, F.S.; requiring certain state-owned buildings to meet sustainable building ratings; amending s. 255.255, F.S.; requiring the department to adopt rules and procedures for energy conservation performance guidelines based on sustainable building ratings; amending s. 287.063, F.S.; prohibiting the term of payment for consolidated equipment finance contracts from extending beyond the anticipated useful life of the equipment financed; deleting the requirement that the Chief Financial Officer establish criteria that prohibits a state agency from obligating an annualized amount of payments for certain deferred payment purchases; amending s. 287.064, F.S.; extending the period of time allowed for the repayment of funds for certain purchases relating to energy conservation measures; requiring guaranteed energy performance savings contractors to provide for the replacement or the extension of the useful life of the equipment during the term of a contract; amending s. 366.04, F.S.; authorizing the Public Service Commission to review and approve an asset transfer or a merger or combination between a public utility and another entity; authorizing the commission to adopt rules; creating s. 366.915, F.S.; creating the Florida Advanced Energy Portfolio Standard Act; providing legislative findings; providing definitions; requiring public utilities to sell a minimum amount of renewable energy; authorizing the Public Service Commission to adopt rules; amending s. 366.91, F.S.; redefining the term "renewable energy"; creating s. 366.925, F.S.; providing a short title; directing the Public Service Commission to develop rules requiring all public utilities to develop net-metering programs; providing for a customer to receive

credit for electricity generated by renewable energy systems owned by the customer; directing the commission to adopt rules setting the standards that renewable energy systems must meet in order for customers to qualify for the program; requiring every wholesaler of diesel fuel to a marina within the state to offer biodiesel for sale; amending s. 377.703, F.S.; deleting provisions requiring that the Department of Environmental Protection conduct energy research and development, plan for the development of renewable energy resources, promote the development and use of renewable energy resources, and create a database of all energy programs in the state; repealing s. 377.803(2), F.S.; eliminating a definition; amending s. 377.806, F.S.; revising rebate eligibility and application requirements for solar photovoltaic systems; requiring applicants to apply for rebate reservations and rebate payments; providing a limitation; revising rulemaking authority; creating s. 403.0874, F.S.; providing a definition; directing the Department of Environmental Protection to develop greenhouse gas inventories; providing requirements for such inventories; authorizing the department to require emission reports; requiring the department to adopt rules; amending s. 489.145, F.S.; revising provisions relating to guaranteed energy performance savings contracting to include energy consumption and energy-related operational savings; revising provisions for the financing of guaranteed energy performance savings contracts; revising criteria for proposed contracts; revising provisions governing program administration and contract review; requiring that consolidated financing of deferred payment commodity contracts be secured by certain funds; requiring the Chief Financial Officer to review proposed guaranteed energy performance savings contracts; creating s. 570.958, F.S.; establishing the Biofuel Retail Sales Incentive Program; establishing goals for replacing petroleum consumption; providing definitions; providing incentive payments to qualified retail dealers for increases in the amount of biofuels offered for sale; providing requirements and procedures therefor; creating s. 570.959, F.S.; establishing the Florida Biofuel Production Incentive Program; providing definitions; providing incentive payments to producers of certain biofuels; providing requirements and procedures therefor; authorizing the Department of Agriculture and Consumer Services to adopt rules; directing the Florida Building Commission to convene a workgroup to develop a model residential energy efficiency ordinance; requiring the commission to consult with specified entities to review the cost-effectiveness of energy efficiency measures in the construction of residential, commercial, and government buildings; requiring the commission to consult with specified entities to develop and implement a public awareness campaign; requiring the commission to provide reports to the Legislature; requiring all county, municipal, and public community college buildings to meet certain energy efficiency standards for construction; providing applicability; establishing standards for diesel fuel purchases for use by state-owned diesel vehicles and equipment to include biodiesel fuel purchase requirements; establishing standards for fuel purchases for use by state-owned flex-fuel vehicles to include ethanol purchase requirements; establishing standards for the use of biodiesel fuels by school district transportation services; providing effective dates.

—was referred to the Committees on Environmental Preservation and Conservation; Communications and Public Utilities; Governmental Operations; Finance and Tax; and General Government Appropriations.

By Senator Bennett—

SB 414—A bill to be entitled An act relating to energy; creating s. 288.10894, F.S.; creating the Florida Alternative Energy Center; providing legislative findings; providing definitions; requiring that the center comply with public-meetings and public-records laws; providing for the organization, purpose, and duties of the center; providing for the membership of the board of directors of the center; requiring the disclosure of financial interests by board members; requiring an annual report; creating s. 288.10895, F.S.; creating the Alternative Energy Incentive Program for the purpose of encouraging economic development and research; providing definitions; providing for the program to be operated by the Florida Alternative Energy Center; providing the qualification criteria for a business to receive an award under the program; providing a grant-application process and requirements for such application; providing for an evaluation and award process; requiring that the center validate the performance of projects funded under the program; providing an effective date.

—was referred to the Committees on Communications and Public Utilities; Environmental Preservation and Conservation; Commerce; and Transportation and Economic Development Appropriations.

By Senator Bennett—

SB 416—A bill to be entitled An act relating to trust funds; creating the Florida Alternative Energy Center Trust Fund; providing for sources of funds and purposes; requiring funds to remain in the trust fund at the end of each fiscal year; providing for future review and termination or re-creation of the fund; providing a contingent effective date.

—was referred to the Committees on Communications and Public Utilities; Environmental Preservation and Conservation; Commerce; and Transportation and Economic Development Appropriations.

By Senator Bennett—

SB 418—A bill to be entitled An act relating to public records and meetings; creating an exemption from public-records and public-meetings requirements for certain information held by the Florida Alternative Energy Center; exempting specified information relating to the recruitment of a business to locate in Florida and proprietary business information from public-records requirements; exempting the identity of donors or potential donors from public-records requirements; creating an exemption from disclosure for information that is confidential while in the possession of the person providing it; creating an exemption from public-meetings requirements for meetings of the governing board of directors of the Florida Alternative Energy Center at which confidential records are presented or discussed; authorizing access to exempt or confidential information under specified circumstances; providing a penalty; providing for future legislative review and repeal under the Open Government Sunset Review Act; providing a statement of public necessity; providing a contingent effective date.

—was referred to the Committees on Communications and Public Utilities; Environmental Preservation and Conservation; Commerce; Governmental Operations; and Rules.

By Senators Deutch and Gaetz—

SB 420—A bill to be entitled An act relating to state purchasing; providing definitions; requiring state agencies and certain local governments to purchase hybrid, flex-fuel, or biodiesel vehicles if such vehicles are available; requiring the Department of Management Services to adopt rules establishing criteria for the purchase of such vehicles; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Community Affairs; Governmental Operations; and General Government Appropriations.

By Senators Baker and Gaetz—

SB 422—A bill to be entitled An act relating to school funding; providing definitions; requiring the distribution of certain funds received by a school district to another school district when a student is enrolled in a school located outside of the school district where the student resides; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; and Education Pre-K - 12 Appropriations.

By Senators Haridopolos and Gaetz—

SB 424—A bill to be entitled An act relating to human smuggling; creating s. 877.28, F.S.; prohibiting transporting into the state an indi-

vidual who the person knows is illegally entering the United States or has illegally entered or remained in the United States; providing penalties; providing enhanced penalties for specified violations; providing an effective date.

—was referred to the Committees on Criminal Justice; Military Affairs and Domestic Security; Judiciary; and Criminal and Civil Justice Appropriations.

By Senators Bennett, Geller, Gaetz, Jones, Rich and Ring—

SM 426—A memorial to the Congress of the United States, urging unified resistance to proposals for the revision of measures protecting the coastline of Florida against oil and gas drilling.

—was referred to the Committee on Environmental Preservation and Conservation.

By Senator Bennett—

SB 428—A bill to be entitled An act relating to workforce innovation; amending s. 445.007, F.S.; authorizing designation of a regional workforce board as a one-stop operator and direct provider of certain services, subject to approval by the Governor and the regional designated chief elected official; providing an effective date.

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

SB 430—Withdrawn prior to introduction.

By Senators Bennett, Gaetz, Saunders and Jones—

SB 432—A bill to be entitled An act relating to the placement of vessels in state or federal waters seaward of the state to form artificial reefs; amending s. 370.25, F.S., relating to the state's artificial reef program; providing legislative findings; authorizing the planning and development of a statewide matching grant program to secure and place United States Maritime Administration and United States Navy decommissioned vessels in specified waters as artificial reefs; providing for administration of the program by the Florida Fish and Wildlife Conservation Commission; providing for implementation of the program subject to appropriations; providing objectives of the program; creating s. 370.255, F.S.; providing for the establishment of the Florida Ships-2-Reefs Program, a matching grant program, by the Florida Fish and Wildlife Conservation Commission; providing the purposes of the program; specifying the percentage of the state matching grant; providing procedures and requirements with respect to the program; authorizing the Florida Fish and Wildlife Conservation Commission to adopt rules; providing for reports; authorizing provision of funds under the program contingent upon an appropriation; providing for a report; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Community Affairs; and General Government Appropriations.

By Senator Margolis—

SB 434—A bill to be entitled An act relating to the Energy-Efficient Motor Vehicle Sales Tax Refund Program; creating s. 212.086, F.S.; providing financial incentives for the purchase of an alternative motor vehicle; providing that any person who purchases an alternative motor vehicle from a sales tax dealer is eligible for a refund of the sales tax paid; requiring the alternative motor vehicle to be certified under the Internal Revenue Code of 1986, as amended, as a new qualified hybrid motor vehicle, new qualified alternative fuel motor vehicle, new qualified fuel cell motor vehicle, or new advanced lean-burn technology motor vehicle; requiring that an application for refund be filed with the Department of Revenue; providing that the total dollar amount of refunds is limited to the total amount of appropriations in any fiscal year; authorizing a request for a refund to be held for payment in the following fiscal year under certain circumstances; requiring the department to adopt rules; providing for future repeal of the program; providing an appropriation; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Communications and Public Utilities; Finance and Tax; and General Government Appropriations.

By Senator Margolis—

SB 436—A bill to be entitled An act relating to requirements for high school graduation or the high school equivalency diploma; amending ss. 1003.428 and 1003.435, F.S.; requiring that, as a prerequisite to graduating or receiving a high school equivalency diploma, a high school student or candidate for the equivalency diploma register or preregister to vote if qualified to do so; providing for certain exceptions to the requirement; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Ethics and Elections; Judiciary; and Education Pre-K - 12 Appropriations.

SJR 438—Withdrawn prior to introduction.

By Senator Justice—

SB 440—A bill to be entitled An act relating to health education; amending s. 1003.428, F.S.; providing for a mandatory one-half credit in health education, independent of physical education credit requirements, for all high school students beginning with those entering the first year of high school in 2007-2008; providing a waiver for students who request to take and successfully complete a health assessment created by the Department of Education; reducing the number of elective courses chosen by students; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Health Policy; and Education Pre-K - 12 Appropriations.

By Senator Bullard—

SB 442—A bill to be entitled An act relating to emergency management; amending s. 414.095, F.S.; requiring the Department of Children and Family Services, to the extent permitted by federal law, to expedite application procedures for persons who reside in an area damaged by a major disaster and who apply for temporary cash assistance; requiring that the application process be completed within a specified time; requiring the department to train its employees who are responsible for determining eligibility for temporary cash assistance in order to expedite the application process for the victims of a major disaster and to assist the victims in contacting agencies that provide temporary shelter, food, food stamps, and other relief; amending s. 252.36, F.S.; authorizing the Governor to employ such measures and give such directions to certain specified agencies as are necessary for the purpose of addressing the needs for immediate cash, shelter, or food assistance for children, families, and the elderly and disabled during an emergency; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Military Affairs and Domestic Security; and Health and Human Services Appropriations.

By Senator Bullard—

SB 444—A bill to be entitled An act relating to the sale of dogs and cats; amending s. 828.29, F.S.; redefining the term "pet dealer" for purposes of provisions authorizing a purchaser to return an animal to the pet dealer and receive a refund, exchange the animal, or receive a reimbursement of expenses; authorizing the Department of Agriculture and Consumer Services to enforce statutory provisions related to the sale of

dogs and cats; providing powers and duties of the department; providing for the adoption of rules; providing penalties; providing an appropriation and authorizing an additional position; providing an effective date.

—was referred to the Committees on Agriculture; Judiciary; and General Government Appropriations.

By Senator Bullard—

SB 446—A bill to be entitled An act relating to bicycle safety; amending s. 316.2065, F.S.; revising safety standard requirements for bicycle helmets that must be worn by certain riders and passengers; providing for enforcement of requirements for bicycle lighting equipment; providing penalties for violations; providing for dismissal of the charge following a first offense; providing an effective date.

—was referred to the Committees on Transportation; Criminal Justice; and Transportation and Economic Development Appropriations.

By Senator Joyner—

SB 448—A bill to be entitled An act relating to breast cancer treatment; providing a short title; amending ss. 627.64171, 627.66121, and 641.31, F.S.; including lymph node dissections under provisions prescribing the length of hospital stay relating to a mastectomy and the outpatient postsurgical followup care that specified health insurers and health maintenance organizations must cover; limiting application; providing an effective date.

—was referred to the Committees on Banking and Insurance; Health Policy; and General Government Appropriations.

SR 450—Not referenced.

By Senator Aronberg—

SB 452—A bill to be entitled An act relating to the Florida Retirement System; amending s. 121.111, F.S.; authorizing additional persons to purchase credit for prior military wartime service; revising the payroll contribution rates for the membership classes of the system; providing a declaration of important state interest; providing an effective date.

—was referred to the Committees on Military Affairs and Domestic Security; Community Affairs; Governmental Operations; and General Government Appropriations.

By Senator Atwater—

SB 454—A bill to be entitled An act relating to employee leasing companies; amending s. 468.525, F.S.; requiring that certain specified conditions be included in the contractual arrangement between an employee leasing company and its client companies; amending s. 468.529, F.S.; requiring an employee leasing company to notify its employees if the employee leasing company terminates its agreement with a client company; providing the dates the cancellation of workers' compensation coverage is effective; requiring an employee leasing company to secure workers' compensation coverage from an insurance company authorized in this state; providing that an employee leasing company and its client companies are considered an "employer" for the purposes of the workers' compensation law; amending s. 440.02, F.S.; providing that the term "employment" for purposes of workers' compensation coverage includes employment performed by a leased employee; amending s. 440.11, F.S.; providing that immunity from liability for certain acts extends to an employee leasing company and certain other specified entities; reenacting s. 626.112(1), F.S., relating to the licensing of insurance agents, insurance adjusters, and customer representatives to incorporate the amendment to s. 468.525, F.S., in a reference thereto; providing an effective date.

—was referred to the Committees on Regulated Industries; Banking and Insurance; and General Government Appropriations.

By Senator Wise—

SB 456—A bill to be entitled An act relating to driving under the influence; amending s. 316.193, F.S.; requiring that an ignition interlock device be installed for a specified period after a conviction of certain offenses; revising provisions relating to the period for which an interlock device may be required following a second conviction of certain offenses; providing an effective date.

—was referred to the Committees on Transportation; Criminal Justice; and Transportation and Economic Development Appropriations.

By Senator Wise—

SB 458—A bill to be entitled An act relating to amateur matches; amending s. 548.007, F.S.; exempting amateur matches that are conducted or sponsored by the Fraternal Order of Police and that are held in conjunction with a charitable event from provisions regulating pugilistic contests and exhibitions; providing an effective date.

—was referred to the Committee on Regulated Industries.

By Senator Bullard—

SB 460—A bill to be entitled An act relating to congenital craniofacial anomalies; requiring that the Agency for Health Care Administration, in consultation with the Office of Insurance Regulation, conduct a study concerning the medical necessity, costs, and efficacy of mandating coverage for certain treatments and therapies; requiring that the agency report its findings and recommendations to the Legislature; providing an appropriation; providing an effective date.

—was referred to the Committees on Banking and Insurance; Health Policy; and Health and Human Services Appropriations.

SB 462—Withdrawn prior to introduction.

By Senator Aronberg—

SB 464—A bill to be entitled An act relating to transfer fee covenants; creating s. 689.28, F.S.; providing legislative intent regarding transfer fee covenants; providing definitions; providing that certain transfer fee covenants are unenforceable against subsequent owners, purchasers, and mortgagees; providing that a presumption is not created in favor of transfer fee covenants recorded before the effective date of the act; providing an effective date.

—was referred to the Committees on Judiciary; and Regulated Industries.

By Senator Hill—

SB 466—A bill to be entitled An act relating to Veterans' Day; requiring school districts to observe Veterans' Day; prohibiting holding classes on that day; providing an exception; requiring the date of the Veterans' Day observance to correspond with the federal holiday; providing an effective date.

—was referred to the Committees on Military Affairs and Domestic Security; and Education Pre-K - 12.

By Senator Hill—

SB 468—A bill to be entitled An act relating to child care facilities; amending s. 402.305, F.S.; requiring electronic submission of fingerprints of child care personnel and retention of fingerprints by the Department of Law Enforcement; requiring that fingerprints retained be searched against arrest records; requiring that records identified with

the retained fingerprints be reported to the Department of Children and Family Services; providing for fees; requiring an invoice for fees; providing rulemaking authority; requiring certain persons to be refingerprinted; requiring level 2 screening of each person who is employed in a child care facility every 5 years; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Criminal Justice; and Criminal and Civil Justice Appropriations.

By Senator Hill—

SB 470—A bill to be entitled An act relating to seaport security standards; amending s. 311.12, F.S.; revising the membership of the Seaport Security Standards Advisory Council; providing an effective date.

—was referred to the Committees on Military Affairs and Domestic Security; and Criminal Justice.

By Senator Dean—

SB 472—A bill to be entitled An act relating to DNA testing; amending s. 943.325, F.S.; revising offenses for which a conviction requires the person convicted to provide biological specimens in specified circumstances; providing an effective date.

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

By Senator Garcia—

SB 474—A bill to be entitled An act relating to growth management; expressing the legislative intent to revise laws relating to growth management; providing an effective date.

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

By Senator Garcia—

SB 476—A bill to be entitled An act relating to growth management; expressing the legislative intent to revise laws relating to growth management; providing an effective date.

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

By Senator Garcia—

SB 478—A bill to be entitled An act relating to the Department of Community Affairs; expressing the legislative intent to revise laws relating to the Department of Community Affairs; providing an effective date.

—was referred to the Committees on Community Affairs; Governmental Operations; Transportation and Economic Development Appropriations; and Rules.

By Senator Garcia—

SB 480—A bill to be entitled An act relating to the Department of Community Affairs; expressing the legislative intent to revise laws relating to the Department of Community Affairs; providing an effective date.

—was referred to the Committees on Community Affairs; Governmental Operations; Transportation and Economic Development Appropriations; and Rules.

By Senator Garcia—

SB 482—A bill to be entitled An act relating to affordable housing; expressing the legislative intent to revise laws relating to affordable housing; providing an effective date.

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

By Senator Garcia—

SB 484—A bill to be entitled An act relating to affordable housing; expressing the legislative intent to revise laws relating to affordable housing; providing an effective date.

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

By Senator Garcia—

SB 486—A bill to be entitled An act relating to property tax administration; expressing the legislative intent to revise laws relating to property tax administration; providing an effective date.

—was referred to the Committees on Community Affairs; Finance and Tax; General Government Appropriations; and Rules.

By Senator Garcia—

SB 488—A bill to be entitled An act relating to property tax administration; expressing the legislative intent to revise laws relating to property tax administration; providing an effective date.

—was referred to the Committees on Community Affairs; Finance and Tax; General Government Appropriations; and Rules.

By Senator Garcia—

SB 490—A bill to be entitled An act relating to building codes; expressing the legislative intent to revise laws relating to building codes; providing an effective date.

—was referred to the Committees on Community Affairs; Regulated Industries; Transportation and Economic Development Appropriations; and Rules.

By Senator Garcia—

SB 492—A bill to be entitled An act relating to building codes; expressing the legislative intent to revise laws relating to building codes; providing an effective date.

—was referred to the Committees on Community Affairs; Regulated Industries; Transportation and Economic Development Appropriations; and Rules.

SR 494—Not referenced.

By Senators Dockery and Fasano—

SB 496—A bill to be entitled An act relating to lewd or lascivious molestation; amending s. 775.082, F.S.; requiring life sentences for certain second or subsequent offenders; amending s. 948.012, F.S.; conforming a cross-reference; reenacting s. 800.04(5)(b), F.S., relating to lewd or lascivious offenses committed against persons less than 12 years of age,

to incorporate the amendments made to s. 775.082, F.S., in a reference thereto; providing an effective date.

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

By Senator Bennett—

SB 498—A bill to be entitled An act relating to agency inspectors general; amending s. 20.055, F.S.; providing definitions; requiring agency inspectors general to comply with certain principles and standards; requiring an inspector general to submit findings of an audit to specified persons or entities; requiring agencies under the Governor to notify the Chief Inspector General of inspector general appointments and terminations; prohibiting agency staff from preventing or prohibiting the inspector general or director of auditing from initiating, carrying out, or completing any audit or investigation; requiring audits to be conducted in accordance with the current International Standards for the Professional Practice of Internal Auditing; requiring the inspector general of each state agency to report certain written complaints to the Chief Inspector General; requiring the Chief Inspector General to fulfill certain duties and responsibilities; requiring a state agency to reimburse legal fees and costs that are incurred by certain individuals and entities under certain conditions; providing an effective date.

—was referred to the Committees on Governmental Operations; and General Government Appropriations.

By Senators Bullard and Wilson—

SB 500—A bill to be entitled An act relating to children's zones; creating s. 409.147, F.S.; providing legislative findings and intent; providing policy and purpose; providing definitions; providing a process for nominating and selecting a children's zone; providing for the governing body of a county or municipality to adopt a resolution designating a children's zone; specifying contents of the resolution; requiring the governing body to establish a children's zone planning team; providing powers and responsibilities of the planning team; requiring the planning team to designate working groups; specifying focus areas for the working groups; providing for the development of a strategic community plan; providing objectives for each focus area; requiring the governing body to create a corporation not for profit for specified purposes; establishing the Magic City Children's Zone, Inc., pilot project; providing for management by an entity organized as a corporation not for profit; providing geographic boundaries for the zone; providing for designation and appointment of a board of directors; providing for meetings and duties of the board of directors; providing per diem and travel expenses; requiring the board to enter into a contract to develop a business plan; providing for reports to the Legislature; requiring the Department of Children and Family Services to contract with certain private nonprofit corporations for specified purposes; requiring the corporation to implement the Magic City Children's Zone, Inc., pilot project; providing appropriations; providing an effective date.

—was referred to the Committees on Community Affairs; Children, Families, and Elder Affairs; Governmental Operations; and Health and Human Services Appropriations.

By Senators Constantine, Jones, Fasano, Lynn and Ring—

SB 502—A bill to be entitled An act relating to missing persons; amending s. 937.021, F.S.; requiring law enforcement agencies to adopt written policies and procedures to be used when investigating missing person reports; requiring law enforcement agencies to submit information to specified databases; providing immunity from civil liability for certain persons involving such reports; requiring that a law enforcement agency obtain a DNA sample after a person has been missing more than 90 days; requiring the Department of Law Enforcement to adopt rules; amending s. 937.022, F.S.; renaming the Missing Children Information Clearinghouse the "Missing Children and Persons Information Clearinghouse"; requiring the clearinghouse to collect and process information regarding missing children, missing persons younger than 26 years of age, and missing persons suspected by a law enforcement agency of being in danger or a victim of criminal activity; providing definitions; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Criminal Justice; and Criminal and Civil Justice Appropriations.

By Senator Baker—

SB 504—A bill to be entitled An act relating to use of an electronic wireless communications device while driving; amending s. 316.304, F.S.; prohibiting certain persons from using an electronic wireless communications device while operating a motor vehicle; providing for enforcement; providing penalties; amending s. 322.27, F.S.; providing for a point assessment against the driver's license; providing an effective date.

—was referred to the Committees on Transportation; Communications and Public Utilities; and Transportation and Economic Development Appropriations.

By Senator Wilson—

SB 506—A bill to be entitled An act relating to juvenile records; amending s. 943.052, F.S.; requiring each clerk of court to submit information concerning juvenile arrest records to the Department of Law Enforcement; amending s. 943.053, F.S.; revising the criteria for disseminating criminal justice information; amending s. 985.04, F.S.; providing for agents of the Department of Juvenile Justice to administer oaths and affirmations; providing confidentiality for certain information; providing for authorized disclosures; providing for an interagency agreement; providing for records retention; providing penalties for violations of disclosure laws; amending s. 985.11, F.S.; requiring that fingerprints and photographs be taken from certain juveniles for use in investigating other violations of law; requiring that the photographs and fingerprints be retained in a separate file; amending ss. 985.045, 1006.08, and 1012.797, F.S., relating to court records and duties of school superintendents concerning charges against students and employees; conforming cross-references; providing an effective date.

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

By Senator Fasano—

SB 508—A bill to be entitled An act relating to the safe lifting of hospitalized patients; creating s. 381.396, F.S.; defining the term "hospital"; requiring that hospitals establish a policy concerning the safe lifting of patients by hospital employees; providing criteria concerning the policy; providing for a committee to develop the policy; providing for membership of the committee; requiring continuing evaluation of the policy; providing an effective date.

—was referred to the Committee on Health Regulation.

By Senator Wilson—

SB 510—A bill to be entitled An act relating to school-entry health and vision examinations; amending s. 1003.22, F.S.; requiring children who enter public or private schools in the state to present evidence of having received a comprehensive vision examination; providing an exemption; amending ss. 1002.20 and 1002.42, F.S.; conforming provisions; providing for the imposition of a fee on the retail sale of nonprescription eyeglasses; providing for collection of fees and remittance to the Department of Health to assist parents in paying for school-entry comprehensive vision examinations; requiring rules for eligibility for and distribution of funds; providing effective dates.

—was referred to the Committees on Education Pre-K - 12; Health Policy; Finance and Tax; and Health and Human Services Appropriations.

By Senator Fasano—

SB 512—A bill to be entitled An act relating to property assessments; amending s. 193.023, F.S.; requiring an independent review by the Department of Revenue of the assessments of property owned by a county property appraiser; providing an effective date.

—was referred to the Committees on Community Affairs; Finance and Tax; and General Government Appropriations.

By Senators Fasano and Wilson—

SB 514—A bill to be entitled An act relating to disability history and awareness; creating s. 1003.4205, F.S.; requiring district school boards to designate "Disability History and Awareness Weeks" during the first 2 weeks in October each year; requiring students in all K-12 public schools to be provided disability history and awareness instruction; providing the content and goals of such instruction; encouraging state postsecondary institutions to conduct and promote activities related to disability history and awareness; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Children, Families, and Elder Affairs; and Education Pre-K - 12 Appropriations.

By Senator Hill—

SB 516—A bill to be entitled An act relating to forensic client services; amending s. 916.105, F.S.; providing legislative intent that forensic client services be provided to a person charged with a misdemeanor as well as with a felony; amending s. 916.106, F.S.; redefining the term "court" to include the county court; amending ss. 916.107, 916.13, and 916.302, F.S., relating to the rights of forensic clients, the involuntary commitment of a defendant with mental illness, and the involuntary commitment of a defendant determined to be incompetent; conforming provisions to changes made by the act; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Criminal Justice; Judiciary; and Health and Human Services Appropriations.

By Senator Hill—

SB 518—A bill to be entitled An act relating to public transit safety; creating s. 341.065, F.S.; requiring such providers to give restroom breaks to their drivers or operators of public conveyances; providing an exception; providing an effective date.

—was referred to the Committees on Transportation; Community Affairs; and Governmental Operations.

By Senator Hill—

SB 520—A bill to be entitled An act relating to pardons; creating the "Rosa Parks Act"; creating s. 940.035, F.S.; encouraging the Board of Executive Clemency to grant a full pardon to a person convicted of protesting or challenging a state law or local government ordinance the purpose of which was to maintain racial segregation of or racial discrimination against individuals; providing application procedures; requiring the Parole Commission to notify the state attorney of the circuit where the violation occurred; requiring that the pardon be granted unless the state attorney files an objection with the commission on the grounds that the conviction did not result from a violation of a law or ordinance the purpose of which was to maintain racial segregation of or racial discrimination against individuals; requiring a hearing if the state attorney files an objection; providing that a person who receives a full pardon under the act is not required to disclose the fact of the conviction or any record or matter relating to the conviction; amending s. 940.05, F.S.; providing that a person convicted of protesting or challenging laws or ordinances the purpose of which was to maintain racial segregation of or racial discrimination against individuals is entitled to the restoration of all rights of citizenship enjoyed by the person before the conviction if the person has received a full pardon from the Board of Executive Clemency; providing an effective date.

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

By Senator Hill—

SB 522—A bill to be entitled An act relating to radio equipment using law enforcement frequencies; amending s. 843.16, F.S.; providing an exception to prohibition on use of such equipment for specified personnel using personal transportation to and from work; providing an effective date.

—was referred to the Committees on Criminal Justice; and Community Affairs.

SB 524—Withdrawn prior to introduction.

By Senator Wise—

SB 526—A bill to be entitled An act relating to interscholastic extracurricular student activities; amending s. 1006.15, F.S.; providing for certain private school students to participate in interscholastic extracurricular activities at a public school under certain conditions; providing criteria; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; and Education Pre-K - 12 Appropriations.

By Senator Aronberg—

SB 528—A bill to be entitled An act relating to sexual battery time limitations; amending s. 775.15, F.S.; revising time limitations for prosecution of certain sexual battery offenses involving minor victims; providing an effective date.

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

By Senator Saunders—

SB 530—A bill to be entitled An act relating to household moving services; amending s. 507.01, F.S.; amending the definition of the term "storage"; amending s. 507.02, F.S.; providing that a mover's right to refuse to transport certain items is not superseded if certain conditions are met; amending s. 507.03, F.S.; removing a requirement that each mover and moving broker annually register with the Department of Agriculture and Consumer Services; providing for the calculation of registration fees; requiring that each registration be renewed biennially on or before the expiration date of the current registration; authorizing the department to adopt certain rules; providing an expiration date for such rulemaking authority; amending s. 507.04, F.S.; authorizing a mover to exclude liability for items packed by the shipper under certain conditions; amending s. 507.05, F.S.; requiring a mover to provide a shipper with a written estimate before the mover provides any moving or accessorial services; prohibiting a mover from requiring the waiver of the written estimate; prohibiting the shipper from waiving the written estimate; requiring that the written estimate contain certain information; creating s. 507.055, F.S.; requiring that a mover offer to prepare a written inventory of all items to be moved by the shipper at an additional cost to the shipper; authorizing a shipper to waive the preparation of an inventory in writing; providing requirements for the preparation of an inventory; providing conditions that must be fulfilled before a mover may charge for the preparation of an inventory; prohibiting a mover from requiring a shipper to waive the preparation of an inventory; amending s. 507.07, F.S.; providing that a mover commits a violation of state law if the mover fails to present a shipper with a written estimate of moving and accessorial services, to present a shipper with the required disclosure statement, to offer to prepare a written inventory, or

to clearly and conspicuously disclose any charges associated with the preparation of an inventory; amending s. 507.13, F.S.; providing for the preemption of certain local ordinances; limiting such preemption; providing an effective date.

—was referred to the Committees on Commerce; Community Affairs; Judiciary; and General Government Appropriations.

By Senators Justice, Atwater, Posey and Gaetz—

SB 532—A bill to be entitled An act relating to campaign financing; creating s. 106.113, F.S.; defining the terms "local government" and "public funds"; prohibiting a local government from expending, and a person or group from accepting, public funds for a political advertisement or electioneering communication concerning an issue, referendum, or amendment that is subject to the vote of the electors; providing an exception for certain electioneering communications; clarifying restrictions with respect to local officials; providing an effective date.

—was referred to the Committees on Ethics and Elections; Community Affairs; and Judiciary.

SB 534—Withdrawn prior to introduction.

SR 536—Not referenced.

By Senator Baker—

SB 538—A bill to be entitled An act relating to sexual predators; amending s. 775.21, F.S.; requiring the Department of Law Enforcement to set and charge a fee to sexual predators who are financially able to pay for all or part of the costs of supervision; authorizing a sheriff to charge a fee to a sexual predator to help defray the expense of registering the sexual predator at the sheriff's office; requiring the department to adopt rules; providing an effective date.

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

By Senators Baker, Posey and Gaetz—

SB 540—A bill to be entitled An act relating to illegal aliens; providing definitions; requiring law enforcement officers, sheriffs, chief correctional officers, and clerks of the circuit court to report to the Immigration and Customs Enforcement office of the United States Department of Homeland Security suspected illegal aliens who are arrested, detained, or convicted of a felony; requiring law enforcement agencies to provide written notice to each law enforcement officer of the officer's duty to cooperate with federal officials with regards to federal immigration laws; requiring the Office of the Attorney General, the Department of Law Enforcement, and all state and local law enforcement agencies to vigorously pursue all opportunities to collect federal funds to which the state may be entitled for the reimbursement of moneys spent to enforce federal immigration laws; providing an effective date.

—was referred to the Committees on Criminal Justice; Military Affairs and Domestic Security; Judiciary; and Criminal and Civil Justice Appropriations.

By Senator Saunders—

SB 542—A bill to be entitled An act relating to land acquisition; amending s. 259.105, F.S.; eliminating obsolete provisions relating to the distribution of funds in the Florida Forever Trust Fund; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; General Government Appropriations; and Rules.

By Senator Baker—

SB 544—A bill to be entitled An act relating to temporary motor vehicle license tags; amending s. 320.131, F.S.; revising provisions for the placement of temporary tags on vehicles; revising provisions for implementation of an electronic, print-on-demand, temporary tag issuance system; providing that the system may be used at the option of the issuer; removing a timeframe for implementation of the system; repealing s. 320.96, F.S., relating to implementation of an electronic, print-on-demand, temporary license plate system; providing an effective date.

—was referred to the Committees on Transportation; Governmental Operations; and Transportation and Economic Development Appropriations.

By Senator Wilson—

SB 546—A bill to be entitled An act relating to the Council on the Social Status of Black Men and Boys; amending s. 16.615, F.S.; removing outdated provisions; removing a provision that discontinues the council under certain conditions; providing an appropriation; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Governmental Operations; and Criminal and Civil Justice Appropriations.

SB 548—Withdrawn prior to introduction.

By Senator Jones—

SB 550—A bill to be entitled An act relating to elevator safety; amending s. 553.509, F.S.; extending deadlines for owners of certain residential multifamily buildings to provide verification of alternative sources of power for elevators in such buildings; providing an effective date.

—was referred to the Committees on Regulated Industries; Community Affairs; and General Government Appropriations.

By Senator Aronberg—

SB 552—A bill to be entitled An act relating to assault or battery of a law enforcement officer or other specified persons; amending s. 775.082, F.S.; expanding the definition of the term "prison releasee reoffender" to include a defendant who commits any felony violation relating to an assault or battery of a law enforcement officer or other specified person for the purpose of sentencing the reoffender to certain specified periods of imprisonment; amending s. 775.084, F.S.; expanding the definitions of the terms "habitual violent felony offender" and "three-time violent felony offender" to include an offender who commits any felony violation relating to an assault or battery of a law enforcement officer or other specified person for the purpose of sentencing the offender to certain periods of imprisonment; reenacting s. 775.261(2)(a), F.S., relating to the Florida Career Offender Registration Act, to incorporate the amendments to ss. 775.082 and 775.084, F.S., in references thereto; reenacting s. 944.608(1), F.S., relating to information that must be given to the Department of Law Enforcement concerning a career offender, to incorporate the amendments to ss. 775.082 and 775.084, F.S., in references thereto; reenacting s. 944.609(1), F.S., relating to notification of information on a career offender who is in the custody of, or under supervision of, the Department of Corrections at the time of the inmate's release, to incorporate the amendments to ss. 775.082 and 775.084, F.S., in references thereto; reenacting s. 944.705(6), F.S., relating to notifying inmates of certain information at the time of the inmate's release, to incorporate the amendment to s. 775.082, F.S., in references thereto; providing an effective date.

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

By Senator Jones—

SB 554—A bill to be entitled An act relating to the Department of Transportation; repealing chapter 85-364, Laws of Florida, relating to the collection of tolls on the Pinellas Bayway and the use of toll revenues; providing an effective date.

—was referred to the Committees on Transportation; Finance and Tax; and Transportation and Economic Development Appropriations.

By Senators Constantine—

SB 556—A bill to be entitled An act relating to secondary metals recycling; amending s. 538.19, F.S.; requiring additional information to be recorded by secondary metals recyclers; providing audit authority and enforcement and reporting requirements for the Department of Revenue; creating s. 538.195, F.S.; requiring specified information to be reported by secondary metals recyclers to the Department of Law Enforcement for specified transactions; providing for forms; requiring retention of certain metals received for a specified period; providing penalties for failure to report; amending s. 538.23, F.S.; providing criminal penalties for specified violations by secondary metals recyclers; amending s. 538.25, F.S.; providing specified administrative penalties for certain violations by secondary metals recyclers; amending s. 538.26, F.S.; prohibiting purchases of certain regulated metals from minors; prohibiting purchases of or removal of insulation from certain metallic wire; providing exceptions; creating s. 538.27, F.S.; prohibiting cash payments and payments on site at the time of the transaction in certain regulated metals transactions; requiring receipts meeting specified requirements for certain transactions; providing exceptions; creating s. 538.28, F.S.; prohibiting sale of certain items; providing exceptions; providing penalties; providing an effective date.

—was referred to the Committees on Commerce; Criminal Justice; Finance and Tax; and General Government Appropriations.

By Senator Constantine—

SB 558—A bill to be entitled An act relating to Florida Building Code; repealing s. 553.731, F.S., relating to the requirement that jurisdictions subject to the Florida Building Code require wind-borne-debris protection in compliance with the International Building Code; amending s. 553.73, F.S.; specifying that the Florida Building Code does not restrict implementation of standards to provide for accessibility by handicapped persons or standards for thermal efficiency; providing an effective date.

—was referred to the Committees on Community Affairs; and Banking and Insurance.

By Senator Constantine—

SB 560—A bill to be entitled An act relating to energy efficiency in building construction; amending s. 553.77, F.S.; providing discretionary power to the Florida Building Commission to implement recommendations regarding cost-effective, energy-efficiency standards for construction of all new residential, commercial, and government buildings by amending the Florida Efficiency Code for Building Construction; providing an effective date.

—was referred to the Committees on Community Affairs; Regulated Industries; Environmental Preservation and Conservation; and Transportation and Economic Development Appropriations.

By Senator Constantine—

SB 562—A bill to be entitled An act relating to building standards for educational facilities; creating s. 1013.375, F.S.; requiring that educational facilities of a school district, a community college, a university, or the Florida School for the Deaf and the Blind meet specified minimum standards for energy efficiency and sustainability; providing that the standards apply to a facility that is newly constructed or that undergoes renovation costing more than a specified amount; providing an exception for projects approved before a specified date; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Education Pre-K - 12; and Education Facilities Appropriations.

By Senators Constantine and King—

SB 564—A bill to be entitled An act relating to automated external defibrillators; amending s. 401.2915, F.S.; revising provisions relating to the maintenance of and training requirements for the use of automated external defibrillators; revising provisions encouraging notice to the local emergency medical services medical director; providing an effective date.

—was referred to the Committees on Health Regulation; and Judiciary.

By Senator Constantine—

SB 566—A bill to be entitled An act relating to automated external defibrillators in public schools; amending s. 1006.165, F.S.; requiring that all public schools have an operational automated external defibrillator on school grounds; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Health Regulation; Judiciary; and Education Pre-K - 12 Appropriations.

By Senator Constantine—

SB 568—A bill to be entitled An act relating to the Money Transmitters' Code; amending s. 560.113, F.S.; authorizing the circuit court to order a receivership and restitution of money as remedies for persons injured due to a violation of the code; requiring that relief be granted without bond; amending s. 560.114, F.S.; providing that a violation of any law enforced by the Office of Financial Regulation is also a violation of the Money Transmitters' Code; amending s. 560.402, F.S.; defining the terms "check" and "engage in a deferred presentment transaction"; creating s. 560.4031, F.S.; providing that any deferred presentment transaction entered into by a drawer with a nonexempt person who is not registered under ch. 560, F.S., is void; providing penalties and civil remedies; providing that it is a felony of the third degree to collect on any deferred presentment transaction known to be void; providing criminal penalties; providing an effective date.

—was referred to the Committees on Banking and Insurance; Criminal Justice; Judiciary; and General Government Appropriations.

By Senator Constantine—

SB 570—A bill to be entitled An act relating to the Wekiva Onsite Sewage Treatment and Disposal System Compliance Grant Program; creating the program in the Department of Health; providing purposes; authorizing low-income property owners in certain areas of the Wekiva basin to apply for grants to improve onsite sewage treatment and disposal systems; providing grant limitations; providing for the grant to be a rebate of costs incurred; requiring documentation of costs; requiring the department to adopt rules to administer the grant program; providing an effective date.

—was referred to the Committees on Health Regulation; Environmental Preservation and Conservation; and Health and Human Services Appropriations.

By Senators Deutch, Aronberg, Rich, Margolis and Ring—

SB 572—A bill to be entitled An act relating to civil rights; amending s. 760.01, F.S.; revising provisions to include sexual orientation and

familial status as impermissible grounds for discrimination; conforming terminology; amending s. 760.02, F.S.; defining additional terms; amending ss. 760.05, 760.07, 760.08, and 760.10, F.S.; revising provisions to include sexual orientation and familial status as impermissible grounds for discrimination; conforming terminology; amending s. 509.092, F.S.; revising provisions to include sexual orientation and familial status as impermissible grounds for discrimination in public lodging establishments and public food service establishments; amending s. 760.22, F.S.; defining the term "disability" and deleting the definition of the term "handicap"; amending ss. 760.23, 760.24, 760.25, 760.26, and 760.29, F.S.; revising provisions to include sexual orientation, familial status, and marital status as impermissible grounds for discrimination; conforming terminology; amending ss. 760.31 and 760.50, F.S.; conforming terminology; amending s. 760.60, F.S.; revising provisions to include sexual orientation and familial status as impermissible grounds for discrimination; conforming terminology; amending s. 419.001, F.S.; conforming a cross-reference; providing an effective date.

—was referred to the Committees on Commerce; Community Affairs; Judiciary; and General Government Appropriations.

By Senators Baker and Gaetz—

SB 574—A bill to be entitled An act relating to public secondary schools; creating s. 1003.451, F.S.; prohibiting any school district or public secondary school from prohibiting ROTC units on campus, preventing a student from enrolling in an ROTC unit at another educational institution, or preventing military recruiters from having certain access to students; providing for enforcement; providing for the adoption of rules by the State Board of Education; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Military Affairs and Domestic Security; and Education Pre-K - 12 Appropriations.

By Senators Jones and Gaetz—

SB 576—A bill to be entitled An act relating to a presumption of correctness for ad valorem tax assessment; amending s. 194.301, F.S.; revising criteria for a presumption of correctness of a property appraiser's assessment of ad valorem tax value; requiring that such a presumption for an assessment for income-producing property is based on the income approach to value; providing an effective date.

—was referred to the Committees on Community Affairs; Finance and Tax; and Education Pre-K - 12 Appropriations.

By Senator Jones—

SB 578—A bill to be entitled An act relating to alcoholic beverages; expressing the legislative intent to revise laws relating to alcoholic beverages; providing an effective date.

—was referred to the Committees on Regulated Industries; General Government Appropriations; and Rules.

By Senator Jones—

SB 580—A bill to be entitled An act relating to cardrooms; expressing the legislative intent to revise laws relating to cardrooms; providing an effective date.

—was referred to the Committees on Regulated Industries; General Government Appropriations; and Rules.

By Senator Jones—

SB 582—A bill to be entitled An act relating to construction contracting; expressing the legislative intent to revise laws relating to construction contracting; providing an effective date.

—was referred to the Committees on Regulated Industries; Community Affairs; General Government Appropriations; and Rules.

By Senator Jones—

SB 584—A bill to be entitled An act relating to the construction lien law; expressing the legislative intent to revise laws relating to the construction lien law; providing an effective date.

—was referred to the Committees on Regulated Industries; Judiciary; General Government Appropriations; and Rules.

By Senator Jones—

SB 586—A bill to be entitled An act relating to the Department of the Lottery; expressing the legislative intent to revise laws relating to the Department of the Lottery; providing an effective date.

—was referred to the Committees on Regulated Industries; Governmental Operations; General Government Appropriations; and Rules.

By Senator Jones—

SB 588—A bill to be entitled An act relating to elevator safety; expressing the legislative intent to revise laws relating to elevator safety; providing an effective date.

—was referred to the Committees on Regulated Industries; Community Affairs; General Government Appropriations; and Rules.

By Senator Jones—

SB 590—A bill to be entitled An act relating to pari-mutuel wagering; expressing the legislative intent to revise laws relating to pari-mutuel wagering; providing an effective date.

—was referred to the Committees on Regulated Industries; General Government Appropriations; and Rules.

By Senator Jones—

SB 592—A bill to be entitled An act relating to professional and business regulation; expressing the legislative intent to revise laws relating to professional and business regulation; providing an effective date.

—was referred to the Committees on Regulated Industries; General Government Appropriations; and Rules.

By Senator Jones—

SB 594—A bill to be entitled An act relating to professions; expressing the legislative intent to revise laws relating to professions; providing an effective date.

—was referred to the Committees on Regulated Industries; General Government Appropriations; and Rules.

By Senator Jones—

SB 596—A bill to be entitled An act relating to simulcast wagering; expressing the legislative intent to revise laws relating to simulcast wagering; providing an effective date.

—was referred to the Committees on Regulated Industries; General Government Appropriations; and Rules.

By Senator Jones—

SB 598—A bill to be entitled An act relating to slot machine gaming; expressing the legislative intent to revise laws relating to slot machine gaming; providing an effective date.

—was referred to the Committees on Regulated Industries; General Government Appropriations; and Rules.

By Senator Jones—

SB 600—A bill to be entitled An act relating to the tribal-state gaming compact; expressing the legislative intent to revise laws relating to the tribal-state gaming compact; providing an effective date.

—was referred to the Committees on Regulated Industries; General Government Appropriations; and Rules.

By Senator Jones—

SB 602—A bill to be entitled An act relating to video lotteries; expressing the legislative intent to revise laws relating to video lotteries; providing an effective date.

—was referred to the Committees on Regulated Industries; General Government Appropriations; and Rules.

By Senator Jones—

SB 604—A bill to be entitled An act relating to quarter horse racing; expressing the legislative intent to revise laws relating to quarter horse racing; providing an effective date.

—was referred to the Committees on Regulated Industries; General Government Appropriations; and Rules.

By Senator Crist—

SB 606—A bill to be entitled An act relating to towing vehicles or vessels on private property; amending s. 715.07, F.S.; requiring that a person engaged in the business of towing obtain written permission before towing a vehicle or vessel from private property where alcoholic beverages are sold; providing a penalty; providing an effective date.

—was referred to the Committees on Transportation; Commerce; and Criminal Justice.

By Senator Crist—

SB 608—A bill to be entitled An act relating to court fees and penalties; amending s. 57.082, F.S.; providing for an indigent person whose income is equal to or below a specified threshold to have court fees waived; amending s. 57.085, F.S.; revising requirements regarding the deferral of prepayment of court costs and fees for indigent prisoners to include indigent persons being held in custody pending trial; amending s. 318.18, F.S.; providing an exception from provisions prohibiting a county from imposing certain surcharges concurrently; providing an effective date.

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

By Senator Constantine—

SB 610—A bill to be entitled An act relating to physical education; amending s. 1003.455, F.S.; requiring district school boards to provide 225 minutes of physical education each week for students in grade 6 through grade 8; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Health Policy; and Education Pre-K - 12 Appropriations.

By Senator Crist—

SB 612—A bill to be entitled An act relating to judges; expressing the legislative intent to revise laws relating to the number of judges in specified individual circuits and in specified district courts of appeal; providing an effective date.

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

By Senator Dean—

SB 614—A bill to be entitled An act relating to classification and pay plans for public defenders; amending s. 27.53, F.S.; requiring that coordinated classification and pay plans for public defenders in each judicial circuit be developed in accordance with s. 216.181, F.S., notwithstanding that lump-sum salary bonuses, or other similar provisions of statute or rule relating to government officials, may be provided only if specifically appropriated or provided for by statute; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; Governmental Operations; and General Government Appropriations.

By Senator Bennett—

SB 616—A bill to be entitled An act relating to driver financial responsibility; amending ss. 324.022, 627.7275, and 627.7415, F.S.; requiring certain motor vehicle owners or operators to maintain, by insurance or other means, financial responsibility for on-scene wrecker service charges requested by law enforcement officers under certain circumstances; providing an effective date.

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

By Senator Posey—

SB 618—A bill to be entitled An act relating to designations; designating Space Mile Marker One at the Space Florida headquarters; authorizing Space Florida to erect suitable markers; providing an effective date.

—was referred to the Committee on Commerce.

By Senators Fasano and Gaetz—

SB 620—A bill to be entitled An act relating to tuition waivers; amending s. 1009.26, F.S.; requiring state universities and community colleges to waive a percentage of the in-state tuition rate for veterans who meet specified criteria; providing a percentage cap on the number

of required credit hours for which a tuition waiver may be received; providing for funding; providing an effective date.

—was referred to the Committees on Higher Education; Military Affairs and Domestic Security; and Higher Education Appropriations.

By Senator Dockery—

SB 622—A bill to be entitled An act relating to orders of no contact; amending s. 921.244, F.S.; requiring that offenders convicted of specified violent offenses be prohibited from having any contact with the victim; providing that a guardian ad litem of a child victim may request the court to reconsider the order prohibiting the offender from having contact with the child victim under certain circumstances; providing penalties; providing that the penalty for violation of such an order run consecutive to the sentence for the original violation; providing an effective date.

—was referred to the Committees on Criminal Justice; Children, Families, and Elder Affairs; Judiciary; and Criminal and Civil Justice Appropriations.

By Senators Dockery and Gaetz—

SB 624—A bill to be entitled An act relating to human smuggling; creating s. 787.07, F.S.; providing that a person commits a third-degree felony if he or she transports an individual into this state and knows, or should know, that the individual is illegally entering the United States or has illegally remained in the United States; providing criminal penalties; providing enhanced penalties if the individual being transported is a minor or suffers great bodily harm or death; providing an effective date.

—was referred to the Committees on Criminal Justice; Military Affairs and Domestic Security; Judiciary; and Criminal and Civil Justice Appropriations.

By Senators Atwater and Gaetz—

SB 626—A bill to be entitled An act relating to just valuation of property; amending s. 193.011, F.S.; providing for consideration of zoning changes and permits in determining the highest and best use; revising the just valuation factor relating to the condition of property; including cost of removal of tangible personal property as a consideration in the net sale proceeds factor; requiring property appraisers to use only market rent in arriving at just value of certain income-producing properties; providing a definition; providing applicability; amending s. 193.016, F.S.; providing for consideration of value adjustment board decisions for all properties; creating s. 193.018, F.S.; authorizing owners of certain properties to enter into deed-restriction agreements with counties for certain purposes; requiring property appraisers to consider deed-restriction agreements in determining just value; providing for payment of back taxes plus interest if the deed-restriction agreement is terminated early; amending s. 194.011, F.S.; revising provisions relating to provision of evidence by petitioners and property appraisers; amending s. 194.013, F.S.; requiring value adjustment boards to waive a petition filing fee for taxpayers eligible for certain constitutional exemptions; amending s. 194.015, F.S.; revising the membership of value adjustment boards, appointment criteria, and quorum requirements; amending s. 194.032, F.S.; providing for criteria for rescheduling certain hearings under certain circumstances; amending s. 194.034, F.S.; requiring value adjustment boards to order refund of certain filing fees if a determination of a property appraiser is overturned; amending s. 194.192, F.S.; providing for judgments against property appraisers under certain circumstances; providing for assessment and award of attorney fees to taxpayers under certain circumstances; amending s. 194.301, F.S.; revising criteria for a presumption of correctness of ad valorem taxation assessments and the burden of proof in actions challenging such assessments; amending s. 420.507, F.S.; correcting a cross-reference; providing an effective date.

—was referred to the Committees on Community Affairs; Finance and Tax; and Education Pre-K - 12 Appropriations.

By Senators Rich, Margolis and Lynn—

SB 628—A bill to be entitled An act relating to court actions involving families; amending ss. 39.001, 61.001, 63.022, 68.07, 741.2902, 984.01, and 985.02, F.S., and creating ss. 88.1041, 742.016, 743.001, and 1003.269, F.S.; providing legislative intent with respect to implementing a unified family court program; amending s. 61.402, F.S.; revising qualifications for guardians ad litem; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Judiciary; and Criminal and Civil Justice Appropriations.

By Senator Fasano—

SB 630—A bill to be entitled An act relating to motor vehicle registration; amending s. 320.02, F.S.; allowing an applicant for a motor vehicle registration or renewal to make a voluntary contribution to Family First; amending s. 322.08, F.S.; allowing an applicant for a driver's license to make a voluntary contribution to Family First; providing an effective date.

—was referred to the Committees on Transportation; Children, Families, and Elder Affairs; Finance and Tax; and Transportation and Economic Development Appropriations.

SB 632—Withdrawn prior to introduction.

By Senator Fasano—

SB 634—A bill to be entitled An act relating to Veterans' Day; requiring employers to give honorably discharged veterans a paid holiday on November 11 of each year; providing an effective date.

—was referred to the Committees on Commerce; Military Affairs and Domestic Security; and Governmental Operations.

By Senator Fasano—

SB 636—A bill to be entitled An act relating to domestic violence; amending s. 784.047, F.S.; adding circumstances that violate an injunction for protection against repeat violence, sexual violence, or dating violence; providing an effective date.

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

By Senators Jones and Gaetz—

SB 638—A bill to be entitled An act relating to sexual battery; amending s. 39.806, F.S.; providing grounds for terminating parental rights based on sexual battery; creating s. 794.057, F.S.; authorizing restitution to the victim of sexual battery to pay for the expenses of the child; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Criminal Justice; Judiciary; and Criminal and Civil Justice Appropriations.

By Senators Oelrich, Crist, Posey and Bennett—

SB 640—A bill to be entitled An act relating to financial management by local governments; amending s. 116.07, F.S.; clarifying a requirement that the sheriff and the clerk of the circuit court keep financial statements and books of accounts in accordance with part III of ch. 218, F.S.; amending s. 136.05, F.S.; providing that the clerk of the circuit court is the accountant to the board of county commissioners; amending s. 218.31, F.S.; defining the clerk of the circuit court as the county auditor; amending s. 218.32, F.S.; requiring the county auditor to prepare the

annual financial report for local government entities of the county and perform audits and tests to determine the adequacy of internal controls and compliance with contracts, applicable laws, and rules; providing an effective date.

—was referred to the Committees on Community Affairs; and Judiciary.

By Senators Siplin and Ring—

SB 642—A bill to be entitled An act relating to public K-12 education; creating s. 1003.06, F.S.; authorizing the parent of multiple birth siblings to request certain classroom placement; providing a definition; providing exceptions to implementation of the requested placement; authorizing appeal of placement; specifying conditions under which provisions do not apply; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; and Education Pre-K - 12 Appropriations.

By Senators Justice, Rich and Gaetz—

SB 644—A bill to be entitled An act relating to the My Safe Florida Home Program; amending s. 215.5586, F.S.; providing that certain applicants for grants under the program need not comply with certain earlier eligibility requirements; providing an effective date.

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

By Senator Margolis—

SB 646—A bill to be entitled An act relating to human immunodeficiency virus and acquired immune deficiency syndrome educational requirements; amending s. 381.0035, F.S.; revising requirements relating to educational courses on HIV and AIDS for certain employees and clients of specified licensed health care facilities; specifying applicability; amending s. 400.506, F.S.; revising requirements with respect to educational courses on HIV and AIDS for nurse registries; providing an effective date.

—was referred to the Committees on Health Regulation; and Health and Human Services Appropriations.

By Senator Posey—

SB 648—A bill to be entitled An act relating to insurable interests; amending s. 627.404, F.S.; providing definitions; providing for the requirement of an insurable interest in an insured at the time of an insurance contract; providing for actions by the insured to recover benefits under such a contract paid to a person lacking such an interest at the time such contract was executed; requiring the consent of the person insured for certain contracts; providing exceptions; providing applicability; providing intent; providing an effective date.

—was referred to the Committees on Banking and Insurance; and Judiciary.

SB 650—Withdrawn prior to introduction.

By Senator Lynn—

SB 652—A bill to be entitled An act relating to a task force on workplace safety; creating the Florida Public Task Force on Workplace Safety within the Office of Insurance Regulation; providing legislative intent; providing purposes of the task force; providing for membership and staffing; providing for members to serve without compensation for their service; providing for payment of travel and per diem expenses to members resulting from the performance of their official duties; requiring that the task force address certain issues; authorizing the task force to procure information or assistance from any officer or agency of the state; requiring that such officers or agencies provide information and assistance to the task force; requiring that the task force submit a report and recommendations to the Governor, the Chief Financial Officer, the President of the Senate, and the Speaker of the House of Representatives by a specified date; requiring that the report include certain information; providing for dissolution of the task force; providing an effective date.

—was referred to the Committees on Governmental Operations; Banking and Insurance; and General Government Appropriations.

By Senator Crist—

SB 654—A bill to be entitled An act relating to offenses against officers; amending s. 776.051, F.S.; providing that a person is not justified in resisting with violence a law enforcement officer who is engaged in the execution of a legal duty, regardless of a specified later finding by a court; providing that a person is not justified in using force if a law enforcement officer acts in good faith and is known or appears to be a law enforcement officer; amending s. 784.07, F.S.; providing for reclassification of certain offenses against certain officers who are engaged in the performance of duties; amending s. 843.01, F.S.; providing criminal penalties for resisting with violence an officer who is executing a legal duty; amending s. 843.02, F.S.; providing criminal penalties for resisting without violence an officer who is executing a legal duty; providing an effective date.

—was referred to the Committees on Criminal Justice; Governmental Operations; and Judiciary.

By Senator Joyner—

SB 656—A bill to be entitled An act relating to judicial and execution sales of property; creating s. 702.55, F.S.; requiring that, before certain court-ordered sales of property, the lienholder serve notice on the property owner of the possibility of relief through the filing of a bankruptcy petition and also warning against purported foreclosure "saving" schemes; specifying the content of the notice; providing for an affirmative defense for failing to provide notice; amending s. 56.021, F.S., relating to the required service of notice of potential relief through bankruptcy; conforming provisions to changes made by the act; providing an effective date.

—was referred to the Committees on Judiciary; and Banking and Insurance.

By Senator Bennett—

SB 658—A bill to be entitled An act relating to motor vehicles; creating the "Highway Safety Act"; providing legislative intent relating to road rage and aggressive careless driving; amending s. 316.003, F.S.; defining the term "road rage"; amending s. 316.083, F.S.; requiring an operator of a motor vehicle to yield the left lane when being overtaken on a multilane highway; providing exceptions; amending s. 316.1923, F.S.; revising the number of specified acts necessary to qualify as an aggressive careless driver; providing specified punishments for aggressive careless driving; amending s. 318.19, F.S.; providing that a second or subsequent infraction as an aggressive careless driver requires attendance at a mandatory hearing; providing for the disposition of the increased penalties; requiring the Department of Highway Safety and Motor Vehicles to provide an educational awareness campaign; reenacting s. 316.650(1)(a), F.S., relating to traffic citations, to incorporate the amendments made to s. 316.1923, F.S., in a reference thereto; providing an effective date.

—was referred to the Committees on Transportation; Criminal Justice; Finance and Tax; and Transportation and Economic Development Appropriations.

By Senator Bennett—

SB 660—A bill to be entitled An act relating to the protection and restoration of seagrass beds; creating a pilot program for the restoration of seagrass beds within specified counties and related natural resources; providing definitions; providing legislative findings and purposes; requiring that damages recovered for injury to, and the destruction of, seagrass beds in certain counties and related natural resources be deposited into the Ecosystem Management and Restoration Trust Fund; requiring the Department of Environmental Protection to expend the funds for restoration, assessment, or rehabilitation of seagrass beds and natural resources; providing criteria governing such expenditures by the department; providing for auditing and reporting by a private recipient of funds; prohibiting any reduction of other appropriations to a state agency that receives funds under the act; requiring that the department report to the Legislature whether the pilot program should be expanded; authorizing rulemaking by the department; amending s. 253.04, F.S.; providing that careless operation of a vessel outside a marked channel which causes propeller scarring in an acquatic preserve is a civil infraction; defining the terms "propeller scarring" and "seagrasses"; providing that refusal to post bond or sign a boating citation is a second-degree misdemeanor; requiring that civil penalties collected for the careless operation of a vessel be deposited into the Internal Improvement Trust Fund and used for specified purposes; amending s. 327.73, F.S.; providing civil penalties; requiring the Office of Program Policy Analysis and Government Accountability to evaluate the recreational marine industry and report to the Legislature; amending s. 327.803, F.S.; increasing the number of members of the Boating Advisory Council; adding a representative of the recreational airboating community; amending s. 403.1651, F.S., relating to the Ecosystem Management and Restoration Trust Fund; conforming provisions to changes made by the act; providing effective dates.

—was referred to the Committees on Environmental Preservation and Conservation; Community Affairs; and General Government Appropriations.

SB 662—Withdrawn prior to introduction.

By Senator Bennett—

SB 664—A bill to be entitled An act relating to proposed property tax notices; amending s. 200.069, F.S.; revising the form of the notice of proposed property taxes to include certain millage rates; amending s. 200.065, F.S.; conforming a cross-reference; providing an effective date.

—was referred to the Committees on Community Affairs; Finance and Tax; and General Government Appropriations.

SB 666—Withdrawn prior to introduction.

By Senators Posey, Oelrich and Ring—

SB 668—A bill to be entitled An act relating to child-restraint requirements; amending s. 316.613, F.S.; providing child-restraint requirements for children ages 4 through 7; redefining the term "motor vehicle" so as to exclude certain vehicles from such requirements; providing a grace period; providing exceptions to such requirements; providing effective dates.

—was referred to the Committees on Transportation; Criminal Justice; and Transportation and Economic Development Appropriations.

By Senator Lynn—

SM 670—A memorial to the Congress of the United States, urging Congress to oppose any effort to implement a political, governmental entity among the United States, Canada, and Mexico; to oppose the Security and Prosperity Partnership of North America and initiatives pursued in conjunction with the partnership which threaten the sovereignty of the United States; and to oppose a North American Union.

—was referred to the Committees on Military Affairs and Domestic Security; and Commerce.

By Senator Crist—

SB 672—A bill to be entitled An act relating to wrecker services; creating chapter 508, F.S.; providing for regulatory oversight of wrecker services by the Department of Agriculture and Consumer Services; creating s. 508.101, F.S.; providing definitions; creating s. 508.102, F.S.; creating the Wrecker Operator Advisory Council within the Department of Agriculture and Consumer Services; providing for membership, terms, and organization; providing procedures for meetings and recordkeeping; providing for reimbursement for travel and per diem expenses; directing the department to provide support services for the council; directing the council to review rules adopted by the department and to advise the department on matters relating to standards and practices in the wrecker industry; creating s. 508.103, F.S.; authorizing the department to adopt rules; creating s. 508.105, F.S.; requiring wrecker companies to register annually with the department; providing for the registration application; providing for the processing of fingerprints by the Department of Law Enforcement; requiring fees for processing; providing for issuance of a registration certificate; requiring display of the certificate; providing requirements for advertisements; requiring notification of changes in registration information; requiring payment of certain fees; requiring certain companies to obtain a local business tax receipt prior to registration renewal; requiring insurance coverage; requiring the department to notify the Department of Highway Safety and Motor Vehicles when a registration has been suspended or revoked; creating s. 508.106, F.S.; authorizing the Department of Agriculture and Consumer Services to deny, revoke, or refuse to renew the registration of a wrecker company under certain circumstances; creating s. 508.1061, F.S.; requiring a wrecker company to accept certain forms of payment; creating s. 508.107, F.S.; requiring the department to establish a certification program for wrecker operators; providing for the council to approve certification courses and the organizations conducting the courses; providing for the council to prescribe course curricula; providing requirements for courses; requiring that each course include an examination approved by the council; providing criteria for the examination; requiring that the organization conducting the course issue the certificate to the wrecker operator; creating s. 508.108, F.S.; requiring each certification course to offer optional specialized wrecker services instruction, training, and examinations; describing specialized wrecker services; directing the department to adopt rules prescribing specific standards to further define each specialized wrecker service; requiring council approval of the instruction, training, and examination; requiring the organization conducting the course to issue the certificate to the wrecker operator; creating s. 508.109, F.S.; providing for form and content of certification cards; authorizing the department to adopt rules for issuance of certification cards to an operator who completes a certification course and passes a certification examination in another state or completed a certification course and passed a certification examination in this state during a certain time period; authorizing the department to adopt rules for issuance of endorsements for specialized services to a wrecker operator who completed instruction and training for a specialized wrecker service and passed an endorsement examination for that specialized wrecker service during a certain time period; providing for approval by the council of out-of-state certification instructions, training, and examinations; providing for expiration of certification; requiring that certification cards be issued by the organizations conducting the courses; creating s. 508.111, F.S.; providing requirements for recertification; providing for a continuing education program to be established by the department; providing for curricula and examinations to be prescribed by the council; requiring course approval by the council; providing for a certificate to be issued by the training organization to the wrecker operator; creating s. 508.112, F.S.; prohibiting certain acts; creating ss. 508.113 and 508.114, F.S.; providing administrative and civil penalties; creating s. 508.116, F.S.; providing for registration and renewal fees; creating s. 508.117, F.S.; providing for deposit and use of fees, penalties, and other funds; creating s. 508.118, F.S.; providing that the chapter does not apply to recovery agents; creating s. 508.119, F.S.; authorizing counties and municipalities to enact ordinances governing wrecker operators; providing for the department to enter into a cooperative agreement with a county or municipality for the referral, investigation, and prosecution of consumer complaints or enforcement of specified

wrecker services provisions; creating s. 508.120, F.S.; requiring that a wrecker company maintain records of its services and operators; requiring organizations that conduct operator certification or continuing education courses to maintain records on each person who successfully completes one of the courses; authorizing inspection of records by the department; creating s. 508.104, F.S.; prohibiting persons from owning, operating, or being issued a local business tax receipt on behalf of a wrecker company without first registering with the department; requiring registration prior to issuance or renewal of local business tax receipt; excluding certain motor vehicle repair shops and dealers; creating s. 508.110, F.S.; prohibiting the performance of wrecker services after a certain date unless the operator is in the employ of a company that is registered; requiring wrecker operators to be certified; providing exceptions for certain shops and organizations; authorizing the department to inspect company records; creating s. 508.115, F.S.; providing criminal penalties; amending s. 120.80, F.S.; providing for appointment of a hearing officer by the director of the Division of the Florida Highway Patrol when a hearing is held to deny, suspend, or remove a wrecker company from participating in the wrecker-allocation system; creating s. 205.1977, F.S.; prohibiting a county or municipality from issuing or renewing a business tax receipt for a wrecker company that is not registered with the Department of Agriculture and Consumer Services; amending s. 316.530, F.S., relating to towing requirements; conforming terminology; amending s. 320.01, F.S.; redefining the term "wrecker" for purposes of the Florida Statutes; amending s. 320.03, F.S., relating to withholding the motor vehicle registration plate or revalidation sticker; providing for application of provisions to wrecker companies rather than wrecker operators; amending s. 320.0706, F.S.; requiring that the license plate be displayed only on the front of a wrecker; amending s. 320.0821, F.S.; revising requirements for the issuance of wrecker license plates; requiring that the license plate be displayed on the front of the wrecker; amending s. 320.13, F.S., relating to dealer license plates; conforming terminology; reenacting ss. 316.550(4)(a) and (9) and 320.08(5)(d) and (e), F.S., relating to special wrecker permits and license taxes, to incorporate the amendment to s. 320.01, F.S., in references thereto; amending s. 321.051, F.S.; revising provisions for the Florida Highway Patrol wrecker operator system; changing the designation to "wrecker-allocation system"; providing definitions; revising provisions that authorize the Division of the Florida Highway Patrol within the Department of Highway Safety and Motor Vehicles to establish the system; revising requirements for the system; limiting the system to using certain registered wrecker companies; revising eligibility requirements for wreckers; revising provisions for procedures for appeal of final orders by the department denying, suspending, or revoking eligibility to participate; prohibiting an unauthorized wrecker company and wrecker operators dispatched by an unauthorized company from engaging in certain activities; requiring those operators to disclose certain information to the owner or operator of a wrecked or disabled vehicle before towing; providing penalties; providing for a law enforcement officer to dispatch an authorized wrecker company other than a company requested by the vehicle owner or operator or to dispatch a company out of rotation; amending s. 323.001, F.S.; revising procedures for placement of a hold on a vehicle at a storage facility; providing for placement of a hold by a law enforcement agency; providing definitions; revising provisions for payment of towing and storage charges; revising rate-limitation provisions; amending s. 323.002, F.S.; revising provisions for county and municipal wrecker operator systems; changing the designation to "wrecker-allocation systems"; providing definitions; limiting the systems to using certain registered wrecker companies; prohibiting an unauthorized wrecker company and wrecker operators dispatched by an unauthorized company from engaging in certain activities; requiring those operators to disclose certain information to the owner or operator of a wrecked or disabled vehicle before towing; providing penalties; providing for a law enforcement officer to dispatch an authorized wrecker company other than a company requested by the vehicle owner or operator or to dispatch a company out of rotation; amending s. 713.78, F.S.; providing for claim of lien by a wrecker company for recovering, removing, or storing a vehicle or vessel; conforming provisions to changes made by the act; providing definitions; requiring notification to the vehicle or vessel owners, insurers, and lienholders; providing for a law enforcement agency to obtain information from the Department of Highway Safety and Motor Vehicles and provide the information to the wrecker company; providing notice procedures; providing for content of the notice; providing for notice to the agency of jurisdiction if the vehicle or vessel owner or lienholder cannot be identified; revising procedures for complaint by the vehicle or vessel owner; providing for release of the vehicle or vessel; requiring damages, attorney's fees, and costs to be awarded by the court; requiring immediate payment of recovery, towing, and storage fees to be ordered by the court; providing for notice and sale of the vehicle or vessel by the wrecker company; providing for distribution of proceeds; providing for discharge of liens and issuance of certificate of title; providing immunity from liability for a wrecker company, its operators, and other employees or agents under certain conditions; providing for a presumption of the use of reasonable care; requiring wrecker company information to be printed on the wrecker; specifying that failure to make good-faith best efforts to comply with notice requirements precludes imposition of storage charges; requiring a wrecker company to provide access to the vehicle or vessel; requiring release of the vehicle, vessel, or personal property to the owner or agent of the owner; requiring the wrecker company to obtain a certificate of destruction in lieu of a certificate of title when the vehicle or vessel is to be dismantled, destroyed, or changed in such a manner that it is not the motor vehicle or vessel described in the certificate of title; providing for issuance of the certificate of destruction by the county tax collector; providing requirements for application for the certificate of destruction; providing for reassignment of the certificate of destruction; authorizing the Department of Highway Safety and Motor Vehicles to adopt rules; providing penalties for specified violations; authorizing the Department of Highway Safety and Motor Vehicles to inspect wrecker company records; directing the Department of Highway Safety and Motor Vehicles, upon notice of lien from a wrecker company, to place the name of the owner of the vehicle or vessel on the list of those persons who may not be issued a license plate or revalidation sticker for a motor vehicle; providing for forms for the notice of lien; providing for dispute by the owner; providing for the owner's name to be removed from the list of those persons who may not be issued a license plate or revalidation sticker for a motor vehicle; providing for lien expiration; requiring a certificate of discharge to be issued by the wrecker company; providing for certain fees and charges; providing for application and exceptions; clarifying that the amendments made by the act do not affect the validity of prior liens; amending s. 715.07, F.S.; revising provisions for the towing and storage of vehicles and vessels parked on real property without permission; providing definitions; providing requirements for storage facility operation; providing requirements for a wrecker company, its operators, and other employees or agents; prohibiting a wrecker company, a wrecker operator, or another employee or agent of a wrecker company from paying or accepting payment for the privilege of removing vehicles or vessels from a particular location; revising requirements for tow-away signs to be posted by property owners; requiring a wrecker company to maintain rate schedules with the local law enforcement agency and to post rates and contracts at its storage facility; revising requirements for certain signage on a wrecker; providing immunity from liability for a wrecker company, its operators, and other employees or agents if entry into the vehicle or vessel is performed with reasonable care; revising provisions for release of the vehicle or vessel; providing that failure to comply with notice requirements precludes a wrecker company from imposing certain towing or storage charges; providing penalties; repealing s. 1.01(15), F.S., relating to the definition of the term "wrecker operator"; providing an appropriation and authorizing additional positions; providing effective dates.

—was referred to the Committees on Transportation; Community Affairs; Commerce; Criminal Justice; and General Government Appropriations.

By Senators Fasano and Gaetz—

SB 674—A bill to be entitled An act relating to just valuation of real property; amending ss. 192.011, 193.011, 193.015, and 193.017, F.S.; deleting requirements for property appraisers to consider the highest and best use of property in determining just valuation; providing applicability; providing an effective date.

—was referred to the Committees on Community Affairs; Finance and Tax; and Education Pre-K - 12 Appropriations.

By Senator Fasano—

SB 676—A bill to be entitled An act relating to publicly funded facilities for children; amending s. 402.3051, F.S.; revising provisions concerning establishment of the market rate for certain child care services; requiring that the rate be established annually for each county; includ-

ing child care facilities that are subject to specified licensing requirements on the list of child care services for which a market rate must be established; amending s. 1002.55, F.S.; revising the number of instructional hours that are required for a school-year prekindergarten program delivered by a private kindergarten provider; amending s. 1002.63, F.S.; revising the number of instructional hours that are required for a school-year prekindergarten program delivered by a public school; amending s. 1002.67, F.S.; requiring that private prekindergarten providers and public schools conduct certain assessments of the progress of students enrolled in the Voluntary Prekindergarten Education Program; requiring that the assessments be approved and scored by the Department of Education, the Agency for Workforce Innovation, or an early learning coalition and administered by certain teachers; providing requirements concerning the assessment and its use; requiring the incorporation of the assessment scores in certain kindergarten screenings and readiness rates adopted by the department and the State Board of Education; amending s. 1002.71, F.S.; revising the number of instructional hours that are required in order for a student in a school-year prekindergarten program delivered by a public school or a private prekindergarten provider to be considered a full-time equivalent student in the Voluntary Prekindergarten Education Program; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Children, Families, and Elder Affairs; Transportation and Economic Development Appropriations; and Education Pre-K - 12 Appropriations.

By Senators Fasano, Gaetz, Baker, Hill, Dean, King, Lynn, Wise and Storms—

SB 678—A bill to be entitled An act relating to ad valorem tax assessments; amending s. 194.301, F.S.; eliminating the automatic presumption of correctness accorded to the property appraiser; requiring the property appraiser to prove that his or her ad valorem assessment resulted from applying the factors set forth in law using established standards of professional appraisal practice before the assessment is presumed correct; providing that the taxpayer has the burden of proving that the assessment is in excess of just value or that the assessment is based on appraisal practices that are different from the appraisal practices generally applied by the property appraiser to comparable property within the same class in the same county; providing that in an administrative or judicial proceeding the property appraiser has the burden of proving compliance with laws governing tax exemptions and tax assessment classifications; providing legislative intent that the act is remedial in nature; specifying that the act applies to pending petitions and complaints; providing an effective date.

—was referred to the Committees on Community Affairs; Judiciary; Finance and Tax; and Education Pre-K - 12 Appropriations.

By Senator Bullard—

SB 680—A bill to be entitled An act relating to cellular telephone use; creating s. 316.305, F.S.; prohibiting the use of a cellular telephone while operating a motor vehicle in a school zone; providing an enhanced penalty; providing an effective date.

—was referred to the Committees on Transportation; Communications and Public Utilities; and Transportation and Economic Development Appropriations.

By Senator Bullard—

SB 682—A bill to be entitled An act relating to the Department of Transportation; requiring the department to conduct a study of alternative highway routes parallel to Interstate 95; providing an effective date.

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

By Senator Bullard—

SB 684—A bill to be entitled An act relating to motor vehicle safety; requiring limited access facilities that are adjacent to a canal or other water body to have a system of guardrails, retention cables, or other barriers between the highway and the canal or water body; providing for the Department of Transportation to establish certain standards governing the installation and maintenance of the barriers; requiring that barriers be installed for existing highways by a specified date; providing an effective date.

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

By Senator Bennett—

SB 686—A bill to be entitled An act relating to nursing facilities; amending s. 400.118, F.S.; revising the frequency of visits to nursing facilities by quality-of-care monitors from the Agency for Health Care Administration; amending s. 400.141, F.S.; authorizing certain licensed nursing facilities to develop a plan to provide certain training for nursing assistants; providing for rules relating to agency approval of training programs; amending s. 400.147, F.S.; redefining the term "adverse incident"; deleting the requirement that a nursing facility notify the agency of an adverse incident; deleting notification requirements; requiring that a risk manager determine if an incident was an adverse incident; amending s. 400.19, F.S.; providing that the most recent survey is a licensure survey under certain conditions for purposes of future survey scheduling; amending s. 400.195, F.S., relating to agency reporting requirements; conforming a cross-reference; amending s. 400.23, F.S.; providing that compliance with federal posting requirements for staffing standards satisfies state posting requirements; deleting provisions requiring agency approval in order for a nursing home to use licensed nurses to perform certain duties; providing an effective date.

—was referred to the Committees on Health Regulation; Judiciary; and Health and Human Services Appropriations.

By Senators Crist and Gaetz—

SB 688—A bill to be entitled An act relating to guardian advocates for persons with developmental disabilities; amending s. 393.12, F.S.; providing that the guardian advocate need not be represented by an attorney; providing a list of persons from which the court must select a guardian advocate; revising the requirements for the petition seeking the appointment of a guardian advocate to exclude the name of the proposed guardian advocate; modifying the persons to whom a notice of the filing of the petition must be given to include family members; requiring the court's order to name the guardian advocate and the reasons why the advocate was selected; modifying who may be appointed counsel to a person with developmental disabilities; including the office of criminal conflict and civil regional counsel; revising the powers and duties of the guardian advocate with respect to financial accounting requirements; amending s. 393.13, F.S.; conforming a cross-reference; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Judiciary; and Health and Human Services Appropriations.

SJR 690—Withdrawn prior to introduction.

By Senator Jones—

SB 692—A bill to be entitled An act relating to recycling; amending s. 403.7145, F.S.; requiring each organization, association, business, and institution operating in the state and receiving state funds, and each public airport in the state, to collect aluminum beverage cans and recyclable plastic and glass from its place of business, or from the entities

doing business at the airport, and to offer such materials for recycling; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Governmental Operations; Commerce; and General Government Appropriations.

By Senator Aronberg—

SB 694—A bill to be entitled An act relating to telephone caller identification; providing a short title; creating s. 817.487, F.S.; prohibiting entering false information into a telephone caller identification system with the intent to deceive, defraud, or mislead; prohibiting placing a call knowing that false information was entered into the telephone caller identification system; providing definitions; providing exceptions; providing for enhancement of penalties when a violation is committed during the commission of a criminal offense or when a violation facilitates a criminal offense; providing for application to sentencing and gain-time eligibility; providing penalties; providing that a violation is an unlawful trade practice under specified provisions; providing an effective date.

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

By Senators Oelrich and Gaetz—

SB 696—A bill to be entitled An act relating to community college finance; amending s. 1001.64, F.S.; providing conditions for certain contracting by community college boards of trustees; authorizing boards of trustees to enter into certain short-term loans and contracts and make payments subject to appropriation; authorizing boards of trustees to incur long-term debt according to specified requirements; amending s. 1004.70, F.S.; requiring community college boards of trustees to authorize debt incurred by direct-support organizations; authorizing delegation for approval of short-term loans and lease-purchase agreements; providing restrictions; amending s. 1009.22, F.S., relating to workforce education postsecondary student fees, and s. 1009.23, F.S., relating to community college student fees; revising provisions relating to pledge of fee revenues to repayment of debt by community college boards of trustees; providing requirements for the request, issuance, securing, and payment of bonds; revising provisions relating to validation of bonds; providing for limitation of actions; amending s. 1011.84, F.S.; correcting references; providing for transmittal of funds for amounts required for capital improvement revenue bond debt service under certain circumstances; providing restrictions; authorizing rules; providing an effective date.

—was referred to the Committees on Higher Education; Finance and Tax; and Higher Education Appropriations.

By Senator Deutch—

SB 698—A bill to be entitled An act relating to corporations; amending s. 607.1109, F.S.; exempting a domestic corporation from the requirement to file articles of merger under certain circumstances; amending s. 607.1113, F.S.; exempting a domestic corporation from the requirement to file a certificate of conversion under certain circumstances; amending s. 607.1115, F.S.; requiring that each converting entity file a certificate of conversion with the Department of State; amending s. 608.4382, F.S.; exempting a domestic limited liability company from the requirement to file a certificate of merger under certain circumstances; amending s. 608.439, F.S.; including a corporation within the definition of "other business entity" or "another business entity"; requiring that each converting entity file a certificate of conversion with the department; amending s. 608.4403, F.S.; exempting a limited liability company from the requirement to file a certificate of conversion under certain circumstances; amending s. 617.1108, F.S.; exempting a domestic corporation not for profit from the requirement to file articles of merger under certain circumstances; providing for a copy of articles of merger or the certificate of merger to be filed in each county in which real property of a party to the merger is situated; amending s. 620.1406, F.S.; revising the requirements for general partners with respect to exercising certain management rights; providing that the expulsion of a limited partner requires the consent of all of the other limited partners; amending s. 620.2104, F.S.; requiring that a certificate of conversion be signed by each general partner and by the converting organization; exempting a limited partnership from the requirement to file a certificate of conversion if the partnership complies with certain other laws; amending s. 620.8918, F.S.; providing certain exceptions to the requirement that each constituent partnership file articles of merger or a certificate of merger with the Department of State; amending s. 620.2204, F.S.; changing the date of application of provisions authorizing a limited partner to dissociate from a limited partnership; amending s. 620.8101, F.S.; redefining the term "statement" to exclude a statement of merger; amending s. 620.8105, F.S.; requiring that a registration statement be filed with the department before filing a certificate of conversion or a certificate of merger; amending s. 620.81055, F.S.; providing that a filing fee applies to a certificate of merger; amending s. 620.8911, F.S.; clarifying that the term "organization" includes a converted or surviving organization under certain circumstances; amending s. 620.8914, F.S.; revising certain requirements for conversions; exempting a partnership from filing a certificate of conversion under certain circumstances; providing that the certificate of conversion acts as a cancellation of the registration statement for a converting partnership; amending s. 620.8918, F.S.; exempting a constituent partnership from filing a certificate of merger under certain circumstances; requiring that such partnership file a registration statement with the department if one is not currently on file; providing an effective date.

—was referred to the Committees on Commerce; Judiciary; Finance and Tax; and Transportation and Economic Development Appropriations.

By Senator Crist—

SB 700—A bill to be entitled An act relating to juvenile justice and correctional facilities in Florida; expressing the legislative intent to revise laws relating to the findings or recommendations from the Blueprint Commission on Juvenile Justice; providing an effective date.

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

By Senator Rich—

SB 702—A bill to be entitled An act relating to prekindergarten education; amending s. 1002.65, F.S.; making mandatory requirements for increased levels of education for prekindergarten instructors in future years; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Education Pre-K - 12 Appropriations; and Transportation and Economic Development Appropriations.

By Senators Bennett and Gaetz—

SB 704—A bill to be entitled An act relating to administrative procedures; providing a short title; amending s. 120.52, F.S.; redefining the term "invalid exercise of delegated legislative authority" to remove a limitation on the construction of statutory language granting rulemaking authority; defining the terms "law implemented," "rulemaking authority," and "unadopted rule"; amending s. 120.536, F.S.; revising guidelines for the construction of statutory language granting rulemaking authority; amending s. 120.54, F.S.; prescribing limits and guidelines with respect to the incorporation of material by reference; prescribing requirements for material being incorporated by reference; prohibiting an agency head from delegating or transferring certain specified rulemaking responsibilities; revising the information required in notices of proposed actions; providing additional procedures for rule-adoption hearings; revising requirements for filing rules; requiring that material incorporated by reference be published by the agency when adopting emergency rules; revising provisions with respect to petitions to initiate rulemaking; amending s. 120.545, F.S.; revising duties and procedures of the Administrative Procedures Committee and agencies with respect to review of agency rules; authorizing the committee to request from an agency information to examine unadopted agency statements; providing

procedures for an agency following an objection to an unadopted rule of an agency; deleting procedures for agency election to modify, withdraw, amend, or repeal a proposed rule; providing for the effect of the failure of an agency to respond to a committee objection to a statement of estimated regulatory costs or to a committee objection to an unadopted rule within the time prescribed; deleting a requirement that the Department of State publish final legislative action; amending s. 120.55, F.S.; requiring the department to prescribe by rule the content requirements for rules, notices, and other materials; revising for a specified period the limit for the unencumbered balance in the Records Management Trust Fund at the beginning of the fiscal year for fees collected under ch. 120, F.S.; providing for the transfer of excess funds; requiring electronic publication of the Florida Administrative Code; prescribing requirements with respect to the content of such electronic publication; providing for filing information incorporated by reference in electronic form; providing requirements for the Florida Administrative Weekly Internet website; amending s. 120.56, F.S., relating to challenges to rules; conforming a cross-reference; revising procedures for administrative determinations of the invalidity of rules; requiring an agency to discontinue reliance on a statement under certain circumstances; providing an exception; deleting certain provisions relating to actions before a final hearing is held; amending s. 120.57, F.S.; revising procedures applicable to hearings involving disputed issues of material fact; prohibiting enforcement of unadopted agency rules under certain circumstances; amending s. 120.595, F.S.; increasing the limitation on attorney's fees in challenges to proposed agency rules or existing agency rules; providing for an award of reasonable costs and attorney's fees accrued by a petitioner under certain circumstances; providing for an award of fees and costs if the agency prevails and a party participated for an improper purpose; amending s. 120.569, F.S.; requiring that certain administrative proceedings be terminated and subsequently reinstated under different provisions of law if a disputed issue of material fact arises during the proceeding; conforming a cross-reference; amending s. 120.74, F.S.; revising reporting requirement for agency heads; amending ss. 120.80, 120.81, 409.175, 420.9072, and 420.9075, F.S.; conforming cross-references; providing an appropriation; providing effective dates.

—was referred to the Committees on Governmental Operations; Judiciary; and Transportation and Economic Development Appropriations.

By Senators Baker, Rich, Bennett, Deutch, Wilson, Saunders, Diaz de la Portilla, Gaetz, Jones, Lynn, Ring and Posey—

SB 706—A bill to be entitled An act relating to Special Risk Class retirement benefits; amending s. 121.091, F.S.; extending the period of time during which certain Special Risk Class members may participate in the Florida Retirement System Deferred Retirement Option program; providing requirements for extended participation; deleting obsolete provisions; providing legislative findings with respect to the state's interest in protecting the public's safety and welfare by extending retirement benefits for officers and funding increased retirement benefits in an actuarially sound manner; providing an effective date.

—was referred to the Committees on Criminal Justice; Community Affairs; Governmental Operations; and General Government Appropriations.

By Senators Saunders and Lynn—

SB 708—A bill to be entitled An act relating to desalination technology; providing legislative intent; directing the Secretary of Environmental Protection to coordinate with the water management districts to conduct a study of certain desalination technologies; providing study requirements; requiring the secretary to report to the Governor and the Legislature by a specified date; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; and General Government Appropriations.

By Senators Baker and Gaetz—

SB 710—A bill to be entitled An act relating to the marketing of credit cards to students of postsecondary educational institutions; providing definitions; requiring that a university, community college, or related direct-support organization obtain an undergraduate student's written consent before providing contact information for that student to an issuer of credit cards; prohibiting a university, community college, or related direct-support organization from entering into an agreement with a issuer of credit cards to facilitate the marketing of credit cards to undergraduate students; providing for the continuation of existing agreements; providing for enforcement by the Attorney General under the Florida Deceptive and Unfair Trade Practices Act; providing an effective date.

—was referred to the Committees on Higher Education; Commerce; and Criminal and Civil Justice Appropriations.

SR 712—Not referenced.

SB 714—Withdrawn prior to introduction.

By Senator Fasano—

SB 716—A bill to be entitled An act relating to clinical laboratories; amending s. 483.181, F.S.; requiring clinical laboratories to accept human specimens submitted by advanced registered nurse practitioners; providing an effective date.

—was referred to the Committees on Health Regulation; and Judiciary.

By Senator Fasano—

SB 718—A bill to be entitled An act relating to data theft; amending s. 815.04, F.S.; providing that the knowing or negligent transfer of data from one computer to another without the written consent of the owner in the course of providing computer maintenance or support is an offense against intellectual property, a third-degree felony; defining the term "negligently" for purposes of such offense; providing for civil liability of the person performing the maintenance or support and his or her employer; providing an effective date.

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

By Senator Margolis—

SB 720—A bill to be entitled An act relating to the assessment of homestead property; amending s. 193.155, F.S.; prohibiting an increase in the assessed value of homestead property solely as the result of installing and operating a renewable energy source device or improving the property's resistance to wind damage; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Community Affairs; Finance and Tax; and Education Pre-K - 12 Appropriations.

By Senator Margolis—

SB 722—A bill to be entitled An act relating to the assessment of residential property; creating s. 193.624, F.S.; prohibiting an increase in the assessed value of residential property solely as the result of installing and operating a renewable energy source device or improving the property's resistance to wind damage; providing a contingent effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Community Affairs; Finance and Tax; and Education Pre-K - 12 Appropriations.

By Senator Margolis—

SJR 724—A joint resolution proposing an amendment to Section 4 of Article VII and the creation of a new section in Article XII of the State Constitution, to limit certain increases in the assessed value of real property used for residential purposes and to provide an effective date if such amendment is adopted.

—was referred to the Committees on Environmental Preservation and Conservation; Community Affairs; Finance and Tax; Education Pre-K - 12 Appropriations; and Rules.

By Senator Crist—

SB 726—A bill to be entitled An act relating to temporary child support; amending s. 195.052, F.S.; amending s. 742.031, F.S.; providing additional limitations on when a court can order an alleged father to pay temporary child support; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; and Judiciary.

By Senator Crist—

SB 728—A bill to be entitled An act relating to the conveyance of bodies into or out of the state; amending s. 406.61, F.S.; authorizing an accredited or certified museum to convey plastinated bodies into or out of the state for exhibition and educational purposes; requiring that the museum provide prior notification to the anatomical board; providing an effective date.

—was referred to the Committees on Governmental Operations; and Health Regulation.

By Senator Crist—

SB 730—A bill to be entitled An act relating to the permitting of Class I landfills; amending s. 403.707, F.S.; prohibiting the Department of Environmental Protection from permitting the construction or expansion of Class I landfills within a specified distance of surface waters meeting certain criteria; requiring the department to consider impacts on certain surface waters when evaluating applications for permits for Class I landfills; prohibiting the permitting of Class I landfills if the department finds that the applicant has violated certain laws; defining the term "applicant"; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; and General Government Appropriations.

By Senator Hill—

SB 732—A bill to be entitled An act relating to license plates; amending ss. 320.08056 and 320.08058, F.S.; changing references from Bethune-Cookman College to Bethune-Cookman University in statutes relating to collegiate license plates; providing an effective date.

—was referred to the Committee on Transportation.

By Senator Fasano—

SB 734—A bill to be entitled An act relating to license plates; amending ss. 320.08056 and 320.08058, F.S.; creating a Lighthouse Association license plate; providing for the distribution of annual use fees received from the sale of such plates; providing an effective date.

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

By Senator Saunders—

SB 736—A bill to be entitled An act relating to clinical nurse specialists; amending s. 464.0115, F.S.; revising requirements for certification as a clinical nurse specialist; providing an effective date.

—was referred to the Committee on Health Regulation.

SB 738—Withdrawn prior to introduction.

By Senator Dean—

SB 740—A bill to be entitled An act relating to retired justices and judges; amending s. 25.073, F.S.; redefining the terms "retired justice" and "retired judge" to mean a former justice or judge who is not engaged in the practice of law; removing provisions restricting the assignment of a retired justice or judge who was defeated in seeking reelection or who failed to be retained; providing an effective date.

—was referred to the Committee on Judiciary.

By Senator Dean—

SB 742—A bill to be entitled An act relating to use of electronic surveillance equipment; creating s. 775.08451, F.S.; defining the term "electronic surveillance equipment"; prohibiting use of electronic surveillance equipment for specified purposes in connection with the commission of a criminal offense; prohibiting specified actions concerning information received through the use of electronic surveillance equipment; providing penalties; providing for reclassification of offenses when electronic surveillance equipment is used in connection with them; amending s. 921.0022, F.S.; conforming provisions; providing an effective date.

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

By Senator Rich—

SB 744—A bill to be entitled An act relating to sexual activities involving animals; creating s. 828.126, F.S.; providing definitions; prohibiting knowing sexual conduct or sexual contact with an animal; prohibiting specified related activities; providing penalties; providing an effective date.

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

By Senator Crist—

SB 746—A bill to be entitled An act relating to the possession of firearms; amending s. 933.14, F.S.; providing for a court order for the return of a confiscated firearm; providing criteria for determining if the firearm should be returned; providing prohibitions on the return of the firearm; providing an effective date.

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

By Senator Crist—

SB 748—A bill to be entitled An act relating to secondary metals recyclers; amending s. 538.18, F.S.; revising the definition of "personal identification card"; deleting an exclusion of transactions under a specified amount from the definition of "purchase transaction" for specified purposes; amending s. 538.19, F.S.; providing for additional seller information to be obtained; requiring an image of the regulated metals being sold; amending s. 538.23, F.S.; providing for enhanced penalties for third

or subsequent violations of a specified provision; providing enhanced penalties for violations of specified provisions relating to false verification of ownership or false or altered identification of a seller of regulated metals; amending s. 538.25, F.S.; requiring the Department of Revenue to provide a law enforcement official, upon request, with specified information regarding certain secondhand dealers; amending s. 538.26, F.S.; requiring that a secondary metals recycler purchasing regulated metals retain documentation showing proof of the seller's ownership; providing that it is a first-degree misdemeanor to sell, offer for sale, purchase, or attempt to purchase a stainless steel beer keg without proof of ownership; providing an effective date.

—was referred to the Committees on Commerce; Criminal Justice; and Criminal and Civil Justice Appropriations.

SR 750—Not referenced.

By Senator Baker—

SB 752—A bill to be entitled An act relating to false and fraudulent insurance claims; amending s. 817.234, F.S.; requiring minimum mandatory punishments for specified insurance fraud violations involving personal injury protection insurance; providing for professional license suspensions for certain health care practitioners convicted of such violations; providing an effective date.

—was referred to the Committees on Banking and Insurance; Health Regulation; Criminal Justice; and Criminal and Civil Justice Appropriations.

By Senator Baker—

SB 754—A bill to be entitled An act relating to hurricane preparedness and insurance; creating the Citizens Property Insurance Corporation Mission Review Task Force; providing purposes; requiring a report; providing report requirements; providing for appointment of members; providing responsibilities; specifying service without compensation; providing for reimbursement of per diem and travel expenses; providing meeting requirements; requiring the corporation to assist the task force; providing for the expiration of the task force; requiring the Chief Financial Officer to provide a report on the economic impact on the state of certain hurricanes; providing report requirements; amending s. 553.73, F.S.; limiting the authority of the Florida Building Commission to modify certain codes and standards under certain circumstances; requiring counties and municipalities to enforce certain windborne debris protections and structural guidelines; requiring the commission to amend the Florida Building Code to require application of certain standards and eliminate certain exceptions; prohibiting amendment of the Florida Building Code to diminish certain requirements; authorizing the commission to amend the code to enhance certain requirements; amending s. 10, ch. 2007-1, Laws of Florida; revising reporting requirements for the commission's voluntary "Code Plus" guidelines; providing an appropriation; providing an effective date.

—was referred to the Committees on Banking and Insurance; Community Affairs; and General Government Appropriations.

By Senator Joyner—

SB 756—A bill to be entitled An act relating to compensation for wrongful incarceration; creating the Victims of Wrongful Incarceration Compensation Act; defining the term "wrongfully incarcerated person"; requiring that courts determine whether certain persons are wrongfully incarcerated persons upon petition by such persons or their attorneys; providing requirements for such petition; providing for monetary compensation for certain wrongfully incarcerated persons; providing for tuition waivers for wrongfully incarcerated persons who meet certain requirements; requiring that the criminal record of a wrongfully incarcerated person be expunged; providing exceptions and limitations regarding the eligibility of a wrongfully incarcerated person for compensation or benefits; requiring that a wrongfully incarcerated person seeking compensation or benefits as provided by the act apply with the Chief Financial Officer for such compensation or benefits; providing requirements and a deadline for such application; requiring that the Chief Financial Officer review each application and notify the claimant of any omissions or errors, or the need for additional information, within a specified period; requiring that the Chief Financial Officer process and review each completed application within a specified period; requiring that the Chief Financial Officer notify the claimant if he or she qualifies for benefits within a specified period; requiring that any compensation be paid within a specified period by specified means; requiring that a claimant receiving compensation sign a release before receiving such compensation; providing the terms of such release; authorizing the Department of Financial Services to adopt rules; providing for severability; providing an effective date.

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

By Senators Bennett and Gaetz—

SB 758—A bill to be entitled An act relating to inland navigation districts; amending s. 374.975, F.S.; providing legislative intent that operation of a inland navigation district is in the public interest; amending s. 374.976, F.S.; providing that an inland navigation district may aid and cooperate with specified groups in planning and carrying out certain specified activities; amending s. 403.813, F.S.; deleting certain provisions requiring the Secretary of Environmental Protection to adopt procedural rules for the issuance of permits; providing that certain projects are exempt from the requirement to obtain a permit; providing for maintenance dredging for certain areas previously dredged; providing conditions precedent for maintenance dredging; authorizing the Department of Environmental Protection to develop and maintain a list of flocculants that may be used at a disposal site of dredged material; providing that the list does not prevent an entity from proposing, or the department from approving, the use of a flocculant that is not on the department's list; requiring the entity to provide documentation that the flocculant will not cause harm to the water resources of the state; amending ss. 253.03, 373.4145, and 380.061, F.S.; correcting cross-references; repealing s. 374.977, F.S., relating to manatee protection speed zones and responsibility for sign posting; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Commerce; and General Government Appropriations.

By Senator Baker—

SB 760—A bill to be entitled An act relating to highway safety; expressing the legislative intent to revise laws relating to highway safety; providing an effective date.

—was referred to the Committees on Transportation; Criminal Justice; Transportation and Economic Development Appropriations; and Rules.

By Senator Baker—

SB 762—A bill to be entitled An act relating to highway safety; expressing the legislative intent to revise laws relating to highway safety; providing an effective date.

—was referred to the Committees on Transportation; Criminal Justice; Transportation and Economic Development Appropriations; and Rules.

By Senator Baker—

SB 764—A bill to be entitled An act relating to the Department of Highway Safety and Motor Vehicles; expressing the legislative intent to

revise laws relating to the Department of Highway Safety and Motor Vehicles; providing an effective date.

—was referred to the Committees on Transportation; Governmental Operations; Transportation and Economic Development Appropriations; and Rules.

By Senators Rich and Joyner—

SB 766—A bill to be entitled An act relating to public records; amending s. 119.071, F.S.; creating an exemption from public-records requirements for the home addresses, telephone numbers, and certain other specified information concerning general magistrates, child support enforcement hearing officers, and the spouses, children, and grandchildren of specified judicial officials; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing an effective date.

—was referred to the Committees on Judiciary; Governmental Operations; and Rules.

By Senator Bullard—

SB 768—A bill to be entitled An act relating to the public display of a noose; creating s. 876.211, F.S.; prohibiting a person from placing a noose in a public place, on the property of another without first obtaining the written permission of the owner or occupier of the property, or in an exhibit of any kind with the intention of intimidating another person; providing circumstances under which the provisions of the act apply; providing that a person who violates any provision of the act commits a misdemeanor of the first degree; providing criminal penalties; providing an effective date.

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

By Senator Baker—

SB 770—A bill to be entitled An act relating to the Department of Highway Safety and Motor Vehicles; expressing the legislative intent to revise laws relating to the Department of Highway Safety and Motor Vehicles; providing an effective date.

—was referred to the Committees on Transportation; Governmental Operations; Transportation and Economic Development Appropriations; and Rules.

By Senator Jones—

SB 772—A bill to be entitled An act relating to the Florida Retirement System; amending s. 121.091, F.S.; revising the formula for calculating retirement benefits payable to Regular Class members to increase the benefit; providing for funding the benefit increase; providing a finding of important state interest; providing an effective date.

—was referred to the Committees on Community Affairs; Education Pre-K - 12; Governmental Operations; and General Government Appropriations.

By Senator Baker—

SB 774—A bill to be entitled An act relating to transportation; expressing the legislative intent to revise laws relating to transportation; providing an effective date.

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

By Senator Baker—

SB 776—A bill to be entitled An act relating to transportation; expressing the legislative intent to revise laws relating to transportation; providing an effective date.

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

By Senator Baker—

SB 778—A bill to be entitled An act relating to the Department of Transportation; expressing the legislative intent to revise laws relating to the Department of Transportation; providing an effective date.

—was referred to the Committees on Transportation; Governmental Operations; Transportation and Economic Development Appropriations; and Rules.

By Senators Rich, Bennett, Aronberg, Deutch, Ring and Margolis—

SB 780—A bill to be entitled An act relating to reproductive health services and family planning; creating the "Prevention First Act"; providing definitions; providing duties of licensed health care practitioners and facilities relating to the treatment of rape survivors; requiring the Department of Health to provide certain information; requiring the Agency for Health Care Administration to provide for enforcement and impose penalties; defining the term "contraception"; specifying that the provision of contraception is not subject to ch. 390, F.S., relating to the termination of pregnancies; providing definitions; requiring licensed pharmacies to dispense certain forms of contraception without delay; specifying conditions under which a pharmacy may refuse to provide a contraceptive; requiring the Department of Health to investigate complaints alleging a violation of certain provisions; providing for an aggrieved person or the Attorney General to bring a civil action; providing for penalties; providing for severability; providing an effective date.

—was referred to the Committees on Health Regulation; Judiciary; and Health and Human Services Appropriations.

By Senator Margolis—

SB 782—A bill to be entitled An act relating to weapons and firearms; amending s. 775.087, F.S.; increasing the minimum terms of imprisonment imposed for possessing, discharging, or seriously harming another with a semiautomatic firearm and its high-capacity detachable box magazine or with a machine gun; amending s. 790.065, F.S.; providing that any potential buyer or transferee of a firearm who willfully and knowingly provides false information or false or fraudulent identification by using the identity of a victim of identity theft commits a felony of the second degree; providing criminal penalties; authorizing the court to impose an additional fine against a person using the identity of a victim of identity theft; amending s. 790.07, F.S.; providing that it is a felony of the first degree to possess a semiautomatic firearm or machine gun while committing or attempting to commit a felony; amending s. 921.0022, F.S., relating to the offense severity ranking chart of the Criminal Punishment Code; conforming a cross-reference; providing an effective date.

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

By Senator Bennett—

SB 784—A bill to be entitled An act relating to local telecommunications services; repealing s. 364.059, F.S., relating to procedures for seeking a stay from the Florida Public Service Commission of a price reduc-

tion for basic local telecommunications services; providing an effective date.

—was referred to the Committee on Communications and Public Utilities.

By Senator Crist—

SB 786—A bill to be entitled An act relating to homelessness; amending s. 420.507, F.S.; conforming a cross-reference; amending s. 420.621, F.S.; conforming a cross-reference; revising, providing, and deleting definitions; amending s. 420.622, F.S.; increasing and revising membership on the Council on Homelessness; removing a member from an obsolete organization; correcting the name of a member organization on the council; revising the date of an annual report; creating s. 420.6275, F.S.; creating the Housing First program; providing legislative findings and intent; providing methodology; providing components of the program; creating s. 420.628, F.S.; providing legislative findings and intent; creating a 3-year Youth Housing Continuum Pilot Program; providing eligibility requirements for the pilot program; providing for the design of the pilot program; requiring Connected by 25 in Hillsborough County to provide administrative support; providing Connected by 25 with specified duties; providing reporting requirements; amending s. 1003.01, F.S.; revising a definition; amending ss. 1003.21 and 1003.22, F.S.; conforming terminology; providing an appropriation; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Community Affairs; and Health and Human Services Appropriations.

By Senator Fasano—

SB 788—A bill to be entitled An act relating to transportation services for the transportation disadvantaged; amending s. 427.011, F.S.; revising definitions; amending s. 427.012, F.S.; revising the number of members required for a quorum at a meeting of the Commission for the Transportation Disadvantaged; amending s. 427.013, F.S.; revising responsibilities for the commission; deleting a requirement that the commission establish by rule acceptable ranges of trip costs; requiring the commission to incur expenses for promotional services and items; amending s. 427.0135, F.S.; revising and creating duties and responsibilities for agencies that purchase transportation services for the transportation disadvantaged; providing requirements for payment rates; requiring that an agency identify its allocation for transportation disadvantaged services in its legislative budget request; amending s. 427.015, F.S.; revising provisions relating to the function of the metropolitan planning organization or designated official planning agency; amending s. 427.0155, F.S.; revising the duties of community transportation coordinators; amending s. 427.0157, F.S.; revising duties for coordinating boards; amending s. 427.0158, F.S.; deleting provisions requiring the school board to provide information relating to school buses to the transportation coordinator; providing for the transportation coordinator to request certain information regarding public transportation; amending s. 427.0159, F.S.; revising provisions relating to the Transportation Disadvantaged Trust Fund; providing for the deposit of funds by an agency purchasing transportation services; amending s. 427.016, F.S.; deleting a provision authorizing the establishment of certain fees under the Medicaid program; requiring that an agency identify the allocation of funds for transportation disadvantaged services in its legislative budget request; providing an effective date.

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

By Senator Baker—

SB 790—A bill to be entitled An act relating to school safety; creating s. 1006.147, F.S.; providing a short title; prohibiting bullying or harassment during education programs or activities, on school buses, or through use of data or computer software accessed through computer systems of certain educational institutions; providing definitions; requiring each school district to adopt a policy prohibiting such bullying and harassment; providing minimum requirements for the contents of the policy; providing immunity for certain actions; providing restrictions with respect to defenses that may be raised and the application of the act; providing for construction of the act; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Criminal Justice; and Education Pre-K - 12 Appropriations.

By Senator Baker—

SB 792—A bill to be entitled An act relating to juvenile justice; amending s. 985.0301, F.S.; permitting a court to retain jurisdiction over a child and the child's parent or legal guardian whom the court has ordered to pay costs, fees, and costs associated with court-appointed counsel until the costs, fees, and costs associated with court-appointed counsel are satisfied; providing intent; amending s. 985.101, F.S.; permitting a child to be taken into custody for violations of pretrial release conditions; authorizing the court to set reasonable conditions of pretrial release; providing examples of such conditions; providing that conditions of pretrial release may not be used to impose home detention when not otherwise authorized; amending s. 985.24, F.S.; providing an additional finding to support use of secure, nonsecure, or home detention; amending s. 985.245, F.S.; providing that placement in detention care under a specified provision does not require a risk assessment; amending s. 985.25, F.S.; providing additional grounds for placement of a child in secure detention care; amending s. 985.255, F.S.; providing for continuing nonsecure or home detention care or secure detention care prior to a detention hearing in certain circumstances; amending s. 985.26, F.S.; revising time limits for secure, nonsecure, or home detention care under a special detention order; requiring that children who have been released comply with pretrial release conditions; permitting a child to be held in secure detention care for additional time under specified circumstances; providing that certain time limits do not apply to secure detention under a specified provision; amending s. 985.265, F.S.; specifying some changed circumstances that permit the Department of Juvenile Justice to transfer a child from nonsecure or home detention care to secure detention care; amending s. 985.27, F.S.; specifying circumstances under which a child who is awaiting placement in a low-risk or minimum-risk residential program may be held in secure detention care; providing time limits on such detention care; providing for secure detention care for absconders from specified types of care; providing for secure detention care of a child awaiting placement in a moderate-risk residential program; providing for secure detention care in specified circumstances; creating s. 985.28, F.S.; providing for secure detention of a child in specified circumstances; permitting a parent or legal guardian of a child to be held in contempt of court if he or she knowingly and willfully fails to bring or otherwise prevents the child from appearing for trial; amending s. 985.35, F.S.; conforming a cross-reference to changes made by the act; amending s. 985.43, F.S.; providing legislative intent concerning the determination whether to commit a juvenile to the Department of Juvenile Justice and the most appropriate placement level if the juvenile is committed; amending s. 985.433, F.S.; revising provisions relating to recommendations by probation officers to the court concerning placement and any proposed treatment plan of juveniles; specifying that the court has the power to determine appropriate dispositions; requiring that reasons for a disposition be stated for the record; creating s. 938.20, F.S.; permitting each county to create a juvenile crime prevention fund; providing for an additional court cost; providing for administration and use of funds; providing an effective date.

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

By Senator Bennett—

SB 794—A bill to be entitled An act relating to excavations and demolitions; amending s. 556.105, F.S.; prohibiting charging the member operator for the costs associated with premarking certain excavation sites; prohibiting charging the excavator for the costs associated with marking an excavation that is in proximity to or in conflict with a buried or submerged facility of a member operator; providing an effective date.

—was referred to the Committees on Communications and Public Utilities; Community Affairs; and General Government Appropriations.

By Senator Bennett—

SB 796—A bill to be entitled An act relating to affordable housing; amending s. 193.017, F.S.; revising provisions providing for the assessment of property receiving the low-income housing tax credit; defining the term "community land trust"; providing for the assessment of structural improvements on land owned by a community land trust and used to provide affordable housing; providing for the conveyance of structural improvements subject to certain conditions; specifying the criteria to be used in arriving at just valuation of a structural improvement; providing an effective date.

—was referred to the Committees on Community Affairs; Finance and Tax; and General Government Appropriations.

By Senators Dean and Gaetz—

SB 798—A bill to be entitled An act relating to retirement; providing a short title; providing legislative findings; providing a statement of important state interest; amending s. 121.021, F.S.; revising the definition of "special risk member" to include certain members suffering a qualifying injury; amending s. 121.0515, F.S.; providing eligibility requirements for membership in the Special Risk Class for certain members suffering a qualifying injury; providing medical certification requirements; defining "qualifying injury"; prohibiting the grant or creation of additional rights; providing retroactive effect; providing an effective date.

—was referred to the Committees on Community Affairs; Criminal Justice; Governmental Operations; and General Government Appropriations.

By Senator Villalobos—

SB 800—A bill to be entitled An act relating to the Florida Retirement System; amending s. 121.0515, F.S.; authorizing certain members to purchase additional retirement credit to upgrade prior service to Special Risk Class service; providing for the calculation of contributions for such service upgrade; authorizing the employer to purchase such additional credit for the member; increasing a contribution rate for purposes of funding certain benefit changes; directing the Division of Statutory Revision to adjust contribution rates set forth in s. 121.71, F.S.; providing a declaration of important state interest; providing an effective date.

—was referred to the Committees on Community Affairs; Criminal Justice; Governmental Operations; and General Government Appropriations.

By Senator Garcia—

SB 802—A bill to be entitled An act relating to operating a motorcycle or moped; creating s. 316.1926, F.S.; providing additional penalties for certain offenses committed by a person operating or in actual physical control of a motorcycle; requiring that the person be taken into custody; providing for seizure and forfeiture of the motorcycle; providing for revocation of the person's privilege to operate a motorcycle; amending s. 316.2085, F.S.; requiring an operator of a motorcycle or moped to maintain both wheels on the ground at all times; requiring that the license tag of a motorcycle or moped be affixed horizontally; providing an effective date.

—was referred to the Committees on Transportation; Criminal Justice; and Transportation and Economic Development Appropriations.

By Senator Wise—

SB 804—A bill to be entitled An act relating to blood testing of persons involved in a traffic accident causing serious injury or death; amending s. 316.1933, F.S.; requiring a law enforcement officer who has a reasonable suspicion that a person was driving or in actual physical control of a motor vehicle when it was involved in an accident that may have caused or contributed to the death or serious bodily injury of a human being to require that person to submit to a test of the person's blood to determine the alcoholic content thereof or the presence of specified substances; authorizing the law enforcement officer to use reasonable force if necessary; requiring that the blood test be performed in a reasonable manner; providing that the test need not be incidental to a lawful arrest of the person; providing for admissibility of test result at trial; providing testing requirements and procedures; providing a limitation of liability; providing for disposition of charges; limiting use of test results; authorizing release of results to certain persons; reenacting ss. 316.066(7), 316.1934(2), 322.2616(18), and 322.27(1), F.S., relating to written reports of crashes, presumption of impairment and testing methods, suspension of license, persons under 21 years of age and right to review, and authority of the Department of Highway Safety and Motor Vehicles to suspend or revoke a license; providing an effective date.

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

By Senator Storms—

SB 806—A bill to be entitled An act relating to public meetings and public records; creating s. 311.23, F.S.; providing an exemption from public-meetings requirements for meetings or portions of meetings of the governing board of a public seaport authority at which the board hears or discusses active criminal investigative information or active criminal intelligence information or receives a security briefing from the Department of Law Enforcement; providing conditions precedent to the closing of such meeting or portion thereof; providing an exemption from public-records requirements for an audio or video recording of a closed meeting of the board and any minutes and notes generated during the closed meeting until the criminal investigative information or criminal intelligence information heard or discussed therein ceases to be active or the security plan is no longer in effect; specifying those persons who are authorized to attend a closed meeting of the board; providing for review and repeal under the Open Government Sunset Review Act; providing a statement of public necessity; providing a contingent effective date.

—was referred to the Committees on Military Affairs and Domestic Security; Transportation; Governmental Operations; and Rules.

By Senator Storms—

SB 808—A bill to be entitled An act relating to seaport security; amending s. 311.12, F.S.; requiring the Department of Law Enforcement to brief specified officials concerning the results of unannounced seaport inspections; requiring board members of governing authorities having responsibility for seaport operations or oversight to attend briefings; providing for removal from office of members having two unexcused absences; providing for a fine against the authority for missed sessions; requiring that a quorum of the board be present for a briefing to be conducted; providing for publication and announcement of attendance records; providing an effective date.

—was referred to the Committees on Military Affairs and Domestic Security; Transportation; and Criminal and Civil Justice Appropriations.

By Senator Justice—

SB 810—A bill to be entitled An act relating to political contributions; amending s. 106.08, F.S.; setting a limit on contributions to electioneering communication organizations of $500 per person or committee; providing an effective date.

—was referred to the Committees on Ethics and Elections; and Judiciary.

By Senators Storms and Gaetz—

SB 812—A bill to be entitled An act relating to the appraisal of property; amending s. 193.011, F.S.; deleting a requirement that the property

appraiser consider the property's highest and best use when determining the just value of the property; amending ss. 192.011, 193.015, and 193.017, F.S.; conforming provisions; providing an effective date.

—was referred to the Committees on Community Affairs; Finance and Tax; and Education Pre-K - 12 Appropriations.

By Senator Lynn—

SB 814—A bill to be entitled An act relating to DNA testing of arrested persons; amending s. 943.325, F.S.; requiring that persons who are arrested for certain specified violent and sexual offenses undergo blood or other biological specimen testing for DNA analysis; requiring that the arresting agency secure and transmit the blood or other biological specimen to the Department of Law Enforcement; providing that a medical institution and medical personnel authorized to draw blood are not civilly or criminally liable as a result of withdrawing blood specimens as required by the act; authorizing the department, a state attorney, or any law enforcement agency to apply to the circuit court for an order to take a person into custody if the person fails to provide the required specimens; requiring that an arrested person pay the costs of collecting the blood or other biological specimen; providing an effective date.

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

By Senator Bennett—

SB 816—A bill to be entitled An act relating to uniform traffic control; creating the "Mark Wandall Traffic Safety Act"; amending s. 316.003, F.S.; defining the term "traffic infraction detector"; creating s. 316.0083, F.S.; creating the Mark Wandall Traffic Safety Program to be administered by the Department of Highway Safety and Motor Vehicles; requiring a county or municipality to enact an ordinance in order to use a traffic infraction detector to identify a motor vehicle that fails to stop at a traffic control signal steady red light; requiring authorization of a traffic infraction enforcement officer to issue and enforce a ticket for such violation; requiring signage; requiring certain public awareness procedures; requiring the ordinance to establish a fine of a certain amount; prohibiting additional charges; exempting emergency vehicles; providing that the registered owner of the motor vehicle involved in the violation is responsible and liable for payment of the fine assessed; providing exceptions; providing procedures for disposition and enforcement of tickets; providing for disposition of revenue; providing complaint procedures; providing for the Legislature to exclude a county or municipality from the program; requiring reports from participating municipalities and counties to the department; requiring the department to make reports to the Governor and the Legislature; amending s. 316.0745, F.S.; providing that traffic infraction detectors must meet certain requirements; amending s. 316.1967, F.S.; providing for inclusion of persons having outstanding violations in a list sent to the department for enforcement purposes; amending s. 322.264, F.S.; revising the definition of the term "habitual traffic offender" to include a certain number of violations of a traffic control signal steady red light indication within a certain timeframe; reenacting ss. 322.27(5) and 322.34(1), (2), (5), and (8)(a), F.S., relating to the authority of the Department of Highway Safety and Motor Vehicles to suspend or revoke a driver license and driving while a driver license is suspended, revoked, canceled, or disqualified, for the purpose of incorporating the amendment to s. 322.264, F.S., in references thereto; providing for severability; providing an effective date.

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

By Senator Bennett—

SB 818—A bill to be entitled An act relating to financial services; amending s. 520.02, F.S.; defining the term "guaranteed asset protection products"; amending s. 520.07, F.S.; setting forth requirements and prohibitions for selling guaranteed asset protection products; amending s. 624.605, F.S.; including debt-cancellation products under casualty insurance; providing a definition; authorizing certain entities to offer debt-cancellation products under certain circumstances; specifying that such products are not insurance; amending ss. 627.553 and 627.679, F.S.; revising limitations on the amount of authorized insurance for debtors; amending s. 627.681, F.S.; revising a limitation on the term of credit disability insurance; amending s. 655.005, F.S.; redefining the terms "federal financial institution" and "financial institution"; defining the term "debt-cancellation products"; amending s. 655.79, F.S.; providing that a deposit account by a husband and wife is a tenancy by the entirety; creating s. 655.947, F.S.; providing a definition; authorizing financial institutions to offer debt-cancellation products; authorizing a fee; requiring the Financial Services Commission to adopt rules; providing that a periodic payment option is not required for certain debt-cancellation products; amending s. 655.954, F.S.; authorizing a financial institution to offer a debt-cancellation product but not as a requirement of receiving a loan; creating s. 655.967, F.S.; providing that state-mandated endowments may be maintained in trust accounts in financial institutions; amending s. 658.21, F.S.; revising an ownership of capital criterion for capital accounts at financial institutions and one-bank holding companies; amending s. 658.34, F.S.; prohibiting certain stock issuance practices for banks; amending s. 658.36, F.S.; requiring a state bank or trust company to file a written notice before increasing its capital stock; amending s. 658.44, F.S.; revising criteria for determining the value of dissenting shares of certain entities; providing an effective date.

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

SR 820—Not referenced.

By Senator Atwater—

SB 822—A bill to be entitled An act relating to ad valorem tax data; amending s. 195.052, F.S.; specifying requirements for data to be collected and published by the Department of Revenue on its website and the website of each property appraiser; providing an effective date.

—was referred to the Committees on Community Affairs; Finance and Tax; and General Government Appropriations.

By Senator Hill—

SM 824—A memorial to the Congress of the United States, urging Congress to support the Employee Free Choice Act.

—was referred to the Committees on Commerce; and Governmental Operations.

By Senator Hill—

SB 826—A bill to be entitled An act relating to Juneteenth Independence Day; amending s. 683.21, F.S.; renaming Juneteenth Day as "Juneteenth Independence Day"; requiring the Governor to annually issue a proclamation concerning Juneteenth Independence Day; providing criteria concerning the petition's contents; providing an effective date.

—was referred to the Committees on Governmental Operations; and Judiciary.

By Senator Bennett—

SB 828—A bill to be entitled An act relating to young persons riding on motorcycles or mopeds; amending s. 316.2085, F.S.; prohibiting a person from operating a motorcycle or moped while carrying a rider

younger than a specified age; providing that such offense is a noncriminal moving traffic violation; providing an effective date.

—was referred to the Committees on Transportation; and Criminal Justice.

By Senator Dockery—

SB 830—A bill to be entitled An act relating to corrections; expressing the legislative intent to revise laws relating to corrections; providing an effective date.

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

By Senator Dockery—

SB 832—A bill to be entitled An act relating to juvenile justice; expressing the legislative intent to revise laws relating to juvenile justice; providing an effective date.

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

By Senator Dockery—

SB 834—A bill to be entitled An act relating to the death penalty; expressing the legislative intent to revise laws relating to the death penalty; providing an effective date.

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

By Senator Dockery—

SB 836—A bill to be entitled An act relating to criminal penalties; expressing the legislative intent to revise laws relating to criminal penalties; providing an effective date.

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

By Senator Dockery—

SB 838—A bill to be entitled An act relating to law enforcement; expressing the legislative intent to revise laws relating to law enforcement; providing an effective date.

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

By Senator Dockery—

SB 840—A bill to be entitled An act relating to community supervision; expressing the legislative intent to revise laws relating to community supervision; providing an effective date.

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

By Senator Dockery—

SB 842—A bill to be entitled An act relating to parole; expressing the legislative intent to revise laws relating to parole; providing an effective date.

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

By Senator Bennett—

SB 844—A bill to be entitled An act relating to health care providers; amending s. 768.13, F.S.; providing immunity from civil damages to health care providers providing emergency care or medical consultation services; providing an exception; providing for severability; providing for retroactive application; providing an effective date.

—was referred to the Committees on Health Regulation; and Judiciary.

By Senator Rich—

SB 846—A bill to be entitled An act relating to Medicaid provider service networks; amending s. 409.912, F.S.; authorizing the Agency for Health Care Administration to contract with a specialty provider service network that exclusively enrolls Medicaid beneficiaries who have psychiatric disabilities; requiring the specialty provider to offer the same physical and behavioral health services that are required from other Medicaid health maintenance organizations and provider service networks; requiring that beneficiaries be assigned to a specialty provider service network under certain circumstances; amending s. 409.91211, F.S.; requiring that the agency modify eligibility assignment processes for managed care pilot programs to include specialty plans that specialize in care for beneficiaries who have psychiatric disabilities; requiring the agency to provide a service delivery alternative to provide Medicaid services to persons having psychiatric disabilities; providing an additional criterion for the agency in making assignments; requiring that enrollment and choice counseling materials contain an explanation concerning the choice of a network or plan; providing for an additional open enrollment period following the availability of specialty services; providing an effective date.

—was referred to the Committees on Health Policy; Children, Families, and Elder Affairs; and Health and Human Services Appropriations.

By Senators Deutch, Geller, Rich, Bennett, Margolis and Ring—

SB 848—A bill to be entitled An act relating to education in public schools concerning human sexuality; providing a short title; providing definitions; requiring public schools that provide certain information or programs to students concerning human sexuality to provide information that meets specified criteria; providing a process to review compliance with such requirement; authorizing parents and guardians to seek review of a school's compliance; providing for school superintendents, district schools boards, and the Commissioner of Education to review compliance and corrective actions; providing for severability; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Children, Families, and Elder Affairs; Health Policy; and Education Pre-K - 12 Appropriations.

By Senator Fasano—

SB 850—A bill to be entitled An act relating to the New Markets Tax Credit Program; creating part XII of ch. 288, F.S., consisting of s. 288.991, F.S.; creating the New Markets Tax Credit Program; providing definitions; authorizing the Office of Tourism, Trade, and Economic Development to qualify certain equity investments as eligible for tax credits; providing an application process; requiring an application fee; providing for the certification of an investment; providing for notice to the applicant and the Department of Revenue; providing for a limit on the amount of investments the office may certify; requiring the certified equity investments to be issued within a certain timeframe; requiring the taxpayer to elect how the credit will be applied; providing that a taxpayer who holds a qualified equity investment in a qualified low-income business on the credit allowance date of the investment is entitled to a nonrefundable, nontransferable tax credit for the taxable year in which the credit allowance date falls; providing how the amount of tax credits available to the taxpayer will be calculated; limiting the amount of the tax credit that may be redeemed in a fiscal year; authorizing a taxpayer to carry over any amount of the tax credit that the taxpayer is

prohibited from redeeming in a taxable year to a subsequent taxable year; providing for the redemption of tax credits earned by certain business entities and by the partners, members, or shareholders of those entities; specifying how tax credits may be claimed by insurance companies; requiring the calculations to be certified and accompanied by audited financial statements and notarized affidavits; requiring the department to recapture tax credits from certain taxpayers under certain circumstances; requiring notice; requiring community development entities that have certified investments to report certain information to the office; requiring the office to prepare annual reports on low-income community investments made in this state; authorizing the department to conduct examinations to verify receipt and application of tax credits; authorizing the department to pursue recovery of certain funds; authorizing the office to revoke or modify certain decisions relating to eligibility for tax credits under certain circumstances; providing for applicant liability for costs and fees relating to investigations of fraudulent claims; providing for taxpayer liability for reimbursement of fraudulently claimed tax credits; providing a penalty; authorizing the office and the department to adopt rules; providing for future repeal of the tax credit program; amending s. 220.02, F.S.; revising legislative intent with respect to the order of tax credits to include the New Markets Tax Credit; amending s. 220.13, F.S.; revising a definition; amending s. 213.053, F.S.; authorizing the Department of Revenue to share confidential taxpayer information with the Office of Tourism, Trade, and Economic Development; providing for application of the tax credit; providing an effective date.

—was referred to the Committees on Commerce; Community Affairs; Finance and Tax; and Transportation and Economic Development Appropriations.

By Senator Fasano—

SB 852—A bill to be entitled An act relating to the procurement of flags by the state and its political subdivisions; creating the "Flag Procurement Act"; defining the terms "flag" and "procure"; requiring the state and every political subdivision of the state to procure flags that are manufactured in the United States; requiring each contract to procure a flag to contain a provision that requires the flag to be manufactured in the United States; providing that the state or political subdivision may take appropriate legal action to recover the purchase price of the flag from the supplier of a flag that does not comply with the act; providing applicability; providing an effective date.

—was referred to the Committees on Governmental Operations; Community Affairs; and General Government Appropriations.

By Senator Fasano—

SB 854—A bill to be entitled An act relating to unemployment compensation; amending s. 443.101, F.S.; providing for disqualification for unemployment compensation if a day laborer employed by a labor pool fails to report for reassignment; defining the terms "labor pool" and "day laborer" for purposes of such provisions; providing that a day laborer who fails to return in person to obtain a new assignment upon conclusion of his or her latest assignment is deemed to have voluntarily quit employment; providing an effective date.

—was referred to the Committees on Commerce; and Transportation and Economic Development Appropriations.

By Senator Fasano—

SB 856—A bill to be entitled An act relating to disability history and awareness; creating the Pilot Project for Disability History and Awareness in Hillsborough, Leon, Pasco, and Pinellas Counties; providing for the respective county school boards to administer the project; providing requirements; encouraging schools to cooperate with community-based organizations; encouraging postsecondary institutions to conduct and promote related activities; providing for technical assistance; requiring a report to legislative education committees and the Commissioner of Education; providing appropriations; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Children, Families, and Elder Affairs; and Education Pre-K - 12 Appropriations.

By Senator Joyner—

SB 858—A bill to be entitled An act relating to community service for infractions of noncriminal traffic offenses; creating s. 318.185, F.S.; requiring a court to allow a person to satisfy a civil penalty for an infraction of a noncriminal traffic offense by participating in community service if the person is unable to pay the civil penalty due to a demonstrable financial hardship; authorizing a court to allow a person to participate in community service even if the person does not demonstrate financial hardship; providing that a person participating in community service shall receive credit for the civil penalty at the specified hourly credit rate per hour of community service performed or at the prevailing wage rate for a trade or profession; defining the term "specified hourly credit rate"; providing responsibilities for community service agencies; prohibiting the imprisonment of a person who defaults on the payment of a civil penalty because the person does not have the ability to pay the civil penalty; defining the terms "community service" and "community service agency"; providing an effective date.

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

By Senator Fasano—

SB 860—A bill to be entitled An act relating to employee leave; creating s. 448.111, F.S.; providing legislative intent; providing definitions; providing for up to 24 hours of leave annually for employees to attend medical appointments or school conferences; providing that such leave may be paid or unpaid; providing purposes for taking leave; providing for annual employer notification to employees about the availability of leave; providing conditions for taking leave; prohibiting an employer from taking retaliatory action against an employee for requesting or taking leave; providing that an injured employee is entitled to damages and attorney's fees; amending s. 1003.04, F.S.; requiring public schools to provide 3 days' written notice to parents of a school conference and provide written confirmation of attendance if requested; providing an effective date.

—was referred to the Committees on Commerce; Children, Families, and Elder Affairs; Governmental Operations; and Education Pre-K - 12.

By Senators Fasano and Lynn—

SB 862—A bill to be entitled An act relating to developmental disabilities institutions; creating s. 393.35, F.S.; providing legislative intent; requiring the Agency for Persons with Disabilities to submit a plan to the Governor and the Legislature if the agency or the Legislature proposes to close or reduce by a certain percentage the resident population of a developmental disabilities institution; providing for content of the plan; requiring the Governor to approve or disapprove the plan to close or reduce the population of an institution; providing that the Governor's decision is not binding on the Legislature; requiring the agency to provide quarterly reports; providing for content of the reports; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; and Health and Human Services Appropriations.

By Senator Constantine—

SB 864—A bill to be entitled An act relating to elections; expressing the legislative intent to revise laws relating to elections; providing an effective date.

—was referred to the Committees on Ethics and Elections; Judiciary; Transportation and Economic Development Appropriations; and Rules.

By Senator Constantine—

SB 866—A bill to be entitled An act relating to elections; expressing the legislative intent to revise laws relating to elections; providing an effective date.

—was referred to the Committees on Ethics and Elections; Judiciary; Transportation and Economic Development Appropriations; and Rules.

By Senator Constantine—

SB 868—A bill to be entitled An act relating to elections; expressing the legislative intent to revise laws relating to elections; providing an effective date.

—was referred to the Committees on Ethics and Elections; Judiciary; Transportation and Economic Development Appropriations; and Rules.

By Senator Fasano—

SB 870—A bill to be entitled An act relating to the confidentiality of a petition for an injunction for protection against domestic violence; amending s. 741.30, F.S.; providing an exemption from public-records requirements for a petition for an injunction for protection against domestic violence until the petition is personally served on the respondent; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Judiciary; Governmental Operations; and Rules.

By Senator Fasano—

SB 872—A bill to be entitled An act relating to the offense of voyeurism; amending s. 810.145, F.S.; providing that it is a third-degree felony for a person to commit the offense of video voyeurism, video voyeurism dissemination, or commercial video voyeurism dissemination against a child younger than 16 years of age; providing criminal penalties; providing that it is a second-degree felony for a person who was previously convicted of or adjudicated delinquent for video voyeurism, video voyeurism dissemination, or commercial video voyeurism dissemination to commit any such offense against a child younger than 16 years of age; providing criminal penalties; providing an effective date.

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

By Senator Fasano—

SB 874—A bill to be entitled An act relating to title loans; amending s. 537.002, F.S.; clarifying that ch. 537, F.S., the Florida Title Loan Act, regulates title loans to consumers; amending s. 537.003, F.S.; defining the term "consumer" for purposes of ch. 537, F.S.; providing an effective date.

—was referred to the Committees on Banking and Insurance; and Commerce.

By Senator Constantine—

SB 876—A bill to be entitled An act relating to elections; expressing the legislative intent to revise laws relating to elections; providing an effective date.

—was referred to the Committees on Ethics and Elections; Judiciary; Transportation and Economic Development Appropriations; and Rules.

By Senator Constantine—

SB 878—A bill to be entitled An act relating to elections; expressing the legislative intent to revise laws relating to elections; providing an effective date.

—was referred to the Committees on Ethics and Elections; Judiciary; Transportation and Economic Development Appropriations; and Rules.

By Senator Rich—

SB 880—A bill to be entitled An act relating to elections; amending s. 101.6102, F.S.; revising limitations of mail ballot elections; authorizing a board of county commissioners to choose to have certain elections by mail, subject to specified prior notice; amending s. 101.6103, F.S.; requiring certain electors using mail ballots to pay postage; requiring the Secretary of State to establish rules relating to mail ballot deposit sites; prohibiting unofficial deposit sites or ballot-collection services; providing for penalties; amending s. 101.62, F.S.; providing for a permanent absentee voter status; providing requirements for supervisors of elections relating to permanent absentee voters; providing an effective date.

—was referred to the Committees on Ethics and Elections; Community Affairs; Judiciary; and Transportation and Economic Development Appropriations.

By Senator Baker—

SB 882—A bill to be entitled An act relating to civil actions against insurers; amending s. 624.155, F.S.; providing that only an insured of the insurer may bring a civil action against the insurer under specified circumstances; requiring the insured to cooperate fully with an insurer in asserting a demand for settlement; specifying certain activities the insurer may interpose as a defense to a civil remedy; revising time periods relating to notices in certain actions; revising notice requirements; providing that the remedies specified preempt other civil remedies created by statute or common law; specifying the effect of certain judgments; requiring an insured to prove by clear and convincing evidence the allegations made in an action relating to the insurer's failure to settle a claim; limiting the liability of an insurer for failing to pay its policy limits under certain circumstances; authorizing parties to request certain court orders relating to unnecessary or inappropriate delay; providing procedures for amending witness lists; limiting admissibility of certain evidence; specifying considerations for a trier of fact in certain actions; providing for construction relating to assigning causes of action; providing an effective date.

—was referred to the Committees on Banking and Insurance; Commerce; and Judiciary.

By Senators Haridopolos and Gaetz—

SB 884—A bill to be entitled An act relating to obsolete or outdated agency plans, reports, and programs; repealing s. 14.25, F.S., relating to the Florida State Commission on Hispanic Affairs; amending s. 14.26, F.S.; revising reporting requirements of the Citizen's Assistance Office; repealing s. 14.27, F.S., relating to the Florida Commission on African-American Affairs; repealing s. 16.58, F.S., relating to the Florida Legal Resource Center; amending s. 17.32, F.S.; revising the recipients of the annual report of trust funds by the Chief Financial Officer; amending s. 17.325, F.S.; deleting a reporting requirement relating to the governmental efficiency hotline; amending s. 20.057, F.S.; deleting a reporting requirement of the Governor relating to interagency agreements to delete duplication of inspections; amending s. 20.19, F.S.; deleting provisions relating to planning by the Department of Children and Family Services; deleting provisions relating to planning in service districts of the department; repealing s. 20.316(4)(e), (f), and (g), F.S.; deleting provisions relating to information systems of the Department of Juvenile Justice; amending s. 20.43, F.S.; revising provisions relating to planning by the Department of Health; repealing s. 39.3065(3)(d), F.S.; deleting certain provisions relating to evaluations and reports of child protective investigative services; amending s. 39.4086, F.S.; deleting provisions

relating to a report by the State Courts Administrator on a guardian ad litem program for dependent children; transferring certain duties to the statewide Guardian Ad Litem Office; repealing s. 39.523(5), F.S.; deleting provisions relating to a report on the placement of children in licensed residential group care; amending s. 98.255, F.S.; deleting provisions relating to a report on the effectiveness of voter education programs; amending s. 110.1227, F.S.; revising provisions relating to a report by the board of directors of the Florida Long-Term Care Plan; amending s. 120.542, F.S.; deleting provisions relating to reports of petitions filed for variances to agency rules; amending s. 120.60, F.S.; deleting a provision relating to filing of notice and certification of an agency's intent to grant or deny a license; amending s. 120.695, F.S.; deleting obsolete provisions relating to agency review of rules; amending s. 121.45, F.S.; deleting provisions relating to reports on interstate compacts relating to pension portability; repealing s. 153.952, F.S., relating to legislative findings and intent on privately owned wastewater systems and facilities; amending s. 161.053, F.S.; deleting a provision relating to a report on the coastal construction control line; amending s. 161.161, F.S.; deleting a provision requiring a report on funding for beach erosion control; repealing s. 163.2526, F.S., relating to a review and evaluation of urban infill; amending s. 163.3167, F.S.; deleting provisions relating to local government comprehensive plans; amending s. 163.3177, F.S.; revising requirements for comprehensive plans; amending s. 163.3178, F.S.; deleting a duty of the Coastal Resources Interagency Management Committee to submit certain recommendations; repealing s. 163.519(12), F.S.; deleting a requirement for a report on neighborhood improvement districts by the Department of Legal Affairs; repealing s. 186.007(9), F.S.; deleting provisions relating to a committee to recommend to the Governor changes in the state comprehensive plan; amending ss. 189.4035 and 189.412, F.S.; revising requirements relating to dissemination of the official list of special districts; amending s. 194.034, F.S.; deleting a requirement that the Department of Revenue be notified of certain value adjustment board decisions; amending s. 206.606, F.S.; revising provisions relating to a report on the Florida Boating Improvement Program; amending s. 212.054, F.S.; deleting the requirement for a report on costs of administering the discretionary sales surtax; amending s. 212.08, F.S.; deleting a requirement for a report on the sales tax exemption for machinery and equipment used in semiconductor, defense, or space technology production and research and development; repealing s. 213.0452, F.S., relating to a report on the structure of the Department of Revenue; repealing s. 213.054, F.S., relating to monitoring and reporting on persons claiming tax exemptions; amending s. 215.70, F.S.; requiring the State Board of Administration to report to the Governor when funds need to be appropriated to honor the full faith and credit of the state; amending s. 216.011, F.S.; redefining the term "long-range program plan"; repealing s. 216.103, F.S., relating to agencies receiving federal funds; repealing s. 216.172, F.S., relating to meetings of legislative appropriations committees; repealing s. 216.181(10)(c), F.S.; deleting provisions relating to reports of filled and vacant positions and salaries; amending s. 252.55, F.S.; revising certain reporting requirements relating to the Civil Air Patrol; amending s. 253.7825, F.S.; deleting provisions relating to the plan for the Cross Florida Greenways State Recreation and Conservation Area; repealing s. 253.7826, F.S., relating to Cross Florida Barge Canal structures; repealing s. 253.7829, F.S., relating to a management plan for retention or disposition of Cross Florida Barge Canal lands; amending s. 259.037, F.S.; revising provisions relating to a report of the Land Management Uniform Accounting Council; repealing s. 267.074(4), F.S.; deleting provisions relating to a plan for the State Historical Marker Program; repealing s. 272.121, F.S., relating to Capitol Center long-range planning; repealing s. 284.50(3), F.S.; deleting a requirement for a report by the Interagency Advisory Council on Loss Prevention and department heads; repealing s. 287.045(11), F.S.; deleting a requirement for reports on use of recycled products; amending s. 287.059, F.S.; deleting a requirement for reporting proposed fee schedules for private attorney services for the Attorney General's office; repealing s. 287.16(10), F.S.; deleting a requirement for a report on aircraft use by the Department of Management Services; repealing s. 288.1045(6)(d), F.S.; deleting a requirement for a report by the Office of Tourism, Trade, and Economic Development on the defense contractor tax refund program; repealing s. 288.108(7), F.S.; deleting a requirement for a report by the Office of Tourism, Trade, and Economic Development on high-impact businesses; repealing s. 288.1185, F.S., relating to the Recycling Markets Advisory Committee; amending s. 288.1226, F.S.; deleting a requirement for the Office of Tourism, Trade, and Economic Development to certify operations of the Florida Tourism Industry Marketing Corporation; amending s. 288.1229, F.S.; revising duties of the direct-support organization to support sports-related industries and amateur athletics; repealing s. 288.7015(4), F.S.; deleting a requirement for a report by the rules ombudsman in the Executive Office of the Governor; amending s. 288.7771, F.S.; revising a reporting requirement of the Florida Export Finance Corporation; repealing s. 288.8175(8), (10), and (11), F.S.; deleting certain responsibilities of the Department of Education with respect to linkage institutes between postsecondary institutions in this state and foreign countries; repealing s. 288.853(5), F.S.; deleting the requirement for a report on assistance to and commerce with Cuba; amending s. 288.95155, F.S.; revising requirements for a report by Enterprise Florida, Inc., on the Florida Small Business Technology Growth Program; amending s. 288.9604, F.S.; deleting a requirement for a report by the Florida Development Finance Corporation; amending s. 288.9610, F.S.; revising provisions relating to annual reporting by the corporation; amending s. 292.04, F.S.; deleting provisions relating to a survey by the Florida Commission on Veterans' Affairs; amending s. 292.05, F.S.; revising requirements relating to a report by the Department of Veterans' Affairs; repealing ss. 296.16 and 296.39, F.S., relating to reports by the executive director of the Department of Veterans' Affairs; repealing s. 315.03(12)(c), F.S.; deleting provisions relating to legislative review of a loan program of the Florida Seaport Transportation and Economic Development Council; amending s. 319.324, F.S.; deleting provisions relating to funding a report on odometer fraud prevention and detection; amending s. 322.181, F.S.; revising provisions relating to a study by the Department of Highway Safety and Motor Vehicles on driving by the elderly; repealing s. 322.251(7)(c), F.S.; deleting provisions relating to a plan to indemnify persons wanted for passing worthless bank checks; repealing s. 366.82(4), F.S.; deleting a provision relating to reports by utilities to the Public Service Commission; amending s. 369.22, F.S.; revising requirements relating to a report by the Department of Environmental Protection on nonindigenous plant control; repealing s. 370.26(8), F.S.; deleting a duty of the Fish and Wildlife Conservation Commission relating to an aquaculture plan; amending s. 372.5712, F.S.; revising provisions relating to a report by the commission on waterfowl permit revenues; amending s. 372.5715, F.S.; revising provisions relating to a report by the commission on wild turkey permit revenues; repealing s. 372.673, F.S., relating to the Florida Panther Technical Advisory Council; amending s. 373.0391, F.S.; deleting provisions relating to provision of certain information by water management districts; amending s. 373.046, F.S.; deleting an obsolete provision requiring a report by the secretary of the Department of Environmental Protection; repealing s. 376.121(14), F.S.; deleting a provision relating to a report by the Department of Environmental Protection on damage to natural resources; repealing s. 376.17, F.S., relating to reports of the department to the Legislature; repealing s. 376.30713(5), F.S.; deleting provisions relating to a report on preapproved advanced cleanup; amending s. 377.703, F.S.; deleting a requirement for a report from the Public Service Commission on electricity, natural gas, and energy conservation; amending s. 380.06, F.S.; deleting provisions on transmission of revisions relating to statewide guidelines and standards for developments of regional impact; repealing s. 380.0677(3), F.S.; deleting provisions relating to powers of the Green Swamp Land Authority; repealing s. 381.0011(3), F.S.; deleting provisions relating to an inclusion in the Department of Health's strategic plan; repealing s. 381.0036, F.S., relating to planning for implementation of educational requirements concerning HIV and AIDS; repealing s. 381.731, F.S., relating to strategic planning of the Department of Health; amending s. 381.795, F.S.; deleting provisions relating to studies by the Department of Health on long-term, community-based supports; amending s. 381.931, F.S.; deleting provisions relating to the duty of the Department of Health to develop a report on Medicaid expenditures; amending s. 383.19, F.S.; revising provisions relating to reports by hospitals contracting to provide perinatal intensive care services; repealing s. 383.21, F.S., relating to perinatal intensive care service program review; amending s. 383.2161, F.S.; revising requirements relating to a report by the Department of Health on maternal and child health; repealing s. 394.4573(4), F.S.; deleting the requirement for a report by the Department of Children and Family Services on state mental health facility staffing; amending s. 394.4985, F.S.; deleting provisions relating to plans by department districts; amending s. 394.75, F.S.; revising provisions relating to reports by the department on substance abuse and mental health plans; repealing s. 394.82, F.S., relating to funding of expanded community mental health services; amending s. 394.9082, F.S.; deleting obsolete provisions relating to an amendment to the master state plan on behavioral health services and to provision of status reports; repealing s. 394.9083, F.S., relating to the Behavioral Health Services Integration Workgroup; repealing s. 395.807(2)(c), F.S.; deleting requirements for a report on retention of family practice residents; repealing s. 397.321(1) and (20),

F.S.; deleting a requirement that the Department of Children and Family Services develop a plan for substance abuse services; repealing s. 397.332(3), F.S.; deleting the requirement for a report by the director of the Office of Drug Control; amending s. 397.333, F.S.; deleting the requirement for a report by the Statewide Drug Policy Advisory Council; repealing s. 397.94(1), F.S.; deleting provisions relating to children's substance abuse services plans by service districts of the Department of Children and Family Services; repealing s. 400.148(2), F.S.; deleting a provision relating to a pilot program of the Agency for Health Care Administration on a quality-of-care contract management program; amending s. 400.967, F.S.; deleting provisions relating to a report by the Agency for Health Care Administration on intermediate care facilities for developmentally disabled persons; repealing s. 402.3016(3), F.S.; deleting a requirement for a report by the agency on early head start collaboration grants; repealing s. 402.40(9), F.S.; deleting a provision relating to submission of certain information related to child welfare training to the Legislature; amending s. 403.4131, F.S.; deleting provisions relating to a report on the adopt-a-highway program; repealing s. 406.02(4)(a), F.S.; deleting a requirement for a report by the Medical Examiners Commission; amending s. 408.033, F.S.; revising provisions relating to reports by local health councils; repealing s. 408.914(4), F.S.; deleting provisions requiring the Agency for Health Care Administration to submit a plan on comprehensive health and human services eligibility access to the Governor; amending s. 408.915(3)(i), F.S.; deleting provisions requiring periodic reports on the pilot program for such access; repealing s. 408.917, F.S., relating to evaluation of the pilot project; amending s. 409.1451, F.S.; revising requirements relating to reports on independent living transition services; repealing s. 409.146, F.S., relating to the children and families client and management information system; repealing s. 409.152, F.S., relating to service integration and family preservation; repealing s. 409.1679(1) and (2), F.S.; deleting provisions relating to reports concerning residential group care services; amending s. 409.1685, F.S.; revising provisions relating to reports by the Department of Children and Family Services on children in foster care; amending s. 409.178, F.S.; deleting provisions relating to use of child care purchasing pool funds; repealing s. 409.221(4)(k), F.S.; deleting provisions relating to reports on consumer-directed care; amending s. 409.25575, F.S.; deleting provisions relating to a report by the Department of Revenue regarding a quality assurance program for privatization of services; amending s. 409.2558, F.S.; deleting provisions relating to the Department of Revenue's solicitation of recommendations related to a rule on undistributable collections; repealing s. 409.441(3), F.S.; deleting provisions relating to the state plan for the handling of runaway youths; amending s. 409.906, F.S.; deleting a requirement for reports of child-welfare-targeted case management projects; amending s. 409.912, F.S.; revising provisions relating to duties of the agency with respect to cost-effective purchasing of health care; repealing s. 410.0245, F.S., relating to a study of service needs of the disabled adult population; repealing s. 410.604(10), F.S.; deleting a requirement for the Department of Children and Family Services to evaluate the community care for disabled adults program; repealing s. 411.221, F.S., relating to prevention and early assistance; repealing s. 411.242, F.S., relating to the Florida Education Now and Babies Later program; repealing s. 414.1251(3), F.S.; deleting a provision relating to an electronic data transfer system for the learnfare program; amending s. 414.14, F.S.; deleting a provision relating to a report by the secretary of the Department of Children and Family Services on public assistance policy simplification; repealing s. 414.36(1), F.S.; deleting a provision relating to a plan for privatization of recovery of public assistance overpayment claims; repealing s. 414.391(3), F.S.; deleting provisions relating to a plan for automated fingerprint imaging; amending s. 415.1045, F.S.; deleting a requirement for a study by the Office of Program Policy Analysis and Government Accountability on documentation of exploitation, abuse, or neglect; amending s. 415.111, F.S.; deleting the requirement for a report by the Department of Children and Family Services on exploitation, abuse, or neglect; amending s. 420.622, F.S.; revising requirements relating to a report by the State Council on Homelessness; repealing s. 420.623(4), F.S.; deleting a requirement for a report by the Department of Community Affairs on homelessness; amending s. 427.704, F.S.; revising requirements relating to a report by the Public Service Commission on a telecommunications access system; amending s. 427.706, F.S.; revising requirements relating to a report by the advisory committee on telecommunications access; amending s. 429.07, F.S.; deleting provisions relating to a report by the Department of Elderly Affairs on extended congregate care facilities; repealing s. 429.08(2), F.S.; deleting a provision relating to local workgroups of field offices of the Agency for Health Care Administration; amending s. 429.41, F.S.; deleting provisions relating to a report concerning standards for assisted living facilities; amending s. 430.04, F.S.; revising duties of the Department of Elderly Affairs with respect to certain reports and recommendations; amending s. 430.502, F.S.; revising requirements with respect to reports by the Alzheimer's Disease Advisory Committee; amending s. 445.003, F.S.; revising reporting requirements relating to Workforce Florida, Inc.; amending s. 445.006, F.S.; deleting provisions relating to a strategic plan for workforce development; repealing s. 445.022(4), F.S.; deleting a requirement for reports by regional workforce boards on retention incentives; amending s. 446.50, F.S.; deleting provisions relating to a state plan for displaced homemakers; repealing s. 455.204, F.S., relating to long-range policy planning in the Department of Business and Professional Regulation; repealing s. 455.2226(8), F.S.; deleting a requirement for a report by the Board of Funeral Directors and Embalmers; repealing s. 455.2228(6), F.S.; deleting a requirement for reports by the Barbers' Board and the Board of Cosmetology; amending s. 456.005, F.S.; revising requirements relating to long-range planning by professional boards; amending s. 456.025, F.S.; revising requirements relating to a report to professional boards by the Department of Health; repealing s. 456.034(6), F.S.; deleting provisions relating to reports by professional boards about HIV and AIDS; amending s. 517.302, F.S.; deleting a requirement for a report by the Office of Financial Regulation on deposits into the Anti-Fraud Trust Fund; repealing s. 531.415(3), F.S.; deleting the requirement for a report by the Department of Agriculture and Consumer Services on fees; repealing s. 553.975, F.S., relating to a report to the Governor and Legislature by the Public Service Commission; repealing s. 570.0705(3), F.S.; deleting the requirement for a report by the Commissioner of Agriculture concerning advisory committees; repealing s. 570.0725(5), F.S.; deleting provisions relating to a report by the Department of Agriculture and Consumer Services concerning support for food recovery programs; repealing s. 570.543(3), F.S.; deleting provisions relating to legislative recommendations of the Florida Consumers' Council; amending s. 603.204, F.S.; revising requirements relating to the South Florida Tropical Fruit Plan; amending s. 627.64872, F.S.; deleting provisions relating to an interim report by the board of directors of the Florida Health Insurance Plan; prohibiting the board from acting to implement the plan until certain funds are appropriated; amending s. 744.708, F.S.; revising provisions relating to audits of public guardian offices and to reports concerning those offices; repealing s. 765.5215(3), F.S.; deleting a requirement for a report by the Agency for Health Care Administration concerning organ donation; amending s. 768.295, F.S.; revising duties of the Attorney General relating to reports concerning "SLAPP" lawsuits; amending s. 775.084, F.S.; deleting provisions relating to sentencing of violent career criminals and to reports of judicial actions with respect thereto; amending s. 790.22, F.S.; deleting provisions relating to reports by the Department of Juvenile Justice concerning certain juvenile offenses that involve weapons; amending s. 943.125, F.S.; deleting provisions relating to reports by the Florida Sheriffs Association and the Florida Police Chiefs Association concerning law enforcement agency accreditation; amending s. 943.68, F.S.; revising requirements relating to reports by the Department of Law Enforcement concerning transportation and protective services; amending s. 944.023, F.S.; deleting provisions relating to the comprehensive correctional master plan; amending s. 944.801, F.S.; deleting a requirement to deliver to specified officials copies of certain reports concerning education of state prisoners; repealing s. 945.35(10), F.S.; deleting a requirement for a report by the Department of Corrections concerning HIV and AIDS education; repealing s. 948.10(8)(d), F.S.; deleting a requirement for a report by the Department of Corrections about placement of ineligible offenders on community control; repealing s. 958.045(9), F.S.; deleting provisions relating to a report by the department concerning youthful offenders; amending s. 960.045, F.S.; revising requirements relating to reports by the Department of Legal Affairs with respect to victims of crimes; repealing s. 985.02(8)(c), F.S.; deleting the requirement of a study by the Office of Program Policy Analysis and Government Accountability on programs for young females within the Department of Juvenile Justice; amending s. 985.047, F.S.; deleting provisions relating to a plan by a multiagency task force on information systems related to delinquency; amending s. 985.47, F.S.; deleting provisions relating to a report on serious or habitual juvenile offenders; amending s. 985.483, F.S.; deleting provisions relating to a report on intensive residential treatment for offenders under 13 years of age; repealing s. 985.61(5), F.S.; deleting provisions relating to a report by the Department of Juvenile Justice on early delinquency intervention; amending s. 985.622, F.S.; deleting provisions relating to submission of the multiagency plan for vocational education; repealing s. 985.632(7), F.S.; deleting provisions relating to a report by the Department of Corrections on quality assurance in contractual procurements; repealing s. 1002.34(19), F.S.;

deleting provisions relating to an evaluation and report by the Commissioner of Education concerning charter technical career centers; repealing s. 1003.61(4), F.S.; deleting provisions relating to evaluation of a pilot attendance project in Manatee County; amending s. 1004.22, F.S.; deleting provisions relating to university reports concerning sponsored research; repealing s. 1004.50(6), F.S.; deleting a requirement for a report by the Governor concerning unmet needs in urban communities; repealing s. 1004.94(2) and (4), F.S.; deleting provisions relating to guidelines for and a report on plans for a state adult literacy program; amending s. 1004.95, F.S.; revising requirements relating to implementing provisions for adult literacy centers; repealing s. 1006.0605, F.S., relating to students' summer nutrition; repealing s. 1006.67, F.S., relating to a report of campus crime statistics; amending s. 1009.70, F.S.; deleting provisions relating to a report on a minority law school scholarship program; amending s. 1011.32, F.S.; requiring the Governor to be given a copy of a report related to the Community College Facility Enhancement Challenge Grant Program; amending s. 1011.62, F.S.; deleting provisions relating to recommendations for implementing the extended-school-year program; repealing s. 1012.05(2)(l), F.S.; deleting provisions relating to a plan concerning teacher recruitment and retention; amending s. 1012.42, F.S.; deleting provisions relating to a plan of assistance for teachers teaching out-of-field; amending s. 1013.11, F.S.; deleting provisions relating to transmittal of a report on physical plant safety; amending ss. 163.065, 163.2511, 163.2514, 163.3202, 259.041, 259.101, 369.305, 370.12, 381.732, 381.733, 411.01, 411.232, 445.006, F.S., conforming cross-references to changes made by the act; providing an effective date.

—was referred to the Committees on Governmental Operations; Community Affairs; Judiciary; Finance and Tax; and General Government Appropriations.

By Senator Justice—

SB 886—A bill to be entitled An act relating to toy safety; creating the Children's Toys Safety Act; providing legislative findings and intent relating to the distribution of unsafe toys in this state; providing definitions; requiring each manufacturer of children's toys that are to be sold in this state to notify each retailer selling the toys which toys do not conform to the consumer product safety standards of the United States Consumer Products Safety Commission and is a banned hazardous product; requiring each manufacturer to label each unsafe toy warning the consumer that the toy does not meet the safety standards; requiring each retailer to erect signs in each retail aisle identifying which unsafe toys the retailer is selling; requiring that any test for safety be conducted by a nongovernmental, independent third party that is qualified to perform such tests; providing for injunctive relief; requiring the enforcing authority to issue and enforce a written stop-sale order under certain circumstances; providing for the distribution of the children's toys after the manufacturer labels each toy that is not in compliance with applicable safety standards; providing that any manufacturer who violates the act is subject to a specified fine for each toy not meeting the safety standards; providing that a retailer is subject to a fine for not erecting signs to identify unsafe toys that are sold in the store; providing an effective date.

—was referred to the Committees on Commerce; Judiciary; and General Government Appropriations.

By Senator Dawson—

SB 888—A bill to be entitled An act relating to the Florida Kidcare Program; expressing the legislative intent to revise laws relating to the Florida Kidcare Program; providing an effective date.

—was referred to the Committees on Health Policy; Banking and Insurance; Health and Human Services Appropriations; and Rules.

By Senator Dawson—

SB 890—A bill to be entitled An act relating to Medicaid reform; expressing the legislative intent to revise laws relating to Medicaid reform; providing an effective date.

—was referred to the Committees on Health Policy; Health and Human Services Appropriations; and Rules.

By Senator Dawson—

SB 892—A bill to be entitled An act relating to Medicaid; expressing the legislative intent to revise laws relating to Medicaid; providing an effective date.

—was referred to the Committees on Health Policy; Health and Human Services Appropriations; and Rules.

By Senator Dawson—

SB 894—A bill to be entitled An act relating to public health; expressing the legislative intent to revise laws relating to public health; providing an effective date.

—was referred to the Committees on Health Policy; Health and Human Services Appropriations; and Rules.

By Senator Dawson—

SB 896—A bill to be entitled An act relating to the Department of Health; expressing the legislative intent to revise laws relating to the Department of Health; providing an effective date.

—was referred to the Committees on Health Policy; Governmental Operations; Health and Human Services Appropriations; and Rules.

By Senator Dawson—

SB 898—A bill to be entitled An act relating to the Agency for Health Care Administration; expressing the legislative intent to revise laws relating to the Agency for Health Care Administration; providing an effective date.

—was referred to the Committees on Health Policy; Governmental Operations; Health and Human Services Appropriations; and Rules.

By Senator Dawson—

SB 900—A bill to be entitled An act relating to health insurance; expressing the legislative intent to revise laws relating to health insurance; providing an effective date.

—was referred to the Committees on Health Policy; Banking and Insurance; General Government Appropriations; and Rules.

By Senator Dawson—

SB 902—A bill to be entitled An act relating to health care; expressing the legislative intent to revise laws relating to health care; providing an effective date.

—was referred to the Committees on Health Policy; Health and Human Services Appropriations; and Rules.

By Senator Dawson—

SB 904—A bill to be entitled An act relating to exemption from requirements for public records and meetings; expressing the legislative intent to revise laws relating to exemption from requirements for public records and meetings; providing an effective date.

—was referred to the Committees on Health Policy; Governmental Operations; Health and Human Services Appropriations; and Rules.

By Senator Atwater—

SB 906—A bill to be entitled An act relating to the regulation of health care facilities and services; expressing the legislative intent to revise laws relating to the regulation of health care facilities and services; providing an effective date.

—was referred to the Committees on Health Regulation; Health and Human Services Appropriations; and Rules.

By Senator Atwater—

SB 908—A bill to be entitled An act relating to the Agency for Health Care Administration; expressing the legislative intent to revise laws relating to the Agency for Health Care Administration; providing an effective date.

—was referred to the Committees on Health Regulation; Governmental Operations; Health and Human Services Appropriations; and Rules.

By Senator Atwater—

SB 910—A bill to be entitled An act relating to the regulation of health care practitioners; expressing the legislative intent to revise laws relating to the regulation of health care practitioners; providing an effective date.

—was referred to the Committees on Health Regulation; Health and Human Services Appropriations; and Rules.

By Senator Atwater—

SB 912—A bill to be entitled An act relating to electronic health records; expressing the legislative intent to revise laws relating to electronic health records; providing an effective date.

—was referred to the Committees on Health Regulation; Governmental Operations; Health and Human Services Appropriations; and Rules.

By Senator Atwater—

SB 914—A bill to be entitled An act relating to the Department of Health; expressing the legislative intent to revise laws relating to the Department of Health; providing an effective date.

—was referred to the Committees on Health Regulation; Governmental Operations; Health and Human Services Appropriations; and Rules.

By Senator Atwater—

SB 916—A bill to be entitled An act relating to health care; expressing the legislative intent to revise laws relating to health care; providing an effective date.

—was referred to the Committees on Health Regulation; Health and Human Services Appropriations; and Rules.

By Senator Atwater—

SB 918—A bill to be entitled An act relating to exemption from requirements for public records and meetings; expressing the legislative intent to revise laws relating to exemption from requirements for public records and meetings; providing an effective date.

—was referred to the Committees on Health Regulation; Governmental Operations; Health and Human Services Appropriations; and Rules.

By Senators Fasano, Posey, Wise, Lawson, Baker, Gaetz, Oelrich, Alexander and Ring—

SB 920—A bill to be entitled An act relating to driver's license fees; amending s. 318.15, F.S.; increasing the nonrefundable service charge paid to the Department of Highway Safety and Motor Vehicles or to the clerk of the court to reinstate a suspended driver's license and privilege to drive; amending s. 322.21, F.S.; increasing the fees for reinstating a suspended or revoked driver's license or commercial motor vehicle license; requiring the Department of Highway Safety and Motor Vehicles to collect the fees and deposit them into the General Revenue Fund and the Highway Safety Operating Trust Fund; requiring that the deposited funds be appropriated to establish a recruitment plan for officers of the highway patrol and for a salary scale to ensure that the salary of highway patrol officers remains competitive with other law enforcement agencies; amending s. 322.29, F.S., relating to the surrender and return of a license; conforming provisions to changes made by the act; providing an effective date.

—was referred to the Committees on Transportation; Governmental Operations; Finance and Tax; and Transportation and Economic Development Appropriations.

By Senator Wilson—

SB 922—A bill to be entitled An act relating to the employment of ex-offenders; providing legislative intent; requiring state agencies and regulatory boards to submit to legislative officers and committees a report that states current restrictions on the employment of ex-offenders and possible alternatives that are compatible with protecting the public safety; requiring that such a report be submitted biennially; providing an effective date.

—was referred to the Committees on Governmental Operations; Regulated Industries; Criminal Justice; and General Government Appropriations.

By Senator Deutch—

SB 924—A bill to be entitled An act relating to correctional officers; amending s. 943.10, F.S.; revising the definition of "correctional officer" to include security personnel employed in secure facilities housing sexually violent predators and institutional security personnel employed in forensic facilities; amending ss. 394.221 and s. 916.1091, F.S., to conform cross-references; providing an effective date.

—was referred to the Committees on Criminal Justice; Community Affairs; Governmental Operations; and General Government Appropriations.

By Senator Diaz de la Portilla—

SB 926—A bill to be entitled An act relating to economic development; expressing the legislative intent to revise laws relating to economic development; providing an effective date.

—was referred to the Committees on Commerce; Finance and Tax; Transportation and Economic Development Appropriations; and Rules.

By Senator Diaz de la Portilla—

SB 928—A bill to be entitled An act relating to economic development; expressing the legislative intent to revise laws relating to economic development; providing an effective date.

—was referred to the Committees on Commerce; Finance and Tax; Transportation and Economic Development Appropriations; and Rules.

By Senator Diaz de la Portilla—

SB 930—A bill to be entitled An act relating to economic development; expressing the legislative intent to revise laws relating to economic development; providing an effective date.

—was referred to the Committees on Commerce; Finance and Tax; Transportation and Economic Development Appropriations; and Rules.

By Senator Diaz de la Portilla—

SB 932—A bill to be entitled An act relating to economic development; expressing the legislative intent to revise laws relating to economic development; providing an effective date.

—was referred to the Committees on Commerce; Finance and Tax; Transportation and Economic Development Appropriations; and Rules.

By Senator Diaz de la Portilla—

SB 934—A bill to be entitled An act relating to economic development; expressing the legislative intent to revise laws relating to economic development; providing an effective date.

—was referred to the Committees on Commerce; Finance and Tax; Transportation and Economic Development Appropriations; and Rules.

By Senator Diaz de la Portilla—

SB 936—A bill to be entitled An act relating to economic development; expressing the legislative intent to revise laws relating to economic development; providing an effective date.

—was referred to the Committees on Commerce; Finance and Tax; Transportation and Economic Development Appropriations; and Rules.

By Senator Diaz de la Portilla—

SB 938—A bill to be entitled An act relating to workforce development; expressing the legislative intent to revise laws relating to workforce development; providing an effective date.

—was referred to the Committees on Commerce; Higher Education; Transportation and Economic Development Appropriations; and Rules.

By Senator Diaz de la Portilla—

SB 940—A bill to be entitled An act relating to the Agency for Workforce Development; expressing the legislative intent to revise laws relating to the Agency for Workforce Development; providing an effective date.

—was referred to the Committees on Commerce; Governmental Operations; Transportation and Economic Development Appropriations; and Rules.

By Senator Diaz de la Portilla—

SB 942—A bill to be entitled An act relating to workforce development; expressing the legislative intent to revise laws relating to workforce development; providing an effective date.

—was referred to the Committees on Commerce; Higher Education; Transportation and Economic Development Appropriations; and Rules.

By Senator Diaz de la Portilla—

SB 944—A bill to be entitled An act relating to unemployment compensation; expressing the legislative intent to revise laws relating to unemployment compensation; providing an effective date.

—was referred to the Committees on Commerce; Transportation and Economic Development Appropriations; and Rules.

By Senator Diaz de la Portilla—

SB 946—A bill to be entitled An act relating to the Department of State; expressing the legislative intent to revise laws relating to the Department of State; providing an effective date.

—was referred to the Committees on Commerce; Governmental Operations; Transportation and Economic Development Appropriations; and Rules.

By Senator Diaz de la Portilla—

SB 948—A bill to be entitled An act relating to the Department of Agriculture and Consumer Services; expressing the legislative intent to revise laws relating to the Department of Agriculture and Consumer Services; providing an effective date.

—was referred to the Committees on Commerce; Governmental Operations; General Government Appropriations; and Rules.

By Senator Diaz de la Portilla—

SB 950—A bill to be entitled An act relating to the Department of Agriculture and Consumer Services; expressing the legislative intent to revise laws relating to the Department of Agriculture and Consumer Services; providing an effective date.

—was referred to the Committees on Commerce; Governmental Operations; General Government Appropriations; and Rules.

By Senator Diaz de la Portilla—

SB 952—A bill to be entitled An act relating to the Department of Agriculture and Consumer Services; expressing the legislative intent to revise laws relating to the Department of Agriculture and Consumer Services; providing an effective date.

—was referred to the Committees on Commerce; Governmental Operations; General Government Appropriations; and Rules.

By Senator Diaz de la Portilla—

SB 954—A bill to be entitled An act relating to automobile dealer predelivery service fees; expressing the legislative intent to revise laws relating to automobile dealer predelivery service fees; providing an effective date.

—was referred to the Committees on Commerce; Transportation; General Government Appropriations; and Rules.

By Senator Oelrich—

SJR 956—A joint resolution proposing the repeal of Section 7 of Article VI of the State Constitution, relating to public financing of campaigns of candidates for elective statewide office who agree to campaign spending limits.

—was referred to the Committees on Ethics and Elections; Judiciary; Transportation and Economic Development Appropriations; and Rules.

By Senator Oelrich—

SB 958—A bill to be entitled An act relating to public campaign financing; repealing ss. 106.30-106.36, F.S., the "Florida Election Campaign Financing Act"; amending ss. 106.07, 106.141, 106.22, 106.265, 320.02, 322.08, 328.72, and 607.1622, F.S.; deleting references to the Election Campaign Financing Trust Fund, which expired, effective November 4, 1996, by operation of s. 19(f), Art. III of the State Constitution; amending ss. 320.27, 765.5215, and 765.5216, F.S.; correcting cross-references; providing a contingent effective date.

—was referred to the Committees on Ethics and Elections; Judiciary; and Transportation and Economic Development Appropriations.

By Senator Jones—

SB 960—A bill to be entitled An act relating to teaching hospitals; providing that the establishment of a teaching hospital is exempt from the requirement to obtain a certificate of need from the Agency for Health Care Administration if the hospital is located on property owned or leased by a state university having a medical school that meets certain criteria; providing for such project to receive a letter of exemption upon filing; prohibiting a state university having an accredited medical school from receiving an exemption for more than one project; providing an effective date.

—was referred to the Committees on Health Regulation; Higher Education; and Health and Human Services Appropriations.

By Senator Geller—

SB 962—A bill to be entitled An act relating to the Streamlined Sales and Use Tax Agreement; amending s. 212.02, F.S.; revising definitions for the purposes of sales and use taxes; defining the terms "agent," "seller," "certified service provider," "direct mail," "prewritten computer software," and "delivery charges"; providing applicability; amending ss. 212.0306 and 212.04, F.S.; deleting references to brackets; amending s. 212.05, F.S.; deleting provisions relating to the rental or lease of motor vehicles; revising the determination of the location of the sale or recharge of prepaid calling arrangements; deleting a reference to brackets; amending s. 212.0506, F.S.; deleting a reference to brackets; conforming a cross-reference; amending s. 212.054, F.S.; providing the time for applying changes in local option tax rates; providing guidelines for determining the situs of certain transactions; providing for notice of a change in the rate of a local option sales tax; providing for applicability of s. 202.22(2), F.S., relating to determination of local tax situs, for the purpose of providing and maintaining a database of sales and use tax rates for local jurisdictions; amending s. 212.06, F.S.; providing for determining the location of transactions involving the retail sale of tangible personal property, digital goods, or services and for the lease or rental of tangible personal property; requiring certain business purchasers to obtain multiple-points-of-use exemption forms; providing for use of such forms; requiring certain purchasers of direct mail to obtain a direct-mail form; providing for the use of such form; amending s. 212.08, F.S., relating to exemptions from the sales and use tax; defining and redefining terms used with respect to the exemption for general groceries; defining and redefining terms used with respect to the exemption for medical products and supplies; revising that exemption; conforming a cross-reference; creating s. 212.094, F.S.; requiring a purchaser seeking a refund or credit under ch. 212, F.S., to submit a written request for the refund or credit; providing a time period within which the dealer must respond to the written request; amending s. 212.12, F.S.; providing for a monetary allowance for tax credits to certified service providers and voluntary sellers pursuant to the Streamlined Sales and Use Tax Agreement; providing for computation of tax due; deleting the brackets for state and discretionary sales surtax calculations; amending s. 212.17, F.S.; prescribing additional guidelines and procedures with respect to dealer credits for taxes paid on worthless accounts; creating s. 213.052, F.S.; providing for notice of state sales or use tax rate changes; creating s. 213.0521, F.S.; providing the effective date for state sales and use tax rate changes; amending s. 213.21, F.S.; providing for amnesty to certain sellers for uncollected or unpaid sales and use taxes; amending s. 213.256, F.S.; relating to simplified sales and use tax administration; defining terms; providing that authority to administer the Streamlined Sales and Use Tax Agreement rests with a governing board comprised of representatives of member states; providing for continuing effect of the agreement; providing for annual recertification; creating s. 213.2565, F.S.; providing for the registration of sellers, the certification of a person as a certified service provider, and the certification of a software program as a certified automated system by the governing board under the Streamlined Sales and Use Tax Agreement; amending ss. 196.012, 203.01, 212.03, 212.031, 212.052, 212.0596, 212.081, 212.13, 213.015, 551.102, and 790.0655, F.S.; conforming cross-references; repealing s. 212.0596(6), F.S., relating to the exemption from collecting and remitting local option surtaxes for certain dealers who make mail order sales; declaring legislative intent; providing for the adoption of emergency rules; providing an effective date.

—was referred to the Committees on Commerce; Governmental Operations; Finance and Tax; and General Government Appropriations.

By Senator Aronberg—

SB 964—A bill to be entitled An act relating to equine activities; providing a short title; providing legislative intent; creating s. 773.11, F.S.; defining the term "equine"; requiring certain minors to wear helmets when riding equines in certain locations; providing requirements for helmets; requiring persons renting or leasing equines for riding by a minor under a specified age to provide a helmet if the minor does not have a helmet; prohibiting a parent or guardian of a minor under a specified age from authorizing or permitting a minor to engage in certain conduct; providing criminal penalties; providing exceptions; providing an effective date.

—was referred to the Committees on Agriculture; Transportation; Judiciary; and General Government Appropriations.

By Senator Alexander—

SB 966—A bill to be entitled An act relating to automated teller machine transactions; amending s. 655.966, F.S.; authorizing machine owners or operators to impose access fees or surcharges for machine use; providing fee or surcharge disclosure requirements; providing certain agreement prohibitions relating to machine access fees or surcharges; providing construction relating to certain fee-free or surcharge-free network agreements; providing an effective date.

—was referred to the Committees on Banking and Insurance; and Commerce.

By Senator Joyner—

SB 968—A bill to be entitled An act relating to use of deadly force; amending s. 776.013, F.S.; requiring an overt act to support a belief that the use of deadly force for specified purposes is necessary; amending s. 776.032, F.S.; providing that immunity from civil and criminal liability for certain uses of deadly force does not apply to injuries to children and bystanders who are not affiliated with the overt act; providing an effective date.

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

By Senator Geller—

SB 970—A bill to be entitled An act relating to a tax on revenues from slot machines; amending s. 849.16, F.S.; imposing a tax on revenues from slot machines located in certain pari-mutuel facilities located in Broward County, as authorized by Section 23 of Article X of the State Constitution; defining the term "slot-machine revenues"; providing for remitting the tax proceeds periodically to the Department of Revenue; providing for rulemaking by the department; requiring the tax proceeds to be deposited in the State School Trust Fund and used to supplement public education funding; providing for the distribution of the tax proceeds; providing penalties for a failure to timely pay the tax on slot-machine revenues; requiring that the Department of Revenue coordinate with the Division of Pari-mutuel Wagering in enforcement actions; requiring the division to adopt rules governing suppliers and operators of slot machines; providing that, except for the provisions of the act, ch. 849, F.S., does not apply to a licensed pari-mutuel facility in Broward County which qualifies under Section 23 of Article X of the State Constitution to operate slot machines, if specified conditions are met; regulating the operating hours, number of slot machines allowed, and use of automated teller machines at affected facilities; providing an effective date.

—was referred to the Committees on Regulated Industries; Finance and Tax; and Education Pre-K - 12 Appropriations.

By Senator Saunders—

SB 972—A bill to be entitled An act relating to health care in medically underserved areas; amending s. 893.02, F.S.; redefining the term "practitioner" to include an advanced registered nurse practitioner; authorizing an advanced registered nurse practitioner to prescribe certain controlled substances under a protocol with a licensed physician; providing an effective date.

—was referred to the Committees on Health Regulation; and Judiciary.

SR 974—Not referenced.

By Senator Jones—

SB 976—A bill to be entitled An act relating to firefighter and municipal police pensions; amending s. 175.032, F.S.; revising the definition of "creditable service" for purposes of determining credit for prior service as a firefighter; revising the definition of "firefighter"; amending s. 175.061, F.S.; authorizing the terms of office for the board of trustees of the firefighters' pension trust fund to be revised under certain circumstances; authorizing the firefighters' pension trust fund plan administrator to withhold funds to pay for premiums for accident, health, and long-term care insurance for the retiree and the retiree's spouse and dependents; providing an exemption from liability under certain circumstances; amending s. 175.071, F.S.; authorizing certain individuals to sign drafts issued upon the firefighters' pension trust fund; amending s. 175.091, F.S.; providing guidelines for the adjustment of firefighter member contribution rates; amending s. 175.101, F.S.; clarifying boundaries of a special fire control district for purposes of assessment and imposition of the excise tax on property insurance premiums; amending s. 175.1015, F.S.; requiring that the review for compliance with certain excise tax reporting and remitting requirements be performed by the Office of Insurance Regulation of the Financial Services Commission; providing notice requirements; amending s. 175.151, F.S.; revising notification procedures with respect to the failure to comply with the provisions of ch. 175, F.S.; amending s. 175.171, F.S.; authorizing retired firefighters to change their designation of joint annuitant or beneficiary up to two times without the approval of the board of trustees or the prior joint annuitant or beneficiary; amending s. 175.361, F.S.; revising fund distribution procedures with respect to plan termination; requiring the Department of Management Services to effect the termination of the fund; amending s. 185.02, F.S.; revising the definition of "creditable service" for purposes of determining credit for prior service as a police officer; amending s. 185.05, F.S.; revising municipal police officers' retirement trust fund board of trustee selection procedures; authorizing the terms of office for the board of trustees of the municipal police officers' retirement trust fund to be revised under certain circumstances; authorizing the plan administrator to withhold funds to pay for premiums for accident, health, and long-term care insurance for the retiree and the retiree's spouse and dependents; providing an exemption from liability under certain circumstances; amending s. 185.06, F.S.; authorizing certain individuals to sign drafts issued upon the municipal police officers' retirement trust fund; amending s. 185.07, F.S.; providing guidelines for the adjustment of police officer member contribution rates; amending s. 185.085, F.S.; requiring that the review for compliance with certain excise tax reporting and remitting requirements be performed by the Office of Insurance Regulation of the Financial Services Commission; providing notice requirements; amending s. 185.13, F.S.; revising notification procedures with respect to the failure to comply with the provisions of ch. 185, F.S.; amending s. 185.161, F.S.; authorizing retired police officers to change their designation of joint annuitant or beneficiary up to two times without the approval of the board of trustees or the prior joint annuitant or beneficiary; amending s. 185.37, F.S.; revising fund distribution procedures with respect to plan termination; requiring that the Department of Management Services effect the termination of the fund; providing an effective date.

—was referred to the Committees on Community Affairs; Criminal Justice; Governmental Operations; and General Government Appropriations.

By Senator Jones—

SB 978—A bill to be entitled An act relating to ad valorem taxation for public education; amending ss. 1011.71 and 1011.73, F.S.; extending the maximum duration of voted ad valorem millage for school district operations; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Finance and Tax; and Education Pre-K - 12 Appropriations.

By Senator Geller—

SB 980—A bill to be entitled An act relating to Indian gaming activities; designating the Governor as the official to negotiate tribal-state compacts; providing for ratification of tribal-state compacts by the Legislature; providing for submission of the tribal-state compact to the Legislature and Secretary of State; providing for submission of the tribal-state compact to the Secretary of the Interior; providing an effective date.

—was referred to the Committees on Regulated Industries; Governmental Operations; Judiciary; and General Government Appropriations.

By Senator Bennett—

SB 982—A bill to be entitled An act relating to slot machine gaming; providing a short title; requiring an applicant for a license or license renewal for conducting slot machine gaming to enter into a binding agreement with certain additional pari-mutuel associations governing the payment of purses and other awards on live thoroughbred races conducted at the applicant's facility; providing an effective date.

—was referred to the Committees on Regulated Industries; Judiciary; and General Government Appropriations.

By Senator Bennett—

SB 984—A bill to be entitled An act relating to taxes on motor fuel; amending s. 206.41, F.S.; authorizing counties to adopt an ordinance adjusting the rate of the ninth-cent fuel tax or the local option fuel tax based on the percentage change in the Consumer Price Index; providing requirements for imposing the rate change; requiring that the county furnish a copy of the ordinance to the Department of Revenue; requiring the department to notify specified entities that engage in the transfer of motor fuel of the change in the tax rate; reenacting ss. 206.414,

206.43(1)(b) and (6)(a) and (c), 206.47(5)(b), 206.8745(4), 206.9825(1)(a), 336.021(1)(a), and 336.025(1)(a) and (b) and (2)(a), F.S., relating to the collection of taxes, the distribution of the fuel tax, credit against taxes due, aviation fuel taxes, the use of tax revenues, and the levy of local option fuel taxes, to incorporate the amendment to s. 206.41, F.S., in references thereto; providing an effective date.

—was referred to the Committees on Transportation; Community Affairs; Finance and Tax; and General Government Appropriations.

By Senator Jones—

SB 986—A bill to be entitled An act relating to the local government infrastructure surtax; amending s. 212.055, F.S.; redefining the term "infrastructure" to allow the proceeds of a local government infrastructure surtax to be used to purchase land for the construction of affordable or workforce housing units; providing an effective date.

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

By Senator Wise—

SB 988—A bill to be entitled An act relating to transitional services for young adults with disabilities; creating a health care transition services task force within the Department of Health; providing legislative intent; providing for membership, duties, and responsibilities of the task force; providing for reimbursement of members for expenses; requiring the Legislature to allocate funds to the task force; requiring the task force to assess the need for health care transition services and provide a report to the Governor and the Legislature; creating the Don Davis Health and Transition Services Program of Jacksonville; assigning the program for administrative purposes to the Children's Medical Services Network within the Department of Health; providing purposes of the program; describing participating service providers and the services that they are to provide; providing for an evaluation of the program; providing an appropriation; providing an effective date.

—was referred to the Committees on Health Policy; Children, Families, and Elder Affairs; and Health and Human Services Appropriations.

By Senator Wise—

SB 990—A bill to be entitled An act relating to gifted and academically talented student education; creating s. 1003.572, F.S.; requiring the Department of Education to develop procedures for screening students for identification as gifted or academically talented students; specifying parental notice and other requirements for such screening; requiring the department to develop eligibility criteria for gifted and academically talented student identification and specifying criteria therefor; requiring the department to develop model gifted and academically talented student education programs and specifying program requirements; requiring the department to develop procedures for evaluating the effectiveness of model education programs; requiring the department to develop procedures and eligibility criteria for whole-grade acceleration; requiring district school boards to implement screening procedures, eligibility criteria, model education programs, evaluation procedures, and whole-grade acceleration policies; requiring district school board reporting; requiring rulemaking; amending s. 1004.04, F.S.; requiring state-approved teacher preparation programs to incorporate specified gifted and academically talented student instruction; amending s. 1011.62, F.S.; requiring certain school district guaranteed allocation expenditures to be reported separately; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; and Education Pre-K - 12 Appropriations.

By Senator Fasano—

SB 992—A bill to be entitled An act relating to foreclosure fraud; providing legislative findings and intent with respect to the need to protect homeowners who enter into agreements designed to save their homes from foreclosure; providing definitions; prohibiting a foreclosure consultant from engaging in certain acts or failing to perform contracted services; requiring that all agreements for foreclosure-related services and foreclosure-rescue services be in writing; specifying information that must be in the written agreement; requiring that certain statements in the written agreement be in bold type, in uppercase letters, and of a specified size; providing that the homeowner has a right to cancel the agreement for a specified period and the right may not be waived; providing that the homeowner has a specified period during which to cure a default under certain circumstances; requiring that an equity purchaser verify the homeowner's ability to make payments under a repurchase agreement; providing that a foreclosure-rescue transaction involving a lease option or other repurchase agreement creates a rebuttable presumption that the transaction is a loan transaction and the conveyance from the homeowner to the equity purchaser is a mortgage; providing that a person who violates certain provisions of the act commits an unfair and deceptive trade practice as defined in ch. 501, F.S.; providing an effective date.

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

By Senator Fasano—

SB 994—A bill to be entitled An act relating to sexual violence; amending s. 741.313, F.S.; defining the term "sexual violence"; providing specified employee leave benefits to employees who are victims of sexual violence or who have a family or household member who is a victim of sexual violence; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Commerce; Governmental Operations; and Judiciary.

By Senator Wise—

SB 996—A bill to be entitled An act relating to cosmetology; amending s. 477.013, F.S.; providing and revising definitions; redefining "cosmetology" to include hair technician, esthetician, and nail technician services; including body wrapping within esthetician services; removing a distinction between specialty salons and other salons; creating s. 477.0131, F.S.; authorizing licensure for hair technicians, estheticians, nail technicians, and cosmetologists; amending s. 477.0132, F.S.; authorizing renewal of current body wrapping registrations; increasing length of required course; specifying that only the Board of Cosmetology may review, evaluate, and approve required course and text; amending s. 477.014, F.S.; revising requirements for qualification to practice under ch. 477, F.S.; authorizing current specialists to sit for licensure examinations in certain circumstances; providing for the renewal of current specialty registrations; amending s. 477.019, F.S.; revising qualification, education, licensure and renewal, supervised practice, and endorsement requirements for cosmetologist licenses to include and differentiate qualification, education, licensure and renewal, supervised practice, and endorsement requirements for hair technician, esthetician, and nail technician licenses; requiring the board to adopt certain procedures relating to licensure by endorsement; amending s. 477.0212, F.S.; requiring the board to adopt certain rules relating to license renewal or continuing education; amending s. 477.023, F.S.; stipulating that the Department of Education is not prevented from issuing grooming and salon services certification; amending s. 477.025, F.S., relating to cosmetology and specialty salons, requisites, licensure, inspection, and mobile cosmetology salons, to conform; amending s. 477.026, F.S.; revising fee provisions to conform; amending s. 477.0263, F.S., to conform; specifying circumstances under which cosmetology or specialty services may be practiced outside of a licensed salon; amending s. 477.0265, F.S., relating to prohibited acts, to conform; amending s. 477.028, F.S., relating to disciplinary proceedings, to conform; amending s. 477.029, F.S., relating to penalties, to conform; repealing s. 477.0201, F.S., relating to specialty registration, qualifications, registration renewal, and endorsement; providing an appropriation; providing effective dates.

—was referred to the Committees on Regulated Industries; Higher Education; General Government Appropriations; and Higher Education Appropriations.

By Senator Wise—

SB 998—A bill to be entitled An act relating to public school personnel retirement benefits; amending s. 121.091, F.S.; increasing the period of time for certain school personnel to participate in the Deferred Retirement Option Program; deleting obsolete provisions; providing legislative findings with respect to ensuring adequate staffing for the public school system and funding extended benefits in an actuarially sound manner; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Governmental Operations; Education Pre-K - 12 Appropriations; and General Government Appropriations.

By Senator King—

SB 1000—A bill to be entitled An act relating to the Jacksonville Transportation Authority; amending s. 349.02, F.S.; revising definitions; defining the term "transportation facilities"; amending s. 349.03, F.S.; specifying that the authority is an agency of the state and not a unit of any other political subdivision; revising a requirement for membership on the governing body of the authority to provide that an appointed member must be a resident and elector of Duval County; amending s. 349.04, F.S.; revising scope of the authority to include certain services throughout Duval County; revising authority, powers, rights, and responsibilities of the authority to provide for planning, coordinating, developing, financing, refinancing, constructing, owning, leasing, purchasing, operating, maintaining, relocating, equipping, repairing, and managing described transportation projects intended to address needs or concerns in the Jacksonville, Duval County, metropolitan area; revising bonding provisions; providing for the authority to fix, alter, charge, establish, and collect rates, fees, rentals, and other charges for any transportation facilities of the authority; authorizing purchases under government contract; revising eminent domain provisions to include specified procedural powers; authorizing use of local option taxes or county gasoline tax funds to secure the payment of bonds; authorizing the authority to establish and fund reserve accounts, adopt an annual budget, use purchasing schedules and master purchasing contracts, retain legal counsel and other consultants, construct and own and maintain transportation facilities outside the jurisdictional boundaries of Duval County, form public benefit corporations, require bid bonds and protest bonds, prequalify bidders or proposers, suspend or debar consultants and contractors, and create and operate an employees' benefit fund; providing for the authority to expand its service area and enter into a partnership with a contiguous county; providing that the powers and obligations of the authority shall not be subject to supervision, approval, or consent of any municipality or county except as agreed upon in an interlocal agreement; providing for certain contractual obligations and recovery of damages; providing for relocation of utility facilities interfering with transportation projects; authorizing the authority to enter lands, waters, and premises of another in the performance of its duties; amending s. 349.041, F.S.; revising provisions for funds appropriated by the City of Jacksonville to the authority; repealing s. 349.042, F.S., relating to the Jacksonville area planning board review of construction and operation of the expressway and transit functions of the authority; creating s. 349.043, F.S.; requiring a public hearing prior to designation or relocation of transportation facilities or substantive changes thereto; providing procedures; requiring compliance with federal requirements related to new or altered transportation facilities or services; amending s. 349.05, F.S.; authorizing bonds to be issued on behalf of the authority; revising provisions for issuance and sale of bonds; authorizing certain refunding bonds; revising provisions for resolutions authorizing bonds; revising provisions for fiscal agents; providing that bonds are not obligations of the state; repealing s. 349.06, F.S., relating to remedies of the bondholders; creating s. 349.061, F.S.; providing approval for bond financing by the authority; amending s. 349.07, F.S.; revising provisions authorizing the Department of Transportation to expend certain funds and use its resources for certain items related to the Jacksonville Expressway System; amending s. 349.10, F.S.; revising provisions for the authority to acquire lands and rights therein; limiting liability of the authority with respect to certain contamination of lands acquired; authorizing the authority and the Department of Environmental Protection to enter into agreements for the performance and funding of investigative and remedial acts; amending s. 349.12, F.S.; revising covenant of the state related to bonds of the authority; amending s. 349.13, F.S.; specifying conditions under which property leased by the authority is exempt from ad valorem taxes; amending s. 349.15, F.S.; revising provisions for enforcement of rights by bondholders; amending s. 349.17, F.S.; revising provisions for application of and exemption from other laws relating to issuance of bonds; amending s. 349.21, F.S.; revising provisions for use of charter county transit system surtax funds; creating s. 349.22, F.S.; providing conditions for the authority to receive or solicit proposals and enter into agreements with private entities for the building, operation, ownership, or financing of highways, bridges, multimodal transportation systems, transit-oriented development nodes, transit stations, or related transportation facilities; requiring certain costs to be paid by the private entity; authorizing the department to use state funds for projects on or that increase mobility on the State Highway System; requiring notice of proposals and providing procedures; providing for agreements to authorize the public-private entity to impose tolls; requiring public-private transportation facilities to comply with laws, comprehensive plans, and the authority's rules, policies, procedures, standards, and conditions; authorizing the authority to exercise its powers to facilitate public-private projects; providing for application; providing an effective date.

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

SR 1002—Not referenced.

By Senator Fasano—

SB 1004—A bill to be entitled An act relating to partial payment of property taxes; amending s. 197.373, F.S.; requiring tax collectors to accept payments of portions of amounts billed in tax notices; subjecting unpaid amounts to penalties, interest, and other processes of law; amending ss. 192.0105, 197.432, 197.442, and 197.443, F.S.; conforming provisions; providing an effective date.

—was referred to the Committees on Community Affairs; Finance and Tax; and General Government Appropriations.

By Senator Geller—

SB 1006—A bill to be entitled An act relating to cardrooms; amending s. 849.086, F.S.; defining the term "high-stakes poker"; authorizing cardroom operators to host televised high-stakes poker tournaments at certain pari-mutuel facilities; providing limitations; authorizing the Division of Pari-mutuel Wagering of the Department of Business and Professional Regulation to adopt rules governing the operation of high-stakes poker tournaments; providing an effective date.

—was referred to the Committees on Regulated Industries; Finance and Tax; and General Government Appropriations.

By Senator Storms—

SB 1008—A bill to be entitled An act relating to failure to redeliver hired vehicles; amending s. 817.52, F.S.; providing that a photo of the person hiring a vehicle is not required in order to report the failure to redeliver that hired vehicle in violation of a specified provision; requiring the entry of reports of such failures in specified reporting systems; providing an effective date.

—was referred to the Committees on Transportation; and Criminal Justice.

By Senator Hill—

SB 1010—A bill to be entitled An act relating to health insurance; creating the "Senator Les Miller Act"; creating ss. 627.64091 and 627.64185, F.S., and amending s. 641.31, F.S.; requiring that health insurance policies, group health insurance policies, and health maintenance contracts provide coverage for an annual screening for prostate

cancer for men of a specified age or older; providing requirements for the screening; providing that coverage for prostate cancer screening does not limit diagnostic benefits otherwise allowed under the policy; amending s. 627.6515, F.S.; providing for the benefit requirement to apply to a group health insurance policy issued or delivered outside the state; providing a finding that the act fulfills an important state interest; providing for application of the act; providing an effective date.

—was referred to the Committees on Banking and Insurance; Health Policy; and General Government Appropriations.

By Senators Gaetz, Baker, Fasano, Posey, Oelrich and Bennett—

SB 1012—A bill to be entitled An act relating to health insurance claims payments; amending ss. 627.6131 and 641.31, F.S.; prohibiting health insurance contracts and health maintenance contracts from prohibiting or restricting insureds from assigning plan benefits to certain noncontract providers for certain covered services; requiring payment by an insurer of plan benefits under assignment and acceptance by noncontract providers; requiring noncontract providers accepting such assignments to accept any payments from plan benefit insurers and prohibiting such providers from collecting any balances from insureds; amending s. 627.6471, F.S.; prohibiting insurers and plan administrators from reimbursing preferred providers at alternative or reduced rates for covered services under certain circumstances; providing exceptions; prohibiting preferred provider contract parties from selling, leasing, or transferring contract payment or reimbursement terms information under certain circumstances; amending s. 641.315, F.S.; prohibiting health maintenance organizations from selling, leasing, or transferring contract payment or reimbursement terms information under certain circumstances; amending s. 641.3155, F.S.; decreasing the period of time authorized for overpayment claims of health maintenance organizations against providers; providing an effective date.

—was referred to the Committees on Banking and Insurance; Commerce; Health Policy; and General Government Appropriations.

By Senator Gaetz—

SB 1014—A bill to be entitled An act relating to management of Historic Pensacola properties; amending s. 267.173, F.S.; providing for the University of West Florida to directly contract for management of certain state-owned properties in Pensacola; requiring agreement of all parties to existing contracts and execution of contract with the Board of Trustees of the Internal Improvement Trust Fund; deleting a requirement to contract with the Department of State for certain historic properties in Pensacola; deleting language related to transfer of properties and contract requirements with the Department of State; permitting the University of West Florida to contract with its direct-support organization for management of historic properties; providing eligibility for certain grants; providing an effective date.

—was referred to the Committees on Governmental Operations; Higher Education; Transportation and Economic Development Appropriations; and Higher Education Appropriations.

By Senator Bennett—

SB 1016—A bill to be entitled An act relating to podiatrists; amending s. 461.003, F.S.; redefining the term "practice of podiatric medicine"; creating s. 461.0145, F.S.; prohibiting a licensed podiatrist from performing ankle surgery unless the podiatrist meets certain requirements for education and training; providing a period during which a licensed podiatrist must meet the eligibility requirements in order to perform ankle surgery; providing accreditation requirements for the hospital or surgical center at which ankle surgery is performed; authorizing a podiatrist to perform nonsurgical care; prohibiting a podiatrist from performing surgery on certain fractures; providing an effective date.

—was referred to the Committees on Health Regulation; and Health and Human Services Appropriations.

By Senator Fasano—

SB 1018—A bill to be entitled An act relating to property insurance appraisal umpires; amending s. 624.501, F.S.; providing filing fees regarding the application for and issuance of a license, as well as the biennial renewal or continuation thereof, by a property insurance appraisal umpire; amending s. 626.015, F.S.; defining the terms "property insurance loss appraiser" and "property insurance appraisal umpire" for purposes of the Licensing Procedures Law; amending s. 626.016, F.S.; providing that property insurance appraisal umpires are subject to the powers of the Department of Financial Services, the Financial Services Commission, and the Office of Insurance Regulation; amending s. 626.022, F.S.; expanding the scope of part I of ch. 626, F.S., to include property insurance appraisal umpires; amending s. 626.112, F.S.; requiring that property insurance appraisal umpires operating in this state be licensed by the department; creating part XII of ch. 626, F.S.; creating s. 626.9931, F.S.; providing a legislative finding and purpose; creating s. 626.9932, F.S.; providing the scope and parameters for application; creating s. 626.9933, F.S.; providing definitions; creating s. 626.9934, F.S.; providing procedures for the application for licensure as a property insurance appraisal umpire; requiring that all applicants be fingerprinted by a law enforcement agency or other entity approved by the department at the time of application; requiring the department to develop and maintain an updated list of licensed umpires; creating s. 626.9935, F.S.; authorizing the department to adopt rules; creating s. 626.9936, F.S.; providing qualifications for licensure as a property insurance appraisal umpire; creating s. 626.9937, F.S.; providing requirements for licensure as a property insurance appraisal umpire; creating s. 626.9938, F.S.; providing for the regulation of umpire course providers, instructors, and courses; requiring the department to adopt rules establishing standards for providers, instructors, and courses; requiring the department to adopt rules establishing a process for determining compliance with certain prelicensure requirements and adopting forms to be used for the administration of such requirements; creating s. 626.9939, F.S.; providing grounds for the compulsory refusal, suspension, or revocation of an umpire's license; creating s. 626.9940, F.S.; providing grounds for the discretionary refusal, suspension, or revocation of an umpire's license; creating s. 626.9941, F.S.; providing ethical standards for property insurance loss appraisal umpires; creating s. 626.9942, F.S.; requiring that a licensed property insurance appraisal umpire retain certain records for a specified period; requiring that umpires make such records available for inspection and copying by the department; requiring that appraisals that are the subject of litigation or have been admitted as evidence in a lawsuit be retained for a specified period; creating s. 627.4141, F.S.; providing procedures that must be followed if a residential or commercial property insurance contract provides that either party may submit a written demand to enter into the process of appraisal when the insured and the insurer fail to mutually agree to the actual cash value, the amount of loss, or the cost of repair or replacement of property for which a claim has been filed; providing an exception upon which an insurer may refuse to accept such demand; authorizing each party to select a competent and independent appraiser and to notify the opposing party within a specified period; requiring the appraisers to select an umpire from the department's list of licensed umpires; authorizing either party to file a petition, in a county or circuit court in the jurisdiction in which the covered property is located, to designate an umpire if the appraisers cannot agree on the selection of an umpire; providing that appraisal proceedings are informal unless the insurer and the insured agree otherwise; defining and providing the scope of the term "informal" for purposes of appraisal proceedings; requiring each appraiser to submit a written report to the other appraisers; requiring that any differences in findings among the appraisers which cannot be resolved by the appraisers themselves be submitted to the umpire for review; requiring the umpire to submit his or her conclusions regarding any unresolved differences in the findings of the appraisers within a specified period; providing that if either appraiser agrees with the conclusions of the umpire, an itemized written appraisal award signed by the umpire and appraiser shall be filed with the insurer and shall determine the amount of the loss; providing that the appraisal award is binding upon the insurer and the insured; providing for compensation of the appraisers and the umpire; providing that the Florida Arbitration Code does not apply to residential or commercial property insurance loss appraisal proceedings; prohibiting the appraisal process from addressing issues involving coverage or lack thereof under an insurance contract; authorizing the umpire and appraisers to consider

causation issues when necessary to determine the amount of loss; providing an effective date.

—was referred to the Committees on Banking and Insurance; Governmental Operations; and General Government Appropriations.

By Senators Geller and Gaetz—

SB 1020—A bill to be entitled An act relating to affordable housing for veterans; amending s. 201.15, F.S.; increasing the amount of the documentary tax distributed to the State Housing Trust Fund; providing that the increased amount is to be used to fund loans to veterans for affordable housing through the Florida Homeownership Assistance Program; amending s. 420.5092, F.S.; conforming cross-references; providing an appropriation; providing an effective date.

—was referred to the Committees on Community Affairs; Military Affairs and Domestic Security; Finance and Tax; and Transportation and Economic Development Appropriations.

By Senator Peaden—

SB 1022—A bill to be entitled An act relating to health flex plans; amending s. 408.909, F.S.; revising eligibility for enrollment in a health flex plan; extending the expiration date of the health flex plan program; providing an effective date.

—was referred to the Committees on Banking and Insurance; and Health and Human Services Appropriations.

By Senator Oelrich—

SB 1024—A bill to be entitled An act relating to retirement; providing a short title; providing legislative intent; providing a statement of important state interest; amending s. 121.091, F.S.; revising provisions relating to benefits payable for total and permanent disability for certain Special Risk Class members of the Florida Retirement System who are injured in the line of duty; deleting a provision authorizing an employing agency to reemploy a retired member as a firefighter or paramedic after a specified period; amending ss. 175.191 and 185.18, F.S.; providing minimum retirement benefits payable to certain Special Risk Class members who are injured in the line of duty and who are totally and permanently disabled due to such injury; providing for contribution rate increases to fund benefits provided in s. 121.091, F.S., as amended; directing the Division of Statutory Revision to adjust contribution rates set forth in s. 121.71, F.S.; providing an effective date.

—was referred to the Committees on Community Affairs; Criminal Justice; Governmental Operations; and General Government Appropriations.

By Senator Fasano—

SB 1026—A bill to be entitled An act relating to unemployment compensation benefits; amending s. 443.111, F.S.; authorizing the Agency for Workforce Innovation to develop a system for the payment of benefits by electronic funds transfer; requiring the agency to adopt rules necessary to administer the system; providing an effective date.

—was referred to the Committees on Commerce; Governmental Operations; and Transportation and Economic Development Appropriations.

By Senator Saunders—

SB 1028—A bill to be entitled An act relating to the starting date for public schools; amending s. 1001.42, F.S.; beginning in the 2008-2009 school year, prohibiting public schools from starting instruction before August 15; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; and Education Pre-K - 12 Appropriations.

By Senators Gaetz and Baker—

SB 1030—A bill to be entitled An act relating to highway safety; creating the "Deputy Michael Callin, Michael Haligowski, and Deputy Ryan C. Seguin Memorial Traffic Safety Act"; amending s. 318.14, F.S.; limiting the number of times an official having jurisdiction over a traffic infraction may grant a continuance of the hearing; authorizing the court to withhold adjudication of certain violations related to driving without a valid license if the person cited meets certain conditions; providing that the withholding of adjudication is not a conviction under certain circumstances; amending s. 322.03, F.S.; requiring a written judgment signed by the judge and recorded by the clerk for cases involving a violation of requirements to possess a valid driver license; requiring the defendant's fingerprints and a certificate to be affixed to the written judgment of conviction; providing for content of the certificate; requiring the defendant's social security number to be affixed to the written judgment of conviction or the reason for its absence to be indicated; providing that the written judgment constitutes prima facie evidence that the fingerprints are the defendant's fingerprints; amending s. 322.251, F.S.; requiring impoundment and immobilization information to be included with notice to a person whose driver license or driving privilege is being canceled, suspended, revoked, or disqualified; requiring the Department of Highway Safety and Motor Vehicles to make driver license status information available to the public through the Internet and a telephone hotline; requiring the department to certify the date of availability of the information upon request by certain persons; amending s. 322.34, F.S.; providing for application of certain penalty provisions to a person who does not have a valid driver license or whose driver license or driving privilege has been disqualified; revising penalties for driving without a valid license or knowingly driving while driver license or driving privilege is canceled, suspended, revoked, or disqualified for specified alcohol-related or drug-related convictions or refusal to submit to certain testing; revising provisions for satisfaction of the element of knowledge; requiring a cancellation, suspension, revocation, or disqualification by the department or a uniform traffic citation to contain notice that the person's driver license or driving privilege has been canceled, suspended, revoked, or disqualified; requiring impoundment and immobilization information to be included with notice to a person whose driver license or driving privilege has been canceled, suspended, revoked, or disqualified; revising penalty provisions for a habitual offender driving while his or her license is revoked; providing that a person who causes the death of or serious bodily injury to another person by careless or negligent operation of a motor vehicle while his or her license or driving privilege is canceled, suspended, revoked, or disqualified commits a felony of the third degree; requiring a written judgment signed by the judge and recorded by the clerk for cases involving a violation of requirements to possess a valid driver license; requiring the defendant's fingerprints and a certificate to be affixed to the written judgment of conviction; providing for content of the certificate; requiring the defendant's social security number to be affixed to the written judgment of conviction or the reason for its absence to be indicated; providing that the written judgment constitutes prima facie evidence that the fingerprints are the defendant's fingerprints; amending s. 322.34, F.S.; requiring a law enforcement officer who determines that a motor vehicle is being driven by or is under the actual physical control of a person whose driver license or driving privilege is canceled, suspended, revoked, or disqualified to impound or immobilize the motor vehicle; providing for notice to the driver; providing for impoundment and immobilization of the motor vehicle by the department; providing for notice to registered owners of the motor vehicle and lienholders; providing for the department to commence impoundment or immobilization at the scene where the motor vehicle was immobilized; providing procedures; providing for release of the motor vehicle; requiring department records to contain impoundment and immobilization information; providing for payment of costs; providing for certain fees and distribution of moneys collected; requiring the department to authorize release of the motor vehicle under certain circumstances; prohibiting operation of an immobilized motor vehicle; providing for an immobilized motor vehicle that is found being operated upon any street or highway in this state before release from immobilization to be seized and subject to forfeit; authorizing the department to contract with vendors; directing the department to inform the person whose driver license or driving privilege has been canceled, suspended, revoked, or disqualified that any motor vehicle driven by or under the actual physical control of that person is subject to impoundment and immobilization; requiring the department to make driver license status information available to the public through the Internet and a telephone hotline; authorizing the department to adopt rules; providing penalties for knowingly aiding a person whose driver license or driving privilege

is canceled, suspended, revoked, or disqualified by providing a motor vehicle or authorizing use of a motor vehicle; providing for a rebuttable presumption of satisfaction of the knowledge requirement; amending s. 322.341, F.S.; revising penalty provisions for a person who drives a motor vehicle when his or her driver license has been permanently revoked; directing the department to inform drivers whose license or driving privilege has been canceled, suspended, revoked, or disqualified and the motoring public of the provisions for impoundment and immobilization of motor vehicles under this act; providing effective dates.

—was referred to the Committees on Transportation; Criminal Justice; Judiciary; and Transportation and Economic Development Appropriations.

By Senator Lawson—

SB 1032—A bill to be entitled An act relating to the retiree health insurance subsidy; amending s. 112.363, F.S.; increasing the minimum and maximum health insurance subsidies; providing for a cost-of-living adjustment to the subsidy; increasing the contribution paid by employers of members in state-administered retirement plans; providing legislative findings; providing effective dates.

—was referred to the Committees on Community Affairs; Governmental Operations; Education Pre-K - 12 Appropriations; and General Government Appropriations.

By Senator Lawson—

SB 1034—A bill to be entitled An act relating to the state group insurance program; amending s. 110.123, F.S.; deleting a provision that prohibits the state from making a contribution toward the premium for coverage under the program for a retiree or surviving spouse; providing an effective date.

—was referred to the Committees on Governmental Operations; and General Government Appropriations.

By Senator Lawson—

SB 1036—A bill to be entitled An act relating to inmate death notification; amending s. 944.09, F.S.; requiring the Department of Corrections to adopt procedures for providing notice of the death of an inmate in the state correctional system; prescribing written information to be provided to the person designated by the inmate to receive notice of the inmate's death; providing an effective date.

—was referred to the Committee on Criminal Justice.

SB 1038—Withdrawn prior to introduction.

By Senator Bennett—

SB 1040—A bill to be entitled An act relating to electrical power plants; amending s. 403.506, F.S.; revising the thresholds and applicability standards of the Florida Electrical Power Plant Siting Act; exempting from the act an electrical generating facility that expands its capacity by 75 megawatts or less, in the aggregate; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; and Communications and Public Utilities.

By the Committee on Children, Families, and Elder Affairs—

SB 1042—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 63.0541, F.S., relating to a public-records exemption for information contained in the Florida Putative Father Registry; saving the exemption from repeal under the Open Government Sunset Review Act; narrowing the exemption to allow access by the birth mother; repealing s. 2, ch. 2003-56, Laws of Florida, relating to provisions providing for the repeal of the exemption; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Judiciary; Governmental Operations; and Rules.

By the Committee on Children, Families, and Elder Affairs—

SB 1044—A bill to be entitled An act relating to the reporting of child abuse, abandonment, or neglect; amending s. 39.205, F.S.; requiring the Department of Children and Family Services to annually report to the Legislature information concerning reports, investigations, and prosecutions involving child abuse, abandonment, or neglect, investigations and fines imposed for false reports, and reports resulting in prosecution; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; and Criminal Justice.

By the Committee on Children, Families, and Elder Affairs—

SB 1046—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 409.175, F.S.; revising the public-records exemption provided for information held by the Department of Children and Family Services regarding foster parent applicants, foster parents, and persons providing character or neighbor references regarding foster parent applicants or foster parents; removing an exemption provided for social security numbers; saving the exemption from repeal under the Open Government Sunset Review Act; repealing s. 2, ch. 2003-83, Laws of Florida; deleting provisions that provide for the repeal of the exemption; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Judiciary; Governmental Operations; and Rules.

By the Committee on Children, Families, and Elder Affairs—

SB 1048—A bill to be entitled An act relating to child welfare; amending s. 39.0121, F.S.; authorizing the Department of Children and Family Services to adopt rules providing for locating and recovering missing children who are involved with the department; providing requirements for reports; creating s. 39.0141, F.S.; requiring that the department, the community-based care provider, or sheriff's office file a report following a determination that a child involved with the department is missing; amending s. 787.04, F.S.; prohibiting a person from knowingly and willfully taking or removing a minor from the state or concealing the location of a minor during the pendency of a dependency proceeding or any other action concerning alleged abuse or neglect of the minor; amending s. 937.021, F.S.; requiring that a report of a missing child made by the department, a community-based care provider, or a sheriff's office be treated as a missing child report filed by a parent or guardian; prohibiting a law enforcement agency from requiring an order that a child be taken into custody or any other such order before accepting a missing child report for investigation; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Criminal Justice; and Health and Human Services Appropriations.

By Senator Villalobos—

SB 1050—A bill to be entitled An act relating to the state judicial system; expressing the legislative intent to revise laws relating to the state judicial system; providing an effective date.

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

By Senator Villalobos—

SB 1052—A bill to be entitled An act relating to individual rights; expressing the legislative intent to enact laws relating to the rights of individuals; providing an effective date.

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

By Senator Villalobos—

SB 1054—A bill to be entitled An act relating to the Justice Administrative Commission; expressing the legislative intent to enact laws relating to the Justice Administrative Commission; providing an effective date.

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

By Senator Villalobos—

SB 1056—A bill to be entitled An act relating to the state courts system; expressing the legislative intent to enact laws relating to the state courts system; providing an effective date.

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

By Senator Villalobos—

SB 1058—A bill to be entitled An act relating to public records and meetings; expressing the legislative intent to create an exemption from public-records and public-meetings requirements; providing an effective date.

—was referred to the Committees on Judiciary; Governmental Operations; Criminal and Civil Justice Appropriations; and Rules.

By Senator Villalobos—

SJR 1060—A joint resolution proposing an amendment to the State Constitution.

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

By Senators Dockery and Fasano—

SB 1062—A bill to be entitled An act relating to educator certification requirements; amending s. 1012.56, F.S.; requiring subject area examinations in specified foreign languages for the purpose of demonstrating mastery of that subject area knowledge; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; and Education Pre-K - 12 Appropriations.

By Senator Dockery—

SB 1064—A bill to be entitled An act relating to murder of law enforcement officers; creating s. 782.065, F.S.; providing a minimum mandatory sentence for certain offenses; providing an effective date.

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

SR 1066—Not referenced.

By Senator Siplin—

SB 1068—A bill to be entitled An act relating to required instruction for public schools; amending s. 1003.42, F.S.; requiring that the character-development program for kindergarten through grade 12 include conflict-resolution management; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; and Education Pre-K - 12 Appropriations.

By Senator King—

SB 1070—A bill to be entitled An act relating to intergovernmental cooperation; amending s. 163.01, F.S.; authorizing parties to an interlocal agreement to provide for the use or maintenance of facilities or equipment; amending s. 1003.02, F.S.; authorizing district school boards to perform certain functions by means of an interlocal agreement; amending s. 1006.261, F.S.; providing for use of school buses for additional public purposes; providing for reimbursement and indemnification; providing an effective date.

—was referred to the Committees on Community Affairs; Education Pre-K - 12; and Education Facilities Appropriations.

By Senator Villalobos—

SB 1072—A bill to be entitled An act relating to the judiciary; expressing the legislative intent to enact laws relating to the judiciary; providing an effective date.

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

By Senator Villalobos—

SB 1074—A bill to be entitled An act relating to litigation; expressing the legislative intent to enact laws relating to litigation; providing an effective date.

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

By Senators King, Storms and Justice—

SB 1076—A bill to be entitled An act relating to the dismantling and destruction of motor vehicles and mobile homes; amending s. 319.30, F.S.; revising definitions; defining "certificate of title," "derelict motor vehicle," "derelict motor vehicle certificate," "recreational vehicle," and "salvage certificate of title"; revising provisions requiring that certain documents accompany a motor vehicle or mobile home sold, transported, or delivered to a salvage motor vehicle dealer or a secondary metals recycler; providing requirements for the transfer of a derelict motor vehicle to a salvage motor vehicle dealer or a secondary metals recycler; requiring the purchaser to record and maintain certain information; providing for the use of a derelict motor vehicle certificate if the certificate of title, salvage certificate of title, or certificate of destruction is not available; restricting reassignment of a derelict motor vehicle certificate; providing penalties; revising provisions for reporting to the Department of Highway Safety and Motor Vehicles and cancellation of title records; providing for an electronic notification system to be established by the department; providing for the placement of a hold on a motor vehicle or mobile home in the possession of a salvage motor vehicle dealer or secondary metals recycler by an agent or employee of the department or a law enforcement officer who has reason to believe that the motor vehicle or mobile home was stolen or is fraudulently titled; authorizing the department to adopt rules and charge described fees; amending s. 319.14, F.S.; correcting a cross-reference; providing an effective date.

—was referred to the Committees on Transportation; Commerce; Criminal Justice; and Transportation and Economic Development Appropriations.

By Senator Wise—

SB 1078—A bill to be entitled An act relating to personal property title insurance; amending s. 624.608, F.S.; redefining the term "title insurance" to include personal property; defining the term "personal property title insurance"; amending s. 627.7711, F.S.; modifying the definition of "primary title services" to mean those services based upon an evaluation of a reasonable title search or a search of the records of an appropriate database; providing an effective date.

—was referred to the Committees on Banking and Insurance; and Commerce.

By Senators Peaden and Joyner—

SB 1080—A bill to be entitled An act relating to the Johnnie B. Byrd, Sr., Alzheimer's Center and Research Institute; repealing s. 1004.445, F.S., pertaining to the creation and operation of the Alzheimer's Center and Research Institute; providing an effective date.

—was referred to the Committees on Higher Education; Health and Human Services Appropriations; and Higher Education Appropriations.

By Senator Ring—

SB 1082—A bill to be entitled An act relating to stalking; amending s. 784.048, F.S.; redefining the terms "harass," "credible threat," and "cyberstalk"; defining the terms "electronic communication," "electronic communication device," and "immediate family"; increasing criminal penalties; providing for reclassification of criminal penalties for certain offenses; providing for a civil cause of action and remedies; providing that the civil remedies are in addition to any other civil, administrative, or criminal remedies provided by law; amending s. 921.0022, F.S., relating to the offense severity ranking chart; conforming provisions to changes made by the act; providing an effective date.

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

By Senator Rich—

SB 1084—A bill to be entitled An act relating to the termination of parental rights; amending s. 39.812, F.S.; requiring a petition for adoption to be accompanied by a statement verifying that adoptive parents have received all information required to be disclosed; amending s. 49.011, F.S.; providing for service of process by publication for termination of parental rights under ch. 63, F.S.; amending s. 63.032, F.S.; redefining terms; amending s. 63.039, F.S.; requiring an adoption entity to provide adoption disclosure statements to persons whose consent is required for adoption; requiring attorney's fees and costs in certain actions to be awarded pursuant to the Florida Rules of Civil Procedures; amending s. 63.0425, F.S.; clarifying a grandparent's right to notice; amending s. 63.054, F.S.; providing that an unmarried biological father who fails to register with the Florida Putative Father Registry before the filing of a petition for termination of parental rights may not file a paternity claim under ch. 742, F.S.; providing an exception from the time limitations for filing a paternity claim; providing that if a registrant fails to report a change of address, the adoption entity or adoption petitioner is not obligated to search further for the registrant; requiring a petitioner in a proceeding in which parental rights are terminated simultaneously with entry of final judgment of adoption to contact the Office of Vital Statistics for a search of the registry; providing procedures for searching the registry when termination of parental rights and an adoption proceeding are adjudicated separately; amending s. 63.062, F.S.; revising criteria for serving notice of terminating parental rights to the father of a minor; revising procedures for serving notice of intended adoption plan; providing criteria for avoiding default on providing consent to adoption; providing for the proper venue to file a petition to terminate parental rights; amending s. 63.063, F.S.; revising the standard for compliance with laws relating to adoption; amending s. 63.082, F.S.; revising the notice and consent requirements to adoption to also exclude cases involving sexual activity with certain minors; revising consent requirements that apply to men; limiting the time period for revoking consent to adopt a child older than 6 months of age to 3 business days; revising requirements for withdrawing a consent for adoption; amending s. 63.085, F.S.; revising requirements for required disclosures by an adoption entity; requiring that background information concerning the child be revealed to prospective adoptive parents; amending s. 63.087, F.S.; revising procedures for terminating parental rights pending an adoption; providing the proper venue in which to file a petition to terminate parental rights; providing for joint petitions for termination of parental rights and adoption; providing that failure to appear at certain hearings constitutes grounds for termination of parental rights; removing a provision relating to the procedure for notifying a petitioner of a final hearing; amending s. 63.088, F.S.; providing that a mother's failure to identify an unmarried biological father is not a defense to a termination of parental rights; revising information relating to a court's inquiry about the father of the child who is to be adopted; requiring persons contacted by a petitioner or adoption entity to release certain information; providing that a judgment approving a diligent search is not subject to direct or collateral attack; amending s. 63.089, F.S.; revising provisions relating to service of notice and petition regarding termination of parental rights and consent to adoption; revising conditions for making a finding of abandonment; prohibiting a person who failed to establish parental rights from challenging a judgment terminating parental rights under certain circumstances; amending s. 63.092, F.S.; revising the conditions and timeframe for an adoption entity to report to the court the intent to place a minor for adoption; amending s. 63.102, F.S.; revising procedures for the filing of a petition for adoption; providing the proper venue where the petition may be filed; amending s. 63.122, F.S.; revising whose name may be removed from a petition under certain circumstances; amending s. 63.132, F.S.; providing additional exceptions to the requirement that the adoptive parent and the adoption entity file an affidavit itemizing all expenses and receipts; amending s. 63.135, F.S.; requiring the adoption entity or petitioner to file an affidavit under the Uniform Child Custody Jurisdiction and Enforcement Act in a termination of parental rights proceeding; deleting information required to be submitted under oath to the court; amending s. 63.142, F.S.; requiring that if an adoption petition is dismissed, any further proceedings regarding the minor be brought in a separate custody action under ch. 61, F.S., a dependency action under ch. 39, F.S., or a paternity action under ch. 742, F.S.; revising conditions under which a judgment terminating parental rights is voidable; amending s. 63.192, F.S.; requiring the courts of this state to recognize decrees of termination of parental rights and adoptions from other states and countries; amending s. 63.212, F.S.; revising acts that are unlawful pertaining to adoptions; creating s. 63.236, F.S.; providing that a petition for termination of parental rights filed before the effective date of the act is governed by the law in effect at the time the petition was filed; amending s. 742.021, F.S.; requiring the clerk of court to issue certain notice in cases of complaints concerning determination of paternity; amending s. 742.10, F.S.; providing applicability of chs. 39 and 63, F.S., to jurisdiction and procedures for determination of paternity for children born out of wedlock; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Judiciary; and Criminal and Civil Justice Appropriations.

By Senator Bennett—

SB 1086—A bill to be entitled An act relating to illegal or undocumented aliens; creating s. 775.0865, F.S.; requiring that the court reclassify a felony or misdemeanor offense to the next higher degree if the offense is the second or subsequent offense committed by an illegal or undocumented alien who has unlawfully reentered the United States after deportation; providing for application of the severity ranking chart of the Criminal Punishment Code; defining the term "illegal or undocumented alien"; creating s. 944.5965, F.S.; requiring that the Department of Corrections provide to the United States Department of Homeland Security certain information concerning inmates who are suspected of being illegal or undocumented aliens; requiring that the department transfer an illegal or undocumented alien to the custody of the United States Department of Homeland Security upon completion of sentence; providing procedures for the Department of Corrections to transfer illegal or undocumented aliens who voluntarily choose to return to their country of origin; providing an effective date.

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

By Senator Rich—

SB 1088—A bill to be entitled An act relating to emergency management powers; amending s. 252.35, F.S.; requiring the Division of Emergency Management to review and comment on developments of regional impact; providing an effective date.

—was referred to the Committees on Community Affairs; and Military Affairs and Domestic Security.

By the Committee on Health Policy—

SB 1090—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 409.821, F.S., relating to a public-records exemption for certain records pertaining to the Florida Kidcare program; providing for the release of certain information to the parent or legal guardian of an enrollee; saving the exemption from repeal under the Open Government Sunset Review Act; repealing s. 2, ch. 2003-104, Laws of Florida; deleting provisions providing for the repeal of the exemption; repealing s. 624.91(8), F.S., relating to a public-records exemption for the Florida Healthy Kids Corporation; providing an effective date.

—was referred to the Committees on Health Policy; Governmental Operations; and Rules.

By the Committee on Health Policy—

SB 1092—A bill to be entitled An act relating to the Medicaid waiver program for patients who have Alzheimer's disease; amending s. 430.502, F.S.; extending the authority to continue the waiver program; requiring the Office of Program Policy Analysis and Government Accountability to conduct a comparative study of Medicaid home and community-based-services waiver programs; requiring that the findings and recommendations be submitted to the Legislature by a specified date; providing an effective date.

—was referred to the Committees on Health Policy; Children, Families, and Elder Affairs; and Health and Human Services Appropriations.

By Senators Haridopolos and Gaetz—

SB 1094—A bill to be entitled An act relating to the regulation of releases from gambling vessels; creating s. 376.25, F.S.; providing a short title; providing definitions; requiring gambling vessels operating in coastal waters of the state to register with the Department of Environmental Protection; specifying the requirements for vessel registration; requiring the owners of certain waterfront-landing facilities to establish procedures concerning the release of waste from gambling vessels; requiring that such owners make available a waste-management service meeting specified criteria; requiring that such owners establish and collect certain fees; requiring that the department maintain on its website an estimate of the minimum waste-service demand of such waterfront-landing facilities; providing criteria governing the estimate; requiring the reporting of the release of certain substances into coastal waters by gambling vessels; providing civil penalties for violations; providing for the department to establish and collect fees meeting specified criteria; requiring the department to adopt rules; providing exemptions and legislative intent; directing the department to seek federal approval to amend Florida's Coastal Zone Management Plan and, upon such approval, to petition the Federal Government, via consistency review under the federal Coastal Zone Management Act, to prohibit certain releases from gambling vessels within the federal territorial waters off the shores of this state; directing the department to petition the Federal Government to prohibit certain releases from gambling vessels independently of such approval; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Military Affairs and Domestic Security; Regulated Industries; and General Government Appropriations.

By Senators Margolis, Lynn and Haridopolos—

SB 1096—A bill to be entitled An act relating to the production and shipment of wine; creating s. 561.222, F.S.; authorizing the direct shipment of wine into and within this state for personal consumption only; providing legislative intent; requiring licensure of winery shippers by the Division of Alcoholic Beverages and Tobacco; providing license requirements; requiring recipients of a direct shipment of wine to be 21 years of age; requiring proof of age and the signature of a recipient; providing for the payment of taxes, a monthly report, and recordkeeping by winery shippers; providing requirements for common carriers that make deliveries of wine; providing administrative and criminal penalties for violations of the act; authorizing the division and the Department of Revenue to adopt rules; amending ss. 561.24, 561.54, 561.545, and 564.045, F.S.; conforming provisions to changes made by the act; amending s. 599.004, F.S.; revising requirements for qualifying as a certified Florida Farm Winery; providing an effective date.

—was referred to the Committees on Regulated Industries; and Finance and Tax.

By Senator Fasano—

SB 1098—A bill to be entitled An act relating to insurance adjusters; amending s. 624.501, F.S.; providing for filing fees for an application for reinstatement of a suspended license; amending s. 626.015, F.S.; redefining the term "adjuster" to include a public adjuster apprentice; amending s. 626.221, F.S.; providing that certain company employee adjusters and independent adjusters seeking reinstatement of a suspended license are not required to take an examination; amending s. 626.241, F.S.; requiring that the Department of Financial Services create an examination for applicants seeking licensure as a public adjuster and a separate examination for applicants seeking licensure as a company employee adjuster or independent adjuster; amending s. 626.641, F.S.; providing that a suspended license may not be reinstated unless the individual seeking reinstatement files an application for reinstatement which is subsequently approved by the department; prohibiting the department from approving such an application under certain circumstances; amending s. 626.854, F.S.; prohibiting a public adjuster from soliciting or entering into a contract with any insured or claimant under an insurance policy for a specified period after the occurrence of an event that may be the subject of a claim; providing an exception; providing that a public adjuster's contract to adjust a claim may be canceled by the client without penalty within a specified period after the execution of the contract; requiring that a public adjuster disclose to a client his or her right to cancel a contract by specified means; prohibiting a public adjuster, apprentice, or his or her agent from giving or offering a monetary loan or an article in excess of a specified value to a client or prospective client; providing that a public adjuster may not charge, agree to, or accept a fee, payment, commission, or any compensation based on any claim payments for additional living expenses or based on the amount of a claim payment or payment offer by the insurer which occurred before the date on which the adjuster and insured executed a contract with regard to the claim; providing restrictions on the fees and compensation that may be charged or accepted by a public adjuster with regard to claims involving residential or commercial policies that do or do not arise from hurricanes; prohibiting a public adjuster from basing any charge, fee, payment, commission, or compensation relating to a supplemental claim on the corresponding previous settlement or claim payment; limiting the amount of compensation that may be charged, agreed to, or accepted by a public adjuster to a specified amount; providing an exception; providing that it is an unfair and deceptive insurance trade practice for a public adjuster or any other person to circulate or disseminate any advertisement, announcement, or statement containing any assertion, representation, or statement with respect to the business of insurance which is untrue, deceptive, or misleading; creating s. 626.8541, F.S.; defining the term "public adjuster apprentice"; amending s. 626.865, F.S.; providing qualifications that an applicant must possess before the issuance of a license by the department; requiring that certain persons applying for a license after the completion of a period of suspension, termination, cancellation, revocation, or expiration must pass the examination required for licensure as a public adjuster; creating s. 626.8651, F.S.; providing requirements for licensure as a public adjuster apprentice; requiring that the department approve an application under certain circumstances; requiring that the department deny an application under certain circumstances; requiring that an application be accompanied by an affidavit verifying certain information; requiring that

all license fees be paid before the department issues a license; requiring the applicant to file a bond in a specified amount in favor of the department; providing for termination of the bond; requiring that the apprentice's work be supervised by a licensed adjuster in good standing; authorizing the department to adopt rules governing employment requirements; providing that the supervising adjuster is responsible for the acts of the apprentice; providing a period of effectiveness for an apprentice license; providing that an individual licensed as an apprentice may file an application for licensure as a public adjuster after a specified period of employment as an apprentice; requiring that a sworn affidavit containing certain information accompany such application; prohibiting an apprentice from performing any functions for which a license is required after the expiration of his or her license for apprenticeship without first obtaining a license to work as a public adjuster; limiting the authority of a public adjuster apprentice; amending s. 626.869, F.S.; providing for continuing education for company employee adjusters, independent adjusters, and public adjusters; providing for the satisfaction of continuing education requirements for nonresident adjusters; amending s. 626.8698, F.S.; providing disciplinary guidelines for public adjusters and public adjuster apprentices; amending s. 626.870, F.S.; providing requirements for the reinstatement of a suspended license; providing for the notification of denial or approval of an application for reinstatement; amending s. 626.8732, F.S.; revising requirements for licensure as a nonresident public adjuster; providing exceptions to such requirements; requiring that an applicant for licensure as a nonresident public adjuster provide certain information with his or her application; requiring that the department verify the nonresident applicant's licensing status; creating ss. 626.8796 and 626.8797, F.S.; requiring that all contracts for services by a public adjuster be in writing and contain a specified statement regarding fraud; providing that any person who knowingly and with intent to injure, defraud, or deceive any insurer or who files a statement of claim or proof of loss containing any false, incomplete, or misleading information commits a felony of the third degree; providing a statement that must be signed by a public adjuster for claims under a policy requiring the filing of a written proof of loss containing an estimate of the costs to repair or replace damaged property; providing that it is a felony of the third degree for any person who, with the intent to injure, defraud, or deceive any insurer, prepares, presents, or causes to be presented a proof of loss in support of a claim under an insurance policy knowing that the proof of loss contains any false, incomplete, or misleading information concerning any fact or thing material to the claim; providing an effective date.

—was referred to the Committees on Banking and Insurance; Judiciary; Criminal Justice; and General Government Appropriations.

By Senator Jones—

SB 1100—A bill to be entitled An act relating to the state lottery; expressing the legislative intent to revise laws relating to the state lottery; providing an effective date.

—was referred to the Committees on Regulated Industries; General Government Appropriations; and Rules.

By Senator Geller—

SB 1102—A bill to be entitled An act relating to the use of high-occupancy-vehicle lanes; amending s. 316.0741, F.S.; revising definitions; requiring certain vehicles driven in an HOV lane to comply with specified fuel economy standards; providing that eligibility of certain vehicles to operate in an HOV lane shall be determined in accordance with United States Environmental Protection Agency rule; authorizing the Department of Highway Safety and Motor Vehicles to limit or discontinue use of decals for vehicles authorized to use HOV lanes; providing for continued toll-free use of HOV lane facility when the facility is redesignated as open tolling; providing an effective date.

—was referred to the Committees on Transportation; Environmental Preservation and Conservation; and Transportation and Economic Development Appropriations.

By Senator Bennett—

SB 1104—A bill to be entitled An act relating to alcohol abuse by an expectant mother; providing a short title; creating the "Fetal Alcohol Syndrome Prevention Act"; providing legislative findings; providing a definition; directing the Department of Health to develop a public education program, including a telephone information hotline, to provide information regarding fetal alcohol spectrum disorders; directing the Department of Health in conjunction with the Department of Children and Family Services to develop and maintain a Fetal Alcohol Spectrum Disorders Prevention Network consisting of service providers and Fetal Alcohol Spectrum Disorders Diagnostic and Intervention Centers; requiring establishment of a system for assessing charges for certain services; requiring the Department of Health, the Department of Children and Family Services, and the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation to provide access to certain information on their respective Internet websites; creating s. 397.602, F.S.; providing for the voluntary admission of an expectant mother for alcohol abuse treatment services; providing evaluation procedures; removing disability of minority solely for voluntary admission; providing an exception; amending s. 397.675, F.S.; providing criteria for involuntary admission of an expectant mother under certain circumstances; amending s. 397.6772, F.S.; providing that an expectant mother may not be detained in protective custody at any municipal or county jail for purposes of fetal alcohol spectrum disorders prevention; amending s. 397.6791, F.S.; specifying who may request emergency admission; amending s. 397.6793, F.S.; providing criteria for a physician's certificate for emergency admission; amending s. 397.681, F.S.; providing for jurisdiction over petitions for involuntary assessment, stabilization, and treatment; specifying the respondent's right to counsel; amending s. 397.6811, F.S.; specifying who may petition the court for involuntary assessment and stabilization; amending s. 397.6814, F.S.; providing for content of a petition for involuntary assessment and stabilization; amending s. 397.6815, F.S.; providing procedures for disposition of a petition for involuntary assessment and stabilization; amending s. 397.695, F.S.; specifying who may petition the court for involuntary treatment; amending s. 397.6951, F.S.; providing for content of a petition for involuntary treatment; amending s. 397.6955, F.S.; providing procedures for disposition of a petition for involuntary treatment; amending s. 397.6957, F.S.; providing for a hearing on a petition for involuntary treatment of an expectant mother under certain circumstances; assigning the burden of proof in cases of involuntary treatment; amending s. 397.697, F.S.; providing for effect of court order for involuntary treatment; creating s. 562.063, F.S.; requiring described health warning signs to be displayed on the premises of alcoholic beverage vendors; providing penalties; requiring the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation to produce and distribute the signs; providing for a fee and collection of the fee for costs of the signs; reenacting s. 397.6773(1), F.S., relating to dispositional alternatives after protective custody, to incorporate the amendment to s. 397.675, F.S., in a reference thereto; directing the Department of Health to establish Fetal Alcohol Spectrum Disorders Diagnostic and Intervention Centers and develop and provide professional training; specifying center locations; providing appropriations; providing effective dates.

—was referred to the Committees on Health Policy; Children, Families, and Elder Affairs; Judiciary; and Health and Human Services Appropriations.

By Senator Saunders—

SB 1106—A bill to be entitled An act relating to physician assistants; amending s. 458.347, F.S.; revising the requirements for the formulary established by the Council on Physician Assistants in order to allow physician assistants to prescribe antipsychotics and parenteral preparations; providing an effective date.

—was referred to the Committees on Health Regulation; Health Policy; and Health and Human Services Appropriations.

By Senator Deutch—

SB 1108—A bill to be entitled An act relating to delinquent property taxes; amending s. 197.413, F.S; authorizing the tax collector to contract

for the collection of delinquent personal property taxes; providing that the costs of collection may be added to the amount owed by the taxpayer; providing that collection costs may not be less than 20 percent of the taxes and interest collected from the taxpayer; requiring the tax collector to provide notice of the addition of collection costs in the tax notice; amending s. 197.3635, F.S.; conforming provisions to changes made by the act; amending s. 192.0105, F.S.; conforming a cross-reference; providing an effective date.

—was referred to the Committees on Community Affairs; Judiciary; and General Government Appropriations.

By Senator Dean—

SB 1110—A bill to be entitled An act relating to court costs; amending s. 938.01, F.S.; increasing the court cost assessed against any person convicted of violating a state penal or criminal statute or convicted of violating a municipal or county ordinance; increasing the amount deducted from every bond estreature or forfeited bail bond related to such penal statutes which is remitted to the Department of Revenue; revising the allocation of funds received from the court costs and distributed to the Department of Law Enforcement Criminal Justice Standards and Training Trust Fund, the Department of Law Enforcement Operating Trust Fund for the Criminal Justice Grant Program, and the Department of Children and Family Services Domestic Violence Trust Fund for the domestic violence program; amending s. 938.30, F.S.; requiring defendants to pay all outstanding criminal costs and fines prior to the court entering an order to seal or expunge criminal history records; amending ss. 318.18 and 327.73, F.S., relating to civil penalties for noncriminal traffic and boating infractions; conforming provisions to changes made by the act; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; Finance and Tax; and Criminal and Civil Justice Appropriations.

By Senator Ring—

SB 1112—A bill to be entitled An act relating to the supervision of public school students; amending s. 1003.31, F.S.; clarifying provisions concerning the supervision of students who are en route to or from school; providing that a district school board does not assume supervisory duties by adopting a code of student conduct for the protection of students en route to or from school; amending s. 1006.07, F.S.; requiring that the code of student conduct adopted by district school boards include provisions concerning the discipline and safety of students en route to or from school; amending s. 1006.11, F.S.; providing that district school boards and members thereof are immune from civil or criminal liability for certain disciplinary actions associated with implementation of rules for the protection of students en route to or from school; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; and Judiciary.

By Senator Justice—

SJR 1114—A joint resolution proposing the repeal of Section 16 of Article III of the State Constitution, relating to legislative apportionment, and the creation of Section 10 of Article II of the State Constitution to prescribe reapportionment standards and procedures.

—was referred to the Committees on Ethics and Elections; Judiciary; Criminal and Civil Justice Appropriations; Transportation and Economic Development Appropriations; and Rules.

By Senators Margolis, Posey and Fasano—

SB 1116—A bill to be entitled An act relating to real property fraud; creating s. 193.133, F.S.; requiring law enforcement agencies to notify the county property appraiser of incidents of mortgage fraud; requiring the property appraiser to reconsider property assessments under certain conditions; creating s. 689.043, F.S.; providing a quitclaim deed form; requiring that the parcel identification number be included on the form when recorded; limiting the circumstances under which a quitclaim deed may be used; amending s. 817.545, F.S.; increasing penalties for certain types of mortgage fraud; creating a Statewide Mortgage Fraud Council within the Department of Legal Affairs; providing for membership; providing duties of the council; providing for regional mortgage fraud councils; providing for duties of the regional councils; authorizing members of the state and regional councils to be reimbursed for expenses; providing an effective date.

—was referred to the Committees on Community Affairs; Criminal Justice; Judiciary; Finance and Tax; and Criminal and Civil Justice Appropriations.

By Senator Wilson—

SB 1118—A bill to be entitled An act relating to the use of the term "illegal alien"; prohibiting the term's use by a state agency or official in an official document of the state; providing an effective date.

—was referred to the Committees on Governmental Operations; and Judiciary.

By Senator Gaetz—

SB 1120—A bill to be entitled An act relating to the Florida Research Commercialization Matching Grant Program; creating s. 288.9552, F.S.; providing legislative findings and intent; creating the program; providing definitions; creating a statewide advisory committee for certain purposes; providing for the members of the committee to be reimbursed for per diem and travel expenses; requiring reports; designating a fiduciary actor; providing for program administrative costs and award disbursement; providing that unallocated legislative appropriations for the matching grant program at the end of the fiscal year shall carry forward to succeeding fiscal years as authorized by state law; providing for a program administrator; providing responsibilities of the program administrator; creating a grant-selection committee; providing responsibilities of the grant-selection committee; providing applicant eligibility guidelines; providing for awards to successful applicants; providing an effective date.

—was referred to the Committees on Commerce; Governmental Operations; Higher Education Appropriations; and Transportation and Economic Development Appropriations.

By Senator Saunders—

SB 1122—A bill to be entitled An act relating to the siting of power plants and transmission lines; amending s. 403.50663, F.S.; revising the requirements for notice of certain informational public meetings held by a local government or regional planning council regarding the siting of an electrical power plant; amending s. 403.5115, F.S.; revising requirements for providing notice of activities relating to the siting of an electrical power plant; requiring that a local government or regional planning council publish notice of an informational public meeting in a newspaper of general circulation; amending s. 403.5272, F.S.; revising the requirement for notice of certain informational public meetings held by a local government or regional planning council regarding the siting of an electrical transmission line; amending s. 403.5363, F.S.; revising the notice that is required when the certification hearing on the siting of an electrical transmission line is cancelled; requiring that a local government or regional planning council publish notice of an informational public meeting in a newspaper of general circulation; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Communications and Public Utilities; and Community Affairs.

By Senator Aronberg—

SB 1124—A bill to be entitled An act relating to summary guardianship; creating s. 394.45983, F.S.; establishing summary guardianship for persons with mental illness; providing for a petition, notice, hearing, and counsel for appointing a summary guardian; providing for a court order; providing the powers and duties of a summary guardian; providing for court costs; creating s. 394.45985, F.S.; specifying that a person with mental illness who has met certain criteria may not be presumed to be incapacitated for the purpose of appointing a guardian; creating s. 744.3086, F.S.; providing that a summary guardian may be appointed without an adjudication of incapacity; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Judiciary; and Health and Human Services Appropriations.

By Senator Ring—

SB 1126—A bill to be entitled An act relating to governmental reorganization; transferring and reassigning divisions, functions, and responsibilities, including records, personnel, property, and unexpended balances of appropriations and other resources from the Department of the Lottery, the Department of Business and Professional Regulation, the Department of Law Enforcement, and the Department of Legal Affairs to the Department of Gaming Control; transferring certain trust funds from the Department of Business and Professional Regulation to the Department of Gaming Control; amending s. 11.905, F.S.; requiring the review of the Department of Gaming Control; amending s. 20.165, F.S.; deleting the Division of Pari-mutuel Wagering within the Department of Business and Professional Regulation; repealing s. 20.317, F.S., relating to the Department of the Lottery; creating s. 20.318, F.S.; creating the Department of Gaming Control; establishing the Gaming Commission as head of the Department of Gaming Control; providing for membership; providing duties; providing divisions and bureaus within the Department of Gaming Control; requiring the department to provide advisory opinions; providing that such opinions are binding to certain persons; requiring the department to adopt rules regarding advisory opinions; requiring the department to serve as the state compliance agency; authorizing the department to employ law enforcement officers; requiring the department's law enforcement officers to meet certain qualifications; providing that such law enforcement officers have certain authorities and powers; amending ss. 24.103, 24.104, 24.105, and 24.107, F.S.; conforming provisions to changes made by the act; amending s. 24.108, F.S.; renaming the Division of Security within the former Department of the Lottery as the Division of Licensing and Enforcement within the Department of Gaming Control; amending ss. 24.109, 24.111, 24.112, 24.113, 24.114, 24.115, 24.1153, 24.116, 24.117, 24.118, 24.119, 24.120, 24.121, 24.1215, 24.122, 24.123, 24.124, and 112.313, F.S.; conforming provisions to changes made by the act; amending s. 120.80, F.S.; deleting certain exceptions and special requirements regarding hearings applicable to the Department of Business and Professional Regulation; creating certain exceptions and special requirements regarding hearings within the Department of Gaming Control; amending s. 213.053, F.S.; authorizing the Department of Revenue to share certain information with the Division of the Lottery within the Department of Gaming Control; amending s. 215.20, F.S.; requiring that trust funds within the Department of Gaming Control contribute to the General Revenue Fund and deleting from that requirement trust funds administered by the Division of Pari-mutuel Wagering; amending s. 215.22, F.S.; exempting trust funds administered by the Division of the Lottery from certain appropriations; amending ss. 215.422, 287.045, F.S.; conforming provisions to changes made by the act; amending s. 455.116, F.S.; removing a trust fund from the Department of Business and Professional Regulation; amending s. 550.002, F.S.; providing definitions; amending ss. 550.0115, 550.01215, 550.0235, 550.0251, 550.0351, 550.054, 550.0651, 550.0745, 550.0951, 550.09511, 550.09512, 550.09514, 550.09515, 550.105, 550.1155, 550.125, 550.135, 550.155, 550.1648, 550.175, 550.1815, 550.24055, 550.2415, 550.2614, 550.26165, 550.2625, 550.26352, 550.2704, 550.334, 550.3355, 550.3551, 550.3605, 550.3615, 550.375, 550.495, 550.505, 550.5251, 550.625, 550.6305, 550.6308, 550.70, 550.902, and 550.907, F.S.; conforming provisions to changes made by the act; amending s. 551.102, F.S.; revising definitions; amending s. 551.103, 551.104, 551.1045, 551.105, 551.106, 551.107, 551.108, 551.109, 551.112, 551.114, 551.117, 551.118, 551.121, 551.122, and 551.123, F.S.; conforming provisions to changes made by the act; amending s. 616.09; transferring authority from the Department of Legal Affairs to the Bureau of Prosecution within the Division of Licensing and Enforcement of the Department of Gaming Control to prosecute unauthorized gambling; amending s. 616.241, F.S.; providing that the Department of Gaming Control is responsible for prohibiting unauthorized gambling at certain community and local events; amending s. 849.086, F.S.; revising definitions; conforming provisions to changes made by the act; amending s. 849.094, F.S.; providing that the prohibition on gambling does not apply to the Department of Gaming Control rather than of the Department of Business and Professional Regulation; amending s. 849.161, F.S.; providing that ch. 849, F.S., pertaining to gambling, does not apply to certain truck stops having amusement games or machines; providing definitions; requiring the department to adopt rules pertaining to skill-based gaming; providing requirements for those rules; requiring the department to conduct investigations necessary for fulfilling its responsibilities under ch. 849, F.S.; providing that the department and other law enforcement agencies have concurrent jurisdiction to investigate criminal violations; authorizing the department and local law enforcement agencies unrestricted access to a licensee's facility for certain purposes; authorizing the department to collect certain assessments and to deny, revoke, or suspend a person's license under certain circumstances; requiring a skill-based operator to pay a license fee; requiring the Division of Licensing and Enforcement to evaluate the operator license fee and make recommendations to the Legislature; providing the tax rate on revenues from skill-based machines; requiring the tax to be paid to a Florida Gaming Trust Fund; requiring the slot machine licensee to remit a tax on slot machine revenues and file a report; providing for penalties; authorizing the Division of Licensing and Enforcement to require operators to remit certain assessments by electronic funds transfer; amending s. 943.0311, F.S.; defining the Department of Gaming Control as a state agency with regard to domestic security; providing an effective date.

—was referred to the Committees on Regulated Industries; Criminal Justice; Governmental Operations; Finance and Tax; and General Government Appropriations.

By Senator Fasano—

SB 1128—A bill to be entitled An act relating to the distribution of material harmful to minors; amending s. 847.001, F.S.; redefining the term "harmful to minors"; amending s. 847.011, F.S.; providing that it is a third-degree felony for any person to sell, distribute, transmit, advertise, or to possess with the intent to sell, distribute, transmit, or advertise certain materials to minors; providing that ignorance of a minor's age or the minor's consent is not a defense in a prosecution for such a violation; amending s. 847.012, F.S.; prohibiting a person from knowingly using a minor in the production of certain materials, regardless of whether those materials are intended for distribution to minors or actually distributed to minors; providing a penalty; providing that ignorance of a minor's age or the minor's consent is not a defense in a prosecution for such a violation; amending s. 847.013, F.S.; providing that it is a first-degree misdemeanor for any person to knowingly use a minor in the production of certain materials depicting certain images, representations, or acts; providing that ignorance of a minor's age or the minor's consent is not a defense in a prosecution for such a violation; revising legislative intent concerning the enforcement of such laws with respect to minors; amending s. 847.0133, F.S.; providing that it is a felony of the third degree for any person to knowingly give away, distribute, transmit, or show any obscene material to a minor, display, distribute, transmit, or show erotic nudity to a minor, or distribute, display, transmit, or show erotic fondling to a minor; amending s. 921.0022, F.S., relating to the offense severity ranking chart of the Criminal Punishment Code; establishing offense levels to conform to changes made by the act; providing an effective date.

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

By Senators Peaden and Baker—

SB 1130—A bill to be entitled An act relating to the "Preservation and Protection of the Right to Keep and Bear Arms in Motor Vehicles Act of 2008"; creating s. 790.251, F.S.; creating the "Preservation and Protection of the Right to Keep and Bear Arms in Motor Vehicles Act of 2008"; providing legislative findings and intent; prohibiting a public or private

entity from prohibiting a customer, employee, or invitee from possessing any legally owned firearm that is lawfully possessed and locked inside or locked to a private motor vehicle in a parking lot; prohibiting a public or private entity from violating the privacy rights of a customer, employee, or invitee by verbal or written inquiry regarding the presence of a firearm inside a private motor vehicle in a parking lot or by the search of a private motor vehicle in a parking lot to ascertain the presence of a firearm within the vehicle; prohibiting actions by a public or private entity against a customer, employee, or invitee based upon verbal or written statements concerning possession of a firearm stored inside a private motor vehicle in a parking lot for lawful purposes; providing conditions under which a search of a private motor vehicle in the parking lot of a public or private entity may be conducted; prohibiting an employer from conditioning employment upon an agreement by a prospective employee that prohibits employees from keeping a legal firearm locked inside a motor vehicle; prohibiting an employer from attempting to prevent or prohibiting any customer, employee, or invitee from entering the parking lot of the employer's place of business when the customer's, employee's, or invitee's motor vehicle contains a legal firearm; prohibiting employers from terminating the employment of or otherwise discriminating against an employee, or expelling a customer or invitee, for exercising his or her constitutional right to keep and bear arms or for exercising the right of self-defense; providing a condition to the prohibition; providing that such prohibitions apply to all public-sector employers; delineating duties not owed by public and private entities and employers with respect to the provisions of the act; providing specified immunity from liability for public and private entities and employers; providing nonapplicability of such immunity; providing for enforcement of the act; providing for the award of costs and attorney's fees; providing definitions; providing exceptions to the prohibitions under the act; providing applicability; providing an effective date.

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

By Senator Storms—

SB 1132—A bill to be entitled An act relating to protective services; expressing the legislative intent to revise laws relating to protective services; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Judiciary; Health and Human Services Appropriations; and Rules.

By Senator Storms—

SB 1134—A bill to be entitled An act relating to children; expressing the legislative intent to revise laws relating to children; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Judiciary; Health and Human Services Appropriations; and Rules.

By Senator Storms—

SB 1136—A bill to be entitled An act relating to persons with disabilities; expressing the legislative intent to revise laws relating to persons with disabilities; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Health and Human Services Appropriations; and Rules.

By Senator Storms—

SB 1138—A bill to be entitled An act relating to abandoned infants; expressing the legislative intent to revise laws relating to abandoned infants; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Judiciary; Health and Human Services Appropriations; and Rules.

By Senator Storms—

SB 1140—A bill to be entitled An act relating to children and families; expressing the legislative intent to revise laws relating to children and families; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Judiciary; Health and Human Services Appropriations; and Rules.

By Senator Storms—

SB 1142—A bill to be entitled An act relating to adult services; expressing the legislative intent to revise laws relating to adult services; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Health and Human Services Appropriations; and Rules.

By Senator Storms—

SB 1144—A bill to be entitled An act relating to public records; expressing the legislative intent to revise laws relating to public records; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Governmental Operations; Health and Human Services Appropriations; and Rules.

By Senator Storms—

SB 1146—A bill to be entitled An act relating to long-term care; expressing the legislative intent to revise laws relating to long-term care; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Health Policy; Health and Human Services Appropriations; and Rules.

By Senator Storms—

SB 1148—A bill to be entitled An act relating to the elderly; expressing the legislative intent to revise laws relating to the elderly; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Health and Human Services Appropriations; and Rules.

By Senator Storms—

SB 1150—A bill to be entitled An act relating to mental health; expressing the legislative intent to revise laws relating to mental health; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Judiciary; Health and Human Services Appropriations; and Rules.

By Senator Storms—

SB 1152—A bill to be entitled An act relating to children; expressing the legislative intent to revise laws relating to children; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Judiciary; Health and Human Services Appropriations; and Rules.

By Senator Storms—

SB 1154—A bill to be entitled An act relating to assisted living; expressing the legislative intent to revise laws relating to assisted living; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Health Regulation; Health and Human Services Appropriations; and Rules.

By Senator Storms—

SB 1156—A bill to be entitled An act relating to public records; expressing the legislative intent to revise laws relating to public records; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Governmental Operations; Health and Human Services Appropriations; and Rules.

By Senator Storms—

SB 1158—A bill to be entitled An act relating to the Agency for Persons with Disabilities; expressing the legislative intent to revise laws relating to the Agency for Persons with Disabilities; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Governmental Operations; Health and Human Services Appropriations; and Rules.

By Senator Storms—

SB 1160—A bill to be entitled An act relating to the putative father registry; expressing the legislative intent to revise laws relating to the putative father registry; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Judiciary; Health and Human Services Appropriations; and Rules.

By Senator Dockery—

SB 1162—A bill to be entitled An act relating to sentencing; expressing the legislative intent to revise laws relating to sentencing; providing an effective date.

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

By Senator Storms—

SB 1164—A bill to be entitled An act relating to termination of parental rights; expressing the legislative intent to revise laws relating to the termination of parental rights; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Judiciary; Health and Human Services Appropriations; and Rules.

By Senator Ring—

SB 1166—A bill to be entitled An act relating to trust funds; creating the Florida Gaming Trust Fund within the Department of Gaming Control; providing the sources and purpose of the trust fund; requiring funds to remain in the trust fund at the end of each fiscal year; providing for future review and termination or re-creation of the trust fund; providing a contingent effective date.

—was referred to the Committees on Regulated Industries; Criminal Justice; Governmental Operations; Finance and Tax; and General Government Appropriations.

SR 1168—Not referenced.

By Senator Lynn—

SB 1170—A bill to be entitled An act relating to end-of-course testing of high school students; requiring that the Department of Education develop and implement a plan to administer end-of-course tests to public high school students; providing criteria concerning the plan; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; and Education Pre-K - 12 Appropriations.

By Senator Wise—

SB 1172—A bill to be entitled An act relating to public school utilization; amending s. 1013.64, F.S.; establishing the Increased Utilization Program, which shall be funded as a part of the Public Education Capital Outlay and Debt Service Trust Fund; providing a formula for allocation of funds to a school district that increases its FTE facility capacity; providing eligibility requirements and restrictions; amending s. 1003.03, F.S.; authorizing use of alternative, nontraditional school calendars for purposes of meeting constitutional class size maximums; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; and Education Facilities Appropriations.

By Senator Fasano—

SB 1174—A bill to be entitled An act relating to property insurance; amending s. 627.062, F.S.; extending the period during which an insurer writing property insurance policies in this state and seeking a rate greater than the rate most recently approved by the Office of Insurance Regulation must make a "file and use" filing; providing an effective date.

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

By Senator Bennett—

SB 1176—A bill to be entitled An act relating to storm cost recovery for small local exchange companies; amending s. 364.051, F.S.; providing an exception for a small local exchange company with regard to the evidentiary requirements of a cost recovery petition; creating s. 364.053, F.S.; providing legislative findings; providing that a small local exchange company may file a petition to recover actual gross intrastate costs and expenses for storm damage; providing that such costs and expenses may include, but are not limited to, capital expenses, labor, and material provided by the company or a third party and overhead and benefit allocations; requiring the Public Service Commission to authorize recovery regardless of the company's revenues, whether the costs and expenses were incurred or recovered as part of the company's normal operations, whether the costs and expenses are incremental or above the normal operating expenses, and whether they are capital costs; requiring the commission to determine the amount of costs and expenses by verifying documentation submitted by the company; requiring the commission to act on a company's petition within 90 days after filing; requiring the commission to offset the insurance proceeds relative to storm damage, the net cost of such insurance, and the amount in the company's storm-reserve fund; requiring the commission to authorize recovery up to a maximum charge per line item of 50 cents per month per customer line for no more than 12 months; requiring the commission

to authorize the company to add an equal line-item charge per access line to customers' billing statements; requiring the commission to verify the amount collected and to order the company to refund any excess amounts; providing that a company may file only one petition in any 12-month period for the previous storm season; providing that the petition may cover damages from more than one storm; providing an effective date.

—was referred to the Committees on Communications and Public Utilities; Commerce; and General Government Appropriations.

By Senators Dockery and Justice—

SB 1178—A bill to be entitled An act relating to renewable energy technologies and energy efficiency; providing a short title; amending s. 377.803, F.S.; defining the term "net metering"; creating s. 377.805, F.S.; establishing the Net Metering Incentive Program within the Department of Environmental Protection; directing the Public Service Commission to require all electric utilities to develop net metering programs; requiring electric utilities to make certain meters available to customers; providing for a customer to receive credit for electricity generated by renewable energy systems owned by the customer; providing eligibility criteria; authorizing the commission and the department to adopt rules; specifying a period during which the sale of energy-efficient products is exempt from certain tax; providing a limitation; providing a definition; prohibiting purchase of products by certain payment methods; providing that certain purchases or attempts to purchase are unfair methods of competition and punishable as such; authorizing the Department of Revenue to adopt rules; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Communications and Public Utilities; Finance and Tax; and General Government Appropriations.

By Senator Fasano—

SB 1180—A bill to be entitled An act relating to the acquisition of a privately owned water-wastewater utility system; providing legislative findings and intent with respect to the need for the Pasco County Board of County Commissioners to acquire Aloha Utilities, Inc.; providing definitions; requiring the Department of Environmental Protection to distribute financial assistance to Pasco County for the purpose of acquiring Aloha Utilities, Inc.; requiring the county to issue bonds to fully fund the acquisition; requiring the department to report to the Governor and the Legislature by a specified date; providing an appropriation; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; and General Government Appropriations.

By Senator Ring—

SB 1182—A bill to be entitled An act relating to criminal history record checks; defining the terms "sports coach" and "independent youth athletic team"; requiring the sanctioning authority of an independent youth athletic team to screen any person who is a sports coach of an independent youth athletic team; requiring the sanctioning authority to screen the sports coach through the designated public websites of the Department of Law Enforcement and the United States Department of Justice; requiring the sanctioning authority to disqualify any sports coach appearing on either registry; requiring the sanctioning authority to notify the sports coach of his or her right to obtain a copy of the screening and to challenge the accuracy and completeness of a screening report; requiring each sanctioning authority to sign an affidavit annually, under penalty of perjury, stating that all sports coaches under its jurisdiction have been screened or are newly hired and awaiting the results of the screening; allowing a sports coach to be placed on probationary status pending compliance with the screening requirement; creating a rebuttable presumption that a sports coach was not negligently hired if the sanctioning authority completed the required screening process of the sports coach; creating a rebuttable presumption that a sports coach was negligently hired if the sanctioning authority did not complete the required screening of the sports coach; providing legislative intent encouraging sanctioning authorities for youth teams to participate in the Volunteer and Employee Criminal History System as authorized by the National Child Protection Act and the laws of this state; providing an effective date.

—was referred to the Committees on Community Affairs; Criminal Justice; Judiciary; and Criminal and Civil Justice Appropriations.

By Senator Saunders—

SB 1184—A bill to be entitled An act relating to emergency medicine; amending ss. 458.3312 and 459.0152, F.S.; prohibiting physicians and osteopathic physicians from holding themselves out as board-certified emergency physicians unless they meet specified requirements; providing an effective date.

—was referred to the Committee on Health Regulation.

By Senator Rich—

SB 1186—A bill to be entitled An act relating to decisionmaking in health care; providing a short title; providing legislative purpose; amending s. 408.063, F.S.; providing definitions; requiring the Agency for Health Care Administration to publish and disseminate to the public information concerning violations of federal regulations, complaints made to regulatory agencies, and nurse staffing levels and turnover rates; requiring the agency to adopt rules governing the data to be submitted by hospitals; requiring the agency to calculate and make available upon request hospital staffing levels and staffing schedules; providing certain requirements for the staffing schedule; requiring that the records and methods used to determine staffing levels be made available to the public; providing an effective date.

—was referred to the Committees on Health Regulation; Judiciary; and Health and Human Services Appropriations.

By Senator Dean—

SB 1188—A bill to be entitled An act relating to dating violence; providing a short title; amending s. 784.046, F.S.; revising provisions relating to dating violence incidents to provide requirements for investigations, notice to victims, and reporting similar to those for incidents of domestic violence and to apply certain immunity provisions thereto; prohibiting certain willful violations of conditions of pretrial release; providing penalties; amending s. 901.15, F.S.; providing for warrantless arrests of persons for dating violence; conforming provisions; providing an effective date.

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

By Senator Wise—

SB 1190—A bill to be entitled An act relating to motor vehicle sales warranties; amending s. 681.102, F.S.; defining the term "motorcycle;" providing that the provisions of the Motor Vehicle Warranty Enforcement Act apply to motorcycles; providing an effective date.

—was referred to the Committees on Transportation; Commerce; and Judiciary.

By Senator Rich—

SB 1192—A bill to be entitled An act relating to vessel safety; amending s. 327.39, F.S.; revising certain requirements for operating personal watercraft; amending s. 327.54, F.S.; revising the requirements relating to the boating safety course required for leasing or renting a vessel or personal watercraft from a livery; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Commerce; and General Government Appropriations.

By Senator Ring—

SB 1194—A bill to be entitled An act relating to the offense of sexual battery on a minor; amending s. 95.11, F.S.; providing for the time period for commencing a civil action based upon an act that constitutes sexual battery upon a minor to be tolled under certain circumstances; amending s. 775.15, F.S.; providing that the time period for commencing a prosecution for sexual battery upon a minor does not run during the time it is medically inadvisable for the victim to disclose information or confront the alleged perpetrator; providing an effective date.

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

By Senator Geller—

SB 1196—A bill to be entitled An act relating to insurance rate standards; amending s. 627.062, F.S.; revising the range of dates during which all filings made by an insurer seeking a rate that is greater than the rate most recently approved by the Office of Insurance Regulation must be a "file and use" filing; revising the date of application of a provision under which an insurer may demand arbitration of a rate filing in lieu of a hearing under the Florida Administrative Procedure Act after any action that constitutes agency action taken by the office with respect to a rate filing; providing an effective date.

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

By Senator Rich—

SB 1198—A bill to be entitled An act relating to the public broadcasting program system; amending s. 1001.26, F.S.; including certain television stations licensed by the Federal Communications Commission for which support and funding may be given; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; and Education Pre-K - 12 Appropriations.

By Senator Wise—

SB 1200—A bill to be entitled An act relating to Alzheimer's disease; creating s. 430.5025, F.S.; directing the Department of Elderly Affairs to develop and implement a public education program relating to screening for Alzheimer's disease; providing criteria for awarding grants; providing a definition; requiring grant recipients to submit an evaluation of certain activities to the department; authorizing the department to provide technical support; requiring a report; creating s. 430.5026, F.S.; requiring the department to conduct or support a study on memory-impairment screening; requiring a report; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Health Policy; and Health and Human Services Appropriations.

By Senator Wise—

SB 1202—A bill to be entitled An act relating to accessible parking spaces; amending s. 553.5041, F.S.; providing for reservation of accessible parking spaces for persons who require extra space to exit from or enter a motor vehicle; requiring signage; requiring specific markings; providing a penalty; providing an effective date.

—was referred to the Committees on Community Affairs; and General Government Appropriations.

SR 1204—Not referenced.

By Senator Jones—

SB 1206—A bill to be entitled An act relating to public accountancy; amending s. 473.306, F.S.; revising prerequisites for taking the examination for licensure as a certified public accountant; eliminating certain obsolete provisions; amending s. 473.308, F.S.; revising and updating the requirements for education and work experience; requiring the Board of Accountancy to adopt rules governing requirements for work experience; clarifying provisions that specify what constitutes good moral character for purposes of qualifying for licensure as a certified public accountant; revising provisions governing licensure by endorsement; providing an effective date.

—was referred to the Committees on Regulated Industries; Higher Education; and General Government Appropriations.

By Senator Gaetz—

SB 1208—A bill to be entitled An act relating to water pollution control; amending s. 403.067, F.S.; providing requirements for basin management action plans; allowing such plans to take into account the benefits of pollutant load reduction achieved by point or nonpoint sources, where appropriate; requiring that the Department of Environmental Protection adopt all or part of any such plan, or any amendment thereto, by secretarial order as provided by state law; providing that the provisions of the department's rule relating to the equitable abatement of pollutants into surface waters may not be applied to water bodies or water body segments for which a basin management plan that takes into account future or new expanded activities or discharges has been adopted; authorizing water quality protection programs to include the trading of water quality credits; authorizing the department to adopt rules related to the trading of water quality credits; requiring that such rulemaking include certain provisions; specifying basins within which the trading of water quality credits shall be authorized; requiring that the department provide the Legislature with an annual report regarding the status of the trading program; correcting cross-references to conform to changes made by the act; amending s. 403.088, F.S.; authorizing the department to revise a water pollution operation permit under certain circumstances; authorizing the department to revise, renew, issue, or reissue such a permit if a water quality credit trade that meets the requirements of a total maximum daily load allocation has been approved in a final order issued pursuant to state law; requiring that revised permits be accompanied by an order establishing a schedule for achieving compliance with all permit conditions; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Community Affairs; and General Government Appropriations.

By Senator Baker—

SB 1210—A bill to be entitled An act relating to special districts; providing legislative intent; declaring that it is the policy of the state to codify the charter of each independent and dependent special district every 10 years; requiring each governmental entity that creates an independent or dependent special district to be responsible for the subsequent examination of the charter; providing for the periodic codification of the charter; providing criteria for determining the performance of an independent or dependent special district; requiring that the Legislature dispose of the assets of a special district it abolishes and assign the district's powers and duties; requiring that the Department of Community Affairs confirm any recommendation by a local governmental entity to abolish a special district; requiring that the assets, powers, and duties of the special district be transferred to the county or counties in which the special district operates; requiring each dependent and independent special district to pay the costs of conducting the subsequent examination; requiring that the examination be conducted by an outside auditor in certain circumstances; providing the schedule of special district codifications; providing procedures with respect to newly created districts, to districts that appear in more than one function classification, and to districts the codification of which was inadvertently omitted; creating s. 218.395, F.S.; providing liability of a special district officer or board member when an audit shows that the officer or member is responsible

for financial loss by the special district through misfeasance, malfeasance, or nonfeasance; providing that the special district has a cause of action against the officer or member for recovery of its loss; providing an effective date.

—was referred to the Committees on Community Affairs; Governmental Operations; Finance and Tax; and Transportation and Economic Development Appropriations.

By Senator Constantine—

SB 1212—A bill to be entitled An act relating to the restoration of Lake Jesup; requiring the Department of Environmental Protection, the St. Johns River Water Management District, the Fish and Wildlife Conservation Commission, and the City of Sanford to develop a plan concerning the progress of the commission's project to restore aquatic habitats in Lake Jesup; requiring the commission to report to the Legislature concerning the development of the plan; providing that the acquisition of a site to dispose of muck from the project is a conservation and restoration acquisition under the Florida Forever program; encouraging state agencies to help fund the removal of muck from Lake Jesup; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; and General Government Appropriations.

By Senator Constantine—

SB 1214—A bill to be entitled An act relating to the Wekiva Parkway Protection Act; amending s. 369.324, F.S.; requiring all agencies and local governments having responsibilities under the Wekiva Parkway Protection Act to make an annual progress report to the Legislature on or before a specified date; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; and Community Affairs.

By Senator Constantine—

SB 1216—A bill to be entitled An act relating to public school student transportation; amending s. 1006.23, F.S.; providing that hazardous walking conditions for purpose of transportation to schools applies to K-12 students; revising criteria for determination of hazardous walking conditions; amending ss. 1002.20, 1006.21, and 1011.68, F.S.; conforming provisions; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Transportation; and Education Pre-K - 12 Appropriations.

By Senator Constantine—

SB 1218—A bill to be entitled An act relating to ethics; expressing the legislative intent to revise laws relating to ethics; providing an effective date.

—was referred to the Committees on Ethics and Elections; Judiciary; Criminal and Civil Justice Appropriations; and Rules.

By Senator Constantine—

SB 1220—A bill to be entitled An act relating to ethics; expressing the legislative intent to revise laws relating to ethics; providing an effective date.

—was referred to the Committees on Ethics and Elections; Judiciary; Criminal and Civil Justice Appropriations; and Rules.

By Senator Constantine—

SB 1222—A bill to be entitled An act relating to ethics; expressing the legislative intent to revise laws relating to ethics; providing an effective date.

—was referred to the Committees on Ethics and Elections; Judiciary; Criminal and Civil Justice Appropriations; and Rules.

By Senator Constantine—

SB 1224—A bill to be entitled An act relating to ethics; expressing the legislative intent to revise laws relating to ethics; providing an effective date.

—was referred to the Committees on Ethics and Elections; Judiciary; Criminal and Civil Justice Appropriations; and Rules.

By Senator Constantine—

SB 1226—A bill to be entitled An act relating to ethics; expressing the legislative intent to revise laws relating to ethics; providing an effective date.

—was referred to the Committees on Ethics and Elections; Judiciary; Criminal and Civil Justice Appropriations; and Rules.

By Senator Constantine—

SB 1228—A bill to be entitled An act relating to ethics; expressing the legislative intent to revise laws relating to ethics; providing an effective date.

—was referred to the Committees on Ethics and Elections; Judiciary; Criminal and Civil Justice Appropriations; and Rules.

By Senator Constantine—

SB 1230—A bill to be entitled An act relating to elections; expressing the legislative intent to revise laws relating to elections; providing an effective date.

—was referred to the Committees on Ethics and Elections; Judiciary; Transportation and Economic Development Appropriations; and Rules.

By Senators Storms and Gaetz—

SB 1232—A bill to be entitled An act relating to student financial assistance; providing legislative intent to expand access to postsecondary education and reduce student indebtedness; requiring each state university and community college to report information relating to certain funds used to provide financial assistance to certain students; prohibiting the use of such funds to provide financial assistance to specified foreign students; defining the term "eligible Florida resident"; providing for the redirection of funds to provide additional need-based financial assistance to eligible Florida residents; requiring a report by state universities and community colleges; providing an effective date.

—was referred to the Committees on Higher Education; Judiciary; and Higher Education Appropriations.

By Senator Baker—

SB 1234—A bill to be entitled An act relating to the Lake County magnet high school project; providing for a pilot project that includes the formation of a magnet high school on the Lake Sumter Community College South Campus which would allow high school students to complete an Associate of Science or Associate of Arts degree in health-related professions; providing goals; providing for implementation of the

architectural design, initial construction, and support of the magnet high school; providing an appropriation; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Higher Education; and Education Pre-K - 12 Appropriations.

SR 1236—Not referenced.

By Senator Deutch—

SB 1238—A bill to be entitled An act relating to driver licenses; amending s. 322.091, F.S.; providing that a minor who is not in compliance with certain education requirements is disqualified from operating a motor vehicle until certain conditions are met; providing for revocation of driving privileges and driver's license or learner's driver's license; prohibiting the Department of Highway Safety and Motor Vehicles from issuing or reissuing a license to a person who is disqualified from operating a motor vehicle; providing for notification; providing procedures; providing for hardship waivers; directing the department to adopt rules for processing applications for waiver; providing for verification of compliance; amending s. 1003.27, F.S.; revising terminology to specify that the department shall revoke any previously issued driver's license or learner's driver's license of a minor who is not in compliance with specified education requirements; providing an effective date.

—was referred to the Committees on Transportation; Education Pre-K - 12; Transportation and Economic Development Appropriations; and Education Pre-K - 12 Appropriations.

SB 1240—Withdrawn prior to introduction.

By Senator Jones—

SB 1242—A bill to be entitled An act relating to environmental permitting; requiring the Department of Environmental Protection to conduct a study and implement a plan to provide parity in salaries for permitting staff and submit such plan to the President of the Senate, the Speaker of the House of Representatives, and the Legislative Committee on Intergovernmental Relations; requiring the department to develop a plan to implement the remaining phases of an e-permitting program and submit such plan to the President of the Senate, the Speaker of the House of Representatives, and the Legislative Committee on Intergovernmental Relations; prohibiting local governments from specifying the format for a determination made by the department or a water management district that a proposed project meets authorization requirements; amending s. 403.061, F.S.; revising the department's powers and duties to include maintaining a list of projects or activities that applicants may consider when developing proposals for certain projects or activities; amending s. 403.813, F.S.; prohibiting a local government from requiring further verification from the department for certain projects that are exempt from permit requirements other than a general permit; revising a provision relating to the replacement or repair of existing docks and piers; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Community Affairs; Governmental Operations; and General Government Appropriations.

By Senator Deutch—

SB 1244—A bill to be entitled An act relating to political advertisements; requiring the Division of Elections of the Department of State to create and maintain the "Florida Campaign Sunshine" website; requiring certain links to the website; requiring that all contents of the website be made available to the public; defining the term "political advertisement"; requiring any person or organization responsible for the creation or publication of any political advertisement to submit a copy of the advertisement to the division; providing a separate deadline for advertisements published during the final week of a campaign; requiring any person or organization responsible for the creation or publication of a political advertisement to submit certain materials and information to the division; providing a separate deadline for advertisements published during the final week of a campaign; requiring the division to post all advertisements on the website within 24 hours after receipt; requiring that the name and contact information of the person or organization paying for a political advertisement be submitted at the same time as a copy of the advertisement; requiring the division to include a link on the website to the appropriate section of the department's homepage regarding campaign finance for the person paying for each advertisement; providing an effective date.

—was referred to the Committees on Ethics and Elections; Judiciary; and Transportation and Economic Development Appropriations.

By Senator Bennett—

SB 1246—A bill to be entitled An act relating to communications; expressing the legislative intent to revise laws relating to communications; providing an effective date.

—was referred to the Committees on Communications and Public Utilities; General Government Appropriations; and Rules.

By Senator Bennett—

SB 1248—A bill to be entitled An act relating to energy; expressing the legislative intent to revise laws relating to energy; providing an effective date.

—was referred to the Committees on Communications and Public Utilities; Environmental Preservation and Conservation; General Government Appropriations; and Rules.

By Senator Bennett—

SB 1250—A bill to be entitled An act relating to the Public Service Commission; expressing the legislative intent to revise laws relating to the Public Service Commission; providing an effective date.

—was referred to the Committees on Communications and Public Utilities; General Government Appropriations; and Rules.

By Senator Bennett—

SB 1252—A bill to be entitled An act relating to electric utilities; expressing the legislative intent to revise laws relating to electric utilities; providing an effective date.

—was referred to the Committees on Communications and Public Utilities; General Government Appropriations; and Rules.

By Senator Bennett—

SB 1254—A bill to be entitled An act relating to energy security; expressing the legislative intent to revise laws relating to energy security; providing an effective date.

—was referred to the Committees on Communications and Public Utilities; Environmental Preservation and Conservation; General Government Appropriations; and Rules.

By Senator Bennett—

SB 1256—A bill to be entitled An act relating to telecommunications; expressing the legislative intent to revise laws relating to telecommunications; providing an effective date.

—was referred to the Committees on Communications and Public Utilities; General Government Appropriations; and Rules.

By Senator Bennett—

SB 1258—A bill to be entitled An act relating to electric utilities; expressing the legislative intent to revise laws relating to electric utilities; providing an effective date.

—was referred to the Committees on Communications and Public Utilities; General Government Appropriations; and Rules.

By Senator Bennett—

SB 1260—A bill to be entitled An act relating to water and wastewater; expressing the legislative intent to revise laws relating to water and wastewater; providing an effective date.

—was referred to the Committees on Communications and Public Utilities; Environmental Preservation and Conservation; General Government Appropriations; and Rules.

By Senator Bennett—

SB 1262—A bill to be entitled An act relating to energy; expressing the legislative intent to revise laws relating to energy; providing an effective date.

—was referred to the Committees on Communications and Public Utilities; Environmental Preservation and Conservation; General Government Appropriations; and Rules.

SB 1264—Withdrawn prior to introduction.

By Senator Bennett—

SB 1266—A bill to be entitled An act relating to the use of an electronic wireless communications device while driving; amending s. 316.304, F.S.; prohibiting the operation of a moving motor vehicle while reading, manually writing or typing, or sending a message on an electronic wireless communications device; providing an effective date.

—was referred to the Committees on Transportation; Communications and Public Utilities; and Transportation and Economic Development Appropriations.

By Senator Lawson—

SB 1268—A bill to be entitled An act relating to motor vehicle license plates; amending s. 320.0841, F.S.; providing for issuance of free license plates to members of the Choctaw Indian Tribe; providing an effective date.

—was referred to the Committees on Transportation; Finance and Tax; and Transportation and Economic Development Appropriations.

By Senator Wise—

SB 1270—A bill to be entitled An act relating to automatic renewal of service contracts; providing definitions; requiring persons, firms, or corporations that sell products or services to consumers pursuant to certain contracts to disclose automatic renewal provisions; providing disclosure requirements; providing exceptions to the disclosure requirements; providing that certain violations will render an automatic renewal provision void and unenforceable; providing an effective date.

—was referred to the Committees on Commerce; Banking and Insurance; and Judiciary.

SB 1272—Withdrawn prior to introduction.

By Senator Gaetz—

SB 1274—A bill to be entitled An act relating to specialty license plates; amending ss. 320.08056 and 320.08058, F.S.; creating a Horse Country license plate; establishing an annual use fee for the plate; providing for the distribution of use fees received from the sale of such plates; providing an effective date.

—was referred to the Committees on Transportation; Children, Families, and Elder Affairs; and Transportation and Economic Development Appropriations.

By Senator Bennett—

SB 1276—A bill to be entitled An act relating to educational facilities construction; amending s. 1013.45, F.S.; increasing the maximum authorized amount of a day-labor contract to $300,000; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; and Education Facilities Appropriations.

By Senator Lawson—

SB 1278—A bill to be entitled An act relating to physical therapy; amending s. 486.021, F.S.; revising definitions; removing a provision relating to physical therapy treatments needed beyond 21 days; amending s. 486.135, F.S.; prohibiting unlicensed physical therapists from using the letters "D.P.T." to represent themselves; providing an effective date.

—was referred to the Committees on Health Regulation; and Health and Human Services Appropriations.

By Senators Aronberg and Storms—

SB 1280—A bill to be entitled An act relating to criminal conduct; amending s. 827.03, F.S.; defining the term "mental injury"; exempting constitutionally protected acts from prohibitions on child abuse, aggravated child abuse, and neglect; amending ss. 775.084, 775.0877, 782.07, 921.0022, 943.325, and 948.062, F.S.; conforming cross-references; amending s. 960.03, F.S.; redefining the term "crime" for purposes of crime victims compensation to include additional forms of injury; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Criminal Justice; Judiciary; and Criminal and Civil Justice Appropriations.

By Senator Bennett—

SB 1282—A bill to be entitled An act relating to court costs; amending s. 938.01, F.S.; increasing the court cost assessed against any person convicted of violating a state penal or criminal statute or convicted of violating a municipal or county ordinance; increasing the amount deducted from every bond estreature or forfeited bail bond related to such penal statutes which is remitted to the Department of Revenue; revising the allocation of funds received from the court costs and distributed to the Department of Law Enforcement Criminal Justice Standards and Training Trust Fund, the Department of Law Enforcement Operating Trust Fund for the Criminal Justice Grant Program, and the Department of Children and Family Services Domestic Violence Trust Fund for the domestic violence program; amending s. 938.30, F.S.; requiring defendants to pay all outstanding criminal costs and fines prior to the court entering an order to seal or expunge criminal history records; amending ss. 318.18 and 327.73, F.S., relating to civil penalties for noncriminal

traffic and boating infractions; conforming provisions to changes made by the act; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; Finance and Tax; and Criminal and Civil Justice Appropriations.

By Senator Geller—

SB 1284—A bill to be entitled An act relating to legislative authority to ratify compacts and agreements; defining terms; designating the Governor as the official to negotiate and execute compacts and agreements; providing for ratification of compacts and agreements by the Legislature; providing for submission of compacts and agreements to the Legislature and the Secretary of State; providing for submission of compacts and agreements to signatories for review and approval; providing an effective date.

—was referred to the Committees on Governmental Operations; Regulated Industries; Judiciary; and Criminal and Civil Justice Appropriations.

By Senator Saunders—

SB 1286—A bill to be entitled An act relating to a review of the Fish and Wildlife Conservation Commission under the Florida Government Accountability Act; reenacting s. 20.331, F.S., relating to the establishment of the commission; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Governmental Operations; and General Government Appropriations.

By Senator Bennett—

SB 1288—A bill to be entitled An act relating to franchises; creating s. 559.816, F.S.; providing definitions; requiring that the venue for certain actions brought by franchisors against franchisees in this state be in this state; prohibiting contrary provisions in certain agreements entered into or renewed after a specified date; providing an effective date.

—was referred to the Committees on Commerce; Judiciary; and General Government Appropriations.

SB 1290—Withdrawn prior to introduction.

By Senator Saunders—

SB 1292—A bill to be entitled An act relating to land acquisition; amending s. 259.105, F.S.; eliminating obsolete provision relating to the distribution of funds in the Florida Forever Trust Fund; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; General Government Appropriations; and Rules.

By Senator Saunders—

SB 1294—A bill to be entitled An act relating to a review of the Department of Environmental Protection under the Florida Government Accountability Act; reenacting s. 20.255, F.S., relating to the establishment of the department; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Governmental Operations; and General Government Appropriations.

By Senator Saunders—

SB 1296—A bill to be entitled An act relating to a review of the water management districts under the Florida Government Accountability Act; reenacting s. 373.069, F.S., relating to the creating of the water management districts; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Governmental Operations; and General Government Appropriations.

By Senator Saunders—

SB 1298—A bill to be entitled An act relating to state lands; amending s. 253.71, F.S.; eliminating obsolete provisions relating to surcharges for the use of submerged lands; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; General Government Appropriations; and Rules.

By Senator Saunders—

SB 1300—A bill to be entitled An act relating to wildlife; amending s. 372.667, F.S.; prohibiting the feeding or enticement of alligators or crocodiles; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; General Government Appropriations; and Rules.

By Senator Saunders—

SB 1302—A bill to be entitled An act relating to environmental regulation; amending s. 403.8163, F.S.; removing an obsolete reference to the Division of Beaches and Shores of the Department of Environmental Protection; authorizing the department to determine that spoil from maintenance dredge operations may be placed into a beach or dune system; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; General Government Appropriations; and Rules.

By Senator Saunders—

SB 1304—A bill to be entitled An act relating to saltwater fisheries; amending s. 370.06, F.S.; eliminating obsolete provisions relating to the issuance of a marine life fishing endorsement; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; General Government Appropriations; and Rules.

By Senator Saunders—

SB 1306—A bill to be entitled An act relating to the resolution of public employee collective bargaining impasses; amending s. 447.203, F.S.; specifying the legislative body when a public employer is the sheriff; amending s. 447.403, F.S.; delineating the role of the sheriff in declaring an impasse and in impasse proceedings; providing an effective date.

—was referred to the Committees on Community Affairs; Governmental Operations; and Criminal and Civil Justice Appropriations.

By Senator Bennett—

SB 1308—A bill to be entitled An act relating to cemeteries; amending s. 497.270, F.S.; prohibiting the taking of certain cemetery property by eminent domain; providing exceptions; prohibiting governmental enti-

ties from requiring the transfer of cemetery property as a condition of obtaining any regulatory approval; providing an effective date.

—was referred to the Committees on Community Affairs; Banking and Insurance; and Judiciary.

By Senator Baker—

SB 1310—A bill to be entitled An act relating to sellers of travel; amending s. 559.927, F.S.; revising the definition of "prearranged travel, tourist-related services, or tour-guide services"; defining "certifying party" and "terrorist state"; amending s. 559.928, F.S.; revising provisions relating to registration as a seller of travel; revising registration fees; revising conditions for denial of or refusal to renew the registration of any seller of travel by the Department of Agriculture and Consumer Services; creating s. 559.9285, F.S.; requiring a seller of travel to annually certify to the department the scope of its business activities by filing a disclosure statement; categorizing certifying parties; requiring the department to specify by rule the form of certification; specifying required certification information; amending s. 559.929, F.S.; revising requirements with respect to the performance bond that must accompany registration or an application for registration as a seller of travel; specifying amounts of bonds for certification categories; eliminating alternative means of satisfying security requirements; providing for priority of payment with respect to such bonds; revising conditions under which the department may annually waive the bond; precluding specified certification categories from waiver of bond; amending s. 559.9335, F.S.; providing that it is a violation of the Florida Sellers of Travel Act to offer to sell travel or provide any travel-related service to a purchaser traveling to or from any terrorist state without disclosing such business activities in a certification filed with the department and to violate any state or federal law restricting or prohibiting commerce with terrorist states; amending s. 559.935, F.S.; revising provisions that exempt certain sellers of travel and affiliates thereof from specified registration, security, disclosure, and recordkeeping requirements; revising conditions under which the department may revoke such exemptions; amending s. 559.9355, F.S.; imposing an administrative fine for each act or omission directly or indirectly pertaining to an offer to sell travel or provide any travel-related service to purchasers traveling to or from any terrorist state; amending s. 559.936, F.S.; authorizing the department to seek a specified civil penalty for each act or omission directly or indirectly pertaining to an offer to sell travel or provide any travel-related service to a purchaser traveling to or from any terrorist state; amending s. 559.937, F.S.; providing a criminal penalty for a violation of the Florida Sellers of Travel Act which directly or indirectly pertains to an offer to sell travel or provide any travel-related service to a purchaser traveling to or from any terrorist state; providing an effective date.

—was referred to the Committees on Commerce; Military Affairs and Domestic Security; Criminal Justice; and General Government Appropriations.

By Senator Saunders—

SB 1312—A bill to be entitled An act relating to petroleum cleanup; amending s. 376.30713, F.S.; eliminating obsolete provisions that require the Department of Environmental Protection to report on preapproved advanced cleanup projects; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; General Government Appropriations; and Rules.

By Senator Deutch—

SB 1314—A bill to be entitled An act relating to certain prohibited activities in motor vehicles; prohibiting reading, writing, or the use of wireless communications devices while operating a motor vehicle; providing exceptions; providing a penalty; providing an effective date.

—was referred to the Committees on Transportation; Communications and Public Utilities; and Transportation and Economic Development Appropriations.

By Senator Gaetz—

SB 1316—A bill to be entitled An act relating to tower crane and tower crane operator certification; creating s. 489.1138, F.S.; providing definitions; requiring a tower crane to be certified in order to be operated; requiring a person to be certified in order to operate a tower crane on construction projects; providing for certification organizations and standards; prohibiting certain contractors from employing or contracting for the services of tower crane operators without certification; providing penalties; authorizing persons in training for certification to operate tower cranes under direct supervision of a certified tower crane operator; providing rulemaking authority for the Department of Business and Professional Regulation; creating s. 489.1139, F.S.; preempting the regulation of tower cranes and tower crane operators to the state; providing an effective date.

—was referred to the Committees on Regulated Industries; Community Affairs; Judiciary; and General Government Appropriations.

By Senator Gaetz—

SB 1318—A bill to be entitled An act relating to onsite sewage treatment and disposal systems; amending ss. 381.0065 and 381.0068, F.S.; providing that a member of local government who is knowledgeable about domestic wastewater treatment be added to the research review and advisory committee and the technical review and advisory panel established by the Department of Health for purposes of onsite sewage treatment and disposal system regulation; providing an effective date.

—was referred to the Committees on Health Regulation; Governmental Operations; and Community Affairs.

By Senator Ring—

SB 1320—A bill to be entitled An act relating to the Florida Bright Futures Scholarship Program; amending ss. 1009.534, 1009.535, and 1009.536, F.S.; revising the amounts of the awards available to a student qualifying as a Florida Academic Scholar, a Florida Medallion Scholar, or a Florida Gold Seal Vocational Scholar; increasing the amounts available to a qualifying student who pursues a major in the field of science, technology, engineering, mathematics, education, or nursing or another health profession; decreasing the amounts available to a qualifying student who pursues a major in another field; providing an effective date.

—was referred to the Committees on Higher Education; Education Pre-K - 12; and Higher Education Appropriations.

By Senator Siplin—

SB 1322—A bill to be entitled An act relating to economic development; amending s. 125.0104, F.S., relating to the local option tourist development tax; allowing a county that levies the tax authorized under s. 125.0104(3)(n), F.S., to use the tax proceeds to participate with the state in an economic-development project to attract specified types of high-technology industries to the county; providing an effective date.

—was referred to the Committees on Commerce; Community Affairs; Finance and Tax; and Transportation and Economic Development Appropriations.

By Senator Bullard—

SB 1324—A bill to be entitled An act relating to the receipt of gifts by candidates, officers, and state employees; amending s. 112.3148, F.S.; deleting a limitation on the amount of time that a gift accepted on behalf of a governmental entity or charitable organization may be retained; providing an effective date.

—was referred to the Committees on Ethics and Elections; Judiciary; and Rules.

By Senator Deutch—

SB 1326—A bill to be entitled An act relating to license plates; amending ss. 320.08056 and 320.08058, F.S.; creating an Out-of-State Collegiate license plate; providing for the distribution of annual use fees received from the sale of such plates; providing an effective date.

—was referred to the Committees on Transportation; Higher Education; and Transportation and Economic Development Appropriations.

By Senator Siplin—

SB 1328—A bill to be entitled An act relating to a state work opportunity tax credit; amending s. 220.02, F.S.; revising legislative intent relating to application of certain corporate income tax credits; creating s. 220.1893, F.S.; providing an additional credit against the corporate income tax for businesses hiring certain persons under certain circumstances; providing requirements and limitations; requiring the Department of Revenue and the Agency for Workforce Innovation to adopt rules and establish certain guidelines; providing an effective date.

—was referred to the Committees on Commerce; Finance and Tax; and Transportation and Economic Development Appropriations.

By Senator Siplin—

SB 1330—A bill to be entitled An act relating to public safety; providing for an annual salary increase for certified law enforcement officers which shall be paid in accordance with the officer's collective bargaining agreement; providing an effective date.

—was referred to the Committees on Criminal Justice; Governmental Operations; and General Government Appropriations.

By Senator Siplin—

SB 1332—A bill to be entitled An act relating to paintball guns and markers; defining the terms "paintball gun" and "paintball marker"; prohibiting a person from carrying a paintball gun or paintball marker in a vehicle on the highway; providing specified exceptions; providing that the act does not apply to a commercial paintball field, range, or course when passengers are transported to and from designated player areas; providing that a violation of the act is a first-degree misdemeanor; providing an effective date.

—was referred to the Committees on Transportation; Commerce; and Criminal Justice.

By Senator Siplin—

SB 1334—A bill to be entitled An act relating to substance abuse treatment programs; amending s. 397.754, F.S.; requiring the Department of Corrections to assess the needs of all inmates for substance abuse treatment services; requiring the department to provide inmates with individualized services; requiring the department to provide training to all employees providing substance abuse treatment services to inmates; amending s. 775.16, F.S.; requiring a person under the supervision of the department to participate in and complete a substance abuse treatment and rehabilitation program in order to be eligible for employment by any agency of the state or to apply for a license, permit, or certificate required by any agency of the state to practice an occupation, trade, profession, or business; amending s. 944.473, F.S.; requiring each inmate who meets the criteria to participate in a substance abuse treatment program; providing that an inmate has a right to receive substance abuse treatment services from the department; providing an effective date.

—was referred to the Committees on Criminal Justice; Children, Families, and Elder Affairs; Judiciary; and Criminal and Civil Justice Appropriations.

By Senator Siplin—

SB 1336—A bill to be entitled An act relating to juvenile proceedings; amending s. 985.35, F.S.; requiring the Department of Juvenile Justice to adopt rules governing the procedures that may be used to restrain a child upon his or her arrival at the courthouse; prohibiting the use of instruments of restraint on a child after the child arrives at the courthouse; prohibiting subjecting a child to extended periods of isolation; providing specified exemptions; amending s. 985.483, F.S.; conforming a cross-reference; providing an effective date.

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

By Senator Hill—

SB 1338—A bill to be entitled An act relating to the staffing of health care facilities; creating ss. 395.051-395.057, F.S.; creating the Safe Staffing for Quality Care Act; providing a short title; providing legislative findings; defining terms; prescribing safe staffing standards for health care facilities; requiring licensed facilities to submit an annual staffing plan to the Agency for Health Care Administration; providing standards for the required skill mix; requiring compliance with the staffing plan; requiring recordkeeping; prohibiting mandatory overtime; providing applicability; permitting employees to refuse certain assignments and to report suspected violations of safe staffing standards; providing for the agency to enforce compliance with the act; requiring the agency to develop rules; providing an effective date.

—was referred to the Committees on Health Policy; Health Regulation; Judiciary; and Health and Human Services Appropriations.

By Senator Wise—

SB 1340—A bill to be entitled An act relating to public school student discipline; amending s. 1006.09, F.S.; revising disciplinary actions that may be taken against a student who is charged with a felony, or a delinquent act that would be a felony if committed by an adult, for an incident that allegedly occurred on property other than public school property; authorizing actions upon court determination of guilt; providing actions when a student has been the victim of a violent crime perpetrated by another student who attends the same school; requiring specified administrative hearings; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Criminal Justice; Judiciary; and Education Pre-K - 12 Appropriations.

SB 1342—Withdrawn prior to introduction.

By Senator Siplin—

SB 1344—A bill to be entitled An act relating to health care for children; creating the Universal Health Access Plan for Children; providing legislative findings; providing definitions relating to health care services for children; establishing a single, publicly funded statewide program to provide medically necessary health services for each child in the state without cost to the child or his or her family; requiring the Department of Health to administer the plan; directing the department to perform specified activities with respect to its responsibilities; requiring the department to report annually to the Governor and the Legislature; directing the department to adopt rules to administer the plan; authorizing the department to hold public hearings; providing an effective date.

—was referred to the Committees on Health Policy; Banking and Insurance; Governmental Operations; and Health and Human Services Appropriations.

By Senator Hill—

SB 1346—A bill to be entitled An act relating to school board policies for addressing crime and victimization; amending s. 1006.13, F.S.; requiring that a district school board adopt a policy of zero tolerance in addressing certain crimes and cases of victimization; providing that a student found to have committed a specified offense may be expelled, suspended, or referred to the criminal justice or juvenile justice system; allowing a student found not guilty to return to his or her home school; authorizing a school board to assign a student to a disciplinary program during the period of suspension or expulsion; requiring that a district school superintendent consider expulsions or suspensions on a case-by-case basis; deleting a requirement that a request to modify a student's disciplinary program be in writing; requiring district school boards, county sheriff's offices, and local police to enter into agreements specifying guidelines for reporting crimes that involve conduct that poses a serious threat to school safety; charging school principals with responsibility for ensuring that all school personnel are aware of their responsibilities regarding crimes and conduct that poses a serious threat to school safety; providing that students found guilty of certain violations may be expelled, suspended, or placed in an alternative school setting or other program providing appropriate educational services; requiring district school boards to ensure that an offender continues to receive appropriate educational services; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Criminal Justice; Judiciary; and Education Pre-K - 12 Appropriations.

By Senator Siplin—

SB 1348—A bill to be entitled An act relating to community reinvestment plans; providing definitions; authorizing a business to develop and implement a community reinvestment plan for tax-credit purposes; providing certain requirements for a community reinvestment plan; providing a tax credit for a business that meets the requirements of its community reinvestment plan; providing for the carryover of credit; providing duties of the Financial Services Commission; requiring the commission to adopt rules, in consultation with the Department of Community Affairs and the Florida Housing Finance Corporation, regarding community reinvestment plans; authorizing a business to list its community reinvestment plan on its website; requiring the Financial Service Commission, the Department of Community Affairs, the Office of Tourism, Trade, and Economic Development, and the Florida Housing Finance Corporation to prepare a strategic plan relating to access to financial capital in certain areas of the state; providing requirements for the strategic plan; requiring the commission to create and maintain a website that includes certain public information concerning financial matters; providing an effective date.

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

By Senator Hill—

SB 1350—A bill to be entitled An act relating to presidential elections; defining terms; establishing the Agreement Among the States to Elect the President by National Popular Vote; providing legislative intent; providing that any state is eligible to become a member state; requiring a statewide popular election for President and Vice President of the United States; establishing a procedure for appointing presidential electors in member states; specifying when the agreement becomes effective; providing for the withdrawal of a member state; requiring notification of member states; specifying that the provisions of the agreement are severable; providing an effective date.

—was referred to the Committees on Ethics and Elections; Judiciary; and Rules.

By Senator Rich—

SB 1352—A bill to be entitled An act relating to early learning; creating s. 20.153, F.S.; creating the Agency for Early Learning; providing for appointment and duties of an agency director; providing agency responsibilities; providing for type two transfer of the Office of Early Learning in the Agency for Workforce Innovation, the Office of Early Learning in the Department of Education, child care facility licensing responsibilities of the Department of Children and Family Services, and the Department of Health Florida Infants and Toddlers Early Intervention Program to the Agency for Early Learning; amending ss. 20.50, 216.136, and 391.025, F.S.; conforming provisions; amending s. 411.0105, F.S.; designating the Agency for Early Learning as the lead agency for administering the federal Early Learning Opportunities Act; amending ss. 1002.22, 1002.63, and 1002.67, F.S.; conforming provisions and clarifying certain duties; amending s. 1002.69, F.S.; revising provisions relating to calculation of kindergarten readiness rates; amending ss. 1002.71, 1002.73, 1002.75, 1002.77, 1002.79, and 1003.575, F.S.; conforming provisions and clarifying certain duties; providing for the continued validity of certain child care facility licenses and registrations; repealing s. 391.308, F.S., relating to the Florida Infants and Toddlers Early Intervention Program administered by the Department of Health; requiring the Division of Statutory Revision to make conforming changes to the Florida Statutes and to provide certain assistance to legislative committees and councils; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Children, Families, and Elder Affairs; Governmental Operations; Transportation and Economic Development Appropriations; and Education Pre-K - 12 Appropriations.

By Senator Siplin—

SB 1354—A bill to be entitled An act relating to the commercial distribution of pornographic materials; providing a short title; providing legislative findings; defining terms relating to the commercial distribution of pornographic materials; prohibiting a person from willfully and knowingly distributing pornographic materials for commercial purposes; providing a civil penalty; providing that any person, including a church, religious organization, or other representative group or organization, may bring an action to enforce the act; providing certain exemptions; providing procedures for enforcing the act; providing for attorney's fees and costs; requiring that any civil penalty collected be deposited into the General Revenue Fund; providing for declaratory and injunctive relief; authorizing a person to recover actual damages and attorney's fees if the person suffers a loss as a result of commercial distribution of pornographic materials; providing an effective date.

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

SR 1356—Not referenced.

By Senator Wilson—

SB 1358—A bill to be entitled An act relating to low-income and moderate-income homeowners; providing for counties to establish a fund for providing no-interest loans to assist low-income and moderate-income homeowners in paying homeowners' insurance premiums; authorizing the governing authority of a county to levy surtaxes on building-related permits to finance the assistance fund; limiting the amount a family may receive from the fund in any year; requiring that a loan be repaid if the homestead is sold or refinanced; requiring that any proceeds from refinancing or selling a homestead be deposited back into the fund; defining the terms "low-income family" and "moderate-income family"; providing requirements for the ordinance levying the surtax and creating the fund; specifying the amount of the surtaxes; providing limitations on the use of the fund; providing for the program to be adopted initially by the governing authority of certain constitutional charter counties and for later adoption in the remaining counties of the state; providing effective dates.

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

By Senator Peaden—

SB 1360—A bill to be entitled An act relating to pharmacy technicians; amending s. 465.014, F.S.; providing for the registration of pharmacy technicians; requiring that a registered pharmacy technician be under the direct supervision of a licensed pharmacist; requiring the Board of Pharmacy to set fees and rules for the registration of pharmacy technicians; providing qualification requirements; providing a limitation; exempting pharmacy technician students and licensed pharmacy interns from registration requirements; providing continuing education requirements for registration renewal; requiring the board to adopt rules; providing grounds for denial, suspension, or revocation of registration or other disciplinary action; authorizing the board to impose certain penalties; amending s. 465.015, F.S.; prohibiting a person who is not registered as a pharmacy technician from performing certain functions or holding himself or herself out to others as a registered pharmacy technician; amending ss. 465.019, 465.0196, and 465.0197, F.S., relating to institutional pharmacies, special pharmacy permits, and Internet pharmacy permits; conforming references; providing an appropriation and authorizing additional positions; providing effective dates.

—was referred to the Committees on Health Regulation; Finance and Tax; and Health and Human Services Appropriations.

By Senator Fasano—

SB 1362—A bill to be entitled An act relating to housing preservation; creating s. 420.50945, F.S.; creating the Florida Housing Preservation Program; providing legislative findings and intent; providing definitions; directing the Florida Housing Finance Corporation to use state funds for loans and financing to preserve and rehabilitate affordable housing; requiring a community development financial institution to use allocated state funds to make specified types of loans; requiring that a community development financial institution meet certain criteria to be eligible to receive state funds; requiring the Florida Housing Finance Corporation to adopt procedures to select applicants for state funds; requiring successful applicants to enter into an agreement with the corporation; providing options for the corporation to exercise if a successful applicant engages in fraud, mismanagement, or fails to comply with applicable laws or rules; requiring that a successful applicant submit financial and performance data to the corporation; requiring the corporation to adopt rules; restricting the corporation to a specified percentage of appropriated funds for use to administer the program; providing an appropriation; providing an effective date.

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

By Senator Villalobos—

SB 1364—A bill to be entitled An act relating to immigration; creating s. 877.30, F.S.; prohibiting a person from representing to another who is not a citizen of the United States that he or she can obtain or assist the other person in obtaining citizenship or authorization documentation to live or work in the United States unless the offer to obtain or provide assistance is allowed by federal law; requiring the person offering assistance to verify with the Immigration and Customs Enforcement office of the United States Department of Homeland Security that offering such services is allowed by federal law; providing that in a prosecution for a violation of the act it is not a defense that the person offering to provide such services did not know that such services were not allowed by federal law; providing that a person who violates the act commits a felony of the third degree; providing criminal penalties; amending s. 921.0022, F.S.; ranking newly created offense in the offense severity ranking chart; providing an effective date.

—was referred to the Committees on Criminal Justice; Military Affairs and Domestic Security; Judiciary; and Criminal and Civil Justice Appropriations.

Senate Resolutions 1366-1368—Not referenced.

By the Committee on Health Regulation; and Senator Jones—

SB 1370—A bill to be entitled An act relating to the Florida Patient Safety Corporation; amending s. 381.0271, F.S.; deleting provisions requiring that the corporation establish specific advisory committees; authorizing the corporation to create and dissolve advisory committees upon a majority vote of the board of directors; deleting obsolete organizational provisions; requiring that the corporation's board of directors conduct quarterly meetings; requiring the Agency for Health Care Administration to make available adverse incident reports to designated agents of the Florida Patient Safety Corporation; requiring the corporation to evaluate the effects of the sharing of electronic records on patient safety; deleting responsibilities related to the provision of access to a library of evidence-based medicine and patient safety practices; requiring a plan for the implementation of patient safety technologies; deleting obsolete provisions and reporting requirements; providing an effective date.

—was referred to the Committees on Health Regulation; Judiciary; Governmental Operations; and Health and Human Services Appropriations.

By the Committee on Health Regulation—

SB 1372—A bill to be entitled An act relating to access to emergency services and care; amending s. 395.002, F.S.; redefining the term "stabilized" to include patients awaiting further emergency services and care; amending s. 395.1041, F.S.; clarifying legislative intent regarding followup treatment after a patient is stabilized; deleting obsolete dates and requirements relating to inventories of hospital emergency services; authorizing the transmission of a patient's medical records to another emergency department prior to the transfer of a patient; authorizing the Agency for Health Care Administration to adopt rules to facilitate a hospital's compliance with its requirement to provide emergency care; deleting obsolete dates and requirements relating to exemptions from required services; providing an effective date.

—was referred to the Committees on Health Regulation; Health Policy; and Health and Human Services Appropriations.

By the Committee on Health Regulation; and Senator Jones—

SB 1374—A bill to be entitled An act relating to home health care; amending s. 400.462, F.S.; revising and adding definitions; amending s. 400.471, F.S.; requiring an applicant for a new home health agency license to submit a surety bond or other security of a specified amount to the Agency for Health Care Administration; providing procedures for the agency with respect to making a claim against a surety bond or security; limiting the timing of receipt and the number of applications for a new home health agency license which the agency may accept each quarter; providing an exception under certain circumstances for a home health agency that is part of a retirement community; specifying a procedure for the agency to follow in selecting applications to process for a new home health agency license; providing for the future expiration of such provisions; amending s. 400.474, F.S.; providing additional grounds under which the Agency for Health Care Administration may take disciplinary action against a home health agency; creating s. 400.476, F.S.; establishing staffing requirements for home health agencies; reducing the number of home health agencies that an administrator or director of nursing may serve; requiring that an alternate administrator be designated in writing; limiting the period that a home health agency may operate without a director of nursing; requiring notification upon the termination and replacement of a director of nursing; requiring the Agency for Health Care Administration to take administrative enforcement action against a home health agency for noncompliance with the notification and staffing requirements for a director of nursing; providing training requirements for certified nursing assistants and home health aides; amending s. 400.484, F.S.; requiring that the agency impose administrative fines for certain deficiencies; increasing the administrative fines imposed for certain deficiencies; amending s. 400.491, F.S.; extending the period that a home health agency must retain records of the nonskilled care it provides; amending s. 400.497, F.S.; requiring that the Agency for Health Care Administration adopt rules related to standards for the director of nursing of a home health agency, requirements for a director of nursing to submit certified staff activity logs

pursuant to an agency request, and quality assurance programs; amending s. 400.506, F.S.; providing training requirements for certified nursing assistants and home health aides referred for contract by a nurse registry; amending s. 400.518, F.S.; providing for a fine to be imposed against a home health agency that provides complimentary staffing to an assisted care community in exchange for patient referrals; requiring the Agency for Health Care Administration to conduct an unannounced survey of each home health agency within a specified period after issuing a license; requiring the Agency for Health Care Administration to review the process for prior authorization of home health agency visits and determine whether modifications to the process are necessary; requiring the agency to report to the Legislature on the feasibility of accessing the Medicare system to determine recipient eligibility for home health services; providing an effective date.

—was referred to the Committees on Health Regulation; Banking and Insurance; and Health and Human Services Appropriations.

By Senator Alexander—

SB 1376—A bill to be entitled An act relating to agriculture; expressing the legislative intent to revise laws relating to agriculture; providing an effective date.

—was referred to the Committees on Agriculture; General Government Appropriations; and Rules.

By Senators Fasano and Gaetz—

SB 1378—A bill to be entitled An act relating to private property rights; prohibiting certain restrictions that prevent a property owner from flying a United States flag from a flagpole that does not exceed 20 feet in height; providing an effective date.

—was referred to the Committees on Community Affairs; and Military Affairs and Domestic Security.

By Senators Jones and King—

SB 1380—A bill to be entitled An act relating to electronic gaming machines; authorizing electronic gaming machines in certain pari-mutuel facilities; providing definitions; providing powers and duties of the Division of Pari-mutuel Wagering of the Department of Business and Professional Regulation and the Department of Law Enforcement; providing for rules; providing for licenses to conduct electronic gaming; providing for temporary licenses; providing for renewal of electronic gaming machine licenses; providing for license fees; providing for taxes; providing penalties; providing for occupational licenses; providing findings; providing for applications; providing for a fee; prohibiting certain relationships; prohibiting certain acts; providing penalties; providing for legality of electronic gaming machines; providing for exclusion of certain persons from the facilities; prohibiting persons under 21 years of age from operating electronic gaming machines; providing for electronic gaming machine areas within licensed gaming locations; providing for days and hours of operation of eligible facilities; providing for a compulsive-gambling-prevention program; providing penalties; providing for a caterer's license for food service at gambling establishments; prohibiting certain activities and devices; providing exceptions; providing for rules; providing for regulatory preemption to the state; providing exceptions to s. 849.0931, F.S.; amending s. 215.22, F.S.; exempting taxes imposed on electronic gaming and electronic gaming machine revenue from specified service charges; amending s. 849.15, F.S.; providing for transportation of electronic gaming devices in accordance with federal law; amending s. 895.02, F.S.; providing that specified violations related to electronic gaming and electronic gaming machines constitute racketeering activity; providing that certain debt incurred in violation of specified provisions relating to electronic gaming and electronic gaming machines constitutes unlawful debt; authorizing additional positions and providing appropriations; providing for the use of certain unreserved funds in the Pari-mutuel Wagering Trust Fund; providing for repayment of such funds; providing an effective date.

—was referred to the Committees on Regulated Industries; and Finance and Tax.

By Senators Bennett and Justice—

SB 1382—A bill to be entitled An act relating to net metering; creating s. 366.925, F.S.; providing a short title; requiring the Public Service Commission to develop and adopt rules requiring a public utility to provide a net metering program; requiring a utility to give a customer credit for generating electricity with renewable energy systems; prohibiting the availability of net metering as a part of conjunctive billing of multiple points for a customer or group of customers; requiring the commission to develop and adopt rules implementing the requirements and standards with which renewable energy systems must comply; providing an effective date.

—was referred to the Committees on Communications and Public Utilities; Environmental Preservation and Conservation; Finance and Tax; and General Government Appropriations.

By Senator Dean—

SB 1384—A bill to be entitled An act relating to the theft of copper or other nonferrous metals; creating s. 812.145, F.S.; providing definitions; providing that it is a felony of the first degree to knowingly and intentionally take copper or other nonferrous metal from a utility or communications services provider, thereby causing damage to the facilities of a utility or communications services provider or interrupting or interfering with utility or communications services; providing criminal penalties; providing an effective date.

—was referred to the Committees on Communications and Public Utilities; Commerce; Criminal Justice; and Criminal and Civil Justice Appropriations.

By Senator Bennett—

SB 1386—A bill to be entitled An act relating to telecommunications services; amending s. 364.025, F.S.; extending certain dates regarding universal service and the establishment of an interim and permanent mechanism for such service; providing an effective date.

—was referred to the Committees on Communications and Public Utilities; Commerce; and General Government Appropriations.

By Senator Saunders—

SB 1388—A bill to be entitled An act relating to the retail sale of ephedrine and related compounds; creating s. 893.1497, F.S.; providing definitions; requiring each retail distributor to maintain a written or electronic log or receipts of transactions involving the sale of ephedrine and related compounds; requiring a person who is purchasing ephedrine or related compounds for personal use to produce current and valid proof of identity and proof of age and to sign a written log, an electronic log, or a receipt to document the transaction; requiring the Department of Law Enforcement to provide each retail distributor access to a real-time electronic logbook for the purpose of entering transaction data, subject to available funding; authorizing the department to contract with a private vendor to establish the electronic logbook system; prohibiting the department from charging fees to retail distributors; identifying the persons and entities that have authority to access the electronic logbook; requiring the department to destroy the record of an ephedrine or related compound transaction after a specified time; providing that a retail distributor who in good faith releases information in a logbook to a federal, state, or local law enforcement authority is immune from civil liability; providing an exception; providing that a person who knowingly releases or discloses to any unauthorized person any confidential information, who obtains confidential information for a purpose not authorized by this section, or who uses or shares confidential information for any purpose other than to ensure compliance with the act commits a misdemeanor of the first degree; providing criminal penalties; providing an effective date.

—was referred to the Committees on Health Regulation; Criminal Justice; Judiciary; and Criminal and Civil Justice Appropriations.

By Senator Saunders—

SB 1390—A bill to be entitled An act relating to public records; amending s. 893.1497, F.S.; providing an exemption from public-records requirements for information concerning the retail sale of ephedrine and related compounds stored in the written or electronic logbook of a retail distributor or in the centralized real-time electronic logbook maintained by the Department of Law Enforcement; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing a contingent effective date.

—was referred to the Committees on Health Regulation; Criminal Justice; Judiciary; Governmental Operations; and Rules.

By Senator Lawson—

SB 1392—A bill to be entitled An act relating to public records and meetings; expressing the legislative intent to create an exemption from public-records and public-meetings requirements; providing an effective date.

—was referred to the Committees on Governmental Operations; and Rules.

By Senator Lawson—

SB 1394—A bill to be entitled An act relating to public records and meetings; expressing the legislative intent to create an exemption from public-records and public-meetings requirements; providing an effective date.

—was referred to the Committees on Governmental Operations; and Rules.

By Senator Lawson—

SB 1396—A bill to be entitled An act relating to public records and meetings; expressing the legislative intent to create an exemption from public-records and public-meetings requirements; providing an effective date.

—was referred to the Committees on Governmental Operations; and Rules.

By Senator Oelrich—

SB 1398—A bill to be entitled An act relating to a tax credit for research and development expenses; creating s. 220.194, F.S.; providing legislative intent regarding a state research and development tax credit; defining the terms "base amount" and "business enterprise"; providing a tax credit for businesses having qualified research expenses; providing the amount of the tax credit; providing that the credit taken in any one taxable year may not exceed a certain amount; providing that any unused credit may be carried forward for up to 10 years; providing that any unused credit may be assigned or sold to another taxpayer under certain conditions; providing for a maximum credit amount; requiring the Department of Revenue to adopt rules and guidelines; providing an effective date.

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

By Senator Lawson—

SB 1400—A bill to be entitled An act relating to public records and meetings; expressing the legislative intent to create an exemption from public-records and public-meetings requirements; providing an effective date.

—was referred to the Committees on Governmental Operations; and Rules.

By Senator Lawson—

SB 1402—A bill to be entitled An act relating to public records and meetings; expressing the legislative intent to create an exemption from public-records and public-meetings requirements; providing an effective date.

—was referred to the Committees on Governmental Operations; and Rules.

By Senator Rich—

SB 1404—A bill to be entitled An act relating to child care; creating s. 402.3012, F.S.; providing for the Office of Early Learning within the Agency for Workforce Innovation to establish Florida's Sunshine State Stars Quality Rating System, subject to specific appropriation; providing for the rating system to be voluntary; providing quality rating requirements for early learning programs, child care facilities, and facilities participating in the Voluntary Prekindergarten Education Program; establishing a voluntary pilot program in specified counties; providing financial incentives for advancement in quality rating; providing for technical support; providing for expiration of the program; requiring the Office of Early Learning within the Agency for Workforce Innovation to develop an early education workforce development plan; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Children, Families, and Elder Affairs; Commerce; and Transportation and Economic Development Appropriations.

By Senator Siplin—

SB 1406—A bill to be entitled An act relating to consumer credit reports; defining the terms "creditor" and "negative credit information"; providing that a creditor may submit negative credit information concerning a consumer to a consumer reporting agency only if the creditor notifies the affected consumer; providing procedures for notifying the consumer; providing that the giving of notice by a creditor does not create a requirement for the creditor to actually submit negative credit information to a consumer credit reporting agency; providing that a creditor is liable for failing to provide notice to a consumer unless the creditor shows that at the time of the failure to give correct notice the creditor maintained reasonable procedures to comply with the law; providing an effective date.

—was referred to the Committees on Commerce; Banking and Insurance; and Judiciary.

By Senators Rich and Fasano—

SB 1408—A bill to be entitled An act relating to residential tenancies; creating s. 83.683, F.S.; defining terms; prohibiting a landlord from terminating, failing to renew, or refusing to enter into a residential rental agreement because the tenant, applicant, or family or household member is a victim of domestic violence, dating violence, repeat violence, or sexual violence; prohibiting a landlord from including in a residential rental agreement a provision that authorizes the landlord to terminate a rental agreement or impose a penalty on a tenant for calling for assistance from a law enforcement agency or other emergency assistance in response to domestic violence, dating violence, repeat violence, or sexual violence; providing for evidence of the domestic violence, dating violence, repeat violence, or sexual violence which may be provided to the landlord; allowing victims of domestic violence to terminate a residential rental agreement under certain circumstances; providing procedures to notify the landlord; providing for liability for payment of rent by the

respondent who has been excluded from the dwelling unit; requiring a landlord to change door and other locks of the dwelling unit of a victim of domestic violence, dating violence, repeat violence, or sexual violence under certain circumstances within a specified period; requiring the protected tenant to pay the costs of changing the door and other locks of the dwelling unit; prohibiting waiver of the provisions of the act; providing an effective date.

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

By Senator Deutch—

SB 1410—A bill to be entitled An act relating to the reimbursement of Medicaid providers; amending s. 409.908, F.S.; requiring the Agency for Health Care Administration to provide reimbursement for physician and dental services at certain levels and rates; providing an effective date.

—was referred to the Committees on Health Policy; Children, Families, and Elder Affairs; and Health and Human Services Appropriations.

By Senator Bennett—

SB 1412—A bill to be entitled An act relating to the use of public moneys and property; providing definitions; prohibiting the use of public funds for certain purposes benefiting a professional sports team; providing exceptions; amending s. 196.199, F.S.; providing for the ad valorem taxation of property owned by a governmental entity if the property is used by a private entity for a nonexempt purpose; providing effective dates.

—was referred to the Committees on Community Affairs; Commerce; Finance and Tax; and Transportation and Economic Development Appropriations.

By Senator Diaz de la Portilla—

SB 1414—A bill to be entitled An act relating to supplemental educational services; amending s. 1008.331, F.S.; requiring the Department of Education to annually evaluate and grade supplemental educational services providers; specifying evaluation criteria; requiring publication; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; and Education Pre-K - 12 Appropriations.

By Senator Diaz de la Portilla—

SB 1416—A bill to be entitled An act relating to alimony; amending s. 61.08, F.S.; requiring the court to consider and make a finding of fact concerning the existence of a supportive relationship between an obligee and a person who is not related by consanguinity or affinity and with whom the obligee resides when determining a proper award of alimony; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; and Judiciary.

By Senator Diaz de la Portilla—

SB 1418—A bill to be entitled An act relating to the tax on property rental fees and the tax on admissions; amending s. 212.031, F.S.; abrogating the repeal of the tax exemption on rental or license fees provided for certain property rented, leased, or licensed by a convention or exhibition hall, auditorium, stadium, theater, arena, civic center, performing arts center, or publicly owned recreational facility; amending s. 2 of chapter 2006-101, Laws of Florida; abrogating the repeal of the tax exemption provided for certain charges imposed by a convention or exhibition hall, auditorium, stadium, theater, arena, civic center, performing arts center, or publicly owned recreational facility upon a lessee or licensee; amending s. 212.04, F.S.; abrogating the repeal of the tax exemption for admission charges to events sponsored by governmental entities, sports authorities, and sports commissions; providing an effective date.

—was referred to the Committees on Commerce; Community Affairs; Finance and Tax; and General Government Appropriations.

By Senator Jones—

SB 1420—A bill to be entitled An act relating to financial responsibility of physicians and osteopathic physicians; amending s. 395.0191, F.S.; requiring each licensed facility to ensure that certain physicians and osteopathic physicians are in compliance with financial responsibility requirements; requiring the licensed facility to be responsible for fulfilling the financial responsibility requirements of a physician or osteopathic physician under certain circumstances; requiring a physician or osteopathic physician to indemnify a licensed facility for any liabilities incurred by the facility in satisfaction of the physician's or osteopathic physician's financial responsibility requirements; creating s. 627.41496, F.S.; providing that it is contrary to public policy for an insurer to issue legal defense coverage for medical malpractice under certain circumstances; providing exceptions; requiring that financial responsibility be maintained at the time any legal defense coverage is issued by the insurer or invoked by the physician or osteopathic physician; providing that legal defense coverage is void if a physician or osteopathic physician fails to maintain financial responsibility; requiring that a physician or osteopathic physician demonstrate proof of financial responsibility before an insurer may issue legal defense coverage or provide legal defense services; prohibiting an insurer from issuing or providing legal defense coverage to a physician or osteopathic physician contrary to the act; providing that the issuance of professional liability coverage for medical malpractice or medical negligence which includes legal defense coverage in conjunction with indemnity is not prohibited; providing that the issuance of legal defense coverage for the purpose of defense of certain actions by a regulatory board or agency or public or private entity is not prohibited; providing an effective date.

—was referred to the Committees on Health Regulation; Banking and Insurance; and Judiciary.

By Senator Bennett—

SB 1422—A bill to be entitled An act relating to commercial property insurance; amending s. 627.041, F.S.; defining the terms "assessable commercial property insurance" and "nonassessable commercial property insurance"; amending s. 627.062, F.S.; providing rate standards regarding nonassessable commercial property insurance; providing that nonassessable commercial property insurance is not subject to a determination that the rate is excessive or unfairly discriminatory; providing an exception; amending s. 627.351, F.S.; excluding nonassessable commercial property insurance from the definition of "subject lines of business"; providing that insurers issuing nonassessable commercial property insurance policies are not assessable for the portion of the assessment from which the nonassessable commercial property insurance policy is exempt; creating s. 627.7031, F.S.; authorizing insurers offering policies covering commercial property risks to offer potential insureds assessable commercial property insurance policies and nonassessable commercial property insurance policies; requiring that an owner of commercial property have the option to purchase either a nonassessable commercial property insurance policy or an assessable commercial property insurance policy regarding that property, if an assessable commercial property insurance policy is offered by the insurer; requiring that an application for a nonassessable commercial property policy contain a specified disclaimer; requiring that the declarations page of a nonassessable commercial property policy contain a specified disclaimer; providing an effective date.

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

By Senator Wise—

SB 1424—A bill to be entitled An act relating to driving privileges for persons convicted of driving under the influence; amending s. 316.193, F.S.; requiring that a court order the mandatory placement for a specified period, at the convicted person's sole expense, of an ignition interlock device approved by the Department of Highway Safety and Motor Vehicles upon all vehicles that are individually or jointly leased or owned and routinely operated by any person convicted for a fourth or subsequent offense of driving under the influence if the convicted person obtains a restricted license or permit, regardless of whether the conviction was for a misdemeanor or felony; amending s. 322.28, F.S.; providing that a driver's license or driving privilege may be granted under certain circumstances to a person convicted a fourth time for driving under the influence or a conviction for DUI manslaughter; amending s. 322.271, F.S.; providing conditions under which a person convicted of a second DUI within 5 years after the date of a prior conviction may petition the department for reinstatement of his or her driving privilege on a restricted basis; providing conditions under which a person convicted of a third DUI within 10 years after the date of a prior conviction may petition the department for reinstatement of his or her driving privilege on a restricted basis; providing conditions under which a person convicted of a fourth or subsequent DUI may petition the department for reinstatement of his or her driving privilege on a restricted basis; requiring that the department impose certain requirements upon such persons; providing for the cancellation of such person's driving privilege upon his or her failure to adhere to such requirements; requiring that a person convicted of DUI manslaughter seeking reinstatement of his or her driving privilege demonstrate to a court within a specified period after the filing of his or her petition for reinstatement that he or she has abstained from consuming alcohol for 5 years as demonstrated by a specified period of continuous alcohol monitoring as reported to the licensed DUI program supervising the petitioner; defining the term "continuous alcohol monitoring"; amending s. 322.2715, F.S.; requiring that an ignition interlock device be installed for a specified period on any vehicle that is individually or jointly leased or owned and routinely operated by an individual convicted of a fourth or subsequent offense of driving under the influence; amending s. 322.16, F.S.; correcting cross-references to conform to changes made by the act; providing that any person operating a motor vehicle in violation of an ignition interlock restriction commits an offense of the same degree and punishable in the same manner as provided by state law regarding driving or being in actual physical control of a vehicle while his or her license is suspended or revoked; providing an effective date.

—was referred to the Committees on Transportation; Criminal Justice; Judiciary; and Transportation and Economic Development Appropriations.

By Senator Baker—

SB 1426—A bill to be entitled An act relating to sales taxes; amending s. 39, chapter 2007-106, Laws of Florida; extending a deadline for certain mobile home owners to file an application for reimbursement of sales taxes paid on mobile homes purchased to replace mobile homes damaged by a tornado; providing an effective date.

—was referred to the Committees on Community Affairs; Finance and Tax; and General Government Appropriations.

By Senator Fasano—

SB 1428—A bill to be entitled An act relating to retirement; creating s. 121.355, F.S.; authorizing certain former participants in the Community College Optional Retirement Program or the State University System Optional Retirement Program and present mandatory participants in the Florida Retirement System to receive a specified amount of service credit under certain conditions; providing a specified time period for the election of such transfer; providing an effective date.

—was referred to the Committees on Governmental Operations; and General Government Appropriations.

By Senator Aronberg—

SB 1430—A bill to be entitled An act relating to public safety; amending s. 775.21, F.S.; revising provisions relating to reimbursement of specified costs by sexual predators; requiring that the sheriff or chief of police notify any library within a 1-mile radius of the residence of a sexual predator; prohibiting a sexual predator from working or volunteering at a library or business where children regularly congregate; providing penalties; requiring the Department of Law Enforcement and other specified agencies to consider eliminating or modifying two dates on or after which a person must be classified as a sexual offender or a sexual predator; directing the department to determine the effect that the elimination or modification of these dates will have on the department and other agencies; directing the department to present a report of its findings to the President of the Senate and the Speaker of the House of Representatives by a specified date; providing an effective date.

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

By Senator Justice—

SB 1432—A bill to be entitled An act relating to interconnection of customer-owned renewable energy generation and net metering; creating s. 366.925, F.S.; providing purpose and application; providing definitions; requiring electric utilities to develop and file standard interconnection agreements for Public Service Commission approval; specifying criteria for such agreements; specifying qualifications and fees for customer-owned renewable energy generation; specifying contractual contents of standard interconnection agreements; providing administrative requirements for customer applications and written notice related to standard interconnection agreements; authorizing electric utilities to disconnect customer-owned renewable energy generation under certain circumstances; requiring electric utilities to provide net metering; specifying net metering requirements; requiring electric utilities to provide an annual report to the commission; providing report requirements; requiring the commission to resolve disputes relating to customer-owned renewable energy generation and net metering; providing an effective date.

—was referred to the Committees on Communications and Public Utilities; Environmental Preservation and Conservation; Finance and Tax; and General Government Appropriations.

By Senator Joyner—

SB 1434—A bill to be entitled An act relating to the admissibility of statements of a criminal defendant in felony cases; amending s. 90.803, F.S.; requiring that hearsay statements made during certain custodial interrogations comply with specified requirements in order to be admissible; providing definitions; describing circumstances in which an oral, written, or sign-language statement made by an interrogee during a custodial interrogation is presumed inadmissible as evidence against such person; describing circumstances in which the prosecution may rebut such presumption; describing circumstances in which law enforcement officers may have good cause not to electronically record all or part of an interrogation; providing for the admissibility of certain statements of an interrogee when made in certain proceedings or when obtained by federal officers or officers from other jurisdictions; providing for the preservation of electronic recordings; providing for admissibility of certain statements of an interrogee; amending s. 90.804, F.S.; requiring that for a hearsay statement against interest made during certain custodial interrogations to be admissible when the declarant is unavailable specified requirements must have been complied with; providing a finding of important state interest; specifying the purpose of the act; providing an effective date.

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

SB 1436—Not referenced.

By Senator Aronberg—

SB 1438—A bill to be entitled An act relating to the unlawful use of utility services; amending s. 812.14, F.S.; prohibiting trespass and larceny in relation to utility fixtures for the purpose of manufacturing, growing, or cultivating a controlled substance; providing for prima facie evidence of the intent to commit such offense; providing that trespass and larceny in relation to utility fixtures for the purpose of manufacturing, growing, or cultivating a controlled substance is a third-degree felony; providing that prosecution for trespass and larceny in relation to utility fixtures does not preclude prosecution for theft of utility services; providing that theft of utility services for the purpose of manufacturing, growing, or cultivating a controlled substance is a third-degree felony; providing that prosecution of theft of utility services is in lieu of prosecution for theft pursuant to s. 812.014, F.S.; providing for prima facie evidence of intent to commit theft of utility services; providing an effective date.

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

By Senators Gaetz, Lawson, King, Storms, Baker, Crist, Posey, Oelrich, Saunders, Fasano, Peaden, Siplin, Wise, Bennett, Dockery, Haridopolos and Alexander—

SB 1440—A bill to be entitled An act relating to the Corporate Income Tax Credit Scholarship Program; amending s. 220.187, F.S.; providing legislative findings; revising program purposes; providing that siblings of certain students are eligible for participation in the program; revising provisions authorizing the total amount of tax credits that may be granted and deleting the reservation of a portion thereof; revising authorized uses of scholarship funds and providing for premium payments to certain students who participate in statewide assessments; revising provisions relating to expenditure of contributions received during a fiscal year; removing parent responsibility for providing transportation to certain assessment sites; providing obligations of the Department of Education relating to scholarship student participation in statewide assessments; revising scholarship amounts and providing amount of premium payments; requiring State Board of Education rule for adjustment of scholarship awards; revising requirements relating to verification of student attendance for purposes of scholarship payment; providing for preservation of credits under certain circumstances; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Finance and Tax; and Education Pre-K - 12 Appropriations.

By Senator Dockery—

SB 1442—A bill to be entitled An act relating to exploited children; amending s. 92.56, F.S.; providing specified protections to victims in any civil or criminal proceeding involving the production, possession, or promotion of child pornography where the victim depicted in the image or images is a party to the case or a witness in the case; permitting use of a pseudonym to designate the victim of a crime involving a victim of production, possession, or promotion of child pornography; revising provisions concerning use of victim pseudonyms to specify that they may be used in civil and criminal proceedings; amending s. 800.04, F.S., relating to lewd or lascivious exhibition, to conform to changes made by the act; creating s. 847.002, F.S.; requiring law enforcement officers submitting a case for prosecution that involves the creation, possession, or promotion of child pornography to provide specified information to prosecutors; requiring prosecutors to pursue prosecutions regarding images of child pornography wherein a known victim from within this state is depicted; requiring prosecutors to enter specified information in a database maintained by the Attorney General; creating s. 847.01355, F.S., relating to lewd and lascivious exhibition on a computer; providing an exception; providing penalties; creating s. 847.01357, F.S.; providing a civil remedy for any person who is a victim of a listed sexual abuse crime wherein any portion of that abuse was used in the production of child pornography and who suffers personal or psychological injury as a result of the production, promotion, or possession of such images; specifying damages to persons who are further exploited following a recovery under this section; providing for limitation of actions; providing for confidential pseudonyms to specified claimants; precluding a defense to certain civil actions; permitting the Attorney General to pursue cases on behalf of victims; providing for disposition of damages and attorney's fees; amending s. 960.03, F.S.; including crimes that result in psychological injury or trauma as compensable crimes for purposes of victims compensation; expanding the definition of "victim" for purposes of victim compensation to include any minor who has suffered physical or psychological injury as a result of online sexual solicitation and including any person who, while a child, was depicted in an image of child pornography; amending ss. 90.404, 92.565, 394.912, 409.2355, 775.082, 775.084, 775.15, 775.21, 784.048, 787.01, 787.02, 787.025, 794.065, 914.16, 921.0022, 921.244, 938.10, 943.0435, 943.04354, 943.0585, 943.059, 944.606, 944.607, 947.1405, 948.013, 948.03, 948.06, 948.101, 948.30, 948.31, and 948.32, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was referred to the Committees on Criminal Justice; Children, Families, and Elder Affairs; Judiciary; and Criminal and Civil Justice Appropriations.

By Senator Saunders—

SB 1444—A bill to be entitled An act relating to water management districts; amending s. 373.199, F.S.; eliminating an obsolete requirement for a report by the districts; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; General Government Appropriations; and Rules.

SR 1446—Not referenced.

By Senator Wise—

SB 1448—A bill to be entitled An act relating to expert witnesses; amending s. 90.702, F.S.; revising requirements for admission of expert testimony; amending s. 90.704, F.S.; providing that facts or data that are otherwise inadmissible shall not be disclosed to a jury except in specified circumstances; amending s. 90.705, F.S.; providing for a pretrial hearing to determine whether an expert's proposed testimony satisfies specified requirements; providing a standard for appellate review of such determination; providing for interlocutory appeal of a ruling to admit or exclude expert testimony; providing a directive to the Division of Statutory Revision; creating s. 90.707, F.S.; requiring courts to interpret specified provisions consistently with specified Federal Rules of Evidence and United States Supreme Court opinions; providing severability; providing for applicability; providing an effective date.

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

By Senator Alexander—

SB 1450—A bill to be entitled An act relating to agriculture; expressing the legislative intent to revise laws relating to agriculture; providing an effective date.

—was referred to the Committees on Agriculture; General Government Appropriations; and Rules.

By Senator Wise—

SB 1452—A bill to be entitled An act relating to building inspection professionals; amending s. 468.8318, F.S.; requiring a corporation or partnership that offers home inspection services to have a home inspector of record for the corporation or partnership; requiring that the Department of Business and Professional Regulation be notified of any change in the home inspector of record; amending s. 468.8319, F.S.; revising provisions restricting a home inspector from performing repairs on a home following an inspection; prohibiting certain inducements; amending s. 468.8324, F.S.; revising provisions authorizing certain exemptions from licensure; amending s. 468.841, F.S.; clarifying provisions

exempting home inspectors from certain provisions governing mold-related services; providing for rules; providing an effective date.

—was referred to the Committees on Regulated Industries; Commerce; and General Government Appropriations.

By Senator Wilson—

SM 1454—A memorial to the Congress of the United States, urging Congress to make forms for the United States Decennial Census of 2010 available in the Creole language for the Haitian population of Florida.

—was referred to the Committee on Governmental Operations.

By Senator Wilson—

SB 1456—A bill to be entitled An act relating to medical assistance eligibility of inmates; creating s. 409.9025, F.S.; providing for suspension of medical assistance for certain incarcerated persons while such persons are inmates; providing an exception; providing for eligibility following release from incarceration; providing that, to the extent permitted under federal law, the time during which such person is an inmate shall not be included in any calculation of when the person must recertify his or her eligibility; providing an effective date.

—was referred to the Committees on Health Policy; Criminal Justice; Health and Human Services Appropriations; and Criminal and Civil Justice Appropriations.

By Senators Wise, Gaetz and Fasano—

SB 1458—A bill to be entitled An act relating to school food service programs; amending s. 1006.06, F.S.; requiring the expansion of school district breakfast programs to middle and high schools; specifying requirements for the provision of universal free school breakfast; providing procedures for school breakfast programs and requiring information to be communicated to students and parents; authorizing the Department of Education to develop an incentive program to encourage student participation; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Children, Families, and Elder Affairs; Health Policy; and Education Pre-K - 12 Appropriations.

SR 1460—Not referenced.

By Senator Dean—

SB 1462—A bill to be entitled An act relating to direct-support organizations; creating s. 292.075, F.S.; providing definitions; authorizing the Department of Veterans' Affairs to establish a direct-support organization to assist the department; providing purposes, objectives, and duties of the direct-support organization; providing for a board of directors and membership requirements for the board members; requiring the direct-support organization to operate under contract with the department; delineating contract and other governance requirements; providing guidelines for the use of funds; providing for the use of property, facilities, and personal services of the department; providing restrictions; providing limits on the direct-support organization; requiring the direct-support organization to submit certain federal tax forms to the department; providing for an annual audit; amending s. 320.08058, F.S.; requiring that 20 percent of the annual license plate fee collected from the sale of the "Florida Salutes Veterans" license plate be distributed to the direct-support organization created for the purpose of providing benefit to the Department of Veterans' Affairs; providing that the remaining fees be deposited in the State Homes for Veterans Trust Fund; repealing s. 292.04, F.S., relating to the Florida Commission on Veteran's Affairs; providing an effective date.

—was referred to the Committees on Military Affairs and Domestic Security; Governmental Operations; and Health and Human Services Appropriations.

By Senator Dean—

SB 1464—A bill to be entitled An act relating to public records; amending s. 292.075, F.S.; providing an exemption from public-records requirements for information concerning certain donors and prospective donors to the direct-support organization of the Department of Veterans' Affairs; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing a contingent effective date.

—was referred to the Committees on Military Affairs and Domestic Security; Governmental Operations; and Rules.

By Senator Aronberg—

SB 1466—A bill to be entitled An act relating to construction contracting; amending s. 489.127, F.S.; prohibiting a certified or registered contractor or contractor authorized by a local construction licensing board from performing work for which the contractor is not properly licensed, from subcontracting work requiring a license to an unlicensed person, or from failing to obtain required permits or inspections; providing penalties; authorizing local jurisdictions to issue civil citations for specified violations; providing an effective date.

—was referred to the Committees on Regulated Industries; Community Affairs; and General Government Appropriations.

By Senator Dean—

SB 1468—A bill to be entitled An act relating to the Department of Military Affairs; expressing the legislative intent to revise laws relating to the Department of Military Affairs; providing an effective date.

—was referred to the Committees on Military Affairs and Domestic Security; Governmental Operations; Transportation and Economic Development Appropriations; and Rules.

By Senator Dean—

SB 1470—A bill to be entitled An act relating to seaport security; expressing the legislative intent to revise laws relating to seaport security; providing an effective date.

—was referred to the Committees on Military Affairs and Domestic Security; Criminal Justice; Transportation and Economic Development Appropriations; and Rules.

By Senator Dean—

SB 1472—A bill to be entitled An act relating to emergency preparedness; expressing the legislative intent to revise laws relating to emergency preparedness; providing an effective date.

—was referred to the Committees on Military Affairs and Domestic Security; Community Affairs; Transportation and Economic Development Appropriations; and Rules.

By Senator Joyner—

SB 1474—A bill to be entitled An act relating to marital assets; amending s. 61.075, F.S.; revising provisions relating to the equitable

distribution of marital assets in dissolutions of marriage; revising definitions; defining the term "good cause"; revising the term "marital assets and liabilities"; providing that the burden of proof for overcoming the marital gift presumption is by clear and convincing evidence; providing for an interim partial distribution of marital assets; providing that claims for special equity are abolished; providing an effective date.

—was referred to the Committee on Judiciary.

By Senator Dean—

SB 1476—A bill to be entitled An act relating to the Department of Veterans' Affairs; expressing the legislative intent to revise laws relating to the Department of Veterans' Affairs; providing an effective date.

—was referred to the Committees on Military Affairs and Domestic Security; Governmental Operations; Health and Human Services Appropriations; and Rules.

By Senator Margolis—

SB 1478—A bill to be entitled An act relating to psychology licensure; amending s. 490.005, F.S.; requiring the Board of Psychology within the Department of Health to close an application of an applicant who fails to pass the licensure examination or submit evidence of completing postdoctoral training within a period of time set by the board; authorizing persons who have completed postdoctoral residency training to continue the practice of psychology under certain circumstances; providing an effective date.

—was referred to the Committees on Health Regulation; and Health and Human Services Appropriations.

SR 1480—Not referenced.

By Senator Geller—

SB 1482—A bill to be entitled An act relating to onsite sewage treatment and disposal systems; providing legislative intent to research and find cost-effective methods for reducing nitrogen levels in the state's springs and to expand research in the Wekiva Springs Basin; requiring the Department of Health to conduct a study that develops and evaluates passive onsite wastewater nitrogen reduction systems to complement or add to conventional onsite wastewater treatment systems; requiring that the department's research review and advisory committee and technical review and advisory panel approve the study; requiring the department to provide administrative support to the committee; requiring the department to administer and provide quality control for contracts; requiring the department to establish an advisory panel comprised of experts in wastewater treatment process design and performance assessment to periodically review the study; providing for the membership of the panel; providing requirements for the study; requiring that the study be completed by a specified date; requiring that the research review and advisory committee approve interim progress reports and a final report and submit such reports to the Governor and the Legislature; amending s. 381.0065, F.S.; requiring an owner of an onsite sewage treatment and disposal system installed before 1983 to have the system pumped out and inspected, with the exception of a system requiring an operating permit; requiring the department to adopt rules relating to such inspection; providing an appropriation; providing an effective date.

—was referred to the Committees on Health Regulation; Environmental Preservation and Conservation; Health and Human Services Appropriations; and General Government Appropriations.

By Senator Saunders—

SB 1484—A bill to be entitled An act relating to language instruction for limited English proficient students; amending s. 1003.433, F.S.; providing for immersion English language instruction during the summer following the senior year for certain students who have been enrolled in an ESOL program for less than 2 full school years; amending s. 1003.56, F.S.; requiring that for purposes of education accountability, the FCAT scores for ESOL students do not count for at least 2 full years following the date of initial enrollment in a Florida public school; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; and Education Pre-K - 12 Appropriations.

By Senator Saunders—

SB 1486—A bill to be entitled An act relating to state symbols; creating s. 15.0386, F.S.; designating the official state tortoise; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; and Governmental Operations.

By Senator Dean—

SB 1488—A bill to be entitled An act relating to consumer information concerning health care; providing a short title; providing a purpose; amending s. 381.026, F.S.; revising requirements for health care providers and facilities in notifying patients of charges for health care services; requiring an itemized, comprehensible estimate of charges; requiring that a facility publish certain prices for current procedure terminology codes for the most commonly performed procedures, pharmaceuticals, and medical supplies; requiring the Agency for Health Care Administration to determine the codes; requiring that a patient receive a copy of an itemized bill; amending s. 395.301, F.S.; revising requirements for billing and written estimates provided to patients by health care facilities; providing that an estimate does not preclude additional charges if the charges are itemized; amending s. 408.05, F.S.; revising the list of patient charge data that may be disclosed by the agency; amending s. 408.061, F.S.; requiring that the health care data submitted by health care facilities to the agency include information concerning prices for common procedures, pharmaceuticals, and supplies; providing an effective date.

—was referred to the Committees on Health Regulation; Banking and Insurance; and Health and Human Services Appropriations.

By Senator Bennett—

SB 1490—A bill to be entitled An act relating to affordable housing property tax exemptions; amending s. 196.196, F.S.; providing additional criteria for determining whether certain affordable housing property owned by certain exempt organizations is entitled to an exemption; providing a definition; amending s. 196.1978, F.S.; specifying criteria and requirements for revoking the affordable housing property exemption; subjecting organizations owning certain property to ad valorem taxation under certain circumstances; providing for tax liens; providing for penalties and interest; providing an exception; providing notice requirements; providing an effective date.

—was referred to the Committees on Community Affairs; Finance and Tax; and General Government Appropriations.

By Senator Margolis—

SB 1492—A bill to be entitled An act relating to the discretionary surtax on documents; abrogating the repeal of the surtax in 2011; providing an effective date.

—was referred to the Committees on Community Affairs; Finance and Tax; and General Government Appropriations.

By Senator Aronberg—

SB 1494—A bill to be entitled An act relating to the chief election officer; amending s. 97.012, F.S.; requiring that the Secretary of State endeavor to be nonpartisan in all decisions and statements related to elections; prohibiting the secretary from performing certain actions; providing an effective date.

—was referred to the Committees on Ethics and Elections; Governmental Operations; and Judiciary.

By Senator Bennett—

SB 1496—A bill to be entitled An act relating to service animals; amending s. 413.08, F.S.; expanding the definition of "service animal" to include any animal that is trained, in the process of being trained, or being raised for the purpose of being trained at a future date to perform tasks for an individual with a disability; providing that any person who is training or raising an animal for the purpose of future training as a service animal has the same rights and privileges with respect to access to public facilities and the same liability for damage as is provided for persons accompanied by service animals; providing that such rights and privileges extend to a volunteer who raises puppies for the purpose of future training as service animals if certain conditions are met; providing an effective date.

—was referred to the Committees on Community Affairs; Governmental Operations; and Judiciary.

By Senator Fasano—

SB 1498—A bill to be entitled An act relating to service learning in the public school system; creating s. 1003.497, F.S.; requiring the Department of Education to encourage school districts to initiate, adopt, expand, and institutionalize service-learning programs, activities, and policies in kindergarten through grade 12; defining service learning; providing for department assistance to a school district that elects to implement service-learning activities; requiring development and adoption of service-learning courses; authorizing service-learning activities to count toward high school graduation or academic award requirements; encouraging school districts to include service learning as part of courses or activities required for high school graduation or receipt of academic awards; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; and Education Pre-K - 12 Appropriations.

By Senator Ring—

SB 1500—A bill to be entitled An act relating to paid holidays; amending s. 110.117, F.S.; revising list of state holidays to include Presidential Election Day; providing an effective date.

—was referred to the Committees on Ethics and Elections; Governmental Operations; and General Government Appropriations.

By Senator Margolis—

SB 1502—A bill to be entitled An act relating to property leased for public purposes; amending s. 125.031, F.S.; exempting counties from a 30-year lease limitation under certain circumstances; providing an effective date.

—was referred to the Committees on Community Affairs; Governmental Operations; Finance and Tax; and General Government Appropriations.

By Senator Wise—

SB 1504—A bill to be entitled An act relating to termination of pregnancy; amending s. 390.01114, F.S.; prohibiting a nonresident minor from petitioning a circuit court in this state for judicial waiver of notice of termination of pregnancy; providing an effective date.

—was referred to the Committees on Health Regulation; and Judiciary.

By Senator Bennett—

SB 1506—A bill to be entitled An act relating to electric utilities; amending s. 74.051, F.S.; requiring a court to conduct a hearing and issue a final judgment on a petition for a taking within specified times after a utility's request for such hearing; amending s. 186.801, F.S.; requiring a local government to advise the Public Service Commission and utility of a need for amendments to the local government's adopted comprehensive plan or zoning ordinances for use of an electrical plant site; amending s. 253.02, F.S.; authorizing the Secretary of Environmental Protection or the board of a jurisdictional water management district to grant easements across lands owned by the Board of Trustees of the Internal Improvement Trust Fund under certain conditions; amending s. 253.034, F.S.; granting a utility the use of nonsovereignty state-owned lands upon a showing of competent substantial evidence that the use is reasonable; establishing criteria relating to the title, distribution, and cost of such lands; amending s. 337.401, F.S.; requiring the Department of Environmental Protection to adopt rules relating to the placement of and access to aerial and underground electric transmission lines having certain specifications; defining the term "base-load generating facilities"; amending s. 366.93, F.S.; revising the definitions of "cost" and "preconstruction"; requiring the Public Service Commission to establish rules relating to cost recovery for the construction of new, expanded, or relocated electrical transmission lines and facilities for a nuclear power plant; amending ss. 380.23 and 403.031, F.S.; conforming cross-references; amending s. 403.503, F.S.; defining the term "alternate corridor" and redefining the term "corridor" for purposes of the Florida Electrical Power Plant Siting Act; amending s. 403.504, F.S.; requiring the Department of Environmental Protection to determine whether a proposed alternate corridor is acceptable; amending s. 403.506, F.S.; exempting an electric utility from obtaining certification under the Florida Electrical Power Plant Siting Act before constructing facilities for a power plant using nuclear materials as fuel; providing that a utility may obtain separate licenses, permits, and approvals for such construction under certain circumstances; amending s. 403.50665, F.S.; requiring an application to include a statement on the consistency of directly nonlinear associated facilities constituting a "development"; requiring the Department of Environmental Protection to address at the certification hearing the issue of compliance with land use plans and zoning ordinances for a proposed substation located in or along an alternate corridor; exempting directly associated linear facilities from local government land use determinations; creating s. 403.5081, F.S., relating to a proposal for an alternative transmission line corridor; providing a schedule and certification process; requiring a party to file such proposal within a specified period after an application is filed; requiring the party to file a notice of proposal with the administrative law judge, all parties, newly affected agencies, and local governments; requiring that such notice include certain information relating to the alternate corridor; requiring the applicant and the Department of Environmental Protection to file a notice accepting or rejecting the proposal within 7 days after receiving the notice; requiring that a certification hearing and public hearing be held if the proposal is rejected; requiring that a certification hearing be rescheduled if the proposal is accepted; requiring that a rescheduled certification hearing be held if the Department of Environmental Protection determines that the data are incomplete; authorizing the administrative law judge to adjust the schedule if necessary; requiring that the publication of all notices be in compliance with the requirements for public notice; requiring an interested party to provide data to certain agencies; requiring the agencies to make recommendations to the Department of Environmental Protection within 15 days after receiving the data; requiring the Department of Environmental Protection to determine if the data are complete; requiring the party to submit additional data if the department determines such data are incomplete; providing that the proposal is considered withdrawn if the Department of Environmental Protection determines that the data remain incomplete within 14 days after receiving the additional data; requiring an

affected agency to submit a supplementary report within a specified time after the department makes such determination; providing that an agency having a collegial body as agency head may submit a draft of the report to the Department of Environmental Protection by the specified deadline; requiring the department to include an analysis of the agencies' reports in its project analysis; prohibiting a party from filing for an alternate corridor unless the application is amended; authorizing the administrative law judge to authorize a different starting or ending point based upon a showing of good cause; prohibiting the presentation of evidence at a certification hearing if the proposal was improperly noticed; placing the burden of proof on the party proposing the alternate corridor; requiring the board, consisting of the Governor and Cabinet, to certify an alternate corridor if it is accepted by the applicant and the Department of Environmental Protection and if it satisfies certain criteria; amending s. 403.509, F.S.; requiring the board to certify the corridor having the least adverse impact; authorizing the board to deny certification or allow a party to amend its proposal; amending s. 403.5115, F.S.; requiring the applicant proposing the alternate corridor to publish all notices relating to the application; requiring that such notices comply with certain requirements; requiring that notices be published at least 45 days before the rescheduled certification hearing; amending s. 403.5175, F.S.; conforming a cross-reference; amending s. 403.518, F.S.; authorizing the Department of Environmental Protection to charge an application fee for an alternate corridor; authorizing the department to waive all or a portion of such fee based on the applicant's economic circumstances; amending ss. 403.519 and 403.814, F.S., relating to determinations of need and general permits; conforming provisions to changes made by the act; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Communications and Public Utilities; Community Affairs; and General Government Appropriations.

By Senator Saunders—

SB 1508—A bill to be entitled An act relating to Medicaid managed care programs; amending s. 409.9122, F.S.; revising criteria that the Agency for Health Care Administration is required to consider when assigning a Medicaid recipient to a managed care plan or MediPass provider; requiring the agency to consider a managed care plan's performance and compliance with network adequacy requirements and whether it meets certain needs; requiring the agency to establish, monitor, and evaluate network adequacy standards for managed care plans; expanding the basis for such standards to include patient access standards for specialty care providers and network adequacy standards established by contract, rule, and statute; requiring the agency to encourage the development of public and private partnerships to foster the growth of managed care plans rather than health maintenance organizations; authorizing the agency to enter into contracts with traditional providers of health care to low-income persons subject to a specific appropriation; requiring managed care plans and MediPass providers to demonstrate and document plans to ensure that Medicaid recipients receive health care service in a timely manner; authorizing the agency to extend eligibility for Medicaid recipients enrolled in contracted managed care plans rather than health maintenance organizations; requiring the agency to verify patient load certifications if the agency determines that access to primary care is being compromised; defining the term "Medicaid rate" or "Medicaid reimbursement rate"; requiring the agency to include exemption payments and low-income pool payments in its calculation of the hospital inpatient component of a Medicaid health maintenance organization's capitation rate; amending s. 409.9124, F.S.; conforming provisions regarding managed care reimbursement to changes made by the act; amending s. 409.9128, F.S.; prohibiting a managed care plan or MediPass provider from withholding payment for emergency services and care; providing an effective date.

—was referred to the Committees on Health Policy; Health Regulation; and Health and Human Services Appropriations.

By Senator Geller—

SB 1510—A bill to be entitled An act relating to public meetings and records; amending s. 286.011, F.S.; clarifying that the term "pending litigation," with respect to an exemption allowing officers of a governmental entity to meet with an attorney, includes any matter that is addressed in a mandatory notice of intent to initiate a tort claim against the governmental entity; providing an effective date.

—was referred to the Committees on Governmental Operations; Community Affairs; and Judiciary.

By Senator Geller—

SB 1512—A bill to be entitled An act relating to transportation and transit authorities; amending s. 120.52, F.S.; revising the definition of "agency" to exclude any transportation or transit authority established under ch. 343, F.S., from the provisions of the Administrative Procedure Act; amending s. 212.0606, F.S.; requiring a certain percentage of the proceeds from the rental car surcharge collected in counties served by the South Florida Regional Transportation Authority to be deposited in an account held by the authority; requiring the Department of Revenue to provide information regarding such surcharge to the authority each year by a specified date; amending ss. 341.303 and 343.58, F.S.; providing that the Department of Transportation is relieved of certain funding obligations if a recurring funding source, including the rental car surcharge, is dedicated to the South Florida Regional Transportation Authority; providing that counties served by the authority may be relieved of their funding obligations under certain circumstances; providing an effective date.

—was referred to the Committees on Transportation; Community Affairs; Governmental Operations; Finance and Tax; and Transportation and Economic Development Appropriations.

By Senator Storms—

SB 1514—A bill to be entitled An act relating to taxpayer rights; amending s. 192.0105, F.S.; providing a taxpayer the right to be provided all supporting documentation used in a property appraiser's assessment, without requesting such documentation, 14 days before the value adjustment board's hearing date; providing an effective date.

—was referred to the Committees on Community Affairs; Finance and Tax; and General Government Appropriations.

By Senator Storms—

SB 1516—A bill to be entitled An act relating to art in public buildings; repealing s. 255.043, F.S., relating to a requirement that a specified portion of appropriations for new construction of state buildings be used for art; providing an effective date.

—was referred to the Committees on Governmental Operations; and General Government Appropriations.

By Senator Jones—

SB 1518—A bill to be entitled An act relating to arcade amusement centers; expressing the legislative intent to revise laws relating to arcade amusement centers; providing an effective date.

—was referred to the Committees on Regulated Industries; Commerce; General Government Appropriations; and Rules.

By Senator Storms—

SB 1520—A bill to be entitled An act relating to the personal needs allowance; amending s. 409.904, F.S.; increasing the monthly personal needs allowance for certain eligible persons; amending s. 212.02, F.S.; revising the definition of the term "admissions" to include application to establishments offering, advertising, or engaging in adult entertainment services for purposes of imposing the sales and use tax; creating s. 561.1107, F.S.; requiring the Division of Alcoholic Beverages and Tobacco to report to the Department of Revenue persons or establishments licensed under the Beverage Law that offer such services and do

not have a sales tax dealer's certificate of registration displayed; providing for appropriating tax revenues from sales of admissions to establishments providing adult entertainment services for purposes of increasing the monthly personal needs allowance; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Health Policy; Regulated Industries; Finance and Tax; and Health and Human Services Appropriations.

By Senator Storms—

SB 1522—A bill to be entitled An act relating to real property assessments; amending s. 194.301, F.S.; revising the burden of proof in challenges to the property appraiser's assessment of just value; deleting the presumption of correctness and placing the burden of proof on the appraiser; providing an effective date.

—was referred to the Committees on Community Affairs; Judiciary; Finance and Tax; and Education Pre-K - 12 Appropriations.

By Senator Fasano—

SB 1524—A bill to be entitled An act relating to Pasco County; creating the "Pasco County Property Insurance Rate Reduction Act"; providing legislative findings and intent; requiring insurance companies that provide property insurance coverage in Pasco County, when establishing property insurance rates for the county, to take into consideration local efforts and ordinances directed toward reducing the risk of loss due to sinkhole activity; providing an effective date.

Proof of publication of the required notice was attached.

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

By Senator Justice—

SB 1526—A bill to be entitled An act relating to salvage motor vehicles; amending s. 319.30, F.S.; providing criminal penalties for delivering to a salvage motor vehicle dealer a vehicle that has a false, fictitious, or altered title, salvage certificate of title, or certificate of destruction; deleting a provision allowing the substitution of an affidavit in place of a title or certificate of destruction; requiring secondary metals recyclers and salvage motor vehicle dealers to keep certain documentation; providing an effective date.

—was referred to the Committees on Transportation; Commerce; Criminal Justice; and Transportation and Economic Development Appropriations.

By Senator Storms—

SB 1528—A bill to be entitled An act relating to community redevelopment agencies; amending s. 163.356, F.S.; providing for the dissolution of community redevelopment agencies within 15 years after creation; specifying a date of dissolution for agencies that have been in existence for a longer period; providing an effective date.

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

By Senator Bennett—

SB 1530—A bill to be entitled An act relating to access to dwelling units; amending s. 83.53, F.S.; providing recordkeeping requirements for landlords relating to access to dwelling units by direct employees; creating s. 83.531, F.S.; requiring landlords to obtain criminal history information on certain employees; prohibiting landlords from allowing certain employees access to dwelling units; providing exceptions; providing penalties; providing an effective date.

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

By Senator Geller—

SJR 1532—A joint resolution proposing the creation of Section 28 of Article X of the State Constitution to provide funding for embryonic stem cell research.

—was referred to the Committees on Health Policy; Commerce; Judiciary; Health and Human Services Appropriations; and Rules.

SR 1534—Not referenced.

By Senator Storms—

SB 1536—A bill to be entitled An act relating to Internet predator awareness and online safety; creating s. 501.165, F.S.; providing a short title; providing legislative findings; providing definitions; requiring certain disclosures by online dating services; providing a clearinghouse for consumers; providing civil penalties for noncompliance; providing exclusions; providing a directive to the Division of Statutory Revision; providing for severability; providing an effective date.

—was referred to the Committees on Commerce; Criminal Justice; Judiciary; and General Government Appropriations.

SR 1538—Not referenced.

By Senator Saunders—

SB 1540—A bill to be entitled An act relating to public records; creating s. 893.056, F.S.; exempting from public-records requirements information and records reported to any agency that has access to or operates the privacy-protected website containing patients' medication histories; authorizing certain persons and entities access to patient-identifying information; providing guidelines for the use of such information and penalties for violations; providing for future legislative review and repeal; providing a finding of public necessity; providing a contingent effective date.

—was referred to the Committees on Health Regulation; Judiciary; Governmental Operations; and Rules.

By Senator Ring—

SB 1542—A bill to be entitled An act relating to pharmaceutical drugs; creating s. 409.9305, F.S.; providing legislative findings; requiring the Agency for Health Care Administration to establish the Florida Saves on Rx Program; providing definitions; providing eligibility requirements for participation in the program; requiring the Secretary of Health Care Administration to contract with a program administrator to develop a system to purchase prescription medications from authorized pharmacies and pharmacies outside the United States; requiring the agency to verify program eligibility and ensure against illicit diversion of prescription drugs; requiring the agency and the program administrator to adopt a preferred drug list or formulary for the program; authorizing the secretary or the program administrator to negotiate rebates for the inclusion of drugs on the preferred drug list or formulary; requiring the agency to adopt rules to administer the program; requiring the agency to submit an annual report to the Legislature; providing a list of prescription medications that are excluded from the preferred drug list; specifying that the program is not an entitlement; providing an effective date.

—was referred to the Committees on Health Policy; Banking and Insurance; Governmental Operations; and Health and Human Services Appropriations.

By Senator Saunders—

SB 1544—A bill to be entitled An act relating to energy; amending s. 20.255, F.S.; providing for the Florida Energy Office to be located within the Department of Environmental Protection; amending s. 403.061, F.S.; authorizing the department to coordinate the development, review, and implementation of the state's energy policy; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Communications and Public Utilities; Governmental Operations; and General Government Appropriations.

By Senator Saunders—

SB 1546—A bill to be entitled An act relating to vessel safety; amending s. 327.50, F.S.; revising the requirements for floatation devices; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; and General Government Appropriations.

By Senator Saunders—

SB 1548—A bill to be entitled An act relating to property appraisers; amending s. 193.023, F.S.; revising authority of the property appraiser to inspect property for assessment purposes; amending s. 196.011, F.S.; revising required time limitations for filing applications for homestead exemptions; revising procedural requirements for property appraiser approval of such exemptions; amending s. 196.015, F.S.; revising factors for consideration by property appraisers in determining permanent residency for homestead exemption purposes; providing an effective date.

—was referred to the Committees on Community Affairs; Finance and Tax; and General Government Appropriations.

By Senator Saunders—

SB 1550—A bill to be entitled An act relating to prescription drug history; repealing s. 408.0611, F.S., relating to an electronic drug prescribing clearinghouse; creating s. 893.055, F.S.; providing definitions; requiring the Agency for Health Care Administration to contract with a vendor to design and operate a website that gives health care practitioners, pharmacies, and pharmacists access to patient medication history through a privacy-protected website; requiring the contracted vendor to subcontract with organizations that currently operate electronic prescribing networks; requiring the contracted vendor to comply with state and federal privacy laws; requiring the vendor to create a verification system to check the validity of licenses for each health care practitioner, pharmacist, and pharmacy accessing the website; authorizing a pharmacy or pharmacist to use the website to obtain only the medication history of patients in dispensing certain drugs; prohibiting the pharmacist or pharmacy from accessing pharmacy-identifying information through the website; prohibiting recovery of damages against a health care practitioner, pharmacist, or pharmacy for accessing or failing to access information from the website; providing for disciplinary action; providing that a contractor is liable in tort for the improper release of a patient's confidential information from the website; providing that sovereign immunity may not be raised by the contractor or the insurer of that contractor as a defense in tort regarding the application of confidential information from the website or for breach of contract; providing a contingent effective date.

—was referred to the Committees on Health Regulation; Judiciary; Governmental Operations; and Health and Human Services Appropriations.

By Senator Saunders—

SB 1552—A bill to be entitled An act relating to Everglades restoration bonds; amending s. 215.619, F.S.; extending the period during which such bonds may be issued and increasing amount of bonds that may be issued each fiscal year; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Finance and Tax; and General Government Appropriations.

By Senator Wise—

SB 1554—A bill to be entitled An act relating to firesafety; creating s. 633.027, F.S.; requiring owners of certain structures to post certain signs or symbols on the structures; requiring the State Fire Marshal to adopt rules governing such signs or symbols; providing for enforcement; providing penalties; providing an effective date.

—was referred to the Committees on Banking and Insurance; Community Affairs; and General Government Appropriations.

By Senator Crist—

SB 1556—A bill to be entitled An act relating to locksmith services; creating part XVII of ch. 468, F.S.; providing a short title; providing findings and purpose; preempting, by a time certain, regulation of locksmith services and those performing such services to the state; requiring, by a time certain, specified qualifications to provide locksmith services; providing exemptions; providing definitions; creating the Florida Board of Locksmiths within the Department of Business and Professional Regulation; providing membership; providing board operating procedures and powers and duties; providing rulemaking authority for the board and the department; authorizing the board to develop and administer an examination program or to use a program developed and administered by others; providing applicability of ch. 455, F.S.; delineating requirements for licensing; authorizing licensure by endorsement under certain circumstances; providing biennial license renewal requirements and process; requiring continuing education as a prerequisite for license renewal; establishing hours of continuing education for locksmith contractors and automotive-only locksmith contractors; requiring registering of certain information on locksmiths and apprentice locksmiths with the department and the board; requiring a locksmith contractor to employ persons as locksmiths or apprentice locksmiths who meet specified requirements; providing continuing education requirements for locksmiths and apprentice locksmiths; providing that failure to meet continuing education requirements results in certain board-imposed sanctions; requiring biennial renewal of registrations; providing board and department access to all locksmith and apprentice locksmith records relating to compliance with this part; providing employer requirements for locksmith contractors; providing insurance requirements for locksmith contractors; requiring photo identification cards for locksmith contractors, locksmiths, and apprentice locksmiths; requiring locksmith contractors to display licenses and to display license numbers and other information in all advertising; providing fines for noncompliance; requiring the department to provide in rule certain directions related to photo identification cards and license and license number display; requiring customer identification information when locksmith services are performed; requiring retention of work order or sales receipts for a specified time; requiring access to such information by law enforcement, the board, and the department; delineating prohibited acts; providing penalties; delineating disciplinary proceedings; requiring the department to maintain a list of locksmith contractors, locksmiths, and apprentice locksmiths; providing an effective date.

—was referred to the Committees on Regulated Industries; Governmental Operations; Criminal Justice; and General Government Appropriations.

By Senator Hill—

SB 1558—A bill to be entitled An act relating to official state designations; creating s. 15.0326, F.S.; designating the song "Where the Sawgrass Meets the Sky" as the official state song; providing an effective date.

—was referred to the Committees on Governmental Operations; Transportation and Economic Development Appropriations; and Rules.

By Senator Oelrich—

SB 1560—A bill to be entitled An act relating to the use of hoax firearms; creating s. 812.129, F.S.; defining the term "hoax firearm" for specified purposes; amending ss. 812.13, 812.133, and 812.135, F.S.; revising provisions relating to robbery, carjacking, and home-invasion robbery to provide increased penalties when a hoax firearm is carried in the course of committing the offense; amending s. 921.0022, F.S.; conforming provisions of the offense severity ranking chart of the Criminal Punishment Code to changes made by the act; amending s. 948.062, F.S.; conforming provisions; providing an effective date.

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

By Senator Baker—

SB 1562—A bill to be entitled An act relating to payment card transaction exactions; amending s. 212.17, F.S.; authorizing certain dealers to take a credit for taxes paid on the percentage of tax not reimbursed to the dealer as a result of issuer fees or deductions; specifying conditions and the amount of the credit; providing a return requirement; exempting locally imposed and self-administered convention development taxes, tourist development taxes, or tourist impact taxes; providing an effective date.

—was referred to the Committees on Commerce; Community Affairs; Finance and Tax; and General Government Appropriations.

By Senator Atwater—

SB 1564—A bill to be entitled An act relating to insurance rate standards; amending s. 627.062, F.S.; requiring that an insurer seeking a rate that is greater than the rate most recently approved by the Office of Insurance Regulation make a "file and use" filing for all such rate filings made after a specified date; repealing s. 627.062(6), F.S., which provides for the submission of a disputed rate filing, other than a rate filing for medical malpractice insurance, to an arbitration panel in lieu of an administrative hearing if the rate is filed before a specified date; amending ss. 627.0613 and 627.0628, F.S.; deleting cross-references to conform to changes made by the act; amending s. 627.351, F.S.; deleting a provision allowing the Residential Property and Casualty Joint Underwriting Association to require the arbitration of a rate filing under state law; providing an effective date.

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

By Senator Lynn—

SB 1566—A bill to be entitled An act relating to Medicaid managed care plans; amending s. 409.912, F.S.; requiring an entity that contracts with the Agency for Health Care Administration to provide certain health care services to continue to offer previously authorized services while prior authorization is processed, pay certain claims, and develop and maintain an informal grievance system; defining the term "clean claim"; requiring the Agency for Health Care Administration to establish a formal grievance process; providing an effective date.

—was referred to the Committees on Health Policy; Health Regulation; Banking and Insurance; and Health and Human Services Appropriations.

By Senator Lynn—

SB 1568—A bill to be entitled An act relating to contributions to relieve homelessness; amending s. 320.02, F.S.; requiring the motor vehicle registration form and registration renewal form to include an option to make a voluntary contribution to aid the homeless; amending s. 322.08, F.S.; requiring the driver license application form to include an option to make a voluntary contribution to aid the homeless; amending s. 322.18, F.S.; requiring the driver license application form for renewal issuance or renewal extension to include an option to make a voluntary contribution to aid the homeless; providing that voluntary contributions for the homeless are not income of a revenue nature for the purpose of applying certain service charges; providing for such contributions to be deposited into the Grants and Donations Trust Fund of the Department of Children and Family Services and used by the State Office on Homelessness for certain purposes; providing an effective date.

—was referred to the Committees on Transportation; Finance and Tax; Transportation and Economic Development Appropriations; and Health and Human Services Appropriations.

By Senator Lynn—

SB 1570—A bill to be entitled An act relating to the Medicaid managed care pilot program; amending s. 409.1211, F.S.; providing exceptions to mandatory enrollment in the pilot program; providing for the expiration of such exceptions; requiring that the Agency for Health Care Administration provide Medicaid recipients with certain information; requiring that the agency's encounter database collect certain information relating to prescription drugs; requiring that the encounter database collect certain information related to health care costs and utilization from managed care plans participating in demonstration sites; imposing upon the agency certain powers, duties, and responsibilities with respect to the pilot program; requiring that the agency adopt certain rules; requiring that the managed care plan allow an SSI-related Medicaid recipient to select a specialist within the provider network who is willing to serve as the recipient's primary care physician upon the request of the recipient; providing an effective date.

—was referred to the Committees on Health Policy; Health Regulation; Children, Families, and Elder Affairs; and Health and Human Services Appropriations.

By Senator Lynn—

SB 1572—A bill to be entitled An act relating to enterprise zones; creating s. 290.00725, F.S.; authorizing the City of Ocala to apply to the Office of Tourism, Trade, and Economic Development for designation of an enterprise zone; providing an application deadline; providing requirements for the area of the enterprise zone; requiring the office to establish the effective date of the enterprise zone; providing an effective date.

—was referred to the Committees on Commerce; Community Affairs; Finance and Tax; and Transportation and Economic Development Appropriations.

By Senator Rich—

SB 1574—A bill to be entitled An act relating to ignition interlock devices; amending s. 316.1937, F.S.; reducing the maximum permissible blood alcohol level at which an ignition interlock device will allow a vehicle to start; providing an effective date.

—was referred to the Committees on Transportation; and Criminal Justice.

By Senators Storms and Ring—

SB 1576—A bill to be entitled An act relating to public employees' charitable campaigns; creating s. 110.182, F.S.; creating the Public Employees' Charitable Campaign for local public employers other than state or federal employees; providing definitions; authorizing a public employer to conduct a charitable campaign as the sole fundraising drive conducted during work hours; providing for workplace campaign activities and employee payroll deductions; requiring all campaign contributions to be voluntary; providing for employee withdrawal from the campaign; providing criteria and conditions for participating charitable organizations; providing for the selection of a fiscal agent; authorizing a specified percentage of the gross receipts to be withheld to pay the costs

of the public employer and fiscal agent; providing for the distribution of contributions; providing an effective date.

—was referred to the Committees on Governmental Operations; Community Affairs; and General Government Appropriations.

By Senator Baker—

SB 1578—A bill to be entitled An act relating to property rights; amending s. 70.001, F.S.; revising a definition; shortening a notice period for certain actions; providing for the state land planning agency to receive notice of claims; revising procedures for determining a governmental entity's final decision identifying the allowable uses for a property; extending a period of time for bringing an action; providing that enactment of a law or adoption of a regulation does not constitute applying the law or regulation; providing for a waiver of sovereign immunity for liability; providing for prospective application; providing an effective date.

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

By Senator Rich—

SB 1580—A bill to be entitled An act relating to swimming pool and spa safety; amending s. 514.011, F.S.; providing definitions; creating s. 514.0215, F.S.; requiring public swimming pools and public spas to have specified drain safety features; providing that any person or entity that violates the requirement to install the safety features commits a misdemeanor of the second degree; providing criminal penalties; providing for a suspension of criminal penalties under certain circumstances; amending s. 515.25, F.S.; providing definitions; creating s. 515.295, F.S.; requiring that all residential swimming pools and spas be equipped with certain specified drain safety features; requiring that residential pools and spas built after a specified date to have certain features; requiring the Department of Health to provide periodic notice to owners of swimming pools and spas of safety standards and other requirements; requiring the department to apply for and implement a federal grant for enforcing swimming pool safety standards; requiring the Department of Health, the Department of Community Affairs, and the Florida Building Commission to assess state statutes and the Florida Building Code to determine if changes are needed to comply with federal standards pertaining to swimming pool and spa safety; providing an effective date.

—was referred to the Committees on Health Regulation; Regulated Industries; Community Affairs; and Health and Human Services Appropriations.

By Senator Joyner—

SB 1582—A bill to be entitled An act relating to guardians ad litem; amending s. 61.402, F.S.; authorizing a citizen affiliated with a not-for-profit legal aid organization to serve as a guardian ad litem; requiring that such an individual undergo background screening; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; and Judiciary.

By Senator Haridopolos—

SB 1584—A bill to be entitled An act relating to property taxation; expressing the legislative intent to revise laws relating to property taxation; providing an effective date.

—was referred to the Committees on Finance and Tax; Community Affairs; Education Pre-K - 12 Appropriations; and Rules.

By Senator Haridopolos—

SB 1586—A bill to be entitled An act relating to taxation; expressing the legislative intent to revise laws relating to taxation; providing an effective date.

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

By Senator Haridopolos—

SB 1588—A bill to be entitled An act relating to property tax administration; expressing the legislative intent to revise laws relating to property tax administration; providing an effective date.

—was referred to the Committees on Finance and Tax; Community Affairs; General Government Appropriations; and Rules.

By Senator Haridopolos—

SB 1590—A bill to be entitled An act relating to taxation; expressing the legislative intent to revise laws relating to taxation; providing an effective date.

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

By Senator Haridopolos—

SB 1592—A bill to be entitled An act relating to taxation; expressing the legislative intent to revise laws relating to taxation; providing an effective date.

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

By Senator Haridopolos—

SB 1594—A bill to be entitled An act relating to general tax administration; expressing the legislative intent to revise laws relating to general tax administration; providing an effective date.

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

By Senator Haridopolos—

SB 1596—A bill to be entitled An act relating to taxation; expressing the legislative intent to revise laws relating to taxation; providing an effective date.

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

By Senator Peaden—

SB 1598—A bill to be entitled An act relating to optional coverage for health-related disorders; amending s. 627.42395, F.S.; including certain amino-acid-based formulas within requirements concerning optional coverage for enteral formulas; providing an effective date.

—was referred to the Committees on Banking and Insurance; Health Policy; and General Government Appropriations.

By Senators Justice, Rich, King and Dockery—

SM 1600—A memorial to the Congress of the United States, urging Congress to adopt legislation that would provide for a rotating regional presidential primary system.

—was referred to the Committee on Ethics and Elections.

By Senator Haridopolos—

SB 1602—A bill to be entitled An act relating to sales and use tax; expressing the legislative intent to revise laws relating to sales and use tax; providing an effective date.

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

By Senator Baker—

SB 1604—A bill to be entitled An act relating to highway designations; designating the Major Claude A. Gnann Memorial Highway and the Deputy Wayne Koester Memorial Highway in Lake County; directing the Department of Transportation to erect markers; providing an effective date.

—was referred to the Committee on Transportation.

By Senator Baker—

SB 1606—A bill to be entitled An act relating to license plates; amending s. 320.089, F.S.; expanding the types of veterans special license plates from which revenues may be used to fund state veterans' homes; providing for additional revenue from the sale of such plates to be used to construct, maintain, and operate the homes; amending s. 320.02, F.S.; providing for a check-off provision on motor vehicle registration application and renewal forms to authorize a voluntary donation to the state veterans' homes; providing an effective date.

—was referred to the Committees on Military Affairs and Domestic Security; Transportation; Finance and Tax; and Transportation and Economic Development Appropriations.

By Senators Alexander and Lynn—

SB 1608—A bill to be entitled An act relating to home care services; creating s. 400.519, F.S.; providing a short title; providing legislative intent; providing definitions; providing application; requiring each organization that provides home care services to provide a consumer with a notice regarding the responsibilities, obligations, and legal liabilities of the organization to the home care services worker and to the consumer; providing requirements for the consumer notice; requiring each organization to provide to each home care services worker a worker notice regarding the responsibilities, obligations, and legal liabilities of the organization, the home care services worker, and the consumer; providing requirements of the worker notice; providing an effective date.

—was referred to the Committees on Health Regulation; Commerce; and Health and Human Services Appropriations.

By Senator Wise—

SB 1610—A bill to be entitled An act relating to state attorneys; amending s. 17.61, F.S.; requiring that state attorneys retain moneys in their respective trust funds for investment, with interest appropriated to the General Revenue Fund; amending s. 27.25, F.S.; requiring state attorneys of all judicial circuits to jointly develop a coordinated classification and pay plan and to have the State Attorneys Administration Office submit the plan by a specified date to the President of the Senate and the Speaker of the House of Representatives; amending s. 27.34, F.S.; requiring that payments by the state attorney received for persons employed by a county or municipality but serving as special investigators be deposited into the Grants and Donations Trust Fund for the state attorney; creating s. 27.375, F.S.; creating the State Attorneys Administration Office; providing for a location and office space; providing for personnel classifications; providing for duties and responsibilities; amending ss. 27.52 and 57.082, F.S.; providing that a specified percentage of any amount recovered by a state attorney as reasonable value of the services rendered to a defendant who misrepresented his or her status as an indigent must be deposited into the Grants and Donations Trust Fund for the State Attorneys Administration Office; amending s. 40.29, F.S.; requiring each clerk of the circuit court to forward to the State Attorneys Administration Office a quarterly estimate of funds necessary to pay for ordinary witnesses, including witnesses in civil traffic cases and witnesses of the state attorney; amending s. 40.33, F.S.; requiring that the clerk of court ask the State Attorneys Administration Office to pay for certain specified services if a county is deficient in its resources; amending s. 40.361, F.S.; providing that all laws of this state relating to state budgeting and financing apply to all court processes authorized or required for the payment of named court services; amending ss. 43.16 and 112.0455, F.S.; removing state attorneys from membership on and the jurisdiction of the Justice Administrative Commission; amending s. 110.112, F.S.; requiring each state attorney to report annually to the State Attorneys Administration Office on the implementation, continuance, updating, and results of his or her affirmative action program for the previous fiscal year; amending s. 501.2101, F.S.; requiring that certain funds be deposited in the Consumer Frauds Trust Fund of the applicable state attorney for consumer litigation; amending s. 985.045, F.S.; requiring the clerk of court to keep all official records required for juvenile delinquents separate from other records of the circuit court but allowing state attorneys access to the records; providing an effective date.

—was referred to the Committees on Criminal Justice; Governmental Operations; Judiciary; and Criminal and Civil Justice Appropriations.

By the Committee on Criminal Justice—

SB 1612—A bill to be entitled An act relating to controlled substances; amending s. 893.03, F.S.; including Salvia divinorum and Salvinorin A on the list of controlled substances in Schedule I; providing exceptions from the scheduling of Salvia divinorum and Salvinorin A; reenacting ss. 893.13(1)(a), (c), (d), (e), (f), and (h), (2)(a), (4)(b), and (5)(b), and 921.0022(3)(b), (c), and (e), F.S., relating to prohibited acts and penalties concerning controlled substances and the offense severity chart of the Criminal Punishment Code, to incorporate the amendment to s. 893.03, F.S., in references thereto; providing an effective date.

—was referred to the Committees on Criminal Justice; Health Regulation; and Criminal and Civil Justice Appropriations.

By the Committee on Criminal Justice—

SB 1614—A bill to be entitled An act relating to the Department of Corrections; amending s. 27.51, F.S.; providing for the public defender to represent an indigent person who is involuntarily placed or treated in an inmate mental health treatment facility; amending s. 120.57, F.S.; requiring that an administrative law judge appoint a public defender to represent an inmate in proceedings for continued placement in such a facility; amending s. 921.187, F.S.; deleting certain provisions limiting circumstances under which an offender may be placed in community control; amending s. 940.061, F.S.; specifying that the Department of Corrections meets its statutory obligation to assist released offenders with completing the application for the restoration of civil rights by sending an electronic list to the Parole Commission each month of those inmates and offenders who were released from incarceration or terminated from supervision during the preceding month; amending s. 943.16, F.S.; eliminating provisions requiring that a law enforcement officer reimburse the employing agency for wages and benefits paid by the employing agency if the officer terminates employment before the end of a 2-year commitment period; eliminating wages and benefits from the costs that employing agencies may recover; eliminating the definition of the term "academy training period"; amending s. 944.1905, F.S.; authorizing the department to assign an offender sentenced to death to a facility for youthful offenders until the offender reaches a specified age;

deleting provisions requiring that certain offenders younger than 18 years of age be housed and provided certain services separately from older offenders or placed in a facility for youthful offenders; amending s. 944.293, F.S.; specifying that the Department of Corrections meets its statutory obligation to assist released offenders with completing the application for the restoration of civil rights by sending an electronic list to the Parole Commission each month of those inmates and offenders who were released from incarceration or terminated from supervision during the preceding month; amending s. 944.47, F.S.; providing that a cellular telephone or other portable communication device that is introduced inside the secure perimeter of a state correctional institution without prior authorization is contraband; prohibiting an inmate or other person upon the grounds of the institution from possessing such contraband without authorization; providing a definition; providing criminal penalties; amending s. 945.41, F.S.; eliminating a requirement that the Department of Corrections contract with the Department of Children and Family Services to provide certain mental health services; authorizing the Department of Corrections to contract with other entities or persons to provide mental health services to inmates; amending s. 945.42, F.S.; revising definitions and defining the term "crisis stabilization care"; amending s. 945.43, F.S.; revising the procedures for placing an inmate in a mental health treatment facility; providing for the inmate to be represented by an attorney; providing for representation if the inmate is indigent; authorizing the court to waive the presence of the inmate at the hearing on the inmate's placement; amending s. 945.44, F.S.; providing for the emergency placement of an inmate in a mental health treatment facility; amending s. 945.45, F.S.; revising the provisions governing the continued placement of an inmate in a mental health treatment facility; providing for an inmate who is not otherwise represented by an attorney to be represented by the public defender of the circuit in which the treatment facility is located; providing that the administrative law judge may waive the presence of the inmate at the hearing under certain conditions; amending s. 945.46, F.S.; authorizing the warden to initiate procedures for the involuntary examination of an inmate who has a mental illness and meets certain criteria; amending s. 945.47, F.S.; providing for the transfer of an inmate who is no longer in need of mental health treatment; deleting certain provisions governing involuntary placement; requiring that a summary of the inmate's treatment be provided to the Parole Commission and the Department of Children and Family Services upon request; amending s. 945.48, F.S.; revising the procedure for the involuntary mental health treatment of an inmate; providing for the warden of the institution containing the mental health treatment facility to petition the circuit court for an order authorizing involuntary treatment; providing requirements for the hearing on involuntary treatment; limiting the period that an order authorizing involuntary treatment is effective; providing a procedure for emergency treatment; amending s. 945.49, F.S.; deleting a provision requiring that training provided to correctional officers employed by a mental health treatment facility be in accordance with the requirements of the Criminal Justice Standards and Training Commission; amending s. 948.01, F.S.; deleting certain provisions limiting circumstances under which an offender may be placed in community control; amending s. 948.10, F.S.; deleting a requirement that community control programs and manuals be developed in consultation with the Florida Conference of Circuit Court Judges and the State Courts Administrator; eliminating provisions requiring the Department of Corrections to commit a specified amount of resources to the community control program; deleting requirements for the department in developing and implementing community control programs, resource directories, and training programs; deleting a requirement for the Florida Court Education Council and the State Courts Administrator to coordinate certain resources for judges pertaining to community control; eliminating provisions governing review and notice by the department of offenders ineligible for community control and requiring the department to develop a caseload equalization strategy; deleting certain reporting requirements for the department; amending s. 958.04, F.S.; authorizing the court to sentence a person as a youthful offender if the offender is younger than 21 years of age at the time sentence is imposed; requiring the Department of Corrections to adopt by rule criteria to define successful participation in the youthful offender program; amending s. 958.11, F.S.; removing the specific designation of youthful offender facilities for housing female offenders; revising requirements for the department with respect to assigning or transferring youthful offenders; removing references to the Assistant Secretary for Youthful Offenders; amending s. 958.12, F.S.; removing the requirement for a youthful offender to be visited by a probation and parole officer before release; removing the requirement for the department to develop community partnerships with the Department of Labor and Employment Security and the Department of Children and Family Services; providing an effective date.

—was referred to the Committees on Criminal Justice; Children, Families, and Elder Affairs; Judiciary; and Criminal and Civil Justice Appropriations.

By the Committee on Criminal Justice—

SB 1616—A bill to be entitled An act relating to the revocation or suspension of concealed weapon and firearm licenses held by licensees who are adjudicated incapacitated or committed to a mental institution; amending s. 790.065, F.S.; authorizing the Department of Law Enforcement to provide data collected from court records to the Department of Agriculture and Consumer Services for purposes of determining whether a license should be revoked or suspended under s. 790.06(10), F.S.; providing an effective date.

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

By the Committee on Criminal Justice—

SB 1618—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; reenacting s. 119.071(2)(h), F.S., relating to a public-records exemption provided for any photograph, videotape, or image of the victim of a sexual offense; saving the exemption from repeal under the Open Government Sunset Review Act; repealing s. 2, ch. 2003-157, Laws of Florida; deleting provisions providing for repeal of the exemption; providing an effective date.

—was referred to the Committees on Criminal Justice; Governmental Operations; and Rules.

By Senator Alexander—

SB 1620—A bill to be entitled An act relating to agriculture; expressing the legislative intent to revise laws relating to agriculture; providing an effective date.

—was referred to the Committees on Agriculture; General Government Appropriations; and Rules.

By Senator Deutch—

SB 1622—A bill to be entitled An act relating to nonprofit cooperative associations; creating s. 619.10, F.S.; requiring transfers of ownership interests in such associations to be recorded; amending s. 201.02, F.S.; requiring the document excise tax on such transfers to be based upon the true amount of consideration paid; providing an effective date.

—was referred to the Committees on Agriculture; Commerce; Judiciary; Finance and Tax; and General Government Appropriations.

By Senator Deutch—

SB 1624—A bill to be entitled An act relating to public procurement; prohibiting transactions between state agencies and specified companies; providing an effective date.

—was referred to the Committees on Military Affairs and Domestic Security; Governmental Operations; and General Government Appropriations.

By Senator Alexander—

SB 1626—A bill to be entitled An act relating to the charter county transit system surtax; amending s. 212.055, F.S.; renaming the surtax;

expanding the eligibility to levy the surtax to all charter counties; providing an effective date.

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

By Senator Aronberg—

SB 1628—A bill to be entitled An act relating to early voting; amending s. 101.657, F.S.; authorizing the supervisor of elections to designate any public community college facility as an early voting site; providing an effective date.

—was referred to the Committees on Ethics and Elections; Higher Education; and Higher Education Appropriations.

By the Committee on Agriculture—

SB 1630—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 500.148, F.S.; revising an exemption from the public-records law provided for certain information provided to the Department of Agriculture and Consumer Services under its regulatory authority; saving the exemption from repeal under the Open Government Sunset Review Act; deleting the provision providing for repeal of the exemption; providing an effective date.

—was referred to the Committees on Agriculture; Governmental Operations; and Rules.

By Senator Alexander—

SB 1632—A bill to be entitled An act relating to citrus; expressing the legislative intent to revise laws relating to citrus; providing an effective date.

—was referred to the Committees on Agriculture; General Government Appropriations; and Rules.

By Senator Bennett—

SB 1634—A bill to be entitled An act relating to the management of wastewater; amending s. 514.023, F.S.; requiring that the Wastewater Compliance Evaluation Section in the Department of Environmental Protection identify sewage contaminant sources when certain health advisories prohibiting swimming in beach waters are issued; requiring that the department notify certain counties and municipalities after discovering that a wastewater facility is in violation of laws concerning pollution control; providing an effective date.

—was referred to the Committees on Health Regulation; Environmental Preservation and Conservation; and General Government Appropriations.

By Senator Ring—

SB 1636—A bill to be entitled An act relating to a joint select committee of the Legislature; requiring the Legislature to establish a joint select committee to review methods of collecting court-related fees, service charges, costs, and fines used by circuit courts and county courts; providing for appointment of committee members; providing for designation of a chair and vice chair; requiring the committee to submit recommendations for a uniform statewide method for collecting such court-related fees, service charges, costs, and fines; providing an effective date.

—was referred to the Committees on Judiciary; Finance and Tax; Criminal and Civil Justice Appropriations; and Rules.

By the Committee on Agriculture—

SB 1638—A bill to be entitled An act relating to pest control; creating s. 570.345, F.S., the Pest Control Compact; providing for enactment of the compact; requiring the Commissioner of Agriculture to administer the compact; requiring that an application for assistance under the compact be made by the commissioner; providing findings with respect to the need for all states to cooperate in pest-eradication and control programs; providing definitions; providing for the establishment of the Pest Control Insurance Fund for the purpose of financing pest-control operations under the compact; providing for the Pest Control Insurance Fund to be administered by a Governing Board and Executive Committee; providing for the internal operations and management of the Governing Board; requiring an annual report to the Governor and Legislature of each state that is a party to the compact; providing for the administration of the Pest Control Insurance Fund; providing procedures for applying for an expenditure from the fund; providing for a determination with respect to expenditures from the fund and for the review thereof; authorizing the Governing Board to establish advisory and technical committees; providing for an application for assistance from the fund on behalf of a nonparty state; providing requirements for the fund with respect to preparing budgets and maintaining financial assets; prohibiting a pledge of the assets of a state that is a party to the compact; providing for the compact to enter into force upon its enactment by five or more states; providing a procedure for a state to withdraw from the compact; providing for construction and severability; providing an effective date.

—was referred to the Committees on Agriculture; Governmental Operations; Judiciary; and General Government Appropriations.

By Senator Baker—

SB 1640—A bill to be entitled An act relating to emergency health care providers; providing legislative findings and intent; amending s. 768.28, F.S.; providing that certain emergency health care providers are agents of the state for purposes of sovereign immunity when acting pursuant to specified statutory obligations; requiring certain indemnity for the state from providers; providing penalties; providing definitions; providing applicability; providing an effective date.

—was referred to the Committees on Health Regulation; Banking and Insurance; Judiciary; and Health and Human Services Appropriations.

By Senator Alexander—

SB 1642—A bill to be entitled An act relating to the Department of Citrus; expressing the legislative intent to revise laws relating to the Department of Citrus; providing an effective date.

—was referred to the Committees on Agriculture; General Government Appropriations; and Rules.

By Senator King—

SB 1644—A bill to be entitled An act relating to transportation; amending s. 320.20, F.S.; prescribing when certain funds will become subject to appropriation; revising the distribution of license tax moneys deposited in the State Transportation Trust Fund for the funding of the Florida Seaport Transportation and Economic Development Program and certain seaport intermodal access projects; requiring the Florida Seaport Transportation and Economic Development Council to submit a list of certain freight mobility projects to the Department of Transportation; requiring that the council and the department agree upon the projects selected for funding; requiring the department to include the selected projects for funding in the tentative work program; providing that specified bonds shall be issued by the Division of Bond Finance at the request of the department; providing for funding the construction of wharves and docks; providing for funding certain seaport intermodal access projects; requiring match; providing for the issuance of bonds for such projects; creating s. 311.23, F.S.; creating the Florida Seaport Finance Corporation; providing for membership of its board of directors; providing its powers and duties; authorizing the issuance and validation of bonds; exempting the corporation from taxation; declaring that the

corporation is not a special district; authorizing interlocal agreements; exempting board members and employees of the corporation from liability for certain acts; providing that certain provisions of this act do not affect the validity of specified Florida Ports Financing Commission bonds; providing an effective date.

—was referred to the Committees on Transportation; Governmental Operations; Finance and Tax; and Transportation and Economic Development Appropriations.

By Senator Aronberg—

SB 1646—A bill to be entitled An act relating to student loans; creating s. 43.45, F.S.; providing for a financial assistance program administered by the Justice Administrative Commission and the Office of the Attorney General to assist a career assistant state attorney, assistant public defender, assistant attorney general, or assistant statewide prosecutor in the repayment of eligible student loans; providing definitions; providing elements of the program; requiring the administering body to make a payment of a certain amount; providing for funding; requiring the Justice Administrative Commission to develop procedures; requiring the Office of the Attorney General to adopt rules; providing an effective date.

—was referred to the Committees on Judiciary; Governmental Operations; and Criminal and Civil Justice Appropriations.

By Senator Saunders—

SB 1648—A bill to be entitled An act relating to human immunodeficiency virus testing; amending s. 381.004, F.S.; requiring that when consent cannot be obtained within the time necessary to conduct an HIV test on an individual and begin prophylactic treatment of exposed medical personnel, the results of the HIV test shall be documented only in the medical file of the medical personnel and not in the medical file of the patient unless he or she gives consent; authorizing appropriate medical personnel under the supervision of a licensed physician to make the decision to test under these conditions; requiring those personnel to document the significant exposure requiring the HIV testing without valid consent in accordance with written protocol based on the medical judgment of a licensed physician; providing an effective date.

—was referred to the Committees on Health Regulation; and Health Policy.

By Senator Aronberg—

SB 1650—A bill to be entitled An act relating to public school student health services; amending s. 1006.062, F.S.; providing that a district school board may authorize a school nurse to maintain supplies of prefilled epinephrine auto-injectors at schools in the school district; providing requirements for prescriptions; authorizing use for emergency treatment; amending s. 1002.20, F.S.; correcting a cross-reference; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Health Regulation; and Education Pre-K - 12 Appropriations.

By the Committee on Education Pre-K - 12—

SB 1652—A bill to be entitled An act relating to charter schools; amending ss. 11.45, 218.50, and 218.501, F.S., relating to audit reports by the Auditor General; conforming provisions related to changes in the entities subject to a state of financial emergency; amending ss. 218.503 and 218.504, F.S.; providing that charter technical career centers are subject to certain requirements in the event of a financial emergency; requiring that the sponsor be notified of certain conditions; providing for the development of a financial recovery plan, which may be approved by the Commissioner of Education; amending s. 1002.33, F.S.; providing for duties of charter school sponsors and governing boards when charter schools and charter technical career centers experience a financial weakness or a financial emergency; specifying forms to be used by charter school applicants and sponsors; requiring applicant training and documentation; deleting the auditing requirements and financial emergency provisions for charter schools; requiring charters schools to disclose the identity of relatives of charter school personnel; providing for a limitation on funding; providing for the disclosure of the performance of charter schools that are not given a school grade or school improvement rating; providing reporting requirements; providing restrictions for the employment of relatives by charter school personnel; providing that members of a charter school governing board are subject to certain standards of conduct specified in ss. 112.313 and 112.3143, F.S.; amending s. 1002.335, F.S.; eliminating the requirement for district school boards to annually seek continued exclusivity from the State Board of Education; providing for challenges to the exclusivity of district school boards; providing a rebuttable presumption for district school boards that are granted exclusivity; specifying additional components of cosponsor agreements; amending s. 1002.34, F.S.; providing additional duties for charter technical career centers, applicants, sponsors, and governing boards; requiring the Department of Education to offer or arrange training and assistance to applicants for a charter technical career center; requiring that an applicant participate in the training; creating s. 1002.345, F.S.; establishing criteria and requirements for charter schools and charter technical career centers that have financial weaknesses or are in a state of financial emergency; establishing requirements for charter schools, charter technical career centers, governing bodies, and sponsors; requiring financial audits of charter schools and charter technical career centers; providing for corrective action and financial recovery plans; providing for duties of auditors, the Commissioner of Education, and the Department of Education; requiring the State Board of Education to adopt rules; providing grounds for termination or nonrenewal of a charter; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; and Education Pre-K - 12 Appropriations.

By Senator Lawson—

SB 1654—A bill to be entitled An act relating to governmental effectiveness and efficiency; providing that it is the intent of the Legislature to improve governmental effectiveness and efficiency; providing an effective date.

—was referred to the Committees on Governmental Operations; General Government Appropriations; and Rules.

By Senator Lawson—

SB 1656—A bill to be entitled An act relating to governmental effectiveness and efficiency; providing that it is the intent of the Legislature to improve governmental effectiveness and efficiency; providing an effective date.

—was referred to the Committees on Governmental Operations; General Government Appropriations; and Rules.

By Senator Ring—

SB 1658—A bill to be entitled An act relating to offenses against computer users; amending s. 815.03, F.S.; defining the term "spyware"; amending s. 815.06, F.S.; providing that whoever willfully, knowingly, and without authorization introduces any computer contaminant, including spyware, into any computer, computer system, computer program, or computer network commits an offense against computer users, a felony of the third degree; providing enhanced criminal penalties under certain circumstances; providing an effective date.

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

By Senator Aronberg—

SB 1660—A bill to be entitled An act relating to public records; amending s. 119.071, F.S.; providing an exemption from public-records

requirements for identification and location information of active or former emergency medical technicians or paramedics certified in compliance with ch. 401, F.S., and the spouses and children of such emergency medical technicians and paramedics; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing an effective date.

—was referred to the Committees on Community Affairs; Governmental Operations; and Rules.

By Senator Aronberg—

SB 1662—A bill to be entitled An act relating to school bus safety; providing a short title; creating s. 1006.273, F.S.; providing for district school boards to adopt policies for private sponsorship of described seat belt assemblies or other safety equipment on school buses; providing for a sponsorship fee; providing for use of moneys collected; providing for signage on the exterior of the school bus acknowledging sponsorship; providing for design and size of the signage by local school board policy; limiting the liability of sponsors; amending s. 1006.25, F.S.; requiring sponsor signs to be covered when school buses are transporting passengers who are not school students; revising the requirement that students use the crash protection system on a school bus; amending s. 1006.261, F.S.; requiring sponsor signs to be covered when school buses are used for nonschool purposes; providing an effective date.

—was referred to the Committees on Transportation; Education Pre-K - 12; and Education Pre-K - 12 Appropriations.

By Senator Bullard—

SB 1664—A bill to be entitled An act relating to culpable negligence; providing a short title; amending s. 784.05, F.S.; prohibiting storing or leaving an assault weapon within the reach or easy access of another person if the person obtains the weapon and uses it to inflict injury or death; providing criminal penalties; defining the term "assault weapon"; amending s. 921.0022, F.S.; conforming provisions of the offense severity ranking chart of the Criminal Punishment Code; providing an effective date.

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

By Senator Baker—

SB 1666—A bill to be entitled An act relating to rail corridors; amending s. 341.301, F.S.; defining the terms "commuter rail service" and "rail corridor" for purposes of the rail program within the Department of Transportation; amending s. 341.302, F.S.; authorizing the department to purchase and provide insurance in relation to rail corridors; authorizing the department to assume all liability on a rail corridor; authorizing the department to indemnify and hold harmless a railroad company when the department acquires a rail corridor from the company; extending provisions to other governmental entities providing commuter rail service on public right-of-way; amending s. 768.28, F.S.; expanding the list of entities considered agents of the state; providing an effective date.

—was referred to the Committees on Transportation; Governmental Operations; Judiciary; and Transportation and Economic Development Appropriations.

By Senator Jones—

SB 1668—A bill to be entitled An act relating to long-term care facilities; amending s. 400.021, F.S.; revising definitions relating to nursing homes; defining the terms "affiliate," "controlling entity," "controlling financial interest," "entity," and "governing body"; amending s. 400.071, F.S.; revising provisions relating to nursing home license applications; requiring the application to include the members of the facility's governing body, the facility's affiliates and controlling entities, entities having a controlling interest in the facility, an audited financial statement, proof of ability to operate, certain contracts, and copies of certain investigations and fines; amending s. 400.102, F.S.; revising grounds for taking action against a nursing home to conform to changes made by the act; amending s. 400.111, F.S.; requiring the disclosure of controlling interests at the time of licensure, license renewal, or change of ownership; amending s. 400.121, F.S.; revising provisions relating to the denial, suspension, or revocation of a license to conform to changes made by the act; amending s. 400.141, F.S.; prohibiting nursing home liability insurance from paying for certain legal costs; amending s. 400.191, F.S.; requiring that the Agency for Health Care Administration include additional information in the Nursing Home Guide; creating s. 400.197, F.S.; requiring a nursing home to notify residents and post a request for a change of ownership in prominent locations in the nursing home; providing for a hearing as to the fitness of a new owner; providing for investigations of the new owner; providing that a new owner assumes the liabilities of the prior licensee; amending s. 429.02, F.S.; revising definitions for assisted living facilities; defining the terms "affiliate," "controlling entity," "controlling financial interest," and "entity"; amending s. 429.11, F.S.; revising provisions relating to applications for an assisted living facility license; requiring the application to include members of the facilities governing body, the facility's affiliates and controlling entities, entities having a controlling interest in the facility, an audited financial statement, proof of ability to operate, certain contracts, and copies of certain investigations and fines; amending s. 429.12, F.S.; requiring the assisted living facility to notify residents and post a request for a change of ownership in prominent locations in the facility; providing for a hearing as to the fitness of a new owner upon request; providing for investigations of the new owner; providing that a new owner assumes the liabilities of the prior licensee; amending s. 429.14, F.S.; revising provisions relating to the denial, suspension, or revocation of a license to conform to changes made by the act; amending s. 429.275, F.S.; prohibiting assisted living facility liability insurance from paying for certain legal costs; amending s. 429.174, F.S.; conforming a cross-reference; providing an effective date.

—was referred to the Committees on Health Regulation; Children, Families, and Elder Affairs; Banking and Insurance; and Health and Human Services Appropriations.

By Senator Gaetz—

SB 1670—A bill to be entitled An act relating to early learning; providing a short title; amending s. 411.01, F.S.; authorizing use of telecommunication methods in conducting early learning coalition board meetings; amending and renumbering s. 402.27, F.S.; transferring requirements for the establishment of a statewide child care resource and referral network by the Department of Children and Family Services to the Agency for Workforce Innovation; providing for use of early learning coalitions as child care resource and referral agencies; requiring rulemaking; amending and renumbering s. 409.178, F.S.; transferring duties of the Department of Children and Family Services with respect to the Child Care Executive Partnership Program to the Agency for Workforce Innovation and early learning coalitions; requiring rulemaking; amending ss. 1002.55, 1002.61, and 1002.63, F.S., relating to the Voluntary Prekindergarten Education Program; providing additional accreditation standards for private prekindergarten providers; revising background screening requirements for prekindergarten instructors; providing requirements for assignment of substitute instructors; requiring rulemaking; conforming cross-references; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Children, Families, and Elder Affairs; Commerce; and Transportation and Economic Development Appropriations.

By Senator Jones—

SB 1672—A bill to be entitled An act relating to beach management; amending s. 161.142, F.S.; providing legislative intent and findings; providing requirements concerning the quality and quantity of dredged sand placed on certain beaches adjacent to inlets; requiring an estimation of the requisite quantity of beach-quality sand by the Department of Environmental Protection and its consultants; requiring the protection of shorebirds and marine turtles; applying requirements concerning

the placement of dredged sand on adjacent beaches to the inlet management projects of certain ports; providing an exemption from such requirements; providing that the inlet projects of such ports are eligible for funding; providing requirements and findings concerning the placement of dredged sand from federal navigation projects; providing for assignment of responsibility for the erosion caused by inlets; specifying actions to be taken by the department in disputes between local governments and property owners concerning how much sand should bypass an inlet; creating s. 161.143, F.S.; requiring that inlet management studies, projects, and activities be supported by certain plans; providing criteria governing the department's ranking of inlet management projects and activities; specifying conditions that must be met; requiring that the department establish funding priorities for projects and activities concerning inlet management; providing for input from interested governmental and private entities; providing criteria for establishing priorities; authorizing funding levels for inlet management projects under specified conditions; requiring that the department annually provide an inlet management project list to the Legislature; providing requirements for the list; requiring that the department make available certain moneys for projects on the list; requiring that the department make available certain moneys for projects on the list which are legislatively approved; requiring that the Legislature designate certain inlet projects as "Inlet of the Year"; requiring the department to provide an annual report to the Legislature concerning the success of projects so designated; authorizing rulemaking by the department; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Community Affairs; and General Government Appropriations.

SR 1674—Not referenced.

By Senator King—

SB 1676—A reviser's bill to be entitled An act relating to the official Florida Statutes; amending ss. 11.2421, 11.2422, 11.2424, and 11.2425, F.S.; adopting the Florida Statutes 2008 and designating the portions thereof that are to constitute the official law of the state; providing that the Florida Statutes 2008 shall be effective immediately upon publication; providing that general laws enacted during the June 12-14, 2007, special session and prior thereto and not included in the Florida Statutes 2008 are repealed; providing that general laws enacted during the October 2007 special sessions and the 2008 regular session are not repealed by this adoption act.

—was referred to the Committee on Rules.

By Senator King—

SB 1678—A reviser's bill to be entitled An act relating to the Florida Statutes; amending ss. 7.11, 7.13, 7.44, 11.904, 11.908, 15.0395, 20.23, 26.021, 26.32, 30.071, 35.05, 39.0132, 92.05, 99.012, 106.023, 106.0706, 112.324, 120.545, 121.051, 121.091, 121.121, 121.4501, 124.01, 125.901, 159.804, 163.06, 163.3182, 163.32465, 163.430, 166.271, 171.071, 171.205, 190.005, 192.0105, 198.13, 200.001, 202.20, 212.08, 215.555, 215.5586, 218.415, 222.25, 250.83, 253.033, 253.034, 257.38, 258.001, 258.11, 258.12, 258.39, 258.397, 286.0111, 288.0655, 288.1223, 288.1254, 288.8175, 288.9015, 288.90151, 288.9551, 288.975, 316.003, 320.0805, 322.34, 323.001, 328.07, 336.68, 337.0261, 338.231, 339.175, 343.92, 348.243, 364.02, 367.171, 369.255, 370.142, 370.172, 372.09, 373.026, 373.073, 373.1501, 373.1502, 373.1961, 373.414, 373.4211, 373.4592, 373.4595, 373.470, 373.472, 376.308, 377.42, 381.0273, 381.0404, 381.92, 383.412, 390.012, 390.014, 390.018, 393.23, 395.402, 400.063, 400.0712, 400.506, 400.995, 403.031, 403.201, 403.707, 403.890, 403.8911, 403.973, 408.032, 409.166, 409.1677, 409.25661, 413.271, 420.5095, 420.9076, 429.35, 429.907, 440.3851, 445.004, 446.43, 468.832, 468.8419, 468.842, 477.0135, 481.215, 481.313, 487.048, 489.115, 489.127, 489.517, 489.531, 497.172, 497.271, 497.466, 500.148, 501.022, 501.976, 553.73, 553.791, 610.104, 617.0802, 624.316, 627.0628, 627.06292, 627.311, 627.351, 627.3511, 627.4133, 627.701, 627.7261, 627.736, 628.461, 628.4615, 633.01, 633.025, 660.417, 736.0802, 741.3165, 744.1076, 812.1725, 817.625, 832.062, 921.0022, 932.701, 940.05, 943.0314, 943.32, 943.35, 947.06, 1001.11, 1001.215, 1001.395, 1002.35, 1002.39, 1002.72, 1003.4156, 1003.428, 1004.43, 1004.4472, 1004.55, 1004.76, 1005.38, 1008.25, 1008.345, 1009.01, 1009.24, 1009.98, 1011.48, 1012.61, 1012.875, and 1013.73, F.S.; and reenacting ss. 215.559 and 338.165, F.S.; pursuant to s. 11.242, F.S.; deleting provisions that have expired, have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded; replacing incorrect cross-references and citations; correcting grammatical, typographical, and like errors; removing inconsistencies, redundancies, and unnecessary repetition in the statutes; improving the clarity of the statutes and facilitating their correct interpretation; and confirming the restoration of provisions unintentionally omitted from republication in the acts of the Legislature during the amendatory process; providing an effective date.

—was referred to the Committee on Rules.

By Senator King—

SB 1680—A reviser's bill to be entitled An act relating to the Florida Statutes; repealing ss. 14.325, 211.027(4)-(8), 216.181(2)(i), 252.373(4), 259.032(4)(b) and (11)(g), 287.057(14)(b), 288.039, 311.22(3), 370.13(4), 370.142(7), 373.59(12), 375.041(3)(b), 381.0402(5), 403.885(3), 502.015(2), 737.101, 737.105, 737.106, 737.111, 737.115, 737.116, 737.201, 737.202, 737.203, 737.2035, 737.204, 737.2041, 737.205, 737.206, 737.2065, 737.207, 737.208, 737.209, 737.301, 737.302, 737.303, 737.3035, 737.304, 737.305, 737.3053, 737.3054, 737.3055, 737.306, 737.3061, 737.307, 737.308, 737.309, 737.401, 737.402, 737.4025, 737.403, 737.4031, 737.4032, 737.4033, 737.404, 737.405, 737.406, 737.501, 737.502, 737.503, 737.504, 737.505, 737.506, 737.507, 737.508, 737.509, 737.510, 737.511, 737.512, 737.6035, 737.621, 737.622, 737.623, 737.624, 737.625, 737.626, and 737.627, F.S., all of which provisions have become inoperative by noncurrent repeal or expiration and, pursuant to s. 11.242(5)(b) and (i), may be omitted from the 2008 Florida Statutes only through a reviser's bill duly enacted by the Legislature; amending s. 373.459, F.S., to conform to the repeal of s. 403.885(3); and amending ss. 617.0802 and 627.7261, F.S., to conform to the repeal of chapter 737, F.S.

—was referred to the Committee on Rules.

By Senator King—

SB 1682—A reviser's bill to be entitled An act relating to the Florida Statutes; amending ss. 14.20195, 16.615, 39.001, 39.303, 110.205, 112.061, 112.3145, 114.04, 120.80, 154.02, 154.04, 154.505, 215.5601, 215.5602, 335.067, 377.901, 381.0057, 381.0303, 381.0403, 381.4018, 381.7353, 381.78, 381.79, 381.84, 381.853, 381.855, 381.86, 381.90, 381.911, 381.912, 381.92, 381.922, 381.98, 381.983, 381.984, 381.985, 383.14, 383.216, 383.2162, 383.336, 383.402, 385.203, 385.210, 388.46, 391.028, 391.221, 391.223, 397.333, 400.235, 401.23, 401.245, 401.421, 402.56, 403.862, 406.02, 408.916, 409.352, 409.91255, 413.271, 420.622, 456.005, 456.011, 456.012, 456.072, 456.073, 456.074, 456.076, 457.109, 458.311, 458.313, 458.316, 458.3165, 458.331, 458.346, 458.347, 459.0055, 459.015, 459.022, 460.413, 461.004, 463.0055, 464.003, 464.018, 464.2085, 466.004, 466.028, 467.003, 467.004, 468.1295, 468.1755, 468.301, 468.314, 468.354, 468.506, 478.44, 480.042, 483.825, 483.901, 484.042, 486.125, 487.041, 490.009, 491.009, 499.012, 499.01211, 499.024, 499.065, 500.033, 514.0231, 768.1326, 943.0313, and 1004.435, F.S., pursuant to the directive of the Legislature in s. 3, ch. 2007-40, Laws of Florida, to redesignate the Secretary of Health as the State Surgeon General wherever the term appears in the Florida Statutes.

—was referred to the Committee on Rules.

By Senator Baker—

SB 1684—A bill to be entitled An act relating to title insurance; creating the Florida 2008 Title Insurance Study Advisory Council; providing for membership; providing for administrative support for the council; providing responsibilities of the council; authorizing the council to invite independent actuaries to provide certain information; providing council meeting requirements; requiring the council to file a report with

the Governor and Legislature; providing for termination of the council; providing an effective date.

—was referred to the Committees on Banking and Insurance; Governmental Operations; and General Government Appropriations.

SB 1686—Withdrawn prior to introduction.

By Senator Baker—

SB 1688—A bill to be entitled An act relating to transportation; providing legislative findings with respect to the need to preserve investments in transportation infrastructure and reduce congestion; creating the Florida Transportation Revenue Study Commission for the purpose of studying the state's transportation needs and developing recommendations; requiring that the commission submit a report to the Legislature by a specified date; establishing powers and duties of the commission; providing for membership and authorizing the reimbursement of members for per diem and travel expenses; providing requirements for meetings of the commission; requiring the Center for Urban Transportation Research at the University of South Florida to provide staff support to the commission; amending s. 163.3182, F.S.; providing legislative findings with respect to the public purpose in eliminating transportation deficiencies; authorizing transportation concurrency backlog authorities to issue bonds; revising provisions related to financing schedules; increasing the ad valorem tax increment used to fund a transportation concurrency backlog trust fund; revising the conditions for dissolving a transportation concurrency backlog authority; providing appropriations; providing an effective date.

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

By Senator Crist—

SB 1690—A bill to be entitled An act relating to capital collateral representation; amending s. 27.7001, F.S.; providing a legislative finding that not all capital cases are extraordinary or unusual; amending s. 27.701, F.S.; requiring that regional counsel be appointed by and serve at the pleasure of the Commission on Capital Cases; removing provisions establishing a pilot program in the northern region of the state; amending s. 27.702, F.S.; clarifying the administrative roles and functions of the Justice Administrative Commission, the Commission on Capital Cases, and the Capital Collateral Regional Counsel; amending s. 27.709, F.S.; increasing and revising the membership of the Commission on Capital Cases; relocating the commission from the Office of Legislative Services to the Justice Administrative Commission for purposes of administration; authorizing the commission to sponsor programs of continuing legal education on capital cases; authorizing the commission to issue subpoenas and hold hearings it considers appropriate for the administration of justice in capital cases; authorizing the commission to terminate the appointment of a capital collateral regional counsel before the end of the counsel's term; amending s. 27.710, F.S.; revising the criteria required for an attorney to be eligible to be placed on the registry of attorneys qualified to represent defendants in postconviction capital collateral proceedings; providing certain limited exceptions; requiring attorneys to sign a contract with the Chief Financial Officer in order to receive funds from the state; requiring each private attorney appointed by a court to represent a capital defendant to submit a report each quarter to the commission; providing for removal and reinstatement to the registry of attorneys; amending s. 27.711, F.S.; providing for terms and conditions for appointment of counsel in postconviction capital collateral proceedings; providing for pro bono attorneys to receive reimbursement for certain specified expenses; limiting representation by a court-appointed attorney to seven defendants; prohibiting an attorney from entering into an employment contract with the offices of the Capital Collateral Regional Counsel if he or she represents seven or more defendants in capital collateral litigation; requiring a trial court judge who proposes to award attorney's fees in excess of those set forth in law to make written findings of fact that state the extraordinary nature of the expenditures of time, energy, and talents of the attorney in the case which are not ordinarily expended in other capital collateral cases and how the case is unusual; reenacting s. 27.7002, F.S., relating to the limitation of cases on collateral representation, to incorporate the amendments made to ss. 27.710 and 27.711, F.S., in references thereto; providing an effective date.

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

By Senator Baker—

SB 1692—A bill to be entitled An act relating to unauthorized copies of recordings; amending s. 540.11, F.S.; requiring that a person who violates state law regarding the unauthorized sale, resale, rental, or transportation of certain articles on which sounds are recorded pay restitution to the owner or lawful producer of the master recording, master disc, master tape, master videotape, master film, or other device or article from which sounds or visual images were derived or to the trade association representing such owner or lawful producer who suffered injury resulting from the violation; requiring that the order of restitution be based on the aggregate wholesale value of lawfully manufactured and authorized recorded devices corresponding to the nonconforming recorded devices involved in the offense, including investigative costs relating to the offense; providing an effective date.

—was referred to the Committees on Commerce; and Judiciary.

By Senators Aronberg and Fasano—

SB 1694—A bill to be entitled An act relating to emergency dispatchers; creating s. 401.465, F.S.; providing definitions; requiring the Department of Health to establish criteria for the certification of 911 emergency dispatchers; providing requirements for certification; requiring the department to determine if an applicant meets the requirements for certification; requiring the department to establish a procedure for certificate renewal; providing for the expiration and renewal of certificates; authorizing the department to suspend or revoke a certificate; providing that a certificateholder may request inactivation of his or her certification; providing requirements for renewing an inactive certificate; providing fees for original application and renewal of a certificate; requiring that fees be deposited in a trust fund and used for specified purposes; providing for replacement of a lost or destroyed certificate; requiring the department to issue a replacement certificate under certain circumstances; providing an effective date.

—was referred to the Committees on Health Regulation; Community Affairs; Governmental Operations; and Health and Human Services Appropriations.

By Senator Baker—

SB 1696—A bill to be entitled An act relating to orthotics, prosthetics, and pedorthics; amending s. 468.80, F.S.; providing and revising definitions; amending s. 468.801, F.S.; changing composition of the Board of Orthotists and Prosthetists; removing obsolete requirement for initial staggering of terms; amending s. 468.802, F.S.; expanding the authority for rule adoption to include standards of practice for orthotic fitters, orthotic fitter assistants, and residents; amending s. 468.803, F.S.; providing for registration for a resident to practice orthotics or prosthetics; authorizing licensure as a prosthetist-orthotist; providing requirements for such licensure; requiring applicants for registration, examination, or licensure to apply on Department of Health forms; requiring applicants to submit fingerprints and a fee to cover department costs for criminal background checks; requiring board verification of certain information prior to an applicant's examination, registration, or licensure; providing requirements for registration as a resident in orthotics or prosthetics; providing for registration and renewal fees for registration; authorizing either the Department of Health to develop and administer a state examination for an orthotist or prosthetist license or the board to approve an existing examination of a national standards organization; providing examination requirements; authorizing examination fees; delineating applicant qualifications for examination; delineating requirements for licensure and licensure fees for an orthotist, a prosthetist, an orthotic fitter, an orthotic fitter assistant, and a pedorthist; amending

s. 468.806, F.S.; revising materials required for submission for biennial license renewal, including information necessary to conduct a statewide criminal history check and payment of costs therefor; requiring certain mandatory courses, standards and qualifications for continuing education courses, and standards and qualifications for course providers to be established by rule; deeming the Florida Association of Orthotists and Prosthetists, Inc., an approved course provider; repealing s. 468.807, F.S., relating to issuance of a temporary license; amending s. 468.808, F.S.; revising duties that can be delegated to unlicensed support personnel; providing requirements for support personnel identification; amending s. 468.809, F.S.; including the practice of orthotics, prosthetics, or pedorthics without registration in certain prohibitions; providing penalties; creating s. 468.8095, F.S.; requiring licensees and registrants to post licenses, registrations, recent photographs, and certain notices in a facility and to wear certain identification tags or badges; amending s. 468.811, F.S.; revising grounds for denial of a license or disciplinary action; providing grounds for denial of registration; amending s. 468.812, F.S.; revising provisions exempting certain persons from licensure; amending s. 468.813, F.S.; revising requirements regarding use of titles; authorizing adoption of rules by the board; providing effective dates.

—was referred to the Committees on Health Regulation; Higher Education; and Health and Human Services Appropriations.

By Senator Dean—

SB 1698—A bill to be entitled An act relating to sexual offenders and predators; amending s. 775.21, F.S.; revising a definition and defining the terms "transient residence" and "secondary educational institution"; listing additional felonies as criteria to be used to designate a person as a sexual predator; requiring the Department of Corrections and state law enforcement agencies to notify the state attorney of a predator's transient residence; requiring a sexual predator to provide certain additional information to the Department of Law Enforcement when registering as a sexual predator; requiring the sexual predator to submit a set of palm prints during registration after a specified date; requiring a sexual predator to report enrollment or employment at a secondary educational institution; requiring a sexual predator to report changes in residency within a specified time; requiring that law enforcement agencies provide additional information to the public concerning the identify and location of sexual predators; requiring a sexual predator to provide additional information to the sheriff's office when reregistering as a sexual predator; amending s. 943.0435, F.S.; redefining the term "sexual offender" to add additional felony convictions that qualify a person as a sexual offender; defining the terms "transient residence" and "secondary educational institution"; requiring a sexual predator to provide certain additional information to the sheriff when registering as a sexual offender, including any transient residence; requiring a sexual offender to report enrollment or employment at a secondary educational institution; requiring a sexual offender to provide additional information to the sheriff when reregistering as a sexual offender; requiring a sexual offender to submit a set of palm prints during registration or reregistration after a specified date; creating s. 943.04355, F.S.; authorizing the Department of Law Enforcement, with the cooperation of local law enforcement agencies, to assume the duties and functions of registering sexual offenders and notifying the community as such duties and functions relate to registrants under the jurisdiction of any federally recognized Native American tribe that maintains a reservation or tribal property in the state; amending s. 944.606, F.S.; redefining the term "sexual offender" to revise the criminal offenses that qualify a person as a sexual offender for the purpose of the Department of Corrections giving community notice of the release of sexual offenders from incarceration; revising the content of the information the Department of Corrections must give when the sexual offender is released; amending s. 944.607, F.S.; redefining the term "sexual offender" to revise the criminal offenses that qualify a person as a sexual offender for the purpose of requiring a sexual offender who is under the supervision of the Department of Corrections but is not incarcerated to register with the department; defining the term "secondary educational institution"; requiring a sexual offender to provide certain additional information to the Department of Corrections at the time of registration; requiring the department to provide the information to the Department of Law Enforcement; requiring a sexual offender to report enrollment or employment at a secondary educational institution; requiring a sexual offender under the supervision of the Department of Corrections to provide additional information concerning changes to the sheriff when reregistering as a sexual offender; requiring the sexual offender to submit a set of palm prints during registration or reregistration after a specified date; amending s. 985.481, F.S.; requiring the Department of Juvenile Justice to provide additional information in its community notice of the release of a juvenile sexual offender following a period of residential commitment; amending s. 985.4815, F.S.; defining the term "secondary educational institution"; requiring a juvenile sexual offender who is under the supervision of the Department of Juvenile Justice but who is not committed to a residential placement to register as a juvenile sexual offender with the Department of Juvenile Justice; requiring the juvenile sexual offender to provide certain additional information to the department at the time of registration; requiring the Department of Juvenile Justice to provide certain additional information to the Department of Law Enforcement; requiring a sexual offender to report enrollment or employment at a secondary educational institution; requiring a sexual offender under the supervision of the Department of Juvenile Justice to provide additional information concerning changes to the sheriff when reregistering as a sexual offender; amending s. 322.141, F.S.; providing requirements for the driver's license and identification card issued to a juvenile sexual offender; amending s. 775.25, F.S.; specifying the venue for prosecuting a sexual offender adjudicated delinquent or a juvenile sexual offender; amending s. 943.0436, F.S.; prohibiting the court from entering certain orders with respect to a sexual offender adjudicated delinquent or a juvenile sexual offender; providing an effective date.

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

By Senator Bennett—

SB 1700—A bill to be entitled An act relating to mutual aid agreements; creating s. 285.185, F.S.; authorizing the Seminole Tribe of Florida to enter into any existing mutual aid plan, arrangement, or agreement; requiring the Division of Emergency Management and the Department of Law Enforcement to abide by the terms of such plan, arrangement, or agreement and provide assistance; authorizing parties to modify the provisions of such plan, arrangement, or agreement; providing an effective date.

—was referred to the Committees on Military Affairs and Domestic Security; Criminal Justice; Governmental Operations; and Transportation and Economic Development Appropriations.

By Senator Alexander—

SB 1702—A bill to be entitled An act relating to the Department of Agriculture and Consumer Services; expressing the legislative intent to revise laws relating to the Department of Agriculture and Consumer Services; providing an effective date.

—was referred to the Committees on Agriculture; General Government Appropriations; and Rules.

By Senator Storms—

SB 1704—A bill to be entitled An act relating to abandonment of a newborn infant; amending s. 63.0423, F.S.; deleting the requirement for a licensed child-placing agency to conduct a diligent search for the parent and obtain consent for the termination of parental rights; amending s. 383.50, F.S.; redefining the term "newborn infant" to raise the age at which an infant may be left anonymously from 3 to 7 days old; requiring that if an abandoned child is born in a hospital, the mother's name be left off the birth certificate upon the mother's request; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Health Policy; and Judiciary.

By Senator Margolis—

SB 1706—A bill to be entitled An act relating to developments of regional impact; amending s. 380.06, F.S.; exempting proposed developments involving medical technology, biotechnology, or life sciences which meet certain criteria from review as a development of regional impact; providing an effective date.

—was referred to the Committees on Community Affairs; Commerce; Transportation; and Higher Education.

By Senator Margolis—

SB 1708—A bill to be entitled An act relating to child nutrition; providing a short title; amending ss. 402.305 and 1006.06, F.S.; providing definitions; providing requirements for foods served in child care facilities and school food service programs; providing for exceptions and substitutions in certain circumstances; amending s. 1003.453, F.S.; requiring a school district's health education curriculum to include nutrition education; requiring a study by the Department of Agriculture and Consumer Services and the Department of Education of the fiscal impact of establishing a statewide Farm-to-School Program; requiring a report and recommendations; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Children, Families, and Elder Affairs; Health Policy; and Education Pre-K - 12 Appropriations.

By Senator Rich—

SB 1710—A bill to be entitled An act relating to soil and water conservation districts and watershed improvement districts; amending ss. 582.12 and 582.30, F.S.; revising eligibility requirements to vote in a referendum on the creation or discontinuance of a soil and water conservation district; amending s. 582.36, F.S.; revising eligibility requirements to vote in a referendum on the creation of a watershed improvement district; providing an effective date.

—was referred to the Committees on Agriculture; Environmental Preservation and Conservation; and Community Affairs.

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

SB 1712—A bill to be entitled An act relating to ethics; providing a short title; amending s. 24.121, F.S., relating to public school funding; conforming cross-references; amending s. 112.3173, F.S.; specifying certain additional offenses that constitute a breach of the public trust; amending s. 121.091, F.S.; prohibiting the Division of Retirement from paying benefits to a member who has committed certain felony offenses against a minor; amending s. 1001.03, F.S.; requiring the State Board of Education to adopt by rule a list of specified criminal and delinquent acts that disqualify a person from acquiring or retaining a teaching certificate; amending s. 1001.10, F.S.; requiring the Commissioner of Education to assist school districts, the Florida School for the Deaf and the Blind, and private providers in developing policies and procedures governing educator ethics and employment; amending s. 1001.32, F.S., relating to school administration; conforming a cross-reference; amending s. 1001.42, F.S.; requiring each district school board to adopt ethical standards for all employees; prohibiting confidentiality agreements regarding terminated or dismissed employees which have the effect of concealing certain conduct; requiring each district school board to adopt a list of criminal or delinquent acts that disqualify a person having direct contact with students from employment; providing that a district school board that knowingly signs or transmits a false report or fails to report allegations of educator misconduct forfeits its right to pay for a specified period; amending s. 1001.452, F.S., relating to district and school advisory councils; conforming cross-references; amending s. 1001.51, F.S.; providing that a district school superintendent or district school board member forfeits his or her salary for a specified period following failure to report allegations of misconduct by an educator; amending ss. 1001.54 and 1002.32, F.S., relating to duties of principals and lab schools; conforming cross-references; amending s. 1002.36, F.S.; requiring the Florida School for the Deaf and the Blind to meet certain requirements governing the screening of educators; amending ss. 1002.421 and 1002.55, F.S.; requiring owners of certain private schools and private prekindergarten providers to adopt a list of criminal or delinquent acts that disqualify a person having direct contact with students from employment; requiring such owners and providers to adopt ethical standards for all employees; prohibiting confidentiality agreements regarding terminated or dismissed employees which have the effect of concealing certain conduct; requiring such owners and providers to contact the previous employer of each candidate for employment and notify the Department of Education of the termination of an employee, regardless of cause; amending ss. 1002.61, 1002.63, 1002.65, 1003.413, 1003.53, and 1004.92, F.S., relating to prekindergarten programs and instructors, the Florida Secondary School Redesign Act, dropout prevention, and career education; conforming cross-references; amending s. 1006.061, F.S.; requiring each district school board to post its policies and procedures for reporting misconduct by educators and the penalties imposed for failing to report suspected or actual child abuse; amending ss. 1007.21, 1007.23, 1008.33, 1008.345, 1010.215, and 1011.18, F.S., relating to readiness for postsecondary education and the workplace, the statewide articulation agreement, public school improvement and educator accountability, funding accountability, and school depositories; conforming cross-references; amending s. 1012.27, F.S.; requiring the district school superintendent to contact the previous employer of each candidate for employment and notify the Department of Education of the termination of an employee, regardless of cause; amending s. 1012.33, F.S.; providing that just cause for terminating instructional staff includes immorality or the commission of a criminal or delinquent act; providing for the termination of other personnel as provided by policy and rules of the district school board; amending s. 1012.34, F.S., relating to assessment procedures; conforming a cross-reference; amending s. 1012.56, F.S., relating to certification requirements for educators; providing for the Department of Education to maintain personnel records on an electronic database; amending s. 1012.79, F.S.; providing for additional members to be appointed to the Education Practices Commission, including five sworn law enforcement officials; revising the composition of the panel appointed to review complaints against teachers; amending s. 1012.795, F.S.; providing for suspending the educator certificate of a person who knowingly fails to report child abuse or suspected or actual misconduct by an educator; requiring each district school superintendent and the governing authority of certain schools to report to the department the names of employees dismissed for any reason; providing sanctions for failing to make such reports; amending s. 1012.796, F.S.; requiring that the Department of Education investigate each complaint; clarifying what constitutes a legally sufficient complaint; providing requirements for adopted school board policies and procedures; providing that the district school superintendent is accountable for communicating standards, policies, and procedures to district employees; requiring that an educator be immediately suspended and reassigned upon an allegation of educator misconduct; amending ss. 1012.98 and 1013.03, F.S., relating to the School Community Professional Development Act and functions of the department and Board of Governors; conforming cross-references; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Governmental Operations; Judiciary; and Education Pre-K - 12 Appropriations.

By Senator Oelrich—

SB 1714—A bill to be entitled An act relating to higher education; expressing the legislative intent to revise laws relating to higher education; providing an effective date.

—was referred to the Committees on Higher Education; Higher Education Appropriations; and Rules.

By Senator Oelrich—

SB 1716—A bill to be entitled An act relating to higher education; expressing the legislative intent to revise laws relating to higher education; providing an effective date.

—was referred to the Committees on Higher Education; Higher Education Appropriations; and Rules.

By Senator Oelrich—

SB 1718—A bill to be entitled An act relating to higher education; expressing the legislative intent to revise laws relating to higher education; providing an effective date.

—was referred to the Committees on Higher Education; Higher Education Appropriations; and Rules.

By Senator Oelrich—

SB 1720—A bill to be entitled An act relating to public records; expressing the legislative intent to revise laws relating to public records; providing an effective date.

—was referred to the Committees on Higher Education; Governmental Operations; Higher Education Appropriations; and Rules.

By Senator Joyner—

SB 1722—A bill to be entitled An act relating to travel for commercial sexual purposes; amending s. 559.927, F.S.; defining the term "travel for commercial sexual purposes"; amending s. 559.928, F.S.; requiring the seller of travel to include in the initial registration documents, and in the annual affidavit to renew the registration, sent to the Department of Agriculture and Consumer Services a statement that the seller of travel does not knowingly offer for sale, facilitate, or promote travel services for commercial sexual purposes; providing that the department may deny or refuse to renew the registration of any seller of travel based upon a determination that the seller of travel has knowingly and intentionally offered for sale, facilitated, advertised, or promoted travel services for commercial sexual purposes; amending s. 559.9335, F.S.; providing that an offer of sale, an advertisement, or a promotion of travel services for commercial sexual purposes is a violation of part IX of ch. 559, F.S.; amending s. 559.937, F.S.; providing that a seller of travel who knowingly and intentionally offers for sale, facilitates, advertises, or promotes travel services for commercial sexual purposes commits a felony of the second degree; providing criminal penalties; authorizing a court to freeze the assets of a seller of travel who has or is about to commit such offense; providing procedures; providing an effective date.

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

By Senator Oelrich—

SB 1724—A bill to be entitled An act relating to higher education; expressing the legislative intent to revise laws relating to higher education; providing an effective date.

—was referred to the Committees on Higher Education; Higher Education Appropriations; and Rules.

By Senator Oelrich—

SB 1726—A bill to be entitled An act relating to higher education; expressing the legislative intent to revise laws relating to higher education; providing an effective date.

—was referred to the Committees on Higher Education; Higher Education Appropriations; and Rules.

By Senator Oelrich—

SB 1728—A bill to be entitled An act relating to trust funds; expressing the legislative intent to revise laws relating to trust funds; providing an effective date.

—was referred to the Committees on Higher Education; Higher Education Appropriations; and Rules.

By Senator Oelrich—

SB 1730—A bill to be entitled An act relating to service of process; amending s. 48.021, F.S.; allowing criminal witness subpoenas and criminal summonses to be served by a special process server appointed by the local sheriff or by a certified process server; amending s. 56.041, F.S.; providing that all unsatisfied executions held by the sheriff that were docketed before October 1, 2001, or held after a specified period may be returned to the issuing court; amending s. 56.21, F.S.; requiring the submission of an affidavit before levying a judgment upon real property; requiring the sheriff to furnish to the judgment debtor or the debtor's attorney of record a copy of the notice of sale, notice of levy, and affidavit within a specified period before execution of a sale or levy; amending s. 56.27, F.S.; requiring that priority of liens on real property be based on the effective date of the judgment lien; requiring a levying creditor to deliver affidavit to the sheriff at the time of the levy request setting forth certain information and attestations; amending ss. 741.30 and 784.046, F.S., relating to service of process in cases of domestic violence or sexual abuse; authorizing clerks of court to transmit facsimile copies of previously certified injunctions to sheriffs upon request; requiring sheriffs to verify receipt of facsimile copies of injunctions with clerks of court before attempting service; authorizing law enforcement officers to serve facsimile copies of injunctions in the same manner as certified copies; providing an effective date.

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

By Senator Joyner—

SB 1732—A bill to be entitled An act relating to human trafficking; creating within the Executive Office of the Governor the Florida Statewide Task Force on Human Trafficking; prescribing the membership of the task force; inviting participation by agencies of the United States Government; providing for meetings; requiring that the first hearing be conducted by a specified date; providing for a quorum; providing that meetings and records of the task force are subject to public-meetings and open-records requirements; providing for members of the task force to be reimbursed for per diem and travel expenses; requiring that the certain specified agencies provide staff support; providing specific responsibilities and duties of the task force; requiring that the task force file preliminary and final reports and recommendations with the Governor and the Legislature; requiring cooperation by state agencies; abolishing the task force on a specified date; providing an effective date.

—was referred to the Committees on Criminal Justice; Children, Families, and Elder Affairs; and Transportation and Economic Development Appropriations.

SB 1734—Not referenced.

By Senator Geller—

SB 1736—A bill to be entitled An act relating to the Beverage Law; creating s. 561.222, F.S.; authorizing the direct shipment of wine into this state for personal consumption; requiring licensure of winery shippers; providing eligibility requirements for licensure; requiring that recipients be at least 21 years of age; requiring proof of age and signature of recipient; requiring monthly reports by winery shippers; requiring payment of taxes by winery shippers; providing for jurisdiction; providing administrative and criminal penalties; amending ss. 561.24, 561.54, 561.545, 564.045, and 599.004, F.S., to conform to the provisions of s. 561.222, F.S.; providing an effective date.

—was referred to the Committees on Regulated Industries; Criminal Justice; Finance and Tax; and General Government Appropriations.

By Senator Oelrich—

SJR 1738—A joint resolution expressing the legislative intent to propose an amendment to the State Constitution relating to higher education.

—was referred to the Committees on Higher Education; Higher Education Appropriations; and Rules.

SR 1740—Not referenced.

By Senators Carlton and Gaetz—

SM 1742—A memorial to the Congress of the United States, urging Congress to support national standards for educator ethics and a national clearinghouse to strengthen state efforts in the reporting, screening, and sharing of critical information relative to educator misconduct.

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

By Senator Wise—

SB 1744—A bill to be entitled An act relating to implementing the 2007-2008 General Appropriations Act; expressing the legislative intent to revise laws relating to implementing the 2007-2008 General Appropriations Act; providing an effective date.

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

By Senator Wise—

SB 1746—A bill to be entitled An act relating to pre-K through 12 education; expressing the legislative intent to revise laws relating to pre-K through 12 education; providing an effective date.

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

By Senator Wise—

SB 1748—A bill to be entitled An act relating to public schools; expressing the legislative intent to revise laws relating to public schools; providing an effective date.

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

By Senator Wise—

SB 1750—A bill to be entitled An act relating to early learning; expressing the legislative intent to revise laws relating to early learning; providing an effective date.

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

By Senator Wise—

SB 1752—A bill to be entitled An act relating to education innovation; expressing the legislative intent to revise laws relating to education innovation; providing an effective date.

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

By Senator Wise—

SB 1754—A bill to be entitled An act relating to education accountability; expressing the legislative intent to revise laws relating to education accountability; providing an effective date.

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

By Senator Wise—

SB 1756—A bill to be entitled An act relating to pre-K through 12 education funding; expressing the legislative intent to revise laws relating to pre-K through 12 education funding; providing an effective date.

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

By Senator Wise—

SB 1758—A bill to be entitled An act relating to the Florida Education Finance Program; expressing the legislative intent to revise laws relating to the Florida Education Finance Program; providing an effective date.

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

By Senator Wise—

SB 1760—A bill to be entitled An act relating to implementing the 2008-2009 General Appropriations Act; expressing the legislative intent to revise laws relating to implementing the 2008-2009 General Appropriations Act; providing an effective date.

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

By Senator Lynn—

SB 1762—A bill to be entitled An act relating to higher education; expressing the legislative intent to revise laws relating to higher education; providing an effective date.

—was referred to the Committee on Higher Education Appropriations.

By Senator Lynn—

SB 1764—A bill to be entitled An act relating to workforce education and adult education services; expressing the legislative intent to revise laws relating to workforce education and adult education services; providing an effective date.

—was referred to the Committee on Higher Education Appropriations.

By Senator Lynn—

SB 1766—A bill to be entitled An act relating to student financial assistance; expressing the legislative intent to revise laws relating to student financial assistance; providing an effective date.

—was referred to the Committee on Higher Education Appropriations.

By Senator Lynn—

SB 1768—A bill to be entitled An act relating to colleges and universities; expressing the legislative intent to revise laws relating to colleges and universities; providing an effective date.

—was referred to the Committee on Higher Education Appropriations.

By Senator Lynn—

SB 1770—A bill to be entitled An act relating to independent postsecondary education; expressing the legislative intent to revise laws relating to independent postsecondary education; providing an effective date.

—was referred to the Committee on Higher Education Appropriations.

By Senator Lynn—

SB 1772—A bill to be entitled An act relating to educational accountability; expressing the legislative intent to revise laws relating to educational accountability; providing an effective date.

—was referred to the Committee on Higher Education Appropriations.

By Senator Lynn—

SB 1774—A bill to be entitled An act relating to higher education funding; expressing the legislative intent to revise laws relating to higher education funding; providing an effective date.

—was referred to the Committee on Higher Education Appropriations.

By Senator Lynn—

SB 1776—A bill to be entitled An act relating to implementing the 2008-2009 General Appropriations Act; expressing the legislative intent to revise laws relating to implementing the 2008-2009 General Appropriations Act; providing an effective date.

—was referred to the Committee on Higher Education Appropriations.

By Senator King—

SB 1778—A bill to be entitled An act relating to educational facilities; expressing the legislative intent to revise laws relating to educational facilities; providing an effective date.

—was referred to the Committee on Education Facilities Appropriations.

By Senator King—

SB 1780—A bill to be entitled An act relating to educational facilities planning; expressing the legislative intent to revise laws relating to educational facilities planning; providing an effective date.

—was referred to the Committee on Education Facilities Appropriations.

By Senator King—

SB 1782—A bill to be entitled An act relating to higher education facilities; expressing the legislative intent to revise laws relating to higher education facilities; providing an effective date.

—was referred to the Committee on Education Facilities Appropriations.

By Senator King—

SB 1784—A bill to be entitled An act relating to K-12 educational facilities; expressing the legislative intent to revise laws relating to K-12 educational facilities; providing an effective date.

—was referred to the Committee on Education Facilities Appropriations.

By Senator Crist—

SB 1786—A bill to be entitled An act relating to the clerks of court; expressing the legislative intent to revise laws relating to clerks of the court; providing an effective date.

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

By Senator Crist—

SB 1788—A bill to be entitled An act relating to due process; expressing the legislative intent to revise laws relating to due process; providing an effective date.

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

By Senator Crist—

SB 1790—A bill to be entitled An act relating to the courts; expressing the legislative intent to revise laws relating to the courts; providing an effective date.

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

By Senator Crist—

SB 1792—A bill to be entitled An act relating to law enforcement; expressing the legislative intent to revise laws relating to law enforcement; providing an effective date.

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

By Senator Crist—

SB 1794—A bill to be entitled An act relating to juvenile justice; expressing the legislative intent to revise laws relating to juvenile justice; providing an effective date.

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

By Senator Crist—

SB 1796—A bill to be entitled An act relating to corrections; expressing the legislative intent to revise laws relating to corrections; providing an effective date.

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

By Senator Crist—

SB 1798—A bill to be entitled An act relating to the Parole Commission; expressing the legislative intent to revise laws relating to the Parole Commission; providing an effective date.

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

By Senator Crist—

SB 1800—A bill to be entitled An act relating to the Prison Rehabilitative Industries and Diversified Enterprises (PRIDE); expressing the legislative intent to revise laws relating to the Prison Rehabilitative Industries and Diversified Enterprises (PRIDE); providing an effective date.

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

By Senator Crist—

SB 1802—A bill to be entitled An act relating to implementing the 2008-2009 General Appropriations Act; expressing the legislative intent to revise laws relating to implementing the 2008-2009 General Appropriations Act; providing an effective date.

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

By Senator Crist—

SB 1804—A bill to be entitled An act relating to the Department of Legal Affairs; expressing the legislative intent to revise laws relating to the Department of Legal Affairs; providing an effective date.

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

By Senator Crist—

SB 1806—A bill to be entitled An act relating to juvenile justice facilities; expressing the legislative intent to revise laws relating to juvenile justice facilities; providing an effective date.

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

By Senator Alexander—

SB 1808—A bill to be entitled An act relating to regulatory fees; expressing the legislative intent to revise laws relating to regulatory fees; providing an effective date.

—was referred to the Committee on General Government Appropriations.

By Senator Alexander—

SB 1810—A bill to be entitled An act relating to agriculture; expressing the legislative intent to revise laws relating to agriculture; providing an effective date.

—was referred to the Committee on General Government Appropriations.

By Senator Alexander—

SB 1812—A bill to be entitled An act relating to governmental operations; expressing the legislative intent to revise laws relating to governmental operations; providing an effective date.

—was referred to the Committee on General Government Appropriations.

By Senator Alexander—

SB 1814—A bill to be entitled An act relating to governmental operations; expressing the legislative intent to revise laws relating to governmental operations; providing an effective date.

—was referred to the Committee on General Government Appropriations.

By Senator Alexander—

SB 1816—A bill to be entitled An act relating to governmental operations; expressing the legislative intent to revise laws relating to governmental operations; providing an effective date.

—was referred to the Committee on General Government Appropriations.

By Senator Alexander—

SB 1818—A bill to be entitled An act relating to fees; expressing the legislative intent to revise laws relating to fees; providing an effective date.

—was referred to the Committee on General Government Appropriations.

By Senator Alexander—

SB 1820—A bill to be entitled An act relating to governmental operations; expressing the legislative intent to revise laws relating to governmental operations; providing an effective date.

—was referred to the Committee on General Government Appropriations.

By Senator Alexander—

SB 1822—A bill to be entitled An act relating to governmental operations; expressing the legislative intent to revise laws relating to governmental operations; providing an effective date.

—was referred to the Committee on General Government Appropriations.

By Senator Alexander—

SB 1824—A bill to be entitled An act relating to governmental operations; expressing the legislative intent to revise laws relating to governmental operations; providing an effective date.

—was referred to the Committee on General Government Appropriations.

By Senator Alexander—

SB 1826—A bill to be entitled An act relating to regulation; expressing the legislative intent to revise laws relating to regulation; providing an effective date.

—was referred to the Committee on General Government Appropriations.

By Senator Alexander—

SB 1828—A bill to be entitled An act relating to governmental operations; expressing the legislative intent to revise laws relating to governmental operations; providing an effective date.

—was referred to the Committee on General Government Appropriations.

By Senator Alexander—

SB 1830—A bill to be entitled An act relating to the Department of Management Services; expressing the legislative intent to revise laws relating to the Department of Management Services; providing an effective date.

—was referred to the Committee on General Government Appropriations.

By Senator Alexander—

SB 1832—A bill to be entitled An act relating to governmental operations; expressing the legislative intent to revise laws relating to governmental operations; providing an effective date.

—was referred to the Committee on General Government Appropriations.

By Senator Alexander—

SB 1834—A bill to be entitled An act relating to the Department of the Lottery; expressing the legislative intent to revise laws relating to the Department of the Lottery; providing an effective date.

—was referred to the Committee on General Government Appropriations.

By Senator Alexander—

SB 1836—A bill to be entitled An act relating to governmental operations; expressing the legislative intent to revise laws relating to governmental operations; providing an effective date.

—was referred to the Committee on General Government Appropriations.

By Senator Alexander—

SB 1838—A bill to be entitled An act relating to the Department of Revenue; expressing the legislative intent to revise laws relating to the Department of Revenue; providing an effective date.

—was referred to the Committee on General Government Appropriations.

By Senator Alexander—

SB 1840—A bill to be entitled An act relating to governmental operations; expressing the legislative intent to revise laws relating to governmental operations; providing an effective date.

—was referred to the Committee on General Government Appropriations.

By Senator Alexander—

SB 1842—A bill to be entitled An act relating to citrus; expressing the legislative intent to revise laws relating to citrus; providing an effective date.

—was referred to the Committee on General Government Appropriations.

By Senator Alexander—

SB 1844—A bill to be entitled An act relating to implementing the 2008-2009 General Appropriations Act; expressing the legislative intent to revise laws relating to implementing the 2008-2009 General Appropriations Act; providing an effective date.

—was referred to the Committee on General Government Appropriations.

By Senator Alexander—

SB 1846—A bill to be entitled An act relating to the water management districts; expressing the legislative intent to revise laws relating to the water management districts; providing an effective date.

—was referred to the Committees on General Government Appropriations; Environmental Preservation and Conservation; and Rules.

By Senator Alexander—

SJR 1848—A joint resolution expressing the legislative intent to propose an amendment to Section 9 of Article VII of the State Constitution, relating to the water management districts.

—was referred to the Committees on General Government Appropriations; Environmental Preservation and Conservation; and Rules.

By Senator Alexander—

SB 1850—A bill to be entitled An act relating to trust funds; expressing the legislative intent to revise laws relating to trust funds; providing an effective date.

—was referred to the Committee on General Government Appropriations.

By Senator Peaden—

SB 1852—A bill to be entitled An act relating to health care; expressing the legislative intent to revise laws relating to health care; providing an effective date.

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

By Senator Peaden—

SB 1854—A bill to be entitled An act relating to health care; expressing the legislative intent to revise laws relating to health care; providing an effective date.

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

By Senator Peaden—

SB 1856—A bill to be entitled An act relating to health care; expressing the legislative intent to revise laws relating to health care; providing an effective date.

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

By Senator Peaden—

SB 1858—A bill to be entitled An act relating to Medicaid; expressing the legislative intent to revise laws relating to Medicaid; providing an effective date.

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

By Senator Peaden—

SB 1860—A bill to be entitled An act relating to the Department of Children and Family Services; expressing the legislative intent to revise laws relating to the Department of Children and Family Services; providing an effective date.

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

By Senator Peaden—

SB 1862—A bill to be entitled An act relating to the Department of Health; expressing the legislative intent to revise laws relating to the Department of Health; providing an effective date.

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

By Senator Peaden—

SB 1864—A bill to be entitled An act relating to the Department of Elderly Affairs; expressing the legislative intent to revise laws relating to the Department of Elderly Affairs; providing an effective date.

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

By Senator Peaden—

SB 1866—A bill to be entitled An act relating to the Agency for Persons with Disabilities; expressing the legislative intent to revise laws relating to the Agency for Persons with Disabilities; providing an effective date.

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

By Senator Peaden—

SB 1868—A bill to be entitled An act relating to implementing the 2008-2009 General Appropriations Act; expressing legislative intent to revise laws relating to implementing the 2008-2009 General Appropriations Act; providing an effective date.

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

By Senator Fasano—

SB 1870—A bill to be entitled An act relating to economic development; expressing the legislative intent to revise laws relating to economic development; providing an effective date.

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

By Senator Fasano—

SB 1872—A bill to be entitled An act relating to economic development; expressing the legislative intent to revise laws relating to economic development; providing an effective date.

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

By Senator Fasano—

SB 1874—A bill to be entitled An act relating to transportation; expressing the legislative intent to revise laws relating to transportation; providing an effective date.

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

By Senator Fasano—

SB 1876—A bill to be entitled An act relating to transportation; expressing the legislative intent to revise laws relating to transportation; providing an effective date.

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

By Senator Fasano—

SB 1878—A bill to be entitled An act relating to governmental operations; expressing the legislative intent to revise laws relating to governmental operations; providing an effective date.

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

By Senator Fasano—

SB 1880—A bill to be entitled An act relating to governmental operations; expressing the legislative intent to revise laws relating to governmental operations; providing an effective date.

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

By Senator Fasano—

SB 1882—A bill to be entitled An act relating to highway safety; expressing the legislative intent to revise laws relating to highway safety; providing an effective date.

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

By Senator Fasano—

SB 1884—A bill to be entitled An act relating to implementing the 2008-2009 General Appropriations Act; expressing the legislative intent to revise laws relating to implementing the 2008-2009 General Appropriations Act; providing an effective date.

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

By Senator Carlton—

SB 1886—A bill to be entitled An act relating to employee benefits; expressing the legislative intent to revise laws relating to employee benefits; providing an effective date.

—was referred to the Committee on General Government Appropriations.

By Senator Carlton—

SB 1888—A bill to be entitled An act relating to state employees and retirees; expressing the legislative intent to revise laws relating to state employees and retirees; providing an effective date.

—was referred to the Committee on General Government Appropriations.

By Senator Carlton—

SB 1890—A bill to be entitled An act relating to retirement contribution rates; expressing the legislative intent to revise laws relating to retirement contribution rates; providing an effective date.

—was referred to the Committee on General Government Appropriations.

By Senator Carlton—

SB 1892—A bill to be entitled An act relating to governmental operations; expressing the legislative intent to revise laws relating to governmental operations; providing an effective date.

—was referred to the Committee on General Government Appropriations.

Senate Bills 1894-1904—Not referenced.

By Senator Gaetz—

SB 1906—A bill to be entitled An act relating to pre-K through 12 education; expressing the legislative intent to revise laws relating to pre-K through 12 education; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Education Pre-K - 12 Appropriations; and Rules.

By Senator Gaetz—

SB 1908—A bill to be entitled An act relating to pre-K through 12 education; expressing the legislative intent to revise laws relating to pre-K through 12 education; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Education Pre-K - 12 Appropriations; and Rules.

By Senator Gaetz—

SB 1910—A bill to be entitled An act relating to pre-K through 12 education; expressing the legislative intent to revise laws relating to pre-K through 12 education; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Education Pre-K - 12 Appropriations; and Rules.

By Senator Gaetz—

SB 1912—A bill to be entitled An act relating to pre-K through 12 education; expressing the legislative intent to revise laws relating to pre-K through 12 education; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Education Pre-K - 12 Appropriations; and Rules.

By Senator Gaetz—

SB 1914—A bill to be entitled An act relating to pre-K through 12 education; expressing the legislative intent to revise laws relating to pre-K through 12 education; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Education Pre-K - 12 Appropriations; and Rules.

By Senator Gaetz—

SB 1916—A bill to be entitled An act relating to pre-K through 12 education; expressing the legislative intent to revise laws relating to pre-K through 12 education; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Education Pre-K - 12 Appropriations; and Rules.

By Senator Gaetz—

SB 1918—A bill to be entitled An act relating to pre-K through 12 education; expressing the legislative intent to revise laws relating to pre-K through 12 education; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Education Pre-K - 12 Appropriations; and Rules.

By Senator Gaetz—

SB 1920—A bill to be entitled An act relating to pre-K through 12 education; expressing the legislative intent to revise laws relating to pre-K through 12 education; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Education Pre-K - 12 Appropriations; and Rules.

By Senator Gaetz—

SJR 1922—A joint resolution expressing the legislative intent to propose an amendment to the State Constitution relating to pre-K through 12 education.

—was referred to the Committees on Education Pre-K - 12; Education Pre-K - 12 Appropriations; and Rules.

By Senator Gaetz—

SJR 1924—A joint resolution expressing the legislative intent to propose an amendment to the State Constitution relating to pre-K through 12 education.

—was referred to the Committees on Education Pre-K - 12; Education Pre-K - 12 Appropriations; and Rules.

By Senator Gaetz—

SB 1926—A bill to be entitled An act relating to public records; expressing the legislative intent to revise laws relating to public records; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Governmental Operations; Education Pre-K - 12 Appropriations; and Rules.

By Senator Gaetz—

SB 1928—A bill to be entitled An act relating to trust funds; expressing the legislative intent to revise laws relating to trust funds; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Education Pre-K - 12 Appropriations; and Rules.

By Senator Gaetz—

SB 1930—A bill to be entitled An act relating to public records; expressing the legislative intent to revise laws relating to public records; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Governmental Operations; Education Pre-K - 12 Appropriations; and Rules.

By Senator Gaetz—

SB 1932—A bill to be entitled An act relating to pre-K through 12 education; expressing the legislative intent to revise laws relating to pre-K through 12 education; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Education Pre-K - 12 Appropriations; and Rules.

By Senator Gaetz—

SB 1934—A bill to be entitled An act relating to pre-K through 12 education; expressing the legislative intent to revise laws relating to pre-K through 12 education; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Education Pre-K - 12 Appropriations; and Rules.

By Senator Gaetz—

SB 1936—A bill to be entitled An act relating to pre-K through 12 education; expressing the legislative intent to revise laws relating to pre-K through 12 education; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Education Pre-K - 12 Appropriations; and Rules.

By Senator Gaetz—

SB 1938—A bill to be entitled An act relating to pre-K through 12 education; expressing the legislative intent to revise laws relating to pre-K through 12 education; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Education Pre-K - 12 Appropriations; and Rules.

By Senator Gaetz—

SB 1940—A bill to be entitled An act relating to pre-K through 12 education; expressing the legislative intent to revise laws relating to pre-K through 12 education; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Education Pre-K - 12 Appropriations; and Rules.

By Senator Gaetz—

SB 1942—A bill to be entitled An act relating to pre-K through 12 education; expressing the legislative intent to revise laws relating to pre-K through 12 education; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Education Pre-K - 12 Appropriations; and Rules.

By Senator Gaetz—

SB 1944—A bill to be entitled An act relating to pre-K through 12 education; expressing the legislative intent to revise laws relating to pre-K through 12 education; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Education Pre-K - 12 Appropriations; and Rules.

By Senator Baker—

SB 1946—A bill to be entitled An act relating to state uniform traffic control; amending s. 316.515, F.S.; revising provisions relating to the movement of certain trucks, tractors, and other vehicles used in the production or transportation of agricultural products on certain roads in this state; increasing the width of vehicles permitted for such purposes; providing limitations on such use; providing for trip permits issued by the Department of Transportation; providing for permit fees; providing an effective date.

—was referred to the Committees on Transportation; Agriculture; and Transportation and Economic Development Appropriations.

By Senator Bullard—

SB 1948—A bill to be entitled An act relating to highway designations; designating a portion of U.S. 1 as "Palmetto Bay Boulevard" in Miami-Dade County; directing the Department of Transportation to erect markers; providing an effective date.

—was referred to the Committee on Transportation.

By Senator Rich—

SB 1950—A bill to be entitled An act relating to forensic services for persons who are retarded or autistic; amending s. 916.106, F.S.; revising definitions; redefining the terms "autism" and "retardation"; amending s. 916.301, F.S.; requiring the Agency for Persons with Disabilities to be notified and given an opportunity to be heard in any proceeding relating to the competency of a defendant to proceed; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Criminal Justice; Judiciary; and Health and Human Services Appropriations.

By Senator Bullard—

SB 1952—A bill to be entitled An act relating to highway designations; designating a portion of U.S. 1 as "Cutler Bay Boulevard" in Miami-Dade County; directing the Department of Transportation to erect markers; providing an effective date.

—was referred to the Committee on Transportation.

By Senator Rich—

SB 1954—A bill to be entitled An act relating to developmental disabilities; amending s. 393.063, F.S.; revising definitions; revising the term "developmental disabilities institution" to be known as a "developmental disabilities center"; redefining the term "retardation"; amending s. 393.0655, F.S.; requiring certain persons to undergo background screening if they have been unemployed for more than 90 days; amending s. 393.0673, F.S.; providing additional grounds for denying, suspending, or revoking a license or imposing a fine against a provider serving clients of the Agency for Persons with Disabilities; amending s. 393.506, F.S.; expanding the types of medications that an unlicensed direct service provider may administer; amending s. 400.063, F.S.; removing license fees and fines collected under ch. 393, F.S., from funds deposited into the Agency for Health Care Administration's Resident Protection Trust Fund; amending ss. 287.155, 393.064, 393.0651, 393.066, 393.135, 393.22, 393.23, 402.181, 402.22, 435.03, F.S.; conforming provisions to changes made by the act; repealing s. 393.0657, F.S., relating to background screening; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Health Regulation; and Health and Human Services Appropriations.

Senate Resolutions 1956-1960—Not referenced.

By Senator Rich—

SB 1962—A bill to be entitled An act relating to tax exemptions for nonprofit cooperative hospital laundries; amending s. 212.08, F.S.; requiring a member of a nonprofit cooperative to immediately divest itself of interest in the cooperative if it looses its nonprofit status; providing that the provision of emergency services to a nonmember does not invalidate the certificate of tax exemption; providing an effective date.

—was referred to the Committees on Health Regulation; Finance and Tax; and General Government Appropriations.

By Senators Haridopolos, Ring and Oelrich—

SB 1964—A bill to be entitled An act relating to cigarette tax revenues; amending s. 210.20, F.S.; providing for extending the period for transfer of the portion of the revenues from the cigarette tax to be paid monthly to the Board of Directors of the H. Lee Moffitt Cancer Center and Research Institute for certain purposes; authorizing use of funds to pay bonds or related financial products; providing legislative intent relating to debt service; amending s. 210.201, F.S.; revising provisions providing for the use of transferred moneys to include cancer research, treatment, and related facilities; providing for retroactive application; providing an effective date.

—was referred to the Committees on Higher Education; Health Policy; Finance and Tax; and Higher Education Appropriations.

By Senator Bennett—

SB 1966—A bill to be entitled An act relating to commercial development and capital improvements; creating s. 288.064, F.S.; providing a short title; authorizing an applicant seeking to create a commercial development to elect to pay a per trip mobility fee in lieu of paying impact fees, proportionate share, or proportionate fair-share pursuant to state law; providing that such options apply regardless of whether the development is part of the development-of-regional-impact program; providing for the calculation of such mobility fee; requiring that moneys collected from the assessment of such fee be used for a certain purpose; providing that an applicant's development shall be deemed to have met all transportation concurrency requirements once the mobility fee is paid; prohibiting a local government from requiring that the transportation facilities be in place as a prerequisite to approval of the applicant's development; providing for the exemption of a local government from the financial feasibility requirements for transportation concurrency as prescribed by state law for a specified period under certain circumstances; providing for the expiration of the option of using the trip mobility fee under specified conditions; providing an effective date.

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

By Senator Posey—

SB 1968—A bill to be entitled An act relating to health insurance; amending s. 627.4236, F.S.; revising the definition of the term "bone marrow transplant"; amending ss. 627.642, 627.657, and 641.31, F.S.; requiring an identification card containing specified information to be given to insureds under health benefit plans and group health insurance policies and persons having health care services through health maintenance contracts; providing applicability; providing an effective date.

—was referred to the Committees on Banking and Insurance; Health Policy; and General Government Appropriations.

By Senator Bennett—

SB 1970—A bill to be entitled An act relating to housing authorities; amending s. 421.02, F.S.; revising a finding and declaration of necessity to provide that the development and implementation of mandatory family self-sufficiency programs is a purpose for which public money may be spent and private property acquired and is a governmental function of public concern; creating s. 421.041, F.S.; requiring housing authorities to develop family self-sufficiency programs; providing program objectives and requirements; authorizing the housing authority to apply to the Department of Community Affairs for funding under certain conditions; providing application requirements for funding; amending s. 421.05, F.S.; revising appointment and qualification requirements for housing authority commissioners; providing an effective date.

—was referred to the Committees on Community Affairs; Children, Families, and Elder Affairs; Governmental Operations; and Transportation and Economic Development Appropriations.

By Senator Haridopolos—

SB 1972—A bill to be entitled An act relating to sales and use tax credits or refunds; amending s. 212.17, F.S.; authorizing dealers to take certain credits or obtain refund of taxes paid for worthless private-label credit card accounts; specifying conditions; providing for remittances of taxes collected on such accounts; providing definitions; requiring dealers and lenders to file a joint election to receive the credit or refund; provid-

ing recordkeeping requirements; authorizing the Department of Revenue to adopt rules; specifying nonapplication to certain claims for credits or refunds; providing an effective date.

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

By Senator Diaz de la Portilla—

SB 1974—A bill to be entitled An act relating to state parks; amending s. 258.014, F.S.; providing free admission to state parks on certain state and federal holidays for qualified persons to honor those serving or having served in the United States Armed Forces; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Military Affairs and Domestic Security; Finance and Tax; and General Government Appropriations.

By Senator Ring—

SB 1976—A bill to be entitled An act relating to nonpublic postsecondary educational institutions; amending s. 1005.02, F.S.; defining the term "academic degree"; amending s. 1005.31, F.S.; requiring that a licensed independent postsecondary educational institution notify the Commission for Independent Education of changes in its accreditation status; providing penalties for failure to provide the notice; revising criteria concerning the standards by which the commission evaluates institutions for licensure; requiring that institutions become accredited within a specified period after licensure; requiring a licensed institution that is not accredited to include certain information on the institution's website; restricting the recognition of academic degrees conferred by that institution; requiring that the institution notify the Department of Education and the Office of the Attorney General of its progress in obtaining accreditation; requiring that institutions maintain records and provide the commission with information concerning nationally recognized standards used to grant credit for a student's prior work or life experience; requiring compliance with laws concerning the reporting of crime statistics; requiring such reports be made available to the public; requiring that the commission maintain a list on its website concerning the accreditation of institutions licensed by the commission; requiring the Department of Education and the Office of the Attorney General to maintain a link to the commission's list on their respective websites; amending s. 1005.38, F.S.; requiring that the commission revoke the license or authorization of an institution that does not meet requirements concerning accreditation; providing an effective date.

—was referred to the Committees on Higher Education; and Higher Education Appropriations.

By Senator Baker—

SB 1978—A bill to be entitled An act relating to the Department of Transportation; amending s. 337.185, F.S.; providing for maintenance contracts to be included in the types of claims settled by the State Arbitration Board; amending s. 337.403, F.S.; providing for the department or a local governmental entity to pay the costs of removing or relocating a utility that is interfering with the use of a road or rail corridor; amending s. 338.01, F.S.; requiring that newly installed electronic toll collection systems be interoperable with the department's electronic toll collection system; amending s. 338.165, F.S.; providing that provisions requiring the continuation of tolls following the discharge of bond indebtedness does not apply to high-occupancy toll lanes or express lanes; creating s. 338.166, F.S.; authorizing the department to request that bonds be issued which are secured by toll revenues from high-occupancy toll or express lanes in a specified location; providing for the department to continue to collect tolls after discharge of indebtedness; authorizing the use of excess toll revenues for improvements to the State Highway System; amending s. 338.2216, F.S.; directing the turnpike enterprise to develop new technologies and processes for the collection of tolls and usage fees; amending s. 338.231, F.S.; eliminating reference to uniform toll rates on the Florida Turnpike System; authorizing the department to fix by rule and collect the amounts needed to cover toll collection costs; amending s. 479.01, F.S.; redefining the term "automatic changeable facing" as used in provisions governing outdoor advertising; amending s. 479.07, F.S.; revising the locations within which signs require permitting; providing requirements for the placement of permit tags; requiring the department to establish by rule a service fee for replacement tags; amending s. 479.08, F.S.; deleting a provision allowing a sign permittee to correct false information that was knowingly provided to the department; amending s. 479.11, F.S.; revising the description of prohibited signs; amending s. 479.261, F.S.; revising requirements for the logo sign program of the interstate highway system; deleting provisions providing for permits to be awarded to the highest bidders; requiring the department to implement a rotation-based logo program; increasing the permit fee for businesses that participate in the program; providing an effective date.

—was referred to the Committees on Transportation; Finance and Tax; and Transportation and Economic Development Appropriations.

By Senator Margolis—

SB 1980—A bill to be entitled An act relating to community residential homes; amending s. 419.001, F.S.; requiring additional security be provided at a community residential home or dwelling unit if clients of specified state agencies or a sponsoring agency have been referred to the community residential home or dwelling unit by a criminal justice agency or a judge of a criminal court; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Community Affairs; Criminal Justice; Health and Human Services Appropriations; and Criminal and Civil Justice Appropriations.

By Senator Baker—

SB 1982—A bill to be entitled An act relating to cleanup of sites contaminated by petroleum; amending s. 376.3071, F.S.; increasing public funding for the restoration of certain sites contaminated by petroleum; providing criteria concerning the sites that are eligible for additional funds; prohibiting reimbursements for expenses incurred outside of the petroleum cleanup preapproval program administered by the Department of Environmental Protection; amending s. 376.30711, F.S.; providing requirements concerning preapproved site rehabilitation agreements that govern submittal of invoices to the department and payment of subcontractors; providing that an exemption from requirements concerning payments to subcontractors and suppliers does not apply to payments associated with such preapproved agreements; amending s. 376.3072, F.S., relating to the Florida Petroleum Liability and Restoration Insurance Program; increasing the amount of funds available under the insurance program for certain incidents or discharges; providing criteria concerning the sites that are eligible for additional funds; prohibiting reimbursements for expenses incurred outside the petroleum cleanup preapproval program administered by the Department of Environmental Protection; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Governmental Operations; Finance and Tax; and General Government Appropriations.

By Senator Bullard—

SB 1984—A bill to be entitled An act relating to motorsports entertainment complexes; amending s. 212.20, F.S.; requiring that a specified sum be distributed monthly to an applicant for certification as a motorsports entertainment complex, beginning a specified period after certification; limiting the total distribution for each fiscal year; providing that distributions continue for a specified period; creating s. 288.1170, F.S.; defining terms; requiring that the Office of Tourism, Trade, and Economic Development screen applicants for state funding and certify applicants as motorsports entertainment complexes; requiring that the office adopt rules; requiring that the office make certain findings before certifying an applicant; requiring that the office make a final determination regarding an application for certification within a specified period; requiring that the office certify an applicant if the applicant meets all

requirement for certification; providing for notice of certification; requiring that the office notify an applicant within a specified period if the applicant does not meet certification requirements; providing that certain complexes are not eligible for additional certification; restricting the use of distributed funds by certified complexes to certain purposes; authorizing the Department of Revenue to perform an audit for certain purposes; providing guidelines for such audits; authorizing the department to seek recovery of such funds under certain circumstances; providing an effective date.

—was referred to the Committees on Commerce; Community Affairs; Finance and Tax; and Transportation and Economic Development Appropriations.

By Senator Ring—

SB 1986—A bill to be entitled An act relating to lien claims by homeowners' associations; amending s. 720.3085, F.S.; providing that when authorized by the governing documents, a homeowners' association has a lien on each parcel to secure the payment of assessments and other amounts; providing an exception to first mortgages of record; providing that the act does not bestow upon any lien, mortgage, or certified judgment of record on July 1, 2008, a priority that the lien, mortgage, or judgment did not have before that date; providing for the elements of a valid claim of lien; providing for the content of a recording notice; requiring a parcel owner or the parcel owner's agent or attorney to require the homeowners' association to enforce a recorded claim of lien against his or her parcel; providing procedures for notifying the homeowners' association; requiring that service be made by certified mail, return receipt requested; authorizing the homeowners' association to bring a civil action to foreclose a lien for assessments in the same manner in which a mortgage of real property is foreclosed; providing that the homeowners' association may also bring an action to recover a money judgment for the unpaid assessments without waiving any claim of lien; providing that if a parcel owner remains in possession of the parcel after a foreclosure judgment has been entered, the court may require the parcel owner to pay a reasonable rent for the parcel; providing that the homeowners' association may purchase the parcel at the foreclosure sale and hold, lease, mortgage, or convey the parcel; limiting the liability of a first mortgagee or its successor or assignee as a subsequent holder of the first mortgage who acquires title to a parcel by foreclosure or by deed in lieu of foreclosure for the unpaid assessments that became due before the mortgagee's acquisition of title; providing that the time limitations in the act do not apply if the parcel is subject to a foreclosure action or forced sale of another party; providing for a qualified offer during the pendency of a foreclosure action; providing procedures for offering and accepting a qualifying offer; requiring that the qualifying offer be in a particular format; providing an effective date.

—was referred to the Committees on Community Affairs; Judiciary; and Banking and Insurance.

By Senator Dockery—

SB 1988—A bill to be entitled An act relating to driving with a license that is suspended, revoked, or canceled; amending s. 322.34, F.S.; providing that a person commits a second-degree misdemeanor upon a first conviction and a first-degree misdemeanor upon a second or subsequent conviction of the same offense if the person commits certain specified violations of law; requiring the Department of Highway Safety and Motor Vehicles to study the effectiveness of suspending a person's driver's license for certain specified violations of law; requiring that the department, in consultation with the Office of Program Policy Analysis and Government Accountability and other affected entities, prepare a report and submit its findings and recommendations to the Governor and the Legislature by a specified date; providing an effective date.

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

By Senator Dockery—

SB 1990—A bill to be entitled An act relating to supervised reentry programs for inmates; amending s. 945.091, F.S.; providing legislative intent to encourage the Department of Corrections, to the extent possible, to place inmates in the community to perform paid employment for community work; providing that an inmate may leave the confinement of prison to participate in a supervised reentry program in which the inmate is housed in the community while working at paid employment or participating in such other programs that are approved by the department; requiring the inmate to live at a department-approved residence while participating in the supervised reentry program; specifying the conditions for participating in the supervised reentry program; requiring the department to adopt rules to operate the supervised reentry program; providing legislative intent to encourage the department to place inmates in paid employment in the community for not less than 6 months before the inmate's sentence expires; providing an effective date.

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

By Senator Baker—

SB 1992—A bill to be entitled An act relating to the Department of Highway Safety and Motor Vehicles; amending s. 316.0741, F.S.; redefining the term "hybrid vehicle"; authorizing the driving of a hybrid, low-emission, or energy-efficient vehicle in a high-occupancy-vehicle lane regardless of occupancy; authorizing the department to limit or discontinue such driving under certain circumstances; exempting such vehicles from the payment of certain tolls; amending s. 316.1001, F.S.; authorizing the clerk of court to supply information to the department concerning persons having outstanding violations for failure to pay tolls; authorizing the department to withhold issuing a license plate or revalidation sticker for any motor vehicle owned by such a person; amending s. 316.1575, F.S.; requiring a person walking or driving a vehicle to stop at a railroad crossing upon the signal of a law enforcement officer; amending s. 316.159, F.S.; requiring the driver of a commercial motor vehicle to slow when approaching a railroad crossing; providing that a violation of such requirement is a noncriminal moving violation; amending s. 316.1895, F.S.; requiring the placement of signs in certain school zones stating that speeding fines are doubled within the zone; amending s. 316.193, F.S.; lowering the blood-alcohol or breath-alcohol level for which enhanced penalties are imposed against a person who was accompanied in the vehicle by a minor at the time of the offense; amending s. 316.1937, F.S.; revising the conditions under which the court may require the use of an ignition interlock device; amending s. 316.29545, F.S.; exempting certain investigative vehicles from the prohibition against installing window sunscreening on a vehicle; amending s. 316.302, F.S.; revising the application of certain federal rules; providing for the department to perform certain duties assigned under federal rules; updating a reference to federal provisions governing out-of-service requirements for commercial vehicles; creating s. 316.3028, F.S.; requiring that commercial motor vehicles be operated from sunrise to sunset with the headlights turned on; specifying circumstances under which a violation of such requirement may be considered negligence; providing that a violation of such requirement is a noncriminal moving violation; amending s. 316.3045, F.S.; providing enhanced penalties, including forfeiture of the vehicle, upon multiple convictions for violating prohibitions against the use of excessively loud soundmaking equipment in a motor vehicle; amending ss. 316.613 and 316.614, F.S.; redefining the term "motor vehicle" to exclude certain trucks from the requirement to use a child restraint or safety belt; amending s. 316.645, F.S.; authorizing a police officer to make an arrest upon probable cause of a violation of laws governing motor vehicle licenses; amending s. 316.650, F.S.; revising requirements for traffic citation forms; providing for the electronic transmission of citation data; amending s. 316.656, F.S.; lowering the percentage of blood or breath alcohol content relating to the prohibition against pleading guilty to a lesser offense of driving under the influence than the offense charged; amending s. 319.001, F.S.; defining the term "certificate of title" to include information stored electronically in the department's database; amending s. 320.0706, F.S.; providing that a violation of requirements for displaying a truck license plate is a moving violation; amending s. 320.0715, F.S.; requiring the department to withhold issuing or to suspend a registration and license plate for a commercial motor vehicle if the federal identifying number is not provided or if the motor carrier or vehicle owner has been prohibited from

operating; amending s. 320.01, F.S.; redefining the term "motorcycle" to exclude a vehicle where the operator is enclosed by a cabin; amending s. 320.02, F.S., as amended; deleting the requirement for a motorcycle endorsement at the time of original registration of a motorcycle, motor-driven cycle, or moped; repealing s. 320.08053(3), F.S., relating to provisions requiring that the department adopt rules providing certain specifications for the design of specialty license plates; amending s. 322.01, F.S.; defining the term "convenience service"; redefining the terms "conviction," "hazardous materials," and "out-of-service order"; amending s. 322.0255, F.S.; revising eligibility for reimbursement for organizations that conduct motorcycle safety courses; amending s. 322.03, F.S.; deleting provisions exempting certain persons from the requirement to surrender a license issued by another jurisdiction; providing certain exceptions for part-time residents; amending ss. 322.051 and 322.08, F.S.; requiring that an applicant for an identification card or driver's license provide additional information; authorizing use of additional documents to prove identity; revising the fee requirements; revising provisions providing for the expiration of an identification card issued by the department; amending s. 322.14, F.S.; requiring that an applicant for a driver's license provide a residence address; amending s. 322.15, F.S.; authorizing a law enforcement officer or authorized representative of the department to collect a person's fingerprints electronically; amending s. 322.17, F.S.; revising the requirements for obtaining a replacement license or permit; deleting provisions authorizing the department to issue address stickers; amending s. 322.18, F.S.; revising provisions providing for the expiration of driver's licenses; providing for the renewal of certain licenses every 8 years and for the renewal of licenses for persons older than a specified age every 6 years; providing for the renewal of licenses using a convenience service; requiring the department to issue new licenses rather than extension stickers; conforming cross-references; amending s. 322.19, F.S.; deleting provisions authorizing the use of a change-of-address sticker on a driver's license; conforming cross-references; amending s. 322.21, F.S.; increasing the fees charged for obtaining a new or renewal driver's license or identification card; specifying that a portion of the fees be deposited for use by the department; amending s. 322.2715, F.S.; clarifying that an ignition interlock device is installed for a continuous period; amending s. 322.291, F.S.; imposing additional sanctions against a person who violates requirements with respect to an ignition interlock device; repealing s. 322.60, F.S., relating to a prohibition against possessing more than one driver's license under certain circumstances; amending s. 322.61, F.S.; clarifying provisions disqualifying a person from operating a commercial motor vehicle following certain traffic violations; providing for permanent disqualification following conviction of a felony involving the manufacture, distribution, or dispensing of a controlled substance; amending s. 322.64, F.S.; providing that refusal to submit to a breath, urine, or blood test disqualifies a person from operating a commercial motor vehicle; providing a period of disqualification if a person has an unlawful blood-alcohol or breath-alcohol level; providing for issuance of a notice of disqualification; revising the requirements for a formal review hearing following a person's disqualification from operating a commercial motor vehicle; amending s. 324.021, F.S.; clarifying that a judgment becomes final by expiration of the time for appeal; providing effective dates.

—was referred to the Committees on Transportation; Criminal Justice; Finance and Tax; and Transportation and Economic Development Appropriations.

By Senator Atwater—

SB 1994—A bill to be entitled An act relating to the Gertrude Maxwell Save a Pet Act; providing a short title; creating s. 570.97, F.S.; creating a direct-support organization for the Department of Agriculture and Consumer Services; providing for the organization and operation of the direct-support organization; providing for the purpose of the direct-support organization; providing an effective date.

—was referred to the Committees on Agriculture; Governmental Operations; and General Government Appropriations.

By Senator Crist—

SB 1996—A bill to be entitled An act relating to state aid to public libraries; amending s. 257.192, F.S.; encouraging all public libraries to implement an Internet safety education program for children and adults; providing minimum requirements for the program; requiring libraries to annually report to the Division of Library and Information Services of the Department of State the number of users who complete the program; requiring that the division adopt rules to award additional points to grant applicants implementing such a program; providing an effective date.

—was referred to the Committees on Governmental Operations; Criminal Justice; and Transportation and Economic Development Appropriations.

By Senator Ring—

SB 1998—A bill to be entitled An act relating to electronic health records; amending s. 395.3025, F.S.; expanding access to a patient's medical records to facilitate electronic exchange of data between certain health care facilities, practitioners, and providers and attending physicians; revising terminology regarding disclosure of patient records to conform to changes made by the act; amending s. 408.05, F.S.; removing responsibility of the Agency for Health Care Administration for monitoring certain grants and health care data; creating s. 408.051, F.S.; creating the "Florida eHealth Initiative Act"; providing legislative intent; providing definitions; requiring the agency to award and monitor grants to certain health information organizations; providing rulemaking authority regarding establishment of eligibility criteria; establishing the Electronic Medical Records System Adoption Loan Program; providing eligibility criteria; providing rulemaking authority regarding terms and conditions for the granting of loans; creating the Florida Health Information Exchange Advisory Council; providing for purpose, membership, terms of office, and duties of the council; requiring the Florida Center for Health Information and Policy Analysis to provide staff support; requiring reports to the Governor and Legislature; providing for future repeal of s. 408.051, F.S., and abolition of the council; providing duties of the agency with regard to availability of specified information on the agency's Internet website; requiring the agency to develop and implement a plan to promote participation in regional and statewide health information exchanges; requiring the Office of Program Policy Analysis and Government Accountability to complete an independent evaluation of the grants program administered by the agency and submit the report to the Governor and Legislature; amending s. 408.062, F.S.; removing responsibility of the agency for developing an electronic health information network; amending s. 483.181, F.S.; expanding access to laboratory reports to facilitate electronic exchange of data between certain health care practitioners and providers; providing an effective date.

—was referred to the Committees on Health Regulation; Banking and Insurance; Governmental Operations; and Health and Human Services Appropriations.

By Senator Dockery—

SB 2000—A bill to be entitled An act relating to sentencing; creating s. 921.0019, F.S.; creating the Sentencing Policy Advisory Council within the Legislature; requiring the council to evaluate sentencing policy, sentencing practices, laws, and rules of criminal procedure affecting or applicable to sentencing or punishment; requiring that recommendations be consistent with specified goals; providing membership of the council; providing for selection of the chair of the council; providing for an executive director and additional staff for the council, subject to appropriations; providing that members of the council serve without compensation, but are entitled to be reimbursed for per diem and travel expenses; requiring meetings and reports of findings and recommendations to the Governor, the Legislature, and the Florida Supreme Court; requiring the council to report its findings and recommendations regarding specified questions by a specified date; providing an effective date.

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

By the Committee on Governmental Operations—

SB 2002—A bill to be entitled An act relating to retirement; amending s. 121.71, F.S.; revising the payroll contribution rates for the membership classes of the Florida Retirement System for the state fiscal years effect July 1, 2008, and July 1, 2009; providing a declaration of important state interest; providing an effective date.

—was referred to the Committees on Governmental Operations; and General Government Appropriations.

SR 2004—Not referenced.

By Senator Diaz de la Portilla—

SB 2006—A bill to be entitled An act relating to concealed weapons licenses; amending s. 790.06, F.S.; requiring the Department of Agriculture and Consumer Services to deny, revoke, or suspend a license under certain circumstances; increasing the period that a denial, revocation, or suspension of a license remains in effect; clarifying the meaning of "final disposition of the case" for purposes of suspending a license; requiring the court to revoke a license along with imposing sentence under certain circumstances; requiring the court to suspend a license as a condition of probation; amending s. 790.115, F.S., relating to possessing or discharging a weapon on school property; conforming a cross-reference; amending s. 903.047, F.S.; requiring a defendant to surrender a license to the clerk of the court as a condition of pretrial release if the defendant is arrested for any crime that would require the department to deny, suspend, or revoke the license; providing an effective date.

—was referred to the Committees on Commerce; Criminal Justice; and General Government Appropriations.

By the Committee on Governmental Operations—

SB 2008—A bill to be entitled An act relating to information technology; amending s. 11.90, F.S.; revising the duties of the Legislative Budget Commission with respect to its review of information technology policies and plans; amending s. 14.204, F.S.; revising the duties of the Agency for Enterprise Information Technology; specifying additional qualifications for the executive director; authorizing the agency to adopt rules; requiring the agency to recommend to the Legislature options for implementing a one-stop system for issuing development permits; defining the term "development permit"; requiring a report; providing for future expiration of such provisions; creating s. 14.40, F.S.; creating the Office of Open Government within the Executive Office of the Governor; specifying the purpose of the office; amending s. 110.205, F.S., relating to positions that are exempt from Career Service System; conforming provisions to changes made by the act; amending s. 216.0446, F.S.; requiring that the Technology Review Workgroup review information technology projects as directed in the General Appropriations Act; providing for the Office of Auditor General to act as project monitor under certain circumstances; specifying duties of the project monitor; amending s. 216.235, F.S.; providing duties of the Agency for Enterprise Information Technology with respect to the Innovation Investment Program; amending s. 282.003, F.S.; revising a short title; amending s. 282.0041, F.S.; providing a definition; amending ss. 282.0055 and 282.0056, F.S., relating to the assignment of information technology and the development of work plans; conforming cross-references; amending s. 282.3055, F.S.; requiring that agency chief information officers meet certain prerequisites for education and experience; amending s. 282.315, F.S.; renaming the Agency Chief Information Officers Council as the "Information Technology Coordinating Council"; providing legislative findings; providing for the council to be adjunct to the Agency for Enterprise Information Technology; requiring the Attorney General to appoint an attorney to assist the council; providing for the membership of the council; specifying duties of the council; amending s. 282.322, F.S.; deleting certain provisions governing the monitoring of information resource projects; designating ss. 282.801-282.8096, F.S., as part IV of ch. 282, F.S.; creating s. 282.801, F.S.; providing a short title; creating s. 282.802, F.S.; providing definitions; transferring and renumbering s. 282.102, F.S., relating to the powers and duties of the Department of Management Services; transferring, renumbering, and amending ss. 282.103, 282.104, 282.105, 282.107, 282.109, 282.1095, and 282.111, F.S., relating to the SUNCOM Network and communications systems of state law enforcement agencies; clarifying duties of the Department of Management Services with respect to the management and operation of those systems; transferring, renumbering, and amending ss. 282.20, 282.21, and 282.22, F.S., relating to the Technology Resource Center; conforming provisions to changes made by the act; amending ss. 287.042 and 287.057, F.S.; prescribing duties of the Department of Management Services with respect to procuring information technology commodities and contractual services; amending ss. 445.011, 445.045, 445.049, 668.50, 943.08, and 1004.52, F.S., relating to workforce information systems, the Digital Divide Council, the Uniform Electronic Transaction Act, the Criminal and Juvenile Justice Information Systems Council, and community computer access grant programs; clarifying the duties of the Agency for Enterprise Information Technology and the Department of Management Services; providing an effective date.

—was referred to the Committees on Governmental Operations; and General Government Appropriations.

By Senator Storms—

SB 2010—A bill to be entitled An act relating to license plates; amending ss. 320.08056, 320.08058, F.S.; creating an I Believe license plate; providing for the distribution of annual use fees received from the sale of such plates; providing an effective date.

—was referred to the Committees on Transportation; Education Pre-K - 12; and Education Pre-K - 12 Appropriations.

By Senator Deutch—

SB 2012—A bill to be entitled An act relating to long-term care policies; amending s. 627.94073, F.S.; revising provisions requiring that insurers notify policyholders of the right to designate a secondary addressee to receive a notice of termination; requiring that a canceled policy be reinstated if the policyholder failed to pay the premium due to an extended hospital confinement; providing an effective date.

—was referred to the Committees on Banking and Insurance; and Health Policy.

By Senator Deutch—

SB 2014—A bill to be entitled An act relating to affordable senior housing; amending s. 163.3177, F.S.; authorizing local governments to include an affordable senior housing element in comprehensive plans; specifying element requirements; providing an effective date.

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

By Senator Aronberg—

SB 2016—A bill to be entitled An act relating to public lodging and public food service establishments; amending s. 509.013, F.S.; revising and adding definitions; amending s. 509.032, F.S.; eliminating the requirement for the Division of Hotels and Restaurants to assist the State Fire Marshal in updating the Florida Fire Prevention Code; eliminating the requirement for the division to enforce the Florida Fire Prevention Code in conducting its inspections; amending s. 509.039, F.S.; removing a time limit for obtaining food service manager certification after employment; amending s. 509.101, F.S.; deleting the requirement that a transient establishment maintain a copy of ch. 509, F.S., on its premises; repealing s. 509.201, F.S., relating to public lodging establishment room rate posting and filing requirements, room rate advertisement requirements, and related exemptions and penalties; amending s. 509.211, F.S.; deleting a requirement for division notification of local firesafety officials or the State Fire Marshal of violations of rules under ch. 633, F.S.; eliminating enforcement authority of the division; amending s. 509.221, F.S.; providing that certain sanitary regulations for a public lodging

establishment for its guests and employees and for a public food service establishment for its employees be in compliance with the Florida Building Code as approved by the local authority having jurisdiction; providing for wastewater disposal procedures for public food service establishments; requiring public lodging establishment and public food service establishment public restroom requirements to be in accordance with the Florida Building Code as approved by the local authority having jurisdiction; amending s. 509.242, F.S.; clarifying public lodging establishment classifications; amending s. 509.261, F.S.; authorizing the division to levy sanctions for failing to comply with final orders of the division; authorizing the division to require payment of outstanding fines before renewing or issuing a license; providing an effective date.

—was referred to the Committees on Regulated Industries; Banking and Insurance; Community Affairs; and General Government Appropriations.

By Senators Posey and Jones—

SB 2018—A bill to be entitled An act relating to financial assistance for contaminated petroleum storage sites; amending s. 376.30715, F.S.; providing for financial assistance in certain additional circumstances involving a transfer of the contaminated property; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Judiciary; and General Government Appropriations.

By Senator Deutch—

SB 2020—A bill to be entitled An act relating to political advertisements; amending s. 106.071, F.S.; exempting certain online advertisements from the requirement to contain a disclaimer; amending s. 106.1439, F.S.; requiring that the main page, initial page, or homepage of a webpage or website operated by a political campaign or on behalf of a political candidate or party on or within a social networking website contain the disclaimer required by state law; providing that any related secondary pages need not contain such disclaimer; exempting certain text message, multimedia messages, and e-mail communications from the requirement to contain a disclaimer; providing an effective date.

—was referred to the Committees on Ethics and Elections; Judiciary; and Transportation and Economic Development Appropriations.

By Senator Fasano—

SJR 2022—A joint resolution proposing an amendment to Section 6 of Article VII of the State Constitution to extend the tax exemption on homestead property awarded to a permanently disabled veteran to the surviving spouse of such veteran who does not remarry, to provide that an application for the exemption may be made on or before November 1 and granted for the remainder of that year if the homestead property is purchased before that date, and to remove an obsolete date and a provision prohibiting implementing legislation.

—was referred to the Committees on Community Affairs; Finance and Tax; General Government Appropriations; and Rules.

By Senator Fasano—

SJR 2024—A joint resolution proposing an amendment to Section 4 of Article VII of the State Constitution, relating to taxation and assessments, to require that the just valuation of real property be based on present use.

—was referred to the Committees on Community Affairs; Finance and Tax; Education Pre-K - 12 Appropriations; and Rules.

By Senator Ring—

SB 2026—A bill to be entitled An act relating to sexual offenders and predators; amending ss. 775.21, 943.0435, and 944.606, F.S.; requiring sexual offenders and predators to provide home telephone numbers and any cellular telephone numbers as part of the registration process; providing an effective date.

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

By Senator Deutch—

SB 2028—A bill to be entitled An act relating to the discipline of students with disabilities; amending s. 1003.57, F.S.; providing definitions; providing legislative intent and findings; requiring the training of school personnel concerning procedures for safely restraining students with disabilities in an emergency; providing for reporting such procedures to the Department of Education by publication in the school district's policies and procedures manual; prohibiting school personnel from restraining a student with disabilities except in specified circumstances; prohibiting school personnel from restraining a student with disabilities for a behavioral intervention or when the student is prone; requiring a medical evaluation after school personnel restrain a student with disabilities; prohibiting school personnel from placing a student with disabilities in forced seclusion; prohibiting school personnel from threatening to place a student with disabilities in time-out; providing certain exceptions; requiring that a school prepare an incident report after each occasion that school personnel restrain a student with disabilities; providing requirements concerning the report's contents and completion; requiring that the school contact the parent or guardian of a student with disabilities who is placed in restraint by school personnel; providing requirements for making such contact and recording attempts to make contact; providing requirements concerning the provision of the incident report to the student's parent or guardian, the Department of Education, and the Advocacy Center for Persons with Disabilities, Inc.; requiring that school districts, in cooperation with parents of students with disabilities, form a group to review incident reports; requiring that a student's name be redacted from the incident report; requiring that the school district cooperate with parents of students with disabilities participating in the group; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Children, Families, and Elder Affairs; and Education Pre-K - 12 Appropriations.

By Senator Geller—

SB 2030—A bill to be entitled An act relating to parole for adolescent offenders; amending s. 947.16, F.S.; providing that an adolescent younger than a specified age who is sentenced to life or more than 10 years in prison is eligible for parole if he or she has been incarcerated for a minimum period and has not been previously adjudicated for certain offenses; requiring the adolescent to be incarcerated in a youthful-offender facility; providing for review of the adolescent's eligibility for parole by the Parole Commission; requiring the commission to conduct an initial interview within a minimum time; requiring that, if the adolescent is not granted parole by a specified age, he or she be transferred from the youthful-offender facility to an appropriate adult facility; specifying criteria for the hearing officer to consider in determining whether an adolescent offender has been rehabilitated; providing for retroactive application; providing an effective date.

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

By Senator Fasano—

SB 2032—A bill to be entitled An act relating to the Florida Kidcare program; amending. s. 409.8132, F.S.; requiring the Agency for Health Care Administration to assign a Medikids applicant to the same or related managed care plan or same MediPass provider to which other family members are assigned; conforming provisions to changes made by the act; amending s. 409.8134, F.S.; revising provisions relating to the

Kidcare program expenditure ceiling; providing that an invalid application may be reactivated rather than resubmitted; amending s. 409.814, F.S.; providing that a child who is losing eligibility for Title XIX-funded Kidcare coverage is eligible for the Title XXI-funded program and has a specified time of continued eligibility until transferred; requiring the agency to seek a state plan amendment or federal waiver authority and secure federal matching funds; revising provisions relating to ineligibility for premium assistance under the program; requiring health plan and health care providers to promote continued health care coverage under the program; requiring certain agencies to provide advanced notice to Medicaid managed care plans and MediPass providers when members or patients are losing eligibility; requiring an applicant's information to be available electronically; providing an exception for applicants seeking full-pay coverage under the program; amending. s. 409.816, F.S.; conforming a cross-reference; amending s. 409.818, F.S.; requiring the Department of Children and Family Services to develop a standardized eligibility application by a specified date; requiring the department to redetermine or reverify eligibility after enrollment; requiring the department to design a plan for determining an applicant's eligibility for public assistance or Medicaid and submit such plan to the Governor and the Legislature by a specified date; deleting the Department of Health's duties with regard to the Kidcare program; requiring certain agencies to establish a single toll-free telephone number by a specified date; requiring the Agency for Health Care Administration to develop and implement an outreach and marketing program promoting public awareness of the program; requiring the agency to seek and implement federal waivers or state plan amendments; amending s. 624.91, F.S.; providing that health and dental plans participating in the Florida Healthy Kids program may develop and distribute marketing and promotional materials and participate in public events; providing that such plans may contact current and former enrollees to encourage continued participation and assist with transfers from one plan to another; requiring the Florida Healthy Kids Corporation and the agency to establish an assignment process that keeps family members assigned to the same or related plan and allows an applicant to enroll in a sibling's Medicaid provider service network or health maintenance organization for coverage under the Florida Healthy Kids program under certain circumstances; providing an effective date.

—was referred to the Committees on Health Policy; Banking and Insurance; and Health and Human Services Appropriations.

By Senator Posey—

SB 2034—A bill to be entitled An act relating to open house parties; amending s. 856.015 F.S.; redefining the term "residence" to include a hotel room; providing that a person who has control of a residence and who allows an open house party in the residence may be liable for injury or damage caused as a result of the open house party; increasing the penalty for a first offense for serving an alcoholic beverage or drugs to a minor from a misdemeanor of the second degree to a misdemeanor of the first degree; providing that if a person serves an alcoholic beverage or drugs to a minor at an open house party a second or subsequent time, the person commits a felony of the third degree; providing criminal penalties; providing an effective date.

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

By Senator Posey—

SJR 2036—A joint resolution proposing an amendment to Section 3 of Article III and the creation of Section 27 of Article XII of the State Constitution, relating to sessions of the Legislature, to change the date for convening regular sessions of the Legislature.

—was referred to the Committees on Judiciary; Education Pre-K - 12; General Government Appropriations; and Rules.

By Senator Lawson—

SB 2038—A bill to be entitled An act relating to examination and investigation reports; amending s. 624.319, F.S.; providing that work papers and other information held by the Office of Insurance Regulation of the Financial Services Commission and the Department of Financial Services, and work papers and other information received from another governmental entity or the National Association of Insurance Commissioners, for the office or department's use in the performance of its respective examination or investigation duties are confidential; authorizing the office or department to disclose work papers to other governmental entities if the disclosure is necessary for the receiving entity to perform its duties and responsibilities; requiring the receiving governmental entity or the association to maintain the confidential and exempt status of the information; providing that the information made confidential and exempt may be used in criminal, civil, or administrative proceedings if the confidential nature of the information is maintained; providing an effective date.

—was referred to the Committees on Banking and Insurance; Governmental Operations; and Rules.

By Senator Geller—

SB 2040—A bill to be entitled An act relating to the excise tax on documents; amending s. 201.02, F.S.; revising criteria determining liability for payment of the tax; providing an alternative methodology for payment of the tax under certain circumstances; providing requirements and procedures; providing for application; providing an effective date.

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

By Senator Posey—

SB 2042—A bill to be entitled An act relating to learner's driver's licenses; amending s. 322.1615, F.S.; prohibiting a motor vehicle operator who holds a learner's driver's license from using a mobile telephone or personal communication device while operating a vehicle; providing a penalty; providing an effective date.

—was referred to the Committees on Transportation; Communications and Public Utilities; and Transportation and Economic Development Appropriations.

By Senator Posey—

SB 2044—A bill to be entitled An act relating to selling, giving, or serving alcoholic beverages to persons under 21 years of age; amending s. 562.11, F.S.; increasing the penalty imposed for a second or subsequent offense of selling, giving, or serving alcoholic beverages to a person under 21 years of age within a specified period following the prior offense; providing an effective date.

—was referred to the Committees on Regulated Industries; and Criminal Justice.

Senate Bills 2046-2222—Not referenced.

By the Committee on Community Affairs—

SB 2224—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 119.011, F.S.; defining the term "paratransit" for purposes of the public records law; amending s. 119.071, F.S.; expanding an exemption from public-records requirements which is provided for information identifying an applicant for or a recipient of paratransit services so that the exemption applies to all agencies; providing for future legislative review of the exemption under the Open Government Sunset Review Act; repealing s. 119.0713(2), F.S., relating to the prior exemption provided for such information; providing a statement of public necessity; repealing s. 2 of chapter 2003-110, Laws of Florida; deleting provisions providing for repeal

of the exemption; amending ss. 257.34 and 257.35, F.S.; conforming cross-references; providing an effective date.

—was referred to the Committees on Community Affairs; Governmental Operations; and Rules.

Senate Bills 2226-2306—Not referenced.

By Senators Carlton and Wilson—

SJR 2308—A joint resolution proposing amendments to Section 4 of Article IV and Sections 2 and 7 of Article IX and creating a new section in Article XII of the State Constitution to create the position of Commissioner of Education as an elected member of the Cabinet, to revise the membership of the State Board of Education, which shall consist of the Governor and the Cabinet, and to revise the membership, terms, and duties of the local boards of trustees and the Board of Governors of the State University System.

—was referred to the Committees on Education Pre-K - 12; and Higher Education Appropriations.

Senate Bills 2310-2498—Not referenced.

By the Committee on Fiscal Policy and Calendar Committee—

SB 2500—A bill to be entitled An act making special appropriations; providing appropriations and reductions in appropriations for the 2007-2008 fiscal year to pay salaries and other expenses, for capital outlay projects such as buildings and other improvements, and for other specified purposes of the various agencies of state government; providing an effective date.

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

By the Committee on Fiscal Policy and Calendar Committee—

SB 2502—A bill to be entitled An act implementing the 2007-2008 Special Appropriations Act; providing legislative intent; providing for the incorporation by reference of certain calculations used by the Legislature for the 2007-2008 fiscal year; providing for the implementation of specified appropriations; providing legislative intent with respect to reductions in expenditures made by district school boards; providing for moneys in specified trust funds to be expended as directed by the Legislature, notwithstanding certain provisions to the contrary; providing for the effect of a veto of one or more specific appropriations or proviso provisions to which implementing language refers; providing for severability; providing an effective date.

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

Senate Bills 2504-2792—Not referenced.

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

SB 2794—A bill to be entitled An act making special appropriations; providing appropriations and reductions in appropriations for the 2007-2008 fiscal year to pay salaries and other expenses, for capital outlay projects such as buildings and other improvements, and for other specified purposes of the various agencies of state government; providing an effective date.

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

By the Committee on Higher Education Appropriations—

SB 2796—A bill to be entitled An act making special appropriations; providing appropriations and reductions in appropriations for the 2007-2008 fiscal year to pay salaries and other expenses, for capital outlay projects such as buildings and other improvements, and for other specified purposes of the various agencies of state government ; providing an effective date.

—was referred to the Committee on Higher Education Appropriations.

By the Committee on Criminal and Civil Justice Appropriations—

SB 2798—A bill to be entitled An act making special appropriations; providing appropriations and reductions in appropriations for the 2007-2008 fiscal year to pay salaries and other expenses, for capital outlay projects such as buildings and other improvements, and for other specified purposes of the various agencies of state government; providing an effective date.

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

By the Committee on Health and Human Services Appropriations—

SB 2800—A bill to be entitled An act making special appropriations; providing appropriations and reductions in appropriations for the 2007-2008 fiscal year to pay salaries and other expenses, for capital outlay projects such as buildings and other improvements, and for other specified purposes of the various agencies of state government; providing an effective date.

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

By the Committee on General Government Appropriations—

SB 2802—A bill to be entitled An act making special appropriations; providing appropriations and reductions in appropriations for the 2007-2008 fiscal year to pay salaries and other expenses, for capital outlay projects such as buildings and other improvements, and for other specified purposes of the various agencies of state government; providing an effective date.

—was referred to the Committee on General Government Appropriations.

By the Committee on Transportation and Economic Development Appropriations—

SB 2804—A bill to be entitled An act making special appropriations; providing appropriations and reductions in appropriations for the 2007-2008 fiscal year to pay salaries and other expenses, for capital outlay projects such as buildings and other improvements, and for other specified purposes of the various agencies of state government; providing an effective date.

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

COMMITTEE SUBSTITUTES

FIRST READING

By the Committee on Criminal Justice; and Senators Atwater, Gaetz and Lynn—

CS for SB 76—A bill to be entitled An act relating to criminal activity; amending s. 775.13, F.S.; requiring certain felons whose offenses related to criminal gangs to register; providing penalties; amending s. 790.23, F.S.; providing penalties for certain persons possessing a firearm; creating s. 790.231, F.S.; prohibiting possession of bulletproof vests by certain

individuals; providing penalties; amending s. 823.05, F.S.; revising provisions relating to the enjoining of public nuisances to include certain nuisances related to criminal gangs and criminal gang activities; providing for enjoining such nuisances; providing for local laws; amending s. 874.01, F.S.; revising a short title; amending s. 874.02, F.S.; revising legislative findings and intent; amending s. 874.03, F.S.; creating and revising definitions; redefining "criminal street gangs" as "criminal gangs"; amending s. 874.04, F.S.; conforming provisions; revising an evidentiary standard; creating s. 874.045, F.S.; providing that ch. 874, F.S., does not preclude arrest and prosecution under other specified provisions; amending s. 874.05, F.S.; revising provisions relating to soliciting or causing another to join a criminal gang; amending s. 874.06, F.S.; authorizing the state to bring civil actions for certain violations; providing that a plaintiff has a superior claim to property or proceeds; providing penalties for knowing violation of certain orders; amending s. 874.08, F.S.; conforming provisions relating to forfeiture; amending s. 874.09, F.S.; providing additional powers for the Department of Law Enforcement and local law enforcement agencies relating to crime data information; creating s. 874.10, F.S.; prohibiting persons from initiating, organizing, planning, financing, directing, managing, or supervising criminal gang-related activity; providing penalties; creating s. 874.11, F.S.; prohibiting use of electronic communications to further the interests of a criminal gang; providing penalties; creating s. 874.12, F.S.; defining the term "identification document"; prohibiting possession of certain identification documents for specified purposes; providing penalties; creating s. 874.13, F.S.; prohibiting certain offenders from committing gang-related crimes; providing penalties; creating s. 874.14, F.S.; providing definitions; providing for the suspension of driver's licenses for certain offenses; amending s. 895.02, F.S.; adding certain offenses to the definition of "racketeering activity"; conforming terminology to changes made by this act; amending s. 903.046, F.S.; adding to the list of items a court may consider when determining whether to release a defendant on bail; amending s. 914.22, F.S.; revising the penalties for tampering with or harassing witnesses; amending s. 943.031, F.S.; revising provisions relating to the Florida Violent Crime and Drug Control Council; providing duties concerning criminal gangs; creating the Drug Control Strategy and Criminal Gangs Committee; providing for duties of the committee concerning funding of certain programs; providing for reports; amending s. 948.03, F.S.; authorizing the court to order the posting of a surety bond to secure the appearance of a person on probation, community control, or any other court-ordered community supervision at any subsequent court proceeding; requiring the bail agent to surrender the person to the sheriff after receiving written notice, e-mail, or facsimile notice from the probation officer that the person has violated the terms of probation, community control, or court-ordered community supervision; providing that if the bail agent does not surrender the person to the sheriff after receiving notice from the probation officer or does not produce the person in court at the time noticed by the court or the clerk of court, the surety bond is forfeited; creating s. 948.033, F.S., prohibiting certain probationers or community controllees from communicating with criminal gang members; providing exceptions; amending s. 947.18, F.S.; prohibiting certain parolees from communicating with criminal gang members; providing exceptions; amending s. 947.1405, F.S.; prohibiting certain conditional releasees from communicating with criminal gang members; providing exceptions; amending s. 893.138, F.S.; conforming terminology to changes made by this act; amending s. 921.0022, F.S.; adding offenses to the offense severity ranking chart of the Criminal Punishment Code; conforming terminology to changes made by this act; amending ss. 921.0024, 921.141, 943.325, 984.03, 985.03, 985.047, and 985.433, F.S.; conforming cross-references and terminology to changes made by this act; providing a directive to the Division of Statutory Revision; providing an effective date.

By the Committee on Judiciary; and Senators Villalobos and Gaetz—

CS for SB 92—A bill to be entitled An act relating to persons injured by crime; providing a short title; creating s. 843.21, F.S.; prohibiting the depriving of a victim injured by a crime of medical treatment with specified intent; providing penalties; providing an effective date.

By the Committee on Military Affairs and Domestic Security; and Senator Fasano—

CS for SB 108—A bill to be entitled An act relating to service-disabled veteran businesses; creating the Florida Service-Disabled Veteran Business Enterprise Opportunity Act; providing legislative intent; providing definitions; providing a selection preference in state contracting for certified service-disabled veteran businesses; providing a certification procedure; providing for the revocation of certification; providing for the duties of the Department of Veterans' Affairs and the Department of Management Services; providing for data reporting; authorizing the departments to adopt rules; amending s. 288.705, F.S.; requiring the Small Business Development Center to report the percentage of service-disabled veteran businesses using the statewide contracts registry; amending s. 288.7015, F.S.; requiring the state rules ombudsman to review state rules that adversely affect service-disabled veteran business; providing an effective date.

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

CS for SB 236—A bill to be entitled An act relating to interpreters for the deaf and hard of hearing; creating part XVII of ch. 468, F.S.; creating s. 468.90, F.S.; providing definitions; creating s. 468.901, F.S.; creating the Board of Interpreters for the Deaf and Hard of Hearing within the Department of Business and Professional Regulation; providing for appointment, qualifications, and terms of board members; creating s. 468.902, F.S.; providing for board headquarters; creating s. 468.903, F.S.; requiring certain persons to be licensed or hold a permit to practice; creating s. 468.904, F.S.; providing for license and permit application and renewal, reinstatement, extension, suspension, and revocation; providing rulemaking authority; creating s. 468.905, F.S.; providing for fees; requiring that fees be deposited into the Professional Regulation Trust Fund; creating s. 468.906, F.S.; providing restrictions on and qualifications for licensure and permit holding; providing for licensure and permit types; creating s. 468.907, F.S.; providing for surrender or seizure of suspended or revoked licenses and permits; creating s. 468.908, F.S.; providing for inactive status; creating s. 468.909, F.S.; providing continuing education requirements; creating s. 468.910, F.S.; providing a process for submitting complaints; requiring the board to compile certain complaint data; providing for disciplinary proceedings to be conducted under s. 456.073, F.S.; providing grounds for board recommendation of revocation or suspension of license or permit or other disciplinary action; creating s. 468.911, F.S.; providing exemptions from regulation under the part; creating s. 468.912, F.S.; prohibiting certain acts; providing penalties; creating s. 468.913, F.S.; establishing a privilege for certain conversations; providing for voluntary disclosure of certain privileged conversations; creating s. 468.914, F.S.; providing rulemaking authority; providing an effective date.

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

CS for SB 242—A bill to be entitled An act relating to education; authorizing district school boards to establish a school, class, or educational program in which enrollment is limited to pupils of a single gender; providing conditions to such authorization; requiring that pupils' participation in single-gender classes be voluntary; requiring review by the district school board; providing an effective date.

By the Committee on Military Affairs and Domestic Security; and Senators Dean, Gaetz and Haridopolos—

CS for SB 274—A bill to be entitled An act relating to the POW-MIA flag; creating s. 256.14, F.S.; requiring the Department of Environmental Protection to purchase and display the POW-MIA flag at state parks displaying the United States flag; providing an effective date.

By the Committee on Judiciary; and Senators Rich, Haridopolos, Jones, King, Dean, Hill, Geller, Fasano, Aronberg, Gaetz, Wise, Baker, Joyner, Siplin, Deutch, Saunders and Ring—

CS for SB 276—A bill to be entitled An act relating to food donation by public food service establishments; providing a short title; amending s. 768.136, F.S.; expanding the definition of "perishable food" to include foods prepared at a public food service establishment licensed under ch. 509, F.S.; providing an effective date.

By the Committee on Criminal Justice; and Senators Rich, Wilson, Bennett, Lynn and Crist—

CS for SB 278—A bill to be entitled An act relating to the protection of lifeguards; amending s. 784.07, F.S.; providing a definition; providing enhanced penalties for an assault or battery on a lifeguard while he or she is engaged in the lawful performance of his or her duties; amending ss. 435.04, 901.15, 943.051, and 985.11, F.S.; conforming provisions; amending s. 921.0022, F.S., and reenacting paragraph (3)(d), relating the offense severity ranking chart, to conform; providing an effective date.

By the Committee on Regulated Industries; and Senator Fasano—

CS for SB 296—A bill to be entitled An act relating to bingo games; amending s. 849.0931, F.S.; authorizing the use of electronics or other technology in lieu of vocal verification for bingo games; amending s. 849.0935, F.S.; revising the definition of "organization" to include chambers of commerce; exempting chambers of commerce from provisions prohibiting drawings by chance; authorizing an organization to place signs at a bingo game event disclosing certain required information; providing an effective date.

By the Committee on Judiciary; and Senator Crist—

CS for SB 300—A bill to be entitled An act relating to service of process; amending s. 30.231, F.S.; increasing the fees charged by the sheriff in civil cases for service of process; exempting the State of Florida and its agencies from increased fees; deleting a prohibition on additional fees for certain documents; amending s. 48.021, F.S.; providing that criminal witness subpoenas and criminal summonses may be served by a special process server appointed by the local sheriff or by a certified process server; amending s. 48.27, F.S., to conform; providing for selection of authorized certified process servers to serve such subpoenas and summonses; amending s. 56.041, F.S.; providing that all unsatisfied executions in the possession of the sheriff docketed before October 1, 2001, may be returned to the issuing court; amending s. 56.21, F.S.; requiring the submission of an affidavit before levying a judgment upon real property; requiring the sheriff to furnish to the judgment debtor or the debtor's attorney of record a copy of the notice of sale, notice of levy, and affidavit within a specified period before execution of a sale or levy; amending s. 56.27, F.S.; requiring that priority of liens on real property be based on the effective date of the judgment lien for a specified purpose; requiring a levying creditor to deliver to the sheriff at the time of the levy request an affidavit setting forth certain information and attestations; amending ss. 741.30 and 784.046, F.S., relating to service of process in cases of domestic violence or sexual abuse; authorizing clerks of court to transmit facsimile copies of previously certified injunctions to sheriffs upon request; requiring sheriffs to verify receipt of facsimile copies of injunctions with clerks of court before attempting service; authorizing law enforcement officers to serve facsimile copies of injunctions in the same manner as certified copies; providing an effective date.

By the Committee on Governmental Operations; and Senators Constantine, Atwater, Justice, Jones and Rich—

CS for SB 322—A bill to be entitled An act relating to local government; creating s. 112.3136, F.S.; specifying standards of conduct for officers and employees of entities serving as the chief administrative officer of a political subdivision; amending s. 112.317, F.S.; providing for penalties to be imposed against persons other than lobbyists or public officers and employers; amending s. 112.324, F.S.; providing for the commission to report to the Governor violations involving persons other than lobbyists or public officers and employees; providing an effective date.

By the Committee on Health Regulation; and Senator Saunders—

CS for SB 334—A bill to be entitled An act relating to the practice of pharmacy; amending s. 465.0075, F.S.; revising provisions governing licensure by endorsement; providing an effective date.

By the Committee on Commerce; and Senator Fasano—

CS for SB 380—A bill to be entitled An act relating to the tax on sales, use, and other transactions; amending s. 212.02, F.S.; defining the term "fractional aircraft ownership program"; amending s. 212.08, F.S.; providing exemptions for the sale or use of an aircraft for primary use pursuant to a fractional aircraft ownership program and for the parts and labor used in the maintenance, repair, and overhaul associated with aircraft sold or used pursuant to such a program; creating s. 212.0597, F.S.; providing a maximum tax on the sale or use of fractional aircraft ownership interests; providing an effective date.

By the Committee on Agriculture; and Senators Atwater and Gaetz—

CS for SB 394—A bill to be entitled An act relating to exemptions from the tax on sales, use, and other transactions; amending s. 212.08, F.S.; providing an exemption for electricity used by fresh fruit and vegetable packinghouses; providing an effective date.

By the Committee on Health Regulation; and Senator Fasano—

CS for SB 508—A bill to be entitled An act relating to the safe lifting of hospitalized patients; creating s. 381.396, F.S.; defining the term "hospital"; requiring that hospitals establish by a specified date a policy concerning the safe lifting of patients by hospital employees; providing criteria concerning the policy; providing for a committee to develop the policy; providing for membership of the committee; requiring continuing evaluation of the policy; providing an effective date.

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

CS for SB 526—A bill to be entitled An act relating to interscholastic sports; providing a short title; amending s. 1006.15, F.S.; revising the criteria under which a charter school student may participate in interscholastic extracurricular activities of a public school; providing for certain private school students to participate in interscholastic sports at a public school under certain conditions; providing criteria; providing for a public school student to participate in interscholastic sports at another public school; providing criteria; providing an effective date.

By the Committee on Transportation; and Senator Baker—

CS for SB 544—A bill to be entitled An act relating to temporary motor vehicle license tags; amending s. 320.131, F.S.; revising provisions for the placement of temporary tags on vehicles; revising provisions for implementation of an electronic system for entry of vehicle and owner data upon issuance of temporary tags; revising provisions for implementation of an electronic, print-on demand, temporary tag issuance system; authorizing a motor vehicle dealer to charge a fee in certain circumstances; repealing s. 320.96, F.S., relating to implementation of an electronic, print-on-demand, temporary license plate system; providing an effective date.

By the Committee on Regulated Industries; and Senator Jones—

CS for SB 550—A bill to be entitled An act relating to elevator safety; amending s. 553.509, F.S.; extending the deadlines for verification of plans for an alternative source of power for elevators in residential multifamily dwellings and for verification of compliance with installation and operational capability requirements with respect thereto; providing an effective date.

By the Committee on Commerce; and Senators Constantine and Crist—

CS for SB's 556 and 748—A bill to be entitled An act relating to secondary metals recyclers; amending s. 538.18, F.S.; revising the definition of "personal identification card"; deleting an exclusion of transactions under a specified amount from the definition of "purchase transac-

tion" for specified purposes; revising the definition of "regulated metals property"; amending s. 538.19, F.S.; revising recordkeeping requirements for purchase transactions; providing for additional seller information to be obtained; requiring an image of the regulated metals being sold; providing an exemption from a specified recordkeeping provision if the same information is maintained in an electronic database meeting specified requirements; providing a substitute recordkeeping requirement for certain transactions between registered secondary metals recyclers; amending s. 538.23, F.S.; providing for enhanced penalties for third or subsequent violations of a specified provision; providing enhanced penalties for violations of specified provisions relating to false verification of ownership or false or altered identification of a seller of regulated metals; creating s. 538.235, F.S.; prohibiting secondary metals recyclers from entering into cash transactions in certain circumstances; amending s. 538.25, F.S.; requiring the Department of Revenue to provide a law enforcement official, upon request, with specified information regarding certain secondary metals recyclers; amending s. 538.26, F.S.; prohibiting the purchase of any regulated metals property when presented at the property of a secondary metals recycler and not transported in a motor vehicle; providing an effective date.

By the Committee on Health Regulation; and Senators Constantine and King—

CS for SB 564—A bill to be entitled An act relating to automated external defibrillators; amending s. 401.2915, F.S.; revising provisions relating to the maintenance of and training requirements for the use of automated external defibrillators; revising provisions encouraging notice to the local emergency medical services medical director; amending s. 768.1325, F.S.; revising requirements for civil immunity for the use or attempted use of a defibrillator on a victim of a perceived medical emergency; providing an effective date.

By the Committee on Military Affairs and Domestic Security; and Senators Baker and Gaetz—

CS for SB 574—A bill to be entitled An act relating to Reserve Officers' Training Corps programs; creating s. 1003.451, F.S.; prohibiting a school district from banning a Junior Reserve Officers' Training Corps unit in certain schools; requiring a school district to allow a student, under certain circumstances, to enroll in the Junior Reserve Officers' Training Corps at another school; specifying that a school district is not required to provide transportation for a student enrolling in the Junior Reserve Officers' Training Corps at another school; requiring a school district to grant military recruiters certain access to students, school facilities and grounds, and certain student information; providing for enforcement; providing for the adoption of rules by the State Board of Education; creating s. 1004.009, F.S.; prohibiting a community college or state university from banning, to the extent prohibited by federal law, a Senior Reserve Officers' Training Corps unit; requiring that a community college or state university, to the extent required by federal law, grant military recruiters certain access to students, campus facilities and grounds, and certain student information; providing an effective date.

By the Committee on Regulated Industries; and Senator Jones—

CS for SB 586—A bill to be entitled An act relating to the lottery; amending s. 24.113, F.S.; removing a provision limiting the percentage of the same type of minority retailer that the Department of the Lottery may contract with to 35 percent; amending s. 24.118, F.S.; clarifying the use of debit cards when purchasing lottery tickets; providing that such purchase need not be in addition to the purchase of goods and services; amending s. 24.120, F.S.; providing for the payment of ticket service providers before funds are deposited into the Operating Trust Fund; amending s. 24.121, F.S.; removing from administrative expenses the costs incurred by the department for tickets and distributing tickets; providing an effective date.

By the Committee on Regulated Industries; and Senator Jones—

CS for SB 590—A bill to be entitled An act relating to pari-mutuel wagering; amending s. 550.01215, F.S.; deleting an exception to requirements for the Division of Pari-mutuel Wagering with respect to issuing licenses; amending s. 550.0251, F.S.; requiring the division to adopt rules governing the humane treatment of racing animals at pari-mutuel facilities; amending s. 550.0951, F.S.; providing for monthly payments of the daily license fee and taxes; amending s. 550.09511, F.S.; deleting provisions requiring a biweekly period for the payment of jai alai taxes; amending s. 550.09514, F.S.; deleting provisions requiring a biweekly period for the payment of greyhound dogracing taxes; amending s. 550.105, F.S.; revising provisions requiring certain persons to purchase a 3-year occupational license; providing for license fees to be set by rule of the division; defining the term "convicted" for purposes of licensing provisions; providing for the validity of a temporary occupational license; deleting certain signature requirements; amending s. 550.2415, F.S.; requiring that the division adopt rules for the welfare of racing animals; providing that a penalty imposed by the division does not prohibit criminal prosecution for cruelty to animals; amending s. 550.5251, F.S.; deleting the annual thoroughbred race dates for specified permitholders; establishing racing dates for thoroughbred meets; deleting provisions requiring summer thoroughbred horse racing permits; deleting expired permit provisions for the 2001-2002 thoroughbred licenses; deleting expired provisions relating to failure to operate all thoroughbred performances; amending s. 551.106, F.S.; providing for monthly payments of the tax on slot machine revenues; repealing s. 550.3605, F.S., relating to a requirement for a permit in order to use electronic transmitting equipment at a pari-mutuel facility; repealing s. 550.71, F.S., relating to the operation of chapter 96-364, Laws of Florida; amending ss. 772.102 and 895.02, F.S., relating to civil and criminal penalty provisions; conforming cross-references; providing an effective date.

By the Committee on Criminal Justice; and Senator Dockery—

CS for SB 622—A bill to be entitled An act relating to orders of no contact; amending s. 921.244, F.S.; requiring that offenders convicted of specified violent offenses be prohibited from having any contact with the victim; providing penalties; providing that the penalty for violation of such an order run consecutive to the sentence for the original violation; providing an effective date.

By the Committee on Children, Families, and Elder Affairs; and Senators Rich, Margolis and Lynn—

CS for SB 628—A bill to be entitled An act relating to court actions involving families; amending ss. 39.001, 61.001, 63.022, 68.07, 741.2902, 984.01, and 985.02, F.S., and creating ss. 88.1041, 742.016, 743.001, and 1003.269, F.S.; providing legislative intent with respect to implementing a unified family court program; amending s. 61.402, F.S.; revising qualifications for guardians ad litem; providing an effective date.

By the Committee on Children, Families, and Elder Affairs; and Senators Jones and Gaetz—

CS for SB 638—A bill to be entitled An act relating to sexual battery; amending s. 39.806, F.S.; providing grounds for terminating parental rights based on sexual battery; amending s. 39.811, F.S., relating to the severance of the rights of one parent; conforming a cross-reference; amending s. 775.089, F.S.; requiring that the court retain jurisdiction for the purpose of enforcing a restitution order; creating s. 794.057, F.S.; authorizing restitution to the victim of sexual battery to pay for the expenses of the child; providing an effective date.

By the Committee on Health Regulation; and Senator Margolis—

CS for SB 646—A bill to be entitled An act relating to human immunodeficiency virus and acquired immune deficiency syndrome educational requirements; amending s. 381.0035, F.S.; revising requirements relating to educational courses on HIV and AIDS for certain employees and clients of specified licensed health care facilities; specifying applicability; amending s. 400.506, F.S.; revising requirements with respect to educational courses on HIV and AIDS for nurse registries; providing an effective date.

By the Committee on Transportation; and Senator Bullard—

CS for SB 682—A bill to be entitled An act relating to the Department of Transportation; requiring the department to conduct a study of transportation alternatives for the Interstate 95 corridor; providing an effective date.

By the Committee on Health Regulation; and Senator Bennett—

CS for SB 686—A bill to be entitled An act relating to nursing facilities; amending s. 400.141, F.S.; authorizing certain licensed nursing facilities to develop a plan to provide certain training for nursing assistants; providing for rules relating to agency approval of training programs; amending s. 400.147, F.S.; redefining the term "adverse incident"; deleting the requirement that a nursing facility notify the agency of an adverse incident; deleting notification requirements; requiring that a risk manager determine if an incident was an adverse incident; providing that federal reporting requirements are not affected; amending s. 400.19, F.S.; providing that the most recent survey is a licensure survey under certain conditions for purposes of future survey scheduling; amending s. 400.195, F.S., relating to agency reporting requirements; conforming a cross-reference; amending s. 400.23, F.S.; providing that compliance with federal posting requirements for staffing standards satisfies state posting requirements; deleting provisions requiring agency approval in order for a nursing home to use licensed nurses to perform certain duties; providing an effective date.

By the Committee on Higher Education; and Senators Oelrich and Gaetz—

CS for SB 696—A bill to be entitled An act relating to community colleges; amending s. 1001.64, F.S.; providing conditions for certain contracting by community college boards of trustees; authorizing boards of trustees to enter into certain short-term loans and contracts and make payments subject to appropriation; authorizing boards of trustees to incur long-term debt according to specified requirements; amending s. 1004.70, F.S.; requiring community college boards of trustees to authorize debt incurred by direct-support organizations; authorizing delegation for approval of short-term loans and lease-purchase agreements; providing restrictions; amending s. 1009.22, F.S., relating to workforce education postsecondary student fees, and s. 1009.23, F.S., relating to community college student fees; revising provisions relating to pledge of fee revenues to repayment of debt by community college boards of trustees; providing requirements for the request, issuance, securing, and payment of bonds; revising provisions relating to validation of bonds; providing for limitation of actions; amending s. 1011.84, F.S.; correcting references; providing for transmittal of funds for amounts required for capital improvement revenue bond debt service under certain circumstances; providing restrictions; amending s. 1000.21, F.S.; redesignating Indian River Community College as "Indian River College"; providing an effective date.

By the Committee on Health Regulation; and Senator Saunders—

CS for SB 736—A bill to be entitled An act relating to certification of clinical nurse specialists; amending s. 464.0115, F.S.; revising the requirements for obtaining certification as a clinical nurse specialist; requiring an applicant to submit proof to the Department of Health that he or she has the required academic and clinical experience to be certified as a clinical nurse specialist; providing an effective date.

By the Committee on Communications and Public Utilities; and Senator Bennett—

CS for SB 794—A bill to be entitled An act relating to the excavation and demolition notification system; amending s. 556.105, F.S.; prohibiting charging a member operator for the costs or expenses associated with compliance with system procedures by an excavator; prohibiting charging an excavator for the costs or expenses associated with compliance with system procedures by a member operator; providing for application; providing an effective date.

By the Committee on Children, Families, and Elder Affairs; and Senators Fasano and Lynn—

CS for SB 862—A bill to be entitled An act relating to developmental disabilities institutions; creating s. 393.35, F.S.; providing legislative intent; requiring the Agency for Persons with Disabilities to submit a plan to the Governor and the Legislature if the agency proposes to close or reduce by a certain percentage the resident population of a developmental disabilities institution; providing for content of the plan; requiring the Governor to approve or disapprove the plan to close or reduce the population of an institution; providing that the Governor's decision is not binding on the Legislature; requiring the agency to provide quarterly reports; providing for content of the reports; providing an effective date.

By the Committee on Regulated Industries; and Senator Geller—

CS for SB 970—A bill to be entitled An act relating to slot machine revenues; amending s. 551.106, F.S.; revising the tax rate on slot machine revenues at each pari-mutuel facility; requiring certain licensees to pay a pro rata share of the shortfall in taxes paid on slot machine tax revenues under certain conditions; providing a percentage cap on the payment of taxes on slot machine revenues; amending s. 551.116, F.S.; providing hours of operation for sales of alcoholic beverages in slot machine gaming areas; providing an effective date.

By the Committee on Banking and Insurance; and Senators Gaetz, Baker, Fasano, Posey, Oelrich, Bennett and Ring—

CS for SB 1012—A bill to be entitled An act relating to health insurance; amending s. 627.638, F.S.; authorizing the payment of health insurance policy benefits directly to a licensed ambulance provider; requiring the attestation assigning benefits to be in writing but allowing it to be transmitted in electronic form; creating s. 627.64731, F.S.; providing requirements for the rent, lease, or granting of access to the health care services of a preferred provider or exclusive provider under a health care contract; amending s. 627.662, F.S.; applying the requirements for the rent, lease, or granting of access to the health care services of a preferred provider or exclusive provider under a health care contract to group health insurance, blanket health insurance, and franchise health insurance policies; amending s. 641.31; providing that a health maintenance contract may not prohibit and a claims form must provide an option for direct payment to specified providers; requiring the attestation of assignment of benefits to be in written or electronic form; providing that payment to a provider may not exceed the amount a health maintenance organization would have paid without the assignment; amending s. 641.315, F.S.; prohibiting health maintenance organizations from selling, leasing, or transferring contract payment terms relating to a health care practitioner under certain circumstances; amending s. 641.3155, F.S.; decreasing the amount of time in which a health maintenance organization may make a claim for overpayment against a provider; providing applicability; providing an effective date.

By the Committee on Children, Families, and Elder Affairs—

CS for SB 1048—A bill to be entitled An act relating to child protection; amending s. 39.01, F.S.; redefining the terms "abandoned," "harm," and "relative"; defining the term "child who has exhibited inappropriate sexual behavior"; amending s. 39.0121, F.S.; authorizing the Department of Children and Family Services to adopt rules providing for locating and recovering missing children who are involved with the department; providing requirements for reports; amending s. 39.0138, F.S.; requiring a criminal history check of persons being considered for placement of a child to include a search of the department's automated abuse information system; authorizing the department to adopt rules establishing standards for evaluating such information; creating s. 39.0141, F.S.; requiring the department, the community-based care provider, or sheriff's office to file a report following a determination that a child involved with the department is missing; amending s. 39.201, F.S.; providing for the reporting of a child who has exhibited inappropriate sexual behavior to the central abuse hotline; amending s. 39.301, F.S.; providing certain exceptions to the requirements that a child protective investigation be closed within 60 days; amending s. 39.307, F.S.; revising provision relating to the provision of services to a child in cases of child-on-child sexual abuse to include a child who has exhibited inappropriate

sexual behavior; amending s. 39.401, F.S.; requiring judicial approval for the placement of a child with a nonrelative; amending s. 39.502, F.S.; providing for notice to foster or preadoptive parents of any hearings involving the child in their care; amending s. 39.504, F.S.; revising procedures related to injunctions issued to protect a child; requiring that such injunctions remain in effect until modified or dissolved by the court; amending s. 39.507, F.S.; limiting a court to one order adjudicating dependency; providing for supplemental findings; amending s. 39.521, F.S.; providing an exception from the requirement for a predisposition study in dependency proceedings; conforming cross-references; amending s. 39.701, F.S.; requiring that notice of a judicial review of a child's status be served on certain persons regardless of whether they attended a prior hearing at which the hearing was announced; amending s. 39.8055, F.S.; revising provisions relating to filing a petition to terminate parental rights; expanding the grounds for terminating parental rights to include conviction for the murder, manslaughter, or conspiracy to murder another child of the parent; amending s. 39.806, F.S.; adding additional grounds for terminating parental rights; amending s. 39.810, F.S.; providing that if termination of parental rights is in the best interests of the child, it is also the least restrictive means of protecting the child; amending s. 63.032, F.S.; redefining the term "relative"; amending s. 322.142, F.S.; authorizing the Department of Children and Family Services to be provided copies of driver's license files maintained by the Department of Highway Safety and Motor Vehicles for the purpose of conducting protective investigations; amending s. 402.401, F.S., relating to the Florida Child Welfare Student Loan Forgiveness Program; transferring administration of the program to the Department of Children and Family Services; amending s. 409.175, F.S.; revising requirements for licensure as a foster home or child-caring agency; deleting the exemption from licensure for persons who receive a child from the department; clarifying that a permanent guardian is exempt from licensure; amending s. 409.401, F.S.; revising provisions relating to the Interstate Compact on the Placement of Children; narrowing the applicability of the compact to children in the foster care system and to the interstate placement of children for adoption; allowing for residential facility placement with notice to the receiving state; allowing for the provisional placement of children with a relative pending meeting the receiving state's requirements for the education and training of prospective foster or adoptive parents; requiring the development of timeframes for completing the placement approval process; providing enforcement mechanisms; creating an Interstate Commission for the Placement of Children comprised of the member states; establishing rulemaking authority for the commission; repealing ss. 409.402 and 409.403, F.S., relating to the Interstate Compact on the Placement of Children; amending s. 409.404, F.S.; deleting cross-references; amending s. 787.04, F.S.; prohibiting a person from knowingly and willfully taking or removing a minor from the state or concealing the location of a minor during the pendency of a dependency proceeding or any other action concerning alleged abuse or neglect of the minor; amending s. 937.021, F.S.; requiring that a report of a missing child made by the department, a community-based care provider, or a sheriff's office be treated as a missing child report filed by a parent or guardian; prohibiting a law enforcement agency from requiring an order that a child be taken into custody or any other such order before accepting a missing child report for investigation; amending s. 985.04, F.S.; providing for the disclosure of certain records relating to children having a history of inappropriate sexual behavior to schools superintendents; amending chapter 2007-174, Laws of Florida; extending the date for the repeal of provisions authorizing the reorganization of the Department of Children and Family Services; providing for retroactive application; amending ss. 39.0015, 39.205, 39.302, 39.6011, 39.811, 39.828, and 419.001, F.S.; conforming cross-references; providing an effective date.

By the Committee on Education Pre-K - 12; and Senators Dockery and Fasano—

CS for SB 1062—A bill to be entitled An act relating to educator certification requirements; amending s. 1012.56, F.S.; requiring subject area examinations in specified foreign languages for the purpose of demonstrating mastery of that subject area knowledge; providing an effective date.

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

CS for SB 1276—A bill to be entitled An act relating to educational facilities construction; amending s. 1013.45, F.S.; increasing the maximum authorized amount of a day-labor contract to $300,000; amending s. 1013.64, F.S.; providing duties of the Office of Educational Facilities with respect to approving school district construction projects and assisting districts in developing lists of proposed facilities; limiting total project costs except for providential causes; providing an effective date.

By the Committee on Regulated Industries; and Senators Jones and King—

CS for SB 1380—A bill to be entitled An act relating to electronic gaming machines; authorizing electronic gaming machines in certain pari-mutuel facilities; providing definitions; providing powers and duties of the Division of Pari-mutuel Wagering of the Department of Business and Professional Regulation and the Department of Law Enforcement; providing for rules; providing for licenses to conduct electronic gaming; providing for temporary licenses; providing for renewal of electronic gaming machine licenses; providing for license fees; providing for taxes; providing penalties; providing for occupational licenses; providing findings; providing for applications; providing for a fee; prohibiting certain relationships; prohibiting certain acts; providing penalties; providing for legality of electronic gaming machines; providing for exclusion of certain persons from the facilities; prohibiting persons under 21 years of age from operating electronic gaming machines; providing for electronic gaming machine areas within licensed gaming locations; providing for days and hours of operation of eligible facilities; providing for a compulsive-gambling-prevention program; providing penalties; providing for a caterer's license for food service at gambling establishments; prohibiting certain activities and devices; providing exceptions; providing for rules; providing for regulatory preemption to the state; providing exceptions to ss. 849.0931 and 849.094, F.S.; amending s. 215.22, F.S.; exempting taxes imposed on electronic gaming and electronic gaming machine revenue from specified service charges; amending s. 550.002, F.S.; providing for 100 live games at eligible jai alai facilities; amending s. 849.15, F.S.; providing for transportation of electronic gaming devices in accordance with federal law; amending s. 895.02, F.S.; providing that specified violations related to electronic gaming and electronic gaming machines constitute racketeering activity; providing that certain debt incurred in violation of specified provisions relating to electronic gaming and electronic gaming machines constitutes unlawful debt; authorizing additional positions and providing appropriations; providing for the use of certain unreserved funds in the Pari-mutuel Wagering Trust Fund; providing for repayment of such funds; providing an effective date.

By the Committees on Finance and Tax; Regulated Industries; and Senators Jones and King—

CS for CS for SB 1380—A bill to be entitled An act relating to electronic gaming machines; authorizing electronic gaming machines in certain pari-mutuel facilities; providing definitions; providing powers and duties of the Division of Pari-mutuel Wagering of the Department of Business and Professional Regulation and the Department of Law Enforcement; providing for rules; providing for licenses to conduct electronic gaming; providing for temporary licenses; providing for renewal of electronic gaming machine licenses; providing for license fees; providing for taxes; providing penalties; providing for occupational licenses; providing findings; providing for applications; providing for a fee; prohibiting certain relationships; prohibiting certain acts; providing penalties; providing for legality of electronic gaming machines; providing for exclusion of certain persons from the facilities; prohibiting persons under 21 years of age from operating electronic gaming machines; providing for electronic gaming machine areas within licensed gaming locations; providing for days and hours of operation of eligible facilities; providing for a compulsive-gambling-prevention program; providing penalties; providing for a caterer's license for food service at gambling establishments; prohibiting certain activities and devices; providing exceptions; providing for rules; providing for regulatory preemption to the state; providing exceptions to ss. 849.0931 and 849.094, F.S.; amending s. 215.22, F.S.; exempting taxes imposed on electronic gaming and electronic gaming machine revenue from specified service charges; amending s. 550.002, F.S.; providing for 100 live games at eligible jai alai facilities; amending s. 550.135, F.S.; providing for the reservation of electronic gaming machine fees in a trust fund; amending s. 849.15, F.S.; providing for transportation of electronic gaming devices in accordance with federal law; amending s. 895.02, F.S.; providing that specified violations related to electronic gaming and electronic gaming machines constitute racketeering activity; providing that certain debt incurred in

violation of specified provisions relating to electronic gaming and electronic gaming machines constitutes unlawful debt; authorizing additional positions and providing appropriations; providing for the use of certain unreserved funds in the Pari-mutuel Wagering Trust Fund; providing for repayment of such funds; providing an effective date.

By the Committee on Rules; and Senator King—

CS for SB 1678—A reviser's bill to be entitled An act relating to the Florida Statutes; amending ss. 7.11, 7.13, 7.44, 11.904, 11.908, 15.0395, 20.23, 26.021, 26.32, 30.071, 35.05, 39.0132, 92.05, 99.012, 106.023, 106.0706, 112.324, 120.545, 121.051, 121.091, 121.121, 121.4501, 124.01, 125.901, 159.804, 163.06, 163.3182, 163.32465, 163.430, 166.271, 171.071, 171.205, 190.005, 192.0105, 198.13, 200.001, 202.20, 212.08, 215.555, 215.5586, 218.415, 222.25, 250.83, 253.033, 253.034, 257.38, 258.001, 258.11, 258.12, 258.39, 258.397, 286.0111, 288.0655, 288.1223, 288.1254, 288.8175, 288.9015, 288.90151, 288.9551, 288.975, 316.003, 320.0805, 322.34, 323.001, 328.07, 337.0261, 338.231, 339.175, 343.92, 348.243, 364.02, 367.171, 369.255, 370.142, 370.172, 372.09, 373.026, 373.073, 373.1501, 373.1502, 373.1961, 373.414, 373.4211, 373.4592, 373.4595, 373.470, 373.472, 376.308, 377.42, 381.0273, 381.0404, 381.92, 383.412, 390.012, 390.014, 390.018, 393.23, 395.402, 400.063, 400.0712, 400.506, 400.995, 403.031, 403.201, 403.707, 403.890, 403.8911, 403.973, 408.032, 409.166, 409.1677, 409.25661, 413.271, 420.5095, 420.9076, 429.35, 429.907, 440.3851, 445.004, 446.43, 468.832, 468.8419, 468.842, 477.0135, 481.215, 481.313, 487.048, 489.115, 489.127, 489.517, 489.531, 497.172, 497.271, 497.466, 500.148, 501.022, 501.976, 553.73, 553.791, 610.104, 617.0802, 624.316, 627.0628, 627.06292, 627.311, 627.351, 627.3511, 627.4133, 627.701, 627.7261, 627.736, 628.461, 628.4615, 633.01, 633.025, 660.417, 736.0802, 741.3165, 744.1076, 812.1725, 817.625, 832.062, 921.0022, 932.701, 940.05, 943.0314, 943.32, 943.35, 947.06, 1001.11, 1001.215, 1001.395, 1002.35, 1002.39, 1002.72, 1003.4156, 1003.428, 1004.43, 1004.4472, 1004.55, 1004.76, 1005.38, 1008.25, 1008.345, 1009.01, 1009.24, 1009.98, 1011.48, 1012.61, 1012.875, and 1013.73, F.S.; and reenacting ss. 215.559 and 338.165, F.S.; pursuant to s. 11.242, F.S.; deleting provisions that have expired, have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded; replacing incorrect cross-references and citations; correcting grammatical, typographical, and like errors; removing inconsistencies, redundancies, and unnecessary repetition in the statutes; improving the clarity of the statutes and facilitating their correct interpretation; and confirming the restoration of provisions unintentionally omitted from republication in the acts of the Legislature during the amendatory process; providing an effective date.

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

CS for SB 1744—A bill to be entitled An act relating to incorporation by reference of certain calculations used by the Legislature for the 2007-2008 fiscal year; providing legislative intent with respect to reductions in expenditures made by district school boards; providing an effective date.

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

CS for SB 1852—A bill to be entitled An act relating to reimbursement of Medicaid providers; amending s. 409.908, F.S.; requiring the Agency for Health Care Administration to limit the reimbursement rate for certain specified providers notwithstanding certain provisions and rules to the contrary; providing that the limitations apply to prepaid health plans and nursing home diversion programs; providing for application; providing an effective date.

REFERENCE CHANGES PURSUANT TO RULE 4.7(2)

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

CS for SB 236—A bill to be entitled An act relating to interpreters for the deaf and hard of hearing; creating part XVII of ch. 468, F.S.; creating s. 468.90, F.S.; providing definitions; creating s. 468.901, F.S.; creating the Board of Interpreters for the Deaf and Hard of Hearing within the Department of Business and Professional Regulation; providing for appointment, qualifications, and terms of board members; creating s. 468.902, F.S.; providing for board headquarters; creating s. 468.903, F.S.; requiring certain persons to be licensed or hold a permit to practice; creating s. 468.904, F.S.; providing for license and permit application and renewal, reinstatement, extension, suspension, and revocation; providing rulemaking authority; creating s. 468.905, F.S.; providing for fees; requiring that fees be deposited into the Professional Regulation Trust Fund; creating s. 468.906, F.S.; providing restrictions on and qualifications for licensure and permit holding; providing for licensure and permit types; creating s. 468.907, F.S.; providing for surrender or seizure of suspended or revoked licenses and permits; creating s. 468.908, F.S.; providing for inactive status; creating s. 468.909, F.S.; providing continuing education requirements; creating s. 468.910, F.S.; providing a process for submitting complaints; requiring the board to compile certain complaint data; providing for disciplinary proceedings to be conducted under s. 456.073, F.S.; providing grounds for board recommendation of revocation or suspension of license or permit or other disciplinary action; creating s. 468.911, F.S.; providing exemptions from regulation under the part; creating s. 468.912, F.S.; prohibiting certain acts; providing penalties; creating s. 468.913, F.S.; establishing a privilege for certain conversations; providing for voluntary disclosure of certain privileged conversations; creating s. 468.914, F.S.; providing rulemaking authority; providing an effective date.

—was referred to the Committees on Regulated Industries; Judiciary; Governmental Operations; and General Government Appropriations.

By the Committee on Military Affairs and Domestic Security; and Senators Baker and Gaetz—

CS for SB 574—A bill to be entitled An act relating to Reserve Officers' Training Corps programs; creating s. 1003.451, F.S.; prohibiting a school district from banning a Junior Reserve Officers' Training Corps unit in certain schools; requiring a school district to allow a student, under certain circumstances, to enroll in the Junior Reserve Officers' Training Corps at another school; specifying that a school district is not required to provide transportation for a student enrolling in the Junior Reserve Officers' Training Corps at another school; requiring a school district to grant military recruiters certain access to students, school facilities and grounds, and certain student information; providing for enforcement; providing for the adoption of rules by the State Board of Education; creating s. 1004.009, F.S.; prohibiting a community college or state university from banning, to the extent prohibited by federal law, a Senior Reserve Officers' Training Corps unit; requiring that a community college or state university, to the extent required by federal law, grant military recruiters certain access to students, campus facilities and grounds, and certain student information; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Military Affairs and Domestic Security; Higher Education; and Education Pre-K - 12 Appropriations.

By the Committee on Regulated Industries; and Senator Jones—

CS for SB 586—A bill to be entitled An act relating to the lottery; amending s. 24.113, F.S.; removing a provision limiting the percentage of the same type of minority retailer that the Department of the Lottery may contract with to 35 percent; amending s. 24.118, F.S.; clarifying the use of debit cards when purchasing lottery tickets; providing that such purchase need not be in addition to the purchase of goods and services; amending s. 24.120, F.S.; providing for the payment of ticket service providers before funds are deposited into the Operating Trust Fund; amending s. 24.121, F.S.; removing from administrative expenses the costs incurred by the department for tickets and distributing tickets; providing an effective date.

—was referred to the Committees on Regulated Industries; Governmental Operations; and General Government Appropriations.

By the Committee on Regulated Industries; and Senator Jones—

CS for SB 590—A bill to be entitled An act relating to pari-mutuel wagering; amending s. 550.01215, F.S.; deleting an exception to requirements for the Division of Pari-mutuel Wagering with respect to issuing licenses; amending s. 550.0251, F.S.; requiring the division to adopt rules governing the humane treatment of racing animals at pari-mutuel facilities; amending s. 550.0951, F.S.; providing for monthly payments of the daily license fee and taxes; amending s. 550.09511, F.S.; deleting provisions requiring a biweekly period for the payment of jai alai taxes; amending s. 550.09514, F.S.; deleting provisions requiring a biweekly period for the payment of greyhound dogracing taxes; amending s. 550.105, F.S.; revising provisions requiring certain persons to purchase a 3-year occupational license; providing for license fees to be set by rule of the division; defining the term "convicted" for purposes of licensing provisions; providing for the validity of a temporary occupational license; deleting certain signature requirements; amending s. 550.2415, F.S.; requiring that the division adopt rules for the welfare of racing animals; providing that a penalty imposed by the division does not prohibit criminal prosecution for cruelty to animals; amending s. 550.5251, F.S.; deleting the annual thoroughbred race dates for specified permitholders; establishing racing dates for thoroughbred meets; deleting provisions requiring summer thoroughbred horse racing permits; deleting expired permit provisions for the 2001-2002 thoroughbred licenses; deleting expired provisions relating to failure to operate all thoroughbred performances; amending s. 551.106, F.S.; providing for monthly payments of the tax on slot machine revenues; repealing s. 550.3605, F.S., relating to a requirement for a permit in order to use electronic transmitting equipment at a pari-mutuel facility; repealing s. 550.71, F.S., relating to the operation of chapter 96-364, Laws of Florida; amending ss. 772.102 and 895.02, F.S., relating to civil and criminal penalty provisions; conforming cross-references; providing an effective date.

—was referred to the Committees on Regulated Industries; and General Government Appropriations.

By the Committee on Criminal Justice; and Senator Dockery—

CS for SB 622—A bill to be entitled An act relating to orders of no contact; amending s. 921.244, F.S.; requiring that offenders convicted of specified violent offenses be prohibited from having any contact with the victim; providing penalties; providing that the penalty for violation of such an order run consecutive to the sentence for the original violation; providing an effective date.

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

By the Committee on Transportation; and Senator Bullard—

CS for SB 682—A bill to be entitled An act relating to the Department of Transportation; requiring the department to conduct a study of transportation alternatives for the Interstate 95 corridor; providing an effective date.

—was referred to the Committees on Transportation; Military Affairs and Domestic Security; and Transportation and Economic Development Appropriations.

By the Committee on Children, Families, and Elder Affairs; and Senators Fasano and Lynn—

CS for SB 862—A bill to be entitled An act relating to developmental disabilities institutions; creating s. 393.35, F.S.; providing legislative intent; requiring the Agency for Persons with Disabilities to submit a plan to the Governor and the Legislature if the agency proposes to close or reduce by a certain percentage the resident population of a developmental disabilities institution; providing for content of the plan; requiring the Governor to approve or disapprove the plan to close or reduce the population of an institution; providing that the Governor's decision is not binding on the Legislature; requiring the agency to provide quarterly reports; providing for content of the reports; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Governmental Operations; and Health and Human Services Appropriations.

By the Committee on Regulated Industries; and Senator Geller—

CS for SB 970—A bill to be entitled An act relating to slot machine revenues; amending s. 551.106, F.S.; revising the tax rate on slot machine revenues at each pari-mutuel facility; requiring certain licensees to pay a pro rata share of the shortfall in taxes paid on slot machine tax revenues under certain conditions; providing a percentage cap on the payment of taxes on slot machine revenues; amending s. 551.116, F.S.; providing hours of operation for sales of alcoholic beverages in slot machine gaming areas; providing an effective date.

—was referred to the Committees on Regulated Industries; and Finance and Tax.

By the Committee on Children, Families, and Elder Affairs—

CS for SB 1048—A bill to be entitled An act relating to child protection; amending s. 39.01, F.S.; redefining the terms "abandoned," "harm," and "relative"; defining the term "child who has exhibited inappropriate sexual behavior"; amending s. 39.0121, F.S.; authorizing the Department of Children and Family Services to adopt rules providing for locating and recovering missing children who are involved with the department; providing requirements for reports; amending s. 39.0138, F.S.; requiring a criminal history check of persons being considered for placement of a child to include a search of the department's automated abuse information system; authorizing the department to adopt rules establishing standards for evaluating such information; creating s. 39.0141, F.S.; requiring the department, the community-based care provider, or sheriff's office to file a report following a determination that a child involved with the department is missing; amending s. 39.201, F.S.; providing for the reporting of a child who has exhibited inappropriate sexual behavior to the central abuse hotline; amending s. 39.301, F.S.; providing certain exceptions to the requirements that a child protective investigation be closed within 60 days; amending s. 39.307, F.S.; revising provision relating to the provision of services to a child in cases of child-on-child sexual abuse to include a child who has exhibited inappropriate sexual behavior; amending s. 39.401, F.S.; requiring judicial approval for the placement of a child with a nonrelative; amending s. 39.502, F.S.; providing for notice to foster or preadoptive parents of any hearings involving the child in their care; amending s. 39.504, F.S.; revising procedures related to injunctions issued to protect a child; requiring that such injunctions remain in effect until modified or dissolved by the court; amending s. 39.507, F.S.; limiting a court to one order adjudicating dependency; providing for supplemental findings; amending s. 39.521, F.S.; providing an exception from the requirement for a predisposition study in dependency proceedings; conforming cross-references; amending s. 39.701, F.S.; requiring that notice of a judicial review of a child's status be served on certain persons regardless of whether they attended a prior hearing at which the hearing was announced; amending s. 39.8055, F.S.; revising provisions relating to filing a petition to terminate parental rights; expanding the grounds for terminating parental rights to include conviction for the murder, manslaughter, or conspiracy to murder another child of the parent; amending s. 39.806, F.S.; adding additional grounds for terminating parental rights; amending s. 39.810, F.S.; providing that if termination of parental rights is in the best interests of the child, it is also the least restrictive means of protecting the child; amending s. 63.032, F.S.; redefining the term "relative"; amending s. 322.142, F.S.; authorizing the Department of Children and Family Services to be provided copies of driver's license files maintained by the Department of Highway Safety and Motor Vehicles for the purpose of conducting protective investigations; amending s. 402.401, F.S., relating to the Florida Child Welfare Student Loan Forgiveness Program; transferring administration of the program to the Department of Children and Family Services; amending s. 409.175, F.S.; revising requirements for licensure as a foster home or child-caring agency; deleting the exemption from licensure for persons who receive a child from the department; clarifying that a permanent guardian is exempt from licensure; amending s. 409.401, F.S.; revising provisions relating to the Interstate Compact on the Placement of Children; narrowing the applicability of the compact to children in the foster care system and to the interstate placement of children for adoption; allowing for residential facility placement with notice to the receiving state; allowing for the provisional placement of children with a relative pending meeting the receiving state's requirements for the education and training of prospective foster or adoptive parents; requiring the development of timeframes for completing the placement approval process; providing enforcement mechanisms; creating an Interstate Commission for the Placement of Children comprised

of the member states; establishing rulemaking authority for the commission; repealing ss. 409.402 and 409.403, F.S., relating to the Interstate Compact on the Placement of Children; amending s. 409.404, F.S.; deleting cross-references; amending s. 787.04, F.S.; prohibiting a person from knowingly and willfully taking or removing a minor from the state or concealing the location of a minor during the pendency of a dependency proceeding or any other action concerning alleged abuse or neglect of the minor; amending s. 937.021, F.S.; requiring that a report of a missing child made by the department, a community-based care provider, or a sheriff's office be treated as a missing child report filed by a parent or guardian; prohibiting a law enforcement agency from requiring an order that a child be taken into custody or any other such order before accepting a missing child report for investigation; amending s. 985.04, F.S.; providing for the disclosure of certain records relating to children having a history of inappropriate sexual behavior to schools superintendents; amending chapter 2007-174, Laws of Florida; extending the date for the repeal of provisions authorizing the reorganization of the Department of Children and Family Services; providing for retroactive application; amending ss. 39.0015, 39.205, 39.302, 39.6011, 39.811, 39.828, and 419.001, F.S.; conforming cross-references; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Judiciary; and Health and Human Services Appropriations.

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

CS for SB 1852—A bill to be entitled An act relating to reimbursement of Medicaid providers; amending s. 409.908, F.S.; requiring the Agency for Health Care Administration to limit the reimbursement rate for certain specified providers notwithstanding certain provisions and rules to the contrary; providing that the limitations apply to prepaid health plans and nursing home diversion programs; providing for application; providing an effective date.

—was placed on the calendar.

REPORTS OF COMMITTEES

The Committee on Judiciary recommends the following pass: SB 656

The bill was referred to the Committee on Banking and Insurance under the original reference.

The Committee on Criminal Justice recommends the following pass: SB 366

The Committee on Education Pre-K - 12 recommends the following pass: SB 856

The Committee on Health Policy recommends the following pass: SB 370; SB 1092

The bills contained in the foregoing reports were referred to the Committee on Children, Families, and Elder Affairs under the original reference.

The Committee on Commerce recommends the following pass: SB 530

The Committee on Governmental Operations recommends the following pass: SB 82 with 1 amendment

The Committee on Transportation recommends the following pass: SB 672 with 2 amendments

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

The Committee on Judiciary recommends the following pass: SB 496

The bill was referred to the Committee on Criminal and Civil Justice Appropriations under the original reference.

The Committee on Children, Families, and Elder Affairs recommends the following pass: SB 116; SB 1044

The Committee on Judiciary recommends the following pass: SB 220; SB 268

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

The Committee on Community Affairs recommends the following pass: SB 1070

The bill was referred to the Committee on Education Pre-K - 12 under the original reference.

The Committee on Education Pre-K - 12 recommends the following pass: SB 286

The bill was referred to the Committee on Education Pre-K - 12 Appropriations under the original reference.

The Committee on Children, Families, and Elder Affairs recommends the following pass: SB 78; SB 546 with 2 amendments

The Committee on Community Affairs recommends the following pass: SB 330

The Committee on Ethics and Elections recommends the following pass: SB 322

The Committee on Health Policy recommends the following pass: SB 1090 with 1 amendment

The Committee on Regulated Industries recommends the following pass: SB 980

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

The Committee on Health Regulation recommends the following pass: SB 1106

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

The Committee on Finance and Tax recommends the following pass: CS for SB 696

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

The Committee on Children, Families, and Elder Affairs recommends the following pass: SB 688; SB 1042; SB 1046

The Committee on Criminal Justice recommends the following pass: SB 92; SB 328; SB 472; SB 496

The Committee on Governmental Operations recommends the following pass: SB 704

The Committee on Health Regulation recommends the following pass: SB 716

The Committee on Military Affairs and Domestic Security recommends the following pass: SB 624

The Committee on Regulated Industries recommends the following pass: SB 276

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

The Committee on Criminal Justice recommends the following pass: SB 624

The Committee on Education Pre-K - 12 recommends the following pass: SB 574

The bills contained in the foregoing reports were referred to the Committee on Military Affairs and Domestic Security under the original reference.

The Committee on Community Affairs recommends the following pass: SB 82

The Committee on Ethics and Elections recommends the following pass: SB 342

The bills contained in the foregoing reports were referred to the Committee on Transportation and Economic Development Appropriations under the original reference.

The Committee on Communications and Public Utilities recommends the following pass: SB 784

The Committee on Education Pre-K - 12 recommends the following pass: SB 302

The Committee on Education Pre-K - 12 Appropriations recommends the following pass: SB 286

The Committee on Governmental Operations recommends the following pass: SB 78

The Committee on Regulated Industries recommends the following pass: SB 458

The Committee on Rules recommends the following pass: SB 1676; SB 1680; SB 1682

The Committee on Transportation recommends the following pass: SB 154

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

The Committee on Education Pre-K - 12 recommends the following not pass: SB 292

The bill was laid on the table.

The Committee on Criminal Justice recommends a committee substitute for the following: SB 622

The bill with committee substitute attached was referred to the Committee on Children, Families, and Elder Affairs under the original reference.

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 1012

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

The Committee on Communications and Public Utilities recommends a committee substitute for the following: SB 794

The Committee on Regulated Industries recommends a committee substitute for the following: SB 550

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

The Committee on Criminal Justice recommends a committee substitute for the following: SB 278

The Committee on Judiciary recommends a committee substitute for the following: SB 92

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

The Committee on Children, Families, and Elder Affairs recommends committee substitutes for the following: SB 638; SB 1048

The Committee on Commerce recommends a committee substitute for the following: Senate Bills 556 and 748

The Committee on Judiciary recommends a committee substitute for the following: SB 300

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

The Committee on Education Pre-K - 12 recommends a committee substitute for the following: SB 1276

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

The Committee on Education Pre-K - 12 recommends committee substitutes for the following: SB 526; SB 1062

The Committee on Military Affairs and Domestic Security recommends a committee substitute for the following: SB 574

The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Education Pre-K - 12 Appropriations under the original reference.

The Committee on Agriculture recommends a committee substitute for the following: SB 394

The Committee on Commerce recommends a committee substitute for the following: SB 380

The Committee on Higher Education recommends a committee substitute for the following: SB 696

The Committee on Regulated Industries recommends committee substitutes for the following: SB 970; SB 1380

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

The Committee on Military Affairs and Domestic Security recommends a committee substitute for the following: SB 274

The Committee on Regulated Industries recommends a committee substitute for the following: SB 590

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

The Committee on Military Affairs and Domestic Security recommends a committee substitute for the following: SB 108

The Committee on Regulated Industries recommends a committee substitute for the following: SB 586

The Committee on Transportation recommends a committee substitute for the following: SB 544

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

The Committee on Children, Families, and Elder Affairs recommends a committee substitute for the following: SB 862

The Committee on Health Regulation recommends committee substitutes for the following: SB 334; SB 646

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

The Committee on Children, Families, and Elder Affairs recommends a committee substitute for the following: SB 628

The Committee on Criminal Justice recommends a committee substitute for the following: SB 76

The Committee on Education Pre-K - 12 recommends a committee substitute for the following: SB 242

The Committee on Health Regulation recommends committee substitutes for the following: SB 564; SB 686

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

The Committee on Education Pre-K - 12 recommends a committee substitute for the following: SB 236

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

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

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

The Committee on Education Pre-K - 12 Appropriations recommends a committee substitute for the following: SB 1744

The Committee on Finance and Tax recommends a committee substitute for the following: CS for SB 1380

The Committee on Governmental Operations recommends a committee substitute for the following: SB 322

The Committee on Health and Human Services Appropriations recommends a committee substitute for the following: SB 1852

The Committee on Health Regulation recommends committee substitutes for the following: SB 508; SB 736

The Committee on Judiciary recommends a committee substitute for the following: SB 276

The Committee on Regulated Industries recommends a committee substitute for the following: SB 296

The Committee on Rules recommends a committee substitute for the following: SB 1678

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

JOINT SELECT COMMITTEE REPORTS

The Honorable Ken Pruitt, February 19, 2008
President of the Senate

The Honorable Marco Rubio,
Speaker of the House of Representatives

Dear President Pruitt and Speaker Rubio:

The Joint Select Committee on Collective Bargaining convened February 19, 2008, in Room 110, Senate Office Building, for the purpose of providing a public opportunity for all parties involved in unresolved collective bargaining disputes to present arguments to the Florida Legislature, consistent with the provisions of Section 447.403, Florida Statutes, and the open meeting provisions of Article III, Section 4 of the State Constitution.

Upon conclusion of the presentations, we thanked the participating parties and announced that the Joint Select Committee on Collective Bargaining would take the disputed issues under advisement and that resolution would follow at a later date. Copies of presentations and other pertinent materials have been retained by staff and, for purposes of future public inquiry, are available through the Senate Committee on Governmental Operations and the House Government Efficiency and Accountability Council.

Respectfully submitted,

Senator Al Lawson — Co-Chair
Representative Michael Grant — Co-Chair

REPORTS OF COMMITTEES RELATING TO EXECUTIVE BUSINESS

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

Office and Appointment		*For Term Ending*
Director, Office of Drug Control		
Appointee:	Janes, William H.	Pleasure of Governor

The Committee on Environmental Preservation and Conservation recommends that the Senate confirm the following appointments made by the Governor:

Office and Appointment		*For Term Ending*
Governing Board of the Northwest Florida Water Management District		
Appointees:	Ghazvini, Steve	03/01/2011
	Norris, Michael Timothy "Tim"	03/01/2011
	Pate, Jerome K.	03/01/2009
Governing Board of the South Florida Water Management District		
Appointees:	Buermann, Eric	03/01/2011
	Dauray, Charles J.	03/01/2011
	Estenoz, Shannon A.	03/01/2010
	Meeker, Melissa L.	03/01/2009
	Rooney, Patrick	03/01/2011
Governing Board of the Southwest Florida Water Management District		
Appointees:	Glass, Patricia M.	03/02/2009
	Oakley, Ronald E.	03/01/2011
Governing Board of the Suwannee River Water Management District		
Appointees:	Curtis, Donald R.	03/01/2011
	Flagg, N. David	03/01/2011

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

MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

VETOED BILLS 2007 REGULAR SESSION

The Honorable Kurt S. Browning June 28, 2007
Secretary of State

Dear Secretary Browning:

By the authority vested in me as Governor of the State of Florida, under the provisions of Article III, Section 8, of the Constitution of Florida, I do hereby withhold my approval of and transmit to you my objections to Committee Substitute for Senate Bill 682, enacted during the 39th Session of the Legislature of Florida, convened under the Constitution of 1968, during the Regular Session of 2007 and entitled:

An act relating to nursing facilities...

This bill makes several changes to nursing home regulatory rules. Most notably, the bill revises the frequency of nursing home quality-of-care reviews conducted by the Agency for Health Care Administration. Under current Florida law, quality-of-care monitors visit each nursing home quarterly to assess the overall quality of life and conditions of care in the facility. This bill reduces the frequency of these quality-of-care visits from quarterly to annually. I believe that facilities responsible for providing care to our most vulnerable citizens must remain under strict scrutiny, and existing law provides for this accountability and oversight.

I am committed to ensuring the highest standards of care to protect the safety and dignity of Florida's seniors. Throughout my career, I have worked to reduce abuse and neglect against seniors, and I do not believe the state should take any steps backwards in these efforts.

For these reasons, I withhold my approval of Committee Substitute for Senate Bill 682, and do hereby veto the same.

Sincerely,
Charlie Crist, Governor

The Honorable Kurt S. Browning June 26, 2007
Secretary of State

Dear Secretary Browning:

By the authority vested in me as Governor of the state of Florida, under the provisions of Article III, Section 8, of the Constitution of Florida, I do hereby withhold my approval of and transmit to you my objections to Committee Substitute for Senate Bill 900, enacted during the 39th Session of the Legislature of Florida, convened under the Constitution of 1968, during the Regular Session of 2007 and entitled:

An act relating to initiative petitions...

This bill provides voters with the ability to revoke their signature on the ballot initiative petitions they sign. This bill also imposes a strict 30-day deadline for the submission of initiative petitions to the Supervisors of Elections for verification. If the initiative petitions are not submitted within 30 days of the date the petitions are signed by voters, the petitions cannot be verified and are automatically rendered invalid. This provision significantly burdens the right of Florida citizens to propose amendments to the Florida Constitution by increasing the likelihood that voters, through no fault of their own, will be denied the opportunity to have their voices heard.

Floridians are guaranteed the right to participate in the political process and to amend the Constitution via citizen initiatives. The right of Florida's citizens to petition their government is one of the most precious rights protected by the Bill of Rights and is fundamental to the very idea of a republican form of government. The right is older than Florida's statehood—it is among the core political principles on which our Nation was founded, and thus, defines us as Americans. Because the 30-day submission requirement in this bill unnecessarily restricts that right, it cannot be justified.

For the reasons stated above, I am hereby withholding my approval of Committee Substitute for Senate Bill 900 and do hereby veto the same.

Sincerely,
Charlie Crist, Governor

The Honorable Kurt S. Browning May 24, 2007
Secretary of State

Dear Secretary Browning:

By the authority vested in me as Governor of Florida, under the provisions of Article III, Section 8, of the Constitution of Florida, I do hereby withhold my approval of and transmit to you with my objections, Committee Substitute for Committee Substitute for Senate Bill 920, enacted during the 39th Session of the Legislature of Florida and convened under the Constitution of 1968, during the Regular Session of 2007 and entitled:

An act relating to cosmetology...

The bill makes substantial changes to Florida's cosmetology statutes. It creates a new cosmetology license separated into specialty licenses for hair technicians, estheticians, nail technicians, and cosmetologists, and provides specific education requirements for each.

While I support efforts to protect the public, I am concerned that this bill provides too much regulation without a justifiable need. I believe that government exists to accomplish the will of the people, not to restrict economic or personal liberties. This bill dramatically increases the educational requirements that a person must meet before entering the workplace - in some cases, it more than doubles the current requirements. I am concerned that this bill is overly burdensome and would have negative impacts on peoples' livelihoods. Regulation should protect the public, but not limit competition or act at state sponsored protectionism against free enterprise.

For this reason, I withhold my approval of Committee Substitute for Committee Substitute for Senate Bill 920, and do hereby veto the same.

Sincerely,
Charlie Crist, Governor

The Honorable Kurt S. Browning June 28, 2007
Secretary of State

Dear Secretary Browning:

By the authority vested in me as Governor of Florida, under the provisions of Article III, Section 8, of the Constitution of Florida, I do hereby withhold my approval of and transmit to you my objections to Committee Substitute for Committee Substitute for Senate Bill 1030, enacted during the 39th Session of the Legislature of Florida, convened under the Constitution of 1968, during the Regular Session of 2007, and entitled:

An act relating to court costs...

This bill increases court costs for certain criminal and non-criminal violations of law and earmarks the additional funds for criminal justice training programs. The funding for these programs has remained stable at approximately $80 per officer for several years, even as our police force has grown dramatically. The increases sought by this bill would result in another $1.5 million for these programs—52% of that increase would be borne by criminals and 48% by non-criminal violations.

While imposing increases on criminals is fair punishment, placing an additional financial burden on someone who may have only violated a swimming or diving regulation is unreasonable. Increased costs imposed on our citizens for non-criminal acts place a significant burden on many who are struggling financially.

While I support providing as many tools as possible for our police officers, I do not support doing it on the backs of Floridians who have committed non-criminal violations. Instead, I respectfully suggest that the Legislature next year provide greater increases on criminals than is contemplated in this bill in order to increase funding for these important training programs.

For the reasons stated above, I am hereby withholding my approval of Committee Substitute for Committee Substitute for Senate Bill 1030, and do hereby veto the same. I encourage the Legislature to carefully consider the financial burdens placed on non-criminal offenses.

Sincerely,
Charlie Crist, Governor

The Honorable Kurt S. Browning May 24, 2007
Secretary of State

Dear Secretary Browning:

By the authority vested in me as Governor of Florida, under the provisions of Article III, Section 8, of the Constitution of Florida, I do hereby withhold my approval of and transmit to you with my objections, for Senate Bill 1104, enacted during the 39th session of the Legislature, convened under the Constitution of 1968, during the Regular Session of 2007, and entitled:

An act relating to Vessels/Registration Fee...

Senate Bill 1104 would increase vessel registration fees by $2 to provide a dedicated funding source for derelict vessel removal. While I understand that derelict vessels are a serious concern and impact the safety and navigation of Florida's waterways, the $2 increase imposes an unfair tax on Florida's responsible boaters. I do not support levying a tax against all Florida vessel owners to clean up the abandoned and destroyed vessels of a few.

Recently enacted Florida law already provides appropriate mechanisms to remove derelict vessels and these methods should be thoroughly utilized before increasing vessel registration fees on all boaters. Specifically, Florida law allows local law enforcement agencies and officers of the Fish and Wildlife Conservation Commission to investigate abandoned or destroyed vessels and impose the cost of removal to the owner of the vessel. Marinas also have the authority to remove derelict or abandoned vessels from a marina and recoup any costs from the vessel owner.

Furthermore, Senate Bill 1104 was heard by only one legislative committee of reference and lacked the normal public input usually afforded such increases.

For these reasons, I withhold my approval of Senate Bill 1104 and do hereby veto the same.

Sincerely,
Charlie Crist, Governor

The Honorable Kurt S. Browning May 24, 2007
Secretary of State

Dear Secretary Browning:

By the authority vested in me as Governor of Florida, under the provisions of Article III, Section 8, of the Constitution of Florida, I do hereby withhold my approval of and transmit to you with my objections, for Committee Substitute for Senate Bill 1116, enacted during the 39th session of the Legislature, convened under the Constitution of 1968, during the Regular Session of 2007, and entitled:

An act relating to health care...

This bill authorizes several changes to the Medicaid program. Because this program serves the most vulnerable among us, I have carefully scrutinized the changes to the Medicaid budget to ensure that taxpayers' dollars are being spent prudently on services that improve people's lives.

Some of the provisions in this bill are good public policy: allowing older individuals to receive mental health treatment in specialty hospitals; providing hospice services to seniors in the Nursing Home Diversion Waiver; and providing nursing homes adequate rates to care for and protect Florida's seniors. I will work to implement many of these provisions through existing authority and appropriation.

However, this legislation also includes some alarming provisions: the elimination of consumer protections and provider accountability for behavioral health services; the requirement that certain brand name drugs are used instead of more cost-effective generic drugs; provider rate increases above and beyond the $218 million already given to providers in the 2007 Session; and the delayed implementation of Medicaid reform.

Even more disturbing is the fact that many of these provider-driven provisions were not discussed in an open forum but were, instead, added to the bill at the last minute without a proper public hearing. Our representative democracy demands that legislation which impacts the lives of Florida's most vulnerable citizens be debated in a deliberative and transparent forum.

More specifically, this bill requires doctors to use more expensive brand name drugs for transplant patients, thereby increasing costs to the Medicaid program by $500,000 in the first year alone. This legislation would set a precedent for pharmaceutical manufacturers to limit Medicaid's ability to negotiate generic rebates and manage its preferred drug list and impairs competition in the market. This provision directly contravenes the state's laudable goal of containing prescription drug costs.

In addition, this bill requires less accountability in the way some providers spend money. Current law requires behavioral health service providers to spend at least 80% of their Medicaid payments on patient care instead of administrative overhead. If these providers fail to meet this requirement, the state may demand a refund. Under these provisions, the state has collected millions each year in refunds when providers have spent their money on expenses other than patient care. This bill eliminates this very effective tool, thereby obfuscating transparency and accountability in the Medicaid program. I believe that this provision significantly dilutes Medicaid's primary purpose to provide cost effective direct services to Florida's most vulnerable.

Also, this legislation increases Medicaid providers' rates above the ten percent increase ($218,833,783) already provided by the 2007 Legislature. This additional increase will cost taxpayers an additional $5 million next year, approximately $25 million in the second year, and approximately $43 million in the third year of implementation. These additional rate increases are not justified.

Finally, the bill delays the use of actual cost data when determining rates for behavioral health services. This impedes the implementation of Medicaid reform and appropriate rate setting.

For these reasons, I withhold my approval of Committee Substitute for Senate Bill 1116 and do hereby veto the same.

Sincerely,
Charlie Crist, Governor

The Honorable Kurt S. Browning June 27, 2007
Secretary of State

Dear Secretary Browning:

By the authority vested in me as the Governor of Florida, and under the provisions of Article III, Section 8, of the Constitution of Florida, I do hereby withhold my approval of and transmit to you my objections to, Committee Substitute for Senate Bill 1758, enacted during the 39th Session of the Legislature of Florida, convened under the Constitution of 1968, during the Regular Session of 2007 and entitled:

An act relating to hospitals ...

This bill places a moratorium on the licensure of off-site hospital emergency departments until July 1, 2009, except for hospitals that are currently in the process of establishing a freestanding emergency department.

Florida's emergency departments face many challenges, including overcrowding and long wait times for patients. I am firmly committed to ensuring better access to quality health care, and I believe that a competitive marketplace is the cornerstone for improving these services. This bill creates a moratorium on the building of off-site emergency departments, thus reducing competition and consumer options in the marketplace.

The Agency for Health Care Administration has strict requirements for licensing emergency departments at hospitals to ensure patient safety, but does not currently have standards that are unique to off-site emergency departments. Accordingly, I direct the Agency for Health Care Administration and the Department of Health to assess additional standards, including patient transportation protocols and distance requirements between off-site emergency departments and full service hospitals, as well as standards for other aspects of emergency care including access to specialty and ancillary services. The Agency will work with Florida's health care providers and the Legislature to accomplish these goals.

For these reasons, I withhold my approval of Committee Substitute for Senate Bill 1758, and do hereby veto the same.

Sincerely,
Charlie Crist, Governor

The Honorable Kurt S. Browning June 11, 2007
Secretary of State

Dear Secretary Browning:

By the authority vested in me as the Governor of Florida, and under the provisions of Article III, Section 8, of the Constitution of Florida, I do hereby transmit Committee Substitute for Senate Bill 2498 with my signature, enacted during the 39th Session of the Legislature of Florida, convened under the Constitution of 1968, during the Regular Session of 2007 and entitled:

An act relating to hurricane preparedness and insurance...

This bill contains many important consumer protections that will help make property insurance more affordable, including freezing rate increases for Citizens Property Insurance Corporation until January 1, 2009, and making Citizens coverage available to more Floridians. This bill also requires national insurance companies and their Florida subsidiaries to be more transparent about their profits during the rate making process.

While I support the necessary reforms set forth in this legislation, I have reservations about a specific provision of the bill that circumvents established processes, provides a direct appropriation, and spends funds unnecessarily. Section 28 of this bill provides a direct appropriation of $600,000 for the creation of a task force with the purported goal of reviewing Citizens' "mission." First, the earmarking of funds for a particular entity is objectionable in this context because it was not reviewed and subjected to the same standards and processes as all other appropriations. Moreover, Citizens' mission is amply set forth in section 11 of this bill. The appropriation thus represents an unnecessary expenditure of state funds. I, therefore, will not support this $600,000 appropriation.

I hereby transmit Committee Substitute for Senate Bill 2498 with my signature, but withhold my approval of and hereby veto the following section:

Section 28. For the 2007-2008 fiscal year, the nonrecurring sum of $600,000 is appropriated from the Insurance Regulatory Trust Fund to the Department of Financial Services for the purposes set forth in this act relating to the Citizens Property Insurance Corporation Mission Review Task Force.

Sincerely,
Charlie Crist, Governor

The Honorable Kurt S. Browning June 28, 2007
Secretary of State

Dear Secretary Browning:

By the authority vested in me as Governor of Florida, under the provisions of Article III, Section 8, of the Constitution of Florida, I do hereby withhold my approval of and transmit to you with my objections, Committee Substitute for Senate Bill 2512, enacted during the 39th Session of the Legislature of Florida and convened under the Constitution of 1968, during the Regular Session of 2007 and entitled:

An act relating to public school educator certification...

This bill will reduce the required professional development from 300 hours to 60 hours for reading teachers who teach students who speak English as a second language. I am concerned that this reduction may impede these students' academic, social, and cultural progress. The Florida Hispanic Legislative Caucus has also unanimously expressed similar concerns about this bill in a recent letter to me.

Florida holds high academic standards for its students. Reading is the cornerstone of learning, and reading teachers are the foundation through which students achieve these standards. It is imperative that our students learn to read English from the highest-quality instructors so that they can succeed more readily in other subjects. Accordingly, I cannot justify lower standards for these teachers.

For these reasons, I withhold my approval of Committee Substitute for Senate Bill 2512, and do hereby veto the same.

Sincerely,
Charlie Crist, Governor

The Honorable Kurt S. Browning May 24, 2007
Secretary of State

Dear Secretary Browning:

By the authority vested in me as Governor of Florida, under the provisions of Article III, Section 8, of the Constitution of Florida, I do hereby withhold my approval of portions of Senate Bill 2800, enacted during the 39th Session of the Legislature convened under the Constitution of 1968, and entitled:

An act making appropriations; providing moneys for the annual period beginning July 1, 2007, and ending June 30, 2008, to pay salaries, and other expenses, capital outlay - buildings, and other improvements, and for other specified purposes of the various agencies of State government; providing an effective date.

The 2007-08 General Appropriations Act reflects a comprehensive plan to address the people's priorities for the future. The Florida Legislature, under the capable leadership of President Ken Pruitt and Speaker Marco Rubio, has developed a responsible, fiscally sound budget that supports the enduring commitments in education, environmental preservation, public safety, transportation, and public assistance programs that help millions of Floridians in times of need.

Since taking office 143 days ago, I have spoken often about fiscal responsibility and the need to tighten our belts. We must remember that each and every dollar we spend is the people's hard-earned money and we have a responsibility to spend it wisely. I have constantly been reminded of my constitutional duties regarding the budget and have kept these principles in the forefront as I have thoughtfully and thoroughly considered each item presented in the 2007-08 General Appropriations Act.

While the budget contains many worthwhile projects, I believe some of these projects are more appropriately funded by private organizations and charities or are the responsibility of local governments and not the state. Furthermore, because we anticipate a tight budget year and must live within our means, I have carefully reviewed the merits of any new programs contained in the budget and have considered the performance results of many existing programs that continue to receive funding.

With these thoughts in mind, I find that Senate Bill 2800 funds programs, projects, and policies that I cannot approve either because

1.) they do not follow the principles listed in this message;

2.) they are worthwhile projects that we simply cannot afford this year; or

3.) they place an additional burden or cost on everyday Floridians who are struggling to make ends meet due to increasing gasoline prices and property tax assessments.

My constitutional role in this process is to evaluate each individual program, project, and policy reflected in the General Appropriations Act. In doing this evaluation, I have been guided by the following principles.

In general, all projects, programs, and policies should:

- Fall within the statewide policy priorities established by the Governor and the Legislature;
- Have purposes and goals consistent with the agency in which the project is funded;
- Be funded with an appropriate funding source;
- Demonstrate satisfactory performance if previously funded with state dollars;
- Follow the process or criteria established by an independent body (if applicable) and;
- Serve the people's priorities.

Notwithstanding these criteria, however, I reserve the right to exercise my constitutional authority to veto any project that in my estimation fails to promote sound policy, good government, or fails to spend the people's money wisely in light of the limited funds available in a tight budget year.

For these reasons, I do hereby withhold my approval of the following line items in the 2007-08 General Appropriations Act:

SECTION 2 - EDUCATION (ALL OTHER FUNDS)

Specific Appropriation 26
Pages 8 through 10 - A portion of proviso language

"Nursing Simulation Lab Facility - Central part (spc).....5,960,550"

"Joint Facility /Magnet High School.....1,800,000
Lake Sumter Performing Arts Hall..... 14,000,000"

"Public Safety Train Ctr-NW Special Purpose Ctr part (spc)5,000,000"

"Technical Education Center at Belle Glade.....7,000,000"

"New ("5th") Campus Multi-purpose Classroom/Adm Bldg West.5,000,000"

"Ren/rem Learning Resource Center - Winter Haven.....9,078,308"

"Allied Health Bldg 10 - West part (ce).....13,502,371"

"Jt-Use Clsrms/Labs/Stu Svcs w/UCF - West part (ce).....11,250,000"

Specific Appropriation 27
Pages 10 and 11 - A portion of proviso language

"FAMU Pharmacy Building Phase II (C,E).....7,500,000"

"UCF Partnership III Building.....20,000,000"

"UF IFAS - Relocation of UF/IFAS Field Operations.....7,448,000"

"USF USF Lakeland New Campus Phase I (P,C).....10,000,000"

Specific Appropriation 35B
Page 14 - A portion of proviso language

"Florida Virtual Schools - Administration Building..... 8,500,000
Fowler and Jefferson Northeast Campus Community Center..... 2,250,000"

"Central Academy Restoration - Palatka.....
3,000,000"

Specific Appropriation 35C
Page 14

"35C GRANTS AND AIDS TO LOCAL GOVERNMENTS AND
NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
ST. THOMAS UNIVERSITY SCIENCE AND
TECHNOLOGY BUILDING
FROM GENERAL REVENUE FUND . . . . . 6,000,000"

Specific Appropriation 45
Page 16 - proviso language

"From the funds in Specific Appropriation 45, $100,000 from the General Revenue Fund is provided for a supported employment program for the disabled in Palm Beach County through the Jewish Association for Residential Care."

Specific Appropriation 58
Page 17 - A portion of proviso language

"$90,000 for Blind Americans Wishing Well Center,"

Specific Appropriation 68
Pages 18 and 19 - A portion of proviso language

"Minority Teacher Training Consortium..... 750,000"

"Funds in Specific Appropriation 68 for the Minority Teacher Training Consortium are provided to increase the number of African-Americans graduating from teacher education programs and entering the teaching profession. The colleges shall submit a joint expenditure plan to the Department of Education prior to the release of these funds.

From the funds in Specific Appropriation 68 allocated to Bethune-Cookman College, $100,000 is provided for the development of conservation guidelines and preservation strategies for historically significant campus properties."

Specific Appropriation 69
Page 19 - A portion of proviso language

"Sylvester Cancer Center..... 2,500,000"

Specific Appropriation 69A
Page 19

"69A SPECIAL CATEGORIES
GRANTS AND AIDS - ACCELERATED BACHELORS IN
NURSING PROGRAM AT THE UNIVERSITY OF MIAMI
FROM GENERAL REVENUE FUND 500,000

The university shall submit enrollment information to the Department of Education prior to January 1, 2008."

Specific Appropriation 73
Page 20 - A portion of proviso language

"The amount of $500,000 is provided for International Education Expansion."

Specific Appropriation 73A
Page 20

"73A SPECIAL CATEGORIES
GRANTS AND AIDS - PRIVATE COLLEGES AND
UNIVERSITIES
FROM GENERAL REVENUE FUND 1,400,000

Funds in Specific Appropriation 73A shall be allocated by the Department of Education to the following:

Florida Southern College Nursing Education..... 500,000
Barry University RN/MS Nursing Education..... 250,000
Florida Institute of Technology School of Architecture..... 200,000
University of Tampa Forensic Science Program..... 200,000
Flagler College-College Preparatory Program..... 250,000

Funds provided for the University of Tampa Forensic Science Program shall be used for equipment purchases or other costs related to training forensic science technicians."

Specific Appropriation 85A
Page 22 - proviso language

"From the funds in Specific Appropriation 85A, $1,633,624 is provided to assist teachers to assess student readiness for kindergarten. If commercial products or services are procured, standard state procurement procedures shall be observed."

Specific Appropriation 98
Pages 27 and 28 - A portion of proviso language

"Florida Museum Mentoring Initiative..... 175,000
Jacksonville Mentoring Program..... 100,000
Mentor a Kid for Excellence (MAKE)..... 100,000"

Specific Appropriation 99A
Pages 28 through 30 - A portion of proviso language

"From the funds in Specific Appropriation 99A, $1,000,000 shall be for an Innovative Reading Pilot Program to provide for an Internet-delivered interactive reading instruction program for students in prekindergarten through third grade. The program shall be developed using scientifically-based reading research to explicitly and systematically teach all five key areas of reading: phonemic awareness, phonics, vocabulary, fluency, and comprehension. Performance data and instruction shall be fully integrated into a single program. The program shall differentiate instruction in real-time based upon student interactions and cumulative performance data. The student's path of instruction shall be automatically adapted in real-time based upon those interactions. The program shall have scaffolded teaching cycles that introduce, teach, and model each skill as well as provide ample guided and independent practice. Each teaching cycle shall incorporate reading-connected text in interactive decodable books within the Internet-delivered program that cumulatively reviews previously taught skills. The program shall automatically assess students prior to, throughout, and after each cycle as well as cumulatively throughout the program to determine each child's skill level without teacher intervention. The program must provide real-time student assessment reports that give detailed performance information that is automatically analyzed to identify struggling students, link to recommended teacher-directed instruction, and document a history of individual student interventions. The reports shall be accessible from any computer connected

to the Internet. The program shall be provided at a cost not to exceed $95 per student per year exclusive of teacher training. No less than 90 percent of these funds shall be utilized for direct product acquisition and vendor provided professional development training. The program shall be commenced no later than September 1, 2007, to allow for full implementation of the program in the 2007-2008 school year.

The Innovative Reading Pilot Program funds shall be allocated as follows:

Clay	80,000
Gadsden	20,000
Hillsborough	320,000
Monroe	40,000
Okeechobee	40,000
Polk	66,667
Putnam	80,000
Northeast Florida Educational Consortium (NEFEC)	180,000
Duval	73,333
Panhandle Area Educational Consortium (PAEC)	66,667
Heartland Educational Consortium (HEC)	33,333

From the funds in Specific Appropriation 99A, $1,000,000 is provided for the LEP Student Reading Pilot Program that must be accessible from any Internet-based computer while providing an audit trail of students' work for teachers and administrators and daily progress monitoring. It must be correlated to the Florida Sunshine State Standards and capable of implementation in upper elementary, middle, and high school as well as adult education. It shall provide a literacy intervention program for newcomers, early readers, or emerging readers through multicultural stories in different genres (biographies, short stories, myths and legends, and poems). The instruction must integrate reading, listening, writing, and speaking activities through extensive lesson plans and printable student worksheets for establishing a portfolio demonstrating reading proficiency. The program shall be provided at a cost not to exceed $95 per student per year exclusive of teacher training. No less than 90 percent of these funds shall be utilized for direct product acquisition and vendor provided professional development training. The program shall be commenced no later than September 1, 2007, to allow for full implementation of the program in the 2007-2008 school year.

The LEP Student Reading Pilot Program funds shall be allocated as follows:

Highlands	12,500
Hillsborough	400,000
Manatee	70,000
Marion	35,000
Monroe	10,000
Okeechobee	12,500
Duval	75,000
Osceola	140,000
Polk	120,000
Putnam	25,000
Volusia	50,000
Northeast Florida Educational Consortium (NEFEC)	25,000
Heartland Educational Consortium (HEC)	25,000

From the funds in Specific Appropriation 99A, $1,000,000 is provided to expand the current University of South Florida research project, Tune-in-to-Reading Pilot Program. Participating districts and member districts of consortia with participating schools are required to provide a 25 percent local match. Costs per student shall not exceed $56.50. Districts and consortia shall use funds to improve reading for FCAT Level I and Level II readers. Funds can be utilized for students at other reading levels once the Level I and Level II student population is served. Funds shall be allocated to the following districts and consortia:

Hillsborough County	300,000
Duval	200,000
Pinellas	200,000
Pasco County	100,000
Heartland Educational Consortium	100,000
Northeast Florida Educational Consortium	100,000"

Specific Appropriation 99C
Page 30 - A portion of proviso language

"ESCAMBIA COUNTY SCHOOL DISTRICT	
Oakcrest Elementary School	151,534"
"Greensboro Elementary School	136,162"
"Hungerford Elementary School	75,436
Evans High School	320,726
Jones High School	149,809
Oak Ridge High School	300,181"

"The funds provided to Orange County for Evans High School, Jones High School, and Oak Ridge High School are contingent upon a dollar for dollar cash match."

Specific Appropriation 103
Pages 31 and 32 - A portion of proviso language

"From the funds in Specific Appropriation 103, $250,000 is provided as challenge grants to the Duval and Nassau public school district education foundation for the purpose of leveraging employer resources to support Ready to Work and career academies that meet requirements pursuant to section 1003.493, Florida Statutes, the National Career Academy Coalition's Career Academy National Standards of Practice and the following grant eligibility criteria. Matching grants may be awarded on a one to one basis (one dollar grant match for one dollar of private match). Three partners are required in order to be eligible for matching grants. These partners must include the public school district, the local community college, and the employer donors who are supporting a specific academy. The employer donors and the local community college are required to be part of the school district's curriculum and program advisory board for each specific academy. Ready to Work assessments and remediation shall be part of the curriculum. The partnership shall jointly submit a spending plan to the Department of Education to support the specific career academy."

Specific Appropriation 107
Page 32 - A portion of proviso language

"Florida School Boards Association Training..... 300,000"

"Florida Consortium of Public Charter Schools Professional Development	1,018,154
Heartland Education Association - Highlands Alternative Teacher Certification Program	200,000"

Funds for Florida Consortium of Public Charter Schools Professional Development shall be used for school based and regional trainings, training courses for groups in the early stages of planning charter schools, on-site mentoring for struggling charter schools, intervention service models, online curriculum of training modules, a handbook of best practices and an online directory of Florida charter schools."

Specific Appropriation 108
Pages 32 through 36 - A portion of proviso language

"Orange County YMCA Project FYT	400,000
Florida Students Using Math Skillfully (SUMS) - NEFEC	500,000
Targeted Rural/Urban Training Needs - NEFEC	500,000
Florida Learning Alliance Operations - NEFEC	300,000
Norris Langston Tutoring and Mentoring	250,000"
"Miami Dade District Teenage Parent Program	400,000
Children's Literacy Center-Charter School Level 1 Reader Intensive Improvement Program	100,000
Twin Oaks Liberty Wilderness and Greenville Hills	600,000"
"On-line Library Pilot	250,000
Failure Free Reading - NEFEC	400,000
Failure Free Reading - DJJ	200,000
High School Manufacturing Lab Assistance Grants	1,000,000
Middle School Science Labs for Struggling Schools	1,000,000"
"High School Work Study Program - Low Performing Central Florida District Pilot	2,000,000
Central Florida Hispanic and Minority Education Initiative-PreK-5 (Rio Grande Charter School of Excellence)	250,000

Florida's Move HERE Pilot Program..... 1,000,000
Family and Child Literacy Program in Miami-Dade..... 100,000
Skills USA..... 25,000"

"Easter Seals Multiple Disabilities Education - Orlando..... 50,000
Easter Seals Multiple Disabilities Education - Tampa..... 150,000
Universal Arts in Education..... 100,000
Keeping Up Alternative School Suspension Program in Orange.. 300,000
Tutoring in the Community..... 10,000
Preparing for the Future, Immokalee Community School..... 100,000
MLK Academy Alternative Education Psychological Services.... 50,000
Family Literacy Program in Volusia..... 250,000"

"ArtReach After School Program for Homeless..... 50,000
Pembroke Pines After School Tutorial Program..... 50,000"

"Haitian American History Project..... 50,000
Role Models of Excellence..... 50,000
Hallandale Beach After School Tutorial Program..... 100,000
Leadership Through Education..... 10,000
High School Campus Monitor Safety Pilot - Pinellas..... 100,000
Tabernacle Community Empowerment Program - Leon..... 50,000
Stone Soup School Reading Program - DJJ..... 50,000
Youth Sports After School Pilot..... 70,000"

"Math, Science, Engineering Career Path Summer Program..... 250,000
Teaching Point In-Service Program..... 250,000
Principal Leadership Academy - NEFEC..... 300,000"

"Save our Students..... 150,000
Avon Park Youth Academy..... 175,000
SABER Nursing Program..... 100,000"

"Nutrition in Education for Low Performing Schools..... 50,000"

"Black Male Teacher Recruitment..... 100,000
Your Best Self After School Program..... 175,000
Master the Arts Through Training and Education..... 75,000
HIV/AIDS Outreach Education Initiative..... 50,000
AYES Automotive Career Academies Program..... 150,000
Web-Based Sportsmanship Program - NEFEC..... 200,000
DCF-referred Students in Summer Residential Programs for Substance Abuse-FADAA..... 250,000
Role Models of Excellence - Orange County..... 100,000
History/Haitian, Hispanic, and other Cultures..... 25,000
Read to Succeed..... 50,000
Brevard High School Technology Demonstration Program..... 300,000
Gadsden Students Training Academy/Reaching Success (G-STARS) 100,000
Whole Child Early Education Project..... 75,000
Leon Performing Arts Empowerment Program..... 30,000
Florida Aquarium Summit on Math & Science..... 200,000
Rodehever Boys Ranch..... 100,000
Labor in Love..... 75,000
Little Haiti and North Miami Intel Computer Clubhouse..... 20,000
USF After School Project..... 50,000"

"Latin Am. Foundation-Education & Orientation to Immigrants.. 25,000
Alachua County Success by 6 Program..... 50,000
Lauderdale Lakes Educational & Cultural Resource Center..... 50,000
Inner City Youth - Project Hope..... 75,000
Nassau County Gymnasium Enhancements..... 500,000
School District Volunteer Training Grant Program..... 227,500"

"Kinad Mobile African American Museum..... 20,000"

"Virtual Video Interview System..... 125,000
Technology Education for Hispanic Students in Low Performing Schools in Orange and Osceola..... 50,000
Putnam County School Board Bus Compound/First Accredited Transition..... 1,000,000"

"Automated External Defibrillator Grant Program..... 1,500,000"

"Funds for the Online Library Pilot Project are provided for an electronic web-based library pilot project for high school dual enrollment, AP, IB, and AICE programs. The pilot shall consist of at least one large, one medium, and one small school district. The Panhandle Area Educational Consortium shall make the final selection of the pilot districts. The electronic online library pilot must include, but is not limited to, complete cover-to-cover books and staff development activities for teachers participating in the pilot.

Funds for High School Manufacturing Lab Assistance Grants shall be provided to four advanced manufacturing lab sites, one each in Broward, Duval, Lee, and Orange counties. High school students shall be trained at each site to acquire skills required for employment in the manufacturing sector. The curriculum shall be project-based; include rigorous multimedia-delivered lessons; and be delivered in industry-approved LAP format. The equipment used shall be industry-standard and manufactured, sold, and serviced in the United States. Funds shall also be used for teacher training. Certification may be offered through the Manufacturing Skill and Standards Council.

Funds for Middle School Science Labs for Struggling Schools are provided for ten labs, one in each of the three educational consortia, and one each in Broward, Duval, Hillsborough, Orange, Palm Beach, St. Lucie, and Volusia counties. The lab curriculum shall include three performance assessments; provide pre- and post-testing of each topic; be browser-based; allow teachers to monitor student progress; and allow students to conduct career investigations of each topic. Students shall work in cooperative pairs and student academic gains and gains in average daily attendance shall be documented.

Funds allocated for Florida's Move HERE Program are for a pilot to develop a district operated one-time interest free loan program to pay costs associated with relocation expenses to aid in the recruitment and retention of highly qualified teachers. Relocation expenses for teachers include payments such as utility hook-ups and deposits, moving expenses, phone deposits, and first and last month's rent deposits. The sum of $1,000,000 shall be further allocated to the following for pilot projects: $433,333 to the District School Board for Orange County; $233,333 to the District School Board for Osceola County; $100,000 to the District School Board for Clay County and $233,334 for small school district consortia."

"Funds for the Children's Literacy Center - Charter School Level 1 Reader Intensive Improvement Program are provided to continue the program funded in Fiscal Year 2006-2007, chapter 2006-25, Laws of Florida.

Funds for the Brevard High School Technology Demonstration Program are provided for a pilot program in Brevard County to improve student academic achievement through the use of innovative hand-held mobile technologies capable of audio and video for students and teachers in the 7th through 10th grades. Not less than $150,000 shall be used for a school district program to improve reading for FCAT Level I and II readers. The program shall enable students to access digital instructional content during and outside of the school day and shall be implemented no later than September 30, 2007. The district shall coordinate with Brevard Community College for the implementation of this project which can include dual enrollment, remedial education, and teacher professional development. The school district shall report to the Department of Education on the implementation of this program no later than January 31, 2008. The Department of Education shall report to the chair of the Senate Fiscal Policy and Calendar Committee and the chair of the House Policy and Budget Council no later than March 1, 2008.

Funds for the School District Volunteer Training Grant Program shall be used to provide each eligible school district an incentive grant of $2,500 for the delivery and support of training for volunteers, mentors, and business partners. Before any funds provided for the School District Volunteer Training Program may be released, the public school district must certify to the Commissioner of Education that the school district will participate in statewide training. The amount of $50,000 is allocated to the Panhandle Area Educational Consortium to provide funding to create new on-line training and statewide delivery of programs for volunteers, mentors, and business partners. The amount of $10,000 shall be allocated to support the Florida Partners in Education statewide conference by providing stipends, registration, and training for volunteer coordinators supporting rural participation."

"From the funds provided for the Automated External Defibrillator Grant Program, the Department of Education shall establish a grant program to assist school districts in equipping each school with one defibrillator."

Specific Appropriation 110
Page 36 - A portion of proviso language

"From the funds in Specific Appropriation 110, $75,000 from the General Revenue Fund is provided for the Pediatric Care Transition Program with the University of Florida."

Specific Appropriation 117
Page 37 - A portion of proviso language

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"Statewide Consortium District Technology Upgrade Project -
   PAEC.....                                          150,000
 Web-Based Instruction Program - PAEC.....            500,000"

"Internet Filter Pilot Project.....                   400,000
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Funds provided for the Statewide Consortium District Technology Upgrade Project-PAEC are to provide upgraded technology to classrooms, media centers and technology learning labs. For participating districts, this upgraded technology shall be considered a single source procurement not limited to any state threshold or bidding obligation."

"Funds in Specific Appropriation 117 for the Internet Filter Pilot Project in the amount of $400,000 shall be further allocated: $100,000 to the Orange County School District; $100,000 to the Duval County School District; $100,000 to the Hillsborough County School District; $50,000 to the Putnam County School District; and $50,000 to the Jackson County School District. Funds are provided for the implementation of a pilot project for middle and high schools using specific technology that blocks or filters Internet access to content that provides for interaction between students and sexual predators on social networking sites along with blocking access to other harmful sites unrelated to educational enhancements for learning. Costs shall not exceed $10,000 per participating school."

Specific Appropriation 125
Pages 40 through 42 - A portion of proviso language

"From the funds in Specific Appropriation 125, $2,000,000 from the General Revenue Fund is provided for competitive grants to enhance the training and production of skilled individuals to support the construction industry in Florida, of which $200,000 shall be used to give priority to rural communities in which minorities comprise a majority of the population. Funds shall only be used for new or expanded apprenticeship programs to provide more trained workers and shall not supplant funds provided for apprenticeship programs in the 2006-2007 fiscal year. The Department of Education shall establish competitive bid criteria and requirements for grant contracts and shall solicit proposals from local education agencies, construction trade associations, registered apprenticeship organizations, and private postsecondary institutions with demonstrated experience in providing education in the skilled construction trades for the use of these funds. Grant recipients must agree to maintain the level of support for training in the skilled construction trades which was provided during the 2006-2007 fiscal year. Criteria for awarding grants shall include: the degree to which proposals address deficiencies in skilled construction workers in a particular area; the applicant's history of working successfully and cooperatively with the industry; the applicant's history of successfully placing trained workers in high wage jobs; the applicant's willingness to enroll black males, ex-offenders, and single mothers with children; and the cost-effectiveness of the proposal."

"School districts shall increase the established workforce education resident and non-resident tuition fees specified in section 1009.22, Florida Statutes, by 5 percent."

Specific Appropriation 129
Pages 44 through 46 - A portion of proviso language

"The sum of the technology fee and the average resident tuition specified in section 1009.23(3), Florida Statutes, is hereby established for Fiscal Year 2007-2008 as follows:

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                                                Amount Per
Program                                         Credit Hour

Advanced and Professional.....                  $51.35
Postsecondary Vocational.....                   $51.35
College Preparatory.....                        $51.35
Educator Preparatory.....                       $51.35"
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"From the funds in Specific Appropriation 129, $1,000,000 is provided for competitive grants to enhance the training and production of skilled individuals to support the construction industry in Florida, of which $100,000 shall be used to give priority to rural communities in which minorities comprise a majority of the population. Funds shall be used only for new or expanded apprenticeship programs to produce more trained workers and shall not supplant funds provided for apprenticeship programs in the 2006-2007 fiscal year. The department shall establish competitive bid criteria and requirements for grant contracts and solicit proposals from local education agencies, construction trade associations, registered apprenticeship organizations, and private post secondary institutions with demonstrated experience in providing education in the skilled construction trades for the use of these funds. Grant recipients must agree to maintain the level of support for training in the skilled construction trades, which was provided during the 2006-2007 fiscal year. Criteria for awarding grants shall include: the degree to which proposals address deficiencies in skilled construction workers in a particular area; the applicant's history of working successfully and cooperatively with the industry; the applicant's history of successfully placing trained workers in high wage jobs; the applicant's willingness to offer programs in underserved areas; programs that attract black males, single women with children, and ex-offenders; and the cost-effectiveness of the proposal."

Specific Appropriation 154B
Page 51

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"154B  AID TO LOCAL GOVERNMENTS
       PERFORMANCE BASED INCENTIVES
        FROM GENERAL REVENUE FUND . . . . . . . .                8,500,000
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Funds in Specific Appropriation 154B are provided to reward and encourage university performance in the efficient production of baccalaureate degrees and the production of baccalaureate degrees in targeted areas which are recognized by the Legislature as meeting critical state needs or enhancing the economic growth of the state. These funds are to be distributed by the Board of Governors among the state universities based on each university's percentage of the total points tabulated using fiscal year 2006-2007 university level data for the following measures. Each item reported shall be assigned the following value points.

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ONE POINT:
Number of baccalaureate degrees granted;
Number of baccalaureate degrees awarded to FTIC students
  in 6 years or less;
Number of baccalaureate degrees awarded to AA transfer
  students in 4 years or less;
Number of baccalaureate degrees awarded in each of the
  following emerging technology areas: Mechanical Sciences
  and Manufacturing; Natural Sciences and Technology;
  Medical Science and Health Care; Computer Science and
  Information Technology; Design and Construction; and
  Electronic Media and Simulation.

TWO POINTS:
Number of baccalaureate degrees awarded to FTIC students
  in 5 years or less;
Number of baccalaureate degrees awarded to AA transfer
  students in 3 years or less; and
Number of baccalaureate degrees awarded in Education and
  Health Professions.

FOUR POINTS:
Number of baccalaureate degrees awarded to FTIC students in
  4 years or less;
Number of baccalaureate degrees awarded to AA transfer
  students in 2 years or less; and
Number of baccalaureate degrees awarded within 110 percent
  of the credit hours required."
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Specific Appropriation 156
Pages 51 through 54 - A portion of proviso language

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"2007          2007-2008
Summer Term    Fall/Spring Terms"
                  "$ 77.39"
                  "$ 77.39"
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Specific Appropriation 160
Page 55 - A portion of proviso language

"Funds in Specific Appropriation 160 include $100,000 for the operation of the Gretna Wellness Clinic."

SECTION 3 - HUMAN SERVICES

Specific Appropriation 194
Pages 60 and 61 - A portion of proviso language

"From the funds in Specific Appropriation 194, $1,000,000 in non-recurring general revenue funds and $1,000,000 in non-recurring administrative trust funds are provided to implement a falls prevention program for elderly Medicaid recipients in Miami-Dade County. The agency is authorized to seek the necessary state plan amendments or federal waivers to implement the program."

Specific Appropriation 211
Pages 62 through 64 - A portion of proviso language

"From the funds in Specific Appropriation 211, $500,000 from non-recurring general revenue funds is provided to reimburse hospitals for the difference between the Medicaid inpatient per diem rate actually received and the rate the hospital was otherwise qualified to receive pursuant to section 409.905 (5) (c), Florida Statutes, retroactive to the first state fiscal year in which the hospital met the requirements for an adjusted per diem rate pursuant to that statue. Only a hospital that was determined by the Agency for Health Care Administration to meet the requirements of section 409.905 (5) (c), Florida Statutes, in its annual cost estimate for State Fiscal Year 2007-2008, but which was not included in the annual cost estimate for any prior year, will be eligible to receive these funds."

Specific Appropriation 248
Page 73 - proviso language

"From the funds in Specific Appropriations 248 and 249, $2,178,195 from the General Revenue Fund and $2,876,794 from the Medical Care Trust Fund are provided to increase the percentage payment limit factor by 0.5 percent, effective January 1, 2008, for each agency area and eligibility category, unless the increase would cause the percentage limit factor to exceed 100 percent. In these instances, the percentage limit factor shall be limited to 100 percent."

Specific Appropriation 269
Page 75 - A portion of proviso language

"Anchors Away - Miami-Dade..... 50,000
Arts for All - Hillsborough, Pasco, Pinellas..... 300,000"

Specific Appropriation 358
Page 86 - A portion of proviso language

"Foster Parent Automobile Insurance Pilot Program - Sarasota..... 150,000"

Specific Appropriation 363A
Page 87

"363A GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
CHILD WELFARE FACILITIES
FROM GENERAL REVENUE FUND 700,000
FROM TOBACCO SETTLEMENT TRUST FUND 50,000

Specific Appropriation 363A includes $50,000 from non-recurring tobacco settlement trust funds and $700,000 from non-recurring general revenue funds for Mary Lee's House in Hillsborough County."

Specific Appropriation 388
Pages 90 and 91 - A portion of proviso language

"Fellowship House Services for the Uninsured - Miami-Dade.... 200,000"

"Expanding Access to Mental Health Services - Miami-Dade..... 200,000"

Specific Appropriation 395
Page 92 - A portion of proviso language

"Children's Self Directed Care - Collier, Lee..... 25,000"

"Hope House - Baker..... 50,000"

Specific Appropriation 415
Page 94 - A portion of proviso language

"Early Risers: Skills for Success - Palm Beach..... 25,000"

Specific Appropriation 418
Page 95 - A portion of proviso language

"Community Humanitarian Services - Statewide..... 50,000"

"Gateway Connect (formerly 1-800-Wait Not) - Baker, Clay, Duval, Nassau, St. Johns..... 50,000"

"Lisa Merlin House, Inc. "A Safe Place for a New Beginning" - Orange, Osceola..... 50,000"

Specific Appropriation 446
Page 98 - A portion of proviso language

"Goulds Family Resource Center - Broward, Miami-Dade, Monroe. 20,000"

Specific Appropriation 501
Page 103 - A portion of proviso language

"From the funds in Specific Appropriation 501, $900,000 in non-recurring general revenue funds is provided for the Bradford Senior Center."

Specific Appropriation 501A
Page 104

"501A GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
GRANTS AND AIDS - SPECIAL PROJECTS FOR THE ELDERLY
FROM GENERAL REVENUE FUND 250,000
FROM TOBACCO SETTLEMENT TRUST FUND 90,000

The following projects in Specific Appropriation 501A are funded from non-recurring tobacco settlement funds:

Low Income Senior Facility - Miami-Dade..... 80,000
Little Havana Activities & Nutrition Centers - Mildred Pepper Center Development and Relocation - Miami-Dade..... 10,000

The following projects in Specific Appropriation 501A are funded from non-recurring general revenue funds:

Little Havana Activities & Nutrition Centers - Mildred Pepper Center Development and Relocation - Miami-Dade.... 200,000
Intergenerational Day Care Center - Broward..... 50,000"

Specific Appropriation 551
Pages 108 and 109 - A portion of proviso language

"Hebni's Nutrition Resource Center - Orange..... 25,000"

"Baptist Health Disparities - Escambia..... 50,000
S.H.I.N.E. - Broward..... 25,000
KidShapers - Hillsborough, Pinellas, Hernando, Manatee, Pasco, Sarasota ..... 50,000"

"League Against Cancer - Miami-Dade..... 650,000"

"Diabetes Care Coalition - Statewide..... 100,000
Pediatric Dental Residency - Broward..... 280,000"

Specific Appropriation 612
Page 115 - proviso language

"In addition to existing projects in Specific Appropriation 612, the following project is funded from non-recurring tobacco settlement funds:

Florida Public Health Foundation - Statewide..... 50,000"

Specific Appropriation 635
Pages 117 and 118 - A portion of proviso language

"Children's Medical Services Expense - Statewide..... 50,000

"Florida's Pediatric Brain Institute - Statewide..... 750,000"

Specific Appropriation 649A
Page 118

"649A GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY FAMILY HEALTH FACILITIES FROM TOBACCO SETTLEMENT TRUST FUND 100,000

In addition to existing projects in Specific Appropriation 649A, the following project is funded from non-recurring tobacco settlement trust funds:

Children's Heart Center at St. Joseph's - Hillsborough..... 100,000"

Specific Appropriation 666
Pages 120 and 121 - A portion of proviso language

"In addition to existing projects in Specific Appropriation 666, the following project is funded from non-recurring general revenue funds:

Health Choice Network - Miami-Dade..... 250,000"

Specific Appropriation 672
Page 121 - A portion of proviso language

"Willa Carson HRC Health Care Project - Pinellas..... 50,000
Kidney Disease Early Detection and Treatment - Statewide.... 200,000"

"National Parkinson's Foundation Care Clinics - Statewide.... 200,000
Miami Medical Clinic - Miami-Dade..... 100,000"

Specific Appropriation 677A
Pages 122 and 123

"677A SPECIAL CATEGORIES GRANTS AND AIDS - DENTAL STUDENT LOAN REIMBURSEMENT FROM TOBACCO SETTLEMENT TRUST FUND 700,000

Funds in Specific Appropriation 677A are designated to provide student loan repayment assistance to dentists who are participants of the Florida Health Services Corps., as outlined in section 381.0302, Florida Statutes. These funds do not apply to scholarships offered under the Florida Health Services Corps.

No more than $10,000 of funds from Specific Appropriation 677A, may be used by the Department of Health, in consultation with the University of Florida College of Dentistry, Nova Southeastern University College of Dental Medicine and the Florida Dental Association, to develop and implement marketing strategies to promote the availability of the student loan repayment program for dental graduates who provide dental services in a public health care program or in a medically underserved area."

Specific Appropriation 679C
Page 123

"679C GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY FAMILY HEALTH FACILITIES FROM TOBACCO SETTLEMENT TRUST FUND 150,000

In addition to existing projects in Specific Appropriation 679C, the following project is funded from non-recurring tobacco settlement trust funds:

Glades General Hospital..... 150,000"

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

Specific Appropriation 854A
Page 143 - A portion of proviso language

"Project Reconnect The Habitual Misdemeanor Offender Program. 150,000"

Specific Appropriation 857
Page 143 - A portion of proviso language

"24-Hour Electronic Alcohol Monitoring..... 50,000
Treatment Services for Chronic Misdemeanor Offenders with Mental Illness and Substance Abuse..... 250,000"

Specific Appropriation 907
Page 148 - proviso language

"The funds in Specific Appropriation 907 from non-recurring general revenue are allocated as follows:

Manatee Citizens Review Panel..... 150,000
Miami-Dade Foster Care Review Panel..... 400,000"

Specific Appropriation 910
Page 148 - proviso language

"From the non-recurring general revenue funds in Specific Appropriation 910, $300,000 is provided for the Florida Bar Preparation Project."

Specific Appropriation 1095
Page 168 - A portion of proviso language

"Alternatives to Incarceration..... 300,000"

Specific Appropriation 1184
Pages 181 and 182 - proviso language

"From the funds in Specific Appropriation 1184, $100,000 from non-recurring general revenue is provided for the Juvenile Assessment Center in Palm Beach County."

Specific Appropriation 1191A
Page 182

"1191A GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY PINELLAS MARINE INSTITUTE PANAMA KEY ISLAND POWER LINE PROJECT FROM GENERAL REVENUE FUND . . . . . 250,000"

Specific Appropriation 1214A
Page 184 - A portion of proviso language

"STEP Program..... 81,000"

Specific Appropriation 1227A
Page 186

"1227A SPECIAL CATEGORIES LEGISLATIVE INITIATIVES TO REDUCE AND PREVENT JUVENILE CRIME FROM GENERAL REVENUE FUND 150,000

From the funds in Specific Appropriation 1227A, the following juvenile justice projects are funded from non-recurring general revenue funds:

Twin Oaks Juvenile Development Contract Expansion..... 100,000
Twin Oaks JTIP..... 50,000"

Specific Appropriation 1239
Page 188 - A portion of proviso language

"Youth Crime Watch Of Florida..... 200,000"

"Culinary Education And Training For At Risk Youths (CETARY). 100,000
South Florida Sports League..... 800,000
Titusville Police Athletic League (PAL)..... 50,000
Your Best Self..... 350,000
Mental Health And Substance Abuse Program For Youth Under The Age Of 18..... 250,000
Smart Moves..... 100,000
Healthy Lifestyle Education, Alcohol-Free, Nutrition, Drug And Smoke Free (HANDS) Program..... 250,000
Family Crisis Help Center..... 100,000"

"Positive Support For Parents In Neighborhoods (+SPIN)..... 400,000
Youth Enterprise Experience..... 400,000
Arise Life Management Skills..... 879,000"

"Childs Park Summer Intern Youth Program..... 100,000
Community Allstars Program..... 110,000
Tutorial Education Recreation Program (TERP)..... 200,000"

"The Parental Mentoring Initiative..... 75,000
Tamarac Youth/Rec Center Project..... 250,000
Safe Shelter For Homeless Youth..... 100,000"

"High Crime Neighborhood Juvenile Delinquency Prevention Initiative..... 100,000"

"Youth Empowerment Center..... 200,000
Jesca Floyd Youth Internship Program..... 100,000
Jesca Young Girls 2 Young Ladies Program..... 100,000"

"Each One, Reach One, Teach One..... 50,000"
"Entrepreneurial And Business Leadership Youth Program..... 300,000
Arts For All..... 50,000
Gadsden County Students Training Academy For Reaching Success(G-Stars)..... 50,000
Youth Central Reading Initiative - Mentoring - Drug And Alcohol Awareness And Truancy Intervention..... 50,000"

"A Girl's Place..... 50,000
Regional Justice Crime Prevention Initiative (Reichert House)..... 100,000
Unite for Peace - Miami..... 100,000"

Specific Appropriation 1243
Page 189 - A portion of proviso language

"Bethel Foundation..... 100,000"

"Urban League in West Palm..... 100,000
Thaise Educational Tours..... 25,000"

Specific Appropriation 1244A
Page 189

"1244A GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
YOUTH AND FAMILY ALTERNATIVES, CINS/FINS SERVICE CENTER
FROM GENERAL REVENUE FUND 150,000

Funds in Specific Appropriation 1244A are provided for fixed capital outlay for the Youth and Family Alternatives, CINS/FINS Service Center in Pasco County."

Specific Appropriation 1297
Page 194 - A portion of proviso language

"Florida Intelligence Unit(recurring)..... 100,000
Marina Homeland Security Enhancements..... 50,000
Public Access Defibrillators..... 200,000
Communication Computer Aided Dispatch..... 300,000
Arson Investigation Unit..... 50,000
Dove Program..... 100,000
City of West Park Law Enforcement and Fire Rescue Assistance 100,000
Public Safety Complex Redundant Generator..... 200,000"

Specific Appropriation 1297A
Page 194

"1297A SPECIAL CATEGORIES
GRANTS AND AIDS - ANTI-GANG INITIATIVES
FROM GENERAL REVENUE FUND 1,500,000

Funds in Specific Appropriation 1297A are provided for grants to assist local efforts to prevent, detect and prosecute criminal activity committed by organized criminal street gangs. Grants shall be awarded to local consortia which must include the State Attorney, local law enforcement and local crime prevention organizations. Local crime prevention organizations may include, but are not limited to, the local juvenile justice boards, local non-profit community service organizations, and local school boards. Each consortium must identify a single organization to serve as the primary point of contact between the Department of Law Enforcement and the local consortium. Proposals must include the three components of enhanced law enforcement, prosecution and prevention in order to be eligible for a grant award. Grants will be awarded on a competitive basis and will be subject to a 50 percent local match which may be provided in the form of in-kind services. Proposals will be evaluated based on (1) the extent to which the three components of law enforcement, prosecution, and prevention are appropriately balanced and coordinated to reduce gang-related crime; (2) the amount of local match; (3) the extent to which resources are targeted to neighborhoods or areas which are most at risk of gang-related crime. No grant shall exceed $1 million."

Specific Appropriation 1401
Page 204 - proviso language

"From funds in Specific Appropriation 1401, $250,000 from nonrecurring general revenue is provided for the Cuban American Bar Association Pro Bono Project in Miami-Dade County.

From funds in Specific Appropriation 1401, $100,000 from nonrecurring general revenue is provided for the Haitian American Bar Association in Miami-Dade County."

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/ GROWTH MANAGEMENT/TRANSPORTATION

Specific Appropriation 1444
Pages 209 and 210 - proviso language

"From the funds in Specific Appropriation 1444, $100,000 from nonrecurring general revenue is provided for the Space Alliance Technology Outreach Program to provide technical assistance to the agriculture industry, including activities associated with the Farm-to- Fuel initiative. Prior to release of funds, the Technological Research and Development Authority, in consultation with the Department of Agriculture and Consumer Services, must provide to the department a comprehensive business plan for implementation. The plan, at a minimum, shall include: a business case describing strategic technology needs for assisting farms and agricultural businesses; major assumptions and constraints; expected outcomes related to this initiative; a means to measure the expected outcomes of the plan; and a cost-benefit analysis indicating the business benefits gained through such proposed technology solutions."

Specific Appropriation 1451A
Page 210

"1451A SPECIAL CATEGORIES
GRANTS AND AIDS - FLORIDA STATE FAIR
FROM GENERAL REVENUE FUND . . . . . 250,000"

Specific Appropriation 1557A
Page 220

"1557A FIXED CAPITAL OUTLAY
MAINTENANCE, REPAIRS AND CONSTRUCTION - STATEWIDE
FROM GENERAL REVENUE FUND . . . . . 1,000,000"

Specific Appropriation 1558A
Page 220

"1558A FIXED CAPITAL OUTLAY
FLORIDA HORSE PARK AND AGRICULTURAL CENTER
FROM GENERAL REVENUE FUND . . . . . 1,000,000"

Specific Appropriation 1558B
Page 220

"1558B FIXED CAPITAL OUTLAY
REPAIRS AND RENOVATIONS - STATE FARMERS' MARKET - DMS MGD
FROM GENERAL REVENUE FUND . . . . . 12,000,000"

Specific Appropriation 1558C
Pages 220 and 221 - A portion of proviso language

"DeSoto Arcadia Rodeo Complex..... 1,000,000
Dixie Multi-purpose Outdoor Pavilion..... 460,000
Flagler Agriculture Education and Promotion Facility..... 1,000,000
Hardee County Fairground Cattleman's Arena..... 750,000"

"Jefferson County Agriculture and Community Development Center..... 1,750,000"

"Polk County Agriculture Center..... 584,551
Sarasota County Fair..... 200,000
Seminole Historical Museum..... 500,000
Wakulla Expo..... 500,000"

Specific Appropriation 1567
Page 221 - proviso language

"From the funds in Specific Appropriation 1567, $1,148,461 is provided to fund, in accordance with section 597.005(3)(c), Florida Statutes, the Florida Aquaculture Review Council's list of priority projects dated June 19, 2006, as included in the Department of Agriculture and Consumer Services' Legislative Budget Request."

Specific Appropriation 1567A
Page 221

"1567A SPECIAL CATEGORIES
AQUACULTURE RESEARCH AND EXTENSION ENHANCEMENT
FROM GENERAL REVENUE FUND . . . . . 500,000"

Specific Appropriation 1621
Page 226 - proviso language

"From the funds in Specific Appropriation 1621, $200,000 is provided to the City of Apalachicola for work necessary to ensure compliance with the Area of Critical State Concern Program."

Specific Appropriation 1621T
Page 228 - proviso language

"From the funds in Specific Appropriation 1621T, $199,360 in nonrecurring general revenue shall be used for the Program for Hurricane Intensity Forecast Improvements and Impact Projections at Nova Southeastern University Oceanographic Center."

Specific Appropriation 1621W
Page 229 - A portion of proviso language

"Local/Regional Evacuation Storm Shelter, Sarasota County.... 200,000
Municipal/Public Safety Building (Phase I), Village of Biscayne Park..... 250,000
Osceola County Emergency Operations Center Technology..... 500,000
Pembroke Park Emergency Operations Center Equipment..... 150,000"

"SW Ranch Emergency Vehicle..... 210,000"

"Municipal Complex/Emergency Operations Center in the Town of Golden Beach..... 175,000
Palm Beach Gardens Emergency Operations Center..... 1,050,000
Brandon Community Advantage Center..... 250,000"

"Citrus County Emergency Operations Center..... 1,000,000"

"Northwest Multipurpose Community Center, Jacksonville..... 100,000
PARC Statewide Multi-Hazard Shelter for the Severely Developmentally Disabled..... 2,000,000
Putnam County Crescent City Jr/Sr High School Storm Retrofit Project..... 500,000
Recreation Center Development, New Port Richey..... 1,000,000
Brevard County Emergency Operations Center..... 75,000
Liberty County Special Needs Shelter..... 150,000
Municipal Complex/Emergency Operations Center in the Town of Golden Beach..... 75,000
Palm Beach Gardens Emergency Operations Center..... 450,000

From the funds in Specific Appropriation 1621W, $4,913,731 in nonrecurring general revenue is provided for the City of Port St. Lucie Ravenswood Community Center Partnership."

Specific Appropriation 1667A
Page 235

"1667A GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
AFFORDABLE HOUSING AND COMMUNITY DEVELOPMENT
FROM GENERAL REVENUE FUND 725,000

From the funds in Specific Appropriation 1667A, $725,000 in nonrecurring general revenue is provided for the YMCA of Greater Miami - John Cosgrove Youth and Senior Center."

Specific Appropriation 1667B
Page 235

"1667B GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
BY THE RIVER - SENIOR AFFORDABLE HOUSING DEMONSTRATION MODEL
FROM STATE HOUSING TRUST FUND . . . . . 1,600,000"

Specific Appropriation 1695
Page 238 - proviso language

"From the non-recurring funds in Specific Appropriation 1695, $1,000,000 shall be used for the Teachers' Down Payment Assistance Pilot Program."

Specific Appropriation 1705A
Page 239

"1705A SPECIAL CATEGORIES
DEPARTMENTAL STAFF DEVELOPMENT AND TRAINING
FROM ADMINISTRATIVE TRUST FUND . . . . . 425,000"

Specific Appropriation 1758A
Page 244

"1758A FIXED CAPITAL OUTLAY
DISASTER RELATED REPAIRS
FROM LAND ACQUISITION TRUST FUND . . . . . 1,000,000"

Specific Appropriation 1834
Page 251 - A portion of proviso language

"From the funds in Specific Appropriation 1834, up to $150,000 is provided for regional workshops and a concluding assembly to be conducted by the following entities within the state university system: the Cantanese Center for Urban and Environmental Solutions, the Institute of Government, and the Conflict Resolution Consortium, to identify best management practices for the sustainability of Florida's beaches and to provide specific recommendations on intergovernmental management solutions. The department shall submit a report to the President of the Senate, the Speaker of the House of Representatives, and the Executive Office of the Governor by January 15, 2008."

Specific Appropriation 1859
Pages 253 through 256 - A portion of proviso language

"Altha Water System Upgrade..... 800,000"

"Baker County Wellfield..... 225,000
Bay Harbor Islands Installation of Automated Water Meters... 200,000"

"Biscayne Park Stormwater Project Phase III..... 400,000
Boca Raton Intracoastal Parallel Force Main..... 350,000"

"Broward County Initiative..... 800,000"

"Cambridge Basin Home Acquisition..... 500,000
Captiva Water Quality Study..... 85,000"

"Charlotte County Sewer Expansion Study.....
300,000"

"Crooked, Clinch, Reedy Regional Flood Mitigation.....
750,000"

"Davie Wastewater Improvements.....
450,000"

"DeBary Westside Emergency Flood Management System..... 1,000,000
Delray Beach State Road A-1-A Water Main..... 200,000"

"Dunnellon Water System Improvements..... 300,000
East Milton Wastewater Treatment Plant..... 200,000
East Putnam County Regional Wastewater Project..... 1,000,000
East Putnam Regional Water Project..... 150,000
Edgewood/River Oaks Drainage Project..... 500,000"

"Harris Chain of Lakes Restoration Council.....
500,000"

"Hialeah Construction of 40MGD Reverse Osmosis (R.O.)
Water Treatment Plant..... 5,311,000"
"Hialeah Construction of Water Mains for the Annexation Areas
800,000"

"Inglis Stormwater Management Project.....
400,000"

"Kinloch Storm Sewer Improvements Project, B-50705.....
1,000,000"

"Lake John Stormwater Improvements.....
500,000"

"Lake Okeechobee Water Quality Improvement Project at the
City of West Palm Beach..... 300,000"

"Lakeland Urban Lake Restoration Initiative..... 500,000
Lauderdale Lakes Stormwater Improvement Project Phase 3..... 500,000
Lauderdale-By-The-Sea Bel Air Sewer Improvement..... 600,000
Lauderhill Holiday Village Water Main Replacement..... 300,000"

"Lighthouse Point Stormwater System.....
250,000"

"Lower East Coast Regional Water Conveyance Solution
(L-40 Berm)..... 500,000"

"Miami Gardens NW 167-175 St./NW 11-17 Ave. Drainage
Improvements..... 100,000
Miami Gardens NW 194 Terrace-NW 196 Street/NW 21 Avenue
Drainage Improvements..... 175,000
Miami River Commission..... 250,000"

"Miami Springs Stormwater Utility Improvements..... 100,000
Miami Water and Sewer Infrastructure..... 750,000
Miami-Dade County Development of a Sustainable Water Quality
Management Strategy for Reuse Efforts..... 350,000
Miami-Dade County Water and Sewer Improvements..... 250,000"

"New Smyrna Beach Esther St. Property Acquisition
for Hazard Mitigation..... 200,000"

"Oldsmar Alternative Water Resource Development..... 500,000
Opa-locka Cairo Lane Stormwater Drainage Improvements..... 300,000"

"Plant City Trapnell/Mud Lake Road Looped Waterline Extension
200,000"

"Pompano Beach Chlorine System Conversion.....
250,000"

"Rockridge Surge Protection Project..... 750,000
Rosedale Water Association Critical Systems Repairs..... 350,000"

"Solutions for Water Resource Sustainability - University of
Florida..... 500,000"

"South Broward Drainage District Hurricane Wilma Erosion
Project..... 300,000"

"Starke Wastewater System Restoration.....
500,000"

"Sunny Isles Beach Atlantic Avenue Sanitary Sewer.....
400,000"

"Surfside Sewer Rehab Phase I.....
400,000"

"Tamarac Stormwater Improvement Project..... 500,000
Tamiami Trail Hydrologic Improvements Part I (Tamiami Trail
Culverts..... 1,500,000
Tamiami Trail Hydrologic Improvements Part II (S-12
Structures)..... 1,250,000"

"Taylor County - Steinhatchee Water..... 250,000
Thompson Bowl Expansion..... 100,000
Umatilla Implement Reuse Water and Expansion Wastewater
Plant, Sewer Line Repair or Replacement, Sewer Line to
Snake Island..... 300,000
Upper Etonia Creek Basin/Lake Brooklyn Watershed Study..... 50,000
Upper Ocklawaha River Hurricane Debris Removal..... 100,000"

"Virginia Gardens Stormwater Master Plan III..... 400,000
Virginia Gardens Water Net Improvement..... 150,000"

"Walton County Phase II, Regional Water Supply.....
2,500,000"

"West Miami Potable Water System Infrastructure Assessment...
200,000"

"Williamson Creek Restoration.....
520,000"

"Winter Park Bonita Drive Stormwater Treatment.....
300,000"

Specific Appropriation 1886
Page 259 - proviso language

"From the funds in Specific Appropriation 1886, $2.5 million shall be used to cleanup a City of Pensacola-owned site that is adjacent to Pensacola Bay."

Specific Appropriation 1907
Pages 260 and 261 - A portion of proviso language

"$200,000 shall be used for the Agriculture Film Collection Pilot Project; $175,000 shall be used for Recycling Coordinator Training; $1,000,000 shall be used for the Stateside Expanded Polystyrene Collection and Densification Project; $500,000 shall be used for the Old Town Landfill Reclamation Project; $1,000,000 for the Florida Green Procurement Initiative;"

Specific Appropriation 1928A
Pages 262 and 263 - A portion of proviso language

"Clearwater - Pinellas County Blueway Trail.....
150,000"

"Cutler Bay - Biscayne Environmental Education Center..... 100,000
Doral - Municipal Park Improvements..... 300,000
Florida Cracker Trail - Trailhead Park..... 350,000
Fort White Railroad Mayor's Park..... 100,000
Frostproof - Lake Clinch Park..... 250,000"

"Indian River Soccer Complex..... 650,000
Jacksonville - Hogan's Creek Greenway..... 250,000
Key West Bayview Park..... 100,000

Kissimmee - Marydia Park..... 200,000
Lake Island Pavilion..... 300,000
Lake Lytal Park..... 200,000
Lake Wales - First Street Park..... 1,000,000"

"Lauderdale Lakes - Northgate Park Project..... 100,000"

"Marathon Municipal Park..... 100,000
Melbourne Military Memorial Park..... 250,000"

"Miami Dade - Ludlam Trail..... 50,000"

"Nassau County Maritime Park..... 500,000
Newberry Triangle Park..... 100,000
Orlando - Hope VI Park..... 200,000
Orlando - Parramore Central Park Phase II..... 200,000
Orlando - Pine Hills Park..... 200,000"

"Palmetto Bay - Old Cutler Road Bicycle Trail Improvements... 50,000
Sarasota - Venice Rails to Trail..... 200,000
Sebastian Waterfront Linear Park..... 600,000
South Miami - Recreational Property Acquisition - Dison Property..... 400,000
South Miami - Recreational Property Acquisition - YMCA Property..... 50,000
Spacewalk Hall of Fame Riverfront Park..... 100,000"

"St. Johns River Trailhead Park - Putnam County..... 100,000
Urban Forest Park Phase I Development..... 350,000
West Palm Beach - Phase II of the Lake Okeechobee Scenic Trail (LOST) Connections..... 100,000"

Specific Appropriation 1946C
Page 264

"1946C FIXED CAPITAL OUTLAY
LAKE KISSIMMEE STATE PARK
FROM CONSERVATION AND RECREATION LANDS
TRUST FUND . . . . . 900,000"

Specific Appropriation 1946E
Page 264

"1946E FIXED CAPITAL OUTLAY
LAKE JUNE-IN-WINTER SCRUB STATE PARK
FROM CONSERVATION AND RECREATION LANDS
TRUST FUND . . . . . 500,000"

Specific Appropriation 1946G
Page 265

"1946G FIXED CAPITAL OUTLAY
KISSIMMEE PRAIRIE PRESERVE STATE PARK
FROM CONSERVATION AND RECREATION LANDS
TRUST FUND . . . . . 1,000,000"

Specific Appropriation 1975A
Page 267

"1975A FIXED CAPITAL OUTLAY
SEAGRASS BED RESTORATION
FROM GENERAL REVENUE FUND . . . . . 100,000"

Specific Appropriation 2062A
Page 274

"2062A SPECIAL CATEGORIES
SISTER'S CREEK MARINA
FROM GENERAL REVENUE FUND . . . . . 250,000"

Specific Appropriation 2072
Page 275

"2072 SPECIAL CATEGORIES
DERELICT VESSEL REMOVAL PROGRAM
FROM MARINE RESOURCES CONSERVATION
TRUST FUND . . . . . 1,850,000"

Specific Appropriation 2099A
Page 277

"2099A FIXED CAPITAL OUTLAY
INDIAN RIVER COUNTY SHOOTING RANGE - DMS
MGD
FROM GENERAL REVENUE FUND . . . . . 500,000"

Specific Appropriation 2158A
Page 282

"2158A AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS-HARBOR BRANCH
OCEANOGRAPHIC INSTITUTE
FROM GENERAL REVENUE FUND . . . . . 500,000"

Specific Appropriation 2161A
Page 282

"2161A SPECIAL CATEGORIES
FISH AND WILDLIFE CONSERVATION COMMISSION
GRANTS PROGRAM
FROM GENERAL REVENUE FUND . . . . . 3,000,000"

Specific Appropriation 2188
Page 285 - A portion of proviso language

"From the funds in Specific Appropriation 2188, $75,000 from the State Transportation Trust Fund is provided to the Office of Program Policy Analysis and Government Accountability for the Seaport Strategic Planning and Finance Task Force."

Specific Appropriation 2188A
Page 285

"2188A FIXED CAPITAL OUTLAY
SEAPORT ECONOMIC DEVELOPMENT - DREDGING
GRANT PROGRAM
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 5,000,000

Funds in Specific Appropriation 2188A are provided for the statewide Seaport Economic Development/Dredging Grant program established pursuant to section 311.22, Florida Statutes."

Specific Appropriation 2227
Pages 288 and 289 - A portion of proviso language

"East Winterberry Bridge Replacement, Marco Island..... 500,000"

Specific Appropriation 2266
Page 292 - proviso language

"From the funds in Specific Appropriation 2266, $1,000,000 in nonrecurring funds from the State Transportation Trust Fund is provided for the Tampa Bay Regional Transportation Authority and are contingent on Senate Bill 506 or similar legislation becoming law. These funds shall be used for the authority's initial start-up costs, administration and expense, and to develop a master plan, including day-to-day operations. This funding may be utilized for expenses and costs including, but not limited to, recruiting and hiring an executive director and appropriate staff, securing office and meeting space, supporting communications and meetings (including related travel expenses) of the authority's governing board and committees, and contracting the necessary professional services to fulfill the requirements of the master plan. Allocation of this initial funding does not preclude the authority from seeking additional funding support as may be necessary from federal, state or local agencies in support of the powers and duties and administrative activities defined above.

Additionally, the department may use other monies, upon the request of the authority, to assist the authority in fulfilling its mission, including but not limited to, planning and engineering analysis, research, legal assistance, surveying, cost estimating, project management and any other department activities that could be utilized to assist the authority in accomplishing its mission and purpose. The department shall, by September 1, 2007, provide a report reviewing planned activities necessary to implement this section. The report should include a proposed action plan to resolve issues, if any, related to the implementation of this plan and shall be submitted to the chair of the Senate Fiscal Policy and Calendar Committee, and the chairs of the House Policy and Budget Council and House Economic Expansion and Infrastructure Council.

From funds in Specific Appropriation 2266, $3,000,000 in non-recurring funds from the State Transportation Trust Fund is provided for the Northwest Florida Transportation Corridor Authority's administrative costs."

SECTION 6 - GENERAL GOVERNMENT

Specific Appropriation 2317A
Page 300 - A portion of proviso language

"Ashley Oak, (Baker, Clay, Duval and Nassau counties)..... 81,250
Twin Oaks Juvenile Development, Bristol..... 300,000
Goodwill Industries of South Florida..... 500,000
CBO Disaster Preparedness Initiatives..... 100,000
Hispanic Coalition Corporation Program Support..... 100,000
Youth Development Strategies, Miami..... 1,250,000"

Specific Appropriation 2350A
Page 304

"2350A SPECIAL CATEGORIES
SCHOOL READINESS SERVICES
FROM GENERAL REVENUE FUND 166,400

The non-recurring general revenue funds in Specific Appropriation 2350A shall be allocated as follows:

Child Care Development Services/Parental Workforce Development..... 166,400"

Specific Appropriation 2537A
Page 321

"2537A SPECIAL CATEGORIES
TRANSFER TO THE STATE BOARD OF ADMINISTRATION
FROM INSURANCE REGULATORY TRUST FUND . . . 350,000

From the funds in Specific Appropriation 2537A, up to $350,000 shall be expended by the State Board of Administration to conduct a feasibility study of capital market risk transfer vehicles, including but not limited to exchange-traded futures and options and other financial products, as a means of transferring the risk of hurricane losses in Florida and increasing the flow of new capital into the insurance market. The board shall submit a report to the President of the Senate and the Speaker of the House of Representatives by January 15, 2008."

Specific Appropriation 2584
Page 326

"2584 QUALIFIED EXPENDITURE CATEGORY
ASPIRE PROJECT
FROM INSURANCE REGULATORY TRUST FUND . . . 6,236,720"

Specific Appropriation 2662A
Pages 331 and 332

"2662A SPECIAL CATEGORIES
TRANSFER TO BOARD OF GOVERNORS FOR FLORIDA CATASTROPHIC STORM RISK MANAGEMENT RESEARCH CENTER AT FLORIDA STATE UNIVERSITY
FROM INSURANCE REGULATORY TRUST FUND . . . 1,000,000

Funds in Specific Appropriation 2662A are provided for transfer to the Board of Governors of the State University System to create the Florida Catastrophic Storm Risk Management and Research Center at the Florida State University to research and identify areas to include but not be limited to: issues related to hurricane catastrophe loss; identify and develop education and research grant funding opportunities among higher education institutions in the state and the private sector; and address windstorm mitigation, catastrophic storm risk management, storm forecasting, loss modeling, and building construction and mitigation."

Specific Appropriation 2686A
Page 334

"2686A SPECIAL CATEGORIES
WINDSTORM DAMAGE MITIGATION DEMONSTRATION AND TRAINING CENTER
FROM INSURANCE REGULATORY TRUST FUND . . . 750,000

Funds in Specific Appropriation 2686A, are provided to the Office of Insurance Regulation for the Windstorm Damage Mitigation Demonstration and Training Center in Manatee County located on University of Florida, Institute of Food and Agricultural Sciences Cooperative Extension Service property."

Specific Appropriation 2689
Page 334 - proviso language

"From the funds provided in Specific Appropriation 2689, $1,500,000 from the Insurance Regulatory Trust Fund shall be used by the Office of Insurance Regulation, in consultation with the Department of Community Affairs and the Florida Building Commission, to conduct or cause to be conducted one or more wind loss mitigation studies. The studies shall evaluate the windstorm loss relativities for construction features including, but not limited to, those which enhance roof strength, roof covering performance, roof-to-wall strength, wall-to-floor-to- foundation strength, opening protections, and window, door, and skylight strength. The studies shall include residential property (including single family and multi-family homes, mobile homes, manufactured housing, and condominiums) and commercial non-residential property. The studies shall include, but not be limited to, analysis of loss data from the 2004 and 2005 hurricanes. The findings of the studies shall be reported to the Governor, the President of the Senate, the Speaker of the House of Representatives, the Chief Financial Officer and the Commissioner of Insurance Regulation. The findings for residential property and commercial non-residential property shall be submitted no later than January 1, 2008, and March 1, 2008, respectively."

Specific Appropriation 2757B
Page 341

"2757B SPECIAL CATEGORIES
HISPANIC BUSINESS INITIATIVE FUND OUTREACH PROGRAM
FROM GENERAL REVENUE FUND . . . . . 600,000"

Specific Appropriation 2759
Pages 341 and 342 - A portion of proviso language

"FL Assoc. of Volunteer Action/Caribbean & Americas (FAVACA). 650,000"

"Gulf of Mexico States Accord (GoMSA) Secretariat..... 50,000
Implementation of the Haiti Initiative..... 1,000,000"

Specific Appropriation 2759A
Page 342 - A portion of proviso language

"Economic Development - Pasco County..... 7,500,000
Treasure Coast Education and Research Center..... 4,000,000
Exponica International 2007..... 840,000"

"19th World Orchid Conference, Miami..... 50,000"

"Business Development Center Network, Pensacola..... 250,000
Alliance Small Business Recovery Program, Orlando..... 50,000
Florida Regional Minority Business Council Minority Business Exchange, Miami..... 25,000
Science Comes To Life at Metro Zoo's Dr. Wilde's World..... 50,000"

"Osun's Village & the African, Caribbean Culture Arts Corridor..... 500,000
Office of Apprenticeship, Department of Education Career Training..... 300,000
Beaver Street Enterprises..... 350,000
Nassau County Shrimp Boat Cooperative..... 100,000"

"City of Coral Gables Exhibition Center..... 50,000
Interamerican Development Bank..... 100,000"

Specific Appropriation 2766
Page 343 - A portion of proviso language

"From the non-recurring general revenue funds in Specific Appropriation 2766, $300,000 shall be provided to the Professional Golf Association."

Specific Appropriation 2774
Pages 343 and 344 - A portion of proviso language

"Mayport Ferry Operation..... 396,030"

"City of South Miami Trolley System..... 25,000
Watson Island Transportation Improvements..... 500,000
Construction of Fire Station #5/Community Medical Facility - City of Port Orange..... 750,000
Tom Adams National Training for Rowing..... 1,500,000
Fernandina Beach/Amelia Island Airport Runway 13-31 Repairs. 750,000
City of Coral Gables New Trolley Depot..... 100,000"

"Whiting Aviation/Commerce Park - Phase I..... 2,500,000"

"Pedestrian Safety Improvements and Streetscaping of Temple Terrace Redevelopment Area..... 1,000,000
Pedestrian Bridge - Bullard Parkway, Hillsborough..... 1,000,000
St. Lucie County International Airport..... 1,500,000
Las Olas Streetscape..... 1,300,000"

"SR 78 Corridor Improvements - R/W Acquisition..... 3,000,000
George King Boulevard-Port of Canaveral..... 2,000,000
I-95 Interchange at Matazanas Woods - Palm Coast..... 500,000
Intersection Improvements, Fairbanks Road and Pennsylvania Avenue, City of Winter Park..... 1,250,000"

Specific Appropriation 2814
Page 347 - proviso language

"From the funds in Specific Appropriation 2814, the Department of Highway Safety and Motor Vehicles shall print and distribute the Official Florida Driver Handbook, 2008 Edition. The publication of this document shall occur without the use of advertisements."

Specific Appropriation 2889
Pages 354 and 355 - A portion of proviso language

"From the funds in Specific Appropriation 2889, up to $250,000 shall be transferred to the Office of Program Policy Analysis and Government Accountability (OPPAGA) to conduct a performance review of the Department of Lottery's marketing program. The purpose of the review is to determine the program's effectiveness and efficiency of expending lottery proceeds for marketing in order to maximize education funding. The review shall include demographics of the Lottery's historical marketing and promotion expenditures, including marketing media, geographic media exposure, and demographic focus of funds disbursed. OPPAGA shall research marketing strategies of other state lotteries to assess alternative marketing strategies that might be applicable to the Florida Lottery.

The review shall assess the impact of the Lottery's use of licensed-property games as a promotional tool, the cost-benefit of their use of licensed logos, the methodology used for the contractual provisions, and results of a geographic survey of customer response to over-all game choices.

The review shall also assess the impact of the Lottery's participation in sponsorship events to promote the Florida Lottery, the cost-benefit of this participation, and a review of the detailed methodologies of the contractual provisions currently in place at the Florida Lottery.

OPPAGA may contract with a private entity to conduct or assist with the review. OPPAGA shall submit a report on the review with the findings and recommendations to the Speaker of the House of Representatives, the President of the Senate, and the Executive Office of the Governor by March 1, 2008."

Specific Appropriation 2905
Pages 356 and 357 - proviso language

"From the funds in Specific Appropriation 2905, $500,000 from the General Revenue Fund is provided for a feasibility study of the state's purchasing system, MyFloridaMarketPlace, and the state's human resource system, People First. The study shall include a comparative report that shows the results of criteria analyzed such as costs, benefits, risks, security, resources required and organizational impact. The study and its recommendations shall be provided to the Executive Office of the Governor, the President of the Senate and the Speaker of the House of Representatives no later than February 1, 2008."

Specific Appropriation 2917A
Page 358

"2917A AID TO LOCAL GOVERNMENTS
GRANT AND AIDS - DEBT SERVICE PAYMENT
FROM GENERAL REVENUE FUND . . . . . 6,000,000"

Specific Appropriation 3033A
Page 367

"3033A SPECIAL CATEGORIES
GRANTS AND AIDS - LEON COUNTY EMERGENCY COMMUNICATIONS CENTER
FROM GENERAL REVENUE FUND . . . . . 1,000,000"

Specific Appropriation 3290S
Page 391 - A portion of proviso language

"Gospel Complex for Education..... 900,000
African American History Marketing and Educational Initiative..... 200,000"

"Winter Park Cultural Center..... 400,000
Jewish Museum of Florida..... 240,000
Biltmore Complex..... 50,000"

Specific Appropriation 3290T
Page 392 - A portion of proviso language

"The Arts Center and Chihuly Museum Facility..... 500,000
Historic Tallahassee Waterworks..... 400,000
Union County Record Storage Facility..... 100,000
Curtiss Mansion Restoration..... 50,000
Purple Heart Monument - City of Dunedin..... 10,000"

"Clarke House Museum..... 20,000
Lake Wales Recreation and Cultural Complex..... 1,000,000
Dunedin Rail Road Station Restoration..... 150,000"

"C-100 / Bayfront Historic Preservation Project - Phase 1... 25,000
Cutler Ridge Park..... 300,000"

"Wakulla Expo Center..... 2,000,000
Central Florida Transfer Station..... 400,000
Manatee Players Performing Arts Center..... 1,000,000
Puerto Rican Community Cultural & Enterprise Center..... 250,000
Amelia Community Theatre, Inc..... 500,000"

SECTION 7 - JUDICIAL BRANCH

Specific Appropriation 3333B
Page 395

"3333B SPECIAL CATEGORIES
COURT SYSTEM ENHANCEMENTS
FROM GENERAL REVENUE FUND 400,000

The non-recurring general revenue funds in Specific Appropriation 3333B are provided for the Nassau County Mental Health Court."

Specific Appropriation 3361A
Page 397

"3361A SPECIAL CATEGORIES
GRANTS AND AIDS - BROWARD COUNTY DRUG COURT
FROM GENERAL REVENUE FUND . . . . . 200,000"

OTHER SECTIONS

Section 29
Page 409

"SECTION 29. Of the funds appropriated by section 42 of chapter 2006-12, Laws of Florida, for the Florida Comprehensive Hurricane

Damage Mitigation Program established in section 215.5586, Florida Statutes, an additional $15 million shall be for the Manufactured Housing and Mobile Home Mitigation and Enhancement Program specified in section 215.559(3)(b), Florida Statutes. The Department of Financial Services shall use these funds to contract with Tallahassee Community College to implement the Manufactured Housing and Mobile Home Mitigation and Enhancement Program."

Section 32
Page 410

"SECTION 32. Funding in the amount of $7,100,000 from the Ecosystem Management and Restoration Trust Fund appropriated in Specific Appropriation 1821, chapter 2006-25, Laws of Florida, relating to the Sebastian River Muck Removal Cost Overrun shall revert immediately and is appropriated for the 2007-2008 fiscal year for the original purpose with no matching requirements."

Section 55
Page 412

"SECTION 55. The sum of $400,000 in non-recurring funds is appropriated from the General Revenue Fund to the University of South Florida - Sarasota/Manatee to establish a center on energy research. The center shall be responsible for the collection and maintenance of current information on state-of-the-art energy technology."

The portions of Senate Bill 2800 which are set forth herein with my objections are hereby vetoed, and all other portions of Senate Bill 2800 are hereby approved.

Sincerely,
Charlie Crist, Governor

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

EXECUTIVE BUSINESS

The following Executive Orders were filed with the Secretary:

EXECUTIVE ORDER NUMBER 07-155

(Executive Order of Suspension)

WHEREAS, Dalton L. Upchurch is presently serving as Sheriff for Gulf County, Florida; and

WHEREAS, on July 27, 2007, the State Attorney's Office for the Fourteenth Judicial Circuit of Florida filed an indictment charging Dalton L. Upchurch with one count of falsification of records, in violation of Section 893.13(1), Florida Statute; and

WHEREAS, a violation of Section 893.13(1), Flordia Statute, constitutes a misdemeanor of the first degree; and

WHEREAS, Dalton L. Upchurch has submitted his resignation as Sheriff for Gulf County, Florida effective at the close of business on July 31, 2007; and

WHEREAS, it is in the best interest of the residents of Gulf County, and the citizens of the State of Florida, that Dalton L. Upchurch be immediately suspended from the public office which he now holds upon the grounds set forth in this Executive Order;

NOW, THEREFORE, I, CHARLIE CRIST, Governor of Florida, pursuant to Article IV, Section 7, of the Florida Constitution, find and state as follows:

A. Dalton L. Upchurch is, and at all times material was, Sheriff for Gulf County, Florida.

B. The office of Sheriff for Gulf County, Florida, is within the purview of the suspension powers of the Governor, pursuant to Article IV, Section 7, of the Florida Constitution.

C. The attached summons memorializes that Dalton L. Upchurch is charged with committing an act in violation of the laws of Florida. This suspension is predicated upon the attached Summons which is incorporated as if fully set forth in this Executive Order.

BEING FULLY ADVISED, and in accordance with the Constitution and the laws of the State of Florida, this Executive Order is issued, effective today:

Section 1. Dalton L. Upchurch is suspended from the public office, which he now holds: Sheriff for Gulf County, Florida.

Section 2. Dalton L. Upchurch is prohibited from performing any official act, duty, or function of public office; from receiving any pay or allowance; and from being entitled to any of the emoluments or privileges of public office during the period of this suspension, which period shall be from today, until the close of business on July 31, 2007, the effective date of his resignation, or until a further Executive Order is issued, or as otherwise provided by law.

Section 3. I hereby appoint Joseph Nugent as the acting Sheriff of Gulf County, for the term beginning today, July 27, 2007, and ending upon the appointment of a replacement who will serve as Sheriff of Gulf County for the duration of the term that was to be held by Dalton L. Upchurch. I intend to make this replacement appointment within the next thirty (30) days.

Section 4. I hereby further order that Joseph Nugent, in conformance with Section 112.061, Florida Statutes, be entitled to reimbursement of travel costs and expenses related to his interim appointment as acting Sheriff of Gulf County to be paid by the Florida Department of Law Enforcement.

IN TESTIMONY WHEREOF, I have hereunto set my hand and have caused the Great Seal of the State of Florida to be affixed at Tallahassee, the Capitol, this 27th day of July, 2007.

Charlie Crist
GOVERNOR

ATTEST:
Kurt S. Browning
Secretary of State

EXECUTIVE ORDER NUMBER 07-219

(Amending Executive Order 07-155)

WHEREAS, Executive Order 07-155 suspended Dalton L. Upchurch from his position as Sheriff for Gulf County; and

BEING FULL ADVISED in the premises, and in accordance with the Constitution and the laws of the State of Florida, this Executive Order is hereby promulgated, effective immediately:

Section 1. Executive Order 07-155 is amended to delete "WHEREAS, a violation of section 893.13(1), Florida Statute, constitutes a misdemeanor of the first degree" and replaced with "WHEREAS, a violation of section 893.13(1), Florida Statute, constitutes a misdemeanor of the first degree and malfeasance."

Section 2. Except as amended herein, Executive Order 07-155 is ratified and reaffirmed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and have caused the Great Seal of the State of Florida to be affixed at Tallahassee, this 15th day of October, 2007.

Charlie Crist
GOVERNOR

ATTEST:
Kurt S. Browning
SECRETARY OF STATE

[Referred to the Committee on Ethics and Elections.]

EXECUTIVE APPOINTMENTS SUBJECT TO CONFIRMATION BY THE SENATE:

The Secretary of State has certified that pursuant to the provisions of section 114.05, Florida Statutes, certificates subject to confirmation by the Senate have been prepared for the following:

Office and Appointment		For Term Ending
Board of Accountancy		
Appointees:	Carroll, Frederick III, Tallahassee	10/31/2010
	Quinlan, John V., Bradenton	10/31/2010
	Tipton, David C., Panama City Beach	10/31/2010
Board of Architecture and Interior Design		
Appointees:	Gozdz, Wanda E., Ft. Pierce	10/31/2008
	Grigsby, Mary Jane, Port St. Lucie	10/31/2009
	Kuritzky, Eric D., Orlando	10/31/2010
Florida Board of Auctioneers		
Appointees:	Dietrich, Hugh Fred III, Orlando	10/31/2010
	Shearer, Donald L.	10/31/2009
Florida Building Code Administrators and Inspectors Board		
Appointees:	Gathright, Richard, Lake Worth	10/31/2010
	McCormick, Robert S.	10/31/2009
Florida Building Commission		
Appointees:	Browdy, Richard S., Jacksonville	01/21/2011
	Carlton, Matthew L., Green Cove Springs	02/11/2009
	Franco, Angel T., Sea Ranch Lakes	08/11/2011
Board of Chiropractic Medicine		
Appointees:	Jenkins, Gene E., Jr., Tallahassee	10/31/2010
	Jones, Roderick C., Redington Shores	10/31/2010
Florida Citrus Commission		
Appointees:	Carrere, Michael L., Tampa	05/31/2010
	Carter, E. Stanley, Vero Beach	05/31/2010
	Haycock, Michael W., Longboat Key	05/31/2010
	Taylor, Michael O., Naples	05/31/2010
Hillsborough County Civil Service Board		
Appointees:	Bruno, Christine K., Tampa	07/02/2011
	Mitchell, Robert M., Tampa	07/02/2011
	Spencer, Patricia, Tampa	07/02/2011
Board of Clinical Laboratory Personnel		
Appointees:	Bertholf, Roger L., Jacksonville	10/31/2010
	Seay, Pamella A., Port Charlotte	10/31/2008
	Van Der Heyden, Brenda, Naples	10/31/2010
Regulatory Council of Community Association Managers		
Appointees:	Benson, Mark R., Ft. Myers	10/31/2008
	Brown, Millard "Chris" H., Parrish	10/31/2009
	Czonstka, Steven J., Niceville	10/31/2010
Florida Communities Trust		
Appointees:	Self, Lynette, Jacksonville	01/31/2011
	Stanbridge, Ruth, Vero Beach	01/31/2011
State Board of Education		
Appointee:	Desai, Akshay M., St. Petersburg	12/31/2010
Board of Trustees of Brevard Community College		
Appointees:	Richey, James H., Melbourne Beach	05/31/2011
	Wilson, Alberta K., Rockledge	05/31/2011
Board of Trustees of Broward Community College		
Appointees:	Guerin, Sean C., Ft. Lauderdale	05/31/2011
	Tanner, Paul C., Ft. Lauderdale	05/31/2011
Board of Trustees of Central Florida Community College		
Appointees:	Little, Bernard L., Jr., Ocala	05/31/2011
	Pool, Cory, Ocala	05/31/2010
	Runnels-Sullivan, Carol, Inglis	05/31/2010
	Strifler, Betty, Pine Ridge	05/31/2011
Board of Trustees of Chipola College		
Appointees:	Clark, Gary F., Chipley	05/31/2011
	Crawford, Jeff, Jr., Marianna	05/31/2011
	Jones, Robert Lewis, Westville	05/31/2011
	Padgett, John W., Marianna	05/31/2010
	Page, Jan L., Chipley	05/31/2011
	Plummer, Mark S., Bristol	05/31/2010
Board of Trustees of Daytona Beach Community College		
Appointees:	Davison, William H., Ormond Beach	05/31/2011
	Graham, John E., Jr., Ormond Beach	05/31/2010
	Hosseini, Forough B., Ormond Beach	05/31/2011
	Miles, Steven G., Ormond Beach	05/31/2011
	Petrock, Joseph C., Daytona Beach	05/31/2011
	Schatz, Edward E., Jr., Palm Coast	05/31/2010
Board of Trustees of Edison College		
Appointees:	Berlam, Ann E., Naples	05/31/2009
	Mann, Mary Lee, Alva	05/31/2011
Board of Trustees of Florida Community College at Jacksonville		
Appointees:	Delaney, Kevin F., Jacksonville	05/31/2011
	McCollum, James E., Fernandina Beach	05/31/2011
	McGehee, Thomas R., Jr., Jacksonville	05/31/2011
	Yates, Gwendolyn C., Jacksonville	05/31/2009
Board of Trustees of Florida Keys Community College		
Appointees:	Bassett, Kimberly, Marathon	05/31/2011
	Scales, Edwin A. III, Key West	05/31/2010
	Slate, Spencer C., Key Largo	05/31/2010
Board of Trustees of Gulf Coast Community College		
Appointees:	Isler, Charles S. III, Panama City	05/31/2011
	Wood, Linda R., Port St. Joe	05/31/2011
Board of Trustees of Hillsborough Community College		
Appointees:	Coton, Daniel Mark, Plant City	05/31/2011
	Graham, Andrew L., Tampa	05/31/2010
	Jurado, Rodrigo "Rod", Jr., Temple Terrace	05/31/2010
Board of Trustees of Indian River Community College		
Appointees:	Bols, Werner, Stuart	05/31/2011
	Kirton, Cheryl L., Okeechobee	05/31/2010
	Patterson, Samuel L., Port St. Lucie	05/31/2011
	Perez, Tomas Rene, Vero Beach	05/31/2010
	Roberts, Jay Harold "Hal", Jr., Port St. Lucie	05/31/2010
	Roden, Gerald T., Vero Beach	05/31/2011
	Syfrett, Linda T., Okeechobee	05/31/2010
Board of Trustees of Lake City Community College		
Appointees:	Brannan, Robert C. III, Macclenny	05/31/2011
	Kennedy, Donald R., Lake City	05/31/2010
	Randolph, Athena, Lake City	05/31/2011
	Riherd, Thomas M. II, Lake Butler	05/31/2011
	Surrency, James A., Trenton	05/31/2010
	Wall, Harriet, Old Town	05/31/2010
Board of Trustees of Lake-Sumter Community College		
Appointees:	Bowersox, Richard P., Fruitland Park	05/31/2011
	Childers, Richard D., Wildwood	05/31/2010
	Kelly, Kenneth W., The Villages	05/31/2011
	Morris, Timothy "Tim", Leesburg	05/31/2009
	Norman, Joe M., Leesburg	05/31/2010
	Simpson, Jon A., Wildwood	05/31/2011
Board of Trustees of Manatee Community College		
Appointees:	Allen, Ronald J., Bradenton	05/31/2011
	Harner, Stephen L., Venice	05/31/2011
	Kelly, Susan Miller, Bradenton	05/31/2010
	Robinson, Christine S., Venice	05/31/2010
Board of Trustees of Miami-Dade College		
Appointees:	Fernandez, Robert H., Key Biscayne	05/31/2011
	Roulhac, Peter W., Miami	05/31/2011
Board of Trustees of North Florida Community College		
Appointees:	Boatright, Johnie Walter, Jr., Live Oak	05/31/2010

Office and Appointment		For Term Ending
	Gibson, Linda F., Madison	05/31/2010
	Helvenston, Brantly "B.W." W. IV, Live Oak	05/31/2010
	Land, Debra B., Mayo	05/31/2009
	Maultsby, John, Jr., Madison	05/31/2011
	Padgett, Lester D., Perry	05/31/2011
	Thomas, Albert, Jr., Monticello	05/31/2011
Board of Trustees of Okaloosa-Walton College		
Appointees:	Pennington, Brian S., Shalimar	05/31/2011
	Rice, Dale E., Jr., Crestview	05/31/2010
	Sims, Sandra F., Niceville	05/31/2011
Board of Trustees of Palm Beach Community College		
Appointees:	Berger, William, Boca Raton	05/31/2011
	Link, Wendy S., Palm Beach Gardens	05/31/2011
Board of Trustees of Pasco-Hernando Community College		
Appointees:	Gavish, Jeanne M., Brooksville	05/31/2010
	Homer, Irvin, Spring Hill	05/31/2011
	Parker, Judy R., New Port Richey	05/31/2010
	Simpson, Wilton E., Trilby	05/31/2011
	Weightman, Thomas E., Dade City	05/31/2011
	Worthley, Gary L., Land O'Lakes	05/31/2010
Board of Trustees of Pensacola Community College		
Appointees:	Hunt, Luke, Gulf Breeze	05/31/2011
	Moore, Harold Edward, Jr., Pensacola	05/31/2011
	Moore, Marjorie T., Pensacola	05/31/2011
	Norris, Celeste L., Gulf Breeze	05/31/2010
	Usry, Dona W., Pensacola	05/31/2010
	Young, Deidre L., Pensacola	05/31/2010
Board of Trustees of Polk Community College		
Appointees:	Littleton, Gregory A., Winter Haven	05/31/2011
	Roberts, Neriah E., Lakeland	05/31/2011
Board of Trustees of St. Johns River Community College		
Appointees:	Beck, Carl Clement, Jr., St. Augustine	05/31/2010
	Lancaster, Larry R., Orange Park	05/31/2010
	Roberts, William W., Palatka	05/31/2011
	Sloan, Preston B., Palatka	05/31/2010
Board of Trustees of St. Petersburg College		
Appointees:	Bilirakis, Evelyn M., Tarpon Springs	05/31/2011
	Burke, Kenneth P., Seminole	05/31/2011
Board of Trustees of Santa Fe Community College		
Appointees:	Mallini, George "G.T." T., Gainesville	05/31/2011
	Solze, Richard C., Jr., Lake Butler	05/31/2010
	Weingart, Breck A., Gainesville	05/31/2007
	Womack, Evelyn T., Hampton	05/31/2011
Board of Trustees of Seminole Community College		
Appointees:	Gregg, Charles W., Sr., Longwood	05/31/2011
	Howat, Scott D., Winter Park	05/31/2011
Board of Trustees of South Florida Community College		
Appointees:	Cullens, Tamela "Tami" C., Sebring	05/31/2010
	DeLatorre, Gary, Wauchula	05/31/2010
	Hartt, Joan H., Avon Park	05/31/2010
	Leidel, George David, Jr., Sebring	05/31/2011
	Maenpaa, Richard Lee, Wauchula	05/31/2011
	Reynolds, Anne D., Lake Placid	05/31/2011
Board of Trustees of Tallahassee Community College		
Appointees:	Hebrock, Bill J., Tallahassee	05/31/2011
	Lamb, Eugene, Jr., Midway	05/31/2010
	Messersmith, Frank S., Crawfordville	05/31/2010
	Moore, Karen B., Tallahassee	05/31/2010
Board of Trustees of Valencia Community College		
Appointees:	Cabrera-Morris, M. Bertica, Orlando	05/31/2011
	Grulich, Maria, Celebration	05/31/2009
	Maguire, Raymer F. III, Orlando	05/31/2010
	Moore, Edward A., Kissimmee	05/31/2010
	Oliver, Lewis M. III, Orlando	05/31/2010
Board of Cosmetology		
Appointees:	Fincel, Ginny Adair, St. Augustine	10/31/2010
	Llano, Candido Jesus, Tampa	10/31/2008
	Ramos, Rosabel, Tallahassee	10/31/2010
Board of Trustees for the Florida School for the Deaf and the Blind		
Appointees:	Dillon, Mary Jane, St. Augustine	11/20/2009
	McCaul, Owen B.	12/10/2008
	Parrish, Herschel H., Jr., Winter Garden	11/07/2011
	Rojas, Maria Teresa, Coral Gables	11/13/2009
	Turner, Edgar M., Pensacola	02/07/2011
	Wagner, Christopher D., Bradenton	11/19/2008
	Weedon, Gerald W., Jacksonville	11/14/2010
Board of Dentistry		
Appointees:	Gainey, Elmira R., Stuart	10/31/2010
	Gesek, Daniel J., Jr., Jacksonville	10/31/2010
	Perdomo, Robert L. III, Coral Gables	10/31/2008
	Winker, Wade G., Eustis	10/31/2010
Florida Development Finance Corporation		
Appointee:	Tesch, Peter J., Ocala	05/02/2010
Florida Elections Commission, Chair		
Appointee:	Cruz-Bustillo, Jorge L., Miami	01/03/2011
Electrical Contractors' Licensing Board		
Appointees:	Bellemare, Pierre A., Palm Harbor	10/31/2009
	Huff, Carey Reagan, Jr., Niceville	10/31/2009
	Langer, Roger E., Miami	10/31/2010
	MacGowan, Sandra C., Ormond Beach	10/31/2010
	Penner, Donald, Sarasota	10/31/2010
	Sandefer, Paul W., Orange Park	10/31/2009
	Thomas, Noel H., Keystone Heights	10/31/2008
Board of Employee Leasing Companies		
Appointees:	Parks, Gayla L., Tallahassee	10/31/2009
	Segal, Deborah, Vero Beach	10/31/2010
	Seltzer, Marjorie "Midge", St. Petersburg	10/31/2010
Board of Professional Engineers		
Appointees:	Burke, John C., Jacksonville	10/31/2010
	Hyder, Zafar, Jacksonville	10/31/2010
	Tomasino, Paul, Temple Terrace	10/31/2009
Commission on Ethics		
Appointees:	Conahan, Linda A., Boca Raton	06/30/2009
	Handfield, Larry R., Aventura	06/30/2009
	Massey, Albert Patton III, Ft. Lauderdale	06/30/2009
	Rogers, Roy, Lighthouse Point	06/30/2009
Board of Professional Geologists		
Appointees:	Cain, Matthew L., Lake Wales	10/31/2010
	Smith, Stuart, Lutz	10/31/2010
Council on Efficient Government		
Appointees:	Agrawal, Akhil K., Miami Beach	08/22/2007 08/22/2009
	Evans, Steven L., Tallahassee	08/22/2007 08/22/2009
	Yandell, Timothy S., Melbourne Beach	08/22/2008
Board of Hearing Aid Specialists		
Appointees:	Fischer, John E., Tallahassee	10/31/2010
	Hernandez, Maria G., Melbourne	10/31/2010
	Pickard, Robert E., Miami	10/31/2009
	Someillan, Joseph J., Miami	10/31/2010

Office and Appointment		For Term Ending
Higher Educational Facilities Financing Authority		
Appointees:	Cotter, Richard, Ft. Myers Beach	01/17/2011
	Rieck, David W., Winter Park	01/17/2012
Citrus County Hospital Board		
Appointees:	Langer, David, Inverness	07/08/2010
	Rao, V. Upender, Lecanto	07/03/2011
Board of Trustees of South Lake County Hospital District		
Appointees:	Drawdy, Rodney E., Groveland	07/05/2011
	Hari, Aashiv N., Clermont	07/05/2011
	Kesselring, Kasey C., Montverde	07/05/2011
Florida Housing Finance Corporation		
Appointees:	Oellerich, David Ellis, Tampa	11/13/2010
	Scharaga, Stuart, Palm Beach	11/13/2010
Commission for Independent Education		
Appointees:	Bradley, Nancy M., Orlando	06/30/2009
	Crocitto, Peter F., Jr., Palm City	06/30/2010
	Knobel, David, Delray Beach	06/30/2009
	Lauff, Samuel, Jr., Ocala	06/30/2010
	Mulherin, Lynn, Celebration	06/30/2008
	Rodgers, Judith "Judy" K., Bradenton	06/30/2008
	Royse, Marvin W., Pineland	06/30/2009
Florida Inland Navigation District		
Appointees:	Colee, Donn R., Jr., Palm Beach Gardens	01/09/2011
	Crowley, T. Spencer, Miami	01/09/2011
	Kavanagh, Gail, Port St. Lucie	01/09/2011
	Mesiano, Michael D., Atlantic Beach	01/09/2011
	Netts, Jonathan S., Palm Coast	01/09/2011
	Sansom, Jerry H., Rockledge	01/09/2011
Juvenile Welfare Board of Pinellas County		
Appointees:	Lenderman, Martha R., Pinellas Park	08/07/2010
	Sayler, Van C., St. Petersburg	08/11/2010
	Smith, Joseph A., Largo	08/11/2010
Board of Medicine		
Appointees:	Espinola, Trina E., Treasure Island	10/31/2011
	Winchester, Gary E., Tallahassee	10/31/2011
National Conference of Commissioners on Uniform State Laws		
Appointees:	Baena, Scott L., Miami	06/05/2011
	Losego, Clinton R., Southwest Ranches	06/05/2011
	Romanello, Nicholas William, West Palm Beach	06/05/2011
Board of Nursing		
Appointees:	Bowen, Stephen W., Tallahassee	10/31/2010
	Kemp, Barbara R., Tallahassee	10/31/2007
	Kirkpatrick, Lavigne Ann, Naples	10/31/2007
	Kolb, Maria E., Atlantic Beach	10/31/2009
Board of Optometry		
Appointees:	Del Moral, Rebecca, Miami	10/31/2011
	Naberhaus, Terrance W., Merritt Island	10/31/2010
	Underhill, Timothy E., Ft. Myers	10/31/2011
Board of Orthotists and Prosthetists		
Appointees:	Gingras, Ronald, Seffner	10/31/2011
	McCluney, Timothy H., Jr., Gainesville	10/31/2008
	Mersch, Steven, Gainesville	10/31/2010
	Price, Charles T., Winter Park	10/31/2009
Board of Osteopathic Medicine		
Appointees:	Burns, Ronald R., Winter Park	10/31/2010
	Najjar, Tom, Panama City	10/31/2009
	Rose, Joel B., Tampa	10/31/2010
Board of Physical Therapy Practice		
Appointees:	Hellman, Madeleine, Weston	10/31/2010
	McBreen-Babb, Amy, Ft. Myers	10/31/2009
	Middleton, Marilyn J., Kissimmee	10/31/2011
Board of Pilot Commissioners		
Appointees:	Bohnsack, Frances M., Miami	10/31/2009
	Brandenburg, Harold A., Riverview	10/31/2009
	Fernandez, John R., Pinecrest	10/31/2010
	Jones, Jeffrey L., Biscayne Park	10/31/2007
Board of Podiatric Medicine		
Appointees:	Frisch, Dennis R., Boca Raton	10/31/2007
	Pearce, Beth S., Ponte Vedra	10/31/2010
	Weisman, Sherwood A., Altamonte Springs	10/31/2010
Tampa Port Authority		
Appointees:	Dolan, Brian M., Lithia	02/06/2010
	Lindell, Carl, Jr., Tampa	11/14/2010
Florida Real Estate Appraisal Board		
Appointees:	Rogers, Michael J., Pensacola	10/31/2010
	Wright, Cynthia, Tallahassee	10/31/2010
Florida Real Estate Commission		
Appointees:	DeNapoli, Richard L., Hollywood	10/31/2009
	Enzor, Roger P., Pensacola	10/31/2011
	Guju, Michael J., Palm Harbor	10/31/2008
	McCoig, Ralph J., Jr., Rockledge	10/31/2010
	Ruffier, John Daniel, Orlando	10/31/2010
Apalachee Regional Planning Council, Region 2		
Appointees:	Chapman, Ellen Y., Crawfordville	10/01/2009
	Grant, Henry G., Quincy	10/01/2009
	Radford, Dawn E., Eastpoint	10/01/2009
	Wade, Kendall, Bristol	10/01/2009
North Central Florida Regional Planning Council, Region 3		
Appointees:	Dodge, David L., Starke	10/01/2009
	Smith, Andrew P.	10/01/2009
	Thomas, Lorene J., Old Town	10/01/2009
Northeast Florida Regional Planning Council, Region 4		
Appointees:	Barber, Margaret "Ginger" M., Macclenny	10/01/2009
	Sgroi, Robert E., Palm Coast	10/01/2009
	Williams, Larry, Fernandina Beach	10/01/2009
	Williams, Thomas A.	10/01/2009
Withlacoochee Regional Planning Council, Region 5		
Appointees:	Abshier, R. Edward, Jr., East Lake Weir	10/01/2010
	Franklin, Thomas C., Beverly Hills	10/01/2009
	Hanson, Martha M., Ocala	10/01/2010
	Johnston, Joseph E. III, Brooksville	10/01/2010
	Kelly, Edward J. V, Ocala	10/01/2009
	Nowe, Clark Edward, The Villages	10/01/2009
	Powers, Linda B., Inverness	10/01/2009
	Selph, Walter E., Brooksville	10/01/2009
	Trimpert, Eugene C., Inglis	10/01/2009
	Wesch, Richard W., Hernando	10/01/2009
East Central Florida Regional Planning Council, Region 6		
Appointees:	Cubillos, Aileen, Sanford	10/01/2009
	Glover, Robert Alonza "Al", Cocoa	10/01/2009
	O'Keefe, Daniel T., Windermere	10/01/2009
Tampa Bay Regional Planning Council, Region 8		
Appointees:	Bittner, Linda Jane, Clearwater	10/01/2009
	Kinsler, Angeleah C., Lutz	10/01/2009
	Nunez, Andres E., Jr., St. Petersburg	10/01/2009
	Vance, Kim Hernandez, Tampa	10/01/2009
	Waller, Charles D., Dade City	10/01/2009
Southwest Florida Regional Planning Council, Region 9		

Office and Appointment		For Term Ending
Appointees:	Farley, David, Venice	10/01/2009
	Karau, Melvin E., Ft. Denaud	10/01/2009
	LeBeau, Alan Lee, Sr., Punta Gorda	10/01/2009
Treasure Coast Regional Planning Council, Region 10		
Appointees:	Caron, Susan, Ft. Pierce	10/01/2009
	Davenport, Laurence F., Jr., Wellington	10/01/2009
	Foley, Kevin J., Tequesta	10/01/2009
	Kanjian, Robert J., West Palm Beach	10/01/2009
South Florida Regional Planning Council, Region 11		
Appointees:	Brook, Scott J., Coral Springs	10/01/2009
	Walters, Sandra, Sugarloaf Key	10/01/2009
Jacksonville Port Authority		
Appointees:	Fowler, Lloyd Buck, Jacksonville	09/30/2011
	Gaffney, Reginald, Jacksonville	09/30/2011
Space Florida		
Appointees:	Baker, Silas, Jr., Rockledge	06/30/2008
	Bogan, R. Van, Winter Park	07/30/2009
	Davis, Jimmie Lee, Jr., Tallahassee	06/30/2009
	Ford, Kenneth, Pensacola	06/30/2008
	Haiko, Kenneth J., Pompano Beach	06/30/2008
	Hickey, Michael P., Port Orange	06/30/2009
	Kompothecras, Gary, Sarasota	06/30/2008
	Mehta, Ravindra V., Windermere	06/30/2009
	Newton, Lloyd W., Lithia	06/30/2011
	Spulak, Gary J., Coral Springs	06/30/2009
	Walker, John H., Cocoa	06/30/2011
	Webb, Graham, Jupiter	06/30/2009
Board of Professional Surveyors and Mappers		
Appointees:	Clodfelter, Mary Hanna, Jupiter	10/31/2010
	Cooner, Jeffrey C., North Ft. Myers	10/31/2009
	Lebron, Louis J., Miami	10/31/2010
Jacksonville Transportation Authority		
Appointees:	Burr, Edward E., Jacksonville Beach	05/31/2011
	Cavendish, Michael R., Jacksonville	05/31/2011
	Johns, A. J., Jacksonville	05/31/2010
Unemployment Appeals Commission		
Appointee:	Adams, John L., Pensacola	06/30/2011
Board of Veterinary Medicine		
Appointees:	Dover, Henry B., Havana	10/31/2009
	Hurley, Lisa M., Tallahassee	10/31/2008
	Maxwell, Guy Ray, Melbourne	10/31/2008
	O'Neil, Robert E., Coral Springs	10/31/2010
	Vega, Sergio E., Miami	10/31/2009
Coastal Rivers Basin Board of the Southwest Florida Water Management District		
Appointees:	Maggard, Randall "Randy", Zephyrhills	03/01/2010
	Nicolette, John M., Dade City	03/01/2009
Hillsborough River Basin Board of the Southwest Florida Water Management District		
Appointee:	Higginbotham, Devon B., Plant City	03/01/2010
Manasota Basin Board of the Southwest Florida Water Management District		
Appointees:	Benac, Elizabeth O., Sarasota	03/01/2010
	Bispham, Paul J., Sarasota	03/01/2008
	Carraway, Mac, Bradenton	03/01/2010
Northwest Hillsborough County Basin Board of the Southwest Florida Water Management District		
Appointee:	Welsh, Susan, Odessa	03/01/2010
Peace River Basin Board of the Southwest Florida Water Management District		
Appointee:	Crisman, Patricia C., Bartow	03/01/2010
Pinellas-Anclote River Basin Board of the Southwest Florida Water Management District		
Appointee:	Renfro, Chester "Chet" Lee, Pinellas Park	03/01/2010
Withlacoochee River Basin Board of the Southwest Florida Water Management District		
Appointees:	Baldwin, Martha Jane "Janey", Brooksville	03/01/2010
	Dennis, John V., Dunnellon	03/01/2010
	Nathe, Patricia M., Dade City	03/01/2009
	Rooks, Albert "Bo" L., Jr., Floral City	03/01/2010

[Referred to the Committee on Ethics and Elections.]

Director, Agency for Persons with Disabilities		
Appointee:	Johnson, Jane E., Tallahassee	Pleasure of Governor

[Referred to the Committees on Children, Families, and Elder Affairs; and Ethics and Elections.]

Florida Black Business Investment Board, Inc.		
Appointee:	Nembhard, Mortlake, Gainesville	06/30/2010
Board of Directors, Enterprise Florida, Inc.		
Appointees:	Campbell, Ronald J., Tampa	07/01/2010
	Falconetti, John, Jacksonville	07/01/2011
	McCarty, Kevin, Delray Beach	07/01/2011

[Referred to the Committees on Commerce; and Ethics and Elections.]

Secretary of Corrections		
Appointee:	McNeil, Walter A.	Pleasure of Governor
Criminal Conflict and Civil Regional Counsel - First District Court of Appeal		
Appointee:	Lewis, Jeffrey E.	07/01/2011
Criminal Conflict and Civil Regional Counsel - Second District Court of Appeal		
Appointee:	Flyte, Jackson S., Winter Haven	07/01/2011
Criminal Conflict and Civil Regional Counsel - Third District Court of Appeal		
Appointee:	George, Joseph P., Jr., Miami	07/01/2011
Criminal Conflict and Civil Regional Counsel - Fourth District Court of Appeal		
Appointee:	Massa, Philip J.	07/01/2011
Criminal Conflict and Civil Regional Counsel - Fifth District Court of Appeal		
Appointee:	Deen, Jeffrey D.	07/01/2011
Director, Office of Drug Control		
Appointee:	Janes, William H.	Pleasure of Governor
Secretary of Juvenile Justice		
Appointees:	Parker, Jennifer A., Tallahassee	Pleasure of Governor
	Peterman, Frank W., Jr., St. Petersburg	Pleasure of Governor
Board of Directors, Prison Rehabilitative Industries and Diversified Enterprises, Inc.		
Appointees:	Dresser, William, Jacksonville Beach	09/30/2010
	Reeves, James J., Pensacola	09/30/2011

[Referred to the Committees on Criminal Justice; and Ethics and Elections.]

Fish and Wildlife Conservation Commission		
Appointees:	Bergeron, Ronald M., Weston	08/01/2012
	Jossim, Kathy Barco, Jacksonville	08/01/2012
	Stephenson, Dwight, Delray Beach	01/06/2012
	Wright, Kenneth W., Winter Park	08/01/2012
Governing Board of the Northwest Florida Water Management District		

Office and Appointment		*For Term Ending*
Appointees:	Ghazvini, Steve, Tallahassee	03/01/2011
	McMillan, Philip K., Blountstown	03/01/2011
	Norris, Michael Timothy "Tim", Santa Rosa Beach	03/01/2011
	Pate, Jerome K., Pensacola	03/01/2009

Governing Board of the St. Johns River Water Management District

Appointees:	Ertel, Michael C., Oviedo	03/01/2011
	Huffman, Hersey A., Enterprise	03/01/2011
	Jumper, Arlen N., Ft. McCoy	03/01/2011

Governing Board of the South Florida Water Management District

Appointees:	Buermann, Eric, Miami	03/01/2011
	Dauray, Charles J., Estero	03/01/2011
	Estenoz, Shannon A., Plantation	03/01/2010
	Meeker, Melissa L., Stuart	03/01/2009
	Rooney, Patrick, West Palm Beach	03/01/2011

Governing Board of the Southwest Florida Water Management District

Appointees:	Glass, Patricia M., Palmetto	03/02/2009
	Oakley, Ronald E., Zephyrhills	03/01/2011
	Whitehead, Judith C., Brooksville	03/01/2011

Governing Board of the Suwannee River Water Management District

Appointees:	Curtis, Donald R., Jr., Perry	03/01/2011
	Davidson, Charles Linden, Lamont	03/01/2011
	Flagg, N. David, Gainesville	03/01/2011

[Referred to the Committees on Environmental Preservation and Conservation; and Ethics and Elections.]

Investment Advisory Council

Appointees:	Jaeb, John R., Tampa	12/12/2011
	Konrad, Robert L., Boynton Beach	12/12/2010
	McCague, Beth Ayers, Jacksonville	12/12/2010

[Referred to the Committees on Governmental Operations; and Ethics and Elections.]

Board of Trustees, Florida A & M University

Appointees:	Badger, Solomon L. III, Jacksonville	01/06/2010
	Brown, Robert J., High Point	01/06/2010
	Dent, Richard A. III, Gahanna	01/06/2011
	Jennings, C. W., Orlando	01/06/2013
	White, Karl E., Boston, MA	01/06/2011

Board of Trustees, Florida Atlantic University

Appointee:	Workman, Thomas, Jr., Boca Raton	01/06/2013

Board of Trustees, University of Central Florida

Appointee:	Rosen, Harris, Orlando	01/06/2013

Board of Trustees, Florida State University

Appointees:	Busch-Transou, Susan, Tallahassee	01/06/2013
	Kinsey, James E., Jr., Ft. Myers	01/06/2013

Board of Trustees, Florida Gulf Coast University

Appointee:	St. Cerny, Douglas R., Ft. Myers	01/06/2013

Board of Trustees, Florida International University

Appointee:	Maury, Albert, Miami	01/06/2011

Board of Trustees, New College of Florida

Appointee:	Peterson, John Robert, Sarasota	01/06/2013

Board of Trustees, University of Florida

Appointees:	Ponce, S. Daniel, Gainesville	01/06/2011
	Warrington, Alfred C. IV, Freeport	01/06/2013

Board of Trustees, University of North Florida

Appointee:	Greene, A. Hugh, Jacksonville	01/06/2010

Board of Trustees, University of South Florida

Appointees:	Engle, Walter E. "Gene", Lakeland	01/06/2013
	Law, Rhea F., Tampa	01/06/2013

Board of Trustees, University of West Florida

Appointee:	Horner, Charles A., Shalimar	01/06/2013

[Referred to the Committees on Higher Education; and Ethics and Elections.]

Tampa-Hillsborough County Expressway Authority

Appointees:	Diaco, Stephen C., Tampa	07/01/2010
	Phillips, Donald E., Tampa	07/01/2008

Florida Transportation Commission

Appointee:	Pullum, Bart R., Navarre	09/30/2010

[Referred to the Committees on Transportation; and Ethics and Elections.]

SUPREME COURT OF FLORIDA

The following certificate was received:

No. SC07-2379

In Re: CERTIFICATION OF THE NEED FOR ADDITIONAL JUDGES

[January 17, 2008]

LEWIS, C.J.

This opinion is intended to fulfill the constitutional obligation of this Court to determine the need for additional judges in Fiscal Year 2008-2009 and to certify our findings and recommendations concerning that need to the Legislature.[1] Certification is "the sole mechanism established by our constitution for a systematic and uniform assessment of this need." In re Certification of Need for Additional Judges, 889 So. 2d 734, 735 (Fla. 2004).

JUDICIAL RESOURCE STUDY

As part of our continuing commitment to refine the judicial workload model for analysis, this Court directed the Florida Supreme Court Commission on Trial Court Performance and Accountability to perform an additional extensive study of the judicial case weights to be utilized and the contribution of magistrates and other hearing officers in the case disposition process in an attempt to consistently and regularly validate our process of certification.[2] In response, the Commission created a Judicial Resource Study Workgroup composed of circuit and county court judges, trial court administrators, general magistrates, and hearing officers to study, evaluate, and make recommendations to this Court with regard to the overall judicial workload.

The primary objectives of the study were to update the existing judicial case weights and establish processing times for cases which involve the services of general magistrates and hearing officers. A secondary objective of the study was to develop a tool to assist judicial leadership in determining the optimal allocation of judicial and supplemental resources. The updating of the judicial case weights on a continuing basis is consistent with the recommendations of the National Center for State Courts, the original consultants in connection with the 1999 case weight development.[3] Since 1999, new laws and statutory requirements have been enacted by the Florida Legislature that require additional time in the judicial processing of cases. Moreover, to our knowledge, this is the first time that any state court has ever attempted to evaluate the impact of the contribution of supplemental hearing officers as part of a judicial workload model. These factors and others have been considered in the Judicial Resource Study Final Report.

At the direction of the Judicial Resource Study Workgroup, a General Magistrate/Hearing Officer Subgroup was also formed to study the workload of magistrates and other hearing officers. That subgroup was composed of three judges and seven magistrates and hearing officers from across the state. Together, these two studies provide a state-of-the-art evaluation of judicial workload in Florida. These studies were multifaceted and integrated.

First, the Judicial Resource Study Workgroup employed a three-prong approach to analyze judicial case weights: (1) a judicial survey of trial court judges was completed; 466 judges, or fifty-four percent, of the 866 trial court judges available during the study participated; (2) a judicial

forum was convened to review and validate the weights; seventy-five judges, or nine percent, of the 866 trial court judges available at that time participated; and (3) a final case weight review was conducted by the Judicial Resource Study Workgroup.[4] In addition to reviewing the twenty-six original case weights established in 1999 and the drug court case weight established in 2003, the Workgroup assigned weights to two new categories of cases that have been designated by the Legislature since 1999, namely, Jimmy Ryce and Parental Notice of Abortion cases.

A number of adjustments were made to the existing case weights as a result of this Judicial Resource Study. At the circuit court level, nine weights increased and ten weights decreased. In county court, four weights increased and four decreased. The study provides exhaustive documentation for each adjustment. Reasons for the various case weight adjustments vary by case type in both circuit and county court divisions.

Some of the justifications for increases and decreases in the case weights provided by the judges in the survey and forum group included but were not limited to increases in post-judgment activity, increases in Nelson[5] hearings, increases in bond reduction hearings, mandatory minimum sentencing requirements, disposition requirements for expanded plea colloquies, civil case complexity, statutory changes, difficulty in seating juries, motion practice, increased numbers of parties, the involvement of magistrates in portions of a case, case-related administration, indigence hearings, requirements associated with cases involving children, increasing complexity of Baker Act and Marchman Act cases, increased staff support, increased supplemental resources, increased use of interpreters for non-English speaking litigants, increased numbers of self-represented litigants, changes to the personal injury protection law, increases in identity theft that impact the intensity of workload associated with that category of cases, increases in construction litigation, and decreases in proportions of occurrences of trials and other case-related events. These examples illustrate the changing dynamics and complexities associated with the cases filed in Florida's courts.

Of particular interest to this Court is the nature of the workload relationship between judges and general magistrates and hearing officers. To the extent currently possible, this study addressed that question. Specifically, the adjusted and new weights (e.g., Jimmy Ryce and Parental Notice of Abortion cases) incorporate the use of general magistrates and hearing officers in case disposition.

The objectives of the General Magistrate/Hearing Officer Study were to: (1) develop a mechanism to measure the workload of general magistrates, Title IV-D child support hearing officers, and traffic hearing officers; and (2) develop a tool to assist judicial leadership in determining the optimal allocation of supplemental resources. This study created a new model for magistrates and hearing officers by drawing on the original judicial workload model framework developed in 1999 and utilizing the same case types and filing data source.[6] As a result, this Court, the chief judges, and the Trial Court Budget Commission are all now in a better position to evaluate the need for and distribution of general magistrates and hearing officers throughout the state.

Judicial availability to hear and decide cases in the county, circuit, and district courts is essential to fulfilling the guarantee of meaningful and timely access to justice for the people of Florida. It is essential that our courts be open, properly staffed, and operational at all times.

Florida's courts must also be equally accessible to all of our citizens. This includes physical and communication accessibility for persons with disabilities, effective and sustained remedies for individuals with mental illnesses, and legal access for self-represented litigants.

All of these issues are linked to the presence of a sufficient judicial staffing complement at the trial and appellate court levels. It is our judges who help to ensure public safety, protect individual rights and liberties, and safeguard the promises of our democracy by promoting and enforcing constitutional guarantees and the rule of law.

The State Courts System has now completed its effort to update the judicial case weights. As noted, we have also established new case weights for general magistrates and other supplemental hearing officers. These new case weights reflect statutory changes enacted by the Legislature since 1999 and the availability of additional supplemental resources (e.g., general magistrates, case managers, and staff attorneys), both of which impact judicial workload.

The Court has accepted the adjusted case weights as provided in the Judicial Resource Study and applied them in our current certification analysis. In addition, in accordance with the discretion afforded under Rule of Judicial Administration 2.240, we have also applied an additional factor to the judicial net need equation, that being the availability of senior judges to hear and dispose of cases. Although the case-weighted methodology takes into account all supplemental resources that assist judges in disposing of cases, prior to the analysis, it has not previously included the contribution of senior judges who dispose of cases without the assistance of current county or circuit court judges. In our view, senior judges represent an additional resource that can and must be factored into the total package of available judicial resources and are included in this certification analysis.

The application of the case-weighted methodology in 1999 was the dawn of a new era for the State Courts System. Prior to 1999, the certification process was a blend of statistical data regarding case filings and a review of anecdotal information from the trial and appellate courts. The missing element was the actual time necessary for judges to dispose of cases. By adopting the case-weighting methodology in 1999, Florida became one of a very few states to attempt to employ sophisticated evaluation techniques when analyzing judicial workload. From the outset, our court system has embraced the concept of a case-weighted methodology. We are committed to improving the process and analysis each year. Over the last eight years, we have conducted a continual evaluation of the certification process. It is important to this Court, our judges, and the people of Florida that we employ the appropriate methodology. We believe that ongoing self-analysis enhances the overall validity of the process.

We recognize that the incorporation of senior judge time into the certification process this year is a departure from the previous methodology approach. Clearly, this is a complex issue as the use of senior judges allows for greater operational flexibility in the trial courts. However, we believe that it is a prudent approach given the new judgeships the State Courts System has received the last two fiscal years and the adoption of the adjusted case weights. We intend to carefully consider the impact of our decision in this regard by continuing to consult with the chief judges of the lower courts and requesting that the Commission on Trial Court Performance and Accountability further analyze this change to the certification methodology and advise us accordingly.

TRIAL COURT CERTIFICATION

This Court has examined case filing and disposition data, analyzed various judicial workload indicators, and considered judgeship requests submitted by the lower courts. Further, we have taken into consideration the 114 judgeships that were created by the Florida Legislature during two of the last three fiscal years.

In Fiscal Year 2005-2006, approximately ninety-nine percent of all court filings in Florida were processed in the circuit and county courts. Trial court judges are on the front line in dispensing justice; their work is vital to our citizens and businesses who expect the judicial branch to resolve issues fairly, peaceably, expeditiously, and in a manner that promotes the rule of law. Florida's trial court judges stand as guardians of our constitutional freedoms as they ensure access to the courts, protect vulnerable citizens, and ensure that the courts remain open, operational, and functioning at maximum capacity.

From Fiscal Year 2004-2005 to Fiscal Year 2005-2006, case filings have increased by three percent in circuit court. Felony case filings continue to drive statewide growth, specifically cases involving property crimes and drug crimes. Property crime cases (including burglary, theft, worthless checks, and other felonies) have increased by fourteen percent and drug crimes cases have increased by nine percent since Fiscal Year 2004-2005. In circuit civil, the number of mortgage foreclosures has increased by ninety-seven percent statewide over the last twelve months.

Also contributing to the rise in circuit court filings is substantial growth in certain family case types. From Fiscal Year 2004-2005 to Fiscal Year 2005-2006, dissolution cases have increased by nine percent and dependency cases, including termination of parental rights, have increased by six percent.

County court filings experienced even greater growth from Fiscal Year 2004-2005 to Fiscal Year 2005-2006, with statewide filings increasing by ten percent (excluding civil traffic infractions). Significant growth was seen particularly in the county criminal division, with overall filings rising by nine percent. Cases involving misdemeanors and municipal ordinances increased by seven percent and eight percent, respectively,

from Fiscal Year 2004-2005 to Fiscal Year 2005-2006. In county civil, from Fiscal Year 2004-2005 to Fiscal Year 2005-2006, all case types experienced some level of growth with the exception of replevin actions.

In light of the foregoing considerations, this Court certifies the need for nineteen new circuit court judges for Fiscal Year 2008-2009, distributed as follows:

1. Four additional circuit court judges for the Fifth Judicial Circuit;

2. Three additional circuit court judges for both the First and Ninth Judicial Circuits;

3. Two additional circuit court judges for the following circuits: the Seventh, Tenth, and Fourteenth Judicial Circuits; and

4. One additional circuit court judge for the following circuits: the Sixth, Eighth, and Nineteenth Judicial Circuits.

Further, we certify the need for forty-two new county court judges for Fiscal Year 2008-2009, distributed as follows:

1. Six additional county court judges for Miami-Dade County;

2. Five additional county court judges for both Hillsborough and Palm Beach Counties;

3. Four additional county court judges for Duval County;

4. Three additional county court judges for Broward County;

5. Two additional county court judges for the following counties: Brevard, Lee, and Orange; and

6. One additional county court judge for the following counties: Alachua, Citrus, Collier, Columbia, Highlands, Lake, Manatee, Marion, Pinellas, Polk, St. Lucie, Sarasota, and Volusia.

In addition to these judges we have certified today, we have also specifically reviewed the requests from chief judges to certify three circuit court judges in the Ninth Judicial Circuit; two circuit court judges each in the Fourth, Fifth, Seventh, Eleventh, Thirteenth, Fifteenth, Eighteenth, Nineteenth, and Twentieth Judicial Circuits; one circuit court judge each in the Second, Eighth, Tenth, and Twelfth Judicial Circuits; and one county court judge each in Orange, Osceola, St. Lucie, and Seminole Counties. The Court's decision to include the contributions of senior judges in the workload calculation has reduced the net judicial need to less than 0.5 in each of these circuits.[7] We have determined that in the absence of special circumstances, we must deny these requests.

DISTRICT COURT OF APPEAL CERTIFICATION

Florida Rule of Judicial Administration 2.240(b)(2) delineates the criteria for certifying the need for additional judges in the district courts of appeal. Based on these criteria, we do not certify the need for any additional district court judges or the necessity for a reduction in the current number of judicial positions. Our determination is bolstered by the fact that the district courts have not requested the certification of any additional judgeships this year.

Despite significant caseloads, the appellate courts of this State have continued to function effectively through the adoption of innovative case-processing methods, strong staff support and law clerk assistance, and diligent case management. The use of technological advancements has also significantly enhanced the efforts of the appellate courts to operate efficiently. We support the conscientious commitment of our district court of appeal judges to improve court operations, and we urge the Legislature to continue to provide funding for the district courts of appeal to support performance at an optimum level.

CONCLUSION

Florida's judiciary continues to be the finest in the country. Our judges serve a vital role in keeping our courts open and accessible to all. The demands on our judiciary arise from several fronts including sustained growth in caseloads and demands for access. There is also a growing recognition by county officials of the need to build more courtrooms to accommodate the space needs of Florida's trial courts.

This Court extends its appreciation to the members of the judiciary who participated in the Judicial Resource Study survey and forum group. The contributions from those sources as subject matter experts in the area of case processing and disposition were essential to the success of the study. We also thank the members of the Judicial Resource Study Workgroup who worked tirelessly for eighteen months with our staff to ensure that the case weights were updated and verified. Lastly, we offer our thanks to the members of the General Magistrate/Hearing Officer Subgroup and all of the general magistrates and hearing officers who participated in the time study and development of new case weights for general magistrates and other hearing officers. Like the judicial effort in 1999, this was a groundbreaking effort for Florida's judiciary.

The Florida Legislature has been receptive to our requests for new judgeships in recent years, for which we are most appreciative. Those additional judgeships significantly reduced the judicial need that has existed for an extended time and since the development of the case weighting methodology. This opinion reflects our commitment to continually monitor and evaluate judicial workload by requiring that the case weights be reviewed every five years and by developing enhanced techniques (e.g., magistrate/hearing officer case weights) that enable us to better understand the complexities of case processing and dispositions in Florida given the variety of resources that are available. Validity of the process must be our top priority.

We recognize that the State of Florida is once again facing revenue issues that may impact the ability to place additional resources into the judicial system. Nevertheless, in accordance with our constitutional obligation, we encourage the Florida Legislature to authorize the judgeships identified in this opinion as they are targeted to counties and circuits with sustained growth in judicial workload and unsatisfied needs.

It is so ordered.

WELLS, ANSTEAD, PARIENTE, QUINCE, CANTERO, and BELL, JJ., concur.

Original Proceeding—Certification of the Need for Additional Judges

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1. Article V, section 9 of the Florida Constitution provides in pertinent part:

> **Determination of number of judges.**—The supreme court shall establish by rule uniform criteria for the determination of the need for additional judges except supreme court justices, the necessity for decreasing the number of judges and for increasing, decreasing or redefining appellate districts and judicial circuits. If the supreme court finds that a need exists for increasing or decreasing the number of judges or increasing, decreasing or redefining appellate districts and judicial circuits, it shall, prior to the next regular session of the legislature, certify to the legislature its findings and recommendations concerning such need.

2. See Supreme Court of Florida, Commission on Trial Court Performance and Accountability, Judicial Resource Study Final Report, Measuring the Workload of Trial Court Judges, General Magistrates and Hearing Officers (2007), available at http://www.flcourts.org/gen_public/pubs/committee_reports.shtml.

3. The report states:

> **Recommendation 2:** The OSCA should plan to conduct a systematic update of the case weights approximately every five years, depending on the judgment of the Court Statistics and Workload Committee. Funding for this should be part of the regular legislative agenda related to the process of certification of the need for new judgeships.

Brian J. Ostrom et al., Florida Delphi-Based Weighted Caseload Project Final Report 75 (2000), available at http://www.floridasupremecourt.org/pub_info/highprofile/DelphiFullReport.pdf.

4. See Supreme Court of Florida, Commission on Trial Court Performance and Accountability, Judicial Resource Study Final Report, Measuring the Workload of Trial Court Judges, General Magistrates and Hearing Officers (2007), available at http://www.flcourts.org/gen_public/pubs/committee_reports.shtml, for a complete discussion of the methodology used.

5. Nelson v. State, 274 So. 2d 256, 258-59 (Fla. 4th DCA 1973) (where defendant, before commencement of trial, requests discharge of his

court-appointed counsel, trial judge should make an inquiry of defendant as to reason for request and, if incompetency of counsel is assigned as reason, should make a sufficient inquiry of defendant and his appointed counsel to determine whether there is cause to believe that counsel is not rendering effective assistance to defendant, and if reasonable cause for such belief appears, trial judge should make a finding to that effect on record and appoint substitute counsel who should be allowed adequate time to prepare defense, but if no reasonable basis for such belief appears, trial judge should so state on record and advise defendant that if he discharges his original counsel the State may not thereafter be required to appoint a substitute).

[6.] See Supreme Court of Florida, Commission on Trial Court Performance and Accountability, Judicial Resource Study Final Report, Measuring the Workload of Trial Court Judges, General Magistrates and Hearing Officers (2007) 11, available at http://www.flcourts.org/ gen_public/ pubs/committee_reports.shtml.

[7.] Total judicial need is the total number of judges required to complete all expected workload. Net judicial need is the difference between the total judicial need and the number of existing judges.

COMMITTEES OF THE SENATE

(With Revisions)

Economic Opportunities Policy and Calendar Committee

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

Banking and Insurance

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

Commerce

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

Regulated Industries

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

Transportation

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

Fiscal Policy and Calendar Committee

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

Criminal and Civil Justice Appropriations

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

Education Facilities Appropriations

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

Education Pre-K - 12 Appropriations

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

Finance and Tax

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

General Government Appropriations

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

Health and Human Services Appropriations

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

Higher Education Appropriations

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

Transportation and Economic Development Appropriations

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

Law and Justice Policy and Calendar Committee

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

Criminal Justice

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

Ethics and Elections

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

Judiciary

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

Military Affairs and Domestic Security

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

Oversight and Procedural Policy and Calendar Committee

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

Rules

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

Joint Legislative Committees:

Administrative Procedures Committee

Senator Bennett, Alternating Chair; Senators Dawson and Gaetz

Committee on Public Service Commission Oversight

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

Florida Legislative Committee on Intergovernmental Relations

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

Joint Legislative Committee on Everglades Oversight

Senator Aronberg, Alternating Chair; Senators Constantine and Saunders

Legislative Auditing Committee

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

Responsible Regulation Policy and Calendar Committee

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

Agriculture

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

Communications and Public Utilities

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

Community Affairs

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

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

Governmental Operations
Senator Lawson, Chair; Senator Posey, Vice Chair; Senators Dean, King, Oelrich and Wilson

Joint Select Committee on Collective Bargaining
Senator Lawson, Co-Chair; Senators Constantine and Wise

Social Responsibility Policy and Calendar Committee
Senator Saunders, Chair; Senators Atwater, Crist, Dawson, Gaetz, Margolis, Oelrich, Ring, Siplin, Storms and Wilson

Children, Families, and Elder Affairs
Senator Storms, Chair; Senator Margolis, Vice Chair; Senators Baker, Haridopolos, Hill, Lynn, Rich and Villalobos

Education Pre-K - 12
Senator Gaetz, Chair; Senator Wilson, Vice Chair; Senators Bullard, Carlton, Deutch, Diaz de la Portilla and Wise

Health Policy
Senator Dawson, Chair; Senator Crist, Vice Chair; Senators Dean, Dockery, Garcia, Joyner and Saunders

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

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

Select Committees:

Select Committee on Property Insurance Accountability
Senators Atwater and Geller, Co-Chairs; Senators Posey and Villalobos, Vice Chairs; Senators Alexander, Baker, Bennett, Dawson, Deutch, Diaz de la Portilla, Fasano, Gaetz, Joyner, Lawson, Peaden, Ring, Saunders, Storms, Webster and Wilson

Other Legislative Entities:

Joint Legislative Sunset Committee
Senator Gaetz, Co-Chair; Senators Jones, Lawson, Ring and Storms

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

CORRECTION AND APPROVAL OF JOURNAL

The Journal of October 29, 2007, Special Session D, was corrected and approved.

RECESS

Pursuant to the motion by Senator King previously adopted, upon dissolution of the joint session at 6:37 p.m., the Senate recessed for the purpose of holding committee meetings and conducting other Senate business to reconvene at 9:30 a.m., Thursday, March 6 or upon call of the President.

SENATE PAGES

March 3-7, 2008

Mackenzie Alexander, Rockledge; Matthew J. Beam, St. Petersburg; Sarah Brown, Quincy; Doug Chico, Tallahassee; Ashley P. Dixon, Havana; Katlyn Gortman, Wewahitchka; Antonio Harris, Tallahassee; Lauren Henderson, Tallahassee; Sarah Henderson, Longwood; JhaRonte James, Tallahassee; Joseph P. Manteiga, Temple Terrace; Tashi T. Martin, Tallahassee; Katelyn M. McClain, Summerfield; Katy Melchiorre, Marco Island; Jarrod Moore, Tallahassee; Kayla O'Brien, Hollywood; Alyson Peet, Tallahassee; Gregory "Greg" Twogood, Westford, MA; Melanie E. Warner, Tallahassee

Journal of the Senate

Number 2—Regular Session **Thursday, March 6, 2008**

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CALL TO ORDER

The Senate was called to order by President Pruitt at 9:30 a.m. A quorum present—40:

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

PRAYER

The following prayer was offered by the Rev. Dr. Albert Simpson, Jr., Pastor, Philemon Baptist Church, Jacksonville:

Our Father God, we thank you for this time of adoration, confession, thanksgiving and supplication at the beginning of another legislative session as they invoke their attention to the resounding voices of concerns of the people of our state. Father, we lift this legislative body of men and women to you for divine guidance, protection, and for their families at home, so they can pontificate and deliberate for these 60 days with wisdom and fairness in their decisions that will affect all.

Father, we thank you and we also intercede for our Governor and his Cabinet, our judicial branch and every governmental agency – local, state, and national – and all elected or appointed officials, spiritual leaders, and the men and women in our military branches who are defending our civil rights, civil defense, and protecting our families and country in the depth and breadth of our homeland security.

We thank you, Father, for your powerful hand of mercy. O Father, hear our petition. We submit this petition of adoration, confession, thanksgiving and supplication in thy name. Amen.

PLEDGE

Senate Pages Doug Chico, Tashi T. Martin, Melanie E. Warner and Lauren Henderson of Tallahassee, led the Senate in the pledge of allegiance to the flag of the United States of America.

DOCTOR OF THE DAY

The President recognized Dr. Donald Eagle of Eustis, sponsored by Senator Baker, as doctor of the day. Dr. Eagle specializes in Family Practice.

ADOPTION OF RESOLUTIONS

At the request of Senator Saunders—

By Senator Saunders—

SR 1538—A resolution recognizing Patient Safety Awareness Week in Florida, coinciding with National Patient Safety Awareness Week, to be held March 2 through 8, 2008.

WHEREAS, Patient Safety Awareness Week is an educational and awareness-building campaign for improving patient safety, and

WHEREAS, Patient Safety Awareness Week is observed nationally and in Florida on March 2 through 8, 2008, and

WHEREAS, the theme of the 2008 National and Florida Patient Safety Awareness Week is "Patient Safety: A Road Taken Together," and

WHEREAS, the Florida Patient Safety Corporation and Florida's health care delivery system are committed to working together with patients and providers to continually improve patient safety, and

WHEREAS, the Florida Patient Safety Corporation and Florida's health care delivery system are engaged in a variety of activities to enhance patient safety for Florida residents, and

WHEREAS, the Florida Legislature seeks to improve the quality and safety of health care and to reduce potential harm to patients, NOW, THEREFORE,

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

That the Senate recognizes Patient Safety Awareness Week in Florida, March 2 through 8, 2008, and encourages all Floridians to support the goals of increased patient safety.

—**SR 1538** was introduced, read and adopted by publication.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Bullard, by two-thirds vote **SB 2732** was withdrawn from further consideration.

On motion by Senator Bennett, by two-thirds vote **SB 1282** was withdrawn from the committees of reference and further consideration.

SPECIAL ORDER CALENDAR

Consideration of **SB 2500** was deferred.

SENATOR SIPLIN PRESIDING

SB 2502—A bill to be entitled An act implementing the 2007-2008 Special Appropriations Act; providing legislative intent; providing for the incorporation by reference of certain calculations used by the Legislature for the 2007-2008 fiscal year; providing for the implementation of specified appropriations; providing legislative intent with respect to reductions in expenditures made by district school boards; providing for moneys in specified trust funds to be expended as directed by the Legislature, notwithstanding certain provisions to the contrary; providing for the effect of a veto of one or more specific appropriations or proviso provisions to which implementing language refers; providing for severability; providing an effective date.

—was read the second time by title.

Senators Garcia, Wise, Siplin, Bullard and Villalobos offered the following amendment which was moved by Senator Garcia and adopted:

Amendment 1 (310040)(with title amendment)—Between line(s) 59 and 60, insert:

Section 6. Subsection (3) of section 1011.71, Florida Statutes, as amended by section 4 of chapter 2007-328, Laws of Florida, is amended to read:

1011.71 District school tax.—

(3) A school district that has met the reduction requirements regarding class size for the 2007-2008 fiscal year pursuant to s. 1003.03 for K-12 students for whom the school district provides the educational facilities and certifies to the Commissioner of Education that the district does not need all of its discretionary 2-mill capital improvement revenue for capital outlay purposes and all of the district's instructional space needs for the next 5 years can be met from capital outlay sources that the district reasonably expects to receive during the next 5 years from local revenues and from currently appropriated state facilities funding or from alternative scheduling or construction, leasing, rezoning, or technological methodologies that exhibit sound management may expend, subject to the provisions of s. 200.065, up to *$65* ~~$25~~ per unweighted full-time equivalent student from the revenue generated by the 2007-2008 millage levy authorized by subsection (2) to fund, in addition to expenditures authorized in paragraphs (2)(a)-(j), 2007-2008 expenses for the following:

(a) The purchase, lease-purchase, or lease of driver's education vehicles; motor vehicles used for the maintenance or operation of plants and equipment; security vehicles; or vehicles used in storing or distributing materials and equipment.

(b) Payment of the cost of premiums for property and casualty insurance necessary to insure school district educational and ancillary plants. Operating revenues that are made available through the payment of property and casualty insurance premiums from revenues generated under this subsection may be expended only for nonrecurring operational expenditures of the school district.

Section 7. *The amendments to s. 1011.71(3), Florida Statutes, as carried forward by this act from chapter 2007-328, Laws of Florida, and made by this act shall expire July 1, 2008, and the text of that section shall revert to that in existence on the day before the effective date of chapter 2007-328, Laws of Florida, except that any amendments to such text enacted other than by this act and chapter 2007-328, Laws of Florida, shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of such text which expire pursuant to this section.*

(Renumber subsequent sections.)

And the title is amended as follows:

On line(s) 11, after the semicolon (;) insert: amending s. 1011.71, F.S.; increasing the amount that certain school districts may expend, per unweighted full-time equivalent student, from the revenue generated by the 2007-2008 district school tax levy; providing for the expiration of such increase;

On motions by Senator Carlton, by two-thirds vote **SB 2502** as amended was read the third time by title, passed, ordered engrossed and then immediately certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

Vote after roll call:

Yea—Alexander, Diaz de la Portilla

MOTIONS

On motion by Senator Carlton, the House was requested to pass **SB 2502**, as passed by the Senate, and in the event the House refuses, requested that a conference committee be appointed.

CS for SB 1852—A bill to be entitled An act relating to reimbursement of Medicaid providers; amending s. 409.908, F.S.; requiring the Agency for Health Care Administration to limit the reimbursement rate for certain specified providers notwithstanding certain provisions and rules to the contrary; providing that the limitations apply to prepaid health plans and nursing home diversion programs; providing for application; providing an effective date.

—was read the second time by title. On motions by Senator Peaden, by two-thirds vote **CS for SB 1852** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—27

Mr. President	Diaz de la Portilla	Oelrich
Alexander	Dockery	Peaden
Atwater	Fasano	Posey
Baker	Gaetz	Saunders
Bennett	Garcia	Siplin
Carlton	Haridopolos	Storms
Constantine	Jones	Villalobos
Crist	King	Webster
Dean	Lynn	Wise

Nays—13

Aronberg	Hill	Margolis
Bullard	Joyner	Rich
Dawson	Justice	Ring
Deutch	Lawson	Wilson
Geller		

Vote after roll call:

Yea to Nay—Siplin

MOTIONS

On motion by Senator Carlton, the House was requested to pass **CS for SB 1852**, as passed by the Senate, and in the event the House refuses, requested that a conference committee be appointed.

SB 2500—A bill to be entitled An act making special appropriations; providing appropriations and reductions in appropriations for the 2007-2008 fiscal year to pay salaries and other expenses, for capital outlay projects such as buildings and other improvements, and for other specified purposes of the various agencies of state government; providing an effective date.

—was read the second time by title.

An amendment was considered and adopted to conform **SB 2500** to **HB 7009**.

Pending further consideration of **SB 2500** as amended, on motion by Senator Carlton, by two-thirds vote **HB 7009** was withdrawn from the Fiscal Policy and Calendar Committee.

On motion by Senator Carlton, by two-thirds vote—

HB 7009—A bill to be entitled An act making special appropriations; providing appropriations and reductions in appropriations for the 2007-2008 fiscal year, to pay salaries, and other expenses, capital outlay - buildings, and other improvements, and for other specified purposes of the various agencies of State government; providing an effective date.

—a companion measure, was substituted for **SB 2500** as amended and by two-thirds vote read the second time by title.

Senator Carlton moved **Amendment 1 (998929)** which was adopted.

Pursuant to Rule 7.6, **Amendment 1** constituted an entirely new bill and was not published in the Journal.

On motions by Senator Carlton, by two-thirds vote **HB 7009** as amended was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—27

Mr. President	Diaz de la Portilla	Margolis
Alexander	Dockery	Oelrich
Atwater	Fasano	Peaden
Baker	Gaetz	Posey
Bennett	Garcia	Saunders
Carlton	Haridopolos	Storms
Constantine	Jones	Villalobos
Crist	King	Webster
Dean	Lynn	Wise

Nays—13

Aronberg	Hill	Rich
Bullard	Joyner	Ring
Dawson	Justice	Siplin
Deutch	Lawson	Wilson
Geller		

MOTIONS

On motion by Senator Carlton, the House was notified that the Senate had passed **HB 7009** with amendment and acceded to the request that a conference committee be appointed.

CONFEREES APPOINTED

The President appointed the following conferees on **HB 7009**, **SB 2502**, and **CS for SB 1852**: Senator Carlton, Chair; Senator Webster, At-Large Member; Criminal and Civil Justice Appropriations: Senator Crist, Chair; Senator Joyner; Education Pre-K - 12 Appropriations: Senator Wise, Chair; Senator Siplin; General Government Appropriations: Senator Alexander, Chair; Senator Lawson; Health and Human Services Appropriations: Senator Peaden, Chair; Senator Rich; Higher Education Appropriations: Senator Lynn, Chair; Senator Ring; and Transportation and Economic Development Appropriations: Senator Fasano, Chair; Senator Margolis.

The action of the Senate was certified to the House.

MOTIONS RELATING TO COMMITTEE MEETINGS

On motion by Senator Carlton, the rules were waived and the conference committee on Higher Education Appropriations was granted permission to meet this day from 12:00 p.m. until completion.

On motion by Senator Carlton, the rules were waived and the conference committees on Criminal and Civil Justice Appropriations; Education Pre-K - 12 Appropriations; General Government Appropriations; Health and Human Services Appropriations; and Transportation and Economic Development Appropriations were granted permission to meet this day upon 30 minutes notice.

MOTIONS

On motions by Senator Carlton, the rules were waived and Senate conferees were granted the latitude to consider additional issues which may develop in conference.

SPECIAL ORDER CALENDAR, continued

SB 1676—A reviser's bill to be entitled An act relating to the official Florida Statutes; amending ss. 11.2421, 11.2422, 11.2424, and 11.2425, F.S.; adopting the Florida Statutes 2008 and designating the portions thereof that are to constitute the official law of the state; providing that the Florida Statutes 2008 shall be effective immediately upon publication; providing that general laws enacted during the June 12-14, 2007, special session and prior thereto and not included in the Florida Statutes 2008 are repealed; providing that general laws enacted during the October 2007 special sessions and the 2008 regular session are not repealed by this adoption act.

—was read the second time by title. On motions by Senator King, by two-thirds vote **SB 1676** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—Carlton

CS for SB 1678—A reviser's bill to be entitled An act relating to the Florida Statutes; amending ss. 7.11, 7.13, 7.44, 11.904, 11.908, 15.0395, 20.23, 26.021, 26.32, 30.071, 35.05, 39.0132, 92.05, 99.012, 106.023, 106.0706, 112.324, 120.545, 121.051, 121.091, 121.121, 121.4501, 124.01, 125.901, 159.804, 163.06, 163.3182, 163.32465, 163.430, 166.271, 171.071, 171.205, 190.005, 192.0105, 198.13, 200.001, 202.20, 212.08, 215.555, 215.5586, 218.415, 222.25, 250.83, 253.033, 253.034, 257.38, 258.001, 258.11, 258.12, 258.39, 258.397, 286.0111, 288.0655, 288.1223, 288.1254, 288.8175, 288.9015, 288.90151, 288.9551, 288.975, 316.003, 320.0805, 322.34, 323.001, 328.07, 337.0261, 338.231, 339.175, 343.92, 348.243, 364.02, 367.171, 369.255, 370.142, 370.172, 372.09, 373.026, 373.073, 373.1501, 373.1502, 373.1961, 373.414, 373.4211, 373.4592, 373.4595, 373.470, 373.472, 376.308, 377.42, 381.0273, 381.0404, 381.92, 383.412, 390.012, 390.014, 390.018, 393.23, 395.402, 400.063, 400.0712, 400.506, 400.995, 403.031, 403.201, 403.707, 403.890, 403.8911, 403.973, 408.032, 409.166, 409.1677, 409.25661, 413.271, 420.5095, 420.9076, 429.35, 429.907, 440.3851, 445.004, 446.43, 468.832, 468.8419, 468.842, 477.0135, 481.215, 481.313, 487.048, 489.115, 489.127, 489.517, 489.531, 497.172, 497.271, 497.466, 500.148, 501.022, 501.976, 553.73, 553.791, 610.104, 617.0802, 624.316, 627.0628, 627.06292, 627.311, 627.351, 627.3511, 627.4133, 627.701, 627.7261, 627.736, 628.461, 628.4615, 633.01, 633.025, 660.417, 736.0802, 741.3165, 744.1076, 812.1725, 817.625, 832.062, 921.0022, 932.701, 940.05, 943.0314, 943.32, 943.35, 947.06, 1001.11, 1001.215,

1001.395, 1002.35, 1002.39, 1002.72, 1003.4156, 1003.428, 1004.43, 1004.4472, 1004.55, 1004.76, 1005.38, 1008.25, 1008.345, 1009.01, 1009.24, 1009.98, 1011.48, 1012.61, 1012.875, and 1013.73, F.S.; and reenacting ss. 215.559 and 338.165, F.S.; pursuant to s. 11.242, F.S.; deleting provisions that have expired, have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded; replacing incorrect cross-references and citations; correcting grammatical, typographical, and like errors; removing inconsistencies, redundancies, and unnecessary repetition in the statutes; improving the clarity of the statutes and facilitating their correct interpretation; and confirming the restoration of provisions unintentionally omitted from republication in the acts of the Legislature during the amendatory process; providing an effective date.

—was read the second time by title. On motions by Senator King, by two-thirds vote **CS for SB 1678** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—Wilson

SB 1680—A reviser's bill to be entitled An act relating to the Florida Statutes; repealing ss. 14.325, 211.027(4)-(8), 216.181(2)(i), 252.373(4), 259.032(4)(b) and (11)(g), 287.057(14)(b), 288.039, 311.22(3), 370.13(4), 370.142(7), 373.59(12), 375.041(3)(b), 381.0402(5), 403.885(3), 502.015(2), 737.101, 737.105, 737.106, 737.111, 737.115, 737.116, 737.201, 737.202, 737.203, 737.2035, 737.204, 737.2041, 737.205, 737.206, 737.2065, 737.207, 737.208, 737.209, 737.301, 737.302, 737.303, 737.3035, 737.304, 737.305, 737.3053, 737.3054, 737.3055, 737.306, 737.3061, 737.307, 737.308, 737.309, 737.401, 737.402, 737.4025, 737.403, 737.4031, 737.4032, 737.4033, 737.404, 737.405, 737.406, 737.501, 737.502, 737.503, 737.504, 737.505, 737.506, 737.507, 737.508, 737.509, 737.510, 737.511, 737.512, 737.6035, 737.621, 737.622, 737.623, 737.624, 737.625, 737.626, and 737.627, F.S., all of which provisions have become inoperative by noncurrent repeal or expiration and, pursuant to s. 11.242(5)(b) and (i), may be omitted from the 2008 Florida Statutes only through a reviser's bill duly enacted by the Legislature; amending s. 373.459, F.S., to conform to the repeal of s. 403.885(3); and amending ss. 617.0802 and 627.7261, F.S., to conform to the repeal of chapter 737, F.S.

—was read the second time by title. On motions by Senator King, by two-thirds vote **SB 1680** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

SB 1682—A reviser's bill to be entitled An act relating to the Florida Statutes; amending ss. 14.20195, 16.615, 39.001, 39.303, 110.205, 112.061, 112.3145, 114.04, 120.80, 154.02, 154.04, 154.505, 215.5601, 215.5602, 335.067, 377.901, 381.0057, 381.0303, 381.0403, 381.4018, 381.7353, 381.78, 381.79, 381.84, 381.853, 381.855, 381.86, 381.90, 381.911, 381.912, 381.92, 381.922, 381.98, 381.983, 381.984, 381.985, 383.14, 383.216, 383.2162, 383.336, 383.402, 385.203, 385.210, 388.46, 391.028, 391.221, 391.223, 397.333, 400.235, 401.23, 401.245, 401.421, 402.56, 403.862, 406.02, 408.916, 409.352, 409.91255, 413.271, 420.622, 456.005, 456.011, 456.012, 456.072, 456.073, 456.074, 456.076, 457.109, 458.311, 458.313, 458.316, 458.3165, 458.331, 458.346, 458.347, 459.0055, 459.015, 459.022, 460.413, 461.004, 463.0055, 464.003, 464.018, 464.2085, 466.004, 466.028, 467.003, 467.004, 468.1295, 468.1755, 468.301, 468.314, 468.354, 468.506, 478.44, 480.042, 483.825, 483.901, 484.042, 486.125, 487.041, 490.009, 491.009, 499.012, 499.01211, 499.024, 499.065, 500.033, 514.0231, 768.1326, 943.0313, and 1004.435, F.S., pursuant to the directive of the Legislature in s. 3, ch. 2007-40, Laws of Florida, to redesignate the Secretary of Health as the State Surgeon General wherever the term appears in the Florida Statutes.

—was read the second time by title. On motions by Senator King, by two-thirds vote **SB 1682** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—40

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

Nays—None

REPORTS OF COMMITTEES

The Fiscal Policy and Calendar Committee submits the following bills to be placed on the Special Order Calendar for Thursday, March 6, 2008: SB 2500, SB 2502, CS for SB 1852

Respectfully submitted,
Lisa Carlton, Chair

The Committee on Transportation recommends the following pass: SB 630

The bill was referred to the Committee on Children, Families, and Elder Affairs under the original reference.

The Committee on Banking and Insurance recommends the following pass: SB 966

The Committee on Transportation recommends the following pass: SB 1076

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

The Committee on Transportation recommends the following pass: SB 788

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

The Committee on Criminal Justice recommends the following pass: SB 220; CS for SB 300

The Committee on Judiciary recommends the following pass: CS for SB 76 with 1 amendment; SB 472

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

The Committee on Transportation recommends the following pass: SB 1008

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

The Committee on Commerce recommends the following pass: SB 1026

The Committee on Health Regulation recommends the following pass: SB 1318 with 1 amendment

The Committee on Judiciary recommends the following pass: SB 1046

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

The Committee on Children, Families, and Elder Affairs recommends the following pass: SB 1092

The Committee on Health Policy recommends the following pass: SB 1106

The bills contained in the foregoing reports were referred to the Committee on Health and Human Services Appropriations under the original reference.

The Committee on Criminal Justice recommends the following pass: SB 528

The Committee on Health Regulation recommends the following pass: SB 1370 with 2 amendments

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

The Committee on Military Affairs and Domestic Security recommends the following pass: CS for SB 682

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

The Committee on Education Pre-K - 12 recommends the following pass: SM 1742

The Committee on Judiciary recommends the following pass: SB 716

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

The Committee on Criminal Justice recommends a committee substitute for the following: SB 1442

The bill with committee substitute attached was referred to the Committee on Children, Families, and Elder Affairs under the original reference.

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 818

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

The Committee on Commerce recommends a committee substitute for the following: SB 428

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

The Committee on Criminal Justice recommends a committee substitute for the following: SB 116

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

The Committee on Commerce recommends a committee substitute for the following: SB 694

The Committee on Transportation recommends committee substitutes for the following: SB 282; SB 1030

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

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 644

The bill with committee substitute attached was referred to the Committee on General Government Appropriations under the original reference.

The Committee on Judiciary recommends a committee substitute for the following: SB 1042

The Committee on Transportation recommends a committee substitute for the following: SB 920

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

The Committee on Judiciary recommends a committee substitute for the following: CS for SB 686

The bill with committee substitute attached was referred to the Committee on Health and Human Services Appropriations under the original reference.

The Committee on Regulated Industries recommends committee substitutes for the following: SB 996; SB 1206

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

The Committee on Criminal Justice recommends committee substitutes for the following: SB 614; SB 1064

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

The Committee on Criminal Justice recommends a committee substitute for the following: SB 268

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

The Committee on Commerce recommends a committee substitute for the following: SB 854

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

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 656

The bill with committee substitute attached was placed on the calendar.

REPORTS OF COMMITTEES RELATING TO EXECUTIVE BUSINESS

The Committee on Commerce recommends that the Senate confirm the following appointment made by the Governor:

Office and Appointment	*For Term Ending*
Florida Black Business Investment Board, Inc.	
Appointee: Nembhard, Mortlake	06/30/2010

[The appointment was referred to the Committee on Ethics and Elections under the original reference.]

INTRODUCTION AND REFERENCE OF BILLS

FIRST READING

By Senator Bennett—

SB 2082—A bill to be entitled An act relating to annuity products; amending s. 627.4554, F.S.; providing that any person who purchases an annuity product in this state and who is 75 years of age or older at the time of purchase may rescind without penalty the contract for the sale of such annuity product for any reason at any time within a period of 1 year after the date on which such product is purchased; requiring that a person rescinding such contract notify the insurer or insurer's agent of rescission in writing; requiring that a person rescinding such contract or agreement receive from the insurer a full refund of any costs paid to the insurer or insurer's agent for the annuity product or related services upon receipt by the insurer or insurer's agent of the written notice of rescission; requiring that an insurer licensed to provide annuity products in this state include certain provisions in a contract for such product; providing an effective date.

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

Senate Bills 2084-2156—Not referenced.

By the Committee on Banking and Insurance—

SB 2158—A bill to be entitled An act relating to money services businesses; changing the name of money transmitters to money services businesses; requiring licensure rather than registration; amending s. 560.103, F.S.; revising definitions; defining the terms "adjusted net worth," "affiliated party," "branch office," "cashing," "compliance officer," "electronic instrument," "financial audit report," "foreign affiliate," "licensee," "location," "monetary value," "outstanding money transmission," and "stored value"; amending s. 560.104, F.S.; revising provision providing exemptions from ch. 560, F.S.; amending s. 560.105, F.S.; revising provisions relating to the powers of the Office of Financial Regulation and the Financial Services Commission; amending s. 560.109, F.S.; revising provisions relating to examinations and investigations conducted by the office; requiring that the office periodically examine each licensee; requiring the office to report certain violations to a criminal investigatory agency; requiring that the office annually report to the Legislature information concerning investigations and examinations and the total amount of fines assessed and collected; creating s. 560.1091, F.S.; requiring persons examined to pay the expenses of examination as set by rule of the commission; providing for the deposit of funds collected from licensees; requiring payment for travel expenses and living expenses and compensation for persons making the examinations from such funds or from funds budgeted for such purposes; creating s. 560.110, F.S.; providing for record retention by licensees; amending s. 560.111, F.S.; revising the list of prohibited acts by a money services business; amending s. 560.113, F.S.; providing for the establishment of a receivership or the payment of restitution by a person found to have violated ch. 560, F.S.; amending s. 560.114, F.S.; revising grounds for the disciplinary actions; amending s. 560.115, F.S.; revising provisions relating to the voluntary surrender of a license; amending s. 560.116, F.S.; revising provisions relating to the granting of immunity for providing information about alleged violations of ch. 560, F.S.; amending s. 560.118, F.S.; revising provisions relating to required reports; deleting an exemption from the requirement to file an annual financial report; transferring, renumbering, and amending s. 560.119, F.S.; revising provisions providing for the deposit of fees and assessments; amending s. 560.121, F.S.; revising restriction on access to records held by a court or the Legislature; amending s. 560.123, F.S.; revising provisions relating to the Florida Control of Money Laundering in Money Services Business; creating s. 560.1235, F.S.; requiring a licensee to comply with state and federal money laundering laws and rules; amending s. 560.124, F.S.; revising provisions relating to sharing reported information; amending s. 560.125, F.S.; revising provisions relating to unlicensed activity; amending s. 560.126, F.S.; revising provisions relating to certain notice requirements by a licensee; amending s. 560.127, F.S.; revising provisions relating to the control of a money services business; amending s. 560.128, F.S.; revising provisions relating to customer contacts and license display; amending s. 560.129, F.S.; revising provisions relating to the confidentiality of certain records; creating s. 560.140, F.S.; providing licensing standards for a money services business; creating s. 560.141, F.S.; providing for a license application; creating s. 560.142, F.S.; providing for license renewal; creating s. 560.143, F.S.; providing for license fees; amending s. 560.203, F.S.; revising the exemption from licensure for authorized agents of a money services business; amending s. 560.204, F.S.; revising provisions relating to the requirement for licensure of money transmitters or sellers of payment instruments under part II of ch. 560, F.S.; amending s. 560.205, F.S.; providing additional requirements for a license application; amending s. 560.208, F.S.; revising provisions relating to the conduct of a licensee; creating s. 560.2085, F.S.; providing requirements for authorized agents; amending s. 560.209, F.S.; revising provisions relating to a licensee's adjusted net worth and the filing of a corporate surety bond; requiring a financial audit report; increasing the upper limit of the bond; deleting the option of waiving the bond; amending s. 560.210, F.S.; revising provisions relating to permissible investments; amending s. 560.211, F.S.; revising provisions relating to required recordkeeping under part II of ch. 560, F.S.; amending s. 560.212, F.S.; revising provisions relating to licensee liability; amending s. 560.213, F.S.; revising provisions relating information that must be printed on a payment instrument; amending s. 560.303, F.S.; revising provisions relating to the licensure of check cashers under part II of ch. 560, F.S.; amending s. 560.304, F.S.; revising provisions relating to exemptions from licensure; limiting the exemption for the payment of instruments below a certain value; amending s. 560.309, F.S.; revising provisions relating to the conduct of check cashers; providing additional requirements; amending s. 560.310, F.S.; revising requirements for licensee records; specifying the maintenance of identification records for certain customers; amending s. 560.402, F.S.; revising definitions relating to deferred presentment providers; amending s. 560.403, F.S.; revising provisions relating to the licensing requirements for deferred presentment providers; amending s. 560.404, F.S.; revising provisions relating to deferred presentment transactions; amending s. 560.405, F.S.;

revising provisions relating to the redemption or deposit of a deferred presentment transaction; amending s. 560.406, F.S.; revising provisions relating to worthless checks; amending ss. 499.005, 499.0691, 501.95, 538.03, 896.101, 896.104, and 921.0022, F.S.; conforming cross-references; repealing s. 560.101, F.S., relating to a short title; repealing s. 560.102, F.S., relating to purpose and application; repealing s. 560.106, F.S., relating to chapter constructions; repealing s. 560.1073, F.S., relating to false or misleading statements or documents; repealing s. 560.108, F.S., relating to administrative enforcement guidelines; repealing s. 560.112, F.S., relating to disciplinary action procedures; repealing s. 560.117, F.S., relating to administrative fines; repealing s. 560.200, F.S., relating to a short title; repealing s. 560.202, F.S., relating to definitions; repealing s. 560.206, F.S., relating to the investigation of applicants; repealing s. 560.207, F.S., relating to registration; repealing s. 560.301, F.S., relating to a short title; repealing s. 560.302, F.S., relating to definitions; repealing s. 560.305, F.S., relating to application for registration; repealing s. 560.306, F.S., relating to standards; repealing s. 560.307, F.S., relating to fees; repealing s. 560.308, F.S., relating to registration; repealing s. 560.401, F.S., relating to a short title; repealing s. 560.407, F.S., relating to required records; providing an effective date.

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

Senate Bills 2160-2222—Not referenced.

SB 2224—Previously referenced.

Senate Bills 2226-2306—Not referenced.

SJR 2308—Previously referenced.

Senate Bills 2310-2498—Not referenced.

Senate Bills 2500-2502—Previously referenced.

Senate Bills 2504-2532—Not referenced.

By Senator Peaden—

SB 2534—A bill to be entitled An act relating to health insurance; amending s. 408.909, F.S.; expanding the definition of "health flex plan" to include those who purchase coverage as an individual; authorizing a health flex plan to limit or exclude certain provider network requirements; providing that a health flex plan offering may include the option of a catastrophic plan supplementing the health flex plan; revising requirements for eligibility to enroll in a health flex plan; extending the date of expiration of certain provisions of state law regarding health flex plans; amending s. 409.811, F.S.; expanding the definition of "premium assistance payment" to include the direct payment of the premium for a qualifying child to be covered as a dependent under an employer-sponsored group family plan when such payment does not exceed the payment required for an enrollee in the Florida Kidcare program; amending s. 627.6562, F.S.; requiring that certain health insurance policies insure a dependent child of the policyholder or certificateholder for a specified period under certain conditions; limiting certain coverage requirements; preserving certain rights of insurers, employers, and health maintenance organizations; providing that dependent children meeting certain criteria may, within a specified period, make a written election to reinstate coverage, without proof of insurability, under that plan as a dependent child; providing for coverage for certain other dependent children; providing that a plan may require the payment of a premium by the insured or dependent child, subject to the approval of the Office of Insurance Regulation, for any period of coverage relating to a dependent's written election of coverage; requiring that notice be sent to an insured regarding the reinstatement of coverage for a dependent child; providing requirements for such notice; limiting the application of certain provisions of state law to certain insurance policies; amending s. 627.602, F.S.; requiring that policies insuring dependent children of a policyholder comply with certain provisions of state law; amending ss. 641.31, 627.653, and 627.6699, F.S.; requiring that all health maintenance contracts providing coverage for a member of the subscriber's family comply with certain provisions of state law; requiring that, for all policies issued or renewed after a specified date, all eligible employees and their dependents be enrolled for coverage at the time of issuance of a policy or during the next open or special enrollment period, unless the employer chooses otherwise or the employee provides written notice to the employer declining coverage; requiring that such notice contain certain information; requiring that such notice be retained by the employer as part of the employee's employment or insurance file; authorizing an employer to require its employees to participate in its group health plan as a condition of employment; providing effective dates.

—was referred to the Committees on Banking and Insurance; and Health and Human Services Appropriations.

Senate Bills 2536-2606—Not referenced.

By Senator Saunders—

SB 2608—A bill to be entitled An act relating to the Beverage Law; creating s. 561.585, F.S.; authorizing certain direct shipments of wine; requiring licensure of winery shippers; providing requirements for licensure; providing prohibitions; requiring that a winery shipper licensee file a surety bond with the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation; requiring that each container of wine shipped directly be labeled with a notice; providing signature and identification requirements; providing limitations on the amount of wine a winery shipper may ship or cause to be shipped; limiting the size of wine containers; providing age requirements for those purchasing wine for direct shipment or receiving direct shipments of wine; providing a defense to certain actions; requiring monthly reports by winery shipper licensees; requiring the collection, remittance, and payment of certain taxes by direct shippers; requiring certain proceeds from discretionary sales surtaxes to be deposited into an account in the Discretionary Sales Surtax Clearing Trust Fund; requiring that winery shippers maintain certain records for a certain time period; providing for jurisdiction; providing penalties; amending s. 561.14, F.S.; classifying the winery shipper license; amending s. 561.54, F.S.; removing a provision requiring that the licensee be aggrieved by a violation involving prohibited delivery from without the state to have standing to bring an action; exempting from such prohibition shipment of wine by a winery shipper licensee; amending s. 561.545, F.S.; exempting applicability of the prohibition against direct shipment of alcoholic beverages to the shipment of wine by a winery shipper licensee; amending s. 561.57, F.S.; providing that Internet orders shall be construed as telephone orders; exempting common carriers, licensees, or licensees utilizing common carriers as their agents from certain report filing requirements; requiring common carriers to verify the age of persons receiving shipments; providing a defense to certain actions; providing criteria for the defense; amending s. 599.004, F.S.; revising qualifications for the certification of Florida Farm Wineries; amending s. 561.24, F.S.; revising an effective date; authorizing certain manufacturers of wine holding a distributor's license to renew such license; removing an exemption of Florida Farm Wineries from prohibition against the manufacturer being licensed as distributor or registered as the exporter; providing for severability; providing for nonimpairment of contracts; providing for rulemaking authority; authorizing additional positions; providing appropriations; providing an effective date.

—was referred to the Committees on Regulated Industries; Criminal Justice; Finance and Tax; and General Government Appropriations.

COMMITTEE SUBSTITUTES

FIRST READING

By the Committee on Criminal Justice; and Senators Fasano and Lynn—

CS for SB 116—A bill to be entitled An act relating to an electronic monitoring program for tracking lost persons; establishing a grant program to encourage counties to implement county personal tracking programs; describing the components of the program; designating the Department of Law Enforcement as the administrative agency; providing for application for state grant funds and requiring local matching funds; providing a cap on the amount of a grant and for prioritizing and prorating grants; requiring the county sheriff's office or other lead agency to use the funds for purchasing equipment and training; requiring the solicitation of private moneys and the achievement of financial independence for the program within a specified time; providing an appropriation; providing an effective date.

By the Committee on Criminal Justice; and Senators Villalobos, Ring and Gaetz—

CS for SB 268—A bill to be entitled An act relating to the Legislature; providing a short title; amending s. 11.143, F.S.; eliminating authority for members of a legislative committee to administer certain oaths and affirmations to witnesses; eliminating penalties for false swearing before a legislative committee; conforming to the creation of new provisions relating to oaths and affirmations before a legislative committee; creating s. 11.1435, F.S.; requiring persons who address a legislative committee to take an oath or affirmation of truthfulness; requiring a member of the legislative committee to administer the oath or affirmation; providing criminal penalties for certain false statements before a legislative committee; authorizing the use of a signed appearance card in lieu of an oral oath or affirmation; prescribing conditions related to the use of the card; providing for penalties for making a false statement after signing the card; providing an effective date.

By the Committee on Transportation; and Senator Lynn—

CS for SB 282—A bill to be entitled An act relating to driver's license restrictions; amending s. 322.16, F.S.; restricting the number of certain passengers permitted in a vehicle operated by a person under a certain age unless accompanied by a driver at least 21 years of age; providing exceptions; providing for secondary enforcement; providing penalties; providing for applicability; amending s. 318.14, F.S.; providing citation procedures for violation of such restrictions; providing an effective date.

By the Committee on Commerce; and Senator Bennett—

CS for SB 428—A bill to be entitled An act relating to workforce innovation; amending s. 445.007, F.S.; authorizing designation of a regional workforce board as a one-stop operator and direct provider of certain services by agreement of the chief elected official and the Governor; providing an effective date.

By the Committee on Criminal Justice; and Senator Dean—

CS for SB 614—A bill to be entitled An act relating to classification and pay plans for public defenders; amending s. 27.53, F.S.; requiring that coordinated classification and pay plans for public defenders in each judicial circuit be developed in accordance with s. 216.181, F.S.; amending s. 216.181, F.S.; authorizing the appropriation of lump-sum salary bonuses; providing an effective date.

By the Committee on Banking and Insurance; and Senators Justice, Rich, Gaetz and Storms—

CS for SB 644—A bill to be entitled An act relating to the My Safe Florida Home Program; amending s. 215.5586, F.S.; requiring that wind certification entities meet certain minimum criteria to qualify for selection by the Department of Financial Services; deleting a provision requiring hurricane mitigation inspectors participating in the program to meet the requirements for a criminal record check by a specified date; authorizing the department to require that improvements be made to all openings of a structure, including exterior doors and garage doors, as a condition of reimbursing a homeowner for a grant; authorizing the department to contract with third parties for contractor services and technology; amending s. 627.711, F.S.; requiring insurers to accept as valid certain uniform inspection forms; providing an effective date.

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

CS for SB 656—A bill to be entitled An act relating to judicial and execution sales of property; creating s. 702.55, F.S.; requiring that, before certain court-ordered sales of property, the lienholder serve notice on the property owner of the possibility of relief through the filing of a bankruptcy petition and also warning against purported foreclosure "saving" schemes; specifying the content of the notice; providing for an affirmative defense for failing to provide notice; amending s. 56.021, F.S., relating to the required service of notice of potential relief through bankruptcy; conforming provisions to changes made by the act; providing for application; providing an effective date.

By the Committees on Judiciary; Health Regulation; and Senator Bennett—

CS for CS for SB 686—A bill to be entitled An act relating to nursing facilities; amending s. 400.141, F.S.; authorizing certain licensed nursing facilities to develop a plan to provide certain training for nursing assistants; providing for rules relating to agency approval of training programs; amending s. 400.147, F.S.; redefining the term "adverse incident"; deleting the requirement that a nursing facility notify the agency of an adverse incident; deleting notification requirements; requiring that a risk manager determine if an incident was an adverse incident; providing that federal reporting requirements are not affected; amending s. 400.19, F.S.; providing that the most recent survey is a licensure survey under certain conditions for purposes of future survey scheduling; amending s. 400.195, F.S., relating to agency reporting requirements; conforming a cross-reference; amending s. 400.23, F.S.; deleting provisions requiring agency approval in order for a nursing home to use licensed nurses to perform certain duties; providing an effective date.

By the Committee on Commerce; and Senator Aronberg—

CS for SB 694—A bill to be entitled An act relating to telephone caller identification; providing a short title; creating s. 817.487, F.S.; prohibiting entering or causing to be entered false information into a telephone caller identification system with the intent to deceive, defraud, or mislead; prohibiting placing a call knowing that false information was entered into the telephone caller identification system; providing definitions; providing exceptions; providing penalties; providing that a violation is an unlawful trade practice under specified provisions; providing for enhancement of penalties when a violation is committed during the commission of a criminal offense or when a violation facilitates a criminal offense; providing an effective date.

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

CS for SB 818—A bill to be entitled An act relating to financial services; amending s. 520.02, F.S.; defining the term "guaranteed asset protection products"; amending s. 520.07, F.S.; setting forth requirements and prohibitions for selling guaranteed asset protection products; amending s. 624.605, F.S.; including debt-cancellation products under casualty insurance; providing a definition; authorizing certain entities to offer debt-cancellation products under certain circumstances; specifying that such products are not insurance; amending ss. 627.553 and

627.679, F.S.; revising limitations on the amount of authorized insurance for debtors; amending s. 627.681, F.S.; revising a limitation on the term of credit disability insurance; amending s. 655.005, F.S.; redefining the terms "federal financial institution" and "financial institution"; defining the term "debt-cancellation products"; amending s. 655.79, F.S.; providing that a deposit account by a husband and wife is a tenancy by the entirety; creating s. 655.947, F.S.; providing a definition; authorizing financial institutions to offer debt-cancellation products; authorizing a fee; requiring the Financial Services Commission to adopt rules; providing that a periodic payment option is not required for certain debt-cancellation products; amending s. 655.954, F.S.; authorizing a financial institution to offer a debt-cancellation product but not as a requirement of receiving a loan; creating s. 655.967, F.S.; providing that state-mandated endowments may be maintained in trust accounts in financial institutions; amending s. 658.21, F.S.; revising an ownership of capital criterion for capital accounts at financial institutions and one-bank holding companies; amending s. 658.34, F.S.; prohibiting certain stock issuance practices for banks; amending s. 658.36, F.S.; requiring a state bank or trust company to file a written notice before increasing its capital stock; amending s. 658.44, F.S.; revising criteria for determining the value of dissenting shares of certain entities; providing an effective date.

By the Committee on Commerce; and Senators Fasano and Lynn—

CS for SB 854—A bill to be entitled An act relating to unemployment compensation; amending s. 443.101, F.S.; redefining the term "temporary help firm" to include a labor pool; redefining the term "temporary employee" to include a day laborer who is employed by a labor pool; providing that a day laborer is disqualified for benefits following loss of employment with a labor pool; providing that the time of hire for a day laborer is upon acceptance of the first assignment with a labor pool; providing an effective date.

By the Committee on Transportation; and Senators Fasano, Posey, Wise, Lawson, Baker, Gaetz, Oelrich, Alexander, Ring and Margolis—

CS for SB 920—A bill to be entitled An act relating to driver's license fees; amending s. 318.15, F.S.; increasing the nonrefundable service charge paid to the Department of Highway Safety and Motor Vehicles or to the clerk of the court to reinstate a suspended driver's license and privilege to drive; requiring that the deposited funds be used to establish a recruitment and retention salary plan for officers of the highway patrol; authorizing the director of the Division of the Florida Highway Patrol to structure a salary scale for highway patrol officers to remain competitive with other law enforcement agencies; amending s. 318.18, F.S.; increasing the civil penalty a person must pay for a late payment of civil traffic penalties; requiring that a specified amount of the collected penalty be used to establish a recruitment retention salary plan for officers of the highway patrol; amending s. 320.07, F.S.; increasing the delinquency fee for late payment of vehicle registration renewal; requiring that specified deposited funds be used to establish a recruitment and retention salary plan for officers of the highway patrol; authorizing the director to use the delinquency fees for a salary scale for highway patrol officers which is competitive with other law enforcement agencies; amending s. 322.21, F.S.; increasing the fees for reinstating a suspended or revoked driver's license or commercial motor vehicle license; requiring that the fees collected from reinstating a suspended or revoked driver's license be used to establish a recruitment and retention salary plan for officers of the highway patrol; authorizing the director to use the license reinstating fees for a salary scale for highway patrol officers which is competitive with other law enforcement agencies; amending s. 322.29, F.S., relating to the surrender and return of a license; conforming provisions to changes made by the act; providing an effective date.

By the Committee on Regulated Industries; and Senator Wise—

CS for SB 996—A bill to be entitled An act relating to cosmetology; amending s. 477.013, F.S.; providing and revising definitions; redefining "cosmetology" to include specified services and exclude artificial nails and use of certain skin treatments; defining "hair stylist," "esthetician," and "nail technician"; including body wrapping within esthetician services; removing a distinction between specialty salons and other salons; creating s. 477.0131, F.S.; authorizing licensure for cosmetologists, hair stylists, estheticians, and nail technicians; amending s. 477.0132, F.S.; authorizing renewal of current body wrapping registrations; increasing length of required course; specifying that only the Board of Cosmetology may review, evaluate, and approve required course and text; amending s. 477.014, F.S.; revising requirements for qualification to practice under ch. 477, F.S.; authorizing current specialists to sit for licensure examinations in certain circumstances; providing for the renewal of current specialty registrations; amending s. 477.016, F.S.; requiring the Board of Cosmetology to adopt rules relating to protection of health of clients, nail technicians, and estheticians; amending s. 477.019, F.S.; revising qualifications, education, licensure and renewal, supervised practice, and endorsement requirements to include and differentiate such requirements for cosmetologists, hair stylists, estheticians, and nail technicians; requiring the board to adopt certain procedures relating to licensure by endorsement; amending s. 477.0212, F.S.; requiring the board to adopt certain rules relating to license renewal or continuing education; amending s. 477.023, F.S.; stipulating that the Department of Education is not prevented from issuing certain grooming and salon services certification; amending s. 477.025, F.S., relating to cosmetology and specialty salons, requisites, licensure, inspection, and mobile cosmetology salons, to conform; amending s. 477.026, F.S.; revising fee provisions to conform; amending s. 477.0263, F.S.; specifying circumstances under which cosmetology, hair stylist, esthetician, nail technician, or specialty services may be practiced outside of a licensed salon; amending s. 477.0265, F.S., relating to prohibited acts, to conform; prohibiting the use or possession of a credo in the provision of cosmetology, nail technician, or manicure or pedicure specialty services; amending s. 477.028, F.S., relating to disciplinary proceedings, to conform; amending s. 477.029, F.S., relating to penalties; conforming provisions; repealing s. 477.0201, F.S., relating to specialty registration, qualifications, registration renewal, and endorsement; requiring a report to the Legislature on the use of a national examination for certain licenses in order to improve reciprocity with other states; providing an appropriation; providing effective dates.

By the Committee on Transportation; and Senators Gaetz and Baker—

CS for SB 1030—A bill to be entitled An act relating to highway safety; creating the "Deputy Michael Callin, Michael Haligowski, and Deputy Ryan C. Seguin Memorial Traffic Safety Act"; amending s. 318.14, F.S.; authorizing the court to withhold adjudication of certain violations related to driving without a valid license if the person cited meets certain conditions; providing that the withholding of adjudication is not a conviction under certain circumstances; amending s. 322.03, F.S.; requiring a written judgment signed by the judge and recorded by the clerk for cases involving a violation of requirements to possess a valid driver license; amending s. 322.251, F.S.; requiring impoundment and immobilization information to be included with notice to a person whose driver license or driving privilege is being canceled, suspended, revoked, or disqualified; requiring the Department of Highway Safety and Motor Vehicles to make driver license status information available to the public through the Internet and a telephone hotline; amending s. 322.34, F.S.; providing for application of certain penalty provisions to a person who does not have a valid driver license or whose driver license or driving privilege has been disqualified; revising penalties for driving without a valid license or knowingly driving while driver license or driving privilege is canceled, suspended, revoked, or disqualified for specified alcohol-related or drug-related convictions or refusal to submit to certain testing; revising provisions for satisfaction of the element of knowledge; requiring a cancellation, suspension, revocation, or disqualification by the department or a uniform traffic citation to contain notice that the person's driver license or driving privilege has been canceled, suspended, revoked, or disqualified; requiring impoundment and immobilization information to be included with notice to a person whose driver license or driving privilege has been canceled, suspended, revoked, or disqualified; revising penalty provisions for a habitual offender driving while his or her license is revoked; providing that a person who causes the death of or serious bodily injury to another person by careless or negligent operation of a motor vehicle while his or her license or driving privilege is canceled, suspended, revoked, or disqualified commits a felony of the third degree; requiring a written judgment signed by the judge and recorded by the clerk for cases involving a violation of requirements

to possess a valid driver license; amending s. 322.34, F.S.; requiring a law enforcement officer who determines that a motor vehicle is being driven by or is under the actual physical control of a person whose driver license or driving privilege is canceled, suspended, revoked, or disqualified to impound or immobilize the motor vehicle; providing for notice to the driver; providing for impoundment and immobilization of the motor vehicle by the department; providing for notice to registered owners of the motor vehicle and lienholders; providing for the department to commence impoundment or immobilization at the scene where the motor vehicle was immobilized; providing procedures; providing for release of the motor vehicle; requiring department records to contain impoundment and immobilization information; providing for payment of costs; providing for certain fees and distribution of moneys collected; requiring the department to authorize release of the motor vehicle under certain circumstances; prohibiting operation of an immobilized motor vehicle; providing for an immobilized motor vehicle that is found being operated upon any street or highway in this state before release from immobilization to be seized and subject to forfeit; authorizing the department to contract with vendors; directing the department to inform the person whose driver license or driving privilege has been canceled, suspended, revoked, or disqualified that any motor vehicle driven by or under the actual physical control of that person is subject to impoundment and immobilization; requiring the department to make driver license status information available to the public through the Internet and a telephone hotline; authorizing the department to adopt rules; creating s. 322.3402, F.S.; authorizing the state attorney to establish a Drive Legal program for certain persons accused of a misdemeanor offense of driving while license suspended to divert the person from prosecution or offer a negotiated disposition; providing for exceptions to be made by the state attorney; providing for criteria for admission to the program; providing for program administration policies; requiring county courts and clerks of court to cooperate with the state attorney to consolidate an applicant's pending traffic matters and to assist indigent applicants obtain a valid Florida driver's license by disposing of outstanding monetary obligations by ordering public works or community service; amending s. 322.341, F.S.; revising penalty provisions for a person who drives a motor vehicle when his or her driver license has been permanently revoked; directing the department to inform drivers whose license or driving privilege has been canceled, suspended, revoked, or disqualified and the motoring public of the provisions for impoundment and immobilization of motor vehicles provided under the act; providing effective dates.

By the Committees on Judiciary; Children, Families, and Elder Affairs—

CS for SB 1042—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 63.0541, F.S., relating to a public-records exemption for information contained in the Florida Putative Father Registry; saving the exemption from repeal under the Open Government Sunset Review Act; narrowing the exemption to allow access by the birth mother; removing superfluous provisions; repealing s. 2, ch. 2003-56, Laws of Florida, relating to provisions providing for the repeal of the exemption; providing an effective date.

By the Committee on Criminal Justice; and Senator Dockery—

CS for SB 1064—A bill to be entitled An act relating to the murder or attempted murder of law enforcement officers; creating s. 782.065, F.S.; requiring that a defendant be sentenced to imprisonment for life without eligibility for early release upon findings beyond a reasonable doubt that the defendant committed a specified murder offense or attempted murder offense against a law enforcement officer, part-time law enforcement officer, or auxiliary law enforcement officer engaged in the lawful performance of a legal duty; providing an effective date.

By the Committee on Regulated Industries; and Senator Jones—

CS for SB 1206—A bill to be entitled An act relating to public accountancy; amending s. 473.306, F.S.; revising prerequisites for taking the examination for licensure as a certified public accountant; eliminating certain obsolete provisions; amending s. 473.308, F.S.; revising and updating the requirements for education and work experience; requiring the Board of Accountancy to adopt rules governing requirements for work experience; clarifying provisions that specify what constitutes good moral character for purposes of qualifying for licensure as a certified public accountant; revising provisions governing licensure by endorsement; amending s. 473.323, F.S.; correcting a cross-reference; providing an effective date.

By the Committee on Criminal Justice; and Senator Dockery—

CS for SB 1442—A bill to be entitled An act relating to exploited children; amending s. 92.56, F.S.; permitting use of a pseudonym to designate the victim of a crime involving a victim of production, possession, or promotion of child pornography; revising provisions concerning use of victim pseudonyms to specify that they may be used in civil and criminal proceedings; amending s. 800.04, F.S., relating to lewd or lascivious exhibition, to conform to changes made by the act; amending s. 847.0135, F.S.; conforming provisions to changes made by the act; creating s. 847.002, F.S.; requiring law enforcement officers to provide certain information to the National Center for Missing and Exploited Children; requiring law enforcement officers submitting a case for prosecution that involves the creation, possession, or promotion of child pornography to provide specified information to prosecutors; requiring prosecutors to enter specified information in a database maintained by the Attorney General; creating s. 847.01357, F.S.; providing a civil remedy for any person who, while under the age of 18, was a victim of certain sexual abuse crimes wherein any portion of that abuse was used in the production of child pornography and who suffers personal or psychological injury as a result of the production, promotion, or possession of such images; specifying damages; providing for limitation of actions; providing for confidential pseudonyms to specified claimants; precluding a defense to certain civil actions; permitting the Attorney General to pursue cases on behalf of victims; providing for disposition of damages and attorney's fees; amending s. 960.03, F.S.; expanding the definition of "crime" for purposes of victim compensation to include violations of s. 827.071, s. 847.0135, s. 847.0137, or s. 847.038, related to online sexual exploitation and child pornography; defining the term "known victim of child pornography;" expanding the definition of "victim" for purposes of victim compensation to include a person less than 18 years of age who was present at the scene of a crime, saw or heard the crime, and suffered a psychiatric or psychological injury because of the crime, but who was not physically injured; creating s. 960.197, F.S.; authorizing victim compensation awards to certain persons who suffer psychiatric or psychological injury as a result of certain crimes; amending ss. 90.404, 92.565, 394.912, 409.2355, 775.082, 775.084, 775.15, 775.21, 784.048, 787.01, 787.02, 787.025, 794.065, 914.16, 921.0022, 921.244, 938.10, 943.04354, 947.1405, 948.03, 948.06, 948.101, 948.30, and 948.31, F.S.; conforming provisions to changes made by the act; providing an effective date.

REFERENCE CHANGES PURSUANT TO RULE 4.7(2)

By the Committee on Commerce; and Senators Constantine and Crist—

CS for SB's 556 and 748—A bill to be entitled An act relating to secondary metals recyclers; amending s. 538.18, F.S.; revising the definition of "personal identification card"; deleting an exclusion of transactions under a specified amount from the definition of "purchase transaction" for specified purposes; revising the definition of "regulated metals property"; amending s. 538.19, F.S.; revising recordkeeping requirements for purchase transactions; providing for additional seller information to be obtained; requiring an image of the regulated metals being sold; providing an exemption from a specified recordkeeping provision if the same information is maintained in an electronic database meeting specified requirements; providing a substitute recordkeeping requirement for certain transactions between registered secondary metals recyclers; amending s. 538.23, F.S.; providing for enhanced penalties for third or subsequent violations of a specified provision; providing enhanced penalties for violations of specified provisions relating to false verification of ownership or false or altered identification of a seller of regulated metals; creating s. 538.235, F.S.; prohibiting secondary metals recyclers from entering into cash transactions in certain circumstances; amending s. 538.25, F.S.; requiring the Department of Revenue to provide a law enforcement official, upon request, with specified information regarding certain secondary metals recyclers; amending s. 538.26, F.S.; prohibiting the purchase of any regulated metals property when pres-

ented at the property of a secondary metals recycler and not transported in a motor vehicle; providing an effective date.

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

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

FIRST READING

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has passed HB 7009, as amended, and requests the Senate to concur with the bill as passed by the House. In event the Senate does not concur, the House requests that a Conference Committee be appointed.

William S. Pittman III, Chief Clerk

By the Policy and Budget Council; and Representative Sansom—

HB 7009—A bill to be entitled An act making special appropriations; providing appropriations and reductions in appropriations for the 2007-2008 fiscal year, to pay salaries, and other expenses, capital outlay - buildings, and other improvements, and for other specified purposes of the various agencies of State government; providing an effective date.

—was referred to the Fiscal Policy and Calendar Committee.

RETURNING MESSAGES

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has passed SB 2502, with amendment(s), and requests the concurrence of the Senate, or failing to concur, accedes to the request of the Senate for the appointment of a committee of conference to resolve differences between the houses. The Speaker has appointed as Conferees on the part of the House: Rep. Sansom (Chair): At-Large—Reps. Bogdanoff, Cretul, Cusack, Hasner, Saunders, Seiler and Zapata; Rep. Cannon (Chair, Economic Expansion & Infrastructure), Reps. Hukill, Aubuchon, Boyd, Patterson and Reed; Rep. Mayfield (Chair, Environment & Natural Resources), Reps. Troutman, Bowen, Brandenburg, Grimsley, Kendrick and Machek; Rep. Attkisson (Chair, Gov't Efficiency & Accountability), Reps. Grant and Gibbons; Rep. Bean (Chair, Healthcare), Reps. Zapata, Ausley, Galvano, R. Garcia, Hays, Patronis and Taylor; Rep. Reagan (Chair, Jobs & Entrepreneurship), Reps. Brown, Chestnut, Murzin, Richardson and Weatherford; Rep. Kravitz (Chair, Safety & Security), Reps. Ross, Adams, A. Gibson, Kelly, Needelman, Planas, Sachs, N. Thompson and Thurston; Rep. Pickens (Chair, Schools & Learning), Reps. Traviesa, Altman, Bendross-Mindingall, Coley, Flores, Ford, Heller, Kiar and Simmons.

William S. Pittman III, Chief Clerk

SB 2502—A bill to be entitled An act implementing the 2007-2008 Special Appropriations Act; providing legislative intent; providing for the incorporation by reference of certain calculations used by the Legislature for the 2007-2008 fiscal year; providing for the implementation of specified appropriations; providing legislative intent with respect to reductions in expenditures made by district school boards; providing for moneys in specified trust funds to be expended as directed by the Legislature, notwithstanding certain provisions to the contrary; providing for the effect of a veto of one or more specific appropriations or proviso provisions to which implementing language refers; providing for severability; providing an effective date.

Pursuant to Rule 7.6, **House Amendment 1 (860003)** constituted an entirely new bill and was not published in the Journal.

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has passed CS for SB 1852, with amendment(s), and requests the concurrence of the Senate, or failing to concur, accedes to the request of the Senate for the appointment of a committee of conference to resolve differences between the houses. The Speaker has appointed as Conferees on the part of the House: Rep. Sansom (Chair): At-Large—Reps. Bogdanoff, Cretul, Cusack, Hasner, Saunders, Seiler and Zapata; Rep. Cannon (Chair, Economic Expansion & Infrastructure), Reps. Hukill, Aubuchon, Boyd, Patterson and Reed; Rep. Mayfield (Chair, Environment & Natural Resources), Reps. Troutman, Bowen, Brandenburg, Grimsley, Kendrick and Machek; Rep. Attkisson (Chair, Gov't Efficiency & Accountability), Reps. Grant and Gibbons; Rep. Bean (Chair, Healthcare), Reps. Zapata, Ausley, Galvano, R. Garcia, Hays, Patronis and Taylor; Rep. Reagan (Chair, Jobs & Entrepreneurship), Reps. Brown, Chestnut, Murzin, Richardson and Weatherford; Rep. Kravitz (Chair, Safety & Security), Reps. Ross, Adams, A. Gibson, Kelly, Needelman, Planas, Sachs, N. Thompson and Thurston; Rep. Pickens (Chair, Schools & Learning), Reps. Traviesa, Altman, Bendross-Mindingall, Coley, Flores, Ford, Heller, Kiar and Simmons.

William S. Pittman III, Chief Clerk

CS for SB 1852—A bill to be entitled An act relating to reimbursement of Medicaid providers; amending s. 409.908, F.S.; requiring the Agency for Health Care Administration to limit the reimbursement rate for certain specified providers notwithstanding certain provisions and rules to the contrary; providing that the limitations apply to prepaid health plans and nursing home diversion programs; providing for application; providing an effective date.

Pursuant to Rule 7.6, **House Amendment 1 (430129)** constituted an entirely new bill and was not published in the Journal.

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has passed HB 7009, as amended, and requests the Senate to concur with the bill as passed by the House. In event the Senate does not concur, the House requests that a Conference Committee be appointed. The Speaker has appointed as Conferees on the part of the House: Rep. Sansom (Chair): At-Large—Reps. Bogdanoff, Cretul, Cusack, Hasner, Saunders, Seiler and Zapata; Rep. Cannon (Chair, Economic Expansion & Infrastructure), Reps. Hukill, Aubuchon, Boyd, Patterson and Reed; Rep. Mayfield (Chair, Environment & Natural Resources), Reps. Troutman, Bowen, Brandenburg, Grimsley, Kendrick and Machek; Rep. Attkisson (Chair, Gov't Efficiency & Accountability), Reps. Grant and Gibbons; Rep. Bean (Chair, Healthcare), Reps. Zapata, Ausley, Galvano, R. Garcia, Hays, Patronis and Taylor; Rep. Reagan (Chair, Jobs & Entrepreneurship), Reps. Brown, Chestnut, Murzin, Richardson and Weatherford; Rep. Kravitz (Chair, Safety & Security), Reps. Ross, Adams, A. Gibson, Kelly, Needelman, Planas, Sachs, N. Thompson and Thurston; Rep. Pickens (Chair, Schools & Learning), Reps. Traviesa, Altman, Bendross-Mindingall, Coley, Flores, Ford, Heller, Kiar and Simmons.

William S. Pittman III, Chief Clerk

CORRECTION AND APPROVAL OF JOURNAL

The Journal of March 4 was corrected and approved.

CO-INTRODUCERS

Senators Baker—SB 154; Bennett—SB 1242; Bullard—CS for SJR 2308; Deutch—SB 668; Gaetz—SB 1080; Hill—SM 1600; Joyner—SB 780, SB 848; Justice—SB 572; Lawson—SB 678; SM 1600; Lynn—SB 1026, SB 1044, SB 1046, CS for SB 1048, SB 1384; Margolis—SB 920; Peaden—SB 1704; Storms—SB 36

RECESS

On motion by Senator King, the Senate recessed at 11:43 a.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 9:00 a.m., Wednesday, March 12 or upon call of the President.

Journal of the Senate

Number 3—Regular Session **Tuesday, March 11, 2008**

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REPORTS OF COMMITTEES

The Committee on Environmental Preservation and Conservation recommends the following pass: SB 432

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

The Committee on Community Affairs recommends the following pass: CS for SB 794

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

The Committee on Agriculture recommends the following pass: SB 1638

The Committee on Community Affairs recommends the following pass: SB 2224 with 1 amendment

The Committee on Environmental Preservation and Conservation recommends the following pass: SB 692; SB 1486

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

The Committee on Banking and Insurance recommends the following pass: SB 164

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

The Committee on Governmental Operations recommends the following pass: SB 728

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

The Committee on Governmental Operations recommends the following pass: SB 1014 with 1 amendment

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

The Committee on Environmental Preservation and Conservation recommends a committee substitute for the following: SB 406

The Committee on Health Regulation recommends a committee substitute for the following: SB 1374

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

The Committee on Communications and Public Utilities recommends a committee substitute for the following: SB 1384

The Committee on Environmental Preservation and Conservation recommends committee substitutes for the following: SB 758; SB 1192

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

The Committee on Agriculture recommends a committee substitute for the following: SB 310

The bill with committee substitute attached was referred to the Committee on Communications and Public Utilities under the original reference.

The Committee on Environmental Preservation and Conservation recommends a committee substitute for the following: SB 660

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

The Committee on Community Affairs recommends a committee substitute for the following: SB 1116

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

The Committee on Education Pre-K - 12 recommends a committee substitute for the following: SB 1652

The bill with committee substitute attached was referred to the Committee on Education Pre-K - 12 Appropriations under the original reference.

The Committee on Governmental Operations recommends a committee substitute for the following: SB 316

The bill with committee substitute attached was referred to the Committee on Environmental Preservation and Conservation under the original reference.

The Committee on Governmental Operations recommends a committee substitute for the following: SB 1034

The bill with committee substitute attached was referred to the Committee on General Government Appropriations under the original reference.

The Committees on Agriculture recommends a committee substitute for the following: SB 1630

The Committee on Education Pre-K - 12 recommends a committee substitute for the following: SB 1712

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

The Committee on Children, Families, and Elder Affairs recommends a committee substitute for the following: SB 370

The bill with committee substitute attached was referred to the Committee on Health and Human Services Appropriations under the original reference.

The Committee on Education Pre-K - 12 recommends a committee substitute for the following: SJR 2308

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

The Committee on Children, Families, and Elder Affairs recommends a committee substitute for the following: SB 1152

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

The Committee on Community Affairs recommends a committee substitute for the following: SB 560

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

The Committee on Environmental Preservation and Conservation recommends a committee substitute for the following: SB 192

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

The Committee on Finance and Tax recommends a committee substitute for the following: CS for SB 970

The Committee on Judiciary recommends committee substitutes for the following: CS for SB 242; CS for SB 564

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

REPORTS OF COMMITTEES RELATING TO EXECUTIVE BUSINESS

The Committee on Environmental Preservation and Conservation recommends that the Senate confirm the following appointments made by the Governor:

Office and Appointment		*For Term Ending*
Fish and Wildlife Conservation Commission		
Appointees:	Bergeron, Ronald M.	08/01/2012
	Jossim, Kathy Barco	08/01/2012
	Stephenson, Dwight	01/06/2012
	Wright, Kenneth W.	08/01/2012
Governing Board of the Northwest Florida Water Management District		
Appointee:	McMillan, Philip K.	03/01/2011
Governing Board of the St. Johns River Water Management District		
Appointees:	Ertel, Michael C.	03/01/2011
	Huffman, Hersey A.	03/01/2011
	Jumper, Arlen N.	03/01/2011
Governing Board of the Southwest Florida Water Management District		
Appointee:	Whitehead, Judith C.	03/01/2011
Governing Board of the Suwannee River Water Management District		
Appointee:	Davidson, Charles Linden	03/01/2011

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

INTRODUCTION AND REFERENCE OF BILLS

FIRST READING

By Senator Aronberg—

SB 56—A bill to be entitled An act relating to Miami-Dade County; providing for the relief of Schneidine Theogene, a minor, by and through her parent and natural guardian, Jeanne Coicou, to compensate Schneidine for injuries sustained as a result of the negligence of a Miami-Dade County bus driver; providing for an appropriation; providing a limitation on the payment of fees and costs; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Special Master on Claims Bills.

Senate Bills 58-2044—Previously referenced.

By Senator Lynn—

SB 2048—A bill to be entitled An act relating to claims to escheated property; amending s. 717.12405, F.S.; entitling certain Holocaust victims or related victims as lineal descendants of certain persons to make claims to certain escheated property; requiring the Department of Financial Services to allow such descendants to meet certain standards of proof substantiating lineage and valid claims for escheated property; prohibiting dismissal of certain actions for failure to comply with statutes of limitation or laches; providing an effective date.

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

By Senator Bennett—

SB 2050—A bill to be entitled An act relating to impact fees; amending s. 163.31801, F.S.; revising requirements governing notice of changes in impact fees adopted by ordinance of a county or municipality or by resolution of a special district; requiring the provision of notice before the imposition of an increased impact fee; providing that the provision of notice is not required before decreasing or eliminating an impact fee; providing an effective date.

—was referred to the Committees on Community Affairs; and Finance and Tax.

By Senator Baker—

SB 2052—A bill to be entitled An act relating to water and wastewater utilities; amending s. 367.0814, F.S.; revising provisions authorizing utilities having a gross annual revenue of less than a specified amount to request assistance from the Public Service Commission in changing the rates and charges of the utility; providing for an annual adjustment in the threshold; providing an effective date.

—was referred to the Committees on Communications and Public Utilities; and General Government Appropriations.

By Senator Baker—

SB 2054—A bill to be entitled An act relating to surveyors and mappers; amending s. 472.029, F.S.; prohibiting surveyors and mappers and their subordinates from breaking or injuring fences on agricultural land; providing penalties; providing for restitution for damages or losses; providing an effective date.

—was referred to the Committees on Regulated Industries; Agriculture; Criminal Justice; and Criminal and Civil Justice Appropriations.

By Senator Lawson—

SB 2056—A bill to be entitled An act relating to the prohibition of the acceptance of expenditures; amending s. 11.045, F.S.; exempting food and beverage expenditures from the gift ban at certain events; requiring that any such food and beverage expenditures be consumed at the event; limiting the total value of such expenditures; providing an effective date.

—was referred to the Committees on Ethics and Elections; Judiciary; and Rules.

By Senator Dean—

SB 2058—A bill to be entitled An act relating to the hunter safety course; amending s. 372.5717, F.S.; providing that a person born on or after June 1, 1970, who is a member of the United States active-duty armed forces, the United States Armed Forces Reserves, the United States National Guard, the United States Coast Guard, or the United States Coast Guard Reserve may satisfy the requirement for completing a hunter safety course by completing an online electronic course or by completing a hunter safety workbook and written exam provided by the Fish and Wildlife Conservation Commission; providing an effective date.

—was referred to the Committees on Military Affairs and Domestic Security; Environmental Preservation and Conservation; and General Government Appropriations.

By Senator Dean—

SB 2060—A bill to be entitled An act relating to agriculture; amending s. 163.3162, F.S.; prohibiting county government imposition of a tax, assessment, or fee for stormwater management on agricultural land meeting certain requirements; amending s. 205.064, F.S.; expanding eligibility for exemption from a local business tax receipt for the privilege of selling specified products; amending s. 373.1395, F.S.; providing indemnity for an agricultural landowner for an easement or any other right secured by a water management district for access to lands the district provides or makes available to the public; delineating what is covered by indemnification for landowners and water management districts; providing that agricultural landowners and water management districts are liable for gross negligence and certain other acts as specified; creating s. 500.70, F.S.; delineating requirements for a tomato farmer, packer, repacker, or handler to be considered in compliance with state food safety microbial standards and guidelines; amending s. 570.07, F.S.; providing that the Department of Agriculture and Consumer Services may adopt by rule comprehensive best-management practices for agricultural production and food safety; amending s. 604.15, F.S.; revising a definition to make tropical foliage exempt from regulation under provisions relating to dealers in agricultural products; amending s. 604.50, F.S.; expanding county and municipal exemptions for nonresidential farm buildings to include permits and impact fees; amending s. 823.145, F.S.; expanding the materials used in agricultural operations that can be openly burned; providing certain limitations on such burning; providing an effective date.

—was referred to the Committees on Agriculture; Community Affairs; Judiciary; and General Government Appropriations.

By Senator Bennett—

SB 2062—A bill to be entitled An act relating to airline travel; requiring that, upon the cancellation or delay of a flight by more than 1 hour, the airline honor the purchaser's ticket at a later date or reimburse the purchaser the cost of the ticket and pay the purchaser an amount equal to the airline's flight-change penalty fee; providing for certain specified exceptions for canceled or delayed flights; defining the term "terrorist threat"; providing for additional remedies; providing for an award of damages, costs, and attorney's fees; providing that an airline violating the act more than once within a calendar year commits a misdemeanor of the second degree; providing penalties; providing that there is no expiration date for an airline ticket issued anywhere in the world for an airline flight originating in this state; requiring an airline to accept a nonrefundable ticket under certain circumstances; authorizing an airline to charge a transfer fee; providing an exception; requiring airlines to notify passengers when a previously delayed or canceled flight is reinstated; providing penalties for the failure to do so; requiring airlines to provide specific amenities to on-board passengers whose flights are delayed more than 3 hours; requiring airlines to provide specific notice of passengers' rights; providing an effective date.

—was referred to the Committees on Commerce; Transportation; and Judiciary.

Senate Resolutions 2064-2068—Not referenced.

By Senator Bullard—

SB 2070—A bill to be entitled An act relating to super enterprise zones; amending s. 212.02, F.S.; defining the "certified business" for purpose of a tax exemption provided to certain businesses located within a super enterprise zone; providing for future repeal; amending s. 212.08, F.S.; exempting certain property purchased for use or consumption by businesses in a super enterprise zone and retail sales by certified businesses in a super enterprise zone; providing an exception; specifying time periods for application of the exemptions for certain businesses; providing for future repeal; amending s. 290.0056, F.S.; providing additional responsibilities of an enterprise zone development agency relating to super enterprise zones; requiring an economic impact report; providing for future repeal; amending s. 290.0057, F.S.; applying requirements for an enterprise zone development plan to super enterprise zones; creating s. 290.00681, F.S.; requiring the Office of Tourism, Trade, and Economic Development to designate specified areas in Miami-Dade County as pilot project super enterprise zones for a certain period; providing qualification criteria; providing application requirements; providing for future repeal and revocation of the designation; creating s. 290.00682, F.S.; providing requirements for qualification as a certified business for sales tax exemption purposes; authorizing a local enterprise zone development agency to certify businesses; requiring the agency to provide lists of certified businesses; providing for disqualifying certified businesses under certain circumstances; providing for future repeal and revocation of certifications; amending s. 290.007, F.S.; specifying incentives for revitalization of super enterprise zones; requiring interim and final reviews of super enterprise zones by the Office of Program Policy Analysis and Government Accountability; providing review of criteria; requiring reports to the Legislature; providing effective dates.

—was referred to the Committees on Commerce; Community Affairs; Finance and Tax; and Transportation and Economic Development Appropriations.

By Senator Posey—

SB 2072—A bill to be entitled An act relating to motor vehicles; amending s. 316.2015, F.S.; prohibiting the operator of a pickup or flatbed truck from allowing a minor to ride in the open body of the pickup or flatbed truck while on a public road unless the minor is restrained in safety restraints or secure seating; providing certain exceptions; providing that a county is exempt from the requirement upon a majority vote of the governing body of the county; providing an effective date.

—was referred to the Committees on Transportation; Criminal Justice; and Transportation and Economic Development Appropriations.

By Senator Bullard—

SB 2074—A bill to be entitled An act relating to highway designations; designating a portion of U.S. 1 as "American Legion Way" in Miami-Dade County; directing the Department of Transportation to erect markers; providing an effective date.

—was referred to the Committee on Transportation.

By Senator Deutch—

SB 2076—A bill to be entitled An act relating to arbitration; creating s. 682.011, F.S.; providing definitions; creating s. 682.012, F.S.; providing that ch. 682, F.S., the Florida Arbitration Code, does not apply to certain insurance policies; providing that mandatory binding arbitration is void and unenforceable except as otherwise provided by federal law; creating s. 682.013, F.S.; providing for the effect of an arbitration agreement; prohibiting the waiver of certain rights and requirements; providing an exception to provisions prohibiting waiving the right of a court to vacate an award; providing that an agreement to a court decision constitutes a waiver of the right to arbitrate; creating s. 682.031, F.S.; specifying actions that constitute notice; creating s. 682.032, F.S.; providing procedures for initiating arbitration; amending s. 682.04, F.S.; requiring that the court appoint arbitrators if the parties do not agree on such selection; prohibiting a person having an interest in the outcome of the proceeding from serving as an arbitrator; creating s. 682.041, F.S.; authorizing the court to enter an order for provisional remedies; creating s. 682.042, F.S.; requiring that an arbitrator disclose any facts that may affect the impartiality of the proceeding; providing that a financial or personal interest in the outcome of a proceeding or an existing or past relationship with a party constitutes grounds for removal of the arbitrator; providing for the court to order the removal of the arbitrator and appoint a successor; providing that failure to disclose an interest in the outcome of a proceeding or to disclose a relationship with a party is evidence of partiality; requiring that an arbitrator sign an oath affirming the absence of certain ties; creating s. 682.043, F.S.; providing for the consolidation of separate arbitration proceedings; authorizing the court to consolidate some claims and allow other claims to be resolved separately; amending s. 682.05, F.S.; requiring that all arbitrators to a proceeding conduct certain hearings; creating s. 682.052, F.S.; providing procedures for an arbitration proceeding; requiring that all parties be physically present except in certain cases; providing for a summary disposition of a claim or particular issue; amending s. 682.06, F.S.; revising requirements for conducting the hearing; requiring notice of the right to representation; amending s. 682.07, F.S.; requiring that the parties receive information concerning available assistance; amending s. 682.08, F.S.; requiring that a subpoena be included in the record of the arbitration; providing for dispositions to be conducted under the Florida Rules of Civil Procedure; providing for additional discovery, the issuance of subpoenas, and other orders; authorizing a arbitrator to issue a protective order under limited circumstances; providing for a subpoena or order to be enforced by a court; requiring that witnesses testify under oath; creating s. 682.085, F.S.; providing for judicial enforcement of a preaward ruling; amending s. 682.09, F.S.; requiring the award contain findings and damages or other relief; requiring that the award be made a public record; amending s. 682.11, F.S.; providing certain limitations on expenses and fees; providing for an award of attorney's fees and other expenses of arbitration; authorizing the court to order that the costs of arbitration be shared among the parties; amending s. 682.12, F.S.; providing for confirmation of an award by the court; amending s. 682.13, F.S.; providing additional circumstances under which a court may vacate an award; authorizing the parties to an arbitration to contract for judicial review of errors of law in the award; amending s. 682.14, F.S.; authorizing the court to modify or correct an award; requiring that a consumer seek to modify or vacate an award issued under a consumer arbitration agreement within a specified period; amending s. 682.15, F.S.; providing for the recording and enforcement of an award; amending s. 682.20, F.S.; providing additional circumstances under which an arbitration decision may be appealed; creating s. 682.202, F.S.; specifying that ch. 682, F.S., modifies, limits, and supersedes certain provisions of federal law; creating s. 682.203, F.S.; requiring that certain arbitration organizations make information available to the public concerning the type and number of disputes it handles; requiring that such information be provided free of charge; requiring that an arbitration organization waive the fees for low-income persons involved in a consumer arbitration; requiring that an arbitration organization provide notice of the right to such waiver; prohibiting an arbitrator or arbitration organization from requiring a consumer to pay the fees and costs incurred by an opposing party; authorizing a court to enjoin such violation and order restitution; creating s. 682.204, F.S.; requiring that a party drafting an arbitration agreement disclose filing fees and costs; providing that failure to make such disclosures constitutes a deceptive and unfair trade practice; providing for enforcement of such provision by injunction; providing for application of the act; providing an effective date.

—was referred to the Committees on Judiciary; Commerce; Banking and Insurance; and Criminal and Civil Justice Appropriations.

By Senator Oelrich—

SB 2078—A bill to be entitled An act relating to springs protection; creating part IV of ch. 369, F.S., entitled "Springs Protection"; providing a short title; providing legislative findings and intent; providing definitions; establishing the Florida Springs Stewardship Task Force; providing for task force membership and duties; requiring a report to the Governor and Legislature; providing for assistance and cooperation from state agencies and local governments; providing for expiration of the task force; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Community Affairs; and General Government Appropriations.

By Senator Haridopolos—

SB 2080—A bill to be entitled An act relating to value adjustment boards; expressing the legislative intent to revise laws relating to value adjustment boards; providing an effective date.

—was referred to the Committees on Finance and Tax; Community Affairs; Education Pre-K - 12 Appropriations; and Rules.

SB 2082—Previously referenced.

By Senator Villalobos—

SB 2084—A bill to be entitled An act relating to condominiums; amending s. 718.111, F.S.; requiring official records of the association to be maintained for at least 5 years and to be made available at certain locations; providing civil and criminal sanctions, including personally against any officer, director, or manager who knowingly or intentionally defaces, destroys, or fails to create or maintain accounting records; prohibiting accessibility to certain personal identifying information of unit owners by fellow unit owners; restricting a condominium association from waiving a financial report for more than 2 years; amending s. 718.112, F.S.; prohibiting votes allocated to units owned by the association from being cast by proxy, ballot, or otherwise, for any purpose; requiring the board to address certain agenda items proposed by a petition of a specified percent of the unit owners; providing requirements for the location of annual unit owner meetings; revising notice procedures; providing for the securing of ballots; revising procedures relating to the filling of a vacancy on the board; authorizing persons acting under a specific power of attorney to vote on behalf of a unit owner; removing a

provision allowing an association to provide for different voting and election procedures in its bylaws; requiring the association to prepare an annual budget of estimated revenues and expenses; requiring certain ballot statements to contain certain statements; requiring a vote to provide for no reserves or a percentage of reserves to be made at annual meetings; authorizing the association to use reserve funds for nonscheduled purposes under certain conditions; amending s. 718.113, F.S.; requiring the board to have the condominium buildings periodically inspected for structural and electrical soundness by a professional engineer or professional architect registered in the state; requiring the inspector to provide a report to the association and unit owners; prohibiting the board from adopting rules or regulations impairing certain rights or prohibiting reasonable accommodation for religious practices; creating s. 718.1224, F.S.; prohibiting certain lawsuits arising from unit owners' appearances and presentations before a governmental entity; providing a definition; providing for award of damages and attorney fees; prohibiting associations from expending association funds in prosecuting such a suit against a unit owner; providing an effective date.

—was referred to the Committees on Regulated Industries; Community Affairs; and Judiciary.

By Senator Jones—

SB 2086—A bill to be entitled An act relating to condominium associations; amending s. 718.111, F.S.; requiring that hazard insurance be based upon the replacement cost of the property to be insured as determined by an independent insurance appraisal or update of a prior appraisal; requiring that the full insurable value be determined at specified intervals; providing a means by which an association may provide adequate hazard insurance; authorizing an association to consider certain information when determining coverage amounts; providing for coverage by developer-controlled associations; providing that policies may include deductibles as determined by the association's board of directors; providing requirements and guidelines for the establishment of such deductibles; requiring that the amounts of deductibles be set at a meeting of the board; providing requirements for such meeting; requiring that an association controlled by unit owners operating as a residential condominium use its best efforts to obtain and maintain adequate insurance to protect the association and property under its supervision or control; providing that a declaration of condominium may provide that condominium property consisting of freestanding buildings comprised of no more than one building in or on such unit need not be insured by the association if the declaration requires the unit owner to obtain adequate insurance for the condominium property; authorizing an association to obtain and maintain liability insurance for directors and officers, insurance for the benefit of association employees, and flood insurance for common elements, association property, and units; requiring that every hazard insurance policy issued or renewed on or after a specified date for the purpose of protecting the condominium provide certain coverage; requiring that such policies contain certain provisions; providing that such policies issued to individual unit owners do not provide rights of subrogation against the condominium association; providing for the insurance of improvements or additions benefiting fewer than all unit owners; requiring that an association require each owner to provide evidence of a current policy of hazard and liability insurance upon request; limiting the frequency with which an association may make such a request; authorizing an association to purchase coverage on behalf of an owner under certain circumstances; providing for the collection of the costs of such a policy; providing responsibilities of the unit owner and association with regard to reconstruction work and associated costs after a casualty loss; authorizing a multicondominium association to operate such condominiums as a single condominium for certain purposes by majority vote of the members of all applicable condominiums; providing that such election constitutes an amendment to the declaration of all applicable condominiums; requiring that an association maintain insurance or fidelity bonding for all persons who control or disburse association funds; requiring that such insurance policy or fidelity bond cover the maximum funds in the custody of the association or its management agent at any one time; defining the term "persons who control or disburse funds of the association"; authorizing an association to amend the declaration of condominium without regard to any requirement for approval by mortgagees of amendments affecting insurance requirements for the purpose of conforming the declaration of condominium to certain coverage requirements; providing that any portion of the condominium property required to be insured by the association against casualty loss which is damaged be reconstructed, repaired, or replaced as necessary by the association as a common expense; providing that all hazard insurance deductibles, uninsured losses, and other damages in excess of hazard insurance coverage under the hazard insurance policies maintained by the association are a common expense of the condominium; providing exceptions; allocating responsibility for certain costs of repair or reconstruction; authorizing an association to opt out of certain requirements related to such allocation of responsibility by majority vote; providing a procedure by which a multicondominium association that has not consolidated its financial operations may opt out of such allocation of responsibility; requiring that a decision to opt out be recorded; providing that such decision takes effect on the date on which it is recorded; authorizing the reversal of such decision; providing a procedure for reversal; providing that an association is not obligated to pay for any reconstruction or repair expenses for improvements made by an owner or the development if an improvement benefits only the unit for which it was installed; amending s. 718.115, F.S.; requiring that certain expenses be designated as common expenses; amending s. 718.116, F.S.; authorizing the designee of a unit owner or mortgagee to request a certificate of assessment; requiring that the fee for preparation of such certificate be stated on the certificate; providing for the establishment of such fees; providing for payment of the fee; requiring that the fee be refunded if a planned sale or mortgage does not occur; providing that any such refund is the obligation of the unit owner and is collectable in the same manner as an assessment; amending s. 718.117, F.S.; prohibiting the distribution of proceeds from the sale of a condominium unit to a lienholder from exceeding a unit owner's share of the proceeds; creating s. 720.30851, F.S.; requiring that the association provide a certificate signed by an officer or agent of the association stating all assessments and other moneys owed to the association by the parcel owner or mortgagee with respect to the parcel within a specified period after the association's receipt of a request for an estoppel certificate by an owner or mortgagee; providing that any person other than a parcel owner who relies upon a certificate receives the benefits and protection thereof; providing that a summary proceeding may be brought to compel the association to comply with the requirement to provide a certificate; providing that the prevailing party is entitled to recover reasonable attorney's fees; requiring that the fee for preparation of such certificate be stated on the certificate; providing for the establishment of such fees; providing for payment of the fee; requiring that the fee be refunded if a planned sale or mortgage does not occur; providing that any such refund is the obligation of the unit owner and is collectable in the same manner as an assessment; providing an effective date.

—was referred to the Committees on Regulated Industries; Banking and Insurance; and Judiciary.

By Senator Justice—

SB 2088—A bill to be entitled An act relating to water supply; creating part VII of ch. 373, F.S., relating to water supply policy, planning, production, and funding; providing a declaration of policy; providing definitions; providing for the powers and duties of water management district governing boards; requiring the Department of Environmental Protection to develop the Florida water supply plan; providing components of the plan; requiring water management district governing boards to develop water supply plans for their respective regions; providing components of district water supply plans; providing legislative findings and intent with respect to water resource development and water supply development; requiring water management districts to fund and implement water resource development; specifying water supply development projects that are eligible to receive priority consideration for state or water management district funding assistance; encouraging cooperation in the development of water supplies; providing for alternative water supply development; encouraging municipalities, counties, and special districts to create regional water supply authorities; establishing the primary roles of the water management districts in alternative water supply development; establishing the primary roles of local governments, regional water supply authorities, special districts, and publicly owned and privately owned water utilities in alternative water supply development; requiring the water management districts to detail the specific allocations to be used for alternative water supply development in their annual budget submission; requiring that the water management districts include the amount needed to implement the water supply development projects in each annual budget; establishing general funding criteria for funding assistance to the state or water management districts; establishing economic incentives for alternative water

supply development; providing a funding formula for the distribution of state funds to the water management districts for alternative water supply development; requiring that funding assistance for alternative water supply development be limited to a percentage of the total capital costs of an approved project; establishing a selection process and criteria; providing for cost recovery from the Public Service Commission; requiring a water management district governing board to conduct water supply planning for each region identified in the district water supply plan; providing procedures and requirements with respect to regional water supply plans; providing for joint development of a specified water supply development component of a regional water supply plan within the boundaries of the Southwest Florida Water Management District; providing that approval of a regional water supply plan is not subject to the rulemaking requirements of the Administrative Procedure Act; requiring the department to submit annual reports on the status of regional water supply planning in each district; providing construction with respect to the water supply development component of a regional water supply plan; requiring water management districts to present to certain entities the relevant portions of a regional water supply plan; requiring certain entities to provide written notification to water management districts as to the implementation of water supply project options; requiring water management districts to notify local governments of the need for alternative water supply projects; requiring water management districts to assist local governments in the development and future revision of local government comprehensive plan elements or public facilities reports related to water resource issues; providing for the creation of regional water supply authorities; providing purpose of such authorities; specifying considerations with respect to the creation of a proposed authority; specifying authority of a regional water supply authority; providing authority of specified entities to convey title, dedicate land, or grant land-use rights to a regional water supply authority for specified purposes; providing preferential rights of counties and municipalities to purchase water from regional water supply authorities; providing exemption for specified water supply authorities from consideration of certain factors and submissions; providing applicability of such exemptions; authorizing the West Coast Regional Water Supply Authority and its member governments to reconstitute the authority's governance and rename the authority under a voluntary interlocal agreement; providing compliance requirements with respect to the interlocal agreement; providing for supersession of conflicting general or special laws; providing requirements with respect to annual budgets; specifying the annual millage for the authority; authorizing the authority to request the governing board of the district to levy ad valorem taxes within the boundaries of the authority to finance authority functions; providing requirements and procedures with respect to the collection of such taxes; amending ss. 11.80, 120.52, 163.3167, and 163.3177, F.S.; conforming cross-references; amending ss. 163.3191, 186.009, 189.404, 189.4155, 189.4156, and 367.021, F.S.; conforming cross-references; amending s. 373.016, F.S., relating to the declaration of policy, to conform; amending s. 373.019, F.S., relating to definitions, to conform; amending s. 373.026, F.S.; conforming a cross-reference; amending s. 373.036, F.S., relating to the Florida water plan and district water management plans, to include the Florida water supply plan and district water supply plans and make other conforming changes; amending s. 373.042, F.S.; providing for minimum flow and level provisions for alternative water supply project options; amending ss. 373.0421, 373.0695, 373.199, 373.223, 373.2234, 373.229, 373.414, 373.421, 373.4592, 373.45926, 373.4595, 373.470, 373.536, 373.59, 378.212, 378.404, 403.031, 403.0891, 403.813, 403.890, 556.102, and 682.02, F.S.; conforming cross-references; renumbering s. 373.71, F.S., relating to the Apalachicola-Chattahoochee-Flint River Basin Compact, to clarify retention of the section in part VI of ch. 373, F.S.; repealing s. 373.0361, F.S., relating to regional water supply planning; repealing s. 373.0391, F.S., relating to technical assistance to local governments; repealing s. 373.0831, F.S., relating to water resource and water supply development; repealing s. 373.196, F.S., relating to alternative water supply development; repealing s. 373.1961, F.S., relating to water production and related powers and duties of water management districts; repealing s. 373.1962, F.S., relating to regional water supply authorities; repealing s. 373.1963, F.S., relating to assistance to the West Coast Regional Water Supply Authority; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Community Affairs; Governmental Operations; and General Government Appropriations.

SR 2090—Not referenced.

By Senator Hill—

SB 2092—A bill to be entitled An act relating to the Florida Retirement System; amending s. 121.021, F.S.; redefining the term "special risk member" for the purposes of the Florida Retirement System to include certain members employed by certain public acute care hospitals; amending s. 121.0515, F.S.; revising criteria for membership in the special risk class to include certain members employed by certain public acute care hospitals; providing a statement of important state interest; providing an effective date.

—was referred to the Committees on Health Policy; Community Affairs; Governmental Operations; and General Government Appropriations.

By Senator Webster—

SB 2094—A bill to be entitled An act relating to the tax on sales, use, and other transactions; specifying a period during which the sale of books, clothing, and school supplies is exempt from the tax; providing definitions; providing exceptions; authorizing the Department of Revenue to adopt rules; providing an appropriation; providing an effective date.

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

By Senator Bullard—

SB 2096—A bill to be entitled An act relating to the Department of Transportation; amending s. 334.044, F.S.; directing the department to maintain specified training programs for employees and prospective employees; amending s. 339.155, F.S.; eliminating the requirement for annual updating of the Florida Transportation Plan; removing obsolete provisions; deleting the requirement to develop a short-range component of the Florida Transportation Plan; eliminating the requirement to develop an annual performance report; amending ss. 338.223, 339.2819, and 339.285, F.S., relating to proposed turnpike projects, the Transportation Regional Incentive Program, and the Enhanced Bridge Program for Sustainable Transportation; conforming cross-references; providing an effective date.

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

By Senator Crist—

SB 2098—A bill to be entitled An act relating to trust funds; recreating the Federal Grants Trust Fund within the Florida Parole Commission without modification; repealing s. 947.045(3), F.S.; abrogating provisions relating to the termination of the trust fund, to conform; providing an effective date.

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

By Senator Crist—

SB 2100—A bill to be entitled An act relating to trust funds; recreating the Shared County/State Juvenile Detention Trust Fund within the Department of Juvenile Justice without modification; repealing s. 985.6015(3), F.S.; abrogating provisions relating to the termination of the trust fund, to conform; amending s. 985.686, F.S.; requiring counties to deposit funds for the costs for juvenile detention into the Shared County/State Juvenile Detention Trust Fund rather than the Juvenile Justice Grants and Donations Trust Fund; providing an effective date.

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

By Senator Peaden—

SB 2102—A bill to be entitled An act relating to trust funds of the Agency for Health Care Administration; terminating the Florida Organ and Tissue Donor Education and Procurement Trust Fund and the Resident Protection Trust Fund; providing for the disposition of the balances in and revenues of the trust funds; prescribing procedures for the termination of the trust funds; amending s. 20.425, F.S.; providing for the administration of the Administrative Trust Fund, the Grants and Donations Trust Fund, the Health Care Trust Fund, the Medical Care Trust Fund, the Public Medical Assistance Trust Fund, the Quality of Long-Term Care Facility Improvement Trust Fund, and the Refugee Assistance Trust Fund by the Agency for Health Care Administration; providing for sources of funds and purposes; providing for annual carryforward of funds; revising the date for reversion of specified balances in the Tobacco Settlement Trust Fund; amending ss. 215.20, 320.08047, 322.08, 393.0673, and 393.0678, F.S., to conform; amending s. 394.903, F.S.; conforming a cross-reference; repealing s. 394.904, F.S., which creates the Health Care Trust Fund, to conform; amending s. 400.062, F.S., to conform; clarifying provisions with respect to amounts on deposit in the Health Care Trust Fund which control the setting of specified rates that comprise a portion of licensing fees for nursing homes and general health care licensing; removing obsolete language, to conform; amending ss. 400.063, 400.121, 400.126, 400.162, 400.966, and 765.515, F.S., to conform; repealing s. 765.52155, F.S., which creates the Florida Organ and Tissue Donor Education and Procurement Trust Fund, to conform; amending s. 765.544, F.S., to conform; providing an effective date.

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

By Senator Peaden—

SB 2104—A bill to be entitled An act relating to trust funds; recreating the Administrative Trust Fund within the Agency for Persons with Disabilities without modification; carrying forward current balances and continuing current sources and uses thereof; amending s. 20.1971, F.S.; removing the scheduled termination of the trust fund; providing an effective date.

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

By Senator Peaden—

SB 2106—A bill to be entitled An act relating to trust funds; recreating the Tobacco Settlement Trust Fund within the Agency for Persons with Disabilities; carrying forward current balances and continuing current sources and uses thereof; amending s. 20.1971, F.S.; revising a condition with respect to the reversion of specified unencumbered balances; removing the scheduled termination of the trust fund; providing an effective date.

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

By Senator Peaden—

SB 2108—A bill to be entitled An act relating to trust funds; recreating the Federal Grants Trust Fund within the Agency for Persons with Disabilities without modification; carrying forward current balances and continuing current sources and uses thereof; amending s. 20.1971, F.S.; removing the scheduled termination of the trust fund; providing an effective date.

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

By Senator Peaden—

SB 2110—A bill to be entitled An act relating to trust funds; recreating the Operations and Maintenance Trust Fund within the Agency for Persons with Disabilities without modification; carrying forward current balances and continuing current sources and uses thereof; amending s. 20.1971, F.S.; removing the scheduled termination of the trust fund; providing an effective date.

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

By Senator Peaden—

SB 2112—A bill to be entitled An act relating to trust funds; recreating the Social Services Block Grant Trust Fund within the Agency for Persons with Disabilities without modification; carrying forward current balances and continuing current sources and uses thereof; amending s. 20.1971, F.S.; removing the scheduled termination of the trust fund; providing an effective date.

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

By Senator Peaden—

SB 2114—A bill to be entitled An act relating to trust funds; recreating the Welfare Transition Trust Fund within the Department of Children and Family Services without modification; carrying forward current balances and continuing current sources and uses thereof; amending s. 20.506, F.S.; removing the scheduled termination of the trust fund; providing an effective date.

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

By Senator Peaden—

SB 2116—A bill to be entitled An act relating to trust funds of the Department of Children and Family Services; terminating the Child Advocacy Trust Fund and the Refugee Assistance Trust Fund; providing for the disposition of balances in and revenues of the trust funds; prescribing procedures for the termination of the trust funds; amending s. 17.61, F.S., to conform; amending s. 20.195, F.S.; providing for the administration of the Administrative Trust Fund, the Alcohol, Drug Abuse, and Mental Health Trust Fund, the Child Welfare Training Trust Fund, the Domestic Violence Trust Fund, the Federal Grants Trust Fund, the Grants and Donations Trust Fund, the Operations and Maintenance Trust Fund, the Social Services Block Grant Trust Fund, the Welfare Transition Trust Fund, and the Working Capital Trust Fund by the Department of Children and Family Services; providing for sources of funds and purposes; providing for annual carryforward of funds; revising the date for reversion of specified balances in the Tobacco Settlement Trust Fund; amending s. 39.3035, F.S.; providing for the appropriation of funds to the Department of Children and Family Services for the specific purpose of funding children's advocacy centers; providing for sources of funds and purposes thereof; specifying the use of collected funds; requiring the development of funding criteria and an allocation methodology for distributing such funds; requiring annual reports; requiring an annual report to the Legislature; repealing s. 39.30351, F.S.; eliminating the Child Advocacy Trust Fund to conform to the termination of the fund by this act; amending s. 215.22, F.S.; exempting specified funds disbursed to the Florida Network of Children's Advocacy Centers, Inc., from the service charge imposed on income of a revenue nature deposited in trust funds; amending s. 938.10, F.S.; providing for deposit of proceeds derived from additional court costs imposed in cases of certain crimes against minors into the Grants and Donations Trust Fund of the department for the purpose of funding children's advocacy centers; removing obsolete language; removing reporting requirements; providing an effective date.

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

By Senator Peaden—

SB 2118—A bill to be entitled An act relating to trust funds; recreating the Welfare Transition Trust Fund within the Department of Health without modification; carrying forward current balances and continuing current sources and uses thereof; amending s. 20.435, F.S.; removing the scheduled termination of the trust fund; providing an effective date.

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

By Senator Peaden—

SB 2120—A bill to be entitled An act relating to trust funds of the Department of Veterans' Affairs; creating s. 20.375, F.S.; providing for the administration of the Federal Grants Trust Fund, the Grants and Donations Trust Fund, the Operations and Maintenance Trust Fund, and the State Homes for Veterans Trust Fund by the Department of Veterans' Affairs; providing for sources of funds and purposes; providing for annual carryforward of funds; amending ss. 296.11 and 296.38, F.S.; specifying an additional use of moneys in the Grants and Donations Trust Fund of the department for the benefit of veterans who are residents of the Veterans' Domiciliary Home of Florida or a veterans' nursing home; providing an effective date.

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

By Senator Peaden—

SB 2122—A bill to be entitled An act relating to trust funds of the Department of Health; terminating the Florida Center for Nursing Trust Fund within the Department of Health; providing for the disposition of the balances in and revenues of the trust fund; prescribing procedures for the termination of the trust fund; amending s. 20.435, F.S.; removing obsolete language; revising the date for reversion of specified balances in the Tobacco Settlement Trust Fund; removing the scheduled termination of the Welfare Transition Trust Fund; providing for the administration of the Brain and Spinal Cord Injury Program Trust Fund, the County Health Department Trust Fund, the Donations Trust Fund, the Florida Drug, Device, and Cosmetic Trust Fund, the Emergency Medical Services Trust Fund, the Epilepsy Services Trust Fund, the Maternal and Child Health Block Grant Trust Fund, the Nursing Student Loan Forgiveness Trust Fund, the Planning and Evaluation Trust Fund, the Preventive Health Services Block Grant Trust Fund, the Radiation Protection Trust Fund, the Rape Crisis Program Trust Fund, and the United States Trust Fund by the Department of Health; providing for sources of funds and purposes; providing for annual carryforward of funds; amending s. 215.22, F.S.; exempting voluntary contributions to the Florida Center for Nursing from the service charge imposed on income of a revenue nature deposited in trust funds; removing reference to the Florida Center for Nursing Trust Fund, to conform to the termination of the fund; amending s. 215.5601, F.S.; conforming a cross-reference; amending s. 464.0195, F.S., to conform; repealing s. 464.0198, F.S., which creates the Florida Center for Nursing Trust Fund, to conform; providing an effective date.

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

By Senator Peaden—

SB 2124—A bill to be entitled An act relating to trust funds of the Department of Elderly Affairs; creating s. 20.415, F.S.; providing for the administration of the Administrative Trust Fund, the Tobacco Settlement Trust Fund, the Federal Grants Trust Fund, the Grants and Donations Trust Fund, and the Operations and Maintenance Trust Fund by the department; providing for sources of funds and purposes; providing for annual carryforward of funds; providing for reversion of funds in the Tobacco Settlement Trust Fund; providing for certification of undisbursed obligated general revenue appropriation balances in the Grants and Donations Trust Fund for a specified period of time; repealing s. 430.41, F.S., which creates the Grants and Donations Trust Fund, to conform; repealing s. 430.42, F.S., which creates the Department of Elderly Affairs Tobacco Settlement Trust Fund, to conform; providing an effective date.

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

By Senators Alexander and Lawson—

SB 2126—A bill to be entitled An act relating to trust funds; recreating the Water Protection and Sustainability Program Trust Fund within the Department of Environmental Protection without modification; repealing s. 403.891(3), F.S.; abrogating provisions relating to the termination of the trust fund, to conform; providing an effective date.

—was referred to the Committee on General Government Appropriations.

By Senators Alexander and Lawson—

SB 2128—A bill to be entitled An act relating to trust funds; recreating the Administrative Trust Fund within the Fish and Wildlife Conservation Commission without modification; repealing s. 372.101(3), F.S.; abrogating provisions relating to the termination of the trust fund, to conform; providing an effective date.

—was referred to the Committee on General Government Appropriations.

By Senators Alexander and Lawson—

SB 2130—A bill to be entitled An act relating to trust funds; recreating the Federal Grants Trust Fund within the Fish and Wildlife Conservation Commission without modification; repealing s. 372.102(3), F.S.; abrogating provisions relating to the termination of the trust fund, to conform; providing an effective date.

—was referred to the Committee on General Government Appropriations.

By Senators Alexander and Lawson—

SB 2132—A bill to be entitled An act relating to trust funds; recreating the Grants and Donations Trust Fund within the Fish and Wildlife Conservation Commission without modification; repealing s. 372.103(3), F.S.; abrogating provisions relating to the termination of the trust fund, to conform; providing an effective date.

—was referred to the Committee on General Government Appropriations.

By Senators Alexander and Lawson—

SB 2134—A bill to be entitled An act relating to trust funds; creating the Working Capital Trust Fund within the Department of Financial Services; providing for sources of funds and purposes; providing for future review and termination or re-creation of the trust fund; providing an effective date.

—was referred to the Committee on General Government Appropriations.

By Senator Fasano—

SB 2136—A bill to be entitled An act relating to trust funds; creating the Federal Grants Trust Fund within the Department of State; provid-

ing for sources of funds and purposes; providing for future review and termination or re-creation of the trust fund; providing an effective date.

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

By Senator Fasano—

SB 2138—A bill to be entitled An act relating to trust funds; creating the Clearing Funds Trust Fund within the Department of State; providing for sources of funds and purposes; providing for future review and termination or re-creation of the trust fund; amending ss. 99.092 and 99.093, F.S.; clarifying provisions requiring that election assessments be transferred to the Elections Commission Trust Fund within the Department of Legal Affairs; amending s. 105.031, F.S.; requiring that the filing fees for certain offices be transferred to the Department of Legal Affairs rather than the Department of Revenue for deposit into the Elections Commission Trust Fund; amending s. 106.24, F.S.; deleting an obsolete reference to the Division of Elections with respect to the use of funds in the Elections Commission Trust Fund; amending s. 610.104, F.S.; requiring that certain funds paid to the Department of State by cable or video providers be deposited into the Clearing Funds Trust Fund rather than the Operating Trust Fund; providing an effective date.

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

By Senator Fasano—

SB 2140—A bill to be entitled An act relating to trust funds; re-creating the Welfare Transition Trust Fund within the Department of Military Affairs without modification; repealing s. 250.175(5)(d), F.S.; abrogating provisions relating to the termination of the trust fund, to conform; providing an effective date.

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

By Senator Fasano—

SB 2142—A bill to be entitled An act relating to trust funds; creating the Federal Grants Trust Fund within the Department of Community Affairs; providing for sources of funds and purposes; providing for future review and termination or re-creation of the trust fund; providing an effective date.

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

By Senator Fasano—

SB 2144—A bill to be entitled An act relating to trust funds; terminating specified trust funds within the Department of State; providing for disposition of balances in and revenues of such trust funds; prescribing procedures for the termination of such trust funds; amending s. 257.43, F.S.; requiring that certain moneys received by the Division of Library and Information Services be held in the Grants and Donations Trust Fund rather than the operating trust fund; amending ss. 265.284 and 265.703, F.S.; requiring that certain donations and income received by the Division of Cultural Affairs, including moneys received from rentals of facilities and properties, be deposited into the Grants and Donations Trust Fund; eliminating provisions creating the Florida Fine Arts Trust Fund; amending ss. 267.0617, 267.0619, 267.072, 267.0731, 267.074, and 267.115, F.S.; providing for the Grants and Donations Trust Fund rather than the Historical Resources Operating Trust Fund to be used for administering the Historic Preservation Grant Program, the program providing Historical Museum Grants, Museum of Florida History programs, the Great Floridians Program, the State Historical Marker Program, and provisions governing objects of historical or archaeological value; amending ss. 267.081 and 267.17, F.S.; requiring that moneys received by the Division of Historical Resources from the sale of publications and the rental of facilities and properties be held in the Grants and Donations Trust Fund rather than the operating trust fund; amending s. 267.174, F.S.; providing for the Grants and Donations Trust Fund rather than the Historical Operating Trust Fund to receive remaining assets following the termination of the Discovery of Florida Quincentennial Commemoration Commission and its support organization; providing an effective date.

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

By Senator Fasano—

SB 2146—A bill to be entitled An act relating to trust funds; terminating specified trust funds within the Department of Community Affairs; providing for disposition of balances in and revenues of such trust funds; prescribing procedures for the termination of such trust funds; amending s. 420.36, F.S.; redesignating the Energy Consumption Trust Fund within the Department of Community Affairs as the Federal Grants Trust Fund; providing a contingent effective date.

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

By Senators Haridopolos, Fasano and Dean—

SB 2148—A bill to be entitled An act relating to public construction works; amending s. 255.20, F.S.; revising requirements for a county, municipality, special district, or other political subdivision of the state to competitively award contracts for certain construction projects; revising exceptions to those requirements; providing procedures for an exception to those requirements when all bids or proposals are greater than a threshold amount; providing that certain construction contract terms limiting the right of a contractor to recover certain costs or damages are void; providing that certain decisions by the local governmental entity concerning additional compensation or time to which a contractor is entitled are subject to de novo review in state court; amending s. 336.41, F.S.; revising provisions authorizing a county to employ labor and provide equipment for road and bridge projects; removing authorization for a county to use its own resources for constructing and opening new roads and bridges; revising requirements for certain county road and bridge projects to be let to contract; authorizing the governing body of a municipality to employ labor and provide equipment for repair and maintenance of roads and bridges; requiring county and municipal construction and reconstruction projects using certain tax revenues to be let to contract; providing exceptions; authorizing a municipality to require that persons interested in performing work under the contract first be certified or qualified to do the work when the contract amount exceeds a certain threshold; providing for qualification of a contractor by the Department of Transportation; providing that a contractor may be considered ineligible to bid by the municipality if the contractor is behind an approved progress schedule by more than a certain amount on another project for that municipality at the time of the advertisement of the work requiring prequalification; authorizing an appeal process; requiring prequalification criteria and procedures to be published prior to advertisement or notice of solicitation; requiring notice of a public hearing for comment on such criteria and procedures prior to adoption; requiring the procedures to provide for an appeal process for objections to the prequalification process; requiring the municipality to publish for comment, prior to adoption, the selection criteria and procedures to be used if such procedures would allow selection of other than the lowest responsible bidder; requiring the selection criteria to include an appeal process; providing an effective date.

—was referred to the Committees on Community Affairs; Transportation; Governmental Operations; and General Government Appropriations.

By Senator Bennett—

SB 2150—A bill to be entitled An act relating to motor vehicle dealers; amending s. 320.27, F.S.; redefining the term "motor vehicle dealer" to remove provisions excluding a dealer engaging in transactions of certain vehicles; providing conforming penalty provisions; creating s. 320.6425,

F.S.; prohibiting unlawful and additional motor vehicle dealership locations in violation of laws restricting the establishment of dealerships representing the same line-make; providing guidelines for determining what constitutes such locations; providing penalties for establishing an unlawful additional motor vehicle dealership or supplying a motor vehicle to such a dealership; exempting certain dealer-to-dealer transfers; providing an effective date.

—was referred to the Committees on Transportation; Commerce; and Judiciary.

By the Committee on Criminal Justice—

SB 2152—A bill to be entitled An act relating to disqualifications for employment; amending s. 112.011, F.S.; providing that a person may not be disqualified from receiving a license, permit, or certificate or from obtaining public employment on the grounds that the person's civil rights have not been restored; providing that a person is not required to secure the restoration of his or her civil rights or prove that his or her civil rights have been restored in order to receive a license, permit, or certificate or to obtain public employment; providing an effective date.

—was referred to the Committees on Criminal Justice; Governmental Operations; and Judiciary.

By the Committee on Criminal Justice—

SB 2154—A bill to be entitled An act relating to juvenile justice; amending s. 985.03, F.S.; defining the term "ordinary medical care"; amending s. 985.04, F.S.; providing that confidential information obtained during an official's service with juvenile delinquents may be shared with authorized personnel of the Department of Children and Family Services; amending s. 985.494, F.S.; removing references to the early delinquency intervention program when the court considers where to commit a delinquent; amending s. 985.601, F.S.; requiring the Department of Juvenile Justice to adopt rules to establish procedures to provide ordinary medical care, mental health, substance abuse, and developmental disabilities services to youth within the juvenile justice continuum; requiring that, to the extent possible within available fiscal resources, the procedures must be commensurate with procedures that youth receive in the community; amending s. 985.644, F.S.; deleting references to the Department of Children and Family Services for contracting services that carry out the purposes of the Department of Juvenile Justice; amending s. 985.66, F.S.; transferring the responsibility for the juvenile justice training program from the Juvenile Justice Standards and Training Commission to the Department of Juvenile Justice; requiring the department to adopt rules; repealing s. 985.61, F.S., relating to the early delinquency intervention program; amending s. 985.721, F.S.; conforming a cross-reference; providing an effective date.

—was referred to the Committees on Criminal Justice; Children, Families, and Elder Affairs; Governmental Operations; and Criminal and Civil Justice Appropriations.

By the Committee on Banking and Insurance—

SB 2156—A bill to be entitled An act relating to the Florida Hurricane Catastrophe Fund; amending s. 215.555, F.S.; creating the Division of the Florida Hurricane Catastrophe Fund as a division of the State Board of Administration; providing for a board of the division; revising legislative findings; revising the definition of "retention," "covered policy," and "estimated claims-paying capacity" to account for the creation of the division; defining the terms "division," "director," "FHCF," "fund," and "board"; clarifying provisions requiring the State Board of Administration to invest certain funds; requiring that the board of the division appoint a director; providing duties of the director; providing that the appointment of a director is subject to the approval of the board by a majority vote; authorizing the division to employ or contract with such staff as the division deems necessary to administer the fund; requiring that the division enter into a contract with each insurer writing covered policies in this state to provide to the insurer reimbursement as prescribed by state law; requiring that such contracts contain certain elements or provisions and provide the division with certain obligations; requiring that the division publish certain information in the Florida Administrative Weekly at specified times; authorizing the payment of advancements of reimbursements or reimbursement premiums to certain entities under certain conditions; requiring that the division inspect, examine, and verify the records of each insurer's covered policies at such times as the division deems appropriate and according to standards established by rule for the specific purpose of validating the accuracy of exposures and losses required to be reported under the terms and conditions of the reimbursement contract; providing for the payments of expenses associated with such inspection, examination, or verification; providing for the reimbursement of the division for such expenses by an insurer under certain circumstances; authorizing the division to take certain action if it finds any insurer's records or other necessary information to be inadequate or inadequately posted, recorded, or maintained; requiring that the division select an independent consultant to develop a formula for determining the actuarially indicated premium to be paid to the fund; requiring that the division consider certain factors when establishing a reimbursement premium; providing for the calculation of such premium by the division; providing for the payment of reimbursement premium; providing for the collection of interest on certain late reimbursement premium payments; providing responsibilities of the division if Citizens Property Insurance Corporation assumes or otherwise provides coverage for policies of an insurer placed in liquidation; authorizing the division to execute agreements regarding revenue bonds or other financing arrangements for the purpose of evidencing, securing, preserving, or protecting a pledge of revenue by the corporation; requiring that the Florida Surplus Lines Service Office assist the division in ensuring the accurate and timely collection and remittance of assessments of surplus lines premiums; requiring that the office report certain information to the division at a time and in a manner prescribed by the division; providing for the issuance of revenue bonds through counties or municipalities; revising the membership of the Florida Hurricane Catastrophe Fund Finance Corporation; providing that there is no liability on the part of any member of the board of directors or employees of the corporation for any actions taken by them in the performance of their duties; providing additional powers and duties of the board of the division and the division; requiring that the board of the division appoint an advisory council; providing for membership of the council; providing duties of the council; authorizing the division to take any action necessary to enforce certain rules and provisions of a reimbursement contract; requiring that the division make certain recommendations to the Legislature upon the creation of a federal or multistate catastrophic insurance or reinsurance program intended to serve purposes similar to the purposes of the fund; providing for the reversion of fund assets upon termination of the fund; providing for optional coverages of the fund; revising the temporary increases in coverage limits (TICL); requiring that a TICL addendum contain a promise by the division to make certain reimbursements to the TICL insurer; including the level of TICL coverage specified by the board among the factors that must be considered when determining the amount of increase in the claims-paying capacity of the fund; amending s. 215.557, F.S.; conforming provisions to changes made by the act; amending s. 215.5586, F.S.; requiring that the director of the division serve on the advisory council of the My Safe Florida Home Program; amending s. 215.559, F.S., relating to the Hurricane Loss Mitigation Program; conforming a cross-reference; amending s. 215.5595, F.S., relating to the Insurance Capital Build-up Incentive Program; conforming provisions to changes made by the act; revising the definition of "board" to conform to changes made by the act; amending s. 627.0628, F.S.; revising legislative intent; assigning the Florida Commission on Hurricane Loss Projection Methodology to the division; requiring that the director of the fund serve on the commission; requiring that the board of the division annually appoint one of the members of the commission to serve as chair; requiring that the division provide for travel, expenses, and staff support for the commission; indemnifying members and employees of the division from liability for action taken with respect to the commission or its activities; requiring that the division employ certain methods, principles, standards, models, or output ranges when establishing reimbursement premiums for the fund; providing an effective date.

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

SB 2158—Previously referenced.

By Senator Deutch—

SB 2160—A bill to be entitled An act relating to sales tax exemptions; amending s. 212.08, F.S.; exempting the sale or lease of gasoline-electric hybrid vehicles and vehicles powered by certain other alternative fuels from the tax on sales, rental, use, consumption, storage, or distribution imposed by state law; providing certain mileage requirements for the vehicle; limiting the amount of the tax exemption; providing for future expiration of the exemption; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Communications and Public Utilities; Finance and Tax; and General Government Appropriations.

By Senator Wilson—

SB 2162—A bill to be entitled An act relating to smoking in a motor vehicle occupied by a child; creating s. 316.6137, F.S.; providing legislative intent; providing definitions; providing that it is unlawful for any person to operate or occupy a motor vehicle while smoking when a child under 18 years of age is occupying the motor vehicle; providing a penalty; requiring the Division of Motor Vehicles of the Department of Highway Safety and Motor Vehicles to provide notice of the provisions of the act; providing an effective date.

—was referred to the Committees on Transportation; Health Policy; Criminal Justice; and Transportation and Economic Development Appropriations.

By Senator Jones—

SB 2164—A bill to be entitled An act relating to fiduciaries; creating s. 90.5021, F.S.; providing a fiduciary lawyer-client privilege for purposes of the Florida Evidence Code; providing that a communication between a lawyer and a client acting as a fiduciary is privileged and protected from disclosure; amending s. 736.0703, F.S.; providing exceptions to duties and liabilities of cotrustees for excluded cotrustees under certain circumstances; providing for liabilities and obligations of included cotrustees; amending s. 736.0802, F.S.; providing an exception for trustee payments of costs and attorney's fees from trust assets except pursuant to court order under certain circumstances; providing requirements for obtaining such a court order; preserving certain court remedies; amending s. 736.1008, F.S.; specifying when a claim accrues against a trustee for breach of trust based on a matter not adequately disclosed; providing for application; specifying periods of repose barring claims by a beneficiary against a trustee; providing for construction; providing for application; providing an effective date.

—was referred to the Committees on Judiciary; and Banking and Insurance.

By Senator Wilson—

SB 2166—A bill to be entitled An act relating to a personal financial responsibility pilot program; establishing a 3-year pilot program in the state for certain purposes; providing a program goal; requiring the Commissioner of Education to develop a program curriculum and select certain school districts for participation; requiring a report to the Governor and Legislature; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Banking and Insurance; and Education Pre-K - 12 Appropriations.

By Senator Crist—

SB 2168—A bill to be entitled An act relating to penalties for driving under the influence; amending s. 316.193, F.S.; requiring a court to order a defendant, after a first conviction for driving under the influence, to participate in not less than 50 hours of community service as a condition of probation; authorizing a court to impose a specified fine under certain conditions; providing an exception; providing an effective date.

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

By Senator Oelrich—

SB 2170—A bill to be entitled An act relating to retirement for medical faculty at colleges of medicine at state universities; amending s. 121.021, F.S.; clarifying that the term "compensation" for purposes of the benefit retirement program or the Public Employee Optional Retirement Program of the Florida Retirement System does not include fees or salary payments made from a faculty practice plan authorized by the Board of Governors of the State University System for clinical faculty at a college of medicine in a state university; amending s. 121.051, F.S.; requiring that a person appointed to a faculty position at a college of medicine of a state university having a faculty practice plan participate in the optional retirement program of the State University System rather than the Florida Retirement System; providing definitions; amending s. 121.35, F.S.; defining the term "participant's gross monthly compensation" for purposes of the optional retirement program for the State University System; providing that the entities of the state university faculty practice plan are agents for the collection and administration of income generated from university faculty practice activities; specifying that such entities are not providers of medical services or the employer of any faculty physicians and do not have any partnership or agency relationship with faculty physicians or other health care professionals; providing an effective date.

—was referred to the Committees on Higher Education; Governmental Operations; and General Government Appropriations.

By Senator Crist—

SB 2172—A bill to be entitled An act relating to detention by licensed security officers; amending s. 493.6305, F.S.; permitting certain licensed security officers to detain certain individuals until the arrival of law enforcement officers; providing limits on such detention; requiring the transfer of alleged offenders to officers' custody; authorizing limited searches of persons detained or about to be detained when the licensed security officer has probable cause to believe that a person is armed with a dangerous weapon; requiring that seized weapons and evidence be provided to a responding law enforcement officer; amending s. 493.6115, F.S.; conforming a cross-reference; providing an effective date.

—was referred to the Committees on Criminal Justice; Commerce; Governmental Operations; and Judiciary.

By Senator Posey—

SB 2174—A bill to be entitled An act relating to insurance; expressing the legislative intent to revise laws relating to insurance; providing an effective date.

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

By Senator Posey—

SB 2176—A bill to be entitled An act relating to insurance; expressing the legislative intent to revise laws relating to insurance; providing an effective date.

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

By Senator Posey—

SB 2178—A bill to be entitled An act relating to insurance; expressing the legislative intent to revise laws relating to insurance; providing an effective date.

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

By Senator Posey—

SB 2180—A bill to be entitled An act relating to insurance; expressing the legislative intent to revise laws relating to insurance; providing an effective date.

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

By Senator Posey—

SB 2182—A bill to be entitled An act relating to insurance; expressing the legislative intent to revise laws relating to insurance; providing an effective date.

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

By Senator Posey—

SB 2184—A bill to be entitled An act relating to the Florida Building Code; expressing the legislative intent to revise laws relating to the Florida Building Code; providing an effective date.

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

SR 2186—Not referenced.

By Senator Bennett—

SB 2188—A bill to be entitled An act relating to mental health and substance abuse services; creating s. 394.8751, F.S.; authorizing the Department of Children and Family Services to establish a pilot program in Manatee County which integrates services provided by an adult mental health crisis stabilization unit and an addictions receiving facility; requiring licensure; providing eligibility criteria for services; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Health Policy; and Health and Human Services Appropriations.

By Senators Bennett and Storms—

SJR 2190—A joint resolution proposing an amendment to Section 9 of Article VII of the State Constitution to limit the total property tax that may be levied on any parcel of real property to 1.35 percent of the property's highest taxable value, to distribute tax revenues that exceed this cap in accordance with general law, and to exempt from this cap taxes levied for the payment of bonds and taxes that are imposed for a period of 2 years or less.

—was referred to the Committees on Community Affairs; Finance and Tax; Education Pre-K - 12 Appropriations; and Rules.

By Senator Storms—

SB 2192—A bill to be entitled An act relating to independent living preparation for youth in foster care; amending s. 409.1451, F.S.; authorizing group home provider agencies and residential agencies to prepare and implement developmental plans for children in their care; requiring the Independent Living Services Advisory Council to research and advise the Department of Children and Family Services and the Legislature on specific methods to reduce the number of youth in foster care who attain the age of 18 and do not acquire a high school diploma or its equivalent; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Education Pre-K - 12; and Health and Human Services Appropriations.

By Senator Aronberg—

SB 2194—A bill to be entitled An act relating to contracting; amending s. 489.105, F.S.; redefining the term "initial issuance"; amending s. 489.115, F.S.; revising requirements for applicants for initial certification as a contractor; authorizing certain certificateholders or registrants to use credit earned for attendance at certain continuing education courses for the purpose of fulfilling specified requirements; requiring that an initial applicant submit a set of fingerprints with his or her application; providing for the payment of costs associated with such fingerprints; requiring that the Department of Law Enforcement forward fingerprints to the Federal Bureau of Investigation for the purpose of performing a criminal background check on the applicant; requiring that the department of Business and Professional Regulation review the results of a background investigation to determine if an applicant meets licensure requirements; authorizing the Construction Industry Licensing Board to review the results of a background investigation for such purpose; authorizing the board to deny licensure under certain circumstances; requiring that the board consider certain information when deciding whether to approve or deny licensure; prohibiting the board from denying licensure to an applicant based solely upon a felony conviction or the applicant's failure to provide proof of restoration of his or her civil rights; authorizing the board to deny licensure based upon an applicant's lack of good moral character or because the applicant was convicted of a crime related to contracting; requiring that an applicant submit or have on file a surety bond before the initial issuance of a certificate or registration; providing requirements for such bond; providing penalties for failure to maintain such bond; authorizing persons who contract with a certificateholder or registrant for the performance of work that would require a license pursuant to state law to bring an action against the bond for damages resulting from acts by the certificateholder or registrant which constitute violations of state law; providing that a surety may cancel a bond upon a specified period of written notice to the department; providing that such surety remains liable for any damages arising out of a contract entered into before the date on which the surety canceled the bond; providing that an irrevocable letter of credit may be furnished to the department in lieu of a bond; providing for financial recovery by injured consumers against contractors providing such a letter of credit; amending s. 489.119, F.S.; requiring that an applicant seeking to engage in contracting as a business organization apply to qualify the business organization with the department; providing requirements for applications to qualify a business organization; deleting provisions relating to applications as a financially responsible officer and secondary qualifying agent; authorizing the board to deny an application under certain circumstances; deleting a provision relating to the renewal of a certificate of authority; deleting a provision requiring that a qualifying agent be certified or registered for a business organization to be issued a certificate of authority in the category of the business conducted for which the qualifying agent is certified or registered; deleting a provision requiring the issuance of a certificate of authority under certain circumstances; deleting a provision relating to disciplinary action against a business organization holding a certificate of authority; providing requirements for an application for an occupational license in a county or municipality; providing for the issuance of registration or certification numbers in lieu of certificate of authority numbers; requiring that such number appear on certain documents; providing for the payment of a fee to qualify as a new business organization; requiring that a qualifying agent provide evidence of certain information to the department when attempting to qualify additional business organizations; providing that approval for each business organization is discretionary with the board; amending s. 489.1195, F.S.; prohibiting the

board from approving secondary qualifying agents or financially responsible officers after a specified date; amending ss. 489.127, 489.128, and 489.129, F.S.; revising provisions to conform to changes made by the act; amending s. 489.140, F.S.; requiring that funding for the Florida Homeowners' Construction Recovery Fund cease on a specified date; requiring that all funds remaining in the recovery fund at that time be transferred to the board; amending s. 489.1401, F.S.; providing legislative intent; providing an effective date.

—was referred to the Committees on Regulated Industries; Criminal Justice; Banking and Insurance; and General Government Appropriations.

SB 2196—Not referenced.

By Senator Bennett—

SB 2198—A bill to be entitled An act relating to event tickets; amending s. 817.357, F.S.; providing that it is a violation of the Florida Deceptive and Unfair Trade Practices Act for any person to knowingly purchase from the original ticket seller a quantity of tickets to an event which exceeds the maximum ticket limit quantity posted by or on behalf of the original ticket seller at the point of original sale or printed on the tickets themselves with intent to resell such tickets; providing that it is a violation of the Florida Deceptive and Unfair Trade Practices Act for an original ticket seller to knowingly withhold, restrict, or otherwise prevent the availability of any tickets to the public with the intent to manipulate ticket prices for events at certain venues; providing that it is a violation of the Florida Deceptive and Unfair Trade Practices Act for an original ticket seller to knowingly refuse to post on a publicly available Internet website certain information in connection with the sale, allocation, or distribution of tickets to every event at certain venues within a specified period; providing that it is a violation of the Florida Deceptive and Unfair Trade Practices Act for a person to knowingly make available for sale on a ticket exchange or auction website any tickets to events at certain venues which were not first made available for sale to the public for a specified period, or attempt to restrict by any means the resale of such tickets as a condition of purchase or retention of such tickets or any contractual rights associated therewith; providing that it is a violation of the Florida Deceptive and Unfair Trade Practices Act for any operator of a place of entertainment to deny access to a ticket holder who possesses a resold ticket solely because that ticket was resold; amending s. 817.36, F.S.; providing a civil penalty for violations of state law regarding the resale of tickets; providing an effective date.

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

SB 2200—Withdrawn prior to introduction.

By Senator Dean—

SB 2202—A bill to be entitled An act relating to career service employees; amending s. 110.227, F.S.; revising requirements for disciplining an employee and which employees are subject to certain personnel actions; specifying the requirements for achieving permanent status in the Career Service System; revising criteria for certain rules and procedures for the suspension, reduction in pay, transfer, layoff, demotion, and dismissal of career service employees; including career service employees with other employees who may be "bumped"; revising provisions relating to the applicability of layoff procedures; providing that the grievance process is available to all career service employees; increasing the amounts of time in which to submit grievances and respond to grievances; revising what written decisions of the agency are the final authority for all grievances at the Step Two level; authorizing certain Step Two grievances to be submitted to the Department of Management Services; revising notice requirements; providing for the removal and placement of certain career service employees serving a probationary period; authorizing certain employees to appeal to the Public Employees Relations Commission; increasing the amount of time in which the employee must file an appeal; revising procedures applicable to appeals filed with the commission; providing for mitigation in disciplinary actions; revising which actions must be reviewed without consideration of any other case or set of facts; providing an effective date.

—was referred to the Committees on Governmental Operations; Judiciary; and General Government Appropriations.

SR 2204—Not referenced.

By Senator Baker—

SB 2206—A bill to be entitled An act relating to license plates; amending ss. 320.08056 and 320.08058, F.S.; creating a Florida Tennis license plate; providing for the distribution of annual use fees received from the sale of such plates; providing an effective date.

—was referred to the Committees on Transportation; Commerce; and Transportation and Economic Development Appropriations.

By Senator Lynn—

SB 2208—A bill to be entitled An act relating to the Florida Poet Laureate; amending s. 265.285, F.S.; specifying that duties of the Florida Arts Council include the promotion of poetry literature by recommending nominations for the Florida Poet Laureate; creating s. 265.2863, F.S.; creating the honorary position of Florida Poet Laureate; providing for appointment; providing that the Florida Poet Laureate does not receive compensation; providing for the nomination process; providing responsibilities of the Florida Arts Council; providing criteria for the Florida Poet Laureate position; providing term of service; providing for the filling of a vacancy; requiring the Division of Cultural Affairs of the Department of State to adopt rules; requiring the Secretary of State to annually request an appropriation to carry out the purposes of the section if certain other sources of funding are not available; providing for designation of Florida Poet Laureate Emeritus; providing an effective date.

—was referred to the Committees on Governmental Operations; Education Pre-K - 12; and Transportation and Economic Development Appropriations.

By the Committee on Higher Education—

SB 2210—A bill to be entitled An act relating to student financial aid; amending ss. 1009.89 and 1009.891, F.S., relating to the William L. Boyd, IV, Florida Resident Access Grant Program and the Access to Better Learning and Education Grant Program; deleting provisions indicating that the programs are tuition assistance programs rather than financial aid programs; requiring that an institution meet a specified retention rate in order to participate in either program; requiring that a student receiving an award under either program maintain a specified grade point average, earn a certain amount of academic credit each semester or equivalent term, file certain information with the Department of Education concerning financial need, and demonstrate unmet financial need at the institution; requiring institutions participating in either program to remit to the department the amount of tuition assistance expended for students who fail to meet certain requirements; limiting the period during which a student may receive an award of tuition assistance; providing an effective date.

—was referred to the Committees on Higher Education; Commerce; and Higher Education Appropriations.

By the Committee on Communications and Public Utilities—

SB 2212—A bill to be entitled An act relating to the Public Service Commission; amending s. 350.012, F.S.; renaming the Committee on Public Service Commission Oversight, a standing joint committee of the Legislature, as the "Committee on Public Counsel Oversight"; deleting the committee's authority to recommend to the Governor nominees to fill

vacancies on the Public Service Commission; deleting the committee's authority to file an ethics complaint against a member, former member, or former employee of the commission, or a member of the Public Service Commission Nominating Council; amending s. 350.031, F.S.; increasing the number of members on the council; requiring the President of the Senate and the Speaker of the House of Representatives to appoint a chair and vice chair to the council in alternating years; requiring the council to submit recommendations for vacancies on the Public Service Commission to the Governor; requiring the council to nominate a minimum of three persons for each vacancy; revising the date that recommendations for vacancies must be submitted; providing for the council to fill a vacancy on the commission if the Governor fails to do so; authorizing the Governor to recall an appointee; amending ss. 350.061 and 350.0614, F.S., relating to the appointment, oversight, and compensation of the Public Counsel; conforming provisions to changes made by the act; providing an effective date.

—was referred to the Committees on Communications and Public Utilities; Ethics and Elections; General Government Appropriations; and Rules.

By Senator Aronberg—

SB 2214—A bill to be entitled An act relating to mortgage rescue fraud; providing a short title; providing legislative findings and declarations; providing intent and purposes; providing definitions; providing requirements for foreclosure consultant contracts; providing requirements for notices of cancellation; providing for rescission of foreclosure consultant contracts; providing requirements for foreclosure conveyance contracts; providing for contract terms; providing requirements for cancellation of foreclosure conveyance contracts; providing requirements for notices of cancellation; providing for unenforceability of waivers of provisions of the act; providing exceptions; specifying prohibited activities for foreclosure consultants and foreclosure purchasers; specifying required activities for foreclosure purchasers; providing a definition; specifying certain violations as unlawful practices; providing for remedies under the Florida Deceptive and Unfair Trade Practices Act; providing for judgments for damages, attorney's fees and costs, and equitable relief; providing for awards of damages; providing limitations on certain actions; specifying the offense of criminal mortgage rescue fraud; providing criminal penalties; providing for limiting contract provisions requiring arbitration; providing for application; providing severability; providing an effective date.

—was referred to the Committees on Banking and Insurance; Criminal Justice; Judiciary; and General Government Appropriations.

By Senator Storms—

SB 2216—A bill to be entitled An act relating to adult protection and care; amending s. 322.142, F.S.; authorizing the Department of Children and Family Services to obtain copies of driver's license files maintained by the Department of Highway Safety and Motor Vehicles for the purpose of conducting protective investigations; amending s. 400.141, F.S.; requiring a criminal records check to be conducted on all nursing home residents; amending s. 400.19, F.S.; revising provisions relating to unannounced inspections; amending s. 400.215, F.S.; requiring contracted workers employed in a nursing home to submit to background screening; prohibiting employees and contracted workers who do not meet background screening requirements from being employed in a nursing home; providing certain exceptions; deleting an obsolete provision; amending s. 408.810, F.S.; requiring health care facilities regulated by the Agency for Health Care Administration to post certain information in the facility; amending s. 408.811, F.S.; providing that agency employees who provide advance notice of unannounced agency inspections are subject to suspension; amending s. 415.103, F.S.; requiring certain reports to the central abuse hotline relating to vulnerable adults to be immediately transferred to the county sheriff's office; amending s. 415.1051, F.S.; authorizing the Department of Children and Family Services to file the petition to determine incapacity in adult protection proceedings; prohibiting the department from serving as the guardian or providing legal counsel to the guardian; amending s. 415.112, F.S.; specifying rules to be adopted by the Department of Children and Family Services relating to adult protective services under ch. 415, F.S.; amending s. 429.02, F.S.; revising the definition of "service plan" to remove the limitation that plans are required only in assisted living facilities that have an extended congregate care license; amending s. 429.07, F.S.; providing that license requirements for specialty licenses apply to current licensees as well as applicants for an extended congregate care and limited nursing license; conforming a cross-reference; amending s. 429.174, F.S.; requiring certain employees and contracted workers in assisted living facilities to submit to background screening; prohibiting employees and contracted workers who do not meet background screening requirements from being employed in an assisted living facility; providing certain exceptions; requiring the person being screened to pay for the cost of screening; amending s. 429.255, F.S.; providing that the owner or administrator of an assisted living facility is responsible for the services provided in the facility; amending s. 429.26, F.S.; clarifying a prohibition on moving a resident; providing for the development of a service plan for all residents; requiring a criminal records check to be conducted on all residents of an assisted living facility; requiring residents to be periodically assessed for competency to handle personal affairs; amending s. 429.27, F.S.; prohibiting assisted living facility personnel from making certain decisions for a resident or act as the resident's representative or surrogate; amending s. 429.28, F.S.; requiring that notice of a resident's relocation or termination of residency be in writing and a copy sent to specified persons; requiring the agency to compile an annual report for the Governor and the Legislature; requiring facilities to have a written grievance procedure that includes certain information; requiring that grievances reported to the local ombudsman council be included in a statewide reporting system; revising provisions relating to agency surveys to determine compliance with resident rights in assisted living facilities; amending s. 429.294, F.S.; deleting a cross-reference; amending s. 429.34, F.S.; providing for unannounced inspections; providing for additional 6-month inspections for certain violations; providing for an additional fine for 6-month inspections; amending s. 429.41, F.S.; requiring all residents of assisted living facilities to have a service plan; amending s. 429.67, F.S.; expanding the list of persons who must have a background screening in adult family-care homes; amending s. 429.69, F.S.; providing that the failure of a adult family-care home provider to live in the home is grounds for the denial, revocation, or suspension of a license; amending s. 429.73, F.S.; requiring adult family-care home residents to be periodically assessed for competency to handle personal affairs; amending ss. 435.03 and 435.04, F.S.; providing additional criminal offenses for screening certain health care facility personnel; repealing s. 400.141(13), F.S., relating to a requirement to post certain information in nursing homes; repealing s. 429.08(2), F.S., deleting a provision relating to local workgroups of field offices of the Agency for Health Care Administration; repealing s. 429.19(7), F.S., relating to survey fees charged for complaint investigations of assisted living facilities; repealing s. 429.41(5), F.S., relating to agency inspections; amending ss. 430.80 and 651.118, F.S.; conforming cross-references; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Health Regulation; and Health and Human Services Appropriations.

By the Committee on Transportation—

SB 2218—A bill to be entitled An act relating to driver's licenses; amending s. 322.02, F.S.; requiring the Department of Highway Safety and Motor Vehicles to collect and report to the Legislature information concerning customer service at driver's license offices; amending 322.135, F.S.; increasing the amount of the service fee that may be charged by driver's license agents; providing an effective date.

—was referred to the Committees on Transportation; Finance and Tax; and Transportation and Economic Development Appropriations.

By the Committee on Transportation—

SB 2220—A bill to be entitled An act relating to a review of the Department of Highway Safety and Motor Vehicles under the Florida Government Accountability Act; reenacting s. 20.24, F.S., relating to the establishment of the department; providing an effective date.

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

By the Committee on Agriculture—

SB 2222—A bill to be entitled An act relating to a review of the Department of Citrus under the Florida Government Accountability Act; reenacting ss. 20.29, 601.04, and 601.05, F.S., relating to the Department of Citrus and the Florida Citrus Commission; repealing s. 601.154, F.S., relating to the Citrus Stabilization Act of Florida; providing an effective date.

—was referred to the Committees on Agriculture; and General Government Appropriations.

SB 2224—Previously referenced.

By Senator Aronberg—

SB 2226—A bill to be entitled An act relating to water restrictions; amending s. 373.246, F.S.; authorizing the governing board of a water management district or the Department of Environmental Protection to issue an order establishing liability, requiring corrective action, or imposing an administrative penalty against a person who violates a declaration of water shortage; providing that a court may enter a judgment based on such order; requiring the governing board or the department to issue a notice of noncompliance before taking action against a violator, except if such violator has a history of noncompliance; requiring the governing board or the department to send a written notice of violation to the violator by certified mail; requiring that such notice contain certain information; providing that an order is not effective until the violator has been served notice and an administrative hearing is held; requiring the violator to file a petition in response to the order and request a hearing within a specified time or waive the right to such hearing; providing that such violator is the respondent for hearing purposes; requiring the governing board or the department to refer a timely filed petition to the Division of Administrative Hearings; requiring the hearing to be held in the same county in which the violation occurred; providing that the governing board or the department has the burden of proving by a preponderance of the evidence that the respondent is responsible for the violation; requiring the administrative law judge to conduct the hearing using the summary hearing process; requiring the administrative law judge to issue a final order; providing for the prevailing party to recover all costs, including attorney's fees; providing that the governing board or the department may pursue injunctive relief in addition to any other administrative action; providing a schedule of administrative penalties; requiring the administrative law judge to add the direct economic benefit that the violator gained to the penalty; providing that evidence of mitigating circumstances may reduce a penalty; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Judiciary; and General Government Appropriations.

By Senator Siplin—

SB 2228—A bill to be entitled An act relating to child support; amending s. 742.18, F.S.; eliminating the requirement for a man seeking to disestablish paternity and terminate a child support obligation to affirm that he is current on his child support obligation or that any delinquency is based on inability to pay; providing for relief from past-due child support obligations; revising a provision relating to naming the father on a child's birth certificates to conform to procedures under ch. 383, F.S.; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Judiciary; and General Government Appropriations.

By Senator Aronberg—

SB 2230—A bill to be entitled An act relating to mangrove protection; amending s. 403.121, F.S.; expanding the penalty previously applicable to violations involving mangrove trimming or alteration to apply to any violation under the Mangrove Trimming and Preservation Act; amending s. 403.9323, F.S.; clarifying legislative intent with respect to the protection of mangroves; amending s. 403.9324, F.S.; authorizing the Department of Environmental Protection to adopt by rule certain exemptions and general permits under the Mangrove Trimming and Preservation Act; amending s. 403.9329, F.S.; clarifying the department's authority to revoke a person's status as a professional mangrove trimmer; amending s. 403.9331, F.S.; providing that the Mangrove Trimming and Preservation Act does not authorize trimming on uninhabited islands or lands that are publicly owned or set aside for conservation or mitigation except under specified circumstances; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Community Affairs; and General Government Appropriations.

By Senator Fasano—

SB 2232—A bill to be entitled An act relating to the protection of minors online; defining the term "Internet access provider"; requiring providers to make available to customers in this state a product or service that enables the subscriber to regulate a minor's use of the service to access the Internet if certain conditions exist; providing requirements for such a product or service; requiring that interactive computer services take necessary steps to preserve records and evidence upon request of law enforcement agencies investigating specified crimes involving minor victims; requiring retention of such records and information for specified periods; providing search warrant compliance requirements for interactive computer services for investigations of specified offenses involving minor victims; providing for compliance without compulsory legal process in investigations of certain offenses involving minor victims involving immediate danger of death or serious bodily harm; providing for construction of provisions in a manner consistent with specified federal laws; creating s. 847.0141, F.S.; requiring interactive computer services to make certain reports when a violation of child pornography laws is evident to such service; amending ss. 800.04 and 847.0135, F.S.; providing that it is not a defense to charges of certain offenses involving minor victims that the alleged victim was, in fact, a law enforcement officer posing as such minor victim; amending s. 943.043, F.S.; requiring the Department of Law Enforcement to make electronic mail and instant message name information collected from sexual predators and sexual offenders available to certain entities for specified purposes; providing that interactive computers services are not liable for specified actions based on a good faith belief that a user is listed in a sex offender registry; creating s. 948.33, F.S.; providing for lifetime supervision of Internet activities of specified sexual offenders whose offenses involved minor victims; providing for conduct of such supervision; specifying the requirements for such supervision; permitting certain offenders to have their Internet access limited or restricted; providing for petitions for release from such supervision; providing penalties; amending s. 1003.42, F.S.; providing a requirement for Internet safety instruction for students; providing related duties for the Department of Education; providing an effective date.

—was referred to the Committees on Criminal Justice; Communications and Public Utilities; Judiciary; and Criminal and Civil Justice Appropriations.

By Senator Peaden—

SB 2234—A bill to be entitled An act relating to hospitals; amending s. 395.003, F.S.; prohibiting the licensing of additional emergency departments located off the premises of a licensed hospital until January 1, 2010; providing exceptions; providing an effective date.

—was referred to the Committees on Health Regulation; and Health and Human Services Appropriations.

By Senator Aronberg—

SB 2236—A bill to be entitled An act relating to sexual offenders and sexual predators; creating s. 943.04354, F.S.; requiring a landlord who knowingly solicits, rents, or leases a dwelling unit to a sexual offender or sexual predator to verify that individual's address; requiring that the

landlord notify the sheriff in certain instances; providing criminal penalties; providing a defense; providing definitions; providing an effective date.

—was referred to the Committees on Community Affairs; Criminal Justice; Judiciary; and Criminal and Civil Justice Appropriations.

By Senator Garcia—

SB 2238—A bill to be entitled An act relating to a Medicaid utilization management program; amending s. 409.912, F.S.; deleting a provision that requires the Agency for Health Care Administration to develop and implement a utilization management program for Medicaid-eligible recipients for the management of occupational, physical, respiratory, and speech therapies; amending s. 409.91211, F.S.; conforming a cross-reference; providing an effective date.

—was referred to the Committees on Health Policy; Health Regulation; Children, Families, and Elder Affairs; and Health and Human Services Appropriations.

By Senator Hill—

SB 2240—A bill to be entitled An act relating to voting rights; amending s. 14.28, F.S.; requiring that records developed or maintained by a state agency pursuant to an investigation by the Board of Executive Clemency be released to the person who is the subject of such investigation or his or her legal representative; authorizing public access to certain data; creating s. 97.017, F.S.; requiring that an authorized agent of the Division of Elections provide to the Governor the necessary voter registration applications and other forms required for the restoration of a convicted felon's voting rights before the convicted felon is released from supervision; requiring the authorized agent to perform certain tasks; amending s. 98.045, F.S.; providing that any information indicating that a person's civil rights have been restored through the executive clemency process be considered a written request from that person to have his or her name placed back into the statewide voter registration system; requiring that the supervisor of elections perform certain tasks; amending s. 98.065, F.S.; requiring that a supervisor of elections who receives certain information from the Office of Executive Clemency send an address-confirmation notice to the address at which the subject voter was last registered; providing for the immediate addition of names to the statewide voter registration system under certain circumstances; amending s. 98.0755, F.S.; providing an exemption from payment of costs for a trial in which a person appeals a determination of ineligibility to register to vote; amending s. 98.081, F.S.; providing for the restoration of the names of certain individuals to the statewide voter registration system under certain circumstances, even if the registration period for a given election is closed; amending s. 98.093, F.S.; including a list of persons whose civil rights have been restored among the required information that must be furnished by state and local government agencies to the Department of State; requiring that the department identify certain individuals upon receipt of such list; requiring that the board furnish certain information to each supervisor of elections; amending s. 104.051, F.S.; providing that any department employee who attempts to influence or interfere with any elector voting a ballot commits a felony of the third degree; creating s. 940.09, F.S.; requiring that the office provide a voter registration applicant who has been granted clemency with a certified copy of the applicant's certificate of rights restoration free of charge and without delay; creating s. 940.066, F.S.; requiring that the division inform and educate certain persons about voting and the voting process, and provide such persons with voter registration applications on a certain date; amending s. 945.10, F.S.; authorizing access to certain data, even if such data were considered confidential when originally transferred to the office; providing an effective date.

—was referred to the Committees on Ethics and Elections; Criminal Justice; Judiciary; and Transportation and Economic Development Appropriations.

By Senator Oelrich—

SB 2242—A bill to be entitled An act relating to the dispensing of drugs; creating s. 765.5225, F.S.; prohibiting a pharmacist from dispensing an immunosuppressive drug following an organ transplant which is not the specific formulation or manufactured by the specific manufacturer as prescribed by the practitioner; authorizing a pharmacist to substitute a drug product that is generically equivalent to the prescribed drug only upon obtaining written or oral authorization from the prescribing practitioner; providing an effective date.

—was referred to the Committees on Health Regulation; and Health and Human Services Appropriations.

SR 2244—Not referenced.

By Senator Baker—

SB 2246—A bill to be entitled An act relating to land development regulation; amending s. 163.3162, F.S.; providing for the use of certain lands surrounding an agricultural enclave; creating a rebuttable presumption for the imposition of certain development conditions relating to agricultural enclaves; providing a timeframe for submitting certain information relating to proposed plan amendments; creating a rebuttable presumption for denial of or failure to approve plan amendments relating to agricultural enclaves; amending s. 163.3245, F.S.; revising provisions relating to optional sector plans; providing applicability to certain pending applications; providing an effective date.

—was referred to the Committees on Agriculture; and General Government Appropriations.

By Senator Baker—

SB 2248—A bill to be entitled An act relating to judicial sales; amending s. 45.031, F.S.; providing for certain sales to be conducted by electronic means; requiring that electronic sales comply with specified procedures; requiring the clerk of the court to provide the public with access to computer terminals for electronic sales; authorizing clerks to receive electronic payments and deposits related to electronic sales; amending s. 45.035, F.S.; increasing the service charge collected by the clerk for a sale conducted by electronic means; providing an effective date.

—was referred to the Committees on Judiciary; Finance and Tax; and Criminal and Civil Justice Appropriations.

By Senator Baker—

SB 2250—A bill to be entitled An act relating to renewable energy; providing legislative findings regarding the state's energy policy; creating the Task Force on Oil and Natural Gas Inventory; providing for membership of the task force; requiring appointments to be made by a certain date; providing for administrative support; providing for duties and responsibilities; requiring the task force to submit a report and recommendations to the Legislature by a certain date; amending s. 196.175, F.S.; revising provisions relating to the renewable energy source exemption; revising the date on which certain energy source devices are excluded from the exemption; amending s. 212.08, F.S.; revising the definition of "ethanol"; defining the term "renewable fuel"; providing a tax exemption for the sale or use of renewable fuel; providing that such exemption is limited to one purchase of an eligible item; amending s. 220.192, F.S.; defining the term "corporation"; revising the definition of "eligible costs" to include renewable fuels; providing for transfer of the renewable energy technologies investment tax credit; providing requirements for such transfer; requiring that the tax credit be passed through to certain taxpayers; authorizing the Department of Revenue to adopt rules regarding the transfer and pass through of such tax credit; amending s. 220.193, F.S.; defining the term "sale" or "sold"; providing that the use of the renewable energy production credit does not reduce the alternative minimum tax credit; repealing s. 52, chapter 2007-73, Laws of Florida, relating to the Renewable Energy Technologies Grants Program; amending s. 377.806, F.S.; requiring an applicant

to file a preapplication to receive a rebate under the solar photovoltaic system incentive; deleting a provision that requires Btu to be verified in determining the rebate amount; limiting rebates to one type of system per resident per fiscal year; requiring the Department of Environmental Protection to adopt rules regarding applications for rebate reservations and rebate payments; amending s. 570.957, F.S.; extending the expiration date for the Farm-to-Fuel Grant Program; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Communications and Public Utilities; Finance and Tax; and General Government Appropriations.

COMMITTEE SUBSTITUTES

FIRST READING

By the Committee on Environmental Preservation and Conservation; and Senator Baker—

CS for SB 192—A bill to be entitled An act relating to state parks; amending s. 258.007, F.S.; deleting a penalty for a rule violation; creating s. 258.008, F.S.; creating penalties for the violation of rules adopted under ch. 258, F.S., and for specified activities within the boundaries of a state park; providing for fines to be deposited into the State Park Trust Fund; amending s. 316.212, F.S.; authorizing the operation of a golf cart within a state park under certain circumstances; amending s. 316.2125, F.S.; conforming a cross-reference; amending s. 316.2126, F.S.; authorizing state employees, state park volunteers, and state park visitors to operate golf carts and utility vehicles on public roads within state park boundaries for certain purposes subject to specified conditions; conforming cross-references; providing an effective date.

By the Committees on Judiciary; Education Pre-K - 12; and Senator Wise—

CS for CS for SB 242—A bill to be entitled An act relating to education; amending s. 1000.05, F.S.; providing that students may be separated by gender for specified single-gender programs; amending s. 1002.20, F.S.; providing that options for public school choice may include single-gender programs; creating s. 1002.311, F.S.; authorizing district school boards to establish a nonvocational class, extracurricular activity, or school in which enrollment is limited to students of a single gender; providing conditions for such authorization; requiring that students' participation in single-gender programs be voluntary; requiring evaluation of single-gender programs every 2 years; providing an effective date.

By the Committee on Agriculture; and Senator Constantine—

CS for SB 310—A bill to be entitled An act relating to biomass energy production; amending s. 212.08, F.S.; revising the definition of "ethanol"; increasing the limit on the amount of taxes that are exempt for the sale or use of materials used to distribute biodiesel and ethanol; limiting the tax exemption to certain end users; providing that such exemption is limited to one purchase of an eligible item; amending s. 220.192, F.S.; providing for transfer of the renewable energy technologies investment tax credit; providing requirements for such transfer; requiring that the tax credit be passed through to certain taxpayers; authorizing the Department of Revenue to adopt rules regarding the transfer and pass through of such tax credit; amending s. 220.193, F.S.; defining the term "sale" or "sold"; providing that the use of the renewable energy production credit does not reduce the alternative minimum tax credit; creating s. 570.956, F.S.; providing definitions; continuing the Farm-to-Fuel Grants Program within the Department of Agriculture and Consumer Services; providing that matching grants be made available for certain bioenergy projects; requiring the department to adopt rules; providing certain factors for consideration in awarding grants; requiring the department to consult with certain agencies and persons; creating s. 570.958, F.S.; creating the Biofuel Retail Sales Incentive Program; providing a purpose; providing that the petroleum consumption be reduced by certain percentages over a specified period; providing definitions; providing an incentive payment to certain retail dealers who sell biofuel after a certain date; requiring the Department of Agriculture and Consumer Services to develop an application form to claim the incentive; requiring that the application contain certain information; requiring the department to determine the amount of the incentive; requiring the department to prorate the amount of incentives paid to an applicant under certain circumstances; authorizing the department to adopt rules; creating s. 570.959, F.S.; creating the Florida Biofuel Production Incentive Program within the department; providing a purpose; providing definitions; requiring persons engaged in biofuel production to meet certain requirements to receive an economic incentive; providing the criteria for distributing the incentive, subject to appropriation; requiring the department to prorate the amount of incentives to an applicant under certain circumstances; authorizing the department to adopt rules; providing an effective date.

By the Committee on Governmental Operations; and Senator Constantine—

CS for SB 316—A bill to be entitled An act relating to energy use; amending s. 255.251, F.S.; revising a short title; amending s. 255.252, F.S.; revising criteria for energy conservation and sustainability for state-owned buildings; requiring buildings constructed and financed by the state to meet certain environmental standards approved by the Department of Management Services; requiring state agencies to identify state-owned buildings that are suitable for guaranteed energy performance savings contracts; providing requirements and procedures therefor; requiring the Department of Management Services to evaluate identified facilities and develop an energy efficiency project schedule; providing criteria for such schedule; establishing standards for the purchase of biodiesel diesel fuel for use in state-owned diesel vehicles and equipment; amending s. 255.253, F.S.; defining the terms "sustainable building" and "sustainable building rating"; amending s. 255.254, F.S.; revising provisions relating to the analysis of the life-cycle costs of state facilities; requiring an energy performance analysis of leased facilities; amending s. 255.255, F.S.; revising energy conservation performance guidelines to be used in life-cycle cost analyses; amending s. 287.063, F.S.; prohibiting the term of payment for consolidated equipment finance contracts from extending beyond the anticipated useful life of the equipment financed; deleting the requirement that the Chief Financial Officer establish criteria that prohibits a state agency from obligating an annualized amount of payments for certain deferred payment purchases; amending s. 287.064, F.S.; extending the period of time allowed for the repayment of funds for certain purchases relating to energy conservation measures; requiring guaranteed energy performance savings contractors to provide for the replacement or the extension of the useful life of the equipment during the term of a contract; amending s. 287.16, F.S.; providing additional duties for the Department of Management Services relating to the energy efficiency of state vehicles; creating s. 377.907, F.S.; requiring the Florida Energy Commission to develop Lead-by-Example initiatives to help defray energy costs and to develop recommendations to promote energy efficiency and clean energy technologies; requiring a report to the Legislature by December 31, 2009, and periodically thereafter; amending s. 489.145, F.S.; revising provisions relating to guaranteed energy performance savings contracting by state agencies to address energy-related operational savings; revising definitions; revising criteria for proposed contracts; specifying documentation that must be submitted for contract review by the Chief Financial Officer; creating s. 1013.441, F.S.; establishing the Green Schools Pilot Project; providing Legislative intent; providing for the selection of three school districts by the State Board of Education; providing for the payment of additional costs associated with meeting specified building construction standards that maximize energy efficiency and minimize adverse environmental effects; providing for the distribution of funding for the project; providing for a report to the Legislature and the Commissioner of Education; establishing standards for the purchase of ethanol for use in state-owned flex-fuel vehicles; providing for administration by the Department of Management Services; requiring that the department annually report to the Legislature the extent of biodiesel and ethanol use in state-owned vehicles; establishing standards for the purchase of biodiesel fuel by school district transportation services; providing an effective date.

By the Committee on Children, Families, and Elder Affairs; and Senators Wise and Lynn—

CS for SB 370—A bill to be entitled An act relating to the personal care attendant program; amending s. 413.402, F.S.; revising provisions

governing a program to provide personal care attendants for persons who have disabilities; requiring the Florida Endowment Foundation for Vocational Rehabilitation to enter into an agreement with the Florida Association of Centers for Independent Living to administer a program to provide such attendants to persons who have severe and chronic disabilities; naming the program the "James Patrick Memorial Work Incentive Personal Attendant Services Program"; providing for payment for the administration of the program; removing a provision requiring interagency memoranda of agreement; revising eligibility requirements for participation in the personal care attendant program; removing provisions concerning the training, selection, and recruitment of personal care attendants; providing for training of program participants concerning hiring and managing an attendant; providing for the adoption and revision of program policies and procedures by the association in cooperation with an oversight group; providing for membership in the oversight group; amending s. 413.4021, F.S.; increasing the percentage of revenues collected from persons who fail to remit sales tax which is deposited in the operating account of the Florida Endowment Foundation for Vocational Rehabilitation to administer the program; deleting a provision requiring that the Florida Endowment Foundation for Vocational Rehabilitation select an entity to administer the program; providing for automatic enrollment in the program for certain persons; providing an effective date.

By the Committee on Environmental Preservation and Conservation; and Senator Margolis—

CS for SB 406—A bill to be entitled An act relating to commercial parasailing; amending s. 327.02, F.S.; providing definitions; creating s. 327.375, F.S.; providing a short title; prohibiting a person from operating or giving permission for the operation of a vessel engaged in commercial parasailing unless he or she obtains a license from the Fish and Wildlife Conservation Commission; requiring that licensing fees be paid into the Marine Resources Conservation Trust Fund in the Fish and Wildlife Conservation Commission; requiring the license to be available for inspection; requiring proof of insurance; requiring the owner of a vessel engaged in commercial parasailing to obtain and carry an insurance policy; providing minimum coverage from the insurance policy; providing requirements for proof of insurance; requiring a person who conducts commercial parasailing activity to provide a copy of the certificate of insurance to each rider upon request; providing certain requirements for a vessel used for commercial parasailing; requiring a person engaged in operating a vessel for commercial parasailing to possess a license to engage in carrying passengers for hire; requiring a minimum age for a person to monitor the progress of an airborne parasail rider and equipment; prohibiting a person from operating a vessel engaged in commercial parasailing unless certain conditions are met; prohibiting a person from operating a vessel towing a commercial parasailing rider in certain waters or within a certain distance of specified objects; providing circumstances in which commercial parasailing is prohibited; providing requirements for tow lines; requiring commercial parasail operators to launch and recover riders from the vessel's launch platform; requiring a safety briefing for passengers and participants; requiring that a person possess a current cardiopulmonary resuscitation course card and a standard first aid course card in order to operate a parasail vessel; providing that an agreement that attempts to exculpate or release a provider from liability is not enforceable; prohibiting a provider from conditioning participation in commercial parasailing upon the execution of an exculpatory agreement; providing a criminal penalty; providing an effective date.

By the Committee on Community Affairs; and Senator Constantine—

CS for SB 560—A bill to be entitled An act relating to energy efficiency and conservation; amending s. 163.04, F.S.; revising provisions authorizing the use of solar collectors and other energy devices; providing for the installation of solar collectors on certain condominium roofs; amending s. 163.3177, F.S.; revising requirements for the future land use element of a local comprehensive plan to include energy-efficient land use patterns; requiring that the traffic-circulation element of a local comprehensive plan incorporate transportation strategies to reduce greenhouse gas emissions; requiring each unit of local government within an urbanized area to amend the transportation element of a local comprehensive plan to incorporate transportation strategies addressing reduction in greenhouse gas emissions; requiring local governments to adopt an energy element by January, 2011, as part of a local comprehensive plan; amending s. 553.73, F.S.; expanding required codes to be included in Florida Building Code updates; amending s. 553.74., F.S.; revising requirements for selecting members of the Florida Building Commission; revising membership of the commission; amending s. 553.77, F.S.; authorizing the commission to implement recommendations relating to energy efficiency in residential and commercial buildings; creating s. 553.886, F.S.; requiring that the Florida Building Code facilitate and promote the use of certain renewable energy technologies in buildings; creating s. 553.9061, F.S.; establishing a schedule of required increases in the energy performance of buildings subject to the Florida Building Code; providing a process for implementing goals to increase energy-efficiency performance in new buildings; providing a schedule for the implementation of such goals; identifying energy-efficiency performance options and elements available to meet energy-efficiency performance requirements; providing a schedule for the review and adoption of renewable energy-efficiency goals by the commission; requiring the commission to conduct a study to evaluate the energy-efficiency rating of new buildings and appliances; requiring the commission to submit a report to the President of the Senate and the Speaker of the House of Representatives on or before a specified date; requiring the commission to conduct a study to evaluate opportunities to restructure the Florida Energy Code for Building Construction, including the integration of the Thermal Efficiency Code, the Energy Conservation Standards Act, and the Florida Building Energy-Efficiency Rating Act; requiring the commission to submit a report to the President of the Senate and the Speaker of the House of Representatives on or before a specified date; directing the Department of Community Affairs, in conjunction with the Florida Energy Affordability Council, to identify and review issues relating to the Low-Income Home Energy Assistance Program and the Weatherization Assistance Program; requiring the submission of a report to the President of the Senate and the Speaker of the House of Representatives on or before a specified date; providing for the expiration of certain study requirements; repealing s. 553.731 F.S.; relating to wind-borne debris protection requirements; providing an effective date.

By the Committees on Judiciary; Health Regulation; and Senators Constantine and King—

CS for CS for SB 564—A bill to be entitled An act relating to automated external defibrillators; amending s. 401.2915, F.S.; revising provisions relating to the maintenance of and training requirements for the use of automated external defibrillators; revising provisions encouraging notice to the local emergency medical services medical director; amending s. 768.1325, F.S.; revising requirements for civil immunity for the use or attempted use of a defibrillator on a victim of a perceived medical emergency; providing an effective date.

By the Committee on Environmental Preservation and Conservation; and Senator Bennett—

CS for SB 660—A bill to be entitled An act relating to the protection and restoration of seagrass beds; creating a pilot program for the restoration of seagrass beds within specified counties and related natural resources; providing definitions; providing legislative findings and purposes; requiring that damages recovered for injury to, and the destruction of, seagrass beds in certain counties and related natural resources be deposited into the Ecosystem Management and Restoration Trust Fund; requiring the Department of Environmental Protection to expend the funds for restoration, assessment, or rehabilitation of seagrass beds and natural resources; providing criteria governing such expenditures by the department; providing for auditing and reporting by a private recipient of funds; prohibiting any reduction of other appropriations to a state agency that receives funds under the act; requiring that the department report to the Legislature whether the pilot program should be expanded; authorizing rulemaking by the department; amending s. 253.04, F.S.; providing that careless operation of a vessel outside a marked channel which causes propeller scarring in an acquatic preserve is a civil infraction; defining the terms "propeller scarring" and "seagrasses"; providing that refusal to post bond or sign a boating citation is a second-degree misdemeanor; requiring that civil penalties collected for the careless operation of a vessel be deposited into the Internal

Improvement Trust Fund and used for specified purposes; amending s. 327.73, F.S.; providing civil penalties; amending s. 327.803, F.S.; increasing the number of members of the Boating Advisory Council; adding a representative of the recreational airboating community; amending s. 403.1651, F.S., relating to the Ecosystem Management and Restoration Trust Fund; conforming provisions to changes made by the act; providing effective dates.

By the Committee on Environmental Preservation and Conservation; and Senators Bennett and Gaetz—

CS for SB 758—A bill to be entitled An act relating to inland navigation; amending s. 374.975, F.S.; providing that operation and maintenance of the Intracoastal Waterway and certain other public navigation channels by inland navigation districts is in the public interest; amending s. 374.976, F.S.; authorizing inland navigation districts to aid and cooperate with certain nonmember counties, certain seaports, and navigation districts in planning and carrying out certain projects concerning waterways; authorizing inland navigation districts to furnish assistance and support to seaports in planning and carrying out projects concerning waterway-related access; amending s. 374.977, F.S.; requiring that the Fish and Wildlife Conservation Commission assume certain responsibilities for posting and maintaining regulatory markers concerning manatee protection speed zones; allowing the commission to apply to inland navigation districts for funding to assist with this responsibility; amending s. 403.813, F.S.; removing provisions requiring the Secretary of Environmental Protection to adopt procedural rules for certain dredge and fill projects; revising requirements governing maintenance dredging by inland navigation districts and certain seaports; granting mixing zones; authorizing discharge of the return water from the site for the disposal of the dredged material under certain conditions; defining the term "manmade waters"; prohibiting the state from charging an inland navigation district or a public port authority for certain removed materials; authorizing the use of flocculants at a site for the disposal of dredged material under certain conditions; authorizing the Department of Environmental Protection to develop and maintain a list concerning the use of flocculants; providing that publication of the list is not a rule; authorizing the department to approve the use of a flocculant that is not on the list under specified conditions; providing an effective date.

By the Committees on Finance and Tax; Regulated Industries; and Senator Geller—

CS for CS for SB 970—A bill to be entitled An act relating to slot machine revenues; amending s. 551.106, F.S.; revising the tax rate on slot machine revenues at pari-mutuel facilities; requiring certain licensees to pay a pro rata share of the shortfall in taxes paid on slot machine tax revenues under certain conditions; providing a percentage cap on the payment of taxes on slot machine revenues; providing for the expiration of the revised tax rate; providing a tax rate on certain Class III gaming on Indian reservations if commenced; providing a tax rate on video lottery terminals, electronic gaming, Class II or Class III gaming at pari-mutual facilities if authorized by the state; revising the dates for remitting payment of slot machine tax revenues; amending s. 551.116, F.S.; providing hours of operation for sales of alcoholic beverages in slot machine gaming areas; providing an effective date.

By the Committee on Governmental Operations; and Senator Lawson—

CS for SB 1034—A bill to be entitled An act relating to the state group insurance program; amending s. 110.123, F.S.; deleting a provision that prohibits the state from making a contribution toward the premium for coverage under the program for a retiree or surviving spouse; providing a declaration of important state interest; providing an effective date.

By the Committee on Community Affairs; and Senators Margolis, Posey and Fasano—

CS for SB 1116—A bill to be entitled An act relating to mortgage fraud; creating s. 193.133, F.S.; requiring law enforcement agencies to notify property appraisers of incidents of mortgage fraud; authorizing property appraisers to reconsider property assessments under certain circumstances; amending s. 817.545, F.S.; increasing penalties for certain types of mortgage fraud; providing an effective date.

By the Committee on Children, Families, and Elder Affairs; and Senator Storms—

CS for SB 1152—A bill to be entitled An act relating to child support enforcement; amending s. 61.14, F.S.; requiring payments on child support judgments to be applied first to the current child support due, then to the delinquent principal, and then to any interest on the judgment; amending s. 61.1824, F.S.; requiring the State Disbursement Unit to disburse payments to obligees electronically; amending s. 328.42, F.S.; requiring the Department of Highway Safety and Motor Vehicles to cooperate with the Department of Revenue in establishing a method for disclosing owners of registered vessels to the Department of Revenue; authorizing the Department of Highway Safety and Motor Vehicles to suspend the operating privilege of vessel owners who are not in compliance with orders relating to child support when directed by the Department of Revenue; amending s. 409.2558, F.S.; requiring the State Disbursement Unit to disburse payments to obligees electronically; amending s. 409.256, F.S.; requiring the correctional facility to assist a putative father in complying with an order to appear for genetic testing; clarifying that an administrative order for genetic testing has the same force and effect as a court order; amending s. 456.004, F.S.; requiring the Department of Health to cooperate with the Department of Revenue in establishing a method for disclosing health practitioner licensees to the Department of Revenue; authorizing the Department of Health to suspend or deny the license of a licensee who is not in compliance with orders relating to child support when directed by the Department of Revenue; amending s. 497.167, F.S.; authorizing the Department of Business and Professional Regulation to suspend or deny the license of a licensee who is not in compliance with orders relating to child support when directed by the Department of Revenue; amending s. 559.79, F.S.; requiring the Department of Business and Professional Regulation to cooperate with the Department of Revenue in establishing a method for disclosing professional licensees to the Department of Revenue; authorizing the Department of Business and Professional Regulation to suspend or deny the license of a licensee who is not in compliance with orders relating to child support when directed by the Department of Revenue; amending s. 1012.21, F.S.; requiring the Department of Education to cooperate with the Department of Revenue in establishing a method for disclosing educators to the Department of Revenue; authorizing the Department of Education to suspend or deny the teaching certificate of a person who is not in compliance with orders relating to child support when directed by the Department of Revenue; amending s. 1012.795, F.S.; requiring the Education Practices Commission to suspend or deny the educator certificate of a person who is not in compliance with orders relating to child support upon notice by the Department of Revenue; repealing s. 409.25645, F.S., relating to administrative orders for genetic testing; providing an effective date.

By the Committee on Environmental Preservation and Conservation; and Senator Rich—

CS for SB 1192—A bill to be entitled An act relating to vessel safety; amending s. 327.39, F.S.; revising certain requirements for operating personal watercraft; amending s. 327.54, F.S.; revising the requirements relating to the boating safety course required for leasing or renting a personal watercraft from a livery; providing an effective date.

By the Committee on Health Regulation; and Senator Jones—

CS for SB 1374—A bill to be entitled An act relating to home health care; amending s. 400.462, F.S.; revising and adding definitions; amending s. 400.464, F.S.; authorizing a home infusion therapy provider to be licensed as a nurse registry; deleting provisions related to Medicare

reimbursement; amending s. 400.471, F.S.; requiring an applicant for a home health agency license to submit to the Agency for Health Care Administration a business plan and evidence of contingency funding, and disclose other controlling ownership interests in health care entities; requiring certain standards in documentation demonstrating financial ability to operate; requiring an applicant for a new home health agency license to submit a surety bond or other security of a specified amount to the Agency for Health Care Administration; providing procedures for the agency with respect to making a claim against a surety bond or security; limiting the timing of receipt and the number of applications for a new home health agency license which the agency may accept each quarter; providing an exception under certain circumstances for a home health agency that is part of a retirement community; specifying a procedure for the agency to follow in selecting applications to process for a new home health agency license; providing for the future expiration of such provisions; prohibiting the agency from issuing an initial license to a home health agency licensure applicant located within 20 miles of a licensed home health agency that has common controlling interests; prohibiting the transfer of an application to another home health agency; requiring submission of an initial application to relocate a licensed home health to another geographic service area; imposing the burden of proof on an applicant to demonstrate that a factual determination made by the agency is not supported by a preponderance of the evidence; amending s. 400.474, F.S.; providing additional grounds under which the Agency for Health Care Administration may take disciplinary action against a home health agency; creating s. 400.476, F.S.; establishing staffing requirements for home health agencies; reducing the number of home health agencies that an administrator or director of nursing may serve; requiring that an alternate administrator be designated in writing; limiting the period that a home health agency that provides skilled nursing care may operate without a director of nursing; requiring notification upon the termination and replacement of a director of nursing; requiring the Agency for Health Care Administration to take administrative enforcement action against a home health agency for noncompliance with the notification and staffing requirements for a director of nursing; exempting a home health agency that provides only physical, occupational, or speech therapy from requirements related to a director of nursing; providing training requirements for certified nursing assistants and home health aides; amending s. 400.484, F.S.; requiring the agency to conduct the first unannounced survey of a newly licensed home health agency within a specified period after issuing the license; requiring that the agency impose administrative fines for certain deficiencies; increasing the administrative fines imposed for certain deficiencies; amending s. 400.488, F.S.; deleting provisions authorizing the administration of medication to home health patients by unlicensed staff; providing for the delegation of nursing tasks as provided in ch. 464, F.S., and related rules; amending s. 400.491, F.S.; extending the period that a home health agency must retain records of the nonskilled care it provides; amending s. 400.497, F.S.; requiring that the Agency for Health Care Administration adopt rules related to standards for the director of nursing of a home health agency, requirements for a director of nursing to submit certified staff activity logs pursuant to an agency request, and quality assurance programs; amending s. 400.506, F.S.; providing training requirements for certified nursing assistants and home health aides referred for contract by a nurse registry; providing for the denial, suspension, or revocation of nurse registry license and fines for paying remuneration to certain entities in exchange for patient referrals or refusing fair remuneration in exchange for patient referrals; amending s. 400.518, F.S.; providing for a fine to be imposed against a home health agency that provides complimentary staffing to an assisted care community in exchange for patient referrals; amending s. 409.906, F.S.; requiring durable medical equipment providers enrolled in the Medicaid program to be accredited and have a physical business location that meets specified conditions; providing for exceptions of certain business location criteria; requiring a durable medical equipment provider enrolled in the Medicaid program to obtain a surety bond of a specified amount and for certain staff to undergo background screening; providing for exemptions from accreditation and the surety bond for specified durable medical equipment providers; requiring the Agency for Health Care Administration to review the process for prior authorization of home health agency visits and determine whether modifications to the process are necessary; requiring the agency to report to the Legislature on the feasibility of accessing the Medicare system to determine recipient eligibility for home health services; providing an effective date.

By the Committee on Communications and Public Utilities; and Senators Dean and Lynn—

CS for SB 1384—A bill to be entitled An act relating to the theft of copper or other nonferrous metals; creating s. 812.145, F.S.; providing definitions; providing that it is a felony of the first degree to knowingly and intentionally take copper or other nonferrous metal from a utility or communications services provider, thereby causing damage to the facilities of a utility or communications services provider or interrupting or interfering with utility or communications services; providing criminal penalties; providing an effective date.

By the Committees on Agriculture; and Agriculture—

CS for SB 1630—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 500.148, F.S.; revising an exemption from the public-records law provided for certain information provided to the Department of Agriculture and Consumer Services under its regulatory authority; saving the exemption from repeal under the Open Government Sunset Review Act; deleting the provision providing for repeal of the exemption; providing an effective date.

By the Committees on Education Pre-K - 12; and Education Pre-K - 12—

CS for SB 1652—A bill to be entitled An act relating to charter schools; amending ss. 11.45, 218.50, and 218.501, F.S., relating to audit reports by the Auditor General; conforming provisions related to changes in the entities subject to a state of financial emergency; amending ss. 218.503 and 218.504, F.S.; providing that charter technical career centers are subject to certain requirements in the event of a financial emergency; requiring that the sponsor be notified of certain conditions; providing for the development of a financial recovery plan, which may be approved by the Commissioner of Education; amending s. 1002.33, F.S.; providing for duties of charter school sponsors and governing boards when charter schools and charter technical career centers experience a financial weakness or a financial emergency; specifying forms to be used by charter school applicants and sponsors; requiring applicant training and documentation; deleting the auditing requirements and financial emergency provisions for charter schools; requiring charters schools to disclose the identity of relatives of charter school personnel; providing for a limitation on funding; providing for the disclosure of the performance of charter schools that are not given a school grade or school improvement rating; providing reporting requirements; providing restrictions for the employment of relatives by charter school personnel; providing that members of a charter school governing board are subject to certain standards of conduct specified in ss. 112.313 and 112.3143, F.S.; amending s. 1002.335, F.S.; eliminating the requirement for district school boards to annually seek continued exclusivity from the State Board of Education; providing for challenges to the exclusivity of district school boards; providing a presumption for district school boards that are granted exclusivity; providing for informal hearings; specifying additional components of cosponsor agreements; amending s. 1002.34, F.S.; providing additional duties for charter technical career centers, applicants, sponsors, and governing boards; requiring the Department of Education to offer or arrange training and assistance to applicants for a charter technical career center; requiring that an applicant participate in the training; creating s. 1002.345, F.S.; establishing criteria and requirements for charter schools and charter technical career centers that have financial weaknesses or are in a state of financial emergency; establishing requirements for charter schools, charter technical career centers, governing bodies, and sponsors; requiring financial audits of charter schools and charter technical career centers; providing for corrective action and financial recovery plans; providing for duties of auditors, the Commissioner of Education, and the Department of Education; requiring the State Board of Education to adopt rules; providing grounds for termination or nonrenewal of a charter; providing an effective date.

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

CS for SB 1712—A bill to be entitled An act relating to ethics; providing a short title; amending s. 24.121, F.S., relating to public school

funding; conforming cross-references; amending s. 112.3173, F.S.; specifying certain additional offenses that constitute a breach of the public trust; amending s. 121.091, F.S.; prohibiting the Division of Retirement from paying benefits to a member who has committed certain felony offenses against a minor; amending s. 1001.10, F.S.; requiring the Department of Education to assist school districts, charter schools, the Florida School for the Deaf and the Blind, and certain private schools and providers in developing policies and procedures governing educator ethics and employment; requiring the department to provide authorized staff with access to certain employment-screening tools; amending s. 1001.32, F.S., relating to school administration; conforming a cross-reference; amending s. 1001.42, F.S.; requiring each district school board to adopt ethical standards for all employees; prohibiting confidentiality agreements regarding terminated or dismissed employees which have the effect of concealing certain conduct; providing that a district school board official who knowingly signs or transmits a false report, fails to support policies that ensure the investigation of reports, or fails to report allegations of misconduct by instructional personnel forfeits his or her salary for a specified period; amending s. 1001.452, F.S., relating to district and school advisory councils; conforming cross-references; amending s. 1001.51, F.S.; providing that a district school superintendent or district school board member forfeits his or her salary for a specified period following failure to report allegations of misconduct by instructional personnel; amending ss. 1001.54 and 1002.32, F.S., relating to duties of principals and lab schools; conforming cross-references; amending s. 1002.33, F.S.; requiring charter schools to adopt ethical standards for all employees; prohibiting confidentiality agreements regarding terminated or dismissed employees which have the effect of concealing certain conduct; requiring the school to contact the prior employer and assess a candidate's ability to meet ethical standards; requiring the school to notify the Department of Education of dates of employment for instructional personnel; requiring the charter school sponsor to suspend the school's charter for failing to comply with these requirements; amending s. 1002.36, F.S.; requiring the Florida School for the Deaf and the Blind to meet certain requirements governing the screening of educators; amending ss. 1002.421 and 1002.55, F.S.; requiring owners of certain private schools and private prekindergarten providers to adopt ethical standards for all employees; prohibiting confidentiality agreements regarding terminated or dismissed instructional personnel which have the effect of concealing certain conduct; requiring such owners and providers to contact the previous employer of each instructional candidate for employment and notify the Department of Education of dates of employment of an educator; amending ss. 1002.61, 1002.63, 1002.65, 1003.413, 1003.53, and 1004.92, F.S., relating to prekindergarten programs and instructors, the Florida Secondary School Redesign Act, dropout prevention, and career education; conforming cross-references; amending s. 1006.061, F.S.; requiring each district school board to post its policies and procedures for reporting misconduct by instructional personnel and the penalties imposed for failing to report suspected or actual child abuse; amending ss. 1007.21, 1007.23, 1008.33, 1008.345, 1010.215, and 1011.18, F.S., relating to readiness for postsecondary education and the workplace, the statewide articulation agreement, public school improvement and educator accountability, funding accountability, and school depositories; conforming cross-references; amending s. 1012.27, F.S.; requiring the district school superintendent to contact the previous employer of each instructional candidate for employment, screen the candidate, and document findings; creating s. 1012.315, F.S.; specifying offenses that disqualify instructional personnel from employment in positions involving direct contact with students; amending s. 1012.32, F.S.; providing that instructional personnel who have been convicted of certain offenses are disqualified from employment in positions having direct contact with students; amending s. 1012.33, F.S.; providing that just cause for terminating instructional staff includes immorality or the commission of a criminal act; amending s. 1012.34, F.S., relating to assessment procedures; conforming a cross-reference; amending s. 1012.56, F.S., relating to certification requirements for educators; revising the requirements for conducting state and national criminal history records checks of persons seeking certification; providing for the Department of Education to maintain personnel records on an electronic database; amending s. 1012.79, F.S.; providing for additional members to be appointed to the Education Practices Commission; revising the composition of the panel appointed to review complaints against teachers; amending s. 1012.795, F.S.; providing for suspending the educator certificate of a person who knowingly fails to report child abuse or suspected or actual misconduct by instructional personnel; amending s. 1012.796, F.S.; requiring that the Department of Education investigate each complaint involving misconduct by instructional personnel; clarifying what constitutes a legally sufficient complaint; providing requirements for adopted school board policies and procedures; providing that the district school superintendent is accountable for communicating standards, policies, and procedures to district employees; requiring that an employee be immediately suspended and reassigned upon an allegation of misconduct affecting the health, safety, or welfare of a student; amending ss. 1012.98 and 1013.03, F.S., relating to the School Community Professional Development Act and functions of the department and Board of Governors; conforming cross-references; providing an effective date.

By the Committee on Education Pre-K - 12; and Senators Carlton, Wilson and Bullard—

CS for SJR 2308—A joint resolution proposing amendments to Section 4 of Article IV and Sections 2 and 7 of Article IX and creating a new section in Article XII of the State Constitution to create the position of Commissioner of Education as an elected member of the Cabinet, to revise the membership of the State Board of Education, which shall consist of the Governor and the Cabinet, and to revise the membership, terms, and duties of the local boards of trustees and the Board of Governors of the State University System.

REFERENCE CHANGES PURSUANT TO RULE 4.7(2)

By the Committees on Judiciary; Education Pre-K - 12; and Senator Wise—

CS for CS for SB 242—A bill to be entitled An act relating to education; amending s. 1000.05, F.S.; providing that students may be separated by gender for specified single-gender programs; amending s. 1002.20, F.S.; providing that options for public school choice may include single-gender programs; creating s. 1002.311, F.S.; authorizing district school boards to establish a nonvocational class, extracurricular activity, or school in which enrollment is limited to students of a single gender; providing conditions for such authorization; requiring that students' participation in single-gender programs be voluntary; requiring evaluation of single-gender programs every 2 years; providing an effective date.

—was placed on the calendar.

By the Committee on Agriculture; and Senator Constantine—

CS for SB 310—A bill to be entitled An act relating to biomass energy production; amending s. 212.08, F.S.; revising the definition of "ethanol"; increasing the limit on the amount of taxes that are exempt for the sale or use of materials used to distribute biodiesel and ethanol; limiting the tax exemption to certain end users; providing that such exemption is limited to one purchase of an eligible item; amending s. 220.192, F.S.; providing for transfer of the renewable energy technologies investment tax credit; providing requirements for such transfer; requiring that the tax credit be passed through to certain taxpayers; authorizing the Department of Revenue to adopt rules regarding the transfer and pass through of such tax credit; amending s. 220.193, F.S.; defining the term "sale" or "sold"; providing that the use of the renewable energy production credit does not reduce the alternative minimum tax credit; creating s. 570.956, F.S.; providing definitions; continuing the Farm-to-Fuel Grants Program within the Department of Agriculture and Consumer Services; providing that matching grants be made available for certain bioenergy projects; requiring the department to adopt rules; providing certain factors for consideration in awarding grants; requiring the department to consult with certain agencies and persons; creating s. 570.958, F.S.; creating the Biofuel Retail Sales Incentive Program; providing a purpose; providing that the petroleum consumption be reduced by certain percentages over a specified period; providing definitions; providing an incentive payment to certain retail dealers who sell biofuel after a certain date; requiring the Department of Agriculture and Consumer Services to develop an application form to claim the incentive; requiring that the application contain certain information; requiring the department to determine the amount of the incentive; requiring the department to prorate the amount of incentives paid to an applicant under certain circumstances; authorizing the department to adopt rules;

creating s. 570.959, F.S.; creating the Florida Biofuel Production Incentive Program within the department; providing a purpose; providing definitions; requiring persons engaged in biofuel production to meet certain requirements to receive an economic incentive; providing the criteria for distributing the incentive, subject to appropriation; requiring the department to prorate the amount of incentives to an applicant under certain circumstances; authorizing the department to adopt rules; providing an effective date.

—was referred to the Committees on Communications and Public Utilities; Environmental Preservation and Conservation; Finance and Tax; and General Government Appropriations.

By the Committee on Governmental Operations; and Senator Constantine—

CS for SB 316—A bill to be entitled An act relating to energy use; amending s. 255.251, F.S.; revising a short title; amending s. 255.252, F.S.; revising criteria for energy conservation and sustainability for state-owned buildings; requiring buildings constructed and financed by the state to meet certain environmental standards approved by the Department of Management Services; requiring state agencies to identify state-owned buildings that are suitable for guaranteed energy performance savings contracts; providing requirements and procedures therefor; requiring the Department of Management Services to evaluate identified facilities and develop an energy efficiency project schedule; providing criteria for such schedule; establishing standards for the purchase of biodiesel diesel fuel for use in state-owned diesel vehicles and equipment; amending s. 255.253, F.S.; defining the terms "sustainable building" and "sustainable building rating"; amending s. 255.254, F.S.; revising provisions relating to the analysis of the life-cycle costs of state facilities; requiring an energy performance analysis of leased facilities; amending s. 255.255, F.S.; revising energy conservation performance guidelines to be used in life-cycle cost analyses; amending s. 287.063, F.S.; prohibiting the term of payment for consolidated equipment finance contracts from extending beyond the anticipated useful life of the equipment financed; deleting the requirement that the Chief Financial Officer establish criteria that prohibits a state agency from obligating an annualized amount of payments for certain deferred payment purchases; amending s. 287.064, F.S.; extending the period of time allowed for the repayment of funds for certain purchases relating to energy conservation measures; requiring guaranteed energy performance savings contractors to provide for the replacement or the extension of the useful life of the equipment during the term of a contract; amending s. 287.16, F.S.; providing additional duties for the Department of Management Services relating to the energy efficiency of state vehicles; creating s. 377.907, F.S.; requiring the Florida Energy Commission to develop Lead-by-Example initiatives to help defray energy costs and to develop recommendations to promote energy efficiency and clean energy technologies; requiring a report to the Legislature by December 31, 2009, and periodically thereafter; amending s. 489.145, F.S.; revising provisions relating to guaranteed energy performance savings contracting by state agencies to address energy-related operational savings; revising definitions; revising criteria for proposed contracts; specifying documentation that must be submitted for contract review by the Chief Financial Officer; creating s. 1013.441, F.S.; establishing the Green Schools Pilot Project; providing Legislative intent; providing for the selection of three school districts by the State Board of Education; providing for the payment of additional costs associated with meeting specified building construction standards that maximize energy efficiency and minimize adverse environmental effects; providing for the distribution of funding for the project; providing for a report to the Legislature and the Commissioner of Education; establishing standards for the purchase of ethanol for use in state-owned flex-fuel vehicles; providing for administration by the Department of Management Services; requiring that the department annually report to the Legislature the extent of biodiesel and ethanol use in state-owned vehicles; establishing standards for the purchase of biodiesel fuel by school district transportation services; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Education Pre-K - 12 Appropriations; and General Government Appropriations.

By the Committees on Judiciary; Health Regulation; and Senators Constantine and King—

CS for CS for SB 564—A bill to be entitled An act relating to automated external defibrillators; amending s. 401.2915, F.S.; revising provisions relating to the maintenance of and training requirements for the use of automated external defibrillators; revising provisions encouraging notice to the local emergency medical services medical director; amending s. 768.1325, F.S.; revising requirements for civil immunity for the use or attempted use of a defibrillator on a victim of a perceived medical emergency; providing an effective date.

—was placed on the calendar.

By the Committee on Transportation; and Senators Fasano, Posey, Wise, Lawson, Baker, Gaetz, Oelrich, Alexander, Ring and Margolis—

CS for SB 920—A bill to be entitled An act relating to driver's license fees; amending s. 318.15, F.S.; increasing the nonrefundable service charge paid to the Department of Highway Safety and Motor Vehicles or to the clerk of the court to reinstate a suspended driver's license and privilege to drive; requiring that the deposited funds be used to establish a recruitment and retention salary plan for officers of the highway patrol; authorizing the director of the Division of the Florida Highway Patrol to structure a salary scale for highway patrol officers to remain competitive with other law enforcement agencies; amending s. 318.18, F.S.; increasing the civil penalty a person must pay for a late payment of civil traffic penalties; requiring that a specified amount of the collected penalty be used to establish a recruitment retention salary plan for officers of the highway patrol; amending s. 320.07, F.S.; increasing the delinquency fee for late payment of vehicle registration renewal; requiring that specified deposited funds be used to establish a recruitment and retention salary plan for officers of the highway patrol; authorizing the director to use the delinquency fees for a salary scale for highway patrol officers which is competitive with other law enforcement agencies; amending s. 322.21, F.S.; increasing the fees for reinstating a suspended or revoked driver's license or commercial motor vehicle license; requiring that the fees collected from reinstating a suspended or revoked driver's license be used to establish a recruitment and retention salary plan for officers of the highway patrol; authorizing the director to use the license reinstating fees for a salary scale for highway patrol officers which is competitive with other law enforcement agencies; amending s. 322.29, F.S., relating to the surrender and return of a license; conforming provisions to changes made by the act; providing an effective date.

—was referred to the Committees on Governmental Operations; Finance and Tax; Transportation and Economic Development Appropriations; and General Government Appropriations.

By the Committees on Finance and Tax; Regulated Industries; and Senator Geller—

CS for CS for SB 970—A bill to be entitled An act relating to slot machine revenues; amending s. 551.106, F.S.; revising the tax rate on slot machine revenues at pari-mutuel facilities; requiring certain licensees to pay a pro rata share of the shortfall in taxes paid on slot machine tax revenues under certain conditions; providing a percentage cap on the payment of taxes on slot machine revenues; providing for the expiration of the revised tax rate; providing a tax rate on certain Class III gaming on Indian reservations if commenced; providing a tax rate on video lottery terminals, electronic gaming, Class II or Class III gaming at pari-mutual facilities if authorized by the state; revising the dates for remitting payment of slot machine tax revenues; amending s. 551.116, F.S.; providing hours of operation for sales of alcoholic beverages in slot machine gaming areas; providing an effective date.

—was placed on the calendar.

By the Committee on Banking and Insurance; and Senators Gaetz, Baker, Fasano, Posey, Oelrich and Bennett—

CS for SB 1012—A bill to be entitled An act relating to health insurance; amending s. 627.638, F.S.; authorizing the payment of health insurance policy benefits directly to a licensed ambulance provider; requiring the attestation assigning benefits to be in writing but allowing it to be transmitted in electronic form; creating s. 627.64731, F.S.; providing requirements for the rent, lease, or granting of access to the health care services of a preferred provider or exclusive provider under a health care contract; amending s. 627.662, F.S.; applying the requirements for the rent, lease, or granting of access to the health care services of a preferred provider or exclusive provider under a health care contract to group health insurance, blanket health insurance, and franchise health insurance policies; amending s. 641.31; providing that a health maintenance contract may not prohibit and a claims form must provide an option for direct payment to specified providers; requiring the attestation of assignment of benefits to be in written or electronic form; providing that payment to a provider may not exceed the amount a health maintenance organization would have paid without the assignment; amending s. 641.315, F.S.; prohibiting health maintenance organizations from selling, leasing, or transferring contract payment terms relating to a health care practitioner under certain circumstances; amending s. 641.3155, F.S.; decreasing the amount of time in which a health maintenance organization may make a claim for overpayment against a provider; providing applicability; providing an effective date.

—was referred to the Committees on Commerce; Health Regulation; Health Policy; and General Government Appropriations.

By the Committee on Children, Families, and Elder Affairs; and Senator Storms—

CS for SB 1152—A bill to be entitled An act relating to child support enforcement; amending s. 61.14, F.S.; requiring payments on child support judgments to be applied first to the current child support due, then to the delinquent principal, and then to any interest on the judgment; amending s. 61.1824, F.S.; requiring the State Disbursement Unit to disburse payments to obligees electronically; amending s. 328.42, F.S.; requiring the Department of Highway Safety and Motor Vehicles to cooperate with the Department of Revenue in establishing a method for disclosing owners of registered vessels to the Department of Revenue; authorizing the Department of Highway Safety and Motor Vehicles to suspend the operating privilege of vessel owners who are not in compliance with orders relating to child support when directed by the Department of Revenue; amending s. 409.2558, F.S.; requiring the State Disbursement Unit to disburse payments to obligees electronically; amending s. 409.256, F.S.; requiring the correctional facility to assist a putative father in complying with an order to appear for genetic testing; clarifying that an administrative order for genetic testing has the same force and effect as a court order; amending s. 456.004, F.S.; requiring the Department of Health to cooperate with the Department of Revenue in establishing a method for disclosing health practitioner licensees to the Department of Revenue; authorizing the Department of Health to suspend or deny the license of a licensee who is not in compliance with orders relating to child support when directed by the Department of Revenue; amending s. 497.167, F.S.; authorizing the Department of Business and Professional Regulation to suspend or deny the license of a licensee who is not in compliance with orders relating to child support when directed by the Department of Revenue; amending s. 559.79, F.S.; requiring the Department of Business and Professional Regulation to cooperate with the Department of Revenue in establishing a method for disclosing professional licensees to the Department of Revenue; authorizing the Department of Business and Professional Regulation to suspend or deny the license of a licensee who is not in compliance with orders relating to child support when directed by the Department of Revenue; amending s. 1012.21, F.S.; requiring the Department of Education to cooperate with the Department of Revenue in establishing a method for disclosing educators to the Department of Revenue; authorizing the Department of Education to suspend or deny the teaching certificate of a person who is not in compliance with orders relating to child support when directed by the Department of Revenue; amending s. 1012.795, F.S.; requiring the Education Practices Commission to suspend or deny the educator certificate of a person who is not in compliance with orders relating to child support upon notice by the Department of Revenue; repealing s. 409.25645, F.S., relating to administrative orders for genetic testing; providing an effective date.

—was referred to the Committees on Judiciary; and General Government Appropriations.

SENATE PAGES

March 10-14, 2008

Joseph "Joe" Alexionok II, Tallahassee; Kelsey Anderson, Sarasota; Holly E. Brooks, Tallahassee; Matthew Carnley, Milton; Clarke Carson, Montgomery, AL; William "Billy" Carson, Montgomery, AL; Samantha Costas, Tallahassee; Gretta Determann, Tallahassee; Alexandria G. Hall, Monticello; Hali C. Harden, Wewahitchka; Shemekia Highman, Quincy; Meleah Lister, Wewahitchka; Keith G. McCall, Brooksville; Stephen C. McCall, Brooksville; Cynthia "Cyndi" Milum, Niceville; Jamaal Randolph, Tallahassee; Terri Scott, Sneads; Tyler Smith, Havana; Jasmine D. White, Sneads; Gayla J. Williamson, Wewahitchka

CO-INTRODUCERS

Senators Lynn—SB 688, SB 748; Villalobos—CS for SB 508; Wilson—SCR 362

Journal of the Senate

Number 4—Regular Session **Wednesday, March 12, 2008**

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CALL TO ORDER

The Senate was called to order by President Pruitt at 9:00 a.m. A quorum present—38:

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

Excused: Senator Wilson; Senator Rich until 1 p.m.

PRAYER

The following prayer was offered by Pastor Willie Cook, Allen Temple A.M.E. Church, Tampa:

"O Lord, our Lord, how excellent is your name in all the Earth, you have set your glory above the heavens!"

O Lord God, you are the maker of the heavens and the earth. You are the mighty God who made us and you know all about us.

We come to the start of this new day with thanksgiving and praises to your name. We thank you because today you have blessed us to move beyond yesterday's failures, follies and sins. We thank you, both individually and collectively, for giving us this new start to mend broken fences; and this new opportunity to build upon a new hope.

Lord God, we pray for your guidance, your wisdom, your intelligence, and your knowledge of responsibility in that we must love, respect, and treat each other kindly as we work out your agenda of showing mercy, justice and fairness to all.

We pray that you will help us to work together, pray together and struggle together as we solve the problems and concerns of this great state called Florida. We pray that you will touch our hearts to be sensitive, truthful, and honest in our dealings with one another as we deal with the business of today. Teach us how to walk humbly before you the mighty God, our maker.

Now Lord, we bless you; we love you; and we thank you for all the favor and prosperity that you have settled upon us, the leaders and people of this great state, known as the Sunshine State, this new day. Let your sun continue to shine upon us forever.

In the name of the God who is known by many names, be glory, dominion, and power forever, and even for evermore. Amen.

PLEDGE

Senate Pages Matthew Carnley of Milton; Meleah Lister of Wewahitchka; Terri Scott of Sneads; William "Billy" Carson and Clarke Carson of Montgomery, Alabama, grandchildren of Senator Posey, led the Senate in the pledge of allegiance to the flag of the United States of America.

DOCTOR OF THE DAY

The President recognized Dr. Jason West, who he sponsored, as doctor of the day. Dr. West specializes in Family Practice and is the husband of Ann West, who works in the Sergeant at Arms office.

ADOPTION OF RESOLUTIONS

On motion by Senator Carlton—

By Senator Carlton—

SR 2894—A resolution recognizing March 12, 2008, as "Florida Oceans Day" in the State of Florida.

WHEREAS, Florida has the second-longest coastline among the fifty states, having a total of 1,350 miles of coastline, and

WHEREAS, Florida's shoreline economy Gross State Product (GSP) is estimated to be approximately $402 billion annually, two and a half times the estimated $160 billion of its inland economy and representing 77 percent of the state's total economy, and

WHEREAS, by the year 2015, Florida's projected ocean tourism and recreation is expected to grow by 73 percent, creating more than 268,000 new jobs, and

WHEREAS, from 1990 to 2003, Florida's coastal counties increased employment by 31 percent, increased wages by 48 percent, and increased the GSP by 63 percent, far faster than the State of California, the Gulf States, or the nation, and

WHEREAS, the oceans and coastal resources of the state are held in trust for the people of the state and should be managed for the benefit of current and future generations, and

WHEREAS, Florida relies on its ocean and coastal systems for the welfare of its residents, and it is critical to work with many groups, including the Florida Oceans and Coastal Council, the Florida Ocean Alliance, and the Florida Coastal and Ocean Coalition, to improve the stewardship of the state's invaluable coastal resources, and

WHEREAS, Florida's coastal counties contribute more than 70 percent of the state's employment, population, and housing while covering only 56 percent of the state's land areas, and

WHEREAS, Florida ranks as the number one place to travel in the nation for Americans that swim, fish, dive, and otherwise enjoy the state's beaches, coastal wetlands, and shores, and

WHEREAS, Florida's economy relies heavily on its oceans and shorelines and therefore actively uses these resources in a sustainable manner to ensure a continuing strong economy in the future, and

WHEREAS, on Wednesday, March 12, 2008, in the Capitol Courtyard, the Florida Ocean Alliance, the Florida Institute of Oceanography, and the Mote Marine Laboratory will present educational exhibits from institutions around the State of Florida with the theme "Ocean Technology: Protecting Florida's Oceans/Sustaining Florida's Economy," NOW, THEREFORE,

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

That March 12, 2008, is recognized as "Florida Oceans Day" in the State of Florida and all Floridians are encouraged to act as good stewards of the state's priceless ocean and coastal resources.

—was introduced out of order and read by title. On motion by Senator Carlton, **SR 2894** was read the second time in full and adopted.

At the request of Senator Saunders—

By Senator Saunders—

SR 1480—A resolution recognizing the Naples High School Golden Eagles Football Team, winners of the 2007 Florida High School Athletic Association Class 3A State Championship in Football.

WHEREAS, the Naples High School Golden Eagles Football Team is the first team in Southwest Florida to have an undefeated season and win a State Championship, and

WHEREAS, the Naples High School Golden Eagles Football Team achieved a perfect record (15-0) for the 2007 season, and

WHEREAS, outstanding skill, sportsmanship, and competitiveness have been characteristics consistently demonstrated by Eagle teammates Nick Alajajian, Matt Allen, Jesse Allums, Eric Arce, Benji Attilus, Mitch Audit, Jason Avola, Marshall Baker, Carlos Barreno, Jordan Bates, Sherdens Belizaire, Steven Bender, Jay Bonaquist, Zach Bowlsbey, Ryan Brennan, John Brossard, John Buckel, Conrad Churney, Kristian Cobeaga, J.R. Conti, Jose Davila, George Davila, Miquel De LaCruz, Josh Delacruz, Derek Delgado, Matt Delgado, Lervince Dervilles, Frantz Dorcely, Josh Elizondo, Todd Fisher, Damon Flemming, Ian Flood, Cody Frank, Juan Friedrich, Julien Gerbaux, Cole Gordon, Austin Green, David Grider, Antwain Harvey, Colby Hashman, Kurtis Hussey, Patrick Hussey, Carlos Hyde, Jon Kalvin, Max Kelley, Chris Krieg, Kyle Lindquist, Tony Lorenzo, Jamison May, Layne McCombs, Richard McCoy, Josh Mesnik, A.J. Micieli, Danilo Morales, Freddy Moran, Thomas Morris, Neco Nesmith, Matt Novak, Puma Nuredini, Arquimides Oduardo, Jaboris Parker, Connor Parsons, Tony Perez-Benitoa, Mitch Pierre, Stephen Pontes, Greg Pratt, Juno Prudhomm, Robert Randolph, Art Rooney, Nelson Saintil, Tay Sanders, Kolton Schooley, Thomas Simmons, Jack Swanson, Sebastian Unkel, Craig Wingate, Fred Wingate, Spencer Wingate, Ryan Yerge, Mike Zablo, Chris Zahn, and Kyle Zech and of their Coaches, Trainers, and Doctors, Bill Kramer, Kara Bloom, Bronze Bruland, Stanley Bryant, Ron Byington, Josh Cassidy, Sam Dollar, Fran Fidler, Pedro Fominaya, Rob Garvie, Jason Gore, Eliza Guerra, Steve Hartz, Dr. Mike Havig, Paul Horne, Dr. Sean Kelley, Sue Kramer, Amy Leaverton, Chris Leonard, Joe Lorenzo, Sam Moran, Rick Martin, Tony Perez-Benitoa, Andrew Sackmann, Dr. Les Schultzel, Jason Scott, Adam Spearman, and Mark Swanson, and WHEREAS, Antwain Harvey, Freddy Moran, and Jack Swanson have brought further adulation to the Golden Eagles Team through their selection to the First Team of the Florida Writers Association Class A All-State Squad, and

WHEREAS, the Naples High School Golden Eagles Football Team has demonstrated a spirit of dedication, commitment, and good sportsmanship that stands as an inspiration for all children in the State of Florida who aspire to succeed in academia and in life, NOW, THEREFORE,

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

That the Florida Senate commends the Naples High School Golden Eagles Football Team, their coaches, and their parents for the honor and pride they have brought to this state by their outstanding dedication and performance as athletes.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to the Naples High School Golden Eagles Football Team as a tangible token of the sentiments of the Florida Senate.

—**SR 1480** was introduced, read and adopted by publication.

MOMENT OF SILENCE

The President recognized Senator King who asked the Senate to observe a moment of silence for former Representative Linda Cox who passed away on Monday, March 10, 2008.

REMARKS

On motion by Senator Carlton, the following remarks were ordered spread upon the Journal:

Senator King: It is a sad day when we in this chamber have to honor someone who is no longer with us. As many of you know, Linda Cox passed away this weekend. Many of you didn't get a chance to know her very well. Those of us who are long of tooth, who have served here forever not only knew her, we loved her. I thought it was fitting and the Senate President thought so too, that we bring to light some of the things that need to be known about this wonderful, wonderful person; the life she led and the people's lives she touched.

She was one of the first women elected to the Legislature out of Broward County. She served in the House of Representative's for six years. She had been a school teacher prior to that. Her flaming democratic views were well formed and founded in Broward County in which she found a nice home. She came here. She served well. She started the National Organization for Women Chapter in Broward County. She fought ardently for the poor and for those who were most at risk.

After six years of service, she decided that she needed to do more with her life. She left the Legislature. She went to Nova Southeastern University and became an attorney. She practiced law and lobbied for the rest of the time. Some interesting sidelights and sidebars that you probably didn't know: when she was serving in the House, her aide was Anne Mackenzie. When she left the House, Anne Mackenzie won her seat. That's the connection we have seen between the two of them; lifelong friends forever.

I knew her from the time I was first elected in 1986. She was one of the first people to come into my office and welcome me. Now I will tell you that from a political standpoint, we had virtually nothing in common; but from a standpoint of man and woman, friend, colleague, compassionate bystander, we loved each other. She was always, always eager to do anything that you wanted to do. She could give you advice on what was going on in almost every walk of government. Her husband, Sheldon Gusky, lobbies for the Public Defenders and does well. She had a child. He had two. She helped raise all three.

I guess the thing that epitomizes her goodness—not only as a member of the Legislature, and not only as a participating woman in women's issues—is her role as a lobbyist. Much has been said recently about the Third House, those people who are lobbyists. Much has been said that was derogatory about what those people are and what they do. Those of us here can attest to the fact that they are a vital part of this whole process and they add a tremendous amount of information. Linda Cox epitomized what a good lobbyist was all about. She was there when you needed her. She would express her views. If you said "no," it was no. She would say, "I'll see you the next time." So, not only those of us who have known her for such a long time have lost a good friend, but the lobbying corps has lost a person who stood out like a bright shining star in their profession.

Mr. President, I recognize the fact that death is part of living. As I grow older, I'm much more cognizant of that. I would tell you that I would only hope when it comes to my time, I would have as many people in that rotunda, in this chamber, in the other chamber, who felt as

strongly about me and what I had contributed, as we do about Linda Cox. With that, Mr. President, I would hope that we could have a few moments of silence.

Senator Geller: Unlike President King, who said he agreed philosophically with Linda on few occasions, I can tell you that coming from Broward County, in fact, Linda's former House seat is now mostly encompassed within my Senate seat. I knew Linda since the day I was elected to the Legislature twenty years ago, and actually before then.

Linda was, for many of us, a good moral compass; someone to look at because Linda had the experience being in this Legislature. As we all know, some of the members of the lobbying corps are somewhat idealistic, and do not look at what is practical. They just say, "We want this," and expect it to happen. Linda was somebody that many of us in Broward County were in agreement with philosophically, and we also knew that we could bounce ideas off her and she could bounce ideas off us. We could come up with a realistic appraisal of the situation; she knew what was acceptable, what could be done, not just what the idealistic paradigm was. She worked with us; we worked with her; and for those of us from Broward County, we got to see her year-round, not just during session. She came down to Broward County frequently.

We're all going to miss her. Our prayers go out to her husband, Sheldon, and her family. We just want to let her family and friends know that we are all going to miss her up here.

Senator Dawson: As a female elected to the Legislature from Broward County, I have to say that Linda Cox was truly a trailblazer. By the time that I came along as a legislative aide, clueless to the process, Linda was here. Linda left such a legacy for women. Even though at that particular time, prior to the nineties, we were coming up in the ranks, Linda was one of those women who laid a trail for us. Whether it was practical or not, she strongly believed in working with women and across the aisles.

I honor her because it was her encouragement that encouraged me, encouraged other women, and set forth the NOWs and other organizations to encourage our young girls to move forward because we do have a place in this great bureaucracy and this legislative process. I do want to honor her. I will miss her terribly. To her family, I know that she will be a star that will be blazing over all that we do. I'm sure that at the end of the day, another woman, another trailblazer, will be proud of the progress and the successes that we have made with women in the State of Florida.

Senator Bullard: Thank you for recognizing me. I tried to sit without saying anything, but I must speak. I learned a lot about Linda in New Orleans. We were on a trip to one of the legislative conferences. She and her husband invited my husband and me to dinner. We spent one of the best times together.

At that time, I did not know she was a former Representative. That was a day that I will never forget. We spent time with the Blues Brothers at the Blues Brothers place. We travelled throughout New Orleans. We had a great time. This day I stand to say that wherever she is, she is in good hands.

I reflect today and look out in the audience at the Transportation Committee. Just last week, she sat there. I cannot believe it. I am shocked. But let us remember that Linda Cox was indeed a fun person, a bright person, and a loving person.

SENATOR DIAZ DE LA PORTILLA PRESIDING

By direction of the President the following Conference Committee Report was read:

CONFERENCE COMMITTEE REPORT ON SB 2502

The Honorable Ken Pruitt March 10, 2008
President of the Senate

The Honorable Marco Rubio
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on SB 2502, same being:

An act relating to implementing the 2007-2008 Special Appropriations Acts;

having met, and after full and free conference, do recommend to their respective houses as follows:

1. That the House of Representatives recede from House Amendment 680003 to SB 2502.

2. That the Senate and House of Representatives adopt the Conference Committee amendment 235274, attached hereto and by reference made a part of this report.

s/Lisa Carlton, Chair
s/Mike Fasano
s/Evelyn J. Lynn
s/Gwen Margolis
Nan H. Rich
s/Gary Siplin
s/Stephen R. Wise
s/J.D. Alexander
s/Victor D. Crist
s/Arthenia L. Joyner
s/Alfred "Al" Lawson, Jr.
s/Durell Peaden, Jr.
s/Jeremy Ring
s/Daniel Webster, At Large

Managers on the part of the Senate

s/Ray Sansom, Chair and At Large
s/Frank Attkisson
Loranne Ausley
Dorothy Bendross-Mindingall
s/Marsha L. Bowen
Debbie Boyd
s/Donald D. "Don" Brown
s/Charles S. "Chuck" Chestnut IV
s/Larry Cretul, At Large
Anitere Flores
s/Bill Galvano
Joseph A. "Joe" Gibbons
s/Michael J. Grant
s/Adam Hasner, At Large
Bill Heller
s/Kurt Kelly
Martin David "Marty" Kiar
Richard A. Machek
Dave Murzin
Jimmy Patronis
s/Joe H. Pickens
s/Ron Reagan
Curtis B. Richardson
Maria Lorts Sachs
John P. "Jack" Seiler, At Large
Priscilla Taylor
Perry E. Thurston
s/Baxter G. Troutman
s/Juan C. Zapata, At Large
s/Sandra "Sandy" Adams
s/Thad Altman
s/Gary Aubuchon
s/Aaron P. Bean
s/Ellyn Setnor Bogdanoff, At Large
Mary Brandenburg
s/Dean Cannon
s/Marti Coley
Joyce Cusack, At Large
s/Clay Ford
Rene Garcia
Audrey Gibson
Denise Grimsley
D. Alan Hays
s/Dorothy L. Hukill
s/Will S. Kendrick
s/Dick Kravitz
s/Stan Mayfield
Mitch Needelman
s/Pat Patterson
s/Juan-Carlos "J.C." Planas
Betty Reed
s/Dennis A. Ross
s/Ron Saunders, At Large
David Simmons
Nicholas R. "Nick" Thompson
s/Anthony Trey Traviesa
s/Will W. Weatherford

Managers on the part of the House

Conference Committee Amendment 1 (235274)(with title amendment)—Delete everything after the enacting clause and insert:

Section 1. *It is the intent of the Legislature that the implementing and administering provisions of this act apply to the act making special appropriations and reductions in appropriations for the 2007-2008 fiscal year adopted during the 2008 Regular Session.*

Section 2. *In order to implement Specific Appropriations 2 and 29-32 of the 2007-2008 Special Appropriations Act adopted during the 2008 Regular Session, the calculations of the Florida Education Finance Program for the 2007-2008 fiscal year in the document entitled "Public School Funding - The Florida Education Finance Program," dated March 9, 2008, and filed with the Clerk of the House of Representatives are incorporated by reference for the purpose of displaying the calculations used by the Legislature, consistent with requirements of the Florida Statutes, in making appropriations and reductions in appropriations for the Florida Education Finance Program.*

Section 3. *The 2007-2008 appropriations for the Florida Education Finance Program and categorical funds provide each school district an increase in total potential funds per full-time equivalent student which is greater than the amount provided for the 2006-2007 fiscal year. Therefore, it is the intent of the Legislature that any reductions in expenditures by school districts in response to any of the appropriation reductions in Specific Appropriations 2 and 29-32 of the 2007-2008 Special Appropriations Act adopted during the 2008 Regular Session be made in functions other than classroom instruction.*

Section 4. *In order to implement Specific Appropriation 953A of the 2007-2008 Special Appropriations Act adopted during the 2008 Regular Session and notwithstanding the provisions of s. 25.384(2), Florida Statutes, to the contrary, funds in the Court Education Trust Fund shall also be expended as directed by the Legislature in the 2007-2008 Special Appropriations Act adopted during the 2008 Regular Session.*

Section 5. *In order to implement Specific Appropriations 945A and 953A of the 2007-2008 Special Appropriations Act adopted during the 2008 Regular Session, and notwithstanding the provisions of s. 44.108, Florida Statutes, to the contrary, the fees imposed pursuant to s. 44.108(1), Florida Statutes, and deposited in the Mediation and Arbitration Trust Fund shall also be expended as directed by the Legislature in the 2007-2008 Special Appropriations Act adopted during the 2008 Regular Session.*

Section 6. Subsection (3) of section 1011.71, Florida Statutes, as amended by section 4 of chapter 2007-328, Laws of Florida, is amended to read:

1011.71 District school tax.—

(3) A school district that has met the reduction requirements regarding class size for the 2007-2008 fiscal year pursuant to s. 1003.03 for K-12 students for whom the school district provides the educational facilities and certifies to the Commissioner of Education that the district does not need all of its discretionary 2-mill capital improvement revenue for capital outlay purposes and all of the district's instructional space needs for the next 5 years can be met from capital outlay sources that the district reasonably expects to receive during the next 5 years from local revenues and from currently appropriated state facilities funding or from alternative scheduling or construction, leasing, rezoning, or technological methodologies that exhibit sound management may expend, subject to the provisions of s. 200.065, up to *$65* ~~$25~~ per unweighted full-time equivalent student from the revenue generated by the 2007-2008 millage levy authorized by subsection (2) to fund, in addition to expenditures authorized in paragraphs (2)(a)-(j), 2007-2008 expenses for the following:

(a) The purchase, lease-purchase, or lease of driver's education vehicles; motor vehicles used for the maintenance or operation of plants and equipment; security vehicles; or vehicles used in storing or distributing materials and equipment.

(b) Payment of the cost of premiums for property and casualty insurance necessary to insure school district educational and ancillary plants. Operating revenues that are made available through the payment of property and casualty insurance premiums from revenues generated under this subsection may be expended only for nonrecurring operational expenditures of the school district.

Section 7. *The amendments to s. 1011.71(3), Florida Statutes, as carried forward by this act from chapter 2007-328, Laws of Florida, and made by this act shall expire July 1, 2008, and the text of that section shall revert to that in existence on the day before the effective date of chapter 2007-328, Laws of Florida, except that any amendments to such text enacted other than by this act and chapter 2007-328, Laws of Florida, shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of such text which expire pursuant to this section.*

Section 8. *Any section of this act which implements a specific appropriation or specifically identified proviso language in the act making appropriations and reductions in appropriations for the 2007-2008 fiscal year is void if the specific appropriation or specifically identified proviso language is vetoed. Any section of this act which implements more than one specific appropriation or more than one portion of specifically identified proviso language in the act making appropriations and reductions for the 2007-2008 fiscal year is void if all the specific appropriations or portions of specifically identified proviso language are vetoed.*

Section 9. *If any provision of this act or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are severable.*

Section 10. This act shall take effect upon becoming a law.

And the title is amended as follows:

Delete everything before the enacting clause and insert:

A bill to be entitled An act implementing the 2007-2008 Special Appropriations Act; providing legislative intent; providing for the incorporation by reference of certain calculations used by the Legislature for the 2007-2008 fiscal year; providing for the implementation of specified appropriations; providing legislative intent with respect to reductions in expenditures made by district school boards; providing for moneys in specified trust funds to be expended as directed by the Legislature, notwithstanding certain provisions to the contrary; amending s. 1011.71, F.S.; increasing the amount that certain school districts may expend, per unweighted full-time equivalent student, from the revenue generated by the 2007-2008 district school tax levy; providing for the expiration of such increase; providing for the effect of a veto of one or more specific appropriations or proviso provisions to which implementing language refers; providing for severability; providing an effective date.

On motion by Senator Carlton, the rules were waived and the Conference Committee Report on **SB 2502** was read the second time.

On motion by Senator Carlton, the Conference Committee Report was adopted and **SB 2502** passed as amended by the Conference Committee Report and was certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

SPECIAL ORDER CALENDAR

By Senator Fasano—

SB 154—A bill to be entitled An act relating to pedestrian safety; amending ss. 316.075 and 316.130, F.S.; requiring a driver to stop at certain intersections to allow a pedestrian to cross a roadway when the pedestrian is in the crosswalk or steps into the crosswalk; providing penalties; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 154** was placed on the calendar of Bills on Third Reading.

Consideration of **CS for SB 276** was deferred.

By Senator Fasano—

CS for SB 296—A bill to be entitled An act relating to bingo games; amending s. 849.0931, F.S.; authorizing the use of electronics or other technology in lieu of vocal verification for bingo games; amending s. 849.0935, F.S.; revising the definition of "organization" to include chambers of commerce; exempting chambers of commerce from provisions prohibiting drawings by chance; authorizing an organization to place signs at a bingo game event disclosing certain required information; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 296** was placed on the calendar of Bills on Third Reading.

By Senator Wise—

SB 458—A bill to be entitled An act relating to amateur matches; amending s. 548.007, F.S.; exempting amateur matches that are conducted or sponsored by the Fraternal Order of Police and that are held in conjunction with a charitable event from provisions regulating pugilistic contests and exhibitions; providing an effective date.

—was read the second time by title.

MOTION

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

Senator Aronberg moved the following amendment which was adopted:

Amendment 1 (795584)(with title amendment)—Between lines 28 and 29 insert:

Section 2. Subsection (2) of section 548.035, Florida Statutes, is amended to read:

548.035 Permit fees.—

(2) For mixed martial arts matches, the commission shall require a ~~minimum~~ fee of *$2,000* ~~$5,000~~ per event. For purposes of this section, an "event" is one or more matches comprising a show.

(Redesignate subsequent sections.)

And the title is amended as follows:

On line 6, after the semicolon (;) insert: amending s. 548.035, F.S.; reducing the required fee per event;

Pursuant to Rule 4.19, **SB 458** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

By Senator Jones—

CS for CS for SB 1380—A bill to be entitled An act relating to electronic gaming machines; authorizing electronic gaming machines in certain pari-mutuel facilities; providing definitions; providing powers and duties of the Division of Pari-mutuel Wagering of the Department of Business and Professional Regulation and the Department of Law Enforcement; providing for rules; providing for licenses to conduct electronic gaming; providing for temporary licenses; providing for renewal of electronic gaming machine licenses; providing for license fees; providing for taxes; providing penalties; providing for occupational licenses; providing findings; providing for applications; providing for a fee; prohibiting certain relationships; prohibiting certain acts; providing penalties; providing for legality of electronic gaming machines; providing for exclusion of certain persons from the facilities; prohibiting persons under 21 years of age from operating electronic gaming machines; providing for electronic gaming machine areas within licensed gaming locations; providing for days and hours of operation of eligible facilities; providing for a compulsive-gambling-prevention program; providing penalties; providing for a caterer's license for food service at gambling establishments; prohibiting certain activities and devices; providing exceptions; providing for rules; providing for regulatory preemption to the state; providing exceptions to ss. 849.0931 and 849.094, F.S.; amending s. 215.22, F.S.; exempting taxes imposed on electronic gaming and electronic gaming machine revenue from specified service charges; amending s. 550.002, F.S.; providing for 100 live games at eligible jai alai facilities; amending s. 550.135, F.S.; providing for the reservation of electronic gaming machine fees in a trust fund; amending s. 849.15, F.S.; providing for transportation of electronic gaming devices in accordance with federal law; amending s. 895.02, F.S.; providing that specified violations related to electronic gaming and electronic gaming machines constitute racketeering activity; providing that certain debt incurred in violation of specified provisions relating to electronic gaming and electronic gaming machines constitutes unlawful debt; authorizing additional positions and providing appropriations; providing for the use of certain unreserved funds in the Pari-mutuel Wagering Trust Fund; providing for repayment of such funds; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 1380** was placed on the calendar of Bills on Third Reading.

By Senator Geller—

CS for CS for SB 970—A bill to be entitled An act relating to slot machine revenues; amending s. 551.106, F.S.; revising the tax rate on slot machine revenues at pari-mutuel facilities; requiring certain licensees to pay a pro rata share of the shortfall in taxes paid on slot machine tax revenues under certain conditions; providing a percentage cap on the payment of taxes on slot machine revenues; providing for the expiration of the revised tax rate; providing a tax rate on certain Class III gaming on Indian reservations if commenced; providing a tax rate on video lottery terminals, electronic gaming, Class II or Class III gaming at pari-mutual facilities if authorized by the state; revising the dates for remitting payment of slot machine tax revenues; amending s. 551.116, F.S.; providing hours of operation for sales of alcoholic beverages in slot machine gaming areas; providing an effective date.

—was read the second time by title.

Senator Geller moved the following amendment which was adopted:

Amendment 1 (159946)—Delete line(s) 27-41 and insert:

(b) Beginning July 1, 2008, if the slot machine tax revenues under paragraph (a) from a facility which operated for any portion of the 2007-2008 state fiscal year does not meet or exceed that facility's estimated tax remittance for the 2008-2009 fiscal year, as determined by reference to the February 2008 Revenue Estimating Conference's estimate of tax remittances for each such licensee for the 2008-2009 fiscal year, and the total remittances for all such licensees falls short of a cumulative amount of $122.9 million from the slot machine licensees in each state fiscal year, an additional amount shall be paid by each slot machine licensee that conducted slot machine gaming in such year which is sufficient to make the total tax under paragraph (a) and this paragraph equal to that facility's estimated tax remittance for the 2008-2009 fiscal year. The additional amount to be paid by any licensee shall be offset in the amount by which any other licensee's remittance for that state fiscal year is in excess of its estimated remittance amount for that state fiscal year. If more than one licensee has a shortfall and any licensee has an excess, such excess amount shall be shared proportionally among those licensees having a shortfall based upon each such licensee's pro rata share of the total shortfall in taxes paid on slot machine revenues in such year pursuant to paragraph (a). However, a licensee is not required to pay taxes due for a state fiscal year under paragraph (a) or this paragraph in an amount greater than 50 percent of its slot machine revenues.

Pursuant to Rule 4.19, **CS for CS for SB 970** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

INTRODUCTION OF FORMER SENATOR

Senator Geller introduced former Senator Buddy Dyer, Mayor of Orlando, who was present in the chamber.

By Senator Margolis—

SB 78—A bill to be entitled An act relating to child welfare professionals; designating the second Monday in May as "Child Welfare Professionals Recognition Day"; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 78** was placed on the calendar of Bills on Third Reading.

By Senator Wise—

CS for CS for SB 242—A bill to be entitled An act relating to education; amending s. 1000.05, F.S.; providing that students may be separated by gender for specified single-gender programs; amending s. 1002.20, F.S.; providing that options for public school choice may include single-gender programs; creating s. 1002.311, F.S.; authorizing district school boards to establish a nonvocational class, extracurricular activity, or school in which enrollment is limited to students of a single gender; providing conditions for such authorization; requiring that students' participation in single-gender programs be voluntary; requiring evaluation of single-gender programs every 2 years; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 242** was placed on the calendar of Bills on Third Reading.

By Senator Wise—

SB 286—A bill to be entitled An act relating to the certification of public school educators; creating s. 1012.587, F.S.; specifying inservice requirements for educators who provide instruction in English for Speakers of Other Languages; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 286** was placed on the calendar of Bills on Third Reading.

By Senator Siplin—

SB 302—A bill to be entitled An act relating to the indecent wearing of below-waist underwear; prohibiting a student from exposing below-waist underwear in a specified manner while on the grounds of a public school; providing penalties; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 302** was placed on the calendar of Bills on Third Reading.

By Senator Fasano—

CS for SB 508—A bill to be entitled An act relating to the safe lifting of hospitalized patients; creating s. 381.396, F.S.; defining the term "hospital"; requiring that hospitals establish by a specified date a policy concerning the safe lifting of patients by hospital employees; providing criteria concerning the policy; providing for a committee to develop the policy; providing for membership of the committee; requiring continuing evaluation of the policy; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 508** was placed on the calendar of Bills on Third Reading.

By Senator Constantine—

CS for CS for SB 564—A bill to be entitled An act relating to automated external defibrillators; amending s. 401.2915, F.S.; revising provisions relating to the maintenance of and training requirements for the use of automated external defibrillators; revising provisions encouraging notice to the local emergency medical services medical director; amending s. 768.1325, F.S.; revising requirements for civil immunity for the use or attempted use of a defibrillator on a victim of a perceived medical emergency; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 564** was placed on the calendar of Bills on Third Reading.

By Senator Fasano—

SB 716—A bill to be entitled An act relating to clinical laboratories; amending s. 483.181, F.S.; requiring clinical laboratories to accept human specimens submitted by advanced registered nurse practitioners; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 716** was placed on the calendar of Bills on Third Reading.

By Senator Saunders—

CS for SB 736—A bill to be entitled An act relating to certification of clinical nurse specialists; amending s. 464.0115, F.S.; revising the requirements for obtaining certification as a clinical nurse specialist; requiring an applicant to submit proof to the Department of Health that he or she has the required academic and clinical experience to be certified as a clinical nurse specialist; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 736** was placed on the calendar of Bills on Third Reading.

SM 1742—A memorial to the Congress of the United States, urging Congress to support national standards for educator ethics and a national clearinghouse to strengthen state efforts in the reporting, screening, and sharing of critical information relative to educator misconduct.

WHEREAS, teachers are entrusted with the care and supervision of minor children away from the direct observation of parents, and

WHEREAS, the student-teacher relationship is necessarily built on a child's trust and respect for an adult in authority, and

WHEREAS, parents and the community rely upon school district officials and individual educators to protect the integrity of that relationship, and

WHEREAS, educators rely upon the state and school districts to promote respect for the teaching profession through the timely investigation and disposition of allegations of misconduct, assurance of due process, and elimination from the teaching ranks of those who bring discredit to the profession, NOW, THEREFORE,

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

That the Congress of the United States is urged to support the passage of laws establishing ethical standards for professional educators and to support a national clearinghouse to provide for the reporting of data concerning educator misconduct. A national database is necessary to promote the timely sharing of critical information among states and to provide for the safety and welfare of students.

BE IT FURTHER RESOLVED that copies of this memorial be dispatched to the President of the United States, to the President of the United States Senate, to the Speaker of the United States House of Representatives, and to each member of the Florida delegation to the United States Congress.

—was read the second time in full. On motion by Senator Carlton, **SM 1742** was adopted and certified to the House.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Fasano, by two-thirds vote **SB 114**, **SB 120**, **SB 122**, **SB 124**, **SB 384** and **SB 676** were withdrawn from the committees of reference and further consideration; and **SB 2356** was withdrawn from further consideration.

On motion by Senator Bennett, by two-thirds vote **SB 2188**, **SB 828** and **SB 1288** were withdrawn from the committees of reference and further consideration; and **SB 2704** was withdrawn from further consideration.

On motion by Senator Geller, by two-thirds vote **SB 1736** was withdrawn from the committees of reference and further consideration.

RECESS

On motion by Senator King, the Senate recessed at 11:13 a.m. to reconvene at 1:00 p.m. or upon call of the President.

AFTERNOON SESSION

The Senate was called to order by the President at 1:00 p.m. A quorum present—39:

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

SENATOR DIAZ DE LA PORTILLA PRESIDING

SPECIAL ORDER CALENDAR, continued

By Senator Rich—

CS for SB 276—A bill to be entitled An act relating to food donation by public food service establishments; providing a short title; amending s. 768.136, F.S.; expanding the definition of "perishable food" to include foods prepared at a public food service establishment licensed under ch. 509, F.S.; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 276** was placed on the calendar of Bills on Third Reading.

COMMUNICATION

The Honorable Ken Pruitt, President March 9, 2008
The Florida Senate

Dear Mr. President:

In compliance with Article III, Section 19(d) of the Florida Constitution and Joint Rule 2, copies of the Appropriations Conference Committee Report on **HB 7009** have been furnished to each member of the Legislature, each member of the Cabinet, the Governor, and the Chief Justice of the Supreme Court.

The Chief Clerk of the House has certified that delivery was completed March 9, 2008, at 9:45 a.m.

Respectfully submitted,
Faye W. Blanton,
Secretary of the Senate

On motion by the President, the rules were waived and the Senate reverted to:

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has accepted the Conference Committee Report as an entirety and passed HB 7009 as amended by the Conference Committee Report.

William S. Pittman III, Chief Clerk

By direction of the President the following Conference Committee Report was read:

CONFERENCE COMMITTEE REPORT ON HB 7009

The Honorable Ken Pruitt March 10, 2008
President of the Senate

The Honorable Marco Rubio
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on HB 7009, same being:

> An act making special appropriations; providing appropriations and reductions in appropriations for the 2007-2008 fiscal year, to pay salaries, and other expenses, capital outlay-buildings, and other improvements, and for other specified purposes of the various agencies of State government; providing an effective date;

having met, and after full and free conference, do recommend to their respective houses as follows:

1. That the Senate recede from its Senate Amendment 998929 to House Bill 7009.
2. That the Senate and House of Representatives adopt the Conference Committee Amendment 339261 to House Bill 7009, attached hereto and by reference made a part of this report.

s/Lisa Carlton, Chair
s/Mike Fasano
s/Evelyn J. Lynn
s/Gwen Margolis
Nan H. Rich
s/Gary Siplin
s/Stephen R. Wise
s/J.D. Alexander
s/Victor D. Crist
s/Arthenia L. Joyner
s/Alfred "Al" Lawson, Jr.
s/Durell Peaden, Jr.
s/Jeremy Ring
s/Daniel Webster, At Large

Managers on the part of the Senate

s/Ray Sansom, Chair and At Large
s/Frank Attkisson
Loranne Ausley
Dorothy Bendross-Mindingall
s/Marsha L. Bowen
Debbie Boyd
s/Donald D. "Don" Brown
s/Charles S. "Chuck" Chestnut IV
s/Larry Cretul, At Large
s/Anitere Flores
s/Bill Galvano
Joseph A. "Joe" Gibbons
s/Michael J. Grant
s/Adam Hasner, At Large
Bill Heller
s/Kurt Kelly
Martin David "Marty" Kiar
Richard A. Machek
s/Dave Murzin
s/Jimmy Patronis
s/Joe H. Pickens
s/Ron Reagan
Curtis B. Richardson
Maria Lorts Sachs
s/Sandra "Sandy" Adams
s/Thad Altman
s/Gary Aubuchon
s/Aaron P. Bean
s/Ellyn Setnor Bogdanoff, At Large
Mary Brandenburg
s/Dean Cannon
s/Marti Coley
Joyce Cusack, At Large
s/Clay Ford
s/Rene Garcia
Audrey Gibson
s/Denise Grimsley
s/D. Alan Hays
s/Dorothy L. Hukill
s/Will S. Kendrick
s/Dick Kravitz
s/Stan Mayfield
s/Mitch Needelman
s/Pat Patterson
s/Juan-Carlos "J.C." Planas
Betty Reed
s/Dennis A. Ross
s/Ron Saunders, At Large

John P. "Jack" Seiler, At Large
Priscilla Taylor
Perry E. Thurston
s/Baxter G. Troutman
s/Juan C. Zapata, At Large
David Simmons
Nicholas R. "Nick" Thompson
s/Anthony Trey Traviesa
s/Will W. Weatherford

Managers on the part of the House

Conference Committee Amendment (with title amendment)—

Remove everything after the enacting clause and insert:

A bill to be entitled

An act making special appropriations; providing appropriations and reductions in appropriations for the 2007 - 2008 fiscal year, to pay salaries, and other expenses, capital outlay - buildings, and other improvements, and for other specified purposes of the various agencies of state government; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

The appropriations and reductions in appropriations contained herein are from the named funds for the 2007-2008 fiscal year to the state agency or branch of government indicated. These appropriations and reductions in appropriations shall be reflected as adjustments to the approved operating budgets, as previously adjusted for lawful budget amendments, of the state agencies or branches of government.

SECTION 1. EDUCATION ENHANCEMENT "LOTTERY" TRUST FUND

The moneys contained herein are appropriated from the Education Enhancement "Lottery" Trust Fund to the state agencies indicated.

EDUCATION, DEPARTMENT OF

OFFICE OF STUDENT FINANCIAL ASSISTANCE

PROGRAM: STUDENT FINANCIAL AID PROGRAM - STATE

1 SPECIAL CATEGORIES
GRANTS AND AIDS - FLORIDA'S BRIGHT FUTURES SCHOLARSHIP PROGRAM
FROM EDUCATIONAL ENHANCEMENT TRUST FUND . -4,500,000

PUBLIC SCHOOLS, DIVISION OF

PROGRAM: STATE GRANTS/K-12 PROGRAM - FEFP

2 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - DISTRICT LOTTERY AND SCHOOL RECOGNITION PROGRAM
FROM EDUCATIONAL ENHANCEMENT TRUST FUND . -3,505,869

The reduced appropriation in Specific Appropriation 2 shall be allocated to the Discretionary Lottery Program only.

PROGRAM: STATE GRANTS/K-12 PROGRAM - NON FEFP

3 SPECIAL CATEGORIES
GRANTS AND AIDS - SCHOOL SAFETY/EMERGENCY PREPAREDNESS
FROM EDUCATIONAL ENHANCEMENT TRUST FUND . -2,880,000

3A SPECIAL CATEGORIES
RESTORE AS NON-RECURRING-
GRANTS AND AIDS - SCHOOL SAFETY/EMERGENCY PREPAREDNESS
FROM EDUCATIONAL ENHANCEMENT TRUST FUND . 2,880,000

COMMUNITY COLLEGES, DIVISION OF

PROGRAM: COMMUNITY COLLEGE PROGRAMS

4 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - COMMUNITY COLLEGE
SECTION 1
SPECIFIC
APPROPRIATION
LOTTERY FUNDS
FROM EDUCATIONAL ENHANCEMENT TRUST FUND . -4,677,200

The reduced appropriation in Specific Appropriation 4 shall be allocated as follows:

Brevard Community College	-171,347
Broward Community College	-350,819
Central Florida Community College	-86,021
Chipola College	-39,141
Daytona Beach Community College	-202,941
Edison College	-112,932
Florida Community College at Jacksonville	-339,316
Florida Keys Community College	-23,581
Gulf Coast Community College	-82,647
Hillsborough Community College	-233,313
Indian River Community College	-183,300
Lake City Community College	-52,779
Lake-Sumter Community College	-45,741
Manatee Community College	-103,294
Miami-Dade College	-783,281
North Florida Community College	-26,551
Okaloosa-Walton College	-78,409
Palm Beach Community College	-249,392
Pasco-Hernando Community College	-83,580
Pensacola Junior College	-146,990
Polk Community College	-86,024
St. Johns River Community College	-69,968
St. Petersburg College	-271,695
Santa Fe Community College	-171,587
Seminole Community College	-159,330
South Florida Community College	-59,283
Tallahassee Community College	-148,167
Valencia Community College	-315,771

5 SPECIAL CATEGORIES
GRANTS AND AIDS - FLORIDA'S TWO PLUS TWO PUBLIC AND PRIVATE PARTNERSHIPS
FROM EDUCATIONAL ENHANCEMENT TRUST FUND . -20,400

TOTAL: PROGRAM: COMMUNITY COLLEGE PROGRAMS
FROM TRUST FUNDS . . . . . -4,697,600

TOTAL ALL FUNDS . . . . . -4,697,600

UNIVERSITIES, DIVISION OF

PROGRAM: EDUCATIONAL AND GENERAL ACTIVITIES

6 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - EDUCATION AND GENERAL ACTIVITIES
FROM EDUCATIONAL ENHANCEMENT TRUST FUND . -6,039,470

The reduced appropriation in Specific Appropriation 6 shall be allocated as follows:

University of Florida	-1,032,485
Florida State University	-913,647
Florida A&M University	-353,583
University of South Florida	-908,209
University of South Florida, St. Petersburg	-15,592
University of South Florida, Sarasota/Manatee	-25,851
Florida Atlantic University	-472,730
University of West Florida	-188,559
University of Central Florida	-858,722
Florida International University	-755,412
University of North Florida	-327,023
Florida Gulf Coast University	-175,911
New College of Florida	-11,746

7 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - IFAS (INSTITUTE OF FOOD AND AGRICULTURAL SCIENCE)
FROM EDUCATIONAL ENHANCEMENT TRUST FUND . -348,824

SECTION 1
SPECIFIC
APPROPRIATION

8 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - UNIVERSITY OF SOUTH FLORIDA MEDICAL CENTER
FROM EDUCATIONAL ENHANCEMENT TRUST FUND . -107,949

9 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - UNIVERSITY OF FLORIDA HEALTH CENTER
FROM EDUCATIONAL ENHANCEMENT TRUST FUND . -179,632

TOTAL: PROGRAM: EDUCATIONAL AND GENERAL ACTIVITIES
FROM TRUST FUNDS . . . . . -6,675,875

TOTAL ALL FUNDS . . . . . -6,675,875

TOTAL OF SECTION 1

FROM TRUST FUNDS . . . . . -19,379,344

TOTAL ALL FUNDS . . . . . -19,379,344

SECTION 2 - EDUCATION (ALL OTHER FUNDS)

The moneys contained herein are appropriated from the named funds to the Department of Education as the amounts, or reductions to the amounts, to be used to pay the salaries, other operational expenditures and fixed capital outlay.

EDUCATION, DEPARTMENT OF

VOCATIONAL REHABILITATION

10 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - ADULTS WITH DISABILITIES FUNDS
FROM GENERAL REVENUE FUND . . . . . -683,398

The reduced appropriation in Specific Appropriation 10 shall be allocated to school districts as follows:

Alachua	-1,815
Baker	-7,969
Bay	-7,122
Bradford	-2,586
Brevard	-22,179
Broward	-67,491
Charlotte	-2,568
Citrus	-5,545
Collier	-1,912
Columbia	-1,906
DeSoto	-11,864
Escambia	-10,828
Flagler	-39,253
Gadsden	-19,927
Gulf	-1,560
Hardee	-2,209
Hernando	-3,712
Hillsborough	-21,013
Jackson	-74,657
Jefferson	-2,821
Lake	-1,313
Leon	-42,155
Martin	-15,117
Miami-Dade	-82,419
Monroe	-3,828
Orange	-20,476
Osceola	-1,616
Palm Beach	-55,703
Pasco	-687
Pinellas	-27,419
Polk	-11,984
St. Johns	-4,999
Santa Rosa	-1,813

SECTION 2
SPECIFIC
APPROPRIATION

Sarasota	-32,074
Sumter	-636
Suwannee	-3,500
Taylor	-3,460
Union	-3,811
Wakulla	-1,683
Washington	-8,654

The reduced appropriation in Specific Appropriation 10 shall be allocated to community colleges as follows:

Central Florida Community College	-1,444
Daytona Beach Community College	-12,306
Florida Community College at Jacksonville	-10,640
Indian River Community College	-5,635
Pensacola Junior College	-1,560
St. Johns River Community College	-1,871
Santa Fe Community College	-3,067
Seminole Community College	-2,703
South Florida Community College	-10,206
Tallahassee Community College	-1,682

11 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - FLORIDA ENDOWMENT FOUNDATION FOR VOCATIONAL REHABILITATION
FROM GENERAL REVENUE FUND . . . . . -133,847

11A AID TO LOCAL GOVERNMENTS
RESTORE AS NON-RECURRING-
GRANTS AND AIDS - FLORIDA ENDOWMENT FOUNDATION FOR VOCATIONAL REHABILITATION
FROM GENERAL REVENUE FUND 115,385

12 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND . . . . . -20,779

13 SPECIAL CATEGORIES
INDEPENDENT LIVING SERVICES
FROM GENERAL REVENUE FUND . . . . . -60,000

TOTAL: VOCATIONAL REHABILITATION
FROM GENERAL REVENUE FUND . . . . . -782,639

TOTAL ALL FUNDS . . . . . -782,639

BLIND SERVICES, DIVISION OF

14 EXPENSES
FROM GENERAL REVENUE FUND . . . . . -18,920
FROM GRANTS AND DONATIONS TRUST FUND . . . -1,850

15 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - COMMUNITY REHABILITATION FACILITIES
FROM GENERAL REVENUE FUND . . . . . -5,000

16 SPECIAL CATEGORIES
GRANTS AND AIDS - CLIENT SERVICES
FROM GENERAL REVENUE FUND . . . . . -50,000
FROM GRANTS AND DONATIONS TRUST FUND . . . -10,531

17 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND . . . . . -3,000

TOTAL: BLIND SERVICES, DIVISION OF
FROM GENERAL REVENUE FUND . . . . . -76,920
FROM TRUST FUNDS . . . . . -12,381

SECTION 2
SPECIFIC
APPROPRIATION
TOTAL ALL FUNDS . . . . . -89,301

PROGRAM: PRIVATE COLLEGES AND UNIVERSITIES

18 SPECIAL CATEGORIES
GRANTS AND AIDS - MEDICAL TRAINING AND SIMULATION LABORATORY
FROM GENERAL REVENUE FUND . . . . . -133,078

19 SPECIAL CATEGORIES
ABLE GRANTS (ACCESS TO BETTER LEARNING AND EDUCATION)
FROM GENERAL REVENUE FUND . . . . . -287,500

20 SPECIAL CATEGORIES
HISTORICALLY BLACK PRIVATE COLLEGES
FROM GENERAL REVENUE FUND . . . . . -484,873

The reduced appropriation in Specific Appropriation 20 shall be allocated as follows:

Bethune-Cookman College..... -249,397
Edward Waters College..... -77,251
Florida Memorial University..... -154,982
Library Resources..... -3,243

21 SPECIAL CATEGORIES
GRANTS AND AIDS - FIRST ACCREDITED MEDICAL SCHOOL UNIVERSITY OF MIAMI
FROM GENERAL REVENUE FUND . . . . . -379,298

The reduced appropriation in Specific Appropriation 21 shall be allocated as follows:

Cancer Research..... -79,015
PhD Program in Biomedical Science..... -45,347
College of Medicine..... -254,936

22 SPECIAL CATEGORIES
ACADEMIC PROGRAM CONTRACTS
FROM GENERAL REVENUE FUND . . . . . -45,598

The reduced appropriation in Specific Appropriation 22 shall be allocated as follows:

University of Miami..... -17,645
Florida Institute of Technology..... -15,131
Barry University..... -8,214
Nova/Southeastern University..... -4,608

23 SPECIAL CATEGORIES
GRANTS AND AIDS - REGIONAL DIABETES CENTER - UNIVERSITY OF MIAMI
FROM GENERAL REVENUE FUND . . . . . -22,468

24 SPECIAL CATEGORIES
FLORIDA RESIDENT ACCESS GRANT
FROM GENERAL REVENUE FUND . . . . . -3,500,000

25 SPECIAL CATEGORIES
NOVA SOUTHEASTERN UNIVERSITY - HEALTH PROGRAMS
FROM GENERAL REVENUE FUND . . . . . -252,193

The reduced appropriation in Specific Appropriation 25 shall be allocated among all Nova Southeastern University health programs.

26 SPECIAL CATEGORIES
LECOM / FLORIDA - HEALTH PROGRAMS
FROM GENERAL REVENUE FUND . . . . . -57,117

TOTAL: PROGRAM: PRIVATE COLLEGES AND UNIVERSITIES
FROM GENERAL REVENUE FUND . . . . . -5,162,125

SECTION 2
SPECIFIC
APPROPRIATION
TOTAL ALL FUNDS . . . . . -5,162,125

EARLY LEARNING

PREKINDERGARTEN EDUCATION

27 SPECIAL CATEGORIES
TRANSFER VOLUNTARY PREKINDERGARTEN FUNDS TO AGENCY FOR WORKFORCE INNOVATION
FROM GENERAL REVENUE FUND . . . . . -6,696,596

The reduced appropriation in Specific Appropriation 27 shall be initially allocated to the Early Learning Coalitions as follows:

Alachua..... -82,825
Bay, Calhoun, Gulf, Franklin, Washington, Holmes, Jackson... -97,275
Brevard..... -190,943
Broward..... -672,612
Charlotte, DeSoto, Highlands, Hardee..... -91,986
Clay, Nassau, Baker, Bradford..... -120,023
Columbia, Hamilton, Lafayette, Union, Suwannee..... -58,447
Dade, Monroe..... -1,050,113
Dixie, Gilchrist, Levy, Citrus, Sumter..... -85,833
Duval..... -436,984
Escambia..... -111,433
Hendry, Glades, Collier, Lee..... -324,175
Hillsborough..... -418,567
Lake..... -96,628
Leon, Gadsden, Jefferson, Liberty, Madison, Wakulla, Taylor. -160,495
Manatee..... -103,065
Marion..... -91,785
Martin, Okeechobee, Indian River..... -107,826
Okaloosa, Walton..... -83,157
Orange..... -470,754
Osceola..... -122,465
Palm Beach..... -400,853
Pasco, Hernando..... -208,109
Pinellas..... -302,115
Polk..... -154,889
Putnam, St. Johns..... -82,572
St. Lucie..... -94,002
Santa Rosa..... -34,462
Sarasota..... -95,138
Seminole..... -182,468
Volusia, Flagler..... -164,597

28 SPECIAL CATEGORIES
GRANTS AND AIDS- EARLY LEARNING STANDARDS AND ACCOUNTABILITY
FROM GENERAL REVENUE FUND . . . . . -74,821

TOTAL: PREKINDERGARTEN EDUCATION
FROM GENERAL REVENUE FUND . . . . . -6,771,417

TOTAL ALL FUNDS . . . . . -6,771,417

PUBLIC SCHOOLS, DIVISION OF

PROGRAM: STATE GRANTS/K-12 PROGRAM - FEFP

The revised third calculation of the Florida Education Finance Program (FEFP) for the 2007-2008 fiscal year which includes the reductions in appropriations made in this Special Appropriations Act for the 2007-2008 fiscal year, is incorporated by reference in Senate Bill 2502. The calculations are the basis for the appropriations made in the General Appropriations Act and the Special Appropriations Acts for the 2007-2008 fiscal year.

29 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - FLORIDA EDUCATIONAL FINANCE PROGRAM
FROM GENERAL REVENUE FUND . . . . . -170,997,689
FROM PRINCIPAL STATE SCHOOL TRUST FUND . . -3,311,334

SECTION 2
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The 2007-2008 third calculation of the Florida Education Finance Program dated December 19, 2007, and revised January 2, 2008, shall be further revised to include the adjustments provided in Specific Appropriations 2 and 29 through 32 and an adjustment that provides all districts with an equal percentage reduction to total potential funds. The equal percentage reduction shall not be recalculated. The appropriation in Specific Appropriation 29 shall include the following adjustments:

-$55.21 for the Base Student Allocation; -$532,302 for the Sparsity Supplement; -$1,026,677 for the Safe Schools Allocation, including an adjustment to the minimum district allocation of -$998; -$9,799,707 for Supplemental Academic Instruction; -$1,555,775 for the Reading Allocation, including an adjustment to the minimum district allocation of -$1,331; -$15,086,340 for the ESE Guaranteed Allocation; and an adjustment for the DJJ Supplemental Allocation factor of -$12.47. The Declining Enrollment Supplement shall be calculated based on 48.98 percent of the decline between prior year and current year unweighted FTE students.

30 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - CLASS SIZE REDUCTION
FROM GENERAL REVENUE FUND . . . . . -47,216,526
FROM PRINCIPAL STATE SCHOOL TRUST FUND . . -1,931,712

From the reduced appropriation in Specific Appropriation 30, the class size reduction allocation factor shall be reduced in the amount of -$13.09 for grades prekindergarten to grade 3; -$12.50 for grades 4 to 8; and -$12.53 for grades 9 to 12.

31 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - INSTRUCTIONAL MATERIALS
FROM GENERAL REVENUE FUND . . . . . -3,618,912

The reduced appropriation in Specific Appropriation 31 includes adjustments of -$199,613 for Library Media Materials; -$54,561 for Science Lab Materials and Supplies; and -$61,279 for dual enrollment textbooks.

The reduced appropriation in Specific Appropriation 31 results in a reduction of the instructional materials growth factor in the amount of -$4.98.

32 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - STUDENT TRANSPORTATION
FROM GENERAL REVENUE FUND . . . . . -6,568,157

TOTAL: PROGRAM: STATE GRANTS/K-12 PROGRAM - FEFP
FROM GENERAL REVENUE FUND . . . . . -228,401,284
FROM TRUST FUNDS . . . . . -5,243,046

TOTAL ALL FUNDS . . . . . -233,644,330

PROGRAM: STATE GRANTS/K-12 PROGRAM - NON FEFP

33 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - INSTRUCTIONAL MATERIALS
FROM GENERAL REVENUE FUND . . . . . -107,130

The reduced appropriation in Specific Appropriation 33 shall be allocated as follows:

Instructional Materials for Partially Sighted Pupils..... -10,000
Sunlink Uniform Library Database..... -35,130
Learning Through Listening..... -62,000

35 AID TO LOCAL GOVERNMENTS
PROFESSIONAL PRACTICES - SUBSTITUTES
FROM GENERAL REVENUE FUND . . . . . -2,780

36 SPECIAL CATEGORIES
GRANTS AND AIDS - GRANTS TO PUBLIC SCHOOLS
FOR READING PROGRAMS
FROM PRINCIPAL STATE SCHOOL TRUST FUND . . -740,010

SECTION 2
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APPROPRIATION

37 SPECIAL CATEGORIES
EDUCATION INNOVATION INITIATIVES
FROM GENERAL REVENUE FUND . . . . . -669,512
FROM PRINCIPAL STATE SCHOOL TRUST FUND . . -2,030,488

From the reduced appropriation in Specific Appropriation 37, -$967,000 shall be allocated to the William Cecil Golden Professional Development Program.

38 SPECIAL CATEGORIES
GRANTS AND AIDS - ASSISTANCE TO LOW
PERFORMING SCHOOLS
FROM GENERAL REVENUE FUND . . . . . -1,995,134

38A SPECIAL CATEGORIES
RESTORE AS NON-RECURRING-
GRANTS AND AIDS - ASSISTANCE TO LOW
PERFORMING SCHOOLS
FROM GENERAL REVENUE FUND 1,710,115

39 SPECIAL CATEGORIES
GRANTS AND AIDS - MENTORING/STUDENT
ASSISTANCE INITIATIVES
FROM GENERAL REVENUE FUND . . . . . -4,369,772
FROM PRINCIPAL STATE SCHOOL TRUST FUND . . -120,602

The combined appropriations in Specific Appropriations 39 and 39A shall be allocated as follows:

Best Buddies..... -46,001
Take Stock in Children..... -200,003
Project to Advance School Success (PASS)..... -56,801
Big Brothers, Big Sisters..... -114,002
Learning for Life..... -104,001
Girl Scouts of Florida..... -32,000
Black Male Explorers..... -24,000
Boys and Girls Clubs..... -104,002
Governor's Mentoring Initiative..... -24,624
YMCA State Alliance..... -60,000

39A SPECIAL CATEGORIES
RESTORE AS NON-RECURRING-
GRANTS AND AIDS - MENTORING/STUDENT
ASSISTANCE INITIATIVES
FROM GENERAL REVENUE FUND 3,724,940

40 SPECIAL CATEGORIES
GRANTS AND AIDS - EDUCATION PARTNERSHIPS
FROM GENERAL REVENUE FUND . . . . . -2,800,000
FROM PRINCIPAL STATE SCHOOL TRUST FUND . . 225,000

The combined appropriations in Specific Appropriations 40 and 40A shall be allocated as follows:

-$89,960 for Category 1 and Category 2 programs that serve a minimum of 300 or more students (large programs), and

-$332,040 for Category 1 and Category 2 programs that serve a minimum of 25 or more students (small programs).

40A SPECIAL CATEGORIES
RESTORE AS NON-RECURRING-
GRANTS AND AIDS - EDUCATION PARTNERSHIPS
FROM GENERAL REVENUE FUND 2,153,000

41 SPECIAL CATEGORIES
INNOVATIVE READING PILOT PROGRAMS
FROM GENERAL REVENUE FUND . . . . . -80,000

42 SPECIAL CATEGORIES
KINDERGARTEN THROUGH GRADE EIGHT VIRTUAL
EDUCATION
FROM GENERAL REVENUE FUND . . . . . -380,000

SECTION 2
SPECIFIC
APPROPRIATION

From the reduced appropriation in Specific Appropriation 42, the funds per student shall be reduced in the amount of -$202.

43 SPECIAL CATEGORIES
PLUS ONE PILOT PROGRAM FOR LOW PERFORMING SCHOOLS
FROM PRINCIPAL STATE SCHOOL TRUST FUND . . -29,390

The reduced appropriation in Specific Appropriation 43 shall be allocated as follows:

MIAMI-DADE COUNTY SCHOOL DISTRICT
Nathan B. Young Elementary School..... -6,444
DUVAL COUNTY SCHOOL DISTRICT
Lake Forest Elementary School..... -6,621
GADSDEN COUNTY SCHOOL DISTRICT
George W. Munroe Elementary School..... -10,535
ORANGE COUNTY SCHOOL DISTRICT
Orange Center Elementary School..... -5,790

44 SPECIAL CATEGORIES
GRANTS AND AIDS - COLLEGE REACH OUT PROGRAM
FROM GENERAL REVENUE FUND . . . . . -136,000

45 SPECIAL CATEGORIES
GRANTS AND AIDS - COMMUNITIES IN SCHOOLS
FROM GENERAL REVENUE FUND . . . . . -1,010,000

45A SPECIAL CATEGORIES
RESTORE AS NON-RECURRING-
GRANTS AND AIDS - COMMUNITIES IN SCHOOLS
FROM GENERAL REVENUE FUND 960,000

46 SPECIAL CATEGORIES
GRANTS AND AIDS - FLORIDA DIAGNOSTIC AND LEARNING RESOURCES CENTERS
FROM GENERAL REVENUE FUND . . . . . -129,580

The reduced appropriation in Specific Appropriation 46 shall be allocated as follows:

University of Florida..... -25,334
University of Miami..... -23,855
Florida State University..... -23,782
University of South Florida..... -24,866
University of Florida Health Science Center at Jacksonville. -31,743

47 SPECIAL CATEGORIES
GRANTS AND AIDS - NEW WORLD SCHOOL OF THE ARTS
FROM GENERAL REVENUE FUND . . . . . -45,138

48 SPECIAL CATEGORIES
TEACHER AND SCHOOL ADMINISTRATOR DEATH BENEFITS
FROM GENERAL REVENUE FUND . . . . . -50,000

49 SPECIAL CATEGORIES
GRANTS AND AIDS - AUTISM PROGRAM
FROM GENERAL REVENUE FUND . . . . . -300,725

The reduced appropriation in Specific Appropriation 49 shall be allocated as follows:

University of South Florida/Florida Mental Health Institute. -52,744
University of Florida (College of Medicine)..... -36,575
University of Central Florida..... -45,167
University of Miami (Department of Pediatrics) including -$11,891 for activities in Broward County through Nova Southeastern University..... -57,169
Florida Atlantic University..... -28,604
University of Florida (Jacksonville)..... -38,115
Florida State University (College of Communications)..... -42,351

SECTION 2
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APPROPRIATION

50 SPECIAL CATEGORIES
TEACHER PROFESSIONAL DEVELOPMENT
FROM GENERAL REVENUE FUND . . . . . -16,550

The reduced appropriation in Specific Appropriation 50 shall be allocated as follows:

Florida Association of District School Superintendents Training..... -12,000
Principal of the Year..... -2,464
Teacher of the Year..... -1,568
School Related Personnel of the Year..... -518

51 SPECIAL CATEGORIES
GRANTS AND AIDS - SCHOOL SAFETY/EMERGENCY PREPAREDNESS
FROM GENERAL REVENUE FUND . . . . . -64,616

52 SPECIAL CATEGORIES
GRANTS AND AIDS - SCHOOL AND INSTRUCTIONAL ENHANCEMENTS
FROM GENERAL REVENUE FUND . . . . . -336,030
FROM PRINCIPAL STATE SCHOOL TRUST FUND . . -40,000

The reduced appropriation in Specific Appropriation 52 shall be allocated as follows:

Instructional Materials Management..... -4,225
State Science Fair..... -2,400
Academic Tourney..... -6,000
Arts for a Complete Education..... -8,000
Florida Holocaust Museum..... -24,000
Florida Council on Economic Education..... -4,000
Sunshine State Scholars Program..... -6,000
Holocaust Memorial Committee..... -4,000
Florida Autism Education Center of Excellence (TAP)..... -28,001
Holocaust Reference/Research Library..... -10,000
Virtual Tutoring..... -120,001
Jobs for Florida's Graduates..... -60,001
Junior Achievement Academy..... -12,000
Drug Free Youth in Town Community Service..... -14,000
Zo's Summer Groove After School Program..... -4,000
Distance Learning Math/Science National Flight Academy..... -20,001
Magnolia Education Tutoring Low Income Students..... -2,000
Southwest Florida Holocaust Teacher Training..... -3,000
SOS + Project (Signs of Suicide)..... -8,000
FCAT Computer Accommodations for Disabled Students Pilot Project..... -20,001
YES! of America..... -2,000
Florida Hispanic Legislative Foundation Scholarship Fund.... -400
Family Cafe..... -4,000
Heartland Education Consortium - Redefining the Rural High School Project..... -6,000
FHSAA Steroid Testing..... -4,000

53 SPECIAL CATEGORIES
GRANTS AND AIDS - EXCEPTIONAL EDUCATION
FROM GENERAL REVENUE FUND . . . . . -105,744

54 SPECIAL CATEGORIES
FLORIDA SCHOOL FOR THE DEAF AND THE BLIND
FROM GENERAL REVENUE FUND . . . . . -850,000

TOTAL: PROGRAM: STATE GRANTS/K-12 PROGRAM - NON FEFP
FROM GENERAL REVENUE FUND . . . . . -4,900,656
FROM TRUST FUNDS . . . . . -2,735,490

TOTAL ALL FUNDS . . . . . -7,636,146

PROGRAM: EDUCATIONAL MEDIA & TECHNOLOGY SERVICES

55 SPECIAL CATEGORIES
CAPITOL TECHNICAL CENTER
FROM GENERAL REVENUE FUND . . . . . -28,118

SECTION 2
SPECIFIC
APPROPRIATION

56 SPECIAL CATEGORIES
GRANTS AND AIDS - INSTRUCTIONAL TECHNOLOGY
FROM GENERAL REVENUE FUND . . . . . -194,574

The reduced appropriation in Specific Appropriation 56 shall be allocated as follows:

Web-Based Instructional Program - NEFEC	-60,001
On-line Support for Sunshine State Standards/FCAT Explorer	-84,001
WPPB-TV BECON Educational Programming	-12,000
Statewide Licensing of Video Instructional Programming	-8,572
Governor's School for Space Science and Technology Planning	-20,000
Florida Digital Repository (Orange Grove)	-10,000

57 SPECIAL CATEGORIES
FEDERAL EQUIPMENT MATCHING GRANT
FROM GENERAL REVENUE FUND . . . . . -12,423

58 SPECIAL CATEGORIES
GRANTS AND AIDS - FLORIDA INFORMATION
RESOURCE NETWORK
FROM GENERAL REVENUE FUND . . . . . -2,000,000
FROM FEDERAL GRANTS TRUST FUND 2,000,000

Funds in Specific Appropriation 58, from the Federal Grants Trust Fund resulting from the successful appeal of the 2003-2004 E-rate application denial, shall be allocated as provided in Specific Appropriation 119 of Chapter 2007-72, Laws of Florida.

59 SPECIAL CATEGORIES
GRANTS AND AIDS - PUBLIC BROADCASTING
FROM GENERAL REVENUE FUND . . . . . -464,034

The reduced appropriation in Specific Appropriation 59 shall be allocated as follows:

Statewide Governmental and Cultural Affairs Programming	-26,866
Florida Channel Closed Captioning	-18,406
Florida Channel Year Round Coverage	-70,560
Public Television and Radio Stations	-348,202

Allocations for Public Television and Radio Stations, as provided in Specific Appropriation 120, Chapter 2007-72, Laws of Florida, shall be reduced proportionally.

60 SPECIAL CATEGORIES
FETPIP/WORKFORCE DEVELOPMENT MANAGEMENT
INFORMATION SYSTEMS
FROM GENERAL REVENUE FUND . . . . . -7,600

61 SPECIAL CATEGORIES
GRANTS AND AIDS - RADIO READING SERVICES
FOR THE BLIND
FROM GENERAL REVENUE FUND . . . . . -16,317

TOTAL: PROGRAM: EDUCATIONAL MEDIA & TECHNOLOGY SERVICES
FROM GENERAL REVENUE FUND . . . . . -2,723,066
FROM TRUST FUNDS 2,000,000

TOTAL ALL FUNDS . . . . . -723,066

PROGRAM: WORKFORCE EDUCATION

62 AID TO LOCAL GOVERNMENTS
PERFORMANCE BASED INCENTIVES
FROM GENERAL REVENUE FUND . . . . . -124,632

The reduced appropriation in Specific Appropriation 62 for Performance Based Incentives shall be allocated to school districts as follows:

Alachua	-634
Baker	-72
Bay	-1,259
Bradford	-400
Brevard	-1,512
Broward	-17,957
Calhoun	-45
Charlotte	-1,406
Citrus	-1,330
Clay	-829
Collier	-2,218
Columbia	-285
Miami-Dade	-23,917
DeSoto	-248
Dixie	-73
Escambia	-1,880
Flagler	-737
Franklin	-7
Gadsden	-208
Gulf	-17
Hamilton	-42
Hardee	-43
Hendry	-176
Hernando	-475
Hillsborough	-10,990
Indian River	-556
Jackson	-132
Jefferson	-29
Lafayette	-25
Lake	-2,123
Lee	-3,613
Leon	-2,086
Liberty	-60
Manatee	-2,932
Marion	-2,044
Martin	-988
Monroe	-201
Nassau	-161
Okaloosa	-408
Orange	-10,425
Osceola	-1,861
Palm Beach	-7,453
Pasco	-1,943
Pinellas	-9,007
Polk	-3,202
Putnam	-297
St. Johns	-2,217
Santa Rosa	-706
Sarasota	-2,689
Sumter	-102
Suwannee	-586
Taylor	-613
Union	-51
Wakulla	-118
Walton	-134
Washington	-1,110

63 AID TO LOCAL GOVERNMENTS
CRITICAL JOBS INITIATIVE
FROM GENERAL REVENUE FUND . . . . . -144,563
FROM PRINCIPAL STATE SCHOOL TRUST FUND . . -224,437

From the reduced appropriation in Specific Appropriation 63, the Department of Education shall reduce the funds allocated for grants management by a minimum of four percent, and the remaining reduction shall be prorated among grant recipients in the same proportion as each recipient's share of the original grant awards.

64 AID TO LOCAL GOVERNMENTS
WORKFORCE DEVELOPMENT
FROM GENERAL REVENUE FUND . . . . . -7,713,878

The reduced appropriation in Specific Appropriation 64 shall be allocated as follows:

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Alachua	-27,005
Baker	-3,692
Bay	-67,619
Bradford	-18,551
Brevard	-59,214
Broward	-1,333,724
Calhoun	-3,511
Charlotte	-56,616
Citrus	-54,071
Clay	-19,116
Collier	-138,931
Columbia	-6,514
Miami-Dade	-1,933,941
DeSoto	-17,541
Dixie	-1,318
Escambia	-100,885
Flagler	-51,134
Franklin	-1,126
Gadsden	-13,448
Gilchrist	-65
Glades	-143
Gulf	-3,259
Hamilton	-1,503
Hardee	-5,685
Hendry	-8,203
Hernando	-10,117
Hillsborough	-642,783
Indian River	-18,293
Jackson	-10,533
Jefferson	-3,698
Lafayette	-900
Lake	-90,416
Lee	-209,179
Leon	-114,644
Liberty	-629
Manatee	-134,540
Marion	-62,053
Martin	-45,286
Monroe	-16,447
Nassau	-3,663
Okaloosa	-48,053
Orange	-670,132
Osceola	-92,118
Palm Beach	-311,986
Pasco	-70,164
Pinellas	-514,766
Polk	-218,820
Putnam	-9,173
St. Johns	-120,577
Santa Rosa	-34,997
Sarasota	-201,873
Sumter	-5,330
Suwannee	-19,959
Taylor	-28,144
Union	-3,285
Wakulla	-5,548
Walton	-2,827
Washington	-65,589
Washington Special	-541

65 SPECIAL CATEGORIES
GRANTS AND AIDS - BUSINESS PARTNERSHIPS/
SKILL ASSESSMENT AND TRAINING
FROM GENERAL REVENUE FUND . . . . . -430,000
FROM PRINCIPAL STATE SCHOOL TRUST FUND . . -160,000

The reduced appropriation in Specific Appropriation 65 shall be allocated to the purchase of the bank of assessments for the Ready to Work Program.

66 SPECIAL CATEGORIES
GRANTS AND AIDS - SCHOOL AND INSTRUCTIONAL
ENHANCEMENTS
FROM GENERAL REVENUE FUND . . . . . -20,000

SECTION 2
SPECIFIC
APPROPRIATION
TOTAL: PROGRAM: WORKFORCE EDUCATION
FROM GENERAL REVENUE FUND . . . . . -8,433,073
FROM TRUST FUNDS . . . . . -384,437

TOTAL ALL FUNDS . . . . . -8,817,510

COMMUNITY COLLEGES, DIVISION OF

PROGRAM: COMMUNITY COLLEGE PROGRAMS

67 AID TO LOCAL GOVERNMENTS
PERFORMANCE BASED INCENTIVES
FROM GENERAL REVENUE FUND . . . . . -307,590

The reduced appropriation in Specific Appropriation 67 shall be allocated as follows:

Brevard Community College	-11,048
Broward Community College	-23,062
Central Florida Community College	-5,348
Chipola College	-2,497
Daytona Beach Community College	-13,942
Edison College	-7,357
Florida Community College at Jacksonville	-22,291
Florida Keys Community College	-1,325
Gulf Coast Community College	-5,291
Hillsborough Community College	-14,984
Indian River Community College	-12,597
Lake City Community College	-3,303
Lake-Sumter Community College	-2,766
Manatee Community College	-6,875
Miami-Dade College	-49,305
North Florida Community College	-1,686
Okaloosa-Walton College	-5,461
Palm Beach Community College	-16,644
Pasco-Hernando Community College	-5,769
Pensacola Junior College	-10,641
Polk Community College	-5,556
St. Johns River Community College	-4,352
St. Petersburg College	-17,120
Santa Fe Community College	-11,180
Seminole Community College	-11,508
South Florida Community College	-3,511
Tallahassee Community College	-9,735
Valencia Community College	-22,436

68 AID TO LOCAL GOVERNMENTS
CRITICAL JOBS INITIATIVE
FROM GENERAL REVENUE FUND . . . . . -800,000

From the reduced appropriation in Specific Appropriation 68, the Department of Education shall reduce the funds allocated for grants management by a minimum of four percent, and the remaining reduction shall be prorated among grant recipients in the same proportion as each recipient's share of the original grant awards.

69 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - COMMUNITY COLLEGES
PROGRAM FUND
FROM GENERAL REVENUE FUND . . . . . -14,449,214

The reduced appropriation in Specific Appropriation 69 shall be allocated as follows:

Brevard Community College	-523,764
Broward Community College	-1,071,730
Central Florida Community College	-262,868
Chipola College	-119,071
Daytona Beach Community College	-619,648
Edison College	-344,789
Florida Community College at Jacksonville	-1,037,096
Florida Keys Community College	-71,947
Gulf Coast Community College	-252,840

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Hillsborough Community College	-712,539
Indian River Community College	-558,959
Lake City Community College	-161,130
Lake-Sumter Community College	-140,077
Manatee Community College	-315,779
Miami-Dade College	-2,395,080
North Florida Community College	-80,734
Okaloosa-Walton College	-239,289
Palm Beach Community College	-761,844
Pasco-Hernando Community College	-255,078
Pensacola Junior College	-448,377
Polk Community College	-263,104
St. Johns River Community College	-213,859
St. Petersburg College	-831,004
Santa Fe Community College	-523,772
Seminole Community College	-484,411
South Florida Community College	-181,712
Tallahassee Community College	-452,329
Valencia Community College	-962,597
College Center for Library Automation	-163,787

Each community college board of trustees is given flexibility to make necessary reductions to its operating budget. Each board shall develop and implement a reduction plan that minimizes reductions to direct classroom instruction. If any board plan reduces individual programs or projects within the community college by more than 10 percent, written notification shall be made to the Executive Office of the Governor, the President of the Senate, and the Speaker of the House of Representatives.

70 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - COMMUNITY COLLEGE
BACCALAUREATE PROGRAMS
FROM GENERAL REVENUE FUND . . . . . -155,514

The reduced appropriation in Specific Appropriation 70 shall be allocated as follows:

Chipola College	-10,019
Daytona Beach Community College	-7,906
Edison College	-1,757
Florida Community College at Jacksonville	-703
Indian River Community College	-6,559
Miami-Dade College	-18,820
Okaloosa-Walton College	-7,152
St. Petersburg College	-102,598

71 SPECIAL CATEGORIES
COMMISSION ON COMMUNITY SERVICE
FROM GENERAL REVENUE FUND . . . . . -20,994

72 SPECIAL CATEGORIES
GRANTS AND AIDS - DISTANCE LEARNING
FROM GENERAL REVENUE FUND . . . . . -11,556

73 SPECIAL CATEGORIES
GRANTS AND AIDS - FLORIDA'S TWO PLUS TWO
PUBLIC AND PRIVATE PARTNERSHIPS
FROM GENERAL REVENUE FUND . . . . . -115,600

TOTAL: PROGRAM: COMMUNITY COLLEGE PROGRAMS
FROM GENERAL REVENUE FUND . . . . . -15,860,468

TOTAL ALL FUNDS . . . . . -15,860,468

STATE BOARD OF EDUCATION

APPROVED SALARY RATE -362,498

74 SALARIES AND BENEFITS POSITIONS -10.00
FROM GENERAL REVENUE FUND . . . . . -625,188

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APPROPRIATION

75 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND . . . . . -23,094

76 EXPENSES
FROM GENERAL REVENUE FUND . . . . . -278,972

77 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND . . . . . -102,153

78 SPECIAL CATEGORIES
ASSESSMENT AND EVALUATION
FROM GENERAL REVENUE FUND . . . . . -2,446,950
FROM FEDERAL GRANTS TRUST FUND 305,325

79 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND . . . . . -98,544

80 SPECIAL CATEGORIES
TRANSFER TO GRANTS AND DONATIONS TRUST
FUND FOR THE FLORIDA ACADEMIC COUNSELING
AND TRACKING SYSTEM FOR STUDENTS (FACTS)
FROM GENERAL REVENUE FUND . . . . . -982,708

80A SPECIAL CATEGORIES
RESTORE AS NON-RECURRING-
TRANSFER TO GRANTS AND DONATIONS TRUST
FUND FOR THE FLORIDA ACADEMIC COUNSELING
AND TRACKING SYSTEM FOR STUDENTS (FACTS)
FROM GENERAL REVENUE FUND 513,308

81 SPECIAL CATEGORIES
LITIGATION EXPENSES
FROM GENERAL REVENUE FUND . . . . . -1,847

82 SPECIAL CATEGORIES
PROVISION OF CONTRACTED SERVICES
FROM GENERAL REVENUE FUND . . . . . -360,000

82A SPECIAL CATEGORIES
RESTORE AS NON-RECURRING-
PROVISION OF CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 3,299

83 SPECIAL CATEGORIES
EDUCATION DATA WAREHOUSE
FROM GENERAL REVENUE FUND . . . . . -36,924

84 DATA PROCESSING SERVICES
REGIONAL DATA CENTERS - STATE UNIVERSITY
SYSTEM
FROM GENERAL REVENUE FUND . . . . . -285,000

85 DATA PROCESSING SERVICES
EDUCATION TECHNOLOGY AND INFORMATION
SERVICES
FROM GENERAL REVENUE FUND . . . . . -138,934

TOTAL: STATE BOARD OF EDUCATION
FROM GENERAL REVENUE FUND . . . . . -4,863,707
FROM TRUST FUNDS 305,325

TOTAL POSITIONS . . . . . -10.00
TOTAL ALL FUNDS . . . . . -4,558,382

UNIVERSITIES, DIVISION OF

PROGRAM: EDUCATIONAL AND GENERAL ACTIVITIES

86 AID TO LOCAL GOVERNMENTS
CENTERS OF EXCELLENCE
FROM GENERAL REVENUE FUND . . . . . -3,960,000

SECTION 2
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APPROPRIATION

87 AID TO LOCAL GOVERNMENTS
PERFORMANCE BASED INCENTIVES
FROM GENERAL REVENUE FUND . . . . . -160,000

88 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - MOFFITT CANCER CENTER AND RESEARCH INSTITUTE
FROM GENERAL REVENUE FUND . . . . . -402,834

89 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - EDUCATION AND GENERAL ACTIVITIES
FROM GENERAL REVENUE FUND . . . . . -31,941,513

The reduced appropriation in Specific Appropriation 89 shall be allocated as follows:

University of Florida	-6,304,830
Florida State University	-4,956,559
Florida A&M University	-1,870,870
University of South Florida	-3,803,602
University of South Florida, St. Petersburg	-471,902
University of South Florida, Sarasota/Manatee	-243,739
Florida Atlantic University	-2,869,686
University of West Florida	-1,125,863
University of Central Florida	-4,324,970
Florida International University	-3,481,871
University of North Florida	-1,348,796
Florida Gulf Coast University	-842,530
New College of Florida	-296,295

Each university board of trustees is given flexibility to make necessary reductions to its operating budget. Each board shall develop and implement a reduction plan that minimizes reductions to direct classroom instruction. If any board plan reduces individual programs or projects within the university by more than 10 percent, written notification shall be made to the Executive Office of the Governor, the President of the Senate, and the Speaker of the House of Representatives.

90 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - IFAS (INSTITUTE OF FOOD AND AGRICULTURAL SCIENCE)
FROM GENERAL REVENUE FUND . . . . . -2,184,240

91 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - UNIVERSITY OF SOUTH FLORIDA MEDICAL CENTER
FROM GENERAL REVENUE FUND . . . . . -1,044,963

92 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - UNIVERSITY OF FLORIDA HEALTH CENTER
FROM GENERAL REVENUE FUND . . . . . -1,546,599

93 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - FLORIDA STATE UNIVERSITY MEDICAL SCHOOL
FROM GENERAL REVENUE FUND . . . . . -699,451

94 AID TO LOCAL GOVERNMENTS
UNIVERSITY OF CENTRAL FLORIDA MEDICAL SCHOOL
FROM GENERAL REVENUE FUND . . . . . -178,886

95 AID TO LOCAL GOVERNMENTS
FLORIDA INTERNATIONAL UNIVERSITY MEDICAL SCHOOL
FROM GENERAL REVENUE FUND . . . . . -207,932

96 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - INSTITUTE FOR HUMAN AND MACHINE COGNITION
FROM GENERAL REVENUE FUND . . . . . -61,690

SECTION 2
SPECIFIC
APPROPRIATION

97 SPECIAL CATEGORIES
STATE UNIVERSITY RESEARCH COMMERCIALIZATION ASSISTANCE GRANT PROGRAM
FROM GENERAL REVENUE FUND . . . . . -80,000

TOTAL: PROGRAM: EDUCATIONAL AND GENERAL ACTIVITIES
FROM GENERAL REVENUE FUND . . . . . -42,468,108

TOTAL ALL FUNDS . . . . . -42,468,108

BOARD OF GOVERNORS

APPROVED SALARY RATE -138,636

98 SALARIES AND BENEFITS POSITIONS -5.00
FROM GENERAL REVENUE FUND . . . . . -185,743

99 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND . . . . . -1,835

100 EXPENSES
FROM GENERAL REVENUE FUND . . . . . -33,652

101 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND . . . . . -8,176

102 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND . . . . . -47,600

The reduced appropriation in Specific Appropriation 102 includes a reduction of -$42,800 for the comprehensive review of the financial operations of Florida A&M University and a reduction of -$4,800 for other contracted services.

TOTAL: BOARD OF GOVERNORS
FROM GENERAL REVENUE FUND . . . . . -277,006

TOTAL POSITIONS . . . . . -5.00
TOTAL ALL FUNDS . . . . . -277,006

TOTAL OF SECTION 2 POSITIONS -15.00

FROM GENERAL REVENUE FUND . . . . . -320,720,469

FROM TRUST FUNDS . . . . . -6,070,029

TOTAL ALL FUNDS . . . . . -326,790,498

SECTION 3 - HUMAN SERVICES

The moneys contained herein are appropriated from the named funds to the Agency for Health Care Administration, Agency for Persons with Disabilities, Department of Children and Family Services, Department of Elder Affairs, Department of Health, and the Department of Veterans' Affairs as the amounts, or as reductions to amounts, to be used to pay the salaries, other operational expenditures and fixed capital outlay of the named agencies.

AGENCY FOR HEALTH CARE ADMINISTRATION

PROGRAM: ADMINISTRATION AND SUPPORT

103 EXPENSES
FROM GENERAL REVENUE FUND . . . . . -245,398

PROGRAM: HEALTH CARE SERVICES

EXECUTIVE DIRECTION AND SUPPORT SERVICES

104 EXPENSES
FROM GENERAL REVENUE FUND . . . . . -126,836
FROM ADMINISTRATIVE TRUST FUND . . . . . -126,836

SECTION 3 SPECIFIC APPROPRIATION		
105 SPECIAL CATEGORIES CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	-725,254	
FROM ADMINISTRATIVE TRUST FUND		-725,254
TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES		
FROM GENERAL REVENUE FUND	-852,090	
FROM TRUST FUNDS		-852,090
TOTAL ALL FUNDS		-1,704,180
PROGRAM: HEALTH CARE REGULATION		
HEALTH CARE REGULATION		
106 EXPENSES		
FROM GENERAL REVENUE FUND	-106,448	
AGENCY FOR PERSONS WITH DISABILITIES		
PROGRAM: SERVICES TO PERSONS WITH DISABILITIES		
HOME AND COMMUNITY SERVICES		
107 SALARIES AND BENEFITS		
FROM GENERAL REVENUE FUND	-354,444	
FROM OPERATIONS AND MAINTENANCE TRUST FUND		-4,599
108 EXPENSES		
FROM GENERAL REVENUE FUND	-41,953	
FROM OPERATIONS AND MAINTENANCE TRUST FUND		-41,953
109 SPECIAL CATEGORIES GRANT AND AID INDIVIDUAL AND FAMILY SUPPORTS		
FROM GENERAL REVENUE FUND	-20,000	
110 SPECIAL CATEGORIES START-UP FUNDS/GROUP HOMES		
FROM GENERAL REVENUE FUND	-2,919	
TOTAL: HOME AND COMMUNITY SERVICES		
FROM GENERAL REVENUE FUND	-419,316	
FROM TRUST FUNDS		-46,552
TOTAL ALL FUNDS		-465,868
PROGRAM MANAGEMENT AND COMPLIANCE		
111 SALARIES AND BENEFITS		
FROM GENERAL REVENUE FUND	-201,189	
112 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	-2,166	
113 EXPENSES		
FROM GENERAL REVENUE FUND	-24,078	
114 SPECIAL CATEGORIES CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	-3,774	
115 SPECIAL CATEGORIES GRANTS AND AIDS - CONTRACTED PROFESSIONAL SERVICES		
FROM GENERAL REVENUE FUND	-13,000	
116 SPECIAL CATEGORIES HOME AND COMMUNITY SERVICES ADMINISTRATION		
FROM GENERAL REVENUE FUND	-79,136	
FROM OPERATIONS AND MAINTENANCE TRUST FUND		-79,136

SECTION 3 SPECIFIC APPROPRIATION		
TOTAL: PROGRAM MANAGEMENT AND COMPLIANCE		
FROM GENERAL REVENUE FUND	-323,343	
FROM TRUST FUNDS		-79,136
TOTAL ALL FUNDS		-402,479
CHILDREN AND FAMILY SERVICES, DEPARTMENT OF		
ADMINISTRATION		
PROGRAM: EXECUTIVE LEADERSHIP		
EXECUTIVE DIRECTION AND SUPPORT SERVICES		
117 SALARIES AND BENEFITS		
FROM GENERAL REVENUE FUND	-293,908	
FROM ADMINISTRATIVE TRUST FUND		-21,746
118 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	-2,761	
119 EXPENSES		
FROM GENERAL REVENUE FUND	-36,313	
FROM ADMINISTRATIVE TRUST FUND		-2,864
120 SPECIAL CATEGORIES CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	-1,684	
FROM ADMINISTRATIVE TRUST FUND		-63
TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES		
FROM GENERAL REVENUE FUND	-334,666	
FROM TRUST FUNDS		-24,673
TOTAL ALL FUNDS		-359,339
PROGRAM: SUPPORT SERVICES		
INFORMATION TECHNOLOGY		
121 SALARIES AND BENEFITS		
FROM WORKING CAPITAL TRUST FUND		-250,476
122 OTHER PERSONAL SERVICES		
FROM WORKING CAPITAL TRUST FUND		-11,286
123 EXPENSES		
FROM WORKING CAPITAL TRUST FUND		-64,360
124 OPERATING CAPITAL OUTLAY		
FROM WORKING CAPITAL TRUST FUND		-1,029
125 SPECIAL CATEGORIES COMPUTER RELATED EXPENSES		
FROM WORKING CAPITAL TRUST FUND		-2,780,639
TOTAL: INFORMATION TECHNOLOGY		
FROM TRUST FUNDS		-3,107,790
TOTAL ALL FUNDS		-3,107,790
ASSISTANT SECRETARY FOR ADMINISTRATION		
126 SALARIES AND BENEFITS		
FROM GENERAL REVENUE FUND	-593,997	
FROM WELFARE TRANSITION TRUST FUND		-3,319
127 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	-16,327	
FROM ADMINISTRATIVE TRUST FUND		-1,729

SECTION 3
SPECIFIC
APPROPRIATION

128 EXPENSES		
FROM GENERAL REVENUE FUND	-106,476	
FROM ADMINISTRATIVE TRUST FUND		-3,131
129 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	-1,119	
130 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	-26,285	
131 DATA PROCESSING SERVICES		
CHILDREN AND FAMILIES DATA CENTER		
FROM GENERAL REVENUE FUND	-2,901,387	
FROM ADMINISTRATIVE TRUST FUND		-163,337
FROM WELFARE TRANSITION TRUST FUND		-29,881
FROM OPERATIONS AND MAINTENANCE TRUST FUND		-13,185
TOTAL: ASSISTANT SECRETARY FOR ADMINISTRATION		
FROM GENERAL REVENUE FUND	-3,645,591	
FROM TRUST FUNDS		-214,582
TOTAL ALL FUNDS		-3,860,173
DISTRICT ADMINISTRATION		
132 SALARIES AND BENEFITS		
FROM GENERAL REVENUE FUND	-620,178	
FROM ADMINISTRATIVE TRUST FUND		-1,012,626
FROM OPERATIONS AND MAINTENANCE TRUST FUND		-9,707
133 EXPENSES		
FROM GENERAL REVENUE FUND	-130,978	
FROM ADMINISTRATIVE TRUST FUND		-41,762
FROM OPERATIONS AND MAINTENANCE TRUST FUND		-3,258
134 OPERATING CAPITAL OUTLAY		
FROM ADMINISTRATIVE TRUST FUND		-4,134
135 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	-12,182	
FROM ADMINISTRATIVE TRUST FUND		-10,045
TOTAL: DISTRICT ADMINISTRATION		
FROM GENERAL REVENUE FUND	-763,338	
FROM TRUST FUNDS		-1,081,532
TOTAL ALL FUNDS		-1,844,870
SERVICES		
PROGRAM: FAMILY SAFETY PROGRAM		
ADULT PROTECTION		
136 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	-5,015	
CHILD PROTECTION AND PERMANENCY		
137 SALARIES AND BENEFITS		
FROM WELFARE TRANSITION TRUST FUND		-948,234
138 OTHER PERSONAL SERVICES		
FROM WELFARE TRANSITION TRUST FUND		-11,859

SECTION 3
SPECIFIC
APPROPRIATION

139 EXPENSES		
FROM WELFARE TRANSITION TRUST FUND		-165,539
140 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM WELFARE TRANSITION TRUST FUND		-17,415
TOTAL: CHILD PROTECTION AND PERMANENCY		
FROM TRUST FUNDS		-1,143,047
TOTAL ALL FUNDS		-1,143,047
PROGRAM MANAGEMENT AND COMPLIANCE		
141 SALARIES AND BENEFITS		
FROM GENERAL REVENUE FUND	-562,520	
FROM WELFARE TRANSITION TRUST FUND		-146,672
142 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	-17,433	
143 EXPENSES		
FROM GENERAL REVENUE FUND	-167,402	
FROM WELFARE TRANSITION TRUST FUND		-45,731
144 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	-43,344	
TOTAL: PROGRAM MANAGEMENT AND COMPLIANCE		
FROM GENERAL REVENUE FUND	-790,699	
FROM TRUST FUNDS		-192,403
TOTAL ALL FUNDS		-983,102
PROGRAM: MENTAL HEALTH PROGRAM		
VIOLENT SEXUAL PREDATOR PROGRAM		
145 SALARIES AND BENEFITS		
FROM GENERAL REVENUE FUND	-39,031	
146 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	-3,272	
147 EXPENSES		
FROM GENERAL REVENUE FUND	-11,083	
148 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	-1,850	
TOTAL: VIOLENT SEXUAL PREDATOR PROGRAM		
FROM GENERAL REVENUE FUND	-55,236	
TOTAL ALL FUNDS		-55,236
ADULT COMMUNITY MENTAL HEALTH SERVICES		
149 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	-53,422	
FROM WELFARE TRANSITION TRUST FUND		-10,780
150 EXPENSES		
FROM GENERAL REVENUE FUND	-1,692	
FROM WELFARE TRANSITION TRUST FUND		-2,629

SECTION 3
SPECIFIC
APPROPRIATION
TOTAL: ADULT COMMUNITY MENTAL HEALTH SERVICES

FROM GENERAL REVENUE FUND	-55,114	
FROM TRUST FUNDS		-13,409
TOTAL ALL FUNDS		-68,523

CHILDREN'S MENTAL HEALTH SERVICES

151 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	-37,274	
152 EXPENSES		
FROM GENERAL REVENUE FUND	-1,020	

TOTAL: CHILDREN'S MENTAL HEALTH SERVICES

FROM GENERAL REVENUE FUND	-38,294	
TOTAL ALL FUNDS		-38,294

PROGRAM MANAGEMENT AND COMPLIANCE

153 SALARIES AND BENEFITS		
FROM GENERAL REVENUE FUND	-245,997	
154 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	-4,870	
155 EXPENSES		
FROM GENERAL REVENUE FUND	-36,990	
156 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	-1,539	
157 SPECIAL CATEGORIES		
FLORIDA SUBSTANCE ABUSE AND MENTAL HEALTH CORPORATION		
FROM GENERAL REVENUE FUND	-10,000	

TOTAL: PROGRAM MANAGEMENT AND COMPLIANCE

FROM GENERAL REVENUE FUND	-299,396	
TOTAL ALL FUNDS		-299,396

PROGRAM: SUBSTANCE ABUSE PROGRAM

PROGRAM MANAGEMENT AND COMPLIANCE

158 SPECIAL CATEGORIES		
GRANTS AND AIDS - CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	-99,220	

CHILD SUBSTANCE ABUSE PREVENTION, EVALUATION AND TREATMENT SERVICES

159 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	-15,037	

ADULT SUBSTANCE ABUSE PREVENTION, EVALUATION AND TREATMENT SERVICES

160 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	-15,515	

PROGRAM: ECONOMIC SELF SUFFICIENCY PROGRAM

PROGRAM MANAGEMENT AND COMPLIANCE

161 SALARIES AND BENEFITS		
FROM GENERAL REVENUE FUND	-687,806	

SECTION 3
SPECIFIC
APPROPRIATION

FROM FEDERAL GRANTS TRUST FUND		-582,186
FROM WELFARE TRANSITION TRUST FUND		-76,116
162 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	-6,025	
FROM FEDERAL GRANTS TRUST FUND		-4,002
163 EXPENSES		
FROM GENERAL REVENUE FUND	-132,384	
FROM FEDERAL GRANTS TRUST FUND		-114,437
FROM WELFARE TRANSITION TRUST FUND		-10,962

TOTAL: PROGRAM MANAGEMENT AND COMPLIANCE

FROM GENERAL REVENUE FUND	-826,215	
FROM TRUST FUNDS		-787,703
TOTAL ALL FUNDS		-1,613,918

FRAUD PREVENTION AND BENEFIT RECOVERY

164 SALARIES AND BENEFITS		
FROM GENERAL REVENUE FUND	-83,232	
165 EXPENSES		
FROM GENERAL REVENUE FUND	-20,459	

TOTAL: FRAUD PREVENTION AND BENEFIT RECOVERY

FROM GENERAL REVENUE FUND	-103,691	
TOTAL ALL FUNDS		-103,691

REFUGEES

166 SPECIAL CATEGORIES		
GRANTS AND AIDS - LOCAL SERVICES PROGRAM		
FROM GENERAL REVENUE FUND	-18,144	

ELDER AFFAIRS, DEPARTMENT OF

PROGRAM: SERVICES TO ELDERS PROGRAM

EXECUTIVE DIRECTION AND SUPPORT SERVICES

167 SALARIES AND BENEFITS		
FROM GENERAL REVENUE FUND	-83,741	
168 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	-4,765	
169 EXPENSES		
FROM GENERAL REVENUE FUND	-11,948	

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES

FROM GENERAL REVENUE FUND	-100,454	
TOTAL ALL FUNDS		-100,454

HEALTH, DEPARTMENT OF

PROGRAM: EXECUTIVE DIRECTION AND SUPPORT

ADMINISTRATIVE SUPPORT

170 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	-33,022	

SECTION 3
SPECIFIC
APPROPRIATION
PROGRAM: COMMUNITY PUBLIC HEALTH

FAMILY HEALTH OUTPATIENT AND NUTRITION SERVICES

171	EXPENSES FROM WELFARE TRANSITION TRUST FUND		-30,000
172	AID TO LOCAL GOVERNMENTS CONTRIBUTION TO COUNTY HEALTH UNITS FROM GENERAL REVENUE FUND	-175,441	
173	SPECIAL CATEGORIES GRANTS AND AIDS - OUNCE OF PREVENTION FROM WELFARE TRANSITION TRUST FUND		-82,865
174	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND	-9,360	
175	SPECIAL CATEGORIES GRANTS AND AIDS - CONTRACTED SERVICES FROM GENERAL REVENUE FUND	-115,002	
	FROM WELFARE TRANSITION TRUST FUND		-90,001
TOTAL:	FAMILY HEALTH OUTPATIENT AND NUTRITION SERVICES FROM GENERAL REVENUE FUND	-299,803	
	FROM TRUST FUNDS		-202,866
	TOTAL ALL FUNDS		-502,669

INFECTIOUS DISEASE CONTROL

176	AID TO LOCAL GOVERNMENTS CONTRIBUTION TO COUNTY HEALTH UNITS FROM GENERAL REVENUE FUND	-461,178	
177	SPECIAL CATEGORIES GRANTS AND AIDS - CONTRACTED SERVICES FROM GENERAL REVENUE FUND	-39,347	
TOTAL:	INFECTIOUS DISEASE CONTROL FROM GENERAL REVENUE FUND	-500,525	
	TOTAL ALL FUNDS		-500,525

ENVIRONMENTAL HEALTH SERVICES

178	AID TO LOCAL GOVERNMENTS CONTRIBUTION TO COUNTY HEALTH UNITS FROM GENERAL REVENUE FUND	-141,462	
179	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND	-18,685	
TOTAL:	ENVIRONMENTAL HEALTH SERVICES FROM GENERAL REVENUE FUND	-160,147	
	TOTAL ALL FUNDS		-160,147

COUNTY HEALTH DEPARTMENTS LOCAL HEALTH NEEDS

180	SALARIES AND BENEFITS FROM COUNTY HEALTH DEPARTMENT TRUST FUND .		-8,283,245
181	AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - MINORITY HEALTH INITIATIVES FROM GENERAL REVENUE FUND	-200,000	
182	AID TO LOCAL GOVERNMENTS CONTRIBUTION TO COUNTY HEALTH UNITS FROM GENERAL REVENUE FUND	-8,400,000	
	FROM TOBACCO SETTLEMENT TRUST FUND		-80,001
183	SPECIAL CATEGORIES GRANTS AND AIDS - CONTRACTED SERVICES FROM GENERAL REVENUE FUND	-123,626	
TOTAL:	COUNTY HEALTH DEPARTMENTS LOCAL HEALTH NEEDS FROM GENERAL REVENUE FUND	-8,723,626	
	FROM TRUST FUNDS		-8,363,246
	TOTAL ALL FUNDS		-17,086,872

STATEWIDE PUBLIC HEALTH SUPPORT SERVICES

184	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND	-1,560	
185	OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND	-7,200	
186	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND	-18,800	
187	SPECIAL CATEGORIES GRANTS AND AIDS - CONTRACTED SERVICES FROM GENERAL REVENUE FUND	-20,000	
188	SPECIAL CATEGORIES DRUGS, VACCINES AND OTHER BIOLOGICALS FROM GENERAL REVENUE FUND	-567,497	
189	SPECIAL CATEGORIES GRANTS AND AIDS - TRAUMA CARE FROM TOBACCO SETTLEMENT TRUST FUND		-1,000,000
TOTAL:	STATEWIDE PUBLIC HEALTH SUPPORT SERVICES FROM GENERAL REVENUE FUND	-615,057	
	FROM TRUST FUNDS		-1,000,000
	TOTAL ALL FUNDS		-1,615,057

PROGRAM: CHILDREN'S MEDICAL SERVICES

CHILDREN'S SPECIAL HEALTH CARE

190	SPECIAL CATEGORIES GRANTS AND AIDS - DEVELOPMENTAL EVALUATION AND INTERVENTION SERVICES/PART C FROM WELFARE TRANSITION TRUST FUND		-152,002

PROGRAM: HEALTH CARE PRACTITIONER AND ACCESS

COMMUNITY HEALTH RESOURCES

191	AID TO LOCAL GOVERNMENTS CONTRIBUTION TO COUNTY HEALTH UNITS FROM GENERAL REVENUE FUND	-3,047	
192	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND	-1,192	
193	SPECIAL CATEGORIES GRANTS AND AIDS - CONTRACTED SERVICES FROM GENERAL REVENUE FUND	-84,418	
194	SPECIAL CATEGORIES GRANTS AND AIDS - SPINAL CORD RESEARCH FROM GENERAL REVENUE FUND	-28,000	

SECTION 3
SPECIFIC
APPROPRIATION
TOTAL: COMMUNITY HEALTH RESOURCES
FROM GENERAL REVENUE FUND . . . . . -116,657

TOTAL ALL FUNDS . . . . . -116,657

VETERANS' AFFAIRS, DEPARTMENT OF

PROGRAM: SERVICES TO VETERANS' PROGRAM

VETERANS' HOMES

195 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM GRANTS AND DONATIONS TRUST FUND . . . -60,000

EXECUTIVE DIRECTION AND SUPPORT SERVICES

196 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND . . . . . -5,189

VETERANS' BENEFITS AND ASSISTANCE

197 EXPENSES
FROM GENERAL REVENUE FUND . . . . . -11,679

TOTAL OF SECTION 3

FROM GENERAL REVENUE FUND . . . . . -19,577,925

FROM TRUST FUNDS . . . . . -17,321,031

TOTAL ALL FUNDS . . . . . -36,898,956

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

The moneys contained herein are appropriated from the named funds to the Department of Corrections, Florida Department of Law Enforcement, Department of Juvenile Justice, Parole Commission, Department of Legal Affairs/Attorney General and the Justice Administration as the amounts, or reductions to amounts, to be used to pay the salaries, other operational expenditures and fixed capital outlay of the named agencies.

CORRECTIONS, DEPARTMENT OF

PROGRAM: DEPARTMENT ADMINISTRATION

BUSINESS SERVICE CENTERS

198 EXPENSES
FROM GENERAL REVENUE FUND . . . . . -38,875

199 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND . . . . . -1,941

TOTAL: BUSINESS SERVICE CENTERS
FROM GENERAL REVENUE FUND . . . . . -40,816

TOTAL ALL FUNDS . . . . . -40,816

EXECUTIVE DIRECTION AND SUPPORT SERVICES

200 EXPENSES
FROM GENERAL REVENUE FUND . . . . . -105,817

201 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND . . . . . -315

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM GENERAL REVENUE FUND . . . . . -106,132

SECTION 4
SPECIFIC
APPROPRIATION
TOTAL ALL FUNDS . . . . . -106,132

INFORMATION TECHNOLOGY

202 EXPENSES
FROM GENERAL REVENUE FUND . . . . . -19,129

203 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND . . . . . -1,415

204 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND . . . . . -60,016

TOTAL: INFORMATION TECHNOLOGY
FROM GENERAL REVENUE FUND . . . . . -80,560

TOTAL ALL FUNDS . . . . . -80,560

PROGRAM: SECURITY AND INSTITUTIONAL OPERATIONS

ADULT MALE CUSTODY OPERATIONS

205 EXPENSES
FROM GENERAL REVENUE FUND . . . . . -1,092,880

206 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND . . . . . -35,317

207 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND . . . . . -53,957

208 SPECIAL CATEGORIES
OVERTIME
FROM GENERAL REVENUE FUND . . . . . -51,066

209 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND . . . . . -209,588

TOTAL: ADULT MALE CUSTODY OPERATIONS
FROM GENERAL REVENUE FUND . . . . . -1,442,808

TOTAL ALL FUNDS . . . . . -1,442,808

ADULT AND YOUTHFUL OFFENDER FEMALE CUSTODY
OPERATIONS

210 EXPENSES
FROM GENERAL REVENUE FUND . . . . . -105,925

211 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND . . . . . -26,104

212 SPECIAL CATEGORIES
OVERTIME
FROM GENERAL REVENUE FUND . . . . . -36,289

213 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND . . . . . -13,210

TOTAL: ADULT AND YOUTHFUL OFFENDER FEMALE CUSTODY
OPERATIONS
FROM GENERAL REVENUE FUND . . . . . -181,528

SECTION 4
SPECIFIC
APPROPRIATION
TOTAL ALL FUNDS . . . . . -181,528

MALE YOUTHFUL OFFENDER CUSTODY OPERATIONS

214 EXPENSES
FROM GENERAL REVENUE FUND . . . . . -52,883

215 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND . . . . . -1,236

216 SPECIAL CATEGORIES
OVERTIME
FROM GENERAL REVENUE FUND . . . . . -37,027

217 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND . . . . . -5,991

TOTAL: MALE YOUTHFUL OFFENDER CUSTODY OPERATIONS
FROM GENERAL REVENUE FUND . . . . . -97,137

TOTAL ALL FUNDS . . . . . -97,137

SPECIALTY CORRECTIONAL INSTITUTION OPERATIONS

218 EXPENSES
FROM GENERAL REVENUE FUND . . . . . -166,091

219 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND . . . . . -5,403

220 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND . . . . . -73,581

221 SPECIAL CATEGORIES
OVERTIME
FROM GENERAL REVENUE FUND . . . . . -58,622

222 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND . . . . . -54,345

TOTAL: SPECIALTY CORRECTIONAL INSTITUTION OPERATIONS
FROM GENERAL REVENUE FUND . . . . . -358,042

TOTAL ALL FUNDS . . . . . -358,042

RECEPTION CENTER OPERATIONS

223 EXPENSES
FROM GENERAL REVENUE FUND . . . . . -167,222

224 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND . . . . . -3,637

225 SPECIAL CATEGORIES
OVERTIME
FROM GENERAL REVENUE FUND . . . . . -27,120

226 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND . . . . . -24,522

TOTAL: RECEPTION CENTER OPERATIONS
FROM GENERAL REVENUE FUND . . . . . -222,501

SECTION 4
SPECIFIC
APPROPRIATION
TOTAL ALL FUNDS . . . . . -222,501

PUBLIC SERVICE WORKSQUADS AND WORK RELEASE
TRANSITION

227 EXPENSES
FROM GENERAL REVENUE FUND . . . . . -22,695

228 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND . . . . . -330,460

229 SPECIAL CATEGORIES
OVERTIME
FROM GENERAL REVENUE FUND . . . . . -7,765

230 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND . . . . . -10,398

TOTAL: PUBLIC SERVICE WORKSQUADS AND WORK RELEASE
TRANSITION
FROM GENERAL REVENUE FUND . . . . . -371,318

TOTAL ALL FUNDS . . . . . -371,318

OFFENDER MANAGEMENT AND CONTROL

231 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND . . . . . -13,950

232 EXPENSES
FROM GENERAL REVENUE FUND . . . . . -103,178

233 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND . . . . . -1,337

234 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND . . . . . -1,321

235 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND . . . . . -2,341

TOTAL: OFFENDER MANAGEMENT AND CONTROL
FROM GENERAL REVENUE FUND . . . . . -122,127

TOTAL ALL FUNDS . . . . . -122,127

EXECUTIVE DIRECTION AND SUPPORT SERVICES

236 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND . . . . . -13,592

237 EXPENSES
FROM GENERAL REVENUE FUND . . . . . -22,014

238 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND . . . . . -9,957

239 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND . . . . . -54,566

240 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND . . . . . -3,453

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM GENERAL REVENUE FUND . . . . . -103,582

SECTION 4
SPECIFIC
APPROPRIATION
TOTAL ALL FUNDS . . . . . -103,582

CORRECTIONAL FACILITIES MAINTENANCE AND REPAIR

241 EXPENSES
FROM GENERAL REVENUE FUND . . . . . -2,380,148

242 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND . . . . . -7,090

243 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM GENERAL REVENUE FUND . . . . . -73,579

244 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND . . . . . -200,717

TOTAL: CORRECTIONAL FACILITIES MAINTENANCE AND REPAIR
FROM GENERAL REVENUE FUND . . . . . -2,661,534

TOTAL ALL FUNDS . . . . . -2,661,534

INFORMATION TECHNOLOGY

245 EXPENSES
FROM GENERAL REVENUE FUND . . . . . -53,394

246 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND . . . . . -7,534

247 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND . . . . . -175,900

248 DATA PROCESSING SERVICES
OTHER DATA PROCESSING SERVICES
FROM GENERAL REVENUE FUND . . . . . -29,828

TOTAL: INFORMATION TECHNOLOGY
FROM GENERAL REVENUE FUND . . . . . -266,656

TOTAL ALL FUNDS . . . . . -266,656

PROGRAM: COMMUNITY CORRECTIONS

PROBATION SUPERVISION

249 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND . . . . . -1,769

250 EXPENSES
FROM GENERAL REVENUE FUND . . . . . -496,774

251 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND . . . . . -11,781

252 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND . . . . . -3,363

253 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND . . . . . -10,418

TOTAL: PROBATION SUPERVISION
FROM GENERAL REVENUE FUND . . . . . -524,105

SECTION 4
SPECIFIC
APPROPRIATION
TOTAL ALL FUNDS . . . . . -524,105

DRUG OFFENDER PROBATION SUPERVISION

254 EXPENSES
FROM GENERAL REVENUE FUND . . . . . -46,246

255 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND . . . . . -1,993

TOTAL: DRUG OFFENDER PROBATION SUPERVISION
FROM GENERAL REVENUE FUND . . . . . -48,239

TOTAL ALL FUNDS . . . . . -48,239

PRE TRIAL INTERVENTION SUPERVISION

256 EXPENSES
FROM GENERAL REVENUE FUND . . . . . -11,475

COMMUNITY CONTROL SUPERVISION

257 EXPENSES
FROM GENERAL REVENUE FUND . . . . . -72,165

258 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND . . . . . -4,175

259 SPECIAL CATEGORIES
ELECTRONIC MONITORING
FROM GENERAL REVENUE FUND . . . . . -227,326

TOTAL: COMMUNITY CONTROL SUPERVISION
FROM GENERAL REVENUE FUND . . . . . -303,666

TOTAL ALL FUNDS . . . . . -303,666

POST PRISON RELEASE SUPERVISION

260 EXPENSES
FROM GENERAL REVENUE FUND . . . . . -59,715

261 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND . . . . . -4,380

262 SPECIAL CATEGORIES
LOCAL COMMUNITY CORRECTIONS PROJECT
FROM GENERAL REVENUE FUND . . . . . -81,201

263 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND . . . . . -2,363

TOTAL: POST PRISON RELEASE SUPERVISION
FROM GENERAL REVENUE FUND . . . . . -147,659

TOTAL ALL FUNDS . . . . . -147,659

OFFENDER MANAGEMENT AND CONTROL

264 EXPENSES
FROM GENERAL REVENUE FUND . . . . . -4,208

265 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND . . . . . -1,053

TOTAL: OFFENDER MANAGEMENT AND CONTROL
FROM GENERAL REVENUE FUND . . . . . -5,261

SECTION 4
SPECIFIC
APPROPRIATION
TOTAL ALL FUNDS . . . . . -5,261

INFORMATION TECHNOLOGY

266 EXPENSES
FROM GENERAL REVENUE FUND . . . . . -94,093

267 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND . . . . . -12,314

268 DATA PROCESSING SERVICES
OTHER DATA PROCESSING SERVICES
FROM GENERAL REVENUE FUND . . . . . -12,730

TOTAL: INFORMATION TECHNOLOGY
FROM GENERAL REVENUE FUND . . . . . -119,137

TOTAL ALL FUNDS . . . . . -119,137

COMMUNITY FACILITY OPERATIONS

269 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND . . . . . -117,577

PROGRAM: EDUCATION AND PROGRAMS

BASIC EDUCATION SKILLS

270 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND . . . . . -28,590

271 EXPENSES
FROM GENERAL REVENUE FUND . . . . . -126,344

272 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND . . . . . -11,072

273 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND . . . . . -2,594

274 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED SERVICES
FROM GENERAL REVENUE FUND . . . . . -5,600

TOTAL: BASIC EDUCATION SKILLS
FROM GENERAL REVENUE FUND . . . . . -174,200

TOTAL ALL FUNDS . . . . . -174,200

JUSTICE ADMINISTRATION

PROGRAM: JUSTICE ADMINISTRATIVE COMMISSION

EXECUTIVE DIRECTION AND SUPPORT SERVICES

275 SALARIES AND BENEFITS
FROM GENERAL REVENUE FUND . . . . . -212,436

276 EXPENSES
FROM GENERAL REVENUE FUND . . . . . -25,235

277 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND . . . . . -901

278 SPECIAL CATEGORIES
GRANTS AND AIDS - FOSTER CARE CITIZEN
REVIEW PANEL
FROM GENERAL REVENUE FUND . . . . . -4,000

SECTION 4
SPECIFIC
APPROPRIATION

279 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND . . . . . -7,760

280 SPECIAL CATEGORIES
STATE ATTORNEY AND PUBLIC DEFENDER
TRAINING
FROM GENERAL REVENUE FUND . . . . . -74

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM GENERAL REVENUE FUND . . . . . -250,406

TOTAL ALL FUNDS . . . . . -250,406

PROGRAM: STATEWIDE GUARDIAN AD LITEM OFFICE

281 SALARIES AND BENEFITS
FROM GENERAL REVENUE FUND . . . . . -1,174,308

282 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND . . . . . -50,344

283 EXPENSES
FROM GENERAL REVENUE FUND . . . . . -68,227

284 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND . . . . . -3,600

285 SPECIAL CATEGORIES
GRANTS AND AIDS - COURT SYSTEM SERVICES
FOR CHILDREN AND YOUTH
FROM GENERAL REVENUE FUND . . . . . -37,987

286 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND . . . . . -77,779

TOTAL: PROGRAM: STATEWIDE GUARDIAN AD LITEM OFFICE
FROM GENERAL REVENUE FUND . . . . . -1,412,245

TOTAL ALL FUNDS . . . . . -1,412,245

STATE ATTORNEYS

PROGRAM: STATE ATTORNEYS - FIRST JUDICIAL CIRCUIT

287 SALARIES AND BENEFITS
FROM GENERAL REVENUE FUND . . . . . -505,694

287A RESTORE AS NON-RECURRING-
SALARIES AND BENEFITS
FROM GRANTS AND DONATIONS TRUST FUND . . . 150,000

288 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND . . . . . -1,283

289 SPECIAL CATEGORIES
STATE ATTORNEY OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND . . . . . -36,608

TOTAL: PROGRAM: STATE ATTORNEYS - FIRST JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND . . . . . -543,585
FROM TRUST FUNDS 150,000

TOTAL ALL FUNDS . . . . . -393,585

PROGRAM: STATE ATTORNEYS - SECOND JUDICIAL CIRCUIT

290 SALARIES AND BENEFITS
FROM GENERAL REVENUE FUND . . . . . -309,376

SECTION 4
SPECIFIC
APPROPRIATION

PROGRAM: STATE ATTORNEYS - THIRD JUDICIAL CIRCUIT

291 SALARIES AND BENEFITS
FROM GENERAL REVENUE FUND . . . . . -167,713

292 SPECIAL CATEGORIES
STATE ATTORNEY OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND . . . . . -9,691

TOTAL: PROGRAM: STATE ATTORNEYS - THIRD JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND . . . . . -177,404

TOTAL ALL FUNDS . . . . . -177,404

PROGRAM: STATE ATTORNEYS - FOURTH JUDICIAL CIRCUIT

293 SALARIES AND BENEFITS
FROM GENERAL REVENUE FUND . . . . . -832,438

293A RESTORE AS NON-RECURRING-
SALARIES AND BENEFITS
FROM GRANTS AND DONATIONS TRUST FUND . . . 100,000

294 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND . . . . . -5,900

295 SPECIAL CATEGORIES
STATE ATTORNEY OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND . . . . . -14,109

TOTAL: PROGRAM: STATE ATTORNEYS - FOURTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND . . . . . -852,447
FROM TRUST FUNDS 100,000

TOTAL ALL FUNDS . . . . . -752,447

PROGRAM: STATE ATTORNEYS - FIFTH JUDICIAL CIRCUIT

296 SALARIES AND BENEFITS
FROM GENERAL REVENUE FUND . . . . . -557,434

296A RESTORE AS NON-RECURRING-
SALARIES AND BENEFITS
FROM GRANTS AND DONATIONS TRUST FUND . . . 140,000

297 SPECIAL CATEGORIES
STATE ATTORNEY OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND . . . . . -24,364

TOTAL: PROGRAM: STATE ATTORNEYS - FIFTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND . . . . . -581,798
FROM TRUST FUNDS 140,000

TOTAL ALL FUNDS . . . . . -441,798

PROGRAM: STATE ATTORNEYS - SIXTH JUDICIAL CIRCUIT

298 SALARIES AND BENEFITS
FROM GENERAL REVENUE FUND . . . . . -1,052,721

299 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND . . . . . -3,665

300 SPECIAL CATEGORIES
STATE ATTORNEY OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND . . . . . -23,633

TOTAL: PROGRAM: STATE ATTORNEYS - SIXTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND . . . . . -1,080,019

SECTION 4
SPECIFIC
APPROPRIATION

TOTAL ALL FUNDS . . . . . -1,080,019

PROGRAM: STATE ATTORNEYS - SEVENTH JUDICIAL CIRCUIT

301 SALARIES AND BENEFITS
FROM GENERAL REVENUE FUND . . . . . -554,038

302 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND . . . . . -1,657

303 SPECIAL CATEGORIES
STATE ATTORNEY OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND . . . . . -28,186

TOTAL: PROGRAM: STATE ATTORNEYS - SEVENTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND . . . . . -583,881

TOTAL ALL FUNDS . . . . . -583,881

PROGRAM: STATE ATTORNEYS - EIGHTH JUDICIAL CIRCUIT

304 SALARIES AND BENEFITS
FROM GENERAL REVENUE FUND . . . . . -332,965

PROGRAM: STATE ATTORNEYS - NINTH JUDICIAL CIRCUIT

305 SALARIES AND BENEFITS
FROM GENERAL REVENUE FUND . . . . . -686,317

305A RESTORE AS NON-RECURRING-
SALARIES AND BENEFITS
FROM GRANTS AND DONATIONS TRUST FUND . . . 500,000

306 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND . . . . . -16,314

307 SPECIAL CATEGORIES
STATE ATTORNEY OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND . . . . . -153,409

308 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND . . . . . -1,117

TOTAL: PROGRAM: STATE ATTORNEYS - NINTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND . . . . . -857,157
FROM TRUST FUNDS 500,000

TOTAL ALL FUNDS . . . . . -357,157

PROGRAM: STATE ATTORNEYS - TENTH JUDICIAL CIRCUIT

309 SALARIES AND BENEFITS
FROM GENERAL REVENUE FUND . . . . . -503,702

PROGRAM: STATE ATTORNEYS - ELEVENTH JUDICIAL CIRCUIT

310 SALARIES AND BENEFITS
FROM GENERAL REVENUE FUND . . . . . -1,823,178

310A RESTORE AS NON-RECURRING-
SALARIES AND BENEFITS
FROM GRANTS AND DONATIONS TRUST FUND . . . 360,000

311 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND . . . . . -1,638

312 SPECIAL CATEGORIES
STATE ATTORNEY OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND . . . . . -25,365

SECTION 4
SPECIFIC
APPROPRIATION

TOTAL: PROGRAM: STATE ATTORNEYS - ELEVENTH JUDICIAL CIRCUIT		
FROM GENERAL REVENUE FUND	-1,850,181	
FROM TRUST FUNDS		360,000
TOTAL ALL FUNDS		-1,490,181

PROGRAM: STATE ATTORNEYS - TWELFTH JUDICIAL CIRCUIT

313 SALARIES AND BENEFITS		
FROM GENERAL REVENUE FUND	-452,094	
313A RESTORE AS NON-RECURRING- SALARIES AND BENEFITS		
FROM GRANTS AND DONATIONS TRUST FUND . . .		70,000
314 SPECIAL CATEGORIES STATE ATTORNEY OPERATING EXPENDITURES		
FROM GENERAL REVENUE FUND	-18,574	
TOTAL: PROGRAM: STATE ATTORNEYS - TWELFTH JUDICIAL CIRCUIT		
FROM GENERAL REVENUE FUND	-470,668	
FROM TRUST FUNDS		70,000
TOTAL ALL FUNDS		-400,668

PROGRAM: STATE ATTORNEYS - THIRTEENTH JUDICIAL CIRCUIT

315 SALARIES AND BENEFITS		
FROM GENERAL REVENUE FUND	-854,317	

PROGRAM: STATE ATTORNEYS - FOURTEENTH JUDICIAL CIRCUIT

316 SALARIES AND BENEFITS		
FROM GENERAL REVENUE FUND	-302,759	
316A RESTORE AS NON-RECURRING- SALARIES AND BENEFITS		
FROM GRANTS AND DONATIONS TRUST FUND . . .		100,000
317 SPECIAL CATEGORIES STATE ATTORNEY OPERATING EXPENDITURES		
FROM GENERAL REVENUE FUND	-7,071	
TOTAL: PROGRAM: STATE ATTORNEYS - FOURTEENTH JUDICIAL CIRCUIT		
FROM GENERAL REVENUE FUND	-309,830	
FROM TRUST FUNDS		100,000
TOTAL ALL FUNDS		-209,830

PROGRAM: STATE ATTORNEYS - FIFTEENTH JUDICIAL CIRCUIT

318 SALARIES AND BENEFITS		
FROM GENERAL REVENUE FUND	-500,000	
318A RESTORE AS NON-RECURRING- SALARIES AND BENEFITS		
FROM GRANTS AND DONATIONS TRUST FUND . . .		72,800
319 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	-3,137	
320 SPECIAL CATEGORIES STATE ATTORNEY OPERATING EXPENDITURES		
FROM GENERAL REVENUE FUND	-327,141	

SECTION 4
SPECIFIC
APPROPRIATION

TOTAL: PROGRAM: STATE ATTORNEYS - FIFTEENTH JUDICIAL CIRCUIT		
FROM GENERAL REVENUE FUND	-830,278	
FROM TRUST FUNDS		72,800
TOTAL ALL FUNDS		-757,478

PROGRAM: STATE ATTORNEYS - SIXTEENTH JUDICIAL CIRCUIT

321 SALARIES AND BENEFITS		
FROM GENERAL REVENUE FUND	-155,856	
321A RESTORE AS NON-RECURRING- SALARIES AND BENEFITS		
FROM GRANTS AND DONATIONS TRUST FUND . . .		50,000
322 SPECIAL CATEGORIES STATE ATTORNEY OPERATING EXPENDITURES		
FROM GENERAL REVENUE FUND	-6,254	
TOTAL: PROGRAM: STATE ATTORNEYS - SIXTEENTH JUDICIAL CIRCUIT		
FROM GENERAL REVENUE FUND	-162,110	
FROM TRUST FUNDS		50,000
TOTAL ALL FUNDS		-112,110

PROGRAM: STATE ATTORNEYS - SEVENTEENTH JUDICIAL CIRCUIT

323 SALARIES AND BENEFITS		
FROM GENERAL REVENUE FUND	-1,242,162	
323A RESTORE AS NON-RECURRING- SALARIES AND BENEFITS		
FROM GRANTS AND DONATIONS TRUST FUND . . .		700,000
324 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	-4,852	
325 SPECIAL CATEGORIES STATE ATTORNEY OPERATING EXPENDITURES		
FROM GENERAL REVENUE FUND	-45,108	
TOTAL: PROGRAM: STATE ATTORNEYS - SEVENTEENTH JUDICIAL CIRCUIT		
FROM GENERAL REVENUE FUND	-1,292,122	
FROM TRUST FUNDS		700,000
TOTAL ALL FUNDS		-592,122

PROGRAM: STATE ATTORNEYS - EIGHTEENTH JUDICIAL CIRCUIT

326 SALARIES AND BENEFITS		
FROM GENERAL REVENUE FUND	-604,098	
326A RESTORE AS NON-RECURRING- SALARIES AND BENEFITS		
FROM GRANTS AND DONATIONS TRUST FUND . . .		120,000
327 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	-10,000	
328 SPECIAL CATEGORIES STATE ATTORNEY OPERATING EXPENDITURES		
FROM GENERAL REVENUE FUND	-100,000	
TOTAL: PROGRAM: STATE ATTORNEYS - EIGHTEENTH JUDICIAL CIRCUIT		
FROM GENERAL REVENUE FUND	-714,098	
FROM TRUST FUNDS		120,000

SECTION 4
SPECIFIC
APPROPRIATION

TOTAL ALL FUNDS . . . . . -594,098

PROGRAM: STATE ATTORNEYS - NINETEENTH JUDICIAL CIRCUIT

329 SALARIES AND BENEFITS
FROM GENERAL REVENUE FUND . . . . . -369,119

329A RESTORE AS NON-RECURRING-
SALARIES AND BENEFITS
FROM GRANTS AND DONATIONS TRUST FUND . . . 369,119

330 SPECIAL CATEGORIES
STATE ATTORNEY OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND . . . . . -17,744

TOTAL: PROGRAM: STATE ATTORNEYS - NINETEENTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND . . . . . -386,863
FROM TRUST FUNDS 369,119

TOTAL ALL FUNDS . . . . . -17,744

PROGRAM: STATE ATTORNEYS - TWENTIETH JUDICIAL CIRCUIT

331 SALARIES AND BENEFITS
FROM GENERAL REVENUE FUND . . . . . -687,782

331A RESTORE AS NON-RECURRING-
SALARIES AND BENEFITS
FROM GRANTS AND DONATIONS TRUST FUND . . . 120,000

331B SPECIAL CATEGORIES
RESTORE AS NON-RECURRING-
STATE ATTORNEY OPERATING EXPENDITURES
FROM GRANTS AND DONATIONS TRUST FUND . . . 450,000

TOTAL: PROGRAM: STATE ATTORNEYS - TWENTIETH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND . . . . . -687,782
FROM TRUST FUNDS 570,000

TOTAL ALL FUNDS . . . . . -117,782

PUBLIC DEFENDERS

PROGRAM: PUBLIC DEFENDERS - FIRST JUDICIAL CIRCUIT

332 SALARIES AND BENEFITS
FROM GENERAL REVENUE FUND . . . . . -301,283

332A RESTORE AS NON-RECURRING-
SALARIES AND BENEFITS
FROM GRANTS AND DONATIONS TRUST FUND . . . 111,388
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 111,388

333 SPECIAL CATEGORIES
PUBLIC DEFENDER OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND . . . . . -2,456

TOTAL: PROGRAM: PUBLIC DEFENDERS - FIRST JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND . . . . . -303,739
FROM TRUST FUNDS 222,776

TOTAL ALL FUNDS . . . . . -80,963

PROGRAM: PUBLIC DEFENDERS - SECOND JUDICIAL CIRCUIT

334 SALARIES AND BENEFITS
FROM GENERAL REVENUE FUND . . . . . -130,853

SECTION 4
SPECIFIC
APPROPRIATION

334A RESTORE AS NON-RECURRING-
SALARIES AND BENEFITS
FROM GRANTS AND DONATIONS TRUST FUND . . . 93,332
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 120,351

335 SPECIAL CATEGORIES
PUBLIC DEFENDER OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND . . . . . -82,830

TOTAL: PROGRAM: PUBLIC DEFENDERS - SECOND JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND . . . . . -213,683
FROM TRUST FUNDS 213,683

PROGRAM: PUBLIC DEFENDERS - THIRD JUDICIAL CIRCUIT

336 SALARIES AND BENEFITS
FROM GENERAL REVENUE FUND . . . . . -97,716

336A RESTORE AS NON-RECURRING-
SALARIES AND BENEFITS
FROM GRANTS AND DONATIONS TRUST FUND . . . 49,000
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 49,000

337 SPECIAL CATEGORIES
PUBLIC DEFENDER OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND . . . . . -2,087

TOTAL: PROGRAM: PUBLIC DEFENDERS - THIRD JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND . . . . . -99,803
FROM TRUST FUNDS 98,000

TOTAL ALL FUNDS . . . . . -1,803

PROGRAM: PUBLIC DEFENDERS - FOURTH JUDICIAL CIRCUIT

338 SALARIES AND BENEFITS
FROM GENERAL REVENUE FUND . . . . . -401,908

338A RESTORE AS NON-RECURRING-
SALARIES AND BENEFITS
FROM GRANTS AND DONATIONS TRUST FUND . . . 269,724
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 122,024

339 SPECIAL CATEGORIES
PUBLIC DEFENDER OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND . . . . . -10,971

TOTAL: PROGRAM: PUBLIC DEFENDERS - FOURTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND . . . . . -412,879
FROM TRUST FUNDS 391,748

TOTAL ALL FUNDS . . . . . -21,131

PROGRAM: PUBLIC DEFENDERS - FIFTH JUDICIAL CIRCUIT

340 SALARIES AND BENEFITS
FROM GENERAL REVENUE FUND . . . . . -252,304

340A RESTORE AS NON-RECURRING-
SALARIES AND BENEFITS
FROM GRANTS AND DONATIONS TRUST FUND . . . 118,464
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 118,464

341 SPECIAL CATEGORIES
PUBLIC DEFENDER OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND . . . . . -800

SECTION 4
SPECIFIC
APPROPRIATION

TOTAL: PROGRAM: PUBLIC DEFENDERS - FIFTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND . . . . . -253,104
FROM TRUST FUNDS 236,928

TOTAL ALL FUNDS . . . . . -16,176

PROGRAM: PUBLIC DEFENDERS - SIXTH JUDICIAL CIRCUIT

342 SALARIES AND BENEFITS
FROM GENERAL REVENUE FUND . . . . . -551,636

342A RESTORE AS NON-RECURRING-
SALARIES AND BENEFITS
FROM GRANTS AND DONATIONS TRUST FUND . . . 248,927
FROM INDIGENT CRIMINAL DEFENSE TRUST
FUND 316,744

343 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND . . . . . -3,315

344 SPECIAL CATEGORIES
PUBLIC DEFENDER OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND . . . . . -10,720

TOTAL: PROGRAM: PUBLIC DEFENDERS - SIXTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND . . . . . -565,671
FROM TRUST FUNDS 565,671

PROGRAM: PUBLIC DEFENDERS - SEVENTH JUDICIAL CIRCUIT

345 SALARIES AND BENEFITS
FROM GENERAL REVENUE FUND . . . . . -293,459

346 SPECIAL CATEGORIES
PUBLIC DEFENDER OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND . . . . . -5,389

TOTAL: PROGRAM: PUBLIC DEFENDERS - SEVENTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND . . . . . -298,848

TOTAL ALL FUNDS . . . . . -298,848

PROGRAM: PUBLIC DEFENDERS - EIGHTH JUDICIAL CIRCUIT

347 SALARIES AND BENEFITS
FROM GENERAL REVENUE FUND . . . . . -197,492

347A RESTORE AS NON-RECURRING-
SALARIES AND BENEFITS
FROM GRANTS AND DONATIONS TRUST FUND . . . 93,367
FROM INDIGENT CRIMINAL DEFENSE TRUST
FUND 106,500

348 SPECIAL CATEGORIES
PUBLIC DEFENDER OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND . . . . . -2,375

TOTAL: PROGRAM: PUBLIC DEFENDERS - EIGHTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND . . . . . -199,867
FROM TRUST FUNDS 199,867

PROGRAM: PUBLIC DEFENDERS - NINTH JUDICIAL CIRCUIT

349 SALARIES AND BENEFITS
FROM GENERAL REVENUE FUND . . . . . -396,087

350 SPECIAL CATEGORIES
PUBLIC DEFENDER OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND . . . . . -8,157

SECTION 4
SPECIFIC
APPROPRIATION

TOTAL: PROGRAM: PUBLIC DEFENDERS - NINTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND . . . . . -404,244

TOTAL ALL FUNDS . . . . . -404,244

PROGRAM: PUBLIC DEFENDERS - TENTH JUDICIAL CIRCUIT

351 SALARIES AND BENEFITS
FROM GENERAL REVENUE FUND . . . . . -276,943

351A RESTORE AS NON-RECURRING-
SALARIES AND BENEFITS
FROM INDIGENT CRIMINAL DEFENSE TRUST
FUND 276,943

352 SPECIAL CATEGORIES
PUBLIC DEFENDER OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND . . . . . -5,612

TOTAL: PROGRAM: PUBLIC DEFENDERS - TENTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND . . . . . -282,555
FROM TRUST FUNDS 276,943

TOTAL ALL FUNDS . . . . . -5,612

PROGRAM: PUBLIC DEFENDERS - ELEVENTH JUDICIAL CIRCUIT

353 SALARIES AND BENEFITS
FROM GENERAL REVENUE FUND . . . . . -1,033,578

353A RESTORE AS NON-RECURRING-
SALARIES AND BENEFITS
FROM GRANTS AND DONATIONS TRUST FUND . . . 203,809
FROM INDIGENT CRIMINAL DEFENSE TRUST
FUND 203,809

354 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND . . . . . -1,116

355 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM GENERAL REVENUE FUND . . . . . -3,836

356 SPECIAL CATEGORIES
PUBLIC DEFENDER OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND . . . . . -26,948

TOTAL: PROGRAM: PUBLIC DEFENDERS - ELEVENTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND . . . . . -1,065,478
FROM TRUST FUNDS 407,618

TOTAL ALL FUNDS . . . . . -657,860

PROGRAM: PUBLIC DEFENDERS - TWELFTH JUDICIAL CIRCUIT

357 SALARIES AND BENEFITS
FROM GENERAL REVENUE FUND . . . . . -1,548

357A RESTORE AS NON-RECURRING-
SALARIES AND BENEFITS
FROM GRANTS AND DONATIONS TRUST FUND . . . 7,823
FROM INDIGENT CRIMINAL DEFENSE TRUST
FUND 10,791

358 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND . . . . . -18,614

358A RESTORE AS NON-RECURRING-
OTHER PERSONAL SERVICES
FROM INDIGENT CRIMINAL DEFENSE TRUST
FUND 3,252

SECTION 4
SPECIFIC
APPROPRIATION

359 SPECIAL CATEGORIES PUBLIC DEFENDER OPERATING EXPENDITURES FROM GENERAL REVENUE FUND	-213,440	
TOTAL: PROGRAM: PUBLIC DEFENDERS - TWELFTH JUDICIAL CIRCUIT FROM GENERAL REVENUE FUND	-233,602	
FROM TRUST FUNDS		21,866
TOTAL ALL FUNDS		-211,736

PROGRAM: PUBLIC DEFENDERS - THIRTEENTH JUDICIAL CIRCUIT

360 SALARIES AND BENEFITS FROM GENERAL REVENUE FUND	-292,703	
360A RESTORE AS NON-RECURRING- SALARIES AND BENEFITS FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		292,703
361 OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND	-1,958	
361A RESTORE AS NON-RECURRING- OTHER PERSONAL SERVICES FROM GRANTS AND DONATIONS TRUST FUND . . .		1,958
362 SPECIAL CATEGORIES PUBLIC DEFENDER OPERATING EXPENDITURES FROM GENERAL REVENUE FUND	-232,138	
362A SPECIAL CATEGORIES RESTORE AS NON-RECURRING- PUBLIC DEFENDER OPERATING EXPENDITURES FROM GRANTS AND DONATIONS TRUST FUND . . .		232,138
TOTAL: PROGRAM: PUBLIC DEFENDERS - THIRTEENTH JUDICIAL CIRCUIT FROM GENERAL REVENUE FUND	-526,799	
FROM TRUST FUNDS		526,799

PROGRAM: PUBLIC DEFENDERS - FOURTEENTH JUDICIAL CIRCUIT

363 SALARIES AND BENEFITS FROM GENERAL REVENUE FUND	-157,011	
363A RESTORE AS NON-RECURRING- SALARIES AND BENEFITS FROM GRANTS AND DONATIONS TRUST FUND . . .		31,700
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		31,700
364 SPECIAL CATEGORIES PUBLIC DEFENDER OPERATING EXPENDITURES FROM GENERAL REVENUE FUND	-4,589	
TOTAL: PROGRAM: PUBLIC DEFENDERS - FOURTEENTH JUDICIAL CIRCUIT FROM GENERAL REVENUE FUND	-161,600	
FROM TRUST FUNDS		63,400
TOTAL ALL FUNDS		-98,200

PROGRAM: PUBLIC DEFENDERS - FIFTEENTH JUDICIAL CIRCUIT

365 SALARIES AND BENEFITS FROM GENERAL REVENUE FUND	-374,069	

SECTION 4
SPECIFIC
APPROPRIATION

366 OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND	-50,000	
367 SPECIAL CATEGORIES PUBLIC DEFENDER OPERATING EXPENDITURES FROM GENERAL REVENUE FUND	-50,000	
TOTAL: PROGRAM: PUBLIC DEFENDERS - FIFTEENTH JUDICIAL CIRCUIT FROM GENERAL REVENUE FUND	-474,069	
TOTAL ALL FUNDS		-474,069

PROGRAM: PUBLIC DEFENDERS - SIXTEENTH JUDICIAL CIRCUIT

368 SALARIES AND BENEFITS FROM GENERAL REVENUE FUND	-110,756	
368A RESTORE AS NON-RECURRING- SALARIES AND BENEFITS FROM GRANTS AND DONATIONS TRUST FUND . . .		23,890
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		39,677
369 SPECIAL CATEGORIES PUBLIC DEFENDER OPERATING EXPENDITURES FROM GENERAL REVENUE FUND	-1,514	
TOTAL: PROGRAM: PUBLIC DEFENDERS - SIXTEENTH JUDICIAL CIRCUIT FROM GENERAL REVENUE FUND	-112,270	
FROM TRUST FUNDS		63,567
TOTAL ALL FUNDS		-48,703

PROGRAM: PUBLIC DEFENDERS - SEVENTEENTH JUDICIAL CIRCUIT

370 SALARIES AND BENEFITS FROM GENERAL REVENUE FUND	-300,000	
370A RESTORE AS NON-RECURRING- SALARIES AND BENEFITS FROM GRANTS AND DONATIONS TRUST FUND . . .		250,000
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		150,000
371 OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND	-3,470	
372 SPECIAL CATEGORIES PUBLIC DEFENDER OPERATING EXPENDITURES FROM GENERAL REVENUE FUND	-298,864	
TOTAL: PROGRAM: PUBLIC DEFENDERS - SEVENTEENTH JUDICIAL CIRCUIT FROM GENERAL REVENUE FUND	-602,334	
FROM TRUST FUNDS		400,000
TOTAL ALL FUNDS		-202,334

PROGRAM: PUBLIC DEFENDERS - EIGHTEENTH JUDICIAL CIRCUIT

373 SALARIES AND BENEFITS FROM GENERAL REVENUE FUND	-249,008	
374 SPECIAL CATEGORIES PUBLIC DEFENDER OPERATING EXPENDITURES FROM GENERAL REVENUE FUND	-27,922	

SECTION 4
SPECIFIC
APPROPRIATION

TOTAL: PROGRAM: PUBLIC DEFENDERS - EIGHTEENTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND . . . . . -276,930

TOTAL ALL FUNDS . . . . . -276,930

PROGRAM: PUBLIC DEFENDERS - NINETEENTH JUDICIAL CIRCUIT

375 SALARIES AND BENEFITS
FROM GENERAL REVENUE FUND . . . . . -186,024

376 SPECIAL CATEGORIES
PUBLIC DEFENDER OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND . . . . . -23,273

TOTAL: PROGRAM: PUBLIC DEFENDERS - NINETEENTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND . . . . . -209,297

TOTAL ALL FUNDS . . . . . -209,297

PROGRAM: PUBLIC DEFENDERS - TWENTIETH JUDICIAL CIRCUIT

377 SALARIES AND BENEFITS
FROM GENERAL REVENUE FUND . . . . . -292,544

377A RESTORE AS NON-RECURRING-
SALARIES AND BENEFITS
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 113,980

378 SPECIAL CATEGORIES
PUBLIC DEFENDER OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND . . . . . -6,046

TOTAL: PROGRAM: PUBLIC DEFENDERS - TWENTIETH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND . . . . . -298,590
FROM TRUST FUNDS 113,980

TOTAL ALL FUNDS . . . . . -184,610

PUBLIC DEFENDERS APPELLATE DIVISION

PROGRAM: PUBLIC DEFENDERS APPELLATE - SECOND JUDICIAL CIRCUIT

379 SALARIES AND BENEFITS
FROM GENERAL REVENUE FUND . . . . . -95,544

380 SPECIAL CATEGORIES
PUBLIC DEFENDER OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND . . . . . -5,669

TOTAL: PROGRAM: PUBLIC DEFENDERS APPELLATE - SECOND JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND . . . . . -101,213

TOTAL ALL FUNDS . . . . . -101,213

PROGRAM: PUBLIC DEFENDERS APPELLATE - SEVENTH JUDICIAL CIRCUIT

381 SALARIES AND BENEFITS
FROM GENERAL REVENUE FUND . . . . . -91,851

382 SPECIAL CATEGORIES
PUBLIC DEFENDER OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND . . . . . -5,087

SECTION 4
SPECIFIC
APPROPRIATION

TOTAL: PROGRAM: PUBLIC DEFENDERS APPELLATE - SEVENTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND . . . . . -96,938

TOTAL ALL FUNDS . . . . . -96,938

PROGRAM: PUBLIC DEFENDERS APPELLATE - TENTH JUDICIAL CIRCUIT

383 SALARIES AND BENEFITS
FROM GENERAL REVENUE FUND . . . . . -133,085

384 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND . . . . . -30,033

385 SPECIAL CATEGORIES
PUBLIC DEFENDER OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND . . . . . -6,245

TOTAL: PROGRAM: PUBLIC DEFENDERS APPELLATE - TENTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND . . . . . -169,363

TOTAL ALL FUNDS . . . . . -169,363

PROGRAM: PUBLIC DEFENDERS APPELLATE - ELEVENTH JUDICIAL CIRCUIT

386 SALARIES AND BENEFITS
FROM GENERAL REVENUE FUND . . . . . -81,677

386A RESTORE AS NON-RECURRING-
SALARIES AND BENEFITS
FROM GRANTS AND DONATIONS TRUST FUND . . . 1,191
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 84,033

387 SPECIAL CATEGORIES
PUBLIC DEFENDER OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND . . . . . -3,547

TOTAL: PROGRAM: PUBLIC DEFENDERS APPELLATE - ELEVENTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND . . . . . -85,224
FROM TRUST FUNDS 85,224

PROGRAM: PUBLIC DEFENDERS APPELLATE - FIFTEENTH JUDICIAL CIRCUIT

388 SALARIES AND BENEFITS
FROM GENERAL REVENUE FUND . . . . . -90,540

389 SPECIAL CATEGORIES
PUBLIC DEFENDER OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND . . . . . -40,001

TOTAL: PROGRAM: PUBLIC DEFENDERS APPELLATE - FIFTEENTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND . . . . . -130,541

TOTAL ALL FUNDS . . . . . -130,541

CAPITAL COLLATERAL REGIONAL COUNSELS

PROGRAM: MIDDLE REGIONAL COUNSEL

PROVIDE STATE REQUIRED POST CONVICTION LEGAL REPRESENTATION TO DEATH-ROW INMATES

390 SALARIES AND BENEFITS
FROM GENERAL REVENUE FUND . . . . . -19,732

SECTION 4
SPECIFIC
APPROPRIATION

391 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND . . . . . -5,920

392 SPECIAL CATEGORIES
OVERTIME
FROM GENERAL REVENUE FUND . . . . . -70,000

393 SPECIAL CATEGORIES
OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND . . . . . -73,938

TOTAL: PROVIDE STATE REQUIRED POST CONVICTION LEGAL REPRESENTATION TO DEATH-ROW INMATES
FROM GENERAL REVENUE FUND . . . . . -169,590

TOTAL ALL FUNDS . . . . . -169,590

PROGRAM: SOUTHERN REGIONAL COUNSEL

PROVIDE STATE REQUIRED POST CONVICTION LEGAL REPRESENTATION TO DEATH-ROW INMATES

394 SALARIES AND BENEFITS
FROM GENERAL REVENUE FUND . . . . . -6,476

395 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND . . . . . -12,952

396 SPECIAL CATEGORIES
CASE RELATED COSTS
FROM GENERAL REVENUE FUND . . . . . -25,903

397 SPECIAL CATEGORIES
OVERTIME
FROM GENERAL REVENUE FUND . . . . . -23,166

398 SPECIAL CATEGORIES
OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND . . . . . -71,366

TOTAL: PROVIDE STATE REQUIRED POST CONVICTION LEGAL REPRESENTATION TO DEATH-ROW INMATES
FROM GENERAL REVENUE FUND . . . . . -139,863

TOTAL ALL FUNDS . . . . . -139,863

JUVENILE JUSTICE, DEPARTMENT OF

PROGRAM: PROBATION AND COMMUNITY CORRECTIONS PROGRAM

AFTERCARE SERVICES - CONDITIONAL RELEASE

399 EXPENSES
FROM GENERAL REVENUE FUND . . . . . -5,260

400 SPECIAL CATEGORIES
LEGISLATIVE INITIATIVES TO REDUCE AND PREVENT JUVENILE CRIME
FROM GENERAL REVENUE FUND . . . . . -58,490

401 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED SERVICES
FROM GENERAL REVENUE FUND . . . . . -458,039

TOTAL: AFTERCARE SERVICES - CONDITIONAL RELEASE
FROM GENERAL REVENUE FUND . . . . . -521,789

SECTION 4
SPECIFIC
APPROPRIATION

TOTAL ALL FUNDS . . . . . -521,789

JUVENILE PROBATION

402 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND . . . . . -42,621

403 EXPENSES
FROM GENERAL REVENUE FUND . . . . . -371,881

404 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND . . . . . -3,144

405 SPECIAL CATEGORIES
JUVENILE REDIRECTIONS PROGRAM
FROM GENERAL REVENUE FUND . . . . . -368,010

406 SPECIAL CATEGORIES
LEGISLATIVE INITIATIVES TO REDUCE AND PREVENT JUVENILE CRIME
FROM GENERAL REVENUE FUND . . . . . -38,401

407 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND . . . . . -32,985

408 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED SERVICES
FROM GENERAL REVENUE FUND . . . . . -452,506

TOTAL: JUVENILE PROBATION
FROM GENERAL REVENUE FUND . . . . . -1,309,548

TOTAL ALL FUNDS . . . . . -1,309,548

NON-RESIDENTIAL DELINQUENCY REHABILITATION

409 SPECIAL CATEGORIES
LEGISLATIVE INITIATIVES TO REDUCE AND PREVENT JUVENILE CRIME
FROM GENERAL REVENUE FUND . . . . . -8,000

410 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED SERVICES
FROM GENERAL REVENUE FUND . . . . . -185,502

TOTAL: NON-RESIDENTIAL DELINQUENCY REHABILITATION
FROM GENERAL REVENUE FUND . . . . . -193,502

TOTAL ALL FUNDS . . . . . -193,502

PROGRAM: OFFICE OF THE SECRETARY/ASSISTANT SECRETARY FOR ADMINISTRATIVE SERVICES

EXECUTIVE DIRECTION AND SUPPORT SERVICES

411 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND . . . . . -28,579

412 EXPENSES
FROM GENERAL REVENUE FUND . . . . . -121,697

413 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND . . . . . -1,642

414 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM GENERAL REVENUE FUND . . . . . -18,000

415 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND . . . . . -13,037

SECTION 4
SPECIFIC
APPROPRIATION

416 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED SERVICES
FROM GENERAL REVENUE FUND . . . . . -10,468

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM GENERAL REVENUE FUND . . . . . -193,423

TOTAL ALL FUNDS . . . . . -193,423

INFORMATION TECHNOLOGY

417 EXPENSES
FROM GENERAL REVENUE FUND . . . . . -88,186

418 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND . . . . . -4,993

419 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND . . . . . -31,014

TOTAL: INFORMATION TECHNOLOGY
FROM GENERAL REVENUE FUND . . . . . -124,193

TOTAL ALL FUNDS . . . . . -124,193

PROGRAM: RESIDENTIAL CORRECTIONS PROGRAM

NON-SECURE RESIDENTIAL COMMITMENT

420 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND . . . . . -4,483

421 EXPENSES
FROM GENERAL REVENUE FUND . . . . . -57,257

422 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM GENERAL REVENUE FUND . . . . . -1,935

423 SPECIAL CATEGORIES
LEGISLATIVE INITIATIVES TO REDUCE AND
PREVENT JUVENILE CRIME
FROM GENERAL REVENUE FUND . . . . . -25,640

424 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND . . . . . -23,018

425 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED SERVICES
FROM GENERAL REVENUE FUND . . . . . -5,419,764

426 SPECIAL CATEGORIES
SHERIFFS' TRAINING AND RESPECT (STAR)
ACADEMIES - RESIDENTIAL AND AFTERCARE
SERVICES
FROM GENERAL REVENUE FUND . . . . . -34,271

427 SPECIAL CATEGORIES
GRANTS AND AIDS - WILDERNESS THERAPEUTIC
SERVICES
FROM GENERAL REVENUE FUND . . . . . -300,748

TOTAL: NON-SECURE RESIDENTIAL COMMITMENT
FROM GENERAL REVENUE FUND . . . . . -5,867,116

SECTION 4
SPECIFIC
APPROPRIATION

TOTAL ALL FUNDS . . . . . -5,867,116

SECURE RESIDENTIAL COMMITMENT

428 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND . . . . . -35,810

429 EXPENSES
FROM GENERAL REVENUE FUND . . . . . -126,909

430 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTUAL SERVICES-
DOZIER TRAINING SCHOOL
FROM GENERAL REVENUE FUND . . . . . -17,912

431 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTUAL SERVICES-
OKEECHOBEE TRAINING SCHOOL
FROM GENERAL REVENUE FUND . . . . . -277,176

432 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND . . . . . -63,947

433 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED SERVICES
FROM GENERAL REVENUE FUND . . . . . -2,990,462

TOTAL: SECURE RESIDENTIAL COMMITMENT
FROM GENERAL REVENUE FUND . . . . . -3,512,216

TOTAL ALL FUNDS . . . . . -3,512,216

PROGRAM: PREVENTION AND VICTIM SERVICES

DELINQUENCY PREVENTION AND DIVERSION

434 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND . . . . . -12,465

435 EXPENSES
FROM GENERAL REVENUE FUND . . . . . -11,094

436 SPECIAL CATEGORIES
PACE CENTERS
FROM GENERAL REVENUE FUND . . . . . -463,166

437 SPECIAL CATEGORIES
LEGISLATIVE INITIATIVES TO REDUCE AND
PREVENT JUVENILE CRIME
FROM GENERAL REVENUE FUND . . . . . -135,941

438 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND . . . . . -1,464

439 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED SERVICES
FROM GENERAL REVENUE FUND . . . . . -39,921

440 SPECIAL CATEGORIES
GRANTS AND AIDS - CHILDREN/FAMILIES IN
NEED OF SERVICES
FROM GENERAL REVENUE FUND . . . . . -1,379,447

TOTAL: DELINQUENCY PREVENTION AND DIVERSION
FROM GENERAL REVENUE FUND . . . . . -2,043,498

SECTION 4
SPECIFIC
APPROPRIATION
TOTAL ALL FUNDS . . . . . -2,043,498

LAW ENFORCEMENT, DEPARTMENT OF

PROGRAM: EXECUTIVE DIRECTION AND SUPPORT

PROVIDE EXECUTIVE DIRECTION AND SUPPORT SERVICES

441 SALARIES AND BENEFITS
FROM GENERAL REVENUE FUND . . . . . -72,780

442 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND . . . . . -1,160

443 EXPENSES
FROM GENERAL REVENUE FUND . . . . . -17,751

444 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND . . . . . -2,317

445 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND . . . . . -1,062

TOTAL: PROVIDE EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM GENERAL REVENUE FUND . . . . . -95,070

TOTAL ALL FUNDS . . . . . -95,070

PROGRAM: FLORIDA CAPITOL POLICE PROGRAM

CAPITOL POLICE SERVICES

446 SALARIES AND BENEFITS
FROM GENERAL REVENUE FUND . . . . . -1,056

447 SPECIAL CATEGORIES
CAPITOL COMPLEX SECURITY
FROM GENERAL REVENUE FUND . . . . . -1,140

TOTAL: CAPITOL POLICE SERVICES
FROM GENERAL REVENUE FUND . . . . . -2,196

TOTAL ALL FUNDS . . . . . -2,196

PROGRAM: INVESTIGATIONS AND FORENSIC SCIENCE
PROGRAM

PROVIDE CRIME LAB SERVICES

448 SALARIES AND BENEFITS
FROM GENERAL REVENUE FUND . . . . . -560,759

449 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND . . . . . -4,259

450 EXPENSES
FROM GENERAL REVENUE FUND . . . . . -156,234

451 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND . . . . . -25,279

452 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM GENERAL REVENUE FUND . . . . . -7,040

453 SPECIAL CATEGORIES
PERFORMANCE ADJUSTMENTS
FROM GENERAL REVENUE FUND . . . . . -16,746

454 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND . . . . . -115,919

SECTION 4
SPECIFIC
APPROPRIATION
TOTAL: PROVIDE CRIME LAB SERVICES
FROM GENERAL REVENUE FUND . . . . . -886,236

TOTAL ALL FUNDS . . . . . -886,236

PROVIDE INVESTIGATIVE SERVICES

455 SALARIES AND BENEFITS
FROM GENERAL REVENUE FUND . . . . . -1,026,008

456 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND . . . . . -19,733

457 EXPENSES
FROM GENERAL REVENUE FUND . . . . . -193,302

458 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND . . . . . -2,256

459 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM GENERAL REVENUE FUND . . . . . -20,494

460 SPECIAL CATEGORIES
FLORIDA SEAPORT SECURITY IMPROVEMENTS
FROM GENERAL REVENUE FUND . . . . . -12,025

461 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND . . . . . -24,205

462 SPECIAL CATEGORIES
DOMESTIC SECURITY
FROM GENERAL REVENUE FUND . . . . . -44,724

463 SPECIAL CATEGORIES
GRANTS AND AIDS - SPECIAL PROJECTS
FROM GENERAL REVENUE FUND . . . . . -17,539

464 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND . . . . . -20,167

TOTAL: PROVIDE INVESTIGATIVE SERVICES
FROM GENERAL REVENUE FUND . . . . . -1,380,453

TOTAL ALL FUNDS . . . . . -1,380,453

MUTUAL AID AND PREVENTION SERVICES

465 SALARIES AND BENEFITS
FROM GENERAL REVENUE FUND . . . . . -31,737

466 EXPENSES
FROM GENERAL REVENUE FUND . . . . . -2,679

TOTAL: MUTUAL AID AND PREVENTION SERVICES
FROM GENERAL REVENUE FUND . . . . . -34,416

TOTAL ALL FUNDS . . . . . -34,416

PUBLIC ASSISTANCE FRAUD INVESTIGATIONS

467 SALARIES AND BENEFITS
FROM GENERAL REVENUE FUND . . . . . -54,022

468 EXPENSES
FROM GENERAL REVENUE FUND . . . . . -11,737

469 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND . . . . . -4,169

SECTION 4
SPECIFIC
APPROPRIATION

TOTAL: PUBLIC ASSISTANCE FRAUD INVESTIGATIONS
FROM GENERAL REVENUE FUND . . . . . -69,928

TOTAL ALL FUNDS . . . . . -69,928

PROGRAM: CRIMINAL JUSTICE INFORMATION PROGRAM

PROVIDE INFORMATION NETWORK SERVICES TO THE LAW ENFORCEMENT COMMUNITY

470 EXPENSES
FROM GENERAL REVENUE FUND . . . . . -713

PROVIDE PREVENTION AND CRIME INFORMATION SERVICES

471 EXPENSES
FROM GENERAL REVENUE FUND . . . . . -3,730

472 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND . . . . . -8,437

TOTAL: PROVIDE PREVENTION AND CRIME INFORMATION SERVICES
FROM GENERAL REVENUE FUND . . . . . -12,167

TOTAL ALL FUNDS . . . . . -12,167

PROGRAM: CRIMINAL JUSTICE PROFESSIONALISM

LAW ENFORCEMENT STANDARDS COMPLIANCE

473 SALARIES AND BENEFITS
FROM GENERAL REVENUE FUND . . . . . -801

LAW ENFORCEMENT TRAINING AND CERTIFICATION SERVICES

474 SALARIES AND BENEFITS
FROM GENERAL REVENUE FUND . . . . . -6,916

LEGAL AFFAIRS, DEPARTMENT OF, AND ATTORNEY GENERAL

PROGRAM: OFFICE OF ATTORNEY GENERAL

CIVIL ENFORCEMENT

475 SALARIES AND BENEFITS
FROM GENERAL REVENUE FUND . . . . . -1,268,441

476 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND . . . . . -5,750

477 EXPENSES
FROM GENERAL REVENUE FUND . . . . . -41,258

478 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND . . . . . -13,410

479 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM GENERAL REVENUE FUND . . . . . -11,674

480 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND . . . . . -1,081

481 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND . . . . . -2,363

TOTAL: CIVIL ENFORCEMENT
FROM GENERAL REVENUE FUND . . . . . -1,343,977

SECTION 4
SPECIFIC
APPROPRIATION

TOTAL ALL FUNDS . . . . . -1,343,977

CONSTITUTIONAL LEGAL SERVICES

482 EXPENSES
FROM GENERAL REVENUE FUND . . . . . -7,434

483 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND . . . . . -1,007

TOTAL: CONSTITUTIONAL LEGAL SERVICES
FROM GENERAL REVENUE FUND . . . . . -8,441

TOTAL ALL FUNDS . . . . . -8,441

CRIMINAL AND CIVIL LITIGATION DEFENSE

484 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND . . . . . -4,533

485 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND . . . . . -8,133

486 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND . . . . . -1,006

TOTAL: CRIMINAL AND CIVIL LITIGATION DEFENSE
FROM GENERAL REVENUE FUND . . . . . -13,672

TOTAL ALL FUNDS . . . . . -13,672

VICTIM SERVICES

487 SPECIAL CATEGORIES
VICTIM SERVICES
FROM GENERAL REVENUE FUND . . . . . -16,000

488 SPECIAL CATEGORIES
GRANTS AND AIDS - MINORITY COMMUNITIES
CRIME PREVENTION PROGRAMS
FROM GENERAL REVENUE FUND . . . . . -107,163

TOTAL: VICTIM SERVICES
FROM GENERAL REVENUE FUND . . . . . -123,163

TOTAL ALL FUNDS . . . . . -123,163

EXECUTIVE DIRECTION AND SUPPORT SERVICES

489 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND . . . . . -4,080

490 EXPENSES
FROM GENERAL REVENUE FUND . . . . . -23,143

491 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND . . . . . -3,926

492 SPECIAL CATEGORIES
ATTORNEY GENERAL'S LAW LIBRARY
FROM GENERAL REVENUE FUND . . . . . -12,269

493 SPECIAL CATEGORIES
COMMISSION ON THE STATUS OF WOMEN
FROM GENERAL REVENUE FUND . . . . . -4,593

494 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND . . . . . -2,261

SECTION 4
SPECIFIC
APPROPRIATION

495 DATA PROCESSING SERVICES
OTHER DATA PROCESSING SERVICES
FROM GENERAL REVENUE FUND . . . . . -5,879

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM GENERAL REVENUE FUND . . . . . -56,151

TOTAL ALL FUNDS . . . . . -56,151

PROGRAM: OFFICE OF STATEWIDE PROSECUTION

PROSECUTION OF MULTI-CIRCUIT ORGANIZED CRIME

496 SALARIES AND BENEFITS
FROM GENERAL REVENUE FUND . . . . . -212,191

497 SPECIAL CATEGORIES
STATEWIDE PROSECUTION
FROM GENERAL REVENUE FUND . . . . . -36,648

TOTAL: PROSECUTION OF MULTI-CIRCUIT ORGANIZED CRIME
FROM GENERAL REVENUE FUND . . . . . -248,839

TOTAL ALL FUNDS . . . . . -248,839

PAROLE COMMISSION

PROGRAM: POST-INCARCERATION ENFORCEMENT AND
VICTIMS RIGHTS

498 SALARIES AND BENEFITS
FROM GENERAL REVENUE FUND . . . . . -318,279

499 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND . . . . . -10,337

500 EXPENSES
FROM GENERAL REVENUE FUND . . . . . -49,654

501 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND . . . . . -3,197

502 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM GENERAL REVENUE FUND . . . . . -1,201

TOTAL: PROGRAM: POST-INCARCERATION ENFORCEMENT AND
VICTIMS RIGHTS
FROM GENERAL REVENUE FUND . . . . . -382,668

TOTAL ALL FUNDS . . . . . -382,668

TOTAL OF SECTION 4

FROM GENERAL REVENUE FUND . . . . . -48,868,480

FROM TRUST FUNDS 7,189,989

TOTAL ALL FUNDS . . . . . -41,678,491

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION

The monies contained herein are appropriated from the named funds to the Department of Agriculture and Consumer Services, Department of Community Affairs, Department of Environmental Protection, Fish and Wildlife Conservation Commission and the Department of Transportation as the amounts, or as reductions to amounts, to be used to pay the salaries, other operational expenditures and fixed capital outlay of the named agencies.

AGRICULTURE AND CONSUMER SERVICES, DEPARTMENT OF,
AND COMMISSIONER OF AGRICULTURE

SECTION 5
SPECIFIC
APPROPRIATION

PROGRAM: OFFICE OF THE COMMISSIONER AND
ADMINISTRATION

AGRICULTURAL LAW ENFORCEMENT

503 SALARIES AND BENEFITS
FROM GENERAL REVENUE FUND . . . . . -100,000
FROM CITRUS INSPECTION TRUST FUND . . . . -12,148
FROM GENERAL INSPECTION TRUST FUND . . . . -2,466

504 OPERATING CAPITAL OUTLAY
FROM GENERAL INSPECTION TRUST FUND . . . . -1,322

TOTAL: AGRICULTURAL LAW ENFORCEMENT
FROM GENERAL REVENUE FUND . . . . . -100,000
FROM TRUST FUNDS . . . . . -15,936

TOTAL ALL FUNDS . . . . . -115,936

AGRICULTURAL WATER POLICY COORDINATION

505 SPECIAL CATEGORIES
ANIMAL WASTE MANAGEMENT
FROM GENERAL INSPECTION TRUST FUND . . . . -8,000

EXECUTIVE DIRECTION AND SUPPORT SERVICES

506 SALARIES AND BENEFITS
FROM GENERAL REVENUE FUND . . . . . -254,400
FROM AGRICULTURAL EMERGENCY ERADICATION
TRUST FUND 254,400

507 EXPENSES
FROM GENERAL REVENUE FUND . . . . . -30,650
FROM AGRICULTURAL EMERGENCY ERADICATION
TRUST FUND 30,650

508 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND . . . . . -750
FROM AGRICULTURAL EMERGENCY ERADICATION
TRUST FUND 750

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM GENERAL REVENUE FUND . . . . . -285,800
FROM TRUST FUNDS 285,800

PROGRAM: FOREST AND RESOURCE PROTECTION

LAND MANAGEMENT

509 SALARIES AND BENEFITS
FROM GENERAL REVENUE FUND . . . . . -100,000
FROM INCIDENTAL TRUST FUND 100,000

510 OPERATING CAPITAL OUTLAY
FROM CONSERVATION AND RECREATION LANDS
PROGRAM TRUST FUND . . . . . -11,920

511 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM CONSERVATION AND RECREATION LANDS
PROGRAM TRUST FUND . . . . . -27,100

512 SPECIAL CATEGORIES
INTERIM LAND MANAGEMENT OF CONSERVATION
AND RECREATION LANDS PROGRAM
FROM CONSERVATION AND RECREATION LANDS
PROGRAM TRUST FUND . . . . . -54,163

SECTION 5
SPECIFIC
APPROPRIATION

TOTAL: LAND MANAGEMENT
FROM GENERAL REVENUE FUND . . . . . -100,000
FROM TRUST FUNDS 6,817

TOTAL ALL FUNDS . . . . . -93,183

WILDFIRE PREVENTION AND MANAGEMENT

513 OTHER PERSONAL SERVICES
FROM INCIDENTAL TRUST FUND . . . . . -4,800

514 SPECIAL CATEGORIES
FORESTRY WILDFIRE PROTECTION/SUPPRESSION EQUIPMENT
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND . . . . . -80,001

TOTAL: WILDFIRE PREVENTION AND MANAGEMENT
FROM TRUST FUNDS . . . . . -84,801

TOTAL ALL FUNDS . . . . . -84,801

PROGRAM: AGRICULTURE MANAGEMENT INFORMATION CENTER

INFORMATION TECHNOLOGY

515 EXPENSES
FROM GENERAL INSPECTION TRUST FUND . . . . -64,404

516 OPERATING CAPITAL OUTLAY
FROM GENERAL INSPECTION TRUST FUND . . . . -1,308

TOTAL: INFORMATION TECHNOLOGY
FROM TRUST FUNDS . . . . . -65,712

TOTAL ALL FUNDS . . . . . -65,712

PROGRAM: FOOD SAFETY AND QUALITY

FOOD SAFETY INSPECTION AND ENFORCEMENT

517 SALARIES AND BENEFITS
FROM GENERAL INSPECTION TRUST FUND . . . . -200,000

518 EXPENSES
FROM GENERAL INSPECTION TRUST FUND . . . . -56,230

519 OPERATING CAPITAL OUTLAY
FROM GENERAL INSPECTION TRUST FUND . . . . -2,433

TOTAL: FOOD SAFETY INSPECTION AND ENFORCEMENT
FROM TRUST FUNDS . . . . . -258,663

TOTAL ALL FUNDS . . . . . -258,663

PROGRAM: CONSUMER PROTECTION

CONSUMER PROTECTION

520 EXPENSES
FROM GENERAL INSPECTION TRUST FUND . . . . -44,207

521 OPERATING CAPITAL OUTLAY
FROM GENERAL INSPECTION TRUST FUND . . . . -4,208

TOTAL: CONSUMER PROTECTION
FROM TRUST FUNDS . . . . . -48,415

SECTION 5
SPECIFIC
APPROPRIATION

TOTAL ALL FUNDS . . . . . -48,415

STANDARDS AND PETROLEUM QUALITY INSPECTION

522 EXPENSES
FROM GENERAL INSPECTION TRUST FUND . . . . -20,000

PROGRAM: AGRICULTURAL ECONOMIC DEVELOPMENT

AGRICULTURAL PRODUCTS MARKETING

523 SALARIES AND BENEFITS
FROM FLORIDA AGRICULTURAL PROMOTION CAMPAIGN TRUST FUND . . . . . -1,674

524 OTHER PERSONAL SERVICES
FROM CITRUS INSPECTION TRUST FUND . . . . -8,907
FROM MARKET IMPROVEMENTS WORKING CAPITAL TRUST FUND . . . . . -1,100

525 EXPENSES
FROM CITRUS INSPECTION TRUST FUND . . . . -12,953
FROM GENERAL INSPECTION TRUST FUND . . . . -39,211
FROM MARKET TRADE SHOW TRUST FUND . . . . -7,234
FROM FLORIDA AGRICULTURAL PROMOTION CAMPAIGN TRUST FUND . . . . . -9,068

526 SPECIAL CATEGORIES
GRANTS AND AIDS - VITICULTURE PROGRAM
FROM VITICULTURE TRUST FUND . . . . . -16,000

527 SPECIAL CATEGORIES
GRANTS AND AIDS - PROMOTIONAL AWARDS
FROM GENERAL INSPECTION TRUST FUND . . . . -12,000

TOTAL: AGRICULTURAL PRODUCTS MARKETING
FROM TRUST FUNDS . . . . . -108,147

TOTAL ALL FUNDS . . . . . -108,147

AQUACULTURE

528 EXPENSES
FROM GENERAL INSPECTION TRUST FUND . . . . -11,439

529 OPERATING CAPITAL OUTLAY
FROM GENERAL INSPECTION TRUST FUND . . . . -2,016

TOTAL: AQUACULTURE
FROM TRUST FUNDS . . . . . -13,455

TOTAL ALL FUNDS . . . . . -13,455

AGRICULTURAL INTERDICTION STATIONS

530 SALARIES AND BENEFITS
FROM GENERAL REVENUE FUND . . . . . -100,000
FROM GENERAL INSPECTION TRUST FUND . . . . -4,938

TOTAL: AGRICULTURAL INTERDICTION STATIONS
FROM GENERAL REVENUE FUND . . . . . -100,000
FROM TRUST FUNDS . . . . . -4,938

TOTAL ALL FUNDS . . . . . -104,938

COMMUNITY AFFAIRS, DEPARTMENT OF
PROGRAM: OFFICE OF THE SECRETARY
EXECUTIVE DIRECTION AND SUPPORT SERVICES

SECTION 5
SPECIFIC
APPROPRIATION
APPROVED SALARY RATE -127,608

531	SALARIES AND BENEFITS POSITIONS	-3.00	
	FROM GENERAL REVENUE FUND	-55,143	
	FROM ADMINISTRATIVE TRUST FUND		-211,172
	FROM GRANTS AND DONATIONS TRUST FUND . . .		-3,618
532	OTHER PERSONAL SERVICES		
	FROM ADMINISTRATIVE TRUST FUND		-22,362
533	EXPENSES		
	FROM GENERAL REVENUE FUND	-3,399	
	FROM ADMINISTRATIVE TRUST FUND		-44,634
534	OPERATING CAPITAL OUTLAY		
	FROM ADMINISTRATIVE TRUST FUND		-3,744
535	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM ADMINISTRATIVE TRUST FUND		-1,432
TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES			
	FROM GENERAL REVENUE FUND	-58,542	
	FROM TRUST FUNDS		-286,962
	TOTAL POSITIONS	-3.00	
	TOTAL ALL FUNDS		-345,504

PROGRAM: COMMUNITY PLANNING

COMMUNITY PLANNING

536	SALARIES AND BENEFITS		
	FROM GRANTS AND DONATIONS TRUST FUND . . .		-13,065
537	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	-5,936	
538	EXPENSES		
	FROM GENERAL REVENUE FUND	-17,744	
539	SPECIAL CATEGORIES		
	CENTURY COMMISSION		
	FROM GENERAL REVENUE FUND	-18,000	
540	SPECIAL CATEGORIES		
	GRANTS AND AIDS - REGIONAL PLANNING COUNCILS		
	FROM GENERAL REVENUE FUND	-148,007	
541	SPECIAL CATEGORIES		
	GRANTS AND AIDS - TECHNICAL AND PLANNING ASSISTANCE		
	FROM ENERGY CONSUMPTION TRUST FUND		-34,202
	FROM STATE HOUSING TRUST FUND		-66,000
	FROM GRANTS AND DONATIONS TRUST FUND . . .		-124,006
	FROM OPERATING TRUST FUND		-17,801
TOTAL: COMMUNITY PLANNING			
	FROM GENERAL REVENUE FUND	-189,687	
	FROM TRUST FUNDS		-255,074
	TOTAL ALL FUNDS		-444,761

PROGRAM: EMERGENCY MANAGEMENT

PRE-DISASTER MITIGATION

542	SALARIES AND BENEFITS		
	FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND		-2,503

SECTION 5
SPECIFIC
APPROPRIATION
EMERGENCY PLANNING

543	SALARIES AND BENEFITS		
	FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND		-23,163
	FROM GRANTS AND DONATIONS TRUST FUND . . .		-7,072
	FROM OPERATING TRUST FUND		-4,749
544	OTHER PERSONAL SERVICES		
	FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND		-7,614
	FROM GRANTS AND DONATIONS TRUST FUND . . .		-2,600
545	EXPENSES		
	FROM GENERAL REVENUE FUND	-3,839	
	FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND		-8,831
	FROM GRANTS AND DONATIONS TRUST FUND . . .		-6,694
546	OPERATING CAPITAL OUTLAY		
	FROM GRANTS AND DONATIONS TRUST FUND . . .		-1,400
547	SPECIAL CATEGORIES		
	GRANTS AND AIDS - PAYMENT FLORIDA WING/ CIVIL AIR PATROL		
	FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND		-2,200
548	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND		-18,689
549	SPECIAL CATEGORIES		
	GRANTS AND AIDS - STATE, LOCAL AND PRIVATE PROJECTS		
	FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND		-52,837
550	SPECIAL CATEGORIES		
	GRANTS AND AIDS - STATE AND FEDERAL DISASTER RELIEF OPERATIONS - ADMINISTRATIVE		
	FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND		-23,595
551	SPECIAL CATEGORIES		
	STATEWIDE HURRICANE PREPAREDNESS AND PLANNING		
	FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND		-161,538
TOTAL: EMERGENCY PLANNING			
	FROM GENERAL REVENUE FUND	-3,839	
	FROM TRUST FUNDS		-320,982
	TOTAL ALL FUNDS		-324,821

EMERGENCY RECOVERY

552	SALARIES AND BENEFITS		
	FROM GENERAL REVENUE FUND	-3,831	
	FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND		-14,672
	FROM GRANTS AND DONATIONS TRUST FUND . . .		-10,556
553	EXPENSES		
	FROM GRANTS AND DONATIONS TRUST FUND . . .		-5,447
554	LUMP SUM		
	STATE MATCH FOR FEDERAL FEMA FUNDING		
	FROM GENERAL REVENUE FUND	-20,000,000	

SECTION 5
SPECIFIC
APPROPRIATION

555 SPECIAL CATEGORIES
GRANTS AND AIDS - HURRICANE LOSS MITIGATION
FROM GRANTS AND DONATIONS TRUST FUND . . . -200,000

556 SPECIAL CATEGORIES
NON-FEDERAL REIMBURSEABLE DISASTER ACTIVITIES
FROM GRANTS AND DONATIONS TRUST FUND . . . -21,434

TOTAL: EMERGENCY RECOVERY
FROM GENERAL REVENUE FUND . . . . . -20,003,831
FROM TRUST FUNDS . . . . . -252,109

TOTAL ALL FUNDS . . . . . -20,255,940

EMERGENCY RESPONSE

557 SALARIES AND BENEFITS
FROM GENERAL REVENUE FUND . . . . . -16,468
FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND . . . . . -4,897
FROM GRANTS AND DONATIONS TRUST FUND . . . -3,573
FROM OPERATING TRUST FUND . . . . . -3,204

558 EXPENSES
FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND . . . . . -3,271
FROM GRANTS AND DONATIONS TRUST FUND . . . -1,929

559 OPERATING CAPITAL OUTLAY
FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND . . . . . -35,875

TOTAL: EMERGENCY RESPONSE
FROM GENERAL REVENUE FUND . . . . . -16,468
FROM TRUST FUNDS . . . . . -52,749

TOTAL ALL FUNDS . . . . . -69,217

HAZARDOUS MATERIALS COMPLIANCE PLANNING

560 SALARIES AND BENEFITS
FROM GENERAL REVENUE FUND . . . . . -1,887
FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND . . . . . -2,668
FROM OPERATING TRUST FUND . . . . . -37,571

561 OTHER PERSONAL SERVICES
FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND . . . . . -1,190

562 EXPENSES
FROM OPERATING TRUST FUND . . . . . -11,132

563 SPECIAL CATEGORIES
FLORIDA HAZARDOUS MATERIALS PLANNING PROGRAM
FROM OPERATING TRUST FUND . . . . . -53,403

TOTAL: HAZARDOUS MATERIALS COMPLIANCE PLANNING
FROM GENERAL REVENUE FUND . . . . . -1,887
FROM TRUST FUNDS . . . . . -105,964

TOTAL ALL FUNDS . . . . . -107,851

PROGRAM: HOUSING AND COMMUNITY DEVELOPMENT

AFFORDABLE HOUSING AND NEIGHBORHOOD REDEVELOPMENT

564 SALARIES AND BENEFITS
FROM GENERAL REVENUE FUND . . . . . -25,289

SECTION 5
SPECIFIC
APPROPRIATION

565 EXPENSES
FROM GENERAL REVENUE FUND . . . . . -3,143
FROM OPERATING TRUST FUND . . . . . -1,138

566 SPECIAL CATEGORIES
FRONT PORCH FLORIDA
FROM GENERAL REVENUE FUND . . . . . -79,901

TOTAL: AFFORDABLE HOUSING AND NEIGHBORHOOD REDEVELOPMENT
FROM GENERAL REVENUE FUND . . . . . -108,333
FROM TRUST FUNDS . . . . . -1,138

TOTAL ALL FUNDS . . . . . -109,471

BUILDING CODE COMPLIANCE AND HAZARD MITIGATION

567 OTHER PERSONAL SERVICES
FROM GRANTS AND DONATIONS TRUST FUND . . . -7,600

568 EXPENSES
FROM OPERATING TRUST FUND . . . . . -13,990

569 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF HEALTH
FROM OPERATING TRUST FUND . . . . . -11,777

570 SPECIAL CATEGORIES
FLORIDA BUILDING CODE COMPLIANCE AND MITIGATION PROGRAM
FROM OPERATING TRUST FUND . . . . . -40,002

TOTAL: BUILDING CODE COMPLIANCE AND HAZARD MITIGATION
FROM TRUST FUNDS . . . . . -73,369

TOTAL ALL FUNDS . . . . . -73,369

LAND ACQUISITION AND ADMINISTRATION

APPROVED SALARY RATE -25,479

571 SALARIES AND BENEFITS POSITIONS -1.00
FROM FLORIDA COMMUNITIES TRUST FUND . . . -40,881

572 OTHER PERSONAL SERVICES
FROM FLORIDA COMMUNITIES TRUST FUND . . . -2,000

573 EXPENSES
FROM FLORIDA COMMUNITIES TRUST FUND . . . -9,042

TOTAL: LAND ACQUISITION AND ADMINISTRATION
FROM TRUST FUNDS . . . . . -51,923

TOTAL POSITIONS . . . . . -1.00
TOTAL ALL FUNDS . . . . . -51,923

ENVIRONMENTAL PROTECTION, DEPARTMENT OF

PROGRAM: ADMINISTRATIVE SERVICES

EXECUTIVE DIRECTION AND SUPPORT SERVICES

574 EXPENSES
FROM GENERAL REVENUE FUND . . . . . -3,000
FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND . . . . . -1,152

575 OPERATING CAPITAL OUTLAY
FROM ADMINISTRATIVE TRUST FUND . . . . . -672

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM GENERAL REVENUE FUND . . . . . -3,000
FROM TRUST FUNDS . . . . . -1,824

SECTION 5
SPECIFIC
APPROPRIATION
TOTAL ALL FUNDS . . . . . -4,824

PROGRAM: STATE LANDS

LAND ADMINISTRATION

576 OTHER PERSONAL SERVICES
FROM INTERNAL IMPROVEMENT TRUST FUND . . . -20,227

577 EXPENSES
FROM CONSERVATION AND RECREATION LANDS
TRUST FUND . . . . . -8,748

578 OPERATING CAPITAL OUTLAY
FROM CONSERVATION AND RECREATION LANDS
TRUST FUND . . . . . -780
FROM INTERNAL IMPROVEMENT TRUST FUND . . . -1,702

TOTAL: LAND ADMINISTRATION
FROM TRUST FUNDS . . . . . -31,457

TOTAL ALL FUNDS . . . . . -31,457

LAND MANAGEMENT

579 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM INTERNAL IMPROVEMENT TRUST FUND . . . -18,770

580 SPECIAL CATEGORIES
TOPOGRAPHIC MAPPING
FROM INTERNAL IMPROVEMENT TRUST FUND . . . -8,000

TOTAL: LAND MANAGEMENT
FROM TRUST FUNDS . . . . . -26,770

TOTAL ALL FUNDS . . . . . -26,770

PROGRAM: DISTRICT OFFICES

WATER RESOURCE PROTECTION AND RESTORATION

581 OTHER PERSONAL SERVICES
FROM ECOSYSTEM MANAGEMENT AND
RESTORATION TRUST FUND . . . . . -11,772

WASTE CONTROL

582 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM INLAND PROTECTION TRUST FUND . . . . -100,000

PROGRAM: RESOURCE ASSESSMENT AND MANAGEMENT

FLORIDA GEOLOGICAL SURVEY

583 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM WATER QUALITY ASSURANCE TRUST FUND . -7,974

LABORATORY SERVICES

584 OTHER PERSONAL SERVICES
FROM ENVIRONMENTAL LABORATORY TRUST FUND . -28,568

PROGRAM: WATER RESOURCE MANAGEMENT

WATER RESOURCE PROTECTION AND RESTORATION

585 OTHER PERSONAL SERVICES
FROM LAND ACQUISITION TRUST FUND . . . . . -98,172

SECTION 5
SPECIFIC
APPROPRIATION
586 EXPENSES
FROM LAND ACQUISITION TRUST FUND . . . . . -3,910

587 OPERATING CAPITAL OUTLAY
FROM NON-MANDATORY LAND RECLAMATION
TRUST FUND . . . . . -1,605

TOTAL: WATER RESOURCE PROTECTION AND RESTORATION
FROM TRUST FUNDS . . . . . -103,687

TOTAL ALL FUNDS . . . . . -103,687

PROGRAM: WASTE MANAGEMENT

WASTE CLEANUP

588 SPECIAL CATEGORIES
UNDERGROUND STORAGE TANK CLEANUP
FROM INLAND PROTECTION TRUST FUND . . . . -1,500,000

WASTE CONTROL

589 SPECIAL CATEGORIES
STORAGE TANK COMPLIANCE VERIFICATION
FROM INLAND PROTECTION TRUST FUND . . . . -1,247,298

PROGRAM: RECREATION AND PARKS

STATE PARK OPERATIONS

590 OPERATING CAPITAL OUTLAY
FROM STATE PARK TRUST FUND . . . . . -12,720

591 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM CONSERVATION AND RECREATION LANDS
TRUST FUND . . . . . -150,000

TOTAL: STATE PARK OPERATIONS
FROM TRUST FUNDS . . . . . -162,720

TOTAL ALL FUNDS . . . . . -162,720

COASTAL AND AQUATIC MANAGED AREAS

592 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND . . . . . -3,040

593 EXPENSES
FROM CONSERVATION AND RECREATION LANDS
TRUST FUND . . . . . -7,394

594 OPERATING CAPITAL OUTLAY
FROM LAND ACQUISITION TRUST FUND . . . . . -5,870

595 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM CONSERVATION AND RECREATION LANDS
TRUST FUND . . . . . -50,000

TOTAL: COASTAL AND AQUATIC MANAGED AREAS
FROM GENERAL REVENUE FUND . . . . . -3,040
FROM TRUST FUNDS . . . . . -63,264

TOTAL ALL FUNDS . . . . . -66,304

PROGRAM: AIR RESOURCES MANAGEMENT

UTILITIES SITING AND COORDINATION

596 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND . . . . . -20,000

SECTION 5
SPECIFIC
APPROPRIATION

PROGRAM: LAW ENFORCEMENT

ENVIRONMENTAL INVESTIGATION

597 SALARIES AND BENEFITS		
FROM GENERAL REVENUE FUND	-400,000	
FROM SOLID WASTE MANAGEMENT TRUST FUND . .		400,000
TOTAL: ENVIRONMENTAL INVESTIGATION		
FROM GENERAL REVENUE FUND	-400,000	
FROM TRUST FUNDS		400,000

FISH AND WILDLIFE CONSERVATION COMMISSION

PROGRAM: EXECUTIVE DIRECTION AND ADMINISTRATIVE SERVICES

OFFICE OF EXECUTIVE DIRECTION AND ADMINISTRATIVE SUPPORT SERVICES

598 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	-4,500	
599 EXPENSES		
FROM GENERAL REVENUE FUND	-13,427	
FROM ADMINISTRATIVE TRUST FUND		-39,538
FROM MARINE RESOURCES CONSERVATION TRUST FUND		-23,721
FROM NON-GAME WILDLIFE TRUST FUND		-5,462
FROM STATE GAME TRUST FUND		-38,800
600 SPECIAL CATEGORIES		
ENHANCED WILDLIFE MANAGEMENT		
FROM ADMINISTRATIVE TRUST FUND		-40,710
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND		-22,355
601 SPECIAL CATEGORIES		
NON-CARL WILDLIFE MANAGEMENT		
FROM ADMINISTRATIVE TRUST FUND		-50,000
602 DATA PROCESSING SERVICES		
STATE TECHNOLOGY OFFICE		
FROM ADMINISTRATIVE TRUST FUND		-43,898
TOTAL: OFFICE OF EXECUTIVE DIRECTION AND ADMINISTRATIVE SUPPORT SERVICES		
FROM GENERAL REVENUE FUND	-17,927	
FROM TRUST FUNDS		-264,484
TOTAL ALL FUNDS		-282,411

PROGRAM: LAW ENFORCEMENT

FISH, WILDLIFE AND BOATING LAW ENFORCEMENT

603 OPERATING CAPITAL OUTLAY		
FROM MARINE RESOURCES CONSERVATION TRUST FUND		-8,231
604 SPECIAL CATEGORIES		
ACQUISITION AND REPLACEMENT OF PATROL VEHICLES		
FROM MARINE RESOURCES CONSERVATION TRUST FUND		-87,242
605 SPECIAL CATEGORIES		
ACQUISITION AND REPLACEMENT OF BOATS, MOTORS, AND TRAILERS		
FROM MARINE RESOURCES CONSERVATION TRUST FUND		-100,000

SECTION 5
SPECIFIC
APPROPRIATION

606 SPECIAL CATEGORIES		
800 MHZ RADIO LAW ENFORCEMENT SYSTEM EQUIPMENT AND MAINTENANCE		
FROM MARINE RESOURCES CONSERVATION TRUST FUND		-100,000
607 SPECIAL CATEGORIES		
OVERTIME		
FROM GENERAL REVENUE FUND	-40,600	
608 SPECIAL CATEGORIES		
SALARY INCENTIVE PAYMENTS		
FROM GENERAL REVENUE FUND	-56,123	
TOTAL: FISH, WILDLIFE AND BOATING LAW ENFORCEMENT		
FROM GENERAL REVENUE FUND	-96,723	
FROM TRUST FUNDS		-295,473
TOTAL ALL FUNDS		-392,196

PROGRAM: WILDLIFE

HUNTING AND GAME MANAGEMENT

609 EXPENSES		
FROM GENERAL REVENUE FUND	-2,000	
610 OPERATING CAPITAL OUTLAY		
FROM STATE GAME TRUST FUND		-15,000
611 SPECIAL CATEGORIES		
NON-CARL WILDLIFE MANAGEMENT		
FROM STATE GAME TRUST FUND		-48,373
TOTAL: HUNTING AND GAME MANAGEMENT		
FROM GENERAL REVENUE FUND	-2,000	
FROM TRUST FUNDS		-63,373
TOTAL ALL FUNDS		-65,373

PROGRAM: HABITAT AND SPECIES CONSERVATION

HABITAT AND SPECIES CONSERVATION

612 OTHER PERSONAL SERVICES		
FROM MARINE RESOURCES CONSERVATION TRUST FUND		-4,840
FROM NON-GAME WILDLIFE TRUST FUND		-8,288
FROM STATE GAME TRUST FUND		-14,915
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND		-3,312
613 EXPENSES		
FROM MARINE RESOURCES CONSERVATION TRUST FUND		-4,100
FROM NON-GAME WILDLIFE TRUST FUND		-23,608
FROM STATE GAME TRUST FUND		-46,140
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND		-49,824
614 OPERATING CAPITAL OUTLAY		
FROM NON-GAME WILDLIFE TRUST FUND		-1,218
FROM STATE GAME TRUST FUND		-9,930
615 SPECIAL CATEGORIES		
ACQUISITION AND REPLACEMENT OF BOATS, MOTORS, AND TRAILERS		
FROM STATE GAME TRUST FUND		-1,554
616 SPECIAL CATEGORIES		
ENHANCED WILDLIFE MANAGEMENT		
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND		-229,843

SECTION 5
SPECIFIC
APPROPRIATION

617 SPECIAL CATEGORIES
NON-CARL WILDLIFE MANAGEMENT
FROM STATE GAME TRUST FUND . . . . . -260,950

618 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM NON-GAME WILDLIFE TRUST FUND . . . . -1,685
FROM CONSERVATION AND RECREATION LANDS
PROGRAM TRUST FUND . . . . . -2,859

619 SPECIAL CATEGORIES
INTERIM LAND MANAGEMENT OF CONSERVATION
AND RECREATION LANDS PROGRAM
FROM CONSERVATION AND RECREATION LANDS
PROGRAM TRUST FUND . . . . . -95,006

TOTAL: HABITAT AND SPECIES CONSERVATION
FROM TRUST FUNDS . . . . . -758,072

TOTAL ALL FUNDS . . . . . -758,072

PROGRAM: FRESHWATER FISHERIES

FRESHWATER FISHERIES MANAGEMENT

620 OTHER PERSONAL SERVICES
FROM STATE GAME TRUST FUND . . . . . -1,085

621 EXPENSES
FROM STATE GAME TRUST FUND . . . . . -61,671

622 OPERATING CAPITAL OUTLAY
FROM STATE GAME TRUST FUND . . . . . -20,000

623 SPECIAL CATEGORIES
ENHANCED WILDLIFE MANAGEMENT
FROM CONSERVATION AND RECREATION LANDS
PROGRAM TRUST FUND . . . . . -7,816

624 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM STATE GAME TRUST FUND . . . . . -1,669

TOTAL: FRESHWATER FISHERIES MANAGEMENT
FROM TRUST FUNDS . . . . . -92,241

TOTAL ALL FUNDS . . . . . -92,241

PROGRAM: MARINE FISHERIES

MARINE FISHERIES MANAGEMENT

625 SALARIES AND BENEFITS
FROM GENERAL REVENUE FUND . . . . . -3,406

626 OTHER PERSONAL SERVICES
FROM MARINE RESOURCES CONSERVATION TRUST
FUND . . . . . -16,689

627 EXPENSES
FROM MARINE RESOURCES CONSERVATION TRUST
FUND . . . . . -19,655

628 SPECIAL CATEGORIES
AQUATIC RESOURCES EDUCATION
FROM MARINE RESOURCES CONSERVATION TRUST
FUND . . . . . -13,664

629 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM MARINE RESOURCES CONSERVATION TRUST
FUND . . . . . -43,360

SECTION 5
SPECIFIC
APPROPRIATION

TOTAL: MARINE FISHERIES MANAGEMENT
FROM GENERAL REVENUE FUND . . . . . -3,406
FROM TRUST FUNDS . . . . . -93,368

TOTAL ALL FUNDS . . . . . -96,774

PROGRAM: RESEARCH

FISH AND WILDLIFE RESEARCH INSTITUTE

630 OTHER PERSONAL SERVICES
FROM NON-GAME WILDLIFE TRUST FUND . . . . -40,246

631 EXPENSES
FROM CONSERVATION AND RECREATION LANDS
PROGRAM TRUST FUND . . . . . -3,578

632 OPERATING CAPITAL OUTLAY
FROM MARINE RESOURCES CONSERVATION TRUST
FUND . . . . . -153,670
FROM STATE GAME TRUST FUND . . . . . -20,000

633 SPECIAL CATEGORIES
ACQUISITION AND REPLACEMENT OF BOATS,
MOTORS, AND TRAILERS
FROM MARINE RESOURCES CONSERVATION TRUST
FUND . . . . . -50,000
FROM STATE GAME TRUST FUND . . . . . -7,912

634 SPECIAL CATEGORIES
MANATEE RESEARCH - MANATEE AVOIDANCE
TECHNOLOGY
FROM MARINE RESOURCES CONSERVATION TRUST
FUND . . . . . -116,000

635 SPECIAL CATEGORIES
REEF GROUNDING SETTLEMENT
FROM MARINE RESOURCES CONSERVATION TRUST
FUND . . . . . -41,000

TOTAL: FISH AND WILDLIFE RESEARCH INSTITUTE
FROM TRUST FUNDS . . . . . -432,406

TOTAL ALL FUNDS . . . . . -432,406

TRANSPORTATION, DEPARTMENT OF

TRANSPORTATION SYSTEMS DEVELOPMENT

PROGRAM: TRANSPORTATION SYSTEMS DEVELOPMENT

APPROVED SALARY RATE -270,684

636 SALARIES AND BENEFITS POSITIONS -8.00
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND . . . . . -3,615,242

637 OTHER PERSONAL SERVICES
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND . . . . . -280,000

638 EXPENSES
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND . . . . . -700,000

639 OPERATING CAPITAL OUTLAY
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND . . . . . -500,000

640 SPECIAL CATEGORIES
CONSULTANT FEES
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND . . . . . -111,053

SECTION 5
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APPROPRIATION

641 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND . . . . . -6,525

642 SPECIAL CATEGORIES
HUMAN RESOURCES DEVELOPMENT
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND . . . . . -100,000

643 SPECIAL CATEGORIES
OVERTIME
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND . . . . . -100,000

TOTAL: PROGRAM: TRANSPORTATION SYSTEMS DEVELOPMENT
FROM TRUST FUNDS . . . . . -5,412,820

TOTAL POSITIONS . . . . . -8.00
TOTAL ALL FUNDS . . . . . -5,412,820

TRANSPORTATION SYSTEMS OPERATIONS

PROGRAM: HIGHWAY OPERATIONS

APPROVED SALARY RATE -296,653

644 SALARIES AND BENEFITS POSITIONS -10.00
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND . . . . . -1,865,651

645 OTHER PERSONAL SERVICES
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND . . . . . -200,000

646 EXPENSES
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND . . . . . -500,000

647 OPERATING CAPITAL OUTLAY
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND . . . . . -77,141

648 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND . . . . . -400,000

649 SPECIAL CATEGORIES
CONSULTANT FEES
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND . . . . . -60,000

650 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND . . . . . -2,797

651 SPECIAL CATEGORIES
HUMAN RESOURCES DEVELOPMENT
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND . . . . . -100,000

652 SPECIAL CATEGORIES
OVERTIME
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND . . . . . -117,943

TOTAL: PROGRAM: HIGHWAY OPERATIONS
FROM TRUST FUNDS . . . . . -3,323,532

TOTAL POSITIONS . . . . . -10.00
TOTAL ALL FUNDS . . . . . -3,323,532

SECTION 5
SPECIFIC
APPROPRIATION
EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE -132,699

653 SALARIES AND BENEFITS POSITIONS -5.00
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND . . . . . -495,648

654 OTHER PERSONAL SERVICES
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND . . . . . -300,000

655 EXPENSES
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND . . . . . -50,000

656 OPERATING CAPITAL OUTLAY
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND . . . . . -12,960

657 SPECIAL CATEGORIES
CONSULTANT FEES
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND . . . . . -192,964

658 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND . . . . . -64,036

659 SPECIAL CATEGORIES
HUMAN RESOURCES DEVELOPMENT
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND . . . . . -25,000

660 SPECIAL CATEGORIES
OVERTIME
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND . . . . . -10,000

661 SPECIAL CATEGORIES
DEFERRED-PAYMENT COMMODITY CONTRACTS
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND . . . . . -14,900

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM TRUST FUNDS . . . . . -1,165,508

TOTAL POSITIONS . . . . . -5.00
TOTAL ALL FUNDS . . . . . -1,165,508

INFORMATION TECHNOLOGY

662 OTHER PERSONAL SERVICES
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND . . . . . -4,000

663 OPERATING CAPITAL OUTLAY
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND . . . . . -201,192

664 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND . . . . . -20,096

665 SPECIAL CATEGORIES
HUMAN RESOURCES DEVELOPMENT
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND . . . . . -5,000

666 SPECIAL CATEGORIES
OVERTIME

SECTION 5
SPECIFIC
APPROPRIATION
FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND . . . . . -3,059

667 SPECIAL CATEGORIES
DEFERRED-PAYMENT COMMODITY CONTRACTS
FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND . . . . . -23,000

TOTAL: INFORMATION TECHNOLOGY
FROM TRUST FUNDS . . . . . -256,347

TOTAL ALL FUNDS . . . . . -256,347

FLORIDA'S TURNPIKE SYSTEMS

FLORIDA'S TURNPIKE ENTERPRISE

APPROVED SALARY RATE -46,291

668 SALARIES AND BENEFITS POSITIONS -2.00
FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND . . . . . -69,358

TOTAL OF SECTION 5 POSITIONS -29.00

FROM GENERAL REVENUE FUND . . . . . -21,514,483

FROM TRUST FUNDS . . . . . -16,850,539

TOTAL ALL FUNDS . . . . . -38,365,022

SECTION 6 - GENERAL GOVERNMENT

The monies contained herein are appropriated from the named funds to Administered Funds, Agency for Workforce Innovation, Department of Business and Professional Regulation, Department of Citrus, Department of Financial Services, Executive Office of the Governor, Department of Highway Safety and Motor Vehicles, Legislative Branch, Department of the Lottery, Department of Management Services, Department of Military Affairs, Public Service Commission, Department of Revenue and the Department of State as the amounts, or as reductions to amounts, to be used to pay the salaries, other operational expenditures and fixed capital outlay of the named agencies.

AGENCY FOR WORKFORCE INNOVATION

EXECUTIVE DIRECTION AND SUPPORT SERVICES

EXECUTIVE LEADERSHIP

669 SALARIES AND BENEFITS
FROM GENERAL REVENUE FUND . . . . . -9,658

670 EXPENSES
FROM GENERAL REVENUE FUND . . . . . -182

TOTAL: EXECUTIVE LEADERSHIP
FROM GENERAL REVENUE FUND . . . . . -9,840

TOTAL ALL FUNDS . . . . . -9,840

AGENCY SUPPORT SERVICES

671 SALARIES AND BENEFITS
FROM GENERAL REVENUE FUND . . . . . -13,698

672 EXPENSES
FROM GENERAL REVENUE FUND . . . . . -16,942

673 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED SERVICES
FROM GENERAL REVENUE FUND . . . . . -9,308

SECTION 6
SPECIFIC
APPROPRIATION
TOTAL: AGENCY SUPPORT SERVICES
FROM GENERAL REVENUE FUND . . . . . -39,948

TOTAL ALL FUNDS . . . . . -39,948

PROGRAM: WORKFORCE SERVICES

PROGRAM SUPPORT

674 SALARIES AND BENEFITS
FROM GENERAL REVENUE FUND . . . . . -3,941

675 EXPENSES
FROM GENERAL REVENUE FUND . . . . . -7,621

676 OPERATING CAPITAL OUTLAY
FROM SPECIAL EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND . . . . . -17,036

TOTAL: PROGRAM SUPPORT
FROM GENERAL REVENUE FUND . . . . . -11,562
FROM TRUST FUNDS . . . . . -17,036

TOTAL ALL FUNDS . . . . . -28,598

EARLY LEARNING

EARLY LEARNING SERVICES

677 SALARIES AND BENEFITS
FROM GENERAL REVENUE FUND . . . . . -105,835

678 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND . . . . . -1,300

679 EXPENSES
FROM GENERAL REVENUE FUND . . . . . -21,439

680 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND . . . . . -1,377

681 SPECIAL CATEGORIES
GRANTS AND AIDS - SCHOOL READINESS SERVICES
FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND . . . . . -700,000

682 SPECIAL CATEGORIES
GRANTS AND AIDS - DATA SYSTEMS FOR SCHOOL READINESS
FROM GENERAL REVENUE FUND . . . . . -11,479

683 SPECIAL CATEGORIES
GRANTS AND AIDS - VOLUNTARY PREKINDERGARTEN PROGRAM
FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND . . . . . -6,696,596

684 QUALIFIED EXPENDITURE CATEGORY
EARLY LEARNING INFO SYSTEM DEVELOPMENT (ELIS)
FROM GENERAL REVENUE FUND . . . . . -73,468

TOTAL: EARLY LEARNING SERVICES
FROM GENERAL REVENUE FUND . . . . . -214,898
FROM TRUST FUNDS . . . . . -7,396,596

TOTAL ALL FUNDS . . . . . -7,611,494

BUSINESS AND PROFESSIONAL REGULATION, DEPARTMENT OF

SECTION 6
SPECIFIC
APPROPRIATION
PROGRAM: OFFICE OF THE SECRETARY AND ADMINISTRATION

EXECUTIVE DIRECTION AND SUPPORT SERVICES

685 OTHER PERSONAL SERVICES
FROM ADMINISTRATIVE TRUST FUND . . . . . -31,917

686 EXPENSES
FROM ADMINISTRATIVE TRUST FUND . . . . . -20,000

687 SPECIAL CATEGORIES
CONTRACTED LEGAL SERVICES
FROM ADMINISTRATIVE TRUST FUND . . . . . -24,000

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM TRUST FUNDS . . . . . -75,917

TOTAL ALL FUNDS . . . . . -75,917

INFORMATION TECHNOLOGY

688 DATA PROCESSING SERVICES
TECHNOLOGY RESOURCE CENTER - DEPARTMENT OF MANAGEMENT SERVICES
FROM ADMINISTRATIVE TRUST FUND . . . . . -4,000

PROGRAM: SERVICE OPERATION

CUSTOMER CONTACT CENTER

689 SALARIES AND BENEFITS
FROM ADMINISTRATIVE TRUST FUND . . . . . -100,000

CENTRAL INTAKE

690 SALARIES AND BENEFITS
FROM ADMINISTRATIVE TRUST FUND . . . . . -120,000

691 EXPENSES
FROM ADMINISTRATIVE TRUST FUND . . . . . -32,150

TOTAL: CENTRAL INTAKE
FROM TRUST FUNDS . . . . . -152,150

TOTAL ALL FUNDS . . . . . -152,150

TESTING AND CONTINUING EDUCATION

692 EXPENSES
FROM PROFESSIONAL REGULATION TRUST FUND . -19,500

PROGRAM: PROFESSIONAL REGULATION

COMPLIANCE AND ENFORCEMENT

693 SALARIES AND BENEFITS
FROM PROFESSIONAL REGULATION TRUST FUND . -120,000

694 EXPENSES
FROM PROFESSIONAL REGULATION TRUST FUND . -7,000

TOTAL: COMPLIANCE AND ENFORCEMENT
FROM TRUST FUNDS . . . . . -127,000

TOTAL ALL FUNDS . . . . . -127,000

STANDARDS AND LICENSURE

695 OTHER PERSONAL SERVICES
FROM PROFESSIONAL REGULATION TRUST FUND . -22,464

SECTION 6
SPECIFIC
APPROPRIATION
PROGRAM: PARI-MUTUEL WAGERING

PARI-MUTUEL WAGERING

696 SALARIES AND BENEFITS
FROM PARI-MUTUEL WAGERING TRUST FUND . . . -74,889

SLOT MACHINE REGULATION

697 SALARIES AND BENEFITS
FROM PARI-MUTUEL WAGERING TRUST FUND . . . -84,000

698 EXPENSES
FROM PARI-MUTUEL WAGERING TRUST FUND . . . -11,850

699 SPECIAL CATEGORIES
TRANSFER TO THE FLORIDA DEPARTMENT OF LAW ENFORCEMENT - SLOT INVESTIGATIONS
FROM PARI-MUTUEL WAGERING TRUST FUND . . . -134,068

700 SPECIAL CATEGORIES
TRANSFER TO THE OFFICE OF THE STATE ATTORNEY - SLOT INVESTIGATIONS AND PROSECUTIONS
FROM PARI-MUTUEL WAGERING TRUST FUND . . . -9,662

701 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM PARI-MUTUEL WAGERING TRUST FUND . . . -53,600

TOTAL: SLOT MACHINE REGULATION
FROM TRUST FUNDS . . . . . -293,180

TOTAL ALL FUNDS . . . . . -293,180

PROGRAM: ALCOHOLIC BEVERAGES AND TOBACCO

COMPLIANCE AND ENFORCEMENT

702 SALARIES AND BENEFITS
FROM ALCOHOLIC BEVERAGE AND TOBACCO TRUST FUND . . . . . -375,000

703 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM ALCOHOLIC BEVERAGE AND TOBACCO TRUST FUND . . . . . -9,407

TOTAL: COMPLIANCE AND ENFORCEMENT
FROM TRUST FUNDS . . . . . -384,407

TOTAL ALL FUNDS . . . . . -384,407

STANDARDS AND LICENSURE

704 SALARIES AND BENEFITS
FROM ALCOHOLIC BEVERAGE AND TOBACCO TRUST FUND . . . . . -35,000

705 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM ALCOHOLIC BEVERAGE AND TOBACCO TRUST FUND . . . . . -3,709

TOTAL: STANDARDS AND LICENSURE
FROM TRUST FUNDS . . . . . -38,709

TOTAL ALL FUNDS . . . . . -38,709

TAX COLLECTION

706 SALARIES AND BENEFITS
FROM ALCOHOLIC BEVERAGE AND TOBACCO

SECTION 6
SPECIFIC
APPROPRIATION
TRUST FUND . . . . . -57,000

707 EXPENSES
FROM ALCOHOLIC BEVERAGE AND TOBACCO
TRUST FUND . . . . . -3,000

708 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM ALCOHOLIC BEVERAGE AND TOBACCO
TRUST FUND . . . . . -60,000

TOTAL: TAX COLLECTION
FROM TRUST FUNDS . . . . . -120,000

TOTAL ALL FUNDS . . . . . -120,000

FINANCIAL SERVICES, DEPARTMENT OF

PROGRAM: OFFICE OF CHIEF FINANCIAL OFFICER AND ADMINISTRATION

INFORMATION TECHNOLOGY

709 OTHER PERSONAL SERVICES
FROM INSURANCE REGULATORY TRUST FUND . . . -41,702

710 EXPENSES
FROM GENERAL REVENUE FUND . . . . . -196,270
FROM INSURANCE REGULATORY TRUST FUND . . . 160,270
FROM WORKERS' COMPENSATION
ADMINISTRATION TRUST FUND . . . . . -11,193

711 OPERATING CAPITAL OUTLAY
FROM UNCLAIMED PROPERTY TRUST FUND . . . . -3,597
FROM INSURANCE REGULATORY TRUST FUND . . . -25,400

712 SPECIAL CATEGORIES
ASPIRE PROJECT - HARDWARE/SOFTWARE
MAINTENANCE
FROM INSURANCE REGULATORY TRUST FUND . . . -500,000

The reduced appropriation in Specific Appropriation 712 reflects the funds appropriated and placed in reserve pursuant to Section 19 of chapter 2007-326, Laws of Florida.

713 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM WORKERS' COMPENSATION
ADMINISTRATION TRUST FUND . . . . . -17,286

TOTAL: INFORMATION TECHNOLOGY
FROM GENERAL REVENUE FUND . . . . . -196,270
FROM TRUST FUNDS . . . . . -438,908

TOTAL ALL FUNDS . . . . . -635,178

PROGRAM: FINANCIAL ACCOUNTABILITY FOR PUBLIC FUNDS

STATE FINANCIAL INFORMATION AND STATE AGENCY ACCOUNTING

714 SALARIES AND BENEFITS
FROM GENERAL REVENUE FUND . . . . . -192,545

RECOVERY AND RETURN OF UNCLAIMED PROPERTY

715 EXPENSES
FROM UNCLAIMED PROPERTY TRUST FUND . . . . -30,439

SECTION 6
SPECIFIC
APPROPRIATION
PROGRAM: STATE PROPERTY AND CASUALTY CLAIMS

STATE SELF-INSURED CLAIMS ADJUSTMENT

716 OTHER PERSONAL SERVICES
STATE RISK MANAGEMENT TRUST FUND . . . . . -10,946

PROGRAM: LICENSING AND CONSUMER PROTECTION

INSURANCE COMPANY REHABILITATION AND LIQUIDATION

717 OTHER PERSONAL SERVICES
FROM INSURANCE REGULATORY TRUST FUND . . . -9,667

718 EXPENSES
FROM INSURANCE REGULATORY TRUST FUND . . . -4,481

TOTAL: INSURANCE COMPANY REHABILITATION AND LIQUIDATION
FROM TRUST FUNDS . . . . . -14,148

TOTAL ALL FUNDS . . . . . -14,148

LICENSURE, SALES APPOINTMENT AND OVERSIGHT

719 EXPENSES
FROM INSURANCE REGULATORY TRUST FUND . . . -55,424

PROGRAM: WORKERS' COMPENSATION

WORKERS' COMPENSATION

720 OTHER PERSONAL SERVICES
FROM WORKERS' COMPENSATION
ADMINISTRATION TRUST FUND . . . . . -50,000

721 EXPENSES
FROM WORKERS' COMPENSATION
ADMINISTRATION TRUST FUND . . . . . -50,000

722 OPERATING CAPITAL OUTLAY
FROM WORKERS' COMPENSATION
ADMINISTRATION TRUST FUND . . . . . -10,755

TOTAL: WORKERS' COMPENSATION
FROM TRUST FUNDS . . . . . -110,755

TOTAL ALL FUNDS . . . . . -110,755

PROGRAM: FINANCIAL SERVICES COMMISSION

OFFICE OF INSURANCE REGULATION

COMPLIANCE AND ENFORCEMENT - INSURANCE

723 OTHER PERSONAL SERVICES
FROM INSURANCE REGULATORY TRUST FUND . . . -45,311

724 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM INSURANCE REGULATORY TRUST FUND . . . -15,751

TOTAL: COMPLIANCE AND ENFORCEMENT - INSURANCE

FROM TRUST FUNDS . . . . . -61,062

TOTAL ALL FUNDS . . . . . -61,062

OFFICE OF FINANCIAL REGULATION

SAFETY AND SOUNDNESS OF STATE BANKING SYSTEM

725 OTHER PERSONAL SERVICES
FROM FINANCIAL INSTITUTIONS REGULATORY

SECTION 6
SPECIFIC
APPROPRIATION
TRUST FUND . . . . . -45,708

726 EXPENSES
FROM FINANCIAL INSTITUTIONS REGULATORY
TRUST FUND . . . . . -20,000

TOTAL: SAFETY AND SOUNDNESS OF STATE BANKING SYSTEM

FROM TRUST FUNDS . . . . . -65,708

TOTAL ALL FUNDS . . . . . -65,708

FINANCE REGULATION

727 OTHER PERSONAL SERVICES
FROM REGULATORY TRUST FUND . . . . . -120,864

728 EXPENSES
FROM REGULATORY TRUST FUND . . . . . -24,347

TOTAL: FINANCE REGULATION

FROM TRUST FUNDS . . . . . -145,211

TOTAL ALL FUNDS . . . . . -145,211

GOVERNOR, EXECUTIVE OFFICE OF THE

PROGRAM: GENERAL OFFICE

EXECUTIVE DIRECTION AND SUPPORT SERVICES

729 SALARIES AND BENEFITS
FROM GENERAL REVENUE FUND . . . . . -31,400

730 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND . . . . . -300,000

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM GENERAL REVENUE FUND . . . . . -331,400

TOTAL ALL FUNDS . . . . . -331,400

DRUG CONTROL COORDINATION

731 SALARIES AND BENEFITS
FROM GENERAL REVENUE FUND . . . . . -9,500

EXECUTIVE PLANNING AND BUDGETING

732 SALARIES AND BENEFITS
FROM GENERAL REVENUE FUND . . . . . -200,000

733 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND . . . . . -1,000,000

TOTAL: EXECUTIVE PLANNING AND BUDGETING
FROM GENERAL REVENUE FUND . . . . . -1,200,000

TOTAL ALL FUNDS . . . . . -1,200,000

PROGRAM: OFFICE OF TOURISM, TRADE AND ECONOMIC
DEVELOPMENT

EXECUTIVE DIRECTION AND SUPPORT SERVICES

734 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND . . . . . -3,275

SECTION 6
SPECIFIC
APPROPRIATION
735 EXPENSES
FROM GENERAL REVENUE FUND . . . . . -3,249

736 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND . . . . . -840

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM GENERAL REVENUE FUND . . . . . -7,364

TOTAL ALL FUNDS . . . . . -7,364

ECONOMIC DEVELOPMENT PROGRAMS AND PROJECTS

737 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND . . . . . -2,803

738 EXPENSES
FROM GENERAL REVENUE FUND . . . . . -337

TOTAL: ECONOMIC DEVELOPMENT PROGRAMS AND PROJECTS
FROM GENERAL REVENUE FUND . . . . . -3,140

TOTAL ALL FUNDS . . . . . -3,140

PROGRAM: AGENCY FOR ENTERPRISE INFORMATION
TECHNOLOGY

AGENCY FOR ENTERPRISE INFORMATION TECHNOLOGY

739 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND . . . . . -300,000

HIGHWAY SAFETY AND MOTOR VEHICLES, DEPARTMENT OF

PROGRAM: ADMINISTRATIVE SERVICES

EXECUTIVE DIRECTION AND SUPPORT SERVICES

740 OTHER PERSONAL SERVICES
FROM HIGHWAY SAFETY OPERATING TRUST FUND . -3,871

741 OPERATING CAPITAL OUTLAY
FROM HIGHWAY SAFETY OPERATING TRUST FUND . -13,765

742 SPECIAL CATEGORIES
PAYMENT TO OUTSIDE CONTRACTOR
FROM HIGHWAY SAFETY OPERATING TRUST FUND . -22,768

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM TRUST FUNDS . . . . . -40,404

TOTAL ALL FUNDS . . . . . -40,404

PROGRAM: FLORIDA HIGHWAY PATROL

HIGHWAY SAFETY

APPROVED SALARY RATE -106,983

743 SALARIES AND BENEFITS POSITIONS -5.00
FROM GENERAL REVENUE FUND . . . . . -3,731,440

744 OTHER PERSONAL SERVICES
FROM HIGHWAY SAFETY OPERATING TRUST FUND . -475,065

745 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND . . . . . -57,107

746 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM GENERAL REVENUE FUND . . . . . -420,259

SECTION 6
SPECIFIC
APPROPRIATION

747	SPECIAL CATEGORIES AUXILLIARY UNIFORMS AND EQUIPMENT FROM HIGHWAY SAFETY OPERATING TRUST FUND .		-6,000
748	SPECIAL CATEGORIES SALARY INCENTIVE PAYMENTS FROM GENERAL REVENUE FUND	-247,343	
	FROM HIGHWAY SAFETY OPERATING TRUST FUND .		-29,657
749	SPECIAL CATEGORIES MOBILE DATA TERMINAL SYSTEM FROM HIGHWAY SAFETY OPERATING TRUST FUND .		-78,645
TOTAL:	HIGHWAY SAFETY FROM GENERAL REVENUE FUND	-4,456,149	
	FROM TRUST FUNDS		-589,367
	TOTAL POSITIONS	-5.00	
	TOTAL ALL FUNDS		-5,045,516

EXECUTIVE DIRECTION AND SUPPORT SERVICES

750	SALARIES AND BENEFITS FROM GENERAL REVENUE FUND	-98,365	
751	EXPENSES FROM GENERAL REVENUE FUND	-7,684	
	FROM HIGHWAY SAFETY OPERATING TRUST FUND .		-3,933
TOTAL:	EXECUTIVE DIRECTION AND SUPPORT SERVICES FROM GENERAL REVENUE FUND	-106,049	
	FROM TRUST FUNDS		-3,933
	TOTAL ALL FUNDS		-109,982

PROGRAM: LICENSES, TITLES AND REGULATIONS

DRIVER LICENSURE

APPROVED SALARY RATE -100,713

752	SALARIES AND BENEFITS POSITIONS FROM GENERAL REVENUE FUND	-3.00 -484,665	
	FROM HIGHWAY SAFETY OPERATING TRUST FUND .		-220,000
753	OTHER PERSONAL SERVICES FROM HIGHWAY SAFETY OPERATING TRUST FUND .		-36,663
754	EXPENSES FROM GENERAL REVENUE FUND	-1,963	
	FROM HIGHWAY SAFETY OPERATING TRUST FUND .		-496,279
755	OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND	-2,229	
	FROM HIGHWAY SAFETY OPERATING TRUST FUND .		-2,489
756	SPECIAL CATEGORIES CONTRACTED SERVICES FROM HIGHWAY SAFETY OPERATING TRUST FUND .		-41,960
757	SPECIAL CATEGORIES AUTOMATED UNIFORM TRAFFIC ACCOUNTING SYSTEM FROM HIGHWAY SAFETY OPERATING TRUST FUND .		-48,001
758	SPECIAL CATEGORIES PURCHASE OF DRIVER LICENSES FROM GENERAL REVENUE FUND	-215,107	
	FROM HIGHWAY SAFETY OPERATING TRUST FUND .		-200,000
TOTAL:	DRIVER LICENSURE FROM GENERAL REVENUE FUND	-703,964	
	FROM TRUST FUNDS		-1,045,392
	TOTAL POSITIONS	-3.00	
	TOTAL ALL FUNDS		-1,749,356

MOTORIST FINANCIAL RESPONSIBILITY COMPLIANCE

759	EXPENSES FROM HIGHWAY SAFETY OPERATING TRUST FUND .		-11,281

IDENTIFICATION AND CONTROL OF PROBLEM DRIVERS

760	OTHER PERSONAL SERVICES FROM HIGHWAY SAFETY OPERATING TRUST FUND .		-25,217
761	EXPENSES FROM GENERAL REVENUE FUND	-1,259	
	FROM HIGHWAY SAFETY OPERATING TRUST FUND .		-41,703
762	SPECIAL CATEGORIES CONTRACTED SERVICES FROM HIGHWAY SAFETY OPERATING TRUST FUND .		-28,094
TOTAL:	IDENTIFICATION AND CONTROL OF PROBLEM DRIVERS FROM GENERAL REVENUE FUND	-1,259	
	FROM TRUST FUNDS		-95,014
	TOTAL ALL FUNDS		-96,273

MOBILE HOME COMPLIANCE AND ENFORCEMENT

763	EXPENSES FROM HIGHWAY SAFETY OPERATING TRUST FUND .		-6,060

VEHICLE AND VESSEL TITLE AND REGISTRATION SERVICES

APPROVED SALARY RATE -71,572

764	SALARIES AND BENEFITS POSITIONS FROM GENERAL REVENUE FUND	-4.00 -3,742	
	FROM HIGHWAY SAFETY OPERATING TRUST FUND .		-113,964
765	OTHER PERSONAL SERVICES FROM HIGHWAY SAFETY OPERATING TRUST FUND .		-6,411
766	OPERATING CAPITAL OUTLAY FROM HIGHWAY SAFETY OPERATING TRUST FUND .		-3,707
767	SPECIAL CATEGORIES CONTRACTED SERVICES FROM HIGHWAY SAFETY OPERATING TRUST FUND .		-10,750
TOTAL:	VEHICLE AND VESSEL TITLE AND REGISTRATION SERVICES FROM GENERAL REVENUE FUND	-3,742	
	FROM TRUST FUNDS		-134,832
	TOTAL POSITIONS	-4.00	
	TOTAL ALL FUNDS		-138,574

EXECUTIVE DIRECTION AND SUPPORT SERVICES

768	SALARIES AND BENEFITS FROM GENERAL REVENUE FUND	-6,076	
769	OTHER PERSONAL SERVICES FROM HIGHWAY SAFETY OPERATING TRUST FUND .		-1,600
770	OPERATING CAPITAL OUTLAY FROM HIGHWAY SAFETY OPERATING TRUST FUND .		-3,013
TOTAL:	EXECUTIVE DIRECTION AND SUPPORT SERVICES FROM GENERAL REVENUE FUND	-6,076	
	FROM TRUST FUNDS		-4,613

SECTION 6
SPECIFIC
APPROPRIATION
TOTAL ALL FUNDS . . . . . -10,689

PROGRAM: KIRKMAN DATA CENTER

INFORMATION TECHNOLOGY

771 OTHER PERSONAL SERVICES
FROM HIGHWAY SAFETY OPERATING TRUST FUND . -65,689

772 EXPENSES
FROM GENERAL REVENUE FUND . . . . . -14,360
FROM HIGHWAY SAFETY OPERATING TRUST FUND . -113,760

773 OPERATING CAPITAL OUTLAY
FROM HIGHWAY SAFETY OPERATING TRUST FUND . -14,221

774 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND . . . . . -6,797
FROM HIGHWAY SAFETY OPERATING TRUST FUND . -50,971

TOTAL: INFORMATION TECHNOLOGY
FROM GENERAL REVENUE FUND . . . . . -21,157
FROM TRUST FUNDS . . . . . -244,641

TOTAL ALL FUNDS . . . . . -265,798

LEGISLATIVE BRANCH

SENATE

775 SALARIES AND BENEFITS
FROM GENERAL REVENUE FUND . . . . . -1,160,856

776 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND . . . . . -65,700

777 EXPENSES
FROM GENERAL REVENUE FUND . . . . . -286,979

778 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND . . . . . -2,803

779 SPECIAL CATEGORIES
CONTINGENT - DISCRETIONARY
FROM GENERAL REVENUE FUND . . . . . -800

TOTAL: SENATE
FROM GENERAL REVENUE FUND . . . . . -1,517,138

TOTAL ALL FUNDS . . . . . -1,517,138

HOUSE OF REPRESENTATIVES

780 SALARIES AND BENEFITS
FROM GENERAL REVENUE FUND . . . . . -1,772,906

781 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND . . . . . -45,201

782 EXPENSES
FROM GENERAL REVENUE FUND . . . . . -564,285

783 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND . . . . . -6,400

784 SPECIAL CATEGORIES
CONTINGENT - DISCRETIONARY
FROM GENERAL REVENUE FUND . . . . . -800

TOTAL: HOUSE OF REPRESENTATIVES
FROM GENERAL REVENUE FUND . . . . . -2,389,592

SECTION 6
SPECIFIC
APPROPRIATION
TOTAL ALL FUNDS . . . . . -2,389,592

LEGISLATIVE SUPPORT SERVICES

785 SALARIES AND BENEFITS
FROM GENERAL REVENUE FUND . . . . . -820,163

786 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND . . . . . -151,738

787 EXPENSES
FROM GENERAL REVENUE FUND . . . . . -270,177

788 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND . . . . . -8,476

789 LUMP SUM
TAXATION AND BUDGET REFORM COMMISSION
FROM GENERAL REVENUE FUND . . . . . -650,000

790 SPECIAL CATEGORIES
INFORMATION TECHNOLOGY - LEGISLATURE
FROM GENERAL REVENUE FUND . . . . . -768,323

TOTAL: LEGISLATIVE SUPPORT SERVICES
FROM GENERAL REVENUE FUND . . . . . -2,668,877

TOTAL ALL FUNDS . . . . . -2,668,877

ADMINISTRATIVE PROCEDURES COMMITTEE

791 SALARIES AND BENEFITS
FROM GENERAL REVENUE FUND . . . . . -47,064

792 EXPENSES
FROM GENERAL REVENUE FUND . . . . . -7,269

793 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND . . . . . -320

TOTAL: ADMINISTRATIVE PROCEDURES COMMITTEE
FROM GENERAL REVENUE FUND . . . . . -54,653

TOTAL ALL FUNDS . . . . . -54,653

INTERGOVERNMENTAL RELATIONS, LEGISLATIVE COMMITTEE
ON

795 SALARIES AND BENEFITS
FROM GENERAL REVENUE FUND . . . . . -29,704

796 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND . . . . . -646

797 EXPENSES
FROM GENERAL REVENUE FUND . . . . . -5,042

798 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND . . . . . -400

TOTAL: INTERGOVERNMENTAL RELATIONS, LEGISLATIVE COMMITTEE
ON
FROM GENERAL REVENUE FUND . . . . . -35,792

TOTAL ALL FUNDS . . . . . -35,792

OFFICE OF PUBLIC COUNSEL

799 SALARIES AND BENEFITS
FROM GENERAL REVENUE FUND . . . . . -65,653

SECTION 6
SPECIFIC
APPROPRIATION

800 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND . . . . . -40,952

801 EXPENSES
FROM GENERAL REVENUE FUND . . . . . -11,816

802 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND . . . . . -1,088

TOTAL: OFFICE OF PUBLIC COUNSEL
FROM GENERAL REVENUE FUND . . . . . -119,509

TOTAL ALL FUNDS . . . . . -119,509

ETHICS, COMMISSION ON

803 SALARIES AND BENEFITS
FROM GENERAL REVENUE FUND . . . . . -70,649

804 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND . . . . . -17,118

805 EXPENSES
FROM GENERAL REVENUE FUND . . . . . -13,994

806 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND . . . . . -400

TOTAL: ETHICS, COMMISSION ON
FROM GENERAL REVENUE FUND . . . . . -102,161

TOTAL ALL FUNDS . . . . . -102,161

PROGRAM POLICY ANALYSIS AND GOVERNMENT
ACCOUNTABILITY, OFFICE OF

807 SALARIES AND BENEFITS
FROM GENERAL REVENUE FUND . . . . . -330,182

808 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND . . . . . -8,317

809 EXPENSES
FROM GENERAL REVENUE FUND . . . . . -43,052

810 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND . . . . . -6,164

TOTAL: PROGRAM POLICY ANALYSIS AND GOVERNMENT
ACCOUNTABILITY, OFFICE OF
FROM GENERAL REVENUE FUND . . . . . -387,715

TOTAL ALL FUNDS . . . . . -387,715

AUDITOR GENERAL

811 SALARIES AND BENEFITS
FROM GENERAL REVENUE FUND . . . . . -1,473,686

812 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND . . . . . -29,122

813 EXPENSES
FROM GENERAL REVENUE FUND . . . . . -197,089

814 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND . . . . . -18,175

TOTAL: AUDITOR GENERAL
FROM GENERAL REVENUE FUND . . . . . -1,718,072

SECTION 6
SPECIFIC
APPROPRIATION

TOTAL ALL FUNDS . . . . . -1,718,072

AUDITING COMMITTEE

815 SALARIES AND BENEFITS
FROM GENERAL REVENUE FUND . . . . . -13,960

816 EXPENSES
FROM GENERAL REVENUE FUND . . . . . -1,776

817 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND . . . . . -100

TOTAL: AUDITING COMMITTEE
FROM GENERAL REVENUE FUND . . . . . -15,836

TOTAL ALL FUNDS . . . . . -15,836

MANAGEMENT SERVICES, DEPARTMENT OF

PROGRAM: ADMINISTRATION PROGRAM

EXECUTIVE DIRECTION AND SUPPORT SERVICES

818 SALARIES AND BENEFITS POSITIONS -6.00

819 EXPENSES
FROM ADMINISTRATIVE TRUST FUND . . . . . -36,082

820 OPERATING CAPITAL OUTLAY
FROM ADMINISTRATIVE TRUST FUND . . . . . -1,082

821 DATA PROCESSING SERVICES
STATE TECHNOLOGY OFFICE
FROM ADMINISTRATIVE TRUST FUND . . . . . -18,228

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM TRUST FUNDS . . . . . -55,392

TOTAL POSITIONS . . . . . -6.00
TOTAL ALL FUNDS . . . . . -55,392

PROGRAM: FACILITIES PROGRAM

FACILITIES MANAGEMENT

822 OPERATING CAPITAL OUTLAY
FROM SUPERVISION TRUST FUND . . . . . -3,200

823 SPECIAL CATEGORIES
DEPARTMENT OF MANAGEMENT SERVICES
PROVISIONS FOR FACILITIES SECURITY
FROM SUPERVISION TRUST FUND . . . . . -49,844

824 DATA PROCESSING SERVICES
STATE TECHNOLOGY OFFICE
FROM SUPERVISION TRUST FUND . . . . . -16,575

TOTAL: FACILITIES MANAGEMENT
FROM TRUST FUNDS . . . . . -69,619

TOTAL ALL FUNDS . . . . . -69,619

BUILDING CONSTRUCTION

825 SALARIES AND BENEFITS
FROM ARCHITECTS INCIDENTAL TRUST FUND . . -35,711

826 EXPENSES
FROM ARCHITECTS INCIDENTAL TRUST FUND . . -9,571

SECTION 6
SPECIFIC
APPROPRIATION

827 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM ARCHITECTS INCIDENTAL TRUST FUND . . -2,011

828 DATA PROCESSING SERVICES
STATE TECHNOLOGY OFFICE
FROM ARCHITECTS INCIDENTAL TRUST FUND . . -1,358

TOTAL: BUILDING CONSTRUCTION
FROM TRUST FUNDS . . . . . -48,651

TOTAL ALL FUNDS . . . . . -48,651

PROGRAM: SUPPORT PROGRAM

AIRCRAFT MANAGEMENT

829 SALARIES AND BENEFITS
FROM BUREAU OF AIRCRAFT TRUST FUND . . . . -40,963

830 EXPENSES
FROM BUREAU OF AIRCRAFT TRUST FUND . . . . -49,212

831 OPERATING CAPITAL OUTLAY
FROM BUREAU OF AIRCRAFT TRUST FUND . . . . -19,448

TOTAL: AIRCRAFT MANAGEMENT
FROM TRUST FUNDS . . . . . -109,623

TOTAL ALL FUNDS . . . . . -109,623

MOTOR VEHICLE AND WATERCRAFT MANAGEMENT

832 SALARIES AND BENEFITS
FROM OPERATING TRUST FUND . . . . . -28,059

833 EXPENSES
FROM OPERATING TRUST FUND . . . . . -5,809

834 DATA PROCESSING SERVICES
STATE TECHNOLOGY OFFICE
FROM OPERATING TRUST FUND . . . . . -10,500

TOTAL: MOTOR VEHICLE AND WATERCRAFT MANAGEMENT
FROM TRUST FUNDS . . . . . -44,368

TOTAL ALL FUNDS . . . . . -44,368

PURCHASING OVERSIGHT

835 SALARIES AND BENEFITS POSITIONS -3.00

WORKFORCE PROGRAMS

PROGRAM: HUMAN RESOURCE MANAGEMENT

836 SALARIES AND BENEFITS
FROM GENERAL REVENUE FUND . . . . . -16,106

837 EXPENSES
FROM GENERAL REVENUE FUND . . . . . -6,830

838 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND . . . . . -3,812

839 DATA PROCESSING SERVICES
STATE TECHNOLOGY OFFICE
FROM GENERAL REVENUE FUND . . . . . -1,162

TOTAL: PROGRAM: HUMAN RESOURCE MANAGEMENT
FROM GENERAL REVENUE FUND . . . . . -27,910

SECTION 6
SPECIFIC
APPROPRIATION

TOTAL ALL FUNDS . . . . . -27,910

PROGRAM: INSURANCE BENEFITS ADMINISTRATION

840 SALARIES AND BENEFITS
FROM PRETAX BENEFITS TRUST FUND . . . . . -72,996
FROM STATE EMPLOYEES HEALTH INSURANCE
TRUST FUND . . . . . -75,000

841 EXPENSES
FROM PRETAX BENEFITS TRUST FUND . . . . . -7,098
FROM STATE EMPLOYEES HEALTH INSURANCE
TRUST FUND . . . . . -75,000

842 OPERATING CAPITAL OUTLAY
FROM PRETAX BENEFITS TRUST FUND . . . . . -57,482
FROM STATE EMPLOYEES HEALTH INSURANCE
TRUST FUND . . . . . -30,599

843 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM PRETAX BENEFITS TRUST FUND . . . . . -20,335
FROM STATE EMPLOYEES HEALTH INSURANCE
TRUST FUND . . . . . -125,000

844 DATA PROCESSING SERVICES
STATE TECHNOLOGY OFFICE
FROM PRETAX BENEFITS TRUST FUND . . . . . -47,705
FROM STATE EMPLOYEES HEALTH INSURANCE
TRUST FUND . . . . . -33,518

TOTAL: PROGRAM: INSURANCE BENEFITS ADMINISTRATION
FROM TRUST FUNDS . . . . . -544,733

TOTAL ALL FUNDS . . . . . -544,733

PROGRAM: RETIREMENT BENEFITS ADMINISTRATION

845 SALARIES AND BENEFITS
FROM OPERATING TRUST FUND . . . . . -100,000
FROM POLICE AND FIREFIGHTER'S PREMIUM
TAX TRUST FUND . . . . . -26,326

846 EXPENSES
FROM OPERATING TRUST FUND . . . . . -125,904
FROM POLICE AND FIREFIGHTER'S PREMIUM
TAX TRUST FUND . . . . . -2,452

847 OPERATING CAPITAL OUTLAY
FROM OPERATING TRUST FUND . . . . . -7,188

848 SPECIAL CATEGORIES
OVERTIME
FROM OPERATING TRUST FUND . . . . . -5,320

849 SPECIAL CATEGORIES
CONTRACTED LEGAL SERVICES
FROM OPERATING TRUST FUND . . . . . -6,939

850 DATA PROCESSING SERVICES
STATE TECHNOLOGY OFFICE
FROM OPERATING TRUST FUND . . . . . -5,566

TOTAL: PROGRAM: RETIREMENT BENEFITS ADMINISTRATION
FROM TRUST FUNDS . . . . . -279,695

TOTAL ALL FUNDS . . . . . -279,695

PROGRAM: TECHNOLOGY PROGRAM

TELECOMMUNICATIONS SERVICES

851 OTHER PERSONAL SERVICES
FROM COMMUNICATIONS WORKING CAPITAL

SECTION 6
SPECIFIC
APPROPRIATION

TRUST FUND . . . . . -1,280

852 EXPENSES
FROM COMMUNICATIONS WORKING CAPITAL
TRUST FUND . . . . . -36,839
FROM EMERGENCY COMMUNICATIONS NUMBER
E911 SYSTEM TRUST . . . . . -32,343

853 OPERATING CAPITAL OUTLAY
FROM COMMUNICATIONS WORKING CAPITAL
TRUST FUND . . . . . -4,000

854 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM COMMUNICATIONS WORKING CAPITAL
TRUST FUND . . . . . -94,788
FROM EMERGENCY COMMUNICATIONS NUMBER
E911 SYSTEM TRUST . . . . . -6,736

855 SPECIAL CATEGORIES
CONTRACTED LEGAL SERVICES
FROM EMERGENCY COMMUNICATIONS NUMBER
E911 SYSTEM TRUST . . . . . -4,000

856 DATA PROCESSING SERVICES
STATE TECHNOLOGY OFFICE
FROM COMMUNICATIONS WORKING CAPITAL
TRUST FUND . . . . . -12,859

TOTAL: TELECOMMUNICATIONS SERVICES
FROM TRUST FUNDS . . . . . -192,845

TOTAL ALL FUNDS . . . . . -192,845

WIRELESS SERVICES

857 EXPENSES
FROM LAW ENFORCEMENT RADIO SYSTEM TRUST
FUND . . . . . -17,923

INFORMATION SERVICES

858 OTHER PERSONAL SERVICES
FROM WORKING CAPITAL TRUST FUND . . . . . -20,234

859 EXPENSES
FROM WORKING CAPITAL TRUST FUND . . . . . -136,232

860 OPERATING CAPITAL OUTLAY
FROM WORKING CAPITAL TRUST FUND . . . . . -9,524

861 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM WORKING CAPITAL TRUST FUND . . . . . -132,196

862 SPECIAL CATEGORIES
APPLICATIONS MANAGEMENT CONTRACT FOR DATA
CENTER
FROM WORKING CAPITAL TRUST FUND . . . . . -20,000

863 SPECIAL CATEGORIES
DATA PROCESSING CONTRACTS FOR DATA CENTER
FROM WORKING CAPITAL TRUST FUND . . . . . -69,269

TOTAL: INFORMATION SERVICES
FROM TRUST FUNDS . . . . . -387,455

SECTION 6
SPECIFIC
APPROPRIATION

TOTAL ALL FUNDS . . . . . -387,455

MILITARY AFFAIRS, DEPARTMENT OF

PROGRAM: READINESS AND RESPONSE

DRUG INTERDICTION AND PREVENTION

864 SALARIES AND BENEFITS
FROM GENERAL REVENUE FUND . . . . . -1,990

865 EXPENSES
FROM GENERAL REVENUE FUND . . . . . -5,130

TOTAL: DRUG INTERDICTION AND PREVENTION
FROM GENERAL REVENUE FUND . . . . . -7,120

TOTAL ALL FUNDS . . . . . -7,120

MILITARY READINESS AND RESPONSE

866 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM GENERAL REVENUE FUND . . . . . -4,453

867 SPECIAL CATEGORIES
NATIONAL GUARD TUITION ASSISTANCE
FROM GENERAL REVENUE FUND . . . . . -400,000

868 SPECIAL CATEGORIES
MILITARY FAMILY READINESS PROGRAM
FROM GENERAL REVENUE FUND . . . . . -2,000,000

TOTAL: MILITARY READINESS AND RESPONSE
FROM GENERAL REVENUE FUND . . . . . -2,404,453

TOTAL ALL FUNDS . . . . . -2,404,453

EXECUTIVE DIRECTION AND SUPPORT SERVICES

869 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND . . . . . -3,781

870 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM GENERAL REVENUE FUND . . . . . -1,831

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM GENERAL REVENUE FUND . . . . . -5,612

TOTAL ALL FUNDS . . . . . -5,612

REVENUE, DEPARTMENT OF

PROGRAM: ADMINISTRATIVE SERVICES PROGRAM

EXECUTIVE DIRECTION AND SUPPORT SERVICES

871 SALARIES AND BENEFITS
FROM GENERAL REVENUE FUND . . . . . -300,000

872 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND . . . . . -80,000

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM GENERAL REVENUE FUND . . . . . -380,000

SECTION 6
SPECIFIC
APPROPRIATION
TOTAL ALL FUNDS . . . . . -380,000

PROGRAM: PROPERTY TAX OVERSIGHT PROGRAM

COMPLIANCE ASSISTANCE

873 AID TO LOCAL GOVERNMENTS
AERIAL PHOTOGRAPHY AND MAPPING
FROM GENERAL REVENUE FUND . . . . . -153,000

PROGRAM: CHILD SUPPORT ENFORCEMENT PROGRAM

CASE PROCESSING

874 SALARIES AND BENEFITS
FROM GENERAL REVENUE FUND . . . . . -748,827
FROM GRANTS AND DONATIONS TRUST FUND . . . -1,453,607

875 EXPENSES
FROM GENERAL REVENUE FUND . . . . . -134,878
FROM GRANTS AND DONATIONS TRUST FUND . . . -261,819

876 SPECIAL CATEGORIES
CHILD SUPPORT ENFORCEMENT ANNUAL FEE
FROM GENERAL REVENUE FUND . . . . . -665,414

TOTAL: CASE PROCESSING
FROM GENERAL REVENUE FUND . . . . . -1,549,119
FROM TRUST FUNDS . . . . . -1,715,426

TOTAL ALL FUNDS . . . . . -3,264,545

REMITTANCE AND DISTRIBUTION

877 SALARIES AND BENEFITS
FROM GENERAL REVENUE FUND . . . . . -31,820
FROM GRANTS AND DONATIONS TRUST FUND . . . -61,769

878 EXPENSES
FROM GENERAL REVENUE FUND . . . . . -7,892
FROM GRANTS AND DONATIONS TRUST FUND . . . -15,321

TOTAL: REMITTANCE AND DISTRIBUTION
FROM GENERAL REVENUE FUND . . . . . -39,712
FROM TRUST FUNDS . . . . . -77,090

TOTAL ALL FUNDS . . . . . -116,802

ESTABLISHMENT

879 SALARIES AND BENEFITS
FROM GENERAL REVENUE FUND . . . . . -255,620
FROM GRANTS AND DONATIONS TRUST FUND . . . -496,202

880 EXPENSES
FROM GENERAL REVENUE FUND . . . . . -42,564
FROM GRANTS AND DONATIONS TRUST FUND . . . -82,625

TOTAL: ESTABLISHMENT
FROM GENERAL REVENUE FUND . . . . . -298,184
FROM TRUST FUNDS . . . . . -578,827

TOTAL ALL FUNDS . . . . . -877,011

COMPLIANCE

881 SALARIES AND BENEFITS
FROM GENERAL REVENUE FUND . . . . . -271,638
FROM GRANTS AND DONATIONS TRUST FUND . . . -527,296

882 EXPENSES
FROM GENERAL REVENUE FUND . . . . . -51,768
FROM GRANTS AND DONATIONS TRUST FUND . . . -100,402

SECTION 6
SPECIFIC
APPROPRIATION
TOTAL: COMPLIANCE
FROM GENERAL REVENUE FUND . . . . . -323,406
FROM TRUST FUNDS . . . . . -627,698

TOTAL ALL FUNDS . . . . . -951,104

PROGRAM: GENERAL TAX ADMINISTRATION PROGRAM

TAX PROCESSING

883 SALARIES AND BENEFITS
FROM GENERAL REVENUE FUND . . . . . -242,759

TAXPAYER AID

884 SALARIES AND BENEFITS
FROM GENERAL REVENUE FUND . . . . . -103,123

COMPLIANCE DETERMINATION

885 SALARIES AND BENEFITS
FROM GENERAL REVENUE FUND . . . . . -613,245

COMPLIANCE RESOLUTION

886 SALARIES AND BENEFITS
FROM GENERAL REVENUE FUND . . . . . -301,872

PROGRAM: INFORMATION SERVICES PROGRAM

INFORMATION TECHNOLOGY

887 SALARIES AND BENEFITS
FROM GENERAL REVENUE FUND . . . . . -285,000

888 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND . . . . . -24,000

TOTAL: INFORMATION TECHNOLOGY
FROM GENERAL REVENUE FUND . . . . . -309,000

TOTAL ALL FUNDS . . . . . -309,000

STATE, DEPARTMENT OF

PROGRAM: OFFICE OF THE SECRETARY AND
ADMINISTRATIVE SERVICES

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE -93,291

889 SALARIES AND BENEFITS POSITIONS -3.00
FROM GENERAL REVENUE FUND . . . . . -145,269

890 EXPENSES
FROM GENERAL REVENUE FUND . . . . . -22,110

891 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND . . . . . -2,760

892 DATA PROCESSING SERVICES
OTHER DATA PROCESSING SERVICES
FROM GENERAL REVENUE FUND . . . . . -1,727

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM GENERAL REVENUE FUND . . . . . -171,866

TOTAL POSITIONS . . . . . -3.00
TOTAL ALL FUNDS . . . . . -171,866

SECTION 6
SPECIFIC
APPROPRIATION
PROGRAM: ELECTIONS

ELECTIONS

893 SPECIAL CATEGORIES
ADVERTISING OF PROPOSED AMENDMENTS TO THE CONSTITUTION
FROM GENERAL REVENUE FUND . . . . . -250,000

PROGRAM: HISTORICAL RESOURCES

HISTORICAL RESOURCES PRESERVATION AND EXHIBITION

APPROVED SALARY RATE -43,436

894 SALARIES AND BENEFITS POSITIONS -2.00
FROM GENERAL REVENUE FUND . . . . . -61,035

895 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND . . . . . -1,731

896 EXPENSES
FROM GENERAL REVENUE FUND . . . . . -4,704

897 SPECIAL CATEGORIES
GRANTS AND AIDS - HISTORIC MUSEUM GRANTS
FROM GENERAL REVENUE FUND . . . . . -70,004

898 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND . . . . . -8,777

899 SPECIAL CATEGORIES
GRANTS AND AIDS - HISTORIC PRESERVATION GRANTS
FROM GENERAL REVENUE FUND . . . . . -85,287

TOTAL: HISTORICAL RESOURCES PRESERVATION AND EXHIBITION
FROM GENERAL REVENUE FUND . . . . . -231,538

TOTAL POSITIONS . . . . . -2.00
TOTAL ALL FUNDS . . . . . -231,538

PROGRAM: CORPORATIONS

COMMERCIAL RECORDINGS AND REGISTRATIONS

APPROVED SALARY RATE -75,391

900 SALARIES AND BENEFITS POSITIONS -3.00
FROM GENERAL REVENUE FUND . . . . . -311,970

901 EXPENSES
FROM GENERAL REVENUE FUND . . . . . -136,081

902 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND . . . . . -1,200

903 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND . . . . . -39,187

904 SPECIAL CATEGORIES
RICO ACT - ALIEN CORPORATIONS
FROM GENERAL REVENUE FUND . . . . . -8,000

905 DATA PROCESSING SERVICES
OTHER DATA PROCESSING SERVICES
FROM GENERAL REVENUE FUND . . . . . -9,975

TOTAL: COMMERCIAL RECORDINGS AND REGISTRATIONS
FROM GENERAL REVENUE FUND . . . . . -506,413

SECTION 6
SPECIFIC
APPROPRIATION

TOTAL POSITIONS . . . . . -3.00
TOTAL ALL FUNDS . . . . . -506,413

PROGRAM: LIBRARY AND INFORMATION SERVICES

LIBRARY, ARCHIVES AND INFORMATION SERVICES

APPROVED SALARY RATE -53,845

906 SALARIES AND BENEFITS POSITIONS -2.00
FROM GENERAL REVENUE FUND . . . . . -101,676

907 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND . . . . . -6,797

908 EXPENSES
FROM GENERAL REVENUE FUND . . . . . -75,121

909 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - LIBRARY COOPERATIVES
FROM GENERAL REVENUE FUND . . . . . -96,005

910 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - LIBRARY GRANTS
FROM GENERAL REVENUE FUND . . . . . -1,280,033

911 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS COMMUNITY LIBRARIES IN CARING
FROM GENERAL REVENUE FUND . . . . . -4,000

912 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND . . . . . -1,040

913 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND . . . . . -7,301

914 SPECIAL CATEGORIES
LIBRARY RESOURCES
FROM GENERAL REVENUE FUND . . . . . -23,104

TOTAL: LIBRARY, ARCHIVES AND INFORMATION SERVICES
FROM GENERAL REVENUE FUND . . . . . -1,595,077

TOTAL POSITIONS . . . . . -2.00
TOTAL ALL FUNDS . . . . . -1,595,077

PROGRAM: CULTURAL AFFAIRS

EXECUTIVE DIRECTION AND SUPPORT SERVICES

915 SALARIES AND BENEFITS
FROM GENERAL REVENUE FUND . . . . . -26,114

916 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND . . . . . -2,390

917 EXPENSES
FROM GENERAL REVENUE FUND . . . . . -9,517

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM GENERAL REVENUE FUND . . . . . -38,021

TOTAL ALL FUNDS . . . . . -38,021

CULTURAL SUPPORT AND DEVELOPMENT GRANTS

918 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - ARTS GRANTS
FROM GENERAL REVENUE FUND . . . . . -108,755

SECTION 6
SPECIFIC
APPROPRIATION

919 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - SCIENCES GRANTS
FROM GENERAL REVENUE FUND . . . . . -20,001

920 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - ARTS IN EDUCATION GRANTS
FROM GENERAL REVENUE FUND . . . . . -22,001

921 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - LOCAL ARTS AGENCIES/
STATE SERVICE ORGANIZATIONS
FROM GENERAL REVENUE FUND . . . . . -16,001

922 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - YOUTH AND CHILDREN'S
MUSEUMS GRANTS
FROM GENERAL REVENUE FUND . . . . . -10,000

923 SPECIAL CATEGORIES
GRANTS AND AIDS - CHALLENGE GRANTS
FROM GENERAL REVENUE FUND . . . . . -37,654

924 SPECIAL CATEGORIES
GRANTS AND AIDS - CULTURAL EXCHANGE
PROGRAM
FROM GENERAL REVENUE FUND . . . . . -10,000

925 SPECIAL CATEGORIES
GRANTS AND AIDS - CULTURAL INSTITUTIONS
FROM GENERAL REVENUE FUND . . . . . -259,848

926 SPECIAL CATEGORIES
GRANTS AND AIDS - FLORIDA ENDOWMENT FOR
THE HUMANITIES
FROM GENERAL REVENUE FUND . . . . . -17,201

927 SPECIAL CATEGORIES
GRANTS AND AIDS - STATE TOURING PROGRAM
FROM GENERAL REVENUE FUND . . . . . -8,000

928 SPECIAL CATEGORIES
GRANTS AND AIDS - CULTURAL AND HISTORICAL
PROGRAMS
FROM GENERAL REVENUE FUND . . . . . -8,000

TOTAL: CULTURAL SUPPORT AND DEVELOPMENT GRANTS
FROM GENERAL REVENUE FUND . . . . . -517,461

TOTAL ALL FUNDS . . . . . -517,461

TOTAL OF SECTION 6 POSITIONS -31.00

FROM GENERAL REVENUE FUND . . . . . -26,893,099

FROM TRUST FUNDS . . . . . -16,683,331

TOTAL ALL FUNDS . . . . . -43,576,430

SECTION 7 - JUDICIAL BRANCH

The moneys contained herein are appropriated from the named funds to the State Courts System as the amounts, or reductions to amounts, to be used to pay salaries, other operational expenditures and fixed capital outlay.

STATE COURT SYSTEM

PROGRAM: SUPREME COURT

COURT OPERATIONS - SUPREME COURT

929 SALARIES AND BENEFITS
FROM GENERAL REVENUE FUND . . . . . -185,364

SECTION 7
SPECIFIC
APPROPRIATION

929A RESTORE AS NON-RECURRING-
SALARIES AND BENEFITS
FROM GENERAL REVENUE FUND 11,371

931 EXPENSES
FROM GENERAL REVENUE FUND . . . . . -209,452

931A RESTORE AS NON-RECURRING-
EXPENSES
FROM GENERAL REVENUE FUND 189,985

TOTAL: COURT OPERATIONS - SUPREME COURT
FROM GENERAL REVENUE FUND . . . . . -193,460

TOTAL ALL FUNDS . . . . . -193,460

EXECUTIVE DIRECTION AND SUPPORT SERVICES

935 SALARIES AND BENEFITS
FROM GENERAL REVENUE FUND . . . . . -379,908

936 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND . . . . . -78,535

937 EXPENSES
FROM GENERAL REVENUE FUND . . . . . -63,839

940 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND . . . . . -25,947

943 DATA PROCESSING SERVICES
OTHER DATA PROCESSING SERVICES
FROM GENERAL REVENUE FUND . . . . . -701,641

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM GENERAL REVENUE FUND . . . . . -1,249,870

TOTAL ALL FUNDS . . . . . -1,249,870

ADMINISTERED FUNDS - JUDICIAL

COURT OPERATIONS - ADMINISTERED FUNDS

944 AID TO LOCAL GOVERNMENTS
SMALL COUNTY COURTHOUSE FACILITIES
FROM GENERAL REVENUE FUND . . . . . -321,804

PROGRAM: DISTRICT COURTS OF APPEAL

COURT OPERATIONS - APPELLATE COURTS

945 SALARIES AND BENEFITS
FROM GENERAL REVENUE FUND . . . . . -1,470,887

945A RESTORE AS NON-RECURRING-
SALARIES AND BENEFITS
FROM MEDIATION AND ARBITRATION TRUST
FUND 1,352,394

946 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND . . . . . -52,432

947 EXPENSES
FROM GENERAL REVENUE FUND . . . . . -3,864

948 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND . . . . . -51,104

951 SPECIAL CATEGORIES
DISTRICT COURT OF APPEAL LAW LIBRARY
FROM GENERAL REVENUE FUND . . . . . -73,859

SECTION 7
SPECIFIC
APPROPRIATION

TOTAL: COURT OPERATIONS - APPELLATE COURTS		
FROM GENERAL REVENUE FUND	-1,652,146	
FROM TRUST FUNDS		1,352,394
TOTAL ALL FUNDS		-299,752

PROGRAM: TRIAL COURTS

COURT OPERATIONS - CIRCUIT COURTS

953 SALARIES AND BENEFITS		
FROM GENERAL REVENUE FUND	-8,794,713	
953A RESTORE AS NON-RECURRING- SALARIES AND BENEFITS		
FROM GENERAL REVENUE FUND	1,900,285	
FROM COURT EDUCATION TRUST FUND		3,584,102
FROM MEDIATION AND ARBITRATION TRUST FUND		1,343,692
FROM OPERATING TRUST FUND		1,115,725
954 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	-275,161	
955 EXPENSES		
FROM GENERAL REVENUE FUND	-366,117	
956 AID TO LOCAL GOVERNMENTS IMPROVEMENTS AND RENOVATIONS TO STATE COURTHOUSE FACILITIES		
FROM GENERAL REVENUE FUND	-40,001	
957 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	-205,850	
958 SPECIAL CATEGORIES CIVIL TRAFFIC INFRACTION HEARING OFFICERS		
FROM GENERAL REVENUE FUND	-463,984	
959 SPECIAL CATEGORIES GRANTS AND AIDS - CHILD ADVOCACY CENTERS		
FROM GENERAL REVENUE FUND	-6,000	
960 SPECIAL CATEGORIES COMPENSATION TO RETIRED JUDGES		
FROM GENERAL REVENUE FUND	-198,684	
962 SPECIAL CATEGORIES STATEWIDE GRAND JURY - EXPENSES		
FROM GENERAL REVENUE FUND	-8,633	
963 SPECIAL CATEGORIES MEDIATION/ARBITRATION SERVICES		
FROM GENERAL REVENUE FUND	-6,000	
964 SPECIAL CATEGORIES STATE COURTS DUE PROCESS COSTS		
FROM GENERAL REVENUE FUND	-867,017	
TOTAL: COURT OPERATIONS - CIRCUIT COURTS		
FROM GENERAL REVENUE FUND	-9,331,875	
FROM TRUST FUNDS		6,043,519
TOTAL ALL FUNDS		-3,288,356

COURT OPERATIONS - COUNTY COURTS

966 SALARIES AND BENEFITS		
FROM GENERAL REVENUE FUND	-2,902,122	
966A RESTORE AS NON-RECURRING- SALARIES AND BENEFITS		
FROM OPERATING TRUST FUND		2,902,122

SECTION 7
SPECIFIC
APPROPRIATION

967 EXPENSES		
FROM GENERAL REVENUE FUND	-135,000	
967A RESTORE AS NON-RECURRING- EXPENSES		
FROM OPERATING TRUST FUND		205,633
968 SPECIAL CATEGORIES ADDITIONAL COMPENSATION FOR COUNTY JUDGES		
FROM GENERAL REVENUE FUND	-70,633	
TOTAL: COURT OPERATIONS - COUNTY COURTS		
FROM GENERAL REVENUE FUND	-3,107,755	
FROM TRUST FUNDS		3,107,755

PROGRAM: JUDICIAL QUALIFICATIONS COMMISSION

JUDICIAL QUALIFICATIONS COMMISSION OPERATIONS

970 SALARIES AND BENEFITS		
FROM GENERAL REVENUE FUND	-16,172	
971 EXPENSES		
FROM GENERAL REVENUE FUND	-6,454	
972 SPECIAL CATEGORIES CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	-7,204	
973 SPECIAL CATEGORIES LITIGATION EXPENSES		
FROM GENERAL REVENUE FUND	-6,971	
TOTAL: JUDICIAL QUALIFICATIONS COMMISSION OPERATIONS		
FROM GENERAL REVENUE FUND	-36,801	
TOTAL ALL FUNDS		-36,801
TOTAL OF SECTION 7		
FROM GENERAL REVENUE FUND	-15,893,711	
FROM TRUST FUNDS		10,503,668
TOTAL ALL FUNDS		-5,390,043

SECTION 8. The unexpended balance of $1,050,000 from the Conservation and Recreation Lands Trust Fund and $500,000 from the Land Acquisition Trust Fund appropriated to the Department of Environmental Protection in Specific Appropriation 1917 of chapter 2006-25, Laws of Florida, for Fixed Capital Outlay Facility Repair Needs - Statewide shall revert immediately.

SECTION 9. The Department of Management Services may amend and reissue an Invitation to Negotiate, as authorized in Specific Appropriation 741 in chapter 2007-72, Laws of Florida, a contract under the master lease-purchase agreement previously executed by the Department of Management Services for procurement of two or more community work camps of no less than 432 beds each, to house a total of 1,296 minimum custody inmates. The location and site shall be determined through negotiations between the department and service vendors. Any such contract shall be for design, financing, acquisition, leasing, construction, or purchase and renovation of an existing building or site appropriate for housing inmates, and operation of the additional beds. The Department of Management Services shall provide estimates to the chair of the Senate Fiscal Policy and Calendar Committee and the chair of the House Policy and Budget Council for review before entering into a construction contract. The department is authorized to enter into an amendment to the master lease-purchase agreement to finance the construction, or purchase and renovation of existing property for the additional 1,296 beds authorized by this paragraph. Payments under such agreement may begin prior to the completion of the facilities.

SECTION 9
SPECIFIC
APPROPRIATION

The population to be housed at these facilities shall include inmates 21 years of age or older with sentences of less than 18 months who are expected to serve 12 months or less in a state correctional facility. Such inmates must be classified by the department as appropriate for assignment to supervised work settings and have no medical, psychological or other problems that would prevent them from being assigned to a community work squad. These facilities may include appropriate substance abuse treatment and other services designed to enhance the probability of a successful transition back into the community and to reduce the probability of the inmate re-offending upon release.

SECTION 10. The unexpended balance of $1,400,000 in nonrecurring general revenue provided in Specific Appropriation 3235 of chapter 2006-25, Laws of Florida, for site hardening of the Supreme Court Building shall revert immediately.

SECTION 11. From the funds in Specific Appropriation 821 of chapter 2007-72, Laws of Florida, $11,000,000 in unencumbered fixed capital outlay funds shall revert immediately and is appropriated for the 2007-08 fiscal year to the Department of Corrections in a fixed capital outlay appropriation category to purchase quick construction open bay dormitory structures to house approximately 1,000 minimum custody inmates.

SECTION 12. The Department of Juvenile Justice shall transfer the Sago Palm Academy located in Pahokee, Florida to the Department of Corrections on or before June 30, 2008.

SECTION 13. In order to provide adequate funds to support Specific Appropriations 287A through 331B making appropriations from trust funds, the Justice Administrative Commission shall submit budget amendments for non-operating budget authority, pursuant to s. 216.181(12), Florida Statutes, transferring funds among the state attorney budget entities.

SECTION 14. In order to provide adequate funds to support Specific Appropriations 332A through 389 making appropriations from trust funds, the Justice Administrative Commission shall submit budget amendments for non-operating budget authority, pursuant to s. 216.181(12), Florida Statutes, transferring funds among the public defender budget entities.

SECTION 15. The sum of $7,423,862 from the unexpended balance within the State Housing Trust Fund in Specific Appropriation 1694 of chapter 2007-72, Laws of Florida, is transferred to the General Revenue Fund to satisfy the Florida Housing Finance Corporation's outstanding obligation, as of December 31, 2007, to pay the service charge to general revenue pursuant to section 420.5061, Florida Statutes.

SECTION 16. Any section of this act, or any appropriation herein contained, if found to be invalid shall in no way affect other sections or Specific Appropriations contained in this act.

SECTION 17. This appropriations act shall take effect upon becoming law.

TOTAL THIS GENERAL APPROPRIATION ACT POSITIONS	-75.00	
FROM GENERAL REVENUE FUND	-453,468,167	
FROM TRUST FUNDS		-58,610,617
TOTAL ALL FUNDS		-512,078,784
TOTAL APPROVED SALARY RATE	-1,945,779	

On motion by Senator Carlton, the rules were waived and the Conference Committee Report on **HB 7009** was read the second time.

On motion by Senator Carlton, the Conference Committee Report was adopted and **HB 7009** passed as amended by the Conference Committee Report and was certified to the House. The vote on passage was:

Yeas—27

Mr. President	Diaz de la Portilla	Margolis
Alexander	Dockery	Oelrich
Atwater	Fasano	Peaden
Baker	Gaetz	Posey
Bennett	Garcia	Saunders
Carlton	Haridopolos	Storms
Constantine	Jones	Villalobos
Crist	King	Webster
Dean	Lynn	Wise

Nays—12

Aronberg	Geller	Lawson
Bullard	Hill	Rich
Dawson	Joyner	Ring
Deutch	Justice	Siplin

MOTIONS RELATING TO COMMITTEE MEETINGS

On motion by Senator King, the rules were waived to allow the following schedule changes for Thursday, March 13: Session will convene from 8:30 a.m. until 10:00 a.m. in lieu of 1:00 p.m. until 2:30 p.m.; the following committees were granted permission to meet from 10:15 a.m. until 12:15 p.m. in lieu of 9:00 a.m. until 11:30 a.m.: Agriculture; Communications and Public Utilities; Community Affairs; and Environmental Preservation and Conservation; and the following committees were granted permission to meet from 1:00 p.m. until 3:15 p.m. in lieu of 3:00 p.m. until 6:00 p.m.: Criminal and Civil Justice Appropriations; Education Facilities Appropriations; Education Pre-K - 12 Appropriations; Finance and Tax; General Government Appropriations; Health and Human Services Appropriations; Higher Education Appropriations; and Transportation and Economic Development Appropriations.

REPORTS OF COMMITTEES

The Economic Opportunities Policy and Calendar Committee submits the following bills to be placed on the Special Order Calendar for Wednesday, March 12, 2008: SB 154, CS for SB 276, CS for SB 296, SB 458, CS for CS for SB 1380, CS for CS for SB 970

Respectfully submitted,
Jeff Atwater, Chair

The Social Responsibility Policy and Calendar Committee submits the following bills to be placed on the Special Order Calendar for Wednesday, March 12, 2008: SB 78, CS for CS for SB 242, SB 286, SB 302, CS for SB 508, CS for CS for SB 564, SB 716, CS for SB 736, SM 1742

Respectfully submitted,
Burt L. Saunders, Chair

The Committee on Banking and Insurance recommends the following pass: SB 874

The Committee on Criminal Justice recommends the following pass: SB 1616

The Committee on Regulated Industries recommends the following pass: SB 1452

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

The Committee on Banking and Insurance recommends the following pass: SB 1554 with 1 amendment

The Committee on Regulated Industries recommends the following pass: SB 1316 with 2 amendments

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

The Committee on Criminal Justice recommends the following pass: SB 1990

The Committee on Judiciary recommends the following pass: SB 328; CS for SB 622

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

The Committee on Commerce recommends the following pass: SB 1076

The Committee on Military Affairs and Domestic Security recommends the following pass: SB 1700

The Committee on Transportation recommends the following pass: SB 446

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

The Committee on Commerce recommends the following pass: CS for SB 818

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

The Committee on Military Affairs and Domestic Security recommends the following pass: SB 1464

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

The Committee on Banking and Insurance recommends the following pass: SB 1022

The bill was referred to the Committee on Health and Human Services Appropriations under the original reference.

The Committee on Banking and Insurance recommends the following pass: SB 1968

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

The Committee on Commerce recommends the following pass: CS for SB 1012 with 3 amendments

The Committee on Regulated Industries recommends the following pass: SB 386 with 1 amendment

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

The Committee on Banking and Insurance recommends the following pass: SB 648

The Committee on Commerce recommends the following pass: SB 698 with 1 amendment

The Committee on Ethics and Elections recommends the following pass: SJR 956; SB 958

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

The Committee on Commerce recommends the following pass: SB 1310 with 5 amendments

The bill was referred to the Committee on Military Affairs and Domestic Security under the original reference.

The Committee on Military Affairs and Domestic Security recommends the following pass: SB 1606

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

The Committee on Ethics and Elections recommends the following not pass: SM 1600

The bill was laid on the table.

The Committee on Regulated Industries recommends a committee substitute for the following: SB 2016

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

The Committee on Criminal Justice recommends a committee substitute for the following: SB 1614

The bill with committee substitute attached was referred to the Committee on Children, Families, and Elder Affairs under the original reference.

The Committee on Criminal Justice recommends a committee substitute for the following: SB 706

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

The Committee on Criminal Justice recommends committee substitutes for the following: SB 1988; SB 2000

The bills with committee substitutes attached were referred to the Committee on Criminal and Civil Justice Appropriations under the original reference.

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 2158

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

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 1018

The Committee on Criminal Justice recommends a committee substitute for the following: SB 654

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

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 2012

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

The Committee on Criminal Justice recommends a committee substitute for the following: Senate Bills 340 and 1612

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

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 1098

The Committee on Commerce recommends a committee substitute for the following: SB 304

The Committee on Criminal Justice recommends a committee substitute for the following: SB 2026

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

The Committee on Commerce recommends a committee substitute for the following: SB 966

The bill with committee substitute attached was placed on the calendar.

COMMITTEE SUBSTITUTES

FIRST READING

By the Committee on Commerce; and Senator Aronberg—

CS for SB 304—A bill to be entitled An act relating to corporations not for profit; amending s. 617.01201, F.S.; requiring a document that is electronically transmitted to be in a format that may be retrieved in typewritten or printed form; requiring that a document be executed by a director of the domestic or foreign corporation; authorizing the delivery of a document by electronic transmission to the extent allowed by the Department of State; amending s. 617.0122, F.S.; requiring the department to collect a fee for filing an agent's statement of resignation from an inactive corporation; amending s. 617.0124, F.S.; authorizing a domestic or foreign corporation to correct a document filed by the department within 30 days under certain circumstances; amending s. 617.01401, F.S.; defining the terms "department," "distribution," "mutual benefit corporation," "successor entity," and "voting power"; amending s. 617.0205, F.S.; requiring the incorporators to hold an organizational meeting after incorporation if the initial directors are not named in the articles of incorporation; amending s. 617.0302, F.S.; authorizing a corporation not for profit to make guaranties; amending s. 617.0503, F.S.; providing that an alien business organization may withdraw its registered agent designation by delivering an application for certificate of withdrawal to the department; amending s. 617.0505, F.S.; prohibiting a corporation not for profit from making distributions to its members; providing an exception; deleting provisions related to the issuance of certificates; amending s. 617.0601, F.S.; correcting a reference to the Solicitation of Contributions Act; providing that certain stock certificates constitute certificates of membership; requiring that a resignation, expulsion, or termination of membership be recorded in the membership book; creating s. 617.0605, F.S.; prohibiting a member of a corporation from transferring a membership under certain circumstances; creating s. 617.0606, F.S.; providing that the resignation of a member does not relieve the member from obligations incurred and commitments made prior to resignation; creating s. 617.0607, F.S.; requiring that a member of a corporation be terminated or suspended pursuant to a procedure that is fair and reasonable; requiring that written notice given and delivered by certified mail or first-class mail; requiring that a proceeding challenging an expulsion, suspension, or termination be commenced within 1 year after the effective date of such expulsion, suspension, or termination; providing that a member who has been expelled or suspended may be liable to the corporation for dues, assessments, or fees; creating s. 617.0608, F.S.; prohibiting a corporation from purchasing any of its memberships; authorizing a mutual benefit corporation to purchase the membership of a member who resigns or whose membership is terminated; amending s. 617.0701, F.S.; authorizing the holders of at least 5 percent of the voting power of a corporation to call a special meeting of the members under certain circumstances; authorizing a person who signs a demand for a special meeting to call a special meeting of the members under certain circumstances; revising the timeframes relating to written member consent to actions; clarifying the types of corporations that are not subject to certain requirements; amending s. 617.0721, F.S.; authorizing the corporation to reject a proxy action if it has reasonable doubt as the validity of an appointment; providing that members and proxy holders who are not physically present at a meeting may participate by means of remote communication and are deemed to be present at the meeting under certain circumstances; amending s. 617.0725, F.S.; requiring an amendment to the articles of incorporation or the bylaws which adds a greater or lesser quorum or voting requirement to meet certain requirements; creating s. 617.07401, F.S.; prohibiting a person from commencing a proceeding in the right of a domestic or foreign corporation unless the person was a member of the corporation or became a member through transfer by operation of law; requiring that a complaint in a proceeding brought in the right of a domestic or foreign corporation be verified and allege the demand with particularity; authorizing the court to dismiss a derivative proceeding if the court finds that a determination was made in good faith after a reasonable investigation; prohibiting certain proceedings from being discontinued or settled without the approval of the court; authorizing the court to require a plaintiff to pay a defendant's reasonable expenses upon termination of a proceeding, including attorney's fees; amending s. 617.0801, F.S.; providing the duties of the board of directors; amending s. 617.0806, F.S.; providing that directors may be divided into classes; amending s. 617.0808, F.S.; providing that any member of the board of directors may be removed from office with or without cause by a certain vote; providing that a director who is elected by a class, chapter, or other organizational unit may be removed only by members of that class, chapter, or organizational unit; providing that a director elected or appointed by the board may be removed without cause by a vote of two-thirds of the directors then in office; providing that a director of a corporation described in s. 501(c) of the Internal Revenue Code may be removed from office pursuant to procedures provided in the articles of incorporation or the bylaws; amending s. 617.0809, F.S.; providing that a vacancy on the board of directors for a director elected by a class, chapter, unit, or group may be filled only by members of that class, chapter, unit, or group; providing that the term of a director elected or appointed to fill a vacancy expires at the next annual meeting at which directors are elected; amending s. 617.0832, F.S.; deleting a provision that authorizes common or interested directors to be counted in determining the presence of a quorum at a meeting that ratifies a contract between a corporation and one of its directors and any other corporation in which one of its directors is financially interested; providing circumstances under which a conflict-of-interest transaction is authorized; amending s. 617.0833, F.S.; providing an exception to the requirement that a loan may not be made by a corporation to its directors; amending s. 617.0834, F.S.; providing that an officer or director of a certain nonprofit organization or agricultural or horticultural organization is immune from civil liability; amending s. 617.1007, F.S.; providing that a restatement of the articles of incorporation of a corporation may include one or more amendments; amending s. 617.1101, F.S.; providing requirements for a plan of merger; creating s. 617.1102, F.S.; providing a limitation on the merger of a corporation not for profit; creating s. 617.1301, F.S.; prohibiting a corporation from making distributions to its members under certain circumstances; creating s. 617.1302, F.S.; providing that a mutual benefit corporation may purchase its memberships only under certain circumstances; authorizing a corporation to make distributions upon dissolution; amending s. 617.1405, F.S.; providing that the name of a dissolved corporation may be available for immediate assumption by another corporation if the dissolved corporation provides the department with an affidavit authorizing such use; creating s. 617.1407, F.S.; authorizing a dissolved corporation or successor entity to execute certain procedures to resolve payment of unknown claims against it; providing that certain claims against a dissolved corporation are barred; providing that a claim may be entered against a dissolved corporation under certain circumstances; creating s. 617.1408, F.S.; authorizing a dissolved corporation or successor entity to execute certain procedures to dispose of known claims against it; requiring that a dissolved corporation deliver written notice of the dissolution to each of its known claimants; providing a procedure under which a dissolved corporation may reject a claim made against it; requiring that a dissolved corporation give notice of the dissolution to persons having known claims that are contingent, conditional, or unmatured; requiring that a dissolved corporation follow certain procedures in offering compensation to a claimant if the claim matures; requiring that a dissolved corporation petition the circuit court to determine the amount and form of security that is sufficient to provide compensation to certain

claimants; providing that the giving of notice or making of an offer does not revive a claim that has been barred; providing that directors of a dissolved corporation or governing persons of a successor entity that has complied with certain procedures are not personally liable to the claimants of a dissolved corporation; providing that certain members of a dissolved corporation are not liable for any claim against the corporation; providing a limit on the aggregate liability of any member of a dissolved corporation; repealing s. 617.1421(6), F.S., relating to the assumption and use of the name of a dissolved corporation; amending s. 617.1422, F.S.; deleting certain requirements for an application to reinstate a corporation that has been dissolved; requiring that a corporation submit a reinstatement form prescribed and furnished by the department; providing that the name of a dissolved corporation is not available for assumption or use by another corporation until 1 year after the effective date of dissolution; providing an exception; amending s. 617.1430, F.S.; revising the requirements for members to dissolve a corporation in circuit court; amending s. 617.1503, F.S.; requiring a foreign corporation to deliver a certificate of existence authenticated by the Secretary of State; amending s. 617.1504, F.S.; requiring that a foreign corporation make application to the department to obtain an amended certificate of authority within 90 days after the occurrence of a change; amending s. 617.1506, F.S.; requiring that an alternate corporate name adopted for use in this state be cross-referenced to the real corporate name in the records of the Division of Corporations; requiring that the corporate name of a foreign corporation be distinguishable from the corporate name of a corporation for profit incorporated or authorized to transact business in this state; amending s. 617.1530, F.S.; requiring that the department receive an authenticated certificate from the Secretary of State before commencing a proceeding to revoke the certificate of authority of a foreign corporation; amending s. 617.1601, F.S.; requiring that a corporation keep a copy of its articles of incorporation; amending s. 617.1602, F.S.; providing that a member of a corporation is entitled to inspect and copy certain records of the corporation at a reasonable location specified by the corporation; requiring that a member give the corporation written notice 10 days before the date on which he or she wishes to inspect and copy records; amending s. 617.1605, F.S.; revising the circumstances under which a corporation is required to furnish a member with its latest annual financial statement; creating s. 617.1703, F.S.; providing for the applicability of certain provisions to corporations regulated under the act; amending s. 617.1803, F.S.; providing for certain changes when a foreign not-for-profit corporation becomes domesticated; amending s. 617.1806, F.S.; revising the provisions for conversion to a corporation not for profit; amending s. 617.1907, F.S.; providing that the repeal or amendment of a statute does not affect certain operations and proceedings; repealing s. 617.2103, F.S., relating to exemptions for certain corporations; providing an effective date.

By the Committees on Criminal Justice; Criminal Justice; and Senator Lynn—

CS for SB's 340 and 1612—A bill to be entitled An act relating to controlled substances; amending s. 893.03, F.S.; including Salvia divinorum and Salvinorin A on the list of controlled substances in Schedule I; providing exceptions from the scheduling of Salvia divinorum and Salvinorin A; reenacting ss. 893.13(1)(a), (c), (d), (e), (f), and (h), (2)(a), (4)(b), and (5)(b), and 921.0022(3)(b), (c), and (e), F.S., relating to prohibited acts and penalties concerning controlled substances and the offense severity chart of the Criminal Punishment Code, to incorporate the amendment to s. 893.03, F.S., in references thereto; providing an effective date.

By the Committee on Criminal Justice; and Senator Crist—

CS for SB 654—A bill to be entitled An act relating to offenses against officers; amending s. 776.051, F.S.; providing that a person is not justified in using force to resist an arrest by a law enforcement officer, or to resist a law enforcement officer engaged in executing a legal duty, if the officer acts in good faith and is known or appears to be a law enforcement officer; providing an effective date.

By the Committee on Criminal Justice; and Senators Baker, Rich, Bennett, Deutch, Wilson, Saunders, Diaz de la Portilla, Gaetz, Jones, Lynn, Ring and Posey—

CS for SB 706—A bill to be entitled An act relating to Special Risk Class retirement benefits; amending s. 121.091, F.S.; prohibiting certain members of the Special Risk Class from being reemployed or contracting with the same employing agency from which the member retired; extending the period of time during which certain Special Risk Class members may participate in the Florida Retirement System Deferred Retirement Option program; providing requirements for extended participation; deleting obsolete provisions; providing legislative findings with respect to the state's interest in protecting the public's safety and welfare by extending retirement benefits for officers and funding increased retirement benefits in an actuarially sound manner; providing an effective date.

By the Committee on Commerce; and Senator Alexander—

CS for SB 966—A bill to be entitled An act relating to automated teller machine transactions; amending s. 655.966, F.S.; authorizing machine owners or operators to impose access fees or surcharges for machine use; providing fee or surcharge disclosure requirements; providing certain agreement prohibitions relating to machine access fees or surcharges; providing construction relating to certain fee-free or surcharge-free network agreements; providing an effective date.

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

CS for SB 1018—A bill to be entitled An act relating to property insurance appraisal umpires; amending s. 624.501, F.S.; providing license application, issuance, biennial renewal, or continuation fees for property appraisal umpires; amending s. 626.015, F.S.; defining the terms "property insurance loss appraiser" and "property insurance appraisal umpire" for purposes of the Licensing Procedures Law; amending s. 626.016, F.S.; providing that property insurance appraisal umpires are subject to the powers of the Department of Financial Services, the Financial Services Commission, and the Office of Insurance Regulation; amending s. 626.022, F.S.; expanding the scope of part I of ch. 626, F.S., to include property insurance appraisal umpires; deleting obsolete provisions; amending s. 626.112, F.S.; requiring that property insurance appraisal umpires operating in this state be licensed by the department; exempting retired judges and certain mediators from the requirement for licensure; creating part XII of ch. 626, F.S.; creating s. 626.9931, F.S.; providing a legislative finding and purpose; creating s. 626.9932, F.S.; providing the scope and parameters for application; creating s. 626.9933, F.S.; providing definitions; creating s. 626.9934, F.S.; providing procedures for the application for licensure as a property insurance appraisal umpire; requiring that all applicants be fingerprinted by a law enforcement agency or other entity approved by the department at the time of application; requiring the department to develop and maintain an updated list of licensed umpires; creating s. 626.9935, F.S.; authorizing the department to adopt rules; creating s. 626.9936, F.S.; providing qualifications for licensure as a property insurance appraisal umpire; creating s. 626.9937, F.S.; providing professional and educational requirements for licensure as a property insurance appraisal umpire; creating s. 626.9938, F.S.; providing for the regulation of umpire course providers, instructors, and courses; requiring the department to adopt rules establishing standards for providers, instructors, and courses, and a process for determining compliance with certain prelicensure requirements and adopting forms to be used for the administration of such requirements; creating s. 626.9939, F.S.; providing grounds for the compulsory refusal, suspension, or revocation of an umpire's license; creating s. 626.9940, F.S.; providing grounds for the discretionary refusal, suspension, or revocation of an umpire's license; creating s. 626.9941, F.S.; providing ethical standards for property insurance loss appraisal umpires; creating s. 626.9942, F.S.; requiring that a licensed property insurance appraisal umpire retain certain records for a specified period; requiring that umpires make such records available for inspection and copying by the department; requiring that appraisals that are the subject of litigation or have been admitted as evidence in a lawsuit be retained for a specified period; creating s. 626.9943, F.S.; providing ethical standards for property loss insurance appraisers; creating s. 627.4141, F.S.; providing procedures that must be followed if a residential or commercial

property insurance contract provides that either party may submit a written demand to enter into the process of appraisal when the insured and the insurer fail to mutually agree to the actual cash value, the amount of loss, or the cost of repair or replacement of property for which a claim has been filed; providing an exception upon which an insurer may refuse to accept such demand; authorizing each party to select a competent and independent appraiser and to notify the opposing party within a specified period; requiring the appraisers to select an umpire from the department's list of licensed umpires; authorizing either party to file a petition, in a county or circuit court in the jurisdiction in which the covered property is located, to designate an umpire if the appraisers cannot agree on the selection of an umpire; providing that appraisal proceedings are informal unless the insurer and the insured agree otherwise; defining and providing the scope of the term "informal" for purposes of appraisal proceedings; requiring each appraiser to submit a written report to the other appraisers; requiring that any differences in findings among the appraisers which cannot be resolved by the appraisers themselves within a specified period be submitted to the umpire for review; requiring the umpire to submit his or her conclusions regarding any unresolved differences in the findings of the appraisers within a specified period; providing that if either appraiser agrees with the conclusions of the umpire, an itemized written appraisal award signed by the umpire and appraiser shall be filed with the insurer and shall determine the amount of the loss; providing that the appraisal award is binding upon the insurer and the insured; providing for compensation of the appraisers and the umpire; providing that the Florida Arbitration Code does not apply to residential or commercial property insurance loss appraisal proceedings; providing that certain provisions of the Florida Arbitration Code relating to procedural matters do apply; prohibiting the appraisal process from addressing issues involving coverage or lack thereof under an insurance contract; authorizing the umpire and appraisers to consider causation issues when necessary to determine the amount of loss; providing an effective date.

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

CS for SB 1098—A bill to be entitled An act relating to insurance adjusters; amending s. 624.501, F.S.; providing for filing fees for an application for reinstatement of a suspended license; amending s. 626.015, F.S.; redefining the term "adjuster" to include a public adjuster apprentice; amending s. 626.221, F.S.; providing that certain company employee adjusters and independent adjusters seeking reinstatement of a suspended license are not required to take an examination; amending s. 626.241, F.S.; requiring that the Department of Financial Services create an examination for applicants seeking licensure as a public adjuster and a separate examination for applicants seeking licensure as a company employee adjuster or independent adjuster; amending s. 626.641, F.S.; providing that a suspended license may not be reinstated unless the individual seeking reinstatement files an application for reinstatement which is subsequently approved by the department; prohibiting the department from approving such an application under certain circumstances; amending s. 626.854, F.S.; prohibiting a public adjuster from soliciting or entering into a contract with any insured or claimant under an insurance policy for a specified period after the occurrence of an event that may be the subject of a claim; providing an exception; providing that a public adjuster's contract to adjust a claim may be canceled by the client without penalty within a specified period after the execution of the contract; requiring that a public adjuster disclose to a client his or her right to cancel a contract by specified means; prohibiting a public adjuster, apprentice, or his or her agent from giving or offering a monetary loan or an article in excess of a specified value to a client or prospective client; providing that a public adjuster may not charge, agree to, or accept a fee, payment, commission, or any compensation based on any claim payments for additional living expenses or based on the amount of a claim payment or payment offer by the insurer which occurred before the date on which the adjuster and insured executed a contract with regard to the claim; providing restrictions on the fees and compensation that may be charged or accepted by a public adjuster with regard to claims involving residential or commercial policies that do or do not arise from hurricanes; prohibiting a public adjuster from basing any charge, fee, payment, commission, or compensation relating to a supplemental claim on the corresponding previous settlement or claim payment; providing that it is an unfair and deceptive insurance trade practice for a public adjuster or any other person to circulate or disseminate any advertisement, announcement, or statement containing any assertion, representation, or statement with respect to the business of insurance which is untrue, deceptive, or misleading; creating s. 626.8541, F.S.; defining the term "public adjuster apprentice"; amending s. 626.865, F.S.; providing qualifications that an applicant must possess before the issuance of a license by the department; requiring that certain persons applying for a license after the completion of a period of suspension, termination, cancellation, revocation, or expiration must pass the examination required for licensure as a public adjuster; creating s. 626.8651, F.S.; providing requirements for licensure as a public adjuster apprentice; requiring that the department approve an application under certain circumstances; requiring that the department deny an application under certain circumstances; requiring that an application be accompanied by an affidavit verifying certain information; requiring that all license fees be paid before the department issues a license; requiring the applicant to file a bond in a specified amount in favor of the department; providing for termination of the bond; requiring that the apprentice's work be supervised by a licensed adjuster in good standing; authorizing the department to adopt rules governing employment requirements; providing that the supervising adjuster is responsible for the acts of the apprentice; providing a period of effectiveness for an apprentice license; providing that an individual licensed as an apprentice may file an application for licensure as a public adjuster after a specified period of employment as an apprentice; requiring that a sworn affidavit containing certain information accompany such application; prohibiting an apprentice from performing any functions for which a license is required after the expiration of his or her license for apprenticeship without first obtaining a license to work as a public adjuster; limiting the authority of a public adjuster apprentice; amending s. 626.869, F.S.; providing for continuing education for company employee adjusters, independent adjusters, and public adjusters; providing for the satisfaction of continuing education requirements for nonresident adjusters; amending s. 626.8698, F.S.; providing disciplinary guidelines for public adjusters and public adjuster apprentices; amending s. 626.870, F.S.; providing requirements for the reinstatement of a suspended license, an appointment, or eligibility; providing for the notification of denial or approval of an application for reinstatement; amending s. 626.8732, F.S.; revising requirements for licensure as a nonresident public adjuster; providing exceptions to such requirements; requiring that an applicant for licensure as a nonresident public adjuster provide certain information with his or her application; requiring that the department verify the nonresident applicant's licensing status; creating ss. 626.8796 and 626.8797, F.S.; requiring that all contracts for services by a public adjuster be in writing and contain a specified statement regarding fraud; providing that any person who knowingly and with intent to injure, defraud, or deceive any insurer or who files a statement of claim or proof of loss containing any false, incomplete, or misleading information commits a felony of the third degree; providing a statement that must be signed by a public adjuster for claims under a policy requiring the filing of a written proof of loss containing an estimate of the costs to repair or replace damaged property; providing that it is a felony of the third degree for any person who, with the intent to injure, defraud, or deceive any insurer, prepares, presents, or causes to be presented a proof of loss in support of a claim under an insurance policy knowing that the proof of loss contains any false, incomplete, or misleading information concerning any fact or thing material to the claim; providing effective dates.

By the Committee on Military Affairs and Domestic Security; and Senator Dean—

CS for SB 1462—A bill to be entitled An act relating to direct-support organizations; creating s. 292.055, F.S.; creating the "Sergeant First Class Paul R. Smith Memorial Act"; authorizing the Department of Veterans' Affairs to establish a direct-support organization to assist the department; providing definitions; providing purposes, objectives, and duties of the direct-support organization; providing for a board of directors and membership requirements for the board members; requiring the direct-support organization to operate under contract with the department; delineating contract and other governance requirements; providing guidelines for the use of funds; providing for the use of property, facilities, and personal services of the department; providing restrictions; providing limits on the direct-support organization; requiring the direct-support organization to submit certain federal tax forms to the department; providing for an annual audit; amending s. 265.002, F.S.; providing for the Department of Veterans' Affairs to replace the Florida Commission on Veterans' Affairs in cooperating with the Department of Management Services to establish the Florida Medal of Honor Wall; amending s. 320.08058, F.S.; requiring that a certain percent of the

annual license plate fee collected from the sale of the "Florida Salutes Veterans" license plate be distributed to the direct-support organization created for the purpose of providing benefit to the Department of Veterans' Affairs for a period not to exceed 24 months after the date the direct-support organization is incorporated; providing that the remaining fees be deposited in the State Homes for Veterans Trust Fund; amending s. 337.111, F.S.; providing that three members of the direct-support organization of the Department of Veterans' Affairs participate on a committee to approve contracts to install monuments and memorials honoring Florida's military veterans at highway rest areas around the state; repealing s. 292.04, F.S., relating to the Florida Commission on Veteran's Affairs; providing an effective date.

By the Committees on Criminal Justice; and Criminal Justice—

CS for SB 1614—A bill to be entitled An act relating to the Department of Corrections; amending s. 921.187, F.S.; deleting certain provisions limiting circumstances under which an offender may be placed in community control; amending s. 940.061, F.S.; specifying that the Department of Corrections meets its statutory obligation to assist released offenders with completing the application for the restoration of civil rights by sending an electronic list to the Parole Commission each month of those inmates and offenders who were released from incarceration or terminated from supervision during the preceding month; amending s. 943.16, F.S.; eliminating provisions requiring that a law enforcement officer reimburse the employing agency for wages and benefits paid by the employing agency if the officer terminates employment before the end of a 2-year commitment period; eliminating wages and benefits from the costs that employing agencies may recover; eliminating the definition of the term "academy training period"; amending s. 944.1905, F.S.; authorizing the department to assign an offender sentenced to death to a facility for youthful offenders until the offender reaches a specified age; deleting provisions requiring that certain offenders younger than 18 years of age be housed and provided certain services separately from older offenders or placed in a facility for youthful offenders; amending s. 944.293, F.S.; specifying that the Department of Corrections meets its statutory obligation to assist released offenders with completing the application for the restoration of civil rights by sending an electronic list to the Parole Commission each month of those inmates and offenders who were released from incarceration or terminated from supervision during the preceding month; amending s. 944.47, F.S.; providing that a cellular telephone or other portable communication device that is introduced inside the secure perimeter of a state correctional institution without prior authorization is contraband; prohibiting an inmate or other person upon the grounds of the institution from possessing such contraband without authorization; providing a definition; providing criminal penalties; amending s. 945.41, F.S.; eliminating a requirement that the Department of Corrections contract with the Department of Children and Family Services to provide certain mental health services; authorizing the Department of Corrections to contract with other entities or persons to provide mental health services to inmates; amending s. 945.42, F.S.; revising definitions and defining the term "crisis stabilization care"; amending s. 945.43, F.S.; revising the procedures for placing an inmate in a mental health treatment facility; authorizing the court to waive the presence of the inmate at the hearing on the inmate's placement; amending s. 945.44, F.S.; providing for the emergency placement of an inmate in a mental health treatment facility; amending s. 945.45, F.S.; revising the provisions governing the continued placement of an inmate in a mental health treatment facility; providing that the administrative law judge may waive the presence of the inmate at the hearing under certain conditions; amending s. 945.46, F.S.; authorizing the warden to initiate procedures for the involuntary examination of an inmate who has a mental illness and meets certain criteria; amending s. 945.47, F.S.; providing for the transfer of an inmate who is no longer in need of mental health treatment; deleting certain provisions governing involuntary placement; requiring that a summary of the inmate's treatment be provided to the Parole Commission and the Department of Children and Family Services upon request; amending s. 945.48, F.S.; revising the procedure for the involuntary mental health treatment of an inmate; providing for the warden of the institution containing the mental health treatment facility to petition the circuit court for an order authorizing involuntary treatment; providing requirements for the hearing on involuntary treatment; limiting the period that an order authorizing involuntary treatment is effective; providing a procedure for emergency treatment; amending s. 945.49, F.S.; deleting a provision requiring that training provided to correctional officers employed by a mental health treatment facility be in accordance with the requirements of the Criminal Justice Standards and Training Commission; amending s. 948.01, F.S.; deleting certain provisions limiting circumstances under which an offender may be placed in community control; amending s. 948.10, F.S.; deleting a requirement that community control programs and manuals be developed in consultation with the Florida Conference of Circuit Court Judges and the State Courts Administrator; deleting requirements for the department in developing and implementing community control programs, resource directories, and training programs; deleting a requirement for the Florida Court Education Council and the State Courts Administrator to coordinate certain resources for judges pertaining to community control; eliminating provisions governing review and notice by the department of offenders ineligible for community control and requiring the department to develop a caseload equalization strategy; amending s. 958.04, F.S.; authorizing the court to sentence a person as a youthful offender if the offender is younger than 21 years of age at the time sentence is imposed; requiring the Department of Corrections to adopt by rule criteria to define successful participation in the youthful offender program; amending s. 958.11, F.S.; removing the specific designation of youthful offender facilities for housing female offenders; revising requirements for the department with respect to assigning or transferring youthful offenders; removing references to the Assistant Secretary for Youthful Offenders; amending s. 958.12, F.S.; removing the requirement for a youthful offender to be visited by a probation and parole officer before release; removing the requirement for the department to develop community partnerships with the Department of Labor and Employment Security and the Department of Children and Family Services; providing an effective date.

By the Committee on Criminal Justice; and Senator Dockery—

CS for SB 1988—A bill to be entitled An act relating to driving with a license that is suspended, revoked, or canceled; amending s. 322.34, F.S.; providing that a person commits a second-degree misdemeanor upon a first conviction and a first-degree misdemeanor upon a second or subsequent conviction of the same offense if the person commits certain specified violations of law; requiring the Department of Highway Safety and Motor Vehicles to study the effectiveness of suspending a person's driver's license for certain specified violations of law; requiring that the department, in consultation with the Office of Program Policy Analysis and Government Accountability and other affected entities, prepare a report and submit its findings and recommendations to the Governor and the Legislature by a specified date; providing an effective date.

By the Committee on Criminal Justice; and Senator Dockery—

CS for SB 2000—A bill to be entitled An act relating to sentencing; creating s. 921.0019, F.S.; creating the Sentencing Policy Advisory Council within the Legislature; requiring the council to evaluate sentencing policy, sentencing practices, and laws affecting or applicable to sentencing or punishment; requiring that recommendations be consistent with specified goals; providing membership of the council; providing for selection of the chair of the council; providing for an executive director and additional staff for the council, subject to appropriations; providing that members of the council serve without compensation, but are entitled to be reimbursed for per diem and travel expenses; requiring meetings and reports of findings and recommendations to the Governor, the Legislature, and the Florida Supreme Court; requiring the council to report its findings and recommendations regarding specified questions by a specified date; providing an effective date.

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

CS for SB 2012—A bill to be entitled An act relating to long-term care policies; amending s. 627.94073, F.S.; revising provisions requiring that insurers notify policyholders of the right to designate a secondary addressee to receive a notice of termination; requiring that a canceled policy be reinstated if the policyholder failed to pay the premium due to an extended hospital confinement; providing for application; providing an effective date.

By the Committee on Regulated Industries; and Senator Aronberg—

CS for SB 2016—A bill to be entitled An act relating to public lodging and public food service establishments; amending s. 509.013, F.S.; revising and adding definitions; amending s. 509.032, F.S.; eliminating the requirement for the Division of Hotels and Restaurants to assist the State Fire Marshal in updating the Florida Fire Prevention Code; eliminating the requirement for the division to enforce the Florida Fire Prevention Code in conducting its inspections; revising state preemption authority; amending s. 509.039, F.S.; removing a time limit for obtaining food service manager certification after employment; amending s. 509.101, F.S.; deleting the requirement that a transient establishment maintain a copy of ch. 509, F.S., on its premises; repealing s. 509.201, F.S., relating to public lodging establishment room rate posting and filing requirements, room rate advertisement requirements, and related exemptions and penalties; amending s. 509.211, F.S.; deleting a requirement for division notification of local firesafety officials or the State Fire Marshal of violations of rules under ch. 633, F.S.; amending s. 509.221, F.S.; providing that certain sanitary regulations for a public lodging establishment for its guests and employees and for a public food service establishment for its employees be in compliance with the Florida Building Code as approved by the local authority having jurisdiction; providing for wastewater disposal procedures for public food service establishments; requiring public lodging establishment and public food service establishment public restroom requirements to be in accordance with the Florida Building Code as approved by the local authority having jurisdiction; amending s. 509.242, F.S.; clarifying public lodging establishment classifications; amending s. 509.261, F.S.; authorizing the division to levy sanctions for failing to comply with final orders of the division; authorizing the division to require payment of outstanding fines before renewing or issuing a license; providing an effective date.

By the Committee on Criminal Justice; and Senator Ring—

CS for SB 2026—A bill to be entitled An act relating to sexual offenders and predators; amending ss. 775.21, 943.0435, 944.607, and 985.4815, F.S.; requiring sexual offenders and predators to provide home telephone numbers and any cellular telephone numbers as part of the registration process; specifying that failure to provide such telephone numbers as required is a third-degree felony; amending s. 944.606, F.S.; requiring that the Department of Law Enforcement be notified of the home telephone number and any cellular telephone number of a sexual offender released from incarceration; amending s. 985.481, F.S.; requiring that the Department of Law Enforcement be notified of the home telephone number and any cellular telephone number of a juvenile sexual offender released after serving a period of residential commitment; providing an effective date.

By the Committees on Banking and Insurance; and Banking and Insurance—

CS for SB 2158—A bill to be entitled An act relating to money services businesses; changing the name of money transmitters to money services businesses; requiring licensure rather than registration; amending s. 560.103, F.S.; revising definitions; defining the terms "affiliated party," "branch office," "cashing," "compliance officer," "electronic instrument," "financial audit report," "foreign affiliate," "licensee," "location," "monetary value," "net worth," "outstanding money transmission," and "stored value"; providing applicability for certain terms; amending s. 560.104, F.S.; revising provision providing exemptions from ch. 560, F.S.; amending s. 560.105, F.S.; revising provisions relating to the powers of the Office of Financial Regulation and the Financial Services Commission; amending s. 560.109, F.S.; revising provisions relating to examinations and investigations conducted by the office; requiring that the office periodically examine each licensee; requiring the office to report certain violations to a criminal investigatory agency; requiring that the office annually report to the Legislature information concerning investigations and examinations and the total amount of fines assessed and collected; requiring records in a language other than English to be translated; creating s. 560.1091, F.S.; authorizing the office to contract with third parties to conduct examinations; authorizing the commission to adopt rules relating to who can conduct examinations and the rates charged; creating s. 560.1092, F.S.; requiring persons examined to pay the expenses of examination as set by rule of the commission; providing for the deposit of funds collected from licensees; requiring payment for travel expenses and living expenses and compensation for persons making the examinations from such funds or from funds budgeted for such purposes; creating s. 560.110, F.S.; providing for record retention by licensees; amending s. 560.111, F.S.; revising the list of prohibited acts by a money services business; amending s. 560.113, F.S.; providing for the establishment of a receivership or the payment of restitution by a person found to have violated ch. 560, F.S.; amending s. 560.114, F.S.; revising grounds for the disciplinary actions; amending s. 560.115, F.S.; revising provisions relating to the voluntary surrender of a license; amending s. 560.116, F.S.; revising provisions relating to the granting of immunity for providing information about alleged violations of ch. 560, F.S.; amending s. 560.118, F.S.; revising provisions relating to required reports; deleting an exemption from the requirement to file an annual financial report; transferring, renumbering, and amending s. 560.119, F.S.; revising provisions providing for the deposit of fees and assessments; amending s. 560.121, F.S.; revising restriction on access to records held by a court or the Legislature; amending s. 560.123, F.S.; revising provisions relating to the Florida Control of Money Laundering in Money Services Business; creating s. 560.1235, F.S.; requiring a licensee to comply with state and federal anti-money laundering laws and rules; amending s. 560.124, F.S.; revising provisions relating to sharing reported information; amending s. 560.125, F.S.; revising provisions relating to unlicensed activity; amending s. 560.126, F.S.; revising provisions relating to certain notice requirements by a licensee; amending s. 560.127, F.S.; revising provisions relating to the control of a money services business; amending s. 560.128, F.S.; revising provisions relating to customer contacts and license display; amending s. 560.129, F.S.; revising provisions relating to the confidentiality of certain records; creating s. 560.140, F.S.; providing licensing standards for a money services business; creating s. 560.141, F.S.; providing for a license application; creating s. 560.142, F.S.; providing for license renewal; creating s. 560.143, F.S.; providing for license fees; amending s. 560.203, F.S.; revising the exemption from licensure for authorized agents of a money services business; amending s. 560.204, F.S.; revising provisions relating to the requirement for licensure of money transmitters or sellers of payment instruments under part II of ch. 560, F.S.; amending s. 560.205, F.S.; providing additional requirements for a license application; amending s. 560.208, F.S.; revising provisions relating to the conduct of a licensee; creating s. 560.2085, F.S.; providing requirements for authorized agents; amending s. 560.209, F.S.; revising provisions relating to a licensee's net worth and the filing of a corporate surety bond; requiring a financial audit report; increasing the upper limit of the bond; deleting the option of waiving the bond; amending s. 560.210, F.S.; revising provisions relating to permissible investments; amending s. 560.211, F.S.; revising provisions relating to required recordkeeping under part II of ch. 560, F.S.; amending s. 560.212, F.S.; revising provisions relating to licensee liability; amending s. 560.213, F.S.; revising provisions relating information that must be printed on a payment instrument; amending s. 560.303, F.S.; revising provisions relating to the licensure of check cashers under part II of ch. 560, F.S.; amending s. 560.304, F.S.; revising provisions relating to exemptions from licensure; limiting the exemption for the payment of instruments below a certain value; amending s. 560.309, F.S.; revising provisions relating to the conduct of check cashers; providing additional requirements; amending s. 560.310, F.S.; revising requirements for licensee records; specifying the maintenance of identification records for certain customers; amending s. 560.402, F.S.; revising definitions relating to deferred presentment providers; amending s. 560.403, F.S.; revising provisions relating to the licensing requirements for deferred presentment providers; amending s. 560.404, F.S.; revising provisions relating to deferred presentment transactions; amending s. 560.405, F.S.; revising provisions relating to the redemption or deposit of a deferred presentment transaction; amending s. 560.406, F.S.; revising provisions relating to worthless checks; amending ss. 499.005, 499.0691, 501.95, 538.03, 896.101, 896.104, and 921.0022, F.S.; conforming cross-references; repealing s. 560.101, F.S., relating to a short title; repealing s. 560.102, F.S., relating to purpose and application; repealing s. 560.106, F.S., relating to chapter constructions; repealing s. 560.1073, F.S., relating to false or misleading statements or documents; repealing s. 560.108, F.S., relating to administrative enforcement guidelines; repealing s. 560.112, F.S., relating to disciplinary action procedures; repealing s. 560.117, F.S., relating to administrative fines; repealing s. 560.200, F.S., relating to a short title; repealing s. 560.202, F.S., relating to definitions; repealing s. 560.206, F.S., relating to the investigation of applicants; repealing s. 560.207, F.S., relating to registration; repealing s. 560.301, F.S., relating to a short title; repealing s. 560.302, F.S., relating to definitions; repealing s. 560.305, F.S., relating to application for registration; repealing s. 560.306, F.S., relating to

standards; repealing s. 560.307, F.S., relating to fees; repealing s. 560.308, F.S., relating to registration; repealing s. 560.401, F.S., relating to a short title; repealing s. 560.407, F.S., relating to required records; providing an effective date.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

RETURNING MESSAGES—FINAL ACTION

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has accepted the Conference Committee Report as an entirety and passed SB 2502 as amended by the Conference Committee Report.

William S. Pittman III, Chief Clerk

The bill contained in the foregoing message was ordered engrossed and then enrolled.

CORRECTION AND APPROVAL OF JOURNAL

The Journals of March 6 and 11 were corrected and approved.

ENROLLING REPORTS

SB 2502 has been enrolled, signed by the required Constitutional Officers and presented to the Governor on March 12, 2008.

Faye W. Blanton, Secretary

CO-INTRODUCERS

Senators Baker—CS for SB 1384, SB 2018, SB 2148; Bennett—CS for SB 574, SB 678, SB 1096, SB 2148, SB 2246; Bullard—SB 302; Dean—SB 1964; Deutch—SB 678; Fasano—SB 1964; Gaetz—SB 82, SB 1964, SJR 2022; Haridopolos—CS for SB 76, SB 112, CS for SB 394, SB 618, CS for SB 758, SB 1378, SM 1742; Joyner—SM 1600, SB 1964; Justice—SB 1964; Lawson—SB 2030; Lynn—SB 286, CS for SB's 556 and 748, CS for SB 1152, SB 1640; Posey—SB 678; Ring—SM 1600; Storms—CS for SB 282, SB 1606; Wilson—SB 848

RECESS

On motion by Senator King, the Senate recessed at 1:20 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 8:30 a.m., Thursday, March 13 or upon call of the President.

Journal of the Senate

Number 5—Regular Session **Thursday, March 13, 2008**

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CALL TO ORDER

The Senate was called to order by President Pruitt at 8:30 a.m. A quorum present—39:

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

Excused: Senator Wilson

PRAYER

The following prayer was offered by Pastor Lionel Leonard, House of Comfort and Refuge Ministries, Havana:

O Lord our God, once more and again we come humbly before your presence thanking you for another opportunity to tell you thanks. We thank you for blessing us with reasonable health and strength. We thank you for knowing that you have allowed us to be in your presence, in this place, and in your will, to provide guidance and direction for the people of the great State of Florida.

We pray that you allow us to submit to your will, and lean not on our own understanding; but trust that you will help us make the difficult decisions that are in the best interest for all Floridians. We pray that you will direct every thought and every action of these distinguished Senators who have been elected and entrusted to legislate the affairs for the State of Florida.

We thank you for these Senators who have accepted this awesome responsibility, and who have chosen to give unselfishly of themselves to establish laws and regulations by which the citizens of this great state may enjoy the best that it has to offer.

Lord, we thank you for these legislators whose love and concern for the people is such that they are willing to sacrifice their time, their energies, and even their sharing with family, in order to do all they can to enhance the quality and joy of life for all Floridians.

Dear God, bless them with the wisdom to trust you to guide them; the integrity to never compromise on what is right; and the strength to stand even when faced with unyielding temptations. Hear our prayer, O Lord, incline thine ear unto us. This we pray in thy name. Amen.

PLEDGE

Senate Pages Hali C. Harden of Wewahitchka; Cynthia "Cyndi" Milum of Niceville; Jasmine D. White of Sneads; and Joseph "Joe" Alexionok II of Tallahassee, led the Senate in the pledge of allegiance to the flag of the United States of America.

ADOPTION OF RESOLUTIONS

At the request of Senator Lawson—

By Senator Lawson—

SR 2064—A resolution recognizing March 19, 2008, as "FAMU Day" at the Florida Legislature.

WHEREAS, Florida Agricultural and Mechanical University (FAMU) was founded in 1887, named a land-grant institution in 1891, and designated a university in 1953, and

WHEREAS, FAMU is a 4-year, historically black university, offering undergraduate and graduate programs that seek qualified students from all racial, ethnic, religious, and national groups, and

WHEREAS, for more than 120 years FAMU has provided educational opportunities that have enhanced the quality of life for young men and women from Florida and around the globe, and

WHEREAS, the University consists of 13 colleges and schools as well as two institutes: Arts and Sciences; Education; Engineering Sciences, Technology, and Agriculture; Pharmacy and Pharmaceutical Sciences; Engineering; Allied Health Sciences; Architecture; Business and Industry; General Studies; Journalism and Graphic Communication; Nursing; Law; Graduate Studies and Research; the Environmental Sciences Institute; and the Institute of Public Health, and

WHEREAS, today more African American students earn bachelor's degrees at FAMU than at any other American university, and FAMU is the leading producer of African American PhD's in Physics, and

WHEREAS, FAMU is the nation's top producer of black pharmacists, and the pharmacy program led the state and the nation in 2007 with its 100 percent passage rate on the North American Pharmacy Licensure Examination, and

WHEREAS, the FAMU faculty has more than 300 active grants and contracts from federal, state, and private sources, representing research, community service, and scholarly projects, and

WHEREAS, Business Week Magazine recently recognized FAMU as one of the "Most Innovative Colleges" in the country in the area of technology transfer, and

WHEREAS, FAMU MBA students won first place at the 2007 National Black MBA Association Case Competition, besting teams from Columbia University and the University of Chicago, and

WHEREAS, in November 2007, FAMU captured its seventh consecutive Mid-Eastern Athletic Conference Volleyball Championship title, NOW, THEREFORE,

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

That the Florida Senate recognizes March 19, 2008, as "FAMU Day" in the Florida Legislature in recognition of Florida Agricultural and Mechanical University's contributions as an outstanding institution of higher education.

BE IT FURTHER RESOLVED, that a copy of this resolution, with the seal of the Senate affixed, be presented to Dr. James H. Ammons, President of Florida Agricultural and Mechanical University, as a tangible token of the sentiments of the Florida Senate.

—**SR 2064** was introduced, read and adopted by publication.

At the request of Senator Saunders—

By Senator Saunders—

SR 2244—A resolution recognizing Sheriff Don Hunter and the Collier County Sheriff's Office for completing the United States Immigration and Customs Enforcement cross-training program to improve immigration enforcement in Florida.

WHEREAS, the people of Collier County and the State of Florida have expressed serious concerns related to the need for improved immigration enforcement with respect to individuals who are not lawfully residing in the State of Florida and the United States of America, and

WHEREAS, the Illegal Immigration Reform and Immigrant Responsibility Act added Section 287(g) to the Immigration and Nationality Act authorizing state officers and employees to enforce immigration laws, and

WHEREAS, the cross-designation between the Immigration and Customs Enforcement (ICE) officers and state and local patrol officers, detectives, investigators, and correctional officers provides local and state officers with the resources to pursue investigations relating to violent crime, human smuggling, gang and organized crime activity, sexual-related offenses, narcotics smuggling, and money laundering, and

WHEREAS, Collier County Sheriff Don Hunter recognized the benefit to the community of participating in this joint venture with ICE and entered into a Memorandum of Agreement with the Secretary of the United States Department of Homeland Security to cross-train 27 Collier County Sheriff's Office deputies and corrections officers to enforce immigration laws, and

WHEREAS, the Collier County Sheriff's Office is the first local law enforcement agency in Florida to complete the cross-training of officers who are empowered to identify violent criminal aliens, take those aliens into custody, and begin procedures for removing the aliens from Collier County, the State of Florida, and the United States, and

WHEREAS, this innovative, landmark effort by Sheriff Don Hunter and the 27 officers of the Collier County Sheriff's Office will serve to make the State of Florida a place where criminal aliens will not seek respite and a safe haven from prosecution and deportation, thereby making our great state a safer place to live, work, and visit, and

WHEREAS, Sheriff Don Hunter has established himself as a role model for all law enforcement leadership to follow in protecting the people of the State of Florida from criminal activities by those who are not legally residing in the United States, and

WHEREAS, the State of Florida recognizes the benefit to the safety of its residents and visitors and the positive economic effect of these actions in deterring and limiting illegal activities of illegal aliens, NOW, THEREFORE,

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

That the Senate recognizes and commends Sheriff Don Hunter, the Collier County Sheriff's Office, and the 27 Collier County officers who have completed the United States Immigration and Customs Enforcement cross-training program.

—**SR 2244** was introduced, read and adopted by publication.

At the request of Senator Haridopolos—

By Senator Haridopolos—

SR 2268—A resolution recognizing March 13, 2008, as "APPRENTICESHIP Day" and honoring the APPRENTICESHIP Program for contributing to a growing and prosperous Florida economy.

WHEREAS, the APPRENTICESHIP method of on-the-job training and related classroom instruction is found worldwide and has consistently been proven to be an effective, efficient, and economical way to pass on trade and craft skills and knowledge needed by the builders of a country's economy, and

WHEREAS, since being incorporated into state law 60 years ago, Florida's APPRENTICESHIP Program has successfully taught multiple tens of thousands of students critical, industry-identified skills and knowledge, enabling apprentices to take their places as sought-after, skilled craftpersons, a diversification that helps keep our economy growing by building upon enduring strengths, and

WHEREAS, those students who complete the APPRENTICESHIP Program consistently earn higher salaries than students earning college degrees through the baccalaureate level, and

WHEREAS, research shows that Florida's apprentices seldom require public assistance and are likely to remain in the high-skill, high-wage fields in which they received their training, and

WHEREAS, Florida's current APPRENTICESHIP Program trains 15,131 apprentices in 285 programs throughout the state, ranking Florida in the top 10 percent nationally in the number of apprentices served, and

WHEREAS, the registered apprenticeship system guarantees the availability of a quality workforce, trained to the exacting standards of Florida's trades, while at the same time improving the training standards of business and industry, and

WHEREAS, Florida's APPRENTICESHIP Program welcomes all apprentices 16 years of age and older without regard to gender or ethnicity, helping Florida's economy to flourish and maintain a competitive edge nationally and internationally through its diversified workforce, and

WHEREAS, it is commonly known that the effectiveness and uniqueness of Florida's registered APPRENTICESHIP Program is due, in part, to the unique cooperation and strong partnerships forged among the business and industry sectors, the apprenticeship program sponsors, the educational community, and the dedicated, highly motivated students in apprenticeship programs, and

WHEREAS, registered APPRENTICESHIP Programs are an essential part of our educational system and such programs are a critical component in the development and delivery of high-caliber and skilled craftspeople needed to continue the growth that has been Florida's hallmark, NOW, THEREFORE,

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

That March 13, 2008, is recognized by the Florida Senate as "APPRENTICESHIP Day" in the state.

—**SR 2268** was introduced, read and adopted by publication.

BILLS ON THIRD READING

SENATOR DAWSON PRESIDING

SB 154—A bill to be entitled An act relating to pedestrian safety; amending ss. 316.075 and 316.130, F.S.; requiring a driver to stop at certain intersections to allow a pedestrian to cross a roadway when the pedestrian is in the crosswalk or steps into the crosswalk; providing penalties; providing an effective date.

—was read the third time by title.

On motion by Senator Fasano, **SB 154** was passed and certified to the House. The vote on passage was:

Yeas—35

Mr. President	Deutch	Lynn
Alexander	Dockery	Oelrich
Aronberg	Fasano	Peaden
Atwater	Gaetz	Posey
Baker	Garcia	Rich
Bennett	Geller	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dawson	King	Wise
Dean	Lawson	

Nays—None

Vote after roll call:

Yea—Diaz de la Portilla, Haridopolos, Margolis, Storms

CS for SB 276—A bill to be entitled An act relating to food donation by public food service establishments; providing a short title; amending s. 768.136, F.S.; expanding the definition of "perishable food" to include foods prepared at a public food service establishment licensed under ch. 509, F.S.; providing an effective date.

—was read the third time by title.

On motion by Senator Rich, **CS for SB 276** was passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Deutch	Lynn
Alexander	Dockery	Oelrich
Aronberg	Fasano	Peaden
Atwater	Gaetz	Posey
Baker	Garcia	Rich
Bennett	Geller	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dawson	King	Webster
Dean	Lawson	Wise

Nays—None

Vote after roll call:

Yea—Diaz de la Portilla, Haridopolos, Margolis

CS for SB 296—A bill to be entitled An act relating to bingo games; amending s. 849.0931, F.S.; authorizing the use of electronics or other technology in lieu of vocal verification for bingo games; amending s. 849.0935, F.S.; revising the definition of "organization" to include chambers of commerce; exempting chambers of commerce from provisions prohibiting drawings by chance; authorizing an organization to place signs at a bingo game event disclosing certain required information; providing an effective date.

—was read the third time by title.

On motion by Senator Fasano, **CS for SB 296** was passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Bullard	Deutch
Alexander	Carlton	Dockery
Aronberg	Constantine	Fasano
Atwater	Crist	Gaetz
Baker	Dawson	Garcia
Bennett	Dean	Geller
Hill	Lynn	Saunders
Jones	Oelrich	Siplin
Joyner	Peaden	Storms
Justice	Posey	Villalobos
King	Rich	Webster
Lawson	Ring	Wise

Nays—None

Vote after roll call:

Yea—Diaz de la Portilla, Haridopolos, Margolis

SB 458—A bill to be entitled An act relating to amateur matches; amending s. 548.007, F.S.; exempting amateur matches that are conducted or sponsored by the Fraternal Order of Police and that are held in conjunction with a charitable event from provisions regulating pugilistic contests and exhibitions; amending s. 548.035, F.S.; reducing the required fee per event; providing an effective date.

—as amended March 12 was read the third time by title.

MOTION

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

Senator Carlton moved the following amendment which was adopted by two-thirds vote:

Amendment 1 (393354)(with title amendment)—Delete line(s) 30-36 and renumber subsequent section.

And the title is amended as follows:

Delete line(s) 7 and 8, and insert: providing an effective date.

On motion by Senator Wise, **SB 458** as amended was passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—34

Mr. President	Deutch	Peaden
Alexander	Dockery	Posey
Aronberg	Fasano	Rich
Atwater	Gaetz	Ring
Baker	Garcia	Saunders
Bennett	Geller	Siplin
Bullard	Joyner	Storms
Carlton	Justice	Villalobos
Constantine	King	Webster
Crist	Lawson	Wise
Dawson	Lynn	
Dean	Oelrich	

Nays—1

Jones

Vote after roll call:

Yea—Diaz de la Portilla, Haridopolos, Hill, Margolis

CS for CS for SB 1380—A bill to be entitled An act relating to electronic gaming machines; authorizing electronic gaming machines in certain pari-mutuel facilities; providing definitions; providing powers and duties of the Division of Pari-mutuel Wagering of the Department of Business and Professional Regulation and the Department of Law Enforcement; providing for rules; providing for licenses to conduct electronic gaming; providing for temporary licenses; providing for renewal of electronic gaming machine licenses; providing for license fees; providing for taxes; providing penalties; providing for occupational licenses; providing findings; providing for applications; providing for a fee; prohibiting certain relationships; prohibiting certain acts; providing penalties; providing for legality of electronic gaming machines; providing for exclusion of certain persons from the facilities; prohibiting persons under 21 years of age from operating electronic gaming machines; pro-

viding for electronic gaming machine areas within licensed gaming locations; providing for days and hours of operation of eligible facilities; providing for a compulsive-gambling-prevention program; providing penalties; providing for a caterer's license for food service at gambling establishments; prohibiting certain activities and devices; providing exceptions; providing for rules; providing for regulatory preemption to the state; providing exceptions to ss. 849.0931 and 849.094, F.S.; amending s. 215.22, F.S.; exempting taxes imposed on electronic gaming and electronic gaming machine revenue from specified service charges; amending s. 550.002, F.S.; providing for 100 live games at eligible jai alai facilities; amending s. 550.135, F.S.; providing for the reservation of electronic gaming machine fees in a trust fund; amending s. 849.15, F.S.; providing for transportation of electronic gaming devices in accordance with federal law; amending s. 895.02, F.S.; providing that specified violations related to electronic gaming and electronic gaming machines constitute racketeering activity; providing that certain debt incurred in violation of specified provisions relating to electronic gaming and electronic gaming machines constitutes unlawful debt; authorizing additional positions and providing appropriations; providing for the use of certain unreserved funds in the Pari-mutuel Wagering Trust Fund; providing for repayment of such funds; providing an effective date.

—was read the third time by title.

On motion by Senator Jones, **CS for CS for SB 1380** was passed and certified to the House. The vote on passage was:

Yeas—27

Mr. President	Dockery	King
Aronberg	Fasano	Lawson
Atwater	Garcia	Lynn
Bennett	Geller	Margolis
Bullard	Haridopolos	Oelrich
Dawson	Hill	Rich
Dean	Jones	Ring
Deutch	Joyner	Saunders
Diaz de la Portilla	Justice	Villalobos

Nays—11

Alexander	Gaetz	Storms
Baker	Peaden	Webster
Carlton	Posey	Wise
Crist	Siplin	

Vote after roll call:

Nay—Constantine

CS for CS for SB 970—A bill to be entitled An act relating to slot machine revenues; amending s. 551.106, F.S.; revising the tax rate on slot machine revenues at pari-mutuel facilities; requiring certain licensees to pay a pro rata share of the shortfall in taxes paid on slot machine tax revenues under certain conditions; providing a percentage cap on the payment of taxes on slot machine revenues; providing for the expiration of the revised tax rate; providing a tax rate on certain Class III gaming on Indian reservations if commenced; providing a tax rate on video lottery terminals, electronic gaming, Class II or Class III gaming at pari-mutual facilities if authorized by the state; revising the dates for remitting payment of slot machine tax revenues; amending s. 551.116, F.S.; providing hours of operation for sales of alcoholic beverages in slot machine gaming areas; providing an effective date.

—as amended March 12 was read the third time by title.

On motion by Senator Geller, **CS for CS for SB 970** as amended was passed and certified to the House. The vote on passage was:

Yeas—25

Mr. President	Deutch	Jones
Aronberg	Diaz de la Portilla	Joyner
Bennett	Dockery	Justice
Bullard	Fasano	King
Dawson	Geller	Lawson
Dean	Hill	Lynn
Margolis	Ring	Villalobos
Oelrich	Saunders	Wise
Rich		

Nays—12

Alexander	Gaetz	Posey
Baker	Garcia	Siplin
Carlton	Haridopolos	Storms
Crist	Peaden	Webster

Vote after roll call:

Nay—Constantine

SB 78—A bill to be entitled An act relating to child welfare professionals; designating the second Monday in May as "Child Welfare Professionals Recognition Day"; providing an effective date.

—was read the third time by title.

On motion by Senator Margolis, **SB 78** was passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—Atwater

CS for CS for SB 242—A bill to be entitled An act relating to education; amending s. 1000.05, F.S.; providing that students may be separated by gender for specified single-gender programs; amending s. 1002.20, F.S.; providing that options for public school choice may include single-gender programs; creating s. 1002.311, F.S.; authorizing district school boards to establish a nonvocational class, extracurricular activity, or school in which enrollment is limited to students of a single gender; providing conditions for such authorization; requiring that students' participation in single-gender programs be voluntary; requiring evaluation of single-gender programs every 2 years; providing an effective date.

—was read the third time by title.

On motion by Senator Wise, **CS for CS for SB 242** was passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Dean	Joyner
Alexander	Deutch	Justice
Aronberg	Diaz de la Portilla	King
Baker	Dockery	Lawson
Bennett	Fasano	Lynn
Bullard	Gaetz	Margolis
Carlton	Garcia	Oelrich
Constantine	Geller	Peaden
Crist	Hill	Rich
Dawson	Jones	Ring

Saunders	Storms	Webster
Siplin	Villalobos	Wise

Nays—None

Vote after roll call:

Yea—Atwater, Haridopolos, Posey

SB 286—A bill to be entitled An act relating to the certification of public school educators; creating s. 1012.587, F.S.; specifying inservice requirements for educators who provide instruction in English for Speakers of Other Languages; providing an effective date.

—was read the third time by title.

On motion by Senator Wise, **SB 286** was passed and certified to the House. The vote on passage was:

Yeas—35

Mr. President	Deutch	Lynn
Alexander	Dockery	Margolis
Aronberg	Fasano	Oelrich
Atwater	Gaetz	Peaden
Baker	Geller	Posey
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Webster
Dawson	King	Wise
Dean	Lawson	

Nays—4

Diaz de la Portilla	Rich	Villalobos
Garcia		

SB 302—A bill to be entitled An act relating to the indecent wearing of below-waist underwear; prohibiting a student from exposing below-waist underwear in a specified manner while on the grounds of a public school; providing penalties; providing an effective date.

—was read the third time by title.

On motion by Senator Siplin, **SB 302** was passed and certified to the House. The vote on passage was:

Yeas—28

Mr. President	Diaz de la Portilla	Peaden
Alexander	Fasano	Posey
Aronberg	Garcia	Ring
Atwater	Geller	Saunders
Baker	Haridopolos	Siplin
Bennett	Hill	Storms
Bullard	King	Webster
Carlton	Lawson	Wise
Constantine	Lynn	
Dawson	Margolis	

Nays—11

Crist	Gaetz	Oelrich
Dean	Jones	Rich
Deutch	Joyner	Villalobos
Dockery	Justice	

Vote after roll call:

Yea to Nay—Aronberg

CS for SB 508—A bill to be entitled An act relating to the safe lifting of hospitalized patients; creating s. 381.396, F.S.; defining the term "hospital"; requiring that hospitals establish by a specified date a policy concerning the safe lifting of patients by hospital employees; providing criteria concerning the policy; providing for a committee to develop the policy; providing for membership of the committee; requiring continuing evaluation of the policy; providing an effective date.

—was read the third time by title.

Senator Fasano moved the following amendment which was adopted by two-thirds vote:

Amendment 1 (293680)—Delete line(s) 20 and insert:

(2) By December 2008, each hospital shall establish an evidence-based

On motion by Senator Fasano, **CS for SB 508** as amended was passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

CS for CS for SB 564—A bill to be entitled An act relating to automated external defibrillators; amending s. 401.2915, F.S.; revising provisions relating to the maintenance of and training requirements for the use of automated external defibrillators; revising provisions encouraging notice to the local emergency medical services medical director; amending s. 768.1325, F.S.; revising requirements for civil immunity for the use or attempted use of a defibrillator on a victim of a perceived medical emergency; providing an effective date.

—was read the third time by title.

On motion by Senator Constantine, **CS for CS for SB 564** was passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—Wise

SB 716—A bill to be entitled An act relating to clinical laboratories; amending s. 483.181, F.S.; requiring clinical laboratories to accept

human specimens submitted by advanced registered nurse practitioners; providing an effective date.

—was read the third time by title.

On motion by Senator Fasano, **SB 716** was passed and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

CS for SB 736—A bill to be entitled An act relating to certification of clinical nurse specialists; amending s. 464.0115, F.S.; revising the requirements for obtaining certification as a clinical nurse specialist; requiring an applicant to submit proof to the Department of Health that he or she has the required academic and clinical experience to be certified as a clinical nurse specialist; providing an effective date.

—was read the third time by title.

On motion by Senator Saunders, **CS for SB 736** was passed and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

REPORTS OF COMMITTEES

The Committee on Education Pre-K - 12 recommends the following pass: SB 112

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

The Committee on Community Affairs recommends the following pass: SB 410

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

The Committee on Children, Families, and Elder Affairs recommends the following pass: SB 870

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

The Committee on Community Affairs recommends the following pass: SB 788

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

The Committee on General Government Appropriations recommends the following pass: SB 2126; SB 2128; SB 2130; SB 2132; SB 2134

The bills were placed on the calendar.

The Committee on Judiciary recommends a committee substitute for the following: CS for SB 628

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

The Committee on Transportation recommends a committee substitute for the following: SB 456

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

The Committee on Health Regulation recommends a committee substitute for the following: SB 1962

The Committee on Transportation recommends a committee substitute for the following: SB 1978

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

The Committee on Judiciary recommends a committee substitute for the following: SB 766

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

The Committee on Health Regulation recommends a committee substitute for the following: SB 1478

The bill with committee substitute attached was referred to the Committee on Health and Human Services Appropriations under the original reference.

The Committee on Ethics and Elections recommends a committee substitute for the following: SB 1220

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

INTRODUCTION AND REFERENCE OF BILLS

FIRST READING

By Senator Siplin—

SB 2252—A bill to be entitled An act relating to public educational instruction; creating s. 1003.4285, F.S.; requiring the Commissioner of

Education to create designations to be applied to standard high school diplomas and to establish guidelines for passage of exams or coursework options related to accelerated college credit; creating s. 1003.495, F.S.; providing a purpose; requiring public high schools to offer advanced placement courses in certain subjects; requiring the State Board of Education to develop and adopt a plan for implementing advanced placement coursework in public high schools; amending s. 1011.62, F.S.; deleting the monetary limitation on bonuses awarded to teachers when education funding is not determined in the annual appropriations act or the implementing bill; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; and Education Pre-K - 12 Appropriations.

By Senator Siplin—

SB 2254—A bill to be entitled An act relating to court-ordered expunction and sealing of criminal history records; amending s. 943.0585, F.S.; increasing from one to three the number of arrests or incidents that a petitioner may offer for expunction by the court without certain conditions; decreasing the number of years that a criminal history record must be sealed before the criminal history record is eligible for expunction; amending s. 943.059, F.S.; increasing from one to three the number of arrests or incidents that a petitioner may request be sealed by the court without certain conditions; providing an effective date.

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

By Senator Baker—

SB 2256—A bill to be entitled An act relating to prepaid telephone calling cards and services; providing definitions; requiring each prepaid calling service provider and prepaid calling card distributor to disclose certain information on the prepaid telephone calling cards or the calling card packaging and in any advertising for the service or cards, including any Internet website used to promote or distribute the service or calling cards; requiring that all minutes or rates, or both, promoted, or advertised on the body of any prepaid calling card relating to that card, or otherwise relating to any prepaid calling service, must be available and achievable by the customer; prohibiting a provider from charging any fees, taxes, surcharges, or other amounts for use of the card except those specifically authorized by law; requiring, in circumstances when a language other than English is predominantly used on a prepaid calling card, its packaging, or in point-of-sale advertising or promotion for the prepaid calling card or prepaid calling service, that the mandated disclosures appear in that language on that card, packaging, advertisement, or promotion; requiring that a company's 24-hour customer service telephone number enable the customer to obtain, at no charge, all applicable information regarding the rates, any permitted fees, charges, and minutes available on the card; requiring each provider and distributor to conspicuously display the applicable access numbers for the use of the card on the body of the card itself or on its packaging; prohibiting a company from imposing a fee or surcharge that is not disclosed as required by this section or that exceeds the amount disclosed by the company; prohibiting a prepaid calling card retailer from selling or offering for sale any prepaid calling card that the retailer knows provides fewer minutes than the number of minutes promoted or advertised for that card, including the number of minutes listed on the card; providing that a violation of the act is a deceptive and unfair trade practice and constitutes a violation of the Florida Deceptive and Unfair Trade Practices Act under part II of ch. 501, F.S., and is subject to the penalties and remedies provided for such violation; requiring the Public Service Commission to prepare a report for the Governor and Legislature; requiring the commission to adopt rules; providing applicability; providing an effective date.

—was referred to the Committees on Communications and Public Utilities; and Commerce.

By Senator Aronberg—

SB 2258—A bill to be entitled An act relating to motor vehicle liability insurance; amending s. 324.021, F.S.; redefining the term "proof of financial responsibility" for purposes of provisions requiring persons operating a motor vehicle to obtain liability insurance; increasing the amounts required with respect to bodily injury or death in a single accident; providing an effective date.

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

By Senator Lawson—

SB 2260—A bill to be entitled An act relating to the Special Risk Class of the Florida Retirement System; amending s. 121.021, F.S.; redefining the term "special risk member"; amending s. 121.0515, F.S.; adding persons who are employed by the state and work in certain facilities or settings to the Special Risk Class; providing that any member of the Florida Retirement System who is employed by the state may seek a review of his or her eligibility for the Special Risk Class; providing legislative findings that the act fulfills an important state interest; providing an effective date.

—was referred to the Committees on Criminal Justice; Children, Families, and Elder Affairs; Governmental Operations; and General Government Appropriations.

By Senator Wise—

SB 2262—A bill to be entitled An act relating to the Florida Bright Futures Scholarship Program; amending s. 1009.535, F.S.; revising the academic requirements for eligibility for a Florida Medallion Scholars award for a student who has attended a home education program; providing an effective date.

—was referred to the Committees on Higher Education; and Higher Education Appropriations.

By Senator Lawson—

SB 2264—A bill to be entitled An act relating to service warranty associations; amending s. 634.4165, F.S.; requiring that, if provided by the warranty holder, warranty registers include the name of the warranty holder and the location of the property; providing an effective date.

—was referred to the Committees on Banking and Insurance; and Commerce.

By Senator Lawson—

SB 2266—A bill to be entitled An act relating to competency in juvenile proceedings; amending s. 985.19, F.S.; requiring an evaluation of mental competency to proceed for every child 10 years of age or younger who is the subject of a court hearing; providing an effective date.

—was referred to the Committees on Criminal Justice; Children, Families, and Elder Affairs; Judiciary; and Criminal and Civil Justice Appropriations.

SR 2268—Not referenced.

By Senator Lawson—

SB 2270—A bill to be entitled An act relating to fireworks; amending s. 791.001, F.S.; specifying persons and entities responsible for enforcing ch. 791, F.S.; amending s. 791.01, F.S.; providing additional definitions; amending s. 791.012, F.S.; conforming a cross-reference; amending s. 791.015, F.S.; revising registration requirements for manufacturers, distributors, and wholesalers of sparklers or fireworks and retailers of sparklers; requiring a separate registration for each location at which

sparklers are sold; increasing certain registration fees; creating s. 791.016, F.S.; providing for issuance of cease and desist orders; creating s. 791.017, F.S.; providing for administrative fines; creating s. 791.018, F.S.; providing for suspension or revocation of registration and grounds therefor; creating s. 791.019, F.S.; providing duration of suspensions and revocations; amending s. 791.02, F.S.; providing for state issuance of permits for displays in the absence of a local mechanism; prohibiting the sale or delivery of sparklers to minors; prohibiting sales from motorized or movable apparatus; creating s. 791.021, F.S.; prescribing guidelines for the sale of sparklers; amending s. 791.04, F.S.; prescribing guidelines on the wholesale sale of fireworks; creating s. 791.041, F.S.; requiring records of sales to be kept and prescribing duties of sellers; amending s. 791.05, F.S.; revising provisions and procedures relating to forfeiture of contraband fireworks; authorizing an assessment of attorney's fees and costs; amending s. 791.055, F.S.; providing restrictions on the storage of sparklers and fireworks; amending s. 791.06, F.S.; providing penalties for violations, including enhanced penalties for second and subsequent violations; creating s. 791.061, F.S.; providing for injunctive relief; amending s. 791.07, F.S.; prescribing additional guidelines on agricultural and fish hatchery use of fireworks; creating s. 791.08, F.S.; declaring that the state has not preempted the field of fireworks regulation; requiring that local ordinances and rules must be more stringent than state law; providing an effective date.

—was referred to the Committees on Banking and Insurance; Community Affairs; Criminal Justice; and General Government Appropriations.

By Senator Posey—

SB 2272—A bill to be entitled An act relating to escrow agents; creating s. 501.165, F.S.; prohibiting unauthorized persons from transacting business using the term "escrow" in a name or a title under certain circumstances; providing a definition; authorizing certain persons to bring an action for declaratory relief or an injunction for certain purposes; providing for recovery by injured persons of actual damages plus attorney's fees and court costs in certain actions; providing criminal penalties; providing an effective date.

—was referred to the Committees on Banking and Insurance; Commerce; and Judiciary.

By Senator Gaetz—

SB 2274—A bill to be entitled An act relating to economic development; amending s. 288.1088, F.S.; providing for the resources of the Quick Action Closing Fund to be made available to less populated areas that have suitable resources to accommodate growth and have adopted a conceptual long-term buildout overlay to the comprehensive plan and a detailed specific area plan; providing that resources be made available to pursue high-impact business facilities in areas that seek economic development and have adopted an optional sector plan; providing an appropriation and certain conditions with respect thereto; providing an effective date.

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

By Senator Lynn—

SB 2276—A bill to be entitled An act relating to public meeting requirements for governing boards of local government authorities; creating s. 286.0114, F.S.; creating the "Vox Populi - Voice of the People Act"; providing definitions; providing purpose; providing requirements with respect to decorum in meetings of the governing boards of local government authorities; requiring the governing body of a local government authority to provide specified opportunities for citizens to address issues at meetings of the governing body; prescribing allocations of time for citizen participation; providing restrictions with respect to the placement of non-agenda and citizen-participation orders of business within an order of consideration; providing procedures and requirements with respect to specified orders of business and agendas of meetings of governing boards of local government authorities; defining "public hearings"; requiring local government authorities to adopt a written policy that implements the requirements of the act by a specified date; providing for public and electronic notification of policy; providing construction; providing an effective date.

—was referred to the Committees on Community Affairs; Education Pre-K - 12; and Governmental Operations.

By Senator Lynn—

SB 2278—A bill to be entitled An act relating to government organization; amending s. 20.197, F.S.; transferring the Agency for Persons with Disabilities from the Department of Children and Family Services to the Agency for Health Care Administration; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Health Regulation; Governmental Operations; and Health and Human Services Appropriations.

By Senator Joyner—

SB 2280—A bill to be entitled An act relating to trust funds; creating the Lead Poisoning Prevention Trust Fund within the Department of Health; providing for a source of funds and purposes of the trust fund; providing for an annual carryforward of funds; providing for future review and termination or re-creation of the trust fund; providing a contingent effective date.

—was referred to the Committees on Health Regulation; Environmental Preservation and Conservation; and Health and Human Services Appropriations.

SR 2282—Not referenced.

By Senator Bennett—

SB 2284—A bill to be entitled An act relating to homeowners' associations; amending s. 373.423, F.S.; requiring that stormwater management systems, dams, impoundments, reservoirs, appurtenant works, or works be inspected by the water management district or the Department of Environmental Protection before being dedicated to a homeowners' association; requiring that the permittee and the homeowners' association president attend the inspection; prohibiting the dedication of certain stormwater management systems, dams, impoundments, reservoirs, appurtenant works, or works to a homeowners' association; requiring that the water management district or department order immediate compliance by the permittee for any noncompliant works; providing responsibilities of the district; amending s. 373.426, F.S.; providing that certain stormwater management systems, dams, impoundments, reservoirs, appurtenant works, or works are dedicated to water management districts until the applicable title of real estate is established or determined; amending s. 720.304, F.S.; providing that any parcel owner may display a sign of reasonable size in any location on the property indicating that the property is for sale; providing that such sign may not interfere with or block access to any common areas or easements located on or passing through that property; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Community Affairs; and General Government Appropriations.

By Senator Dean—

SB 2286—A bill to be entitled An act relating to arboriculture; creating ch. 598, F.S.; providing a short title; providing a purpose statement; providing definitions; providing powers and duties of the Department of Agriculture and Consumer Services; providing rulemaking authority; establishing a fee schedule for licensure; providing for deposit and use of fee proceeds; establishing licensure procedures and requirements to

practice arboriculture and provide arboriculture services; providing for issuance of a license; providing for license renewal; providing for reactivation of a license under certain conditions; providing for issuance of a duplicate license under certain circumstances; requiring a roster of licensed arborists; providing an appropriation; providing an effective date.

—was referred to the Committees on Agriculture; Military Affairs and Domestic Security; Governmental Operations; and General Government Appropriations.

By Senator Baker—

SB 2288—A bill to be entitled An act relating to the Police Technology Trust Fund; creating s. 943.082, F.S.; creating the Police Technology Trust Fund within the Department of Law Enforcement; providing for administration of the trust fund and use of moneys therein; requiring balances to remain in the trust fund; providing for future review and termination or re-creation of the trust fund; providing a contingent effective date.

—was referred to the Committees on Criminal Justice; Community Affairs; Finance and Tax; and Criminal and Civil Justice Appropriations.

By Senator Baker—

SB 2290—A bill to be entitled An act relating to a police technology fee; creating s. 938.135, F.S.; requiring a specified fee to be imposed in addition to other costs or fees for conviction of specified offenses; providing for deposit of funds; providing an effective date.

—was referred to the Committees on Criminal Justice; Community Affairs; Finance and Tax; and Criminal and Civil Justice Appropriations.

By Senator Villalobos—

SB 2292—A bill to be entitled An act relating to sovereign immunity; amending s. 768.28, F.S.; revising procedures for recovery from the state and its agencies and political subdivisions under a tort action; authorizing the payment of claims in excess of statutory caps from sources other than the General Revenue Fund without an act of the Legislature; authorizing the court to order payment of excess judgment amounts; providing for the presentation of evidence by the parties as to why unpaid excess judgment amounts should or should not be paid; providing an effective date.

—was referred to the Committees on Governmental Operations; Community Affairs; Judiciary; and General Government Appropriations.

By Senators Dean and Posey—

SB 2294—A bill to be entitled An act relating to working waterfront real property; creating s. 193.506, F.S.; authorizing owners of working waterfront real property to convey development rights to such property to a county or municipality; authorizing counties or municipalities to enter into agreements with owners of working waterfront real property to acquire development rights to such property for certain consideration and for certain periods; providing for renewals; authorizing owners to opt out of a conveyance under certain circumstances; providing for payment of certain additional ad valorem taxes under certain circumstances; providing procedures and requirements; providing for assessment of such property; providing a definition; requiring certain counties or municipalities to include within a local government comprehensive plan provisions to protect working waterfront property under certain circumstances; providing duties of property appraisers; providing an effective date.

—was referred to the Committees on Community Affairs; Environmental Preservation and Conservation; Finance and Tax; and General Government Appropriations.

By Senator Posey—

SB 2296—A bill to be entitled An act relating to commercial motor vehicles; amending s. 316.003, F.S.; exempting certain vehicles that occasionally transport personal property to and from closed-course motorsport facilities from the definition of "commercial motor vehicle" for purposes of statutory provisions relating to state uniform traffic control; amending ss. 320.01 and 322.01, F.S.; exempting certain vehicles that occasionally transport personal property to and from closed-course motorsport facilities from the definition of "commercial motor vehicle" for purposes of statutory provisions governing motor vehicle licenses and driver's licenses; providing an effective date.

—was referred to the Committees on Transportation; Commerce; and Transportation and Economic Development Appropriations.

By Senators Fasano and Atwater—

SB 2298—A bill to be entitled An act relating to discretionary sales surtaxes; amending s. 212.055, F.S.; authorizing certain counties to levy by ordinance a surtax for emergency fire rescue services and facilities under certain circumstances; requiring a referendum; providing for a referendum statement; providing for distribution of surtax proceeds; providing distribution requirements; providing for interlocal agreements; providing agreement requirements; providing requirements for reducing ad valorem tax levies for fire rescue services; providing additional surtax proceeds distribution requirements; providing an effective date.

—was referred to the Committees on Community Affairs; Governmental Operations; Military Affairs and Domestic Security; Finance and Tax; and General Government Appropriations.

By Senator Villalobos—

SB 2300—A bill to be entitled An act relating to statutory references to court rules; amending s. 27.51, F.S.; removing reference to a specific court rule relating to duties of the public defender; providing duties of the public defender to notify an accused of certain rights; amending s. 34.01, F.S.; removing reference to court rules relating to the jurisdiction of county courts; amending s. 34.011, F.S.; removing specific reference to court rules relating to jurisdiction in landlord and tenant cases; amending s. 39.01, F.S.; removing a reference to court rules relating to definitions of a child who is found to be dependent; redefining the term "child who is found to be dependent"; amending s. 39.4086, F.S.; deleting a provision requesting that the Supreme Court adopt court rules by a certain date relating to a pilot program for attorneys ad litem for dependent children; amending s. 39.504, F.S.; removing a reference to court rules relating to an injunction pending disposition of a petition; amending s. 39.507, F.S.; removing references to court rules relating to adjudicatory hearings; amending s. 39.603, F.S.; removing references to court rules relating to court approvals of case planning; amending s. 39.701, F.S.; removing specific reference to court rules relating to judicial review; amending s. 39.801, F.S.; removing a requirement that notice of hearings be prescribed by court rules relating to procedures and jurisdiction in termination of parental rights; amending s. 39.802, F.S.; removing references to court rules relating to a petition for termination of parental rights; amending s. 39.807, F.S.; removing a reference to court rules relating to guardians ad litem; amending s. 39.824, F.S.; removing obsolete provisions requesting the Supreme Court to adopt rules relating to procedure and jurisdiction; amending s. 39.825, F.S.; removing a reference to court rules relating to a petition for appointment of a guardian advocate; amending s. 48.27, F.S.; removing specific reference to a court rule regarding certified process servers; amending s. 55.503, F.S.; removing a reference to court rules relating to the recording of foreign judgments; amending s. 56.29, F.S.; removing a reference to service of summons in court rules relating to supplementary proceedings; amending s. 61.1301, F.S.; removing a reference to court rules relating to enforcement of income deduction orders; amending s. 61.14, F.S.; removing specific reference to a court rule relating to enforcement and modification of support, maintenance, or alimony agreements; amending s. 61.16, F.S.; removing specific reference to a court rule relating to attorney's fees; amending s. 63.087, F.S.; removing specific reference to court rules relating to proceedings for termination of parental rights pending

adoption; amending s. 63.122, F.S.; removing a reference to the court rule relating to the notice of hearing on a petition; amending s. 68.083, F.S.; removing reference to the court rules relating to civil actions for false claims; amending s. 83.231, F.S.; removing a reference to court rules relating to the removal of a tenant; amending s. 83.625, F.S.; removing a reference to court rules relating to the power to enter money judgments in an action by a landlord; amending s. 222.30, F.S.; removing a reference to court rules relating to fraudulent asset conversions; amending s. 255.071, F.S.; removing a reference to court rules relating to payment of subcontractors for public projects; amending ss. 316.1934 and 327.354, F.S.; removing references to court rules relating to presumption of impairment; amending s. 364.183, F.S.; removing reference to a specific court rule relating to access to company records; amending s. 366.093, F.S.; removing reference to a specific court rule relating to public utility records; amending s. 367.156, F.S.; removing reference to a specific court rule relating to discovery in public utility records; amending s. 368.108, F.S.; removing reference to a specific court rule relating to confidentiality; amending s. 392.60, F.S.; removing a reference to court rules relating to the right of appeal; amending s. 393.11, F.S.; removing a reference to court rules regarding the appeal of involuntary admission to residential services; amending s. 393.12, F.S.; removing references to court rules regarding capacity and a guardian advocate; amending s. 400.0233, F.S.; providing a reference to a specific chapter of court rules relating to informal discovery and used to obtain unsworn statements; revising provisions relating to informal discovery used to obtain unsworn statements; amending s. 400.0237, F.S.; removing a reference to court rules on how to amend claims relating to punitive damages; amending s. 409.2563, F.S.; removing a reference to court rule relating to the administrative establishment of child support obligations; amending s. 409.257, F.S.; removing a reference to court rules regarding service of process; amending s. 415.1045, F.S.; removing specific reference to a court rule relating to medical examinations; amending s. 415.1051, F.S.; removing specific reference to a court rule relating to emergency protective services intervention; amending s. 429.293, F.S.; providing a reference to a specific chapter of court rules relating to informal discovery; revising provisions relating to informal discovery used to obtain unsworn statements; amending s. 429.297, F.S.; removing a reference to court rules relating to punitive damages; amending s. 440.31, F.S.; removing specific reference to a court rule relating to the definition of expert witnesses; defining the term "expert witness"; amending s. 447.507, F.S.; removing reference to court rules relating to violation of a strike prohibition; amending s. 448.110, F.S.; removing reference to a specific court rule relating to state minimum wage and annual wage adjustment; amending s. 456.057, F.S.; removing reference to a specific court rule relating to the furnishing of patient records; amending s. 518.112, F.S.; removing a reference to court rules relating to delegation of investment functions; amending s. 552.40, F.S.; removing specific reference to a court rule relating to an administrative remedy for alleged damage due to the use of explosives in mining; amending ss. 607.0505 and 617.0503, F.S.; removing reference to court rules relating to registered agents of corporations; amending s. 655.059, F.S.; removing a reference to court rules relating to access to books; amending s. 713.346, F.S.; removing a reference to bond requirements in court rules relating to payment on construction contracts; amending s. 718.1255, F.S.; removing a reference to court rules relating to mandatory nonbinding arbitration and mediation of disputes; providing a reference to a specific chapter of court rules relating to mandatory nonbinding arbitration and mediation of disputes; amending s. 720.311, F.S.; removing a reference to court rules relating to dispute resolution; providing reference to a specific chapter of court rules relating to dispute resolution; amending s. 723.0381, F.S.; removing a reference to court rules relating to civil arbitration actions; amending s. 726.108, F.S.; removing a reference to court rules relating to remedies of creditors; amending s. 727.104, F.S.; removing a reference to court rules relating to commencement of proceedings; amending s. 731.011, F.S.; removing a reference to court rules relating to determination and procedure of substantive rights; amending s. 732.107, F.S.; removing a reference to court rules relating to escheat; amending s. 733.101, F.S.; removing a reference to court rules relating to venue of probate proceedings; amending s. 733.212, F.S.; removing a reference to court rules relating to notice of administration; amending s. 733.6171, F.S.; removing a reference to court rules relating to compensation of attorneys for the personal representative; amending s. 733.705, F.S.; removing a reference to court rules relating to the payment of and objection to claims; amending s. 734.102, F.S.; removing a reference to court rules relating to ancillary administration; amending s. 736.0109, F.S.; removing a reference to court rules relating to methods and waiver of notice; amending s. 738.104, F.S.; removing a reference to court rules relating to a trustee's power to adjust; providing for delivering or mailing a copy of the statement to the beneficiary relating to a trustee's power to adjust; amending s. 738.1041, F.S.; removing a reference to court rules relating to a total return unitrust; providing for delivering or mailing a copy of the statement to the beneficiary relating to total return unitrust; amending s. 741.30, F.S.; removing a reference to court rules relating to injunctions for domestic violence; amending s. 742.16, F.S.; removing a reference to court rules relating to expedited affirmation of parent status for gestational surrogacy; amending s. 742.18, F.S.; removing specific reference to a court rule relating to disestablishment of paternity or termination of a child support obligation; amending s. 744.3025, F.S.; removing a reference to court rules relating to claims of minors; amending s. 744.307, F.S.; removing a reference to court rules relating to foreign guardians; amending s. 744.447, F.S.; removing a reference to court rules relating to a petition for authorization to act; amending s. 765.105, F.S.; removing specific reference to a court rule relating to the review of a decision by a surrogate or proxy; amending s. 765.113, F.S.; removing specific reference to a court rule relating to restrictions on providing consent; amending s. 768.72, F.S.; removing a reference to court rules relating to pleadings and claims for punitive damages in civil actions; amending s. 768.81, F.S.; removing a reference to court rules relating to apportionment of damages in comparative fault; amending s. 784.046, F.S.; removing a reference to court rules relating to repeat violence, sexual violence, or dating violence; amending s. 790.157, F.S.; removing a reference to trial by jury in court rules relating to the presumption of impairment; amending s. 896.101, F.S.; removing a reference to court rules relating to the Florida Money Laundering Act; amending s. 916.13, F.S.; removing a reference to court rules relating to involuntary commitment of a defendant who is adjudicated incompetent; amending s. 916.15, F.S.; removing a reference to court rules relating to involuntary commitment of a defendant who is adjudicated not guilty by reason of insanity; amending s. 916.302, F.S.; removing a reference to court rules relating to involuntary commitment of a defendant who is determined incompetent to proceed; amending s. 924.07, F.S.; removing a reference to court rules relating to appeals by the state; amending s. 932.704, F.S.; removing a reference to court rules relating to forfeiture proceedings; amending s. 984.03, F.S.; removing a reference to court rules relating to the definition of a dependent child; redefining the term "dependent child"; amending s. 984.04, F.S.; removing a reference to court rules relating to families and children in need of services; amending s. 984.19, F.S.; removing a reference to court rules relating to medical screening and treatment regarding custody; amending s. 984.20, F.S.; removing references to court rules relating to hearings for child-in-need-of-services cases; amending s. 985.19, F.S.; removing references to court rules relating to incompetency in juvenile delinquency cases; amending s. 985.255, F.S.; removing a reference to court rules relating to detention criteria and hearings; amending s. 985.26, F.S.; removing a reference to court rules relating to length of detention; amending s. 985.35, F.S.; removing a reference to court rules relating to adjudicatory hearings; amending s. 985.534, F.S.; removing a reference to court rules relating to appeals; providing an effective date.

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

By Senator Gaetz—

SB 2302—A bill to be entitled An act relating to factors used in deriving just valuation; amending s. 193.011, F.S.; deleting a requirement that property appraisers consider the highest and best use of property as a factor in arriving at just valuation; requiring property appraisers to use only the income factor in arriving at just value of income-producing properties; amending ss. 192.011, 193.015, and 193.017, F.S., to conform; providing for application; providing an effective date.

—was referred to the Committees on Community Affairs; Finance and Tax; General Government Appropriations; and Education Pre-K - 12 Appropriations.

By Senator Bennett—

SB 2304—A bill to be entitled An act relating to state economic development incentives for the recreational marine industry; creating the

Recreational Marine Business Retention Program within Enterprise Florida, Inc.; providing goals for the program, including recruiting new marine businesses, supporting existing recreational marine businesses in the state, and promoting the state's recreational marine industry through various venues; requiring Enterprise Florida, Inc., in conjunction with the Department of Environmental Protection, to submit a report to the Legislature regarding the effect of an expedited permitting process on the goals of the program; requiring Enterprise Florida, Inc., to work with the Office of Tourism, Trade, and Economic Development to provide additional tax incentives for the recreational marine industry; providing an effective date.

—was referred to the Committees on Commerce; Environmental Preservation and Conservation; Finance and Tax; and Transportation and Economic Development Appropriations.

By Senator Gaetz—

SB 2306—A bill to be entitled An act relating to mitigation discounts for residential property insurance premiums; amending s. 627.0629, F.S.; requiring that the Office of Insurance Regulation develop and make publicly available before a specified deadline a proposed method for insurers to establish windstorm mitigation premium discounts that correlate to the uniform home rating scale; requiring that the Financial Services Commission adopt rules before a specified deadline; requiring insurers to make rate filings pursuant to such method; authorizing the commission to make changes by rule to the uniform home grading scale and specify by rule the minimum required discounts, credits, or other rate differentials; requiring that such rate differentials be consistent with generally accepted actuarial principles and wind loss mitigation studies; providing an effective date.

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

SJR 2308—Previously referenced.

By Senators Ring and Diaz de la Portilla—

SB 2310—A bill to be entitled An act relating to stimulating the economy; providing legislative findings and intent; amending s. 215.44, F.S.; adding economically targeted investments as an asset class of investments in which the State Board of Administration is authorized to invest; requiring that the State Board of Administration's required report to the Legislature include an analysis of economically targeted investments; defining the term "economically targeted investments"; amending s. 215.47, F.S.; specifying a maximum amount of available funds that the board may invest in economically targeted investments; providing conditions under which the board may invest in an economically targeted investment; creating the Reusable Space Vehicle Industry Prize Program within the Office of Tourism, Trade, and Economic Development of the Executive Office of the Governor; providing for a specified cash prize to be awarded to the individual or firm providing the most significant advancements within the reusable space vehicle industry during a specified period; requiring that the Lieutenant Governor serve as chair of the program and appoint a committee; requiring that the committee perform certain tasks; requiring that the office adopt certain rules; providing for the program to terminate on a specified date; providing an effective date.

—was referred to the Committees on Commerce; Governmental Operations; Finance and Tax; and General Government Appropriations.

By Senators King, Wise and Hill—

SB 2312—A bill to be entitled An act relating to specialty license plates; amending ss. 320.08056 and 320.08058, F.S.; creating the St. Johns River license plate; establishing an annual use fee for the plate; providing for the distribution of use fees received from the sale of such plates; providing an effective date.

—was referred to the Committees on Transportation; Environmental Preservation and Conservation; and Transportation and Economic Development Appropriations.

By Senator Atwater—

SB 2314—A bill to be entitled An act relating to firefighters and paramedics; creating s. 112.183, F.S.; providing that death or disability due to cancer suffered by a firefighter or paramedic employed by the state or its political subdivisions is presumed accidental and suffered in the line of duty under certain conditions; authorizing purchase of insurance by local governments; providing criteria for physical exams for firefighters and paramedics; requiring the employing agency to keep records and notify firefighters and paramedics of their reported exposure to known carcinogens; providing that firefighters and paramedics employed on the effective date of the act need not comply with physical examination requirements; providing an effective date.

—was referred to the Committees on Community Affairs; Banking and Insurance; Military Affairs and Domestic Security; Governmental Operations; and General Government Appropriations.

By Senator Wilson—

SB 2316—A bill to be entitled An act relating to access to health care; creating a discount health care card pilot program in Miami-Dade County; providing duties of the Agency for Health Care Administration to implement the program; providing conditions for provider funding through the program; requiring the agency to reimburse participants in the program under certain circumstances; requiring the agency to submit an annual report for the duration of the program with recommendations to the Governor and the Legislature; providing sovereign immunity for health care providers that participate in the program; providing an effective date.

—was referred to the Committees on Health Policy; Health Regulation; Banking and Insurance; Judiciary; and Health and Human Services Appropriations.

By Senator Posey—

SB 2318—A bill to be entitled An act relating to daylight saving time; exempting the State of Florida and its political subdivisions from federal law that establishes a uniform time for an advance to daylight saving time; providing an effective date.

—was referred to the Committees on Governmental Operations; Community Affairs; and General Government Appropriations.

By Senator Posey—

SB 2320—A bill to be entitled An act relating to the tax on sales, use, and other transactions; amending s. 212.08, F.S.; repealing the exemption for ostrich feed; providing an effective date.

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

By Senators Alexander and Baker—

SB 2322—A bill to be entitled An act relating to sales and use tax distribution; amending s. 212.20, F.S.; extending the period that a portion of the proceeds of the sales and use tax is distributed to the applicant that is certified by the Office of Tourism, Trade, and Economic

Development as the International Game Fish Association World Center facility; providing an effective date.

—was referred to the Committees on Commerce; Finance and Tax; General Government Appropriations; and Transportation and Economic Development Appropriations.

By Senator Posey—

SB 2324—A bill to be entitled An act relating to the tax on sales, use, and other transactions; repealing s. 212.031(9), F.S.; repealing the exemption from the tax on the use of real property which applies to charges for the rental, lease, sublease, or license for the use of a skybox, luxury box, or other box seats during a high school or college football game; providing that the repeal is inapplicable to contracts entered into before a specified date; providing that the exempt status of charges imposed under any such contract ends after a specified date; providing an effective date.

—was referred to the Committees on Higher Education; Finance and Tax; and Higher Education Appropriations.

By Senator Peaden—

SB 2326—A bill to be entitled An act relating to hospitals; expressing the legislative intent to revise laws relating to hospitals; providing an effective date.

—was referred to the Committees on Health and Human Services Appropriations; Health Regulation; and Rules.

By Senator Haridopolos—

SB 2328—A bill to be entitled An act relating to the taxation of moist smokeless tobacco products; amending s. 210.25, F.S.; defining the term "moist snuff"; revising the definition of the term "tobacco products" to include dry snuff; amending s. 210.30, F.S.; providing for a tax upon the distribution of moist snuff at a specified rate per ounce; requiring that such tax be computed based on the net weight as listed by the manufacturer; providing for a tax upon the use or storage by consumers of moist snuff at a specified rate per ounce; requiring that such tax be computed based on the net weight as listed by the manufacturer; providing exemptions from the imposition of such tax on the use or storage of moist snuff by consumers; amending s. 951.22, F.S.; revising a cross-reference to conform; providing an effective date.

—was referred to the Committees on Regulated Industries; Commerce; Finance and Tax; and General Government Appropriations.

By Senator Justice—

SB 2330—A bill to be entitled An act relating to homeowners' associations; amending ss. 34.01 and 720.302, F.S.; conforming cross-references to changes made by the act; repealing s. 720.311, F.S., which provides for alternative dispute resolution of disputes between parcel owners and homeowners' associations; creating part IV within ch. 720, F.S.; providing for dispute resolution regarding disputes between parcel owners and homeowners' associations; providing legislative findings; requiring that a dispute between a homeowners' association and a parcel owner be subject to presuit mediation before it may be filed in court; providing that any such dispute not resolved by mediation is subject to arbitration before it may be filed in court; providing exceptions; identifying and limiting the scope of mediation and arbitration to specified categories of disputes; prohibiting such disputes from including the collection of any assessment, fine, or other financial obligation, or any action to enforce a prior mediation settlement agreement between the parties or a final order of an arbitrator or court; authorizing the filing of a motion for temporary injunctive relief without first complying with the requirement of mediation or arbitration for any dispute for which emergency relief is required; providing that election disputes and recall disputes are not eligible for presuit mediation; providing procedures for recall and election disputes; requiring that a petitioner remit a filing fee; providing for the recovery of fees, including attorney's fees, by the prevailing party at an arbitration proceeding; authorizing the Division of Florida Land Sales, Condominiums, and Mobile Homes in the Department of Business and Professional Regulation to adopt rules to administer mediation and arbitration provisions; providing that the service of a notice of presuit mediation or arbitration tolls the applicable statute of limitations; providing that such mediation and arbitration proceedings be conducted according to the Florida Rules of Civil Procedure; providing that such proceedings have the same level of privilege and confidentiality as court-ordered mediation; providing that an arbitrator or judge may not consider any information or evidence arising from the presuit mediation proceeding except in a proceeding to impose sanctions for failure to attend a presuit mediation session or to enforce a mediated settlement agreement; providing that counsel for the parties or a corporate representative designated by the association or the only nonparties to a dispute who may attend mediation or arbitration; providing that a mediation attended by a quorum of the board of an association is not a board meeting for purposes of notice and participation as prescribed by state law; requiring that a mediator be certified as a circuit court civil mediator pursuant to the requirements established by the Florida Supreme Court; requiring that an arbitrator meet the qualifications and training requirements provided by state law; providing that settlement agreements resulting from a presuit mediation or arbitration proceeding do not have precedential value in proceedings involving parties other than those participating in the mediation or arbitration; authorizing certain corporations to use the mediation procedures prescribed in the act; providing that presuit mediation and arbitration procedures do not apply to a dispute that has been previously arbitrated between the same parties; authorizing parties to a dispute to recover any costs and attorney's fees incurred in connection with such arbitration or mediation proceedings; providing procedures for the enforcement of an arbitration or mediation award; requiring that the division maintain a list of certified mediators and county and circuit court arbitrators in each county who are willing to mediate or arbitrate homeowners' association disputes; requiring that an aggrieved party serve a written notice of presuit mediation upon the respondent; providing a template for such written notice; requiring that such written notice substantially follow the template in form and content; specifying a procedure for service of such notice; requiring that the parties share the costs of mediation equally; authorizing a mediator to require advance payment of his or her fees; requiring a respondent to sign the notice and clearly indicate his or her availability for mediation, as well as which of the available mediators is acceptable; specifying procedures regarding the scheduling of mediation; requiring that the mediator notify the parties of the date, time, and place of mediation within a specified period; authorizing the petitioner to file a lawsuit against the respondent under certain circumstances; providing that certain actions or omissions by either party constitute failure or refusal to participate in mediation, entitling the other party to proceed to arbitration or to file suit in court; prohibiting a party that fails or refuses to participate in mediation from recovering attorney's fees and costs in subsequent litigation; providing that an impasse occurs if a mediation session cannot be scheduled within a specified period; providing an exception; providing procedures for presuit arbitration; requiring that an aggrieved party serve a written notice of presuit arbitration upon the respondent; providing a template for such written notice; requiring that such written notice substantially follow the template in form and content; specifying a procedure for service of such notice; requiring that the parties share the costs of arbitration equally; authorizing an arbitrator to require advance payment of his or her fees; requiring a respondent to sign the notice and clearly indicate his or her availability for arbitration, as well as which of the available arbitrators is acceptable; specifying procedures regarding the scheduling of arbitration; requiring that the arbitrator notify the parties of the date, time, and place of arbitration within a specified period; prohibiting an arbitrator from considering any unsuccessful mediation except to impose sanctions for failure to appear at a mediation conference; requiring an arbitrator to enter an order of dismissal if the parties do not agree to continue arbitration; authorizing the petitioner to file a lawsuit against the respondent under certain circumstances; authorizing an arbitrator to subpoena witnesses or the production of records at the request of any party; providing for the service of such subpoenas; requiring that an arbitrator issue a decision in writing; providing that such decision is final with respect to those disputes for which the parties have agreed to be bound; authorizing a party to file a motion for a trial de novo in a court of competent jurisdiction within a specified period; requiring that a prevailing party in an arbitration proceeding be awarded the costs of arbitration and reasonable attorney's fees in an amount determined by the arbitrator;

requiring that the party filing a motion for a trial de novo be assessed the other party's arbitration costs, court costs, and other reasonable costs if the judgment upon a trial de novo is not more favorable than the arbitration decision; requiring that the party filing a complaint for a trial de novo be awarded reasonable court costs and attorney's fees if the judgment is more favorable upon a trial de novo; providing an effective date.

—was referred to the Committees on Regulated Industries; Community Affairs; Judiciary; and Criminal and Civil Justice Appropriations.

By Senator Posey—

SB 2332—A bill to be entitled An act relating to auctioneering; amending s. 468.385, F.S.; providing a fingerprint requirement to qualify for auctioneer and auctioneer business licensures; revising application requirements for licensure as an auction business; providing for ineligibility of certain persons and auction businesses to reapply for licensure; requiring the Florida Board of Auctioneers to adopt rules relating to auction business financial responsibility; providing an effective date.

—was referred to the Committees on Regulated Industries; Commerce; and General Government Appropriations.

By Senator Gaetz—

SJR 2334—A joint resolution proposing an amendment to Section 25 of Article I and the creation of a new section in Article XII of the State Constitution to provide a right to challenge a property appraiser's just valuation of property, to provide that the assessment does not have a presumption of correctness and that the appraiser has the burden of proving that the assessment does not exceed just value, to provide for the relevancy of evidence that the assessment is based on appraisal practices that differ from other parts of the state, to provide for the award of attorney's fees and costs to a prevailing challenger, and to provide an effective date if the amendment is adopted.

—was referred to the Committees on Community Affairs; Finance and Tax; Education Pre-K - 12 Appropriations; and Rules.

By Senator Crist—

SB 2336—A bill to be entitled An act relating to the acquisition of state lands; amending s. 253.025, F.S.; decreasing the minimum estimated value of a parcel allowed before two appraisals are required; requiring the Department of Agriculture and Consumer Services to select one of the appraisers for such appraisal; providing that a third appraisal may be obtained under certain circumstances; requiring the Department of Financial Services to select a third appraiser and a review appraiser if the estimated value of a parcel exceeds a certain amount; providing that an appraisal prepared by the Division of State Lands may be used under certain circumstances; amending s. 259.041, F.S.; prohibiting the Board of Trustees of the Internal Improvement Trust Fund from waiving certain requirements relating to the appraisal of state-owned lands; requiring the board of trustees to adopt requirements for multiple purchasers; requiring that the state's contribution not exceed the difference between the appraised value and the sum of the contributions from other parties to the joint acquisition; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Agriculture; Governmental Operations; and General Government Appropriations.

By Senator Aronberg—

SB 2338—A bill to be entitled An act relating to motor vehicle and casualty insurance contracts; amending s. 627.728, F.S.; prohibiting an insurer from conditioning the renewal of a policy upon a change of limits, elimination of any coverages, or increase in premium unless the insurer provides written notice in advance to the insured or the insured's insurance agent; requiring that the specific reason or reasons for any conditioned renewal or increase in premium be included in or with such notice; providing exceptions; providing an effective date.

—was referred to the Committees on Banking and Insurance; and Commerce.

By Senator Posey—

SB 2340—A bill to be entitled An act relating to the registration of paid petition circulators; creating s. 100.372, F.S.; providing definitions; requiring paid petition circulators to register with the Department of State; prohibiting compensation to petition circulators not registered with the department as paid petition circulators; providing registration qualifications and criteria; requiring a paid petition circulator's registration number on petition forms; providing for invalidity of certain petition signatures; providing for validity of forms submitted before a certain date; authorizing the department to adopt rules; providing for severability; providing an effective date.

—was referred to the Committees on Ethics and Elections; Judiciary; and Transportation and Economic Development Appropriations.

By Senator Deutch—

SB 2342—A bill to be entitled An act relating to property tax relief; creating part II of ch. 195, F.S., relating to the Florida Residents Property Tax Relief Program; providing a short title; providing definitions; providing a formula for providing a rebate of a portion of property taxes paid based on household income; providing that a claim for the tax refund is personal to the claimant and does not survive the claimant's death; providing a procedure for submitting refund claims to the Department of Revenue and payment from a fund managed by the Department of Financial Services; providing a date range for filing the claim and for an extension of time under certain circumstances; providing for the administration of the program by the Department of Revenue; authorizing the department to adopt rules; providing for the audit of claims and the repayment or credit for excess refunds; providing a procedure for the denial of claims; providing for the disallowance of certain claims; providing for the appeal of claim denials; providing that income from the refund may not result in a reduction of other social welfare benefits; providing that the claim application form be at a certain reading level; providing for an outreach plan for the program; providing for cooperation between the department and the Department of Health, the Department of Children and Family Services, and the Department of Elderly Affairs; providing an appropriation; providing an effective date.

—was referred to the Committees on Community Affairs; Criminal Justice; Finance and Tax; General Government Appropriations; and Transportation and Economic Development Appropriations.

By Senator Rich—

SB 2344—A bill to be entitled An act relating to the Florida Retirement System DROP Program; amending s. 121.091, F.S.; including among eligible participants pre-kindergarten instructional personnel; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Governmental Operations; Education Pre-K - 12 Appropriations; and General Government Appropriations.

Senate Bills 2346-2348—Not referenced.

By Senators Atwater and Haridopolos—

SB 2350—A bill to be entitled An act relating to textbook affordability; creating s. 1004.09, F.S.; prohibiting certain actions of community college or state university employees that relate to student purchase of

required textbooks; authorizing receipt of certain instructional materials, compensation, and training; requiring student notification of required textbooks; requiring adoption of specified policies and practices to minimize the cost of textbooks; providing an effective date.

—was referred to the Committees on Higher Education; and Higher Education Appropriations.

By Senator Aronberg—

SB 2352—A bill to be entitled An act relating to protecting urban and residential environments and water; creating s. 403.9335, F.S.; providing a short title; creating s. 403.9336, F.S.; providing legislative findings; creating s. 403.9337, F.S.; requiring adoption of the "Florida Friendly Fertilizer Use on Urban Landscapes Model Ordinance" by a specified time; providing for adoption of additional or more stringent provisions; providing an exception to adoption; directing certain appropriations to local governments adopting the model ordinance or an expanded or more stringent one; amending s. 482.021, F.S.; providing a definition; amending s. 482.156, F.S.; deleting requirement for proof of certain training requirements established by the Department of Agriculture and Consumer Services; creating s. 482.1561, F.S.; providing regulations of commercial fertilizer application on urban turf; requiring certification of such applicators by the department; providing such fertilizer application be in compliance with best management practices established by the Department of Environmental Protection; creating s. 482.1562, F.S.; establishing a limited certification category for commercial fertilizer application under the Department of Agriculture and Consumer Services; requiring completion of a minimum training program and minimum score on examination prior to application for certification; providing application fees; providing that the training program be designed, approved, and made available by the Department of Environmental Protection and the Institute of Food and Agricultural Sciences; providing for hours and subjects of training; requiring the Department of Environmental Protection to contract with the Institute of Food and Agricultural Sciences to lead the training effort; providing for co-location of programs; requiring the Department of Environmental Protection to provide program training coordinators; providing for regional train-the-trainers classes; requiring trainer certification; providing trainer criteria; requiring publication of certain training information; requiring issuance of trainer certificate by a specified time; requiring the maintenance and publication of a list of qualified trainers; providing recertification requirements for the limited certification for commercial fertilizer application issued by the Department of Agriculture and Consumer Services, including fees; requiring the maintenance of certain records by persons certified; authorizing the department to provide certain information to certain agencies; providing an effective date.

—was referred to the Committees on Agriculture; Community Affairs; Environmental Preservation and Conservation; and General Government Appropriations.

By Senator Aronberg—

SB 2354—A bill to be entitled An act relating to lewdness and indecent exposure; amending ss. 800.02 and 800.03, F.S.; providing enhanced penalties for offenses involving unnatural and lascivious acts or exposure or exhibition of sexual organs committed within a specified distance of certain locations; amending s. 933.18, F.S.; conforming a provision to the enhancement of penalties; providing an effective date.

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

SB 2356—Withdrawn prior to introduction.

By Senator Haridopolos—

SB 2358—A bill to be entitled An act relating to immunizations; requiring the Department of Health to adopt an update to specified immunization requirements before the 2008-2009 school year; providing an effective date.

—was referred to the Committees on Health Policy; Education Pre-K - 12; and Health and Human Services Appropriations.

By Senator Fasano—

SB 2360—A bill to be entitled An act relating to the assessed value of real property; providing for rolling back the assessed value of real property to the value of the same or similar property as of a certain date; providing for adjusting such value from such date to the present by certain factors; providing an effective date.

—was referred to the Committees on Community Affairs; Finance and Tax; General Government Appropriations; and Education Pre-K - 12 Appropriations.

By Senator Gaetz—

SB 2362—A bill to be entitled An act relating to administrative fines for violations of the Florida Insurance Code; amending s. 624.4211, F.S.; authorizing the Office of Insurance Regulation to impose administrative fines upon an insurer for each day the insurer is not in compliance with the code, up to a specified maximum amount per violation per day; requiring that the office consider certain information when determining the amount of such fines; amending s. 627.381, F.S.; providing that each violation is subject to administrative fines as prescribed by state law; providing an effective date.

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

By Senator Dawson—

SB 2364—A bill to be entitled An act relating to funding for delinquency prevention; amending s. 985.605, F.S.; providing for the Department of Juvenile Justice to allocate certain moneys to identified high-crime or high-delinquency areas; providing for the updating and distribution of data; providing an effective date.

—was referred to the Committees on Criminal Justice; Children, Families, and Elder Affairs; and Criminal and Civil Justice Appropriations.

By Senator Diaz de la Portilla—

SB 2366—A bill to be entitled An act relating to medical faculty certificates; amending s. 458.3145, F.S.; authorizing the Department of Health to issue a medical faculty certificate without an examination to a person who has been offered and has accepted a full-time faculty appointment to teach in a program of medicine at Florida International University or the University of Central Florida; providing an effective date.

—was referred to the Committees on Health Regulation; and Higher Education.

By Senator Baker—

SB 2368—A bill to be entitled An act relating to homestead property taxes; creating s. 196.083, F.S.; providing for an ad valorem tax exemption on homestead property owned by a person on active military duty during the time that the person is deployed; providing application procedures; providing for the waiver of future taxes owed or reimbursement for taxes paid; providing penalties; providing a contingent effective date.

—was referred to the Committees on Community Affairs; Military Affairs and Domestic Security; Finance and Tax; and Education Pre-K - 12 Appropriations.

By Senator Rich—

SB 2370—A bill to be entitled An act relating to the Newborn Screening Program Task Force; creating the task force and providing the purpose of the task force; providing for appointment of members; providing for a chairperson; providing meeting requirements; specifying service without compensation, but providing for reimbursement of per diem and travel expenses; providing for staff support; providing duties and responsibilities; requiring the task force to prepare a gap analysis study; requiring the task force to submit a review and recommended plan to the Governor, the Legislature, and the State Surgeon General by a specified date; providing an effective date.

—was referred to the Committees on Health Policy; Governmental Operations; and Health and Human Services Appropriations.

By Senator Dawson—

SB 2372—A bill to be entitled An act relating to nutrition services in elementary and secondary public schools; requiring each public school to make the nutritional value of meals served in the cafeteria available to the public; providing nutritional standards for food that is available to school children on school campuses; requiring the Governor's Council on Physical Fitness to study the effects of high-fructose corn syrup on school children; requiring the council to submit an annual report to the Governor and Legislature; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Health Policy; and Education Pre-K - 12 Appropriations.

By Senator Diaz de la Portilla—

SB 2374—A bill to be entitled An act relating to the protection of trademarks against counterfeiting; amending s. 495.001, F.S.; defining the terms "counterfeit mark" and "retail value"; creating s. 495.1315, F.S.; providing that a person commits the offense of involving goods bearing a counterfeit mark if the person knowingly manufactures, uses, distributes, displays, advertises, transports, sells, offers for sale, or possesses with intent to sell, transport, or distribute within this state any goods, services, or items bearing a counterfeit mark; providing that if a person has in his or her possession or under his or her control more than 25 counterfeit items, an inference arises that the items are being possessed with the intent to offer for sale, sell, or distribute the items in violation of law; providing that a person who engages in the offense of involving goods bearing a counterfeit mark commits a misdemeanor of the first degree, a felony of the third degree, or a felony of the second degree, depending on the quantity of items or the retail value of the items; providing that a person who engages in the offense of involving goods bearing a counterfeit mark commits a felony of the third degree, a felony of the second degree, or a felony of the first degree, if, as a result of committing the offense, the person knowingly or by culpable negligence causes or allows to be caused bodily injury, serious bodily injury, or death to another; requiring that convictions for a second or subsequent offenses be reclassified; authorizing the court to order a person to pay a fine up to three times the retail value of the goods seized, manufactured, or sold, whichever is greater; requiring the court to order a person convicted of the offense of involving goods bearing a counterfeit mark to pay restitution to the trademark owner and any other victim of the offense; requiring the court to order a person convicted of the offense of involving goods bearing a counterfeit mark to forfeit to the state any property constituting or derived from any proceeds that the person obtained, directly or indirectly, as the result of the offense and forfeit any property used to commit the offense; requiring the court to order that any forfeited item bearing or consisting of a counterfeit mark be destroyed or disposed of; providing that conviction for an offense of involving goods bearing a counterfeit mark does not preclude the person's liability for any civil remedy available under law; providing an effective date.

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

By Senator Geller—

SB 2376—A bill to be entitled An act relating to revenues from taxes on slot machines; amending s. 551.106, F.S.; clarifying that revenues from taxes on slot machines shall be used to supplement salaries of K-12 educators statewide; providing an effective date.

—was referred to the Committees on Regulated Industries; Finance and Tax; Education Pre-K - 12 Appropriations; and Higher Education Appropriations.

By Senator Aronberg—

SB 2378—A bill to be entitled An act relating to jai alai; amending s. 550.054, F.S.; authorizing a jai alai permitholder to apply to the Division of Pari-Mutuel Wagering within the Department of Business and Professional Regulation to convert its jai alai permit to a permit to conduct greyhound racing under certain conditions; requiring the division to convert the jai alai permit to a permit to conduct greyhound racing under certain conditions; providing an effective date.

—was referred to the Committees on Regulated Industries; and General Government Appropriations.

By Senator Saunders—

SB 2380—A bill to be entitled An act relating to public records; amending s. 633.111, F.S; providing an exemption from public records requirements for papers, documents, reports, or evidence relative to the subject of investigations conducted by the State Fire Marshal; providing for future legislative review and repeal; providing a statement of public necessity; providing an effective date.

—was referred to the Committees on Banking and Insurance; Community Affairs; Criminal Justice; Governmental Operations; and Rules.

By Senator Geller—

SB 2382—A bill to be entitled An act relating to the assessment of homestead property; amending s. 193.155, F.S.; providing that certain changes made to homestead property for purposes of disaster preparedness do not increase the assessed value of the property; providing an effective date.

—was referred to the Committees on Community Affairs; Military Affairs and Domestic Security; Finance and Tax; and General Government Appropriations.

By Senator Baker—

SJR 2384—A joint resolution proposing an amendment to Section 3 of Article VII of the State Constitution to provide certain members of the military a credit for property taxes paid on homestead property and to apply the credit against future ad valorem taxes on the homestead property.

—was referred to the Committees on Community Affairs; Military Affairs and Domestic Security; Finance and Tax; Education Pre-K - 12 Appropriations; and Rules.

SB 2386—Not referenced.

By Senator Saunders—

SB 2388—A bill to be entitled An act relating to fire prevention and control; amending s. 633.01, F.S.; revising a provision relating to requirements for the State Fire Marshal to make certain firesafety inspections and take certain corrective actions; amending s. 633.02, F.S.; revis-

ing provisions relating to agents of the State Fire Marshal; amending s. 633.022, F.S.; revising provisions relating to uniform firesafety standards to include application to tunnels; creating s. 633.0221, F.S.; providing for firesafety in educational facilities; specifying uniform firesafety standards; providing for periodic inspections of property by district school boards; providing for inspections of educational property by the State Fire Marshal; providing for inspections of public postsecondary education facilities; providing for actions to correct firesafety deficiencies; specifying additional standards; amending s. 633.03, F.S.; expanding application of authority of the State Fire Marshal to investigate fires to include explosions; amending s. 633.081, F.S.; abolishing special state firesafety inspector classifications; providing for certification as a firesafety inspector; providing application and examination requirements; authorizing the State Fire Marshal to develop a certain advanced training and certification program for firesafety inspectors; authorizing the Division of State Fire Marshal to enter into a reciprocity agreement with the Florida Building Code Administrators and Inspectors Board for certain continuing education recertification purposes; amending s. 633.085, F.S.; revising requirements for the State Fire Marshal to inspect state buildings; amending s. 633.101, F.S.; revising and expanding the authority and powers of the State Fire Marshal to administer oaths, request attendance of witnesses, and collect evidence; providing certain forms of immunity from liability for certain actions and persons under certain circumstances; exempting certain information from discovery under certain circumstances; exempting agents of the State Fire Marshal from subpoena under certain circumstances; specifying limitations on treatment of physical evidence; providing for submittal of certain crime-related reports or information to the State Fire Marshal; authorizing agents of the State Fire Marshal to make arrests as state law enforcement officers under certain circumstances; making it unlawful to resist arrest; amending s. 633.121, F.S.; expanding eligible persons authorized to enforce laws and rules of the State Fire Marshal; amending s. 633.13, F.S.; revising a provision relating to the authority of agents of the State Fire Marshal; creating s. 633.145, F.S.; establishing the Arson and Destructive Device Reward Program within the department; providing for funding; authorizing the department to pay awards for information leading to certain arrests; providing limitations; requiring the department to adopt rules; amending s. 633.161, F.S.; expanding the list of violations for which the State Fire Marshal may issue certain enforcement orders; providing criminal penalties for failure to comply with such orders; amending s. 633.171, F.S.; revising a criminal penalty provision; amending s. 633.175, F.S.; specifying criteria for commission of fraudulent insurance acts; providing a criminal penalty; amending s. 633.18, F.S.; revising a provision relating to conduct of inquiries or investigations by agents of the State Fire Marshal; amending s. 633.30, F.S.; revising definitions; amending s. 633.34, F.S.; revising requirements for qualification for employment as a firefighter; amending s. 633.35, F.S.; revising requirements for firefighter training and certification; requiring the Division of State Fire Marshal to establish training programs for certain certifications; providing requirements; amending s. 633.351, F.S.; revising provisions for disciplinary actions for firefighters; revising standards for revocation of firefighter certifications; amending s. 633.352, F.S.; revising requirements for retention of firefighter certification; amending s. 633.382, F.S.; expanding application of provisions providing for required supplemental compensation for firefighters; amending s. 633.524, F.S.; authorizing the State Fire Marshal to contract to provide certain examinations; amending s. 633.541, F.S.; expanding an exclusion from application of a prohibition against contracting without certification for certain homeowners; amending s. 633.811, F.S.; expanding authority of the division to enforce provisions of law and rules applicable to employers; authorizing assessment of administrative fines; amending s. 633.821, F.S.; deleting certain obsolete provisions requiring counties, municipalities, and special districts to implement certain provisions of federal law; amending s. 1013.12, F.S.; revising provisions providing for casualty, safety, sanitation, and firesafety standards and inspections of educational facilities and ancillary plants; amending ss. 218.23 and 447.203, F.S.; revising cross-references; repealing s. 633.14, F.S., relating to agents' powers to make arrests, conduct searches and seizures, serve summonses, and carry firearms; providing an effective date.

—was referred to the Committees on Banking and Insurance; Community Affairs; Criminal Justice; and General Government Appropriations.

By Senator Webster—

SB 2390—A bill to be entitled An act relating to the Florida Self-Directed Care program; amending s. 394.9084, F.S.; providing for the expansion of the program to all districts of the Department of Children and Family Services; defining the term "fiscal intermediary"; providing for the duties of the intermediary; deleting an obsolete provision; requiring an evaluation of the program by the Office of Program Policy Analysis and Government Accountability by a certain date; revising the evaluation criteria; abrogating the expiration date of the program; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; and Health and Human Services Appropriations.

By Senator Dawson—

SB 2392—A bill to be entitled An act relating to license plates; amending ss. 320.08056 and 320.08058, F.S.; creating an HIV/AIDS Awareness license plate; providing for the distribution of annual use fees received from the sale of such plates; providing an effective date.

—was referred to the Committees on Transportation; Health Policy; and Transportation and Economic Development Appropriations.

By Senator Saunders—

SB 2394—A bill to be entitled An act relating to the protection of springs; creating part IV of ch. 369, F.S.; providing a short title; providing legislative findings and intent with respect to the need to protect and restore springs and groundwater; providing definitions; requiring the Department of Environmental Protection to delineate the springsheds of specified springs; requiring the department to adopt spring protection zones by secretarial order; requiring that the department adopt total maximum daily loads and basin management action plans; providing effluent requirements for domestic wastewater treatment facilities; providing requirements for onsite sewage treatment and disposal systems; providing requirements for agricultural operations; authorizing the Department of Environmental Protection, the Department of Health, and the Department of Agriculture and Consumer Services to adopt rules; amending s. 163.3177, F.S.; requiring certain local governments to adopt a springs protection element as one of the required elements of the comprehensive plan by a specified date; providing that certain design principles be included in the element; requiring the Department of Environmental Protection and the state land planning agency to make information available concerning best-management practices; prohibiting a local government that fails to adopt a springs protection element from amending its comprehensive plan; amending s. 403.1835, F.S.; including certain areas of critical state concern and the spring protection zones established by the act among projects that are eligible for certain financial assistance; requiring the Department of Environmental Protection, the Department of Agriculture and Consumer Services, the St. Johns River Water Management District, and the Southwest Florida Water Management District to assess nitrogen loading and begin implementing management plans within the spring protection zones by a specified date; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Community Affairs; Health Regulation; and General Government Appropriations.

By Senator Wise—

SB 2396—A bill to be entitled An act relating to K-20 education performance accountability standards; amending s. 1008.31, F.S.; declaring the legislative intent that the K-20 education system comply with the Individuals with Disabilities Education Act; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; and Education Pre-K - 12 Appropriations.

By Senator Wise—

SB 2398—A bill to be entitled An act relating to the Florida School for the Deaf and the Blind; amending s. 1002.36, F.S.; requiring that sala-

ries for full-time instructional personnel at the school be increased annually according to the average of certain comparable salaries; requiring annual negotiation of salary schedules; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Governmental Operations; Education Pre-K - 12 Appropriations; and General Government Appropriations.

By Senator Webster—

SB 2400—A bill to be entitled An act relating to abortion; amending s. 390.0111, F.S.; requiring that an ultrasound be performed on any woman obtaining an abortion; specifying who must perform an ultrasound; requiring that the ultrasound be reviewed with the patient prior to the woman giving informed consent; specifying who must review the ultrasound with the patient; requiring that the woman certify in writing that she declined to review the ultrasound and did so of her own free will and without undue influence; providing an exemption from the requirement to view the ultrasound for women who are the victims of rape, incest, domestic violence, or human trafficking or for women who have a serious medical condition necessitating the abortion; revising requirements for written materials; amending s. 390.012, F.S.; conforming cross-references; requiring ultrasounds for all patients; requiring that live ultrasound images be reviewed and explained to the patient; requiring that all other provisions in s. 390.0111, F.S., be complied with if the patient declines to view her live ultrasound images; providing for severability; providing an effective date.

—was referred to the Committees on Health Regulation; and Health and Human Services Appropriations.

By Senators Wise and Fasano—

SB 2402—A bill to be entitled An act relating to transportation projects; amending s. 339.12, F.S.; revising provisions authorizing the Department of Transportation to enter into an agreement with another governmental entity to complete a project or project phase that is not in the department's adopted work program; specifying that the agreement may be long term; removing certain limitations and requirements; providing an effective date.

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

By Senator Hill—

SB 2404—A bill to be entitled An act relating to judicial sales procedure; providing a short title; amending s. 45.031, F.S.; providing a timeframe for the sale of property under an order or judgment when the property was secured through a subprime loan; defining "subprime loan"; requiring a mortgagor to establish a prima facie case in the motion or pleading; providing requirements with respect to such pleading; providing for expiration of the provisions; requiring specified notice; providing an effective date.

—was referred to the Committees on Banking and Insurance; Commerce; and Judiciary.

By Senator Bennett—

SB 2406—A bill to be entitled An act relating to aggregate mining; amending s. 378.412, F.S.; prohibiting local governments from enacting or enforcing ordinances, resolutions, regulations, rules, policies, or other actions that prohibit mining in certain lands zoned for mining; providing an expedited permitting process for certain limerock environmental resource permitting and reclamation applications; providing requirements for the challenge of agency actions; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Community Affairs; and General Government Appropriations.

By Senator Hill—

SB 2408—A bill to be entitled An act relating to relative caretakers; amending s. 39.5085, F.S.; revising the term relative caretaker to include all persons related by blood, marriage, or adoption to the parent or stepparent of a child; amending ss. 414.0252 and 414.095, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Health Policy; Judiciary; and Health and Human Services Appropriations.

By Senator Bennett—

SB 2410—A bill to be entitled An act relating to liens for recovering, towing, or storing vehicles or vessels; amending ss. 125.0103 and 166.043, F.S.; requiring that rates for the towing and storage of certain vehicles within certain counties equal rates established by the Division of the Florida Highway Patrol; amending s. 321.051, F.S.; requiring that the division set maximum rates for the towing and storage of certain vehicles; requiring annual rate adjustments that reflect the Consumer Price Index; amending s. 713.78, F.S.; defining the term "department"; revising procedures for notification concerning liens for the recovery of certain costs for recovering, towing, or storing a vehicle or vessel; removing the authority of the Department of Highway Safety and Motor Vehicles to release information concerning the insurance company; establishing fees for the lien notification; revising requirements governing the contents of the notification; revising requirements for locating and notifying persons about the impending sale of an unclaimed vehicle or vessel or its contents; revising requirements concerning public notice of the impending sale; removing duplicative provisions concerning rulemaking by the department; amending s. 715.07, F.S.; conforming cross-references to changes made by the act; providing an effective date.

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

By Senator Haridopolos—

SB 2412—A bill to be entitled An act relating to local government revenue sources; requiring a super majority vote for actions by a local government to levy new, increase existing, expand a base or area subject to, or eliminate an exemption from taxes, special assessments, non-ad valorem assessments, or impact fees; requiring a super majority vote of electors voting in referenda on laws taking the same actions; providing an exception for certain emergencies; providing for nonapplication to certain other revenue sources; providing a definition; providing an effective date.

—was referred to the Committees on Community Affairs; Education Pre-K - 12; Finance and Tax; and Education Pre-K - 12 Appropriations.

By Senator Rich—

SB 2414—A bill to be entitled An act relating to anti-epileptic drugs; amending s. 440.13, F.S., relating to medical services and supplies; conforming a cross-reference; amending s. 465.025, F.S.; providing definitions; prohibiting a pharmacist from interchanging an anti-epileptic drug without prior notification and consent from the prescribing practitioner and the patient or the patient's parent, guardian, or spouse; amending s. 465.0251, F.S., relating to generic drugs; conforming a cross-reference; providing an effective date.

—was referred to the Committees on Health Regulation; Health Policy; and General Government Appropriations.

By Senator Wise—

SB 2416—A bill to be entitled An act relating to school construction; defining the term "green schools"; encouraging the creation of a green

schools action committee by district school boards and consortia of entities involved in matters concerning green schools; providing suggestions concerning the membership and duties of the committee; requiring school principals to encourage efforts concerning green schools; requiring that the Department of Education and the Department of Environmental Protection, in coordination with various interest groups, create a program to recognize or award efforts or achievements concerning green schools; specifying entities that are eligible for such recognition or award; encouraging such departments to form partnerships with the private sector to help fund the program; amending s. 1013.04, F.S.; providing for the evaluation of school district educational facilities plans to include an assessment of performance in the area of integration of certain low-energy usage features and passive design features; amending s. 1013.23, F.S.; providing a statement of policy concerning the creation of public facilities and the use of cost savings produced by energy efficiency and conservation measures; intending that district school boards design new buildings or major renovations to earn a specified rating concerning energy and environmental design; providing an exception concerning the construction or renovation projects for which design is commenced by a specified date; encouraging district school boards to incorporate design elements into certain construction or renovation projects which involve achievement of a specified rating; amending s. 1013.42, F. S.; requiring that, in administering the School Infrastructure Thrift Program, the Department of Education promote the creation of educational facilities meeting goals concerning cost and energy savings and environmental preservation; providing for inclusion of criteria concerning cost and energy savings and environmental preservation in the design of the program; amending s. 1013.64, F.S.; revising criteria concerning funding for educational facilities; requiring a computation by the Department of Education of statewide average construction costs; requiring that school districts provide a report to the department if certain construction-related costs exceed certain statewide limits; providing criteria concerning the calculation of such construction-related costs; providing requirements concerning the report's contents; requiring that the department present a summary of the reports to the Governor and the Legislature; amending s. 1013.72, F.S.; revising criteria concerning a school district's eligibility for an award under the School Infrastructure Thrift Program; authorizing a higher award for improvements that lower a facility's operational costs while improving its energy efficiency or environmental safety; authorizing the Commissioner of Education to present a trophy or plaque and a cash award to the school district that wins an award concerning construction of energy-efficient educational facilities as recommended by the Office of Educational Facilities and SMART Schools Clearinghouse; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Environmental Preservation and Conservation; and Education Facilities Appropriations.

By Senator Lynn—

SB 2418—A bill to be entitled An act relating to articulation and acceleration; amending s. 1007.01, F.S.; providing legislative intent with respect to the articulation and integration of the pre-K through 20 education system; requiring certain collaborative efforts by the State Board of Education and the Board of Governors; requiring the Commissioner of Education to establish an Articulation Coordinating Committee; specifying duties of the committee; amending s. 1007.235, F.S.; requiring that the district interinstitutional articulation agreement identify the responsibilities of postsecondary institutions for assigning letter grades for dual enrollment courses; amending s. 1007.271, F.S.; redefining the term "dual enrollment" as "early college enrollment"; defining the term "accelerated career and technical enrollment"; revising the requirements for calculating full-time equivalent membership and funding credits; providing criteria for students who enroll in such programs; providing for calculating the GPE of dual enrollment courses for purposes of admission to a state university; amending s. 1011.62, F.S.; revising the requirements for calculating full-time equivalent membership and funding credits; providing an effective date.

—was referred to the Committees on Higher Education; Education Pre-K - 12; and Education Pre-K - 12 Appropriations.

By Senator Hill—

SB 2420—A bill to be entitled An act relating to alcoholic beverages; amending s. 561.703, F.S.; redefining the term "vendor" to remove an exemption provided for certain vendors at grocery or drug stores; amending s. 561.705, F.S.; requiring the completion of a responsible-vendor training program by all employees, all managers, and certain licensees who sell, prepare, dispense, serve, or otherwise deliver alcoholic beverages during the course of employment; providing requirements for a responsible-vendor training program; providing that the program may be conducted by the vendor or an approved and certified responsible-vendor training provider; authorizing the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation to refuse to renew a license until the licensee has satisfied all applicable training requirements; requiring that the division adopt rules; repealing s. 561.706, F.S., relating to an exemption from license suspension or revocation under certain circumstances and mitigation for certain beverage law violations; creating s. 561.707, F.S.; requiring that the division approve and certify providers of responsible-vendor training; authorizing the division to levy fines against or revoke or suspend the license of any training provider who fails to provide appropriate training programs; limiting the amount of such fine; authorizing the division to charge a fee for persons seeking approval and certification to provide responsible-vendor training; authorizing the division to charge a biennial renewal fee; limiting the amount of such fees; authorizing the division to adopt rules; creating s. 561.708, F.S.; requiring that training providers maintain and make available to the division or department certain information for a specified period; requiring that providers agree in writing to cooperate with the department; authorizing the department to fine, suspend, or revoke approval for providers under certain circumstances; amending s. 562.111, F.S.; prohibiting a person under 21 years of age from consuming alcoholic beverages; amending s. 562.45, F.S.; authorizing local governments to regulate drink specials; amending s. 856.015, F.S.; increasing the penalty for certain violations of state law relating to open house parties from a misdemeanor of the second degree to a felony of the third degree; providing that a person who commits such a violation is liable for any injury or damage caused by or resulting from the possession or consumption of alcoholic beverages or drugs at an open house party; providing an effective date.

—was referred to the Committees on Regulated Industries; Criminal Justice; Finance and Tax; and General Government Appropriations.

By Senator Alexander—

SB 2422—A bill to be entitled An act relating to state contracts; amending s. 287.063, F.S.; prohibiting the term of payment for consolidated equipment finance contracts from extending beyond the anticipated useful life of the equipment financed; deleting the requirement that the Chief Financial Officer establish criteria prohibiting a state agency from obligating an annualized amount of payments for certain deferred payment purchases; amending s. 287.064, F.S.; extending the period allowed for the repayment of funds for certain purchases relating to energy conservation measures; requiring that guaranteed energy performance savings contractors provide for the replacement or the extension of the useful life of the equipment during the term of a contract; amending s. 489.145, F.S.; revising provisions relating to guaranteed energy performance savings contracting to include energy consumption and energy-related operational savings; revising provisions for the financing of guaranteed energy performance savings contracts; revising criteria for proposed contracts; revising program administration and contract review provisions; requiring that consolidated financing of deferred payment commodity contracts be secured by certain funds; prohibiting the Chief Financial Officer from approving certain contracts; providing an effective date.

—was referred to the Committees on Governmental Operations; Regulated Industries; Environmental Preservation and Conservation; and General Government Appropriations.

By Senator Wise—

SB 2424—A bill to be entitled An act relating to public school attendance; creating s. 1003.215, F.S.; creating the Compulsory Attendance

Pilot Program; requiring receipt of a high school diploma, a high school equivalency diploma and ready to work certification, career or job training certification or licensure, or ready to work certification in order to terminate school enrollment between ages 16 and 18 years; providing for an application and selection process for school district participation in the pilot program; providing student and parent rights; specifying school attendance requirements and procedures for termination of school enrollment; requiring an annual study and reporting by the Office of Program Policy Analysis and Government Accountability; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; and Education Pre-K - 12 Appropriations.

By Senator Posey—

SB 2426—A bill to be entitled An act relating to Space Florida; creating s. 288.1087, F.S.; providing legislative intent; creating the Space and Aerospace Development Infrastructure Enhancement Fund in the Office of Tourism, Trade, and Economic Development; providing for moneys from the funds to be distributed to successful applicants to upgrade space-related infrastructure, to enter into partnerships with applicable businesses on space-related projects, or to provide incentives for space-related ventures; requiring that certain information be included in the application for funding; requiring the Office of Tourism, Trade, and Economic Development to contract with nationally recognized economists to develop an economic impact assessment model that evaluates the costs, benefits, useful life, and other relevant factors related to space and aerospace infrastructure projects; describing the criteria by which the applicants will be judged as eligible to receive funding; requiring the executive board of Space Florida and the director of the Office of Tourism, Trade, and Economic Development to recommend approval or disapproval of proposed projects; providing for the Governor to decide which proposed projects receive Space and Aerospace Development Infrastructure Enhancement Funds; requiring the director of the Office of Tourism, Trade, and Economic Development and the successful applicant to enter into a contract that sets forth the conditions for receiving moneys from the fund; describing the content of the contract; requiring Enterprise Florida, Inc., to validate the performance of the contractor; requiring that the validation be complete within a specified time; providing an appropriation; providing a contingent effective date.

—was referred to the Committees on Commerce; Finance and Tax; and Transportation and Economic Development Appropriations.

By Senators Haridopolos and Posey—

SB 2428—A bill to be entitled An act relating to services for the elderly; creating the "Elderly Local Services Act"; providing legislative intent; providing definitions; designating the Department of Elderly Affairs as the lead agency for maximizing federal funding for programs serving the elderly; specifying the programs that are eligible for the funding; designating the area agencies on aging as the local political subdivisions responsible for collecting certified local funding; specifying that private funding collected is considered public revenue funds for the purposes of matching federal funding; requiring that federal funding received be dispersed to the area agencies for distribution within 45 days; requiring the department to modify state plans and seek any federal waivers necessary; providing for administrative costs; requiring the department to submit annual reports to the Governor and the Legislature; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Health Policy; and Health and Human Services Appropriations.

By Senator Webster—

SB 2430—A bill to be entitled An act relating to contingency fee agreements between state entities and private attorneys; amending s. 287.059, F.S.; prohibiting the Department of Legal Affairs of the Office of the Attorney General from entering into a contingency fee contract with a private attorney unless the Attorney General makes a written determination before entering into such a contract that contingency fee representation is both cost-effective and in the public interest; requiring that such written determination include certain findings; requiring that the Attorney General, upon making his or her written determination, request proposals from private attorneys to represent the department on a contingency fee basis unless the Attorney General determines in writing that requesting such proposals is not appropriate under the circumstances; providing that the written determination does not constitute a final agency action subject to review pursuant to state law; providing that the request for proposals and contract award are not subject to challenge under the Administrative Procedure Act; requiring that a private attorney maintain detailed contemporaneous time records with regard to work performed on the matter by any attorneys or paralegals assigned to the matter in specified increments; requiring that a private attorney provide such record to the department upon request; limiting the amount of a contingency fee that may be paid to a private attorney pursuant to a contract with the department; requiring that copies of any executed contingency fee contract and the Attorney General's written determination to enter into such contract be posted on the department's website within a specified period after the date on which such contract is executed; requiring that such information remain posted on the website for a specified duration; requiring that the amount of any payment of contingency fees be posted on the department's website within a specified period after the date on which payment of such contingency fees is made to the private attorney; requiring that such information remain posted on the website for a specified duration; providing an effective date.

—was referred to the Committees on Judiciary; Finance and Tax; and Criminal and Civil Justice Appropriations.

By Senator Bennett—

SB 2432—A bill to be entitled An act relating to local government early responders; creating ss. 125.01045 and 166.0446, F.S.; prohibiting counties and municipalities from charging fees or seeking reimbursement for the use of certain early responder services; providing an effective date.

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

By Senator Posey—

SB 2434—A bill to be entitled An act relating to state financial matters; amending s. 215.01, F.S.; changing the dates of the state fiscal year; providing for implementing such change; providing a contingent effective date.

—was referred to the Committees on Governmental Operations; Education Pre-K - 12; Finance and Tax; and General Government Appropriations.

By Senator Wise—

SB 2436—A bill to be entitled An act relating to workforce development; creating s. 445.06, F.S.; creating the Florida Business and Workforce Competitiveness Program within the Agency for Workforce Innovation; providing the purpose of the program; requiring Workforce Florida, Inc., to allocate funds from the Business and Workforce Competitiveness Trust Fund to regional workforce boards; providing that only certain employers are eligible for an award of a grant under the program; providing the time and method in which the employment training investment assessment is due; providing conditions when the employment training investment assessment is not imposed; requiring Workforce Florida, Inc., to establish guidelines governing the program and criteria to evaluate applications for funding; amending s. 443.131, F.S.; providing for an adjustment in the contribution rates for unemployment compensation of certain employers; providing an exception from the restriction against rounding an employer's contribution rate to less than 0.1 percent; providing a contingent effective date.

—was referred to the Committees on Commerce; Finance and Tax; and Transportation and Economic Development Appropriations.

By Senator Posey—

SB 2438—A bill to be entitled An act relating to informed consent for spaceflight; creating part III of ch. 331, F.S.; providing definitions; providing immunity from liability for injury to or death of certain suborbital flight participants if specified informed consent requirements are complied with; providing exceptions; requiring each participant to sign a warning statement; providing minimum requirements for a warning statement; providing an effective date.

—was referred to the Committees on Commerce; and Judiciary.

By Senator Posey—

SB 2440—A bill to be entitled An act relating to court costs for drug court programs; creating s. 938.20, F.S.; authorizing counties to provide by ordinance for funding drug court programs through the assessment of an additional mandatory court cost; providing for the assessment to be imposed against persons who plead guilty or no contest to, or who are convicted of, certain drug-abuse prevention and control provisions or certain local ordinances or uniform traffic control laws involving alcohol or other substance use or abuse; providing for collection and deposit of the assessment; providing for administration of the funds; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; Finance and Tax; and Criminal and Civil Justice Appropriations.

SB 2442—Not referenced.

By Senator Posey—

SB 2444—A bill to be entitled An act relating to cash bonds for criminal defendants; amending s. 903.286, F.S.; providing that funds for unpaid fines, fees, and court costs may not be withheld from a criminal defendant's cash bond unless the clerk of the court retains a signed receipt acknowledging that the person posting the bond was informed that funds could be withheld; providing an effective date.

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

By Senator Dawson—

SB 2446—A bill to be entitled An act relating to occupational, physical, respiratory, and speech therapies; repealing s. 409.912(12), F.S., which requires the Agency for Health Care Administration to establish a postpayment utilization control program designed to identify recipients who may inappropriately overuse or underuse Medicaid services; creating s. 627.66912, F.S.; prohibiting a health insurance policy that covers occupational, physical, respiratory, and speech therapies from limiting such services if they are medically necessary; amending s. 641.31, F.S.; prohibiting a health maintenance organization that covers occupational, physical, respiratory, and speech therapies from limiting such services if they are medically necessary; providing an effective date.

—was referred to the Committees on Banking and Insurance; Health Policy; Health Regulation; and Health and Human Services Appropriations.

By Senator Posey—

SB 2448—A bill to be entitled An act relating to sexual offenders; amending ss. 947.1405 and 948.30, F.S.; prohibiting certain specified sexual offenders whose victim was under the age of 18 from entering a public library without immediately notifying an employee of the public library of the sex offender's presence and intent to use the resources of the library; defining the term "immediately"; prohibiting the sex offender from entering the library until the employee acknowledges the presence of the sex offender; providing that a sex offender who violates the act commits a felony of the third degree; providing criminal penalties; providing an effective date.

—was referred to the Committees on Criminal Justice; Governmental Operations; Judiciary; and Criminal and Civil Justice Appropriations.

By Senator Posey—

SB 2450—A bill to be entitled An act relating to financial disclosure by elected officers and candidates for such offices; amending s. 112.3144, F.S.; requiring that the financial disclosure forms filed with the Florida Commission on Ethics pursuant to s. 8, Art. II of the State Constitution be made available to the public on a state website; providing an effective date.

—was referred to the Committees on Ethics and Elections; Governmental Operations; and Transportation and Economic Development Appropriations.

By Senator Posey—

SM 2452—A memorial to the Congress of the United States, urging Congress to support a National Catastrophe Insurance Program.

—was referred to the Committee on Banking and Insurance.

By Senator Posey—

SB 2454—A bill to be entitled An act relating to the Critical Teacher Shortage Student Loan Forgiveness Program; amending s. 1009.59, F.S.; revising criteria for applying for loan forgiveness to require an applicant to have taught for a full school year in a subject area in which a critical teacher shortage exists; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Education Pre-K - 12 Appropriations; and Higher Education Appropriations.

By Senator Joyner—

SB 2456—A bill to be entitled An act relating to lead poisoning prevention; creating s. 381.99, F.S.; providing a short title; providing definitions; creating the Florida Lead-based Paint Reduction Program within the Department of Health; requiring certification of individuals and firms performing lead-reduction activities; requiring the department to develop course accreditation and certification standards and requirements; providing exceptions from certification requirements; requiring the department to adopt minimum qualifications for certification; providing for renewal of certification; requiring the department to establish criteria and a fee schedule for examinations and certification; providing for such fees to be deposited into the Lead Poisoning Prevention Trust Fund; requiring a person to provide notification of lead-based paint abatement activities to the department; providing certain exceptions; requiring the department to adopt standards; requiring the department to prepare a fact sheet on abatement for distribution to consumers; requiring the department to adopt rules; providing a contingent effective date.

—was referred to the Committees on Health Regulation; Environmental Preservation and Conservation; and Health and Human Services Appropriations.

By Senator Posey—

SB 2458—A bill to be entitled An act relating to trust funds; amending s. 288.1087, F.S.; creating the Space and Aerospace Development Infrastructure Enhancement Fund within the Office of Tourism, Trade, and Economic Development; providing for annual carryforward of funds;

providing for future review and termination or re-creation of the fund; providing an effective date.

—was referred to the Committees on Commerce; Finance and Tax; and Transportation and Economic Development Appropriations.

By Senator Lynn—

SB 2460—A bill to be entitled An act relating to credentials under the Florida Ready to Work Certification Program; amending s. 445.004, F.S.; providing that the powers and duties of Workforce Florida, Inc., include ensuring consistent usage of a credential made available under the Florida Ready to Work Certification Program; amending s. 1003.428, F.S.; requiring certain students to earn a Florida Ready to Work Credential in order to graduate from high school with a major area of interest in a career or technical area; amending s. 1009.536, F.S.; requiring that certain students earn a Gold Level Florida Ready to Work Credential in order to be eligible for the Florida Gold Seal Vocational Scholars award; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Higher Education; Commerce; and Education Pre-K - 12 Appropriations.

By Senator Gaetz—

SB 2462—A bill to be entitled An act relating to group self-insurance funds; amending s. 624.4621, F.S.; authorizing the board of trustees of a self-insurer to declare any moneys in excess of the amount necessary to fund all obligations of the self-insurer as refundable to its members or policyholders; authorizing the board to distribute such dividends or premium refunds at its discretion, subject to certain limitations; requiring that a self-insurer submit certain information to the Office of Insurance Regulation within a specified period after the payment of a dividend or premium refund; deleting a provision prohibiting a request for a dividend or premium refund from being made before such information is submitted; requiring that a self-insurer's written notice of dividend or premium refund contain certain information; deleting provisions relating to the required review and potential approval of such dividend or premium refund by the office; amending s. 624.4623, F.S.; prohibiting independent educational institution self-insurance funds from being required to participate in certain guaranty associations created pursuant to state law; providing that such self-insurance funds are not entitled to coverage under such guaranty associations; providing an effective date.

—was referred to the Committees on Banking and Insurance; and Education Pre-K - 12 Appropriations.

By Senator Posey—

SB 2464—A bill to be entitled An act relating to implanted microchips; prohibiting the implanting of a microchip or similar monitoring device into a person without providing full disclosure regarding the device and obtaining the person's informed written consent; providing a penalty; providing an effective date.

—was referred to the Committees on Health Regulation; Criminal Justice; Judiciary; and Criminal and Civil Justice Appropriations.

By Senator Ring—

SB 2466—A bill to be entitled An act relating to community colleges; creating s. 1004.665, F.S.; authorizing a community college to change its name to college if it meets certain requirements; providing an effective date.

—was referred to the Committee on Higher Education.

By Senator Siplin—

SB 2468—A bill to be entitled An act relating to school food service programs; amending s. 1006.06, F.S.; creating the Florida Farm Fresh Schools Program within the Department of Agriculture and Consumer Services; providing legislative intent; requiring the department to work with the Department of Education to recommend policies and rules to the State Board of Education relating to school food services which encourage schools and school districts in this state to buy fresh and local food; requiring the Department of Agriculture and Consumer Services to provide outreach services regarding the benefits of fresh food products from this state; exempting the procurement of fresh fruits and vegetables purchased for the Florida Farm Fresh Schools Program from certain bid limits pursuant to s. 287.057, F.S.; requiring the program to maintain compliance with the rules and regulations of the National School Lunch Program; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Agriculture; Governmental Operations; and Education Pre-K - 12 Appropriations.

By Senator Deutch—

SB 2470—A bill to be entitled An act relating to condominium associations; amending s. 718.111, F.S.; specifying that requirements relating to acquisition and maintenance of adequate insurance apply to all residential condominiums; revising provisions relating to condominium and condominium owner insurance coverage; authorizing an association or group of associations to provide adequate hazard insurance through a self-insurance fund; requiring associations to exercise best efforts to obtain and maintain certain kinds of insurance; requiring insurance coverage or bonding of certain persons with respect to association funds; providing coverage requirements for policies entered into after a specified date; requiring owners to provide evidence of a currently effective policy of hazard and liability insurance upon request by the association; providing applicability to condominiums operated as a single condominium by a multicondominium association; specifying responsibility for reconstruction work under specified circumstances; specifying common expense responsibilities of the association and owners; amending s. 718.113, F.S.; revising application of provision relating to the material alteration or substantial additions to the common elements or to real property which is association property to apply to certain associations; creating s. 718.1265, F.S.; authorizing a condominium association board to exercise specified emergency powers during an emergency created by declared disaster; providing a limitation; providing an effective date.

—was referred to the Committees on Regulated Industries; Community Affairs; Banking and Insurance; and Judiciary.

By Senator Rich—

SB 2472—A bill to be entitled An act relating to the Florida Kidcare program; amending s. 409.810, F.S.; correcting a cross-reference; amending s. 409.811, F.S.; providing definitions; conforming cross-references; amending s. 409.812, F.S.; expanding application of the Florida Kidcare program to include all uninsured, low-income children; amending s. 409.813, F.S.; specifying funding sources for health benefits coverage for certain children; specifying program components to be marketed as the Florida Kidcare program; conforming cross-references; amending s. 409.8132, F.S.; conforming a cross-reference; revising provisions relating to penalties for nonpayment of premiums and waiting periods for reinstatement of coverage; amending s. 409.8134, F.S.; revising provisions relating to enrollment in the Florida Kidcare program; amending s. 409.814, F.S.; removing a restriction on participation in the Florida Healthy Kids program; authorizing certain enrollees to opt out of the Children's Medical Services network; providing for continuation of Florida Kidcare program eligibility under certain circumstances; revising coverage limitations; restricting enrollment of children whose coverage was voluntarily canceled; providing exceptions; deleting provisions that place a limit on enrollment in Medikids and the Florida Healthy Kids program; revising age and income limitations for Title XXI-funded Florida Kidcare coverage; requiring notice to health plans and providers when a child is no longer eligible for certain coverage; requiring electronic verification of applicants' income; providing circumstances under which written documentation is required; revising the

timeframe for an enrollee to resolve disputes regarding the withholding of benefits; amending s. 409.815, F.S.; providing an exception to a limitation on health benefits coverage for certain maternity services; permitting the Agency for Health Care Administration to increase certain premium assistance payments for Florida Kidcare Plus benefits under certain circumstances; conforming cross-references; amending s. 409.816, F.S.; providing limitations on premiums and cost-sharing payments by enrollees covered under Title XIX of the Social Security Act; conforming a cross-reference; amending s. 409.817, F.S.; conforming a cross-reference; amending s. 409.8177, F.S.; revising information to be included in the annual program evaluation report to the Governor and Legislature; amending s. 409.818, F.S.; revising an age limitation for Florida Kidcare coverage; requiring the Department of Health to chair a Florida Kidcare coordinating council and adopt certain rules in conjunction therewith; removing a provision requiring establishment of a toll-free telephone line; conforming cross-references; amending s. 409.821, F.S., relating to the Florida Kidcare program public records exemption; providing for disclosure of certain confidential and exempt information relating to an enrollee's application or coverage to an enrollee's parent or legal guardian; amending s. 409.904, F.S.; revising provisions relating to eligibility of certain children for the Medicaid program; amending s. 624.91, F.S.; revising the duties of the Florida Healthy Kids Corporation; deleting provisions relating to publicizing the Florida Kidcare Corporation; correcting a cross-reference; providing an effective date.

—was referred to the Committees on Health Policy; Children, Families, and Elder Affairs; Banking and Insurance; and Health and Human Services Appropriations.

By the Committee on Commerce—

SB 2474—A bill to be entitled An act relating to a review of the Department of Agriculture and Consumer Services under the Florida Government Accountability Act; reenacting s. 20.14(2)(e), (j), and (m), F.S., relating to the divisions of licensing, standards, and consumer services of the department; providing an effective date.

—was referred to the Committees on Commerce; and General Government Appropriations.

By Senator Gaetz—

SB 2476—A bill to be entitled An act relating to real property assessments; amending s. 194.301, F.S.; providing applicability; revising the burden of proof in challenges to the property appraiser's assessment of just value; deleting the presumption of correctness and placing a burden of proof on the appraiser; providing legislative intent that the taxpayer does not have the burden of proving that the property appraiser's assessment is unsupported; providing for applicability; requiring the electronic reporting of local government revenue and expenditure data; requiring the reporting of local government budgets; requiring the electronic reporting of local government contracts; providing an effective date.

—was referred to the Committees on Community Affairs; Education Pre-K - 12; and Finance and Tax.

By Senator Lynn—

SB 2478—A bill to be entitled An act relating to sex trafficking; amending s. 772.102, F.S.; expanding the definition of the term "criminal activity" to include the offense of facilitating certain offenses for purposes of seeking civil remedies for criminal offenses; amending s. 775.21, F.S.; conforming cross-references; creating s. 796.011, F.S.; providing definitions; amending s. 796.03, F.S.; increasing penalties for procuring a minor for prostitution; amending s. 796.04, F.S.; providing enhanced penalties for forcing, compelling, or coercing another to become a prostitute; renumbering and amending s. 796.035, F.S., and amending s. 796.045, F.S.; increasing penalties for selling or buying minors into sex trafficking or prostitution; revising provisions relating to sex trafficking; increasing penalties; amending s. 796.05, F.S.; revising provisions prohibiting deriving support or maintenance from earnings of prostitution; providing penalties; amending s. 796.06, F.S.; revising provisions prohibiting rental of certain facilities for prohibited activities; amending s. 796.07, F.S.; revising provisions prohibiting prostitution, lewdness, and assignation; providing penalties; amending s. 796.09, F.S.; revising provisions providing a civil action against persons who coerce or induce certain activities; requiring the court to award prevailing plaintiffs reasonable attorney's fees and costs; creating s. 796.10, F.S.; defining the term "business entity"; providing that a business entity convicted of a violation of chapter 796, F.S., may be subject to specified sanctions and forfeiture of property; amending s. 823.05, F.S.; providing that a place used for specified violations relating to prostitution may be declared a public nuisance and abated or enjoined; amending s. 893.138, F.S.; providing additional prostitution offenses that may subject a place to being declared a public nuisance by a county or municipality and abated pursuant to specified provisions; amending s. 895.02, F.S.; redefining the term "racketeering activity" to revise the offenses included for purposes of the Florida RICO Act; amending s. 921.0022, F.S.; conforming the offense severity ranking chart of the Criminal Punishment Code; amending ss. 322.28, 943.0435, 944.606, and 944.607, F.S.; conforming cross-references; providing an effective date.

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

By Senator Posey—

SB 2480—A bill to be entitled An act relating to offenses against unborn children; providing a short title; amending s. 782.09, F.S.; providing that certain offenses relating to the killing of an unborn child by injury to the mother do not require specified knowledge or intent; providing an effective date.

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

By Senator Joyner—

SB 2482—A bill to be entitled An act relating to the Department of Juvenile Justice; amending s. 984.01, F.S.; providing requirements for directing the funding and delivery of services of specified programs for children and families in need of services; providing an effective date.

—was referred to the Committees on Criminal Justice; Children, Families, and Elder Affairs; and Criminal and Civil Justice Appropriations.

By Senator Posey—

SB 2484—A bill to be entitled An act relating to public records; repealing ss. 119.0711(1) and 119.0713, F.S., relating to complaints and records in the custody of an agency and to complaints and records in the custody of any unit of local government, respectively, concerning discrimination complaints relating to race, color, religion, sex, national origin, age, handicap, or marital status; amending s. 119.071, F.S.; expanding the public-records exemption for discrimination complaints to apply to any agency governed by ch. 119, F.S.; providing that records of discrimination complaints held by an agency are exempt from public disclosure until a probable cause finding is made, the investigation becomes inactive, or the complaint is made part of the official record of a proceeding or court hearing; providing exceptions; providing that if the alleged victim chooses not to file a complaint and requests that records of the complaint remain confidential, all records relating to an allegation of employment discrimination are confidential; amending s. 338.223, F.S.; conforming a cross-reference; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing an effective date.

—was referred to the Committees on Judiciary; Community Affairs; Governmental Operations; and Rules.

By Senator Posey—

SB 2486—A bill to be entitled An act relating to dependent children; amending s. 39.01, F.S.; redefining the term "harm" to provide that a mother harms her child's health or welfare by using a controlled substance during pregnancy without regard to whether using the controlled substance adversely affected the child; reenacting ss. 39.0015(3)(b) and 39.828(1)(a), F.S., relating to child abuse prevention training in the district school system and grounds for appointment of a guardian advocate, respectively, to incorporate the amendments made to s. 39.01, F.S., in references thereto; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Judiciary; and Health and Human Services Appropriations.

By Senator Posey—

SM 2488—A memorial to the Congress of the United States, urging Congress to pass legislation that exempts from taxation all reserves placed in escrow for the exclusive use of paying potential future property insurance claims arising out of natural catastrophes.

—was referred to the Committee on Banking and Insurance.

By Senator Crist—

SB 2490—A bill to be entitled An act relating to sexual offenders and predators; creating s. 856.022, F.S.; prohibiting loitering or prowling by certain offenders within a specified distance of places where children regularly congregate; providing exceptions; providing penalties; amending s. 775.21, F.S.; providing a definition; revising provisions relating to reporting requirements for sexual predators in transient status; amending s. 943.0435, F.S.; revising provisions relating to reporting requirements for sexual offenders in transient status; amending s. 943.04352, F.S.; requiring search in an additional specified sex offender registry for information regarding sexual predators and sexual offenders when an offender is placed on misdemeanor probation; amending s. 944.606, F.S.; revising address reporting requirements for sexual offenders; amending s. 944.607, F.S.; requiring additional registration information from sex offenders under the supervision of the Department of Corrections but not incarcerated; amending s. 947.1405, F.S.; revising provisions relating to polygraph examinations of specified conditional releasees who have committed specified sexual offenses; providing additional restrictions for certain conditional releasees who committed sexual offenses with minors under the age of 16; amending s. 948.30, F.S.; revising provisions relating to polygraph examinations of specified probationers or community controllees who have committed specified sexual offenses; providing additional restrictions for certain probationers or community controllees who committed sexual offenses with minors under the age of 16; amending s. 948.31, F.S.; deleting a requirement for diagnosis of certain sexual predators and sexual offenders on community control; revising provisions relating to treatment for such offenders and predators; amending s. 985.481, F.S.; providing additional address reporting requirements for sexual offenders adjudicated delinquent; amending s. 985.4815, F.S.; providing transient and temporary residence reporting requirements for sexual offenders adjudicated delinquent; providing an effective date.

—was referred to the Committees on Criminal Justice; Children, Families, and Elder Affairs; Judiciary; and Criminal and Civil Justice Appropriations.

By Senator Crist—

SB 2492—A bill to be entitled An act relating to contract carriers; amending s. 316.302, F.S.; applying specified rules and regulations to contract carriers employed by railroad companies; requiring contract carrier drivers to hold a commercial driver's license; requiring contract carriers to perform alcohol and drug testing on drivers; limiting duties of contract carrier operators; requiring contract carriers to record certain information and keep certain logs for a certain time; requiring commercial for-hire carrier companies to maintain certain liability insurance; requiring the Department of Transportation to adopt rules regulating such contract carriers; requiring the department to inform contract carriers and railroad companies of applicable requirements and statutes; providing an effective date.

—was referred to the Committees on Transportation; Judiciary; and Transportation and Economic Development Appropriations.

By Senator Margolis—

SB 2494—A bill to be entitled An act relating to community associations; amending s. 718.1124, F.S., and creating ss. 719.1124 and 720.3053, F.S.; providing for notification of a unit owner's or member's intent to petition for the appointment of a receiver if an association's governing board fails to fill vacancies sufficient to constitute a quorum; providing for written notice to unit owners or members of any such appointment; requiring the salary of the receiver and certain costs and fees to be paid by the association; providing powers, duties, and term of service of the receiver; amending s. 718.117, F.S., and creating ss. 718.127, 719.127, and 720.313, F.S.; specifying receivership notification requirements with respect to condominium associations, cooperative associations, and homeowners' associations; amending ss. 718.121 and 719.108, F.S.; prohibiting a lien from being filed against a condominium unit or cooperative parcel until 30 days after service of a notice of intent to file the lien; amending s. 720.305, F.S.; deleting notification requirements for the appointment of a receiver under specified circumstances for matters relating to homeowners' associations; providing an effective date.

—was referred to the Committees on Regulated Industries; Community Affairs; and Judiciary.

By Senator Wise—

SB 2496—A bill to be entitled An act relating to trust funds; creating s. 445.061, F.S.; creating the Florida Business and Workforce Competitiveness Trust Fund within the Agency for Workforce Innovation; providing for sources of funds and purposes; providing for annual carryforward of funds; providing for future review and termination or re-creation of the trust fund; providing a contingent effective date.

—was referred to the Committees on Commerce; Finance and Tax; and Transportation and Economic Development Appropriations.

By Senator Bennett—

SB 2498—A bill to be entitled An act relating to the Department of Business and Professional Regulation; amending s. 20.165, F.S.; changing the name of the Division of Florida Land Sales, Condominiums, and Mobile Homes to the Division of Florida Condominiums, Timeshares, and Mobile Homes; amending s. 215.20, F.S.; conforming the name of the division's trust fund to correspond to the name change of the division; amending s. 450.33, F.S.; removing the requirement for a farm labor contractor to file a set of fingerprints with the department; amending s. 455.203, F.S.; authorizing the department to close and terminate deficient license applications and to approve professional license applications meeting certain criteria; amending s. 475.17, F.S.; revising requirements for licensure as a real estate broker; amending s. 475.451, F.S.; deleting requirements relating to the submission of certain real estate course rosters to the department; amending s. 489.511, F.S.; revising requirements for taking the electrical or alarm system contractor certification examination; providing requirements for certification; amending s. 489.515, F.S.; revising requirements for certification as a certified contractor by the Electrical Contractors' Licensing Board to reflect changes made to s. 489.511, F.S., by this act; renumbering s. 498.009, F.S., relating to the location of the division's offices; amending and renumbering s. 498.011, F.S., relating to payment of per diem, mileage, and other expenses for division employees; providing for reimbursement of expenses for on-site review; deleting the expense reimbursement for inspection of subdivided lands; renumbering s. 498.013, F.S., relating to the authentication of records; amending and renumbering s. 498.057, F.S., relating to service of process; deleting provision that service may be made by delivering a copy of the process to the division director; providing that the division can be the petitioner or the plaintiff;

repealing ss. 498.001, 498.003, 498.005, 498.007, 498.017, 498.019, 498.021, 498.022, 498.023, 498.024, 498.025, 498.027, 498.028, 498.029, 498.031, 498.033, 498.035, 498.037, 498.039, 498.041, 498.047, 498.049, 498.051, 498.053, 498.059, 498.061, and 498.063, F.S., relating to regulation of land sales practices; amending s. 548.0065, F.S.; including amateur mixed martial arts in a provision relating to the authority of the Florida State Boxing Commission to suspend amateur matches for violation of certain health and safety standards; amending s. 548.008, F.S.; removing prohibition against holding amateur mixed martial arts matches in this state; amending s. 548.041, F.S.; providing additional licensure requirements for boxing participants; amending s. 718.501, F.S.; providing additional powers and duties of the division; providing for additional enforcement proceedings for carrying out the purposes of ch. 718, F.S.; deleting the payment of money by a developer to a condominium association as a permissible affirmative action; providing for actions of conservator or receiver; providing for application to circuit court for an order of restitution; providing for imposition of civil penalties and award of court costs, attorney's fees, and costs of investigation under certain circumstances; providing for contracting for investigative services; providing for acceptance of grants-in-aid; requiring the cooperation with similar agencies on establishment of certain procedures, standards, and forms; providing what constitutes completeness of notice; authorizing the division to issue a notice to show cause; providing conforming changes; amending s. 718.509, F.S.; revising to incorporate provisions of s. 498.019, F.S., relating to the Division of Florida Condominiums, Timeshares, and Mobile Homes Trust Fund; revising provisions to conform to the change in division name; providing for the deposit of moneys resulting from an administrative final order; amending ss. 73.073, 190.009, 192.037, 213.053, 326.002, 326.006, 380.05, 380.06, 380.0651, 381.0065, 455.116, 475.455, 494.008, 509.512, 517.301, 559.935, 718.103, 718.105, 718.1255, 718.5011, 718.502, 718.504, 718.508, 718.608, 719.103, 719.1255, 719.501, 719.502, 719.504, 719.508, 719.608, 720.301, 720.401, 721.05, 721.07, 721.08, 721.26, 721.28, 721.301, 721.50, 723.003, 723.006, 723.009, and 723.0611, F.S., to conform; providing an effective date.

—was referred to the Committees on Regulated Industries; Governmental Operations; Judiciary; and General Government Appropriations.

Senate Bills 2500-2502—Previously referenced.

By Senators Posey and Fasano—

SB 2504—A bill to be entitled An act relating to community associations; amending s. 514.011, F.S.; providing a definition; amending s. 514.0115, F.S.; providing specified supervision and regulation exemptions for homeowners' association swimming pools; amending s. 515.25, F.S.; conforming a cross-reference; amending s. 718.111, F.S.; specifying that requirements relating to acquisition and maintenance of adequate insurance apply to all residential condominiums; revising and providing provisions relating to condominium and condominium owner insurance coverage; authorizing an association or group of associations to provide adequate hazard insurance through a self-insurance fund; requiring associations to exercise best efforts to obtain and maintain certain kinds of insurance; providing coverage requirements for policies entered into after a specified date; requiring owners to provide evidence of a currently effective policy of hazard and liability insurance upon request by the association; specifying responsibility for reconstruction work under specified circumstances; specifying common expense responsibilities of the association and owners; providing for unit owner access to association records; prohibiting unit owners from accessing certain personal identifying information of other unit owners and persons residing in units; amending s. 718.112, F.S.; requiring meetings of the board of administration to be conducted using generally accepted parliamentary procedures; requiring the board to hold special meetings upon a petition of a specified amount of the total voting interests or to take up the petitioned items at the next regular meeting; providing members with the right to speak at such meetings under certain circumstances; providing location requirements for all unit owner meetings; revising budget requirements; amending s. 718.115, F.S.; providing certain expenses to be included as common expenses; amending s. 718.116, F.S.; providing requirements for claims of lien filed on or after a specified date; providing notice requirements; requiring certain advance notice to pay estimated nonemergency special assessments; creating s. 718.1265, F.S.; authorizing a condominium association board to exercise specified emergency powers when a state of emergency is declared; providing limitations; amending s. 718.3025, F.S.; deleting a requirement specifying a minimum number of personnel to be employed by a party contracting to provide maintenance or management services; providing requirements for certain contracts between a party contracting to provide maintenance or management services and an association; amending s. 718.3026, F.S.; providing an expiration threshold for certain associations opting out of requirements relating to contracts for products and services following a vote by the unit owners; amending s. 718.303, F.S.; requiring hearings to levy fines to be held before a committee of unit owners who are not members of the board or persons residing in a board member's household; amending s. 718.5012, F.S.; removing a requirement for the ombudsman to develop certain policies and procedures; requiring direct assistance; amending s. 718.503, F.S.; providing that prospective purchasers are entitled to a governance form provided by the seller and prepared by the division; requiring the governance form to include specified information; amending s. 720.303, F.S.; revising provisions relating to homeowners' association board meetings, inspection and copying of records, reserve accounts of budgets, and financial reporting requirements; prohibiting salary or compensation of certain association personnel; providing exceptions; amending s. 720.305, F.S.; providing for an association to recover certain costs and expenses in certain actions; revising a lien restriction; amending s. 720.306, F.S.; revising certain meeting notice requirements; providing absentee ballot voting requirements; requiring newly elected members of a board of directors to make certain certifications in writing to the association; providing for disqualification for failure to make such certifications; requiring an association to retain such certifications for a certain time; specifying repercussions for certain unexcused absences; amending s. 720.307, F.S.; authorizing the board of directors of an association to levy assessments on unimproved parcels under certain circumstances; amending s. 720.3075, F.S.; specifying an additional prohibited clause in association documents; amending s. 720.308, F.S.; revising certain cash funding requirements; amending s. 720.3085, F.S.; revising mailing requirements for a written notice or demand for past due assessments; providing requirements for certain foreclosure actions; amending s. 720.401, F.S.; revising certain prospective parcel owner disclosure summary requirements; providing an effective date.

—was referred to the Committees on Regulated Industries; Banking and Insurance; Community Affairs; and Judiciary.

By Senator Bennett—

SB 2506—A bill to be entitled An act relating to homestead property assessments; amending s. 193.155, F.S.; providing additional limitations on annual changes in assessments of homestead real property; providing an effective date.

—was referred to the Committees on Community Affairs; Finance and Tax; General Government Appropriations; and Education Pre-K - 12 Appropriations.

By Senator Dockery—

SB 2508—A bill to be entitled An act relating to adult transition services; amending ss. 409.145 and 409.1451, F.S.; clarifying that a child in the juvenile justice system is eligible for services provided by the Department of Children and Family Services; amending s. 985.03, F.S.; defining the term "adult transition services"; creating s. 985.626, F.S.; providing legislative intent; requiring the Department of Juvenile Justice to provide adult transition services to certain children in their custody or care; requiring an assessment and adult transition plan; specifying services; requiring adult transitions services to be coordinating with similar services offered by other agencies; amending ss. 984.05 and 985.721, F.S.; conforming cross-references; providing an effective date.

—was referred to the Committees on Criminal Justice; Children, Families, and Elder Affairs; and Health and Human Services Appropriations.

By Senator Deutch—

SB 2510—A bill to be entitled An act relating to the Florida Prepaid College Program; amending s. 1009.98, F.S.; providing for the powers and rights of purchasers and co-purchasers of advance payment contracts; differentiating between contracts purchased before February 1, 2009, and those purchases after that date; providing for the rights of a purchaser to apply to the co-purchaser for contracts purchased after that date or following a one time election by the purchaser; providing an effective date.

—was referred to the Committees on Higher Education; and Higher Education Appropriations.

By Senator Dockery—

SB 2512—A bill to be entitled An act relating to the Department of Transportation; amending s. 339.135, F.S.; requiring legislative notification by the department of all projects that will exceed a total cost of $75 million; providing an effective date.

—was referred to the Committees on Transportation; Governmental Operations; and Transportation and Economic Development Appropriations.

By Senator Villalobos—

SB 2514—A bill to be entitled An act relating to postsecondary student fees; amending s. 1009.22, F.S., relating to workforce education postsecondary student fees; revising provisions to restrict applicability to students who are reported for funding in school districts; deleting applicability to community college student fees and use thereof; deleting provisions relating to use of certain fees; amending s. 1009.23, F.S., relating to community college student fees; providing for application to certain students; providing standard resident tuition for programs leading to a career certificate or applied technology diploma and for adult general education programs and conforming provisions relating to tuition and fee increases; encouraging consideration of student fee policies; providing elements of such policies; revising provisions relating to establishment and designation of tuition and fees by community college boards of trustees; authorizing an increase in the amount of fees collected for financial aid purposes; increasing the amount of financial aid fees that may be used to assist students who meet specified criteria; providing requirements for determining fees for continuing workforce education; deleting provisions authorizing a separate fee for technology and use thereof; deleting requirements for State Board of Education rulemaking relating to the cost of educational programs paid by students; amending s. 1009.25, F.S., relating to fee exemptions; revising limitations on student fee exemptions that may be granted by community college boards of trustees; amending s. 1001.64, F.S.; conforming cross-references; providing an effective date.

—was referred to the Committees on Higher Education; Commerce; Finance and Tax; and Higher Education Appropriations.

By Senator Haridopolos—

SB 2516—A bill to be entitled An act relating to memory disorder clinics; amending s. 430.502, F.S.; revising terminology relating to the East Central Florida Memory Disorder Clinic; providing an effective date.

—was referred to the Committee on Children, Families, and Elder Affairs.

By Senator Bennett—

SB 2518—A bill to be entitled An act relating to community redevelopment agencies; creating s. 163.351, F.S.; revising requirements concerning reporting by community redevelopment agencies; requiring an annual report of progress and plans to the governing body; requiring that the agency and the county or municipality make such report available for public inspection; requiring that certain reports or information concerning dependent special districts be annually provided to the Department of Community Affairs; requiring that certain financial reports or information be annually provided to the Department of Financial Services; amending s. 163.356, F.S.; eliminating the requirement that community redevelopment agencies file and make available to the public certain reports concerning finances; amending s. 163.387, F.S.; providing requirements concerning the calculation of increment revenues; revising the factors used to calculate increment revenues; limiting expenditures made from the redevelopment trust fund for the undertakings of a community redevelopment agency to undertakings within the community redevelopment area; providing a list of the types of expenditures that may be made; specifying that the list is not exclusive; eliminating requirements concerning the auditing of a community redevelopment agency's redevelopment trust fund; providing an effective date.

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

By Senator Siplin—

SB 2520—A bill to be entitled An act relating to conventions and tourism; requiring the Florida Commission on Tourism, the Florida Black Business Investment Board, Inc., and the Office of Tourism, Trade, and Economic Development to jointly establish and use African-American businesses in the convention and tourism industry; providing guidelines; providing for a committee to enforce the program; providing an effective date.

—was referred to the Committees on Commerce; Governmental Operations; and Transportation and Economic Development Appropriations.

By Senator Fasano—

SB 2522—A bill to be entitled An act relating to the Family Readiness Program; amending s. 250.5206, F.S.; expanding purpose, eligibility, and annual report provisions of the Family Readiness Program within the Department of Military Affairs; providing an effective date.

—was referred to the Committees on Military Affairs and Domestic Security; and Transportation and Economic Development Appropriations.

Senate Bills 2524-2532—Not referenced.

SB 2534—Previously referenced.

Senate Bills 2536-2580—Not referenced.

By Senator Haridopolos—

SB 2582—A bill to be entitled An act relating to motor vehicle dealers; amending s. 320.64, F.S.; prohibiting licensees from certain actions intended to coerce a dealer to improve its facilities after the licensee has approved those facilities; allowing licensees to offer certain loan or grant programs to induce the dealer to relocate or improve the existing facilities, if such inducement is not discriminatory or designed to force the dealer to do so; prohibiting certain adverse actions against a dealer who does not participate in such programs; declaring certain inducement programs void; authorizing a licensee to set reasonable standards for dealer sales and facilities; prohibiting licensees from altering allocations or supplies of new vehicles to achieve goals that are prohibited in this state by statute; clarifying a provision relating to a prohibition against a dealer selling a motor vehicle to a customer who exported or resold the vehicle; requiring the licensee to prove the dealer had actual knowledge of the customer's intent to export or resell the vehicle; creating a conclusive presumption that the dealer had no actual knowledge if the vehicle

was titled or registered in this country; authorizing licensees to audit dealers to determine the validity of paid claims if the licensee complies with applicable statutory requirements; creating s. 320.6412, F.S.; providing a burden of proof in actions to terminate a motor vehicle dealer franchise based on fraud or misrepresentation; amending s. 320.696, F.S.; substantially revising provisions relating to the licensee's responsibility to timely and reasonably compensate a dealer who performs warranty or vehicle preparation work; providing methods of determining the cost for parts and labor to be paid to a dealer as compensation for performing warranty repairs and vehicle preparation for the licensee; prohibiting the licensee from taking certain adverse actions against a dealer for seeking to obtain compensation for such work; prohibiting certain acts by a licensee to reduce the amount of compensation to be paid to a dealer or to offset or recover from the dealer compensation previously received; providing severability; providing an effective date.

—was referred to the Committees on Commerce; and Regulated Industries.

Senate Bills 2584-2606—Not referenced.

SB 2608—Previously referenced.

Senate Bills 2610-2616—Not referenced.

By Senator Jones—

SB 2618—A bill to be entitled An act relating to public health; amending s. 381.006, F.S.; expanding application of the environmental health program of the Department of Health to all parts of state institutions for the mentally ill rather than just those used for the incarceration of prisoners and inmates; amending s. 381.86, F.S.; revising responsibilities of the Institutional Review Board; repealing s. 381.85, F.S., the Florida Biomedical and Social Research Act; repealing s. 381.895, F.S., relating to standards for compressed air used for recreational diving; providing an effective date.

—was referred to the Committees on Health Regulation; and Health and Human Services Appropriations.

Senate Bills 2620-2644—Not referenced.

By Senator Jones—

SB 2646—A bill to be entitled An act relating to medical quality assurance; amending s. 395.0193, F.S.; requiring that disciplinary actions at a licensed health care facility be reported to the Division of Medical Quality Assurance within the Department of Health rather than to the Division of Health Quality Assurance of the Agency for Health Care Administration; amending s. 395.0197, F.S.; requiring the Agency for Health Care Administration to forward a copy of a licensed facility's adverse incident report related to certain health care practitioners to the Division of Medical Quality Assurance; deleting the requirement of the agency or the appropriate regulatory board to make records available to a health care professional against whom probable cause has been found; deleting the agency's requirement to review an adverse incident and determine whether it involved conduct by a health care professional who is subject to disciplinary action; amending s. 395.3025, F.S.; authorizing the disclosure of patient medical records without consent to the department for its investigation, prosecution, and appeal of disciplinary proceedings; requiring an administrator or custodian of records of a licensed facility to certify that a copy of records requested has been provided to the department; requiring the licensed facility to charge a reasonable fee for copies of records requested by the department; prohibiting the department from making the records available to the public; requiring the department to make the records available to a health care practitioner against whom probable cause has been found; amending s. 400.141, F.S.; requiring a facility licensed under ch. 400, F.S., to provide a certified copy of records upon subpoena to the department; amending s. 400.145, F.S.; requiring the administrator or records custodian at a facility licensed under ch. 400, F.S., to certify that a copy of records subpoenaed or requested by patient release has been provided to the department; amending s. 400.147, F.S.; providing that notification of an adverse incident at a facility licensed under ch. 400, F.S., is not discoverable or admissible in any civil or administrative action except in disciplinary proceedings by the department; requiring the department to review each adverse incident and determine whether it involved conduct by a health care professional who is subject to disciplinary action; requiring a copy of an adverse incident report be forwarded to the division for review; requiring the department to determine whether any of the adverse incidents involved conduct by a health care professional who is subject to disciplinary action; amending s. 456.057, F.S.; providing that the employer or clinic is the responsible records owner of abandoned medical records following abandonment of records or closure of a clinic or facility; authorizing the department or the appropriate probable cause panel to find reasonable cause to subpoena patient's records without patient authorization under certain conditions; amending ss. 458.309 and 459.005, F.S.; deleting an exception to the department's requirement to annually inspect a physician's office or an osteopathic physician's office where certain medical procedures are performed; providing an effective date.

—was referred to the Committees on Health Regulation; Judiciary; and Health and Human Services Appropriations.

Senate Bills 2648-2652—Not referenced.

By Senators Geller and Ring—

SB 2654—A bill to be entitled An act relating to autism spectrum disorder; providing a short title; creating s. 627.6686, F.S.; providing definitions; requiring health insurance plans to provide coverage for screening, diagnosis, intervention, and treatment of autism spectrum disorder in certain children; requiring a treatment plan; prohibiting an insurer from denying or refusing coverage or refusing to renew or reissue or terminate coverage based on a diagnosis of autism spectrum disorder; providing coverage limitations; providing treatment plan requirements; limiting the frequency of requests for updating a treatment plan; providing eligibility requirements; providing a maximum benefit that is adjusted annually; providing for application; providing an effective date.

—was referred to the Committees on Banking and Insurance; Health Policy; and Health and Human Services Appropriations.

Senate Bills 2656-2758—Not referenced.

By Senator Peaden—

SB 2760—A bill to be entitled An act relating to dentistry; providing a short title; amending s. 466.003, F.S.; defining the terms "public health supervision" and "public health setting"; amending s. 466.004, F.S.; revising the requirements for membership on the Board of Dentistry within the Department of Health; authorizing the board to adopt rules; creating s. 466.0067, F.S.; requiring the board to grant a public health dental license to an applicant who meets certain requirements; providing requirements for licensure; authorizing the holder of a public health dental license to practice dentistry in a public health setting; authorizing the board to request verification or to revoke a public health dental license; authorizing a holder of a public health dental license to convert it to a dental license under certain conditions; authorizing the board to adopt rules; amending s. 466.011, F.S.; conforming a provision to changes made by the act; authorizing the board to adopt rules governing the licensure of applicants; amending s. 466.021, F.S.; revising requirements relating to retention of dental laboratories by dentists; changing terminology to reflect employment of dental laboratories and to change references to work orders for prescriptions; requiring a dental laboratory to keep the original or electronic copy of prescriptions; amending s. 466.023, F.S.; authorizing dental hygienists to perform dental hygiene services under public health supervision; authorizing the board to adopt rules; amending s. 466.024, F.S.; providing that certain tasks are remediable and delegable to dental hygienists in certain settings; prohibiting

a dentist from delegating irremediable tasks to a dental hygienist; authorizing a dentist to delegate remediable tasks to a dental hygienist under certain conditions; providing a list of remediable and delegable tasks; authorizing the board to adopt rules; amending s. 466.032, F.S.; requiring specified continuing education for renewal of registration of a dental laboratory by a time certain; providing a listing of agencies or organizations that are authorized to develop and offer continuing education; requiring a dental laboratory owner to submit a sworn statement attesting to compliance with continuing education requirements and providing specified information; authorizing the Department of Health to request documentation of continuing education; authorizing the department to request such documentation at random without cause; providing exemptions from continuing education requirements; providing for voluntary compliance by certain dental laboratories; providing an effective date.

—was referred to the Committees on Health Regulation; and Health and Human Services Appropriations.

COMMITTEE SUBSTITUTES

FIRST READING

By the Committee on Transportation; and Senators Wise and Baker—

CS for SB 456—A bill to be entitled An act relating to driving under the influence; providing a short title; amending s. 316.193, F.S.; requiring that ignition interlock devices be used for a specified period after a first conviction of certain offenses; revising provisions relating to the period for which an ignition interlock device may be required for a second conviction of certain offenses; amending s. 322.21, F.S.; requiring a service fee for ignition interlock devices; requiring that the service fee be deposited into the DUI Programs Coordination Trust Fund; amending s. 322.2715, F.S.; requiring that ignition interlock devices be set to prevent the vehicle from starting if the operator's blood-alcohol level exceeds a specified amount; revising the time that ignition interlock devices must be used after a first conviction of certain offenses; providing an effective date.

By the Committees on Judiciary; Children, Families, and Elder Affairs; and Senators Rich, Margolis and Lynn—

CS for CS for SB 628—A bill to be entitled An act relating to court actions involving families; amending ss. 39.001, 61.001, 63.022, 68.07, 741.2902, 984.01, and 985.02, F.S., and creating ss. 88.1041, 742.016, 743.001, and 1003.201, F.S.; providing additional purposes relating to implementing a unified family court program in the circuit courts; providing legislative intent; amending s. 61.402, F.S.; expanding eligibility criteria for guardians ad litem; providing requirements for and limitations on certification of guardians ad litem by not-for-profit legal aid organizations; providing an effective date.

By the Committee on Judiciary; and Senators Rich, Joyner and Deutch—

CS for SB 766—A bill to be entitled An act relating to public records; amending s. 119.071, F.S.; creating exemptions from public-records requirements for the home addresses and telephone numbers of general magistrates, special magistrates, and child support enforcement hearing officers, the home addresses, telephone numbers, and places of employment of the spouses and children of general magistrates, special magistrates, and child support enforcement hearing officers, and the names and locations of schools and day care facilities attended by the children of general magistrates, special magistrates, and child support enforcement hearing officers; requiring reasonable efforts by the magistrates and hearing officers to prevent access through other means; providing for legislative review and repeal of the exemptions; providing a statement of public necessity; providing an effective date.

By the Committee on Ethics and Elections; and Senator Constantine—

CS for SB 1220—A bill to be entitled An act relating to the code of ethics for public officers and employees; amending s. 112.312, F.S.; redefining the term "business entity" to include a company; amending s. 112.3135, F.S.; prohibiting a public official from appointing, employing, promoting, or advancing a relative and providing that a relative is not eligible for appointment, employment, promotion, or advancement to a position in an agency in which the official is serving, or in an agency administered by the official or collegial body of which the official is a member; providing that both the official and the official's relative are subject to penalties; providing an exception if the official does not participate in the appointment, employment, promotion, or advancement; amending s. 112.3143, F.S.; revising the disclosure requirements for a state officer when voting in an official capacity; revising the disclosure requirements for an appointed state officer participating in certain matters; providing an exception for a state officer when the officer's principal is an agency as defined in s. 112.312(2), F.S.; revising the disclosure requirements for a local officer when prohibited from voting; prohibiting a local officer from participating in any matter involving special gain or loss to certain parties unless such interest in the matter is disclosed; providing requirements for making the disclosure; amending s. 112.3145, F.S.; redefining the term "local officer" to include an appointed member of the board of a community redevelopment agency and a finance director of a local government or other political subdivision; requiring a financial interest statement to show the statutory method used to disclose a reporting individual's financial interests; amending s. 112.3148, F.S.; redefining the term "procurement employee"; defining the term "vendor"; prohibiting a reporting individual or procurement employee from soliciting a gift from certain vendors; prohibiting such individual or employee from knowingly accepting a gift in excess of a specified value from certain vendors; prohibiting certain vendors from making such a gift to such individual or employee; amending s. 112.3149, F.S.; redefining the term "procurement employee"; defining the term "vendor"; prohibiting a reporting individual or procurement employee from knowingly accepting an honorarium from certain vendors; prohibiting certain vendors from giving an honorarium to such individual or employee; amending s. 112.3215, F.S.; requiring the Ethics Commission to investigate complaints alleging prohibited expenditures; providing for the investigation of lobbyists and principals under certain circumstances; providing penalties for failure to provide required information or providing false information; creating s. 112.3136, F.S.; specifying standards of conduct for officers and employees of entities serving as the chief administrative officer of a political subdivision; amending s. 112.317, F.S.; providing for penalties to be imposed against persons other than lobbyists or public officers and employees; amending s. 112.324, F.S.; providing for the commission to report to the Governor violations involving persons other than lobbyists or public officers and employees; amending s. 411.01, F.S., relating to school readiness programs; conforming a cross-reference; providing an effective date.

By the Committee on Health Regulation; and Senator Margolis—

CS for SB 1478—A bill to be entitled An act relating to psychology licensure; amending s. 490.005, F.S.; requiring the Board of Psychology within the Department of Health to close an application of an applicant who fails to pass the licensure examination or submit evidence of completing postdoctoral training within a specified period; requiring that the board provide for exceptions; authorizing persons who have completed postdoctoral residency training to continue the practice of psychology under certain circumstances; providing an effective date.

By the Committee on Health Regulation; and Senator Rich—

CS for SB 1962—A bill to be entitled An act relating to tax exemptions for nonprofit cooperative hospital laundries; amending s. 212.08, F.S.; requiring a member of a nonprofit cooperative to immediately divest itself of interest in the cooperative if it looses its nonprofit status; providing that the provision of emergency services to a nonmember hospital does not invalidate the certificate of tax exemption; providing an effective date.

By the Committee on Transportation; and Senator Baker—

CS for SB 1978—A bill to be entitled An act relating to the Department of Transportation; amending s. 337.185, F.S.; providing for maintenance contracts to be included in the types of claims settled by the State Arbitration Board; amending s. 337.403, F.S.; providing for the department or a local governmental entity to pay the costs of removing or relocating a utility that is interfering with the use of a road or rail corridor; amending s. 338.01, F.S.; requiring that newly installed electronic toll collection systems be interoperable with the department's electronic toll collection system; amending s. 338.165, F.S.; providing that provisions requiring the continuation of tolls following the discharge of bond indebtedness does not apply to high-occupancy toll lanes or express lanes; creating s. 338.166, F.S.; authorizing the department to request that bonds be issued which are secured by toll revenues from high-occupancy toll or express lanes in a specified location; providing for the department to continue to collect tolls after discharge of indebtedness; authorizing the use of excess toll revenues for improvements to the State Highway System; authorizing the implementation of variable rate tolls on high-occupancy toll lanes or express lanes; amending s. 338.2216, F.S.; directing the turnpike enterprise to develop new technologies and processes for the collection of tolls and usage fees; amending s. 338.231, F.S.; eliminating reference to uniform toll rates on the Florida Turnpike System; authorizing the department to fix by rule and collect the amounts needed to cover toll collection costs; amending s. 479.01, F.S.; redefining the term "automatic changeable facing" as used in provisions governing outdoor advertising; amending s. 479.07, F.S.; revising the locations within which signs require permitting; providing requirements for the placement of permit tags; requiring the department to establish by rule a service fee and specifications for replacement tags; amending s. 479.08, F.S.; deleting a provision allowing a sign permittee to correct false information that was knowingly provided to the department; requiring the department to include certain information in the notice of violation; amending s. 479.11, F.S.; revising the description of prohibited signs; amending s. 479.261, F.S.; revising requirements for the logo sign program of the interstate highway system; deleting provisions providing for permits to be awarded to the highest bidders; requiring the department to implement a rotation-based logo program; increasing the permit fee for businesses that participate in the program; providing an effective date.

CORRECTION AND APPROVAL OF JOURNAL

The Journal of March 12 was corrected and approved.

CO-INTRODUCERS

Senators Atwater—SB 1650; Baker—CS for SB 456, SB 2322; Bennett—CS for SB 108, SB 620; Dawson—SB 678; Deutch—SB 94, CS for SB 766, SB 1964; Dockery—SB 1964; Fasano—CS for CS for SB 242; Gaetz—SB 1514, SB 1522, SB 1606, SJR 2190; Geller—SB 94, SB 1964; Haridopolos—SB 86, SB 472, SB 540, CS for SB 1384, SB 1606; Jones—SB 780; Justice—SB 716; King—SB 1650; Lynn—CS for SB 508, CS for SB 1012, SB 1076; Margolis—SB 446, SB 460, SB 500, SB 684, SB 768, SB 816, SB 1664; Ring—SB 94; Siplin—SB 678; Storms—SB 1650, SB 1964; Wilson—SB 780; Wise—SB 1650

RECESS

On motion by Senator King, the Senate recessed at 9:23 a.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 10:30 a.m., Thursday, March 20 or upon call of the President.

Journal of the Senate

Number 6—Regular Session **Thursday, March 20, 2008**

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CALL TO ORDER

The Senate was called to order by President Pruitt at 10:30 a.m. A quorum present—36:

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

Excused: Senators Bullard, Garcia and Wilson

PRAYER

The following prayer was offered by the Rev. Don Roberts, President, Goodwill Industries Manasota:

In the name of the God of President Ken Pruitt: Amen!

O Lord, it's us again, the Senate of the Legislature of the great State of Florida; just in case you don't recognize some of us.

It's "Has Been" day at the Legislature.

We confess it "has been" just loads of fun so far this year, O Lord.

We confess it "has been" no fun at all chopping one-half billion from this year's budget; even before we get to start on next year's 15 percent cuts.

Thanks for allowing us to whine a bit, O Lord. We are thankful your shoulders are big enough to let us whine.

It "has been" fun to remember our salad days when there was enough money to satisfy the President of the Senate, the Speaker of the House, Governor Crist, and even the greediest of lobbyists.

But, we know those salad days are gone, O Lord; at least until we can figure out how to jump start our economy; with more jobs, paychecks and the resulting taxes that make all our lives more fun.

Teach us, O God, how to invest, rather than to spend.

So, our prayer is that you will be with us, O Lord, when we have to say more "noes" than "yeses" to our constituents.

Grant us your grace as we shop and chop for more cuts that will not do so much damage that we can't get reelected back home.

Lord, on this alumni day, we give thanks for all the "has beens" who have returned to this chamber where once, they too, like us, had the donated dignity of elected office. For our "has been" Senators, like Bob Johnson and John McKay, who are actually able to find their way back here without too much assistance, we say welcome home and we look forward, O God, to that halcyon day when we, too, can be an honored returning "has been" to this great Senate, particularly if we don't have to have too many more years of this budget-cutting fun.

Finally, O God, in this Holy Week, culminating in Easter for some of us, may we be reminded that everyone deserves a resurrection; our economy and even the Senate of the great State of Florida. O God, this is our prayer. Amen.

PLEDGE

Senate Pages Davis D. Bass of Lynn Haven; Chelsea Gregoria of Bradenton; Christopher J. Gage of Stuart; and Samuel "Sammy" Patterson IV of Tallahassee, nephew of Susan Miller, who works in the President's office, led the Senate in the pledge of allegiance to the flag of the United States of America.

DOCTOR OF THE DAY

The President recognized Dr. John L. Williams of Tallahassee, sponsored by Senator Lawson, as doctor of the day. Dr. Williams specializes in General Surgery.

ADOPTION OF RESOLUTIONS

At the request of Senator Wilson—

By Senator Wilson—

SR 146—A resolution recognizing March 13, 2008, as "Chronic Kidney Disease Awareness Day."

WHEREAS, healthy kidneys are essential to regulate the body by water and other chemicals in your blood, remove fluids, waste, toxins, and drugs introduced to the body, release hormones that regulate blood pressure, make red blood cells, and promote strong bones, and

WHEREAS, more than 1.8 million Floridians, about one in nine adults, suffer from chronic kidney disease, and

WHEREAS, of the 19,000 Floridians afflicted with end-stage renal disease, approximately 40 percent are African-American and 16 percent are Hispanic, and

WHEREAS, the two main causes of chronic kidney disease are diabetes and high blood pressure, which are responsible for up to two-thirds of the cases, and

WHEREAS, the National Kidney Foundation of Florida has a health-screening program to identify people early for kidney disease, and

WHEREAS, the mission of the National Kidney Foundation of Florida is to prevent kidney and urinary tract diseases, improve the health and

well-being of individuals and families affected by these diseases, and increase the availability of all organs for transplantation, and

WHEREAS, early detection including regular reporting of the glomerular filtration rate, currently the best indication of kidney disease staging, can help prevent the progression of kidney disease to kidney failure, which requires continual dialysis or a kidney transplant in order to maintain life, and

WHEREAS, the cost of treatment for kidney disease patients is disproportionately higher than that for any other chronic disease, and

WHEREAS, most patients who have end-stage renal disease rely primarily on Medicare and Medicaid to cover the costs of their life-sustaining care, which includes dialysis treatment, medications, laboratory testing, and, as necessary, transportation services to the dialysis facility, and, as a consequence, any changes in Medicare and Medicaid eligibility, will significantly put them at risk, NOW, THEREFORE,

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

That March 13, 2008, is recognized as "Chronic Kidney Disease Awareness Day" in Florida in the hope that all possible support will be extended to chronic kidney disease patients in Florida, including expanding the scope of study at the Agency for Health Care Administration to include a study of early screening, diagnosis, and treatment of chronic kidney disease.

—**SR 146** was introduced, read and adopted by publication.

At the request of Senator Wilson—

By Senator Wilson—

SR 208—A resolution recognizing Alpha Kappa Alpha Sorority, Inc.

WHEREAS, Alpha Kappa Alpha Sorority, Inc., was founded at Howard University in Washington, D.C., in 1908, and

WHEREAS, this Greek letter organization is the first sorority established by African American college women, and

WHEREAS, Alpha Kappa Alpha Sorority, Inc., will be a century old January 2008, thereby earning the designation as "Centennial," and

WHEREAS, this sorority is an international organization that has approximately 250,000 members in more than 900 chapters extending across the United States, the Bahamas, Bermuda, Great Britain, Germany, Korea, and the Virgin Islands, and

WHEREAS, many of these chapters are located in communities and on college and university campuses in the State of Florida, and

WHEREAS, Alpha Kappa Alpha Sorority, Inc., is committed to community service and has made numerous contributions to the educational, civic, and social lives of Florida's residents, and

WHEREAS, Barbara McKinzie of Chicago, Illinois, is the Centennial International President of this great sisterhood and leads the 250,000 women of this organization in the current international program, "The SPIRIT of AKA," the acronym and concept for Sisterhood, Service, Partnership, Innovation, Respect, Involvement, and Technology, and

WHEREAS, Ella Springs Jones is the Centennial South Atlantic Regional Director of this great sisterhood and leads members of the sorority in Florida, Georgia, and South Carolina, and

WHEREAS, the largest chapter in Florida is Gamma Zeta Omega, located in Miami, and

WHEREAS, Senator Frederica S. Wilson, a past South Atlantic Regional Director, and Senator Mandy Dawson are members of Alpha Kappa Alpha Sorority, and

WHEREAS, members of the Alpha Kappa Alpha Sorority in the State of Florida contribute thousands of volunteer hours implementing service programs in their respective communities, NOW, THEREFORE,

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

That the members of the Florida Senate recognize the commitment of members of Alpha Kappa Alpha Sorority, Inc., to community service and express special appreciation for their service in the State of Florida.

—**SR 208** was introduced, read and adopted by publication.

At the request of Senator Saunders—

By Senator Saunders—

SR 536—A resolution recognizing Dr. William Lascheid, M.D., and Nancy Lascheid, R.N., for their outstanding public service in making quality medical care available to uninsured, low-income adults in Collier County by establishing an exemplary volunteer-based neighborhood health clinic, coordinating its services, and serving as volunteers.

WHEREAS, the delivery of health care services to individuals who lack the means to pay for the services is a pressing problem in this and every state, and

WHEREAS, many working adults, particularly those earning minimum wages, are uninsured because they cannot afford health insurance, and

WHEREAS, the health care needs of the underserved population cannot be met without the help of compassionate volunteers, and

WHEREAS, Dr. William Lascheid, M.D., and Nancy Lascheid, R.N., are among the most generous of those volunteers in that they have, since 1992, faithfully supported the provision of health care services for individuals living in Collier County who have limited financial resources, and

WHEREAS, William and Nancy Lascheid cofounded the Neighborhood Health Clinic in 1999 based on an innovative concept combining philanthropy and volunteerism to provide quality medical care and prescription medicines to adults in their community who are working, but uninsured, at a cost to patients for each visit of 1 hour of their wages, and

WHEREAS, William and Nancy Lascheid have labored selflessly to enlist and coordinate the volunteer services of physicians, nurses, other health care professionals, and community members to offer health services at the Neighborhood Health Clinic, and

WHEREAS, in 2002, the Neighborhood Health Clinic moved from its first site in donated storefront space to a more spacious and modern facility having a staff of volunteer physicians and nurses and a total of more than 500 volunteers, funded entirely through private philanthropy, and

WHEREAS, volunteers at the Neighborhood Health Clinic have donated 87,458 hours of services worth nearly $7.5 million, and medical providers outside the clinic have donated services to the clinic's patients which are worth nearly $4.4 million, and

WHEREAS, as of June 2007, the doctors volunteering for the clinic had provided medical consultations to patients in 28,702 visits and the clinic had filled many thousands of prescriptions that together have a retail value of over $4.2 million, and

WHEREAS, William and Nancy Lascheid have received numerous awards and accolades recognizing the establishment, success, and value of the Neighborhood Health Clinic and their exemplary volunteer services, including, the National Jefferson Award for Public Service, the Gulfshore Life Man of the Year in Medicine, the Florida Medical Association Partnership in Medicine Award, the Community Foundation Robert C. Cosgrove Award, the Naples Daily News 2001 Outstanding Citizen Award, and the State of Florida Points of Light Award, NOW, THEREFORE,

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

That the Florida Senate recognizes Dr. William Lascheid, M.D., and Nancy Lascheid, R.N., for their years of exemplary and selfless service to the people of Collier County and this state.

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

—**SR 536** was introduced, read and adopted by publication.

At the request of Senator Wilson—

By Senator Wilson—

SR 1460—A resolution recognizing March 19, 2008, as "Go Red For Women Day" in Florida.

WHEREAS, cardiovascular diseases are the nation's leading cause of death among women, and

WHEREAS, though only 13 percent of women consider cardiovascular disease their greatest health risk, cardiovascular diseases claim the lives of over 460,000 American women each year, more than the total number of cardiovascular-disease-related deaths in men or the next four causes of death in women combined, and

WHEREAS, in 2008, the estimated direct and indirect costs of cardiovascular diseases and stroke in the United States is estimated at over $430 billion, and

WHEREAS, the "Go Red For Women" campaign encourages women to learn about the signs and symptoms of cardiovascular diseases using tools such as the "Go Red For Women" Heart CheckUp and Choose To Move Countdown and by having an open dialogue with their healthcare providers, and

WHEREAS, the goals of the "Go Red For Women" campaign of increasing awareness and empowering women with the knowledge and tools to reduce their risk for cardiovascular diseases can save thousands of lives each year, NOW, THEREFORE,

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

That, in recognition of the importance of the ongoing fight against cardiovascular diseases, March 19, 2008, is recognized as "Go Red For Women Day" in the State of Florida and all residents are encouraged to show their support for women and the fight against cardiovascular diseases by commemorating this day with the wearing of the color red.

—**SR 1460** was introduced, read and adopted by publication.

At the request of Senator Saunders—

By Senator Saunders—

SR 2890—A resolution recognizing Korean War Veterans.

WHEREAS, on June 25, 1950, along the 38th Parallel, a war began in Korea which would be like no other war in history when the United States of America joined with the United Nations to take a stand against a threat to all democratic nations throughout the world, and

WHEREAS, the Korean War is often referred to as the "Forgotten War" due to our country's reluctance to memorialize the violence, valor, and exposure to the elements that soldiers endured at the front lines of the conflict, and

WHEREAS, there were 33,741 American military casualties among the 92,134 wounded soldiers, with 4,820 brave men listed as "missing in action" and later declared deceased and 7,245 individuals taken as prisoners of war, of whom 2,847 valiant souls gave their lives in prisoner of war camps and only 389 were known to be repatriated after all the American prisoners were purportedly returned, and

WHEREAS, the people of the United States of America have honored those veterans who served in that bitter war through the establishment of the Korean War Memorial in Washington, D.C., as well as memorials being established throughout the United States to commemorate the sacrifices of the brave men and women who served, in order that the Korean War never be a forgotten war, and

WHEREAS, the Korean War Memorial in Southwest Florida will be an enduring testament to democracy and freedom throughout the world and a place of remembrance of the thousands of Americans who answered the call to defend the principles of freedom and democracy and of all of those who gave their lives in that pursuit, NOW, THEREFORE,

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

That the members of the Florida Senate pay tribute to the tremendous sacrifices of every veteran, living and deceased, who bravely served this country during the Korean War, and affirm that their sacrifices and those of their loved ones will never be forgotten.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to the Korean War Veterans #155 of Southwest Florida as a tangible token of the sentiments of the Florida Senate.

—**SR 2890** was introduced, read and adopted by publication.

RECONSIDERATION OF BILL

On motion by Senator Geller, the rules were waived and the Senate reconsidered the vote by which—

CS for CS for SB 970—A bill to be entitled An act relating to slot machine revenues; amending s. 551.106, F.S.; revising the tax rate on slot machine revenues at pari-mutuel facilities; requiring certain licensees to pay a pro rata share of the shortfall in taxes paid on slot machine tax revenues under certain conditions; providing a percentage cap on the payment of taxes on slot machine revenues; providing for the expiration of the revised tax rate; providing a tax rate on certain Class III gaming on Indian reservations if commenced; providing a tax rate on video lottery terminals, electronic gaming, Class II or Class III gaming at pari-mutual facilities if authorized by the state; revising the dates for remitting payment of slot machine tax revenues; amending s. 551.116, F.S.; providing hours of operation for sales of alcoholic beverages in slot machine gaming areas; providing an effective date.

—as amended passed March 13.

Senator Geller moved the following amendment which was adopted by two-thirds vote:

Amendment 1 (209858)(with title amendment)—Delete line(s) 63-67 and insert:

(e)1.a. If the tribal-state compact between the Seminole Tribe of Florida and the State of Florida which authorizes Class III gaming is upheld by the Supreme Court of Florida in the case of Florida House of Representatives, et al. v. Hon. Charles J. Crist, Jr., etc., Case No. SC07-2154 in a final judgment on the validity of the tribal-state compact or is ratified by the Legislature, and the Class III gaming, other than slot machine gaming, is conducted under the provisions of the valid tribal-state compact in Broward County or Miami-Dade County on any Indian reservation, the tax rate under this section shall be 35 percent, notwithstanding paragraphs (b) and (c).

b. If there is no valid tribal-state compact and if during any state fiscal year Class III gaming, other than slot machine gaming, is conducted by any Indian tribe in Broward County or Miami-Dade County on any Indian reservation, for 6 months or more during the same state fiscal year, then the tax rate under this section shall be 35 percent during the same state fiscal year and the provisions of paragraphs (b) and (c) shall not apply.

And the title is amended as follows:

Delete line(s) 11 and insert: certain circumstances are met; providing a tax rate on video lottery

On motions by Senator Geller, **CS for CS for SB 970** as amended was passed, ordered engrossed and then immediately certified to the House. The vote on passage was:

Yeas—23

Mr. President	Atwater	Dawson
Aronberg	Bennett	Dean

Deutch	Joyner	Rich
Dockery	Justice	Ring
Fasano	King	Saunders
Geller	Lawson	Siplin
Hill	Lynn	Wise
Jones	Margolis	

Nays—10

Alexander	Crist	Peaden
Baker	Gaetz	Posey
Carlton	Oelrich	Webster
Constantine		

Vote after roll call:

Yea—Diaz de la Portilla

Nay—Haridopolos, Storms

Yea to Nay—Dean, Wise

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Bennett, by two-thirds vote **SB 2432** was withdrawn from the committees of reference and further consideration.

On motion by Senator Jones, by two-thirds vote **SB 554** was withdrawn from the committees of reference and further consideration.

On motion by Senator Fasano, by two-thirds vote **SB 514** was withdrawn from the committee of reference and further consideration.

On motion by Senator Saunders, by two-thirds vote **SB 2698** was withdrawn from the committees of reference and further consideration.

On motion by Senator Baker, by two-thirds vote **SB 1666** was withdrawn from the committees of reference and further consideration.

RECESS

Senator King moved that following the Senate Reunion, the Senate stand in recess to reconvene Wednesday, March 26 at 9:00 a.m. or upon call of the President. The motion was adopted and the Senate recessed at 10:39 a.m.

CALL TO ORDER

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

SENATE REUNION

The following former members of the Senate and their guests, in attendance for the 2008 Senate Reunion, were welcomed by the President: William D. "Wig" Barrow and guest, Jeremy Branch; Commissioner of Agriculture Charlie Bronson; John R. Broxson and wife, Christina; Locke Burt and guest, Starr Ford; Betty Castor; Don C. Childers; Anna P. Cowin; Governor Charlie Crist; Rick Dantzler; Timothy D. Deratany; Fred R. Dudley; Vince Fechtel, Jr. and wife, Dixie, and daughters, Elizabeth and Mary Katherine; George Firestone and wife, Nola; Howard C. Forman; Arnett E. Girardeau; Edmond J. Gong and wife, Dana Clay; John Grant and wife, Beverley; Mattox Hair; Jim Horne; Bob Johnson; Karen Johnson; Justice Frederick B. Karl and wife, Mercedes, and guests, Tami Karl and Brad Karl; Curt Kiser; Congressman Ron Klein and guest, Stephanie Grutman; Patsy Ann Kurth and guests, Sara Kurth, Victoria Harbin, Martha Harbin, Pierce Harbin and Maggie Harbin; Richard H. Langley and guest, Randy Langley; Tom Lee; David H. McClain and wife, Carroll, and guests, Susan LaMotte Lane, R. Taggart Coley and Sheila McDevitt; Robert W. McKnight; former Congresswoman Carrie P. Meek; Kenneth A. Plante; Van B. Poole and wife, Donna; Tom Rossin and wife, Joyce; Debby P. Sanderson; Bob Saunders and guest, Al Alsobrook; Henry B. Sayler and wife, Wyline; James A. Scott; Ronald A. "Ron" Silver; Bruce A. Smathers; Javier Souto; Paul B. Steinberg and wife, Sandra, and guest, Richard Steinberg; Donald C. Sullivan, M.D.; Russell E. Sykes and guest, Rusty Sykes; Jon Thomas; former Congresswoman Karen Thurman; John W. Vogt and wife, Tonie; Charles Williams and wife, Marilyn; George A. Williamson and guests, Sascha Young and Sari Meyers; and Lori Wilson and guest, Sue Farrell.

The following special guests were also welcomed: Monika Kirkpatrick, widow of former Senator George Kirkpatrick, and guest, G. Grier Kirkpatrick.

President Pruitt recognized the following former Senate Presidents: John W. Vogt, 1986-1988; Gwen Margolis, 1990-1992; James A. Scott, 1994-1996; James E. "Jim" King, Jr., 2002-2004 and Tom Lee, 2004-2006.

By direction of the President, the Secretary read the names of former Senators who have passed away since the last reunion: Thomas B. "Tom" Adams, Ralph R. Clayton, Mary R. Grizzle, Dan Jenkins, Kenneth M. Myers, A.J. "Red" Ryan, Jr. and Harold S. Wilson. The President then asked for a moment of silence in their memory.

The President recognized former and current Senators for remarks. Group photographs were taken of former Senate Presidents and all current and former Senators.

REPORTS OF COMMITTEES

The Committee on Children, Families, and Elder Affairs recommends the following pass: SB 994 with 1 amendment

The Committee on Community Affairs recommends the following pass: SB 1706

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

The Committee on Banking and Insurance recommends the following pass: CS for SB 2016

The Committee on Governmental Operations recommends the following pass: SB 1318

The Committee on Transportation recommends the following pass: SB 1688 with 2 amendments

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

The Committee on Children, Families, and Elder Affairs recommends the following pass: SB 366

The Committee on Health Regulation recommends the following pass: CS for SB's 340 and 1612

The Committee on Judiciary recommends the following pass: SB 624

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

The Committee on Children, Families, and Elder Affairs recommends the following pass: SB 1280 with 2 amendments

The Committee on Commerce recommends the following pass: CS for SB 1384

The Committee on Community Affairs recommends the following pass: SB 800

The Committee on Education Pre-K - 12 recommends the following pass: SB 790

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

The Committee on Judiciary recommends the following pass: CS for CS for SB 1712 with 2 amendments

The bill was referred to the Committee on Education Pre-K - 12 Appropriations under the original reference.

The Committee on Children, Families, and Elder Affairs recommends the following pass: SB 630

The Committee on Criminal Justice recommends the following pass: CS for SB 2158

The Committee on Environmental Preservation and Conservation recommends the following pass: SB 1552

The Committee on Regulated Industries recommends the following pass: SB 1096 with 1 amendment

The Committee on Transportation recommends the following pass: SB 1268; SB 1606

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

The Committee on Commerce recommends the following pass: CS for SB 758; CS for SB 1192

The Committee on Governmental Operations recommends the following pass: SB 410; CS for SB 1286; CS for SB 1294

The Committee on Health Policy recommends the following pass: SB 1968

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

The Committee on Agriculture recommends the following pass: SB 230

The Committee on Commerce recommends the following pass: SB 2310 with 1 amendment

The Committee on Community Affairs recommends the following pass: SB 1502

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

The Committee on Governmental Operations recommends the following pass: CS for SB 1462

The bill was referred to the Committee on Health and Human Services Appropriations under the original reference.

The Committee on Health Policy recommends the following pass: SB 1566; SB 1570 with 4 amendments

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

The Committee on Higher Education recommends the following pass: SB 186

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

The Committee on Children, Families, and Elder Affairs recommends the following pass: SB 1416; CS for SB 1442 with 1 amendment

The Committee on Commerce recommends the following pass: SB 1616

The Committee on Community Affairs recommends the following pass: SB 1986

The Committee on Criminal Justice recommends the following pass: SB 1130 with 2 amendments

The Committee on Environmental Preservation and Conservation recommends the following pass: SB 2018 with 1 amendment

The Committee on Governmental Operations recommends the following pass: SB 2202 with 1 amendment

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

The Committee on Commerce recommends the following pass: SB 2582 with 2 amendments

The Committee on Governmental Operations recommends the following pass: SB 922 with 1 amendment

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

The Committee on Governmental Operations recommends the following pass: CS for SB 1042; SB 1046; CS for SB 1630

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

The Committee on Commerce recommends the following pass: SB 2062 with 1 amendment

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

The Committee on Community Affairs recommends the following pass: CS for SB 428

The Committee on Governmental Operations recommends the following pass: CS for SB 544; SB 1558

The Committee on Transportation recommends the following pass: SB 734 with 1 amendment

The bills contained in the foregoing reports were referred to the Committee on Transportation and Economic Development Appropriations under the original reference.

The Committee on Commerce recommends the following pass: SB 874

The Committee on Criminal and Civil Justice Appropriations recommends the following pass: SB 2098; SB 2100

The Committee on Criminal Justice recommends the following pass: SB 1036

The Committee on Governmental Operations recommends the following pass: SM 1454

The Committee on Health and Human Services Appropriations recommends the following pass: CS for SB 646; CS for CS for SB 686; SB 1022; SB 2104; SB 2106; SB 2108; SB 2110; SB 2112; SB 2114; SB 2118; SB 2120; SB 2124

The Committee on Judiciary recommends the following pass: SB 96

The Committee on Transportation and Economic Development Appropriations recommends the following pass: CS for SB 1026; SB 2136; SB 2138; SB 2142; SB 2144; SB 2146

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

The Committee on Commerce recommends a committee substitute for the following: SB 1270

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

The Committee on Higher Education recommends a committee substitute for the following: SB 2210

The Committee on Transportation recommends a committee substitute for the following: SB 2206

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

The Committee on Commerce recommends a committee substitute for the following: SB 850

The Committee on Environmental Preservation and Conservation recommends a committee substitute for the following: SB 1672

The Committee on Transportation recommends a committee substitute for the following: SB 222

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

The Committee on Criminal Justice recommends a committee substitute for the following: CS for SB's 556 and 748

The Committee on Governmental Operations recommends a committee substitute for the following: SB 546

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

The Committee on Children, Families, and Elder Affairs recommends a committee substitute for the following: SB 502

The Committee on Judiciary recommends a committee substitute for the following: SB 1730

The Committee on Military Affairs and Domestic Security recommends a committee substitute for the following: SB 1310

The Committee on Transportation recommends committee substitutes for the following: SB 816; SB 1992

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

The Committee on Education Pre-K - 12 recommends a committee substitute for the following: SB 1070

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

The Committee on Education Pre-K - 12 recommends committee substitutes for the following: SB 1906; SB 1908

The Committee on Higher Education recommends a committee substitute for the following: CS for SB 574

The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Education Pre-K - 12 Appropriations under the original reference.

The Committee on Military Affairs and Domestic Security recommends a committee substitute for the following: SB 2058

The Committee on Regulated Industries recommends a committee substitute for the following: CS for SB 560

The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Environmental Preservation and Conservation under the original reference.

The Committee on Communications and Public Utilities recommends a committee substitute for the following: SB 2212

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

The Committee on Community Affairs recommends a committee substitute for the following: SB 1426

The Committee on Health Regulation recommends a committee substitute for the following: SB 1360

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

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 2082

The Committee on Communications and Public Utilities recommends a committee substitute for the following: SB 2052

The Committee on Health Regulation recommends a committee substitute for the following: SB 386

The Committee on Regulated Industries recommends a committee substitute for the following: SB 604

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

The Committee on Agriculture recommends a committee substitute for the following: SB 1994

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 1684

The Committee on Community Affairs recommends a committee substitute for the following: SB 1496

The Committee on Environmental Preservation and Conservation recommends committee substitutes for the following: SB 1286; SB 1294

The Committee on Judiciary recommends a committee substitute for the following: SB 1370

The Committee on Military Affairs and Domestic Security recommends a committee substitute for the following: SB 1462

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

The Committee on Banking and Insurance recommends committee substitutes for the following: CS for SB 1374; SB 2534

The Committee on Health Regulation recommends a committee substitute for the following: SB 2618

The Committee on Judiciary recommends a committee substitute for the following: CS for SB 1048

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

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 2654

The Committee on Children, Families, and Elder Affairs recommends a committee substitute for the following: SB 1704

The Committee on Higher Education recommends a committee substitute for the following: SB 1964

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

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 752

The Committee on Children, Families, and Elder Affairs recommends a committee substitute for the following: SB 2216

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

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 992

The Committee on Children, Families, and Elder Affairs recommends a committee substitute for the following: SB 1084

The Committee on Commerce recommends a committee substitute for the following: SB 886

The Committee on Criminal Justice recommends a committee substitute for the following: SB 782

The Committee on Governmental Operations recommends a committee substitute for the following: CS for SB 1712

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

The Committee on Community Affairs recommends a committee substitute for the following: SB 1378

The bill with committee substitute attached was referred to the Committee on Military Affairs and Domestic Security under the original reference.

The Committee on Health Regulation recommends a committee substitute for the following: SB 1580

The Committee on Judiciary recommends a committee substitute for the following: SB 464

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

The Committee on Criminal Justice recommends a committee substitute for the following: SB 1076

The Committee on Governmental Operations recommends a committee substitute for the following: SB 1026

The Committee on Transportation recommends a committee substitute for the following: SB 2220

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

The Committee on Education Pre-K - 12 Appropriations recommends a committee substitute for the following: CS for SB 526

The Committee on Health and Human Services Appropriations recommends committee substitutes for the following: SB 2102; SB 2116; SB 2122

The Committee on Higher Education Appropriations recommends a committee substitute for the following: CS for SJR 2308

The Committee on Transportation recommends a committee substitute for the following: SB 732

The Committee on Transportation and Economic Development Appropriations recommends committee substitutes for the following: SB 82; SB 2140

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

REPORTS OF COMMITTEES RELATING TO EXECUTIVE BUSINESS

The Committee on Environmental Preservation and Conservation recommends that the Senate confirm the following appointment made by the Governor:

Office and Appointment	*For Term Ending*
Fish and Wildlife Conservation Commission	
Appointee: Corbett, Richard A.	01/06/2013

[The appointment was referred to the Committee on Ethics and Elections under the original reference.]

INTRODUCTION AND REFERENCE OF BILLS

FIRST READING

By Senator Bullard—

SB 2442—A bill to be entitled An act relating to trust funds; creating the Education Trust Fund within the Department of Education; providing for sources of funds and purposes; providing for annual carryforward of funds; providing for future review and termination or re-creation of the trust fund; providing a contingent effective date.

—was referred to the Committees on Education Pre-K - 12; Finance and Tax; and Education Pre-K - 12 Appropriations.

Senate Bills 2444-2522—Previously referenced.

By Senator Crist—

SB 2524—A bill to be entitled An act relating to the community contribution corporate income tax credit; amending s. 220.03, F.S.; revising a definition of the term "project" to expand the types of projects eligible for the credit to include certain public broadcasting programs and materials; providing an effective date.

—was referred to the Committees on Community Affairs; Education Pre-K - 12; Finance and Tax; and General Government Appropriations.

By Senator Posey—

SB 2526—A bill to be entitled An act relating to the space industry; providing a short title; providing legislative findings; amending s. 331.3051, F.S.; revising duties of Space Florida to include supporting the development and operation of the Space Technology and Research Diversification Initiative; creating s. 331.365, F.S.; establishing the multiuniversity Space Technology and Research Diversification Initiative within the Office of Tourism, Trade, and Economic Development; providing for duties and administration; providing an effective date.

—was referred to the Committees on Commerce; Higher Education; and Transportation and Economic Development Appropriations.

By Senator Deutch—

SB 2528—A bill to be entitled An act relating to insurance agents; amending s. 626.221, F.S.; expanding the list of applicants eligible for exemption from certain examination requirements; amending s. 626.2815, F.S.; revising certain continuing education applicability requirements; prohibiting certain entities from imposing certain continuing education requirements; providing exceptions and limitations; providing an exception to certain examination monitoring requirements; providing requirements for exceptions; amending s. 626.311, F.S.; authorizing agents qualifying as unaffiliated insurance consultants to transact insurance business within the scope of the agent's license; providing a definition; providing requirements for qualifying or continuing to qualify as an unaffiliated insurance consultant; specifying prohibited activities for unaffiliated insurance consultants; amending s. 626.381, F.S.; authorizing appointing entities to impose certain training program requirements; providing a limitation; limiting appointment authority of appointing entities to persons meeting continuing education requirements; prohibiting appointments contingent upon certain continuing education course attendance; providing effective dates.

—was referred to the Committees on Banking and Insurance; Governmental Operations; and General Government Appropriations.

By Senator Aronberg—

SB 2530—A bill to be entitled An act relating to green building construction; creating s. 212.099, F.S.; providing a purpose; providing definitions; providing for a sales tax credit for certain building construction; creating s. 220.194, F.S.; providing a purpose; providing definitions; providing for a corporate income tax credit for certain building construction; requiring the Department of Revenue to adopt certain standards by rule; providing requirements; requiring the department to issue initial credit certificates under certain circumstances; providing certificate requirements and limitations; requiring taxpayers claiming credits to obtain eligibility certificates; providing requirements; providing additional certification requirements; authorizing the Chief Financial Officer and the department to adopt rules; requiring the Chief Financial Officer and the department to submit a report to the Governor and the Legislature; providing report requirements; providing duties of the Chief Financial Officer; requiring the department to adopt certification rules; amending s. 553.74, F.S.; providing for an additional member of the Florida Building Commission; creating part IX of ch. 553, F.S., consisting of ss. 553.9991, 553.9993, and 553.9995, F.S.; creating the Florida Green Building Act; providing legislative findings; providing a legislative declaration; providing definitions; requiring certain state-funded projects to be constructed to meet certain energy and environmental design rating systems; requiring certain public buildings and educational facilities to be constructed to meet certain energy and environmental design rating systems; providing a legislative finding; requiring certain major facility projects receiving state funding to be constructed to meet certain energy and environmental design rating standards; providing public agency monitoring and reporting requirements; providing reporting requirements for the department; requiring the department to summarize certain reports and report to the Legislature; specifying absence of liability for failing to meet certain standards under certain circumstances; exempting certain affordable housing projects; requiring the Department of Community Affairs to develop a sustainable building program for certain affordable housing projects; providing requirements and limitations; providing performance review requirements for the Office of Program Policy Analysis and Government Accountability; providing performance audit requirements; requiring reports; creating the Florida Green Building Council in the Department of Community Affairs; providing for membership; providing for action by the council; providing that members shall serve without compensation; providing for per diem and travel expenses; providing for member accountability to the Governor; providing for investigation by the Governor of council actions or members; providing for removal of council members under certain circumstances; providing an effective date.

—was referred to the Committees on Community Affairs; Environmental Preservation and Conservation; Finance and Tax; General Government Appropriations; and Transportation and Economic Development Appropriations.

By Senator Lynn—

SB 2532—A bill to be entitled An act relating to child custody and support; providing a directive to the Division of Statutory Revision to retitle ch. 61, F.S.; amending s. 61.046, F.S.; defining the terms "parenting plan," "parenting plan recommendation," and "time-sharing schedule"; deleting definitions of the terms "custodial parent" and "noncustodial parent"; amending ss. 61.052, 61.09, and 61.10, F.S.; conforming provisions to changes in terminology; repealing s. 61.121, F.S., relating to rotating custody; amending s. 61.122, F.S.; conforming provisions to changes in terminology; revising provisions relating to a presumption of good faith for psychologists making specified determinations; amending s. 61.13, F.S.; revising provisions relating to modification of support; conforming provisions to changes in terminology; revising provisions relating to development of a parenting plan; amending s. 61.13001, F.S.; conforming provisions to changes in terminology; deleting obsolete definitions; amending s. 61.13002, F.S.; providing for orders of temporary support for children whose custody is temporarily modified due to a parent's military service; amending ss. 61.14, 61.181, and 61.1827, F.S.; conforming provisions to changes in terminology; conforming a cross-reference; amending s. 61.20, F.S.; conforming provisions to changes in terminology; revising provisions relating to social investigation and recommendations regarding a parenting plan; amending s. 61.21, F.S.; conforming provisions to changes in terminology; amending s. 61.30, F.S.; conforming provisions to changes in terminology; revising the child support guidelines schedule; revising provisions relating to determining of total minimum child support need and total minimum child support award; providing for adjustments of child support in light of the time-sharing plan; amending ss. 61.401, 61.45, 409.2554, and 409.2558, F.S.; conforming provisions to changes in terminology; amending s. 409.2563, F.S.; conforming provisions to changes in terminology; revising provisions relating to presumption of a parent's income for the purpose of establishing a support obligation; deleting an obsolete provision concerning a study by the Office of Program Policy Analysis and Government Accountability; amending ss. 409.2564, 409.25657, 409.25659, and 409.2577, F.S.; conforming provisions to changes in terminology; amending s. 409.2579, F.S.; conforming a cross-reference; amending ss. 409.811, 414.0252, 414.065, 414.085, 414.095, 414.295, and 445.024, F.S.; conforming provisions to changes in terminology; amending s. 741.0306, F.S.; revising requirements for a family law handbook; conforming provisions to changes in terminology; amending s. 741.30, F.S.; conforming provisions to changes in terminology; amending s. 742.031, F.S.; conforming provisions to changes in terminology; providing for time-sharing and parental responsibility in paternity judgments; amending ss. 753.01 and 827.06, F.S.; conforming provisions to changes in terminology; reenacting s. 61.1825(3)(a), F.S., relating to relating to

the State Case Registry, to incorporate the amendments made to s. 741.30, F.S., in a reference thereto; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Judiciary; and General Government Appropriations.

SB 2534—Previously referenced.

By Senator Joyner—

SB 2536—A bill to be entitled An act relating to grandparent visitation; creating s. 752.011, F.S.; authorizing the grandparent of a minor child to petition a court for visitation under certain circumstances; providing a presumption in favor the minor's parent; requiring a preliminary hearing on harm to the minor resulting from denial of visitation; providing for the payment of fees and costs by a petitioner who fails to make a prima facie showing of harm; authorizing appointment of a guardian ad litem and mediation following a prima facie showing of harm; providing for a psychological evaluation of the minor if mediation fails; authorizing grandparental visitation if the court makes specified findings; requiring clear and convincing evidence of demonstrable significant mental or emotional harm to the minor resulting from a denial of visitation; prohibiting grandparental visitation that materially harms parent-child relationship; providing factors for court consideration in determining whether there is harm to the minor or to the parent-child relationship; providing for application of the Uniform Child Custody Jurisdiction and Enforcement Act; encouraging the consolidation of certain concurrent actions; providing for modification of an order awarding grandparental visitation; limiting the frequency of actions seeking visitation; limiting application to minors placed for adoption; providing for application sanctions for unsupported claims or defenses; providing for venue; amending s. 752.015, F.S.; conforming a cross-reference; creating s. 752.071, F.S.; providing conditions under which a court may terminate a grandparent visitation order upon adoption of a minor child by a stepparent or close relative; repealing s. 752.01, F.S., relating to actions for grandparental visitation; repealing s. 752.07, F.S., relating to the effect of adoption of a child by a stepparent on grandparent visitation; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Judiciary; and Criminal and Civil Justice Appropriations.

By Senator Deutch—

SB 2538—A bill to be entitled An act relating to teacher retention; amending s. 1004.04, F.S.; requiring that graduates of teacher preparation programs demonstrate the competencies specified in the educator-accomplished practices adopted by the State Board of Education; revising the requirements for preservice field experience; requiring that school districts provide salary incentives to personnel who supervise or direct teacher preparation students; requiring that field experience provide for student-teacher participation in K-12 classrooms; amending s. 1004.85, F.S.; requiring that a postsecondary educator preparation institute guarantee the high quality of its graduates; requiring that additional training be provided at no expense to the educator or the employer if the educator fails to demonstrate certain competencies; amending s. 1008.34, F.S.; requiring that the school report card that is delivered to parents throughout each school district include the district's teacher turnover rate; amending s. 1009.57, F.S.; extending eligibility for the Florida Teacher Scholarship and Forgivable Loan Program to part-time students; providing for a scholarship award for paraprofessionals during a teaching internship; requiring that the school district maintain the paraprofessional's insurance during the internship; amending s. 1009.58, F.S.; requiring that the critical teacher shortage tuition reimbursement program include tuition reimbursement for certain undergraduate courses; increasing the number of semester hours that are eligible for reimbursement payments at the approved tuition rate; amending ss. 1012.28 and 1012.34, F.S.; providing duties of school principals with respect to implementing the changes made by the act; amending s. 1012.72, F.S.; providing for bonuses under the Dale Hickam Excellent Teaching Program for teachers who supervise or direct teacher-preparation students; creating s. 1012.988, F.S.; creating the Florida New Teacher Induction Initiative for the purpose of providing support to new teachers; requiring each school district to develop and implement the initiative; specifying required minimum elements of the initiative; requiring that districts report the teacher turnover rate to the Commissioner of Education and the Florida Quality Education Council; requiring that a district submit a plan to address its attrition rate under certain circumstances; requiring the Department of Education to assist districts in developing initiatives and goals for reducing teacher attrition; creating s. 1012.989, F.S.; establishing the Florida Quality Education Council within the Executive Office of the Governor; specifying duties of the council; providing for membership and for meetings; authorizing the members to be reimbursed for per diem and travel expenses; requiring the council to conduct comprehensive data collection and analysis jointly with a state research institution; requiring the council to implement a research project for the purpose of redesigning and approving all teacher preparation programs; requiring the council to report annually to the Governor and the Legislature; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Higher Education; Education Pre-K - 12 Appropriations; and Higher Education Appropriations.

By Senator Fasano—

SB 2540—A bill to be entitled An act relating to title insurance; creating s. 626.84202, F.S.; authorizing a title insurance agent or agency to make reasonable charges for certain services; prohibiting such charges from being part of the premium or rate charged by the title insurer for the issuance of the title insurance form, policy, commitment, or contract issued in connection therewith; requiring that the agent or agency annually file certain information with the Department of Financial Services; requiring that the department publish certain information; defining the term "predatory pricing"; prohibiting the practice of predatory pricing with respect to certain services; amending s. 626.9541, F.S.; authorizing the rebate or abatement of an attorney's fee for certain professional services if such rebate or abatement does not violate state law; amending s. 627.7711, F.S.; expanding the definition of the term "premium" to include certain endorsements, commitments, or other contracts, as well as a formula by which the premium is calculated; creating s. 627.7712, F.S.; authorizing a title insurer to make reasonable charges for certain services; prohibiting such charges from being part of the rate charged by the title insurer for the issuance of the title insurance form, policy, commitment, or contract issued in connection therewith; requiring that the agent or agency annually file certain information with the department; requiring that the department publish certain information; authorizing the department and the Office of Insurance Regulation to jointly publish certain information; prohibiting the practice of predatory pricing as defined by state law with respect to certain services; amending s. 627.780, F.S.; prohibiting a person from knowingly quoting, charging, accepting, collecting, or receiving premium for title insurance other than the premium approved by the office; amending s. 627.782, F.S.; providing for the approval of rates by the office; requiring that each title insurer make an annual filing with the office on or before a specified deadline demonstrating that a rate is actuarially sound; providing that rates for the required filing do not include certain charges; providing methods by which an insurer may satisfy filing requirements; requiring that the office review filings and issue a notice of intent to approve or a notice of intent to disapprove within a specified period following the date on which the office receives such filing; providing that such notice constitutes agency action; providing that requests for additional information do not toll the notice period during any proceedings or judicial review involving the filing; requiring that a rate be deemed approved under certain circumstances; requiring that the office review each filing to determine whether the filing is excessive, inadequate, or unfairly discriminatory; requiring that the office consider certain factors when making such determination; providing standards upon which a finding that a rate is excessive, inadequate, or unfairly discriminatory may be based; authorizing the office to require an insurer to provide, at the insurer's expense, any additional information necessary to evaluate the condition of the company and the reasonableness of the filing; authorizing the office to review certain information at any time; providing procedures for instances in which the office finds that a rate might be excessive, inadequate, or unfairly discriminatory; providing that an insurer must prove by a preponderance of the evidence that a rate is not excessive, inadequate, or unfairly discriminatory; authorizing the office to disapprove certain rate increase without fulfilling notice requirements; requiring

that the chief executive officer and chief actuary of a title insurer certify certain information when submitting a rate filing; providing that it is a violation of state law to knowingly make a false certification of such information; providing penalties; providing that the failure to provide such certificate results in a filing being disapproved without prejudice; authorizing an insurer to refile such a disapproved filing; authorizing an insurer to apply for an extension of the period for submission of a rate filing under certain circumstances; authorizing the office to exempt an insurer from filing rates or rate certifications under certain circumstances; authorizing the office to take certain actions if an insurer fails to meet filing requirements or untimely submits a filing; deleting a requirement that the commission adopt rules specifying the percentage of premium required to be retained by the title insurer; authorizing the Financial Services Commission to adopt rules; repealing s. 627.783, F.S., relating to title insurance rate deviation; providing an effective date.

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

By Senator Posey—

SB 2542—A bill to be entitled An act relating to ad valorem tax collection; amending s. 197.102, F.S.; revising definitions; defining the terms "proxy bidding" and "random-number generator"; amending s. 197.122, F.S.; revising provisions relating to liens on property for unpaid taxes; amending s. 197.123, F.S.; revising provisions relating to erroneous reporting of property; creating s. 197.146, F.S.; providing for the correction of the tax roll to remove uncollectible personal property tax accounts; amending s. 197.162, F.S.; revising provisions relating to discounts for tax payments made prior to delinquency; amending s. 197.172, F.S.; revising provisions relating to the calculation of interest rates relating to deferred payment tax certificates; amending s. 197.182, F.S.; revising provisions for the payment of tax refunds; revising the required procedure if a taxing authority has insufficient funds from which to pay a refund; amending s. 197.222, F.S.; revising provisions relating to the prepayment of taxes by installment; amending s. 197.2301, F.S.; revising provisions relating to the payment of estimated taxes; amending s. 197.252, F.S.; revising provisions relating to the granting of a homestead property tax deferral; amending s. 197.253, F.S.; revising provisions relating to an application for a homestead tax deferral; amending s. 197.254, F.S.; deleting a provision specifying the language to be used to inform taxpayers about deferring homestead taxes; amending s. 197.262, F.S.; lowering the upper limit on interest rates on tax certificates on deferred homestead taxes; amending s. 197.263, F.S.; revising provisions relating to a change of ownership or use of property subject to a homestead tax deferral; amending s. 197.272, F.S.; deleting provisions specifying who may prepay deferred homestead taxes and accrued interest; amending s. 197.304, F.S.; reducing the upper limit on interest rates relating to the tax deferral on recreational and commercial working waterfronts; amending s. 197.3041, F.S.; revising provisions relating to an application for a tax deferral on recreational and commercial working waterfronts; amending s. 197.3042, F.S.; reducing the upper limit on interest rates for deferred payment tax certificates; amending s. 197.3043, F.S.; revising provisions relating to a change of ownership or use of recreational and commercial working waterfront property subject to a tax deferral; amending s. 197.3044, F.S.; deleting provisions specifying who may prepay deferred taxes and accrued interest; amending s. 197.332, F.S.; revising provisions relating to the duties of the tax collector; authorizing the use of contracted services or products or electronic means; amending s. 197.343, F.S.; revising provisions relating to the mailing of additional notice for unpaid taxes; amending s. 197.373, F.S.; revising provisions relating to the partial payment of taxes for property that is subject to a tax certificate sale; amending s. 197.402, F.S.; revising provisions relating to advertising the sale of tax certificates on property having delinquent taxes; amending s. 197.403, F.S.; revising provisions relating to the requirement that a newspaper provide proof of publication of the tax notice; amending s. 197.413, F.S.; revising provisions relating to the requirement for giving notice of warrants for the sale of property to satisfy delinquent taxes; revising the tax collector's fee for collecting delinquent taxes; amending s. 197.414, F.S.; revising provisions relating to the required record of warrants and levies; amending s. 197.4155, F.S.; revising provisions relating to the implementation of an installment payment program for the payment of delinquent taxes; amending s. 197.416, F.S.; revising provisions relating to the tax collector's continuing duty to collect delinquent taxes; amending s. 197.432, F.S.; revising provisions relating to the sale of tax certificates; providing for bidding by proxy under certain circumstances; authorizing the tax collector to select among multiple bidders by using a computer-generated, random-number selection process; amending s. 197.4325, F.S.; revising provisions relating to dishonored payments for taxes and tax certificates; amending s. 197.442, F.S.; revising provisions relating to responsibility for costs of advertising errors; amending s. 197.443, F.S.; revising provisions relating to correcting or cancelling tax certificates; amending s. 197.462, F.S.; revising provisions relating to the transfer of a tax certificate; amending s. 197.472, F.S.; revising provisions relating to the redemption of tax certificates; eliminating a requirement that the tax collector provide certain information to the certificateholder when the tax certificate is purchased or redeemed; amending s. 197.473, F.S.; revising provisions relating to unclaimed redemption moneys for tax certificates; amending s. 197.482, F.S.; revising provisions relating to the expiration of tax certificates; amending s. 197.492, F.S.; authorizing the tax collector to submit the report to the county commissioner of tax collection errors and insolvencies electronically; amending s. 197.502, F.S.; revising provisions relating to the application for obtaining of a tax deed; amending s. 197.542, F.S.; revising provisions relating to property sold at public auction; authorizing the clerk of the circuit court to conduct the sale by electronic means; amending s. 197.552, F.S.; revising provisions relating to tax deeds; authorizing the tax collector to retain overbid funds for certain purposes; amending s. 197.582, F.S.; revising provisions relating to the disbursement of proceeds from a tax sale; amending s. 192.0105, F.S.; conforming cross-references; repealing s. 197.3635(2), F.S., relating to the horizontal line dividing ad valorem and non-ad valorem taxes on the notice of tax assessments; repealing s. 197.433, F.S., relating to issuing duplicate tax certificates; providing an effective date.

—was referred to the Committees on Community Affairs; Governmental Operations; Finance and Tax; and General Government Appropriations.

By Senator Justice—

SB 2544—A bill to be entitled An act relating to postelection audits; repealing s. 101.591, F.S., relating to audits of the voting system of any county; repealing s. 101.5911, F.S., relating to rulemaking authority for procedures regarding audits of a voting system; creating s. 101.592, F.S.; requiring that the Secretary of State appoint an independent postelection audit team each year; requiring that the Secretary of State direct hand-to-eye counts of certain ballots; requiring that county election officials conduct such counts; requiring that audits be conducted for certain elections; authorizing the audit team to conduct audits of certain elections at its discretion; requiring that the number of audits conducted exceed a specified minimum; requiring that each county canvassing board appoint a postelection audit official from within the board's membership; providing for the calculation of audit units; providing for audits of records produced by electronic voting machines that do not produce voter-verifiable paper records; defining the term "audit unit"; providing a maximum number of ballots that may be included in a single audit; providing for the storage and publication of election results; providing for membership of the audit team; excluding certain persons from serving as a member of the audit team; requiring that each county, the audit team, and the Secretary of State perform certain actions before commencing an audit; providing procedures and requirements for audits; providing that another audit unit may be selected for audit if the results of an initial audit are found to be unusable; requiring that an investigation be conducted of such unusable audits; requiring that the Secretary of State, county, audit team, and canvassing board take certain actions based on the results of each audit; requiring that the results of an audit be announced publicly and published; requiring that an announcement of audit results include certain information; requiring that the public be allowed to observe the audit process; creating s. 101.593, F.S.; requiring that the Department of state adopt rules to administer postelection audits; requiring that the audit team provide technical assistance in the preparation of rules related to audits; requiring that the department review rules for certain purposes; providing an effective date.

—was referred to the Committees on Ethics and Elections; Judiciary; and Transportation and Economic Development Appropriations.

By Senators Storms, Baker, Diaz de la Portilla, Alexander, Fasano, Villalobos, Bennett, Constantine, Crist, Dean, Gaetz and Wise—

SB 2546—A bill to be entitled An act relating to the Interstate Compact on Educational Opportunity for Military Children; creating s. 1000.36, F.S.; directing the Governor to execute the Interstate Compact on Educational Opportunity for Military Children on behalf of this state with any other state or states legally adopting the compact; providing definitions; providing applicability; providing for the transfer of education records from a sending to a receiving state; requiring that children of military personnel be enrolled in classes at current grade level; providing for eligibility for graduation; providing for a state council to coordinate agencies and schools; providing for membership on the council; creating the Interstate Commission on Educational Opportunity for Military Children; providing for membership, organization, meetings, operations, powers, and duties; creating an executive committee; requiring the commission to adopt rules; providing for a legal challenge to the adopted rules; providing for oversight, enforcement, and dispute resolution; providing procedures to suspend or terminate member states; authorizing the commission to levy and collect an annual assessment from each member state; providing the method for the compact to become effective and binding on the member states; providing procedures for the withdrawal of a member state; providing severability; providing for the effect of the compact on member states' laws; creating s. 1000.37, F.S.; requiring the Secretary of State to furnish a copy of the enrolled act enacting the Interstate Compact on Educational Opportunity for Military Children to each of the states approving the compact; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Military Affairs and Domestic Security; Governmental Operations; and Education Pre-K - 12 Appropriations.

By Senator Villalobos—

SB 2548—A bill to be entitled An act relating to workers' compensation; amending s. 440.13, F.S.; requiring an insurance carrier to give an employee more than one opportunity to change physicians for medical treatment; redefining the term "independent medical examination" to exclude evaluations by an expert medical advisor; providing for all parties involved in a workers' compensation case to have access to medical information provided by an authorized health care provider; revising the list of persons who may request medical information concerning an injured employee; requiring such release of medical information by an authorized health care provider; revising requirements for obtaining an independent medical examination; providing that the medical opinion of a medical advisor appointed by the judge of compensation claims or the Department of Financial Services is not admissible in proceedings before the judges of compensation claims; deleting the use of expert medical advisors by the judges of compensation claims; amending s. 440.15, F.S.; deleting a provision limiting impairment income benefits for impairment ratings for physical impairments; revising the method by which permanent impairment benefits are paid; providing requirements for entitlement to supplemental benefits; requiring a carrier to pay supplemental benefits under certain conditions; providing the method of calculating supplemental benefits; authorizing the department to define terms, forms, and procedures governing the method of paying supplemental benefits for accidents occurring within specified periods; providing an expiration date for an employee's eligibility for certain benefits; providing that temporary disability and medical benefits are not subject to apportionment; authorizing an employee to receive benefits for the total compensable permanent impairment when his or her injury is aggravated or accelerated by, or merged with, a preexisting condition; revising the term "merger"; amending s. 440.25, F.S., relating to procedures for mediation and hearings; conforming provisions to changes made by the act; amending s. 440.32, F.S.; requiring that the cost of a frivolous proceeding in compensation claims be assessed against the party or the attorney; deleting a provision requiring that a copy of the order assessing a penalty be forwarded to a grievance committee; amending s. 440.34, F.S.; providing circumstances under which the attorney's fees due to the claimant's attorney shall equal the attorney's fees paid to the employer's or carrier's attorney; amending s. 440.491, F.S.; providing that the time period for benefits provided to an injured employee for additional education or training is in addition to the time allowed for the receipt of temporary disability benefits; amending s. 468.525, F.S.; requiring an employee leasing company to provide written notice of obtaining workers' compensation coverage to each of its employees; amending s. 468.529, F.S.; requiring an employee leasing company to notify certain persons and agencies regarding the initiation of a contract with a client company in a format acceptable to the Department of Financial Services; providing that a contract or policy of insurance issued by a carrier may not expire or be cancelled until a specified period after a notice of cancellation has been sent to the employees, the department, and the employee leasing company; authorizing the Department of Business and Professional Regulation to prescribe the content of the notice of cancellation and the time, place, and manner in which the notice is served; providing an effective date.

—was referred to the Committees on Banking and Insurance; Health Regulation; Regulated Industries; and General Government Appropriations.

By Senator Rich—

SB 2550—A bill to be entitled An act relating to the Florida Companion Registry; providing a short title; creating ch. 754, F.S.; providing definitions; creating the registry within the Department of State; providing for creation and distribution of declaration and termination forms; providing for the content of such forms; providing for rulemaking; providing eligibility requirements for state-registered companions; providing registration procedures; providing for recordkeeping; providing for notice to the Office of Vital Statistics; providing for a fee; providing for automatic termination of a state-registered companion agreement under certain circumstances; providing procedures for voluntary termination of state-registered companion agreements; providing an effective date for voluntarily terminated agreements; providing for recordkeeping; providing for notice to the Office of Vital Statistics; providing for a fee; providing that a registered companion agreement created by a subdivision of the state is not a state-registered companion agreement for the purposes of the Florida Companion Registry; requiring that subdivisions of the state that use the state's definition of a state-registered companion for purposes of companion benefits must allow the state registration certificate to satisfy any registration requirements; requiring such subdivisions to notify the Secretary of State of such acceptance; providing that the section does not affect companion relationship registrations created by any public entity; providing that state-registered companions have the same visitation rights as spouses in specified health care facilities; providing that nothing in ch. 754, F.S., affects any common law remedy; providing that state registered companion status is not the substantial equivalent of a marriage; amending s. 48.031, F.S.; revises provisions relating to service of process to include applicability to state-registered companions; amending s. 215.28, F.S.; providing for payment of specified payroll deductions for the purchase of United States securities to a state-registered companion of a deceased state and county officer or employee; amending s. 222.15, F.S.; providing for payment of wages or unemployment compensation to a state-registered companion of a deceased employee; amending s. 395.3025, F.S.; revising provisions relating to hospital records to include applicability to state-registered companions; amending s. 400.021, F.S.; including state-registered companions in the term "family" for purposes of provisions relating to nursing homes; amending s. 497.005, F.S.; revising provisions relating to funeral and cemetery services to include state-registered companions among those authorized to make decisions; amending s. 765.401, F.S.; revising provisions relating to health care decisionmaking for incapacitated or developmentally disabled patients to authorize decisionmaking by state-registered companions with the same level of priority as spouses; amending s. 765.512, F.S.; revising provisions relating to anatomical gifts to include state-registered companions among those not authorized to modify or prevent a donor's wish to make such a gift; amending s. 872.04, F.S.; permitting state-registered companions to consent to autopsies; amending ss. 905.04 and 913.03, F.S.; including state-registered companions within the list of persons whose relationships to specified persons allow challenge to their service as jurors or grand jurors; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Judiciary; Governmental Operations; and Transportation and Economic Development Appropriations.

By Senator Deutch—

SB 2552—A bill to be entitled An act relating to child custody and visitation; amending s. 61.13, F.S.; revising the application of a rebuttable presumption that a parent is a detriment to his or her child if he or she is convicted of a crime involving domestic violence from a felony of the third degree or higher to a misdemeanor of the first degree or higher; requiring a court to make explicit written findings that, when determining the best interests of a child for the purposes of shared parental responsibility and visitation, the court considered evidence of domestic violence and child abuse; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Criminal Justice; Judiciary; and Health and Human Services Appropriations.

By Senators Deutch and Gaetz—

SB 2554—A bill to be entitled An act relating to veteran services; amending s. 14.2019, F.S.; requiring the Statewide Office for Suicide Prevention to establish a Veterans' Suicide Prevention and Mental Health Services Program; creating s. 14.20193, F.S.; establishing the program; specifying the tasks for the office in implementing the program; providing minimum standards for community-based providers that provide services to veterans at risk for suicide and mental illness; providing an appropriation; providing an effective date.

—was referred to the Committees on Military Affairs and Domestic Security; Children, Families, and Elder Affairs; and Health and Human Services Appropriations.

By Senator Gaetz—

SB 2556—A bill to be entitled An act relating to state university student fees; amending s. 1009.24, F.S.; revising provisions relating to adjustments to out-of-state fees or tuition for graduate and professional programs; providing an effective date.

—was referred to the Committees on Higher Education; Finance and Tax; and Higher Education Appropriations.

By Senator Margolis—

SB 2558—A bill to be entitled An act relating to optional Medicaid services; amending s. 409.906, F.S.; requiring the Agency for Health Care Administration to limit payments for certain medical equipment and medical supplies to providers that meet specified criteria; requiring surety bonds for certain provider locations; providing an exception; requiring background screening of certain provider staff as a condition of employment; providing an effective date.

—was referred to the Committees on Health Policy; Health Regulation; and Health and Human Services Appropriations.

By Senator Villalobos—

SB 2560—A bill to be entitled An act relating to satellite enterprise zones; creating s. 290.00556, F.S.; authorizing certain municipalities to designate satellite enterprise zones; providing limitations; providing responsibilities of the Office of Tourism, Trade, and Economic Development; providing for nonapplication of certain requirements to satellite enterprise zones; providing an effective date.

—was referred to the Committees on Commerce; Community Affairs; Finance and Tax; and Transportation and Economic Development Appropriations.

By Senator Gaetz—

SB 2562—A bill to be entitled An act relating to surplus lands available for affordable housing; transferring, renumbering, and amending ss. 125.379 and 166.0451, F.S.; providing that a county or municipality that fails to complete and update the inventory of all real property held by the county or municipality which is appropriate for affordable housing is ineligible to receive any state funding for affordable housing; providing that determining when the inventory is updated or complete is a ministerial act; amending s. 253.034, F.S.; requiring that a manager of conservation lands report to the Board of Trustees of the Internal Improvement Trust Fund at least every 5 years those lands that are not being used for the purpose for which they were originally leased; requiring that the Division of State Lands annually submit to the President of the Senate and the Speaker of the House of Representatives a copy of the state inventory that identifies all nonconservation lands; requiring the division to publish a copy of the annual inventory on its website and notify by electronic mail the executive head of the governing body of each local government having lands in the inventory within its jurisdiction; creating s. 1011.775, F.S.; requiring that every 3 years each district school board prepare an inventory list of all real property within its jurisdiction which is not included in the 5-year district facilities work plan; requiring the district school board to adopt a resolution that includes the inventory list; providing acceptable uses for properties identified as appropriate for use as affordable housing on the inventory list; providing that a district school board that fails to complete an inventory list is ineligible to receive funding under the Merit Award Program; amending s. 1012.225, F.S.; requiring each district school board to certify to the Commissioner of Education its completion of a list of surplus real property; providing that the determination of completion of a district school board inventory by the Commissioner of Education is a ministerial act; providing an effective date.

—was referred to the Committees on Community Affairs; Environmental Preservation and Conservation; Education Facilities Appropriations; and Transportation and Economic Development Appropriations.

By Senators Fasano and Lynn—

SB 2564—A bill to be entitled An act relating to district school board duties; providing a short title; amending s. 1006.07, F.S.; requiring that, beginning with the 2008-2009 school year, each school district provide access to suicide prevention education for all instructional and administrative staff using resources approved by the Statewide Office of Suicide Prevention; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Children, Families, and Elder Affairs; and Education Pre-K - 12 Appropriations.

By Senator Rich—

SB 2566—A bill to be entitled An act relating to vaccinations; requiring middle schools to provide information regarding certain vaccinations indicated for adolescents to the parent or guardian of a student entering the 7th grade; requiring the Department of Health to prescribe such information; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Health Policy; and Education Pre-K - 12 Appropriations.

By Senator Gaetz—

SB 2568—A bill to be entitled An act relating to appellate procedure; creating s. 59.075, F.S.; providing a right of appeal from an order denying a motion for summary judgment; providing for simultaneous jurisdiction by the trial and appellate courts; requiring the trial court to issue a written order when denying a motion for summary judgment; requesting the Supreme Court to adopt rules; providing an effective date.

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

By Senator Wise—

SB 2570—A bill to be entitled An act relating to education; amending s. 1001.03, F.S.; specifying the student performance standards that must be used for economics education and civics education; amending s. 1008.22, F.S.; requiring the Commissioner of Education to include social studies as part of the Florida Comprehensive Assessment Test; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; and Education Pre-K - 12 Appropriations.

By Senator Oelrich—

SB 2572—A bill to be entitled An act relating to restitution; amending s. 775.089, F.S.; requiring that court-ordered restitution by a defendant to the victim be paid before any other obligation ordered by the court; requiring that the court state its reasons if it provides for any other priority; requiring an equal distribution of restitution among multiple victims; requiring the Department of Corrections to collect restitution from offenders under its supervision in certain circumstances; providing an effective date.

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

By Senator Fasano—

SB 2574—A bill to be entitled An act relating to public records; amending s. 741.313, F.S.; expanding an exemption from public-records requirements for certain records and time sheets submitted to an agency to include those submitted by an employee who is a victim of sexual violence; extending future legislative review and repeal; amending s. 2, ch. 2007-108, Laws of Florida; revising a statement of public necessity to conform; providing a contingent effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Commerce; Governmental Operations; Judiciary; and Rules.

By Senator Rich—

SB 2576—A bill to be entitled An act relating to the termination of parental rights; amending s. 39.806, F.S.; revising the grounds for terminating parental rights to include a parent's incarceration in a federal or county correctional institution or facility and the significance of the total period of such incarceration to a child based on the child's age and need for a stable home; requiring a court to calculate the period of incarceration beginning on the date that the parent enters the correctional institution or facility; requiring a court to consider a parent's failure to substantially comply with the case plan within 12 months after the child is adjudicated dependent as evidence of continuing abuse, neglect, or abandonment; deleting a provision that provides the circumstances under which the 12-month period begins; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Judiciary; and Health and Human Services Appropriations.

SR 2578—Not referenced.

By Senators Alexander, Carlton and Bennett—

SB 2580—A bill to be entitled An act relating to the West-Central Florida Water Restoration Action Plan; creating s. 373.0363, F.S.; providing definitions; providing legislative findings and intent; providing criteria governing the implementation of the West-Central Florida Water Restoration Action Plan by the Southwest Florida Water Management District; requiring that the district coordinate with regional water supply authorities and governmental partners to maximize opportunities concerning the efficient expenditure of public funds; specifying the plan's purpose; specifying the initiatives that are included in the plan; providing criteria governing implementation of the Central West Coast Surface Water Enhancement Initiative, the Facilitating Agricultural Resource Management Systems Initiative, the Ridge Lakes Restoration Initiative, the Upper Peace River Watershed Restoration Initiative, and the Central Florida Water Resource Development Initiative and certain components or projects included in such initiatives; providing for the district to implement certain initiatives or parts thereof in cooperation with the Peace River-Manasota Regional Water Supply Authority or Polk County; requiring an annual report that meets specified criteria concerning implementation of the plan, regional conditions, and the use of funds; requiring that the district provide the report and legislative recommendations to the President of the Senate and the Speaker of the House of Representatives; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; and General Government Appropriations.

SB 2582—Previously referenced.

By Senator Constantine—

SB 2584—A bill to be entitled An act relating to trust funds; creating the Reduced Cigarette Ignition Propensity and Firefighter Protection Enforcement Trust Fund within the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation; providing for a source of funds and purpose of the trust fund; providing for an annual carryforward of funds; providing for future review and termination or re-creation of the trust fund; providing a contingent effective date.

—was referred to the Committees on Regulated Industries; Banking and Insurance; Judiciary; and General Government Appropriations.

By Senator Constantine—

SB 2586—A bill to be entitled An act relating to trust funds; creating the Fire Prevention and Public Safety Trust Fund within the Department of Financial Services; providing for a source of funds and purpose of the trust fund; providing for an annual carryforward of funds; providing for future review and termination or re-creation of the trust fund; providing a contingent effective date.

—was referred to the Committees on Regulated Industries; Banking and Insurance; Judiciary; and General Government Appropriations.

By Senator Crist—

SB 2588—A bill to be entitled An act relating to pharmaceutical compounding; creating s. 465.1895, F.S.; providing definitions; providing pharmaceutical compounding for provision and administration of compounded drug to patient by practitioner in practitioner's office or in health care facility or other treatment setting; providing for pharmacist to dispense and deliver reasonable quantity of compounded drug, including certain controlled substances, to practitioner for office use; providing for distribution of compounded and prepackaged pharmaceutical preparations by a special parenteral or enteral extended scope pharmacy to a permitted institutional pharmacy or licensed dispensing practitioner; providing an effective date.

—was referred to the Committees on Health Regulation; and Health Policy.

By Senator Constantine—

SB 2590—A bill to be entitled An act relating to energy efficiency; amending s. 366.81, F.S.; revising legislative intent concerning the Florida Energy Efficiency and Conservation Act; providing that a stated goal

of the act is to encourage the use of advanced metering systems; providing an effective date.

—was referred to the Committees on Communications and Public Utilities; and Environmental Preservation and Conservation.

By Senator Gaetz—

SB 2592—A bill to be entitled An act relating to affordable housing; amending s. 163.3177, F.S.; requiring that a county adopt a local land development regulation that requires certain housing to be affordable; requiring the county to transmit a copy of such regulation to the Department of Community Affairs; requiring the state land planning agency to adopt rules by a certain date; providing a penalty if a local government fails to adopt and transmit the regulation to the state land planning agency; creating s. 163.32461, F.S.; providing legislative intent relating to the availability of affordable housing; providing definitions; providing for expedited state and regional review of proposals for affordable housing developments; requiring that certain counties and municipalities amend their local comprehensive plans by a certain date to include criteria for such review; providing that such review applies within an urban service area; requiring certain counties to amend their comprehensive plans to include rural affordable housing overlay by a certain date; providing that certain future land use map amendments are subject to the alternative state review process; requiring the state land planning agency to adopt a schedule; providing a penalty for a local government that fails to comply with such schedule; requiring certain counties and municipalities to provide density bonuses; providing limitations on such density bonuses; requiring a local government to establish procedures for the unified and streamlined review of proposals for affordable housing developments near an employment center; providing for the expedited review and issuance of certain permit applications; exempting certain affordable housing developments from the transportation concurrency requirements; repealing s. 420.615, F.S., relating to affordable housing land donation density bonus incentives; providing an effective date.

—was referred to the Committees on Community Affairs; Environmental Preservation and Conservation; and Transportation and Economic Development Appropriations.

By Senator Constantine—

SB 2594—A bill to be entitled An act relating to brownfield areas; amending s. 212.08, F.S.; adding brownfield areas to the list of locations that qualify for a sales tax exemption on residential home construction costs; amending s. 220.1845, F.S., relating to tax credits for the rehabilitation of contaminated sites; conforming provisions to changes made by the act; amending s. 376.30781, F.S.; providing a tax credit for the costs of solid waste removal at brownfield sites; providing definitions relating to solid waste removal; providing an additional tax credit for rehabilitation costs that result in the construction and operation of a health care facility or health care provider on a brownfield site; revising procedures relating to the application for the tax credit; providing additional limitations on the amount of credits claimed; amending s. 376.77, F.S.; conforming cross-references; amending s. 376.79, F.S.; redefining terms relating to the Brownfields Redevelopment Act; amending s. 376.80, F.S.; revising provisions relating to the administration of the brownfield program at the local level; providing requirements for the certification of a proposed redevelopment of a brownfield site; deleting certification requirements relating to the site contractor; deleting the requirement that professional engineers and geologists providing professional services must maintain liability insurance; providing for evaluating the effects of brownfield site rehabilitation on the community and on individual health; amending ss. 376.82 and 376.83, F.S.; conforming cross-references; amending s. 376.86, F.S.; revising the Brownfield Areas Loan Guarantee Program; authorizing the program to guarantee 75 percent of a loan for the construction and operation of a new health care facility or health care provider; adding the State Surgeon General of the Department of Health to the Brownfield Areas Loan Guarantee Council; amending s. 163.3221, F.S.; conforming a cross-reference; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Community Affairs; Banking and Insurance; Finance and Tax; and General Government Appropriations.

By Senator Aronberg—

SB 2596—A bill to be entitled An act relating to affordable housing; amending s. 420.5087, F.S.; requiring the scoring system for applications submitted to the State Apartment Incentive Loan Program to include specified projects in its criteria; providing an effective date.

—was referred to the Committees on Community Affairs; Environmental Preservation and Conservation; and Transportation and Economic Development Appropriations.

By Senator Atwater—

SB 2598—A bill to be entitled An act relating to treatment programs for impaired medical practitioners; amending s. 456.076, F.S.; revising requirements for consultants retained by the Department of Health; authorizing the department to contract with consultants to provide treatment services for students of allopathic and osteopathic medicine who are alleged to be impaired; indemnifying certain schools from liability in civil actions under certain circumstances; providing limited sovereign immunity for certain program consultants under specified contractual conditions; requiring that the Department of Financial Services defend legal actions against program consultants; providing an effective date.

—was referred to the Committees on Health Regulation; and Health and Human Services Appropriations.

By Senator Baker—

SB 2600—A bill to be entitled An act relating to homeowners' associations; requiring homeowners' associations to establish grievance committees by a specified date; providing for membership; requiring the Department of State to maintain a list of members of such committees and provide it to the public upon request; providing procedures for filing and processing grievances; tolling certain actions during the period that a grievance is unresolved; providing for grievance committee recommendations to be admissible in subsequent mediation or legal actions; prohibiting homeowners' associations from prohibiting solar panels or satellite dishes or requiring certain leases or lease approvals; prohibiting homeowners' associations from requiring homeowners to pay for certain mandatory cable or similar communications services or mandatory lawn or exterior maintenance services; amending s. 720.305, F.S.; requiring that notice be sent to a homeowner by certified mail, return receipt requested, before an association may impose certain fines or suspensions; suspending certain fines, fees, or penalties during any period that an association or grievance committee cannot meet to adjudicate a grievance; providing an effective date.

—was referred to the Committees on Regulated Industries; Community Affairs; and Judiciary.

By Senator Bennett—

SB 2602—A bill to be entitled An act relating to alternative water resource projects; amending s. 163.3177, F.S., relating to the elements of a comprehensive plan; authorizing transferable rural land use credits for certain alternative water resource projects if a local government has established a rural land stewardship area; providing economic and other incentives for certain alternative water supply projects that are incorporated into the rural land stewardship area; amending s. 373.196, F.S.; authorizing a water management district to enter into an agreement with a private entity, a regional water supply authority, or a water utility to provide long-term consumptive use rights in exchange for contributions to alternative water resource development projects; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Agriculture; Community Affairs; and General Government Appropriations.

By Senator Constantine—

SB 2604—A bill to be entitled An act relating to street racing; creating the "Luis Rivera Ortega Street Racing Act"; amending s. 316.191, F.S.; revising provisions prohibiting certain speed competitions and exhibitions; revising the definition of the terms "conviction," "drag race," and "race"; defining the terms "exhibition of acceleration," "exhibition of speed," and "spectator"; prohibiting driving in any race, drag race, exhibition of speed, or exhibition of acceleration; prohibiting certain acts in association with a race, drag race, exhibition of speed, or exhibition of acceleration; prohibiting being a spectator at any such race, drag race, or exhibition; providing for a rebuttable presumption that a person is a spectator; providing criminal and noncriminal penalties; providing for revocation of the driver license upon conviction; providing for disposition of citation for being a spectator; providing penalties for a second or subsequent offense; providing that a violation that causes or contributes to causing serious bodily injury to another is a felony of the third degree; providing that a violation that causes or contributes to causing the death of any human being or unborn quick child is the crime of racing manslaughter; providing penalties; providing for a determination of the definition of the term "unborn quick child"; requiring that the driving record of a person charged be provided to the court; providing criteria for arrest; providing procedures for charging the owner of a motor vehicle as a spectator if the owner's vehicle is parked or operated in near proximity to any such race, drag race, or exhibition; providing for citations, disposition procedures, and enforcement; providing procedures for impoundment or immobilization of a motor vehicle under a court order; providing for release from impoundment under specified exceptions; requiring costs and fees of impoundment to be paid by the owner or lessee of the motor vehicle; providing procedures for an arresting officer to immediately impound a motor vehicle used in a violation; providing for the period of impoundment; removing a requirement for impoundment that the person being arrested is the registered owner or coowner of the motor vehicle; providing for seizure and forfeiture of a motor vehicle used in a violation; removing provisions for application only after a prior conviction and only if the owner of the motor vehicle is the person charged with the violation; providing for a motor vehicle used in violation to be seized and forfeited under the Florida Contraband Forfeiture Act regardless of whether the violation is a misdemeanor or felony; providing for satisfaction of the element of negligent entrustment; providing for severability; providing an effective date.

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

By Senator Dean—

SB 2606—A bill to be entitled An act relating to the prekindergarten education pilot program; establishing the pilot program to enhance the quality of the Voluntary Prekindergarten Education Program; specifying counties and providing requirements for individual participants; providing for voluntary participation by prekindergarten providers; providing duties of the Early Learning Coalition of the Big Bend Region and community colleges; authorizing the coalition to apply for and secure grants and funding before implementing the pilot program; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Commerce; Finance and Tax; and Education Pre-K - 12 Appropriations.

SB 2608—Previously referenced.

By Senator Oelrich—

SB 2610—A bill to be entitled An act relating to public records; creating s. 765.5155, F.S.; providing an exemption from public-records requirements for information in the organ and tissue donor registry which would identify a donor; providing an exception; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing a contingent effective date.

—was referred to the Committees on Health Regulation; and Governmental Operations.

By Senator Oelrich—

SB 2612—A bill to be entitled An act relating to medical student education funding; requiring state funding of medical student education at state university colleges of medicine using a formula that provides equal state support on a full-time equivalent student basis; requiring the funding formula to be based on actual costs; requiring maintenance of college accreditation; providing an effective date.

—was referred to the Committees on Higher Education; Higher Education Appropriations; and Health and Human Services Appropriations.

By Senator Constantine—

SB 2614—A bill to be entitled An act relating to postsecondary tuition rates; creating s. 1009.286, F.S.; providing legislative intent; requiring that freshmen entering a secondary institution after a specified date who exceed 150 percent of the number of credit hours required to receive a degree must pay an increase of 50 percent per credit hour above the normal in-state tuition rate; requiring that the institution provide counseling and advisement to a student under certain circumstances; requiring the Department of Education to develop a performance-based methodology for community colleges to help students meet their academic goals; providing that a student may be granted an exemption from the increased tuition rate; providing an effective date.

—was referred to the Committees on Higher Education; and Higher Education Appropriations.

By Senator Bennett—

SB 2616—A bill to be entitled An act relating to sovereign immunity for law enforcement agencies; providing a short title; providing legislative findings and intent; amending s. 768.28, F.S.; prescribing conditions under which a law enforcement agency is immune from liability for damages resulting from its conduct of a criminal investigation; specifying certain discretionary acts that are not subject to liability; amending ss. 29.0081, 163.01, 456.048, 458.320, 459.0085, 616.242, 624.461, 624.462, 627.733, 984.09, and 985.037, F.S.; conforming statutory cross-references; providing an effective date.

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

SB 2618—Previously referenced.

By Senator Dean—

SB 2620—A bill to be entitled An act relating to homeowners' insurance; requiring that the Office of Insurance Regulation provide policyholders with written notice of certain information regarding the termination of a policy; providing deadlines by which certain information must be provided; requiring that the office provide policyholders with instructions regarding how to contact a broker, agent, or counselor for the purpose of selecting a new coverage plan or making changes to an existing policy; providing an effective date.

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

By Senator Justice—

SB 2622—A bill to be entitled An act relating to public access to beaches; creating part V of ch. 161, F.S.; providing definitions; declaring the policy and effect; prohibiting a local government from adopting an ordinance, resolution, or development order that has the effect of excluding certain individuals from a public beach; prohibiting obstruction of beach access under certain conditions; requiring that the display of certain signs meet criteria concerning beach access; providing that a violation of such prohibition is a first-degree misdemeanor; providing a

penalty; prohibiting a governmental entity from placing an obstruction upon a public beach under certain conditions; defining the term "recreational use"; authorizing owners of land within a specified distance of specified coastal waters to record or revoke a notice concerning the granting of permission for the public's recreational use of the land; providing limitations on the duty or liability of an owner while such a notice is recorded; prohibiting an owner from preventing certain public uses of the land while such a notice is recorded; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Community Affairs; Judiciary; and General Government Appropriations.

By Senator Haridopolos—

SB 2624—A bill to be entitled An act relating to the protection of commercial citrus groves; amending s. 581.091, F.S.; providing conditions for use of Casuarina cunninghamiana as a windbreak for commercial citrus groves; providing for permitting and permit fees; providing for destruction of Casuarina cunninghamiana; providing that use as a windbreak does not preclude research or release of agents to control Casuarina sp.; providing that the use of Casuarina cunninghamiana for windbreaks does not interfere with or restrict efforts to manage or control noxious weeds or invasive plants; prohibiting any other agency or local government from removing Casuarina cunninghamiana planted as a windbreak under special permit; providing an effective date.

—was referred to the Committees on Agriculture; Environmental Preservation and Conservation; Finance and Tax; and General Government Appropriations.

By Senator Storms—

SB 2626—A bill to be entitled An act relating to substance abuse and mental health services; creating s. 394.9086, F.S.; establishing mental health and substance abuse community-based provider networks; providing legislative findings and intent; providing definitions; providing program goals; specifying the responsibilities of the Department of Children and Family Services; requiring the department to annually report to the Legislature on its planning and research activities; requiring the department to establish geographic areas and to contract with a single network to provide services in that area; requiring that a portion of the department's funds be allocated to the networks; requiring the networks to give department employees a hiring preference; providing that state employees that are hired by the networks will continue to accumulate years of service in the state retirement system; requiring the department and the Agency for Health Care Administration to execute managed care contracts with the networks; providing qualifying requirements for community-based networks; specifying the responsibilities of community-based networks; specifying management information system requirements for the department and the networks; providing for an annual report to the Legislature on the implementation and performance of the management information system; providing for contracting, monitoring, and evaluation policies and procedures; providing an implementation schedule for the statewide establishment of the networks; requiring the department to contract with the Louis de la Parte Florida Mental Health Institute to monitor and provide implementation assistance to the networks; requiring reports to the Legislature until statewide implementation is accomplished; requiring the Governor to establish an Interagency Committee on Substance Abuse and Mental Health composed of the heads of specified agencies; requiring the committee to develop a plan for improving the coordination of substance abuse and mental health programs administered by the participating agencies; authorizing the Department of Children and Family Services to adopt rules; repealing s. 394.9082, F.S., relating to behavioral health service delivery strategies; directing the Department of Financial Services and the Department of Management Services to provide for the department's flexibility in implementing this act; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Governmental Operations; and Health and Human Services Appropriations.

By Senator Siplin—

SB 2628—A bill to be entitled An act relating to student assessment; amending s. 1008.22, F.S.; requiring the student assessment program to provide alternative instructional strategies, delivery methods, and resources to assist those students who are not promoted to rapidly attain grade level; requiring that the testing program be designed so that school districts provide immediate and appropriate instructional strategies, delivery methods, and resources to students who score below grade level so that the student may attain his or her grade level as soon as possible; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; and Education Pre-K - 12 Appropriations.

By Senator Oelrich—

SB 2630—A bill to be entitled An act relating to organ and tissue donation; amending s. 765.203, F.S.; deleting a provision in the form that designates a health care surrogate that provides an exception for anatomical gifts; amending s. 765.512, F.S.; revising provisions for making an organ donation; adding additional persons to the list of persons who may donate a decedent's body; removing the provision prohibiting a spouse from making a donation if the decedent's adult son or daughter objects; amending s. 765.514, F.S.; providing additional mechanisms for making an anatomical gift including registering with the organ and tissue donor registry; revising the uniform donor card to specify the type of donation; deleting a statement of public policy that prohibits restrictions on who may receive an anatomical gift, a provision specifying who can accept a gift, and a provision designating a physician to carry out appropriate procedures; amending s. 765.515, F.S.; requiring the Department of Highway Safety and Motor Vehicles to inform the donor registry of instances of making an anatomical gift and of withdrawal of an anatomical gift; deleting a provision requiring the Agency for Health Care Administration and the department to maintain a donor registry; creating s. 765.5155, F.S.; providing legislative intent with respect to establishing an online organ and tissue donor registry; requiring administration of the donor registry to be procured by competitive solicitation; specifying the duties of the contractor including the operation of the registry, a continuing public education program about organ donation, and the preparation of an annual report; authorizing the agency to adopt rules relating to providing research access to the registry; providing for funding and for voluntary contributions to the registry; designating the donor registry as the "Joshua Abbott Organ and Tissue Donor Registry"; amending s. 765.516, F.S.; authorizing revocation of an anatomical gift by a donor through removal of his or her name from the registry; amending s. 765.517, F.S.; revising provisions relating to verification of a donor's consent at death; amending s. 765.521, F.S.; conforming a cross-reference; amending s. 765.522, F.S.; revising duties of hospital administrators with respect to reporting suitable donor candidates at or near the time of death; updating references to organ procurement organizations; repealing s. 765.5215, F.S., relating to an education program relating to anatomical gifts; repealing s. 765.5216, F.S., relating to the organ and tissue donor education panel; providing an effective date.

—was referred to the Committees on Health Regulation; Governmental Operations; and Health and Human Services Appropriations.

By Senator Storms—

SB 2632—A bill to be entitled An act relating to juvenile justice; amending s. 985.255, F.S.; providing that it is a violation of law for a juvenile to fail to appear as required before a court or judicial officer; revising provisions relating to detention of a juvenile for failure to appear; conforming cross-references; amending s. 985.26, F.S.; providing for holding a child charged with failure to appear in secure detention for a specified period; providing exceptions to specified detention time limits; amending s. 985.245, F.S.; conforming a cross-reference; amending s. 985.27, F.S.; requiring that juveniles held pending specified placements or commitments be held in secure detention; amending s. 985.43, F.S.; conforming a cross-reference; reenacting and amending s. 790.22(8), F.S., relating to use of BB guns, air or gas-operated guns, or electric weapons or devices by minors under 16, to incorporate the amendment to s. 985.255, F.S., in references thereto; conforming a cross-reference; reenacting ss. 985.275(1) and 985.319(6), F.S., relating to

detention of escapee or absconder on authority of the Department of Juvenile Justice and to process and service, respectively, to incorporate the amendment to s. 985.255, F.S., in references thereto; reenacting s. 985.35(1), F.S., relating to adjudicatory hearings, withheld adjudications, and orders of adjudication, to incorporate the amendment to s. 985.26, F.S., in a reference thereto; providing an effective date.

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

By Senator Dean—

SB 2634—A bill to be entitled An act relating to agricultural industrial centers; amending s. 163.3164, F.S.; defining the term "agricultural industrial center"; amending s. 163.3177, F.S.; requiring that local governments, in conjunction with certain state agencies, identify existing agricultural industrial centers before a specified deadline; requiring that local governments amend the future land use element of their local comprehensive plans for a certain purpose before a specified deadline; providing that such amendment is exempt from the twice-a-year limitation imposed by state law; requiring that such planning districts meet specified criteria; authorizing landowners within an agricultural industrial center economic overlay planning district to apply for an amendment to the local government comprehensive plan for certain purposes; limiting the effects of such proposed amendments; providing an exception to certain limitations; providing that such amendments are presumed consistent with the Florida Administrative Code, and may include land uses and intensities of use consistent and compatible with the uses and intensities of use of the corresponding agricultural industrial center; providing that such assumption may be rebutted by clear and convincing evidence; requiring that a local government and the owner of a parcel of land subject to such application negotiate in good faith to reach consensus on the proposed expansion and the land uses and intensities of use within a specified period; requiring that a local government and owner agree in writing to a schedule for information submittal, public hearings, negotiations, and final action on the amendment within a specified period; providing that such schedule may be altered only with the written consent of the local government and the owner; providing that compliance with such schedule constitutes good-faith negotiations; requiring that the amendment be transmitted to the state land planning agency for review upon conclusion of good-faith negotiations, regardless of the result of such negotiations; providing that such submitted amendments are presumed consistent with the Florida Administrative Code; providing that such presumption may be rebutted by clear and convincing evidence; providing that a plan amendment is not entitled to such rebuttable presumption under certain circumstances; providing an effective date.

—was referred to the Committees on Agriculture; Community Affairs; Environmental Preservation and Conservation; and Transportation and Economic Development Appropriations.

By Senator Storms—

SB 2636—A bill to be entitled An act relating to temporary and concurrent custody of a child; revising ch. 751, F.S., relating to petitions and court orders awarding the temporary custody of a child to an extended family member to also provide for concurrent custody with the parents of the child; amending ss. 751.01 and 751.02, F.S.; conforming provision to changes made by the act; amending s. 751.011, F.S.; revising definitions; defining the term "concurrent custody"; amending s. 751.03, F.S.; revising the petition for concurrent custody to also include a description of efforts made to obtain consent; amending s. 751.05, F.S.; providing that a court may grant a petition for concurrent custody upon specified findings; providing that an order granting concurrent custody does not affect the ability of the parents to obtain the physical custody of the child at any time; amending ss. 39.013 and 49.011, F.S.; conforming references; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Judiciary; and Health and Human Services Appropriations.

By Senator Baker—

SB 2638—A bill to be entitled An act relating to credit enhancement loans; providing for the licensure of lenders by the Department of Financial Services; providing penalties for violations; providing for licensure fees, payable to the department; providing licensure requirements; providing the form and contents of a licensure application; requiring that the licensee maintain a minimum net worth; providing for the revocation or suspension of a license; providing loan and interest rate limits; authorizing a licensee to charge certain fees in addition to interest charges; prohibiting multiple loans in certain situations; providing for enforcement of loan agreements; providing for disclosure forms for the customer; providing for reports to credit bureaus; requiring the maintenance of financial records by licensees; prohibiting a licensee from accepting an assignment of earnings from a customer or requiring a customer to execute a confession of judgment; requiring that a licensee maintain records for a specified period and allow the department to examine its records; requiring that certain reports be filed with the department; authorizing the department to adopt rules; authorizing the department to issue subpoenas and compel testimony; providing for desist orders and injunctions; providing for appeals from actions of the department; providing that certain credit enhancement loans are not enforceable; providing an effective date.

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

By Senator Constantine—

SB 2640—A bill to be entitled An act relating to cigarettes; creating s. 633.042, F.S.; providing definitions; requiring that cigarettes sold in this state meet certain reduced cigarette ignition propensity standards; providing a test method and performance standards; requiring the use of bands on the paper surrounding the tobacco column of certain cigarettes; requiring certain manufacturers to propose an alternative test method and performance standard for certain cigarettes; requiring a cigarette manufacturer to maintain and make available copies of reports of all tests conducted on certain cigarettes for a specified period; providing a penalty; authorizing the State Fire Marshall to adopt an additional standard testing method for measuring the ignition strength of cigarettes upon a certain finding; requiring the State Fire Marshal to report findings and recommendations to the Legislature; authorizing wholesale and retail dealers to sell their existing inventory of cigarettes under certain circumstances; requiring manufacturers to submit a written certification to the State Fire Marshal; providing requirements for the written certification; requiring the certification to be made available to the Attorney General and the Division of Alcoholic Beverages and Tobacco within the Department of Business and Professional Regulation; requiring recertification; requiring the manufacturer to pay a certification fee; requiring recertification of an altered cigarette; providing for the deposit of certification fees into the Reduced Cigarette Ignition Propensity and Firefighter Protection Enforcement Trust Fund; requiring the marking of cigarette packaging; providing requirements for marking; requiring the State Fire Marshal to approve the marking; requiring a manufacturer to provide a copy of the certification and copies of an illustration of the package marking to wholesaler dealers and agents; requiring wholesalers and agents to provide a copy of the package markings to retail dealers; requiring wholesaler dealers, agents, and retail dealers to allow the Attorney General to inspect markings; providing for penalties; providing for the deposit of penalties into the Fire Prevention and Public Safety Trust Fund; requiring the State Fire Marshal to adopt rules; authorizing the division to inspect the marking on cigarette packages; authorizing the Attorney General, the division, the State Fire Marshal, and other law enforcement personnel to examine books and records of any person in possession, control, or occupancy of any premises where cigarettes are placed, stored, sold, or offered for sale; providing an exception for compliance for any person or entity who manufactures cigarettes for sale outside the state; providing for the repeal of the act upon adoption of federal standards for reduced cigarette ignition propensity; providing that the act preempts any local ordinance; providing a contingent effective date.

—was referred to the Committees on Regulated Industries; Banking and Insurance; Judiciary; and General Government Appropriations.

By Senator Peaden—

SB 2642—A bill to be entitled An act relating to certification of radiologic personnel; amending s. 468.304, F.S.; providing that a postsecondary academic institution licensed by the Commission for Independent Education to offer a general radiologic technology program and accredited by the Accrediting Bureau of Health Education Schools is an accredited postsecondary academic institution for certification purposes; providing an effective date.

—was referred to the Committees on Health Regulation; and Higher Education.

By Senator Storms—

SB 2644—A bill to be entitled An act relating to the care of children; amending s. 20.19, F.S.; establishing the Grandparents' Liaison Office within the Department of Children and Family Services; amending s. 39.202, F.S.; authorizing physicians to obtain access to certain reports and records in cases of child abuse and neglect; amending s. 39.304, F.S.; requiring certain medical information relating to child abuse or neglect to be preserved in department records; amending s. 61.13, F.S.; revising duties of the court relating to determination of child custody and visitation rights to exclude certain written or recorded statements and to include an interview with the child; amending s. 752.01, F.S.; revising provisions relating to grandparents' visitation rights to include preferences of the child and grandparents; amending s. 752.07, F.S.; revising provisions relating to grandparents' right to visitation to include an interview with the grandparent and the child; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Judiciary; Governmental Operations; and Health and Human Services Appropriations.

SB 2646—Previously referenced.

By Senator Dean—

SB 2648—A bill to be entitled An act relating to local governments; requiring certain constitutional officers, boards, or other taxing authorities to submit a specified budget to the county commission prior to the commission's budget meetings; providing an effective date.

—was referred to the Committees on Community Affairs; Education Pre-K - 12; Finance and Tax; and Transportation and Economic Development Appropriations.

By Senator Gaetz—

SB 2650—A bill to be entitled An act relating to insurance; amending s. 626.9541, F.S.; prohibiting an insurer, with respect to premiums charged for motor vehicle insurance, from using any rate, rating schedule, rating manual, or underwriting rule not contained in a rating manual that is determined in whole or in part on the basis of certain characteristics of the insured; providing that it is an unfair or deceptive act or practice for an insurer to refuse to insure, or continue to insure, any individual or risk because of educational level or any lawful employment, trade, business, occupation, or profession; providing an effective date.

—was referred to the Committees on Banking and Insurance; and Commerce.

By Senator Garcia—

SB 2652—A bill to be entitled An act relating to maternal and child health programs; amending s. 383.011, F.S.; requiring the Department of Health to implement an electronic benefits transfer system for the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC); revising the method by which the Bureau of WIC and Nutrition Services calculates the statewide average retail price of certain items; requiring the department to petition the United States Department of Agriculture regarding certain price increases; providing for the sale, conveyance, or devise of certain establishments; requiring reauthorization of contracts with WIC-approved vendors; prohibiting WIC-approved vendors from discontinuing certain generic products; providing an effective date.

—was referred to the Committees on Health Policy; Governmental Operations; and Health and Human Services Appropriations.

SB 2654—Previously referenced.

By Senator Geller—

SB 2656—A bill to be entitled An act relating to the Affordable Workforce Housing Program; creating the Affordable Workforce Housing Program within the Division of Housing and Community Development of the Department of Community Affairs; providing purposes of the program; requiring that the Secretary of Community Affairs serve as chair of the program and appoint a committee; providing for membership of the committee; requiring that the committee establish certain policies and procedures on or before a specified date; requiring that the committee be appointed by a specified date; requiring that the committee meet on or before a specified date; providing for the purchase of land to be used by the program; excluding land acquired pursuant to eminent domain law from use in the program; requiring that the department adopt rules; providing an effective date.

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

By Senator Dean—

SJR 2658—A joint resolution proposing an amendment to Section 4 of Article VII of the State Constitution to allow the cap on homestead property assessments and the transfer of that cap to a new homestead to inure to the spouse, child, or grandchild of the property owner who inherits the property if the property becomes the homestead of the inheritor.

—was referred to the Committees on Community Affairs; Finance and Tax; Education Pre-K - 12 Appropriations; and Rules.

By Senator Lawson—

SB 2660—A bill to be entitled An act relating to historical resources; amending s. 265.703, F.S.; authorizing the Division of Cultural Affairs of the Department of State to support the establishment of a citizen support organization to provide assistance, funding, and promotional support for the division's programs related to museums; providing that any moneys received by the division from rentals of facilities and properties managed by the division may be held in the division's Grants and Donations Trust Fund; creating s. 265.704, F.S.; providing duties of the division with respect to historical museums; authorizing the division to adopt rules; authorizing the division to formulate and enter into contracts with certain entities when necessary; authorizing the division to accept gifts, endowments, grants, bequests, or loans under certain conditions; authorizing the division to establish an endowment consistent with its duties; creating s. 265.706, F.S.; providing definitions; creating s. 265.707, F.S.; requiring that the division acquire, maintain, preserve, interpret, exhibit, and make available for study objects having certain historical or archaeological value; providing that such objects acquired pursuant to certain provisions of state law belong to the state, with title thereto vested in the division; requiring that the division maintain a record of all such objects in its custody; requiring that the division annually inventory objects according to their value; authorizing the division to loan any object in its custody temporarily or permanently for

certain purposes; authorizing the division to transfer, exchange, or sell certain objects to other entities under certain circumstances; exempting the division from certain provisions of state law with respect to such sale, transfer, or exchange; requiring that all moneys received from such sale be deposited into the Grants and Donations Trust Fund and used for specified purposes; requiring that the division adopt rules; providing that certain violations of state law regarding historical objects or rules adopted in conjunction therewith constitute a misdemeanor of the second degree; authorizing the division to enter into contracts to insure objects to which it holds title; transferring, renumbering, and amending s. 267.072, F.S.; requiring that all proceeds from the sale of replicas or reproductions of certain objects be deposited into the trust fund; conforming cross-references to changes made by the act; requiring that the division deposit certain gifts and donations into the trust fund; transferring, renumbering, and amending s. 267.0619, F.S.; deleting provisions related to the Historical Resources Operating Trust Fund, to conform to changes made by the act; deleting a provision relating to application forms for historical museum grants; deleting a provision requiring that certain individuals chair grant review panels; deleting provisions relating to the deposit of moneys received as appropriations or contributions to the grant program; creating s. 265.710, F.S.; authorizing the division to promote and encourage the writing of Florida history and to edit or produce certain publications relating to its museum programs; authorizing the division to charge a reasonable fee for such publications and hold moneys received from the sale of such publication in the trust fund or an account in the name of the citizen support organization; amending s. 267.0731, F.S.; deleting provisions relating to the formulation of nominations for the Great Floridians Program and the production of films depicting the life or contributions of nominees; requiring that proceeds collected from changes established to recover costs associated with the production of such films be deposited into the trust fund; providing an effective date.

—was referred to the Committees on Governmental Operations; and Transportation and Economic Development Appropriations.

By Senator Peaden—

SM 2662—A memorial to the Congress of the United States, urging Congress to increase federal funding for Alzheimer's disease research.

—was referred to the Committee on Children, Families, and Elder Affairs.

By Senator Aronberg—

SB 2664—A bill to be entitled An act relating to the Construction Lien Law; amending s. 713.13, F.S.; deleting a requirement that the notice of commencement state the period that the notice is effective if it exceeds 1 year; deleting a limitation on making payments after the expiration of the notice of commencement; deleting a requirement that the improvement be commenced within 90 days after recording the notice of commencement; amending s. 713.24, F.S., relating to the transfer of liens; conforming a cross-reference; providing an effective date.

—was referred to the Committees on Regulated Industries; and Judiciary.

By Senators Posey and Haridopolos—

SB 2666—A bill to be entitled An act relating to tax refunds for qualified space flight contractors; amending s. 288.1045, F.S.; including space flight contractors in the qualified defense contractor tax refund program; expanding the definition of "applicant" and "project" to include space flight business contracts; defining the terms "space flight business," "space flight business contract," "new space flight business contract," and "consolidation of a space flight business contract"; providing that qualified defense contractors are, upon approval, eligible for specified tax refunds under certain circumstances; authorizing a qualified applicant to receive refunds from the account for certain taxes after entering into certain tax refund agreements; excluding certain taxes from the list of eligible taxes on which a refund may be based; expanding the requirements for an application for certification as a qualified defense contractor or space flight contractor; providing that an applicant may not apply for certification after a proposal has been submitted for a new space flight business contract or after the applicant has made the decision to consolidate an existing space flight business contract; requiring that an applicant establish certain information to qualify for review by the Office of Tourism, Trade, and Economic Development; requiring that certain types of applications contain certain information; requiring that the office review and evaluate each application based on specified criteria; requiring that the office forward its written findings regarding each application meeting certain requirements to its director within a specified period; requiring that applications for certification based on the consolidation of a space flight business contract or a new space flight business contract be submitted to the office in the manner prescribed by the office; requiring that such contracts contain certain information; providing for the claiming of a tax refund by an applicant who has entered into a valid new space flight business contract or commenced the consolidation of a space flight business contract; prohibiting a tax refund for a qualified defense contractor from being paid unless local financial support has been paid to the Economic Development Trust Fund for that refund; providing eligible sources of such local financial support; providing for certain reductions in the amount of such tax refunds and applicable limitations; providing that an applicant may not be certified after a specified date; deleting provisions relating to the submission of an annual report of the payment of certain tax refunds by the Office of Tourism, Trade, and Economic Development to the Governor, the President of the Senate, and the Speaker of the House of Representatives; providing an effective date.

—was referred to the Committees on Commerce; Finance and Tax; and Transportation and Economic Development Appropriations.

By Senator Rich—

SB 2668—A bill to be entitled An act relating to public schools; creating s. 1006.205, F.S.; designating the Florida School Music Association as the governing nonprofit organization of music and music-related activities in the public schools; providing requirements for the organization; authorizing a private school or home education association to be a member of the organization; providing for bylaws; providing for a board of directors and composition of the board; providing authority and duties of the board; amending s. 1012.55, F.S.; revising certification requirements for athletic coaches; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Governmental Operations; and Education Pre-K - 12 Appropriations.

By Senator Crist—

SB 2670—A bill to be entitled An act relating to specialty license plates; amending s. 320.08058, F.S.; providing that funds distributed to agencies from the sale of the Choose Life license plate which are unused must be redistributed to agencies or organizations that offer support services to pregnant women who intend to keep their children; providing an effective date.

—was referred to the Committees on Transportation; Children, Families, and Elder Affairs; and Transportation and Economic Development Appropriations.

By Senator Hill—

SB 2672—A bill to be entitled An act relating to highway designations; designating the "John E. Andrews Boulevard," the "George Matthews Boulevard," the "Angela Webb Hammonds Boulevard," and the "Willie F. Faust Boulevard" in Duval County; designating the "Dr. Barbara Carey-Schuler Avenue," the "Honorable Robert B. Ingram, Ph.D., Boulevard" and the "Father Emilio Vallina Avenue" in Miami-Dade County; directing the Department of Transportation to erect markers; providing an effective date.

—was referred to the Committee on Transportation.

By Senator Deutch—

SB 2674—A bill to be entitled An act relating to the Florida Bright Futures Scholarship Program; amending s. 1009.532, F.S.; requiring a student to complete a specified number of community service or internship hours in order to be eligible to renew a scholarship under the Florida Bright Futures Scholarship Program; allowing a student to restore eligibility if such hours are insufficient for renewal; providing an effective date.

—was referred to the Committees on Higher Education; Community Affairs; Governmental Operations; and Higher Education Appropriations.

By Senator Crist—

SB 2676—A bill to be entitled An act relating to pretrial release programs; creating s. 907.043, F.S.; creating the "Citizens' Right-to-Know Act"; defining the terms "nonsecured release," "pretrial release program," "register," and "secured release"; requiring each pretrial release program to prepare a register displaying information relevant to the defendants released through such a program; requiring that a copy of the register be located at the office of the clerk of the circuit court in the county where the program is located and readily accessible to the public; specifying the contents of the register; requiring each pretrial release program to submit an annual report to the Office of the State Court Administrator and to the clerk of the circuit court by a specified date; specifying the content of the annual report; providing penalties for noncompliance by the pretrial release program; amending s. 903.011, F.S.; providing requirements for the form of bail or bond required for release from detention; amending s. 903.09, F.S.; providing that the requirements and conditions applicable to surety bonds apply to cash bond deposits; amending s. 903.286, F.S.; requiring that all cash bond forms prominently display a notice explaining that cash funds are subject to forfeiture and withholding by the clerk of the court for the payment of court fees, court costs, and criminal penalties on behalf of the criminal defendant regardless of who posted the funds; providing an effective date.

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

By Senator Crist—

SB 2678—A bill to be entitled An act relating to driver education; creating s. 322.093, F.S.; requiring that minors complete a driver education course prior to issuance of a driver's license; providing that the course may be given by a public secondary school, nonpublic school, or commercial driving school meeting specified requirements; requiring the school to issue a certificate to a student who successfully completes the course; amending s. 1003.48, F.S.; providing instruction and training requirements for driver education courses; providing for the use of certain funds; providing an effective date.

—was referred to the Committees on Transportation; Community Affairs; Education Pre-K - 12; and Education Pre-K - 12 Appropriations.

By Senator Atwater—

SB 2680—A bill to be entitled An act relating to the just valuation of property; amending s. 193.011, F.S.; deleting a requirement that a property appraiser consider the highest and best use of property in determining just valuation; requiring the property appraiser to use only income in determining the just value of income-producing property; amending ss. 192.011, 193.015, 193.017, and 420.507, F.S.; conforming provisions to changes made by the act; conforming a cross-reference; providing for application; providing an effective date.

—was referred to the Committees on Community Affairs; Finance and Tax; and Education Pre-K - 12 Appropriations.

By Senator Diaz de la Portilla—

SB 2682—A bill to be entitled An act relating to the Department of the Lottery and pari-mutuel facilities; amending s. 24.103, F.S.; providing definitions; amending s. 24.105, F.S.; providing powers and duties of the Department of the Lottery pertaining to video lottery games; creating s. 24.125, F.S.; providing for the adoption of rules; creating s. 24.126, F.S.; prohibiting certain persons from playing video lottery games; requiring video lottery retailers to post certain signage; providing penalties; creating s. 24.127, F.S.; providing requirements for the operation of video lottery games; providing for fines and orders of suspension; requiring the video lottery retailer to post bond; providing a payout percentage; providing for licensure and a license fee; providing for the distribution of net terminal income; providing for weekly allocations; providing penalties; creating s. 24.128, F.S.; providing for the licensure of video lottery terminal vendors; providing for emergency rules; creating s. 24.129, F.S.; providing that use or expansion of property for video lottery terminals is not subject to review or approval under land use, zoning, or site plan review or concurrency law, ordinance, or regulation; creating s. 24.130, F.S.; providing requirements for video lottery terminals; creating s. 24.131, F.S.; requiring video lottery terminal vendors to establish training programs for employees who service such terminals; requiring department approval of such programs; providing certification requirements; providing for the adoption of rules; creating s. 24.132, F.S.; requiring certain video lottery retailers to execute certain agreements governing the payment of purses and special thoroughbred racing awards; requiring the remittance of funds pursuant to such agreements; authorizing the department to sanction certain breeders; prohibiting the operation of video lottery games in the absence of agreements; requiring arbitration if agreements are not in place; requiring certain video lottery retailers to make certain payments for the promotion of the thoroughbred racing industry; creating s. 24.133, F.S.; requiring operators of facilities where video lottery games are conducted to post certain signs regarding compulsive gambling; creating s. 24.134, F.S.; providing for compulsive gambling prevention programs; creating s. 24.136, F.S.; authorizing a caterer's license for video lottery retailers; creating s. 24.137, F.S.; prohibiting video lottery retailers from engaging in certain activities; creating s. 24.138, F.S.; providing for the exclusion of certain persons from a video lottery retailer's premises; creating s. 24.139, F.S.; requiring video lottery retailers to provide office space for department employees; amending s. 212.02, F.S.; excluding video lottery terminals from the definition of the term "coin-operated amusement machine" for purposes of the sales and use tax; amending s. 1011.62, F.S.; decreasing the required local effort for school districts by certain estimated revenues from video lottery terminals; amending s. 550.09515, F.S.; providing for reissuance of a pari-mutuel permit that has been revoked by the Division of Pari-mutuel Wagering of the Department of Business and Professional Regulation or has escheated to the state; providing an appropriation and authorizing additional positions; providing an effective date.

—was referred to the Committees on Regulated Industries; Criminal Justice; Finance and Tax; and General Government Appropriations.

By Senator Crist—

SB 2684—A bill to be entitled An act relating to optional payments for medical assistance; amending s. 409.904, F.S.; providing for Medicaid eligibility for certain persons with disabilities under a Medicaid buy-in program, subject to specific federal authorization; requiring the Agency for Health Care Administration to seek amendments to specified Medicaid waivers for certain persons with disabilities; providing an effective date.

—was referred to the Committees on Health Policy; Children, Families, and Elder Affairs; and Health and Human Services Appropriations.

By Senator Crist—

SB 2686—A bill to be entitled An act relating to the shared county and state fiscal responsibility for juvenile detention; amending s. 985.686, F.S.; defining the term "final court disposition" for the purpose of determining the costs of juvenile detention; requiring the Department of Juvenile Justice to pay certain specified costs associated with youth who are in a detention center and awaiting placement in a juvenile justice

residential facility; requiring each county to pay to the department the county's share of the county's total costs for juvenile detention for deposit into the Shared County-State Juvenile Detention Trust Fund; removing the requirement for the Department of Revenue to provide technical assistance to the Department of Juvenile Justice for collecting the county's share of the county's total costs for juvenile detention; providing an effective date.

—was referred to the Committees on Criminal Justice; Community Affairs; Judiciary; and Criminal and Civil Justice Appropriations.

By Senator Aronberg—

SB 2688—A bill to be entitled An act relating to driving or boating under the influence; providing a short title; amending s. 316.193, F.S.; revising the applicability of sanctions; requiring a specified period of imprisonment for a fourth or subsequent conviction of driving under the influence; prohibiting substitution of treatment alternatives in certain circumstances; requiring impoundment or immobilization of all vehicles owned by the defendant for a specified period; providing for dismissal of an impoundment order; requiring records of judgments of guilty to include fingerprints; amending s. 327.35, F.S.; revising the applicability of sanctions; requiring a specified period of imprisonment for a fourth or subsequent conviction of boating under the influence; prohibiting substitution of treatment alternatives in certain circumstances; requiring impoundment or immobilization of the vessel operated by or in the actual control of the defendant or any one vehicle registered in the defendant's name at the time of impoundment or immobilization for a specified period; providing for dismissal of an order of impoundment or immobilization under certain circumstances upon request of an owner who was not operating the vessel; providing for dismissal of an impoundment order; requiring records of judgments of guilty to include fingerprints; providing an effective date.

—was referred to the Committees on Transportation; Criminal Justice; Judiciary; Criminal and Civil Justice Appropriations; and Transportation and Economic Development Appropriations.

By Senator Crist—

SB 2690—A bill to be entitled An act relating to limited reinstatement of driving privileges; amending s. 61.13016, F.S.; providing that a person who is delinquent in paying his or her child support or who has failed to comply with subpoenas or a similar order to appear or show cause relating to paternity or support proceedings is subject to having the Department of Highway Safety and Motor Vehicles suspend the person's driver's license and motor vehicle registration, except that the driving privilege is retained by the person for business purposes only; deleting a requirement that a person file a petition in the circuit court before the court may direct the department to issue the person a driver's license restricted to business purposes only; amending ss. 322.058 and 322.245, F.S.; requiring the Department of Highway Safety and Motor Vehicles to suspend the driver's license of a person and the registration of all motor vehicles owned by that person if he or she is delinquent in child support obligations, except that the person retains his or her driving privilege for business purposes only; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Transportation; and General Government Appropriations.

By Senators Storms and Wise—

SB 2692—A bill to be entitled An act relating to teaching chemical and biological evolution; providing a short title; providing legislative intent; providing public school teachers with a right to present scientific information relevant to the full range of views on biological and chemical origins; prohibiting a teacher from being discriminated against for presenting such information; prohibiting students from being penalized for subscribing to a particular position on evolution; clarifying that the act does not require any change in state curriculum standards or promote any religious position; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; and Judiciary.

By Senator Peaden—

SB 2694—A bill to be entitled An act relating to medical malpractice insurance; creating s. 627.41485, F.S.; prohibiting an insurer from issuing legal defense coverage for the purpose of providing legal defense services in conjunction with a claim for medical negligence or medical malpractice unless certain conditions exist; providing a penalty for the issuance of such insurance in contravention of such conditions; requiring that financial responsibility be in effect at the time any legal defense coverage is issued by the insurer or invoked by a physician or osteopathic physician; requiring that such financial responsibility remain in effect throughout the period of legal representation provided under such legal defense coverage; providing that legal defense coverage is null and void if a physician fails to maintain the required financial responsibility; requiring that an insurer issuing certain types of legal defense coverage require a physician to show proof that he or she maintains a specified type of financial responsibility; requiring that a physician notify an insurer of any change in the status of his or her financial responsibility; authorizing the issuance of professional liability coverage for medical malpractice or medical negligence, including legal defense coverage, in conjunction with indemnity; authorizing the issuance of legal defense coverage under certain circumstances; providing an effective date.

—was referred to the Committees on Banking and Insurance; Health Regulation; and Judiciary.

By Senator Deutch—

SB 2696—A bill to be entitled An act relating to consumer protection; requiring any contract for improvements to a primary or secondary residence to include a form that states the homeowner's rights under the contract; requiring the Department of Business and Professional Regulation to adopt such form; providing an effective date.

—was referred to the Committees on Regulated Industries; and Commerce.

By Senator Saunders—

SB 2698—A bill to be entitled An act relating to continuing care contracts; amending s. 651.026, F.S.; requiring continuing care providers to provide additional information in annual reports to the Office of Insurance Regulation; applying financial viability assessment measures to an operator under certain circumstances; amending s. 651.0261, F.S.; authorizing the office to require providers to file quarterly financial statements under certain circumstances; amending s. 651.051, F.S.; permitting the removal of certain assets and records of a provider from the state if certain notice is provided to the residents' council; amending ss. 651.081 and 651.083, F.S.; providing additional rights relating to financial accountability by the provider for residents of continuing care facilities; amending s. 651.085, F.S.; revising provisions relating to quarterly meetings between residents and the governing body of the provider; amending s. 651.091, F.S.; requiring continuing care facilities to provide certain information to the public; revising the time period within which the facility is required to provide an annual report to the residents' organization; amending s. 651.105, F.S.; authorizing the office to require additional information from the provider during examinations and inspections; amending s. 651.106, F.S.; requiring the office to provide notice prior to denying, suspending, or revoking certificates of authority under certain circumstances; amending s. 651.1151, F.S.; authorizing the office to require providers to submit certain contracts for review; providing that actions omitted by the office in response to petition by a residents' organization or resident are subject to review under ch. 120, F.S., under certain circumstances; providing an effective date.

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

By Senator Wise—

SB 2700—A bill to be entitled An act relating to students with disabilities; amending ss. 1002.33, 1002.39, 1003.01, 1003.21, and 1003.438, F.S., relating to charter schools, the John M. McKay Scholarships for

Students with Disabilities Program, school attendance, and special high school graduation requirements; revising the terminology used to identify students with certain disabilities; amending ss. 1007.02, 1007.264, and 1007.265, F.S., relating to postsecondary education; revising the terminology used to identify students with intellectual, emotional, or behavioral disabilities; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Higher Education; and Education Pre-K - 12 Appropriations.

By Senator Geller—

SB 2702—A bill to be entitled An act relating to energy-efficiency standards; providing legislative findings; providing definitions; providing that the act applies to specified types of new products sold, offered for sale, or installed in this state; requiring the Department of Environmental Protection, in consultation with the Public Service Commission, to adopt rules establishing minimum efficiency standards for specified products; specifying minimum efficiency levels for those standards; setting implementation deadlines; authorizing the Department of Environmental Protection to revise rules to increase efficiency levels for specified products over minimum standards when energy conservation is promoted and cost-effective; providing for a delayed effective date; requiring the department to adopt nationally recognized procedures for testing the efficiency of specified products if the procedures are not provided for in the state building code; requiring manufacturers of specified products to certify compliance with the act; requiring the department to adopt rules governing the identification and certification of specified products; authorizing the department to use an accredited testing facility; requiring the department to charge the manufacturer for noncompliant products and to provide information to the public about noncompliant products; authorizing the department to conduct periodic inspections of distributors or retailers; requiring the department to investigate complaints and report the results to the Attorney General; authorizing the Attorney General to initiate civil proceedings to enforce the act; providing for penalties against a manufacturer, distributor, or retailer in violation of the act; providing for a warning for first-time violations; authorizing the department to adopt additional rules; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Communications and Public Utilities; Community Affairs; and General Government Appropriations.

SB 2704—Withdrawn prior to introduction.

By Senator Hill—

SB 2706—A bill to be entitled An act relating to unemployment compensation; amending s. 443.036, F.S.; redefining the term "base period" for purposes of determining eligibility for benefits; providing an alternative base period; providing applicability and calculation; amending s. 443.101, F.S.; prohibiting certain persons choosing to separate from employment from being disqualified from regular unemployment compensation; prohibiting certain unemployed individuals from disqualification for eligibility for unemployment compensation benefits based solely on the individual's availability for only part-time work; providing an effective date.

—was referred to the Committees on Commerce; Judiciary; Finance and Tax; and Transportation and Economic Development Appropriations.

By Senator Alexander—

SB 2708—A bill to be entitled An act relating to agriculture; expressing the legislative intent to enact legislation relating to agriculture; providing an effective date.

—was referred to the Committees on Agriculture; General Government Appropriations; and Rules.

By Senator Aronberg—

SB 2710—A bill to be entitled An act relating to special districts; creating s. 189.4221, F.S.; authorizing special districts to purchase commodities and contractual services from purchasing agreements of other special districts, municipalities, or counties; providing an effective date.

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

By Senator Fasano—

SB 2712—A bill to be entitled An act relating to trust funds; creating s. 288.0971, F.S.; creating the Building Florida's Future Revolving Trust Fund within the Office of Tourism, Trade, and Economic Development; providing the purpose of the fund; providing for an annual carryforward of funds; exempting the trust fund from future review and termination or re-creation; providing a contingent effective date.

—was referred to the Committees on Commerce; and Transportation and Economic Development Appropriations.

By Senator Fasano—

SB 2714—A bill to be entitled An act relating to economic development; creating s. 288.097, F.S.; establishing Building Florida's Future Revolving Loan Guarantee Program within the Office of Tourism, Trade, and Economic Development; providing for the program to provide loan guarantees or credit enhancements to units of local government or to private entities for use in constructing or modernizing facilities and infrastructure necessary to attract or expand certain industries as part of an economic-development project; providing requirements and criteria for the office to consider in evaluating requests; requiring Enterprise Florida, Inc., to assist the office in its evaluation; requiring the Office of Tourism, Trade, and Economic Development to adopt rules; requiring that the office provide an annual report to the Legislature regarding the program; providing an appropriation; providing a contingent effective date.

—was referred to the Committees on Commerce; and Transportation and Economic Development Appropriations.

By Senator Aronberg—

SB 2716—A bill to be entitled An act relating to residential tenancies; amending s. 83.43, F.S.; revising and providing definitions; amending s. 83.595, F.S.; allowing a landlord to terminate a rental agreement and recover liquidated damages or charge the tenant an early termination fee for breach of the agreement, or both, under certain circumstances; requiring the tenant to indicate acceptance of an early termination fee or liquidated-damages provision in the rental agreement in order for the provision to take effect; providing a limit on the combined total of damages and fee; providing liability of the tenant for rent, other charges due, and rental concessions; providing an effective date.

—was referred to the Committees on Regulated Industries; and Judiciary.

By Senator Aronberg—

SB 2718—A bill to be entitled An act relating to professional engineer liability; creating s. 768.1346, F.S.; precluding malpractice claims against licensed professional engineers who provide certain services without compensation to search and rescue teams during declared emergencies if certain conditions are met; providing an effective date.

—was referred to the Committees on Regulated Industries; Judiciary; and Transportation and Economic Development Appropriations.

By Senator Aronberg—

SJR 2720—A joint resolution proposing an amendment to Section 4 of Article VII of the State Constitution to increase the amount of the accrued benefit of a homestead exemption that can be transferred to a new homestead.

—was referred to the Committees on Community Affairs; Finance and Tax; Education Pre-K - 12 Appropriations; and Rules.

SB 2722—Not referenced.

By Senator Atwater—

SB 2724—A bill to be entitled An act relating to controlled substances; creating s. 893.055, F.S.; providing definitions; requiring the Department of Health to establish an electronic system to monitor the prescribing and dispensing of controlled substances listed in Schedule II, Schedule III, or Schedule IV in two counties; requiring the department to implement the expansion of the system to the remaining counties in the state; requiring the dispensing of such controlled substances to be reported through the system; providing reporting requirements; specifying circumstances under which a pharmacy is exempt from participation in the pilot project; requiring certain pharmacists or practitioners to submit information in a certain format; providing a penalty; requiring that the department and regulatory boards adopt rules; requiring that all costs incurred by the department be paid through a grant; providing an effective date.

—was referred to the Committees on Health Regulation; Criminal Justice; Governmental Operations; and Health and Human Services Appropriations.

By Senators Dockery, Jones, King, Villalobos, Garcia, Justice, Bullard, Bennett, Aronberg and Dean—

SB 2726—A bill to be entitled An act relating to presidential preference primary elections; amending s. 103.101, F.S.; providing that a voter who has no party affiliation may vote in either the Republican or Democratic primary; requiring that the names of all the candidates in both the Republican and Democratic primaries be placed in a specified position on the ballot used by voters having no party affiliation; providing an exception; providing for the arrangement of the names of candidates on such ballots; authorizing each contest of a contested Republican or Democratic primary to be treated as a universal primary contest pursuant to the State Constitution for purposes of tabulating and reporting results; providing an effective date.

—was referred to the Committees on Ethics and Elections; Judiciary; and Transportation and Economic Development Appropriations.

By Senator Bullard—

SB 2728—A bill to be entitled An act relating to community redevelopment; amending s. 163.340, F.S.; defining the term "blighted area" to include land previously used as a military facility; providing an effective date.

—was referred to the Committees on Community Affairs; Military Affairs and Domestic Security; and Transportation and Economic Development Appropriations.

By Senator Ring—

SB 2730—A bill to be entitled An act relating to cancer screening; providing legislative intent; creating s. 627.64173, F.S.; requiring certain health insurance policies, health maintenance organization contracts, health insurance programs, group arrangements, and managed health care delivery entities providing coverage to state residents to provide coverage for certain colorectal cancer examinations and laboratory tests for colorectal cancer; providing requirements for the colorectal screening examination; specifying covered individuals; requiring coverage of certain evidence-based screening strategies; providing a definition; prohibiting patients and providers from being required to meet certain requirements in order to secure coverage; prohibiting certain deductible or coinsurance requirements; specifying absence of any requirement to make nonparticipating provider referrals under certain circumstances; providing for payment of nonparticipating providers; excluding application to certain insurance policies; providing an effective date.

—was referred to the Committees on Banking and Insurance; Health Policy; and General Government Appropriations.

SB 2732—Withdrawn prior to introduction.

By Senator Bullard—

SB 2734—A bill to be entitled An act relating to the Education Trust Fund; requiring that certain moneys be transferred from the General Revenue Fund to the Education Trust Fund; requiring that the Department of Education distribute moneys in the Education Trust Fund to district school boards for the purpose of educating students enrolled in K-12 public schools; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Finance and Tax; and Education Pre-K - 12 Appropriations.

By Senator Aronberg—

SB 2736—A bill to be entitled An act relating to the enterprise zone jobs tax credit; amending s. 212.096, F.S.; expanding the definition of "job" for purposes of the tax credit to include the employment of an employee by two or more corporations under certain circumstances; providing an effective date.

—was referred to the Committees on Commerce; Community Affairs; Finance and Tax; and General Government Appropriations.

By Senator Deutch—

SB 2738—A bill to be entitled An act relating to the immigration status of inmates; amending ss. 944.17 and 951.23, F.S.; requiring the Department of Corrections and the administrator of each county or municipal detention facility to train personnel processing inmates in identification of false or fraudulent immigration status documentation and other indicators of illegal presence in the United States; requiring examination of each incoming inmate's immigration status; requiring notification of federal officials whenever it is suspected that an inmate is not in the country legally; providing an effective date.

—was referred to the Committees on Criminal Justice; Military Affairs and Domestic Security; and Criminal and Civil Justice Appropriations.

By Senator Deutch—

SB 2740—A bill to be entitled An act relating to public school personnel; creating s. 1012.221, F.S.; requiring minimum beginning and average teacher salaries to be no less than the national average by the 2010-2011 school year; providing requirements for salary increases and responsibility for payment thereof; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Governmental Operations; Finance and Tax; and Education Pre-K - 12 Appropriations.

By Senator Dockery—

SB 2742—A bill to be entitled An act relating to campaign finance; amending s. 106.0701, F.S,; prohibiting an elected public officer from soliciting or accepting contributions for certain organizations; providing exemptions; providing penalties; amending s. 106.08, F.S.; establishing an aggregate limit on annual contributions to the state executive committee, county executive committee, and subordinate committee of any political party; prescribing penalties; reducing the aggregate amount a nonstatewide candidate may accept from a political party; deleting certain exemptions from the contribution limits applicable to political party contributions to candidates; amending s. 106.04, F.S., relating to committees of continuous existence; conforming provisions to changes made by the act; amending ss. 106.087 and 106.29, F.S., relating to restrictions on expenditures and contributions and reports by political parties; conforming cross-references; providing an effective date.

—was referred to the Committees on Ethics and Elections; Governmental Operations; Judiciary; and Transportation and Economic Development Appropriations.

By Senator Bennett—

SB 2744—A bill to be entitled An act relating to discovery depositions; creating s. 914.29, F.S.; providing that a discovery deposition may not be taken in a case in which the defendant is charged only with a felony of the third degree, a misdemeanor, or a criminal traffic offense when all other discovery provided by law has been completed; providing for an exception for good cause; requiring the trial court to consider certain conditions before allowing the discovery deposition; providing that the prohibition against taking a discovery deposition does not apply under a specified circumstance; repealing Rule 3.220(h)(1)(D), Florida Rules of Criminal Procedure, relating to discovery depositions for misdemeanors; providing an effective date.

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

By Senator Deutch—

SB 2746—A bill to be entitled An act relating to the First Generation Matching Grant Program; amending s. 1009.701, F.S.; including participation in the program by certain independent colleges and universities; providing student eligibility requirements; providing an effective date.

—was referred to the Committees on Higher Education; and Higher Education Appropriations.

By Senator Bullard—

SB 2748—A bill to be entitled An act relating to the statewide legacy communities initiative; providing findings, intent, and definitions; establishing the statewide legacy communities initiative; providing criteria and declarations concerning the initiative; providing criteria governing the services and activities to be supported under the initiative; providing requirements and goals concerning the provision of such services or assistance; creating the Urban Empowerment Corporation within the Department of Community Affairs; providing criteria concerning the creation, purpose, and duties of the corporation; providing that the corporation is an instrumentality of the state for purposes of sovereign immunity; providing that the corporation is not an agency under a specified law; providing that the corporation is subject to specified laws concerning open records and meetings requirements; exempting the corporation from a specified law concerning procurement; providing that the corporation is subject to a specified law concerning ethical requirements; prohibiting the corporation from creating subsidiaries; providing that the corporation does not supplant, replace, or direct existing operations or other programs; providing for the department to approve the corporation's articles of incorporation; providing criteria concerning such articles; providing for management of the corporation by a board of directors; providing criteria for appointment and operation of the board of directors; requiring that the board of directors develop and implement a plan of action; providing criteria concerning the plan of action; requiring that the board of directors provide annual reports to the Governor, the President of the Senate, and the Speaker of the House of Representatives; requiring that the corporation establish a legacy consulting team that meets specified criteria; specifying the deliverables that the team is to provide for legacy communities; providing criteria for the funding of proposals concerning the legacy communities initiative; requiring that the corporation issue requests for proposals; providing criteria for the issuance of such requests; providing criteria for the review and approval of proposals; requiring an objective scoring process; requiring acceptance by the residents of a legacy community; providing requirements for the board of directors concerning the revitalization plans of legacy communities; designating a pilot legacy community; providing objectives concerning the designated community; specifying additional communities to be included in the initiative; providing criteria concerning the revitalization plans of legacy communities; providing an appropriation; providing an effective date.

—was referred to the Committees on Community Affairs; Commerce; Governmental Operations; and Transportation and Economic Development Appropriations.

By Senator Storms—

SB 2750—A bill to be entitled An act relating to education for children in shelter care or foster care; creating s. 39.0017, F.S.; providing conditions for court appointment of a surrogate parent for educational decisionmaking for a child who has or is suspected of having a disability; amending s. 39.202, F.S.; providing for access to certain records to liaisons between school districts and the Department of Children and Family Services or the court; amending s. 39.402, F.S.; requiring access to a child's educational records if a child is placed in a shelter; authorizing appointment of a surrogate parent for educational decisionmaking; amending s. 39.701, F.S.; requiring the court and citizen review panel in judicial reviews to consider testimony by a surrogate parent for educational decisionmaking; amending s. 1000.21, F.S.; revising definition of the term "parent" to include a surrogate parent and defining the term "surrogate parent" for purposes of the K-20 Education Code; amending s. 1002.22, F.S.; providing for release of educational records of children placed in shelter care; amending s. 1003.01, F.S.; revising the definition relating to a homeless child for purposes of public K-12 education; amending s. 1003.21, F.S.; conforming terminology; providing access to free public education for certain children in foster care and authorizing a temporary exemption relating thereto; amending s. 1003.22, F.S.; conforming terminology; authorizing a temporary exemption from school-entry health examinations for certain children in foster care; creating s. 1003.572, F.S.; requiring a district school board to appoint a surrogate parent for a child who has or is suspected of having a disability under certain circumstances; providing joint responsibility of a district school board and the court; providing qualifications, rights, responsibilities, and immunities for a surrogate parent; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Education Pre-K - 12; Judiciary; and Health and Human Services Appropriations.

By Senator Peaden—

SB 2752—A bill to be entitled An act relating to biomedical research; amending s. 20.435, F.S.; revising funding sources for the Biomedical Research Trust Fund to conform to changes made by the act; providing for segregation of trust funds based on the type of research conducted; amending s. 215.5602, F.S., relating to the James and Esther King Biomedical Research Program; providing for the prevention, diagnosis, treatment, and cure of specified diseases as a long-term goal of the research program; providing for the expansion of the foundation of biomedical knowledge relating to the prevention, diagnosis, treatment, and cure for specified diseases; requiring that funds appropriated for the research program be used for research relating to the prevention, diagnosis, treatment, and cure of various diseases; requiring that other funds appropriated for the research program be credited to the Biomedical Research Trust Fund; renaming the Biomedical Research Advisory Council the Biomedical Research Commission; revising the membership of the commission; requiring the biomedical research program to serve as the exclusive source for awarding grants and fellowships; requiring

the commission to create other committees; requiring the commission to adopt procedures for assigning commission members to committees; requiring the commission to advise the State Surgeon General as to the direction and scope of the research program; providing responsibilities of the commission; requiring the State Surgeon General to award grants and fellowships after consultation with the commission; requiring the State Surgeon General to submit to the Legislature lists of priorities for funding tobacco and non-tobacco-related diseases based on recommendations of the commission; providing restrictions on the State Surgeon General; providing for the award of grants or fellowships upon a specific appropriation; providing that funding is only available to research projects that go through a certain process; providing criteria for ranking priorities; providing for the terms of the grants; requiring other programs, boards, commissions, councils, advisory groups, and committees to cease awarding biomedical research grants or fellowships and to make recommendations to the Biomedical Research Commission and its committees; requiring the State Surgeon General, in consultation with the commission, to appoint a peer review panel; requiring that priority scores be forwarded to the commission and the committees; requiring the commission, the committees, and the peer review panel to establish rigorous guidelines for ethical conduct with regard to conflicts of interest; reducing the limits on administrative expenses; requiring the commission to submit its recommendations and annual progress report to the Governor, the State Surgeon General, the Legislature, and the Florida Center for Universal Research to Eradicate Disease; requiring the commission to award grants for cancer research through the William G. "Bill" Bankhead, Jr., and David Coley Cancer Research Program; providing an expiration date; providing appropriations; revising provisions relating to sunset of the program; amending s. 381.79, F.S.; providing an expiration date for the appropriation for spinal cord injury and brain injury research; amending s. 381.853, F.S.; requiring the Florida Center for Brain Tumor Research to apply through the James and Esther King Biomedical Research Program if the center seeks to conduct biomedical research using state funds; amending s. 381.855, F.S.; providing additional program functions for the Florida Center for Universal Research to Eradicate Disease; requiring the center to disseminate information about diseases and conditions to Floridians and providers if an appropriation is made; deleting references to conform to changes made by this act; amending s. 381.911, F.S.; deleting references to conform to changes made by this act; repealing s. 381.912, F.S., relating to the Cervical Cancer Elimination Task Force; repealing s. 381.92, F.S., relating to the Florida Cancer Council; repealing s. 381.921, F.S., relating to Florida Cancer Council's mission and duties; amending s. 381.922, F.S.; deleting cross-references to conform to changes of this act; requiring the State Surgeon General to submit to the Legislature a priority list for cancer research funding by the Legislature; prohibiting the State Surgeon General from rejecting or modifying the commission's recommendations under certain circumstances; providing ranking criteria for the commission; prohibiting the provision of state funds for research that was not applied for, reviewed, and recommended; requiring the commission, the committees, and the peer review panel to establish rigorous guidelines for ethical conduct with regard to conflicts of interest; deleting a provision concerning certification by the Division of Statutory Revision of the Office of Legislative Services related to the program; deleting a provision concerning future Legislative review of the program; revising the sunset date for the program; repealing s. 381.98, F.S., relating to the Florida Public Health Foundation, Inc.; repealing s. 381.981, F.S., relating to Health awareness campaigns; amending s. 430.502, F.S.; requiring the Department of Elderly Affairs to evaluate the need for more memory disorder clinics in the state; deleting cross-references to conform to changes made by this act; amending ss. 430.503, 430.504, and 458.324, F.S.; deleting a reference and cross-references to conform to the changes made by this act; amending s. 459.0125, F.S.; redefining the term "medically viable"; deleting a cross-reference to conform to the changes made by this act; repealing s. 1004.435, F.S., relating to cancer control and research and the Cancer Control and Research Commission; amending s. 1004.445, F.S.; providing an expiration date for the appointment of a council by the not-for-profit corporation that governs the Johnnie B. Byrd, Sr., Alzheimer's Center and Research Institute; providing an expiration date for applying for funding for Alzheimer's disease research through the Johnnie B. Byrd, Sr., Alzheimer's Center and Research Institute; providing an expiration date for the appropriation of funds from the General Revenue Fund to the Grants and Donations Trust Fund within the Department of Elderly Affairs for the Johnnie B. Byrd, Sr., Alzheimer's Center and Research Institute; revising an appropriation of funds from the General Revenue Fund to the Grants and Donations Trust Fund within the Department of Elderly Affairs for the Johnnie B. Byrd, Sr., Alzheimer's Center and Research Institute; providing an appropriation of funds from the General Revenue Fund to the Grants and Donations Trust Fund within the Department of Elderly Affairs for the Johnnie B. Byrd, Sr., Alzheimer's Center and Research Institute for the purpose of providing assistance to memory disorder clinics; requiring the Johnnie B. Byrd, Sr., Alzheimer's Center and Research Institute to apply for funding through the James and Esther King Biomedical Research Program; providing for severability; providing an effective date.

—was referred to the Committees on Health Policy; Commerce; Higher Education; and Health and Human Services Appropriations.

By Senator Dockery—

SB 2754—A bill to be entitled An act relating to qualifications for graduating from high school; amending s. 1003.428, F.S.; revising provisions governing the establishment by school districts of standards for graduation; requiring that school districts adopt policies whereby eligible students who earn a passing score on an exit portfolio may acquire a standard diploma; providing criteria concerning student eligibility for choosing the exit portfolio option; requiring that the principal of certain public secondary schools appoint a portfolio review committee; providing for membership and duties of the committee; requiring that the instructional personnel of certain public secondary schools develop an exit portfolio for a student under certain conditions; providing criteria for earning a passing score on an exit portfolio; amending s. 1008.22, F.S., relating to the statewide assessment program; conforming cross-references; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; and Education Pre-K - 12 Appropriations.

By Senator Peaden—

SB 2756—A bill to be entitled An act relating to prescription drugs; amending ss. 409.9201 and 465.0265, F.S.; conforming cross-references; amending s. 499.002, F.S.; requiring the Department of Health to administer and enforce ch. 499, F.S.; authorizing the department to administer oaths, take depositions, issue and serve subpoenas, and compel the attendance of witnesses and the production of books, papers, documents, or other evidence; requiring the appropriate prosecuting officer to initiate proceedings; providing that the department is not required to report minor violations under certain circumstances; providing that certain carriers engaged in interstate commerce are not subject to ch. 499, F.S., under certain circumstances; amending s. 499.003, F.S.; revising and providing definitions; repealing s. 499.004, F.S., relating to the administration and enforcement by the department of provisions governing the repackaging and distribution of drugs; amending s. 499.005, F.S.; conforming provisions to changes made by the act; amending s. 499.0051, F.S.; substituting the phrase "legend drug" for the phrase "prescription drug" with regard to criminal acts; providing that trafficking in contraband prescription drugs is a third-degree felony; providing that it is a first-degree felony to sell or purchase contraband prescription drugs resulting in great bodily harm or death; prohibiting the violation of s. 499.005, F.S., related to certain prohibited acts regarding devices and cosmetics; providing penalties; providing an exception for certain persons or entities with regard to the dissemination of false advertisement; providing that the misbranding or adulteration of drugs is a first-degree felony; prohibiting false or misleading advertisement and failure to maintain records related to drugs; providing penalties; providing that it is a third-degree felony to refuse to allow the department to inspect certain establishments or vehicles, to sell, purchase, or trade drug samples, to fail to maintain records or obtain certain permits relating to prescription drugs, or to possess adulterated or misbranded prescription drugs outside a designated quarantine area; providing that it is a second-degree felony to commit certain other violations; repealing s. 499.0053, F.S., relating to the department's power to administer oaths, take depositions, and issue and serve subpoenas; repealing s. 499.00535, F.S., relating to the sale or purchase of contraband legend drugs resulting in great bodily harm; amending s. 499.0054, F.S.; requiring the department to review a representation made in an advertisement to determine whether it is false or misleading; providing exceptions to classifying certain advertisements as false or misleading; repealing s. 499.00545, F.S., relating to the sale or purchase of contraband legend drugs resulting in death; repealing s. 499.0055, F.S., relating to false or

misleading advertisement; repealing s. 499.0057, F.S., relating to certain advertisement exemptions; amending s. 499.006, F.S.; conforming provisions; amending s. 499.007, F.S.; conforming provisions; providing that a drug or device is misbranded if it is an active pharmaceutical ingredient in bulk form and does not bear a label containing certain information; amending ss. 499.008 and 499.009, F.S.; conforming provisions; amending s. 499.01, F.S.; providing requirements for obtaining a permit to operate as a drug manufacturer, a drug repackager, a drug wholesale distributor, a restricted prescription drug distributor, a freight forwarder, a drug retail establishment, a medical gas wholesale distributor or manufacturer, or a device manufacturer; providing requirements for such permits; deleting certain permit requirements; amending s. 499.012, F.S.; providing application requirements for persons and establishments to obtain a permit; requiring the department to consider certain factors in reviewing the qualifications of persons who apply for certain permits; providing for the renewal of a permit; authorizing the department to adopt rules for applying for a permit; providing for the expiration of certain permits; prohibiting the renewal of certain permits under certain conditions; requiring that a permit be conspicuously posted; deleting the definition of certain terms and redefining them in s. 499.003, F.S.; providing requirements and additional information for a permit application for a prescription drug wholesale distributor or an out-of-state prescription drug wholesale distributor; authorizing the department to deny or refuse to renew a permit for a prescription drug wholesale distributor or an out-of-state prescription drug wholesale distributor under certain conditions; conforming provisions; deleting the department's authorization to adopt rules governing recordkeeping, storage, and handling with respect to the distribution of certain prescription drugs; amending s. 499.01201, F.S.; conforming provisions; amending s. 499.0121, F.S.; requiring the department to adopt rules requiring manufacturers and repackagers of medical devices, certain drugs, or cosmetics to maintain certain records; directing the department to adopt rules requiring a wholesale distributor to maintain pedigree papers separate and distinct from other required records; deleting a requirement that a person who is engaged in the wholesale distribution of a prescription drug and who is not the manufacturer of that drug provide to the person who receives the drug a pedigree paper; deleting the department's requirement to adopt rules with regard to recordkeeping by affiliated groups; conforming cross-references; amending s. 499.01211, F.S.; conforming provisions and cross-references; creating s. 499.01213, F.S.; requiring a person who is engaged in the wholesale distribution of a prescription drug to provide to the person who receives the drug a pedigree paper; providing for required information in a pedigree paper; requiring a wholesale distributor to maintain and make available to the department certain information; providing exceptions to the requirement of a pedigree paper; repealing s. 499.0122, F.S., relating to medical oxygen and veterinary legend drug retail establishments; repealing s. 499.013, F.S., relating to manufacturers and repackagers of drugs, devices, and cosmetics; repealing s. 499.014, F.S., relating to the distribution of legend drugs by hospitals, health care entities, charitable organizations, and return or destruction companies; amending ss. 499.015, 499.024, 499.028, 499.029, 499.03, and 499.05, F.S.; conforming provisions and cross-references; amending ss. 499.032 and 499.033, F.S.; conforming a provision to changes made by the act; amending s. 499.039, F.S.; conforming a provision and cross-reference; amending ss. 499.04 and 499.041, F.S.; conforming provisions to changes made by the act; amending s. 499.05, F.S.; conforming provisions; requiring the department to adopt rules with regard to procedures and forms relating to pedigree paper requirements, manufacturing practices, information required from retail establishments, recordkeeping, storage, and handling with respect to the distribution of certain prescription drugs, concerning alternatives to compliance with the requirement of certain pedigree papers, and concerning the return of prescription drugs purchased before a specified date; amending s. 499.051, 499.052, 499.055, and 499.06, F.S.; conforming provisions; amending s. 499.062, F.S.; conforming a provision; requiring an officer or employee of the department to give notice that an article is the subject of a seizure; requiring the officer or employee to warn persons not to remove or dispose of the article; providing a penalty; requiring the department to petition the court for an order of condemnation or sale of a seized article; requiring the proceeds of the sale of drugs, devices, or cosmetics to be deposited in the Florida Drug, Device, and Cosmetic Trust Fund within the department; requiring the department officer or employee to remove the tag from the seized article under certain circumstances; repealing s. 499.063, F.S., relating to seizure of a drug, device, or cosmetic; repealing s. 499.064, F.S., relating to condemnation, sale, and release of a seized article; amending ss. 499.065 and 499.066 F.S.; conforming provisions; amending s. 499.0661, F.S.; deleting the definition of the term "permittee"; conforming provisions; amending s. 499.067, F.S.; conforming provisions and cross-references; repealing s. 499.069, F.S., relating to criminal punishment for violations of s. 499.005, F.S., related to devices and cosmetics; repealing s. 499.0691, F.S., relating to criminal punishment for violations related to drugs and dissemination of false advertisement; repealing s. 499.07, F.S., relating to the duty of the prosecuting officer; repealing s. 499.071, F.S., relating to the issuance of warnings for minor violations; repealing s. 499.081, F.S., relating to the exemption of carriers in interstate commerce; amending s. 895.02, F.S., conforming cross-references; amending s. 921.0022, F.S.; conforming cross-references and provisions; providing an effective date.

—was referred to the Committees on Health Regulation; Criminal Justice; Judiciary; and Health and Human Services Appropriations.

By Senator Peaden—

SJR 2758—A joint resolution proposing amendments to Sections 4 and 6 of Article VII and the creation of Section 27 of Article XII of the State Constitution to provide for the transfer of the accrued benefit from the limitation on the assessed value of homestead property, to provide for an additional homestead exemption, and to provide an effective date if such amendments are adopted.

—was referred to the Committees on Community Affairs; Finance and Tax; Education Pre-K - 12 Appropriations; and Rules.

SB 2760—Previously referenced.

By Senator Dockery—

SB 2762—A bill to be entitled An act relating to access to confidential records of children; creating s. 39.00145, F.S.; requiring that the case file of a child under the supervision or in the custody of the Department of Children and Family Services be maintained in a complete and accurate manner; specifying who has access to the case file and records in the file; authorizing the court to directly release the child's records to certain entities; providing that entities that have access to confidential information about a child may share it with other entities that provide services benefiting children; amending s. 39.202, F.S.; clarifying who has access to a child's records and who may bring an action to require access to confidential records held by the department; amending s. 39.2021, F.S.; expanding the authority of the Department of Children and Family Services to release records relating to children on its own initiative upon a showing of good cause; requiring notice to certain parties before release; providing for a court order to stop the release; creating s. 63.038, F.S.; requiring the adoption entity to provide certain information relating to a child to prospective adoptive parents; amending s. 402.115, F.S.; adding the Department of Juvenile Justice to the list of agencies that are authorized to exchange confidential information; amending s. 415.107, F.S.; clarifying who may bring an action to require access to confidential records held by the Department of Children and Family Services; amending s. 415.1071, F.S.; expanding the authority of the department to release records relating to vulnerable adults on its own initiative upon a showing of good cause; requiring notice to certain parties before release; providing for a court order to stop the release; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Judiciary; Governmental Operations; and Health and Human Services Appropriations.

By Senator Dockery—

SB 2764—A bill to be entitled An act relating to reclaimed water development; amending s. 373.250, F.S.; defining the term "reuse of reclaimed water" to include certain specified uses; providing that reclaimed water is available to a consumptive use permit applicant; requiring a water management district to require the use of reclaimed water under certain circumstances; providing that the use of reclaimed water is economically feasible if provided for a charge less than or equal

to the charge for potable water provided by a water utility located in the permit applicant's service area; providing that the charge for potable water provided by the closest water utility will determine economic feasibility if the proposed use is not located in a water utility service area, except for the use of irrigation water for commercial agricultural operations; providing for the designation of mandatory reclaimed water zones; authorizing a local government or a water management district to designate mandatory reclaimed water zones under certain circumstances; prohibiting a water management district from approving a nonpotable user's application unless certain written evidence is provided; authorizing a water management district to approve a permit application without requiring use of reclaimed water; excluding new consumptive use permit applications, modifications, or renewals of existing permits for the use of irrigation water for commercial agricultural operations or reclaimed water or seawater that is the sole water source for a new or existing nonpotable water use; prohibiting a water management district, the Department of Environmental Protection, or other state agency from basing its approval of a permit, grant, loan, or agreement on the designation of a mandatory reclaimed water zone; requiring a water management district to adopt rules that create a program to assign an offset to a reclaimed water provider which results from the substitution of reclaimed water supplied for existing water withdrawals; requiring such rules to be adopted by a certain date depending on an area's classification; providing guidelines for the rules; requiring a water management district to adopt rules related to the supplementation of reclaimed water; requiring a water management district to regulate the use of reclaimed water as prescribed by law; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Community Affairs; and General Government Appropriations.

By Senator Deutch—

SB 2766—A bill to be entitled An act relating to the corporate income tax; providing legislative findings and intent; amending s. 220.03, F.S.; revising definitions; providing additional definitions; amending s. 220.13, F.S.; revising the definition of the term "adjusted federal income"; prohibiting certain deductibles for certain water's edge group members; providing an additional subtraction from adjusted federal income; creating s. 220.136, F.S.; defining the term "water's edge group reporting method"; requiring water's edge group members to use a certain group income reporting method; providing methodology requirements; providing return filing requirements; requiring domestic disclosure spreadsheet filing requirements; providing a definition; authorizing the Department of Revenue to adopt rules and forms; amending ss. 220.14, 220.15, 220.183, 220.1845, 220.187, 220.19, 220.191, 220.192, 220.193, 220.51, and 220.64, F.S.; replacing or deleting provisions relating to consolidated returns for affiliated groups to conform to water's edge group requirements; amending s. 376.30781, F.S.; conforming a cross-reference; providing for transitional rules; repealing s. 220.131, F.S., relating to consolidated returns for affiliated groups; providing appropriations; providing an effective date.

—was referred to the Committees on Commerce; Finance and Tax; General Government Appropriations; and Education Pre-K - 12 Appropriations.

By Senators Deutch and Justice—

SB 2768—A bill to be entitled An act relating to state investments; amending s. 215.44, F.S.; clarifying provisions relating to the retention of independent investment advisors or managers by the State Board of Administration; authorizing the Investment Advisory Council to review such managers or advisors; requiring the board to include contingent compensation in its operating budget; clarifying the requirement that the Office of Program Policy Analysis and Government Accountability examine the board's management of investments; amending s. 215.441, F.S.; providing that the executive director of the board is subject to confirmation by the Senate; amending s. 215.442, F.S.; expanding the subject of a quarterly report to the board by the executive director to include certain mortgage securities and certain movements in investment grade of such securities; providing that the executive director of the board is a state officer subject to financial disclosure requirements; amending s. 215.444, F.S.; revising membership of the council; providing that council members are public officers subject to financial-disclosure requirements; amending s. 215.475, F.S.; requiring the council to submit a review and summary of recommended changes to the investment policy statement of the board before the board votes on changes to the statement; providing an effective date.

—was referred to the Committees on Governmental Operations; Judiciary; Finance and Tax; and General Government Appropriations.

By Senator Atwater—

SB 2770—A bill to be entitled An act relating to a public-records exemption; creating s. 812.178, F.S.; creating a public-records exemption for digital video security camera system recordings made under s. 812.177, F.S.; providing exceptions; providing for future review and repeal of the exemption; providing a statement of public necessity; providing a contingent effective date.

—was referred to the Committees on Commerce; Criminal Justice; Governmental Operations; and Rules.

By Senator Aronberg—

SB 2772—A bill to be entitled An act relating to homestead exemptions; amending s. 193.155, F.S.; increasing the amount of the accrued benefit of a homestead exemption that can be transferred to a new homestead; providing a contingent effective date.

—was referred to the Committees on Community Affairs; Finance and Tax; Education Pre-K - 12 Appropriations; and General Government Appropriations.

By Senator Atwater—

SB 2774—A bill to be entitled An act relating to late-night business security; providing a short title; creating s. 812.177, F.S.; providing legislative intent; providing definitions; providing incentives for specified late-night businesses to have digital video security camera systems; providing requirements for such systems; requiring any rate filing for liability insurance for properties or businesses subject to these requirements to include certain discounts, credits, or other rate differentials; requiring maintenance of specified records; providing that records are not admissible in specified court proceedings; providing exceptions; providing for rulemaking; creating s. 812.1775, F.S.; requiring an Internet-accessible information database to assist businesses needing to purchase specified compliance equipment; authorizing programs to assist businesses in purchasing compliance equipment; creating s. 205.1955, F.S.; providing for a tax credit against local occupational license taxes for costs of digital video security camera system compliance; providing for limits on credit; creating s. 220.194, F.S.; providing for a corporate income tax credit for certain costs of digital video security camera system compliance; providing for carryover of unused credit; providing for transfer of unused credits in certain circumstances; providing for recovery of deficiencies following audit; providing for net income effect of claimed credits; providing for rulemaking; amending s. 220.02, F.S.; conforming a provision to provide for carryover of unused credits; providing an effective date.

—was referred to the Committees on Commerce; Criminal Justice; Finance and Tax; and General Government Appropriations.

By Senator Dockery—

SJR 2776—A joint resolution proposing an amendment to Section 5 of Article VI of the State Constitution to allow all qualified electors to vote in the primary election under certain circumstances, regardless of an elector's party affiliation.

—was referred to the Committees on Ethics and Elections; Judiciary; Transportation and Economic Development Appropriations; and Rules.

By Senator Fasano—

SB 2778—A bill to be entitled An act relating to The Scripps Research Institute; amending s. 288.955, F.S.; revising definitions; requiring the Scripps Florida Funding Corporation, along with the Office of Tourism, Trade, and Economic Development and Enterprise Florida, Inc., to review the performance and progress of grant recipients of the Innovation Incentive Program; revising membership requirements of the board of directors of the Scripps Florida Funding Corporation; authorizing the corporation to include on the same meeting agenda matters related to The Scripps Research Institute and the Innovation Incentive Program; deleting obsolete provisions; revising the duties of the corporation; revising the contract requirements between the corporation and the grant recipients; requiring the corporation to submit to the Governor and the Legislature a report related to the activities of the Innovation Incentive Program; providing requirements for the report; amending s. 288.1089, F.S.; providing definitions; revising application requirements for innovation incentive awards; revising evaluation and recommendation requirements for innovative incentive awards; requiring the Legislative Budget Commission to review and approve an innovation incentive award before the Executive Office of the Governor releases the funds; revising conditions in which funds are appropriated and released for the Innovation Incentive Program; revising agreement requirements for payment of incentives; requiring award recipients to comply with certain business ethics developed by Enterprise Florida, Inc.; providing an effective date.

—was referred to the Committees on Commerce; Governmental Operations; and Transportation and Economic Development Appropriations.

By Senator Dockery—

SB 2780—A bill to be entitled An act relating to voting conflicts; providing a short title; amending s. 112.3143, F.S.; providing a cross-reference to conform to changes made by the act; creating s. 112.31435, F.S.; providing definitions; prohibiting a member of the Legislature from voting upon or participating in any legislation inuring to the personal gain or loss of the member or his or her relative; prohibiting a member of the Legislature from participating in any legislation inuring to the personal gain or loss of a business associate, employer, board on which the member sits, principal by whom the member is retained, or parent corporation or subsidiary of such principal; requiring that a member disclose all such interests to the applicable legislative body or committee before such legislation is considered; requiring that the member disclose the specific nature of any such interests within a specified period after the date on which a vote on the legislation occurs; requiring that such disclosure be made by written memorandum and filed with the Secretary of the Senate or the Clerk of the House of Representatives; requiring that the memorandum be displayed in the journal of the house of which the legislator is a member; providing an effective date.

—was referred to the Committees on Ethics and Elections; Governmental Operations; Judiciary; and Rules.

By Senator Atwater—

SB 2782—A bill to be entitled An act relating to public records; creating s. 893.056, F.S.; exempting from public-records requirements information and records reported to the Department of Health under the electronic monitoring system for prescription of controlled substances listed in Schedules II-IV; authorizing certain persons and entities access to patient-identifying information; providing guidelines for the use of such information and penalties for violations; providing for future legislative review and repeal; providing a finding of public necessity; providing a contingent effective date.

—was referred to the Committees on Health Regulation; Criminal Justice; Governmental Operations; and Rules.

By Senator Baker—

SB 2784—A bill to be entitled An act relating to windstorm insurance coverage; amending s. 215.555, F.S.; providing additional legislative findings; revising certain definitions; providing for application of the Florida Hurricane Catastrophe Fund to costs of the Florida Windstorm Insurance Program; revising certain reimbursement contract board obligation limitations; providing for future expiration of certain limitations; revising legislative findings and declarations relating to revenue bonds; providing for application to coverage of costs of property damage under policies issued under the Florida Windstorm Insurance Program; revising emergency assessment requirement provisions to include application to policies issued under the Florida Windstorm Insurance Program; providing for future expiration of certain provisions; creating the Florida Windstorm Insurance Program within the Florida Hurricane Catastrophe Fund; providing a purpose; providing definitions; providing requirements for coverage, standards, and policy forms under the program; providing limitations; providing for administration of the program by the State Board of Administration; requiring the board to adopt rules; providing an eligibility limitation on certain properties' participation in the program; providing requirements for insurers participating in the program; providing contract requirements; providing for participating insurer compliance audits; specifying powers and duties of the program; providing claims payment requirements; providing for payment of certain insurer's costs and expenses; providing for penalties for insurers for certain actions; specifying absence of liability for certain actions; providing for effect of termination of an insurer's participation; specifying ratemaking requirements; authorizing the board to add a rapid cash buildup premium surcharge to rates under certain circumstances; requiring the board to adopt a rate plan; providing requirements for procuring reinsurance; authorizing the board to waive or modify certain reinsurance requirements; requiring an annual report to the Legislature; requiring windstorm coverage under certain insurance policies issued by certain insurers to be subject to certain rate standards requirements; providing transitional requirements; specifying requirements for the board in implementing the program; amending s. 627.351, F.S.; prohibiting the Citizens Property Insurance Corporation from issuing or renewing certain windstorm-only insurance policies after a certain date; providing requirements for transfer of policies of the corporation to the program; providing for transfer of certain proceeds and funds to the Florida Hurricane Catastrophe Fund for certain purposes; amending s. 627.712, F.S.; revising windstorm coverage requirements for insurers; providing an effective dates.

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

By Senator Hill—

SB 2786—A bill to be entitled An act relating to traffic stops; creating s. 316.642, F.S.; requiring certain data to be collected from each traffic stop and reported to the Department of Transportation; requiring an annual report; providing for a task force to be created if the Governor determines that there is evidence of racial profiling; providing for recommendations; providing for rulemaking; amending s. 316.614, F.S.; deleting duplicative provisions; providing an effective date.

—was referred to the Committees on Transportation; Criminal Justice; Judiciary; and Transportation and Economic Development Appropriations.

By Senator Haridopolos—

SB 2788—A bill to be entitled An act relating to tax administration; amending s. 72.011, F.S.; revising the time for commencing actions to contest a tax matter; amending s. 192.0105, F.S.; revising the list of tax-related forms that a taxpayer has a right to keep confidential; amending s. 201.02, F.S.; revising provisions relating to forms for indicating nonprofit status; amending s. 201.022, F.S.; revising provisions relating to the filing of tax returns resulting from the sale of real property; amending s. 212.07, F.S.; conforming a cross-reference; providing penalties for knowingly failing to collect taxes due; amending s. 212.08, F.S.; revising provisions relating to the tax exemption for building materials used to rehabilitate real property in enterprise zones; amending s. 212.12, F.S.; revising penalties for failing to report taxes due; amending s. 212.18, F.S.; revising penalties for failing to register as a dealer; amending s. 213.053, F.S.; revising provisions relating to confidentiality; authorizing the Department of Revenue to send certain general information to taxpayers by electronic means; deleting a provision that allows the disclosure of certain information to the Chief Financial Officer; authorizing

the department to provide taxpayer information to the Division of Hotels and Restaurants; providing an additional exception from the public-records exemption; authorizing the Department of Revenue to publish a list of delinquent taxpayers; authorizing the department to adopt rules; creating s. 213.0532, F.S.; requiring financial institutions to enter into agreements with the department to conduct data matches to identify delinquent taxpayers; providing definitions; requiring the department to pay a fee to cover the cost to the institution; providing immunity from liability for certain actions by the institution; authorizing the department to institute civil actions; authorizing the department to adopt rules; amending s. 213.25, F.S.; clarifying that the department's authority to reduce tax refunds or credits by the amount of other taxes owed applies to unemployment compensation taxes; amending s. 213.67, F.S.; revising the time for commencing actions to contest a tax levy; creating s. 213.691, F.S.; authorizing the Department of Revenue to issue or file integrated warrants and judgment lien certificates; creating s. 213.692, F.S.; authorizing the department to file a single consolidated tax warrant for multiple taxes due and to revoke a taxpayer's certificate of registration if the taxpayer owes any taxes to the state; requiring a cash deposit or other security for issuing a new certificate of registration; authorizing the department to adopt rules; authorizing emergency rules; creating s. 213.758, F.S.; assigning tax liability when property is transferred; requiring a taxpayer who quits the business without benefit of a purchaser to make a final return and full payment within a specified period; providing for the Department of Legal Affairs to issue an injunction; specifying a transferee's liability for tax, interest, and penalties; authorizing the Department of Revenue to adopt rules; amending s. 220.21, F.S.; revising provisions relating to the electronic filing of corporate taxes; providing for retroactivity; amending s. 336.021, F.S.; revising the order for distributing the local option fuel tax revenues; amending s. 443.1215, F.S.; revising a cross-reference; amending s. 443.1316, F.S.; conforming provisions to changes made by the act; amending s. 443.141, F.S.; providing penalties for erroneous, incomplete, or insufficient unemployment compensation tax reports filed by employers; providing a statute of limitation on liens for the collection of unpaid unemployment taxes; amending s. 509.261, F.S.; authorizing the Division of Hotels and Restaurants to find, suspend or revoke a license for violating state tax laws; amending s. 624.509, F.S.; deleting the alternative salary tax credit calculation for mutual holding companies; repealing s. 213.054, F.S., relating to a report naming persons who claim a deduction for the net earnings of an international banking facility; providing for retroactive application of specified provisions; providing an effective date.

—was referred to the Committees on Finance and Tax; Criminal Justice; Judiciary; and General Government Appropriations.

By Senators Deutch, Ring, Rich and Bennett—

SB 2790—A bill to be entitled An act relating to cigarette user fees; providing legislative findings; amending s. 210.01, F.S.; defining the terms "council," "total collections," and "net collections"; revising the definitions of "exporter," "unstamped package," "stamp" or "stamps," and "counterfeit cigarettes"; amending s. 210.02, F.S.; replacing all references to the term tax with user fee; increasing the amount of the cigarette user fee; amending ss. 210.021, 210.03, 210.04, 210.05, 210.06, 210.07, 210.08, 210.09, 210.11, 210.12, 210.13, 210.14, 210.15, 210.18, 210.181, 210.185, and 210.19,F.S.; conforming provisions to changes made by the act; amending s. 210.20, F.S.; providing definitions; requiring the Division of Alcoholic Beverages and Tobacco to certify to the Chief Financial Officer the amount of net collections derived from the user fee on a monthly basis; requiring the division to credit a specific percent of the total base allocation to certain trust funds, the H. Lee Moffitt Cancer Center and Research Institute's Board of Directors, the William G. "Bill" Bankhead, Jr., and David Coley Cancer Research Program, and certain medical residency and fellowship programs; providing legislative intent to use the cigarette user fee collections to increase enrollment in the Florida Kidcare program; requiring that the amounts credited or transferred from the Cigarette Tax Collection Trust Fund be adjusted in proportion to the corresponding reference year allocation; providing a formula for calculating the maximum total supplemental allocation; amending s. 210.201, F.S.; requiring the Board of Directors of the H. Lee Moffitt Cancer Center and Research Institute to use funds to secure bonds or financial products for cancer facilities; amending s. 215.5602, F.S.; requiring the James and Esther King Biomedical Research Program to appropriate a certain percent of the program's annual funding to expand research conducted on tobacco-related illnesses; increasing the amount of funds allocated to the Florida Center for Universal Research to Eradicate Disease; extending certain expiration dates; amending s. 381.922, F.S.; revising the purpose of the William G. "Bill" Bankhead, Jr., and David Coley Cancer Research Program to expand cancer research and treatment; requiring the program to provide grants for the recruitment of cancer researchers and institutions, operational start-up grants for newly recruited researchers, and for fixed capital outlay; requiring that certain proceeds be used for certain purposes; extending certain expiration dates; amending s. 395.701, F.S.; defining the term "relative share"; providing that a hospital's relative share credited or transferred from the Cigarette Tax Collections Trust Fund to the Public Medical Assistance Trust Fund are not included in the annual assessment on net operating revenues for inpatient and outpatient services; repealing s. 395.7015, F.S; relating to the annual assessment on health care entities; requiring the Department of Health to submit a report to the Governor and the Legislature by a certain date which contains an estimate of the financial impact of tobacco use and related illnesses on the economy and taxpayers; providing an effective date.

—was referred to the Committees on Health Policy; Higher Education; Finance and Tax; General Government Appropriations; and Education Facilities Appropriations.

By Senator Dockery—

SB 2792—A bill to be entitled An act relating to railroads; amending s. 335.141, F.S.; requiring public railroad-highway grade crossings opened after a certain date to be maintained by the railroad company at its own expense; providing that certain responsibilities of a railroad company to maintain and inspect public railroad-highway grade signal crossings shall not be abrogated, transferred, or nullified by contract or administrative rule; directing the Department of Transportation to amend specified rules to delete the provision for department participation in the cost of maintaining grade crossing traffic control devices located on the State Highway System; creating s. 351.31, F.S.; providing authorization for governmental entities to access railroad real property adjoining public property as necessary to plan, facilitate, and complete road or highway construction, improvement, or repair projects, subject to specified procedures; prohibiting a railroad company from refusing such access; providing that entry pursuant to such authorization is not trespass; requiring the governmental entity or its agent to comply with laws and rules; limiting liability of the railroad company for conduct of the agent; providing procedures to be followed by the governmental entity prior to entry onto the railroad property; requiring notification; providing procedures for the railroad company to object; providing for filing of the objection in court; providing specifications for court review and findings; providing for compensation if the court finds that granting access would result in a taking; authorizing the court to order such conditions on granting access and certain limitations on activities as it deems necessary; providing that the railroad company may not condition access on the use of services provided by railroad company employees by contract, agreement, or otherwise; providing for applicability; providing an effective date.

—was referred to the Committees on Transportation; Governmental Operations; Judiciary; and Transportation and Economic Development Appropriations.

Senate Bills 2794-2804—Not referenced.

Senate Resolutions 2806-2808—Not referenced.

By Senator Wise—

SB 2810—A bill to be entitled An act relating to charter schools; amending s. 121.091, F.S.; revising requirements for eligibility to participate in the Deferred Retirement Option Program; revising periods during which certain persons may be enrolled in the DROP; amending s. 1002.33, F.S.; requiring a school in a district not granted exclusive authority to sponsor charter schools to first submit the same or a substantially similar application to the district school board in order to appeal

an application denial; requiring that a charter school operating a minimum of 3 years and demonstrating certain levels of academic achievement and fiscal management be provided the option of a 15-year charter renewal; removing the criteria that such charters are subject to annual review and may be terminated during the charter term; requiring sponsorship of such charter schools; requiring that accountability reports for charter schools be provided in a format such that a charter school may directly access, complete, and correct it online; requiring the sponsor of a charter school to review an accountability report before final submission to the Department of Education; revising the eligibility requirements for a student to attend a charter school; requiring that Florida Educational Finance Program funds be distributed to the charter school by the sponsor no later than 10 days after receipt by the state; providing that if a district closes a public school, the property and facilities must be made available within 60 days to charter schools to lease or purchase for educational purposes; requiring that charter schools receive all funds due under the federal school lunch program at the same time and in the same manner as other public schools in the district as soon as a charter school begins serving lunch under the federal program; amending s. 1003.03, F.S.; requiring that the calculation for compliance for charter schools, public school magnet programs, or other public school parental choice programs remains the average at the school level or program level; amending s. 1011.71, F.S.; removing district school board discretion in levying district charter school taxes; amending s. 1013.62, F.S.; expanding the purposes for which a charter school may use capital outlay funding; amending s. 163.3180, F.S.; providing mitigation options to satisfy school concurrency requirements; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Community Affairs; Governmental Operations; and Education Pre-K - 12 Appropriations.

By Senator Wise—

SB 2812—A bill to be entitled An act relating to the Distinguished Educator Retirement Option Program; creating the Christy Williamson, Teacher of the Century, Act; providing definitions; requiring each school district to establish a Distinguished Educator Retirement Option Program that funds a tax-sheltered annuity or custodial account for each teacher qualifying as a distinguished educator; providing for funding from the Florida Education Finance Program; providing a declaration of important state interest; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Governmental Operations; Education Pre-K - 12 Appropriations; and General Government Appropriations.

By Senator Wise—

SB 2814—A bill to be entitled An act relating to the Florida Retirement System; amending s. 121.052, F.S.; specifying that the election to participate as members in the Senior Management Service Class by certain elected officers shall have no effect on the statutory limit on the number of nonelective full-time positions that may be designated for inclusion within the Senior Management Service Class; amending s. 121.055, F.S.; authorizing designation of a certain number of nonelective full-time positions for certain school districts for inclusion within the Senior Management Service Class; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Governmental Operations; and General Government Appropriations.

By Senator Posey—

SB 2816—A bill to be entitled An act relating to the opening of public K through 12 schools; amending s. 1001.42, F.S.; providing exceptions to a provision prohibiting a public school from opening earlier than 14 days before Labor Day; providing requirements for the district school board; providing an exception for a school operating on a year-round or extended calendar; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Commerce; and Education Pre-K - 12 Appropriations.

By Senator Wise—

SB 2818—A bill to be entitled An act relating to workplace skills of students; amending s. 1003.428, F.S.; requiring a Florida Ready to Work Credential for high school graduation with a career or technical major area of interest; amending s. 1009.536, F.S.; requiring a student to earn the credential for receipt of a Florida Gold Seal Vocational Scholars award; amending s. 445.004, F.S.; requiring Workforce Florida, Inc., and the Department of Education to ensure consistent use of the credential; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Higher Education; Commerce; and Education Pre-K - 12 Appropriations.

By Senator Crist—

SB 2820—A bill to be entitled An act relating to residential facilities for juvenile offenders; amending s. 985.02, F.S.; expressing the legislative intent that residential facilities for juvenile offenders have no more than 165 beds; providing an exception for campus-style settings that have more than one level of restrictiveness and other conditions; amending s. 985.03, F.S.; redefining the term "restrictiveness level" to require that residential facilities for juvenile offenders in low-risk, moderate-risk, and high-risk offender programs have no more than 165 residential beds each; providing an exception for campus-style settings that have more than one level of restrictiveness and other conditions; providing an effective date.

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

By Senator Wise—

SB 2822—A bill to be entitled An act relating to education; amending s. 220.187, F.S., relating to the Corporate Income Tax Credit Scholarship Program; providing legislative findings; revising program purposes; defining the term "parent"; providing that specified students who have been in educational programs of the Department of Juvenile Justice or in foster care are eligible for participation in the scholarship program; providing income criteria for continuation of scholarships for students in foster care; providing for eligibility of siblings of certain students; revising provisions relating to the amount and authorized uses of a scholarship; revising provisions relating to the expenditure of contributions received during the fiscal year; revising limits on scholarship amounts and payments; providing for preserving certain credits if a court finds certain provisions are invalid; amending s. 1002.39, F.S., relating to the John M. McKay Scholarships for Students with Disabilities Program; revising scholarship ineligibility and private school eligibility provisions to exempt certain students from regular class attendance requirements under certain circumstances; revising Department of Education obligations relating to cross-check of student enrollment; providing private school requirements relating to discovery of duplicative enrollment and penalties or appeals under certain circumstances; requiring a private school to maintain a physical location in this state where case management services are provided to students subject to the regular class attendance exemption; requiring a private school to employ a case manager for such students; specifying case manager qualifications and responsibilities; specifying the timeframe for parents to provide documentation for the regular class attendance exemption; creating s. 1008.346, F.S.; providing legislative intent and findings; requiring the Commissioner of Education to develop a program to improve failing schools; providing requirements concerning the program; providing for the creation of an advisory council; providing for membership and duties of the council; requiring that the commissioner consult with the Office of Program Policy Analysis and Government Accountability and certain district community assessment teams concerning the program; providing for coordination and consistency with strategic planning initiatives of the Department of Education or the State Board of Education; requiring an annual report concerning implementation of the program; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Governmental Operations; Finance and Tax; and Education Pre-K - 12 Appropriations.

By Senator Posey—

SB 2824—A bill to be entitled An act relating to public records; amending s. 377.707, F.S.; providing an exemption from public records requirements for materials that relate to methods of manufacture or production, potential trade secrets, potentially patentable material, actual trade secrets, business transactions, financial and proprietary information, and agreements or proposals to receive funding that are received, generated, ascertained, or discovered by the Florida Advanced Combustion Center, Inc., including its affiliates or subsidiaries and partnership participants; providing for future legislative review and repeal of the exemption; providing a statement of public necessity; providing a contingent effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Commerce; Governmental Operations; and Rules.

By Senator Posey—

SB 2826—A bill to be entitled An act relating to the Florida Clean Energy Center, Inc.; providing legislative findings; creating the Florida Clean Energy Center, Inc.; applying specified laws concerning public records and open meetings to the center; requiring that the center be governed by a board of directors; providing for membership on the board of directors; requiring that the center establish, at minimum, an office at the Kennedy Space Center; requiring that the center provide leadership in certain areas concerning clean energy; authorizing the center to develop and implement programs or strategies concerning clean energy; authorizing the center to invest certain public funds for specified purposes; stating legislative intent to maximize private-sector support for the operation of the center; requiring that the center's board of directors annually adopt a plan and budget; specifying various powers and duties of the center's board of directors and the center; authorizing the center to issue revenue bonds or bond anticipation notes under specified conditions; providing criteria concerning the bonds and notes; providing for liberal construction; providing an appropriation; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Commerce; Governmental Operations; and Transportation and Economic Development Appropriations.

By Senator Wise—

SB 2828—A bill to be entitled An act relating to public schools; amending s. 1002.33, F.S.; removing a requirement that an applicant indicate that approval of the charter is necessary in order to raise working funds before a charter may be approved without securing space, equipment, or personnel; revising requirements concerning the charter school applications that must be received and considered by a sponsor; revising the time period within which the sponsor of a charter school may submit a response to the State Board of Education after notice of the appeal of an applicant for a charter school; authorizing an operating charter school to apply to the State Board of Education for designation as a Florida Quality Charter School Operator; providing criteria concerning the granting of such a designation; exempting a charter school holding such a designation from certain requirements concerning approval of an application to expand the school; providing that a charter school holding such a designation retains any eligibility for certain federal grant programs concerning startup charter schools; requiring that the approval of a charter be based upon an action plan to purchase or lease a facility and that the charter address such an action plan; authorizing compensation or reimbursement of the members of the governing body of a charter school for attending certain meetings or training events; reducing the administrative fee a charter school must pay for services provided by district school boards, cosponsors, or the Florida Schools of Excellence Commission if certain warrants are not timely issued; requiring the commission to establish an appeal process concerning such reduction in fee payments; exempting charter schools from requirements concerning zoning classifications except for environmental zoning classifications; clarifying provisions concerning compliance with building and firesafety laws for facilities used by charter schools; requiring that the Department of Education and the Florida Schools of Excellence Commission employ experts to assist charter schools in securing necessary approvals concerning building, fire, life, health, and safety issues; amending s. 1002.335, F.S.; requiring that a person possessing abilities and responsibilities concerning building requirements applicable to charter schools be retained on the staff of the Florida Schools of Excellence Commission; revising the duties of the commission; requiring that the commission use federal funding for startup grants for approved charter schools; requiring the commission to act as a liaison with local government officials concerning certain local building requirements; requiring the commission to consider adopting supportive policies for persons operating a high-performing charter school; amending s. 1006.06, F.S.; requiring district school boards to implement school breakfast programs in certain new charter schools; requiring rulemaking by the Department of Education and the Florida Schools of Excellence Commission concerning qualification of students for free or reduced-price school breakfast or lunch programs; providing an appropriation; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Community Affairs; and Education Pre-K - 12 Appropriations.

By Senator Fasano—

SB 2830—A bill to be entitled An act relating to the Deferred Retirement Option Program; amending s. 121.091, F.S.; restricting the eligibility of an elected officer to receive a monthly benefit earned under prior service while participating in the DROP; providing an effective date.

—was referred to the Committees on Community Affairs; Ethics and Elections; Governmental Operations; and General Government Appropriations.

SR 2832—Not referenced.

By Senator Siplin—

SB 2834—A bill to be entitled An act relating to enterprise zones; authorizing the Office of Tourism, Trade, and Economic Development to designate enterprise zones in Orange County and Osceola County which include the boundaries of a community redevelopment zone; requiring that the application be submitted by a specified date; requiring the office to establish the initial effective date of the enterprise zone; providing an effective date.

—was referred to the Committees on Commerce; Community Affairs; Finance and Tax; and Transportation and Economic Development Appropriations.

By Senator Siplin—

SB 2836—A bill to be entitled An act relating to lobbyists; amending s. 11.045, F.S.; deleting provisions requiring a lobbyist before the Legislature to report all compensation paid to the lobbyist; deleting provisions that prohibit a lobbyist or principal from making certain expenditures and that prohibit a member or employee of the Legislature from accepting such expenditures; amending s. 112.3215, F.S., deleting provisions requiring a lobbyist before the executive branch or the Constitution Revision Commission to report all compensation paid to the lobbyist; deleting provisions that prohibit a lobbyist or principal from making certain expenditures and that prohibit a member or employee of the executive branch or the Constitution Revision Commission from accepting such expenditures; amending ss. 11.40 and 112.313, F.S.; to conform to changes made by the act; repealing ss. 11.0455 and 112.32155, F.S., relating to the electronic filing of lobbyists' compensation reports; providing an effective date.

—was referred to the Committees on Ethics and Elections; Governmental Operations; Judiciary; and Rules.

By Senator Siplin—

SB 2838—A bill to be entitled An act relating to job opportunities for youth; providing legislative intent to support statewide vocational training and placement provided to at-risk youth through the Jobs for Florida's Graduates program; requiring that a proposal for funding a statewide summer program for youth employment be submitted to the Florida Endowment Foundation for Florida's Graduates, doing business as the Jobs for Florida's Graduates; providing criteria concerning the proposal; requiring a report to the Legislature; providing that the Florida Endowment Foundation for Florida's Graduates is a fiscal agent; amending s. 561.121, F.S.; revising the percentage of monthly collections of the excise taxes on alcoholic beverages to be deposited into the Alcoholic Beverage and Tobacco Trust Fund; requiring a certain percentage of net collections to be deposited into the Grants and Donations Trust Fund within the Florida Endowment Foundation for Florida's Graduates to operate the statewide summer program for youth employment; amending s. 563.05, F.S.; revising the excise tax amount payable by manufacturers, distributors, and vendors of malt beverages; creating s. 563.09, F.S.; providing a tax credit against certain taxes on alcoholic beverages for a business that employs youth during the summer under an internship program; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Commerce; Finance and Tax; Education Pre-K - 12 Appropriations; and General Government Appropriations.

By Senator Oelrich—

SB 2840—A bill to be entitled An act relating to alternative energy; creating the distributed alternative energy generation development initiative; providing legislative findings and intent; providing definitions; authorizing certain state agencies, universities, and private sector entities to develop and operate distributed alternative energy generation pilot projects; requiring electric utilities to provide pilot projects with interconnection, net metering, transmission and distribution, and backup and standby power services; specifying requirements and fees for such services; providing for pilot projects to receive credit for certain energy generation; requiring the Public Service Commission and the Department of Environmental Protection to adopt specified rules; requiring the department to submit an annual report to the Governor and the Legislature; providing an effective date.

—was referred to the Committees on Communications and Public Utilities; Environmental Preservation and Conservation; and General Government Appropriations.

By Senators Siplin, Wise and Hill—

SB 2842—A bill to be entitled An act relating to district school boards; repealing s. 1001.364, F.S., relating to an alternate county-wide referendum procedure in certain counties for the election of a district school board chair; repealing s. 1001.365, F.S., relating to resolving tie votes among school board members in certain school districts; amending s. 1001.371, F.S.; deleting provisions governing the organization of district school boards, to conform; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; and Ethics and Elections.

By Senator Margolis—

SB 2844—A bill to be entitled An act relating to an elected officer's retirement benefits; amending s. 121.091, F.S.; revising provision relating to the deferment of election to participate in the DROP by an elected officer reaching normal retirement date; authorizing certain elected officials to elect to participate in the DROP during a specified period; providing an effective date.

—was referred to the Committees on Community Affairs; Ethics and Elections; Governmental Operations; and General Government Appropriations.

By Senators Deutch and Siplin—

SB 2846—A bill to be entitled An act relating to subprime loans; amending s. 494.0078, F.S.; revising terminology; amending s. 494.0079, F.S.; creating, revising, and deleting definitions; amending s. 494.00791, F.S.; prohibiting specified terms in subprime loan agreements; limiting prepayment penalties; limiting balloon payments; requiring consideration of borrower's ability to pay; providing factors to be considered; providing requirements for variable rate loans; requiring a certificate of completion for lender to make payments to contractor under a home improvement contract; deleting time limitation prohibiting certain refinancing; deleting provisions relating to open-ended loans; revising provisions relating to modification or deferral fees; prohibiting certain mandatory arbitration clauses; prohibiting fees for providing certain balance information; requiring lenders to provide payoff balances within a specified period upon request; prohibiting certain lender financing of certain insurance and debt cancellation agreements; prohibiting financing of certain fees and charges; requiring a lender to disclose to the borrower the terms and costs associated with a fixed rate loan; prohibiting charging points and fees in certain refinancing; amending s. 494.00792, F.S.; revising required disclosures to borrowers; providing for a right of rescission within a specified period; amending s. 494.00794, F.S.; revising provisions relating to lender notices of default; amending s. 494.00796, F.S.; revising provisions relating to corrections and unintentional violations; creating s. 494.00798, F.S.; providing remedies for violations; providing severability; providing an effective date.

—was referred to the Committees on Banking and Insurance; Commerce; Judiciary; and General Government Appropriations.

By Senator Lawson—

SB 2848—A bill to be entitled An act relating to the Florida Retirement System; amending s. 121.021, F.S.; redefining the terms "employer," "officer or employee," "past service," "normal retirement date," "regularly established position," and temporary position"; amending s. 121.031, F.S.; requiring promotional materials that refer to the Florida Retirement System to include a disclaimer unless approval is obtained from the Department of Management Services; amending s. 121.051, F.S.; conforming a cross-reference; revising provisions relating to participation in the system; excluding the participation of entities under a lease agreement; amending s. 121.071, F.S.; expanding the mechanisms for employees to pay contributions to the system; amending s. 121.081, F.S.; revising provisions relating to receiving credit for past or prior service; prohibiting a member from receiving credit for service covered and reported by both a public employer and a private employer; amending s. 121.091, F.S.; revising provisions relating to retirement benefits; deleting a restriction on the reemployment of certain personnel by the Florida School for the Deaf and the Blind; extending the period of time that instructional personnel employed by a developmental research school may participate in the Deferred Retirement Option Program; clarifying that DROP participation cannot be cancelled; providing for the suspension of DROP benefits to a participant who is reemployed; deleting obsolete provisions; authorizing the Division of Retirement to issue benefits pursuant to a qualified domestic relations order directly to the alternate payee; amending s. 121.1115, F.S.; revising provisions relating to receiving retirement credit for out-of-state service; providing that a member is not eligible for and may not receive a benefit based on that service; amending s. 121.1122, F.S.; revising provisions relating to receiving retirement credit for in-state service; providing that a member may not be eligible for or receiving a benefit based on service; amending s. 121.136, F.S.; revising provisions relating to the annual statement of benefits provided to certain active members of the Florida Retirement System; amending s. 121.23, F.S.; requiring the State Retirement Commission to use the same standard of proof used by the Secretary of Management Services before approving a disability retirement benefit; amending s. 121.24, F.S.; requiring a quorum of three members for all appeal hearings held by the State Retirement Commission; amending s. 1012.33, F.S.; deleting the provision preventing persons who have retired from the public school system from renewing membership in the Florida Retirement System upon reemployment by the school system; repealing s. 121.093, F.S., relating to instructional personnel reemployment after retirement from the developmental research school or the Florida School for the Deaf and the Blind; repealing s. 121.094, F.S., relating to instructional personnel reemployment after retirement from a charter school; repealing s. 121.1905, F.S., relating to the establishment of the Division of Retirement in the Department of Management

Services; repealing s. 121.45, F.S., relating to interstate compacts relating to pension portability; providing a declaration of important state interest; providing an effective date.

—was referred to the Committees on Governmental Operations; and General Government Appropriations.

By Senator Margolis—

SB 2850—A bill to be entitled An act relating to energy efficiency; providing legislative findings; creating the Energy Policy Governance Task Force; providing purpose; providing for membership; specifying duties; providing for staff; requiring a report to the Governor and Legislature; providing for expiration of the task force; directing the Florida Building Commission to convene a workgroup to develop a model residential energy efficiency ordinance; requiring the commission to consult with specified entities to review the cost-effectiveness of energy efficiency measures in the construction of residential, commercial, and government buildings; requiring a report to the Legislature; requiring the commission to consult with specified entities to develop and implement a public awareness campaign; providing a declaration of important state interest; requiring all county, municipal, and public community college buildings to meet certain energy efficiency standards for construction; providing applicability; establishing a schedule for the required purchase of biodiesel fuel for use by state-owned diesel vehicles and equipment; establishing a schedule for the required purchase of ethanol for use by state-owned flex-fuel vehicles; requiring administration, enforcement, and annual reporting by the Department of Management Services; requiring a percentage of total diesel fuel purchases by school district transportation services to be biodiesel fuel purchases; providing applicability to certain contracts; creating s. 206.665, F.S.; providing for refunds on fuel used for the transportation of products used to produce a renewable energy source; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Community Affairs; Governmental Operations; Finance and Tax; and General Government Appropriations.

By Senator Dockery—

SB 2852—A bill to be entitled An act relating to felony offenders; amending s. 948.06, F.S.; clarifying provisions governing the procedures to be used following the arrest of a felony probationer or an offender in community control for a material violation of probation or community control; providing an effective date.

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

By Senator Siplin—

SB 2854—A bill to be entitled An act relating to specialty license plates; amending ss. 320.08056 and 320.08058, F.S.; creating an In God We Trust license plate; establishing an annual use fee for the plate; providing for the distribution of use fees received from the sale of such plates; providing an effective date.

—was referred to the Committees on Transportation; Education Pre-K - 12; and Transportation and Economic Development Appropriations.

By Senator Wise—

SB 2856—A bill to be entitled An act relating to tax exemptions; amending s. 212.08, F.S.; providing an exemption from the use tax for an aircraft that temporarily enters the state; requiring that the purchaser execute a sworn affidavit that he or she is not a resident of the state and stating where the aircraft will be domiciled; providing an effective date.

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

By Senator Atwater—

SB 2858—A bill to be entitled An act relating to insurance; amending s. 627.062, F.S.; deleting the requirement for the Office of Insurance Regulation to approve a rating factor that provides an insurer a reasonable rate of return for covering catastrophic losses not covered by reinsurance; providing an effective date.

—was referred to the Committee on Banking and Insurance.

By Senator Atwater—

SB 2860—A bill to be entitled An act relating to insurance; amending s. 624.4211, F.S.; increasing the maximum amounts of administrative fines that may be imposed upon an insurer by the Office of Insurance Regulation for nonwillful and willful violations of an order or rule of the office or any provision of the Florida Insurance Code; authorizing the office to impose a fine for each day of noncompliance up to a maximum amount; providing factors to consider when determining the amount of the fine; amending s. 626.9521, F.S.; increasing that maximum amounts of fines that may be imposed by the office for nonwillful and willful violations of state law regarding unfair methods of competition and unfair or deceptive acts or practices related to insurance; providing an effective date.

—was referred to the Committee on Banking and Insurance.

By Senator Atwater—

SB 2862—A bill to be entitled An act relating to insurance; amending s. 501.204, F.S.; specifying that acts or practices that violate s. 626.9541(1), F.S., relating to unfair insurance trade practices, are unlawful under the Florida Deceptive and Unfair Trade Practice Act; amending s. 501.212, F.S.; deleting an exemption from the scope of the act which is provided to persons or activities regulated by the Office of Insurance Regulation or the Department of Financial Services; amending s. 626.9541, F.S.; prohibiting an insurer or person from considering certain factors when evaluating or adjusting a property insurance claim; providing an effective date.

—was referred to the Committees on Banking and Insurance; and Commerce.

By Senator King—

SB 2864—A bill to be entitled An act relating to the Beverage Law; amending s. 561.01, F.S.; defining the terms "distributor" and "importer"; amending s. 561.22, F.S.; extending to importers and primary American sources the prohibition against having common ownership with retail vendors; amending s. 561.42, F.S.; extending to importers and primary American sources the prohibition against providing certain financial assistance to retail vendors; amending s. 561.56, F.S.; extending certain transportation rights and restrictions to importers; amending s. 561.57, F.S.; requiring that an importer make deliveries in vehicles owned or leased by the licensee which are subject to inspection and search without a warrant; amending s. 562.07, F.S.; extending to importers certain rights to transport unlimited quantities of alcoholic beverages; amending s. 562.15, F.S.; extending to importers certain rights to possess alcoholic beverages upon which excise taxes have not been paid; amending s. 562.20, F.S.; exempting importers from certain reporting requirements related to amounts of alcoholic beverages brought into the state; amending s. 562.26, F.S.; authorizing importers to receive alcoholic beverages upon which taxes have not been paid from storage warehouse operators; amending s. 563.02, F.S.; imposing a license tax upon importers of certain malt beverages; amending s. 563.08, F.S.; requiring importers of malt or brewed beverages to make minimum cash deposits; deleting a provision limiting the cash deposit obligation to domestic malt or brewed beverages; amending s. 564.02, F.S.; imposing a license tax upon importers of certain brewed beverages and wines; providing an effective date.

—was referred to the Committees on Regulated Industries; Finance and Tax; and General Government Appropriations.

By Senators Diaz de la Portilla, Constantine and Baker—

SB 2866—A bill to be entitled An act relating to the practice of medicine; creating s. 458.3096, F.S.; prohibiting medical residency, licensure, or practice under certain circumstances; providing an exception; providing an effective date.

—was referred to the Committees on Health Regulation; and Higher Education.

By Senator Deutch—

SB 2868—A bill to be entitled An act relating to public school education; amending s. 1002.31, F.S.; requiring reimbursement to school districts for reasonable costs for student transportation to certain schools and choice programs; amending ss. 1003.428, 1003.429, 1003.43, 1003.433, and 1008.22, F.S.; deleting the requirement that a student earn a passing score on the Florida Comprehensive Assessment Test (FCAT) for purposes of high school graduation; revising components of the FCAT; revising provisions relating to the use of concordant scores; amending s. 1008.25, F.S.; deleting mandatory retention for certain grade 3 students; authorizing certain promotion for good cause; amending s. 1008.33, F.S.; revising provisions relating to state board intervention in the operation of a district school system; requiring State Board of Education rulemaking relating to school performance; amending s. 1008.34, F.S.; changing the school grading system to a school performance system; specifying school performance categories and the basis for designating such categories; providing for determination of school district performance; authorizing school districts to give certain schools increased budget authority; amending s. 1008.341, F.S.; revising provisions relating to the school improvement rating for alternative schools, to conform; amending s. 1008.36, F.S.; changing the Florida School Recognition Program to the Every Child Matters Program; providing intent and purpose of the program; providing for financial assistance to schools providing remediation and intervention services to certain students; specifying the uses of program funds; providing Department of Education duties; amending ss. 1001.42, 1002.33, 1002.415, 1003.62, 1003.621, 1008.31, 1008.345, 1011.62, 1011.64, and 1012.2315, F.S.; conforming provisions; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; and Education Pre-K - 12 Appropriations.

By Senator Deutch—

SB 2870—A bill to be entitled An act relating to renewable energy; amending s. 366.92, F.S.; expanding legislative intent relating to the state's renewable energy policy; amending ss. 377.703 and 377.803, F.S.; revising definitions of the terms "renewable energy resource" and "renewable energy" and defining the term "biomass" for purposes of those definitions; requiring the Florida Public Service Commission and the Department of Environmental Protection to submit a report relating to current renewable energy opportunities, resources, and technologies in the state; requiring the commission and the department to evaluate the effects of certain energy-generation methods; providing evaluation criteria; providing for the ranking of energy-generation methods based on the results of such evaluation; requiring the commission to develop and adopt renewable energy portfolio standards; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Agriculture; Communications and Public Utilities; and General Government Appropriations.

By Senator Diaz de la Portilla—

SJR 2872—A joint resolution proposing the repeal of Sections 15 and 23 of Article X of the State Constitution, relating to state operated lotteries and slot machine gaming.

—was referred to the Committees on Regulated Industries; Finance and Tax; Education Pre-K - 12 Appropriations; and Rules.

By Senator Baker—

SB 2874—A bill to be entitled An act relating to the Parole Commission; amending s. 947.01, F.S.; deleting an obsolete provision; revising the number of commission members; amending s. 947.02, F.S.; requiring the commission's membership to reflect at all times the diversity of the population of this state; amending s. 947.13, F.S.; requiring the commission to provide transition assistance to eligible offenders; providing an appropriation; providing an effective date.

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

By Senator Atwater—

SB 2876—A bill to be entitled An act relating to property appraisal; amending s. 193.011, F.S.; revising factors used to determine the just valuation of property; creating s. 193.018, F.S.; authorizing owners of certain property to enter into deed-restriction agreements with counties for certain purposes; requiring the property appraiser to consider such agreements in determining just value; providing for the recapture of taxes and imposing interest under certain circumstances; amending s. 194.011, F.S.; providing for admissibility of certain evidence at hearings of the value adjustment board under certain circumstances; amending s. 194.034, F.S.; establishing the exclusive authority of the Department of Revenue to adopt rules governing the conduct of hearings before value adjustment boards; amending s. 194.181, F.S.; revising criteria for plaintiffs to a tax suit; prohibiting property appraisers from challenging the constitutionality of laws; creating s. 194.182, F.S.; providing criteria for the admissibility of evidence in tax cases; amending s. 194.192, F.S.; requiring a court to enter judgment for taxpayers for tax overpayments and interest under certain circumstances; requiring a court to assess and award reasonable attorney's fees against property appraisers and to taxpayers under certain circumstances; amending s. 194.301, F.S.; revising the burden of proof in challenges to the property appraiser's assessment of just value; deleting the presumption of correctness and placing a burden of proof on the appraiser; placing a burden of proof on the property appraiser in certain actions challenging a value adjustment board's assessment of just value; specifying the burden of proof for property appraisers in actions challenging denial of an exemption or assessment classification; providing legislative intent that the taxpayer does not have the burden of proving that the property appraiser's assessment is unsupported; amending s. 195.087, F.S.; excluding certain amounts from a property appraiser's budget; amending s. 196.161, F.S.; requiring a property appraiser to record a notice of tax lien against certain homestead property improperly receiving a homestead exemption for a certain period; prohibiting assessing persons taxes, penalties, and interest for receiving a homestead exemption to which they are entitled but improperly granted through a clerical error or omission of the property appraiser; providing for retroactive application; amending s. 192.0105, F.S.; conforming a cross-reference; requesting the Taxation and Budget Reform Commission to study property tax proceedings and property tax disputes and to make recommendations to the Legislature; providing effective dates.

—was referred to the Committees on Community Affairs; Finance and Tax; and Education Pre-K - 12 Appropriations.

By Senator Atwater—

SB 2878—A bill to be entitled An act relating to Citizens Property Insurance Corporation; amending s. 627.351, F.S.; deleting provisions defining the terms "homestead property" and "nonhomestead property"; deleting a provision providing for the classification of certain dwellings as "nonhomestead property"; revising threshold amounts of deficits incurred in a calendar year on which the decision to levy assessments and the types of such assessments are based; revising the formula used to calculate shares of assessments owed by certain assessable insureds; requiring that the board of governors make certain determinations before levying emergency assessments; providing the board of governors with discretion to set the amount of an emergency assessment within specified limits; requiring the board of governors to levy a Citizens policyholder surcharge under certain conditions; deleting a provision requiring the levy of an immediate assessment against certain policyholders under such conditions; requiring that funds collected from the levy of

such surcharges be used for certain purposes; providing that such surcharges are not considered premium and are not subject to commissions, fees, or premium taxes; requiring that the failure to pay such surcharges be treated as failure to pay premium; requiring that the amount of any assessment or surcharge which exceeds the amount of deficits be remitted to and used by the corporation for specified purposes; deleting provisions requiring that the plan of operation of the corporation provide for the levy of a Citizens policyholder surcharge if regular deficit assessments are levied as a result of deficits in certain accounts; deleting provisions related to the calculation, classification, and nonpayment of such surcharge; providing legislative findings; requiring that the corporation make an annual filing for each personal or commercial line of business it writes, beginning on a specified date; limiting the overall average statewide premium increase and the increase for an individual policyholder to a specified amount for rates established for certain policies during a specified period; requiring that the corporation cease issuance of new wind-only coverage beginning on a specified date; requiring that the corporation issue comprehensive multiperil coverage instead of wind-only coverage; requiring that the corporation offer only comprehensive multiperil coverage beginning on a specified date; providing legislative intent; providing an effective date.

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

SR 2880—Not referenced.

COMMITTEE SUBSTITUTES

FIRST READING

By the Committee on Transportation and Economic Development Appropriations; and Senators Fasano, Justice, Lynn, Jones, Gaetz and Bullard—

CS for SB 82—A bill to be entitled An act relating to state aid to public libraries; amending s. 257.172, F.S.; revising grant eligibility criteria for multicounty libraries; revising determination for and amount of base grants; amending s. 257.18, F.S.; revising eligibility criteria, calculation, and determination for equalization grants; limiting grants and grant amounts under specified conditions; amending s. 257.22, F.S.; removing a requirement for issuance of warrants to political subdivisions eligible for certain funding; providing an effective date.

By the Committee on Transportation; and Senator Wise—

CS for SB 222—A bill to be entitled An act relating to license plates; amending s. 320.06, F.S.; requiring that a county opting to remove the county name from plates issued in that county offer plates that have the state motto and plates that have the words "Sunshine State" printed at the bottom of the plate; providing an effective date.

By the Committee on Health Regulation; and Senator Crist—

CS for SB 386—A bill to be entitled An act relating to public food service establishments; creating s. 509.054, F.S.; requiring the Division of Hotels and Restaurants within the Department of Business and Professional Regulation to inspect toilet facilities of public food service establishments; providing the minimum sanitation standards for toilet facilities in food service establishments; providing certain exemptions; providing an exemption for a restroom in a public airport; providing for administrative penalties; providing an effective date.

By the Committee on Judiciary; and Senator Aronberg—

CS for SB 464—A bill to be entitled An act relating to real estate conveyances; creating s. 689.28, F.S.; providing legislative intent regarding transfer fee covenants; providing definitions; providing that certain transfer fee covenants are unenforceable against subsequent owners, purchasers, and mortgagees; providing that a presumption is not created in favor of transfer fee covenants recorded before the effective date of the act; amending ss. 689.01 and 692.01, F.S.; clarifying that corporations may execute conveyances; providing an effective date.

By the Committee on Children, Families, and Elder Affairs; and Senators Constantine, Jones, Fasano, Lynn, Ring and Haridopolos—

CS for SB 502—A bill to be entitled An act relating to missing persons; creating s. 937.0201, F.S.; providing definitions; amending s. 937.021, F.S.; requiring law enforcement agencies to adopt written policies and procedures to be used when investigating missing children and missing adult reports; requiring the law enforcement agency having jurisdiction to accept and file the report; providing a timeframe for transmitting the report to state and national databases; providing immunity from civil liability for certain persons providing information in good faith; requiring that a law enforcement agency obtain a DNA sample after a child or adult has been missing for more than 90 days; authorizing the Department of Law Enforcement to adopt rules; amending s. 937.022, F.S.; renaming the Missing Children Information Clearinghouse as the "Missing Endangered Persons Information Clearinghouse"; revising provisions to conform; requiring the state and national databases to be purged of information about a person who has been located; providing an effective date.

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

CS for CS for SB 526—A bill to be entitled An act relating to interscholastic sports; providing a short title; amending s. 1006.15, F.S.; revising the criteria under which a charter school student may participate in interscholastic extracurricular activities of a public school; providing for certain private school students to participate in interscholastic sports at a public school under certain conditions; providing criteria; providing for a public school student to participate in interscholastic sports at another public school; providing criteria; providing an effective date.

By the Committee on Governmental Operations; and Senator Wilson—

CS for SB 546—A bill to be entitled An act relating to the Council on the Social Status of Black Men and Boys; amending s. 16.615, F.S.; removing a provision that discontinues the council under certain conditions; providing an effective date.

By the Committees on Criminal Justice; Commerce; and Senators Constantine, Crist and Lynn—

CS for CS for SB's 556 and 748—A bill to be entitled An act relating to secondary metals recyclers; amending s. 538.18, F.S.; revising the definition of "personal identification card"; deleting an exclusion of transactions under a specified amount from the definition of "purchase transaction" for specified purposes; revising the definition of "regulated metals property"; amending s. 538.19, F.S.; revising recordkeeping requirements for purchase transactions; providing for additional seller information to be obtained; requiring an image of the regulated metals being sold; providing an exemption from a specified recordkeeping provision if the same information is maintained in an electronic database meeting specified requirements; providing a substitute recordkeeping requirement for certain transactions between registered secondary metals recyclers; amending s. 538.23, F.S.; providing for enhanced penalties for third or subsequent violations of a specified provision; providing enhanced penalties for violations of specified provisions relating to false verification of ownership or false or altered identification of a seller of regulated metals; providing that if a person acts as a secondary metals recycler but is not registered with the Department of Revenue, the person commits a felony of the third degree; providing criminal penalties; creating s. 538.235, F.S.; prohibiting secondary metals recyclers from entering into cash transactions in certain circumstances; amending s. 538.25, F.S.; requiring the Department of Revenue to provide a law enforcement official, upon request, with specified information regarding certain secondary metals recyclers; amending s. 538.26, F.S.; prohibiting

the purchase of any regulated metals property when presented at the property of a secondary metals recycler and not transported in a motor vehicle; providing an effective date.

By the Committees on Regulated Industries; Community Affairs; and Senator Constantine—

CS for CS for SB 560—A bill to be entitled An act relating to energy efficiency and conservation; amending s. 163.04, F.S.; revising provisions authorizing the use of solar collectors and other energy devices; amending s. 163.3177, F.S.; revising requirements for the future land use element of a local comprehensive plan to include energy-efficient land use patterns; requiring that the traffic-circulation element of a local comprehensive plan incorporate transportation strategies to reduce greenhouse gas emissions; requiring each unit of local government within an urbanized area to amend the transportation element of a local comprehensive plan to incorporate transportation strategies addressing reduction in greenhouse gas emissions; requiring local governments to adopt an energy element by January, 2011, as part of a local comprehensive plan; amending s. 553.36, F.S.; redefining the term "manufactured building" for purposes of the Florida Manufactured Building Act to include modular and factory-built buildings; amending s. 553.73, F.S.; expanding required codes to be included in Florida Building Code updates; amending s. 553.74., F.S.; revising requirements for selecting members of the Florida Building Commission; revising membership of the commission; deleting obsolete provisions; amending s. 553.75, F.S.; authorizing the Florida Building Commission to use communications media technology in conducting its meetings or meetings held in conjunction with commission meetings; providing for public comment at meetings of the commission; amending s. 553.77, F.S.; authorizing the commission to implement recommendations relating to energy efficiency in residential and commercial buildings; creating s. 553.886, F.S.; requiring that the Florida Building Code facilitate and promote the use of certain renewable energy technologies in buildings; creating s. 553.9061, F.S.; establishing a schedule of required increases in the energy performance of buildings subject to the Florida Building Code; providing a process for implementing goals to increase energy-efficiency performance in new buildings; providing a schedule for the implementation of such goals; identifying energy-efficiency performance options and elements available to meet energy-efficiency performance requirements; providing a schedule for the review and adoption of renewable energy-efficiency goals by the commission; requiring the commission to conduct a study to evaluate the energy-efficiency rating of new buildings and appliances; requiring the commission to submit a report to the President of the Senate and the Speaker of the House of Representatives on or before a specified date; requiring the commission to conduct a study to evaluate opportunities to restructure the Florida Energy Code for Building Construction, including the integration of the Thermal Efficiency Code, the Energy Conservation Standards Act, and the Florida Building Energy-Efficiency Rating Act; requiring the commission to submit a report to the President of the Senate and the Speaker of the House of Representatives on or before a specified date; directing the Department of Community Affairs, in conjunction with the Florida Energy Affordability Council, to identify and review issues relating to the Low-Income Home Energy Assistance Program and the Weatherization Assistance Program; requiring the submission of a report to the President of the Senate and the Speaker of the House of Representatives on or before a specified date; providing for the expiration of certain study requirements; repealing s. 553.731 F.S.; relating to wind-borne debris protection requirements; amending s. 718.113, F.S.; authorizing the board of a condominium or a multicondominium install solar collectors, clotheslines, or other energy-efficient devices on association property; providing an effective date.

By the Committees on Higher Education; Military Affairs and Domestic Security; and Senators Baker, Gaetz and Bennett—

CS for CS for SB 574—A bill to be entitled An act relating to Reserve Officers' Training Corps programs; creating s. 1003.451, F.S.; prohibiting a school district from banning a Junior Reserve Officers' Training Corps unit in certain schools; requiring a school district to allow a student, under certain circumstances, to enroll in the Junior Reserve Officers' Training Corps at another school; specifying that a school district is not required to provide transportation for a student enrolling in the Junior Reserve Officers' Training Corps at another school; requiring a school district to grant military recruiters certain access to students, school facilities and grounds, and certain student information; providing for enforcement; providing for the adoption of rules by the State Board of Education; creating s. 1004.009, F.S.; prohibiting a community college or state university from banning a Senior Reserve Officers' Training Corps unit; requiring that a community college or state university grant military recruiters certain access to students and campus facilities and grounds and, to the extent required by federal law, access to certain student information; providing an effective date.

By the Committee on Regulated Industries; and Senator Jones—

CS for SB 604—A bill to be entitled An act relating to quarter horse racing; amending s. 550.334, F.S.; removing provisions requiring an application to the Division of Pari-mutuel Wagering for a permit to conduct quarter horse race meetings; removing provisions for granting a license to conduct quarter horse racing; removing a provision for governance and control of quarter horse racing; removing a requirement for intertrack wagering to be conducted by a quarter horse permitholder; providing for a grandfather clause; providing an effective date.

By the Committee on Transportation; and Senator Hill—

CS for SB 732—A bill to be entitled An act relating to license plates; amending ss. 320.08056 and 320.08058, F.S.; changing references from Bethune-Cookman College to Bethune-Cookman University in statutes relating to collegiate license plates; providing an effective date.

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

CS for SB 752—A bill to be entitled An act relating to false and fraudulent insurance claims; amending s. 817.234, F.S.; requiring certain professional licensing boards to suspend the licenses of certain health care practitioners if convicted of insurance fraud involving personal injury protection insurance; providing minimum penalties to be imposed for such conviction; defining the term "conviction"; providing an effective date.

By the Committee on Criminal Justice; and Senator Margolis—

CS for SB 782—A bill to be entitled An act relating to weapons and firearms; amending s. 775.087, F.S.; increasing the minimum terms of imprisonment imposed for possessing, discharging, or seriously harming another with a semiautomatic firearm and its high-capacity detachable box magazine or with a machine gun; amending s. 790.065, F.S.; providing that any potential buyer or transferee of a firearm who willfully and knowingly provides false information or false or fraudulent identification by using the identity of a victim of identity theft commits a felony of the second degree; providing criminal penalties; authorizing the court to impose an additional fine against a person using the identity of a victim of identity theft; amending s. 790.07, F.S.; providing that it is a felony of the first degree to display, use, threaten, or attempt to use a semiautomatic firearm or machine gun while committing or attempting to commit a felony; amending s. 921.0022, F.S., relating to the offense severity ranking chart of the Criminal Punishment Code; conforming a cross-reference; providing an effective date.

By the Committee on Transportation; and Senators Bennett and Margolis—

CS for SB 816—A bill to be entitled An act relating to uniform traffic control; creating the "Mark Wandall Traffic Safety Act"; amending s. 316.003, F.S.; defining the term "traffic infraction detector"; creating s. 316.0083, F.S.; preempting to the state the use of cameras to enforce traffic laws; authorizing the use of traffic infraction detectors and traffic enforcement officers by the Department of Highway Safety and Motor Vehicles, the Department of Transportation, counties, and municipalities; providing requirements for notifying a driver of the issuance of a

citation; providing that the owner of the motor vehicle involved in a violation is responsible and liable for payment of the fine assessed; providing exceptions; establishing admissibility of evidence as a rebuttable presumption of a violation; providing that submission of a false affidavit constitutes a second-degree misdemeanor; requiring the Department of Transportation to adopt and publish specifications relating to the operation and implementation of traffic infraction detectors; requiring that the specifications conform to certain minimum requirements; requiring the certification of a location by a traffic engineer before a detector is installed; authorizing the Department of Transportation to direct the removal of a detector that fails to meet the required specifications; authorizing the department to allow the installation of a detector that does not conform to the required specification upon a showing of good cause; exempting certain existing traffic infraction detectors from the requirements for meeting the department's specifications for a specified period; requiring the qualification of vendors by the Department of Transportation; amending s. 316.640, F.S.; directing the Department of Transportation to develop training and qualifications for traffic infraction enforcement officers; amending s. 318.18, F.S.; providing for penalties and distribution of fines for failing to stop at a traffic signal when such violation is enforced by a traffic infraction enforcement officer; amending s. 322.27, F.S.; prohibiting the imposition of points against a violator's driver's license for infractions enforced by a traffic infraction enforcement officer; directing the Department of Highway Safety and Motor Vehicles and the Department of Transportation to jointly report the efficacy of traffic infraction detectors on or before a specified date; providing an effective date.

By the Committee on Commerce; and Senator Fasano—

CS for SB 850—A bill to be entitled An act relating to corporate income tax credits; creating part XIII of ch. 288, F.S., consisting of s. 288.991, F.S.; creating the New Markets Tax Credit Program; providing definitions; authorizing the Office of Tourism, Trade, and Economic Development to develop a list of industries, in consultation with Enterprise Florida, Inc., in which equity investments can be made; qualify certain equity investments as eligible for tax credits; providing an application process; requiring an application fee; providing for the certification of an investment; providing for notice to the applicant and the Department of Revenue; providing for a limit on the amount of investments the office may certify; requiring the certified equity investments to be issued within a certain timeframe; providing that a taxpayer who holds a qualified equity investment in a qualified low-income business on the credit allowance date of the investment is entitled to a nonrefundable, nontransferable tax credit for the taxable year in which the credit allowance date falls; limiting the amount of the tax credit that may be redeemed in a fiscal year; authorizing a taxpayer to carry over any amount of the tax credit that the taxpayer is prohibited from redeeming in a taxable year to a subsequent taxable year; providing for the redemption of tax credits earned by certain business entities and by the partners, members, or shareholders of those entities; specifying how tax credits may be claimed by insurance companies; providing how the amount of tax credits available to the taxpayer will be calculated; requiring the calculations to be certified and accompanied by audited financial statements and notarized affidavits; requiring the office to disqualify community development entities under certain circumstances; requiring the department to recapture tax credits from certain taxpayers under certain circumstances; requiring notice; requiring community development entities that have certified investments to report certain information to the office; requiring the office to prepare annual reports on low-income community investments made in this state; authorizing the department to conduct examinations to verify receipt and application of tax credits; authorizing the department to pursue recovery of certain funds; authorizing the office to revoke or modify certain decisions relating to eligibility for tax credits under certain circumstances; providing for applicant liability for costs and fees relating to investigations of fraudulent claims; providing for taxpayer liability for reimbursement of fraudulently claimed tax credits; providing a penalty; authorizing the office and the department to adopt rules; providing for future repeal of the tax credit program; amending s. 220.02, F.S.; revising legislative intent with respect to the order of tax credits to include the New Markets Tax Credit; amending s. 220.13, F.S.; revising a definition; amending s. 213.053, F.S.; authorizing the Department of Revenue to share confidential taxpayer information with the Office of Tourism, Trade, and Economic Development; providing for application of the tax credit; providing an effective date.

By the Committee on Commerce; and Senators Justice and Lynn—

CS for SB 886—A bill to be entitled An act relating to toxic substances in children's products; providing definitions; prohibiting a person from using or applying a toxic substance in or on any toy or child care article in this state; prohibiting a person from manufacturing, selling, offering for sale, or distributing a toy or child care article that contains a toxic substance; providing an exception; providing civil fines for manufacturing, selling, offering for sale, or distributing a toy or child care article that contains a toxic substance; requiring that certain civil fines be waived under specified circumstances; providing that a knowing and intentional violation of the act is a felony of the third degree; providing criminal penalties; providing an effective date.

By the Committee on Banking and Insurance; and Senators Fasano, Gaetz and Atwater—

CS for SB 992—A bill to be entitled An act relating to foreclosure fraud; creating s. 501.1377, F.S.; providing legislative findings and intent with respect to the need to protect homeowners who enter into agreements designed to save their homes from foreclosure; providing definitions; prohibiting a foreclosure-rescue consultant from engaging in certain acts or failing to perform contracted services; requiring that all agreements for foreclosure-related rescue services and foreclosure-rescue transactions be in writing; specifying information that must be in the written agreement; requiring that certain statements in the written agreement be in uppercase letters and of a specified size; providing that the homeowner has a right to cancel the agreement for a specified period and the right may not be waived; providing that the homeowner has a specified period during which to cure a default under certain circumstances; requiring equity purchasers to assume or discharge certain liens; requiring that an equity purchaser verify the homeowner's ability to make payments under a repurchase agreement; providing price limitations for repurchase transactions; providing for a rebuttable presumption of certain transactions being unconscionable under certain circumstances; providing for limited application of the presumption; providing an exclusion; providing that a foreclosure-rescue transaction involving a lease option or other repurchase agreement creates a rebuttable presumption that the transaction is a loan transaction and the conveyance from the homeowner to the equity purchaser is a mortgage; providing limited application of the presumption; providing an exclusion; providing that a person who violates certain provisions commits an unfair and deceptive trade practice as defined in part II of ch. 501, F.S.; providing penalties; repealing s. 501.2078, F.S., relating to violations involving individual homeowners during the course of residential foreclosure proceedings; providing an effective date.

By the Committee on Governmental Operations; and Senators Fasano and Lynn—

CS for SB 1026—A bill to be entitled An act relating to unemployment compensation benefits; amending s. 443.111, F.S.; authorizing the Agency for Workforce Innovation to develop a system for the payment of benefits by electronic funds transfer; requiring that commodities or services for the system be procured by competitive solicitation or from a state term contract; requiring the agency to adopt rules necessary to administer the system; providing an effective date.

By the Committees on Judiciary; Children, Families, and Elder Affairs; Children, Families, and Elder Affairs; and Senator Lynn—

CS for CS for SB 1048—A bill to be entitled An act relating to child protection; amending s. 39.01, F.S.; redefining the terms "abandoned," "harm," and "relative"; defining the term "child who has exhibited inappropriate sexual behavior"; amending s. 39.0121, F.S.; authorizing the Department of Children and Family Services to adopt rules providing for locating and recovering missing children who are involved with the department; providing requirements for reports; amending s. 39.0138, F.S.; requiring a criminal history check of persons being considered for placement of a child to include a search of the department's automated abuse information system; authorizing the department to adopt rules establishing standards for evaluating such information; creating s.

39.0141, F.S.; requiring the department, the community-based care provider, or sheriff's office to file a report following a determination that a child involved with the department is missing; amending s. 39.201, F.S.; providing for the reporting of a child who has exhibited inappropriate sexual behavior to the central abuse hotline; amending s. 39.301, F.S.; providing certain exceptions to the requirements that a child protective investigation be closed within 60 days; amending s. 39.307, F.S.; revising provision relating to the provision of services to a child in cases of child-on-child sexual abuse to include a child who has exhibited inappropriate sexual behavior; amending s. 39.401, F.S.; requiring judicial approval for the placement of a child with a nonrelative; amending s. 39.502, F.S.; providing for notice to foster or preadoptive parents of any hearings involving the child in their care; amending s. 39.503, F.S.; revising the minimum inquiries a petitioner for dependency or shelter must make in trying to locate an identified parent or prospective parent; amending s. 39.504, F.S.; revising procedures related to injunctions issued to protect a child; requiring that such injunctions remain in effect until modified or dissolved by the court; amending s. 39.507, F.S.; limiting a court to one order adjudicating dependency; providing for supplemental findings; amending s. 39.521, F.S.; providing an exception from the requirement for a predisposition study in dependency proceedings; conforming cross-references; amending s. 39.701, F.S.; requiring that notice of a judicial review of a child's status be served on certain persons regardless of whether they attended a prior hearing at which the hearing was announced; amending s. 39.8055, F.S.; revising provisions relating to filing a petition to terminate parental rights; expanding the grounds for terminating parental rights to include conviction for the murder, manslaughter, or conspiracy to murder another child of the parent; amending s. 39.806, F.S.; adding additional grounds for terminating parental rights; amending s. 39.810, F.S.; providing that if termination of parental rights is in the best interests of the child, it is also the least restrictive means of protecting the child; amending s. 63.032, F.S.; redefining the term "relative"; amending s. 322.142, F.S.; authorizing the Department of Children and Family Services to be provided copies of driver's license files maintained by the Department of Highway Safety and Motor Vehicles for the purpose of conducting protective investigations; amending s. 402.401, F.S., relating to the Florida Child Welfare Student Loan Forgiveness Program; transferring administration of the program to the Department of Children and Family Services; amending s. 409.175, F.S.; revising requirements for licensure as a foster home or child-caring agency; deleting the exemption from licensure for persons who receive a child from the department; clarifying that a permanent guardian is exempt from licensure; amending s. 409.401, F.S.; revising provisions relating to the Interstate Compact on the Placement of Children; narrowing the applicability of the compact to children in the foster care system and to the interstate placement of children for adoption; allowing for residential facility placement with notice to the receiving state; allowing for the provisional placement of children with a relative pending meeting the receiving state's requirements for the education and training of prospective foster or adoptive parents; requiring the development of timeframes for completing the placement approval process; providing enforcement mechanisms; creating an Interstate Commission for the Placement of Children comprised of the member states; establishing rulemaking authority for the commission; repealing ss. 409.402 and 409.403, F.S., relating to the Interstate Compact on the Placement of Children; amending s. 409.404, F.S.; deleting cross-references; amending s. 787.04, F.S.; prohibiting a person from knowingly and willfully taking or removing a minor from the state or concealing the location of a minor during the pendency of a dependency proceeding or any other action concerning alleged abuse or neglect of the minor; amending s. 937.021, F.S.; requiring that a report of a missing child made by the department, a community-based care provider, or a sheriff's office be treated as a missing child report filed by a parent or guardian; prohibiting a law enforcement agency from requiring an order that a child be taken into custody or any other such order before accepting a missing child report for investigation; amending s. 985.04, F.S.; providing for the disclosure of certain records relating to children having a history of inappropriate sexual behavior to schools superintendents; amending chapter 2007-174, Laws of Florida; extending the date for the repeal of provisions authorizing the reorganization of the Department of Children and Family Services; providing for retroactive application; amending ss. 39.0015, 39.205, 39.302, 39.6011, 39.811, 39.828, and 419.001, F.S.; conforming cross-references; providing an effective date.

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

CS for SB 1070—A bill to be entitled An act relating to intergovernmental cooperation; amending s. 163.01, F.S.; authorizing parties to an interlocal agreement to provide for the use or maintenance of facilities or equipment; amending s. 1003.02, F.S.; authorizing district school boards to perform certain functions by means of an interlocal agreement; amending s. 1006.261, F.S.; providing for use of school buses for additional public purposes; providing for reimbursement and indemnification; providing an effective date.

By the Committee on Criminal Justice; and Senators King, Storms, Justice and Lynn—

CS for SB 1076—A bill to be entitled An act relating to the dismantling and destruction of motor vehicles and mobile homes; amending s. 319.30, F.S.; revising definitions; defining "certificate of title," "derelict motor vehicle," "derelict motor vehicle certificate," "recreational vehicle," and "salvage certificate of title"; revising provisions requiring that certain documents accompany a motor vehicle or mobile home sold, transported, or delivered to a salvage motor vehicle dealer or a secondary metals recycler; providing requirements for the transfer of a derelict motor vehicle to a salvage motor vehicle dealer or a secondary metals recycler; requiring the purchaser to record and maintain certain information; providing for the use of a derelict motor vehicle certificate if the certificate of title, salvage certificate of title, or certificate of destruction is not available; restricting reassignment of a derelict motor vehicle certificate; providing penalties; revising provisions for reporting to the Department of Highway Safety and Motor Vehicles and cancellation of title records; providing for an electronic notification system to be established by the department; providing for the placement of a hold on a motor vehicle or mobile home in the possession of a salvage motor vehicle dealer or secondary metals recycler by an agent or employee of the department or a law enforcement officer who has reason to believe that the motor vehicle or mobile home was stolen or is fraudulently titled; authorizing the department to adopt rules and charge described fees; amending s. 319.14, F.S.; correcting a cross-reference; providing an effective date.

By the Committee on Children, Families, and Elder Affairs; and Senators Rich, Lynn and Margolis—

CS for SB 1084—A bill to be entitled An act relating to the termination of parental rights; amending s. 39.812, F.S.; requiring a petition for adoption to be accompanied by a statement verifying that adoptive parents have received all information required to be disclosed; amending s. 49.011, F.S.; providing for service of process by publication for termination of parental rights under ch. 63, F.S.; amending s. 63.032, F.S.; redefining terms; amending s. 63.037, F.S.; conforming a cross-reference; amending s. 63.039, F.S.; requiring an adoption entity to provide adoption disclosure statements to persons whose consent is required for adoption; requiring attorney's fees and costs in certain actions to be awarded pursuant to the Florida Rules of Civil Procedures; amending s. 63.0425, F.S.; clarifying a grandparent's right to notice; amending s. 63.054, F.S.; providing that an unmarried biological father who fails to register with the Florida Putative Father Registry before the filing of a petition for termination of parental rights may not file a paternity claim under ch. 742, F.S.; providing an exception from the time limitations for filing a paternity claim; providing that if a registrant fails to report a change of address, the adoption entity or adoption petitioner is not obligated to search further for the registrant; requiring a petitioner in a proceeding in which parental rights are terminated simultaneously with entry of final judgment of adoption to contact the Office of Vital Statistics for a search of the registry; providing procedures for searching the registry when termination of parental rights and an adoption proceeding are adjudicated separately; amending s. 63.062, F.S.; revising criteria for serving notice of terminating parental rights to the father of a minor; revising procedures for serving notice of intended adoption plan; providing criteria for avoiding default on providing consent to adoption; providing for the proper venue to file a petition to terminate parental rights; amending s. 63.063, F.S.; revising the standard for compliance with laws relating to adoption; amending s. 63.082, F.S.; revising the notice and consent requirements to adoption to also exclude cases involving sexual activity with certain minors; revising consent requirements that apply to men; limiting the time period for revoking consent

to adopt a child older than 6 months of age to 3 business days; revising requirements for withdrawing a consent for adoption; amending s. 63.085, F.S.; revising requirements for required disclosures by an adoption entity; requiring that background information concerning the child be revealed to prospective adoptive parents; amending s. 63.087, F.S.; revising procedures for terminating parental rights pending an adoption; providing the proper venue in which to file a petition to terminate parental rights; providing for joint petitions for termination of parental rights and adoption; providing that failure to appear at certain hearings constitutes grounds for termination of parental rights; removing a provision relating to the procedure for notifying a petitioner of a final hearing; amending s. 63.088, F.S.; providing that a mother's failure to identify an unmarried biological father is not a defense to a termination of parental rights; revising information relating to a court's inquiry about the father of the child who is to be adopted; requiring persons contacted by a petitioner or adoption entity to release certain information; providing that a judgment approving a diligent search is not subject to direct or collateral attack; amending s. 63.089, F.S.; revising provisions relating to service of notice and petition regarding termination of parental rights and consent to adoption; revising conditions for making a finding of abandonment; prohibiting a person who failed to establish parental rights from challenging a judgment terminating parental rights under certain circumstances; amending s. 63.092, F.S.; revising the conditions and timeframe for an adoption entity to report to the court the intent to place a minor for adoption; amending s. 63.102, F.S.; revising procedures for the filing of a petition for adoption; providing the proper venue where the petition may be filed; amending s. 63.122, F.S.; revising whose name may be removed from a petition under certain circumstances; amending s. 63.132, F.S.; providing additional exceptions to the requirement that the adoptive parent and the adoption entity file an affidavit itemizing all expenses and receipts; amending s. 63.135, F.S.; requiring the adoption entity or petitioner to file an affidavit under the Uniform Child Custody Jurisdiction and Enforcement Act in a termination of parental rights proceeding; deleting information required to be submitted under oath to the court; amending s. 63.142, F.S.; requiring that if an adoption petition is dismissed, any further proceedings regarding the minor be brought in a separate custody action under ch. 61, F.S., a dependency action under ch. 39, F.S., or a paternity action under ch. 742, F.S.; revising conditions under which a judgment terminating parental rights is voidable; amending s. 63.192, F.S.; requiring the courts of this state to recognize decrees of termination of parental rights and adoptions from other states and countries; amending s. 63.212, F.S.; revising acts that are unlawful pertaining to adoptions; creating s. 63.236, F.S.; providing that a petition for termination of parental rights filed before the effective date of the act is governed by the law in effect at the time the petition was filed; amending s. 742.021, F.S.; requiring the clerk of court to issue certain notice in cases of complaints concerning determination of paternity; amending s. 742.10, F.S.; providing applicability of chs. 39 and 63, F.S., to jurisdiction and procedures for determination of paternity for children born out of wedlock; providing an effective date.

By the Committee on Commerce; and Senators Wise and Lynn—

CS for SB 1270—A bill to be entitled An act relating to automatic renewal of service contracts; providing definitions; requiring persons, firms, or corporations that sell services to consumers pursuant to certain contracts to disclose automatic renewal provisions; providing disclosure requirements; providing exceptions to the disclosure requirements; providing that certain violations render an automatic renewal provision void and unenforceable; providing applicability; providing an effective date.

By the Committee on Environmental Preservation and Conservation; and Senator Saunders—

CS for SB 1286—A bill to be entitled An act relating to a review of the Fish and Wildlife Conservation Commission under the Florida Government Accountability Act; reenacting s. 20.331, F.S., relating to the establishment of the commission; amending ss. 328.48 and 328.56, F.S., relating to vessel registration and vessel registration numbers; clarifying the term "non-motor-powered vessel" for purposes of an exception from registration requirements; amending s. 328.72, F.S., relating to vessel registration fees; increasing such fees for all vessels requiring registration; providing for future adjustment of the vessel registration fees based on the percentage change in the Consumer Pricing Index; requiring the Fish and Wildlife Conservation Commission to report to the Legislature on how the increase in fees will be used; amending s. 372.57, F.S., relating to recreational hunting and fishing licenses; providing for future adjustment of the recreational hunting and fishing licenses based on the percentage change in the Consumer Pricing Index; requiring the Fish and Wildlife Conservation Commission to report to the Legislature on how the increase in license and permit fees will be used; requiring the Office of Program Policy Analysis and Government Accountability to review and report on the Fish and Wildlife Conservation Commission's public relations, outreach, and education activities and staffing levels by a date certain; requiring the Fish and Wildlife Conservation Commission to review and report on specific activities within the agency by a date certain; repealing sections 372.107, 372.5714, 372.673, and 372.993, F.S., relating to the Federal Law Enforcement Trust Fund, the Waterfowl Advisory Council, the Florida Panther Technical Advisory Council, and the regulation of certain land-based commercial and recreational fishing activities; providing an effective date.

By the Committee on Environmental Preservation and Conservation; and Senator Saunders—

CS for SB 1294—A bill to be entitled An act relating to a review of the Department of Environmental Protection under the Florida Government Accountability Act; reenacting and amending s. 20.255, F.S., relating to the establishment of the department; renaming the Office of Legislative and Government Affairs as the "Office of Legislative Affairs"; creating the Office of Intergovernmental Programs within the department; renaming the Division of Resource Assessment and Management as the "Division of Environmental Assessment and Restoration"; authorizing the Environmental Regulation Commission to employ independent counsel and contract for outside technical consultants; amending s. 373.228, F.S.; requiring that certain entities review the standards and guidelines for landscape irrigation and xeriscape ordinances by a date certain; amending s. 376.75, F.S.; requiring a drycleaning facility to be registered with the department and show proof of registration prior to purchasing perchloroethylene for drycleaning purposes; prohibiting the use of perchloroethylene by a drycleaning facility after a specified date; amending s. 403.031, F.S.; conforming the definition of the term "regulated air pollutant" to changes made in the federal Clean Air Act; amending s. 403.0872, F.S.; conforming the requirements for air operation permits to changes made to Title V of the Clean Air Act to delete certain minor sources from the Title V permitting requirements; amending s. 373.109, F.S.; requiring the department to initiate rulemaking by a date certain to adjust permit fees; providing for fees to be imposed for verifying that certain activities are exempt from regulation; providing for a fee for conducting informal wetland boundary determinations; specifying special conditions that apply to such determinations; amending s. 403.087, F.S.; providing minimum and maximum amounts for certain fees relating to wastewater treatment facilities; amending s. 403.861, F.S.; providing for a public water system application fee; requiring the department to adopt rules for periodically adjusting the application fee; repealing s. 378.011, F.S., relating to the Land Use Advisory Committee; repealing ch. 325, F.S., consisting of ss. 325.2055, 325.221, 325.222, and 325.223, F.S., relating to motor vehicle air conditioning refrigerants; repealing s. 403.08725, F.S., relating to citrus juice processing facilities; amending s. 373.503, F.S.; increasing the millage rate for the Northwest Florida Water Management district; providing that the increased millage rate is contingent upon passage of a constitutional amendment; providing an effective date.

By the Committee on Military Affairs and Domestic Security; and Senator Baker—

CS for SB 1310—A bill to be entitled An act relating to sellers of travel; amending s. 559.927, F.S.; revising the definition of "prearranged travel, tourist-related services, or tour-guide services"; defining "certifying party" and "terrorist state"; amending s. 559.928, F.S.; revising provisions relating to registration as a seller of travel; revising registration fees; creating s. 559.9285, F.S.; requiring a seller of travel to annually certify to the Department of Agriculture and Consumer Services the scope of its business activities by filing a disclosure statement; categorizing certifying parties; providing requirements of a certifying party that

changes its scope of business; requiring such certifying party to provide the department with appropriate bond; requiring the department to specify by rule the form of certification; specifying required certification information; amending s. 559.929, F.S.; revising requirements with respect to the performance bond that must accompany registration or an application for registration as a seller of travel; specifying amounts of bonds for certification categories; eliminating alternative means of satisfying security requirements; providing for priority of payment with respect to such bonds; revising conditions under which the department may annually waive the bond; precluding specified certification categories from waiver of bond; amending s. 559.9335, F.S.; providing that it is a violation of the Florida Sellers of Travel Act to offer to sell travel or provide any travel-related service to a purchaser traveling to or within any terrorist state without disclosing such business activities in a certification filed with the department and to violate any state or federal law restricting or prohibiting commerce with terrorist states; amending s. 559.935, F.S.; revising provisions that exempt certain sellers of travel and affiliates thereof from specified registration, security, disclosure, and recordkeeping requirements; amending s. 559.9355, F.S.; imposing an administrative fine for each act or omission in violation of the prohibited offer to sell travel or provide any travel-related service to purchasers traveling to or within any terrorist state without disclosing such business activities in a certification or in violation of any state or federal law restricting or prohibiting commerce with terrorist states; amending s. 559.936, F.S.; authorizing the department to seek a specified civil penalty for each act or omission in violation of the prohibited offer to sell travel or provide any travel-related service to purchasers traveling to or within any terrorist state without disclosing such business activities in a certification or in violation of any state or federal law restricting or prohibiting commerce with terrorist states; amending s. 559.937, F.S.; providing a criminal penalty for a violation of the Florida Sellers of Travel Act which directly or indirectly pertains to an offer to sell travel or provide any travel-related service to a purchaser traveling to or within any terrorist state; providing an effective date.

By the Committee on Health Regulation; and Senator Peaden—

CS for SB 1360—A bill to be entitled An act relating to pharmacy technicians; providing a short title; amending s. 465.0075, F.S.; revising licensure requirements; amending s. 465.014, F.S.; providing for the registration of pharmacy technicians; requiring that a registered pharmacy technician be under the direct supervision of a licensed pharmacist; requiring the Board of Pharmacy to set fees and rules for the registration of pharmacy technicians; providing qualification requirements; providing a limitation; exempting pharmacy technician students and licensed pharmacy interns from registration requirements; providing continuing education requirements for registration renewal; requiring the board to adopt rules; providing grounds for denial, suspension, or revocation of registration or other disciplinary action; authorizing the board to impose certain penalties; requiring completion of a pharmacy technician training program in order to register as a pharmacy technician by a specified date; providing an exception to the requirement to complete a training program; amending s. 465.015, F.S.; prohibiting a person who is not registered as a pharmacy technician from performing certain functions or holding himself or herself out to others as a registered pharmacy technician; amending ss. 465.019, 465.0196, and 465.0197, F.S., relating to institutional pharmacies, special pharmacy permits, and Internet pharmacy permits; conforming references; providing effective dates.

By the Committees on Judiciary; Health Regulation; and Senator Jones—

CS for SB 1370—A bill to be entitled An act relating to the Florida Patient Safety Corporation; amending s. 381.0271, F.S.; authorizing a representative appointed by the Florida Council of Medical School Deans to serve on the board of directors of the corporation; deleting provisions requiring that the corporation establish specific advisory committees; authorizing the corporation to create and dissolve advisory committees upon a majority vote of the board of directors; deleting obsolete organizational provisions; requiring that the corporation's board of directors conduct quarterly meetings; requiring the Agency for Health Care Administration to make available adverse incident reports to designated agents of the Florida Patient Safety Corporation; requiring the corporation to evaluate the effects of the sharing of electronic records on patient safety; requiring the corporation to encourage the use of evidence-based medicine; deleting responsibilities related to the provision of access to a library of evidence-based medicine and patient safety practices; requiring a plan for the implementation of patient safety technologies; deleting obsolete provisions and reporting requirements; providing an effective date.

By the Committees on Banking and Insurance; Health Regulation; Health Regulation; and Senator Jones—

CS for CS for SB 1374—A bill to be entitled An act relating to home health care; amending s. 400.462, F.S.; revising and adding definitions; amending s. 400.464, F.S.; authorizing a home infusion therapy provider to be licensed as a nurse registry; deleting provisions related to Medicare reimbursement; amending s. 400.471, F.S.; requiring an applicant for a home health agency license to submit to the Agency for Health Care Administration a business plan and evidence of contingency funding, and disclose other controlling ownership interests in health care entities; requiring certain standards in documentation demonstrating financial ability to operate; requiring an applicant for a new home health agency license to submit a surety bond of a specified amount to the Agency for Health Care Administration; authorizing the agency to adopt rules for the submission of other forms of security; providing procedures for the agency with respect to making a claim against a surety bond or security; limiting the timing of receipt and the number of applications for a new home health agency license which the agency may accept each quarter; providing an exception under certain circumstances for a home health agency that is part of a retirement community; specifying a procedure for the agency to follow in selecting applications to process for a new home health agency license; providing for the future expiration of such provisions; prohibiting the agency from issuing an initial license to a home health agency licensure applicant located within 20 miles of a licensed home health agency that has common controlling interests; prohibiting the transfer of an application to another home health agency; requiring submission of an initial application to relocate a licensed home health to another geographic service area; imposing the burden of proof on an applicant to demonstrate that a factual determination made by the agency is not supported by a preponderance of the evidence; amending s. 400.474, F.S.; providing additional grounds under which the Agency for Health Care Administration may take disciplinary action against a home health agency; creating s. 400.476, F.S.; establishing staffing requirements for home health agencies; reducing the number of home health agencies that an administrator or director of nursing may serve; requiring that an alternate administrator be designated in writing; limiting the period that a home health agency that provides skilled nursing care may operate without a director of nursing; requiring notification upon the termination and replacement of a director of nursing; requiring the Agency for Health Care Administration to take administrative enforcement action against a home health agency for noncompliance with the notification and staffing requirements for a director of nursing; exempting a home health agency that provides only physical, occupational, or speech therapy from requirements related to a director of nursing; providing training requirements for certified nursing assistants and home health aides; amending s. 400.484, F.S.; requiring the agency to conduct the first unannounced survey of a newly licensed home health agency within a specified period after issuing the license; requiring that the agency impose administrative fines for certain deficiencies; increasing the administrative fines imposed for certain deficiencies; amending s. 400.488, F.S.; deleting provisions authorizing the administration of medication to home health patients by unlicensed staff; providing for the delegation of nursing tasks as provided in ch. 464, F.S., and related rules; amending s. 400.491, F.S.; extending the period that a home health agency must retain records of the nonskilled care it provides; amending s. 400.497, F.S.; requiring that the Agency for Health Care Administration adopt rules related to standards for the director of nursing of a home health agency, requirements for a director of nursing to submit certified staff activity logs pursuant to an agency request, quality assurance programs, and inspections related to an application for a change in ownership; amending s. 400.506, F.S.; providing training requirements for certified nursing assistants and home health aides referred for contract by a nurse registry; providing for the denial, suspension, or revocation of nurse registry license and fines for paying remuneration to certain entities in exchange for patient referrals or refusing fair remuneration in exchange for patient referrals; amending s. 400.518, F.S.; providing for a fine to be imposed against a home health

agency that provides complimentary staffing to an assisted care community in exchange for patient referrals; amending s. 409.906, F.S.; requiring durable medical equipment providers enrolled in the Medicaid program to be accredited and have a physical business location that meets specified conditions; providing for exceptions of certain business location criteria; requiring a durable medical equipment provider enrolled in the Medicaid program to obtain a surety bond of a specified amount and for certain staff to undergo background screening; providing for exemptions from accreditation and the surety bond for specified durable medical equipment providers; requiring the Agency for Health Care Administration to review the process for prior authorization of home health agency visits and determine whether modifications to the process are necessary; requiring the agency to report to the Legislature on the feasibility of accessing the Medicare system to determine recipient eligibility for home health services; providing an effective date.

By the Committee on Community Affairs; and Senators Fasano, Gaetz and Haridopolos—

CS for SB 1378—A bill to be entitled An act relating to the display of flags; amending s. 720.304, F.S.; authorizing homeowners to display certain flags in a specified manner; providing that such provisions apply to nonmandatory homeowners' associations and community development districts; providing an effective date.

By the Committee on Community Affairs; and Senators Baker and Storms—

CS for SB 1426—A bill to be entitled An act relating to sales taxes; amending s. 39, chapter 2007-106, Laws of Florida; extending a deadline for certain mobile home owners to file an application for reimbursement of sales taxes paid on mobile homes purchased to replace mobile homes damaged by a tornado; requiring that certain unexpended funds certified forward be used for the purpose of paying the reimbursements; providing an effective date.

By the Committee on Community Affairs; and Senator Bennett—

CS for SB 1496—A bill to be entitled An act relating to service animals; amending s. 413.08, F.S.; redefining the term "individual with a disability"; providing that any person, including a volunteer, who is raising a puppy for the purpose of future training as a service animal has the same rights and privileges with respect to access to public facilities and the same liability for damage as is provided for persons accompanied by service animals if certain conditions are met; providing an effective date.

By the Committee on Health Regulation; and Senators Rich and Lawson—

CS for SB 1580—A bill to be entitled An act relating to swimming pool and spa safety; amending s. 514.011, F.S.; providing definitions; creating s. 514.0215, F.S.; requiring public swimming pools and public spas to have specified drain safety features; providing that any person or entity that violates the requirement to install the safety features commits a misdemeanor of the second degree; providing criminal penalties; providing for a suspension of criminal penalties under certain circumstances; amending s. 515.25, F.S.; providing definitions; creating s. 515.295, F.S.; requiring that all residential swimming pools and spas be equipped with certain specified drain safety features; requiring that residential pools and spas built after a specified date to have certain features; requiring the Department of Health to provide periodic notice to owners of swimming pools and spas of safety standards and other requirements; requiring the department to apply for and implement a federal grant for enforcing swimming pool safety standards; requiring the Department of Health, the Department of Community Affairs, and the Florida Building Commission to assess state statutes and the Florida Building Code to determine if changes are needed to comply with federal standards pertaining to swimming pool and spa safety; providing an effective date.

By the Committee on Environmental Preservation and Conservation; and Senators Jones and Gaetz—

CS for SB 1672—A bill to be entitled An act relating to beach management; amending s. 161.142, F.S.; providing legislative intent and findings; providing requirements concerning the quality and quantity of dredged sand placed on certain beaches adjacent to inlets; requiring an estimation of the requisite quantity of beach-quality sand by the Department of Environmental Protection and its consultants; requiring the protection of shorebirds and marine turtles; applying requirements concerning the placement of dredged sand on adjacent beaches to the inlet management projects of certain ports; providing an exemption from such requirements; providing that the inlet projects of such ports are eligible for funding; providing requirements and findings concerning the placement of dredged sand from federal navigation projects; providing for assignment of responsibility for the erosion caused by inlets; specifying actions to be taken by the department in disputes between local governments and property owners concerning how much sand should bypass an inlet; creating s. 161.143, F.S.; requiring that inlet management studies, projects, and activities be supported by certain plans; providing criteria governing the department's ranking of inlet management projects and activities; specifying conditions that must be met; requiring that the department establish funding priorities for projects and activities concerning inlet management; providing for input from interested governmental and private entities; providing criteria for establishing priorities; authorizing funding levels for inlet management projects under specified conditions; requiring that the department annually provide an inlet management project list to the Legislature; providing requirements for the list; requiring that the department make available certain moneys for projects on the list; requiring that the department make available certain moneys for projects on the list which are legislatively approved; requiring that the Legislature designate certain inlet projects as "Inlet of the Year"; requiring the department to provide an annual report to the Legislature concerning the success of projects so designated; authorizing rulemaking by the department; providing an effective date.

By the Committee on Banking and Insurance; and Senators Baker and Gaetz—

CS for SB 1684—A bill to be entitled An act relating to title insurance; creating the Florida 2008 Title Insurance Study Advisory Council; providing for membership; providing for administrative support for the council; providing responsibilities of the council; authorizing the council to invite independent actuaries to provide certain information; providing council meeting requirements; requiring the council to file a report with the Governor and Legislature; providing for termination of the council; providing an effective date.

By the Committee on Children, Families, and Elder Affairs; and Senators Storms and Peaden—

CS for SB 1704—A bill to be entitled An act relating to safe haven protection for surrendered newborn infants; amending s. 39.01, F.S.; revising definitions to conform to changes made by the act; amending s. 39.201, F.S.; conforming terminology to changes made by the act; amending s. 63.0423, F.S.; deleting the requirement for a licensed child-placing agency to conduct a diligent search for the parent and obtain consent for the termination of parental rights; amending s. 383.50, F.S.; redefining the term "newborn infant" to raise the age at which an infant may be left anonymously from 3 to 7 days old; requiring that if a surrendered child is born in a hospital, the mother's name be left off the birth certificate upon the mother's request; providing an effective date.

By the Committees on Governmental Operations; Education Pre-K - 12; Education Pre-K - 12; and Senator Carlton—

CS for CS for SB 1712—A bill to be entitled An act relating to ethics; providing a short title; amending s. 24.121, F.S., relating to public school funding; conforming cross-references; amending s. 112.3173, F.S.; specifying certain additional offenses that constitute a breach of the public trust; amending s. 121.091, F.S.; prohibiting the Division of Retirement from paying benefits to a member who has committed certain felony

offenses against a minor; amending s. 402.316, F.S.; authorizing the Department of Children and Family Services to adopt minimum standards for screening child care personnel and for notification of termination of such personnel; amending s. 435.04, F.S.; providing additional criminal offenses for screening child care personnel; amending s. 1001.10, F.S.; requiring the Department of Education to assist school districts, charter schools, the Florida School for the Deaf and the Blind, and certain private schools and providers in developing policies and procedures governing educator ethics and employment; requiring the department to provide authorized staff with access to or provide verification through certain employment-screening tools; amending s. 1001.32, F.S., relating to school administration; conforming a cross-reference; amending s. 1001.42, F.S.; requiring each district school board to adopt ethical standards for all employees; prohibiting confidentiality agreements regarding terminated or dismissed employees which have the effect of concealing certain conduct; providing that a district school board official who knowingly signs or transmits a false report, fails to support policies that ensure the investigation of reports, or fails to report allegations of misconduct by instructional or administrative personnel forfeits his or her salary for a specified period; amending s. 1001.452, F.S., relating to district and school advisory councils; conforming cross-references; amending s. 1001.51, F.S.; providing that a district school superintendent or district school board member forfeits his or her salary for a specified period following failure to report allegations of misconduct by instructional or administrative personnel; amending ss. 1001.54 and 1002.32, F.S., relating to duties of principals and lab schools; conforming cross-references; amending s. 1002.33, F.S.; requiring charter schools to adopt ethical standards for all employees; prohibiting confidentiality agreements regarding terminated or dismissed employees which have the effect of concealing certain conduct; requiring the school to contact the prior employer and assess a candidate's ability to meet ethical standards; requiring the school to notify the Department of Education of dates of employment for instructional and administrative personnel; requiring the charter school sponsor to suspend the school's charter for failing to comply with these requirements; amending s. 1002.36, F.S.; requiring the Florida School for the Deaf and the Blind to meet certain requirements governing the screening of educators; amending ss. 1002.421 and 1002.55, F.S.; requiring owners of certain private schools and private prekindergarten providers to adopt ethical standards for all employees; prohibiting confidentiality agreements regarding terminated or dismissed employees which have the effect of concealing certain conduct; requiring such owners and providers to contact the previous employer of each instructional or administrative candidate for employment and notify the Department of Education of dates of employment of an educator; amending ss. 1002.61, 1002.63, 1002.65, 1003.413, 1003.53, and 1004.92, F.S.; conforming cross-references; amending s. 1006.061, F.S.; requiring the school board, charter school, private school participating in a state school choice scholarship program, and private provider participating in the Voluntary Prekindergarten Education Program to post its policies relating to misconduct by personnel; requiring the head of such entities to act as a liaison in suspected cases of child abuse; amending ss. 1007.21, 1007.23, 1008.33, 1008.345, 1010.215, and 1011.18, F.S.; conforming cross-references; amending s. 1012.27, F.S.; requiring the district school superintendent to contact the previous employer of each instructional or administrative candidate for employment, screen the candidate, and document findings; creating s. 1012.315, F.S.; specifying offenses that disqualify instructional and administrative personnel from employment in positions involving direct contact with students; amending s. 1012.32, F.S.; providing that instructional and administrative personnel who have been convicted of certain offenses are disqualified from employment in positions having direct contact with students; amending s. 1012.33, F.S.; providing that just cause for terminating instructional staff includes immorality or the commission of a criminal act; amending s. 1012.34, F.S., relating to assessment procedures; conforming a cross-reference; amending s. 1012.56, F.S., relating to certification requirements for educators; revising the requirements for conducting state and national criminal history records checks of persons seeking certification; providing for the Department of Education to maintain personnel records on an electronic database; amending s. 1012.79, F.S.; providing for additional members to be appointed to the Education Practices Commission; revising the composition of the panel appointed to review complaints against teachers; amending s. 1012.795, F.S.; providing for suspending the educator certificate of a person who knowingly fails to report child abuse or suspected or actual misconduct by instructional personnel; amending s. 1012.796, F.S.; requiring the Department of Education to investigate each complaint involving misconduct by certificated personnel; clarifying what constitutes a legally sufficient complaint; providing requirements for school board policies and procedures relating to ethical standards; providing that the district school superintendent is accountable for communicating standards, policies, and procedures to district employees; requiring that an employee be immediately suspended and reassigned upon an allegation of misconduct affecting the health, safety, or welfare of a student; requiring employers of certified personnel to file complaints in writing to the Department of Education; amending ss. 1012.98 and 1013.03, F.S., relating to the School Community Professional Development Act and functions of the department and Board of Governors; conforming cross-references; providing an effective date.

By the Committee on Judiciary; and Senator Oelrich—

CS for SB 1730—A bill to be entitled An act relating to service of process; amending s. 48.021, F.S.; allowing criminal witness subpoenas and criminal summonses to be served by a special process server appointed by the local sheriff or by a certified process server; amending s. 48.27, F.S.; providing for the selection of authorized certified process servers to serve such subpoenas and summonses to conform to changes made by the act; amending s. 56.041, F.S.; providing that all unsatisfied executions held by the sheriff which were docketed before October 1, 2001, or held after a specified period may be returned to the issuing court; amending s. 56.21, F.S.; requiring the submission of an affidavit before levying a judgment upon real property; requiring the sheriff to furnish to the judgment debtor or the debtor's attorney of record a copy of the notice of sale, notice of levy, and affidavit within a specified period before execution of a sale or levy; amending s. 56.27, F.S.; requiring that priority of liens on real property be based on the effective date of the judgment lien for a specified purpose; requiring a levying creditor to deliver the affidavit to the sheriff at the time of the levy request setting forth certain information and attestations; amending ss. 741.30 and 784.046, F.S., relating to service of process in cases of domestic violence or sexual abuse; authorizing clerks of court to transmit facsimile copies of previously certified injunctions to sheriffs upon request; requiring sheriffs to verify receipt of facsimile copies of injunctions with clerks of court before attempting service; authorizing law enforcement officers to serve facsimile copies of injunctions in the same manner as certified copies; providing an effective date.

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

CS for SB 1906—A bill to be entitled An act relating to alternative credit high school courses; creating s. 1002.375, F.S.; establishing a pilot project for awarding high school credit to students enrolled in industry certification programs; requiring the Commissioner of Education to establish criteria for program participation; requiring that a school district submit a letter of interest by a specified date in order to participate in the pilot project; requiring that the Commissioner of Education submit a report to the Governor and the Legislature; providing for specified courses to be included as alternative credit courses; exempting alternative credit courses from certain requirements; authorizing the Department of Education to approve certain courses for credit by examination; requiring the Department of Education to adopt passing minimum scores on approved assessments and maintain a course directory; requiring the State Board of Education to adopt rules; amending s. 1011.61, F.S., relating to definitions for the Florida Education Finance Program; providing for an alternate method of reporting full-time equivalent membership for credit earned in alternative high school credit courses for the pilot project created under s. 1002.375, F.S.; providing an effective date.

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

CS for SB 1908—A bill to be entitled An act relating to the designation of high school grades; amending s. 1008.34, F.S, relating to the school grading system; providing for a revised high school grading system beginning with the 2009-2010 school year which includes the statewide standardized assessment, graduation rates, performance and participation in certain courses, postsecondary readiness as measured by certain examinations, and the change in these factors from year to year; specifying the data components to be used in determining the revised high school grading system; requiring that the criteria for school grades

give added weight to the graduation rate of all eligible at-risk students; providing an effective date.

By the Committee on Higher Education; and Senators Haridopolos, Ring, Oelrich, Joyner, Dean, Fasano, Justice, Gaetz, Storms, Dockery, Geller, Deutch, Atwater, Baker and Alexander—

CS for SB 1964—A bill to be entitled An act relating to cigarette tax revenues; amending s. 210.20, F.S.; providing for extending the period for transfer of the portion of the revenues from the cigarette tax to be paid monthly to the Board of Directors of the H. Lee Moffitt Cancer Center and Research Institute for certain purposes; authorizing use of funds to pay bonds or related financial products; providing legislative intent relating to debt service; amending s. 210.201, F.S.; revising provisions providing for the use of transferred moneys to include cancer research, treatment, and related facilities; providing for retroactive application; providing an effective date.

By the Committee on Transportation; and Senator Baker—

CS for SB 1992—A bill to be entitled An act relating to the Department of Highway Safety and Motor Vehicles; amending s. 316.0741, F.S.; redefining the term "hybrid vehicle"; authorizing the driving of a hybrid, low-emission, or energy-efficient vehicle in a high-occupancy-vehicle lane regardless of occupancy; authorizing the department to limit or discontinue such driving under certain circumstances; exempting such vehicles from the payment of certain tolls; amending s. 316.1575, F.S.; requiring a person walking or driving a vehicle to stop at a railroad crossing upon the signal of a law enforcement officer; amending s. 316.159, F.S.; requiring the driver of a commercial motor vehicle to slow when approaching a railroad crossing; providing that a violation of such requirement is a noncriminal moving violation; amending s. 316.1895, F.S.; requiring the placement of signs in certain school zones stating that speeding fines are doubled within the zone; amending s. 316.191, F.S.; revising provisions prohibiting certain speed competitions and exhibitions; revising the definition of the terms "conviction," "drag race," and "race"; defining the terms "exhibition of acceleration," "exhibition of speed," and "spectator"; prohibiting driving in any race, drag race, exhibition of speed, or exhibition of acceleration; prohibiting certain acts in association with a race, drag race, exhibition of speed, or exhibition of acceleration; prohibiting being a spectator at any such race, drag race, or exhibition; providing for a rebuttable presumption that a person is a spectator; providing criminal and noncriminal penalties; providing for revocation of the driver's license upon conviction; providing for disposition of citation for being a spectator; providing penalties for a second or subsequent offense; providing that a violation that causes or contributes to causing serious bodily injury to another is a felony of the third degree; providing that a violation that causes or contributes to causing the death of any human being or unborn quick child is the crime of racing manslaughter; providing penalties; providing for a determination of the definition of the term "unborn quick child"; requiring that the driving record of a person charged be provided to the court; providing criteria for arrest; providing procedures for charging the owner of a motor vehicle as a spectator if the owner's vehicle is parked or operated in near proximity to any such race, drag race, or exhibition; providing for citations, disposition procedures, and enforcement; providing procedures for impoundment or immobilization of a motor vehicle under a court order; providing for release from impoundment under specified exceptions; requiring costs and fees of impoundment to be paid by the owner or lessee of the motor vehicle; providing procedures for an arresting officer to immediately impound a motor vehicle used in a violation; providing for the period of impoundment; removing a requirement for impoundment that the person being arrested is the registered owner or coowner of the motor vehicle; providing for seizure and forfeiture of a motor vehicle used in a violation; removing provisions for application only after a prior conviction and only if the owner of the motor vehicle is the person charged with the violation; providing for a motor vehicle used in violation to be seized and forfeited under the Florida Contraband Forfeiture Act regardless of whether the violation is a misdemeanor or felony; providing for satisfaction of the element of negligent entrustment; providing for severability; amending s. 316.193, F.S.; lowering the blood-alcohol or breath-alcohol level for which enhanced penalties are imposed against a person who was accompanied in the vehicle by a minor at the time of the offense; amending s. 316.1937, F.S.; revising the conditions under which the court may require the use of an ignition interlock device; amending s. 316.29545, F.S.; exempting certain investigative vehicles from the prohibition against installing window sunscreening on a vehicle; amending s. 316.302, F.S.; revising the application of certain federal rules; providing for the department to perform certain duties assigned under federal rules; updating a reference to federal provisions governing out-of-service requirements for commercial vehicles; amending s. 316.3045, F.S.; providing enhanced penalties, including forfeiture of the vehicle, upon multiple convictions for violating prohibitions against the use of excessively loud soundmaking equipment in a motor vehicle; amending ss. 316.613 and 316.614, F.S.; redefining the term "motor vehicle" to exclude certain trucks from the requirement to use a child restraint or safety belt; amending s. 316.645, F.S.; authorizing a police officer to make an arrest upon probable cause of a violation of laws governing motor vehicle licenses; amending s. 316.650, F.S.; revising requirements for traffic citation forms; providing for the electronic transmission of citation data; amending s. 316.656, F.S.; lowering the percentage of blood or breath alcohol content relating to the prohibition against pleading guilty to a lesser offense of driving under the influence than the offense charged; amending s. 319.001, F.S.; defining the term "certificate of title" to include information stored electronically in the department's database; amending s. 320.0706, F.S.; providing that a violation of requirements for displaying a truck license plate is a moving violation; amending s. 320.0715, F.S.; requiring the department to withhold issuing or to suspend a registration and license plate for a commercial motor vehicle if the federal identifying number is not provided or if the motor carrier or vehicle owner has been prohibited from operating; amending s. 320.01, F.S.; redefining the term "motorcycle" to exclude a vehicle where the operator is enclosed by a cabin; amending s. 320.02, F.S., as amended; deleting the requirement for a motorcycle endorsement at the time of original registration of a motorcycle, motor-driven cycle, or moped; repealing s. 320.02(13), F.S., relating to a motor vehicle registration voluntary contribution for the Election Campaign Financing Trust Fund; repealing s. 320.08053(3), F.S., relating to provisions requiring that the department adopt rules providing certain specifications for the design of specialty license plates; amending s. 320.27, F.S.; revising evidence required for motor vehicle dealer applications; amending s. 322.01, F.S.; defining the term "convenience service"; redefining the terms "conviction," "hazardous materials," and "out-of-service order"; amending s. 322.0255, F.S.; revising eligibility for reimbursement for organizations that conduct motorcycle safety courses; amending s. 322.03, F.S.; deleting provisions exempting certain persons from the requirement to surrender a license issued by another jurisdiction; providing certain exceptions for part-time residents; amending ss. 322.051 and 322.08, F.S.; requiring that an applicant for an identification card or driver's license provide additional information; authorizing use of additional documents to prove identity; revising the fee requirements; revising provisions providing for the expiration of an identification card issued by the department; deleting provisions authorizing a voluntary contribution; amending s. 322.14, F.S.; requiring that an applicant for a driver's license provide a residence address; amending s. 322.15, F.S.; authorizing a law enforcement officer or authorized representative of the department to collect a person's fingerprints electronically; amending s. 322.17, F.S.; revising the requirements for obtaining a replacement license or permit; deleting provisions authorizing the department to issue address stickers; amending s. 322.18, F.S.; revising provisions providing for the expiration of driver's licenses; providing for the renewal of certain licenses every 8 years and for the renewal of licenses for persons older than a specified age every 6 years; providing for the renewal of licenses using a convenience service; requiring the department to issue new licenses rather than extension stickers; conforming cross-references; amending s. 322.19, F.S.; deleting provisions authorizing the use of a change-of-address sticker on a driver's license; conforming cross-references; amending s. 322.21, F.S.; increasing the fees charged for obtaining a new or renewal driver's license or identification card; specifying that a portion of the fees be deposited for use by the department; amending s. 322.2715, F.S.; clarifying that an ignition interlock device is installed for a continuous period; amending s. 322.291, F.S.; imposing additional sanctions against a person who violates requirements with respect to an ignition interlock device; amending s. 322.36, F.S.; requiring the suspension for a specified period of the driver's license of a person who loans a vehicle to a person whose driver's license is suspended if that vehicle is involved in an accident resulting in bodily injury or death; repealing s. 322.60, F.S., relating to a prohibition against possessing more than one driver's license under certain circumstances; amending s. 322.61, F.S.; clarifying provisions disqualifying a person from operating a commercial motor vehicle following certain traffic violations; providing for permanent disqualification following conviction of a felony involving the

manufacture, distribution, or dispensing of a controlled substance; amending s. 322.64, F.S.; providing that refusal to submit to a breath, urine, or blood test disqualifies a person from operating a commercial motor vehicle; providing a period of disqualification if a person has an unlawful blood-alcohol or breath-alcohol level; providing for issuance of a notice of disqualification; revising the requirements for a formal review hearing following a person's disqualification from operating a commercial motor vehicle; amending s. 324.021, F.S.; clarifying that a judgment becomes final by expiration of the time for appeal; creating the Automobile Lenders Industry Task Force within the Department of Highway Safety and Motor Vehicles; providing duties of the task force; providing for membership and the election of officers; providing for meetings; providing for reimbursement for travel and per diem expenses for public-sector members; requiring the department to provide administrative support and assistance to the task force; providing effective dates.

By the Committee on Agriculture; and Senator Atwater—

CS for SB 1994—A bill to be entitled An act relating to the Gertrude Maxwell Save a Pet Act; providing a short title; creating s. 570.97, F.S.; creating a direct-support organization for the Department of Agriculture and Consumer Services; providing for the organization and operation of the direct-support organization; providing for the purpose of the direct-support organization; providing that the direct-support organization be governed by a board of directors; providing for membership and terms; providing for the appointment of honorary board members; providing an effective date.

By the Committee on Communications and Public Utilities; and Senator Baker—

CS for SB 2052—A bill to be entitled An act relating to water and wastewater utilities; amending s. 367.0814, F.S.; revising provisions for Florida Public Service Commission staff assistance in changing rates and charges for water and wastewater utilities; providing for periodic adjustment of the gross annual revenue level established by the commission for such purposes; requiring the commission to periodically submit a report to the Legislature; specifying report requirements; providing an effective date.

By the Committee on Military Affairs and Domestic Security; and Senator Dean—

CS for SB 2058—A bill to be entitled An act relating to the hunter safety course; amending s. 372.5717, F.S.; providing that a person born on or after a specified date who is an active-duty member of the United States Armed Forces or a current member of the United States Armed Forces Reserves, the United States National Guard, the United States Coast Guard, or the United States Coast Guard Reserve may satisfy the requirement for completing the hunter safety course by completing an online electronic course or by completing a hunter safety workbook and written exam provided by the Fish and Wildlife Conservation Commission; providing an effective date.

By the Committee on Banking and Insurance; and Senators Bennett and Atwater—

CS for SB 2082—A bill to be entitled An act relating to insurance; providing a short title; amending s. 626.171, F.S.; requiring that an applicant for licensure as an insurance agent, customer representative, adjuster, service representative, managing general agent, or reinsurance intermediary provide to the Department of Financial Services his or her home and office telephone numbers and e-mail address; amending s. 626.2815, F.S.; requiring persons licensed to solicit or sell life insurance to complete a specified number of hours in continuing education on the subject of suitability in annuity and life insurance transactions; amending s. 626.551, F.S.; requiring that a licensee notify the department within 60 days after a change in home or business telephone numbers or e-mail address; amending s. 626.9521, F.S.; providing enhanced penalties for offenses involving misleading representations or fraudulent comparisons or omissions, the generation of unlawful fees and commissions, or the use of fraudulent signatures; providing for other enhanced penalties to supersede the penalties provided by the act under certain conditions; amending s. 626.9541, F.S.; revising the elements of the offense known as "churning" to include direct or indirect purchases made for the purpose of earning fees or commissions; providing that the submission of certain fraudulent signatures or the misrepresentation of a licensee's qualifications constitute an unfair method of competition and an unfair or deceptive act or practice; amending s. 626.99, F.S.; revising requirements for life insurance or annuity policies to increase the period of time allowed for obtaining an unconditional refund; requiring insurers for all types of annuities to provide a buyer's guide and a policy summary to the buyer; amending s. 627.4554, F.S.; providing for the regulation of recommendations relating to the sale of life insurance products to senior consumers; redefining the term "annuity" and defining the term "life insurance contract"; requiring that an agent obtain financial and other information concerning the senior consumer before executing a purchase or exchange of an annuity or life insurance contract; requiring that the agent perform a suitability analysis relative to the investment he or she recommends and document the analysis in writing; requiring an agent to provide a comparison of current and recommended products if the transaction involves the replacement or exchange of an in-force insurance policy or annuity; requiring an agent to provide information about any surrender charges and tax consequences; authorizing the department and commission to adopt rules; providing an effective date.

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

CS for SB 2102—A bill to be entitled An act relating to trust funds of the Agency for Health Care Administration; terminating the Florida Organ and Tissue Donor Education and Procurement Trust Fund and the Resident Protection Trust Fund; providing for the disposition of the balances in and revenues of the trust funds; prescribing procedures for the termination of the trust funds; amending s. 20.425, F.S.; providing for the administration of the Administrative Trust Fund, the Grants and Donations Trust Fund, the Health Care Trust Fund, the Medical Care Trust Fund, the Public Medical Assistance Trust Fund, the Quality of Long-Term Care Facility Improvement Trust Fund, and the Refugee Assistance Trust Fund by the Agency for Health Care Administration; providing for sources of funds and purposes; providing for annual carryforward of funds; revising the date for reversion of specified balances in the Tobacco Settlement Trust Fund; amending ss. 215.20, 320.08047, 322.08, 393.0673, and 393.0678, F.S., to conform; amending s. 394.903, F.S.; conforming a cross-reference; repealing s. 394.904, F.S., which creates the Health Care Trust Fund, to conform; amending s. 400.062, F.S., to conform; clarifying provisions with respect to amounts on deposit in the Health Care Trust Fund which control the setting of specified rates that comprise a portion of licensing fees for nursing homes and general health care licensing; removing obsolete language, to conform; amending ss. 400.063, 400.121, 400.126, 400.162, 400.966, and 765.515, F.S., to conform; repealing s. 765.52155, F.S., which creates the Florida Organ and Tissue Donor Education and Procurement Trust Fund, to conform; amending s. 765.544, F.S., to conform; providing an effective date.

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

CS for SB 2116—A bill to be entitled An act relating to trust funds of the Department of Children and Family Services; terminating the Child Advocacy Trust Fund and the Refugee Assistance Trust Fund; providing for the disposition of balances in and revenues of the trust funds; prescribing procedures for the termination of the trust funds; amending s. 17.61, F.S., to conform; amending s. 20.195, F.S.; providing for the administration of the Administrative Trust Fund, the Alcohol, Drug Abuse, and Mental Health Trust Fund, the Child Welfare Training Trust Fund, the Domestic Violence Trust Fund, the Federal Grants Trust Fund, the Grants and Donations Trust Fund, the Operations and Maintenance Trust Fund, the Social Services Block Grant Trust Fund, the Welfare Transition Trust Fund, and the Working Capital Trust Fund by the Department of Children and Family Services; providing for sources of funds and purposes; providing for annual carryforward of

funds; revising the date for reversion of specified balances in the Tobacco Settlement Trust Fund; amending s. 39.3035, F.S.; providing for the appropriation of funds to the Department of Children and Family Services for the specific purpose of funding children's advocacy centers; providing for sources of funds and purposes thereof; specifying the use of collected funds; requiring the development of funding criteria and an allocation methodology for distributing such funds; requiring annual reports; requiring an annual report to the Legislature; repealing s. 39.30351, F.S.; eliminating the Child Advocacy Trust Fund to conform to the termination of the fund by this act; amending s. 215.22, F.S.; exempting specified funds disbursed to the Florida Network of Children's Advocacy Centers, Inc., from the service charge imposed on income of a revenue nature deposited in trust funds; amending s. 938.10, F.S.; providing for deposit of proceeds derived from additional court costs imposed in cases of certain crimes against minors into the Grants and Donations Trust Fund of the department for the purpose of funding children's advocacy centers; removing obsolete language; removing reporting requirements; amending s. 895.09, F.S.; redirecting a portion of the funds obtained from a forfeiture proceeding from the Substance Abuse Trust Fund to the General Revenue Fund; deleting a provision directing the Department of Children and Family Services to distribute forfeiture funds received; providing an effective date.

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

CS for SB 2122—A bill to be entitled An act relating to trust funds of the Department of Health; terminating the Florida Center for Nursing Trust Fund within the Department of Health; providing for the disposition of the balances in and revenues of the trust fund; prescribing procedures for the termination of the trust fund; amending s. 20.435, F.S.; removing obsolete language; revising the date for reversion of specified balances in the Tobacco Settlement Trust Fund; removing the scheduled termination of the Welfare Transition Trust Fund; providing for the administration of the Brain and Spinal Cord Injury Program Trust Fund, the County Health Department Trust Fund, the Donations Trust Fund, the Florida Drug, Device, and Cosmetic Trust Fund, the Emergency Medical Services Trust Fund, the Epilepsy Services Trust Fund, the Maternal and Child Health Block Grant Trust Fund, the Nursing Student Loan Forgiveness Trust Fund, the Planning and Evaluation Trust Fund, the Preventive Health Services Block Grant Trust Fund, the Radiation Protection Trust Fund, the Rape Crisis Program Trust Fund, and the United States Trust Fund by the Department of Health; providing for sources of funds and purposes; providing for annual carryforward of funds; amending s. 215.22, F.S.; exempting voluntary contributions to the Florida Center for Nursing from the service charge imposed on income of a revenue nature deposited in trust funds; removing reference to the Florida Center for Nursing Trust Fund, to conform to the termination of the fund; amending s. 215.5601, F.S.; conforming a cross-reference; amending s. 464.0195, F.S., to conform; repealing s. 464.0198, F.S., which creates the Florida Center for Nursing Trust Fund, to conform; amending s. 794.055, F.S.; specifying limits on the uses of the Rape Crisis Trust Fund; providing an effective date.

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

CS for SB 2140—A bill to be entitled An act relating to trust funds; re-creating the Welfare Transition Trust Fund within the Department of Military Affairs without modification; repealing s. 250.175(5)(d), F.S.; abrogating provisions relating to the termination of the trust fund, to conform; providing an effective date.

By the Committee on Transportation; and Senator Baker—

CS for SB 2206—A bill to be entitled An act relating to license plates; amending ss. 320.08056 and 320.08058, F.S.; creating a Florida Tennis license plate; providing for the distribution of annual use fees received from the sale of such plates; providing an effective date.

By the Committees on Higher Education; and Higher Education—

CS for SB 2210—A bill to be entitled An act relating to student financial aid; amending ss. 1009.89 and 1009.891, F.S., relating to the William L. Boyd, IV, Florida Resident Access Grant Program and the Access to Better Learning and Education Grant Program; deleting provisions indicating that the programs are tuition assistance programs rather than financial aid programs; requiring that a student receiving an award under either program maintain a specified grade point average, earn a certain amount of academic credit each semester or equivalent term, file certain information with the Department of Education concerning financial need, and demonstrate unmet financial need at the institution; requiring institutions participating in either program to remit to the department the amount of tuition assistance expended for students who fail to meet certain requirements; limiting the period during which a student may receive an award of tuition assistance; providing an effective date.

By the Committees on Communications and Public Utilities; and Communications and Public Utilities—

CS for SB 2212—A bill to be entitled An act relating to the Public Service Commission; amending s. 350.01, F.S.; conforming the beginning of a Public Service Commissioner's term as chair with the beginning of terms of commissioners; amending s. 350.012, F.S.; renaming the Committee on Public Service Commission Oversight, a standing joint committee of the Legislature, as the "Committee on Public Counsel Oversight"; deleting the committee's authority to recommend to the Governor nominees to fill vacancies on the Public Service Commission; deleting the committee's authority to file an ethics complaint against a member, former member, or former employee of the commission, or a member of the Public Service Commission Nominating Council; amending s. 350.031, F.S.; increasing the number of members on the council; requiring the President of the Senate and the Speaker of the House of Representatives to appoint a chair and vice chair to the council in alternating years; requiring the council to submit recommendations for vacancies on the Public Service Commission to the Governor; requiring the council to nominate a minimum of three persons for each vacancy; revising the date that recommendations for vacancies must be submitted; providing for the council to fill a vacancy on the commission if the Governor fails to do so; authorizing a successor Governor to recall an unconfirmed appointee under certain circumstances; amending ss. 350.061 and 350.0614, F.S., relating to the appointment, oversight, and compensation of the Public Counsel; conforming provisions to changes made by the act; providing an effective date.

By the Committee on Children, Families, and Elder Affairs; and Senator Storms—

CS for SB 2216—A bill to be entitled An act relating to adult protection and care; amending s. 322.142, F.S.; authorizing the Department of Children and Family Services to obtain copies of driver's license files maintained by the Department of Highway Safety and Motor Vehicles for the purpose of conducting protective investigations; amending s. 400.141, F.S.; requiring a criminal records check to be conducted on all nursing home residents; amending s. 400.19, F.S.; revising provisions relating to unannounced inspections; amending s. 400.215, F.S.; requiring contracted workers employed in a nursing home to submit to background screening; prohibiting employees and contracted workers who do not meet background screening requirements from being employed in a nursing home; providing certain exceptions; deleting an obsolete provision; amending s. 408.809, F.S.; requiring the agency to establish a fee schedule to cover the cost of a level 1 or level 2 screening and giving the agency rule making authority; amending s. 408.810, F.S.; requiring health care facilities regulated by the Agency for Health Care Administration to post certain information in the facility and allowing the agency to charge a fee to cover production and distribution; amending s. 408.811, F.S.; providing that agency employees who provide advance notice of unannounced agency inspections are subject to suspension, providing a timeline and process for correction of deficiencies, and providing that the agency may provide electronic access to documents; amending s. 415.103, F.S.; requiring certain reports to the central abuse hotline relating to vulnerable adults to be immediately transferred to the county sheriff's office; amending s. 415.1051, F.S.; authorizing the

Department of Children and Family Services to file the petition to determine incapacity in adult protection proceedings; prohibiting the department from serving as the guardian or providing legal counsel to the guardian; amending s. 415.112, F.S.; specifying rules to be adopted by the Department of Children and Family Services relating to adult protective services under ch. 415, F.S.; amending s. 429.02, F.S.; revising the definition of "service plan" to remove the limitation that plans are required only in assisted living facilities that have an extended congregate care license and providing that the agency develop a service plan form; amending s. 429.07, F.S.; providing that license requirements for specialty licenses apply to current licensees as well as applicants for an extended congregate care and limited nursing license; conforming a cross-reference; amending s. 429.174, F.S.; requiring certain employees and contracted workers in assisted living facilities to submit to background screening; prohibiting employees and contracted workers who do not meet background screening requirements from being employed in an assisted living facility; providing certain exceptions; requiring the person being screened to pay for the cost of screening; amending s. 429.255, F.S.; providing that the owner or administrator of an assisted living facility is responsible for the services provided in the facility; amending s. 429.26, F.S.; clarifying a prohibition on moving a resident; providing for the development of a service plan for all residents; requiring a criminal records check to be conducted on all residents of an assisted living facility; requiring residents to be periodically assessed for competency to handle personal affairs; amending s. 429.27, F.S.; prohibiting assisted living facility personnel from making certain decisions for a resident or act as the resident's representative or surrogate; amending s. 429.28, F.S.; requiring that notice of a resident's relocation or termination of residency be in writing and a copy sent to specified persons; requiring the agency to compile an annual report for the Governor and the Legislature; requiring facilities to have a written grievance procedure that includes certain information; requiring that grievances reported to the local ombudsman council be included in a statewide reporting system; revising provisions relating to agency surveys to determine compliance with resident rights in assisted living facilities; amending s. 429.294, F.S.; deleting a cross-reference; amending s. 429.34, F.S.; providing for unannounced inspections; providing for additional 6-month inspections for certain violations; providing for an additional fine for 6-month inspections; amending s. 429.41, F.S.; requiring all residents of assisted living facilities to have a service plan; amending s. 429.65, F.S.; providing a definition of the term "Reside"; amending s. 429.67, F.S.; expanding the list of persons who must have a background screening in adult family-care homes; amending s. 429.69, F.S.; providing that the failure of a adult family-care home provider to live in the home is grounds for the denial, revocation, or suspension of a license; amending s. 429.73, F.S.; requiring adult family-care home residents to be periodically assessed for competency to handle personal affairs; amending ss. 435.03 and 435.04, F.S.; providing additional criminal offenses for screening certain health care facility personnel; repealing s. 400.141(13), F.S., relating to a requirement to post certain information in nursing homes; repealing s. 408.809(3), F.S., relating to the granting of a provisional license while awaiting the results of a background screening; repealing s. 429.08(2), F.S., deleting a provision relating to local workgroups of field offices of the Agency for Health Care Administration; repealing s. 429.41(5), F.S., relating to agency inspections; amending ss. 430.80 and 651.118, F.S.; conforming cross-references; providing an effective date.

By the Committees on Transportation; and Transportation—

CS for SB 2220—A bill to be entitled An act relating to a review of the Department of Highway Safety and Motor Vehicles under the Florida Government Accountability Act; reenacting and amending s. 20.24, F.S., relating to the establishment of the department; eliminating an obsolete reference to the Bureau of Motor Vehicle Inspection; amending s. 322.01, F.S.; defining the term "convenience service"; amending s. 322.02, F.S.; requiring the department to collect and report to the Legislature information concerning customer service at driver's license offices; amending s. 322.03, F.S.; deleting provisions exempting certain persons from the requirement to surrender a license issued by another jurisdiction; providing certain exceptions for part-time residents; amending ss. 322.051 and 322.08, F.S.; requiring that an applicant for an identification card or driver's license provide additional information; authorizing use of additional documents to prove identity; revising the fee requirements; revising provisions providing for the expiration of an identification card issued by the department; deleting provisions authorizing a voluntary contribution; amending s. 322.135, F.S.; increasing the amount of the service fee that may be charged by driver's license agents; amending s. 322.14, F.S.; requiring that an applicant for a driver's license provide a residence address; amending s. 322.17, F.S.; revising the requirements for obtaining a replacement license or permit; deleting provisions authorizing the department to issue address stickers; amending s. 322.18, F.S.; revising provisions providing for the expiration of driver's licenses; providing for the renewal of certain licenses every 8 years and for the renewal of licenses for persons older than a specified age every 6 years; providing for the renewal of licenses using a convenience service; requiring the department to issue new licenses rather than extension stickers; conforming cross-references; repealing s. 322.181(4), F.S.; relating to the Florida At-Risk Driver Council; amending s. 322.19, F.S.; deleting provisions authorizing the use of a change-of-address sticker on a driver's license; conforming cross-references; amending s. 322.21, F.S.; increasing the fees charged for obtaining a new or renewal driver's license or identification card; specifying that a portion of the fees be deposited for use by the department; repealing s. 322.60, F.S., relating to a prohibition against possessing more than one driver's license under certain circumstances; providing an effective date.

By the Committees on Higher Education Appropriations; Education Pre-K - 12; and Senators Carlton, Wilson and Bullard—

CS for CS for SJR 2308—A joint resolution proposing amendments to Section 4 of Article IV and Sections 2 and 7 of Article IX, the creation of Section 8 of Article IX, and the creation of a new section in Article XII of the State Constitution to create the position of Commissioner of Education as an elected member of the Cabinet, to require the Commissioner of Education to hold a bachelor's degree or a higher academic degree, to revise the membership of the State Board of Education, which shall consist of the Governor and the Cabinet, to revise the membership, terms, and duties of the local boards of trustees and the Board of Governors of the State University System, to establish the Florida College System, to provide for a local board of trustees to govern each institution in the Florida College System, to provide for the Florida College Board, and to provide an effective date.

By the Committee on Banking and Insurance; and Senators Peaden and Gaetz—

CS for SB 2534—A bill to be entitled An act relating to health insurance; amending s. 408.814, F.S.; revising the eligibility requirements for participation in the Medikids program or the Florida Healthy Kids program; removing certain limitations; amending s. 408.909, F.S.; revising eligibility for enrollment in a health flex plan; revising the expiration date of the health flex plan program; creating s. 408.9091, F.S.; creating the Cover Florida Health Care Access Program; providing a short title; providing legislative intent; providing definitions; requiring the Agency for Health Care Administration and the Office of Insurance Regulation of the Financial Services Commission within the Department of Financial Services to jointly administer the program; providing program requirements; requiring the development of guidelines to meet minimum standards for quality care and access to care; requiring the agency to ensure that the Cover Florida plans follow standardized grievance procedures; requiring the Executive Office of the Governor, the agency, and the office to develop a public awareness program; authorizing public and private entities to design or extend incentives for participation in the Cover Florida Access Program; requiring the agency and the office to announce an invitation to negotiate for Cover Florida plan entities to design a coverage proposal; requiring the agency and the office to approve one plan entity; authorizing the agency and the office to approve one regional network plan in each existing Medicaid area; requiring the invitation to negotiate to include certain guidelines; providing certain conditions in which plans are disapproved or withdrawn; authorizing the agency and the office to announce an invitation to negotiate for companies that offer supplemental insurance or discount medical plans; providing that certain licensing requirements or ch. 641, F.S., are not applicable to a Cover Florida plan; providing that Cover Florida plans are considered insurance under certain conditions; excluding Cover Florida plans from the Florida Life and Health Insurance Guaranty Association and the Health Maintenance Organization Consumer Assistance Plan; providing requirements for eligibility in a Cover Florida plan; requiring each Cover Florida plan to maintain and provide certain records; providing that coverage under a Cover Florida plan is not an

entitlement and does not give rise to a cause of action; requiring the agency and the office to evaluate the Cover Florida program and submit an annual report to the Governor and the Legislature; requiring the agency and the Financial Services Commission to adopt rules; amending s. 627.6562, F.S.; requiring insurance policies that provide dependent coverage to provide the policyholder with the option of insuring a child until the age of 30 under certain circumstances; providing an effective date.

By the Committee on Health Regulation; and Senator Jones—

CS for SB 2618—A bill to be entitled An act relating to public health; amending s. 381.006, F.S.; limiting application of the environmental health program of the Department of Health to state institutions for the mentally ill rather than all institutions used for the incarceration of prisoners and inmates; amending s. 381.86, F.S.; revising responsibilities of the Institutional Review Board; repealing s. 381.85, F.S., the Florida Biomedical and Social Research Act; repealing s. 381.895, F.S., relating to standards for compressed air used for recreational diving; providing an effective date.

By the Committee on Banking and Insurance; and Senators Geller, Ring, Bennett, Deutch, Villalobos, Rich, Fasano, Garcia, Wise, Atwater and Margolis—

CS for SB 2654—A bill to be entitled An act relating to autism spectrum disorder; providing a short title; creating s. 627.6686, F.S.; providing definitions; requiring health insurance plans to provide coverage for screening, diagnosis, intervention, and treatment of autism spectrum disorder in certain children; requiring a treatment plan; prohibiting an insurer from denying or refusing coverage or refusing to renew or reissue or terminate coverage based on a diagnosis of autism spectrum disorder; providing coverage limitations; providing treatment plan requirements; limiting the frequency of requests for updating a treatment plan; providing eligibility requirements; providing a maximum benefit that is adjusted annually; providing for application; amending s. 1004.55, F.S.; relocating the regional autism center at Florida State University from the Department of Communication Disorders to the College of Medicine; providing an effective date.

REFERENCE CHANGES PURSUANT TO RULE 4.7(2)

By the Committee on Transportation and Economic Development Appropriations; and Senators Fasano, Justice, Lynn, Jones, Gaetz and Bullard—

CS for SB 82—A bill to be entitled An act relating to state aid to public libraries; amending s. 257.172, F.S.; revising grant eligibility criteria for multicounty libraries; revising determination for and amount of base grants; amending s. 257.18, F.S.; revising eligibility criteria, calculation, and determination for equalization grants; limiting grants and grant amounts under specified conditions; amending s. 257.22, F.S.; removing a requirement for issuance of warrants to political subdivisions eligible for certain funding; providing an effective date.

—was placed on the Calendar.

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

CS for CS for SB 526—A bill to be entitled An act relating to interscholastic sports; providing a short title; amending s. 1006.15, F.S.; revising the criteria under which a charter school student may participate in interscholastic extracurricular activities of a public school; providing for certain private school students to participate in interscholastic sports at a public school under certain conditions; providing criteria; providing for a public school student to participate in interscholastic sports at another public school; providing criteria; providing an effective date.

—was placed on the Calendar.

By the Committee on Criminal Justice; and Senators Baker, Rich, Bennett, Deutch, Wilson, Saunders, Diaz de la Portilla, Gaetz, Jones, Lynn, Ring and Posey—

CS for SB 706—A bill to be entitled An act relating to Special Risk Class retirement benefits; amending s. 121.091, F.S.; prohibiting certain members of the Special Risk Class from being reemployed or contracting with the same employing agency from which the member retired; extending the period of time during which certain Special Risk Class members may participate in the Florida Retirement System Deferred Retirement Option program; providing requirements for extended participation; deleting obsolete provisions; providing legislative findings with respect to the state's interest in protecting the public's safety and welfare by extending retirement benefits for officers and funding increased retirement benefits in an actuarially sound manner; providing an effective date.

—was referred to the Committees on Community Affairs; Governmental Operations; Criminal and Civil Justice Appropriations; and General Government Appropriations.

By the Committee on Transportation; and Senators Bennett and Margolis—

CS for SB 816—A bill to be entitled An act relating to uniform traffic control; creating the "Mark Wandall Traffic Safety Act"; amending s. 316.003, F.S.; defining the term "traffic infraction detector"; creating s. 316.0083, F.S.; preempting to the state the use of cameras to enforce traffic laws; authorizing the use of traffic infraction detectors and traffic enforcement officers by the Department of Highway Safety and Motor Vehicles, the Department of Transportation, counties, and municipalities; providing requirements for notifying a driver of the issuance of a citation; providing that the owner of the motor vehicle involved in a violation is responsible and liable for payment of the fine assessed; providing exceptions; establishing admissibility of evidence as a rebuttable presumption of a violation; providing that submission of a false affidavit constitutes a second-degree misdemeanor; requiring the Department of Transportation to adopt and publish specifications relating to the operation and implementation of traffic infraction detectors; requiring that the specifications conform to certain minimum requirements; requiring the certification of a location by a traffic engineer before a detector is installed; authorizing the Department of Transportation to direct the removal of a detector that fails to meet the required specifications; authorizing the department to allow the installation of a detector that does not conform to the required specification upon a showing of good cause; exempting certain existing traffic infraction detectors from the requirements for meeting the department's specifications for a specified period; requiring the qualification of vendors by the Department of Transportation; amending s. 316.640, F.S.; directing the Department of Transportation to develop training and qualifications for traffic infraction enforcement officers; amending s. 318.18, F.S.; providing for penalties and distribution of fines for failing to stop at a traffic signal when such violation is enforced by a traffic infraction enforcement officer; amending s. 322.27, F.S.; prohibiting the imposition of points against a violator's driver's license for infractions enforced by a traffic infraction enforcement officer; directing the Department of Highway Safety and Motor Vehicles and the Department of Transportation to jointly report the efficacy of traffic infraction detectors on or before a specified date; providing an effective date.

—was referred to the Committees on Criminal Justice; Community Affairs; Transportation and Economic Development Appropriations; and Health and Human Services Appropriations.

By the Committee on Commerce; and Senators Alexander and Lynn—

CS for SB 966—A bill to be entitled An act relating to automated teller machine transactions; amending s. 655.966, F.S.; authorizing machine owners or operators to impose access fees or surcharges for machine use; providing fee or surcharge disclosure requirements; providing certain agreement prohibitions relating to machine access fees or surcharges; providing construction relating to certain fee-free or surcharge-free network agreements; providing an effective date.

—was placed on the Calendar.

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

CS for SB 1906—A bill to be entitled An act relating to alternative credit high school courses; creating s. 1002.375, F.S.; establishing a pilot project for awarding high school credit to students enrolled in industry certification programs; requiring the Commissioner of Education to establish criteria for program participation; requiring that a school district submit a letter of interest by a specified date in order to participate in the pilot project; requiring that the Commissioner of Education submit a report to the Governor and the Legislature; providing for specified courses to be included as alternative credit courses; exempting alternative credit courses from certain requirements; authorizing the Department of Education to approve certain courses for credit by examination; requiring the Department of Education to adopt passing minimum scores on approved assessments and maintain a course directory; requiring the State Board of Education to adopt rules; amending s. 1011.61, F.S., relating to definitions for the Florida Education Finance Program; providing for an alternate method of reporting full-time equivalent membership for credit earned in alternative high school credit courses for the pilot project created under s. 1002.375, F.S.; providing an effective date.

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

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

CS for SB 1908—A bill to be entitled An act relating to the designation of high school grades; amending s. 1008.34, F.S, relating to the school grading system; providing for a revised high school grading system beginning with the 2009-2010 school year which includes the statewide standardized assessment, graduation rates, performance and participation in certain courses, postsecondary readiness as measured by certain examinations, and the change in these factors from year to year; specifying the data components to be used in determining the revised high school grading system; requiring that the criteria for school grades give added weight to the graduation rate of all eligible at-risk students; providing an effective date.

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

By the Committee on Higher Education; and Senators Haridopolos, Ring, Oelrich, Joyner, Dean, Fasano, Justice, Gaetz, Storms, Dockery, Geller, Deutch and Baker—

CS for SB 1964—A bill to be entitled An act relating to cigarette tax revenues; amending s. 210.20, F.S.; providing for extending the period for transfer of the portion of the revenues from the cigarette tax to be paid monthly to the Board of Directors of the H. Lee Moffitt Cancer Center and Research Institute for certain purposes; authorizing use of funds to pay bonds or related financial products; providing legislative intent relating to debt service; amending s. 210.201, F.S.; revising provisions providing for the use of transferred moneys to include cancer research, treatment, and related facilities; providing for retroactive application; providing an effective date.

—was referred to the Committees on Health Policy; Finance and Tax; Higher Education Appropriations; and Education Facilities Appropriations.

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

CS for SB 2102—A bill to be entitled An act relating to trust funds of the Agency for Health Care Administration; terminating the Florida Organ and Tissue Donor Education and Procurement Trust Fund and the Resident Protection Trust Fund; providing for the disposition of the balances in and revenues of the trust funds; prescribing procedures for the termination of the trust funds; amending s. 20.425, F.S.; providing for the administration of the Administrative Trust Fund, the Grants and Donations Trust Fund, the Health Care Trust Fund, the Medical Care Trust Fund, the Public Medical Assistance Trust Fund, the Quality of Long-Term Care Facility Improvement Trust Fund, and the Refugee Assistance Trust Fund by the Agency for Health Care Administration; providing for sources of funds and purposes; providing for annual carryforward of funds; revising the date for reversion of specified balances in the Tobacco Settlement Trust Fund; amending ss. 215.20, 320.08047, 322.08, 393.0673, and 393.0678, F.S., to conform; amending s. 394.903, F.S.; conforming a cross-reference; repealing s. 394.904, F.S., which creates the Health Care Trust Fund, to conform; amending s. 400.062, F.S., to conform; clarifying provisions with respect to amounts on deposit in the Health Care Trust Fund which control the setting of specified rates that comprise a portion of licensing fees for nursing homes and general health care licensing; removing obsolete language, to conform; amending ss. 400.063, 400.121, 400.126, 400.162, 400.966, and 765.515, F.S., to conform; repealing s. 765.52155, F.S., which creates the Florida Organ and Tissue Donor Education and Procurement Trust Fund, to conform; amending s. 765.544, F.S., to conform; providing an effective date.

—was placed on the Calendar.

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

CS for SB 2116—A bill to be entitled An act relating to trust funds of the Department of Children and Family Services; terminating the Child Advocacy Trust Fund and the Refugee Assistance Trust Fund; providing for the disposition of balances in and revenues of the trust funds; prescribing procedures for the termination of the trust funds; amending s. 17.61, F.S., to conform; amending s. 20.195, F.S.; providing for the administration of the Administrative Trust Fund, the Alcohol, Drug Abuse, and Mental Health Trust Fund, the Child Welfare Training Trust Fund, the Domestic Violence Trust Fund, the Federal Grants Trust Fund, the Grants and Donations Trust Fund, the Operations and Maintenance Trust Fund, the Social Services Block Grant Trust Fund, the Welfare Transition Trust Fund, and the Working Capital Trust Fund by the Department of Children and Family Services; providing for sources of funds and purposes; providing for annual carryforward of funds; revising the date for reversion of specified balances in the Tobacco Settlement Trust Fund; amending s. 39.3035, F.S.; providing for the appropriation of funds to the Department of Children and Family Services for the specific purpose of funding children's advocacy centers; providing for sources of funds and purposes thereof; specifying the use of collected funds; requiring the development of funding criteria and an allocation methodology for distributing such funds; requiring annual reports; requiring an annual report to the Legislature; repealing s. 39.30351, F.S.; eliminating the Child Advocacy Trust Fund to conform to the termination of the fund by this act; amending s. 215.22, F.S.; exempting specified funds disbursed to the Florida Network of Children's Advocacy Centers, Inc., from the service charge imposed on income of a revenue nature deposited in trust funds; amending s. 938.10, F.S.; providing for deposit of proceeds derived from additional court costs imposed in cases of certain crimes against minors into the Grants and Donations Trust Fund of the department for the purpose of funding children's advocacy centers; removing obsolete language; removing reporting requirements; amending s. 895.09, F.S.; redirecting a portion of the funds obtained from a forfeiture proceeding from the Substance Abuse Trust Fund to the General Revenue Fund; deleting a provision directing the Department of Children and Family Services to distribute forfeiture funds received; providing an effective date.

—was placed on the Calendar.

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

CS for SB 2122—A bill to be entitled An act relating to trust funds of the Department of Health; terminating the Florida Center for Nursing Trust Fund within the Department of Health; providing for the disposition of the balances in and revenues of the trust fund; prescribing procedures for the termination of the trust fund; amending s. 20.435, F.S.; removing obsolete language; revising the date for reversion of specified balances in the Tobacco Settlement Trust Fund; removing the scheduled termination of the Welfare Transition Trust Fund; providing for the administration of the Brain and Spinal Cord Injury Program Trust

Fund, the County Health Department Trust Fund, the Donations Trust Fund, the Florida Drug, Device, and Cosmetic Trust Fund, the Emergency Medical Services Trust Fund, the Epilepsy Services Trust Fund, the Maternal and Child Health Block Grant Trust Fund, the Nursing Student Loan Forgiveness Trust Fund, the Planning and Evaluation Trust Fund, the Preventive Health Services Block Grant Trust Fund, the Radiation Protection Trust Fund, the Rape Crisis Program Trust Fund, and the United States Trust Fund by the Department of Health; providing for sources of funds and purposes; providing for annual carryforward of funds; amending s. 215.22, F.S.; exempting voluntary contributions to the Florida Center for Nursing from the service charge imposed on income of a revenue nature deposited in trust funds; removing reference to the Florida Center for Nursing Trust Fund, to conform to the termination of the fund; amending s. 215.5601, F.S.; conforming a cross-reference; amending s. 464.0195, F.S., to conform; repealing s. 464.0198, F.S., which creates the Florida Center for Nursing Trust Fund, to conform; amending s. 794.055, F.S.; specifying limits on the uses of the Rape Crisis Trust Fund; providing an effective date.

—was placed on the Calendar.

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

CS for SB 2140—A bill to be entitled An act relating to trust funds; re-creating the Welfare Transition Trust Fund within the Department of Military Affairs without modification; repealing s. 250.175(5)(d), F.S.; abrogating provisions relating to the termination of the trust fund, to conform; providing an effective date.

—was placed on the Calendar.

By the Committees on Higher Education Appropriations; Education Pre-K - 12; and Senators Carlton, Wilson and Bullard—

CS for CS for SJR 2308—A joint resolution proposing amendments to Section 4 of Article IV and Sections 2 and 7 of Article IX, the creation of Section 8 of Article IX, and the creation of a new section in Article XII of the State Constitution to create the position of Commissioner of Education as an elected member of the Cabinet, to require the Commissioner of Education to hold a bachelor's degree or a higher academic degree, to revise the membership of the State Board of Education, which shall consist of the Governor and the Cabinet, to revise the membership, terms, and duties of the local boards of trustees and the Board of Governors of the State University System, to establish the Florida College System, to provide for a local board of trustees to govern each institution in the Florida College System, to provide for the Florida College Board, and to provide an effective date.

—was placed on the Calendar.

MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

The Governor advised that he had filed with the Secretary of State SB 2502 which he approved on March 14, 2008.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

RETURNING MESSAGES—FINAL ACTION

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has passed SB 1676, CS for SB 1678, SB 1680 and SB 1682.

William S. Pittman III, Chief Clerk

The bills contained in the foregoing messages were ordered enrolled.

CORRECTION AND APPROVAL OF JOURNAL

The Journal of March 13 was corrected and approved.

CO-INTRODUCERS

Senators Alexander—CS for SB 1964; Atwater—SB 388, SB 540, CS for SB 1086, CS for SB 1964, CS for SB 2082, CS for SB 2654; Baker—CS for CS for SB 108, SB 446, CS for CS for SB 564, CS for CS for SB's 1094 and 326, CS for SB 1462, CS for SB 1964, CS for SB 2352, CS for SB 2866; Bennett—CS for SB 2060, CS for CS for SB 2580, CS for SB 2654, CS for SB 2790; Bullard—CS for SB 82, SB 86, SB 88, SR 110, CS for SB 116, SB 188, SB 214, SB 226, CS for SB 276, SB 366, SB 440, CS for SB 472, SB 548, CS for SB 614, CS for SB 708, SB 998, SB 1020, SB 1036, SB 1186, SB 1326, SM 1600, SB 1650, CS for SB 2006; Carlton—CS for CS for SB 2580; Deutch—CS for SB 2654; Diaz de la Portilla—SB 2322; Dockery—SB 998; Fasano—CS for SB 328, SR 1236, CS for SB 2654; Gaetz—CS for SB 992, SB 1022, CS for SB 1672, CS for SB 1684, CS for SB 2534; Garcia—CS for CS for SB 1440, CS for SB 2654; Haridopolos—SJR 2384; Hill—SB 2842; Jones—CS for CS for SB's 1094 and 326; Joyner—CS for SB 12, SB 200; Justice—CS for SB 736, CS for CS for SB's 1094 and 326, SB 2768; King—SB 2424; Lawson—SB 94, SB 446, SB 460, CS for SB 500, CS for CS for SB 682, SB 768, SB 1664; Lynn—CS for SB 268, CS for CS for SB 564, CS for SB 694, CS for SB 736, CS for SB 886, CS for SB 966, CS for SB 1084, CS for CS for SB's 1094 and 326, CS for SB 1192, CS for SB 1270, CS for SB 1616; Margolis—SB 200, CS for SB 1084, CS for SB 1694, CS for SB 2654; Posey—CS for CS for SB's 1094 and 326, SB 1650; Rich—SR 1236, CS for SB 2654; Ring—SB 200, CS for SB 926; Saunders—CS for SB 164; Siplin—SCR 362, SB 2214, SB 2404; Storms—CS for SB 1426; Villalobos—CS for SB 2654; Webster—SB 1650; Wise—SR 1236, CS for SB 2654

RECESS

Pursuant to the motion by Senator King previously adopted, the Senate recessed upon the dissolution of the Senate Reunion at 11:47 a.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 9:00 a.m., Wednesday, March 26 or upon call of the President.

SENATE PAGES

March 17-21, 2008

Veronica Bruton, Greenville; Davis D. Bass, Lynn Haven; Christopher J. Gage, Stuart; Chelsea Gregoria, Bradenton; Ashleigh Gregoria, Bradenton; Malena J. Lowe, Quincy; McKesson "Lloyd" McCorvey, Tallahassee; Savannah Miller, Tallahassee; Samuel "Sammy" Patterson IV, Tallahassee; Charlotte Rakestraw, Tallahassee; Parker Reid, Tampa; Brandon Sapp, Crawfordville; Chelsey Severance, Tallahassee; Christopher "Chris" Walker, Tallahassee; William "Daniel" Wells

Journal of the Senate

Number 7—Regular Session **Wednesday, March 26, 2008**

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CALL TO ORDER

The Senate was called to order by President Pruitt at 9:00 a.m. A quorum present—38:

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

Excused: Senators Dawson and Wilson; Senator Lynn until 10:00 a.m.

PRAYER

The following prayer was offered by Pastor Roger Watts, retired United Methodist Pastor, Pinellas Park:

We are richly blessed to live in a country that has the widest diversity of religion, the greatest religious freedom, and the least religious strife in the world. We pause at the start of a new day to celebrate our freedom and to thank God for these blessings. We pause to ask the guidance of Deity upon our lives and upon the important business before this assembly.

We come from many traditions. We pray in many different ways. This is so good that we can gather together in prayer. As I pray in my way, won't you join me in your way, as we pray together. Let us pray.

Gracious God, we thank you for the gift of public life with all of its responsibilities and all of its privileges. We are grateful for the opportunity to follow you and to lead your people. Help us to be faithful to you and to them as we govern our state.

Grant to us, dear God, a renewal of the high ideals and aspirations that were a part of our call to service. Revive and refresh in us the passion for excellence, the deepest desire for justice, the greatest longing for peace, the urgency for the general welfare, and the commitment to integrity in government.

Merciful God, I pray your richest blessings upon these men and women gathered here. Pour out your grace upon them and upon their families. Enrich and encourage them so that they might serve with even greater diligence and perform their many duties with the hearts of devoted public servants.

Show us the way and grant us the courage to be faithful.

Thank you for all who have come before us and for the foundations they have provided. Help us to prepare the way for all who will follow us here. May we leave for them even a stronger and even a healthier legacy than the precious heritage we have received.

Hear our prayer, O Lord. Thank you for hearing our prayers, O Lord. In your holy name, we pray. Amen.

PLEDGE

Senate Pages Chynelle Bruce of Crawfordville; Joshua Cason of Melbourne; Ian M. Holtzworth of Tavernier; and Jasmine A. Wright of Hialeah, led the Senate in the pledge of allegiance to the flag of the United States of America.

DOCTOR OF THE DAY

The President recognized Dr. Robert Pickard of South Miami, sponsored by Senator Diaz de la Portilla, as doctor of the day. Dr. Pickard specializes in Otolaryngology.

ADOPTION OF RESOLUTIONS

On motion by Senator Wise—

By Senator Wise—

SR 1446—A resolution recognizing the importance of Aerospace Education in the State of Florida.

WHEREAS, Florida currently ranks third in aerospace jobs, employing approximately 148,000 Floridians earning annually an average of $51,000, with wages totaling more than $7 billion, and

WHEREAS, economically, Florida has been proactive in mobilizing assets to secure Florida's existing high-technology industry, in part through the creation of SPACE FLORIDA, and

WHEREAS, Florida has a formidable position within the aerospace industry given the state's strengths in space launch, space research, and space vehicle manufacturing, and

WHEREAS, Florida's economy currently faces a critical point in which economic development opportunities abound, but so does increasing global competition, particularly in the aerospace industry, and

WHEREAS, Florida is indeed the premier location for aerospace business and investment, but the state must work hard to maintain that position and even harder to develop growth in this arena, and

WHEREAS, aerospace is now a major global industry with annual commercial revenues in excess of $340 billion, and the space industry is becoming a significant global growth market as businesses find more opportunities to harness space for a range of commercial applications, and

WHEREAS, the future economic prosperity of Florida depends in large part on a vibrant aerospace and high-technology industrial base, NOW, THEREFORE,

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

That the Florida Senate recognizes the importance of Aerospace Education and urges Florida business leaders, researchers, educational institutions, and residents to take this opportunity to focus on the coming challenges and work to make Florida an even greater contributor in the development of the aerospace industry.

—was introduced out of order and read by title. On motion by Senator Wise, **SR 1446** was read the second time in full and adopted.

At the request of Senator Peaden—

By Senator Peaden—

SR 2882—A resolution recognizing the Pharmaceutical Research and Manufacturers of America on the 20th Anniversary of its Discoverers Award program.

WHEREAS, the scientists in the cutting-edge laboratories of America's pharmaceutical research companies create most of the world's new medicines, which benefit tens of millions of patients, and

WHEREAS, because of their efforts, more than 2,500 medicines are in development today to give patients more therapeutic options, and

WHEREAS, these potential new treatments include pharmaceuticals for treating cancer, Alzheimer's disease, infectious disease, heart disease, arthritis, stroke, diabetes, obesity, hypertension, HIV/AIDS, and many other life-threatening and debilitating diseases and medical conditions, and

WHEREAS, the men and women who discover and create these medicines deserve recognition for their life-saving and life-enhancing accomplishments, and

WHEREAS, each year for the past 20 years the Discoverers Award program of the Pharmaceutical Research and Manufacturers of America has honored scientists whose tireless research and development of new pharmaceuticals have greatly benefited patients all over the world, and

WHEREAS, through the years, recipients of the Discoverers Award have included the creators of vital new medicines for treating life-threatening infections, chronic myeloid leukemia, rheumatoid arthritis, and AIDS, for preventing rejections of transplants, and for lowering cholesterol, NOW, THEREFORE,

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

That the Senate recognizes the Pharmaceutical Research and Manufacturers of America and its Discoverers Award program, and applauds the life-giving and life-saving research accomplishments of the scientists recognized by the program over these 20 years.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to the Pharmaceutical Research and Manufacturers of America as a tangible token of the sentiments of the Florida Senate.

—**SR 2882** was introduced, read and adopted by publication.

At the request of Senator Joyner—

By Senator Joyner—

SR 2924—A resolution recognizing March 25, 2008, as "African Methodist Episcopal Church Day" at the Capitol.

WHEREAS, the African Methodist Episcopal Church grew out of the Free African Society, established by Richard Allen, Absalom Jones, and others in 1787 in Philadelphia, Pennsylvania, and

WHEREAS, facing discrimination at the hands of American Methodists at the St. George Methodist Episcopal Church, members of the Free African Society transformed their mutual aid society into a church congregation, and

WHEREAS, in 1794, the Bethel African Methodist Episcopal Church was dedicated with Richard Allen as pastor, and

WHEREAS, to establish the Bethel African Methodist Episcopal Church's independence from interfering white Methodists, Richard Allen successfully sued in the Pennsylvania courts in 1807 and 1815 for the right of his congregation to exist as an independent institution, and

WHEREAS, with the geographical spread of the African Methodist Episcopal Church prior to the Civil War mainly restricted to the Northeast and Midwest, the most significant era of denominational development occurred during the Civil War and Reconstruction, when Union army officials would allow African Methodist Episcopal Church clergy to move into the states of the collapsing Confederacy to bring newly freed slaves into their denomination, and

WHEREAS, by 1880, African Methodist Episcopal Church membership reached 400,000 members, and

WHEREAS, Bishop Henry M. Turner propagated African Methodism across the Atlantic Ocean into Liberia and Sierra Leone in 1891 and into South Africa in 1896, and

WHEREAS, while the African Methodist Episcopal Church is doctrinally Methodist, clergy, scholars, and lay persons have written many important works that demonstrate the distinctive theology and praxis which have defined this Wesleyan body, and

WHEREAS, by the 1990s, the African Methodist Episcopal Church included more than 2 million members, 8,000 ministers, and 7,000 congregations, with 20 bishops and 12 general officers comprising the leadership of the denomination in more than 30 nations in North and South America, Africa, and Europe, and WHEREAS, in Florida and the Bahamas, the African Methodist Episcopal Church boasts over 105,000 members in the Florida, East, Central, West Coast, South, and Bahamas Conferences, who are currently led by Bishop McKinley Young, NOW, THEREFORE,

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

That the Florida Senate recognizes March 25, 2008, as "African Methodist Episcopal Church Day" at the Capitol.

—**SR 2924** was introduced, read and adopted by publication.

SPECIAL GUESTS

Senator Fasano referred to the "Grapefruit League"—major league baseball teams that hold their spring training in Florida—and introduced the following: Reggie Jackson, former Major League Baseball right fielder who was elected to the Baseball Hall of Fame in 1993; Jim Palmer, pitcher, who was elected to the Hall of Fame in 1990; Rick Dempsey, catcher and 1983 World Series MVP; and Jerry Angelos, part of the management team of the Orioles and son of team owner, Peter Angelos.

Senator Carlton introduced Governor Charlie Crist who was present in the chamber.

BILL INTRODUCED AFTER DEADLIINE

On motion by Senator King, the rules were waived and the following bill was introduced notwithstanding the fact that the final day had passed for introduction of bills.

By The Senate of the State of Florida—

SCR 2930—A concurrent resolution expressing profound regret for the involuntary servitude of Africans and calling for reconciliation among all Floridians.

—was read by title.

MOTION

On motion by Senator King, the rules were waived and by two-thirds vote **SCR 2930** was placed first on the Special Order Calendar.

SPECIAL ORDER CALENDAR

On motion by Senator Hill, by two-thirds vote—

SCR 2930—A concurrent resolution expressing profound regret for the involuntary servitude of Africans and calling for reconciliation among all Floridians.

WHEREAS, African slavery was sanctioned and enforced through laws enacted by Florida's first Territorial Legislative Council in 1822, and

WHEREAS, the Council and its successors did, over four decades, construct a legal framework that perpetuated African slavery in one of its most brutal and dehumanizing forms, and

WHEREAS, this legal framework included such lawful punishments as the following: "That any negro or other slave duly convicted of robbery...or burglary shall suffer death or have his or her ears nailed to posts and there stand for one hour and receive 30 lashes on his or her bare back at the discretion of the court," and

WHEREAS, in 1827, free Africans were denied the right to vote and in later years were, by law, so repressed, restricted, and harassed that by 1850 most had been driven from Florida, and

WHEREAS, African slavery was entrenched within the plantation culture of Middle Florida to such a degree that by the year 1860, 73 percent of the total population of Leon County were slaves, and

WHEREAS, there were early political leaders in Florida who advocated a vigorous defense of slavery, and

WHEREAS, the Florida Legislature has identified grave injustices inflicted upon African slaves and freemen by the state, and

WHEREAS, even though the laws permitting such injustices have been repealed, it is important that the Legislature express profound regret for the shameful chapter in this state's history and, in so doing, promote healing and reconciliation among all Floridians, NOW, THEREFORE,

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

That the Legislature expresses its profound regret for Florida's role in sanctioning and perpetuating involuntary servitude upon generations of African slaves.

BE IT FURTHER RESOLVED that the Legislature calls for healing and reconciliation among all residents of the state.

—was read the second time in full and adopted. On motion by Senator Hill, by two-thirds vote **SCR 2930** was immediately certified to the House.

REMARKS

The President introduced John Phelps, curator of the Historic Capitol, for remarks relating to the legislative history of slavery in the State of Florida. On motion by Senator King, the following remarks were ordered spread upon the Journal:

John Phelps: Mr. President, Senators, thank you for the extraordinary honor of addressing this chamber on this historic day.

Context

To provide background for the pending resolution, I have been asked to summarize the legal history of slavery in Florida.

Justification

It is commonplace for legislatures to revisit and amend the actions of their predecessors. Since laws related to slavery were conceived by earlier assemblies, it is within this body's discretion to speak to those laws in the context of the present time.

Method

The findings that follow are based upon the plain language of the "Slave Codes" enacted by Florida legislative bodies between 1822 and 1868, along with related writings from the period.

The words of the Codes speak clearly and powerfully in their own right.

Background

In January of 1861, former Governor Gen. Richard Keith Call argued intensely, but to no avail, against the State seceding from the Federal Union. One month later, he wrote a letter to a Mr. Littell of Pennsylvania in which he made the Southern case for slavery. Call's hope was that when published, his letter would aid the North in understanding the South's point of view and thereby advance the cause for restoring the Union. For our purposes, the letter provides the perspective on slavery of a learned member of the planter class that controlled the Legislature at that time. (Call was a member of the Territorial Council that enacted the first slave laws in 1822 and 1823.) The letter described "persons of African descent" in these words:

"Here was an animal, in the form of a man, possessing the greatest physical power, and the greatest capacity for labor and endurance, without one principle of his nature, one faculty of mind or feeling of heart, without spirit or pride of character, to enable him to regard slavery as a degradation. A wild barbarian, to be tamed and civilized by the discipline of slavery." (Call, 1861)

This belief about Africans in powerful combination with the economic interests of the Territory's political class impelled the Council to conceive the Slave Codes of Florida.

Findings

1822

The record of the first Territorial Council in 1822 is incomplete, however, reference to slavery may be found in three of its acts. The law most relevant to our purpose is entitled "An act for the punishment of slaves, for violations of the penal laws of this Territory." It addresses criminal penalties, the judicial process and master/slave relations. It also spells out the process by which title to slaves was certified through the offices of the clerk of the court.

The language of the act that dealt with punishment reads as follows:

"That, for the crimes of murder, manslaughter, rape, arson, burglary, poisoning and rebelling against their masters, any slave or slaves being thereof convicted, shall be deemed guilty of a felony without the benefit of clergy, and shall suffer death."

Free blacks were also impacted by this law. Section 15 reads:

"That it shall be lawful for any justice of the peace to commit to the jail of his county any emancipated slave travelling outside the county of his residence, without a copy of the instrument of his or her emancipation, there to remain until such copy is produced and the jailor's fees paid."

This was the first of many policies aimed at restricting the rights and movements of free blacks.

1824

The 1824 Territorial Council expanded upon the work of the 1822 Council by adding new provisions to the Slave Code, including in part:

- "It shall always be presumed, that every person held as a slave, is a slave, unless the contrary be made to appear."
- "That a body of men slaves exceeding seven in number and without having a white person with them, shall not travel in any high (i.e. public) road, and slaves thus found in a body may be whipped not exceeding twenty stripes, without reference to the civil authority."

- "That if a slave shall under any pretence strike, or otherwise assault a white person, such slave shall be punished by whipping not exceeding one hundred stripes, at the discretion of any justice of the peace"

1828

In 1828, the Territorial Council enacted a lengthy re-codification and expansion of the slave code upon which its successors would build. Among the 63 sections of this code were the following provisions that went beyond earlier acts:

- "That no pass or permission to any slave to buy or sell, shall be deemed good and sufficient to authorize such slave to buy or sell any article whatever, unless such pass or permission be signed by the master, employer or overseer of such slave, and any slave without such pass or permission, and being found guilty thereof shall receive not exceeding thirty-nine lashes by order of said justice." (Sec. 8)
- "That every person other than a negro who shall have one fourth part or more of negro blood shall be deemed a mulatto." (Sec. 12)
- "That if any negro or mulatto, bond or free, shall at any time use abusive and provoking language to, or lift his hand in opposition to any person not being a negro or mulatto, he, she or they so offending shall for every offence receive not exceeding thirty-nine lashes." (Sec. 22)
- "That any negro, bond or free, shall be found guilty of giving any false testimony, every such offender shall have his or her ears nailed to posts and there to stand for one hour, and moreover, receive thirty-nine lashes on his or her bare back." (Sec. 41)

The 1828 Council also made emancipation of slaves more costly by requiring masters to forfeit two-hundred dollars for every slave freed.

1832

In 1832, an act declared it unlawful for "free Negroes to migrate, or be brought into this Territory from any State or Territory, within the United States" or "to congregate for preaching, or exhorting except at worship services in the white church." Any free Negro who returned to the Territory after having been removed a first time could be "sold at public sale by the officer arresting him or her to the highest bidder for the term of five years."

1838

Florida's first constitution (adopted in 1838) outlawed emancipation of slaves and prohibited the General Assembly from passing laws to the contrary. It also permitted only free white men to vote, to bear arms and to serve in the Legislature. Another article conferred upon the Legislature the power to prevent free Negroes, mulattos, and other persons of color from coming into the state or from being discharged from on board any vessel in a Florida port.

1842

In 1842, the freedoms, movements and activities of free blacks were further restricted. All free blacks were prohibited from buying and selling goods and were to be governed by the same laws and restrictions as slaves. The Council further mandated that free blacks over the age of 12 in the Territory during the Spanish Period be required to select a white guardian. Free blacks entering the Territory after secession from Spain were required to pay one dollar per annum or be sold at public auction. All Free blacks who came or were brought into the Territory after Feb. 10th, 1832 were to be removed from the Territory by the Sheriff of the county of their residence or, if refusing to leave, would be sold into bondage for ninety-nine years to the highest bidder. The same treatment applied to free blacks on board vessels making port in Florida.

1855

The scale and importance of slavery is evidenced by the 1855 Senate Journal, which shows that Florida's total population at the time was 110,850 people. Of this number 49,138 or 44 percent were slaves and 774 were "free persons of color." The value of property in the state, excluding government buildings, was $49,461,466. Of this amount, $27,250,551 or 55 percent of all property was calculated as the value of slaves.

1858-59

During 1858-59 legislative session, a bill passed that allowed "free persons of African descent" to "select their masters and become a slave by filing a petition with the clerk of the court in their county of residence." The effect of this was to close the door to status as a freeman for "negroes of African descent."

1861-Early 1865

During the Confederate period from 1861 to 1865, the General Assembly was preoccupied with affairs of war. Scant reference was made to slavery in its enactments or journals except in connection with the impressments of slaves into service as labor for the construction of wartime defenses.

Late 1865

De facto emancipation of slaves occurred when Federal troops occupied Florida in May 1865 but the slave codes remained a vestige in the law. An attempt to form a post-Confederate government was nullified when Congress rejected the Constitution of 1865. This rejection likely occurred because of provisions in the 1865 document that would have prohibited slavery but at the same time, denied the right to vote to all but free white males.

Following this Congressional action, Florida was once again placed under military rule.

1868

In 1868, a new constitutional convention was ordered to convene by the occupying military authority.

After numerous delaying tactics, this bitterly divided convention finally came to agreement upon the Constitution of 1868. This foundational document guaranteed the right to vote to "Every male person of the age of twenty-one years and upwards, of whatever race, color, nationality or previous condition." Its declaration of rights further provided that "Neither slavery nor involuntary servitude, except for the punishment of a crime shall ever be tolerated in this state."

When the people ratified this new Constitution on May 4th, 1868, the legal sanction of slavery came to an end in Florida.

The House and Senate Journals refer from time to time to laws intended to remedy acts of discrimination. They do not provide evidence of an express apology for the Slave Codes enacted by past legislatures, which brings us to the pending resolution.

SENATOR VILLALOBOS PRESIDING

SB 2098—A bill to be entitled An act relating to trust funds; recreating the Federal Grants Trust Fund within the Florida Parole Commission without modification; repealing s. 947.045(3), F.S.; abrogating provisions relating to the termination of the trust fund, to conform; providing an effective date.

—was read the second time by title.

On motion by Senator Crist, by two-thirds vote **SB 2098** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Deutch	Justice
Alexander	Diaz de la Portilla	King
Aronberg	Dockery	Lawson
Atwater	Fasano	Lynn
Baker	Gaetz	Margolis
Bennett	Garcia	Oelrich
Bullard	Geller	Peaden
Carlton	Haridopolos	Posey
Crist	Jones	Rich
Dean	Joyner	Ring

Saunders	Storms	Webster
Siplin	Villalobos	Wise

Nays—None

Vote after roll call:

Yea—Constantine, Hill

SB 2100—A bill to be entitled An act relating to trust funds; recreating the Shared County/State Juvenile Detention Trust Fund within the Department of Juvenile Justice without modification; repealing s. 985.6015(3), F.S.; abrogating provisions relating to the termination of the trust fund, to conform; amending s. 985.686, F.S.; requiring counties to deposit funds for the costs for juvenile detention into the Shared County/State Juvenile Detention Trust Fund rather than the Juvenile Justice Grants and Donations Trust Fund; providing an effective date.

—was read the second time by title. On motion by Senator Crist, by two-thirds vote **SB 2100** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Constantine, Hill

CS for SB 2102—A bill to be entitled An act relating to trust funds of the Agency for Health Care Administration; terminating the Florida Organ and Tissue Donor Education and Procurement Trust Fund and the Resident Protection Trust Fund; providing for the disposition of the balances in and revenues of the trust funds; prescribing procedures for the termination of the trust funds; amending s. 20.425, F.S.; providing for the administration of the Administrative Trust Fund, the Grants and Donations Trust Fund, the Health Care Trust Fund, the Medical Care Trust Fund, the Public Medical Assistance Trust Fund, the Quality of Long-Term Care Facility Improvement Trust Fund, and the Refugee Assistance Trust Fund by the Agency for Health Care Administration; providing for sources of funds and purposes; providing for annual carryforward of funds; revising the date for reversion of specified balances in the Tobacco Settlement Trust Fund; amending ss. 215.20, 320.08047, 322.08, 393.0673, and 393.0678, F.S., to conform; amending s. 394.903, F.S.; conforming a cross-reference; repealing s. 394.904, F.S., which creates the Health Care Trust Fund, to conform; amending s. 400.062, F.S., to conform; clarifying provisions with respect to amounts on deposit in the Health Care Trust Fund which control the setting of specified rates that comprise a portion of licensing fees for nursing homes and general health care licensing; removing obsolete language, to conform; amending ss. 400.063, 400.121, 400.126, 400.162, 400.966, and 765.515, F.S., to conform; repealing s. 765.52155, F.S., which creates the Florida Organ and Tissue Donor Education and Procurement Trust Fund, to conform; amending s. 765.544, F.S., to conform; providing an effective date.

—was read the second time by title. On motion by Senator Peaden, by two-thirds vote **CS for SB 2102** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Constantine, Hill

SB 2104—A bill to be entitled An act relating to trust funds; recreating the Administrative Trust Fund within the Agency for Persons with Disabilities without modification; carrying forward current balances and continuing current sources and uses thereof; amending s. 20.1971, F.S.; removing the scheduled termination of the trust fund; providing an effective date.

—was read the second time by title. On motion by Senator Peaden, by two-thirds vote **SB 2104** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Constantine, Hill

SB 2106—A bill to be entitled An act relating to trust funds; recreating the Tobacco Settlement Trust Fund within the Agency for Persons with Disabilities; carrying forward current balances and continuing current sources and uses thereof; amending s. 20.1971, F.S.; revising a condition with respect to the reversion of specified unencumbered balances; removing the scheduled termination of the trust fund; providing an effective date.

—was read the second time by title. On motion by Senator Peaden, by two-thirds vote **SB 2106** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Bullard	Dockery
Alexander	Carlton	Fasano
Aronberg	Crist	Gaetz
Atwater	Dean	Garcia
Baker	Deutch	Geller
Bennett	Diaz de la Portilla	Haridopolos

Jones	Margolis	Saunders
Joyner	Oelrich	Siplin
Justice	Peaden	Storms
King	Posey	Villalobos
Lawson	Rich	Webster
Lynn	Ring	Wise

Nays—None

Vote after roll call:

Yea—Constantine, Hill

SB 2108—A bill to be entitled An act relating to trust funds; recreating the Federal Grants Trust Fund within the Agency for Persons with Disabilities without modification; carrying forward current balances and continuing current sources and uses thereof; amending s. 20.1971, F.S.; removing the scheduled termination of the trust fund; providing an effective date.

—was read the second time by title. On motion by Senator Peaden, by two-thirds vote **SB 2108** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Constantine, Hill

SB 2110—A bill to be entitled An act relating to trust funds; recreating the Operations and Maintenance Trust Fund within the Agency for Persons with Disabilities without modification; carrying forward current balances and continuing current sources and uses thereof; amending s. 20.1971, F.S.; removing the scheduled termination of the trust fund; providing an effective date.

—was read the second time by title. On motion by Senator Peaden, by two-thirds vote **SB 2110** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Constantine, Hill

SB 2112—A bill to be entitled An act relating to trust funds; recreating the Social Services Block Grant Trust Fund within the Agency for Persons with Disabilities without modification; carrying forward current balances and continuing current sources and uses thereof; amending s. 20.1971, F.S.; removing the scheduled termination of the trust fund; providing an effective date.

—was read the second time by title. On motion by Senator Peaden, by two-thirds vote **SB 2112** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Constantine, Hill

SB 2114—A bill to be entitled An act relating to trust funds; recreating the Welfare Transition Trust Fund within the Department of Children and Family Services without modification; carrying forward current balances and continuing current sources and uses thereof; amending s. 20.506, F.S.; removing the scheduled termination of the trust fund; providing an effective date.

—was read the second time by title. On motion by Senator Peaden, by two-thirds vote **SB 2114** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Constantine, Hill

CS for SB 2116—A bill to be entitled An act relating to trust funds of the Department of Children and Family Services; terminating the Child Advocacy Trust Fund and the Refugee Assistance Trust Fund; providing for the disposition of balances in and revenues of the trust funds; prescribing procedures for the termination of the trust funds; amending s. 17.61, F.S., to conform; amending s. 20.195, F.S.; providing

for the administration of the Administrative Trust Fund, the Alcohol, Drug Abuse, and Mental Health Trust Fund, the Child Welfare Training Trust Fund, the Domestic Violence Trust Fund, the Federal Grants Trust Fund, the Grants and Donations Trust Fund, the Operations and Maintenance Trust Fund, the Social Services Block Grant Trust Fund, the Welfare Transition Trust Fund, and the Working Capital Trust Fund by the Department of Children and Family Services; providing for sources of funds and purposes; providing for annual carryforward of funds; revising the date for reversion of specified balances in the Tobacco Settlement Trust Fund; amending s. 39.3035, F.S.; providing for the appropriation of funds to the Department of Children and Family Services for the specific purpose of funding children's advocacy centers; providing for sources of funds and purposes thereof; specifying the use of collected funds; requiring the development of funding criteria and an allocation methodology for distributing such funds; requiring annual reports; requiring an annual report to the Legislature; repealing s. 39.30351, F.S.; eliminating the Child Advocacy Trust Fund to conform to the termination of the fund by this act; amending s. 215.22, F.S.; exempting specified funds disbursed to the Florida Network of Children's Advocacy Centers, Inc., from the service charge imposed on income of a revenue nature deposited in trust funds; amending s. 938.10, F.S.; providing for deposit of proceeds derived from additional court costs imposed in cases of certain crimes against minors into the Grants and Donations Trust Fund of the department for the purpose of funding children's advocacy centers; removing obsolete language; removing reporting requirements; amending s. 895.09, F.S.; redirecting a portion of the funds obtained from a forfeiture proceeding from the Substance Abuse Trust Fund to the General Revenue Fund; deleting a provision directing the Department of Children and Family Services to distribute forfeiture funds received; providing an effective date.

—was read the second time by title. On motion by Senator Peaden, by two-thirds vote **CS for SB 2116** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Constantine, Hill

SB 2118—A bill to be entitled An act relating to trust funds; recreating the Welfare Transition Trust Fund within the Department of Health without modification; carrying forward current balances and continuing current sources and uses thereof; amending s. 20.435, F.S.; removing the scheduled termination of the trust fund; providing an effective date.

—was read the second time by title. On motion by Senator Peaden, by two-thirds vote **SB 2118** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Constantine, Hill

SB 2120—A bill to be entitled An act relating to trust funds of the Department of Veterans' Affairs; creating s. 20.375, F.S.; providing for the administration of the Federal Grants Trust Fund, the Grants and Donations Trust Fund, the Operations and Maintenance Trust Fund, and the State Homes for Veterans Trust Fund by the Department of Veterans' Affairs; providing for sources of funds and purposes; providing for annual carryforward of funds; amending ss. 296.11 and 296.38, F.S.; specifying an additional use of moneys in the Grants and Donations Trust Fund of the department for the benefit of veterans who are residents of the Veterans' Domiciliary Home of Florida or a veterans' nursing home; providing an effective date.

—was read the second time by title. On motion by Senator Peaden, by two-thirds vote **SB 2120** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Constantine, Hill

CS for SB 2122—A bill to be entitled An act relating to trust funds of the Department of Health; terminating the Florida Center for Nursing Trust Fund within the Department of Health; providing for the disposition of the balances in and revenues of the trust fund; prescribing procedures for the termination of the trust fund; amending s. 20.435, F.S.; removing obsolete language; revising the date for reversion of specified balances in the Tobacco Settlement Trust Fund; removing the scheduled termination of the Welfare Transition Trust Fund; providing for the administration of the Brain and Spinal Cord Injury Program Trust Fund, the County Health Department Trust Fund, the Donations Trust Fund, the Florida Drug, Device, and Cosmetic Trust Fund, the Emergency Medical Services Trust Fund, the Epilepsy Services Trust Fund, the Maternal and Child Health Block Grant Trust Fund, the Nursing Student Loan Forgiveness Trust Fund, the Planning and Evaluation Trust Fund, the Preventive Health Services Block Grant Trust Fund, the Radiation Protection Trust Fund, the Rape Crisis Program Trust Fund, and the United States Trust Fund by the Department of Health; providing for sources of funds and purposes; providing for annual carryforward of funds; amending s. 215.22, F.S.; exempting voluntary contributions to the Florida Center for Nursing from the service charge imposed on income of a revenue nature deposited in trust funds; removing reference to the Florida Center for Nursing Trust Fund, to conform to the termination of the fund; amending s. 215.5601, F.S.; conforming a cross-reference; amending s. 464.0195, F.S., to conform; repealing s. 464.0198, F.S., which creates the Florida Center for Nursing Trust

Fund, to conform; amending s. 794.055, F.S.; specifying limits on the uses of the Rape Crisis Trust Fund; providing an effective date.

—was read the second time by title. On motion by Senator Peaden, by two-thirds vote **CS for SB 2122** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Constantine, Hill

SB 2124—A bill to be entitled An act relating to trust funds of the Department of Elderly Affairs; creating s. 20.415, F.S.; providing for the administration of the Administrative Trust Fund, the Tobacco Settlement Trust Fund, the Federal Grants Trust Fund, the Grants and Donations Trust Fund, and the Operations and Maintenance Trust Fund by the department; providing for sources of funds and purposes; providing for annual carryforward of funds; providing for reversion of funds in the Tobacco Settlement Trust Fund; providing for certification of undisbursed obligated general revenue appropriation balances in the Grants and Donations Trust Fund for a specified period of time; repealing s. 430.41, F.S., which creates the Grants and Donations Trust Fund, to conform; repealing s. 430.42, F.S., which creates the Department of Elderly Affairs Tobacco Settlement Trust Fund, to conform; providing an effective date.

—was read the second time by title. On motion by Senator Peaden, by two-thirds vote **SB 2124** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Constantine, Hill

SB 2126—A bill to be entitled An act relating to trust funds; recreating the Water Protection and Sustainability Program Trust Fund within the Department of Environmental Protection without modification; repealing s. 403.891(3), F.S.; abrogating provisions relating to the termination of the trust fund, to conform; providing an effective date.

—was read the second time by title. On motion by Senator Alexander, by two-thirds vote **SB 2126** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Constantine, Hill

SB 2128—A bill to be entitled An act relating to trust funds; recreating the Administrative Trust Fund within the Fish and Wildlife Conservation Commission without modification; repealing s. 372.101(3), F.S.; abrogating provisions relating to the termination of the trust fund, to conform; providing an effective date.

—was read the second time by title. On motion by Senator Alexander, by two-thirds vote **SB 2128** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Constantine, Hill

SB 2130—A bill to be entitled An act relating to trust funds; recreating the Federal Grants Trust Fund within the Fish and Wildlife Conservation Commission without modification; repealing s. 372.102(3), F.S.; abrogating provisions relating to the termination of the trust fund, to conform; providing an effective date.

—was read the second time by title. On motion by Senator Alexander, by two-thirds vote **SB 2130** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Bullard	Dockery
Alexander	Carlton	Fasano
Aronberg	Crist	Gaetz
Atwater	Dean	Garcia
Baker	Deutch	Geller
Bennett	Diaz de la Portilla	Haridopolos

Jones	Margolis	Saunders
Joyner	Oelrich	Siplin
Justice	Peaden	Storms
King	Posey	Villalobos
Lawson	Rich	Webster
Lynn	Ring	Wise

Nays—None

Vote after roll call:

Yea—Constantine, Hill

SB 2132—A bill to be entitled An act relating to trust funds; re-creating the Grants and Donations Trust Fund within the Fish and Wildlife Conservation Commission without modification; repealing s. 372.103(3), F.S.; abrogating provisions relating to the termination of the trust fund, to conform; providing an effective date.

—was read the second time by title. On motion by Senator Alexander, by two-thirds vote **SB 2132** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Constantine, Hill

SB 2134—A bill to be entitled An act relating to trust funds; creating the Working Capital Trust Fund within the Department of Financial Services; providing for sources of funds and purposes; providing for future review and termination or re-creation of the trust fund; providing an effective date.

—was read the second time by title. On motion by Senator Alexander, by two-thirds vote **SB 2134** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Constantine, Hill

SB 2136—A bill to be entitled An act relating to trust funds; creating the Federal Grants Trust Fund within the Department of State; providing for sources of funds and purposes; providing for future review and termination or re-creation of the trust fund; providing an effective date.

—was read the second time by title. On motion by Senator Fasano, by two-thirds vote **SB 2136** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Constantine, Hill

SB 2138—A bill to be entitled An act relating to trust funds; creating the Clearing Funds Trust Fund within the Department of State; providing for sources of funds and purposes; providing for future review and termination or re-creation of the trust fund; amending ss. 99.092 and 99.093, F.S.; clarifying provisions requiring that election assessments be transferred to the Elections Commission Trust Fund within the Department of Legal Affairs; amending s. 105.031, F.S.; requiring that the filing fees for certain offices be transferred to the Department of Legal Affairs rather than the Department of Revenue for deposit into the Elections Commission Trust Fund; amending s. 106.24, F.S.; deleting an obsolete reference to the Division of Elections with respect to the use of funds in the Elections Commission Trust Fund; amending s. 610.104, F.S.; requiring that certain funds paid to the Department of State by cable or video providers be deposited into the Clearing Funds Trust Fund rather than the Operating Trust Fund; providing an effective date.

—was read the second time by title. On motion by Senator Fasano, by two-thirds vote **SB 2138** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Constantine, Hill

CS for SB 2140—A bill to be entitled An act relating to trust funds; re-creating the Welfare Transition Trust Fund within the Department

of Military Affairs without modification; repealing s. 250.175(5)(d), F.S.; abrogating provisions relating to the termination of the trust fund, to conform; providing an effective date.

—was read the second time by title. On motion by Senator Fasano, by two-thirds vote **CS for SB 2140** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Constantine, Hill

SB 2142—A bill to be entitled An act relating to trust funds; creating the Federal Grants Trust Fund within the Department of Community Affairs; providing for sources of funds and purposes; providing for future review and termination or re-creation of the trust fund; providing an effective date.

—was read the second time by title. On motion by Senator Fasano, by two-thirds vote **SB 2142** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Constantine, Hill

SB 2144—A bill to be entitled An act relating to trust funds; terminating specified trust funds within the Department of State; providing for disposition of balances in and revenues of such trust funds; prescribing procedures for the termination of such trust funds; amending s. 257.43, F.S.; requiring that certain moneys received by the Division of Library and Information Services be held in the Grants and Donations Trust Fund rather than the operating trust fund; amending ss. 265.284 and 265.703, F.S.; requiring that certain donations and income received by the Division of Cultural Affairs, including moneys received from rentals of facilities and properties, be deposited into the Grants and Donations Trust Fund; eliminating provisions creating the Florida Fine Arts Trust Fund; amending ss. 267.0617, 267.0619, 267.072, 267.0731, 267.074, and 267.115, F.S.; providing for the Grants and Donations Trust Fund rather than the Historical Resources Operating Trust Fund to be used for administering the Historic Preservation Grant Program, the program providing Historical Museum Grants, Museum of Florida History programs, the Great Floridians Program, the State Historical Marker Program, and provisions governing objects of historical or archaeological value; amending ss. 267.081 and 267.17, F.S.; requiring that moneys received by the Division of Historical Resources from the sale of publications and the rental of facilities and properties be held in the Grants and Donations Trust Fund rather than the operating trust fund; amending s. 267.174, F.S.; providing for the Grants and Donations Trust Fund rather than the Historical Operating Trust Fund to receive remaining assets following the termination of the Discovery of Florida Quincentennial Commemoration Commission and its support organization; providing an effective date.

—was read the second time by title. On motion by Senator Fasano, by two-thirds vote **SB 2144** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Constantine, Hill

SB 2146—A bill to be entitled An act relating to trust funds; terminating specified trust funds within the Department of Community Affairs; providing for disposition of balances in and revenues of such trust funds; prescribing procedures for the termination of such trust funds; amending s. 420.36, F.S.; redesignating the Energy Consumption Trust Fund within the Department of Community Affairs as the Federal Grants Trust Fund; providing a contingent effective date.

—was read the second time by title. On motion by Senator Fasano, by two-thirds vote **SB 2146** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Constantine, Hill

By Senator Wise—

CS for CS for SB 526—A bill to be entitled An act relating to interscholastic sports; providing a short title; amending s. 1006.15, F.S.;

revising the criteria under which a charter school student may participate in interscholastic extracurricular activities of a public school; providing for certain private school students to participate in interscholastic sports at a public school under certain conditions; providing criteria; providing for a public school student to participate in interscholastic sports at another public school; providing criteria; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 526** was placed on the calendar of Bills on Third Reading.

By Senator Carlton—

CS for CS for SJR 2308—A joint resolution proposing amendments to Section 4 of Article IV and Sections 2 and 7 of Article IX, the creation of Section 8 of Article IX, and the creation of a new section in Article XII of the State Constitution to create the position of Commissioner of Education as an elected member of the Cabinet, to require the Commissioner of Education to hold a bachelor's degree or a higher academic degree, to revise the membership of the State Board of Education, which shall consist of the Governor and the Cabinet, to revise the membership, terms, and duties of the local boards of trustees and the Board of Governors of the State University System, to establish the Florida College System, to provide for a local board of trustees to govern each institution in the Florida College System, to provide for the Florida College Board, and to provide an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SJR 2308** was placed on the calendar of Bills on Third Reading.

By Senator Margolis—

CS for SB 646—A bill to be entitled An act relating to human immunodeficiency virus and acquired immune deficiency syndrome educational requirements; amending s. 381.0035, F.S.; revising requirements relating to educational courses on HIV and AIDS for certain employees and clients of specified licensed health care facilities; specifying applicability; amending s. 400.506, F.S.; revising requirements with respect to educational courses on HIV and AIDS for nurse registries; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 646** was placed on the calendar of Bills on Third Reading.

By Senator Bennett—

CS for CS for SB 686—A bill to be entitled An act relating to nursing facilities; amending s. 400.141, F.S.; authorizing certain licensed nursing facilities to develop a plan to provide certain training for nursing assistants; providing for rules relating to agency approval of training programs; amending s. 400.147, F.S.; redefining the term "adverse incident"; deleting the requirement that a nursing facility notify the agency of an adverse incident; deleting notification requirements; requiring that a risk manager determine if an incident was an adverse incident; providing that federal reporting requirements are not affected; amending s. 400.19, F.S.; providing that the most recent survey is a licensure survey under certain conditions for purposes of future survey scheduling; amending s. 400.195, F.S., relating to agency reporting requirements; conforming a cross-reference; amending s. 400.23, F.S.; deleting provisions requiring agency approval in order for a nursing home to use licensed nurses to perform certain duties; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 686** was placed on the calendar of Bills on Third Reading.

On motion by Senator Oelrich, by two-thirds vote—

CS for CS for SB 696—A bill to be entitled An act relating to community colleges; amending s. 1001.64, F.S.; providing conditions for certain contracting by community college boards of trustees; authorizing boards of trustees to enter into certain short-term loans and contracts and make payments subject to appropriation; authorizing boards of trustees to incur long-term debt according to specified requirements; prohibiting a board of trustees from securing or repaying such debt using tuition or certain other revenues; amending s. 1004.70, F.S.; requiring community college boards of trustees to authorize debt incurred by direct-support organizations; authorizing delegation for approval of short-term loans and lease-purchase agreements; providing restrictions; amending s. 1009.22, F.S., relating to workforce education postsecondary student fees, and s. 1009.23, F.S., relating to community college student fees; revising provisions relating to the pledge of fee revenues to the repayment of debt by community college boards of trustees; providing requirements for the request, issuance, securing, and payment of bonds; providing for limitation of actions; amending s. 1000.21, F.S.; renaming Daytona Beach Community College as "Daytona Beach College and renaming Indian River Community College as "Indian River College"; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 696** was placed on the calendar of Bills on Third Reading.

On motion by Senator Gaetz, by two-thirds vote—

CS for CS for SB 1652—A bill to be entitled An act relating to charter schools; amending ss. 11.45, 218.50, and 218.501, F.S., relating to audit reports by the Auditor General; conforming provisions related to changes in the entities subject to a state of financial emergency; amending ss. 218.503 and 218.504, F.S.; providing that charter technical career centers are subject to certain requirements in the event of a financial emergency; requiring that the sponsor be notified of certain conditions; providing for the development of a financial recovery plan, which may be approved by the Commissioner of Education; amending s. 1002.33, F.S.; providing for duties of charter school sponsors and governing boards when charter schools and charter technical career centers experience a financial weakness or a financial emergency; specifying forms to be used by charter school applicants and sponsors; requiring applicant training and documentation; deleting the auditing requirements and financial emergency provisions for charter schools; requiring charters schools to disclose the identity of relatives of charter school personnel; providing that the immediate termination of a charter is exempt from requirements for an informal hearing or for a hearing under ch. 120, F.S.; providing for a limitation on funding; providing for the disclosure of the performance of charter schools that are not given a school grade or school improvement rating; revising the requirements for providing information to the public on how to form and operate a charter school; providing reporting requirements; providing restrictions for the employment of relatives by charter school personnel; providing that members of a charter school governing board are subject to certain standards of conduct specified in ss. 112.313 and 112.3143, F.S.; amending s. 1002.335, F.S.; eliminating the requirement for district school boards to annually seek continued exclusivity from the State Board of Education; providing for challenges to the exclusivity of district school boards; providing a presumption for district school boards that are granted exclusivity; providing for informal hearings; specifying additional components of cosponsor agreements; amending s. 1002.34, F.S.; providing additional duties for charter technical career centers, applicants, sponsors, and governing boards; requiring the Department of Education to offer or arrange training and assistance to applicants for a charter technical career center; requiring that an applicant participate in the training; creating s. 1002.345, F.S.; establishing criteria and requirements for charter schools and charter technical career centers that have financial weaknesses or are in a state of financial emergency; establishing requirements for charter schools, charter technical career centers, governing bodies, and sponsors; requiring financial audits of charter schools and charter technical career centers; providing for corrective action and financial recovery plans; providing for duties of auditors, the Commissioner of Education, and the Department of Education; requiring the State Board of Education to adopt rules; providing grounds for termination or nonrenewal of a charter; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 1652** was placed on the calendar of Bills on Third Reading.

On motion by Senator Gaetz, by two-thirds vote—

CS for CS for CS for SB 1712—A bill to be entitled An act relating to ethics; providing a short title; amending s. 24.121, F.S., relating to public school funding; conforming cross-references; amending s. 112.3173, F.S.; specifying certain additional offenses that constitute a breach of the public trust; amending s. 121.091, F.S.; prohibiting the Division of Retirement from paying benefits to a member who has committed certain felony offenses against a minor; amending s. 402.316, F.S.; authorizing the Department of Children and Family Services to adopt minimum standards for screening child care personnel and for notification of termination of such personnel; amending s. 435.04, F.S.; providing additional criminal offenses for screening child care personnel; amending s. 1001.10, F.S.; requiring the Department of Education to assist school districts, charter schools, the Florida School for the Deaf and the Blind, and certain private schools and providers in developing policies and procedures governing educator ethics and employment; requiring the department to provide authorized staff with access to or provide verification through certain employment-screening tools; amending s. 1001.32, F.S., relating to school administration; conforming a cross-reference; amending s. 1001.42, F.S.; requiring each district school board to adopt ethical standards for all employees; prohibiting confidentiality agreements regarding terminated or dismissed employees which have the effect of concealing certain conduct; providing that a district school board official who knowingly signs or transmits a false report, fails to support policies that ensure the investigation of reports, or fails to report allegations of misconduct by instructional or administrative personnel forfeits his or her salary for a specified period; amending s. 1001.452, F.S., relating to district and school advisory councils; conforming cross-references; amending s. 1001.51, F.S.; providing that a district school superintendent or district school board member forfeits his or her salary for a specified period following failure to report allegations of misconduct by instructional or administrative personnel; amending ss. 1001.54 and 1002.32, F.S., relating to duties of principals and lab schools; conforming cross-references; amending s. 1002.33, F.S.; requiring charter schools to adopt ethical standards for all employees; prohibiting confidentiality agreements regarding terminated or dismissed employees which have the effect of concealing certain conduct; requiring the school to contact the prior employer and assess a candidate's ability to meet ethical standards; requiring the charter school sponsor to suspend the school's charter for failing to comply with these requirements; amending s. 1002.36, F.S.; requiring the Florida School for the Deaf and the Blind to meet certain requirements governing the screening of educators; amending ss. 1002.421 and 1002.55, F.S.; requiring owners of certain private schools and private prekindergarten providers to adopt ethical standards for all employees; prohibiting confidentiality agreements regarding terminated or dismissed employees which have the effect of concealing certain conduct; requiring such owners and providers to contact the previous employer of each instructional or administrative candidate for employment; amending ss. 1002.61, 1002.63, 1002.65, 1003.413, 1003.53, and 1004.92, F.S.; conforming cross-references; amending s. 1006.061, F.S.; requiring the school board, charter school, private school participating in a state school choice scholarship program, and private provider participating in the Voluntary Prekindergarten Education Program to post its policies relating to misconduct by personnel; requiring the head of such entities to act as a liaison in suspected cases of child abuse; amending ss. 1007.21, 1007.23, 1008.33, 1008.345, 1010.215, and 1011.18, F.S.; conforming cross-references; amending s. 1012.27, F.S.; requiring the district school superintendent to contact the previous employer of each instructional or administrative candidate for employment, screen the candidate, and document findings; creating s. 1012.315, F.S.; specifying offenses that disqualify instructional and administrative personnel from employment in positions involving direct contact with students; amending s. 1012.32, F.S.; providing that instructional and administrative personnel who have been convicted of certain offenses are disqualified from employment in positions having direct contact with students; amending s. 1012.33, F.S.; providing that just cause for terminating instructional staff includes immorality or the commission of a criminal act; amending s. 1012.34, F.S., relating to assessment procedures; conforming a cross-reference; amending s. 1012.56, F.S., relating to certification requirements for educators; revising the requirements for conducting state and national criminal history records checks of persons seeking certification; providing for the Department of Education to maintain personnel records on an electronic database; amending s. 1012.79, F.S.; providing for additional members to be appointed to the Education Practices Commission; revising the composition of the panel appointed to review complaints against teachers; amending s. 1012.795, F.S.; providing for suspending the educator certificate of a person who knowingly fails to report child abuse or suspected or actual misconduct by instructional personnel; amending s. 1012.796, F.S.; requiring the Department of Education to investigate each complaint involving misconduct by certificated personnel; clarifying what constitutes a legally sufficient complaint; providing requirements for school board policies and procedures relating to ethical standards; providing that the district school superintendent is accountable for communicating standards, policies, and procedures to district employees; requiring that an employee be immediately suspended and reassigned upon an allegation of misconduct affecting the health, safety, or welfare of a student; requiring employers of certified personnel to file complaints in writing to the Department of Education; amending ss. 1012.98 and 1013.03, F.S., relating to the School Community Professional Development Act and functions of the department and Board of Governors; conforming cross-references; providing an appropriation and authorizing additional positions; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for CS for SB 1712** was placed on the calendar of Bills on Third Reading.

On motion by Senator Gaetz, by two-thirds vote—

CS for CS for SB 1906—A bill to be entitled An act relating to alternative credit high school courses; creating s. 1002.375, F.S.; establishing a pilot project for awarding high school credit to students enrolled in industry certification programs; requiring the Commissioner of Education to establish criteria for program participation; requiring that a school district submit a letter of interest by a specified date in order to participate in the pilot project; requiring that the Commissioner of Education submit a report to the Governor and the Legislature; providing for specified courses to be included as alternative credit courses; exempting alternative credit courses from certain requirements; authorizing the Department of Education to approve certain courses for credit by examination; requiring the Department of Education to adopt passing minimum scores on approved assessments and maintain a course directory; requiring the State Board of Education to adopt rules; amending s. 1011.61, F.S., relating to definitions for the Florida Education Finance Program; providing for an alternate method of reporting full-time equivalent membership for credit earned in alternative high school credit courses for the pilot project created under s. 1002.375, F.S.; providing an effective date.

—was read the second time by title.

Senator Gaetz moved the following amendment which was adopted:

Amendment 1 (838382)—Delete lines 59-83 and insert: *Algebra 1a, Algebra 1b, Algebra 1, Geometry, and Biology. Alternative credits shall be awarded for courses in which a student is not enrolled, but for which the student may earn academic credit by enrolling in another course or sequence of courses required to earn a nationally or state-recognized industry certificate, as defined by the Agency for Workforce Innovation in accordance with the criteria described in s. 1003.492(2), of which the majority of the standards-based content in the course description is consistent with the alternative credit course description approved by the Department of Education.*

(3) An alternative credit course is not subject to:

(a) The definition of credit under s. 1003.436;

(b) The time requirements of s. 1011.60(2); or

(c) The net hours of instruction requirements for purposes of determining full-time equivalency pursuant to s. 1011.61(1)(a)1. under the Florida Education Finance Program.

(4) The Department of Education may approve a course as an alternative credit course pursuant to this section. In order to earn credit, each

participating student must pass an end-of-course assessment that measures proficiency in the Sunshine State Standards addressed by the course. The Department of Education shall approve each end-of-course assessment and the minimum passing score for each assessment. Approved assessments shall be limited to assessments for

Pursuant to Rule 4.19, **CS for CS for SB 1906** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

By Senator Gaetz—

CS for SB 1908—A bill to be entitled An act relating to the designation of high school grades; amending s. 1008.34, F.S, relating to the school grading system; providing for a revised high school grading system beginning with the 2009-2010 school year which includes the statewide standardized assessment, graduation rates, performance and participation in certain courses, postsecondary readiness as measured by certain examinations, and the change in these factors from year to year; specifying the data components to be used in determining the revised high school grading system; requiring that the criteria for school grades give added weight to the graduation rate of all eligible at-risk students; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1908** was placed on the calendar of Bills on Third Reading.

SPECIAL GUEST

Senator Crist introduced former Representative Elvin Martinez who was present in the gallery.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Constantine, by two-thirds vote **SB 2614** was withdrawn from the committees of reference and further consideration.

On motion by Senator Fasano, by two-thirds vote **SB 860** was withdrawn from the committees of reference and further consideration.

On motion by Senator Gaetz, by two-thirds vote **SB 2650** and **SB 2274** were withdrawn from the committees of reference and further consideration.

MOTIONS

On motion by Senator Carlton, provisions of Rule 2.39 were waived for the purpose of considering the proposed appropriations bills and conforming bills by the respective appropriations committees at the meetings scheduled for Wednesday, April 2; the amendment deadline for the appropriations bills and proposed committee substitutes was set for 3:00 p.m. on Monday, March 31; and the amendment deadline for amendments to amendments and substitute amendments was set for 12:00 noon on Tuesday, April 1.

REPORTS OF COMMITTEES

The Fiscal Policy and Calendar Committee submits the following bills to be placed on the Special Order Calendar for Wednesday, March 26, 2008: SB 2098, SB 2100, CS for SB 2102, SB 2104, SB 2106, SB 2108, SB 2110, SB 2112, SB 2114, CS for SB 2116, SB 2118, SB 2120, CS for SB 2122, SB 2124, SB 2126, SB 2128, SB 2130, SB 2132, SB 2134, SB 2136, SB 2138, CS for SB 2140, SB 2142, SB 2144, SB 2146

Respectfully submitted,
Lisa Carlton, Chair

The Social Responsibility Policy and Calendar Committee submits the following bills to be placed on the Special Order Calendar for Wednesday, March 26, 2008: CS for CS for SB 526, CS for CS for SJR 2308, CS for SB 646, CS for CS for SB 686, CS for CS for SB 696, CS for CS for SB 1652, CS for CS for CS for SB 1712, CS for CS for SB 1906, CS for SB 1908

Respectfully submitted,
Burt L. Saunders, Chair

The Committee on Transportation recommends the following pass: SB 1946

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

The Committee on Military Affairs and Domestic Security recommends the following pass: SB 2554

The bill was referred to the Committee on Children, Families, and Elder Affairs under the original reference.

The Committee on Community Affairs recommends the following pass: SB 672 with 4 amendments

The Committee on Regulated Industries recommends the following pass: SB 2332

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

The Committee on Commerce recommends the following pass: SB 1418

The Special Master on Claims recommends the following pass: SB 56

The Committee on Transportation recommends the following pass: SB 1626; SB 2096 with 1 amendment

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

The Committee on Judiciary recommends the following pass: CS for SB 1064

The bill was referred to the Committee on Criminal and Civil Justice Appropriations under the original reference.

The Committee on Commerce recommends the following pass: SB 1536 with 2 amendments

The Committee on Community Affairs recommends the following pass: SB 1182 with 2 amendments

The Committee on Judiciary recommends the following pass: CS for SB 1098

The Committee on Transportation recommends the following pass: SB 658 with 1 amendment

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

The Committee on Commerce recommends the following pass: SB 2322

The Committee on Judiciary recommends the following pass: SB 2248

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

The Committee on Commerce recommends the following pass: SB 2474

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

The Committee on Commerce recommends the following pass: SB 994; SB 2778

The Committee on Judiciary recommends the following pass: CS for SB 614

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

The Special Master on Claims recommends the following pass: SB 60; SB 68 with 1 amendment

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

The Committee on Commerce recommends the following pass: SB 2438

The Committee on Criminal Justice recommends the following pass: CS for SB 1116; SB 1194

The Special Master on Claims recommends the following pass: SB 12 with 1 amendment

The Committee on Transportation recommends the following pass: SB 858 with 1 amendment

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

The Committee on Commerce recommends the following pass: SB 1706

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

The Committee on Military Affairs and Domestic Security recommends the following pass: SB 2522

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

The Committee on Education Pre-K - 12 Appropriations recommends the following pass: CS for SB 1908

The Committee on Transportation recommends the following pass: CS for SB 192

The Committee on Education Facilities Appropriations recommends the following pass: CS for SB 1070

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

The Committee on Education Pre-K - 12 recommends a committee substitute for the following: SB 1670

The bill with committee substitute attached was referred to the Committee on Children, Families, and Elder Affairs under the original reference.

The Committee on Environmental Preservation and Conservation recommends a committee substitute for the following: SB 1544

The bill with committee substitute attached was referred to the Committee on Communications and Public Utilities under the original reference.

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

The Committee on Criminal Justice recommends a committee substitute for the following: SB 924

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

The Committee on Military Affairs and Domestic Security recommends a committee substitute for the following: SB 470

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

The Committee on Children, Families, and Elder Affairs recommends a committee substitute for the following: SB 856

The Committee on Education Pre-K - 12 recommends a committee substitute for the following: SB 1414

The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Education Pre-K - 12 Appropriations under the original reference.

The Committee on Community Affairs recommends a committee substitute for the following: SB 1492

The Committee on Criminal Justice recommends a committee substitute for the following: CS for SB 1992

The Committee on Education Pre-K - 12 recommends a committee substitute for the following: SB 1440

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

The Committee on Agriculture recommends a committee substitute for the following: SB 1702

The Committee on Environmental Preservation and Conservation recommends committee substitutes for the following: SB 1300; SB 1302

The Committee on Governmental Operations recommends committee substitutes for the following: SB 1428; SB 2002

The Committee on Health Policy recommends a committee substitute for the following: SB 164

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

The Committee on Community Affairs recommends a committee substitute for the following: SB 392

The Committee on Criminal Justice recommends a committee substitute for the following: SB 1618

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

The Committee on Health Regulation recommends a committee substitute for the following: CS for SB 2216

The Committee on Higher Education recommends a committee substitute for the following: SB 1080

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

The Committee on Education Pre-K - 12 recommends a committee substitute for the following: SB 610

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

The Committee on Health Regulation recommends a committee substitute for the following: SB 1696

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

The Committee on Higher Education recommends committee substitutes for the following: SB 320; SB 1716

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

The Committee on Criminal Justice recommends committee substitutes for the following: SB 700; SB 1110; SB 1690

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

The Committee on Governmental Operations recommends a committee substitute for the following: SB 1464

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

The Committee on Higher Education recommends a committee substitute for the following: SB 1014

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

The Committee on Criminal Justice recommends committee substitutes for the following: CS for SB 282; SB 1008

The Committee on Education Pre-K - 12 Appropriations recommends committee substitutes for the following: CS for SB 1652; CS for CS for SB 1712; CS for SB 1906

The Committee on Higher Education Appropriations recommends a committee substitute for the following: CS for SB 696

The Committee on Transportation and Economic Development Appropriations recommends a committee substitute for the following: CS for SB 854

The Committee on Education Facilities Appropriations recommends a committee substitute for the following: CS for SB 1276

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

The Special Master on Claims recommends the following not pass: SB 42

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

The Special Master on Claims recommends the following not pass: SB 40

The bill was referred to the Committee on Education Pre-K - 12 under the original reference.

INTRODUCTION AND REFERENCE OF BILLS

FIRST READING

Senate Bills 2882-2928—Not referenced.

SCR 2930—Introduced out of order and placed on the Special Order Calendar this day.

ADDITIONAL REFERENCES

By Senators Aronberg, Lawson, Storms and Joyner—

SB 12—A bill to be entitled An act relating to the relief of Alan Jerome Crotzer; providing an appropriation to compensate Alan Jerome Crotzer for wrongful imprisonment and for being a victim of a miscarriage of justice; directing the Chief Financial Officer to draw a warrant; requiring the purchase of an annuity; providing for the waiver of specified tuition and fees; providing conditions for payment; providing legislative intent; providing a limitation on the payment of fees and costs; providing an effective date.

—was also referred to the Committee on Judiciary.

By Senator Lawson—

SB 34—A bill to be entitled An act relating to the Department of Agriculture and Consumer Services; providing for the relief of Laura Laporte for injuries she sustained as a result of negligence by an employee of the department; providing an appropriation; providing a limitation on the payment of fees and costs; providing an effective date.

—was also referred to the Committee on Judiciary.

By Senator Deutch—

SB 38—A bill to be entitled An act relating to Memorial Healthcare System of Broward, Inc., d/b/a Memorial Regional Hospital; providing for the relief of Janaria Miller, a minor child, to compensate her for injuries sustained as a result of the negligence of employees of the hospital; providing an appropriation; providing a limitation on the payment of fees and costs; providing an effective date.

—was also referred to the Committee on Health Regulation.

By Senator Wilson—

SB 40—A bill to be entitled An act relating to the Miami-Dade County School Board; providing for the relief of Maria Gough and Jorge Gough, parents and natural guardians of Jaime Gough, a minor, and of Jorge Gough, as personal representative of the estate of Jaime Gough, for the wrongful death of their son, which was due in part to the school board's negligent failure to prevent forseeable violence on school grounds; providing a limitation on the payment of fees and costs; providing an effective date.

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

By Senator Hill—

SB 42—A bill to be entitled An act for the relief of Rhonda A. Hughes by Escambia County; providing for a county appropriation to compensate Rhonda A. Hughes for injuries sustained as a result of the negligence of a county employee; providing a limitation on the payment of attorney's and lobbying fees and costs; providing an effective date.

—was also referred to the Committee on Community Affairs.

By Senator Baker—

SB 50—A bill to be entitled An act relating to the City of Lake Worth; providing for the relief of Lisa Freeman-Salazar and Andy Salazar, individually and as co-personal representatives of the estate of Alexandria Salazar, deceased, for the death of Alexandria Salazar due to the negligence of the City of Lake Worth; providing for an appropriation; providing for attorney's fees and costs; providing a limitation on the payment of fees and costs; providing an effective date.

—was also referred to the Committee on Community Affairs.

By Senator Joyner—

SB 54—A bill to be entitled An act relating to the Orange County School Board; providing for the relief of Daniel Decembre, a minor, by and through his parents and natural guardians, Desnar and Mignone Decembre; providing for an appropriation to compensate Daniel for injuries and damages he sustained as a result of negligence by agents and employees of the school board; providing a limitation on the payment of fees and costs; providing an effective date.

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

By Senator Aronberg—

SB 56—A bill to be entitled An act relating to Miami-Dade County; providing for the relief of Schneidine Theogene, a minor, by and through her parent and natural guardian, Jeanne Coicou, to compensate Schneidine for injuries sustained as a result of the negligence of a Miami-Dade County bus driver; providing for an appropriation; providing a limitation on the payment of fees and costs; providing an effective date.

—was also referred to the Committee on Community Affairs.

By Senator Ring—

SB 60—A bill to be entitled An act relating to the South Broward Hospital District; providing for the relief of Adrian Fuentes, a minor, by and through his parents and natural guardians, Luz Fuentes and Jose Fuentes; providing for an appropriation to compensate him for injuries and damages sustained as a result of the negligence of the South Broward Hospital District, d/b/a Memorial Hospital Primary Care Center; providing a limitation on the payment of fees and costs; providing an effective date.

—was also referred to the Committee on Health Regulation.

By Senator Dean—

SB 68—A bill to be entitled An act for the relief of Tyler Giblin, a minor, by and through Gina and Mark Giblin, parents of Tyler Giblin; providing for an appropriation by the Marion County Hospital District to compensate Tyler for injuries sustained as a result of the negligence of the district; providing for the use of funds; providing for the reversion of funds to the state; providing a limitation on the payment of fees and costs; providing an effective date.

—was also referred to the Committee on Health Regulation.

COMMITTEE SUBSTITUTES

FIRST READING

By the Committee on Health Policy; and Senators Crist and Saunders—

CS for SB 164—A bill to be entitled An act relating to health insurance policies; amending s. 627.668, F.S.; revising the requirements for optional coverage for mental and nervous disorders; prohibiting the durational limits, dollar amounts, deductibles, or coinsurance factors for certain specified illnesses or conditions from being less favorable than those for physical illness; repealing s. 627.669, F.S., relating to optional coverage for substance abuse impaired persons; amending s. 627.6675, F.S., relating to required benefits; conforming provisions to changes made by the act; providing for application; providing an effective date.

By the Committees on Criminal Justice; Transportation; and Senators Lynn and Storms—

CS for CS for SB 282—A bill to be entitled An act relating to driver's license restrictions; amending s. 322.16, F.S.; restricting the number of certain passengers permitted in a vehicle operated by a person under a certain age unless accompanied by a driver at least 21 years of age; providing exceptions; providing for secondary enforcement; providing penalties; providing for applicability; amending s. 318.14, F.S.; providing citation procedures for violation of such restrictions; providing an effective date.

By the Committee on Higher Education; and Senators Constantine and Lynn—

CS for SB 320—A bill to be entitled An act relating to postsecondary education; amending s. 1009.24, F.S.; modifying the criteria for establishing a uniform maximum undergraduate tuition differential; creating s. 1009.286, F.S.; providing legislative intent; requiring that freshmen entering a secondary institution after a specified date who exceed 150 percent of the number of credit hours required to receive a degree must pay an increase of 50 percent per credit hour above the normal in-state tuition rate; requiring that the institution provide counseling and advisement to a student under certain circumstances; requiring the Department of Education to develop a performance-based methodology for community colleges to help students meet their academic goals; providing that a student may be granted an exemption from the increased tuition rate; providing an effective date.

By the Committee on Community Affairs; and Senators Storms and Ring—

CS for SB 392—A bill to be entitled An act relating to local government transparency; creating s. 218.315, F.S.; defining the terms "contract," "corporation," "county officer," "local government," and "individual," for purposes of the act; directing the Department of Financial Services to develop and maintain a portal linking to websites maintained by local governments; requiring local governments with a website to electronically post contract information relating to certain contracts; providing an exemption for contracts protected under ch. 119, F.S., or by general law; requiring that access to the website be provided at no cost; requiring that electronic copies of contracts be provided in certain circumstances; requiring the Department of Financial Services to develop a uniform format to be used by local governments when posting contract information; requiring specific information be provided under the uniform format; requiring each local government to designate a central office to maintain all contract information; providing reporting requirements for local governments without a website; requiring that contract information be posted at least quarterly using the uniform format; establishing a schedule for local governments to meet requirements of the act; providing rulemaking authority; providing an effective date.

By the Committee on Military Affairs and Domestic Security; and Senator Hill—

CS for SB 470—A bill to be entitled An act relating to seaport security standards; amending s. 311.12, F.S.; revising the membership of the Seaport Security Standards Advisory Council; amending s. 311.09, F.S.; revising the membership of the Florida Seaport Transportation and Economic Development Council; revising the duties of the Florida Seaport Transportation and Economic Development Council; requiring at least one annual council meeting; requiring an annual analysis and assessment of the economic impact of security on public seaports; requiring an annual report with recommendations to the Legislature; providing an effective date.

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

CS for SB 610—A bill to be entitled An act relating to physical education; amending s. 1003.455, F.S.; requiring physical education in grades 6 through 8; providing for waivers under certain circumstances; providing an effective date.

By the Committees on Higher Education Appropriations; Higher Education; and Senators Oelrich and Gaetz—

CS for CS for SB 696—A bill to be entitled An act relating to community colleges; amending s. 1001.64, F.S.; providing conditions for certain contracting by community college boards of trustees; authorizing boards of trustees to enter into certain short-term loans and contracts and make payments subject to appropriation; authorizing boards of trustees to incur long-term debt according to specified requirements; prohibiting a board of trustees from securing or repaying such debt using tuition or certain other revenues; amending s. 1004.70, F.S.; requiring community college boards of trustees to authorize debt incurred by direct-support organizations; authorizing delegation for approval of short-term loans and lease-purchase agreements; providing restrictions; amending s. 1009.22, F.S., relating to workforce education postsecondary student fees, and s. 1009.23, F.S., relating to community college student fees; revising provisions relating to the pledge of fee revenues to the repayment of debt by community college boards of trustees; providing requirements for the request, issuance, securing, and payment of bonds; providing for limitation of actions; amending s. 1000.21, F.S.; renaming Daytona Beach Community College as "Daytona Beach College and renaming Indian River Community College as "Indian River College"; providing an effective date.

By the Committee on Criminal Justice; and Senator Crist—

CS for SB 700—A bill to be entitled An act relating to juvenile justice; amending s. 29.008, F.S.; conforming cross-references; amending s. 790.22, F.S.; revising provisions relating to community service programs; amending s. 939.185, F.S.; providing diversion options; amending s. 984.05, F.S., conforming cross-references; amending s. 984.09, F.S.; deleting duplicative provisions relating to contempt of court and alternative sanctions; amending s. 985.02, F.S.; providing diversion options; amending s. 985.03, F.S.; defining the term "ordinary medical care"; amending and renumbering provisions of s. 985.037, F.S., relating to alterative sanctions; creating s. 985.0375, F.S.; providing for alternative sanctions; amending s. 985.04, F.S; providing that confidential information obtained during an official's service with juvenile delinquents may be shared with authorized personnel of the Department of Children and Family Services; amending s. 985.245, F.S.; providing for additional representatives to be included on the committee formed to advise the Department of Juvenile Justice on the risk assessment instrument; requiring periodic evaluation of the risk assessment instrument; amending s. 985.265, F.S.; providing an exception to required supervision in direct supervision housing; amending s. 985.601, F.S.; requiring the Department of Juvenile Justice to adopt rules to establish procedures to provide ordinary medical care, mental health, substance abuse, and developmental disabilities services to youth within the juvenile justice continuum; requiring that, to the extent possible within available fiscal resources, the procedures must be commensurate with procedures that youth receive in the community; amending s. 985.606, F.S.; revising provisions governing data collection; amending s. 985.632, F.S.; authorizing the department to conduct a demonstration project in order to create an accountable juvenile justice system that is outcome-based; amending s. 985.644, F.S., relating to departmental contracting powers; removing references to the Department of Children and Family Services; amending s. 985.66, F.S.; transferring the responsibility for the juvenile justice training program from the Juvenile Justice Standards and Training Commission to the Department of Juvenile Justice; requiring the department to adopt rules; amending s. 985.664, F.S., relating to the juvenile justice circuit boards and juvenile justice county councils; providing a reference to the Children and Youth Cabinet; amending s. 985.668, F.S.; encouraging each juvenile justice circuit board, in consultation with the juvenile justice county council, to propose an innovation zone within the circuit; amending s. 985.676, F.S.; including the development and implantation of a strategic plan; amending s. 985.721, F.S.; conforming a cross-reference; creating s. 1006.125, F.S.; requiring that a student charged with a violation of the code of student conduct which constitutes a serious criminal offense be reported to a law enforcement agency; amending s. 1006.13, F.S.; removing the reference of zero tolerance; providing an appropriation; providing an effective date.

By the Committees on Transportation and Economic Development Appropriations; Commerce; and Senators Fasano and Lynn—

CS for CS for SB 854—A bill to be entitled An act relating to unemployment compensation; amending s. 443.101, F.S.; redefining the term "temporary help firm" to include a labor pool; redefining the term "temporary employee" to include a day laborer who is employed by a labor pool; providing that a day laborer is disqualified for benefits following loss of employment with a labor pool; providing that the time of hire for a day laborer is upon acceptance of the first assignment with a labor pool; requiring the labor pool to provide written notice to the temporary employee regarding the availability of work and reassignment; providing an effective date.

By the Committee on Children, Families, and Elder Affairs; and Senator Fasano—

CS for SB 856—A bill to be entitled An act relating to disability history and awareness; creating s. 1003.4205, F.S.; authorizing district school boards to designate "Disability History and Awareness Weeks" during the first 2 weeks in October each year; providing for students in all K-12 public schools to be provided disability history and awareness instruction; providing the content and goals of such instruction; encouraging state postsecondary institutions to conduct and promote activities related to disability history and awareness; providing an effective date.

By the Committee on Criminal Justice; and Senator Deutch—

CS for SB 924—A bill to be entitled An act relating to correctional officers; amending s. 943.10, F.S.; revising the definition of "correctional officer" to include institutional security personnel; providing an effective date.

By the Committee on Criminal Justice; and Senator Storms—

CS for SB 1008—A bill to be entitled An act relating to the failure to redeliver hired vehicles; amending s. 817.52, F.S.; providing that information not otherwise required by law is not required in order to report a hired vehicle as stolen; requiring a law enforcement agency to report a hired vehicle as stolen to certain specified reporting systems; providing an effective date.

By the Committee on Higher Education; and Senator Gaetz—

CS for SB 1014—A bill to be entitled An act relating to the management of Historic Pensacola properties; amending s. 267.173, F.S.; providing for the University of West Florida to directly contract for management of certain state-owned properties in Pensacola; requiring agreement of all parties to existing contracts and execution of contract with

the Board of Trustees of the Internal Improvement Trust Fund; deleting a requirement to contract with the Department of State for certain historic properties in Pensacola; deleting provisions related to transfer of properties and contract requirements with the Department of State; permitting the University of West Florida to contract with its direct-support organization for management of historic properties; providing eligibility for certain grants; providing an effective date.

By the Committee on Higher Education; and Senators Peaden, Joyner and Gaetz—

CS for SB 1080—A bill to be entitled An act relating to the Johnnie B. Byrd, Sr., Alzheimer's Center and Research Institute; amending s. 1004.445, F.S.; establishing the center within the University of South Florida; providing for the administration of the center; creating a research advisory board and providing for a manner of appointment; providing duties; eliminating the board of directors and the council of scientific advisors; revising the grant award process for the center; providing a limitation on expenditures; authorizing an account for center purposes; providing for a report; extending the sunset provisions; providing effective dates.

By the Committee on Criminal Justice; and Senator Dean—

CS for SB 1110—A bill to be entitled An act relating to court costs; amending s. 938.01, F.S.; increasing the court cost assessed against any person convicted of violating a state penal or criminal statute or convicted of violating a municipal or county ordinance; deleting a provision specifying that a person whose adjudication is withheld under specified provisions is also liable for such costs; increasing the amount deducted from every bond estreature or forfeited bail bond related to such penal statutes or ordinances which is remitted to the Department of Revenue; revising the allocation of funds received from the court costs and distributed to the Department of Law Enforcement Criminal Justice Standards and Training Trust Fund, the Department of Law Enforcement Operating Trust Fund for the Criminal Justice Grant Program, and the Department of Children and Family Services Domestic Violence Trust Fund for the domestic violence program; amending s. 938.30, F.S.; requiring defendants to pay all outstanding criminal costs and fines prior to the court entering an order to seal or expunge criminal history records unless the court makes specified written findings; amending s. 318.18, F.S., relating to civil penalties for noncriminal traffic and boating infractions; conforming provisions to changes made by the act; providing that a person whose adjudication is withheld under specified provisions is liable for a specified court cost; providing an effective date.

By the Committees on Education Facilities Appropriations; Education Pre-K - 12; and Senator Bennett—

CS for CS for SB 1276—A bill to be entitled An act relating to educational facilities construction; amending s. 1013.45, F.S.; increasing the maximum authorized amount of a day-labor contract to $300,000; providing for such amount to be adjusted annually; amending s. 1013.64, F.S.; providing duties of the Office of Educational Facilities with respect to approving school district construction projects and assisting districts in developing lists of proposed facilities; limiting total project costs except for providential causes; providing an effective date.

By the Committee on Environmental Preservation and Conservation; and Senator Saunders—

CS for SB 1300—A bill to be entitled An act relating to fish and wildlife; amending s. 253.04, F.S., relating to the protection of state lands; providing definitions; providing that it is a civil infraction to operate a vessel outside a marked channel in a manner that causes seagrass scarring; providing penalties; amending s. 327.73, F.S., relating to noncriminal infractions; establishing civil penalties for the destruction of seagrasses; amending s. 372.73, F.S., relating to the disposition of illegally taken wildlife; providing for the disposition of such wildlife; providing for the documentation of illegally taken wildlife; creating s. 372.731, F.S., relating to photographs of illegally taken wildlife; providing for the admission of photographs as evidentiary materials; providing conditions under which such photographs shall be taken; providing an effective date.

By the Committee on Environmental Preservation and Conservation; and Senator Saunders—

CS for SB 1302—A bill to be entitled An act relating to wastewater disposal; amending s. 373.0361, F.S., relating to regional water supply planning; requiring the South Florida Water Management District to include water supply development projects that promote the elimination of ocean outfalls in its regional water supply plan; amending s. 373.0831, F.S., relating to water resource and supply development; providing for projects that implement reuse as a means of eliminating ocean outfalls to receive priority funding consideration; amending s. 373.1961, F.S., relating to funding for water supply projects; providing priority funding for projects that implement reuse that assists with the elimination of ocean outfalls; amending s. 373.250, F.S., relating to the reuse of reclaimed water; directing the South Florida Water Management District to require the use of reclaimed water made available through the elimination of ocean outfalls under certain conditions; amending s. 403.085, F.S., relating to waste water treatment; prohibiting the construction of new ocean outfalls; prohibiting the use of ocean outfalls as a method of sanitary sewage disposal; amending s. 403.086, F.S., relating the treatment of wastewater; providing legislative intent; prohibiting the new construction of an expanded discharge to ocean outfalls; requiring that domestic wastewater discharges to ocean outfalls meet advanced wastewater treatment and management requirements by a date certain; providing an exemption from meeting advanced wastewater treatment and management requirements under specific conditions; providing wastewater reuse requirements for facilities that discharge through ocean outfalls by a date certain; providing prohibitions for the discharge of domestic wastewater through ocean outfalls under specific conditions by a date certain; providing reporting requirements for permitted ocean outfall facilities; providing reporting requirements for the Department of Environmental Protection; providing a compliance schedule for facilities discharging through ocean outfalls; amending s. 403.1835, F.S., relating to water pollution control financial assistance; providing for the inclusion of domestic wastewater ocean outfalls in laws requiring the elimination of discharges to specific water bodies; providing an effective date.

By the Committee on Education Pre-K - 12; and Senator Diaz de la Portilla—

CS for SB 1414—A bill to be entitled An act relating to supplemental educational services; amending s. 1008.331, F.S.; requiring the Department of Education to annually evaluate and grade supplemental educational services providers; specifying evaluation criteria; providing reporting requirements; providing an effective date.

By the Committee on Governmental Operations; and Senator Fasano—

CS for SB 1428—A bill to be entitled An act relating to retirement; amending s. 121.021, F.S.; clarifying that the term "compensation" for purposes of the benefit retirement program or the Public Employee Optional Retirement Program of the Florida Retirement System does not include fees or salary payments made from a faculty practice plan authorized by the Board of Governors of the State University System for clinical faculty at a state university having a faculty practice plan; amending s. 121.051, F.S.; requiring that a person appointed to a faculty position at a state university having a faculty practice plan participate in the optional retirement program of the State University System rather than the Florida Retirement System; providing definitions; amending s. 121.35, F.S.; requiring the participating employee in the optional retirement program to execute a contract, not just an annuity contract, with a designated company in order for employee contributions to be forwarded to the company and for interest to accrue; defining the term "participant's gross monthly compensation" for purposes of the optional retirement program for the State University System; creating

s. 121.355, F.S.; authorizing certain former participants in the Community College Optional Retirement Program or the State University System Optional Retirement Program and present mandatory participants in the Florida Retirement System to receive a specified amount of service credit under certain conditions; providing a specified time period for the election of such transfer; providing an effective date.

By the Committee on Education Pre-K - 12; and Senators Gaetz, Lawson, King, Storms, Baker, Crist, Posey, Oelrich, Saunders, Fasano, Peaden, Siplin, Wise, Bennett, Dockery, Haridopolos, Alexander and Garcia—

CS for SB 1440—A bill to be entitled An act relating to the Corporate Income Tax Credit Scholarship Program; amending s. 220.187, F.S.; providing legislative findings; revising program purposes; providing that siblings of certain students are eligible for participation in the program; revising provisions authorizing the total amount of tax credits that may be granted and deleting the reservation of a portion thereof; revising authorized uses of scholarship funds and providing for premium payments to certain students who participate in statewide assessments; revising provisions relating to expenditure of contributions received during a fiscal year; removing parent responsibility for providing transportation to certain assessment sites; providing obligations of the Department of Education relating to scholarship student participation in statewide assessments; revising scholarship amounts and providing amount of premium payments; requiring State Board of Education rule for adjustment of scholarship awards; revising requirements relating to verification of student attendance for purposes of scholarship payment; providing for preservation of credits under certain circumstances; providing an effective date.

By the Committee on Governmental Operations; and Senator Dean—

CS for SB 1464—A bill to be entitled An act relating to public records and meetings; amending s. 292.055, F.S.; providing an exemption from public-records requirements for information concerning certain donors and prospective donors to the direct-support organization of the Department of Veterans' Affairs; providing an exemption from public-meetings requirements for portions of meetings of the direct-support organization at which the identity of donors and prospective donors is discussed; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing a contingent effective date.

By the Committee on Community Affairs; and Senator Margolis—

CS for SB 1492—A bill to be entitled An act relating to a discretionary surtax; amending s. 3, ch. 83-220, Laws of Florida, as amended; extending the date of repeal of provisions authorizing counties to levy a discretionary surtax on documents; amending s. 201.031, F.S.; requiring each county that levies the discretionary surtax to prepare an annual financial report showing the revenues and the expenses of the trust fund for the fiscal year, to retain an independent outside auditor to conduct a financial audit of surtax revenues and expenditures, to adopt by resolution of its governing body a housing plan every 3 years, and to require by resolution that the staff or entity that has administrative authority for implementing the housing plan to prepare and submit to the county's governing body an annual report; limiting to a maximum of 10 percent the portion of the surtax revenues which may be used for administrative costs; providing an effective date.

By the Committee on Environmental Preservation and Conservation; and Senator Saunders—

CS for SB 1544—A bill to be entitled An act relating to energy conservation; amending s. 74.051, F.S.; requiring a court to conduct a hearing and issue a final judgment on a petition for a taking within specified times after a utility's request for such hearing; creating s. 112.219, F.S.; defining terms for purposes of the state employee telecommuting program; requiring each state employing entity to complete a telecommuting plan by a specified date which includes a listing of the job classifications and positions that the state entity considers appropriate for telecommuting; providing requirements for the telecommuting plan; requiring each state employing entity to post the telecommuting plan on its website; amending s. 163.04, F.S.; revising provisions prohibiting restrictions on the use of energy devices based on renewable resources; amending s. 163.3177, F.S.; revising requirements for the future land use element of a local comprehensive plan to include energy-efficient land use patterns; requiring that the traffic-circulation element of incorporate transportation strategies to reduce greenhouse gas emissions; requiring each unit of local government within an urbanized area to amend the transportation element to incorporate transportation strategies addressing reduction in greenhouse gas emissions; amending s. 186.007, F.S.; authorizing the Executive Office of the Governor to include in the state comprehensive plan goals, objectives, and policies related energy and global climate change; creating s. 193.804, F.S.; prohibiting the property appraiser from increasing the taxable value of homestead property when the taxpayer adds any solar energy device to the property; authorizing the property appraiser to refer the matter to the Department of Environmental Protection if the property appraiser questions whether a taxpayer is entitled, in whole or in part, to a solar energy device exemption; requiring the Department of Environmental Protection to adopt rules; amending s. 212.08, F.S.; providing that the sale or use of wind energy or wind turbines is exempt from sales or use taxes as equipment, machinery, and other materials used for renewable energy technologies; requiring the Department of Environmental Protection to adopt, by rule, an application form, including the required content and documentation to support the application, for the taxpayer to use in claiming the tax exemption; amending s. 220.192, F.S.; defining terms related to a tax credit; providing that 75 percent of all capital, operation, and maintenance costs, and research and development costs incurred between specified dates, up to a specified limit, may be credited against taxes owed in connection with an investment in the production of wind energy; allowing the tax credit to be transferred for a specified period; providing procedures and requirements; requiring the Department of Revenue to adopt rules; amending s. 220.193, F.S.; defining the term "sale" or sold"; defining the term "taxpayer"; authorizing the Department of Revenue to adopt rules and forms; providing that the use of the renewable energy production credit does not reduce the alternative minimum tax credit; amending s. 253.02, F.S.; authorizing the Secretary of Environmental Protection to grant easements across lands owned by the Board of Trustees of the Internal Improvement Trust Fund under certain conditions; amending s. 253.034, F.S.; granting a utility the use of nonsovereignty state-owned lands upon a showing of competent substantial evidence that the use is reasonable; establishing criteria relating to the title, distribution, and cost of such lands; amending s. 255.249, F.S.; requiring state agencies to annually provide telecommuting plans to the Department of Management Services; amending s. 255.251, F.S.; creating the "Florida Energy Conservation and Sustainable Buildings Act"; amending s. 255.252, F.S.; providing findings and legislative intent; providing that it is the policy of the state that buildings constructed and financed by the state, or existing buildings renovated by the state, be designed and constructed with a goal of meeting or exceeding the Platinum rating of the United States Green Building Council (USGBC) Leadership in Energy and Environmental Design (LEED) rating system, the Green Building Initiative's Green Globes rating system, or the Florida Green Building Coalition standards; requiring each state agency to identify and compile a list of energy-conservation projects that it determines are suitable for a guaranteed energy performance savings contract; amending s. 255.253, F.S.; defining terms relating to energy conservation for buildings; amending s. 255.254, F.S.; prohibiting a state government entity from leasing or constructing a facility without having secured from the Department of Management Services a proper evaluation of life-cycle costs for the building; amending s. 255.255, F.S.; requiring the department to use sustainable building ratings for conducting a life-cycle cost analysis; amending s. 255.257, F.S.; requiring each state government entity to adopt the standards of the United States Green Building Council's Leadership in Energy and Environmental Design for New Construction (LEED-NC) for all new buildings, with a goal of achieving the LEED-NC Platinum level rating for each construction project and to implement the United States Green Building Council's Leadership in Energy and Environmental Design for Existing Buildings (LEED-EB); creating s. 286.275, F.S.; requiring the Department of Management Services to develop the Florida Climate Friendly Preferred Products List; requiring state government entities to consult the list and purchase products from the list under certain circumstances; requiring state government entities to contract for meeting and conference space with facilities having the "Green Lodging" designation; authorizing the Department of Environmental Protection to adopt rules; requiring the

department to establish voluntary technical assistance programs for various businesses; requiring state government entities to maintain vehicles according to minimum standards and follow certain procedures when procuring new vehicles; requiring state government entities to use ethanol and biodiesel-blended fuels when available; defining the term "state government entity"; amending s. 287.063, F.S.; prohibiting the payment term for equipment from exceeding the useful life of the equipment unless the contract provides for the replacement or the extension of the useful life of the equipment during the term of the deferred payment contract; amending s. 287.064, F.S.; authorizing an extension of the master equipment financing agreement for energy conservation equipment; requiring the guaranteed energy, water, and wastewater performance savings contractor to provide for the replacement or the extension of the useful life of the equipment during the term of the contract; amending s. 287.16, F.S.; requiring the Department of Management Services to conduct an analysis of the Department of Transportation's ethanol and biodiesel use and encourage other state agencies to analyze transportation fuel usage and report such information to the Department of Management Services; amending s. 288.1089, F.S.; defining the term "alternative and renewable energy"; detailing the conditions for an alternative and renewable energy project to be eligible for an innovation incentive award; amending s. 337.401, F.S.; requiring the Department of Environmental Protection to adopt rules relating to the placement of and access to aerial and underground electric transmission lines having certain specifications; defining the term "base-load generating facilities"; amending s. 339.175, F.S.; requiring each metropolitan planning organization to develop a long-range transportation plan and an annual project priority list that, among other considerations, provide for sustainable growth and reduce greenhouse gas emissions; amending s. 366.82, F.S.; requiring the Public Service Commission to adopt rules requiring utilities to offset 20 percent of their annual load-growth through energy efficiency and conservation measures; requiring the commission to create an in-state market for tradable credits enabling those utilities that exceed the conservation standard to sell credits to those that cannot meet the standard for a given year; requiring that the commission conduct a periodic review; requiring the commission to require municipal and cooperative utilities that are exempt from the Energy Efficiency and Conservation Act to submit an annual report identifying energy efficiency and conservation goals and the actions taken to meet those goals; requiring the commission to use certain methodologies in the evaluation of demand-side management programs; requiring the commission to establish a renewable energy portfolio standard for utilities; requiring certain utilities to submit an annual report identifying the percentage of their electrical power generated or purchased from renewable resources; authorizing the commission to adopt rules; amending s. 366.8255, F.S.; redefining the term "environmental compliance costs" to include costs or expenses prudently incurred for scientific research and geological assessments of carbon capture and storage for the purpose of reducing an electric utility's greenhouse gas emissions; amending s. 366.93, F.S.; revising the definitions of "cost" and "preconstruction"; requiring the Public Service Commission to establish rules relating to cost recovery for the construction of new, expanded, or relocated electrical transmission lines and facilities for a nuclear power plant; amending s. 377.601, F.S.; revising legislative intent with respect to the need to implement alternative energy technologies; amending s. 377.703, F.S.; conforming cross-references; amending s. 377.804, F.S., relating to the Renewable Energy and Energy-Efficient Technologies Grant Program; providing for the program to include matching grants for technologies that increase the energy efficiency of vehicles and commercial buildings; providing application requirements; amending s. 377.806, F.S., relating to the Solar Energy System Incentives Program; requiring compliance with the Florida Building Code rather than local codes in order to be eligible for a rebate under the program; amending s. 377.901, F.S., relating to the Florida Energy Commission; transferring the commission from the Office of Legislative Services to the Executive Office of the Governor; changing appointment criteria for the members of the commission; providing additional duties; deleting outdated provisions; creating s. 377.921, F.S., relating to qualified solar energy systems; providing definitions; allowing a public utility to recover certain costs; amending ss. 380.23 and 403.031, F.S.; conforming cross-references; creating s. 403.44, F.S.; creating the Florida Climate Protection Act; defining terms; requiring the Department of Environmental Protection to establish the methodologies, reporting periods, and reporting systems that must be used when major emitters report to The Climate Registry; authorizing the department to adopt rules for a cap-and-trade regulatory program to reduce greenhouse gas emissions from major emitters; providing for the content of the rule; amending s. 403.503, F.S.; defining the term "alternate corridor" and redefining the term "corridor" for purposes of the Florida Electrical Power Plant Siting Act; amending s. 403.504, F.S.; requiring the Department of Environmental Protection to determine whether a proposed alternate corridor is acceptable; amending s. 403.506, F.S.; revising the thresholds and applicability standards of the Florida Electrical Power Plant Siting Act; deleting a provision that exempts from the act a steam generating plant; exempting from the act the associated facilities of an electrical power plant; exempting an electric utility from obtaining certification under the Florida Electrical Power Plant Siting Act before constructing facilities for a power plant using nuclear materials as fuel; providing that a utility may obtain separate licenses, permits, and approvals for such construction under certain circumstances; exempting such provisions from review under ch. 120, F.S.; amending s. 403.5064, F.S.; requiring an applicant to submit a statement to the department if such applicant opts for consideration of alternate corridors; amending s. 403.50665, F.S.; requiring an application to include a statement on the consistency of directly associated facilities constituting a "development"; requiring the Department of Environmental Protection to address at the certification hearing the issue of compliance with land use plans and zoning ordinances for a proposed substation located in or along an alternate corridor; amending s. 403.509, F.S.; requiring the Governor and Cabinet sitting as the siting board to certify the corridor having the least adverse impact; authorizing the board to deny certification or allow a party to amend its proposal; amending s. 403.5115, F.S.; requiring the applicant proposing the alternate corridor to publish all notices relating to the application; requiring that such notices comply with certain requirements; requiring that notices be published at least 45 days before the rescheduled certification hearing; amending s. 403.5175, F.S.; conforming a cross-reference; amending s. 403.518, F.S.; authorizing the Department of Environmental Protection to charge an application fee for an alternate corridor; amending s. 403.519, F.S., relating to determinations of need; conforming provisions to changes made by the act; creating s. 403.7055, F.S.; encouraging counties in the state to form regional solutions to the capture and reuse or sale of methane gas from landfills and wastewater treatment facilities; requiring the Department of Environmental Protection to provide guidelines and assistance; amending s. 403.814, F.S., relating to general permits; conforming provisions; amending s. 489.145, F.S.; revising provisions of the Guaranteed Energy Performance Savings Contracting Act; renaming the act as the "Guaranteed Energy, Water, and Wastewater Performance Savings Contracting Act"; requiring that each proposed contract or lease contain certain agreements concerning operational cost-saving measures; redefining terms; defining the term "investment grade energy audit"; requiring that certain baseline information, supporting information, and documentation be included in contracts; requiring the office of the Chief Financial Officer to review contract proposals; providing audit requirements; requiring contract approval by the Legislature or Chief Financial Officer; creating s. 526.203, F.S.; providing definitions; requiring that on or after a specified date all gasoline sold in the state contain a specified percent of agriculturally derived denatured ethanol; providing for exemptions; creating s. 526.204, F.S.; providing for the requirements to be suspended during a declared emergency; providing an exemption if a supplier or other distributor is unable to obtain the required fuel at the same or lower price than the price of unblended gasoline; requiring that documentation be provided to the Department of Revenue; creating s. 526.205, F.S.; providing for enforcement of the requirement for gasoline content; providing penalties; providing for the Department of Revenue to grant an extension of time to comply with the requirement; creating s. 526.206, F.S.; authorizing the Department of Revenue and the Department of Agriculture and Consumer Services to adopt rules; requiring the Florida Energy Commission to conduct a study of the lifecycle greenhouse gas emissions associated with all renewable fuels; requiring a report to the Legislature by a specified date; amending s. 553.77, F.S.; authorizing the Florida Building Commission to implement recommendations relating to energy efficiency in residential and commercial buildings; creating s. 553.886, F.S.; requiring that the Florida Building Code facilitate and promote the use of certain renewable energy technologies in buildings; creating s. 553.9061, F.S.; requiring the Florida Building Commission to establish a schedule of increases in the energy performance of buildings subject to the Energy Efficiency Code for Building Construction; providing a process for implementing goals to increase energy-efficiency performance in new buildings; providing a schedule for the implementation of such goals; identifying energy-efficiency performance options and elements available to meet energy-efficiency performance requirements; providing a schedule for the review and adoption of renewable energy-efficiency goals by the commission; requiring the commission to conduct a study to evaluate the energy-efficiency rating of new buildings and appliances; requiring the commission to submit a

report to the President of the Senate and the Speaker of the House of Representatives on or before a specified date; requiring the commission to conduct a study to evaluate opportunities to restructure the Florida Energy Code for Building Construction, including the integration of the Thermal Efficiency Code, the Energy Conservation Standards Act, and the Florida Building Energy-Efficiency Rating Act; requiring the commission to submit a report to the President of the Senate and the Speaker of the House of Representatives on or before a specified date; directing the Department of Community Affairs, in conjunction with the Florida Energy Affordability Council, to identify and review issues relating to the Low-Income Home Energy Assistance Program and the Weatherization Assistance Program; requiring the submission of a report to the President of the Senate and the Speaker of the House of Representatives on or before a specified date; providing for the expiration of certain study requirements; amending s. 553.957, F.S.; including certain home and commercial appliances in the requirements for testing and certification for meeting certain energy-conservation standards; amending s. 553.975, F.S.; conforming a cross-reference; requiring the Public Service Commission to analyze utility revenue decoupling and provide a report and recommendations to the Governor, the President of the Senate, and the Speaker of the House of Representatives by a specified date; amending s. 718.113, F.S.; authorizing the board of a condominium or a multicondominium to install solar collectors, clotheslines, or other energy-efficient devices on association property; creating s. 1004.648, F.S.; establishing the Florida Energy Systems Consortium, consisting of specified state universities; providing membership and duties of the consortium; providing for an oversight board and steering committee; providing reporting requirements for the consortium by a date certain; authorizing the Department of Environmental Protection to require certain agreements to contain a stipulation requiring the return to the state of a portion of the profit resulting from commercialization of an energy-related product or process; requiring the department to conduct a study relating to the state earning a monetary return on energy-related products or processes through the use of negotiated or licensing agreements; requiring the department to submit the study to the Governor and the Legislature; requiring the Department of Environmental Protection, in conjunction with the Department of Agriculture and Consumer Services, to conduct an economic impact analysis on the effect of granting financial incentives to energy producers who use woody biomass; requiring the department to submit the results to the Legislature; establishing a statewide solid waste reduction goal by a certain date; requiring the Department of Environmental Protection to develop a recycling program designed to meet that goal; requiring the Department of Environmental Protection to prepare a report relating to the costs and benefits of implementing a cap-and-trade system to trade emission credits; requiring the department to present the report to the Governor, the President of the Senate, and the Speaker of the House of Representatives; describing certain specified issues to be included in the report; providing effective dates.

By the Committees on Criminal Justice; and Criminal Justice—

CS for SB 1618—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act regarding victims of child abuse or sex crimes; amending s. 119.071, F.S.; expanding the exemption for certain victim information by making it confidential and exempt from public-record requirements; expanding the exemption to include sexual offenses prohibited under chapters 796 and 847, F.S.; creating exceptions to the public record exemption; providing for future legislative review of the exemption; reorganizing the exemption; providing a statement of public necessity; repealing s. 2 of chapter 2003-157, Laws of Florida, which provides for repeal of the exemption; amending s. 92.56, F.S.; requiring that the confidential and exempt status of certain victim information made confidential and exempt s. 119.071(2)(h), F.S., be maintained in court records and court proceedings; providing for a petition for access at the trial court; providing specified criteria for maintaining the confidential and exempt status of such information upon the filing of a petition; permitting a defendant charged with specified offenses to apply for an order of disclosure to prepare a defense; amending s. 119.0714, F.S.; conforming the provisions to changes made in s. 119.071(2)(h), F.S.; amending s. 794.03, F.S.; conforming the provisions to changes made in s. 119.071(2)(h), F.S.; providing an effective date.

By the Committees on Education Pre-K - 12 Appropriations; Education Pre-K - 12; and Education Pre-K - 12—

CS for CS for SB 1652—A bill to be entitled An act relating to charter schools; amending ss. 11.45, 218.50, and 218.501, F.S., relating to audit reports by the Auditor General; conforming provisions related to changes in the entities subject to a state of financial emergency; amending ss. 218.503 and 218.504, F.S.; providing that charter technical career centers are subject to certain requirements in the event of a financial emergency; requiring that the sponsor be notified of certain conditions; providing for the development of a financial recovery plan, which may be approved by the Commissioner of Education; amending s. 1002.33, F.S.; providing for duties of charter school sponsors and governing boards when charter schools and charter technical career centers experience a financial weakness or a financial emergency; specifying forms to be used by charter school applicants and sponsors; requiring applicant training and documentation; deleting the auditing requirements and financial emergency provisions for charter schools; requiring charters schools to disclose the identity of relatives of charter school personnel; providing that the immediate termination of a charter is exempt from requirements for an informal hearing or for a hearing under ch. 120, F.S.; providing for a limitation on funding; providing for the disclosure of the performance of charter schools that are not given a school grade or school improvement rating; revising the requirements for providing information to the public on how to form and operate a charter school; providing reporting requirements; providing restrictions for the employment of relatives by charter school personnel; providing that members of a charter school governing board are subject to certain standards of conduct specified in ss. 112.313 and 112.3143, F.S.; amending s. 1002.335, F.S.; eliminating the requirement for district school boards to annually seek continued exclusivity from the State Board of Education; providing for challenges to the exclusivity of district school boards; providing a presumption for district school boards that are granted exclusivity; providing for informal hearings; specifying additional components of cosponsor agreements; amending s. 1002.34, F.S.; providing additional duties for charter technical career centers, applicants, sponsors, and governing boards; requiring the Department of Education to offer or arrange training and assistance to applicants for a charter technical career center; requiring that an applicant participate in the training; creating s. 1002.345, F.S.; establishing criteria and requirements for charter schools and charter technical career centers that have financial weaknesses or are in a state of financial emergency; establishing requirements for charter schools, charter technical career centers, governing bodies, and sponsors; requiring financial audits of charter schools and charter technical career centers; providing for corrective action and financial recovery plans; providing for duties of auditors, the Commissioner of Education, and the Department of Education; requiring the State Board of Education to adopt rules; providing grounds for termination or nonrenewal of a charter; providing an effective date.

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

CS for SB 1670—A bill to be entitled An act relating to early learning; providing a short title; amending s. 402.316, F.S.; requiring the Department of Children and Family Services to adopt rules regarding screening standards and notice for certain child care personnel; amending s. 411.01, F.S.; authorizing the use of telecommunication methods in conducting early learning coalition board meetings; amending and renumbering s. 402.27, F.S.; transferring requirements for the establishment of a statewide child care resource and referral network by the Department of Children and Family Services to the Agency for Workforce Innovation; providing for use of early learning coalitions as child care resource and referral agencies; requiring rulemaking; amending and renumbering s. 409.178, F.S.; transferring duties of the Department of Children and Family Services with respect to the Child Care Executive Partnership Program to the Agency for Workforce Innovation and early learning coalitions; requiring rulemaking; amending s. 435.04, F.S.; providing additional criminal offenses for screening child care personnel; amending s. 1001.10, F.S.; requiring the Department of Education to assist school districts, charter schools, the Florida School for the Deaf and the Blind, and certain private schools and providers in developing policies and procedures governing educator ethics and employment; requiring the department to provide authorized staff with access to or provide verification through certain employment-screening tools; amending ss. 1002.55, 1002.61, and 1002.63, F.S., relating to the Voluntary Prekindergarten Education Program; providing additional accredi-

tation standards for private prekindergarten providers; providing requirements for assignment of substitute instructors; requiring owners of certain private schools and private prekindergarten providers to adopt ethical standards for all employees; prohibiting confidentiality agreements regarding terminated or dismissed employees which have the effect of concealing certain conduct; requiring such owners and providers to contact the previous employer of each instructional or administrative candidate for employment and notify the Department of Education of dates of employment of an educator; requiring rulemaking; conforming cross-references; providing an effective date.

By the Committee on Criminal Justice; and Senator Crist—

CS for SB 1690—A bill to be entitled An act relating to capital collateral representation; amending s. 27.7001, F.S.; establishing that the collateral representation system is a legislative branch entity; providing a legislative finding that not all capital cases are extraordinary or unusual; amending s. 27.701, F.S.; extending the term of years regional counsel are appointed to serve; providing a deadline on the appointment process; deleting the 2-year prohibition against former regional counsel running for state office or accepting another state appointment; requiring that regional counsel be appointed by and serve at the pleasure of the Commission on Capital Cases; removing provisions establishing a pilot program in the northern region of the state; amending s. 27.702, F.S.; clarifying the administrative roles and functions of the Justice Administrative Commission, the Commission on Capital Cases, and the Capital Collateral Regional Counsel; amending s. 27.709, F.S.; increasing and revising the membership of the Commission on Capital Cases; relocating the commission from the Office of Legislative Services to the Justice Administrative Commission for purposes of administration; authorizing the commission to sponsor programs of continuing legal education on capital cases; authorizing the commission to issue subpoenas and hold hearings it considers appropriate for the administration of justice in capital cases; authorizing the commission to terminate the appointment of a capital collateral regional counsel before the end of the counsel's term; amending s. 27.710, F.S.; revising the criteria required for an attorney to be eligible to be placed on the registry of attorneys qualified to represent defendants in postconviction capital collateral proceedings; providing certain limited exceptions; requiring attorneys to sign a contract with the Chief Financial Officer in order to receive funds from the state; requiring each private attorney appointed by a court to represent a capital defendant to submit a report each quarter to the commission; providing for removal and reinstatement to the registry of attorneys; amending s. 27.711, F.S.; providing for terms and conditions for appointment of counsel in postconviction capital collateral proceedings; providing for pro bono attorneys to receive reimbursement for certain specified expenses; limiting representation by a court-appointed attorney to seven defendants; prohibiting an attorney from entering into an employment contract with the offices of the Capital Collateral Regional Counsel if he or she represents seven or more defendants in capital collateral litigation; requiring a trial court judge who proposes to award attorney's fees in excess of those set forth in law to make written findings of fact that state the extraordinary nature of the expenditures of time, energy, and talents of the attorney in the case which are not ordinarily expended in other capital collateral cases and how the case is unusual; reenacting s. 27.7002, F.S., relating to the limitation of cases on collateral representation, to incorporate the amendments made to ss. 27.710 and 27.711, F.S., in references thereto; providing an effective date.

By the Committee on Health Regulation; and Senator Baker—

CS for SB 1696—A bill to be entitled An act relating to orthotics, prosthetics, and pedorthics; amending s. 468.80, F.S.; providing and revising definitions; amending s. 468.801, F.S.; changing the composition of the Board of Orthotists and Prosthetists; removing an obsolete requirement for initial staggering of terms; amending s. 468.802, F.S.; expanding the authority for rule adoption to include standards of practice for orthotic fitters, orthotic fitter assistants, and residents; amending s. 468.803, F.S.; providing for registration for a resident to practice orthotics or prosthetics; authorizing licensure as a prosthetist-orthotist; providing requirements for such licensure; requiring applicants for registration, examination, or licensure to apply on forms created and provided by the Department of Health; requiring applicants to submit fingerprints and a fee to cover department costs for criminal background checks; requiring board verification of certain information prior to an applicant's examination, registration, or licensure; providing requirements for registration as a resident in orthotics or prosthetics; providing for registration and renewal fees for registration; authorizing either the Department of Health to develop and administer a state examination for an orthotist or prosthetist license or the board to approve an existing examination of a national standards organization; providing examination requirements; authorizing examination fees; delineating applicant qualifications for examination; delineating requirements for licensure and licensure fees for an orthotist, a prosthetist, an orthotic fitter, an orthotic fitter assistant, and a pedorthist; amending s. 468.806, F.S.; revising the list of materials required for submission for biennial license renewal, including information necessary to conduct a statewide criminal history check and payment of associated costs; requiring certain mandatory courses, standards, and qualifications for continuing education courses, and standards and qualifications for course providers, to be established by rule; deeming the Florida Association of Orthotists and Prosthetists, Inc., or a successor organization an approved course provider; repealing s. 468.807, F.S., relating to the issuance of a temporary license; amending s. 468.808, F.S.; revising duties that can be delegated to unlicensed support personnel; providing requirements for support personnel identification; amending s. 468.809, F.S.; including the practice of orthotics, prosthetics, or pedorthics without registration in certain prohibitions; providing penalties; creating s. 468.8095, F.S.; requiring licensees and registrants to post licenses, registrations, recent photographs, and certain notices in a facility and to wear certain identification tags or badges; amending s. 468.811, F.S.; revising grounds for denial of a license or disciplinary action; providing grounds for denial of registration; amending s. 468.812, F.S.; revising provisions exempting certain persons from licensure; amending s. 468.813, F.S.; revising requirements regarding use of titles; providing effective dates.

By the Committee on Agriculture; and Senator Alexander—

CS for SB 1702—A bill to be entitled An act relating to a review of the Department of Agriculture and Consumer Services under the Florida Government Accountability Act; reenacting s. 20.14(2)(a), (b), (c), (d), (f), (g), (h), (i), (k), and (l), F.S., relating to the Divisions of Administration, Agricultural Environmental Services, Animal Industry, Aquaculture, Dairy Industry, Food Safety, Forestry, Fruit and Vegetables, Marketing and Development, and Plant Industry of the Department of Agriculture and Consumer Services; amending s. 125.27, F.S.; increasing the annual countywide fire control assessment; amending s. 370.07, F.S.; increasing the annual license tax imposed on wholesale and retail saltwater products dealers; amending s. 487.041, F.S.; increasing the registration fee imposed on each brand of pesticide that is distributed, sold, or offered for sale; amending s. 500.12, F.S.; increasing the maximum amount allowed for a food permit application fee; amending s. 576.041, F.S.; increasing the fertilizer inspection fee; amending s. 580.041, F.S.; increasing master registration fees imposed on commercial feed distributors; amending s. 597.004, F.S.; increasing the registration fee for aquaculture certification; providing an effective date.

By the Committees on Education Pre-K - 12 Appropriations; Governmental Operations; Education Pre-K - 12; Education Pre-K - 12; and Senators Carlton and Gaetz—

CS for CS for CS for SB 1712—A bill to be entitled An act relating to ethics; providing a short title; amending s. 24.121, F.S., relating to public school funding; conforming cross-references; amending s. 112.3173, F.S.; specifying certain additional offenses that constitute a breach of the public trust; amending s. 121.091, F.S.; prohibiting the Division of Retirement from paying benefits to a member who has committed certain felony offenses against a minor; amending s. 402.316, F.S.; authorizing the Department of Children and Family Services to adopt minimum standards for screening child care personnel and for notification of termination of such personnel; amending s. 435.04, F.S.; providing additional criminal offenses for screening child care personnel; amending s. 1001.10, F.S.; requiring the Department of Education to assist school districts, charter schools, the Florida School for the Deaf and the Blind, and certain private schools and providers in developing policies and procedures governing educator ethics and employment; requiring the department to provide authorized staff with access to or provide verification through certain employment-screening tools;

amending s. 1001.32, F.S., relating to school administration; conforming a cross-reference; amending s. 1001.42, F.S.; requiring each district school board to adopt ethical standards for all employees; prohibiting confidentiality agreements regarding terminated or dismissed employees which have the effect of concealing certain conduct; providing that a district school board official who knowingly signs or transmits a false report, fails to support policies that ensure the investigation of reports, or fails to report allegations of misconduct by instructional or administrative personnel forfeits his or her salary for a specified period; amending s. 1001.452, F.S., relating to district and school advisory councils; conforming cross-references; amending s. 1001.51, F.S.; providing that a district school superintendent or district school board member forfeits his or her salary for a specified period following failure to report allegations of misconduct by instructional or administrative personnel; amending ss. 1001.54 and 1002.32, F.S., relating to duties of principals and lab schools; conforming cross-references; amending s. 1002.33, F.S.; requiring charter schools to adopt ethical standards for all employees; prohibiting confidentiality agreements regarding terminated or dismissed employees which have the effect of concealing certain conduct; requiring the school to contact the prior employer and assess a candidate's ability to meet ethical standards; requiring the charter school sponsor to suspend the school's charter for failing to comply with these requirements; amending s. 1002.36, F.S.; requiring the Florida School for the Deaf and the Blind to meet certain requirements governing the screening of educators; amending ss. 1002.421 and 1002.55, F.S.; requiring owners of certain private schools and private prekindergarten providers to adopt ethical standards for all employees; prohibiting confidentiality agreements regarding terminated or dismissed employees which have the effect of concealing certain conduct; requiring such owners and providers to contact the previous employer of each instructional or administrative candidate for employment; amending ss. 1002.61, 1002.63, 1002.65, 1003.413, 1003.53, and 1004.92, F.S.; conforming cross-references; amending s. 1006.061, F.S.; requiring the school board, charter school, private school participating in a state school choice scholarship program, and private provider participating in the Voluntary Prekindergarten Education Program to post its policies relating to misconduct by personnel; requiring the head of such entities to act as a liaison in suspected cases of child abuse; amending ss. 1007.21, 1007.23, 1008.33, 1008.345, 1010.215, and 1011.18, F.S.; conforming cross-references; amending s. 1012.27, F.S.; requiring the district school superintendent to contact the previous employer of each instructional or administrative candidate for employment, screen the candidate, and document findings; creating s. 1012.315, F.S.; specifying offenses that disqualify instructional and administrative personnel from employment in positions involving direct contact with students; amending s. 1012.32, F.S.; providing that instructional and administrative personnel who have been convicted of certain offenses are disqualified from employment in positions having direct contact with students; amending s. 1012.33, F.S.; providing that just cause for terminating instructional staff includes immorality or the commission of a criminal act; amending s. 1012.34, F.S., relating to assessment procedures; conforming a cross-reference; amending s. 1012.56, F.S., relating to certification requirements for educators; revising the requirements for conducting state and national criminal history records checks of persons seeking certification; providing for the Department of Education to maintain personnel records on an electronic database; amending s. 1012.79, F.S.; providing for additional members to be appointed to the Education Practices Commission; revising the composition of the panel appointed to review complaints against teachers; amending s. 1012.795, F.S.; providing for suspending the educator certificate of a person who knowingly fails to report child abuse or suspected or actual misconduct by instructional personnel; amending s. 1012.796, F.S.; requiring the Department of Education to investigate each complaint involving misconduct by certificated personnel; clarifying what constitutes a legally sufficient complaint; providing requirements for school board policies and procedures relating to ethical standards; providing that the district school superintendent is accountable for communicating standards, policies, and procedures to district employees; requiring that an employee be immediately suspended and reassigned upon an allegation of misconduct affecting the health, safety, or welfare of a student; requiring employers of certified personnel to file complaints in writing to the Department of Education; amending ss. 1012.98 and 1013.03, F.S., relating to the School Community Professional Development Act and functions of the department and Board of Governors; conforming cross-references; providing an appropriation and authorizing additional positions; providing an effective date.

By the Committee on Higher Education; and Senator Oelrich—

CS for SB 1716—A bill to be entitled An act relating to postsecondary education; amending s. 1000.21, F.S.; redesignating the names of certain community colleges as colleges; creating s. 1001.60, F.S., relating to the Florida College System; providing system purposes; defining the system as comprised of 2-year and 4-year public postsecondary institutions that grant academic degrees at the undergraduate level; providing limitations; authorizing a name change under certain conditions; providing for local boards of trustees; providing membership for the boards; creating the Florida College System Task Force for the purpose of developing recommendations for the migration of community colleges to baccalaureate-degree-granting colleges; providing for membership and appointments; providing duties of the task force and reporting requirements; providing for the task force to be dissolved unless extended by general law; creating the State College Pilot Project; designating certain institutions to participate in the project; providing duties and reporting requirements for the institutions; providing an effective date.

By the Committees on Education Pre-K - 12 Appropriations; Education Pre-K - 12; and Senator Gaetz—

CS for CS for SB 1906—A bill to be entitled An act relating to alternative credit high school courses; creating s. 1002.375, F.S.; establishing a pilot project for awarding high school credit to students enrolled in industry certification programs; requiring the Commissioner of Education to establish criteria for program participation; requiring that a school district submit a letter of interest by a specified date in order to participate in the pilot project; requiring that the Commissioner of Education submit a report to the Governor and the Legislature; providing for specified courses to be included as alternative credit courses; exempting alternative credit courses from certain requirements; authorizing the Department of Education to approve certain courses for credit by examination; requiring the Department of Education to adopt passing minimum scores on approved assessments and maintain a course directory; requiring the State Board of Education to adopt rules; amending s. 1011.61, F.S., relating to definitions for the Florida Education Finance Program; providing for an alternate method of reporting full-time equivalent membership for credit earned in alternative high school credit courses for the pilot project created under s. 1002.375, F.S.; providing an effective date.

By the Committees on Criminal Justice; Transportation; and Senator Baker—

CS for CS for SB 1992—A bill to be entitled An act relating to the Department of Highway Safety and Motor Vehicles; amending s. 316.0741, F.S.; redefining the term "hybrid vehicle"; authorizing the driving of a hybrid, low-emission, or energy-efficient vehicle in a high-occupancy-vehicle lane regardless of occupancy; authorizing the department to limit or discontinue such driving under certain circumstances; exempting such vehicles from the payment of certain tolls; amending s. 316.1575, F.S.; requiring a person walking or driving a vehicle to stop at a railroad crossing upon the signal of a law enforcement officer; amending s. 316.159, F.S.; requiring the driver of a commercial motor vehicle to slow when approaching a railroad crossing; providing that a violation of such requirement is a noncriminal moving violation; amending s. 316.1895, F.S.; requiring the placement of signs in certain school zones stating that speeding fines are doubled within the zone; amending s. 316.191, F.S.; revising provisions prohibiting certain speed competitions and exhibitions; revising the definition of the terms "conviction," "drag race," and "race"; defining the terms "exhibition of acceleration," "exhibition of speed," and "spectator"; prohibiting driving in any race, drag race, exhibition of speed, or exhibition of acceleration; prohibiting certain acts in association with a race, drag race, exhibition of speed, or exhibition of acceleration; prohibiting being a spectator at any such race, drag race, or exhibition; providing for a rebuttable presumption that a person is a spectator; providing criminal and noncriminal penalties; providing for revocation of the driver's license upon conviction; providing for disposition of citation for being a spectator; providing penalties for a second or subsequent offense; providing that a violation that causes or contributes to causing serious bodily injury to another is a felony of the third degree; providing that a violation that causes or contributes to causing the death of any human being or unborn quick child is the crime

of racing manslaughter; providing penalties; providing for a determination of the definition of the term "unborn quick child"; requiring that the driving record of a person charged be provided to the court; providing criteria for arrest; providing procedures for charging the owner of a motor vehicle as a spectator if the owner's vehicle is parked or operated in near proximity to any such race, drag race, or exhibition; providing for citations, disposition procedures, and enforcement; providing procedures for impoundment or immobilization of a motor vehicle under a court order; providing for release from impoundment under specified exceptions; requiring costs and fees of impoundment to be paid by the owner or lessee of the motor vehicle; providing procedures for an arresting officer to immediately impound a motor vehicle used in a violation; providing for the period of impoundment; removing a requirement for impoundment that the person being arrested is the registered owner or coowner of the motor vehicle; providing for seizure and forfeiture of a motor vehicle used in a violation; removing provisions for application only after a prior conviction and only if the owner of the motor vehicle is the person charged with the violation; providing for a motor vehicle used in violation to be seized and forfeited under the Florida Contraband Forfeiture Act regardless of whether the violation is a misdemeanor or felony; providing for satisfaction of the element of negligent entrustment; providing for severability; amending s. 316.193, F.S.; lowering the blood-alcohol or breath-alcohol level for which enhanced penalties are imposed against a person who was accompanied in the vehicle by a minor at the time of the offense; amending s. 316.1937, F.S.; revising the conditions under which the court may require the use of an ignition interlock device; amending s. 316.29545, F.S.; exempting certain investigative vehicles from the prohibition against installing window sunscreening on a vehicle; amending s. 316.302, F.S.; revising the application of certain federal rules; providing for the department to perform certain duties assigned under federal rules; updating a reference to federal provisions governing out-of-service requirements for commercial vehicles; amending s. 316.3045, F.S.; providing enhanced penalties, including forfeiture of the vehicle, upon multiple convictions for violating prohibitions against the use of excessively loud soundmaking equipment in a motor vehicle; amending ss. 316.613 and 316.614, F.S.; redefining the term "motor vehicle" to exclude certain trucks from the requirement to use a child restraint or safety belt; amending s. 316.645, F.S.; authorizing a police officer to make an arrest upon probable cause of a violation of laws governing motor vehicle licenses; amending s. 316.650, F.S.; revising requirements for traffic citation forms; providing for the electronic transmission of citation data; amending s. 316.656, F.S.; lowering the percentage of blood or breath alcohol content relating to the prohibition against pleading guilty to a lesser offense of driving under the influence than the offense charged; amending s. 319.001, F.S.; defining the term "certificate of title" to include information stored electronically in the department's database; amending s. 320.0706, F.S.; providing that a violation of requirements for displaying a truck license plate is a moving violation; amending s. 320.0715, F.S.; requiring the department to withhold issuing or to suspend a registration and license plate for a commercial motor vehicle if the federal identifying number is not provided or if the motor carrier or vehicle owner has been prohibited from operating; amending s. 320.01, F.S.; redefining the term "motorcycle" to exclude a vehicle where the operator is enclosed by a cabin; amending s. 320.02, F.S., as amended; deleting the requirement for a motorcycle endorsement at the time of original registration of a motorcycle, motor-driven cycle, or moped; repealing s. 320.02(13), F.S., relating to a motor vehicle registration voluntary contribution for the Election Campaign Financing Trust Fund; repealing s. 320.08053(3), F.S., relating to provisions requiring that the department adopt rules providing certain specifications for the design of specialty license plates; amending s. 320.27, F.S.; revising evidence required for motor vehicle dealer applications; amending s. 322.01, F.S.; defining the term "convenience service"; redefining the terms "conviction," "hazardous materials," and "out-of-service order"; amending s. 322.0255, F.S.; revising eligibility for reimbursement for organizations that conduct motorcycle safety courses; amending s. 322.03, F.S.; deleting provisions exempting certain persons from the requirement to surrender a license issued by another jurisdiction; providing certain exceptions for part-time residents; amending ss. 322.051 and 322.08, F.S.; requiring that an applicant for an identification card or driver's license provide additional information; authorizing use of additional documents to prove identity; revising the fee requirements; revising provisions providing for the expiration of an identification card issued by the department; deleting provisions authorizing a voluntary contribution; amending s. 322.14, F.S.; requiring that an applicant for a driver's license provide a residence address; amending s. 322.15, F.S.; authorizing a law enforcement officer or authorized representative of the department to collect a person's fingerprints electronically; amending s. 322.17, F.S.; revising the requirements for obtaining a replacement license or permit; deleting provisions authorizing the department to issue address stickers; amending s. 322.18, F.S.; revising provisions providing for the expiration of driver's licenses; providing for the renewal of certain licenses every 8 years and for the renewal of licenses for persons older than a specified age every 6 years; providing for the renewal of licenses using a convenience service; requiring the department to issue new licenses rather than extension stickers; conforming cross-references; amending s. 322.19, F.S.; deleting provisions authorizing the use of a change-of-address sticker on a driver's license; conforming cross-references; amending s. 322.21, F.S.; increasing the fees charged for obtaining a new or renewal driver's license or identification card; specifying that a portion of the fees be deposited for use by the department; amending s. 322.2715, F.S.; clarifying that an ignition interlock device is installed for a continuous period; amending s. 322.291, F.S.; imposing additional sanctions against a person who violates requirements with respect to an ignition interlock device; amending s. 322.36, F.S.; requiring the suspension for a specified period of the driver's license of a person who loans a vehicle to a person whose driver's license is suspended if that vehicle is involved in an accident resulting in bodily injury or death; repealing s. 322.60, F.S., relating to a prohibition against possessing more than one driver's license under certain circumstances; amending s. 322.61, F.S.; clarifying provisions disqualifying a person from operating a commercial motor vehicle following certain traffic violations; providing for permanent disqualification following conviction of a felony involving the manufacture, distribution, or dispensing of a controlled substance; amending s. 322.64, F.S.; providing that refusal to submit to a breath, urine, or blood test disqualifies a person from operating a commercial motor vehicle; providing a period of disqualification if a person has an unlawful blood-alcohol or breath-alcohol level; providing for issuance of a notice of disqualification; revising the requirements for a formal review hearing following a person's disqualification from operating a commercial motor vehicle; amending s. 324.021, F.S.; clarifying that a judgment becomes final by expiration of the time for appeal; creating the Automobile Lenders Industry Task Force within the Department of Highway Safety and Motor Vehicles; providing duties of the task force; providing for membership and the election of officers; providing for meetings; providing for reimbursement for travel and per diem expenses for public-sector members; requiring the department to provide administrative support and assistance to the task force; prohibiting the Department of Highway Safety and Motor Vehicles from issuing any new specialty license plates for a specified period; providing an effective date.

By the Committees on Governmental Operations; and Governmental Operations—

CS for SB 2002—A bill to be entitled An act relating to retirement; amending s. 121.71, F.S.; revising the payroll contribution rates for the membership classes of the Florida Retirement System for the state fiscal years effective July 1, 2008, and July 1, 2009; providing a declaration of important state interest; providing an effective date.

By the Committee on Agriculture; and Senators Dean and Bennett—

CS for SB 2060—A bill to be entitled An act relating to agriculture and consumer services; amending s. 163.3162, F.S.; prohibiting county government imposition of an assessment or fee for stormwater management on agricultural land meeting certain requirements; amending s. 205.064, F.S.; expanding eligibility for exemption from a local business tax receipt for the privilege of selling specified products; amending s. 373.1395, F.S.; providing indemnity for an agricultural landowner for an easement or any other right secured by a water management district for access to lands the district provides or makes available to the public; delineating what is covered by indemnification for landowners and water management districts; providing that agricultural landowners and water management districts are liable for gross negligence and certain other acts as specified; creating s. 500.70, F.S.; delineating requirements for a tomato farmer, packer, repacker, or handler to be considered in compliance with state food safety microbial standards and guidelines; amending s. 570.07, F.S.; providing that the Department of Agriculture and Consumer Services may adopt by rule comprehensive best-management practices for agricultural production and food safety; amending s. 583.13, F.S.; revising the labeling and advertising requirements for dressed poultry; amending s. 604.15, F.S.; revising a definition

to make tropical foliage exempt from regulation under provisions relating to dealers in agricultural products; amending s. 604.50, F.S.; expanding county and municipal exemptions for nonresidential farm buildings to include permits and impact fees; amending s. 823.145, F.S.; expanding the materials used in agricultural operations that can be openly burned; providing certain limitations on such burning; amending s. 849.094, F.S.; providing for computer-based electronic sweepstakes game promotions in connection with the sale of a consumer product or service; providing operator requirements; requiring the written approval of the Department of Agriculture and Consumer Services; providing an effective date.

By the Committees on Health Regulation; Children, Families, and Elder Affairs; and Senator Storms—

CS for CS for SB 2216—A bill to be entitled An act relating to adult protection and care; amending s. 322.142, F.S.; authorizing the Department of Children and Family Services to obtain copies of driver's license files maintained by the Department of Highway Safety and Motor Vehicles for the purpose of conducting protective investigations; amending s. 400.141, F.S.; requiring a search of the Department of Law Enforcement's sexual offender database to be conducted on all nursing home residents; amending s. 400.19, F.S.; revising provisions relating to unannounced inspections; amending s. 400.215, F.S.; requiring contracted workers employed in a nursing home to submit to background screening; prohibiting employees and contracted workers who do not meet background screening requirements from being employed in a nursing home; providing certain exceptions; deleting an obsolete provision; amending s. 408.809, F.S.; requiring the agency to establish a fee schedule to cover the cost of a level 1 or level 2 screening and giving the agency rulemaking authority; amending s. 408.810, F.S.; requiring health care facilities regulated by the Agency for Health Care Administration to post certain information in the facility; authorizing the agency to charge a fee to cover production and distribution unless the information is downloaded from the agency's website; amending s. 408.811, F.S.; providing that agency employees who provide advance notice of unannounced agency inspections are subject to suspension; providing a timeline and process for correction of deficiencies; providing that the agency may provide electronic access to documents; amending s. 415.103, F.S.; requiring certain reports to the central abuse hotline relating to vulnerable adults to be immediately transferred to the county sheriff's office; amending s. 415.1051, F.S.; authorizing the Department of Children and Family Services to file the petition to determine incapacity in adult protection proceedings; prohibiting the department from serving as the guardian or providing legal counsel to the guardian; amending s. 415.112, F.S.; specifying rules to be adopted by the Department of Children and Family Services relating to adult protective services under ch. 415, F.S.; amending s. 429.02, F.S.; revising the definition of "service plan" to remove the limitation that plans are required only in assisted living facilities that have an extended congregate care license; requiring that the agency develop a service plan form; amending s. 429.07, F.S.; providing that license requirements for specialty licenses apply to current licensees as well as applicants for an extended congregate care and limited nursing license; conforming a cross-reference; amending s. 429.174, F.S.; requiring certain employees and contracted workers in assisted living facilities to submit to background screening; prohibiting employees and contracted workers who do not meet background screening requirements from being employed in an assisted living facility; providing certain exceptions; requiring the person being screened to pay for the cost of screening; amending s. 429.255, F.S.; providing that the owner or administrator of an assisted living facility is responsible for the services provided in the facility; amending s. 429.26, F.S.; clarifying a prohibition on moving a resident; providing for the development of a service plan for all residents; requiring a search of the Department of Law Enforcement's sexual offender database to be conducted on all residents of an assisted living facility; requiring residents to be periodically assessed for competency to handle personal affairs; amending s. 429.27, F.S.; prohibiting assisted living facility personnel from making certain decisions for a resident or acting as the resident's representative or surrogate; amending s. 429.28, F.S.; requiring that notice of a resident's relocation or termination of residency be in writing and a copy sent to specified persons; requiring the State Long-Term Ombudsman Program include information within their annual report to the Governor and the Legislature; requiring facilities to have a written grievance procedure that includes certain information; requiring that grievances reported to the local ombudsman council be included in a statewide reporting system; revising provisions relating to agency surveys to determine compliance with resident rights in assisted living facilities; amending s. 429.294, F.S.; deleting a cross-reference; amending s. 429.34, F.S.; providing for unannounced inspections; providing for additional 6-month inspections for certain violations; providing for an additional fine for 6-month inspections; amending s. 429.41, F.S.; requiring all residents of assisted living facilities to have a service plan; amending s. 429.65, F.S.; providing a definition of the term "reside"; amending s. 429.67, F.S.; expanding the list of persons who must have a background screening in adult family-care homes; amending s. 429.69, F.S.; providing that the failure of a adult family-care home provider to live in the home is grounds for the denial, revocation, or suspension of a license; amending s. 429.73, F.S.; requiring adult family-care home residents to be periodically assessed for competency to handle personal affairs; amending ss. 435.03 and 435.04, F.S.; providing additional criminal offenses for screening certain health care facility personnel; repealing s. 400.141(13), F.S., relating to a requirement to post certain information in nursing homes; repealing s. 408.809(3), F.S., relating to the granting of a provisional license while awaiting the results of a background screening; repealing s. 429.08(2), F.S., deleting a provision relating to local workgroups of field offices of the Agency for Health Care Administration; repealing s. 429.41(5), F.S., relating to agency inspections; amending ss. 430.80 and 651.118, F.S.; conforming cross-references; providing an effective date.

REFERENCE CHANGES PURSUANT TO RULE 4.7(2)

By the Committee on Regulated Industries; and Senator Jones—

CS for SB 604—A bill to be entitled An act relating to quarter horse racing; amending s. 550.334, F.S.; removing provisions requiring an application to the Division of Pari-mutuel Wagering for a permit to conduct quarter horse race meetings; removing provisions for granting a license to conduct quarter horse racing; removing a provision for governance and control of quarter horse racing; removing a requirement for intertrack wagering to be conducted by a quarter horse permitholder; providing for a grandfather clause; providing an effective date.

—was placed on the Calendar.

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

CS for SB 610—A bill to be entitled An act relating to physical education; amending s. 1003.455, F.S.; requiring physical education in grades 6 through 8; providing for waivers under certain circumstances; providing an effective date.

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

By the Committee on Commerce; and Senators Justice and Lynn—

CS for SB 886—A bill to be entitled An act relating to toxic substances in children's products; providing definitions; prohibiting a person from using or applying a toxic substance in or on any toy or child care article in this state; prohibiting a person from manufacturing, selling, offering for sale, or distributing a toy or child care article that contains a toxic substance; providing an exception; providing civil fines for manufacturing, selling, offering for sale, or distributing a toy or child care article that contains a toxic substance; requiring that certain civil fines be waived under specified circumstances; providing that a knowing and intentional violation of the act is a felony of the third degree; providing criminal penalties; providing an effective date.

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

By the Committee on Higher Education; and Senators Peaden, Joyner and Gaetz—

CS for SB 1080—A bill to be entitled An act relating to the Johnnie B. Byrd, Sr., Alzheimer's Center and Research Institute; amending s.

1004.445, F.S.; establishing the center within the University of South Florida; providing for the administration of the center; creating a research advisory board and providing for a manner of appointment; providing duties; eliminating the board of directors and the council of scientific advisors; revising the grant award process for the center; providing a limitation on expenditures; authorizing an account for center purposes; providing for a report; extending the sunset provisions; providing effective dates.

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

By the Committee on Environmental Preservation and Conservation; and Senator Saunders—

CS for SB 1300—A bill to be entitled An act relating to fish and wildlife; amending s. 253.04, F.S., relating to the protection of state lands; providing definitions; providing that it is a civil infraction to operate a vessel outside a marked channel in a manner that causes seagrass scarring; providing penalties; amending s. 327.73, F.S., relating to noncriminal infractions; establishing civil penalties for the destruction of seagrasses; amending s. 372.73, F.S., relating to the disposition of illegally taken wildlife; providing for the disposition of such wildlife; providing for the documentation of illegally taken wildlife; creating s. 372.731, F.S., relating to photographs of illegally taken wildlife; providing for the admission of photographs as evidentiary materials; providing conditions under which such photographs shall be taken; providing an effective date.

—was referred to the Committees on Judiciary; and General Government Appropriations.

By the Committee on Environmental Preservation and Conservation; and Senator Saunders—

CS for SB 1302—A bill to be entitled An act relating to wastewater disposal; amending s. 373.0361, F.S., relating to regional water supply planning; requiring the South Florida Water Management District to include water supply development projects that promote the elimination of ocean outfalls in its regional water supply plan; amending s. 373.0831, F.S., relating to water resource and supply development; providing for projects that implement reuse as a means of eliminating ocean outfalls to receive priority funding consideration; amending s. 373.1961, F.S., relating to funding for water supply projects; providing priority funding for projects that implement reuse that assists with the elimination of ocean outfalls; amending s. 373.250, F.S., relating to the reuse of reclaimed water; directing the South Florida Water Management District to require the use of reclaimed water made available through the elimination of ocean outfalls under certain conditions; amending s. 403.085, F.S., relating to waste water treatment; prohibiting the construction of new ocean outfalls; prohibiting the use of ocean outfalls as a method of sanitary sewage disposal; amending s. 403.086, F.S., relating the treatment of wastewater; providing legislative intent; prohibiting the new construction of an expanded discharge to ocean outfalls; requiring that domestic wastewater discharges to ocean outfalls meet advanced wastewater treatment and management requirements by a date certain; providing an exemption from meeting advanced wastewater treatment and management requirements under specific conditions; providing wastewater reuse requirements for facilities that discharge through ocean outfalls by a date certain; providing prohibitions for the discharge of domestic wastewater through ocean outfalls under specific conditions by a date certain; providing reporting requirements for permitted ocean outfall facilities; providing reporting requirements for the Department of Environmental Protection; providing a compliance schedule for facilities discharging through ocean outfalls; amending s. 403.1835, F.S., relating to water pollution control financial assistance; providing for the inclusion of domestic wastewater ocean outfalls in laws requiring the elimination of discharges to specific water bodies; providing an effective date.

—was referred to the Committee on General Government Appropriations.

By the Committee on Environmental Preservation and Conservation; and Senator Saunders—

CS for SB 1544—A bill to be entitled An act relating to energy conservation; amending s. 74.051, F.S.; requiring a court to conduct a hearing and issue a final judgment on a petition for a taking within specified times after a utility's request for such hearing; creating s. 112.219, F.S.; defining terms for purposes of the state employee telecommuting program; requiring each state employing entity to complete a telecommuting plan by a specified date which includes a listing of the job classifications and positions that the state entity considers appropriate for telecommuting; providing requirements for the telecommuting plan; requiring each state employing entity to post the telecommuting plan on its website; amending s. 163.04, F.S.; revising provisions prohibiting restrictions on the use of energy devices based on renewable resources; amending s. 163.3177, F.S.; revising requirements for the future land use element of a local comprehensive plan to include energy-efficient land use patterns; requiring that the traffic-circulation element of incorporate transportation strategies to reduce greenhouse gas emissions; requiring each unit of local government within an urbanized area to amend the transportation element to incorporate transportation strategies addressing reduction in greenhouse gas emissions; amending s. 186.007, F.S.; authorizing the Executive Office of the Governor to include in the state comprehensive plan goals, objectives, and policies related energy and global climate change; creating s. 193.804, F.S.; prohibiting the property appraiser from increasing the taxable value of homestead property when the taxpayer adds any solar energy device to the property; authorizing the property appraiser to refer the matter to the Department of Environmental Protection if the property appraiser questions whether a taxpayer is entitled, in whole or in part, to a solar energy device exemption; requiring the Department of Environmental Protection to adopt rules; amending s. 212.08, F.S.; providing that the sale or use of wind energy or wind turbines is exempt from sales or use taxes as equipment, machinery, and other materials used for renewable energy technologies; requiring the Department of Environmental Protection to adopt, by rule, an application form, including the required content and documentation to support the application, for the taxpayer to use in claiming the tax exemption; amending s. 220.192, F.S.; defining terms related to a tax credit; providing that 75 percent of all capital, operation, and maintenance costs, and research and development costs incurred between specified dates, up to a specified limit, may be credited against taxes owed in connection with an investment in the production of wind energy; allowing the tax credit to be transferred for a specified period; providing procedures and requirements; requiring the Department of Revenue to adopt rules; amending s. 220.193, F.S.; defining the term "sale" or sold"; defining the term "taxpayer"; authorizing the Department of Revenue to adopt rules and forms; providing that the use of the renewable energy production credit does not reduce the alternative minimum tax credit; amending s. 253.02, F.S.; authorizing the Secretary of Environmental Protection to grant easements across lands owned by the Board of Trustees of the Internal Improvement Trust Fund under certain conditions; amending s. 253.034, F.S.; granting a utility the use of nonsovereignty state-owned lands upon a showing of competent substantial evidence that the use is reasonable; establishing criteria relating to the title, distribution, and cost of such lands; amending s. 255.249, F.S.; requiring state agencies to annually provide telecommuting plans to the Department of Management Services; amending s. 255.251, F.S.; creating the "Florida Energy Conservation and Sustainable Buildings Act"; amending s. 255.252, F.S.; providing findings and legislative intent; providing that it is the policy of the state that buildings constructed and financed by the state, or existing buildings renovated by the state, be designed and constructed with a goal of meeting or exceeding the Platinum rating of the United States Green Building Council (USGBC) Leadership in Energy and Environmental Design (LEED) rating system, the Green Building Initiative's Green Globes rating system, or the Florida Green Building Coalition standards; requiring each state agency to identify and compile a list of energy-conservation projects that it determines are suitable for a guaranteed energy performance savings contract; amending s. 255.253, F.S.; defining terms relating to energy conservation for buildings; amending s. 255.254, F.S.; prohibiting a state government entity from leasing or constructing a facility without having secured from the Department of Management Services a proper evaluation of life-cycle costs for the building; amending s. 255.255, F.S.; requiring the department to use sustainable building ratings for conducting a life-cycle cost analysis; amending s. 255.257, F.S.; requiring each state government entity to adopt the standards of the United States Green Building Council's Leadership in Energy and Environmental Design for New Construction (LEED-NC) for all new buildings, with a goal of

achieving the LEED-NC Platinum level rating for each construction project and to implement the United States Green Building Council's Leadership in Energy and Environmental Design for Existing Buildings (LEED-EB); creating s. 286.275, F.S.; requiring the Department of Management Services to develop the Florida Climate Friendly Preferred Products List; requiring state government entities to consult the list and purchase products from the list under certain circumstances; requiring state government entities to contract for meeting and conference space with facilities having the "Green Lodging" designation; authorizing the Department of Environmental Protection to adopt rules; requiring the department to establish voluntary technical assistance programs for various businesses; requiring state government entities to maintain vehicles according to minimum standards and follow certain procedures when procuring new vehicles; requiring state government entities to use ethanol and biodiesel-blended fuels when available; defining the term "state government entity"; amending s. 287.063, F.S.; prohibiting the payment term for equipment from exceeding the useful life of the equipment unless the contract provides for the replacement or the extension of the useful life of the equipment during the term of the deferred payment contract; amending s. 287.064, F.S.; authorizing an extension of the master equipment financing agreement for energy conservation equipment; requiring the guaranteed energy, water, and wastewater performance savings contractor to provide for the replacement or the extension of the useful life of the equipment during the term of the contract; amending s. 287.16, F.S.; requiring the Department of Management Services to conduct an analysis of the Department of Transportation's ethanol and biodiesel use and encourage other state agencies to analyze transportation fuel usage and report such information to the Department of Management Services; amending s. 288.1089, F.S.; defining the term "alternative and renewable energy"; detailing the conditions for an alternative and renewable energy project to be eligible for an innovation incentive award; amending s. 337.401, F.S.; requiring the Department of Environmental Protection to adopt rules relating to the placement of and access to aerial and underground electric transmission lines having certain specifications; defining the term "base-load generating facilities"; amending s. 339.175, F.S.; requiring each metropolitan planning organization to develop a long-range transportation plan and an annual project priority list that, among other considerations, provide for sustainable growth and reduce greenhouse gas emissions; amending s. 366.82, F.S.; requiring the Public Service Commission to adopt rules requiring utilities to offset 20 percent of their annual load-growth through energy efficiency and conservation measures; requiring the commission to create an in-state market for tradable credits enabling those utilities that exceed the conservation standard to sell credits to those that cannot meet the standard for a given year; requiring that the commission conduct a periodic review; requiring the commission to require municipal and cooperative utilities that are exempt from the Energy Efficiency and Conservation Act to submit an annual report identifying energy efficiency and conservation goals and the actions taken to meet those goals; requiring the commission to use certain methodologies in the evaluation of demand-side management programs; requiring the commission to establish a renewable energy portfolio standard for utilities; requiring certain utilities to submit an annual report identifying the percentage of their electrical power generated or purchased from renewable resources; authorizing the commission to adopt rules; amending s. 366.8255, F.S.; redefining the term "environmental compliance costs" to include costs or expenses prudently incurred for scientific research and geological assessments of carbon capture and storage for the purpose of reducing an electric utility's greenhouse gas emissions; amending s. 366.93, F.S.; revising the definitions of "cost" and "preconstruction"; requiring the Public Service Commission to establish rules relating to cost recovery for the construction of new, expanded, or relocated electrical transmission lines and facilities for a nuclear power plant; amending s. 377.601, F.S.; revising legislative intent with respect to the need to implement alternative energy technologies; amending s. 377.703, F.S.; conforming cross-references; amending s. 377.804, F.S., relating to the Renewable Energy and Energy-Efficient Technologies Grant Program; providing for the program to include matching grants for technologies that increase the energy efficiency of vehicles and commercial buildings; providing application requirements; amending s. 377.806, F.S., relating to the Solar Energy System Incentives Program; requiring compliance with the Florida Building Code rather than local codes in order to be eligible for a rebate under the program; amending s. 377.901, F.S., relating to the Florida Energy Commission; transferring the commission from the Office of Legislative Services to the Executive Office of the Governor; changing appointment criteria for the members of the commission; providing additional duties; deleting outdated provisions; creating s. 377.921, F.S., relating to qualified solar energy systems; providing definitions; allowing a public utility to recover certain costs; amending ss. 380.23 and 403.031, F.S.; conforming cross-references; creating s. 403.44, F.S.; creating the Florida Climate Protection Act; defining terms; requiring the Department of Environmental Protection to establish the methodologies, reporting periods, and reporting systems that must be used when major emitters report to The Climate Registry; authorizing the department to adopt rules for a cap-and-trade regulatory program to reduce greenhouse gas emissions from major emitters; providing for the content of the rule; amending s. 403.503, F.S.; defining the term "alternate corridor" and redefining the term "corridor" for purposes of the Florida Electrical Power Plant Siting Act; amending s. 403.504, F.S.; requiring the Department of Environmental Protection to determine whether a proposed alternate corridor is acceptable; amending s. 403.506, F.S.; revising the thresholds and applicability standards of the Florida Electrical Power Plant Siting Act; deleting a provision that exempts from the act a steam generating plant; exempting from the act the associated facilities of an electrical power plant; exempting an electric utility from obtaining certification under the Florida Electrical Power Plant Siting Act before constructing facilities for a power plant using nuclear materials as fuel; providing that a utility may obtain separate licenses, permits, and approvals for such construction under certain circumstances; exempting such provisions from review under ch. 120, F.S.; amending s. 403.5064, F.S.; requiring an applicant to submit a statement to the department if such applicant opts for consideration of alternate corridors; amending s. 403.50665, F.S.; requiring an application to include a statement on the consistency of directly associated facilities constituting a "development"; requiring the Department of Environmental Protection to address at the certification hearing the issue of compliance with land use plans and zoning ordinances for a proposed substation located in or along an alternate corridor; amending s. 403.509, F.S.; requiring the Governor and Cabinet sitting as the siting board to certify the corridor having the least adverse impact; authorizing the board to deny certification or allow a party to amend its proposal; amending s. 403.5115, F.S.; requiring the applicant proposing the alternate corridor to publish all notices relating to the application; requiring that such notices comply with certain requirements; requiring that notices be published at least 45 days before the rescheduled certification hearing; amending s. 403.5175, F.S.; conforming a cross-reference; amending s. 403.518, F.S.; authorizing the Department of Environmental Protection to charge an application fee for an alternate corridor; amending s. 403.519, F.S., relating to determinations of need; conforming provisions to changes made by the act; creating s. 403.7055, F.S.; encouraging counties in the state to form regional solutions to the capture and reuse or sale of methane gas from landfills and wastewater treatment facilities; requiring the Department of Environmental Protection to provide guidelines and assistance; amending s. 403.814, F.S., relating to general permits; conforming provisions; amending s. 489.145, F.S.; revising provisions of the Guaranteed Energy Performance Savings Contracting Act; renaming the act as the "Guaranteed Energy, Water, and Wastewater Performance Savings Contracting Act"; requiring that each proposed contract or lease contain certain agreements concerning operational cost-saving measures; redefining terms; defining the term "investment grade energy audit"; requiring that certain baseline information, supporting information, and documentation be included in contracts; requiring the office of the Chief Financial Officer to review contract proposals; providing audit requirements; requiring contract approval by the Legislature or Chief Financial Officer; creating s. 526.203, F.S.; providing definitions; requiring that on or after a specified date all gasoline sold in the state contain a specified percent of agriculturally derived denatured ethanol; providing for exemptions; creating s. 526.204, F.S.; providing for the requirements to be suspended during a declared emergency; providing an exemption if a supplier or other distributor is unable to obtain the required fuel at the same or lower price than the price of unblended gasoline; requiring that documentation be provided to the Department of Revenue; creating s. 526.205, F.S.; providing for enforcement of the requirement for gasoline content; providing penalties; providing for the Department of Revenue to grant an extension of time to comply with the requirement; creating s. 526.206, F.S.; authorizing the Department of Revenue and the Department of Agriculture and Consumer Services to adopt rules; requiring the Florida Energy Commission to conduct a study of the lifecycle greenhouse gas emissions associated with all renewable fuels; requiring a report to the Legislature by a specified date; amending s. 553.77, F.S.; authorizing the Florida Building Commission to implement recommendations relating to energy efficiency in residential and commercial buildings; creating s. 553.886, F.S.; requiring that the Florida Building Code facilitate and promote the use of certain renewable energy technologies in buildings; creating s. 553.9061, F.S.; requiring the Florida Building

Commission to establish a schedule of increases in the energy performance of buildings subject to the Energy Efficiency Code for Building Construction; providing a process for implementing goals to increase energy-efficiency performance in new buildings; providing a schedule for the implementation of such goals; identifying energy-efficiency performance options and elements available to meet energy-efficiency performance requirements; providing a schedule for the review and adoption of renewable energy-efficiency goals by the commission; requiring the commission to conduct a study to evaluate the energy-efficiency rating of new buildings and appliances; requiring the commission to submit a report to the President of the Senate and the Speaker of the House of Representatives on or before a specified date; requiring the commission to conduct a study to evaluate opportunities to restructure the Florida Energy Code for Building Construction, including the integration of the Thermal Efficiency Code, the Energy Conservation Standards Act, and the Florida Building Energy-Efficiency Rating Act; requiring the commission to submit a report to the President of the Senate and the Speaker of the House of Representatives on or before a specified date; directing the Department of Community Affairs, in conjunction with the Florida Energy Affordability Council, to identify and review issues relating to the Low-Income Home Energy Assistance Program and the Weatherization Assistance Program; requiring the submission of a report to the President of the Senate and the Speaker of the House of Representatives on or before a specified date; providing for the expiration of certain study requirements; amending s. 553.957, F.S.; including certain home and commercial appliances in the requirements for testing and certification for meeting certain energy-conservation standards; amending s. 553.975, F.S.; conforming a cross-reference; requiring the Public Service Commission to analyze utility revenue decoupling and provide a report and recommendations to the Governor, the President of the Senate, and the Speaker of the House of Representatives by a specified date; amending s. 718.113, F.S.; authorizing the board of a condominium or a multicondominium to install solar collectors, clotheslines, or other energy-efficient devices on association property; creating s. 1004.648, F.S.; establishing the Florida Energy Systems Consortium, consisting of specified state universities; providing membership and duties of the consortium; providing for an oversight board and steering committee; providing reporting requirements for the consortium by a date certain; authorizing the Department of Environmental Protection to require certain agreements to contain a stipulation requiring the return to the state of a portion of the profit resulting from commercialization of an energy-related product or process; requiring the department to conduct a study relating to the state earning a monetary return on energy-related products or processes through the use of negotiated or licensing agreements; requiring the department to submit the study to the Governor and the Legislature; requiring the Department of Environmental Protection, in conjunction with the Department of Agriculture and Consumer Services, to conduct an economic impact analysis on the effect of granting financial incentives to energy producers who use woody biomass; requiring the department to submit the results to the Legislature; establishing a statewide solid waste reduction goal by a certain date; requiring the Department of Environmental Protection to develop a recycling program designed to meet that goal; requiring the Department of Environmental Protection to prepare a report relating to the costs and benefits of implementing a cap-and-trade system to trade emission credits; requiring the department to present the report to the Governor, the President of the Senate, and the Speaker of the House of Representatives; describing certain specified issues to be included in the report; providing effective dates.

—was referred to the Committees on Communications and Public Utilities; and General Government Appropriations.

By the Committee on Agriculture; and Senator Alexander—

CS for SB 1702—A bill to be entitled An act relating to a review of the Department of Agriculture and Consumer Services under the Florida Government Accountability Act; reenacting s. 20.14(2)(a), (b), (c), (d), (f), (g), (h), (i), (k), and (l), F.S., relating to the Divisions of Administration, Agricultural Environmental Services, Animal Industry, Aquaculture, Dairy Industry, Food Safety, Forestry, Fruit and Vegetables, Marketing and Development, and Plant Industry of the Department of Agriculture and Consumer Services; amending s. 125.27, F.S.; increasing the annual countywide fire control assessment; amending s. 370.07, F.S.; increasing the annual license tax imposed on wholesale and retail saltwater products dealers; amending s. 487.041, F.S.; increasing the registration fee imposed on each brand of pesticide that is distributed, sold, or offered for sale; amending s. 500.12, F.S.; increasing the maximum amount allowed for a food permit application fee; amending s. 576.041, F.S.; increasing the fertilizer inspection fee; amending s. 580.041, F.S.; increasing master registration fees imposed on commercial feed distributors; amending s. 597.004, F.S.; increasing the registration fee for aquaculture certification; providing an effective date.

—was referred to the Committee on General Government Appropriations.

By the Committee on Higher Education; and Senator Oelrich—

CS for SB 1716—A bill to be entitled An act relating to postsecondary education; amending s. 1000.21, F.S.; redesignating the names of certain community colleges as colleges; creating s. 1001.60, F.S., relating to the Florida College System; providing system purposes; defining the system as comprised of 2-year and 4-year public postsecondary institutions that grant academic degrees at the undergraduate level; providing limitations; authorizing a name change under certain conditions; providing for local boards of trustees; providing membership for the boards; creating the Florida College System Task Force for the purpose of developing recommendations for the migration of community colleges to baccalaureate-degree-granting colleges; providing for membership and appointments; providing duties of the task force and reporting requirements; providing for the task force to be dissolved unless extended by general law; creating the State College Pilot Project; designating certain institutions to participate in the project; providing duties and reporting requirements for the institutions; providing an effective date.

—was referred to the Committee on Higher Education Appropriations.

By the Committee on Agriculture; and Senators Dean and Bennett—

CS for SB 2060—A bill to be entitled An act relating to agriculture and consumer services; amending s. 163.3162, F.S.; prohibiting county government imposition of an assessment or fee for stormwater management on agricultural land meeting certain requirements; amending s. 205.064, F.S.; expanding eligibility for exemption from a local business tax receipt for the privilege of selling specified products; amending s. 373.1395, F.S.; providing indemnity for an agricultural landowner for an easement or any other right secured by a water management district for access to lands the district provides or makes available to the public; delineating what is covered by indemnification for landowners and water management districts; providing that agricultural landowners and water management districts are liable for gross negligence and certain other acts as specified; creating s. 500.70, F.S.; delineating requirements for a tomato farmer, packer, repacker, or handler to be considered in compliance with state food safety microbial standards and guidelines; amending s. 570.07, F.S.; providing that the Department of Agriculture and Consumer Services may adopt by rule comprehensive best-management practices for agricultural production and food safety; amending s. 583.13, F.S.; revising the labeling and advertising requirements for dressed poultry; amending s. 604.15, F.S.; revising a definition to make tropical foliage exempt from regulation under provisions relating to dealers in agricultural products; amending s. 604.50, F.S.; expanding county and municipal exemptions for nonresidential farm buildings to include permits and impact fees; amending s. 823.145, F.S.; expanding the materials used in agricultural operations that can be openly burned; providing certain limitations on such burning; amending s. 849.094, F.S.; providing for computer-based electronic sweepstakes game promotions in connection with the sale of a consumer product or service; providing operator requirements; requiring the written approval of the Department of Agriculture and Consumer Services; providing an effective date.

—was referred to the Committees on Regulated Industries; Community Affairs; Judiciary; and General Government Appropriations.

By the Committees on Communications and Public Utilities; and Communications and Public Utilities—

CS for SB 2212—A bill to be entitled An act relating to the Public Service Commission; amending s. 350.01, F.S.; conforming the begin-

ning of a Public Service Commissioner's term as chair with the beginning of terms of commissioners; amending s. 350.012, F.S.; renaming the Committee on Public Service Commission Oversight, a standing joint committee of the Legislature, as the "Committee on Public Counsel Oversight"; deleting the committee's authority to recommend to the Governor nominees to fill vacancies on the Public Service Commission; deleting the committee's authority to file an ethics complaint against a member, former member, or former employee of the commission, or a member of the Public Service Commission Nominating Council; amending s. 350.031, F.S.; increasing the number of members on the council; requiring the President of the Senate and the Speaker of the House of Representatives to appoint a chair and vice chair to the council in alternating years; requiring the council to submit recommendations for vacancies on the Public Service Commission to the Governor; requiring the council to nominate a minimum of three persons for each vacancy; revising the date that recommendations for vacancies must be submitted; providing for the council to fill a vacancy on the commission if the Governor fails to do so; authorizing a successor Governor to recall an unconfirmed appointee under certain circumstances; amending ss. 350.061 and 350.0614, F.S., relating to the appointment, oversight, and compensation of the Public Counsel; conforming provisions to changes made by the act; providing an effective date.

—was referred to the Committee on General Government Appropriations.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

RETURNING MESSAGES—FINAL ACTION

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has adopted SCR 2930.

William S. Pittman III, Chief Clerk

The bill contained in the foregoing message was ordered enrolled.

CORRECTION AND APPROVAL OF JOURNAL

The Journal of March 20 was corrected and approved.

CO-INTRODUCERS

Senators Aronberg—CS for SB 706, SB 848, SB 2014, SB 2580; Atwater—CS for SB 1580, SB 2014; Baker—CS for SB 222, CS for SB 1064, SB 2400; Bullard—SB 478, SB 482, SB 484; Crist—CS for SB 850, CS for SB 1384, SB 1692, CS for SB 1964, SB 2062, SB 2310; Dawson—SB 846; Fasano—CS for SB 1080, SB 1196, SB 1316, SB 1564, SB 2028, SB 2362, SB 2860, SB 2878; Gaetz— CS for CS for CS for SB 1712; Garcia—SB 2860; Geller—SB 2860; Jones—SB 2860; Justice—SB 2414; Lynn—SB 1068, SB 1692, SB 2062; Peaden—CS for SB 1580; Rich—CS for SB 1964; Saunders—CS for SB 1964; Storms—SB 2580

RECESS

On motion by Senator King, the Senate recessed at 11:18 a.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 9:30 a.m., Thursday, March 27 or upon call of the President.

SENATE PAGES

March 24-28, 2008

Brian Barnes, Branford; Rebecca Barnes, Wewahitchka; Chynelle Bruce, Crawfordville; B. Grace Cakmis, Gainesville; Joshua Cason, Melbourne; Eric P. Counihan, Clermont; Ian M. Holtzworth, Tavernier; Jesse L. Jackson II, Tallahassee; Crystal Joseph, Lakeland; O'Brian Safford, Quincy; Dara Silverman, Miami; Patrick Smith, O'Brien; Angelica Spicer, Miami; Brett C. Suggs, Branford; Jordan H. Unatin, Ormond Beach; Victoria Underwood, Tallahassee; Jasmine A. Wright, Hialeah

Journal of the Senate

Number 8—Regular Session **Thursday, March 27, 2008**

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CALL TO ORDER

The Senate was called to order by President Pruitt at 9:30 a.m. A quorum present—38:

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

Excused: Senators Dawson and Wilson

PRAYER

The following prayer was offered by the Rev. William Holt Liptrot, Jr., Bethel A.M.E. Church, Tallahassee:

"It's me, it's me, it's me O Lord, standing in the need of prayer. It's me, it's me, it's me O Lord, standing in the need of prayer."

Today, we reaffirm the American ideals of freedom, justice, and opportunity for all. God of all, let this day be a day of love and not hate, for understanding and not anger. May we share together, and reach across party lines and mend broken relationships. May we rid ourselves of the barriers which divide us and come together as one. May people of all religions, classes and stations in life put aside differences and join in the spirit of togetherness.

This day awaken in us the best qualities of the American spirit. Allow this State of Florida to demonstrate that peace is not just a dream, but a real possibility. If only for a day, if only one day, each of us serves as a Floridian for justice and peace, then we will bring to life the inspiring vision of our foreparents on whose shoulders we stand.

On this day, may we have the strength of Harriet Tubman, the tenacity of Sojourner Truth, the intelligence of Frederick Douglass, the courage of Booker T. Washington, the creativity of President Lyndon Baines Johnson, the relationships of Mary McLeod Bethune, the speech of President Ronald Wilson Reagan, the spirituality of Howard Thurman and Benjamin Elijah Mays, and the boldness of our sons and daughters who stand in harm's way protecting us in Afghanistan and Iraq.

And when this happens, and we allow "freedom to ring", let it ring from the Senate Chamber to the House of Representatives, from every city in the State of Florida, we will be able to speed up the day when all of God's children . . . will be able to join hands and sing . . . "Free at last! Free at last! Thank God Almighty, we are free at last."

And to you, O God, to thee be honor and glory, now and forever and ever. Amen.

PLEDGE

Senate Pages Crystal Joseph of Lakeland; Dara Silverman of Miami; O'Brian Safford of Quincy; and Victoria Underwood of Tallahassee, led the Senate in the pledge of allegiance to the flag of the United States of America.

DOCTOR OF THE DAY

The President recognized Senator Peaden, as doctor of the day.

ADOPTION OF RESOLUTIONS

On motion by Senator Rich—

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

SR 2922—A resolution recognizing the 60th anniversary of the founding of the modern State of Israel and reaffirming the bonds of friendship and cooperation between the United States, the State of Florida, and Israel.

WHEREAS, 2008 marks the 60th anniversary of the founding of the modern Jewish State of Israel, and

WHEREAS, on November 29, 1947, the United Nations General Assembly voted to partition the British Mandate of Palestine and, through that vote, to create the State of Israel, and

WHEREAS, officially declared an independent nation on May 14, 1948, Israel plans a series of events to celebrate its Diamond Jubilee, which began on November 29, 2007, the 60th anniversary of the vote on the Partition Plan, and

WHEREAS, the desire of the Jewish people to establish an independent modern State of Israel is the outgrowth of the existence of the historic Kingdom of Israel established 3,000 years ago in the city of Jerusalem and in the land of Israel, and

WHEREAS, a century ago at the First Zionist Congress in Basel, Switzerland, participants under the leadership of Theodore Herzl affirmed the desire to reestablish a Jewish homeland in the historic land of Israel, and

WHEREAS, in its 60 years of existence, Israel has become the most successful democracy in the Middle East, and its citizens enjoy one of the highest standards of living in the region, and

WHEREAS, born in the ashes of the Holocaust, Israel has from its inception faced the hostility, and frequently the armed aggression, of its neighbors, and

WHEREAS, since its establishment 60 years ago, the modern State of Israel has rebuilt a nation, forged a new and dynamic society, and created a unique and vital economic, political, cultural, and intellectual life despite the heavy costs of six wars, terrorism, international ostracism, and economic boycotts, and

WHEREAS, despite difficult and often dangerous circumstances, Israel has prospered, blessed with a succession of great leaders from David Ben-Gurion and Golda Meir to Menachem Begin and Yitzhak Rabin, and

WHEREAS, Israel continues to strive for peace with security and dignity for themselves and their neighbors, and

WHEREAS, the connection between the State of Florida and Israel is reflected by the support of the Florida Israel Institute as well as other cultural and business exchanges, and

WHEREAS, today cities throughout Florida have Sister City and Partnership 2000 relationships with cities in Israel, and

WHEREAS, with the anniversary observance taking place throughout the year, Israel will celebrate its anniversary with events marking the birth and development of the state, the struggle to find peace and security, and its hopes for the future, NOW, THEREFORE,

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

That the Senate recognizes the historic significance of the 60th anniversary of the reestablishment of the sovereign and independent modern State of Israel; commends the people of Israel for their remarkable achievements in building a new state and a pluralistic democratic society in the Middle East; reaffirms the bonds of friendship and cooperation which have existed between the United States and Israel for six decades and which have been significant for both countries; recommits to working with Israel to ensure its security in its quest for peace with its neighbors and the countries in the region; and extends the warmest congratulations and best wishes to the State of Israel and her people for a peaceful, prosperous, and successful future.

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

—was introduced out of order and read by title. On motion by Senator Rich, **SR 2922** was read the second time in full and adopted.

SPECIAL GUESTS

Senator Rich introduced Ofer Bauly, Consul General of Israel and Diego Echeverri, Director of Economic and Political Affairs who were present in the chamber.

SPECIAL RECOGNITION

Senator Carlton introduced Grace Nelson, wife of U.S. Senator Bill Nelson, who was present in the gallery.

The President introduced U.S. Senator Bill Nelson who was escorted to the well for brief comments. The President presented Senator Nelson with an insignia of the Florida Senate.

On motion by Senator Storms—

By Senator Storms—

SR 2004—A resolution recognizing April 2008 as "Swimming Pool Safety Month."

WHEREAS, the State of Florida has more than one million swimming pools, over 37,000 of which are public facilities regulated by the Department of Health, and

WHEREAS, residential and commercial swimming pools and spas add to the enjoyment, quality of life, and health of the state's residents and visitors, and

WHEREAS, swimming pools and spas are recreational facilities promoting the social gathering of families and friends in a large percentage of Florida residences, and

WHEREAS, Florida hotels and condominiums have thousands of swimming pools, spas, and wading pools used by even more visitors and guests, and

WHEREAS, the education of building code and health department officials, swimming pool designers and contractors, and pool owners is paramount to ensuring pool safety, and

WHEREAS, the Virginia Graeme Baker Pool & Spa Safety Act was recently signed into law by the President of the United States, providing mandatory safety measures for public pool facilities, incentive programs concerning residential pools, and overall outreach and education on swimming pool safety, and

WHEREAS, a new national consensus safety standard, ANSI/APSP 7 Suction Entrapment Avoidance, was developed in accordance with the American National Standards Institute, and adopted by the Florida Building Commission, making the State of Florida a leader in preventing serious injury from entrapment, and

WHEREAS, chapter 515, Florida Statutes, is the Residential Swimming Pool Safety Act that focuses on backyard pool safety and the prevention of drowning, and

WHEREAS, the Florida Swimming Pool Association and the Florida Department of Health's Office of Injury Prevention are co-hosting the 2008 Swimming Pool and Water Safety Forum to increase safety awareness among consumers, pool industry representatives, and government officials, and

WHEREAS, the Florida Swimming Pool Association continues to promote safety messages to consumers and strives to educate the pool industry on correct safety measures regarding barriers, entrapment, and child supervision through classes, informative brochures, and the new FSPA Safety Program, and

WHEREAS, swimming pool and spa injuries and accidents can be prevented through the responsible behavior and preventative actions of swimmers, pool owners, and those responsible for the facilities, and

WHEREAS, mass media communications concerning swimming pool and spa safety during the peak period of use by consumers can create increased safety awareness and promote the installation and use of safety devices, NOW, THEREFORE,

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

That the Florida Senate recognizes April 2008 as "Swimming Pool Safety Month" and encourages support from the media and other organizations in advocating practices of pool safety and providing information to the public.

—was introduced out of order and read by title. On motion by Senator Storms, **SR 2004** was read the second time in full and adopted.

At the request of Senator Wise—

By Senators Wise and Lynn—

SR 2282—A resolution recognizing Clay County and the accomplishments of its residents since its establishment in 1858 and celebrating the County's Anniversary Celebration Day, May 10, 2008.

WHEREAS, the first permanent European farmers, tradesmen, and businessmen first settled along the banks of the St. Johns River, Doctors Lake, and Black Creek in 1763, lands continuously inhabited since then under the various flags of Great Britain, Spain, and the United States, and

WHEREAS, during the fall of 1858, the residents of Middleburg, Clay Hill, and Magnolia Springs signed a petition to form a new county, and

John G. Smith, the representative for the area, helped to craft and guide through the Florida Legislature the formation of a new county to be called Clay in honor of Henry Clay, whose Whig ideals were popular with the residents, and

WHEREAS, on December 31, 1858, Governor Madison Starke Perry signed into law the establishment of the new county, whose residents voted to make Middleburg the first county seat, and

WHEREAS, in the postwar period, Clay County residents banded together to rebuild the county and promote tourism along the St. Johns River with magnificent hotels such as the Magnolia Springs Hotel, The Park View Hotel, The Clarendon, The Union Hotel, and The St. Clair, and

WHEREAS, Francis P. Fleming and William S. Jennings, two sons of Clay County, rose to become governors of the state, and residents of Clay County have achieved prominence in various fields, including Marine Corps General Roy S. Geiger in Military Service; Charles Merrell, James Cash Penney, and Paul E. Reinhold in Business; Primatologist Robert Yerkes, founder of the Yerkes Primate Lab (Orange Park, Florida), in Psychology; Augusta Savage in Art; and Slim Whitman and Lynyrd Skynyrd in Music, and

WHEREAS, the county's population growth over the years led to the incorporation of the towns of Green Cove Springs in 1874, Orange Park in 1877, Keystone Heights in 1925, and Penney Farms in 1927, and

WHEREAS, during the Great Depression, Clay County residents were employed by the Civilian Conservation Corps and built Gold Head Branch State Park, one of the first state parks in Florida, and

WHEREAS, the United States military has established military posts and airfields in Clay County since 1836 including Fort Heileman in 1836, Fort Number 11 in 1839, Fort Van Cortlandt in 1839, Magnolia Springs in 1864, Camp Blanding in 1939, and Lee Airfield in 1941, and

WHEREAS, the military trained more than 800,000 soldiers at Camp Blanding during World War II and Clay County residents are currently involved in fighting the War on Terror, NOW, THEREFORE,

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

That the Senate recognizes and honors the achievements of Clay County residents and the significance of the roles they have played in the history of Florida and the United States of America, and joins Clay County in celebrating its Anniversary Celebration Day, May 10, 2008.

—**SR 2282** was introduced, read and adopted by publication.

At the request of Senator Saunders—

By Senator Saunders—

SR 2892—A resolution recognizing the Riverdale High School Raiders Wrestling Team as winners of the 2008 Florida State High School Athletic Association Class A State Championship.

WHEREAS, the Riverdale High School Raiders Wrestling Team under the leadership of Coach Kris Hayward earned the 2008 Florida State High School Athletic Association Class A State Championship and achieved five state individual titles during the competition, and

WHEREAS, outstanding skill, sportsmanship, and competitiveness have been characteristic of Raider teammates Jack Gunn, Dusty Fellows, Mikah Fellows, Scotti Sentes, and Aron Sanchez, and

WHEREAS, Scotti Sentes earned a fourth consecutive state championship title in the 125-pound class making him the eighth four-time champion in state history and the first four-time champion from Southwest Florida, and

WHEREAS, Jack Gunn produced an individual title in the 275-pound class, and

WHEREAS, Dusty Fellows earned an individual title in the 145-pound class, and

WHEREAS, Mikah Fellows captured an individual title in the 140-pound class, and

WHEREAS, Aron Sanchez took the individual title in the 135-pound class, NOW, THEREFORE,

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

That the Florida Senate commends the Riverdale High School Raiders Wrestling Team for the honor and pride they have brought to this state by their outstanding dedication and performance as athletes.

BE IT FURTHER RESOLVED that a copy of the resolution, with the Seal of the Senate affixed, be presented to the Riverdale High School Wrestling Team as a tangible token of the sentiments of the Florida Senate.

—**SR 2892** was introduced, read and adopted by publication.

BILLS ON THIRD READING

SENATOR BENNETT PRESIDING

CS for CS for SB 526—A bill to be entitled An act relating to interscholastic sports; providing a short title; amending s. 1006.15, F.S.; revising the criteria under which a charter school student may participate in interscholastic extracurricular activities of a public school; providing for certain private school students to participate in interscholastic sports at a public school under certain conditions; providing criteria; providing for a public school student to participate in interscholastic sports at another public school; providing criteria; providing an effective date.

—was read the third time by title.

On motion by Senator Wise, **CS for CS for SB 526** was passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—2

Bullard	Deutch

CS for CS for SJR 2308—A joint resolution proposing amendments to Section 4 of Article IV and Sections 2 and 7 of Article IX, the creation of Section 8 of Article IX, and the creation of a new section in Article XII of the State Constitution to create the position of Commissioner of Education as an elected member of the Cabinet, to require the Commissioner of Education to hold a bachelor's degree or a higher academic degree, to revise the membership of the State Board of Education, which shall consist of the Governor and the Cabinet, to revise the membership, terms, and duties of the local boards of trustees and the Board of Governors of the State University System, to establish the Florida College System, to provide for a local board of trustees to govern each institution in the Florida College System, to provide for the Florida College Board, and to provide an effective date.

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

That the following amendments to Section 4 of Article IV and Sections 2 and 7 of Article IX, the creation of Section 8 of Article IX, and the creation of a new section in Article XII of the State Constitution are agreed to and shall be submitted to the electors of this state for approval or rejection at the next general election:

ARTICLE IV

EXECUTIVE

SECTION 4. Cabinet.—

(a) There shall be a cabinet composed of an attorney general, a chief financial officer, ~~and~~ a commissioner of agriculture*, and a commissioner of education*. In addition to the powers and duties specified herein, they shall exercise such powers and perform such duties as may be prescribed by law. In the event of a tie vote of the governor and cabinet, the side on which the governor voted shall be deemed to prevail.

(b) The attorney general shall be the chief state legal officer. There is created in the office of the attorney general the position of statewide prosecutor. The statewide prosecutor shall have concurrent jurisdiction with the state attorneys to prosecute violations of criminal laws occurring or having occurred, in two or more judicial circuits as part of a related transaction, or when any such offense is affecting or has affected two or more judicial circuits as provided by general law. The statewide prosecutor shall be appointed by the attorney general from not less than three persons nominated by the judicial nominating commission for the supreme court, or as otherwise provided by general law.

(c) The chief financial officer shall serve as the chief fiscal officer of the state, and shall settle and approve accounts against the state, and shall keep all state funds and securities.

(d) The commissioner of agriculture shall have supervision of matters pertaining to agriculture except as otherwise provided by law.

(e) The commissioner of education shall supervise the public education system in a manner prescribed by law, except as otherwise provided in this constitution. The commissioner of education must have earned a bachelor's degree or a higher academic degree.

(f)~~(e)~~ The governor as chair, the chief financial officer, and the attorney general shall constitute the state board of administration, which shall succeed to all the power, control, and authority of the state board of administration established pursuant to Article IX, Section 16 of the Constitution of 1885, and which shall continue as a body at least for the life of Article XII, Section 9(c).

(g)~~(f)~~ The governor as chair, the chief financial officer, the attorney general, ~~and~~ the commissioner of agriculture*, and the commissioner of education* shall constitute the trustees of the internal improvement trust fund and the land acquisition trust fund as provided by law.

(h)~~(g)~~ The governor as chair, the chief financial officer, the attorney general, ~~and~~ the commissioner of agriculture*, and the commissioner of education* shall constitute the agency head of the Department of Law Enforcement.

ARTICLE IX

EDUCATION

SECTION 2. State board of education.—*The governor and the members of the cabinet shall constitute the state board of education, which shall be a body corporate and have such supervision of the public education system as is provided by law.* ~~The state board of education shall be a body corporate and have such supervision of the system of free public education as is provided by law. The state board of education shall consist of seven members appointed by the governor to staggered 4-year terms, subject to confirmation by the senate. The state board of education shall appoint the commissioner of education.~~

SECTION 7. State university system.—

(a) PURPOSES. In order to achieve excellence through teaching students, advancing research and providing public service for the benefit of Florida's citizens, their communities and economies, the people hereby establish a system of governance for the state university system of Florida.

(b) STATE UNIVERSITY SYSTEM. There shall be a single state university system comprised of all public universities. ~~A board of trustees shall administer each public university and a board of governors shall govern the state university system.~~

(c) LOCAL BOARDS OF TRUSTEES. Each *public* ~~local constituent~~ university shall be administered by a board of trustees *as provided by law* ~~consisting of thirteen members dedicated to the purposes of the state university system. The board of governors shall establish the powers and duties of the boards of trustees~~. Each board of trustees shall consist of *eleven* ~~six~~ citizen members appointed by the governor ~~and five citizen members appointed by the board of governors~~. The appointed members shall be confirmed by the senate and serve staggered terms of five years as provided by law. The chair of the faculty senate, or the equivalent, and the president of the student body of the university shall also be members.

(d) STATEWIDE BOARD OF GOVERNORS. The board of governors shall *administer the state* ~~be a body corporate consisting of seventeen members. The board shall operate, regulate, control, and be fully responsible for the management of the whole~~ university system *as provided by law*. ~~These responsibilities shall include, but not be limited to, defining the distinctive mission of each constituent university and its articulation with free public schools and community colleges, ensuring the well-planned coordination and operation of the system, and avoiding wasteful duplication of facilities or programs. The board's management shall be subject to the powers of the legislature to appropriate for the expenditure of funds, and the board shall account for such expenditures as provided by law.~~ The governor shall appoint to the board *six* ~~fourteen~~ citizens dedicated to the purposes of the state university system. The appointed members shall be confirmed by the senate and serve staggered terms of *four* ~~seven~~ years as provided by law. The commissioner of education, the chair of the advisory council of faculty senates, or the equivalent, and the president of the Florida student association, or the equivalent, shall also be members of the board.

SECTION 8. Florida college system.—

(a) PURPOSES. In order to maximize open access for students, respond to community needs for postsecondary academic education and career degree education, and provide associate and baccalaureate degrees that will best meet the state's employment needs, the people hereby establish a system of governance for the Florida college system.

(b) FLORIDA COLLEGE SYSTEM. There shall be a single Florida college system comprised of two-year and four-year public postsecondary educational institutions that grant academic degrees at the undergraduate level as provided by law. An institution within the Florida college system may not offer graduate degree programs.

(c) LOCAL BOARDS OF TRUSTEES. Each institution within the Florida college system shall be governed by a local board of trustees as provided by law. The membership of each local board of trustees shall be as provided by law.

(d) FLORIDA COLLEGE BOARD. The Florida college board shall oversee and coordinate the Florida college system as provided by law. The governor shall appoint to the board six citizens dedicated to the purposes of the Florida college system. The appointed members shall be confirmed by the senate and serve staggered terms of four years as provided by law. The commissioner of education shall also be a member of the board.

ARTICLE XII

SCHEDULE

Cabinet, state board of education, elected commissioner of education, state university system, and Florida college system.—

(a) The amendments to Section 4 of Article IV and Sections 2 and 7 of Article IX and the creation of Section 8 of Article IX, which create a cabinet position for an elected commissioner of education to supervise the public education system as provided by law, require the commissioner of education to have earned a bachelor's degree or a higher academic degree, revise the membership of the state board of education to consist of the governor and the cabinet, revise the manner of appointment for members of the local boards of trustees for the state university system, revise the membership, terms, and duties of the statewide board of governors, and establish the Florida college system, and this section, if submitted to the electors of this state for approval or rejection at the next general election and if approved, shall take effect July 1 of the year following such general election.

(b) On the effective date of these amendments, the terms of the members serving on the state board of education and the statewide board of governors and the term of the commissioner of education shall expire. The term of a member of a local board of trustees shall not expire on the effective date of these amendments, but the term shall expire at the end of the term for which the member was originally appointed.

(c) On the effective date of these amendments, the governor and cabinet shall appoint a commissioner of education to serve until a commissioner of education is elected in the next general election following the adoption of these amendments.

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

CONSTITUTIONAL AMENDMENTS

ARTICLE IV, SECTION 4

ARTICLE IX, SECTIONS 2, 7, AND 8

ARTICLE XII

RESTRUCTURING THE STATE CABINET; ELECTED COMMISSIONER OF EDUCATION; RESTRUCTURING THE LOCAL BOARDS OF TRUSTEES AND THE STATEWIDE BOARD OF GOVERNORS OF THE STATE UNIVERSITY SYSTEM; ESTABLISHING THE FLORIDA COLLEGE SYSTEM.—Proposing amendments to the State Constitution which will create an elected Commissioner of Education who will be a member of the Cabinet and will be responsible for the supervision of public education as provided by law; require the Commissioner of Education to hold a bachelor's degree or a higher academic degree; include the Commissioner of Education with other Cabinet members as a trustee of the Internal Improvement Trust Fund and the Land Acquisition Trust Fund and as agency head of the Department of Law Enforcement; eliminate an appointed State Board of Education and replace the board with the Governor and the Cabinet; provide that the State Board of Education will be responsible for the supervision of public education as provided by law; establish the Florida College System comprised of 2-year and 4-year public postsecondary educational institutions that grant academic degrees at the undergraduate level as provided by law; provide for the governance of each institution within the Florida College System by a local board of trustees as provided by law; provide that the Florida College Board, which shall be comprised of the Commissioner of Education and six citizens appointed by the Governor and confirmed by the Senate, shall oversee and coordinate the Florida College System as provided by law; revise the membership of the local boards of trustees by eliminating the authority of the statewide Board of Governors to appoint members; provide that the authority and duties of the local boards of trustees shall be as provided by law; revise the membership of the statewide Board of Governors by reducing the number of appointed members and their terms; provide that the authority of the statewide Board of Governors to administer the State University System shall be as provided by law; provide that the terms of the currently appointed members of the State Board of Education and the statewide Board of Governors and the term of the currently appointed Commissioner of Education shall expire July 1 of the year following the adoption of these amendments in the next general election; provide that the term of a member of a local board of trustees shall expire at the end of the term for which the member was originally appointed; provide for the appointment of a Commissioner of Education by the Governor and Cabinet until a Commissioner of Education is elected in the next general election following the adoption of these amendments; and provide that these amendments shall take effect July 1 of the year following the next general election.

—was read the third time in full.

On motion by Senator Carlton, **CS for CS for SJR 2308** was passed by the required constitutional three-fifths vote of the membership and certified to the House. The vote on passage was:

Yeas—33

Mr. President	Baker	Constantine
Alexander	Bennett	Crist
Aronberg	Bullard	Dean
Atwater	Carlton	Deutch
Dockery	Jones	Ring
Fasano	King	Saunders
Gaetz	Lawson	Siplin
Garcia	Lynn	Storms
Geller	Margolis	Villalobos
Haridopolos	Peaden	Webster
Hill	Posey	Wise

Nays—4

Joyner	Oelrich	Rich
Justice		

Vote after roll call:

Yea—Diaz de la Portilla

CS for SB 646—A bill to be entitled An act relating to human immunodeficiency virus and acquired immune deficiency syndrome educational requirements; amending s. 381.0035, F.S.; revising requirements relating to educational courses on HIV and AIDS for certain employees and clients of specified licensed health care facilities; specifying applicability; amending s. 400.506, F.S.; revising requirements with respect to educational courses on HIV and AIDS for nurse registries; providing an effective date.

—was read the third time by title.

On motion by Senator Margolis, **CS for SB 646** was passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

CS for CS for SB 686—A bill to be entitled An act relating to nursing facilities; amending s. 400.141, F.S.; authorizing certain licensed nursing facilities to develop a plan to provide certain training for nursing assistants; providing for rules relating to agency approval of training programs; amending s. 400.147, F.S.; redefining the term "adverse incident"; deleting the requirement that a nursing facility notify the agency of an adverse incident; deleting notification requirements; requiring that a risk manager determine if an incident was an adverse incident; providing that federal reporting requirements are not affected; amending s. 400.19, F.S.; providing that the most recent survey is a licensure survey under certain conditions for purposes of future survey scheduling; amending s. 400.195, F.S., relating to agency reporting requirements; conforming a cross-reference; amending s. 400.23, F.S.; deleting provisions requiring agency approval in order for a nursing home to use licensed nurses to perform certain duties; providing an effective date.

—was read the third time by title.

On motion by Senator Atwater, **CS for CS for SB 686** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Atwater	Bullard
Alexander	Baker	Carlton
Aronberg	Bennett	Constantine

Crist	Hill	Posey
Dean	Jones	Rich
Deutch	Joyner	Ring
Diaz de la Portilla	Justice	Saunders
Dockery	King	Siplin
Fasano	Lawson	Storms
Gaetz	Lynn	Villalobos
Garcia	Margolis	Webster
Geller	Oelrich	Wise
Haridopolos	Peaden	

Nays—None

CS for CS for SB 696—A bill to be entitled An act relating to community colleges; amending s. 1001.64, F.S.; providing conditions for certain contracting by community college boards of trustees; authorizing boards of trustees to enter into certain short-term loans and contracts and make payments subject to appropriation; authorizing boards of trustees to incur long-term debt according to specified requirements; prohibiting a board of trustees from securing or repaying such debt using tuition or certain other revenues; amending s. 1004.70, F.S.; requiring community college boards of trustees to authorize debt incurred by direct-support organizations; authorizing delegation for approval of short-term loans and lease-purchase agreements; providing restrictions; amending s. 1009.22, F.S., relating to workforce education postsecondary student fees, and s. 1009.23, F.S., relating to community college student fees; revising provisions relating to the pledge of fee revenues to the repayment of debt by community college boards of trustees; providing requirements for the request, issuance, securing, and payment of bonds; providing for limitation of actions; amending s. 1000.21, F.S.; renaming Daytona Beach Community College as "Daytona Beach College" and renaming Indian River Community College as "Indian River College"; providing an effective date.

—was read the third time by title.

On motion by Senator Oelrich, **CS for CS for SB 696** was passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

CS for CS for SB 1652—A bill to be entitled An act relating to charter schools; amending ss. 11.45, 218.50, and 218.501, F.S., relating to audit reports by the Auditor General; conforming provisions related to changes in the entities subject to a state of financial emergency; amending ss. 218.503 and 218.504, F.S.; providing that charter technical career centers are subject to certain requirements in the event of a financial emergency; requiring that the sponsor be notified of certain conditions; providing for the development of a financial recovery plan, which may be approved by the Commissioner of Education; amending s. 1002.33, F.S.; providing for duties of charter school sponsors and governing boards when charter schools and charter technical career centers experience a financial weakness or a financial emergency; specifying forms to be used by charter school applicants and sponsors; requiring applicant training and documentation; deleting the auditing requirements and financial emergency provisions for charter schools; requiring charters schools to disclose the identity of relatives of charter school personnel; providing that the immediate termination of a charter is exempt from requirements for an informal hearing or for a hearing under ch. 120, F.S.; providing for a limitation on funding; providing for the disclosure of the performance of charter schools that are not given a school grade or school improvement rating; revising the requirements for providing information to the public on how to form and operate a charter school; providing reporting requirements; providing restrictions for the employment of relatives by charter school personnel; providing that members of a charter school governing board are subject to certain standards of conduct specified in ss. 112.313 and 112.3143, F.S.; amending s. 1002.335, F.S.; eliminating the requirement for district school boards to annually seek continued exclusivity from the State Board of Education; providing for challenges to the exclusivity of district school boards; providing a presumption for district school boards that are granted exclusivity; providing for informal hearings; specifying additional components of cosponsor agreements; amending s. 1002.34, F.S.; providing additional duties for charter technical career centers, applicants, sponsors, and governing boards; requiring the Department of Education to offer or arrange training and assistance to applicants for a charter technical career center; requiring that an applicant participate in the training; creating s. 1002.345, F.S.; establishing criteria and requirements for charter schools and charter technical career centers that have financial weaknesses or are in a state of financial emergency; establishing requirements for charter schools, charter technical career centers, governing bodies, and sponsors; requiring financial audits of charter schools and charter technical career centers; providing for corrective action and financial recovery plans; providing for duties of auditors, the Commissioner of Education, and the Department of Education; requiring the State Board of Education to adopt rules; providing grounds for termination or nonrenewal of a charter; providing an effective date.

—was read the third time by title.

On motion by Senator Gaetz, **CS for CS for SB 1652** was passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

CS for CS for CS for SB 1712—A bill to be entitled An act relating to ethics; providing a short title; amending s. 24.121, F.S., relating to public school funding; conforming cross-references; amending s. 112.3173, F.S.; specifying certain additional offenses that constitute a breach of the public trust; amending s. 121.091, F.S.; prohibiting the Division of Retirement from paying benefits to a member who has committed certain felony offenses against a minor; amending s. 402.316, F.S.; authorizing the Department of Children and Family Services to adopt minimum standards for screening child care personnel and for notification of termination of such personnel; amending s. 435.04, F.S.; providing additional criminal offenses for screening child care personnel; amending s. 1001.10, F.S.; requiring the Department of Education to assist school districts, charter schools, the Florida School for the Deaf and the Blind, and certain private schools and providers in developing policies and procedures governing educator ethics and employment; requiring the department to provide authorized staff with access to or provide verification through certain employment-screening tools; amending s. 1001.32, F.S., relating to school administration; conforming a cross-reference; amending s. 1001.42, F.S.; requiring each district school board to adopt ethical standards for all employees; prohibiting confidentiality agreements regarding terminated or dismissed employees which have the effect of concealing certain conduct; providing that a district school board official who knowingly signs or transmits a false

report, fails to support policies that ensure the investigation of reports, or fails to report allegations of misconduct by instructional or administrative personnel forfeits his or her salary for a specified period; amending s. 1001.452, F.S., relating to district and school advisory councils; conforming cross-references; amending s. 1001.51, F.S.; providing that a district school superintendent or district school board member forfeits his or her salary for a specified period following failure to report allegations of misconduct by instructional or administrative personnel; amending ss. 1001.54 and 1002.32, F.S., relating to duties of principals and lab schools; conforming cross-references; amending s. 1002.33, F.S.; requiring charter schools to adopt ethical standards for all employees; prohibiting confidentiality agreements regarding terminated or dismissed employees which have the effect of concealing certain conduct; requiring the school to contact the prior employer and assess a candidate's ability to meet ethical standards; requiring the charter school sponsor to suspend the school's charter for failing to comply with these requirements; amending s. 1002.36, F.S.; requiring the Florida School for the Deaf and the Blind to meet certain requirements governing the screening of educators; amending ss. 1002.421 and 1002.55, F.S.; requiring owners of certain private schools and private prekindergarten providers to adopt ethical standards for all employees; prohibiting confidentiality agreements regarding terminated or dismissed employees which have the effect of concealing certain conduct; requiring such owners and providers to contact the previous employer of each instructional or administrative candidate for employment; amending ss. 1002.61, 1002.63, 1002.65, 1003.413, 1003.53, and 1004.92, F.S.; conforming cross-references; amending s. 1006.061, F.S.; requiring the school board, charter school, private school participating in a state school choice scholarship program, and private provider participating in the Voluntary Prekindergarten Education Program to post its policies relating to misconduct by personnel; requiring the head of such entities to act as a liaison in suspected cases of child abuse; amending ss. 1007.21, 1007.23, 1008.33, 1008.345, 1010.215, and 1011.18, F.S.; conforming cross-references; amending s. 1012.27, F.S.; requiring the district school superintendent to contact the previous employer of each instructional or administrative candidate for employment, screen the candidate, and document findings; creating s. 1012.315, F.S.; specifying offenses that disqualify instructional and administrative personnel from employment in positions involving direct contact with students; amending s. 1012.32, F.S.; providing that instructional and administrative personnel who have been convicted of certain offenses are disqualified from employment in positions having direct contact with students; amending s. 1012.33, F.S.; providing that just cause for terminating instructional staff includes immorality or the commission of a criminal act; amending s. 1012.34, F.S., relating to assessment procedures; conforming a cross-reference; amending s. 1012.56, F.S., relating to certification requirements for educators; revising the requirements for conducting state and national criminal history records checks of persons seeking certification; providing for the Department of Education to maintain personnel records on an electronic database; amending s. 1012.79, F.S.; providing for additional members to be appointed to the Education Practices Commission; revising the composition of the panel appointed to review complaints against teachers; amending s. 1012.795, F.S.; providing for suspending the educator certificate of a person who knowingly fails to report child abuse or suspected or actual misconduct by instructional personnel; amending s. 1012.796, F.S.; requiring the Department of Education to investigate each complaint involving misconduct by certificated personnel; clarifying what constitutes a legally sufficient complaint; providing requirements for school board policies and procedures relating to ethical standards; providing that the district school superintendent is accountable for communicating standards, policies, and procedures to district employees; requiring that an employee be immediately suspended and reassigned upon an allegation of misconduct affecting the health, safety, or welfare of a student; requiring employers of certified personnel to file complaints in writing to the Department of Education; amending ss. 1012.98 and 1013.03, F.S., relating to the School Community Professional Development Act and functions of the department and Board of Governors; conforming cross-references; providing an appropriation and authorizing additional positions; providing an effective date.

—was read the third time by title.

On motion by Senator Gaetz, **CS for CS for CS for SB 1712** was passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

CS for CS for SB 1906—A bill to be entitled An act relating to alternative credit high school courses; creating s. 1002.375, F.S.; establishing a pilot project for awarding high school credit to students enrolled in industry certification programs; requiring the Commissioner of Education to establish criteria for program participation; requiring that a school district submit a letter of interest by a specified date in order to participate in the pilot project; requiring that the Commissioner of Education submit a report to the Governor and the Legislature; providing for specified courses to be included as alternative credit courses; exempting alternative credit courses from certain requirements; authorizing the Department of Education to approve certain courses for credit by examination; requiring the Department of Education to adopt passing minimum scores on approved assessments and maintain a course directory; requiring the State Board of Education to adopt rules; amending s. 1011.61, F.S., relating to definitions for the Florida Education Finance Program; providing for an alternate method of reporting full-time equivalent membership for credit earned in alternative high school credit courses for the pilot project created under s. 1002.375, F.S.; providing an effective date.

—as amended March 26 was read the third time by title.

On motion by Senator Gaetz, **CS for CS for SB 1906** as amended was passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

CS for SB 1908—A bill to be entitled An act relating to the designation of high school grades; amending s. 1008.34, F.S, relating to the school grading system; providing for a revised high school grading system beginning with the 2009-2010 school year which includes the statewide standardized assessment, graduation rates, performance and participation in certain courses, postsecondary readiness as measured by certain examinations, and the change in these factors from year to year; specifying the data components to be used in determining the revised high school grading system; requiring that the criteria for school grades give added weight to the graduation rate of all eligible at-risk students; providing an effective date.

—was read the third time by title.

On motion by Senator Gaetz, **CS for SB 1908** was passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

SPECIAL ORDER CALENDAR

By Senator Fasano—

CS for SB 1026—A bill to be entitled An act relating to unemployment compensation benefits; amending s. 443.111, F.S.; authorizing the Agency for Workforce Innovation to develop a system for the payment of benefits by electronic funds transfer; requiring that commodities or services for the system be procured by competitive solicitation or from a state term contract; requiring the agency to adopt rules necessary to administer the system; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1026** was placed on the calendar of Bills on Third Reading.

By Senator Alexander—

CS for SB 966—A bill to be entitled An act relating to automated teller machine transactions; amending s. 655.966, F.S.; authorizing machine owners or operators to impose access fees or surcharges for machine use; providing fee or surcharge disclosure requirements; providing certain agreement prohibitions relating to machine access fees or surcharges; providing construction relating to certain fee-free or surcharge-free network agreements; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 966** was placed on the calendar of Bills on Third Reading.

By Senator Hill—

CS for SB 732—A bill to be entitled An act relating to license plates; amending ss. 320.08056 and 320.08058, F.S.; changing references from Bethune-Cookman College to Bethune-Cookman University in statutes relating to collegiate license plates; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 732** was placed on the calendar of Bills on Third Reading.

By Senator Fasano—

SB 874—A bill to be entitled An act relating to title loans; amending s. 537.002, F.S.; clarifying that ch. 537, F.S., the Florida Title Loan Act, regulates title loans to consumers; amending s. 537.003, F.S.; defining the term "consumer" for purposes of ch. 537, F.S.; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 874** was placed on the calendar of Bills on Third Reading.

By Senator Fasano—

CS for CS for SB 854—A bill to be entitled An act relating to unemployment compensation; amending s. 443.101, F.S.; redefining the term "temporary help firm" to include a labor pool; redefining the term "temporary employee" to include a day laborer who is employed by a labor pool; providing that a day laborer is disqualified for benefits following loss of employment with a labor pool; providing that the time of hire for a day laborer is upon acceptance of the first assignment with a labor pool; requiring the labor pool to provide written notice to the temporary employee regarding the availability of work and reassignment; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 854** was placed on the calendar of Bills on Third Reading.

REPORTS OF COMMITTEES RELATING TO EXECUTIVE BUSINESS

The Honorable Ken Pruitt March 27, 2008
President, The Florida Senate

Dear President Pruitt:

The following executive appointments were referred to the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7(1) of the Rules of the Florida Senate:

Office and Appointment		*For Term Ending*
Board of Accountancy		
Appointees:	Carroll, Frederick III	10/31/2010
	Quinlan, John V.	10/31/2010
	Tipton, David C.	10/31/2010
Board of Architecture and Interior Design		
Appointees:	Gozdz, Wanda E.	10/31/2008
	Grigsby, Mary Jane	10/31/2009
	Kuritzky, Eric D.	10/31/2010
Florida Board of Auctioneers		
Appointees:	Dietrich, Hugh Fred III	10/31/2010
	Shearer, Donald L.	10/31/2009
Florida Building Code Administrators and Inspectors Board		
Appointees:	Gathright, Richard	10/31/2010
	McCormick, Robert S.	10/31/2009
Florida Building Commission		
Appointees:	Browdy, Richard S.	01/21/2011
	Carlton, Matthew L.	02/11/2009
Board of Chiropractic Medicine		
Appointee:	Jenkins, Gene E., Jr.	10/31/2010
Florida Citrus Commission		
Appointees:	Carrere, Michael L.	05/31/2010
	Carter, E. Stanley	05/31/2010
	Haycock, Michael W.	05/31/2010
	Taylor, Michael O.	05/31/2010
Hillsborough County Civil Service Board		
Appointees:	Bruno, Christine K.	07/02/2011
	Mitchell, Robert M.	07/02/2011
	Spencer, Patricia	07/02/2011
Board of Clinical Laboratory Personnel		
Appointees:	Bertholf, Roger L.	10/31/2010
	Seay, Pamella A.	10/31/2008
	Van Der Heyden, Brenda	10/31/2010
Regulatory Council of Community Association Managers		
Appointees:	Benson, Mark R.	10/31/2008
	Brown, Millard "Chris" H.	10/31/2009
	Czonstka, Steven J.	10/31/2010
Florida Communities Trust		

Office and Appointment		*For Term Ending*
Appointee:	Stanbridge, Ruth	01/31/2011
Board of Trustees of Brevard Community College		
Appointee:	Wilson, Alberta K.	05/31/2011
Board of Trustees of Broward Community College		
Appointee:	Guerin, Sean C.	05/31/2011
Board of Trustees of Central Florida Community College		
Appointees:	Little, Bernard L., Jr.	05/31/2011
	Pool, Cory	05/31/2010
	Runnels-Sullivan, Carol	05/31/2010
	Strifler, Betty	05/31/2011
Board of Trustees of Chipola College		
Appointees:	Clark, Gary F.	05/31/2011
	Crawford, Jeff, Jr.	05/31/2011
	Jones, Robert Lewis	05/31/2011
	Padgett, John W.	05/31/2010
	Page, Jan L.	05/31/2011
	Plummer, Mark S.	05/31/2010
Board of Trustees of Daytona Beach Community College		
Appointees:	Davison, William H.	05/31/2011
	Graham, John E., Jr.	05/31/2010
	Hosseini, Forough B.	05/31/2011
	Miles, Steven G.	05/31/2011
	Petrock, Joseph C.	05/31/2011
	Schatz, Edward E., Jr.	05/31/2010
Board of Trustees of Edison College		
Appointees:	Berlam, Ann E.	05/31/2009
	Mann, Mary Lee	05/31/2011
Board of Trustees of Florida Community College at Jacksonville		
Appointees:	Delaney, Kevin F.	05/31/2011
	McCollum, James E.	05/31/2011
	McGehee, Thomas R., Jr.	05/31/2011
	Yates, Gwendolyn C.	05/31/2009
Board of Trustees of Florida Keys Community College		
Appointees:	Bassett, Kimberly	05/31/2011
	Scales, Edwin A. III	05/31/2010
	Slate, Spencer C.	05/31/2010
Board of Trustees of Gulf Coast Community College		
Appointees:	Isler, Charles S. III	05/31/2011
	Wood, Linda R.	05/31/2011
Board of Trustees of Hillsborough Community College		
Appointees:	Coton, Daniel Mark	05/31/2011
	Graham, Andrew L.	05/31/2010
	Jurado, Rodrigo "Rod", Jr.	05/31/2010
Board of Trustees of Indian River Community College		
Appointees:	Bols, Werner	05/31/2011
	Kirton, Cheryl L.	05/31/2010
	Patterson, Samuel L.	05/31/2011
	Perez, Tomas Rene	05/31/2010
	Roberts, Jay Harold "Hal", Jr.	05/31/2010
	Syfrett, Linda T.	05/31/2010
Board of Trustees of Lake City Community College		
Appointees:	Brannan, Robert C. III	05/31/2011
	Kennedy, Donald R.	05/31/2010
	Surrency, James A.	05/31/2010
	Wall, Harriet	05/31/2010
Board of Trustees of Lake-Sumter Community College		
Appointees:	Bowersox, Richard P.	05/31/2011
	Childers, Richard D.	05/31/2010
	Morris, Timothy "Tim"	05/31/2009
	Norman, Joe M.	05/31/2010
	Simpson, Jon A.	05/31/2011
Board of Trustees of Manatee Community College		
Appointees:	Allen, Ronald J.	05/31/2011
	Harner, Stephen L.	05/31/2011
	Kelly, Susan Miller	05/31/2010
	Robinson, Christine S.	05/31/2010
Board of Trustees of Miami-Dade College		
Appointees:	Fernandez, Robert H.	05/31/2011
	Roulhac, Peter W.	05/31/2011
Board of Trustees of North Florida Community College		
Appointees:	Gibson, Linda F.	05/31/2010
	Helvenston, Brantly "B.W." W.	05/31/2010
	Land, Debra B.	05/31/2009
	Maultsby, John, Jr.	05/31/2011
	Padgett, Lester D.	05/31/2011
	Thomas, Albert, Jr.	05/31/2011
Board of Trustees of Okaloosa-Walton College		
Appointees:	Pennington, Brian S.	05/31/2011
	Rice, Dale E., Jr.	05/31/2010
	Sims, Sandra F.	05/31/2011
Board of Trustees of Palm Beach Community College		
Appointees:	Berger, William	05/31/2011
	Link, Wendy S.	05/31/2011
Board of Trustees of Pasco-Hernando Community College		
Appointees:	Gavish, Jeanne M.	05/31/2010
	Homer, Irvin	05/31/2011
	Parker, Judy R.	05/31/2010
	Simpson, Wilton E.	05/31/2011
	Weightman, Thomas E.	05/31/2011
	Worthley, Gary L.	05/31/2010
Board of Trustees of Pensacola Community College		
Appointees:	Hunt, Luke	05/31/2011
	Moore, Harold Edward, Jr.	05/31/2011
	Moore, Marjorie T.	05/31/2011
	Norris, Celeste L.	05/31/2010
	Usry, Dona W.	05/31/2010
	Young, Deidre L.	05/31/2010
Board of Trustees of Polk Community College		
Appointees:	Littleton, Gregory A.	05/31/2011
	Roberts, Neriah E.	05/31/2011
Board of Trustees of St. Johns River Community College		
Appointees:	Beck, Carl Clement, Jr.	05/31/2010
	Lancaster, Larry R.	05/31/2010
	Roberts, William W.	05/31/2011
	Sloan, Preston B.	05/31/2010
Board of Trustees of St. Petersburg College		
Appointees:	Bilirakis, Evelyn M.	05/31/2011
	Burke, Kenneth P.	05/31/2011
Board of Trustees of Santa Fe Community College		
Appointees:	Mallini, George "G.T." T.	05/31/2011
	Solze, Richard C., Jr.	05/31/2010
	Womack, Evelyn T.	05/31/2011
Board of Trustees of Seminole Community College		
Appointees:	Gregg, Charles W., Sr.	05/31/2011
	Howat, Scott D.	05/31/2011
Board of Trustees of South Florida Community College		
Appointees:	Cullens, Tamela "Tami" C.	05/31/2010
	DeLatorre, Gary	05/31/2010
	Hartt, Joan H.	05/31/2010
	Leidel, George David, Jr.	05/31/2011
	Maenpaa, Richard Lee	05/31/2011
	Reynolds, Anne D.	05/31/2011
Board of Trustees of Tallahassee Community College		
Appointees:	Messersmith, Frank S.	05/31/2010
	Moore, Karen B.	05/31/2010
Board of Trustees of Valencia Community College		
Appointees:	Cabrera-Morris, M. Bertica	05/31/2011

Office and Appointment		For Term Ending
	Grulich, Maria	05/31/2009
	Maguire, Raymer F. III	05/31/2010
	Moore, Edward A.	05/31/2010
	Oliver, Lewis M. III	05/31/2010
Board of Cosmetology		
Appointee:	Ramos, Rosabel	10/31/2010
Board of Trustees for the Florida School for the Deaf and the Blind		
Appointees:	Dillon, Mary Jane	11/20/2009
	McCaul, Owen B.	12/10/2008
	Parrish, Herschel H., Jr.	11/07/2011
	Rojas, Maria Teresa	11/13/2009
	Turner, Edgar M.	02/07/2011
	Wagner, Christopher D.	11/19/2008
	Weedon, Gerald W.	11/14/2010
Board of Dentistry		
Appointees:	Gainey, Elmira R.	10/31/2010
	Gesek, Daniel J., Jr.	10/31/2010
	Perdomo, Robert L. III	10/31/2008
	Winker, Wade G.	10/31/2010
Florida Development Finance Corporation		
Appointee:	Tesch, Peter J.	05/02/2010
Florida Elections Commission, Chair		
Appointee:	Cruz-Bustillo, Jorge L.	01/03/2011
Electrical Contractors' Licensing Board		
Appointees:	Bellemare, Pierre A.	10/31/2009
	Huff, Carey Reagan, Jr.	10/31/2009
	Langer, Roger E.	10/31/2010
	Penner, Donald	10/31/2010
	Sandefer, Paul W.	10/31/2009
	Thomas, Noel H.	10/31/2008
Board of Employee Leasing Companies		
Appointees:	Parks, Gayla L.	10/31/2009
	Segal, Deborah	10/31/2010
	Seltzer, Marjorie "Midge"	10/31/2010
Board of Professional Engineers		
Appointees:	Burke, John C.	10/31/2010
	Hyder, Zafar	10/31/2010
Commission on Ethics		
Appointees:	Conahan, Linda A.	06/30/2009
	Massey, Albert Patton III	06/30/2009
	Rogers, Roy	06/30/2009
Board of Professional Geologists		
Appointees:	Cain, Matthew L.	10/31/2010
	Smith, Stuart	10/31/2010
Council on Efficient Government		
Appointees:	Agrawal, Akhil K.	08/22/2009
	Evans, Steven L.	08/22/2009
	Yandell, Timothy S.	08/22/2008
Board of Hearing Aid Specialists		
Appointees:	Fischer, John E.	10/31/2010
	Hernandez, Maria G.	10/31/2010
	Pickard, Robert E.	10/31/2009
	Someillan, Joseph J.	10/31/2010
Board of Trustees of South Lake County Hospital District		
Appointee:	Kesselring, Kasey C.	07/05/2011
Florida Housing Finance Corporation		
Appointees:	Oellerich, David Ellis	11/13/2010
	Scharaga, Stuart	11/13/2010
Commission for Independent Education		
Appointees:	Bradley, Nancy M.	06/30/2009
	Crocitto, Peter F., Jr.	06/30/2010
	Knobel, David	06/30/2009
	Lauff, Samuel, Jr.	06/30/2010
	Mulherin, Lynn	06/30/2008
	Rodgers, Judith "Judy" K.	06/30/2008
Florida Inland Navigation District		
Appointees:	Colee, Donn R., Jr.	01/09/2011
	Crowley, T. Spencer	01/09/2011
	Mesiano, Michael D.	01/09/2011
	Netts, Jonathan S.	01/09/2011
	Sansom, Jerry H.	01/09/2011
Juvenile Welfare Board of Pinellas County		
Appointees:	Lenderman, Martha R.	08/07/2010
	Sayler, Van C.	08/11/2010
	Smith, Joseph A.	08/11/2010
National Conference of Commissioners on Uniform State Laws		
Appointees:	Baena, Scott L.	06/05/2011
	Losego, Clinton R.	06/05/2011
Board of Nursing		
Appointees:	Bowen, Stephen W.	10/31/2010
	Kolb, Maria E.	10/31/2009
Board of Orthotists and Prosthetists		
Appointees:	Gingras, Ronald	10/31/2011
	McCluney, Timothy H., Jr.	10/31/2008
	Mersch, Steven	10/31/2010
Board of Osteopathic Medicine		
Appointees:	Burns, Ronald R.	10/31/2010
	Najjar, Tom	10/31/2009
	Rose, Joel B.	10/31/2010
Board of Pilot Commissioners		
Appointees:	Bohnsack, Frances M.	10/31/2009
	Brandenburg, Harold A.	10/31/2009
	Fernandez, John R.	10/31/2010
Board of Podiatric Medicine		
Appointees:	Pearce, Beth S.	10/31/2010
	Weisman, Sherwood A.	10/31/2010
Tampa Port Authority		
Appointees:	Dolan, Brian M.	02/06/2010
	Lindell, Carl, Jr.	11/14/2010
Florida Real Estate Appraisal Board		
Appointees:	Rogers, Michael J.	10/31/2010
	Wright, Cynthia	10/31/2010
Florida Real Estate Commission		
Appointees:	DeNapoli, Richard L.	10/31/2009
	McCoig, Ralph J., Jr.	10/31/2010
	Ruffier, John Daniel	10/31/2010
Apalachee Regional Planning Council, Region 2		
Appointee:	Grant, Henry G.	10/01/2009
North Central Florida Regional Planning Council, Region 3		
Appointees:	Dodge, David L.	10/01/2009
	Smith, Andrew P.	10/01/2009
	Thomas, Lorene J.	10/01/2009
Northeast Florida Regional Planning Council, Region 4		
Appointees:	Barber, Margaret "Ginger" M.	10/01/2009
	Sgroi, Robert E.	10/01/2009
	Williams, Larry	10/01/2009
	Williams, Thomas A.	10/01/2009
Withlacoochee Regional Planning Council, Region 5		
Appointees:	Franklin, Thomas C.	10/01/2009
	Hanson, Martha M.	10/01/2010
	Johnston, Joseph E. III	10/01/2010
	Kelly, Edward J. V	10/01/2009
	Nowe, Clark Edward	10/01/2009
	Selph, Walter E.	10/01/2009

Office and Appointment		*For Term Ending*
	Trimpert, Eugene C.	10/01/2009
	Wesch, Richard W.	10/01/2009
East Central Florida Regional Planning Council, Region 6		
Appointees:	Cubillos, Aileen	10/01/2009
	Glover, Robert Alonza "Al"	10/01/2009
	O'Keefe, Daniel T.	10/01/2009
Tampa Bay Regional Planning Council, Region 8		
Appointees:	Bittner, Linda Jane	10/01/2009
	Kinsler, Angeleah C.	10/01/2009
	Nunez, Andres E., Jr.	10/01/2009
	Waller, Charles D.	10/01/2009
Southwest Florida Regional Planning Council, Region 9		
Appointees:	Farley, David	10/01/2009
	Karau, Melvin E.	10/01/2009
Treasure Coast Regional Planning Council, Region 10		
Appointees:	Caron, Susan	10/01/2009
	Davenport, Laurence F., Jr.	10/01/2009
	Foley, Kevin J.	10/01/2009
South Florida Regional Planning Council, Region 11		
Appointees:	Brook, Scott J.	10/01/2009
	Walters, Sandra	10/01/2009
Jacksonville Port Authority		
Appointee:	Fowler, Lloyd Buck	09/30/2011
Space Florida		
Appointees:	Baker, Silas, Jr.	06/30/2008
	Bogan, R. Van	07/30/2009
	Davis, Jimmie Lee, Jr.	06/30/2009
	Ford, Kenneth	06/30/2008
	Haiko, Kenneth J.	06/30/2008
	Hickey, Michael P.	06/30/2009
	Kompothecras, Gary	06/30/2008
	Mehta, Ravindra V.	06/30/2009
	Newton, Lloyd W.	06/30/2011
	Spulak, Gary J.	06/30/2009
	Webb, Graham	06/30/2009
Board of Professional Surveyors and Mappers		
Appointees:	Clodfelter, Mary Hanna	10/31/2010
	Cooner, Jeffrey C.	10/31/2009
	Lebron, Louis J.	10/31/2010
Jacksonville Transportation Authority		
Appointees:	Cavendish, Michael R.	05/31/2011
	Johns, A. J.	05/31/2010
Board of Veterinary Medicine		
Appointees:	Dover, Henry B.	10/31/2009
	Maxwell, Guy Ray	10/31/2008
	O'Neil, Robert E.	10/31/2010
	Vega, Sergio E.	10/31/2009
Coastal Rivers Basin Board of the Southwest Florida Water Management District		
Appointee:	Maggard, Randall "Randy"	03/01/2010
Manasota Basin Board of the Southwest Florida Water Management District		
Appointees:	Benac, Elizabeth O.	03/01/2010
	Carraway, Mac	03/01/2010
Northwest Hillsborough County Basin Board of the Southwest Florida Water Management District		
Appointee:	Welsh, Susan	03/01/2010
Pinellas-Anclote River Basin Board of the Southwest Florida Water Management District		
Appointee:	Renfro, Chester "Chet" Lee	03/01/2010
Withlacoochee River Basin Board of the Southwest Florida Water Management District		
Appointees:	Baldwin, Martha Jane "Janey"	03/01/2010
	Dennis, John V.	03/01/2010
	Rooks, Albert "Bo" L., Jr.	03/01/2010

The following executive appointment was referred to the Senate Committee on Criminal Justice and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7(1) of the Rules of the Florida Senate:

Office and Appointment		*For Term Ending*
Director, Office of Drug Control		
Appointee:	Janes, William H.	Pleasure of Governor

The following executive appointments were referred to the Senate Committee on Environmental Preservation and Conservation and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7(1) of the Rules of the Florida Senate:

Office and Appointment		*For Term Ending*
Governing Board of the Northwest Florida Water Management District		
Appointees:	Ghazvini, Steve	03/01/2011
	Norris, Michael Timothy "Tim"	03/01/2011
	Pate, Jerome K.	03/01/2009
Governing Board of the South Florida Water Management District		
Appointees:	Buermann, Eric	03/01/2011
	Dauray, Charles J.	03/01/2011
	Estenoz, Shannon A.	03/01/2010
	Meeker, Melissa L.	03/01/2009
	Rooney, Patrick	03/01/2011
Governing Board of the Southwest Florida Water Management District		
Appointees:	Glass, Patricia M.	03/02/2009
	Oakley, Ronald E.	03/01/2011
Governing Board of the Suwannee River Water Management District		
Appointees:	Curtis, Donald R., Jr.	03/01/2011
	Flagg, N. David	03/01/2011

As required by Rule 12.7(1), the committees held a public hearing at which members of the public were invited to attend and offer evidence concerning the qualifications, experience, and general suitability of the appointees.

After due consideration of the findings of such inquiry and the evidence presented at the public hearing, the Committee on Ethics and Elections and other referenced committees respectfully advise and recommended pursuant to the authority granted in Article IV, Section 6 (a), Florida Constitution, and in accordance with Section 114.05(1), Florida Statutes:

(1) the executive appointments of the above-named appointees, to the office and for the term indicated, be confirmed by the Senate;

(2) Senate action on said appointments be taken prior to the adjournment of the 2008 Regular Session; and

(3) there is no necessity known to the committee for the deliberations on said appointments to be held in executive session.

Respectfully Submitted,
Lee Constantine, Chair

On motion by Senator Constantine, the report was adopted and the Senate confirmed the appointments identified in the foregoing report of the committee to the offices and for the terms indicated in accordance with the recommendation of the committee. The vote was:

Yeas—38

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

Nays—None

MOTION TO INTRODUCE BILL

Senator Fasano moved that the rules be waived to allow the introduction of a memorial to Congress relating to federal excise tax on gasoline, notwithstanding the fact that the final day had passed for introduction of bills.

The motion was adopted by two-thirds vote.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Saunders, by two-thirds vote **SB 1092** was withdrawn from the Committee on Health and Human Services Appropriations.

On motion by Senator Margolis, by two-thirds vote **SB 364** and **SB 436** were withdrawn from the committees of reference and further consideration.

REPORTS OF COMMITTEES

The Economic Opportunities Policy and Calendar Committee submits the following bills to be placed on the Special Order Calendar for Thursday, March 27, 2008: CS for SB 1026, CS for SB 966, CS for SB 732, SB 874, CS for CS for SB 854

Respectfully submitted,
Jeff Atwater, Chair

The Committee on Health Policy recommends the following pass: SB 846

The bill was referred to the Committee on Children, Families, and Elder Affairs under the original reference.

The Committee on Children, Families, and Elder Affairs recommends the following pass: SB 2574 with 1 amendment

The Committee on Judiciary recommends the following pass: SB 2076 with 1 amendment

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

The Committee on Education Pre-K - 12 recommends the following pass: SB 642

The bill was referred to the Committee on Education Pre-K - 12 Appropriations under the original reference.

The Committee on Finance and Tax recommends the following pass: CS for SB 1426

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

The Committee on Finance and Tax recommends the following pass: CS for SB 1360

The bill was referred to the Committee on Health and Human Services Appropriations under the original reference.

The Committee on Health Regulation recommends the following pass: CS for SB 1012 with 1 amendment

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

The Special Master on Claims recommends the following pass: SB 38

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

The Committee on Higher Education recommends the following pass: SB 2350

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

The Special Master on Claims recommends the following pass: SB 34 with 1 amendment

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

The Committee on Finance and Tax recommends the following pass: SB 630; SB 1606; CS for SB 1978 with 4 amendments

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

The Committee on Education Pre-K - 12 recommends the following not pass: SB 2816

The bill was laid on the table.

The Committee on Regulated Industries recommends a committee substitute for the following: Senate Bills 2086 and 2498

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

The Committee on Transportation recommends a committee substitute for the following: SB 2150

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

The Committee on Regulated Industries recommends a committee substitute for the following: SB 2470

The Committee on Transportation recommends a committee substitute for the following: SB 774

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

The Committee on Commerce recommends committee substitutes for the following: SB 1722; SB 2006

The Committee on Judiciary recommends a committee substitute for the following: SB 756

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

The Committee on Commerce recommends a committee substitute for the following: SB 1398

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

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 2156

The Committee on Commerce recommends a committee substitute for the following: SB 948

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

The Committee on Commerce recommends a committee substitute for the following: SB 1692

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

The Committee on Commerce recommends committee substitutes for the following: SB 2712; SB 2714

The bills with committee substitutes attached were referred to the Committee on Transportation and Economic Development Appropriations under the original reference.

The Committee on General Government Appropriations recommends a committee substitute for the following: CS for SB 1428

The bill with committee substitute attached was placed on the calendar.

The Special Master on Claims recommends the following not pass: SB 50

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

The Special Master on Claims recommends the following not pass: SB 54

The bill was referred to the Committee on Education Pre-K - 12 under the original reference.

REPORTS OF COMMITTEES RELATING TO EXECUTIVE BUSINESS

The Committee on Higher Education recommends that the Senate confirm the following appointments made by the Governor:

Office and Appointment	*For Term Ending*
Board of Trustees, Florida A & M University	
Appointee: Badger, Solomon L. III	01/06/2010
Board of Trustees, Florida State University	
Appointee: Busch-Transou, Susan	01/06/2013
Board of Trustees, Florida International University	
Appointee: Maury, Albert	01/06/2011
Board of Trustees, University of South Florida	
Appointee: Law, Rhea F.	01/06/2013

The Committee on Higher Education recommends that the Senate confirm the following appointments made by the Board of Governors:

Office and Appointment	*For Term Ending*
Board of Trustees, Florida A & M University	
Appointees: Dent, Richard A. III	01/06/2011
Jennings, C. W.	01/06/2013
White, Karl E.	01/06/2011
Board of Trustees, University of Central Florida	
Appointee: Rosen, Harris	01/06/2013
Board of Trustees, University of Florida	
Appointee: Warrington, Alfred C. IV	01/06/2013
Board of Trustees, University of North Florida	
Appointee: Greene, A. Hugh	01/06/2010
Board of Trustees, University of South Florida	
Appointee: Engle, Walter E. "Gene"	01/06/2013
Board of Trustees, University of West Florida	
Appointee: Horner, Charles A.	01/06/2013

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

COMMITTEE SUBSTITUTES

FIRST READING

By the Committee on Judiciary; and Senator Joyner—

CS for SB 756—A bill to be entitled An act relating to compensation for wrongful incarceration; creating the Victims of Wrongful Incarceration Compensation Act; defining the term "wrongfully incarcerated person"; requiring that courts determine whether certain persons are wrongfully incarcerated persons upon petition by such persons or their attorneys; providing requirements for such petition; providing for monetary compensation for certain wrongfully incarcerated persons; providing for tuition waivers for wrongfully incarcerated persons who meet certain requirements; requiring that the criminal record of a wrongfully incarcerated person be expunged; providing exceptions and limitations regarding the eligibility of a wrongfully incarcerated person for compensation or benefits; requiring that a wrongfully incarcerated person seeking compensation or benefits as provided by the act apply with the Chief Financial Officer for such compensation or benefits; providing requirements and a deadline for such application; requiring that the Chief Financial Officer review each application and notify the claimant of any omissions or errors, or the need for additional information, within a specified period; requiring that the Chief Financial Officer process and review each completed application within a specified period; requiring that the Chief Financial Officer notify the claimant if he or she qualifies for benefits within a specified period; requiring that any compensation be paid within a specified period by specified means; requiring that a claimant receiving compensation sign a release before receiving such compensation; providing the terms of such release; providing that an award of compensation does not constitute a waiver of sovereign immunity by the state; authorizing the Department of Financial Services to adopt rules; providing for severability; providing an effective date.

By the Committee on Transportation; and Senator Baker—

CS for SB 774—A bill to be entitled An act relating to transportation; amending s. 337.0261, F.S.; providing definitions; providing legislative findings with respect to the need for construction aggregate materials; requiring a super majority vote by the local government decisionmaking body in order to deny approval of a construction aggregate materials mining site; providing for a final determination to be made by the Governor and Cabinet sitting as the Administration Commission if the local government does not approve or deny an application for construction aggregate materials mining activities after two meetings or 3 months; requiring that the Administration Commission determine whether the evidence supports approval; applying provisions of the Uniform Rules of Procedure to the proceedings; providing that the act does not limit challenges to or appeals of construction aggregate materials mining site approvals; providing an effective date.

By the Committee on Commerce; and Senator Diaz de la Portilla—

CS for SB 948—A bill to be entitled An act relating to concealed weapons licenses; amending s. 790.06, F.S.; specifying that the United States residency required to obtain a license to carry a concealed weapon or firearm means that the licensee must be a United States citizen or a permanent resident alien of the United States; providing legislative intent; providing applicability; providing an effective date.

By the Committee on Commerce; and Senator Oelrich—

CS for SB 1398—A bill to be entitled An act relating to tax credits for research and development; creating s. 220.194, F.S.; providing legislative findings; creating the research and development tax credit program; providing purposes for the program; defining the terms "base amount," "business enterprise," "qualified research expenses," "manufacturing industry," "transportation and warehousing industry," "telecommunications industry," "tourism industry," "retail industry," "research and development industry," and "base period"; providing eligibility requirements for research and development tax credits; providing limitations regarding eligibility; providing an amount for such credit; providing a maximum amount of credit that may be taken during a single tax year; providing that any unused credit may be carried forward for a specified period; authorizing the sale or assignment of unused credit to certain taxpayers under certain conditions; requiring that a party to a sale or assignment file certain information and documents with the department; requiring that parties to a sale or assignment obtain the department's approval before completing such sale or assignment; prohibiting the department from unreasonable withholding such approval; providing requirements for the use tax credits sold or assigned; limiting the total amount of tax credits that may be assigned in a calendar year; providing that applications for credits may be filed on or after a specified date; requiring that the credits be granted in the order in which applications are received; authorizing the department to adopt rules; amending s. 220.02, F.S.; revising legislative intent to include the research and development tax credit in the ordered list according to which credits against corporate income tax or franchise tax are applied; providing an effective date.

By the Committees on General Government Appropriations; Governmental Operations; and Senator Fasano—

CS for CS for SB 1428—A bill to be entitled An act relating to retirement; amending s. 121.021, F.S.; clarifying that the term "compensation" for purposes of the benefit retirement program or the Public Employee Optional Retirement Program of the Florida Retirement System does not include fees or salary payments made from a faculty practice plan authorized by the Board of Governors of the State University System for clinical faculty at a state university having a faculty practice plan; amending s. 121.051, F.S.; requiring that a person appointed to a faculty position at a state university having a faculty practice plan participate in the optional retirement program of the State University System rather than the Florida Retirement System; providing definitions; amending s. 121.35, F.S.; requiring the participating employee in the optional retirement program to execute a contract, not just an annuity contract, with a designated company in order for employee contributions to be forwarded to the company and for interest to accrue; defining the term "participant's gross monthly compensation" for purposes of the optional retirement program for the State University System; creating s. 121.355, F.S.; authorizing certain former participants in the Community College Optional Retirement Program or the State University System Optional Retirement Program and present mandatory participants in the Florida Retirement System to receive a specified amount of service credit under certain conditions; providing a specified time period for the election of such transfer; limiting certain service credit; providing an effective date.

By the Committee on Commerce; and Senators Baker, Crist and Lynn—

CS for SB 1692—A bill to be entitled An act relating to unauthorized copies of recordings; amending s. 540.11, F.S.; requiring a court to order a person who engages in the unauthorized sale, resale, rental, or transportation of certain recorded articles to make restitution to the owner who suffered injury resulting from the violation or to the trade association representing such owner; requiring that the amount of restitution be based on the average wholesale value of authorized articles corresponding to the number of unauthorized articles involved in the offense and investigative costs; revising the list of persons or entities that are exempt from the unauthorized sale, resale, rental, or transportation of recorded articles; providing an effective date.

By the Committee on Commerce; and Senator Joyner—

CS for SB 1722—A bill to be entitled An act relating to travel for commercial sexual purposes; amending s. 559.927, F.S.; defining the term "travel for commercial sexual purposes"; amending s. 559.928, F.S.; requiring the seller of travel to include in the initial registration documents, and in the annual affidavit to renew the registration, sent to the Department of Agriculture and Consumer Services a statement that the seller of travel does not offer for sale, facilitate, or promote travel services for commercial sexual purposes; providing that the department may deny or refuse to renew the registration of any seller of travel based upon a determination that the seller of travel has offered for sale, facilitated, advertised, or promoted travel services for commercial sexual purposes; amending s. 559.9335, F.S.; providing that an offer of sale, an advertisement, or a promotion of travel services for commercial sexual purposes is a violation of part IX of ch. 559, F.S.; amending s. 559.937, F.S.; providing that a seller of travel who offers for sale, facilitates, advertises, or promotes travel services for commercial sexual purposes commits a felony of the second degree; providing criminal penalties; authorizing a court to freeze the assets of a seller of travel who has or is about to commit such offense; providing procedures; providing an effective date.

By the Committee on Commerce; and Senators Diaz de la Portilla and Bullard—

CS for SB 2006—A bill to be entitled An act relating to concealed weapons licenses; amending s. 790.06, F.S.; requiring that a license be revoked or suspended under certain circumstances; clarifying the meaning of "final disposition of the case" for purposes of suspending a license; requiring that a license be suspended until the licensee's completion of any community supervision imposed by a court for any disqualifying crime; requiring that, under certain circumstances, a license be suspended or revoked, notwithstanding any provision to the contrary in ch. 120, F.S.; providing that a licensee may request an administrative hearing; requiring that the hearing be held in accordance with the provisions of ch. 120, F.S., and s. 120.57, F.S.; amending s. 790.115, F.S., relating to possessing or discharging a weapon on school property; conforming a cross-reference; amending s. 903.047, F.S.; requiring that a defendant surrender a license to the clerk of the court as a condition of pretrial release at the request of the prosecuting authority if the defendant is arrested for any crime that would require the Department of Agriculture and Consumer Services to deny, suspend, or revoke the license; requiring the Comprehensive Case Information System to develop a report of licensees who have surrendered their licenses and submit the report monthly to the department; providing an effective date.

By the Committee on Regulated Industries; and Senators Jones and Bennett—

CS for SB's 2086 and 2498—A bill to be entitled An act relating to the Department of Business and Professional Regulation; amending s. 718.111, F.S.; requiring that hazard insurance be based upon the replacement cost of the property to be insured as determined by an independent insurance appraisal or update of a prior appraisal; requiring that the full insurable value be determined at specified intervals; providing a means by which an association may provide adequate hazard insurance; authorizing an association to consider certain information when determining coverage amounts; providing for coverage by developer-controlled associations; providing that policies may include deductibles as determined by the association's board of directors; providing requirements and guidelines for the establishment of such deductibles; requiring that the amounts of deductibles be set at a meeting of the board; providing requirements for such meeting; requiring that an association controlled by unit owners operating as a residential condominium use its best efforts to obtain and maintain adequate insurance to protect the association and property under its supervision or control; providing that a declaration of condominium may provide that condominium property consisting of freestanding buildings comprised of no more than one building in or on such unit need not be insured by the association if the declaration requires the unit owner to obtain adequate insurance for the condominium property; authorizing an association to obtain and maintain liability insurance for directors and officers, insurance for the benefit of association employees, and flood insurance for common elements, association property, and units; requiring that every hazard insurance policy issued or renewed on or after a specified date for the purpose of protecting the condominium provide certain coverage; requiring that such policies contain certain provisions; providing that such policies issued to individual unit owners do not provide rights of subrogation against the condominium association; providing for the insurance of improvements or additions benefiting fewer than all unit owners; requiring that an association require each owner to provide evidence of a current policy of hazard and liability insurance upon request; limiting the frequency with which an association may make such a request; authorizing an association to purchase coverage on behalf of an owner under certain circumstances; providing for the collection of the costs of such a policy; providing responsibilities of the unit owner and association with regard to reconstruction work and associated costs after a casualty loss; authorizing a multicondominium association to operate such condominiums as a single condominium for certain purposes by majority vote of the members of all applicable condominiums; providing that such election constitutes an amendment to the declaration of all applicable condominiums; requiring that an association maintain insurance or fidelity bonding for all persons who control or disburse association funds; requiring that such insurance policy or fidelity bond cover the maximum funds in the custody of the association or its management agent at any one time; defining the term "persons who control or disburse funds of the association"; authorizing an association to amend the declaration of condominium without regard to any requirement for approval by mortgagees of amendments affecting insurance requirements for the purpose of conforming the declaration of condominium to certain coverage requirements; providing that any portion of the condominium property required to be insured by the association against casualty loss which is damaged be reconstructed, repaired, or replaced as necessary by the association as a common expense; providing that all hazard insurance deductibles, uninsured losses, and other damages in excess of hazard insurance coverage under the hazard insurance policies maintained by the association are a common expense of the condominium; providing exceptions; allocating responsibility for certain costs of repair or reconstruction; authorizing an association to opt out of certain requirements related to such allocation of responsibility by majority vote; providing a procedure by which a multicondominium association that has not consolidated its financial operations may opt out of such allocation of responsibility; requiring that a decision to opt out be recorded; providing that such decision takes effect on the date on which it is recorded; authorizing the reversal of such decision; providing a procedure for reversal; providing that an association is not obligated to pay for any reconstruction or repair expenses for improvements made by an owner or the development if an improvement benefits only the unit for which it was installed; amending s. 718.115, F.S.; requiring that certain expenses be designated as common expenses; amending s. 718.116, F.S.; authorizing the designee of a unit owner or mortgagee to request a certificate of assessment; requiring that the fee for preparation of such certificate be stated on the certificate; providing for the establishment of such fees; providing for payment of the fee; requiring that the fee be refunded if a planned sale or mortgage does not occur; providing that any such refund is the obligation of the unit owner and is collectable in the same manner as an assessment; amending s. 718.117, F.S.; prohibiting the distribution of proceeds from the sale of a condominium unit to a lienholder from exceeding a unit owner's share of the proceeds; creating s. 720.30851, F.S.; requiring that the association provide a certificate signed by an officer or agent of the association stating all assessments and other moneys owed to the association by the parcel owner or mortgagee with respect to the parcel within a specified period after the association's receipt of a request for an estoppel certificate by an owner or mortgagee; providing that any person other than a parcel owner who relies upon a certificate receives the benefits and protection thereof; providing that a summary proceeding may be brought to compel the association to comply with the requirement to provide a certificate; providing that the prevailing party is entitled to recover reasonable attorney's fees; requiring that the fee for preparation of such certificate be stated on the certificate; providing for the establishment of such fees; providing for payment of the fee; requiring that the fee be refunded if a planned sale or mortgage does not occur; providing that any such refund is the obligation of the unit owner and is collectable in the same manner as an assessment; amending s. 20.165, F.S.; changing the name of the Division of Florida Land Sales, Condominiums, and Mobile Homes to the Division of Florida Condominiums, Timeshares, and Mobile Homes and the Division of Technology, Licensure, and Testing to the Division of Technology; amending s. 215.20, F.S.; conforming the name of the division's trust fund to correspond to the name change of the division; amending s. 450.33, F.S.; removing the requirement for a farm labor contractor to file a set of fingerprints with the department; amending s. 455.203, F.S.; authorizing the department to close and terminate deficient license applications and to approve professional license applications meeting certain criteria; amending s. 455.217, F.S.; conforming terminology to changes made by the act; amending s. 455.2273, F.S.; authorizing the section to apply to disciplinary guidelines adopted by all boards and divisions; amending s. 468.841, F.S.; clarifying exemption provisions for license provisions governing mold-related services; amending s. 475.17, F.S.; revising requirements for licensure as a real estate broker; amending s. 475.451, F.S.; deleting requirements relating to the submission of certain real estate course rosters to the department; amending s. 489.105, F.S.; clarifying that individuals and business entities that sell manufactured and factory-built buildings can legally enter into contracts for those sales; amending s. 489.511, F.S.; revising requirements for taking the electrical or alarm system contractor certification examination; providing requirements for certification; amending s. 489.515, F.S.; revising requirements for certification as a certified contractor by the Electrical Contractors' Licensing Board to reflect changes made to s. 489.511, F.S., by this act; renumbering s. 498.009, F.S., relating to the location of the division's offices; amending and renumbering s. 498.011, F.S., relating to payment of per diem, mileage, and other expenses for division employees; providing for reimbursement of expenses for on-site review; deleting the expense reimbursement for inspection of subdivided lands; renumbering s. 498.013, F.S., relating to the authentication of records; amending and renumbering s. 498.057, F.S., relating to service of process; deleting provision that service may be made by delivering a copy of the process to the division director; providing that the division can be the petitioner or the plaintiff; repealing ss. 498.001, 498.003, 498.005, 498.007, 498.017, 498.019, 498.021, 498.022, 498.023, 498.024, 498.025, 498.027, 498.028, 498.029, 498.031, 498.033, 498.035, 498.037, 498.039, 498.041, 498.047, 498.049, 498.051, 498.053, 498.059, 498.061, and 498.063, F.S., relating to regulation of land sales practices; amending s. 548.0065, F.S.; including amateur mixed martial arts in a provision relating to the authority of the Florida State Boxing Commission to suspend amateur matches for violation of certain health and safety standards; amending s. 548.008, F.S.; removing prohibition against holding amateur mixed martial arts matches in this state; amending s. 548.041, F.S.; providing additional licensure requirements for boxing participants; amending s. 718.501, F.S.; providing additional powers and duties of the division; providing for additional enforcement proceedings for carrying out the purposes of ch. 718, F.S.; deleting the payment of money by a developer to a condominium association as a permissible affirmative action; providing for actions of conservator or receiver; providing for application to circuit court for an order of restitution; providing for imposition of civil penalties and award of court costs, attorney's fees, and costs of investigation under certain circumstances; providing for contracting for investigative services; providing for acceptance of grants-in-aid; requiring the cooperation with similar agencies on establishment of certain procedures, standards, and forms; providing what constitutes completeness of notice; authorizing the division to issue a notice to show cause; providing conforming changes; amending s. 718.509, F.S.; revising to incorpo-

rate provisions of s. 498.019, F.S., relating to the Division of Florida Condominiums, Timeshares, and Mobile Homes Trust Fund; revising provisions to conform to the change in division name; providing for the deposit of moneys resulting from an administrative final order; amending s. 721.03, F.S.; clarifying that timeshare plan includes a nonspecific multisite timeshare plan; amending ss. 73.073, 190.009, 192.037, 213.053, 326.002, 326.006, 380.05, 380.06, 380.0651, 381.0065, 455.116, 475.455, 494.008, 509.512, 517.301, 559.935, 718.103, 718.105, 718.1255, 718.5011, 718.502, 718.504, 718.508, 718.608, 719.103, 719.1255, 719.501, 719.502, 719.504, 719.508, 719.608, 720.301, 720.401, 721.05, 721.07, 721.08, 721.26, 721.28, 721.301, 721.50, 723.003, 723.006, 723.009, and 723.0611, F.S., to conform; providing effective dates.

By the Committee on Transportation; and Senator Bennett—

CS for SB 2150—A bill to be entitled An act relating to motor vehicle dealers; amending s. 320.27, F.S.; revising the definition of "motor vehicle dealer" to authorize such dealers to apply for certificates of title to certain vehicles using a manufacturer's statement of origin; eliminating exceptions; deleting a provision requiring that certain vehicles be titled as used vehicles; adding provisions pursuant to which the Department of Highway Safety and Motor Vehicle may deny, suspend, or revoke certain licenses; providing that a franchised motor vehicle dealer of the same line-make has a cause of action against a motor vehicle dealer who engages, with sufficient frequency so as to establish a pattern of wrongdoing, in the business of an unauthorized and unlawful additional motor vehicle dealership location as described by state law; providing for venue for such causes of action; creating s. 320.6425, F.S.; providing that certain activities or the fulfillment of certain criteria constitute the operation of an unlawful and additional motor vehicle dealership; defining the term "sale for retail purposes"; providing that certain actions by motor vehicle dealers constitute violations of state law; authorizing any same line-make motor vehicle dealer who suffers damages as a result of an unlawful and additional motor vehicle dealership location to seek damages; providing for the application and nonapplication of certain provisions of state law; providing an effective date.

By the Committees on Banking and Insurance; and Banking and Insurance—

CS for SB 2156—A bill to be entitled An act relating to the Florida Hurricane Catastrophe Fund; amending s. 215.555, F.S.; creating the Division of the Florida Hurricane Catastrophe Fund as a division of the State Board of Administration; providing for a board of the division; revising legislative findings; revising the definition of "retention," "covered policy," and "estimated claims-paying capacity" to account for the creation of the division; defining the terms "division," "director," "FHCF," "fund," and "board"; clarifying provisions requiring the State Board of Administration to invest certain funds; requiring that the board of the division appoint a director; providing duties of the director; providing that the appointment of a director is subject to the approval of the board by a majority vote; authorizing the division to employ or contract with such staff as the division deems necessary to administer the fund; requiring that the division enter into a contract with each insurer writing covered policies in this state to provide to the insurer reimbursement as prescribed by state law; requiring that such contracts contain certain elements or provisions and provide the division with certain obligations; requiring that the division publish certain information in the Florida Administrative Weekly at specified times; authorizing the payment of advancements of reimbursements or reimbursement premiums to certain entities under certain conditions; requiring that the division inspect, examine, and verify the records of each insurer's covered policies at such times as the division deems appropriate and according to standards established by rule for the specific purpose of validating the accuracy of exposures and losses required to be reported under the terms and conditions of the reimbursement contract; providing for the payments of expenses associated with such inspection, examination, or verification; providing for the reimbursement of the division for such expenses by an insurer under certain circumstances; authorizing the division to take certain action if it finds any insurer's records or other necessary information to be inadequate or inadequately posted, recorded, or maintained; requiring that the division select an independent consultant to develop a formula for determining the actuarially indicated premium to be paid to the fund; requiring that the division consider certain factors when establishing a reimbursement premium; providing for the calculation of such premium by the division; providing for the payment of reimbursement premium; providing for the collection of interest on certain late reimbursement premium payments; providing responsibilities of the division if Citizens Property Insurance Corporation assumes or otherwise provides coverage for policies of an insurer placed in liquidation; authorizing the division to execute agreements regarding revenue bonds or other financing arrangements for the purpose of evidencing, securing, preserving, or protecting a pledge of revenue by the corporation; requiring that the Florida Surplus Lines Service Office assist the division in ensuring the accurate and timely collection and remittance of assessments of surplus lines premiums; requiring that the office report certain information to the division at a time and in a manner prescribed by the division; providing for the issuance of revenue bonds through counties or municipalities; revising the membership of the Florida Hurricane Catastrophe Fund Finance Corporation; providing that there is no liability on the part of any member of the board of directors or employees of the corporation for any actions taken by them in the performance of their duties; providing additional powers and duties of the board of the division and the division; requiring that the board of the division appoint an advisory council; providing for membership of the council; providing duties of the council; authorizing the division to take any action necessary to enforce certain rules and provisions of a reimbursement contract; requiring that the division make certain recommendations to the Legislature upon the creation of a federal or multistate catastrophic insurance or reinsurance program intended to serve purposes similar to the purposes of the fund; providing for the reversion of fund assets upon termination of the fund; providing for optional coverages of the fund; revising the temporary increases in coverage limits (TICL); requiring that a TICL addendum contain a promise by the division to make certain reimbursements to the TICL insurer; including the level of TICL coverage specified by the board among the factors that must be considered when determining the amount of increase in the claims-paying capacity of the fund; amending s. 215.557, F.S.; conforming provisions to changes made by the act; amending s. 215.5586, F.S.; requiring that the director of the division serve on the advisory council of the My Safe Florida Home Program; amending s. 215.559, F.S., relating to the Hurricane Loss Mitigation Program; conforming a cross-reference; amending s. 215.5595, F.S., relating to the Insurance Capital Build-up Incentive Program; conforming provisions to changes made by the act; revising the definition of "board" to conform to changes made by the act; amending s. 627.0628, F.S.; revising legislative intent; assigning the Florida Commission on Hurricane Loss Projection Methodology to the division; requiring that the director of the fund serve on the commission; requiring that the board of the division annually appoint one of the members of the commission to serve as chair; requiring that the division provide for travel, expenses, and staff support for the commission; indemnifying members and employees of the division from liability for action taken with respect to the commission or its activities; requiring that the division employ certain methods, principles, standards, models, or output ranges when establishing reimbursement premiums for the fund; providing an effective date.

By the Committee on Regulated Industries; and Senator Deutch—

CS for SB 2470—A bill to be entitled An act relating to condominium associations; amending s. 718.111, F.S.; requiring that hazard insurance be based upon the replacement cost of the property to be insured as determined by an independent insurance appraisal or update of a prior appraisal; requiring that the full insurable value be determined at specified intervals; providing a means by which an association may provide adequate hazard insurance; authorizing an association to consider certain information when determining coverage amounts; providing for coverage by developer-controlled associations; providing that policies may include deductibles as determined by the association's board of directors; providing requirements and guidelines for the establishment of such deductibles; requiring that the amounts of deductibles be set at a meeting of the board; providing requirements for such meeting; requiring that an association controlled by unit owners operating as a residential condominium use its best efforts to obtain and maintain adequate insurance to protect the association and property under its supervision or control; providing that a declaration of condominium may provide that condominium property consisting of freestanding buildings comprised of no more than one building in or on such unit need not be insured by the association if the declaration requires the unit owner to

obtain adequate insurance for the condominium property; authorizing an association to obtain and maintain liability insurance for directors and officers, insurance for the benefit of association employees, and flood insurance for common elements, association property, and units; requiring that every hazard insurance policy issued or renewed on or after a specified date for the purpose of protecting the condominium provide certain coverage; requiring that such policies contain certain provisions; providing that such policies issued to individual unit owners do not provide rights of subrogation against the condominium association; providing for the insurance of improvements or additions benefiting fewer than all unit owners; requiring that an association require each owner to provide evidence of a current policy of hazard and liability insurance upon request; limiting the frequency with which an association may make such a request; authorizing an association to purchase coverage on behalf of an owner under certain circumstances; providing for the collection of the costs of such a policy; providing responsibilities of the unit owner and association with regard to reconstruction work and associated costs after a casualty loss; authorizing a multicondominium association to operate such condominiums as a single condominium for certain purposes by majority vote of the members of all applicable condominiums; providing that such election constitutes an amendment to the declaration of all applicable condominiums; requiring that an association maintain insurance or fidelity bonding for all persons who control or disburse association funds; requiring that such insurance policy or fidelity bond cover the maximum funds in the custody of the association or its management agent at any one time; defining the term "persons who control or disburse funds of the association"; authorizing an association to amend the declaration of condominium without regard to any requirement for approval by mortgagees of amendments affecting insurance requirements for the purpose of conforming the declaration of condominium to certain coverage requirements; providing that any portion of the condominium property required to be insured by the association against casualty loss which is damaged be reconstructed, repaired, or replaced as necessary by the association as a common expense; providing that all hazard insurance deductibles, uninsured losses, and other damages in excess of hazard insurance coverage under the hazard insurance policies maintained by the association are a common expense of the condominium; providing exceptions; allocating responsibility for certain costs of repair or reconstruction; authorizing an association to opt out of certain requirements related to such allocation of responsibility by majority vote; providing a procedure by which a multicondominium association that has not consolidated its financial operations may opt out of such allocation of responsibility; requiring that a decision to opt out be recorded; providing that such decision takes effect on the date on which it is recorded; authorizing the reversal of such decision; providing a procedure for reversal; providing that an association is not obligated to pay for any reconstruction or repair expenses for improvements made by an owner or the development if an improvement benefits only the unit for which it was installed; amending s. 718.113, F.S.; revising application of provision relating to the material alteration or substantial additions to the common elements or to real property which is association property to apply to certain associations; creating s. 718.1265, F.S.; authorizing a condominium association board to exercise specified emergency powers during an emergency created by declared disaster; providing a limitation; providing an effective date.

By the Committee on Commerce; and Senators Fasano and Crist—

CS for SB 2712—A bill to be entitled An act relating to trust funds; creating s. 288.0971, F.S.; creating the Building Florida's Future Revolving Trust Fund within the Office of Tourism, Trade, and Economic Development; providing the purpose of the fund; providing for an annual carry forward of funds; exempting the trust fund from future review and termination or re-creation; providing a contingent effective date.

By the Committee on Commerce; and Senators Fasano and Crist—

CS for SB 2714—A bill to be entitled An act relating to economic development; creating s. 288.097, F.S.; establishing Building Florida's Future Revolving Loan Guarantee Program within the Office of Tourism, Trade, and Economic Development; providing for the program to provide loan guarantees or credit enhancements to units of local government or to private entities for use in constructing or modernizing facilities and infrastructure necessary to attract or expand certain industries as part of an economic-development project; providing requirements and criteria for the office to consider in evaluating requests; requiring Enterprise Florida, Inc., to assist the office in its evaluation; requiring the Office of Tourism, Trade, and Economic Development to adopt rules; requiring that the office provide an annual report to the Legislature regarding the program; providing an appropriation; providing a contingent effective date.

REFERENCE CHANGES PURSUANT TO RULE 4.7(2)

By the Committee on Criminal Justice; and Senator Crist—

CS for SB 700—A bill to be entitled An act relating to juvenile justice; amending s. 29.008, F.S.; conforming cross-references; amending s. 790.22, F.S.; revising provisions relating to community service programs; amending s. 939.185, F.S.; providing diversion options; amending s. 984.05, F.S., conforming cross-references; amending s. 984.09, F.S.; deleting duplicative provisions relating to contempt of court and alternative sanctions; amending s. 985.02, F.S.; providing diversion options; amending s. 985.03, F.S.; defining the term "ordinary medical care"; amending and renumbering provisions of s. 985.037, F.S., relating to alterative sanctions; creating s. 985.0375, F.S.; providing for alternative sanctions; amending s. 985.04, F.S; providing that confidential information obtained during an official's service with juvenile delinquents may be shared with authorized personnel of the Department of Children and Family Services; amending s. 985.245, F.S.; providing for additional representatives to be included on the committee formed to advise the Department of Juvenile Justice on the risk assessment instrument; requiring periodic evaluation of the risk assessment instrument; amending s. 985.265, F.S.; providing an exception to required supervision in direct supervision housing; amending s. 985.601, F.S.; requiring the Department of Juvenile Justice to adopt rules to establish procedures to provide ordinary medical care, mental health, substance abuse, and developmental disabilities services to youth within the juvenile justice continuum; requiring that, to the extent possible within available fiscal resources, the procedures must be commensurate with procedures that youth receive in the community; amending s. 985.606, F.S.; revising provisions governing data collection; amending s. 985.632, F.S.; authorizing the department to conduct a demonstration project in order to create an accountable juvenile justice system that is outcome-based; amending s. 985.644, F.S., relating to departmental contracting powers; removing references to the Department of Children and Family Services; amending s. 985.66, F.S.; transferring the responsibility for the juvenile justice training program from the Juvenile Justice Standards and Training Commission to the Department of Juvenile Justice; requiring the department to adopt rules; amending s. 985.664, F.S., relating to the juvenile justice circuit boards and juvenile justice county councils; providing a reference to the Children and Youth Cabinet; amending s. 985.668, F.S.; encouraging each juvenile justice circuit board, in consultation with the juvenile justice county council, to propose an innovation zone within the circuit; amending s. 985.676, F.S.; including the development and implantation of a strategic plan; amending s. 985.721, F.S.; conforming a cross-reference; creating s. 1006.125, F.S.; requiring that a student charged with a violation of the code of student conduct which constitutes a serious criminal offense be reported to a law enforcement agency; amending s. 1006.13, F.S.; removing the reference of zero tolerance; providing an appropriation; providing an effective date.

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

By the Committee on Criminal Justice; and Senator Crist—

CS for SB 1690—A bill to be entitled An act relating to capital collateral representation; amending s. 27.7001, F.S.; establishing that the collateral representation system is a legislative branch entity; providing a legislative finding that not all capital cases are extraordinary or unusual; amending s. 27.701, F.S.; extending the term of years regional counsel are appointed to serve; providing a deadline on the appointment process; deleting the 2-year prohibition against former regional counsel running for state office or accepting another state appointment; requiring that regional counsel be appointed by and serve at the pleasure of the Commission on Capital Cases; removing provisions establishing a pilot program in the northern region of the state; amending s. 27.702, F.S.; clarifying the administrative roles and functions of the Justice Administrative Commission, the Commission on Capital Cases, and the

Capital Collateral Regional Counsel; amending s. 27.709, F.S.; increasing and revising the membership of the Commission on Capital Cases; relocating the commission from the Office of Legislative Services to the Justice Administrative Commission for purposes of administration; authorizing the commission to sponsor programs of continuing legal education on capital cases; authorizing the commission to issue subpoenas and hold hearings it considers appropriate for the administration of justice in capital cases; authorizing the commission to terminate the appointment of a capital collateral regional counsel before the end of the counsel's term; amending s. 27.710, F.S.; revising the criteria required for an attorney to be eligible to be placed on the registry of attorneys qualified to represent defendants in postconviction capital collateral proceedings; providing certain limited exceptions; requiring attorneys to sign a contract with the Chief Financial Officer in order to receive funds from the state; requiring each private attorney appointed by a court to represent a capital defendant to submit a report each quarter to the commission; providing for removal and reinstatement to the registry of attorneys; amending s. 27.711, F.S.; providing for terms and conditions for appointment of counsel in postconviction capital collateral proceedings; providing for pro bono attorneys to receive reimbursement for certain specified expenses; limiting representation by a court-appointed attorney to seven defendants; prohibiting an attorney from entering into an employment contract with the offices of the Capital Collateral Regional Counsel if he or she represents seven or more defendants in capital collateral litigation; requiring a trial court judge who proposes to award attorney's fees in excess of those set forth in law to make written findings of fact that state the extraordinary nature of the expenditures of time, energy, and talents of the attorney in the case which are not ordinarily expended in other capital collateral cases and how the case is unusual; reenacting s. 27.7002, F.S., relating to the limitation of cases on collateral representation, to incorporate the amendments made to ss. 27.710 and 27.711, F.S., in references thereto; providing an effective date.

—was referred to the Committees on Judiciary; Governmental Operations; Criminal and Civil Justice Appropriations; and Rules.

By the Committee on Regulated Industries; and Senator Deutch—

CS for SB 2470—A bill to be entitled An act relating to condominium associations; amending s. 718.111, F.S.; requiring that hazard insurance be based upon the replacement cost of the property to be insured as determined by an independent insurance appraisal or update of a prior appraisal; requiring that the full insurable value be determined at specified intervals; providing a means by which an association may provide adequate hazard insurance; authorizing an association to consider certain information when determining coverage amounts; providing for coverage by developer-controlled associations; providing that policies may include deductibles as determined by the association's board of directors; providing requirements and guidelines for the establishment of such deductibles; requiring that the amounts of deductibles be set at a meeting of the board; providing requirements for such meeting; requiring that an association controlled by unit owners operating as a residential condominium use its best efforts to obtain and maintain adequate insurance to protect the association and property under its supervision or control; providing that a declaration of condominium may provide that condominium property consisting of freestanding buildings comprised of no more than one building in or on such unit need not be insured by the association if the declaration requires the unit owner to obtain adequate insurance for the condominium property; authorizing an association to obtain and maintain liability insurance for directors and officers, insurance for the benefit of association employees, and flood insurance for common elements, association property, and units; requiring that every hazard insurance policy issued or renewed on or after a specified date for the purpose of protecting the condominium provide certain coverage; requiring that such policies contain certain provisions; providing that such policies issued to individual unit owners do not provide rights of subrogation against the condominium association; providing for the insurance of improvements or additions benefiting fewer than all unit owners; requiring that an association require each owner to provide evidence of a current policy of hazard and liability insurance upon request; limiting the frequency with which an association may make such a request; authorizing an association to purchase coverage on behalf of an owner under certain circumstances; providing for the collection of the costs of such a policy; providing responsibilities of the unit owner and association with regard to reconstruction work and associated costs after a casualty loss; authorizing a multicondominium association to operate such condominiums as a single condominium for certain purposes by majority vote of the members of all applicable condominiums; providing that such election constitutes an amendment to the declaration of all applicable condominiums; requiring that an association maintain insurance or fidelity bonding for all persons who control or disburse association funds; requiring that such insurance policy or fidelity bond cover the maximum funds in the custody of the association or its management agent at any one time; defining the term "persons who control or disburse funds of the association"; authorizing an association to amend the declaration of condominium without regard to any requirement for approval by mortgagees of amendments affecting insurance requirements for the purpose of conforming the declaration of condominium to certain coverage requirements; providing that any portion of the condominium property required to be insured by the association against casualty loss which is damaged be reconstructed, repaired, or replaced as necessary by the association as a common expense; providing that all hazard insurance deductibles, uninsured losses, and other damages in excess of hazard insurance coverage under the hazard insurance policies maintained by the association are a common expense of the condominium; providing exceptions; allocating responsibility for certain costs of repair or reconstruction; authorizing an association to opt out of certain requirements related to such allocation of responsibility by majority vote; providing a procedure by which a multicondominium association that has not consolidated its financial operations may opt out of such allocation of responsibility; requiring that a decision to opt out be recorded; providing that such decision takes effect on the date on which it is recorded; authorizing the reversal of such decision; providing a procedure for reversal; providing that an association is not obligated to pay for any reconstruction or repair expenses for improvements made by an owner or the development if an improvement benefits only the unit for which it was installed; amending s. 718.113, F.S.; revising application of provision relating to the material alteration or substantial additions to the common elements or to real property which is association property to apply to certain associations; creating s. 718.1265, F.S.; authorizing a condominium association board to exercise specified emergency powers during an emergency created by declared disaster; providing a limitation; providing an effective date.

—was referred to the Committees on Banking and Insurance; Community Affairs; and Judiciary.

ENROLLING REPORTS

SCR 2930 has been enrolled, signed by the required Constitutional Officers and filed with the Secretary of State on March 27, 2008.

Faye W. Blanton, Secretary

CORRECTION AND APPROVAL OF JOURNAL

The Journal of March 26 was corrected and approved.

CO-INTRODUCERS

Senators Atwater—CS for SB 706; Bennett—CS for SB 1964; Bullard—SB 2468; Crist—SB 994, CS for SB 2712, CS for SB 2714, SB 2778; Dawson—SB 446, SB 500, SB 768, SB 2468; Fasano—SB 2320, SB 2324; Lynn—CS for SB 1116; Storms—SB 1968

RECESS

On motion by Senator King, the Senate recessed at 10:35 a.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 2:30 p.m., Wednesday, April 2 or upon call of the President.

Journal of the Senate

Number 9—Regular Session **Wednesday, April 2, 2008**

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CALL TO ORDER

The Senate was called to order by President Pruitt at 2:30 p.m. A quorum present—39:

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

Excused: Senator Wilson

PRAYER

The following prayer was offered by the Rev. James Golden, Ward Temple A.M.E. Church, Bradenton:

God of the morning dawn and the evening dusk; God of the noonday bright and the midnight dark; God of every second, of every minute, of every hour, of every day; God of the years of our lives, the lives of each and all of us now henceforth and forever more.

Just a few of your divinely created creatures now bow their heads and bend their minds toward you in thanksgiving.

First, we want to say thank you for your saving grace that allows us to be numbered among the living at this moment and counted among those who have received from you today a reasonable measure of faith to use, hope to embrace, and love to share. We thank you for your tender mercy that only requires us to be steadfast and unmoveable in our search for truth, our commitment to justice, and our desire for peace and goodwill among all humankind. We thank you for your unsearchable wisdom that keeps us moving step by step along the path of your righteousness, through the valley of the shadow of death, towards a time and place where the wicked will no longer be troubling to us, where we can rest from our weary labors, and where every day will be filled with unceasing joy.

Now, God, we ask you to bring your spirit into this place, your spirit of unity so all that is said and done here today is a blessing to your people across the length and breadth of this great state.

We ask you to bring your spirit of equity into this place so all that is said and done here today is fair to your people across the length and breadth of this great state.

But most of all we ask you to bring your spirit of fidelity into this place so all that is said and done here today is righteous and truth for all of your people. Because we know that only the truth can make us free from the shame and pain of our error-filled yesterdays. Only the truth can show us how to make more bricks with less straw for our unpromised tomorrows. Only the truth will set us free to be used today as a blessing by you and a blessing to others. Now hear us in the name of truth as we give thanks. Help us in the name of truth as we receive your blessings. Together, the people of God said, Amen.

PLEDGE

Senate Pages Cydnee "Sydney" Johnson of Jacksonville; Justin Hoover of Okeechobee; Amber Quill of Port Charlotte; and Matthew "Matt" Saunders of Naples, son of Senator Saunders, led the Senate in the pledge of allegiance to the flag of the United States of America.

ADOPTION OF RESOLUTIONS

On motion by Senator Rich—

By Senator Rich—

SR 1002—A resolution recognizing the AARP on its 50th Anniversary.

WHEREAS, AARP is a voluntary, nonprofit, nonpartisan membership organization that has a 50-year history of leading positive social change by harnessing the individual and collective power of its members to improve the lives of residents of the United States and Florida as they age, and

WHEREAS, AARP has, since its establishment in 1958 by retired educator Ethel Percy Andrus, taken as its motto "To serve, not to be served," and

WHEREAS, AARP's "army of useful citizens" in Florida includes more than 3,200 volunteers who offer courses in money management, assistance in tax preparation, safe driving courses, advocacy services, job training, intergenerational education, community rebuilding, home visitation, and nonpartisan voter education, and

WHEREAS, AARP has amplified its members' voices on issues of statewide importance such as high quality and affordable health care, lifetime financial security, and consumer protection, and

WHEREAS, AARP has helped to foster proactive policies that enable Florida residents to achieve the quality of life and peace of mind they deserve, and

WHEREAS, AARP exemplifies the belief that diversity in age, economic status, attitudes, ability, and lifestyles is a source of strength for the state and nation, and

WHEREAS, AARP works to develop strong communities that are characterized by affordable and appropriate housing, ease of mobility, and features and services that support the lives and lifestyles of people of all ages, and

WHEREAS, having successfully built alliances statewide among businesses, communities, and Florida's residents of all generations, AARP continues to work towards an economic environment that supports and promotes the potential of mature workers, and

WHEREAS, AARP recognizes that ensuring the safety, involvement, health, and well-being of residents 50 years of age and older is not a destination but a continuing journey, NOW, THEREFORE,

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

That the Senate congratulates the AARP for 50 years of service to this state and nation and for championing the future of every generation.

—was introduced out of order and read by title. On motion by Senator Rich, **SR 1002** was read the second time in full and adopted.

On motion by Senator Storms—

By Senators Storms and Gaetz—

SR 1534—A resolution expressing gratitude and support for the men and women of the United States military serving in the Global War on Terror and recognizing June 16, 2008, as "Vets for Victory Day" in the State of Florida.

WHEREAS, almost 2 million American men and women serving in the United States military as active-duty members of the United States Armed Forces, members of the National Guard, and military reservists are on duty around the world, charged with the responsibility of protecting the United States, its citizens, and our interests and allies, and

WHEREAS, many of these servicemembers are currently engaged in combat in Iraq and Afghanistan, fighting the "Global War on Terror," and

WHEREAS, over 125,000 men and women from Florida have served in the military in Iraq and Afghanistan as part of the Global War on Terror, and

WHEREAS, over 28,000 American troops have been wounded in combat in Iraq since March 19, 2003, while more than 3,800 others have made the ultimate sacrifice by giving their lives in service to their country, and

WHEREAS, all members of the United States military who are engaged in fighting the Global War on Terror do so with considerable personal sacrifice, which often includes long separations from their families, and

WHEREAS, the Armed Forces of the United States continue to protect all Americans, the interests of our nation, and our allies from those who are our avowed enemies and, in doing so, need and deserve our complete respect and support, NOW, THEREFORE,

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

That the Florida Senate declares its complete and unwavering support for the American men and women serving in the United States military as active-duty members of the United States Armed Forces, members of the National Guard, and military reservists, both around the world and here at home, and for their mission in conducting the Global War on Terror.

BE IT FURTHER RESOLVED that, on behalf of the people of the State of Florida, the Florida Senate affirms that we will not abandon our servicemen and servicewomen in this time of war and pledges its full support to them and to their efforts to secure victory.

BE IT FURTHER RESOLVED that, on behalf of the people of the State of Florida, the Florida Senate expresses its deepest gratitude and heartfelt pride for the sacrifices and bravery of our servicemen and servicewomen both at home and abroad and expresses its utmost gratitude for their heroic service to the United States of America.

BE IT FURTHER RESOLVED that, in recognition of their service to the nation, the Florida Senate recognizes June 16, 2008, as "Vets for Victory Day" in the State of Florida.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be transmitted to the President of the United States, to the President of the United States Senate, to the Speaker of the United States House of Representatives, to the United States Secretary of Defense, to the United States Secretary of Veterans Affairs, to each member of the Florida delegation to the United States Congress, to the Governor of the State of Florida, and to the Executive Director of the Florida Department of Veterans' Affairs, as a tangible token of the sentiments of the Florida Senate.

—was introduced out of order and read by title. On motion by Senator Storms, **SR 1534** was read the second time in full and adopted.

At the request of Senator Fasano—

By Senators Fasano and Bullard—

SR 110—A resolution recognizing October 1-15, 2008, as "Disability History and Awareness Weeks" and encouraging public schools and universities to provide instruction on disability history, people with disabilities, and the disability rights movement.

WHEREAS, according to the United States Census, in 2000, this state had a population of 3,274,566 people with disabilities, who comprised a large percentage of the total population of 15,982,378 persons, and

WHEREAS, the National Center for Education Statistics reported that in 2002 the K-12 education system in this state included 379,609 students with disabilities, or approximately 20 percent of the student body, and

WHEREAS, the Americans with Disabilities Act of 1990 is founded on four principles: inclusion, full participation, economic self-sufficiency, and equality of opportunity for all people with disabilities, and

WHEREAS, research has shown that students with disabilities have a harder time fitting in with their peers, making friends, and becoming involved in school and community-based activities and clubs, and

WHEREAS, to ensure the full inclusion of people with disabilities in society, it is necessary to expand the public's knowledge, awareness, and understanding of the history of disabilities and the disability rights movement, and

WHEREAS, a key method of promoting such understanding is the provision by the public schools of instruction concerning disability history, people with disabilities, and the disability rights movement through the school curriculum, school assemblies, and other school activities, and

WHEREAS, it is desirable that state postsecondary institutions promote activities that provide education, awareness, and understanding regarding people with disabilities, and

WHEREAS, the Legislature also encourages cooperation between educational institutions and community-based organizations, including centers for independent living, youth information centers, and parent training and information centers, as a way to promote better treatment and fairer hiring practices for people with disabilities, NOW, THEREFORE,

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

That the Florida Senate urges the public schools to provide intensive instruction on disability history, people with disabilities, and the disability rights movement, especially during the first 2 weeks of October, and periodically throughout the school year, and encourages postsecondary institutions to conduct and promote educational activities concerning those subjects.

BE IT FURTHER RESOLVED that October 1-15, 2008, be recognized as "Disability History and Awareness Weeks" in this state.

—**SR 110** was introduced, read and adopted by publication.

At the request of Senator Rich—

By Senators Rich and Haridopolos—

SR 974—A resolution recognizing November 10-16, 2008, as "Spinal Cord Injury Awareness Week" in Florida.

WHEREAS, the central nervous system is made up of two parts, the brain and the spinal cord, and

WHEREAS, the spinal cord is considered the "information superhighway" of the body because it contains bundles of neurons that carry signals to and from the brain, controlling many bodily functions, and

WHEREAS, after a spinal cord injury occurs, damaged neurons can no longer emit signals to or from the brain, and the injured person suffers permanent sensory loss and muscle control, and

WHEREAS, currently there are approximately 250,000 to 400,000 individuals in the United States who have sustained a spinal cord injury, and

WHEREAS, it is estimated that the annual incidence of spinal cord injury in the United States, not including those who die at the scene of an accident, is approximately 11,000 new cases each year, and

WHEREAS, the most common age for spinal cord injuries is 19 years old, with 30 percent of all injuries occurring between the ages of 17 and 23, and 53 percent of all injuries occurring between the ages of 16 and 30, and

WHEREAS, more than 80 percent of spinal cord injuries occur in men and 20 percent occur in women, and

WHEREAS, the four leading causes of spinal cord injury for both men and women are auto accidents, falls, gunshot wounds, and recreational sporting activities, and

WHEREAS, the average annual cost of care for individuals who have a spinal cord injury ranges from $250,000 to $700,000 the first year after injury, with an estimated lifetime cost ranging between $500,000 and $3 million depending on the severity of injury, and

WHEREAS, in the past 15 years, scientists have made major breakthroughs in understanding how to encourage damaged neurons to regenerate and restore function and how to improve the quality of life for patients in areas such as infertility and pain management, and

WHEREAS, the Darrell Gwynn Foundation has worked to help fund research aimed at finding a cure for paralysis, as well as improving the overall quality of life for individuals with paralysis, and

WHEREAS, the Darrell Gwynn Foundation will spend the week of November 10-16 working with local governments and schools to educate Floridians about the causes and treatments for spinal cord injuries, as well as informing residents on how to prevent these injuries from taking place, NOW, THEREFORE,

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

That the week of November 10-16, 2008, is recognized as "Spinal Cord Injury Awareness Week" in the State of Florida.

—**SR 974** was introduced, read and adopted by publication.

At the request of Senator Fasano—

By Senators Fasano and Gaetz—

SR 1356—A resolution recognizing February 6, 2008, as "Ronald Reagan Day" in the State of Florida.

WHEREAS, President Ronald Wilson Reagan, a man of humble background, worked throughout his life serving freedom and advancing the public good in his employment as an entertainer, union leader, corporate spokesman, Governor of California, and President of the United States, and

WHEREAS, Ronald Reagan served with honor and distinction for two terms as the 40th President of the United States of America and, in earning his second term, won the confidence of three-fifths of the electorate and was victorious in 49 of the 50 states in the general election a record unsurpassed in the history of American presidential elections, and

WHEREAS, in 1981 when Ronald Reagan was inaugurated President, he inherited a disillusioned nation shackled by rampant inflation and high unemployment, and

WHEREAS, during Mr. Reagan's presidency, he worked in a bipartisan manner to enact his bold agenda of restoring accountability and common sense to government, which led to an unprecedented economic expansion and opportunity for millions of Americans, and

WHEREAS, Mr. Reagan's commitment to an active social policy agenda for the nation's children helped lower crime and drug use in our neighborhoods, and

WHEREAS, President Reagan's commitment to our Armed Forces contributed to the restoration of pride in America, her values and those cherished by the free world, and prepared America's Armed Forces to meet 21st-century challenges, and

WHEREAS, President Reagan's vision of "peace through strength" led to the end of the Cold War and the ultimate demise of the Soviet Union, guaranteeing basic human rights for millions of people, and

WHEREAS, February 6, 2008, will be the 97th Anniversary of Ronald Reagan's birth and the third since his passing, NOW, THEREFORE,

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

That the Florida Senate recognizes February 6, 2008, as "Ronald Reagan Day" in Florida.

BE IT FURTHER RESOLVED that the Senate urges all residents of the state to take cognizance of this event and participate in its observance.

—**SR 1356** was introduced, read and adopted by publication.

At the request of Senator Lynn—

By Senator Lynn—

SR 2934—A resolution recognizing March 30, 2008, through April 5, 2008, as "Girl Scout Week" in Florida.

WHEREAS, Friday, March 12, 2008, marked the 96th Anniversary of the founding of the Girl Scouts of the United States of America by Juliette Gordon Low in 1912, and

WHEREAS, on March 16, 1950, the Girl Scouts became the first national organization for girls to be granted a Federal Charter by Congress, and

WHEREAS, throughout its long and distinguished history, Girl Scouts - the preeminent organization for girls - has inspired millions of girls with the highest ideals of character, conduct, patriotism, and service to others so that they may become model citizens in their communities, and

WHEREAS, some 50 million women have enjoyed the benefits of the Girl Scouts program, as an American tradition, for 96 years, and

WHEREAS, the State of Florida is home to more than 104,000 participants in the Girl Scouts program, and

WHEREAS, Girl Scouting offers leadership and guidance to businesses and communities in teaching girls the skills needed to take active roles in math, science, and technology careers and to fulfill our country's economic needs, and

WHEREAS, the Girl Scouts offers girls age 5 through 17 a variety of opportunities to develop strong values and life skills and provides a wide range of activities to meet girls' interests and needs, and

WHEREAS, through Girl Scouting, every girl everywhere can grow strong, gain self-confidence and skills for success, and learn her responsibilities to the world around her, and

WHEREAS, through participation in the legislative process, Girl Scouts learn how to use their own voices to address issues of concern to them and how to go about making changes for the betterment of society, NOW, THEREFORE,

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

That the Florida Senate recognizes March 30, 2008, through April 5, 2008, as "Girl Scout Week in Florida."

—**SR 2934** was introduced, read and adopted by publication.

SENATOR MARGOLIS PRESIDING

BILLS ON THIRD READING

CS for SB 1026—A bill to be entitled An act relating to unemployment compensation benefits; amending s. 443.111, F.S.; authorizing the Agency for Workforce Innovation to develop a system for the payment of benefits by electronic funds transfer; requiring that commodities or services for the system be procured by competitive solicitation or from a state term contract; requiring the agency to adopt rules necessary to administer the system; providing an effective date.

—was read the third time by title.

On motion by Senator Fasano, **CS for SB 1026** was passed and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

CS for SB 966—A bill to be entitled An act relating to automated teller machine transactions; amending s. 655.966, F.S.; authorizing machine owners or operators to impose access fees or surcharges for machine use; providing fee or surcharge disclosure requirements; providing certain agreement prohibitions relating to machine access fees or surcharges; providing construction relating to certain fee-free or surcharge-free network agreements; providing an effective date.

—was read the third time by title.

On motion by Senator Alexander, **CS for SB 966** was passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

Vote after roll call:

Yea—Dean, Saunders

CS for SB 732—A bill to be entitled An act relating to license plates; amending ss. 320.08056 and 320.08058, F.S.; changing references from Bethune-Cookman College to Bethune-Cookman University in statutes relating to collegiate license plates; providing an effective date.

—was read the third time by title.

On motion by Senator Hill, **CS for SB 732** was passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

Vote after roll call:

Yea—Dean, Saunders

SB 874—A bill to be entitled An act relating to title loans; amending s. 537.002, F.S.; clarifying that ch. 537, F.S., the Florida Title Loan Act, regulates title loans to consumers; amending s. 537.003, F.S.; defining the term "consumer" for purposes of ch. 537, F.S.; providing an effective date.

—was read the third time by title.

On motion by Senator Fasano, **SB 874** was passed and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

CS for CS for SB 854—A bill to be entitled An act relating to unemployment compensation; amending s. 443.101, F.S.; redefining the term

"temporary help firm" to include a labor pool; redefining the term "temporary employee" to include a day laborer who is employed by a labor pool; providing that a day laborer is disqualified for benefits following loss of employment with a labor pool; providing that the time of hire for a day laborer is upon acceptance of the first assignment with a labor pool; requiring the labor pool to provide written notice to the temporary employee regarding the availability of work and reassignment; providing an effective date.

—was read the third time by title.

On motion by Senator Fasano, **CS for CS for SB 854** was passed and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

SPECIAL ORDER CALENDAR

By Senator Bennett—

CS for CS for SB 1276—A bill to be entitled An act relating to educational facilities construction; amending s. 1013.45, F.S.; increasing the maximum authorized amount of a day-labor contract to $300,000; providing for such amount to be adjusted annually; amending s. 1013.64, F.S.; providing duties of the Office of Educational Facilities with respect to approving school district construction projects and assisting districts in developing lists of proposed facilities; limiting total project costs except for providential causes; providing an effective date.

—was read the second time by title.

MOTION

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

Senator Bennett moved the following amendment which was adopted:

Amendment 1 (325238)(with title amendment)—On line 22, delete "*$300,000*" and insert: *$280,000*

And the title is amended as follows:

Delete line 4 and insert: authorized amount of a day-labor contract to $280,000;

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

By Senator Haridopolos—

SB 2516—A bill to be entitled An act relating to memory disorder clinics; amending s. 430.502, F.S.; revising terminology relating to the East Central Florida Memory Disorder Clinic; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 2516** was placed on the calendar of Bills on Third Reading.

SM 2662—A memorial to the Congress of the United States, urging Congress to increase federal funding for Alzheimer's disease research.

WHEREAS, Alzheimer's disease is a progressive degenerative disorder that destroys cells in the brain and is the leading cause of dementia, a condition that involves memory loss, decline in the ability to perform routine tasks, disorientation, difficulty in learning, loss of language skills, impairment of judgment, and personality changes, and

WHEREAS, as Alzheimer's disease progresses, individuals with the disease become unable to care for themselves, and

WHEREAS, as many as 5 million Americans have Alzheimer's disease, including approximately 500,000 Floridians, and, by 2050, the number of individuals in the United States with the disease could range from 13 million to 16 million unless a way to prevent or cure the disease is discovered, and

WHEREAS, Alzheimer's disease strikes approximately 1 in 10 people over the age of 65 and nearly half of those who are age 85 or older, and

WHEREAS, the average lifetime cost of care for an individual with Alzheimer's disease is $170,000, and

WHEREAS, half of all nursing home residents have Alzheimer's disease or a related disorder, with the average annual cost of nursing home care for individuals with the disease exceeding $70,000 per resident, and

WHEREAS, Medicaid pays half of the total nursing home bills for individuals with Alzheimer's disease and helps 2 out of 3 residents pay for their care, and

WHEREAS, Medicaid expenditures for nursing home care for individuals with Alzheimer's disease are estimated to increase from $21 billion in 2005 to $24 billion in 2010, and

WHEREAS, 1 in 8 caregivers for individuals with Alzheimer's disease becomes ill or injured as a direct result of caregiving, and 1 in 3 uses medication for problems related to caregiving, with older caregivers being 3 times more likely to become clinically depressed than others in their age group, and

WHEREAS, a 4-year study conducted by researchers from the University of Pittsburgh showed that elderly spouses strained by caregiving were 63 percent more likely to die during that 4-year period than their noncaregiving counterparts, and

WHEREAS, if our nation achieves its research goals of preventing the onset of Alzheimer's disease in those at risk and treating and delaying progression of the disease in those already ill, annual Medicare savings would be $51 billion by 2015 and $88 billion by 2020, annual Medicaid savings would be $10 billion in 2015 and $17 billion by 2020, and the projected number of cases of the disease would be reduced by 40 percent by the middle of the century, and

WHEREAS, a cure for Alzheimer's disease may be achieved sooner by increasing funding of Alzheimer's disease research at established and reputable research institutes, and

WHEREAS, the Congress of the United States appropriated $642 million for Alzheimer's disease research during fiscal year 2007-2008, NOW, THEREFORE,

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

That the Congress of the United States is urged to increase federal funding for Alzheimer's disease research by $360 million during fiscal year 2008-2009.

BE IT FURTHER RESOLVED that copies of this memorial be dispatched to the President of the United States, to the President of the United States Senate, to the Speaker of the United States House of Representatives, and to each member of the Florida delegation to the United States Congress.

—was read the second time in full. On motion by Senator Peaden, **SM 2662** was adopted and certified to the House. The vote on adoption was:

Yeas—39

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

Nays—None

By Senator Dawson—

SB 1092—A bill to be entitled An act relating to the Medicaid waiver program for patients who have Alzheimer's disease; amending s. 430.502, F.S.; extending the authority to continue the waiver program; requiring the Office of Program Policy Analysis and Government Accountability to conduct a comparative study of Medicaid home and community-based-services waiver programs; requiring that the findings and recommendations be submitted to the Legislature by a specified date; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 1092** was placed on the calendar of Bills on Third Reading.

On motion by Senator Storms, by two-thirds vote—

CS for CS for CS for SB 2216—A bill to be entitled An act relating to adult protection and care; amending s. 322.142, F.S.; authorizing the Department of Children and Family Services to obtain copies of driver's license files maintained by the Department of Highway Safety and Motor Vehicles for the purpose of conducting protective investigations; amending s. 400.141, F.S.; requiring a search of the Department of Law Enforcement's sexual offender database to be conducted on all nursing home residents; amending s. 400.19, F.S.; revising provisions relating to unannounced inspections; amending s. 400.215, F.S.; requiring contracted workers employed in a nursing home to submit to background screening; prohibiting employees and contracted workers who do not meet background screening requirements from being employed in a nursing home; providing certain exceptions; deleting an obsolete provision; amending s. 408.809, F.S.; requiring the agency to establish a fee schedule to cover the cost of a level 1 or level 2 screening and giving the agency rulemaking authority; amending s. 408.810, F.S.; requiring health care facilities regulated by the Agency for Health Care Administration to post certain information in the facility; authorizing the agency to charge a fee to cover production and distribution unless the information is downloaded from the agency's website; amending s. 408.811, F.S.; providing that agency employees who provide advance notice of unannounced agency inspections are subject to suspension; providing a timeline and process for correction of deficiencies; providing that the agency may provide electronic access to documents; amending s. 415.103, F.S.; requiring certain reports to the central abuse hotline relating to vulnerable adults to be immediately transferred to the county sheriff's office; amending s. 415.1051, F.S.; authorizing the Department of Children and Family Services to file the petition to determine incapacity in adult protection proceedings; prohibiting the department from serving as the guardian or providing legal counsel to the guardian; amending s. 415.112, F.S.; specifying rules to be adopted by the Department of Children and Family Services relating to adult protective services under ch. 415, F.S.; amending s. 429.02, F.S.; revising the definition of "service plan" to remove the limitation that plans are required only in assisted living facilities that have an extended congregate care license; requiring that the agency develop a service plan form; amending s. 429.07, F.S.; providing that license requirements for specialty licenses apply to current licensees as well as applicants for an extended congregate care and limited nursing license; conforming a cross-reference; amending s. 429.174, F.S.; requiring certain employees and contracted workers in assisted living facilities to submit to background screening; prohibiting employees and contracted workers who do not meet background screening requirements from being employed in an assisted living facility; providing certain exceptions; requiring the person being screened to pay for the cost of screening; amending s. 429.255, F.S.; providing that the owner or administrator of an assisted living facility is responsible for the services provided in the facility; amending s. 429.26, F.S.; clarifying a prohibition on moving a resident; providing for the development of a service plan for all residents; requiring a search of the Department of Law Enforcement's sexual offender database to be conducted on all residents of an assisted living facility; requiring residents to be periodically assessed for competency to handle personal affairs; amending s. 429.27, F.S.; prohibiting assisted living facility personnel from making certain decisions for a resident or acting as the resident's representative or surrogate; amending s. 429.28, F.S.; requiring that notice of a resident's relocation or termination of residency be in writing and a copy sent to specified persons; requiring the State Long-Term Ombudsman Program include information within their annual report to the Governor and the Legislature; requiring facilities to have a written grievance procedure that includes certain information; requiring that grievances reported to the local ombudsman council be included in a statewide reporting system; revising provisions relating to agency surveys to determine compliance with resident rights in assisted living facilities; amending s. 429.294, F.S.; deleting a cross-reference; amending s. 429.34, F.S.; providing for unannounced inspections; providing for additional 6-month inspections for certain violations; providing for an additional fine for 6-month inspections; amending s. 429.41, F.S.; requiring all residents of assisted living facilities to have a service plan; amending s. 429.65, F.S.; providing a definition of the term "reside"; amending s. 429.67, F.S.; expanding the list of persons who must have a background screening in adult family-care homes; amending s. 429.69, F.S.; providing that the failure of a adult family-care home provider to live in the home is grounds for the denial, revocation, or suspension of a license; amending s. 429.73, F.S.; requiring adult family-care home residents to be periodically assessed for competency to handle personal affairs; amending ss. 435.03 and 435.04, F.S.; providing additional criminal offenses for screening certain health care facility personnel; repealing s. 400.141(13), F.S., relating to a requirement to post certain information in nursing homes; repealing s. 408.809(3), F.S., relating to the granting of a provisional license while awaiting the results of a background screening; repealing s. 429.08(2), F.S., deleting a provision relating to local workgroups of field offices of the Agency for Health Care Administration; repealing s. 429.41(5), F.S., relating to agency inspections; amending ss. 430.80 and 651.118, F.S.; conforming cross-references; providing an appropriation and authorizing additional positions; providing an effective date.

—was read the second time by title.

On motion by Senator Storms, further consideration of **CS for CS for CS for SB 2216** was deferred.

On motion by Senator Bennett, by two-thirds vote—

CS for CS for SB 2082—A bill to be entitled An act relating to insurance; providing a short title; amending s. 626.171, F.S.; requiring that an applicant for licensure as an insurance agent, customer representative, adjuster, service representative, managing general agent, or reinsurance intermediary provide to the Department of Financial Services his or her home and office telephone numbers and e-mail address; amending s. 626.2815, F.S.; requiring persons licensed to solicit or sell life insurance to complete a specified number of hours in continuing education on the subject of suitability in annuity and life insurance transactions; amending s. 626.551, F.S.; requiring that a licensee notify the department within 60 days after a change in home or business telephone numbers or e-mail address; amending s. 626.9521, F.S.; providing enhanced penalties for offenses involving misleading representations or fraudulent comparisons or omissions, the generation of unlawful fees and commissions, or the use of fraudulent signatures; providing for other enhanced penalties to supersede the penalties provided by the act under certain conditions; amending s. 626.9541, F.S.; revising the elements of the offense known as "churning" to include direct or indirect purchases made for the purpose of earning fees or commissions; providing that the submission of certain fraudulent signatures or the misrepresentation of a licensee's qualifications constitute an unfair method of competition and an unfair or deceptive act or practice; amending s.

626.99, F.S.; revising requirements for life insurance or annuity policies to increase the period of time allowed for obtaining an unconditional refund; requiring insurers for all types of annuities to provide a buyer's guide and a policy summary to the buyer; amending s. 627.4554, F.S.; providing for the regulation of recommendations relating to the sale of life insurance products to senior consumers; redefining the term "annuity" and defining the term "life insurance contract"; requiring that an agent obtain financial and other information concerning the senior consumer before executing a purchase or exchange of an annuity or life insurance contract; requiring that the agent perform a suitability analysis relative to the investment he or she recommends and document the analysis in writing; requiring an agent to provide a comparison of current and recommended products if the transaction involves the replacement or exchange of an in-force insurance policy or annuity; requiring an agent to provide information about any surrender charges and tax consequences; authorizing the department and commission to adopt rules; amending s. 627.805, F.S.; providing for regulation of the issuance and sale of variable and indeterminate value contracts by the Department of Financial Services, the Office of Insurance Regulation, and the Office of Financial Regulation; authorizing the department and the Financial Services Commission to adopt rules; providing an effective date.

—was read the second time by title.

Senator Bennett moved the following amendments which were adopted:

Amendment 1 (872954)—Delete lines 137-140 and insert: *paragraph, the practice of "churning" or "twisting" must involve fraudulent conduct.*

Amendment 2 (487244)—Delete lines 280 and 281 and insert:

(b) "Life insurance contract" means a whole life, universal life, variable life, or equity indexed life insurance contract.

Amendment 3 (416612)—Delete lines 312-332 and insert:

1. Personal information including the age and sex of the parties to the annuity or life insurance, and the ages and number of any dependents;

2. Tax status of the consumer;

3. Investment objectives of the consumer;

4. The source of the funds to be used to purchase the annuity;

5. The applicant's annual income;

6. Intended use of the annuity or life insurance policy;

7. The applicant's existing assets, including investment and life insurance holdings;

8. The applicant's liquid net worth and liquidity needs;

9. The applicant's financial situation and needs;

10. The applicant's risk tolerance; and

Amendment 4 (833278)—On line 487, after "available" insert: *from the entity or entities responsible for maintaining the records pursuant to paragraph (4)(f),*

Amendment 5 (660516)(with title amendment)—Between lines 545 and 546 insert:

Section 11. *The Department of Financial Services may adopt rules to implement this act effective upon the act becoming law. Such rules may not be effective until 60 days after the date on which the final rule is adopted or January 1, 2009, whichever is later.*

(Redesignate subsequent section.)

And the title is amended as follows:

On line 55, after the semicolon (;) insert: authorizing the Department of Financial Services to adopt rules; providing an effective date for such rulemaking authority; providing for applicability of such rules;

Pursuant to Rule 4.19, **CS for CS for SB 2082** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Deutch, by two-thirds vote—

CS for CS for SB 2012—A bill to be entitled An act relating to long-term care policies; amending s. 627.94073, F.S.; revising provisions requiring that insurers notify policyholders of the right to designate a secondary addressee to receive a notice of termination; requiring that a canceled policy be reinstated if the policyholder failed to pay the premium due to an extended confinement in a hospital, skilled nursing facility, or assisted living facility; providing for application; providing an effective date.

—was read the second time by title.

Senator Deutch moved the following amendment which was adopted:

Amendment 1 (192698)(with directory and title amendments)—Delete lines 91 and 92 and insert:

Section 2. Paragraph (c) of subsection (5) and subsection (6) of section 626.9543, Florida Statutes, are amended to read:

626.9543 Holocaust victims.—

(5) PROOF OF A CLAIM.—Any insurer doing business in this state, in receipt of a claim from a Holocaust victim or from a beneficiary, descendant, or heir of a Holocaust victim, shall:

(c) Permit claims irrespective of any statute of limitations or notice requirements imposed by any insurance policy issued, provided the claim is submitted *on or before July 1, 2018* ~~within 10 years after the effective date of this section~~.

(6) STATUTE OF LIMITATIONS.—Notwithstanding any law or agreement among the parties to an insurance policy to the contrary, any action brought by Holocaust victims or by a beneficiary, heir, or a descendant of a Holocaust victim seeking proceeds of an insurance policy issued or in effect between 1920 and 1945, inclusive, shall not be dismissed for failure to comply with the applicable statute of limitations or laches provided the action is commenced *on or before July 1, 2018* ~~within 10 years after the effective date of this section~~.

Section 3. Except as otherwise expressly provided in this act, this act shall take effect July 1, 2008.

And the directory clause is amended as follows:

Delete lines 14 and 15 and insert:

Section 1. Effective January 1, 2009, and applicable to policies issued or renewed on or after that date, section 627.94073, Florida Statutes, is amended to read:

And the title is amended as follows:

Delete lines 2-10 and insert: An act relating to insurance policies; amending s. 627.94073, F.S.; revising provisions requiring that insurers notify policyholders of the right to designate a secondary addressee to receive a notice of termination of long-term care insurance policies; requiring that a canceled long-term care policy be reinstated if the policyholder failed to pay the premium due to an extended confinement in a hospital, skilled nursing facility, or assisted living facility; providing for application; amending s. 626.9543, F.S.; extending the period within which certain insurers must permit claims from a Holocaust victim or from a beneficiary, descendent, or heir of such a victim; extending the period within which certain actions brought by such a victim, descendent, or heir seeking proceeds of certain insurance policies may not be dismissed; providing effective dates.

Pursuant to Rule 4.19, **CS for CS for SB 2012** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Posey, by two-thirds vote—

CS for SB 648—A bill to be entitled An act relating to insurable interests; amending s. 627.404, F.S.; providing definitions; providing for the requirement of an insurable interest in an insured at the time of an insurance contract; providing for actions by the insured to recover benefits under such a contract paid to a person lacking such an interest at the time such contract was executed; requiring the consent of the person insured for certain contracts; providing exceptions; providing applicability; providing intent; providing an effective date.

—was read the second time by title.

Senator Posey moved the following amendments which were adopted:

Amendment 1 (140284)—Delete lines 72-77 and insert:

8. A trustee, sponsor, or custodian of assets held in any plan governed by the Employee Retirement Income Security Act of 1974, 29 U.S.C. ss. 1001 et seq., or in any other retirement or employee benefit plan, has an insurable interest in the life of any participant in the plan with the written consent of the prospective insured. An employer, trustee, sponsor, or custodian may not

Amendment 2 (116808)—Delete lines 83-87 and insert: *partners, and managers of the business entity or any affiliate or subsidiary of the business entity, or key employees or key persons of the business entity or affiliate or subsidiary, if consent is obtained in writing from the key employees or persons before the insurance is purchased. The business entity or affiliate or subsidiary may not retaliate*

Amendment 3 (121536)—On line 90, after the period (.) insert: *For purposes of this subsection, a "key employee" or "key person" means an individual whose position or compensation is described in s. 101(j)(2)(A)(ii) of the Internal Revenue Code of 1986.*

Pursuant to Rule 4.19, **CS for SB 648** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

By Senator Jones—

CS for SB 604—A bill to be entitled An act relating to quarter horse racing; amending s. 550.334, F.S.; removing provisions requiring an application to the Division of Pari-mutuel Wagering for a permit to conduct quarter horse race meetings; removing provisions for granting a license to conduct quarter horse racing; removing a provision for governance and control of quarter horse racing; removing a requirement for intertrack wagering to be conducted by a quarter horse permitholder; providing for a grandfather clause; providing an effective date.

—was read the second time by title.

Senator Jones moved the following amendments which were adopted:

Amendment 1 (244650)(with title amendment)—Between line(s) 14 and 15 insert:

Section 1. Subsection (11) of section 550.002, Florida Statutes, is amended to read:

550.002 Definitions.—As used in this chapter, the term:

(11) "Full schedule of live racing or games" means, for a greyhound or jai alai permitholder, the conduct of a combination of at least 100 live evening or matinee performances during the preceding year; for a permitholder who has a converted permit or filed an application on or before June 1, 1990, for a converted permit, the conduct of a combination of at least 100 live evening and matinee wagering performances during either of the 2 preceding years; for a jai alai permitholder who does not operate slot machines in its pari-mutuel facility, who has conducted at least 100 live performances per year for at least 10 years after December 31, 1992, and whose handle on live jai alai games conducted at its pari-mutuel facility has been less than $4 million per state fiscal year for at least 2 consecutive years after June 30, 1992, the conduct of a combination of at least 40 live evening or matinee performances during the preceding year; for a jai alai permitholder who operates slot machines in its pari-mutuel facility, the conduct of a combination of at least 150 performances during the preceding year; for a harness permitholder, the conduct of at least 100 live regular wagering performances during the preceding year; for a quarter horse permitholder, *at its facility unless an alternative schedule of live regular wagering performances is agreed upon by permitholder and the horsemen's association representing the majority of the quarter racehorse owners and trainers at the facility and filed with the division with its annual date application, in 2009-2010, the conduct of at least 20 live regular wagering performances, in 2010-2012, the conduct of at least 30 live regular wagering performances, and for every year after the 2011-2012 racing year,* the conduct of at least 40 live regular wagering performances during the preceding year; *for a quarter horse permitholder leasing another licensed racetrack, the conduct of 100 events at the leased facility;* and for a thoroughbred permitholder, the conduct of at least 40 live regular wagering performances during the preceding year. For a permitholder which is restricted by statute to certain operating periods within the year when other members of its same class of permit are authorized to operate throughout the year, the specified number of live performances which constitute a full schedule of live racing or games shall be adjusted pro rata in accordance with the relationship between its authorized operating period and the full calendar year and the resulting specified number of live performances shall constitute the full schedule of live games for such permitholder and all other permitholders of the same class within 100 air miles of such permitholder. A live performance must consist of no fewer than eight races or games conducted live for each of a minimum of three performances each week at the permitholder's licensed facility under a single admission charge.

(Redesignate subsequent sections)

And the title is amended as follows:

Delete line(s) 2 and insert: An act relating to pari-mutuel wagering; amending s. 550.002, F.S.; providing for a full schedule of racing for quarter horse permitholders; amending s.

Amendment 2 (332228)(with title amendment)—Between line(s) 140 and 141 insert:

Section 3. Paragraphs (a) and (b) of subsection (5) of section 849.086, Florida Statutes, are amended to read:

849.086 Cardrooms authorized.—

(5) LICENSE REQUIRED; APPLICATION; FEES.—No person may operate a cardroom in this state unless such person holds a valid cardroom license issued pursuant to this section.

(a) Only those persons holding a valid cardroom license issued by the division may operate a cardroom. A cardroom license may only be issued to a licensed pari-mutuel permitholder and an authorized cardroom may only be operated at the same facility at which the permitholder is authorized under its valid pari-mutuel wagering permit to conduct pari-mutuel wagering activities. *An initial cardroom license shall only be issued to a pari-mutuel permitholder if the permitholder is licensed to conduct a full schedule of live races or games as defined in s. 550.002(11) during the state fiscal year in which the initial cardroom license is issued.*

(b) After the initial cardroom license is granted, the application for the annual license renewal shall be made in conjunction with the applicant's annual application for its pari-mutuel license. If a permitholder has operated a cardroom during any of the 3 previous fiscal years and fails to include a renewal request for the operation of the cardroom in its annual application for license renewal, the permitholder may amend its annual application to include operation of the cardroom. In order for a cardroom license to be renewed the applicant must have requested, as part of its pari-mutuel annual license application, to conduct at least 90 percent of the total number of live performances conducted by such permitholder during either the state fiscal year in which its initial cardroom license was issued, or the state fiscal year immediately prior thereto *if the permitholder ran at least a full schedule of live races or games in that prior year*. If the application is for a harness permitholder cardroom, the applicant must have requested authorization to conduct a minimum of 140 live performances during the state fiscal year immediately prior thereto. If more than one permitholder is operating at a facility, each permitholder must have applied for a license to conduct a full schedule of live racing.

(Redesignate subsequent sections)

And the title is amended as follows:

On line(s) 10 after "clause;" insert: amending s. 849.086, F.S.; providing for a full schedule of races for a new permitholder to be eligible to renew a cardroom license;

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

Amendment 3 (701128)(with title amendments)—Between line(s) 140 and 141, insert:

Section 2. Subsection (5) is added to section 550.26165, Florida Statutes, to read:

550.26165 Breeders' awards.—

(5) The Legislature recognizes that this state is competing with other states to attract thoroughbred breeding and training operations. The awards programs created in this chapter are intended to encourage such operations to locate in this state and must be responsive to rapidly changing programs in other states. Therefore the Legislature finds that it is appropriate to provide greater flexibility to thoroughbred industry participants in this state so that they may design an awards program that is competitive nationally. To achieve that end notwithstanding any other provision of law:

(a) The Florida Thoroughbred Breeders' Association may elect, as part of its annual plan, to pay breeders' awards on horses finishing in first, second, or third place in thoroughbred horse races; to pay breeders' awards that are greater than 20 percent and less than 15 percent of the announced gross purse; and to vary the rates for breeders' awards based upon the place of finish, class of race, the state or country in which the race took place, and the state in which the stallion siring the horse was standing when the horse was conceived.

(b) The Florida Thoroughbred Breeders' Association may elect, as part of its annual plan, to pay stallion awards on horses finishing in first, second, or third place in thoroughbred horse races; to pay stallion awards that are greater than 20 percent and less than 15 percent of the announced gross purse; to reduce or eliminate stallion awards in order to enhance breeders' awards or awards under paragraph (c); and to vary the rates for stallion awards based upon the place of finish, class of race, and the state or country in which the race took place.

(c) From the funds dedicated in this chapter for use as breeders' awards and stallion awards, the Florida Thoroughbred Breeders' Association may elect, as part of its annual plan, to pay awards to owners of registered Florida-bred horses finishing in first, second, or third place in thoroughbred horse races in this state without regard to awards that may be paid pursuant to s. 550.2625(6).

(d) A breeders' award or stallion award under this chapter may not be paid on thoroughbred horse races taking place in other states or countries unless agreed to in writing by all thoroughbred permitholders in this state, the Florida Thoroughbred Breeders' Association, and the Florida Horsemen's Benevolent and Protective Association.

Section 3. Paragraph (e) is added to subsection (6) of section 550.2625, Florida Statutes, to read:

550.2625 Horseracing; minimum purse requirement, Florida breeders' and owners' awards.—

(6)

(e) The provisions of this subsection govern owners' awards paid on thoroughbred horse races in this state in the absence of a written agreement on file with the division establishing the rate, procedure, and eligibility requirements for owners' awards, including place of finish, class of race, maximum purse, and maximum award entered into by the permitholder, the Florida Thoroughbred Breeders' Association, and the association representing a majority of the racehorse owners and trainers at the permitholder's location.

Section 4. Paragraph (a) of subsection (5) of section 550.5251, Florida Statutes, is amended to read:

550.5251 Florida thoroughbred racing; certain permits; operating days.—

(5)(a) Each licensed thoroughbred permitholder in this state must run an average of one race per racing day in which horses bred in this state and duly registered with the Florida Thoroughbred Breeders' Association have preference as entries over non-Florida-bred horses *unless otherwise agreed to in writing by the permitholder, the Florida Thoroughbred Breeders' Association, and the association representing a majority of the thoroughbred racehorse owners and trainers at that location*. All licensed thoroughbred racetracks shall write the conditions for such races ~~in which Florida-bred horses are preferred~~ so as to assure that all Florida-bred horses available for racing at such tracks are given full opportunity to run in the class of races for which they are qualified. The opportunity of running must be afforded to each class of horses in the proportion that the number of horses in this class bears to the total number of Florida-bred horses available. A track is not required to write conditions for a race to accommodate a class of horses for which a race would otherwise not be run at the track during its meeting.

And the title is amended as follows:

Delete line(s) 2-10 and insert: An act relating to pari-mutuel wagering; amending s. 550.334, F.S.; removing provisions requiring an application to the Division of Pari-mutuel Wagering for a permit to conduct quarter horse race meetings; removing provisions for granting a license to conduct quarter horse racing; removing a provision for governance and control of quarter horse racing; removing a requirement for intertrack wagering to be conducted by a quarter horse permitholder; providing for a grandfather clause; amending s. 550.26165, F.S.; authorizing the payment of certain breeders' and stallion awards under certain circumstances; amending s. 550.2625, F.S.; providing that the provisions of statute governing certain owners' awards shall govern in the absence of a written agreement; amending s. 550.5251, F.S.; providing an exception to the requirement that each thoroughbred permitholder run an average of one race per racing day against horses bred in this state that have preference over nonstate horses;

Pursuant to Rule 4.19, **CS for SB 604** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

By Senator Storms—

CS for SB 1008—A bill to be entitled An act relating to the failure to redeliver hired vehicles; amending s. 817.52, F.S.; providing that information not otherwise required by law is not required in order to report a hired vehicle as stolen; requiring a law enforcement agency to report a hired vehicle as stolen to certain specified reporting systems; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1008** was placed on the calendar of Bills on Third Reading.

The Senate resumed consideration of—

CS for CS for CS for SB 2216—A bill to be entitled An act relating to adult protection and care; amending s. 322.142, F.S.; authorizing the Department of Children and Family Services to obtain copies of driver's license files maintained by the Department of Highway Safety and Motor Vehicles for the purpose of conducting protective investigations; amending s. 400.141, F.S.; requiring a search of the Department of Law Enforcement's sexual offender database to be conducted on all nursing home residents; amending s. 400.19, F.S.; revising provisions relating to unannounced inspections; amending s. 400.215, F.S.; requiring contracted workers employed in a nursing home to submit to background screening; prohibiting employees and contracted workers who do not meet background screening requirements from being employed in a nursing home; providing certain exceptions; deleting an obsolete provision; amending s. 408.809, F.S.; requiring the agency to establish a fee schedule to cover the cost of a level 1 or level 2 screening and giving the agency rulemaking authority; amending s. 408.810, F.S.; requiring health care facilities regulated by the Agency for Health Care Administration to post certain information in the facility; authorizing the agency to charge a fee to cover production and distribution unless the information is downloaded from the agency's website; amending s. 408.811, F.S.; providing that agency employees who provide advance notice of unannounced agency inspections are subject to suspension; providing a time-

line and process for correction of deficiencies; providing that the agency may provide electronic access to documents; amending s. 415.103, F.S.; requiring certain reports to the central abuse hotline relating to vulnerable adults to be immediately transferred to the county sheriff's office; amending s. 415.1051, F.S.; authorizing the Department of Children and Family Services to file the petition to determine incapacity in adult protection proceedings; prohibiting the department from serving as the guardian or providing legal counsel to the guardian; amending s. 415.112, F.S.; specifying rules to be adopted by the Department of Children and Family Services relating to adult protective services under ch. 415, F.S.; amending s. 429.02, F.S.; revising the definition of "service plan" to remove the limitation that plans are required only in assisted living facilities that have an extended congregate care license; requiring that the agency develop a service plan form; amending s. 429.07, F.S.; providing that license requirements for specialty licenses apply to current licensees as well as applicants for an extended congregate care and limited nursing license; conforming a cross-reference; amending s. 429.174, F.S.; requiring certain employees and contracted workers in assisted living facilities to submit to background screening; prohibiting employees and contracted workers who do not meet background screening requirements from being employed in an assisted living facility; providing certain exceptions; requiring the person being screened to pay for the cost of screening; amending s. 429.255, F.S.; providing that the owner or administrator of an assisted living facility is responsible for the services provided in the facility; amending s. 429.26, F.S.; clarifying a prohibition on moving a resident; providing for the development of a service plan for all residents; requiring a search of the Department of Law Enforcement's sexual offender database to be conducted on all residents of an assisted living facility; requiring residents to be periodically assessed for competency to handle personal affairs; amending s. 429.27, F.S.; prohibiting assisted living facility personnel from making certain decisions for a resident or acting as the resident's representative or surrogate; amending s. 429.28, F.S.; requiring that notice of a resident's relocation or termination of residency be in writing and a copy sent to specified persons; requiring the State Long-Term Ombudsman Program include information within their annual report to the Governor and the Legislature; requiring facilities to have a written grievance procedure that includes certain information; requiring that grievances reported to the local ombudsman council be included in a statewide reporting system; revising provisions relating to agency surveys to determine compliance with resident rights in assisted living facilities; amending s. 429.294, F.S.; deleting a cross-reference; amending s. 429.34, F.S.; providing for unannounced inspections; providing for additional 6-month inspections for certain violations; providing for an additional fine for 6-month inspections; amending s. 429.41, F.S.; requiring all residents of assisted living facilities to have a service plan; amending s. 429.65, F.S.; providing a definition of the term "reside"; amending s. 429.67, F.S.; expanding the list of persons who must have a background screening in adult family-care homes; amending s. 429.69, F.S.; providing that the failure of a adult family-care home provider to live in the home is grounds for the denial, revocation, or suspension of a license; amending s. 429.73, F.S.; requiring adult family-care home residents to be periodically assessed for competency to handle personal affairs; amending ss. 435.03 and 435.04, F.S.; providing additional criminal offenses for screening certain health care facility personnel; repealing s. 400.141(13), F.S., relating to a requirement to post certain information in nursing homes; repealing s. 408.809(3), F.S., relating to the granting of a provisional license while awaiting the results of a background screening; repealing s. 429.08(2), F.S., deleting a provision relating to local workgroups of field offices of the Agency for Health Care Administration; repealing s. 429.41(5), F.S., relating to agency inspections; amending ss. 430.80 and 651.118, F.S.; conforming cross-references; providing an appropriation and authorizing additional positions; providing an effective date.

—which was previously considered this day.

Senator Storms moved the following amendments which were adopted:

Amendment 1 (225862)—Delete lines 293-295 and insert: *disqualifying offense occurring after October 1, 1998, may continue employment pending the outcome of an exemption request if such request is made within 30 days of receipt of the results of the background screening. An employee of a nursing facility, employed before October 1, 1998, who is determined to have a disqualifying offense before October 1, 1998, but does not have a disqualifying offense after that date, is not required to submit an exemption request pursuant to s. 435.07 and may continue his or her employment.*

Amendment 2 (614572)—Delete lines 818-821 and insert: *person screened. A person employed before October 1, 1998, who is determined to have a disqualifying offense occurring after October 1, 1998, may continue employment pending the outcome of an exemption request if such request is made within 30 days of receipt of the results of the background screening. A person employed before October 1, 1998, who is determined to have a disqualifying offense before October 1, 1998, but does not have a disqualifying offense after that date, is not required to submit an exemption request pursuant to s. 435.07 and may continue his or her employment. Employees* ~~Such persons~~ shall

Amendment 3 (241058)—Delete line(s) 1408-1418 and insert:

(a) *Has not been convicted of, or entered a plea of guilty or nolo contendere to, regardless of adjudication, offenses prohibited under any of the following statutes or under any similar statute of another jurisdiction, if he or she is an employee or employer* ~~For employees and employers~~ licensed or registered pursuant to *chapter 393,* chapter 400*, part II of chapter 408,* or chapter 429*, or an employee or employer at a* ~~and for employees and employers of developmental disabilities institutions as defined in s. 393.063, intermediate care facilities for the developmentally disabled as defined in s. 400.960, and~~ mental health treatment *facility* ~~facilities~~ as defined in s. 394.455~~, meets the requirements of this chapter~~.

Amendment 4 (289964)—Delete line(s) 1540-1550 and insert:

(a) *Has not been convicted of, or entered a plea of guilty or nolo contendere to, regardless of adjudication, offenses prohibited under any of the following statutes or under any similar statute of another jurisdiction, if he or she is an employee or employer* ~~For employees or employers~~ licensed or registered pursuant to *chapter 393,* chapter 400*, part II of chapter 408,* or chapter 429*, or an employee or employer at a mental health treatment facility as defined in s. 394.455* ~~does not have a confirmed report of abuse, neglect, or exploitation as defined in s. 415.102(6), which has been uncontested or upheld under s. 415.103~~.

RECONSIDERATION OF AMENDMENT

On motion by Senator King, the Senate reconsidered the vote by which **Amendment 4 (289964)** was adopted.

On motion by Senator Storms, further consideration of **CS for CS for CS for SB 2216** with pending **Amendment 4 (289964)** was deferred.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Constantine, by two-thirds vote **CS for SB 1630** was withdrawn from the Committee on Rules.

On motion by Senator Saunders, by two-thirds vote **CS for SB 1696** was withdrawn from the Committee on Higher Education.

On motion by Senator King, by two-thirds vote **CS for SB 2084** was withdrawn from the Committees on Banking and Insurance; Community Affairs; and Judiciary; and referred to the Committees on Community Affairs; Banking and Insurance; and Judiciary.

On motion by Senator Jones, by two-thirds vote **SB 2646** was withdrawn from the committees of reference and further consideration.

On motion by Senator Rich, by two-thirds vote **SB 2370** was withdrawn from the committees of reference and further consideration.

REPORTS OF COMMITTEES

The Social Responsibility Policy and Calendar Committee submits the following bills to be placed on the Special Order Calendar for Wednesday, April 2, 2008: CS for CS for SB 1276, SB 2516, SM 2662, SB 1092, CS for CS for CS for SB 2216

Respectfully submitted,
Burt L. Saunders, Chair

The Economic Opportunities Policy and Calendar Committee submits the following bills to be placed on the Special Order Calendar for

Wednesday, April 2, 2008: CS for CS for SB 2082, CS for CS for SB 2012, CS for SB 648, CS for SB 604, CS for SB 1008

Respectfully submitted,
Jeff Atwater, Chair

The Committee on Commerce recommends the following pass: SB 2076 with 1 amendment

The Committee on Community Affairs recommends the following pass: SB 1308 with 1 amendment

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

The Committee on Education Pre-K - 12 recommends the following pass: SB 848; SB 2564

The bills were referred to the Committee on Children, Families, and Elder Affairs under the original reference.

The Committee on Governmental Operations recommends the following pass: SB 692 with 1 amendment

The Committee on Transportation recommends the following pass: SB 2296

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

The Committee on Transportation recommends the following pass: SB 504 with 1 amendment

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

The Committee on Environmental Preservation and Conservation recommends the following pass: SB 2078; SB 2230

The Committee on Governmental Operations recommends the following pass: SB 2318

The Committee on Health Regulation recommends the following pass: SB 1694 with 1 amendment

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

The Committee on Criminal Justice recommends the following pass: CS for SB 502

The bill was referred to the Committee on Criminal and Civil Justice Appropriations under the original reference.

The Committee on Community Affairs recommends the following pass: SB 798

The Committee on Health Policy recommends the following pass: SB 1456

The Committee on Health Regulation recommends the following pass: CS for SB 752 with 1 amendment

The Committee on Transportation recommends the following pass: SB 668 with 1 amendment; SB 2604 with 1 amendment

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

The Committee on Children, Families, and Elder Affairs recommends the following pass: SB 2192

The bill was referred to the Committee on Education Pre-K - 12 under the original reference.

The Committee on Health Regulation recommends the following pass: SB 570; SB 2280 with 1 amendment; SB 2456 with 1 amendment

The bills were referred to the Committee on Environmental Preservation and Conservation under the original reference.

The Committee on Agriculture recommends the following pass: SB 2320

The Committee on Commerce recommends the following pass: CS for SB 346; SB 2666

The Committee on Community Affairs recommends the following pass: SB 1548

The Committee on Judiciary recommends the following pass: CS for SB 1116

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

The Committee on Environmental Preservation and Conservation recommends the following pass: CS for SB 2058

The Committee on Governmental Operations recommends the following pass: CS for SB 586

The Committee on Health Policy recommends the following pass: CS for SB 1012

The Committee on Higher Education recommends the following pass: CS for SB 1206

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

The Committee on Commerce recommends the following pass: SB 2574

The Committee on Community Affairs recommends the following pass: CS for SB 706

The Committee on Criminal Justice recommends the following pass: SB 800

The Committee on Health Regulation recommends the following pass: SB 2610 with 1 amendment; SB 2630 with 1 amendment

The Committee on Transportation recommends the following pass: SB 2512

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

The Committee on Children, Families, and Elder Affairs recommends the following pass: SB 2390 with 1 amendment

The Committee on Governmental Operations recommends the following pass: CS for SB 1370

The bills contained in the foregoing reports were referred to the Committee on Health and Human Services Appropriations under the original reference.

The Committee on Banking and Insurance recommends the following pass: SB 448

The Committee on Children, Families, and Elder Affairs recommends the following pass: SB 2428

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

The Committee on Health Policy recommends the following pass: SB 1508

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

The Committee on Commerce recommends the following pass: SB 2526

The Committee on Education Pre-K - 12 recommends the following pass: SB 2700 with 1 amendment

The Committee on Health Regulation recommends the following pass: SB 2366

The Committee on Transportation recommends the following pass: SB 1706

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

The Committee on Agriculture recommends the following pass: SB 444

The Committee on Ethics and Elections recommends the following pass: SB 2340

The Committee on Health Policy recommends the following pass: CS for SB 1704

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

The Committee on Judiciary recommends the following pass: SCR 362

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

The Committee on Commerce recommends the following pass: CS for SB 2206

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

The Committee on Banking and Insurance recommends the following pass: SM 2452

The Committee on Children, Families, and Elder Affairs recommends the following pass: SB 2516; SM 2662

The Committee on Criminal and Civil Justice Appropriations recommends the following pass: CS for SB 1988; SB 2820

The Committee on Education Pre-K - 12 recommends the following pass: SB 40; SB 54

The Committee on Health Regulation recommends the following pass: SB 38; SB 60; SB 728

The Committee on Military Affairs and Domestic Security recommends the following pass: CS for SB 1378 with 1 amendment

The Committee on Regulated Industries recommends the following pass: CS for SB 464

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

The Committee on Children, Families, and Elder Affairs recommends the following not pass: SB 2228

The bill was laid on the table.

The Committee on Governmental Operations recommends a committee substitute for the following: SB 652

The Committee on Health Regulation recommends a committee substitute for the following: SB 1488

The Committee on Judiciary recommends a committee substitute for the following: SB 2164

The Committee on Regulated Industries recommends committee substitutes for the following: SB 2584; SB 2586

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

The Committee on Criminal Justice recommends a committee substitute for the following: SB 1732

The bill with committee substitute attached was referred to the Committee on Children, Families, and Elder Affairs under the original reference.

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 1422

The Committee on Children, Families, and Elder Affairs recommends a committee substitute for the following: CS for SB 1670

The Committee on Criminal Justice recommends a committee substitute for the following: SB 2172

The Committee on Higher Education recommends a committee substitute for the following: SB 346

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

The Committee on Agriculture recommends a committee substitute for the following: SB 2352

The Committee on Criminal Justice recommends a committee substitute for the following: SB 522

The Committee on Environmental Preservation and Conservation recommends committee substitutes for the following: SB 1208; SB 1242; SB 2394

The Committee on Finance and Tax recommends a committee substitute for the following: SB 2080

The Committee on Judiciary recommends a committee substitute for the following: SB 2484

The Committee on Regulated Industries recommends a committee substitute for the following: SB 2084

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

The Committee on Finance and Tax recommends a committee substitute for the following: SB 2248

The Committee on Judiciary recommends a committee substitute for the following: CS for SB 2026

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

The Committee on Children, Families, and Elder Affairs recommends committee substitutes for the following: SB 1950; SB 2552

The Committee on Commerce recommends a committee substitute for the following: SB 672

The Committee on Regulated Industries recommends a committee substitute for the following: SB 2044

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

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 2462

The bill with committee substitute attached was referred to the Committee on Education Pre-K - 12 Appropriations under the original reference.

The Committee on Commerce recommends committee substitutes for the following: SB 926; SB 2458

The Committee on Community Affairs recommends a committee substitute for the following: SB 1490

The Committee on Governmental Operations recommends committee substitutes for the following: CS for SB 392; CS for SB 920; SB 2310

The Committee on Higher Education recommends a committee substitute for the following: SB 2324

The Committee on Judiciary recommends a committee substitute for the following: SB 1636

The Committee on Regulated Industries recommends a committee substitute for the following: SB 1006

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

The Committee on Agriculture recommends a committee substitute for the following: SB 2222

The Committee on Banking and Insurance recommends committee substitutes for the following: SB 2174; Senate Bills 2860 and 1196

The Committee on Communications and Public Utilities recommends a committee substitute for the following: CS for SB 1544

The Committee on Environmental Preservation and Conservation recommends a committee substitute for the following: SB 708

The Committee on Finance and Tax recommends committee substitutes for the following: CS for SB 1962; CS for SB 2158

The Committee on Governmental Operations recommends committee substitutes for the following: CS for SB 108; SB 498; SB 2848

The Committee on Higher Education recommends a committee substitute for the following: CS for SB 996

The Committee on Regulated Industries recommends a committee substitute for the following: SB 2378

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

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 2528

The Committee on Criminal Justice recommends a committee substitute for the following: SB 2152

The Committee on Environmental Preservation and Conservation recommends a committee substitute for the following: SB 1296

The Committee on Health Policy recommends a committee substitute for the following: SB 2652

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

The Committee on Health Regulation recommends committee substitutes for the following: SB 2598; SB 2760

The Committee on Judiciary recommends a committee substitute for the following: SB 688

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

The Committee on Children, Families, and Elder Affairs recommends a committee substitute for the following: SB 1954

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

The Committee on Children, Families, and Elder Affairs recommends committee substitutes for the following: SB 1150; SB 1582; CS for SB 1614

The Committee on Criminal Justice recommends committee substitutes for the following: SB 390; SB 1086; SB 1430

The Committee on Education Pre-K - 12 recommends a committee substitute for the following: SB 2692

The Committee on Health Regulation recommends committee substitutes for the following: Senate Bills 1540 and 2782; Senate Bills 1550 and 2724

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

The Committee on Agriculture recommends a committee substitute for the following: SB 2286

The Committee on Education Pre-K - 12 recommends a committee substitute for the following: SB 2546

The Committee on Environmental Preservation and Conservation recommends a committee substitute for the following: Senate Bills 1094 and 326

The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Military Affairs and Domestic Security under the original reference.

The Committee on Governmental Operations recommends a committee substitute for the following: SB 2224

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

The Committee on Agriculture recommends a committee substitute for the following: SB 964

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

The Committee on Community Affairs recommends a committee substitute for the following: SB 482

The Committee on Governmental Operations recommends a committee substitute for the following: SB 2660

The Committee on Judiciary recommends a committee substitute for the following: SB 704

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

The Committee on Banking and Insurance recommends a committee substitute for the following: SM 2488

The Committee on Finance and Tax recommends a committee substitute for the following: SB 1096

The Committee on General Government Appropriations recommends a committee substitute for the following: CS for SB 2082

The Committee on Health and Human Services Appropriations recommends a committee substitute for the following: CS for CS for SB 2216

The Committee on Health Policy recommends a committee substitute for the following: CS for SB 2012

The Committee on Judiciary recommends committee substitutes for the following: SB 12; SB 34; SB 648; SB 1130

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

REPORTS OF COMMITTEES RELATING TO EXECUTIVE BUSINESS

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

Office and Appointment	*For Term Ending*
Criminal Conflict and Civil Regional Counsel - First District Court of Appeal	
Appointee: Lewis, Jeffrey E.	07/01/2011
Criminal Conflict and Civil Regional Counsel - Second District Court of Appeal	
Appointee: Flyte, Jackson S.	07/01/2011
Criminal Conflict and Civil Regional Counsel - Third District Court of Appeal	
Appointee: George, Joseph P., Jr.	07/01/2011
Criminal Conflict and Civil Regional Counsel - Fourth District Court of Appeal	
Appointee: Massa, Philip J.	07/01/2011
Criminal Conflict and Civil Regional Counsel - Fifth District Court of Appeal	
Appointee: Deen, Jeffrey D.	07/01/2011

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

COMMITTEE SUBSTITUTES

FIRST READING

By the Committee on Judiciary; and Senators Aronberg, Lawson, Storms and Joyner—

CS for SB 12—A bill to be entitled An act for the relief of Alan Jerome Crotzer; providing an appropriation to compensate Alan Jerome Crotzer for wrongful imprisonment and for being a victim of a miscarriage of justice; directing the Chief Financial Officer to draw a warrant; requiring the purchase of an annuity; providing for the waiver of specified tuition and fees; providing conditions for payment; providing legislative intent; providing an effective date.

By the Committee on Judiciary; and Senator Lawson—

CS for SB 34—A bill to be entitled An act for the relief of Laura Laporte; providing an appropriation to compensate Laura Laporte for injuries she sustained as a result of the negligence of an employee of the Department of Agriculture and Consumer Services; providing for a limitation on payment of fees and costs; directing the Chief Financial Officer to draw a warrant and make payment; providing an effective date.

By the Committees on Governmental Operations; Military Affairs and Domestic Security; and Senators Fasano, Bennett, Baker and Dockery—

CS for CS for SB 108—A bill to be entitled An act relating to service-disabled veteran business enterprises; creating the Florida Service-Disabled Veteran Business Enterprise Opportunity Act; providing legislative intent; providing definitions; providing a selection preference regarding state contracts in favor of certified service-disabled veteran business enterprises; requiring that a certification procedure be established by the Department of Management Services and the Department of Veterans' Affairs and reviewed biennially and updated as necessary; providing requirements for application for, renewal of, and revocation of certification; providing administrative review requirements and procedures; specifying duties of the Department of Management Services and the Department of Veterans' Affairs; requiring that the Small Business Development Center include certain data in its required report; authorizing the Department of Management Services and the Department of Veterans' Affairs to adopt rules; amending s. 288.705, F.S.; requiring the center to report certain information to the Agency for Workforce Innovation; providing an effective date.

By the Committee on Higher Education; and Senator Ring—

CS for SB 346—A bill to be entitled An act relating to student financial assistance; creating s. 1009.893, F.S.; creating the Sure Futures Postgraduate Scholarship Program; providing purposes and goals for the program; creating s. 1009.894, F.S.; providing legislative findings; providing definitions; establishing the Sure Futures Foundation and a foundation board to administer the program; providing for membership of the board; providing duties of the board; providing eligibility criteria for participation in the program by students and sponsors; providing procedures for application to the program; providing procedures for the selection of participants; providing benefits provided to students selected to participate in the program; providing requirements for such students; requiring that a participating student who graduates with an advanced degree remain employed by his or her sponsor in this state for a specified period; providing that a prorated portion of the scholarship

shall convert to a low-interest loan under certain conditions; requiring that sponsors and students participating in the program enter into a contract; requiring that such contract contain certain terms; requiring that a sponsor make a specified monetary contribution for scholarships; requiring that a sponsor make a specified additional contribution per year to cover administrative costs of the program; authorizing sponsors to establish terms of sponsorship and specify specific universities at which a student must enroll to receive sponsorship; relieving an employee for his or her obligations under a contract of sponsorship under certain conditions; requiring that the Office of Student Financial Assistance of the Department of Education establish a database containing certain information; requiring that the foundation establish a standard application form; requiring that the Department of Education annually establish the amount necessary to cover certain costs; requiring that state universities make available certain information regarding the program; requiring that certain entities promote participation in the program; requiring that the Department of Education adopt rules; providing an appropriation; providing an effective date.

By the Committee on Criminal Justice; and Senators Oelrich and Gaetz—

CS for SB 390—A bill to be entitled An act relating to controlled substances; amending s. 893.02, F.S.; defining the term "cultivating" for specified purposes; amending s. 893.1351, F.S.; prohibiting a person from owning or actually or constructively possessing a place, structure, trailer, or other described place having knowledge that the place will be used to manufacture, sell, or traffic in a controlled substance; providing that possession of a specified number or more of cannabis plants constitutes prima facie evidence of intent to sell or distribute; providing that a person who has actual or constructive possession of a place, structure, trailer, or conveyance being used to manufacture a controlled substance for sale and distribution commits a felony of the first degree if a minor is present or resides in the place, structure, trailer, or conveyance; providing criminal penalties; amending s. 893.10, F.S.; providing that equipment used in the manufacture of controlled substances may be photographed or video recorded and the photograph or video recording used as evidence for later use at trial; providing for the destruction of the equipment; amending s. 921.0022, F.S.; ranking specified offenses in the offense severity ranking chart of the Criminal Punishment Code; amending ss. 465.016, 465.023, and 893.135, F.S.; conforming cross-references; providing an effective date.

By the Committees on Governmental Operations; Community Affairs; and Senators Storms and Ring—

CS for CS for SB 392—A bill to be entitled An act relating to transparency in government contracts; creating s. 218.315, F.S.; defining the terms "contract," "corporation," "county officer," "local government," and "individual," for purposes of the act; directing the Department of Financial Services to develop and maintain a portal linking to websites maintained by local governments; requiring local governments with a website to electronically post contract information relating to certain contracts; providing an exemption for contracts protected under ch. 119, F.S., or by general law; requiring that access to the website be provided at no cost; requiring that electronic copies of contracts be provided in certain circumstances; requiring the Department of Financial Services to develop a uniform format to be used by local governments when posting contract information; requiring specific information be provided under the uniform format; requiring each local government to designate a central office to maintain all contract information; providing reporting requirements for local governments without a website; requiring that contract information be posted at least quarterly using the uniform format; establishing a schedule for local governments to meet requirements of the act; providing rulemaking authority; defining the terms "contract", "corporation", "expenditure" and "individual" for purposes of state government contract reporting; directing the Executive Office of the Governor to develop and maintain a port linking to the state agency contract expenditures report maintained by the Department of Financial Services; directing the department of develop and maintain a contract information report containing specified information; directing that the report be maintained by the department in a searchable website; directing that access to the website be provided at no charge to a user who has Internet access; directing each state agency to record information relating to contracts between the agency and a corporation or an individual; directing each agency to record payment information on specified contracts in the Florida Accounting and Information Resources contract subsystem; requiring that electronic copies of contracts be provided in certain circumstances; providing that portions of public records which are confidential and exempt from inspection and copying shall be redacted prior to posting; providing an effective date.

By the Committee on Community Affairs; and Senators Garcia and Bullard—

CS for SB 482—A bill to be entitled An act relating to affordable housing; amending s. 420.503, F.S.; defining the term "moderate rehabilitation" for purposes of the Florida Housing Finance Corporation Act; amending s. 420.5087, F.S.; revising purposes for which State Apartment Incentive Loans may be used; amending s. 420.9071, F.S.; defining the terms "assisted housing," "assisted housing development," and "preservation"; revising the definition of "eligible housing," "local housing incentive strategies," and "recaptured funds" for purposes of the State Housing Initiatives Partnership Act; amending s. 420.9072, F.S.; revising provisions related to the administration of certain funds in the Local Government Housing Trust Fund; amending s. 420.9073, F.S.; revising requirements for distribution of funds in the Local Government Housing Trust Fund; specifying purposes for which such withheld funds may be used; clarifying purposes for which certain local governments may expend funds from the Local Government Housing Trust Fund; amending s. 420.9075, F.S.; requiring that local housing assistance plans address the special housing needs of persons with disabilities; authorizing the Florida Housing Finance Corporation to define "high-cost counties" by rule; authorizing high-cost counties or certain municipalities to assist persons meeting specific income requirements; revising requirements to be included in the local housing assistance plan; requiring counties and certain municipalities to include certain strategies in the local housing assistance plan; revising criteria that applies to awards made for the purpose of providing affordable housing; authorizing and limiting the percentage of funds from the local housing distribution that may be used for certain manufactured housing; extending the expiration date of an exemption from certain income requirements in specified areas; authorizing the use of certain funds for preconstruction activities; providing that certain costs are a program expense; authorizing counties and certain municipalities to award grant funds under certain conditions; providing for the repayment of funds by counties or certain municipalities; amending provisions related to the administration of certain funds in the Local Government Housing Trust Fund; amending s. 420.9076, F.S.; revising appointments to a local affordable housing advisory committee; deleting cross-references to conform to changes made by the act; deleting provisions related to the administration of certain funds by the Local Government Housing Trust Fund; amending s. 421.08, F.S.; limiting the authority of housing authorities in certain circumstances; amending s. 159.807, F.S.; deleting an exemption for the Florida Housing Finance Corporation from the applicability of certain uses of the state allocation pool; repealing s. 420.9078, F.S., relating to state administration of funds remaining in the Local Government Housing Trust Fund; amending ss. 212.08, 220.03, and 220.183, F.S.; conforming cross-references to changes made by the act; amending s. 624.5105, F.S.; conforming cross-references to changes made by the act; providing an effective date.

By the Committee on Governmental Operations; and Senator Bennett—

CS for SB 498—A bill to be entitled An act relating to agency inspectors general; amending s. 20.055, F.S.; providing definitions; requiring agency inspectors general to comply with certain principles and standards; requiring an inspector general to submit findings of audits and investigations to specified persons or entities; requiring responses to findings within 20 working days; requiring agencies under the Governor to notify the Chief Inspector General of inspector general appointments and terminations; prohibiting agency staff from preventing or prohibiting the inspector general from initiating, carrying out, or completing any audit or investigation; requiring audits to be conducted in accordance with the current International Standards for the Professional Practice of Internal Auditing; requiring the inspector general of each state agency to report certain written complaints to the agency head, and for agencies under the Governor, to the agency head and the Chief Inspector

General; requiring the Chief Inspector General to fulfill certain duties and responsibilities; providing an effective date.

By the Committee on Criminal Justice; and Senator Hill—

CS for SB 522—A bill to be entitled An act relating to radio equipment using law enforcement frequencies; amending s. 843.16, F.S.; providing an exception to the prohibition on the use of such equipment for specified personnel using personal transportation to and from work and for certain government employees; providing an effective date.

By the Committee on Judiciary; and Senator Posey—

CS for SB 648—A bill to be entitled An act relating to insurable interests; amending s. 627.404, F.S.; providing definitions; providing for the requirement of an insurable interest in an insured at the time of an insurance contract; providing for actions by the insured to recover benefits under such a contract paid to a person lacking such an interest at the time such contract was executed; requiring the consent of the person insured for certain contracts; providing exceptions; providing applicability; providing intent; providing an effective date.

By the Committee on Governmental Operations; and Senator Lynn—

CS for SB 652—A bill to be entitled An act relating to workplace safety; creating the Florida Public Task Force on Workplace Safety within the Safety Florida Consultation Program at the University of South Florida; providing purpose of the task force; providing for membership; requiring that the task force address certain issues concerning workplace safety in the public and private sectors; providing for staffing; providing for members to serve without compensation but to be reimbursed for per diem and travel expenses; authorizing the task force to procure information or assistance from any officer or agency of the state; requiring that such officers or agencies provide information and assistance to the task force; requiring that the task force submit a report and recommendations to the Governor, the Chief Financial Officer, and the Legislature by a specified date; requiring that the report include certain information; providing for dissolution of the task force; providing an effective date.

By the Committee on Commerce; and Senator Crist—

CS for SB 672—A bill to be entitled An act relating to wrecker services; creating ch. 508, F.S.; providing for regulatory oversight of wrecker services by the Department of Agriculture and Consumer Services; creating s. 508.101, F.S.; providing definitions; creating s. 508.102, F.S.; creating the Wrecker Operator Advisory Council within the Department of Agriculture and Consumer Services; providing for membership, terms, and organization; providing procedures for meetings and recordkeeping; providing for reimbursement for travel and per diem expenses; directing the department to provide support services for the council; directing the council to review rules adopted by the department and to advise the department on matters relating to standards and practices in the wrecker industry; creating s. 508.103, F.S.; authorizing the department to adopt rules; creating s. 508.105, F.S.; requiring wrecker companies to register annually with the department; providing for the registration application; providing for the processing of fingerprints by the Department of Agriculture and Consumer Services; requiring fees for processing; providing for issuance of a registration certificate; requiring display of the certificate; providing requirements for advertisements; requiring notification of changes in registration information; requiring payment of certain fees; requiring certain companies to obtain a local business tax receipt prior to registration renewal; requiring insurance coverage; requiring the department to notify the Department of Highway Safety and Motor Vehicles when a registration has been suspended or revoked; creating s. 508.106, F.S.; authorizing the Department of Agriculture and Consumer Services to deny, revoke, or refuse to renew the registration of a wrecker company under certain circumstances; creating s. 508.1061, F.S.; requiring a wrecker company to accept certain forms of payment; creating s. 508.107, F.S.; requiring the department to establish a certification program for wrecker operators; providing for the council to approve certification courses and the organizations conducting the courses; providing for the council to prescribe course curricula; providing requirements for courses; requiring that each course include an examination approved by the council; providing criteria for the examination; requiring that the organization conducting the course issue the certificate to the wrecker operator; creating s. 508.108, F.S.; requiring each certification course to offer optional specialized wrecker services instruction, training, and examinations; describing specialized wrecker services; directing the department to adopt rules prescribing specific standards to further define each specialized wrecker service; requiring council approval of the instruction, training, and examination; requiring the organization conducting the course to issue the certificate to the wrecker operator; creating s. 508.109, F.S.; providing for form and content of certification cards; authorizing the department to adopt rules for issuance of certification cards to an operator who completes a certification course and passes a certification examination in another state or completed a certification course and passed a certification examination in this state during a certain time period; authorizing the department to adopt rules for issuance of endorsements for specialized services to a wrecker operator who completed instruction and training for a specialized wrecker service and passed an endorsement examination for that specialized wrecker service during a certain time period; providing for approval by the council of out-of-state certification instructions, training, and examinations; providing for expiration of certification; requiring that certification cards be issued by the organizations conducting the courses; creating s. 508.111, F.S.; providing requirements for recertification; providing for a continuing education program to be established by the department; providing for curricula and examinations to be prescribed by the council; requiring course approval by the council; providing for a certificate to be issued by the training organization to the wrecker operator; creating s. 508.112, F.S.; prohibiting certain acts; creating ss. 508.113 and 508.114, F.S.; providing administrative and civil penalties; creating s. 508.116, F.S.; providing for registration and renewal fees; requiring the department to maintain data relating to the fees; creating s. 508.117, F.S.; providing for deposit and use of fees, penalties, and other funds; creating s. 508.118, F.S.; providing that the chapter does not apply to recovery agents; creating s. 508.119, F.S.; authorizing counties and municipalities to enact ordinances governing wrecker operators; providing for the department to enter into a cooperative agreement with a county or municipality for the referral, investigation, and prosecution of consumer complaints or enforcement of specified wrecker services provisions; creating s. 508.120, F.S.; requiring that a wrecker company maintain records of its services and operators; requiring organizations that conduct operator certification or continuing education courses to maintain records on each person who successfully completes one of the courses; authorizing inspection of records by the department; creating s. 508.104, F.S.; prohibiting persons from owning, operating, or being issued a local business tax receipt on behalf of a wrecker company without first registering with the department; requiring registration prior to issuance or renewal of local business tax receipt; excluding certain motor vehicle repair shops; creating s. 508.110, F.S.; prohibiting the performance of wrecker services after a certain date unless the operator is in the employ of a company that is registered; requiring wrecker operators to be certified; providing exceptions for certain shops and organizations; authorizing the department to inspect company records; creating s. 508.115, F.S.; providing criminal penalties; amending s. 120.80, F.S.; providing for appointment of a hearing officer by the director of the Division of the Florida Highway Patrol when a hearing is held to deny, suspend, or remove a wrecker company from participating in the wrecker-allocation system; creating s. 205.1977, F.S.; prohibiting a county or municipality from issuing or renewing a business tax receipt for a wrecker company that is not registered with the Department of Agriculture and Consumer Services; amending s. 316.530, F.S., relating to towing requirements; conforming terminology; amending s. 320.01, F.S.; redefining the term "wrecker" for purposes of the Florida Statutes; amending s. 320.03, F.S., relating to withholding the motor vehicle registration plate or revalidation sticker; providing for application of provisions to wrecker companies rather than wrecker operators; amending s. 320.0706, F.S.; requiring that the license plate be displayed only on the front of a wrecker; amending s. 320.0821, F.S.; revising requirements for the issuance of wrecker license plates; requiring that the license plate be displayed on the front of the wrecker; amending s. 320.13, F.S., relating to dealer license plates; conforming terminology; reenacting ss. 316.550(4)(a) and (9) and 320.08(5)(d) and (e), F.S., relating to special wrecker permits and license taxes, to incorporate the amendment to s. 320.01, F.S., in references thereto; amending s. 321.051, F.S.; revising provisions for the Florida Highway Patrol wrecker operator system; changing the designation to "wrecker-allocation system"; providing definitions; revising provisions

that authorize the Division of the Florida Highway Patrol within the Department of Highway Safety and Motor Vehicles to establish the system; revising requirements for the system; limiting the system to using certain registered wrecker companies; revising eligibility requirements for wreckers; revising provisions for procedures for appeal of final orders by the department denying, suspending, or revoking eligibility to participate; prohibiting an unauthorized wrecker company and wrecker operators dispatched by an unauthorized company from engaging in certain activities; requiring those operators to disclose certain information to the owner or operator of a wrecked or disabled vehicle before towing; providing penalties; providing for a law enforcement officer to dispatch an authorized wrecker company other than a company requested by the vehicle owner or operator or to dispatch a company out of rotation; amending s. 323.001, F.S.; revising procedures for placement of a hold on a vehicle at a storage facility; providing for placement of a hold by a law enforcement agency; providing definitions; revising provisions for payment of towing and storage charges; revising rate-limitation provisions; amending s. 323.002, F.S.; revising provisions for county and municipal wrecker operator systems; changing the designation to "wrecker-allocation systems"; providing definitions; limiting the systems to using certain registered wrecker companies; prohibiting an unauthorized wrecker company and wrecker operators dispatched by an unauthorized company from engaging in certain activities; requiring those operators to disclose certain information to the owner or operator of a wrecked or disabled vehicle before towing; providing penalties; providing for a law enforcement officer to dispatch an authorized wrecker company other than a company requested by the vehicle owner or operator or to dispatch a company out of rotation; amending s. 713.78, F.S.; providing for claim of lien by a wrecker company for recovering, removing, or storing a vehicle or vessel; conforming provisions to changes made by the act; providing definitions; requiring notification to the vehicle or vessel owners, insurers, and lienholders; providing for a law enforcement agency to obtain information from the Department of Highway Safety and Motor Vehicles and provide the information to the wrecker company; providing notice procedures; providing for content of the notice; providing for notice to the agency of jurisdiction if the vehicle or vessel owner or lienholder cannot be identified; revising procedures for complaint by the vehicle or vessel owner; providing for release of the vehicle or vessel; requiring damages, attorney's fees, and costs to be awarded by the court; requiring immediate payment of recovery, towing, and storage fees to be ordered by the court; providing for notice and sale of the vehicle or vessel by the wrecker company; providing for distribution of proceeds; providing for discharge of liens and issuance of certificate of title; providing immunity from liability for a wrecker company, its operators, and other employees or agents under certain conditions; providing for a presumption of the use of reasonable care; requiring wrecker company information to be printed on the wrecker; specifying that failure to make good-faith best efforts to comply with notice requirements precludes imposition of storage charges; requiring a wrecker company to provide access to the vehicle or vessel; requiring release of the vehicle, vessel, or personal property to the owner or agent of the owner; requiring the wrecker company to obtain a certificate of destruction in lieu of a certificate of title when the vehicle or vessel is to be dismantled, destroyed, or changed in such a manner that it is not the motor vehicle or vessel described in the certificate of title; providing for issuance of the certificate of destruction by the county tax collector; providing requirements for application for the certificate of destruction; providing for reassignment of the certificate of destruction; authorizing the Department of Highway Safety and Motor Vehicles to adopt rules; providing penalties for specified violations; authorizing the Department of Highway Safety and Motor Vehicles to inspect wrecker company records; directing the Department of Highway Safety and Motor Vehicles, upon notice of lien from a wrecker company, to place the name of the owner of the vehicle or vessel on the list of those persons who may not be issued a license plate or revalidation sticker for a motor vehicle; providing for forms for the notice of lien; providing for dispute by the owner; providing for the owner's name to be removed from the list of those persons who may not be issued a license plate or revalidation sticker for a motor vehicle; providing for lien expiration; requiring a certificate of discharge to be issued by the wrecker company; providing for certain fees and charges; providing for application and exceptions; clarifying that the amendments made by the act do not affect the validity of prior liens; amending s. 715.07, F.S.; revising provisions for the towing and storage of vehicles and vessels parked on real property without permission; providing definitions; providing requirements for storage facility operation; providing requirements for a wrecker company, its operators, and other employees or agents; prohibiting a wrecker company, a wrecker operator, or another employee or agent of a wrecker company from paying or accepting payment for the privilege of removing vehicles or vessels from a particular location; revising requirements for tow-away signs to be posted by property owners; requiring a wrecker company to maintain rate schedules with the local law enforcement agency and to post rates and contracts at its storage facility; revising requirements for certain signage on a wrecker; providing immunity from liability for a wrecker company, its operators, and other employees or agents if entry into the vehicle or vessel is performed with reasonable care; revising provisions for release of the vehicle or vessel; providing that failure to comply with notice requirements precludes a wrecker company from imposing certain towing or storage charges; providing penalties; repealing s. 1.01(15), F.S., relating to the definition of the term "wrecker operator"; providing an appropriation and authorizing additional positions; providing an effective date.

By the Committee on Judiciary; and Senators Crist, Gaetz and Lynn—

CS for SB 688—A bill to be entitled An act relating to guardian advocates for persons with developmental disabilities; amending s. 393.12, F.S.; authorizing a court in dependency proceedings to appoint a guardian advocate for a child; providing that the person being considered for or appointed as guardian advocate need not be represented by an attorney unless required by the court; revising the requirements for the petition seeking the appointment of a guardian advocate; providing for consideration of any advance directive or a designation of a durable power of attorney in guardian advocacy proceedings; modifying the persons to whom a notice of the filing of the petition must be given to include next of kin, a health care surrogate, and an attorney in fact, and, if a dependent child, the Department of Children and Family Services and the child's guardian ad litem or attorney; modifying who may be appointed counsel to a person with developmental disabilities and providing a timeframe for appointment of counsel, including the office of criminal conflict and civil regional counsel; requiring the court's order to name the guardian advocate and the reasons why the advocate was selected; revising the powers and duties of the guardian advocate with respect to financial accounting requirements; providing for the restoration of the rights of a person for whom a guardian advocate has been appointed; providing for the petition, evidentiary support, notice, objections to the petition; providing for the partial restoration of rights and the amendment of the letters of guardianship advocacy; amending s. 393.13, F.S.; conforming a cross-reference; providing an effective date.

By the Committee on Judiciary; and Senators Bennett and Gaetz—

CS for SB 704—A bill to be entitled An act relating to administrative procedures; providing a short title; amending s. 120.52, F.S.; redefining the term "invalid exercise of delegated legislative authority" to remove a limitation on the construction of statutory language granting rulemaking authority; defining the terms "law implemented," "rulemaking authority," and "unadopted rule"; amending s. 120.53, F.S.; authorizing agencies to transmit agency orders electronically to the Division of Administrative Hearings; amending s. 120.536, F.S.; revising guidelines for the construction of statutory language granting rulemaking authority; amending s. 120.54, F.S.; prescribing limits and guidelines with respect to the incorporation of material by reference; prescribing requirements for material being incorporated by reference; prohibiting an agency head from delegating or transferring certain specified rulemaking responsibilities; revising the information required in notices of proposed actions; providing additional procedures for rule-adoption hearings; revising requirements for filing rules; requiring that material incorporated by reference be published by the agency when adopting emergency rules; revising provisions with respect to petitions to initiate rulemaking; amending s. 120.545, F.S.; revising duties and procedures of the Administrative Procedures Committee and agencies with respect to review of agency rules; deleting procedures for agency election to modify, withdraw, amend, or repeal a proposed rule; providing for the effect of the failure of an agency to respond to a committee objection to a statement of estimated regulatory costs within the time prescribed; deleting a requirement that the Department of State publish final legislative action; amending s. 120.55, F.S.; requiring the department to prescribe by rule the content requirements for rules, notices, and other materials; revising for a specified period the limit for the unencumbered balance in the Records Management Trust Fund at the beginning of the fiscal year for fees collected under ch. 120, F.S.; providing for the transfer of excess

funds; requiring electronic publication of the Florida Administrative Code; prescribing requirements with respect to the content of such electronic publication; providing for filing information incorporated by reference in electronic form; providing requirements for the Florida Administrative Weekly Internet website; amending s. 120.56, F.S., relating to challenges to rules; conforming a cross-reference; revising procedures for administrative determinations of the invalidity of rules; requiring an agency to discontinue reliance on a statement under certain circumstances; providing an exception; deleting certain provisions relating to actions before a final hearing is held; amending s. 120.57, F.S.; revising procedures applicable to hearings involving disputed issues of material fact; prohibiting enforcement of unadopted agency rules under certain circumstances; amending s. 120.595, F.S.; increasing the limitation on attorney's fees in challenges to proposed agency rules or existing agency rules; providing for an award of reasonable costs and attorney's fees accrued by a petitioner under certain circumstances; providing for an award of fees and costs if the agency prevails and a party participated for an improper purpose; amending s. 120.569, F.S.; requiring that certain administrative proceedings be terminated and subsequently reinstated under different provisions of law if a disputed issue of material fact arises during the proceeding; conforming a cross-reference; amending s. 120.74, F.S.; revising reporting requirement for agency heads; amending ss. 120.80, 120.81, 409.175, 420.9072, and 420.9075, F.S.; conforming cross-references; providing an appropriation; providing effective dates.

By the Committee on Environmental Preservation and Conservation; and Senators Saunders, Lynn and Bullard—

CS for SB 708—A bill to be entitled An act relating to water management; providing legislative intent; directing the Secretary of Environmental Protection to coordinate with the water management districts to conduct a study of certain desalination technologies; providing study requirements; requiring the secretary to report to the Governor and the Legislature by a specified date; creating the Reclaimed Water Coordination Task Force; providing legislative findings; providing purposes; requiring that the task force review certain rules, programs, and policies when preparing its recommendations; providing for membership of the task force; requiring that members be appointed on or before a specified date; providing for administrative support for the task force; providing duties of the task force; requiring that the Department of Environmental Protection and each water management district encourage the use of pilot projects for certain purposes; providing an effective date.

By the Committees on Governmental Operations; Transportation; and Senators Fasano, Posey, Wise, Lawson, Baker, Gaetz, Oelrich, Alexander, Ring and Margolis—

CS for CS for SB 920—A bill to be entitled An act relating to driver's license fees; amending s. 318.15, F.S.; increasing the nonrefundable service charge paid to the Department of Highway Safety and Motor Vehicles or to the clerk of the court to reinstate a suspended driver's license and privilege to drive; requiring that the deposited funds be used to establish a recruitment and retention salary plan for officers of the highway patrol; authorizing the director of the Division of the Florida Highway Patrol to structure a salary scale for highway patrol officers to remain competitive with other law enforcement agencies; amending s. 318.18, F.S.; increasing the civil penalty a person must pay for a late payment of civil traffic penalties; requiring that a specified amount of the collected penalty be used to establish a recruitment retention salary plan for officers of the highway patrol; amending s. 322.21, F.S.; increasing the fees for reinstating a suspended or revoked driver's license or commercial motor vehicle license; requiring that the fees collected from reinstating a suspended or revoked driver's license be used to establish a recruitment and retention salary plan for officers of the highway patrol; authorizing the director to use the license reinstating fees for a salary scale for highway patrol officers which is competitive with other law enforcement agencies; amending s. 322.29, F.S., relating to the surrender and return of a license; conforming provisions to changes made by the act; providing an effective date.

By the Committee on Commerce; and Senator Ring—

CS for SB 926—A bill to be entitled An act relating to education funding; amending s. 212.0306, F.S.; authorizing any county to impose a tax on the sale of food, beverages, or alcoholic beverages in hotels and motels pursuant to an ordinance adopted by a majority vote of the governing body; continuing the authority of counties operating under a home rule charter to impose such tax in establishments licensed by the state to sell alcoholic beverages for consumption on the premises; requiring that the proceeds from the food and beverage tax imposed by a county other than a county operating under a home rule charter be allocated to the local school district for the purpose of funding K-12 education services; providing duties of the county with respect to collecting and administering the tax; providing an effective date.

By the Committee on Agriculture; and Senator Aronberg—

CS for SB 964—A bill to be entitled An act relating to equine activities; providing a short title; providing legislative intent; creating s. 773.11, F.S.; defining the term "equine"; requiring certain minors to wear helmets when riding equines in certain locations; providing requirements for helmets; requiring persons renting or leasing equines for riding by a minor under a specified age to provide a helmet if the minor does not have a helmet; prohibiting a parent or guardian of a minor under a specified age from authorizing or permitting a minor to engage in certain conduct; providing a penalty; providing exceptions; providing an effective date.

By the Committees on Higher Education; Regulated Industries; and Senator Wise—

CS for CS for SB 996—A bill to be entitled An act relating to cosmetology; amending s. 477.013, F.S.; providing and revising definitions; redefining "cosmetology" to include specified services and exclude artificial nails and use of certain skin treatments; defining "hair stylist," "esthetician," and "nail technician"; including body wrapping within esthetician services; removing a distinction between specialty salons and other salons; creating s. 477.0131, F.S.; authorizing licensure for cosmetologists, hair stylists, estheticians, and nail technicians; amending s. 477.0132, F.S.; authorizing renewal of current body wrapping registrations; increasing length of required course; specifying that only the Board of Cosmetology may review, evaluate, and approve required course and text; amending s. 477.014, F.S.; revising requirements for qualification to practice under ch. 477, F.S.; authorizing current specialists to sit for licensure examinations in certain circumstances; providing for the renewal of current specialty registrations; amending s. 477.016, F.S.; requiring the Board of Cosmetology to adopt rules relating to protection of health of clients, nail technicians, and estheticians; amending s. 477.019, F.S.; revising qualifications, education, licensure and renewal, supervised practice, and endorsement requirements to include and differentiate such requirements for cosmetologists, hair stylists, estheticians, and nail technicians; requiring the board to adopt certain procedures relating to licensure by endorsement; amending s. 477.0212, F.S.; requiring the board to adopt certain rules relating to license renewal or continuing education; amending s. 477.023, F.S.; stipulating that the Department of Education is not prevented from issuing certain grooming and salon services certification; amending s. 477.025, F.S., relating to cosmetology and specialty salons, requisites, licensure, inspection, and mobile cosmetology salons, to conform; amending s. 477.026, F.S.; revising fee provisions to conform; amending s. 477.0263, F.S.; specifying circumstances under which cosmetology, hair stylist, esthetician, nail technician, or specialty services may be practiced outside of a licensed salon; amending s. 477.0265, F.S., relating to prohibited acts, to conform; prohibiting the use or possession of a credo in the provision of cosmetology, nail technician, or manicure or pedicure specialty services; amending s. 477.028, F.S., relating to disciplinary proceedings, to conform; amending s. 477.029, F.S., relating to penalties; conforming provisions; repealing s. 477.0201, F.S., relating to specialty registration, qualifications, registration renewal, and endorsement; requiring a report to the Legislature on the use of a national examination for certain licenses in order to improve reciprocity with other states; providing effective dates.

By the Committee on Regulated Industries; and Senator Geller—

CS for SB 1006—A bill to be entitled An act relating to cardrooms; amending s. 849.086, F.S.; providing definitions; authorizing cardroom operators to host charity/celebrity poker tournaments and televised high-stakes poker tournaments at certain pari-mutuel facilities; providing limitations; authorizing the Division of Pari-mutuel Wagering of the Department of Business and Professional Regulation to adopt rules governing the operation of tournaments; providing an effective date.

By the Committee on Criminal Justice; and Senators Bennett and Atwater—

CS for SB 1086—A bill to be entitled An act relating to illegal or undocumented aliens; requiring the Department of Corrections and the Parole Commission to establish agreements to implement a federal deportation program for state inmates; specifying the goals of the program; creating s. 947.1461, F.S., relating to the control release for removal and deportation; requiring the department to identify eligible inmates at the reception process; specifying eligibility criteria; requiring the department to coordinate with federal authorities to determine immigration status and eligibility for removal; specifying that eligible inmates waive administrative and appellate rights; requiring the Control Release Authority to establish control release dates; authorizing the control release dates to be set after the alien has served a minimum 50 percent of his or her court imposed sentence; requiring the Control Release Authority to give notice to aliens concerning reentering the United States; prohibiting aliens from benefiting from control release awards when removal is not reasonably foreseeable; requiring the department to compile and report certain statistics; amending s. 947.146, F.S., relating to the Control Release Authority; requiring the authority to implement a program to execute an immediate deportation order; providing an effective date.

By the Committee on Environmental Preservation and Conservation; and Senators Haridopolos, Constantine, Gaetz, Justice, Baker, Jones, Lynn, Posey and Dockery—

CS for SB's 1094 and 326—A bill to be entitled An act relating to the regulation of releases from gambling vessels; creating s. 376.25, F.S.; providing a short title; providing definitions; requiring gambling vessels operating in coastal waters of the state to register with the Department of Environmental Protection; specifying the requirements for vessel registration; requiring the owners of certain waterfront-landing facilities to establish procedures concerning the release of waste from gambling vessels; requiring that such owners make available a waste-management service meeting specified criteria; requiring that such owners establish and collect certain fees; requiring that the department maintain on its website an estimate of the minimum waste-service demand of such waterfront-landing facilities; providing criteria governing the estimate; requiring the reporting of the release of certain substances into coastal waters by gambling vessels; providing civil penalties for violations; providing for the department to establish and collect fees meeting specified criteria; requiring the department to adopt rules; providing exemptions and legislative intent; directing the department to seek federal approval to amend Florida's Coastal Zone Management Plan and, upon such approval, to petition the Federal Government, via consistency review under the federal Coastal Zone Management Act, to prohibit certain releases from gambling vessels within the federal territorial waters off the shores of this state; directing the department to petition the Federal Government to prohibit certain releases from gambling vessels independently of such approval; providing an effective date.

By the Committee on Finance and Tax; and Senators Margolis, Lynn, Haridopolos and Bennett—

CS for SB 1096—A bill to be entitled An act relating to the production and shipment of wine; creating s. 561.222, F.S.; authorizing the direct shipment of wine into and within this state for personal consumption only; providing legislative intent; requiring licensure of winery shippers by the Division of Alcoholic Beverages and Tobacco; providing license requirements; requiring recipients of a direct shipment of wine to be 21 years of age; requiring proof of age and the signature of a recipient; providing for the payment of taxes, a monthly report, and recordkeeping by winery shippers; providing requirements for common carriers that make deliveries of wine; providing administrative and criminal penalties for violations of the act; authorizing the division and the Department of Revenue to adopt rules; amending ss. 561.24, 561.54, 561.545, and 564.045, F.S.; conforming provisions to changes made by the act; amending s. 599.004, F.S.; revising requirements for qualifying as a certified Florida Farm Winery; providing for severability; providing an effective date.

By the Committee on Judiciary; and Senators Peaden and Baker—

CS for SB 1130—A bill to be entitled An act relating to the "Preservation and Protection of the Right to Keep and Bear Arms in Motor Vehicles Act of 2008"; creating s. 790.251, F.S.; creating the "Preservation and Protection of the Right to Keep and Bear Arms in Motor Vehicles Act of 2008"; providing legislative findings and intent; prohibiting a public or private entity from prohibiting a customer, employee, or invitee from possessing any legally owned firearm that is lawfully possessed and locked inside or locked to a private motor vehicle in a parking lot; prohibiting a public or private entity from violating the privacy rights of a customer, employee, or invitee by verbal or written inquiry regarding the presence of a firearm inside a private motor vehicle in a parking lot or by the search of a private motor vehicle in a parking lot to ascertain the presence of a firearm within the vehicle; prohibiting actions by a public or private entity against a customer, employee, or invitee based upon verbal or written statements concerning possession of a firearm stored inside a private motor vehicle in a parking lot for lawful purposes; providing conditions under which a search of a private motor vehicle in the parking lot of a public or private entity may be conducted; prohibiting an employer from conditioning employment upon an agreement by a prospective employee that prohibits employees from keeping a legal firearm locked inside a motor vehicle; prohibiting an employer from attempting to prevent or prohibiting any customer, employee, or invitee from entering the parking lot of the employer's place of business when the customer's, employee's, or invitee's motor vehicle contains a legal firearm; prohibiting employers from terminating the employment of or otherwise discriminating against an employee, or expelling a customer or invitee, for exercising his or her constitutional right to keep and bear arms or for exercising the right of self-defense; providing a condition to the prohibition; providing that such prohibitions apply to all public-sector employers; delineating duties not owed by public and private entities and employers with respect to the provisions of the act; providing specified immunity from liability for public and private entities and employers; providing nonapplicability of such immunity; providing for enforcement of the act; providing for the award of costs and attorney's fees; providing definitions; providing exceptions to the prohibitions under the act; providing applicability; providing an effective date.

By the Committee on Children, Families, and Elder Affairs; and Senator Storms—

CS for SB 1150—A bill to be entitled An act relating to mental health and substance abuse; amending s. 394.4572, F.S.; requiring level II screening for all personnel who work with persons with mental illness; amending s. 394.462, F.S.; providing for HIV testing of persons being transported for mental health services upon the request of law enforcement officers or other designated agents who come into contact with the person's body fluids; requiring the county health department to provide HIV testing at no cost to such officers and agents; amending s. 394.67, F.S.; removing an obsolete reference to a corporation's contract with the Department of Children and Family Services and adding a reference to a corporation's licensure by the Agency for Health Care Administration to the definition of residential treatment center for children and adolescents; amending s. 394.674, F.S.; establishing priority populations who are eligible for services funded by the Department of Children and Family Services; authorizing the department to adopt rules; creating s. 394.4996, F.S.; authorizing the department to establish facilities that provide services as an integrated adult mental health crisis stabilization unit and addictions receiving facility; requiring licensure; providing eligibility criteria for treatment services; authorizing the department to adopt rules; amending s. 553.80, F.S.; requiring that local construction regulations for secure mental health treatment facilities be enforced by the department; amending s. 916.111, F.S.; requiring that a forensic

evaluator training course be provided annually in order for mental health experts to be placed on the forensic evaluator registry; providing that mental health professionals that have taken the course within the last 5 years remain on the registry; requiring mental health professionals on the registry to maintain training course documentation and provide the department with current information; amending s. 916.115, F.S.; allowing certain persons who are supervised by a person who has taken the forensic evaluator training course to assist in the forensic evaluation process; amending s. 916.13, F.S.; requiring defendants in the custody of the Department of Corrections who are adjudicated incompetent to remain in the custody of the Department of Corrections and receive treatment from the department; requiring the Department of Children and Family Services to determine whether the inmate has regained competency; providing timelines for competency hearings; amending s. 916.15, F.S.; providing a timeline for holding a commitment hearing for defendants who no longer meet the criteria for continued commitment by reason of insanity; providing an exception for defendants in the custody of the Department of Corrections; requiring defendants in the custody of the Department of Corrections who are charged with a new felony and found not guilty by reason of insanity to remain in the department's custody for the remainder of their sentence; requiring the Department of Children and Family Services to evaluate the inmate and file a report with the court requesting a hearing for determining continued commitment placement; amending s. 985.19, F.S.; requiring that experts appointed in juvenile incompetent-to-proceed cases be a psychiatrist, licensed psychologist, or physician and have completed the forensic evaluator training within 5 years prior to conducting evaluations for the court; providing that, beginning July 1, 2009, experts who have completed or retaken the course within the last 5 years remain on the registry; requiring experts on the registry to maintain training course documentation and provide the department with current information; requiring the Department of Children and Family Services and the Agency for Health Care Administration to prepare a mental health plan to be submitted to the Legislature and the Governor; requiring a study by the Office of Program Policy Analysis and Governmental Accountability on mental health issues; providing an effective date.

By the Committee on Environmental Preservation and Conservation; and Senator Gaetz—

CS for SB 1208—A bill to be entitled An act relating to water pollution control; amending s. 403.067, F.S.; providing requirements for basin management action plans; allowing such plans to take into account the benefits of pollutant load reduction achieved by point or nonpoint sources, where appropriate; requiring that the Department of Environmental Protection adopt all or part of any such plan, or any amendment thereto, by secretarial order as provided by state law; providing that the provisions of the department's rule relating to the equitable abatement of pollutants into surface waters may not be applied to water bodies or water body segments for which a basin management plan that takes into account future or new expanded activities or discharges has been adopted; authorizing water quality protection programs to include the trading of water quality credits; authorizing the department to adopt rules related to the trading of water quality credits; requiring that such rulemaking include certain provisions; specifying that a water quality credit trading pilot project be limited to the Lower St. Johns River Basin as a pilot project; requiring that the department provide the Legislature with an annual report regarding the effectiveness of the pilot project; providing report requirements; providing that the department may authorize and establish specific requirements for water quality credit trading as part of the Lower St. Johns River Basin adopted basin management action plan; correcting cross-references to conform to changes made by the act; amending s. 403.088, F.S.; authorizing the department to revise a water pollution operation permit under certain circumstances; authorizing the department to issue, renew, or reissue such a permit if a water quality credit trade meets the requirements of 403.067, F.S.; requiring that revised permits be accompanied by an order establishing a schedule for achieving compliance with all permit conditions; providing an effective date.

By the Committee on Environmental Preservation and Conservation; and Senators Jones and Bennett—

CS for SB 1242—A bill to be entitled An act relating to environmental permitting; requiring the Department of Environmental Protection to conduct a study and implement a plan to provide parity in salaries for permitting staff and submit such plan to the President of the Senate, the Speaker of the House of Representatives, and the Legislative Committee on Intergovernmental Relations; requiring the department to develop a plan to implement the remaining phases of an e-permitting program and submit such plan to the President of the Senate, the Speaker of the House of Representatives, and the Legislative Committee on Intergovernmental Relations; prohibiting local governments from requiring the production of certain written documentation from the Department of Environmental Protection or a water management district showing that a project does not require a particular permit; amending s. 403.061, F.S.; revising the department's powers and duties to include maintaining a list of projects or activities that applicants may consider when developing proposals for certain projects or activities; amending s. 403.813, F.S.; prohibiting a local government from requiring further verification from the department for certain projects that are exempt from permit requirements other than a general permit; revising a provision relating to the replacement or repair of existing docks and piers; providing an effective date.

By the Committee on Environmental Preservation and Conservation; and Senator Saunders—

CS for SB 1296—A bill to be entitled An act relating to the water management districts; reenacting ss. 373.069, 373.0693, 373.0695, 373.073, and 373.083, F.S., relating to the creation of the water management districts, pursuant to the provisions of the Florida Government Accountability Act; amending s. 373.0693, F.S.; eliminating the Oklawaha River Basin Advisory Council; amending s. 373.323, F.S.; providing for applicants who meet certain conditions to be certified as a licensed water well contractor; amending s. 373.536, F.S.; authorizing certain chairs of committees of the Senate and the House of Representatives to submit comments and objections to proposed budgets; amending s. 373.079, F.S.; revising meeting requirements for members of the governing boards of the water management districts, as provided in s. 120.54, F.S.; creating the Reclaimed Water Coordination Task Force; providing legislative findings; providing purposes; requiring that the task force review certain rules, programs, and policies when preparing its recommendations; providing for membership of the task force; requiring that members be appointed on or before a specified date; providing for administrative support for the task force; providing duties of the task force; requiring that the Department of Environmental Protection and each water management district encourage the use of pilot projects for certain purposes; requiring that the task force submit a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives on or before a specified date; requiring that the report contain certain information; requiring that the department and each water management district cooperate with the task force; requesting that all other agencies cooperate with the task force; providing for dissolution of the task force; providing an effective date.

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

CS for SB 1422—A bill to be entitled An act relating to commercial property insurance; amending s. 627.041, F.S.; defining the terms "assessable commercial property insurance" and "nonassessable commercial property insurance"; amending s. 627.062, F.S.; providing rate standards regarding nonassessable commercial property insurance; providing that nonassessable commercial property insurance is not subject to a determination that the rate is excessive or unfairly discriminatory; providing an exception; amending s. 627.351, F.S.; excluding nonassessable commercial property insurance from the definition of "subject lines of business"; providing that insurers issuing nonassessable commercial property insurance policies are not assessable for the portion of the assessment from which the nonassessable commercial property insurance policy is exempt; creating s. 627.7031, F.S.; authorizing insurers offering assessable commercial property insurance policies to offer nonassessable commercial property insurance policies; authorizing an owner of a commercial property to purchase a nonassessable commercial property insurance policy if such a policy is offered by the insurer; requiring that an application for a nonassessable commercial property policy contain a specified disclaimer; requiring that the declarations page of a nonassessable commercial property policy contain a specified disclaimer; providing an effective date.

By the Committee on Criminal Justice; and Senator Aronberg—

CS for SB 1430—A bill to be entitled An act relating to public safety; amending s. 775.21, F.S.; revising provisions relating to reimbursement of specified costs by sexual predators; revising provisions relating to the residence of sexual predators; providing criminal penalties; prohibiting sexual predators from working within a specified distance of certain facilities; providing criminal penalties; creating s. 775.215, F.S.; specifying residency distance limitations for persons convicted of certain sexual offenses; preempting certain local ordinances and providing for repeal of such ordinances; amending s. 775.24, F.S.; revising provisions relating to the duty of the court to uphold certain laws; amending s. 794.065, F.S.; providing additional residency restrictions on certain offenders; providing penalties; creating s. 794.0701, F.S.; providing for enhanced penalties for loitering or prowling by persons convicted of certain sex offenses; amending s. 947.1405, F.S.; providing additional conditional release restrictions for certain offenders; amending s. 947.141, F.S.; revising provisions relating to hearings alleging a violation of conditional release by specified releasees for failure to comply with specified residency distance limitations; amending s. 948.06, F.S.; revising provisions relating to probation or community control for sexual predators and sexual offenders; amending s. 948.063, F.S.; providing that failure of a sexual predator or sexual offender to obtain a residence in compliance with certain requirements is not a defense in certain proceedings; amending s. 948.30, F.S.; revising provisions relating to terms and conditions of probation or community control for certain sex offenses; providing additional restrictions for certain probationers or community controllees who committed sexual offenses with minors under the age of 16; requiring the Department of Law Enforcement and other specified agencies to consider eliminating or modifying two dates on or after which a person must be classified as a sexual offender or a sexual predator; directing the department to determine the effect that the elimination or modification of these dates will have on the department and other agencies; directing the department to present a report of its findings to the President of the Senate and the Speaker of the House of Representatives by a specified date; providing an effective date.

By the Committee on Health Regulation; and Senator Dean—

CS for SB 1488—A bill to be entitled An act relating to consumer information concerning health care; providing a short title; providing a purpose; amending s. 381.026, F.S.; revising requirements for health care providers and facilities in notifying insured persons of charges for health care services; requiring an itemized, comprehensible estimate of charges; requiring the estimate to be based on a certain price; requiring uninsured patients to automatically receive an estimate of charges; requiring a licensed facility not operated by the state to make available to the public on its Internet website a description of and a link to the performance outcome and financial data that is published by the Agency for Health Care Administration and to the charity care discount policy of the facility; deleting the provision that authorizes a licensed facility to indicate that pricing information is based on a compilation of charges for the average patient; amending s. 395.301, F.S.; revising requirements for billing and written estimates provided to patients by health care facilities; providing that an estimate does not preclude additional charges if the charges are itemized; amending s. 408.05, F.S.; revising the list of patient charge data that may be disclosed by the Agency for Health Care Administration; requiring the agency to publish on its website information concerning prices for the most commonly performed adult and pediatric procedures; providing an effective date.

By the Committee on Community Affairs; and Senator Bennett—

CS for SB 1490—A bill to be entitled An act relating to affordable housing; creating s. 193.018, F.S.; defining the term "community land trust"; providing for the assessment of structural improvements, condominium parcels, or cooperative parcels on land owned by a community land trust and used to provide affordable housing; providing for the conveyance of structural improvements, condominium parcels, or cooperative parcels subject to certain conditions; specifying the criteria to be used in arriving at just valuation of a structural improvement, condominium parcel, or cooperative parcel; specifying the criteria to be used in arriving at just valuation of land owned by a community land trust that is subject to limited uses; amending s. 196.1978, F.S.; providing that property owned by certain nonprofit entities or Florida-based limited partnerships and used or held for the purpose of providing affordable housing to certain income-qualified persons is exempt from ad valorem taxation; revising legislative intent; providing that such ad valorem tax exemption extends to land owned by an exempt entity and subject to a 99-year ground lease for the purpose of providing affordable housing; providing that such ad valorem tax exemption extends to undeveloped property owned by an exempt entity that has taken affirmative steps to prepare the property for future use as affordable housing; defining the term "affirmative steps"; providing for the rejection or rescission of the ad valorem tax exemption under certain circumstances; providing an effective date.

By the Committee on Health Regulation; and Senators Saunders and Atwater—

CS for SB's 1540 and 2782—A bill to be entitled An act relating to public records; creating s. 893.056, F.S.; exempting from public-records requirements information and records reported to any agency that has access to or operates the privacy-protected website containing patients' medication histories; authorizing certain persons and entities access to patient-identifying information; providing guidelines for the use of such information and penalties for violations; providing for future legislative review and repeal; providing a finding of public necessity; providing a contingent effective date.

By the Committees on Communications and Public Utilities; Environmental Preservation and Conservation; and Senator Saunders—

CS for CS for SB 1544—A bill to be entitled An act relating to energy conservation; amending s. 74.051, F.S.; requiring a court to conduct a hearing and issue a final judgment on a petition for a taking within specified times after a utility's request for such hearing; creating s. 112.219, F.S.; defining terms for purposes of the state employee telecommuting program; requiring each state employing entity to complete a telecommuting plan by a specified date which includes a listing of the job classifications and positions that the state entity considers appropriate for telecommuting; providing requirements for the telecommuting plan; requiring each state employing entity to post the telecommuting plan on its website; amending s. 163.04, F.S.; revising provisions prohibiting restrictions on the use of energy devices based on renewable resources; amending s. 163.3177, F.S.; revising requirements for the future land use element of a local comprehensive plan to include energy-efficient land use patterns; requiring that the traffic-circulation element of incorporate transportation strategies to reduce greenhouse gas emissions; requiring each unit of local government within an urbanized area to amend the transportation element to incorporate transportation strategies addressing reduction in greenhouse gas emissions; amending s. 186.007, F.S.; authorizing the Executive Office of the Governor to include in the state comprehensive plan goals, objectives, and policies related energy and global climate change; amending s. 187.201, F.S.; adopting provisions of the State Comprehensive Plan concerning the development, siting, and use of low-carbon-emitting electric power plants; creating s. 193.804, F.S.; prohibiting the property appraiser from increasing the taxable value of homestead property when the taxpayer adds any solar energy device to the property; authorizing the property appraiser to refer the matter to the Department of Environmental Protection if the property appraiser questions whether a taxpayer is entitled, in whole or in part, to a solar energy device exemption; requiring the Department of Environmental Protection to adopt rules; amending s. 196.012, F.S.; deleting the definition of the term "renewable energy source device" or "device"; amending s. 206.43, F.S.; requiring each terminal supplier, importer, exporter, blender, and wholesaler to include the number of gallons of gasoline fuel which meet and fail to meet certain requirements in their monthly reports to the Department of Revenue; amending s. 212.08, F.S.; providing that the sale or use of wind energy or wind turbines is exempt from sales or use taxes as equipment, machinery, and other materials used for renewable energy technologies; requiring that the Florida Energy and Climate Commission rather than the Department of Environmental Protection implement certain responsibilities concerning eligibility and application for the tax exemption; requiring the commission to adopt, by rule, an application form, including the required content and documentation to support the application, for the taxpayer to use in claiming the tax exemption; amending s.

220.192, F.S.; defining terms relating to a tax credit; providing that 75 percent of all capital, operation, and maintenance costs, and research and development costs incurred between specified dates, up to a specified limit, may be credited against taxes owed in connection with an investment in the production of wind energy; allowing the tax credit to be transferred for a specified period; providing procedures and requirements; authorizing the Department of Revenue to adopt rules; amending s. 220.193, F.S.; defining the terms "sale" or "sold" and "taxpayer"; providing legislative intent concerning retroactive application of certain renewable energy production tax credits; providing for the pass through of a renewable energy production tax credit under certain conditions; providing for retroactive application; amending s. 253.02, F.S.; authorizing the Secretary of Environmental Protection to grant easements across lands owned by the Board of Trustees of the Internal Improvement Trust Fund under certain conditions; amending s. 253.034, F.S.; granting a utility the use of nonsovereignty state-owned lands upon a showing of competent substantial evidence that the use is reasonable; establishing criteria relating to the title, distribution, and cost of such lands; amending s. 255.249, F.S.; requiring state agencies to annually provide telecommuting plans to the Department of Management Services; amending s. 255.251, F.S.; creating the "Florida Energy Conservation and Sustainable Buildings Act"; amending s. 255.252, F.S.; providing findings and legislative intent; providing that it is the policy of the state that buildings constructed and financed by the state, or existing buildings renovated by the state, be designed and constructed with a goal of meeting or exceeding the United States Green Building Council (USGBC) Leadership in Energy and Environmental Design (LEED) rating system, the Green Building Initiative's Green Globes rating system, or the Florida Green Building Coalition standards; requiring each state agency to identify and compile a list of energy-conservation projects that it determines are suitable for a guaranteed energy performance savings contract; amending s. 255.253, F.S.; defining terms relating to energy conservation for buildings; amending s. 255.254, F.S.; prohibiting a state agency from leasing or constructing a facility without having secured from the Department of Management Services an evaluation of life-cycle costs for the building; requiring certain leased buildings to have an energy performance analysis conducted; requiring the owner of any building leased by the state from the private sector to submit provisions for monthly energy use data to the department; amending s. 255.255, F.S.; requiring the department to use sustainable building ratings for conducting a life-cycle cost analysis; amending s. 255.257, F.S.; requiring that energy consumption and cost be reported to the department annually in a format prescribed by the department; providing duties of energy-management coordinators; requiring that the department of Management Services develop a state energy-management plan; requiring that state agencies adopt certain rating systems; prohibiting state agencies from entering into leasing agreements for office space not meeting certain building standards; providing an exception; requiring that state agencies develop energy-conservation measures and guidelines for new and existing office space in which state agencies occupy greater than a specified amount of square footage; providing requirements for such measures; creating s. 286.275, F.S.; requiring the Department of Management Services to develop the Florida Climate Friendly Preferred Products List; requiring state agencies to consult the list and purchase products from the list under certain circumstances; requiring state agencies to contract for meeting and conference space with facilities having the "Green Lodging" designation; authorizing the Department of Environmental Protection to adopt rules; requiring the department to establish voluntary technical assistance programs for various businesses; requiring state agencies to maintain vehicles according to minimum standards and follow certain procedures when procuring new vehicles; requiring state agencies to use ethanol and biodiesel-blended fuels when available; amending s. 287.063, F.S.; prohibiting the payment term for equipment from exceeding the useful life of the equipment unless the contract provides for the replacement or the extension of the useful life of the equipment during the term of the deferred payment contract; amending s. 287.064, F.S.; authorizing an extension of the master equipment financing agreement for energy conservation equipment; requiring the guaranteed energy, water, and wastewater performance savings contractor to provide for the replacement or the extension of the useful life of the equipment during the term of the contract; amending s. 287.16, F.S.; requiring the Department of Management Services to conduct an analysis of the Department of Transportation's ethanol and biodiesel use and encourage other state agencies to analyze transportation fuel usage and report such information to the Department of Management Services; amending s. 288.1089, F.S.; defining the term "alternative and renewable energy"; detailing the conditions for an alternative and renewable energy project to be eligible for an innovation incentive award; amending s. 337.401, F.S.; requiring the Department of Environmental Protection to adopt rules relating to the placement of and access to aerial and underground electric transmission lines having certain specifications; defining the term "base-load generating facilities"; amending s. 339.175, F.S.; requiring each metropolitan planning organization to develop a long-range transportation plan that, among other considerations, provides for sustainable growth and reduces greenhouse gas emissions; amending s. 366.82, F.S.; requiring the Public Service Commission to adopt rules requiring utilities to offset 20 percent of their annual load-growth through energy efficiency and conservation measures; requiring the commission to create an in-state market for tradable credits enabling those utilities that exceed the conservation standard to sell credits to those that cannot meet the standard for a given year; requiring that the commission conduct a periodic review; requiring the commission to require municipal and cooperative utilities that are exempt from the Energy Efficiency and Conservation Act to submit an annual report identifying energy efficiency and conservation goals and the actions taken to meet those goals; requiring that the Florida Energy and Climate Commission be a party in the proceedings to adopt goals and file with the Public Service Commission comments on the proposed goals; requiring the Public Service Commission to use certain methodologies in the evaluation of demand-side management programs; requiring the commission to establish a renewable energy portfolio standard for utilities; requiring certain utilities to submit an annual report identifying the percentage of their electrical power generated or purchased from renewable resources; authorizing the commission to adopt rules; amending s. 366.8255, F.S.; redefining the term "environmental compliance costs" to include costs or expenses prudently incurred for scientific research and geological assessments of carbon capture and storage for the purpose of reducing an electric utility's greenhouse gas emissions; amending s. 366.93, F.S.; revising the definitions of "cost" and "preconstruction"; requiring the Public Service Commission to establish rules relating to cost recovery for the construction of new, expanded, or relocated electrical transmission lines and facilities for a nuclear power plant; amending s. 377.601, F.S.; revising legislative intent with respect to the need to implement alternative energy technologies; creating s. 377.6015, F.S.; creating the Florida Energy and Climate Commission; providing for appointment and qualifications of members; providing for meetings, duties, and authority of the commission; amending s. 377.602, F.S.; providing a definition; amending s. 377.605, F.S.; transferring duties on energy data collection from the Department of Environmental Protection to the Florida Energy and Climate Commission; amending ss. 377.604, 377.605, and 377.606, F.S.; making conforming changes; amending s. 377.703, F.S.; providing for additional duties of the Florida Energy and Climate Commission; conforming cross-references; amending s. 377.803, F.S.; providing definitions; providing the statutory reference to the definition of the term "biomass"; amending s. 377.804, F.S.; providing for administration of the Renewable Energy and Energy-Efficient Technologies Grant Program by the Florida Energy and Climate Commission rather than the Department of Environmental Protection; providing for the program to include matching grants for technologies that increase the energy efficiency of vehicles and commercial buildings; providing application requirements; repealing s. 377.804(6), F.S., relating to bioenergy projects; amending s. 377.806, F.S.; providing for administration of the Solar Energy System Incentives Program by the Florida Energy and Climate Commission rather than the Department of Environmental Protection; requiring compliance with the Florida Building Code rather than local codes in order to be eligible for a rebate under the program; creating s. 377.808, F.S.; creating the Florida Green Government Grants Act; providing a short title; requiring the Florida Energy and Climate Commission within the Executive Office of the Governor to award grants to assist local governments in the development of programs that achieve green standards; requiring the commission to adopt rules; providing requirements for the rules; limiting a certain number of grant applications made by a local government; limiting the number of active projects that may be conducted by a local government; requiring the commission to perform an overview of each grant; repealing s. 377.901, F.S., relating to the Florida Energy Commission; transferring the State Energy Program from the Department of Environmental Protection to the Florida Energy and Climate Commission; creating s. 377.921, F.S., relating to qualified solar energy systems; providing definitions; allowing a public utility to recover certain costs; amending ss. 380.23 and 403.031, F.S.; conforming cross-references; creating s. 403.44, F.S.; creating the Florida Climate Protection Act; defining terms; requiring the Department of Environmental Protection to establish the methodologies, reporting periods, and reporting systems that must be used when major emitters report to The Climate Registry;

authorizing the department to adopt rules for a cap-and-trade regulatory program to reduce greenhouse gas emissions from major emitters; providing for the content of the rule; amending s. 403.503, F.S.; defining the term "alternate corridor" and redefining the term "corridor" for purposes of the Florida Electrical Power Plant Siting Act; amending s. 403.504, F.S.; requiring the Department of Environmental Protection to determine whether a proposed alternate corridor is acceptable; amending s. 403.506, F.S.; revising the thresholds and applicability standards of the Florida Electrical Power Plant Siting Act; deleting a provision that exempts from the act a steam generating plant; exempting from the act the associated facilities of an electrical power plant; exempting an electric utility from obtaining certification under the Florida Electrical Power Plant Siting Act before constructing facilities for a power plant using nuclear materials as fuel; providing that a utility may obtain separate licenses, permits, and approvals for such construction under certain circumstances; exempting such provisions from review under ch. 120, F.S.; amending s. 403.5064, F.S.; requiring an applicant to submit a statement to the department if such applicant opts for consideration of alternate corridors; amending s. 403.50665, F.S.; requiring an application to include a statement on the consistency of directly associated facilities constituting a "development"; requiring the Department of Environmental Protection to address at the certification hearing the issue of compliance with land use plans and zoning ordinances for a proposed substation located in or along an alternate corridor; amending s. 403.509, F.S.; requiring the Governor and Cabinet sitting as the siting board to certify the corridor having the least adverse impact; authorizing the board to deny certification or allow a party to amend its proposal; amending s. 403.5115, F.S.; requiring the applicant proposing the alternate corridor to publish all notices relating to the application; requiring that such notices comply with certain requirements; requiring that notices be published at least 45 days before the rescheduled certification hearing; amending s. 403.5175, F.S.; conforming a cross-reference; amending s. 403.518, F.S.; authorizing the Department of Environmental Protection to charge an application fee for an alternate corridor; amending s. 403.519, F.S., relating to determinations of need; conforming provisions to changes made by the act; creating s. 403.7055, F.S.; encouraging counties in the state to form regional solutions to the capture and reuse or sale of methane gas from landfills and wastewater treatment facilities; requiring the Department of Environmental Protection to provide guidelines and assistance; amending s. 403.814, F.S., relating to general permits; conforming provisions; amending s. 489.145, F.S.; revising provisions of the Guaranteed Energy Performance Savings Contracting Act; renaming the act as the "Guaranteed Energy, Water, and Wastewater Performance Savings Contracting Act"; requiring that each proposed contract or lease contain certain agreements concerning operational cost-saving measures; redefining terms; defining the term "investment grade energy audit"; requiring that certain baseline information, supporting information, and documentation be included in contracts; requiring the office of the Chief Financial Officer to review contract proposals; providing audit requirements; requiring contract approval by the Legislature or Chief Financial Officer; creating s. 526.203, F.S.; providing definitions; requiring that on or after a specified date all gasoline sold in the state contain a specified percent of agriculturally derived denatured ethanol; providing for exemptions; creating s. 526.204, F.S.; providing for the requirements to be suspended during a declared emergency; providing an exemption if a supplier or other distributor is unable to obtain the required fuel at the same or lower price than the price of unblended gasoline; requiring that documentation be provided to the Department of Revenue; creating s. 526.205, F.S.; providing for enforcement of the requirement for gasoline content; providing penalties; providing for the Department of Revenue to grant an extension of time to comply with the requirement; creating s. 526.206, F.S.; authorizing the Department of Revenue and the Department of Agriculture and Consumer Services to adopt rules; requiring the Florida Energy Commission to conduct a study of the lifecycle greenhouse gas emissions associated with all renewable fuels; requiring a report to the Legislature by a specified date; amending s. 553.77, F.S.; authorizing the Florida Building Commission to implement recommendations relating to energy efficiency in residential and commercial buildings; creating s. 553.886, F.S.; requiring that the Florida Building Code facilitate and promote the use of certain renewable energy technologies in buildings; creating s. 553.9061, F.S.; requiring the Florida Building Commission to establish a schedule of increases in the energy performance of buildings subject to the Energy Efficiency Code for Building Construction; providing a process for implementing goals to increase energy-efficiency performance in new buildings; providing a schedule for the implementation of such goals; identifying energy-efficiency performance options and elements available to meet energy-efficiency performance requirements; providing a schedule for the review and adoption of renewable energy-efficiency goals by the commission; requiring the commission to conduct a study to evaluate the energy-efficiency rating of new buildings and appliances; requiring the commission to submit a report to the President of the Senate and the Speaker of the House of Representatives on or before a specified date; requiring the commission to conduct a study to evaluate opportunities to restructure the Florida Energy Code for Building Construction, including the integration of the Thermal Efficiency Code, the Energy Conservation Standards Act, and the Florida Building Energy-Efficiency Rating Act; requiring the commission to submit a report to the President of the Senate and the Speaker of the House of Representatives on or before a specified date; directing the Department of Community Affairs, in conjunction with the Florida Energy Affordability Council, to identify and review issues relating to the Low-Income Home Energy Assistance Program and the Weatherization Assistance Program; requiring the submission of a report to the President of the Senate and the Speaker of the House of Representatives on or before a specified date; providing for the expiration of certain study requirements; amending s. 553.957, F.S.; including certain home and commercial appliances in the requirements for testing and certification for meeting certain energy-conservation standards; amending s. 553.975, F.S.; conforming a cross-reference; requiring the Public Service Commission to analyze utility revenue decoupling and provide a report and recommendations to the Governor, the President of the Senate, and the Speaker of the House of Representatives by a specified date; amending s. 718.113, F.S.; authorizing the board of a condominium or a multicondominium to install solar collectors, clotheslines, or other energy-efficient devices on association property; creating s. 1004.648, F.S.; establishing the Florida Energy Systems Consortium, consisting of specified state universities; providing membership and duties of the consortium; providing for an oversight board and steering committee; providing reporting requirements for the consortium by a date certain; authorizing the Department of Environmental Protection to require certain agreements to contain a stipulation requiring the return to the state of a portion of the profit resulting from commercialization of an energy-related product or process; requiring the department to conduct a study relating to the state earning a monetary return on energy-related products or processes through the use of negotiated or licensing agreements; requiring the department to submit the study to the Governor and the Legislature; requiring the Department of Environmental Protection, in conjunction with the Department of Agriculture and Consumer Services, to conduct an economic impact analysis on the effect of granting financial incentives to energy producers who use woody biomass; requiring the department to submit the results to the Legislature; establishing a statewide solid waste reduction goal by a certain date; requiring the Department of Environmental Protection to develop a recycling program designed to meet that goal; requiring the Department of Environmental Protection to prepare a report relating to the costs and benefits of implementing a cap-and-trade system to trade emission credits; requiring the department to present the report to the Governor, the President of the Senate, and the Speaker of the House of Representatives; describing certain specified issues to be included in the report; providing effective dates.

By the Committee on Health Regulation; and Senators Saunders and Atwater—

CS for SB's 1550 and 2724—A bill to be entitled An act relating to prescription drug history; creating s. 893.055, F.S.; providing definitions; requiring the Agency for Health Care Administration to contract with a vendor to design and operate a website that gives health care practitioners, pharmacies, and pharmacists access to patient medication history through a privacy-protected website; requiring the contracted vendor to subcontract with organizations that currently operate electronic prescribing networks; requiring the contracted vendor to comply with state and federal privacy laws; requiring the vendor to create a verification system to check the validity of licenses for each health care practitioner, pharmacist, and pharmacy accessing the website; authorizing a pharmacy or pharmacist to use the website to obtain only the medication history of patients in dispensing certain drugs; prohibiting the pharmacist or pharmacy from accessing pharmacy-identifying information through the website; prohibiting recovery of damages against a health care practitioner, pharmacist, or pharmacy for accessing or failing to access information from the website; providing for disciplinary action; providing that a contractor is liable in tort for the improper

release of a patient's confidential information from the website; providing that sovereign immunity may not be raised by the contractor or the insurer of that contractor as a defense in tort regarding the application of confidential information from the website or for breach of contract; providing a contingent effective date.

By the Committee on Children, Families, and Elder Affairs; and Senator Joyner—

CS for SB 1582—A bill to be entitled An act relating to guardians ad litem; amending s. 61.402, F.S.; authorizing a person affiliated with a not-for-profit legal aid organization to serve as a guardian ad litem under certain circumstances; requiring that such person undergo a security background investigation; providing an effective date.

By the Committees on Children, Families, and Elder Affairs; Criminal Justice; and Criminal Justice—

CS for CS for SB 1614—A bill to be entitled An act relating to the Department of Corrections; amending s. 120.57, F.S.; authorizing administrative law judges to appoint private pro bono attorneys in the continued placement hearings of inmates; amending s. 921.187, F.S.; deleting certain provisions limiting circumstances under which an offender may be placed in community control; amending s. 940.061, F.S.; specifying that the Department of Corrections meets its statutory obligation to assist released offenders with completing the application for the restoration of civil rights by sending an electronic list to the Parole Commission each month of those inmates and offenders who were released from incarceration or terminated from supervision during the preceding month; amending s. 943.16, F.S.; eliminating provisions requiring that a law enforcement officer reimburse the employing agency for wages and benefits paid by the employing agency if the officer terminates employment before the end of a 2-year commitment period; eliminating wages and benefits from the costs that employing agencies may recover; eliminating the definition of the term "academy training period"; amending s. 944.1905, F.S.; authorizing the department to assign an offender sentenced to death to a facility for youthful offenders until the offender reaches a specified age; deleting provisions requiring that certain offenders younger than 18 years of age be housed and provided certain services separately from older offenders or placed in a facility for youthful offenders; amending s. 944.293, F.S.; specifying that the Department of Corrections meets its statutory obligation to assist released offenders with completing the application for the restoration of civil rights by sending an electronic list to the Parole Commission each month of those inmates and offenders who were released from incarceration or terminated from supervision during the preceding month; amending s. 944.47, F.S.; providing that a cellular telephone or other portable communication device that is introduced inside the secure perimeter of a state correctional institution without prior authorization is contraband; prohibiting an inmate or other person upon the grounds of the institution from possessing such contraband without authorization; providing a definition; providing criminal penalties; amending s. 945.41, F.S.; eliminating a requirement that the Department of Corrections contract with the Department of Children and Family Services to provide certain mental health services; authorizing the Department of Corrections to contract with other entities or persons to provide mental health services to inmates; amending s. 945.42, F.S.; revising definitions and defining the term "crisis stabilization care"; amending s. 945.43, F.S.; revising the procedures for placing an inmate in a mental health treatment facility; authorizing the court to waive the presence of the inmate at the hearing on the inmate's placement; amending s. 945.44, F.S.; providing for the emergency placement of an inmate in a mental health treatment facility; amending s. 945.45, F.S.; revising the provisions governing the continued placement of an inmate in a mental health treatment facility; providing that the administrative law judge may waive the presence of the inmate at the hearing under certain conditions; amending s. 945.46, F.S.; authorizing the warden to initiate procedures for the involuntary examination of an inmate who has a mental illness and meets certain criteria; amending s. 945.47, F.S.; providing for the transfer of an inmate who is no longer in need of mental health treatment; deleting certain provisions governing involuntary placement; requiring that a summary of the inmate's treatment be provided to the Parole Commission and the Department of Children and Family Services upon request; amending s. 945.48, F.S.; revising the procedure for the involuntary mental health treatment of an inmate; providing for the warden of the institution containing the mental health treatment facility to petition the circuit court for an order authorizing involuntary treatment; providing requirements for the hearing on involuntary treatment; limiting the period that an order authorizing involuntary treatment is effective; providing a procedure for emergency treatment; amending s. 945.49, F.S.; deleting a provision requiring that training provided to correctional officers employed by a mental health treatment facility be in accordance with the requirements of the Criminal Justice Standards and Training Commission; amending s. 948.01, F.S.; deleting certain provisions limiting circumstances under which an offender may be placed in community control; amending s. 948.10, F.S.; deleting a requirement that community control programs and manuals be developed in consultation with the Florida Conference of Circuit Court Judges and the State Courts Administrator; deleting requirements for the department in developing and implementing community control programs, resource directories, and training programs; deleting a requirement for the Florida Court Education Council and the State Courts Administrator to coordinate certain resources for judges pertaining to community control; eliminating provisions governing review and notice by the department of offenders ineligible for community control and requiring the department to develop a caseload equalization strategy; amending s. 958.04, F.S.; authorizing the court to sentence a person as a youthful offender if the offender is younger than 21 years of age at the time sentence is imposed; requiring the Department of Corrections to adopt by rule criteria to define successful participation in the youthful offender program; amending s. 958.11, F.S.; removing the specific designation of youthful offender facilities for housing female offenders; revising requirements for the department with respect to assigning or transferring youthful offenders; removing references to the Assistant Secretary for Youthful Offenders; amending s. 958.12, F.S.; removing the requirement for a youthful offender to be visited by a probation and parole officer before release; removing the requirement for the department to develop community partnerships with the Department of Labor and Employment Security and the Department of Children and Family Services; providing an effective date.

By the Committee on Judiciary; and Senator Ring—

CS for SB 1636—A bill to be entitled An act relating to the collection of court-related fees, service charges, costs, and fines by circuit courts and county courts; amending s. 938.30, F.S.; requiring all persons other than state inmates who owe court-related fees, service charges, costs, and fines to appear before the court; amending s. 938.301, F.S.; requiring each circuit court to implement the Comprehensive Court Enforcement Program; amending s. 939.185, F.S.; requiring the clerk of courts to record in the official record a certified copy of any court order imposing additional court costs; providing that the court order constitutes a lien against the person upon whom the costs are imposed and attaches as a lien on any real and personal property owned by the person; providing an exception; requiring the Legislature to establish a joint select committee to review methods of collecting court-related fees, service charges, costs, and fines used by circuit courts and county courts; providing for appointment of committee members; providing for designation of a chair and vice chair; requiring the committee to submit recommendations for a uniform statewide method for collecting such court-related fees, service charges, costs, and fines; providing an effective date.

By the Committees on Children, Families, and Elder Affairs; Education Pre-K - 12; and Senators Gaetz and Lynn—

CS for CS for SB 1670—A bill to be entitled An act relating to early learning; providing a short title; amending s. 402.316, F.S.; requiring the Department of Children and Family Services to adopt rules regarding screening standards and notice for certain child care personnel; amending s. 411.01, F.S.; authorizing the use of telecommunication methods in conducting early learning coalition board meetings; amending and renumbering s. 402.27, F.S.; transferring requirements for the establishment of a statewide child care resource and referral network by the Department of Children and Family Services to the Agency for Workforce Innovation; providing for use of early learning coalitions as child care resource and referral agencies; requiring rulemaking; amending and renumbering s. 409.178, F.S.; transferring duties of the Department of Children and Family Services with respect to the Child Care Executive Partnership Program to the Agency for Workforce Innovation and

early learning coalitions; requiring rulemaking; amending s. 435.04, F.S.; providing additional criminal offenses for screening child care personnel; amending s. 1001.10, F.S.; requiring the Department of Education to assist school districts, charter schools, the Florida School for the Deaf and the Blind, and certain private schools and providers in developing policies and procedures governing educator ethics and employment; requiring the department to provide authorized staff with access to or provide verification through certain employment-screening tools; amending ss. 1002.55, 1002.61, and 1002.63, F.S., relating to the Voluntary Prekindergarten Education Program; providing additional accreditation standards for private prekindergarten providers; providing requirements for assignment of substitute instructors; requiring owners of certain private schools and private prekindergarten providers to adopt ethical standards for all employees; prohibiting confidentiality agreements regarding terminated or dismissed employees which have the effect of concealing certain conduct; requiring such owners and providers to contact the previous employer of each instructional or administrative candidate for employment and notify the Department of Education of dates of employment of an educator; requiring rulemaking; conforming cross-references; amending s. 1002.69, F.S.; requiring the ability to communicate in English to be included in the statewide kindergarten readiness screening criteria; providing an effective date.

By the Committee on Criminal Justice; and Senator Joyner—

CS for SB 1732—A bill to be entitled An act relating to human trafficking; creating within the Executive Office of the Governor the Florida Statewide Task Force on Human Trafficking; prescribing the membership of the task force; providing for members of the task force to be reimbursed for per diem and travel expenses; providing specific responsibilities and duties of the task force and its members; requiring that the task force prepare a final report by a specified date; providing duties of the Florida State University Center for the Advancement of Human Rights; abolishing the task force on a specified date; providing an effective date.

By the Committee on Children, Families, and Elder Affairs; and Senator Rich—

CS for SB 1950—A bill to be entitled An act relating to forensic services for persons who are retarded or autistic; amending s. 916.106, F.S.; revising definitions; redefining the terms "autism" and "retardation"; amending s. 916.301, F.S.; revising requirements regarding the appointment of experts if a defendant's suspected mental condition is retardation or autism; providing an effective date.

By the Committee on Children, Families, and Elder Affairs; and Senator Rich—

CS for SB 1954—A bill to be entitled An act relating to developmental disabilities; amending s. 393.063, F.S.; revising definitions; revising the term "developmental disabilities institution" to be known as a "developmental disabilities center"; redefining the term "retardation"; amending s. 393.0655, F.S.; requiring certain persons to undergo background screening if they have been unemployed for more than 90 days; amending s. 393.0673, F.S.; providing additional grounds for denying, suspending, or revoking a license or imposing a fine against a provider serving clients of the Agency for Persons with Disabilities; amending s. 393.506, F.S.; expanding the types of medications that an unlicensed direct service provider may administer; amending ss. 287.155, 393.064, 393.0651, 393.066, 393.135, 393.22, 393.23, 402.181, 402.22, 435.03, F.S.; conforming provisions to changes made by the act; repealing s. 393.0657, F.S., relating to background screening; providing an effective date.

By the Committees on Finance and Tax; Health Regulation; and Senator Rich—

CS for CS for SB 1962—A bill to be entitled An act relating to the tax exemption for nonprofit cooperative hospital laundries; amending s. 212.08, F.S.; requiring a member of a nonprofit cooperative to immediately divest itself of participation in the cooperative if it loses its nonprofit status; providing that the provision of emergency services to a nonmember business does not invalidate the certificate of tax exemption; providing an effective date.

By the Committees on Health Policy; Banking and Insurance; and Senators Deutch and Crist—

CS for CS for SB 2012—A bill to be entitled An act relating to long-term care policies; amending s. 627.94073, F.S.; revising provisions requiring that insurers notify policyholders of the right to designate a secondary addressee to receive a notice of termination; requiring that a canceled policy be reinstated if the policyholder failed to pay the premium due to an extended confinement in a hospital, skilled nursing facility, or assisted living facility; providing for application; providing an effective date.

By the Committees on Judiciary; Criminal Justice; and Senators Ring and Crist—

CS for CS for SB 2026—A bill to be entitled An act relating to sexual offenders and predators; amending ss. 775.21, 943.0435, 944.607, and 985.4815, F.S.; requiring sexual offenders and predators to provide home telephone numbers and any cellular telephone numbers as part of the registration process; specifying that failure to provide such telephone numbers as required is a third-degree felony; requiring registrants to attest to the truthfulness of the information submitted during registration; providing criminal penalties for submission of false information during registration; amending s. 943.043; requiring the Department of Law Enforcement to notify the public of sexual predator and sexual offender information through the Internet; specifying what sexual predator and sexual offender information and features must be available on the Internet; requiring the Department of Law Enforcement to develop a uniform system to verify predator and offender address information when address submitted cannot be plotted on a map; requiring the Department of Law Enforcement to determine the feasibility of certain Internet features; amending s. 944.606, F.S.; requiring that the Department of Law Enforcement be notified of the home telephone number and any cellular telephone number of a sexual offender released from incarceration; amending s. 985.481, F.S.; requiring that the Department of Law Enforcement be notified of the home telephone number and any cellular telephone number of a juvenile sexual offender released after serving a period of residential commitment; providing an effective date.

By the Committee on Regulated Industries; and Senator Posey—

CS for SB 2044—A bill to be entitled An act relating to selling, giving, or serving alcoholic beverages to persons under 21 years of age; amending s. 562.11, F.S.; increasing the penalty imposed for a second or subsequent offense of selling, giving, or serving alcoholic beverages to a person under 21 years of age within a specified period following the prior offense; providing a defense to such a charge; providing an effective date.

By the Committee on Finance and Tax; and Senator Haridopolos—

CS for SB 2080—A bill to be entitled An act relating to value adjustment boards; amending s. 194.011, F.S.; requiring that the Department of Revenue develop a uniform policies and procedures manual for use in proceedings before value adjustment boards; specifying availability requirements for such manual; amending s. 194.015, F.S.; revising the membership of value adjustment boards; providing for citizen members; revising criteria related to appointment to such boards; revising quorum requirements; deleting provisions authorizing county attorneys to act as counsel for value adjustment boards; amending s. 194.035, F.S.; providing that a requirement that value adjustment boards appoint special magistrates for certain purposes applies to all counties; requiring value adjustment boards to verify the qualifications of special magistrates prior to appointment; providing selection criteria; requiring that the department provide training for special magistrates; providing training requirements; amending s. 194.037, F.S.; revising information required to be provided on the disclosure of tax impact form to include certain additional information; providing an effective date.

By the Committees on General Government Appropriations; Banking and Insurance; and Senators Bennett and Atwater—

CS for CS for SB 2082—A bill to be entitled An act relating to insurance; providing a short title; amending s. 626.171, F.S.; requiring that an applicant for licensure as an insurance agent, customer representative, adjuster, service representative, managing general agent, or reinsurance intermediary provide to the Department of Financial Services his or her home and office telephone numbers and e-mail address; amending s. 626.2815, F.S.; requiring persons licensed to solicit or sell life insurance to complete a specified number of hours in continuing education on the subject of suitability in annuity and life insurance transactions; amending s. 626.551, F.S.; requiring that a licensee notify the department within 60 days after a change in home or business telephone numbers or e-mail address; amending s. 626.9521, F.S.; providing enhanced penalties for offenses involving misleading representations or fraudulent comparisons or omissions, the generation of unlawful fees and commissions, or the use of fraudulent signatures; providing for other enhanced penalties to supersede the penalties provided by the act under certain conditions; amending s. 626.9541, F.S.; revising the elements of the offense known as "churning" to include direct or indirect purchases made for the purpose of earning fees or commissions; providing that the submission of certain fraudulent signatures or the misrepresentation of a licensee's qualifications constitute an unfair method of competition and an unfair or deceptive act or practice; amending s. 626.99, F.S.; revising requirements for life insurance or annuity policies to increase the period of time allowed for obtaining an unconditional refund; requiring insurers for all types of annuities to provide a buyer's guide and a policy summary to the buyer; amending s. 627.4554, F.S.; providing for the regulation of recommendations relating to the sale of life insurance products to senior consumers; redefining the term "annuity" and defining the term "life insurance contract"; requiring that an agent obtain financial and other information concerning the senior consumer before executing a purchase or exchange of an annuity or life insurance contract; requiring that the agent perform a suitability analysis relative to the investment he or she recommends and document the analysis in writing; requiring an agent to provide a comparison of current and recommended products if the transaction involves the replacement or exchange of an in-force insurance policy or annuity; requiring an agent to provide information about any surrender charges and tax consequences; authorizing the department and commission to adopt rules; amending s. 627.805, F.S.; providing for regulation of the issuance and sale of variable and indeterminate value contracts by the Department of Financial Services, the Office of Insurance Regulation, and the Office of Financial Regulation; authorizing the department and the Financial Services Commission to adopt rules; providing an effective date.

By the Committee on Regulated Industries; and Senator Villalobos—

CS for SB 2084—A bill to be entitled An act relating to community associations; amending s. 468.431, F.S.; revising and providing definitions; amending s. 468.4315, F.S.; redesignating the Regulatory Council of Community Association Managers as the Board of Community Association Managers; revising membership criteria for members of the board; requiring the board to establish a public education program; providing that board members shall serve without compensation but are entitled to per diem and travel expenses; providing responsibilities of the board; amending s. 468.432, F.S.; providing for licensure of community association management firms; providing application, licensure, and fee requirements; amending s. 468.433, F.S.; providing for the refusal of applicant certification under certain circumstances; conforming terminology; amending ss. 468.4337 and 468.4338, F.S.; conforming terminology to changes made by the act; amending s. 468.435, F.S.; conforming terminology to changes made by the act; removing statutory fee ranges; authorizing the board to establish specified fees; requiring the board to adopt rules establishing such fees; amending s. 468.436, F.S.; requiring that the Department of Business and Professional Regulation investigate certain complaints and allegations; providing complaint and investigation procedures; conforming cross-references and terminology; providing grounds for which disciplinary actions may be taken; authorizing the department to impose specified penalties on a community association management firm; authorizing the department to reissue the license of a disciplined community association manager or firm under certain circumstances; amending s. 718.110, F.S.; revising instances under which a declaration may be amended; requiring a majority vote of owners for approval of an amendment to a declaration; deleting a provision requiring amendments to declarations recorded after a specified date to be approved by more than four-fifths of the voting interests; amending s. 718.111, F.S.; providing duties of officers, directors, and agents of a condominium association and liability for monetary damages under certain circumstances; deleting legislative intent relating to insurance premiums for associations; providing policy requirements for windstorm insurance for condominium associations; providing deductible requirements; providing that a copy of the inspection report shall be maintained as an official record of the association; requiring official records of the association to be maintained for at least 5 years and to be made available at certain locations and in specified formats; providing civil and criminal sanctions, including sanctions against any person who knowingly or intentionally defaces, destroys, or fails to create or maintain accounting records; requiring the association to maintain certain documents; prohibiting accessibility to certain personal identifying information of unit owners by fellow unit owners; requiring the Division of Florida Land Sales, Condominiums, and Mobile Homes to adopt certain rules; requiring certain audits and reports to be paid for by the developer if done prior to turnover of control of the association; restricting a condominium association from waiving a financial report for more than 2 consecutive years; amending s. 718.112, F.S.; prohibiting votes allocated to units owned by the association from being cast by proxy, ballot, or otherwise, for any purpose; providing an exception that proxies may be used to establish a quorum; requiring the board to address certain agenda items proposed by a petition of a specified percentage of the unit owners; revising notice requirements for meetings to consider assessments; providing requirements for the location of annual unit owner meetings; revising terms of service for board members; prohibiting certain persons from serving on the board; providing exceptions; requiring the association to provide a certification form to unit owners for specified purposes; removing a provision allowing an association to provide for different voting and election procedures in its bylaws; revising annual budget requirements; requiring proxy questions relating to reserves to contain a certain statement; authorizing the association to use reserve funds for nonscheduled purposes under certain conditions; revising methods by which the bylaws may be amended; providing for the removal of board members under certain circumstances; providing that directors delinquent in certain payments owed in excess of certain periods of time be suspended from office or deemed to have abandoned their offices; providing that directors charged with certain offenses involving an association's funds or property be suspended from office pending resolution of the charge; amending s. 718.113, F.S.; authorizing the board to install specified hurricane protection; providing that no obligation of the board to close or cause to be closed any hurricane shutters is created; prohibiting any restrictions from being placed on the closing of hurricane shutters unless the board and association assume such responsibility when appropriate; requiring the board to have condominium buildings periodically inspected for specified purposes; prohibiting the board from adopting rules or regulations impairing certain rights or prohibiting reasonable accommodation for religious practices; creating s. 718.1224, F.S.; prohibiting certain lawsuits arising from unit owners' appearances and presentations before a governmental entity; providing a definition; providing for award of damages and attorney fees; prohibiting associations from expending association funds in prosecuting such a suit against a unit owner; amending s. 718.1255, F.S.; revising legislative intent concerning alternative dispute resolution; amending s. 718.301, F.S.; requiring developers to provide certain documents to the association within a specified time after turnover of control of the association; amending s. 718.3025, F.S.; providing maintenance and management services contract disclosure requirements; amending s. 718.3026, F.S.; removing a provision authorizing associations to opt out of certain provisions relating to contracts for products and services; removing provisions relating to competitive bid requirements for contracts executed before a specified date; amending s. 718.501, F.S.; providing authority and responsibilities of the division; revising who constitutes an agent for purposes of cease and desist orders issued by the division; requiring the division to bring an action against a developer under certain circumstances; providing the division with certain powers; requiring the division to issue a subpoena under certain circumstances; requiring the division to maintain a list of condominium association board member and unit owner training programs and program providers; deleting obsolete language; amending s. 718.50151, F.S.; revising membership requirements for the Advisory Council on Condominiums; providing an effective date.

By the Committees on Criminal Justice; and Criminal Justice—

CS for SB 2152—A bill to be entitled An act relating to criminal justice; providing legislative intent; requiring state agencies and regulatory boards to submit to legislative officers and committees a report that states current restrictions on the employment of ex-offenders and possible alternatives that are compatible with protecting the public safety; requiring that such a report be submitted biennially; amending s. 112.011, F.S.; providing that a person may not be disqualified from receiving a license, permit, or certificate or from obtaining public employment on the grounds that the person's civil rights have not been restored; providing that a person is not required to secure the restoration of his or her civil rights or prove that his or her civil rights have been restored in order to receive a license, permit, or certificate or to obtain public employment; amending s. 760.10, F.S.; prohibiting an employer from requesting, making, or keeping certain criminal history records; prohibiting the criminal prosecution for perjury in certain circumstances; amending s. 943.0581, F.S.; authorizing the arresting agency or the agency where the warrant was issued to request an administrative expunction; amending s. 943.0585, F.S.; requiring the clerk of the court to place information about the availability of criminal history sealing and expunction on the court's Internet website and provide a link to the Department of Law Enforcement's website related to such information; clarifying under what circumstances a person may legally deny an expunged criminal history record; authorizing disclosure of the contents of an expunged record upon receipt of a written, notarized request from the record subject; amending s. 943.059, F.S.; clarifying under what circumstances a person may legally deny a sealed criminal history record; authorizing a person to petition the court to seek a second criminal history record sealing under certain circumstances; requiring the Office of Program Policy Analysis and Government Accountability to conduct a study; specifying the research questions for the study; requiring a report to be submitted to the Legislature; providing an effective date.

By the Committees on Finance and Tax; Banking and Insurance; and Banking and Insurance—

CS for CS for SB 2158—A bill to be entitled An act relating to money services businesses; changing the name of money transmitters to money services businesses; requiring licensure rather than registration; amending s. 560.103, F.S.; revising definitions; defining the terms "affiliated party," "branch office," "cashing," "compliance officer," "electronic instrument," "financial audit report," "foreign affiliate," "licensee," "location," "monetary value," "net worth," "outstanding money transmission," and "stored value"; providing applicability for certain terms; amending s. 560.104, F.S.; revising provision providing exemptions from ch. 560, F.S.; amending s. 560.105, F.S.; revising provisions relating to the powers of the Office of Financial Regulation and the Financial Services Commission; amending s. 560.109, F.S.; revising provisions relating to examinations and investigations conducted by the office; requiring that the office periodically examine each licensee and each new licensee within 6 months after issuing a license; requiring the office to report certain violations to a criminal investigatory agency; requiring that the office annually report to the Legislature information concerning investigations and examinations and the total amount of fines assessed and collected; requiring records in a language other than English to be translated; creating s. 560.1091, F.S.; authorizing the office to contract with third parties to conduct examinations; authorizing the commission to adopt rules relating to who can conduct examinations and the rates charged; creating s. 560.1092, F.S.; requiring persons examined to pay the expenses of examination as set by rule of the commission; providing for the deposit of funds collected from licensees; requiring payment for travel expenses and living expenses and compensation for persons making the examinations from such funds or from funds budgeted for such purposes; creating s. 560.110, F.S.; providing for record retention by licensees; amending s. 560.111, F.S.; revising the list of prohibited acts by a money services business; amending s. 560.113, F.S.; providing for the establishment of a receivership or the payment of restitution by a person found to have violated ch. 560, F.S.; amending s. 560.114, F.S.; revising grounds for the disciplinary actions; creating s. 560.1141, F.S.; authorizing the commission to adopt disciplinary guidelines for imposing penalties for violations; providing for mitigating and aggravating circumstances; amending s. 560.115, F.S.; revising provisions relating to the voluntary surrender of a license; amending s. 560.116, F.S.; revising provisions relating to the granting of immunity for providing information about alleged violations of ch. 560, F.S.; amending s. 560.118, F.S.; revising provisions relating to required reports; deleting an exemption from the requirement to file an annual financial report; transferring, renumbering, and amending s. 560.119, F.S.; revising provisions providing for the deposit of fees and assessments; amending s. 560.121, F.S.; revising restriction on access to records held by a court or the Legislature; amending s. 560.123, F.S.; revising provisions relating to the Florida Control of Money Laundering in Money Services Business; creating s. 560.1235, F.S.; requiring a licensee to comply with state and federal anti-money laundering laws and rules; amending s. 560.124, F.S.; revising provisions relating to sharing reported information; amending s. 560.125, F.S.; revising provisions relating to unlicensed activity; amending s. 560.126, F.S.; revising provisions relating to certain notice requirements by a licensee; amending s. 560.127, F.S.; revising provisions relating to the control of a money services business; amending s. 560.128, F.S.; revising provisions relating to customer contacts and license display; amending s. 560.129, F.S.; revising provisions relating to the confidentiality of certain records; creating s. 560.140, F.S.; providing licensing standards for a money services business; creating s. 560.141, F.S.; providing for a license application; creating s. 560.142, F.S.; providing for license renewal; creating s. 560.143, F.S.; providing for license fees; amending s. 560.203, F.S.; revising the exemption from licensure for authorized vendors of a money services business; amending s. 560.204, F.S.; revising provisions relating to the requirement for licensure of money transmitters or sellers of payment instruments under part II of ch. 560, F.S.; amending s. 560.205, F.S.; providing additional requirements for a license application; amending s. 560.208, F.S.; revising provisions relating to the conduct of a licensee; creating s. 560.2085, F.S.; providing requirements for authorized vendors; amending s. 560.209, F.S.; revising provisions relating to a licensee's net worth and the filing of a corporate surety bond; requiring a financial audit report; increasing the upper limit of the bond; deleting the option of waiving the bond; amending s. 560.210, F.S.; revising provisions relating to permissible investments; amending s. 560.211, F.S.; revising provisions relating to required recordkeeping under part II of ch. 560, F.S.; amending s. 560.212, F.S.; revising provisions relating to licensee liability; amending s. 560.213, F.S.; revising provisions relating information that must be printed on a payment instrument; amending s. 560.303, F.S.; revising provisions relating to the licensure of check cashers under part II of ch. 560, F.S.; amending s. 560.304, F.S.; revising provisions relating to exemptions from licensure; limiting the exemption for the payment of instruments below a certain value; amending s. 560.309, F.S.; revising provisions relating to the conduct of check cashers; providing additional requirements; amending s. 560.310, F.S.; revising requirements for licensee records; specifying the maintenance of identification records for certain customers; amending s. 560.402, F.S.; revising definitions relating to deferred presentment providers; amending s. 560.403, F.S.; revising provisions relating to the licensing requirements for deferred presentment providers; amending s. 560.404, F.S.; revising provisions relating to deferred presentment transactions; amending s. 560.405, F.S.; revising provisions relating to the redemption or deposit of a deferred presentment transaction; amending s. 560.406, F.S.; revising provisions relating to worthless checks; amending ss. 499.005, 499.0691, 501.95, 538.03, 896.101, 896.104, and 921.0022, F.S.; conforming cross-references; repealing s. 560.101, F.S., relating to a short title; repealing s. 560.102, F.S., relating to purpose and application; repealing s. 560.106, F.S., relating to chapter constructions; repealing s. 560.1073, F.S., relating to false or misleading statements or documents; repealing s. 560.108, F.S., relating to administrative enforcement guidelines; repealing s. 560.112, F.S., relating to disciplinary action procedures; repealing s. 560.117, F.S., relating to administrative fines; repealing s. 560.200, F.S., relating to a short title; repealing s. 560.202, F.S., relating to definitions; repealing s. 560.206, F.S., relating to the investigation of applicants; repealing s. 560.207, F.S., relating to registration; repealing s. 560.301, F.S., relating to a short title; repealing s. 560.302, F.S., relating to definitions; repealing s. 560.305, F.S., relating to application for registration; repealing s. 560.306, F.S., relating to standards; repealing s. 560.307, F.S., relating to fees; repealing s. 560.308, F.S., relating to registration; repealing s. 560.401, F.S., relating to a short title; repealing s. 560.407, F.S., relating to required records; providing effective dates.

By the Committee on Judiciary; and Senator Jones—

CS for SB 2164—A bill to be entitled An act relating to trust administration; amending s. 736.0703, F.S.; providing exceptions to duties and liabilities of cotrustees for excluded cotrustees under certain circum-

stances; relieving excluded cotrustees from specified liabilities and obligations under certain circumstances; providing for liabilities and obligations of included cotrustees; amending s. 736.0802, F.S.; providing an exception for trustee payments of costs and attorney's fees from trust assets except pursuant to court order under certain circumstances; requiring trustees to provide certain notice to beneficiaries; providing notice requirements; providing requirements for obtaining such a court order; specifying remedies; providing for specified refunds and sanctions; preserving certain court remedies; amending s. 736.1008, F.S.; specifying periods of repose barring claims by a beneficiary against a trustee; providing construction; providing an effective date.

By the Committee on Criminal Justice; and Senator Crist—

CS for SB 2172—A bill to be entitled An act relating to detention by licensed security officers; amending s. 493.6305, F.S.; authorizing certain licensed security officers to detain certain individuals until the arrival of a law enforcement officer; providing limits on such detention; requiring that such security officers notify the appropriate law enforcement agency as quickly as possible; requiring the transfer of an alleged offender to the custody of the officer; authorizing limited searches of certain persons when a licensed security officer has probable cause to believe that the person is armed with a dangerous weapon; requiring that seized weapons be provided to a responding law enforcement officer; amending s. 493.6118, F.S.; conforming provisions to changes made by the act; providing an effective date.

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

CS for SB 2174—A bill to be entitled An act relating to motor vehicle insurance; amending s. 627.736, F.S.; revising the schedule of maximum charges on which an insurer may base a limited reimbursement for certain medical services, supplies, and care for injured persons covered by personal injury protection; specifying a minimum amount for the applicable fee schedule or payment limitation under Medicare for such reimbursements; providing an effective date.

By the Committees on Health and Human Services Appropriations; Health Regulation; Children, Families, and Elder Affairs; and Senator Storms—

CS for CS for CS for SB 2216—A bill to be entitled An act relating to adult protection and care; amending s. 322.142, F.S.; authorizing the Department of Children and Family Services to obtain copies of driver's license files maintained by the Department of Highway Safety and Motor Vehicles for the purpose of conducting protective investigations; amending s. 400.141, F.S.; requiring a search of the Department of Law Enforcement's sexual offender database to be conducted on all nursing home residents; amending s. 400.19, F.S.; revising provisions relating to unannounced inspections; amending s. 400.215, F.S.; requiring contracted workers employed in a nursing home to submit to background screening; prohibiting employees and contracted workers who do not meet background screening requirements from being employed in a nursing home; providing certain exceptions; deleting an obsolete provision; amending s. 408.809, F.S.; requiring the agency to establish a fee schedule to cover the cost of a level 1 or level 2 screening and giving the agency rulemaking authority; amending s. 408.810, F.S.; requiring health care facilities regulated by the Agency for Health Care Administration to post certain information in the facility; authorizing the agency to charge a fee to cover production and distribution unless the information is downloaded from the agency's website; amending s. 408.811, F.S.; providing that agency employees who provide advance notice of unannounced agency inspections are subject to suspension; providing a timeline and process for correction of deficiencies; providing that the agency may provide electronic access to documents; amending s. 415.103, F.S.; requiring certain reports to the central abuse hotline relating to vulnerable adults to be immediately transferred to the county sheriff's office; amending s. 415.1051, F.S.; authorizing the Department of Children and Family Services to file the petition to determine incapacity in adult protection proceedings; prohibiting the department from serving as the guardian or providing legal counsel to the guardian; amending s. 415.112, F.S.; specifying rules to be adopted by the Department of Children and Family Services relating to adult protective services under ch. 415, F.S.; amending s. 429.02, F.S.; revising the definition of "service plan" to remove the limitation that plans are required only in assisted living facilities that have an extended congregate care license; requiring that the agency develop a service plan form; amending s. 429.07, F.S.; providing that license requirements for specialty licenses apply to current licensees as well as applicants for an extended congregate care and limited nursing license; conforming a cross-reference; amending s. 429.174, F.S.; requiring certain employees and contracted workers in assisted living facilities to submit to background screening; prohibiting employees and contracted workers who do not meet background screening requirements from being employed in an assisted living facility; providing certain exceptions; requiring the person being screened to pay for the cost of screening; amending s. 429.255, F.S.; providing that the owner or administrator of an assisted living facility is responsible for the services provided in the facility; amending s. 429.26, F.S.; clarifying a prohibition on moving a resident; providing for the development of a service plan for all residents; requiring a search of the Department of Law Enforcement's sexual offender database to be conducted on all residents of an assisted living facility; requiring residents to be periodically assessed for competency to handle personal affairs; amending s. 429.27, F.S.; prohibiting assisted living facility personnel from making certain decisions for a resident or acting as the resident's representative or surrogate; amending s. 429.28, F.S.; requiring that notice of a resident's relocation or termination of residency be in writing and a copy sent to specified persons; requiring the State Long-Term Ombudsman Program include information within their annual report to the Governor and the Legislature; requiring facilities to have a written grievance procedure that includes certain information; requiring that grievances reported to the local ombudsman council be included in a statewide reporting system; revising provisions relating to agency surveys to determine compliance with resident rights in assisted living facilities; amending s. 429.294, F.S.; deleting a cross-reference; amending s. 429.34, F.S.; providing for unannounced inspections; providing for additional 6-month inspections for certain violations; providing for an additional fine for 6-month inspections; amending s. 429.41, F.S.; requiring all residents of assisted living facilities to have a service plan; amending s. 429.65, F.S.; providing a definition of the term "reside"; amending s. 429.67, F.S.; expanding the list of persons who must have a background screening in adult family-care homes; amending s. 429.69, F.S.; providing that the failure of a adult family-care home provider to live in the home is grounds for the denial, revocation, or suspension of a license; amending s. 429.73, F.S.; requiring adult family-care home residents to be periodically assessed for competency to handle personal affairs; amending ss. 435.03 and 435.04, F.S.; providing additional criminal offenses for screening certain health care facility personnel; repealing s. 400.141(13), F.S., relating to a requirement to post certain information in nursing homes; repealing s. 408.809(3), F.S., relating to the granting of a provisional license while awaiting the results of a background screening; repealing s. 429.08(2), F.S., deleting a provision relating to local workgroups of field offices of the Agency for Health Care Administration; repealing s. 429.41(5), F.S., relating to agency inspections; amending ss. 430.80 and 651.118, F.S.; conforming cross-references; providing an appropriation and authorizing additional positions; providing an effective date.

By the Committees on Agriculture; and Agriculture—

CS for SB 2222—A bill to be entitled An act relating to a review of the Department of Citrus under the Florida Government Accountability Act; reenacting ss. 20.29, 601.04, and 601.05, F.S., relating to the Department of Citrus and the Florida Citrus Commission; amending s. 601.15, F.S.; revising the deadline by which the Florida Citrus Commission sets the annual citrus excise tax rate; deleting a provision requiring the commission to consider certain projected collection of taxes in setting the rate; conforming provisions relating to the season upon which the tax rate applies; repealing s. 601.154, F.S., relating to the Citrus Stabilization Act of Florida; providing an effective date.

By the Committees on Governmental Operations; and Community Affairs—

CS for SB 2224—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 119.011, F.S.; defining the term "paratransit" for purposes of the public records law;

amending s. 119.071, F.S.; expanding an exemption from public-records requirements which is provided for information identifying an applicant for or a recipient of paratransit services so that the exemption applies to all agencies; providing for future legislative review of the exemption under the Open Government Sunset Review Act; repealing s. 119.0713(2), F.S., relating to the prior exemption provided for such information; providing a statement of public necessity; repealing s. 2 of chapter 2003-110, Laws of Florida; deleting provisions providing for repeal of the exemption; amending ss. 257.34 and 257.35, F.S.; conforming cross-references; providing an effective date.

By the Committee on Finance and Tax; and Senator Baker—

CS for SB 2248—A bill to be entitled An act relating to judicial sales; amending s. 45.031, F.S.; providing for certain sales to be conducted by electronic means; requiring that electronic sales comply with specified procedures; providing exceptions; requiring clerks to provide public access terminals for electronic sales; authorizing clerks to receive electronic payments and deposits related to electronic sales; amending s. 45.035, F.S.; providing a service charge to be received by clerks for sales conducted by electronic means under a specified provision; providing an exception to the fee for moneys in the registry of the court; amending s. 197.542, F.S.; providing for electronic tax deed sales; requiring clerks to provide public access terminals for electronic sales; authorizing clerks to receive electronic payments and deposits related to electronic sales; providing an effective date.

By the Committee on Agriculture; and Senator Dean—

CS for SB 2286—A bill to be entitled An act relating to arboriculture; creating ch. 598, F.S.; providing a short title; providing a statement of purpose; providing definitions; providing powers and duties of the Department of Agriculture and Consumer Services; authorizing the department to adopt rules; establishing a fee schedule for licensure as an arborist; providing for the deposit and use of fee proceeds; establishing licensure procedures and requirements to practice arboriculture and provide arboriculture services; providing for the issuance of a license; providing for license renewal; providing for the reactivation of a license under certain conditions; providing for the issuance of a duplicate license under certain circumstances; requiring that the department maintain a roster of licensed arborists; providing an appropriation and authorizing an additional position; providing an effective date.

By the Committee on Governmental Operations; and Senators Ring, Diaz de la Portilla and Crist—

CS for SB 2310—A bill to be entitled An act relating to stimulating the economy; providing legislative findings and intent; amending s. 215.44, F.S.; requiring the State Board of Administration to report on the amount and type of technology and growth investments held by each fund; amending s. 215.47, F.S.; authorizing the board to invest a certain percentage of net assets in technology and growth investments; increasing the percentage amount of alternative investments in any fund, including investments that are not publicly traded or specifically authorized; authorizing the board to offer opportunities to small state-based investment management firms; creating s. 215.474, F.S.; requiring the Office of Program Policy Analysis and Government Accountability to perform an annual review of technology and growth investments made by the board and report to the Legislature; creating the Reusable Space Vehicle Industry Prize Program within the Office of Tourism, Trade, and Economic Development of the Executive Office of the Governor; providing for a specified cash prize to be awarded to the individual or firm providing the most significant advancements within the reusable space vehicle industry during a specified period; requiring that the Lieutenant Governor serve as chair of the program and appoint a committee; requiring that the committee perform certain tasks; requiring that the office adopt certain rules; providing for the program to terminate on a specified date; providing an effective date.

By the Committee on Higher Education; and Senators Posey and Fasano—

CS for SB 2324—A bill to be entitled An act relating to the tax on sales, use, and other transactions; repealing s. 212.031(9), F.S.; repealing the exemption from the tax on the use of real property which applies to charges for the rental, lease, sublease, or license for the use of a skybox, luxury box, or other box seats during a high school or college football game; providing that the exempt status of charges imposed under a contract entered into before a specified date will end after another specified date; providing an effective date.

By the Committee on Agriculture; and Senators Aronberg and Baker—

CS for SB 2352—A bill to be entitled An act relating to protecting urban and residential environments and water; creating s. 403.9335, F.S.; providing a short title; creating s. 403.9336, F.S.; providing legislative findings; creating s. 403.9337, F.S.; requiring that the Department of Environmental Protection adopt the "Florida Friendly Fertilizer Use on Urban Landscapes Model Ordinance" on or before a specified date; requiring that the department, in consultation with certain entities, review the model ordinance and adopt changes as necessary within specified periods; authorizing a county or municipal government meeting certain criteria to adopt provisions in addition to or more stringent than those contained in the model ordinance; authorizing any county or municipal government to adopt provisions in addition to or more stringent than those contained in the model ordinance under certain conditions; authorizing such counties to consult with certain entities when establishing such provisions; exempting certain counties or municipal governments from the requirement to adopt the model ordinance; creating s. 403.9338, F.S.; requiring that the minimum training program for limited certification for commercial fertilizer application issued by the Department of Agriculture and Consumer Services be designed, approved, and made available by the Department of Environmental Protection and the Institute of Food and Agricultural Sciences; providing training requirements; requiring the Department of Environmental Protection to contract with the Institute of Food and Agricultural Sciences for the purpose of leading the training effort; providing for colocation of programs; requiring that the Department of Environmental Protection provide training coordinators for the program; providing for certain regional classes; requiring certification of trainers; providing criteria for persons seeking to qualify as trainers; requiring the publication of certain training information; requiring the issuance of the trainer certificate on or before a specified date; requiring the maintenance and publication of a list of qualified trainers; amending s. 482.021, F.S.; providing definitions; amending s. 482.091, F.S.; requiring the issuance of identification cards containing certain information for persons who apply fertilizer commercially to urban lawnscape; requiring that such identification cards be obtained and used in certain ways; providing an exception; amending s. 482.156, F.S.; deleting a requirement for proof of certain training requirements established by the Department of Agriculture and Consumer Services; providing certain exceptions for persons holding the limited certificate for commercial landscape maintenance; requiring such persons to receive specified training on or before a specified date; creating s. 482.1561, F.S.; providing for the regulation of the application of commercial fertilizer on urban lawnscape and urban turf; requiring the certification of such applicators by the department; requiring certain applicators to be under the direct supervision of certain certified persons; requiring that the application of such fertilizer be in compliance with best-management practices adopted by the Department of Agriculture and Consumer Services and the Department of Environmental Protection; creating s. 482.1562, F.S.; establishing a limited certification category for commercial fertilizer application under the Department of Agriculture and Consumer Services; requiring the completion of a minimum training program before application for certification; providing application fees; providing recertification requirements and fees; authorizing the department to provide certain information to certain agencies; specifying limitations of certification; creating s. 482.1563, F.S.; authorizing the department to adopt rules; amending s. 482.2401, F.S.; requiring the deposit of moneys collected pursuant to certain fines into the Pest Control Trust Fund; providing for the use of such funds; providing an effective date.

By the Committee on Regulated Industries; and Senator Aronberg—

CS for SB 2378—A bill to be entitled An act relating to pari-mutuel wagering permitholders; amending s. 550.054, F.S.; authorizing a jai alai permitholder meeting certain conditions to apply to the Division of Pari-mutuel Wagering of the Department of Business and Professional Regulation to convert a permit to conduct jai alai to a permit to conduct greyhound racing; directing the division to issue a permit and license to conduct greyhound racing if certain conditions are met; providing for the conversion of certain permits; providing for the applicability of certain provisions of state law to converted permits; providing an effective date.

By the Committee on Environmental Preservation and Conservation; and Senator Saunders—

CS for SB 2394—A bill to be entitled An act relating to the protection of springs; creating part IV of ch. 369, F.S.; providing a short title; providing legislative findings and intent with respect to the need to protect and restore springs and groundwater; providing definitions; requiring the Department of Environmental Protection to delineate the springsheds of specified springs; requiring the department to adopt spring protection zones by secretarial order; requiring that the department adopt total maximum daily loads and basin management action plans; providing effluent requirements for domestic wastewater treatment facilities; providing requirements for onsite sewage treatment and disposal systems; providing requirements for agricultural operations; authorizing the Department of Environmental Protection, the Department of Health, and the Department of Agriculture and Consumer Services to adopt rules; amending s. 163.3177, F.S.; requiring certain local governments to adopt a springs protection element as one of the required elements of the comprehensive plan by a specified date; providing that certain design principles be included in the element; requiring the Department of Environmental Protection and the state land planning agency to make information available concerning best-management practices; prohibiting a local government that fails to adopt a springs protection element from amending its comprehensive plan; amending s. 403.1835, F.S.; including certain areas of critical state concern and the spring protection zones established by the act among projects that are eligible for certain financial assistance; requiring the Department of Environmental Protection, the Department of Agriculture and Consumer Services, the St. Johns River Water Management District, and the Southwest Florida Water Management District to assess nitrogen loading and begin implementing management plans within the spring protection zones by a specified date; directing the Department of Environmental Protection to establish the Florida Springs Stewardship Task Force; providing for task force membership and duties; requiring a report to the Legislature by a date certain; providing for assistance and support from state agencies and local governments; providing for expiration of the task force by a date certain; providing an effective date.

By the Committee on Commerce; and Senator Posey—

CS for SB 2458—A bill to be entitled An act relating to trust funds; amending s. 288.1087, F.S.; creating the Space and Aerospace Development Infrastructure Enhancement Fund within the Office of Tourism, Trade, and Economic Development; providing for annual carryforward of funds; providing for future review and termination or re-creation of the fund; providing a contingent effective date.

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

CS for SB 2462—A bill to be entitled An act relating to group self-insurance funds; amending s. 624.4621, F.S.; authorizing the board of trustees of certain self-insurers to declare any moneys in excess of the amount necessary to fund all obligations of the self-insurer as refundable to the members or policyholders of the self-insurer; authorizing the board to distribute such dividends or premium refunds at the board's discretion, in accordance with the agreement establishing the self-insurer; providing limitations; requiring that such self-insurers receive prior written approval from the office for any dividend or premium refunds during a specified period after such self-insurers commence operations; requiring that a notice or request for refund contain certain information; providing for the submission of certain information to the Office of Insurance Regulation if a self-insurer does not make or declare a dividend or member distribution payable during a given fund year; requiring that the office issue a decision within a specified period after receiving a request; providing an effective date.

By the Committee on Judiciary; and Senator Posey—

CS for SB 2484—A bill to be entitled An act relating to public records; renumbering and amending s. 119.0711(1), F.S.; transferring provisions that provide a public-records exemption for complaints and other records in the custody of any agency in the executive branch of state government which relate to a complaint of discrimination; expanding the exemption to provide for applicability to any agency rather than any agency in the executive branch of state government; amending s. 119.071, F.S.; reorganizing provisions; providing for review and repeal of the exemption; providing a statement of public necessity; amending s. 338.223, F.S.; conforming a cross-reference; providing an effective date.

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

CS for SM 2488—A memorial to the Congress of the United States, urging Congress to pass legislation that exempts from taxation all reserves placed in escrow for the exclusive use of paying potential future property insurance claims arising out of natural catastrophes.

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

CS for SB 2528—A bill to be entitled An act relating to insurance representatives; amending s. 626.221, F.S.; expanding the list of applicants eligible for exemption from certain examination requirements; amending s. 626.2815, F.S.; revising certain continuing education applicability requirements; prohibiting certain entities from imposing certain continuing education requirements; providing exceptions and limitations; providing an exception to certain examination monitoring requirements; providing requirements for exceptions; amending s. 626.311, F.S.; authorizing agents qualifying as unaffiliated insurance consultants to transact insurance business within the scope of the agent's license; providing a definition; providing requirements for qualifying or continuing to qualify as an unaffiliated insurance consultant; specifying prohibited activities for unaffiliated insurance consultants; amending s. 626.381, F.S.; authorizing appointing entities to impose certain training program requirements; providing a limitation; limiting appointment authority of appointing entities to persons meeting continuing education requirements; prohibiting appointments contingent upon certain continuing education course attendance; providing an effective date.

By the Committee on Education Pre-K - 12; and Senators Storms, Baker, Diaz de la Portilla, Alexander, Fasano, Villalobos, Bennett, Constantine, Crist, Dean, Gaetz and Wise—

CS for SB 2546—A bill to be entitled An act relating to the Interstate Compact on Educational Opportunity for Military Children; creating s. 1000.36, F.S.; directing the Governor to execute the Interstate Compact on Educational Opportunity for Military Children on behalf of this state with any other state or states legally adopting the compact; providing definitions; providing applicability; providing for the transfer of education records from a sending to a receiving state; requiring that children of military personnel be enrolled in classes at current grade level; providing for eligibility for graduation; providing for a state council to coordinate agencies and schools; providing for membership on the council; creating the Interstate Commission on Educational Opportunity for Military Children; providing for membership, organization, meetings, operations, powers, and duties; creating an executive committee; requiring the commission to adopt rules; providing for a legal challenge to the adopted rules; providing for oversight, enforcement, and dispute resolution; providing procedures to suspend or terminate member states; authorizing the commission to levy and collect an annual assessment from each member state; providing the method for the compact to become effective and binding on the member states; providing procedures for the withdrawal of a member state; providing severability; providing for the effect of the compact on member states' laws; creating s. 1000.37, F.S.;

requiring the Secretary of State to furnish a copy of the enrolled act enacting the Interstate Compact on Educational Opportunity for Military Children to each of the states approving the compact; creating s. 1000.38, F.S.; authorizing the Governor to designate a Compact Commissioner and Military Family Education Liaison; creating duties and responsibilities; creating s. 1000.39, F.S.; creating the State Advisory Council for the Interstate Compact on Educational Opportunity for Military Children; providing a purpose; requiring the council to make specified recommendations; providing membership; providing terms for certain members; prohibiting compensation for members, except reimbursement for per diem and travel expenses; providing for records and open meetings; requiring the Department of Education to provide administrative support; prescribing procedures if the council is abolished; providing for future legislative review and repeal of ss. 1000.36, 1000.37, 1000.38, and 1000.39, F.S.; providing a contingent effective date.

By the Committee on Children, Families, and Elder Affairs; and Senators Deutch and Lynn—

CS for SB 2552—A bill to be entitled An act relating to child custody and visitation; amending s. 61.13, F.S.; revising the application of a rebuttable presumption that a parent is a detriment to his or her child if he or she is convicted of a crime involving domestic violence from a felony of the third degree or higher to a misdemeanor of the first degree or higher; requiring a court to make explicit written findings that, when determining the best interests of a child for the purposes of shared parental responsibility and visitation, the court considered evidence of domestic or sexual violence and child abuse, abandonment, or neglect; providing an effective date.

By the Committee on Regulated Industries; and Senator Constantine—

CS for SB 2584—A bill to be entitled An act relating to trust funds; creating the Reduced Cigarette Ignition Propensity and Firefighter Protection Enforcement Trust Fund within the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation; providing for a source of funds and purpose of the trust fund; providing for an annual carryforward of funds; providing for future review and termination or re-creation of the trust fund; providing a contingent effective date.

By the Committee on Regulated Industries; and Senator Constantine—

CS for SB 2586—A bill to be entitled An act relating to trust funds; creating the Fire Prevention and Public Safety Trust Fund within the Department of Financial Services; providing for a source of funds and purpose of the trust fund; providing for an annual carryforward of funds; providing for future review and termination or re-creation of the trust fund; providing a contingent effective date.

By the Committee on Health Regulation; and Senator Atwater—

CS for SB 2598—A bill to be entitled An act relating to treatment programs for impaired medical practitioners; amending s. 456.076, F.S.; revising requirements for consultants retained by the Department of Health; authorizing the department to contract with consultants to provide treatment services for students of allopathic and osteopathic medicine and nursing students who are alleged to be impaired; indemnifying certain schools from liability in civil actions under certain circumstances; providing limited sovereign immunity for certain program consultants under specified contractual conditions; requiring that the Department of Financial Services defend legal actions against program consultants; providing an effective date.

By the Committee on Health Policy; and Senator Garcia—

CS for SB 2652—A bill to be entitled An act relating to maternal and child health programs; amending s. 383.011, F.S.; requiring the Department of Health to implement an electronic benefits transfer system for the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC); revising the method by which the Bureau of WIC and Nutrition Services calculates the statewide average retail price of certain items; requiring the department to petition the United States Department of Agriculture regarding certain price increases; providing for the sale, conveyance, or devise of certain establishments; requiring reauthorization of contracts with WIC-approved vendors; prohibiting WIC-approved vendors from discontinuing certain generic products; providing an effective date.

By the Committee on Governmental Operations; and Senator Lawson—

CS for SB 2660—A bill to be entitled An act relating to cultural and historical programs; creating s. 265.7025, F.S.; providing definitions; amending s. 265.703, F.S.; providing for more than one citizen support organization; adding historical and museum programs to those programs that can be assisted by the citizen support organizations of the Division of Cultural Affairs of the Department of State; revising the name of the trust fund into which funds are deposited; providing that information of the citizen support organization for the Museum of Florida History which is confidential and exempt pursuant to s. 267.17, F.S., retains its status; creating s. 265.704, F.S.; providing powers and duties of the Division of Cultural Affairs related to historical museums; creating s. 265.705, F.S.; providing state policy relating to historic properties; creating s. 265.706, F.S.; authorizing the division to acquire, maintain, preserve, interpret, exhibit, and make available for study certain objects having historical or archaeological value; vesting title of such objects in the division; requiring maintenance of records; requiring inventory of objects of specified value; authorizing the division to loan, exchange, sell, or otherwise transfer certain objects; providing exemptions from ch. 273, F.S.; providing for deposit and use of funds; requiring the adoption of rules; providing a penalty for certain violations by a custodian; providing for insuring of certain items; amending and renumbering s. 267.072, F.S., relating to the Museum of Florida History and its programs; transferring the responsibility for and administration of the Museum of Florida History, its programs, and the citizen support organization for the museum from the Division of Historical Resources to the Division of Cultural Affairs; providing for the operation of additional stores associated with the Museum of Florida History; authorizing the Division of Cultural Affairs to operate other historical museums; conforming provisions to changes made by the act; amending and renumbering s. 267.0619, F.S., relating to historical museum grants under the Division of Historical Resources of the Department of State; transferring the grant program to the Division of Cultural Affairs; conforming provisions to changes made by the act; providing that a for-profit corporation, partnership, or organization is ineligible for receipt of such grants; creating s. 265.709, F.S.; authorizing the Division of Cultural Affairs to promote and encourage the writing of Florida history through certain activities; authorizing the collecting, editing, and publishing of documents related to Florida history; authorizing the division to establish a reasonable charge for such publications; providing for such proceeds to be deposited in the Grants and Donations Trust Fund or certain separate depository accounts; amending s. 267.0612, F.S.; providing a uniform starting date for all appointments to the Florida Historical Commission; amending s. 267.071, F.S.; removing the Museum of Florida History as one of the historical museums that the Division of Historical Resources is required to encourage, promote, maintain, and operate; amending s. 267.0731, F.S.; adding representatives of the Secretary of State to the list of representatives on the ad hoc committee responsible for making recommendations for Great Floridian nominations; deleting references to the citizen support organization for the Museum of Florida History; deleting responsibilities of the Museum of Florida History; requiring the Department of State to be the repository of certain films or videotapes produced concerning a Great Floridian as well as certain items related to such productions; repealing s. 267.174, F.S., relating to the Discovery of Florida Quincentennial Commemoration Commission; amending s. 272.129, F.S.; authorizing a citizen support organization for the Legislative Research Center and Museum at the Historic Capitol, which is known as the "center"; requiring the citizen support organization to be a corporation not for profit; authorizing the citizen support organization to perform certain tasks for the direct and indirect benefit of the center; authorizing the center to prescribe conditions with which the citizen support organization must comply in order to use fixed property or facilities of the center; prohibiting the center from permitting a citizen

support organization to use the center's facilities under certain conditions; requiring that the citizen support organization provide for an annual audit; providing that records of the organization are public records; requiring that certain funds be deposited into the account of the citizen support organization; providing for reversion of funds to the state under certain circumstances; providing an effective date.

By the Committee on Education Pre-K - 12; and Senators Storms, Wise and Baker—

CS for SB 2692—A bill to be entitled An act relating to the teaching of chemical and biological evolution; providing a short title; providing legislative intent; defining the term "scientific information"; providing public school teachers with a right to present scientific information relevant to the full range of views on biological and chemical evolution; prohibiting a teacher from being discriminated against for presenting such information; prohibiting students from being penalized for subscribing to a particular position on evolution; clarifying that the act does not require any change in state curriculum standards or promote any religious position; providing an effective date.

By the Committee on Health Regulation; and Senator Peaden—

CS for SB 2760—A bill to be entitled An act relating to dentistry; amending s. 466.003, F.S.; providing a definition; amending s. 466.006, F.S.; revising the requirements for entitlement to take the necessary examinations to practice dentistry in this state; creating s. 466.0067, F.S.; providing requirements for application for a community-service dental license in this state; creating s. 466.00671, F.S.; providing requirements for renewal of a community-service dental license; creating s. 466.00672, F.S.; providing conditions in which the Board of Dentistry of the Department of Health may revoke a community-service dental license; providing that the failure of a holder of a community-service dental license to limit the practice of dentistry to community service settings is the unlicensed practice of dentistry; creating s. 466.00673, F.S.; providing for the repeal of statutory language regarding community-service dental licensure; amending s. 466.007, F.S.; authorizing the board to require certain applicants to successfully complete additional coursework if they fail to pass the clinical examination to practice dental hygiene; creating s. 466.00775, F.S.; requiring the board to adopt rules; repealing s. 466.008, F.S., relating to certification of foreign educational institutions; amending s. 466.011, F.S.; conforming provisions to changes made in this act; amending s. 466.021, F.S.; revising requirements relating to retention of dental laboratories by dentists; changing terminology to reflect employment of dental laboratories and to change references to work orders to prescriptions; requiring a dental laboratory to keep the original or electronic copy of prescriptions; amending s. 466.023, F.S.; authorizing dental hygienists to do certain tasks with and without general supervision; amending s. 466.032, F.S.; requiring specified continuing education for renewal of registration of a dental laboratory by a time certain; providing a listing of agencies or organizations that are authorized to develop and offer continuing education; requiring a dental laboratory owner to submit a sworn statement attesting to compliance with continuing education requirements and providing specified information; authorizing the Department of Health to request documentation of continuing education; authorizing the department to request such documentation at random without cause; providing exemptions from continuing education requirements; providing for voluntary compliance by certain dental laboratories; providing an effective date.

By the Committee on Governmental Operations; and Senator Lawson—

CS for SB 2848—A bill to be entitled An act relating to the Florida Retirement System; amending s. 121.021, F.S.; redefining the terms "employer," "officer or employee," "past service," "normal retirement date," "regularly established position," and "temporary position"; defining the terms "state board" and "trustees"; amending s. 121.031, F.S.; requiring promotional materials that refer to the Florida Retirement System to include a disclaimer unless approval is obtained from the Department of Management Services; amending s. 121.051, F.S.; conforming a cross-reference; revising provisions relating to participation in the system; excluding the participation of entities under a lease agreement; amending s. 121.052, F.S.; changing the dates for when a governing body of a municipality or special district may elect to designate its elected positions for inclusion in the Elected Officers' Class; amending s. 121.071, F.S.; expanding the mechanisms for employees to pay contributions to the system; amending s. 121.081, F.S.; revising provisions relating to receiving credit for past or prior service; prohibiting a member from receiving credit for service covered and reported by both a public employer and a private employer; amending s. 121.091, F.S.; revising provisions relating to retirement benefits; deleting a restriction on the reemployment of certain personnel by the Florida School for the Deaf and the Blind; extending the period of time that instructional personnel employed by a developmental research school may participate in the Deferred Retirement Option Program; clarifying that DROP participation cannot be cancelled; providing for the suspension of DROP benefits to a participant who is reemployed; deleting obsolete provisions; authorizing the Division of Retirement to issue benefits pursuant to a qualified domestic relations order directly to the alternate payee; amending s. 121.1115, F.S.; revising provisions relating to receiving retirement credit for out-of-state service; providing that a member is not eligible for and may not receive a benefit based on that service; amending s. 121.1122, F.S.; revising provisions relating to receiving retirement credit for in-state service; providing that a member may not be eligible for or receiving a benefit based on service; amending s. 121.136, F.S.; revising provisions relating to the annual statement of benefits provided to certain active members of the Florida Retirement System; amending s. 121.1905, F.S.; deleting provision describing the mission of the Division of Retirement; amending s. 121.23, F.S.; requiring the State Retirement Commission to meet the same requirements used by the Secretary of Management Services before approving a disability retirement benefit; amending s. 121.24, F.S.; requiring a quorum of three members for all appeal hearings held by the State Retirement Commission; amending s. 1012.33, F.S.; deleting the provision preventing persons who have retired from the public school system from renewing membership in the Florida Retirement System upon reemployment by the school system; repealing s. 121.093, F.S., relating to instructional personnel reemployment after retirement from the developmental research school or the Florida School for the Deaf and the Blind; repealing s. 121.094, F.S., relating to instructional personnel reemployment after retirement from a charter school; repealing s. 121.45, F.S., relating to interstate compacts relating to pension portability; providing a declaration of important state interest; providing an effective date.

By the Committee on Banking and Insurance; and Senators Atwater, Geller, Fasano, Garcia, Jones and Gaetz—

CS for SB's 2860 and 1196—A bill to be entitled An act relating to insurance; amending s. 215.5595, F.S.; revising legislative findings with respect to the Insurance Capital Build-Up Incentive Program and the appropriation of state funds for surplus notes issued by residential property insurers; revising the conditions and requirements for providing funds to insurers under the program; requiring a commitment by the insurer to meet minimum premium-to-surplus writing ratios for residential property insurance and for taking policies out of Citizens Property Insurance Corporation; allowing the State Board of Administration to charge a late fee for payment of remittances; providing that amendments made by the act do not affect the terms of surplus notes approved prior to a specified date, but authorizing the board and an insurer to renegotiate such terms consistent with such amendments; amending s. 542.20, F.S.; subjecting the business of insurance to the Florida Antitrust Act; providing exceptions; amending s. 624.3161, F.S.; authorizing the Office of Insurance Regulation to require an insurer to file its claims handling practices and procedures as a public record based on findings of a market conduct examination; amending s. 624.418, F.S.; authorizing the Office of Insurance Regulation to immediately suspend the certificate of authority of an insurer that fails to provide information subpoenaed by the office; amending s. 624.4211, F.S.; increasing the maximum amounts of administrative fines that may be imposed upon an insurer by the Office of Insurance Regulation for nonwillful and willful violations of an order or rule of the office or any provision of the Florida Insurance Code; authorizing the office to impose a fine for each day of noncompliance up to a maximum amount; providing factors to consider when determining the amount of the fine; creating s. 624.4213, F.S.; specifying requirements for submission of a document or information to the Office of Insurance Regulation or the Department of Financial Services in order for a person to claim that the document is a trade secret;

requiring each page or portion to be labeled as a trade secret and be separated from non-trade secret material; requiring the submitting party to include an affidavit certifying certain information about the documents claimed to be trade secrets; requiring an award of attorney's fees against a person who certified a document as trade secret if a court or administrative tribunal finds that the document is not a trade secret; providing for administrative penalties under certain conditions; creating s. 624.4305, F.S.; requiring an insurer planning to nonrenew more than a specified number of residential property insurance polices to notify the Office of Insurance Regulation and obtain approval; specifying procedures; prohibiting the office from approving the plan unless it determines that the insurer has met certain conditions; amending s. 626.9521, F.S.; increasing the maximum fines that may be imposed by the office for nonwillful and willful violations of state law regarding unfair methods of competition and unfair or deceptive acts or practices related to insurance; amending s. 626.9541, F.S.; prohibiting an insurer from failing to promptly provide to the insured estimates of damage and a good faith explanation of the insurer's evaluation; prohibiting an insurer from considering certain factors when evaluating or adjusting a property insurance claim; prohibiting an insurer from failing to pay undisputed amounts of benefits owed under a property insurance policy within a certain period; amending s. 627.062, F.S.; requiring that an insurer seeking a rate for property insurance that is greater than the rate most recently approved by the Office of Insurance Regulation make a "file and use" filing for all such rate filings made after a specified date; revising the factors the office must consider in reviewing a rate filing; providing that the cost of reinsurance shall be presumed excessive under certain conditions and, for reinsurance purchased from affiliated reinsurers, may not include broker fees; providing that projected hurricane losses are to be considered as provided in s. 627.0628, F.S., relating to hurricane loss models or methods found to be accurate or reliable by the Florida Commission on Hurricane Loss Projection Methodology; allowing the office to disapprove a rate as excessive within 1 year after the rate has been approved under certain conditions related to nonrenewal of policies by the insurer; requiring certain officers and the chief actuary of a property insurer to certify certain information as part of a rate filing, subject to the penalty of perjury; requiring that a rate filing contain all information that supports the filing; providing that after the office issues a notice of intent to disapprove the filing, no additional information is admissible in any subsequent administrative or judicial proceeding; repealing s. 627.062(6), F.S., relating to the submission of a disputed rate filing, other than a rate filing for medical malpractice insurance, to an arbitration panel in lieu of an administrative hearing if the rate is filed before a specified date; amending s. 627.0613, F.S.; deleting cross-references to conform to changes made by the act; amending s. 627.0628, F.S.; requiring that with respect to rate filings, insurers must use actuarial methods or models found to be accurate or reliable by the Florida Commission on Hurricane Loss Projection Methodology; deleting cross-references to conform to changes made by the act; amending s. 627.0629, F.S.; requiring that the Office of Insurance Regulation develop and make publicly available before a specified deadline a proposed method for insurers to establish windstorm mitigation premium discounts that correlate to the uniform home rating scale; requiring that the Financial Services Commission adopt rules before a specified deadline; requiring insurers to make rate filings pursuant to such method; authorizing the commission to make changes by rule to the uniform home grading scale and specify by rule the minimum required discounts, credits, or other rate differentials; requiring that such rate differentials be consistent with generally accepted actuarial principles and wind loss mitigation studies; amending s. 627.351, F.S., relating to Citizens Property Insurance Corporation; deleting a provision to conform to changes made in the act; deleting provisions defining the terms "homestead property" and "nonhomestead property"; deleting a provision providing for the classification of certain dwellings as "nonhomestead property"; deleting provisions making dwellings and condominium units that have a replacement cost above a specified value ineligible for coverage after a specified date; requiring certain structures to have opening protections as a condition of eligibility for coverage after a specified date; requiring that the corporation cease issuance of new wind-only coverage beginning on a specified date; deleting outdated provisions requiring the corporation to submit a report for approval of offering multiperil coverage; revising threshold amounts of deficits incurred in a calendar year on which the decision to levy assessments and the types of such assessments are based; revising the formula used to calculate shares of assessments owed by certain assessable insureds; requiring that the board of governors make certain determinations before levying emergency assessments; providing the board of governors with discretion to set the amount of an emergency assessment within specified limits; requiring the board of governors to levy a Citizens policyholder surcharge under certain conditions; deleting a provision requiring the levy of an immediate assessment against certain policyholders under such conditions; requiring that funds collected from the levy of such surcharges be used for certain purposes; providing that such surcharges are not considered premium and are not subject to commissions, fees, or premium taxes; requiring that the failure to pay such surcharges be treated as failure to pay premium; requiring that the amount of any assessment or surcharge which exceeds the amount of deficits be remitted to and used by the corporation for specified purposes; deleting provisions requiring that the plan of operation of the corporation provide for the levy of a Citizens policyholder surcharge if regular deficit assessments are levied as a result of deficits in certain accounts; deleting provisions related to the calculation, classification, and nonpayment of such surcharge; providing legislative findings; requiring that the corporation make an annual filing for each personal or commercial line of business it writes, beginning on a specified date; limiting the overall average statewide premium increase and the increase for an individual policyholder to a specified amount for rates established for certain policies during a specified period; deleting a provision requiring an insurer to purchase bonds that remain unsold; requiring the corporation to make its database of policies available to prospective take-out insurers under certain conditions; requiring the corporation to require agents to accept or decline appointment for any policy selected; requiring the corporation to notify the policyholder of certain information if an insurer selected his or her policy for a take-out offer but the policyholder's agent refused to be appointed; deleting provisions requiring the corporation to make certain confidential underwriting and claims files available to agents to conform to changes made by the act relating to ineligibility of certain dwellings; creating s. 627.714, F.S.; requiring that personal lines residential policies be guaranteed renewable for a specified period if the dwelling meets certain wind-borne-debris protection requirements; providing for applicability; creating s. 689.262, F.S.; requiring a purchaser of residential property to be presented with the windstorm mitigation rating of the structure; authorizing the Financial Services Commission to adopt rules; amending s. 817.2341, F.S.; providing criminal penalties for any person who willfully files a materially false or misleading rate filing, under certain conditions, and for any person who attempts to corruptly influence or obstruct the lawful regulation of the business of insurance; providing effective dates.

REFERENCE CHANGES PURSUANT TO RULE 4.7(2)

By the Committee on Military Affairs and Domestic Security; and Senator Hill—

CS for SB 470—A bill to be entitled An act relating to seaport security standards; amending s. 311.12, F.S.; revising the membership of the Seaport Security Standards Advisory Council; amending s. 311.09, F.S.; revising the membership of the Florida Seaport Transportation and Economic Development Council; revising the duties of the Florida Seaport Transportation and Economic Development Council; requiring at least one annual council meeting; requiring an annual analysis and assessment of the economic impact of security on public seaports; requiring an annual report with recommendations to the Legislature; providing an effective date.

—was referred to the Committees on Transportation; and Criminal Justice.

By the Committee on Community Affairs; and Senators Garcia and Bullard—

CS for SB 482—A bill to be entitled An act relating to affordable housing; amending s. 420.503, F.S.; defining the term "moderate rehabilitation" for purposes of the Florida Housing Finance Corporation Act; amending s. 420.5087, F.S.; revising purposes for which State Apartment Incentive Loans may be used; amending s. 420.9071, F.S.; defining the terms "assisted housing," "assisted housing development," and "preservation"; revising the definition of "eligible housing," "local housing incentive strategies," and "recaptured funds" for purposes of the State Housing Initiatives Partnership Act; amending s. 420.9072, F.S.; revising provisions related to the administration of certain funds in the Local Government Housing Trust Fund; amending s. 420.9073, F.S.; revising requirements for distribution of funds in the Local Government Housing

Trust Fund; specifying purposes for which such withheld funds may be used; clarifying purposes for which certain local governments may expend funds from the Local Government Housing Trust Fund; amending s. 420.9075, F.S.; requiring that local housing assistance plans address the special housing needs of persons with disabilities; authorizing the Florida Housing Finance Corporation to define "high-cost counties" by rule; authorizing high-cost counties or certain municipalities to assist persons meeting specific income requirements; revising requirements to be included in the local housing assistance plan; requiring counties and certain municipalities to include certain strategies in the local housing assistance plan; revising criteria that applies to awards made for the purpose of providing affordable housing; authorizing and limiting the percentage of funds from the local housing distribution that may be used for certain manufactured housing; extending the expiration date of an exemption from certain income requirements in specified areas; authorizing the use of certain funds for preconstruction activities; providing that certain costs are a program expense; authorizing counties and certain municipalities to award grant funds under certain conditions; providing for the repayment of funds by counties or certain municipalities; amending provisions related to the administration of certain funds in the Local Government Housing Trust Fund; amending s. 420.9076, F.S.; revising appointments to a local affordable housing advisory committee; deleting cross-references to conform to changes made by the act; deleting provisions related to the administration of certain funds by the Local Government Housing Trust Fund; amending s. 421.08, F.S.; limiting the authority of housing authorities in certain circumstances; amending s. 159.807, F.S.; deleting an exemption for the Florida Housing Finance Corporation from the applicability of certain uses of the state allocation pool; repealing s. 420.9078, F.S., relating to state administration of funds remaining in the Local Government Housing Trust Fund; amending ss. 212.08, 220.03, and 220.183, F.S.; conforming cross-references to changes made by the act; amending s. 624.5105, F.S.; conforming cross-references to changes made by the act; providing an effective date.

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

By the Committee on Transportation; and Senator Baker—

CS for SB 774—A bill to be entitled An act relating to transportation; amending s. 337.0261, F.S.; providing definitions; providing legislative findings with respect to the need for construction aggregate materials; requiring a super majority vote by the local government decisionmaking body in order to deny approval of a construction aggregate materials mining site; providing for a final determination to be made by the Governor and Cabinet sitting as the Administration Commission if the local government does not approve or deny an application for construction aggregate materials mining activities after two meetings or 3 months; requiring that the Administration Commission determine whether the evidence supports approval; applying provisions of the Uniform Rules of Procedure to the proceedings; providing that the act does not limit challenges to or appeals of construction aggregate materials mining site approvals; providing an effective date.

—was referred to the Committees on Community Affairs; Environmental Preservation and Conservation; and Transportation and Economic Development Appropriations.

By the Committee on Commerce; and Senator Diaz de la Portilla—

CS for SB 948—A bill to be entitled An act relating to concealed weapons licenses; amending s. 790.06, F.S.; specifying that the United States residency required to obtain a license to carry a concealed weapon or firearm means that the licensee must be a United States citizen or a permanent resident alien of the United States; providing legislative intent; providing applicability; providing an effective date.

—was referred to the Committees on Military Affairs and Domestic Security; and Governmental Operations.

By the Committee on Environmental Preservation and Conservation; and Senators Haridopolos, Constantine, Gaetz, Justice, Baker, Jones, Lynn, Posey and Dockery—

CS for SB's 1094 and 326—A bill to be entitled An act relating to the regulation of releases from gambling vessels; creating s. 376.25, F.S.; providing a short title; providing definitions; requiring gambling vessels operating in coastal waters of the state to register with the Department of Environmental Protection; specifying the requirements for vessel registration; requiring the owners of certain waterfront-landing facilities to establish procedures concerning the release of waste from gambling vessels; requiring that such owners make available a waste-management service meeting specified criteria; requiring that such owners establish and collect certain fees; requiring that the department maintain on its website an estimate of the minimum waste-service demand of such waterfront-landing facilities; providing criteria governing the estimate; requiring the reporting of the release of certain substances into coastal waters by gambling vessels; providing civil penalties for violations; providing for the department to establish and collect fees meeting specified criteria; requiring the department to adopt rules; providing exemptions and legislative intent; directing the department to seek federal approval to amend Florida's Coastal Zone Management Plan and, upon such approval, to petition the Federal Government, via consistency review under the federal Coastal Zone Management Act, to prohibit certain releases from gambling vessels within the federal territorial waters off the shores of this state; directing the department to petition the Federal Government to prohibit certain releases from gambling vessels independently of such approval; providing an effective date.

—was referred to the Committees on Health Regulation; Regulated Industries; and General Government Appropriations.

By the Committee on Children, Families, and Elder Affairs; and Senator Storms—

CS for SB 1150—A bill to be entitled An act relating to mental health and substance abuse; amending s. 394.4572, F.S.; requiring level II screening for all personnel who work with persons with mental illness; amending s. 394.462, F.S.; providing for HIV testing of persons being transported for mental health services upon the request of law enforcement officers or other designated agents who come into contact with the person's body fluids; requiring the county health department to provide HIV testing at no cost to such officers and agents; amending s. 394.67, F.S.; removing an obsolete reference to a corporation's contract with the Department of Children and Family Services and adding a reference to a corporation's licensure by the Agency for Health Care Administration to the definition of residential treatment center for children and adolescents; amending s. 394.674, F.S.; establishing priority populations who are eligible for services funded by the Department of Children and Family Services; authorizing the department to adopt rules; creating s. 394.4996, F.S.; authorizing the department to establish facilities that provide services as an integrated adult mental health crisis stabilization unit and addictions receiving facility; requiring licensure; providing eligibility criteria for treatment services; authorizing the department to adopt rules; amending s. 553.80, F.S.; requiring that local construction regulations for secure mental health treatment facilities be enforced by the department; amending s. 916.111, F.S.; requiring that a forensic evaluator training course be provided annually in order for mental health experts to be placed on the forensic evaluator registry; providing that mental health professionals that have taken the course within the last 5 years remain on the registry; requiring mental health professionals on the registry to maintain training course documentation and provide the department with current information; amending s. 916.115, F.S.; allowing certain persons who are supervised by a person who has taken the forensic evaluator training course to assist in the forensic evaluation process; amending s. 916.13, F.S.; requiring defendants in the custody of the Department of Corrections who are adjudicated incompetent to remain in the custody of the Department of Corrections and receive treatment from the department; requiring the Department of Children and Family Services to determine whether the inmate has regained competency; providing timelines for competency hearings; amending s. 916.15, F.S.; providing a timeline for holding a commitment hearing for defendants who no longer meet the criteria for continued commitment by reason of insanity; providing an exception for defendants in the custody of the Department of Corrections; requiring defend-

ants in the custody of the Department of Corrections who are charged with a new felony and found not guilty by reason of insanity to remain in the department's custody for the remainder of their sentence; requiring the Department of Children and Family Services to evaluate the inmate and file a report with the court requesting a hearing for determining continued commitment placement; amending s. 985.19, F.S.; requiring that experts appointed in juvenile incompetent-to-proceed cases be a psychiatrist, licensed psychologist, or physician and have completed the forensic evaluator training within 5 years prior to conducting evaluations for the court; providing that, beginning July 1, 2009, experts who have completed or retaken the course within the last 5 years remain on the registry; requiring experts on the registry to maintain training course documentation and provide the department with current information; requiring the Department of Children and Family Services and the Agency for Health Care Administration to prepare a mental health plan to be submitted to the Legislature and the Governor; requiring a study by the Office of Program Policy Analysis and Governmental Accountability on mental health issues; providing an effective date.

—was referred to the Committees on Judiciary; and Health and Human Services Appropriations.

By the Committee on Environmental Preservation and Conservation; and Senator Saunders—

CS for SB 1296—A bill to be entitled An act relating to the water management districts; reenacting ss. 373.069, 373.0693, 373.0695, 373.073, and 373.083, F.S., relating to the creation of the water management districts, pursuant to the provisions of the Florida Government Accountability Act; amending s. 373.0693, F.S.; eliminating the Oklawaha River Basin Advisory Council; amending s. 373.323, F.S.; providing for applicants who meet certain conditions to be certified as a licensed water well contractor; amending s. 373.536, F.S.; authorizing certain chairs of committees of the Senate and the House of Representatives to submit comments and objections to proposed budgets; amending s. 373.079, F.S.; revising meeting requirements for members of the governing boards of the water management districts, as provided in s. 120.54, F.S.; creating the Reclaimed Water Coordination Task Force; providing legislative findings; providing purposes; requiring that the task force review certain rules, programs, and policies when preparing its recommendations; providing for membership of the task force; requiring that members be appointed on or before a specified date; providing for administrative support for the task force; providing duties of the task force; requiring that the Department of Environmental Protection and each water management district encourage the use of pilot projects for certain purposes; requiring that the task force submit a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives on or before a specified date; requiring that the report contain certain information; requiring that the department and each water management district cooperate with the task force; requesting that all other agencies cooperate with the task force; providing for dissolution of the task force; providing an effective date.

—was referred to the Committee on General Government Appropriations.

By the Committees on Children, Families, and Elder Affairs; Education Pre-K - 12; and Senators Gaetz and Lynn—

CS for CS for SB 1670—A bill to be entitled An act relating to early learning; providing a short title; amending s. 402.316, F.S.; requiring the Department of Children and Family Services to adopt rules regarding screening standards and notice for certain child care personnel; amending s. 411.01, F.S.; authorizing the use of telecommunication methods in conducting early learning coalition board meetings; amending and renumbering s. 402.27, F.S.; transferring requirements for the establishment of a statewide child care resource and referral network by the Department of Children and Family Services to the Agency for Workforce Innovation; providing for use of early learning coalitions as child care resource and referral agencies; requiring rulemaking; amending and renumbering s. 409.178, F.S.; transferring duties of the Department of Children and Family Services with respect to the Child Care Executive Partnership Program to the Agency for Workforce Innovation and early learning coalitions; requiring rulemaking; amending s. 435.04, F.S.; providing additional criminal offenses for screening child care personnel; amending s. 1001.10, F.S.; requiring the Department of Education to assist school districts, charter schools, the Florida School for the Deaf and the Blind, and certain private schools and providers in developing policies and procedures governing educator ethics and employment; requiring the department to provide authorized staff with access to or provide verification through certain employment-screening tools; amending ss. 1002.55, 1002.61, and 1002.63, F.S., relating to the Voluntary Prekindergarten Education Program; providing additional accreditation standards for private prekindergarten providers; providing requirements for assignment of substitute instructors; requiring owners of certain private schools and private prekindergarten providers to adopt ethical standards for all employees; prohibiting confidentiality agreements regarding terminated or dismissed employees which have the effect of concealing certain conduct; requiring such owners and providers to contact the previous employer of each instructional or administrative candidate for employment and notify the Department of Education of dates of employment of an educator; requiring rulemaking; conforming cross-references; amending s. 1002.69, F.S.; requiring the ability to communicate in English to be included in the statewide kindergarten readiness screening criteria; providing an effective date.

—was referred to the Committees on Commerce; Education Pre-K - 12; and Transportation and Economic Development Appropriations.

By the Committee on Finance and Tax; and Senator Haridopolos—

CS for SB 2080—A bill to be entitled An act relating to value adjustment boards; amending s. 194.011, F.S.; requiring that the Department of Revenue develop a uniform policies and procedures manual for use in proceedings before value adjustment boards; specifying availability requirements for such manual; amending s. 194.015, F.S.; revising the membership of value adjustment boards; providing for citizen members; revising criteria related to appointment to such boards; revising quorum requirements; deleting provisions authorizing county attorneys to act as counsel for value adjustment boards; amending s. 194.035, F.S.; providing that a requirement that value adjustment boards appoint special magistrates for certain purposes applies to all counties; requiring value adjustment boards to verify the qualifications of special magistrates prior to appointment; providing selection criteria; requiring that the department provide training for special magistrates; providing training requirements; amending s. 194.037, F.S.; revising information required to be provided on the disclosure of tax impact form to include certain additional information; providing an effective date.

—was referred to the Committees on Community Affairs; and General Government Appropriations.

By the Committee on Regulated Industries; and Senator Villalobos—

CS for SB 2084—A bill to be entitled An act relating to community associations; amending s. 468.431, F.S.; revising and providing definitions; amending s. 468.4315, F.S.; redesignating the Regulatory Council of Community Association Managers as the Board of Community Association Managers; revising membership criteria for members of the board; requiring the board to establish a public education program; providing that board members shall serve without compensation but are entitled to per diem and travel expenses; providing responsibilities of the board; amending s. 468.432, F.S.; providing for licensure of community association management firms; providing application, licensure, and fee requirements; amending s. 468.433, F.S.; providing for the refusal of applicant certification under certain circumstances; conforming terminology; amending ss. 468.4337 and 468.4338, F.S.; conforming terminology to changes made by the act; amending s. 468.435, F.S.; conforming terminology to changes made by the act; removing statutory fee ranges; authorizing the board to establish specified fees; requiring the board to adopt rules establishing such fees; amending s. 468.436, F.S.; requiring that the Department of Business and Professional Regulation investigate certain complaints and allegations; providing complaint and investigation procedures; conforming cross-references and terminology; providing grounds for which disciplinary actions may be taken; authorizing the department to impose specified penalties on a community association management firm; authorizing the department to reissue the license of a disciplined community association manager or firm under certain circumstances; amending s. 718.110, F.S.; revising instances under which

a declaration may be amended; requiring a majority vote of owners for approval of an amendment to a declaration; deleting a provision requiring amendments to declarations recorded after a specified date to be approved by more than four-fifths of the voting interests; amending s. 718.111, F.S.; providing duties of officers, directors, and agents of a condominium association and liability for monetary damages under certain circumstances; deleting legislative intent relating to insurance premiums for associations; providing policy requirements for windstorm insurance for condominium associations; providing deductible requirements; providing that a copy of the inspection report shall be maintained as an official record of the association; requiring official records of the association to be maintained for at least 5 years and to be made available at certain locations and in specified formats; providing civil and criminal sanctions, including sanctions against any person who knowingly or intentionally defaces, destroys, or fails to create or maintain accounting records; requiring the association to maintain certain documents; prohibiting accessibility to certain personal identifying information of unit owners by fellow unit owners; requiring the Division of Florida Land Sales, Condominiums, and Mobile Homes to adopt certain rules; requiring certain audits and reports to be paid for by the developer if done prior to turnover of control of the association; restricting a condominium association from waiving a financial report for more than 2 consecutive years; amending s. 718.112, F.S.; prohibiting votes allocated to units owned by the association from being cast by proxy, ballot, or otherwise, for any purpose; providing an exception that proxies may be used to establish a quorum; requiring the board to address certain agenda items proposed by a petition of a specified percentage of the unit owners; revising notice requirements for meetings to consider assessments; providing requirements for the location of annual unit owner meetings; revising terms of service for board members; prohibiting certain persons from serving on the board; providing exceptions; requiring the association to provide a certification form to unit owners for specified purposes; removing a provision allowing an association to provide for different voting and election procedures in its bylaws; revising annual budget requirements; requiring proxy questions relating to reserves to contain a certain statement; authorizing the association to use reserve funds for nonscheduled purposes under certain conditions; revising methods by which the bylaws may be amended; providing for the removal of board members under certain circumstances; providing that directors delinquent in certain payments owed in excess of certain periods of time be suspended from office or deemed to have abandoned their offices; providing that directors charged with certain offenses involving an association's funds or property be suspended from office pending resolution of the charge; amending s. 718.113, F.S.; authorizing the board to install specified hurricane protection; providing that no obligation of the board to close or cause to be closed any hurricane shutters is created; prohibiting any restrictions from being placed on the closing of hurricane shutters unless the board and association assume such responsibility when appropriate; requiring the board to have condominium buildings periodically inspected for specified purposes; prohibiting the board from adopting rules or regulations impairing certain rights or prohibiting reasonable accommodation for religious practices; creating s. 718.1224, F.S.; prohibiting certain lawsuits arising from unit owners' appearances and presentations before a governmental entity; providing a definition; providing for award of damages and attorney fees; prohibiting associations from expending association funds in prosecuting such a suit against a unit owner; amending s. 718.1255, F.S.; revising legislative intent concerning alternative dispute resolution; amending s. 718.301, F.S.; requiring developers to provide certain documents to the association within a specified time after turnover of control of the association; amending s. 718.3025, F.S.; providing maintenance and management services contract disclosure requirements; amending s. 718.3026, F.S.; removing a provision authorizing associations to opt out of certain provisions relating to contracts for products and services; removing provisions relating to competitive bid requirements for contracts executed before a specified date; amending s. 718.501, F.S.; providing authority and responsibilities of the division; revising who constitutes an agent for purposes of cease and desist orders issued by the division; requiring the division to bring an action against a developer under certain circumstances; providing the division with certain powers; requiring the division to issue a subpoena under certain circumstances; requiring the division to maintain a list of condominium association board member and unit owner training programs and program providers; deleting obsolete language; amending s. 718.50151, F.S.; revising membership requirements for the Advisory Council on Condominiums; providing an effective date.

—was referred to the Committees on Banking and Insurance; Community Affairs; and Judiciary.

By the Committees on Banking and Insurance; and Banking and Insurance—

CS for SB 2156—A bill to be entitled An act relating to the Florida Hurricane Catastrophe Fund; amending s. 215.555, F.S.; creating the Division of the Florida Hurricane Catastrophe Fund as a division of the State Board of Administration; providing for a board of the division; revising legislative findings; revising the definition of "retention," "covered policy," and "estimated claims-paying capacity" to account for the creation of the division; defining the terms "division," "director," "FHCF," "fund," and "board"; clarifying provisions requiring the State Board of Administration to invest certain funds; requiring that the board of the division appoint a director; providing duties of the director; providing that the appointment of a director is subject to the approval of the board by a majority vote; authorizing the division to employ or contract with such staff as the division deems necessary to administer the fund; requiring that the division enter into a contract with each insurer writing covered policies in this state to provide to the insurer reimbursement as prescribed by state law; requiring that such contracts contain certain elements or provisions and provide the division with certain obligations; requiring that the division publish certain information in the Florida Administrative Weekly at specified times; authorizing the payment of advancements of reimbursements or reimbursement premiums to certain entities under certain conditions; requiring that the division inspect, examine, and verify the records of each insurer's covered policies at such times as the division deems appropriate and according to standards established by rule for the specific purpose of validating the accuracy of exposures and losses required to be reported under the terms and conditions of the reimbursement contract; providing for the payments of expenses associated with such inspection, examination, or verification; providing for the reimbursement of the division for such expenses by an insurer under certain circumstances; authorizing the division to take certain action if it finds any insurer's records or other necessary information to be inadequate or inadequately posted, recorded, or maintained; requiring that the division select an independent consultant to develop a formula for determining the actuarially indicated premium to be paid to the fund; requiring that the division consider certain factors when establishing a reimbursement premium; providing for the calculation of such premium by the division; providing for the payment of reimbursement premium; providing for the collection of interest on certain late reimbursement premium payments; providing responsibilities of the division if Citizens Property Insurance Corporation assumes or otherwise provides coverage for policies of an insurer placed in liquidation; authorizing the division to execute agreements regarding revenue bonds or other financing arrangements for the purpose of evidencing, securing, preserving, or protecting a pledge of revenue by the corporation; requiring that the Florida Surplus Lines Service Office assist the division in ensuring the accurate and timely collection and remittance of assessments of surplus lines premiums; requiring that the office report certain information to the division at a time and in a manner prescribed by the division; providing for the issuance of revenue bonds through counties or municipalities; revising the membership of the Florida Hurricane Catastrophe Fund Finance Corporation; providing that there is no liability on the part of any member of the board of directors or employees of the corporation for any actions taken by them in the performance of their duties; providing additional powers and duties of the board of the division and the division; requiring that the board of the division appoint an advisory council; providing for membership of the council; providing duties of the council; authorizing the division to take any action necessary to enforce certain rules and provisions of a reimbursement contract; requiring that the division make certain recommendations to the Legislature upon the creation of a federal or multistate catastrophic insurance or reinsurance program intended to serve purposes similar to the purposes of the fund; providing for the reversion of fund assets upon termination of the fund; providing for optional coverages of the fund; revising the temporary increases in coverage limits (TICL); requiring that a TICL addendum contain a promise by the division to make certain reimbursements to the TICL insurer; including the level of TICL coverage specified by the board among the factors that must be considered when determining the amount of increase in the claims-paying capacity of the fund; amending s. 215.557, F.S.; conforming provisions to changes made by the act; amending s. 215.5586, F.S.; requiring that the director of the division serve on the advisory council of the My Safe Florida Home

Program; amending s. 215.559, F.S., relating to the Hurricane Loss Mitigation Program; conforming a cross-reference; amending s. 215.5595, F.S., relating to the Insurance Capital Build-up Incentive Program; conforming provisions to changes made by the act; revising the definition of "board" to conform to changes made by the act; amending s. 627.0628, F.S.; revising legislative intent; assigning the Florida Commission on Hurricane Loss Projection Methodology to the division; requiring that the director of the fund serve on the commission; requiring that the board of the division annually appoint one of the members of the commission to serve as chair; requiring that the division provide for travel, expenses, and staff support for the commission; indemnifying members and employees of the division from liability for action taken with respect to the commission or its activities; requiring that the division employ certain methods, principles, standards, models, or output ranges when establishing reimbursement premiums for the fund; providing an effective date.

—was referred to the Committees on Governmental Operations; and General Government Appropriations.

By the Committees on Governmental Operations; and Community Affairs—

CS for SB 2224—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 119.011, F.S.; defining the term "paratransit" for purposes of the public records law; amending s. 119.071, F.S.; expanding an exemption from public-records requirements which is provided for information identifying an applicant for or a recipient of paratransit services so that the exemption applies to all agencies; providing for future legislative review of the exemption under the Open Government Sunset Review Act; repealing s. 119.0713(2), F.S., relating to the prior exemption provided for such information; providing a statement of public necessity; repealing s. 2 of chapter 2003-110, Laws of Florida; deleting provisions providing for repeal of the exemption; amending ss. 257.34 and 257.35, F.S.; conforming cross-references; providing an effective date.

—was placed on the Calendar.

ENROLLING REPORTS

SB 1676, CS for SB 1678, SB 1680, and SB 1682 have been enrolled, signed by the required Constitutional Officers and presented to the Governor on March 31, 2008.

Faye W. Blanton, Secretary

CORRECTION AND APPROVAL OF JOURNAL

The Journal of March 27 was corrected and approved.

CO-INTRODUCERS

Senators Baker—SB 186, CS for SB 1116, CS for SB 1442, SB 1628, CS for SB 2060, SB 2350, SB 2418, CS for SB 2692; Bennett—CS for SB 164, SB 608; Bullard—SB 520, SB 1010, SB 2554; Crist—SB 1536, CS for CS for SB 2012, CS for CS for SB 2026, SB 2538, CS for SB 2654; Dawson—CS for SB 2654; Dean—CS for SB 1580, CS for SB 2654; Deutch—CS for SB 164, SB 226; Diaz de la Portilla—SB 678, SB 1668; Dockery—SB 74, CS for SB 82, SB 88, CS for SB 92, CS for CS for SB 108, CS for SB 116, CS for SB 192, CS for SB 268, CS for SB 276, CS for SB's 340 and 1612, SB 420, SB 432, SB 472, CS for SB 502, CS for CS for SB's 556 and 748, SB 562, CS for SB 614, CS for SB 644, CS for SB 756, SB 790, SB 846, CS for SB's 1094 and 326, SB 1668, CS for SB 1704, CS for SB 2654; Gaetz—CS for CS for SJR 2308, CS for SB's 2860 and 1196; Haridopolos—CS for SB 850, SR 974; Hill—SR 1236, CS for SB 1580, SB 2424; Joyner—CS for SB 614, CS for SB 2654; Justice—CS for SB 2654; King—SB 1668; Lawson—SB 1668; Lynn—CS for CS for SB 1652, CS for CS for SB 1670, CS for CS for CS for SB 1712, CS for CS for SB 1906, CS for SB 1908, CS for SB 2552; Margolis—CS for SB 164; Siplin—SB 798; Storms—CS for SB 1012, SB 1668

The following withdrew as introducers: Senators Alexander—SB 1376; Fasano—SB 2148; and Lynn—CS for SB 320.

Senator Dean was recorded as introducer of SB 1376.

RECESS

On motion by Senator King, the Senate recessed at 4:24 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 1:00 p.m., Thursday, April 3 or upon call of the President.

SENATE PAGES

March 31-April 4, 2008

John Auber, Tallahassee; Carolina J. Boulware, Gainesville; Amber Brown, St. Petersburg; Ashley Carter, Ocoee; Molly Domingo, Sarasota; Matt Fleishman, Davie; India Glover, Jacksonville; Ibrahim A. Hafez, Sanford; Justin Hoover, Okeechobee; Raymond Huston, Tallahassee; Cydnee "Sydney" Johnson, Jacksonville; Kayla K. Malone, Miami; Michael J. McGee, Tallahassee; John W. Pehr, Jr., Ormond Beach; Amber Quill, Port Charlotte; David "Alex" Roberts, Ponce de Leon; Ariel Rothfield, Weston; Jonathan "Jon" Saunders, Naples; Matthew "Matt" Saunders, Naples; Shaun E. Slapp, Port Charlotte; Steven "Jake" Taylor, Sarasota

Journal of the Senate

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CALL TO ORDER

The Senate was called to order by President Pruitt at 1:00 p.m. A quorum present—38:

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

Excused: Senators Dawson and Wilson

PRAYER

The following prayer was offered by Pastor Jim Hatch, First United Presbyterian Church, Bartow:

Gracious God, before the mountains were born or the seas were filled, from everlasting to everlasting, you are God. It is right and good everywhere and always to give you praise. We were created for that purpose.

God, thank you for this state in which we live; for its unique beauty that reflects your glory; for its abundant resources that are gifts of your grace; for its people – our families, friends and neighbors who are means of your goodness. We thank you.

I thank you for the men and women that are serving in this place, and all of their support throughout this building and our state. God, I pray that as they face needs and issues that impact so many lives that you give them wisdom. The scriptures say that there is always a way that may seem right to a person, but its path leads to destruction. I pray that you would guide these legislators in ways that lead to life. As they may be hard pressed on every side, I pray they would have courage. God, you have shown that to love is to give. Let your love, compassion and justice guide these leaders today, and may your grace sustain them as they serve you by serving your people.

In your holy name, I pray. Amen.

PLEDGE

Senate Pages Kayla K. Malone of Miami; Raymond Huston of Tallahassee; David "Alex" Roberts of Ponce de Leon; and Jonathan "Jon" Saunders of Naples, son of Senator Saunders, led the Senate in the pledge of allegiance to the flag of the United States of America.

DOCTOR OF THE DAY

The President recognized Dr. Robert Weaver of Tampa, sponsored by Senator Justice, as doctor of the day. Dr. Weaver specializes in Hematology Oncology.

ADOPTION OF RESOLUTIONS

On motion by Senator Dockery—

By Senator Dockery—

SR 2578—A resolution recognizing April 8-13, 2008, as "General Aviation Week" in Florida.

WHEREAS, the aviation industry is one of the cornerstones of Florida's economy, with 21 commercial service airports and 107 general aviation airports that are open to the public and more than 600 private-use airports, and

WHEREAS, Florida's airports provide nearly $96 billion annually in economic activity, and the state's aviation industry supports more than one million jobs that generate $26 billion in annual payroll, and

WHEREAS, Florida has the largest flight-training industry in the United States, and

WHEREAS, more than 85 percent of all aircraft operations in Florida are flown by general aviation aircraft, and

WHEREAS, each year, Florida's general aviation aircraft bring 9 million business and leisure visitors to the state, and

WHEREAS, the state's general aviation airports house more than 14,000 aircraft, comprising 6 percent of the nation's general aviation fleet, and

WHEREAS, Florida's general aviation airports accommodate more than 7 million takeoffs and landings yearly, ranking Florida second in the nation in this area, and

WHEREAS, without general aviation airports, Florida's busy commercial service airports would be overwhelmed with air traffic, making air travel to and around the state nearly impossible, and

WHEREAS, Florida is the host of the nation's second-largest general aviation convention, the Sun'n Fun Fly-In Convention, in Lakeland for 1 week each year, attracting thousands of aircraft and hundreds of thousands of aviation enthusiasts to the state for the event, NOW, THEREFORE,

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

That April 8-13, 2008, is recognized as "General Aviation Week" in Florida.

—was introduced out of order and read by title. On motion by Senator Dockery, **SR 2578** was read the second time in full and adopted.

At the request of Senator Saunders—

By Senator Saunders—

SR 2896—A resolution recognizing the Evangelical Christian School Sentinel's Volleyball Team as winners of the 2007 Florida State High School Athletic Association Class 2A State Championship.

WHEREAS, the Evangelical Christian School Sentinel's Volleyball Team under the leadership of Head Coach Tom Baxter earned the 2007 Florida State High School Athletic Association Class 2A State Championship and achieved five state individual titles during the competition, and

WHEREAS, outstanding skill, sportsmanship, and competitiveness have been characteristic of Sentinel's teammates Kendra Altemeyer, Nichole Baker, Christa Bergquist, Candice Biltz, Camille Bowers, Brittany Bunch, Sheryl Davis, Jennifer Evans, Kelsey Fox, Kaitlin Holm, Kara Presbrey, Taylor Scully, Dawn Shoemaker, Hannah Truitt, and Holly Youngquist, and

WHEREAS, Holly Youngquist and Sheryl Davis were named to the First Team All-State 2007, and

WHEREAS, Kaitlin Holm and Brittany Bunch were named to the Second Team All-State 2007, and

WHEREAS, Sheryl Davis was named the Most Valuable Player for the News-Press All-Southwest Florida Team 2007, and

WHEREAS, Kaitlin Holm and Holly Youngquist were named to the First Team News-Press All-Southwest Florida Team 2007, and

WHEREAS, Dawn Shoemaker, Candace Blitz, and Jen Evans received Honorable Mention All-Southwest Florida recognition, NOW, THEREFORE,

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

That the Florida Senate commends the Evangelical Christian School Sentinel's Volleyball Team for the honor and pride they have brought to this state by their outstanding dedication and performance as athletes.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to the Evangelical Christian School Sentinel's Volleyball Team as a tangible token of the sentiments of the Florida Senate.

—**SR 2896** was introduced, read and adopted by publication.

At the request of Senator Fasano—

By Senator Fasano—

SR 2898—A resolution recognizing American People Against Cop Killers for the organization's efforts to remember law enforcement officers killed in the line of duty while serving others and recognizing April 19, 2008, as "American People Against Cop Killers Day."

WHEREAS, American People Against Cop Killers is comprised of retired and current law enforcement officers as well as the family of slain Hernando County Deputy Lonnie C. Coburn, and

WHEREAS, the goal of American People Against Cop Killers is to remember those law enforcement officers killed in the line of duty while serving others, and

WHEREAS, American People Against Cop Killers promotes motorcycle rides to raise funds to assist with scholarship opportunities for new recruits attending any of the Florida Department of Law Enforcement-approved law enforcement academies, and

WHEREAS, the motto of American People Against Cop Killers is "Remembering the Sacrifices of Law Enforcement Officers Everywhere," and

WHEREAS, American People Against Cop Killers has organized the Second Annual Lonnie C. Coburn Memorial Bike Ride to the State Capitol on April 19, 2008, in honor of the 42 fallen Florida Highway Patrol Troopers killed in the line of duty, NOW, THEREFORE,

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

That April 19, 2008, be recognized as "American People Against Cop Killers Day" in this state.

—**SR 2898** was introduced, read and adopted by publication.

On motion by Senator Geller, the rules were waived and the Senate proceeded to—

SPECIAL ORDER CALENDAR

On motion by Senator Storms, by unanimous consent the Senate resumed, out of order, consideration of—

CS for CS for CS for SB 2216—A bill to be entitled An act relating to adult protection and care; amending s. 322.142, F.S.; authorizing the Department of Children and Family Services to obtain copies of driver's license files maintained by the Department of Highway Safety and Motor Vehicles for the purpose of conducting protective investigations; amending s. 400.141, F.S.; requiring a search of the Department of Law Enforcement's sexual offender database to be conducted on all nursing home residents; amending s. 400.19, F.S.; revising provisions relating to unannounced inspections; amending s. 400.215, F.S.; requiring contracted workers employed in a nursing home to submit to background screening; prohibiting employees and contracted workers who do not meet background screening requirements from being employed in a nursing home; providing certain exceptions; deleting an obsolete provision; amending s. 408.809, F.S.; requiring the agency to establish a fee schedule to cover the cost of a level 1 or level 2 screening and giving the agency rulemaking authority; amending s. 408.810, F.S.; requiring health care facilities regulated by the Agency for Health Care Administration to post certain information in the facility; authorizing the agency to charge a fee to cover production and distribution unless the information is downloaded from the agency's website; amending s. 408.811, F.S.; providing that agency employees who provide advance notice of unannounced agency inspections are subject to suspension; providing a timeline and process for correction of deficiencies; providing that the agency may provide electronic access to documents; amending s. 415.103, F.S.; requiring certain reports to the central abuse hotline relating to vulnerable adults to be immediately transferred to the county sheriff's office; amending s. 415.1051, F.S.; authorizing the Department of Children and Family Services to file the petition to determine incapacity in adult protection proceedings; prohibiting the department from serving as the guardian or providing legal counsel to the guardian; amending s. 415.112, F.S.; specifying rules to be adopted by the Department of Children and Family Services relating to adult protective services under ch. 415, F.S.; amending s. 429.02, F.S.; revising the definition of "service plan" to remove the limitation that plans are required only in assisted living facilities that have an extended congregate care license; requiring that the agency develop a service plan form; amending s. 429.07, F.S.; providing that license requirements for specialty licenses apply to current licensees as well as applicants for an extended congregate care and limited nursing license; conforming a cross-reference; amending s. 429.174, F.S.; requiring certain employees and contracted workers in assisted living facilities to submit to background screening; prohibiting employees and contracted workers who do not meet background screening requirements from being employed in an assisted living facility; providing certain exceptions; requiring the person being screened to pay for the cost of screening; amending s. 429.255, F.S.; providing that the owner or administrator of an assisted living facility is responsible for the services provided in the facility; amending s. 429.26, F.S.; clarifying a prohibition on moving a resident; providing for the development of a service plan for all residents; requiring a search of the Department of Law Enforcement's sexual offender database to be conducted on all residents of an assisted living facility; requiring residents to be periodically assessed for competency to handle personal affairs; amending s. 429.27, F.S.; prohibiting assisted living facility personnel from making certain decisions for a resident or acting as the resident's representative or surrogate; amending s. 429.28, F.S.; requiring that notice of a resident's relocation or termination of residency be in writing and a copy sent to specified persons; requiring the State Long-Term Ombudsman Program include information within their annual report to the Governor and the Legislature; requiring facilities to have a written grievance procedure

that includes certain information; requiring that grievances reported to the local ombudsman council be included in a statewide reporting system; revising provisions relating to agency surveys to determine compliance with resident rights in assisted living facilities; amending s. 429.294, F.S.; deleting a cross-reference; amending s. 429.34, F.S.; providing for unannounced inspections; providing for additional 6-month inspections for certain violations; providing for an additional fine for 6-month inspections; amending s. 429.41, F.S.; requiring all residents of assisted living facilities to have a service plan; amending s. 429.65, F.S.; providing a definition of the term "reside"; amending s. 429.67, F.S.; expanding the list of persons who must have a background screening in adult family-care homes; amending s. 429.69, F.S.; providing that the failure of a adult family-care home provider to live in the home is grounds for the denial, revocation, or suspension of a license; amending s. 429.73, F.S.; requiring adult family-care home residents to be periodically assessed for competency to handle personal affairs; amending ss. 435.03 and 435.04, F.S.; providing additional criminal offenses for screening certain health care facility personnel; repealing s. 400.141(13), F.S., relating to a requirement to post certain information in nursing homes; repealing s. 408.809(3), F.S., relating to the granting of a provisional license while awaiting the results of a background screening; repealing s. 429.08(2), F.S., deleting a provision relating to local workgroups of field offices of the Agency for Health Care Administration; repealing s. 429.41(5), F.S., relating to agency inspections; amending ss. 430.80 and 651.118, F.S.; conforming cross-references; providing an appropriation and authorizing additional positions; providing an effective date.

—which was previously considered and amended April 2. Pending **Amendment 4 (289964)** by Senator Storms was adopted.

MOTION

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

Senators Storms, King and Geller offered the following amendment which was moved by Senator Storms and adopted:

Amendment 5 (932788)—Between line(s) 295 and 296; and between lines 845 and 846 insert:

Notwithstanding chapter 435, the agency may not provide to the employer the results of background screening for offenses occurring prior to October 1, 1998, for persons employed before October 1, 1998, except for an absolute disqualifying offense. For the purposes of this section, the term "absolute disqualifying offense" means a felony offense pursuant to s. 787.01(3)(a); s. 787.02(3)(a); s. 787.025, s. 796.03; s. 796.035; s. 800.04, except for crimes identified in ss. 800.04(7)(c) and (d); s. 825.1025; s. 827.071; s. 847.0133; s. 847.0135(2) and (3); s. 847.0137(2) and (3); and s. 847.0138(2) and (3); s. 847.0145; s. 796.045; or chapter 794. Notwithstanding s. 435.07, a person who has been convicted of, or entered a plea of guilty or nolo contendere, regardless of adjudication, to an absolute disqualifying offense may not be granted an exemption from disqualification from employment.

MOTION

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

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

Amendment 6 (131218)—Between line(s) 295 and 296; and between lines 845 and 846 insert:

An employer is not required to rescreen a person continuously employed with the same employer after October 1, 1998, who has already been screened by that employer. Notwithstanding chapter 435, the agency may not provide to the employer the results of a background screening for offenses occurring prior to October 1, 1998, for persons employed before October 1, 1998.

On motion by Senator Storms, by two-thirds vote **CS for CS for CS for SB 2216** as amended was read the third time by title, passed, ordered engrossed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

Vote after roll call:

Yea—Alexander

On motion by Senator Peaden, by unanimous consent—

CS for SB 1130—A bill to be entitled An act relating to the "Preservation and Protection of the Right to Keep and Bear Arms in Motor Vehicles Act of 2008"; creating s. 790.251, F.S.; creating the "Preservation and Protection of the Right to Keep and Bear Arms in Motor Vehicles Act of 2008"; providing legislative findings and intent; prohibiting a public or private entity from prohibiting a customer, employee, or invitee from possessing any legally owned firearm that is lawfully possessed and locked inside or locked to a private motor vehicle in a parking lot; prohibiting a public or private entity from violating the privacy rights of a customer, employee, or invitee by verbal or written inquiry regarding the presence of a firearm inside a private motor vehicle in a parking lot or by the search of a private motor vehicle in a parking lot to ascertain the presence of a firearm within the vehicle; prohibiting actions by a public or private entity against a customer, employee, or invitee based upon verbal or written statements concerning possession of a firearm stored inside a private motor vehicle in a parking lot for lawful purposes; providing conditions under which a search of a private motor vehicle in the parking lot of a public or private entity may be conducted; prohibiting an employer from conditioning employment upon an agreement by a prospective employee that prohibits employees from keeping a legal firearm locked inside a motor vehicle; prohibiting an employer from attempting to prevent or prohibiting any customer, employee, or invitee from entering the parking lot of the employer's place of business when the customer's, employee's, or invitee's motor vehicle contains a legal firearm; prohibiting employers from terminating the employment of or otherwise discriminating against an employee, or expelling a customer or invitee, for exercising his or her constitutional right to keep and bear arms or for exercising the right of self-defense; providing a condition to the prohibition; providing that such prohibitions apply to all public-sector employers; delineating duties not owed by public and private entities and employers with respect to the provisions of the act; providing specified immunity from liability for public and private entities and employers; providing nonapplicability of such immunity; providing for enforcement of the act; providing for the award of costs and attorney's fees; providing definitions; providing exceptions to the prohibitions under the act; providing applicability; providing an effective date.

—was taken up out of order and read the second time by title.

Amendments were considered and adopted to conform **CS for SB 1130** to **CS for HB 503**.

Pending further consideration of **CS for SB 1130** as amended, on motion by Senator Peaden, by two-thirds vote **CS for HB 503** was withdrawn from the Committees on Criminal Justice; and Judiciary.

On motion by Senator Peaden, by two-thirds vote—

CS for HB 503—A bill to be entitled An act relating to the "Preservation and Protection of the Right to Keep and Bear Arms in Motor Vehicles Act of 2008"; creating s. 790.251, F.S.; creating the "Preservation and Protection of the Right to Keep and Bear Arms in Motor Vehicles Act of 2008"; providing definitions; providing legislative findings and intent;

prohibiting a public or private employer from prohibiting a customer, employee, or invitee from possessing any legally owned firearm that is lawfully possessed and locked inside or locked to a private motor vehicle in a parking lot; prohibiting a public or private employer from violating the privacy rights of a customer, employee, or invitee by verbal or written inquiry regarding the presence of a firearm inside or locked to a private motor vehicle in a parking lot or by the search of a private motor vehicle in a parking lot to ascertain the presence of a firearm within the vehicle; prohibiting actions by a public or private employer against a customer, employee, or invitee based upon verbal or written statements concerning possession of a firearm stored inside a private motor vehicle in a parking lot for lawful purposes; providing conditions under which a search of a private motor vehicle in the parking lot of a public or private employer may be conducted; prohibiting a public or private employer from conditioning employment upon specified licensure status or upon a specified agreement; prohibiting a public or private employer from attempting to prevent or prohibiting any customer, employee, or invitee from entering the parking lot of the employer's place of business because the customer's, employee's, or invitee's private motor vehicle contains a legal firearm; prohibiting public or private employers from terminating the employment of or otherwise discriminating against an employee, or expelling a customer or invitee, for exercising his or her constitutional right to keep and bear arms or for exercising the right of self-defense; providing a condition to the prohibition; providing that such prohibitions apply to all public-sector employers; providing that, when subject to the prohibitions imposed by the act, a public or private employer has no duty of care related to the actions prohibited thereunder; providing specified immunity from liability for public and private employers; providing non-applicability of such immunity; providing construction; providing for enforcement of the act; providing for the award of reasonable personal costs and losses; providing for the award of court costs and attorney's fees; providing exceptions to the prohibitions under the act; providing applicability; providing an effective date.

—a companion measure, was substituted for **CS for SB 1130** as amended and by two-thirds vote read the second time by title.

Senator Deutch moved the following amendments which failed:

Amendment 1 (097100)—Between lines 218 and 219 insert:

(g) Any public or private preschool program, or child day care center.

(Redesignate subsequent paragraphs.)

Amendment 2 (123786)—Between lines 218 and 219 insert:

(g) Any nursing home facility.

(Redesignate subsequent paragraphs.)

MOTION

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

Senator Deutch moved the following amendment which failed:

Amendment 3 (489644)(with title amendment)—Between lines 224 and 225 insert:

Section 2. Subsection (12) of section 790.06, Florida Statutes, is amended to read:

790.06 License to carry concealed weapon or firearm.—

(12) No license issued pursuant to this section shall authorize any person to carry a concealed weapon or firearm into any place of nuisance as defined in s. 823.05; any police, sheriff, or highway patrol station; any detention facility, prison, or jail; any courthouse; any courtroom, except that nothing in this section would preclude a judge from carrying a concealed weapon or determining who will carry a concealed weapon in his or her courtroom; any polling place; any meeting of the governing body of a county, public school district, municipality, or special district; any meeting of the Legislature or a committee thereof; any school, college, or professional athletic event not related to firearms; any school administration building; any portion of an establishment licensed to dispense alcoholic beverages for consumption on the premises, which portion of the establishment is primarily devoted to such purpose; any elementary or secondary school facility; any career center; any college or university facility unless the licensee is a registered student, employee, or faculty member of such college or university and the weapon is a stun gun or nonlethal electric weapon or device designed solely for defensive purposes and the weapon does not fire a dart or projectile; inside the passenger terminal and sterile area of any airport, provided that no person shall be prohibited from carrying any legal firearm into the terminal, which firearm is encased for shipment for purposes of checking such firearm as baggage to be lawfully transported on any aircraft; or any place where the carrying of firearms is prohibited by federal law. Any person who willfully violates any provision of this subsection commits a misdemeanor of the *first* ~~second~~ degree, punishable as provided in s. 775.082 or s. 775.083.

And the title is amended as follows:

On line 49, after the semicolon (;) insert: amending s. 790.06, F.S.; providing that a person who willfully carries a concealed weapon or firearm into any place specifically prohibited by law commits a misdemeanor of the first degree; providing for criminal penalties;

Pursuant to Rule 4.19, **CS for HB 503** was placed on the calendar of Bills on Third Reading.

On motion by Senator Aronberg, by two-thirds vote **HB 7037** was withdrawn from the Committee on Judiciary.

On motion by Senator Aronberg, by unanimous consent—

HB 7037—A bill to be entitled An act for the relief of Alan Jerome Crotzer; providing an appropriation to compensate Alan Jerome Crotzer for wrongful imprisonment and for being a victim of a miscarriage of justice; directing the Chief Financial Officer to draw a warrant; requiring the purchase of an annuity; providing for the waiver of specified tuition and fees; providing conditions for payment; providing legislative intent; providing an effective date.

—a companion measure, was taken up out of order and by two-thirds vote substituted for **CS for SB 12** and by two-thirds vote read the second time by title. On motions by Senator Aronberg, by two-thirds vote **HB 7037** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—33

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

Nays—5

Bennett	Gaetz	Webster
Carlton	King	

On motion by Senator Lawson, by unanimous consent—

CS for SB 34—A bill to be entitled An act for the relief of Laura Laporte; providing an appropriation to compensate Laura Laporte for injuries she sustained as a result of the negligence of an employee of the Department of Agriculture and Consumer Services; providing for a limitation on payment of fees and costs; directing the Chief Financial Officer to draw a warrant and make payment; providing an effective date.

—was taken up out of order and read the second time by title. On motions by Senator Lawson, by two-thirds vote **CS for SB 34** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—26

Mr. President	Diaz de la Portilla	Lynn
Alexander	Fasano	Margolis
Aronberg	Garcia	Peaden
Atwater	Haridopolos	Rich
Bullard	Hill	Ring
Constantine	Jones	Saunders
Crist	Joyner	Storms
Dean	Justice	Villalobos
Deutch	Lawson	

Nays—9

Baker	Dockery	Posey
Bennett	King	Webster
Carlton	Oelrich	Wise

Vote after roll call:

Nay—Gaetz

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

BILLS ON THIRD READING

SENATOR OELRICH PRESIDING

CS for CS for SB 1276—A bill to be entitled An act relating to educational facilities construction; amending s. 1013.45, F.S.; increasing the maximum authorized amount of a day-labor contract to $280,000; providing for such amount to be adjusted annually; amending s. 1013.64, F.S.; providing duties of the Office of Educational Facilities with respect to approving school district construction projects and assisting districts in developing lists of proposed facilities; limiting total project costs except for providential causes; providing an effective date.

—as amended April 2 was read the third time by title.

On motion by Senator Bennett, **CS for CS for SB 1276** as amended was passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

SB 2516—A bill to be entitled An act relating to memory disorder clinics; amending s. 430.502, F.S.; revising terminology relating to the East Central Florida Memory Disorder Clinic; providing an effective date.

—was read the third time by title.

On motion by Senator Haridopolos, **SB 2516** was passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

Vote after roll call:

Yea—Bullard

SB 1092—A bill to be entitled An act relating to the Medicaid waiver program for patients who have Alzheimer's disease; amending s. 430.502, F.S.; extending the authority to continue the waiver program; requiring the Office of Program Policy Analysis and Government Accountability to conduct a comparative study of Medicaid home and community-based-services waiver programs; requiring that the findings and recommendations be submitted to the Legislature by a specified date; providing an effective date.

—was read the third time by title.

On motion by Senator Crist, **SB 1092** was passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

CS for CS for SB 2082—A bill to be entitled An act relating to insurance; providing a short title; amending s. 626.171, F.S.; requiring that an applicant for licensure as an insurance agent, customer representative, adjuster, service representative, managing general agent, or reinsurance intermediary provide to the Department of Financial Services his or her home and office telephone numbers and e-mail address; amending s. 626.2815, F.S.; requiring persons licensed to solicit or sell life insurance to complete a specified number of hours in continuing education on the subject of suitability in annuity and life insurance transactions; amending s. 626.551, F.S.; requiring that a licensee notify the department within 60 days after a change in home or business telephone numbers or e-mail address; amending s. 626.9521, F.S.; providing enhanced penalties for offenses involving misleading representations or fraudulent comparisons or omissions, the generation of unlawful fees and commissions, or the use of fraudulent signatures; providing for other enhanced penalties to supersede the penalties provided by the act under certain conditions; amending s. 626.9541, F.S.; revising the elements of the offense known as "churning" to include direct or indirect purchases made for the purpose of earning fees or commissions; providing that the submission of certain fraudulent signatures or the misrepresentation of a licensee's qualifications constitute an unfair method of competition and an unfair or deceptive act or practice; amending s. 626.99, F.S.; revising requirements for life insurance or annuity policies to increase the period of time allowed for obtaining an unconditional refund; requiring insurers for all types of annuities to provide a buyer's

guide and a policy summary to the buyer; amending s. 627.4554, F.S.; providing for the regulation of recommendations relating to the sale of life insurance products to senior consumers; redefining the term "annuity" and defining the term "life insurance contract"; requiring that an agent obtain financial and other information concerning the senior consumer before executing a purchase or exchange of an annuity or life insurance contract; requiring that the agent perform a suitability analysis relative to the investment he or she recommends and document the analysis in writing; requiring an agent to provide a comparison of current and recommended products if the transaction involves the replacement or exchange of an in-force insurance policy or annuity; requiring an agent to provide information about any surrender charges and tax consequences; authorizing the department and commission to adopt rules; amending s. 627.805, F.S.; providing for regulation of the issuance and sale of variable and indeterminate value contracts by the Department of Financial Services, the Office of Insurance Regulation, and the Office of Financial Regulation; authorizing the department and the Financial Services Commission to adopt rules; providing an effective date for such rulemaking authority; providing for applicability of such rules; providing an effective date.

—as amended April 2 was read the third time by title.

On motion by Senator Bennett, **CS for CS for SB 2082** as amended was passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

CS for CS for SB 2012—A bill to be entitled An act relating to insurance policies; amending s. 627.94073, F.S.; revising provisions requiring that insurers notify policyholders of the right to designate a secondary addressee to receive a notice of termination of long-term care insurance policies; requiring that a canceled long-term care policy be reinstated if the policyholder failed to pay the premium due to an extended confinement in a hospital, skilled nursing facility, or assisted living facility; providing for application; amending s. 626.9543, F.S.; extending the period within which certain insurers must permit claims from a Holocaust victim or from a beneficiary, descendent, or heir of such a victim; extending the period within which certain actions brought by such a victim, descendent, or heir seeking proceeds of certain insurance policies may not be dismissed; providing effective dates.

—as amended April 2 was read the third time by title.

On motion by Senator Deutch, **CS for CS for SB 2012** as amended was passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

CS for SB 648—A bill to be entitled An act relating to insurable interests; amending s. 627.404, F.S.; providing definitions; providing for the requirement of an insurable interest in an insured at the time of an insurance contract; providing for actions by the insured to recover benefits under such a contract paid to a person lacking such an interest at the time such contract was executed; requiring the consent of the person insured for certain contracts; providing exceptions; providing applicability; providing intent; providing an effective date.

—as amended April 2 was read the third time by title.

On motion by Senator Posey, **CS for SB 648** as amended was passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

CS for SB 604—A bill to be entitled An act relating to pari-mutuel wagering; amending s. 550.002, F.S.; providing for a full schedule of racing for quarter horse permitholders; amending s. 550.334, F.S.; removing provisions requiring an application to the Division of Pari-mutuel Wagering for a permit to conduct quarter horse race meetings; removing provisions for granting a license to conduct quarter horse racing; removing a provision for governance and control of quarter horse racing; removing a requirement for intertrack wagering to be conducted by a quarter horse permitholder; providing for a grandfather clause; amending s. 849.086, F.S.; providing for a full schedule of races for a new permitholder to be eligible to renew a cardroom license; amending s. 550.26165, F.S.; authorizing the payment of certain breeders' and stallion awards under certain circumstances; amending s. 550.2625, F.S.; providing that the provisions of statute governing certain owners' awards shall govern in the absence of a written agreement; amending s. 550.5251, F.S.; providing an exception to the requirement that each thoroughbred permitholder run an average of one race per racing day against horses bred in this state that have preference over nonstate horses; providing an effective date.

—as amended April 2 was read the third time by title.

Senator Geller moved the following amendment:

Amendment 1 (844144)—Delete line(s) 51-62 and insert: permitholder, *in the year 2009, the conduct of at least 20 live regular wagering performances, in the years 2010 and 2011, the conduct of at least 30 live regular wagering performances, and for every year after the year 2011,* the conduct of at least 40 live regular wagering performances ~~during the preceding year~~; and for a thoroughbred permitholder, the

MOTION

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

Senator Haridopolos moved the following substitute amendment which was adopted by two-thirds vote:

Amendment 2 (644044)—Delete line(s) 51-62 and insert: permitholder, *at its facility unless an alternative schedule of at least 20 live regular wagering performances is agreed upon by the permitholder and the horsemen's association representing the majority of the quarter racehorse owners and trainers at the facility and filed with the division with its annual date application, in the year 2009, the conduct of at least 20 live regular wagering performances, in the years 2010 and 2011, the conduct of at least 30 live regular wagering performances, and for every year after the year 2011,* the conduct of at least 40 live regular wagering performances ~~during the preceding year~~; *for a quarter horse permitholder leasing another licensed racetrack, the conduct of 160 events at the leased facility;* and for a thoroughbred permitholder, the

On motion by Senator Jones, **CS for SB 604** as amended was passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—33

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

Nays—5

Carlton	Storms	Wise
Gaetz	Webster	

Vote after roll call:

Yea to Nay—Posey

CS for SB 1008—A bill to be entitled An act relating to the failure to redeliver hired vehicles; amending s. 817.52, F.S.; providing that information not otherwise required by law is not required in order to report a hired vehicle as stolen; requiring a law enforcement agency to report a hired vehicle as stolen to certain specified reporting systems; providing an effective date.

—was read the third time by title.

On motion by Senator Storms, **CS for SB 1008** was passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

SPECIAL ORDER CALENDAR, continued

By Senator Constantine—

CS for SB 322—A bill to be entitled An act relating to local government; creating s. 112.3136, F.S.; specifying standards of conduct for officers and employees of entities serving as the chief administrative officer of a political subdivision; amending s. 112.317, F.S.; providing for penalties to be imposed against persons other than lobbyists or public officers and employers; amending s. 112.324, F.S.; providing for the commission to report to the Governor violations involving persons other than lobbyists or public officers and employees; providing an effective date.

—was read the second time by title.

MOTION

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

Senator Constantine moved the following amendment which was adopted:

Amendment 1 (582638)—Delete line 32 and insert: *112.313(3) or (7).*

Pursuant to Rule 4.19, **CS for SB 322** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

By Senator Lawson—

SB 1036—A bill to be entitled An act relating to inmate death notification; amending s. 944.09, F.S.; requiring the Department of Corrections to adopt procedures for providing notice of the death of an inmate in the state correctional system; prescribing written information to be provided to the person designated by the inmate to receive notice of the inmate's death; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 1036** was placed on the calendar of Bills on Third Reading.

By Senator Joyner—

CS for SB 656—A bill to be entitled An act relating to judicial and execution sales of property; creating s. 702.55, F.S.; requiring that, before certain court-ordered sales of property, the lienholder serve notice on the property owner of the possibility of relief through the filing of a bankruptcy petition and also warning against purported foreclosure "saving" schemes; specifying the content of the notice; providing for an affirmative defense for failing to provide notice; amending s. 56.021, F.S., relating to the required service of notice of potential relief through bankruptcy; conforming provisions to changes made by the act; providing for application; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 656** was placed on the calendar of Bills on Third Reading.

By Senator Aronberg—

SB 96—A bill to be entitled An act relating to equitable distribution of marital assets and liabilities; amending s. 61.046, F.S.; defining the term "barrier to remarriage"; amending s. 61.075, F.S.; authorizing the court to take into consideration the failure or refusal of one spouse to remove a barrier to the remarriage of the other spouse when considering the equitable distribution of marital assets and liabilities; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 96** was placed on the calendar of Bills on Third Reading.

By Senator King—

CS for SB 1070—A bill to be entitled An act relating to intergovernmental cooperation; amending s. 163.01, F.S.; authorizing parties to an

interlocal agreement to provide for the use or maintenance of facilities or equipment; amending s. 1003.02, F.S.; authorizing district school boards to perform certain functions by means of an interlocal agreement; amending s. 1006.261, F.S.; providing for use of school buses for additional public purposes; providing for reimbursement and indemnification; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1070** was placed on the calendar of Bills on Third Reading.

By Senator Baker—

CS for SB 192—A bill to be entitled An act relating to state parks; amending s. 258.007, F.S.; deleting a penalty for a rule violation; creating s. 258.008, F.S.; creating penalties for the violation of rules adopted under ch. 258, F.S., and for specified activities within the boundaries of a state park; providing for fines to be deposited into the State Park Trust Fund; amending s. 316.212, F.S.; authorizing the operation of a golf cart within a state park under certain circumstances; amending s. 316.2125, F.S.; conforming a cross-reference; amending s. 316.2126, F.S.; authorizing state employees, state park volunteers, and state park visitors to operate golf carts and utility vehicles on public roads within state park boundaries for certain purposes subject to specified conditions; conforming cross-references; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 192** was placed on the calendar of Bills on Third Reading.

CS for CS for SB 1428—A bill to be entitled An act relating to retirement; amending s. 121.021, F.S.; clarifying that the term "compensation" for purposes of the benefit retirement program or the Public Employee Optional Retirement Program of the Florida Retirement System does not include fees or salary payments made from a faculty practice plan authorized by the Board of Governors of the State University System for clinical faculty at a state university having a faculty practice plan; amending s. 121.051, F.S.; requiring that a person appointed to a faculty position at a state university having a faculty practice plan participate in the optional retirement program of the State University System rather than the Florida Retirement System; providing definitions; amending s. 121.35, F.S.; requiring the participating employee in the optional retirement program to execute a contract, not just an annuity contract, with a designated company in order for employee contributions to be forwarded to the company and for interest to accrue; defining the term "participant's gross monthly compensation" for purposes of the optional retirement program for the State University System; creating s. 121.355, F.S.; authorizing certain former participants in the Community College Optional Retirement Program or the State University System Optional Retirement Program and present mandatory participants in the Florida Retirement System to receive a specified amount of service credit under certain conditions; providing a specified time period for the election of such transfer; limiting certain service credit; providing an effective date.

—was read the second time by title.

Senator Fasano moved the following amendment:

Amendment 1 (229448)(with title amendment)—Between lines 185 and 186 insert:

Section 5. *An employee who participates in the Florida Retirement System and who subsequently retires from his or her position and receives a distribution from the Florida Retirement System may not be reemployed in the same position. If such person is reemployed or contracted by the governmental entity in a different position, his or her annual salary may not exceed $30,000 per year.*

And the title is amended as follows:

On line 30, after the semicolon (;) insert: prohibiting certain employees from being reemployed in the same position after retirement from that position; limiting the annual salary of such persons upon reemployment by the state in a different position;

MOTION

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

Senator Fasano moved the following substitute amendment:

Amendment 2 (423496)(with title amendment)—Between lines 185 and 186 insert:

Section 1. *An officer or employee who participates in the Florida Retirement System and who subsequently retires from his or her office or position and receives a distribution from the Florida Retirement System may not be reemployed or elected to, the same office or position. If such person is reemployed or elected to a different position or office, his or her annual salary may not exceed $30,000 per year.*

And the title is amended as follows:

On line 30, after the semicolon (;) insert: prohibiting certain officers or employees from being reemployed in the same position after retirement from that position; limiting the annual salary of such persons upon reemployment by the state to a different position;

MOTION

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

Senator Wise moved the following amendment to **Substitute Amendment 2 (423496)** which was adopted:

Amendment 2A (150736)(with title amendments)—Delete lines 14-16 and insert: *the same office or position.*

And the title is amended as follows:

Delete lines 24 and 25 and insert: position;

Amendment 2 as amended failed.

The question recurred on **Amendment 1 (229448)**. On motion by Senator Fasano, further consideration of **CS for CS for SB 1428** with pending **Amendment 1 (229448)** was deferred.

By Senator Fasano—

CS for SB 82—A bill to be entitled An act relating to state aid to public libraries; amending s. 257.172, F.S.; revising grant eligibility criteria for multicounty libraries; revising determination for and amount of base grants; amending s. 257.18, F.S.; revising eligibility criteria, calculation, and determination for equalization grants; limiting grants and grant amounts under specified conditions; amending s. 257.22, F.S.; removing a requirement for issuance of warrants to political subdivisions eligible for certain funding; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 82** was placed on the calendar of Bills on Third Reading.

By Senator Crist—

SB 728—A bill to be entitled An act relating to the conveyance of bodies into or out of the state; amending s. 406.61, F.S.; authorizing an accredited or certified museum to convey plastinated bodies into or out of the state for exhibition and educational purposes; requiring that the museum provide prior notification to the anatomical board; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 728** was placed on the calendar of Bills on Third Reading.

By Senator Bennett—

SB 784—A bill to be entitled An act relating to local telecommunications services; repealing s. 364.059, F.S., relating to procedures for seeking a stay from the Florida Public Service Commission of a price reduction for basic local telecommunications services; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 784** was placed on the calendar of Bills on Third Reading.

SM 1454—A memorial to the Congress of the United States, urging Congress to make forms for the United States Decennial Census of 2010 available in the Creole language for the Haitian population of Florida.

WHEREAS, results from the United States Decennial Census of 2000 show that there were 419,317 foreign-born persons from Haiti in the United States when the census was taken, and

WHEREAS, the state with the largest population of foreign-born persons from Haiti in 2000 was Florida with 182,224, which represented 6.8 percent of Florida's total foreign-born population of 2.7 million, and

WHEREAS, in conducting the federal decennial statewide census in 2000, the United States Census Bureau used a variety of methods to communicate with people who could not speak English, and

WHEREAS, households that received the census form in the mail had the option of requesting the form in Spanish, Chinese, Tagalog, Vietnamese, or Korean, and

WHEREAS, individuals who believed that they were not included on a form or did not receive a form could use the "Be Counted" questionnaires that were available in public areas and printed in English, Spanish, Tagalog, Vietnamese, and Korean, and

WHEREAS, the Census Bureau also published a short-form and a long-form language assistance guide in 49 different languages, one of which was Creole, to assist respondents, and

WHEREAS, however, given the considerable size of Florida's Haitian population, in the interest of equity and obtaining the most accurate information possible from the next federal decennial statewide census, the United States Census Bureau should make forms for the United States Decennial Census of 2010 more accessible to the Haitian population of Florida by making the census forms available in the Creole language, and

WHEREAS, in addition, the census forms for the United States Decennial Census of 2010 should be prepared in a manner that will allow a respondent to indicate whether he or she is a Haitian national or of Haitian descent, NOW, THEREFORE,

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

That the Congress of the United States is urged to require the United States Census Bureau to make census forms for the United States Decennial Census of 2010 available in the Creole language to provide for optimal accessibility by the Haitian population of Florida and to prepare the census forms in a manner that will allow a respondent to indicate whether he or she is a Haitian national or of Haitian descent.

BE IT FURTHER RESOLVED that copies of this memorial be dispatched to the President of the United States, to the President of the United States Senate, to the Speaker of the United States House of Representatives, and to each member of the Florida delegation to the United States Congress.

—was read the second time in full. On motion by Senator Margolis, **SM 1454** was adopted and certified to the House.

The Senate resumed consideration of—

CS for CS for SB 1428—A bill to be entitled An act relating to retirement; amending s. 121.021, F.S.; clarifying that the term "compensation" for purposes of the benefit retirement program or the Public Employee Optional Retirement Program of the Florida Retirement System does not include fees or salary payments made from a faculty practice plan authorized by the Board of Governors of the State University System for clinical faculty at a state university having a faculty practice plan; amending s. 121.051, F.S.; requiring that a person appointed to a faculty position at a state university having a faculty practice plan participate in the optional retirement program of the State University System rather than the Florida Retirement System; providing definitions; amending s. 121.35, F.S.; requiring the participating employee in the optional retirement program to execute a contract, not just an annuity contract, with a designated company in order for employee contributions to be forwarded to the company and for interest to accrue; defining the term "participant's gross monthly compensation" for purposes of the optional retirement program for the State University System; creating s. 121.355, F.S.; authorizing certain former participants in the Community College Optional Retirement Program or the State University System Optional Retirement Program and present mandatory participants in the Florida Retirement System to receive a specified amount of service credit under certain conditions; providing a specified time period for the election of such transfer; limiting certain service credit; providing an effective date.

—which was previously considered this day with pending **Amendment 1 (229448)** by Senator Fasano.

RECONSIDERATION OF AMENDMENT

On motion by Senator King, the Senate reconsidered the vote by which **Substitute Amendment 2 (423496)** as amended failed. **Substitute Amendment 2** as amended was adopted.

On motion by Senator King, by two-thirds vote **CS for CS for SB 1428** as amended was referred to the Committee on Governmental Operations.

MOTIONS

On motions by Senator Carlton, the amendment deadline for the Appropriation Bill, **SB 2900**, and the Appropriations Implementing Bill, **SB 2902**, was set for 5:00 p.m. on Monday, April 7; and the amendment deadline for amendments to amendments and substitute amendments to the appropriations bills was set for 12:00 noon on Tuesday, April 8.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Dockery, by two-thirds vote **SB 366** was withdrawn from the Committee on Criminal and Civil Justice Appropriations.

On motion by Senator Constantine, by two-thirds vote **CS for SB's 1094 and 326** was withdrawn from the Committee on Health Regulation.

REPORTS OF COMMITTEES

The Law and Justice Policy and Calendar Committee submits the following bills to be placed on the Special Order Calendar for Thursday, April 3, 2008: CS for SB 322, SB 1036, CS for SB 656, SB 96, CS for SB 1130, CS for SB 12, CS for SB 34

Respectfully submitted,
Paula Dockery, Chair

The Responsible Regulation Policy and Calendar Committee submits the following bills to be placed on the Special Order Calendar for Thursday, April 3, 2008: CS for SB 1070, CS for SB 192, CS for CS for SB 1428, CS for SB 82, SB 728, SB 784, SM 1454

Respectfully submitted,
Lee Constantine, Chair

The Committee on Agriculture recommends the following pass: SB 2634

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

The Committee on Finance and Tax recommends the following pass: CS for SB 1440 with 1 amendment

The bill was referred to the Committee on Education Pre-K - 12 Appropriations under the original reference.

The Committee on Finance and Tax recommends the following pass: CS for SB 2310

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

The Committee on Community Affairs recommends the following pass: SB 1694

The Committee on Environmental Preservation and Conservation recommends the following pass: SB 1982

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

The Committee on Environmental Preservation and Conservation recommends the following pass: SB 2280; SB 2456

The bills were referred to the Committee on Health and Human Services Appropriations under the original reference.

The Committee on Governmental Operations recommends the following pass: CS for SB 654; SB 994; SB 1638

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

The Committee on Environmental Preservation and Conservation recommends the following pass: SB 1974

The bill was referred to the Committee on Military Affairs and Domestic Security under the original reference.

The Committee on Governmental Operations recommends the following pass: SB 1284

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

The Committee on Governmental Operations recommends the following pass: CS for SB 1618

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

The Committee on Finance and Tax recommends the following pass: CS for CS for SB 1992

The Committee on Governmental Operations recommends the following pass: SB 2778

The bills contained in the foregoing reports were referred to the Committee on Transportation and Economic Development Appropriations under the original reference.

The Committee on Community Affairs recommends the following pass: SB 50; SB 56

The Committee on General Government Appropriations recommends the following pass: CS for SB 2222; SB 2474

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

The Committee on Health Regulation recommends a committee substitute for the following: SB 1998

The Committee on Regulated Industries recommends a committee substitute for the following: SB 2640

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

The Committee on Education Pre-K - 12 recommends a committee substitute for the following: SB 1458

The Committee on Health Policy recommends a committee substitute for the following: SB 988

The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Children, Families, and Elder Affairs under the original reference.

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 2264

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

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 2388

The Committee on Ethics and Elections recommends a committee substitute for the following: SB 880

The Committee on Finance and Tax recommends a committee substitute for the following: SB 1588

The Committee on Regulated Industries recommends a committee substitute for the following: CS for SB 1580

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

The Committee on Judiciary recommends a committee substitute for the following: CS for SB 1442

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

The Committee on Finance and Tax recommends a committee substitute for the following: SB 2788

The Committee on Health Regulation recommends a committee substitute for the following: SB 2756

The Committee on Transportation recommends a committee substitute for the following: SB 802

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

The Committee on Education Pre-K - 12 recommends committee substitutes for the following: SB 318; SB 1914

The bills with committee substitutes attached were referred to the Committee on Education Pre-K - 12 Appropriations under the original reference.

The Committee on Commerce recommends a committee substitute for the following: SB 2304

The Committee on General Government Appropriations recommends a committee substitute for the following: SJR 1848

The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Environmental Preservation and Conservation under the original reference.

The Committee on Commerce recommends a committee substitute for the following: SB 2426

The Committee on Judiciary recommends committee substitutes for the following: CS for SB 304; SB 698

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

The Committee on Banking and Insurance recommends a committee substitute for the following: CS for SB 406

The Committee on Finance and Tax recommends a committee substitute for the following: SB 1586

The Committee on Judiciary recommends committee substitutes for the following: CS for SB 1152; SB 2202

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

The Committee on Children, Families, and Elder Affairs recommends a committee substitute for the following: SB 2626

The Committee on Commerce recommends a committee substitute for the following: SB 1120

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

The Committee on Children, Families, and Elder Affairs recommends a committee substitute for the following: SB 846

The Committee on Health Policy recommends a committee substitute for the following: CS for SB 2654

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

The Committee on Banking and Insurance recommends committee substitutes for the following: SB 1010; SB 1598

The Committee on Health Regulation recommends a committee substitute for the following: SB 1648

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

The Committee on Health and Human Services Appropriations recommends a committee substitute for the following: SB 2326

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

The Committee on Banking and Insurance recommends a committee substitute for the following: CS for SB 1270

The Committee on Children, Families, and Elder Affairs recommends committee substitutes for the following: SB 2532; SB 2762

The Committee on Commerce recommends a committee substitute for the following: CS for SB 2150

The Committee on Ethics and Elections recommends a committee substitute for the following: SB 866

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

The Committee on Finance and Tax recommends a committee substitute for the following: CS for CS for SB 392

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

The Committee on Criminal and Civil Justice Appropriations recommends committee substitutes for the following: SB 1788; SB 1790; SB 1792; SB 1800; SB 1802; CS for SB 2000

The Committee on Education Pre-K - 12 Appropriations recommends committee substitutes for the following: CS for SB 610; SB 1746; SB 1752; SB 1756; SB 1760

The Committee on General Government Appropriations recommends committee substitutes for the following: CS for SB 1286; CS for SB 1294; CS for SB 1302; CS for SB 1702; SB 1810; SB 1814; SB 1820; SB 1824; SB 1830; SB 1838; SB 1844; SB 1886; SB 1888; SB 1892; CS for SB 2002

The Committee on Health and Human Services Appropriations recommends committee substitutes for the following: CS for SB 1080; CS for CS for SB 1374; SB 1854; SB 1856; SB 1864; SB 1866; SB 1868; CS for SB 2534; CS for SB 2760

The Committee on Higher Education Appropriations recommends committee substitutes for the following: CS for SB 1716; SB 1762; SB 1774

The Committee on Transportation and Economic Development Appropriations recommends committee substitutes for the following: SB 788; SB 1882; SB 1884

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

INTRODUCTION AND REFERENCE OF BILLS

FIRST READING

By the Committee on Fiscal Policy and Calendar Committee—

SB 2900—A bill to be entitled An act making appropriations; providing moneys for the annual period beginning July 1, 2008, and ending June 30, 2009, to pay salaries and other expenses, for capital outlay projects such as buildings and other improvements, and for other specified purposes of the various agencies of state government; providing an effective date.

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

By the Committee on Fiscal Policy and Calendar Committee—

SB 2902—A bill to be entitled An act implementing the 2008-2009 General Appropriations Act; providing legislative intent; incorporating by reference certain calculations of the Florida Education Finance Program for the 2008-2009 fiscal year; providing for allocating funds for alcohol, drug abuse, and mental health services to areas of the state having the greatest demand for services and treatment capacity and as specified in the General Appropriations Act; requiring the Department of Children and Family Services to ensure information is entered into the Florida Safe Families Network; requiring coordination between the department and the Office of the State Courts Administrator and the Statewide Guardian Ad Litem Office to provide information relating to child welfare cases; requiring a report to the Governor and Legislature; providing for future expiration of such provisions; authorizing the Department of Corrections and the Department of Juvenile Justice to expend funds to defray the cost of impacts incurred by a municipality or county which are associated with a facility operated by each respective department; providing for future expiration of such authorization; amending s. 216.262, F.S.; extending the expiration date of provisions authorizing additional positions to operate added prison bed capacity; authorizing the Department of Legal Affairs to expend funds for certain programs pursuant to specific appropriations; amending s. 932.7055, F.S.; extending the expiration date of provisions authorizing the expenditure of funds in a special law enforcement trust fund established by the governing body of a municipality; reenacting s. 985.686(3), F.S., providing for the payment of costs of providing detention care for juveniles; providing for the future expiration of certain amendments to such provisions; specifying certain limitations on reimbursements to a health care provider or hospital by the Department of Corrections; providing an exception for hospitals that reported a negative operating margin for the prior year; requiring that contract rates of the Department of Corrections be based on a percentage of the Medicare allowable rate; amending s. 201.15, F.S.; providing for moneys in the Invasive Plant Control Trust Fund from the excise tax on documents to be used for Everglades restoration and for the Water Resource Action Plan; authorizing the transfer of moneys in the Invasive Plant Control Trust Fund to the Save Our Everglades Trust Fund and the Ecosystem Management and Restoration Trust Fund; authorizing the Executive Office of the Governor to transfer certain specified funds between departments for purposes of paying risk management insurance; providing for expiration of such authority; authorizing the Executive Office of the Governor to transfer certain specified funds between departments for purposes of paying for human resource management services; providing for expiration of such authority; amending s. 253.01, F.S.; providing for moneys in the Internal Improvement Trust Fund to be used for grants and aids to local governments for the drinking water facility construction state revolving loan program; providing for future expiration of such provision; amending s. 255.503, F.S.; delaying the expiration of provisions authorizing the Department of Management Services to sell, lease, or otherwise dispose of facilities within the Florida Facilities Pool and report to the Legislature, the Governor, and the Division of Bond Finance; reenacting s. 287.17(3)(a) and (6), F.S.; authorizing the use of state aircraft for commuting; providing for the future expiration of certain amendments to such provisions; requiring the Department of Environmental Protection to award funds to certain small counties for programs in liter prevention, recycling and solid waste programs, and the Innovation Grant Program; amending s. 570.20, F.S.; delaying the expiration of provisions authorizing moneys in the General Inspection Trust Fund to be appropriated for certain programs operated by the Department of Agriculture and Consumer Services; authorizing the Department of Financial Services to expend certain funds for salaries, other personnel services, and related expenses; amending s. 253.034, F.S.; delaying the expiration of provisions authorizing the deposit of funds from the sale of property located in Palm Beach County into the Highway Safety Operating Trust Fund by the Department of Highway Safety and Motor Vehicles; amending s. 320.08058, F.S.; delaying the expiration of provisions authorizing proceeds from the Professional Sports Development Trust Fund to be used for operational expenses of the Florida Sports Foundation and financial support of the Sunshine State Games; amending s. 339.135, F.S.; delaying the expiration of provisions requiring the Department of Transportation to transfer funds to the Office of Tourism, Trade, and Economic Development for the purpose of funding economic development transportation projects; amending s. 553.721, F.S.; providing for the proceeds from the surcharge collected by the Department of Community Affairs on building additions and renovations to be used to fund regional planning councils, civil legal assistance, and the Front Porch Florida Initiative; providing for the authorization and issuance of new debt; reenacting s. 215.32(2)(b), F.S., relating to the source and use of certain trust funds in order to implement the transfer of moneys in the General Revenue Fund from trust funds in the 2008-2009 General Appropriations Act; providing for the effect of a veto of one or more specific appropriations or proviso provisions to which implementing language refers; providing for the continued operation of certain provisions notwithstanding a future repeal or expiration provided by the act; providing for severability; providing for contingent retroactive application; providing effective dates.

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

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

SB 2904—A bill to be entitled An act making appropriations; providing moneys for the annual period beginning July 1, 2008, and ending June 30, 2009, to pay salaries and other expenses, for capital outlay projects such as buildings and other improvements, and for other specified purposes of the various agencies of state government; providing an effective date.

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

By the Committee on Higher Education Appropriations—

SB 2906—A bill to be entitled An act making appropriations; providing moneys for the annual period beginning July 1, 2008, and ending June 30, 2009, to pay salaries and other expenses, for capital outlay projects such as buildings and other improvements, and for other specified purposes of the various agencies of state government; providing an effective date.

—was referred to the Committee on Higher Education Appropriations.

By the Committee on Criminal and Civil Justice Appropriations—

SB 2908—A bill to be entitled An act making appropriations; providing moneys for the annual period beginning July 1, 2008, and ending June 30, 2009, to pay salaries and other expenses, for capital outlay projects such as buildings and other improvements, and for other specified purposes of the various agencies of state government; providing an effective date.

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

By the Committee on General Government Appropriations—

SB 2910—A bill to be entitled An act making appropriations; providing moneys for the annual period beginning July 1, 2008, and ending June 30, 2009, to pay salaries and other expenses, for capital outlay projects such as buildings and other improvements, and for other specified purposes of the various agencies of state government; providing an effective date.

—was referred to the Committee on General Government Appropriations.

By the Committee on Health and Human Services Appropriations—

SB 2912—A bill to be entitled An act making appropriations; providing moneys for the annual period beginning July 1, 2008, and ending June 30, 2009, to pay salaries and other expenses, for capital outlay projects such as buildings and other improvements, and for other speci-

fied purposes of the various agencies of state government; providing an effective date.

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

By the Committee on Transportation and Economic Development Appropriations—

SB 2914—A bill to be entitled An act making appropriations; providing moneys for the annual period beginning July 1, 2008, and ending June 30, 2009, to pay salaries and other expenses, for capital outlay projects such as buildings and other improvements, and for other specified purposes of the various agencies of state government; providing an effective date.

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

COMMITTEE SUBSTITUTES

FIRST READING

By the Committees on Judiciary; Commerce; and Senator Aronberg—

CS for CS for SB 304—A bill to be entitled An act relating to corporations not for profit; amending s. 617.01201, F.S.; requiring a document that is electronically transmitted to be in a format that may be retrieved in typewritten or printed form; requiring that a document be executed by a director of the domestic or foreign corporation; authorizing the delivery of a document by electronic transmission to the extent allowed by the Department of State; amending s. 617.0122, F.S.; requiring the department to collect a fee for filing an agent's statement of resignation from an inactive corporation; amending s. 617.0124, F.S.; authorizing a domestic or foreign corporation to correct a document filed by the department within 30 days under certain circumstances; amending s. 617.01401, F.S.; defining the terms "department," "distribution," "mutual benefit corporation," "successor entity," and "voting power"; amending s. 617.0205, F.S.; requiring the incorporators to hold an organizational meeting after incorporation if the initial directors are not named in the articles of incorporation; amending s. 617.0302, F.S.; authorizing a corporation not for profit to make guaranties; amending s. 617.0503, F.S.; providing that an alien business organization may withdraw its registered agent designation by delivering an application for certificate of withdrawal to the department; amending s. 617.0505, F.S.; prohibiting a corporation not for profit from making distributions to its members; providing an exception; deleting provisions related to the issuance of certificates; amending s. 617.0601, F.S.; correcting a reference to the Solicitation of Contributions Act; providing that certain stock certificates constitute certificates of membership; requiring that a resignation, expulsion, or termination of membership be recorded in the membership book; creating s. 617.0605, F.S.; prohibiting a member of a corporation from transferring a membership under certain circumstances; creating s. 617.0606, F.S.; providing that the resignation of a member does not relieve the member from obligations incurred and commitments made prior to resignation; creating s. 617.0607, F.S.; requiring that a member of a corporation be terminated or suspended pursuant to a procedure that is fair and reasonable; requiring that written notice given and delivered by certified mail or first-class mail; requiring that a proceeding challenging an expulsion, suspension, or termination be commenced within 1 year after the effective date of such expulsion, suspension, or termination; providing that a member who has been expelled or suspended may be liable to the corporation for dues, assessments, or fees; creating s. 617.0608, F.S.; prohibiting a corporation from purchasing any of its memberships; authorizing a mutual benefit corporation to purchase the membership of a member who resigns or whose membership is terminated; amending s. 617.0701, F.S.; authorizing the holders of at least 5 percent of the voting power of a corporation to call a special meeting of the members under certain circumstances; authorizing a person who signs a demand for a special meeting to call a special meeting of the members under certain circumstances; revising the timeframes relating to written member consent to actions; clarifying the types of corporations that are not subject to certain requirements; amending s. 617.0721, F.S.; authorizing the corporation to reject a proxy action if it has reasonable doubt as the validity of an appointment; providing that members and proxy holders who are not physically present at a meeting may participate by means of remote communication and are deemed to be present at the meeting under certain circumstances; amending s. 617.0725, F.S.; requiring an amendment to the articles of incorporation or the bylaws which adds a greater or lesser quorum or voting requirement to meet certain requirements; creating s. 617.07401, F.S.; prohibiting a person from commencing a proceeding in the right of a domestic or foreign corporation unless the person was a member of the corporation or became a member through transfer by operation of law; requiring that a complaint in a proceeding brought in the right of a domestic or foreign corporation be verified and allege the demand with particularity; authorizing the court to dismiss a derivative proceeding if the court finds that a determination was made in good faith after a reasonable investigation; prohibiting certain proceedings from being discontinued or settled without the approval of the court; authorizing the court to require a plaintiff to pay a defendant's reasonable expenses upon termination of a proceeding, including attorney's fees; amending s. 617.0801, F.S.; providing the duties of the board of directors; amending s. 617.0806, F.S.; providing that directors may be divided into classes; amending s. 617.0808, F.S.; providing that any member of the board of directors may be removed from office with or without cause by a certain vote; providing that a director who is elected by a class, chapter, or other organizational unit may be removed only by members of that class, chapter, or organizational unit; providing that a director elected or appointed by the board may be removed without cause by a vote of two-thirds of the directors then in office; providing that a director of a corporation described in s. 501(c) of the Internal Revenue Code may be removed from office pursuant to procedures provided in the articles of incorporation or the bylaws; amending s. 617.0809, F.S.; providing that a vacancy on the board of directors for a director elected by a class, chapter, unit, or group may be filled only by members of that class, chapter, unit, or group; providing that the term of a director elected or appointed to fill a vacancy expires at the next annual meeting at which directors are elected; amending s. 617.0832, F.S.; deleting a provision that authorizes common or interested directors to be counted in determining the presence of a quorum at a meeting that ratifies a contract between a corporation and one of its directors and any other corporation in which one of its directors is financially interested; providing circumstances under which a conflict-of-interest transaction is authorized; amending s. 617.0833, F.S.; providing an exception to the requirement that a loan may not be made by a corporation to its directors; amending s. 617.0834, F.S.; providing that an officer or director of a certain nonprofit organization or agricultural or horticultural organization is immune from civil liability; amending s. 617.1007, F.S.; providing that a restatement of the articles of incorporation of a corporation may include one or more amendments; amending s. 617.1101, F.S.; providing requirements for a plan of merger; creating s. 617.1102, F.S.; providing a limitation on the merger of a corporation not for profit; creating s. 617.1301, F.S.; prohibiting a corporation from making distributions to its members under certain circumstances; creating s. 617.1302, F.S.; providing that a mutual benefit corporation may purchase its memberships only under certain circumstances; authorizing a corporation to make distributions upon dissolution; amending s. 617.1405, F.S.; providing that the name of a dissolved corporation may be available for immediate assumption by another corporation if the dissolved corporation provides the department with an affidavit authorizing such use; creating s. 617.1407, F.S.; authorizing a dissolved corporation or successor entity to execute certain procedures to resolve payment of unknown claims against it; providing that certain claims against a dissolved corporation are barred; providing that a claim may be entered against a dissolved corporation under certain circumstances; creating s. 617.1408, F.S.; authorizing a dissolved corporation or successor entity to execute certain procedures to dispose of known claims against it; requiring that a dissolved corporation deliver written notice of the dissolution to each of its known claimants; providing a procedure under which a dissolved corporation may reject a claim made against it; requiring that a dissolved corporation give notice of the dissolution to persons having known claims that are contingent, conditional, or unmatured; requiring that a dissolved corporation follow certain procedures in offering compensation to a claimant if the claim matures; requiring that a dissolved corporation petition the circuit court to determine the amount and form of security that is sufficient to provide compensation to certain claimants; providing that the giving of notice or making of an offer does not revive a claim that has been barred; providing that directors of a dissolved corporation or governing persons of a successor entity that has complied with certain procedures are not personally liable to the claimants of a dissolved corporation; providing that certain members of a dissolved corporation are not liable for any claim against the corporation; providing a limit on the aggregate liability of any member of a

dissolved corporation; repealing s. 617.1421(6), F.S., relating to the assumption and use of the name of a dissolved corporation; amending s. 617.1422, F.S.; deleting certain requirements for an application to reinstate a corporation that has been dissolved; requiring that a corporation submit a reinstatement form prescribed and furnished by the department; providing that the name of a dissolved corporation is not available for assumption or use by another corporation until 1 year after the effective date of dissolution; providing an exception; amending s. 617.1430, F.S.; revising the requirements for members to dissolve a corporation in circuit court; amending s. 617.1503, F.S.; requiring a foreign corporation to deliver a certificate of existence authenticated by the Secretary of State; amending s. 617.1504, F.S.; requiring that a foreign corporation make application to the department to obtain an amended certificate of authority within 90 days after the occurrence of a change; amending s. 617.1506, F.S.; requiring that an alternate corporate name adopted for use in this state be cross-referenced to the real corporate name in the records of the Division of Corporations; requiring that the corporate name of a foreign corporation be distinguishable from the corporate name of a corporation for profit incorporated or authorized to transact business in this state; amending s. 617.1530, F.S.; requiring that the department receive an authenticated certificate from the Secretary of State before commencing a proceeding to revoke the certificate of authority of a foreign corporation; amending s. 617.1601, F.S.; requiring that a corporation keep a copy of its articles of incorporation; amending s. 617.1602, F.S.; providing that a member of a corporation is entitled to inspect and copy certain records of the corporation at a reasonable location specified by the corporation; requiring that a member give the corporation written notice 10 days before the date on which he or she wishes to inspect and copy records; amending s. 617.1605, F.S.; revising the circumstances under which a corporation is required to furnish a member with its latest annual financial statement; creating s. 617.1703, F.S.; providing for the applicability of certain provisions to corporations regulated under the act; amending s. 617.1803, F.S.; providing for certain changes when a foreign not-for-profit corporation becomes domesticated; amending s. 617.1806, F.S.; revising the provisions for conversion to a corporation not for profit; amending s. 617.1907, F.S.; providing that the repeal or amendment of a statute does not affect certain operations and proceedings; repealing s. 617.2103, F.S., relating to exemptions for certain corporations; providing an effective date.

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

CS for SB 318—A bill to be entitled An act relating to exceptional students; amending s. 1003.57, F.S.; requiring notification to school districts by the Department of Children and Family Services and the Agency for Persons with Disabilities under certain circumstances; requiring a review of a student's individual educational plan; providing for a determination of responsibility for educational instruction; requiring the reporting of the student for funding purposes; providing an effective date.

By the Committees on Finance and Tax; Governmental Operations; Community Affairs; and Senators Storms, Ring and Gaetz—

CS for CS for CS for SB 392—A bill to be entitled An act relating to transparency in government contracts; creating s. 218.315, F.S.; defining the terms "contract," "corporation," "county officer," "local government," and "individual," for purposes of the act; providing that contractual rights of local government employees and retirees who are members of the Florida Retirement System or a local government retirement system are not considered contracts; directing the Department of Financial Services to develop and maintain a portal linking to websites maintained by local governments; requiring local governments that have a website to electronically post contract information relating to certain contracts; providing that portions of a public record which are confidential and exempt shall be redacted prior to posting; requiring that access to the website be provided at no cost; requiring that electronic copies of contracts be provided in certain circumstances; requiring the Department of Financial Services to develop a uniform format to be used by local governments when posting contract information; requiring specific information be provided under the uniform format; requiring each local government to designate a central office to maintain all contract information; providing reporting requirements for local governments without a website; requiring that contract information be posted at least quarterly using the uniform format; establishing a schedule for local governments to meet requirements of the act; providing rulemaking authority; defining the terms "contract", "corporation", "expenditure" and "individual" for purposes of state government contract reporting; providing that contractual rights of state employees and retirees who are members of the Florida Retirement System are not considered contracts; directing the Executive Office of the Governor to develop and maintain a port linking to the state agency contract expenditures report maintained by the Department of Financial Services; directing the department of develop and maintain a contract information report containing specified information; directing that the report be maintained by the department in a searchable website; directing that access to the website be provided at no charge to a user who has Internet access; directing each state agency to record information relating to contracts between the agency and a corporation or an individual; directing each agency to record payment information on specified contracts in the Florida Accounting and Information Resources contract subsystem; requiring that electronic copies of contracts be provided in certain circumstances; providing that portions of public records which are confidential and exempt from inspection and copying shall be redacted prior to posting; providing an effective date.

By the Committees on Banking and Insurance; Environmental Preservation and Conservation; and Senator Margolis—

CS for CS for SB 406—A bill to be entitled An act relating to commercial parasailing; amending s. 327.02, F.S.; providing definitions; creating s. 327.375, F.S.; providing a short title; requiring the owner of a vessel engaged in commercial parasailing to obtain and carry an insurance policy; providing minimum coverage from the insurance policy; providing requirements for proof of insurance; providing insurance information to be provided to each parasail rider; requiring commercial parasail operators to launch and recover riders from the vessel's launch platform; providing certain requirements for a vessel used for commercial parasailing; requiring a person engaged in operating a vessel for commercial parasailing to possess a license to engage in carrying passengers for hire; requiring a minimum age for a person to monitor the progress of an airborne parasail rider and equipment; prohibiting a person from operating a vessel engaged in commercial parasailing unless certain conditions are met; prohibiting a person from operating a vessel towing a commercial parasailing rider in certain waters or within a certain distance of specified objects; providing circumstances in which commercial parasailing is prohibited; providing requirements for tow lines; providing times of the day in which commercial parasailing is prohibited; requiring each passenger and parasail participant to be given a safety briefing; providing a criminal penalty; amending s. 327.50, F.S.; revising equipment requirements for vessel safety; providing an effective date.

By the Committees on Education Pre-K - 12 Appropriations; Education Pre-K - 12; and Senator Constantine—

CS for CS for SB 610—A bill to be entitled An act relating to physical education; amending s. 1003.455, F.S.; requiring physical education in grades 6 through 8; providing for waivers under certain circumstances; requiring school districts to notify parents of the waiver options; providing an effective date.

By the Committee on Judiciary; and Senator Deutch—

CS for SB 698—A bill to be entitled An act relating to business entities; amending s. 607.1109, F.S.; exempting a domestic corporation from the requirement to file articles of merger under certain circumstances; amending s. 607.1113, F.S.; exempting a domestic corporation from the requirement to file a certificate of conversion under certain circumstances; amending s. 607.1115, F.S.; requiring that each converting entity file a certificate of conversion with the Department of State; amending s. 608.4382, F.S.; exempting a domestic limited liability company from the requirement to file a certificate of merger under certain circumstances; amending s. 608.439, F.S.; including a corporation within the definition of "other business entity" or "another business entity"; requiring that each converting entity file a certificate of conversion with the department; amending s. 608.4403, F.S.; exempting a

limited liability company from the requirement to file a certificate of conversion under certain circumstances; amending s. 617.1108, F.S.; exempting a domestic corporation not for profit from the requirement to file articles of merger under certain circumstances; providing for a copy of articles of merger or the certificate of merger to be filed in each county in which real property of a party to the merger is situated; amending s. 620.1406, F.S.; revising the requirements for general partners with respect to exercising certain management rights; providing that the expulsion of a limited partner requires the consent of all of the other limited partners; amending s. 620.2104, F.S.; requiring that a certificate of conversion be signed by each general partner and by the converting organization; exempting a limited partnership from the requirement to file a certificate of conversion if the partnership complies with certain other laws; amending s. 620.2108, F.S.; providing certain exceptions to the requirement that each constituent limited partnership file articles of merger or a certificate of merger with the Department of State; amending s. 620.2204, F.S.; changing the date of application of provisions authorizing a limited partner to dissociate from a limited partnership; amending s. 620.8101, F.S.; redefining the term "statement" to exclude a statement of merger; amending s. 620.8105, F.S.; requiring that a registration statement be filed with the department before filing a certificate of conversion or a certificate of merger; amending s. 620.81055, F.S.; providing that a filing fee applies to a certificate of merger; amending s. 620.8911, F.S.; clarifying that the term "organization" includes a converted or surviving organization under certain circumstances; amending s. 620.8914, F.S.; revising certain requirements for conversions; exempting a partnership from filing a certificate of conversion under certain circumstances; providing that the certificate of conversion acts as a cancellation of the registration statement for a converting partnership; amending s. 620.8918, F.S.; exempting a constituent partnership from filing a certificate of merger under certain circumstances; requiring that such partnership file a registration statement with the department if one is not currently on file; amending ss. 621.06 and 621.10, F.S.; revising terms related to qualifications to render professional services; amending s. 621.13, F.S.; eliminating provisions prohibiting mergers between domestic and foreign professional corporations and limited liability companies; amending s. 727.114, F.S.; providing that the assignor be paid any residue if all creditors have been paid in full; providing effective dates.

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

CS for SB 788—A bill to be entitled An act relating to transportation services for the transportation disadvantaged; amending s. 427.011, F.S.; revising definitions; amending s. 427.012, F.S.; revising the number of members required for a quorum at a meeting of the Commission for the Transportation Disadvantaged; amending s. 427.013, F.S.; revising responsibilities for the commission; deleting a requirement that the commission establish by rule acceptable ranges of trip costs; requiring the commission to incur expenses for promotional services and items; amending s. 427.0135, F.S.; revising and creating duties and responsibilities for agencies that purchase transportation service for the transportation disadvantaged; providing requirements for the payment of rates; requiring agencies to negotiate with the commission before procuring transportation disadvantaged services; requiring that an agency identify its allocation for transportation disadvantaged services in its legislative budget request; amending s. 427.015, F.S.; revising provisions relating to the function of the metropolitan planning organization or designated official planning agency; amending s. 427.0155, F.S.; revising the duties of community transportation coordinators; amending s. 427.0157, F.S.; revising duties for coordinating boards; amending s. 427.0158, F.S.; deleting provisions requiring the school board to provide information relating to school buses to the transportation coordinator; providing for the transportation coordinator to request certain information regarding public transportation; amending s. 427.0159, F.S.; revising provisions relating to the Transportation Disadvantaged Trust Fund; providing for the deposit of funds by an agency purchasing transportation services; amending s. 427.016, F.S.; deleting a provision authorizing the establishment of certain fees under the Medicaid program; requiring that an agency identify the allocation of funds for transportation disadvantaged services in its legislative budget request; providing an effective date.

By the Committee on Transportation; and Senator Garcia—

CS for SB 802—A bill to be entitled An act relating to operating a motor vehicle; creating s. 316.1926, F.S.; creating additional offenses regarding the operation of a motor vehicle; amending s. 316.2085, F.S.; requiring an operator of a motorcycle or moped to maintain both wheels on the ground at all times; requiring that the license tag of a motorcycle or moped be affixed horizontally; amending s. 318.14, F.S.; providing additional penalties for certain offenses involving the operation of a motorcycle or excessive speed; providing for seizure and forfeiture of a motor vehicle; providing for revocation of the person's privilege to operate a motor vehicle; providing an effective date.

By the Committee on Children, Families, and Elder Affairs; and Senators Rich, Dean, Dawson, Dockery and Lynn—

CS for SB 846—A bill to be entitled An act relating to Medicaid provider service networks; amending s. 409.912, F.S.; authorizing the Agency for Health Care Administration to contract with a specialty provider service network that exclusively enrolls Medicaid beneficiaries who have psychiatric disabilities; defining "psychiatric disabilities"; requiring the specialty provider to offer the same physical and behavioral health services that are required from other Medicaid health maintenance organizations and provider service networks; requiring that beneficiaries be assigned to a specialty provider service network under certain circumstances; amending s. 409.91211, F.S.; requiring that the agency modify eligibility assignment processes for managed care pilot programs to include specialty plans that specialize in care for beneficiaries who have psychiatric disabilities; requiring the agency to provide a service delivery alternative to provide Medicaid services to persons having psychiatric disabilities; providing an additional criterion for the agency in making assignments; requiring that enrollment and choice counseling materials contain an explanation concerning the choice of a network or plan; providing for an additional open enrollment period following the availability of specialty services; providing an effective date.

By the Committee on Ethics and Elections; and Senator Constantine—

CS for SB 866—A bill to be entitled An act relating to elections; amending s. 97.012, F.S.; revising provisions relating to the investigative duties of the Secretary of State; amending s. 97.041, F.S.; revising requirements for voter preregistration of minors; amending s. 97.053, F.S.; revising provisions relating to verification of certain information on voter registration applications; amending s. 97.0535, F.S.; revising forms of acceptable identification for certain voter registration applicants; amending s. 97.055, F.S.; providing for change of party affiliation after the closing of the registration books to apply to an upcoming election under certain circumstances; amending s. 98.065, F.S.; revising registration list maintenance provisions; creating s. 98.0655, F.S.; requiring the Department of State to prescribe registration list maintenance forms; providing criteria for such forms; amending s. 98.075, F.S.; providing for the removal of the name of a deceased person from the statewide voter registration system upon receipt by the supervisor of a copy of a death certificate; amending s. 99.012, F.S.; providing restrictions on individuals qualifying for public office; removing an exception from such restrictions for persons seeking any federal public office; amending s. 99.021, F.S.; deleting a resignation statement from the qualifying oath for candidates for federal office; amending s. 99.097, F.S.; prohibiting the supervisor from counting a petition if a voter signs the petition and lists an address other than the legal residence where the voter is registered; requiring the mailing of a new voter registration application for an address update in certain circumstances; amending s. 100.221, F.S.; providing circumstances under which early voting is not required; amending s. 100.361, F.S.; revising provisions relating to the recall of municipal or charter county officers, recall committees, recall petitions, recall defense, and offenses related thereto; amending s. 100.371, F.S.; providing that a petition form circulated for signatures may not be bundled with other petitions; deleting requirements relating to the recording and determination of signature forms; providing that an elector may complete and submit a standard petition-revocation form directly to the supervisor of elections under certain circumstances; requiring that the division adopt petition-revocation forms by rule; amend-

ing s. 101.041, F.S.; deleting a requirement for the printing and distribution of official ballots; amending s. 101.045, F.S.; authorizing the use of a voter registration application for a name or address change; amending s. 101.111, F.S.; revising methods by which a person's right to vote may be challenged; amending s. 101.23, F.S.; deleting provisions requiring an election inspector to prevent certain persons from voting; amending s. 101.51, F.S.; deleting provisions specifying certain responsibilities of election officials before allowing electors to enter a booth or compartment to vote; amending s. 101.5608, F.S.; revising certain procedures relating to the deposit of ballots; amending s. 101.6102, F.S.; providing exceptions to the types of elections that may not be conducted by mail ballot; amending s. 101.6923, F.S.; revising forms of acceptable identification for certain absentee voters; amending s. 101.733, F.S.; authorizing the Governor to call for a mail ballot election in the event of a declared state of emergency or an impending emergency; requiring that the Department of State adopt rules regarding such election; revising notice requirements for elections rescheduled due to an emergency; amending s. 101.75, F.S.; authorizing municipalities to set by ordinance election dates to coincide with statewide or countywide elections; amending s. 102.014, F.S.; revising provisions relating to the training of poll workers; amending s. 102.031, F.S.; including the term "solicitation" as an equivalent of the term "solicit" as it relates to the unlawful solicitation of voters; providing that such terms do not prohibit exit polling; amending s. 102.112, F.S.; revising the county canvassing board's certification requirements for election returns; amending s. 103.101, F.S.; deleting provisions related to the placement on the ballot of presidential candidates whose names do not appear on the list submitted to the Secretary of State; amending s. 190.006, F.S.; deleting certain fee and assessment provisions for candidates seeking election to the board of supervisors of community redevelopment districts; amending s. 106.07, F.S.; clarifying that political subdivisions may impose electronic filing requirements on certain candidates, and that expenditures for such filing system serve a valid public purpose; providing effective dates.

By the Committee on Ethics and Elections; and Senator Rich—

CS for SB 880—A bill to be entitled An act relating to elections; amending s. 101.6102, F.S.; revising limitations on, and requirements for, mail ballot elections; authorizing certain candidate elections to be conducted by mail ballot; amending s. 101.6103, F.S.; requiring the supervisor of elections to keep a record of all mail ballots; clarifying that electors mailing ballots must pay postage; requiring all supervisors of elections offices to remain open extra hours on the day of a mail ballot election; amending s. 101.62, F.S.; providing for permanent absentee voter status; revising circumstances under which an absentee ballot request is deemed cancelled; providing an effective date.

By the Committee on Health Policy; and Senator Wise—

CS for SB 988—A bill to be entitled An act relating to transitional services for young adults with disabilities; creating a health care transition services task force within the Department of Health; providing legislative intent; providing for membership, duties, and responsibilities of the task force; providing for reimbursement of members for expenses; requiring the task force to assess the need for health care transition services and provide a report to the Governor and the Legislature; providing an effective date.

By the Committee on Banking and Insurance; and Senators Hill and Bullard—

CS for SB 1010—A bill to be entitled An act relating to health insurance; creating the "Senator Les Miller Act"; creating ss. 627.64091 and 627.6614, F.S., and amending s. 641.31, F.S.; requiring that health insurance policies, group health insurance policies, and health maintenance contracts provide coverage for an annual screening for prostate cancer for men of a specified age or older; providing requirements for the screening; providing that coverage for prostate cancer screening does not limit diagnostic benefits otherwise allowed under the policy; amending s. 627.6515, F.S.; providing for the benefit requirement to apply to a group health insurance policy issued or delivered outside the state; providing a finding that the act fulfills an important state interest; providing for application of the act; providing an effective date.

By the Committees on Health and Human Services Appropriations; Higher Education; and Senators Peaden, Joyner and Gaetz—

CS for CS for SB 1080—A bill to be entitled An act relating to the Johnnie B. Byrd, Sr., Alzheimer's Center and Research Institute; amending s. 1004.445, F.S.; establishing the center within the University of South Florida; providing for the administration of the center; creating a research advisory board and providing for a manner of appointment; providing duties; eliminating the board of directors and the council of scientific advisors; revising the grant award process for the center; providing a limitation on expenditures; authorizing an account for center purposes; providing for a report; extending the sunset provisions; providing effective dates.

By the Committee on Commerce; and Senator Gaetz—

CS for SB 1120—A bill to be entitled An act relating to the Florida Research Commercialization Matching Grant Program; creating s. 288.9552, F.S.; providing legislative findings and intent; creating the program; designating an existing committee, or subcommittee thereof, within Enterprise Florida, Inc., for certain purposes; providing for committee members to serve without compensation; providing a deadline for processing applications; requiring reports to the Governor and Legislature; providing eligibility guidelines for applicants; providing for a program administrator; providing responsibilities of the program administrator; providing for program administrative costs; designating a fiduciary entity; specifying eligibility requirements; providing for awards; providing an appropriation; providing an effective date.

By the Committees on Judiciary; Children, Families, and Elder Affairs; and Senators Storms and Lynn—

CS for CS for SB 1152—A bill to be entitled An act relating to child support enforcement; amending s. 61.14, F.S.; requiring payments on child support judgments to be applied first to the current child support due, then to the delinquent principal, and then to any interest on the judgment; amending s. 61.1824, F.S.; requiring the State Disbursement Unit to disburse payments to obligees electronically; amending s. 328.42, F.S.; requiring the Department of Highway Safety and Motor Vehicles to cooperate with the Department of Revenue in establishing a method for disclosing owners of registered vessels to the Department of Revenue; authorizing the Department of Highway Safety and Motor Vehicles to suspend the operating privilege of vessel owners who are not in compliance with orders relating to child support when directed by the Department of Revenue; amending s. 409.2558, F.S.; requiring the State Disbursement Unit to disburse payments to obligees electronically; amending s. 409.256, F.S.; requiring the correctional facility to assist a putative father in complying with an order to appear for genetic testing; clarifying that an administrative order for genetic testing has the same force and effect as a court order; amending s. 456.004, F.S.; requiring the Department of Health to cooperate with the Department of Revenue in establishing a method for disclosing health practitioner licensees to the Department of Revenue; authorizing the Department of Health to suspend or deny the license of a licensee who is not in compliance with orders relating to child support when directed by the Department of Revenue; amending s. 497.167, F.S.; authorizing the Department of Financial Services to suspend or deny the license of a licensee who is not in compliance with orders relating to child support when directed by the Department of Revenue; amending s. 559.79, F.S.; requiring the Department of Business and Professional Regulation to cooperate with the Department of Revenue in establishing a method for disclosing professional licensees to the Department of Revenue; authorizing the Department of Business and Professional Regulation to suspend or deny the license of a licensee who is not in compliance with orders relating to child support when directed by the Department of Revenue; amending s. 1012.21, F.S.; requiring the Department of Education to cooperate with the Department of Revenue in establishing a method for disclosing educators to the Department of Revenue; authorizing the Department of Education to suspend or deny the teaching certificate of a person who is not in compliance with orders relating to child support when directed by

the Department of Revenue; amending s. 1012.795, F.S.; requiring the Education Practices Commission to suspend or deny the educator certificate of a person who is not in compliance with orders relating to child support upon notice by the Department of Revenue; repealing s. 409.25645, F.S., relating to administrative orders for genetic testing; providing an effective date.

By the Committees on Banking and Insurance; Commerce; and Senators Wise and Lynn—

CS for CS for SB 1270—A bill to be entitled An act relating to the automatic renewal of service contracts; providing definitions; requiring persons, firms, or corporations that sell services to consumers pursuant to certain contracts to disclose automatic renewal provisions; providing disclosure requirements; providing exceptions to the disclosure requirements; providing that certain violations render an automatic renewal provision void and unenforceable; providing applicability; providing an effective date.

By the Committees on General Government Appropriations; Environmental Preservation and Conservation; and Senator Saunders—

CS for CS for SB 1286—A bill to be entitled An act relating to a review of the Fish and Wildlife Conservation Commission under the Florida Government Accountability Act; reenacting s. 20.331, F.S., relating to the establishment of the commission; amending ss. 328.48 and 328.56, F.S., relating to vessel registration and vessel registration numbers; clarifying the term "non-motor-powered vessel" for purposes of an exception from registration requirements; amending s. 328.72, F.S., relating to vessel registration fees; increasing such fees for all vessels requiring registration; providing for future adjustment of the vessel registration fees based on the percentage change in the Consumer Pricing Index; requiring the Fish and Wildlife Conservation Commission to report to the Legislature on how the increase in fees will be used; exempting certain non-motor-powered vessels from requirements concerning vessel registration fees; amending s. 372.57, F.S., relating to recreational hunting and fishing licenses; providing for future adjustment of the recreational hunting and fishing licenses based on the percentage change in the Consumer Pricing Index; requiring the Fish and Wildlife Conservation Commission to report to the Legislature on how the increase in license and permit fees will be used; requiring the Office of Program Policy Analysis and Government Accountability to review and report on the Fish and Wildlife Conservation Commission's public relations, outreach, and education activities and staffing levels by a date certain; requiring the Fish and Wildlife Conservation Commission to review and report on specific activities within the agency by a date certain; repealing sections 372.107, 372.5714, 372.673, and 372.993, F.S., relating to the Federal Law Enforcement Trust Fund, the Waterfowl Advisory Council, the Florida Panther Technical Advisory Council, and the regulation of certain land-based commercial and recreational fishing activities; providing an effective date.

By the Committees on General Government Appropriations; Environmental Preservation and Conservation; and Senator Saunders—

CS for CS for SB 1294—A bill to be entitled An act relating to a review of the Department of Environmental Protection under the Florida government Accountability Act; reenacting and amending s. 20.255, F.S., relating to the establishment of the department; renaming the Office of Legislative and Government Affairs as the "Office of Legislative Affairs"; creating the Office of Intergovernmental Programs within the department; renaming the Division of Resource Assessment and Management as the "Division of Environmental Assessment and Restoration"; authorizing the Environmental Regulation Commission to employ independent counsel and contract for outside technical consultants; amending s. 211.3103, F.S.; creating a surcharge on the severance of phosphate rock; providing an exemption from general revenue surcharge; providing for the expiration of the surcharge; amending s. 373.228, F.S.; requiring that certain entities review the standards and guidelines for landscape irrigation and xeriscape ordinances by a date certain; amending s. 376.303, F.S.; requiring a drycleaning facility to display a current and valid Department of environmental Protection certificate of registration; prohibiting the sale or transfer of drycleaning solvents after a certain date to owners or operators of drycleaning facilities unless a registration certificate is displayed; providing penalties; amend s. 403.031, F.S.; conforming the definition of the term "regulated air pollutant" to changes made in the federal Clean Air Act; amending s. 403.0623, F.S.; providing rulemaking authority for biological sampling techniques; amending s. 403.0872, F.S.; conforming the requirements for air operation permits to changes made to Title V of the Clean Air Act to delete certain minor sources from the Title V permitting requirements; amending s. 373.109, F.S.; requiring the department to initiate rulemaking by a date certain to adjust permit fees; providing for fees to be imposed for verifying that certain activities are exempt from regulation; providing for a fee for conducting informal wetland boundary determinations; specifying special conditions that apply to such determinations; amending s. 403.087, F.S.; providing minimum and maximum amounts for certain fees relating to wastewater treatment facilities; amending s. 403.861, F.S.; providing for a public water system application fee; requiring the department to adopt rules for periodically adjusting the application fee; amending s. 403.873, F.S.; providing rulemaking authority for continuing education requirements for water utility operators; amending s. 403.874, F.S.; providing for the reinstatement of certain water utility operator certifications; repealing s. 378.011, F.S., relating to the Land Use Advisory Committee; repealing ch. 325, F.S., consisting of ss. 325.2055, 325.221, 325.222, and 325.223, F.S., relating to motor vehicle air conditioning refrigerants; repealing s. 403.08725, F.S., relating to citrus juice processing facilities; amending s. 373.503, F.S.; increasing the millage rate for the Northwest Florida Water Management district; providing that the increased millage rate is contingent upon passage of a constitutional amendment; providing conditional authorization for the Northwest Florida Water Management District to adjust its millage rate, to conform; providing an effective date.

By the Committees on General Government Appropriations; Environmental Preservation and Conservation; and Senator Saunders—

CS for CS for SB 1302—A bill to be entitled An act relating to wastewater disposal; amending s. 373.0361, F.S., relating to regional water supply planning; requiring the South Florida Water Management District to include water supply development projects that promote the elimination of ocean outfalls in its regional water supply plan; amending s. 373.0831, F.S., relating to water resource and supply development; providing for projects that implement reuse as a means of eliminating ocean outfalls to receive priority funding consideration; amending s. 373.1961, F.S., relating to funding for water supply projects; providing priority funding for projects that implement reuse that assists with the elimination of ocean outfalls; amending s. 373.250, F.S., relating to the reuse of reclaimed water; directing the South Florida Water Management District to require the use of reclaimed water made available through the elimination of ocean outfalls under certain conditions; amending s. 403.085, F.S., relating to waste water treatment; prohibiting the construction of new ocean outfalls; prohibiting the use of ocean outfalls as a method of sanitary sewage disposal; amending s. 403.086, F.S., relating the treatment of wastewater; providing legislative intent; prohibiting the new construction of an expanded discharge to ocean outfalls; requiring that domestic wastewater discharges to ocean outfalls meet advanced wastewater treatment and management requirements by a date certain; providing an exemption from meeting advanced wastewater treatment and management requirements under specific conditions; providing wastewater reuse requirements for facilities that discharge through ocean outfalls by a date certain; providing prohibitions for the discharge of domestic wastewater through ocean outfalls under specific conditions by a date certain; providing reporting requirements for permitted ocean outfall facilities; providing reporting requirements for the Department of Environmental Protection; providing a compliance schedule for facilities discharging through ocean outfalls; amending s. 403.1835, F.S., relating to water pollution control financial assistance; providing for the inclusion of domestic wastewater ocean outfalls in laws requiring the elimination of discharges to specific water bodies; providing an effective date.

By the Committees on Health and Human Services Appropriations; Banking and Insurance; Health Regulation; Health Regulation; and Senator Jones—

CS for CS for CS for SB 1374—A bill to be entitled An act relating to home health care; amending s. 400.462, F.S.; revising and adding definitions; amending s. 400.464, F.S.; authorizing a home infusion therapy provider to be licensed as a nurse registry; deleting provisions related to Medicare reimbursement; amending s. 400.471, F.S.; requiring an applicant for a home health agency license to submit to the Agency for Health Care Administration a business plan and evidence of contingency funding, and disclose other controlling ownership interests in health care entities; requiring certain standards in documentation demonstrating financial ability to operate; requiring an applicant for a new home health agency license to submit a surety bond of a specified amount to the Agency for Health Care Administration; authorizing the agency to adopt rules for the submission of other forms of security; providing procedures for the agency with respect to making a claim against a surety bond or security; limiting the timing of receipt and the number of applications for a new home health agency license which the agency may accept each quarter; providing an exception under certain circumstances for a home health agency that is part of a retirement community; specifying a procedure for the agency to follow in selecting applications to process for a new home health agency license; providing that the change of ownership of a home health agency that is licensed at the time of the sale is not restricted or limited; providing for the future expiration of such provisions; prohibiting the agency from issuing an initial license to a home health agency licensure applicant located within 20 miles of a licensed home health agency that has common controlling interests; prohibiting the transfer of an application to another home health agency; requiring submission of an initial application to relocate a licensed home health to another geographic service area; imposing the burden of proof on an applicant to demonstrate that a factual determination made by the agency is not supported by a preponderance of the evidence; amending s. 400.474, F.S.; providing additional grounds under which the Agency for Health Care Administration may take disciplinary action against a home health agency; creating s. 400.476, F.S.; establishing staffing requirements for home health agencies; reducing the number of home health agencies that an administrator or director of nursing may serve; requiring that an alternate administrator be designated in writing; limiting the period that a home health agency that provides skilled nursing care may operate without a director of nursing; requiring notification upon the termination and replacement of a director of nursing; requiring the Agency for Health Care Administration to take administrative enforcement action against a home health agency for noncompliance with the notification and staffing requirements for a director of nursing; exempting a home health agency that provides only physical, occupational, or speech therapy from requirements related to a director of nursing; providing training requirements for certified nursing assistants and home health aides; amending s. 400.484, F.S.; requiring the agency to conduct the first unannounced survey of a newly licensed home health agency within a specified period after issuing the license; requiring that the agency impose administrative fines for certain deficiencies; increasing the administrative fines imposed for certain deficiencies; amending s. 400.488, F.S.; deleting provisions authorizing the administration of medication to home health patients by unlicensed staff; providing for the delegation of nursing tasks as provided in ch. 464, F.S., and related rules; amending s. 400.491, F.S.; extending the period that a home health agency must retain records of the nonskilled care it provides; amending s. 400.497, F.S.; requiring that the Agency for Health Care Administration adopt rules related to standards for the director of nursing of a home health agency, requirements for a director of nursing to submit certified staff activity logs pursuant to an agency request, quality assurance programs, and inspections related to an application for a change in ownership; amending s. 400.506, F.S.; providing training requirements for certified nursing assistants and home health aides referred for contract by a nurse registry; providing for the denial, suspension, or revocation of nurse registry license and fines for paying remuneration to certain entities in exchange for patient referrals or refusing fair remuneration in exchange for patient referrals; amending s. 400.518, F.S.; providing for a fine to be imposed against a home health agency that provides complimentary staffing to an assisted care community in exchange for patient referrals; amending s. 409.906, F.S.; requiring durable medical equipment providers enrolled in the Medicaid program to be accredited and have a physical business location that meets specified conditions; providing for exceptions of certain business location criteria; requiring a durable medical equipment provider enrolled in the Medicaid program to obtain a surety bond of a specified amount and for certain staff to undergo background screening; providing for exemptions from accreditation and the surety bond for specified durable medical equipment providers; requiring the Agency for Health Care Administration to review the process for prior authorization of home health agency visits and determine whether modifications to the process are necessary; requiring the agency to report to the Legislature on the feasibility of accessing the Medicare system to determine recipient eligibility for home health services; providing appropriations and authorizing additional positions; providing an effective date.

By the Committees on Judiciary; Criminal Justice; and Senators Dockery and Baker—

CS for CS for SB 1442—A bill to be entitled An act relating to exploited children; amending s. 92.56, F.S.; permitting use of a pseudonym to designate the victim of a crime involving a victim of production, possession, or promotion of child pornography; revising provisions concerning use of victim pseudonyms to specify that they may be used in civil and criminal proceedings; amending s. 800.04, F.S., relating to lewd or lascivious exhibition, to conform to changes made by the act; amending s. 847.0135, F.S.; conforming provisions to changes made by the act; creating s. 847.002, F.S.; requiring law enforcement officers to provide certain information to the National Center for Missing and Exploited Children; requiring law enforcement officers submitting a case for prosecution that involves the creation, possession, or promotion of child pornography to provide specified information to prosecutors; requiring prosecutors to enter specified information in a database maintained by the Attorney General; creating s. 847.01357, F.S.; providing a civil remedy for any person who, while under the age of 18, was a victim of certain sexual abuse crimes wherein any portion of that abuse was used in the production of child pornography and who suffers personal or psychological injury as a result of the production, promotion, or possession of such images; specifying damages; providing for limitation of actions; providing for confidential pseudonyms to specified claimants; precluding a defense to certain civil actions; permitting the Attorney General to pursue cases on behalf of victims; providing for disposition of damages and attorney's fees; amending s. 960.03, F.S.; expanding the definition of "crime" for purposes of victim compensation to include violations of s. 827.071, s. 847.0135, s. 847.0137, or s. 847.038, related to online sexual exploitation and child pornography; defining the term "known victim of child pornography;" expanding the definition of "victim" for purposes of victim compensation to include a person less than 18 years of age who was present at the scene of a crime, saw or heard the crime, and suffered a psychiatric or psychological injury because of the crime, but who was not physically injured; creating s. 960.197, F.S.; authorizing victim compensation awards to certain persons who suffer psychiatric or psychological injury as a result of certain crimes; amending ss. 90.404, 92.565, 394.912, 409.2355, 775.082, 775.084, 775.15, 775.21, 784.048, 787.01, 787.02, 787.025, 794.065, 914.16, 921.0022, 921.244, 938.10, 943.04354, 947.1405, 948.03, 948.06, 948.101, 948.30, and 948.31, F.S.; conforming provisions to changes made by the act; providing an effective date.

By the Committee on Education Pre-K - 12; and Senators Wise, Gaetz and Fasano—

CS for SB 1458—A bill to be entitled An act relating to school food service programs; amending s. 1006.06, F.S.; encouraging the expansion of school district breakfast programs to middle and high schools; specifying requirements for the provision of universal free school breakfast; requiring information to be communicated to students and parents; authorizing the Department of Education to develop an incentive program to encourage student participation; providing an effective date.

By the Committees on Regulated Industries; Health Regulation; and Senators Rich, Lawson, Atwater, Peaden, Hill and Dean—

CS for CS for SB 1580—A bill to be entitled An act relating to swimming pool and spa safety; amending s. 514.011, F.S.; providing definitions; creating s. 514.0215, F.S.; requiring public swimming pools and public spas to have specified drain safety features; providing that any person or entity that violates the requirement to install the safety

features commits a misdemeanor of the second degree; providing criminal penalties; providing for a suspension of criminal penalties under certain circumstances; amending s. 515.25, F.S.; providing definitions; creating s. 515.295, F.S.; requiring that all residential swimming pools and spas be equipped with certain specified drain safety features; requiring that residential pools and spas built after a specified date to have certain features; requiring the Department of Health to provide periodic notice to owners of swimming pools and spas of safety standards and other requirements; requiring the department to apply for and implement a federal grant for enforcing swimming pool safety standards; requiring the Department of Health, the Department of Community Affairs, and the Florida Building Commission to assess state statutes and the Florida Building Code to determine if changes are needed to comply with federal standards pertaining to swimming pool and spa safety; providing an effective date.

By the Committee on Finance and Tax; and Senator Haridopolos—

CS for SB 1586—A bill to be entitled An act relating to corporate income tax; amending s. 220.03, F.S.; providing for the adoption of the 2008 version of the Internal Revenue Code; providing for exceptions to adoption; amending s. 220.13, F.S., relating to the determination of adjusted federal income; conforming provisions; amending ss. 220.241 and 220.33, F.S.; revising the due date for filing and paying estimated corporate income tax; authorizing the Department of Revenue to adopt rules; providing for retroactive application; providing effective dates.

By the Committee on Finance and Tax; and Senator Haridopolos—

CS for SB 1588—A bill to be entitled An act relating to property taxation; amending s. 193.114, F.S.; revising the requirements specifying the information that must be included on the real property assessment roll and on the tangible personal property roll; amending s. 193.1142, F.S.; authorizing the executive director of the Department of Revenue to require that additional data be provided on the assessment rolls; requiring that assessment rolls be submitted in a format specified by the executive director; authorizing a property appraiser to use an alternative format in a case of hardship; specifying additional parcel-level data that may be required; amending s. 193.155, F.S.; revising provisions governing the manner in which homestead property may be assessed at less than just value; providing for calculating the assessment reduction that may be transferred from a prior homestead to a new homestead; requiring that notice of the abandonment of a homestead be in writing and delivered to the property appraiser before or at the time of filing a new application; providing procedures for the transfer of an assessment limitation from a previous homestead to a new homestead; authorizing property appraisers to share confidential tax information; authorizing a taxpayer to file an action in circuit court requiring a property appraiser to provide certain information; authorizing a taxpayer to file a petition with the value adjustment board; providing for a nonrefundable fee; authorizing a taxpayer to file for the transfer of an assessment limitation in a year subsequent to the first year following establishment of the new homestead; prohibiting a refund of taxes for previous years; providing requirements for hearings before the value adjustment board; amending ss. 193.1554 and 195.1555, F.S., relating to nonhomestead residential property and nonresidential real property; requiring that an increase in the value of property be apportioned among parcels under certain conditions; amending s. 193.1556, F.S.; requiring that a property owner notify the property appraiser of any change in ownership or control; amending s. 194.011, F.S.; providing procedures under which a taxpayer may object to an assessment of homestead property at less than just value; requiring that the value adjustment board in the previous county hear the matter if the taxpayer disagrees with the previous assessment; providing for an appeal in the taxpayer's new county under certain circumstances; requiring that the circuit court review decisions of the value adjustment boards under certain circumstances; amending s. 196.031, F.S.; specifying the order in which homestead exemptions are applied; amending s. 196.183, F.S.; clarifying the taxation of freestanding property; clarifying the meaning of the phrase "site where the owner of tangible personal property transacts business"; providing for previously assessed owners to qualify for the exemption without filing a return at the option of the property appraiser; requiring that property appraisers annually notify taxpayers of the duty to file a return if they no longer qualify for the exemption; amending s. 197.3632, F.S.; requiring that the tax collector provide certain additional information to the Department of Revenue concerning non-ad valorem assessments; amending s. 200.065, F.S.; clarifying the calculation of maximum millage beginning in the 2009-2010 fiscal year; amending s. 200.185, F.S.; clarifying the calculation of maximum millage for the 2008-2009 fiscal year; authorizing the Department of Revenue to adopt emergency rules; delaying the date by which applications for an assessment of property under s. 193.155(8), F.S., for 2008 must be submitted; requiring the Department of Revenue to report to the Legislature by a specified date on the effect of recent changes in the law governing tax notices and the assessment limitations and maximum millage limitations; providing for the Legislature to appropriate moneys to offset the reduction in ad valorem tax revenue experienced by fiscally constrained counties; requiring that counties apply to the Department of Revenue; specifying the documentation that must be provided to the department; providing a formula for calculating the reduction in ad valorem revenue; providing for application of the act; providing effective dates.

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

CS for SB 1598—A bill to be entitled An act relating to health insurance; amending ss. 627.42395 and 641.31, F.S.; requiring health insurance policies and health maintenance contracts in this state to provide additional premium coverage for amino-acid-based elemental formulas for the treatment of certain medical conditions; amending s. 627.6741, F.S.; requiring an insurer issuing Medicare supplement policies to offer a Medicare supplement policy without conditioning the issuance or discriminating in the price based on health status to individuals who are eligible for Medicare due to having end-stage renal disease and who meet other conditions; providing an effective date.

By the Committee on Health Regulation; and Senator Saunders—

CS for SB 1648—A bill to be entitled An act relating to human immunodeficiency virus testing; amending s. 381.004, F.S.; requiring that when consent cannot be obtained within the time necessary to conduct an HIV test on an individual and begin prophylactic treatment of exposed medical personnel, the results of the HIV test shall be documented only in the medical file of the medical personnel and not in the medical file of the patient unless he or she gives consent; authorizing appropriate medical personnel under the supervision of a licensed physician to make the decision to test under these conditions; requiring those personnel to document the significant exposure requiring the HIV testing without valid consent in accordance with written protocol based on the medical judgment of a licensed physician; providing an effective date.

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

CS for CS for SB 1702—A bill to be entitled An act relating to a review of the Department of Agriculture and Consumer Services under the Florida Government Accountability Act; reenacting s. 20.14(2)(a), (b), (c), (d), (f), (g), (h), (i), (k), and (l), F.S., relating to the Divisions of Administration, Agricultural Environmental Services, Animal Industry, Aquaculture, Dairy Industry, Food Safety, Forestry, Fruit and Vegetables, Marketing and Development, and Plant Industry of the Department of Agriculture and Consumer Services; amending s. 125.27, F.S.; increasing the annual countywide fire control assessment; requiring that certain portions of the assessment be distributed into the General Revenue Fund and the Incidental Trust Fund of the Division of Forestry; amending s. 370.07, F.S.; increasing the annual license tax imposed on wholesale and retail saltwater products dealers; amending s. 487.041, F.S.; increasing the registration fee imposed on each brand of pesticide that is distributed, sold, or offered for sale; amending s. 500.12, F.S.; increasing the maximum amount allowed for a food permit application fee; amending s. 559.928, F.S.; requiring that independent agents pay an annual registration fee; specifying an amount for such fee; providing for the deposit and use of moneys obtained from the collection of such fee; amending s. 576.041, F.S.; increasing the fertilizer inspection fee; amending s. 580.041, F.S.; increasing master registration fees imposed on commercial feed distributors; amending s. 597.004, F.S.; increasing

the registration fee for aquaculture certification; providing an effective date.

By the Committees on Higher Education Appropriations; Higher Education; and Senator Oelrich—

CS for CS for SB 1716—A bill to be entitled An act relating to postsecondary education; amending s. 1000.21, F.S.; redesignating the names of certain community colleges as colleges; creating s. 1001.60, F.S., relating to the Florida College System; providing system purposes; defining the system as comprised of the public postsecondary educational institutions that grant 2-year and 4-year academic degrees; providing limitations; authorizing a name change under certain conditions; providing for institutions within the Florida College System to be governed by local boards of trustees; providing membership for the boards; creating s. 1004.87, F.S.; creating the Florida College System Task Force for the purpose of developing recommendations for the transition of community colleges to baccalaureate-degree-granting colleges; providing for membership and appointments; providing duties of the task force and reporting requirements; providing for the task force to be dissolved unless extended by general law; creating s. 1004.875, F.S.; creating the State College Pilot Project for the purpose of recommending to the Legislature an approval process for the transition of certain community colleges to state colleges; designating certain institutions to participate in the project; providing duties and reporting requirements for the institutions; providing an effective date.

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

CS for SB 1746—A bill to be entitled An act relating to public school funding; amending s. 1001.451, F.S., relating to regional consortium service organizations; authorizing the Department of Education to appropriate a lesser amount of an incentive grant per school district and eligible member for a specified fiscal year; providing for the future expiration of such provisions; amending s. 1011.62, F.S.; decreasing the value of full-time equivalent student membership calculated for each student enrolled in an International Baccalaureate course, a full-credit Advanced International Certificate of Education course, or an advanced placement course who receives a certain score on an examination; deleting provisions relating to the calculation of additional full-time equivalent membership based on completion of high school level algebra courses and supplemental allocation for juvenile justice education programs; revising provisions relating to the calculation of additional full-time equivalent membership based on certification of successful completion of industry-certified career and professional academy programs; revising provisions relating to the calculation of additional full-time equivalent membership for the Florida Virtual School; providing the final taxable value used in the final calculation to determine the amount school districts are required to put toward the cost of the Florida Education Finance Program; providing for certain categorical funds; requiring the Department of Education to submit a report to the Legislature regarding such categorical funds; requiring a district school board to submit an amendment to the department if such board transfers funds from its research-based reading instruction allocation; providing a calculation for the supplemental allocation for juvenile justice education programs; providing for the future expiration of certain provisions governing the transfer of categorical funds; amending s. 1011.71, F.S.; decreasing the maximum millage a school district is allowed to levy against the taxable value for school purposes; authorizing a school district to redirect a specified amount of millage if revenues are insufficient to cover payments due under a lease-purchase agreement; amending s. 1012.72, F.S., relating to the Dale Hickam Excellent Teaching Program; providing that monetary incentives and bonuses be provided for up to a certain period; deleting provisions relating to a fee subsidy and a portfolio preparation incentive; providing an effective date.

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

CS for SB 1752—A bill to be entitled An act relating to virtual instruction programs; creating s. 1002.45, F.S.; authorizing a school district to offer courses by virtual instruction to students meeting certain conditions; providing a purpose; authorizing a school district to implement virtual instruction programs by approved district-operated programs or programs provided by contracted providers if approved by the Department of Education; authorizing a school district to participate in multi-district contractual arrangements; requiring the department to review and approve district-operated virtual programs on an annual basis; requiring contract providers to meet certain qualifications; requiring each virtual instruction program operated or contracted by a school district to meet certain requirements; prohibiting a school district from increasing its enrollment in a virtual education program in excess of the prior year's enrollment unless the program achieves a certain performance grade under the school grading system; requiring students enrolled in a virtual instruction program to meet certain requirements to participate in such program; defining the term "full-time equivalent student"; providing that full-time equivalent students participating in a school district's virtual instruction program be funded through the Florida Education Finance Program; requiring that a program provider participate in the statewide assessment program and education performance accountability system and meet a certain performance grade; requiring the State Board of Education to adopt rules; amending s. 1011.61, F.S.; revising the definition of "full-time equivalent" student to conform to changes made by the act; providing an effective date.

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

CS for SB 1756—A bill to be entitled An act relating to classroom size reductions; amending ss. 1002.53 and 1002.61, F.S.; conforming provisions to changes made by the act; amending s. 1002.63, F.S.; removing the eligibility requirements that a school district is required to meet in order to deliver the prekindergarten program during the school year; amending s. 1002.73, F.S.; removing the Department of Education's authority to certify school districts as eligible to deliver the prekindergarten program; amending s. 1003.03, F.S.; revising the requirements for calculating the number of students per classroom for specified fiscal years; providing a class size reduction calculation for the department to apply if it determines that an individual class exceeds the maximum level allowed; requiring the Executive Office of the Governor to place the funds from such calculation in reserve, with the undistributed funds reverting to the General Revenue Fund; authorizing the Commissioner of Education to recommend a budget amendment by a certain date each year, subject to the Legislative Budget Commission's approval; amending s. 1011.685, F.S.; requiring school districts to use class size reduction operating categorical funds to reduce class size; authorizing a school district to use such funds for any operating expenditure if the class size requirements are met, with priority given to increasing teachers' salaries; providing an effective date.

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

CS for SB 1760—A bill to be entitled An act implementing the 2008-2009 General Appropriations Act; providing legislative intent; incorporating by reference certain calculations of the Florida Education Finance Program for the 2008-2009 fiscal year; providing for the effect of a veto of one or more specific appropriations or proviso provisions to which implementing language refers; providing for the continued operation of certain provisions notwithstanding a future repeal or expiration provided by the act; providing for severability; providing for contingent retroactive application; providing effective dates.

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

CS for SB 1762—A bill to be entitled An act relating to postsecondary distance learning; creating s. 1004.09, F.S.; establishing the Florida Distance Learning Consortium; requiring the consortium to contract with the Department of Education or a public postsecondary education institution for certain administrative services; providing that a board govern the consortium; providing membership and terms for such board; providing for the reimbursement of per diem and travel expenses; requiring the board to establish procedures governing its operations and

responsibilities; providing for meetings to be held a certain number of times each year; providing that a majority of the board members constitutes a quorum; providing for the appointment of an executive director; providing duties and responsibilities; requiring the consortium to submit a report to the Governor, the Legislature, the State Board of Education, and the Board of Governors; requiring that certain information be included in such report; providing for the future expiration of certain provisions; creating s. 1004.091, F.S.; establishing the Florida Higher Education Distance Learning Catalog; providing the responsibilities for such catalog; requiring the catalog to establish its operational guidelines and procedures; requiring that the catalog include a web-based analytic tool; amending ss. 1009.23 and 1009.24, F.S.; revising provisions relating to community college student fees and state university student fees; authorizing the State Board of Education to adopt rules; authorizing a community college and a state university to assess a per credit hour distance learning course fee; providing that the fee not exceed a certain percent of the tuition if the student is classified as a resident for tuition purposes; requiring that the community college or state university reduce the fee if such fee exceeded a certain percent during a specified fiscal year; requiring the community college or state university to assess the fee only for courses listed in the catalog; providing an effective date.

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

CS for SB 1774—A bill to be entitled An act relating to postsecondary student fees; amending s. 1009.22, F.S.; revising provisions relating to workforce education postsecondary student fees; prohibiting the fee from exceeding a certain percentage of the tuition per credit hour and the out-of-state fee; requiring that such fees be used to enhance instructional technology resources; prohibiting the fee from being included in any award under the Florida Bright Futures Scholarship Program; amending s. 1009.23, F.S.; conforming provisions relating to community college student fees to changes made by the act; amending s. 1009.24, F.S.; revising provisions relating to state university student fees; requiring a referendum of the student body in which a majority of the students vote to establish the technology fee; requiring each university board of trustees to report to the Legislature and the Board of Governors by a certain date each year regarding such fee; providing an effective date.

By the Committee on Criminal and Civil Justice Appropriations; and Senator Crist—

CS for SB 1788—A bill to be entitled An act relating to trust funds; creating the Indigent Civil Defense Trust Fund within the Justice Administrative Commission; providing for the purpose of the trust fund; providing for future review and termination or re-creation of the trust fund; providing an effective date.

By the Committee on Criminal and Civil Justice Appropriations; and Senator Crist—

CS for SB 1790—A bill to be entitled An act relating to the state judicial system; amending s. 27.511, F.S.; prescribing the types of civil proceedings in which part-time assistant criminal conflict and civil regional counsel may not otherwise engage; providing for the public defender to handle criminal appeals in certain cases for which trial representation was provided by the office of criminal conflict and civil regional counsel; providing an exception when the public defender has a conflict; amending s. 27.52, F.S.; increasing the application fee for determining indigent status for the purpose of receiving criminal representation by state-funded counsel; conforming provisions to changes made by the act; amending s. 27.562, F.S.; specifying that certain assessments collected from a defendant are in satisfaction of the application fee for a determination of indigent status; amending s. 28.24, F.S.; increasing charges for services rendered by the clerk of the circuit court in recording documents and instruments and performing other duties; amending s. 28.2401, F.S.; increasing services charges the clerk of court is authorized to charge in probate matters; amending s. 28.241, F.S.; increasing filing fees for civil actions in circuit court; conforming provisions governing the remission of a portion of the fees to the General Revenue Fund; providing for a portion of the fees to be deposited in a designated trust fund in support of mediation activities; increasing filing fees for instituting certain appellate proceedings; amending s. 28.246, F.S.; reducing the maximum fee that may be charged when the clerk uses a collection agent to collect unpaid fees and costs; amending s. 28.35, F.S.; including the provision of meals and lodging for jurors within the court-related functions that the clerk of court may fund through fees, service charges, court costs, and fines; revising provisions to conform; clarifying duties of the Florida Clerks of Court Operations Corporation; reenacting s. 28.36(1), (2), (3)(a), (4), and (5), F.S., relating to budget procedures of the clerks of court, to incorporate the amendment to s. 28.35, F.S., in references thereto; amending s. 34.041, F.S.; increasing filing fees for civil actions in county court; conforming provisions governing the remission of a portion of the fees to the General Revenue Fund; providing for a portion of the fees to be deposited in a designated trust fund in support of mediation activities; amending s. 40.24, F.S.; providing for jurors to be compensated by the clerk of the court rather than the state; amending s. 40.26, F.S.; providing for certain meals and lodging expenses for jurors to be paid by the clerk of the court; amending s. 40.29, F.S.; revising requirements for the clerk of the court relating to payment of ordinary witnesses; including the criminal conflict and regional civil counsel among the persons on whose behalf the clerk of the court estimates funds for payment of witnesses; eliminating a requirement that the clerk of the court provide an estimate of certain juror expenses; revising provisions to conform; amending s. 40.31, F.S.; revisions provisions to conform to the payment of juror compensation from funds retained by the clerk of the court; authorizing the Justice Administrative Commission rather than the State Courts Administrator to apportion certain funds for payment of witnesses by the clerk of the court; amending s. 40.32, F.S.; requiring that certain juror expenses be paid by the clerk of the court from fees, service charges, court costs, and fines; amending s. 40.33, F.S.; revising procedures related to a deficiency in funds for the payment of witnesses; revising provisions to conform; amending s. 40.34, F.S.; eliminating requirements that the clerk of the court prepare a juror payroll and provide copies to the State Courts Administrator; repealing s. 40.35, F.S., relating to an accounting by the clerk of the court to the State Courts Administrator for funds for juror and witness payments; amending s. 40.355, F.S.; revising requirements for the clerk of the court to account for certain funds, to conform to changes made by the act; amending s. 40.361, F.S., relating to the applicability of certain state budgeting laws; conforming a cross-reference; amending s. 44.108, F.S.; increasing fees for court-ordered mediation services; requiring the clerk of the court to report the fees collected and deposited into the Mediation and Arbitration Trust Fund; amending s. 45.035, F.S.; increasing service charges related to judicial sales procedures; amending s. 55.505, F.S.; increasing a service charge for issuing execution or process for enforcement of a foreign judgment; amending s. 57.082, F.S.; creating an application fee for a determination of indigent status and appointment of an attorney in certain proceedings relating to children; providing for fees collected to be deposited into the Indigent Civil Defense Trust Fund; authorizing the clerk of the court to retain a portion of the fees collected; amending s. 61.14, F.S.; increasing service charges related to enforcement and modification of support, maintenance, or alimony agreements or orders; amending s. 318.121, F.S.; specifying that a new administrative fee for civil traffic violations is not preempted; amending s. 318.14, F.S.; increasing the court costs that are assessed in certain noncriminal traffic cases; amending s. 318.15, F.S.; increasing the processing fee when a person is adjudicated guilty after failing to attend driver improvement school; amending s. 318.18, F.S.; increasing fees, penalties, and court costs related to certain traffic infractions; creating an administrative fee for noncriminal moving and nonmoving traffic violations; amending s. 322.245, F.S.; increasing delinquency fees that are imposed for failing to comply with traffic court directives and that must be paid to avoid suspension of a driver's license; amending s. 327.73, F.S.; increasing dismissal fees and court costs related to certain noncriminal vessel safety infractions; increasing the maximum amount of court costs that may be imposed; amending s. 372.83, F.S.; increasing the costs assessed by the clerk or a hearing officer for verifying that a person possesses a certain wildlife license or permit; amending s. 713.24, F.S.; increasing the fees charged by the clerk for making and serving a certificate showing transfer of a lien from real property to certain security; amending s. 721.83, F.S.; increasing the additional filing fee for joining a timeshare estate in a consolidated foreclosure action; amending s. 744.365, F.S.; increasing the fee paid by a guardian from the ward's property upon the filing of a verified inventory of the ward's property; amending s. 744.3678, F.S.; increasing the fees paid by a guardian from the ward's estate as part of an annual accounting; amending s. 766.104, F.S.; increasing the filing fee for securing an automatic extension of the statute of limitations to allow for investigation in medical negligence cases;

amending s. 938.05, F.S.; increasing the additional costs that a person must pay in felony, misdemeanor, or criminal traffic offenses; amending s. 938.27, F.S.; defining the term "convicted" for purposes of paying the costs of prosecution; providing for the imposition of such costs notwithstanding a defendant's present ability to pay; prescribing costs of prosecution; authorizing the court to establish higher minimum costs of prosecution; amending s. 938.29, F.S.; providing that certain defendants are liable for the application fee to determine indigent status for purposes of appointing counsel; providing for distribution of funds collected from a defendant for the application fee, attorney's fees, and costs; prohibiting the Florida Clerks of Court Operations Corporation from increasing clerks budgets in a specified fiscal year based on increased revenues under the act; authorizing the corporation to increase budgets in the aggregate for increased clerk duties related to the payment of juror expenses; providing an effective date.

By the Committee on Criminal and Civil Justice Appropriations; and Senator Crist—

CS for SB 1792—A bill to be entitled An act relating to criminal history information; amending s. 943.053, F.S.; clarifying the purposes for which the fees collected from the private sector or noncriminal justice agencies to acquire criminal history information may be applied; increasing the amount of the fee charged per record for criminal history information; providing an effective date.

By the Committee on Criminal and Civil Justice Appropriations; and Senator Crist—

CS for SB 1800—A bill to be entitled An act relating to correctional work programs; creating the Correctional Work Program Authority; assigning the authority to the Agency for Workforce Innovation for administrative purposes; providing a purpose for the authority; providing for membership of the authority; requiring that the authority meet by a specified date; requiring the authority to present a report to the Governor and the Legislature; specifying the content of the findings and the recommendations; providing for future expiration of provisions creating the authority; providing an effective date.

By the Committee on Criminal and Civil Justice Appropriations; and Senator Crist—

CS for SB 1802—A bill to be entitled An act implementing the 2008-2009 General Appropriations Act; providing legislative intent; reenacting s. 215.32(2)(b), F.S., relating to the source and use of certain trust funds in order to implement the transfer of moneys to the General Revenue Fund from trust funds in the 2008-2009 General Appropriations Act; authorizing the Department of Corrections and the Department of Juvenile Justice to expend funds to defray the cost of impacts incurred by a municipality or county which are associated with a facility operated by each respective department; providing for future expiration of such authorization; amending s. 216.262, F.S.; extending the expiration date of provisions authorizing additional positions to operate added prison bed capacity; authorizing the Department of Legal Affairs to expend funds for certain programs pursuant to specific appropriations; amending s. 932.7055, F.S.; extending the expiration date of provisions authorizing the expenditure of funds in a special law enforcement trust fund established by the governing body of a municipality; reenacting s. 985.686(3), F.S., providing for the payment of costs of providing detention care for juveniles; providing for the future expiration of certain amendments to such provisions; specifying certain limitations on reimbursements to a health care provider or hospital by the Department of Corrections; providing an exception for hospitals that reported a negative operating margin for the prior year; requiring that contract rates of the Department of Corrections be based on a percentage of the Medicare allowable rate; providing for the effect of a veto of one or more specific appropriations or proviso provisions to which implementing language refers; providing for the continued operation of certain provisions notwithstanding a future repeal or expiration provided by the act; providing for severability; providing for contingent retroactive application; providing effective dates.

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

CS for SB 1810—A bill to be entitled An act relating to agriculture; amending s. 570.191, F.S.; providing that money in the Agricultural Emergency Eradication Trust Fund be made available under certain circumstances; repealing s. 570.1911, F.S., relating to notice of certification of an agricultural emergency; providing an effective date.

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

CS for SB 1814—A bill to be entitled An act relating to the transfer-of-interest return filed with the clerk of the court; repealing s. 201.022, F.S.; eliminating provisions requiring that the return be filed upon the transfer of an interest in real property; providing an effective date.

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

CS for SB 1820—A bill to be entitled An act relating to the Department of Business and Professional Regulation; amending s. 455.2281, F.S.; authorizing the department to set by rule the fees paid annually by professions regulated by the department; limiting the amount of such fees; authorizing the department to adopt rules to waive the unlicensed activity special fee if certain accounts have an excess balance; amending s. 548.035, F.S.; revising the amount of the permit fee charged for pugilistic exhibition events; amending s. 718.501, F.S.; authorizing the department to set by rule the fees paid annually by condominium associations; limiting the amount of such fees; amending s. 719.501, F.S.; authorizing the department to set by rule the fees paid annually by cooperative associations; limiting the amount of such fees; amending s. 721.27, F.S.; authorizing the department to set by rule the fees paid annually by timeshare plans; limiting the amount of such fees; amending s. 509.032, F.S.; deleting a provision requiring that the division provide certain assistance to the State Fire Marshal; deleting a provision requiring that the division provide technical assistance to the Florida Building Commission when updating the construction standards of the Florida Fire Prevention Code; deleting a provision requiring that the division enforce certain provisions of the Florida Fire Prevention Code; providing an effective date.

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

CS for SB 1824—A bill to be entitled An act relating to financial services; creating s. 17.0315, F.S.; establishing a task force to develop a successor financial and cash management system; requiring the Chief Financial Officer to appoint members to and head such task force; requiring that the directors of the Agency for Enterprise Information Technology and the Office of Policy and Budget in the Executive Office of the Governor participate as members of the task force; providing a purpose; requiring members to consult with the administrative services directors, finance and accounting offices, and budget directors of all branches of state government; requiring the task force to submit a report and draft legislation to the Governor and the Legislature by a certain date; requiring that certain information be included in such report; amending s. 20.121, F.S.; establishing the Strategic Markets Research and Assessment Unit within the Office of Financial Regulation; requiring that the unit periodically report to the Financial Services Commission and the Legislature; specifying the information be included in such report; amending s. 517.315, F.S.; requiring the Office of Financial Regulation of the Financial Services Commission to transfer the entire registration assessment fee paid by associated persons and a certain percentage of the assessment fee paid by dealers and investment advisors to the Regulatory Trust Fund; amending ss. 626.932 and 626.938, F.S.; revising the required percentages of funds collected pursuant to certain taxes on surplus lines premiums and related interest that must be deposited into the Insurance Regulatory Trust Fund and the General Revenue Fund; providing an effective date.

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

CS for SB 1830—A bill to be entitled An act relating to the disposition of traffic infractions; amending s. 318.18, F.S.; requiring that revenue from the surcharge imposed for certain criminal traffic offenses and all noncriminal traffic violations be remitted to the Department of Revenue, deposited quarterly into the State Agency Law Enforcement Radio System Trust Fund of the Department of Management Services, and be used for certain purposes; authorizing the Department of Management Services to retain funds from such revenue to recover certain costs and expenses; providing an effective date.

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

CS for SB 1838—A bill to be entitled An act relating to the Department of Revenue; amending s. 195.002, F.S.; authorizing the Department of Revenue to incur reasonable expenses for the salaries and benefits of employees whose duties are directly associated with developing and conducting schools to upgrade assessment and collection skills; amending s. 195.022, F.S.; requiring the department to pay for aerial photographs and nonproperty ownership maps provided to the property appraisers of certain counties; providing an exception; authorizing the department to charge fees for procuring photographs and maps and deposit the proceeds into the Certification Program Trust Fund; amending s. 195.087, F.S.; authorizing property appraisers to pay the costs of aerial photographs and nonproperty ownership maps which are not paid by the department; providing an effective date.

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

CS for SB 1844—A bill to be entitled An act implementing the 2008-2009 General Appropriations Act; providing legislative intent; amending s. 201.15, F.S.; providing for moneys in the Invasive Plant Control Trust Fund from the excise tax on documents to be used for Everglades restoration and for the Water Resource Action Plan; authorizing the transfer of moneys in the Invasive Plant Control Trust Fund to the Save Our Everglades Trust Fund and the Ecosystem Management and Restoration Trust Fund; reenacting s. 215.32, F.S., relating to the source and use of certain state trust funds in order to implement the transfer of moneys in the General Revenue Fund from trust funds in the 2008-2009 General Appropriations Act; authorizing the Executive Office of the Governor to transfer certain specified funds between departments for purposes of paying risk management insurance; providing for expiration of such authority; authorizing the Executive Office of the Governor to transfer certain specified funds between departments for purposes of paying for human resource management services; providing for expiration of such authority; amending s. 253.01, F.S.; providing for moneys in the Internal Improvement Trust Fund to be used for grants and aids to local governments for the drinking water facility construction state revolving loan program; providing for future expiration of such provision; amending s. 255.503, F.S.; delaying the expiration of provisions authorizing the Department of Management Services to sell, lease, or otherwise dispose of facilities within the Florida Facilities Pool and report to the Legislature, the Governor, and the Division of Bond Finance; reenacting s. 287.17(3)(a) and (6), F.S.; authorizing the use of state aircraft for commuting; providing for the future expiration of certain amendments to such provisions; requiring the Department of Environmental Protection to award funds to certain small counties for programs in liter prevention, recycling and solid waste programs, and the Innovation Grant Program; amending s. 570.20, F.S.; delaying the expiration of provisions authorizing moneys in the General Inspection Trust Fund to be appropriated for certain programs operated by the Department of Agriculture and Consumer Services; authorizing the Department of Financial Services to expend certain funds for salaries, other personnel services, and related expenses; providing for the effect of a veto of one or more specific appropriations or proviso provisions to which implementing language refers; providing for the continued operation of certain provisions notwithstanding a future repeal or expiration provided by the act; providing for severability; providing for contingent retroactive application; providing effective dates.

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

CS for SJR 1848—A joint resolution proposing an amendment to Section Section 9 of Article VII and the creation of a new section in Article XII of the State Constitution to standardize the maximum millage rate within the state for water-management purposes and to provide an effective date if such change is adopted.

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

CS for SB 1854—A bill to be entitled An act relating to the Medicaid program; amending s. 400.179, F.S.; authorizing the Agency for Health Care Administration to transfer fees used to repay nursing home Medicaid overpayments to the Grants and Donations Trust Fund within the agency; amending s. 409.904, F.S.; discontinuing optional Medicaid payments for certain persons age 65 or over or who are blind or disabled; revising certain eligibility criteria for pregnant women and children younger than 21; amending s. 409.906, F.S.; discontinuing adult dental services and adult hearing services on a certain date; amending s. 409.908, F.S.; requiring Medicaid to pay for all deductibles and coinsurance for portable X-ray Medicare Part B services provided in a nursing home; revising the factors used to determine the reimbursement rate to providers for Medicaid prescribed drugs; requiring the agency to reduce certain provider reimbursement rates as prescribed in the appropriations act; providing that any increases in rates as subject to the appropriations act; amending s. 409.911, F.S.; revising which year's disproportionate data is used to determine a hospital's Medicaid days and charity care during the 2008-2009 fiscal year; amending s. 409.9112, F.S.; prohibiting the Agency for Health Care Administration from distributing moneys under the regional perinatal intensive care disproportionate share program during the 2008-2009 fiscal year; amending s. 409.9113, F.S.; authorizing the agency to distribute disproportionate share funds to teaching hospital during the 2008-2009 fiscal year; providing that such funds may be distributed as provided in the appropriations act; amending s. 409.9117, F.S.; prohibiting the distribution of funds under the primary disproportionate share program during the 2008-2009 fiscal year; amending s. 409.912, F.S.; specifying certain counties that are exempt from the requirement of enrolling Medicaid eligible children in MediPass or Medicaid fee-for-service and behavioral health care services; revising the factors used to determine the reimbursement rate to pharmacies for Medicaid prescribed drugs; revising the requirement for the agency to develop a utilization management program for Medicaid recipients for certain therapies; amending s. 409.9122, F.S.; revising enrollment requirements relating to Medicaid managed care programs and the agency's authority to assign persons to MediPass or a managed care plan; repealing s. 409.905(5)(c), F.S., relating to the agency's authority to adjust a hospital's inpatient per diem rate; repealing s. 430.83, F.S., relating to the Sunshine for Seniors Program; providing an effective date.

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

CS for SB 1856—A bill to be entitled An act relating to the Comprehensive Statewide Tobacco Education and Use Prevention Program; amending s. 381.84, F.S.; deleting a provision limiting to specified fiscal years the applicability of requirements that the area health education center network expand the AHEC smoking-cessation initiative to each county within the state and perform certain other activities; deleting a provision limiting to specified fiscal years the applicability of a requirement that the Department of Health award a contract or grant to the AHEC network for certain purposes; revising the annual appropriation for the AHEC network; deleting a provision authorizing the network to apply for a competitive contract or grant after a specified fiscal year; providing an effective date.

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

CS for SB 1864—A bill to be entitled An act relating to medical research; amending s. 381.922, F.S., relating to the William G. "Bill"

Bankhead, Jr., and David Coley Cancer Research Program; revising the annual appropriation for the program; amending s. 1004.445, F.S., relating to the Johnnie B. Byrd, Sr., Alzheimer's Center and Research Institute; revising the annual appropriation for the institute; providing an effective date.

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

CS for SB 1866—A bill to be entitled An act relating to the home and community-based services delivery system; amending s. 393.0661, F.S.; providing that the total annual expenditures under tier one for services to clients with developmental disabilities may not exceed $150,000 per client per year; limiting tier two services to clients whose service needs include a licensed residential facility and who have authorization for a moderate level of support for standard residential habilitation services or authorization for a minimal level of support for behavior focus residential habilitation services; delaying the applicability of provisions governing services provided under tier four; providing an effective date.

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

CS for SB 1868—A bill to be entitled An act implementing the 2008-2009 General Appropriations Act; providing legislative intent; reenacting s. 215.32(2)(b), F.S., relating to the source and use of certain trust funds in order to implement the transfer of moneys in the General Revenue Fund from trust funds in the 2008-2009 General Appropriations Act; providing for allocating funds for alcohol, drug abuse, and mental health services to areas of the state having the greatest demand for services and treatment capacity and as specified in the General Appropriations Act; requiring the Department of Children and Family Services to ensure information is entered into the Florida Safe Families Network; requiring coordination between the department and the Office of the State Courts Administrator and the Statewide Guardian Ad Litem Office to provide information relating to child welfare cases; requiring a report to the Governor and Legislature; providing for future expiration of such provisions; providing for the effect of a veto of one or more specific appropriations or proviso provisions to which implementing language refers; providing for the continued operation of certain provisions notwithstanding a future repeal or expiration provided by the act; providing for severability; providing for contingent retroactive application; providing effective dates.

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

CS for SB 1882—A bill to be entitled An act relating to the Department of Highway Safety and Motor Vehicles; amending s. 17.61, F.S.; deleting the DUI Programs Coordination Trust Fund from the list of funds invested by the Chief Financial Officer; amending s. 215.20, F.S.; deleting certain trust funds from the list of funds subject to a 0.3 percent service charge; amending s. 319.001, F.S.; defining the term "certificate of title"; amending s. 319.40, F.S.; authorizing the department to issue electronic certificates of title for motor vehicles and to provide notification through e-mail; amending s. 320.08, F.S.; revising provisions relating to the expenditure of the nonrefundable motorcycle safety education fee; amending s. 320.95, F.S.; authorizing the department to provide notification through e-mail; amending s. 322.025, F.S.; revising provisions relating to the implementation of programs to improve driving ability to conform to changes made by the act; amending s. 322.0255, F.S.; deleting the requirement that the department reimburse organizations that provide a motorcycle safety education course to certain students; amending s. 322.271, F.S.; authorizing the department to waive the hearing process for a person whose license has been suspended, cancelled, or revoked; providing exceptions; amending s. 322.293, F.S.; requiring that DUI programs be administered by the department and paid for by revenues collected by such programs; providing that such revenues be deposited into the Highway Safety Operating Trust Fund; amending s. 328.30, F.S.; authorizing the department to issue electronic certificates of title to vessels and to provide notification through e-mail; amending s. 328.80, F.S.; authorizing the Fish and Wildlife Conservation Commission to provide notification through e-mail; amending ss. 316.251 and 501.976, F.S.; conforming cross-references; providing an effective date.

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

CS for SB 1884—A bill to be entitled An act implementing the 2008-2009 General Appropriations Act; providing legislative intent; reenacting s. 215.32(2)(b), F.S., relating to the source and use of certain trust funds in order to implement the transfer of moneys to the General Revenue Fund from trust funds in the 2008-2009 General Appropriations Act; amending s. 253.034, F.S.; delaying the expiration of provisions authorizing the deposit of funds from the sale of property located in Palm Beach County into the Highway Safety Operating Trust Fund by the Department of Highway Safety and Motor Vehicles; amending s. 320.08058, F.S.; delaying the expiration of provisions authorizing proceeds from the Professional Sports Development Trust Fund to be used for operational expenses of the Florida Sports Foundation and financial support of the Sunshine State Games; amending s. 339.135, F.S.; delaying the expiration of provisions requiring the Department of Transportation to transfer funds to the Office of Tourism, Trade, and Economic Development for the purpose of funding economic development transportation projects; amending s. 553.721, F.S.; providing for the proceeds from the surcharge collected by the Department of Community Affairs on building additions and renovations to be used to fund regional planning councils, civil legal assistance, and the Front Porch Florida Initiative; providing for the effect of a veto of one or more specific appropriations or proviso provisions to which implementing language refers; providing for the continued operation of certain provisions notwithstanding a future repeal or expiration provided by the act; providing for severability; providing for contingent retroactive application; providing effective dates.

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

CS for SB 1886—A bill to be entitled An act relating to the state group insurance program; amending s. 110.123, F.S.; specifying the amount of the employer contribution to employee health savings accounts; providing an effective date.

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

CS for SB 1888—A bill to be entitled An act relating to state employees; providing for the resolution of certain collective bargaining issues at impasse between the State of Florida and certified bargaining units of state employees; providing an effective date.

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

CS for SB 1892—A bill to be entitled An act relating to the state data center system; amending s. 14.204, F.S.; revising the duties and responsibilities of the Agency for Enterprise Information Technology; authorizing the agency to adopt rules; amending s. 215.322, F.S.; requiring the Agency for Enterprise Information Technology to review an agency's request to accept credit, charge, or debit cards in payment of goods and services and make recommendations to the Chief Financial Officer; amending s. 216.235, F.S.; including the executive director of the Agency for Enterprise Information Technology on the State Innovation Committee; requiring the agency to evaluate innovative investment projects that involve information technology; amending s. 282.003, F.S.; revising a short title; amending s. 282.0041, F.S.; defining terms relating to information resource management; amending s. 282.0055, F.S.; conforming cross-references; amending s. 282.0056, F.S.; revising provisions relating to the Agency for Enterprise Information Technology's work plan; requiring an annual plan; requiring the agency to annually report its achievements to the Governor and Cabinet and the Legislature; creating s. 282.201, F.S.; establishing a state data center system; providing legislative intent; providing the duties of the Agency for Enterprise Informa-

tion Technology with respect to the system; providing responsibilities; providing state agency duties and limitations; authorizing the Agency for Enterprise Information Technology to adopt rules; creating s. 282.203, F.S.; establishing primary data centers; providing the duties of the center; providing that each center shall be headed by a board of trustees; providing for the membership of the board; providing for the duties of the board; creating s. 282.204, F.S.; establishing the Northwood Shared Resource Center as a separate budget entity housed for administrative purposes only in the Department of Children and Family Services; providing for the center to be headed by a board of trustees; creating s. 282.205, F.S.; establishing the Southwood Shared Resource Center as a separate budget entity housed for administrative purposes only in the Department of Management Services; providing for the center to be headed by a board of trustees; amending s. 282.315, F.S.; revising the duties of the Agency Chief Information Officers Council with respect to the consolidation of computer services; amending s. 282.322, F.S.; revising provisions relating to monitoring high-risk information technology projects; amending s. 287.057, F.S.; requiring the Department of Management Services to consult with the Agency for Enterprise Information Technology with respect to procuring information technology commodities and contractual services; amending ss. 445.011, 445.045, and 668.50, F.S., relating to workforce information systems and the Uniform Electronic Transaction Act; clarifying the duties of the Agency for Enterprise Information Technology and the Department of Management Services; providing for the transfer of state agency data center resources to a primary data center; requiring the board of trustees of the primary data center to submit a plan relating to costs and resources; requiring user agencies to submit budget requests to accomplish the transfers; specifying the duties of the board of trustees of the data center; providing for the transfer of the information technology functions of the Parole Commission to the Department of Corrections; requiring a plan and a service-level agreement; providing for the transfer of mainframe resources of the Department of Transportation and the Department of Highway Safety and Motor Vehicles to the Southwood Shared Resource Center; providing a timeframe for the transfer; requiring a service-level agreement for the transition and a plan; providing for the supervision of staff and ownership of resources; requiring budget amendments to redistribute resources between the state entities; repealing s. 282.20, F.S., relating to the Technology Resource Center; providing an effective date.

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

CS for SB 1914—A bill to be entitled An act relating to education; amending s. 1000.21, F.S.; providing definitions; amending s. 1001.452, F.S.; revising provisions relating to membership of school advisory councils; amending s. 1003.41, F.S.; requiring that the State Board of Education replace the Sunshine State Standards with the Sunshine State Standards 2.0; providing for application of the Sunshine State Standards pending adoption of the Sunshine State Standards 2.0; providing requirements concerning the content and organization of the Sunshine State Standards 2.0; requiring that the Sunshine State Standards 2.0 establish core curricular content in specified areas for certain grades or strands; requiring that the state board establish schedules for the adoption and revision of the Sunshine State Standards 2.0; requiring that the state board adopt the Sunshine State Standards 2.0 by a specified date; requiring the Commissioner of Education to provide proposed Sunshine State Standards 2.0 or proposed revisions of such standards to the state board; providing requirements concerning the commissioner's development of the proposed standards or revisions; requiring consultation with certain experts; requiring distribution of a proposal developed by the commissioner for review and comment by certain experts; requiring a written evaluation of the proposal developed by the commissioner by a research institution meeting specified criteria; requiring provision of the commissioner's proposed standards and the written evaluation and comments to the Governor, the President of the Senate, and the Speaker of the House of Representatives; authorizing rulemaking by the State Board of Education; amending s. 1008.22, F.S.; revising provisions governing application of testing requirements for high school graduation; providing requirements concerning the Commissioner of Education's scoring of a statewide assessment when such assessment is revised; providing criteria concerning the testing and scores required for a continuously enrolled student to earn a standard high school diploma; authorizing the commissioner to discontinue administration of an outdated assessment under certain conditions; amending s. 1008.31, F.S.; declaring the legislative intent that the K-20 education system comply with the Individuals with Disabilities Education Act; amending s. 1012.71, F.S.; revising requirements for the use of program funds by classroom teachers; providing for the disbursement of funds to school districts; specifying the means for providing a classroom teacher with his or her proportionate share of program funds; providing that funds received are not subject to collective bargaining; providing for retroactive effect; providing requirements for accounting of expenditures and reimbursement of funds under certain conditions; amending s. 1013.12, F.S.; requiring that a school cafeteria post certain information concerning its sanitation certificate and inspection; providing effective dates.

By the Committee on Health Regulation; and Senator Ring—

CS for SB 1998—A bill to be entitled An act relating to electronic health records; amending s. 395.3025, F.S.; expanding access to a patient's medical records to facilitate electronic exchange of data between certain health care facilities, practitioners, and providers and attending physicians; revising provisions relating to the disclosure of patient records to conform to changes made by the act; amending s. 408.05, F.S.; removing responsibility of the Agency for Health Care Administration for monitoring certain grants; creating s. 408.051, F.S.; creating the "Florida eHealth Initiative Act"; providing legislative intent; providing definitions; requiring the agency to award and monitor grants to certain health information organizations; providing rulemaking authority regarding establishment of eligibility criteria; establishing the Electronic Medical Records System Adoption Loan Program; providing eligibility criteria; providing rulemaking authority regarding terms and conditions for the granting of loans; creating the Florida Health Information Exchange Advisory Council; providing for purpose, membership, terms of office, and duties of the council; requiring the Florida Center for Health Information and Policy Analysis to provide staff support; requiring reports to the Governor and Legislature; providing for future repeal of s. 408.051, F.S., and abolition of the council; providing duties of the agency with regard to availability of specified information on the agency's Internet website; requiring the agency to develop and implement a plan to promote participation in regional and statewide health information exchanges; requiring the Office of Program Policy Analysis and Government Accountability to complete an independent evaluation of the grants program administered by the agency and submit the report to the Governor and Legislature by a certain date; amending s. 408.062, F.S.; removing responsibility of the agency for developing an electronic health information network; amending s. 483.181, F.S.; expanding access to laboratory reports to facilitate electronic exchange of data between certain health care practitioners and providers; providing an effective date.

By the Committees on Criminal and Civil Justice Appropriations; Criminal Justice; and Senator Dockery—

CS for CS for SB 2000—A bill to be entitled An act relating to sentencing and the development of more effective justice and correctional policies; creating s. 921.0019, F.S.; creating the Sentencing Policy Advisory Council within the Legislature and a Justice Reinvestment Subcommittee within the Sentencing Policy Advisory Council; requiring the council to evaluate sentencing policy, sentencing practices, correctional policies, justice reinvestment initiatives, and laws affecting or applicable to sentencing or punishment; requiring the subcommittee to review the effectiveness of correctional policies, including sanctioning programs for low-level drug and property offenders, mental health and substance abuse interventions, and reinvestment strategies to enhance the long-term effectiveness of correctional policies by reducing cost without negatively impacting public safety; requiring that recommendations be consistent with specified goals; providing membership of the council; providing for selection of the chair of the council; providing for an executive director and additional staff for the council, subject to appropriations; providing that members of the council serve without compensation, but are entitled to be reimbursed for per diem and travel expenses; requiring meetings and reports of findings and recommendations to the Governor, the Legislature, and the Florida Supreme Court; requiring the council to report its findings and recommendations regarding specified questions by a specified date; providing an effective date.

By the Committees on General Government Appropriations; Governmental Operations; and Governmental Operations—

CS for CS for SB 2002—A bill to be entitled An act relating to retirement; amending s. 121.71, F.S.; revising the payroll contribution rates for the membership classes of the Florida Retirement System for the state fiscal years effective July 1, 2008, and July 1, 2009; providing a declaration of important state interest; providing an effective date.

By the Committees on Commerce; Transportation; and Senator Bennett—

CS for CS for SB 2150—A bill to be entitled An act relating to motor vehicle dealers; amending s. 320.27, F.S.; revising the definition of "motor vehicle dealer" to authorize such dealers to apply for certificates of title to certain vehicles using a manufacturer's statement of origin; eliminating exceptions; deleting a provision requiring that certain vehicles be titled as used vehicles; adding provisions pursuant to which the Department of Highway Safety and Motor Vehicle may deny, suspend, or revoke certain licenses; providing that a franchised motor vehicle dealer of the same line-make has a cause of action against a motor vehicle dealer who engages, with sufficient frequency so as to establish a pattern of wrongdoing, in the business of an unauthorized and unlawful additional motor vehicle dealership location as described by state law; providing for venue for such causes of action; creating s. 320.6425, F.S.; providing that certain activities or the fulfillment of certain criteria constitute the operation of an unlawful and additional motor vehicle dealership; defining the term "sale for retail purposes"; providing that certain actions by motor vehicle dealers constitute violations of state law; authorizing any same line-make motor vehicle dealer who suffers damages as a result of an unlawful and additional motor vehicle dealership location to seek damages; providing for the application and nonapplication of certain provisions of state law; amending s. 501.975, F.S.; defining the term "advertised price" for purposes of to motor vehicle sales; amending s. 501.976, F.S.; requiring that the advertised price include all costs, fees, or charges that the customer must pay, with certain exclusions; requiring a conspicuous label containing a disclosure regarding the predelivery service fee; providing exceptions; providing an effective date.

By the Committee on Judiciary; and Senator Dean—

CS for SB 2202—A bill to be entitled An act relating to career service employees; amending s. 110.227, F.S.; revising requirements for disciplining an employee and provisions governing which employees are subject to certain personnel actions; specifying the requirements for achieving permanent status in the Career Service System; revising criteria for certain rules and procedures for the suspension, reduction in pay, transfer, layoff, demotion, and dismissal of career service employees; revising provisions relating to the applicability of layoff procedures; providing that the grievance process is available to all career service employees; increasing the amounts of time in which to submit grievances and respond to grievances; revising what written decisions of the agency are the final authority for all grievances at the Step Two level; authorizing certain Step Two grievances to be submitted to the Department of Management Services; revising notice requirements; providing for the removal and placement of certain career service employees serving a probationary period; authorizing certain employees to appeal to the Public Employees Relations Commission; increasing the amount of time in which the employee must file an appeal; revising procedures applicable to appeals filed with the commission; providing for mitigation in disciplinary actions; revising which actions must be reviewed without consideration of any other case or set of facts; providing an effective date.

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

CS for SB 2264—A bill to be entitled An act relating to motor vehicle warranty associations; amending s. 628.4615, F.S., relating to specialty insurers; conforming a cross-reference to changes made by the act; amending s. 634.011, F.S.; defining the term "motor vehicle manufacturer" for purposes of part I of ch. 634, F.S.; amending s. 634.041, F.S.; exempting motor vehicle manufacturers applying for licensure as service agreement companies from certain licensing requirements and limitations on claims liabilities; amending s. 634.137, F.S.; authorizing the Office of Insurance Regulation to develop an abbreviated form for statistical reporting of sales of service agreements by motor vehicle manufacturers in lieu of certain other financial reports; amending s. 634.271, F.S.; conforming a cross-reference; amending s. 634.4165, F.S.; requiring warranty service associations that do not collect the names and addresses of warranty holders at the time of sale to provide an alternative method for warranty holders to provide such information; amending s. 634.436, F.S.; prohibiting warranty service associations that do not collect the names and addresses of warranty holders from denying a warranty holder's claim on the basis that the association cannot confirm that the warranty holder in fact purchased the warranty; providing an effective date.

By the Committee on Commerce; and Senator Bennett—

CS for SB 2304—A bill to be entitled An act relating to the recreational marine industry; amending s. 288.906, F.S.; requiring that the annual report issued by Enterprise Florida, Inc., contain certain information related to the recreational marine industry of this state; providing an effective date.

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

CS for SB 2326—A bill to be entitled An act relating to certificates of need; amending s. 408.035, F.S.; revising the requirements for the Agency for Health Care Administration with respect to reviewing an application for a certificate of need for a general hospital; amending s. 408.037, F.S.; revising the requirements for an application for a certificate of need by an applicant for a general hospital; amending s. 408.039, F.S.; prohibiting an applicant for a general hospital that is awaiting issuance of a final order from filing a letter of intent to file an application; limiting the period of a continuance that may be granted with respect to an administrative hearing considering an application for a general hospital; requiring that the party appealing a final order granting a certificate of need for a general hospital pay the appellee's attorney's fees and costs and post a bond to maintain the appeal; repealing s. 408.040(3), F.S., relating to a requirement for an architect's certification of final payment before issuance of a certificate of need; providing for application of the act; providing an effective date.

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

CS for SB 2388—A bill to be entitled An act relating to fire prevention and control; amending ss. 218.23 and 447.203, F.S.; revising cross-references; amending s. 553.895, F.S.; revising outdated publication references; amending s. 633.01, F.S.; revising a provision relating to requirements for the State Fire Marshal to make certain firesafety inspections and take certain corrective actions; amending s. 633.02, F.S.; providing the correct name for the State Fire Marshal; amending s. 633.022, F.S.; revising provisions relating to uniform firesafety standards to include application to tunnels; revising requirements pertaining to supervised automatic sprinkler systems within nursing homes; creating s. 633.0221, F.S.; requiring the State Fire Marshal, in consultation with the Department of Education, to adopt uniform firesafety standards for educational facilities; specifying uniform firesafety standards; providing for periodic inspections of property by district school boards; providing for inspections of educational property by the State Fire Marshal; providing for inspections of public postsecondary education facilities; providing for actions to correct firesafety deficiencies; specifying additional standards; amending s. 633.0245, F.S.; changing the application deadline for participation in the State Fire Marshal Nursing Home Loan Guarantee Program; amending s. 633.025, F.S.; providing requirements for firesafety plans and inspections for manufactured buildings; amending s. 633.03, F.S.; expanding application of authority of the State Fire Marshal to investigate fires to include explosions; amending s. 633.061, F.S.; revising the type of fire suppression equipment in which a person must be licensed in order to engage in the business of servicing, inspecting, recharging, hydrotesting, or installing; revising the requirements

for the renewal of a license to engage in the business of servicing, inspecting, recharging, hydrotesting, or installing fire suppression equipment; amending s. 633.081, F.S.; authorizing the State Fire Marshal to inspect buildings or structures for certain violations; abolishing special state firesafety inspector classifications; providing for certification as a firesafety inspector; providing application and examination requirements; authorizing the State Fire Marshal to develop a certain advanced training and certification program for firesafety inspectors; authorizing the Division of State Fire Marshal to enter into a reciprocity agreement with the Florida Building Code Administrators and Inspectors Board for certain continuing education recertification purposes; amending s. 633.085, F.S.; revising requirements for the State Fire Marshal to inspect state buildings; amending s. 633.101, F.S.; revising and expanding the authority and powers of the State Fire Marshal to administer oaths, compel attendance of witnesses, and collect evidence; providing certain forms of immunity from liability for certain actions and persons under certain circumstances; exempting certain information from discovery under certain circumstances; exempting agents of the State Fire Marshal from subpoena under certain circumstances; specifying limitations on treatment of physical evidence; authorizing persons and agents of the State Fire Marshal to submit certain crime-related reports or information to the State Fire Marshal; authorizing agents of the State Fire Marshal to make arrests as state law enforcement officers under certain circumstances; providing that it is unlawful to resist arrest; amending s. 633.121, F.S.; expanding the list of eligible persons authorized to enforce laws and rules of the State Fire Marshal; amending s. 633.13, F.S.; revising a provision relating to the authority of agents of the State Fire Marshal; amending s. 633.14, F.S.; revising and expanding powers regarding arrests, searches, and the carrying of firearms by State Fire Marshal agents and investigators; amending s. 633.161, F.S.; expanding the list of violations for which the State Fire Marshal may issue certain enforcement orders; providing criminal penalties for failure to comply with such orders; amending s. 633.171, F.S.; conforming a provision; amending s. 633.175, F.S.; specifying additional powers granted to the State Fire Marshal; amending s. 633.18, F.S.; revising a provision relating to conduct of inquiries or investigations by agents of the State Fire Marshal; amending s. 633.30, F.S.; revising and providing definitions; amending s. 633.34, F.S.; revising requirements for qualification for employment as a firefighter; amending s. 633.35, F.S.; revising requirements for firefighter training and certification; amending s. 633.351, F.S.; revising provisions for disciplinary actions for firefighters; revising standards for revocation of firefighter certifications; amending s. 633.352, F.S.; revising requirements for retention of firefighter certification; amending s. 633.382, F.S.; revising provisions regarding required supplemental compensation for firefighters; amending s. 633.524, F.S.; authorizing the State Fire Marshal to contract to provide certain examinations; amending s. 633.541, F.S.; expanding an exclusion from application of a prohibition against contracting without certification for certain homeowners; amending s. 633.72, F.S.; revising the membership terms of the Fire Code Advisory Council; amending s. 633.811, F.S.; expanding authority of the division to enforce provisions of law and rules applicable to employers; authorizing assessment of administrative fines; amending s. 633.821, F.S.; deleting certain obsolete provisions requiring counties, municipalities, and special districts to implement certain provisions of federal law; amending s. 1013.12, F.S.; revising provisions regarding casualty, safety, sanitation, and firesafety standards and inspections of educational facilities and ancillary plants and reporting requirements; providing an effective date.

By the Committee on Commerce; and Senator Posey—

CS for SB 2426—A bill to be entitled An act relating to Space Florida; creating s. 288.1087, F.S.; providing legislative intent; creating the Space and Aerospace Catalyst and Enhancement Program in the Office of Tourism, Trade, and Economic Development; providing for moneys from the funds to be distributed to upgrade space-related infrastructure or to enter into partnerships with applicable businesses on space-related projects; requiring that certain information be provided to the Office of Tourism, Trade, and Economic Development; providing for a contract with nationally recognized economists to develop an economic impact assessment model that evaluates the costs, benefits, useful life, and other relevant factors related to space and aerospace infrastructure projects; describing the criteria by which the proposals will be judged as eligible to receive funding; requiring the executive board of Space Florida and the director of the Office of Tourism, Trade, and Economic Development to recommend approval or disapproval of proposed projects; providing for the Governor to decide which proposed projects receive the funds; requiring certain contract conditions; describing the content of the contract; providing an appropriation; designating Space Mile Marker One at the Space Florida headquarters; authorizing Space Florida to erect suitable markers; providing an effective date.

By the Committee on Children, Families, and Elder Affairs; and Senator Lynn—

CS for SB 2532—A bill to be entitled An act relating to child custody and support; providing a directive to the Division of Statutory Revision to retitle ch. 61, F.S.; amending s. 61.046, F.S.; defining the terms "parenting plan," "parenting plan recommendation," and "time-sharing schedule"; deleting definitions of the terms "custodial parent" and "noncustodial parent"; amending ss. 61.052, 61.09, and 61.10, F.S.; conforming provisions to changes in terminology; repealing s. 61.121, F.S., relating to rotating custody; amending s. 61.122, F.S.; conforming provisions to changes in terminology; revising provisions relating to a presumption of good faith for psychologists making specified determinations; amending s. 61.13, F.S.; revising provisions relating to modification of support; conforming provisions to changes in terminology; revising provisions relating to development of a parenting plan; amending s. 61.13001, F.S.; conforming provisions to changes in terminology; deleting obsolete definitions; amending s. 61.13002, F.S.; providing for orders of temporary support for children whose time-sharing is temporarily modified due to a parent's military service; conforming provisions to changes in terminology; amending ss. 61.14, 61.181, and 61.1827, F.S.; conforming provisions to changes in terminology; conforming a cross-reference; amending s. 61.20, F.S.; conforming provisions to changes in terminology; revising provisions relating to social investigation and recommendations regarding a parenting plan; amending s. 61.21, F.S.; conforming provisions to changes in terminology; amending s. 61.30, F.S.; conforming provisions to changes in terminology; amending ss. 61.401, 61.45, 409.2554, and 409.2558, F.S.; conforming provisions to changes in terminology; amending s. 409.2563, F.S.; conforming provisions to changes in terminology; revising provisions relating to presumption of a parent's income for the purpose of establishing a support obligation; deleting an obsolete provision concerning a study by the Office of Program Policy Analysis and Government Accountability; amending ss. 409.2564, 409.25657, 409.25659, and 409.2577, F.S.; conforming provisions to changes in terminology; amending s. 409.2579, F.S.; conforming a cross-reference; amending ss. 409.811, 414.0252, 414.065, 414.085, 414.095, 414.295, and 445.024, F.S.; conforming provisions to changes in terminology; amending s. 741.0306, F.S.; revising requirements for a family law handbook; conforming provisions to changes in terminology; requiring a review of the handbook and report to the Legislature; amending s. 741.30, F.S.; conforming provisions to changes in terminology; amending s. 742.031, F.S.; conforming provisions to changes in terminology; providing for time-sharing and parental responsibility in paternity judgments; amending ss. 753.01 and 827.06, F.S.; conforming provisions to changes in terminology; reenacting s. 61.1825(3)(a), F.S., relating to relating to the State Case Registry, to incorporate the amendments made to s. 741.30, F.S., in a reference thereto; providing an effective date.

By the Committees on Health and Human Services Appropriations; Banking and Insurance; and Senators Peaden and Gaetz—

CS for CS for SB 2534—A bill to be entitled An act relating to health insurance; amending s. 112.363, F.S.; specifying that coverage provided through the Cover Florida Health Care Access Program is considered health insurance coverage for the purposes of determining eligibility for the state retiree health insurance subsidy; amending s. 408.909, F.S.; revising eligibility for enrollment in a health flex plan; revising the expiration date of the health flex plan program; creating s. 408.9091, F.S.; creating the Cover Florida Health Care Access Program; providing a short title; providing legislative intent; providing definitions; requiring the Agency for Health Care Administration and the Office of Insurance Regulation of the Financial Services Commission within the Department of Financial Services to jointly administer the program; providing program requirements; requiring the development of guidelines to meet minimum standards for quality care and access to care; requiring the agency to ensure that the Cover Florida plans follow standardized grievance procedures; requiring the Executive Office of the Governor, the agency, and the office to develop a public awareness program; authorizing public and private entities to design or extend incentives for

participation in the Cover Florida Access Program; requiring the agency and the office to announce an invitation to negotiate for Cover Florida plan entities to design a coverage proposal; requiring the agency and the office to approve one plan entity; authorizing the agency and the office to approve one regional network plan in each existing Medicaid area; requiring the invitation to negotiate to include certain guidelines; providing certain conditions in which plans are disapproved or withdrawn; authorizing the agency and the office to announce an invitation to negotiate for companies that offer supplemental insurance or discount medical plans; providing that certain licensing requirements or ch. 641, F.S., are not applicable to a Cover Florida plan; providing that Cover Florida plans are considered insurance under certain conditions; excluding Cover Florida plans from the Florida Life and Health Insurance Guaranty Association and the Health Maintenance Organization Consumer Assistance Plan; providing requirements for eligibility in a Cover Florida plan; requiring each Cover Florida plan to maintain and provide certain records; providing that coverage under a Cover Florida plan is not an entitlement and does not give rise to a cause of action; requiring the agency and the office to evaluate the Cover Florida program and submit an annual report to the Governor and the Legislature; requiring the agency and the Financial Services Commission to adopt rules; amending s. 627.6562, F.S.; requiring insurance policies that provide dependent coverage to provide the policyholder with the option of insuring a child until the age of 30 under certain circumstances; providing an effective date.

By the Committee on Children, Families, and Elder Affairs; and Senator Storms—

CS for SB 2626—A bill to be entitled An act relating to mental health and substance abuse services; amending s. 394.9082, F.S.; providing legislative findings and intent; establishing goals; specifying roles and responsibilities of the Department of Children and Family Services; creating community-based systems of care; authorizing the implementation of managing entities by the Department of Children and Family Services; establishing a process for contracting with managing entities; specifying qualifying criteria for managing entities; specifying responsibilities of managing entities; specifying requirements for management information systems; providing for evaluations and reports; providing for a monitoring process; providing an effective date.

By the Committee on Regulated Industries; and Senator Constantine—

CS for SB 2640—A bill to be entitled An act relating to the Reduced Cigarette Ignition Propensity Standard and Firefighter Protection Act; creating s. 633.042, F.S.; providing a short title; providing legislative findings and intent; providing definitions; providing cigarette testing methods and performance standards; providing specific testing criteria; requiring manufacturers to provide certain written certification; requiring cigarettes to be marked in specific manners; providing for alternative testing methods under certain circumstances; providing reporting requirements; providing the Division of Alcoholic Beverages and Tobacco with certain powers and responsibilities; providing certification requirements for manufacturers; providing fee; providing for the deposit of certification fees into the Reduced Cigarette Ignition Propensity and Firefighter Protection Enforcement Trust Fund; providing requirements for the marking of certain cigarette packaging; providing reporting requirements; providing approval requirements for markings submitted to the division by a manufacturer; providing notification requirements; providing fines and penalties; providing for the deposit of penalties into the Fire Prevention and Public Safety Trust Fund; providing the division with rulemaking authority; authorizing certain government entities with inspection powers to examine specified documents of any person in possession, control, or occupancy of any premises where cigarettes are placed, stored, sold, or offered for sale, as well as the stock of cigarettes on the premises; providing that nothing in the act shall be construed to prohibit any person or entity from manufacturing or selling cigarettes that do not meet the specified requirements if such cigarettes are or will be stamped for sale in another state or are packaged for sale outside the United States; providing for repeal upon the enactment of a preemptive federal standard; prohibiting local government units from enacting and enforcing any ordinance or other local law or regulation that conflicts with, or is preempted by, any provision of the act; providing an effective date.

By the Committees on Health Policy; Banking and Insurance; and Senators Geller, Ring, Bennett, Deutch, Villalobos, Rich, Fasano, Garcia, Wise, Atwater, Margolis, Crist, Joyner, Justice, Dockery, Dean and Dawson—

CS for CS for SB 2654—A bill to be entitled An act relating to autism spectrum disorder; providing a short title; creating s. 627.6686, F.S.; providing definitions; requiring health insurance plans to provide coverage for screening, diagnosis, intervention, and treatment of autism spectrum disorder in certain children; requiring a treatment plan; prohibiting an insurer from denying or refusing coverage or refusing to renew or reissue or terminate coverage based on a diagnosis of autism spectrum disorder; providing coverage limitations; providing treatment plan requirements; limiting the frequency of requests for updating a treatment plan; providing eligibility requirements; providing a maximum benefit limitation; providing for annual adjustments of the maximum benefit limitation; amending s. 1004.55, F.S.; relocating the regional autism center at Florida State University from the Department of Communication Disorders to the College of Medicine; providing for application of the act; providing an effective date.

By the Committee on Health Regulation; and Senator Peaden—

CS for SB 2756—A bill to be entitled An act relating to drugs, devices, and cosmetics; amending and reorganizing provisions in part I of ch. 499, F.S.; amending s. 499.002, F.S.; expanding the provisions of the section to include administration and enforcement of, exemptions from, and purpose of the part; amending and redesignating ss. 499.004, 499.0053, 499.07, 499.071, and 499.081, F.S., as provisions in that section relating to such functions to conform; amending s. 499.003, F.S.; revising and providing definitions; amending and redesignating provisions in ss. 499.012, 499.029, and 499.0661, F.S., relating to definitions, as provisions of that section; amending s. 499.005, F.S.; conforming provisions to changes made by the act, including the substitution of the term "prescription drug" for the term "legend drug"; amending s. 499.0051, F.S.; substituting the term "prescription drug" for the term "legend drug" with regard to criminal acts; consolidating criminal act provisions of part I of ch. 499, F.S.; amending and redesignating ss. 499.0052, 499.00535, 499.00545, 499.069, and 499.0691, F.S., as criminal offense provisions in that section; providing penalties; conforming provisions to changes made by the act; amending s. 499.0054, F.S., relating to advertising and labeling of drugs, devices, and cosmetics to include certain exemptions; amending and redesignating ss. 499.0055 and 499.0057, F.S., as provisions relating to those functions in that section; amending s. 499.006, F.S.; conforming provisions to changes made by the act; amending s. 499.007, F.S.; conforming provisions to changes made by the act; providing that a drug or device is misbranded if it is an active pharmaceutical ingredient in bulk form and does not bear a label containing certain information; amending ss. 499.008 and 499.009, F.S.; conforming provisions to changes made by the act; amending s. 499.01, F.S.; providing that the section relates only to permits; providing requirements for obtaining a permit to operate in certain capacities; deleting certain permit requirements; amending and redesignating provisions of ss. 499.012, 499.013, and 499.014, F.S., relating to such functions as provisions of that section; conforming provisions and cross-references to changes made by the act; amending s. 499.012, F.S.; providing that the section relates to permit application requirements; amending the provisions to conform; amending and redesignating provisions of s. 499.01, F.S., relating to such functions as provisions of that section; conforming provisions and cross-references to changes made by the act; amending s. 499.01201, F.S.; conforming provisions to changes made by the act; amending s. 499.0121, F.S., relating to storage and handling of prescription drugs and recordkeeping; directing the department to adopt rules requiring a wholesale distributor to maintain pedigree papers separate and distinct from other required records; deleting a requirement that a person who is engaged in the wholesale distribution of a prescription drug and who is not the manufacturer of that drug provide a pedigree paper to the person who receives the drug; deleting the department's requirement to adopt rules with regard to recordkeeping by affiliated groups; conforming provisions and cross-references to changes made by the act; amending and redesignating a provision of s. 499.013, F.S., relating to such

functions as a provision of that section; amending s. 499.01211, F.S.; conforming provisions and cross-references to changes made by the act; creating s. 499.01212, F.S.; requiring a person who is engaged in the wholesale distribution of a prescription drug to provide a pedigree paper to the person who receives the drug; requiring certain information in a pedigree paper; requiring a wholesale distributor to maintain and make available to the department certain information; providing exceptions to the requirement of a pedigree paper; repealing s. 499.0122, F.S., relating to medical oxygen and veterinary legend drug retail establishments; repealing s. 499.013, F.S., relating to manufacturers and repackagers of drugs, devices, and cosmetics; amending ss. 499.015, 499.024, 499.028, 499.029, and 499.03, F.S.; conforming provisions and cross-references to changes made by the act; amending ss. 499.032 and 499.033, F.S.; conforming terminology to changes made by the act; amending s. 499.039, F.S.; conforming a provision and cross-reference; amending ss. 499.04 and 499.041, F.S.; conforming provisions to changes made by the act; amending s. 499.05, F.S.; conforming provisions to changes made by the act; requiring the department to adopt rules with regard to procedures and forms relating to pedigree paper requirements, alternatives to compliance with the requirement of certain pedigree papers, and the return of prescription drugs purchased before a specified date; amending and redesignating provisions of ss. 499.013 and 499.0122, F.S., as provisions relating to rulemaking functions of that section; amending ss. 499.051, 499.052, 499.055, and 499.06, F.S.; conforming provisions to changes made by the act; amending s. 499.062, F.S.; providing that the section relates to seizure and condemnation of drugs, devices, or cosmetics; conforming a provision to changes made by the act; amending and redesignating ss. 499.063 and 499.064, F.S., as provisions relating to such functions in that section; amending ss. 499.065, 499.066, 499.0661, and 499.067, F.S.; conforming provisions and cross-references to changes made by the act; amending ss. 409.9201, 460.403, 465.0265, 794.075, 895.02, and 921.0022, F.S.; conforming cross-references to changes made by the act; providing an effective date.

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

CS for CS for SB 2760—A bill to be entitled An act relating to dentistry; amending s. 466.003, F.S.; providing a definition; amending s. 466.006, F.S.; revising the requirements for entitlement to take the necessary examinations to practice dentistry in this state; creating s. 466.0067, F.S.; providing requirements for application for a health access dental license in this state; creating s. 466.00671, F.S.; providing requirements for renewal of a health access dental license; creating s. 466.00672, F.S.; providing conditions in which the Board of Dentistry of the Department of Health may revoke a health access dental license; providing that the failure of a holder of a health access dental license to limit the practice of dentistry to health access settings is the unlicensed practice of dentistry; creating s. 466.00673, F.S.; providing for the repeal of statutory language regarding health access dental licensure; creating s. 466.00775, F.S.; requiring the board to adopt rules; amending s. 466.011, F.S.; conforming provisions to changes made in this act; amending s. 466.021, F.S.; revising requirements relating to retention of dental laboratories by dentists; changing terminology to reflect employment of dental laboratories and to change references to work orders to prescriptions; requiring a dental laboratory to keep the original or an electronic copy of prescriptions; amending s. 466.023, F.S.; authorizing dental hygienists to do certain tasks with and without general supervision; amending s. 466.032, F.S.; requiring specified continuing education for renewal of registration of a dental laboratory by a time certain; providing a listing of agencies or organizations that are authorized to develop and offer continuing education; requiring a dental laboratory owner to submit a sworn statement attesting to compliance with continuing education requirements and providing specified information; authorizing the Department of Health to request documentation of continuing education; authorizing the department to request such documentation at random without cause; providing exemptions from continuing education requirements; providing for voluntary compliance by certain dental laboratories; providing an effective date.

By the Committee on Children, Families, and Elder Affairs; and Senator Dockery—

CS for SB 2762—A bill to be entitled An act relating to confidential records of children; creating s. 39.00145, F.S.; requiring that the case file of a child under the supervision or in the custody of the Department of Children and Family Services be maintained in a complete and accurate manner; specifying who has access to the case file and records in the file; authorizing the court to directly release the child's records to certain entities; providing that entities that have access to confidential information about a child may share it with other entities that provide services benefiting children; amending s. 39.202, F.S.; clarifying who has access to a child's records and who may bring an action to require access to confidential records held by the department; amending s. 39.2021, F.S.; expanding the authority of the Department of Children and Family Services to release records relating to children on its own initiative upon a showing of good cause; requiring notice to certain parties before release; providing for a court order to stop the release; amending s. 402.115, F.S.; adding the Department of Juvenile Justice to the list of agencies that are authorized to exchange confidential information; amending s. 415.107, F.S.; clarifying who may bring an action to require access to confidential records held by the Department of Children and Family Services; amending s. 415.1071, F.S.; expanding the authority of the department to release records relating to vulnerable adults on its own initiative upon a showing of good cause; requiring notice to certain parties before release; providing for a court order to stop the release; providing an effective date.

By the Committee on Finance and Tax; and Senator Haridopolos—

CS for SB 2788—A bill to be entitled An act relating to tax administration; amending s. 72.011, F.S.; revising the time for commencing actions to contest a tax matter; amending s. 125.0104, F.S.; revising the list of living quarters or accommodations that are subject to taxation; providing definitions; providing for taxation of regulated short-term products; providing that the occupancy of a timeshare resort and membership or transaction fee paid by a timeshare owner are not a privilege subject to taxation; providing that consideration paid for the purchase of a timeshare license in a timeshare plan is rent subject to taxation; authorizing the Department of Revenue to establish audit procedures and to access for delinquent taxes; requiring the person operating transient accommodations to separately state the tax charged on a receipt or other documentation; providing that persons facilitating the booking of reservations are not required to separately state tax amounts charged; requiring that such amounts be remitted as tax and classified as county funds; providing additional specified uses for certain tourist tax revenue by certain counties; specifying that certain provisions of the act are clarifying and remedial in nature and are not a basis for assessments of tax or for refunds of tax for periods before the effective date of the act; amending s. 192.0105, F.S.; revising the list of tax-related forms that a taxpayer has a right to keep confidential; amending s. 196.192; providing that educational institutions owned by exempt entities are also exempt from ad valorem taxation; amending s. 201.02, F.S.; requiring a notation indicating a nonprofit's exemption from the documentary stamp tax; amending s. 202.125, F.S.; providing an exemption from the communications services tax for communications services used for a pari-mutuel permitholder's simulcasting and intertrack wagering activities; providing for retroactive application; amending ss. 212.03 and 212.0305, F.S.; revising the list of living quarters or sleeping or housekeeping accommodations that are subject to taxation; providing definitions; providing for taxation of regulated short-term products; providing that the occupancy of an accommodation of a timeshare resort and membership or transaction fee paid by a timeshare owner is not a privilege subject to taxation; providing that consideration paid for the purchase of a timeshare license in a timeshare plan is rent subject to taxation; requiring the person operating transient accommodations to separately state the tax charged on a receipt or other documentation; providing that persons facilitating the booking of reservations are not required to separately state tax amounts charged; requiring that such amounts be remitted as tax and classified as county funds; specifying that certain provisions of the act are clarifying and remedial in nature and are not a basis for assessments of tax or for refunds of tax for periods before the effective date of the act; amending s. 212.031, F.S.; conforming a cross-reference; amending s. 212.055, F.S.; authorizing certain counties to levy a hospital surtax subject to referendum approval; providing for the allocation and uses of the surtax proceeds; amending s. 212.07, F.S.; conforming a cross-reference; providing penalties for knowingly failing to collect taxes due; amending s. 212.08, F.S.; revising provisions relating to the tax exemption for building materials used to rehabilitate real property in enterprise zones; providing an exemption from the sales and use tax for an aircraft that is temporarily used in this state; providing that proof of

temporary usage may be shown by specific documentation; amending s. 212.12, F.S.; revising penalties for failing to report taxes due; amending s. 212.18, F.S.; revising penalties for failing to register as a dealer; amending s. 213.015, F.S.; conforming a cross-reference; amending s. 213.053, F.S.; revising provisions relating to confidentiality; authorizing the Department of Revenue to send certain general information to taxpayers by electronic means; deleting a provision that allows the disclosure of certain information to the Chief Financial Officer; authorizing the department to provide taxpayer information to the Division of Hotels and Restaurants; providing an additional exception from the public-records exemption; authorizing the Department of Revenue to publish a list of delinquent taxpayers; authorizing the department to adopt rules; creating s. 213.0532, F.S.; requiring financial institutions to enter into agreements with the department to conduct data matches to identify delinquent taxpayers; providing definitions; requiring the department to pay a fee to cover the cost to the institution; providing immunity from liability for certain actions by the institution; authorizing the department to institute civil actions; authorizing the department to adopt rules; amending s. 213.25, F.S.; clarifying that the department's authority to reduce tax refunds or credits by the amount of other taxes owed applies to unemployment compensation taxes; amending s. 213.67, F.S.; revising the time for commencing actions to contest a tax levy; creating s. 213.691, F.S.; authorizing the Department of Revenue to issue or file integrated warrants and judgment lien certificates; creating s. 213.692, F.S.; authorizing the department to file a single consolidated tax warrant for multiple taxes due and to revoke a taxpayer's certificate of registration if the taxpayer owes any taxes to the state; requiring a cash deposit or other security for issuing a new certificate of registration; authorizing the department to adopt rules; authorizing emergency rules; creating s. 213.758, F.S.; assigning tax liability when property is transferred; requiring a taxpayer who quits the business without benefit of a purchaser to make a final return and full payment within a specified period; providing for the Department of Legal Affairs to issue an injunction; specifying a transferee's liability for tax, interest, and penalties; authorizing the Department of Revenue to adopt rules; amending s. 220.193, F.S.; allowing a corporation that owns a partnership or limited liability company that produces and sells electricity from a new or expanded renewable energy facility to claim a renewable energy production credit; providing for proration among multiple owners; providing for retroactive application; amending s. 220.21, F.S.; revising provisions relating to the electronic filing of corporate taxes; providing for retroactivity; amending s. 336.021, F.S.; revising the order for distributing the local option fuel tax revenues; amending s. 443.1215, F.S.; revising a cross-reference; amending s. 443.1316, F.S.; conforming provisions to changes made by the act; amending s. 443.141, F.S.; providing penalties for erroneous, incomplete, or insufficient unemployment compensation tax reports filed by employers; providing a statute of limitation on liens for the collection of unpaid unemployment taxes; amending s. 509.261, F.S.; authorizing the Division of Hotels and Restaurants to fine, suspend, or revoke a license for violating state tax laws; amending s. 624.509, F.S.; deleting the alternative salary tax credit calculation for mutual holding companies; amending s. 695.22, F.S.; requiring the actual purchase price to be included on deeds and conveyances filed for record; amending s. 695.26, F.S.; requiring the actual purchase price to be shown on an instrument by which the title to real property or any interest therein is conveyed; repealing s. 213.054, F.S., relating to a report naming persons who claim a deduction for the net earnings of an international banking facility; providing for retroactive application of specified provisions; providing effective dates.

REFERENCE CHANGES PURSUANT TO RULE 4.7(2)

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

CS for SB 1762—A bill to be entitled An act relating to postsecondary distance learning; creating s. 1004.09, F.S.; establishing the Florida Distance Learning Consortium; requiring the consortium to contract with the Department of Education or a public postsecondary education institution for certain administrative services; providing that a board govern the consortium; providing membership and terms for such board; providing for the reimbursement of per diem and travel expenses; requiring the board to establish procedures governing its operations and responsibilities; providing for meetings to be held a certain number of times each year; providing that a majority of the board members constitutes a quorum; providing for the appointment of an executive director; providing duties and responsibilities; requiring the consortium to submit a report to the Governor, the Legislature, the State Board of Education, and the Board of Governors; requiring that certain information be included in such report; providing for the future expiration of certain provisions; creating s. 1004.091, F.S.; establishing the Florida Higher Education Distance Learning Catalog; providing the responsibilities for such catalog; requiring the catalog to establish its operational guidelines and procedures; requiring that the catalog include a web-based analytic tool; amending ss. 1009.23 and 1009.24, F.S.; revising provisions relating to community college student fees and state university student fees; authorizing the State Board of Education to adopt rules; authorizing a community college and a state university to assess a per credit hour distance learning course fee; providing that the fee not exceed a certain percent of the tuition if the student is classified as a resident for tuition purposes; requiring that the community college or state university reduce the fee if such fee exceeded a certain percent during a specified fiscal year; requiring the community college or state university to assess the fee only for courses listed in the catalog; providing an effective date.

—was referred to the Committee on Higher Education.

By the Committee on Criminal and Civil Justice Appropriations; and Senator Crist—

CS for SB 1800—A bill to be entitled An act relating to correctional work programs; creating the Correctional Work Program Authority; assigning the authority to the Agency for Workforce Innovation for administrative purposes; providing a purpose for the authority; providing for membership of the authority; requiring that the authority meet by a specified date; requiring the authority to present a report to the Governor and the Legislature; specifying the content of the findings and the recommendations; providing for future expiration of provisions creating the authority; providing an effective date.

—was referred to the Committees on Criminal Justice; and Commerce.

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

CS for SB 1914—A bill to be entitled An act relating to education; amending s. 1000.21, F.S.; providing definitions; amending s. 1001.452, F.S.; revising provisions relating to membership of school advisory councils; amending s. 1003.41, F.S.; requiring that the State Board of Education replace the Sunshine State Standards with the Sunshine State Standards 2.0; providing for application of the Sunshine State Standards pending adoption of the Sunshine State Standards 2.0; providing requirements concerning the content and organization of the Sunshine State Standards 2.0; requiring that the Sunshine State Standards 2.0 establish core curricular content in specified areas for certain grades or strands; requiring that the state board establish schedules for the adoption and revision of the Sunshine State Standards 2.0; requiring that the state board adopt the Sunshine State Standards 2.0 by a specified date; requiring the Commissioner of Education to provide proposed Sunshine State Standards 2.0 or proposed revisions of such standards to the state board; providing requirements concerning the commissioner's development of the proposed standards or revisions; requiring consultation with certain experts; requiring distribution of a proposal developed by the commissioner for review and comment by certain experts; requiring a written evaluation of the proposal developed by the commissioner by a research institution meeting specified criteria; requiring provision of the commissioner's proposed standards and the written evaluation and comments to the Governor, the President of the Senate, and the Speaker of the House of Representatives; authorizing rulemaking by the State Board of Education; amending s. 1008.22, F.S.; revising provisions governing application of testing requirements for high school graduation; providing requirements concerning the Commissioner of Education's scoring of a statewide assessment when such assessment is revised; providing criteria concerning the testing and scores required for a continuously enrolled student to earn a standard high school diploma; authorizing the commissioner to discontinue administration of an outdated assessment under certain conditions; amending s. 1008.31, F.S.; declaring the legislative intent that the K-20 education system comply with the Individuals with Disabilities Education Act; amending s. 1012.71, F.S.; revising requirements for the use of program funds by classroom teachers; providing for the disbursement of funds to school districts; specifying the means for providing a classroom teacher with his or her

proportionate share of program funds; providing that funds received are not subject to collective bargaining; providing for retroactive effect; providing requirements for accounting of expenditures and reimbursement of funds under certain conditions; amending s. 1013.12, F.S.; requiring that a school cafeteria post certain information concerning its sanitation certificate and inspection; providing effective dates.

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

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

CS for SB 2326—A bill to be entitled An act relating to certificates of need; amending s. 408.035, F.S.; revising the requirements for the Agency for Health Care Administration with respect to reviewing an application for a certificate of need for a general hospital; amending s. 408.037, F.S.; revising the requirements for an application for a certificate of need by an applicant for a general hospital; amending s. 408.039, F.S.; prohibiting an applicant for a general hospital that is awaiting issuance of a final order from filing a letter of intent to file an application; limiting the period of a continuance that may be granted with respect to an administrative hearing considering an application for a general hospital; requiring that the party appealing a final order granting a certificate of need for a general hospital pay the appellee's attorney's fees and costs and post a bond to maintain the appeal; repealing s. 408.040(3), F.S., relating to a requirement for an architect's certification of final payment before issuance of a certificate of need; providing for application of the act; providing an effective date.

—was placed on the Calendar.

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

CS for SB 2388—A bill to be entitled An act relating to fire prevention and control; amending ss. 218.23 and 447.203, F.S.; revising cross-references; amending s. 553.895, F.S.; revising outdated publication references; amending s. 633.01, F.S.; revising a provision relating to requirements for the State Fire Marshal to make certain firesafety inspections and take certain corrective actions; amending s. 633.02, F.S.; providing the correct name for the State Fire Marshal; amending s. 633.022, F.S.; revising provisions relating to uniform firesafety standards to include application to tunnels; revising requirements pertaining to supervised automatic sprinkler systems within nursing homes; creating s. 633.0221, F.S.; requiring the State Fire Marshal, in consultation with the Department of Education, to adopt uniform firesafety standards for educational facilities; specifying uniform firesafety standards; providing for periodic inspections of property by district school boards; providing for inspections of educational property by the State Fire Marshal; providing for inspections of public postsecondary education facilities; providing for actions to correct firesafety deficiencies; specifying additional standards; amending s. 633.0245, F.S.; changing the application deadline for participation in the State Fire Marshal Nursing Home Loan Guarantee Program; amending s. 633.025, F.S.; providing requirements for firesafety plans and inspections for manufactured buildings; amending s. 633.03, F.S.; expanding application of authority of the State Fire Marshal to investigate fires to include explosions; amending s. 633.061, F.S.; revising the type of fire suppression equipment in which a person must be licensed in order to engage in the business of servicing, inspecting, recharging, hydrotesting, or installing; revising the requirements for the renewal of a license to engage in the business of servicing, inspecting, recharging, hydrotesting, or installing fire suppression equipment; amending s. 633.081, F.S.; authorizing the State Fire Marshal to inspect buildings or structures for certain violations; abolishing special state firesafety inspector classifications; providing for certification as a firesafety inspector; providing application and examination requirements; authorizing the State Fire Marshal to develop a certain advanced training and certification program for firesafety inspectors; authorizing the Division of State Fire Marshal to enter into a reciprocity agreement with the Florida Building Code Administrators and Inspectors Board for certain continuing education recertification purposes; amending s. 633.085, F.S.; revising requirements for the State Fire Marshal to inspect state buildings; amending s. 633.101, F.S.; revising and expanding the authority and powers of the State Fire Marshal to administer oaths, compel attendance of witnesses, and collect evidence; providing certain forms of immunity from liability for certain actions and persons under certain circumstances; exempting certain information from discovery under certain circumstances; exempting agents of the State Fire Marshal from subpoena under certain circumstances; specifying limitations on treatment of physical evidence; authorizing persons and agents of the State Fire Marshal to submit certain crime-related reports or information to the State Fire Marshal; authorizing agents of the State Fire Marshal to make arrests as state law enforcement officers under certain circumstances; providing that it is unlawful to resist arrest; amending s. 633.121, F.S.; expanding the list of eligible persons authorized to enforce laws and rules of the State Fire Marshal; amending s. 633.13, F.S.; revising a provision relating to the authority of agents of the State Fire Marshal; amending s. 633.14, F.S.; revising and expanding powers regarding arrests, searches, and the carrying of firearms by State Fire Marshal agents and investigators; amending s. 633.161, F.S.; expanding the list of violations for which the State Fire Marshal may issue certain enforcement orders; providing criminal penalties for failure to comply with such orders; amending s. 633.171, F.S.; conforming a provision; amending s. 633.175, F.S.; specifying additional powers granted to the State Fire Marshal; amending s. 633.18, F.S.; revising a provision relating to conduct of inquiries or investigations by agents of the State Fire Marshal; amending s. 633.30, F.S.; revising and providing definitions; amending s. 633.34, F.S.; revising requirements for qualification for employment as a firefighter; amending s. 633.35, F.S.; revising requirements for firefighter training and certification; amending s. 633.351, F.S.; revising provisions for disciplinary actions for firefighters; revising standards for revocation of firefighter certifications; amending s. 633.352, F.S.; revising requirements for retention of firefighter certification; amending s. 633.382, F.S.; revising provisions regarding required supplemental compensation for firefighters; amending s. 633.524, F.S.; authorizing the State Fire Marshal to contract to provide certain examinations; amending s. 633.541, F.S.; expanding an exclusion from application of a prohibition against contracting without certification for certain homeowners; amending s. 633.72, F.S.; revising the membership terms of the Fire Code Advisory Council; amending s. 633.811, F.S.; expanding authority of the division to enforce provisions of law and rules applicable to employers; authorizing assessment of administrative fines; amending s. 633.821, F.S.; deleting certain obsolete provisions requiring counties, municipalities, and special districts to implement certain provisions of federal law; amending s. 1013.12, F.S.; revising provisions regarding casualty, safety, sanitation, and firesafety standards and inspections of educational facilities and ancillary plants and reporting requirements; providing an effective date.

—was referred to the Committees on Community Affairs; Criminal Justice; Higher Education Appropriations; and General Government Appropriations.

By the Committee on Regulated Industries; and Senator Constantine—

CS for SB 2584—A bill to be entitled An act relating to trust funds; creating the Reduced Cigarette Ignition Propensity and Firefighter Protection Enforcement Trust Fund within the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation; providing for a source of funds and purpose of the trust fund; providing for an annual carryforward of funds; providing for future review and termination or re-creation of the trust fund; providing a contingent effective date.

—was referred to the Committees on Judiciary; and General Government Appropriations.

By the Committee on Regulated Industries; and Senator Constantine—

CS for SB 2586—A bill to be entitled An act relating to trust funds; creating the Fire Prevention and Public Safety Trust Fund within the Department of Financial Services; providing for a source of funds and purpose of the trust fund; providing for an annual carryforward of funds;

providing for future review and termination or re-creation of the trust fund; providing a contingent effective date.

—was referred to the Committees on Judiciary; and General Government Appropriations.

By the Committee on Regulated Industries; and Senator Constantine—

CS for SB 2640—A bill to be entitled An act relating to the Reduced Cigarette Ignition Propensity Standard and Firefighter Protection Act; creating s. 633.042, F.S.; providing a short title; providing legislative findings and intent; providing definitions; providing cigarette testing methods and performance standards; providing specific testing criteria; requiring manufacturers to provide certain written certification; requiring cigarettes to be marked in specific manners; providing for alternative testing methods under certain circumstances; providing reporting requirements; providing the Division of Alcoholic Beverages and Tobacco with certain powers and responsibilities; providing certification requirements for manufacturers; providing fee; providing for the deposit of certification fees into the Reduced Cigarette Ignition Propensity and Firefighter Protection Enforcement Trust Fund; providing requirements for the marking of certain cigarette packaging; providing reporting requirements; providing approval requirements for markings submitted to the division by a manufacturer; providing notification requirements; providing fines and penalties; providing for the deposit of penalties into the Fire Prevention and Public Safety Trust Fund; providing the division with rulemaking authority; authorizing certain government entities with inspection powers to examine specified documents of any person in possession, control, or occupancy of any premises where cigarettes are placed, stored, sold, or offered for sale, as well as the stock of cigarettes on the premises; providing that nothing in the act shall be construed to prohibit any person or entity from manufacturing or selling cigarettes that do not meet the specified requirements if such cigarettes are or will be stamped for sale in another state or are packaged for sale outside the United States; providing for repeal upon the enactment of a preemptive federal standard; prohibiting local government units from enacting and enforcing any ordinance or other local law or regulation that conflicts with, or is preempted by, any provision of the act; providing an effective date.

—was referred to the Committees on Judiciary; and General Government Appropriations.

By the Committee on Health Regulation; and Senator Peaden—

CS for SB 2756—A bill to be entitled An act relating to drugs, devices, and cosmetics; amending and reorganizing provisions in part I of ch. 499, F.S.; amending s. 499.002, F.S.; expanding the provisions of the section to include administration and enforcement of, exemptions from, and purpose of the part; amending and redesignating ss. 499.004, 499.0053, 499.07, 499.071, and 499.081, F.S., as provisions in that section relating to such functions to conform; amending s. 499.003, F.S.; revising and providing definitions; amending and redesignating provisions in ss. 499.012, 499.029, and 499.0661, F.S., relating to definitions, as provisions of that section; amending s. 499.005, F.S.; conforming provisions to changes made by the act, including the substitution of the term "prescription drug" for the term "legend drug"; amending s. 499.0051, F.S.; substituting the term "prescription drug" for the term "legend drug" with regard to criminal acts; consolidating criminal act provisions of part I of ch. 499, F.S.; amending and redesignating ss. 499.0052, 499.00535, 499.00545, 499.069, and 499.0691, F.S., as criminal offense provisions in that section; providing penalties; conforming provisions to changes made by the act; amending s. 499.0054, F.S., relating to advertising and labeling of drugs, devices, and cosmetics to include certain exemptions; amending and redesignating ss. 499.0055 and 499.0057, F.S., as provisions relating to those functions in that section; amending s. 499.006, F.S.; conforming provisions to changes made by the act; amending s. 499.007, F.S.; conforming provisions to changes made by the act; providing that a drug or device is misbranded if it is an active pharmaceutical ingredient in bulk form and does not bear a label containing certain information; amending ss. 499.008 and 499.009, F.S.; conforming provisions to changes made by the act; amending s. 499.01, F.S.; providing that the section relates only to permits; providing requirements for obtaining a permit to operate in certain capacities; deleting certain permit requirements; amending and redesignating provisions of ss. 499.012, 499.013, and 499.014, F.S., relating to such functions as provisions of that section; conforming provisions and cross-references to changes made by the act; amending s. 499.012, F.S.; providing that the section relates to permit application requirements; amending the provisions to conform; amending and redesignating provisions of s. 499.01, F.S., relating to such functions as provisions of that section; conforming provisions and cross-references to changes made by the act; amending s. 499.01201, F.S.; conforming provisions to changes made by the act; amending s. 499.0121, F.S., relating to storage and handling of prescription drugs and recordkeeping; directing the department to adopt rules requiring a wholesale distributor to maintain pedigree papers separate and distinct from other required records; deleting a requirement that a person who is engaged in the wholesale distribution of a prescription drug and who is not the manufacturer of that drug provide a pedigree paper to the person who receives the drug; deleting the department's requirement to adopt rules with regard to recordkeeping by affiliated groups; conforming provisions and cross-references to changes made by the act; amending and redesignating a provision of s. 499.013, F.S., relating to such functions as a provision of that section; amending s. 499.01211, F.S.; conforming provisions and cross-references to changes made by the act; creating s. 499.01212, F.S.; requiring a person who is engaged in the wholesale distribution of a prescription drug to provide a pedigree paper to the person who receives the drug; requiring certain information in a pedigree paper; requiring a wholesale distributor to maintain and make available to the department certain information; providing exceptions to the requirement of a pedigree paper; repealing s. 499.0122, F.S., relating to medical oxygen and veterinary legend drug retail establishments; repealing s. 499.013, F.S., relating to manufacturers and repackagers of drugs, devices, and cosmetics; amending ss. 499.015, 499.024, 499.028, 499.029, and 499.03, F.S.; conforming provisions and cross-references to changes made by the act; amending ss. 499.032 and 499.033, F.S.; conforming terminology to changes made by the act; amending s. 499.039, F.S.; conforming a provision and cross-reference; amending ss. 499.04 and 499.041, F.S.; conforming provisions to changes made by the act; amending s. 499.05, F.S.; conforming provisions to changes made by the act; requiring the department to adopt rules with regard to procedures and forms relating to pedigree paper requirements, alternatives to compliance with the requirement of certain pedigree papers, and the return of prescription drugs purchased before a specified date; amending and redesignating provisions of ss. 499.013 and 499.0122, F.S., as provisions relating to rulemaking functions of that section; amending ss. 499.051, 499.052, 499.055, and 499.06, F.S.; conforming provisions to changes made by the act; amending s. 499.062, F.S.; providing that the section relates to seizure and condemnation of drugs, devices, or cosmetics; conforming a provision to changes made by the act; amending and redesignating ss. 499.063 and 499.064, F.S., as provisions relating to such functions in that section; amending ss. 499.065, 499.066, 499.0661, and 499.067, F.S.; conforming provisions and cross-references to changes made by the act; amending ss. 409.9201, 460.403, 465.0265, 794.075, 895.02, and 921.0022, F.S.; conforming cross-references to changes made by the act; providing an effective date.

—was referred to the Committees on Judiciary; and Health and Human Services Appropriations.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

FIRST READING

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has passed HB 7037; has passed as amended CS for HB 503 and requests the concurrence of the Senate.

William S. Pittman III, Chief Clerk

By the Policy and Budget Council; and Representative Sansom—

HB 7037—A bill to be entitled An act for the relief of Alan Jerome Crotzer; providing an appropriation to compensate Alan Jerome Crotzer for wrongful imprisonment and for being a victim of a miscarriage of justice; directing the Chief Financial Officer to draw a warrant; requiring the purchase of an annuity; providing for the waiver of specified

tuition and fees; providing conditions for payment; providing legislative intent; providing an effective date.

—was referred to the Special Master; and the Committee on Judiciary.

By the Environment and Natural Resources Council; and Representative Evers and others—

CS for HB 503—A bill to be entitled An act relating to the "Preservation and Protection of the Right to Keep and Bear Arms in Motor Vehicles Act of 2008"; creating s. 790.251, F.S.; creating the "Preservation and Protection of the Right to Keep and Bear Arms in Motor Vehicles Act of 2008"; providing definitions; providing legislative findings and intent; prohibiting a public or private employer from prohibiting a customer, employee, or invitee from possessing any legally owned firearm that is lawfully possessed and locked inside or locked to a private motor vehicle in a parking lot; prohibiting a public or private employer from violating the privacy rights of a customer, employee, or invitee by verbal or written inquiry regarding the presence of a firearm inside or locked to a private motor vehicle in a parking lot or by the search of a private motor vehicle in a parking lot to ascertain the presence of a firearm within the vehicle; prohibiting actions by a public or private employer against a customer, employee, or invitee based upon verbal or written statements concerning possession of a firearm stored inside a private motor vehicle in a parking lot for lawful purposes; providing conditions under which a search of a private motor vehicle in the parking lot of a public or private employer may be conducted; prohibiting a public or private employer from conditioning employment upon specified licensure status or upon a specified agreement; prohibiting a public or private employer from attempting to prevent or prohibiting any customer, employee, or invitee from entering the parking lot of the employer's place of business because the customer's, employee's, or invitee's private motor vehicle contains a legal firearm; prohibiting public or private employers from terminating the employment of or otherwise discriminating against an employee, or expelling a customer or invitee, for exercising his or her constitutional right to keep and bear arms or for exercising the right of self-defense; providing a condition to the prohibition; providing that such prohibitions apply to all public-sector employers; providing that, when subject to the prohibitions imposed by the act, a public or private employer has no duty of care related to the actions prohibited thereunder; providing specified immunity from liability for public and private employers; providing non-applicability of such immunity; providing construction; providing for enforcement of the act; providing for the award of reasonable personal costs and losses; providing for the award of court costs and attorney's fees; providing exceptions to the prohibitions under the act; providing applicability; providing an effective date.

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

CORRECTION AND APPROVAL OF JOURNAL

The Journal of April 2 was corrected and approved.

CO-INTRODUCERS

Senators Baker—SR 1356; Bullard—SJR 100, SB 142, SJR 172; Dawson—SB 684, SB 1664; Dockery—CS for SB 638, SB 692; Gaetz—CS for CS for CS for SB 392; Lynn—SB 78, SB 846; Margolis—CS for SB 880; Saunders—CS for CS for SB 2654; Wilson—SB 446, CS for SB 682, SB 768, SB 2028; Wise—CS for SB 1440, CS for SB 1908

RECESS

On motion by Senator King, the Senate recessed at 4:21 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 9:00 a.m., Wednesday, April 9 or upon call of the President.

Journal of the Senate

Number 11—Regular Session **Wednesday, April 9, 2008**

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CALL TO ORDER

The Senate was called to order by President Pruitt at 9:00 a.m. A quorum present—39:

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

Excused: Senator Posey; Senator Wilson after 1:45 p.m.

PRAYER

The following prayer was offered by Rabbi Stephen Pinsky, Temple Beth Torah, Wellington:

Our God and the God who links us generation to generation – soul to soul – heart to heart:

As we begin this day's session of the Florida State Senate, let us pause to reflect upon our lives and upon our nation, and upon this our state – upon its dreams and its promise.

We are thankful for this new day and for this season of the year, as days grow longer and the pace of our lives slows just a bit as the earth warms, and cares seemed softened by the sun's lengthening rays. We are grateful for the lives we lead; for our homes which offer us safe havens from life's inevitable storms; for our families which give life purpose and meaning; for our nation – this republic with its "amber waves of grain," its "purple mountain majesties," "its patriot dream," its "alabaster cities," its citizens proud and free, its institutions democratic and open.

And although this nation – and this state – celebrate a vision of "one nation under God," we know all too well that our society, being a creation of men and women, does not yet reflect that which a nation under God must reflect.

Our streets are too often filled with violence and a spreading sense of valuelessness and despair. Our people are not yet one, nor do we all share equally in your gifts to our nation and to our land. There is hunger, there is fear, there is poverty of the body and of the spirit.

Give us, O God, the ability to feel the pain of others, to reach out to them, to share our blessings with them. Help us to build a society – a State – based on equality and on justice, on righteousness and on peace. Give us that wisdom – that breadth of vision – which shall enable us to understand that if the cost of turning this state into a garden seems high to some, the price of making it a desert is higher still.

Grant the women and the men of this Senate the strength and the courage to do what must be done so that this state – this nation – this blessed land of ours – may represent the very best – that we may, indeed, become "one nation under God." Bless the work of their hands, the state and the nation which we love so deeply and of which we are so proud, so that all of God's children – black and white – men and women – Christian, Moslem and Jew – will some day sit at God's table and drink the wine of deliverance and eat the bread of freedom. Amen.

PLEDGE

Senate Pages Amanda L. Bennett of Gulf Breeze; Matthew "Matt" Baker of Merritt Island; Meredith M. Raymond of Boca Raton; and Amanda M. Atwater of North Palm Beach, daughter of Senator Atwater, led the Senate in the pledge of allegiance to the flag of the United States of America.

DOCTOR OF THE DAY

The President recognized Dr. Gregory Williams of Tallahassee, sponsored by Senator Peaden, as doctor of the day. Dr. Williams specializes in Family Practice.

ADOPTION OF RESOLUTIONS

On motion by Senator King—

By Senator King—

SR 2942—A resolution recognizing Coach Mike Martin of the Florida State University Seminoles Baseball Team.

WHEREAS, Michael Martin was born in Charlotte, North Carolina, on February 12, 1944, and

WHEREAS, Mike Martin began his career as a Florida State Seminole as starting center fielder in 1965 and 1966, returned in 1975 as assistant coach, and was promoted to Head Baseball Coach in 1979, and

WHEREAS, the Martin-coached Seminoles have won more baseball games since 2000 than any other school in the NCAA, and

WHEREAS, Coach Martin has coached 70 players who earned All-America honors, as well as 5 players who were named National Players of the Year, and

WHEREAS, under Coach Martin, FSU has won 15 conference championships, including 11 Metro Conference and 4 Atlantic Coast Conference titles, and

WHEREAS, the FSU baseball team has appeared in the NCAA tournament every year that Mike Martin has been head coach, contributing to the streak of 30 consecutive NCAA tournament appearances, and

WHEREAS, FSU has traveled to 12 College World Series under Coach Martin, and

WHEREAS, he was honored with FSU's prestigious Westcott Award for saving the lives of players and staff when, in 2001, Coach Martin and then-assistant coach Chip Baker safely guided the team's charter bus to the side of a busy San Francisco highway after the driver suffered a fatal heart attack, and

WHEREAS, Mike Martin has been honored as Atlantic Coast Conference Coach of the Year five times, in 1996, 1998, 1999, 2001, and 2007, and

WHEREAS, Coach Martin is only the fourth coach in the history of NCAA baseball to achieve 1,500 victories, and

WHEREAS, Coach Martin is the third-winningest coach in Division I NCAA baseball history, and

WHEREAS, on January 5, 2007, Coach Mike Martin was inducted into the American Baseball Coaches Association Hall of Fame, NOW, THEREFORE,

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

That Florida State University Head Baseball Coach Mike Martin is saluted and commended for his great character and talent and the achievements that have resulted therefrom.

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

—was introduced out of order and read by title. On motion by Senator King, **SR 2942** was read the second time in full and adopted.

SPECIAL GUESTS

Senator King introduced the following guests who were present in the chamber: Mike Martin, FSU Head Baseball Coach; and T.K. Wetherell, FSU President.

On motion by Senator Peaden—

By Senator Peaden—

SR 750—A resolution commending the osteopathic physicians of this state and recognizing April 9, 2008, as "Osteopathic Medicine Day."

WHEREAS, osteopathic physicians provide health care services that account for more than 100 million patient visits in this country each year, and

WHEREAS, this state has eight accredited osteopathic hospitals, two osteopathic medical colleges, and the third largest osteopathic physician population in the United States, and

WHEREAS, osteopathic manipulation of the musculoskeletal system is a viable and proven technique for many diagnoses and treatments and provides an alternative to many drug therapies, and

WHEREAS, osteopathic physicians provide comprehensive medical care, including preventive medicine, diagnoses, and the appropriate use of drugs, surgery, manipulation, and hospital referrals, NOW, THEREFORE,

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

That the Florida Senate commends the osteopathic physicians of this state for their contributions to the health and welfare of the residents of this state and recognizes April 9, 2008, as "Osteopathic Medicine Day."

—was introduced out of order and read by title. On motion by Senator Peaden, **SR 750** was read the second time in full and adopted.

At the request of Senator Jones—

By Senator Jones—

SR 2806—A resolution recognizing April 8 and 9, 2008, as "Massage Therapy Legislative Awareness Days."

WHEREAS, members of the Florida State Massage Therapy Association (FSMTA) and the American Massage Therapy Association Florida Chapter (AMTA-FL) throughout the state are actively involved in public awareness and health programs to improve the health and quality of life of Florida residents, and

WHEREAS, the Florida State Massage Therapy Association and American Massage Therapy Association Florida Chapter have been holding Massage Therapy Legislative Awareness Days at the Florida Capitol since 1988 for the purpose of educating the State Legislature and the public concerning the many health benefits of massage therapy, and

WHEREAS, the practice of Massage Therapy is regulated by the Board of Massage Therapy within the Department of Health under chapter 480, Florida Statutes, and

WHEREAS, licensed massage therapists have been licensed and regulated in the State of Florida since 1943, and there are more than 26,000 massage therapists licensed by the state, and

WHEREAS, massage therapy is a low-cost, high-quality means of enhancing and restoring health, and

WHEREAS, increased awareness of the benefits of massage therapy will lead to improved health and vitality of the residents of the State of Florida, and

WHEREAS, the Legislature recognizes massage therapy for wellness and preventive health measures, NOW, THEREFORE,

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

That the Florida Senate recognizes April 8 and 9, 2008, as "Massage Therapy Legislative Awareness Days."

—**SR 2806** was introduced, read and adopted by publication.

At the request of Senator Lawson—

By Senator Lawson—

SR 2832—A resolution recognizing October 15 of this year, and all years, as "Pregnancy and Infant Loss Remembrance Day" in the State of Florida.

WHEREAS, an overwhelming number of families suffer the heartbreak of miscarriage, stillbirth, or infant loss each year, and

WHEREAS, approximately 1 million pregnancies in the United States end in miscarriage, stillbirth, or the death of a newborn baby, and

WHEREAS, it is a great tragedy to lose the life of a child, and

WHEREAS, even the shortest lives are still valuable, and the grief of those who mourn the loss of these lives should not be trivialized, and

WHEREAS, for those persons who have suffered the loss of a pregnancy or infant, a day of remembrance and reflection is more than just a day to remember, it is a day that validates their loss, and

WHEREAS, because of the nature of miscarriages and stillbirths and the lack of understanding of pregnancy loss and infant death, families that suffer these tragedies must often bear their pain and sorrow in private without an opportunity to grieve openly, and

WHEREAS, support from family, friends, and the community is vital to individuals and families who are coping with the loss of a pregnancy or child, and

WHEREAS, Pregnancy and Infant Loss Remembrance Day enables the people of this state to consider how they can meet the needs of

bereaved mothers, fathers, and family members and work to prevent the causes of these deaths, and

WHEREAS, these families need to know that they are not alone and that their tragic loss is not a forgotten loss, NOW, THEREFORE,

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

That the Florida Senate recognizes October 15 of this year, and all years, as "Pregnancy and Infant Loss Remembrance Day" in the State of Florida.

—**SR 2832** was introduced, read and adopted by publication.

At the request of Senator Saunders—

By Senator Saunders—

SR 2916—A resolution recognizing Vietnam War Veterans.

WHEREAS, the Vietnam War has been documented as the longest United States military conflict in history, lasting 30 years, with United States military personnel involvement from 1960 to 1975, and

WHEREAS, the soldiers of the United States 9th Marine Regiment landed in Da Nang in March 1965 to protect United States air bases in South Vietnam, and direct United States military troop involvement commenced in an effort to prevent the collapse of the government of South Vietnam, and

WHEREAS, the United States government committed 2.59 million Air Force, Navy, Marine, and Army personnel to serve in the Vietnam War over a 10-year period with more than 58,000 brave soldiers giving their lives in combat and more than 300,000 soldiers wounded, more than half of those receiving very serious injuries, and

WHEREAS, the average age of those fighting for democracy and freedom in the Vietnam War was 19 years of age - younger than those who served in World War II and the Korean War, and

WHEREAS, the United States government under President Richard M. Nixon initiated United States troop withdrawal in 1969 and on January 27, 1973, the United States, South Vietnam, the PRG, and North Vietnam signed the Treaty of Paris, with the final withdrawal of all troops from Vietnam taking place on March 29, 1973, and

WHEREAS, the Vietnam War Memorial in Washington, D.C. was dedicated in 1982 to commemorate the United States soldiers who died or were declared missing in action in Vietnam, with more than 58,000 names etched in a black granite V-shaped wall that has become a site of pilgrimage for veterans and civilians alike, and

WHEREAS, the Vietnam Veterans' Memorial in Southwest Florida will offer a living testament of democracy and freedom for all who visit it, NOW, THEREFORE,

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

That the members of the Florida Senate pay tribute to the tremendous sacrifices of every veteran, living and deceased, who bravely served this country during the Vietnam War, and affirm that their sacrifices and those of their loved ones will never be forgotten.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to Vietnam Veterans of America Chapter 594 as a tangible token of the sentiments of the Florida Senate.

—**SR 2916** was introduced, read and adopted by publication.

At the request of Senator Saunders—

By Senator Saunders—

SR 2918—A resolution recognizing the Barron Collier High School Cougars' Varsity Girls Basketball Team as winners of the 2008 Florida State High School Athletic Association Class 5A State Championship.

WHEREAS, the Barron Collier High School Cougars' Varsity Girls Basketball Team, under the leadership of Head Coach Mike Hamburger with the assistance of coaches George Gabourel, Ethan Bulger, and Malinka Philson, earned the 2008 Florida State High School Athletic Association Class 5A State Championship, and

WHEREAS, outstanding skill, sportsmanship and competitiveness have been characteristic of Cougars' teammates Jennifer Alexander, Katie Arnold, Kelsey Assarian, Kristen Byers, Rachel Carroll, Amber Emerson, Michaela Hawley, Carly Jacob, Dani Johnson, Kacyee Johnson, Christine Mansour, Karissa Naretta, Saphira Philson, Brittany Reid, Carleigh Watts, and Erin Zampell, and

WHEREAS, Kelsey Assarian received the FHSAA Final Four Most Valuable Player Award, was selected for the All State Team, All Collier County Team, and All News Press Team, and was named the Collier County Athletic Conference 2007-2008 Player of the Year, and

WHEREAS, Erin Zampell was named to the FHSAA Final Four All-Tournament Team and the All Collier County Team, and

WHEREAS, Michaela Hawley and Christine Mansour were named to the All Collier County Team, and

WHEREAS, Dani Johnson was named to the All Collier County Team and received the Naples Daily News Player of the Week Award, NOW, THEREFORE,

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

That the Florida Senate commends the Barron Collier High School Cougars' Varsity Girls Basketball Team for the honor and pride they have brought to this state by their outstanding dedication and performance as athletes.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to the Barron Collier High School Varsity Girls Basketball Team as a tangible token of the sentiments of the Florida Senate.

—**SR 2918** was introduced, read and adopted by publication.

At the request of Senator Aronberg—

By Senator Aronberg—

SR 2944—A resolution recognizing the month of March as "Colon Cancer Awareness Month" in Florida.

WHEREAS, colon cancer is one of the most prevalent, yet in most cases preventable, cancers, and

WHEREAS, among cancer cases in the State of Florida, colon cancer is the second-most-common cause of death among adult men and women, and

WHEREAS, it is possible to have colon or rectal cancer, yet not have any cancer symptoms, and

WHEREAS, it is estimated that 10,920 new cases of colon cancer will be diagnosed among Floridians and 3,420 will die from the disease during the year 2008, and

WHEREAS, the risk for colon cancer increases with age, with more than 90 percent of all colon and rectal cancers diagnosed in adults age 50 or older, and

WHEREAS, Floridians can significantly lower the number of incidents of colon cancer and deaths from this disease by complying with the American Cancer Society colon and rectal cancer screening guidelines, which includes beginning testing at age 50, and

WHEREAS, approximately 41 percent of Floridians age 50 and older report never having received a sigmoidoscopy or colonoscopy exam, two of the screening exams recommended by the American Cancer Society, and

WHEREAS, regular screenings may lower death rates by detecting the disease at its earliest and most treatable stages, and may also prevent some cancers by detecting and removing polyps, and

WHEREAS, the American Cancer Society, Florida Division, has engaged in a comprehensive, integrated approach to significantly impact colorectal cancer in Florida through the launching of its "No Excuses Campaign to Defeat Colon Cancer in Florida," focusing primarily on increasing public awareness, affecting physician behavior through partnerships with health care organizations, and advocating for insurance coverage, NOW, THEREFORE,

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

That the Florida Senate recognizes the month of March 2008 as "Colon Cancer Awareness Month" in Florida and urges all men and women to understand the risks associated with colon cancer, to take preventive steps to minimize those risks, and to undergo early detection procedures in compliance with the American Cancer Society's recommended colon cancer screening guidelines.

—**SR 2944** was introduced, read and adopted by publication.

At the request of Senator Atwater—

By Senator Atwater—

SR 2956—A resolution recognizing November 3-7, 2008, as "Florida Manufacturers Week" in the State of Florida.

WHEREAS, Florida manufacturers currently number 16,911 companies, employing 390,200 residents, and

WHEREAS, manufacturing in Florida contributes $35.9 billion to the state's gross domestic product and represents 93 percent of all exports originating in Florida, and

WHEREAS, Florida manufacturers are doing business in 222 countries, with Brazil, Canada, Venezuela, Mexico, and Colombia being the top five countries importing Florida products, and

WHEREAS, Florida manufacturers provide well-paying jobs that require many advanced skills, generating an average annual wage of $46,540, and

WHEREAS, Florida manufacturers are engaged in a wide variety of manufacturing businesses, including computer and electronic products; transportation equipment; fabricated metal products; food; mineral products; machinery; printing; wood and paper products; chemicals; furniture; plastics and rubber products; beverages; textile products; apparel; energy products; cement and concrete; medical equipment; architectural products; aerospace products; semiconductor and electronic components; ships and boats; household products; and communication equipment, and

WHEREAS, Florida ranks third in the nation in communication equipment and defense electronic manufacturing employment; fourth in photonics and high-tech manufacturing employment; and in the top 10 in electronics components, semiconductors, and electromedical equipment manufacturing employment, and

WHEREAS, Florida is currently faced with a shortage of skilled and trained workers for the manufacturing sector, and

WHEREAS, Florida manufacturers are actively engaged in the education and training of their future workforce through partnerships with state agencies and educational institutions, and

WHEREAS, Florida manufacturers are competing with other states and countries for market share, and their success in this competition is vital because the state's manufacturing sector provides a major stabilizing influence on Florida's economy, NOW, THEREFORE,

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

That the Florida Senate recognizes the great importance of the manufacturing sector to Florida's economy and recognizes November 3-7, 2008, as "Florida Manufacturers Week."

—**SR 2956** was introduced, read and adopted by publication.

MOTIONS RELATING TO COMMITTEE MEETINGS

On motion by Senator Carlton, the rules were waived and the Committee on Criminal and Civil Justice Appropriations was granted permission to add **CS for SB 76** to the agenda at the meeting on April 10.

On motion by Senator Carlton, the rules were waived and the Committee on General Government Appropriations was granted permission to add **CS for SB 542**, **CS for CS for SB 1544**, **CS for SB 818**, **CS for SB 1296** and **CS for SB 2580** to the agenda at the meeting on April 10.

BILLS ON THIRD READING

SENATOR JUSTICE PRESIDING

CS for SB 322—A bill to be entitled An act relating to local government; creating s. 112.3136, F.S.; specifying standards of conduct for officers and employees of entities serving as the chief administrative officer of a political subdivision; amending s. 112.317, F.S.; providing for penalties to be imposed against persons other than lobbyists or public officers and employers; amending s. 112.324, F.S.; providing for the commission to report to the Governor violations involving persons other than lobbyists or public officers and employees; providing an effective date.

—as amended April 3 was read the third time by title.

On motion by Senator Constantine, **CS for SB 322** as amended was passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Consideration of **SB 1036** was deferred.

CS for SB 656—A bill to be entitled An act relating to judicial and execution sales of property; creating s. 702.55, F.S.; requiring that, before certain court-ordered sales of property, the lienholder serve notice on the property owner of the possibility of relief through the filing of a bankruptcy petition and also warning against purported foreclosure "saving" schemes; specifying the content of the notice; providing for an affirmative defense for failing to provide notice; amending s. 56.021, F.S., relating to the required service of notice of potential relief through bankruptcy; conforming provisions to changes made by the act; providing for application; providing an effective date.

—was read the third time by title.

On motion by Senator Joyner, **CS for SB 656** was passed and certified to the House. The vote on passage was:

Yeas—36

Alexander	Bullard	Deutch
Aronberg	Constantine	Diaz de la Portilla
Atwater	Crist	Dockery
Baker	Dawson	Fasano
Bennett	Dean	Gaetz

Garcia	King	Saunders
Geller	Lawson	Siplin
Haridopolos	Lynn	Storms
Hill	Oelrich	Villalobos
Jones	Peaden	Webster
Joyner	Rich	Wilson
Justice	Ring	Wise

Nays—None

Vote after roll call:

Yea—Carlton

SB 96—A bill to be entitled An act relating to equitable distribution of marital assets and liabilities; amending s. 61.046, F.S.; defining the term "barrier to remarriage"; amending s. 61.075, F.S.; authorizing the court to take into consideration the failure or refusal of one spouse to remove a barrier to the remarriage of the other spouse when considering the equitable distribution of marital assets and liabilities; providing an effective date.

—was read the third time by title.

On motion by Senator Aronberg, **SB 96** was passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—Crist

CS for HB 503—A bill to be entitled An act relating to the "Preservation and Protection of the Right to Keep and Bear Arms in Motor Vehicles Act of 2008"; creating s. 790.251, F.S.; creating the "Preservation and Protection of the Right to Keep and Bear Arms in Motor Vehicles Act of 2008"; providing definitions; providing legislative findings and intent; prohibiting a public or private employer from prohibiting a customer, employee, or invitee from possessing any legally owned firearm that is lawfully possessed and locked inside or locked to a private motor vehicle in a parking lot; prohibiting a public or private employer from violating the privacy rights of a customer, employee, or invitee by verbal or written inquiry regarding the presence of a firearm inside or locked to a private motor vehicle in a parking lot or by the search of a private motor vehicle in a parking lot to ascertain the presence of a firearm within the vehicle; prohibiting actions by a public or private employer against a customer, employee, or invitee based upon verbal or written statements concerning possession of a firearm stored inside a private motor vehicle in a parking lot for lawful purposes; providing conditions under which a search of a private motor vehicle in the parking lot of a public or private employer may be conducted; prohibiting a public or private employer from conditioning employment upon specified licensure status or upon a specified agreement; prohibiting a public or private employer from attempting to prevent or prohibiting any customer, employee, or invitee from entering the parking lot of the employer's place of business because the customer's, employee's, or invitee's private motor vehicle contains a legal firearm; prohibiting public or private employers from terminating the employment of or otherwise discriminating against an employee, or expelling a customer or invitee, for exercising his or her constitutional right to keep and bear arms or for exercising the right of self-defense; providing a condition to the prohibition; providing that such prohibitions apply to all public-sector employers; providing that, when subject to the prohibitions imposed by the act, a public or private employer has no duty of care related to the actions prohibited thereunder; providing specified immunity from liability for public and private employers; providing non-applicability of such immunity; providing construction; providing for enforcement of the act; providing for the award of reasonable personal costs and losses; providing for the award of court costs and attorney's fees; providing exceptions to the prohibitions under the act; providing applicability; providing an effective date.

—was read the third time by title.

On motions by Senator Peaden, **CS for HB 503** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—26

Mr. President	Dean	Lynn
Alexander	Diaz de la Portilla	Oelrich
Atwater	Dockery	Peaden
Baker	Fasano	Saunders
Bennett	Gaetz	Storms
Carlton	Garcia	Villalobos
Constantine	Haridopolos	Webster
Crist	Jones	Wise
Dawson	King	

Nays—13

Aronberg	Joyner	Rich
Bullard	Justice	Ring
Deutch	Lawson	Siplin
Geller	Margolis	Wilson
Hill		

CS for SB 1070—A bill to be entitled An act relating to intergovernmental cooperation; amending s. 163.01, F.S.; authorizing parties to an interlocal agreement to provide for the use or maintenance of facilities or equipment; amending s. 1003.02, F.S.; authorizing district school boards to perform certain functions by means of an interlocal agreement; amending s. 1006.261, F.S.; providing for use of school buses for additional public purposes; providing for reimbursement and indemnification; providing an effective date.

—was read the third time by title.

On motion by Senator King, **CS for SB 1070** was passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

SB 1036—A bill to be entitled An act relating to inmate death notification; amending s. 944.09, F.S.; requiring the Department of Corrections to adopt procedures for providing notice of the death of an inmate in the state correctional system; prescribing written information to be provided to the person designated by the inmate to receive notice of the inmate's death; providing an effective date.

—was read the third time by title.

On motion by Senator Lawson, **SB 1036** was passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

Vote after roll call:

Yea—Alexander

CS for SB 192—A bill to be entitled An act relating to state parks; amending s. 258.007, F.S.; deleting a penalty for a rule violation; creating s. 258.008, F.S.; creating penalties for the violation of rules adopted under ch. 258, F.S., and for specified activities within the boundaries of a state park; providing for fines to be deposited into the State Park Trust Fund; amending s. 316.212, F.S.; authorizing the operation of a golf cart within a state park under certain circumstances; amending s. 316.2125, F.S.; conforming a cross-reference; amending s. 316.2126, F.S.; authorizing state employees, state park volunteers, and state park visitors to operate golf carts and utility vehicles on public roads within state park boundaries for certain purposes subject to specified conditions; conforming cross-references; providing an effective date.

—was read the third time by title.

On motion by Senator Baker, **CS for SB 192** was passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—None

CS for SB 82—A bill to be entitled An act relating to state aid to public libraries; amending s. 257.172, F.S.; revising grant eligibility criteria for multicounty libraries; revising determination for and amount of base grants; amending s. 257.18, F.S.; revising eligibility criteria, calculation, and determination for equalization grants; limiting grants and grant amounts under specified conditions; amending s. 257.22, F.S.; removing a requirement for issuance of warrants to political subdivisions eligible for certain funding; providing an effective date.

—was read the third time by title.

On motion by Senator Fasano, **CS for SB 82** was passed and certified to the House. The vote on passage was:

Yeas—39

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

Nays—None

SB 728—A bill to be entitled An act relating to the conveyance of bodies into or out of the state; amending s. 406.61, F.S.; authorizing an accredited or certified museum to convey plastinated bodies into or out of the state for exhibition and educational purposes; requiring that the museum provide prior notification to the anatomical board; providing an effective date.

—was read the third time by title.

On motion by Senator Crist, **SB 728** was passed and certified to the House. The vote on passage was:

Yeas—38

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

Nays—1

Storms

Vote after roll call:

Yea to Nay—Deutch

SB 784—A bill to be entitled An act relating to local telecommunications services; repealing s. 364.059, F.S., relating to procedures for seeking a stay from the Florida Public Service Commission of a price reduction for basic local telecommunications services; providing an effective date.

—was read the third time by title.

On motion by Senator Bennett, **SB 784** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Constantine	Gaetz
Alexander	Crist	Garcia
Aronberg	Dawson	Geller
Atwater	Dean	Haridopolos
Baker	Deutch	Hill
Bennett	Diaz de la Portilla	Jones
Bullard	Dockery	Joyner
Carlton	Fasano	Justice

King	Peaden	Storms
Lawson	Rich	Villalobos
Lynn	Ring	Webster
Margolis	Saunders	Wilson
Oelrich	Siplin	Wise

Nays—None

THE PRESIDENT PRESIDING

SPECIAL ORDER CALENDAR

SB 2900—A bill to be entitled An act making appropriations; providing moneys for the annual period beginning July 1, 2008, and ending June 30, 2009, to pay salaries and other expenses, for capital outlay projects such as buildings and other improvements, and for other specified purposes of the various agencies of state government; providing an effective date.

—was read the second time by title.

SENATOR CARLTON PRESIDING

THE PRESIDENT PRESIDING

Senators Dean and Alexander offered the following amendment which was moved by Senator Dean and adopted:

Amendment 1 (997011)—

```
In Section: 05 On Page: 179 Specific Appropriation: 1348
                                                Delete          Insert

        AGRICULTURE AND CONSUMER SERVICES,
        DEPARTMENT OF, AND COMMISSIONER OF
        AGRICULTURE
        Program: Office Of The Commissioner And
        Administration
        Agricultural Water Policy Coordination

        In Section 05  On Page 179
1348    Special Categories
        Best Management Practices - Cost Share

Insert proviso immediately following Specific Appropriation 1348:

From the funds provided in Specific Appropration 1348, $100,000 is
provided for the Suwannee River Partnership Water Quality Based Best
Management Practices Planning, Implementation, and Monitoring project.
```

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

Amendment 2 (997013)—

```
In Section: 05 On Page: 220 Specific Appropriation: 1772A
                                                Delete          Insert

        ENVIRONMENTAL PROTECTION, DEPARTMENT OF
        Program: Water Resource Management
        Water Resource Protection And Restoration

        In Section 05  On Page 220
1772A   Grants And Aids To Local Governments And
        Nonstate Entities - Fixed Capital Outlay
        Grants And Aids - Water Projects

In the list of projects immediately following Specific Appropriation
1772A, DELETE

Lower St. Johns River Basin Initiative............... $4,900,000

and INSERT:

City of Miami Gardens NW 167th - 175th Street
   NW 11th - 17th Avenue Drainage Improvements.......   $100,000
Lower St. Johns River Basin Initiative............... $4,800,000
```

Senators Constantine, Baker and Alexander offered the following amendment which was moved by Senator Constantine and adopted:

Amendment 3 (997012)—

```
In Section: 05 On Page: 220 Specific Appropriation: 1772A
                                                Delete          Insert

        ENVIRONMENTAL PROTECTION, DEPARTMENT OF
        Program: Water Resource Management
        Water Resource Protection And Restoration

        In Section 05  On Page 220
1772A   Grants And Aids To Local Governments And
        Nonstate Entities - Fixed Capital Outlay
        Grants And Aids - Water Projects

In the list of projects immediately following Specific Appropriation
1772A, DELETE

Lower St. Johns River Basin Initiative............... $4,900,000

and INSERT:

Lower St. Johns River Basin Initiative............... $3,900,000
Middle St. Johns River Basin Initiative.............. $1,000,000
```

Senators Bullard and Alexander offered the following amendment which was moved by Senator Alexander and adopted:

Amendment 4 (997014)—

```
In Section: 05 On Page: 220 Specific Appropriation: 1772A
                                                Delete          Insert

        ENVIRONMENTAL PROTECTION, DEPARTMENT OF
        Program: Water Resource Management
        Water Resource Protection And Restoration

        In Section 05  On Page 220
1772A   Grants And Aids To Local Governments And
        Nonstate Entities - Fixed Capital Outlay
        Grants And Aids - Water Projects

In the list of projects immediately following Specific Appropriation
1772A, DELETE

Lower St. Johns River Basin Initiative............... $4,900,000

and INSERT:

Palmetto Bay Stormwater System Improvements...........   $100,000
Lower St. Johns River Basin Initiative............... $4,800,000
```

Senators Baker and Alexander offered the following amendment which was moved by Senator Baker and adopted:

Amendment 5 (997015)—

```
In Section: 05 On Page: 220 Specific Appropriation: 1772A
                                                Delete          Insert

        ENVIRONMENTAL PROTECTION, DEPARTMENT OF
        Program: Water Resource Management
        Water Resource Protection And Restoration

        In Section 05  On Page 220
1772A   Grants And Aids To Local Governments And
        Nonstate Entities - Fixed Capital Outlay
        Grants And Aids - Water Projects

In the list of projects immediately following Specific Appropriation
1772A, DELETE

Harris Chain of Lakes Restoration.....................   $250,000
Mount Dora Lake John Stormwater Improvement...........   $300,000
```

Palm Grove Stormwater Project Final Phase..... $150,000
Spring Hill Community Infrastructure Improvements-
Phase V..... $300,000

and INSERT:

Harris Chain of Lakes Restoration..... $225,000
Mount Dora Lake John Stormwater Improvement..... $275,000
Palm Grove Stormwater Project Final Phase..... $125,000
Spring Hill Community Infrastructure Improvements-
Phase V..... $275,000
Tavares Wastewater Reclamation and Recharge Project... $100,000

Senators Aronberg and Alexander offered the following amendment which was moved by Senator Aronberg and adopted:

Amendment 6 (997020)—

In Section: 05 On Page: 220 Specific Appropriation: 1772A
Delete Insert

ENVIRONMENTAL PROTECTION, DEPARTMENT OF
Program: Water Resource Management
Water Resource Protection And Restoration

In Section 05 On Page 220
1772A Grants And Aids To Local Governments And
Nonstate Entities - Fixed Capital Outlay
Grants And Aids - Water Projects

In the list of projects immediately following Specific Appropriation 1772A, DELETE

Palm Beach Alternate Water Storage/Disposal Projects.. $100,000

and INSERT:

Silt Removal From Imperial River and Oak Creek..... $10,000
Southwest Lehigh Structures..... $90,000

Senator Diaz de la Portilla moved the following amendment which was adopted:

Amendment 7 (997016)—

In Section: 05 On Page: 220 Specific Appropriation: 1772A
Delete Insert

ENVIRONMENTAL PROTECTION, DEPARTMENT OF
Program: Water Resource Management
Water Resource Protection And Restoration

In Section 05 On Page 220
1772A Grants And Aids To Local Governments And
Nonstate Entities - Fixed Capital Outlay
Grants And Aids - Water Projects

In the list of projects immediately following Specific Appropriation 1772A, DELETE

Phillippi Creek Septic System Replacement Program..... $1,750,000

and INSERT:

Phillippi Creek Septic System Replacement Program..... $1,500,000
South Miami City-wide Drainage Improvements..... $250,000

Senator Diaz de la Portilla moved the following amendment:

Amendment 8 (997017)—

In Section: 05 On Page: 220 Specific Appropriation: 1772A
Delete Insert

ENVIRONMENTAL PROTECTION, DEPARTMENT OF
Program: Water Resource Management
Water Resource Protection And Restoration

In Section 05 On Page 220
1772A Grants And Aids To Local Governments And
Nonstate Entities - Fixed Capital Outlay
Grants And Aids - Water Projects

In the list of projects immediately following Specific Appropriation 1772A, DELETE

Sarasota Stormwater Improvements..... $2,000,000

and INSERT:

Bay Harbor Islands Installation of Automated Water
Meters..... $200,000
Town of Golden Beach Stormwater Improvements - Portion
of Phases 2 & 3..... $800,000
Sarasota Stormwater Improvements..... $1,000,000

MOTION

On motion by Senator Diaz de la Portilla, the rules were waived to allow the following amendment to be considered:

Senator Diaz de la Portilla moved the following substitute amendment which was adopted:

Substitute Amendment 8 (997036)—

In Section: 05 On Page: 220 Specific Appropriation: 1772A
Delete Insert

ENVIRONMENTAL PROTECTION, DEPARTMENT OF
Program: Water Resource Management
Water Resource Protection And Restoration

In Section 05 On Page 220
1772A Grants And Aids To Local Governments And
Nonstate Entities - Fixed Capital Outlay
Grants And Aids - Water Projects

In the list of projects immediately following Specific Appropriation 1772A, DELETE

Sarasota Stormwater Improvements..... $2,000,000

and INSERT:

Bay Harbor Islands Installation of Automated Water
Meters..... $200,000
Sarasota Stormwater Improvements..... $1,250,000
South Miami City-wide Drainage Improvements..... $200,000
Town of Golden Beach Stormwater Improvements - Portion
of Phases 2 & 3..... $350,000

Senator Diaz de la Portilla moved the following amendment which was adopted:

Amendment 9 (997018)—

In Section: 05 On Page: 220 Specific Appropriation: 1772A
Delete Insert

ENVIRONMENTAL PROTECTION, DEPARTMENT OF
Program: Water Resource Management
Water Resource Protection And Restoration

In Section 05 On Page 220
1772A Grants And Aids To Local Governments And
Nonstate Entities - Fixed Capital Outlay
Grants And Aids - Water Projects

In the list of projects immediately following Specific Appropriation 1772A, DELETE

St. Lucie River Issues Team..... $1,300,000

and INSERT:

JC Bermudez Park Reclaimed: Graywater Irrigation
Project..... $500,000
St. Lucie River Issues Team..... $800,000

Senators Diaz de la Portilla and Margolis offered the following amendment which was moved by Senator Margolis:

Amendment 10 (997019)—

In Section: 05 On Page: 220 Specific Appropriation: 1772A
Delete Insert

ENVIRONMENTAL PROTECTION, DEPARTMENT OF
Program: Water Resource Management
Water Resource Protection And Restoration

In Section 05 On Page 220
1772A Grants And Aids To Local Governments And
Nonstate Entities - Fixed Capital Outlay
Grants And Aids - Water Projects

In the list of projects immediately following Specific Appropriation 1772A, DELETE

Lower St. Johns River Basin Initiative..... $4,900,000

and INSERT:

Central Island Stormwater..... $250,000
City of Miami Beach Stormwater Infrastructure
Improvement Project..... $500,000
Miami Dade NE 190 Street Drainage Improvements..... $155,000
Lower St. Johns River Basin Initiative..... $3,995,000

MOTION

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

Senators Diaz de la Portilla and Margolis offered the following substitute amendment which was moved by Senator Margolis and adopted:

Substitute Amendment 10 (997038)—

In Section: 05 On Page: 220 Specific Appropriation: 1772A
Delete Insert

ENVIRONMENTAL PROTECTION, DEPARTMENT OF
Program: Water Resource Management
Water Resource Protection And Restoration

In Section 05 On Page 220
1772A Grants And Aids To Local Governments And
Nonstate Entities - Fixed Capital Outlay
Grants And Aids - Water Projects

In the list of projects immediately following Specific Appropriation 1772A, DELETE

Sarasota Stormwater Improvements..... $2,000,000
Frostproof Wastewater System Improvements..... $1,000,000

and INSERT:

Central Island Stormwater..... $250,000
City of Miami Beach Stormwater Infrastructure
Improvement Project..... $500,000
Miami Dade NE 190 Street Drainage Improvements..... $155,000
Sarasota Stormwater Improvements..... $1,200,000
Frostproof Wastewater System Improvements..... $895,000

Senator Bullard moved the following amendment:

Amendment 11 (997021)—

In Section: 05 On Page: 220 Specific Appropriation: 1772A
Delete Insert

ENVIRONMENTAL PROTECTION, DEPARTMENT OF
Program: Water Resource Management
Water Resource Protection And Restoration

In Section 05 On Page 220
1772A Grants And Aids To Local Governments And
Nonstate Entities - Fixed Capital Outlay
Grants And Aids - Water Projects

In the list of projects immediately following Specific Appropriation 1772A, DELETE

Ft. Lauderdale River Oaks Stormwater Park..... $3,000,000
Lower St. Johns River Basin Initiative..... $4,900,000
Sarasota Stormwater Improvements..... $2,000,000
St. Lucie River Issues Team..... $1,300,000

and INSERT:

Central County Water Control District Flood
Protection Project..... $100,000
Ft. Lauderdale River Oaks Stormwater Park..... $2,800,000
Homestead Flood Control Improvement Project..... $200,000
Lower St. Johns River Basin Initiative..... $4,500,000
Marathon Wastewater Treatment..... $100,000
Miami-Dade County - C-103 Canal Outfalls Retrofit..... $100,000
North Bayshore Drive Rebuild..... $100,000
Palmetto Bay Stormwater System Improvements..... $100,000
Sarasota Stormwater Improvements..... $1,800,000
St. Lucie River Issues Team..... $1,200,000
The Florida Keys Water Resource Initiative..... $100,000
Unincorporated Monroe County Wastewater Projects..... $100,000

MOTION

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

Senator Bullard moved the following substitute amendment which was adopted:

Substitute Amendment 11 (997039)—

In Section: 05 On Page: 220 Specific Appropriation: 1772A
Delete Insert

ENVIRONMENTAL PROTECTION, DEPARTMENT OF
Program: Water Resource Management
Water Resource Protection And Restoration

In Section 05 On Page 220
1772A Grants And Aids To Local Governments And
Nonstate Entities - Fixed Capital Outlay
Grants And Aids - Water Projects

In the list of projects immediately following Specific Appropriation 1772A, DELETE

Okeechobee County Wastewater Expansion and
Improvements.....$1,000,000
Indian River Lagoon Issues Team..... $1,400,000

and INSERT:

Central County Water Control District Flood
Protection Project..... $100,000
Homestead Flood Control Improvement Project..... $200,000
Marathon Wastewater Treatment..... $100,000
Miami-Dade County - C-103 Canal Outfalls Retrofit..... $100,000
North Bayshore Drive Rebuild..... $100,000
Palmetto Bay Stormwater System Improvements..... $100,000

The Florida Keys Water Resource Initiative..... $100,000
Unincorporated Monroe County Wastewater Projects..... $100,000
Okeechobee County Wastewater Expansion and
Improvements..... $500,000
Indian River Lagoon Issues Team..... $1,000,000

Senators Fasano and Webster offered the following amendment which was moved by Senator Fasano and adopted:

Amendment 12 (997004)—

In Section: 06 On Page: 265 Specific Appropriation: 2233

		Delete	Insert
	AGENCY FOR WORKFORCE INNOVATION Early Learning Early Learning Services		
	In Section 06 On Page 265		
2233	Special Categories Grants And Aids - School Readiness Services		
	From Special Employment Security Administration Trust Fund	5,000,000	7,500,000
	In Section 06 On Page 266		
2238	Qualified Expenditure Category Early Learning Info System Development (Elis)		
	From General Revenue Fund	915,486	0
	From Special Employment Security Administration Trust Fund	3,000,000	500,000

Immediately following Specific Appropriation 2238, DELETE:

Funds provided in Specific Appropriation 2238 are contingent upon the agency completing an updated project plan that refocuses on the original project scope to replace the functionality of the Enhanced Fields System and develop solutions for attendance tracking and provider payment processing and related financial management capabilities.

Immediately following Specific Appropriation 2238, INSERT:

Funds provided in Specific Appropriation 2238 shall be used only (1) to specify and document the minimum requirements for an Internet-based Early Learning Information System (ELIS) that replaces the functionality of the Enhanced Fields System, enhances attendance tracking, and improves provider payment processing and related financial management capabilities, (2) to develop a business case describing, at a minimum, how existing coalition and agency processes for attendance, provider payments, and funds management can be streamlined using electronic means of tracking and reporting to reduce paperwork and workload, and (3) to calculate a cost-benefit analysis that quantifies operational cost reductions and other tangible benefits that can be objectively realized to justify the cost of the ELIS project. The requirements specifications must clearly and unambiguously define all business rules, interfaces, and known customer and system needs at a level sufficient to enable system design and development.

	STATE, DEPARTMENT OF Program: Library And Information Services Library, Archives And Information Services		
	In Section 06 On Page 348		
3174	Aid To Local Governments Grants And Aids - Library Grants		
	From General Revenue Fund	29,270,281	30,185,767

Senator Fasano moved the following amendments which were adopted:

Amendment 13 (997006)—

In Section: On Page: 000 Specific Appropriation:

		Delete	Insert
	In Section On Page 000		

DELETE SECTION 60:

SECTION 60. The sum of $15 million from the unexpended balance of funds appropriated in section 4 of chapter 2007-89,Laws of Florida, provided to Enterprise, Florida, Inc. for the Florida Opportunity Fund shall revert immediately and is appropriated for the 2008-2009 fiscal year to the Office of Tourism, Trade and Economic Development for the Quick Action Closing Fund.

AND INSERT:

SECTION 60. The sum of $15 million from the unexpended balance of funds appropriated in section 4 of chapter 2007-89,Laws of Florida, provided to Enterprise, Florida, Inc. for the Florida Opportunity Fund shall revert immediately and $12.5 million is appropriated for the 2008-2009 fiscal year to the Office of Tourism, Trade and Economic Development for the Quick Action Closing Fund, and $2.5 million is appropriated to the Institute for the Commercialization of Public Research.

Amendment 14 (997009)—

In Section: 05 On Page: 205 Specific Appropriation: 1616

		Delete	Insert
	COMMUNITY AFFAIRS, DEPARTMENT OF Program: Florida Housing Finance Corporation Affordable Housing Financing		
	In Section 05 On Page 205		
1616	Special Categories Grants And Aids - Housing Finance Corporation (HFC) - Affordable Housing Programs		

At the end of existing proviso language, following Specific Appropriation 1616, INSERT:

From the funds in Specific Appropriations 1616 and 1617, Florida Housing Finance Corporation shall give preference to military personnel including active duty, reserves, National Guard, Coast Guard, Coast Guard reserves, and personnel honorably discharged who have their home of record as Florida, and were deployed as part of the Global War on Terrorism in support of Operation Iraqi Freedom, Operation Enduring Freedom, or any future combat operation. Combat service shall be verified through the submission of the DD-214 form by the veteran, or other documentation provided by the Florida Department of Military Affairs.

Senators Fasano and Gaetz offered the following amendment which was moved by Senator Fasano and adopted:

Amendment 15 (997005)—

In Section: 04 On Page: 174 Specific Appropriation: 1307

		Delete	Insert
	LEGAL AFFAIRS, DEPARTMENT OF, AND ATTORNEY GENERAL Program: Office Of Attorney General Executive Direction And Support Services		
	In Section 04 On Page 174		
1307	Salaries And Benefits		
	From General Revenue Fund	5,545,786	5,532,626
	AGRICULTURE AND CONSUMER SERVICES, DEPARTMENT OF, AND COMMISSIONER OF AGRICULTURE		

Program: Office Of The Commissioner And Administration
Executive Direction And Support Services

In Section 05 On Page 179
1350 Salaries And Benefits

From General Revenue Fund	7,890,721	7,877,561

AGENCY FOR WORKFORCE INNOVATION
Early Learning
Early Learning Services

In Section 06 On Page 265
2233 Special Categories
Grants And Aids - School Readiness Services

From General Revenue Fund	142,012,577	142,585,843
From Special Employment Security Administration Trust Fund	5,000,000	5,013,160

FINANCIAL SERVICES, DEPARTMENT OF
Program: Office Of Chief Financial Officer And Administration
Executive Direction And Support Services

In Section 06 On Page 280
2403 Salaries And Benefits

From Administrative Trust Fund	1,337,125	1,323,965

GOVERNOR, EXECUTIVE OFFICE OF THE
Program: General Office
Executive Direction And Support Services

In Section 06 On Page 297
2602 Salaries And Benefits

In Section 06 On Page 298

From General Revenue Fund	8,193,114	8,167,080

LEGISLATIVE BRANCH
Senate

In Section 06 On Page 311
2751 Lump Sum
Senate

From General Revenue Fund	35,662,444	35,534,716

House Of Representatives

2752 Lump Sum
House

From General Revenue Fund	55,691,279	55,298,095

In Section 08 On Page 356

DELETE THE FOLLOWING PROVISO:

	7/1/08
Governor	$ 132,932
Lieutenant Governor	127,399
Chief Financial Officer	131,604
Attorney General	131,604
Agriculture, Commissioner of	131,604

AND INSERT:

	7/1/08
Governor	$ 119,638
Lieutenant Governor	114,659
Chief Financial Officer	118,444
Attorney General	118,444
Agriculture, Commissioner of	118,444

Amendments 16 and **17** were withdrawn.

Senator Diaz de la Portilla moved the following amendment which was adopted:

Amendment 18 (997010)—

In Section: 06 On Page: 301 Specific Appropriation: 2636

	Delete	Insert
GOVERNOR, EXECUTIVE OFFICE OF THE Program: Office Of Tourism, Trade And Economic Development Economic Development Programs And Projects		
In Section 06 On Page 301 2636 Special Categories Grants And Aids - Advocating International Relationships		

DELETE THE FOLLOWING PROVISO:

Funds provided in Specific Appropriation 2636 shall be allocated as follows:

Florida Association of Volunteer Action/Caribbean & Americas (FAVACA)	450,000
SE Japan Association/Florida Korea Economic Coop. Comm.	150,000
Implementation of the Haiti Initiative	425,000

and insert in lieu thereof:

Funds provided in Specific Appropriation 2636 shall be allocated as follows:

Florida Association of Volunteer Action/Caribbean & Americas (FAVACA)	350,000
SE Japan Association/Florida Korea Economic Coop. Comm.	250,000
Implementation of the Haiti Initiative	425,000

Senators Villalobos, Dean, Joyner and Dockery offered the following amendment which was moved by Senator Villalobos and failed:

Amendment 19 (997022)—

In Section: 05 On Page: 248 Specific Appropriation: 2077

	Delete	Insert
TRANSPORTATION, DEPARTMENT OF Transportation Systems Development Program: Transportation Systems Development		
In Section 05 On Page 248 2077 Fixed Capital Outlay Rail Development/Grants		
From State Transportation (Primary) Trust Fund	266,043,649	245,884,176
STATE COURT SYSTEM Program: Supreme Court Court Operations - Supreme Court		
In Section 07 On Page 350 3203 Salaries And Benefits		
Positions	95	101
From General Revenue Fund	7,376,564	7,750,242

Delete the proviso immediately preceding Specific Appropriation 3203

APPROVED SALARY RATE 5,865,332

Immediately preceding Specific Appropriation 3203, INSERT:

APPROVED SALARY RATE 6,144,773

3204 Other Personal Services

From General Revenue Fund 89,323 93,810

3205 Expenses

From General Revenue Fund 637,516 669,541

3206 Operating Capital Outlay

From General Revenue Fund 19,213 20,178

3207 Special Categories
Contracted Services

From General Revenue Fund 460,889 484,041

3208 Special Categories
Discretionary Funds Of The Chief Justice

From General Revenue Fund 14,283 15,000

3210 Special Categories
Supreme Court Law Library

From General Revenue Fund 289,108 303,632

Executive Direction And Support Services

3212 Salaries And Benefits

Positions 177.5 178.5
From General Revenue Fund 8,289,522 8,667,046

DELETE the proviso immediately preceding Specific Appropriation 3212:

APPROVED SALARY RATE 9,168,296

Immediately preceding Specific Appropriation 3212, INSERT:

APPROVED SALARY RATE 9,236,009

3213 Other Personal Services

From General Revenue Fund 84,272 118,503

In Section 07 On Page 351
3214 Expenses

From General Revenue Fund 1,292,814 1,369,964

3215 Operating Capital Outlay

From General Revenue Fund 483,849 508,155

3216 Special Categories
Contracted Services

From General Revenue Fund 111,960 117,584

3217 Special Categories
Florida Cases Southern 2nd Reporter

From General Revenue Fund 584,759 614,135

3219 Special Categories
Computer Subscription Services

From General Revenue Fund 179,969 189,010

3221 Data Processing Services
Other Data Processing Services

From General Revenue Fund 1,005,119 1,055,611

Program: District Courts Of Appeal
Court Operations - Appellate Courts

In Section 07 On Page 352
3223 Salaries And Benefits

Positions 422 439
From General Revenue Fund 34,474,289 36,220,590

DELETE the proviso immediately preceding Specific Appropriation 3223:

APPROVED SALARY RATE 28,547,488

Immediately preceding Specific Appropriation 3223, INSERT:

APPROVED SALARY RATE 29,167,361

3224 Other Personal Services

From General Revenue Fund 121,324 127,419

3225 Expenses

From General Revenue Fund 2,079,369 2,183,826

3226 Operating Capital Outlay

From General Revenue Fund 91,070 95,645

3227 Special Categories
Compensation To Retired Judges

From General Revenue Fund 80,338 84,373

3228 Special Categories
Contracted Services

From General Revenue Fund 835,096 877,047

3230 Special Categories
District Court Of Appeal Law Library

From General Revenue Fund 404,957 425,300

3232 Data Processing Services
Other Data Processing Services

From General Revenue Fund 168,326 176,782

Program: Trial Courts
Court Operations - Circuit Courts

3234 Salaries And Benefits

Positions 2,955 3,024
From General Revenue Fund 224,998,321 236,382,224

DELETE the proviso immediately preceding Specific Appropriation 3234:

APPROVED SALARY RATE 195,361,704

Immediately preceding Specific Appropriation 3234, INSERT:

APPROVED SALARY RATE 198,029,035

In Section 07 On Page 353
3235 Other Personal Services

From General Revenue Fund 193,903

3238 Special Categories
Civil Traffic Infraction Hearing Officers

From General Revenue Fund 1,000,000 1,689,864

Court Operations - County Courts

In Section 07 On Page 354
3253 Special Categories
Additional Compensation For County Judges

From General Revenue Fund 5,000 105,222

Program: Judicial Qualifications Commission
Judicial Qualifications Commission Operations

3258 Expenses

From General Revenue Fund 109,549 154,890

In Section 27 On Page 359

After section 27 and before section 28, insert the following and renumber sections:

Section 28. There is appropriated to the General Revenue Fund $20,159,473 to be transferred from the State Transportation (Primary) Trust Fund.

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

In Section On Page 353
3241A Special Categories
Grants And Aids - Payment To Jurors And Witnesses

From General Revenue Fund 4,536,910

3241B Special Categories
Meals And Lodging For Jurors

From General Revenue Fund 215,825

The vote was:

Yeas—16

Aronberg	Geller	Rich
Bennett	Jones	Ring
Dean	Joyner	Siplin
Deutch	Justice	Villalobos
Dockery	Lawson	
Garcia	Oelrich	

Nays—22

Mr. President	Baker	Constantine
Alexander	Bullard	Crist
Atwater	Carlton	Dawson
Diaz de la Portilla	King	Saunders
Fasano	Lynn	Storms
Gaetz	Margolis	Webster
Haridopolos	Peaden	Wise
Hill		

Senator Villalobos moved the following amendment which was adopted:

Amendment 20 (997023)—

In Section: 04 On Page: 173 Specific Appropriation: 1300
Delete Insert

LEGAL AFFAIRS, DEPARTMENT OF, AND ATTORNEY GENERAL
Program: Office Of Attorney General
Victim Services

In Section 04 On Page 173
1300 Special Categories
Awards To Claimants

From Crimes Compensation Trust Fund 19,403,363 19,353,363

1301 Special Categories
Contracted Services

From Crimes Compensation Trust Fund 445,243 495,243

Insert the following as a new paragraph of proviso following Specific Appropriation 1301.

From the funds in Specific Appropriation 1301, the non-recurring sum of $50,000 from the Crimes Compensation Trust Fund is provided for the Cuban American Bar Association Pro Bono Project in Miami-Dade County.

Amendments 21-24 were withdrawn.

Senators Geller, Joyner, Bullard and Rich offered the following amendment which was moved by Senator Geller:

Amendment 25 (997028)—

In Section: 02 On Page: 023 Specific Appropriation: 86
Delete Insert

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

In Section 02 On Page 023
86 Aid To Local Governments
Grants And Aids - Excellent Teaching

From General Revenue Fund 52,435,467 61,435,467

Following Specific Appropriation 86, INSERT:

From funds provided in Specific Appropriation 86, up to $9 million shall be provided for a fee subsidy of up to 90% of the fee charged for participating in the NBPTS certification program for eligible particpants.

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

In Section 03 On Page 056
229 Special Categories
Clinic Services

From General Revenue Fund 36,409,984 49,809,984

CHILDREN AND FAMILY SERVICES, DEPARTMENT OF
Services
Program: Family Safety Program
Child Protection And Permanency

In Section 03 On Page 068
341 Salaries And Benefits

Positions 1,964 2,035
From General Revenue Fund 33,197,622 36,344,308

In Section 03 On Page 069
343 Expenses

From General Revenue Fund 2,823,711 3,476,479

345 Special Categories
Contracted Services

From General Revenue Fund 1,012,397 1,031,978

346 Special Categories
Grants And Aids - Grants To Sheriffs For Protective Investigations

From General Revenue Fund 24,067,150 26,445,977

348 Special Categories
Grants And Aids - Child Protection

From General Revenue Fund 5,692,649 5,794,787

ELDER AFFAIRS, DEPARTMENT OF
Program: Services To Elders Program
Home And Community Services

In Section 03 On Page 083
485 Special Categories
Grants And Aids - Community Care For The Elderly

From General Revenue Fund 40,116,274 41,716,274

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

In Section 04 On Page 122
812A Lump Sum
State Attorneys Workload - Support

From General Revenue Fund 15,800,000

812B Lump Sum
Public Defender Workload

From General Revenue Fund 6,800,000

TRANSPORTATION, DEPARTMENT OF
Transportation Systems Development
Program: Transportation Systems Development

In Section 05 On Page 248
2077 Fixed Capital Outlay
Rail Development/Grants

From State Transportation (Primary) Trust Fund 266,043,649 193,543,649

AGENCY FOR WORKFORCE INNOVATION
Early Learning
Early Learning Services

In Section 06 On Page 265
2233 Special Categories
Grants And Aids - School Readiness Services

From General Revenue Fund 142,012,577 151,612,577

STATE COURT SYSTEM
Program: Supreme Court
Court Operations - Supreme Court

In Section 07 On Page 350
3211A Lump Sum
Court System

From General Revenue Fund 10,000,000

In Section 63 On Page 362

Following Section 63 on Page 362, INSERT the following:

Section 64. There is appropriated to the General revenue Fund $72,500,000 to be transferred from the State Transportation (Primary) Trust Fund.

Senators Lawson, Joyner and Rich offered the following substitute amendment which was moved by Senator Lawson and failed:

Substitute Amendment 25 (997029)—

In Section: 02 On Page: 023 Specific Appropriation: 86
Delete Insert

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

In Section 02 On Page 023
86 Aid To Local Governments
Grants And Aids - Excellent Teaching

From General Revenue Fund 52,435,467 61,435,467

Following Specific Appropriation 86, INSERT:

From funds provided in Specific Appropriation 86, up to $9 million shall be provided for a fee subsidy of up to 90% of the fee charged for participating in the NBPTS certification program for eligible particpants.

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

In Section 03 On Page 056
229 Special Categories
Clinic Services

From General Revenue Fund 36,409,984 49,809,984

CHILDREN AND FAMILY SERVICES, DEPARTMENT OF
Services
Program: Family Safety Program
Child Protection And Permanency

In Section 03 On Page 068
341 Salaries And Benefits

Positions 1,964 2,035
From General Revenue Fund 33,197,622 36,344,308

In Section 03 On Page 069
343 Expenses

From General Revenue Fund 2,823,711 3,476,479

345 Special Categories
Contracted Services

From General Revenue Fund 1,012,397 1,031,978

346 Special Categories
Grants And Aids - Grants To Sheriffs For Protective Investigations

From General Revenue Fund 24,067,150 26,445,977

348 Special Categories
Grants And Aids - Child Protection

From General Revenue Fund 5,692,649 5,794,787

ELDER AFFAIRS, DEPARTMENT OF
Program: Services To Elders Program
Home And Community Services

In Section 03 On Page 083
485 Special Categories
Grants And Aids - Community Care For The Elderly

From General Revenue Fund 40,116,274 41,716,274

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

In Section 03 On Page 096
621 Special Categories
Grants And Aids - Children's Medical Services Network

From General Revenue Fund 16,453,888 23,953,888

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

In Section 04 On Page 122
812A Lump Sum
State Attorneys Workload - Support

From General Revenue Fund 15,800,000

812B Lump Sum
Public Defender Workload

From General Revenue Fund 6,800,000

TRANSPORTATION, DEPARTMENT OF
Transportation Systems Development
Program: Transportation Systems Development

In Section 05 On Page 248
2077 Fixed Capital Outlay
Rail Development/Grants

From State Transportation (Primary) Trust Fund 266,043,649 196,043,649

AGENCY FOR WORKFORCE INNOVATION
Early Learning
Early Learning Services

In Section 06 On Page 265
2233 Special Categories
Grants And Aids - School Readiness Services

From General Revenue Fund 142,012,577 151,612,577

In Section 63 On Page 362

Following Section 63 on Page 362, INSERT the following:

Section 64. There is appropriated to the General revenue Fund $70,000,000 to be transferred from the State Transportation (Primary) Trust Fund.

The question recurred on **Amendment 25** which was withdrawn.

Senators Geller, Rich, Joyner and Hill offered the following amendment which was moved by Senator Geller:

Amendment 26 (997026)—

In Section: 04 On Page: 108 Specific Appropriation: 721A

		Delete	Insert
	CORRECTIONS, DEPARTMENT OF Program: Security And Institutional Operations Adult Male Custody Operations		
	In Section 04 On Page 108		
721A	Salaries And Benefits		
	Positions	8,730	9,220
	From General Revenue Fund	438,422,258	462,939,516
	Adult And Youthful Offender Female Custody Operations		
	In Section 04 On Page 109		
721Q	Salaries And Benefits		
	Positions	1,134	1,194
	From General Revenue Fund	54,446,314	57,452,381
	Male Youthful Offender Custody Operations		
	In Section 04 On Page 110		
721AB	Salaries And Benefits		
	Positions	588	619
	From General Revenue Fund	39,416,974	40,974,844
	Specialty Correctional Institution Operations		
	In Section 04 On Page 111		
721AM	Salaries And Benefits		
	Positions	4,689	4,934
	From General Revenue Fund	230,761,089	243,011,089
	Reception Center Operations		
	In Section 04 On Page 112		
722	Salaries And Benefits		
	Positions	1,883	1,982
	From General Revenue Fund	93,182,254	98,142,514
	Public Service Worksquads And Work Release Transition		
731	Salaries And Benefits		
	Positions	943	993
	From General Revenue Fund	30,937,028	33,437,099

Offender Management And Control

In Section 04 On Page 114
747 Salaries And Benefits

Positions	1,268	1,277
From General Revenue Fund	57,763,414	58,213,414

Correctional Facilities Maintenance And Repair

In Section 04 On Page 115
753 Salaries And Benefits

Positions	528	541
From General Revenue Fund	22,141,427	22,840,079

Information Technology

760A Salaries And Benefits

Positions	23	24
From General Revenue Fund	1,636,469	1,696,291

Senators Geller, Rich, Joyner and Hill offered the following substitute amendment which was moved by Senator Geller:

Substitute Amendment 26 (997033)—

In Section: 04 On Page: 108 Specific Appropriation: 721A

		Delete	Insert
	CORRECTIONS, DEPARTMENT OF Program: Security And Institutional Operations Adult Male Custody Operations		
	In Section 04 On Page 108		
721A	Salaries And Benefits		
	Positions	8,730	9,394
	From General Revenue Fund	438,422,258	471,755,597
	Program: Community Corrections Probation Supervision		
	In Section 04 On Page 116		
775A	Salaries And Benefits		
	Positions	1,836	1,919
	From General Revenue Fund	93,576,206	98,317,761
	Drug Offender Probation Supervision		
775G	Salaries And Benefits		
	Positions	253	314
	From General Revenue Fund	16,398,108	19,842,925
	Community Control Supervision		
	In Section 04 On Page 117		
775P	Salaries And Benefits		
	Positions	330	409
	From General Revenue Fund	21,671,775	26,158,814
	Post Prison Release Supervision		
	In Section 04 On Page 118		
775V	Salaries And Benefits		
	Positions	293	364
	From General Revenue Fund	21,476,681	25,470,036

Amendment to Substitute Amendment 26 was withdrawn.

The question recurred on **Substitute Amendment 26** which failed. The vote was:

Yeas—11

Bullard	Joyner	Rich
Deutch	Justice	Ring
Geller	Margolis	Siplin
Hill	Oelrich	

Nays—22

Mr. President	Dawson	Jones
Alexander	Dean	King
Aronberg	Diaz de la Portilla	Peaden
Atwater	Dockery	Storms
Baker	Fasano	Villalobos
Carlton	Gaetz	Webster
Constantine	Garcia	
Crist	Haridopolos	

The question recurred on **Amendment 26** which was withdrawn.

Senators Geller, Deutch, Joyner, Bullard and Rich offered the following amendment which was moved by Senator Geller and failed:

Amendment 27 (997027)—

In Section: 03 On Page: 044 Specific Appropriation: 194

		Delete	Insert
	AGENCY FOR HEALTH CARE ADMINISTRATION Program: Health Care Services Medicaid Services To Individuals		
	In Section 03 On Page 044		
194	Special Categories Adult Vision And Hearing Services		
	From General Revenue Fund	4,058,705	4,560,702
195	Special Categories Case Management		
	From General Revenue Fund	46,359,525	46,895,837
	In Section 03 On Page 045		
196	Special Categories Therapeutic Services For Children		
	From General Revenue Fund	32,772,626	32,782,123
197	Special Categories Community Mental Health Services		
	From General Revenue Fund	13,648,237	15,730,894
	In Section 03 On Page 000		
197B	Special Categories Adult Dental Services		
	From General Revenue Fund		525,161
	In Section 03 On Page 045		
200	Special Categories Early And Periodic Screening Of Children		
	From General Revenue Fund	47,395,701	47,401,599
	In Section 03 On Page 046		
202	Special Categories Family Planning		

From General Revenue Fund 718,386 734,607

204 Special Categories
Home Health Services

From General Revenue Fund 79,618,810 82,450,129

205 Special Categories
Hospice Services

From General Revenue Fund 132,321,643 137,611,970

206 Special Categories
Hospital Inpatient Services

From General Revenue Fund 37,721,530 170,394,190

In Section 03 On Page 050
209 Special Categories
Freestanding Dialysis Centers

From General Revenue Fund 5,425,731 6,090,700

In Section 03 On Page 051
210 Special Categories
Hospital Insurance Benefits

From General Revenue Fund 54,976,721 60,067,090

211 Special Categories
Hospital Outpatient Services

From General Revenue Fund 93,764,427 119,093,466

In Section 03 On Page 052
212 Special Categories
Respiratory Therapy Services

From General Revenue Fund 1,803,650 1,803,944

In Section 03 On Page 053
213 Special Categories
Nurse Practitioner Services

From General Revenue Fund 8,535,219 9,132,679

214 Special Categories
Birthing Center Services

From General Revenue Fund 598,827 602,190

215 Special Categories
Other Lab And X-Ray Services

From General Revenue Fund 24,830,244 25,650,122

216 Special Categories
Patient Transportation

From General Revenue Fund 51,016,549 53,659,361

217 Special Categories
Physician Assistant Services

From General Revenue Fund 944,643 1,011,686

In Section 03 On Page 054
218 Special Categories
Personal Care Services

From General Revenue Fund 30,825,674 30,869,659

219 Special Categories
Physical Rehabilitation Therapy

From General Revenue Fund 8,392,428 8,394,855

220 Special Categories
Physician Services

From General Revenue Fund 176,344,293 204,132,113

220B Special Categories
Prepaid Health Plans

From General Revenue Fund 1,006,990,792 1,060,814,028

In Section 03 On Page 055
221 Special Categories
Prescribed Medicine/Drugs

From General Revenue Fund 240,945,133 261,956,781

222 Special Categories
Medicare Part D Payment

From General Revenue Fund 403,748,151 415,047,142

223 Special Categories
Private Duty Nursing Services

From General Revenue Fund 240,945,133 241,085,544

224 Special Categories
Rural Health Services

From General Revenue Fund 35,475,590 36,516,164

225 Special Categories
Speech Therapy Services

From General Revenue Fund 17,726,382 17,731,542

In Section 03 On Page 056
226 Special Categories
Medipass Services

From General Revenue Fund 6,516,208 6,645,358

227 Special Categories
Supplemental Medical Insurance

From General Revenue Fund 432,797,099 437,084,728

228 Special Categories
Occupational Therapy Services

From General Revenue Fund 11,663,853 11,670,966

229 Special Categories
Clinic Services

From General Revenue Fund 36,409,984 37,013,357

Medicaid Long Term Care

In Section 03 On Page 057
236 Special Categories
Nursing Home Care

From General Revenue Fund 1,008,677,510 1,072,677,510

In Section 03 On Page 058
241 Special Categories
Capitated Nursing Home Diversion Waiver

From General Revenue Fund 129,143,992 130,135,987

In Section On Page 000

Amendments 28 and **29** were withdrawn.

On motion by Senator Carlton, by two-thirds vote **SB 2900** as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—26

Mr. President	Dean	Lynn
Alexander	Diaz de la Portilla	Oelrich
Atwater	Dockery	Peaden
Baker	Fasano	Saunders
Bennett	Gaetz	Storms
Carlton	Garcia	Villalobos
Constantine	Haridopolos	Webster
Crist	Jones	Wise
Dawson	King	

Nays—12

Aronberg	Hill	Margolis
Bullard	Joyner	Rich
Deutch	Justice	Ring
Geller	Lawson	Siplin

RECESS

On motion by Senator King, the Senate recessed at 1:18 p.m. to reconvene at 1:45 p.m.

AFTERNOON SESSION

The Senate was called to order by the President at 1:45 p.m. A quorum present—31:

Mr. President	Diaz de la Portilla	Lynn
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Baker	Garcia	Rich
Bennett	Geller	Saunders
Bullard	Hill	Siplin
Carlton	Jones	Storms
Constantine	Joyner	Webster
Crist	Justice	Wise
Dean	King	
Deutch	Lawson	

SPECIAL ORDER CALENDAR, continued

SB 2902—A bill to be entitled An act implementing the 2008-2009 General Appropriations Act; providing legislative intent; incorporating by reference certain calculations of the Florida Education Finance Program for the 2008-2009 fiscal year; providing for allocating funds for alcohol, drug abuse, and mental health services to areas of the state having the greatest demand for services and treatment capacity and as specified in the General Appropriations Act; requiring the Department of Children and Family Services to ensure information is entered into the Florida Safe Families Network; requiring coordination between the department and the Office of the State Courts Administrator and the Statewide Guardian Ad Litem Office to provide information relating to child welfare cases; requiring a report to the Governor and Legislature; providing for future expiration of such provisions; authorizing the Department of Corrections and the Department of Juvenile Justice to expend funds to defray the cost of impacts incurred by a municipality or county which are associated with a facility operated by each respective department; providing for future expiration of such authorization; amending s. 216.262, F.S.; extending the expiration date of provisions authorizing additional positions to operate added prison bed capacity; authorizing the Department of Legal Affairs to expend funds for certain programs pursuant to specific appropriations; amending s. 932.7055, F.S.; extending the expiration date of provisions authorizing the expenditure of funds in a special law enforcement trust fund established by the governing body of a municipality; reenacting s. 985.686(3), F.S., providing for the payment of costs of providing detention care for juveniles; providing for the future expiration of certain amendments to such provisions; specifying certain limitations on reimbursements to a health care provider or hospital by the Department of Corrections; providing an exception for hospitals that reported a negative operating margin for the prior year; requiring that contract rates of the Department of Corrections be based on a percentage of the Medicare allowable rate; amending s. 201.15, F.S.; providing for moneys in the Invasive Plant Control Trust Fund from the excise tax on documents to be used for Everglades restoration and for the Water Resource Action Plan; authorizing the transfer of moneys in the Invasive Plant Control Trust Fund to the Save Our Everglades Trust Fund and the Ecosystem Management and Restoration Trust Fund; authorizing the Executive Office of the Governor to transfer certain specified funds between departments for purposes of paying risk management insurance; providing for expiration of such authority; authorizing the Executive Office of the Governor to transfer certain specified funds between departments for purposes of paying for human resource management services; providing for expiration of such authority; amending s. 253.01, F.S.; providing for moneys in the Internal Improvement Trust Fund to be used for grants and aids to local governments for the drinking water facility construction state revolving loan program; providing for future expiration of such provision; amending s. 255.503, F.S.; delaying the expiration of provisions authorizing the Department of Management Services to sell, lease, or otherwise dispose of facilities within the Florida Facilities Pool and report to the Legislature, the Governor, and the Division of Bond Finance; reenacting s. 287.17(3)(a) and (6), F.S.; authorizing the use of state aircraft for commuting; providing for the future expiration of certain amendments to such provisions; requiring the Department of Environmental Protection to award funds to certain small counties for programs in liter prevention, recycling and solid waste programs, and the Innovation Grant Program; amending s. 570.20, F.S.; delaying the expiration of provisions authorizing moneys in the General Inspection Trust Fund to be appropriated for certain programs operated by the Department of Agriculture and Consumer Services; authorizing the Department of Financial Services to expend certain funds for salaries, other personnel services, and related expenses; amending s. 253.034, F.S.; delaying the expiration of provisions authorizing the deposit of funds from the sale of property located in Palm Beach County into the Highway Safety Operating Trust Fund by the Department of Highway Safety and Motor Vehicles; amending s. 320.08058, F.S.; delaying the expiration of provisions authorizing proceeds from the Professional Sports Development Trust Fund to be used for operational expenses of the Florida Sports Foundation and financial support of the Sunshine State Games; amending s. 339.135, F.S.; delaying the expiration of provisions requiring the Department of Transportation to transfer funds to the Office of Tourism, Trade, and Economic Development for the purpose of funding economic development transportation projects; amending s. 553.721, F.S.; providing for the proceeds from the surcharge collected by the Department of Community Affairs on building additions and renovations to be used to fund regional planning councils, civil legal assistance, and the Front Porch Florida Initiative; providing for the authorization and issuance of new debt; reenacting s. 215.32(2)(b), F.S., relating to the source and use of certain trust funds in order to implement the transfer of moneys in the General Revenue Fund from trust funds in the 2008-2009 General Appropriations Act; providing for the effect of a veto of one or more specific appropriations or proviso provisions to which implementing language refers; providing for the continued operation of certain provisions notwithstanding a future repeal or expiration provided by the act; providing for severability; providing for contingent retroactive application; providing effective dates.

—was read the second time by title. On motion by Senator Carlton, by two-thirds vote **SB 2902** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—29

Mr. President	Crist	Hill
Alexander	Dean	Jones
Aronberg	Deutch	Justice
Baker	Diaz de la Portilla	King
Bennett	Fasano	Lawson
Bullard	Gaetz	Lynn
Carlton	Garcia	Oelrich
Constantine	Geller	Peaden

Saunders	Storms	Wise
Siplin	Webster	

Nays—2

Joyner	Rich

Vote after roll call:

Yea—Atwater, Dockery, Haridopolos, Villalobos

Nay—Ring

CS for SB 1746—A bill to be entitled An act relating to public school funding; amending s. 1001.451, F.S., relating to regional consortium service organizations; authorizing the Department of Education to appropriate a lesser amount of an incentive grant per school district and eligible member for a specified fiscal year; providing for the future expiration of such provisions; amending s. 1011.62, F.S.; decreasing the value of full-time equivalent student membership calculated for each student enrolled in an International Baccalaureate course, a full-credit Advanced International Certificate of Education course, or an advanced placement course who receives a certain score on an examination; deleting provisions relating to the calculation of additional full-time equivalent membership based on completion of high school level algebra courses and supplemental allocation for juvenile justice education programs; revising provisions relating to the calculation of additional full-time equivalent membership based on certification of successful completion of industry-certified career and professional academy programs; revising provisions relating to the calculation of additional full-time equivalent membership for the Florida Virtual School; providing the final taxable value used in the final calculation to determine the amount school districts are required to put toward the cost of the Florida Education Finance Program; providing for certain categorical funds; requiring the Department of Education to submit a report to the Legislature regarding such categorical funds; requiring a district school board to submit an amendment to the department if such board transfers funds from its research-based reading instruction allocation; providing a calculation for the supplemental allocation for juvenile justice education programs; providing for the future expiration of certain provisions governing the transfer of categorical funds; amending s. 1011.71, F.S.; decreasing the maximum millage a school district is allowed to levy against the taxable value for school purposes; authorizing a school district to redirect a specified amount of millage if revenues are insufficient to cover payments due under a lease-purchase agreement; amending s. 1012.72, F.S., relating to the Dale Hickam Excellent Teaching Program; providing that monetary incentives and bonuses be provided for up to a certain period; deleting provisions relating to a fee subsidy and a portfolio preparation incentive; providing an effective date.

—was read the second time by title.

Senator Wise moved the following amendments which were adopted:

Amendment 1 (566494)(with directory and title amendments)—Between line(s) 365 and 366, insert:

(8) DECLINE IN FULL-TIME EQUIVALENT STUDENTS.—In those districts where there is a decline between prior year and current year unweighted FTE students, *a percent* ~~50 percent~~ of the decline in the unweighted FTE students *as determined by the Legislature* shall be multiplied by the prior year calculated FEFP per unweighted FTE student and shall be added to the allocation for that district. For this purpose, the calculated FEFP shall be computed by multiplying the weighted FTE students by the base student allocation and then by the district cost differential. If a district transfers a program to another institution not under the authority of the district's school board, including a charter technical career center, the decline is to be multiplied by a factor of 0.15. However, if the funds provided for the Florida Education Finance Program in the General Appropriations Act for any fiscal year are reduced by a subsequent appropriation for that fiscal year, the percent of the decline in the unweighted FTE students to be funded shall be determined by the Legislature and designated in the subsequent appropriation.

And the directory clause is amended as follows:

Delete line(s) 70-75 and insert:

Section 3. Paragraphs (l) through (v) of subsection (1), paragraphs (a) and (b) of subsection (4), subsection (6) of section 1011.62, Florida Statutes, and subsection (8) of that section as amended by section 2 of chapter 2007-328, Laws of Florida, are amended, present subsections (10) and (11) of that section are amended and redesignated as subsections (11) and (12), respectively, and a new subsection (10) is added to that section, to read:

And the title is amended as follows:

On line(s) 33, after the semicolon (;) insert: revising provisions relating to the calculation of declining unweighted full-time equivalent students;

Amendment 2 (295628)(with directory and title amendments)—Delete line(s) 534-618 and insert:

(2) The Dale Hickam Excellent Teaching Program is created to provide categorical funding for monetary incentives and bonuses for teaching excellence. *The monetary incentives and bonuses may be provided for initial certification for up to one 10-year period.* The Department of Education shall distribute to each school district ~~or to the NBPTS~~ an amount as prescribed annually by the Legislature for the Dale Hickam Excellent Teaching Program. For purposes of this section, the Florida School for the Deaf and the Blind shall be considered a school district. Unless otherwise provided in the General Appropriations Act, each distribution shall be the sum of the amounts earned for the following incentives and bonuses:

~~(a) A fee subsidy to be paid by the Department of Education to the NBPTS on behalf of each individual who is an employee of a district school board or a public school within the school district, who is certified by the district to have demonstrated satisfactory teaching performance pursuant to s. 1012.34 and who satisfies the prerequisites for participating in the NBPTS certification program, and who agrees, in writing, to pay 10 percent of the NBPTS participation fee and to participate in the NBPTS certification program during the school year for which the fee subsidy is provided. The fee subsidy for each eligible participant shall be an amount equal to 90 percent of the fee charged for participating in the NBPTS certification program. The fee subsidy is a one-time award and may not be duplicated for any individual.~~

~~(b) A portfolio preparation incentive of $150 paid by the Department of Education to each teacher employed by a district school board or a public school within a school district who is participating in the NBPTS certification program. The portfolio preparation incentive is a one-time award paid during the school year for which the NBPTS fee subsidy is provided.~~

(a)~~(c)~~ An annual bonus equal to 10 percent of the prior fiscal year's statewide average salary for classroom teachers to be distributed to the school district to be paid to each individual who holds NBPTS certification and is employed by the district school board or by a public school within the school district. The district school board shall distribute the annual bonus to each individual who meets the requirements of this paragraph and who is certified annually by the district to have demonstrated satisfactory teaching performance pursuant to s. 1012.34. The annual bonus may be paid as a single payment or divided into not more than three payments.

(b)~~(d)~~ An annual bonus equal to 10 percent of the prior fiscal year's statewide average salary for classroom teachers to be distributed to the school district to be paid to each individual who meets the requirements of paragraph *(a)* ~~(c)~~ and agrees, in writing, to provide the equivalent of 12 workdays of mentoring and related services to public school teachers within the state who do not hold NBPTS certification. Related services must include instruction in helping teachers work more effectively with the families of their students. The district school board shall distribute the annual bonus in a single payment following the completion of all required mentoring and related services for the year. It is not the intent of the Legislature to remove excellent teachers from their assigned classrooms; therefore, credit may not be granted by a school district or public school for mentoring or related services provided during student contact time during the 196 days of required service for the school year.

(c)~~(e)~~ The employer's share of social security and Medicare taxes ~~and Florida Retirement System contributions~~ for those teachers who qualify for NBPTS certification and receive bonus amounts.

A teacher for whom the state *or the school district* pays the certification fee and who does not complete the certification program or does not teach in a public school of this state for at least 1 year after completing the certification program must repay the amount of the certification fee to the state. However, a teacher who completes the certification program but fails to be awarded NBPTS certification is not required to repay the amount of the certification fee if the teacher meets the 1-year teaching requirement. Repayment is not required of a teacher who does not complete the certification program or fails to fulfill the teaching requirement because of the teacher's death or disability or because of other extenuating circumstances as determined by the State Board of Education.

(3) A school district may pay the following:

(a) A fee subsidy to the NBPTS on behalf of each individual who is an employee of a district school board or a public school within the school district, who is certified by the district to have demonstrated satisfactory teaching performance pursuant to s. 1012.34, who satisfies the prerequisites for participating in the NBPTS certification program, and who agrees, in writing, to pay at least 10 percent or more of the NBPTS participation fee and to participate in the NBPTS certification program during the school year for which the fee subsidy is provided. The fee subsidy for each eligible participant shall be an amount up to 90 percent of the fee charged for participating in the NBPTS certification program. The fee subsidy is a one-time award and may not be duplicated for any individual.

(b) A portfolio-preparation incentive of up to $150 to each teacher employed by a district school board or a public school within a school district who is participating in the NBPTS certification program. The portfolio-preparation incentive is a one-time award paid during the school year for which the NBPTS fee subsidy is provided.

(c) The employer's share of Florida Retirement System contributions for any bonus payments under paragraphs (2)(a) and (b).

(6)~~(5)~~ If the funds available in any fiscal year are insufficient to pay in full the annual bonuses for certification and for providing mentoring and related services, such payments for mentoring and related services shall be prorated among the eligible recipients. *If the mentoring and related services are prorated, school districts may pay a portion or all of the balance. If funds are insufficient to pay in full the annual bonuses for certification, payments of bonuses for certification shall be prorated among the eligible recipients.*

And the directory clause is amended as follows:

Delete line(s) 529-532 and insert:

Section 6. Subsection (2) of section 1012.72, Florida Statutes, and subsection (5) of that section as created by section 7 of chapter 2007-328, Laws of Florida, are amended, present subsections (3), (4), and (5) of that section are redesignated as subsections (4), (5), and (6), respectively, and a new subsection (3) is added to that section, to read:

And the title is amended as follows:

On line(s) 46, after the semicolon (;) insert: authorizing a school district to pay a certain percentage of a fee subsidy to the National Board of Professional Teaching Standards on behalf of certain persons, a portfolio-preparation incentive up to a specified amount to certain teachers, and the employer's share of contributions to the Florida Retirement System;

Senator Garcia moved the following amendment which was adopted:

Amendment 3 (756726)(with title amendment)—Between line(s) 618 and 619, insert:

Section 7. Subsection (4) of section 1013.45, Florida Statutes, is amended to read:

1013.45 Educational facilities contracting and construction techniques.—

(4) Except as otherwise provided in this section and s. 481.229, the services of a registered architect must be used for the development of plans for the erection, enlargement, or alteration of any educational facility. The services of a registered architect are not required for a minor renovation project for which the construction cost is less than $50,000 or for the placement or hookup of relocatable educational facilities that conform with standards adopted under s. 1013.37. However, boards must provide compliance with building code requirements and ensure that these structures are adequately anchored for wind resistance as required by law. *A district school board shall* ~~Boards are encouraged to consider the~~ reuse ~~of~~ existing construction documents or design criteria packages *if* ~~where~~ such reuse is feasible and practical. *If a school district's 5-year educational facilities work plan includes the construction of two or more new schools for students in the same grade group and program, such as elementary, middle, or high school, the district school board shall require that prototype design and construction be used for the construction of these schools.* Notwithstanding s. 287.055, a board may purchase the architectural services for the design of educational or ancillary facilities under an existing contract agreement for professional services held by a district school board in the State of Florida, provided that the purchase is to the economic advantage of the purchasing board, the services conform to the standards prescribed by rules of the State Board of Education, and such reuse is not without notice to, and permission from, the architect of record whose plans or design criteria are being reused. Plans shall be reviewed for compliance with the state requirements for educational facilities. Rules adopted under this section must establish uniform prequalification, selection, bidding, and negotiation procedures applicable to construction management contracts and the design-build process. This section does not supersede any small, woman-owned or minority-owned business enterprise preference program adopted by a board. Except as otherwise provided in this section, the negotiation procedures applicable to construction management contracts and the design-build process must conform to the requirements of s. 287.055. A board may not modify any rules regarding construction management contracts or the design-build process.

And the title is amended as follows:

On line(s) 46, after the semicolon (;) insert: amending s. 1013.45, F.S.; requiring a district school board to reuse existing construction documents or design criteria packages if feasible and practical; requiring the use of prototype design and construction under certain circumstances;

On motion by Senator Wise, by two-thirds vote **CS for SB 1746** as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—35

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

Nays—1

Justice

Vote after roll call:

Yea—Haridopolos

CS for SB 1756—A bill to be entitled An act relating to classroom size reductions; amending ss. 1002.53 and 1002.61, F.S.; conforming provisions to changes made by the act; amending s. 1002.63, F.S.; removing the eligibility requirements that a school district is required to meet in order to deliver the prekindergarten program during the school year; amending s. 1002.73, F.S.; removing the Department of Education's authority to certify school districts as eligible to deliver the prekindergarten program; amending s. 1003.03, F.S.; revising the requirements for calculating the number of students per classroom for specified fiscal years; providing a class size reduction calculation for the department to apply if it determines that an individual class exceeds the maximum level allowed; requiring the Executive Office of the Governor to place the

funds from such calculation in reserve, with the undistributed funds reverting to the General Revenue Fund; authorizing the Commissioner of Education to recommend a budget amendment by a certain date each year, subject to the Legislative Budget Commission's approval; amending s. 1011.685, F.S.; requiring school districts to use class size reduction operating categorical funds to reduce class size; authorizing a school district to use such funds for any operating expenditure if the class size requirements are met, with priority given to increasing teachers' salaries; providing an effective date.

—was read the second time by title. On motions by Senator Wise, by two-thirds vote **CS for SB 1756** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

CS for SB 1774—A bill to be entitled An act relating to postsecondary student fees; amending s. 1009.22, F.S.; revising provisions relating to workforce education postsecondary student fees; prohibiting the fee from exceeding a certain percentage of the tuition per credit hour and the out-of-state fee; requiring that such fees be used to enhance instructional technology resources; prohibiting the fee from being included in any award under the Florida Bright Futures Scholarship Program; amending s. 1009.23, F.S.; conforming provisions relating to community college student fees to changes made by the act; amending s. 1009.24, F.S.; revising provisions relating to state university student fees; requiring a referendum of the student body in which a majority of the students vote to establish the technology fee; requiring each university board of trustees to report to the Legislature and the Board of Governors by a certain date each year regarding such fee; providing an effective date.

—was read the second time by title. On motions by Senator King, by two-thirds vote **CS for SB 1774** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

CS for SB 1788—A bill to be entitled An act relating to trust funds; creating the Indigent Civil Defense Trust Fund within the Justice Administrative Commission; providing for the purpose of the trust fund; providing for future review and termination or re-creation of the trust fund; providing an effective date.

—was read the second time by title. On motions by Senator Crist, by two-thirds vote **CS for SB 1788** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and immediately certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

CS for SB 1790—A bill to be entitled An act relating to the state judicial system; amending s. 27.511, F.S.; prescribing the types of civil proceedings in which part-time assistant criminal conflict and civil regional counsel may not otherwise engage; providing for the public defender to handle criminal appeals in certain cases for which trial representation was provided by the office of criminal conflict and civil regional counsel; providing an exception when the public defender has a conflict; amending s. 27.52, F.S.; increasing the application fee for determining indigent status for the purpose of receiving criminal representation by state-funded counsel; conforming provisions to changes made by the act; amending s. 27.562, F.S.; specifying that certain assessments collected from a defendant are in satisfaction of the application fee for a determination of indigent status; amending s. 28.24, F.S.; increasing charges for services rendered by the clerk of the circuit court in recording documents and instruments and performing other duties; amending s. 28.2401, F.S.; increasing services charges the clerk of court is authorized to charge in probate matters; amending s. 28.241, F.S.; increasing filing fees for civil actions in circuit court; conforming provisions governing the remission of a portion of the fees to the General Revenue Fund; providing for a portion of the fees to be deposited in a designated trust fund in support of mediation activities; increasing filing fees for instituting certain appellate proceedings; amending s. 28.246, F.S.; reducing the maximum fee that may be charged when the clerk uses a collection agent to collect unpaid fees and costs; amending s. 28.35, F.S.; including the provision of meals and lodging for jurors within the court-related functions that the clerk of court may fund through fees, service charges, court costs, and fines; revising provisions to conform; clarifying duties of the Florida Clerks of Court Operations Corporation; reenacting s. 28.36(1), (2), (3)(a), (4), and (5), F.S., relating to budget procedures of the clerks of court, to incorporate the amendment to s. 28.35, F.S., in references thereto; amending s. 34.041, F.S.; increasing filing fees for civil actions in county court; conforming provisions governing the remission of a portion of the fees to the General Revenue Fund; providing for a portion of the fees to be deposited in a designated trust fund in support of mediation activities; amending s. 40.24, F.S.; providing for jurors to be compensated by the clerk of the court rather than the state; amending s. 40.26, F.S.; providing for certain meals and lodging expenses for jurors to be paid by the clerk of the court; amending s. 40.29, F.S.; revising requirements for the clerk of the court relating to payment of ordinary witnesses; including the criminal conflict and regional civil counsel among the persons on whose behalf the clerk of the court estimates funds for payment of witnesses; eliminating a requirement that the clerk of the court provide an estimate of certain juror expenses; revising provisions to conform; amending s. 40.31, F.S.; revisions provisions to conform to the payment of juror compensation from funds retained by the clerk of the court; authorizing the Justice Administrative Commission rather than the State Courts Administrator to apportion certain funds for payment of witnesses by the clerk of the court; amending s. 40.32, F.S.; requiring that certain juror expenses be paid by the clerk of the court from fees, service charges, court costs, and fines; amending s. 40.33, F.S.; revising procedures related to a deficiency in funds for the payment of witnesses; revising provisions to conform; amending s. 40.34, F.S.; eliminating requirements that the clerk of the court prepare a juror payroll

and provide copies to the State Courts Administrator; repealing s. 40.35, F.S., relating to an accounting by the clerk of the court to the State Courts Administrator for funds for juror and witness payments; amending s. 40.355, F.S.; revising requirements for the clerk of the court to account for certain funds, to conform to changes made by the act; amending s. 40.361, F.S., relating to the applicability of certain state budgeting laws; conforming a cross-reference; amending s. 44.108, F.S.; increasing fees for court-ordered mediation services; requiring the clerk of the court to report the fees collected and deposited into the Mediation and Arbitration Trust Fund; amending s. 45.035, F.S.; increasing service charges related to judicial sales procedures; amending s. 55.505, F.S.; increasing a service charge for issuing execution or process for enforcement of a foreign judgment; amending s. 57.082, F.S.; creating an application fee for a determination of indigent status and appointment of an attorney in certain proceedings relating to children; providing for fees collected to be deposited into the Indigent Civil Defense Trust Fund; authorizing the clerk of the court to retain a portion of the fees collected; amending s. 61.14, F.S.; increasing service charges related to enforcement and modification of support, maintenance, or alimony agreements or orders; amending s. 318.121, F.S.; specifying that a new administrative fee for civil traffic violations is not preempted; amending s. 318.14, F.S.; increasing the court costs that are assessed in certain noncriminal traffic cases; amending s. 318.15, F.S.; increasing the processing fee when a person is adjudicated guilty after failing to attend driver improvement school; amending s. 318.18, F.S.; increasing fees, penalties, and court costs related to certain traffic infractions; creating an administrative fee for noncriminal moving and nonmoving traffic violations; amending s. 322.245, F.S.; increasing delinquency fees that are imposed for failing to comply with traffic court directives and that must be paid to avoid suspension of a driver's license; amending s. 327.73, F.S.; increasing dismissal fees and court costs related to certain noncriminal vessel safety infractions; increasing the maximum amount of court costs that may be imposed; amending s. 372.83, F.S.; increasing the costs assessed by the clerk or a hearing officer for verifying that a person possesses a certain wildlife license or permit; amending s. 713.24, F.S.; increasing the fees charged by the clerk for making and serving a certificate showing transfer of a lien from real property to certain security; amending s. 721.83, F.S.; increasing the additional filing fee for joining a timeshare estate in a consolidated foreclosure action; amending s. 744.365, F.S.; increasing the fee paid by a guardian from the ward's property upon the filing of a verified inventory of the ward's property; amending s. 744.3678, F.S.; increasing the fees paid by a guardian from the ward's estate as part of an annual accounting; amending s. 766.104, F.S.; increasing the filing fee for securing an automatic extension of the statute of limitations to allow for investigation in medical negligence cases; amending s. 938.05, F.S.; increasing the additional costs that a person must pay in felony, misdemeanor, or criminal traffic offenses; amending s. 938.27, F.S.; defining the term "convicted" for purposes of paying the costs of prosecution; providing for the imposition of such costs notwithstanding a defendant's present ability to pay; prescribing costs of prosecution; authorizing the court to establish higher minimum costs of prosecution; amending s. 938.29, F.S.; providing that certain defendants are liable for the application fee to determine indigent status for purposes of appointing counsel; providing for distribution of funds collected from a defendant for the application fee, attorney's fees, and costs; prohibiting the Florida Clerks of Court Operations Corporation from increasing clerks budgets in a specified fiscal year based on increased revenues under the act; authorizing the corporation to increase budgets in the aggregate for increased clerk duties related to the payment of juror expenses; providing an effective date.

—was read the second time by title. On motions by Senator Crist, by two-thirds vote **CS for SB 1790** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

CS for SB 1792—A bill to be entitled An act relating to criminal history information; amending s. 943.053, F.S.; clarifying the purposes for which the fees collected from the private sector or noncriminal justice agencies to acquire criminal history information may be applied; increasing the amount of the fee charged per record for criminal history information; providing an effective date.

—was read the second time by title. On motions by Senator Crist, by two-thirds vote **CS for SB 1792** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

SB 2820—A bill to be entitled An act relating to residential facilities for juvenile offenders; amending s. 985.02, F.S.; expressing the legislative intent that residential facilities for juvenile offenders have no more than 165 beds; providing an exception for campus-style settings that have more than one level of restrictiveness and other conditions; amending s. 985.03, F.S.; redefining the term "restrictiveness level" to require that residential facilities for juvenile offenders in low-risk, moderate-risk, and high-risk offender programs have no more than 165 residential beds each; providing an exception for campus-style settings that have more than one level of restrictiveness and other conditions; providing an effective date.

—was read the second time by title. On motions by Senator Crist, by two-thirds vote **SB 2820** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

CS for SB 1810—A bill to be entitled An act relating to agriculture; amending s. 570.191, F.S.; providing that money in the Agricultural Emergency Eradication Trust Fund be made available under certain circumstances; repealing s. 570.1911, F.S., relating to notice of certification of an agricultural emergency; providing an effective date.

—was read the second time by title. On motion by Senator Alexander, by two-thirds vote **CS for SB 1810** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

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

Nays—None

Vote after roll call:

Yea—Alexander

On motion by Senator Alexander, by two-thirds vote **HB 7019** was withdrawn from the Committee on General Government Appropriations.

On motion by Senator Alexander, by two-thirds vote—

HB 7019—A bill to be entitled An act relating to real property transfer returns; repealing s. 201.022, F.S., relating to requirements for executing and filing returns relating to transfers of interests in real property as a condition precedent to recording deeds transferring such interests; providing an effective date.

—a companion measure, was substituted for **CS for SB 1814** and by two-thirds vote read the second time by title. On motion by Senator Alexander, by two-thirds vote **HB 7019** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

CS for SB 1820—A bill to be entitled An act relating to the Department of Business and Professional Regulation; amending s. 455.2281, F.S.; authorizing the department to set by rule the fees paid annually by professions regulated by the department; limiting the amount of such fees; authorizing the department to adopt rules to waive the unlicensed activity special fee if certain accounts have an excess balance; amending s. 548.035, F.S.; revising the amount of the permit fee charged for pugilistic exhibition events; amending s. 718.501, F.S.; authorizing the department to set by rule the fees paid annually by condominium associations; limiting the amount of such fees; amending s. 719.501, F.S.; authorizing the department to set by rule the fees paid annually by cooperative associations; limiting the amount of such fees; amending s. 721.27, F.S.; authorizing the department to set by rule the fees paid annually by timeshare plans; limiting the amount of such fees; amending s. 509.032, F.S.; deleting a provision requiring that the division provide certain assistance to the State Fire Marshal; deleting a provision requiring that the division provide technical assistance to the Florida Building Commission when updating the construction standards of the Florida Fire Prevention Code; deleting a provision requiring that the division enforce certain provisions of the Florida Fire Prevention Code; providing an effective date.

—was read the second time by title.

Senator Alexander moved the following amendments which were adopted:

Amendment 1 (469296)(with title amendment)—Delete line(s) 76 and insert: operating fund account of that profession. *For the 2008-2009 fiscal year, for each profession subject to fees imposed by this section, the department shall waive fees if the long-range estimates of revenue forecast a reasonable excess cash balance as required in s. 455.219. The department shall also reduce fees for all other professions based upon excess cash estimates. A report of all fee adjustments granted under this section, by profession, shall be provided to the chairs of the Senate Fiscal Policy and Calendar Committee and House Policy and Budget Council by September 15, 2009.*

And the title is amended as follows:

On line(s) 8, after the semicolon (;) insert: requiring the department to waive or reduce fees under certain conditions for all professions subject to fees; requiring that a report of fee adjustments be submitted to the Legislature by a specified date;

Amendment 2 (306006)(with title amendment)—Delete line(s) 105-129 and insert: the amount due, plus any penalty, is paid. *For the 2008-2009 fiscal year, the department shall reduce the annual fee paid by each condominium association as required by this paragraph to $2 for each residential unit.*

Section 4. Paragraph (a) of subsection (2) of section 719.501, Florida Statutes, is amended to read:

719.501 Powers and duties of Division of Florida Land Sales, Condominiums, and Mobile Homes.—

(2)(a) *The department, by rule, may set fees to be paid annually by* each cooperative association ~~shall pay to the division~~, on or before January 1 of each year.~~,~~ An annual fee *may not exceed* ~~in the amount of~~ $4 for each residential unit in cooperatives operated by the association. If the *assessed* fee is not paid by March 1, then the association shall be assessed a penalty of 10 percent of the amount due, and the association shall not have the standing to maintain or defend any action in the courts of this state until the amount due is paid. *For the 2008-2009 fiscal year, the department shall reduce the annual fee paid by each cooperative association as required by this paragraph to $2 for each residential unit.*

Section 5. Section 721.27, Florida Statutes, is amended to read:

721.27 Annual fee for each timeshare unit in plan.—On January 1 of each year, each managing entity of a timeshare plan located in this state shall collect as a common expense and pay to the division an annual fee *to be set by rule, not to exceed* ~~of~~ $2 for each 7 days of annual use availability that exist within the timeshare plan at that time, *and* subject to any limitations on the amount of such annual fee pursuant to s. 721.58. If any portion of the annual fee is not paid by March 1, the managing entity may be assessed a penalty pursuant to s. 721.26. *For the 2008-2009 fiscal year, the department shall reduce the annual fee paid by each managing entity of a timeshare plan as required in this section to 50 cents for each 7 days of annual use.*

And the title is amended as follows:

Delete line(s) 11-19, and insert: amending s. 718.501, F.S.; authorizing the department to set by rule the fees paid annually by condominium associations; limiting the amount of such fees; requiring the department to reduce condominium association fees to a certain amount for a specified time; amending s. 719.501, F.S.; authorizing the department to set by rule the fees paid annually by cooperative associations; limiting the amount of such fees; requiring the department to reduce cooperative association fees to a certain amount for a specified time; amending s. 721.27, F.S.; authorizing the department to set by rule the fees paid annually by timeshare plans; limiting the amount of such fees; requiring the department to reduce the annual fee paid by timeshare plans to a

certain amount for a specified time; amending s. 509.032, F.S.; deleting a provision

On motion by Senator Alexander, by two-thirds vote **CS for SB 1820** as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

CS for SB 1824—A bill to be entitled An act relating to financial services; creating s. 17.0315, F.S.; establishing a task force to develop a successor financial and cash management system; requiring the Chief Financial Officer to appoint members to and head such task force; requiring that the directors of the Agency for Enterprise Information Technology and the Office of Policy and Budget in the Executive Office of the Governor participate as members of the task force; providing a purpose; requiring members to consult with the administrative services directors, finance and accounting offices, and budget directors of all branches of state government; requiring the task force to submit a report and draft legislation to the Governor and the Legislature by a certain date; requiring that certain information be included in such report; amending s. 20.121, F.S.; establishing the Strategic Markets Research and Assessment Unit within the Office of Financial Regulation; requiring that the unit periodically report to the Financial Services Commission and the Legislature; specifying the information be included in such report; amending s. 517.315, F.S.; requiring the Office of Financial Regulation of the Financial Services Commission to transfer the entire registration assessment fee paid by associated persons and a certain percentage of the assessment fee paid by dealers and investment advisors to the Regulatory Trust Fund; amending ss. 626.932 and 626.938, F.S.; revising the required percentages of funds collected pursuant to certain taxes on surplus lines premiums and related interest that must be deposited into the Insurance Regulatory Trust Fund and the General Revenue Fund; providing an effective date.

—was read the second time by title. On motion by Senator Alexander, by two-thirds vote **CS for SB 1824** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

CS for SB 1830—A bill to be entitled An act relating to the disposition of traffic infractions; amending s. 318.18, F.S.; requiring that revenue from the surcharge imposed for certain criminal traffic offenses and all noncriminal traffic violations be remitted to the Department of Revenue, deposited quarterly into the State Agency Law Enforcement Radio System Trust Fund of the Department of Management Services, and be used for certain purposes; authorizing the Department of Management Services to retain funds from such revenue to recover certain costs and expenses; providing an effective date.

—was read the second time by title. On motion by Senator Alexander, by two-thirds vote **CS for SB 1830** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

CS for SB 1838—A bill to be entitled An act relating to the Department of Revenue; amending s. 195.002, F.S.; authorizing the Department of Revenue to incur reasonable expenses for the salaries and benefits of employees whose duties are directly associated with developing and conducting schools to upgrade assessment and collection skills; amending s. 195.022, F.S.; requiring the department to pay for aerial photographs and nonproperty ownership maps provided to the property appraisers of certain counties; providing an exception; authorizing the department to charge fees for procuring photographs and maps and deposit the proceeds into the Certification Program Trust Fund; amending s. 195.087, F.S.; authorizing property appraisers to pay the costs of aerial photographs and nonproperty ownership maps which are not paid by the department; providing an effective date.

—was read the second time by title. On motion by Senator Alexander, by two-thirds vote **CS for SB 1838** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

CS for SB 1886—A bill to be entitled An act relating to the state group insurance program; amending s. 110.123, F.S.; specifying the amount of the employer contribution to employee health savings accounts; providing an effective date.

—was read the second time by title. On motions by Senator Carlton, by two-thirds vote **CS for SB 1886** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

CS for SB 1888—A bill to be entitled An act relating to state employees; providing for the resolution of certain collective bargaining issues at impasse between the State of Florida and certified bargaining units of state employees; providing an effective date.

—was read the second time by title. On motions by Senator Carlton, by two-thirds vote **CS for SB 1888** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

CS for SB 1892—A bill to be entitled An act relating to the state data center system; amending s. 14.204, F.S.; revising the duties and responsibilities of the Agency for Enterprise Information Technology; authorizing the agency to adopt rules; amending s. 215.322, F.S.; requiring the Agency for Enterprise Information Technology to review an agency's request to accept credit, charge, or debit cards in payment of goods and services and make recommendations to the Chief Financial Officer; amending s. 216.235, F.S.; including the executive director of the Agency for Enterprise Information Technology on the State Innovation Committee; requiring the agency to evaluate innovative investment projects that involve information technology; amending s. 282.003, F.S.; revising a short title; amending s. 282.0041, F.S.; defining terms relating to information resource management; amending s. 282.0055, F.S.; conforming cross-references; amending s. 282.0056, F.S.; revising provisions relating to the Agency for Enterprise Information Technology's work plan; requiring an annual plan; requiring the agency to annually report its achievements to the Governor and Cabinet and the Legislature; creating s. 282.201, F.S.; establishing a state data center system; providing legislative intent; providing the duties of the Agency for Enterprise Information Technology with respect to the system; providing responsibilities; providing state agency duties and limitations; authorizing the Agency for Enterprise Information Technology to adopt rules; creating s. 282.203, F.S.; establishing primary data centers; providing the duties of the center; providing that each center shall be headed by a board of trustees; providing for the membership of the board; providing for the duties of the board; creating s. 282.204, F.S.; establishing the Northwood Shared Resource Center as a separate budget entity housed for administrative purposes only in the Department of Children and Family Services; providing for the center to be headed by a board of trustees; creating s. 282.205, F.S.; establishing the Southwood Shared Resource Center as a separate budget entity housed for administrative purposes only in the Department of Management Services; providing for the center to be headed by a board of trustees; amending s. 282.315, F.S.; revising the duties of the Agency Chief Information Officers Council with respect to the consolidation of computer services; amending s. 282.322, F.S.; revising provisions relating to monitoring high-risk information technology projects; amending s. 287.057, F.S.; requiring the Department of Management Services to consult with the Agency for Enterprise Information Technology with respect to procuring information technology commodities and contractual services; amending ss. 445.011, 445.045, and 668.50, F.S., relating to workforce information systems and the Uniform Electronic Transaction Act; clarifying the duties of the Agency for Enterprise Information Technology and the Department of Management Services; providing for the transfer of state agency data center resources to a primary data center; requiring the board of trustees of the primary data center to submit a plan relating to costs and resources; requiring user agencies to submit budget requests to accomplish the transfers; specifying the duties of the board of trustees of the data center; providing for the transfer of the information technology functions of the Parole Commission to the Department of Corrections; requiring a plan and a service-level agreement; providing for the transfer of mainframe resources of the Department of Transportation and the Department of Highway Safety and Motor Vehicles to the Southwood Shared Resource Center; providing a timeframe for the transfer; requiring a service-level agreement for the transition and a plan; providing for the supervision of staff and ownership of resources; requiring budget amendments to redistribute resources between the state entities; repealing s. 282.20, F.S., relating to the Technology Resource Center; providing an effective date.

—was read the second time by title. On motions by Senator Carlton, by two-thirds vote **CS for SB 1892** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

CS for SB 1854—A bill to be entitled An act relating to the Medicaid program; amending s. 400.179, F.S.; authorizing the Agency for Health Care Administration to transfer fees used to repay nursing home Medicaid overpayments to the Grants and Donations Trust Fund within the agency; amending s. 409.904, F.S.; discontinuing optional Medicaid payments for certain persons age 65 or over or who are blind or disabled; revising certain eligibility criteria for pregnant women and children younger than 21; amending s. 409.906, F.S.; discontinuing adult dental services and adult hearing services on a certain date; amending s. 409.908, F.S.; requiring Medicaid to pay for all deductibles and coinsurance for portable X-ray Medicare Part B services provided in a nursing home; revising the factors used to determine the reimbursement rate to providers for Medicaid prescribed drugs; requiring the agency to reduce certain provider reimbursement rates as prescribed in the appropriations act; providing that any increases in rates as subject to the appropriations act; amending s. 409.911, F.S.; revising which year's disproportionate data is used to determine a hospital's Medicaid days and charity care during the 2008-2009 fiscal year; amending s. 409.9112, F.S.; prohibiting the Agency for Health Care Administration from distributing moneys under the regional perinatal intensive care disproportionate share program during the 2008-2009 fiscal year; amending s. 409.9113, F.S.; authorizing the agency to distribute disproportionate share funds to teaching hospital during the 2008-2009 fiscal year; providing that

such funds may be distributed as provided in the appropriations act; amending s. 409.9117, F.S.; prohibiting the distribution of funds under the primary disproportionate share program during the 2008-2009 fiscal year; amending s. 409.912, F.S.; specifying certain counties that are exempt from the requirement of enrolling Medicaid eligible children in MediPass or Medicaid fee-for-service and behavioral health care services; revising the factors used to determine the reimbursement rate to pharmacies for Medicaid prescribed drugs; revising the requirement for the agency to develop a utilization management program for Medicaid recipients for certain therapies; amending s. 409.9122, F.S.; revising enrollment requirements relating to Medicaid managed care programs and the agency's authority to assign persons to MediPass or a managed care plan; repealing s. 409.905(5)(c), F.S., relating to the agency's authority to adjust a hospital's inpatient per diem rate; repealing s. 430.83, F.S., relating to the Sunshine for Seniors Program; providing an effective date.

—was read the second time by title.

Senator Peaden moved the following amendment which was adopted:

Amendment 1 (311784)(with title amendment)—Between lines 1219 and 1220, insert:

Section 10. Section 409.91206, Florida Statutes, is created to read:

409.91206 Alternatives for health and long-term care reforms.—The Governor, the President of the Senate, and the Speaker of the House of Representatives may convene workgroups to propose alternatives for cost-effective health and long-term care reforms, including, but not limited to, reforms for Medicaid.

And the title is amended as follows:

Delete line 23 and insert: during the 2008-2009 fiscal year; creating s. 409.91206, F.S.; authorizing the Governor and the Legislature to convene workgroups to propose alternatives for cost-effective health and long-term care reforms; amending s. 409.9112,

On motion by Senator Peaden, by two-thirds vote **CS for SB 1854** as amended was read the third time by title, passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—23

Mr. President	Dean	King
Alexander	Diaz de la Portilla	Peaden
Atwater	Dockery	Saunders
Baker	Fasano	Storms
Bennett	Gaetz	Villalobos
Carlton	Garcia	Webster
Constantine	Haridopolos	Wise
Crist	Jones	

Nays—14

Aronberg	Joyner	Oelrich
Bullard	Justice	Rich
Deutch	Lawson	Ring
Geller	Lynn	Siplin
Hill	Margolis	

CS for SB 1856—A bill to be entitled An act relating to the Comprehensive Statewide Tobacco Education and Use Prevention Program; amending s. 381.84, F.S.; deleting a provision limiting to specified fiscal years the applicability of requirements that the area health education center network expand the AHEC smoking-cessation initiative to each county within the state and perform certain other activities; deleting a provision limiting to specified fiscal years the applicability of a requirement that the Department of Health award a contract or grant to the AHEC network for certain purposes; revising the annual appropriation for the AHEC network; deleting a provision authorizing the network to apply for a competitive contract or grant after a specified fiscal year; providing an effective date.

—was read the second time by title. On motion by Senator Peaden, by two-thirds vote **CS for SB 1856** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

CS for SB 1864—A bill to be entitled An act relating to medical research; amending s. 381.922, F.S., relating to the William G. "Bill" Bankhead, Jr., and David Coley Cancer Research Program; revising the annual appropriation for the program; amending s. 1004.445, F.S., relating to the Johnnie B. Byrd, Sr., Alzheimer's Center and Research Institute; revising the annual appropriation for the institute; providing an effective date.

—was read the second time by title. On motions by Senator Peaden, by two-thirds vote **CS for SB 1864** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—35

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

Nays—1

Deutch

Vote after roll call:

Yea—Haridopolos

Yea to Nay—Joyner, Justice

CS for SB 1866—A bill to be entitled An act relating to the home and community-based services delivery system; amending s. 393.0661, F.S.; providing that the total annual expenditures under tier one for services to clients with developmental disabilities may not exceed $150,000 per client per year; limiting tier two services to clients whose service needs include a licensed residential facility and who have authorization for a moderate level of support for standard residential habilitation services or authorization for a minimal level of support for behavior focus residential habilitation services; delaying the applicability of provisions governing services provided under tier four; providing an effective date.

—was read the second time by title. On motion by Senator Peaden, by two-thirds vote **CS for SB 1866** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—35

Mr. President	Atwater	Bullard
Alexander	Baker	Carlton
Aronberg	Bennett	Constantine

Crist	Jones	Rich
Diaz de la Portilla	Joyner	Ring
Dockery	Justice	Saunders
Fasano	King	Siplin
Gaetz	Lawson	Storms
Garcia	Lynn	Villalobos
Geller	Margolis	Webster
Haridopolos	Oelrich	Wise
Hill	Peaden	

Nays—1

Deutch

Vote after roll call:

Yea—Dean

CS for SB 1882—A bill to be entitled An act relating to the Department of Highway Safety and Motor Vehicles; amending s. 17.61, F.S.; deleting the DUI Programs Coordination Trust Fund from the list of funds invested by the Chief Financial Officer; amending s. 215.20, F.S.; deleting certain trust funds from the list of funds subject to a 0.3 percent service charge; amending s. 319.001, F.S.; defining the term "certificate of title"; amending s. 319.40, F.S.; authorizing the department to issue electronic certificates of title for motor vehicles and to provide notification through e-mail; amending s. 320.08, F.S.; revising provisions relating to the expenditure of the nonrefundable motorcycle safety education fee; amending s. 320.95, F.S.; authorizing the department to provide notification through e-mail; amending s. 322.025, F.S.; revising provisions relating to the implementation of programs to improve driving ability to conform to changes made by the act; amending s. 322.0255, F.S.; deleting the requirement that the department reimburse organizations that provide a motorcycle safety education course to certain students; amending s. 322.271, F.S.; authorizing the department to waive the hearing process for a person whose license has been suspended, cancelled, or revoked; providing exceptions; amending s. 322.293, F.S.; requiring that DUI programs be administered by the department and paid for by revenues collected by such programs; providing that such revenues be deposited into the Highway Safety Operating Trust Fund; amending s. 328.30, F.S.; authorizing the department to issue electronic certificates of title to vessels and to provide notification through e-mail; amending s. 328.80, F.S.; authorizing the Fish and Wildlife Conservation Commission to provide notification through e-mail; amending ss. 316.251 and 501.976, F.S.; conforming cross-references; providing an effective date.

—was read the second time by title. On motions by Senator Fasano, by two-thirds vote **CS for SB 1882** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

CS for SB 1988—A bill to be entitled An act relating to driving with a license that is suspended, revoked, or canceled; amending s. 322.34, F.S.; providing that a person commits a second-degree misdemeanor upon a first conviction and a first-degree misdemeanor upon a second or subsequent conviction of the same offense if the person commits certain specified violations of law; requiring the Department of Highway Safety and Motor Vehicles to study the effectiveness of suspending a person's driver's license for certain specified violations of law; requiring that the department, in consultation with the Office of Program Policy Analysis and Government Accountability and other affected entities, prepare a report and submit its findings and recommendations to the Governor and the Legislature by a specified date; providing an effective date.

—was read the second time by title. On motions by Senator Crist, by two-thirds vote **CS for SB 1988** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—35

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

Nays—1

Alexander

Vote after roll call:

Yea—Bennett

CS for CS for SB 2000—A bill to be entitled An act relating to sentencing and the development of more effective justice and correctional policies; creating s. 921.0019, F.S.; creating the Sentencing Policy Advisory Council within the Legislature and a Justice Reinvestment Subcommittee within the Sentencing Policy Advisory Council; requiring the council to evaluate sentencing policy, sentencing practices, correctional policies, justice reinvestment initiatives, and laws affecting or applicable to sentencing or punishment; requiring the subcommittee to review the effectiveness of correctional policies, including sanctioning programs for low-level drug and property offenders, mental health and substance abuse interventions, and reinvestment strategies to enhance the long-term effectiveness of correctional policies by reducing cost without negatively impacting public safety; requiring that recommendations be consistent with specified goals; providing membership of the council; providing for selection of the chair of the council; providing for an executive director and additional staff for the council, subject to appropriations; providing that members of the council serve without compensation, but are entitled to be reimbursed for per diem and travel expenses; requiring meetings and reports of findings and recommendations to the Governor, the Legislature, and the Florida Supreme Court; requiring the council to report its findings and recommendations regarding specified questions by a specified date; providing an effective date.

—was read the second time by title. On motions by Senator Crist, by two-thirds vote **CS for CS for SB 2000** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—37

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

Storms	Webster	Wise
Villalobos		

Nays—None

CS for CS for SB 1286—A bill to be entitled An act relating to a review of the Fish and Wildlife Conservation Commission under the Florida Government Accountability Act; reenacting s. 20.331, F.S., relating to the establishment of the commission; amending ss. 328.48 and 328.56, F.S., relating to vessel registration and vessel registration numbers; clarifying the term "non-motor-powered vessel" for purposes of an exception from registration requirements; amending s. 328.72, F.S., relating to vessel registration fees; increasing such fees for all vessels requiring registration; providing for future adjustment of the vessel registration fees based on the percentage change in the Consumer Pricing Index; requiring the Fish and Wildlife Conservation Commission to report to the Legislature on how the increase in fees will be used; exempting certain non-motor-powered vessels from requirements concerning vessel registration fees; amending s. 372.57, F.S., relating to recreational hunting and fishing licenses; providing for future adjustment of the recreational hunting and fishing licenses based on the percentage change in the Consumer Pricing Index; requiring the Fish and Wildlife Conservation Commission to report to the Legislature on how the increase in license and permit fees will be used; requiring the Office of Program Policy Analysis and Government Accountability to review and report on the Fish and Wildlife Conservation Commission's public relations, outreach, and education activities and staffing levels by a date certain; requiring the Fish and Wildlife Conservation Commission to review and report on specific activities within the agency by a date certain; repealing sections 372.107, 372.5714, 372.673, and 372.993, F.S., relating to the Federal Law Enforcement Trust Fund, the Waterfowl Advisory Council, the Florida Panther Technical Advisory Council, and the regulation of certain land-based commercial and recreational fishing activities; providing an effective date.

—was read the second time by title. On motions by Senator Saunders, by two-thirds vote **CS for CS for SB 1286** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—34

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

Nays—3

Garcia	Haridopolos	Villalobos

CS for CS for SB 1294—A bill to be entitled An act relating to a review of the Department of Environmental Protection under the Florida government Accountability Act; reenacting and amending s. 20.255, F.S., relating to the establishment of the department; renaming the Office of Legislative and Government Affairs as the "Office of Legislative Affairs"; creating the Office of Intergovernmental Programs within the department; renaming the Division of Resource Assessment and Management as the "Division of Environmental Assessment and Restoration"; authorizing the Environmental Regulation Commission to employ independent counsel and contract for outside technical consultants; amending s. 211.3103, F.S.; creating a surcharge on the severance of phosphate rock; providing an exemption from general revenue surcharge; providing for the expiration of the surcharge; amending s. 373.228, F.S.; requiring that certain entities review the standards and guidelines for landscape irrigation and xeriscape ordinances by a date certain; amending s. 376.303, F.S.; requiring a drycleaning facility to display a current and valid Department of environmental Protection certificate of registration; prohibiting the sale or transfer of drycleaning solvents after a certain date to owners or operators of drycleaning facilities unless a registration certificate is displayed; providing penalties; amend s. 403.031, F.S.; conforming the definition of the term "regulated air pollutant" to changes made in the federal Clean Air Act; amending s. 403.0623, F.S.; providing rulemaking authority for biological sampling techniques; amending s. 403.0872, F.S.; conforming the requirements for air operation permits to changes made to Title V of the Clean Air Act to delete certain minor sources from the Title V permitting requirements; amending s. 373.109, F.S.; requiring the department to initiate rulemaking by a date certain to adjust permit fees; providing for fees to be imposed for verifying that certain activities are exempt from regulation; providing for a fee for conducting informal wetland boundary determinations; specifying special conditions that apply to such determinations; amending s. 403.087, F.S.; providing minimum and maximum amounts for certain fees relating to wastewater treatment facilities; amending s. 403.861, F.S.; providing for a public water system application fee; requiring the department to adopt rules for periodically adjusting the application fee; amending s. 403.873, F.S.; providing rulemaking authority for continuing education requirements for water utility operators; amending s. 403.874, F.S.; providing for the reinstatement of certain water utility operator certifications; repealing s. 378.011, F.S., relating to the Land Use Advisory Committee; repealing ch. 325, F.S., consisting of ss. 325.2055, 325.221, 325.222, and 325.223, F.S., relating to motor vehicle air conditioning refrigerants; repealing s. 403.08725, F.S., relating to citrus juice processing facilities; amending s. 373.503, F.S.; increasing the millage rate for the Northwest Florida Water Management district; providing that the increased millage rate is contingent upon passage of a constitutional amendment; providing conditional authorization for the Northwest Florida Water Management District to adjust its millage rate, to conform; providing an effective date.

—was read the second time by title. On motions by Senator Saunders, by two-thirds vote **CS for CS for SB 1294** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—35

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

Nays—2

Garcia	Villalobos

CS for CS for SB 1702—A bill to be entitled An act relating to a review of the Department of Agriculture and Consumer Services under the Florida Government Accountability Act; reenacting s. 20.14(2)(a), (b), (c), (d), (f), (g), (h), (i), (k), and (l), F.S., relating to the Divisions of Administration, Agricultural Environmental Services, Animal Industry, Aquaculture, Dairy Industry, Food Safety, Forestry, Fruit and Vegetables, Marketing and Development, and Plant Industry of the Department of Agriculture and Consumer Services; amending s. 125.27, F.S.; increasing the annual countywide fire control assessment; requiring that certain portions of the assessment be distributed into the General Revenue Fund and the Incidental Trust Fund of the Division of Forestry; amending s. 370.07, F.S.; increasing the annual license tax imposed on wholesale and retail saltwater products dealers; amending s. 487.041, F.S.; increasing the registration fee imposed on each brand of pesticide that is distributed, sold, or offered for sale; amending s. 500.12, F.S.; increasing the maximum amount allowed for a food permit application fee; amending s. 559.928, F.S.; requiring that independent agents pay an annual registration fee; specifying an amount for such fee; providing for the deposit and use of moneys obtained from the collection of such fee; amending s. 576.041, F.S.; increasing the fertilizer inspection fee;

amending s. 580.041, F.S.; increasing master registration fees imposed on commercial feed distributors; amending s. 597.004, F.S.; increasing the registration fee for aquaculture certification; providing an effective date.

—was read the second time by title. On motions by Senator Alexander, by two-thirds vote **CS for CS for SB 1702** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

CS for CS for SB 2002—A bill to be entitled An act relating to retirement; amending s. 121.71, F.S.; revising the payroll contribution rates for the membership classes of the Florida Retirement System for the state fiscal years effective July 1, 2008, and July 1, 2009; providing a declaration of important state interest; providing an effective date.

—was read the second time by title. On motion by Senator Lawson, by two-thirds vote **CS for CS for SB 2002** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

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

Nays—None

MOTIONS

On motion by Senator Carlton, the House was requested to include the following bills in the budget conference committee when appointed: **CS for CS for SB 1286**, **CS for CS for SB 1294**, **CS for CS for SB 1702**, **CS for SB 1756**, **CS for SB 1774**, **CS for SB 1788**, **CS for SB 1790**, **CS for SB 1792**, **CS for SB 1882**, **CS for SB 1886**, **CS for SB 1888**, **CS for SB 1892**, **CS for SB 1988**, **CS for CS for SB 2000**, **SB 2820**, and **CS for SB 1864**.

On motions by Senator Carlton, the rules were waived to allow Senate conferees, when appointed, the latitude to deal with additional issues which may develop in conference; and the rules were also waived and the staff was instructed to make title, technical and conforming changes as necessary.

On motion by Senator King, the rules were waived and the Secretary was directed to transmit all bills to the House at the direction of the President.

MOTIONS RELATING TO COMMITTEE MEETINGS

On motion by Senator Carlton, the rules were waived and the Committee on General Government Appropriations was granted permission to add **CS for SB 1012** to the agenda at the meeting on April 10.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Rich, by two-thirds vote **SB 1186** was withdrawn from the committees of reference and further consideration.

On motion by Senator Carlton, by two-thirds vote **CS for SB 1752** was withdrawn from the Committee on Education Pre-K - 12.

On motion by Senator Atwater, by two-thirds vote **CS for SB 590** was withdrawn from the Committee on General Government Appropriations.

On motion by Senator Dockery, by two-thirds vote **CS for SB 1618** was withdrawn from the Committee on Rules.

On motion by Senator Saunders, by two-thirds vote **CS for SB 334**, **CS for SB 1370** and **CS for SB 1478** were withdrawn from the Committee on Health and Human Services Appropriations.

REPORTS OF COMMITTEES

The Fiscal Policy and Calendar Committee submits the following bills to be placed on the Special Order Calendar for Wednesday, April 9, 2008: SB 2900, SB 2902, CS for SB 1746, CS for SB 1756, CS for SB 1774, CS for SB 1788, CS for SB 1790, CS for SB 1792, SB 2820, CS for SB 1810, CS for SB 1814, CS for SB 1820, CS for SB 1824, CS for SB 1830, CS for SB 1838, CS for SB 1886, CS for SB 1888, CS for SB 1892, CS for SB 1854, CS for SB 1856, CS for SB 1864, CS for SB 1866, CS for SB 1882

Respectfully submitted,
Lisa Carlton, Chair

The Law and Justice Policy and Calendar Committee submits the following bills to be placed on the Special Order Calendar for Wednesday, April 9, 2008: CS for SB 1988, CS for CS for SB 2000

Respectfully submitted,
Paula Dockery, Chair

The Responsible Regulation Policy and Calendar Committee submits the following bills to be placed on the Special Order Calendar for Wednesday, April 9, 2008: CS for CS for SB 1286, CS for CS for SB 1294, CS for CS for SB 1702, CS for CS for SB 2002

Respectfully submitted,
Lee Constantine, Chair

The Committee on Judiciary recommends the following pass: SB 1986

The bill was referred to the Committee on Banking and Insurance under the original reference.

The Committee on Criminal Justice recommends the following pass: CS for SB 816

The Committee on Regulated Industries recommends the following pass: SB 2494

The Committee on Transportation recommends the following pass: SB 2678 with 2 amendments

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

The Committee on Criminal Justice recommends the following pass: CS for SB 1384

The bill was referred to the Committee on Criminal and Civil Justice Appropriations under the original reference.

The Committee on Children, Families, and Elder Affairs recommends the following pass: SB 2750 with 1 amendment

The bill was referred to the Committee on Education Pre-K - 12 under the original reference.

The Committee on Children, Families, and Elder Affairs recommends the following pass: SB 2564

The bill was referred to the Committee on Education Pre-K - 12 Appropriations under the original reference.

The Committee on Health Regulation recommends the following pass: SB 1634 with 1 amendment

The bill was referred to the Committee on Environmental Preservation and Conservation under the original reference.

The Committee on Judiciary recommends the following pass: CS for SB 1110

The bill was referred to the Committee on Finance and Tax under the original reference.

The Committee on Commerce recommends the following pass: SB 2332

The Committee on Judiciary recommends the following pass: CS for SB 1300

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

The Committee on Community Affairs recommends the following pass: SB 2298 with 1 amendment

The Committee on Criminal Justice recommends the following pass: SB 1700

The Committee on Judiciary recommends the following pass: CS for SB 1690 with 1 amendment

The Committee on Military Affairs and Domestic Security recommends the following pass: CS for SB 948; CS for SB 2546

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

The Committee on Children, Families, and Elder Affairs recommends the following pass: CS for SB 988; SB 2554 with 1 amendment

The Committee on Criminal Justice recommends the following pass: SB 1456

The Committee on Health Regulation recommends the following pass: SB 1508 with 2 amendments; CS for SB 1954; SB 2400

The bills contained in the foregoing reports were referred to the Committee on Health and Human Services Appropriations under the original reference.

The Committee on Children, Families, and Elder Affairs recommends the following pass: CS for SB 1458 with 1 amendment

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

The Committee on Transportation and Economic Development Appropriations recommends the following pass: CS for SB 1014

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

The Committee on Banking and Insurance recommends the following pass: SB 1308; CS for SB's 2086 and 2498 with 2 amendments

The Committee on Criminal Justice recommends the following pass: SB 636 with 1 amendment; CS for SB 638 with 2 amendments; CS for SB 886; SB 1188; SB 2676

The Committee on Ethics and Elections recommends the following pass: SB 2726

The Committee on Regulated Industries recommends the following pass: SB 2716

The Committee on Transportation recommends the following pass: CS for SB 964; SB 2492

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

The Committee on Transportation and Economic Development Appropriations recommends the following pass: SB 1558

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

The Committee on Children, Families, and Elder Affairs recommends the following pass: CS for SB 1732 with 2 amendments

The Committee on Commerce recommends the following pass: SB 2296

The bills contained in the foregoing reports were referred to the Committee on Transportation and Economic Development Appropriations under the original reference.

The Committee on Banking and Insurance recommends the following pass: CS for SB 2164

The Committee on Criminal and Civil Justice Appropriations recommends the following pass: SB 220; CS for SB 300; CS for CS for SB's 556 and 748; CS for SB 622

The Committee on Education Pre-K - 12 Appropriations recommends the following pass: SB 642

The Committee on General Government Appropriations recommends the following pass: CS for SB 274; CS for SB 386; CS for SB 794; CS for SB 1426; CS for SB 2310

The Committee on Health and Human Services Appropriations recommends the following pass: CS for SB 2618

The Committee on Higher Education Appropriations recommends the following pass: SB 186

The Committee on Judiciary recommends the following pass: CS for SB 2692

The Committee on Transportation and Economic Development Appropriations recommends the following pass: SB 1606

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

The Committee on Health Policy recommends a committee substitute for the following: SB 888

The Committee on Regulated Industries recommends a committee substitute for the following: SB 454

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

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 2338

The Committee on Criminal Justice recommends a committee substitute for the following: SB 1128

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

The Committee on Commerce recommends a committee substitute for the following: SB 572

The Committee on Environmental Preservation and Conservation recommends committee substitutes for the following: SB 402; SB 2284; SB 2594

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

The Committee on Criminal Justice recommends a committee substitute for the following: CS for SB 756

The Committee on Judiciary recommends a committee substitute for the following: SB 858

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

The Committee on Commerce recommends committee substitutes for the following: SB 2374; SB 2774

The Committee on Community Affairs recommends a committee substitute for the following: SB 2236

The Committee on Governmental Operations recommends a committee substitute for the following: SB 1996

The Committee on Military Affairs and Domestic Security recommends a committee substitute for the following: SB 1470

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

The Committee on Commerce recommends a committee substitute for the following: CS for CS for SB 1670

The bill with committee substitute attached was referred to the Committee on Education Pre-K - 12 under the original reference.

The Committee on Criminal Justice recommends a committee substitute for the following: SB 790

The Committee on Higher Education recommends a committee substitute for the following: SB 2700

The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Education Pre-K - 12 Appropriations under the original reference.

The Committee on Agriculture recommends a committee substitute for the following: SB 2624

The bill with committee substitute attached was referred to the Committee on Environmental Preservation and Conservation under the original reference.

The Committee on Judiciary recommends a committee substitute for the following: SB 2040

The Committee on Regulated Industries recommends a committee substitute for the following: SB 2864

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

The Committee on Agriculture recommends a committee substitute for the following: SB 2246

The Committee on Commerce recommends a committee substitute for the following: SB 692

The Committee on Community Affairs recommends committee substitutes for the following: CS for SB 1672; CS for SB 2016

The Committee on Environmental Preservation and Conservation recommends committee substitutes for the following: SB 542; SB 2580

The Committee on Governmental Operations recommends a committee substitute for the following: CS for SB 2156

The Committee on Health Policy recommends a committee substitute for the following: CS for SB 1598

The Committee on Judiciary recommends committee substitutes for the following: SB 444; SB 2018

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

The Committee on Military Affairs and Domestic Security recommends a committee substitute for the following: CS for SB 2286

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

The Committee on Banking and Insurance recommends a committee substitute for the following: CS for SB 1488

The Committee on Governmental Operations recommends a committee substitute for the following: SB 2630

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

The Committee on Children, Families, and Elder Affairs recommends a committee substitute for the following: SB 2644

The Committee on Commerce recommends a committee substitute for the following: SB 2706

The Committee on Criminal Justice recommends committee substitutes for the following: SB 792; SB 838

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

The Committee on Governmental Operations recommends a committee substitute for the following: SB 2422

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

The Committee on Governmental Operations recommends a committee substitute for the following: CS for SB 766

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

The Committee on Commerce recommends a committee substitute for the following: SB 954

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

The Committee on Agriculture recommends a committee substitute for the following: SB 1946

The Committee on Criminal Justice recommends a committee substitute for the following: CS for SB 802

The Committee on Environmental Preservation and Conservation recommends a committee substitute for the following: CS for CS for SB 560

The Committee on Higher Education recommends a committee substitute for the following: SB 2526

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

The Committee on Criminal and Civil Justice Appropriations recommends a committee substitute for the following: SB 472

The Committee on Education Pre-K - 12 Appropriations recommends a committee substitute for the following: CS for SB 1062

The Committee on General Government Appropriations recommends a committee substitute for the following: CS for SB's 2860 and 1196

The Committee on Governmental Operations recommends a committee substitute for the following: SB 2610

The Committee on Health and Human Services Appropriations recommends committee substitutes for the following: CS for SB 370; CS for CS for SB 1048; CS for SB 2630

The Committee on Health Policy recommends a committee substitute for the following: CS for SB 1648

The Committee on Health Regulation recommends a committee substitute for the following: SB 68

The Committee on Higher Education recommends a committee substitute for the following: SB 2366

The Committee on Higher Education Appropriations recommends a committee substitute for the following: SB 2350

The Committee on Judiciary recommends committee substitutes for the following: SB 1474; SB 1616; SB 2438

The Committee on Transportation and Economic Development Appropriations recommends committee substitutes for the following: SB 630; SB 2522

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

REPORTS OF COMMITTEES RELATING TO EXECUTIVE BUSINESS

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

Office and Appointment	*For Term Ending*
Board of Directors, Prison Rehabilitative Industries and Diversified Enterprises, Inc.	
Appointees: Dresser, William	09/30/2010
Reeves, James J.	09/30/2011

The Committee on Higher Education recommends that the Senate confirm the following appointment made by the Governor:

Office and Appointment	*For Term Ending*
Board of Trustees, University of Florida	
Appointee: Scott, Steven M.	01/06/2013

The Committee on Higher Education recommends that the Senate confirm the following appointments made by the Board of Governors:

Office and Appointment	*For Term Ending*
Board of Trustees, Florida Gulf Coast University	
Appointee: St. Cerny, Douglas R.	01/06/2013
Board of Trustees, Florida International University	
Appointee: Arrizurieta, Jorge L.	01/06/2013
Board of Trustees, New College of Florida	
Appointee: Peterson, John Robert	01/06/2013

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

SUSPENSION REPORTS

The Honorable Ken Pruitt April 9, 2008
President, The Florida Senate

RE: Suspension of:

DALTON L. UPCHURCH
Sheriff
Gulf County, Florida

Dear President Pruitt:

The Committee on Ethics and Elections submits this final report on the matter of the suspension of Dalton L. Upchurch, Sheriff, Gulf County, Florida.

By Executive Order Number 07-155 filed with the Secretary of State on August 1, 2007, The Honorable Charlie Crist, as Governor, suspended Dalton L. Upchurch as Sheriff of Gulf County, Florida because he was charged with one count of falsification of records, a misdemeanor of the first degree. By Executive Order Number 07-219, filed with the Secretary of State on October 15, 2007, the Governor amended Executive Order Number 07-155 by adding malfeasance. Notwithstanding, on July 10, 2007, Sheriff Upchurch resigned effective July 31, 2007.

Based on the foregoing, I advise that the Senate take no further action on the above-named suspension during the 2008 Regular Session of the Florida Legislature, and consider the matter closed.

Respectfully submitted,
Lee Constantine, Chair

INTRODUCTION AND REFERENCE OF BILLS

ADDITIONAL REFERENCES

By Senator Siplin—

SB 26—A bill to be entitled An act relating to Orange County; providing for the relief of Stacie Wagner (formerly known as Stacie Reyes), mother of decedent Angelica Hernandez, a minor, for injuries and damages resulting in the death of the minor child due to the negligence of an employee of the Orange County Fire Department; providing for an appropriation; providing a limitation on the payment of fees and costs; providing an effective date.

—was also referred to the Committee on Community Affairs.

By Senator Aronberg—

SB 28—A bill to be entitled An act relating to the Office of the Sheriff of Collier County; providing for the relief of J. Rae Hoyer, individually, and as Personal Representative of the Estate of David J. Hoyer, M.D., deceased, whose demise was due in part to negligence on the part of the Sheriff of Collier County; providing a limitation on the payment of fees and costs; providing an effective date.

—was also referred to the Committee on Criminal Justice.

By Senator Diaz de la Portilla—

SB 64—A bill to be entitled An act relating to the South Florida Water Management District; providing for the relief of Brian Daiagi; authorizing and directing the South Florida Water Management District to compensate Mr. Daiagi for personal injuries that he suffered due to the negligence of the South Florida Water Management District; providing a limitation on the payment of fees and costs; providing an effective date.

—was also referred to the Committee on Environmental Preservation and Conservation.

COMMITTEE SUBSTITUTES

FIRST READING

By the Committee on Health Regulation; and Senator Dean—

CS for SB 68—A bill to be entitled An act for the relief of Tyler Giblin, a minor, by and through Gina and Mark Giblin, parents of Tyler Giblin; providing for an appropriation by the Munroe Regional Health System, Inc., to compensate Tyler for injuries sustained as a result of the negligence of the hospital; providing for the use of funds; providing a limitation on the payment of fees and costs; providing for payment of unreimbursed medical costs to the Agency for Health Care Administration; providing an effective date.

By the Committees on Health and Human Services Appropriations; Children, Families, and Elder Affairs; and Senators Wise and Lynn—

CS for CS for SB 370—A bill to be entitled An act relating to the personal care attendant program; amending s. 413.402, F.S.; revising provisions governing a program to provide personal care attendants for persons who have disabilities; requiring the Florida Endowment Foundation for Vocational Rehabilitation to enter into an agreement by a certain date with the Florida Association of Centers for Independent Living to administer a program to provide such attendants to persons who have severe and chronic disabilities; requiring that the parties execute a memorandum of understanding; naming the program the "James Patrick Memorial Work Incentive Personal Attendant Services Program"; providing for payment for the administration of the program; removing a provision requiring interagency memoranda of agreement; revising eligibility requirements for participation in the personal care attendant program; removing provisions concerning the training, selection, and recruitment of personal care attendants; providing for training of program participants concerning hiring and managing an attendant; providing for the adoption and revision of program policies and procedures by the association in cooperation with an oversight group; providing for membership in the oversight group; amending s. 413.4021, F.S.; increasing the percentage of revenues collected from persons who fail to remit sales tax which is deposited in the special reserve account of the Florida Endowment Foundation for Vocational Rehabilitation to administer the program; deleting a provision requiring that the Florida Endowment Foundation for Vocational Rehabilitation select an entity to administer the program; providing for automatic enrollment in the program for certain persons; providing an effective date.

By the Committee on Environmental Preservation and Conservation; and Senators Fasano and Gaetz—

CS for SB 402—A bill to be entitled An act relating to economic development projects; providing a short title; creating s. 380.0657, F.S.; requiring the Department of Environmental Protection and water management districts to adopt programs to expedite the processing of permits for certain economic development projects; providing an exception; requiring a municipality or county to identify certain businesses by resolution; requiring a preapplication review; requiring that a permit application be approved or denied within a certain period; providing an effective date.

By the Committee on Judiciary; and Senator Bullard—

CS for SB 444—A bill to be entitled An act relating to the sale of dogs and cats; amending s. 828.29, F.S.; redefining the term "pet dealer" for purposes of provisions authorizing a purchaser to return an animal to the pet dealer and receive a refund, exchange the animal, or receive a reimbursement of expenses; authorizing the Department of Agriculture and Consumer Services to enforce statutory provisions related to the sale of dogs and cats; providing powers and duties of the department; providing for the adoption of rules; providing penalties; providing an appropriation and authorizing an additional position; providing an effective date.

By the Committee on Regulated Industries; and Senator Atwater—

CS for SB 454—A bill to be entitled An act relating to employee leasing companies; providing a short title; amending s. 443.036, F.S.; redefining the term "employee leasing company" for purposes of the Unemployment Compensation Law; amending s. 443.1216, F.S.; requiring an employee leasing company to submit a report regarding client establishment and each establishment of the employee leasing company to the Labor Market Statistics Center of the Agency for Workforce Innovation; providing requirements for the reports; providing rulemaking authority for the agency; providing definitions; amending s. 468.525, F.S.; requiring that each employee leasing company at all times maintain a workers' compensation policy; requiring that each contractual arrangement between an employee leasing company and a client company where the client company is to furnish workers' compensation provide to the employee leasing company evidence of valid workers' compensation coverage; requiring that certain specified conditions be included in the contractual arrangement between an employee leasing company and its client companies; amending s. 468.529, F.S.; requiring an employee leasing company to notify its employees if the employee leasing company terminates its agreement with a client company; providing effective dates for the cancellation of workers' compensation coverage; requiring an employee leasing company or its client companies to secure workers' compensation coverage from an insurance company authorized in this state; requiring the employee leasing company to offer to the client company an opportunity to receive certain records related to the loss experience of the workers' compensation insurance within a specified time after termination of an employee leasing agreement; providing that an employee leasing company and its client companies are considered an employer for the purposes of the workers' compensation

law; reenacting s. 626.112(1), F.S., relating to the licensing of insurance agents, insurance adjusters, and customer representatives, to incorporate the amendment to s. 468.525, F.S., in a reference thereto; providing an effective date.

By the Committee on Criminal and Civil Justice Appropriations; and Senators Dean, Haridopolos, Bullard and Dockery—

CS for SB 472—A bill to be entitled An act relating to DNA testing; amending s. 943.325, F.S.; revising offenses for which a conviction requires the person convicted to provide biological specimens in specified circumstances; providing an effective date.

By the Committee on Environmental Preservation and Conservation; and Senator Saunders—

CS for SB 542—A bill to be entitled An act relating to land acquisition and management; amending s. 201.15, F.S., relating to the distribution of taxes collected for debt service; extending the deadline for retiring the bonds issued under the Florida Forever Act; amending s. 215.618, F.S.; authorizing the distribution of bonds for the acquisition of conservation lands; increasing the bonding authority for issuance of Florida Forever bonds; directing the Legislature to complete a debt analysis prior to the issuance of any such bonds by a date certain; directing the Legislature to complete an analysis on potential revenue sources by a date certain; amending s. 253.025, F.S.; requiring appraisals of land under certain circumstances; deleting provisions that allow appraisers to reject an appraisal report under certain conditions; providing authority to the Board of Trustees of the Internal Improvement Trust Fund to waive sales history requirements under certain conditions; amending s. 253.0325, F.S.; requiring the Department of Environmental Protection to modernize its information systems; requiring a annual report of state lands acquired by each recipient of funds; amending s. 253.034, F.S.; defining the term "public access" for purposes of chapters 253 and 259, F.S.; requiring that land management plans provide short-term and long-term management goads; specifying measurable objectives; requiring that a land management plan contain certain elements; revising requirements for determining which state-owned lands may be surplus lands; requiring additional appraisals under certain conditions; requiring the Division of State Lands to contract with an organization for the purpose of determining the value of carbon capture and carbon sequestration with respect to state lands and provide an inventory to the board of trustees; authorizing to the Fish and Wildlife Conservation Commission to manage lands for imperiled species under certain conditions; requiring a report to the Legislature; providing for future expiration of such authority; amending s. 253.111, F.S.; extending the period within which a board of county commissioners must provide a resolution to the Board of Trustees of the Internal Improvement Trust Fund before state-owned lands are otherwise sold; amending s. 253.82, F.S.; revising requirements of the sale of nonsovereignty lands owned by the board of trustees; deleting appraisal limitations; amending s. 259.032, F.S.; requiring priority purchase of conservation and recreational lands that have high concentrations of population and certain agricultural lands; revising requirements for land management plans; establishing a minimum for funds expended for the management of state-owned land; requiring the Land Management Uniform Accounting Council to report on the formula for allocating land management funds; providing requirements for the report; deleting obsolete provisions; amending s. 259.035, F.S.; revising provisions establishing the Acquisition and Restoration Council; revising membership criteria; directing the council to establish specific criteria and numeric performance measures for the acquisition of land; amending s. 259.037, F.S.; revising the categories used by the Land Management Uniform Accounting Council to collect and report the costs of land management activities; requiring agencies to report additional information to the council; amending s. 259.041, F.S., relating to the acquisition of state-owned lands for preservation, conservation, and recreation purposes; requiring Legislative approval for acquisitions by the state exceeding a certain amount; increasing appraisal thresholds; requiring that specific language be included on option contracts; amending s. 259.105, F.S., relating to the Florida Forever Act; revising Legislative intent; providing for funds to be deposited in the Florida Forever Trust Fund; requiring bonded moneys be spent for capital improvements under certain conditions; providing for the expenditure of funds for conservation and agricultural easements under certain conditions; providing for the inclusion of carbon sequestration as a multiple use; providing rulemaking authority for the board of trustees; providing for the reversion of lands to the board of trustees under certain conditions; requiring an annual work plan be developed by the Acquisition and Restoration Council; authorizing alternatives to fee-simple purchases; deleting obsolete provisions; amending s. 259.1051, F.S., relating to the Florida Forever Trust Fund; increasing bonding authority; amending s. 373.089, F.S.; clarifying the process for disposing of surplus lands; amending s. 373.1391, F.S.; providing additional oversight authority to the department; amending s. 373.199, F.S.; clarifying work plan requirements; amending s. 375.075, F.S.; providing financial assistance to local governments for outdoor recreation; increasing application and grant limitations; providing an effective date.

By the Committees on Environmental Preservation and Conservation; Regulated Industries; Community Affairs; and Senator Constantine—

CS for CS for CS for SB 560—A bill to be entitled An act relating to energy efficiency and conservation; amending s. 163.04, F.S.; revising provisions authorizing the use of solar collectors and other energy devices; amending s. 163.3177, F.S.; revising requirements for the future land use element of a local comprehensive plan to include energy-efficient land use patterns and greenhouse gas reduction strategies; requiring that the traffic-circulation element of a local comprehensive plan incorporate transportation strategies to reduce greenhouse gas emissions; requiring that the land use map or map series contained in the future land use element of a local comprehensive plan identify and depict energy conservation; requiring that the home element of a local comprehensive plan include energy efficiency in the design and construction of new housing and use of renewable energy resources; requiring that certain counties adopt a plan for ensuring affordable housing; requiring each unit of local government within an urbanized area to amend the transportation element of a local comprehensive plan to incorporate transportation strategies addressing reduction in greenhouse gas emissions; amending s. 489.105, F.S.; expanding the scope of the definition of "roofing contractor" to include contractors performing required roof-deck attachments and any repair or replacement of wood roof sheathing or fascia as needed during roof repair or replacement; amending s. 553.36, F.S.; redefining the term "manufactured building" for purposes of the Florida Manufactured Building Act to include modular and factory-built buildings; amending s. 553.37, F.S.; requiring the Department of Community Affairs to adopt rules related to the inspection, construction, and modification of manufactured buildings; requiring the department to develop an insignia to be affixed to newly constructed manufactured buildings; authorizing the department to charge a fee for the insignia; providing requirements for the insignia; requiring the department to develop minimum criteria for a manufacturer's data plate; amending s. 553.381, F.S.; conforming provisions; amending s. 553.415, F.S.; requiring the department to require that an insignia be affixed to all newly constructed factory-built school buildings; providing requirements for the manufacturer's data plate; amending s. 553.71, F.S.; providing a definition; amending s. 553.73, F.S.; expanding required codes to be included in Florida Building Code updates; expanding the list of reasons the commission may amend the Florida Building Code; amending s. 553.74, F.S.; revising requirements for selecting members of the Florida Building Commission; revising membership of the commission; deleting obsolete provisions; amending s. 553.75, F.S.; authorizing the Florida Building Commission to use communications media technology in conducting its meetings or meetings held in conjunction with commission meetings; providing for public comment at meetings of the commission; amending s. 553.77, F.S.; authorizing the commission to implement recommendations relating to energy efficiency in residential and commercial buildings; amending s. 553.775, F.S.; authorizing the commission to render declaratory statements; amending s. 553.80, F.S.; providing that the enforcement of construction regulations relating to facilities for mental health treatment are under the jurisdiction of the Department of Children and Family Services; amending s. 553.844, F.S.; revising provisions requiring the adoption of certain mitigation techniques by the Florida Building Commission within the Florida Building Code for certain structures; amending s. 553.885, F.S.; requiring the installation of carbon monoxide detectors in certain new hospitals and nursing homes; creating s. 553.886, F.S.; requiring that the Florida Building

Code facilitate and promote the use of certain renewable energy technologies in buildings; amending s. 553.901, F.S.; requiring the commission to adopt by rule a definition of the term "cost-effective"; creating s. 553.9061, F.S.; establishing a schedule of required increases in the energy performance of buildings subject to the Florida Building Code; providing a process for implementing goals to increase energy-efficiency performance in new buildings; providing a schedule for the implementation of such goals; identifying energy-efficiency performance options and elements available to meet energy-efficiency performance requirements; providing a schedule for the review and adoption of renewable energy-efficiency goals by the commission; requiring the commission to conduct a study to evaluate the energy-efficiency rating of new buildings and appliances; requiring the commission to submit a report to the President of the Senate and the Speaker of the House of Representatives on or before a specified date; requiring the commission to conduct a study to evaluate opportunities to restructure the Florida Energy Code for Building Construction, including the integration of the Thermal Efficiency Code, the Energy Conservation Standards Act, and the Florida Building Energy-Efficiency Rating Act; requiring the commission to submit a report to the President of the Senate and the Speaker of the House of Representatives on or before a specified date; directing the Department of Community Affairs, in conjunction with the Florida Energy Affordability Council, to identify and review issues relating to the Low-Income Home Energy Assistance Program and the Weatherization Assistance Program; requiring the submission of a report to the President of the Senate and the Speaker of the House of Representatives on or before a specified date; providing for the expiration of certain study requirements; repealing s. 553.731 F.S., relating to wind-borne debris protection requirements; amending s. 718.113, F.S.; authorizing the board of a condominium or a multicondominium to install solar collectors, clotheslines, or other energy-efficient devices on association property; requiring the Florida Building Commission to include certain information in its report to the Legislature; providing an effective date.

By the Committee on Commerce; and Senators Deutch, Aronberg, Rich, Margolis, Ring, Justice and Atwater—

CS for SB 572—A bill to be entitled An act relating to civil rights; amending s. 760.01, F.S.; revising provisions to include sexual orientation and familial status as impermissible grounds for discrimination; conforming terminology; amending s. 760.02, F.S.; defining additional terms; amending ss. 760.05, 760.07, 760.08, and 760.10, F.S.; revising provisions to include sexual orientation and familial status as impermissible grounds for discrimination; conforming terminology; amending s. 509.092, F.S.; revising provisions to include sexual orientation and familial status as impermissible grounds for discrimination in public lodging establishments and public food service establishments; amending s. 760.22, F.S.; defining the terms "disability" and "sexual orientation" and deleting the definition of the term "handicap"; amending ss. 760.23, 760.24, 760.25, 760.26, and 760.29, F.S.; revising provisions to include sexual orientation, familial status, and marital status as impermissible grounds for discrimination; conforming terminology; amending ss. 760.31 and 760.50, F.S.; conforming terminology; amending s. 760.60, F.S.; revising provisions to include sexual orientation and familial status as impermissible grounds for discrimination; conforming terminology; amending s. 419.001, F.S.; conforming a cross-reference; providing an effective date.

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

CS for SB 630—A bill to be entitled An act relating to motor vehicle registration; amending s. 320.02, F.S.; allowing an applicant for a motor vehicle registration or renewal to make a voluntary contribution to Family First; amending s. 322.08, F.S.; allowing an applicant for a driver's license to make a voluntary contribution to Family First; amending s. 322.18, F.S.; requiring the driver license application form for renewal issuance or renewal extension to include an option to make a voluntary contribution to Family First; providing an effective date.

By the Committee on Commerce; and Senators Jones and Dockery—

CS for SB 692—A bill to be entitled An act relating to recycling; amending s. 403.7145, F.S.; requiring each organization, association, business, and institution operating in the state and receiving state funds, and each public airport in the state, to collect aluminum beverage cans and recyclable plastic and glass from its place of business, or from the entities doing business at the airport, and to offer such materials for recycling; providing an effective date.

By the Committees on Criminal Justice; Judiciary; and Senators Joyner and Dockery—

CS for CS for SB 756—A bill to be entitled An act relating to compensation for wrongful incarceration; creating the "Victims of Wrongful Incarceration Compensation Act"; providing definitions; providing a limited method by which a person may seek the status of a wrongfully incarcerated person who is eligible and entitled to compensation under the act; requiring a sworn petition by the claimant; requiring the petitioner to show verifiable and substantial evidence of actual innocence; requiring the original prosecuting authority to respond to the petition; providing for a determination on the pleadings whether claimant is ineligible for compensation based on past criminal history; providing for a contested factual determination before an administrative law judge if necessary; requiring the original sentencing court to determine whether a person is a wrongfully incarcerated person based upon clear and convincing evidence; providing exceptions and limitations regarding the eligibility of a wrongfully incarcerated person for compensation; requiring the original sentencing court to include a finding of eligibility for compensation in its order; granting rulemaking authority to the Department of Legal Affairs; requiring that a wrongfully incarcerated person seeking compensation apply to the Department of Legal Affairs; providing application requirements and a deadline; requiring that the Department of Legal Affairs review each application and notify the claimant of any omissions or errors, or the need for additional information, within a specified period; requiring that the Department of Legal Affairs process and review each completed application within a specified period; requiring that the Department of Legal Affairs notify the claimant if he or she qualifies for compensation within a specified period; providing for monetary compensation for certain wrongfully incarcerated persons; providing for recovery of reasonable attorney's fees and other costs with limitations for certain wrongfully incarcerated persons; providing for tuition waivers for wrongfully incarcerated persons who meet certain requirements; providing for administrative expunction of certain records; requiring that any monetary compensation be paid within a specified period by specified means; prescribing conditions under which compensation payments cease; requiring a wrongfully incarcerated person to report any subsequent felony convictions; specifying that the estate, personal representative of, or heirs of the wrongfully incarcerated person are not entitled to future payments; prescribing conditions under which an application may not be filed and compensation may not be awarded; requiring a claimant to sign a release before receiving such compensation; providing for a continuing appropriation from the General Revenue Fund; providing that an award of compensation does not constitute a waiver of sovereign immunity by the state; providing for severability; providing an effective date.

By the Committees on Governmental Operations; Judiciary; and Senators Rich, Joyner, Deutch, Lawson and Dean—

CS for CS for SB 766—A bill to be entitled An act relating to public records; amending s. 119.071, F.S.; creating exemptions from public-records requirements for the home addresses and telephone numbers of general magistrates, special magistrates, judges of compensation claims, administrative law judges of the Division of Administrative Hearings, and child support enforcement hearing officers, the home addresses, telephone numbers, and places of employment of the spouses and children of general magistrates, special magistrates, judges of compensation claims, administrative law judges of the Division of Administrative Hearings, and child support enforcement hearing officers, and the names and locations of schools and day care facilities attended by the children of general magistrates, special magistrates, judges of compen-

sation claims, administrative law judges of the Division of Administrative Hearings, and child support enforcement hearing officers; requiring reasonable efforts by the magistrates, judges, and hearing officers to prevent access through other means; providing for legislative review and repeal of the exemptions; providing a statement of public necessity; providing an effective date.

By the Committee on Criminal Justice; and Senators Baker and Dockery—

CS for SB 790—A bill to be entitled An act relating to school safety; creating s. 1006.147, F.S.; providing a short title; prohibiting bullying and harassment of any student or employee of a public K-12 educational institution; providing definitions; requiring each school district to adopt a policy prohibiting such bullying and harassment; requiring that the policy contain certain minimum components; requiring the Department of Education to develop a model policy by a certain date; providing immunity to certain persons who report an act of bullying or harassment in good faith and in compliance with the policy; providing limitations on the defense of a disciplinary action and applicability; requiring the department's approval of a school district's policy and compliance with reporting procedures as a prerequisite to receiving safe schools funds; requiring the Commissioner of Education to report to the Governor on the implementation of the act by a certain date; requiring that such report contain certain data; providing for construction; providing for severability; providing an effective date.

By the Committee on Criminal Justice; and Senator Baker—

CS for SB 792—A bill to be entitled An act relating to juvenile justice; amending s. 985.0301, F.S.; permitting a court to retain jurisdiction over a child and the child's parent or legal guardian whom the court has ordered to pay costs, fees, and costs associated with court-appointed counsel until the costs, fees, and costs associated with court-appointed counsel are satisfied; providing intent; creating s. 985.031, F.S.; authorizing the court to set reasonable conditions of preadjudicatory release; providing examples of such conditions; amending s. 985.101, F.S.; permitting a child to be taken into custody for violations of preadjudicatory release conditions; providing that conditions of preadjudicatory release may not be used to impose home detention when not otherwise authorized; amending s. 985.24, F.S.; providing an additional finding to support the use of secure, nonsecure, or home detention care; amending s. 985.245, F.S.; providing that placement in detention care under a specified provision does not require a risk assessment; amending s. 985.25, F.S.; providing additional grounds for placement of a child in secure detention care; amending s. 985.255, F.S.; providing for continuing home or nonsecure or home detention care or secure detention care prior to a detention hearing in certain circumstances; amending s. 985.26, F.S.; requiring that children who have been released comply with preadjudicatory release conditions; providing that certain time limits do not apply to secure detention under specified provisions; amending s. 985.265, F.S.; specifying some changed circumstances that permit the Department of Juvenile Justice to transfer a child from home or nonsecure or home detention care to secure detention care; amending s. 985.27, F.S.; specifying circumstances under which a child who is awaiting placement in a low-risk or minimum-risk residential program may be held in secure detention care; providing time limits on such detention care; providing for secure detention care for absconders from specified types of care; revising provisions for detention care of a child awaiting placement in a moderate-risk residential program; providing for secure detention care in specified circumstances; creating s. 985.28, F.S.; providing for secure detention of a child in specified circumstances; permitting a parent or legal guardian of a child to be held in contempt of court if he or she knowingly and willfully fails to bring or otherwise prevents the child from appearing for trial; amending s. 985.35, F.S.; conforming a cross-reference to changes made by the act; amending s. 985.43, F.S.; conforming a cross-reference to changes made by the act; providing a legislative declaration concerning the determination whether to commit a juvenile to the department and the most appropriate placement level if the juvenile is committed; amending s. 985.433, F.S.; revising provisions relating to recommendations by probation officers to the court concerning placement and any proposed treatment plan of juveniles; specifying that the court has the power to determine appropriate dispositions; requiring that reasons for a disposition be stated for the record; amending s. 985.439, F.S.; permitting a child to be detained in a facility other than a consequence unit if one is not available for a violation of probation or postcommitment probation under specified provisions; creating s. 938.20, F.S.; permitting each county to create a juvenile crime prevention fund; providing for an additional court cost; providing for administration and use of funds; amending s. 790.22, F.S.; conforming a cross-reference; providing that the act fulfills an important state interest; providing an effective date.

By the Committees on Criminal Justice; Transportation; and Senator Garcia—

CS for CS for SB 802—A bill to be entitled An act relating to operating a motor vehicle; creating s. 316.1926, F.S.; creating additional offenses regarding the operation of a motor vehicle; amending s. 316.2085, F.S.; requiring an operator of a motorcycle or moped to maintain both wheels on the ground at all times; requiring that the license tag of a motorcycle or moped be affixed horizontally; amending s. 318.14, F.S.; providing additional penalties for certain offenses involving the operation of a motorcycle or excessive speed; providing for revocation of the person's privilege to operate a motor vehicle; providing an effective date.

By the Committee on Criminal Justice; and Senator Dockery—

CS for SB 838—A bill to be entitled An act relating to the Department of Law Enforcement; amending s. 943.05, F.S.; providing that if fingerprints submitted to the Department of Law Enforcement for background screening are identified with the fingerprints of a person having a criminal history record, the department may make the fingerprints available for all purposes and uses authorized for arrest fingerprint cards; amending s. 943.053, F.S.; clarifying the fees charged for requests for criminal history information; amending s. 943.0542, F.S.; authorizing a qualified entity requesting screening information concerning an employee or volunteer, or a person applying to be an employee or volunteer, to submit the request electronically; requiring the qualified entity to maintain a signed waiver allowing the release of the state and national criminal history record information to the qualified entity; amending s. 943.0581, F.S.; revising the information to be included in an application for an administrative expunction of any nonjudicial record of an arrest of a minor or an adult made contrary to law or by mistake; clarifying responsibility for submitting an application for an administrative expunction; amending s. 943.06, F.S.; adding the Secretary of Children and Family Services, or the secretary's designated assistant, to the Criminal and Juvenile Justice Information Systems Council; amending 943.08, F.S.; revising the duties of the Criminal and Juvenile Justice Information Systems Council; amending s. 943.081, F.S.; specifying and clarifying the principles adopted by the Criminal and Juvenile Justice Information Systems Council as the guiding principles for the management of public safety system information technology resources; creating the citizen support organization for Florida Missing Children's Day; authorizing the Department of Law Enforcement to establish a citizen support organization to provide assistance, funding, and promotional support for activities authorized for Florida Missing Children's Day; providing for duties and functions of the support organization; providing that the support organization is not a lobbyist; providing for the use and management of department property; providing for an annual audit; providing an effective date.

By the Committee on Judiciary; and Senator Joyner—

CS for SB 858—A bill to be entitled An act relating to community service for infractions of noncriminal traffic offenses; amending s. 318.18, F.S.; requiring a court to allow a person to satisfy a civil penalty for an infraction of a noncriminal traffic offense by participating in community service if the person is unable to pay the civil penalty due to a demonstrable financial hardship; authorizing a court to allow a person to participate in community service even if the person does not demonstrate financial hardship; requiring that a person participating in community service receive credit for the civil penalty at the specified hourly

credit rate per hour of community service performed or at the prevailing wage rate for a trade or profession; defining the term "specified hourly credit rate"; providing responsibilities for community service agencies; defining the terms "community service" and "community service agency"; providing an effective date.

By the Committee on Health Policy; and Senator Dawson—

CS for SB 888—A bill to be entitled An act relating to the Florida Kidcare program; amending s. 20.43, F.S.; redesignating the Division of Children's Medical Services Network within the Department of Health as the "Division of Children's Medical Services Network and Specialty Programs"; creating the Division of Children's Health Insurance and the Office of Child Health Coordination within the Department of Health; amending s. 391.011, F.S.; redesignating ch. 391, F.S., as the "Children's Health Act"; amending s. 391.016, F.S.; revising legislative intent with respect to certain responsibilities of the Children's Health program; amending s. 391.021, F.S.; revising and providing definitions; amending s. 391.025, F.S.; revising the components of the Children's Health program; conforming provisions to changes made by the act; amending s. 391.026, F.S.; requiring the Department of Health to administer the Florida Kidcare program; amending s. 391.028, F.S.; revising the duties of the Children's Medical Services Network; revising the duties of the director; requiring the Division of Children's Health Insurance to administer the Florida Kidcare program; specifying that the Office of Child Health Coordination is responsible for child health services not directly related to Florida Kidcare; amending s. 391.029, F.S.; requiring the Department of Health to establish clinical eligibility requirements for Florida Kidcare Plus benefits; revising eligibility criteria; amending s. 409.810, F.S.; conforming provisions; amending s. 409.811, F.S.; revising and providing definitions relating to the Florida Kidcare Act; amending s. 409.812, F.S.; revising the purpose of the Florida Kidcare program; amending s. 409.813, F.S.; specifying the components of the program which are marketed collectively as the Florida Kidcare program; amending s. 409.8132, F.S.; revising the assignment requirements in the Medikids program component; amending s. 409.8134, F.S.; revising requirements for the department in conducting enrollment in the Florida Kidcare program; amending s. 409.814, F.S.; revising the eligibility requirements for the program; establishing good cause reasons for voluntarily canceling employer or other private coverage; increasing the cap on enrollment of full-pay children in MediKids and Healthy Kids under certain conditions; requiring notification of changes in eligibility for health plans and providers; requiring the electronic verification of an applicant's family income; providing that full-pay enrollees are not subject to the eligibility documentation requirements of this section; amending s. 409.815, F.S.; requiring that the health benefits coverage of the Florida Kidcare program be equivalent to the pediatric Medicaid benefit package; amending s. 409.8177, F.S.; requiring the department to assume responsibility from the Agency for Health Care Administration for contracting for the annual evaluation of the Florida Kidcare program; amending s. 409.818, F.S.; requiring the Department of Children and Family Services to develop and use a standardized eligibility application; requiring the Department of Children and Family Services to develop a plan for determining the eligibility of certain children for coverage and to submit a report of the plan to the Governor and the Legislature by a specified date; revising the duties of the Department of Health with respect to reviewing the intake process; requiring the department to publicize the Florida Kidcare program, determine eligibility for Florida Kidcare Plus coverage, and develop standards for pediatric quality assurance and access; requiring the department to adopt rules; authorizing the department to make certain program modifications upon the approval of the Legislature; requiring the Agency for Health Care Administration to establish a toll-free telephone number to assist families; requiring the agency to apply for waivers and adopt rules to comply with federal laws and the requirements of the act; requiring the Florida Healthy Kids Corporation to conduct eligibility determination based on rules developed by the Department of Health; repealing s. 409.820, F.S., relating to quality assurance and access standards; amending s. 624.91, F.S.; revising provisions of the Florida Healthy Kids Corporation Act; providing for the transfer of certain functions to the Department of Health; requiring the Florida Healthy Kids Corporation to administer the program based on the rules and policies developed by the Department of Health; requiring the corporation to allow health plans to market the program; specifying the corporation's assignment process for family members in the program; requesting Florida's Congressional Delegation to support certain amendments to Title XXI of the Social Security Act; providing an effective date.

By the Committee on Commerce; and Senator Diaz de la Portilla—

CS for SB 954—A bill to be entitled An act relating to motor vehicle dealers; amending s. 501.975, F.S.; defining the term "advertised price" for purposes of motor vehicle sales; amending s. 501.976, F.S.; requiring that the advertised price include all costs, fees, or charges that the customer must pay, with certain exclusions; requiring a conspicuous label containing a disclosure regarding the predelivery service fee; providing an exception; providing an effective date.

By the Committees on Health and Human Services Appropriations; Judiciary; Children, Families, and Elder Affairs; Children, Families, and Elder Affairs; and Senator Lynn—

CS for CS for CS for SB 1048—A bill to be entitled An act relating to child protection; amending s. 39.01, F.S.; redefining the terms "abandoned" and "harm"; defining the term "child who has exhibited inappropriate sexual behavior"; amending s. 39.0121, F.S.; authorizing the Department of Children and Family Services to adopt rules providing for locating and recovering missing children who are involved with the department; providing requirements for reports; amending s. 39.0138, F.S.; requiring a criminal history check of persons being considered for placement of a child to include a search of the department's automated abuse information system; authorizing the department to adopt rules establishing standards for evaluating such information; creating s. 39.0141, F.S.; requiring the department, the community-based care provider, or sheriff's office to file a report following a determination that a child involved with the department is missing; amending s. 39.201, F.S.; revising provisions relating to reporting child abuse, abandonment, or neglect to the central abuse hotline to allow for reports by fax or e-mail; amending s. 39.301, F.S.; conforming provisions to changes made by the act; providing certain exceptions to the requirements that a child protective investigation be closed within 60 days; amending s. 39.307, F.S.; revising provision relating to the provision of services to a child in cases of child-on-child sexual abuse to include a child who has exhibited inappropriate sexual behavior; amending s. 39.401, F.S.; requiring a law enforcement officer who takes a child into custody to release such child to an adoptive parent of the child's sibling, if the sibling was previously adopted and if it is in the best interest of the child; requiring judicial approval for the placement of a child with a nonrelative; amending s. 39.502, F.S.; providing for notice to foster or preadoptive parents of any hearings involving the child in their care; amending s. 39.503, F.S.; revising the minimum inquiries a petitioner for dependency or shelter must make in trying to locate an identified parent or prospective parent; amending s. 39.504, F.S.; revising procedures related to injunctions issued to protect a child; requiring that such injunctions remain in effect until modified or dissolved by the court; amending s. 39.507, F.S.; limiting a court to one order adjudicating dependency; providing for supplemental findings; amending s. 39.521, F.S.; providing an exception from the requirement for a predisposition study in dependency proceedings; conforming cross-references; amending s. 39.621, F.S.; requiring that an adoptive parent of a child's sibling be given the opportunity to apply to adopt such child if the child is available for adoption; requiring that such application be given the same consideration as a relative's application for adoption; amending s. 39.701, F.S.; requiring that notice of a judicial review of a child's status be served on certain persons regardless of whether they attended a prior hearing at which the hearing was announced; amending s. 39.8055, F.S.; revising provisions relating to filing a petition to terminate parental rights; expanding the grounds for terminating parental rights to include conviction for the murder, manslaughter, or conspiracy to murder another child of the parent; amending s. 39.806, F.S.; adding additional grounds for terminating parental rights; amending s. 39.810, F.S.; providing that if termination of parental rights is in the best interests of the child, it is also the least restrictive means of protecting the child; amending s. 322.142, F.S.; authorizing the Department of Children and Family Services to be provided copies of driver's license files maintained by the Department of Highway Safety and Motor Vehicles for the purpose of conducting protective investigations;

amending s. 402.401, F.S., relating to the Florida Child Welfare Student Loan Forgiveness Program; transferring administration of the program to the Department of Children and Family Services; amending s. 409.1671, F.S.; providing that a community-based provider or a subcontractor of a community-based provider may provide nonowned automobile liability coverage in lieu of providing personal motor vehicle insurance; providing terms, conditions, and applicability for nonowned automobile insurance coverage; requiring a community-based provider or a subcontractor of a community-based provider to provide a minimum limit for nonowned automobile insurance coverage; amending s. 409.175, F.S.; revising requirements for licensure as a foster home or child-caring agency; deleting the exemption from licensure for persons who receive a child from the department; clarifying that a permanent guardian is exempt from licensure; amending s. 787.04, F.S.; prohibiting a person from knowingly and willfully taking or removing a minor from the state or concealing the location of a minor during the pendency of a dependency proceeding or any other action concerning alleged abuse or neglect of the minor; amending s. 937.021, F.S.; requiring that a report of a missing child made by the department, a community-based care provider, or a sheriff's office be treated as a missing child report filed by a parent or guardian; prohibiting a law enforcement agency from requiring an order that a child be taken into custody or any other such order before accepting a missing child report for investigation; amending s. 985.04, F.S.; providing for the disclosure of certain records relating to children having a history of inappropriate sexual behavior to schools superintendents; amending chapter 2007-174, Laws of Florida; extending the date for the repeal of provisions authorizing the reorganization of the Department of Children and Family Services; providing for retroactive application; amending ss. 39.0015, 39.205, 39.302, 39.6011, 39.811, 39.828, and 419.001, F.S.; conforming cross-references; providing effective dates.

By the Committees on Education Pre-K - 12 Appropriations; Education Pre-K - 12; and Senators Dockery and Fasano—

CS for CS for SB 1062—A bill to be entitled An act relating to educator certification requirements; amending s. 1012.56, F.S.; requiring a bachelor's degree or higher and subject area examinations in specified foreign languages for the purpose of demonstrating mastery of that subject area knowledge; revising requirements relating to the issuance of temporary certificates; providing an effective date.

By the Committee on Criminal Justice; and Senator Fasano—

CS for SB 1128—A bill to be entitled An act relating to material harmful to minors; amending s. 847.001, F.S.; redefining the term "harmful to minors"; amending s. 847.011, F.S.; providing that it is a third-degree felony for any person to sell, distribute, transmit, advertise, or possess with the intent to sell, distribute, transmit, or advertise certain materials to minors; providing that ignorance of a minor's age or the minor's consent is not a defense in a prosecution for such a violation if the minor is younger than 12 years of age; providing penalties; amending s. 847.012, F.S.; prohibiting a person from knowingly using a minor in the production of certain materials, regardless of whether those materials are intended for distribution to minors or actually distributed to minors; providing a penalty; providing that ignorance of a minor's age or the minor's consent is not a defense in a prosecution for specified violations if the minor is younger than 12 years of age; amending s. 847.013, F.S.; providing that ignorance of a minor's age or the minor's consent is not a defense in a prosecution for specified violations if the minor is younger than 12 years of age; revising legislative intent concerning the enforcement of such laws with respect to minors; amending s. 847.0133, F.S.; revising terminology; amending s. 921.0022, F.S., relating to the offense severity ranking chart of the Criminal Punishment Code; establishing offense levels to conform to changes made by the act; providing an exemption to laws amended by the act for providers of communications services and providers of information services in certain circumstances; providing an effective date.

By the Committee on Military Affairs and Domestic Security; and Senator Dean—

CS for SB 1470—A bill to be entitled An act relating to the Uniform Port Access Credential Card; amending s. 311.125, F.S.; authorizing the Department of Highway Safety and Motor Vehicles to designate the Transportation Security Administration's Transportation Worker Identification Credential card as the Uniform Port Access Credential Card; authorizing the department to set and collect a fee; limiting the amount of such fee; providing an effective date.

By the Committee on Judiciary; and Senator Joyner—

CS for SB 1474—A bill to be entitled An act relating to dissolution of marriage; amending s. 61.075, F.S.; providing for interim partial distributions during dissolution actions; providing for motions; providing for effect on final distributions; providing factors to be considered; revising the definition of the term "marital assets and liabilities"; providing a presumption concerning certain personal property acquired during the marriage; specifying the burden of proof necessary to overcome the gift presumption; abolishing special equity; providing for claims formerly identified as special equity; amending s. 741.0306, F.S.; conforming provisions to changes made by the act; providing an effective date.

By the Committees on Banking and Insurance; Health Regulation; and Senator Dean—

CS for CS for SB 1488—A bill to be entitled An act relating to consumer information concerning health care; providing a short title; providing a purpose; amending s. 381.026, F.S.; requiring a health care provider or a health care facility to provide an uninsured person with a reasonable estimate of charges for planned nonemergency medical services before such services are provided; requiring that the provider or the facility provide the uninsured person with information regarding such provider's or facility's discount or charity policies; requiring that the estimate be in writing and in a language comprehensible to an ordinary layperson; amending s. 395.301, F.S.; requiring certain licensed facilities to provide a written estimate within a certain period of time to an uninsured person seeking planned nonemergency elective admission; requiring the facility to notify the person if the estimate is revised; requiring the facility to provide the person with a copy of any discount or charity care discount policies for which such person may be eligible; requiring the facility to place a notice in the reception area where such information is available; imposing a monetary penalty if the facility fails to provide the requested information; amending s. 408.05, F.S.; revising the list of patient charge data that may be disclosed by the Agency for Health Care Administration; requiring the agency to publish on its website information concerning prices for the most commonly performed adult and pediatric procedures; providing an effective date.

By the Committees on Health Policy; Banking and Insurance; and Senator Peaden—

CS for CS for SB 1598—A bill to be entitled An act relating to health insurance; amending ss. 627.42395 and 641.31, F.S.; requiring health insurance policies and health maintenance contracts in this state to provide additional premium coverage for amino-acid-based elemental formulas for the treatment of certain medical conditions; revising a prerequisite concerning such coverage to authorize persons holding certain licenses to prescribe or order such formulas; limiting application to children of a certain age; amending s. 627.6741, F.S.; requiring an insurer issuing Medicare supplement policies to offer a Medicare supplement policy without conditioning the issuance or discriminating in the price based on health status to individuals who are eligible for Medicare due to having end-stage renal disease and who meet other conditions; providing an effective date.

By the Committees on Judiciary; Criminal Justice; and Senator Lynn—

CS for SB 1616—A bill to be entitled An act relating to the revocation or suspension of concealed weapon and firearm licenses held by licensees who are adjudicated incapacitated or committed to a mental institution; amending s. 790.065, F.S.; revising the definition of the phrase "committed to a mental institution"; authorizing the Department of Law Enforcement to provide data collected from court records to the Department of Agriculture and Consumer Services for purposes of determining whether a license should be revoked or suspended under s. 790.06(10), F.S.; providing an effective date.

By the Committees on Health Policy; Health Regulation; and Senator Saunders—

CS for CS for SB 1648—A bill to be entitled An act relating to human immunodeficiency virus testing; amending s. 381.004, F.S.; requiring that when consent cannot be obtained within the time necessary to conduct an HIV test on an individual and begin prophylactic treatment of exposed medical personnel, the results of the HIV test shall be documented only in the medical file of the medical personnel and not in the medical file of the patient unless he or she gives consent; authorizing appropriate medical personnel under the supervision of a licensed physician to make the decision to test under these conditions; requiring those personnel to document the significant exposure requiring the HIV testing without valid consent in accordance with written protocol based on the medical judgment of a licensed physician; providing an effective date.

By the Committees on Commerce; Children, Families, and Elder Affairs; Education Pre-K - 12; and Senators Gaetz and Lynn—

CS for CS for CS for SB 1670—A bill to be entitled An act relating to early learning; providing a short title; amending s. 402.316, F.S.; requiring the Department of Children and Family Services to adopt rules regarding screening standards and notice for certain child care personnel; amending s. 411.01, F.S.; authorizing the use of telecommunication methods in conducting early learning coalition board meetings; amending and renumbering s. 402.27, F.S.; transferring requirements for the establishment of a statewide child care resource and referral network by the Department of Children and Family Services to the Agency for Workforce Innovation; providing for use of early learning coalitions as child care resource and referral agencies; requiring rulemaking; amending and renumbering s. 409.178, F.S.; transferring duties of the Department of Children and Family Services with respect to the Child Care Executive Partnership Program to the Agency for Workforce Innovation and early learning coalitions; requiring rulemaking; amending s. 435.04, F.S.; providing additional criminal offenses for screening child care personnel; amending s. 1001.10, F.S.; requiring the Department of Education to assist school districts, charter schools, the Florida School for the Deaf and the Blind, and certain private schools and providers in developing policies and procedures governing educator ethics and employment; requiring the department to provide authorized staff with access to or provide verification through certain employment-screening tools; amending ss. 1002.55, 1002.61, and 1002.63, F.S., relating to the Voluntary Prekindergarten Education Program; providing additional accreditation standards for private prekindergarten providers; providing requirements for assignment of substitute instructors; requiring owners of certain private schools and private prekindergarten providers to adopt ethical standards for all employees; prohibiting confidentiality agreements regarding terminated or dismissed employees which have the effect of concealing certain conduct; requiring such owners and providers to contact the previous employer of each instructional or administrative candidate for employment and notify the Department of Education of dates of employment of an educator; requiring rulemaking; conforming cross-references; amending s. 1002.69, F.S.; revising the basis for calculating a school's kindergarten readiness rate; providing an effective date.

By the Committees on Community Affairs; Environmental Preservation and Conservation; and Senators Jones and Gaetz—

CS for CS for SB 1672—A bill to be entitled An act relating to beach management; amending s. 161.142, F.S.; providing legislative intent and findings; providing requirements concerning the quality and quantity of dredged sand placed on certain beaches adjacent to inlets; requiring an estimation of the requisite quantity of beach-quality sand by the Department of Environmental Protection and its consultants; revising exemptions from certain permitting requirements and prohibitions for certain construction activities; requiring compliance with the Florida Building Code; requiring the protection of shorebirds and marine turtles; applying requirements concerning the placement of dredged sand on adjacent beaches to the inlet management projects of certain ports; providing an exemption from such requirements; providing that the inlet projects of such ports are eligible for funding; providing requirements and findings concerning the placement of dredged sand from federal navigation projects; providing for assignment of responsibility for the erosion caused by inlets; specifying actions to be taken by the department in disputes between local governments and property owners concerning how much sand should bypass an inlet; creating s. 161.143, F.S.; requiring that inlet management studies, projects, and activities be supported by certain plans; providing criteria governing the department's ranking of inlet management projects and activities; specifying conditions that must be met; requiring that the department establish funding priorities for projects and activities concerning inlet management; providing for input from interested governmental and private entities; providing criteria for establishing priorities; authorizing funding levels for inlet management projects under specified conditions; requiring that the department annually provide an inlet management project list to the Legislature; providing requirements for the list; requiring that the department make available certain moneys for projects on the list; requiring that the department make available certain moneys for projects on the list which are legislatively approved; requiring that the Legislature designate certain inlet projects as "Inlet of the Year"; requiring the department to provide an annual report to the Legislature concerning the success of projects so designated; authorizing rulemaking by the department; providing an effective date.

By the Committee on Agriculture; and Senator Baker—

CS for SB 1946—A bill to be entitled An act relating to motor vehicles; amending s. 316.515, F.S.; revising restrictions on use of certain agriculture-related vehicles; providing for exemptions from width limitations for certain farming or agricultural equipment; providing conditions for use of such equipment; authorizing certain movements without an overwideth permit from the Department of Transportation; providing lighting requirements for certain overwidth equipment; amending s. 316.535, F.S.; providing an exception to the limitation on overall gross weight for vehicles hauling agricultural or forestry products on the Interstate Highway System from the point of production to the first point of marketing or processing; providing an effective date.

By the Committee on Governmental Operations; and Senator Crist—

CS for SB 1996—A bill to be entitled An act relating to state aid to public libraries; amending s. 257.12, F.S.; encouraging all public libraries to implement an Internet safety education program for children and adults; providing minimum requirements for the program; requiring libraries to annually report to the Division of Library and Information Services of the Department of State the number of users who complete the program; requiring that the division adopt rules to award additional points to grant applicants implementing such a program; providing an effective date.

By the Committees on Community Affairs; Regulated Industries; and Senator Aronberg—

CS for CS for SB 2016—A bill to be entitled An act relating to public lodging and public food service establishments; amending s. 509.013,

F.S.; revising and adding definitions; amending s. 509.032, F.S.; eliminating the requirement for the Division of Hotels and Restaurants to assist the State Fire Marshal in updating the Florida Fire Prevention Code; eliminating the requirement for the division to enforce the Florida Fire Prevention Code in conducting its inspections; requiring the division, or its agent, to notify firesafety officials of certain readily observable violations of the Florida Fire Prevention Code rules; revising state preemption authority; amending s. 509.039, F.S.; decreasing the amount of time in which a food service manager is required to obtain certification after employment; requiring public food service establishments to provide proof of certification upon request by the division; amending s. 509.101, F.S.; deleting the requirement that a transient establishment maintain a copy of ch. 509, F.S., on its premises; repealing s. 509.201, F.S., relating to public lodging establishment room rate posting and filing requirements, room rate advertisement requirements, and related exemptions and penalties; amending s. 509.211, F.S.; deleting a requirement for division notification of local firesafety officials or the State Fire Marshal of violations of rules under ch. 633, F.S.; amending s. 509.221, F.S.; providing that certain sanitary regulations for a public lodging establishment for its guests and employees and for a public food service establishment for its employees be in compliance with the Florida Building Code as approved by the local authority having jurisdiction; providing for wastewater disposal procedures for public food service establishments; requiring public lodging establishment and public food service establishment public restroom requirements to be in accordance with the Florida Building Code as approved by the local authority having jurisdiction; amending s. 509.242, F.S.; clarifying public lodging establishment classifications; amending s. 509.261, F.S.; authorizing the division to levy sanctions for failing to comply with final orders of the division; authorizing the division to require payment of outstanding fines before renewing or issuing a license; providing an effective date.

By the Committee on Judiciary; and Senators Posey, Jones and Baker—

CS for SB 2018—A bill to be entitled An act relating to financial assistance for contaminated petroleum storage sites; amending s. 376.30715, F.S.; providing for financial assistance in certain additional circumstances involving a transfer of the contaminated property; providing an effective date.

By the Committee on Judiciary; and Senator Geller—

CS for SB 2040—A bill to be entitled An act relating to the excise tax on documents; amending s. 201.02, F.S.; revising criteria determining liability for payment of the tax; providing an alternative methodology for payment of the tax under certain circumstances; providing requirements and procedures; providing for the deposit of revenues into a specified trust fund; providing for application; providing an effective date.

By the Committees on Governmental Operations; Banking and Insurance; and Banking and Insurance—

CS for CS for SB 2156—A bill to be entitled An act relating to the Florida Hurricane Catastrophe Fund; amending s. 215.555, F.S.; creating the Division of the Florida Hurricane Catastrophe Fund as a division of the State Board of Administration; providing for a board of the division; revising legislative findings; revising the definition of "retention," "covered policy," and "estimated claims-paying capacity" to account for the creation of the division; defining the terms "division," "director," "FHCF," "fund," and "board"; clarifying provisions requiring the State Board of Administration to invest certain funds; requiring that the board of the division appoint a director; providing duties of the director; providing that the appointment of a director is subject to the approval of the board by a majority vote; authorizing the division to employ or contract with such staff as the division deems necessary to administer the fund; requiring that the division enter into a contract with each insurer writing covered policies in this state to provide to the insurer reimbursement as prescribed by state law; requiring that such contracts contain certain elements or provisions and provide the division with certain obligations; extending for an additional year the offer of reimbursement coverage of up to $10 million for specified insurers; revising the qualifying criteria for such insurers; requiring that the division publish certain information in the Florida Administrative Weekly at specified times; authorizing the payment of advancements of reimbursements or reimbursement premiums to certain entities under certain conditions; requiring that the division inspect, examine, and verify the records of each insurer's covered policies at such times as the division deems appropriate and according to standards established by rule for the specific purpose of validating the accuracy of exposures and losses required to be reported under the terms and conditions of the reimbursement contract; providing for the payments of expenses associated with such inspection, examination, or verification; providing for the reimbursement of the division for such expenses by an insurer under certain circumstances; authorizing the division to take certain action if it finds any insurer's records or other necessary information to be inadequate or inadequately posted, recorded, or maintained; requiring that the division select an independent consultant to develop a formula for determining the actuarially indicated premium to be paid to the fund; requiring that the division consider certain factors when establishing a reimbursement premium; providing for the calculation of such premium by the division; providing for the payment of reimbursement premium; providing for the collection of interest on certain late reimbursement premium payments; providing responsibilities of the division if Citizens Property Insurance Corporation assumes or otherwise provides coverage for policies of an insurer placed in liquidation; authorizing the division to execute agreements regarding revenue bonds or other financing arrangements for the purpose of evidencing, securing, preserving, or protecting a pledge of revenue by the corporation; requiring that the Florida Surplus Lines Service Office assist the division in ensuring the accurate and timely collection and remittance of assessments of surplus lines premiums; requiring that the office report certain information to the division at a time and in a manner prescribed by the division; providing for the issuance of revenue bonds through counties or municipalities; revising the membership of the Florida Hurricane Catastrophe Fund Finance Corporation; providing that there is no liability on the part of any member of the board of directors or employees of the corporation for any actions taken by them in the performance of their duties; providing additional powers and duties of the board of the division and the division; requiring that the board of the division appoint an advisory council; providing for membership of the council; providing duties of the council; authorizing the division to take any action necessary to enforce certain rules and provisions of a reimbursement contract; requiring that the division make certain recommendations to the Legislature upon the creation of a federal or multistate catastrophic insurance or reinsurance program intended to serve purposes similar to the purposes of the fund; providing for the reversion of fund assets upon termination of the fund; providing for optional coverages of the fund; revising the temporary increases in coverage limits (TICL); requiring that a TICL addendum contain a promise by the division to make certain reimbursements to the TICL insurer; including the level of TICL coverage specified by the board among the factors that must be considered when determining the amount of increase in the claims-paying capacity of the fund; amending s. 215.557, F.S.; conforming provisions to changes made by the act; amending s. 215.5586, F.S.; requiring that the director of the division serve on the advisory council of the My Safe Florida Home Program; amending s. 215.559, F.S., relating to the Hurricane Loss Mitigation Program; conforming a cross-reference; amending s. 215.5595, F.S., relating to the Insurance Capital Build-up Incentive Program; conforming provisions to changes made by the act; revising the definition of "board" to conform to changes made by the act; amending s. 627.0628, F.S.; revising legislative intent; assigning the Florida Commission on Hurricane Loss Projection Methodology to the division; requiring that the director of the fund serve on the commission; requiring that the board of the division annually appoint one of the members of the commission to serve as chair; requiring that the division provide for travel, expenses, and staff support for the commission; indemnifying members and employees of the division from liability for action taken with respect to the commission or its activities; requiring that the division employ certain methods, principles, standards, models, or output ranges when establishing reimbursement premiums for the fund; providing an effective date.

By the Committee on Community Affairs; and Senator Aronberg—

CS for SB 2236—A bill to be entitled An act relating to sexual offenders and sexual predators; creating s. 943.04355, F.S.; requiring a landlord who knowingly solicits, rents, or leases a dwelling unit to a sexual offender or sexual predator to verify that individual's address; requiring that the landlord notify the sheriff in certain instances; providing definitions; providing that the Attorney General may enforce the stated obligations; providing that a circuit court may assess a civil penalty against a landlord who willfully violates the required obligations; limiting the amount of the civil penalty; providing that the Attorney General is entitled to reasonable attorney's fees and costs if a civil penalty is assessed; providing an effective date.

By the Committee on Agriculture; and Senators Baker and Bennett—

CS for SB 2246—A bill to be entitled An act relating to land development regulation; amending s. 163.3162, F.S.; providing for the use of certain lands surrounding an agricultural enclave; creating a rebuttable presumption for the imposition of certain development conditions relating to agricultural enclaves; providing a timeframe for submitting certain information relating to proposed plan amendments; creating a rebuttable presumption for denial of or failure to approve plan amendments relating to agricultural enclaves; providing concurrency standards for agricultural enclaves in relation to previously approved development contiguous to the enclave; amending s. 163.3245, F.S.; revising provisions relating to optional sector plans; providing applicability to certain pending applications; amending s. 163.3164, F.S.; revising the definition of "agricultural enclave"; providing an effective date.

By the Committee on Environmental Preservation and Conservation; and Senator Bennett—

CS for SB 2284—A bill to be entitled An act relating to homeowners' associations; amending s. 190.012, F.S.; authorizing the use of certain security systems by community development districts; prohibiting a local general-purpose government from prohibiting or revoking the exercise of the powers of a community development district after the local general-purpose government has consented to the exercise of such powers by the community development district; amending s. 373.413, F.S.; requiring applicants for permits to construct stormwater management systems to demonstrate financial responsibility for the construction and operation of the systems; amending s. 373.436, F.S.; providing that a lien is created against all property served by certain stormwater management systems if certain costs incurred by a water management district or the Department of Environmental Protection are not reimbursed by such landowners; amending s. 720.303, F.S.; providing penalties for homeowners' association board members who violate certain provisions relating to the conduct of board meetings; amending s. 720.304, F.S.; allowing property owners who are members of a homeowners' association to display a "for sale" sign on their property; amending s. 720.307, F.S.; requiring developers to comply with certain permitting requirements relating to financial responsibility for the construction or alteration on stormwater management systems before relinquishing control of homeowners' associations; amending s. 861.01, F.S.; exempting certain fencing systems from a prohibition against obstructing public roads and highways; providing an effective date.

By the Committees on Military Affairs and Domestic Security; Agriculture; and Senator Dean—

CS for CS for SB 2286—A bill to be entitled An act relating to arboriculture; creating ch. 598, F.S.; providing a short title; providing a statement of purpose; providing definitions; providing powers and duties of the Department of Agriculture and Consumer Services; authorizing the department to adopt rules; establishing a fee schedule for licensure as an arborist; providing for the deposit and use of fee proceeds; establishing licensure procedures and requirements to practice arboriculture and provide arboriculture services; providing for the issuance of a license; providing for license renewal; providing for the reactivation of a license under certain conditions; providing for the issuance of a duplicate license under certain circumstances; requiring that the department maintain a roster of licensed arborists; providing an appropriation and authorizing an additional position; providing an effective date.

By the Committee on Banking and Insurance; and Senator Aronberg—

CS for SB 2338—A bill to be entitled An act relating to insurance renewal premiums; amending s. 627.7277, F.S.; increasing the period of advanced written notice of renewal premium that must be provided by an insurer to a policyholder; providing that if an insurer fails to give such notice of a renewal premium resulting in a premium increase, coverage under the policy remains in effect at the existing rates until a specified period after the notice is given or until the effective date of replacement coverage obtained by the insured, whichever occurs first; providing an effective date.

By the Committee on Higher Education Appropriations; and Senators Atwater, Haridopolos and Baker—

CS for SB 2350—A bill to be entitled An act relating to textbook affordability; creating s. 1004.09, F.S.; prohibiting certain actions of community college or state university employees that relate to student purchase of required textbooks; authorizing receipt of certain instructional materials, compensation, and training; requiring student notification of required textbooks; requiring adoption of specified policies and practices to minimize the cost of textbooks; providing an effective date.

By the Committee on Higher Education; and Senator Diaz de la Portilla—

CS for SB 2366—A bill to be entitled An act relating to medical faculty certificates; amending s. 458.3145, F.S.; authorizing additional universities to employ medical faculty certificateholders; providing a limitation on the number of certificateholders per university; providing an effective date.

By the Committee on Commerce; and Senator Diaz de la Portilla—

CS for SB 2374—A bill to be entitled An act relating to counterfeit goods; amending s. 831.03, F.S.; providing and revising definitions; creating s. 831.031, F.S.; providing that possession of more than a specified number of counterfeit items, unless satisfactorily explained, allows an inference that such property is possessed with intent to offer it for sale or distribution in certain circumstances; providing that a state or federal certificate of registration of trademark is prima facie evidence of the facts stated therein; creating s. 831.032, F.S.; prohibiting specified offenses involving forging or counterfeiting private labels; providing penalties; providing for reclassification of specified offenses; providing for fines based on the retail value of goods in certain circumstances; providing for restitution; providing applicability of certain defenses and limitations on remedies to prosecutions involving counterfeiting; creating s. 831.033, F.S.; providing for destruction or forfeiture of goods to which the forged or counterfeit trademarks or service marks were attached; providing for forfeiture of property constituting or derived from any proceeds of a counterfeiting offense; permitting alternative disposure of forfeited items bearing or consisting of a counterfeit trademark with the written consent of the trademark owners; providing for the costs of such alternative disposition; creating s. 831.034, F.S.; providing that prosecution under specified provisions does not preclude the applicability of any other provision of the law which applies or may in the future apply to any transaction that violates specified provisions, unless such provision is inconsistent with the terms of those provisions; repealing s. 831.05, F.S., relating to vending goods or services having counterfeit trademarks or service marks; providing an effective date.

By the Committee on Governmental Operations; and Senator Alexander—

CS for SB 2422—A bill to be entitled An act relating to local government finance; amending s. 218.401, F.S.; clarifying purpose and intent; amending s. 218.403, F.S.; defining the terms "board" and "trustees" for purposes of the Investment of Local Government Surplus Funds Act; amending s. 218.405, F.S.; providing for the administration of the Local Government Surplus Funds Trust Fund; providing duties of Trustees of the State Board of Administration; amending s. 218.407, F.S.; requiring that the board provide a unit of local government with certain information before such unit makes a determination that it is in the best interest of the local government unit to deposit surplus funds in the trust fund; requiring the filing of a resolution upon such determination; requiring that the resolution contain certain information; requiring that the board invest the moneys in the trust fund in a certain manner; amending s. 218.409, F.S.; providing duties of the board with regard to the administration of the trust fund; providing for the establishment of a reserve account; requiring monthly allocations to the reserve account; limiting the amount of monthly allocations; requiring that the board report annually to every participant having a beneficial interest in the trust fund; providing for the preparation of the report; providing that such report is subject to independent financial audit; requiring that the board provide a monthly statement to beneficiaries; requiring that such statement contain certain information; requiring that the Investment Advisory Council assist the board in investing moneys held in the trust fund; providing duties of the council; creating the Pool Participant Advisory Council; providing purposes for the council; providing for membership and composition of the council; requiring that the executive director of the State Board of Administration consider appropriate action and advise the trustees accordingly under certain circumstances; providing duties of the trustees under such circumstances; authorizing the trustees to perform certain actions for the purpose of ensuring the proper exercise of fiduciary responsibility; authorizing the trustees to place assets of the trust fund into a liquidating account; providing for the maintenance and administration of such liquidating accounts; providing powers and duties of trustees with regard to assets in a liquidating account; providing for distribution of cash received from income or liquidation of assets held in a liquidating account; requiring the audit of such accounts; authorizing certain reasonable expenses to be charged to a liquidating account; excluding certain information related to assets held in liquidating accounts from certain statements; requiring that separate statements be issued for such information; providing for the transfer of reserves held in a liquidating account; requiring that the status of such accounts be reported regularly to the trustees, participants in the fund, the Investment Advisory Council, and the Pool Participant Advisory Council; providing an effective date.

By the Committee on Judiciary; and Senator Posey—

CS for SB 2438—A bill to be entitled An act relating to informed consent for spaceflight; creating part III of ch. 331, F.S.; providing definitions; providing immunity from liability for injury to or death of certain participants in spaceflight activities if specified informed consent requirements are complied with; providing exceptions; requiring each participant to sign a warning statement; providing minimum requirements for a warning statement; providing for future expiration of the act; providing an effective date.

By the Committee on Transportation and Economic Development Appropriations; and Senator Fasano—

CS for SB 2522—A bill to be entitled An act relating to the Family Readiness Program; amending s. 250.5206, F.S.; expanding the purpose, eligibility, and annual report provisions of the Family Readiness Program within the Department of Military Affairs; providing an effective date.

By the Committee on Higher Education; and Senator Posey—

CS for SB 2526—A bill to be entitled An act relating to the space industry; providing a short title; providing legislative findings; amending s. 331.3051, F.S.; revising duties of Space Florida to include supporting the development and operation of the Space Technology and Research Diversification Initiative; creating s. 331.365, F.S.; establishing the multiuniversity Space Technology and Research Diversification Initiative within the Office of Tourism, Trade, and Economic Development; providing for duties and administration; providing an effective date.

By the Committee on Environmental Preservation and Conservation; and Senators Alexander, Carlton, Bennett, Aronberg and Storms—

CS for SB 2580—A bill to be entitled An act relating to the West-Central Florida Water Restoration Action Plan; creating s. 373.0363, F.S.; providing definitions; providing legislative findings and intent; providing criteria governing the implementation of the West-Central Florida Water Restoration Action Plan by the Southwest Florida Water Management District; requiring that the district coordinate with regional water supply authorities and governmental partners to maximize opportunities concerning the efficient expenditure of public funds; specifying the plan's purpose; specifying the initiatives that are included in the plan; providing criteria governing implementation of the Central West Coast Surface Water Enhancement Initiative, the Facilitating Agricultural Resource Management Systems Initiative, the Ridge Lakes Restoration Initiative, the Upper Peace River Watershed Restoration Initiative, and the Central Florida Water Resource Development Initiative and certain components or projects included in such initiatives; providing for the district to implement certain initiatives or parts thereof in cooperation with the Peace River-Manasota Regional Water Supply Authority or Polk County; requiring an annual report that meets specified criteria concerning implementation of the plan, regional conditions, and the use of funds; requiring that the Southwest Florida Water Management District prepare the report in cooperation with coordinating agencies and affected local governments and provide the report and legislative proposals to the Governor, the President of the Senate, and the Speaker of the House of Representatives; providing an effective date.

By the Committee on Environmental Preservation and Conservation; and Senator Constantine—

CS for SB 2594—A bill to be entitled An act relating to brownfield areas; amending s. 220.1845, F.S.; providing a tax credit for the costs of solid waste removal at brownfield sites; providing definitions relating to solid waste removal; providing an additional tax credit for rehabilitation costs that result in the construction and operation of a health care facility or health care provider on a brownfield site; amending s. 376.30781, F.S.; removing provisions relating to a partial tax credit; providing a tax credit for the costs of solid waste removal at brownfield sites; providing definitions relating to solid waste removal; providing an additional tax credit for rehabilitation costs that result in the construction and operation of a health care facility or health care provider on a brownfield site; revising procedures relating to the application for the tax credit; providing additional limitations on the amount of credits claimed; amending s. 376.77, F.S.; conforming cross-references; amending s. 376.79, F.S.; redefining terms relating to the Brownfields Redevelopment Act; amending s. 376.80, F.S.; revising provisions relating to the administration of the brownfield program at the local level; providing requirements for the certification of a proposed redevelopment of a brownfield site; deleting certification requirements relating to the site contractor; deleting the requirement that professional engineers and geologists providing professional services must maintain liability insurance; providing for evaluating the effects of brownfield site rehabilitation on the community and on individual health; amending ss. 376.82 and 376.83, F.S.; conforming cross-references; amending s. 376.86, F.S.; revising the Brownfield Areas Loan Guarantee Program; authorizing the program to guarantee 75 percent of a loan for the construction and operation of a new health care facility or health care provider; adding the State Surgeon General of the Department of Health to the Brownfield Areas Loan Guarantee Council; amending s. 163.3221, F.S.; conforming

a cross-reference; providing for retroactive application; providing an effective date.

By the Committee on Governmental Operations; and Senator Oelrich—

CS for SB 2610—A bill to be entitled An act relating to public records; creating s. 765.5155, F.S.; providing an exemption from public-records requirements for information in the organ and tissue donor registry which would identify a donor; providing an exception; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing a contingent effective date.

By the Committee on Agriculture; and Senator Haridopolos—

CS for SB 2624—A bill to be entitled An act relating to the protection of commercial citrus groves; amending s. 581.091, F.S.; providing for use of Casuarina cunninghamiana as a windbreak for commercial citrus groves under a 5-year pilot project conducted within specified counties; defining the term "commercial citrus grove"; providing for the Department of Agriculture and Consumer Services to issue permits authorizing a person to plant or a nursery to produce Casuarina cunninghamiana; providing for permit fees; specifying conditions under which authorized Casuarina cunninghamiana must be destroyed; providing that use as a windbreak does not preclude research or the release of agents to control Casuarina spp.; providing that the use of Casuarina cunninghamiana for windbreaks does not interfere with or restrict efforts to manage or control noxious weeds or invasive plants; prohibiting any other agency or local government from removing Casuarina cunninghamiana planted as a windbreak under a special permit; requiring the removal of Casuarina cunninghamiana pursuant to a final order of the department under certain conditions; requiring that the permitholder pay the costs of removal; providing for a lien against the property of a permitholder for failure to pay such costs; providing an effective date.

By the Committee on Governmental Operations; and Senator Oelrich—

CS for SB 2630—A bill to be entitled An act relating to organ and tissue donation; amending s. 765.203, F.S.; deleting a provision in the form that designates a health care surrogate that provides an exception for anatomical gifts; amending s. 765.512, F.S.; revising provisions for making an organ donation; adding additional persons to the list of persons who may donate a decedent's body; removing the provision prohibiting a spouse from making a donation if the decedent's adult son or daughter objects; amending s. 765.514, F.S.; providing additional mechanisms for making an anatomical gift including registering with the organ and tissue donor registry; revising the uniform donor card to specify the type of donation; deleting a statement of public policy that prohibits restrictions on who may receive an anatomical gift, a provision specifying who can accept a gift, and a provision designating a physician to carry out appropriate procedures; amending s. 765.515, F.S.; requiring the Department of Highway Safety and Motor Vehicles to inform the donor registry of instances of making an anatomical gift and of withdrawal of an anatomical gift; deleting a provision requiring the Agency for Health Care Administration and the department to maintain a donor registry; creating s. 765.5155, F.S.; providing legislative intent with respect to establishing an online organ and tissue donor registry; requiring administration of the donor registry to be procured by competitive solicitation; specifying the duties of the contractor including the operation of the registry, a continuing public education program about organ donation, and the preparation of an annual report; authorizing the agency to adopt rules relating to providing research access to the registry; providing for funding and for voluntary contributions to the registry; designating the donor registry as the "Joshua Abbott Organ and Tissue Donor Registry"; amending s. 765.516, F.S.; authorizing revocation of an anatomical gift by a donor through removal of his or her name from the registry; amending s. 765.517, F.S.; revising provisions relating to verification of a donor's consent at death; amending s. 765.521, F.S.; conforming a cross-reference; amending s. 765.522, F.S.; revising duties of hospital administrators with respect to reporting suitable donor candidates at or near the time of death; updating references to organ procurement organizations; repealing s. 765.5215, F.S., relating to an education program relating to anatomical gifts; repealing s. 765.5216, F.S., relating to the organ and tissue donor education panel; providing an effective date.

By the Committees on Health and Human Services Appropriations; Governmental Operations; and Senator Oelrich—

CS for CS for SB 2630—A bill to be entitled An act relating to organ and tissue donation; amending s. 765.203, F.S.; deleting a provision in the form that designates a health care surrogate that provides an exception for anatomical gifts; amending s. 765.512, F.S.; revising provisions for making an organ donation; adding additional persons to the list of persons who may donate a decedent's body; removing the provision prohibiting a spouse from making a donation if the decedent's adult son or daughter objects; amending s. 765.514, F.S.; providing additional mechanisms for making an anatomical gift including registering with the organ and tissue donor registry; revising the uniform donor card to specify the type of donation; deleting a statement of public policy that prohibits restrictions on who may receive an anatomical gift, a provision specifying who can accept a gift, and a provision designating a physician to carry out appropriate procedures; amending s. 765.515, F.S.; requiring the Department of Highway Safety and Motor Vehicles to inform the donor registry of instances of making an anatomical gift and of withdrawal of an anatomical gift; deleting a provision requiring the Agency for Health Care Administration and the department to maintain a donor registry; creating s. 765.5155, F.S.; providing legislative intent with respect to establishing an online organ and tissue donor registry; requiring administration of the donor registry to be procured by competitive solicitation; specifying the duties of the contractor including the operation of the registry, a continuing public education program about organ donation, and the preparation of an annual report; authorizing the agency to adopt rules relating to providing research access to the registry; providing for funding and for voluntary contributions to the registry; designating the donor registry as the "Joshua Abbott Organ and Tissue Donor Registry"; amending s. 765.516, F.S.; authorizing revocation of an anatomical gift by a donor through removal of his or her name from the registry; amending s. 765.517, F.S.; revising provisions relating to verification of a donor's consent at death; amending s. 765.521, F.S.; conforming a cross-reference; amending s. 765.522, F.S.; revising duties of hospital administrators with respect to reporting suitable donor candidates at or near the time of death; updating references to organ procurement organizations; repealing s. 765.5215, F.S., relating to an education program relating to anatomical gifts; repealing s. 765.5216, F.S., relating to the organ and tissue donor education panel; providing an effective date.

By the Committee on Children, Families, and Elder Affairs; and Senator Storms—

CS for SB 2644—A bill to be entitled An act relating to the care of children; providing a short title; amending s. 39.201, F.S.; requiring an additional component under the Department of Children and Family Services' quality assurance program to analyze unaccepted reports made to the department's hotline; amending s. 39.202, F.S.; authorizing certain practitioners to have access to certain reports and records in cases of child abuse and neglect; amending s. 39.301, F.S.; requiring that a collateral contact for a protective investigation to include a relative if services are refused; authorizing a relative to request notification of all proceedings and hearings; amending s. 39.304, F.S.; requiring certain medical information relating to child abuse or neglect to be permanently preserved in the department's records; amending s. 39.402, F.S.; requiring that the court notify relatives who are providing out-of-home care of the right to attend hearings and submit reports to the court; amending s. 39.502, F.S.; requiring the attorney for the department to notify relatives requesting notification of proceedings; amending s. 39.506, F.S.; requiring that relatives who provide out-of-home care for a child be provided with notification of hearings; amending s. 30.5085, F.S.; providing Legislative intent relating to the establishment of protocols and procedures relating to grandparents and relatives; providing for the

development of liaison functions related to relatives who care for children; amending s. 39.6011, F.S.; requiring case managers to forward the notification requests of relatives to departmental attorneys; amending s. 39.701, F.S.; requiring the attorney for the department to provide notification of proceedings to relatives requesting such notification; amending s. 683.10, F.S.; designating the first Sunday after Labor Day as "Grandparents' and Family Caregiver's Day"; providing an effective date.

By the Committee on Higher Education; and Senator Wise—

CS for SB 2700—A bill to be entitled An act relating to students with disabilities; amending ss. 1002.33, 1002.39, 1003.01, and 1003.438, F.S., relating to charter schools, the John M. McKay Scholarships for Students with Disabilities Program, definitions, and special high school graduation requirements; revising the terminology used to identify students with certain disabilities; amending s. 1003.21, F.S., relating to school attendance; revising the terminology used to identify students with certain disabilities; authorizing the State Board of Education to adopt rules relating to the eligibility of certain children with disabilities for admission to special programs and related services; removing the authority of district school boards to adopt such rules; amending ss. 1007.02, 1007.264, and 1007.265, F.S., relating to postsecondary education; revising the terminology used to identify students with intellectual, emotional, or behavioral disabilities; providing an effective date.

By the Committee on Commerce; and Senator Hill—

CS for SB 2706—A bill to be entitled An act relating to unemployment compensation; amending s. 443.036, F.S.; redefining the term "base period" for purposes of determining eligibility for benefits; providing an alternative base period; providing applicability and calculation; amending s. 443.101, F.S.; prohibiting certain persons choosing to separate from employment from being disqualified from regular unemployment compensation; prohibiting certain unemployed individuals from disqualification for eligibility for unemployment compensation benefits based solely on the individual's availability for only part-time work; providing an effective date.

By the Committee on Commerce; and Senator Atwater—

CS for SB 2774—A bill to be entitled An act relating to security for late-night businesses; providing a short title; creating a pilot project within specified counties to fund surveillance systems for late-night businesses; providing a purpose; providing definitions; providing grant qualifications; providing for pilot project funding; providing an effective date.

By the Committees on General Government Appropriations; Banking and Insurance; and Senators Atwater, Geller, Fasano, Garcia, Jones and Gaetz—

CS for CS for SB's 2860 and 1196—A bill to be entitled An act relating to insurance; amending s. 215.5595, F.S.; revising legislative findings with respect to the Insurance Capital Build-Up Incentive Program and the appropriation of state funds for surplus notes issued by residential property insurers; revising the conditions and requirements for providing funds to insurers under the program; requiring a commitment by the insurer to meet minimum premium-to-surplus writing ratios for residential property insurance, for taking policies out of Citizens Property Insurance Corporation, and for maintaining certain surplus and reinsurance; establishing deadlines for insurers to apply for funds; authorizing the State Board of Administration to charge a late fee for payment of remittances; requiring the board to submit semiannual reports to the Legislature regarding the program; providing that amendments made by the act do not affect the terms of surplus notes approved prior to a specified date, but authorizing the board and an insurer to renegotiate such terms consistent with such amendments; requiring the board to transfer to Citizens Property Insurance Corporation any funds that have not been reserved for insurers approved to receive such funds under the program, from the funds that were appropriated from Citizens; requiring the board to transfer to Citizens interest and principal payments to Citizens Property Insurance Corporation for surplus note funded from appropriations from Citizens; requiring Citizens to deposit such funds into accounts from which appropriations were made; amending s. 542.20, F.S.; subjecting the business of insurance to the Florida Antitrust Act; limiting enforcement to actions by the Attorney General or a state attorney; providing exceptions; amending s. 624.3161, F.S.; authorizing the Office of Insurance Regulation to require an insurer to file its claims handling practices and procedures as a public record based on findings of a market conduct examination; amending s. 624.4211, F.S.; increasing the maximum amounts of administrative fines that may be imposed upon an insurer by the Office of Insurance Regulation for nonwillful and willful violations of an order or rule of the office or any provision of the Florida Insurance Code; authorizing the office to impose a fine for each day of noncompliance up to a maximum amount; providing factors to consider when determining the amount of the fine; creating s. 624.4213, F.S.; specifying requirements for submission of a document or information to the Office of Insurance Regulation or the Department of Financial Services in order for a person to claim that the document is a trade secret; requiring each page or portion to be labeled as a trade secret and be separated from non-trade secret material; requiring the submitting party to include an affidavit certifying certain information about the documents claimed to be trade secrets; requiring the office or department to notify persons who submit trade secret documents of any public-records request and the opportunity to file a court action to bar disclosure; specifying conditions for the office to retain or release such documents; requiring an award of attorney's fees against a person who certified a document as trade secret if a court or administrative tribunal finds that the document is not a trade secret; amending s. 626.9521, F.S.; increasing the maximum fines that may be imposed by the office or department for nonwillful and willful violations of state law regarding unfair methods of competition and unfair or deceptive acts or practices related to insurance; amending s. 626.9541, F.S.; prohibiting an insurer from considering certain factors when evaluating or adjusting a property insurance claim; prohibiting an insurer from failing to pay undisputed amounts of benefits owed under a property insurance policy within a certain period; amending s. 627.062, F.S.; requiring that an insurer seeking a rate for property insurance that is greater than the rate most recently approved by the Office of Insurance Regulation make a "file and use" filing for all such rate filings made after a specified date; revising the factors the office must consider in reviewing a rate filing; prohibiting the Office of Insurance Regulation from disapproving as excessive a rate solely because the insurer obtained reinsurance covering a specified probably maximum loss; allowing the office to disapprove a rate as excessive within 1 year after the rate has been approved under certain conditions related to nonrenewal of policies by the insurer; requiring the Division of Administrative Hearings to expedite a hearing request by an insurer and for the administrative law judge to commence the hearing within a specified time; establishing time limits for entry of a recommended order, for parties to submit written exceptions, and for the office to enter a final order, subject to waiver by all parties; authorizing an insurer to request an expedited appellate review pursuant to the Florida Rules of Appellate Procedure; expressing legislative intent for an expedited appellate review; requiring an administrative law judge in a hearing on an insurance rate to grant a continuance if requested by a party due to receiving additional information that was not previously available; deleting provisions relating to the submission of a disputed rate filing, other than a rate filing for medical malpractice insurance, to an arbitration panel in lieu of an administrative hearing if the rate is filed before a specified date; requiring certain officers and the chief actuary of a property insurer to certify certain information as part of a rate filing, subject to the penalty of perjury; amending s. 627.0613, F.S.; deleting cross-references to conform to changes made by the act; amending s. 627.0628, F.S.; requiring that with respect to rate filings, insurers must use actuarial methods or models found to be accurate or reliable by the Florida Commission on Hurricane Loss Projection Methodology; deleting the requirement for the Office of Insurance Regulation and the Consumer Advocate to have access to all assumptions of a hurricane loss model in order for a model that has been found to be accurate and reliable by the Florida Commission on Hurricane Loss Projection Methodology to be admissible in a rate proceeding; deleting cross-references to conform to changes made by the act; amending s. 627.0629, F.S.; requiring that the Office of Insurance Regulation develop and make

publicly available before a specified deadline a proposed method for insurers to establish windstorm mitigation premium discounts that correlate to the uniform home rating scale; requiring that the Financial Services Commission adopt rules before a specified deadline; requiring insurers to make rate filings pursuant to such method; authorizing the commission to make changes by rule to the uniform home grading scale and specify by rule the minimum required discounts, credits, or other rate differentials; requiring that such rate differentials be consistent with generally accepted actuarial principles and wind loss mitigation studies; amending s. 627.351, F.S., relating to Citizens Property Insurance Corporation; deleting a provision to conform to changes made in the act; deleting provisions defining the terms "homestead property" and "nonhomestead property"; deleting a provision providing for the classification of certain dwellings as "nonhomestead property"; deleting provisions making dwellings and condominium units that have a replacement cost above a specified value ineligible for coverage after a specified date; requiring certain structures to have opening protections as a condition of eligibility for coverage after a specified date; requiring that the corporation cease issuance of new wind-only coverage beginning on a specified date; deleting outdated provisions requiring the corporation to submit a report for approval of offering multiperil coverage; revising threshold amounts of deficits incurred in a calendar year on which the decision to levy assessments and the types of such assessments are based; revising the formula used to calculate shares of assessments owed by certain assessable insureds; requiring that the board of governors make certain determinations before levying emergency assessments; providing the board of governors with discretion to set the amount of an emergency assessment within specified limits; requiring the board of governors to levy a Citizens policyholder surcharge under certain conditions; deleting a provision requiring the levy of an immediate assessment against certain policyholders under such conditions; requiring that funds collected from the levy of such surcharges be used for certain purposes; providing that such surcharges are not considered premium and are not subject to commissions, fees, or premium taxes; requiring that the failure to pay such surcharges be treated as failure to pay premium; requiring that the amount of any assessment or surcharge which exceeds the amount of deficits be remitted to and used by the corporation for specified purposes; deleting provisions requiring that the plan of operation of the corporation provide for the levy of a Citizens policyholder surcharge if regular deficit assessments are levied as a result of deficits in certain accounts; deleting provisions related to the calculation, classification, and nonpayment of such surcharge; requiring that the corporation make an annual filing for each personal or commercial line of business it writes, beginning on a specified date; limiting the overall average statewide premium increase and the increase for an individual policyholder to a specified amount for rates established for certain policies during a specified period; deleting a provision requiring an insurer to purchase bonds that remain unsold; requiring the corporation to make its database of policies available to prospective take-out insurers under certain conditions; requiring the corporation to require agents to accept or decline appointment for any policy selected; requiring the corporation to notify the policyholder of certain information if an insurer selected his or her policy for a take-out offer but the policyholder's agent refused to be appointed; deleting provisions requiring the corporation to make certain confidential underwriting and claims files available to agents to conform to changes made by the act relating to ineligibility of certain dwellings; amending s. 627.4133, F.S.; increasing the required time period for an insurer to notify a policyholder of cancellation or nonrenewal of a personal lines or commercial residential property insurance policy; making conforming changes; creating s. 689.262, F.S.; requiring a purchaser of residential property to be presented with the windstorm mitigation rating of the structure; authorizing the Financial Services Commission to adopt rules; amending s. 817.2341, F.S.; providing for criminal penalties to be imposed under certain conditions against any person who willfully files a materially false or misleading rate filing; requiring Citizens Property Insurance Corporation to transfer funds to the General Revenue Fund Revenue Fund if the losses due to a hurricane do not exceed a specified amount; requiring the board of governors of Citizens Property Insurance Corporation to make a reasonable estimate of such losses by a certain date; making nonrecurring appropriations for purposes of the Insurance Capital Build-Up Incentive Program established pursuant to s. 215.5595, F.S., as amended by the act; authorizing costs and fees to be paid from funds appropriated, subject to specified limitations; providing effective dates.

By the Committee on Regulated Industries; and Senator King—

CS for SB 2864—A bill to be entitled An act relating to the Beverage Law; amending s. 561.42, F.S.; extending to importers and primary American sources of supply, brand owners, and brand registrants, and brokers, sales agents, and sales persons thereof, the prohibition against providing certain financial assistance to retail vendors; defining the term "brand owner"; providing an effective date.

REFERENCE CHANGES PURSUANT TO RULE 4.7(2)

By the Committee on Environmental Preservation and Conservation; and Senator Saunders—

CS for SB 542—A bill to be entitled An act relating to land acquisition and management; amending s. 201.15, F.S., relating to the distribution of taxes collected for debt service; extending the deadline for retiring the bonds issued under the Florida Forever Act; amending s. 215.618, F.S.; authorizing the distribution of bonds for the acquisition of conservation lands; increasing the bonding authority for issuance of Florida Forever bonds; directing the Legislature to complete a debt analysis prior to the issuance of any such bonds by a date certain; directing the Legislature to complete an analysis on potential revenue sources by a date certain; amending s. 253.025, F.S.; requiring appraisals of land under certain circumstances; deleting provisions that allow appraisers to reject an appraisal report under certain conditions; providing authority to the Board of Trustees of the Internal Improvement Trust Fund to waive sales history requirements under certain conditions; amending s. 253.0325, F.S.; requiring the Department of Environmental Protection to modernize its information systems; requiring a annual report of state lands acquired by each recipient of funds; amending s. 253.034, F.S.; defining the term "public access" for purposes of chapters 253 and 259, F.S.; requiring that land management plans provide short-term and long-term management goads; specifying measurable objectives; requiring that a land management plan contain certain elements; revising requirements for determining which state-owned lands may be surplus lands; requiring additional appraisals under certain conditions; requiring the Division of State Lands to contract with an organization for the purpose of determining the value of carbon capture and carbon sequestration with respect to state lands and provide an inventory to the board of trustees; authorizing to the Fish and Wildlife Conservation Commission to manage lands for imperiled species under certain conditions; requiring a report to the Legislature; providing for future expiration of such authority; amending s. 253.111, F.S.; extending the period within which a board of county commissioners must provide a resolution to the Board of Trustees of the Internal Improvement Trust Fund before state-owned lands are otherwise sold; amending s. 253.82, F.S.; revising requirements of the sale of nonsovereignty lands owned by the board of trustees; deleting appraisal limitations; amending s. 259.032, F.S.; requiring priority purchase of conservation and recreational lands that have high concentrations of population and certain agricultural lands; revising requirements for land management plans; establishing a minimum for funds expended for the management of state-owned land; requiring the Land Management Uniform Accounting Council to report on the formula for allocating land management funds; providing requirements for the report; deleting obsolete provisions; amending s. 259.035, F.S.; revising provisions establishing the Acquisition and Restoration Council; revising membership criteria; directing the council to establish specific criteria and numeric performance measures for the acquisition of land; amending s. 259.037, F.S.; revising the categories used by the Land Management Uniform Accounting Council to collect and report the costs of land management activities; requiring agencies to report additional information to the council; amending s. 259.041, F.S., relating to the acquisition of state-owned lands for preservation, conservation, and recreation purposes; requiring Legislative approval for acquisitions by the state exceeding a certain amount; increasing appraisal thresholds; requiring that specific language be included on option contracts; amending s. 259.105, F.S., relating to the Florida Forever Act; revising Legislative intent; providing for funds to be deposited in the Florida Forever Trust Fund; requiring bonded moneys be spent for capital improvements under certain conditions; providing for the expenditure of funds for conservation and agricultural easements under certain conditions; providing for the inclusion of carbon sequestration as a multiple use; providing

rulemaking authority for the board of trustees; providing for the reversion of lands to the board of trustees under certain conditions; requiring an annual work plan be developed by the Acquisition and Restoration Council; authorizing alternatives to fee-simple purchases; deleting obsolete provisions; amending s. 259.1051, F.S., relating to the Florida Forever Trust Fund; increasing bonding authority; amending s. 373.089, F.S.; clarifying the process for disposing of surplus lands; amending s. 373.1391, F.S.; providing additional oversight authority to the department; amending s. 373.199, F.S.; clarifying work plan requirements; amending s. 375.075, F.S.; providing financial assistance to local governments for outdoor recreation; increasing application and grant limitations; providing an effective date.

—was referred to the Committee on General Government Appropriations.

By the Committee on Commerce; and Senator Ring—

CS for SB 926—A bill to be entitled An act relating to education funding; amending s. 212.0306, F.S.; authorizing any county to impose a tax on the sale of food, beverages, or alcoholic beverages in hotels and motels pursuant to an ordinance adopted by a majority vote of the governing body; continuing the authority of counties operating under a home rule charter to impose such tax in establishments licensed by the state to sell alcoholic beverages for consumption on the premises; requiring that the proceeds from the food and beverage tax imposed by a county other than a county operating under a home rule charter be allocated to the local school district for the purpose of funding K-12 education services; providing duties of the county with respect to collecting and administering the tax; providing an effective date.

—was referred to the Committees on Community Affairs; Education Pre-K - 12; Finance and Tax; and Education Pre-K - 12 Appropriations.

By the Committee on Finance and Tax; and Senator Haridopolos—

CS for SB 1586—A bill to be entitled An act relating to corporate income tax; amending s. 220.03, F.S.; providing for the adoption of the 2008 version of the Internal Revenue Code; providing for exceptions to adoption; amending s. 220.13, F.S., relating to the determination of adjusted federal income; conforming provisions; amending ss. 220.241 and 220.33, F.S.; revising the due date for filing and paying estimated corporate income tax; authorizing the Department of Revenue to adopt rules; providing for retroactive application; providing effective dates.

—was placed on the Calendar.

By the Committee on Finance and Tax; and Senator Haridopolos—

CS for SB 1588—A bill to be entitled An act relating to property taxation; amending s. 193.114, F.S.; revising the requirements specifying the information that must be included on the real property assessment roll and on the tangible personal property roll; amending s. 193.1142, F.S.; authorizing the executive director of the Department of Revenue to require that additional data be provided on the assessment rolls; requiring that assessment rolls be submitted in a format specified by the executive director; authorizing a property appraiser to use an alternative format in a case of hardship; specifying additional parcel-level data that may be required; amending s. 193.155, F.S.; revising provisions governing the manner in which homestead property may be assessed at less than just value; providing for calculating the assessment reduction that may be transferred from a prior homestead to a new homestead; requiring that notice of the abandonment of a homestead be in writing and delivered to the property appraiser before or at the time of filing a new application; providing procedures for the transfer of an assessment limitation from a previous homestead to a new homestead; authorizing property appraisers to share confidential tax information; authorizing a taxpayer to file an action in circuit court requiring a property appraiser to provide certain information; authorizing a taxpayer to file a petition with the value adjustment board; providing for a nonrefundable fee; authorizing a taxpayer to file for the transfer of an assessment limitation in a year subsequent to the first year following establishment of the new homestead; prohibiting a refund of taxes for previous years; providing requirements for hearings before the value adjustment board; amending ss. 193.1554 and 195.1555, F.S., relating to nonhomestead residential property and nonresidential real property; requiring that an increase in the value of property be apportioned among parcels under certain conditions; amending s. 193.1556, F.S.; requiring that a property owner notify the property appraiser of any change in ownership or control; amending s. 194.011, F.S.; providing procedures under which a taxpayer may object to an assessment of homestead property at less than just value; requiring that the value adjustment board in the previous county hear the matter if the taxpayer disagrees with the previous assessment; providing for an appeal in the taxpayer's new county under certain circumstances; requiring that the circuit court review decisions of the value adjustment boards under certain circumstances; amending s. 196.031, F.S.; specifying the order in which homestead exemptions are applied; amending s. 196.183, F.S.; clarifying the taxation of freestanding property; clarifying the meaning of the phrase "site where the owner of tangible personal property transacts business"; providing for previously assessed owners to qualify for the exemption without filing a return at the option of the property appraiser; requiring that property appraisers annually notify taxpayers of the duty to file a return if they no longer qualify for the exemption; amending s. 197.3632, F.S.; requiring that the tax collector provide certain additional information to the Department of Revenue concerning non-ad valorem assessments; amending s. 200.065, F.S.; clarifying the calculation of maximum millage beginning in the 2009-2010 fiscal year; amending s. 200.185, F.S.; clarifying the calculation of maximum millage for the 2008-2009 fiscal year; authorizing the Department of Revenue to adopt emergency rules; delaying the date by which applications for an assessment of property under s. 193.155(8), F.S., for 2008 must be submitted; requiring the Department of Revenue to report to the Legislature by a specified date on the effect of recent changes in the law governing tax notices and the assessment limitations and maximum millage limitations; providing for the Legislature to appropriate moneys to offset the reduction in ad valorem tax revenue experienced by fiscally constrained counties; requiring that counties apply to the Department of Revenue; specifying the documentation that must be provided to the department; providing a formula for calculating the reduction in ad valorem revenue; providing for application of the act; providing effective dates.

—was placed on the Calendar.

By the Committee on Education Pre-K - 12 Appropriations; and Senator Wise—

CS for SB 1752—A bill to be entitled An act relating to virtual instruction programs; creating s. 1002.45, F.S.; authorizing a school district to offer courses by virtual instruction to students meeting certain conditions; providing a purpose; authorizing a school district to implement virtual instruction programs by approved district-operated programs or programs provided by contracted providers if approved by the Department of Education; authorizing a school district to participate in multi-district contractual arrangements; requiring the department to review and approve district-operated virtual programs on an annual basis; requiring contract providers to meet certain qualifications; requiring each virtual instruction program operated or contracted by a school district to meet certain requirements; prohibiting a school district from increasing its enrollment in a virtual education program in excess of the prior year's enrollment unless the program achieves a certain performance grade under the school grading system; requiring students enrolled in a virtual instruction program to meet certain requirements to participate in such program; defining the term "full-time equivalent student"; providing that full-time equivalent students participating in a school district's virtual instruction program be funded through the Florida Education Finance Program; requiring that a program provider participate in the statewide assessment program and education performance accountability system and meet a certain performance grade; requiring the State Board of Education to adopt rules; amending s. 1011.61, F.S.; revising the definition of "full-time equivalent" student to conform to changes made by the act; providing an effective date.

—was referred to the Committee on Education Pre-K - 12.

By the Committee on General Government Appropriations; and Senator Alexander—

CS for SJR 1848—A joint resolution proposing an amendment to Section Section 9 of Article VII and the creation of a new section in Article XII of the State Constitution to standardize the maximum millage rate within the state for water-management purposes and to provide an effective date if such change is adopted.

—was referred to the Committees on Environmental Preservation and Conservation; and Finance and Tax.

By the Committee on Banking and Insurance; and Senator Posey—

CS for SB 2174—A bill to be entitled An act relating to motor vehicle insurance; amending s. 627.736, F.S.; revising the schedule of maximum charges on which an insurer may base a limited reimbursement for certain medical services, supplies, and care for injured persons covered by personal injury protection; specifying a minimum amount for the applicable fee schedule or payment limitation under Medicare for such reimbursements; providing an effective date.

—was referred to the Committee on General Government Appropriations.

By the Committee on Governmental Operations; and Senator Alexander—

CS for SB 2422—A bill to be entitled An act relating to local government finance; amending s. 218.401, F.S.; clarifying purpose and intent; amending s. 218.403, F.S.; defining the terms "board" and "trustees" for purposes of the Investment of Local Government Surplus Funds Act; amending s. 218.405, F.S.; providing for the administration of the Local Government Surplus Funds Trust Fund; providing duties of Trustees of the State Board of Administration; amending s. 218.407, F.S.; requiring that the board provide a unit of local government with certain information before such unit makes a determination that it is in the best interest of the local government unit to deposit surplus funds in the trust fund; requiring the filing of a resolution upon such determination; requiring that the resolution contain certain information; requiring that the board invest the moneys in the trust fund in a certain manner; amending s. 218.409, F.S.; providing duties of the board with regard to the administration of the trust fund; providing for the establishment of a reserve account; requiring monthly allocations to the reserve account; limiting the amount of monthly allocations; requiring that the board report annually to every participant having a beneficial interest in the trust fund; providing for the preparation of the report; providing that such report is subject to independent financial audit; requiring that the board provide a monthly statement to beneficiaries; requiring that such statement contain certain information; requiring that the Investment Advisory Council assist the board in investing moneys held in the trust fund; providing duties of the council; creating the Pool Participant Advisory Council; providing purposes for the council; providing for membership and composition of the council; requiring that the executive director of the State Board of Administration consider appropriate action and advise the trustees accordingly under certain circumstances; providing duties of the trustees under such circumstances; authorizing the trustees to perform certain actions for the purpose of ensuring the proper exercise of fiduciary responsibility; authorizing the trustees to place assets of the trust fund into a liquidating account; providing for the maintenance and administration of such liquidating accounts; providing powers and duties of trustees with regard to assets in a liquidating account; providing for distribution of cash received from income or liquidation of assets held in a liquidating account; requiring the audit of such accounts; authorizing certain reasonable expenses to be charged to a liquidating account; excluding certain information related to assets held in liquidating accounts from certain statements; requiring that separate statements be issued for such information; providing for the transfer of reserves held in a liquidating account; requiring that the status of such accounts be reported regularly to the trustees, participants in the fund, the Investment Advisory Council, and the Pool Participant Advisory Council; providing an effective date.

—was referred to the Committee on General Government Appropriations.

By the Committee on Finance and Tax; and Senator Haridopolos—

CS for SB 2788—A bill to be entitled An act relating to tax administration; amending s. 72.011, F.S.; revising the time for commencing actions to contest a tax matter; amending s. 125.0104, F.S.; revising the list of living quarters or accommodations that are subject to taxation; providing definitions; providing for taxation of regulated short-term products; providing that the occupancy of a timeshare resort and membership or transaction fee paid by a timeshare owner are not a privilege subject to taxation; providing that consideration paid for the purchase of a timeshare license in a timeshare plan is rent subject to taxation; authorizing the Department of Revenue to establish audit procedures and to access for delinquent taxes; requiring the person operating transient accommodations to separately state the tax charged on a receipt or other documentation; providing that persons facilitating the booking of reservations are not required to separately state tax amounts charged; requiring that such amounts be remitted as tax and classified as county funds; providing additional specified uses for certain tourist tax revenue by certain counties; specifying that certain provisions of the act are clarifying and remedial in nature and are not a basis for assessments of tax or for refunds of tax for periods before the effective date of the act; amending s. 192.0105, F.S.; revising the list of tax-related forms that a taxpayer has a right to keep confidential; amending s. 196.192; providing that educational institutions owned by exempt entities are also exempt from ad valorem taxation; amending s. 201.02, F.S.; requiring a notation indicating a nonprofit's exemption from the documentary stamp tax; amending s. 202.125, F.S.; providing an exemption from the communications services tax for communications services used for a pari-mutuel permitholder's simulcasting and intertrack wagering activities; providing for retroactive application; amending ss. 212.03 and 212.0305, F.S.; revising the list of living quarters or sleeping or housekeeping accommodations that are subject to taxation; providing definitions; providing for taxation of regulated short-term products; providing that the occupancy of an accommodation of a timeshare resort and membership or transaction fee paid by a timeshare owner is not a privilege subject to taxation; providing that consideration paid for the purchase of a timeshare license in a timeshare plan is rent subject to taxation; requiring the person operating transient accommodations to separately state the tax charged on a receipt or other documentation; providing that persons facilitating the booking of reservations are not required to separately state tax amounts charged; requiring that such amounts be remitted as tax and classified as county funds; specifying that certain provisions of the act are clarifying and remedial in nature and are not a basis for assessments of tax or for refunds of tax for periods before the effective date of the act; amending s. 212.031, F.S.; conforming a cross-reference; amending s. 212.055, F.S.; authorizing certain counties to levy a hospital surtax subject to referendum approval; providing for the allocation and uses of the surtax proceeds; amending s. 212.07, F.S.; conforming a cross-reference; providing penalties for knowingly failing to collect taxes due; amending s. 212.08, F.S.; revising provisions relating to the tax exemption for building materials used to rehabilitate real property in enterprise zones; providing an exemption from the sales and use tax for an aircraft that is temporarily used in this state; providing that proof of temporary usage may be shown by specific documentation; amending s. 212.12, F.S.; revising penalties for failing to report taxes due; amending s. 212.18, F.S.; revising penalties for failing to register as a dealer; amending s. 213.015, F.S.; conforming a cross-reference; amending s. 213.053, F.S.; revising provisions relating to confidentiality; authorizing the Department of Revenue to send certain general information to taxpayers by electronic means; deleting a provision that allows the disclosure of certain information to the Chief Financial Officer; authorizing the department to provide taxpayer information to the Division of Hotels and Restaurants; providing an additional exception from the public-records exemption; authorizing the Department of Revenue to publish a list of delinquent taxpayers; authorizing the department to adopt rules; creating s. 213.0532, F.S.; requiring financial institutions to enter into agreements with the department to conduct data matches to identify delinquent taxpayers; providing definitions; requiring the depart-

ment to pay a fee to cover the cost to the institution; providing immunity from liability for certain actions by the institution; authorizing the department to institute civil actions; authorizing the department to adopt rules; amending s. 213.25, F.S.; clarifying that the department's authority to reduce tax refunds or credits by the amount of other taxes owed applies to unemployment compensation taxes; amending s. 213.67, F.S.; revising the time for commencing actions to contest a tax levy; creating s. 213.691, F.S.; authorizing the Department of Revenue to issue or file integrated warrants and judgment lien certificates; creating s. 213.692, F.S.; authorizing the department to file a single consolidated tax warrant for multiple taxes due and to revoke a taxpayer's certificate of registration if the taxpayer owes any taxes to the state; requiring a cash deposit or other security for issuing a new certificate of registration; authorizing the department to adopt rules; authorizing emergency rules; creating s. 213.758, F.S.; assigning tax liability when property is transferred; requiring a taxpayer who quits the business without benefit of a purchaser to make a final return and full payment within a specified period; providing for the Department of Legal Affairs to issue an injunction; specifying a transferee's liability for tax, interest, and penalties; authorizing the Department of Revenue to adopt rules; amending s. 220.193, F.S.; allowing a corporation that owns a partnership or limited liability company that produces and sells electricity from a new or expanded renewable energy facility to claim a renewable energy production credit; providing for proration among multiple owners; providing for retroactive application; amending s. 220.21, F.S.; revising provisions relating to the electronic filing of corporate taxes; providing for retroactivity; amending s. 336.021, F.S.; revising the order for distributing the local option fuel tax revenues; amending s. 443.1215, F.S.; revising a cross-reference; amending s. 443.1316, F.S.; conforming provisions to changes made by the act; amending s. 443.141, F.S.; providing penalties for erroneous, incomplete, or insufficient unemployment compensation tax reports filed by employers; providing a statute of limitation on liens for the collection of unpaid unemployment taxes; amending s. 509.261, F.S.; authorizing the Division of Hotels and Restaurants to fine, suspend, or revoke a license for violating state tax laws; amending s. 624.509, F.S.; deleting the alternative salary tax credit calculation for mutual holding companies; amending s. 695.22, F.S.; requiring the actual purchase price to be included on deeds and conveyances filed for record; amending s. 695.26, F.S.; requiring the actual purchase price to be shown on an instrument by which the title to real property or any interest therein is conveyed; repealing s. 213.054, F.S., relating to a report naming persons who claim a deduction for the net earnings of an international banking facility; providing for retroactive application of specified provisions; providing effective dates.

—was referred to the Committees on Regulated Industries; Community Affairs; Judiciary; and General Government Appropriations.

MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

The Governor advised that he had filed with the Secretary of State SB 1676, CS for SB 1678, SB 1680 and SB 1682 which he approved on April 7, 2008.

EXECUTIVE APPOINTMENTS SUBJECT TO CONFIRMATION BY THE SENATE:

The Secretary of State has certified that pursuant to the provisions of section 114.05, Florida Statutes, certificates subject to confirmation by the Senate have been prepared for the following:

Office and Appointment		*For Term Ending*
Jacksonville Aviation Authority		
Appointee:	Demetree, Jack C., Jacksonville	09/30/2011
Board of Architecture and Interior Design		
Appointees:	Ehrig, John P., Orlando	10/31/2011
	Gustafson, Garrick A., Tequesta	10/31/2010
	Hall, E. Wendell, Middleburg	10/31/2011
	Shore, Joyce, Ft. Lauderdale	10/31/2010
	Solera, Lourdes, Miami	10/31/2009
Education Practices Commission		
Appointees:	Cwynar, Ann M., Boynton Beach	09/30/2009
	Donovan, Brian T., Crystal River	09/30/2011
	Gonzalez, Libia A., Key Biscayne	09/30/2009
	Shepard, Deborah, Tallahassee	09/30/2009
	Strauss, Mark S., Wilton Manors	09/30/2011
	Williams, Frederick A., Ft. Lauderdale	09/30/2011
Electrical Contractors' Licensing Board		
Appointees:	Flaherty, Brian, Palm Harbor	10/31/2011
	Hoffmann, Kenneth, Mount Dora	10/31/2011
	Tibbs, Clarence Kelley, Tavares	10/31/2011
Board of Professional Engineers		
Appointee:	Earle, Jonathan Franklin, Gainesville	10/31/2009
Board of Medicine		
Appointee:	Levine, Bradley M., Boca Raton	10/31/2008

[Referred to the Committee on Ethics and Elections.]

Fish and Wildlife Conservation Commission		
Appointee:	Corbett, Richard A., Tampa	01/06/2013

[Referred to the Committees on Environmental Preservation and Conservation; and Ethics and Elections.]

Investment Advisory Council		
Appointee:	Hill, John H., Jr., Tampa	12/12/2011

[Referred to the Committees on Governmental Operations; and Ethics and Elections.]

Secretary of Health Care Administration		
Appointee:	Benson, Anna Holliday, Tallahassee	Pleasure of Governor

[Referred to the Committees on Health Policy; and Ethics and Elections.]

Board of Trustees, Florida A & M University		
Appointee:	Langston, Charles, Tampa	01/06/2013
Board of Trustees, Florida Gulf Coast University		
Appointee:	Lutgert, Scott F., Naples	01/06/2013
Board of Trustees, Florida International University		
Appointee:	Arrizurieta, Jorge L., Coral Gables	01/06/2013
Board of Trustees, University of Florida		
Appointee:	Scott, Steven M., Boca Raton	01/06/2013
Board of Trustees, University of North Florida		
Appointees:	Korman, Joy G., Jacksonville	01/06/2013
	Twomey, Kevin M., Ponte Vedra Beach	01/06/2013
Board of Trustees, University of West Florida		
Appointee:	Merrill, J. Collier, Pensacola	01/06/2013

[Referred to the Committees on Higher Education; and Ethics and Elections.]

Florida Transportation Commission		
Appointee:	Criser, Marshall M. III, Coral Gables	09/30/2011

[Referred to the Committees on Transportation; and Ethics and Elections.]

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

FIRST READING

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has passed HB 7019 and requests the concurrence of the Senate.

William S. Pittman III, Chief Clerk

By the Government Efficiency and Accountability Council; and Representative Attkisson—

HB 7019—A bill to be entitled An act relating to real property transfer returns; repealing s. 201.022, F.S., relating to requirements for executing and filing returns relating to transfers of interests in real property as a condition precedent to recording deeds transferring such interests; providing an effective date.

—was referred to the Committee on General Government Appropriations.

CORRECTION AND APPROVAL OF JOURNAL

The Journal of April 3 was corrected and approved.

CO-INTRODUCERS

Senators Atwater—CS for SB 572; Baker—CS for SB 274; Bennett—CS for SB 1704; Bullard—SB 298, SB 378, CS for SB 586, SB 2492; Constantine—CS for SB 2366; Crist—CS for SB 1008, CS for SB 1076, SB 2440; Dawson—CS for SB 164; Deutch—SB 1668; Dockery—CS for SB 164; Fasano—SB 608, SM 2452; Gaetz—SB 1974, CS for CS for SB 2630; Jones—CS for SB 1964, CS for SB 2394; Joyner—CS for SB 1988; Lynn—CS for SB 164, CS for SB 390, CS for SB 732, CS for SB 1086, CS for SB 2152, SB 2492, CS for SB 2626, CS for SB 2762; Margolis—CS for SB 508; Storms—SB 446, SB 460, SB 500, CS for SB 682; Villalobos—SB 226; Wilson—CS for SB 856, SB 2468

RECESS

On motion by Senator King, the Senate recessed at 2:33 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 9:00 a.m., Thursday, April 10 or upon call of the President.

SENATE PAGES

April 7-11, 2008

Amanda M. Atwater, North Palm Beach; Matthew "Matt" Baker, Merritt Island; Amanda L. Bennett, Gulf Breeze; Heather N. Brown, Quincy; Jillian B. Idle, North Palm Beach; Lauren K. Izegbu, Conyers, GA; Tarrie Johnson-Mack, Riviera Beach; Andrew B. Kohner, Wellington; Kimberly Linton, Palm Bay; Devin McNish, Tampa; Jeremy L. Porter, Marianna; Meredith M. Raymond, Boca Raton; Kari K. Stephenson, Gulf Breeze; Nathan Sullivan, Webster; James "Jamie" Vaughn III, McDonough, GA; Tari Walker, Riviera Beach; Whitney Walker, Riviera Beach; Anthony O. Wint, West Palm Beach

Journal of the Senate

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CALL TO ORDER

The Senate was called to order by President Pruitt at 9:00 a.m. A quorum present—39:

Mr. President	Diaz de la Portilla	Lynn
Alexander	Dockery	Margolis
Aronberg	Fasano	Oelrich
Atwater	Gaetz	Peaden
Baker	Garcia	Rich
Bennett	Geller	Ring
Bullard	Haridopolos	Saunders
Carlton	Hill	Siplin
Constantine	Jones	Storms
Crist	Joyner	Villalobos
Dawson	Justice	Webster
Dean	King	Wilson
Deutch	Lawson	Wise

Excused: Senator Posey

PRAYER

The following prayer was offered by the Rev. Dr. Betsy J. Goehrig, First Christian Church of Tampa:

Lord of all, we come before you as we begin this session of our State Senate, seeking your presence and blessing. Bless the actions today that result in changes of lives tomorrow. May all that we do be done, not out of party or personality, but out of compassion for the people who have been entrusted in our care. For each decision, may we keep our eyes on you, God, and upon those whom we are called to serve.

- For the child struggling in school who needs extra attention to have any hope for the future;
- For the single mother who is trying to feed her children, hold down a job, and make ends meet;
- For the man who has spent his life working and now faces unemployment, redefining his life's purpose, and wrestling with providing for his family;
- For the widow who has long awaited the golden years, only to find that after the loss of her husband, she doesn't have the resources to meet the basic needs of food and medical care, and may face losing her home;
- For the one dying, who is in great pain of body and spirit, who could lose the one source of his or her physical and emotional comfort;
- For the disabled who face unbelievable challenges every day just to function, who need whatever assistance is provided; and
- For the countless names and faces of all people, each made in your image, who need hope, encouragement, and care.

We seek to do the best we can in making decisions that impact the lives of millions of men, women, and children. Forgive us, Lord, when we have failed to do our best. Teach us, Lord, what you would have us to learn and to do, to be our best. The needs are so great and the resources are limited. Show us where and how to provide and where to cut back wisely and lovingly, and how to move forward in your guidance. May you bless each leader here whom you have chosen, giving them the strength, the wisdom, and the courage to fulfill all the incredible challenges of the tasks before them. Fill them with your grace and love to empower them for all things. To your glory, we pray. Amen.

PLEDGE

Senate Pages Jillian B. Idle of North Palm Beach; Tarrie Johnson-Mack of Riviera Beach; Devin McNish of Tampa; and Kari K. Stephenson of Gulf Breeze, led the Senate in the pledge of allegiance to the flag of the United States of America.

DOCTOR OF THE DAY

The President recognized Dr. James Brookins of Tampa, sponsored by Senator Joyner, as doctor of the day. Dr. Brookins specializes in Internal Medicine.

ADOPTION OF RESOLUTIONS

On motion by Senator Jones—

By Senators Jones, Lawson, Wise, Fasano, Rich, Constantine, Hill, Justice, Ring, Bullard and Geller—

SR 1236—A resolution recognizing January 12, 2008, as the 20th Anniversary of the Florida Lottery's efforts in supporting education and Bright Futures Scholarships for Florida students.

WHEREAS, the Florida Lottery was created in 1986 pursuant to a constitutional amendment that passed by a two-to-one margin, and

WHEREAS, voters gave their approval to create a lottery that uses all its proceeds to enhance public education in Florida, and

WHEREAS, on January 12, 1988, Florida Lottery ticket sales began 6 days ahead of schedule with the launch of the first Scratch-Off game, "MILLIONAIRE," which generated more than $95 million in sales during its first week and set a record in the lottery industry, and

WHEREAS, the mission of the Florida Lottery is to maximize revenues in a manner consonant with the dignity of the state and the welfare of the public, and

WHEREAS, the Florida Lottery is a multibillion-dollar state revenue resource in which customer value, public trust, and an unwavering commitment to the enhancement of public education are cultivated and celebrated with honesty, creativity, and diversity, and

WHEREAS, the Florida Lottery has consistently remained a reliable contributor to education in the state, having more than tripled its aver-

age monthly contribution to the Educational Enhancement Trust Fund since its first transfer of funds in February 1988, and

WHEREAS, the Florida Lottery transferred $1.26 billion in the 2006-2007 fiscal year, and has transferred more than $1 billion in each of the last 5 consecutive fiscal years, and

WHEREAS, since its inception, the Florida Lottery has transferred a total of more than $18 billion to the Educational Enhancement Trust Fund, and

WHEREAS, dollars from the Florida Lottery reach every level of public education in the state, contributing to K-12 programs in Florida's 67 school districts, to the building and renovation of schools throughout the state, and to funding for state universities and community colleges, as well as fully funding more than one million Bright Futures Scholarships to date, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That the Florida Senate recognizes January 12, 2008, as the 20th Anniversary of the Florida Lottery's continuing support for education and its full funding of the Bright Futures Scholarship Program to benefit Florida students, and wholeheartedly supports the efforts and vision of the Florida Lottery.

—was introduced out of order and read by title. On motion by Senator Jones, **SR 1236** was read the second time in full and adopted.

On motion by Senator Justice—

By Senator Justice—

SR 2936—A resolution recognizing April 2008 as Cancer Control Awareness Month in Florida.

WHEREAS, cancer will strike approximately one out of two men and about one out of every three women in the course of their lives, and

WHEREAS, cancer accounts for one out every four deaths, and is the second-leading cause of death in the United States, and

WHEREAS, the American Cancer Society estimates that more than 101,920 new cases of cancer in Florida will be diagnosed and more than 41,660 Floridians will die from cancer in 2008, and

WHEREAS, many cancers can be prevented by lifestyle changes or cured if detected early and treated promptly, and

WHEREAS, as many as one-third of the cancer deaths occurring each year are related to nutrition, physical inactivity, obesity, and other lifestyle factors, and thus might have been prevented, and

WHEREAS, almost half of all individuals who continue to smoke may expect to die prematurely from lung cancer or other tobacco-related diseases, and

WHEREAS, 30 percent of all cancer deaths and 87 percent of all lung cancer deaths are caused by smoking cigarettes or other tobacco products, and

WHEREAS, the 5-year survival rate for all cancers combined is 66 percent, but survival rates may increase even more for certain cancers such as breast, cervical, and colorectal cancers if they are detected and treated early, and

WHEREAS, rates of cancer incidence and death in Florida may be significantly reduced through increased awareness of the American Cancer Society's cancer-screening guidelines and compliance with those guidelines, and

WHEREAS, promotion of Cancer Control Awareness Month and statewide cancer-control initiatives, such as the Florida Dialogue on Cancer sponsored by the American Cancer Society, may assist Florida in significantly reducing the burden of cancer that Floridians and the state currently confront, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That the Senate recognizes the month of April 2008 as "Cancer Control Awareness Month" in Florida and urges all Floridians to understand the risks associated with cancer, to change behaviors that increase their cancer risks, and to follow the American Cancer Society cancer-screening guidelines.

—was introduced out of order and read by title. On motion by Senator Justice, **SR 2936** was read the second time in full and adopted.

MOMENT OF SILENCE

The President recognized Senator King who asked the Senate to observe a moment of silence in memory of Representative Don Davis of Jacksonville, who passed away this day.

At the request of Senator Wilson—

By Senator Wilson—

SR 168—A resolution recognizing the week of April 13-19, 2008, as "Minority Cancer Awareness Week" in the State of Florida.

WHEREAS, there has been recent progress in the fight against cancer, yet many Floridians still suffer unequal rates of cancer incidence and mortality, and medically underserved populations have inadequate access to quality cancer prevention, screening, treatment, and rehabilitation services, and

WHEREAS, certain populations of Floridians, such as African Americans, Hispanics, Latinos, and the medically uninsured, experience higher rates of cancer incidence and death, and

WHEREAS, even when poverty levels are accounted for, African Americans, American Indians, Asian Americans, and Pacific Islanders have lower 5-year-cancer-survival rates than whites who are not of Hispanic descent, and

WHEREAS, among all racial and ethnic groups, African Americans experience the highest death rate from all cancers and the highest death rate from lung, colorectal, prostate, and cervical cancers, and

WHEREAS, Hispanics and Latinos are the fastest-growing segment of the nation's population, and Hispanics are now the largest minority population in Florida, and

WHEREAS, almost 35 percent of the Hispanic and Latino population have no health care coverage and almost 31 percent have no access to regular medical care, making Hispanics and Latinos the most medically underserved population among all racial and ethnic groups, and

WHEREAS, approximately 2.8 million or 19.2 percent of adult Floridians have no health insurance coverage and frequently lack access to quality health care, including potentially lifesaving services to screen for, detect, and treat cancer, and

WHEREAS, minority cancer awareness initiatives, such as those promoted by the American Cancer Society and Florida's recognition of the nationally observed Minority Cancer Awareness Week, will encourage efforts to reduce ethnic, racial, and socioeconomic cancer disparities, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That the Florida Senate recognizes April 13-19, 2008, as "Minority Cancer Awareness Week" in the State of Florida, and urges all Floridians to work with cancer-education providers, such as the American Cancer Society, to increase awareness of the disparities that minority populations face in the fight against cancer.

—**SR 168** was introduced, read and adopted by publication.

At the request of Senator Joyner—

By Senator Joyner—

SR 1066—A resolution recognizing the month of March as "Women's History Month."

WHEREAS, women have made historic contributions to the growth and strength of this state in countless recorded and unrecorded ways, and

WHEREAS, women have played and continue to play a critical economic, cultural, and social role in every sphere of life by constituting a significant portion of the labor force working inside and outside the home, and

WHEREAS, women have played a unique role throughout the history of the nation by providing the majority of our volunteer labor force and were particularly important in the establishment of early charitable, philanthropic, and cultural institutions, and

WHEREAS, women of every race, class, and ethnic background served as early leaders in the forefront of every major progressive movement to improve society, and

WHEREAS, women have been leaders, not only in securing their own rights of suffrage and equal opportunity, but also in the abolitionist movement, the industrial labor movement, the civil rights movement, the environmental justice movement, and other social justice campaigns, especially the peace movement, creating a more fair and just society for all, and

WHEREAS, despite these contributions, the role of women has been consistently overlooked and undervalued in literature and in the teaching and study of history, and

WHEREAS, in recognition of the contributions of women, Congress has passed a resolution each year since 1987 designating the month of March as "Women's History Month," and

WHEREAS, the theme of Women's History Month in 2008 is "Women's Art: Women's Vision" and the month of March presents special opportunities to celebrate the wisdom and tenacity of generations of women who have come before us and those who will follow, and to acknowledge the courage, determination, and steadfastness needed to move history forward, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That March 2008 is recognized as "Women's History Month" and the residents of this state are called upon to observe this and every March by participating in programs, ceremonies, and activities to foster an awareness of and appreciation for the contributions made by women which have benefited and improved society.

—**SR 1066** was introduced, read and adopted by publication.

At the request of Senator Joyner—

By Senator Joyner—

SR 1168—A resolution recognizing February 2008 as "Black History Month" in Florida.

WHEREAS, our nation has celebrated Black History during the month of February since 1926 when Carter G. Woodson established Negro History Week, and the theme for this year's celebration is "Carter G. Woodson and the Origins of Multiculturalism," and

WHEREAS, long ago, approximately 12 million African American men, women, and children were forced to enter ships for lives of slavery in the Western Hemisphere, 10 million of whom survived the Middle Passage to arrive in America, and

WHEREAS, the Civil War erupted because the ideals upon which this country was founded are in direct conflict with slavery, resulting in the ratification of the 13th Amendment, abolishing slavery in the United States of America, and

WHEREAS, the Civil Rights Movement of the 20th century began in an effort to correct the failures of Reconstruction and erase the remnants of slavery still evident in Jim Crow laws, in continued segregation in nearly every aspect of daily life, and in the persistence of second-class citizenship for African Americans, and

WHEREAS, as a testament of strength throughout these struggles, African Americans such as Harriet Tubman, Sojourner Truth, Frederick Douglass, W.E.B. DuBois, Booker T. Washington, George Washington Carver, Carter G. Woodson, Malcolm X., Thurgood Marshall, Reverend Dr. Martin Luther King, Jr., Fannie Lou Hamer, Shirley Chisholm, and Barbara Jordan have contributed to the political and social growth of American society, and

WHEREAS, through the contributions of African American musicians and writers, such as Louis Armstrong, Count Basie, Duke Ellington, Billie Holiday, Charlie Parker, Ella Fitzgerald, Dizzy Gillespie, Leontyne Price, Marian Anderson, Andre Watts, Phyllis Wheatley, Langston Hughes, James Baldwin, Richard Wright, Alex Haley, Maya Angelou, Alice Walker, Gwendolyn Brooks, and Toni Morrison, the culture of the United States of America has been vitally enriched, and

WHEREAS, African American sports figures, such as Jesse Owens, Arthur Ashe, Muhammad Ali, Robert "Bullet Bob" Hayes, a Florida native who still is the only athlete to earn both an Olympic Gold Medal and an NFL Super Bowl Ring, Tiger Woods, Venus Williams, and Serena Williams, have demonstrated their ability to be role models on and off the field and in and out of the ring as they stood up for their rights and beliefs, and

WHEREAS, the fields of medicine, science, and technology have all been advanced by the contributions of such African American men and women as Dr. Charles Drew, Dr. Daniel Hale Williams, Garrett Morgan, George Washington Carver, Dr. Mae C. Jemison, and Dr. Benjamin Carson, and

WHEREAS, African Americans who are native to Florida, such as Zora Neale Hurston, Charles Kenzie Steele, Sr., Jesse K. McCrary, Jr., Joseph E. Lee, Asa Philip Randolph, and Mary McLeod Bethune, have proudly represented our state as they contributed to the history and culture of the United States of America, and

WHEREAS, it is important to celebrate the many achievements of African Americans in an effort to offer each American a broader perspective of our history and an appreciation for the diversity that makes this country strong, and

WHEREAS, February is the birth month of both Abraham Lincoln and Frederick Douglass, two of the leaders in the movement to abolish slavery, and has been recognized at the local, state, and national levels as an appropriate month to commemorate the contributions of African Americans to our society, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That February 2008 is recognized as "Black History Month" in the State of Florida, and the Florida Senate calls upon the people of this state to observe Black History Month through programs, ceremonies, and activities celebrating the historical and cultural contributions of African Americans.

—**SR 1168** was introduced, read and adopted by publication.

At the request of Senator Bullard—

By Senator Bullard—

SR 1674—A resolution recognizing Monty Trainer for his many contributions to Miami-Dade County and the State of Florida.

WHEREAS, Monty Trainer, a native of Key West and a resident of Coconut Grove for approximately 40 years, has become well known for his philanthropic presentations and his accomplishments in shaping the image of Miami-Dade County and its culture, and

WHEREAS, Mr. Trainer, a former member of the Governor's Committee for Tourism and Chairman of the Greater Miami Host Committee, Inc., produces and hosts the signature events that promote Greater

Miami and the Miami Beaches as a national and international travel and tourism destination, and

WHEREAS, he is currently President of the prestigious Coconut Grove Arts Festival, which is recognized as a premier international arts festival in the United States, and

WHEREAS, Monty Trainer's passion and commitment to Miami-Dade County are demonstrated in his dedicated efforts as Chairman of Miami-Dade County Days in Tallahassee for the past 19 years; as Vice Chairman of the New World School of the Arts; as a member of the City of Miami Special Events and Marketing Committee; as Chairman of the Coconut Grove Arts & Historical Society; and as State Chairman of Recording for the Blind and Dyslexic, and

WHEREAS, he has been honored by the Florida Association for Nonprofit Organizations and the National Association of Fundraising Executives for his remarkably energetic and successful community leadership, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That the Florida Senate recognizes the dedicated work and valuable accomplishments of Monty Trainer in developing, promoting, and supporting the cultural resources of Miami-Dade County and the State of Florida.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to Mr. Monty Trainer as a tangible token of the sentiments of the Florida Senate.

—**SR 1674** was introduced, read and adopted by publication.

At the request of Senator Crist—

By Senators Crist, Joyner, Justice and Storms—

SR 1956—A resolution recognizing April 10, 2008, as "Hillsborough County Day" in Tallahassee.

WHEREAS, Hillsborough County was organized as a county in 1834 and extends across some 1,050 square miles with a current population exceeding 1 million people, and

WHEREAS, Hillsborough is home to three municipalities - Plant City, chartered in 1885; Tampa, chartered in 1887; and Temple Terrace, chartered in 1925, and

WHEREAS, Hillsborough County today is a multicultural, diverse community, a microcosm of the state of Florida, offering a breadth of lifestyles including a strong urban core, two smaller municipalities having a Main Street ambience, a flourishing suburbia, community living for the active elderly, and sufficient rural areas for those who choose more pastoral or agrarian lifestyles, and

WHEREAS, Hillsborough is the western anchor of the Florida High Tech Corridor consisting of 23 counties, the largest of the seven member counties of the Bay Area Legislative Delegation, and the epicenter of business and commerce for the region with top-notch and ever-improving and expanding transportation systems to serve people and move goods via the Tampa International Airport, the Port of Tampa, and the interconnecting Interstate Systems, and

WHEREAS, Hillsborough offers an almost unlimited menu of opportunities ranging from state-of-the-art health care and seamless K-12 through state university education to cultural events and historic districts, beaches, parks, and prestigious sporting events, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That the Florida Senate recognizes April 10, 2008, as "Hillsborough County Day" and joins the rest of the legislative community in celebrating the Fifth Anniversary of "Flavors of Hillsborough" at the State Capitol.

—**SR 1956** was introduced, read and adopted by publication.

At the request of Senator Haridopolos—

By Senator Haridopolos—

SR 1958—A resolution recognizing April 10, 2008, as "Obesity Awareness Day" in Florida.

WHEREAS, Florida's leaders have a responsibility to encourage and promote healthy lifestyles for the residents of this state, including communicating information about healthy diet, the importance of physical activity, and the availability of clinical treatment, and

WHEREAS, in recent years, poor health, in the form of obesity and inactivity, has increased dramatically throughout the world, and

WHEREAS, in America, more than one-half of all adults are overweight, representing approximately 69 million people, and

WHEREAS, according to the Centers for Disease Control, in the year 2000 approximately 19.8 percent of adults in the United States were classified as "obese," an increase of 61 percent since 1991, and

WHEREAS, only 22 percent of American adults engage in recommended regular physical activity of any intensity during leisure time, and only 15 percent engage in the recommended amount of vigorous activity, and

WHEREAS, obesity can lead to a 50-percent to 100-percent increase in risk of death to an individual from all causes, and more than 280,000 Americans die each year from obesity-related diseases, and

WHEREAS, today, 15 percent of all children and adolescents are overweight, nearly double the percentage two decades ago, and

WHEREAS, in 1980, fewer than 4 percent of childhood diabetes cases were Type 2 Diabetes, but that number has since risen to approximately 20 percent, and, of the children diagnosed as having Type 2 Diabetes, 85 percent are obese, and

WHEREAS, because the prevalence of Type 2 Diabetes has tripled in the last 30 years, more people who have diabetes will live longer and have a greater chance of developing disabling, life-threatening complications from diabetes, and

WHEREAS, the direct costs of inactivity and obesity account for approximately 9.4 percent of national health care expenditures, with costs reaching at least $39.3 billion, and

WHEREAS, Floridians will become more aware of the growing problems related to obesity and inactivity if they are given pertinent information and if good examples are set by leaders in the community, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That the Florida Senate recognizes April 10, 2008, as "Obesity Awareness Day" in Florida and encourages individuals and communities throughout the state to do all they can to promote awareness of the serious problems resulting from inactivity and excess weight.

—**SR 1958** was introduced, read and adopted by publication.

At the request of Senator Bullard—

By Senator Bullard—

SR 2068—A resolution acknowledging the invaluable contributions Delta Sigma Theta Sorority, Inc., has made to the people of Florida, and recognizing April 13-15, 2008, as "The 14th Annual Delta Days at the Florida Capitol."

WHEREAS, Delta Sigma Theta Sorority, Inc., is a public service organization that was founded on January 13, 1913, by 22 outstanding women at Howard University in Washington, D.C., and

WHEREAS, nearly 6 weeks after its founding, the first public act of the sorority was its participation in the Women's Suffrage Movement demanding rights for women, particularly the right to vote, and

WHEREAS, Delta Sigma Theta Sorority, Inc., is a sisterhood of college-educated women committed to implementing the sorority's mission through its Five Point Program Thrust: Economic Development, Educational Development, Physical and Mental Health, Political Awareness, and International Awareness and Involvement, and

WHEREAS, Delta Sigma Theta Sorority, Inc., recently celebrated 95 years of exemplary service and support to local communities, leading dialogue on public policy issues, supporting quality education, and producing new projects to stimulate current and future economic growth, and

WHEREAS, with more than 200,000 college-educated women and over 950 chapters worldwide - 47 chapters located in Florida and the Bahamas - members of Delta Sigma Theta Sorority are clearly focused and visible as corporate and civic leaders, productive public officials, acclaimed academicians, and activists in their own right, and

WHEREAS, for the past 14 years, the sorority's Florida chapters have conducted "Delta Days at the Florida Capitol" to provide information to state legislators and government executives which is vital to developing public policy; to host a reception for state legislators and government executives; and to monitor the progress of pending legislation related to significant public policy issues, and

WHEREAS, on April 13-15, 2008, the members of the 47 chapters of the sorority that now serve Florida and the Bahamas will converge on Tallahassee to conduct The 14th Annual Delta Days at the Florida Capitol, with the theme "Remember the 22 -Social Action is What We Do!", and

WHEREAS, Senators Larcenia J. Bullard and Arthenia Joyner, and Representatives Dorothy Bendross-Mindingall, Joyce Cusack, and Audrey Gibson are esteemed members of Delta Sigma Theta Sorority, Inc., NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That the Florida Senate commends Delta Sigma Theta Sorority, Inc., for its contributions to the people of Florida, and recognizes April 13-15, 2008, as "The 14th Annual Delta Days at the Florida Capitol."

—**SR 2068** was introduced, read and adopted by publication.

At the request of Senator Joyner—

By Senator Joyner—

SR 2186—A resolution recognizing Helen Gordon Davis.

WHEREAS, Helen Gordon Davis served the people of Florida as a State Representative from 1974 to 1988, and as a State Senator from 1988 to 1992, and

WHEREAS, Senator Davis worked tirelessly to promote the well-being of women and children and has been honored for her work by many groups including the Florida Women's Consortium, American Business Women, the National Organization for Women, the Florida Network of Youth and Family Services, the American Association of University Women, and the Florida League of Women Voters, and

WHEREAS, Senator Davis also steadfastly advocated for the civil rights of women and children and was the first white woman in Florida to join the NAACP, and

WHEREAS, she saw the need of widows and divorcees who had been homemakers during most of their adult lives to have peer counseling, job training, and support groups to help them enter the job market, and she established one of the first displaced homemaker programs at the Centre for Women in Tampa, and

WHEREAS, following the success of the program in Tampa, she sponsored legislation to provide for displaced homemaker centers throughout the state, and

WHEREAS, in 1988, Senator Davis sponsored legislation to establish the Displaced Homemaker Trust Fund from marriage license fees and divorce filing fees, a funding process that continues to this day, and

WHEREAS, the Florida Displaced Homemaker Network Association honors Helen Gordon Davis for her vision and pioneering efforts on behalf of displaced homemakers in Florida, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That the Florida Senate recognizes the vision and pioneering efforts of Helen Gordon Davis in improving the conditions and possibilities of displaced homemakers in our time and in increasing the well-being of women and children.

BE IT FURTHER RESOLVED that the Senate recognizes this 10th day of April, 2008, as "Helen Gordon Davis Appreciation Day" at the State Capitol in acknowledgement of her distinguished service.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to Helen Gordon Davis as a tangible token of the sentiments of the Florida Senate.

—**SR 2186** was introduced, read and adopted by publication.

At the request of Senator Wilson—

By Senator Wilson—

SR 2880—A resolution recognizing April 11, 2008, as "Grandparents and Relative Caregivers Day" in the State of Florida.

WHEREAS, our grandparents and relative caregivers are models to us, shaping our character and principles and providing us with unconditional love and support throughout our lifetimes, and

WHEREAS, our grandparents and relative caregivers help ensure that cultural traditions and timeless values are passed on to future generations, and

WHEREAS, with compassion and understanding, our grandparents and relative caregivers contribute to our future by serving as a source of strength in times of difficulty, encouragement in moments of doubt, and empathy in periods of distress, and

WHEREAS, because of the care provided by our grandparents and relatives, we develop a sense of self-worth which assists us in becoming well-adjusted, healthy adults, and

WHEREAS, many grandparents and relatives selflessly step in to raise children in difficult circumstances, and these dedicated individuals deserve our respect and support, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That the Florida Senate urges all Floridians to honor grandparents and relative caregivers for the many valuable contributions they make to the lives of our families and our society and recognizes April 11, 2008, as "Grandparents and Relative Caregivers Day" in the State of Florida.

—**SR 2880** was introduced, read and adopted by publication.

At the request of Senator Joyner—

By Senator Joyner—

SR 2926—A resolution honoring the Phi Theta Kappa 2008 All-Florida Academic Team members.

WHEREAS, April 15, 2008, "Florida Phi Theta Kappa Day," is an appropriate time for the Legislature of the State of Florida to recognize and salute Phi Theta Kappa, the esteemed international honor society for community and junior colleges, and

WHEREAS, special commendations should be extended to the outstanding scholars who comprise the 2008 All-Florida Academic Team, a team of highly successful community college students assembled by the Florida Community College System, and

WHEREAS, 104 students from Florida's Community College System, one private institution, Florida College, and one independent university,

Keiser University, were named to the 2008 All-Florida Academic Team, and

WHEREAS, based on the national ranking of these students in the All-USA Academic Team competition sponsored by USA Today and Phi Theta Kappa, which is recognized internationally, nationally, and in the State of Florida as the primary community college organization for the recognition of academic achievement, leadership, and service to the community, the following students comprise the 2008 All-Florida Academic Team:

Sean Abene, Manatee Community College; Angelica Aguirre, Broward Community College; Kelsey Alderfer, Okaloosa-Walton College; Gail Amalfitano, Indian River Community College; April Ballard, Brevard Community College; Elizabeth Barrero, Hillsborough Community College; Margaret Beck, St. Petersburg College; Georgia Beliech, Pensacola Junior College; Michele Belisle, St. Petersburg College; Benjamin Bingham, Florida College; Holly Bliss, Pasco-Hernando Community College; Geami Britt, Okaloosa-Walton College; Makeda-Ione Brome, Indian River Community College; Brandon Cerge, Florida Community College at Jacksonville; Emilie Chiasson, Palm Beach Community College; Jean Christy, Pasco-Hernando Community College; Allyson Cipollone, Valencia Community College; Nathan Crock, St. Petersburg College; Barbara Cymring, Miami-Dade College; Von Regan Davis, Brevard Community College; Gretchen Demary, Brevard Community College; Karla Dias, Edison College; Rebecca Dotson, Central Florida Community College; Stephanie Dunne, Santa Fe Community College; Marissa Egipciaco, Seminole Community College; Elissa Feldman, Valencia Community College; Jason Flynn, Lake City Community College; Christina Frascona, Broward Community College; Shakari Gilbert, Tallahassee Community College; Evan Gill, Polk Community College; Teresa Ginther, North Florida Community College; Michael Glidden, Manatee Community College; Patricio Gonzalez, Broward Community College; Samantha Gonzalez, Miami-Dade College; Devon Green, Indian River Community College; Walter Guy, Lake-Sumter Community College; Michael Haddan, Indian River Community College; Amber Hall, Lake-Sumter Community College; Christina Hanlon, Pasco-Hernando Community College; Teresa Hans, Palm Beach Community College; Lauren Hart, Indian River Community College; Brett Harvey, Florida Community College at Jacksonville; Shannon Hatcher, Chipola College; Elizabeth Hebert, Indian River Community College; Daniel Heckman, St. Johns River Community College; James Hernandez, Valencia Community College; Sarah Holland, Seminole Community College; Stephanie Jimenez, Miami-Dade College; Joseph Jimenez, South Florida Community College; Michael Johnson, Miami-Dade College; Ziyad Kadir, Broward Community College; Jamie Kaiser, Gulf Coast Community College; Kristi Kilpatrick, Pensacola Junior College; Justin King, Florida Keys Community College; Ryan Lamarca, Valencia Community College; Brice Latham, Okaloosa-Walton College; Sara Lubus-Centeno, Valencia Community College; Olga Lykhvar, Manatee Community College; Matthew MacKenzie, Central Florida Community College; Paola Mariselli, Broward Community College; Lisa Markham, Gulf Coast Community College; Tiffany Mathis, Indian River Community College; Felipe Matos, Miami-Dade College; Sarah Mauldin, Pasco-Hernando Community College; Amy McDonald, Florida Community College at Jacksonville; Jennifer Meyers, St. Johns River Community College; Emily Mitchell, Brevard Community College; Alyssa Money, St. Petersburg College; Jean Morrow, Central Florida Community College; Stacy Orr, Keiser University; Mariamo Oyebanjo, Edison College; Jenifer Pariagh, Brevard Community College; Kevin Patel, Tallahassee Community College; Candace Payne, Palm Beach Community College; Anamary Pedrosa, Miami-Dade College; Katherine Profeta, Indian River Community College; Milica Radmanovic, Manatee Community College; Kendall Ramsijewan, Broward Community College; Angela Ratzlaff, Keiser University; Collier Rice, Palm Beach Community College; Gabriela Romero, Lake City Community College; Rosanna Salcedo-Saltos, Miami-Dade College; Joy Scholing, St. Petersburg College; Maria Sevilla, Miami-Dade College; Tyler Sheehan, Edison College; Jennifer Smith, Brevard Community College; Erin Smith, North Florida Community College; Odalys Solares, Miami-Dade College; Tommy Thompson, Chipola College; Rebekah Thompson, Indian River Community College; Chelsea Thorpe, South Florida Community College; Amy Threlkeld, Indian River Community College; Elias Valerio, Lake-Sumter Community College; Chelo van Leeuwaarde, Polk Community College; Ivan Vargas, Miami-Dade College; Maura Velasco, Hillsborough Community College; Jodi Verkleir, St. Johns River Community College; Justin Vincent-Tompkins, St. Petersburg College; Stephen Watson, St. Petersburg College; Stefanie Wesch, Polk Community College; Melissa Wich, Daytona Beach Community College; Chasya Wiseman, Polk Community College; Wesley Wolfenbarger, Florida Community College at Jacksonville; and Jennifer Wolff, Seminole Community College, and

WHEREAS, each member of the 2008 All-Florida Academic Team has demonstrated impressive intellect and leadership and a determination to achieve academic excellence, and

WHEREAS, the praiseworthy and devoted efforts of the members of Phi Theta Kappa's All-Florida Academic Team have earned for them and their academic institutions the respect and admiration of the Senate of the State of Florida and of the residents of this state, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That the Florida Senate honors and congratulates Phi Theta Kappa, the Florida Community College System, and the members of the 2008 All-Florida Academic Team and commends the team members for the outstanding competitive spirit and ability evidenced by their accomplishments.

—**SR 2926** was introduced, read and adopted by publication.

At the request of Senator Rich—

By Senator Rich—

SR 2948—A resolution recognizing April 10, 2008, as "Florida Art Therapy Day."

WHEREAS, on April 10, 2008, the Florida Art Therapy Association is sponsoring an exhibition of its clients' artwork in the rotunda of the Florida Capitol to share the benefits of art therapy with the public and other professionals, and

WHEREAS, over 15,000 art therapists have been practicing for more than 50 years within this country and around the world, and

WHEREAS, art therapists practice throughout this state in more than 100 settings, including schools, hospitals, clinics, day treatment centers, adult and child care centers, community mental health centers, shelters, correctional facilities, veterans hospitals and centers, geriatric facilities, and private practices, and

WHEREAS, the state's art therapists have maintained the Florida Art Therapy Association for the past 21 years to promote continuity in clinical standards and ethics as well as legislative matters, and

WHEREAS, the use of art therapy promotes the integration of emotional, physical, social, and cognitive functioning, fosters enhanced self-awareness, and facilitates positive change in human experience and behavior, and

WHEREAS, this state's art therapists make immeasurable contributions to the health and well-being of veterans, and persons having mental health needs, Alzheimer's disease, chronic illnesses, head injuries, substance abuse problems, physical disabilities, and developmental disabilities, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That April 10, 2008, is recognized as "Florida Art Therapy Day" in this state.

—**SR 2948** was introduced, read and adopted by publication.

MOTION

On motion by Senator King, by two-thirds vote claim bills **SB 38**, **SB 40**, **SB 54**, **SB 60**, **CS for SB 68**, **SB 50** and **SB 56** were scheduled for consideration at 11:30 p.m. this day.

SPECIAL ORDER CALENDAR

Consideration of **SB 38**, **SB 40**, **SB 54**, **SB 60**, **CS for SB 68** and **CS for CS for SB 610** was deferred.

By Senator Oelrich—

CS for CS for SB 1716—A bill to be entitled An act relating to postsecondary education; amending s. 1000.21, F.S.; redesignating the names of certain community colleges as colleges; creating s. 1001.60, F.S., relating to the Florida College System; providing system purposes; defining the system as comprised of the public postsecondary educational institutions that grant 2-year and 4-year academic degrees; providing limitations; authorizing a name change under certain conditions; providing for institutions within the Florida College System to be governed by local boards of trustees; providing membership for the boards; creating s. 1004.87, F.S.; creating the Florida College System Task Force for the purpose of developing recommendations for the transition of community colleges to baccalaureate-degree-granting colleges; providing for membership and appointments; providing duties of the task force and reporting requirements; providing for the task force to be dissolved unless extended by general law; creating s. 1004.875, F.S.; creating the State College Pilot Project for the purpose of recommending to the Legislature an approval process for the transition of certain community colleges to state colleges; designating certain institutions to participate in the project; providing duties and reporting requirements for the institutions; providing an effective date.

—was read the second time by title.

Senators Oelrich, Diaz de la Portilla, Garcia and Villalobos offered the following amendment which was moved by Senator Oelrich and adopted:

Amendment 1 (188414)—Delete line(s) 181 and insert: *Daytona Beach College, Miami Dade College, and Indian River College in collaboration*

MOTION

On motion by Senator Geller, the rules were waived to allow the following amendment to be considered:

Senator Geller moved the following amendment which was adopted:

Amendment 2 (041312)(with directory amendment)—Between lines 36 and 37, insert:

(b) Broward ~~Community~~ College.

And the directory clause is amended as follows:

Delete line 30 and insert:

Section 1. Paragraphs (b), (e), and (k) of subsection (3) of

Pursuant to Rule 4.19, **CS for CS for SB 1716** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

CS for CS for SB 1080—A bill to be entitled An act relating to the Johnnie B. Byrd, Sr., Alzheimer's Center and Research Institute; amending s. 1004.445, F.S.; establishing the center within the University of South Florida; providing for the administration of the center; creating a research advisory board and providing for a manner of appointment; providing duties; eliminating the board of directors and the council of scientific advisors; revising the grant award process for the center; providing a limitation on expenditures; authorizing an account for center purposes; providing for a report; extending the sunset provisions; providing effective dates.

—was read the second time by title.

On motion by Senator Peaden, further consideration of **CS for CS for SB 1080** was deferred.

On motion by Senator Peaden, by unanimous consent—

CS for CS for SB 2760—A bill to be entitled An act relating to dentistry; amending s. 466.003, F.S.; providing a definition; amending s. 466.006, F.S.; revising the requirements for entitlement to take the necessary examinations to practice dentistry in this state; creating s. 466.0067, F.S.; providing requirements for application for a health access dental license in this state; creating s. 466.00671, F.S.; providing requirements for renewal of a health access dental license; creating s. 466.00672, F.S.; providing conditions in which the Board of Dentistry of the Department of Health may revoke a health access dental license; providing that the failure of a holder of a health access dental license to limit the practice of dentistry to health access settings is the unlicensed practice of dentistry; creating s. 466.00673, F.S.; providing for the repeal of statutory language regarding health access dental licensure; creating s. 466.00775, F.S.; requiring the board to adopt rules; amending s. 466.011, F.S.; conforming provisions to changes made in this act; amending s. 466.021, F.S.; revising requirements relating to retention of dental laboratories by dentists; changing terminology to reflect employment of dental laboratories and to change references to work orders to prescriptions; requiring a dental laboratory to keep the original or an electronic copy of prescriptions; amending s. 466.023, F.S.; authorizing dental hygienists to do certain tasks with and without general supervision; amending s. 466.032, F.S.; requiring specified continuing education for renewal of registration of a dental laboratory by a time certain; providing a listing of agencies or organizations that are authorized to develop and offer continuing education; requiring a dental laboratory owner to submit a sworn statement attesting to compliance with continuing education requirements and providing specified information; authorizing the Department of Health to request documentation of continuing education; authorizing the department to request such documentation at random without cause; providing exemptions from continuing education requirements; providing for voluntary compliance by certain dental laboratories; providing an effective date.

—was taken up out of order and read the second time by title.

MOTION

On motion by Senator Peaden, the rules were waived to allow the following amendment to be considered:

Senator Peaden moved the following amendment which was adopted:

Amendment 1 (033530)(with title amendment)—Delete line(s) 276-301.

And the title is amended as follows:

Delete line(s) 26-28 and insert: prescriptions; amending s. 466.032, F.S.; requiring

Pursuant to Rule 4.19, **CS for CS for SB 2760** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Peaden, the Senate resumed consideration of—

CS for CS for SB 1080—A bill to be entitled An act relating to the Johnnie B. Byrd, Sr., Alzheimer's Center and Research Institute; amending s. 1004.445, F.S.; establishing the center within the University of South Florida; providing for the administration of the center; creating a research advisory board and providing for a manner of appointment; providing duties; eliminating the board of directors and the council of scientific advisors; revising the grant award process for the center; providing a limitation on expenditures; authorizing an account for center purposes; providing for a report; extending the sunset provisions; providing effective dates.

—which was previously considered this day.

MOTION

On motion by Senator Joyner, the rules were waived to allow the following amendments to be considered:

Senators Joyner and Crist offered the following amendments which were moved by Senator Joyner and adopted:

Amendment 1 (091898)—Delete line(s) 41-50 and insert: *board. The board shall review programs and recommend research priorities and initiatives to maximize the state's investment in the center.*

(4) The center's research activities shall be administered by the director of research. The director of research shall be appointed by the president of the University of South Florida from a list of recommended candidates submitted by the research advisory board.

Amendment 2 (665062)—On line 63, after "*foundation*" insert: *for charitable donations received*

Pursuant to Rule 4.19, **CS for CS for SB 1080** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Peaden, by unanimous consent—

CS for SB 2326—A bill to be entitled An act relating to certificates of need; amending s. 408.035, F.S.; revising the requirements for the Agency for Health Care Administration with respect to reviewing an application for a certificate of need for a general hospital; amending s. 408.037, F.S.; revising the requirements for an application for a certificate of need by an applicant for a general hospital; amending s. 408.039, F.S.; prohibiting an applicant for a general hospital that is awaiting issuance of a final order from filing a letter of intent to file an application; limiting the period of a continuance that may be granted with respect to an administrative hearing considering an application for a general hospital; requiring that the party appealing a final order granting a certificate of need for a general hospital pay the appellee's attorney's fees and costs and post a bond to maintain the appeal; repealing s. 408.040(3), F.S., relating to a requirement for an architect's certification of final payment before issuance of a certificate of need; providing for application of the act; providing an effective date.

—was taken up out of order and read the second time by title.

MOTION

On motion by Senator Peaden, the rules were waived to allow the following amendments to be considered:

Senator Peaden moved the following amendments which were adopted:

Amendment 1 (786228)(with title amendment)—Delete line(s) 99-139 and insert:

(2) An application for a certificate of need for a general hospital must contain a detailed description of the proposed general hospital project and a statement of its purpose and the needs it will meet. The proposed project's location, as well as its primary and secondary service areas, must be identified by zip code. Primary service area is defined as the zip codes from which the applicant projects that it will draw 75 percent of its discharges. Secondary service area is defined as the zip codes from which the applicant projects that it will draw its remaining discharges. In addition, the application for the certificate of need must include a statement of intent that, if approved by final order of the agency, the application for licensure pursuant to ss. 395.003 and 408.810 will include the items found in subparagraph (1)(b)3. and paragraph (1)(c).

(3)~~(2)~~ The applicant must certify that it will license and operate the health care facility. For an existing health care facility, the applicant must be the licenseholder of the facility.

Section 3. Subsection (3) of section 408.039, Florida Statutes, is amended, to read:

408.039 Review process.—The review process for certificates of need shall be as follows:

(3) APPLICATION PROCESSING.—

(a) An applicant shall file an application with the agency and shall furnish a copy of the application to the agency. Within 15 days after the applicable application filing deadline established by agency rule, the staff of the agency shall determine if the application is complete. If the application is incomplete, the staff shall request specific information from the applicant necessary for the application to be complete; however, the staff may make only one such request. If the requested information is not filed with the agency within 21 days after the receipt of the staff's request, the application shall be deemed incomplete and deemed withdrawn from consideration.

(b) Upon the request of any applicant or substantially affected person within 14 days after notice that an application has been filed, a public hearing may be held at the agency's discretion if the agency determines that a proposed project involves issues of great local public interest. *In such cases, the agency shall attend the public hearing.* The public hearing shall allow applicants and other interested parties reasonable time to present their positions and to present rebuttal information. A recorded verbatim record of the hearing shall be maintained. The public hearing shall be held at the local level within 21 days after the application is deemed complete.

(c) Except for competing applicants, in order to be eligible to challenge the agency decision on a general hospital application under review pursuant to paragraph (5)(c), existing hospitals must submit a detailed written statement of opposition to the agency and to the applicant. The detailed written statement must be received by the agency and the applicant within 21 days after the general hospital application is deemed complete.

(d) In those cases where a written statement of opposition has been timely filed regarding a certificate of need application for a general hospital, the applicant for the general hospital may submit a written response to the agency. Such response must be received by the agency within 10 days of the written statement due date.

And the title is amended as follows:

Delete line(s) 6-11 and insert: hospital; amending s. 408.037, F.S.; revising the requirements for an application for a certificate of need by an applicant for a general hospital; amending s. 408.039, F.S.; requiring the agency to attend public hearings on such applications; requiring an existing hospital to submit a written statement of opposition in order to challenge the agency decision on an application for a certificate of need for a general hospital; authorizing the applicant to submit a written response; limiting

Amendment 2 (703256)(with directory and title amendments)—Delete line(s) 140-164 and insert:

(5) ADMINISTRATIVE HEARINGS.—

(b) Hearings shall be held in Tallahassee unless the administrative law judge determines that changing the location will facilitate the proceedings. The agency shall assign proceedings requiring hearings to the Division of Administrative Hearings of the Department of Management Services within 10 days after the time has expired for requesting a hearing. Except upon unanimous consent of the parties or upon the granting by the administrative law judge of a motion of continuance, hearings shall commence within 60 days after the administrative law judge has been assigned. *For an application for a general hospital, administrative hearings shall commence within 6 months after the administrative law judge has been assigned, and a continuance may not be granted absent a finding of extraordinary circumstances by the administrative law judge.* All parties, except the agency, shall bear their own expense of preparing a transcript. In any application for a certificate of need which is referred to the Division of Administrative Hearings for hearing, the administrative law judge shall complete and submit to the parties a recommended order as provided in ss. 120.569 and 120.57. The recommended order shall be issued within 30 days after the receipt of the proposed recommended orders or the deadline for submission of such proposed recommended orders, whichever is earlier. The division shall adopt procedures for administrative hearings which shall maximize the use of stipulated facts and shall provide for the admission of prepared testimony.

(c) In administrative proceedings challenging the issuance or denial of a certificate of need, only applicants considered by the agency in the same batching cycle are entitled to a comparative hearing on their applications. Existing health care facilities may initiate or intervene in an administrative hearing upon a showing that an established program will be substantially affected by the issuance of any certificate of need, whether reviewed under s. 408.036(1) or (2), to a competing proposed facility or program within the same district. *With respect to an application for a general hospital, competing applicants and only those existing*

hospitals that submitted a detailed written statement of opposition to an application as provided in this paragraph may initiate or intervene in an administrative hearing. Such challenges to a general hospital application shall be limited in scope to the issues raised in the detailed written statement of opposition that was provided to the agency. The administrative law judge may, upon a motion showing good cause, expand the scope of the issues to be heard at the hearing. Such motion shall include substantial and detailed facts and reasons for failure to include such issues in the original written statement of opposition.

And the directory clause is amended as follows:

Delete line(s) 113-116 and insert:

Section 3. Paragraphs (b) and (c) of subsection (5) of section 408.039, Florida Statutes, are amended to read:

And the title is amended as follows:

Delete line(s) 11-14 and insert: filing a letter of intent to file an application; limiting the period of a continuance that may be granted with respect to an administrative hearing considering an application for a general hospital; limiting the parties who may challenge in an administrative hearing involving an application for a certificate of need; limiting the scope of the challenge; authorizing the administrative judge to expand the scope of the issues to be heard upon a motion showing good cause; requiring that the

Amendment 3 (655154)(with directory and title amendments)—Delete line(s) 165-180 and insert:

(6) JUDICIAL REVIEW.—

(d) The party appealing a final order that grants a general hospital certificate of need shall pay the appellee's attorney's fees and costs from the beginning of the original administrative action if the appealing party loses the appeal, subject to the following limitations and requirements:

1. Up to $1 million if the appealing hospital is a statutory teaching hospital pursuant to s. 408.07(45), a public hospital owned or operated by a governmental entity as defined in s. 395.002(11), or designated as a statutory rural hospital pursuant to s. 408.07(43);

2. Up to $2 million if the appealing hospital does not fall within the definitions enumerated in subparagraph 1.; and

3. The party appealing a final order must post a bond in the amount of $1 million in order to maintain the appeal.

Except as provided under s. 120.595(5), in no event shall the agency be held liable for any other party's attorney's fees or costs.

Section 4. *Subsection (3) of section 408.040, Florida Statutes, is repealed.*

Section 5. *The provisions of this act do not apply to a certificate of need application filed before the effective date of this act.*

Section 6. *If any provision of this act or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are severable.*

And the directory clause is amended as follows:

Delete line(s) 113-116 and insert:

Section 3. Paragraph (d) is added to subsection (6) of section 408.039, Florida Statutes, to read:

And the title is amended as follows:

Delete line(s) 14-21 and insert: application for a general hospital; requiring that the party appealing a final order granting a certificate of need for a general hospital pay the appellee's attorney's fees and costs subject to certain requirements; providing that the agency may not be held liable for any other party's attorney's fees or costs; repealing s. 408.040(3), F.S.; relating to a requirement for an architect's certification of final payment before issuance of a certificate of need; providing for application of the act; providing for severability; providing an effective date.

Pursuant to Rule 4.19, **CS for SB 2326** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Peaden, by unanimous consent—

CS for CS for SB 2534—A bill to be entitled An act relating to health insurance; amending s. 112.363, F.S.; specifying that coverage provided through the Cover Florida Health Care Access Program is considered health insurance coverage for the purposes of determining eligibility for the state retiree health insurance subsidy; amending s. 408.909, F.S.; revising eligibility for enrollment in a health flex plan; revising the expiration date of the health flex plan program; creating s. 408.9091, F.S.; creating the Cover Florida Health Care Access Program; providing a short title; providing legislative intent; providing definitions; requiring the Agency for Health Care Administration and the Office of Insurance Regulation of the Financial Services Commission within the Department of Financial Services to jointly administer the program; providing program requirements; requiring the development of guidelines to meet minimum standards for quality care and access to care; requiring the agency to ensure that the Cover Florida plans follow standardized grievance procedures; requiring the Executive Office of the Governor, the agency, and the office to develop a public awareness program; authorizing public and private entities to design or extend incentives for participation in the Cover Florida Access Program; requiring the agency and the office to announce an invitation to negotiate for Cover Florida plan entities to design a coverage proposal; requiring the agency and the office to approve one plan entity; authorizing the agency and the office to approve one regional network plan in each existing Medicaid area; requiring the invitation to negotiate to include certain guidelines; providing certain conditions in which plans are disapproved or withdrawn; authorizing the agency and the office to announce an invitation to negotiate for companies that offer supplemental insurance or discount medical plans; providing that certain licensing requirements or ch. 641, F.S., are not applicable to a Cover Florida plan; providing that Cover Florida plans are considered insurance under certain conditions; excluding Cover Florida plans from the Florida Life and Health Insurance Guaranty Association and the Health Maintenance Organization Consumer Assistance Plan; providing requirements for eligibility in a Cover Florida plan; requiring each Cover Florida plan to maintain and provide certain records; providing that coverage under a Cover Florida plan is not an entitlement and does not give rise to a cause of action; requiring the agency and the office to evaluate the Cover Florida program and submit an annual report to the Governor and the Legislature; requiring the agency and the Financial Services Commission to adopt rules; amending s. 627.6562, F.S.; requiring insurance policies that provide dependent coverage to provide the policyholder with the option of insuring a child until the age of 30 under certain circumstances; providing an effective date.

—was taken up out of order and read the second time by title.

Senator Peaden moved the following amendments which were adopted:

Amendment 1 (237556)—Delete line(s) 81-86 and insert:

(c)~~(d)~~ Are not covered by a private insurance policy and are not eligible for coverage through a public health insurance program, such as Medicare or Medicaid, ~~unless specifically authorized under paragraph (c),~~ or another public health care program, such as Kidcare, and have not been covered at any time during the past 6 months*; who are covered under an individual contract issued by a health maintenance organization that is an approved health flex plan on October 1, 2008, and are applying for coverage in the same health flex plan without a lapse in coverage and all other eligibility requirements under this subsection are met; or who were covered under Medicaid or Kidcare and lost eligibility for Medicaid or a Kidcare subsidy due to income restrictions within 90 days before applying for health care coverage through an approved health flex plan*; and

Amendment 2 (057880)(with title amendment)—Between line(s) 301 and 302 insert:

Section 4. Paragraph (b) of subsection (5) of section 624.91, Florida Statutes, is amended to read:

624.91 The Florida Healthy Kids Corporation Act.—

(5) CORPORATION AUTHORIZATION, DUTIES, POWERS.—

(b) The Florida Healthy Kids Corporation shall:

1. Arrange for the collection of any family, local contributions, or employer payment or premium, in an amount to be determined by the board of directors, to provide for payment of premiums for comprehensive insurance coverage and for the actual or estimated administrative expenses.

2. Arrange for the collection of any voluntary contributions to provide for payment of premiums for children who are not eligible for medical assistance under Title XXI of the Social Security Act.

3. Subject to the provisions of s. 409.8134, accept voluntary supplemental local match contributions that comply with the requirements of Title XXI of the Social Security Act for the purpose of providing additional coverage in contributing counties under Title XXI.

4. Establish the administrative and accounting procedures for the operation of the corporation.

5. Establish, with consultation from appropriate professional organizations, standards for preventive health services and providers and comprehensive insurance benefits appropriate to children, provided that such standards for rural areas shall not limit primary care providers to board-certified pediatricians.

6. Determine eligibility for children seeking to participate in the Title XXI-funded components of the Florida Kidcare program consistent with the requirements specified in s. 409.814, as well as the non-Title-XXI-eligible children as provided in subsection (3).

7. Establish procedures under which providers of local match to, applicants to and participants in the program may have grievances reviewed by an impartial body and reported to the board of directors of the corporation.

8. Establish participation criteria and, if appropriate, contract with an authorized insurer, health maintenance organization, or third-party administrator to provide administrative services to the corporation.

9. Establish enrollment criteria which shall include penalties or waiting periods of not fewer than 60 days for reinstatement of coverage upon voluntary cancellation for nonpayment of family premiums.

10. Contract with authorized insurers or any provider of health care services, meeting standards established by the corporation, for the provision of comprehensive insurance coverage to participants. Such standards shall include criteria under which the corporation may contract with more than one provider of health care services in program sites. Health plans shall be selected through a competitive bid process. The Florida Healthy Kids Corporation shall purchase goods and services in the most cost-effective manner consistent with the delivery of quality medical care. The maximum administrative cost for a Florida Healthy Kids Corporation contract shall be 15 percent. For health care contracts, the minimum medical loss ratio for a Florida Healthy Kids Corporation contract shall be 85 percent. For dental contracts, the remaining compensation to be paid to the authorized insurer or provider under a Florida Healthy Kids Corporation contract shall be no less than an amount which is 85 percent of premium; to the extent any contract provision does not provide for this minimum compensation, this section shall prevail. The health plan selection criteria and scoring system, and the scoring results, shall be available upon request for inspection after the bids have been awarded.

11. Establish disenrollment criteria in the event local matching funds are insufficient to cover enrollments.

12. Develop and implement a plan to publicize the Florida Healthy Kids Corporation, the eligibility requirements of the program, and the procedures for enrollment in the program and to maintain public awareness of the corporation and the program.

13. Secure staff necessary to properly administer the corporation. Staff costs shall be funded from state and local matching funds and such other private or public funds as become available. The board of directors shall determine the number of staff members necessary to administer the corporation.

14. Provide a report annually to the Governor, Chief Financial Officer, Commissioner of Education, Senate President, Speaker of the House of Representatives, and Minority Leaders of the Senate and the House of Representatives.

15. Provide information on a quarterly basis to the Legislature and the Governor which compares the costs and utilization of the full-pay enrolled population and the Title XXI-subsidized enrolled population in the KidCare program. The information, at a minimum, must include:

a. The monthly enrollment and expenditure for full-pay enrollees in the Medikids and Florida Healthy Kids programs compared to the Title XXI-subsidized enrolled population; and

b. The costs and utilization by service of the full-pay enrollees in the Medikids and Florida Healthy Kids programs and the Title XXI-subsidized enrolled population.

By February 1, 2009, the Florida Healthy Kids Corporation shall provide a study to the Legislature and the Governor on premium impacts to the subsidized portion of the program from the inclusion of the full-pay program, which shall include recommendations on how to eliminate or mitigate possible impacts to the subsidized premiums.

16.~~15.~~ Establish benefit packages which conform to the provisions of the Florida Kidcare program, as created in ss. 409.810-409.820.

And the title is amended as follows:

On line(s) 51, after the first semicolon (;) insert: amending s. 624.91, F.S.; revising the duties of the Florida Healthy Kids Corporation;

Amendment 3 (685958)(with title amendment)—Between line(s) 301 and 302, insert:

Section 4. Subsection (5) of section 409.814, Florida Statutes, is amended to read:

409.814 Eligibility.—A child who has not reached 19 years of age whose family income is equal to or below 200 percent of the federal poverty level is eligible for the Florida Kidcare program as provided in this section. For enrollment in the Children's Medical Services Network, a complete application includes the medical or behavioral health screening. If, subsequently, an individual is determined to be ineligible for coverage, he or she must immediately be disenrolled from the respective Florida Kidcare program component.

(5) A child whose family income is above 200 percent of the federal poverty level or a child who is excluded under the provisions of subsection (4) may participate in the Medikids program as provided in s. 409.8132 or, if the child is ineligible for Medikids by reason of age, in the Florida Healthy Kids program, subject to the following provisions:

(a) The family is not eligible for premium assistance payments and must pay the full cost of the premium, including any administrative costs.

~~(b) The agency is authorized to place limits on enrollment in Medikids by these children in order to avoid adverse selection. The number of children participating in Medikids whose family income exceeds 200 percent of the federal poverty level must not exceed 10 percent of total enrollees in the Medikids program.~~

(b)~~(c)~~ The board of directors of the Florida Healthy Kids Corporation *may* ~~is authorized to place limits on enrollment of these children in order to avoid adverse selection. In addition, the board is authorized to~~ offer a reduced benefit package to these children in order to limit program costs for such families. ~~The number of children participating in the Florida Healthy Kids program whose family income exceeds 200 percent of the federal poverty level must not exceed 10 percent of total enrollees in the Florida Healthy Kids program.~~

And the title is amended as follows:

On line(s) 51, after the first semicolon (;) insert: amending s. 409.814, F.S.; revising the eligibility requirements for participation in the Medikids program or the Florida Healthy Kids program; deleting certain limitations;

Amendment 4 (809004)(with title amendment)—Between line(s) 343 and 344 insert:

Section 5. Effective upon this act becoming a law and applicable to policies issued or renewed on or after that date, paragraph (v) of subsection (3) of section 627.6699, Florida Statutes, is amended to read:

627.6699 Employee Health Care Access Act.—

(3) DEFINITIONS.—As used in this section, the term:

(v) "Small employer" means, in connection with a health benefit plan with respect to a calendar year and a plan year, any person, sole proprietor, self-employed individual, independent contractor, firm, corporation, partnership, or association that is actively engaged in business, has its principal place of business in this state, employed an average of at least 1 but not more than 50 eligible employees on business days during the preceding calendar year, *the majority of whom were employed within this state,* ~~and~~ employs at least 1 employee on the first day of the plan year*, and is not formed primarily for the purpose of purchasing health insurance. In determining the number of eligible employees, companies that are an affiliated group as defined in s. 1504(a) of the Internal Revenue Code shall be considered one employer.* For purposes of this section, a sole proprietor, an independent contractor, or a self-employed individual is considered a small employer only if all of the conditions and criteria established in this section are met.

And the title is amended as follows:

On line(s) 54, after the semicolon (;) insert: amending s. 627.6699, F.S.; redefining the term "small employer" for purposes of the Employee Health Care Access Act;

Pursuant to Rule 4.19, **CS for CS for SB 2534** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Atwater, by unanimous consent—

CS for CS for SB's 2860 and 1196—A bill to be entitled An act relating to insurance; amending s. 215.5595, F.S.; revising legislative findings with respect to the Insurance Capital Build-Up Incentive Program and the appropriation of state funds for surplus notes issued by residential property insurers; revising the conditions and requirements for providing funds to insurers under the program; requiring a commitment by the insurer to meet minimum premium-to-surplus writing ratios for residential property insurance, for taking policies out of Citizens Property Insurance Corporation, and for maintaining certain surplus and reinsurance; establishing deadlines for insurers to apply for funds; authorizing the State Board of Administration to charge a late fee for payment of remittances; requiring the board to submit semiannual reports to the Legislature regarding the program; providing that amendments made by the act do not affect the terms of surplus notes approved prior to a specified date, but authorizing the board and an insurer to renegotiate such terms consistent with such amendments; requiring the board to transfer to Citizens Property Insurance Corporation any funds that have not been reserved for insurers approved to receive such funds under the program, from the funds that were appropriated from Citizens; requiring the board to transfer to Citizens interest and principal payments to Citizens Property Insurance Corporation for surplus note funded from appropriations from Citizens; requiring Citizens to deposit such funds into accounts from which appropriations were made; amending s. 542.20, F.S.; subjecting the business of insurance to the Florida Antitrust Act; limiting enforcement to actions by the Attorney General or a state attorney; providing exceptions; amending s. 624.3161, F.S.; authorizing the Office of Insurance Regulation to require an insurer to file its claims handling practices and procedures as a public record based on findings of a market conduct examination; amending s. 624.4211, F.S.; increasing the maximum amounts of administrative fines that may be imposed upon an insurer by the Office of Insurance Regulation for nonwillful and willful violations of an order or rule of the office or any provision of the Florida Insurance Code; authorizing the office to impose a fine for each day of noncompliance up to a maximum amount; providing factors to consider when determining the amount of the fine; creating s. 624.4213, F.S.; specifying requirements for submission of a document or information to the Office of Insurance Regulation or the Department of Financial Services in order for a person to claim that the document is a trade secret; requiring each page or portion to be labeled as a trade secret and be separated from non-trade secret material; requiring the submitting party to include an affidavit certifying certain information about the documents claimed to be trade secrets; requiring the office or department to notify persons who submit trade secret documents of any public-records request and the opportunity to file a court action to bar disclosure; specifying conditions for the office to retain or release such documents; requiring an award of attorney's fees against a person who certified a document as trade secret if a court or administrative tribunal finds that the document is not a trade secret; amending s. 626.9521, F.S.; increasing the maximum fines that may be imposed by the office or department for nonwillful and willful violations of state law regarding unfair methods of competition and unfair or deceptive acts or practices related to insurance; amending s. 626.9541, F.S.; prohibiting an insurer from considering certain factors when evaluating or adjusting a property insurance claim; prohibiting an insurer from failing to pay undisputed amounts of benefits owed under a property insurance policy within a certain period; amending s. 627.062, F.S.; requiring that an insurer seeking a rate for property insurance that is greater than the rate most recently approved by the Office of Insurance Regulation make a "file and use" filing for all such rate filings made after a specified date; revising the factors the office must consider in reviewing a rate filing; prohibiting the Office of Insurance Regulation from disapproving as excessive a rate solely because the insurer obtained reinsurance covering a specified probably maximum loss; allowing the office to disapprove a rate as excessive within 1 year after the rate has been approved under certain conditions related to nonrenewal of policies by the insurer; requiring the Division of Administrative Hearings to expedite a hearing request by an insurer and for the administrative law judge to commence the hearing within a specified time; establishing time limits for entry of a recommended order, for parties to submit written exceptions, and for the office to enter a final order, subject to waiver by all parties; authorizing an insurer to request an expedited appellate review pursuant to the Florida Rules of Appellate Procedure; expressing legislative intent for an expedited appellate review; requiring an administrative law judge in a hearing on an insurance rate to grant a continuance if requested by a party due to receiving additional information that was not previously available; deleting provisions relating to the submission of a disputed rate filing, other than a rate filing for medical malpractice insurance, to an arbitration panel in lieu of an administrative hearing if the rate is filed before a specified date; requiring certain officers and the chief actuary of a property insurer to certify certain information as part of a rate filing, subject to the penalty of perjury; amending s. 627.0613, F.S.; deleting cross-references to conform to changes made by the act; amending s. 627.0628, F.S.; requiring that with respect to rate filings, insurers must use actuarial methods or models found to be accurate or reliable by the Florida Commission on Hurricane Loss Projection Methodology; deleting the requirement for the Office of Insurance Regulation and the Consumer Advocate to have access to all assumptions of a hurricane loss model in order for a model that has been found to be accurate and reliable by the Florida Commission on Hurricane Loss Projection Methodology to be admissible in a rate proceeding; deleting cross-references to conform to changes made by the act; amending s. 627.0629, F.S.; requiring that the Office of Insurance Regulation develop and make publicly available before a specified deadline a proposed method for insurers to establish windstorm mitigation premium discounts that correlate to the uniform home rating scale; requiring that the Financial Services Commission adopt rules before a specified deadline; requiring insurers to make rate filings pursuant to such method; authorizing the commission to make changes by rule to the uniform home grading scale and specify by rule the minimum required discounts, credits, or other rate differentials; requiring that such rate differentials be consistent with generally accepted actuarial principles and wind loss mitigation studies; amending s. 627.351, F.S., relating to Citizens Property Insurance Corporation; deleting a provision to conform to changes made in the act; deleting provisions defining the terms "homestead property" and "nonhomestead property"; deleting a provision providing for the classification of certain dwellings as "nonhomestead property"; deleting provisions making dwellings and condominium units that have a replacement cost above a specified value ineligible for coverage after a specified date; requiring certain structures to have opening protections as a condition of eligibility for coverage after a specified date; requiring that the corporation cease issuance of new wind-only coverage beginning on a specified date; deleting outdated provisions requiring the corporation to submit a report for approval of offering multiperil coverage; revising threshold amounts of deficits incurred in a calendar year on which the decision to levy assessments and the types of such assessments are based; revising the formula used to calculate shares of assessments owed by certain assessable insureds; requiring that the board of governors make certain determinations before levying emergency assessments; providing the board of governors with discretion to set the amount of an emergency

assessment within specified limits; requiring the board of governors to levy a Citizens policyholder surcharge under certain conditions; deleting a provision requiring the levy of an immediate assessment against certain policyholders under such conditions; requiring that funds collected from the levy of such surcharges be used for certain purposes; providing that such surcharges are not considered premium and are not subject to commissions, fees, or premium taxes; requiring that the failure to pay such surcharges be treated as failure to pay premium; requiring that the amount of any assessment or surcharge which exceeds the amount of deficits be remitted to and used by the corporation for specified purposes; deleting provisions requiring that the plan of operation of the corporation provide for the levy of a Citizens policyholder surcharge if regular deficit assessments are levied as a result of deficits in certain accounts; deleting provisions related to the calculation, classification, and nonpayment of such surcharge; requiring that the corporation make an annual filing for each personal or commercial line of business it writes, beginning on a specified date; limiting the overall average statewide premium increase and the increase for an individual policyholder to a specified amount for rates established for certain policies during a specified period; deleting a provision requiring an insurer to purchase bonds that remain unsold; requiring the corporation to make its database of policies available to prospective take-out insurers under certain conditions; requiring the corporation to require agents to accept or decline appointment for any policy selected; requiring the corporation to notify the policyholder of certain information if an insurer selected his or her policy for a take-out offer but the policyholder's agent refused to be appointed; deleting provisions requiring the corporation to make certain confidential underwriting and claims files available to agents to conform to changes made by the act relating to ineligibility of certain dwellings; amending s. 627.4133, F.S.; increasing the required time period for an insurer to notify a policyholder of cancellation or nonrenewal of a personal lines or commercial residential property insurance policy; making conforming changes; creating s. 689.262, F.S.; requiring a purchaser of residential property to be presented with the windstorm mitigation rating of the structure; authorizing the Financial Services Commission to adopt rules; amending s. 817.2341, F.S.; providing for criminal penalties to be imposed under certain conditions against any person who willfully files a materially false or misleading rate filing; requiring Citizens Property Insurance Corporation to transfer funds to the General Revenue Fund Revenue Fund if the losses due to a hurricane do not exceed a specified amount; requiring the board of governors of Citizens Property Insurance Corporation to make a reasonable estimate of such losses by a certain date; making nonrecurring appropriations for purposes of the Insurance Capital Build-Up Incentive Program established pursuant to s. 215.5595, F.S., as amended by the act; authorizing costs and fees to be paid from funds appropriated, subject to specified limitations; providing effective dates.

—was taken up out of order and read the second time by title.

Senator Lawson moved the following amendment which failed:

Amendment 1 (657858)(with title amendment)—Delete line(s) 460-478 and renumber subsequent sections.

And the title is amended as follows:

Delete lines 30-33 and insert: were made; amending s.

Senators Atwater and Geller offered the following amendment which was moved by Senator Geller and adopted:

Amendment 2 (057950)—Delete line 478 and insert: *Office of Insurance Regulation, and does not prohibit any person from engaging in acts expressly allowed by the Florida Insurance Code, including, but not limited to, those listed in s. 627.314.*

Senator Lawson moved the following amendments which failed:

Amendment 3 (220964)(with title amendment)—Delete line(s) 497-551 and insert:

Section 4. Subsections (2) and (3) of section 624.4211, Florida Statutes, are amended to read:

624.4211 Administrative fine in lieu of suspension or revocation.—

(2) With respect to any nonwillful violation, such fine *may* ~~shall~~ not exceed *$5,000* ~~$2,500~~ per violation. In no event shall such fine exceed an aggregate amount of *$20,000* ~~$10,000~~ for all nonwillful violations arising out of the same action. *If* ~~When~~ an insurer discovers a nonwillful violation, the insurer shall correct the violation and, if restitution is due, make restitution to all affected persons. Such restitution shall include interest at 12 percent per year from either the date of the violation or the date of inception of the affected person's policy, at the insurer's option. The restitution may be a credit against future premiums due provided that ~~the~~ interest *accumulates* ~~shall accumulate~~ until the premiums are due. If the amount of restitution due to any person is $50 or more and the insurer wishes to credit it against future premiums, it shall notify such person that she or he may receive a check instead of a credit. If the credit is on a policy *that* ~~which~~ is not renewed, the insurer shall pay the restitution to the person to whom it is due.

(3) With respect to any knowing and willful violation of a lawful order or rule of the office or commission or a provision of this code, the office may impose a fine upon the insurer in an amount not to exceed *$40,000* ~~$20,000~~ for each such violation. In no event shall such fine exceed an aggregate amount of *$200,000* ~~$100,000~~ for all knowing and willful violations arising out of the same action. In addition to such fines, *the* ~~such~~ insurer shall make restitution when due in accordance with ~~the provisions of~~ subsection (2).

And the title is amended as follows:

Delete line(s) 40-45 and insert: by the Office of Insurance Regulation for nonwillful and willful violations of an order or rule of the office or any provision of the Florida Insurance Code; creating s. 624.4213,

Amendment 4 (667898)(with title amendment)—Delete line(s) 630-680 and renumber subsequent sections.

And the title is amended as follows:

Delete line(s) 66-71 and insert: or practices related to insurance; amending s.

Senators Atwater and Geller offered the following amendment which was moved by Senator Geller and adopted:

Amendment 5 (144270)—Delete line(s) 767-773 and insert:

12.~~11.~~ A reasonable margin for underwriting profit and contingencies. ~~For that portion of the rate covering the risk of hurricanes and other catastrophic losses for which the insurer has not purchased reinsurance and has exposed its capital and surplus to such risk, the office must approve a rating factor that provides the insurer a reasonable rate of return that is commensurate with such risk.~~

Senator Lawson moved the following amendment which failed:

Amendment 6 (340788)(with title amendment)—Delete lines 1645-1701 and insert:

5. Effective January 1, 2009, a personal lines residential structure that has a dwelling replacement cost of $1 million or more, or a single condominium unit that has a combined dwelling and content replacement cost of $1 million or more is not eligible for coverage by the corporation. Such dwellings insured by the corporation on December 31, 2008, may continue to be covered by the corporation until the end of the policy term. However, such dwellings that are insured by the corporation and become ineligible for coverage due to the provisions of this subparagraph may reapply and obtain coverage in the high-risk account and be considered "nonhomestead property" if the property owner provides the corporation with a sworn affidavit from one or more insurance agents, on a form provided by the corporation, stating that the agents have made their best efforts to obtain coverage and that the property has been rejected for coverage by at least one authorized insurer and at least three surplus lines insurers. If such conditions are met, the dwelling may be insured by the corporation for up to 3 years, after which time the dwelling is ineligible for coverage. The office shall approve the method used by the corporation for valuing the dwelling replacement cost for the purposes of this subparagraph. If a policyholder is insured by the corporation prior to being determined to be ineligible pursuant to this subparagraph and such policyholder files a lawsuit challenging the determination, the policyholder may remain insured by the corporation until the conclusion of the litigation.

6. For properties constructed on or after January 1, 2009, the corporation may not insure any property located within 2,500 feet landward

of the coastal construction control line created pursuant to s. 161.053 unless the property meets the requirements of the code-plus building standards developed by the Florida Building Commission.

7. It is the intent of the Legislature that policyholders, applicants, and agents of the corporation receive service and treatment of the highest possible level but never less than that generally provided in the voluntary market. It also is intended that the corporation be held to service standards no less than those applied to insurers in the voluntary market by the office with respect to responsiveness, timeliness, customer courtesy, and overall dealings with policyholders, applicants, or agents of the corporation.

8. Effective January 1, 2009, a personal lines residential structure that is located in the "wind-borne debris region," as defined in s. 1609.2, International Building Code (2006), and that has an insured value on the structure of $750,000 or more is not eligible for coverage by the corporation unless the structure has opening protections as required under the Florida Building Code for a newly constructed residential structure in that area. A residential structure shall be deemed to comply with the requirements of this subparagraph if it has shutters or opening protections on all openings and if such opening protections complied with the Florida Building Code at the time they were installed. *Effective January 1, 2011, the requirements of this subparagraph apply to a personal lines residential structure that is located in the wind-borne debris region and that has an insured value on the structure of $500,000 or more.*

And the title is amended as follows:

Delete lines 136-139 and insert: dwellings as "nonhomestead property"; requiring certain

Senators Posey and Constantine offered the following amendment which was moved by Senator Constantine and adopted:

Amendment 7 (109972)(with title amendment)—Delete line(s) 1671-1686 and insert:

~~6. For properties constructed on or after January 1, 2009, the corporation may not insure any property located within 2,500 feet landward of the coastal construction control line created pursuant to s. 161.053 unless the property meets the requirements of the code-plus building standards developed by the Florida Building Commission.~~

3.~~7.~~ It is the intent of the Legislature that policyholders, applicants, and agents of the corporation receive service and treatment of the highest possible level but never less than that generally provided in the voluntary market. It also is intended that the corporation be held to service standards no less than those applied to insurers in the voluntary market by the office with respect to responsiveness, timeliness, customer courtesy, and overall dealings with policyholders, applicants, or agents of the corporation.

4.~~8.~~ Effective January 1, 2009, a personal lines

And the title is amended as follows:

Delete line 139 and insert: coverage after a specified date; deleting requirements for certain properties to meeting building code plus requirements as a condition of eligibility for coverage by the corporation; requiring certain

Senator Posey offered the following amendment which was moved by Senator Atwater:

Amendment 8 (121376)(with title amendment)—Between lines 2833 and 2834, insert:

Section 14. Effective January 1, 2009, section 627.714, Florida Statutes, is created to read:

627.714 Guaranteed renewability for mitigated homes.—A personal lines residential insurance policy shall be guaranteed renewable for at least 3 years if the dwelling has been built or retrofitted to meet the wind-borne-debris protection requirements of the Florida Building Code which apply to the wind-borne-debris region as defined in the Florida Building Code. The requirements of this section apply to:

(1) New policies issued on or after January 1, 2009, or the first renewal of a policy on or after January 1, 2009, but do not apply to subsequent renewals of such policies, except as provided in subsection (2).

(2) Policies renewed on or after October 1, 2008, for a dwelling retrofitted after issuance of the policy to meet such requirements of the Florida Building Code, in which case the policy shall be guaranteed renewable for 3 years beginning with the effective date of renewal after the retrofitting was completed.

And the title is amended as follows:

On line 194, after the second semicolon (;) insert: creating s. 627.714, F.S.; requiring that personal lines residential policies be guaranteed renewable for a specified period if the dwelling meets certain wind-borne-debris protection requirements; providing for applicability;

MOTION

On motion by Senator Atwater, the rules were waived to allow the following amendment to be considered:

Senators Posey and Atwater offered the following substitute amendment which was moved by Senator Atwater and adopted:

Amendment 9 (148110)(with title amendment)—Between line(s) 2833 and 2834, insert:

Section 14. Effective January 1, 2009, and applicable to policies issued or renewed on or after that date, section 627.714, Florida Statutes, is created to read:

627.714 Guaranteed renewability for mitigated homes.—A personal lines residential insurance policy shall be guaranteed renewable for at least 3 years if the dwelling has been built or retrofitted to meet the wind-borne-debris protection requirements of the Florida Building Code which apply to the wind-borne debris region as defined in the Florida Building Code. This requirement applies only for one 3-year period after the policy is issued or first renewed after the dwelling has been built or retrofitted to meet the wind-borne-debris protection requirements.

And the title is amended as follows:

On line(s) 194, after the second semicolon (;) insert: creating s. 627.714, F.S.; requiring that personal lines residential policies be guaranteed renewable for a specified period if the dwelling meets certain requirements for wind-borne debris protection;

MOTION

On motion by Senator Geller, the rules were waived to allow the following amendment to be considered:

Senators Geller and Atwater offered the following amendment which was moved by Senator Geller and adopted:

Amendment 10 (185462)(with title amendments)—Between lines 612 and 613 insert:

Section 6. Section 624.4305, Florida Statutes, is created to read:

624.4305 Nonrenewal of residential property insurance policies.—

(1) Any insurer planning to nonrenew more than 10,000 residential property insurance policies in this state within a 12-month period shall give notice in writing to the Office of Insurance Regulation 90 days before the issuance of any notices of nonrenewal. The notice provided to the office must set forth the insurer's reasons for such action, the effective dates of nonrenewal, and any arrangements made for other insurers to offer coverage to affected policyholders.

(2) An insurer may not issue a notice of nonrenewal to policyholders unless the office approves or fails to disapprove the nonrenewal plan within 90 days after the date on which it receives the notice from the insurer. The office may not approve the plan unless it finds that the insurer has staggered the nonrenewals over a reasonable period relative to the number of nonrenewals, or has made arrangements for offers of replacement coverage. The office may not require that the effective dates of nonrenewal be staggered over a period longer than 24 months unless the insurer is nonrenewing more than 100,000 policies, in which case the office may not require that the effective dates of nonrenewal be staggered over a period longer than 36 months. If the insurer has arranged for an offer of coverage to be made to an affected policyholder by an authorized insurer, the office may not restrict or disapprove the nonrenewal of such policy beyond what is required by law.

And the title is amended as follows:

On line 61, after the semicolon (;) insert: creating s. 624.4305, F.S.; requiring that an insurer planning to nonrenew more than a specified number of residential property insurance polices notify the Office of Insurance Regulation and obtain approval for such nonrenewals; specifying procedures for issuance of such notice; prohibiting the office from approving a nonrenewal plan unless it determines that the insurer has met certain conditions; prohibiting the office from requiring certain actions; limiting the ability of the office to disapprove or restrict nonrenewal of certain policies under certain conditions;

MOTION

On motion by Senator Baker, the rules were waived to allow the following amendment to be considered:

Senator Baker moved the following amendment which was adopted:

Amendment 11 (342988)—Delete line(s) 2684-2688 and insert: *corporation must require agents to accept or decline appointment or a contract with the insurer for any policy selected and, in the case of a declination, must notify the policyholder that an insurer, identified by name, selected his or her policy for a take-out offer, but that the policyholder's agent did not accept an appointment or contract with the insurer. The*

Pursuant to Rule 4.19, **CS for CS for SB's 2860 and 1196** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Saunders, by unanimous consent—

CS for CS for SB 1302—A bill to be entitled An act relating to wastewater disposal; amending s. 373.0361, F.S., relating to regional water supply planning; requiring the South Florida Water Management District to include water supply development projects that promote the elimination of ocean outfalls in its regional water supply plan; amending s. 373.0831, F.S., relating to water resource and supply development; providing for projects that implement reuse as a means of eliminating ocean outfalls to receive priority funding consideration; amending s. 373.1961, F.S., relating to funding for water supply projects; providing priority funding for projects that implement reuse that assists with the elimination of ocean outfalls; amending s. 373.250, F.S., relating to the reuse of reclaimed water; directing the South Florida Water Management District to require the use of reclaimed water made available through the elimination of ocean outfalls under certain conditions; amending s. 403.085, F.S., relating to waste water treatment; prohibiting the construction of new ocean outfalls; prohibiting the use of ocean outfalls as a method of sanitary sewage disposal; amending s. 403.086, F.S., relating the treatment of wastewater; providing legislative intent; prohibiting the new construction of an expanded discharge to ocean outfalls; requiring that domestic wastewater discharges to ocean outfalls meet advanced wastewater treatment and management requirements by a date certain; providing an exemption from meeting advanced wastewater treatment and management requirements under specific conditions; providing wastewater reuse requirements for facilities that discharge through ocean outfalls by a date certain; providing prohibitions for the discharge of domestic wastewater through ocean outfalls under specific conditions by a date certain; providing reporting requirements for permitted ocean outfall facilities; providing reporting requirements for the Department of Environmental Protection; providing a compliance schedule for facilities discharging through ocean outfalls; amending s. 403.1835, F.S., relating to water pollution control financial assistance; providing for the inclusion of domestic wastewater ocean outfalls in laws requiring the elimination of discharges to specific water bodies; providing an effective date.

—was taken up out of order and read the second time by title.

Senator Geller moved the following amendment which was adopted:

Amendment 1 (168648)(with title amendment)—On line(s) 256, after the period (.) insert: *For purposes of this subsection, the term "facility's actual flow on an annual basis" means the annual average flow of domestic wastewater discharging through the facility's ocean outfall, as determined by the department, using monitoring data available for calendar years 2003 through 2007.*

And the title is amended as follows:

On line(s) 25, after the semicolon (;) insert: defining the term "facility's actual flow on an annual basis";

MOTION

On motion by Senator Saunders, the rules were waived to allow the following amendment to be considered:

Senator Saunders moved the following amendment which was adopted:

Amendment 2 (323348)(with title amendments)—Between line(s) 327 and 328 insert:

Section 7. Section 403.08601, Florida Statutes, is created to read:

403.08601 Leah Schad Memorial Ocean Outfall Program.—

The Legislature declares that as funds become available the state may assist the local governments and agencies responsible for implementing the Leah Schad Memorial Ocean Outfall Program pursuant to s. 403.086 (9). Funds received from other sources provided for in law, the General Appropriations Act, from gifts designated for implementation of the plan from individuals, corporations, or other entities, or federal funds appropriated by Congress for implementation of the plan, may be deposited into an account of the Ecosystem Management and Restoration Trust Fund created pursuant to s. 403.1651.

Section 8. Subsection (1) of section 403.1651, Florida Statutes, is amended to read:

403.1651 Ecosystem Management and Restoration Trust Fund.—

(1) There is created the Ecosystem Management and Restoration Trust Fund to be administered by the Department of Environmental Protection for the purposes of:

(a) Funding the detailed planning for and implementation of programs for the management and restoration of ecosystems.

(b) Funding the development and implementation of surface water improvement and management plans and programs under ss. 373.451-373.4595.

(c) Funding activities to restore polluted areas of the state, as defined by the department, to their condition before pollution occurred or to otherwise enhance pollution control activities.

(d) Funding activities to restore or rehabilitate injured or destroyed coral reefs.

(e) Funding activities by the department to recover moneys as a result of actions against any person for a violation of chapter 373.

(f) Funding activities authorized for the implementation of the Leah Schad Memorial Ocean Outfall Program implemented in s. 403.086(9).

(Renumber subsequent sections.)

And the title is amended as follows:

Between line(s) 38 and 39 insert: creating s. 403.08601, F.S., establishing the Leah Schad Memorial Ocean Outfall Program; establishing a funding mechanism and providing a statutory cross reference; amending s. 403.1651, F.S.; providing a dedicated account within the Ecosystem Management and Restoration Trust Fund;

MOTION

On motion by Senator Rich, the rules were waived to allow the following amendment to be considered:

Senator Rich moved the following amendment which was adopted:

Amendment 3 (262040)—

On line(s) 254, after the semicolon (;) insert: *aquifer recharge;*

Pursuant to Rule 4.19, **CS for CS for SB 1302** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

SENATOR STORMS PRESIDING

CS for CS for SB 610—A bill to be entitled An act relating to physical education; amending s. 1003.455, F.S.; requiring physical education in grades 6 through 8; providing for waivers under certain circumstances; requiring school districts to notify parents of the waiver options; providing an effective date.

—was read the second time by title.

On motion by Senator Constantine, further consideration of **CS for CS for SB 610** was deferred.

Pursuant to the motion by Senator King, the hour of 11:30 a.m. having arrived, the Senate proceeded to consideration of the claim bills on the Special Order Calendar.

By Senator Deutch—

SB 38—A bill to be entitled An act relating to Memorial Healthcare System of Broward, Inc., d/b/a Memorial Regional Hospital; providing for the relief of Janaria Miller, a minor child, to compensate her for injuries sustained as a result of the negligence of employees of the hospital; providing an appropriation; providing a limitation on the payment of fees and costs; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 38** was placed on the calendar of Bills on Third Reading.

Consideration of **SB 40** was deferred.

By Senator Joyner—

SB 54—A bill to be entitled An act relating to the Orange County School Board; providing for the relief of Daniel Decembre, a minor, by and through his parents and natural guardians, Desnar and Mignone Decembre; providing for an appropriation to compensate Daniel for injuries and damages he sustained as a result of negligence by agents and employees of the school board; providing a limitation on the payment of fees and costs; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 54** was placed on the calendar of Bills on Third Reading.

By Senator Wilson—

SB 40—A bill to be entitled An act relating to the Miami-Dade County School Board; providing for the relief of Maria Gough and Jorge Gough, parents and natural guardians of Jaime Gough, a minor, and of Jorge Gough, as personal representative of the estate of Jaime Gough, for the wrongful death of their son, which was due in part to the school board's negligent failure to prevent forseeable violence on school grounds; providing a limitation on the payment of fees and costs; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 40** was placed on the calendar of Bills on Third Reading.

By Senator Ring—

SB 60—A bill to be entitled An act relating to the South Broward Hospital District; providing for the relief of Adrian Fuentes, a minor, by and through his parents and natural guardians, Luz Fuentes and Jose Fuentes; providing for an appropriation to compensate him for injuries and damages sustained as a result of the negligence of the South Broward Hospital District, d/b/a Memorial Hospital Primary Care Center; providing a limitation on the payment of fees and costs; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 60** was placed on the calendar of Bills on Third Reading.

By Senator Dean—

CS for SB 68—A bill to be entitled An act for the relief of Tyler Giblin, a minor, by and through Gina and Mark Giblin, parents of Tyler Giblin; providing for an appropriation by the Munroe Regional Health System, Inc., to compensate Tyler for injuries sustained as a result of the negligence of the hospital; providing for the use of funds; providing a limitation on the payment of fees and costs; providing for payment of unreimbursed medical costs to the Agency for Health Care Administration; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 68** was placed on the calendar of Bills on Third Reading.

By Senator Baker—

SB 50—A bill to be entitled An act relating to the City of Lake Worth; providing for the relief of Lisa Freeman-Salazar and Andy Salazar, individually and as co-personal representatives of the estate of Alexandria Salazar, deceased, for the death of Alexandria Salazar due to the negligence of the City of Lake Worth; providing for an appropriation; providing for attorney's fees and costs; providing a limitation on the payment of fees and costs; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 50** was placed on the calendar of Bills on Third Reading.

By Senator Aronberg—

SB 56—A bill to be entitled An act relating to Miami-Dade County; providing for the relief of Schneidine Theogene, a minor, by and through her parent and natural guardian, Jeanne Coicou, to compensate Schneidine for injuries sustained as a result of the negligence of a Miami-Dade County bus driver; providing for an appropriation; providing a limitation on the payment of fees and costs; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 56** was placed on the calendar of Bills on Third Reading.

On motion by Senator Constantine, the Senate resumed consideration of—

CS for CS for SB 610—A bill to be entitled An act relating to physical education; amending s. 1003.455, F.S.; requiring physical education in grades 6 through 8; providing for waivers under certain circumstances; requiring school districts to notify parents of the waiver options; providing an effective date.

—which was previously considered this day.

Senator Constantine moved the following amendment which was adopted:

Amendment 1 (165648)—Delete line(s) 34 and insert: *are at least 30 consecutive minutes per day. Beginning with the 2009-2010 school year, the equivalent of*

MOTION

On motion by Senator Constantine, the rules were waived to allow the following amendment to be considered:

Senators Constantine, King, Hill and Wise offered the following amendment which was moved by Senator Constantine and adopted:

Amendment 2 (940650)(with title amendment)—Insert on line 10:

Section 1. *This act may be cited as the "Don Davis Physical Education Act."*

(Redesignate subsequent section.)

And the title is amended as follows:

On line 2, after the semicolon (;) insert: providing a short title;

Pursuant to Rule 4.19, **CS for CS for SB 610** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

By Senator Wise—

CS for CS for SB 370—A bill to be entitled An act relating to the personal care attendant program; amending s. 413.402, F.S.; revising provisions governing a program to provide personal care attendants for persons who have disabilities; requiring the Florida Endowment Foundation for Vocational Rehabilitation to enter into an agreement by a certain date with the Florida Association of Centers for Independent Living to administer a program to provide such attendants to persons who have severe and chronic disabilities; requiring that the parties execute a memorandum of understanding; naming the program the "James Patrick Memorial Work Incentive Personal Attendant Services Program"; providing for payment for the administration of the program; removing a provision requiring interagency memoranda of agreement; revising eligibility requirements for participation in the personal care attendant program; removing provisions concerning the training, selection, and recruitment of personal care attendants; providing for training of program participants concerning hiring and managing an attendant; providing for the adoption and revision of program policies and procedures by the association in cooperation with an oversight group; providing for membership in the oversight group; amending s. 413.4021, F.S.; increasing the percentage of revenues collected from persons who fail to remit sales tax which is deposited in the special reserve account of the Florida Endowment Foundation for Vocational Rehabilitation to administer the program; deleting a provision requiring that the Florida Endowment Foundation for Vocational Rehabilitation select an entity to administer the program; providing for automatic enrollment in the program for certain persons; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 370** was placed on the calendar of Bills on Third Reading.

Consideration of **CS for CS for CS for SB 1374** and **CS for SB 2366** was deferred.

By Senator Saunders—

CS for CS for SB 1648—A bill to be entitled An act relating to human immunodeficiency virus testing; amending s. 381.004, F.S.; requiring that when consent cannot be obtained within the time necessary to conduct an HIV test on an individual and begin prophylactic treatment of exposed medical personnel, the results of the HIV test shall be documented only in the medical file of the medical personnel and not in the medical file of the patient unless he or she gives consent; authorizing appropriate medical personnel under the supervision of a licensed physician to make the decision to test under these conditions; requiring those personnel to document the significant exposure requiring the HIV testing without valid consent in accordance with written protocol based on the medical judgment of a licensed physician; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 1648** was placed on the calendar of Bills on Third Reading.

By Senator Garcia—

CS for SB 2366—A bill to be entitled An act relating to medical faculty certificates; amending s. 458.3145, F.S.; authorizing additional universities to employ medical faculty certificateholders; providing a limitation on the number of certificateholders per university; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 2366** was placed on the calendar of Bills on Third Reading.

By Senator Jones—

CS for SB 1370—A bill to be entitled An act relating to the Florida Patient Safety Corporation; amending s. 381.0271, F.S.; authorizing a representative appointed by the Florida Council of Medical School Deans to serve on the board of directors of the corporation; deleting provisions requiring that the corporation establish specific advisory committees; authorizing the corporation to create and dissolve advisory committees upon a majority vote of the board of directors; deleting obsolete organizational provisions; requiring that the corporation's board of directors conduct quarterly meetings; requiring the Agency for Health Care Administration to make available adverse incident reports to designated agents of the Florida Patient Safety Corporation; requiring the corporation to evaluate the effects of the sharing of electronic records on patient safety; requiring the corporation to encourage the use of evidence-based medicine; deleting responsibilities related to the provision of access to a library of evidence-based medicine and patient safety practices; requiring a plan for the implementation of patient safety technologies; deleting obsolete provisions and reporting requirements; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1370** was placed on the calendar of Bills on Third Reading.

RECONSIDERATION OF BILL

On motion by Senator Geller, the Senate recalled—

CS for CS for SB 1716—A bill to be entitled An act relating to postsecondary education; amending s. 1000.21, F.S.; redesignating the names of certain community colleges as colleges; creating s. 1001.60, F.S., relating to the Florida College System; providing system purposes; defining the system as comprised of the public postsecondary educational institutions that grant 2-year and 4-year academic degrees; providing limitations; authorizing a name change under certain conditions; providing for institutions within the Florida College System to be governed by local boards of trustees; providing membership for the boards; creating s. 1004.87, F.S.; creating the Florida College System Task Force for the purpose of developing recommendations for the transition of community colleges to baccalaureate-degree-granting colleges; providing for membership and appointments; providing duties of the task force and reporting requirements; providing for the task force to be dissolved unless extended by general law; creating s. 1004.875, F.S.; creating the State College Pilot Project for the purpose of recommending to the Legislature an approval process for the transition of certain community colleges to state colleges; designating certain institutions to participate in the project; providing duties and reporting requirements for the institutions; providing an effective date.

—for further consideration.

RECONSIDERATION OF AMENDMENT

On motion by Senator Geller, the Senate reconsidered the vote by which **Amendment 2 (041312)** was adopted.

MOTION

On motion by Senator Alexander, the rules were waived to allow the following amendment to be considered:

Senators Alexander, Dockery and Geller offered the following substitute amendment which was moved by Senator Alexander and adopted:

Amendment 3 (266752)(with directory and title amendments)—Delete line(s) 37-182 and insert:

(b) Broward ~~Community~~ College.

(e) Daytona Beach ~~Community~~ College.

(k) Indian River ~~Community~~ College.

(u) Polk ~~Community~~ College.

Section 2. Section 1001.60, Florida Statutes, is created to read:

1001.60 Florida College System.—

(1) PURPOSES.—In order to maximize open access for students, respond to community needs for postsecondary academic education and career degree education, and provide associate and baccalaureate degrees that will best meet the state's employment needs, the Legislature establishes a system of governance for the Florida College System.

(2) FLORIDA COLLEGE SYSTEM.—There shall be a single Florida College System comprised of the public postsecondary educational institutions identified in s. 1000.21(3) which grant 2-year and 4-year academic degrees as provided by law. An institution within the Florida College System may not offer graduate degree programs.

(a) The programs and services offered by institutions in the Florida College System in providing associate and baccalaureate degrees shall be delivered in a cost-effective manner that demonstrates substantial savings to the student and to the state over the cost of providing the degree at a state university.

(b)1. With the approval of the institution's local board of trustees, an institution in the Florida College System may change the institution's name and use the designation "college" if it has been authorized to grant baccalaureate degrees pursuant to s. 1004.73 or s. 1007.33 or if it has received approval from the State Board of Education pursuant to this paragraph.

2. With the approval of an institution's local board of trustees, any institution in the Florida College System may request approval from the State Board of Education to change the institution's name and use the designation "college." The State Board of Education may approve the request if the institution enters into an agreement with the State Board of Education to do the following:

a. Maintain as the institution's primary mission responsibility for responding to community needs for postsecondary academic education and career degree education as prescribed in s. 1004.65(6).

b. Maintain an open-door admissions policy for associate-level degree programs and workforce education programs.

c. Continue to provide outreach to underserved populations.

d. Continue to provide remedial education.

e. Comply with all provisions of the statewide articulation agreement which relate to 2-year and 4-year public degree-granting institutions as adopted by the State Board of Education pursuant to s. 1007.23.

(3) LOCAL BOARDS OF TRUSTEES.—Each institution within the Florida College System shall be governed by a local board of trustees as provided in s. 1001.64. The membership of each local board of trustees shall be as provided in s. 1001.61.

Section 3. Section 1004.87, Florida Statutes, is created to read:

1004.87 Florida College System Task Force.—

(1) The Florida College System Task Force is established within the Division of Community Colleges of the Department of Education for the purpose of developing findings and issuing recommendations regarding the transition of community colleges to baccalaureate-degree-granting colleges and the criteria for establishing and funding state colleges.

(2)(a) All members of the task force must be appointed on or before August 31, 2008, and the task force shall hold its first meeting on or before September 15, 2008.

(b) The task force shall be comprised of 11 members appointed by the Commissioner of Education. The appointees shall include eight community college presidents, one state university president, the president of an institution that is eligible to participate in the William L. Boyd, IV, Florida Resident Access Grant Program, and one member at large. The community college presidents appointed to the task force may not include the presidents of the institutions named to participate in the State College Pilot Project. The community college presidents appointed to the task force must reflect the diversity of program offerings and service areas of the 28 community colleges and include representatives of community colleges that are authorized to grant baccalaureate degrees, community colleges that are not authorized to grant baccalaureate degrees, community colleges that have urban service areas, community colleges that have rural service areas, community colleges the service areas of which have populations of 500,000 or more, and community colleges the service areas of which have populations of fewer than 500,000. The Commissioner of Education shall be a voting member of the task force and the chair of the task force.

(3) The task force shall:

(a) Recommend a program-approval process for new baccalaureate degree programs that are designed to meet the employment needs of Florida, including approval as a baccalaureate-degree-granting community college and as a state college.

(b) Recommend a funding model that considers projected enrollment, adjustments for actual enrollment, program mix, and comparable support for similar programs across all institutions, including community colleges authorized by the State Board of Education to award baccalaureate degrees pursuant to s. 1007.33 and state colleges. The funding model must ensure that the programs and services offered by institutions in the Florida College System in providing associate and baccalaureate degrees are delivered in a cost-effective manner that demonstrates substantial savings to the student and to the state over the cost of providing the degree at a state university.

(c) Identify the areas, both geographic and academic, in which an increased number of graduates who have baccalaureate degrees are necessary in order to meet regional and statewide workforce needs.

(d) Monitor implementation of the State College Pilot Project.

(e) Recommend priorities and criteria for baccalaureate programs that may be offered without specific approval by the State Board of Education.

(4) Any recommendation from the task force to the Legislature requires approval by two-thirds of the membership of the task force.

(5)(a) Community colleges, state universities, the Commission for Independent Education, and the Agency for Workforce Innovation shall provide information and assistance to the task force.

(b) Independent postsecondary educational institutions, representatives of the business community, and other stakeholders are encouraged to provide the task force with information to assist the task force in its deliberations.

(6) The task force shall submit a report and recommendations to the Governor, the State Board of Education, the President of the Senate, and the Speaker of the House of Representatives by March 2, 2009. The report must include any comments from the task force regarding the final report resulting from the State College Pilot Project and any specific recommendations of the task force for legislative action during the 2009 Regular Session of the Legislature.

(7) The task force shall be dissolved effective June 30, 2010, prior to which time it shall issue its final report with recommended detailed criteria for establishing the Florida College System as a permanent part of the state system of higher education.

Section 4. Section 1004.875, Florida Statutes, is created to read:

1004.875 State College Pilot Project.—

(1) The Legislature finds it is in the best interest of the state to provide the residents of the state affordable access to baccalaureate degree programs that are designed to meet regional and statewide employment needs.

(2)(a) Beginning with the 2008-2009 fiscal year, the State College Pilot Project is created which shall be conducted as a pilot project by St. Petersburg College, Okaloosa-Walton College, Daytona Beach College, Miami Dade College, Indian River College, and Polk College in collaboration with the Florida College System Task Force. The purpose of the

And the directory clause is amended as follows:

Delete line 30 and insert:

Section 1. Paragraphs (b), (e), (k), and (u) of subsection (3) of

Pursuant to Rule 4.19, **CS for CS for SB 1716** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

By Senator Jones—

CS for SB 2618—A bill to be entitled An act relating to public health; amending s. 381.006, F.S.; limiting application of the environmental health program of the Department of Health to state institutions for the mentally ill rather than all institutions used for the incarceration of prisoners and inmates; amending s. 381.86, F.S.; revising responsibilities of the Institutional Review Board; repealing s. 381.85, F.S., the Florida Biomedical and Social Research Act; repealing s. 381.895, F.S., relating to standards for compressed air used for recreational diving; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 2618** was placed on the calendar of Bills on Third Reading.

By Senator Oelrich—

CS for CS for SB 2630—A bill to be entitled An act relating to organ and tissue donation; amending s. 765.203, F.S.; deleting a provision in the form that designates a health care surrogate that provides an exception for anatomical gifts; amending s. 765.512, F.S.; revising provisions for making an organ donation; adding additional persons to the list of persons who may donate a decedent's body; removing the provision prohibiting a spouse from making a donation if the decedent's adult son or daughter objects; amending s. 765.514, F.S.; providing additional mechanisms for making an anatomical gift including registering with the organ and tissue donor registry; revising the uniform donor card to specify the type of donation; deleting a statement of public policy that prohibits restrictions on who may receive an anatomical gift, a provision specifying who can accept a gift, and a provision designating a physician to carry out appropriate procedures; amending s. 765.515, F.S.; requiring the Department of Highway Safety and Motor Vehicles to inform the donor registry of instances of making an anatomical gift and of withdrawal of an anatomical gift; deleting a provision requiring the Agency for Health Care Administration and the department to maintain a donor registry; creating s. 765.5155, F.S.; providing legislative intent with respect to establishing an online organ and tissue donor registry; requiring administration of the donor registry to be procured by competitive solicitation; specifying the duties of the contractor including the operation of the registry, a continuing public education program about organ donation, and the preparation of an annual report; authorizing the agency to adopt rules relating to providing research access to the registry; providing for funding and for voluntary contributions to the registry; designating the donor registry as the "Joshua Abbott Organ and Tissue Donor Registry"; amending s. 765.516, F.S.; authorizing revocation of an anatomical gift by a donor through removal of his or her name from the registry; amending s. 765.517, F.S.; revising provisions relating to verification of a donor's consent at death; amending s. 765.521, F.S.; conforming a cross-reference; amending s. 765.522, F.S.; revising duties of hospital administrators with respect to reporting suitable donor candidates at or near the time of death; updating references to organ procurement organizations; repealing s. 765.5215, F.S., relating to an education program relating to anatomical gifts; repealing s. 765.5216, F.S., relating to the organ and tissue donor education panel; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 2630** was placed on the calendar of Bills on Third Reading.

By Senator Oelrich—

CS for SB 2610—A bill to be entitled An act relating to public records; creating s. 765.5155, F.S.; providing an exemption from public-records requirements for information in the organ and tissue donor registry which would identify a donor; providing an exception; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing a contingent effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 2610** was placed on the calendar of Bills on Third Reading.

By Senator Haridopolos—

CS for SB 1586—A bill to be entitled An act relating to corporate income tax; amending s. 220.03, F.S.; providing for the adoption of the 2008 version of the Internal Revenue Code; providing for exceptions to adoption; amending s. 220.13, F.S., relating to the determination of adjusted federal income; conforming provisions; amending ss. 220.241 and 220.33, F.S.; revising the due date for filing and paying estimated corporate income tax; authorizing the Department of Revenue to adopt rules; providing for retroactive application; providing effective dates.

—was read the second time by title.

Senator Haridopolos moved the following amendments which were adopted:

Amendment 1 (699014)—Delete line(s) 143 and insert: "estimated tax under this code shall be filed ~~on or~~ before the 1st"

Amendment 2 (765576)—Delete line(s) 160-167 and insert:

(1) If the declaration is required to be filed ~~on or~~ before the *1st* ~~first~~ day of the *5th* ~~fifth~~ month of the taxable year, the estimated tax shall be paid in four equal installments. The first installment shall be paid at the time of the required filing of the declaration; the second and third installments shall be paid ~~on or~~ before the 1st day of the 7th *month* and *before the 1st day of the* 10th *month* ~~months~~ of the taxable year, respectively; and the fourth installment shall be paid ~~on or~~ before the 1st day of

Amendment 3 (820200)—Insert between line(s) 176 and 177:

Section 3. (3) If the declaration is required to be filed ~~on or~~ before the 1st day of the 10th month of the taxable year, the estimated tax shall be paid in two equal installments: at the time of required filing of the declaration for such taxable year and ~~on or~~ before the 1st day of the next taxable year, respectively.

Pursuant to Rule 4.19, **CS for SB 1586** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

By Senator Haridopolos—

CS for SB 1588—A bill to be entitled An act relating to property taxation; amending s. 193.114, F.S.; revising the requirements specify-

ing the information that must be included on the real property assessment roll and on the tangible personal property roll; amending s. 193.1142, F.S.; authorizing the executive director of the Department of Revenue to require that additional data be provided on the assessment rolls; requiring that assessment rolls be submitted in a format specified by the executive director; authorizing a property appraiser to use an alternative format in a case of hardship; specifying additional parcel-level data that may be required; amending s. 193.155, F.S.; revising provisions governing the manner in which homestead property may be assessed at less than just value; providing for calculating the assessment reduction that may be transferred from a prior homestead to a new homestead; requiring that notice of the abandonment of a homestead be in writing and delivered to the property appraiser before or at the time of filing a new application; providing procedures for the transfer of an assessment limitation from a previous homestead to a new homestead; authorizing property appraisers to share confidential tax information; authorizing a taxpayer to file an action in circuit court requiring a property appraiser to provide certain information; authorizing a taxpayer to file a petition with the value adjustment board; providing for a nonrefundable fee; authorizing a taxpayer to file for the transfer of an assessment limitation in a year subsequent to the first year following establishment of the new homestead; prohibiting a refund of taxes for previous years; providing requirements for hearings before the value adjustment board; amending ss. 193.1554 and 195.1555, F.S., relating to nonhomestead residential property and nonresidential real property; requiring that an increase in the value of property be apportioned among parcels under certain conditions; amending s. 193.1556, F.S.; requiring that a property owner notify the property appraiser of any change in ownership or control; amending s. 194.011, F.S.; providing procedures under which a taxpayer may object to an assessment of homestead property at less than just value; requiring that the value adjustment board in the previous county hear the matter if the taxpayer disagrees with the previous assessment; providing for an appeal in the taxpayer's new county under certain circumstances; requiring that the circuit court review decisions of the value adjustment boards under certain circumstances; amending s. 196.031, F.S.; specifying the order in which homestead exemptions are applied; amending s. 196.183, F.S.; clarifying the taxation of freestanding property; clarifying the meaning of the phrase "site where the owner of tangible personal property transacts business"; providing for previously assessed owners to qualify for the exemption without filing a return at the option of the property appraiser; requiring that property appraisers annually notify taxpayers of the duty to file a return if they no longer qualify for the exemption; amending s. 197.3632, F.S.; requiring that the tax collector provide certain additional information to the Department of Revenue concerning non-ad valorem assessments; amending s. 200.065, F.S.; clarifying the calculation of maximum millage beginning in the 2009-2010 fiscal year; amending s. 200.185, F.S.; clarifying the calculation of maximum millage for the 2008-2009 fiscal year; authorizing the Department of Revenue to adopt emergency rules; delaying the date by which applications for an assessment of property under s. 193.155(8), F.S., for 2008 must be submitted; requiring the Department of Revenue to report to the Legislature by a specified date on the effect of recent changes in the law governing tax notices and the assessment limitations and maximum millage limitations; providing for the Legislature to appropriate moneys to offset the reduction in ad valorem tax revenue experienced by fiscally constrained counties; requiring that counties apply to the Department of Revenue; specifying the documentation that must be provided to the department; providing a formula for calculating the reduction in ad valorem revenue; providing for application of the act; providing effective dates.

—was read the second time by title.

Senator Haridopolos moved the following amendments which were adopted:

Amendment 1 (330612)—Delete line(s) 322-327 and insert: or more such persons *who were entitled to and received a homestead exemption on the abandoned property* establish a new homestead that would otherwise be eligible for assessment under this subsection, each *such* person establishing a new homestead is entitled to a reduction *from* ~~in~~ just value for the new homestead equal to the just value of the prior homestead minus the assessed value of the prior homestead divided by the number of owners of the prior homestead *who received a homestead exemption,*

Amendment 2 (238948)(with title amendment)—Delete line(s) 342-483 and insert:

(e) For purposes of receiving an assessment reduction pursuant to this subsection, a person entitled to assessment under this section may abandon his or her homestead even though it remains his or her primary residence by notifying the property appraiser of the county where the homestead is located. This notification must be in writing and delivered at the same time as or before timely filing a new application for homestead exemption on the property.

(f)~~(e)~~ In order to have his or her homestead property assessed under this subsection, a person must *file a form provided by the department as an attachment to the application for homestead exemption. The form, which must include a sworn statement attesting to the applicant's entitlement to assessment under this subsection, shall be considered sufficient documentation for applying for assessment under this subsection.* ~~provide to the property appraiser a copy of his or her notice of proposed property taxes for an eligible prior homestead or other similar documentation at the same time he or she applies for the homestead exemption, and must sign a sworn statement, on a form prescribed by the department, attesting to his or her entitlement to the assessment.~~ The department shall require by rule that the required *form* ~~documentation~~ be submitted with the *application for* homestead exemption ~~application~~ under the timeframes and processes set forth in chapter 196 to the extent practicable~~, and that the filing of the statement be supported by copies of such notices~~.

(g)1. If the previous homestead was located in a different county than the new homestead, the property appraiser in the county where the new homestead is located must transmit a copy of the completed form together with a completed application for homestead exemption to the property appraiser in the county where the previous homestead was located. If the previous homesteads of applicants for transfer were in more than one county, each applicant from a different county must submit a separate form.

2. The property appraiser in the county where the previous homestead was located must return information to the property appraiser in the county where the new homestead is located by April 1 or within 2 weeks after receipt of the completed application from that property appraiser, whichever is later. As part of the information returned, the property appraiser in the county where the previous homestead was located must provide sufficient information concerning the previous homestead to allow the property appraiser in the county where the new homestead is located to calculate the amount of the assessment limitation difference which may be transferred and must certify whether the previous homestead was abandoned and has been or will be reassessed at just value or reassessed according to the provisions of this subsection as of the January 1 following its abandonment.

3. Based on the information provided on the form from the property appraiser in the county where the previous homestead was located, the property appraiser in the county where the new homestead is located shall calculate the amount of the assessment limitation difference which may be transferred and apply the difference to the January 1 assessment of the new homestead.

4. All property appraisers having information-sharing agreements with the department are authorized to share confidential tax information with each other pursuant to s. 195.084, including social security numbers and linked information on the forms provided pursuant to this section.

5. The transfer of any limitation is not final until any values on the assessment roll on which the transfer is based are final. If such values are final after tax notice bills have been sent, the property appraiser shall make appropriate corrections and a corrected tax notice bill shall be sent. Any values that are under administrative or judicial review shall be noticed to the tribunal or court for accelerated hearing and resolution so that the intent of this subsection may be carried out.

6. If the property appraiser in the county where the previous homestead was located has not provided information sufficient to identify the previous homestead and the assessment limitation difference is transferable, the taxpayer may file an action in circuit court in that county seeking to establish that the property appraiser must provide such information.

7. If the information from the property appraiser in the county where the previous homestead was located is provided after the procedures in this section are exercised, the property appraiser in the county where the

new homestead is located shall make appropriate corrections and a corrected tax notice and tax bill shall be sent.

8. This subsection does not authorize the consideration or adjustment of the just, assessed, or taxable value of the previous homestead property.

9. The property appraiser in the county where the new homestead is located shall promptly notify a taxpayer if the information received, or available, is insufficient to identify the previous homestead and the amount of the assessment limitation difference which is transferable. Such notification shall be sent on or before July 1 as specified in s. 196.151.

10. The taxpayer may correspond with the property appraiser in the county where the previous homestead was located to further seek to identify the homestead and the amount of the assessment limitation difference which is transferable.

11. If the property appraiser in the county where the previous homestead was located supplies sufficient information to the property appraiser in the county where the new homestead is located, such information shall be considered timely if provided in time for inclusion on the notice of proposed property taxes sent pursuant to ss. 194.011 and 200.065(1).

12. If the property appraiser has not received information sufficient to identify the previous homestead and the amount of the assessment limitation difference which is transferable before mailing the notice of proposed property taxes, the taxpayer may file a petition with the value adjustment board in the county where the new homestead is located.

(h) Any person who is qualified to have his or her property assessed under this subsection and who fails to file an application by March 1 may file an application for assessment under this subsection and may, pursuant to s. 194.011(3), file a petition with the value adjustment board requesting that an assessment under this subsection be granted. Such petition may be filed at any time during the taxable year on or before the 25th day following the mailing of the notice by the property appraiser as provided in s. 194.011(1). Notwithstanding s. 194.013, such person must pay a nonrefundable fee of $15 upon filing the petition. Upon reviewing the petition, if the person is qualified to receive the assessment under this subsection and demonstrates particular extenuating circumstances judged by the property appraiser or the value adjustment board to warrant granting the assessment, the property appraiser or the value adjustment board may grant an assessment under this subsection. For the 2008 assessments, all petitioners for assessment under this subsection shall be considered to have demonstrated particular extenuating circumstances.

(i) Any person who is qualified to have his or her property assessed under this subsection and who fails to timely file an application for his or her new homestead in the first year following eligibility may file in a subsequent year. The assessment reduction shall be applied to assessed value in the year the transfer is first approved, and refunds of tax may not be made for previous years.

(j) The property appraisers of the state shall, as soon as

And the title is amended as follows:

Delete line(s) 15-17 and insert: assessed at less than just value;

Amendment 3 (759644)—Delete line(s) 620 and insert: *of ownership or control as defined in ss. 193.1554(5) and 193.1555(5)* ~~whenever the use of the~~

Amendment 4 (179630)—Delete line(s) 756-760 and insert: *be allocated to each taxing authority based on the proportion of just value of such property located in the taxing authority; however, the amount of the exemption allocated to each taxing authority may not change following the extension of the tax roll pursuant to s. 193.122.*

Amendment 5 (969456)—Delete line(s) 953 and 954 and insert: allowed after the ~~applicable percentage of the~~ rolled-back rate *has* ~~as provided in subparagraphs (2)(a)1. through 5. has~~ been

Amendment 6 (529414)(with title amendments)—Between line(s) 1065 and 1066, insert:

Section 17. *Section 9 of chapter 2007-339, Laws of Florida, is repealed.*

And the title is amended as follows:

On line(s) 79, after the first semicolon (;) insert: repealing s. 9, ch. 2007-339, Laws of Florida, relating to the legislative appropriation of funds to offset the reduction in ad valorem tax revenues in fiscally constrained counties;

MOTION

On motion by Senator Alexander, the rules were waived to allow the following amendment to be considered:

Senators Alexander and Lynn offered the following amendment which was moved by Senator Alexander and adopted:

Amendment 7 (252378)—Delete line(s) 1032-1045 and insert:

Section 16. *(1) Beginning in fiscal year 2008-2009, the Legislature shall appropriate moneys to offset the reductions in ad valorem tax revenue experienced by fiscally constrained counties, as defined in s. 218.67(1), Florida Statutes, which occur as a direct result of the implementation of revisions of Article VII of the State Constitution approved in the special election held on January 29, 2008. The moneys appropriated for this purpose shall be distributed in January of each fiscal year among the fiscally constrained counties based on each county's proportion of the total reduction in ad valorem tax revenue resulting from the implementation of the revision.*

(2) On or before November 15 of each year, beginning in 2008, each fiscally constrained county shall apply to the

Pursuant to Rule 4.19, **CS for SB 1588** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

Consideration of **SB 1022**, **SM 2452** and **CS for SM 2488** was deferred.

By Senator Alexander—

CS for SB 1630—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 500.148, F.S.; revising an exemption from the public-records law provided for certain information provided to the Department of Agriculture and Consumer Services under its regulatory authority; saving the exemption from repeal under the Open Government Sunset Review Act; deleting the provision providing for repeal of the exemption; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1630** was placed on the calendar of Bills on Third Reading.

By Senator Alexander—

CS for SB 2222—A bill to be entitled An act relating to a review of the Department of Citrus under the Florida Government Accountability Act; reenacting ss. 20.29, 601.04, and 601.05, F.S., relating to the Department of Citrus and the Florida Citrus Commission; amending s. 601.15, F.S.; revising the deadline by which the Florida Citrus Commission sets the annual citrus excise tax rate; deleting a provision requiring the commission to consider certain projected collection of taxes in setting the rate; conforming provisions relating to the season upon which the tax rate applies; repealing s. 601.154, F.S., relating to the Citrus Stabilization Act of Florida; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 2222** was placed on the calendar of Bills on Third Reading.

By Senator Fasano—

CS for SB 1378—A bill to be entitled An act relating to the display of flags; amending s. 720.304, F.S.; authorizing homeowners to display

certain flags in a specified manner; providing that such provisions apply to nonmandatory homeowners' associations and community development districts; providing an effective date.

—was read the second time by title.

The Committee on Military Affairs and Domestic Security recommended the following amendment which was moved by Senator Fasano and adopted:

Amendment 1 (861104)(with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Subsection (2) of section 720.304, Florida Statutes, is amended to read:

720.304 Right of owners to peaceably assemble; display of flag; SLAPP suits prohibited.—

(2)*(a)* Any homeowner may display one portable, removable United States flag or official flag of the State of Florida in a respectful manner, and *one* ~~on Armed Forces Day, Memorial Day, Flag Day, Independence Day, and Veterans Day may display in a respectful manner~~ portable, removable official *flag* ~~flags~~, *in a respectful manner,* not larger than 4 1/2 feet by 6 feet, which *represents* ~~represent~~ the United States Army, Navy, Air Force, Marine Corps, or Coast Guard, *or a POW-MIA flag,* regardless of any *covenants, restrictions, bylaws,* ~~declaration~~ rules, or requirements *of the association* ~~dealing with flags or decorations~~.

(b) Any homeowner may erect a freestanding flagpole no more than 20 feet high on any portion of the homeowner's real property, regardless of any covenants, restrictions, bylaws, rules, or requirements of the association, if the flagpole does not obstruct sightlines at intersections and is not erected within or upon an easement. The homeowner may further display in a respectful manner from that flagpole, regardless of any covenants, restrictions, bylaws, rules, or requirements of the association, one official United States flag, not larger than 4 1/2 feet by 6 feet, and may additionally display one official flag of the State of Florida or the United States Army, Navy, Air Force, Marines, or Coast Guard, or a POW-MIA flag. Such additional flag must be equal in size to or smaller than the United States flag.

(c) This subsection applies to all community development districts and homeowners' associations, regardless of whether such homeowners' associations are authorized to impose assessments that may become a lien on the parcel.

Section 2. Subsection (3) is added to section 723.075, Florida Statutes, to read:

723.075 Homeowners' associations.—

(3) Notwithstanding subsection (1), if a portion of the park contains concrete block homes occupying lots under 99-year leases, those homeowners may be part of the association and may serve on the board of directors of the association based on the percentage of lots containing concrete block homes to the total number of mobile home lots in the park.

Section 3. This act shall take effect July 1, 2008.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to rights of homeowners; amending s. 720.304, F.S.; authorizing a homeowner to display certain types of flags in a respectful manner on his or her property, regardless of any covenants, restrictions, bylaws, rules, or requirements of the parcel owner's homeowners' association; providing a list of flags that may be displayed; providing size limitations for such flags; authorizing a homeowner to erect a flagpole meeting specified requirements on his or her property; authorizing a homeowner to display certain flags from such flagpole; providing restrictions; providing for the application of such provisions related to the display of flags and construction of a flagpole; amending s. 723.075, F.S.; providing that certain homeowners may be part of the homeowners' association and may serve on the board of directors of the association under certain circumstances; providing an effective date.

Pursuant to Rule 4.19, **CS for SB 1378** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

By Senator Garcia—

CS for SB 2224—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 119.011, F.S.; defining the term "paratransit" for purposes of the public records law; amending s. 119.071, F.S.; expanding an exemption from public-records requirements which is provided for information identifying an applicant for or a recipient of paratransit services so that the exemption applies to all agencies; providing for future legislative review of the exemption under the Open Government Sunset Review Act; repealing s. 119.0713(2), F.S., relating to the prior exemption provided for such information; providing a statement of public necessity; repealing s. 2 of chapter 2003-110, Laws of Florida; deleting provisions providing for repeal of the exemption; amending ss. 257.34 and 257.35, F.S.; conforming cross-references; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 2224** was placed on the calendar of Bills on Third Reading.

By Senator Wise—

SB 220—A bill to be entitled An act relating to change of name; amending s. 68.07, F.S.; requiring that a person filing a petition for change of name submit fingerprints for a state and national criminal history records check before the court hearing on the petition; providing an exception to such requirement; providing procedures for the taking and submission of fingerprints; providing for the payment of costs associated with processing fingerprints and conducting criminal history checks; requiring the return of the results of a criminal history records check to the clerk of court; providing for the scheduling of a hearing on a petition to restore a former name when a criminal history records check is required; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 220** was placed on the calendar of Bills on Third Reading.

By Senator Dean—

CS for SB 274—A bill to be entitled An act relating to the POW-MIA flag; creating s. 256.14, F.S.; requiring the Department of Environmental Protection to purchase and display the POW-MIA flag at state parks displaying the United States flag; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 274** was placed on the calendar of Bills on Third Reading.

By Senator Crist—

CS for SB 300—A bill to be entitled An act relating to service of process; amending s. 30.231, F.S.; increasing the fees charged by the sheriff in civil cases for service of process; exempting the State of Florida and its agencies from increased fees; deleting a prohibition on additional fees for certain documents; amending s. 48.021, F.S.; providing that criminal witness subpoenas and criminal summonses may be served by a special process server appointed by the local sheriff or by a certified process server; amending s. 48.27, F.S., to conform; providing for selection of authorized certified process servers to serve such subpoenas and summonses; amending s. 56.041, F.S.; providing that all unsatisfied executions in the possession of the sheriff docketed before October 1, 2001, may be returned to the issuing court; amending s. 56.21, F.S.; requiring the submission of an affidavit before levying a judgment upon real property; requiring the sheriff to furnish to the judgment debtor or the debtor's attorney of record a copy of the notice of sale, notice of levy, and affidavit within a specified period before execution of a sale or levy; amending s. 56.27, F.S.; requiring that priority of liens on real property be based on the effective date of the judgment lien for a specified purpose; requiring a levying creditor to deliver to the sheriff at the time of the levy request an affidavit setting forth certain information and attestations; amending ss. 741.30 and 784.046, F.S., relating to service of

process in cases of domestic violence or sexual abuse; authorizing clerks of court to transmit facsimile copies of previously certified injunctions to sheriffs upon request; requiring sheriffs to verify receipt of facsimile copies of injunctions with clerks of court before attempting service; authorizing law enforcement officers to serve facsimile copies of injunctions in the same manner as certified copies; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 300** was placed on the calendar of Bills on Third Reading.

Consideration of **SB 366** was deferred.

By Senator Aronberg—

CS for SB 464—A bill to be entitled An act relating to real estate conveyances; creating s. 689.28, F.S.; providing legislative intent regarding transfer fee covenants; providing definitions; providing that certain transfer fee covenants are unenforceable against subsequent owners, purchasers, and mortgagees; providing that a presumption is not created in favor of transfer fee covenants recorded before the effective date of the act; amending ss. 689.01 and 692.01, F.S.; clarifying that corporations may execute conveyances; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 464** was placed on the calendar of Bills on Third Reading.

On motion by Senator Dean, by two-thirds vote **CS for HB 29** was withdrawn from the Committees on Criminal Justice; Judiciary; and Criminal and Civil Justice Appropriations.

On motion by Senator Dean, by two-thirds vote—

CS for HB 29—A bill to be entitled An act relating to DNA testing; amending s. 943.325, F.S.; revising offenses for which a conviction requires the person convicted to provide biological specimens in specified circumstances; providing an effective date.

—a companion measure, was substituted for **CS for SB 472** and by two-thirds vote read the second time by title.

Pursuant to Rule 4.19, **CS for HB 29** was placed on the calendar of Bills on Third Reading.

By Senator Dockery—

CS for SB 622—A bill to be entitled An act relating to orders of no contact; amending s. 921.244, F.S.; requiring that offenders convicted of specified violent offenses be prohibited from having any contact with the victim; providing penalties; providing that the penalty for violation of such an order run consecutive to the sentence for the original violation; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 622** was placed on the calendar of Bills on Third Reading.

By Senator Aronberg—

CS for SB 1616—A bill to be entitled An act relating to the revocation or suspension of concealed weapon and firearm licenses held by licensees who are adjudicated incapacitated or committed to a mental institution; amending s. 790.065, F.S.; revising the definition of the phrase "committed to a mental institution"; authorizing the Department of Law Enforcement to provide data collected from court records to the Department of Agriculture and Consumer Services for purposes of determining whether a license should be revoked or suspended under s. 790.06(10), F.S.; providing an effective date.

—was read the second time by title.

Senator Aronberg moved the following title amendment which was adopted:

Amendment 1 (087376)—

In title, delete line(s) 2-11 and insert: An act relating to interagency data sharing; amending s. 790.065, F.S.; authorizing the Department of Law Enforcement to provide data collected from court records to the Department of Agriculture and Consumer Services for purposes of determining eligibility for concealed weapons and firearm licenses; adding involuntary outpatient treatment to the definition of "committed to a mental institution" in the criteria considered for license qualifications and firearm purchases; providing

Pursuant to Rule 4.19, **CS for SB 1616** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

MOTION

On motion by Senator King, the rules were waived and time of recess was extended until 1:10 p.m.

By Senator Margolis—

SB 366—A bill to be entitled An act relating to elderly persons and disabled adults; amending s. 825.102, F.S.; reclassifying the offense of aggravated abuse of an elderly person or disabled adult from a second-degree felony to a first-degree felony; amending s. 921.0022, F.S., relating to the offense severity ranking chart of the Criminal Punishment Code, to conform; creating s. 943.17296, F.S., relating to training on identifying and investigating elder abuse for certified law enforcement officers; requiring that the training be completed by a time certain; providing that an officer's certification becomes inactive in certain circumstances related to the failure to complete the training; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 366** was placed on the calendar of Bills on Third Reading.

MOTION

On motion by Senator King, the rules were waived and time of recess was extended until completion of motions and announcements.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Atwater, by two-thirds vote **CS for SB 2462** was withdrawn from the Committee on Education Pre-K - 12 Appropriations; and **CS for CS for SB 304** was withdrawn from the Committee on Finance and Tax.

On motion by Senator Constantine, by two-thirds vote **SB 1558** was withdrawn from the Committee on Rules.

On motion by Senator Saunders, by two-thirds vote **CS for SB 502** was withdrawn from the Committee on Criminal and Civil Justice Appropriations.

REPORTS OF COMMITTEES

The Social Responsibility Policy and Calendar Committee submits the following bills to be placed on the Special Order Calendar for Thursday, April 10, 2008: SB 38, SB 40, SB 54, SB 60, CS for SB 68, CS for CS for SB 610, CS for CS for SB 1716, CS for CS for SB 1080, CS for CS for SB 370, CS for CS for CS for SB 1374, CS for SB 2366, CS for CS for SB 1648, CS for SB 1370, CS for SB 2618, CS for CS for SB 2630, CS for SB 2610, CS for CS for SB 2760

Respectfully submitted,
Burt L. Saunders, Chair

The Fiscal Policy and Calendar Committee submits the following bills to be placed on the Special Order Calendar for Thursday, April 10, 2008: CS for SB 2326, CS for SB 1586, CS for SB 1588

Respectfully submitted,
Lisa Carlton, Chair

The Economic Opportunities Policy and Calendar Committee submits the following bills to be placed on the Special Order Calendar for Thursday, April 10, 2008: CS for CS for SB 2534, SB 1022, CS for CS for SB's 2860 and 1196, SM 2452, CS for SM 2488

Respectfully submitted,
Jeff Atwater, Chair

The Responsible Regulation Policy and Calendar Committee submits the following bills to be placed on the Special Order Calendar for Thursday, April 10, 2008: CS for CS for SB 1302, CS for SB 1630, CS for SB 2222, CS for SB 1378, CS for SB 2224, SB 50, SB 56

Respectfully submitted,
Lee Constantine, Chair

The Law and Justice Policy and Calendar Committee submits the following bills to be placed on the Special Order Calendar for Thursday, April 10, 2008: SB 220, CS for SB 274, CS for SB 300, SB 366, CS for SB 464, CS for SB 472, CS for SB 622, CS for SB 1616

Respectfully submitted,
Paula Dockery, Chair

The Special Master on Claims recommends the following pass: SB 26 with 1 amendment

The bill was referred to the Committee on Community Affairs under the original reference.

The Special Master on Claims recommends the following pass: SB 28

The bill was referred to the Committee on Criminal Justice under the original reference.

The Committee on Environmental Preservation and Conservation recommends the following pass: SB 562

The Committee on Governmental Operations recommends the following pass: SB 2208

The bills contained in the foregoing reports were referred to the Committee on Education Pre-K - 12 under the original reference.

The Committee on Community Affairs recommends the following pass: CS for SB 774

The Special Master on Claims recommends the following pass: SB 64 with 1 amendment

The bills contained in the foregoing reports were referred to the Committee on Environmental Preservation and Conservation under the original reference.

The Committee on Community Affairs recommends the following pass: SB 1626

The Committee on Governmental Operations recommends the following pass: SB 1502; SB 1982

The bills contained in the foregoing reports were referred to the Committee on Finance and Tax under the original reference.

The Committee on Agriculture recommends the following pass: SB 1376 with 1 amendment

The bill was referred to the Committee on General Government Appropriations under the original reference.

The Committee on Environmental Preservation and Conservation recommends the following pass: SB 570

The bill was referred to the Committee on Health and Human Services Appropriations under the original reference.

The Committee on Governmental Operations recommends the following pass: SB 2574

The bill was referred to the Committee on Judiciary under the original reference.

The Committee on Community Affairs recommends the following pass: SB 2728 with 1 amendment

The bill was referred to the Committee on Military Affairs and Domestic Security under the original reference.

The Committee on Communications and Public Utilities recommends the following pass: SB 504

The Committee on Community Affairs recommends the following pass: SB 2096

The bills contained in the foregoing reports were referred to the Committee on Transportation and Economic Development Appropriations under the original reference.

The Committee on Governmental Operations recommends the following not pass: CS for SB 1428

The bill was laid on the table.

The Committee on Environmental Preservation and Conservation recommends a committee substitute for the following: SB 2622

The bill with committee substitute attached was referred to the Committee on Community Affairs under the original reference.

The Committee on Judiciary recommends committee substitutes for the following: CS for SB 700; CS for SB 1084

The bills with committee substitutes attached were referred to the Committee on Criminal and Civil Justice Appropriations under the original reference.

The Committee on Transportation recommends a committee substitute for the following: SB 1424

The bill with committee substitute attached was referred to the Committee on Criminal Justice under the original reference.

The Committee on Commerce recommends committee substitutes for the following: SB 928; SB 930

The Committee on Environmental Preservation and Conservation recommends a committee substitute for the following: CS for SB 2304

The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Finance and Tax under the original reference.

The Committee on Community Affairs recommends a committee substitute for the following: CS for SB 1208

The Committee on Environmental Preservation and Conservation recommends a committee substitute for the following: SB 730

The Committee on Governmental Operations recommends committee substitutes for the following: SB 800; SB 1654; CS for SB 1994; CS for SB 2528

The Committee on Judiciary recommends a committee substitute for the following: CS for SB 992

The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on General Government Appropriations under the original reference.

The Committee on Commerce recommends a committee substitute for the following: SB 940

The Committee on Judiciary recommends a committee substitute for the following: CS for SB 2762

The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Governmental Operations under the original reference.

The Committee on Governmental Operations recommends a committee substitute for the following: CS for SB 2626

The bill with committee substitute attached was referred to the Committee on Health and Human Services Appropriations under the original reference.

The Committee on Governmental Operations recommends a committee substitute for the following: CS for SB 1120

The bill with committee substitute attached was referred to the Committee on Higher Education Appropriations under the original reference.

The Committee on Governmental Operations recommends a committee substitute for the following: CS for SB 2152

The bill with committee substitute attached was referred to the Committee on Judiciary under the original reference.

The Committee on Community Affairs recommends a committee substitute for the following: SB 1318

The Committee on General Government Appropriations recommends committee substitutes for the following: CS for CS for SB 2156; CS for CS for SB 2158

The Committee on Higher Education recommends a committee substitute for the following: SB 1706

The Committee on Transportation recommends a committee substitute for the following: SB 1604

The Committee on Transportation and Economic Development Appropriations recommends committee substitutes for the following: CS for SB 682; SB 734

The bills with committee substitutes attached contained in the foregoing reports were placed on the calendar.

COMMITTEE SUBSTITUTES

FIRST READING

By the Committees on Transportation and Economic Development Appropriations; Transportation; and Senators Bullard, Lawson, Wilson and Storms—

CS for CS for SB 682—A bill to be entitled An act relating to the Department of Transportation; requiring the department to conduct a study of transportation alternatives for the Interstate 95 corridor; providing an effective date.

By the Committees on Judiciary; Criminal Justice; and Senator Crist—

CS for CS for SB 700—A bill to be entitled An act relating to juvenile justice; amending s. 29.008, F.S.; conforming cross-references; amending s. 790.22, F.S.; revising provisions relating to community service programs; amending s. 939.185, F.S.; providing diversion options; amending s. 984.05, F.S., conforming cross-references; amending s. 984.09, F.S.; deleting duplicative provisions relating to contempt of court and alternative sanctions; amending s. 985.02, F.S.; providing diversion options; amending s. 985.03, F.S.; defining the term "ordinary medical care"; amending and renumbering provisions of s. 985.037, F.S., relating to alterative sanctions; creating s. 985.0375, F.S.; providing for alternative sanctions; amending s. 985.04, F.S; providing that confidential information obtained during an official's service with juvenile delinquents may be shared with authorized personnel of the Department of Children and Family Services; amending s. 985.245, F.S.; providing for additional representatives to be included on the committee formed to advise the Department of Juvenile Justice on the risk assessment instrument; requiring periodic evaluation of the risk assessment instrument; amending s. 985.265, F.S.; providing an exception to required supervision in direct supervision housing; amending s. 985.601, F.S.; requiring the Department of Juvenile Justice to adopt rules to establish procedures to provide ordinary medical care, mental health, substance abuse, and developmental disabilities services to youth within the juvenile justice continuum; requiring that, to the extent possible within available fiscal resources, the procedures must be commensurate with procedures that youth receive in the community; amending s. 985.606, F.S.; revising provisions governing data collection; amending s. 985.632, F.S.; authorizing the department to conduct a demonstration project in order to create an accountable juvenile justice system that is outcome-based; amending s. 985.644, F.S., relating to departmental contracting powers; removing references to the Department of Children and Family Services; amending s. 985.66, F.S.; transferring the responsibility for the juvenile justice training program from the Juvenile Justice Standards and Training Commission to the Department of Juvenile Justice; requiring the department to adopt rules; amending s. 985.664, F.S., relating to the juvenile justice circuit boards and juvenile justice county councils; providing a reference to the Children and Youth Cabinet; requiring that juvenile justice circuit boards and county councils participate in facilitating interagency cooperation and information sharing with certain entities; requiring that such collaborations specify certain information; providing requirements for the annual reports required to be submitted by each juvenile justice circuit board; amending s. 985.668, F.S.; encouraging each juvenile justice circuit board, in consultation with the juvenile justice county council, to propose an innovation zone within the circuit; amending s. 985.676, F.S.; including the development and implantation of a strategic plan; amending s. 985.721, F.S.; conforming a cross-reference; creating s. 1006.125, F.S.; requiring that a student charged with a violation of the code of student conduct which constitutes a serious criminal offense be reported to a law enforcement agency; amending s. 1006.13, F.S.; removing the reference of zero tolerance; providing an appropriation; providing an effective date.

By the Committee on Environmental Preservation and Conservation; and Senator Crist—

CS for SB 730—A bill to be entitled An act relating to the permitting of landfills; amending s. 403.707, F.S.; requiring the Department of Environmental Protection to conduct a study concerning the location of landfills and report to the Governor and the Legislature; prohibiting the permitting of Class I landfills if the department finds that the applicant has violated certain laws during a specified period; defining the term "applicant"; providing an effective date.

By the Committee on Transportation and Economic Development Appropriations; and Senator Fasano—

CS for SB 734—A bill to be entitled An act relating to license plates; amending ss. 320.08056 and 320.08058, F.S.; creating a Florida Tennis license plate; creating a Lighthouse Association license plate; creating an I Believe license plate; creating an In God We Trust license plate; providing for the distribution of annual use fees received from the sale of such plates; providing an effective date.

By the Committee on Governmental Operations; and Senator Villalobos—

CS for SB 800—A bill to be entitled An act relating to the Florida Retirement System; amending s. 121.0515, F.S.; revising the criteria under which certain employees of the Department of Law Enforcement, the Division of State Fire Marshal, or a local government law enforcement agency or medical examiner's office are eligible for membership in the Special Risk Class; authorizing the Department of Management Services to review the special risk designation of certain members; authorizing certain members to purchase additional retirement credit to upgrade prior service to Special Risk Class service; providing for the calculation of contributions for such service upgrade; authorizing the employer to purchase such additional credit for certain members; providing a declaration of important state interest; providing an effective date.

By the Committee on Commerce; and Senator Diaz de la Portilla—

CS for SB 928—A bill to be entitled An act relating to economic development; creating s. 11.9006, F.S.; providing a short title; providing definitions; creating the Small Business Regulatory Advisory Council; providing for appointments, membership, and meetings; providing an administrative location for the council; providing powers and limitations of the council; providing for coordinated review of agency rules by the council, with agency sunset review; providing timelines for review; providing for the council to issue a business-friendly scorecard of agency rules; creating s. 11.9007, F.S.; providing definitions; providing for selection of small business advocate; providing for preferred qualifications of the advocate; providing duties of the advocate; providing for agency cooperation with the advocate; providing for an annual report by the advocate to the Governor and Legislature; amending s. 11.908, F.S.; requiring report of the Small Business Regulatory Advisory Council to be included in recommendations of Joint Legislative Sunset Committee; amending s. 11.919, F.S.; requiring agency assistance to the Small Business Regulatory Advisory Council; authorizing the council to inspect agency documents; amending s. 120.54, F.S.; requiring state agencies to prepare statements of estimated regulatory costs; requiring agency notification to Small Business Regulatory Advisory Council relating to proposed agency action affecting small businesses; requiring the agency to adopt regulatory alternatives offered by the council under certain circumstances; providing for a rule-filing extension when regulatory alternatives are offered by the council; providing for outside review of regulatory alternatives not adopted by the agency and for agency response; amending s. 120.74, F.S.; requiring biennial rule review by each agency to consider the impact of rules on small businesses; requiring that the results be included in report to Legislature; providing an effective date.

By the Committee on Commerce; and Senator Diaz de la Portilla—

CS for SB 930—A bill to be entitled An act relating to economic development; creating s. 288.001, F.S.; designating the Florida Small Business Development Center Network as the principal business assistance organization for small businesses in the state; providing an effective date.

By the Committee on Commerce; and Senator Diaz de la Portilla—

CS for SB 940—A bill to be entitled An act relating to employee leasing companies; providing a short title; amending s. 443.036, F.S.; redefining the term "employee leasing company"; amending s. 443.1216, F.S.; requiring quarterly reports that include client and establishment specific information; authorizing the Agency for Workforce Innovation to adopt rules; providing enforcement authority; providing an effective date.

By the Committees on Judiciary; Banking and Insurance; and Senators Fasano, Gaetz and Atwater—

CS for CS for SB 992—A bill to be entitled An act relating to foreclosure fraud; creating s. 501.1377, F.S.; providing legislative findings and intent with respect to the need to protect homeowners who enter into agreements designed to save their homes from foreclosure; providing definitions; prohibiting a foreclosure-rescue consultant from engaging in certain acts or failing to perform contracted services; requiring that all agreements for foreclosure-related rescue services and foreclosure-rescue transactions be in writing; specifying information that must be in the written agreement; requiring that certain statements in the written agreement be in uppercase letters and of a specified size; providing that the homeowner has a right to cancel the agreement for a specified period and the right may not be waived; providing that the homeowner has a specified period during which to cure a default under certain circumstances; requiring equity purchasers to assume or discharge certain liens; requiring that an equity purchaser verify the homeowner's ability to make payments under a repurchase agreement; providing price limitations for repurchase transactions; providing for a rebuttable presumption of certain transactions being unconscionable under certain circumstances; providing for limited application of the presumption; providing an exclusion; providing that a foreclosure-rescue transaction involving a lease option or other repurchase agreement creates a rebuttable presumption that the transaction is a loan transaction and the conveyance from the homeowner to the equity purchaser is a mortgage; providing limited application of the presumption; providing an exclusion; providing that a person who violates certain provisions commits an unfair and deceptive trade practice as defined in part II of ch. 501, F.S.; providing penalties; repealing s. 501.2078, F.S., relating to violations involving individual homeowners during the course of residential foreclosure proceedings; providing an effective date.

By the Committees on Judiciary; Children, Families, and Elder Affairs; and Senators Rich, Lynn and Margolis—

CS for CS for SB 1084—A bill to be entitled An act relating to the termination of parental rights; amending s. 39.812, F.S.; requiring a petition for adoption to be accompanied by a statement verifying that adoptive parents have received all information required to be disclosed; amending s. 49.011, F.S.; providing for service of process by publication for termination of parental rights under ch. 63, F.S.; amending s. 63.032, F.S.; redefining terms; amending s. 63.037, F.S.; conforming a cross-reference; amending s. 63.039, F.S.; requiring an adoption entity to provide adoption disclosure statements to persons whose consent is required for adoption; requiring attorney's fees and costs in certain actions to be awarded pursuant to the Florida Rules of Civil Procedures; amending s. 63.0425, F.S.; clarifying a grandparent's right to notice; amending s. 63.054, F.S.; providing that an unmarried biological father who fails to register with the Florida Putative Father Registry before the filing of a petition for termination of parental rights may not file a paternity claim under ch. 742, F.S.; providing an exception from the time limitations for filing a paternity claim; providing that if a registrant fails to report a change of address, the adoption entity or adoption petitioner is not obligated to search further for the registrant; requiring a petitioner

in a proceeding in which parental rights are terminated simultaneously with entry of final judgment of adoption to contact the Office of Vital Statistics for a search of the registry; providing procedures for searching the registry when termination of parental rights and an adoption proceeding are adjudicated separately; amending s. 63.062, F.S.; revising criteria for serving notice of terminating parental rights to the father of a minor; revising procedures for serving notice of intended adoption plan; providing criteria for avoiding default on providing consent to adoption; providing for the proper venue to file a petition to terminate parental rights; amending s. 63.063, F.S.; revising the standard for compliance with laws relating to adoption; amending s. 63.082, F.S.; revising the notice and consent requirements to adoption to also exclude cases involving sexual activity with certain minors; revising consent requirements that apply to men; limiting the time period for revoking consent to adopt a child older than 6 months of age to 3 business days; revising requirements for withdrawing a consent for adoption; amending s. 63.085, F.S.; revising requirements for required disclosures by an adoption entity; requiring that background information concerning the child be revealed to prospective adoptive parents; amending s. 63.087, F.S.; revising procedures for terminating parental rights pending an adoption; providing the proper venue in which to file a petition to terminate parental rights; providing for joint petitions for termination of parental rights and adoption; providing that failure to appear at certain hearings constitutes grounds for termination of parental rights; removing a provision relating to the procedure for notifying a petitioner of a final hearing; amending s. 63.088, F.S.; providing that a mother's failure to identify an unmarried biological father is not a defense to a termination of parental rights; revising information relating to a court's inquiry about the father of the child who is to be adopted; requiring persons contacted by a petitioner or adoption entity to release certain information; providing that a judgment approving a diligent search is not subject to direct or collateral attack; amending s. 63.089, F.S.; revising provisions relating to service of notice and petition regarding termination of parental rights and consent to adoption; revising conditions for making a finding of abandonment; prohibiting a person who failed to establish parental rights from challenging a judgment terminating parental rights under certain circumstances; amending s. 63.092, F.S.; revising the conditions and timeframe for an adoption entity to report to the court the intent to place a minor for adoption; amending s. 63.102, F.S.; revising procedures for the filing of a petition for adoption; providing the proper venue where the petition may be filed; amending s. 63.122, F.S.; revising whose name may be removed from a petition under certain circumstances; amending s. 63.132, F.S.; providing additional exceptions to the requirement that the adoptive parent and the adoption entity file an affidavit itemizing all expenses and receipts; amending s. 63.135, F.S.; requiring the adoption entity or petitioner to file an affidavit under the Uniform Child Custody Jurisdiction and Enforcement Act in a termination of parental rights proceeding; deleting information required to be submitted under oath to the court; amending s. 63.142, F.S.; requiring that if an adoption petition is dismissed, any further proceedings regarding the minor be brought in a separate custody action under ch. 61, F.S., a dependency action under ch. 39, F.S., or a paternity action under ch. 742, F.S.; revising conditions under which a judgment terminating parental rights is voidable; amending s. 63.192, F.S.; requiring the courts of this state to recognize decrees of termination of parental rights and adoptions from other states and countries; amending s. 63.212, F.S.; revising acts that are unlawful pertaining to adoptions; creating s. 63.236, F.S.; providing that a petition for termination of parental rights filed before the effective date of the act is governed by the law in effect at the time the petition was filed; amending s. 742.021, F.S.; requiring the clerk of court to issue certain notice in cases of complaints concerning determination of paternity; amending s. 742.10, F.S.; providing applicability of chs. 39 and 63, F.S., to jurisdiction and procedures for determination of paternity for children born out of wedlock; providing an effective date.

By the Committees on Governmental Operations; Commerce; and Senator Gaetz—

CS for CS for SB 1120—A bill to be entitled An act relating to the Florida Research Commercialization Matching Grant Program; creating s. 288.9552, F.S.; providing legislative findings and intent; creating the program; designating an existing committee, or subcommittee thereof, within Enterprise Florida, Inc., for certain purposes; providing for committee members to serve without compensation; providing a deadline for processing applications; requiring reports to the Governor and Legislature; providing eligibility guidelines for applicants; providing for a program administrator; providing responsibilities of the program administrator; providing for program administrative costs; designating a fiduciary entity; specifying eligibility requirements; providing for awards; requiring the Office of Program Policy Analysis and Government Accountability to conduct a review of the matching grant program; requiring the office to submit a report of its findings and recommendations to the Governor and the Legislature; providing appropriations; providing an effective date.

By the Committees on Community Affairs; Environmental Preservation and Conservation; and Senator Gaetz—

CS for CS for SB 1208—A bill to be entitled An act relating to water pollution control; amending s. 403.067, F.S.; providing requirements for basin management action plans; allowing such plans to take into account the benefits of pollutant load reduction achieved by point or nonpoint sources, where appropriate; requiring that the Department of Environmental Protection adopt all or part of any such plan, or any amendment thereto, by secretarial order as provided by state law; providing that the provisions of the department's rule relating to the equitable abatement of pollutants into surface waters may not be applied to water bodies or water body segments for which a basin management plan that takes into account future or new expanded activities or discharges has been adopted; authorizing water quality protection programs to include the trading of water quality credits; authorizing the department to adopt rules related to the trading of water quality credits; requiring that such rulemaking include certain provisions; specifying that a water quality credit trading pilot project be limited to the Lower St. Johns River Basin as a pilot project; requiring that the department provide the Legislature with an annual report regarding the effectiveness of the pilot project; providing report requirements; providing that the department may authorize and establish specific requirements for water quality credit trading as part of the Lower St. Johns River Basin adopted basin management action plan; correcting cross-references to conform to changes made by the act; amending s. 403.088, F.S.; authorizing the department to revise a water pollution operation permit under certain circumstances; authorizing the department to issue, renew, or reissue such a permit if a water quality credit trade meets the requirements of 403.067, F.S.; requiring that revised permits be accompanied by an order establishing a schedule for achieving compliance with all permit conditions; providing an effective date.

By the Committee on Community Affairs; and Senator Gaetz—

CS for SB 1318—A bill to be entitled An act relating to onsite sewage treatment and disposal systems; amending ss. 381.0065 and 381.0068, F.S.; providing that a member of local government who is knowledgeable about domestic wastewater treatment be added to the research review and advisory committee and the technical review and advisory panel established by the Department of Health for purposes of onsite sewage treatment and disposal system regulation; amending s. 318.0101, F.S.; exempting certain persons who are performing site evaluations relating to wastewater treatment and disposal systems from having to be certified as an environmental health professional by the Department of Health; providing that such persons must have completed a soils morphology course approved by the department and be working under the direct responsible charge of a licensed engineer; providing continuing education requirements for such persons; providing an effective date.

By the Committee on Transportation; and Senator Wise—

CS for SB 1424—A bill to be entitled An act relating to driving privileges for persons convicted of driving under the influence; amending s. 316.193, F.S.; requiring that a court order the mandatory placement for a specified period, at the convicted person's sole expense, of an ignition interlock device approved by the Department of Highway Safety and Motor Vehicles upon all vehicles that are individually or jointly leased or owned and routinely operated by any person convicted for a fourth or subsequent offense of driving under the influence if the convicted person obtains a restricted license or permit, regardless of whether the conviction was for a misdemeanor or felony; amending s. 322.21, F.S.; requiring any person who has an ignition interlock device installed to pay a service fee of $15 to the Department of Highway Safety and Motor

vehicles; requiring the department to deposit the service fee into the DUI Programs Coordination Trust Fund; amending s. 322.28, F.S.; providing that a driver's license or driving privilege may be granted under certain circumstances to a person convicted a fourth time for driving under the influence or a conviction for DUI manslaughter; amending s. 322.271, F.S.; providing conditions under which a person convicted of a fourth or subsequent DUI may petition the department for reinstatement of his or her driving privilege on a restricted basis; requiring that the department impose certain requirements upon such persons; providing for the cancellation of such person's driving privilege upon his or her failure to adhere to such requirements; requiring that a person convicted of DUI manslaughter seeking reinstatement of his or her driving privilege demonstrate to a court within a specified period after the filing of his or her petition for reinstatement that he or she has abstained from consuming alcohol for 5 years as demonstrated by a specified period of continuous alcohol monitoring as reported to the licensed DUI program supervising the petitioner; defining the term "continuous alcohol monitoring"; amending s. 322.2715, F.S.; requiring that an ignition interlock device be installed for a specified period on any vehicle that is individually or jointly leased or owned and routinely operated by an individual convicted of a fourth or subsequent offense of driving under the influence; amending s. 322.16, F.S.; correcting cross-references to conform to changes made by the act; providing that any person operating a motor vehicle in violation of an ignition interlock restriction commits an offense of the same degree and punishable in the same manner as provided by state law regarding driving or being in actual physical control of a vehicle while his or her license is suspended or revoked; providing an effective date.

By the Committee on Transportation; and Senator Baker—

CS for SB 1604—A bill to be entitled An act relating to designations of state facilities; designating the Major Claude A. Gnann Memorial Highway and the Deputy Wayne Koester Memorial Highway in Lake County; designating Lt. Colonel Robert T. Heagy, Jr., Memorial Highway in Marion County; designating Cutler Bay Boulevard, Palmetto Bay Boulevard, American Legion Way, Honorable Robert B. Ingram, Ph.D., Boulevard, Father Emilio Vallina Avenue, and Bishop Victor Tyrone Curry Boulevard in Miami-Dade County; designating United States Army Specialist Brandon Tyler Thorsen Memorial Highway in Levy County; designating John E. Andrews Boulevard, George Matthews Boulevard, Angela Webb Hammonds Boulevard, Willie F. Faust Boulevard, and James H. Argrett, Sr., Avenue in Duval County; designating Veteran's Memorial Parkway in Sarasota County; designating a bridge in the city of Sarasota as Gil Waters Bridge; directing the Department of Transportation to erect suitable markers; designating the Joseph P. Bertrand Building in Fort Myers; authorizing the Department of Management Services to erect suitable markers; amending s. 589.19, F.S.; designating the state forest in Seminole County as the Charles H. Bronson State Forest; providing an effective date.

By the Committee on Governmental Operations; and Senator Lawson—

CS for SB 1654—A bill to be entitled An act relating to state construction management contracting; creating s. 255.32, F.S.; defining terms; authorizing the Department of Management Services to select and contract with construction management entities to assist in the management of state construction projects; providing criteria; authorizing the department to enter into continuing contracts under certain circumstances; providing that a construction management entity may be required to offer a guaranteed maximum price and a guaranteed completion date under specified circumstances and secure a surety bond; authorizing the department to adopt rules; providing an effective date.

By the Committee on Higher Education; and Senator Margolis—

CS for SB 1706—A bill to be entitled An act relating to developments of regional impact; amending s. 380.06, F.S.; exempting proposed developments involving medical technology, biotechnology, or life sciences which meet certain criteria from review as a development of regional impact; providing an effective date.

By the Committees on Governmental Operations; Agriculture; and Senator Atwater—

CS for CS for SB 1994—A bill to be entitled An act relating to the Gertrude Maxwell Save a Pet Act; providing a short title; creating s. 570.97, F.S.; creating a direct-support organization for the Department of Agriculture and Consumer Services; providing for the organization and operation of the direct-support organization; providing for the purpose of the direct-support organization; providing that the direct-support organization be governed by a board of directors; providing for membership and terms; providing for the appointment of honorary board members; providing an effective date.

By the Committees on Governmental Operations; Criminal Justice; Criminal Justice; and Senator Lynn—

CS for CS for SB 2152—A bill to be entitled An act relating to criminal justice; providing legislative intent; requiring state agencies and regulatory boards to submit to the Governor and legislative officers a report that states current restrictions on employment of ex-offenders and possible alternatives that are compatible with public safety; requiring that such report be submitted in 2011 and then every 8 years thereafter; amending s. 112.011, F.S.; providing that a person may not be disqualified from receiving a license, permit, or certificate or from obtaining public employment on the grounds that the person's civil rights have not been restored; providing that a person is not required to secure the restoration of his or her civil rights or prove that his or her civil rights have been restored in order to receive a license, permit, or certificate or to obtain public employment; amending s. 943.0581, F.S.; authorizing the arresting agency or the agency where the warrant was issued to request an administrative expunction; amending s. 943.0585, F.S.; requiring the clerk of the court to place information about the availability of criminal history sealing and expunction on the court's Internet website and provide a link to the Department of Law Enforcement's website related to such information; clarifying under what circumstances a person may legally deny an expunged criminal history record; authorizing disclosure of the contents of an expunged record upon receipt of a written, notarized request from the record subject; amending s. 943.059, F.S.; clarifying under what circumstances a person may legally deny a sealed criminal history record; authorizing a person to petition the court to seek a second criminal history record sealing under certain circumstances; requiring the Office of Program Policy Analysis and Government Accountability to conduct a study; specifying the research questions for the study; requiring a report to be submitted to the Legislature; providing an effective date.

By the Committees on General Government Appropriations; Governmental Operations; Banking and Insurance; and Banking and Insurance—

CS for CS for CS for SB 2156—A bill to be entitled An act relating to the Florida Hurricane Catastrophe Fund; amending s. 215.555, F.S.; creating the Division of the Florida Hurricane Catastrophe Fund as a division of the State Board of Administration; providing for a board of the division; revising legislative findings; revising the definition of "retention," "covered policy," and "estimated claims-paying capacity" to account for the creation of the division; defining the terms "division," "director," "FHCF," "fund," and "board"; clarifying provisions requiring the State Board of Administration to invest certain funds; requiring that the board of the division appoint a director; providing duties of the director; providing that the appointment of a director is subject to the approval of the board by a majority vote; authorizing the division to employ or contract with such staff as the division deems necessary to administer the fund; requiring that the division enter into a contract with each insurer writing covered policies in this state to provide to the insurer reimbursement as prescribed by state law; requiring that such contracts contain certain elements or provisions and provide the division with certain obligations; extending for an additional year the offer of reimbursement coverage of up to $10 million for specified insurers; revising the qualifying criteria for such insurers; revising the percentage of losses covered by such coverage; requiring that the division publish certain information in the Florida Administrative Weekly at specified times; authorizing the payment of advancements of reimbursements or reimbursement premiums to certain entities under certain conditions;

requiring that the division inspect, examine, and verify the records of each insurer's covered policies at such times as the division deems appropriate and according to standards established by rule for the specific purpose of validating the accuracy of exposures and losses required to be reported under the terms and conditions of the reimbursement contract; providing for the payments of expenses associated with such inspection, examination, or verification; providing for the reimbursement of the division for such expenses by an insurer under certain circumstances; authorizing the division to take certain action if it finds any insurer's records or other necessary information to be inadequate or inadequately posted, recorded, or maintained; requiring that the division select an independent consultant to develop a formula for determining the actuarially indicated premium to be paid to the fund; requiring that the division consider certain factors when establishing a reimbursement premium; providing for the calculation of such premium by the division; providing for the payment of reimbursement premium; providing for the collection of interest on certain late reimbursement premium payments; providing responsibilities of the division if Citizens Property Insurance Corporation assumes or otherwise provides coverage for policies of an insurer placed in liquidation; authorizing the division to execute agreements regarding revenue bonds or other financing arrangements for the purpose of evidencing, securing, preserving, or protecting a pledge of revenue by the corporation; requiring that the Florida Surplus Lines Service Office assist the division in ensuring the accurate and timely collection and remittance of assessments of surplus lines premiums; requiring that the office report certain information to the division at a time and in a manner prescribed by the division; providing for the issuance of revenue bonds through counties or municipalities; revising the membership of the Florida Hurricane Catastrophe Fund Finance Corporation; providing that there is no liability on the part of any member of the board of directors or employees of the corporation for any actions taken by them in the performance of their duties; providing additional powers and duties of the board of the division and the division; requiring that the board of the division appoint an advisory council; providing for membership of the council; providing duties of the council; authorizing the division to take any action necessary to enforce certain rules and provisions of a reimbursement contract; requiring that the division make certain recommendations to the Legislature upon the creation of a federal or multistate catastrophic insurance or reinsurance program intended to serve purposes similar to the purposes of the fund; providing for the reversion of fund assets upon termination of the fund; providing for optional coverages of the fund; revising the temporary increases in coverage limits (TICL); requiring that a TICL addendum contain a promise by the division to make certain reimbursements to the TICL insurer; including the level of TICL coverage specified by the board among the factors that must be considered when determining the amount of increase in the claims-paying capacity of the fund; amending s. 215.557, F.S.; conforming provisions to changes made by the act; amending s. 215.5586, F.S.; requiring that the director of the division serve on the advisory council of the My Safe Florida Home Program; amending s. 215.559, F.S., relating to the Hurricane Loss Mitigation Program; conforming a cross-reference; amending s. 215.5595, F.S., relating to the Insurance Capital Build-up Incentive Program; conforming provisions to changes made by the act; revising the definition of "board" to conform to changes made by the act; amending s. 627.0628, F.S.; revising legislative intent; assigning the Florida Commission on Hurricane Loss Projection Methodology to the division; requiring that the director of the fund serve on the commission; requiring that the board of the division annually appoint one of the members of the commission to serve as chair; requiring that the division provide for travel, expenses, and staff support for the commission; indemnifying members and employees of the division from liability for action taken with respect to the commission or its activities; requiring that the division employ certain methods, principles, standards, models, or output ranges when establishing reimbursement premiums for the fund; providing an effective date.

By the Committees on General Government Appropriations; Finance and Tax; Banking and Insurance; and Banking and Insurance—

CS for CS for CS for SB 2158—A bill to be entitled An act relating to money services businesses; changing the name of money transmitters to money services businesses; requiring licensure rather than registration; amending s. 560.103, F.S.; revising definitions; defining the terms "affiliated party," "branch office," "cashing," "compliance officer," "electronic instrument," "financial audit report," "foreign affiliate," "licensee," "location," "monetary value," "net worth," "outstanding money transmission," and "stored value"; amending s. 560.104, F.S.; revising provision providing exemptions from ch. 560, F.S.; amending s. 560.105, F.S.; revising provisions relating to the powers of the Office of Financial Regulation and the Financial Services Commission; amending s. 560.109, F.S.; revising provisions relating to examinations and investigations conducted by the office; requiring that the office periodically examine each licensee and each new licensee within 6 months after issuing a license; requiring the office to report certain violations to a criminal investigatory agency; requiring that the office annually report to the Legislature information concerning investigations and examinations and the total amount of fines assessed and collected; requiring records in a language other than English to be translated; creating s. 560.1091, F.S.; authorizing the office to contract with third parties to conduct examinations; authorizing the commission to adopt rules relating to who can conduct examinations and the rates charged; creating s. 560.1092, F.S.; requiring persons examined to pay the expenses of examination as set by rule of the commission; providing for the deposit of funds collected from licensees; requiring payment for travel expenses and living expenses and compensation for persons making the examinations from such funds or from funds budgeted for such purposes; creating s. 560.110, F.S.; providing for record retention by licensees; amending s. 560.111, F.S.; revising the list of prohibited acts by a money services business; amending s. 560.113, F.S.; providing for the establishment of a receivership or the payment of restitution by a person found to have violated ch. 560, F.S.; amending s. 560.114, F.S.; revising grounds for the disciplinary actions; creating s. 560.1141, F.S.; authorizing the commission to adopt disciplinary guidelines for imposing penalties for violations; providing for mitigating and aggravating circumstances; amending s. 560.115, F.S.; revising provisions relating to the voluntary surrender of a license; amending s. 560.116, F.S.; revising provisions relating to the granting of immunity for providing information about alleged violations of ch. 560, F.S.; amending s. 560.118, F.S.; revising provisions relating to required reports; deleting an exemption from the requirement to file an annual financial report; transferring, renumbering, and amending s. 560.119, F.S.; revising provisions providing for the deposit of fees and assessments; amending s. 560.121, F.S.; revising restriction on access to records held by a court or the Legislature; amending s. 560.123, F.S.; revising provisions relating to the Florida Control of Money Laundering in Money Services Business; creating s. 560.1235, F.S.; requiring a licensee to comply with state and federal anti-money laundering laws and rules; amending s. 560.124, F.S.; revising provisions relating to sharing reported information; amending s. 560.125, F.S.; revising provisions relating to unlicensed activity; amending s. 560.126, F.S.; revising provisions relating to certain notice requirements by a licensee; amending s. 560.127, F.S.; revising provisions relating to the control of a money services business; amending s. 560.128, F.S.; revising provisions relating to customer contacts and license display; amending s. 560.129, F.S.; revising provisions relating to the confidentiality of certain records; creating s. 560.140, F.S.; providing licensing standards for a money services business; creating s. 560.141, F.S.; providing for a license application; creating s. 560.142, F.S.; providing for license renewal; creating s. 560.143, F.S.; providing for license fees; amending s. 560.203, F.S.; revising the exemption from licensure for authorized vendors of a money services business; amending s. 560.204, F.S.; revising provisions relating to the requirement for licensure of money transmitters or sellers of payment instruments under part II of ch. 560, F.S.; amending s. 560.205, F.S.; providing additional requirements for a license application; amending s. 560.208, F.S.; revising provisions relating to the conduct of a licensee; creating s. 560.2085, F.S.; providing requirements for authorized vendors; amending s. 560.209, F.S.; revising provisions relating to a licensee's net worth and the filing of a corporate surety bond; requiring a financial audit report; increasing the upper limit of the bond; deleting the option of waiving the bond; amending s. 560.210, F.S.; revising provisions relating to permissible investments; amending s. 560.211, F.S.; revising provisions relating to required recordkeeping under part II of ch. 560, F.S.; amending s. 560.212, F.S.; revising provisions relating to licensee liability; amending s. 560.213, F.S.; revising provisions relating information that must be printed on a payment instrument; amending s. 560.303, F.S.; revising provisions relating to the licensure of check cashers under part II of ch. 560, F.S.; amending s. 560.304, F.S.; revising provisions relating to exemptions from licensure; limiting the exemption for the payment of instruments below a certain value; amending s. 560.309, F.S.; revising provisions relating to the conduct of check cashers; providing additional requirements; amending s. 560.310, F.S.; revising requirements for licensee records; specifying the maintenance of identification records for

certain customers; amending s. 560.402, F.S.; revising definitions relating to deferred presentment providers; amending s. 560.403, F.S.; revising provisions relating to the licensing requirements for deferred presentment providers; amending s. 560.404, F.S.; revising provisions relating to deferred presentment transactions; amending s. 560.405, F.S.; revising provisions relating to the redemption or deposit of a deferred presentment transaction; amending s. 560.406, F.S.; revising provisions relating to worthless checks; amending ss. 499.005, 499.0691, 501.95, 538.03, 896.101, 896.104, and 921.0022, F.S.; conforming cross-references; repealing s. 560.101, F.S., relating to a short title; repealing s. 560.102, F.S., relating to purpose and application; repealing s. 560.106, F.S., relating to chapter constructions; repealing s. 560.1073, F.S., relating to false or misleading statements or documents; repealing s. 560.108, F.S., relating to administrative enforcement guidelines; repealing s. 560.112, F.S., relating to disciplinary action procedures; repealing s. 560.117, F.S., relating to administrative fines; repealing s. 560.200, F.S., relating to a short title; repealing s. 560.202, F.S., relating to definitions; repealing s. 560.206, F.S., relating to the investigation of applicants; repealing s. 560.207, F.S., relating to registration; repealing s. 560.301, F.S., relating to a short title; repealing s. 560.302, F.S., relating to definitions; repealing s. 560.305, F.S., relating to application for registration; repealing s. 560.306, F.S., relating to standards; repealing s. 560.307, F.S., relating to fees; repealing s. 560.308, F.S., relating to registration; repealing s. 560.401, F.S., relating to a short title; repealing s. 560.407, F.S., relating to required records; providing an effective date.

By the Committees on Environmental Preservation and Conservation; Commerce; and Senator Bennett—

CS for CS for SB 2304—A bill to be entitled An act relating to the recreational marine industry; requiring that the annual report issued by Enterprise Florida, Inc., contain certain information related to the recreational marine industry of the state; providing for future expiration; providing an effective date.

By the Committees on Governmental Operations; Banking and Insurance; and Senator Deutch—

CS for CS for SB 2528—A bill to be entitled An act relating to insurance representatives; amending s. 626.221, F.S.; expanding the list of applicants eligible for exemption from certain examination requirements; amending s. 626.2815, F.S.; revising certain continuing education applicability requirements; prohibiting certain entities from imposing certain continuing education requirements; providing exceptions and limitations; providing an exception to certain examination monitoring requirements; providing requirements for exceptions; amending s. 626.311, F.S.; authorizing agents qualifying as unaffiliated insurance consultants to transact insurance business within the scope of the agent's license; providing a definition; providing requirements for qualifying or continuing to qualify as an unaffiliated insurance consultant; specifying prohibited activities for unaffiliated insurance consultants; amending s. 626.381, F.S.; authorizing appointing entities to impose certain training program requirements; providing a limitation; limiting appointment authority of appointing entities to persons meeting continuing education requirements; prohibiting appointments contingent upon certain continuing education course attendance; amending s. 627.901, F.S.; authorizing an agent to impose a service charge for processing an insured's premium installment payment to an insurance company or premium finance company; providing effective dates.

By the Committee on Environmental Preservation and Conservation; and Senator Justice—

CS for SB 2622—A bill to be entitled An act relating to public access to beaches; creating part V of ch. 161, F.S.; providing definitions; declaring the policy and effect; declaring sandy beaches in this state public; prohibiting private entities from restricting access; prohibiting obstruction of beach access under certain conditions; prohibiting the use of signs declaring that a public beach is private property; providing that a violation of such prohibition is a first-degree misdemeanor; providing a penalty; prohibiting a governmental entity from placing an obstruction upon a public beach under certain conditions; defining the term "recreational use"; authorizing owners of land within a specified distance of certain coastal waters to record or revoke a notice concerning the granting of permission for the public's recreational use of the land; providing limitations on the duty or liability of an owner while such a notice is recorded; prohibiting an owner from preventing certain public uses of the land while such a notice is recorded; providing an effective date.

By the Committees on Governmental Operations; Children, Families, and Elder Affairs; and Senators Storms and Lynn—

CS for CS for SB 2626—A bill to be entitled An act relating to mental health and substance abuse services; amending s. 394.9082, F.S.; providing legislative findings and intent; establishing goals; specifying roles and responsibilities of the Department of Children and Family Services; creating community-based systems of care; authorizing the implementation of managing entities by the Department of Children and Family Services; establishing a process for contracting with managing entities; specifying qualifying criteria for managing entities; specifying responsibilities of managing entities; specifying responsibilities of the department; specifying requirements for management information systems; providing for evaluations and reports; providing for a monitoring process; providing an effective date.

By the Committees on Judiciary; Children, Families, and Elder Affairs; and Senators Dockery and Lynn—

CS for CS for SB 2762—A bill to be entitled An act relating to confidential records of children; creating s. 39.00145, F.S.; requiring that the case file of a child under the supervision or in the custody of the Department of Children and Family Services be maintained in a complete and accurate manner; specifying who has access to the case file and records in the file; authorizing the court to directly release the child's records to certain entities; providing that entities that have access to confidential information about a child may share it with other entities that provide services benefiting children; amending s. 39.202, F.S.; clarifying who has access to a child's records and who may bring an action to require access to confidential records held by the department; amending s. 39.2021, F.S.; expanding the authority of the Department of Children and Family Services to release records relating to children on its own initiative upon a showing of good cause; requiring notice to certain parties before release; providing for a court order to stop the release; amending s. 402.115, F.S.; adding the Department of Juvenile Justice to the list of agencies that are authorized to exchange confidential information; amending s. 415.107, F.S.; clarifying who may bring an action to require access to confidential records held by the Department of Children and Family Services; amending s. 415.1071, F.S.; expanding the authority of the department to release records relating to vulnerable adults on its own initiative upon a showing of good cause; requiring notice to certain parties before release; providing for a court order to stop the release; providing an effective date.

REFERENCE CHANGES PURSUANT TO RULE 4.7(2)

By the Committee on Criminal Justice; and Senator Dockery—

CS for SB 838—A bill to be entitled An act relating to the Department of Law Enforcement; amending s. 943.05, F.S.; providing that if fingerprints submitted to the Department of Law Enforcement for background screening are identified with the fingerprints of a person having a criminal history record, the department may make the fingerprints available for all purposes and uses authorized for arrest fingerprint cards; amending s. 943.053, F.S.; clarifying the fees charged for requests for criminal history information; amending s. 943.0542, F.S.; authorizing a qualified entity requesting screening information concerning an employee or volunteer, or a person applying to be an employee or volunteer, to submit the request electronically; requiring the qualified entity to maintain a signed waiver allowing the release of the state and national criminal history record information to the qualified entity; amending s. 943.0581, F.S.; revising the information to be included in an application for an administrative expunction of any nonjudicial record of an arrest of a minor or an adult made contrary to law or by mistake; clarifying responsibility for submitting an application for an administrative expunction;

amending s. 943.06, F.S.; adding the Secretary of Children and Family Services, or the secretary's designated assistant, to the Criminal and Juvenile Justice Information Systems Council; amending 943.08, F.S.; revising the duties of the Criminal and Juvenile Justice Information Systems Council; amending s. 943.081, F.S.; specifying and clarifying the principles adopted by the Criminal and Juvenile Justice Information Systems Council as the guiding principles for the management of public safety system information technology resources; creating the citizen support organization for Florida Missing Children's Day; authorizing the Department of Law Enforcement to establish a citizen support organization to provide assistance, funding, and promotional support for activities authorized for Florida Missing Children's Day; providing for duties and functions of the support organization; providing that the support organization is not a lobbyist; providing for the use and management of department property; providing for an annual audit; providing an effective date.

—was referred to the Committees on Judiciary; and Criminal and Civil Justice Appropriations.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

FIRST READING

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has passed CS for HB 29 and requests the concurrence of the Senate; and has passed HB 5043, HB 5045, HB 5047, HB 5049, HB 5051, HB 5053, HB 5055, HB 5059, HB 5063, HB 5065, HB 5067, HB 5069, HB 5071, HB 5073, HB 5079, HB 5081, HB 5087 and HB 5093; has passed as amended HB 5001, HB 5003, CS for HB 5057, HB 5061, HB 5075, HB 5077, HB 5083, HB 5085 and HB 5091 and requests the concurrence of the Senate, or agree to conference.

William S. Pittman III, Chief Clerk

By the Safety and Security Council; and Representative Snyder and others—

CS for HB 29—A bill to be entitled An act relating to DNA testing; amending s. 943.325, F.S.; revising offenses for which a conviction requires the person convicted to provide biological specimens in specified circumstances; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Criminal and Civil Justice Appropriations.

By the Jobs and Entrepreneurship Council; and Representative Reagan and others—

HB 5043—A bill to be entitled An act relating to the surplus lines tax; amending s. 626.932, F.S.; reallocating distributions of surplus lines tax collections to the Insurance Regulatory Trust Fund and the General Revenue Fund; providing an effective date.

—was referred to the Fiscal Policy and Calendar Committee.

By the Jobs and Entrepreneurship Council; and Representative Reagan and others—

HB 5045—A bill to be entitled An act relating to workers' compensation medical services and supplies; providing for a type two transfer of responsibilities with respect to the provision of workers' compensation medical services and supplies from the Agency for Health Care Administration to the Department of Financial Services; amending ss. 440.13 and 440.125, F.S.; revising terminology and removing language relating to the sharing and maintenance of confidential medical records, reports, and information, to conform; providing an effective date.

—was referred to the Fiscal Policy and Calendar Committee.

By the Jobs and Entrepreneurship Council; and Representative Reagan and others—

HB 5047—A bill to be entitled An act relating to the Board of Architecture and Interior Design; amending s. 481.205, F.S.; deleting delegation of certain duties and authority of the Department of Business and Professional Regulation under ss. 455.225, 455.228, and 455.32, F.S., to the board; deleting the requirement for the board to contract with a corporation or business entity to provide investigative, legal, prosecutorial, and other required services; deleting requirements for recordkeeping by such corporation or business entity; deleting authority of the board to use specified funds to perform duties; deleting requirement for the board to submit a separate annual budget request for funding certain board activities; providing an effective date.

—was referred to the Fiscal Policy and Calendar Committee.

By the Jobs and Entrepreneurship Council; and Representative Reagan and others—

HB 5049—A bill to be entitled An act relating to mortgage broker's licenses; amending s. 494.0033, F.S.; revising requirements for mortgage broker license tests; revising fee requirements; requiring applicants to bear certain costs; providing limitations; providing an effective date.

—was referred to the Fiscal Policy and Calendar Committee.

By the Jobs and Entrepreneurship Council; and Representative Reagan—

HB 5051—A bill to be entitled An act relating to duties of the Division of Hotels and Restaurants relating to the Florida Building Code and the Florida Fire Prevention Code; amending s. 509.032, F.S.; eliminating the requirement for the Division of Hotels and Restaurants to provide technical support to assist the Florida Building Commission in updating the construction standards of the Florida Building Code and the State Fire Marshal in updating the Florida Fire Prevention Code; eliminating the requirement for the division to enforce the Florida Building Code and the Florida Fire Prevention Code in conducting its inspections; providing an effective date.

—was referred to the Fiscal Policy and Calendar Committee.

By the Jobs and Entrepreneurship Council; and Representative Reagan—

HB 5053—A bill to be entitled An act relating to the Division of Certified Public Accounting; amending s. 20.165, F.S.; eliminating the requirement for the location of division offices; providing an effective date.

—was referred to the Fiscal Policy and Calendar Committee.

By the Jobs and Entrepreneurship Council; and Representative Reagan—

HB 5055—A bill to be entitled An act relating to racing animal medication research; amending s. 550.2415, F.S.; deleting provisions for certain moneys to be used for research relating to the medication of racing animals; deleting provisions relating to the Pharmacokinetic and Clearance Study Agreement by and between the Department of Business and Professional Regulation Division of Pari-mutuel Wagering and the University of Florida College of Veterinary Medicine; providing an effective date.

—was referred to the Fiscal Policy and Calendar Committee.

By the Government Efficiency and Accountability Council; and Representative Grant—

HB 5059—A bill to be entitled An act relating to the State Agency Law Enforcement Radio System Trust Fund; amending s. 318.18, F.S.; revising purposes of the trust fund to include the provision of technical assistance to state agencies and local law enforcement agencies with their statewide system of regional law enforcement communications; clarifying that the Department of Management Services shall determine and direct the purposes for which funds are used; reenacting s. 318.21(17), F.S., relating to disposition of civil penalties by county courts, for the purpose of incorporating the amendment to s. 318.18, F.S., in a reference thereto; providing an effective date.

—was referred to the Fiscal Policy and Calendar Committee.

By the Government Efficiency and Accountability Council; and Representative Grant—

HB 5063—A bill to be entitled An act relating to retirement; amending s. 121.71, F.S.; revising the payroll contribution rates for the membership classes of the Florida Retirement System for the state fiscal years effective July 1, 2008, and July 1, 2009; providing a declaration of important state interest; providing an effective date.

—was referred to the Fiscal Policy and Calendar Committee.

By the Government Efficiency and Accountability Council; and Representative Grant—

HB 5065—A bill to be entitled An act relating to the corporate income tax; amending s. 220.03, F.S.; providing for the adoption of the 2008 version of the Internal Revenue Code; prohibiting use of certain amounts in computing adjusted federal income for determining state corporate income tax liability; providing legislative intent; providing construction requirements against using certain federally allowable bonus depreciation for computing state net income; providing a definition; amending s. 220.13,F.S.; specifying additional amounts as additions to taxable income for purposes of adjusted federal income; amending ss. 220.241 and 220.33, F.S.; revising due dates for filing and paying estimated corporate income taxes; authorizing the Department of Revenue to adopt rules for certain administrative purposes; providing for retroactive operation; providing effective dates.

—was referred to the Fiscal Policy and Calendar Committee.

By the Economic Expansion and Infrastructure Council; and Representative Cannon and others—

HB 5067—A bill to be entitled An act relating to state infrastructure; amending s. 201.15, F.S.; revising the amount of funds from certain taxes distributed to the State Transportation Trust Fund; providing for revised funding levels for Department of Transportation projects; deleting a provision for distributing certain amounts to the Grants and Donations Trust Fund in the Department of Community Affairs for certain purposes; amending s. 215.211, F.S.; providing for specified service charges on certain revenues distributed to the State Transportation Trust Fund; revising provisions for funds to be used to fund the County Incentive Grant Program and the Small County Outreach Program; amending s. 311.09, F.S.; revising provisions for evaluation, approval, and funding of seaport projects; revising duties and responsibilities of the Florida Seaport Transportation and Economic Development Council; amending s. 316.251, F.S.; conforming a cross-reference to changes made by the act; amending s. 318.15, F.S.; increasing the nonrefundable service charge paid to the Department of Highway Safety and Motor Vehicles or to the clerk of the court to reinstate a suspended driver's license and privilege to drive; providing for disposition of proceeds collected; amending s. 318.18, F.S.; increasing the additional civil penalty for late payment of civil traffic penalties; providing for distribution and use of moneys collected; directing a portion of the moneys collected be used to recruit and retain officers of the Florida Highway Patrol; amending s. 319.001, F.S.; defining the term "certificate of title"; amending s. 319.40, F.S.; authorizing the issuance of electronic motor vehicle titles in lieu of paper motor vehicle titles; authorizing the department to collect and use e-mail addresses of motor vehicle owners and registrants as a notification method; amending ss. 320.04 and 320.06, F.S.; providing for distribution of certain moneys collected relating to registration of motor vehicles and mobile homes; amending s. 320.08, F.S.; revises uses of certain motorcycle and moped license tax fees; amending ss. 320.0805 and 320.08056, F.S.; providing for disposition of certain specialty license plate processing fees; amending s. 320.20, F.S.; providing for distribution of certain proceeds from license tax fees; amending s. 320.203, F.S., relating to disposition of biennial license tax moneys; conforming provisions to changes made by the act; amending s. 320.95, F.S.; authorizing the department to collect and use e-mail addresses of motor vehicle owners and registrants as a notification method; amending s. 322.025, F.S.; revising provisions for funding of certain driver improvement programs; amending s. 322.0255, F.S.; eliminating requirements for motorcycle safety education course reimbursements; amending s. 322.17, F.S.; revising disposition of proceeds from fees for duplicate and replacement certificates; repealing s. 322.181, F.S., relating to a study of effects of aging on driving ability; eliminating the Florida At-Risk Driver Council; amending s. 322.21, F.S.; increasing the service fees for reinstating a suspended or revoked driver's license or commercial motor vehicle license; revising provisions for distribution and use of the funds received; requiring that a certain amount of the funds be used to establish a recruitment and retention salary payment plan for officers of the Florida Highway Patrol; amending s. 322.29, F.S., relating to the surrender and return of a license; conforming provisions to changes made by the act; amending s. 324.071, F.S.; providing for distribution of driver's license reinstatement fees; amending s. 328.30, F.S.; authorizing the use of electronic mail for distribution of vessel titles; authorizing the department to collect and use e-mail addresses of vessel owners and registrants as a notification method; amending s. 328.80, F.S.; authorizing the department to accept certain applications by electronic or telephonic means; authorizing the department to collect and use e-mail addresses of vessel owners and registrants as a notification method; amending s. 334.044, F.S.; revising duties of the Department of Transportation; removing certain roadside beautification provisions; amending s. 339.135, F.S.; providing for use of transportation revenues; providing for revised funding levels for Department of Transportation projects; amending ss. 403.890, 403.891, and 501.976, F.S.; conforming cross-references to changes made by the act; amending s. 1013.63, F.S.; revising provisions for funding the University Concurrency Trust Fund within the Department of Education; transferring the Office of Motor Carrier Compliance to the Division of the Florida Highway Patrol of the Department of Highway Safety and Motor Vehicles; directing the Division of Statutory Revision of the Office of Legislative Services to prepare a reviser's bill to conform the Florida Statutes to organizational changes made by the act; providing an effective date.

—was referred to the Fiscal Policy and Calendar Committee.

By the Economic Expansion and Infrastructure Council; and Representative Cannon and others—

HB 5069—A bill to be entitled An act relating to approved budgets for operations and fixed capital outlay; amending s. 216.181, F.S.; providing that certain salary rate provisions do not apply to the Executive Office of the Governor; providing an effective date.

—was referred to the Fiscal Policy and Calendar Committee.

By the Economic Expansion and Infrastructure Council; and Representative Cannon and others—

HB 5071—A bill to be entitled An act relating to the Professional Sports Development Trust Fund; amending s. 320.08058, F.S.; removing a timeframe restriction on the use of proceeds from the fund for operational expenses of the Florida Sports Foundation and financial support of the Sunshine State Games; providing an effective date.

—was referred to the Fiscal Policy and Calendar Committee.

By the Economic Expansion and Infrastructure Council; and Representative Cannon and others—

HB 5073—A bill to be entitled An act relating to the Department of State; amending s. 15.09, F.S.; eliminating the fee charged by the department for searching of papers or records; amending s. 267.031, F.S.; eliminating the requirement for the establishment of regional offices for the purpose of assisting the department in the delivery of historic preservation services; amending s. 267.173, F.S.; eliminating reference to contracting with the University of West Florida as a regional office serving a specified area, to conform; repealing s. 267.174, F.S., relating to the Discovery of Florida Quincentennial Commemoration Commission; providing an effective date.

—was referred to the Fiscal Policy and Calendar Committee.

By the Environment and Natural Resources Council; and Representative Mayfield—

HB 5079—A bill to be entitled An act relating to the Department of Environmental Protection; amending s. 20.255, F.S.; renaming the Office of Legislative and Government Affairs within the Department of Environmental Protection as the Office of Legislative Affairs to conform to changes made by this act; creating the Office of Intergovernmental Programs within the Department of Environmental Protection to conform to changes made by this act; renaming the Division of Resource Assessment and Management within the Department of Environmental Protection as the Division of Environmental Assessment and Restoration to conform to changes made by this act; amending s. 253.01, F.S.; providing for the transfer of a specified portion of funds from the Internal Improvement Trust Fund to the General Revenue Fund for a specified period; amending s. 258.034, F.S.; providing for the transfer of a specified portion of funds from the State Park Trust Fund to the General Revenue Fund for a specified period; amending s. 259.032, F.S.; deleting the requirement for the transfer of certain funds to the Plant Industry Trust Fund within the Department of Agriculture and Consumer Services; providing for the transfer of a specified portion of funds from the Conservation and Recreation Lands Trust Fund to the General Revenue Fund for a specified period; amending s. 369.25, F.S.; conforming references and provisions relating to certain regulatory authority for aquatic plants to conform to changes made by this act; amending s. 369.251, F.S.; conforming references relating to certain regulatory authority for invasive nonnative plants to conform to changes made by this act; amending s. 373.59, F.S.; providing for the transfer of a specified portion of funds from the Water Management Lands Trust Fund to the General Revenue Fund for a specified period; amending s. 376.11, F.S.; providing for the transfer of a specified portion of funds from the Florida Coastal Protection Trust Fund to the General Revenue Fund for a specified period; amending s. 376.307, F.S.; providing for the transfer of a specified portion of funds from the Water Quality Assurance Trust Fund to the General Revenue Fund for a specified period; amending s. 376.3071, F.S.; providing for the transfer of a specified portion of funds from the Inland Protection Trust Fund to the General Revenue Fund for a specified period; amending s. 403.0873, F.S.; providing for the transfer of a specified portion of funds from the Air Pollution Control Trust Fund to the General Revenue Fund for a specified period; amending s. 403.890, F.S.; providing for the transfer of a specified portion of funds from the Water Protection and Sustainability Program Trust Fund to the General Revenue Fund for a specified period; deleting the requirement for the distribution of specified funds to the Department of Environmental Protection for the implementation of an alternative water supply program; revising the distribution of specified funds to the Department of Environmental Protection and the Department of Agriculture and Consumer Services for certain activities relating to water quality standards; deleting the requirement for the distribution of specified funds to water management districts for certain surface water restoration activities; deleting the requirement for the distribution of specified funds to the Department of Environmental Protection for the Disadvantaged Small Community Wastewater Grant Program; deleting obsolete provisions relating to the distribution of certain funds; amending s. 581.145, F.S.; conforming references relating to certain regulatory authority for aquatic plants to conform to changes made by this act; providing for the type two transfer of the Bureau of Invasive Plant Management in Department of Environmental Protection to the Fish and Wildlife Conservation Commission; transferring specified authority relating to aquatic plants and invasive nonnative plants from the bureau to the Department of Agriculture and Consumer Services; providing an effective date.

—was referred to the Fiscal Policy and Calendar Committee.

By the Environment and Natural Resources Council; and Representative Mayfield—

HB 5081—A bill to be entitled An act relating to trust funds of the Fish and Wildlife Conservation Commission; amending s. 370.0603, F.S.; providing for the transfer of specified funds from the Marine Resources Conservation Trust Fund to the General Revenue Fund for a specified period; amending s. 372.09, F.S.; providing for the transfer of specified funds from the State Game Trust Fund to the General Revenue Fund for a specified period; providing an effective date.

—was referred to the Fiscal Policy and Calendar Committee.

By the Policy and Budget Council; and Representative Sansom—

HB 5087—A bill to be entitled An act relating to the Agency for Persons with Disabilities; amending s. 393.0661, F.S.; revising provisions relating to certain clients with developmental disabilities served under the four-tiered waiver system; providing for residential habilitation services; establishing geographic differential payments for Miami-Dade, Broward, Palm Beach, and Monroe Counties; providing effective dates for applicable payments; providing for rebasing cost plans based on actual expenditures for individuals served by home and community-based services or family and supported living waiver programs; extending the effective date for the provision of certain services; providing for future review and repeal of certain provisions; amending s. 393.071, F.S.; providing for deposit of client fees into the agency's Operations and Maintenance Trust Fund; amending s. 393.125, F.S.; granting certain persons the right to request a hearing to review agency decisions; providing an effective date.

—was referred to the Fiscal Policy and Calendar Committee.

By the Policy and Budget Council; and Representative Sansom—

HB 5093—A bill to be entitled An act relating to tuberculosis control; amending ss. 392.51 and 392.69, F.S.; revising legislative intent with respect to delivery of tuberculosis control services; requiring appropriations to be designated for the monitoring of and provision of services to persons with contagious tuberculosis and to provide a system of voluntary, community-oriented care; removing requirements for the use of funds; revising duties of the advisory board; removing references to the A.G. Holley State Hospital; providing an effective date.

—was referred to the Fiscal Policy and Calendar Committee.

By the Policy and Budget Council; and Representative Sansom—

HB 5001—A bill to be entitled An act making appropriations; providing moneys for the annual period beginning July 1, 2008, and ending June 30, 2009, to pay salaries, and other expenses, capital outlay - buildings, and other improvements, and for other specified purposes of the various agencies of state government; providing an effective date.

—was referred to the Fiscal Policy and Calendar Committee.

By the Policy and Budget Council; and Representative Sansom—

HB 5003—A bill to be entitled An act implementing the 2008-2009 General Appropriations Act; providing legislative intent; amending s. 1001.451, F.S.; revising the incentive grant amounts for regional consortium service organizations; amending s. 1012.225, F.S.; revising the dates when Merit Award Program plans must be submitted; amending s. 394.908, F.S.; requiring that funds appropriated for forensic mental health treatment services be allocated to the areas of the state having

the greatest demand for services and treatment capacity; providing allocation requirements for specified funds appropriated for mental health services; providing for a health care collaborative action network and discount health care pilot program in Miami-Dade County; authorizing the Executive Office of the Governor to approve the increase in nonoperating transfer budget authority for trust funds in the Department of Children and Family Services; authorizing the Department of Corrections and the Department of Juvenile Justice to make certain expenditures to defray costs incurred by a municipality or county as a result of opening or operating a facility under authority of the respective department; amending s. 216.262, F.S.; providing for additional positions to operate additional prison bed capacity under certain circumstances; amending s. 216.292, F.S.; authorizing certain transfers of appropriations for operations from general revenue between budget categories and entities of the criminal conflict and civil regional counsels and the budget category for child dependency and civil conflict cases within the Justice Administrative Commission; providing for future expiration of such provisions; authorizing the Department of Legal Affairs to expend appropriated funds on programs funded in the preceding fiscal year; authorizing the Department of Legal Affairs to transfer certain funds to pay salaries and benefits; amending s. 112.24, F.S.; providing circumstances under which a receiving party is not required to pay certain reimbursement costs for a state employee pursuant to an intergovernmental interchange; authorizing the Executive Office of the Governor to transfer funds between departments for purposes of aligning amounts paid for risk management premiums and for purposes of aligning amounts paid for human resource management services; amending s. 110.123, F.S.; providing for the state's monthly contribution for employees under the state group insurance program; authorizing the Department of Financial Services to expend certain funds for salaries and related expenses; amending s. 215.5595, F.S.; revising legislative findings; providing for appropriated state funds to be exchanged for surplus notes issued by residential property insurers under the program; revising the conditions and requirements for providing funds to insurers under the program; requiring a commitment by the insurer to meet minimum premium-to-surplus writing ratios for residential property insurance and for taking policies out of Citizens Property Insurance Corporation; authorizing the State Board of Administration to charge a fee for late payments; providing that amendments made by the act do not affect the terms of surplus notes approved prior to a specified date; authorizing the State Board of Administration and an insurer to renegotiate such terms consistent with such amendments; requiring Citizens Property Insurance Corporation to transfer funds to the General Revenue Fund for appropriation by the Legislature for program purposes; prohibiting certain statutory amendments or transfer of funds for use by Citizens Property Insurance Corporation for certain purposes; amending s. 252.373, F.S.; requiring the Division of Emergency Management to provide emergency power generators to special-needs hurricane evacuation shelters from the Emergency Management, Preparedness, and Assistance Trust Fund; amending s. 215.559, F.S.; requiring the Division of Emergency Management to provide emergency power generators to special-needs hurricane evacuation shelters from the Grants and Donations Trust Fund; amending s. 288.1088, F.S.; requiring the availability of incentives to stimulate economic growth in certain rural areas; amending s. 553.75, F.S.; authorizing the use of communication media technology at certain meetings of the Florida Building Commission; amending s. 259.032, F.S.; authorizes the transfer of funds from the Conservation and Recreation Lands Trust Fund for certain cleanup and beach restoration activities; providing for reversion of certain provisions; amending s. 216.221, F.S.; providing for conditions under which the Governor is authorized to request a transfer of funds from the Budget Stabilization Fund to the General Revenue Fund; amending s. 215.5601, F.S.; providing for conditions under which the Governor is authorized to request a transfer of funds from the Lawton Chiles Endowment Fund to the General Revenue Fund and providing for a schedule of repayment; providing for temporary reduction of legislators' salaries; prohibiting the Department of Revenue from making certain distributions in the 2008-2009 fiscal year to certain sports facilities; providing for the effect of a veto of one or more specific appropriations or proviso to which implementing language refers; providing for the continued operation of certain provisions notwithstanding a future repeal or expiration provided by the act; providing for severability; providing effective dates.

—was referred to the Fiscal Policy and Calendar Committee.

By the Policy and Budget Council; Jobs and Entrepreneurship Council; and Representative Reagan—

CS for HB 5057—A bill to be entitled An act relating to the Insurance Capital Build-Up Incentive Program; amending s. 215.5595, F.S.; revising legislative findings; providing for appropriation of state funds in exchange for surplus notes issued by residential property insurers under the program; revising the conditions and requirements for providing funds to insurers under the program; requiring a commitment by the insurer to meet minimum premium-to-surplus writing ratios for residential property insurance and for taking policies out of Citizens Property Insurance Corporation; authorizing the State Board of Administration to charge a fee for late payments; providing that amendments made by the act do not affect the terms of surplus notes approved prior to a specified date; authorizing the State Board of Administration and an insurer to renegotiate such terms consistent with such amendments; requiring Citizens Property Insurance Corporation to transfer funds to the General Revenue Fund for appropriation by the Legislature for program purposes; requiring the board to transfer each quarter certain funds to the corporation under certain circumstances; prohibiting Citizens Property Insurance Corporation from using certain statutory changes or authorized transfers of funds as justification or cause to seek any rate or assessment increase; providing an effective date.

—was referred to the Fiscal Policy and Calendar Committee.

By the Government Efficiency and Accountability Council; and Representative Grant—

HB 5061—A bill to be entitled An act relating to revenue administration; amending s. 195.002, F.S.; authorizing payment of salaries and benefits for certain employees associated with certain schools; amending s. 195.022, F.S.; requiring all counties to reproduce department forms at county expense; specifying requirements of the department and property appraisers for payment of expenses of furnishing photographs and maps; authorizing the department to incur certain expenses and charge fees equal to such expenses; providing for deposit of such fees into the Certification Program Trust Fund; providing for separate accounts in the fund for certain purposes; providing for department use of such funds for certain expenses; amending s. 195.087, F.S.; requiring property appraisers to pay certain fees for aerial photographs and certain maps; prohibiting the Department of Revenue from making certain distributions in fiscal year 2008-2009 to certain sports facilities; providing an effective date.

—was referred to the Fiscal Policy and Calendar Committee.

By the Safety and Security Council; and Representative Needelman—

HB 5075—A bill to be entitled An act relating to reorganization of the Parole Commission; changing the name to the Parole Board; transferring the commission to the Department of Corrections for administrative purposes; amending ss. 11.905, 20.315, 20.32, 23.21, 112.011, 186.005, 255.502, 311.12, 322.16, 394.926, 394.927, 775.089, 775.16, 784.07, 784.078, 843.01, 843.02, 843.08, 893.11, and 921.16, F.S.; conforming provisions to changes made by the act; repealing s. 921.20, F.S., relating to a classification summary to be furnished to the Parole Commission; amending ss. 921.21, 921.22, 940.03, 940.05, 941.23, 943.0311, 943.06, 943.325, 944.012, 944.02, 944.024, 944.091, 944.23, 944.291, 944.4731, 945.091, 945.10, 945.25, 945.47, and 945.73, F.S.; conforming provisions to changes made by the act; repealing s. 947.001, F.S., relating to a short title to chapter 947, F.S.; amending ss. 947.002, 947.005, 947.01, and 947.02, F.S.; conforming provisions to changes made by the act; repealing s. 947.021, F.S., relating to expedited appointments to the Parole Commission; amending ss. 947.03 and 947.04, F.S.; conforming provisions to changes made by the act; providing a transitional provision relating to assignment of former Parole Commissioners to temporary duty for specified purposes; repealing s. 947.045, F.S., relating to the commission's Federal Grants Trust Fund; amending ss. 947.05, 947.06, 947.07, 947.071, 947.10, 947.11, 947.12, and 947.13, F.S.; conforming provisions to changes made by the act; repealing s. 947.135, F.S., relating to a mutual participation program; repealing s. 958.15, F.S., relating to exempting youthful offenders in mutual participation program agreements from specified provisions; amending ss. 947.1405, 947.141, 947.146, 947.149, 947.15, 947.16, 947.165, 947.168, 947.172, 947.173,

947.174, 947.1745, 947.1746, 947.1747, 947.18, 947.181, 947.185, 947.19, 947.20, 947.21, 947.22, 947.23, 947.24, 947.26, 948.09, 948.10, 949.05, 951.29, 957.06, 958.045, 960.001, 960.17, 985.04, and 985.045, F.S.; conforming provisions to changes made by the act; reenacting s. 948.06(6), F.S., relating to violations of community control, to incorporate the amendments to ss. 947.22 and 947.23, F.S., in references thereto; providing a directive to the Division of Statutory Revision; transferring statutory powers, duties and functions, records, personnel, property, and unexpended balances of appropriations, allocations, or other funds for the administration of the Parole Commission by a type two transfer from the Parole Commission to the Department of Corrections; providing legislative intent concerning the hiring of former Parole Commission employees by the department; specifying legislative intent concerning the nature of the transfer; providing provisions that apply if a court should rule that the Parole Board is not a continuation of the Parole Commission; providing an effective date.

—was referred to the Fiscal Policy and Calendar Committee.

By the Environment and Natural Resources Council; and Representative Mayfield—

HB 5077—A bill to be entitled An act relating to the Department of Agriculture and Consumer Services; amending s. 215.20, F.S.; including the Agricultural Emergency Eradication Trust Fund within specified trust funds that are subject to the service charge on income of a revenue nature; amending s. 570.191, F.S.; revising the uses of the Agricultural Emergency Eradication Trust Fund; repealing s. 570.1911, F.S., relating to notice of certification of an agricultural emergency; amending s. 570.20, F.S.; providing for the transfer of certain funds from the General Inspection Trust Fund to the General Revenue Fund for a specified period; removing obsolete provisions; amending s. 581.212, F.S.; providing for the transfer of certain funds from the Plant Industry Trust Fund to the General Revenue Fund for a specified period; repealing s. 585.105, F.S., relating to the purchase, distribution, and administration of approved brucella vaccine by the department; providing an effective date.

—was referred to the Fiscal Policy and Calendar Committee.

By the Policy and Budget Council; and Representative Sansom—

HB 5083—A bill to be entitled An act relating to education; amending s. 121.021, F.S.; deleting salary supplements for National Board for Professional Teaching Standards certification from the definition of "compensation" under the Florida Retirement System; amending s. 1002.33, F.S.; excluding charter school Merit Award Program funds from the calculation of school district administrative fees; amending s. 1007.271, F.S.; deleting dual enrollment funding provisions; amending s. 1011.62, F.S.; revising provisions relating to the calculation of full-time equivalent membership for dual enrollment instruction; authorizing a district school board to transfer certain categorical funds for academic classroom instruction; requiring the Department of Education to report to the Legislature the amounts transferred and the activities for which the funds were expended; requiring a district school board to report to the department if the school board transfers funds from its allocation for research-based reading instruction; providing for future expiration of certain provisions; amending s. 1011.71, F.S.; revising requirements for school district expenditure of revenue generated by the district school tax millage; providing for future expiration of such provisions; amending s. 1012.72, F.S., relating to the Dale Hickam Excellent Teaching Program; eliminating as authorized expenditures the fee subsidy for National Board for Professional Teaching Standards certification, the portfolio preparation incentive, the bonus for mentoring and related services, and the employer's share of Florida Retirement System contributions; revising the requirements by which a teacher may qualify for a bonus; deleting provisions to conform; amending s. 1011.52, F.S.; requiring the first accredited medical school to enter into an annual operating agreement with a government-owned hospital meeting specified criteria; providing for maintenance of affiliation; requiring submission of documentation of the agreement to the Department of Education prior to payment from appropriation; providing an effective date.

—was referred to the Fiscal Policy and Calendar Committee.

By the Policy and Budget Council; and Representative Sansom—

HB 5085—A bill to be entitled An act relating to health care; transferring and reassigning certain functions and responsibilities, including records, personnel, property, and unexpended balances of appropriations and other resources, from the Department of Health to the Department of Business and Professional Regulation by a type two transfer; providing for the continued validity of pending judicial or administrative actions to which the Department of Health is a party; providing for the continued validity of lawful orders issued by the Department of Health; transferring rules created by the Department of Health to the Department of Business and Professional Regulation; providing for the continued validity of permits and certifications issued by the Department of Health; amending s. 400.179, F.S.; authorizing the Agency for Health Care Administration to transfer funds to the Grants and Donations Trust Fund for certain repayments; amending s. 409.905, F.S.; prohibiting payment for certain hospital inpatient per diem rate adjustment for 2 fiscal years; amending s. 409.906, F.S.; prohibiting payment for Medicaid chiropractic services, hospice care services, and podiatric services for 2 fiscal years; authorizing payment of a specified amount for Medicaid services provided by an anesthesiologist assistant; amending s. 409.908, F.S.; deleting a provision prohibiting Medicaid from making any payment toward deductibles and coinsurance for services not covered by Medicaid; providing limitations on Medicaid payments for coinsurance; revising reimbursement rates for providers of Medicaid prescribed drugs; requiring the agency to revise reimbursement rates for hospitals, nursing homes, county health departments, and community intermediate care facilities for the developmentally disabled for 2 fiscal years; requiring the agency to apply the effect of the revised reimbursement rates to set payment rates for managed care plans and nursing home diversion programs; requiring the agency to establish workgroups to evaluate alternative reimbursement and payment methodologies for hospitals, nursing facilities, and managed care plans; requiring a report; providing for future repeal of the suspension of the use of cost data to set certain rates; amending s. 409.911, F.S.; revising the share data used to calculate disproportionate share payments to hospitals; amending s. 409.9112, F.S.; revising the time period during which the agency is prohibited from distributing disproportionate share payments to regional perinatal intensive care centers; amending s. 409.9113, F.S.; requiring the agency to distribute moneys provided in the General Appropriations Act to statutorily defined teaching hospitals and family practice teaching hospitals under the teaching hospital disproportionate share program for the 2008-2009 fiscal year; amending s. 409.9117, F.S.; prohibiting the agency from distributing moneys under the primary care disproportionate share program for the 2008-2009 fiscal year; amending s. 409.912, F.S.; adding a county for participation in the Medicaid behavioral health care services specialty prepaid plan; revising reimbursement rates to pharmacies for Medicaid prescribed drugs; requiring the agency to notify the Legislature before seeking an amendment to the state plan in order to implement programs authorized by the Deficit Reduction Act of 2005; creating s. 409.91206, F.S.; providing for proposed alternatives for health and long-term care reforms; amending s. 409.91211, F.S.; providing for expansion of the Medicaid managed care pilot program to Hardee, Highlands, Hillsborough, Manatee, Miami-Dade, Monroe, Pasco, Pinellas, and Polk Counties; permitting fee-for-service provider service networks to be reimbursed on a risk-adjusted capitated basis for certain services; requiring the agency to encourage cost-effective administration by provider service networks; requiring quarterly monitoring and annual evaluation of plan network adequacy; requiring that Medicaid recipients receive prescription drug coverage information for each plan; requiring the agency to set standards for prompt claims payment; revising assignment processes for certain recipients; amending s. 409.9124, F.S.; removing the limitation on the application of certain rates and rate reductions used by the agency to reimburse managed care plans; amending s. 409.913, F.S.; prohibiting mailing of the explanation of benefits for certain Medicaid services; repealing s. 381.0271, F.S., relating to the Florida Patient Safety Corporation; repealing s. 381.0273, F.S., relating to public records exemption for patient safety data; repealing s. 394.4595, F.S., relating to access to patient records by the Florida statewide and local advocacy councils; repealing s. 402.164, F.S., relating to the Florida Statewide Advocacy Council and the Florida local advocacy councils; repealing s. 402.165, F.S., relating to the Florida Statewide Advocacy Council; repealing s. 402.166, F.S., relating to Florida local advocacy councils; repealing s. 402.167, F.S., relating to duties of state agencies that provide client services relating to the Florida Statewide Advocacy Council and the Florida local advocacy councils; repealing s. 409.9061, F.S., relating to authority for a statewide laboratory services contract; repealing s.

430.80, F.S., relating to implementation of a teaching nursing home pilot project; repealing s. 430.83, F.S., relating to the Sunshine for Seniors Program; repealing ss. 464.0195, 464.0196, and 464.0197, F.S., relating to the Florida Center for Nursing; repealing s. 464.0198, F.S., relating to the Florida Center for Nursing Trust Fund; amending ss. 39.001, 39.0011, 39.202, 39.302, 215.22, 394.459, 394.4597, 394.4598, 394.4599, 394.4615, 400.0065, 400.118, 400.141, 415.1034, 415.104, 415.1055, 415.106, 415.107, 429.19, 429.28, 429.34, and 430.04, F.S.; conforming provisions and correcting cross-references; providing an effective date.

—was referred to the Fiscal Policy and Calendar Committee.

By the Policy and Budget Council; and Representative Sansom—

HB 5091—A bill to be entitled An act relating to tobacco education and prevention; amending s. 381.84, F.S.; providing an additional purpose in implementing the Comprehensive Statewide Tobacco Education and Use Prevention Program; expanding the counter-marketing and advertising campaign component to include utilization of innovative communication strategies, including the use of physicians and dentists; expanding the cessation programs, counseling, and treatment component to include the use of physicians and dentists; substituting the term "tobacco-use cessation" for "smoking cessation"; expanding the community programs and chronic disease prevention component to include statewide programs; deleting county health department funding eligibility; specifying purposes for the use of funds distributed under the program; revising membership of the Tobacco Education and Use Prevention Advisory Council; requiring the Department of Health to award contracts and grants for certain purposes; deleting obsolete language; providing an effective date.

—was referred to the Fiscal Policy and Calendar Committee.

RETURNING MESSAGES—FINAL ACTION

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has passed CS for CS for SB 242, CS for SB 276, CS for SB 2102, CS for SB 2116, SB 2120, CS for SB 2122 and SB 2124; and passed SB 2100, SB 2104, SB 2106, SB 2108, SB 2110, SB 2112, SB 2114, SB 2118, SB 2128, SB 2130 and SB 2132 by the required constitutional three-fifths vote of the membership of the House.

William S. Pittman III, Chief Clerk

The bills contained in the foregoing messages were ordered enrolled.

CORRECTION AND APPROVAL OF JOURNAL

The Journal of April 9 was corrected and approved.

CO-INTRODUCERS

Senators Baker—SB 2554; Bennett—CS for SB 790; Crist—CS for SB 2652; Fasano—CS for CS for SB 2026; Gaetz—CS for CS for SB 1716; Joyner—SB 2790; Justice—SB 772; Lynn—CS for SB 2350; Margolis—SB 226; Siplin—SB 142; Webster—CS for CS for SB 756

RECESS

On motion by Senator King, the Senate recessed at 1:10 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 9:30 a.m., Wednesday, April 16 or upon call of the President.

Journal of the Senate

Number 13—Regular Session **Wednesday, April 16, 2008**

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CALL TO ORDER

The Senate was called to order by President Pruitt at 9:30 a.m. A quorum present—40:

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Aronberg	Gaetz	Posey
Atwater	Garcia	Rich
Baker	Geller	Ring
Bennett	Haridopolos	Saunders
Bullard	Hill	Siplin
Carlton	Jones	Storms
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dawson	King	Wilson
Dean	Lawson	Wise
Deutch	Lynn	
Diaz de la Portilla	Margolis	

PRAYER

The following prayer was offered by Mr. Barrington Irving, President and Founder of Experience Aviation, Miami:

Father, we give thanks for the State of Florida and its government. We hold up in prayer before you the men and women who are in positions of authority. We pray and intercede for the Senate President, the House Speaker, the Representatives and Senators, the judges of our land, the policemen, as well as the governors and mayors, and for all those who are in authority over us in any way.

We pray that the spirit of the Lord rests upon them. We believe that skillful and godly wisdom has entered into the heart of the Senate President, and knowledge is pleasant to have. Discretion watches over him. Understanding keeps him and delivers him from the way of evil and from evil men.

Father, we ask that you comfort the Senate President. Make the hearts of men and women and their ears attentive to godly counsel and make them do that which is right in your sight. We believe you cause them to be men and women of integrity who are obedient. May we lead a quiet and peaceful life in all our godliness and honesty.

We pray that the upright shall dwell in our government; that men and women blameless in your sight, Father, shall remain in these positions of authority; but that the wicked shall be cut off from our government and the treacherous shall be rooted out of it. Your word declares, that "Blessed is a nation whose God is the Lord." Father, you are our refuge and stronghold in the time of trouble; so we declare with our mouths that your people dwell safely in this land and we prosper upon it. We are more than conquerors. It is written in your word that "The heart of the King is in the hand of the Lord" and you turn in the way you desire. We believe the heart of our leader is in your hand and that the decisions are divinely directed of the Lord.

We give thanks unto you that the good news of the gospel is published in our land. The word of the Lord prevails and grows mightily in the hearts and lives of people. We give thanks for this land and the leaders you have given us. Amen.

PLEDGE

Senate Pages Arielle S. Claude of Williston; Lydia M. Cremer of Palatka; Jamila Dickey of Quincy; and James "Jake" Tate of Venice, led the Senate in the pledge of allegiance to the flag of the United States of America.

DOCTOR OF THE DAY

The President recognized Dr. Alan Pillersdorf of Palm Springs, sponsored by Senator Atwater, as doctor of the day. Dr. Pillersdorf specializes in Plastic Surgery.

ADOPTION OF RESOLUTIONS

On motion by Senator Wilson—

By Senators Wilson, Pruitt, Alexander, Aronberg, Atwater, Baker, Bennett, Bullard, Carlton, Constantine, Crist, Dawson, Dean, Deutch, Diaz de la Portilla, Dockery, Fasano, Gaetz, Garcia, Geller, Haridopolos, Hill, Jones, Joyner, Justice, King, Lawson, Lynn, Margolis, Oelrich, Peaden, Posey, Rich, Ring, Saunders, Siplin, Storms, Villalobos, Webster, and Wise—

SR 712—A resolution recognizing Barrington Irving on his attaining two world records in aviation.

WHEREAS, on March 23, 2007, Barrington Irving, a 23-year-old senior majoring in aeronautical studies at Florida Memorial University, climbed into a single-engine Columbia 400 aircraft called "Inspiration" and embarked on a 26,800-mile, round-the-world flight, and

WHEREAS, when he returned to Miami on June 27th, he was celebrated for setting two world records - he is the first person of African descent and the youngest person ever to fly solo around the globe, and

WHEREAS, Mr. Irving traversed four continents, clocking more than 130 hours of flight time on a 97-day "World Flight Adventure" that included landings in the Azores, Spain, Greece, Egypt, Dubai, India, Thailand, Hong Kong, Taiwan, and Japan, and

WHEREAS, born in Kingston, Jamaica, and raised in inner-city Miami, Mr. Irving is a graduate of Miami-Dade County Public Schools and is a Mentor in the 5000 Role Models of Excellence Project, and

WHEREAS, while a student at Florida Memorial University, Mr. Irving earned Private and Commercial Pilot and Flight Instructor licenses as well as his Instrument Rating and, in 2005, he founded a nonprofit organization, Experience Aviation, Inc., to address the significant shortage of youth pursuing careers in Aviation and Aerospace, and

WHEREAS, supported by a $10,000 grant from the Miami Dade Empowerment Trust, Barrington Irving offered guidance and training to young people in South Florida through a program that included flying touring planes and learning how to use a flight simulator and he received an additional commitment of $75,000 to expand the program and reach more youth in the community, and

WHEREAS, Mr. Irving used these funds to set up what he hopes will be the first of many Experience Aviation Learning Centers at Miami's Opa-locka Executive Airport using donated computers and Microsoft Flight Simulator software, and

WHEREAS, Barrington Irving's successful endeavors in aviation and his dedication to making aviation education and training available to many young people are magnificent accomplishments and represent an energy and a vision that inspire us all, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That the Senate congratulates and applauds Barrington Irving and recognizes this 16th day of April, 2008, as "Barrington Irving Day" in the State of Florida.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to Barrington Irving as a tangible token of the sentiments of the Florida Senate.

—was introduced out of order and read by title. On motion by Senator Wilson, **SR 712** was read the second time in full and adopted.

SPECIAL GUEST AND PRESENTATION

Upon request of the President, Barrington Irving joined the President at the rostrum where he was presented the Medallion of Excellence and a copy of the resolution.

On motion by Senator Joyner—

By Senator Joyner—

SR 2046—A resolution celebrating and honoring the heroic life, vibrant leadership, and historic accomplishments of the Reverend Dr. Martin Luther King, Jr.

WHEREAS, the Reverend Dr. Martin Luther King, Jr., was an American clergyman, a winner of the Nobel Peace Prize, one of the principal leaders of the American Civil Rights Movement, and a prominent advocate of nonviolent protest, and

WHEREAS, Martin Luther King was born Michael Luther King in Atlanta, Georgia, on January 15, 1929, and later renamed after his father, Martin Luther King, Sr., when he was about 6 years old, and

WHEREAS, Martin Luther King, Jr., attended local segregated public schools, excelling in his studies; entered Morehouse College at age 15 and graduated with a Bachelor's Degree in Sociology; graduated from Crozer Theological Seminary in Pennsylvania with honors; and earned a Doctorate in Systematic Theology from Boston University, and

WHEREAS, in 1957, Dr. King was instrumental in founding the Southern Christian Leadership Conference, which began as an organization of black churches and ministers whose goal was to challenge racial segregation and complement the NAACP's legal efforts to dismantle segregation through the courts, and

WHEREAS, in the 1950s and 1960s, Dr. King led a series of protest campaigns against segregated restaurants, hotels, housing, schools, and transit facilities which gained national attention, helping to convince many white Americans and others to support the cause of civil rights in the United States, and

WHEREAS, in April 1963, Dr. King was arrested and sent to jail during one of these demonstrations and wrote a letter from his jail cell to a local clergyman who had criticized him for creating disorder in the city, a letter that became known as the "Letter From a Birmingham Jail," in which Dr. King argued that individuals have the moral right and responsibility to disobey unjust laws, and

WHEREAS, Dr. King provided consummate guidance and insight to the Civil Rights Movement, crafting a proposal for radical social change based on the inspired principles of nonviolent protest which ultimately achieved benchmark changes in the law and improved the possibilities of millions of people who had been marginalized by a history of racism, and

WHEREAS, Dr. King and other black leaders brought the Civil Rights Movement to the attention of the country and the world by organizing the 1963 March on Washington, a massive peaceful protest that drew more than 200,000 participants and at which he delivered his magnificent "I Have a Dream" speech, and

WHEREAS, that speech and Dr. King's marches in Birmingham and Selma, Alabama, created the political momentum that resulted in the enactment of the Civil Rights Act of 1964, which prohibited segregation in public accommodations, prohibited discrimination in education and employment, and also resulted in the enactment of the Voting Rights Act of 1965, which was fundamental in guaranteeing the rights of full citizenship to African Americans, and

WHEREAS, the Reverend Dr. Martin Luther King, Jr., was named "Person of the Year" for 1963 by Time Magazine, and in the article about him, Dr. King is quoted as saying "the quality, not the longevity, of one's life is what is important. If you are cut down in a movement that is designed to save the soul of a nation, then no other death could be more redemptive," and

WHEREAS, on December 10, 1964, the Reverend Dr. Martin Luther King, Jr., was awarded the Nobel Peace Prize, and in his acceptance speech he stated: "I think Alfred Nobel would know what I mean when I say that I accept this award in the spirit of a curator of some precious heirloom which he holds in trust for its true owners - all those to whom beauty is truth and truth beauty - and in whose eyes the beauty of genuine brotherhood and peace is more precious than diamonds or silver or gold," and

WHEREAS, Dr. King was tragically assassinated in Memphis on April 4, 1968, and his death continues to be mourned by millions worldwide as a bitter sacrifice to the great ideals he represented to us - social justice, equal rights and opportunity, and the brotherhood of mankind, and

WHEREAS, January 20, 1986, was the first national celebration of Dr. King's birthday as a Federal Holiday, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That the Senate honors the memory, and celebrates the 78th birthday, of a great American leader, the Reverend Dr. Martin Luther King, Jr., whose inspired moral leadership and courage guided our nation through an immense struggle for civil and human rights and whose example continues to inspire us in our efforts to complete that struggle.

—was introduced out of order and read by title. On motion by Senator Joyner, **SR 2046** was read the second time in full and adopted.

At the request of Senator Ring—

By Senator Ring—

SR 1204—A resolution honoring the City of Coral Springs for receiving the 2007 Malcolm Baldrige National Quality Award.

WHEREAS, chartered in 1963, the City of Coral Springs is a two-time Florida Governor's Sterling Award winner and has achieved national recognition, including Money magazine's Best Places to Live and one of the 100 Best Communities for Young People by America's Promise in 2006 and 2007, and

WHEREAS, established in 1987, the Malcolm Baldrige National Quality Award is awarded to manufacturing and service businesses and to education, health care, and nonprofit organizations based on leadership,

strategic planning, customer and market focus, measurement and analysis, human resource focus, process management, and results, and

WHEREAS, 2007 marks the first year that nonprofit organizations were allowed to compete for the award, and the City of Coral Springs was one of 13 nonprofit organizations to apply for the award and one of only four nonprofit organizations to receive a site visit, during which the city underwent a rigorous week-long evaluation by a board of nine examiners, and

WHEREAS, the City of Coral Springs has become the first local government in the country to receive the coveted Malcolm Baldrige National Quality Award, which is presented by the United States Department of Commerce, and will be honored in Washington, D.C., in recognition of this accomplishment, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That the City of Coral Springs is commended for receiving the 2007 Malcolm Baldrige National Quality Award.

BE IT FURTHER RESOLVED that a copy of this resolution be presented to the City of Coral Springs as a tangible token of the sentiments of the Florida Senate.

—**SR 1204** was introduced, read and adopted by publication.

At the request of Senator Crist—

By Senator Crist—

SR 2954—A resolution reaffirming the bonds of friendship, cooperation, and economic exchange between the State of Florida and Colombia.

WHEREAS, Florida, the United States' seventh-largest exporter in 2006, with goods exports totaling $38.5 billion, has a global reputation as a gateway to the Americas and has a vital stake in global markets, and

WHEREAS, Florida, with a global reputation as a gateway to the Americas and a significant resident population from Latin America, including more than 150,000 from Colombia, is visited by over a quarter of a million Colombians annually, who contributed $321 million to the state's economy in 2006 alone, and

WHEREAS, in 2006, Florida's exports to Colombia accounted for 23 percent of total United States' exports to that country, and

WHEREAS, goods exports from Florida increased by over 15 percent in 2006, leading to the gross domestic product growth of 4.2 percent, totaling $38.5 billion, representing 5.4 percent of Florida's gross domestic product, and

WHEREAS, in 2007, Florida-origin exports to Colombia surpassed $2 billion, increasing by 31 percent over the previous year, and

WHEREAS, agricultural exports, service exports, foreign investment, and imports all contribute significantly to Florida's economy and employment base, and Colombia is a significant contributor, and

WHEREAS, according to the United States Department of Agriculture, Florida's agricultural exports, including exports of fruits, vegetables, beef, sugar, and dairy products to Colombia, reached $1.7 billion in 2006, supporting 20,100 jobs throughout the state, both on and off farmlands, and

WHEREAS, Florida has benefited greatly from its economic and other exchanges with Colombia and hopes to continue its long-standing relationship between the residents of this state and the people of Colombia, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That the Florida Senate reaffirms the bonds of friendship and cooperation that have existed between the State of Florida and Colombia, recognizes the strong economic ties between the State of Florida and Colombia, and extends best wishes to Colombia and her people for a peaceful, prosperous, and successful future.

—**SR 2954** was introduced, read and adopted by publication.

At the request of Senator Webster—

By Senator Webster—

SR 2966—A resolution recognizing April 16, 2008, as "Truckers Day in Florida."

WHEREAS, Florida's economy depends on having a highly efficient and reliable transportation system, and

WHEREAS, the trucking industry is the backbone of the state's economy and, as a leading mode of moving freight, the trucking industry plays a vital role in advancing Florida's prosperity, and

WHEREAS, Florida's trucking industry safely performs vital delivery and pickup of 70 percent of all freight moved in the state, driving over 16 billion miles yearly to do so, serving communities, schools, and businesses with dedication and without fanfare every day, and

WHEREAS, Florida's trucking industry provides more than 450,000 jobs and contributes over $17 billion in wages each year to Florida's work force, and

WHEREAS, the trucking industry's dedication to maintaining high standards to keep Florida moving contributes to the strength of our transportation system and reflects the spirit of Florida and America, and

WHEREAS, we are all indebted to the hard-working drivers who embody a commitment to excellence, haul the loads, and make those just-in-time deliveries, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That the Florida Senate acknowledges that without trucks Florida stops, recognizes April 16, 2008, as "Truckers Day in Florida," and applauds Florida's trucking industry for its commitment to keeping Florida's economy rolling.

—**SR 2966** was introduced, read and adopted by publication.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motions by Senator Carlton, the rules were waived and by two-thirds vote **HB 5001**, **HB 5003**, **HB 5045**, **HB 5047**, **HB 5049**, **HB 5053**, **HB 5055**, **CS for HB 5057**, **HB 5079**, **HB 5081**, **HB 5067**, **HB 5069**, **HB 5071**, **HB 5073**, **HB 5075**, **HB 5093**, **HB 5083**, **HB 5077**, **HB 5051**, **HB 5043**, **HB 5059**, **HB 5061**, **HB 5085**, **HB 5087**, **HB 5091** and **HB 5063** were withdrawn from the Fiscal Policy and Calendar Committee and placed first on the Special Order Calendar this day.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House has passed CS for SB 1886 with amendment(s), and asks the Senate to concur or agree to conference.

William S. Pittman III, Chief Clerk

CS for SB 1886—A bill to be entitled An act relating to the state group insurance program; amending s. 110.123, F.S.; specifying the amount of the employer contribution to employee health savings accounts; providing an effective date.

House Amendment 1 (573773)(with title amendment)—Remove everything after the enacting clause and insert:

And the title is amended as follows:

Remove the entire title and insert:

On motion by Senator Carlton, the Senate refused to concur in the House amendment and acceded to the request for a conference committee.

The action of the Senate was certified to the House.

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House has passed CS for SB 1888 with amendment(s), and asks the Senate to concur or agree to conference.

William S. Pittman III, Chief Clerk

CS for SB 1888—A bill to be entitled An act relating to state employees; providing for the resolution of certain collective bargaining issues at impasse between the State of Florida and certified bargaining units of state employees; providing an effective date.

House Amendment 1 (627385)(with title amendment)—Remove everything after the enacting clause and insert:

And the title is amended as follows:

Remove the entire title and insert:

On motion by Senator Carlton, the Senate refused to concur in the House amendment and acceded to the request for a conference committee.

The action of the Senate was certified to the House.

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House has passed CS for SB 1892 with amendment(s), and asks the Senate to concur or agree to conference.

William S. Pittman III, Chief Clerk

CS for SB 1892—A bill to be entitled An act relating to the state data center system; amending s. 14.204, F.S.; revising the duties and responsibilities of the Agency for Enterprise Information Technology; authorizing the agency to adopt rules; amending s. 215.322, F.S.; requiring the Agency for Enterprise Information Technology to review an agency's request to accept credit, charge, or debit cards in payment of goods and services and make recommendations to the Chief Financial Officer; amending s. 216.235, F.S.; including the executive director of the Agency for Enterprise Information Technology on the State Innovation Committee; requiring the agency to evaluate innovative investment projects that involve information technology; amending s. 282.003, F.S.; revising a short title; amending s. 282.0041, F.S.; defining terms relating to information resource management; amending s. 282.0055, F.S.; conforming cross-references; amending s. 282.0056, F.S.; revising provisions relating to the Agency for Enterprise Information Technology's work plan; requiring an annual plan; requiring the agency to annually report its achievements to the Governor and Cabinet and the Legislature; creating s. 282.201, F.S.; establishing a state data center system; providing legislative intent; providing the duties of the Agency for Enterprise Information Technology with respect to the system; providing responsibilities; providing state agency duties and limitations; authorizing the Agency for Enterprise Information Technology to adopt rules; creating s. 282.203, F.S.; establishing primary data centers; providing the duties of the center; providing that each center shall be headed by a board of trustees; providing for the membership of the board; providing for the duties of the board; creating s. 282.204, F.S.; establishing the Northwood Shared Resource Center as a separate budget entity housed for administrative purposes only in the Department of Children and Family Services; providing for the center to be headed by a board of trustees; creating s. 282.205, F.S.; establishing the Southwood Shared Resource Center as a separate budget entity housed for administrative purposes only in the Department of Management Services; providing for the center to be headed by a board of trustees; amending s. 282.315, F.S.; revising the duties of the Agency Chief Information Officers Council with respect to the consolidation of computer services; amending s. 282.322, F.S.; revising provisions relating to monitoring high-risk information technology projects; amending s. 287.057, F.S.; requiring the Department of Management Services to consult with the Agency for Enterprise Information Technology with respect to procuring information technology commodities and contractual services; amending ss. 445.011, 445.045, and 668.50, F.S., relating to workforce information systems and the Uniform Electronic Transaction Act; clarifying the duties of the Agency for Enterprise Information Technology and the Department of Management Services; providing for the transfer of state agency data center resources to a primary data center; requiring the board of trustees of the primary data center to submit a plan relating to costs and resources; requiring user agencies to submit budget requests to accomplish the transfers; specifying the duties of the board of trustees of the data center; providing for the transfer of the information technology functions of the Parole Commission to the Department of Corrections; requiring a plan and a service-level agreement; providing for the transfer of mainframe resources of the Department of Transportation and the Department of Highway Safety and Motor Vehicles to the Southwood Shared Resource Center; providing a timeframe for the transfer; requiring a service-level agreement for the transition and a plan; providing for the supervision of staff and ownership of resources; requiring budget amendments to redistribute resources between the state entities; repealing s. 282.20, F.S., relating to the Technology Resource Center; providing an effective date.

House Amendment 1 (040161)(with title amendment)—Remove everything after the enacting clause and insert:

And the title is amended as follows:

Remove the entire title and insert:

On motion by Senator Carlton, the Senate refused to concur in the House amendment and acceded to the request for a conference committee.

The action of the Senate was certified to the House.

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House has passed CS for CS for SB 1286 with amendment(s), and asks the Senate to concur or agree to conference.

William S. Pittman III, Chief Clerk

CS for CS for SB 1286—A bill to be entitled An act relating to a review of the Fish and Wildlife Conservation Commission under the Florida Government Accountability Act; reenacting s. 20.331, F.S., relating to the establishment of the commission; amending ss. 328.48 and 328.56, F.S., relating to vessel registration and vessel registration numbers; clarifying the term "non-motor-powered vessel" for purposes of an exception from registration requirements; amending s. 328.72, F.S., relating to vessel registration fees; increasing such fees for all vessels requiring registration; providing for future adjustment of the vessel registration fees based on the percentage change in the Consumer Pricing Index; requiring the Fish and Wildlife Conservation Commission to report to the Legislature on how the increase in fees will be used; exempting certain non-motor-powered vessels from requirements concerning vessel registration fees; amending s. 372.57, F.S., relating to recreational hunting and fishing licenses; providing for future adjustment of the recreational hunting and fishing licenses based on the percentage change in the Consumer Pricing Index; requiring the Fish and Wildlife Conservation Commission to report to the Legislature on how the increase in license and permit fees will be used; requiring the Office of Program Policy Analysis and Government Accountability to review and report on the Fish and Wildlife Conservation Commission's public relations, outreach, and education activities and staffing levels by a date certain; requiring the Fish and Wildlife Conservation Commission to review and report on specific activities within the agency by a date certain; repealing sections 372.107, 372.5714, 372.673, and 372.993, F.S., relating to the Federal Law Enforcement Trust Fund, the Waterfowl Advisory Council, the Florida Panther Technical Advisory Council, and the regulation of certain land-based commercial and recreational fishing activities; providing an effective date.

House Amendment 1 (721999)(with title amendment)—Remove everything after the enacting clause and insert:

And the title is amended as follows:

Remove the entire title and insert:

On motion by Senator Saunders, the Senate refused to concur in the House amendment and acceded to the request for a conference committee.

The action of the Senate was certified to the House.

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House has passed CS for CS for SB 1294 with amendment(s), and asks the Senate to concur or agree to conference.

William S. Pittman III, Chief Clerk

CS for CS for SB 1294—A bill to be entitled An act relating to a review of the Department of Environmental Protection under the Florida government Accountability Act; reenacting and amending s. 20.255, F.S., relating to the establishment of the department; renaming the Office of Legislative and Government Affairs as the "Office of Legislative Affairs"; creating the Office of Intergovernmental Programs within the department; renaming the Division of Resource Assessment and Management as the "Division of Environmental Assessment and Restoration"; authorizing the Environmental Regulation Commission to employ independent counsel and contract for outside technical consultants; amending s. 211.3103, F.S.; creating a surcharge on the severance of phosphate rock; providing an exemption from general revenue surcharge; providing for the expiration of the surcharge; amending s. 373.228, F.S.; requiring that certain entities review the standards and guidelines for landscape irrigation and xeriscape ordinances by a date certain; amending s. 376.303, F.S.; requiring a drycleaning facility to display a current and valid Department of environmental Protection certificate of registration; prohibiting the sale or transfer of drycleaning solvents after a certain date to owners or operators of drycleaning facilities unless a registration certificate is displayed; providing penalties; amend s. 403.031, F.S.; conforming the definition of the term "regulated air pollutant" to changes made in the federal Clean Air Act; amending s. 403.0623, F.S.; providing rulemaking authority for biological sampling techniques; amending s. 403.0872, F.S.; conforming the requirements for air operation permits to changes made to Title V of the Clean Air Act to delete certain minor sources from the Title V permitting requirements; amending s. 373.109, F.S.; requiring the department to initiate rulemaking by a date certain to adjust permit fees; providing for fees to be imposed for verifying that certain activities are exempt from regulation; providing for a fee for conducting informal wetland boundary determinations; specifying special conditions that apply to such determinations; amending s. 403.087, F.S.; providing minimum and maximum amounts for certain fees relating to wastewater treatment facilities; amending s. 403.861, F.S.; providing for a public water system application fee; requiring the department to adopt rules for periodically adjusting the application fee; amending s. 403.873, F.S.; providing rulemaking authority for continuing education requirements for water utility operators; amending s. 403.874, F.S.; providing for the reinstatement of certain water utility operator certifications; repealing s. 378.011, F.S., relating to the Land Use Advisory Committee; repealing ch. 325, F.S., consisting of ss. 325.2055, 325.221, 325.222, and 325.223, F.S., relating to motor vehicle air conditioning refrigerants; repealing s. 403.08725, F.S., relating to citrus juice processing facilities; amending s. 373.503, F.S.; increasing the millage rate for the Northwest Florida Water Management district; providing that the increased millage rate is contingent upon passage of a constitutional amendment; providing conditional authorization for the Northwest Florida Water Management District to adjust its millage rate, to conform; providing an effective date.

House Amendment 1 (767797)(with title amendment)—Remove everything after the enacting clause and insert:

And the title is amended as follows:

Remove the entire title and insert:

On motion by Senator Saunders, the Senate refused to concur in the House amendment and acceded to the request for a conference committee.

The action of the Senate was certified to the House.

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House has passed CS for CS for SB 1702 with amendment(s), and asks the Senate to concur or agree to conference.

William S. Pittman III, Chief Clerk

CS for CS for SB 1702—A bill to be entitled An act relating to a review of the Department of Agriculture and Consumer Services under the Florida Government Accountability Act; reenacting s. 20.14(2)(a) , (b), (c), (d), (f), (g), (h), (i), (k), and (l), F.S., relating to the Divisions of Administration, Agricultural Environmental Services, Animal Industry, Aquaculture, Dairy Industry, Food Safety, Forestry, Fruit and Vegetables, Marketing and Development, and Plant Industry of the Department of Agriculture and Consumer Services; amending s. 125.27, F.S.; increasing the annual countywide fire control assessment; requiring that certain portions of the assessment be distributed into the General Revenue Fund and the Incidental Trust Fund of the Division of Forestry; amending s. 370.07, F.S.; increasing the annual license tax imposed on wholesale and retail saltwater products dealers; amending s. 487.041, F.S.; increasing the registration fee imposed on each brand of pesticide that is distributed, sold, or offered for sale; amending s. 500.12, F.S.; increasing the maximum amount allowed for a food permit application fee; amending s. 559.928, F.S.; requiring that independent agents pay an annual registration fee; specifying an amount for such fee; providing for the deposit and use of moneys obtained from the collection of such fee; amending s. 576.041, F.S.; increasing the fertilizer inspection fee; amending s. 580.041, F.S.; increasing master registration fees imposed on commercial feed distributors; amending s. 597.004, F.S.; increasing the registration fee for aquaculture certification; providing an effective date.

House Amendment 1 (447421)(with title amendment)—Remove everything after the enacting clause and insert:

And the title is amended as follows:

Remove the entire title and insert:

On motion by Senator Alexander, the Senate refused to concur in the House amendment and acceded to the request for a conference committee.

The action of the Senate was certified to the House.

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House has passed CS for SB 1756 with amendment(s), and asks the Senate to concur or agree to conference.

William S. Pittman III, Chief Clerk

CS for SB 1756—A bill to be entitled An act relating to classroom size reductions; amending ss. 1002.53 and 1002.61, F.S.; conforming provisions to changes made by the act; amending s. 1002.63, F.S.; removing the eligibility requirements that a school district is required to meet in order to deliver the prekindergarten program during the school year; amending s. 1002.73, F.S.; removing the Department of Education's authority to certify school districts as eligible to deliver the prekindergarten program; amending s. 1003.03, F.S.; revising the requirements for calculating the number of students per classroom for specified fiscal years; providing a class size reduction calculation for the department to apply if it determines that an individual class exceeds the maximum level allowed; requiring the Executive Office of the Governor to place the funds from such calculation in reserve, with the undistributed funds reverting to the General Revenue Fund; authorizing the Commissioner of Education to recommend a budget amendment by a certain date each year, subject to the Legislative Budget Commission's approval; amending s. 1011.685, F.S.; requiring school districts to use class size reduction operating categorical funds to reduce class size; authorizing a school district to use such funds for any operating expenditure if the class size requirements are met, with priority given to increasing teachers' salaries; providing an effective date.

House Amendment 1 (172273)(with title amendment)—Remove everything after the enacting clause and insert:

And the title is amended as follows:

Remove the entire title and insert:

On motion by Senator Wise, the Senate refused to concur in the House amendment and acceded to the request for a conference committee.

The action of the Senate was certified to the House.

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House has passed CS for SB 1774 with amendment(s), and asks the Senate to concur or agree to conference.

William S. Pittman III, Chief Clerk

CS for SB 1774—A bill to be entitled An act relating to postsecondary student fees; amending s. 1009.22, F.S.; revising provisions relating to workforce education postsecondary student fees; prohibiting the fee from exceeding a certain percentage of the tuition per credit hour and the out-of-state fee; requiring that such fees be used to enhance instructional technology resources; prohibiting the fee from being included in any award under the Florida Bright Futures Scholarship Program; amending s. 1009.23, F.S.; conforming provisions relating to community college student fees to changes made by the act; amending s. 1009.24, F.S.; revising provisions relating to state university student fees; requiring a referendum of the student body in which a majority of the students vote to establish the technology fee; requiring each university board of trustees to report to the Legislature and the Board of Governors by a certain date each year regarding such fee; providing an effective date.

House Amendment 1 (578617)(with title amendment)—Remove everything after the enacting clause and insert:

And the title is amended as follows:

Remove the entire title and insert:

On motion by Senator Lynn, the Senate refused to concur in the House amendment and acceded to the request for a conference committee.

The action of the Senate was certified to the House.

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House has passed CS for SB 1788 with amendment(s), and asks the Senate to concur or agree to conference.

William S. Pittman III, Chief Clerk

CS for SB 1788—A bill to be entitled An act relating to trust funds; creating the Indigent Civil Defense Trust Fund within the Justice Administrative Commission; providing for the purpose of the trust fund; providing for future review and termination or re-creation of the trust fund; providing an effective date.

House Amendment 1 (537711)(with title amendment)—Remove everything after the enacting clause and insert:

And the title is amended as follows:

Remove the entire title and insert:

On motion by Senator Crist, the Senate refused to concur in the House amendment and acceded to the request for a conference committee.

The action of the Senate was certified to the House.

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House has passed CS for SB 1790 with amendment(s), and asks the Senate to concur or agree to conference.

William S. Pittman III, Chief Clerk

CS for SB 1790—A bill to be entitled An act relating to the state judicial system; amending s. 27.511, F.S.; prescribing the types of civil proceedings in which part-time assistant criminal conflict and civil regional counsel may not otherwise engage; providing for the public defender to handle criminal appeals in certain cases for which trial representation was provided by the office of criminal conflict and civil regional counsel; providing an exception when the public defender has a conflict; amending s. 27.52, F.S.; increasing the application fee for determining indigent status for the purpose of receiving criminal representation by state-funded counsel; conforming provisions to changes made by the act; amending s. 27.562, F.S.; specifying that certain assessments collected from a defendant are in satisfaction of the application fee for a determination of indigent status; amending s. 28.24, F.S.; increasing charges for services rendered by the clerk of the circuit court in recording documents and instruments and performing other duties; amending s. 28.2401, F.S.; increasing services charges the clerk of court is authorized to charge in probate matters; amending s. 28.241, F.S.; increasing filing fees for civil actions in circuit court; conforming provisions governing the remission of a portion of the fees to the General Revenue Fund; providing for a portion of the fees to be deposited in a designated trust fund in support of mediation activities; increasing filing fees for instituting certain appellate proceedings; amending s. 28.246, F.S.; reducing the maximum fee that may be charged when the clerk uses a collection agent to collect unpaid fees and costs; amending s. 28.35, F.S.; including the provision of meals and lodging for jurors within the court-related functions that the clerk of court may fund through fees, service charges, court costs, and fines; revising provisions to conform; clarifying duties of the Florida Clerks of Court Operations Corporation; reenacting s. 28.36(1), (2), (3)(a), (4), and (5), F.S., relating to budget procedures of the clerks of court, to incorporate the amendment to s. 28.35, F.S., in references thereto; amending s. 34.041, F.S.; increasing filing fees for civil actions in county court; conforming provisions governing the remission of a portion of the fees to the General Revenue Fund; providing for a portion of the fees to be deposited in a designated trust fund in support of mediation activities; amending s. 40.24, F.S.; providing for jurors to be compensated by the clerk of the court rather than the state; amending s. 40.26, F.S.; providing for certain meals and lodging expenses for jurors to be paid by the clerk of the court; amending s. 40.29, F.S.; revising requirements for the clerk of the court relating to payment of ordinary witnesses; including the criminal conflict and regional civil counsel among the persons on whose behalf the clerk of the court estimates funds for payment of witnesses; eliminating a requirement that the clerk of the court provide an estimate of certain juror expenses; revising provisions to conform; amending s. 40.31, F.S.; revisions provisions to conform to the payment of juror compensation from funds retained by the clerk of the court; authorizing the Justice Administrative Commission rather than the State Courts Administrator to apportion certain funds for payment of witnesses by the clerk of the court; amending s. 40.32, F.S.; requiring that certain juror expenses be paid by the clerk of the court from fees, service charges, court costs, and fines; amending s. 40.33, F.S.; revising procedures related to a deficiency in funds for the payment of witnesses; revising provisions to conform; amending s. 40.34, F.S.; eliminating requirements that the clerk of the court prepare a juror payroll and provide copies to the State Courts Administrator; repealing s. 40.35, F.S., relating to an accounting by the clerk of the court to the State Courts Administrator for funds for juror and witness payments; amending s. 40.355, F.S.; revising requirements for the clerk of the court to account for certain funds, to conform to changes made by the act; amending s. 40.361, F.S., relating to the applicability of certain state budgeting laws; conforming a cross-reference; amending s. 44.108, F.S.; increasing fees for court-ordered mediation services; requiring the clerk of the court to report the fees collected and deposited into the Mediation and Arbitration Trust Fund; amending s. 45.035, F.S.; increasing service charges related to judicial sales procedures; amending s. 55.505, F.S.; increasing a service charge for issuing execution or process for enforcement of a foreign judgment; amending s. 57.082, F.S.; creating an application fee for a determination of indigent status and appointment of an attorney in certain proceedings relating to children; providing for fees collected to be deposited into the Indigent Civil Defense Trust Fund; authorizing the clerk of the court to retain a portion of the fees collected; amending s. 61.14, F.S.; increasing service charges related to enforcement and modification of support, maintenance, or alimony agreements or orders; amending s. 318.121, F.S.; specifying that a new administrative fee for civil traffic violations is not preempted; amending s. 318.14, F.S.; increasing the court costs that are assessed in certain noncriminal traffic cases; amending s. 318.15, F.S.; increasing the processing fee when a person is adjudicated guilty after failing to attend driver improvement school; amending s. 318.18, F.S.; increasing fees, penalties, and court

costs related to certain traffic infractions; creating an administrative fee for noncriminal moving and nonmoving traffic violations; amending s. 322.245, F.S.; increasing delinquency fees that are imposed for failing to comply with traffic court directives and that must be paid to avoid suspension of a driver's license; amending s. 327.73, F.S.; increasing dismissal fees and court costs related to certain noncriminal vessel safety infractions; increasing the maximum amount of court costs that may be imposed; amending s. 372.83, F.S.; increasing the costs assessed by the clerk or a hearing officer for verifying that a person possesses a certain wildlife license or permit; amending s. 713.24, F.S.; increasing the fees charged by the clerk for making and serving a certificate showing transfer of a lien from real property to certain security; amending s. 721.83, F.S.; increasing the additional filing fee for joining a timeshare estate in a consolidated foreclosure action; amending s. 744.365, F.S.; increasing the fee paid by a guardian from the ward's property upon the filing of a verified inventory of the ward's property; amending s. 744.3678, F.S.; increasing the fees paid by a guardian from the ward's estate as part of an annual accounting; amending s. 766.104, F.S.; increasing the filing fee for securing an automatic extension of the statute of limitations to allow for investigation in medical negligence cases; amending s. 938.05, F.S.; increasing the additional costs that a person must pay in felony, misdemeanor, or criminal traffic offenses; amending s. 938.27, F.S.; defining the term "convicted" for purposes of paying the costs of prosecution; providing for the imposition of such costs notwithstanding a defendant's present ability to pay; prescribing costs of prosecution; authorizing the court to establish higher minimum costs of prosecution; amending s. 938.29, F.S.; providing that certain defendants are liable for the application fee to determine indigent status for purposes of appointing counsel; providing for distribution of funds collected from a defendant for the application fee, attorney's fees, and costs; prohibiting the Florida Clerks of Court Operations Corporation from increasing clerks budgets in a specified fiscal year based on increased revenues under the act; authorizing the corporation to increase budgets in the aggregate for increased clerk duties related to the payment of juror expenses; providing an effective date.

House Amendment 1 (753307)(with title amendment)—Remove everything after the enacting clause and insert:

And the title is amended as follows:

Remove the entire title and insert:

On motion by Senator Crist, the Senate refused to concur in the House amendment and acceded to the request for a conference committee.

The action of the Senate was certified to the House.

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House has passed CS for SB 1792 with amendment(s), and asks the Senate to concur or agree to conference.

William S. Pittman III, Chief Clerk

CS for SB 1792—A bill to be entitled An act relating to criminal history information; amending s. 943.053, F.S.; clarifying the purposes for which the fees collected from the private sector or noncriminal justice agencies to acquire criminal history information may be applied; increasing the amount of the fee charged per record for criminal history information; providing an effective date.

House Amendment 1 (126781)(with title amendment)—Remove everything after the enacting clause and insert:

And the title is amended as follows:

Remove the entire title and insert:

On motion by Senator Crist, the Senate refused to concur in the House amendment and acceded to the request for a conference committee.

The action of the Senate was certified to the House.

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House has passed CS for SB 1988 with amendment(s), and asks the Senate to concur or agree to conference.

William S. Pittman III, Chief Clerk

CS for SB 1988—A bill to be entitled An act relating to driving with a license that is suspended, revoked, or canceled; amending s. 322.34, F.S.; providing that a person commits a second-degree misdemeanor upon a first conviction and a first-degree misdemeanor upon a second or subsequent conviction of the same offense if the person commits certain specified violations of law; requiring the Department of Highway Safety and Motor Vehicles to study the effectiveness of suspending a person's driver's license for certain specified violations of law; requiring that the department, in consultation with the Office of Program Policy Analysis and Government Accountability and other affected entities, prepare a report and submit its findings and recommendations to the Governor and the Legislature by a specified date; providing an effective date.

House Amendment 1 (759941)(with title amendment)—Remove everything after the enacting clause and insert:

And the title is amended as follows:

Remove the entire title and insert:

On motion by Senator Dockery, the Senate refused to concur in the House amendment and acceded to the request for a conference committee.

The action of the Senate was certified to the House.

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House has passed CS for CS for SB 2000 with amendment(s), and asks the Senate to concur or agree to conference.

William S. Pittman III, Chief Clerk

CS for CS for SB 2000—A bill to be entitled An act relating to sentencing and the development of more effective justice and correctional policies; creating s. 921.0019, F.S.; creating the Sentencing Policy Advisory Council within the Legislature and a Justice Reinvestment Subcommittee within the Sentencing Policy Advisory Council; requiring the council to evaluate sentencing policy, sentencing practices, correctional policies, justice reinvestment initiatives, and laws affecting or applicable to sentencing or punishment; requiring the subcommittee to review the effectiveness of correctional policies, including sanctioning programs for low-level drug and property offenders, mental health and substance abuse interventions, and reinvestment strategies to enhance the long-term effectiveness of correctional policies by reducing cost without negatively impacting public safety; requiring that recommendations be consistent with specified goals; providing membership of the council; providing for selection of the chair of the council; providing for an executive director and additional staff for the council, subject to appropriations; providing that members of the council serve without compensation, but are entitled to be reimbursed for per diem and travel expenses; requiring meetings and reports of findings and recommendations to the Governor, the Legislature, and the Florida Supreme Court; requiring the council to report its findings and recommendations regarding specified questions by a specified date; providing an effective date.

House Amendment 1 (453157)(with title amendment)—Remove everything after the enacting clause and insert:

And the title is amended as follows:

Remove the entire title and insert:

On motion by Senator Dockery, the Senate refused to concur in the House amendment and acceded to the request for a conference committee.

The action of the Senate was certified to the House.

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House has passed SB 2820 with amendment(s), and asks the Senate to concur or agree to conference.

William S. Pittman III, Chief Clerk

SB 2820—A bill to be entitled An act relating to residential facilities for juvenile offenders; amending s. 985.02, F.S.; expressing the legislative intent that residential facilities for juvenile offenders have no more than 165 beds; providing an exception for campus-style settings that have more than one level of restrictiveness and other conditions; amending s. 985.03, F.S.; redefining the term "restrictiveness level" to require that residential facilities for juvenile offenders in low-risk, moderate-risk, and high-risk offender programs have no more than 165 residential beds each; providing an exception for campus-style settings that have more than one level of restrictiveness and other conditions; providing an effective date.

House Amendment 1 (838227)(with title amendment)—Remove everything after the enacting clause and insert:

And the title is amended as follows:

Remove the entire title and insert:

On motion by Senator Crist, the Senate refused to concur in the House amendment and acceded to the request for a conference committee.

The action of the Senate was certified to the House.

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House has passed CS for SB 1864 with amendment(s), and asks the Senate to concur or agree to conference.

William S. Pittman III, Chief Clerk

CS for SB 1864—A bill to be entitled An act relating to medical research; amending s. 381.922, F.S., relating to the William G. "Bill" Bankhead, Jr., and David Coley Cancer Research Program; revising the annual appropriation for the program; amending s. 1004.445, F.S., relating to the Johnnie B. Byrd, Sr., Alzheimer's Center and Research Institute; revising the annual appropriation for the institute; providing an effective date.

House Amendment 1 (594597)(with title amendment)—Remove everything after the enacting clause and insert:

And the title is amended as follows:

Remove the entire title and insert:

On motion by Senator Peaden, the Senate refused to concur in the House amendment and acceded to the request for a conference committee.

The action of the Senate was certified to the House.

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House has passed CS for SB 1882 with amendment(s), and asks the Senate to concur or agree to conference.

William S. Pittman III, Chief Clerk

CS for SB 1882—A bill to be entitled An act relating to the Department of Highway Safety and Motor Vehicles; amending s. 17.61, F.S.; deleting the DUI Programs Coordination Trust Fund from the list of funds invested by the Chief Financial Officer; amending s. 215.20, F.S.; deleting certain trust funds from the list of funds subject to a 0.3 percent service charge; amending s. 319.001, F.S.; defining the term "certificate of title"; amending s. 319.40, F.S.; authorizing the department to issue electronic certificates of title for motor vehicles and to provide notification through e-mail; amending s. 320.08, F.S.; revising provisions relating to the expenditure of the nonrefundable motorcycle safety education fee; amending s. 320.95, F.S.; authorizing the department to provide notification through e-mail; amending s. 322.025, F.S.; revising provisions relating to the implementation of programs to improve driving ability to conform to changes made by the act; amending s. 322.0255, F.S.; deleting the requirement that the department reimburse organizations that provide a motorcycle safety education course to certain students; amending s. 322.271, F.S.; authorizing the department to waive the hearing process for a person whose license has been suspended, cancelled, or revoked; providing exceptions; amending s. 322.293, F.S.; requiring that DUI programs be administered by the department and paid for by revenues collected by such programs; providing that such revenues be deposited into the Highway Safety Operating Trust Fund; amending s. 328.30, F.S.; authorizing the department to issue electronic certificates of title to vessels and to provide notification through e-mail; amending s. 328.80, F.S.; authorizing the Fish and Wildlife Conservation Commission to provide notification through e-mail; amending ss. 316.251 and 501.976, F.S.; conforming cross-references; providing an effective date.

House Amendment 1 (760043)(with title amendment)—Remove everything after the enacting clause and insert:

And the title is amended as follows:

Remove the entire title and insert:

On motion by Senator Fasano, the Senate refused to concur in the House amendment and acceded to the request for a conference committee.

The action of the Senate was certified to the House.

BILLS ON THIRD READING

SB 38—A bill to be entitled An act relating to Memorial Healthcare System of Broward, Inc., d/b/a Memorial Regional Hospital; providing for the relief of Janaria Miller, a minor child, to compensate her for injuries sustained as a result of the negligence of employees of the hospital; providing an appropriation; providing a limitation on the payment of fees and costs; providing an effective date.

—was read the third time by title.

On motion by Senator Deutch, **SB 38** was passed and certified to the House. The vote on passage was:

Yeas—28

Mr. President	Geller	Peaden
Aronberg	Haridopolos	Posey
Atwater	Hill	Rich
Baker	Jones	Ring
Bullard	Joyner	Siplin
Crist	Justice	Storms
Dean	Lawson	Villalobos
Deutch	Lynn	Wilson
Diaz de la Portilla	Margolis	
Fasano	Oelrich	

Nays—8

Alexander	Gaetz	Webster
Constantine	Garcia	Wise
Dockery	King	

Vote after roll call:

Yea—Saunders

Nay—Bennett, Carlton

SB 40—A bill to be entitled An act relating to the Miami-Dade County School Board; providing for the relief of Maria Gough and Jorge Gough, parents and natural guardians of Jaime Gough, a minor, and of Jorge Gough, as personal representative of the estate of Jaime Gough, for the wrongful death of their son, which was due in part to the school board's negligent failure to prevent forseeable violence on school grounds; pro-

viding a limitation on the payment of fees and costs; providing an effective date.

—was read the third time by title.

On motion by Senator Wilson, **SB 40** was passed and certified to the House. The vote on passage was:

Yeas—23

Mr. President	Diaz de la Portilla	Rich
Aronberg	Garcia	Ring
Atwater	Geller	Saunders
Baker	Hill	Siplin
Bullard	Joyner	Storms
Crist	Justice	Villalobos
Dean	Lawson	Wilson
Deutch	Margolis	

Nays—16

Alexander	Gaetz	Peaden
Bennett	Haridopolos	Posey
Carlton	Jones	Webster
Constantine	King	Wise
Dockery	Lynn	
Fasano	Oelrich	

SB 54—A bill to be entitled An act relating to the Orange County School Board; providing for the relief of Daniel Decembre, a minor, by and through his parents and natural guardians, Desnar and Mignone Decembre; providing for an appropriation to compensate Daniel for injuries and damages he sustained as a result of negligence by agents and employees of the school board; providing a limitation on the payment of fees and costs; providing an effective date.

—was read the third time by title.

On motion by Senator Joyner, **SB 54** was passed and certified to the House. The vote on passage was:

Yeas—23

Mr. President	Garcia	Rich
Aronberg	Geller	Ring
Atwater	Hill	Saunders
Baker	Joyner	Siplin
Bullard	Justice	Storms
Crist	Lawson	Villalobos
Deutch	Margolis	Wilson
Diaz de la Portilla	Posey	

Nays—16

Alexander	Fasano	Oelrich
Bennett	Gaetz	Peaden
Carlton	Haridopolos	Webster
Constantine	Jones	Wise
Dean	King	
Dockery	Lynn	

SB 60—A bill to be entitled An act relating to the South Broward Hospital District; providing for the relief of Adrian Fuentes, a minor, by and through his parents and natural guardians, Luz Fuentes and Jose Fuentes; providing for an appropriation to compensate him for injuries and damages sustained as a result of the negligence of the South Broward Hospital District, d/b/a Memorial Hospital Primary Care Center; providing a limitation on the payment of fees and costs; providing an effective date.

—was read the third time by title.

On motion by Senator Ring, **SB 60** was passed and certified to the House. The vote on passage was:

Yeas—31

Mr. President	Garcia	Peaden
Alexander	Geller	Posey
Aronberg	Haridopolos	Rich
Atwater	Hill	Ring
Baker	Jones	Saunders
Bullard	Joyner	Siplin
Crist	Justice	Storms
Dean	Lawson	Villalobos
Deutch	Lynn	Wilson
Diaz de la Portilla	Margolis	
Fasano	Oelrich	

Nays—8

Bennett	Dockery	Webster
Carlton	Gaetz	Wise
Constantine	King	

CS for SB 68—A bill to be entitled An act for the relief of Tyler Giblin, a minor, by and through Gina and Mark Giblin, parents of Tyler Giblin; providing for an appropriation by the Munroe Regional Health System, Inc., to compensate Tyler for injuries sustained as a result of the negligence of the hospital; providing for the use of funds; providing a limitation on the payment of fees and costs; providing for payment of unreimbursed medical costs to the Agency for Health Care Administration; providing an effective date.

—was read the third time by title.

On motion by Senator Dean, **CS for SB 68** was passed and certified to the House. The vote on passage was:

Yeas—32

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Garcia	Peaden
Atwater	Geller	Posey
Baker	Haridopolos	Rich
Bullard	Hill	Ring
Constantine	Jones	Saunders
Crist	Joyner	Siplin
Dean	Justice	Storms
Deutch	Lawson	Villalobos
Diaz de la Portilla	Lynn	

Nays—6

Bennett	Gaetz	Webster
Carlton	King	Wise

SB 50—A bill to be entitled An act relating to the City of Lake Worth; providing for the relief of Lisa Freeman-Salazar and Andy Salazar, individually and as co-personal representatives of the estate of Alexandria Salazar, deceased, for the death of Alexandria Salazar due to the negligence of the City of Lake Worth; providing for an appropriation; providing for attorney's fees and costs; providing a limitation on the payment of fees and costs; providing an effective date.

—was read the third time by title.

On motion by Senator Baker, **SB 50** was passed and certified to the House. The vote on passage was:

Yeas—25

Mr. President	Deutch	Joyner
Alexander	Diaz de la Portilla	Justice
Aronberg	Fasano	Lawson
Atwater	Garcia	Margolis
Baker	Geller	Peaden
Bullard	Haridopolos	Posey
Dean	Hill	Rich

Saunders	Storms	Villalobos
Siplin		

Nays—10

Carlton	Jones	Oelrich
Crist	King	Webster
Dockery	Lynn	Wise
Gaetz		

Vote after roll call:

Nay—Bennett, Constantine

SB 56—A bill to be entitled An act relating to Miami-Dade County; providing for the relief of Schneidine Theogene, a minor, by and through her parent and natural guardian, Jeanne Coicou, to compensate Schneidine for injuries sustained as a result of the negligence of a Miami-Dade County bus driver; providing for an appropriation; providing a limitation on the payment of fees and costs; providing an effective date.

—was read the third time by title.

On motion by Senator Aronberg, **SB 56** was passed and certified to the House. The vote on passage was:

Yeas—29

Mr. President	Fasano	Margolis
Alexander	Garcia	Peaden
Aronberg	Geller	Posey
Atwater	Haridopolos	Rich
Baker	Hill	Ring
Bullard	Jones	Saunders
Crist	Joyner	Siplin
Dean	Justice	Storms
Deutch	Lawson	Villalobos
Diaz de la Portilla	Lynn	

Nays—9

Bennett	Dockery	Oelrich
Carlton	Gaetz	Webster
Constantine	King	Wise

On motion by Senator Oelrich, by unanimous consent—

CS for CS for SB 1716—A bill to be entitled An act relating to postsecondary education; amending s. 1000.21, F.S.; redesignating the names of certain community colleges as colleges; creating s. 1001.60, F.S., relating to the Florida College System; providing system purposes; defining the system as comprised of the public postsecondary educational institutions that grant 2-year and 4-year academic degrees; providing limitations; authorizing a name change under certain conditions; providing for institutions within the Florida College System to be governed by local boards of trustees; providing membership for the boards; creating s. 1004.87, F.S.; creating the Florida College System Task Force for the purpose of developing recommendations for the transition of community colleges to baccalaureate-degree-granting colleges; providing for membership and appointments; providing duties of the task force and reporting requirements; providing for the task force to be dissolved unless extended by general law; creating s. 1004.875, F.S.; creating the State College Pilot Project for the purpose of recommending to the Legislature an approval process for the transition of certain community colleges to state colleges; designating certain institutions to participate in the project; providing duties and reporting requirements for the institutions; providing an effective date.

—as amended April 10 was taken up out of order and read the third time by title.

MOTION

On motion by Senator Oelrich, the rules were waived to allow the following amendments to be considered:

Senator Oelrich moved the following amendments which were adopted by two-thirds vote:

Amendment 1 (799032)—Between lines 40 and 41 insert:

(x) Santa Fe ~~Community~~ College.

And the directory clause is amended as follows:

Delete line 30 and insert:

Section 1. Paragraphs (b), (e), (k), (u), and (x) of subsection

Amendment 2 (312436)—Delete line 183 and insert: *Daytona Beach College, Miami Dade College, Indian River College, Santa Fe College,*

On motions by Senator Oelrich, **CS for CS for SB 1716** as amended was passed, ordered engrossed and by two-thirds vote was immediately certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

Nays—None

On motion by Senator Peaden, by unanimous consent—

CS for CS for SB 1080—A bill to be entitled An act relating to the Johnnie B. Byrd, Sr., Alzheimer's Center and Research Institute; amending s. 1004.445, F.S.; establishing the center within the University of South Florida; providing for the administration of the center; creating a research advisory board and providing for a manner of appointment; providing duties; eliminating the board of directors and the council of scientific advisors; revising the grant award process for the center; providing a limitation on expenditures; authorizing an account for center purposes; providing for a report; extending the sunset provisions; providing effective dates.

—as amended April 10 was taken up out of order and read the third time by title.

Senator Storms moved the following amendment which failed to receive the required two-thirds vote:

Amendment 1 (953248)(with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Subsection (12) of section 1004.445, Florida Statutes, is amended to read:

1004.445 Johnnie B. Byrd, Sr., Alzheimer's Center and Research Institute.—

(12) Beginning in *the 2009-2010* fiscal year ~~2007-2008~~, the sum of *$0* ~~$13.5 million~~ is appropriated annually from recurring funds in the General Revenue Fund to the Grants and Donations Trust Fund within the Department of Elderly Affairs for the Johnnie B. Byrd, Sr., Alzheimer's Center and Research Institute at the University of South Florida for the purposes as provided under paragraph (6)(a), conducting and supporting research, providing institutional research grants and investigator-initiated research grants, developing and operating integrated data projects, and providing assistance to statutorily designated memory disorder clinics as provided under s. 430.502. Not less than 80 percent of the appropriated funds shall be expended for these purposes, and not less

than 20 percent of the appropriated funds shall be expended for peer-reviewed investigator-initiated research grants.

Section 2. This act shall take effect upon becoming a law.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to the Johnnie B. Byrd, Sr., Alzheimer's Center and Research Institute; amending s. 1004.445, F.S.; revising the annual appropriation; providing an effective date.

Senators Crist and Joyner offered the following amendments which were moved by Senator Crist and adopted by two-thirds vote:

Amendment 2 (256264)(with title amendment)—Between line(s) 63 and 64, insert:

(8) With the exception of charitable donations for the center deposited into the separate account within the University of South Florida's foundation, the University of South Florida shall establish and maintain separate accounts for all other funds appropriated to, dedicated for, or generated by the center.

(Renumber subsequent subsections.)

And the title is amended as follows:

Delete line(s) 10 and 11, and insert: a limitation on expenditures; requiring the university to establish an account for charitable donations and separate accounts for other funds; providing for a report; extending the

Amendment 3 (158002)—Delete line(s) 122 and insert: *Florida by July 1, 2008. Charitable donations shall be deposited into the account established pursuant to s. 1004.445(7). All other funds shall be deposited into appropriate accounts established pursuant to s. 1004.445(8).*

On motion by Senator Peaden, **CS for CS for SB 1080** as amended was passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—35

Mr. President	Dockery	Margolis
Alexander	Fasano	Peaden
Aronberg	Garcia	Posey
Atwater	Geller	Rich
Baker	Haridopolos	Ring
Bennett	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dean	King	Wilson
Deutch	Lawson	Wise
Diaz de la Portilla	Lynn	

Nays—1

Storms

Vote after roll call:

Yea—Bullard, Gaetz

On motion by Senator Peaden, by unanimous consent—

CS for SB 2326—A bill to be entitled An act relating to certificates of need; amending s. 408.035, F.S.; revising the requirements for the Agency for Health Care Administration with respect to reviewing an application for a certificate of need for a general hospital; amending s. 408.037, F.S.; revising the requirements for an application for a certificate of need by an applicant for a general hospital; amending s. 408.039, F.S.; requiring the agency to attend public hearings on such applications; requiring an existing hospital to submit a written statement of opposition in order to challenge the agency decision on an application for a certificate of need for a general hospital; authorizing the applicant to submit a written response; limiting filing a letter of intent to file an application; limiting the period of a continuance that may be granted with respect to an administrative hearing considering an application for a general hospital; limiting the parties who may challenge in an administrative hearing involving an application for a certificate of need; limiting the scope of the challenge; authorizing the administrative judge to expand the scope of the issues to be heard upon a motion showing good cause; requiring that the party appealing a final order granting a certificate of need for a general hospital pay the appellee's attorney's fees and costs subject to certain requirements; providing that the agency may not be held liable for any other party's attorney's fees or costs; repealing s. 408.040(3), F.S.; relating to a requirement for an architect's certification of final payment before issuance of a certificate of need; providing for application of the act; providing for severability; providing an effective date.

—as amended April 10 was taken up out of order and read the third time by title.

Senator Peaden moved the following amendments which were adopted by two-thirds vote:

Amendment 1 (271794)—Delete line(s) 119-123 and insert: *discharges. If, subsequent to issuance of a final order approving the certificate of need, the proposed location of the general hospital changes or the primary service area materially changes, the agency shall revoke the certificate of need. However, if the agency determines that such changes are deemed to enhance access to hospital services in the service district, the agency may permit such changes to occur. A party participating in the administrative hearing regarding the issuance of the certificate of need for a general hospital has standing to participate in any subsequent proceeding regarding the revocation of the certificate of need for a hospital for which the location has changed or for which the primary service area has materially changed. In addition, the application for the certificate of need for a general hospital must include a statement of intent that, if approved by final order of the agency, the applicant shall within 120 days after issuance of the final order or, if there is an appeal of the final order, within 120 days after the issuance of the court's mandate on appeal, furnish satisfactory proof of the applicant's financial ability to operate. The agency shall establish documentation requirements, to be completed by each applicant, which show anticipated provider revenues and expenditures, the basis for financing the anticipated cash-flow requirements of the provider, and an applicant's access to contingency financing. A party participating in the administrative hearing regarding the issuance of the certificate of need for a general hospital may provide written comments concerning the adequacy of the financial information provided, but such party does not have standing to participate in an administrative proceeding regarding proof of the applicant's financial ability to operate. The agency may require a licensee to provide proof of financial ability to operate at any time if there is evidence of financial instability, including, but not limited to, unpaid expenses necessary for the basic operations of the provider.*

Amendment 2 (946404)—Delete line(s) 163 and insert: *complete and made available to the public.*

Amendment 3 (304326)(with title amendment)—Delete line(s) 218-235 and insert:

(d) The party appealing a final order that grants a general hospital certificate of need shall pay the appellee's attorney's fees and costs, in an amount up to $1 million, from the beginning of the original administrative action if the appealing party loses the appeal, subject to the following limitations and requirements:

1. The party appealing a final order must post a bond in the amount of $1 million in order to maintain the appeal.

2. Except as provided under s. 120.595(5), in no event shall the agency be held liable for any other party's attorney's fees or costs.

And the title is amended as follows:

Delete line(s) 26-28 and insert: costs subject to certain requirements; repealing s. 408.040(3), F.S.;

MOTION

On motion by Senator Peaden, the rules were waived to allow the following amendment to be considered:

Senator Peaden moved the following amendment which was adopted by two-thirds vote:

Amendment 4 (079216)—Delete line(s) 71-73 and insert:

(2) For a general hospital, the agency shall consider only the criteria specified in paragraph (1)(a), paragraph (1)(b), except for quality of care in paragraph (1)(b), and paragraphs (1)(e), (g), and (i).

On motion by Senator Peaden, **CS for SB 2326** as amended was passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

Nays—None

On motion by Senator Peaden, by unanimous consent—

CS for CS for SB 2534—A bill to be entitled An act relating to health insurance; amending s. 112.363, F.S.; specifying that coverage provided through the Cover Florida Health Care Access Program is considered health insurance coverage for the purposes of determining eligibility for the state retiree health insurance subsidy; amending s. 408.909, F.S.; revising eligibility for enrollment in a health flex plan; revising the expiration date of the health flex plan program; creating s. 408.9091, F.S.; creating the Cover Florida Health Care Access Program; providing a short title; providing legislative intent; providing definitions; requiring the Agency for Health Care Administration and the Office of Insurance Regulation of the Financial Services Commission within the Department of Financial Services to jointly administer the program; providing program requirements; requiring the development of guidelines to meet minimum standards for quality care and access to care; requiring the agency to ensure that the Cover Florida plans follow standardized grievance procedures; requiring the Executive Office of the Governor, the agency, and the office to develop a public awareness program; authorizing public and private entities to design or extend incentives for participation in the Cover Florida Access Program; requiring the agency and the office to announce an invitation to negotiate for Cover Florida plan entities to design a coverage proposal; requiring the agency and the office to approve one plan entity; authorizing the agency and the office to approve one regional network plan in each existing Medicaid area; requiring the invitation to negotiate to include certain guidelines; providing certain conditions in which plans are disapproved or withdrawn; authorizing the agency and the office to announce an invitation to negotiate for companies that offer supplemental insurance or discount medical plans; providing that certain licensing requirements or ch. 641, F.S., are not applicable to a Cover Florida plan; providing that Cover Florida plans are considered insurance under certain conditions; excluding Cover Florida plans from the Florida Life and Health Insurance Guaranty Association and the Health Maintenance Organization Consumer Assistance Plan; providing requirements for eligibility in a Cover Florida plan; requiring each Cover Florida plan to maintain and provide certain records; providing that coverage under a Cover Florida plan is not an entitlement and does not give rise to a cause of action; requiring the agency and the office to evaluate the Cover Florida program and submit an annual report to the Governor and the Legislature; requiring the agency and the Financial Services Commission to adopt rules; amending s. 624.91, F.S.; revising the duties of the Florida Healthy Kids Corporation; amending s. 409.814, F.S.; revising the eligibility requirements for participation in the Medikids program or the Florida Healthy Kids program; deleting certain limitations; amending s. 627.6562, F.S.; requiring insurance policies that provide dependent coverage to provide the policyholder with the option of insuring a child until the age of 30 under certain circumstances; amending s. 627.6699, F.S.; redefining the term "small employer" for purposes of the Employee Health Care Access Act; providing an effective date.

—as amended April 10 was taken up out of order and read the third time by title.

Senator Peaden moved the following amendments which were adopted by two-thirds vote:

Amendment 1 (581166)—Delete line(s) 245-248 and insert:

(b) The agency and the office may announce an invitation to negotiate for the design of Cover Florida Plus products to companies that offer supplemental insurance, discount medical plan organizations licensed under part II of chapter 636, or prepaid health clinics licensed under part II of chapter 641.

Amendment 2 (486886)—On line(s) 270 after "*private*" insert: *health*

On motion by Senator Peaden, **CS for CS for SB 2534** as amended was passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

Nays—None

On motion by Senator Atwater, by unanimous consent—

CS for CS for SB's 2860 and 1196—A bill to be entitled An act relating to insurance; amending s. 215.5595, F.S.; revising legislative findings with respect to the Insurance Capital Build-Up Incentive Program and the appropriation of state funds for surplus notes issued by residential property insurers; revising the conditions and requirements for providing funds to insurers under the program; requiring a commitment by the insurer to meet minimum premium-to-surplus writing ratios for residential property insurance, for taking policies out of Citizens Property Insurance Corporation, and for maintaining certain surplus and reinsurance; establishing deadlines for insurers to apply for funds; authorizing the State Board of Administration to charge a late fee for payment of remittances; requiring the board to submit semiannual reports to the Legislature regarding the program; providing that amendments made by the act do not affect the terms of surplus notes approved prior to a specified date, but authorizing the board and an insurer to renegotiate such terms consistent with such amendments; requiring the board to transfer to Citizens Property Insurance Corporation any funds that have not been reserved for insurers approved to receive such funds under the program, from the funds that were appropriated from Citizens; requiring the board to transfer to Citizens interest and principal payments to Citizens Property Insurance Corporation for surplus note funded from appropriations from Citizens; requiring Citizens to deposit such funds into accounts from which appropriations were made; amending s. 542.20, F.S.; subjecting the business of insurance to the Florida Antitrust Act; limiting enforcement to actions by the Attorney General or a state attorney; providing exceptions; amending s. 624.3161, F.S.; authorizing the Office of Insurance Regulation to require an insurer to file its claims handling practices and procedures as a public record based on findings of a market conduct examination; amending s. 624.4211, F.S.; increasing the maximum amounts of administrative fines that may

be imposed upon an insurer by the Office of Insurance Regulation for nonwillful and willful violations of an order or rule of the office or any provision of the Florida Insurance Code; authorizing the office to impose a fine for each day of noncompliance up to a maximum amount; providing factors to consider when determining the amount of the fine; creating s. 624.4213, F.S.; specifying requirements for submission of a document or information to the Office of Insurance Regulation or the Department of Financial Services in order for a person to claim that the document is a trade secret; requiring each page or portion to be labeled as a trade secret and be separated from non-trade secret material; requiring the submitting party to include an affidavit certifying certain information about the documents claimed to be trade secrets; requiring the office or department to notify persons who submit trade secret documents of any public-records request and the opportunity to file a court action to bar disclosure; specifying conditions for the office to retain or release such documents; requiring an award of attorney's fees against a person who certified a document as trade secret if a court or administrative tribunal finds that the document is not a trade secret; creating s. 624.4305, F.S.; requiring that an insurer planning to nonrenew more than a specified number of residential property insurance polices notify the Office of Insurance Regulation and obtain approval for such nonrenewals; specifying procedures for issuance of such notice; prohibiting the office from approving a nonrenewal plan unless it determines that the insurer has met certain conditions; prohibiting the office from requiring certain actions; limiting the ability of the office to disapprove or restrict nonrenewal of certain policies under certain conditions; amending s. 626.9521, F.S.; increasing the maximum fines that may be imposed by the office or department for nonwillful and willful violations of state law regarding unfair methods of competition and unfair or deceptive acts or practices related to insurance; amending s. 626.9541, F.S.; prohibiting an insurer from considering certain factors when evaluating or adjusting a property insurance claim; prohibiting an insurer from failing to pay undisputed amounts of benefits owed under a property insurance policy within a certain period; amending s. 627.062, F.S.; requiring that an insurer seeking a rate for property insurance that is greater than the rate most recently approved by the Office of Insurance Regulation make a "file and use" filing for all such rate filings made after a specified date; revising the factors the office must consider in reviewing a rate filing; prohibiting the Office of Insurance Regulation from disapproving as excessive a rate solely because the insurer obtained reinsurance covering a specified probably maximum loss; allowing the office to disapprove a rate as excessive within 1 year after the rate has been approved under certain conditions related to nonrenewal of policies by the insurer; requiring the Division of Administrative Hearings to expedite a hearing request by an insurer and for the administrative law judge to commence the hearing within a specified time; establishing time limits for entry of a recommended order, for parties to submit written exceptions, and for the office to enter a final order, subject to waiver by all parties; authorizing an insurer to request an expedited appellate review pursuant to the Florida Rules of Appellate Procedure; expressing legislative intent for an expedited appellate review; requiring an administrative law judge in a hearing on an insurance rate to grant a continuance if requested by a party due to receiving additional information that was not previously available; deleting provisions relating to the submission of a disputed rate filing, other than a rate filing for medical malpractice insurance, to an arbitration panel in lieu of an administrative hearing if the rate is filed before a specified date; requiring certain officers and the chief actuary of a property insurer to certify certain information as part of a rate filing, subject to the penalty of perjury; amending s. 627.0613, F.S.; deleting cross-references to conform to changes made by the act; amending s. 627.0628, F.S.; requiring that with respect to rate filings, insurers must use actuarial methods or models found to be accurate or reliable by the Florida Commission on Hurricane Loss Projection Methodology; deleting the requirement for the Office of Insurance Regulation and the Consumer Advocate to have access to all assumptions of a hurricane loss model in order for a model that has been found to be accurate and reliable by the Florida Commission on Hurricane Loss Projection Methodology to be admissible in a rate proceeding; deleting cross-references to conform to changes made by the act; amending s. 627.0629, F.S.; requiring that the Office of Insurance Regulation develop and make publicly available before a specified deadline a proposed method for insurers to establish windstorm mitigation premium discounts that correlate to the uniform home rating scale; requiring that the Financial Services Commission adopt rules before a specified deadline; requiring insurers to make rate filings pursuant to such method; authorizing the commission to make changes by rule to the uniform home grading scale and specify by rule the minimum required discounts, credits, or other rate differentials; requiring that such rate differentials be consistent with generally accepted actuarial principles and wind loss mitigation studies; amending s. 627.351, F.S., relating to Citizens Property Insurance Corporation; deleting a provision to conform to changes made in the act; deleting provisions defining the terms "homestead property" and "nonhomestead property"; deleting a provision providing for the classification of certain dwellings as "nonhomestead property"; deleting provisions making dwellings and condominium units that have a replacement cost above a specified value ineligible for coverage after a specified date; deleting requirements for certain properties to meeting building code plus requirements as a condition of eligibility for coverage by the corporation; requiring certain structures to have opening protections as a condition of eligibility for coverage after a specified date; requiring that the corporation cease issuance of new wind-only coverage beginning on a specified date; deleting outdated provisions requiring the corporation to submit a report for approval of offering multiperil coverage; revising threshold amounts of deficits incurred in a calendar year on which the decision to levy assessments and the types of such assessments are based; revising the formula used to calculate shares of assessments owed by certain assessable insureds; requiring that the board of governors make certain determinations before levying emergency assessments; providing the board of governors with discretion to set the amount of an emergency assessment within specified limits; requiring the board of governors to levy a Citizens policyholder surcharge under certain conditions; deleting a provision requiring the levy of an immediate assessment against certain policyholders under such conditions; requiring that funds collected from the levy of such surcharges be used for certain purposes; providing that such surcharges are not considered premium and are not subject to commissions, fees, or premium taxes; requiring that the failure to pay such surcharges be treated as failure to pay premium; requiring that the amount of any assessment or surcharge which exceeds the amount of deficits be remitted to and used by the corporation for specified purposes; deleting provisions requiring that the plan of operation of the corporation provide for the levy of a Citizens policyholder surcharge if regular deficit assessments are levied as a result of deficits in certain accounts; deleting provisions related to the calculation, classification, and nonpayment of such surcharge; requiring that the corporation make an annual filing for each personal or commercial line of business it writes, beginning on a specified date; limiting the overall average statewide premium increase and the increase for an individual policyholder to a specified amount for rates established for certain policies during a specified period; deleting a provision requiring an insurer to purchase bonds that remain unsold; requiring the corporation to make its database of policies available to prospective take-out insurers under certain conditions; requiring the corporation to require agents to accept or decline appointment for any policy selected; requiring the corporation to notify the policyholder of certain information if an insurer selected his or her policy for a take-out offer but the policyholder's agent refused to be appointed; deleting provisions requiring the corporation to make certain confidential underwriting and claims files available to agents to conform to changes made by the act relating to ineligibility of certain dwellings; amending s. 627.4133, F.S.; increasing the required time period for an insurer to notify a policyholder of cancellation or nonrenewal of a personal lines or commercial residential property insurance policy; making conforming changes; creating s. 627.714, F.S.; requiring that personal lines residential policies be guaranteed renewable for a specified period if the dwelling meets certain requirements for wind-borne debris protection; creating s. 689.262, F.S.; requiring a purchaser of residential property to be presented with the windstorm mitigation rating of the structure; authorizing the Financial Services Commission to adopt rules; amending s. 817.2341, F.S.; providing for criminal penalties to be imposed under certain conditions against any person who willfully files a materially false or misleading rate filing; requiring Citizens Property Insurance Corporation to transfer funds to the General Revenue Fund if the losses due to a hurricane do not exceed a specified amount; requiring the board of governors of Citizens Property Insurance Corporation to make a reasonable estimate of such losses by a certain date; making nonrecurring appropriations for purposes of the Insurance Capital Build-Up Incentive Program established pursuant to s. 215.5595, F.S., as amended by the act; authorizing costs and fees to be paid from funds appropriated, subject to specified limitations; providing effective dates.

—as amended April 10 was taken up out of order and read the third time by title.

MOTION

On motion by Senator Geller, the rules were waived to allow the following amendment to be considered:

Senator Geller moved the following amendment which was adopted by two-thirds vote:

Amendment 1 (459290)(with directory and title amendments)—Between line(s) 2798 and 2799, insert:

(w)1. The following records of the corporation are confidential and exempt from the provisions of s. 119.07(1) and s. 24(a), Art. I of the State Constitution:

a. Underwriting files, except that a policyholder or an applicant shall have access to his or her own underwriting files. *Confidential and exempt underwriting file records may also be released to other governmental agencies upon written request and demonstration of need; such records held by the receiving agency remain confidential and exempt as provided herein.*

b. Claims files, until termination of all litigation and settlement of all claims arising out of the same incident, although portions of the claims files may remain exempt, as otherwise provided by law. Confidential and exempt claims file records may be released to other governmental agencies upon written request and demonstration of need; such records held by the receiving agency remain confidential and exempt as provided ~~for~~ herein.

c. Records obtained or generated by an internal auditor pursuant to a routine audit, until the audit is completed, or if the audit is conducted as part of an investigation, until the investigation is closed or ceases to be active. An investigation is considered "active" while the investigation is being conducted with a reasonable, good faith belief that it could lead to the filing of administrative, civil, or criminal proceedings.

d. Matters reasonably encompassed in privileged attorney-client communications.

e. Proprietary information licensed to the corporation under contract and the contract provides for the confidentiality of such proprietary information.

f. All information relating to the medical condition or medical status of a corporation employee which is not relevant to the employee's capacity to perform his or her duties, except as otherwise provided in this paragraph. Information *that* ~~which~~ is exempt shall include, but is not limited to, information relating to workers' compensation, insurance benefits, and retirement or disability benefits.

g. Upon an employee's entrance into the employee assistance program, a program to assist any employee who has a behavioral or medical disorder, substance abuse problem, or emotional difficulty which affects the employee's job performance, all records relative to that participation shall be confidential and exempt from the provisions of s. 119.07(1) and s. 24(a), Art. I of the State Constitution, except as otherwise provided in s. 112.0455(11).

h. Information relating to negotiations for financing, reinsurance, depopulation, or contractual services, until the conclusion of the negotiations.

i. Minutes of closed meetings regarding underwriting files, and minutes of closed meetings regarding an open claims file until termination of all litigation and settlement of all claims with regard to that claim, except that information otherwise confidential or exempt by law *shall* ~~will~~ be redacted.

2. If ~~When~~ an authorized insurer is considering underwriting a risk insured by the corporation, relevant underwriting files and confidential claims files may be released to the insurer provided the insurer agrees in writing, notarized and under oath, to maintain the confidentiality of such files. *If* ~~When~~ a file is transferred to an insurer that file is no longer a public record because it is not held by an agency subject to the provisions of the public records law. Underwriting files and confidential claims files may also be released to staff ~~of~~ and the board of governors of the market assistance plan established pursuant to s. 627.3515, who must retain the confidentiality of such files, except such files may be released to authorized insurers that are considering assuming the risks to which the files apply, provided the insurer agrees in writing, notarized and under oath, to maintain the confidentiality of such files. Finally, the corporation or the board or staff of the market assistance plan may make the following information obtained from underwriting files and confidential claims files available to licensed general lines insurance agents: name, address, and telephone number of the residential property owner or insured; location of the risk; rating information; loss history; and policy type. The receiving licensed general lines insurance agent must retain the confidentiality of the information received.

3. A policyholder who has filed suit against the corporation has the right to discover the contents of his or her own claims file to the same extent that discovery of such contents would be available from a private insurer in litigation as provided by the Florida Rules of Civil Procedure, the Florida Evidence Code, and other applicable law. Pursuant to subpoena, a third party has the right to discover the contents of an insured's or applicant's underwriting or claims file to the same extent that discovery of such contents would be available from a private insurer by subpoena as provided by the Florida Rules of Civil Procedure, the Florida Evidence Code, and other applicable law, and subject to any confidentiality protections requested by the corporation and agreed to by the seeking party or ordered by the court. The corporation may release confidential underwriting and claims file contents and information as it deems necessary and appropriate to underwrite or service insurance policies and claims, subject to any confidentiality protections deemed necessary and appropriate by the corporation.

4.~~2.~~ Portions of meetings of the corporation are exempt from the provisions of s. 286.011 and s. 24(b), Art. I of the State Constitution wherein confidential underwriting files or confidential open claims files are discussed. All portions of corporation meetings which are closed to the public shall be recorded by a court reporter. The court reporter shall record the times of commencement and termination of the meeting, all discussion and proceedings, the names of all persons present at any time, and the names of all persons speaking. No portion of any closed meeting shall be off the record. Subject to the provisions hereof and s. 119.07(1)(e)-(g), the court reporter's notes of any closed meeting shall be retained by the corporation for a minimum of 5 years. A copy of the transcript, less any exempt matters, of any closed meeting wherein claims are discussed shall become public as to individual claims after settlement of the claim.

And the directory clause is amended as follows:

On line(s) 1084, after "(p)," insert: (w),

And the title is amended as follows:

On line(s) 203, after the semicolon (;) insert: clarifying the right of certain parties to discover underwriting and claims file records; authorizing the corporation to release such records as it deems necessary;

On motion by Senator Atwater, **CS for CS for SB's 2860 and 1196** as amended was passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—32

Mr. President	Diaz de la Portilla	Margolis
Aronberg	Fasano	Peaden
Atwater	Gaetz	Posey
Baker	Garcia	Rich
Bennett	Geller	Saunders
Bullard	Haridopolos	Storms
Carlton	Jones	Villalobos
Constantine	Joyner	Webster
Crist	Justice	Wilson
Dean	King	Wise
Deutch	Lynn	

Nays—7

Alexander	Lawson	Ring
Dockery	Oelrich	Siplin
Hill		

SENATOR RING PRESIDING

CS for CS for SB 610—A bill to be entitled An act relating to physical education; providing a short title; amending s. 1003.455, F.S.; requiring physical education in grades 6 through 8; providing for waivers under certain circumstances; requiring school districts to notify parents of the waiver options; providing an effective date.

—as amended April 10 was read the third time by title.

On motion by Senator Constantine, **CS for CS for SB 610** as amended was passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Fasano	Peaden
Alexander	Gaetz	Posey
Aronberg	Garcia	Rich
Atwater	Geller	Ring
Baker	Haridopolos	Saunders
Bennett	Hill	Siplin
Bullard	Jones	Storms
Carlton	Joyner	Villalobos
Constantine	Justice	Webster
Crist	King	Wilson
Deutch	Lawson	Wise
Diaz de la Portilla	Lynn	
Dockery	Margolis	

Nays—1

Oelrich

Vote after roll call:

Yea—Dean

CS for CS for SB 370—A bill to be entitled An act relating to the personal care attendant program; amending s. 413.402, F.S.; revising provisions governing a program to provide personal care attendants for persons who have disabilities; requiring the Florida Endowment Foundation for Vocational Rehabilitation to enter into an agreement by a certain date with the Florida Association of Centers for Independent Living to administer a program to provide such attendants to persons who have severe and chronic disabilities; requiring that the parties execute a memorandum of understanding; naming the program the "James Patrick Memorial Work Incentive Personal Attendant Services Program"; providing for payment for the administration of the program; removing a provision requiring interagency memoranda of agreement; revising eligibility requirements for participation in the personal care attendant program; removing provisions concerning the training, selection, and recruitment of personal care attendants; providing for training of program participants concerning hiring and managing an attendant; providing for the adoption and revision of program policies and procedures by the association in cooperation with an oversight group; providing for membership in the oversight group; amending s. 413.4021, F.S.; increasing the percentage of revenues collected from persons who fail to remit sales tax which is deposited in the special reserve account of the Florida Endowment Foundation for Vocational Rehabilitation to administer the program; deleting a provision requiring that the Florida Endowment Foundation for Vocational Rehabilitation select an entity to administer the program; providing for automatic enrollment in the program for certain persons; providing an effective date.

—was read the third time by title.

On motion by Senator Wise, **CS for CS for SB 370** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Bennett	Dean
Alexander	Bullard	Deutch
Aronberg	Carlton	Diaz de la Portilla
Atwater	Constantine	Dockery
Baker	Crist	Fasano
Gaetz	King	Ring
Garcia	Lawson	Saunders
Geller	Lynn	Siplin
Haridopolos	Margolis	Storms
Hill	Oelrich	Villalobos
Jones	Peaden	Webster
Joyner	Posey	Wilson
Justice	Rich	Wise

Nays—None

CS for SB 2366—A bill to be entitled An act relating to medical faculty certificates; amending s. 458.3145, F.S.; authorizing additional universities to employ medical faculty certificateholders; providing a limitation on the number of certificateholders per university; providing an effective date.

—was read the third time by title.

On motion by Senator Diaz de la Portilla, **CS for SB 2366** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Fasano	Oelrich
Alexander	Gaetz	Peaden
Aronberg	Garcia	Posey
Atwater	Geller	Rich
Baker	Haridopolos	Ring
Bennett	Hill	Saunders
Bullard	Jones	Siplin
Carlton	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise
Dockery	Margolis	

Nays—None

Vote after roll call:

Yea—Constantine

CS for CS for SB 1648—A bill to be entitled An act relating to human immunodeficiency virus testing; amending s. 381.004, F.S.; requiring that when consent cannot be obtained within the time necessary to conduct an HIV test on an individual and begin prophylactic treatment of exposed medical personnel, the results of the HIV test shall be documented only in the medical file of the medical personnel and not in the medical file of the patient unless he or she gives consent; authorizing appropriate medical personnel under the supervision of a licensed physician to make the decision to test under these conditions; requiring those personnel to document the significant exposure requiring the HIV testing without valid consent in accordance with written protocol based on the medical judgment of a licensed physician; providing an effective date.

—was read the third time by title.

On motion by Senator Saunders, **CS for CS for SB 1648** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Crist	Haridopolos
Alexander	Dean	Hill
Aronberg	Deutch	Jones
Atwater	Diaz de la Portilla	Joyner
Baker	Dockery	Justice
Bennett	Fasano	King
Bullard	Gaetz	Lawson
Carlton	Garcia	Lynn
Constantine	Geller	Margolis

Oelrich	Ring	Villalobos
Peaden	Saunders	Webster
Posey	Siplin	Wilson
Rich	Storms	Wise

Nays—None

CS for SB 1370—A bill to be entitled An act relating to the Florida Patient Safety Corporation; amending s. 381.0271, F.S.; authorizing a representative appointed by the Florida Council of Medical School Deans to serve on the board of directors of the corporation; deleting provisions requiring that the corporation establish specific advisory committees; authorizing the corporation to create and dissolve advisory committees upon a majority vote of the board of directors; deleting obsolete organizational provisions; requiring that the corporation's board of directors conduct quarterly meetings; requiring the Agency for Health Care Administration to make available adverse incident reports to designated agents of the Florida Patient Safety Corporation; requiring the corporation to evaluate the effects of the sharing of electronic records on patient safety; requiring the corporation to encourage the use of evidence-based medicine; deleting responsibilities related to the provision of access to a library of evidence-based medicine and patient safety practices; requiring a plan for the implementation of patient safety technologies; deleting obsolete provisions and reporting requirements; providing an effective date.

—was read the third time by title.

On motion by Senator Jones, **CS for SB 1370** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

Nays—None

CS for SB 2618—A bill to be entitled An act relating to public health; amending s. 381.006, F.S.; limiting application of the environmental health program of the Department of Health to state institutions for the mentally ill rather than all institutions used for the incarceration of prisoners and inmates; amending s. 381.86, F.S.; revising responsibilities of the Institutional Review Board; repealing s. 381.85, F.S., the Florida Biomedical and Social Research Act; repealing s. 381.895, F.S., relating to standards for compressed air used for recreational diving; providing an effective date.

—was read the third time by title.

Senator Rich moved the following amendment which was adopted by two-thirds vote:

Amendment 1 (567648)(with title amendment)—Between lines 43 and 44, insert:

Section 3. Section 381.98, Florida Statutes, is amended to read:

381.98 The Florida Public Health *Institute* ~~Foundation~~, Inc.; establishment; purpose; mission; duties; board of directors.—

(1) The Florida Public Health *Institute* ~~Foundation~~, Inc., referred to in this section as "the corporation," is established for the purpose of *advancing the knowledge and practice of public health, including* ~~disseminating breakthrough findings in biomedical research and~~ promoting health awareness in this state ~~and providing services to the Department of Health~~.

~~(2) The corporation's mission includes disseminating information about innovative biomedical research and clinical trials in this state as well as making Floridians and their treatment providers aware of specified diseases and conditions and available methods of preventing, diagnosing, treating, and curing those diseases and conditions.~~

(2)~~(3)~~ The ~~purpose and~~ objective of the corporation *is* ~~shall be~~ to operate exclusively for charitable, scientific, and educational purposes; to protect and improve the health and well-being of Florida's people and environment through partnerships committed to program innovation, education, applied research, and policy development; and to engage in charitable programs dedicated to improving the health of Floridians.

(3)~~(4)~~ The corporation shall be established as a not-for-profit entity qualifying under s. 501(c)(3) of the Internal Revenue Code. The corporation may receive, hold, invest, and administer property and any moneys acquired from private, local, state, and federal sources, as well as technical and professional income generated or derived from the mission-related activities of the corporation. The corporation shall have all of the powers conferred upon corporations organized under chapter 617.

(4)~~(5)~~ The corporation's duties include procuring funds necessary for accomplishing the purpose and mission of the corporation. The corporation shall strive to complement, supplement, and enhance the missions of the various organizations, entities, and departments ~~represented on its board~~ by serving as the lead corporation in the state for promoting public health awareness.

(5)~~(6)~~ The affairs of the corporation shall be managed by an executive director appointed by a board of directors. ~~consisting of:~~

(6) The board of directors shall be elected in accordance with the bylaws of the corporation and must include, but need not be limited to:

(a) The State Surgeon General or his or her designee.

(b) A *representative of the Florida Public Health Association* ~~former member of the Senate appointed by the President of the Senate~~.

(c) *Representatives of local health departments, with at least one representative from the southern, central, and northern areas of the state* ~~A former member of the House of Representatives appointed by the Speaker of the House of Representatives~~.

(d) *Representatives from institutions of higher learning* ~~A representative of the American Heart Association~~.

(e) *Representatives from the private health care, business, or foundation community* ~~A representative of the American Cancer Society, Florida Division, Inc~~.

~~(f) A representative of the American Lung Association of Florida.~~

~~(g) A representative of the American Diabetes Association, South Coastal Region.~~

~~(h) A representative of the Alzheimer's Association.~~

~~(i) A representative of the Epilepsy Foundation.~~

~~(j) A representative of the National Parkinson Foundation.~~

~~(k) A representative of the March of Dimes, Florida Chapter.~~

~~(l) A representative of the Arthritis Foundation, Florida Chapter.~~

~~(m) A representative of the American Liver Foundation.~~

~~(n) A representative of the Florida Council for Behavioral Healthcare, Inc.~~

~~(o) A representative of the Florida Alcohol and Drug Abuse Association.~~

~~(p) A representative of Pharmaceutical Research and Manufacturers of America.~~

~~(q) A representative of the Florida Public Health Association.~~

~~(r) A representative of the Florida Association of County Health Officers.~~

~~(s) A public health academician selected by the State Health Officer.~~

~~(t) A representative of the Florida Academy of Family Physicians.~~

~~(u) Three consumers who have demonstrated an interest in protecting the public health appointed by the Florida Public Health Association.~~

~~(v) A representative of the Florida Association of Health Plans.~~

(7) The majority of board members must be nonstate employees.

~~(7) Members of the board of directors shall serve for 2-year terms and shall serve without compensation. Each organization represented on the board of directors shall cover the expenses of its representative.~~

~~(8) The corporation, in consultation with the Department of Health and the Florida Center for Universal Research to Eradicate Disease, shall facilitate communication between biomedical researchers and health care providers each month according to the health awareness schedule established by the Florida Public Health Foundation, Inc., in order to ensure ongoing dialogue between researchers, treatment providers, and the department.~~

(8)~~(9)~~ The corporation and the Department of Health shall enter into partnerships with providers of continuing education for health care practitioners, including, but not limited to, hospitals and state and local medical organizations, to ensure that practitioners are aware of the most recent and complete diagnostic and treatment tools.

(9)~~(10)~~ The corporation may provide personnel to the Department of Health for the purpose of performing duties and responsibilities outlined in private and public grants received by the Department of Health. These personnel are not state employees and are not entitled to retirement credit and other benefits provided to state employees under chapters 110 and 112. These personnel shall perform services *under* ~~pursuant to~~ an agreement between the corporation and the Department of Health.

(10)~~(11)~~ The corporation may purchase goods, services, and property for use by the Department of Health. These purchases are not subject to the provisions of chapters 253, 255, and 287, nor to the control or direction of the Department of Environmental Protection or the Department of Management Services.

(11)~~(12)~~ The corporation shall provide an annual report concerning its activities ~~and finances~~ to the ~~Florida Center for Universal Research to Eradicate Disease and shall provide copies of the annual report to the~~ Governor, the President of the Senate, and the Speaker of the House of Representatives.

(Redesignate subsequent sections.)

And the title is amended as follows:

On line 8, after the semicolon (;) insert: amending s. 381.98, F.S.; changing the name of the Florida Public Health Foundation, Inc., to the Florida Public Health Institute, Inc.; providing that the purpose of the institute is to advance the knowledge and practice of public health, including promoting health awareness in this state; providing for the objectives of the institute; requiring that the institute be established as a not-for-profit entity qualifying under s. 501(c)(3) of the Internal Revenue Code; providing for the duties of the institute; providing that affairs of the institute be managed by an executive director appointed by a board of directors; providing for membership on the board of directors; requiring the institute to present an annual report concerning its activities and finances to the Governor, the President of the Senate, and the Speaker of the House of Representatives;

On motion by Senator Jones, **CS for SB 2618** as amended was passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

Nays—None

CS for CS for SB 2630—A bill to be entitled An act relating to organ and tissue donation; amending s. 765.203, F.S.; deleting a provision in the form that designates a health care surrogate that provides an exception for anatomical gifts; amending s. 765.512, F.S.; revising provisions for making an organ donation; adding additional persons to the list of persons who may donate a decedent's body; removing the provision prohibiting a spouse from making a donation if the decedent's adult son or daughter objects; amending s. 765.514, F.S.; providing additional mechanisms for making an anatomical gift including registering with the organ and tissue donor registry; revising the uniform donor card to specify the type of donation; deleting a statement of public policy that prohibits restrictions on who may receive an anatomical gift, a provision specifying who can accept a gift, and a provision designating a physician to carry out appropriate procedures; amending s. 765.515, F.S.; requiring the Department of Highway Safety and Motor Vehicles to inform the donor registry of instances of making an anatomical gift and of withdrawal of an anatomical gift; deleting a provision requiring the Agency for Health Care Administration and the department to maintain a donor registry; creating s. 765.5155, F.S.; providing legislative intent with respect to establishing an online organ and tissue donor registry; requiring administration of the donor registry to be procured by competitive solicitation; specifying the duties of the contractor including the operation of the registry, a continuing public education program about organ donation, and the preparation of an annual report; authorizing the agency to adopt rules relating to providing research access to the registry; providing for funding and for voluntary contributions to the registry; designating the donor registry as the "Joshua Abbott Organ and Tissue Donor Registry"; amending s. 765.516, F.S.; authorizing revocation of an anatomical gift by a donor through removal of his or her name from the registry; amending s. 765.517, F.S.; revising provisions relating to verification of a donor's consent at death; amending s. 765.521, F.S.; conforming a cross-reference; amending s. 765.522, F.S.; revising duties of hospital administrators with respect to reporting suitable donor candidates at or near the time of death; updating references to organ procurement organizations; repealing s. 765.5215, F.S., relating to an education program relating to anatomical gifts; repealing s. 765.5216, F.S., relating to the organ and tissue donor education panel; providing an effective date.

—was read the third time by title.

On motion by Senator Oelrich, **CS for CS for SB 2630** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Deutch	Justice
Alexander	Diaz de la Portilla	King
Aronberg	Dockery	Lawson
Atwater	Fasano	Lynn
Baker	Gaetz	Margolis
Bennett	Garcia	Oelrich
Bullard	Geller	Peaden
Carlton	Haridopolos	Posey
Constantine	Hill	Rich
Crist	Jones	Ring
Dean	Joyner	Saunders

Siplin	Villalobos	Wilson
Storms	Webster	Wise

Nays—None

CS for SB 2610—A bill to be entitled An act relating to public records; creating s. 765.5155, F.S.; providing an exemption from public-records requirements for information in the organ and tissue donor registry which would identify a donor; providing an exception; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing a contingent effective date.

—was read the third time by title.

On motion by Senator Oelrich, **CS for SB 2610** was passed by the required constitutional two-thirds vote of the members present and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

Nays—None

CS for CS for SB 2760—A bill to be entitled An act relating to dentistry; amending s. 466.003, F.S.; providing a definition; amending s. 466.006, F.S.; revising the requirements for entitlement to take the necessary examinations to practice dentistry in this state; creating s. 466.0067, F.S.; providing requirements for application for a health access dental license in this state; creating s. 466.00671, F.S.; providing requirements for renewal of a health access dental license; creating s. 466.00672, F.S.; providing conditions in which the Board of Dentistry of the Department of Health may revoke a health access dental license; providing that the failure of a holder of a health access dental license to limit the practice of dentistry to health access settings is the unlicensed practice of dentistry; creating s. 466.00673, F.S.; providing for the repeal of statutory language regarding health access dental licensure; creating s. 466.00775, F.S.; requiring the board to adopt rules; amending s. 466.011, F.S.; conforming provisions to changes made in this act; amending s. 466.021, F.S.; revising requirements relating to retention of dental laboratories by dentists; changing terminology to reflect employment of dental laboratories and to change references to work orders to prescriptions; requiring a dental laboratory to keep the original or an electronic copy of prescriptions; amending s. 466.032, F.S.; requiring specified continuing education for renewal of registration of a dental laboratory by a time certain; providing a listing of agencies or organizations that are authorized to develop and offer continuing education; requiring a dental laboratory owner to submit a sworn statement attesting to compliance with continuing education requirements and providing specified information; authorizing the Department of Health to request documentation of continuing education; authorizing the department to request such documentation at random without cause; providing exemptions from continuing education requirements; providing for voluntary compliance by certain dental laboratories; providing an effective date.

—as amended April 10 was read the third time by title.

On motion by Senator Peaden, **CS for CS for SB 2760** as amended was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Aronberg	Baker
Alexander	Atwater	Bennett
Bullard	Geller	Peaden
Carlton	Haridopolos	Posey
Constantine	Hill	Rich
Crist	Jones	Ring
Dean	Joyner	Saunders
Deutch	Justice	Siplin
Diaz de la Portilla	King	Storms
Dockery	Lawson	Villalobos
Fasano	Lynn	Webster
Gaetz	Margolis	Wilson
Garcia	Oelrich	Wise

Nays—None

On motion by Senator Haridopolos, by two-thirds vote **HB 5065** was withdrawn from the Fiscal Policy and Calendar Committee.

On motion by Senator Haridopolos, by two-thirds vote—

HB 5065—A bill to be entitled An act relating to the corporate income tax; amending s. 220.03, F.S.; providing for the adoption of the 2008 version of the Internal Revenue Code; prohibiting use of certain amounts in computing adjusted federal income for determining state corporate income tax liability; providing legislative intent; providing construction requirements against using certain federally allowable bonus depreciation for computing state net income; providing a definition; amending s. 220.13,F.S.; specifying additional amounts as additions to taxable income for purposes of adjusted federal income; amending ss. 220.241 and 220.33, F.S.; revising due dates for filing and paying estimated corporate income taxes; authorizing the Department of Revenue to adopt rules for certain administrative purposes; providing for retroactive operation; providing effective dates.

—a companion measure, was substituted for **CS for SB 1586** as amended and read the second time by title.

MOTION

On motion by Senator Haridopolos, the rules were waived to allow the following amendment to be considered:

Senator Haridopolos moved the following amendment which was adopted:

Amendment 1 (391688)(with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Paragraph (n) of subsection (1), paragraph (c) of subsection (2), and subsection (3) of section 220.03, Florida Statutes, are amended to read:

220.03 Definitions.—

(1) SPECIFIC TERMS.—When used in this code, and when not otherwise distinctly expressed or manifestly incompatible with the intent thereof, the following terms shall have the following meanings:

(n) "Internal Revenue Code" means the United States Internal Revenue Code of 1986, as amended and in effect on January 1, *2008* ~~2007~~, except as provided in subsection (3).

(2) DEFINITIONAL RULES.—When used in this code and neither otherwise distinctly expressed nor manifestly incompatible with the intent thereof:

(c) Any term used in this code shall have the same meaning as when used in a comparable context in the Internal Revenue Code and other statutes of the United States relating to federal income taxes, as such code and statutes are in effect on January 1, *2008* ~~2007~~. However, if subsection (3) is implemented, the meaning of any term shall be taken at the time the term is applied under this code.

(3) FUTURE FEDERAL AMENDMENTS.—

(a) On or after January 1, 1972, when expressly authorized by law, any amendment to the Internal Revenue Code shall be given effect under this code in such manner and for such periods as are prescribed

in the Internal Revenue Code, to the same extent as if such amendment had been adopted by the Legislature of this state. However, any such amendment shall have effect under this code only to the extent that the amended provision of the Internal Revenue Code shall be taken into account in the computation of net income subject to tax hereunder.

(b)1. Section 102 of Pub. L. No. 110-185 amends s. 179(b) of the Internal Revenue Code of 1986, as amended, and provides temporary increases in the limitations of expensing specified depreciable business assets for tax years beginning after December 31, 2007. The amount of such temporary increases may not be used in computing adjusted federal income for the purpose of determining corporate income tax liability in this state.

2. Section 103 of Pub. L. No. 110-185 amends s. 168(k) of the Internal Revenue Code of 1986, as amended, for specified property acquired after December 31, 2007, and before January 1, 2009. Section 103 provides an additional allowance equal to 50 percent of the adjusted basis of the qualified property entitled to a depreciation deduction by s. 167(a) for the taxable year in which such property is placed in service. The amount of such special depreciation allowances may not be used in computing adjusted federal income for the purpose of determining corporate income tax liability in this state.

3. It is the intent of the Legislature that ss. 102 and 103 of Pub. L. No. 110-185 be construed to disallow a deduction for bonus depreciation allowed under s. 168 of the Internal Revenue Code of 1986, as amended, in computing state net income. The applicable depreciation conventions and recovery periods shall be computed in the same manner as they are computed by the taxpayer in determining federal taxable income. As used in this chapter, the term "bonus depreciation" includes all amounts allowed as a special allowance under s. 168(k) of the Internal Revenue Code of 1986, as amended.

Section 2. Paragraph (a) of subsection (1) of section 220.13, Florida Statutes, is amended to read:

220.13 "Adjusted federal income" defined.—

(1) The term "adjusted federal income" means an amount equal to the taxpayer's taxable income as defined in subsection (2), or such taxable income of more than one taxpayer as provided in s. 220.131, for the taxable year, adjusted as follows:

(a) Additions.—There shall be added to such taxable income:

1. The amount of any tax upon or measured by income, excluding taxes based on gross receipts or revenues, paid or accrued as a liability to the District of Columbia or any state of the United States which is deductible from gross income in the computation of taxable income for the taxable year.

2. The amount of interest which is excluded from taxable income under s. 103(a) of the Internal Revenue Code or any other federal law, less the associated expenses disallowed in the computation of taxable income under s. 265 of the Internal Revenue Code or any other law, excluding 60 percent of any amounts included in alternative minimum taxable income, as defined in s. 55(b)(2) of the Internal Revenue Code, if the taxpayer pays tax under s. 220.11(3).

3. In the case of a regulated investment company or real estate investment trust, an amount equal to the excess of the net long-term capital gain for the taxable year over the amount of the capital gain dividends attributable to the taxable year.

4. That portion of the wages or salaries paid or incurred for the taxable year which is equal to the amount of the credit allowable for the taxable year under s. 220.181. This subparagraph shall expire on the date specified in s. 290.016 for the expiration of the Florida Enterprise Zone Act.

5. That portion of the ad valorem school taxes paid or incurred for the taxable year which is equal to the amount of the credit allowable for the taxable year under s. 220.182. This subparagraph shall expire on the date specified in s. 290.016 for the expiration of the Florida Enterprise Zone Act.

6. The amount of emergency excise tax paid or accrued as a liability to this state under chapter 221 which tax is deductible from gross income in the computation of taxable income for the taxable year.

7. That portion of assessments to fund a guaranty association incurred for the taxable year which is equal to the amount of the credit allowable for the taxable year.

8. In the case of a nonprofit corporation which holds a pari-mutuel permit and which is exempt from federal income tax as a farmers' cooperative, an amount equal to the excess of the gross income attributable to the pari-mutuel operations over the attributable expenses for the taxable year.

9. The amount taken as a credit for the taxable year under s. 220.1895.

10. Up to nine percent of the eligible basis of any designated project which is equal to the credit allowable for the taxable year under s. 220.185.

11. The amount taken as a credit for the taxable year under s. 220.187.

12. The amount taken as a credit for the taxable year under s. 220.192.

13. The amount taken as a credit for the taxable year under s. 220.193.

14. Any amount in excess of $25,000 allowable as a deduction for federal income tax purposes under s. 179 of the Internal Revenue Code of 1986, as amended, for the taxable year.

15. Any amount allowable as a deduction for federal income tax purposes under s. 167 or s. 168 of the Internal Revenue Code of 1986, as amended, for the taxable year to the extent that such amount includes bonus depreciation allowable as deduction under s. 168(k).

Section 3. Effective January 1, 2009, section 220.241, Florida Statutes, is amended to read:

220.241 Declaration; time for filing.—A declaration of estimated tax under this code shall be filed ~~on or~~ before the 1st day of the 5th month of each taxable year, except that if the minimum tax requirement of s. 220.24(1) is first met:

(1) After the 3rd month and before the 6th month of the taxable year, the declaration shall be filed ~~on or~~ before the 1st day of the 7th month;

(2) After the 5th month and before the 9th month of the taxable year, the declaration shall be filed ~~on or~~ before the 1st day of the 10th month; or

(3) After the 8th month and before the 12th month of the taxable year, the declaration shall be filed for the taxable year ~~on or~~ before the 1st day of the succeeding taxable year.

Section 4. Effective January 1, 2009, subsections (1), (2), and (3) of section 220.33, Florida Statutes, are amended to read:

220.33 Payments of estimated tax.—A taxpayer required to file a declaration of estimated tax pursuant to s. 220.24 shall pay such estimated tax as follows:

(1) If the declaration is required to be filed ~~on or~~ before the *1st* ~~first~~ day of the *5th* ~~fifth~~ month of the taxable year, the estimated tax shall be paid in four equal installments. The first installment shall be paid at the time of the required filing of the declaration; the second and third installments shall be paid ~~on or~~ before the 1st day of the 7th *month* and *before the 1st day of the* 10th *month* ~~months~~ of the taxable year, respectively; and the fourth installment shall be paid ~~on or~~ before the 1st day of the next taxable year.

(2) If the declaration is required to be filed ~~on or~~ before the *1st* ~~first~~ day of the *7th* ~~seventh~~ month of the taxable year, the estimated tax shall be paid in three equal installments. The first installment shall be paid at the time of required filing of the declaration; the second installment shall be paid ~~on or~~ before the 1st day of the 10th month of the taxable year; and the third installment shall be paid ~~on or~~ before the 1st day of the next taxable year.

(3) If the declaration is required to be filed ~~on or~~ before the 1st day of the 10th month of the taxable year, the estimated tax shall be paid in

two equal installments: at the time of required filing of the declaration for such taxable year and ~~on or~~ before the 1st day of the next taxable year, respectively.

Section 5. *The Department of Revenue may adopt rules necessary to administer the provisions of this act, including rules, forms, and guidelines for computing, claiming, and adding back bonus depreciation under s. 168(k) and deductions under s. 179 of the Internal Revenue Code of 1986, as amended.*

Section 6. Except as otherwise expressly provided in this act, this act shall take effect upon becoming a law and shall apply retroactively to January 1, 2008.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to corporate income tax; amending s. 220.03, F.S.; providing for the adoption of the 2008 version of the Internal Revenue Code; providing for exceptions to adoption; amending s. 220.13, F.S., relating to the determination of adjusted federal income; conforming provisions; amending ss. 220.241 and 220.33, F.S.; revising the due date for filing and paying estimated corporate income tax; authorizing the Department of Revenue to adopt rules; providing for retroactive application; providing effective dates.

On motion by Senator Haridopolos, by two-thirds vote **HB 5065** as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

Nays—None

CS for SB 1588—A bill to be entitled An act relating to property taxation; amending s. 193.114, F.S.; revising the requirements specifying the information that must be included on the real property assessment roll and on the tangible personal property roll; amending s. 193.1142, F.S.; authorizing the executive director of the Department of Revenue to require that additional data be provided on the assessment rolls; requiring that assessment rolls be submitted in a format specified by the executive director; authorizing a property appraiser to use an alternative format in a case of hardship; specifying additional parcel-level data that may be required; amending s. 193.155, F.S.; revising provisions governing the manner in which homestead property may be assessed at less than just value; requiring that notice of the abandonment of a homestead be in writing and delivered to the property appraiser before or at the time of filing a new application; providing procedures for the transfer of an assessment limitation from a previous homestead to a new homestead; authorizing property appraisers to share confidential tax information; authorizing a taxpayer to file an action in circuit court requiring a property appraiser to provide certain information; authorizing a taxpayer to file a petition with the value adjustment board; providing for a nonrefundable fee; authorizing a taxpayer to file for the transfer of an assessment limitation in a year subsequent to the first year following establishment of the new homestead; prohibiting a refund of taxes for previous years; providing requirements for hearings before the value adjustment board; amending ss. 193.1554 and 195.1555, F.S., relating to nonhomestead residential property and nonresidential real property; requiring that an increase in the value of property be apportioned among parcels under certain conditions; amending s. 193.1556, F.S.; requiring that a property owner notify the property appraiser of any change in ownership or control; amending s. 194.011, F.S.; providing procedures under which a taxpayer may object to an assessment of homestead property at less than just value; requiring that the value adjustment board in the previous county hear the matter if the taxpayer disagrees with the previous assessment; providing for an appeal in the taxpayer's new county under certain circumstances; requiring that the circuit court review decisions of the value adjustment boards under certain circumstances; amending s. 196.031, F.S.; specifying the order in which homestead exemptions are applied; amending s. 196.183, F.S.; clarifying the taxation of freestanding property; clarifying the meaning of the phrase "site where the owner of tangible personal property transacts business"; providing for previously assessed owners to qualify for the exemption without filing a return at the option of the property appraiser; requiring that property appraisers annually notify taxpayers of the duty to file a return if they no longer qualify for the exemption; amending s. 197.3632, F.S.; requiring that the tax collector provide certain additional information to the Department of Revenue concerning non-ad valorem assessments; amending s. 200.065, F.S.; clarifying the calculation of maximum millage beginning in the 2009-2010 fiscal year; amending s. 200.185, F.S.; clarifying the calculation of maximum millage for the 2008-2009 fiscal year; authorizing the Department of Revenue to adopt emergency rules; delaying the date by which applications for an assessment of property under s. 193.155(8), F.S., for 2008 must be submitted; requiring the Department of Revenue to report to the Legislature by a specified date on the effect of recent changes in the law governing tax notices and the assessment limitations and maximum millage limitations; providing for the Legislature to appropriate moneys to offset the reduction in ad valorem tax revenue experienced by fiscally constrained counties; requiring that counties apply to the Department of Revenue; specifying the documentation that must be provided to the department; providing a formula for calculating the reduction in ad valorem revenue; repealing s. 9, ch. 2007-339, Laws of Florida, relating to the legislative appropriation of funds to offset the reduction in ad valorem tax revenues in fiscally constrained counties; providing for application of the act; providing effective dates.

—as amended April 10 was read the third time by title.

Senator Haridopolos moved the following amendments which were adopted by two-thirds vote:

Amendment 1 (040718)—Between lines 343 and 344, insert:

(e) If one or more persons who previously owned a single homestead and each received the homestead exemption qualify for a new homestead where all persons who qualify for homestead exemption in the new homestead also qualified for homestead exemption in the previous homestead without an additional person qualifying for homestead exemption in the new homestead, the reduction in just value shall be calculated pursuant to paragraph (a) or paragraph (b), without application of paragraph (c) or paragraph (d).

(Redesignate paragraphs.)

Amendment 2 (919180)—Delete line(s) 852 and 853 and insert: personal income, unless a higher rate is adopted, in which case the

Amendment 3 (837512)—Delete line(s) 872 and 873 and insert: for *change* ~~growth~~ in per capita Florida personal income, may

Amendment 4 (331178)—Delete line(s) 934 and insert: , except

On motion by Senator Haridopolos, **CS for SB 1588** as amended was passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dean	Jones
Alexander	Deutch	Joyner
Aronberg	Diaz de la Portilla	Justice
Atwater	Dockery	King
Baker	Fasano	Lawson
Bennett	Gaetz	Lynn
Bullard	Garcia	Margolis
Carlton	Geller	Oelrich
Constantine	Haridopolos	Peaden
Crist	Hill	Posey

Rich	Siplin	Webster
Ring	Storms	Wilson
Saunders	Villalobos	Wise

Nays—None

CS for CS for SB 1302—A bill to be entitled An act relating to wastewater disposal; amending s. 373.0361, F.S., relating to regional water supply planning; requiring the South Florida Water Management District to include water supply development projects that promote the elimination of ocean outfalls in its regional water supply plan; amending s. 373.0831, F.S., relating to water resource and supply development; providing for projects that implement reuse as a means of eliminating ocean outfalls to receive priority funding consideration; amending s. 373.1961, F.S., relating to funding for water supply projects; providing priority funding for projects that implement reuse that assists with the elimination of ocean outfalls; amending s. 373.250, F.S., relating to the reuse of reclaimed water; directing the South Florida Water Management District to require the use of reclaimed water made available through the elimination of ocean outfalls under certain conditions; amending s. 403.085, F.S., relating to waste water treatment; prohibiting the construction of new ocean outfalls; prohibiting the use of ocean outfalls as a method of sanitary sewage disposal; amending s. 403.086, F.S., relating the treatment of wastewater; providing legislative intent; prohibiting the new construction of an expanded discharge to ocean outfalls; defining the term "facility's actual flow on an annual basis"; requiring that domestic wastewater discharges to ocean outfalls meet advanced wastewater treatment and management requirements by a date certain; providing an exemption from meeting advanced wastewater treatment and management requirements under specific conditions; providing wastewater reuse requirements for facilities that discharge through ocean outfalls by a date certain; providing prohibitions for the discharge of domestic wastewater through ocean outfalls under specific conditions by a date certain; providing reporting requirements for permitted ocean outfall facilities; providing reporting requirements for the Department of Environmental Protection; providing a compliance schedule for facilities discharging through ocean outfalls; creating s. 403.08601, F.S., establishing the Leah Schad Memorial Ocean Outfall Program; establishing a funding mechanism and providing a statutory cross reference; amending s. 403.1651, F.S.; providing a dedicated account within the Ecosystem Management and Restoration Trust Fund; amending s. 403.1835, F.S., relating to water pollution control financial assistance; providing for the inclusion of domestic wastewater ocean outfalls in laws requiring the elimination of discharges to specific water bodies; providing an effective date.

—as amended April 10 was read the third time by title.

On motion by Senator Saunders, **CS for CS for SB 1302** as amended was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

Nays—None

CS for SB 1630—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 500.148, F.S.; revising an exemption from the public-records law provided for certain information provided to the Department of Agriculture and Consumer Services under its regulatory authority; saving the exemption from repeal under the Open Government Sunset Review Act; deleting the provision providing for repeal of the exemption; providing an effective date.

—was read the third time by title.

On motion by Senator Alexander, **CS for SB 1630** was passed by the required constitutional two-thirds vote of the members present and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

Nays—None

CS for SB 2222—A bill to be entitled An act relating to a review of the Department of Citrus under the Florida Government Accountability Act; reenacting ss. 20.29, 601.04, and 601.05, F.S., relating to the Department of Citrus and the Florida Citrus Commission; amending s. 601.15, F.S.; revising the deadline by which the Florida Citrus Commission sets the annual citrus excise tax rate; deleting a provision requiring the commission to consider certain projected collection of taxes in setting the rate; conforming provisions relating to the season upon which the tax rate applies; repealing s. 601.154, F.S., relating to the Citrus Stabilization Act of Florida; providing an effective date.

—was read the third time by title.

On motion by Senator Alexander, **CS for SB 2222** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

Nays—None

CS for SB 1378—A bill to be entitled An act relating to rights of homeowners; amending s. 720.304, F.S.; authorizing a homeowner to display certain types of flags in a respectful manner on his or her property, regardless of any covenants, restrictions, bylaws, rules, or requirements of the parcel owner's homeowners' association; providing a list of flags that may be displayed; providing size limitations for such flags; authorizing a homeowner to erect a flagpole meeting specified requirements on his or her property; authorizing a homeowner to display certain flags from such flagpole; providing restrictions; providing for the application of such provisions related to the display of flags and construction of a flagpole; amending s. 723.075, F.S.; providing that certain homeowners may be part of the homeowners' association and may serve on the board of directors of the association under certain circumstances; providing an effective date.

—as amended April 10 was read the third time by title.

On motions by Senator Fasano, **CS for SB 1378** as amended was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

Nays—None

CS for SB 2224—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 119.011, F.S.; defining the term "paratransit" for purposes of the public records law; amending s. 119.071, F.S.; expanding an exemption from public-records requirements which is provided for information identifying an applicant for or a recipient of paratransit services so that the exemption applies to all agencies; providing for future legislative review of the exemption under the Open Government Sunset Review Act; repealing s. 119.0713(2), F.S., relating to the prior exemption provided for such information; providing a statement of public necessity; repealing s. 2 of chapter 2003-110, Laws of Florida; deleting provisions providing for repeal of the exemption; amending ss. 257.34 and 257.35, F.S.; conforming cross-references; providing an effective date.

—was read the third time by title.

On motion by Senator Garcia, **CS for SB 2224** was passed by the required constitutional two-thirds vote of the members present and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

Nays—None

SB 220—A bill to be entitled An act relating to change of name; amending s. 68.07, F.S.; requiring that a person filing a petition for change of name submit fingerprints for a state and national criminal history records check before the court hearing on the petition; providing an exception to such requirement; providing procedures for the taking and submission of fingerprints; providing for the payment of costs associated with processing fingerprints and conducting criminal history checks; requiring the return of the results of a criminal history records check to the clerk of court; providing for the scheduling of a hearing on a petition to restore a former name when a criminal history records check is required; providing an effective date.

—was read the third time by title.

On motion by Senator Wise, **SB 220** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

Nays—None

CS for SB 274—A bill to be entitled An act relating to the POW-MIA flag; creating s. 256.14, F.S.; requiring the Department of Environmental Protection to purchase and display the POW-MIA flag at state parks displaying the United States flag; providing an effective date.

—was read the third time by title.

On motion by Senator Dean, **CS for SB 274** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

Nays—None

CS for SB 300—A bill to be entitled An act relating to service of process; amending s. 30.231, F.S.; increasing the fees charged by the sheriff in civil cases for service of process; exempting the State of Florida and its agencies from increased fees; deleting a prohibition on additional fees for certain documents; amending s. 48.021, F.S.; providing that criminal witness subpoenas and criminal summonses may be served by a special process server appointed by the local sheriff or by a certified process server; amending s. 48.27, F.S., to conform; providing for selection of authorized certified process servers to serve such subpoenas and summonses; amending s. 56.041, F.S.; providing that all unsatisfied executions in the possession of the sheriff docketed before October 1, 2001, may be returned to the issuing court; amending s. 56.21, F.S.; requiring the submission of an affidavit before levying a judgment upon real property; requiring the sheriff to furnish to the judgment debtor or the debtor's attorney of record a copy of the notice of sale, notice of levy, and affidavit within a specified period before execution of a sale or levy; amending s. 56.27, F.S.; requiring that priority of liens on real property be based on the effective date of the judgment lien for a specified purpose; requiring a levying creditor to deliver to the sheriff at the time of the levy request an affidavit setting forth certain information and attestations; amending ss. 741.30 and 784.046, F.S., relating to service of process in cases of domestic violence or sexual abuse; authorizing clerks of court to transmit facsimile copies of previously certified injunctions to sheriffs upon request; requiring sheriffs to verify receipt of facsimile copies of injunctions with clerks of court before attempting service; au-

thorizing law enforcement officers to serve facsimile copies of injunctions in the same manner as certified copies; providing an effective date.

—was read the third time by title.

MOTION

On motion by Senator Crist, the rules were waived to allow the following amendment to be considered:

Senator Crist moved the following amendment which was adopted by two-thirds vote:

Amendment 1 (217250)(with title amendment)—Delete line(s) 156-237, and insert: of all judgment creditors *and other lienholders*, or to all judgment creditors *and other lienholders* who do not have an attorney of record, who have acquired a ~~judgment~~ lien as provided in *s. 55.10(1) and (2),* s. 55.202*,* ~~or~~ s. 55.204(3), *or s. 695.01,* and whose liens have not lapsed at the time of levy, at the address listed in the judgment lien certificate *or other recorded liens*, or, if amended, in any amendment *thereto* ~~to the judgment lien certificate~~, and to all secured creditors who have filed financing statements as provided in part V of chapter 679 in the name of the judgment debtor reflecting a security interest in property of the kind to be sold at the execution sale at the address listed in the financing statement, or, if amended, in any amendment to the financing statement. Such notice shall be made in the same manner as notice is made to any judgment debtor under this section. When levying upon real property, notice of such levy and execution sale *and affidavit required by s. 56.27(4)* shall be made to the property owner of record in the same manner as notice is made to any judgment debtor pursuant to this section*, and shall be made to each other person holding a mortgage or other lien against the real property as disclosed by the affidavit*. When selling real or personal property, the sale date shall not be earlier than 30 days after the date of the first advertisement.

Section 6. Subsections (1), (2), and (4) of section 56.27, Florida Statutes, are amended to read:

56.27 Executions; payment of money collected.—

(1) All money received under executions shall be paid, in the order prescribed, to the following: the sheriff, for costs; the levying creditor in the amount of $500 as liquidated expenses; *and* ~~if the levy is upon real property,~~ the ~~first~~ priority lienholder under *s. 55.10(1) and (2),* ~~s. 55.10; and if the levy is upon personal property, the first priority lienholder under~~ s. 55.202, s. 55.204(3), or s. 55.208(2), as set forth in an affidavit required by subsection (4), or his or her attorney, in satisfaction of the judgment lien, *if* ~~provided that~~ the judgment lien has not lapsed at the time of the levy. The receipt of the attorney shall be a release of the officer paying the money to him or her. *If* ~~When~~ the name of more than one attorney appears in the court file, the money shall be paid to the attorney who originally commenced the action or who made the original defense unless the file shows that another attorney has been substituted.

(2)*(a) If* ~~When~~ property sold under execution brings more than the amount needed to satisfy the provisions of subsection (1), the surplus shall be paid in the order of priority to any judgment lienholders whose judgment liens have not lapsed*, unless the affidavit required by subsection (4) discloses that the property is also subject to any recorded mortgage, financing statement, tax warrant, or other lien, other than a judgment lien, that is junior in priority to the levying creditor's judgment lien. For the purpose of the sheriff's distribution of the surplus to judgment lienholders under this paragraph,* priority of *judgment* liens on personal property shall be based on the effective date of the judgment lien acquired under s. 55.202, s. 55.204(3), or s. 55.208(2), *and priority of judgment liens on real property shall be based on the effective date of the judgment lien acquired under s. 55.10(1) and (2),* as set forth in an affidavit required under subsection (4). If there is a surplus after all valid judgment liens and execution liens have been satisfied *under this paragraph*, the surplus must be paid to the *owner of the property sold* ~~defendant~~.

(b) If the affidavit required by subsection (4) discloses that the property is also subject to any recorded mortgage, financing statement, tax warrant, or other lien, other than a judgment lien, that is junior in priority to the levying creditor's judgment lien, any surplus from the sale of the property shall be paid over to the registry of the court from which the execution issued for further proceedings to determine the priority in which such surplus shall be distributed among judgment lienholders, other lienholders, and the owner of the property sold.

(4) Before the date of the first publication or posting of the notice of sale provided for under s. 56.21, *at the time of the levy request to the sheriff,* the levying creditor shall deliver to the sheriff an affidavit setting forth *all of* the following as to the judgment debtor:

(a) *For a personal property levy,* an attestation *by* ~~that~~ the levying creditor *or the creditor's attorney of record that he or she* has reviewed the database or judgment lien records established in accordance with ss. 55.201-55.209 and that the information contained in the affidavit based on that review is true and correct*. For a real property levy in accordance with s. 55.10(1) and (2), an attestation by the levying creditor or his or her attorney of record that he or she has reviewed the records of the clerk of court of the county where the property is situated, or that he or she has performed a title search, and that the information contained in the affidavit, including a disclosure of all judgment liens, mortgages, financing statements, tax warrants, and other liens against the real property, based on that review or title search is true and correct.*~~;~~

(b) The information required under s. 55.203(1) and (2) for each judgment lien certificate indexed under the name of the judgment debtor as to each judgment creditor; the file number assigned to the record of the original and, if any, the second judgment lien; and the date of filing for each judgment lien certificate under s. 55.202 or s. 55.204(3)*. For each judgment lien recorded on real property, the information contained in the certified copy of recordation of lien pursuant to s. 55.10(1) and (2), and for each other lien recorded on real property, the name and address of the lienholder as shown in the copy of the recorded lien disclosed by the title search.*~~; and~~

And the title is amended as follows:

Delete line(s) 18-27 and insert: property; requiring the sheriff to furnish to the judgment debtor or lienholder or the debtor's or lienholder's attorney of record a copy of the notice of sale, notice of levy, and affidavit with a specified period before execution of a sale or levy; amending s. 56.27, F.S.; requiring that priority of liens on real property be based on the effective date of the judgment lien for a specified purpose, unless an affidavit discloses that the property is subject to a recorded mortgage, financing statement, tax warrant or other lien that is junior in priority to the judgment lien; requiring a levying creditor to deliver the affidavit to the sheriff at the time of the levy request setting forth certain information and attestations; requiring certain information to be contained in the certified copy of recordation of lien; amending ss. 741.30 and 784.046, F.S.,

On motion by Senator Crist, **CS for SB 300** as amended was passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

Nays—None

SB 366—A bill to be entitled An act relating to elderly persons and disabled adults; amending s. 825.102, F.S.; reclassifying the offense of aggravated abuse of an elderly person or disabled adult from a second-degree felony to a first-degree felony; amending s. 921.0022, F.S., relating to the offense severity ranking chart of the Criminal Punishment Code, to conform; creating s. 943.17296, F.S., relating to training on identifying and investigating elder abuse for certified law enforcement

officers; requiring that the training be completed by a time certain; providing that an officer's certification becomes inactive in certain circumstances related to the failure to complete the training; providing an effective date.

—was read the third time by title.

On motion by Senator Margolis, **SB 366** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

Nays—None

CS for SB 464—A bill to be entitled An act relating to real estate conveyances; creating s. 689.28, F.S.; providing legislative intent regarding transfer fee covenants; providing definitions; providing that certain transfer fee covenants are unenforceable against subsequent owners, purchasers, and mortgagees; providing that a presumption is not created in favor of transfer fee covenants recorded before the effective date of the act; amending ss. 689.01 and 692.01, F.S.; clarifying that corporations may execute conveyances; providing an effective date.

—was read the third time by title.

On motion by Senator Aronberg, **CS for SB 464** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

Nays—None

CS for HB 29—A bill to be entitled An act relating to DNA testing; amending s. 943.325, F.S.; revising offenses for which a conviction requires the person convicted to provide biological specimens in specified circumstances; providing an effective date.

—was read the third time by title.

On motion by Senator Dean, **CS for HB 29** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Atwater	Bullard
Alexander	Baker	Carlton
Aronberg	Bennett	Constantine
Crist	Hill	Posey
Dean	Jones	Rich
Deutch	Joyner	Ring
Diaz de la Portilla	Justice	Saunders
Dockery	King	Siplin
Fasano	Lawson	Storms
Gaetz	Lynn	Villalobos
Garcia	Margolis	Webster
Geller	Oelrich	Wilson
Haridopolos	Peaden	Wise

Nays—None

CS for SB 622—A bill to be entitled An act relating to orders of no contact; amending s. 921.244, F.S.; requiring that offenders convicted of specified violent offenses be prohibited from having any contact with the victim; providing penalties; providing that the penalty for violation of such an order run consecutive to the sentence for the original violation; providing an effective date.

—was read the third time by title.

On motion by Senator Dockery, **CS for SB 622** was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Aronberg	Gaetz	Posey
Atwater	Garcia	Rich
Baker	Geller	Ring
Bennett	Haridopolos	Saunders
Bullard	Hill	Siplin
Carlton	Jones	Storms
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dawson	King	Wilson
Dean	Lawson	Wise
Deutch	Lynn	
Diaz de la Portilla	Margolis	

Nays—None

MOTION

On motion by Senator King, the rules were waived and time of recess was extended until completion of the appropriations bills at the beginning of the Special Order Calendar and announcements.

CS for SB 1616—A bill to be entitled An act relating to interagency data sharing; amending s. 790.065, F.S.; authorizing the Department of Law Enforcement to provide data collected from court records to the Department of Agriculture and Consumer Services for purposes of determining eligibility for concealed weapons and firearm licenses; adding involuntary outpatient treatment to the definition of "committed to a mental institution" in the criteria considered for license qualifications and firearm purchases; providing an effective date.

—as amended April 10 was read the third time by title.

On motion by Senator Aronberg, **CS for SB 1616** as amended was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Bullard	Deutch
Alexander	Carlton	Diaz de la Portilla
Aronberg	Constantine	Dockery
Atwater	Crist	Fasano
Baker	Dawson	Gaetz
Bennett	Dean	Garcia

Geller	Lynn	Siplin
Haridopolos	Margolis	Storms
Hill	Oelrich	Villalobos
Jones	Peaden	Webster
Joyner	Posey	Wilson
Justice	Rich	Wise
King	Ring	
Lawson	Saunders	

Nays—None

THE PRESIDENT PRESIDING

SPECIAL ORDER CALENDAR

HB 5001—A bill to be entitled An act making appropriations; providing moneys for the annual period beginning July 1, 2008, and ending June 30, 2009, to pay salaries, and other expenses, capital outlay - buildings, and other improvements, and for other specified purposes of the various agencies of state government; providing an effective date.

—was read the second time by title.

Senator Carlton moved **Amendment 1 (997040)** which was adopted.

Pursuant to Rule 7.6, **Amendment 1 (997040)** constituted an entirely new bill and was not published in the Journal.

On motions by Senator Carlton, by two-thirds vote **HB 5001** as amended was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—27

Mr. President	Dean	Lynn
Alexander	Diaz de la Portilla	Oelrich
Atwater	Dockery	Peaden
Baker	Fasano	Posey
Bennett	Gaetz	Saunders
Carlton	Garcia	Storms
Constantine	Haridopolos	Villalobos
Crist	Jones	Webster
Dawson	King	Wise

Nays—13

Aronberg	Joyner	Rich
Bullard	Justice	Ring
Deutch	Lawson	Siplin
Geller	Margolis	Wilson
Hill		

HB 5003—A bill to be entitled An act implementing the 2008-2009 General Appropriations Act; providing legislative intent; amending s. 1001.451, F.S.; revising the incentive grant amounts for regional consortium service organizations; amending s. 1012.225, F.S.; revising the dates when Merit Award Program plans must be submitted; amending s. 394.908, F.S.; requiring that funds appropriated for forensic mental health treatment services be allocated to the areas of the state having the greatest demand for services and treatment capacity; providing allocation requirements for specified funds appropriated for mental health services; providing for a health care collaborative action network and discount health care pilot program in Miami-Dade County; authorizing the Executive Office of the Governor to approve the increase in nonoperating transfer budget authority for trust funds in the Department of Children and Family Services; authorizing the Department of Corrections and the Department of Juvenile Justice to make certain expenditures to defray costs incurred by a municipality or county as a result of opening or operating a facility under authority of the respective department; amending s. 216.262, F.S.; providing for additional positions to operate additional prison bed capacity under certain circumstances; amending s. 216.292, F.S.; authorizing certain transfers of appropriations for operations from general revenue between budget categories and entities of the criminal conflict and civil regional counsels and the budget category for child dependency and civil conflict cases within the Justice Administrative Commission; providing for future expiration of such provisions; authorizing the Department of Legal Affairs to expend appropriated funds on programs funded in the preceding fiscal year; authorizing the Department of Legal Affairs to transfer certain funds to pay salaries and benefits; amending s. 112.24, F.S.; providing circumstances under which a receiving party is not required to pay certain reimbursement costs for a state employee pursuant to an intergovernmental interchange; authorizing the Executive Office of the Governor to transfer funds between departments for purposes of aligning amounts paid for risk management premiums and for purposes of aligning amounts paid for human resource management services; amending s. 110.123, F.S.; providing for the state's monthly contribution for employees under the state group insurance program; authorizing the Department of Financial Services to expend certain funds for salaries and related expenses; amending s. 215.5595, F.S.; revising legislative findings; providing for appropriated state funds to be exchanged for surplus notes issued by residential property insurers under the program; revising the conditions and requirements for providing funds to insurers under the program; requiring a commitment by the insurer to meet minimum premium-to-surplus writing ratios for residential property insurance and for taking policies out of Citizens Property Insurance Corporation; authorizing the State Board of Administration to charge a fee for late payments; providing that amendments made by the act do not affect the terms of surplus notes approved prior to a specified date; authorizing the State Board of Administration and an insurer to renegotiate such terms consistent with such amendments; requiring Citizens Property Insurance Corporation to transfer funds to the General Revenue Fund for appropriation by the Legislature for program purposes; prohibiting certain statutory amendments or transfer of funds for use by Citizens Property Insurance Corporation for certain purposes; amending s. 252.373, F.S.; requiring the Division of Emergency Management to provide emergency power generators to special-needs hurricane evacuation shelters from the Emergency Management, Preparedness, and Assistance Trust Fund; amending s. 215.559, F.S.; requiring the Division of Emergency Management to provide emergency power generators to special-needs hurricane evacuation shelters from the Grants and Donations Trust Fund; amending s. 288.1088, F.S.; requiring the availability of incentives to stimulate economic growth in certain rural areas; amending s. 553.75, F.S.; authorizing the use of communication media technology at certain meetings of the Florida Building Commission; amending s. 259.032, F.S.; authorizes the transfer of funds from the Conservation and Recreation Lands Trust Fund for certain cleanup and beach restoration activities; providing for reversion of certain provisions; amending s. 216.221, F.S.; providing for conditions under which the Governor is authorized to request a transfer of funds from the Budget Stabilization Fund to the General Revenue Fund; amending s. 215.5601, F.S.; providing for conditions under which the Governor is authorized to request a transfer of funds from the Lawton Chiles Endowment Fund to the General Revenue Fund and providing for a schedule of repayment; providing for temporary reduction of legislators' salaries; prohibiting the Department of Revenue from making certain distributions in the 2008-2009 fiscal year to certain sports facilities; providing for the effect of a veto of one or more specific appropriations or proviso to which implementing language refers; providing for the continued operation of certain provisions notwithstanding a future repeal or expiration provided by the act; providing for severability; providing effective dates.

—was read the second time by title.

Senator Carlton moved the following amendment which was adopted:

Amendment 1 (766262)(with title amendment)—Delete everything after the enacting clause and insert:

Section 1. *It is the intent of the Legislature that the implementing and administering provisions of this act apply to the act making appropriations for the 2008-2009 fiscal year.*

Section 2. *In order to implement Specific Appropriations 6, 7, and 81 through 83 of the 2008-2009 General Appropriations Act, the calculations of the Florida Education Finance Program for the 2008-2009 fiscal year in the document entitled "Public School Funding - The Florida Education Finance Program" dated April 3, 2008, and filed with the Secretary of the Senate are incorporated by reference for the purposes of displaying the calculations used by the Legislature, consistent with the requirements of the Florida Statutes, in making appropriations for the Florida Education Finance Program.*

Section 3. *In order to implement Specific Appropriation 464 of the 2008-2009 General Appropriations Act, and notwithstanding s. 394.908(3)(a) and (b), Florida Statutes, $92,566,551 from the General Revenue Fund and $13,295,722 from trust funds appropriated in Specific Appropriation 464 shall be allocated to the areas of the state having the greatest demand for services and treatment capacity. This section expires July 1, 2009.*

Section 4. *In order to implement Specific Appropriation 397 of the 2008-2009 General Appropriations Act, and notwithstanding s. 394.908(3)(a) and (b), Florida Statutes, $29,619,045 from the trust funds appropriated in Specific Appropriation 397 shall be allocated as specified in the General Appropriations Act.*

Section 5. *In order to implement Specific Appropriations 302 and 314 of the 2008-2009 General Appropriations Act, the Department of Children and Family Services shall ensure that all public and private agencies and institutions participating in child welfare cases enter information specified by rule of the department into the Florida Safe Families Network in order to maintain the accuracy and usefulness of the system. The Florida Safe Families Network is intended to be the department's automated child welfare case-management system designed to provide child welfare workers with a mechanism for managing child welfare cases more efficiently and tracking children and families more effectively. The department shall coordinate with the Office of the State Courts Administrator and the Statewide Guardian Ad Litem Office for the purpose of providing any judge or magistrate and any guardian ad litem assigned to a dependency court case with access to information in the Florida Safe Families Network relating to a child welfare case which is required to be filed with the court pursuant to chapter 39, Florida Statutes, by the date of the network's release during the 2008-2009 fiscal year. The department shall report to the Governor, the President of the Senate, and the Speaker of the House of Representatives by February 1, 2009, with respect to progress on providing access to the Florida Safe Families Network as provided in this section. This section expires July 1, 2009.*

Section 6. *In order to fulfill legislative intent regarding the use of funds contained in Specific Appropriations 721M, 721Z, 721AK, and 1146 of the 2008-2009 General Appropriations Act, the Department of Corrections and the Department of Juvenile Justice may expend appropriated funds to assist in defraying the costs of impacts that are incurred by a municipality or county and associated with opening or operating a facility under the authority of the respective department which is located within that municipality or county. The amount that is to be paid under this section for any facility may not exceed 1 percent of the facility construction cost, less building impact fees imposed by the municipality or by the county if the facility is located in the unincorporated portion of the county. This section expires July 1, 2009.*

Section 7. In order to implement Specific Appropriations 708 through 766 and 780 through 806 of the 2008-2009 General Appropriations Act, subsection (4) of section 216.262, Florida Statutes, is amended to read:

216.262 Authorized positions.—

(4) Notwithstanding the provisions of this chapter on increasing the number of authorized positions, and for the *2008-2009* ~~2007-2008~~ fiscal year only, if the *average daily* ~~actual~~ inmate population of the Department of Corrections exceeds the inmate population projections of the February *15, 2008* ~~16, 2007~~, Criminal Justice Estimating Conference by 1 percent for 2 consecutive months or 2 percent for any month, the Executive Office of the Governor, with the approval of the Legislative Budget Commission, shall immediately notify the Criminal Justice Estimating Conference, which shall convene as soon as possible to revise the estimates. The Department of Corrections may then submit a budget amendment requesting the establishment of positions in excess of the number authorized by the Legislature and additional appropriations from unallocated general revenue sufficient to provide for essential staff, fixed capital improvements, and other resources to provide classification, security, food services, health services, and other variable expenses within the institutions to accommodate the estimated increase in the inmate population. All actions taken pursuant to the authority granted in this subsection shall be subject to review and approval by the Legislative Budget Commission. This subsection expires July 1, *2009* ~~2008~~.

Section 8. *In order to implement Specific Appropriations 1301 and 1302 of the 2008-2009 General Appropriations Act, the Department of Legal Affairs is authorized to expend appropriated funds in Specific Appropriations 1301 and 1302 on the same programs that were funded by the department pursuant to specific appropriations made in general appropriations acts in prior years.*

Section 9. In order to implement Specific Appropriation 1210 of the 2008-2009 General Appropriations Act, subsection (4) of section 932.7055, Florida Statutes, is amended to read:

932.7055 Disposition of liens and forfeited property.—

(4) The proceeds from the sale of forfeited property shall be disbursed in the following priority:

(a) Payment of the balance due on any lien preserved by the court in the forfeiture proceedings.

(b) Payment of the cost incurred by the seizing agency in connection with the storage, maintenance, security, and forfeiture of such property.

(c) Payment of court costs incurred in the forfeiture proceeding.

(d) Notwithstanding any other provision of this subsection, and for the *2008-2009* ~~2007-2008~~ fiscal year only, the funds in a special law enforcement trust fund established by the governing body of a municipality may be expended to reimburse the general fund of the municipality for moneys advanced from the general fund to the special law enforcement trust fund prior to October 1, 2001. This paragraph expires July 1, *2009* ~~2008~~.

Section 10. In order to implement Specific Appropriation 1080 of the 2008-2009 General Appropriations Act, subsection (3) of section 985.686, Florida Statutes, is reenacted to read:

985.686 Shared county and state responsibility for juvenile detention.—

(3) Each county shall pay the costs of providing detention care, exclusive of the costs of any preadjudicatory nonmedical educational or therapeutic services and $2.5 million provided for additional medical and mental health care at the detention centers, for juveniles for the period of time prior to final court disposition. The department shall develop an accounts payable system to allocate costs that are payable by the counties.

Section 11. *The amendment to s. 985.686(3), Florida Statutes, as carried forward by this act from chapter 2007-73, Laws of Florida, shall expire July 1, 2009, and the text of that subsection shall revert to that in existence on June 30, 2008, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of such text which expire pursuant to this section.*

Section 12. *In order to implement Specific Appropriation 786 of the 2008-2009 General Appropriations Act, the Department of Corrections shall comply with the following reimbursement limitations:*

(1) If no contract exists between the Department of Corrections and the health care provider or hospital regarding services, payments may not exceed 110 percent of the Medicare allowable rate.

(2) If a contract has been executed between the Department of Corrections and the health care provider or hospital, payments shall continue at the currently contracted rates through the current term of the contract; however, if the contract expires or is subject to renewal during the 2007-2008 fiscal year, the payments may not exceed 110 percent of Medicare allowable rate.

(3) If the Department of Corrections enters into a new contract with a health care provider or hospital, the payments may not exceed 110 percent of the Medicare allowable rate.

(4) Notwithstanding the limitations of subsections (1), (2), and (3) to the contrary, the Department of Corrections may pay up to 125 percent of the Medicare allowable rate for hospitals that reported to the Agency for Health Care Administration, through hospital audited financial data, a negative operating margin for the previous year.

The Department of Corrections may not negotiate contracts for medical services for rates other than rates based on a percentage of the Medicare allowable rate.

Section 13. *In order to implement Specific Appropriations 1654, 1662, 1767, and 1773 of the 2008-2009 General Appropriations Act, moneys in the Invasive Plant Control Trust Fund are authorized to be transferred to the Save Our Everglades Trust Fund for Everglades restoration projects and to the Ecosystem Management and Restoration Trust Fund for the Water Restoration Action Plan, as provided in the General Appropriations Act. This section expires July 1, 2009.*

Section 14. In order to implement Specific Appropriations 1654 and 1662 of the 2008-2009 General Appropriations Act, subsection (6) of section 201.15, Florida Statutes, as amended by section 43 of chapter 2007-73 and section 1 of chapter 2007-335, Laws of Florida, is amended to read:

201.15 Distribution of taxes collected.—All taxes collected under this chapter shall be distributed as follows and shall be subject to the service charge imposed in s. 215.20(1), except that such service charge shall not be levied against any portion of taxes pledged to debt service on bonds to the extent that the amount of the service charge is required to pay any amounts relating to the bonds:

(6) The lesser of two and twenty-eight hundredths percent of the remaining taxes collected under this chapter or $34.1 million in each fiscal year shall be paid into the State Treasury to the credit of the Invasive Plant Control Trust Fund to carry out the purposes set forth in ss. 369.22 and 369.252*, Everglades restoration, and the Water Resource Action Plan, as provided in the General Appropriations Act*.

Section 15. *In order to implement the appropriation of funds in Special Categories-Risk Management Insurance of the 2008-2009 General Appropriations Act, and pursuant to the notice, review, and objection procedures of s. 216.177, Florida Statutes, the Executive Office of the Governor is authorized to transfer funds appropriated in the appropriation category "Special Categories-Risk Management Insurance" of the 2008-2009 General Appropriations Act between departments in order to align the budget authority granted with the premiums paid by each department for risk management insurance. This section expires July 1, 2009.*

Section 16. *In order to implement the appropriation of funds in Special Categories-Transfer to Department of Management Services-Human Resources Services Purchased Per Statewide Contract of the 2008-2009 General Appropriations Act, and pursuant to the notice, review, and objection procedures of s. 216.177, Florida Statutes, the Executive Office of the Governor is authorized to transfer funds appropriated in the appropriation category "Special Categories-Transfer to Department of Management Services-Human Resources Services Purchased Per Statewide Contract" of the 2008-2009 General Appropriations Act between departments in order to align the budget authority granted with the assessments that must be paid by each agency to the Department of Management Services for human resource management services. This section expires July 1, 2009.*

Section 17. In order to implement Specific Appropriation 1775 of the 2008-2009 General Appropriations Act, subsection (3) of section 253.01, Florida Statutes, is amended to read:

253.01 Internal Improvement Trust Fund established.—

(3) In addition to the uses allowed in subsection (2) for the *2008-2009* ~~2007-2008~~ fiscal year, moneys in the Internal Improvement Trust Fund are authorized ~~to be transferred to the Ecosystem Management and Restoration Trust Fund~~ for grants and aids to local governments for *the drinking water facility construction state revolving loan program,* ~~water projects~~ as provided in the General Appropriations Act. This subsection expires July 1, *2009* ~~2008~~.

Section 18. In order to implement Specific Appropriations 2801 through 2814 of the 2008-2009 General Appropriations Act, subsection (7) of section 255.503, Florida Statutes, is amended to read:

255.503 Powers of the Department of Management Services.—The Department of Management Services shall have all the authority necessary to carry out and effectuate the purposes and provisions of this act, including, but not limited to, the authority to:

(7)(a) Sell, lease, release, or otherwise dispose of facilities in the pool in accordance with applicable law.

(b) No later than the date upon which the department recommends to the Division of State Lands of the Department of Environmental Protection the disposition of any facility within the Florida Facilities Pool, the department shall provide to the President of the Senate, the Speaker of the House of Representatives, the Executive Office of the Governor, and the Division of Bond Finance of the State Board of Administration an analysis that includes:

1. The cost benefit of the proposed facility disposition, including the facility's current operating expenses, condition, and market value, and viable alternatives for work space for impacted state employees.

2. The effect of the proposed facility disposition on the financial status of the Florida Facilities Pool, including the effect on rental rates and coverage requirement for the bonds.

This paragraph expires July 1, *2009* ~~2008~~.

Section 19. In order to implement Specific Appropriations 2826 through 2835 of the 2008-2009 General Appropriations Act, paragraph (a) of subsection (3) and subsection (6) of section 287.17, Florida Statutes, are reenacted to read:

287.17 Limitation on use of motor vehicles and aircraft.—

(3)(a) The term "official state business" may not be construed to permit the use of a motor vehicle for commuting purposes, unless special assignment of a motor vehicle is authorized as a perquisite by the Department of Management Services, required by an employee after normal duty hours to perform duties of the position to which assigned, or authorized for an employee whose home is the official base of operation.

(6) It is the intention of the Legislature that persons traveling on state aircraft for purposes consistent with, but not necessarily constituting, official state business may travel only when accompanying persons who are traveling on official state business and that such persons shall pay the state for all costs associated with such travel. Notwithstanding paragraph (3)(a), a person traveling on state aircraft for purposes other than official state business shall pay for any trip not exclusively for state business by paying a prorated share of all fixed and variable expenses related to the ownership, operation, and use of such aircraft.

Section 20. *The amendment of s. 287.17, Florida Statutes, as carried forward by this act from chapters 2005-71, 2006-26, and 2007-73, Laws of Florida, shall expire July 1, 2009, and the text of that section shall revert to that in existence on June 30, 2005, except that any amendments to such text enacted other than by chapters 2005-71, 2006-26, and 2007-73, Laws of Florida, shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of such text which expire pursuant to this section.*

Section 21. *Notwithstanding s. 403.7095, Florida Statutes, in order to implement Specific Appropriation 1819 of the 2008-2009 General Appropriations Act, the Department of Environmental Protection shall award:*

(1) The sum of $9,428,773 in grants equally to counties having populations of fewer than 100,000 for waste tire and litter prevention, recycling education, and general solid waste programs.

(2) The sum of $4,944,281 to be used for the Innovative Grant Program.

This section expires July 1, 2009.

Section 22. In order to implement Specific Appropriation 1336 through 1496 of the 2008-2009 General Appropriations Act, section 570.20, Florida Statutes, is amended to read:

570.20 General Inspection Trust Fund.—

(1) All donations and all inspection fees and other funds authorized and received from whatever source in the enforcement of the inspection laws administered by the department shall be paid into the General Inspection Trust Fund of Florida, which is created in the office of the Chief Financial Officer. All expenses incurred in carrying out the provisions of the inspection laws shall be paid from this fund as other funds are paid from the State Treasury. A percentage of all revenue deposited in this fund, including transfers from any subsidiary accounts, shall be deposited in the General Revenue Fund pursuant to chapter 215, except

that funds collected for marketing orders shall pay at the rate of 3 percent.

(2) For the *2008-2009* ~~2007-2008~~ fiscal year only and notwithstanding any other provision of law to the contrary, in addition to the spending authorized in subsection (1), moneys in the General Inspection Trust Fund may be appropriated for programs operated by the department which are related to the programs authorized by this chapter. This subsection expires July 1, *2009* ~~2008~~.

Section 23. *In order to implement Specific Appropriations 2536, 2537, 2538, 2539, and 2542 of the 2008-2009 General Appropriations Act, for the 2008-2009 fiscal year only and notwithstanding any conflicting requirements of section 4 of chapter 2006-12, Laws of Florida, the Department of Financial Services may expend $998,820 of the funds appropriated by section 4 of chapter 2006-12, Laws of Florida, for salaries, other personnel services, and related expenses.*

Section 24. In order to implement Section 61 of the 2008-2009 General Appropriations Act, subsection (13) of section 253.034, Florida Statutes, is amended to read:

253.034 State-owned lands; uses.—

(13) Notwithstanding the provisions of this section, funds from the sale of property by the Department of Highway Safety and Motor Vehicles located in Palm Beach County are authorized to be deposited into the Highway Safety Operating Trust Fund to facilitate the exchange as provided in the General Appropriations Act, provided that at the conclusion of both exchanges the values are equalized. This subsection expires July 1, *2009* ~~2008~~.

Section 25. In order to implement Specific Appropriation 2638 of the 2008-2009 General Appropriations Act, paragraph (b) of subsection (9) of section 320.08058, Florida Statutes, is amended to read:

320.08058 Specialty license plates.—

(9) FLORIDA PROFESSIONAL SPORTS TEAM LICENSE PLATES.—

(b) The license plate annual use fees are to be annually distributed as follows:

1. Fifty-five percent of the proceeds from the Florida Professional Sports Team plate must be deposited into the Professional Sports Development Trust Fund within the Office of Tourism, Trade, and Economic Development. These funds must be used solely to attract and support major sports events in this state. As used in this subparagraph, the term "major sports events" means, but is not limited to, championship or all-star contests of Major League Baseball, the National Basketball Association, the National Football League, the National Hockey League, the men's and women's National Collegiate Athletic Association Final Four basketball championship, or a horseracing or dogracing Breeders' Cup. All funds must be used to support and promote major sporting events, and the uses must be approved by the Florida Sports Foundation.

2. The remaining proceeds of the Florida Professional Sports Team license plate must be allocated to the Florida Sports Foundation, a direct-support organization of the Office of Tourism, Trade, and Economic Development. These funds must be deposited into the Professional Sports Development Trust Fund within the Office of Tourism, Trade, and Economic Development. These funds must be used by the Florida Sports Foundation to promote the economic development of the sports industry; to distribute licensing and royalty fees to participating professional sports teams; to promote education programs in Florida schools that provide an awareness of the benefits of physical activity and nutrition standards; to partner with the Department of Education and the Department of Health to develop a program that recognizes schools whose students demonstrate excellent physical fitness or fitness improvement; to institute a grant program for communities bidding on minor sporting events that create an economic impact for the state; to distribute funds to Florida-based charities designated by the Florida Sports Foundation and the participating professional sports teams; and to fulfill the sports promotion responsibilities of the Office of Tourism, Trade, and Economic Development.

3. The Florida Sports Foundation shall provide an annual financial audit in accordance with s. 215.981 of its financial accounts and records by an independent certified public accountant pursuant to the contract established by the Office of Tourism, Trade, and Economic Development as specified in s. 288.1229(5). The auditor shall submit the audit report to the Office of Tourism, Trade, and Economic Development for review and approval. If the audit report is approved, the office shall certify the audit report to the Auditor General for review.

4. For the *2008-2009* ~~2007-2008~~ fiscal year only and notwithstanding the provisions of subparagraphs 1. and 2., proceeds from the Professional Sports Development Trust Fund may also be used for operational expenses of the Florida Sports Foundation and financial support of the Sunshine State Games. This subparagraph expires July 1, *2009* ~~2008~~.

Section 26. In order to implement Specific Appropriation 2115 of the 2008-2009 General Appropriations Act, subsection (5) of section 339.135, Florida Statutes, is amended to read:

339.135 Work program; legislative budget request; definitions; preparation, adoption, execution, and amendment.—

(5)(a) ADOPTION OF THE WORK PROGRAM.—The original approved budget for operational and fixed capital expenditures for the department shall be the Governor's budget recommendation and the first year of the tentative work program, as both are amended by the General Appropriations Act and any other act containing appropriations. In accordance with the appropriations act, the department shall, prior to the beginning of the fiscal year, adopt a final work program which shall only include the original approved budget for the department for the ensuing fiscal year together with any roll forwards approved pursuant to paragraph (6)(c) and the portion of the tentative work program for the following 4 fiscal years revised in accordance with the original approved budget for the department for the ensuing fiscal year together with said roll forwards. The adopted work program may include only those projects submitted as part of the tentative work program developed under the provisions of subsection (4) plus any projects which are separately identified by specific appropriation in the General Appropriations Act and any roll forwards approved pursuant to paragraph (6)(c). However, any transportation project of the department which is identified by specific appropriation in the General Appropriations Act shall be deducted from the funds annually distributed to the respective district pursuant to paragraph (4)(a). In addition, the department shall not in any year include any project or allocate funds to a program in the adopted work program that is contrary to existing law for that particular year. Projects shall not be undertaken unless they are listed in the adopted work program.

(b) Notwithstanding paragraph (a), and for the *2008-2009* ~~2007-2008~~ fiscal year only, the Department of Transportation shall transfer funds to the Office of Tourism, Trade, and Economic Development in an amount equal to *$60 million* ~~$25,400,000~~ for the purpose of funding economic development transportation projects. This transfer shall not reduce, delete, or defer any existing projects funded, as of July 1, *2008* ~~2007~~, in the Department of Transportation's 5-year work program. This paragraph expires July 1, *2009* ~~2008~~.

(c) Notwithstanding paragraph (a), and for the 2007-2008 fiscal year only, the Department of Transportation shall provide funds for the Seaport Strategic Planning and Financing Task Force in an amount not to exceed $75,000; the preliminary engineering and environmental plans and activities for the construction of an interchange on Suncoast Parkway and Lutz Fern Road in an amount not to exceed $975,000; the Rehabilitation of Local Bridges in an amount not to exceed $300,000; and the East Winterberry Bridge Replacement in an amount not to exceed $500,000. To fund these specific appropriations, the Department of Transportation shall not reduce, delete, or defer any existing projects funded as of July 1, 2007, in the 5-year work program. This paragraph expires July 1, 2008.

Section 27. In order to implement Specific Appropriations 1511, 1586, and 1606A and section 63 of the 2008-2009 General Appropriations Act, section 553.721, Florida Statutes, is amended to read:

553.721 Surcharge.—

(1) In order for the Department of Community Affairs to administer and carry out the purposes of this part and related activities, there is hereby created a surcharge, to be assessed at the rate of one-half cent per square foot under-roof floor space permitted pursuant to s. 125.56(4)

or s. 166.201. However, for additions, alterations, or renovations to existing buildings, the surcharge shall be computed on the basis of the square footage being added, altered, or renovated. The unit of government responsible for collecting a permit fee pursuant to s. 125.56(4) or s. 166.201 shall collect such surcharge and remit the funds collected to the department on a quarterly calendar basis, and such unit of government may retain an amount up to 5 percent of the surcharge collected to cover costs associated with the collection and remittance of such surcharge. All funds remitted to the department pursuant to this subsection shall be deposited in the Operating Trust Fund. Funds collected from such surcharge shall not be used to fund research on techniques for mitigation of radon in existing buildings. Funds used by the department as well as funds to be transferred to the Department of Health shall be as prescribed in the annual General Appropriations Act. The department shall adopt rules governing the collection and remittance of surcharges in accordance with chapter 120.

(2) Notwithstanding subsection (1), and for the 2008-2009 fiscal year only, the amount transferred from the Operating Trust Fund to the Grants and Donations Trust Fund of the Department of Community Affairs pursuant to the General Appropriations Act for the 2008-2009 fiscal year shall be used for the regional planning councils, civil legal assistance, and the Front Porch Florida Initiative.

Section 28. *In order to implement the issuance of new debt authorized in the 2008-2009 General Appropriations Act, and pursuant to the requirements of s. 215.98, Florida Statutes, the Legislature determines that the authorization and issuance of debt for the 2008-2009 fiscal year is in the best interest of the state and should be implemented.*

Section 29. In order to implement the transfer of moneys to the General Revenue Fund from trust funds in the 2008-2009 General Appropriations Act, paragraph (b) of subsection (2) of section 215.32, Florida Statutes, is reenacted to read:

215.32 State funds; segregation.—

(2) The source and use of each of these funds shall be as follows:

(b)1. The trust funds shall consist of moneys received by the state which under law or under trust agreement are segregated for a purpose authorized by law. The state agency or branch of state government receiving or collecting such moneys shall be responsible for their proper expenditure as provided by law. Upon the request of the state agency or branch of state government responsible for the administration of the trust fund, the Chief Financial Officer may establish accounts within the trust fund at a level considered necessary for proper accountability. Once an account is established within a trust fund, the Chief Financial Officer may authorize payment from that account only upon determining that there is sufficient cash and releases at the level of the account.

2. In addition to other trust funds created by law, to the extent possible, each agency shall use the following trust funds as described in this subparagraph for day-to-day operations:

a. Operations or operating trust fund, for use as a depository for funds to be used for program operations funded by program revenues, with the exception of administrative activities when the operations or operating trust fund is a proprietary fund.

b. Operations and maintenance trust fund, for use as a depository for client services funded by third-party payors.

c. Administrative trust fund, for use as a depository for funds to be used for management activities that are departmental in nature and funded by indirect cost earnings and assessments against trust funds. Proprietary funds are excluded from the requirement of using an administrative trust fund.

d. Grants and donations trust fund, for use as a depository for funds to be used for allowable grant or donor agreement activities funded by restricted contractual revenue from private and public nonfederal sources.

e. Agency working capital trust fund, for use as a depository for funds to be used pursuant to s. 216.272.

f. Clearing funds trust fund, for use as a depository for funds to account for collections pending distribution to lawful recipients.

g. Federal grant trust fund, for use as a depository for funds to be used for allowable grant activities funded by restricted program revenues from federal sources.

To the extent possible, each agency must adjust its internal accounting to use existing trust funds consistent with the requirements of this subparagraph. If an agency does not have trust funds listed in this subparagraph and cannot make such adjustment, the agency must recommend the creation of the necessary trust funds to the Legislature no later than the next scheduled review of the agency's trust funds pursuant to s. 215.3206.

3. All such moneys are hereby appropriated to be expended in accordance with the law or trust agreement under which they were received, subject always to the provisions of chapter 216 relating to the appropriation of funds and to the applicable laws relating to the deposit or expenditure of moneys in the State Treasury.

4.a. Notwithstanding any provision of law restricting the use of trust funds to specific purposes, unappropriated cash balances from selected trust funds may be authorized by the Legislature for transfer to the Budget Stabilization Fund and General Revenue Fund in the General Appropriations Act.

b. This subparagraph does not apply to trust funds required by federal programs or mandates; trust funds established for bond covenants, indentures, or resolutions whose revenues are legally pledged by the state or public body to meet debt service or other financial requirements of any debt obligations of the state or any public body; the State Transportation Trust Fund; the trust fund containing the net annual proceeds from the Florida Education Lotteries; the Florida Retirement System Trust Fund; trust funds under the management of the State Board of Education or the Board of Governors of the State University System, where such trust funds are for auxiliary enterprises, self-insurance, and contracts, grants, and donations, as those terms are defined by general law; trust funds that serve as clearing funds or accounts for the Chief Financial Officer or state agencies; trust funds that account for assets held by the state in a trustee capacity as an agent or fiduciary for individuals, private organizations, or other governmental units; and other trust funds authorized by the State Constitution.

Section 30. *Any section of this act which implements a specific appropriation or specifically identified proviso language in the act making appropriations for the 2008-2009 fiscal year is void if the specific appropriation or specifically identified proviso language is vetoed. Any section of this act which implements more than one specific appropriation or more than one portion of specifically identified proviso language in the act making appropriations for the 2008-2009 fiscal year is void if all the specific appropriations or portions of specifically identified proviso language are vetoed.*

Section 31. *If any other act passed in 2008 contains a provision that is substantively the same as a provision in this act, but that removes or is otherwise not subject to the future repeal applied to such provision by this act, the Legislature intends that the provision in the other act shall take precedence and shall continue to operate, notwithstanding the future repeal provided by this act.*

Section 32. *If any provision of this act or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are severable.*

Section 33. Except as otherwise expressly provided in this act, this act shall take effect July 1, 2008; or, if this act fails to become law until after that date, it shall take effect upon becoming a law and shall operate retroactively to July 1, 2008.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act implementing the 2008-2009 General Appropriations Act; providing legislative intent; incorporating by reference certain calculations of the Florida Education Finance Program for the 2008-2009 fiscal year; providing for allocating funds for alcohol, drug abuse, and mental health services to areas of the state having the greatest demand for services and treatment capacity and as specified in the General Appropriations Act; requiring the Department of Children and Family

Services to ensure information is entered into the Florida Safe Families Network; requiring coordination between the department and the Office of the State Courts Administrator and the Statewide Guardian Ad Litem Office to provide information relating to child welfare cases; requiring a report to the Governor and Legislature; providing for future expiration of such provisions; authorizing the Department of Corrections and the Department of Juvenile Justice to expend funds to defray the cost of impacts incurred by a municipality or county which are associated with a facility operated by each respective department; providing for future expiration of such authorization; amending s. 216.262, F.S.; extending the expiration date of provisions authorizing additional positions to operate added prison bed capacity; authorizing the Department of Legal Affairs to expend funds for certain programs pursuant to specific appropriations; amending s. 932.7055, F.S.; extending the expiration date of provisions authorizing the expenditure of funds in a special law enforcement trust fund established by the governing body of a municipality; reenacting s. 985.686(3), F.S., providing for the payment of costs of providing detention care for juveniles; providing for the future expiration of certain amendments to such provisions; specifying certain limitations on reimbursements to a health care provider or hospital by the Department of Corrections; providing an exception for hospitals that reported a negative operating margin for the prior year; requiring that contract rates of the Department of Corrections be based on a percentage of the Medicare allowable rate; amending s. 201.15, F.S.; providing for moneys in the Invasive Plant Control Trust Fund from the excise tax on documents to be used for Everglades restoration and for the Water Resource Action Plan; authorizing the transfer of moneys in the Invasive Plant Control Trust Fund to the Save Our Everglades Trust Fund and the Ecosystem Management and Restoration Trust Fund; authorizing the Executive Office of the Governor to transfer certain specified funds between departments for purposes of paying risk management insurance; providing for expiration of such authority; authorizing the Executive Office of the Governor to transfer certain specified funds between departments for purposes of paying for human resource management services; providing for expiration of such authority; amending s. 253.01, F.S.; providing for moneys in the Internal Improvement Trust Fund to be used for grants and aids to local governments for the drinking water facility construction state revolving loan program; providing for future expiration of such provision; amending s. 255.503, F.S.; delaying the expiration of provisions authorizing the Department of Management Services to sell, lease, or otherwise dispose of facilities within the Florida Facilities Pool and report to the Legislature, the Governor, and the Division of Bond Finance; reenacting s. 287.17(3)(a) and (6), F.S.; authorizing the use of state aircraft for commuting; providing for the future expiration of certain amendments to such provisions; requiring the Department of Environmental Protection to award funds to certain small counties for programs in liter prevention, recycling and solid waste programs, and the Innovation Grant Program; amending s. 570.20, F.S.; delaying the expiration of provisions authorizing moneys in the General Inspection Trust Fund to be appropriated for certain programs operated by the Department of Agriculture and Consumer Services; authorizing the Department of Financial Services to expend certain funds for salaries, other personnel services, and related expenses; amending s. 253.034, F.S.; delaying the expiration of provisions authorizing the deposit of funds from the sale of property located in Palm Beach County into the Highway Safety Operating Trust Fund by the Department of Highway Safety and Motor Vehicles; amending s. 320.08058, F.S.; delaying the expiration of provisions authorizing proceeds from the Professional Sports Development Trust Fund to be used for operational expenses of the Florida Sports Foundation and financial support of the Sunshine State Games; amending s. 339.135, F.S.; delaying the expiration of provisions requiring the Department of Transportation to transfer funds to the Office of Tourism, Trade, and Economic Development for the purpose of funding economic development transportation projects; amending s. 553.721, F.S.; providing for the proceeds from the surcharge collected by the Department of Community Affairs on building additions and renovations to be used to fund regional planning councils, civil legal assistance, and the Front Porch Florida Initiative; providing for the authorization and issuance of new debt; reenacting s. 215.32(2)(b), F.S., relating to the source and use of certain trust funds in order to implement the transfer of moneys in the General Revenue Fund from trust funds in the 2008-2009 General Appropriations Act; providing for the effect of a veto of one or more specific appropriations or proviso provisions to which implementing language refers; providing for the continued operation of certain provisions notwithstanding a future repeal or expiration provided by the act; providing for severability; providing for contingent retroactive application; providing effective dates.

On motions by Senator Carlton, by two-thirds vote **HB 5003** as amended was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—39

Mr. President	Diaz de la Portilla	Lynn
Alexander	Dockery	Margolis
Aronberg	Fasano	Oelrich
Atwater	Gaetz	Peaden
Baker	Garcia	Posey
Bennett	Geller	Rich
Bullard	Haridopolos	Ring
Carlton	Hill	Saunders
Constantine	Jones	Siplin
Crist	Joyner	Storms
Dawson	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wise

Nays—None

HB 5045—A bill to be entitled An act relating to workers' compensation medical services and supplies; providing for a type two transfer of responsibilities with respect to the provision of workers' compensation medical services and supplies from the Agency for Health Care Administration to the Department of Financial Services; amending ss. 440.13 and 440.125, F.S.; revising terminology and removing language relating to the sharing and maintenance of confidential medical records, reports, and information, to conform; providing an effective date.

—was read the second time by title.

Senator Alexander moved the following amendment which was adopted:

Amendment 1 (608648)(with title amendment)—Delete everything after the enacting clause.

And the title is amended as follows:

Delete everything before the enacting clause.

On motions by Senator Alexander, by two-thirds vote **HB 5045** as amended was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—40

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Aronberg	Gaetz	Posey
Atwater	Garcia	Rich
Baker	Geller	Ring
Bennett	Haridopolos	Saunders
Bullard	Hill	Siplin
Carlton	Jones	Storms
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dawson	King	Wilson
Dean	Lawson	Wise
Deutch	Lynn	
Diaz de la Portilla	Margolis	

Nays—None

HB 5047—A bill to be entitled An act relating to the Board of Architecture and Interior Design; amending s. 481.205, F.S.; deleting delegation of certain duties and authority of the Department of Business and Professional Regulation under ss. 455.225, 455.228, and 455.32, F.S., to the board; deleting the requirement for the board to contract with a corporation or business entity to provide investigative, legal, prosecutorial, and other required services; deleting requirements for recordkeeping by such corporation or business entity; deleting authority of the board to use specified funds to perform duties; deleting requirement for the board to

submit a separate annual budget request for funding certain board activities; providing an effective date.

—was read the second time by title.

Senator Alexander moved the following amendment which was adopted:

Amendment 1 (258210)(with title amendment)—Delete everything after the enacting clause.

And the title is amended as follows:

Delete everything before the enacting clause.

On motions by Senator Alexander, by two-thirds vote **HB 5047** as amended was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—40

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Aronberg	Gaetz	Posey
Atwater	Garcia	Rich
Baker	Geller	Ring
Bennett	Haridopolos	Saunders
Bullard	Hill	Siplin
Carlton	Jones	Storms
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dawson	King	Wilson
Dean	Lawson	Wise
Deutch	Lynn	
Diaz de la Portilla	Margolis	

Nays—None

HB 5049—A bill to be entitled An act relating to mortgage broker's licenses; amending s. 494.0033, F.S.; revising requirements for mortgage broker license tests; revising fee requirements; requiring applicants to bear certain costs; providing limitations; providing an effective date.

—was read the second time by title.

Senator Alexander moved the following amendment which was adopted:

Amendment 1 (667074)(with title amendment)—Delete everything after the enacting clause.

And the title is amended as follows:

Delete everything before the enacting clause.

On motions by Senator Alexander, by two-thirds vote **HB 5049** as amended was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—40

Mr. President	Deutch	King
Alexander	Diaz de la Portilla	Lawson
Aronberg	Dockery	Lynn
Atwater	Fasano	Margolis
Baker	Gaetz	Oelrich
Bennett	Garcia	Peaden
Bullard	Geller	Posey
Carlton	Haridopolos	Rich
Constantine	Hill	Ring
Crist	Jones	Saunders
Dawson	Joyner	Siplin
Dean	Justice	Storms
Villalobos	Wilson	Wise
Webster		

Nays—None

HB 5053—A bill to be entitled An act relating to the Division of Certified Public Accounting; amending s. 20.165, F.S.; eliminating the requirement for the location of division offices; providing an effective date.

—was read the second time by title.

Senator Alexander moved the following amendment which was adopted:

Amendment 1 (694668)(with title amendment)—Delete everything after the enacting clause.

And the title is amended as follows:

Delete everything before the enacting clause.

On motions by Senator Alexander, by two-thirds vote **HB 5053** as amended was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—40

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Aronberg	Gaetz	Posey
Atwater	Garcia	Rich
Baker	Geller	Ring
Bennett	Haridopolos	Saunders
Bullard	Hill	Siplin
Carlton	Jones	Storms
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dawson	King	Wilson
Dean	Lawson	Wise
Deutch	Lynn	
Diaz de la Portilla	Margolis	

Nays—None

HB 5055—A bill to be entitled An act relating to racing animal medication research; amending s. 550.2415, F.S.; deleting provisions for certain moneys to be used for research relating to the medication of racing animals; deleting provisions relating to the Pharmacokinetic and Clearance Study Agreement by and between the Department of Business and Professional Regulation Division of Pari-mutuel Wagering and the University of Florida College of Veterinary Medicine; providing an effective date.

—was read the second time by title.

Senator Alexander moved the following amendment which was adopted:

Amendment 1 (799726)(with title amendment)—Delete everything after the enacting clause.

And the title is amended as follows:

Delete everything before the enacting clause.

On motions by Senator Alexander, by two-thirds vote **HB 5055** as amended was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—39

Mr. President	Bennett	Dawson
Alexander	Bullard	Dean
Aronberg	Carlton	Deutch
Atwater	Constantine	Diaz de la Portilla
Baker	Crist	Dockery

Fasano	King	Ring
Gaetz	Lawson	Saunders
Garcia	Lynn	Siplin
Geller	Margolis	Storms
Haridopolos	Oelrich	Villalobos
Hill	Peaden	Webster
Jones	Posey	Wilson
Justice	Rich	Wise

Nays—None

Vote after roll call:

Yea—Joyner

CS for HB 5057—A bill to be entitled An act relating to the Insurance Capital Build-Up Incentive Program; amending s. 215.5595, F.S.; revising legislative findings; providing for appropriation of state funds in exchange for surplus notes issued by residential property insurers under the program; revising the conditions and requirements for providing funds to insurers under the program; requiring a commitment by the insurer to meet minimum premium-to-surplus writing ratios for residential property insurance and for taking policies out of Citizens Property Insurance Corporation; authorizing the State Board of Administration to charge a fee for late payments; providing that amendments made by the act do not affect the terms of surplus notes approved prior to a specified date; authorizing the State Board of Administration and an insurer to renegotiate such terms consistent with such amendments; requiring Citizens Property Insurance Corporation to transfer funds to the General Revenue Fund for appropriation by the Legislature for program purposes; requiring the board to transfer each quarter certain funds to the corporation under certain circumstances; prohibiting Citizens Property Insurance Corporation from using certain statutory changes or authorized transfers of funds as justification or cause to seek any rate or assessment increase; providing an effective date.

—was read the second time by title.

Senator Alexander moved the following amendment which was adopted:

Amendment 1 (466848)(with title amendment)—Delete everything after the enacting clause.

And the title is amended as follows:

Delete everything before the enacting clause.

On motions by Senator Alexander, by two-thirds vote **CS for HB 5057** as amended was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—40

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Aronberg	Gaetz	Posey
Atwater	Garcia	Rich
Baker	Geller	Ring
Bennett	Haridopolos	Saunders
Bullard	Hill	Siplin
Carlton	Jones	Storms
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dawson	King	Wilson
Dean	Lawson	Wise
Deutch	Lynn	
Diaz de la Portilla	Margolis	

Nays—None

HB 5079—A bill to be entitled An act relating to the Department of Environmental Protection; amending s. 20.255, F.S.; renaming the Office of Legislative and Government Affairs within the Department of Environmental Protection as the Office of Legislative Affairs to conform to changes made by this act; creating the Office of Intergovernmental Programs within the Department of Environmental Protection to conform to changes made by this act; renaming the Division of Resource Assessment and Management within the Department of Environmental Protection as the Division of Environmental Assessment and Restoration to conform to changes made by this act; amending s. 253.01, F.S.; providing for the transfer of a specified portion of funds from the Internal Improvement Trust Fund to the General Revenue Fund for a specified period; amending s. 258.034, F.S.; providing for the transfer of a specified portion of funds from the State Park Trust Fund to the General Revenue Fund for a specified period; amending s. 259.032, F.S.; deleting the requirement for the transfer of certain funds to the Plant Industry Trust Fund within the Department of Agriculture and Consumer Services; providing for the transfer of a specified portion of funds from the Conservation and Recreation Lands Trust Fund to the General Revenue Fund for a specified period; amending s. 369.25, F.S.; conforming references and provisions relating to certain regulatory authority for aquatic plants to conform to changes made by this act; amending s. 369.251, F.S.; conforming references relating to certain regulatory authority for invasive nonnative plants to conform to changes made by this act; amending s. 373.59, F.S.; providing for the transfer of a specified portion of funds from the Water Management Lands Trust Fund to the General Revenue Fund for a specified period; amending s. 376.11, F.S.; providing for the transfer of a specified portion of funds from the Florida Coastal Protection Trust Fund to the General Revenue Fund for a specified period; amending s. 376.307, F.S.; providing for the transfer of a specified portion of funds from the Water Quality Assurance Trust Fund to the General Revenue Fund for a specified period; amending s. 376.3071, F.S.; providing for the transfer of a specified portion of funds from the Inland Protection Trust Fund to the General Revenue Fund for a specified period; amending s. 403.0873, F.S.; providing for the transfer of a specified portion of funds from the Air Pollution Control Trust Fund to the General Revenue Fund for a specified period; amending s. 403.890, F.S.; providing for the transfer of a specified portion of funds from the Water Protection and Sustainability Program Trust Fund to the General Revenue Fund for a specified period; deleting the requirement for the distribution of specified funds to the Department of Environmental Protection for the implementation of an alternative water supply program; revising the distribution of specified funds to the Department of Environmental Protection and the Department of Agriculture and Consumer Services for certain activities relating to water quality standards; deleting the requirement for the distribution of specified funds to water management districts for certain surface water restoration activities; deleting the requirement for the distribution of specified funds to the Department of Environmental Protection for the Disadvantaged Small Community Wastewater Grant Program; deleting obsolete provisions relating to the distribution of certain funds; amending s. 581.145, F.S.; conforming references relating to certain regulatory authority for aquatic plants to conform to changes made by this act; providing for the type two transfer of the Bureau of Invasive Plant Management in Department of Environmental Protection to the Fish and Wildlife Conservation Commission; transferring specified authority relating to aquatic plants and invasive nonnative plants from the bureau to the Department of Agriculture and Consumer Services; providing an effective date.

—was read the second time by title.

Senator Alexander moved the following amendment which was adopted:

Amendment 1 (814062)(with title amendment)—Delete everything after the enacting clause.

And the title is amended as follows:

Delete everything before the enacting clause.

On motions by Senator Alexander, by two-thirds vote **HB 5079** as amended was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—40

Mr. President	Bullard	Deutch
Alexander	Carlton	Diaz de la Portilla
Aronberg	Constantine	Dockery
Atwater	Crist	Fasano
Baker	Dawson	Gaetz
Bennett	Dean	Garcia

Geller	Lynn	Siplin
Haridopolos	Margolis	Storms
Hill	Oelrich	Villalobos
Jones	Peaden	Webster
Joyner	Posey	Wilson
Justice	Rich	Wise
King	Ring	
Lawson	Saunders	

Nays—None

HB 5081—A bill to be entitled An act relating to trust funds of the Fish and Wildlife Conservation Commission; amending s. 370.0603, F.S.; providing for the transfer of specified funds from the Marine Resources Conservation Trust Fund to the General Revenue Fund for a specified period; amending s. 372.09, F.S.; providing for the transfer of specified funds from the State Game Trust Fund to the General Revenue Fund for a specified period; providing an effective date.

—was read the second time by title.

Senator Alexander moved the following amendment which was adopted:

Amendment 1 (811288)(with title amendment)—Delete everything after the enacting clause.

And the title is amended as follows:

Delete everything before the enacting clause.

On motions by Senator Alexander, by two-thirds vote **HB 5081** as amended was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—40

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Aronberg	Gaetz	Posey
Atwater	Garcia	Rich
Baker	Geller	Ring
Bennett	Haridopolos	Saunders
Bullard	Hill	Siplin
Carlton	Jones	Storms
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dawson	King	Wilson
Dean	Lawson	Wise
Deutch	Lynn	
Diaz de la Portilla	Margolis	

Nays—None

HB 5067—A bill to be entitled An act relating to state infrastructure; amending s. 201.15, F.S.; revising the amount of funds from certain taxes distributed to the State Transportation Trust Fund; providing for revised funding levels for Department of Transportation projects; deleting a provision for distributing certain amounts to the Grants and Donations Trust Fund in the Department of Community Affairs for certain purposes; amending s. 215.211, F.S.; providing for specified service charges on certain revenues distributed to the State Transportation Trust Fund; revising provisions for funds to be used to fund the County Incentive Grant Program and the Small County Outreach Program; amending s. 311.09, F.S.; revising provisions for evaluation, approval, and funding of seaport projects; revising duties and responsibilities of the Florida Seaport Transportation and Economic Development Council; amending s. 316.251, F.S.; conforming a cross-reference to changes made by the act; amending s. 318.15, F.S.; increasing the nonrefundable service charge paid to the Department of Highway Safety and Motor Vehicles or to the clerk of the court to reinstate a suspended driver's license and privilege to drive; providing for disposition of proceeds collected; amending s. 318.18, F.S.; increasing the additional civil penalty for late payment of civil traffic penalties; providing for distribution and use of moneys collected; directing a portion of the moneys collected be used to recruit and retain officers of the Florida Highway Patrol; amending s. 319.001, F.S.; defining the term "certificate of title"; amending s. 319.40, F.S.; authorizing the issuance of electronic motor vehicle titles in lieu of paper motor vehicle titles; authorizing the department to collect and use e-mail addresses of motor vehicle owners and registrants as a notification method; amending ss. 320.04 and 320.06, F.S.; providing for distribution of certain moneys collected relating to registration of motor vehicles and mobile homes; amending s. 320.08, F.S.; revises uses of certain motorcycle and moped license tax fees; amending ss. 320.0805 and 320.08056, F.S.; providing for disposition of certain specialty license plate processing fees; amending s. 320.20, F.S.; providing for distribution of certain proceeds from license tax fees; amending s. 320.203, F.S., relating to disposition of biennial license tax moneys; conforming provisions to changes made by the act; amending s. 320.95, F.S.; authorizing the department to collect and use e-mail addresses of motor vehicle owners and registrants as a notification method; amending s. 322.025, F.S.; revising provisions for funding of certain driver improvement programs; amending s. 322.0255, F.S.; eliminating requirements for motorcycle safety education course reimbursements; amending s. 322.17, F.S.; revising disposition of proceeds from fees for duplicate and replacement certificates; repealing s. 322.181, F.S., relating to a study of effects of aging on driving ability; eliminating the Florida At-Risk Driver Council; amending s. 322.21, F.S.; increasing the service fees for reinstating a suspended or revoked driver's license or commercial motor vehicle license; revising provisions for distribution and use of the funds received; requiring that a certain amount of the funds be used to establish a recruitment and retention salary payment plan for officers of the Florida Highway Patrol; amending s. 322.29, F.S., relating to the surrender and return of a license; conforming provisions to changes made by the act; amending s. 324.071, F.S.; providing for distribution of driver's license reinstatement fees; amending s. 328.30, F.S.; authorizing the use of electronic mail for distribution of vessel titles; authorizing the department to collect and use e-mail addresses of vessel owners and registrants as a notification method; amending s. 328.80, F.S.; authorizing the department to accept certain applications by electronic or telephonic means; authorizing the department to collect and use e-mail addresses of vessel owners and registrants as a notification method; amending s. 334.044, F.S.; revising duties of the Department of Transportation; removing certain roadside beautification provisions; amending s. 339.135, F.S.; providing for use of transportation revenues; providing for revised funding levels for Department of Transportation projects; amending ss. 403.890, 403.891, and 501.976, F.S.; conforming cross-references to changes made by the act; amending s. 1013.63, F.S.; revising provisions for funding the University Concurrency Trust Fund within the Department of Education; transferring the Office of Motor Carrier Compliance to the Division of the Florida Highway Patrol of the Department of Highway Safety and Motor Vehicles; directing the Division of Statutory Revision of the Office of Legislative Services to prepare a reviser's bill to conform the Florida Statutes to organizational changes made by the act; providing an effective date.

—was read the second time by title.

Senator Fasano moved the following amendment which was adopted:

Amendment 1 (254956)(with title amendment)—Delete everything after the enacting clause.

And the title is amended as follows:

Delete everything before the enacting clause.

On motions by Senator Fasano, by two-thirds vote **HB 5067** as amended was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dawson	Hill
Alexander	Dean	Jones
Aronberg	Deutch	Joyner
Atwater	Diaz de la Portilla	Justice
Baker	Dockery	King
Bennett	Fasano	Lawson
Bullard	Gaetz	Lynn
Carlton	Garcia	Margolis
Constantine	Geller	Oelrich
Crist	Haridopolos	Peaden

Posey	Siplin	Webster
Rich	Storms	Wilson
Ring	Villalobos	Wise

Nays—None

Vote after roll call:

Yea—Saunders

HB 5069—A bill to be entitled An act relating to approved budgets for operations and fixed capital outlay; amending s. 216.181, F.S.; providing that certain salary rate provisions do not apply to the Executive Office of the Governor; providing an effective date.

—was read the second time by title.

Senator Fasano moved the following amendment which was adopted:

Amendment 1 (135010)(with title amendment)—Delete everything after the enacting clause.

And the title is amended as follows:

Delete everything before the enacting clause.

On motions by Senator Fasano, by two-thirds vote **HB 5069** as amended was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—37

Mr. President	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Bennett	Geller	Rich
Bullard	Haridopolos	Ring
Carlton	Hill	Saunders
Constantine	Jones	Storms
Crist	Joyner	Villalobos
Dawson	Justice	Webster
Dean	King	Wilson
Deutch	Lawson	Wise
Diaz de la Portilla	Lynn	
Dockery	Margolis	

Nays—None

Vote after roll call:

Yea—Alexander, Baker

HB 5071—A bill to be entitled An act relating to the Professional Sports Development Trust Fund; amending s. 320.08058, F.S.; removing a timeframe restriction on the use of proceeds from the fund for operational expenses of the Florida Sports Foundation and financial support of the Sunshine State Games; providing an effective date.

—was read the second time by title.

Senator Fasano moved the following amendment which was adopted:

Amendment 1 (253520)(with title amendment)—Delete everything after the enacting clause.

And the title is amended as follows:

Delete everything before the enacting clause.

On motions by Senator Fasano, by two-thirds vote **HB 5071** as amended was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—40

Mr. President	Atwater	Bullard
Alexander	Baker	Carlton
Aronberg	Bennett	Constantine
Crist	Hill	Rich
Dawson	Jones	Ring
Dean	Joyner	Saunders
Deutch	Justice	Siplin
Diaz de la Portilla	King	Storms
Dockery	Lawson	Villalobos
Fasano	Lynn	Webster
Gaetz	Margolis	Wilson
Garcia	Oelrich	Wise
Geller	Peaden	
Haridopolos	Posey	

Nays—None

HB 5073—A bill to be entitled An act relating to the Department of State; amending s. 15.09, F.S.; eliminating the fee charged by the department for searching of papers or records; amending s. 267.031, F.S.; eliminating the requirement for the establishment of regional offices for the purpose of assisting the department in the delivery of historic preservation services; amending s. 267.173, F.S.; eliminating reference to contracting with the University of West Florida as a regional office serving a specified area, to conform; repealing s. 267.174, F.S., relating to the Discovery of Florida Quincentennial Commemoration Commission; providing an effective date.

—was read the second time by title.

Senator Fasano moved the following amendment which was adopted:

Amendment 1 (772532)(with title amendment)—Delete everything after the enacting clause.

And the title is amended as follows:

Delete everything before the enacting clause.

On motions by Senator Fasano, by two-thirds vote **HB 5073** as amended was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Fasano	Oelrich
Alexander	Gaetz	Peaden
Aronberg	Garcia	Posey
Atwater	Geller	Rich
Baker	Haridopolos	Ring
Bennett	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dawson	King	Webster
Dean	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise
Dockery	Margolis	

Nays—None

Vote after roll call:

Yea—Bullard

HB 5075—A bill to be entitled An act relating to reorganization of the Parole Commission; changing the name to the Parole Board; transferring the commission to the Department of Corrections for administrative purposes; amending ss. 11.905, 20.315, 20.32, 23.21, 112.011, 186.005, 255.502, 311.12, 322.16, 394.926, 394.927, 775.089, 775.16, 784.07, 784.078, 843.01, 843.02, 843.08, 893.11, and 921.16, F.S.; conforming provisions to changes made by the act; repealing s. 921.20, F.S., relating to a classification summary to be furnished to the Parole Commission; amending ss. 921.21, 921.22, 940.03, 940.05, 941.23, 943.0311, 943.06, 943.325, 944.012, 944.02, 944.024, 944.091, 944.23, 944.291, 944.4731, 945.091, 945.10, 945.25, 945.47, and 945.73, F.S.; conforming provisions to changes made by the act; repealing s. 947.001, F.S., relating to a short title to chapter 947, F.S.; amending ss. 947.002, 947.005, 947.01, and

947.02, F.S.; conforming provisions to changes made by the act; repealing s. 947.021, F.S., relating to expedited appointments to the Parole Commission; amending ss. 947.03 and 947.04, F.S.; conforming provisions to changes made by the act; providing a transitional provision relating to assignment of former Parole Commissioners to temporary duty for specified purposes; repealing s. 947.045, F.S., relating to the commission's Federal Grants Trust Fund; amending ss. 947.05, 947.06, 947.07, 947.071, 947.10, 947.11, 947.12, and 947.13, F.S.; conforming provisions to changes made by the act; repealing s. 947.135, F.S., relating to a mutual participation program; repealing s. 958.15, F.S., relating to exempting youthful offenders in mutual participation program agreements from specified provisions; amending ss. 947.1405, 947.141, 947.146, 947.149, 947.15, 947.16, 947.165, 947.168, 947.172, 947.173, 947.174, 947.1745, 947.1746, 947.1747, 947.18, 947.181, 947.185, 947.19, 947.20, 947.21, 947.22, 947.23, 947.24, 947.26, 948.09, 948.10, 949.05, 951.29, 957.06, 958.045, 960.001, 960.17, 985.04, and 985.045, F.S.; conforming provisions to changes made by the act; reenacting s. 948.06(6), F.S., relating to violations of community control, to incorporate the amendments to ss. 947.22 and 947.23, F.S., in references thereto; providing a directive to the Division of Statutory Revision; transferring statutory powers, duties and functions, records, personnel, property, and unexpended balances of appropriations, allocations, or other funds for the administration of the Parole Commission by a type two transfer from the Parole Commission to the Department of Corrections; providing legislative intent concerning the hiring of former Parole Commission employees by the department; specifying legislative intent concerning the nature of the transfer; providing provisions that apply if a court should rule that the Parole Board is not a continuation of the Parole Commission; providing an effective date.

—was read the second time by title.

Senator Crist moved the following amendment which was adopted:

Amendment 1 (673036)(with title amendment)—Delete everything after the enacting clause.

And the title is amended as follows:

Delete everything before the enacting clause.

On motions by Senator Crist, by two-thirds vote **HB 5075** as amended was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—39

Mr. President	Diaz de la Portilla	Lynn
Alexander	Dockery	Margolis
Aronberg	Fasano	Oelrich
Atwater	Gaetz	Peaden
Baker	Garcia	Posey
Bennett	Geller	Rich
Bullard	Haridopolos	Ring
Carlton	Hill	Saunders
Constantine	Jones	Siplin
Crist	Joyner	Storms
Dawson	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson

Nays—None

Vote after roll call:

Yea—Wise

HB 5093—A bill to be entitled An act relating to tuberculosis control; amending ss. 392.51 and 392.69, F.S.; revising legislative intent with respect to delivery of tuberculosis control services; requiring appropriations to be designated for the monitoring of and provision of services to persons with contagious tuberculosis and to provide a system of voluntary, community-oriented care; removing requirements for the use of funds; revising duties of the advisory board; removing references to the A.G. Holley State Hospital; providing an effective date.

—was read the second time by title.

Senator Peaden moved the following amendment which was adopted:

Amendment 1 (777728)(with title amendment)—Delete everything after the enacting clause.

And the title is amended as follows:

Delete everything before the enacting clause.

On motions by Senator Peaden, by two-thirds vote **HB 5093** as amended was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—40

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Aronberg	Gaetz	Posey
Atwater	Garcia	Rich
Baker	Geller	Ring
Bennett	Haridopolos	Saunders
Bullard	Hill	Siplin
Carlton	Jones	Storms
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dawson	King	Wilson
Dean	Lawson	Wise
Deutch	Lynn	
Diaz de la Portilla	Margolis	

Nays—None

HB 5083—A bill to be entitled An act relating to education; amending s. 121.021, F.S.; deleting salary supplements for National Board for Professional Teaching Standards certification from the definition of "compensation" under the Florida Retirement System; amending s. 1002.33, F.S.; excluding charter school Merit Award Program funds from the calculation of school district administrative fees; amending s. 1007.271, F.S.; deleting dual enrollment funding provisions; amending s. 1011.62, F.S.; revising provisions relating to the calculation of full-time equivalent membership for dual enrollment instruction; authorizing a district school board to transfer certain categorical funds for academic classroom instruction; requiring the Department of Education to report to the Legislature the amounts transferred and the activities for which the funds were expended; requiring a district school board to report to the department if the school board transfers funds from its allocation for research-based reading instruction; providing for future expiration of certain provisions; amending s. 1011.71, F.S.; revising requirements for school district expenditure of revenue generated by the district school tax millage; providing for future expiration of such provisions; amending s. 1012.72, F.S., relating to the Dale Hickam Excellent Teaching Program; eliminating as authorized expenditures the fee subsidy for National Board for Professional Teaching Standards certification, the portfolio preparation incentive, the bonus for mentoring and related services, and the employer's share of Florida Retirement System contributions; revising the requirements by which a teacher may qualify for a bonus; deleting provisions to conform; amending s. 1011.52, F.S.; requiring the first accredited medical school to enter into an annual operating agreement with a government-owned hospital meeting specified criteria; providing for maintenance of affiliation; requiring submission of documentation of the agreement to the Department of Education prior to payment from appropriation; providing an effective date.

—was read the second time by title.

Senator Wise moved the following amendment which was adopted:

Amendment 1 (232396)(with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Paragraph (c) is added to subsection (2) of section 1001.451, Florida Statutes, to read:

1001.451 Regional consortium service organizations.—In order to provide a full range of programs to larger numbers of students, minimize duplication of services, and encourage the development of new programs and services:

(2)

(c) Notwithstanding paragraph (a), the appropriation for the 2008-2009 fiscal year may be less than $50,000 per school district and eligible member. If the amount appropriated is insufficient to provide $50,000, the funds available must be prorated among all eligible districts and members.

Section 2. *The amendment to s. 1001.451(2)(c), Florida Statutes, made by this act shall expire July 1, 2009, and the text of that section shall revert to that in existence on June 30, 2008, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of such text which expire pursuant to this section.*

Section 3. Paragraphs (l) through (v) of subsection (1), paragraphs (a) and (b) of subsection (4), subsection (6) of section 1011.62, Florida Statutes, and subsection (8) of that section as amended by section 2 of chapter 2007-328, Laws of Florida, are amended, present subsections (10) and (11) of that section are amended and redesignated as subsections (11) and (12), respectively, and a new subsection (10) is added to that section, to read:

1011.62 Funds for operation of schools.—If the annual allocation from the Florida Education Finance Program to each district for operation of schools is not determined in the annual appropriations act or the substantive bill implementing the annual appropriations act, it shall be determined as follows:

(1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR OPERATION.—The following procedure shall be followed in determining the annual allocation to each district for operation:

(l) Calculation of additional full-time equivalent membership based on international baccalaureate examination scores of students.—A value of *0.16* ~~0.24~~ full-time equivalent student membership shall be calculated for each student enrolled in an international baccalaureate course who receives a score of 4 or higher on a subject examination. A value of 0.3 full-time equivalent student membership shall be calculated for each student who receives an international baccalaureate diploma. Such value shall be added to the total full-time equivalent student membership in basic programs for grades 9 through 12 in the subsequent fiscal year. The school district shall distribute to each classroom teacher who provided international baccalaureate instruction:

1. A bonus in the amount of $50 for each student taught by the International Baccalaureate teacher in each international baccalaureate course who receives a score of 4 or higher on the international baccalaureate examination.

2. An additional bonus of $500 to each International Baccalaureate teacher in a school designated with a grade of "D" or "F" who has at least one student scoring 4 or higher on the international baccalaureate examination, regardless of the number of classes taught or of the number of students scoring a 4 or higher on the international baccalaureate examination.

Bonuses awarded to a teacher according to this paragraph shall not exceed $2,000 in any given school year and shall be in addition to any regular wage or other bonus the teacher received or is scheduled to receive.

(m) Calculation of additional full-time equivalent membership based on Advanced International Certificate of Education examination scores of students.—A value of *0.16* ~~0.24~~ full-time equivalent student membership shall be calculated for each student enrolled in a full-credit Advanced International Certificate of Education course who receives a score of E or higher on a subject examination. A value of *0.08* ~~0.12~~ full-time equivalent student membership shall be calculated for each student enrolled in a half-credit Advanced International Certificate of Education course who receives a score of E or higher on a subject examination. A value of 0.3 full-time equivalent student membership shall be calculated for each student who receives an Advanced International Certificate of Education diploma. Such value shall be added to the total full-time equivalent student membership in basic programs for grades 9 through 12 in the subsequent fiscal year. The school district shall distribute to each classroom teacher who provided Advanced International Certificate of Education instruction:

1. A bonus in the amount of $50 for each student taught by the Advanced International Certificate of Education teacher in each full-credit Advanced International Certificate of Education course who receives a score of E or higher on the Advanced International Certificate of Education examination. A bonus in the amount of $25 for each student taught by the Advanced International Certificate of Education teacher in each half-credit Advanced International Certificate of Education course who receives a score of E or higher on the Advanced International Certificate of Education examination.

2. An additional bonus of $500 to each Advanced International Certificate of Education teacher in a school designated with a grade of "D" or "F" who has at least one student scoring E or higher on the full-credit Advanced International Certificate of Education examination, regardless of the number of classes taught or of the number of students scoring an E or higher on the full-credit Advanced International Certificate of Education examination.

3. Additional bonuses of $250 each to teachers of half-credit Advanced International Certificate of Education classes in a school designated with a grade of "D" or "F" which has at least one student scoring an E or higher on the half-credit Advanced International Certificate of Education examination in that class. The maximum additional bonus for a teacher awarded in accordance with this subparagraph shall not exceed $500 in any given school year. Teachers receiving an award under subparagraph 2. are not eligible for a bonus under this subparagraph.

Bonuses awarded to a teacher according to this paragraph shall not exceed $2,000 in any given school year and shall be in addition to any regular wage or other bonus the teacher received or is scheduled to receive.

(n) Calculation of additional full-time equivalent membership based on college board advanced placement scores of students.—A value of *0.16* ~~0.24~~ full-time equivalent student membership shall be calculated for each student in each advanced placement course who receives a score of 3 or higher on the College Board Advanced Placement Examination for the prior year and added to the total full-time equivalent student membership in basic programs for grades 9 through 12 in the subsequent fiscal year. Each district must allocate at least 80 percent of the funds provided to the district for advanced placement instruction, in accordance with this paragraph, to the high school that generates the funds. The school district shall distribute to each classroom teacher who provided advanced placement instruction:

1. A bonus in the amount of $50 for each student taught by the Advanced Placement teacher in each advanced placement course who receives a score of 3 or higher on the College Board Advanced Placement Examination.

2. An additional bonus of $500 to each Advanced Placement teacher in a school designated with a grade of "D" or "F" who has at least one student scoring 3 or higher on the College Board Advanced Placement Examination, regardless of the number of classes taught or of the number of students scoring a 3 or higher on the College Board Advanced Placement Examination.

Bonuses awarded to a teacher according to this paragraph shall not exceed $2,000 in any given school year and shall be in addition to any regular wage or other bonus the teacher received or is scheduled to receive.

~~(o) Calculation of additional full-time equivalent membership based on completion of high school level algebra courses by students in grades 6 through 8.—A value of 0.088 full-time equivalent student membership shall be calculated for each student in grades 6 through 8 who completes a high school level algebra course and receives a grade of C or better. Such value shall be added to the total full-time equivalent student membership in basic programs for grades 6 through 8. Each district must allocate the funds provided to the district for students in grades 6 through 8 who complete a high school level algebra course and receive a grade of C or better to the school that generated the funds.~~

~~(p) Calculation of supplemental allocation for juvenile justice education programs.—Beginning with the 2007-2008 General Appropriations Act, the total K-12 weighted full-time equivalent student membership in juvenile justice education programs in each school district shall be multiplied by the amount of the state average class-size-reduction factor multiplied by the district's cost differential. An amount equal to the sum~~

~~of this calculation shall be allocated in the FEFP to each school district to supplement other sources of funding for students in juvenile justice education programs.~~

(o)~~(q)~~ Calculation of additional full-time equivalent membership based on certification of successful completion of industry-certified career and professional academy programs pursuant to s. 1003.492.—A value of 0.3 full-time equivalent student membership shall be calculated for each student who completes an industry-certified career and professional academy program under s. 1003.492 and who is issued *the highest level of* ~~an~~ industry *certification and a high school diploma* ~~certificate~~. Such value shall be added to the total full-time equivalent student membership in secondary career education programs for grades 9 through 12 in the subsequent year for courses that were not funded through dual enrollment. *The additional full-time equivalent membership authorized under this paragraph may not exceed 0.3 per student.* Unless a different amount is specified in the General Appropriations Act, the appropriation for this calculation is limited to *$15* ~~$30~~ million annually. If the appropriation is insufficient to fully fund the total calculation, the appropriation shall be prorated.

(p)~~(r)~~ Calculation of additional full-time equivalent membership for the Florida Virtual School.—The ~~total~~ reported full-time equivalent student membership *in core-curricula courses as defined in s. 1003.01(14)* for the Florida Virtual School shall be multiplied by 0.114, and such value shall be added to the total full-time equivalent student membership.

(q)~~(s)~~ Year-round-school programs.—The Commissioner of Education is authorized to adjust student eligibility definitions, funding criteria, and reporting requirements of statutes and rules in order that year-round-school programs may achieve equivalent application of funding requirements with non-year-round-school programs.

(r)~~(t)~~ Extended-school-year program.—It is the intent of the Legislature that students be provided additional instruction by extending the school year to 210 days or more. Districts may apply to the Commissioner of Education for funds to be used in planning and implementing an extended-school-year program. The Department of Education shall recommend to the Legislature the policies necessary for full implementation of an extended school year.

(s)~~(u)~~ Determination of the basic amount for current operation.—The basic amount for current operation to be included in the Florida Education Finance Program for kindergarten through grade 12 for each district shall be the product of the following:

1. The full-time equivalent student membership in each program, multiplied by

2. The cost factor for each program, adjusted for the maximum as provided by paragraph (c), multiplied by

3. The base student allocation.

(t)~~(v)~~ Computation for funding through the Florida Education Finance Program.—The State Board of Education may adopt rules establishing programs and courses for which the student may earn credit toward high school graduation.

(4) COMPUTATION OF DISTRICT REQUIRED LOCAL EFFORT.—The Legislature shall prescribe the aggregate required local effort for all school districts collectively as an item in the General Appropriations Act for each fiscal year. The amount that each district shall provide annually toward the cost of the Florida Education Finance Program for kindergarten through grade 12 programs shall be calculated as follows:

(a) Estimated taxable value calculations.—

1.a. Not later than 2 working days prior to July 19, the Department of Revenue shall certify to the Commissioner of Education its most recent estimate of the taxable value for school purposes in each school district and the total for all school districts in the state for the current calendar year based on the latest available data obtained from the local property appraisers. Not later than July 19, the Commissioner of Education shall compute a millage rate, rounded to the next highest one one-thousandth of a mill, which, when applied to 95 percent of the estimated state total taxable value for school purposes, would generate the prescribed aggregate required local effort for that year for all districts. The Commissioner of Education shall certify to each district school board the millage rate, computed as prescribed in this subparagraph, as the minimum millage rate necessary to provide the district required local effort for that year.

b. The General Appropriations Act shall direct the computation of the statewide adjusted aggregate amount for required local effort for all school districts collectively from ad valorem taxes to ensure that no school district's revenue from required local effort millage will produce more than 90 percent of the district's total Florida Education Finance Program calculation *under ss. 1011.62, 1011.67, and 1011.68*, and the adjustment of the required local effort millage rate of each district that produces more than 90 percent of its total Florida Education Finance Program entitlement to a level that will produce only 90 percent of its total Florida Education Finance Program entitlement in the July calculation.

2. As revised data are received from property appraisers, the Department of Revenue shall amend the certification of the estimate of the taxable value for school purposes.

(b) Final calculation.—

1. *The taxable value for school purposes certified by the Department of Revenue which is used in the fourth calculation with the annualized full-time student membership from the February student survey shall be the final taxable value used in the final calculation.* ~~On September 1 of each year, the Department of Revenue shall certify to the Commissioner of Education the total of the prior year final taxable value for school purposes in each school district and the total for all school districts in the state. The commissioner shall use the final taxable value certified on September 1 for school purposes for each school district in the final calculation of the annual Florida Education Finance Program allocations.~~

2. For purposes of this paragraph, the final taxable value for school purposes shall be the taxable value for school purposes on which the tax bills are computed and mailed to the taxpayers, adjusted to reflect final administrative actions of value adjustment boards and judicial decisions pursuant to chapter 194. For each county that has not submitted a revised tax roll reflecting final value adjustment board actions and final judicial decisions, the Department of Revenue shall certify the most recent revision of the taxable value for school purposes. The value certified *in subparagraph 1.* ~~on September 1~~ shall be the final taxable value for school purposes for that year, and no further adjustments shall be made, except those made pursuant to paragraph (11)(b).

(6) CATEGORICAL FUNDS.—

(a) In addition to the basic amount for current operations for the FEFP as determined in subsection (1), the Legislature may appropriate categorical funding for specified programs, activities, or purposes.

(b) If a district school board finds and declares in a resolution adopted at a regular meeting of the school board that the funds received for any of the following categorical appropriations are urgently needed to maintain school board specified academic classroom instruction, the school board may consider and approve an amendment to the school district operating budget transferring the identified amount of the categorical funds to the appropriate account for expenditure:

1. Funds for student transportation.

2. Funds for safe schools.

3. Funds for supplemental academic instruction.

4. Funds for research-based reading instruction.

5. Funds for instructional materials if all instructional material purchases have been completed for that fiscal year, but no sooner than March 1, 2009.

(c) Each district school board shall include in its annual financial report to the Department of Education the amount of funds the school board transferred from each of the categorical funds identified in this subsection and the specific academic classroom instruction for which the transferred funds were expended. The Department of Education shall provide instructions and specify the format to be used in submitting this

required information as a part of the district annual financial report. *The department shall submit a report to the Legislature which identifies by district and by categorical fund the amount transferred and the specific academic classroom activity for which the funds were expended.*

(d) If a district school board transfers funds from its research-based reading instruction allocation, the board must also submit to the Department of Education an amendment describing the changes that the district is making to its reading plan approved pursuant to paragraph (9)(d).

(8) DECLINE IN FULL-TIME EQUIVALENT STUDENTS.—In those districts where there is a decline between prior year and current year unweighted FTE students, *a percent* ~~50 percent~~ of the decline in the unweighted FTE students *as determined by the Legislature* shall be multiplied by the prior year calculated FEFP per unweighted FTE student and shall be added to the allocation for that district. For this purpose, the calculated FEFP shall be computed by multiplying the weighted FTE students by the base student allocation and then by the district cost differential. If a district transfers a program to another institution not under the authority of the district's school board, including a charter technical career center, the decline is to be multiplied by a factor of 0.15. However, if the funds provided for the Florida Education Finance Program in the General Appropriations Act for any fiscal year are reduced by a subsequent appropriation for that fiscal year, the percent of the decline in the unweighted FTE students to be funded shall be determined by the Legislature and designated in the subsequent appropriation.

(10) Calculation of supplemental allocation for juvenile justice education programs.—The total K-12 weighted full-time equivalent student membership in juvenile justice education programs in each school district shall be multiplied by the amount of the state average class-size-reduction factor multiplied by the district's cost differential. An amount equal to the sum of this calculation shall be allocated in the FEFP to each school district to supplement other sources of funding for students in juvenile justice education programs.

(11)~~(10)~~ QUALITY ASSURANCE GUARANTEE.—The Legislature may annually in the General Appropriations Act determine a percentage increase in funds per K-12 unweighted FTE as a minimum guarantee to each school district. The guarantee shall be calculated from prior year base funding per unweighted FTE student which shall include the adjusted FTE dollars as provided in subsection *(12)* ~~(11)~~, quality guarantee funds, and actual nonvoted discretionary local effort from taxes. From the base funding per unweighted FTE, the increase shall be calculated for the current year. The current year funds from which the guarantee shall be determined shall include the adjusted FTE dollars as provided in subsection *(12)* ~~(11)~~ and potential nonvoted discretionary local effort from taxes. A comparison of current year funds per unweighted FTE to prior year funds per unweighted FTE shall be computed. For those school districts which have less than the legislatively assigned percentage increase, funds shall be provided to guarantee the assigned percentage increase in funds per unweighted FTE student. Should appropriated funds be less than the sum of this calculated amount for all districts, the commissioner shall prorate each district's allocation. This provision shall be implemented to the extent specifically funded.

(12)~~(11)~~ TOTAL ALLOCATION OF STATE FUNDS TO EACH DISTRICT FOR CURRENT OPERATION.—The total annual state allocation to each district for current operation for the FEFP shall be distributed periodically in the manner prescribed in the General Appropriations Act.

(a) The basic amount for current operation for the FEFP as determined in subsection (1), multiplied by the district cost differential factor as determined in subsection (2), plus the amounts provided for categorical components within the FEFP, plus the discretionary millage compression supplement as determined in subsection (5), the amount for the sparsity supplement as determined in subsection (7), the decline in full-time equivalent students as determined in subsection (8), the research-based reading instruction allocation as determined in subsection (9), *the allocation for juvenile justice education programs as determined in subsection (10),* ~~and~~ the quality assurance guarantee as determined in subsection *(11)* ~~(10)~~, *instructional materials as determined in s. 1011.67, and student transportation as determined in s. 1011.68,* less the required local effort as determined in subsection (4). If the funds appropriated for the purpose of funding the total amount for current operation as provided in this paragraph are not sufficient to pay the state requirement in full, the department shall prorate the available state funds to each district in the following manner:

1. Determine the percentage of proration by dividing the sum of the total amount for current operation, as provided in this paragraph for all districts collectively, and the total district required local effort into the sum of the state funds available for current operation and the total district required local effort.

2. Multiply the percentage so determined by the sum of the total amount for current operation as provided in this paragraph and the required local effort for each individual district.

3. From the product of such multiplication, subtract the required local effort of each district; and the remainder shall be the amount of state funds allocated to the district for current operation.

(b) The amount thus obtained shall be the net annual allocation to each school district. However, if it is determined that any school district received an underallocation or overallocation for any prior year because of an arithmetical error, assessment roll change required by final judicial decision, full-time equivalent student membership error, or any allocation error revealed in an audit report, the allocation to that district shall be appropriately adjusted. Beginning with audits for the 2001-2002 fiscal year, if the adjustment is the result of an audit finding in which group 2 FTE are reclassified to the basic program and the district weighted FTE are over the weighted enrollment ceiling for group 2 programs, the adjustment shall not result in a gain of state funds to the district. If the Department of Education audit adjustment recommendation is based upon controverted findings of fact, the Commissioner of Education is authorized to establish the amount of the adjustment based on the best interests of the state.

(c) The amount thus obtained shall represent the net annual state allocation to each district; however, notwithstanding any of the provisions herein, each district shall be guaranteed a minimum level of funding in the amount and manner prescribed in the General Appropriations Act.

Section 4. *The amendment to s. 1011.62(6), Florida Statutes, made by this act shall expire July 1, 2009, and the text of that section shall revert to that in existence on the day before the effective date of chapter 2007-328, Laws of Florida, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of such text which expire pursuant to this section.*

Section 5. Subsection (2) of section 1011.71, Florida Statutes, is amended, present subsections (3) through (7) of that section are redesignated as subsections (4) through (8), respectively, and a new subsection (3) is added to that section to read:

1011.71 District school tax.—

(2) In addition to the maximum millage levy as provided in subsection (1), each school board may levy not more than *1.8 mills* ~~2 mills~~ against the taxable value for school purposes for district schools, including charter schools at the discretion of the school board, to fund:

(a) New construction and remodeling projects, as set forth in s. 1013.64(3)(b) and (6)(b) and included in the district's educational plant survey pursuant to s. 1013.31, without regard to prioritization, sites and site improvement or expansion to new sites, existing sites, auxiliary facilities, athletic facilities, or ancillary facilities.

(b) Maintenance, renovation, and repair of existing school plants or of leased facilities to correct deficiencies pursuant to s. 1013.15(2).

(c) The purchase, lease-purchase, or lease of school buses.

(d) The purchase, lease-purchase, or lease of new and replacement equipment.

(e) Payments for educational facilities and sites due under a lease-purchase agreement entered into by a district school board pursuant to s. 1003.02(1)(f) or s. 1013.15(2), not exceeding, in the aggregate, an amount equal to three-fourths of the proceeds from the millage levied by a district school board pursuant to this subsection.

(f) Payment of loans approved pursuant to ss. 1011.14 and 1011.15.

(g) Payment of costs directly related to complying with state and federal environmental statutes, rules, and regulations governing school facilities.

(h) Payment of costs of leasing relocatable educational facilities, of renting or leasing educational facilities and sites pursuant to s. 1013.15(2), or of renting or leasing buildings or space within existing buildings pursuant to s. 1013.15(4).

(i) Payment of the cost of school buses when a school district contracts with a private entity to provide student transportation services if the district meets the requirements of this paragraph.

1. The district's contract must require that the private entity purchase, lease-purchase, or lease, and operate and maintain, one or more school buses of a specific type and size that meet the requirements of s. 1006.25.

2. Each such school bus must be used for the daily transportation of public school students in the manner required by the school district.

3. Annual payment for each such school bus may not exceed 10 percent of the purchase price of the state pool bid.

4. The proposed expenditure of the funds for this purpose must have been included in the district school board's notice of proposed tax for school capital outlay as provided in s. 200.065(10).

(j) Payment of the cost of the opening day collection for the library media center of a new school.

(3) If the revenue from the millage authorized in subsection (2) is insufficient to make payments due under a lease-purchase agreement entered into prior to June 30, 2008, by a district school board pursuant to s. 1011.71 (2)(e), an amount equal to 0.2 mills of the taxable value for school purposes within the school district shall be legally available for such payments, notwithstanding other restrictions on the use of such revenues imposed by law.

Section 6. Subsection (2) of section 1012.72, Florida Statutes, and subsection (5) of that section as created by section 7 of chapter 2007-328, Laws of Florida, are amended, present subsections (3), (4), and (5) of that section are redesignated as subsections (4), (5), and (6), respectively, and a new subsection (3) is added to that section, to read:

1012.72 Dale Hickam Excellent Teaching Program.—

(2) The Dale Hickam Excellent Teaching Program is created to provide categorical funding for monetary incentives and bonuses for teaching excellence. *The monetary incentives and bonuses may be provided for initial certification for up to one 10-year period.* The Department of Education shall distribute to each school district ~~or to the NBPTS~~ an amount as prescribed annually by the Legislature for the Dale Hickam Excellent Teaching Program. For purposes of this section, the Florida School for the Deaf and the Blind shall be considered a school district. Unless otherwise provided in the General Appropriations Act, each distribution shall be the sum of the amounts earned for the following incentives and bonuses:

~~(a) A fee subsidy to be paid by the Department of Education to the NBPTS on behalf of each individual who is an employee of a district school board or a public school within the school district, who is certified by the district to have demonstrated satisfactory teaching performance pursuant to s. 1012.34 and who satisfies the prerequisites for participating in the NBPTS certification program, and who agrees, in writing, to pay 10 percent of the NBPTS participation fee and to participate in the NBPTS certification program during the school year for which the fee subsidy is provided. The fee subsidy for each eligible participant shall be an amount equal to 90 percent of the fee charged for participating in the NBPTS certification program. The fee subsidy is a one-time award and may not be duplicated for any individual.~~

~~(b) A portfolio-preparation incentive of $150 paid by the Department of Education to each teacher employed by a district school board or a public school within a school district who is participating in the NBPTS certification program. The portfolio-preparation incentive is a one-time award paid during the school year for which the NBPTS fee subsidy is provided.~~

(a)~~(c)~~ An annual bonus equal to 10 percent of the prior fiscal year's statewide average salary for classroom teachers to be distributed to the school district to be paid to each individual who holds NBPTS certification and is employed by the district school board or by a public school within the school district. The district school board shall distribute the annual bonus to each individual who meets the requirements of this paragraph and who is certified annually by the district to have demonstrated satisfactory teaching performance pursuant to s. 1012.34. The annual bonus may be paid as a single payment or divided into not more than three payments.

(b)~~(d)~~ An annual bonus equal to 10 percent of the prior fiscal year's statewide average salary for classroom teachers to be distributed to the school district to be paid to each individual who meets the requirements of paragraph *(a)* ~~(c)~~ and agrees, in writing, to provide the equivalent of 12 workdays of mentoring and related services to public school teachers within the state who do not hold NBPTS certification. Related services must include instruction in helping teachers work more effectively with the families of their students. The district school board shall distribute the annual bonus in a single payment following the completion of all required mentoring and related services for the year. It is not the intent of the Legislature to remove excellent teachers from their assigned classrooms; therefore, credit may not be granted by a school district or public school for mentoring or related services provided during student contact time during the 196 days of required service for the school year.

(c)~~(e)~~ The employer's share of social security and Medicare taxes ~~and Florida Retirement System contributions~~ for those teachers who qualify for NBPTS certification and receive bonus amounts.

A teacher for whom the state *or the school district* pays the certification fee and who does not complete the certification program or does not teach in a public school of this state for at least 1 year after completing the certification program must repay the amount of the certification fee to the state. However, a teacher who completes the certification program but fails to be awarded NBPTS certification is not required to repay the amount of the certification fee if the teacher meets the 1-year teaching requirement. Repayment is not required of a teacher who does not complete the certification program or fails to fulfill the teaching requirement because of the teacher's death or disability or because of other extenuating circumstances as determined by the State Board of Education.

(3) A school district may pay the following:

(a) A fee subsidy to the NBPTS on behalf of each individual who is an employee of a district school board or a public school within the school district, who is certified by the district to have demonstrated satisfactory teaching performance pursuant to s. 1012.34, who satisfies the prerequisites for participating in the NBPTS certification program, and who agrees, in writing, to pay at least 10 percent or more of the NBPTS participation fee and to participate in the NBPTS certification program during the school year for which the fee subsidy is provided. The fee subsidy for each eligible participant shall be an amount up to 90 percent of the fee charged for participating in the NBPTS certification program. The fee subsidy is a one-time award and may not be duplicated for any individual.

(b) A portfolio-preparation incentive of up to $150 to each teacher employed by a district school board or a public school within a school district who is participating in the NBPTS certification program. The portfolio-preparation incentive is a one-time award paid during the school year for which the NBPTS fee subsidy is provided.

(c) The employer's share of Florida Retirement System contributions for any bonus payments under paragraphs (2)(a) and (b).

(6)~~(5)~~ If the funds available in any fiscal year are insufficient to pay in full the annual bonuses for certification and for providing mentoring and related services, such payments for mentoring and related services shall be prorated among the eligible recipients. *If the mentoring and related services are prorated, school districts may pay a portion or all of the balance. If funds are insufficient to pay in full the annual bonuses for certification, payments of bonuses for certification shall be prorated among the eligible recipients.*

Section 7. Subsection (4) of section 1013.45, Florida Statutes, is amended to read:

1013.45 Educational facilities contracting and construction techniques.—

(4) Except as otherwise provided in this section and s. 481.229, the services of a registered architect must be used for the development of plans for the erection, enlargement, or alteration of any educational facility. The services of a registered architect are not required for a minor renovation project for which the construction cost is less than $50,000 or for the placement or hookup of relocatable educational facilities that conform with standards adopted under s. 1013.37. However, boards must provide compliance with building code requirements and ensure that these structures are adequately anchored for wind resistance as required by law. *A district school board shall* ~~Boards are encouraged to consider the~~ reuse ~~of~~ existing construction documents or design criteria packages *if* ~~where~~ such reuse is feasible and practical. *If a school district's 5-year educational facilities work plan includes the construction of two or more new schools for students in the same grade group and program, such as elementary, middle, or high school, the district school board shall require that prototype design and construction be used for the construction of these schools.* Notwithstanding s. 287.055, a board may purchase the architectural services for the design of educational or ancillary facilities under an existing contract agreement for professional services held by a district school board in the State of Florida, provided that the purchase is to the economic advantage of the purchasing board, the services conform to the standards prescribed by rules of the State Board of Education, and such reuse is not without notice to, and permission from, the architect of record whose plans or design criteria are being reused. Plans shall be reviewed for compliance with the state requirements for educational facilities. Rules adopted under this section must establish uniform prequalification, selection, bidding, and negotiation procedures applicable to construction management contracts and the design-build process. This section does not supersede any small, woman-owned or minority-owned business enterprise preference program adopted by a board. Except as otherwise provided in this section, the negotiation procedures applicable to construction management contracts and the design-build process must conform to the requirements of s. 287.055. A board may not modify any rules regarding construction management contracts or the design-build process.

Section 8. This act shall take effect July 1, 2008.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to public school funding; amending s. 1001.451, F.S., relating to regional consortium service organizations; authorizing the Department of Education to appropriate a lesser amount of an incentive grant per school district and eligible member for a specified fiscal year; providing for the future expiration of such provisions; amending s. 1011.62, F.S.; decreasing the value of full-time equivalent student membership calculated for each student enrolled in an International Baccalaureate course, a full-credit Advanced International Certificate of Education course, or an advanced placement course who receives a certain score on an examination; deleting provisions relating to the calculation of additional full-time equivalent membership based on completion of high school level algebra courses and supplemental allocation for juvenile justice education programs; revising provisions relating to the calculation of additional full-time equivalent membership based on certification of successful completion of industry-certified career and professional academy programs; revising provisions relating to the calculation of additional full-time equivalent membership for the Florida Virtual School; providing the final taxable value used in the final calculation to determine the amount school districts are required to put toward the cost of the Florida Education Finance Program; providing for certain categorical funds; requiring the Department of Education to submit a report to the Legislature regarding such categorical funds; requiring a district school board to submit an amendment to the department if such board transfers funds from its research-based reading instruction allocation; revising provisions relating to the calculation of declining unweighted full-time equivalent students; providing a calculation for the supplemental allocation for juvenile justice education programs; providing for the future expiration of certain provisions governing the transfer of categorical funds; amending s. 1011.71, F.S.; decreasing the maximum millage a school district is allowed to levy against the taxable value for school purposes; authorizing a school district to redirect a specified amount of millage if revenues are insufficient to cover payments due under a lease-purchase agreement; amending s. 1012.72, F.S., relating to the Dale Hickam Excellent Teaching Program; providing that monetary incentives and bonuses be provided for up to a certain period; deleting provisions relating to a fee subsidy and a portfolio preparation incentive; authorizing a school district to pay a certain percentage of a fee subsidy to the National Board of Professional Teaching Standards on behalf of certain persons, a portfolio-preparation incentive up to a specified amount to certain teachers, and the employer's share of contributions to the Florida Retirement System; amending s. 1013.45, F.S.; requiring a district school board to reuse existing construction documents or design criteria packages if feasible and practical; requiring the use of prototype design and construction under certain circumstances; providing an effective date.

On motions by Senator Wise, by two-thirds vote **HB 5083** as amended was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—30

Mr. President	Diaz de la Portilla	Lynn
Alexander	Dockery	Margolis
Atwater	Fasano	Oelrich
Baker	Gaetz	Peaden
Bennett	Garcia	Posey
Bullard	Haridopolos	Saunders
Carlton	Hill	Storms
Constantine	Jones	Villalobos
Crist	King	Webster
Dean	Lawson	Wise

Nays—10

Aronberg	Joyner	Ring
Dawson	Justice	Siplin
Deutch	Rich	Wilson
Geller		

Vote after roll call:

Yea to Nay—Hill, Lawson

HB 5077—A bill to be entitled An act relating to the Department of Agriculture and Consumer Services; amending s. 215.20, F.S.; including the Agricultural Emergency Eradication Trust Fund within specified trust funds that are subject to the service charge on income of a revenue nature; amending s. 570.191, F.S.; revising the uses of the Agricultural Emergency Eradication Trust Fund; repealing s. 570.1911, F.S., relating to notice of certification of an agricultural emergency; amending s. 570.20, F.S.; providing for the transfer of certain funds from the General Inspection Trust Fund to the General Revenue Fund for a specified period; removing obsolete provisions; amending s. 581.212, F.S.; providing for the transfer of certain funds from the Plant Industry Trust Fund to the General Revenue Fund for a specified period; repealing s. 585.105, F.S., relating to the purchase, distribution, and administration of approved brucella vaccine by the department; providing an effective date.

—was read the second time by title.

Senator Alexander moved the following amendment which was adopted:

Amendment 1 (302926)(with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Section 570.191, Florida Statutes, is amended to read:

570.191 Agricultural Emergency Eradication Trust Fund.—There is created in the office of the commissioner the Agricultural Emergency Eradication Trust Fund. Funds in the trust fund may be made available *for the promotion, advancement, and protection of agriculture in this state, including maintaining or increasing market share and suppressing or eradicating wildfire, animal or plant disease, insect infestation, or a plant or pest that endangers or threatens agriculture* ~~upon certification by the commissioner that an agricultural emergency exists and that funds specifically appropriated for the emergency's purpose are exhausted or insufficient to eliminate the agricultural emergency~~. ~~The term "agricultural emergency" means an animal or plant disease, insect infestation, or plant or pest endangering or threatening the horticultural, aquacultural, or other agricultural interests in this state.~~

Section 2. *Section 570.1911, Florida Statutes, is repealed.*

Section 3. This act shall take effect July 1, 2008.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to agriculture; amending s. 570.191, F.S.; providing that money in the Agricultural Emergency Eradication Trust Fund be made available under certain circumstances; repealing s. 570.1911, F.S., relating to notice of certification of an agricultural emergency; providing an effective date.

On motions by Senator Alexander, by two-thirds vote **HB 5077** as amended was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—40

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Aronberg	Gaetz	Posey
Atwater	Garcia	Rich
Baker	Geller	Ring
Bennett	Haridopolos	Saunders
Bullard	Hill	Siplin
Carlton	Jones	Storms
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dawson	King	Wilson
Dean	Lawson	Wise
Deutch	Lynn	
Diaz de la Portilla	Margolis	

Nays—None

HB 5051—A bill to be entitled An act relating to duties of the Division of Hotels and Restaurants relating to the Florida Building Code and the Florida Fire Prevention Code; amending s. 509.032, F.S.; eliminating the requirement for the Division of Hotels and Restaurants to provide technical support to assist the Florida Building Commission in updating the construction standards of the Florida Building Code and the State Fire Marshal in updating the Florida Fire Prevention Code; eliminating the requirement for the division to enforce the Florida Building Code and the Florida Fire Prevention Code in conducting its inspections; providing an effective date.

—was read the second time by title.

Senator Alexander moved the following amendment which was adopted:

Amendment 1 (086296)(with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Section 455.2281, Florida Statutes, is amended to read:

455.2281 Unlicensed activities; fees; disposition.—In order to protect the public and to ensure a consumer-oriented department, it is the intent of the Legislature that vigorous enforcement of regulation for all professional activities is a state priority. All enforcement costs should be covered by professions regulated by the department. Therefore, the department *may* ~~shall~~ impose, upon initial licensure and each renewal thereof, a special fee *not to exceed* ~~of~~ $5 per licensee. Such fee shall be *set by department rule for each profession and shall be* in addition to all other fees collected from each licensee and shall fund efforts to combat unlicensed activity. Any profession regulated by the department which offers services that are not subject to regulation when provided by an unlicensed person may use funds in its unlicensed activity account to inform the public of such situation. The board with concurrence of the department, or the department when there is no board, may earmark *up to* $5 of the current licensure fee for this purpose, if such board, or profession regulated by the department, is not in a deficit and has a reasonable cash balance. A board or profession regulated by the department may authorize the transfer of funds from the operating fund account to the unlicensed activity account of that profession if the operating fund account is not in a deficit and has a reasonable cash balance. *The department may adopt rules to waive the unlicensed activity special fee for a period not to exceed 2 years if both the operating account and the unlicensed activity account have an excess cash balance.* The department shall make direct charges to this fund by profession and shall not allocate indirect overhead. The department shall seek board advice regarding enforcement methods and strategies prior to expenditure of funds; however, the department may, without board advice, allocate funds to cover the costs of continuing education compliance monitoring under s. 455.2177. The department shall directly credit, by profession, revenues received from the department's efforts to enforce licensure provisions. The department shall include all financial and statistical data resulting from unlicensed activity enforcement and from continuing education compliance monitoring as separate categories in the quarterly management report provided for in s. 455.219. The department shall not charge the account of any profession for the costs incurred on behalf of any other profession. For an unlicensed activity account, a balance which remains at the end of a renewal cycle may, with concurrence of the applicable board and the department, be transferred to the operating fund account of that profession. *For the 2008-2009 fiscal year, for each profession subject to fees imposed by this section, the department shall waive fees if the long-range estimates of revenue forecast a reasonable excess cash balance as required in s. 455.219. The department shall also reduce fees for all other professions based upon excess cash estimates. A report of all fee adjustments granted under this section, by profession, shall be provided to the chairs of the Senate Fiscal Policy and Calendar Committee and House Policy and Budget Council by September 15, 2009.*

Section 2. Section 548.035, Florida Statutes, is amended to read:

548.035 Permit fees.—

~~(1)~~ The commission shall set permit fees *for professional matches at $1,800 per event.* ~~based on seating capacity of the premises where the program is to be presented as follows:~~

~~(a) If the seating capacity is less than 2,000 persons, the fee shall not exceed $50.~~

~~(b) If the seating capacity is 2,000 persons or more but does not exceed 5,000 persons, the fee shall not exceed $100.~~

~~(c) If the seating capacity exceeds 5,000 persons, the fee shall not exceed $250.~~

~~(2) For mixed martial arts matches, the commission shall require a minimum fee of $5,000 per event.~~ For purposes of this section, an "event" is one or more matches comprising a show.

Section 3. Paragraph (a) of subsection (2) of section 718.501, Florida Statutes, is amended to read:

718.501 Powers and duties of Division of Florida Land Sales, Condominiums, and Mobile Homes.—

(2)(a) *The department, by rule, may set fees to be paid annually by* ~~Effective January 1, 1992,~~ each condominium association *that* ~~which~~ operates more than two units. *Such fees may not exceed* ~~shall pay to the division an annual fee in the amount of~~ $4 for each residential unit in condominiums operated by the association. If the *assessed* fee is not paid by March 1, then the association shall be assessed a penalty of 10 percent of the amount due, and the association will not have standing to maintain or defend any action in the courts of this state until the amount due, plus any penalty, is paid. *For the 2008-2009 fiscal year, the department shall reduce the annual fee paid by each condominium association as required by this paragraph to $2 for each residential unit.*

Section 4. Paragraph (a) of subsection (2) of section 719.501, Florida Statutes, is amended to read:

719.501 Powers and duties of Division of Florida Land Sales, Condominiums, and Mobile Homes.—

(2)(a) *The department, by rule, may set fees to be paid annually by* each cooperative association ~~shall pay to the division~~, on or before January 1 of each year.~~,~~ An annual fee *may not exceed* ~~in the amount of~~ $4 for each residential unit in cooperatives operated by the association. If the *assessed* fee is not paid by March 1, then the association shall be assessed a penalty of 10 percent of the amount due, and the association shall not have the standing to maintain or defend any action in the courts of this state until the amount due is paid. *For the 2008-2009 fiscal year, the department shall reduce the annual fee paid by each cooperative association as required by this paragraph to $2 for each residential unit.*

Section 5. Section 721.27, Florida Statutes, is amended to read:

721.27 Annual fee for each timeshare unit in plan.—On January 1 of each year, each managing entity of a timeshare plan located in this state shall collect as a common expense and pay to the division an annual fee *to be set by rule, not to exceed* ~~of~~ $2 for each 7 days of annual use availability that exist within the timeshare plan at that time, *and* subject to any limitations on the amount of such annual fee pursuant to s. 721.58. If any portion of the annual fee is not paid by March 1, the managing entity may be assessed a penalty pursuant to s. 721.26. *For the 2008-2009 fiscal year, the department shall reduce the annual fee paid by each managing entity of a timeshare plan as required in this section to 50 cents for each 7 days of annual use.*

Section 6. Paragraph (d) of subsection (2) of section 509.032, Florida Statutes, is amended to read:

509.032 Duties.—

(2) INSPECTION OF PREMISES.—

(d) The division shall adopt and enforce sanitation rules consistent with law to ensure the protection of the public from food-borne illness in those establishments licensed under this chapter. These rules shall provide the standards and requirements for obtaining, storing, preparing, processing, serving, or displaying food in public food service establishments, approving public food service establishment facility plans, conducting necessary public food service establishment inspections for compliance with sanitation regulations, cooperating and coordinating with the Department of Health in epidemiological investigations, and initiating enforcement actions, and for other such responsibilities deemed necessary by the division. The division may not establish by rule any regulation governing the design, construction, erection, alteration, modification, repair, or demolition of any public lodging or public food service establishment. It is the intent of the Legislature to preempt that function to the Florida Building Commission and the State Fire Marshal through adoption and maintenance of the Florida Building Code and the Florida Fire Prevention Code. The division shall provide technical assistance to the commission ~~and the State Fire Marshal~~ in updating the construction standards of the Florida Building Code ~~and the Florida Fire Prevention Code~~ which govern public lodging and public food service establishments. Further, the division shall enforce the provisions of the Florida Building Code ~~and the Florida Fire Prevention Code~~ which apply to public lodging and public food service establishments in conducting any inspections authorized by this part.

Section 7. This act shall take effect July 1, 2008.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to the Department of Business and Professional Regulation; amending s. 455.2281, F.S.; authorizing the department to set by rule the fees paid annually by professions regulated by the department; limiting the amount of such fees; authorizing the department to adopt rules to waive the unlicensed activity special fee if certain accounts have an excess balance; requiring the department to waive or reduce fees under certain conditions for all professions subject to fees; requiring that a report of fee adjustments be submitted to the Legislature by a specified date; amending s. 548.035, F.S.; revising the amount of the permit fee charged for pugilistic exhibition events; amending s. 718.501, F.S.; authorizing the department to set by rule the fees paid annually by condominium associations; limiting the amount of such fees; requiring the department to reduce condominium association fees to a certain amount for a specified time; amending s. 719.501, F.S.; authorizing the department to set by rule the fees paid annually by cooperative associations; limiting the amount of such fees; requiring the department to reduce cooperative association fees to a certain amount for a specified time; amending s. 721.27, F.S.; authorizing the department to set by rule the fees paid annually by timeshare plans; limiting the amount of such fees; requiring the department to reduce the annual fee paid by timeshare plans to a certain amount for a specified time; amending s. 509.032, F.S.; deleting a provision requiring that the division provide certain assistance to the State Fire Marshal; deleting a provision requiring that the division provide technical assistance to the Florida Building Commission when updating the construction standards of the Florida Fire Prevention Code; deleting a provision requiring that the division enforce certain provisions of the Florida Fire Prevention Code; providing an effective date.

On motions by Senator Alexander, by two-thirds vote **HB 5051** as amended was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—40

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Aronberg	Gaetz	Posey
Atwater	Garcia	Rich
Baker	Geller	Ring
Bennett	Haridopolos	Saunders
Bullard	Hill	Siplin
Carlton	Jones	Storms
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dawson	King	Wilson
Dean	Lawson	Wise
Deutch	Lynn	
Diaz de la Portilla	Margolis	

Nays—None

HB 5043—A bill to be entitled An act relating to the surplus lines tax; amending s. 626.932, F.S.; reallocating distributions of surplus lines tax collections to the Insurance Regulatory Trust Fund and the General Revenue Fund; providing an effective date.

—was read the second time by title.

Senator Alexander moved the following amendment which was adopted:

Amendment 1 (464080)(with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Section 17.0315, Florida Statutes, is created to read:

17.0315 Financial and cash management system; task force.—(1) The Chief Financial Officer shall be the head of and appoint members to a task force that shall include the executive director of the Agency for Enterprise Information Technology and the director of the Office of Policy and Budget in the Executive Office of the Governor. The task force is established to develop a successor financial and cash management system that:

(a) Promotes transparency in the accounting of public funds;

(b) Provides timely and accurate transactional processes by agencies and their professional staffs;

(c) Interfaces with other systems providing human resources, procurement of goods and services, and other enterprise functions;

(d) Interfaces with the existing legislative appropriations, planning, and budgeting systems;

(e) Permits proper disbursement and auditing controls consistent with the respective constitutional duties of the Chief Financial Officer and the Legislature;

(f) Supports executive reporting and data analysis requirements; and

(g) Follows the information technology strategy developed by the Agency for Enterprise Information Technology.

(2) Members appointed to the task force, or their designee, shall consult with state agency administrative services directors, finance and accounting offices, and budget directors of all branches of Florida government. The task force shall submit to the Governor, the President of the Senate, and the Speaker of the House of Representatives a report that:

(a) Identifies problems and opportunities posed by current law and the current administration with existing state accounting systems;

(b) Provides developmental solutions to known failures identified by external review and audit reports;

(c) Recommends business processes and requirements to support a standardized statewide accounting system;

(d) Identifies revised rulemaking procedures needed to ensure the operational and security integrity of any successor system;

(e) Evaluates different funding approaches to equitably distribute common accounting infrastructure costs across all participating users; and

(f) Provides an executable, enterprise-wide work product that can be used as the basis for a revised competitive procurement for the implementation of a successor system.

The Chief Financial Officer shall submit the initial report, along with draft legislation recommended to implement a standardized statewide financial and cash management system, by January 1, 2009.

Section 2. Paragraph (a) of subsection (3) of section 20.121, Florida Statutes, is amended to read:

20.121 Department of Financial Services.—There is created a Department of Financial Services.

(3) FINANCIAL SERVICES COMMISSION.—Effective January 7, 2003, there is created within the Department of Financial Services the Financial Services Commission, composed of the Governor, the Attorney General, the Chief Financial Officer, and the Commissioner of Agriculture, which shall for purposes of this section be referred to as the commission. Commission members shall serve as agency head of the Financial Services Commission. The commission shall be a separate budget entity and shall be exempt from the provisions of s. 20.052. Commission action shall be by majority vote consisting of at least three affirmative votes. The commission shall not be subject to control, supervision, or direction by the Department of Financial Services in any manner, including purchasing, transactions involving real or personal property, personnel, or budgetary matters.

(a) Structure.—The major structural unit of the commission is the office. Each office shall be headed by a director. The following offices are established:

1. The Office of Insurance Regulation, which shall be responsible for all activities concerning insurers and other risk bearing entities, including licensing, rates, policy forms, market conduct, claims, issuance of certificates of authority, solvency, viatical settlements, premium financing, and administrative supervision, as provided under the insurance code or chapter 636. The head of the Office of Insurance Regulation is the Director of the Office of Insurance Regulation, who may also be known as the Commissioner of Insurance Regulation.

2.*a.* The Office of Financial Regulation, which shall be responsible for all activities of the Financial Services Commission relating to the regulation of banks, credit unions, other financial institutions, finance companies, and the securities industry. The head of the office is the Director of the Office of Financial Regulation, who may also be known as the Commissioner of Financial Regulation. The Office of Financial Regulation shall include a Bureau of Financial Investigations, which shall function as a criminal justice agency for purposes of ss. 943.045-943.08 and shall have a separate budget. The bureau may conduct investigations within or outside this state as the bureau deems necessary to aid in the enforcement of this section. If, during an investigation, the office has reason to believe that any criminal law of this state has or may have been violated, the office shall refer any records tending to show such violation to state or federal law enforcement or prosecutorial agencies and shall provide investigative assistance to those agencies as required.

b. The Strategic Markets Research and Assessment Unit is established within the Office of Financial Regulation. The unit shall report on September 1, 2008, and quarterly thereafter, to the Financial Services Commission, the President of the Senate, and the Speaker of the House of Representatives on the status of Florida's financial services markets. At a minimum, the report must include a summary of key national and international economic issues, trends, and threats that broadly impact the condition of the financial services industries, along with the effect of such conditions on financial institutions, the securities industries, other financial entities, the credit market, and the economic status of the residents and businesses of Florida. In order to ensure adequate protection for the economic well-being of the residents and businesses of Florida, the unit shall also submit to the commission, the President of the Senate, and the Speaker of the House of Representatives its findings and recommendations regarding regulatory and policy changes.

Section 3. Section 517.315, Florida Statutes, is amended to read:

517.315 Fees.—All fees of any nature collected by the office pursuant to this chapter shall be disbursed as follows:

(1) The office shall transfer the amount of fees required to be deposited into the Securities Guaranty Fund pursuant to s. 517.131;

(2) After the transfer required in subsection (1), the office shall transfer ~~$20 of~~ the $50 assessment fee collected from each associated person under s. 517.12(10) and (11) *and 30.44 percent of the $100 assessment fee paid by dealers and investment advisors for each office in the state under s. 517.12(10) and (11)* to the Regulatory Trust Fund; and

(3) All remaining fees shall be deposited into the General Revenue Fund.

Section 4. Subsection (5) of section 626.932, Florida Statutes, is amended to read:

626.932 Surplus lines tax.—

(5) The department shall deposit *19.02* ~~24.3~~ percent of all taxes collected under this section to the credit of the Insurance Regulatory Trust Fund. *Eighty and ninety-eight hundredths* ~~Seventy-five and seven-tenths~~ percent of all taxes collected under this section shall be deposited into the General Revenue Fund.

Section 5. Subsection (7) of section 626.938, Florida Statutes, is amended to read:

626.938 Report and tax of independently procured coverages.—

(7) The department shall deposit *19.02* ~~24.3~~ percent of all taxes and interest collected under this section to the credit of the Insurance Regulatory Trust Fund. *Eighty and ninety-eight hundredths* ~~Seventy-five and seven-tenths~~ percent of all taxes and interest collected under this section shall be deposited into the General Revenue Fund.

Section 6. This act shall take effect July 1, 2008.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to financial services; creating s. 17.0315, F.S.; establishing a task force to develop a successor financial and cash management system; requiring the Chief Financial Officer to appoint members to and head such task force; requiring that the directors of the Agency for Enterprise Information Technology and the Office of Policy and Budget in the Executive Office of the Governor participate as members of the task force; providing a purpose; requiring members to consult with the administrative services directors, finance and accounting offices, and budget directors of all branches of state government; requiring the task force to submit a report and draft legislation to the Governor and the Legislature by a certain date; requiring that certain information be included in such report; amending s. 20.121, F.S.; establishing the Strategic Markets Research and Assessment Unit within the Office of Financial Regulation; requiring that the unit periodically report to the Financial Services Commission and the Legislature; specifying the information be included in such report; amending s. 517.315, F.S.; requiring the Office of Financial Regulation of the Financial Services Commission to transfer the entire registration assessment fee paid by associated persons and a certain percentage of the assessment fee paid by dealers and investment advisors to the Regulatory Trust Fund; amending ss. 626.932 and 626.938, F.S.; revising the required percentages of funds collected pursuant to certain taxes on surplus lines premiums and related interest that must be deposited into the Insurance Regulatory Trust Fund and the General Revenue Fund; providing an effective date.

On motions by Senator Alexander, by two-thirds vote **HB 5043** as amended was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—40

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Aronberg	Gaetz	Posey
Atwater	Garcia	Rich
Baker	Geller	Ring
Bennett	Haridopolos	Saunders
Bullard	Hill	Siplin
Carlton	Jones	Storms
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dawson	King	Wilson
Dean	Lawson	Wise
Deutch	Lynn	
Diaz de la Portilla	Margolis	

Nays—None

HB 5059—A bill to be entitled An act relating to the State Agency Law Enforcement Radio System Trust Fund; amending s. 318.18, F.S.; revising purposes of the trust fund to include the provision of technical assistance to state agencies and local law enforcement agencies with their statewide system of regional law enforcement communications; clarifying that the Department of Management Services shall determine and direct the purposes for which funds are used; reenacting s. 318.21(17), F.S., relating to disposition of civil penalties by county courts, for the purpose of incorporating the amendment to s. 318.18, F.S., in a reference thereto; providing an effective date.

—was read the second time by title.

Senator Alexander moved the following amendment which was adopted:

Amendment 1 (954032)(with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Subsection (17) of section 318.18, Florida Statutes, is amended to read:

318.18 Amount of penalties.—The penalties required for a noncriminal disposition pursuant to s. 318.14 or a criminal offense listed in s. 318.17 are as follows:

(17) In addition to any penalties imposed, a surcharge of $3 must be paid for all criminal offenses listed in s. 318.17 and for all noncriminal moving traffic violations under chapter 316. Revenue from the surcharge shall be remitted to the Department of Revenue and deposited quarterly into the State Agency Law Enforcement Radio System Trust Fund of the Department of Management Services for the state agency law enforcement radio system, as described in s. 282.1095*, and to provide technical assistance to state agencies and local law enforcement agencies with their statewide systems of regional law enforcement communications, as described in s. 282.111*. This subsection expires July 1, 2012. The Department of Management Services may retain funds sufficient to recover the costs and expenses incurred for the purposes of managing, administering, and overseeing the Statewide Law Enforcement Radio System*, and providing technical assistance to state agencies and local law enforcement agencies with their statewide systems of regional law enforcement communications*. The Department of Management Services working in conjunction with the Joint Task Force on State Agency Law Enforcement Communications shall determine and direct the purposes for which these funds are used to enhance and improve the radio system.

Section 2. This act shall take effect July 1, 2008.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to the disposition of traffic infractions; amending s. 318.18, F.S.; requiring that revenue from the surcharge imposed for certain criminal traffic offenses and all noncriminal traffic violations be remitted to the Department of Revenue, deposited quarterly into the State Agency Law Enforcement Radio System Trust Fund of the Department of Management Services, and be used for certain purposes; authorizing the Department of Management Services to retain funds from such revenue to recover certain costs and expenses; providing an effective date.

On motions by Senator Alexander, by two-thirds vote **HB 5059** as amended was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—40

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Aronberg	Gaetz	Posey
Atwater	Garcia	Rich
Baker	Geller	Ring
Bennett	Haridopolos	Saunders
Bullard	Hill	Siplin
Carlton	Jones	Storms
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dawson	King	Wilson
Dean	Lawson	Wise
Deutch	Lynn	
Diaz de la Portilla	Margolis	

Nays—None

HB 5061—A bill to be entitled An act relating to revenue administration; amending s. 195.002, F.S.; authorizing payment of salaries and benefits for certain employees associated with certain schools; amending s. 195.022, F.S.; requiring all counties to reproduce department forms at county expense; specifying requirements of the department and property appraisers for payment of expenses of furnishing photographs and maps; authorizing the department to incur certain expenses and charge fees equal to such expenses; providing for deposit of such fees into the Certification Program Trust Fund; providing for separate accounts in the fund for certain purposes; providing for department use of such funds for certain expenses; amending s. 195.087, F.S.; requiring property appraisers to pay certain fees for aerial photographs and certain maps; prohibiting the Department of Revenue from making certain distributions in fiscal year 2008-2009 to certain sports facilities; providing an effective date.

—was read the second time by title.

Senator Alexander moved the following amendment which was adopted:

Amendment 1 (874674)(with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Subsection (2) of section 195.002, Florida Statutes, is amended to read:

195.002 Supervision by Department of Revenue.—

(2) In furtherance of its duty to conduct schools to upgrade assessment skills and collection skills, the department may establish by rule committees on admissions and certification. Additionally, the department may incur reasonable expenses for hiring instructors, travel, office operations, certificates of completion, badges or awards, and food service incidental to conducting such schools*; for the salaries and benefits of department employees whose duties are directly associated with developing and conducting such schools;* and for administering any certification program under s. 145.10 or s. 145.11. The department may charge a tuition fee and an examination fee to any person who attends such a school and may charge a fee to certify or recertify any person under such a program. The department shall deposit such fees into the Certification Program Trust Fund which is created in the State Treasury. There shall be separate school accounts and program accounts in the trust fund for property appraisers and for tax collectors. The department shall use money in the fund to pay such expenses.

Section 2. Section 195.022, Florida Statutes, is amended to read:

195.022 Forms to be prescribed by Department of Revenue.—The Department of Revenue shall prescribe all forms to be used by property

appraisers, tax collectors, clerks of the circuit court, and value adjustment boards in administering and collecting ad valorem taxes. The department shall prescribe a form for each purpose. For counties *that have* ~~with~~ a population of 100,000 or fewer, the Department of Revenue shall furnish the forms. For counties *that have* ~~with~~ a population greater than 100,000, the county officer shall reproduce forms for distribution at the expense of his or her office. A county officer may use a form other than the form prescribed by the department upon obtaining written permission from the executive director of the department; however, *a* ~~no~~ county officer *may not* ~~shall~~ use a form the substantive content of which is at variance with the form prescribed by the department for the same or a similar purpose. If the executive director finds good cause to grant such permission he or she may do so. The county officer may continue to use such approved form until the law *that* ~~which~~ specifies the form is amended or repealed or until the officer receives written disapproval from the executive director. Otherwise, all such officers and their employees shall use the forms, and follow the instructions applicable to the forms, which are prescribed by the department. The department, upon request of any property appraiser or, in any event, at least once every 3 years, shall prescribe and furnish such aerial photographs and nonproperty ownership maps to the property appraisers as are necessary to ensure that all real property within the state is properly listed on the roll. *Aerial photographs and nonproperty ownership maps shall be procured and provided in the manner and form prescribed by the department. The costs of all photographs and maps furnished to counties that have a population of 25,000 or fewer shall be paid by the department as provided by law. For counties that have a population greater than 25,000, the department shall furnish such items at the expense of the property appraiser. The department may incur reasonable expenses for procuring aerial photographs and nonproperty ownership maps and may charge a fee to the respective property appraiser equal to the costs incurred. The department shall deposit such fees into the Certification Program Trust Fund, created pursuant to s. 195.002. There shall be a separate account in the trust fund for activities relating to the aid and assistance of providing aerial photographs and nonproperty ownership maps to property appraisers. The department shall use moneys in the trust fund to pay such expenses.* All forms ~~and maps~~ furnished by the department shall be paid for by the department as provided by law. All forms and maps and instructions relating to their use shall be substantially uniform throughout the state. An officer may employ supplemental forms and maps, at the expense of his or her office, which he or she deems expedient for the purpose of administering and collecting ad valorem taxes. The forms required in ss. 193.461(3)(a) and 196.011(1) for renewal purposes shall require sufficient information for the property appraiser to evaluate the changes in use since the prior year. If the property appraiser determines, in the case of a taxpayer, that he or she has insufficient current information upon which to approve the exemption, or if the information on the renewal form is inadequate for him or her to evaluate the taxable status of the property, he or she may require the resubmission of an original application.

Section 3. Subsection (4) of section 195.087, Florida Statutes, is amended to read:

195.087 Property appraisers and tax collectors to submit budgets to Department of Revenue.—

(4) The property appraisers and tax collectors of this state are ~~hereby~~ authorized to pay any fee established by the department for attendance by an employee at a school established and conducted by the department pursuant to s. 195.002. Further, the travel and per diem expenses of such employee may be paid as set forth in s. 112.061. *The property appraisers are authorized to pay a fee established by the department for the costs of aerial photographs and nonproperty ownership maps that are provided by the department, but are not paid by the department pursuant to s. 195.022.*

Section 4. This act shall take effect July 1, 2008.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to the Department of Revenue; amending s. 195.002, F.S.; authorizing the Department of Revenue to incur reasonable expenses for the salaries and benefits of employees whose duties are directly associated with developing and conducting schools to upgrade assessment and collection skills; amending s. 195.022, F.S.; requiring the department to pay for aerial photographs and nonproperty ownership maps provided to the property appraisers of certain counties; providing an exception; authorizing the department to charge fees for procuring photographs and maps and deposit the proceeds into the Certification Program Trust Fund; amending s. 195.087, F.S.; authorizing property appraisers to pay the costs of aerial photographs and nonproperty ownership maps which are not paid by the department; providing an effective date.

On motions by Senator Alexander, by two-thirds vote **HB 5061** as amended was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—40

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Aronberg	Gaetz	Posey
Atwater	Garcia	Rich
Baker	Geller	Ring
Bennett	Haridopolos	Saunders
Bullard	Hill	Siplin
Carlton	Jones	Storms
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dawson	King	Wilson
Dean	Lawson	Wise
Deutch	Lynn	
Diaz de la Portilla	Margolis	

Nays—None

HB 5085—A bill to be entitled An act relating to health care; transferring and reassigning certain functions and responsibilities, including records, personnel, property, and unexpended balances of appropriations and other resources, from the Department of Health to the Department of Business and Professional Regulation by a type two transfer; providing for the continued validity of pending judicial or administrative actions to which the Department of Health is a party; providing for the continued validity of lawful orders issued by the Department of Health; transferring rules created by the Department of Health to the Department of Business and Professional Regulation; providing for the continued validity of permits and certifications issued by the Department of Health; amending s. 400.179, F.S.; authorizing the Agency for Health Care Administration to transfer funds to the Grants and Donations Trust Fund for certain repayments; amending s. 409.905, F.S.; prohibiting payment for certain hospital inpatient per diem rate adjustment for 2 fiscal years; amending s. 409.906, F.S.; prohibiting payment for Medicaid chiropractic services, hospice care services, and podiatric services for 2 fiscal years; authorizing payment of a specified amount for Medicaid services provided by an anesthesiologist assistant; amending s. 409.908, F.S.; deleting a provision prohibiting Medicaid from making any payment toward deductibles and coinsurance for services not covered by Medicaid; providing limitations on Medicaid payments for coinsurance; revising reimbursement rates for providers of Medicaid prescribed drugs; requiring the agency to revise reimbursement rates for hospitals, nursing homes, county health departments, and community intermediate care facilities for the developmentally disabled for 2 fiscal years; requiring the agency to apply the effect of the revised reimbursement rates to set payment rates for managed care plans and nursing home diversion programs; requiring the agency to establish workgroups to evaluate alternative reimbursement and payment methodologies for hospitals, nursing facilities, and managed care plans; requiring a report; providing for future repeal of the suspension of the use of cost data to set certain rates; amending s. 409.911, F.S.; revising the share data used to calculate disproportionate share payments to hospitals; amending s. 409.9112, F.S.; revising the time period during which the agency is prohibited from distributing disproportionate share payments to regional perinatal intensive care centers; amending s. 409.9113, F.S.; requiring the agency to distribute moneys provided in the General Appropriations Act to statutorily defined teaching hospitals and family practice teaching hospitals under the teaching hospital disproportionate share program for the 2008-2009 fiscal year; amending s. 409.9117, F.S.; prohibiting the agency from distributing moneys under the primary care disproportionate share program for the 2008-2009 fiscal year; amending s. 409.912, F.S.; adding a county for participation in the Medicaid behavioral health care services specialty prepaid plan; revising reimbursement rates to pharmacies for Medicaid prescribed drugs; requiring the

agency to notify the Legislature before seeking an amendment to the state plan in order to implement programs authorized by the Deficit Reduction Act of 2005; creating s. 409.91206, F.S.; providing for proposed alternatives for health and long-term care reforms; amending s. 409.91211, F.S.; providing for expansion of the Medicaid managed care pilot program to Hardee, Highlands, Hillsborough, Manatee, Miami-Dade, Monroe, Pasco, Pinellas, and Polk Counties; permitting fee-for-service provider service networks to be reimbursed on a risk-adjusted capitated basis for certain services; requiring the agency to encourage cost-effective administration by provider service networks; requiring quarterly monitoring and annual evaluation of plan network adequacy; requiring that Medicaid recipients receive prescription drug coverage information for each plan; requiring the agency to set standards for prompt claims payment; revising assignment processes for certain recipients; amending s. 409.9124, F.S.; removing the limitation on the application of certain rates and rate reductions used by the agency to reimburse managed care plans; amending s. 409.913, F.S.; prohibiting mailing of the explanation of benefits for certain Medicaid services; repealing s. 381.0271, F.S., relating to the Florida Patient Safety Corporation; repealing s. 381.0273, F.S., relating to public records exemption for patient safety data; repealing s. 394.4595, F.S., relating to access to patient records by the Florida statewide and local advocacy councils; repealing s. 402.164, F.S., relating to the Florida Statewide Advocacy Council and the Florida local advocacy councils; repealing s. 402.165, F.S., relating to the Florida Statewide Advocacy Council; repealing s. 402.166, F.S., relating to Florida local advocacy councils; repealing s. 402.167, F.S., relating to duties of state agencies that provide client services relating to the Florida Statewide Advocacy Council and the Florida local advocacy councils; repealing s. 409.9061, F.S., relating to authority for a statewide laboratory services contract; repealing s. 430.80, F.S., relating to implementation of a teaching nursing home pilot project; repealing s. 430.83, F.S., relating to the Sunshine for Seniors Program; repealing ss. 464.0195, 464.0196, and 464.0197, F.S., relating to the Florida Center for Nursing; repealing s. 464.0198, F.S., relating to the Florida Center for Nursing Trust Fund; amending ss. 39.001, 39.0011, 39.202, 39.302, 215.22, 394.459, 394.4597, 394.4598, 394.4599, 394.4615, 400.0065, 400.118, 400.141, 415.1034, 415.104, 415.1055, 415.106, 415.107, 429.19, 429.28, 429.34, and 430.04, F.S.; conforming provisions and correcting cross-references; providing an effective date.

—was read the second time by title.

Senator Peaden moved the following amendment which was adopted:

Amendment 1 (975970)(with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Paragraph (d) of subsection (2) of section 400.179, Florida Statutes, is amended to read:

400.179 Liability for Medicaid underpayments and overpayments.—

(2) Because any transfer of a nursing facility may expose the fact that Medicaid may have underpaid or overpaid the transferor, and because in most instances, any such underpayment or overpayment can only be determined following a formal field audit, the liabilities for any such underpayments or overpayments shall be as follows:

(d) Where the transfer involves a facility that has been leased by the transferor:

1. The transferee shall, as a condition to being issued a license by the agency, acquire, maintain, and provide proof to the agency of a bond with a term of 30 months, renewable annually, in an amount not less than the total of 3 months' Medicaid payments to the facility computed on the basis of the preceding 12-month average Medicaid payments to the facility.

2. A leasehold licensee may meet the requirements of subparagraph 1. by payment of a nonrefundable fee, paid at initial licensure, paid at the time of any subsequent change of ownership, and paid annually thereafter, in the amount of 1 percent of the total of 3 months' Medicaid payments to the facility computed on the basis of the preceding 12-month average Medicaid payments to the facility. If a preceding 12-month average is not available, projected Medicaid payments may be used. The fee shall be deposited into the Health Care Trust Fund and shall be accounted for separately as a Medicaid nursing home overpayment account. These fees shall be used at the sole discretion of the agency to repay nursing home Medicaid overpayments. *The agency may transfer funds to the Grants and Donations Trust Fund for such repayments.* Payment of this fee shall not release the licensee from any liability for any Medicaid overpayments, nor shall payment bar the agency from seeking to recoup overpayments from the licensee and any other liable party. As a condition of exercising this lease bond alternative, licensees paying this fee must maintain an existing lease bond through the end of the 30-month term period of that bond. The agency is herein granted specific authority to promulgate all rules pertaining to the administration and management of this account, including withdrawals from the account, subject to federal review and approval. This provision shall take effect upon becoming law and shall apply to any leasehold license application. The financial viability of the Medicaid nursing home overpayment account shall be determined by the agency through annual review of the account balance and the amount of total outstanding, unpaid Medicaid overpayments owing from leasehold licensees to the agency as determined by final agency audits.

3. The leasehold licensee may meet the bond requirement through other arrangements acceptable to the agency. The agency is herein granted specific authority to promulgate rules pertaining to lease bond arrangements.

4. All existing nursing facility licensees, operating the facility as a leasehold, shall acquire, maintain, and provide proof to the agency of the 30-month bond required in subparagraph 1., above, on and after July 1, 1993, for each license renewal.

5. It shall be the responsibility of all nursing facility operators, operating the facility as a leasehold, to renew the 30-month bond and to provide proof of such renewal to the agency annually.

6. Any failure of the nursing facility operator to acquire, maintain, renew annually, or provide proof to the agency shall be grounds for the agency to deny, revoke, and suspend the facility license to operate such facility and to take any further action, including, but not limited to, enjoining the facility, asserting a moratorium pursuant to part II of chapter 408, or applying for a receiver, deemed necessary to ensure compliance with this section and to safeguard and protect the health, safety, and welfare of the facility's residents. A lease agreement required as a condition of bond financing or refinancing under s. 154.213 by a health facilities authority or required under s. 159.30 by a county or municipality is not a leasehold for purposes of this paragraph and is not subject to the bond requirement of this paragraph.

Section 2. Subsections (1) and (2) of section 409.904, Florida Statutes, are amended to read:

409.904 Optional payments for eligible persons.—The agency may make payments for medical assistance and related services on behalf of the following persons who are determined to be eligible subject to the income, assets, and categorical eligibility tests set forth in federal and state law. Payment on behalf of these Medicaid eligible persons is subject to the availability of moneys and any limitations established by the General Appropriations Act or chapter 216.

(1)~~(a) From July 1, 2005, through December 31, 2005, a person who is age 65 or older or is determined to be disabled, whose income is at or below 88 percent of federal poverty level, and whose assets do not exceed established limitations.~~

~~(b)~~ Effective January 1, 2006, and subject to federal waiver approval, a person who is age 65 or older or is determined to be disabled, whose income is at or below 88 percent of the federal poverty level, whose assets do not exceed established limitations, and who is not eligible for Medicare or, if eligible for Medicare, is also eligible for and receiving Medicaid-covered institutional care services, hospice services, or home and community-based services. The agency shall seek federal authorization through a waiver to provide this coverage. *This subsection expires October 31, 2008.*

(2)*(a)* A family, a pregnant woman, a child under age 21, a person age 65 or over, or a blind or disabled person, who would be eligible under any group listed in s. 409.903(1), (2), or (3), except that the income or assets of such family or person exceed established limitations. For a family or person in one of these coverage groups, medical expenses are deductible from income in accordance with federal requirements in order to make a determination of eligibility. A family or person eligible under the coverage known as the "medically needy," is eligible to receive the

same services as other Medicaid recipients, with the exception of services in skilled nursing facilities and intermediate care facilities for the developmentally disabled. *This paragraph expires October 31, 2008.*

(b) Effective November 1, 2008, a pregnant woman or a child younger than 21 years of age who would be eligible under any group listed in s. 409.903, except that the income or assets of such group exceed established limitations. For a person in one of these coverage groups, medical expenses are deductible from income in accordance with federal requirements in order to made a determination of eligibility. A person eligible under the coverage known as the "medically needy" is eligible to receive the same services as other Medicaid recipients, with the exception of services in skilled nursing facilities and intermediate care facilities for the developmentally disabled.

Section 3. Subsections (1) and (12) of section 409.906, Florida Statutes, are amended to read:

409.906 Optional Medicaid services.—Subject to specific appropriations, the agency may make payments for services which are optional to the state under Title XIX of the Social Security Act and are furnished by Medicaid providers to recipients who are determined to be eligible on the dates on which the services were provided. Any optional service that is provided shall be provided only when medically necessary and in accordance with state and federal law. Optional services rendered by providers in mobile units to Medicaid recipients may be restricted or prohibited by the agency. Nothing in this section shall be construed to prevent or limit the agency from adjusting fees, reimbursement rates, lengths of stay, number of visits, or number of services, or making any other adjustments necessary to comply with the availability of moneys and any limitations or directions provided for in the General Appropriations Act or chapter 216. If necessary to safeguard the state's systems of providing services to elderly and disabled persons and subject to the notice and review provisions of s. 216.177, the Governor may direct the Agency for Health Care Administration to amend the Medicaid state plan to delete the optional Medicaid service known as "Intermediate Care Facilities for the Developmentally Disabled." Optional services may include:

(1) ADULT DENTAL SERVICES.—

(a) The agency may pay for medically necessary, emergency dental procedures to alleviate pain or infection. Emergency dental care shall be limited to emergency oral examinations, necessary radiographs, extractions, and incision and drainage of abscess, for a recipient who is 21 years of age or older.

(b) Beginning July 1, 2006, the agency may pay for full or partial dentures, the procedures required to seat full or partial dentures, and the repair and reline of full or partial dentures, provided by or under the direction of a licensed dentist, for a recipient who is 21 years of age or older.

(c) However, Medicaid *may* ~~will~~ not provide reimbursement for dental services provided in a mobile dental unit, except for a mobile dental unit:

1. Owned by, operated by, or having a contractual agreement with the Department of Health and complying with Medicaid's county health department clinic services program specifications as a county health department clinic services provider.

2. Owned by, operated by, or having a contractual arrangement with a federally qualified health center and complying with Medicaid's federally qualified health center specifications as a federally qualified health center provider.

3. Rendering dental services to Medicaid recipients, 21 years of age and older, at nursing facilities.

4. Owned by, operated by, or having a contractual agreement with a state-approved dental educational institution.

(d) This subsection expires September 30, 2008.

(12) HEARING SERVICES.—The agency may pay for hearing and related services, including hearing evaluations, hearing aid devices, dispensing of the hearing aid, and related repairs, if provided to a recipient by a licensed hearing aid specialist, otolaryngologist, otologist, audiologist, or physician. *Effective October 1, 2008, the agency may not pay for hearing and related services for adults.*

Section 4. Paragraph (d) of subsection (13) and subsection (14) of section 409.908, Florida Statutes, are amended, and subsection (23) is added to that section, to read:

409.908 Reimbursement of Medicaid providers.—Subject to specific appropriations, the agency shall reimburse Medicaid providers, in accordance with state and federal law, according to methodologies set forth in the rules of the agency and in policy manuals and handbooks incorporated by reference therein. These methodologies may include fee schedules, reimbursement methods based on cost reporting, negotiated fees, competitive bidding pursuant to s. 287.057, and other mechanisms the agency considers efficient and effective for purchasing services or goods on behalf of recipients. If a provider is reimbursed based on cost reporting and submits a cost report late and that cost report would have been used to set a lower reimbursement rate for a rate semester, then the provider's rate for that semester shall be retroactively calculated using the new cost report, and full payment at the recalculated rate shall be effected retroactively. Medicare-granted extensions for filing cost reports, if applicable, shall also apply to Medicaid cost reports. Payment for Medicaid compensable services made on behalf of Medicaid eligible persons is subject to the availability of moneys and any limitations or directions provided for in the General Appropriations Act or chapter 216. Further, nothing in this section shall be construed to prevent or limit the agency from adjusting fees, reimbursement rates, lengths of stay, number of visits, or number of services, or making any other adjustments necessary to comply with the availability of moneys and any limitations or directions provided for in the General Appropriations Act, provided the adjustment is consistent with legislative intent.

(13) Medicare premiums for persons eligible for both Medicare and Medicaid coverage shall be paid at the rates established by Title XVIII of the Social Security Act. For Medicare services rendered to Medicaid-eligible persons, Medicaid shall pay Medicare deductibles and coinsurance as follows:

(d) Notwithstanding paragraphs (a)-(c):

1. Medicaid payments for Nursing Home Medicare part A coinsurance *are* ~~shall be~~ limited to the Medicaid nursing home per diem rate less any amounts paid by Medicare, but only up to the amount of Medicare coinsurance. The Medicaid per diem rate shall be the rate in effect for the dates of service of the crossover claims and may not be subsequently adjusted due to subsequent per diem rate adjustments.

2. Medicaid shall pay all deductibles and coinsurance for Medicare-eligible recipients receiving freestanding end stage renal dialysis center services.

3. Medicaid payments for general hospital inpatient services *are* ~~shall be~~ limited to the Medicare deductible per spell of illness. Medicaid *may not pay for* ~~shall make no payment toward~~ coinsurance for Medicare general hospital inpatient services.

4. Medicaid shall pay all deductibles and coinsurance for Medicare emergency transportation services provided by ambulances licensed pursuant to chapter 401.

5. Medicaid shall pay all deductibles and coinsurance for portable X-ray Medicare Part B services provided in a nursing home.

(14) A provider of prescribed drugs shall be reimbursed the least of the amount billed by the provider, the provider's usual and customary charge, or the Medicaid maximum allowable fee established by the agency, plus a dispensing fee. The Medicaid maximum allowable fee for ingredient cost *is* ~~will be~~ based on the lower of: average wholesale price (AWP) minus *16.4* ~~15.4~~ percent, wholesaler acquisition cost (WAC) plus *4.75* ~~5.75~~ percent, the federal upper limit (FUL), the state maximum allowable cost (SMAC), or the usual and customary (UAC) charge billed by the provider. Medicaid providers are required to dispense generic drugs if available at lower cost and the agency has not determined that the branded product is more cost-effective, unless the prescriber has requested and received approval to require the branded product. The agency is directed to implement a variable dispensing fee for payments for prescribed medicines while ensuring continued access for Medicaid recipients. The variable dispensing fee may be based upon, but not limited to, either or both the volume of prescriptions dispensed by a

specific pharmacy provider, the volume of prescriptions dispensed to an individual recipient, and dispensing of preferred-drug-list products. The agency may increase the pharmacy dispensing fee authorized by statute and in the annual General Appropriations Act by $0.50 for the dispensing of a Medicaid preferred-drug-list product and reduce the pharmacy dispensing fee by $0.50 for the dispensing of a Medicaid product that is not included on the preferred drug list. The agency may establish a supplemental pharmaceutical dispensing fee to be paid to providers returning unused unit-dose packaged medications to stock and crediting the Medicaid program for the ingredient cost of those medications if the ingredient costs to be credited exceed the value of the supplemental dispensing fee. The agency is authorized to limit reimbursement for prescribed medicine in order to comply with any limitations or directions provided for in the General Appropriations Act, which may include implementing a prospective or concurrent utilization review program.

(23)(a) Effective July 1, 2008, the agency shall reduce provider reimbursement rates on a recurring basis as prescribed in the general appropriations act for the following provider types:

1. Inpatient hospitals.

2. Outpatient hospitals.

3. Nursing homes.

4. County health departments.

5. Community intermediate care facilities for the developmentally disabled.

6. Prepaid health plans.

(b) Any increase in reimbursement is subject to a specific appropriation by the Legislature.

Section 5. Paragraph (a) of subsection (2) of section 409.911, Florida Statutes, is amended to read:

409.911 Disproportionate share program.—Subject to specific allocations established within the General Appropriations Act and any limitations established pursuant to chapter 216, the agency shall distribute, pursuant to this section, moneys to hospitals providing a disproportionate share of Medicaid or charity care services by making quarterly Medicaid payments as required. Notwithstanding the provisions of s. 409.915, counties are exempt from contributing toward the cost of this special reimbursement for hospitals serving a disproportionate share of low-income patients.

(2) The Agency for Health Care Administration shall use the following actual audited data to determine the Medicaid days and charity care to be used in calculating the disproportionate share payment:

(a) The average of the ~~2000, 2001, and~~ 2002*, 2003, and 2004* audited disproportionate share data to determine each hospital's Medicaid days and charity care for the *2008-2009* ~~2006-2007~~ state fiscal year.

Section 6. Section 409.9112, Florida Statutes, is amended to read:

409.9112 Disproportionate share program for regional perinatal intensive care centers.—In addition to the payments made under s. 409.911, the agency ~~for Health Care Administration~~ shall design and implement a system of making disproportionate share payments to ~~those~~ hospitals that participate in the regional perinatal intensive care center program established pursuant to chapter 383. This system of payments shall conform *to* ~~with~~ federal requirements and shall distribute funds in each fiscal year for which an appropriation is made by making quarterly Medicaid payments. Notwithstanding the provisions of s. 409.915, counties are exempt from contributing toward the cost of this special reimbursement for hospitals serving a disproportionate share of low-income patients. For the *2008-2009* state fiscal year ~~2005-2006~~, the agency *may* ~~shall~~ not distribute moneys under the regional perinatal intensive care centers disproportionate share program.

(1) The following formula shall be used by the agency to calculate the total amount earned for hospitals that participate in the regional perinatal intensive care center program:

TAE = HDSP/THDSP

Where:

TAE = total amount earned by a regional perinatal intensive care center.

HDSP = the prior state fiscal year regional perinatal intensive care center disproportionate share payment to the individual hospital.

THDSP = the prior state fiscal year total regional perinatal intensive care center disproportionate share payments to all hospitals.

(2) The total additional payment for hospitals that participate in the regional perinatal intensive care center program shall be calculated by the agency as follows:

TAP = TAE x TA

Where:

TAP = total additional payment for a regional perinatal intensive care center.

TAE = total amount earned by a regional perinatal intensive care center.

TA = total appropriation for the regional perinatal intensive care center disproportionate share program.

(3) In order to receive payments under this section, a hospital must be participating in the regional perinatal intensive care center program pursuant to chapter 383 and must meet the following additional requirements:

(a) Agree to conform to all departmental and agency requirements to ensure high quality in the provision of services, including criteria adopted by departmental and agency rule concerning staffing ratios, medical records, standards of care, equipment, space, and such other standards and criteria as the department and agency deem appropriate as specified by rule.

(b) Agree to provide information to the department and agency, in a form and manner to be prescribed by rule of the department and agency, concerning the care provided to all patients in neonatal intensive care centers and high-risk maternity care.

(c) Agree to accept all patients for neonatal intensive care and high-risk maternity care, regardless of ability to pay, on a functional space-available basis.

(d) Agree to develop arrangements with other maternity and neonatal care providers in the hospital's region for the appropriate receipt and transfer of patients in need of specialized maternity and neonatal intensive care services.

(e) Agree to establish and provide a developmental evaluation and services program for certain high-risk neonates, as prescribed and defined by rule of the department.

(f) Agree to sponsor a program of continuing education in perinatal care for health care professionals within the region of the hospital, as specified by rule.

(g) Agree to provide backup and referral services to the department's county health departments and other low-income perinatal providers within the hospital's region, including the development of written agreements between these organizations and the hospital.

(h) Agree to arrange for transportation for high-risk obstetrical patients and neonates in need of transfer from the community to the hospital or from the hospital to another more appropriate facility.

(4) Hospitals which fail to comply with any of the conditions in subsection (3) or the applicable rules of the department and agency *may* ~~shall~~ not receive any payments under this section until full compliance is achieved. A hospital which is not in compliance in two or more consecutive quarters *may* ~~shall~~ not receive its share of the funds. Any forfeited funds shall be distributed by the remaining participating regional perinatal intensive care center program hospitals.

Section 7. Section 409.9113, Florida Statutes, is amended to read:

409.9113 Disproportionate share program for teaching hospitals.—In addition to the payments made under ss. 409.911 and 409.9112, the agency ~~for Health Care Administration~~ shall make disproportionate share payments to statutorily defined teaching hospitals for their increased costs associated with medical education programs and for tertiary health care services provided to the indigent. This system of payments shall conform *to* ~~with~~ federal requirements and shall distribute funds in each fiscal year for which an appropriation is made by making quarterly Medicaid payments. Notwithstanding s. 409.915, counties are exempt from contributing toward the cost of this special reimbursement for hospitals serving a disproportionate share of low-income patients. For the *2008-2009* state fiscal year ~~2006-2007~~, the agency shall distribute the moneys provided in the General Appropriations Act to statutorily defined teaching hospitals and family practice teaching hospitals under the teaching hospital disproportionate share program. The funds provided for statutorily defined teaching hospitals shall be distributed in the same proportion as the state fiscal year 2003-2004 teaching hospital disproportionate share funds were distributed *or as otherwise provided in the General Appropriations Act*. The funds provided for family practice teaching hospitals shall be distributed equally among family practice teaching hospitals.

(1) On or before September 15 of each year, the agency ~~for Health Care Administration~~ shall calculate an allocation fraction to be used for distributing funds to state statutory teaching hospitals. Subsequent to the end of each quarter of the state fiscal year, the agency shall distribute to each statutory teaching hospital, as defined in s. 408.07, an amount determined by multiplying one-fourth of the funds appropriated for this purpose by the Legislature times such hospital's allocation fraction. The allocation fraction for each such hospital shall be determined by the sum of three primary factors, divided by three. The primary factors are:

(a) The number of nationally accredited graduate medical education programs offered by the hospital, including programs accredited by the Accreditation Council for Graduate Medical Education and the combined Internal Medicine and Pediatrics programs acceptable to both the American Board of Internal Medicine and the American Board of Pediatrics at the beginning of the state fiscal year preceding the date on which the allocation fraction is calculated. The numerical value of this factor is the fraction that the hospital represents of the total number of programs, where the total is computed for all state statutory teaching hospitals.

(b) The number of full-time equivalent trainees in the hospital, which comprises two components:

1. The number of trainees enrolled in nationally accredited graduate medical education programs, as defined in paragraph (a). Full-time equivalents are computed using the fraction of the year during which each trainee is primarily assigned to the given institution, over the state fiscal year preceding the date on which the allocation fraction is calculated. The numerical value of this factor is the fraction that the hospital represents of the total number of full-time equivalent trainees enrolled in accredited graduate programs, where the total is computed for all state statutory teaching hospitals.

2. The number of medical students enrolled in accredited colleges of medicine and engaged in clinical activities, including required clinical clerkships and clinical electives. Full-time equivalents are computed using the fraction of the year during which each trainee is primarily assigned to the given institution, over the course of the state fiscal year preceding the date on which the allocation fraction is calculated. The numerical value of this factor is the fraction that the given hospital represents of the total number of full-time equivalent students enrolled in accredited colleges of medicine, where the total is computed for all state statutory teaching hospitals.

The primary factor for full-time equivalent trainees is computed as the sum of these two components, divided by two.

(c) A service index that comprises three components:

1. The Agency for Health Care Administration Service Index, computed by applying the standard Service Inventory Scores established by the agency ~~for Health Care Administration~~ to services offered by the given hospital, as reported on Worksheet A-2 for the last fiscal year reported to the agency before the date on which the allocation fraction is calculated. The numerical value of this factor is the fraction that the given hospital represents of the total Agency for Health Care Administration Service Index values, where the total is computed for all state statutory teaching hospitals.

2. A volume-weighted service index, computed by applying the standard Service Inventory Scores established by the agency ~~for Health Care Administration~~ to the volume of each service, expressed in terms of the standard units of measure reported on Worksheet A-2 for the last fiscal year reported to the agency before the date on which the allocation factor is calculated. The numerical value of this factor is the fraction that the given hospital represents of the total volume-weighted service index values, where the total is computed for all state statutory teaching hospitals.

3. Total Medicaid payments to each hospital for direct inpatient and outpatient services during the fiscal year preceding the date on which the allocation factor is calculated. This includes payments made to each hospital for such services by Medicaid prepaid health plans, whether the plan was administered by the hospital or not. The numerical value of this factor is the fraction that each hospital represents of the total of such Medicaid payments, where the total is computed for all state statutory teaching hospitals.

The primary factor for the service index is computed as the sum of these three components, divided by three.

(2) By October 1 of each year, the agency shall use the following formula to calculate the maximum additional disproportionate share payment for statutorily defined teaching hospitals:

TAP = THAF x A

Where:

TAP = total additional payment.

THAF = teaching hospital allocation factor.

A = amount appropriated for a teaching hospital disproportionate share program.

Section 8. Section 409.9117, Florida Statutes, is amended to read:

409.9117 Primary care disproportionate share program.—For the *2008-2009* state fiscal year ~~2006-2007~~, the agency *may* ~~shall~~ not distribute moneys under the primary care disproportionate share program.

(1) If federal funds are available for disproportionate share programs in addition to those otherwise provided by law, there shall be created a primary care disproportionate share program.

(2) The following formula shall be used by the agency to calculate the total amount earned for hospitals that participate in the primary care disproportionate share program:

TAE = HDSP/THDSP

Where:

TAE = total amount earned by a hospital participating in the primary care disproportionate share program.

HDSP = the prior state fiscal year primary care disproportionate share payment to the individual hospital.

THDSP = the prior state fiscal year total primary care disproportionate share payments to all hospitals.

(3) The total additional payment for hospitals that participate in the primary care disproportionate share program shall be calculated by the agency as follows:

TAP = TAE x TA

Where:

TAP = total additional payment for a primary care hospital.

TAE = total amount earned by a primary care hospital.

TA = total appropriation for the primary care disproportionate share program.

(4) In *establishing* ~~the establishment~~ and funding ~~of~~ this program, the agency shall use the following criteria in addition to those specified in s. 409.911, *and* payments may not be made to a hospital unless the hospital agrees to:

(a) Cooperate with a Medicaid prepaid health plan, if one exists in the community.

(b) Ensure the availability of primary and specialty care physicians to Medicaid recipients who are not enrolled in a prepaid capitated arrangement and who are in need of access to such physicians.

(c) Coordinate and provide primary care services free of charge, except copayments, to all persons with incomes up to 100 percent of the federal poverty level who are not otherwise covered by Medicaid or another program administered by a governmental entity, and to provide such services based on a sliding fee scale to all persons with incomes up to 200 percent of the federal poverty level who are not otherwise covered by Medicaid or another program administered by a governmental entity, except that eligibility may be limited to persons who reside within a more limited area, as agreed to by the agency and the hospital.

(d) Contract with any federally qualified health center, if one exists within the agreed geopolitical boundaries, concerning the provision of primary care services, in order to guarantee delivery of services in a nonduplicative fashion, and to provide for referral arrangements, privileges, and admissions, as appropriate. The hospital shall agree to provide at an onsite or offsite facility primary care services within 24 hours to which all Medicaid recipients and persons eligible under this paragraph who do not require emergency room services are referred during normal daylight hours.

(e) Cooperate with the agency, the county, and other entities to ensure the provision of certain public health services, case management, referral and acceptance of patients, and sharing of epidemiological data, as the agency and the hospital find mutually necessary and desirable to promote and protect the public health within the agreed geopolitical boundaries.

(f) In cooperation with the county in which the hospital resides, develop a low-cost, outpatient, prepaid health care program to persons who are not eligible for the Medicaid program, and who reside within the area.

(g) Provide inpatient services to residents within the area who are not eligible for Medicaid or Medicare, and who do not have private health insurance, regardless of ability to pay, on the basis of available space, except that nothing shall prevent the hospital from establishing bill collection programs based on ability to pay.

(h) Work with the Florida Healthy Kids Corporation, the Florida Health Care Purchasing Cooperative, and business health coalitions, as appropriate, to develop a feasibility study and plan to provide a low-cost comprehensive health insurance plan to persons who reside within the area and who do not have access to such a plan.

(i) Work with public health officials and other experts to provide community health education and prevention activities designed to promote healthy lifestyles and appropriate use of health services.

(j) Work with the local health council to develop a plan for promoting access to affordable health care services for all persons who reside within the area, including, but not limited to, public health services, primary care services, inpatient services, and affordable health insurance generally.

Any hospital that fails to comply with any of the provisions of this subsection, or any other contractual condition, may not receive payments under this section until full compliance is achieved.

Section 9. Paragraph (b) of subsection (4), paragraph (a) of subsection (39), and subsection (42) of section 409.912, Florida Statutes, are amended to read:

409.912 Cost-effective purchasing of health care.—The agency shall purchase goods and services for Medicaid recipients in the most cost-effective manner consistent with the delivery of quality medical care. To ensure that medical services are effectively utilized, the agency may, in any case, require a confirmation or second physician's opinion of the correct diagnosis for purposes of authorizing future services under the Medicaid program. This section does not restrict access to emergency services or poststabilization care services as defined in 42 C.F.R. part 438.114. Such confirmation or second opinion shall be rendered in a manner approved by the agency. The agency shall maximize the use of prepaid per capita and prepaid aggregate fixed-sum basis services when appropriate and other alternative service delivery and reimbursement methodologies, including competitive bidding pursuant to s. 287.057, designed to facilitate the cost-effective purchase of a case-managed continuum of care. The agency shall also require providers to minimize the exposure of recipients to the need for acute inpatient, custodial, and other institutional care and the inappropriate or unnecessary use of high-cost services. The agency shall contract with a vendor to monitor and evaluate the clinical practice patterns of providers in order to identify trends that are outside the normal practice patterns of a provider's professional peers or the national guidelines of a provider's professional association. The vendor must be able to provide information and counseling to a provider whose practice patterns are outside the norms, in consultation with the agency, to improve patient care and reduce inappropriate utilization. The agency may mandate prior authorization, drug therapy management, or disease management participation for certain populations of Medicaid beneficiaries, certain drug classes, or particular drugs to prevent fraud, abuse, overuse, and possible dangerous drug interactions. The Pharmaceutical and Therapeutics Committee shall make recommendations to the agency on drugs for which prior authorization is required. The agency shall inform the Pharmaceutical and Therapeutics Committee of its decisions regarding drugs subject to prior authorization. The agency is authorized to limit the entities it contracts with or enrolls as Medicaid providers by developing a provider network through provider credentialing. The agency may competitively bid single-source-provider contracts if procurement of goods or services results in demonstrated cost savings to the state without limiting access to care. The agency may limit its network based on the assessment of beneficiary access to care, provider availability, provider quality standards, time and distance standards for access to care, the cultural competence of the provider network, demographic characteristics of Medicaid beneficiaries, practice and provider-to-beneficiary standards, appointment wait times, beneficiary use of services, provider turnover, provider profiling, provider licensure history, previous program integrity investigations and findings, peer review, provider Medicaid policy and billing compliance records, clinical and medical record audits, and other factors. Providers shall not be entitled to enrollment in the Medicaid provider network. The agency shall determine instances in which allowing Medicaid beneficiaries to purchase durable medical equipment and other goods is less expensive to the Medicaid program than long-term rental of the equipment or goods. The agency may establish rules to facilitate purchases in lieu of long-term rentals in order to protect against fraud and abuse in the Medicaid program as defined in s. 409.913. The agency may seek federal waivers necessary to administer these policies.

(4) The agency may contract with:

(b) An entity that is providing comprehensive behavioral health care services to certain Medicaid recipients through a capitated, prepaid arrangement pursuant to the federal waiver provided for by s. 409.905(5). Such an entity must be licensed under chapter 624, chapter 636, or chapter 641 and must possess the clinical systems and operational competence to manage risk and provide comprehensive behavioral health care to Medicaid recipients. As used in this paragraph, the term "comprehensive behavioral health care services" means covered mental health and substance abuse treatment services that are available to Medicaid recipients. The secretary of the Department of Children and Family Services shall approve provisions of procurements related to children in the department's care or custody prior to enrolling such children in a prepaid behavioral health plan. Any contract awarded under this paragraph must be competitively procured. In developing the behavioral health care prepaid plan procurement document, the agency shall ensure that the procurement document requires the contractor to develop and implement a plan to ensure compliance with s. 394.4574 related to services provided to residents of licensed assisted living facilities that hold a limited mental health license. Except as provided in subparagraph 8., and except in counties where the Medicaid managed care pilot program is authorized pursuant to s. 409.91211, the agency shall seek federal approval to contract with a single entity meeting these requirements to provide comprehensive behavioral health care services to all Medicaid recipients not enrolled in a Medicaid managed care plan authorized under s. 409.91211 or a Medicaid health maintenance organization in an AHCA area. In an AHCA area where the Medicaid managed

care pilot program is authorized pursuant to s. 409.91211 in one or more counties, the agency may procure a contract with a single entity to serve the remaining counties as an AHCA area or the remaining counties may be included with an adjacent AHCA area and shall be subject to this paragraph. Each entity must offer sufficient choice of providers in its network to ensure recipient access to care and the opportunity to select a provider with whom they are satisfied. The network shall include all public mental health hospitals. To ensure unimpaired access to behavioral health care services by Medicaid recipients, all contracts issued pursuant to this paragraph shall require 80 percent of the capitation paid to the managed care plan, including health maintenance organizations, to be expended for the provision of behavioral health care services. In the event the managed care plan expends less than 80 percent of the capitation paid pursuant to this paragraph for the provision of behavioral health care services, the difference shall be returned to the agency. The agency shall provide the managed care plan with a certification letter indicating the amount of capitation paid during each calendar year for the provision of behavioral health care services pursuant to this section. The agency may reimburse for substance abuse treatment services on a fee-for-service basis until the agency finds that adequate funds are available for capitated, prepaid arrangements.

1. By January 1, 2001, the agency shall modify the contracts with the entities providing comprehensive inpatient and outpatient mental health care services to Medicaid recipients in Hillsborough, Highlands, Hardee, Manatee, and Polk Counties, to include substance abuse treatment services.

2. By July 1, 2003, the agency and the Department of Children and Family Services shall execute a written agreement that requires collaboration and joint development of all policy, budgets, procurement documents, contracts, and monitoring plans that have an impact on the state and Medicaid community mental health and targeted case management programs.

3. Except as provided in subparagraph 8., by July 1, 2006, the agency and the Department of Children and Family Services shall contract with managed care entities in each AHCA area except area 6 or arrange to provide comprehensive inpatient and outpatient mental health and substance abuse services through capitated prepaid arrangements to all Medicaid recipients who are eligible to participate in such plans under federal law and regulation. In AHCA areas where eligible individuals number less than 150,000, the agency shall contract with a single managed care plan to provide comprehensive behavioral health services to all recipients who are not enrolled in a Medicaid health maintenance organization or a Medicaid capitated managed care plan authorized under s. 409.91211. The agency may contract with more than one comprehensive behavioral health provider to provide care to recipients who are not enrolled in a Medicaid capitated managed care plan authorized under s. 409.91211 or a Medicaid health maintenance organization in AHCA areas where the eligible population exceeds 150,000. In an AHCA area where the Medicaid managed care pilot program is authorized pursuant to s. 409.91211 in one or more counties, the agency may procure a contract with a single entity to serve the remaining counties as an AHCA area or the remaining counties may be included with an adjacent AHCA area and shall be subject to this paragraph. Contracts for comprehensive behavioral health providers awarded pursuant to this section shall be competitively procured. Both for-profit and not-for-profit corporations shall be eligible to compete. Managed care plans contracting with the agency under subsection (3) shall provide and receive payment for the same comprehensive behavioral health benefits as provided in AHCA rules, including handbooks incorporated by reference. In AHCA area 11, the agency shall contract with at least two comprehensive behavioral health care providers to provide behavioral health care to recipients in that area who are enrolled in, or assigned to, the MediPass program. One of the behavioral health care contracts shall be with the existing provider service network pilot project, as described in paragraph (d), for the purpose of demonstrating the cost-effectiveness of the provision of quality mental health services through a public hospital-operated managed care model. Payment shall be at an agreed-upon capitated rate to ensure cost savings. Of the recipients in area 11 who are assigned to MediPass under the provisions of s. 409.9122(2)(k), a minimum of 50,000 of those MediPass-enrolled recipients shall be assigned to the existing provider service network in area 11 for their behavioral care.

4. By October 1, 2003, the agency and the department shall submit a plan to the Governor, the President of the Senate, and the Speaker of the House of Representatives which provides for the full implementation of capitated prepaid behavioral health care in all areas of the state.

a. Implementation shall begin in 2003 in those AHCA areas of the state where the agency is able to establish sufficient capitation rates.

b. If the agency determines that the proposed capitation rate in any area is insufficient to provide appropriate services, the agency may adjust the capitation rate to ensure that care will be available. The agency and the department may use existing general revenue to address any additional required match but may not over-obligate existing funds on an annualized basis.

c. Subject to any limitations provided for in the General Appropriations Act, the agency, in compliance with appropriate federal authorization, shall develop policies and procedures that allow for certification of local and state funds.

5. Children residing in a statewide inpatient psychiatric program, or in a Department of Juvenile Justice or a Department of Children and Family Services residential program approved as a Medicaid behavioral health overlay services provider shall not be included in a behavioral health care prepaid health plan or any other Medicaid managed care plan pursuant to this paragraph.

6. In converting to a prepaid system of delivery, the agency shall in its procurement document require an entity providing only comprehensive behavioral health care services to prevent the displacement of indigent care patients by enrollees in the Medicaid prepaid health plan providing behavioral health care services from facilities receiving state funding to provide indigent behavioral health care, to facilities licensed under chapter 395 which do not receive state funding for indigent behavioral health care, or reimburse the unsubsidized facility for the cost of behavioral health care provided to the displaced indigent care patient.

7. Traditional community mental health providers under contract with the Department of Children and Family Services pursuant to part IV of chapter 394, child welfare providers under contract with the Department of Children and Family Services in areas 1 and 6, and inpatient mental health providers licensed pursuant to chapter 395 must be offered an opportunity to accept or decline a contract to participate in any provider network for prepaid behavioral health services.

8. For fiscal year 2004-2005, all Medicaid eligible children, except children in areas 1 and *Highland, Hardee, Polk, and Manatee counties of area* 6, whose cases are open for child welfare services in the HomeSafeNet system, shall be enrolled in MediPass or in Medicaid fee-for-service and all their behavioral health care services including inpatient, outpatient psychiatric, community mental health, and case management shall be reimbursed on a fee-for-service basis. Beginning July 1, 2005, such children, who are open for child welfare services in the HomeSafeNet system, shall receive their behavioral health care services through a specialty prepaid plan operated by community-based lead agencies either through a single agency or formal agreements among several agencies. The specialty prepaid plan must result in savings to the state comparable to savings achieved in other Medicaid managed care and prepaid programs. Such plan must provide mechanisms to maximize state and local revenues. The specialty prepaid plan shall be developed by the agency and the Department of Children and Family Services. The agency is authorized to seek any federal waivers to implement this initiative. Medicaid-eligible children whose cases are open for child welfare services in the HomeSafeNet system and who reside in AHCA area 10 are exempt from the specialty prepaid plan upon the development of a service delivery mechanism for children who reside in area 10 as specified in s. 409.91211(3)(dd).

(39)(a) The agency shall implement a Medicaid prescribed-drug spending-control program that includes the following components:

1. A Medicaid preferred drug list, which shall be a listing of cost-effective therapeutic options recommended by the Medicaid Pharmacy and Therapeutics Committee established pursuant to s. 409.91195 and adopted by the agency for each therapeutic class on the preferred drug list. At the discretion of the committee, and when feasible, the preferred drug list should include at least two products in a therapeutic class. The agency may post the preferred drug list and updates to the preferred drug list on an Internet website without following the rulemaking procedures of chapter 120. Antiretroviral agents are excluded from the preferred drug list. The agency shall also limit the amount of a prescribed

drug dispensed to no more than a 34-day supply unless the drug products' smallest marketed package is greater than a 34-day supply, or the drug is determined by the agency to be a maintenance drug in which case a 100-day maximum supply may be authorized. The agency is authorized to seek any federal waivers necessary to implement these cost-control programs and to continue participation in the federal Medicaid rebate program, or alternatively to negotiate state-only manufacturer rebates. The agency may adopt rules to implement this subparagraph. The agency shall continue to provide unlimited contraceptive drugs and items. The agency must establish procedures to ensure that:

a. There *is* ~~will be~~ a response to a request for prior consultation by telephone or other telecommunication device within 24 hours after receipt of a request for prior consultation; and

b. A 72-hour supply of the drug prescribed *is* ~~will be~~ provided in an emergency or when the agency does not provide a response within 24 hours as required by sub-subparagraph a.

2. Reimbursement to pharmacies for Medicaid prescribed drugs shall be set at the lesser of: the average wholesale price (AWP) minus *16.4* ~~15.4~~ percent, the wholesaler acquisition cost (WAC) plus *4.75* ~~5.75~~ percent, the federal upper limit (FUL), the state maximum allowable cost (SMAC), or the usual and customary (UAC) charge billed by the provider.

3. The agency shall develop and implement a process for managing the drug therapies of Medicaid recipients who are using significant numbers of prescribed drugs each month. The management process may include, but is not limited to, comprehensive, physician-directed medical-record reviews, claims analyses, and case evaluations to determine the medical necessity and appropriateness of a patient's treatment plan and drug therapies. The agency may contract with a private organization to provide drug-program-management services. The Medicaid drug benefit management program shall include initiatives to manage drug therapies for HIV/AIDS patients, patients using 20 or more unique prescriptions in a 180-day period, and the top 1,000 patients in annual spending. The agency shall enroll any Medicaid recipient in the drug benefit management program if he or she meets the specifications of this provision and is not enrolled in a Medicaid health maintenance organization.

4. The agency may limit the size of its pharmacy network based on need, competitive bidding, price negotiations, credentialing, or similar criteria. The agency shall give special consideration to rural areas in determining the size and location of pharmacies included in the Medicaid pharmacy network. A pharmacy credentialing process may include criteria such as a pharmacy's full-service status, location, size, patient educational programs, patient consultation, disease management services, and other characteristics. The agency may impose a moratorium on Medicaid pharmacy enrollment when it is determined that it has a sufficient number of Medicaid-participating providers. The agency must allow dispensing practitioners to participate as a part of the Medicaid pharmacy network regardless of the practitioner's proximity to any other entity that is dispensing prescription drugs under the Medicaid program. A dispensing practitioner must meet all credentialing requirements applicable to his or her practice, as determined by the agency.

5. The agency shall develop and implement a program that requires Medicaid practitioners who prescribe drugs to use a counterfeit-proof prescription pad for Medicaid prescriptions. The agency shall require the use of standardized counterfeit-proof prescription pads by Medicaid-participating prescribers or prescribers who write prescriptions for Medicaid recipients. The agency may implement the program in targeted geographic areas or statewide.

6. The agency may enter into arrangements that require manufacturers of generic drugs prescribed to Medicaid recipients to provide rebates of at least 15.1 percent of the average manufacturer price for the manufacturer's generic products. These arrangements shall require that if a generic-drug manufacturer pays federal rebates for Medicaid-reimbursed drugs at a level below 15.1 percent, the manufacturer must provide a supplemental rebate to the state in an amount necessary to achieve a 15.1-percent rebate level.

7. The agency may establish a preferred drug list as described in this subsection, and, pursuant to the establishment of such preferred drug list, it is authorized to negotiate supplemental rebates from manufacturers that are in addition to those required by Title XIX of the Social Security Act and at no less than 14 percent of the average manufacturer price as defined in 42 U.S.C. s. 1936 on the last day of a quarter unless the federal or supplemental rebate, or both, equals or exceeds 29 percent. There is no upper limit on the supplemental rebates the agency may negotiate. The agency may determine that specific products, brand-name or generic, are competitive at lower rebate percentages. Agreement to pay the minimum supplemental rebate percentage will guarantee a manufacturer that the Medicaid Pharmaceutical and Therapeutics Committee will consider a product for inclusion on the preferred drug list. However, a pharmaceutical manufacturer is not guaranteed placement on the preferred drug list by simply paying the minimum supplemental rebate. Agency decisions will be made on the clinical efficacy of a drug and recommendations of the Medicaid Pharmaceutical and Therapeutics Committee, as well as the price of competing products minus federal and state rebates. The agency is authorized to contract with an outside agency or contractor to conduct negotiations for supplemental rebates. For the purposes of this section, the term "supplemental rebates" means cash rebates. Effective July 1, 2004, value-added programs as a substitution for supplemental rebates are prohibited. The agency is authorized to seek any federal waivers to implement this initiative.

8. The Agency for Health Care Administration shall expand home delivery of pharmacy products. To assist Medicaid patients in securing their prescriptions and reduce program costs, the agency shall expand its current mail-order-pharmacy diabetes-supply program to include all generic and brand-name drugs used by Medicaid patients with diabetes. Medicaid recipients in the current program may obtain nondiabetes drugs on a voluntary basis. This initiative is limited to the geographic area covered by the current contract. The agency may seek and implement any federal waivers necessary to implement this subparagraph.

9. The agency shall limit to one dose per month any drug prescribed to treat erectile dysfunction.

10.a. The agency may implement a Medicaid behavioral drug management system. The agency may contract with a vendor that has experience in operating behavioral drug management systems to implement this program. The agency is authorized to seek federal waivers to implement this program.

b. The agency, in conjunction with the Department of Children and Family Services, may implement the Medicaid behavioral drug management system that is designed to improve the quality of care and behavioral health prescribing practices based on best practice guidelines, improve patient adherence to medication plans, reduce clinical risk, and lower prescribed drug costs and the rate of inappropriate spending on Medicaid behavioral drugs. The program may include the following elements:

(I) Provide for the development and adoption of best practice guidelines for behavioral health-related drugs such as antipsychotics, antidepressants, and medications for treating bipolar disorders and other behavioral conditions; translate them into practice; review behavioral health prescribers and compare their prescribing patterns to a number of indicators that are based on national standards; and determine deviations from best practice guidelines.

(II) Implement processes for providing feedback to and educating prescribers using best practice educational materials and peer-to-peer consultation.

(III) Assess Medicaid beneficiaries who are outliers in their use of behavioral health drugs with regard to the numbers and types of drugs taken, drug dosages, combination drug therapies, and other indicators of improper use of behavioral health drugs.

(IV) Alert prescribers to patients who fail to refill prescriptions in a timely fashion, are prescribed multiple same-class behavioral health drugs, and may have other potential medication problems.

(V) Track spending trends for behavioral health drugs and deviation from best practice guidelines.

(VI) Use educational and technological approaches to promote best practices, educate consumers, and train prescribers in the use of practice guidelines.

(VII) Disseminate electronic and published materials.

(VIII) Hold statewide and regional conferences.

(IX) Implement a disease management program with a model quality-based medication component for severely mentally ill individuals and emotionally disturbed children who are high users of care.

11.a. The agency shall implement a Medicaid prescription drug management system. The agency may contract with a vendor that has experience in operating prescription drug management systems in order to implement this system. Any management system that is implemented in accordance with this subparagraph must rely on cooperation between physicians and pharmacists to determine appropriate practice patterns and clinical guidelines to improve the prescribing, dispensing, and use of drugs in the Medicaid program. The agency may seek federal waivers to implement this program.

b. The drug management system must be designed to improve the quality of care and prescribing practices based on best practice guidelines, improve patient adherence to medication plans, reduce clinical risk, and lower prescribed drug costs and the rate of inappropriate spending on Medicaid prescription drugs. The program must:

(I) Provide for the development and adoption of best practice guidelines for the prescribing and use of drugs in the Medicaid program, including translating best practice guidelines into practice; reviewing prescriber patterns and comparing them to indicators that are based on national standards and practice patterns of clinical peers in their community, statewide, and nationally; and determine deviations from best practice guidelines.

(II) Implement processes for providing feedback to and educating prescribers using best practice educational materials and peer-to-peer consultation.

(III) Assess Medicaid recipients who are outliers in their use of a single or multiple prescription drugs with regard to the numbers and types of drugs taken, drug dosages, combination drug therapies, and other indicators of improper use of prescription drugs.

(IV) Alert prescribers to patients who fail to refill prescriptions in a timely fashion, are prescribed multiple drugs that may be redundant or contraindicated, or may have other potential medication problems.

(V) Track spending trends for prescription drugs and deviation from best practice guidelines.

(VI) Use educational and technological approaches to promote best practices, educate consumers, and train prescribers in the use of practice guidelines.

(VII) Disseminate electronic and published materials.

(VIII) Hold statewide and regional conferences.

(IX) Implement disease management programs in cooperation with physicians and pharmacists, along with a model quality-based medication component for individuals having chronic medical conditions.

12. The agency is authorized to contract for drug rebate administration, including, but not limited to, calculating rebate amounts, invoicing manufacturers, negotiating disputes with manufacturers, and maintaining a database of rebate collections.

13. The agency may specify the preferred daily dosing form or strength for the purpose of promoting best practices with regard to the prescribing of certain drugs as specified in the General Appropriations Act and ensuring cost-effective prescribing practices.

14. The agency may require prior authorization for Medicaid-covered prescribed drugs. The agency may, but is not required to, prior-authorize the use of a product:

a. For an indication not approved in labeling;

b. To comply with certain clinical guidelines; or

c. If the product has the potential for overuse, misuse, or abuse.

The agency may require the prescribing professional to provide information about the rationale and supporting medical evidence for the use of a drug. The agency may post prior authorization criteria and protocol and updates to the list of drugs that are subject to prior authorization on an Internet website without amending its rule or engaging in additional rulemaking.

15. The agency, in conjunction with the Pharmaceutical and Therapeutics Committee, may require age-related prior authorizations for certain prescribed drugs. The agency may preauthorize the use of a drug for a recipient who may not meet the age requirement or may exceed the length of therapy for use of *the* ~~this~~ product as recommended by the manufacturer and approved by the Food and Drug Administration. Prior authorization may require the prescribing professional to provide information about the rationale and supporting medical evidence for the use of a drug.

16. The agency shall implement a step-therapy prior authorization approval process for medications excluded from the preferred drug list. Medications listed on the preferred drug list must be used within the previous 12 months prior to the alternative medications that are not listed. The step-therapy prior authorization may require the prescriber to use the medications of a similar drug class or for a similar medical indication unless contraindicated in the Food and Drug Administration labeling. The trial period between the specified steps may vary according to the medical indication. The step-therapy approval process shall be developed in accordance with the committee as stated in s. 409.91195(7) and (8). A drug product may be approved without meeting the step-therapy prior authorization criteria if the prescribing physician provides the agency with additional written medical or clinical documentation that the product is medically necessary because:

a. There is not a drug on the preferred drug list to treat the disease or medical condition which is an acceptable clinical alternative;

b. The alternatives have been ineffective in the treatment of the beneficiary's disease; or

c. Based on historic evidence and known characteristics of the patient and the drug, the drug is likely to be ineffective, or the number of doses have been ineffective.

The agency shall work with the physician to determine the best alternative for the patient. The agency may adopt rules waiving the requirements for written clinical documentation for specific drugs in limited clinical situations.

17. The agency shall implement a return and reuse program for drugs dispensed by pharmacies to institutional recipients, which includes payment of a $5 restocking fee for the implementation and operation of the program. The return and reuse program shall be implemented electronically and in a manner that promotes efficiency. The program must permit a pharmacy to exclude drugs from the program if it is not practical or cost-effective for the drug to be included and must provide for the return to inventory of drugs that cannot be credited or returned in a cost-effective manner. The agency shall determine if the program has reduced the amount of Medicaid prescription drugs which are destroyed on an annual basis and if there are additional ways to ensure more prescription drugs are not destroyed which could safely be reused. The agency's conclusion and recommendations shall be reported to the Legislature by December 1, 2005.

(42) The agency *may* ~~shall~~ develop and implement a utilization management program for Medicaid-eligible recipients for the management of occupational, physical, respiratory, and speech therapies. The agency shall establish a utilization program that may require prior authorization in order to ensure medically necessary and cost-effective treatments. The program shall be operated in accordance with a federally approved waiver program or state plan amendment. The agency may seek a federal waiver or state plan amendment to implement this program. The agency may also competitively procure these services from an outside vendor on a regional or statewide basis.

Section 10. Section 409.91206, Florida Statutes, is created to read:

409.91206 Alternatives for health and long-term care reforms.—The Governor, the President of the Senate, and the Speaker of the House of Representatives may convene workgroups to propose alternatives for cost-effective health and long-term care reforms, including, but not limited to, reforms for Medicaid.

Section 11. Paragraphs (c), (e), (f), and (i) of subsection (2) of section 409.9122, Florida Statutes, are amended to read:

409.9122 Mandatory Medicaid managed care enrollment; programs and procedures.—

(2)

(c) Medicaid recipients shall have a choice of managed care plans or MediPass. The agency ~~for Health Care Administration~~, the Department of Health, the Department of Children and Family Services, and the Department of Elderly Affairs shall cooperate to ensure that each Medicaid recipient receives clear and easily understandable information that meets the following requirements:

1. Explains the concept of managed care, including MediPass.

2. Provides information on the comparative performance of managed care plans and MediPass in the areas of quality, credentialing, preventive health programs, network size and availability, and patient satisfaction.

3. Explains where additional information on each managed care plan and MediPass in the recipient's area can be obtained.

4. Explains that recipients have the right to choose their ~~own~~ managed care *coverage at the time they first enroll in Medicaid and again at regular intervals set by the agency* ~~plans or MediPass~~. However, if a recipient does not choose a managed care plan or MediPass, the agency will assign the recipient to a managed care plan or MediPass according to the criteria specified in this section.

5. Explains the recipient's right to complain, file a grievance, or change managed care plans or MediPass providers if the recipient is not satisfied with the managed care plan or MediPass.

(e) Medicaid recipients who are already enrolled in a managed care plan or MediPass shall be offered the opportunity to change managed care plans or MediPass providers on a staggered basis, as defined by the agency. All Medicaid recipients shall have 30 days in which to make a choice of managed care plans or MediPass providers. *A recipient already enrolled in a managed care plan who fails to make a choice during the 30-day choice period shall remain enrolled in his or her current managed care plan. In counties that have two or more managed care plans, a recipient already enrolled in MediPass who fails to make a choice during the annual period shall be assigned to a managed care plan if he or she is eligible for enrollment in the managed care plan. The agency shall apply for a state plan amendment or federal waiver authority, if necessary, to implement the provisions of this paragraph.* Those Medicaid recipients who do not make a choice shall be assigned ~~to a managed care plan or MediPass~~ in accordance with paragraph (f). To facilitate continuity of care, for a Medicaid recipient who is also a recipient of Supplemental Security Income (SSI), prior to assigning the SSI recipient to a managed care plan or MediPass, the agency shall determine whether the SSI recipient has an ongoing relationship with a MediPass provider or managed care plan~~, and if so, the agency shall assign the SSI recipient to that MediPass provider or managed care plan~~. *If the SSI recipient has an ongoing relationship with a managed care plan, the agency shall assign the recipient to that managed care plan.* Those SSI recipients who do not have such a provider relationship shall be assigned to a managed care plan or MediPass provider in accordance with paragraph (f).

(f) *If* ~~When~~ a Medicaid recipient does not choose a managed care plan or MediPass provider, the agency shall assign the Medicaid recipient to a managed care plan or MediPass provider. Medicaid recipients*, eligible for managed care plan enrollment,* who are subject to mandatory assignment but who fail to make a choice shall be assigned to managed care plans until an enrollment of 35 percent in MediPass and 65 percent in managed care plans, of all those eligible to choose managed care, is achieved. Once this enrollment is achieved, the assignments shall be divided in order to maintain an enrollment in MediPass and managed care plans which is in a 35 percent and 65 percent proportion, respectively. Thereafter, assignment of Medicaid recipients who fail to make a choice shall be based proportionally on the preferences of recipients who have made a choice in the previous period. Such proportions shall be revised at least quarterly to reflect an update of the preferences of Medicaid recipients. The agency shall disproportionately assign Medicaid-eligible recipients who are required to but have failed to make a choice of managed care plan or MediPass, including children, and who *would* ~~are to~~ be assigned to the MediPass program to children's networks as described in s. 409.912(4)(g), Children's Medical Services Network as defined in s. 391.021, exclusive provider organizations, provider service networks, minority physician networks, and pediatric emergency department diversion programs authorized by this chapter or the General Appropriations Act, in such manner as the agency deems appropriate, until the agency has determined that the networks and programs have sufficient numbers to be *operated* economically ~~operated~~. For purposes of this paragraph, when referring to assignment, the term "managed care plans" includes health maintenance organizations, exclusive provider organizations, provider service networks, minority physician networks, Children's Medical Services Network, and pediatric emergency department diversion programs authorized by this chapter or the General Appropriations Act. When making assignments, the agency shall take into account the following criteria:

1. A managed care plan has sufficient network capacity to meet the need of members.

2. The managed care plan or MediPass has previously enrolled the recipient as a member, or one of the managed care plan's primary care providers or MediPass providers has previously provided health care to the recipient.

3. The agency has knowledge that the member has previously expressed a preference for a particular managed care plan or MediPass provider as indicated by Medicaid fee-for-service claims data, but has failed to make a choice.

4. The managed care plan's or MediPass primary care providers are geographically accessible to the recipient's residence.

(i) After a recipient has made *his or her initial* ~~a~~ selection or has been *notified of his or her initial assignment to* ~~enrolled in~~ a managed care plan or MediPass, the recipient shall have 90 days *to exercise the opportunity* ~~in which~~ to voluntarily disenroll and select another managed care *option* ~~plan or MediPass provider~~. After 90 days, no further changes may be made except for cause. *Good* cause *includes* ~~shall include~~, but *is* not ~~be~~ limited to, poor quality of care, lack of access to necessary specialty services, an unreasonable delay or denial of service, or fraudulent enrollment. The agency shall develop criteria for good cause disenrollment for chronically ill and disabled populations who are assigned to managed care plans if more appropriate care is available through the MediPass program. The agency must make a determination as to whether cause exists. However, the agency may require a recipient to use the managed care plan's or MediPass grievance process prior to the agency's determination of cause, except in cases in which immediate risk of permanent damage to the recipient's health is alleged. The grievance process, when utilized, must be completed in time to permit the recipient to disenroll *by* ~~no later than~~ the first day of the second month after the month the disenrollment request was made. If the managed care plan or MediPass, as a result of the grievance process, approves an enrollee's request to disenroll, the agency is not required to make a determination in the case. The agency must make a determination and take final action on a recipient's request so that disenrollment occurs *by* ~~no later than~~ the first day of the second month after the month the request was made. If the agency fails to act within the specified timeframe, the recipient's request to disenroll is deemed ~~to be~~ approved as of the date agency action was required. Recipients who disagree with the agency's finding that cause does not exist for disenrollment shall be advised of their right to pursue a Medicaid fair hearing to dispute the agency's finding.

Section 12. *Paragraph (c) of subsection (5) of section 409.905 and section 430.83, Florida Statutes, are repealed.*

Section 13. This act shall take effect July 1, 2008.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to the Medicaid program; amending s. 400.179, F.S.; authorizing the Agency for Health Care Administration to transfer fees used to repay nursing home Medicaid overpayments to the Grants and Donations Trust Fund within the agency; amending s. 409.904, F.S.; discontinuing optional Medicaid payments for certain persons age 65 or over or who are blind or disabled; revising certain eligibility criteria for pregnant women and children younger than 21; amending s. 409.906, F.S.; discontinuing adult dental services and adult hearing services on a certain date; amending s. 409.908, F.S.; requiring Medicaid to pay for

all deductibles and coinsurance for portable X-ray Medicare Part B services provided in a nursing home; revising the factors used to determine the reimbursement rate to providers for Medicaid prescribed drugs; requiring the agency to reduce certain provider reimbursement rates as prescribed in the appropriations act; providing that any increases in rates as subject to the appropriations act; amending s. 409.911, F.S.; revising which year's disproportionate data is used to determine a hospital's Medicaid days and charity care during the 2008-2009 fiscal year; creating s. 409.91206, F.S.; authorizing the Governor and the Legislature to convene workgroups to propose alternatives for cost-effective health and long-term care reforms; amending s. 409.9112, F.S.; prohibiting the Agency for Health Care Administration from distributing moneys under the regional perinatal intensive care disproportionate share program during the 2008-2009 fiscal year; amending s. 409.9113, F.S.; authorizing the agency to distribute disproportionate share funds to teaching hospital during the 2008-2009 fiscal year; providing that such funds may be distributed as provided in the appropriations act; amending s. 409.9117, F.S.; prohibiting the distribution of funds under the primary disproportionate share program during the 2008-2009 fiscal year; amending s. 409.912, F.S.; specifying certain counties that are exempt from the requirement of enrolling Medicaid eligible children in MediPass or Medicaid fee-for-service and behavioral health care services; revising the factors used to determine the reimbursement rate to pharmacies for Medicaid prescribed drugs; revising the requirement for the agency to develop a utilization management program for Medicaid recipients for certain therapies; amending s. 409.9122, F.S.; revising enrollment requirements relating to Medicaid managed care programs and the agency's authority to assign persons to MediPass or a managed care plan; repealing s. 409.905(5)(c), F.S., relating to the agency's authority to adjust a hospital's inpatient per diem rate; repealing s. 430.83, F.S., relating to the Sunshine for Seniors Program; providing an effective date.

On motions by Senator Peaden, by two-thirds vote **HB 5085** as amended was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—26

Mr. President	Diaz de la Portilla	Oelrich
Alexander	Dockery	Peaden
Atwater	Fasano	Posey
Baker	Gaetz	Saunders
Bennett	Garcia	Storms
Carlton	Haridopolos	Villalobos
Constantine	Jones	Webster
Crist	King	Wise
Dean	Lynn	

Nays—14

Aronberg	Hill	Rich
Bullard	Joyner	Ring
Dawson	Justice	Siplin
Deutch	Lawson	Wilson
Geller	Margolis	

HB 5087—A bill to be entitled An act relating to the Agency for Persons with Disabilities; amending s. 393.0661, F.S.; revising provisions relating to certain clients with developmental disabilities served under the four-tiered waiver system; providing for residential habilitation services; establishing geographic differential payments for Miami-Dade, Broward, Palm Beach, and Monroe Counties; providing effective dates for applicable payments; providing for rebasing cost plans based on actual expenditures for individuals served by home and community-based services or family and supported living waiver programs; extending the effective date for the provision of certain services; providing for future review and repeal of certain provisions; amending s. 393.071, F.S.; providing for deposit of client fees into the agency's Operations and Maintenance Trust Fund; amending s. 393.125, F.S.; granting certain persons the right to request a hearing to review agency decisions; providing an effective date.

—was read the second time by title.

Senator Peaden moved the following amendment which was adopted:

Amendment 1 (080566)(with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Paragraphs (a), (b), and (d) of subsection (3) of section 393.0661, Florida Statutes, are amended to read:

393.0661 Home and community-based services delivery system; comprehensive redesign.—The Legislature finds that the home and community-based services delivery system for persons with developmental disabilities and the availability of appropriated funds are two of the critical elements in making services available. Therefore, it is the intent of the Legislature that the Agency for Persons with Disabilities shall develop and implement a comprehensive redesign of the system.

(3) The Agency for Health Care Administration, in consultation with the agency, shall seek federal approval and implement a four-tiered waiver system to serve clients with developmental disabilities in the developmental disabilities and family and supported living waivers. The agency shall assign all clients receiving services through the developmental disabilities waiver to a tier based on a valid assessment instrument, client characteristics, and other appropriate assessment methods. All services covered under the current developmental disabilities waiver shall be available to all clients in all tiers where appropriate, except as otherwise provided in this subsection or in the General Appropriations Act.

(a) Tier one shall be limited to clients who have service needs that cannot be met in tier two, three, or four for intensive medical or adaptive needs and that are essential for avoiding institutionalization, or who possess behavioral problems that are exceptional in intensity, duration, or frequency and present a substantial risk of harm to themselves or others. *Total annual expenditures under tier one may not exceed $150,000 per client per year.*

(b) Tier two shall be limited to clients whose service needs include a licensed residential facility and *who have authorization for a moderate level of support for standard residential habilitation services or authorization for a minimal level of support for behavior focus residential habilitation services* ~~greater than 5 hours per day in residential habilitation services~~ or clients in supported living who receive greater than 6 hours a day of in-home support services. Total annual expenditures under tier two may not exceed $55,000 per client each year.

(d) Tier four is the family and supported living waiver. Tier four shall include, but is not limited to, clients in independent or supported living situations and clients who live in their family home. An increase to the number of services available to clients in this tier shall not take effect *before July 1, 2009* ~~prior to July 1, 2008~~. Total annual expenditures under tier four may not exceed $14,792 per client each year.

Section 2. This act shall take effect July 1, 2008.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to the home and community-based services delivery system; amending s. 393.0661, F.S.; providing that the total annual expenditures under tier one for services to clients with developmental disabilities may not exceed $150,000 per client per year; limiting tier two services to clients whose service needs include a licensed residential facility and who have authorization for a moderate level of support for standard residential habilitation services or authorization for a minimal level of support for behavior focus residential habilitation services; delaying the applicability of provisions governing services provided under tier four; providing an effective date.

On motions by Senator Peaden, by two-thirds vote **HB 5087** as amended was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—39

Mr. President	Carlton	Fasano
Alexander	Constantine	Gaetz
Aronberg	Crist	Garcia
Atwater	Dawson	Geller
Baker	Dean	Haridopolos
Bennett	Diaz de la Portilla	Hill
Bullard	Dockery	Jones

Joyner	Oelrich	Siplin
Justice	Peaden	Storms
King	Posey	Villalobos
Lawson	Rich	Webster
Lynn	Ring	Wilson
Margolis	Saunders	Wise

Nays—1

Deutch

Vote after roll call:

Yea to Nay—Rich

HB 5091—A bill to be entitled An act relating to tobacco education and prevention; amending s. 381.84, F.S.; providing an additional purpose in implementing the Comprehensive Statewide Tobacco Education and Use Prevention Program; expanding the counter-marketing and advertising campaign component to include utilization of innovative communication strategies, including the use of physicians and dentists; expanding the cessation programs, counseling, and treatment component to include the use of physicians and dentists; substituting the term "tobacco-use cessation" for "smoking cessation"; expanding the community programs and chronic disease prevention component to include statewide programs; deleting county health department funding eligibility; specifying purposes for the use of funds distributed under the program; revising membership of the Tobacco Education and Use Prevention Advisory Council; requiring the Department of Health to award contracts and grants for certain purposes; deleting obsolete language; providing an effective date.

—was read the second time by title.

Senator Peaden moved the following amendment which was adopted:

Amendment 1 (583702)(with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Paragraph (i) of subsection (3) and subsection (6) of section 381.84, Florida Statutes, are amended to read:

381.84 Comprehensive Statewide Tobacco Education and Use Prevention Program.—

(3) PROGRAM COMPONENTS AND REQUIREMENTS.—The department shall conduct a comprehensive, statewide tobacco education and use prevention program consistent with the recommendations for effective program components contained in the 1999 Best Practices for Comprehensive Tobacco Control Programs of the CDC, as amended by the CDC. The program shall include the following components, each of which shall focus on educating people, particularly youth and their parents, about the health hazards of tobacco and discouraging the use of tobacco:

(i) AHEC smoking-cessation initiative.~~—For the 2007-2008 and 2008-2009 fiscal years only,~~ The AHEC network shall expand the AHEC smoking-cessation initiative to each county within the state and perform other activities as determined by the department.

(6) CONTRACT REQUIREMENTS.—Contracts or grants for the program components or subcomponents described in paragraphs (3)(a)-(f) shall be awarded by the State Surgeon General, after consultation with the council, on the basis of merit, as determined by an open, competitive, peer-reviewed process that ensures objectivity, consistency, and high quality. The department shall award such grants or contracts no later than October 1 for each fiscal year. A recipient of a contract or grant for the program component described in paragraph (3)(c) is not eligible for a contract or grant award for any other program component described in subsection (3) in the same state fiscal year. A school or college of medicine that is represented on the council is not eligible to receive a contract or grant under this section. ~~For the 2007-2008 and 2008-2009 fiscal years only,~~ The department shall award a contract or grant in the amount of *$11* ~~$10~~ million to the AHEC network for the purpose of developing the components described in paragraph (3)(i). ~~The AHEC network may apply for a competitive contract or grant after the 2008-2009 fiscal year.~~

(a) In order to ensure that all proposals for funding are appropriate and are evaluated fairly on the basis of merit, the State Surgeon General, in consultation with the council, shall appoint a peer review panel of independent, qualified experts in the field of tobacco control to review the content of each proposal and establish its priority score. The priority scores shall be forwarded to the council and must be considered in determining which proposals will be recommended for funding.

(b) The council and the peer review panel shall establish and follow rigorous guidelines for ethical conduct and adhere to a strict policy with regard to conflicts of interest. A member of the council or panel may not participate in any discussion or decision with respect to a research proposal by any firm, entity, or agency with which the member is associated as a member of the governing body or as an employee or with which the member has entered into a contractual arrangement. Meetings of the council and the peer review panels are subject to chapter 119, s. 286.011, and s. 24, Art. I of the State Constitution.

(c) In each contract or grant agreement, the department shall limit the use of food and promotional items to no more than 2.5 percent of the total amount of the contract or grant and limit overhead or indirect costs to no more than 7.5 percent of the total amount of the contract or grant. The department, in consultation with the Department of Financial Services, shall publish guidelines for appropriate food and promotional items.

(d) In each advertising contract, the department shall limit the total of production fees, buyer commissions, and related costs to no more than 10 percent of the total contract amount.

(e) Notwithstanding the competitive process for contracts prescribed in this subsection, each county health department is eligible for core funding, on a per capita basis, to implement tobacco education and use prevention activities within that county.

Section 2. This act shall take effect July 1, 2008.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to the Comprehensive Statewide Tobacco Education and Use Prevention Program; amending s. 381.84, F.S.; deleting a provision limiting to specified fiscal years the applicability of requirements that the area health education center network expand the AHEC smoking-cessation initiative to each county within the state and perform certain other activities; deleting a provision limiting to specified fiscal years the applicability of a requirement that the Department of Health award a contract or grant to the AHEC network for certain purposes; revising the annual appropriation for the AHEC network; deleting a provision authorizing the network to apply for a competitive contract or grant after a specified fiscal year; providing an effective date.

On motions by Senator Peaden, by two-thirds vote **HB 5091** as amended was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—40

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Aronberg	Gaetz	Posey
Atwater	Garcia	Rich
Baker	Geller	Ring
Bennett	Haridopolos	Saunders
Bullard	Hill	Siplin
Carlton	Jones	Storms
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dawson	King	Wilson
Dean	Lawson	Wise
Deutch	Lynn	
Diaz de la Portilla	Margolis	

Nays—None

HB 5063—A bill to be entitled An act relating to retirement; amending s. 121.71, F.S.; revising the payroll contribution rates for the membership classes of the Florida Retirement System for the state fiscal

years effective July 1, 2008, and July 1, 2009; providing a declaration of important state interest; providing an effective date.

—was read the second time by title.

Senator Lawson moved the following amendment which was adopted:

Amendment 1 (935956)(with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Subsection (3) of section 121.71, Florida Statutes, is amended to read:

121.71 Uniform rates; process; calculations; levy.—

(3) Required employer retirement contribution rates for each membership class and subclass of the Florida Retirement System for both retirement plans are as follows:

Membership Class	Percentage of Gross Compensation, Effective July 1, *2008* ~~2007~~	Percentage of Gross Compensation, Effective July 1, *2009* ~~2008~~
Regular Class	8.69%	*9.60%* ~~9.59%~~
Special Risk Class	19.76%	*22.03%* ~~22.01%~~
Special Risk Administrative Support Class	11.39%	*11.98* ~~11.90%~~
Elected Officers' Class— Legislators, Governor, Lt. Governor, Cabinet Officers, State Attorneys, Public Defenders	13.32%	*14.56%* ~~14.99%~~
Elected Officers' Class— Justices, Judges	18.40%	*20.37%* ~~20.46%~~
Elected Officers' Class— County Elected Officers	15.37%	*17.06%* ~~17.15%~~
Senior Management Class	11.96%	*13.36%* ~~13.35%~~
DROP	9.80%	*10.96%* ~~10.89%~~

Section 2. *The Legislature finds that a proper and legitimate state purpose is served when employees and retirees of the state and its political subdivisions, and the dependents, survivors, and beneficiaries of such employees and retirees, are extended the basic protections afforded by governmental retirement systems. These persons must be provided benefits that are fair and adequate and that are managed, administered, and funded in an actuarially sound manner, as required by Section 14, Article X of the State Constitution, and part VII of chapter 112, Florida Statutes. Therefore, the Legislature determines and declares that this act fulfills an important state interest.*

Section 3. This act shall take effect July 1, 2008.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to retirement; amending s. 121.71, F.S.; revising the payroll contribution rates for the membership classes of the Florida Retirement System for the state fiscal years effective July 1, 2008, and July 1, 2009; providing a declaration of important state interest; providing an effective date.

On motions by Senator Lawson, by two-thirds vote **HB 5063** as amended was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—40

Mr. President	Constantine	Gaetz
Alexander	Crist	Garcia
Aronberg	Dawson	Geller
Atwater	Dean	Haridopolos
Baker	Deutch	Hill
Bennett	Diaz de la Portilla	Jones
Bullard	Dockery	Joyner
Carlton	Fasano	Justice
King	Posey	Villalobos
Lawson	Rich	Webster
Lynn	Ring	Wilson
Margolis	Saunders	Wise
Oelrich	Siplin	
Peaden	Storms	

Nays—None

MOTIONS

On motion by Senator Carlton, the House was requested to concur in the Senate amendments to **HB 5001**, **HB 5003**, **HB 5045**, **HB 5047**, **HB 5049**, **HB 5053**, **HB 5055**, **CS for HB 5057**, **HB 5079**, **HB 5081**, **HB 5067**, **HB 5069**, **HB 5071**, **HB 5073**, **HB 5075**, **HB 5093**, **HB 5083**, **HB 5077**, **HB 5051**, **HB 5043**, **HB 5059**, **HB 5061**, **HB 5085**, **HB 5087**, **HB 5091** and **HB 5063**; and in the event the House refuses to concur in the Senate Amendments to these bills, acceded to the request for a conference committee.

RECESS

The President declared the Senate in recess at 12:17 p.m. to reconvene at 1:00 p.m.

AFTERNOON SESSION

The Senate was called to order by the President at 1:00 p.m. A quorum present—39:

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

SPECIAL ORDER CALENDAR, continued

Consideration of **CS for CS for SB 542** and **CS for CS for CS for SB 1544** was deferred.

SENATOR DEAN PRESIDING

On motion by Senator Bennett, by two-thirds vote—

CS for CS for SB 2212—A bill to be entitled An act relating to the Public Service Commission; amending s. 350.01, F.S.; revising the deadline for a sitting member of the Public Service Commission to give notice of intent to seek reappointment; conforming the beginning of a Public Service Commissioner's term as chair with the beginning of terms of commissioners; amending s. 350.012, F.S.; renaming the Committee on Public Service Commission Oversight, a standing joint committee of the Legislature, as the "Committee on Public Counsel Oversight"; deleting the committee's authority to recommend to the Governor nominees to fill vacancies on the Public Service Commission; deleting the committee's authority to file an ethics complaint against a member, former member, or former employee of the commission, or a member of the Public Service Commission Nominating Council; amending s. 350.031, F.S.; increasing the number of members on the council; providing for initial appointments to the expanded council to establish staggered terms; requiring the President of the Senate and the Speaker of the House of Representatives to appoint a chair and vice chair to the council in alternating years; requiring the council to submit recommendations for vacancies on the Public Service Commission to the Governor; requiring the council to nominate a minimum of three persons for each vacancy; revising the date that recommendations for vacancies must be submitted; providing for the council to fill a vacancy on the commission if the Governor fails

to do so; authorizing a successor Governor to recall an unconfirmed appointee under certain circumstances; amending ss. 350.061 and 350.0614, F.S., relating to the appointment, oversight, and compensation of the Public Counsel; conforming provisions to changes made by the act; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 2212** was placed on the calendar of Bills on Third Reading.

On motion by Senator Alexander, by two-thirds vote—

CS for SB 2422—A bill to be entitled An act relating to local government finance; amending s. 218.401, F.S.; clarifying purpose and intent; amending s. 218.403, F.S.; defining the terms "board" and "trustees" for purposes of the Investment of Local Government Surplus Funds Act; amending s. 218.405, F.S.; providing for the administration of the Local Government Surplus Funds Trust Fund; providing duties of Trustees of the State Board of Administration; amending s. 218.407, F.S.; requiring that the board provide a unit of local government with certain information before such unit makes a determination that it is in the best interest of the local government unit to deposit surplus funds in the trust fund; requiring the filing of a resolution upon such determination; requiring that the resolution contain certain information; requiring that the board invest the moneys in the trust fund in a certain manner; amending s. 218.409, F.S.; providing duties of the board with regard to the administration of the trust fund; providing for the establishment of a reserve account; requiring monthly allocations to the reserve account; limiting the amount of monthly allocations; requiring that the board report annually to every participant having a beneficial interest in the trust fund; providing for the preparation of the report; providing that such report is subject to independent financial audit; requiring that the board provide a monthly statement to beneficiaries; requiring that such statement contain certain information; requiring that the Investment Advisory Council assist the board in investing moneys held in the trust fund; providing duties of the council; creating the Pool Participant Advisory Council; providing purposes for the council; providing for membership and composition of the council; requiring that the executive director of the State Board of Administration consider appropriate action and advise the trustees accordingly under certain circumstances; providing duties of the trustees under such circumstances; authorizing the trustees to perform certain actions for the purpose of ensuring the proper exercise of fiduciary responsibility; authorizing the trustees to place assets of the trust fund into a liquidating account; providing for the maintenance and administration of such liquidating accounts; providing powers and duties of trustees with regard to assets in a liquidating account; providing for distribution of cash received from income or liquidation of assets held in a liquidating account; requiring the audit of such accounts; authorizing certain reasonable expenses to be charged to a liquidating account; excluding certain information related to assets held in liquidating accounts from certain statements; requiring that separate statements be issued for such information; providing for the transfer of reserves held in a liquidating account; requiring that the status of such accounts be reported regularly to the trustees, participants in the fund, the Investment Advisory Council, and the Pool Participant Advisory Council; providing an effective date.

—was read the second time by title.

The Committee on General Government Appropriations recommended the following amendment which was moved by Senator Deutch and adopted:

Amendment 1 (702786)(with title amendment)—On line 59, insert:

Section 1. Section 215.441, Florida Statutes, is amended to read:

215.441 Board of Administration; appointment of executive director.—The appointment of the executive director of the State Board of Administration shall be subject to *confirmation by the Senate and* ~~the~~ approval by a majority vote of the Board of Trustees of the State Board of Administration, and the Governor must vote on the prevailing side. Such appointment must be reaffirmed in the same manner by the board of trustees on an annual basis.

Section 2. Subsection (1) of section 215.442, Florida Statutes, is amended, and subsection (4) is added to that section, to read:

215.442 Executive director; reporting requirements; public meeting.—

(1) Beginning October 2007 and quarterly thereafter, the executive director shall present to the Board of Trustees of the State Board of Administration a quarterly report to include the following:

(a) The name of each equity in which the State Board of Administration has invested for the quarter.

(b) The industry category of each equity.

(c) Mortgage securities or debt that represent participation in or are collateralized by mortgage loans secured by real property or debt issued, including the letter and numerical ratings provided by nationally recognized statistical rating organizations for each security.

(d) A reporting of which securities have moved inside and outside of investment grade.

(4) The executive director is a state officer and is subject to s. 112.3145.

(Redesignate subsequent subsections.)

And the title is amended as follows:

On line 2, after the semicolon (;) insert: amending s. 215.441, F.S.; providing that the appointment of the executive director of the State Board of Administration be confirmed by the Senate and approved by a majority vote of the trustees of the board; amending s. 215.442, F.S.; requiring the executive director of the State Board of Administration to present the trustees with additional information; providing that the executive director is a state officer and subject to financial disclosure requirements;

Pursuant to Rule 4.19, **CS for SB 2422** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

By Senator Storms—

CS for CS for CS for SB 392—A bill to be entitled An act relating to transparency in government contracts; creating s. 218.315, F.S.; defining the terms "contract," "corporation," "county officer," "local government," and "individual," for purposes of the act; providing that contractual rights of local government employees and retirees who are members of the Florida Retirement System or a local government retirement system are not considered contracts; directing the Department of Financial Services to develop and maintain a portal linking to websites maintained by local governments; requiring local governments that have a website to electronically post contract information relating to certain contracts; providing that portions of a public record which are confidential and exempt shall be redacted prior to posting; requiring that access to the website be provided at no cost; requiring that electronic copies of contracts be provided in certain circumstances; requiring the Department of Financial Services to develop a uniform format to be used by local governments when posting contract information; requiring specific information be provided under the uniform format; requiring each local government to designate a central office to maintain all contract information; providing reporting requirements for local governments without a website; requiring that contract information be posted at least quarterly using the uniform format; establishing a schedule for local governments to meet requirements of the act; providing rulemaking authority; defining the terms "contract", "corporation", "expenditure" and "individual" for purposes of state government contract reporting; providing that contractual rights of state employees and retirees who are members of the Florida Retirement System are not considered contracts; directing the Executive Office of the Governor to develop and maintain a port linking to the state agency contract expenditures report maintained by the Department of Financial Services; directing the department of develop and maintain a contract information report containing specified information; directing that the report be maintained by the department in a searchable website; directing that access to the website be provided at no charge to a user who has Internet access; directing each state agency to record information relating to contracts between the agency

and a corporation or an individual; directing each agency to record payment information on specified contracts in the Florida Accounting and Information Resources contract subsystem; requiring that electronic copies of contracts be provided in certain circumstances; providing that portions of public records which are confidential and exempt from inspection and copying shall be redacted prior to posting; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for CS for SB 392** was placed on the calendar of Bills on Third Reading.

By Senator Alexander, by two-thirds vote—

CS for CS for SB 2580—A bill to be entitled An act relating to the West-Central Florida Water Restoration Action Plan; creating s. 373.0363, F.S.; providing definitions; providing legislative findings and intent; providing criteria governing the implementation of the West-Central Florida Water Restoration Action Plan by the Southwest Florida Water Management District; requiring that the district coordinate with regional water supply authorities and governmental partners to maximize opportunities concerning the efficient expenditure of public funds; specifying the plan's purpose; specifying the initiatives that are included in the plan; providing criteria governing implementation of the Central West Coast Surface Water Enhancement Initiative, the Facilitating Agricultural Resource Management Systems Initiative, the Ridge Lakes Restoration Initiative, the Upper Peace River Watershed Restoration Initiative, and the Central Florida Water Resource Development Initiative and certain components or projects included in such initiatives; providing for the district to implement certain initiatives or parts thereof in cooperation with the Peace River-Manasota Regional Water Supply Authority or Polk County; requiring an annual report that meets specified criteria concerning implementation of the plan, regional conditions, and the use of funds; requiring that the Southwest Florida Water Management District prepare the report in cooperation with coordinating agencies and affected local governments and provide the report and legislative proposals to the Governor, the President of the Senate, and the Speaker of the House of Representatives; amending s. 403.087, F.S.; prohibiting the permitting of landfills under certain conditions; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 2580** was placed on the calendar of Bills on Third Reading.

By Senator Bennett—

CS for SB 794—A bill to be entitled An act relating to the excavation and demolition notification system; amending s. 556.105, F.S.; prohibiting charging a member operator for the costs or expenses associated with compliance with system procedures by an excavator; prohibiting charging an excavator for the costs or expenses associated with compliance with system procedures by a member operator; providing for application; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 794** was placed on the calendar of Bills on Third Reading.

By Senator Baker—

CS for SB 1426—A bill to be entitled An act relating to sales taxes; amending s. 39, chapter 2007-106, Laws of Florida; extending a deadline for certain mobile home owners to file an application for reimbursement of sales taxes paid on mobile homes purchased to replace mobile homes damaged by a tornado; requiring that certain unexpended funds certified forward be used for the purpose of paying the reimbursements; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1426** was placed on the calendar of Bills on Third Reading.

On motion by Senator Fasano, by two-thirds vote—

CS for SB 2778—A bill to be entitled An act relating to economic development; creating s. 288.061, F.S.; creating a uniform process for the review and certification of economic development incentive projects by Enterprise Florida, Inc., and the Office of Tourism, Trade, and Economic Development; amending ss. 288.063 and 288.0655, F.S.; conforming the review of transportation projects and rural infrastructure projects to changes made by the act; amending s. 288.1045, F.S.; revising the sources of funds that may be used to provide refunds for the qualified defense contractor tax refund program; conforming the review of Department of Defense projects to changes made by the act; providing that the amount of the tax refund may be reduced by the value of the land granted; deleting a requirement for an annual report; amending s. 288.106. F.S.; revising information that must be submitted by a qualified target industry business applying for a tax refund; conforming the application process to changes made by the act; amending s. 288.107, F.S.; conforming review of applications for payment of brownfield redevelopment bonus refunds to changes made by the act; amending s. 288.108, F.S.; conforming the review of grant applications for high-impact businesses to changes made by the act; deleting provisions requiring an annual report; amending s. 288.1088, F.S.; conforming the review of projects funded by the Quick Action Closing Fund to changes made by the act; amending s. 288.1089, F.S.; providing definitions; revising application requirements for innovation incentive awards; revising evaluation and recommendation requirements for innovative incentive awards; requiring the Legislative Budget Commission to review and approve an innovation incentive award before the Executive Office of the Governor releases the funds; revising agreement requirements for payment of incentives; requiring award recipients to comply with certain business ethics developed by Enterprise Florida, Inc.; amending s. 288.955, F.S.; revising definitions; requiring the Scripps Florida Funding Corporation, along with the Office of Tourism, Trade, and Economic Development and Enterprise Florida, Inc., to review the performance and progress of grant recipients of the Innovation Incentive Program; revising membership requirements of the board of directors of the Scripps Florida Funding Corporation; authorizing the corporation to include on the same meeting agenda matters related to The Scripps Research Institute and the Innovation Incentive Program; deleting obsolete provisions; revising the duties of the corporation; revising the contract requirements between the corporation and the grant recipients; requiring the corporation to submit to the Governor and the Legislature a report related to the activities of the Innovation Incentive Program; providing requirements for the report; amending s. 288.9624, F.S.; providing that venture-capital funds affiliated with certain state universities are eligible for investment by the Florida Opportunity Fund; providing an effective date.

—was read the second time by title.

Senator Fasano moved the following amendments which were adopted:

Amendment 1 (812336)(with title amendments)—Between line(s) 123 and 124 insert:

Section 4. Section 288.097, Florida Statutes, is created to read:

288.097 Building Florida's Future Revolving Loan Guarantee Program.—

(1) There is created within the Office of Tourism, Trade, and Economic Development the Building Florida's Future Revolving Loan Guarantee Program. The purpose of the program is to provide loan guarantees or credit enhancements to units of local government or private entities seeking financing to construct or modernize facilities and infrastructure necessary to attract or expand targeted industries as part of an economic-development project. As used in this section, the term "targeted industries" means those industries referenced in s. 288.106(1)(o).

(2) The program may provide loan guarantees or other credit enhancements to applicants seeking financing for the following purposes:

(a) The acquisition of land, buildings, or fixed equipment;

(b) Site preparation and the construction or reconstruction of buildings; or

(c) The installation of or provision of access to telecommunications, energy sources, or other water supply utilities.

(3)(a) All moneys available within the program's trust fund, including investment earnings, are designated to carry out the purposes of this section.

(b) Any funds within the trust fund which are not needed on an immediate basis for loan guarantees or credit enhancements may be invested pursuant to s. 215.49. The cost of administering the program may be paid from reasonable service fees that may be imposed upon applicants so as to enhance program perpetuity.

(4) The office also shall consider, but need not be limited to, the following criteria in evaluating projects for assistance:

(a) A demonstration that the project would create or enhance economic benefits.

(b) The likelihood that the loan guarantee or credit enhancement would enable the project to proceed.

(c) The extent to which assistance would foster innovative public-private partnerships and attract private debt or equity investment.

(d) The creditworthiness of the entity or entities applying to the program.

(e) Whether the project is consistent, to the maximum extent feasible, with local government comprehensive plans.

(5) Enterprise Florida, Inc., shall assist the office in evaluating applications and determining whether an applicant meets the conditions of subsection (4).

(6) The office shall adopt rules to administer the program which specify the application forms, deadlines for submitting applications, requirements for the selection process, and requirements for audits.

(7) The office shall submit to the President of the Senate and the Speaker of the House of Representatives an annual report concerning activity within the program. The first report shall be submitted on January 5, 2009, and subsequent reports shall be submitted on January 5 every year thereafter, so long as the revolving fund exists.

(8) The fund shall be created if CS/CS/SB Senate Bill 2712 or similar legislation is adopted in the same legislative session or an extension thereof and becomes law.

Section 5. *For the 2008-2009 fiscal year, the sum of $20 million is appropriated from the General Revenue Fund to the Building Florida's Future Revolving Trust Fund which shall be used by the Office of Tourism, Trade, and Economic Development for the purposes of administering this act. Notwithstanding the provisions of s. 216.301, Florida Statutes, the unexpended balance of this appropriation shall not revert.*

(Redesignate subsequent sections.)

And the title is amended as follows:

On line(s) 9 after "act;" insert: creating s. 288.097, F.S.; establishing Building Florida's Future Revolving Loan Guarantee Program within the Office of Tourism, Trade, and Economic Development; providing for the program to provide loan guarantees or credit enhancements to units of local government or to private entities for use in constructing or modernizing facilities and infrastructure necessary to attract or expand certain industries as part of an economic-development project; providing requirements and criteria for the office to consider in evaluating requests; requiring Enterprise Florida, Inc., to assist the office in its evaluation; requiring the Office of Tourism, Trade, and Economic Development to adopt rules; requiring that the office provide an annual report to the Legislature regarding the program; providing an appropriation; making the fund contingent on passage of a companion bill;

Amendment 2 (116894)(with directory and title amendments)—Between line(s) 384 and 385 insert:

(1) DEFINITIONS.—As used in this section:

(r) "Rural county" means a county with a population of 75,000 or fewer or a county with a population of *120,000* ~~100,000~~ of fewer which is contiguous to a county with a population of 75,000 or fewer.

(4) TAX REFUND AGREEMENT.—

(b) Compliance with the terms and conditions of the agreement is a condition precedent for the receipt of a tax refund each year. The failure to comply with the terms and conditions of the tax refund agreement results in the loss of eligibility for receipt of all tax refunds previously authorized under this section and the revocation by the director of the certification of the business entity as a qualified target industry business, unless the business is eligible to receive and elects to accept a prorated refund under paragraph (5)(d) or the office grants the business an economic-stimulus exemption.

1. A qualified target industry business may submit, in writing, a request to the office for an economic-stimulus exemption. The request must provide quantitative evidence demonstrating how negative economic conditions in the business's industry~~, the effects of the impact of a named hurricane or tropical storm, or specific acts of terrorism affecting the qualified target industry business~~ have prevented the business from complying with the terms and conditions of its tax refund agreement.

2. Upon receipt of a request under subparagraph 1., the director shall have 45 days to notify the requesting business, in writing, if its exemption has been granted or denied. In determining if an exemption should be granted, the director shall consider the extent to which negative economic conditions in the requesting business's industry~~, the effects of the impact of a named hurricane or tropical storm, or specific acts of terrorism affecting the qualified target industry business~~ have prevented the business from complying with the terms and conditions of its tax refund agreement. *The office shall consider current Florida employment statistics by industry, including whether the business's industry had substantial job loss during the prior year, when determining whether an economic stimulus exemption shall be granted.*

3. As a condition for receiving a prorated refund under paragraph (5)(d) or an economic-stimulus exemption under this paragraph, a qualified target industry business must agree to renegotiate its tax refund agreement with the office to, at a minimum, ensure that the terms of the agreement comply with current law and office procedures governing application for and award of tax refunds. Upon approving the award of a prorated refund or granting an economic-stimulus exemption, the office shall renegotiate the tax refund agreement with the business as required by this subparagraph. When amending the agreement of a business receiving an economic-stimulus exemption, the office may extend the duration of the agreement for a period not to exceed 2 years.

4. A qualified target industry business may submit a request for an economic-stimulus exemption to the office in lieu of any tax refund claim scheduled to be submitted after January 1, *2008* ~~2005~~, but before July 1, *2009* ~~2006~~.

5. A qualified target industry business that receives an economic-stimulus exemption may not receive a tax refund for the period covered by the exemption.

And the directory clause is amended as follows:

Delete line(s) 381 and 382 and insert:

Section 1. Paragraph (r) of subsection (1), subsection (3), and paragraph (b) of subsection (4) of section 288.106, Florida Statutes, are amended to read:

And the title is amended as follows:

Delete line(s) 19 and insert: modifying the definition of rural county; application process to changes made by the act; modifying the criteria for businesses to be eligible for an economic stimulus exemption; extending the application period; amending

Amendment 3 (026912)(title amendment)—Between line(s) 1649 and 1650 insert:

Section 12. Subsection (5) of section 220.191, Florida Statutes, is amended to read:

220.191 Capital investment tax credit.—

(5) *Applications shall be reviewed and certified pursuant to s. 288.061.* The office, upon a recommendation by Enterprise Florida, Inc., shall first certify a business as eligible to receive tax credits pursuant to this section prior to the commencement of operations of a qualifying project, and such certification shall be transmitted to the Department of Revenue. Upon receipt of the certification, the Department of Revenue shall enter into a written agreement with the qualifying business specifying, at a minimum, the method by which income generated by or arising out of the qualifying project will be determined.

Section 13. Subsection (2) of section 288.065, Florida Statutes, is amended to read:

288.065 Rural Community Development Revolving Loan Fund.—

(2) The program shall provide for long-term loans, loan guarantees, and loan loss reserves to units of local governments, or economic development organizations substantially underwritten by a unit of local government, within counties with populations of 75,000 or less, or any county that has a population of *120,000* ~~100,000~~ or less and is contiguous to a county with a population of 75,000 or less, as determined by the most recent official estimate pursuant to s. 186.901, residing in incorporated and unincorporated areas of the county, or to units of local government, or economic development organizations substantially underwritten by a unit of local government, within a rural area of critical economic concern. Requests for loans shall be made by application to the Office of Tourism, Trade, and Economic Development. Loans shall be made pursuant to agreements specifying the terms and conditions agreed to between the applicant and the Office of Tourism, Trade, and Economic Development. The loans shall be the legal obligations of the applicant. All repayments of principal and interest shall be returned to the loan fund and made available for loans to other applicants. However, in a rural area of critical economic concern designated by the Governor, and upon approval by the Office of Tourism, Trade, and Economic Development, repayments of principal and interest may be retained by the applicant if such repayments are dedicated and matched to fund regionally based economic development organizations representing the rural area of critical economic concern.

Section 14. Paragraphs (b) and (e) of subsection (2) and subsection (3) of section 288.0655, Florida Statutes, are amended to read:

288.0655 Rural Infrastructure Fund.—

(2)

(b) To facilitate access of rural communities and rural areas of critical economic concern as defined by the Rural Economic Development Initiative to infrastructure funding programs of the Federal Government, such as those offered by the United States Department of Agriculture and the United States Department of Commerce, and state programs, including those offered by Rural Economic Development Initiative agencies, and to facilitate local government or private infrastructure funding efforts, the office may award grants for up to 30 percent of the total infrastructure project cost. *If an application for funding is for a catalyst site, as defined in s. 288.0656, the office may award grants for up to 40 percent of the total infrastructure project cost.* Eligible projects must be related to specific job-creation or job-retention opportunities. Eligible projects may also include improving any inadequate infrastructure that has resulted in regulatory action that prohibits economic or community growth or reducing the costs to community users of proposed infrastructure improvements that exceed such costs in comparable communities. Eligible uses of funds shall include improvements to public infrastructure for industrial or commercial sites and upgrades to or development of public tourism infrastructure. Authorized infrastructure may include the following public or public-private partnership facilities: storm water systems; telecommunications facilities; *broadband;* roads or other remedies to transportation impediments; nature-based tourism facilities; or other physical requirements necessary to facilitate tourism, trade, and economic development activities in the community. Authorized infrastructure may also include publicly *or privately* owned self-powered nature-based tourism facilities*; telecommunications; broadband;* and additions to the distribution facilities of the existing natural gas utility as defined in s. 366.04(3)(c), the existing electric utility as defined in s. 366.02, or the existing water or wastewater utility as defined in s. 367.021(12), or any other existing water or wastewater facility, which owns a gas or electric distribution system or a water or wastewater system in this state where:

1. A contribution-in-aid of construction is required to serve public or public-private partnership facilities under the tariffs of any natural gas, electric, water, or wastewater utility as defined herein; and

2. Such utilities as defined herein are willing and able to provide such service.

(e) To enable local governments to access the resources available pursuant to s. 403.973(19), the office may award grants for surveys, feasibility studies, and other activities related to the identification and preclearance review of land which is suitable for preclearance review. Authorized grants under this paragraph shall not exceed $75,000 each, except in the case of a project in a rural area of critical economic concern, in which case the grant shall not exceed $300,000. Any funds awarded under this paragraph must be matched at a level of 50 percent with local funds, except that any funds awarded for a project in a rural area of critical economic concern must be matched at a level of 33 percent with local funds. *If an application for funding is for a catalyst site, as defined in s. 288.0656, the requirement for local match may be waived.* In evaluating applications under this paragraph, the office shall consider the extent to which the application seeks to minimize administrative and consultant expenses.

(3) The office, in consultation with Enterprise Florida, Inc., VISIT Florida, the Department of Environmental Protection, and the Florida Fish and Wildlife Conservation Commission, as appropriate, shall review *and certify* applications *pursuant to s. 288.061. The review shall include an evaluation of* ~~and evaluate~~ the economic benefit of the projects and their long-term viability. The office shall have final approval for any grant under this section ~~and must make a grant decision within 30 days of receiving a completed application~~.

Section 15. Section 288.0656, Florida Statutes, is amended to read:

288.0656 Rural Economic Development Initiative.—

(1)*(a) Recognizing that rural communities and regions continue to face extraordinary challenges in their efforts to achieve significant improvements to their economies, specifically in terms of personal income, job creation, average wages, and strong tax bases, it is the intent of the Legislature to encourage and facilitate the location and expansion in such rural communities of major economic development projects of significant scale.*

(b) The Rural Economic Development Initiative, known as "REDI," is created within the Office of Tourism, Trade, and Economic Development, and the participation of state and regional agencies in this initiative is authorized.

(2) As used in this section, the term:

(a) "Catalyst project" means a business locating or expanding in a rural area of critical economic concern that will serve as an economic growth opportunity of regional significance for the growth of a regional target industry cluster. The project will provide capital investment of significant scale which will affect the entire region and the development of high-wage and high-skill jobs.

(b) "Catalyst site" means a parcel or parcel of lands within a rural area of critical economic concern that has been prioritized as a geographic site for economic development through partnerships with state, regional, and local organizations. The site must be reviewed by REDI, and approved by the Office of Tourism, Trade, and Economic Development for purposes of locating a catalyst project.

(c)~~(a)~~ "Economic distress" means conditions affecting the fiscal and economic viability of a rural community, including such factors as low per capita income, low per capita taxable values, high unemployment, high underemployment, low weekly earned wages compared to the state average, low housing values compared to the state average, high percentages of the population receiving public assistance, high poverty levels compared to the state average, and a lack of year-round stable employment opportunities.

(d) "Rural area of critical economic concern" means a rural community, or a region composed of rural communities, designated by the Governor, that has been adversely affected by an extraordinary economic event,

severe or chronic distress, or a natural disaster or that presents a unique economic development opportunity of regional impact.

(e)~~(b)~~ "Rural community" means:

1. A county with a population of 75,000 or less.

2. A county with a population of *120,000* ~~100,000~~ or less that is contiguous to a county with a population of 75,000 or less.

3. A municipality within a county described in subparagraph 1. or subparagraph 2.

4. An unincorporated federal enterprise community or an incorporated rural city with a population of 25,000 or less and an employment base focused on traditional agricultural or resource-based industries, located in a county not defined as rural, which has at least three or more of the economic distress factors identified in paragraph (a) and verified by the Office of Tourism, Trade, and Economic Development.

For purposes of this paragraph, population shall be determined in accordance with the most recent official estimate pursuant to s. 186.901.

(3) REDI shall be responsible for coordinating and focusing the efforts and resources of state and regional agencies on the problems which affect the fiscal, economic, and community viability of Florida's economically distressed rural communities, working with local governments, community-based organizations, and private organizations that have an interest in the growth and development of these communities to find ways to balance environmental and growth management issues with local needs.

(4) REDI shall review and evaluate the impact of statutes and rules on rural communities and shall work to minimize any adverse impact *and undertake outreach and capacity building efforts*.

(5) REDI shall facilitate better access to state resources by promoting direct access and referrals to appropriate state and regional agencies and statewide organizations. REDI may undertake outreach, capacity-building, and other advocacy efforts to improve conditions in rural communities. These activities may include sponsorship of conferences and achievement awards.

(6)(a) By August 1 of each year, the head of each of the following agencies and organizations shall designate a high-level staff person from within the agency or organization to serve as the REDI representative for the agency or organization:

1. The Department of Community Affairs.

2. The Department of Transportation.

3. The Department of Environmental Protection.

4. The Department of Agriculture and Consumer Services.

5. The Department of State.

6. The Department of Health.

7. The Department of Children and Family Services.

8. The Department of Corrections.

9. The Agency for Workforce Innovation.

10. The Department of Education.

11. The Department of Juvenile Justice.

12. The Fish and Wildlife Conservation Commission.

13. Each water management district.

14. Enterprise Florida, Inc.

15. Workforce Florida, Inc.

16. The Florida Commission on Tourism or VISIT Florida.

17. The Florida Regional Planning Council Association.

18. The *Agency for Health Care Administration* ~~Florida State Rural Development Council~~.

19. The Institute of Food and Agricultural Sciences (IFAS).

An alternate for each designee shall also be chosen, and the names of the designees and alternates shall be sent to the director of the Office of Tourism, Trade, and Economic Development.

(b) Each REDI representative must have comprehensive knowledge of his or her agency's functions, both regulatory and service in nature, and of the state's economic goals, policies, and programs. This person shall be the primary point of contact for his or her agency with REDI on issues and projects relating to economically distressed rural communities and with regard to expediting project review, shall ensure a prompt effective response to problems arising with regard to rural issues, and shall work closely with the other REDI representatives in the identification of opportunities for preferential awards of program funds and allowances and waiver of program requirements when necessary to encourage and facilitate long-term private capital investment and job creation.

(c) The REDI representatives shall work with REDI in the review and evaluation of statutes and rules for adverse impact on rural communities and the development of alternative proposals to mitigate that impact.

(d) Each REDI representative shall be responsible for ensuring that each district office or facility of his or her agency is informed about the Rural Economic Development Initiative and for providing assistance throughout the agency in the implementation of REDI activities.

(7)*(a)* REDI may recommend to the Governor up to three rural areas of critical economic concern. ~~A rural area of critical economic concern must be a rural community, or a region composed of such, that has been adversely affected by an extraordinary economic event or a natural disaster or that presents a unique economic development opportunity of regional impact that will create more than 1,000 jobs over a 5-year period.~~ The Governor may by executive order designate up to three rural areas of critical economic concern which will establish these areas as priority assignments for REDI as well as to allow the Governor, acting through REDI, to waive criteria, requirements, or similar provisions of any economic development incentive. Such incentives shall include, but not be limited to: the Qualified Target Industry Tax Refund Program under s. 288.106, the Quick Response Training Program under s. 288.047, the Quick Response Training Program for participants in the welfare transition program under s. 288.047(8), transportation projects under s. 288.063, the brownfield redevelopment bonus refund under s. 288.107, and the rural job tax credit program under ss. 212.098 and 220.1895.

(b) Designation as a rural area of critical economic concern under this subsection shall be contingent upon the execution of a memorandum of agreement among the Office of Tourism, Trade, and Economic Development; the governing body of the county; and the governing bodies of any municipalities to be included within a rural area of critical economic concern. Such agreement shall specify the terms and conditions of the designation, including, but not limited to, the duties and responsibilities of the county and any participating municipalities to take actions designed to facilitate the retention and expansion of existing businesses in the area, as well as the recruitment of new businesses to the area.

(c) Each rural area of critical economic concern may designate catalyst projects, provided that each catalyst project is specifically recommended by REDI, identified as a catalyst project by Enterprise Florida, Inc., and confirmed as a catalyst project by the Office of Tourism, Trade, and Economic Development. All state agencies and departments shall use all available tools and resources to the extent permissible by law to promote the creation and development of each catalyst project and the development of catalyst sites.

(8) REDI shall assist local governments within rural areas of critical economic concern with comprehensive planning needs with efforts that further the provisions of this section. Such assistance shall reflect a multidisciplinary approach among all agencies and shall include economic development and planning objectives.

(a) A local government may request assistance in the preparation of comprehensive plan amendments, pursuant to part II of chapter 163, that will stimulate economic activity.

1. The local government must contact the Office of Tourism, Trade, and Economic Development to request assistance.

2. REDI representatives shall meet with the local government within 15 days after such request to develop the scope of assistance that will be provided to assist the development, transmittal, and adoption of the proposed comprehensive plan amendment.

3. As part of the assistance provided, REDI representatives shall also identify other needed local and developer actions for approval of the project and recommend a timeline for the local government and developer that will minimize project delays.

(b) In addition, REDI shall solicit requests each year for assistance from local governments within a rural area of critical economic concern to update the future land use element and other associated elements of the local government's comprehensive plan to better position the community to respond to economic development potential within the county or municipality. REDI shall provide direct assistance to such local governments to update their comprehensive plans pursuant to this paragraph. At least one comprehensive planning technical assistance effort shall be selected each year.

(c) REDI shall develop and annually update a technical assistance manual based upon experiences learned in providing direct assistance under this subsection.

(9)~~(8)~~ REDI shall submit a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives each year on or before *September* ~~February~~ 1 on all REDI activities *for the prior fiscal year*. This report shall include a status report on all projects currently being coordinated through REDI, the number of preferential awards and allowances made pursuant to this section, the dollar amount of such awards, and the names of the recipients. The report shall also include a description of all waivers of program requirements granted. The report shall also include information as to the economic impact of the projects coordinated by REDI.

Section 16. Subsection (1) of section 288.0657, Florida Statutes, is amended to read:

288.0657 Florida rural economic development strategy grants.—

(1) As used in this section, the term "rural community" means:

(a) A county with a population of 75,000 or less.

(b) A county with a population of *120,000* ~~100,000~~ or less that is contiguous to a county with a population of 75,000 or less.

(c) A municipality within a county described in paragraph (a) or paragraph (b).

For purposes of this subsection, population shall be determined in accordance with the most recent official estimate pursuant to s. 186.901.

Section 17. *In order to carry out the additional rural economic development responsibilities in this act, one full-time equivalent position and the recurring sum of $60,000 for associated salaries and benefits is appropriated from the General Revenue Fund to the Office of Tourism, Trade, and Economic Development.*

Section 18. Subsection (2) of section 257.193, Florida Statutes, is amended to read:

257.193 Community Libraries in Caring Program.—

(2) The purpose of the Community Libraries in Caring Program is to assist libraries in rural communities, as defined in s. 288.0656~~(2)(b)~~ and subject to the provisions of s. 288.06561, to strengthen their collections and services, improve literacy in their communities, and improve the economic viability of their communities.

Section 19. Section 288.019, Florida Statutes, is amended to read:

288.019 Rural considerations in grant review and evaluation processes.—Notwithstanding any other law, and to the fullest extent possible, the member agencies and organizations of the Rural Economic Development Initiative (REDI) as defined in s. 288.0656(6)(a) shall review all grant and loan application evaluation criteria to ensure the fullest access for rural counties as defined in s. 288.0656~~(2)(b)~~ to resources available throughout the state.

(1) Each REDI agency and organization shall review all evaluation and scoring procedures and develop modifications to those procedures which minimize the impact of a project within a rural area.

(2) Evaluation criteria and scoring procedures must provide for an appropriate ranking based on the proportionate impact that projects have on a rural area when compared with similar project impacts on an urban area.

(3) Evaluation criteria and scoring procedures must recognize the disparity of available fiscal resources for an equal level of financial support from an urban county and a rural county.

(a) The evaluation criteria should weight contribution in proportion to the amount of funding available at the local level.

(b) In-kind match should be allowed and applied as financial match when a county is experiencing financial distress through elevated unemployment at a rate in excess of the state's average by 5 percentage points or because of the loss of its ad valorem base.

(4) For existing programs, the modified evaluation criteria and scoring procedure must be delivered to the Office of Tourism, Trade, and Economic Development for distribution to the REDI agencies and organizations. The REDI agencies and organizations shall review and make comments. Future rules, programs, evaluation criteria, and scoring processes must be brought before a REDI meeting for review, discussion, and recommendation to allow rural counties fuller access to the state's resources.

Section 20. Section 288.06561, Florida Statutes, is amended to read:

288.06561 Reduction or waiver of financial match requirements.—Notwithstanding any other law, the member agencies and organizations of the Rural Economic Development Initiative (REDI), as defined in s. 288.0656(6)(a), shall review the financial match requirements for projects in rural areas as defined in s. 288.0656~~(2)(b)~~.

(1) Each agency and organization shall develop a proposal to waive or reduce the match requirement for rural areas.

(2) Agencies and organizations shall ensure that all proposals are submitted to the Office of Tourism, Trade, and Economic Development for review by the REDI agencies.

(3) These proposals shall be delivered to the Office of Tourism, Trade, and Economic Development for distribution to the REDI agencies and organizations. A meeting of REDI agencies and organizations must be called within 30 days after receipt of such proposals for REDI comment and recommendations on each proposal.

(4) Waivers and reductions must be requested by the county or community, and such county or community must have three or more of the factors identified in s. 288.0656(2)(a).

(5) Any other funds available to the project may be used for financial match of federal programs when there is fiscal hardship, and the match requirements may not be waived or reduced.

(6) When match requirements are not reduced or eliminated, donations of land, though usually not recognized as an in-kind match, may be permitted.

(7) To the fullest extent possible, agencies and organizations shall expedite the rule adoption and amendment process if necessary to incorporate the reduction in match by rural areas in fiscal distress.

(8) REDI shall include in its annual report an evaluation on the status of changes to rules, number of awards made with waivers, and recommendations for future changes.

Section 22. Paragraph (d) of subsection (15) of section 627.6699, Florida Statutes, is amended to read:

627.6699 Employee Health Care Access Act.—

(15) SMALL EMPLOYERS ACCESS PROGRAM.—

(d) Eligibility.—

1. Any small employer that is actively engaged in business, has its principal place of business in this state, employs up to 25 eligible employees on business days during the preceding calendar year, employs at least 2 employees on the first day of the plan year, and has had no prior coverage for the last 6 months may participate.

2. Any municipality, county, school district, or hospital employer located in a rural community as defined in s. 288.0656~~(2)(b)~~ may participate.

3. Nursing home employers may participate.

4. Each dependent of a person eligible for coverage is also eligible to participate.

Any employer participating in the program must do so until the end of the term for which the carrier providing the coverage is obligated to provide such coverage to the program. Coverage for a small employer group that ceases to meet the eligibility requirements of this section may be terminated at the end of the policy period for which the necessary premiums have been paid.

(Redesignate subsequent section.)

And the title is amended as follows:

On line(s) 56, after the semicolon (;) insert: amending s. 220.191, F.S.; requiring applications for capital investment tax credits to be reviewed under a specified provision; amending s. 288.063, F.S.; requiring that adoption of criteria by which certain transportation projects are to be specified and identified be done in accordance with a specified provision; amending s. 288.065, F.S.; revising Rural Community Development Revolving Loan Fund program requirements; amending s. 288.0655, F.S.; authorizing the Office of Tourism, Trade, and Economic Development to award grants for a certain percentage of total infrastructure project costs for certain catalyst site funding applications; providing for waiver of the local matching requirement; expanding eligible facilities for authorized infrastructure projects; amending s. 288.0656, F.S.; providing legislative intent; revising and providing definitions; providing certain additional review and action requirements for REDI relating to rural communities; revising representation on REDI; deleting a limitation on characterization as a rural area of critical economic concern; authorizing rural areas of critical economic concern to designate certain catalyst projects for certain purposes; providing project requirements; requiring the initiative to assist local governments with certain comprehensive planning needs; providing procedures and requirements for such assistance; revising certain reporting requirements for REDI; amending s. 288.0657, F.S.; revising the definition for a rural community; providing two full-time equivalent position and an appropriation for the Office of Tourism, Trade, and Economic Development; amending ss. 257.193, 288.019, 288.06561, and 627.6699, F.S.; conforming cross-references;

Pursuant to Rule 4.19, **CS for SB 2778** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

Consideration of **CS for CS for SB 2714** was deferred.

On motion by Senator Fasano, by two-thirds vote—

CS for CS for SB 2712—A bill to be entitled An act relating to trust funds; creating s. 288.0971, F.S.; creating the Building Florida's Future Revolving Trust Fund within the Office of Tourism, Trade, and Economic Development; providing the purpose of the fund; providing for an annual carryforward of funds; providing for future review and termination or re-creation of the trust fund; providing a contingent effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 2712** was placed on the calendar of Bills on Third Reading.

By Senator Ring—

CS for SB 2310—A bill to be entitled An act relating to stimulating the economy; providing legislative findings and intent; amending s. 215.44, F.S.; requiring the State Board of Administration to report on the amount and type of technology and growth investments held by each fund; amending s. 215.47, F.S.; authorizing the board to invest a certain percentage of net assets in technology and growth investments; increasing the percentage amount of alternative investments in any fund, including investments that are not publicly traded or specifically authorized; authorizing the board to offer opportunities to small state-based investment management firms; creating s. 215.474, F.S.; requiring the Office of Program Policy Analysis and Government Accountability to perform an annual review of technology and growth investments made by the board and report to the Legislature; creating the Reusable Space Vehicle Industry Prize Program within the Office of Tourism, Trade, and Economic Development of the Executive Office of the Governor; providing for a specified cash prize to be awarded to the individual or firm providing the most significant advancements within the reusable space vehicle industry during a specified period; requiring that the Lieutenant Governor serve as chair of the program and appoint a committee; requiring that the committee perform certain tasks; requiring that the office adopt certain rules; providing for the program to terminate on a specified date; providing an effective date.

—was read the second time by title.

MOTION

On motion by Senator Ring, the rules were waived to allow the following amendment to be considered:

Senator Ring moved the following amendment which was adopted:

Amendment 1 (031284)—On line(s) 91, after "*to,*" insert: *space technology,*

Pursuant to Rule 4.19, **CS for SB 2310** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

By Senator Storms—

CS for CS for CS for SB 2158—A bill to be entitled An act relating to money services businesses; changing the name of money transmitters to money services businesses; requiring licensure rather than registration; amending s. 560.103, F.S.; revising definitions; defining the terms "affiliated party," "branch office," "cashing," "compliance officer," "electronic instrument," "financial audit report," "foreign affiliate," "licensee," "location," "monetary value," "net worth," "outstanding money transmission," and "stored value"; amending s. 560.104, F.S.; revising provision providing exemptions from ch. 560, F.S.; amending s. 560.105, F.S.; revising provisions relating to the powers of the Office of Financial Regulation and the Financial Services Commission; amending s. 560.109, F.S.; revising provisions relating to examinations and investigations conducted by the office; requiring that the office periodically examine each licensee and each new licensee within 6 months after issuing a license; requiring the office to report certain violations to a criminal investigatory agency; requiring that the office annually report to the Legislature information concerning investigations and examinations and the total amount of fines assessed and collected; requiring records in a language other than English to be translated; creating s. 560.1091, F.S.; authorizing the office to contract with third parties to conduct examinations; authorizing the commission to adopt rules relating to who can conduct examinations and the rates charged; creating s. 560.1092, F.S.; requiring persons examined to pay the expenses of examination as set by rule of the commission; providing for the deposit of funds collected from licensees; requiring payment for travel expenses and living expenses and compensation for persons making the examinations from such funds or from funds budgeted for such purposes; creating s. 560.110, F.S.; providing for record retention by licensees; amending s. 560.111, F.S.; revising the list of prohibited acts by a money services business; amending s. 560.113, F.S.; providing for the establishment of a receivership or the payment of restitution by a person found to have violated ch. 560, F.S.; amending s. 560.114, F.S.; revising grounds for the disciplinary actions; creating s. 560.1141, F.S.; authorizing the commission to adopt disciplinary guidelines for imposing penalties for violations; providing for mitigating and aggravating circumstances; amend-

ing s. 560.115, F.S.; revising provisions relating to the voluntary surrender of a license; amending s. 560.116, F.S.; revising provisions relating to the granting of immunity for providing information about alleged violations of ch. 560, F.S.; amending s. 560.118, F.S.; revising provisions relating to required reports; deleting an exemption from the requirement to file an annual financial report; transferring, renumbering, and amending s. 560.119, F.S.; revising provisions providing for the deposit of fees and assessments; amending s. 560.121, F.S.; revising restriction on access to records held by a court or the Legislature; amending s. 560.123, F.S.; revising provisions relating to the Florida Control of Money Laundering in Money Services Business; creating s. 560.1235, F.S.; requiring a licensee to comply with state and federal anti-money laundering laws and rules; amending s. 560.124, F.S.; revising provisions relating to sharing reported information; amending s. 560.125, F.S.; revising provisions relating to unlicensed activity; amending s. 560.126, F.S.; revising provisions relating to certain notice requirements by a licensee; amending s. 560.127, F.S.; revising provisions relating to the control of a money services business; amending s. 560.128, F.S.; revising provisions relating to customer contacts and license display; amending s. 560.129, F.S.; revising provisions relating to the confidentiality of certain records; creating s. 560.140, F.S.; providing licensing standards for a money services business; creating s. 560.141, F.S.; providing for a license application; creating s. 560.142, F.S.; providing for license renewal; creating s. 560.143, F.S.; providing for license fees; amending s. 560.203, F.S.; revising the exemption from licensure for authorized vendors of a money services business; amending s. 560.204, F.S.; revising provisions relating to the requirement for licensure of money transmitters or sellers of payment instruments under part II of ch. 560, F.S.; amending s. 560.205, F.S.; providing additional requirements for a license application; amending s. 560.208, F.S.; revising provisions relating to the conduct of a licensee; creating s. 560.2085, F.S.; providing requirements for authorized vendors; amending s. 560.209, F.S.; revising provisions relating to a licensee's net worth and the filing of a corporate surety bond; requiring a financial audit report; increasing the upper limit of the bond; deleting the option of waiving the bond; amending s. 560.210, F.S.; revising provisions relating to permissible investments; amending s. 560.211, F.S.; revising provisions relating to required recordkeeping under part II of ch. 560, F.S.; amending s. 560.212, F.S.; revising provisions relating to licensee liability; amending s. 560.213, F.S.; revising provisions relating information that must be printed on a payment instrument; amending s. 560.303, F.S.; revising provisions relating to the licensure of check cashers under part II of ch. 560, F.S.; amending s. 560.304, F.S.; revising provisions relating to exemptions from licensure; limiting the exemption for the payment of instruments below a certain value; amending s. 560.309, F.S.; revising provisions relating to the conduct of check cashers; providing additional requirements; amending s. 560.310, F.S.; revising requirements for licensee records; specifying the maintenance of identification records for certain customers; amending s. 560.402, F.S.; revising definitions relating to deferred presentment providers; amending s. 560.403, F.S.; revising provisions relating to the licensing requirements for deferred presentment providers; amending s. 560.404, F.S.; revising provisions relating to deferred presentment transactions; amending s. 560.405, F.S.; revising provisions relating to the redemption or deposit of a deferred presentment transaction; amending s. 560.406, F.S.; revising provisions relating to worthless checks; amending ss. 499.005, 499.0691, 501.95, 538.03, 896.101, 896.104, and 921.0022, F.S.; conforming cross-references; repealing s. 560.101, F.S., relating to a short title; repealing s. 560.102, F.S., relating to purpose and application; repealing s. 560.106, F.S., relating to chapter constructions; repealing s. 560.1073, F.S., relating to false or misleading statements or documents; repealing s. 560.108, F.S., relating to administrative enforcement guidelines; repealing s. 560.112, F.S., relating to disciplinary action procedures; repealing s. 560.117, F.S., relating to administrative fines; repealing s. 560.200, F.S., relating to a short title; repealing s. 560.202, F.S., relating to definitions; repealing s. 560.206, F.S., relating to the investigation of applicants; repealing s. 560.207, F.S., relating to registration; repealing s. 560.301, F.S., relating to a short title; repealing s. 560.302, F.S., relating to definitions; repealing s. 560.305, F.S., relating to application for registration; repealing s. 560.306, F.S., relating to standards; repealing s. 560.307, F.S., relating to fees; repealing s. 560.308, F.S., relating to registration; repealing s. 560.401, F.S., relating to a short title; repealing s. 560.407, F.S., relating to required records; providing an effective date.

—was read the second time by title.

Senator Storms moved the following amendments which were adopted:

Amendment 1 (618896)—Delete line(s) 2279 and 2280 and insert: *Persons*

Amendment 2 (497016)(with title amendments)—Delete line(s) 2274-2287 and insert:

(1) *A person cashing payment instruments that have an aggregate face value of less than $2,000 per person per day and that are* ~~Authorized vendors of any person registered pursuant to the provisions of the code, acting within the scope of authority conferred by the registrant.~~

~~(2) Persons engaged in the cashing of payment instruments or the exchanging of foreign currency which is~~ incidental to the retail sale of goods or services whose compensation for cashing payment instruments ~~or exchanging foreign currency~~ at each site does not exceed 5 percent of the total gross income from the retail sale of goods or services by such person during *the last 60 days* ~~its most recently completed fiscal year~~.

And the title is amended as follows:

Delete line 103 and insert: certain value and incidental to certain retail sales; amending s. 560.309, F.S.; revising

Pursuant to Rule 4.19, **CS for CS for CS for SB 2158** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

By Senator Constantine—

CS for CS for SB's 556 and 748—A bill to be entitled An act relating to secondary metals recyclers; amending s. 538.18, F.S.; revising the definition of "personal identification card"; deleting an exclusion of transactions under a specified amount from the definition of "purchase transaction" for specified purposes; revising the definition of "regulated metals property"; amending s. 538.19, F.S.; revising recordkeeping requirements for purchase transactions; providing for additional seller information to be obtained; requiring an image of the regulated metals being sold; providing an exemption from a specified recordkeeping provision if the same information is maintained in an electronic database meeting specified requirements; providing a substitute recordkeeping requirement for certain transactions between registered secondary metals recyclers; amending s. 538.23, F.S.; providing for enhanced penalties for third or subsequent violations of a specified provision; providing enhanced penalties for violations of specified provisions relating to false verification of ownership or false or altered identification of a seller of regulated metals; providing that if a person acts as a secondary metals recycler but is not registered with the Department of Revenue, the person commits a felony of the third degree; providing criminal penalties; creating s. 538.235, F.S.; prohibiting secondary metals recyclers from entering into cash transactions in certain circumstances; amending s. 538.25, F.S.; requiring the Department of Revenue to provide a law enforcement official, upon request, with specified information regarding certain secondary metals recyclers; amending s. 538.26, F.S.; prohibiting the purchase of any regulated metals property when presented at the property of a secondary metals recycler and not transported in a motor vehicle; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB's 556 and 748** was placed on the calendar of Bills on Third Reading.

By Senator Bullard—

CS for CS for SB 682—A bill to be entitled An act relating to the Department of Transportation; requiring the department to conduct a study of transportation alternatives for the Interstate 95 corridor; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 682** was placed on the calendar of Bills on Third Reading.

By Senator Posey—

CS for SB 2438—A bill to be entitled An act relating to informed consent for spaceflight; creating part III of ch. 331, F.S.; providing definitions; providing immunity from liability for injury to or death of certain participants in spaceflight activities if specified informed consent requirements are complied with; providing exceptions; requiring each participant to sign a warning statement; providing minimum requirements for a warning statement; providing for future expiration of the act; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 2438** was placed on the calendar of Bills on Third Reading.

By Senator Baker, by two-thirds vote—

CS for CS for CS for SB 1992—A bill to be entitled An act relating to the Department of Highway Safety and Motor Vehicles; amending s. 316.0741, F.S.; redefining the term "hybrid vehicle"; authorizing the driving of a hybrid, low-emission, or energy-efficient vehicle in a high-occupancy-vehicle lane regardless of occupancy; authorizing the department to limit or discontinue such driving under certain circumstances; exempting such vehicles from the payment of certain tolls; amending s. 316.1575, F.S.; requiring a person walking or driving a vehicle to stop at a railroad crossing upon the signal of a law enforcement officer; amending s. 316.1895, F.S.; requiring the placement of signs in certain school zones stating that speeding fines are doubled within the zone; amending s. 316.191, F.S.; revising provisions prohibiting certain speed competitions and exhibitions; revising the definition of the terms "conviction," "drag race," and "race"; defining the terms "exhibition of acceleration," "exhibition of speed," and "spectator"; prohibiting driving in any race, drag race, exhibition of speed, or exhibition of acceleration; prohibiting certain acts in association with a race, drag race, exhibition of speed, or exhibition of acceleration; prohibiting being a spectator at any such race, drag race, or exhibition; providing criminal and noncriminal penalties; providing for revocation of the offender's driver's license upon conviction; providing for disposition of citation for being a spectator; providing penalties for a second or subsequent offense; providing that a violation that causes or contributes to causing serious bodily injury to another is a felony of the third degree; providing that a violation that causes or contributes to causing the death of any human being or unborn quick child is the crime of manslaughter resulting from the operation of a motor vehicle; providing penalties; providing for a determination of the definition of the term "unborn quick child"; requiring that the driving record of a person charged be provided to the court; providing criteria for arrest; providing procedures for impoundment or immobilization of a motor vehicle under a court order; providing for release from impoundment under specified exceptions; requiring that costs and fees of impoundment to be paid by the owner or lessee of the motor vehicle; providing procedures for an arresting officer to immediately impound a motor vehicle used in a violation; providing for the period of impoundment; removing a requirement for impoundment that the person being arrested is the registered owner or coowner of the motor vehicle; providing for satisfaction of the element of negligent entrustment; providing for severability; providing noncriminal penalties for the display of obscene words, images, or devices on a motor vehicle; creating s. 316.1926, F.S.; creating additional offenses regarding the operation of a motor vehicle; amending s. 316.193, F.S.; lowering the blood-alcohol or breath-alcohol level for which enhanced penalties are imposed against a person who was accompanied in the vehicle by a minor at the time of the offense; clarifying that an ignition interlock device is installed for a continuous period; amending s. 316.1937, F.S.; revising the conditions under which the court may require the use of an ignition interlock device; amending s. 316.2085, F.S.; requiring an operator of a motorcycle or moped to maintain both wheels on the ground at all times; requiring that the license tag of a motorcycle or moped be affixed horizontally; amending s. 316.2397, F.S.; authorizing specified agencies to display blue lights when responding to emergencies; amending s. 316.251, F.S.; conforming a cross-reference; amending s. 316.29545, F.S.; exempting certain investigative vehicles from the prohibition against installing window sunscreening on a vehicle; amending s. 316.302, F.S.; revising the application of certain federal rules; providing for the department to perform certain duties assigned under federal rules; updating a reference to federal provisions governing out-of-service requirements for commercial vehicles; amending s. 316.3045, F.S.; providing enhanced penalties upon multiple convictions for violating prohibitions against the use of excessively loud soundmaking equipment in a motor vehicle; amending s. 316.613, F.S.; redefining the term "motor vehicle" to exclude certain trucks from the requirement to use a child restraint; amending s. 316.645, F.S.; authorizing a police officer to make an arrest upon probable cause of a violation of laws governing motor vehicle licenses; amending s. 316.650, F.S.; revising requirements for traffic citation forms; providing for the electronic transmission of citation data; amending s. 316.656, F.S.; lowering the percentage of blood or breath alcohol content relating to the prohibition against pleading guilty to a lesser offense of driving under the influence than the offense charged; amending s. 318.14, F.S.; prohibiting a person from electing more than five times within 10 years to attend a basic driver improvement course approved by the Department of Highway Safety and Motor Vehicles in lieu of making a court appearance; providing additional penalties for certain offenses involving the operation of a motorcycle or excessive speed; providing for revocation of an offender's privilege to operate a motor vehicle; creating s. 318.195, F.S.; providing enhanced penalties for moving violations that cause injury or death to a person on a motorcycle; amending s. 319.001, F.S.; defining the term "certificate of title" to include information stored electronically in the department's database; amending s. 320.0706, F.S.; providing that a violation of requirements for displaying a truck license plate is a moving violation; amending s. 320.0715, F.S.; requiring the department to withhold issuing or to suspend a registration and license plate for a commercial motor vehicle if the federal identifying number is not provided or if the motor carrier or vehicle owner has been prohibited from operating; amending s. 320.01, F.S.; redefining the term "motorcycle" to exclude a vehicle where the operator is enclosed by a cabin; amending s. 320.02, F.S., as amended; deleting the requirement for a motorcycle endorsement at the time of original registration of a motorcycle, motor-driven cycle, or moped; repealing s. 320.02(13), F.S., relating to a motor vehicle registration voluntary contribution for the Election Campaign Financing Trust Fund; repealing s. 320.08053(3), F.S., relating to provisions requiring that the department adopt rules providing certain specifications for the design of specialty license plates; amending s. 320.08056, F.S.; deleting a provision that exempts collegiate license plates from a requirement that a specialty license plate be discontinued if sales drop below a specified amount; amending s. 320.0894, F.S.; providing for the issuance of Gold Star license plates to certain family members; amending s. 320.27, F.S.; revising the insurance requirements for persons applying for a motor vehicle dealer license; amending s. 320.69, F.S.; authorizing the Department of Highway Safety and Motor Vehicles to adopt rules, including definitions as necessary; creating s. 321.26, F.S.; designating the Joseph P. Bertrand Building in Fort Myers; amending s. 322.01, F.S.; defining the term "convenience service"; redefining the terms "conviction," "hazardous materials," and "out-of-service order"; amending s. 322.0255, F.S.; revising eligibility for reimbursement for organizations that conduct motorcycle safety courses; amending s. 322.03, F.S.; deleting provisions exempting certain persons from the requirement to surrender a license issued by another jurisdiction; providing certain exceptions for part-time residents; amending ss. 322.051 and 322.08, F.S.; requiring that an applicant for an identification card or driver's license provide additional information; authorizing use of additional documents to prove identity; revising the fee requirements; revising provisions providing for the expiration of an identification card issued by the department; deleting provisions authorizing a voluntary contribution; amending s. 322.14, F.S.; requiring that an applicant for a driver's license provide a residence address; amending s. 322.15, F.S.; authorizing a law enforcement officer or authorized representative of the department to collect a person's fingerprints electronically; amending s. 322.17, F.S.; revising the requirements for obtaining a replacement license or permit; deleting provisions authorizing the department to issue address stickers; amending s. 322.18, F.S.; revising provisions providing for the expiration of driver's licenses; providing for the renewal of certain licenses every 8 years and for the renewal of licenses for persons older than a specified age every 6 years; providing for the renewal of licenses using a convenience service; requiring the department to issue new licenses rather than extension stickers; conforming cross-references; repealing s. 322.181(4), F.S., relating to the Florida At-Risk Driver Council; amending s. 322.19, F.S.; deleting provisions authorizing the use of a change-of-address sticker on a driver's license; conforming cross-references; amending s. 322.21, F.S.; increasing the fees charged for obtaining a new or renewal driver's license or identification card; specifying that a portion of the fees be deposited for use by the department; amending s. 322.2715, F.S.; clarifying that an ignition interlock device is installed for a continuous period; amending s. 322.291, F.S.; imposing additional sanctions against a person who violates requirements with respect to an ignition interlock de-

vice; amending s. 322.36, F.S.; requiring the suspension for a specified period of the driver's license of a person who loans a vehicle to a person whose driver's license is suspended if that vehicle is involved in an accident resulting in bodily injury or death; repealing s. 322.60, F.S., relating to a prohibition against possessing more than one driver's license under certain circumstances; amending s. 322.61, F.S.; clarifying provisions disqualifying a person from operating a commercial motor vehicle following certain traffic violations; providing for permanent disqualification following conviction of a felony involving the manufacture, distribution, or dispensing of a controlled substance; amending s. 322.64, F.S.; providing that refusal to submit to a breath, urine, or blood test disqualifies a person from operating a commercial motor vehicle; providing a period of disqualification if a person has an unlawful blood-alcohol or breath-alcohol level; providing for issuance of a notice of disqualification; revising the requirements for a formal review hearing following a person's disqualification from operating a commercial motor vehicle; amending s. 324.021, F.S.; clarifying that a judgment becomes final by expiration of the time for appeal; amending 501.976, F.S.; conforming a cross-reference; creating the Automobile Lenders Industry Task Force within the Department of Highway Safety and Motor Vehicles; providing duties of the task force; providing for membership and the election of officers; providing for meetings; providing for reimbursement for travel and per diem expenses for public-sector members; requiring the department to provide administrative support and assistance to the task force; prohibiting the Department of Highway Safety and Motor Vehicles from issuing any new specialty license plates for a specified period; providing an effective date.

—was read the second time by title.

Senator Baker moved the following amendments which were adopted:

Amendment 1 (746428)(with title amendment)—Delete line 553 and insert: *image or device of*

And the title is amended as follows:

Delete line(s) 51 and 52 and insert: noncriminal penalties for the display of images or devices on a motor vehicle; creating s.

Amendment 2 (093886)—On line 707, delete "*2008*" and insert: *2007*

Senators Hill and Joyner offered the following amendment which was moved by Senator Hill and adopted:

Amendment 3 (309004)(with title amendment)—Delete line(s) 1081-1101

And the title is amended as follows:

Delete line(s) 123-126 and insert: amending s. 320.0894, F.S.;

MOTION

On motion by Senator King, the rules were waived to allow the following amendment to be considered:

Senators King and Dockery offered the following amendment which was moved by Senator King and adopted:

Amendment 4 (502094)(with title amendment)—Delete line(s) 2486 and 2487 and insert:

Section 54. *Except for specialty license plates which are approved before or during the 2008 Legislative session, or which have bills filed during the 2008 session, the Department of*

And the title is amended as follows:

On line(s) 212, after the semicolon (;) insert: providing an exception;

RECONSIDERATION OF AMENDMENT

On motion by Senator King, the Senate reconsidered the vote by which **Amendment 4 (502094)** was adopted.

On motion by Senator Baker, further consideration of **CS for CS for CS for SB 1992** with pending **Amendment 4 (502094)** was deferred.

By Senator Margolis—

CS for SB 1096—A bill to be entitled An act relating to the production and shipment of wine; creating s. 561.222, F.S.; authorizing the direct shipment of wine into and within this state for personal consumption only; providing legislative intent; requiring licensure of winery shippers by the Division of Alcoholic Beverages and Tobacco; providing license requirements; requiring recipients of a direct shipment of wine to be 21 years of age; requiring proof of age and the signature of a recipient; providing for the payment of taxes, a monthly report, and recordkeeping by winery shippers; providing requirements for common carriers that make deliveries of wine; providing administrative and criminal penalties for violations of the act; authorizing the division and the Department of Revenue to adopt rules; amending ss. 561.24, 561.54, 561.545, and 564.045, F.S.; conforming provisions to changes made by the act; amending s. 599.004, F.S.; revising requirements for qualifying as a certified Florida Farm Winery; providing for severability; providing an effective date.

—was read the second time by title.

Senator Margolis moved the following amendments which were adopted:

Amendment 1 (883178)—Delete lines 53-61 and insert:

(a) A winery may directly ship wine to a resident of this state only under a winery shipper's license. A manufacturer of wine within this state or any other state which produces or sells less than 250,000 gallons of wine per year may ship wines manufactured by such winery to a resident of this state who is at least 21 years of age for that person's personal use, and not for resale, upon obtaining a winery shipper's license from the division. The manufacturer may obtain a winery shipper's license by:

Amendment 2 (297558)—Delete lines 103-117 and insert:

(b) The division may issue or renew a license under this section only if the applicant or licensee:

1. Has not violated the conditions of licensure or the requirements or limitations of this section;

2. Produces or sells less than 250,000 gallons of wine annually;

3. Does not have a subsidiary winery and is not otherwise affiliated with another winery, unless such subsidiary winery or affiliated winery produces or sells less than 250,000 gallons of wine annually; and

4. Has not appointed a distributor in this state, unless the applicant provides to the division a copy of the applicant's contract with the applicant's appointed distributor containing terms to the contrary or a copy of a written notice sent to the distributor of the applicant's intent to obtain a winery shipper's license 1 year before applying for such license under this section.

Amendment 3 (271104)—Delete lines 130-135 and insert:

3. Refuse to ship or cause to be shipped more than 12 cases containing more than nine liters each of its wine per calendar year to any one household address in this state. Consumers may not purchase, and winery shippers may not sell, ship, or cause to be shipped to a single household, more than 12 cases of more than nine liters of wine per calendar year.

Pursuant to Rule 4.19, **CS for SB 1096** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

By Senator Jones—

CS for SB 590—A bill to be entitled An act relating to pari-mutuel wagering; amending s. 550.01215, F.S.; deleting an exception to requirements for the Division of Pari-mutuel Wagering with respect to issuing licenses; amending s. 550.0251, F.S.; requiring the division to adopt rules governing the humane treatment of racing animals at pari-mutuel facilities; amending s. 550.0951, F.S.; providing for monthly payments of the daily license fee and taxes; amending s. 550.09511, F.S.; deleting provisions requiring a biweekly period for the payment of jai alai taxes; amending s. 550.09514, F.S.; deleting provisions requiring a biweekly

period for the payment of greyhound dogracing taxes; amending s. 550.105, F.S.; revising provisions requiring certain persons to purchase a 3-year occupational license; providing for license fees to be set by rule of the division; defining the term "convicted" for purposes of licensing provisions; providing for the validity of a temporary occupational license; deleting certain signature requirements; amending s. 550.2415, F.S.; requiring that the division adopt rules for the welfare of racing animals; providing that a penalty imposed by the division does not prohibit criminal prosecution for cruelty to animals; amending s. 550.5251, F.S.; deleting the annual thoroughbred race dates for specified permitholders; establishing racing dates for thoroughbred meets; deleting provisions requiring summer thoroughbred horse racing permits; deleting expired permit provisions for the 2001-2002 thoroughbred licenses; deleting expired provisions relating to failure to operate all thoroughbred performances; amending s. 551.106, F.S.; providing for monthly payments of the tax on slot machine revenues; repealing s. 550.3605, F.S., relating to a requirement for a permit in order to use electronic transmitting equipment at a pari-mutuel facility; repealing s. 550.71, F.S., relating to the operation of chapter 96-364, Laws of Florida; amending ss. 772.102 and 895.02, F.S., relating to civil and criminal penalty provisions; conforming cross-references; providing an effective date.

—was read the second time by title.

Senator Jones moved the following amendment which was adopted:

Amendment 1 (462608)(with title amendment)—Between line(s) 423 and 424 insert:

Section 12. Paragraphs (a) and (b) of subsection (7) of section 849.086, Florida Statutes, are amended to read:

849.086 Cardrooms authorized.—

(7) CONDITIONS FOR OPERATING A CARDROOM.—

(a) A cardroom may be operated only at the location specified on the cardroom license issued by the division, and such location may only be the location at which the pari-mutuel permitholder is authorized to conduct pari-mutuel wagering activities pursuant to such permitholder's valid pari-mutuel permit or as otherwise authorized by law. *Only one cardroom license may be issued at the location specified on the cardroom license regardless of the number of permitholders operating at the facility.*

(b) Any *cardroom operator* ~~horserace, greyhound race, or jai alai permitholder licensed under this section~~ may operate a cardroom at the pari-mutuel facility *daily throughout the year,* ~~on any day for a cumulative amount of 12 hours~~ if the permitholder meets the requirements under paragraph (5)(b). *The cardroom may be open a cumulative amount of 18 hours per day on Monday through Friday and 24 hours per day on Saturday and Sunday and on the holidays specified in s. 110.117(1).*

(Redesignate subsequent sections.)

And the title is amended as follows:

On line(s) 36, after the semicolon (;) insert: amending s. 849.086, F.S.; limiting a cardroom license to one per location; changing the hours of operation of cardrooms;

Pursuant to Rule 4.19, **CS for SB 590** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

By Senator Diaz de la Portilla—

SB 2474—A bill to be entitled An act relating to a review of the Department of Agriculture and Consumer Services under the Florida Government Accountability Act; reenacting s. 20.14(2)(e), (j), and (m), F.S., relating to the divisions of licensing, standards, and consumer services of the department; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 2474** was placed on the calendar of Bills on Third Reading.

By Senator Fasano—

CS for SB 630—A bill to be entitled An act relating to motor vehicle registration; amending s. 320.02, F.S.; allowing an applicant for a motor vehicle registration or renewal to make a voluntary contribution to Family First; amending s. 322.08, F.S.; allowing an applicant for a driver's license to make a voluntary contribution to Family First; amending s. 322.18, F.S.; requiring the driver license application form for renewal issuance or renewal extension to include an option to make a voluntary contribution to Family First; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 630** was placed on the calendar of Bills on Third Reading.

THE PRESIDENT PRESIDING

MOTION

On motion by Senator King, the rules were waived and time of recess was extended until completion of **CS for CS for SB 542** and **CS for CS for CS for SB 1544**.

On motion by Senator Saunders, by two-thirds vote—

CS for CS for SB 542—A bill to be entitled An act relating to land acquisition and management; amending s. 201.15, F.S., relating to the distribution of taxes collected for debt service; extending the deadline for retiring the bonds issued under the Florida Forever Act; amending s. 215.618, F.S.; authorizing the distribution of bonds for the acquisition of conservation lands; increasing the bonding authority for issuance of Florida Forever bonds; directing the Legislature to complete a debt analysis prior to the issuance of any such bonds by a date certain; directing the Legislature to complete an analysis on potential revenue sources by a date certain; amending s. 253.025, F.S.; requiring appraisals of land under certain circumstances; deleting provisions that allow appraisers to reject an appraisal report under certain conditions; providing authority to the Board of Trustees of the Internal Improvement Trust Fund to waive sales history requirements under certain conditions; amending s. 253.0325, F.S.; requiring the Department of Environmental Protection to modernize its information systems; requiring a annual report of state lands acquired by each recipient of funds; amending s. 253.034, F.S.; defining the term "public access" for purposes of chapters 253 and 259, F.S.; requiring that land management plans provide short-term and long-term management goads; specifying measurable objectives; requiring that a land management plan contain certain elements; revising requirements for determining which state-owned lands may be surplus lands; requiring additional appraisals under certain conditions; requiring the Division of State Lands to contract with an organization for the purpose of determining the value of carbon capture and carbon sequestration with respect to state lands and provide an inventory to the board of trustees; authorizing to the Fish and Wildlife Conservation Commission to manage lands for imperiled species under certain conditions; requiring a report to the Legislature; providing for future expiration of such authority; amending s. 253.111, F.S.; extending the period within which a board of county commissioners must provide a resolution to the Board of Trustees of the Internal Improvement Trust Fund before state-owned lands are otherwise sold; amending s. 253.82, F.S.; revising requirements of the sale of nonsovereignty lands owned by the board of trustees; deleting appraisal limitations; amending s. 259.032, F.S.; requiring priority purchase of conservation and recreational lands that have high concentrations of population and certain agricultural lands; revising requirements for land management plans; establishing a minimum for funds expended for the management of state-owned land; requiring the Land Management Uniform Accounting Council to report on the formula for allocating land management funds; providing requirements for the report; deleting obsolete provisions; amending s. 259.035, F.S.; revising provisions establishing the Acquisition and Restoration Council; revising membership criteria; directing the council to establish specific criteria and numeric performance measures for the acquisition of land; amending s. 259.037, F.S.; revising the categories used by the Land Management Uniform Accounting Council to collect and report the costs of land management activities; requiring agencies to report additional information to the council; amending s. 259.041, F.S., relating to

the acquisition of state-owned lands for preservation, conservation, and recreation purposes; requiring Legislative approval for acquisitions by the state exceeding a certain amount; increasing appraisal thresholds; requiring that specific language be included on option contracts; amending s. 259.105, F.S., relating to the Florida Forever Act; revising Legislative intent; providing for funds to be deposited in the Florida Forever Trust Fund; requiring bonded moneys be spent for capital improvements under certain conditions; providing for the expenditure of funds for conservation and agricultural easements under certain conditions; providing for the inclusion of carbon sequestration as a multiple use; providing rulemaking authority for the board of trustees; providing for the reversion of lands to the board of trustees under certain conditions; requiring an annual work plan be developed by the Acquisition and Restoration Council; authorizing alternatives to fee-simple purchases; deleting obsolete provisions; amending s. 259.1051, F.S., relating to the Florida Forever Trust Fund; increasing bonding authority; amending s. 373.089, F.S.; clarifying the process for disposing of surplus lands; amending s. 373.1391, F.S.; providing additional oversight authority to the department; amending s. 373.199, F.S.; clarifying work plan requirements; transferring all statutory powers, duties, functions, records, personnel, property, and unexpended balances of appropriations, allocations, or other funds related to the Florida Communities Trust from the Department of Community Affairs to the Department of Environmental Protection; requesting that the Division of Statutory Revision of the Office of Legislative Services prepare a reviser's bill to conform certain provisions of state law to changes made by the act; providing an effective date.

—was read the second time by title.

Senator Saunders moved the following amendments which were adopted:

Amendment 1 (093222)—Delete line(s) 1332-1426 and insert:

259.035 Acquisition and Restoration Council.—

(1) There is created the Acquisition and Restoration Council.

(a) The council shall be composed of *eleven* ~~nine~~ voting members, four of whom shall be appointed by the Governor. *Of* these four appointees*, three* shall be from scientific disciplines related to land, water, or environmental sciences *and the fourth shall have at least 5 years of experience in managing lands for both active and passive types of recreation*. They shall serve 4-year terms, except that, initially, to provide for staggered terms, two of the appointees shall serve 2-year terms. All subsequent appointments shall be for 4-year terms. No appointee shall serve more than 6 years. The Governor may at any time fill a vacancy for the unexpired term of a member appointed under this paragraph.

(b) The five remaining appointees shall be composed of the Secretary of Environmental Protection, the director of the Division of Forestry of the Department of Agriculture and Consumer Services, the executive director of the Fish and Wildlife Conservation Commission, the director of the Division of Historical Resources of the Department of State, and the secretary of the Department of Community Affairs, or their respective designees.

(c) One member shall be appointed by the Commissioner of Agriculture with a discipline related to agriculture including silviculture. One member shall be appointed by the Fish and Wildlife Conservation Commission with a discipline related to wildlife management or wildlife ecology.

(d)~~(c)~~ The Governor shall appoint the chair of the council, and a vice chair shall be elected from among the members.

(e)~~(d)~~ The council shall hold periodic meetings at the request of the chair.

(f)~~(e)~~ The Department of Environmental Protection shall provide primary staff support to the council and shall ensure that council meetings are electronically recorded. Such recording shall be preserved pursuant to chapters 119 and 257.

(g)~~(f)~~ The board of trustees has authority to adopt rules pursuant to ss. 120.536(1) and 120.54 to implement the provisions of this section.

(2) The four members of the council appointed *pursuant to paragraph (a) and the two members of the council appointed pursuant to paragraph (c)* ~~by the Governor~~ shall receive *reimbursement for* ~~$75 per day while engaged in the business of the council, as well as~~ expenses and per diem for travel, *to attend council* ~~including attendance at~~ meetings, as allowed state officers and employees while in the performance of their duties, pursuant to s. 112.061.

(3) The council shall provide assistance to the board of trustees in reviewing the recommendations and plans for state-owned lands required under ss. 253.034 and 259.032. The council shall, in reviewing such recommendations and plans, consider the optimization of multiple-use and conservation strategies to accomplish the provisions funded pursuant to ss. 259.101(3)(a) and 259.105(3)(b).

(4)*(a)* The council may use existing rules adopted by the board of trustees, until it develops and recommends amendments to those rules, to competitively evaluate, select, and rank projects eligible for the Conservation and Recreation Lands list pursuant to ss. 259.032(3) and 259.101(4) ~~and, beginning no later than May 1, 2001, for Florida Forever funds pursuant to s. 259.105(3)(b)~~.

(b) By December 1, 2009, the Acquisition and Restoration Council shall develop rules defining specific criteria and numeric performance measures needed for lands that are to be acquired for public purpose under the Florida Forever program pursuant to s. 259.105. Each recipient of Florida Forever funds shall assist the council in the development of such rules. These rules shall be reviewed and adopted by the board then submitted to the Legislature for consideration by February 1, 2010. The Legislature may reject, modify, or take no action relative to the proposed rules. If no action is taken, the rules shall be implemented. Subsequent to their approval, each recipient of Florida Forever funds shall annually report to the Division of State Lands on each of the numeric performance measures accomplished during the previous fiscal year.

(c) In developing or amending ~~the~~ rules, the council shall give weight to the criteria included in s. 259.105(10). The board of trustees shall review the recommendations and shall adopt rules necessary to administer this section.

(5) An affirmative vote of five members of the council is required in order to change a project boundary or to place a proposed project on a list developed pursuant to subsection (4). Any member of the council who by family or a business relationship has a connection with all or a portion of any proposed project shall declare the interest before voting on its inclusion on a list.

(6) The proposal for a project pursuant to this section or s. 259.105(3)(b) may be implemented only if adopted by the council and approved by the board of trustees. The council shall consider and evaluate in writing the merits and demerits of each project that is proposed for Conservation and Recreation Lands, Florida Preservation 2000, or Florida Forever funding and shall ensure that each proposed project will meet a stated public purpose for the restoration, conservation, or preservation of environmentally sensitive lands and water areas or for providing outdoor recreational opportunities. The council also shall determine whether the project conforms, where applicable, with the comprehensive plan developed pursuant to s. 259.04(1)(a), the comprehensive multipurpose outdoor recreation plan developed pursuant to s. 375.021, the state lands management plan adopted pursuant to s. 253.03(7), the water resources work plans developed pursuant to s. 373.199, and the provisions of s. 259.032, s. 259.101, or s. 259.105, whichever is applicable.

Amendment 2 (563670)(and title amendment)—Delete line(s) 2616-2627

And the title is amended as follows:

Delete line(s) 94-102 and insert: providing an effective

MOTION

On motion by Senator Dockery, the rules were waived to allow the following amendment to be considered:

Senator Dockery moved the following amendment which was adopted:

Amendment 3 (494442)(with title amendment)—Between line(s) 705 and 706 insert:

Section 6. Section 253.0341, Florida Statutes, is amended to read:

253.0341 Surplus of state-owned lands to counties or local governments.—Counties and local governments may submit surplusing requests for state-owned lands directly to the board of trustees. County or local government requests for the state to surplus conservation or nonconservation lands, whether for purchase or exchange, shall be expedited throughout the surplusing process. Property jointly acquired by the state and other entities shall not be surplused without the consent of all joint owners.

(1) The decision to surplus state-owned nonconservation lands may be made by the board without a review of, or a recommendation on, the request from the Acquisition and Restoration Council or the Division of State Lands. Such requests for nonconservation lands shall be considered by the board within 60 days of the board's receipt of the request.

(2) County or local government requests for the surplusing of state-owned conservation lands are subject to review of, and recommendation on, the request to the board by the Acquisition and Restoration Council. Requests to surplus conservation lands shall be considered by the board within 120 days of the board's receipt of the request.

(3) A local government may request that state lands be specifically declared surplus lands for the purpose of providing *alternative water supply and water resource development projects as defined in s 373.019, public facilities such as schools, fire and police facilities, and* affordable housing. The request shall comply with the requirements of subsection (1) if the lands are nonconservation lands or subsection (2) if the lands are conservation lands. Surplus lands that are conveyed to a local government for affordable housing shall be disposed of by the local government under the provisions of s. 125.379 or s. 166.0451.

(4) Notwithstanding the requirements of this section and the requirements of s. 253.034 which provides a surplus process for the disposal of state lands, the board shall convey to Miami-Dade County title to the property on which the Graham Building, which houses the offices of the Miami-Dade State Attorney, is located. By January 1, 2008, the board shall convey fee simple title to the property to Miami-Dade County for a consideration of one dollar. The deed conveying title to Miami-Dade County must contain restrictions that limit the use of the property for the purpose of providing workforce housing as defined in s. 420.5095, and to house the offices of the Miami-Dade State Attorney. Employees of the Miami-Dade State Attorney and the Miami-Dade Public Defender who apply for and meet the income qualifications for workforce housing shall receive preference over other qualified applicants.

(Redesignate subsequent sections.)

And the title is amended as follows:

Delete line(s) 41 and insert: such authority; amending s. 253.0341, F.S.; providing specific uses for state-surplused lands; amending s. 253.111, F.S.; extending

MOTION

On motion by Senator Saunders, the rules were waived to allow the following amendment to be considered:

Senator Saunders moved the following amendment which was adopted:

Amendment 4 (479936)—Between line(s) 2615 and 2616 insert:

Section 17. Subsection (1) of section 380.5115, Florida Statutes, is amended to read:

380.5115 Florida Forever Program Trust Fund of the Department of Community Affairs.—

(1) There is created a Florida Forever Program Trust Fund within the Department of Community Affairs to further the purposes of this part as specified in s. 259.105(3)(c) *and of s. 342.2015 as specified in s. 259.105 (3)(j)*. The trust fund shall receive funds pursuant to s. 259.105(3)(c) *and (j)*.

MOTION

On motion by Senator Saunders, the rules were waived to allow the following amendment to be considered:

Senator Saunders moved the following amendment:

Amendment 5 (563226)—Delete line(s) 1639-2227 and insert:

(1) This section may be cited as the "Florida Forever Act."

(2)(a) The Legislature finds and declares that:

1. *Land acquisition programs have* ~~The Preservation 2000 program~~ provided tremendous financial resources for purchasing environmentally significant lands to protect those lands from imminent development *or alteration*, thereby *ensuring* ~~assuring~~ present and future generations' access to important *waterways,* open spaces*,* and recreation and conservation lands.

2. The continued alteration and development of Florida's natural *and rural* areas to accommodate the state's ~~rapidly~~ growing population have contributed to the degradation of water resources, the fragmentation and destruction of wildlife habitats, the loss of outdoor recreation space, and the diminishment of wetlands, forests, *working landscapes, and coastal open space* ~~and public beaches~~.

3. The potential development of Florida's remaining natural areas and escalation of land values require ~~a continuation of~~ government efforts to restore, bring under public protection, or acquire lands and water areas to preserve the state's *essential ecological functions and* invaluable quality of life.

4. It is essential to protect the state's ecosystems by promoting a more efficient use of land, to ensure opportunities for viable agricultural activities on working lands, and to promote vital rural and urban communities that support and produce development patterns consistent with natural resource protection.

5.~~4.~~ Florida's groundwater, surface waters, and springs are under tremendous pressure due to population growth and economic expansion and require special protection and restoration efforts*, including the protection of uplands and springsheds that provide vital recharge to aquifer systems and are critical to the protection of water quality and water quantity of the aquifers and springs*. To ensure that sufficient quantities of water are available to meet the current and future needs of the natural systems and citizens of the state, and assist in achieving the planning goals of the department and the water management districts, water resource development projects on public lands, where compatible with the resource values of and management objectives for the lands, are appropriate.

6.~~5.~~ The needs of urban*, suburban, and small communities in* Florida for high-quality outdoor recreational opportunities, greenways, trails, and open space have not been fully met by previous acquisition programs. Through such programs as the Florida Communities Trust and the Florida Recreation Development Assistance Program, the state shall place additional emphasis on acquiring, protecting, preserving, and restoring open space, *ecological* greenways, and recreation properties within urban*, suburban, and rural* areas where pristine natural communities or water bodies no longer exist because of the proximity of developed property.

7.~~6.~~ Many of Florida's unique ecosystems, such as the Florida Everglades, are facing ecological collapse due to Florida's burgeoning population *growth and other economic activities*. To preserve these valuable ecosystems for future generations, *essential* parcels of land must be acquired to facilitate ecosystem restoration.

8.~~7.~~ Access to public lands to support a broad range of outdoor recreational opportunities and the development of necessary infrastructure, where compatible with the resource values of and management objectives for such lands, promotes an appreciation for Florida's natural assets and improves the quality of life.

9.~~8.~~ Acquisition of lands, in fee simple*, less-than-fee interest,* or *other techniques shall* ~~in any lesser interest, should~~ be based on a comprehensive *science-based* assessment of Florida's natural resources *which targets essential conservation lands by prioritizing all current and future acquisitions based on a uniform set of data* and planned so as to protect the integrity *and function* of ecological systems *and working landscapes,* and provide multiple benefits, including preservation of fish and wildlife habitat, recreation space for urban *and* ~~as well as~~ rural areas, and *the restoration of natural* water *storage, flow, and* recharge.

10.~~9.~~ The state has embraced performance-based program budgeting as a tool to evaluate the achievements of publicly funded agencies, build in accountability, and reward those agencies which are able to consistently achieve quantifiable goals. While previous and existing state environmental programs have achieved varying degrees of success, few of these programs can be evaluated as to the extent of their achievements, primarily because performance measures, standards, outcomes, and goals were not established at the outset. Therefore, the Florida Forever program shall be developed and implemented in the context of measurable state goals and objectives.

11.~~10.~~ It is the intent of the Legislature to change the focus and direction of the state's major land acquisition programs and to extend funding and bonding capabilities, so that future generations may enjoy the natural resources of Florida.

(b) The Legislature recognizes that acquisition *of lands in fee simple* is only one way to achieve the aforementioned goals and encourages *the use of less-than-fee interests, other techniques, and* the development of creative partnerships between governmental agencies and private landowners. *Easements,* land protection agreements*,* and similar tools should be used, where appropriate, to bring environmentally sensitive tracts under an acceptable level of protection at a lower financial cost to the public, and to provide private landowners with the opportunity to enjoy and benefit from their property.

(c) Public agencies or other entities that receive funds under this section *shall* ~~are encouraged to better~~ coordinate their expenditures so that project acquisitions, when combined with acquisitions under *Florida Forever,* Preservation 2000, Save Our Rivers, the Florida Communities Trust, and other public land acquisition programs, will form more complete patterns of protection for natural areas*, ecological greenways,* and functioning ecosystems, to better accomplish the intent of this section.

(d) A long-term financial commitment to managing Florida's public lands must accompany any new land acquisition program to ensure that the natural resource values of such lands are protected, that the public has the opportunity to enjoy the lands to their fullest potential, and that the state achieves the full benefits of its investment of public dollars. *Innovative strategies such as public-private partnerships and interagency planning and sharing of resources shall be used to achieve the state's management goals.*

(e) With limited dollars available for restoration and acquisition of land and water areas and for providing long-term management and capital improvements, a competitive selection process *shall* ~~can~~ select those projects best able to meet the goals of Florida Forever and maximize the efficient use of the program's funding.

(f) To ensure success and provide accountability to the citizens of this state, it is the intent of the Legislature that any *cash or* bond proceeds used pursuant to this section be used to implement the goals and objectives recommended by *a comprehensive science-based assessment and* ~~the Florida Forever Advisory Council as~~ approved by the Board of Trustees of the Internal Improvement Trust Fund and the Legislature.

(g) As it has with previous land acquisition programs, the Legislature recognizes the desires of the citizens of this state to prosper through economic development and to preserve the natural areas and recreational open space of Florida. The Legislature further recognizes the urgency of restoring the natural functions of public lands or water bodies before they are degraded to a point where recovery may never occur, yet acknowledges the difficulty of ensuring adequate funding for restoration efforts in light of other equally critical financial needs of the state. It is the Legislature's desire and intent to fund the implementation of this section and to do so in a fiscally responsible manner, by issuing bonds to be repaid with documentary stamp tax *or other* revenue *sources*.

(h) The Legislature further recognizes the important role that many of our state and federal military installations contribute to protecting and preserving Florida's natural resources as well as our economic prosperity. Where the state's land conservation plans overlap with the military's need to protect lands, waters, and habitat to ensure the sustainability of military missions, it is the Legislature's intent that agencies receiving funds under this program cooperate with our military partners to protect and buffer military installations and military airspace, by:

1. Protecting habitat on nonmilitary land for any species found on military land that is designated as threatened or endangered, or is a candidate for such designation under the Endangered Species Act or any Florida statute;

2. Protecting areas underlying low-level military air corridors or operating areas; ~~and~~

3. Protecting areas identified as clear zones, accident potential zones, and air installation compatible use buffer zones delineated by our military partners*; and*~~.~~

4. Providing the military with technical assistance to restore, enhance, and manage military land as habitat for imperiled species or species designated as threatened or endangered, or a candidate for such designation, and for the recovery or reestablishment of such species.

(3) Less the costs of issuing and the costs of funding reserve accounts and other costs associated with bonds, the proceeds of *cash payments or* bonds issued pursuant to this section shall be deposited into the Florida Forever Trust Fund created by s. 259.1051. The proceeds shall be distributed by the Department of Environmental Protection in the following manner:

(a) *Thirty* ~~Thirty-five~~ percent to the Department of Environmental Protection for the acquisition of lands and capital project expenditures necessary to implement the water management districts' priority lists developed pursuant to s. 373.199. The funds are to be distributed to the water management districts as provided in subsection (11). A minimum of 50 percent of the total funds provided over the life of the Florida Forever program pursuant to this paragraph shall be used for the acquisition of lands.

(b) Thirty-five percent to the Department of Environmental Protection for the acquisition of lands and capital project expenditures described in this section. Of the proceeds distributed pursuant to this paragraph, it is the intent of the Legislature that an increased priority be given to those acquisitions which achieve a combination of conservation goals, including protecting Florida's water resources and natural groundwater recharge. *At a minimum, 3 percent, and no more than 10 percent, of the funds allocated pursuant to this paragraph shall be spent on* capital project expenditures *identified during the time of acquisition which meet land management planning activities necessary for public access* ~~may not exceed 10 percent of the funds allocated pursuant to this paragraph~~.

(c) Twenty-two percent to the Department of Community Affairs for use by the Florida Communities Trust for the purposes of part III of chapter 380, as described and limited by this subsection, and grants to local governments or nonprofit environmental organizations that are tax-exempt under s. 501(c)(3) of the United States Internal Revenue Code for the acquisition of community-based projects, urban open spaces, parks, and greenways to implement local government comprehensive plans. From funds available to the trust and used for land acquisition, 75 percent shall be matched by local governments on a dollar-for-dollar basis. The Legislature intends that the Florida Communities Trust emphasize funding projects in low-income or otherwise disadvantaged communities. At least 30 percent of the total allocation provided to the trust shall be used in Standard Metropolitan Statistical Areas, but one-half of that amount shall be used in localities in which the project site is located in built-up commercial, industrial, or mixed-use areas and functions to intersperse open spaces within congested urban core areas. From funds allocated to the trust, no less than 5 percent shall be used to acquire lands for recreational trail systems, provided that in the event these funds are not needed for such projects, they will be available for other trust projects. Local governments may use federal grants or loans, private donations, or environmental mitigation funds, including environmental mitigation funds required pursuant to s. 338.250, for any part or all of any local match required for acquisitions funded through the Florida Communities Trust. Any lands purchased by nonprofit organizations using funds allocated under this paragraph must provide for such lands to remain permanently in public use through a reversion of title to local or state government, conservation easement, or other appropriate mechanism. Projects funded with funds allocated to the Trust shall be selected in a competitive process measured against criteria adopted in rule by the Trust.

(d) Two percent to the Department of Environmental Protection for grants pursuant to s. 375.075.

(e) One and five-tenths percent to the Department of Environmental Protection for the purchase of inholdings and additions to state parks and for capital project expenditures as described in this section. *At a minimum, 1 percent, and no more than 10 percent, of the funds allocated pursuant to this paragraph shall be spent on* capital project expenditures *identified during the time of acquisition which meet land management planning activities necessary for public access* ~~may not exceed 10 percent of the funds allocated under this paragraph~~. For the purposes of this paragraph, "state park" means any real property in the state which is under the jurisdiction of the Division of Recreation and Parks of the department, or which may come under its jurisdiction.

(f) One and five-tenths percent to the Division of Forestry of the Department of Agriculture and Consumer Services to fund the acquisition of state forest inholdings and additions pursuant to s. 589.07, the implementation of reforestation plans or sustainable forestry management practices, and for capital project expenditures as described in this section. *At a minimum, 1 percent, and no more than 10 percent, of the funds allocated for the acquisition of inholdings and additions pursuant to this paragraph shall be spent on* capital project expenditures *identified during the time of acquisition which meet land management planning activities necessary for public access* ~~may not exceed 10 percent of the funds allocated under this paragraph~~.

(g) One and five-tenths percent to the Fish and Wildlife Conservation Commission to fund the acquisition of inholdings and additions to lands managed by the commission which are important to the conservation of fish and wildlife and for capital project expenditures as described in this section. *At a minimum, 1 percent, and no more than 10 percent, of the funds allocated pursuant to this paragraph shall be spent on* capital project expenditures *identified during the time of acquisition which meet land management planning activities necessary for public access* ~~may not exceed 10 percent of the funds allocated under this paragraph~~.

(h) One and five-tenths percent to the Department of Environmental Protection for the Florida Greenways and Trails Program, to acquire greenways and trails or greenways and trail systems pursuant to chapter 260, including, but not limited to, abandoned railroad rights-of-way and the Florida National Scenic Trail and for capital project expenditures as described in this section. *At a minimum, 1 percent, and no more than 10 percent, of the funds allocated pursuant to this paragraph shall be spent on* capital project expenditures *identified during the time of acquisition which meet land management planning activities necessary for public access* ~~may not exceed 10 percent of the funds allocated under this paragraph~~.

(i) Three and five-tenths percent to the Department of Agriculture and Consumer Services for the acquisition of agricultural lands, through perpetual conservation easements and other perpetual less-than-fee techniques, which will achieve the objectives of Florida Forever and s. 570.71. Rules concerning the application, acquisition, and priority ranking process for such easements shall be developed pursuant to s. 570.71(10) and as provided by this paragraph. The board shall ensure that such rules are consistent with the acquisition process provided for in s. 259.041. Provisions of the rules developed pursuant to s. 570.71(10), shall also provide for the following:

1. An annual priority list shall be developed pursuant to s. 570.71(10), submitted to the Acquisition and Restoration Council for review, and approved by the board pursuant to s. 259.04.

2. Terms of easements and acquisitions proposed pursuant to this paragraph shall be approved by the board and shall not be delegated by the board to any other entity receiving funds under this section.

3. All acquisitions pursuant to this paragraph shall contain a clear statement that they are subject to legislative appropriation.

No funds provided under this paragraph shall be expended until final adoption of rules by the board pursuant to s. 570.71.

(j) One and five-tenths percent to the Department of Community Affairs for the acquisition of lands and capital project expenditures necessary to implement the Waterfronts Florida Program pursuant to s. 342.2015.

(k)~~(i)~~ It is the intent of the Legislature that *cash payments or* proceeds of Florida Forever bonds distributed under this section shall be expended in an efficient and fiscally responsible manner. An agency that receives proceeds from Florida Forever bonds under this section may not maintain a balance of unencumbered funds in its Florida Forever subaccount beyond 3 fiscal years from the date of deposit of funds from each bond issue. Any funds that have not been expended or encumbered after 3 fiscal years from the date of deposit shall be distributed by the Legislature at its next regular session for use in the Florida Forever program.

(l)~~(j)~~ For the purposes of paragraphs ~~(d),~~ (e), (f), ~~and~~ (g), *and (h),* the agencies *that* ~~which~~ receive the funds shall develop their individual acquisition or restoration lists *in accordance with specific criteria and numeric performance measures developed pursuant s. 259.035(4)*. Proposed additions may be acquired if they are identified within the original project boundary, the management plan required pursuant to s. 253.034(5), or the management prospectus required pursuant to s. 259.032(9)(d). Proposed additions not meeting the requirements of this paragraph shall be submitted to the Acquisition and Restoration Council for approval. The council may only approve the proposed addition if it meets two or more of the following criteria: serves as a link or corridor to other publicly owned property; enhances the protection or management of the property; would add a desirable resource to the property; would create a more manageable boundary configuration; has a high resource value that otherwise would be unprotected; or can be acquired at less than fair market value.

(4) It is the intent of the Legislature that projects or acquisitions funded pursuant to paragraphs (3)(a) and (b) contribute to the achievement of the following goals*, which shall be evaluated in accordance with specific criteria and numeric performance measures developed pursuant s. 259.035(4)*:

(a) Enhance the coordination and completion of land acquisition projects, as measured by:

1. The number of acres acquired through the state's land acquisition programs that contribute to the *enhancement of essential natural resources, ecosystem service parcels, and connecting linkage corridors as identified and developed by the best available scientific analysis* ~~completion of Florida Preservation 2000 projects or projects begun before Preservation 2000~~;

2. The number of acres protected through the use of alternatives to fee simple acquisition; or

3. The number of shared acquisition projects among Florida Forever funding partners and partners with other funding sources, including local governments and the Federal Government.

(b) Increase the protection of Florida's biodiversity at the species, natural community, and landscape levels, as measured by:

1. The number of acres acquired of significant strategic habitat conservation areas;

2. The number of acres acquired of highest priority conservation areas for Florida's rarest species;

3. The number of acres acquired of significant landscapes, landscape linkages, and conservation corridors, giving priority to completing linkages;

4. The number of acres acquired of underrepresented native ecosystems;

5. The number of landscape-sized protection areas of at least 50,000 acres that exhibit a mosaic of predominantly intact or restorable natural communities established through new acquisition projects or augmentations to previous projects; or

6. The percentage increase in the number of occurrences of endangered species, threatened species, or species of special concern on publicly managed conservation areas.

(c) Protect, restore, and maintain the quality and natural functions of land, water, and wetland systems of the state, as measured by:

1. The number of acres of publicly owned land identified as needing restoration, acres undergoing restoration, and acres with restoration activities completed;

2. The percentage of water segments that fully meet, partially meet, or do not meet their designated uses as reported in the Department of Environmental Protection's State Water Quality Assessment 305(b) Report;

3. The percentage completion of targeted capital improvements in surface water improvement and management plans created under s. 373.453(2), regional or master stormwater management system plans, or other adopted restoration plans;

4. The number of acres acquired that protect natural floodplain functions;

5. The number of acres acquired that protect surface waters of the state;

6. The number of acres identified for acquisition to minimize damage from flooding and the percentage of those acres acquired;

7. The number of acres acquired that protect fragile coastal resources;

8. The number of acres of functional wetland systems protected;

9. The percentage of miles of critically eroding beaches contiguous with public lands that are restored or protected from further erosion;

10. The percentage of public lakes and rivers in which invasive, nonnative aquatic plants are under maintenance control; or

11. The number of acres of public conservation lands in which upland invasive, exotic plants are under maintenance control.

(d) Ensure that sufficient quantities of water are available to meet the current and future needs of natural systems and the citizens of the state, as measured by:

1. The number of acres acquired which provide retention and storage of surface water in naturally occurring storage areas, such as lakes and wetlands, consistent with the maintenance of water resources or water supplies and consistent with district water supply plans;

2. The quantity of water made available through the water resource development component of a district water supply plan for which a water management district is responsible; or

3. The number of acres acquired of groundwater recharge areas critical to springs, sinks, aquifers, other natural systems, or water supply.

(e) Increase natural resource-based public recreational and educational opportunities, as measured by:

1. The number of acres acquired that are available for natural resource-based public recreation or education;

2. The miles of trails that are available for public recreation, giving priority to those that provide significant connections including those that will assist in completing the Florida National Scenic Trail; or

3. The number of new resource-based recreation facilities, by type, made available on public land.

(f) Preserve significant archaeological or historic sites, as measured by:

1. The increase in the number of and percentage of historic and archaeological properties listed in the Florida Master Site File or National Register of Historic Places which are protected or preserved for public use; or

2. The increase in the number and percentage of historic and archaeological properties that are in state ownership.

(g) Increase the amount of forestland available for sustainable management of natural resources, as measured by:

1. The number of acres acquired that are available for sustainable forest management;

2. The number of acres of state-owned forestland managed for economic return in accordance with current best management practices;

3. The number of acres of forestland acquired that will serve to maintain natural groundwater recharge functions; or

4. The percentage and number of acres identified for restoration actually restored by reforestation.

(h) Increase the amount of open space available in urban areas, as measured by:

1. The percentage of local governments that participate in land acquisition programs and acquire open space in urban cores; or

2. The percentage and number of acres of purchases of open space within urban service areas.

Florida Forever projects and acquisitions funded pursuant to paragraph (3)(c) shall be measured by goals developed by rule by the Florida Communities Trust Governing Board created in s. 380.504.

(5)(a) All lands acquired pursuant to this section shall be managed for multiple-use purposes, where compatible with the resource values of and management objectives for such lands. As used in this section, "multiple-use" includes, but is not limited to, outdoor recreational activities as described in ss. 253.034 and 259.032(9)(b), water resource development projects, ~~and~~ sustainable forestry management*, carbon sequestration, carbon mitigation, or carbon offsets*.

(b) Upon a decision by the entity in which title to lands acquired pursuant to this section has vested, such lands may be designated single use as defined in s. 253.034(2)(b).

(c) For purposes of this section, the Board of Trustees of the Internal Improvement Trust Fund shall adopt rules that pertain to the use of state lands for carbon sequestration, carbon mitigation, or carbon offsets and that provide for climate-change-related benefits.

(6) As provided in this section, a water resource or water supply development project may be allowed only if the following conditions are met: minimum flows and levels have been established for those waters, if any, which may reasonably be expected to experience significant harm to water resources as a result of the project; the project complies with all applicable permitting requirements; and the project is consistent with the regional water supply plan, if any, of the water management district and with relevant recovery or prevention strategies if required pursuant to s. 373.0421(2).

(7)(a) Beginning no later than July 1, 2001, and every year thereafter, the Acquisition and Restoration Council shall accept applications from state agencies, local governments, nonprofit and for-profit organizations, private land trusts, and individuals for project proposals eligible for funding pursuant to paragraph (3)(b). The council shall evaluate the proposals received pursuant to this subsection to ensure that they meet at least one of the criteria under subsection (9).

(b) Project applications shall contain, at a minimum, the following:

1. A minimum of two numeric performance measures that directly relate to the overall goals adopted by the council. Each performance measure shall include a baseline measurement, which is the current situation; a performance standard which the project sponsor anticipates the project will achieve; and the performance measurement itself, which should reflect the incremental improvements the project accomplishes towards achieving the performance standard.

2. Proof that property owners within any proposed acquisition have been notified of their inclusion in the proposed project. Any property owner may request the removal of such property from further consideration by submitting a request to the project sponsor or the Acquisition and Restoration Council by certified mail. Upon receiving this request, the council shall delete the property from the proposed project; however, the board of trustees, at the time it votes to approve the proposed project lists pursuant to subsection (16), may add the property back on to the project lists if it determines by a super majority of its members that such property is critical to achieve the purposes of the project.

(c) The title to lands acquired under this section shall vest in the Board of Trustees of the Internal Improvement Trust Fund, except that title to lands acquired by a water management district shall vest in the name of that district and lands acquired by a local government shall vest in the name of the purchasing local government.

(8) The Acquisition and Restoration Council shall develop a project list that shall represent those projects submitted pursuant to subsection (7).

(9) The Acquisition and Restoration Council shall recommend rules for adoption by the board of trustees to competitively evaluate, select, and rank projects eligible for Florida Forever funds pursuant to paragraph (3)(b) and for additions to the Conservation and Recreation Lands list pursuant to ss. 259.032 and 259.101(4). In developing these proposed rules, the Acquisition and Restoration Council shall give weight to the following criteria:

(a) The project meets multiple goals described in subsection (4).

(b) The project is part of an ongoing governmental effort to restore, protect, or develop land areas or water resources.

(c) The project enhances or facilitates management of properties already under public ownership.

(d) The project has significant archaeological or historic value.

(e) The project has funding sources that are identified and assured through at least the first 2 years of the project.

(f) The project contributes to the solution of water resource problems on a regional basis.

(g) The project has a significant portion of its land area in imminent danger of development, in imminent danger of losing its significant natural attributes or recreational open space, or in imminent danger of subdivision which would result in multiple ownership and make acquisition of the project costly or less likely to be accomplished.

(h) The project implements an element from a plan developed by an ecosystem management team.

(i) The project is one of the components of the Everglades restoration effort.

(j) The project may be purchased at 80 percent of appraised value.

(k) The project may be acquired, in whole or in part, using alternatives to fee simple, including but not limited to, *tax incentives, mitigation funds, or other revenues, the* purchase of development rights, hunting rights, agricultural or silvicultural rights, or mineral rights or obtaining conservation easements or flowage easements.

(l) The project is a joint acquisition, either among public agencies, nonprofit organizations, or private entities, or by a public-private partnership.

MOTION

On motion by Senator Bennett, the rules were waived to allow the following amendments to be considered:

Senator Bennett moved the following amendments to **Amendment 5** which were adopted:

Amendment 5A (822796)—Delete lines 90-147 and insert:

11. The state must play a major role in the recovery and management of its imperiled species through the acquisition, restoration, enhancement, and management of ecosystems that can support the major life functions of such species. It is the intent of the Legislature to support local, state, and federal programs that result in net benefit to imperiled species habitat by providing public and private land owners meaningful incentives for acquiring, restoring, managing, and repopulating habitats for imperiled species. It is the further intent of the Legislature that public lands, both existing and to be acquired, identified by the lead land managing agency, in consultation with the Florida Fish and Wildlife Conservation Commission for animals or the Department of Agriculture and Consumer Services for plants, as habitat or potentially restorable habitat for imperiled species, be restored, enhanced, managed, and repopulated as habitat for such species to advance the goals and objectives of imperiled species management consistent with the purposes for which such lands are acquired without restricting other uses identified in the management plan. It is also the intent of the Legislature that of the proceeds distributed pursuant to subsection (3), additional consideration be given to acquisitions that achieve a combination of conservation goals, including the restoration, enhancement, management, or repopulation of habitat for imperiled species. The Acquisition and Restoration Council, in addition to the criteria in subsection (9), shall give weight to projects that include acquisition, restoration, management, or repopulation of habitat for imperiled species. The term "imperiled species" as used in this chapter and chapter 253, means plants and animals that are federally listed under the Endangered Species Act, or state-listed by the Fish and Wildlife Conservation Commission or the Department of Agriculture and Consumer Services.

a. As part of the state's role, all state lands that have imperiled species habitat shall include as a consideration in management plan development the restoration, enhancement, management, and repopulation of such habitats. In addition, the lead land managing agency of such state lands may use fees received from public or private entities for projects to offset adverse impacts to imperiled species or their habitat in order to restore, enhance, manage, repopulate, or acquire land and to implement land management plans developed under s. 253.034 or land management prospectus developed and implemented under this chapter. Such fees shall be deposited into a foundation or fund created by each land management agency under s. 372.0215, s. 589.012, or 259.032(11)(d), to be used solely to restore, manage, enhance, repopulate, or acquire imperiled species habitat.

b. Where habitat or potentially restorable habitat for imperiled species is located on state lands, the Fish and Wildlife Conservation Commission and the Department of Agriculture and Consumer Services shall be included on any advisory group required under chapter 253, and the short-term and long-term management goals required under chapter 253 must advance the goals and objectives of imperiled species management consistent with the purposes for which the land was acquired without restricting other uses identified in the management plan.

12.~~10.~~ *There is a need* ~~It is the intent of the Legislature~~ to change the focus and direction of the state's major land acquisition programs and to extend funding and bonding capabilities, so that future generations may enjoy the natural resources of *this state*.

(b) The Legislature recognizes that acquisition *of lands in fee simple* is only one way to achieve the aforementioned goals and encourages *the use of less-than-fee interests, other techniques, and* the development of creative partnerships between governmental agencies and private landowners. *Such partnerships may include those that advance the restoration, enhancement, management, or repopulation of imperiled species habitat on state lands as provided for in subparagraph (a)11. Easements acquired pursuant to s. 570.71(2)(a) and (b),* land protection agreements*, rural land stewardship areas, sector planning, mitigation,* and similar tools should be used, where appropriate, to bring environmentally sensitive tracts under an acceptable level of protection at a lower financial cost to the public, and to provide private landowners with the opportunity to enjoy and benefit from their property.

(c) Public agencies or other entities that receive funds under this section *shall* ~~are encouraged to better~~ coordinate their expenditures so that project acquisitions, when combined with acquisitions under *Florida Forever,* Preservation 2000, Save Our Rivers, the Florida Communities Trust, ~~and~~ other public land acquisition programs, *and the techniques, partnerships, and tools referenced in subparagraph (a)11. and paragraph (b), are used to* ~~will~~ form more complete patterns of protection for natural areas*, ecological greenways,* and functioning ecosystems, to better accomplish the intent of this section.

(d) A long-term financial commitment to *restoring, enhancing, and* managing Florida's public lands *in order to implement land management plans developed under s. 253.034 or a land management prospectus developed and implemented under this chapter* must accompany any ~~new~~ land acquisition program to ensure that the natural resource values of such lands are *restored, enhanced, managed, and* protected, that the public *enjoys* ~~has the opportunity to enjoy~~ the lands to their fullest potential, and that the state achieves the full benefits of its investment of public dollars. *Innovative strategies such as public-private partnerships and interagency planning and sharing of resources shall be used to achieve the state's management goals.*

(e) With limited dollars available for restoration*, enhancement, management,* and acquisition of land and water areas and for providing long-term management and capital improvements, a competitive selection

process *shall* ~~can~~ select those projects best able to meet the goals of Florida Forever and maximize the efficient use of the program's funding.

(f) To ensure success and provide accountability to the citizens of this state, it is the intent of the Legislature that any *cash or* bond proceeds used pursuant to this section be used to implement the goals and objectives recommended by *a comprehensive science-based assessment and* ~~the Florida Forever Advisory Council as~~ approved by the Board of Trustees of the Internal Improvement Trust Fund and the Legislature.

(g) As it has with previous land acquisition programs, the Legislature recognizes the desires of the *residents* ~~citizens~~ of this state to prosper through economic development and to preserve*, restore, and manage* the *state's* natural areas and recreational open space ~~of Florida~~. The Legislature further recognizes the urgency of restoring the natural functions, *including wildlife and imperiled species habitat functions,* of public lands or water bodies before they are degraded to a point where recovery may never occur, yet acknowledges the difficulty of ensuring adequate funding for restoration*, enhancement and management* efforts in light of other equally critical financial needs of the state. It is the Legislature's desire and intent to fund the implementation of this section and to do so in a fiscally responsible manner, by issuing bonds to be repaid with documentary stamp tax *or other* revenue *sources, including those identified in subparagraph (a)11*.

Amendment 5B (649860)—Delete lines 378-386 and insert:

6. The percentage increase in the number of occurrences of *imperiled species* ~~endangered species, threatened species, or species of special concern~~ on publicly managed conservation areas.

(c) Protect, restore, and maintain the quality and natural functions of land, water, and wetland systems of the state, as measured by:

1. The number of acres of publicly owned land identified as needing restoration, *enhancement, and management,* acres undergoing restoration *or enhancement*, ~~and~~ acres with restoration activities completed*, and acres managed to maintain such restored or enhanced conditions; the number of acres which represent actual or potential imperiled species habitat; the number of acres which are available pursuant to a management plan to restore, enhance, repopulate, and manage imperiled species habitat; and the number of acres of imperiled species habitat managed, restored, enhanced, repopulated, or acquired*;

MOTION

On motion by Senator Saunders, the rules were waived to allow the following amendment to be considered:

Senator Saunders moved the following amendment to **Amendment 5** which was adopted:

Amendment 5C (267220)—Delete line(s) 212 and insert: income or otherwise disadvantaged communities *and projects that provide areas for direct water access and water-dependent facilities that are open to the public and offer public access by vessels to waters of the state, including boat ramps and associated parking and other support facilities*. At least 30

Amendment 5 as amended was adopted.

MOTION

On motion by Senator Saunders, the rules were waived to allow the following amendment to be considered:

Senator Saunders moved the following amendment which was adopted:

Amendment 6 (539540) (with title amendment)—Between line(s) 2472 and 2473 insert:

Section 14. Paragraph (a) of subsection (4) of section 342.201, Florida Statutes, is amended to read:

342.201 Waterfronts Florida Program.—

(4) The program is responsible for:

(a) Implementing the Waterfronts Florida Partnership Program. The department, in coordination with the Department of Environmental Protection, shall develop*, by rule,* procedures and requirements governing program eligibility, application procedures, and application review. The department may provide financial assistance to eligible local governments to develop local plans to further the purpose of the program. In recognition of limited funding, the department may limit the number of local governments assisted by the program based on the amount of funding appropriated to the department for the purpose of the program.

Section 15. Section 342.2015, Florida Statutes, is created to read:

342.2015 Waterfronts Florida Program; Florida Forever.—

(1) A local government may submit no more than one grant application to the Florida Communities Trust in the Department of Community Affairs during each application period announced by the department for recreational and commercial working waterfronts as defined in s. 342.201(2)(b). The project grant to waterfront communities shall be for the acquisition of lands and capital project expenditures necessary to implement the projects identified in the community-designed vision plan and which meet the criteria of by s. 342.201. All acquisitions pursuant to this section shall be titled in the name of the local government. The trust shall annually compile and submit a list of eligible projects to the Board of Trustees of the Internal Improvement Trust Fund for approval.

(3) The Board of Trustees shall review applications and approve grant funds to eligible projects identified pursuant to s. 342.201. For projects that will require more than the grant amount awarded for completion, the applicant must identify funding sources that will provide the difference between the grant award and the estimated project completion cost.

(4) Waterfront communities that receive grant awards must submit semiannual progress reports to the department identifying how funds are expended, project activities which are completed, and the progress achieved in meeting the goals of the community-designed vision plan. The department must implement a process to monitor and evaluate the performance of grant recipients in completing projects that are funded through the Waterfronts Florida Program.

(5) Grant proceeds shall be used solely for the purposes authorized pursuant to s. 215.618.

(6) There shall be no sale, disposition, lease, easement, license, or other use of any land, water areas, or related property interests acquired or improved with grant proceeds which would cause all or any portion of the interest paid on Florida Forever bonds to lose the exclusion from gross income for federal income tax purposes.

(7) All deeds or leases with respect to any real property acquired with funds received by the department from the Florida Forever Trust Fund shall contain such covenants and restrictions as are sufficient to ensure that the use of such real property at all times complies with s. 11(e), Art. VII of the State Constitution. Each deed or lease shall contain a reversion, conveyance, or termination clause that will vest title in the Board of Trustees of the Internal Improvement Trust Fund if any of the covenants or restrictions are violated by the titleholder or leaseholder or by some third party with the knowledge of the titleholder or leaseholder.

Section 16. Section 342.20155, Florida Statutes, is created to read:

342.20155 Rulemaking.—The Department of Community Affairs is authorized to adopt rules pursuant to the provisions of ss. 120.536(1) and 120.54 to implement the provisions of the ss. 342.201 and 342.2015.

(Redesignate subsequent sections.)

And the title is amended as follows:

Delete line(s) 89 and insert: increasing bonding authority; amending s. 342.201, F.S.; providing that the Department of Community Affairs adopt criteria by rule; creating s. 342.2015, F.S.; establishing a funding mechanism for the Waterfronts Florida Program through Florida Forever; providing eligible projects meet certain conditions; amending s. 373.089,

MOTION

On motion by Senator Saunders, the rules were waived to allow the following amendment to be considered:

Senator Saunders moved the following amendment:

Amendment 7 (531570)—Delete line(s) 323-705 and insert:

(2) As used in this section, the following phrases have the following meanings:

(d) "Public access," as used in this chapter and chapter 259, means access by the general public to state lands and water, including vessel access made possible by boat ramps, docks, and associated support facilities, where compatible with conservation and recreation objectives.

Lands acquired by the state as a gift, through donation, or by any other conveyance for which no consideration was paid, and which are not managed for conservation, outdoor resource-based recreation, or archaeological or historic preservation under a land management plan approved by the board of trustees are not conservation lands.

(5) Each manager of conservation lands shall submit to the Division of State Lands a land management plan at least every 10 years in a form and manner prescribed by rule by the board and in accordance with the provisions of s. 259.032. Each manager of conservation lands shall also update a land management plan whenever the manager proposes to add new facilities or make substantive land use or management changes that were not addressed in the approved plan, or within 1 year of the addition of significant new lands. Each manager of nonconservation lands shall submit to the Division of State Lands a land use plan at least every 10 years in a form and manner prescribed by rule by the board. The division shall review each plan for compliance with the requirements of this subsection and the requirements of the rules established by the board pursuant to this section. All land use plans, whether for single-use or multiple-use properties, shall include an analysis of the property to determine if any significant natural or cultural resources are located on the property. Such resources include archaeological and historic sites, state and federally listed plant and animal species, and imperiled natural communities and unique natural features. If such resources occur on the property, the manager shall consult with the Division of State Lands and other appropriate agencies to develop management strategies to protect such resources. Land use plans shall also provide for the control of invasive nonnative plants and conservation of soil and water resources, including a description of how the manager plans to control and prevent soil erosion and soil or water contamination. Land use plans submitted by a manager shall include reference to appropriate statutory authority for such use or uses and shall conform to the appropriate policies and guidelines of the state land management plan. Plans for managed areas larger than 1,000 acres shall contain an analysis of the multiple-use potential of the property, which analysis shall include the potential of the property to generate revenues to enhance the management of the property. Additionally, the plan shall contain an analysis of the potential use of private land managers to facilitate the restoration or management of these lands. In those cases where a newly acquired property has a valid conservation plan that was developed by a soil and conservation district, such plan shall be used to guide management of the property until a formal land use plan is completed.

(a) State lands shall be managed to ensure the conservation of the state's plant and animal species and to ensure the accessibility of state lands for the benefit and enjoyment of all people of the state, both present and future. Each land management plan shall provide a desired outcome, describe both short-term and long-term management goals, and include measurable objectives to achieve those goals. Short-term goals shall be achievable within a 2-year planning period and long-term goals shall be achievable within a 10-year planning period. These short-term and long-term management goals shall be the basis for all subsequent land management activities.

(b) Short-term and long-term management goals shall include measurable objectives for the following, as appropriate:

1. Habitat restoration and improvement.

2. Public access and recreational opportunities.

3. Hydrological preservation and restoration.

4. Sustainable forest management.

5. Exotic and invasive species maintenance and control.

6. Capital facilities and infrastructure.

7. Cultural and historical resources.

(c) The land management plan shall at a minimum contain the following elements:

1. A physical description of the land.

2. A quantitative data description of the land which includes an inventory of forest and other natural resources; exotic and invasive plants; hydrological features; infrastructure, including recreational facilities; and other significant land, cultural, or historical features. The inventory shall reflect the number of acres for each resource and feature, when appropriate. The inventory shall be of such detail that objective measures and benchmarks can be established for each tract of land and monitored during the lifetime of the plan. All quantitative data collected shall be aggregated, standardized, collected, and presented in an electronic format to allow for uniform management reporting and analysis. The information collected by the Department of Environmental Protection pursuant to s. 253.0325(2) shall be available to the land manager and his or her assignee.

3. A detailed description of each short-term and long-term land management goal, the associated measurable objectives, and the related activities that are to be performed to meet the land management objectives. Each land management objective must be addressed by the land management plan and where practicable no land management objective shall be performed to the detriment of the other land management objectives.

4. A schedule of land management activities which contains short-term and long-term land management goals and the related measurable objective and activities. The schedule shall include for each activity a timeline for completion, quantitative measures, and detailed expense and manpower budgets. The schedule shall provide a management tool that facilitates development of performance measures.

5. A summary budget for the scheduled land management activities of the land management plan. The summary budget shall be prepared in such a manner that it facilitates computing an aggregate of land management costs for all state-managed lands using the categories described in s. 259.037(3).

(d) Upon completion, the land management plan will be transmitted to the Acquisition and Restoration Council for review. The Acquisition and Restoration Council shall have 90 days to review the plan and submit its recommendations to the Board of Trustees. During the review period, the land management plan may be revised if agreed to by the primary land manager and the Acquisition and Restoration Council taking into consideration public input. If the Acquisition and Restoration Council fails to make a recommendation for a land management plan, the Secretary of the Department of Environmental Protection, Commissioner of Agriculture, or Executive Director of the Fish and Wildlife Conservation Commission or their designees shall submit the land management plan to the Board of Trustees. The land management plan becomes effective upon approval by the Board of Trustees.

(e) Beginning July 1, 2010, and biennially thereafter, state lands with an approved land management plan shall be monitored for land management activities by a monitoring team. The Division of State Lands shall coordinate the activities of the review team which shall consist of three members. One member shall be selected by the Secretary of the Department of Environmental Protection, or their designee, and shall have experience with public recreation or use administration. One member shall be selected by the Commissioner of Agriculture, or their designee, and shall have experience with applied land management. One member shall be selected by the Executive Director of the Fish and Wildlife Conservation Commission, or their designee, and shall have experience with applied habitat management. The monitoring team shall prepare a monitoring report that assesses the progress towards achieving short-term and long-term land management goals and shall propose corrective actions for identified deficiencies in management activities. The monitoring report shall be submitted to the Acquisition and Restoration Council and the managing agency. The Acquisition and Restoration Council shall review the monitoring report and determine

whether the deficiencies warrant a corrective action plan or revisions to the management plan. Significant and recurring deficiencies shall be brought to the Board of Trustees, which shall determine whether the corrective actions being proposed by the land manager and the Acquisition and Restoration Council sufficiently address the deficiencies. Corrective actions plans shall be prepared and submitted in the same manner as land management plans.

(f) Land management plans are to be updated every 10 years on a rotating basis.

(g) In developing land management plans, at least one public hearing shall be held in each affected county.

(h)~~(a)~~ The Division of State Lands shall make available to the public a*n electronic* copy of each land management plan for parcels that exceed 160 acres in size. The *Division of State Lands* ~~council~~ shall review each plan for compliance with the requirements of this subsection, the requirements of chapter 259, and the requirements of the rules established by the board pursuant to this section. The council shall also consider the propriety of the recommendations of the managing entity with regard to the future use of the property, the protection of fragile or nonrenewable resources, the potential for alternative or multiple uses not recognized by the managing entity, and the possibility of disposal of the property by the board. After its review, the council shall submit the plan, along with its recommendations and comments, to the board. The council shall specifically recommend to the board whether to approve the plan as submitted, approve the plan with modifications, or reject the plan. *If the Acquisition and Restoration Council fails to make a recommendation for a land management plan, the Secretary of the Department of Environmental Protection, Commissioner of Agriculture, or Executive Director of the Fish and Wildlife Conservation Commission or their designees shall submit the land management plan to the Board of Trustees.*

(i)~~(b)~~ The Board of Trustees of the Internal Improvement Trust Fund shall consider the land management plan submitted by each entity and the recommendations of the council and the Division of State Lands and shall approve the plan with or without modification or reject such plan. The use or possession of any such lands that is not in accordance with an approved land management plan is subject to termination by the board.

(6) The Board of Trustees of the Internal Improvement Trust Fund shall determine which lands, the title to which is vested in the board, may be surplused. For conservation lands, the board shall make a determination that the lands are no longer needed for conservation purposes and may dispose of them by an affirmative vote of at least three members. In the case of a land exchange involving the disposition of conservation lands, the board must determine by an affirmative vote of at least three members that the exchange will result in a net positive conservation benefit. For all other lands, the board shall make a determination that the lands are no longer needed and may dispose of them by an affirmative vote of at least three members.

(a) For the purposes of this subsection, all lands acquired by the state prior to July 1, 1999, using proceeds from the Preservation 2000 bonds, the Conservation and Recreation Lands Trust Fund, the Water Management Lands Trust Fund, Environmentally Endangered Lands Program, and the Save Our Coast Program and titled to the board, which lands are identified as core parcels or within original project boundaries, shall be deemed to have been acquired for conservation purposes.

(b) For any lands purchased by the state on or after July 1, 1999, a determination shall be made by the board prior to acquisition as to those parcels that shall be designated as having been acquired for conservation purposes. No lands acquired for use by the Department of Corrections, the Department of Management Services for use as state offices, the Department of Transportation, except those specifically managed for conservation or recreation purposes, or the State University System or the Florida Community College System shall be designated as having been purchased for conservation purposes.

(c) At least every 10 years, as a component of each land management plan or land use plan and in a form and manner prescribed by rule by the board, each manager shall evaluate and indicate to the board those lands that are not being used for the purpose for which they were originally leased. For conservation lands, the council shall review and shall recommend to the board whether such lands should be retained in public ownership or disposed of by the board. For nonconservation lands, the division shall review such lands and shall recommend to the board whether such lands should be retained in public ownership or disposed of by the board.

(d) Lands owned by the board which are not actively managed by any state agency or for which a land management plan has not been completed pursuant to subsection (5) shall be reviewed by the council or its successor for its recommendation as to whether such lands should be disposed of by the board.

(e) Prior to any decision by the board to surplus lands, the Acquisition and Restoration Council shall review and make recommendations to the board concerning the request for surplusing. The council shall determine whether the request for surplusing is compatible with the resource values of and management objectives for such lands.

(f)1. In reviewing lands owned by the board, the council shall consider whether such lands would be more appropriately owned or managed by the county or other unit of local government in which the land is located. The council shall recommend to the board whether a sale, lease, or other conveyance to a local government would be in the best interests of the state and local government. The provisions of this paragraph in no way limit the provisions of ss. 253.111 and 253.115. Such lands shall be offered to the state, county, or local government for a period of *45* ~~30~~ days. Permittable uses for such surplus lands may include public schools; public libraries; fire or law enforcement substations; governmental, judicial, or recreational centers; and affordable housing meeting the criteria of s. 420.0004(3). County or local government requests for surplus lands shall be expedited throughout the surplusing process. If the county or local government does not elect to purchase such lands in accordance with s. 253.111, then any surplusing determination involving other governmental agencies shall be made upon the board deciding the best public use of the lands. Surplus properties in which governmental agencies have expressed no interest shall then be available for sale on the private market.

2. Notwithstanding subparagraph 1., any parcel of surplus lands less than 3 acres in size which was acquired by the state before 1955 by gift or other conveyance or for $1 consideration from a fair association incorporated under chapter 616 for the purpose of conducting and operating public fairs or expositions, and concerning which the department has filed by July 1, 2008, a notice of intent to dispose of as surplus lands, shall be offered for reconveyance to such fair association for no consideration; however, the agency that last held the lease from the board for management of such lands may remove from the lands any improvements, fixtures, goods, wares, and merchandise within 180 days after the effective date of the reconveyance. This subparagraph expires July 1, 2008.

(g) The sale price of lands determined to be surplus pursuant to this subsection *and s. 253.82* shall be determined by the division and shall take into consideration an appraisal of the property, or, when the estimated value of the land is less than $100,000, a comparable sales analysis or a broker's opinion of value*. If the appraisal referenced in this paragraph yields a value equal to or greater than $1 million, the division, in its sole discretion, may require a second appraisal. The individual or entity requesting to purchase the surplus parcel shall pay all appraisal costs*~~, and the price paid by the state to originally acquire the lands~~.

1.a. A written valuation of land determined to be surplus pursuant to this subsection *and s. 253.82*, and related documents used to form the valuation or which pertain to the valuation, are confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution until 2 weeks before the contract or agreement regarding the purchase, exchange, or disposal of the surplus land is first considered for approval by the board. Notwithstanding the exemption provided under this subparagraph, the division may disclose appraisals, valuations, or valuation information regarding surplus land during negotiations for the sale or exchange of the land, during the marketing effort or bidding process associated with the sale, disposal, or exchange of the land to facilitate closure of such effort or process, when the passage of time has made the conclusions of value invalid, or when negotiations or marketing efforts concerning the land are concluded.

b. This subparagraph is subject to the Open Government Sunset Review Act of 1995 in accordance with s. 119.15, and shall stand repealed on October 2, 2009, unless reviewed and saved from repeal through reenactment by the Legislature.

2. A unit of government that acquires title to lands hereunder for less than appraised value may not sell or transfer title to all or any portion of the lands to any private owner for a period of 10 years. Any unit of government seeking to transfer or sell lands pursuant to this paragraph shall first allow the board of trustees to reacquire such lands for the price at which the board sold such lands.

~~(h) Where a unit of government acquired land by gift, donation, grant, quitclaim deed, or other such conveyance where no monetary consideration was exchanged, the price of land sold as surplus may be based on one appraisal. In the event that a single appraisal yields a value equal to or greater than $1 million, a second appraisal is required. The individual or entity requesting the surplus shall select and use appraisers from the list of approved appraisers maintained by the Division of State Lands in accordance with s. 253.025(6)(b). The individual or entity requesting the surplus is to incur all costs of the appraisals.~~

(h)~~(i)~~ After reviewing the recommendations of the council, the board shall determine whether lands identified for surplus are to be held for other public purposes or whether such lands are no longer needed. The board may require an agency to release its interest in such lands. For an agency that has requested the use of a property that was to be declared as surplus, said agency must have the property under lease within 6 months of the date of expiration of the notice provisions required under this subsection and s. 253.111.

(i)~~(j)~~ Requests for surplusing may be made by any public or private entity or person. All requests shall be submitted to the lead managing agency for review and recommendation to the council or its successor. Lead managing agencies shall have 90 days to review such requests and make recommendations. Any surplusing requests that have not been acted upon within the 90-day time period shall be immediately scheduled for hearing at the next regularly scheduled meeting of the council or its successor. Requests for surplusing pursuant to this paragraph shall not be required to be offered to local or state governments as provided in paragraph (f).

(j)~~(k)~~ Proceeds from any sale of surplus lands pursuant to this subsection shall be deposited into the fund from which such lands were acquired. However, if the fund from which the lands were originally acquired no longer exists, such proceeds shall be deposited into an appropriate account to be used for land management by the lead managing agency assigned the lands prior to the lands being declared surplus. Funds received from the sale of surplus nonconservation lands, or lands that were acquired by gift, by donation, or for no consideration, shall be deposited into the Internal Improvement Trust Fund.

(k)~~(l)~~ Notwithstanding the provisions of this subsection, no such disposition of land shall be made if such disposition would have the effect of causing all or any portion of the interest on any revenue bonds issued to lose the exclusion from gross income for federal income tax purposes.

(l)~~(m)~~ The sale of filled, formerly submerged land that does not exceed 5 acres in area is not subject to review by the council or its successor.

(m)~~(n)~~ The board may adopt rules to implement the provisions of this section, which may include procedures for administering surplus land requests and criteria for when the division may approve requests to surplus nonconservation lands on behalf of the board.

(8)(a) Notwithstanding other provisions of this section, the Division of State Lands is directed to prepare a state inventory of all federal lands and all lands titled in the name of the state, a state agency, a water management district, or a local government on a county-by-county basis. To facilitate the development of the state inventory, each county shall direct the appropriate county office with authority over the information to provide the division with a county inventory of all lands identified as federal lands and lands titled in the name of the state, a state agency, a water management district, or a local government. *The Legislature recognizes the value of the state's conservation lands as water recharge areas and air filters and, in an effort to better understand the scientific underpinnings of carbon sequestration, carbon capture, and greenhouse gas mitigation, to inform policymakers and decisionmakers, and to provide the infrastructure for land owners, the Division of State Lands shall contract with an organization experienced and specialized in carbon sinks and emission budgets to conduct an inventory of all lands that were acquired pursuant to Preservation 2000 and Florida Forever and that were titled in the name of the Board of Trustees of the Internal Improvement Trust Fund. The inventory shall determine the value of carbon capture and carbon sequestration. Such inventory shall consider potential carbon offset values of changes in land management practices, including, but not limited to, replanting of trees, routine prescribed burns, and land use conversion. Such an inventory shall be completed and presented to the board of trustees by July 1, 2009.*

(b) The state inventory must distinguish between lands purchased by the state or a water management district as part of a core parcel or within original project boundaries, as those terms are used to meet the surplus requirements of subsection (6), and lands purchased by the state, a state agency, or a water management district which are not essential or necessary for conservation purposes.

(c) In any county having a population of 75,000 or *fewer* ~~less~~, or a county having a population of 100,000 or *fewer which* ~~less that~~ is contiguous to a county having a population of 75,000 or *fewer* ~~less~~, in which more than 50 percent of the lands within the county boundary are federal lands and lands titled in the name of the state, a state agency, a water management district, or a local government, those lands titled in the name of the state or a state agency which are not essential or necessary to meet conservation purposes may, upon request of a public or private entity, be made available for purchase through the state's surplusing process. Rights-of-way for existing, proposed, or anticipated transportation facilities are exempt from the requirements of this paragraph. Priority consideration shall be given to buyers, public or private, willing to return the property to productive use so long as the property can be reentered onto the county ad valorem tax roll. Property acquired with matching funds from a local government shall not be made available for purchase without the consent of the local government.

(14)(a) All lands for which the Fish and Wildlife Conservation Commission acts as lead manager may be used for the recovery and management of imperiled species through the acquisition, restoration, enhancement, and management of ecosystems that can support the major life functions of such species and result in a net benefit to imperiled species habitat. For purposes of this subsection, the term "imperiled species" means plants and animals that are federally listed under the Endangered Species Act, or state-listed by the Fish and Wildlife Conservation Commission or Department of Agriculture and Consumer Services.

(b) The management of imperiled species under this subsection shall be in accordance with Chapter 68A, Florida Administrative Code, or as determined by commission rule. The commission may receive conservation grants or donations, for the management of lands identified in (a), pursuant to s. 372.074. The provisions in this paragraph shall expire upon the adoption of the imperiled species workplan by the Board of Trustees pursuant to paragraph (c).

(c) By December 1, 2009, the commission, in cooperation with the Department of Environmental Protection and the Department of Agriculture and Consumer Services, shall develop an imperiled species workplan that shall be utilized for the recovery and management of imperiled species on all state lands. The workplan shall include, at a minimum, the recovery and management of imperiled species through the acquisition, restoration, enhancement, and management of ecosystems that can support the major life functions of such species. The work plan shall be submitted to the Board of Trustees for adoption by January 30, 2009. The board shall not delegate the final adoption of the work plan to any other agency.

(d) By February 1, 2009, the commission, in cooperation with the Department of Environmental Protection and the Department of Agriculture and Consumer Services, shall submit its recommendations for the establishment of appropriate fees, received from public or private entities for projects to offset adverse impacts to imperiled species or such habitat and the use of such fees, to the President of the Senate and the Speaker of the House of Representatives. The Legislature shall approve, or approve with modifications such recommendations during the 2009 regular session.

(e) Beginning July 1, 2009, the commission may accept applications from lead managing agencies on all state lands for the acceptance of the recovery and management of imperiled species on all state lands provided they are consistent with the imperiled species management plan and land management plans established pursuant to s. 253.034. No applications shall be accepted prior to the establishment of fees pursuant to paragraph (d).

(f) By February 1, 2010, the commission shall submit a report to the President of the Senate and the Speaker of the House of Representatives on the efficacy of using state-owned lands to protect, manage, or restore habitat for native or imperiled species. This subsection expires July 1, 2014.

MOTION

On motion by Senator Bennett, the rules were waived to allow the following amendments to be considered:

Senator Bennett moved the following amendments to **Amendment 7** which were adopted:

Amendment 7A (273802)—Between line(s) 80 and 81 insert:

8. Imperiled species habitat maintenance, enhancement, restoration, or population restoration.

Amendment 7B (265812)—Delete line(s) 113-117 and insert:

5. A summary budget for the scheduled land management activities of the land management plan. For state lands containing or anticipated to contain imperiled species habitat, the summary budget shall include any fees anticipated from public or private entities for projects to offset adverse impacts to imperiled species or such habitat, which fees shall be used solely to restore, manage, enhance, repopulate, or acquire imperiled species habitat. The summary budget shall be prepared in such manner that it facilitates computing an aggregate of land management costs for all state-managed lands using the categories described in s. 259.037(3).

Amendment 7C (230546)—Delete line(s) 426-475 and insert:

(14) By February 1, 2010, the commission shall submit a

Amendment 7 as amended was adopted.

MOTION

On motion by Senator Saunders, the rules were waived to allow the following amendments to be considered:

Senator Saunders moved the following amendments which were adopted:

Amendment 8 (806838)—On line(s) 2569, after the period (.) insert: *Such strategies may utilize alternative technologies for pollutant reduction, such as cost-effective biologically based, hybrid wetlands/chemical and other innovative nutrient control technologies.*

Amendment 9 (203676)—Delete line(s) 1292-1294 and insert: county or local government shall receive ~~10 consecutive~~ annual payments for each tax loss *until the qualifying county or local government exceeds the population threshold pursuant to this section*~~, and no further eligibility determination shall be made during that period~~.

Amendment 10 (315370)—Between line(s) 2615 and 2616 insert:

Section 17. Paragraph (e) of subsection (10) of section 373.59, Florida Statutes, is amended to read:

373.59 Water Management Lands Trust Fund.—

(10)(a) Beginning July 1, 1999, not more than one-fourth of the funds provided for in subsections (1) and (8) in any year shall be reserved annually by a governing board, during the development of its annual operating budget, for payments in lieu of taxes for all actual tax losses incurred as a result of governing board acquisitions for water management districts pursuant to ss. 259.101, 259.105, 373.470, and this section during any year. Reserved funds not used for payments in lieu of taxes in any year shall revert to the Water Management Lands Trust Fund to be used in accordance with the provisions of this section.

(e) If property that was subject to ad valorem taxation was acquired by a tax-exempt entity for ultimate conveyance to the state under this chapter, payment in lieu of taxes shall be made for such property based upon the average amount of taxes paid on the property for the 3 years prior to its being removed from the tax rolls. The water management districts shall certify to the Department of Revenue those properties that may be eligible under this provision. Once eligibility has been established, that governmental entity shall receive ~~10 consecutive~~ annual payments for each tax loss *until the qualifying governmental entity exceeds the population threshold pursuant to s. 259.032(12)(b).*~~, and no further eligibility determination shall be made during that period.~~

(Redesignate subsequent sections.)

Pursuant to Rule 4.19, **CS for CS for SB 542** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

CS for CS for CS for SB 1544—A bill to be entitled An act relating to energy conservation; amending s. 74.051, F.S.; requiring a court to conduct a hearing and issue a final judgment on a petition for a taking within specified times after a utility's request for such hearing; creating s. 112.219, F.S.; defining terms for purposes of the state employee telecommuting program; requiring each state employing entity to complete a telecommuting plan by a specified date which includes a listing of the job classifications and positions that the state entity considers appropriate for telecommuting; providing requirements for the telecommuting plan; requiring each state employing entity to post the telecommuting plan on its website; amending s. 163.04, F.S.; revising provisions prohibiting restrictions on the use of energy devices based on renewable resources; amending s. 163.3177, F.S.; revising requirements for the future land use element of a local comprehensive plan to include energy-efficient land use patterns; requiring that the traffic-circulation element of incorporate transportation strategies to reduce greenhouse gas emissions; requiring each unit of local government within an urbanized area to amend the transportation element to incorporate transportation strategies addressing reduction in greenhouse gas emissions; amending s. 186.007, F.S.; authorizing the Executive Office of the Governor to include in the state comprehensive plan goals, objectives, and policies related energy and global climate change; amending s. 187.201, F.S.; adopting provisions of the State Comprehensive Plan concerning the development, siting, and use of low-carbon-emitting electric power plants; creating s. 193.804, F.S.; prohibiting the property appraiser from increasing the taxable value of homestead property when the taxpayer adds any solar energy device to the property; authorizing the property appraiser to refer the matter to the Department of Environmental Protection if the property appraiser questions whether a taxpayer is entitled, in whole or in part, to a solar energy device exemption; requiring the Department of Environmental Protection to adopt rules; amending s. 196.012, F.S.; deleting the definition of the term "renewable energy source device" or "device"; amending s. 206.43, F.S.; requiring each terminal supplier, importer, exporter, blender, and wholesaler to include the number of gallons of gasoline fuel which meet and fail to meet certain requirements in their monthly reports to the Department of Revenue; amending s. 212.08, F.S.; requiring that the Florida Energy and Climate Commission rather than the Department of Environmental Protection implement certain responsibilities concerning eligibility and application for the tax exemption; requiring the commission to adopt, by rule, an application form, including the required content and documentation to support the application, for the taxpayer to use in claiming the tax exemption; amending s. 220.192, F.S.; defining terms relating to a tax credit; allowing certain tax credits to be transferred for a specified period; providing procedures and requirements; authorizing the Department of Revenue to adopt rules; amending s. 220.193, F.S.; defining the terms "sale" or "sold" and "taxpayer"; providing legislative intent concerning retroactive application of certain renewable energy production tax credits; providing for the pass through of a renewable energy production tax credit under certain conditions; providing for retroactive application; amending s. 253.02, F.S.; authorizing the Secretary of Environmental Protection to grant easements across lands owned by the Board of Trustees of the Internal Improvement Trust Fund under certain conditions; amending s. 253.034, F.S.; granting a utility the use of non-sovereignty state-owned lands upon a showing of competent substantial evidence that the use is reasonable; establishing criteria relating to the title, distribution, and cost of such lands; amending s. 255.249, F.S.; requiring state agencies to annually provide telecommuting plans to the Department of Management Services; amending s. 255.251, F.S.; creating the "Florida Energy Conservation and Sustainable Buildings Act"; amending s. 255.252, F.S.; providing findings and legislative intent; providing that it is the policy of the state that buildings constructed and financed by the state, or existing buildings renovated by the state, be designed and constructed with a goal of meeting or exceeding the United States Green Building Council (USGBC) Leadership in Energy and Environmental Design (LEED) rating system, the Green Building Initia-

tive's Green Globes rating system, or the Florida Green Building Coalition standards; requiring each state agency to identify and compile a list of energy-conservation projects that it determines are suitable for a guaranteed energy performance savings contract; amending s. 255.253, F.S.; defining terms relating to energy conservation for buildings; amending s. 255.254, F.S.; prohibiting a state agency from leasing or constructing a facility without having secured from the Department of Management Services an evaluation of life-cycle costs for the building; requiring certain leased buildings to have an energy performance analysis conducted; requiring the owner of any building leased by the state from the private sector to submit provisions for monthly energy use data to the department; amending s. 255.255, F.S.; requiring the department to use sustainable building ratings for conducting a life-cycle cost analysis; amending s. 255.257, F.S.; requiring that energy consumption and cost be reported to the department annually in a format prescribed by the department; providing duties of energy-management coordinators; requiring that the department of Management Services develop a state energy-management plan; requiring that state agencies adopt certain rating systems; prohibiting state agencies from entering into leasing agreements for office space not meeting certain building standards; providing an exception; requiring that state agencies develop energy-conservation measures and guidelines for new and existing office space in which state agencies occupy greater than a specified amount of square footage; providing requirements for such measures; creating s. 286.275, F.S.; requiring the Department of Management Services to develop the Florida Climate Friendly Preferred Products List; requiring state agencies to consult the list and purchase products from the list under certain circumstances; requiring state agencies to contract for meeting and conference space with facilities having the "Green Lodging" designation; authorizing the Department of Environmental Protection to adopt rules; requiring the department to establish voluntary technical assistance programs for various businesses; requiring state agencies to maintain vehicles according to minimum standards and follow certain procedures when procuring new vehicles; requiring state agencies to use ethanol and biodiesel-blended fuels when available; amending s. 287.063, F.S.; prohibiting the payment term for equipment from exceeding the useful life of the equipment unless the contract provides for the replacement or the extension of the useful life of the equipment during the term of the deferred payment contract; amending s. 287.064, F.S.; authorizing an extension of the master equipment financing agreement for energy conservation equipment; requiring the guaranteed energy, water, and wastewater performance savings contractor to provide for the replacement or the extension of the useful life of the equipment during the term of the contract; amending s. 287.16, F.S.; requiring the Department of Management Services to conduct an analysis of the Department of Transportation's ethanol and biodiesel use and encourage other state agencies to analyze transportation fuel usage and report such information to the Department of Management Services; amending s. 288.1089, F.S.; defining the term "alternative and renewable energy"; detailing the conditions for an alternative and renewable energy project to be eligible for an innovation incentive award; amending s. 337.401, F.S.; requiring the Department of Environmental Protection to adopt rules relating to the placement of and access to aerial and underground electric transmission lines having certain specifications; defining the term "base-load generating facilities"; amending s. 339.175, F.S.; requiring each metropolitan planning organization to develop a long-range transportation plan that, among other considerations, provides for sustainable growth and reduces greenhouse gas emissions; amending s. 366.82, F.S.; requiring the Public Service Commission to adopt rules requiring utilities to offset 20 percent of their annual load-growth through energy efficiency and conservation measures; requiring the commission to create an in-state market for tradable credits enabling those utilities that exceed the conservation standard to sell credits to those that cannot meet the standard for a given year; requiring that the commission conduct a periodic review; requiring the commission to require municipal and cooperative utilities that are exempt from the Energy Efficiency and Conservation Act to submit an annual report identifying energy efficiency and conservation goals and the actions taken to meet those goals; requiring that the Florida Energy and Climate Commission be a party in the proceedings to adopt goals and file with the Public Service Commission comments on the proposed goals; requiring the Public Service Commission to use certain methodologies in the evaluation of demand-side management programs; amending s. 366.8255, F.S.; redefining the term "environmental compliance costs" to include costs or expenses prudently incurred for scientific research and geological assessments of carbon capture and storage for the purpose of reducing an electric utility's greenhouse gas emissions; amending s. 366.92, F.S.; providing definitions; requiring the commission to adopt a renewable portfolio standard by rule; requiring that the rule be ratified by the Legislature; providing that the rule must be submitted for legislative approval by February 1, 2009; specifying criteria for the rule development; allowing for full cost recovery of certain reasonable and prudent costs prior to the ratification of the rule; requiring each municipal electric utility and rural electric cooperative to develop standards for the use of renewable energy resources and energy conservation measures and submit a report to the Public Service Commission which identifies such standards; amending s. 366.93, F.S.; revising the definitions of "cost" and "preconstruction"; requiring the Public Service Commission to establish rules relating to cost recovery for the construction of new, expanded, or relocated electrical transmission lines and facilities for a nuclear power plant; amending s. 377.601, F.S.; revising legislative intent with respect to the need to implement alternative energy technologies; creating s. 377.6015, F.S.; creating the Florida Energy and Climate Commission; providing for appointment and qualifications of members; providing for meetings, duties, and authority of the commission; amending s. 377.602, F.S.; providing a definition; amending s. 377.605, F.S.; transferring duties on energy data collection from the Department of Environmental Protection to the Florida Energy and Climate Commission; amending ss. 377.604, 377.605, and 377.606, F.S.; making conforming changes; amending s. 377.703, F.S.; providing for additional duties of the Florida Energy and Climate Commission; conforming cross-references; amending s. 377.803, F.S.; providing definitions; providing the statutory reference to the definition of the term "biomass"; amending s. 377.804, F.S.; providing for administration of the Renewable Energy and Energy-Efficient Technologies Grant Program by the Florida Energy and Climate Commission rather than the Department of Environmental Protection; providing for the program to include matching grants for technologies that increase the energy efficiency of vehicles and commercial buildings; providing application requirements; repealing s. 377.804(6), F.S., relating to bioenergy projects; amending s. 377.806, F.S.; providing for administration of the Solar Energy System Incentives Program by the Florida Energy and Climate Commission rather than the Department of Environmental Protection; requiring compliance with the Florida Building Code rather than local codes in order to be eligible for a rebate under the program; creating s. 377.808, F.S.; creating the Florida Green Government Grants Act; providing a short title; requiring the Florida Energy and Climate Commission within the Executive Office of the Governor to award grants to assist local governments in the development of programs that achieve green standards; requiring the commission to adopt rules; providing requirements for the rules; limiting a certain number of grant applications made by a local government; limiting the number of active projects that may be conducted by a local government; requiring the commission to perform an overview of each grant; repealing s. 377.901, F.S., relating to the Florida Energy Commission; transferring the State Energy Program from the Department of Environmental Protection to the Florida Energy and Climate Commission; creating s. 377.921, F.S., relating to qualified solar energy systems; providing definitions; allowing a public utility to recover certain costs; amending ss. 380.23 and 403.031, F.S.; conforming cross-references; creating s. 403.44, F.S.; creating the Florida Climate Protection Act; defining terms; requiring the Department of Environmental Protection to establish the methodologies, reporting periods, and reporting systems that must be used when major emitters report to The Climate Registry; authorizing the department to adopt rules for a cap-and-trade regulatory program to reduce greenhouse gas emissions from major emitters; providing for the content of the rule; amending s. 403.503, F.S.; defining the term "alternate corridor" and redefining the term "corridor" for purposes of the Florida Electrical Power Plant Siting Act; amending s. 403.504, F.S.; requiring the Department of Environmental Protection to determine whether a proposed alternate corridor is acceptable; amending s. 403.506, F.S.; revising the thresholds and applicability standards of the Florida Electrical Power Plant Siting Act; deleting a provision that exempts from the act a steam generating plant; exempting from the act the associated facilities of an electrical power plant; exempting an electric utility from obtaining certification under the Florida Electrical Power Plant Siting Act before constructing facilities for a power plant using nuclear materials as fuel; providing that a utility may obtain separate licenses, permits, and approvals for such construction under certain circumstances; exempting such provisions from review under ch. 120, F.S.; amending s. 403.5064, F.S.; requiring an applicant to submit a statement to the department if such applicant opts for consideration of alternate corridors; amending s. 403.50665, F.S.; requiring an application to include a statement on the consistency of directly associated facilities constituting a "development"; requiring the Department of Environmental Protection to address at the certification hearing the issue of compliance with land use plans and

zoning ordinances for a proposed substation located in or along an alternate corridor; amending s. 403.509, F.S.; requiring the Governor and Cabinet sitting as the siting board to certify the corridor having the least adverse impact; authorizing the board to deny certification or allow a party to amend its proposal; amending s. 403.5115, F.S.; requiring the applicant proposing the alternate corridor to publish all notices relating to the application; requiring that such notices comply with certain requirements; requiring that notices be published at least 45 days before the rescheduled certification hearing; amending s. 403.5175, F.S.; conforming a cross-reference; amending s. 403.518, F.S.; authorizing the Department of Environmental Protection to charge an application fee for an alternate corridor; amending s. 403.519, F.S., relating to determinations of need; conforming provisions to changes made by the act; amending s. 403.7031, F.S.; prohibiting a county or municipality from using in practice any definition inconsistent with certain statutes; creating s. 403.7055, F.S.; encouraging counties in the state to form regional solutions to the capture and reuse or sale of methane gas from landfills and wastewater treatment facilities; requiring the Department of Environmental Protection to provide guidelines and assistance; amending s. 403.814, F.S., relating to general permits; conforming provisions; amending s. 489.145, F.S.; revising provisions of the Guaranteed Energy Performance Savings Contracting Act; renaming the act as the "Guaranteed Energy, Water, and Wastewater Performance Savings Contracting Act"; requiring that each proposed contract or lease contain certain agreements concerning operational cost-saving measures; redefining terms; defining the term "investment grade energy audit"; requiring that certain baseline information, supporting information, and documentation be included in contracts; requiring the office of the Chief Financial Officer to review contract proposals; providing audit requirements; requiring contract approval by the Legislature or Chief Financial Officer; creating s. 526.203, F.S.; providing definitions; requiring that on or after a specified date all gasoline sold in the state contain a specified percent of agriculturally derived denatured ethanol; providing for exemptions; creating s. 526.204, F.S.; providing for the requirements to be suspended during a declared emergency; providing an exemption if a supplier or other distributor is unable to obtain the required fuel at the same or lower price than the price of unblended gasoline; requiring that documentation be provided to the Department of Revenue; creating s. 526.205, F.S.; providing for enforcement of the requirement for gasoline content; providing penalties; providing for the Department of Revenue to grant an extension of time to comply with the requirement; creating s. 526.206, F.S.; authorizing the Department of Revenue and the Department of Agriculture and Consumer Services to adopt rules; requiring the Florida Energy Commission to conduct a study of the lifecycle greenhouse gas emissions associated with all renewable fuels; requiring a report to the Legislature by a specified date; amending s. 553.77, F.S.; authorizing the Florida Building Commission to implement recommendations relating to energy efficiency in residential and commercial buildings; creating s. 553.886, F.S.; requiring that the Florida Building Code facilitate and promote the use of certain renewable energy technologies in buildings; creating s. 553.9061, F.S.; requiring the Florida Building Commission to establish a schedule of increases in the energy performance of buildings subject to the Energy Efficiency Code for Building Construction; providing a process for implementing goals to increase energy-efficiency performance in new buildings; providing a schedule for the implementation of such goals; identifying energy-efficiency performance options and elements available to meet energy-efficiency performance requirements; providing a schedule for the review and adoption of renewable energy-efficiency goals by the commission; requiring the commission to conduct a study to evaluate the energy-efficiency rating of new buildings and appliances; requiring the commission to submit a report to the President of the Senate and the Speaker of the House of Representatives on or before a specified date; requiring the commission to conduct a study to evaluate opportunities to restructure the Florida Energy Code for Building Construction, including the integration of the Thermal Efficiency Code, the Energy Conservation Standards Act, and the Florida Building Energy-Efficiency Rating Act; requiring the commission to submit a report to the President of the Senate and the Speaker of the House of Representatives on or before a specified date; directing the Department of Community Affairs, in conjunction with the Florida Energy Affordability Council, to identify and review issues relating to the Low-Income Home Energy Assistance Program and the Weatherization Assistance Program; requiring the submission of a report to the President of the Senate and the Speaker of the House of Representatives on or before a specified date; providing for the expiration of certain study requirements; amending s. 553.957, F.S.; including certain home and commercial appliances in the requirements for testing and certification for meeting certain energy-conservation standards; amending s. 553.975, F.S.; conforming a cross-reference; requiring the Public Service Commission to analyze utility revenue decoupling and provide a report and recommendations to the Governor, the President of the Senate, and the Speaker of the House of Representatives by a specified date; amending s. 718.113, F.S.; authorizing the board of a condominium or a multicondominium to install solar collectors, clotheslines, or other energy-efficient devices on association property; creating s. 1004.648, F.S.; establishing the Florida Energy Systems Consortium, consisting of specified state universities; providing membership and duties of the consortium; providing for an oversight board and steering committee; providing reporting requirements for the consortium by a date certain; authorizing the Department of Environmental Protection to require certain agreements to contain a stipulation requiring the return to the state of a portion of the profit resulting from commercialization of an energy-related product or process; requiring the department to conduct a study relating to the state earning a monetary return on energy-related products or processes through the use of negotiated or licensing agreements; requiring the department to submit the study to the Governor and the Legislature; requiring the Department of Environmental Protection, in conjunction with the Department of Agriculture and Consumer Services, to conduct an economic impact analysis on the effect of granting financial incentives to energy producers who use woody biomass; requiring the department to submit the results to the Legislature; establishing a statewide solid waste reduction goal by a certain date; requiring the Department of Environmental Protection to develop a recycling program designed to meet that goal; requiring the Department of Environmental Protection to prepare a report relating to the costs and benefits of implementing a cap-and-trade system to trade emission credits; requiring the department to present the report to the Governor, the President of the Senate, and the Speaker of the House of Representatives; describing certain specified issues to be included in the report; providing effective dates.

—was read the second time by title.

MOTION

On motion by Senator Saunders, the rules were waived to allow the following amendments to be considered:

Senator Saunders moved the following amendments which were adopted:

Amendment 1 (146394)—Delete line(s) 3324-3385 and insert:

403.44 Florida Climate Protection Act.—

(1) The Legislature finds it is in the best interest of this state to document, to the greatest extent practicable, greenhouse gas (GHG) emissions and to pursue a market-based emissions abatement program, such as cap-and-trade, to address GHG emissions reductions.

(2) As used in this section, the term:

(a) "Allowance" means a credit issued by the department through allotments or auction which represents an authorization to emit specific amounts of greenhouse gases, as further defined in department rule.

(b) "Cap-and-trade" or "emissions trading" means an administrative approach used to control pollution by providing a limit on total allowable emissions, providing for allowances to emit pollutants, and providing for the transfer of the allowances among pollutant sources as a means of compliance with emission limits.

(c) "Greenhouse gas" means carbon dioxide, methane, nitrous oxide, and fluorinated gases such as hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride.

(d) "Leakage" means the offset of emission abatement that is achieved in one location subject to emission control regulation by increased emissions in unregulated locations.

(e) "Major emitter" means an electric utility regulated under this chapter.

(3) A major emitter must use The Climate Registry for purposes of emission registration and reporting.

(4) The Department of Environmental Protection shall establish the methodologies, reporting periods, and reporting systems that must be

used when major emitters report to The Climate Registry. The department may require the use of quality assured data from continuous emissions-monitoring systems.

(5) The department may adopt rules for a cap-and-trade regulatory program to reduce greenhouse gas emissions from major emitters. When developing the rules, the department shall consult with the Florida Energy and Climate Commission and the Public Service Commission, and may consult with the Governor's Action Team for Energy and Climate Change. The department shall not adopt rules until after January 1, 2010. The rules shall not become effective until ratified by the Legislature.

(6) The rules of the cap-and-trade regulatory program shall include, but are not limited to:

(a) A statewide limit or cap on the amount of GHG emissions emitted by major emitters.

(b) Methods, requirements, and conditions for allocating the cap among major emitters.

(c) Methods, requirements, and conditions for emissions allowances and the process for issuing emissions allowances.

(d) The relationship between allowances and the specific amounts of greenhouse gases they represent.

(e) The length of allowance periods and the time over which entities must account for emissions and surrender allowances equal to emissions.

(f) The time path of allowances from the initiation of the program through to 2050.

(g) A process for the trade of allowances between major emitters, including a registry, tracking, or accounting system for such trades.

(h) Cost containment mechanisms to reduce price and cost risks associated with the electric generation market in this state. Cost containment mechanisms to be considered for inclusion in the rule include, but are not limited to:

1. Allowing major emitters to borrow allowances from future time periods to meet their emission limit.

2. Allowing major emitters to bank emission reductions in the current year to be used to meet emission limits in future years.

3. Allowing major emitters to purchase emissions offsets from other entities who produce verifiable reductions in unregulated greenhouse gas emissions or who produce verifiable reductions in greenhouse gases through voluntary practices that capture and store greenhouse gases that otherwise would be released into the atmosphere. In considering this cost containment mechanism, the department shall identify sectors and activities outside of the capped sectors, including other state or international activities, and the conditions under which reductions there can be credited against emissions of capped entities in place of allowances issued by the department. The department shall also consider potential methods, and their effectiveness, to avoid double-incentivizing such activities.

4. Providing a safety valve mechanism to ensure that the market prices for allowances or offsets do not surpass a predetermined level compatible with the affordability of electric utility rates and the well being of the state's economy. In considering this cost containment mechanism, the department shall evaluate different price levels for the safety valve and methods to change the price level over time to reflect changing state, federal and international markets, regulatory environments, and technological advancements.

In considering cost containment mechanisms for inclusion in the rule, the department shall evaluate the anticipated overall effect of each mechanism on the abatement of greenhouse gas emissions, electricity rate payers, and the benefits and costs of each to the state's economy, and shall also consider the interrelationships between the mechanisms under consideration.

(i) A process to allow the department to exercise its authority to discourage leakage of GHG emissions to neighboring states attributable to the implementation of this program.

(j) Provisions for a trial period on the trading of allowances before full implementation of a trading system.

(7) In recommending and evaluating proposed features of the cap and trade system, the following factors shall be considered:

(a) The overall cost-effectiveness of the cap and trade system in combination with other policies and measures in meeting statewide targets.

(b) Minimizing the administrative burden to the state of implementing, monitoring and enforcing the program.

(c) Minimizing the administrative burden on entities covered under the cap.

(d) The impacts on electricity prices for consumers.

(e) The specific benefits to Florida's economy for early adoption of a cap-and-trade system for greenhouse gases in the context of a federal climate change legislation and the development of international compacts.

(f) The specific benefits to Florida's economy associated with the creation and sale of emissions offsets from economic sectors outside of the emissions cap.

(g) The potential effects of leakage if economic activity relocates out of the state.

(h) The effectiveness of the combination of measures in meeting identified targets.

(i) The implications for near-term periods of long run targets specified in the overall policy.

(j) The overall costs and benefits of a cap-and-trade system to the economy of this state.

(k) How to moderate impacts on low income consumers that result from energy price increases.

(l) Consistency of the program with other state and possible Federal efforts.

(m) The feasibility and const-effectiveness of extending the program scope as broadly as possible among emitting activities and sinks in Florida.

(n) Evaluation of the conditions under which Florida should consider linking its trading system to other states' or other countries' systems, and how that might be affected by the potential inclusion in the rule of safety valve.

(8) Recognizing that the international, national, neighboring state policies and the science of climate change will evolve, prior to submitting the proposed rules to the Legislature for its consideration, the department shall submit the proposed rules to the Florida Energy and Climate Commission, which shall review the proposed rule and submit a report to the Governor, the President of the Florida Senate, the Speaker of the Florida House of Representatives, and the department. The report shall address:

(a) The overall cost-effectiveness of the proposed cap and trade system in combination with other policies and measures in meeting statewide targets.

(b) The administrative burden to the state of implementing, monitoring and enforcing the program.

(c) The administrative burden on entities covered under the cap.

(d) The impacts on electricity prices for consumers.

(e) The specific benefits to Florida's economy for early adoption of a cap-and-trade system for greenhouse gases in the context of federal climate change legislation and development of new international compacts.

(f) The specific benefits to Florida's economy associated with the creation and sale of emissions offsets from economic sectors outside the emissions cap.

(g) The potential effects on leakage if economic activity relocates out of the state.

(h) The effectiveness of the combination of measures in meeting identified targets.

(i) The economic implications for near-term periods of short-term and long-term targets specified in the overall policy.

(j) The overall costs and benefits of a cap-and-trade system to the economy of this state.

(k) The impacts on low income consumers that result from energy price increases.

(l) The consistency of the program with other states and possible Federal efforts. consider

(m) The evaluation of the conditions under which Florida should consider linking its trading system to other states' or other countries' systems, and how that might be affected by the potential inclusion in the rule of a safety valve.

(n) The timing and changes in the external environment, such as proposals by other states or implementation of a Federal program that would spur reevaluation of the Florida program.

(o) The conditions and options for eliminating the Florida program if a Federal program were to supplant it.

(p) The need for a regular re-evaluation of the progress of other emitting regions of the country and of the world, and whether other regions are abating emissions in a commensurate manner.

(q) The desirability of and possibilities of broadening the scope of Florida's cap and trade system at a later date to include more emitting activities as well as sinks in Florida, and the conditions that would need to be met to do so, as well as how the program would encourage these conditions to be met such as developing monitoring and measuring techniques for land use emissions and sinks, regulating sources up stream, and other considerations.

Amendment 2 (446144)(with title amendment)—Delete line(s) 1186-1201 and insert:

(2)*(a)* The board of trustees shall not sell, transfer, or otherwise dispose of any lands the title to which is vested in the board of trustees except by vote of at least three of the four trustees.

(b) The authority of the board of trustees to grant easements for rights-of-way over, across, and upon uplands the title of which is vested in the board of trustees for the construction and operation of electric transmission and distribution facilities and related appurtenances is hereby confirmed. The board of trustees may delegate to the Secretary of Environmental Protection the authority to grant such easements on its behalf. All easements for rights-of-way over, across, and upon uplands the title of which is vested in the board of trustees for the construction and operation of electrical transmission and distribution facilities and related appurtenances shall meet the following criteria:

1. Such easements shall not prevent the use of the state-owned uplands adjacent to the easement area for the purposes for which such lands were acquired, and shall not unreasonably diminish the ecological, conservation or recreational values of the state-owned uplands adjacent to the easement area.

2. There is no practical or prudent alternative to locating the linear facility and related appurtenances on state-owned upland. For purposes of this provision, the test of practicality and prudence shall compare the social, economic and environmental effects of the alternatives.

3. Appropriate steps are taken to minimize the impacts to state-owned uplands. Such steps may include:

a. Siting of facilities so as to reduce impacts and minimize fragmentation of the overall state-owned parcel;

b. Avoiding significant wildlife habitat, wetlands, or other valuable natural resources to the maximum extent practicable; or

c. Avoiding interference with active land management practices, such as prescribed burning.

4. Except for easements granted as a part of a land exchange initiated by a governmental entity to accomplish a recreational or conservation benefit, or other public purpose, in exchange for such easements, the grantee shall pay an amount equal to the market value of the interest acquired. In addition, for the initial grant of such easements only, the grantee shall provide additional compensation by vesting in the board of trustees fee simple title to other available uplands that are 1.5 times the size of the easement acquired by the grantee. The grantor shall approve the property to be acquired on its behalf based on the geographic location in relation to the land proposed to be under easement and a determination that economic, ecological and recreational value is at least equivalent to the value of the lands under proposed easement. Priority for replacement uplands shall be given to parcels identified as in-holdings and additions to public lands and lands on a Florida Forever land acquisition list. However, if suitable replacement uplands cannot be identified, the grantee shall provide additional compensation for the initial grant of such easements only by paying to the department an amount equal to 2 times the current market value of the state-owned land or the highest and best use value at the time of purchase, whichever is greater. When determining the use of such funds, priority shall be given to parcels identified as in-holdings and additions to public lands and lands on a Florida Forever land acquisition list.

And the title is amended as follows:

After the semicolon (;) on line 66 and through line 69, delete those words and insert: F.S.; providing that the Board of Trustees of the Internal Improvement Trust Fund may delegate to the Secretary of Environmental Protection the authority to grant easements on its behalf under certain conditions; amending s. 253.034, F.S.;

Amendment 3 (583242)(with title amendment)—Delete line(s) 437-554 and insert:

Section 2. Subsection (3) of section 110.171, Florida Statutes, is amended, and a new subsection (4) is added to that section, to read:

110.171 State employee telecommuting program.—

(3) By *September 30, 2009* ~~October 1, 1994~~, each state agency shall identify and maintain a current listing of the job classifications and positions that the agency considers appropriate for telecommuting. Agencies that adopt a state employee telecommuting program must:

(a) Give equal consideration to career service and exempt positions in their selection of employees to participate in the telecommuting program.

(b) Provide that an employee's participation in a telecommuting program will not adversely affect eligibility for advancement or any other employment rights or benefits.

(c) Provide that participation by an employee in a telecommuting program is voluntary, and that the employee may elect to cease to participate in a telecommuting program at any time.

(d) Adopt provisions to allow for the termination of an employee's participation in the program if the employee's continued participation would not be in the best interests of the agency.

(e) Provide that an employee is not currently under a performance improvement plan in order to participate in the program.

(f) Ensure that employees participating in the program are subject to the same rules regarding attendance, leave, performance reviews, and separation action as are other employees.

(g) Establish the reasonable conditions that the agency plans to impose in order to ensure the appropriate use and maintenance of any equipment or items provided for use at a participating employee's home or other place apart from the employee's usual place of work, including the installation and maintenance of any telephone equipment and ongoing communications costs at the telecommuting site which is to be used for official use only.

(h) Prohibit state maintenance of an employee's personal equipment used in telecommuting, including any liability for personal equipment and costs for personal utility expenses associated with telecommuting.

(i) Describe the security controls that the agency considers appropriate.

(j) Provide that employees are covered by workers' compensation under chapter 440, when performing official duties at an alternate worksite, such as the home.

(k) Prohibit employees engaged in a telecommuting program from conducting face-to-face state business at the homesite.

(l) Require a written agreement that specifies the terms and conditions of telecommuting, which includes verification by the employee that the home office provides work space that is free of safety and fire hazards, together with an agreement which holds the state harmless against any and all claims, excluding workers' compensation claims, resulting from an employee working in the home office, and which must be signed and agreed to by the telecommuter and the supervisor.

(m) Provide measureable financial benefits associated with reduced office space requirements, reductions in energy consumption and reductions in associated emissions of greenhouse gases resulting from telecommuting. State agencies operating in office space owned or managed by the department shall consult the facilities program to ensure its consistency with the strategic leasing plan required under s. 255.249(3)(b).

(4) The telecommuting program for each state agency, and pertinent supporting documents, shall be posted on the agency's website to allow access by employees and the public.

And the title is amended as follows:

Delete line(s) 6-14 and insert: hearing; amending s. 110.171, F.S.; requiring each state agency to complete a telecommuting program by a specified date which includes a listing of the job classification and positions that the state agency considers appropriate for telecommuting; providing requirements for the telecommuting program; requiring each state agency to post the telecommuting program on its website; amending s. 163.04,

Amendment 4 (166848)(with title amendment)—Between line(s) 880 and 881 insert:

Section 9. Section 196.175, Florida Statutes, is amended to read:

196.175 Renewable energy source exemption.—

(1) Improved real property upon which a renewable energy source device is installed and operated shall be entitled to an exemption not greater than the lesser of:

(a) The assessed value of such real property less any other exemptions applicable under this chapter;

(b) The original cost of the device, including the installation cost thereof, but excluding the cost of replacing previously existing property removed or improved in the course of such installation; or

(c) Eight percent of the assessed value of such property immediately following installation.

(2) The exempt amount authorized under subsection (1) shall apply in full if the device was installed and operative throughout the 12-month period preceding January 1 of the year of application for this exemption. If the device was operative for a portion of that period, the exempt amount authorized under this section shall be reduced proportionally.

(3) It shall be the responsibility of the applicant for an exemption pursuant to this section to demonstrate affirmatively to the satisfaction of the property appraiser that he or she meets the requirements for exemption under this section and that the original cost pursuant to paragraph (1)(b) and the period for which the device was operative, as indicated on the exemption application, are correct.

(4) No exemption authorized pursuant to this section shall be granted for a period of more than 10 years. No exemption shall be granted with respect to renewable energy source devices installed before *January 1, 2009* ~~January 1, 1980, or after December 31, 1990~~.

(Renumber subsequent sections.)

And the title is amended as follows:

On line(s) 42 after the semicolon (;) insert: amending s. 196.175, F.S.; providing no exemption shall be granted for renewable energy source devices installed before January 1, 2009;

Amendment 5 (389250)—Delete line(s) 1102 and insert: *for the eligible costs. A corporation that passes through the credit to a partner, member, or owner must comply with the notification requirements described in s. 220.192(6)(b). The partner, member, or owner must attach a copy of the certification to each tax return on which the partner, member, or owner claims any portion of the credit.*

Senator Saunders moved the following amendment:

Amendment 6 (553502)(with title amendment)—Delete line(s) 814-838 and redesignate subsequent section.

And the title is amended as follows:

Delete line(s) 32-40 and insert: plants; amending s.

On motion by Senator Saunders, further consideration of **CS for CS for CS for SB 1544** with pending **Amendment 6 (553502)** was deferred.

MOTION

On motion by Senator Saunders, the rules were waived and Senators Constantine and Bennett were shown as co-introducers of **CS for CS for CS for SB 1544**.

MOTIONS RELATING TO COMMITTEE MEETINGS

On motion by Senator King, the rules were waived and the Committees on Criminal Justice; Judiciary; and Military Affairs and Domestic Security were granted permission to meet from 3:30 p.m. until 5:00 p.m. in lieu of 3:00 p.m. until 4:30 p.m. as scheduled this day.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Margolis, by two-thirds vote **SB 2844** was withdrawn from the committees of reference and further consideration.

On motion by Senator Garcia, by two-thirds vote **SB 184** was withdrawn from the committees of reference and further consideration.

On motion by Senator Dockery, by two-thirds vote **CS for CS for SB 766** and **CS for SB 1464** were withdrawn from the Committee on Rules.

On motion by Senator Constantine, by two-thirds vote **SB 562** was withdrawn from the Committee on Education Pre-K - 12; and **SB 500** was withdrawn from the Committee on Children, Families, and Elder Affairs.

On motion by Senator Saunders, by two-thirds vote **CS for CS for CS for SB 1670**, **SB 2192** and **SB 2750** were withdrawn from the Committee on Education Pre-K - 12; **CS for SB 2546** was withdrawn from the Committee on Governmental Operations; **SB 1106** was withdrawn from the Committee on Health and Human Services Appropriations; **CS for SB 1458** was withdrawn from the Committee on Health Policy; and **CS for SB 1042** and **SB 1046** were withdrawn from the Committee on Rules.

MOTIONS

On motions by Senator King, the rules were waived and by two-thirds vote **CS for CS for CS for SB 1544** and **CS for CS for CS for SB 1992** were placed first on the Special Order Calendar to be considered Thursday, April 17.

CONFEREES APPOINTED

The President appointed the following conferees on **CS for SB 1886**, **CS for SB 1888**, **CS for SB 1892**, **CS for CS for SB 1286**, **CS for CS for SB 1294**, **CS for CS for SB 1702**, **CS for SB 1756**, **CS for SB 1774**,

CS for SB 1788, **CS for SB 1790**, **CS for SB 1792**, **CS for SB 1988**, **CS for CS for SB 2000**, **SB 2820**, **CS for SB 1864**, **CS for SB 1882**, **HB 5001**, **HB 5003**, **HB 5045**, **HB 5047**, **HB 5049**, **HB 5053**, **HB 5055**, **CS for HB 5057**, **HB 5079**, **HB 5081**, **HB 5067**, **HB 5069**, **HB 5071**, **HB 5073**, **HB 5075**, **HB 5093**, **HB 5083**, **HB 5077**, **HB 5051**, **HB 5043**, **HB 5059**, **HB 5061**, **HB 5085**, **HB 5087**, **HB 5091**, and **HB 5063**: Senator Carlton, Chair; Senator Atwater, Vice Chair; Senators Geller, King and Webster, Members at Large; Criminal and Civil Justice Appropriations: Senator Crist, Chair; Senators Joyner, Dawson, Dean and Villalobos; Education Pre-K - 12 Appropriations: Senator Wise, Chair; Senators Siplin, Bullard, Constantine, Dockery and Garcia; General Government Appropriations: Senator Alexander, Chair; Senators Lawson, Aronberg, Baker, Bennett, Deutch, Haridopolos and Jones; Health and Human Services Appropriations: Senator Peaden, Chair; Senators Rich, Gaetz, Saunders, Storms and Wilson; Higher Education Appropriations: Senator Lynn, Chair; Senators Ring, Justice, King and Oelrich; Transportation and Economic Development Appropriations: Senator Fasano, Chair; Senators Margolis, Diaz de la Portilla, Hill, Posey and Webster.

The action of the Senate was certified to the House.

REPORTS OF COMMITTEES

The Responsible Regulation Policy and Calendar Committee submits the following bills to be placed on the Special Order Calendar for Wednesday, April 16, 2008: CS for CS for SB 542, CS for CS for CS for SB 1544, CS for CS for SB 2212, CS for SB 2422, CS for CS for CS for SB 392, CS for CS for SB 2580, CS for SB 794, CS for SB 1426

Respectfully submitted,
Lee Constantine, Chair

The Economic Opportunities Policy and Calendar Committee submits the following bills to be placed on the Special Order Calendar for Wednesday, April 16, 2008: CS for SB 2778, CS for CS for SB 2714, CS for CS for SB 2712, CS for SB 2310, CS for CS for CS for SB 2158, CS for CS for SB's 556 and 748, CS for CS for SB 682, CS for SB 2438, CS for CS for CS for SB 1992, CS for SB 1096, CS for SB 590, SB 2474, CS for SB 630

Respectfully submitted,
Jeff Atwater, Chair

The Committee on Health Regulation recommends the following pass: SB 1566

The bill was referred to the Committee on Banking and Insurance under the original reference.

The Committee on Community Affairs recommends the following pass: SB 500 with 3 amendments

The Committee on Health Policy recommends the following pass: SB 2684

The bills contained in the foregoing reports were referred to the Committee on Children, Families, and Elder Affairs under the original reference.

The Committee on Banking and Insurance recommends the following pass: SB 2846

The bill was referred to the Committee on Commerce under the original reference.

The Committee on Banking and Insurance recommends the following pass: CS for SB 2470

The Committee on Commerce recommends the following pass: SB 1572 with 1 amendment

The Committee on Health Policy recommends the following pass: SB 2092

The bills contained in the foregoing reports were referred to the Committee on Community Affairs under the original reference.

The Committee on Finance and Tax recommends the following pass: CS for SB 1110; CS for SB 1116

The bills were referred to the Committee on Criminal and Civil Justice Appropriations under the original reference.

The Committee on Community Affairs recommends the following pass: SJR 2190 with 1 amendment

The bill was referred to the Committee on Finance and Tax under the original reference.

The Committee on Banking and Insurance recommends the following pass: CS for SB 652

The Committee on Commerce recommends the following pass: CS for SB 1422

The Committee on Finance and Tax recommends the following pass: CS for SB 1490; SB 1502; SB 1982

The Committee on Health Policy recommends the following pass: SB 448; CS for SB 1010

The bills contained in the foregoing reports were referred to the Committee on General Government Appropriations under the original reference.

The Committee on Banking and Insurance recommends the following pass: CS for SB 1998 with 1 amendment

The Committee on Commerce recommends the following pass: CS for SB 2172

The bills contained in the foregoing reports were referred to the Committee on Governmental Operations under the original reference.

The Committee on Children, Families, and Elder Affairs recommends the following pass: SB 226

The bill was referred to the Committee on Higher Education under the original reference.

The Committee on Finance and Tax recommends the following pass: CS for SB 346

The bill was referred to the Committee on Higher Education Appropriations under the original reference.

The Committee on Commerce recommends the following pass: CS for SB 1128 with 1 amendment

The bill was referred to the Committee on Judiciary under the original reference.

The Committee on Finance and Tax recommends the following pass: CS for SB 698; CS for CS for SB 920; CS for SB 2458; SB 2666 with 1 amendment

The bills were referred to the Committee on Transportation and Economic Development Appropriations under the original reference.

The Committee on Banking and Insurance recommends the following pass: SB 1986

The Committee on Criminal and Civil Justice Appropriations recommends the following pass: CS for SB 92; CS for SB 278; CS for SB's 340 and 1612; CS for SB 1064; CS for CS for SB 1084

The Committee on Education Pre-K - 12 Appropriations recommends the following pass: CS for CS for SB 574; CS for SB 856; CS for SB 1414

The Committee on General Government Appropriations recommends the following pass: CS for CS for SB 108; CS for SB 758; CS for CS for SB 1152; CS for SB 1300; CS for SB 2052; CS for SB 2422 with 1 amendment

The Committee on Health and Human Services Appropriations recommends the following pass: CS for SB 988; CS for SB 1462; CS for CS for SB 1488; CS for SB 1954; SB 2400

The Committee on Higher Education Appropriations recommends the following pass: CS for SB 1014

The Committee on Transportation and Economic Development Appropriations recommends the following pass: CS for CS for CS for SB 392; SB 2296

The bills contained in the foregoing reports were placed on the calendar.

The Committee on Regulated Industries recommends a committee substitute for the following: SB 2054

The bill with committee substitute attached was referred to the Committee on Agriculture under the original reference.

The Committee on Community Affairs recommends a committee substitute for the following: CS for SB 2084

The bill with committee substitute attached was referred to the Committee on Banking and Insurance under the original reference.

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 2272

The bill with committee substitute attached was referred to the Committee on Commerce under the original reference.

The Committee on Children, Families, and Elder Affairs recommends a committee substitute for the following: SB 786

The bill with committee substitute attached was referred to the Committee on Community Affairs under the original reference.

The Committee on Judiciary recommends a committee substitute for the following: CS for CS for SB 1614

The bill with committee substitute attached was referred to the Committee on Criminal and Civil Justice Appropriations under the original reference.

The Committee on Commerce recommends a committee substitute for the following: SB 2856

The bill with committee substitute attached was referred to the Committee on Finance and Tax under the original reference.

The Committee on Finance and Tax recommends committee substitutes for the following: CS for SB 1006; SB 1548; SB 1590

The Committee on Regulated Industries recommends a committee substitute for the following: CS for SB's 1094 and 326

The Committee on Transportation and Economic Development Appropriations recommends a committee substitute for the following: CS for CS for SB 920

The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on General Government Appropriations under the original reference.

The Committee on Higher Education recommends a committee substitute for the following: SB 2170

The bill with committee substitute attached was referred to the Committee on Governmental Operations under the original reference.

The Committee on Health Regulation recommends a committee substitute for the following: SB 2866

The bill with committee substitute attached was referred to the Committee on Higher Education under the original reference.

The Committee on Banking and Insurance recommends a committee substitute for the following: SB 2048

The Committee on Community Affairs recommends a committee substitute for the following: SB 640

The Committee on Health Regulation recommends a committee substitute for the following: SB 780

The Committee on Regulated Industries recommends a committee substitute for the following: SB 1284

The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Judiciary under the original reference.

The Committee on Community Affairs recommends a committee substitute for the following: SB 474

The Committee on Finance and Tax recommends a committee substitute for the following: CS for SB 2426

The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Transportation and Economic Development Appropriations under the original reference.

The Committee on Commerce recommends committee substitutes for the following: CS for SB 2264; CS for SB 2338

The Committee on Criminal and Civil Justice Appropriations recommends committee substitutes for the following: CS for SB 76; SB 328; SB 624; CS for CS for SB 756; CS for CS for SB 1442

The Committee on General Government Appropriations recommends committee substitutes for the following: CS for SB 542; CS for SB 818; CS for SB 1012; CS for CS for SB 1544; SB 1968; CS for SB 2212; CS for SB 2580

The Committee on Health and Human Services Appropriations recommends committee substitutes for the following: CS for SB 1360; CS for SB 1696; SB 2390; CS for SB 2598; CS for CS for SB 2654

The Committee on Higher Education recommends a committee substitute for the following: CS for SB 1762

The Committee on Judiciary recommends a committee substitute for the following: SB 740

The Committee on Transportation and Economic Development Appropriations recommends committee substitutes for the following: CS for SB 428; CS for SB 482; CS for CS for CS for SB 560; CS for SB 704; CS for CS for SB 802; CS for SB 1076; CS for SB 1946; CS for CS for SB 1992; CS for SB 2712; CS for SB 2714; SB 2778

The bills with committee substitutes attached contained in the foregoing reports were placed on the calendar.

REPORTS OF COMMITTEES RELATING TO EXECUTIVE BUSINESS

The Committee on Commerce recommends that the Senate confirm the following appointments made by the Governor:

Office and Appointment	*For Term Ending*
Board of Directors, Enterprise Florida, Inc.	
Appointees: Falconetti, John	07/01/2011
McCarty, Kevin	07/01/2011

The Committee on Commerce recommends that the Senate confirm the following appointment made by the President of the Senate

Office and Appointment	*For Term Ending*
Board of Directors, Enterprise Florida, Inc.	
Appointee: Campbell, Ronald J.	07/01/2010

The Committee on Health Policy recommends that the Senate confirm the following appointment made by the Governor:

Office and Appointment	*For Term Ending*
Secretary of Health Care Administration	
Appointee: Benson, Anna Holliday	Pleasure of Governor

The Committee on Higher Education recommends that the Senate confirm the following appointments made by the Governor:

Office and Appointment	*For Term Ending*
Board of Trustees, Florida A & M University	
Appointee: Langston, Charles	01/06/2013
Board of Trustees, Florida Atlantic University	
Appointee: Plymale, Sherry	01/06/2013
Board of Trustees, Florida Gulf Coast University	
Appointee: Lutgert, Scott F.	01/06/2013
Board of Trustees, University of North Florida	
Appointee: Korman, Joy G.	01/06/2013
Board of Trustees, University of West Florida	
Appointee: Merrill, J. Collier	01/06/2013

The Committee on Higher Education recommends that the Senate confirm the following appointments made by the Board of Governors:

Office and Appointment	*For Term Ending*
Board of Trustees, Florida A & M University	
Appointee: Brown, Robert J.	01/06/2010
Board of Trustees, Florida Atlantic University	
Appointee: Workman, Thomas, Jr.	01/06/2013
Board of Trustees, Florida State University	
Appointee: Kinsey, James E., Jr.	01/06/2013
Board of Trustees, University of North Florida	
Appointee: Twomey, Kevin M.	01/06/2013

[The appointments were referred to the Committee on Ethics and Elections under the original reference.]

COMMITTEE SUBSTITUTES

FIRST READING

By the Committees on Criminal and Civil Justice Appropriations; Criminal Justice; and Senators Atwater, Gaetz, Lynn, Fasano, Baker and Haridopolos—

CS for CS for SB 76—A bill to be entitled An act relating to criminal activity; creating s. 16.62, F.S.; creating the Coordinating Council on Criminal Gang Reduction Strategies within the Department of Legal Affairs; providing for membership and administration of the council; providing duties of the council; requiring the Department of Legal Affairs to provide staff and administrative support to the council; providing for the expiration of the council; amending s. 775.0846, F.S.; providing that a person commits a felony of the third degree if he or she is in possession of a bulletproof vest when committing or attempting to commit certain specified crimes; amending s. 775.13, F.S.; requiring certain felons whose offenses related to criminal gangs to register with the sheriff; providing penalties; amending s. 790.23, F.S.; providing penalties for certain persons possessing a firearm; amending s. 823.05, F.S.; revising provisions relating to the enjoining of public nuisances to include certain nuisances related to criminal gangs and criminal gang activities; providing for enjoining such nuisances; providing for local laws; amending s. 874.01, F.S.; revising a short title; amending s. 874.02, F.S.; revising legislative findings and intent; amending s. 874.03, F.S.; creating and revising definitions; redefining "criminal street gangs" as "criminal gangs"; amending s. 874.04, F.S.; conforming provisions; revising an evidentiary standard; creating s. 874.045, F.S.; providing that ch. 874, F.S., does not preclude arrest and prosecution under other specified provisions; amending s. 874.05, F.S.; revising provisions relating to soliciting or causing another to join a criminal gang; amending s. 874.06, F.S.; authorizing the state to bring civil actions for certain violations; providing that a plaintiff has a superior claim to property or proceeds; providing penalties for knowing violation of certain orders; amending s. 874.08, F.S.; conforming provisions relating to forfeiture; amending s. 874.09, F.S.; providing additional powers for the Department of Law Enforcement and local law enforcement agencies relating to crime data information; creating s. 874.10, F.S.; prohibiting persons from initiating, organizing, planning, financing, directing, managing, or supervising criminal gang-related activity; providing penalties; creating s. 874.11, F.S.; prohibiting use of electronic communications to further the interests of a criminal gang; providing penalties; creating s. 874.12, F.S.; defining the term "identification document"; prohibiting possession of certain identification documents for specified purposes; providing penalties; amending s. 893.138, F.S.; conforming terminology to changes made by the act; amending s. 895.02, F.S.; adding certain offenses to the definition of "racketeering activity"; conforming terminology to changes made by this act; amending s. 903.046, F.S.; adding to the list of items a court may consider when determining whether to release a defendant on bail; amending s. 914.22, F.S.; revising the penalties for tampering with or harassing witnesses; amending s. 943.031, F.S.; revising provisions relating to the Florida Violent Crime and Drug Control Council; providing duties concerning criminal gangs; creating the Drug Control Strategy and Criminal Gangs Committee; providing for duties of the committee concerning funding of certain programs; providing for reports; amending s. 947.18, F.S.; prohibiting certain parolees from communicating with criminal gang members; providing exceptions; amending s. 947.1405, F.S.; prohibiting certain conditional releasees from communicating with criminal gang members; providing exceptions; creating s. 948.033, F.S., prohibiting certain probationers or community controllees from communicating with criminal gang members; providing exceptions; amending s. 921.0022, F.S.; adding offenses to the offense severity

ranking chart of the Criminal Punishment Code; conforming terminology to changes made by this act; amending ss. 921.0024, 921.141, 943.325, 984.03, 985.03, 985.047, and 985.433, F.S.; conforming cross-references and terminology to changes made by this act; providing a directive to the Division of Statutory Revision; providing an effective date.

By the Committee on Criminal and Civil Justice Appropriations; and Senators Aronberg and Fasano—

CS for SB 328—A bill to be entitled An act relating to the offense of voyeurism; amending s. 810.145, F.S.; providing that it is a third-degree felony for certain persons who are responsible for the welfare of a child younger than 16 years of age to commit the offense of video voyeurism, video voyeurism dissemination, or commercial video voyeurism dissemination against that child; providing that it is a third-degree felony for a person employed at a school or voluntary prekindergarten education program to commit the offense of video voyeurism, video voyeurism dissemination, or commercial video voyeurism dissemination against a student of the school or voluntary prekindergarten education program; providing that it is a third-degree felony for a person who is 24 years of age or older to commit the offense of video voyeurism, video voyeurism dissemination, or commercial video voyeurism dissemination against a child younger than 16 years of age; providing that it is a second-degree felony for a person who was previously convicted of or adjudicated delinquent for video voyeurism, video voyeurism dissemination, or commercial video voyeurism dissemination to commit any such third-degree felony against a child younger than 16 years of age or a student; providing criminal penalties; providing an effective date.

By the Committees on Transportation and Economic Development Appropriations; Commerce; and Senator Bennett—

CS for CS for SB 428—A bill to be entitled An act relating to workforce innovation; amending s. 445.007, F.S.; authorizing designation of a regional workforce board as a one-stop operator and direct provider of certain services by agreement of the chief elected official and the Governor; requiring that Workforce Florida, Inc., establish procedures for a regional workforce board to request permission to operate and the criteria for granting such permission; providing for the permission to operate not exceed a certain period; providing an effective date.

By the Committee on Community Affairs; and Senator Garcia—

CS for SB 474—A bill to be entitled An act relating to growth management; amending s. 70.51, F.S.; deleting an exemption from the limitation on the frequency of amendments of comprehensive plans; transferring, renumbering, and amending s. 125.379, F.S.; requiring counties to certify that they have prepared a list of county-owned property appropriate for affordable housing before obtaining certain funding; amending s. 163.3174, F.S.; prohibiting the members of the local governing body from serving on the local planning agency; providing an exception; amending s. 163.3177, F.S.; requiring coordination of the local comprehensive plan with a school district's educational facilities plan; including a provision encouraging rural counties to adopt a rural sub-element as part of their future land use plan; prohibiting local comprehensive plans from imposing certain standards or development conditions inconsistent with certain requirements of law or state requirements for educational facilities or with maintaining financially feasible school district facilities work plans; requiring certain counties to certify that they have adopted a plan for ensuring affordable workforce housing before obtaining certain funding; requiring the housing element of the comprehensive plan to address senior affordable housing; authorizing the state land planning agency to amend administrative rules relating to planning criteria to allow for varying local conditions; deleting exemptions from the limitation on the frequency of plan amendments; deleting provisions encouraging local governments to develop a community vision and to designate an urban service boundary; amending s. 163.31771, F.S.; requiring a local government to amend its comprehensive plan to allow accessory dwelling units in an area zoned for single-family residential use; prohibiting such units from being treated as new units if there is a land use restriction agreement that restricts use to affordable housing; prohibiting accessory dwelling units from being located on certain land; amending s. 163.3178, F.S.; revising provisions relating to coastal management and coastal high-hazard areas; providing factors for demonstrating the compliance of a comprehensive plan amendment with rule provisions relating to coastal areas; amending s. 163.3180, F.S.; revising concurrency requirements; specifying municipal areas for transportation concurrency exception areas; revising provisions relating to the Strategic Intermodal System; deleting a requirement for local governments to annually submit a summary of de minimus records; providing additional requirements for school concurrency service areas and contiguous service areas; providing a minimum state availability standard for school concurrency; extending the deadline for local governments to adopt a public school facilities element and interlocal agreement; providing that a developer may not be required to reduce or eliminate backlog or address class size reduction; requiring charter schools to be considered as a mitigation option under certain circumstances; limiting the circumstances under which a local government may deny a development permit or comprehensive plan amendment based on school concurrency; requiring school districts to include relocatables in their calculation of school capacity in certain circumstances; requiring consistency between a school impact fee and an adopted school concurrency ordinance; absolving a developer from responsibility for mitigating school concurrency backlogs or addressing class size; authorizing a methodology based on vehicle and miles traveled for calculating proportionate fair-share methodology; providing transportation concurrency incentives for private developers; deleting an exemption from transportation concurrency provided to certain workforce housing; requiring proportionate-share mitigation for developments of regional impact to be based on the existing level of service or the adopted level-of-service standard, whichever is less; defining the term "backlogged transportation facility"; providing for recommendations for the establishment of a uniform mobility fee methodology to replace the current transportation concurrency management system; amending s. 163.3184, F.S.; requiring that potential applicants for a future land use map amendment conduct a meeting to present, discuss, and solicit public comment on the proposed amendment; requiring that such meeting be conducted before the application is filed; providing notice and procedure requirements for such meetings; providing for applicability of such requirements; requiring that applicants conduct a second meeting within a specified period before the local government's scheduled adoption hearing; providing for notice of such meeting; requiring that an applicant file with the local government a written certification attesting to certain information; exempting small-scale amendments from requirements related to meetings; revising a time period for comments on plan amendments; revising a time period for requesting state planning agency review of plan amendments; revising a time period for the state land planning agency to identify written comments on plan amendments for local governments; providing that an amendment is deemed abandoned under certain circumstances; authorizing the state land planning agency to grant extensions; requiring that a comprehensive plan or amendment to be adopted be available to the public; prohibiting certain types of changes to a plan amendment during a specified period before the hearing thereupon; requiring that the local government certify certain information to the state land planning agency; deleting exemptions from the limitation on the frequency of amendments of comprehensive plans; deleting provisions relating to community vision and urban boundary amendments to conform to changes made by the act; amending s. 163.3187, F.S.; providing that comprehensive plan amendments may be adopted by simple majority vote of the governing body of the applicable local government; requiring a super majority vote of such persons for the adoption of certain amendments; authorizing local governments to transmit and adopt certain plan amendments twice per calendar year; authorizing local governments to transmit and adopt certain plan amendments at any time during a calendar year without regard for restrictions on frequency; deleting certain types of amendments from the list of amendments eligible for adoption at any time during a calendar year; deleting exemptions from frequency limitations; providing circumstances under which small-scale amendments become effective; amending s. 163.3245, F.S.; revising provisions relating to optional sector plans; authorizing all local government to adopt optional sector plans into their comprehensive plan; increasing the size of the area to which sector plans apply; deleting certain restrictions on a local government upon entering into sector plans; deleting an annual monitoring report submitted by a host local government that has adopted a sector plan and a status report submitted by the department on optional sector plans; amending s. 163.3246, F.S.; discontinuing the Local Government Comprehensive Planning Certification Program except for currently certified local governments; retaining an exemption from DRI review for a certified community in certain circumstances; creating s.

163.32461, F.S.; providing expedited affordable housing growth strategies; providing legislative intent; providing definitions; providing an optional expedited review for certain future land use map amendments; providing procedures for such review; providing for the expedited review of subdivision, site plans, and building permits; providing for density bonuses for certain land uses; amending s. 163.32465, F.S.; revising provisions relating to the state review of comprehensive plans; providing additional types of amendments to which the alternative state review applies; renumbering and amending s. 166.0451, F.S.; requiring municipalities to certify that they have prepared a list of county-owned property appropriate for affordable housing before obtaining certain funding; amending s. 253.034, F.S.; requiring that a manager of conservation lands report to the Board of Trustees of the Internal Improvement Trust Fund at specified intervals regarding those lands not being used for the purpose for which they were originally leased; requiring that the Division of State Lands annually submit to the President of the Senate and the Speaker of the House of Representatives a copy of the state inventory identifying all nonconservation lands; requiring the division to publish a copy of the annual inventory on its website and notify by electronic mail the executive head of the governing body of each local government having lands in the inventory within its jurisdiction; amending s. 288.975, F.S.; deleting exemptions from the frequency limitations on comprehensive plan amendments; amending s. 380.06, F.S.; providing an exception from development-of-regional-impact review; providing a 3-year extension for the buildout, commencement, and expiration dates of developments of regional impact and Florida Quality Developments, including associated local permits; providing that all transportation impacts for a phase or stage of a development of regional impact shall be deemed mitigated under certain circumstances; amending s. 380.0651, F.S.; providing an exemption from development-of-regional impact review; amending s. 1002.33, F.S.; restricting facilities from providing space to charter schools unless such use is consistent with the local comprehensive plan; creating s. 1011.775, F.S.; requiring that each district school board prepare an inventory list of certain real property on or before a specified date and at specified intervals thereafter; requiring that such list include certain information; requiring that the district school board review the list at a public meeting and make certain determinations; requiring that the board state its intended use for certain property; authorizing the board to revise the list at the conclusion of the public meeting; requiring that the board adopt a resolution; authorizing the board to offer certain properties for sale and use the proceeds for specified purposes; authorizing the board to make the property available for the production and preservation of permanent affordable housing; defining the term "affordable" for specified purposes; repealing s. 339.282, F.S., relating to transportation concurrency incentives; repealing s. 420.615, F.S., relating to affordable housing land donation density bonus incentives; amending s. 1013.33, F.S.; prohibiting the imposition of standards and conditions exceeding certain requirements for an educational facilities or school district facilities work plan under certain circumstances; providing an exception; amending s. 1013.372, F.S.; requiring that certain charter schools serve as public shelters at the request of the local emergency management agency; amending ss. 163.3217, 163.3182, and 171.203, F.S.; deleting exemptions from the limitation on the frequency of amendments of comprehensive plans; providing an effective date.

By the Committees on Transportation and Economic Development Appropriations; Community Affairs; and Senators Garcia and Bullard—

CS for CS for SB 482—A bill to be entitled An act relating to affordable housing; amending s. 212.055, F.S.; redefining the term "infrastructure" to allow the proceeds of a local government infrastructure surtax to be used to purchase land for the construction of affordable or workforce housing units; amending s. 420.503, F.S.; defining the term "moderate rehabilitation" for purposes of the Florida Housing Finance Corporation Act; amending s. 420.5087, F.S.; revising purposes for which State Apartment Incentive Loans may be used; amending s. 420.5095, F.S.; requiring that certain funds related to the Community Workforce Housing Innovation Pilot Program be made available for workforce housing for teachers and instructional personnel; requiring that the Florida Housing Finance Corporation select projects for funding based on certain criteria; amending s. 420.9071, F.S.; defining the terms "assisted housing," "assisted housing development," and "preservation"; revising the definition of "eligible housing," "local housing incentive strategies," and "recaptured funds" for purposes of the State Housing Initiatives Partnership Act; amending s. 420.9072, F.S.; revising provisions related to the administration of certain funds in the Local Government Housing Trust Fund; amending s. 420.9073, F.S.; revising requirements for distribution of funds in the Local Government Housing Trust Fund; specifying purposes for which such withheld funds may be used; clarifying purposes for which certain local governments may expend funds from the Local Government Housing Trust Fund; amending s. 420.9075, F.S.; requiring that local housing assistance plans address the special housing needs of persons with disabilities; authorizing the Florida Housing Finance Corporation to define "high-cost counties" by rule; authorizing high-cost counties or certain municipalities to assist persons meeting specific income requirements; revising requirements to be included in the local housing assistance plan; requiring counties and certain municipalities to include certain strategies in the local housing assistance plan; revising criteria that applies to awards made for the purpose of providing affordable housing; authorizing and limiting the percentage of funds from the local housing distribution that may be used for certain manufactured housing; extending the expiration date of an exemption from certain income requirements in specified areas; authorizing the use of certain funds for preconstruction activities; providing that certain costs are a program expense; authorizing counties and certain municipalities to award grant funds under certain conditions; providing for the repayment of funds by counties or certain municipalities; amending provisions related to the administration of certain funds in the Local Government Housing Trust Fund; amending s. 420.9076, F.S.; revising appointments to a local affordable housing advisory committee; deleting cross-references to conform to changes made by the act; deleting provisions related to the administration of certain funds by the Local Government Housing Trust Fund; amending s. 421.08, F.S.; limiting the authority of housing authorities in certain circumstances; amending s. 159.807, F.S.; deleting an exemption for the Florida Housing Finance Corporation from the applicability of certain uses of the state allocation pool; repealing s. 420.9078, F.S., relating to state administration of funds remaining in the Local Government Housing Trust Fund; amending ss. 212.08, 220.03, and 220.183, F.S.; conforming cross-references to changes made by the act; amending s. 624.5105, F.S.; conforming cross-references to changes made by the act; providing an effective date.

By the Committees on General Government Appropriations; Environmental Preservation and Conservation; and Senator Saunders—

CS for CS for SB 542—A bill to be entitled An act relating to land acquisition and management; amending s. 201.15, F.S., relating to the distribution of taxes collected for debt service; extending the deadline for retiring the bonds issued under the Florida Forever Act; amending s. 215.618, F.S.; authorizing the distribution of bonds for the acquisition of conservation lands; increasing the bonding authority for issuance of Florida Forever bonds; directing the Legislature to complete a debt analysis prior to the issuance of any such bonds by a date certain; directing the Legislature to complete an analysis on potential revenue sources by a date certain; amending s. 253.025, F.S.; requiring appraisals of land under certain circumstances; deleting provisions that allow appraisers to reject an appraisal report under certain conditions; providing authority to the Board of Trustees of the Internal Improvement Trust Fund to waive sales history requirements under certain conditions; amending s. 253.0325, F.S.; requiring the Department of Environmental Protection to modernize its information systems; requiring a annual report of state lands acquired by each recipient of funds; amending s. 253.034, F.S.; defining the term "public access" for purposes of chapters 253 and 259, F.S.; requiring that land management plans provide short-term and long-term management goads; specifying measurable objectives; requiring that a land management plan contain certain elements; revising requirements for determining which state-owned lands may be surplus lands; requiring additional appraisals under certain conditions; requiring the Division of State Lands to contract with an organization for the purpose of determining the value of carbon capture and carbon sequestration with respect to state lands and provide an inventory to the board of trustees; authorizing to the Fish and Wildlife Conservation Commission to manage lands for imperiled species under certain conditions; requiring a report to the Legislature; providing for future expiration of such authority; amending s. 253.111, F.S.; extending the period within which a board of county commissioners must provide a resolution to the Board of Trustees of the Internal Improvement Trust Fund before state-owned lands are otherwise sold; amending s. 253.82, F.S.; revising requirements of the sale of nonsovereignty lands owned by the board of trustees; deleting appraisal limitations; amending s. 259.032, F.S.; requiring priority purchase of conservation and recreational lands that

have high concentrations of population and certain agricultural lands; revising requirements for land management plans; establishing a minimum for funds expended for the management of state-owned land; requiring the Land Management Uniform Accounting Council to report on the formula for allocating land management funds; providing requirements for the report; deleting obsolete provisions; amending s. 259.035, F.S.; revising provisions establishing the Acquisition and Restoration Council; revising membership criteria; directing the council to establish specific criteria and numeric performance measures for the acquisition of land; amending s. 259.037, F.S.; revising the categories used by the Land Management Uniform Accounting Council to collect and report the costs of land management activities; requiring agencies to report additional information to the council; amending s. 259.041, F.S., relating to the acquisition of state-owned lands for preservation, conservation, and recreation purposes; requiring Legislative approval for acquisitions by the state exceeding a certain amount; increasing appraisal thresholds; requiring that specific language be included on option contracts; amending s. 259.105, F.S., relating to the Florida Forever Act; revising Legislative intent; providing for funds to be deposited in the Florida Forever Trust Fund; requiring bonded moneys be spent for capital improvements under certain conditions; providing for the expenditure of funds for conservation and agricultural easements under certain conditions; providing for the inclusion of carbon sequestration as a multiple use; providing rulemaking authority for the board of trustees; providing for the reversion of lands to the board of trustees under certain conditions; requiring an annual work plan be developed by the Acquisition and Restoration Council; authorizing alternatives to fee-simple purchases; deleting obsolete provisions; amending s. 259.1051, F.S., relating to the Florida Forever Trust Fund; increasing bonding authority; amending s. 373.089, F.S.; clarifying the process for disposing of surplus lands; amending s. 373.1391, F.S.; providing additional oversight authority to the department; amending s. 373.199, F.S.; clarifying work plan requirements; transferring all statutory powers, duties, functions, records, personnel, property, and unexpended balances of appropriations, allocations, or other funds related to the Florida Communities Trust from the Department of Community Affairs to the Department of Environmental Protection; requesting that the Division of Statutory Revision of the Office of Legislative Services prepare a reviser's bill to conform certain provisions of state law to changes made by the act; providing an effective date.

By the Committees on Transportation and Economic Development Appropriations; Environmental Preservation and Conservation; Regulated Industries; Community Affairs; and Senator Constantine—

CS for CS for CS for CS for SB 560—A bill to be entitled An act relating to energy efficiency and conservation; amending s. 163.04, F.S.; revising provisions authorizing the use of solar collectors and other energy devices; amending s. 163.3177, F.S.; revising requirements for the future land use element of a local comprehensive plan to include energy-efficient land use patterns and greenhouse gas reduction strategies; requiring that the traffic-circulation element of a local comprehensive plan incorporate transportation strategies to reduce greenhouse gas emissions; requiring that the land use map or map series contained in the future land use element of a local comprehensive plan identify and depict energy conservation; requiring that the home element of a local comprehensive plan include energy efficiency in the design and construction of new housing and use of renewable energy resources; providing that certain counties may not receive state affordable housing funds under certain circumstances; requiring each unit of local government within an urbanized area to amend the transportation element of a local comprehensive plan to incorporate transportation strategies addressing reduction in greenhouse gas emissions; amending s. 489.105, F.S.; expanding the scope of the definition of "roofing contractor" to include contractors performing required roof-deck attachments and any repair or replacement of wood roof sheathing or fascia as needed during roof repair or replacement; amending s. 553.36, F.S.; redefining the term "manufactured building" for purposes of the Florida Manufactured Building Act to include modular and factory-built buildings; amending s. 553.37, F.S.; requiring the Department of Community Affairs to adopt rules related to the inspection, construction, and modification of manufactured buildings; requiring the department to develop an insignia to be affixed to newly constructed manufactured buildings; authorizing the department to charge a fee for the insignia; providing requirements for the insignia; requiring the department to develop minimum criteria for a manufacturer's data plate; amending s. 553.381, F.S.; conforming provisions; amending s. 553.415, F.S.; requiring the department to require that an insignia be affixed to all newly constructed factory-built school buildings; providing requirements for the manufacturer's data plate; amending s. 553.71, F.S.; providing a definition; amending s. 553.73, F.S.; expanding required codes to be included in Florida Building Code updates; expanding the list of reasons the commission may amend the Florida Building Code; providing requirements for the retroactive application of parts of the Florida Building Code to commercial wireless communications towers; amending s. 553.74, F.S.; revising requirements for selecting members of the Florida Building Commission; revising membership of the commission; deleting obsolete provisions; amending s. 553.75, F.S.; authorizing the Florida Building Commission to use communications media technology in conducting its meetings or meetings held in conjunction with commission meetings; providing for public comment at meetings of the commission; amending s. 553.77, F.S.; authorizing the commission to implement recommendations relating to energy efficiency in residential and commercial buildings; amending s. 553.775, F.S.; authorizing the commission to render declaratory statements; amending s. 553.80, F.S.; providing that the enforcement of construction regulations relating to facilities for mental health treatment are under the jurisdiction of the Department of Children and Family Services; amending s. 553.842, F.S.; requiring the commission to review the list of product evaluation entities; providing reporting requirements; providing for rulemaking; designating an entity as an approved production evaluation entity until October, 1, 2009; providing criteria for substitution of approved products under certain conditions; providing for the expiration of certain product approvals; amending s. 553.844, F.S.; revising provisions requiring the adoption of certain mitigation techniques by the Florida Building Commission within the Florida Building Code for certain structures; amending s. 553.885, F.S.; requiring the installation of carbon monoxide detectors in certain new hospitals, hospice and nursing homes facilities; creating s. 553.886, F.S.; requiring that the Florida Building Code facilitate and promote the use of certain renewable energy technologies in buildings; amending s. 553.901, F.S.; requiring the commission to adopt by rule a definition of the term "cost-effective"; creating s. 553.9061, F.S.; establishing a schedule of required increases in the energy performance of buildings subject to the Florida Building Code; providing a process for implementing goals to increase energy-efficiency performance in new buildings; providing a schedule for the implementation of such goals; identifying energy-efficiency performance options and elements available to meet energy-efficiency performance requirements; providing a schedule for the review and adoption of renewable energy-efficiency goals by the commission; requiring the commission to conduct a study to evaluate the energy-efficiency rating of new buildings and appliances; requiring the commission to submit a report to the President of the Senate and the Speaker of the House of Representatives on or before a specified date; requiring the commission to conduct a study to evaluate opportunities to restructure the Florida Energy Code for Building Construction, including the integration of the Thermal Efficiency Code, the Energy Conservation Standards Act, and the Florida Building Energy-Efficiency Rating Act; requiring the commission to submit a report to the President of the Senate and the Speaker of the House of Representatives on or before a specified date; directing the Department of Community Affairs, in conjunction with the Florida Energy Affordability Council, to identify and review issues relating to the Low-Income Home Energy Assistance Program and the Weatherization Assistance Program; requiring the submission of a report to the President of the Senate and the Speaker of the House of Representatives on or before a specified date; providing for the expiration of certain study requirements; repealing s. 553.731 F.S., relating to wind-borne debris protection requirements; amending s. 718.113, F.S.; authorizing the board of a condominium or a multicondominium to install solar collectors, clotheslines, or other energy-efficient devices on association property; requiring the Florida Building Commission to include certain information in its report to the Legislature; providing an effective date.

By the Committee on Criminal and Civil Justice Appropriations; and Senators Dockery and Gaetz—

CS for SB 624—A bill to be entitled An act relating to human smuggling; creating s. 787.07, F.S.; defining the term "illegal alien"; providing that a person commits a third-degree felony if he or she transports an individual 18 years of age or older into this state and knows, or should know, that the individual is an illegal alien; providing that it is a second-degree felony if such illegal alien is injured or dies; providing that a person commits a second-degree felony if he or she transports a minor into this state and knows, or should know, that the minor is an illegal

alien; providing that it is a first-degree felony if such illegal alien is injured or dies; providing that a person commits a separate offense for each person he or she unlawfully transports; providing an effective date.

By the Committee on Community Affairs; and Senators Oelrich, Crist, Posey and Bennett—

CS for SB 640—A bill to be entitled An act relating to financial management by local governments; amending s. 116.07, F.S.; revising a requirement that the sheriff and the clerk of the circuit court keep financial statements and books of accounts in accordance with part III of ch. 218, F.S.; creating s. 116.075, F.S.; requiring the clerk of the circuit court, as county auditor, under certain circumstances to prepare the annual report of the county; authorizing the clerk of the circuit court to perform certain reviews and tests; clarifying that the act does not authorize the clerk to audit the offices of the county constitutional officers unless otherwise provided by the charter or approved by a vote of the electors; amending s. 136.05, F.S.; providing that the clerk of the circuit court is the accountant to the board of county commissioners; amending s. 190.006, F.S.; increasing the amount of the filing fee and election assessment for qualification of members of boards of supervisors of community development districts; increasing the amount of compensation for members of boards of supervisors; providing an effective date.

By the Committees on Transportation and Economic Development Appropriations; Judiciary; and Senators Bennett and Gaetz—

CS for CS for SB 704—A bill to be entitled An act relating to administrative procedures; providing a short title; amending s. 120.52, F.S.; redefining the term "invalid exercise of delegated legislative authority" to remove a limitation on the construction of statutory language granting rulemaking authority; defining the terms "law implemented," "rulemaking authority," and "unadopted rule"; amending s. 120.53, F.S.; authorizing agencies to transmit agency orders electronically to the Division of Administrative Hearings; amending s. 120.536, F.S.; revising guidelines for the construction of statutory language granting rulemaking authority; amending s. 120.54, F.S.; prescribing limits and guidelines with respect to the incorporation of material by reference; prescribing requirements for material being incorporated by reference; prohibiting an agency head from delegating or transferring certain specified rulemaking responsibilities; revising the information required in notices of proposed actions; providing additional procedures for rule-adoption hearings; revising requirements for filing rules; requiring that material incorporated by reference be published by the agency when adopting emergency rules; revising provisions with respect to petitions to initiate rulemaking; amending s. 120.545, F.S.; revising duties and procedures of the Administrative Procedures Committee and agencies with respect to review of agency rules; deleting procedures for agency election to modify, withdraw, amend, or repeal a proposed rule; providing for the effect of the failure of an agency to respond to a committee objection to a statement of estimated regulatory costs within the time prescribed; deleting a requirement that the Department of State publish final legislative action; amending s. 120.55, F.S.; requiring the department to prescribe by rule the content requirements for rules, notices, and other materials; providing for the transfer of excess funds; requiring electronic publication of the Florida Administrative Code; prescribing requirements with respect to the content of such electronic publication; providing for filing information incorporated by reference in electronic form; providing requirements for the Florida Administrative Weekly Internet website; amending s. 120.56, F.S., relating to challenges to rules; conforming a cross-reference; revising procedures for administrative determinations of the invalidity of rules; requiring an agency to discontinue reliance on a statement under certain circumstances; providing an exception; deleting certain provisions relating to actions before a final hearing is held; amending s. 120.57, F.S.; revising procedures applicable to hearings involving disputed issues of material fact; prohibiting enforcement of unadopted agency rules under certain circumstances; amending s. 120.595, F.S.; increasing the limitation on attorney's fees in challenges to proposed agency rules or existing agency rules; providing for an award of reasonable costs and attorney's fees accrued by a petitioner under certain circumstances; providing for an award of fees and costs if the agency prevails and a party participated for an improper purpose; amending s. 120.569, F.S.; requiring that certain administrative proceedings be terminated and subsequently reinstated under different provisions of law if a disputed issue of material fact arises during the proceeding; conforming a cross-reference; amending s. 120.74, F.S.; revising reporting requirement for agency heads; amending ss. 120.80, 120.81, 409.175, 420.9072, and 420.9075, F.S.; conforming cross-references; providing appropriations; requiring a temporary increase in the space rate charge for publication in the Florida Administrative Weekly; revising, for a specified period, the limit for the unencumbered balance in the Records Management Trust Fund at the beginning of the fiscal year for fees collected under ch. 120, F.S.; providing effective dates.

By the Committee on Judiciary; and Senator Dean—

CS for SB 740—A bill to be entitled An act relating to retired justices and judges; amending s. 25.073, F.S.; providing exceptions to a prohibition against certain former judges serving as retired justices or retired judges under certain circumstances; providing an effective date.

By the Committees on Criminal and Civil Justice Appropriations; Criminal Justice; Judiciary; and Senators Joyner, Webster and Dockery—

CS for CS for CS for SB 756—A bill to be entitled An act relating to compensation for wrongful incarceration; creating the "Victims of Wrongful Incarceration Compensation Act"; providing definitions; providing a limited method by which a person may seek the status of a wrongfully incarcerated person who is eligible and entitled to compensation under the act; requiring a sworn petition by the claimant; requiring the petitioner to show verifiable and substantial evidence of actual innocence; requiring the original prosecuting authority to respond to the petition; providing for a determination on the pleadings whether claimant is ineligible for compensation based on past criminal history; providing for a contested factual determination before an administrative law judge if necessary; requiring the original sentencing court to determine whether a person is a wrongfully incarcerated person based upon clear and convincing evidence; providing exceptions and limitations regarding the eligibility of a wrongfully incarcerated person for compensation; requiring the original sentencing court to include a finding of eligibility for compensation in its order; granting rulemaking authority to the Department of Legal Affairs; requiring that a wrongfully incarcerated person seeking compensation apply to the Department of Legal Affairs; providing application requirements and a deadline; requiring that the Department of Legal Affairs review each application and notify the claimant of any omissions or errors, or the need for additional information, within a specified period; requiring that the Department of Legal Affairs process and review each completed application within a specified period; requiring that the Department of Legal Affairs notify the claimant if he or she qualifies for compensation within a specified period; providing for monetary compensation for certain wrongfully incarcerated persons; providing for recovery of reasonable attorney's fees and other costs with limitations for certain wrongfully incarcerated persons; providing for tuition waivers for wrongfully incarcerated persons who meet certain requirements; providing for administrative expunction of certain records; requiring that any monetary compensation be paid within a specified period by specified means; prescribing conditions under which compensation payments cease; requiring a wrongfully incarcerated person to report any subsequent felony convictions; specifying that the estate, personal representative of, or heirs of the wrongfully incarcerated person are not entitled to future payments; prescribing conditions under which an application may not be filed and compensation may not be awarded; requiring a claimant to sign a release before receiving such compensation; providing for a continuing appropriation from the General Revenue Fund; providing that an award of compensation does not constitute a waiver of sovereign immunity by the state; providing for severability; providing an effective date.

By the Committee on Health Regulation; and Senators Rich, Bennett, Aronberg, Deutch, Ring, Margolis, Joyner, Wilson and Jones—

CS for SB 780—A bill to be entitled An act relating to reproductive health services and family planning; creating the "Prevention First Act"; providing definitions; providing duties of licensed health care practitioners and facilities relating to the treatment of rape survivors; requiring the Department of Health to provide certain information; requiring the

Agency for Health Care Administration to provide for enforcement and impose penalties; requiring the agency to adopt rules; amending s. 390.011, F.S.; defining the term "contraception"; creating s. 390.027, F.S.; specifying that the provision of contraception is not subject to ch. 390, F.S., relating to the termination of pregnancies; creating s. 465.190, F.S.; providing definitions; requiring licensed pharmacies to dispense certain forms of contraception without delay; specifying conditions under which a pharmacy may refuse to provide a contraceptive; providing for a person to file a complaint with the Department of Health if he or she believes that a violation of such provisions has occurred; providing for the Attorney General to bring a civil action; amending ss. 465.016 and 465.023, F.S.; providing that a violation of requirements for dispensing contraception constitutes grounds for the Department of Health or the Board of Pharmacy to impose disciplinary action or suspend or revoke a pharmacist's license or permit; providing for severability; providing an effective date.

By the Committee on Children, Families, and Elder Affairs; and Senator Crist—

CS for SB 786—A bill to be entitled An act relating to homelessness; amending s. 420.507, F.S.; conforming a cross-reference; amending s. 420.621, F.S.; revising, providing, and deleting definitions; amending s. 420.622, F.S.; increasing and revising membership on the Council on Homelessness; removing a member from an obsolete organization; correcting the name of a member organization on the council; revising the date of an annual report; creating s. 420.6275, F.S.; creating the Housing First program; providing legislative findings and intent; providing methodology; providing components of the program; creating s. 420.628, F.S.; providing legislative findings and intent relating to young adults leaving foster care; amending s. 1003.01, F.S.; revising a definition; amending ss. 1003.21 and 1003.22, F.S.; conforming terminology; providing an effective date.

By the Committees on Transportation and Economic Development Appropriations; Criminal Justice; Transportation; and Senator Garcia—

CS for CS for CS for SB 802—A bill to be entitled An act relating to operating a motor vehicle; creating s. 316.1926, F.S.; creating additional offenses regarding the operation of a motor vehicle; amending s. 316.2085, F.S.; requiring an operator of a motorcycle or moped to maintain both wheels on the ground at all times; requiring that the license tag of a motorcycle or moped be affixed horizontally; amending s. 318.14, F.S.; providing additional penalties for certain offenses involving the operation of a motorcycle or excessive speed; providing for revocation of the person's privilege to operate a motor vehicle; creating s. 318.195, F.S.; providing that a person who is convicted of a moving violation that causes or contributes to causing serious injury to or the death of a person riding a motorcycle commits a misdemeanor offense; requiring that the offender pay a specified fine, serve a minimum of period of incarceration, and attend a driver improvement course; requiring the court to revoke the person's driver's license for a specified period; providing criminal penalties; providing that the act does not prohibit the offender from being charged with, convicted of, or punished for any other violation of law; providing an effective date.

By the Committees on General Government Appropriations; Banking and Insurance; and Senator Bennett—

CS for CS for SB 818—A bill to be entitled An act relating to financial services; amending s. 20.121, F.S.; providing that the appointment of the director of each office within the Department of Financial Services is subject biennially to reaffirmation, which may be accomplished by a simple majority vote of the Financial Services Commission; requiring that such vote occur by a specified date; amending s. 520.02, F.S.; defining the term "guaranteed asset protection products"; amending s. 520.07, F.S.; setting forth requirements and prohibitions for selling guaranteed asset protection products; amending s. 624.605, F.S.; including debt-cancellation products under casualty insurance; providing a definition; authorizing certain entities to offer debt-cancellation products under certain circumstances; specifying that such products are not insurance; amending ss. 627.553 and 627.679, F.S.; revising limitations on the amount of authorized insurance for debtors; amending s. 627.681, F.S.; revising a limitation on the term of credit disability insurance; amending s. 655.005, F.S.; redefining the terms "federal financial institution" and "financial institution"; defining the term "debt-cancellation products"; amending s. 655.79, F.S.; providing that a deposit account by a husband and wife is a tenancy by the entirety; creating s. 655.947, F.S.; providing a definition; authorizing financial institutions to offer debt-cancellation products; authorizing a fee; requiring the Financial Services Commission to adopt rules; providing that a periodic payment option is not required for certain debt-cancellation products; amending s. 655.954, F.S.; authorizing a financial institution to offer a debt-cancellation product but not as a requirement of receiving a loan; creating s. 655.967, F.S.; providing that state-mandated endowments may be maintained in trust accounts in financial institutions; amending s. 658.21, F.S.; revising an ownership of capital criterion for capital accounts at financial institutions and one-bank holding companies; amending s. 658.34, F.S.; prohibiting certain stock issuance practices for banks; amending s. 658.36, F.S.; requiring a state bank or trust company to file a written notice before increasing its capital stock; amending s. 658.44, F.S.; revising criteria for determining the value of dissenting shares of certain entities; providing an effective date.

By the Committees on Transportation and Economic Development Appropriations; Governmental Operations; Transportation; and Senators Fasano, Posey, Wise, Lawson, Baker, Gaetz, Oelrich, Alexander, Ring, Margolis and Deutch—

CS for CS for CS for SB 920—A bill to be entitled An act relating to driver's license fees; amending s. 318.15, F.S.; increasing the nonrefundable service charge paid to the Department of Highway Safety and Motor Vehicles or to the clerk of the court to reinstate a suspended driver's license and privilege to drive; requiring that the deposited funds be used to establish a recruitment and retention salary plan for officers of the highway patrol; amending s. 318.18, F.S.; increasing the civil penalty a person must pay for a late payment of civil traffic penalties; requiring that a specified amount of the collected penalty be used to establish a recruitment retention salary plan for officers of the highway patrol; amending s. 322.21, F.S.; increasing the fees for reinstating a suspended or revoked driver's license or commercial motor vehicle license; requiring that the fees collected from reinstating a suspended or revoked driver's license be used to establish a recruitment and retention salary plan for officers of the highway patrol; amending s. 322.29, F.S., relating to the surrender and return of a license; conforming provisions to changes made by the act; providing an effective date.

By the Committees on Finance and Tax; Regulated Industries; and Senator Geller—

CS for CS for SB 1006—A bill to be entitled An act relating to cardrooms; amending s. 849.086, F.S.; providing definitions; authorizing cardroom operators to host charity/celebrity poker tournaments and televised high-stakes poker tournaments at certain pari-mutuel facilities; providing limitations; authorizing the Division of Pari-mutuel Wagering of the Department of Business and Professional Regulation to adopt rules governing the operation of tournaments; providing an effective date.

By the Committees on General Government Appropriations; Banking and Insurance; and Senators Gaetz, Baker, Fasano, Posey, Oelrich, Bennett, Ring, Lynn and Storms—

CS for CS for SB 1012—A bill to be entitled An act relating to health insurance; amending s. 624.443, F.S.; authorizing the Office of Insurance Regulation to waive the requirement that each multiple-employer welfare arrangement maintain its principal place of business in this state if the arrangement meets certain specified conditions and has a minimum specified fund balance at the time of licensure; amending s. 627.638, F.S.; authorizing the payment of health insurance policy benefits directly to a licensed ambulance provider; requiring that an insurer make payments directly to the preferred provider for the delivery of health care services; creating s. 627.64731, F.S.; providing requirements for the rent, lease, or granting of access to the health care services of a

preferred provider or exclusive provider under a health care contract; amending s. 627.662, F.S.; applying the requirements for the rent, lease, or granting of access to the health care services of a preferred provider or exclusive provider under a health care contract to group health insurance, blanket health insurance, and franchise health insurance policies; amending s. 641.31; providing that a health maintenance contract may not prohibit and a claims form must provide an option for direct payment to specified providers; authorizing a health maintenance organization to require a provider to make available a written attestation of assignment of benefits; authorizing the attestation to be submitted to the health maintenance organization in electronic form; amending s. 641.3155, F.S.; decreasing the amount of time in which a health maintenance organization may make a claim for overpayment against a provider; amending s. 627.6131, F.S.; reducing the period for a health insurer to submit a claim to a provider for overpayment; amending s. 627.6471, F.S.; requiring that a nonpreferred provider, upon request of the insured, provide to the insured the estimated range of charges for the services requested; specifying that the provider in not liable if the final charge exceeds the initial estimate; providing applicability; providing an effective date.

By the Committees on Transportation and Economic Development Appropriations; Criminal Justice; and Senators King, Storms, Justice, Lynn and Crist—

CS for CS for SB 1076—A bill to be entitled An act relating to the dismantling and destruction of motor vehicles and mobile homes; amending s. 319.30, F.S.; revising definitions; defining "certificate of title," "derelict motor vehicle," "derelict motor vehicle certificate," "recreational vehicle," and "salvage certificate of title"; revising provisions requiring that certain documents accompany a motor vehicle or mobile home sold, transported, or delivered to a salvage motor vehicle dealer or a secondary metals recycler; providing requirements for the transfer of a derelict motor vehicle to a salvage motor vehicle dealer or a secondary metals recycler; requiring the purchaser to record and maintain certain information; providing for the use of a derelict motor vehicle certificate if the certificate of title, salvage certificate of title, or certificate of destruction is not available; restricting reassignment of a derelict motor vehicle certificate; providing penalties; revising provisions for reporting to the Department of Highway Safety and Motor Vehicles and cancellation of title records; providing for an electronic notification system to be established by the department; providing for the placement of a hold on a motor vehicle or mobile home in the possession of a salvage motor vehicle dealer or secondary metals recycler by an agent or employee of the department or a law enforcement officer who has reason to believe that the motor vehicle or mobile home was stolen or is fraudulently titled; authorizing the department to adopt rules and charge described fees; amending s. 319.14, F.S.; correcting a cross-reference; providing an effective date.

By the Committees on Regulated Industries; Environmental Preservation and Conservation; and Senators Haridopolos, Constantine, Gaetz, Justice, Baker, Jones, Lynn, Posey and Dockery—

CS for CS for SB's 1094 and 326—A bill to be entitled An act relating to the regulation of releases from gambling vessels; creating s. 376.25, F.S.; providing a short title; providing definitions; requiring gambling vessels operating in coastal waters of the state to register with the Department of Environmental Protection; specifying the requirements for vessel registration; requiring the owners of certain waterfront-landing facilities to establish procedures concerning the release of waste from gambling vessels; requiring that such owners make available a waste-management service meeting specified criteria; requiring that such owners establish and collect certain fees; requiring that the department maintain on its website an estimate of the minimum waste-service demand of such waterfront-landing facilities; providing criteria governing the estimate; requiring the reporting of the release of certain substances into coastal waters by gambling vessels; providing civil penalties for violations; providing for the department to establish and collect fees meeting specified criteria; requiring the department to adopt rules; providing exemptions and legislative intent; directing the department to seek federal approval to amend Florida's Coastal Zone Management Plan and, upon such approval, to petition the Federal Government, via consistency review under the federal Coastal Zone Management Act, to prohibit certain releases from gambling vessels within the federal territorial waters off the shores of this state; directing the department to petition the Federal Government to prohibit certain releases from gambling vessels independently of such approval; providing an effective date.

By the Committee on Regulated Industries; and Senator Geller—

CS for SB 1284—A bill to be entitled An act relating to legislative authority to ratify compacts and agreements; defining terms; designating the Governor as the official to negotiate and execute compacts and agreements; providing for ratification of compacts and agreements by the Legislature; providing for submission of compacts and agreements to the Legislature and the Secretary of State; providing for submission of compacts and agreements to signatories for review and approval; providing legislative intent that the act is prospective and does not affect any actions and does not apply retroactively; providing an effective date.

By the Committees on Health and Human Services Appropriations; Health Regulation; and Senator Peaden—

CS for CS for SB 1360—A bill to be entitled An act relating to pharmacy technicians; amending s. 465.0075, F.S.; revising licensure requirements; amending s. 465.014, F.S.; requiring the Board of Pharmacy to adopt rules; providing for the registration of pharmacy technicians; deleting obsolete provisions governing adoption of rules; requiring that a registered pharmacy technician be under the direct supervision of a licensed pharmacist; requiring the board to set fees for the registration of pharmacy technicians; providing qualification requirements; providing a limitation; exempting pharmacy technician students and licensed pharmacy interns from registration requirements; providing continuing education requirements for registration renewal; requiring the board to adopt rules regarding the display of a registration; providing grounds for denial, suspension, or revocation of registration or other disciplinary action; authorizing the board to impose certain penalties; requiring completion of a pharmacy technician training program in order to register as a pharmacy technician by a specified date; providing an exception to the requirement to complete a training program; amending s. 465.015, F.S.; prohibiting a person who is not registered as a pharmacy technician from performing certain functions or holding himself or herself out to others as a registered pharmacy technician; amending ss. 465.019, 465.0196, and 465.0197, F.S., relating to institutional pharmacies, special pharmacy permits, and Internet pharmacy permits; conforming provisions; providing effective dates.

By the Committees on Criminal and Civil Justice Appropriations; Judiciary; Criminal Justice; and Senators Dockery and Baker—

CS for CS for CS for SB 1442—A bill to be entitled An act relating to exploited children; amending s. 92.56, F.S.; permitting use of a pseudonym to designate the victim of a crime involving a victim of production, possession, or promotion of child pornography; revising provisions concerning use of victim pseudonyms to specify that they may be used in civil and criminal proceedings; amending s. 796.035, F.S.; revising provisions relating to the sale or transfer of minors into sex trafficking or prostitution; amending s. 800.04, F.S., relating to lewd or lascivious exhibition, to conform to changes made by the act; amending s. 847.0135, F.S.; conforming provisions to changes made by the act; creating s. 847.002, F.S.; requiring law enforcement officers to provide certain information to the National Center for Missing and Exploited Children; requiring law enforcement officers submitting a case for prosecution that involves the creation, possession, or promotion of child pornography to provide specified information to prosecutors; requiring prosecutors to enter specified information in a database maintained by the Attorney General; creating s. 847.01357, F.S.; providing a civil remedy for any person who, while under the age of 18, was a victim of certain sexual abuse crimes wherein any portion of that abuse was used in the production of child pornography and who suffers personal or psychological injury as a result of the production, promotion, or possession of such images; specifying damages; providing for limitation of actions; providing for confidential pseudonyms to specified claimants; precluding a defense to certain civil actions; permitting the Attorney General to pursue cases on behalf of victims; providing for disposition of damages and

attorney's fees; amending s. 960.03, F.S.; expanding the definition of "crime" for purposes of victim compensation to include violations of s. 827.071, s. 847.0135, s. 847.0137, or s. 847.038, related to online sexual exploitation and child pornography; defining the term "identified victim of child pornography;" expanding the definition of "victim" for purposes of victim compensation to include a person less than 18 years of age who was present at the scene of a crime, saw or heard the crime, and suffered a psychiatric or psychological injury because of the crime, but who was not physically injured; creating s. 960.197, F.S.; authorizing victim compensation awards to certain persons who suffer psychiatric or psychological injury as a result of certain crimes; amending ss. 90.404, 92.565, 394.912, 409.2355, 775.082, 775.084, 775.15, 775.21, 784.048, 787.01, 787.02, 787.025, 794.065, 914.16, 921.0022, 921.244, 938.10, 943.04354, 947.1405, 948.03, 948.06, 948.101, 948.30, and 948.31, F.S.; conforming provisions to changes made by the act; providing an effective date.

By the Committees on General Government Appropriations; Communications and Public Utilities; Environmental Preservation and Conservation; and Senators Saunders, Constantine and Bennett—

CS for CS for CS for SB 1544—A bill to be entitled An act relating to energy conservation; amending s. 74.051, F.S.; requiring a court to conduct a hearing and issue a final judgment on a petition for a taking within specified times after a utility's request for such hearing; creating s. 112.219, F.S.; defining terms for purposes of the state employee telecommuting program; requiring each state employing entity to complete a telecommuting plan by a specified date which includes a listing of the job classifications and positions that the state entity considers appropriate for telecommuting; providing requirements for the telecommuting plan; requiring each state employing entity to post the telecommuting plan on its website; amending s. 163.04, F.S.; revising provisions prohibiting restrictions on the use of energy devices based on renewable resources; amending s. 163.3177, F.S.; revising requirements for the future land use element of a local comprehensive plan to include energy-efficient land use patterns; requiring that the traffic-circulation element of incorporate transportation strategies to reduce greenhouse gas emissions; requiring each unit of local government within an urbanized area to amend the transportation element to incorporate transportation strategies addressing reduction in greenhouse gas emissions; amending s. 186.007, F.S.; authorizing the Executive Office of the Governor to include in the state comprehensive plan goals, objectives, and policies related energy and global climate change; amending s. 187.201, F.S.; adopting provisions of the State Comprehensive Plan concerning the development, siting, and use of low-carbon-emitting electric power plants; creating s. 193.804, F.S.; prohibiting the property appraiser from increasing the taxable value of homestead property when the taxpayer adds any solar energy device to the property; authorizing the property appraiser to refer the matter to the Department of Environmental Protection if the property appraiser questions whether a taxpayer is entitled, in whole or in part, to a solar energy device exemption; requiring the Department of Environmental Protection to adopt rules; amending s. 196.012, F.S.; deleting the definition of the term "renewable energy source device" or "device"; amending s. 206.43, F.S.; requiring each terminal supplier, importer, exporter, blender, and wholesaler to include the number of gallons of gasoline fuel which meet and fail to meet certain requirements in their monthly reports to the Department of Revenue; amending s. 212.08, F.S.; requiring that the Florida Energy and Climate Commission rather than the Department of Environmental Protection implement certain responsibilities concerning eligibility and application for the tax exemption; requiring the commission to adopt, by rule, an application form, including the required content and documentation to support the application, for the taxpayer to use in claiming the tax exemption; amending s. 220.192, F.S.; defining terms relating to a tax credit; allowing certain tax credits to be transferred for a specified period; providing procedures and requirements; authorizing the Department of Revenue to adopt rules; amending s. 220.193, F.S.; defining the terms "sale" or "sold" and "taxpayer"; providing legislative intent concerning retroactive application of certain renewable energy production tax credits; providing for the pass through of a renewable energy production tax credit under certain conditions; providing for retroactive application; amending s. 253.02, F.S.; authorizing the Secretary of Environmental Protection to grant easements across lands owned by the Board of Trustees of the Internal Improvement Trust Fund under certain conditions; amending s. 253.034, F.S.; granting a utility the use of nonsovereignty state-owned lands upon a showing of competent substantial evidence that the use is reasonable; establishing criteria relating to the title, distribution, and cost of such lands; amending s. 255.249, F.S.; requiring state agencies to annually provide telecommuting plans to the Department of Management Services; amending s. 255.251, F.S.; creating the "Florida Energy Conservation and Sustainable Buildings Act"; amending s. 255.252, F.S.; providing findings and legislative intent; providing that it is the policy of the state that buildings constructed and financed by the state, or existing buildings renovated by the state, be designed and constructed with a goal of meeting or exceeding the United States Green Building Council (USGBC) Leadership in Energy and Environmental Design (LEED) rating system, the Green Building Initiative's Green Globes rating system, or the Florida Green Building Coalition standards; requiring each state agency to identify and compile a list of energy-conservation projects that it determines are suitable for a guaranteed energy performance savings contract; amending s. 255.253, F.S.; defining terms relating to energy conservation for buildings; amending s. 255.254, F.S.; prohibiting a state agency from leasing or constructing a facility without having secured from the Department of Management Services an evaluation of life-cycle costs for the building; requiring certain leased buildings to have an energy performance analysis conducted; requiring the owner of any building leased by the state from the private sector to submit provisions for monthly energy use data to the department; amending s. 255.255, F.S.; requiring the department to use sustainable building ratings for conducting a life-cycle cost analysis; amending s. 255.257, F.S.; requiring that energy consumption and cost be reported to the department annually in a format prescribed by the department; providing duties of energy-management coordinators; requiring that the department of Management Services develop a state energy-management plan; requiring that state agencies adopt certain rating systems; prohibiting state agencies from entering into leasing agreements for office space not meeting certain building standards; providing an exception; requiring that state agencies develop energy-conservation measures and guidelines for new and existing office space in which state agencies occupy greater than a specified amount of square footage; providing requirements for such measures; creating s. 286.275, F.S.; requiring the Department of Management Services to develop the Florida Climate Friendly Preferred Products List; requiring state agencies to consult the list and purchase products from the list under certain circumstances; requiring state agencies to contract for meeting and conference space with facilities having the "Green Lodging" designation; authorizing the Department of Environmental Protection to adopt rules; requiring the department to establish voluntary technical assistance programs for various businesses; requiring state agencies to maintain vehicles according to minimum standards and follow certain procedures when procuring new vehicles; requiring state agencies to use ethanol and biodiesel-blended fuels when available; amending s. 287.063, F.S.; prohibiting the payment term for equipment from exceeding the useful life of the equipment unless the contract provides for the replacement or the extension of the useful life of the equipment during the term of the deferred payment contract; amending s. 287.064, F.S.; authorizing an extension of the master equipment financing agreement for energy conservation equipment; requiring the guaranteed energy, water, and wastewater performance savings contractor to provide for the replacement or the extension of the useful life of the equipment during the term of the contract; amending s. 287.16, F.S.; requiring the Department of Management Services to conduct an analysis of the Department of Transportation's ethanol and biodiesel use and encourage other state agencies to analyze transportation fuel usage and report such information to the Department of Management Services; amending s. 288.1089, F.S.; defining the term "alternative and renewable energy"; detailing the conditions for an alternative and renewable energy project to be eligible for an innovation incentive award; amending s. 337.401, F.S.; requiring the Department of Environmental Protection to adopt rules relating to the placement of and access to aerial and underground electric transmission lines having certain specifications; defining the term "base-load generating facilities"; amending s. 339.175, F.S.; requiring each metropolitan planning organization to develop a long-range transportation plan that, among other considerations, provides for sustainable growth and reduces greenhouse gas emissions; amending s. 366.82, F.S.; requiring the Public Service Commission to adopt rules requiring utilities to offset 20 percent of their annual load-growth through energy efficiency and conservation measures; requiring the commission to create an in-state market for tradable credits enabling those utilities that exceed the conservation standard to sell credits to those that cannot meet the standard for a given year; requiring that the commission conduct a periodic review; requiring the commission to require municipal and cooperative utilities that are exempt from the Energy Efficiency and Conservation Act to submit an annual report identifying energy efficiency and conservation goals and the actions taken to meet those goals; requiring that the

Florida Energy and Climate Commission be a party in the proceedings to adopt goals and file with the Public Service Commission comments on the proposed goals; requiring the Public Service Commission to use certain methodologies in the evaluation of demand-side management programs; amending s. 366.8255, F.S.; redefining the term "environmental compliance costs" to include costs or expenses prudently incurred for scientific research and geological assessments of carbon capture and storage for the purpose of reducing an electric utility's greenhouse gas emissions; amending s. 366.92, F.S.; providing definitions; requiring the commission to adopt a renewable portfolio standard by rule; requiring that the rule be ratified by the Legislature; providing that the rule must be submitted for legislative approval by February 1, 2009; specifying criteria for the rule development; allowing for full cost recovery of certain reasonable and prudent costs prior to the ratification of the rule; requiring each municipal electric utility and rural electric cooperative to develop standards for the use of renewable energy resources and energy conservation measures and submit a report to the Public Service Commission which identifies such standards; amending s. 366.93, F.S.; revising the definitions of "cost" and "preconstruction"; requiring the Public Service Commission to establish rules relating to cost recovery for the construction of new, expanded, or relocated electrical transmission lines and facilities for a nuclear power plant; amending s. 377.601, F.S.; revising legislative intent with respect to the need to implement alternative energy technologies; creating s. 377.6015, F.S.; creating the Florida Energy and Climate Commission; providing for appointment and qualifications of members; providing for meetings, duties, and authority of the commission; amending s. 377.602, F.S.; providing a definition; amending s. 377.605, F.S.; transferring duties on energy data collection from the Department of Environmental Protection to the Florida Energy and Climate Commission; amending ss. 377.604, 377.605, and 377.606, F.S.; making conforming changes; amending s. 377.703, F.S.; providing for additional duties of the Florida Energy and Climate Commission; conforming cross-references; amending s. 377.803, F.S.; providing definitions; providing the statutory reference to the definition of the term "biomass"; amending s. 377.804, F.S.; providing for administration of the Renewable Energy and Energy-Efficient Technologies Grant Program by the Florida Energy and Climate Commission rather than the Department of Environmental Protection; providing for the program to include matching grants for technologies that increase the energy efficiency of vehicles and commercial buildings; providing application requirements; repealing s. 377.804(6), F.S., relating to bioenergy projects; amending s. 377.806, F.S.; providing for administration of the Solar Energy System Incentives Program by the Florida Energy and Climate Commission rather than the Department of Environmental Protection; requiring compliance with the Florida Building Code rather than local codes in order to be eligible for a rebate under the program; creating s. 377.808, F.S.; creating the Florida Green Government Grants Act; providing a short title; requiring the Florida Energy and Climate Commission within the Executive Office of the Governor to award grants to assist local governments in the development of programs that achieve green standards; requiring the commission to adopt rules; providing requirements for the rules; limiting a certain number of grant applications made by a local government; limiting the number of active projects that may be conducted by a local government; requiring the commission to perform an overview of each grant; repealing s. 377.901, F.S., relating to the Florida Energy Commission; transferring the State Energy Program from the Department of Environmental Protection to the Florida Energy and Climate Commission; creating s. 377.921, F.S., relating to qualified solar energy systems; providing definitions; allowing a public utility to recover certain costs; amending ss. 380.23 and 403.031, F.S.; conforming cross-references; creating s. 403.44, F.S.; creating the Florida Climate Protection Act; defining terms; requiring the Department of Environmental Protection to establish the methodologies, reporting periods, and reporting systems that must be used when major emitters report to The Climate Registry; authorizing the department to adopt rules for a cap-and-trade regulatory program to reduce greenhouse gas emissions from major emitters; providing for the content of the rule; amending s. 403.503, F.S.; defining the term "alternate corridor" and redefining the term "corridor" for purposes of the Florida Electrical Power Plant Siting Act; amending s. 403.504, F.S.; requiring the Department of Environmental Protection to determine whether a proposed alternate corridor is acceptable; amending s. 403.506, F.S.; revising the thresholds and applicability standards of the Florida Electrical Power Plant Siting Act; deleting a provision that exempts from the act a steam generating plant; exempting from the act the associated facilities of an electrical power plant; exempting an electric utility from obtaining certification under the Florida Electrical Power Plant Siting Act before constructing facilities for a power plant using nuclear materials as fuel; providing that a utility may obtain separate licenses, permits, and approvals for such construction under certain circumstances; exempting such provisions from review under ch. 120, F.S.; amending s. 403.5064, F.S.; requiring an applicant to submit a statement to the department if such applicant opts for consideration of alternate corridors; amending s. 403.50665, F.S.; requiring an application to include a statement on the consistency of directly associated facilities constituting a "development"; requiring the Department of Environmental Protection to address at the certification hearing the issue of compliance with land use plans and zoning ordinances for a proposed substation located in or along an alternate corridor; amending s. 403.509, F.S.; requiring the Governor and Cabinet sitting as the siting board to certify the corridor having the least adverse impact; authorizing the board to deny certification or allow a party to amend its proposal; amending s. 403.5115, F.S.; requiring the applicant proposing the alternate corridor to publish all notices relating to the application; requiring that such notices comply with certain requirements; requiring that notices be published at least 45 days before the rescheduled certification hearing; amending s. 403.5175, F.S.; conforming a cross-reference; amending s. 403.518, F.S.; authorizing the Department of Environmental Protection to charge an application fee for an alternate corridor; amending s. 403.519, F.S., relating to determinations of need; conforming provisions to changes made by the act; amending s. 403.7031, F.S.; prohibiting a county or municipality from using in practice any definition inconsistent with certain statutes; creating s. 403.7055, F.S.; encouraging counties in the state to form regional solutions to the capture and reuse or sale of methane gas from landfills and wastewater treatment facilities; requiring the Department of Environmental Protection to provide guidelines and assistance; amending s. 403.814, F.S., relating to general permits; conforming provisions; amending s. 489.145, F.S.; revising provisions of the Guaranteed Energy Performance Savings Contracting Act; renaming the act as the "Guaranteed Energy, Water, and Wastewater Performance Savings Contracting Act"; requiring that each proposed contract or lease contain certain agreements concerning operational cost-saving measures; redefining terms; defining the term "investment grade energy audit"; requiring that certain baseline information, supporting information, and documentation be included in contracts; requiring the office of the Chief Financial Officer to review contract proposals; providing audit requirements; requiring contract approval by the Legislature or Chief Financial Officer; creating s. 526.203, F.S.; providing definitions; requiring that on or after a specified date all gasoline sold in the state contain a specified percent of agriculturally derived denatured ethanol; providing for exemptions; creating s. 526.204, F.S.; providing for the requirements to be suspended during a declared emergency; providing an exemption if a supplier or other distributor is unable to obtain the required fuel at the same or lower price than the price of unblended gasoline; requiring that documentation be provided to the Department of Revenue; creating s. 526.205, F.S.; providing for enforcement of the requirement for gasoline content; providing penalties; providing for the Department of Revenue to grant an extension of time to comply with the requirement; creating s. 526.206, F.S.; authorizing the Department of Revenue and the Department of Agriculture and Consumer Services to adopt rules; requiring the Florida Energy Commission to conduct a study of the lifecycle greenhouse gas emissions associated with all renewable fuels; requiring a report to the Legislature by a specified date; amending s. 553.77, F.S.; authorizing the Florida Building Commission to implement recommendations relating to energy efficiency in residential and commercial buildings; creating s. 553.886, F.S.; requiring that the Florida Building Code facilitate and promote the use of certain renewable energy technologies in buildings; creating s. 553.9061, F.S.; requiring the Florida Building Commission to establish a schedule of increases in the energy performance of buildings subject to the Energy Efficiency Code for Building Construction; providing a process for implementing goals to increase energy-efficiency performance in new buildings; providing a schedule for the implementation of such goals; identifying energy-efficiency performance options and elements available to meet energy-efficiency performance requirements; providing a schedule for the review and adoption of renewable energy-efficiency goals by the commission; requiring the commission to conduct a study to evaluate the energy-efficiency rating of new buildings and appliances; requiring the commission to submit a report to the President of the Senate and the Speaker of the House of Representatives on or before a specified date; requiring the commission to conduct a study to evaluate opportunities to restructure the Florida Energy Code for Building Construction, including the integration of the Thermal Efficiency Code, the Energy Conservation Standards Act, and the Florida Building Energy-Efficiency Rating Act; requiring the commission to submit a report to the President of the Senate and the Speaker of the House of Representatives on or before a specified date;

directing the Department of Community Affairs, in conjunction with the Florida Energy Affordability Council, to identify and review issues relating to the Low-Income Home Energy Assistance Program and the Weatherization Assistance Program; requiring the submission of a report to the President of the Senate and the Speaker of the House of Representatives on or before a specified date; providing for the expiration of certain study requirements; amending s. 553.957, F.S.; including certain home and commercial appliances in the requirements for testing and certification for meeting certain energy-conservation standards; amending s. 553.975, F.S.; conforming a cross-reference; requiring the Public Service Commission to analyze utility revenue decoupling and provide a report and recommendations to the Governor, the President of the Senate, and the Speaker of the House of Representatives by a specified date; amending s. 718.113, F.S.; authorizing the board of a condominium or a multicondominium to install solar collectors, clotheslines, or other energy-efficient devices on association property; creating s. 1004.648, F.S.; establishing the Florida Energy Systems Consortium, consisting of specified state universities; providing membership and duties of the consortium; providing for an oversight board and steering committee; providing reporting requirements for the consortium by a date certain; authorizing the Department of Environmental Protection to require certain agreements to contain a stipulation requiring the return to the state of a portion of the profit resulting from commercialization of an energy-related product or process; requiring the department to conduct a study relating to the state earning a monetary return on energy-related products or processes through the use of negotiated or licensing agreements; requiring the department to submit the study to the Governor and the Legislature; requiring the Department of Environmental Protection, in conjunction with the Department of Agriculture and Consumer Services, to conduct an economic impact analysis on the effect of granting financial incentives to energy producers who use woody biomass; requiring the department to submit the results to the Legislature; establishing a statewide solid waste reduction goal by a certain date; requiring the Department of Environmental Protection to develop a recycling program designed to meet that goal; requiring the Department of Environmental Protection to prepare a report relating to the costs and benefits of implementing a cap-and-trade system to trade emission credits; requiring the department to present the report to the Governor, the President of the Senate, and the Speaker of the House of Representatives; describing certain specified issues to be included in the report; providing effective dates.

By the Committee on Finance and Tax; and Senator Saunders—

CS for SB 1548—A bill to be entitled An act relating to property appraisers; amending s. 193.023, F.S.; revising authority of the property appraiser to inspect property for assessment purposes; amending s. 196.011, F.S.; revising required time limitations for filing applications for homestead exemptions; revising procedural requirements for property appraiser approval of such exemptions; amending s. 196.015, F.S.; revising factors for consideration by property appraisers in determining permanent residency for homestead exemption purposes; amending s. 196.193, F.S.; clarifying that certain property is exempt from taxation; providing an effective date.

By the Committee on Finance and Tax; and Senator Haridopolos—

CS for SB 1590—A bill to be entitled An act relating to taxation; requiring the Governor to oversee a review of Florida's tax structure; requiring agency assistance; requiring the Governor to provide recommendations for revising the tax structure to the Legislature by a certain date; providing an effective date.

By the Committees on Judiciary; Children, Families, and Elder Affairs; Criminal Justice; and Criminal Justice—

CS for CS for CS for SB 1614—A bill to be entitled An act relating to the Department of Corrections; amending s. 120.57, F.S.; authorizing administrative law judges to appoint private pro bono attorneys in the continued placement hearings of inmates; amending s. 921.187, F.S.; deleting certain provisions limiting circumstances under which an offender may be placed in community control; amending s. 940.061, F.S.; specifying that the Department of Corrections meets its statutory obligation to assist released offenders with completing the application for the restoration of civil rights by sending an electronic list to the Parole Commission each month of those inmates and offenders who were released from incarceration or terminated from supervision during the preceding month; amending s. 943.16, F.S.; eliminating provisions requiring that a law enforcement officer reimburse the employing agency for wages and benefits paid by the employing agency if the officer terminates employment before the end of a 2-year commitment period; eliminating wages and benefits from the costs that employing agencies may recover; eliminating the definition of the term "academy training period"; amending s. 944.1905, F.S.; authorizing the department to assign certain inmates younger than 18 years of age to a facility for youthful offenders until the inmate reaches a specified age; deleting provisions requiring that certain offenders younger than 18 years of age be housed and provided certain services separately from older offenders or placed in a facility for youthful offenders; amending s. 944.293, F.S.; specifying that the Department of Corrections meets its statutory obligation to assist released offenders with completing the application for the restoration of civil rights by sending an electronic list to the Parole Commission each month of those inmates and offenders who were released from incarceration or terminated from supervision during the preceding month; amending s. 944.47, F.S.; providing that a cellular telephone or other portable communication device that is introduced inside the secure perimeter of a state correctional institution without prior authorization is contraband; prohibiting an inmate or other person upon the grounds of the institution from possessing such contraband without authorization; providing a definition; providing criminal penalties; amending s. 945.41, F.S.; eliminating a requirement that the Department of Corrections contract with the Department of Children and Family Services to provide certain mental health services; authorizing the Department of Corrections to contract with other entities or persons to provide mental health services to inmates; amending s. 945.42, F.S.; revising definitions and defining the term "crisis stabilization care"; amending s. 945.43, F.S.; revising the procedures for placing an inmate in a mental health treatment facility; authorizing the court to waive the presence of the inmate at the hearing on the inmate's placement; amending s. 945.44, F.S.; providing for the emergency placement of an inmate in a mental health treatment facility; amending s. 945.45, F.S.; revising the provisions governing the continued placement of an inmate in a mental health treatment facility; authorizing administrative law judges to appoint private pro bono attorneys to represent inmates in continued placement hearings; providing that the administrative law judge may waive the presence of the inmate at the hearing under certain conditions; amending s. 945.46, F.S.; authorizing the warden to initiate procedures for the involuntary examination of an inmate who has a mental illness and meets certain criteria; amending s. 945.47, F.S.; providing for the transfer of an inmate who is no longer in need of mental health treatment; deleting certain provisions governing involuntary placement; requiring that a summary of the inmate's treatment be provided to the Parole Commission and the Department of Children and Family Services upon request; amending s. 945.48, F.S.; revising the procedure for the involuntary mental health treatment of an inmate; providing for the warden of the institution containing the mental health treatment facility to petition the circuit court for an order authorizing involuntary treatment; providing requirements for the hearing on involuntary treatment; limiting the period that an order authorizing involuntary treatment is effective; providing a procedure for emergency treatment; amending s. 945.49, F.S.; deleting a provision requiring that training provided to correctional officers employed by a mental health treatment facility be in accordance with the requirements of the Criminal Justice Standards and Training Commission; amending s. 948.01, F.S.; deleting certain provisions limiting circumstances under which an offender may be placed in community control; amending s. 948.10, F.S.; deleting a requirement that community control programs and manuals be developed in consultation with the Florida Conference of Circuit Court Judges and the State Courts Administrator; deleting requirements for the department in developing and implementing community control programs, resource directories, and training programs; deleting a requirement for the Florida Court Education Council and the State Courts Administrator to coordinate certain resources for judges pertaining to community control; eliminating provisions governing review and notice by the department of offenders ineligible for community control and requiring the department to develop a caseload equalization strategy; amending s. 958.04, F.S.; authorizing the court to sentence a person as a youthful offender if the offender is younger than 21 years of age at the time sentence is imposed; requiring the Department of Corrections to adopt by rule criteria to define successful participation in the youthful offender

program; amending s. 958.11, F.S.; removing the specific designation of youthful offender facilities for housing female offenders; revising requirements for the department with respect to assigning or transferring youthful offenders; removing references to the Assistant Secretary for Youthful Offenders; amending s. 958.12, F.S.; removing the requirement for a youthful offender to be visited by a probation and parole officer before release; removing the requirement for the department to develop community partnerships with the Department of Labor and Employment Security and the Department of Children and Family Services; providing an effective date.

By the Committees on Health and Human Services Appropriations; Health Regulation; and Senator Baker—

CS for CS for SB 1696—A bill to be entitled An act relating to orthotics, prosthetics, and pedorthics; amending s. 468.80, F.S.; providing and revising definitions; amending s. 468.801, F.S.; changing the composition of the Board of Orthotists and Prosthetists; removing an obsolete requirement for initial staggering of terms; amending s. 468.802, F.S.; expanding the authority for rule adoption to include standards of practice for orthotic fitters, orthotic fitter assistants, and residents; amending s. 468.803, F.S.; providing for registration for a resident to practice orthotics or prosthetics; authorizing licensure as a prosthetist-orthotist; providing requirements for such licensure; requiring applicants for registration, examination, or licensure to apply on forms created and provided by the Department of Health; requiring applicants to submit fingerprints and a fee to cover department costs for criminal background checks; requiring board verification of certain information prior to an applicant's examination, registration, or licensure; providing requirements for registration as a resident in orthotics or prosthetics; providing for registration and renewal fees for registration; authorizing either the Department of Health to develop and administer a state examination for an orthotist or prosthetist license or the board to approve an existing examination of a national standards organization; providing examination requirements; authorizing examination fees; delineating applicant qualifications for examination; delineating requirements for licensure and licensure fees for an orthotist, a prosthetist, an orthotic fitter, an orthotic fitter assistant, and a pedorthist; amending s. 468.806, F.S.; revising the list of materials required for submission for biennial license renewal, including information necessary to conduct a statewide criminal history check and payment of associated costs; requiring certain mandatory courses, standards, and qualifications for continuing education courses, and standards and qualifications for course providers to be established by rule; repealing s. 468.807, F.S., relating to the issuance of a temporary license; amending s. 468.808, F.S.; revising duties that can be delegated to unlicensed support personnel; providing requirements for support personnel identification; amending s. 468.809, F.S.; including the practice of orthotics, prosthetics, or pedorthics without registration in certain prohibitions; providing penalties; creating s. 468.8095, F.S.; requiring licensees and registrants to post licenses, registrations, recent photographs, and certain notices in a facility and to wear certain identification tags or badges; amending s. 468.811, F.S.; revising grounds for denial of a license or disciplinary action; providing grounds for denial of registration; amending s. 468.812, F.S.; revising provisions exempting certain persons from licensure; amending s. 468.813, F.S.; revising requirements regarding use of titles; providing effective dates.

By the Committees on Higher Education; Higher Education Appropriations; and Senator Lynn—

CS for CS for SB 1762—A bill to be entitled An act relating to postsecondary distance learning; establishing the Florida Distance Learning Task Force; providing for membership; requiring the task force to submit a report containing certain recommendations to the Governor, the Legislature, and certain entities by a specified date; providing for future expiration; creating s. 1004.09, F.S.; establishing the Florida Higher Education Distance Learning Catalog; requiring that the Florida Distance Learning Consortium establish guidelines and procedures and provide information on certain requirements and information relating to distance learning courses and degree programs; requiring that the catalog include an Internet-based analytic tool that collects and analyzes certain data; amending s. 1009.23, F.S.; exempting a distance learning course from laboratory fees; authorizing the State Board of Education to adopt rules; authorizing a community college to assess a student enrolled in a course listed in the catalog a per-credit-hour user fee; requiring that such fee not exceed a certain amount; prohibiting the assessment of other fees if the distance learning course user fee is assessed; requiring that the board of trustees report to the Division of Community Colleges the total amount of revenue generated by such fee for the preceding year and how such fee was expended; requiring that the link for the catalog be prominently displayed on the institution's website; amending s. 1009.24, F.S.; authorizing a state university to assess a per-credit-hour distance learning course fee; requiring that such fee not exceed a certain amount; prohibiting the state university from assessing duplicative fees to cover the same additional costs; requiring that the link to the catalog be prominently displayed on the institution's website; providing an effective date.

By the Committees on Transportation and Economic Development Appropriations; Agriculture; and Senator Baker—

CS for CS for SB 1946—A bill to be entitled An act relating to motor vehicles; amending s. 316.515, F.S.; revising restrictions on use of certain agriculture-related vehicles; providing for exemptions from width limitations for certain farming or agricultural equipment; providing conditions for use of such equipment; authorizing certain movements without an overwideth permit from the Department of Transportation; providing lighting requirements for certain overwidth equipment; providing an effective date.

By the Committee on General Government Appropriations; and Senators Posey and Storms—

CS for SB 1968—A bill to be entitled An act relating to health insurance; amending s. 627.4236, F.S.; revising the definition of the term "bone marrow transplant"; amending ss. 627.642, 627.657, and 641.31, F.S.; requiring an identification card containing specified information to be given to insureds under health benefit plans and group health insurance policies and persons having health care services through health maintenance contracts; providing that a company that contracts with the state to provide medical services to enrollees in the state group insurance program is exempt from updating identification cards that were issued before a specified date; providing applicability; providing an effective date.

By the Committees on Transportation and Economic Development Appropriations; Criminal Justice; Transportation; and Senator Baker—

CS for CS for CS for SB 1992—A bill to be entitled An act relating to the Department of Highway Safety and Motor Vehicles; amending s. 316.0741, F.S.; redefining the term "hybrid vehicle"; authorizing the driving of a hybrid, low-emission, or energy-efficient vehicle in a high-occupancy-vehicle lane regardless of occupancy; authorizing the department to limit or discontinue such driving under certain circumstances; exempting such vehicles from the payment of certain tolls; amending s. 316.1575, F.S.; requiring a person walking or driving a vehicle to stop at a railroad crossing upon the signal of a law enforcement officer; amending s. 316.1895, F.S.; requiring the placement of signs in certain school zones stating that speeding fines are doubled within the zone; amending s. 316.191, F.S.; revising provisions prohibiting certain speed competitions and exhibitions; revising the definition of the terms "conviction," "drag race," and "race"; defining the terms "exhibition of acceleration," "exhibition of speed," and "spectator"; prohibiting driving in any race, drag race, exhibition of speed, or exhibition of acceleration; prohibiting certain acts in association with a race, drag race, exhibition of speed, or exhibition of acceleration; prohibiting being a spectator at any such race, drag race, or exhibition; providing criminal and noncriminal penalties; providing for revocation of the offender's driver's license upon conviction; providing for disposition of citation for being a spectator; providing penalties for a second or subsequent offense; providing that a violation that causes or contributes to causing serious bodily injury to another is a felony of the third degree; providing that a violation that causes or contributes to causing the death of any human being or unborn quick child is the crime of manslaughter resulting from the operation of a motor vehicle; providing penalties; providing for a determination of the definition of the term "unborn quick child"; requiring

that the driving record of a person charged be provided to the court; providing criteria for arrest; providing procedures for impoundment or immobilization of a motor vehicle under a court order; providing for release from impoundment under specified exceptions; requiring that costs and fees of impoundment to be paid by the owner or lessee of the motor vehicle; providing procedures for an arresting officer to immediately impound a motor vehicle used in a violation; providing for the period of impoundment; removing a requirement for impoundment that the person being arrested is the registered owner or coowner of the motor vehicle; providing for satisfaction of the element of negligent entrustment; providing for severability; providing noncriminal penalties for the display of obscene words, images, or devices on a motor vehicle; creating s. 316.1926, F.S.; creating additional offenses regarding the operation of a motor vehicle; amending s. 316.193, F.S.; lowering the blood-alcohol or breath-alcohol level for which enhanced penalties are imposed against a person who was accompanied in the vehicle by a minor at the time of the offense; clarifying that an ignition interlock device is installed for a continuous period; amending s. 316.1937, F.S.; revising the conditions under which the court may require the use of an ignition interlock device; amending s. 316.2085, F.S.; requiring an operator of a motorcycle or moped to maintain both wheels on the ground at all times; requiring that the license tag of a motorcycle or moped be affixed horizontally; amending s. 316.2397, F.S.; authorizing specified agencies to display blue lights when responding to emergencies; amending s. 316.251, F.S.; conforming a cross-reference; amending s. 316.29545, F.S.; exempting certain investigative vehicles from the prohibition against installing window sunscreening on a vehicle; amending s. 316.302, F.S.; revising the application of certain federal rules; providing for the department to perform certain duties assigned under federal rules; updating a reference to federal provisions governing out-of-service requirements for commercial vehicles; amending s. 316.3045, F.S.; providing enhanced penalties upon multiple convictions for violating prohibitions against the use of excessively loud soundmaking equipment in a motor vehicle; amending s. 316.613, F.S.; redefining the term "motor vehicle" to exclude certain trucks from the requirement to use a child restraint; amending s. 316.645, F.S.; authorizing a police officer to make an arrest upon probable cause of a violation of laws governing motor vehicle licenses; amending s. 316.650, F.S.; revising requirements for traffic citation forms; providing for the electronic transmission of citation data; amending s. 316.656, F.S.; lowering the percentage of blood or breath alcohol content relating to the prohibition against pleading guilty to a lesser offense of driving under the influence than the offense charged; amending s. 318.14, F.S.; prohibiting a person from electing more than five times within 10 years to attend a basic driver improvement course approved by the Department of Highway Safety and Motor Vehicles in lieu of making a court appearance; providing additional penalties for certain offenses involving the operation of a motorcycle or excessive speed; providing for revocation of an offender's privilege to operate a motor vehicle; creating s. 318.195, F.S.; providing enhanced penalties for moving violations that cause injury or death to a person on a motorcycle; amending s. 319.001, F.S.; defining the term "certificate of title" to include information stored electronically in the department's database; amending s. 320.0706, F.S.; providing that a violation of requirements for displaying a truck license plate is a moving violation; amending s. 320.0715, F.S.; requiring the department to withhold issuing or to suspend a registration and license plate for a commercial motor vehicle if the federal identifying number is not provided or if the motor carrier or vehicle owner has been prohibited from operating; amending s. 320.01, F.S.; redefining the term "motorcycle" to exclude a vehicle where the operator is enclosed by a cabin; amending s. 320.02, F.S., as amended; deleting the requirement for a motorcycle endorsement at the time of original registration of a motorcycle, motor-driven cycle, or moped; repealing s. 320.02(13), F.S., relating to a motor vehicle registration voluntary contribution for the Election Campaign Financing Trust Fund; repealing s. 320.08053(3), F.S., relating to provisions requiring that the department adopt rules providing certain specifications for the design of specialty license plates; amending s. 320.08056, F.S.; deleting a provision that exempts collegiate license plates from a requirement that a specialty license plate be discontinued if sales drop below a specified amount; amending s. 320.0894, F.S.; providing for the issuance of Gold Star license plates to certain family members; amending s. 320.27, F.S.; revising the insurance requirements for persons applying for a motor vehicle dealer license; amending s. 320.69, F.S.; authorizing the Department of Highway Safety and Motor Vehicles to adopt rules, including definitions as necessary; creating s. 321.26, F.S.; designating the Joseph P. Bertrand Building in Fort Myers; amending s. 322.01, F.S.; defining the term "convenience service"; redefining the terms "conviction," "hazardous materials," and "out-of-service order"; amending s. 322.0255, F.S.; revising eligibility for reimbursement for organizations that conduct motorcycle safety courses; amending s. 322.03, F.S.; deleting provisions exempting certain persons from the requirement to surrender a license issued by another jurisdiction; providing certain exceptions for part-time residents; amending ss. 322.051 and 322.08, F.S.; requiring that an applicant for an identification card or driver's license provide additional information; authorizing use of additional documents to prove identity; revising the fee requirements; revising provisions providing for the expiration of an identification card issued by the department; deleting provisions authorizing a voluntary contribution; amending s. 322.14, F.S.; requiring that an applicant for a driver's license provide a residence address; amending s. 322.15, F.S.; authorizing a law enforcement officer or authorized representative of the department to collect a person's fingerprints electronically; amending s. 322.17, F.S.; revising the requirements for obtaining a replacement license or permit; deleting provisions authorizing the department to issue address stickers; amending s. 322.18, F.S.; revising provisions providing for the expiration of driver's licenses; providing for the renewal of certain licenses every 8 years and for the renewal of licenses for persons older than a specified age every 6 years; providing for the renewal of licenses using a convenience service; requiring the department to issue new licenses rather than extension stickers; conforming cross-references; repealing s. 322.181(4), F.S., relating to the Florida At-Risk Driver Council; amending s. 322.19, F.S.; deleting provisions authorizing the use of a change-of-address sticker on a driver's license; conforming cross-references; amending s. 322.21, F.S.; increasing the fees charged for obtaining a new or renewal driver's license or identification card; specifying that a portion of the fees be deposited for use by the department; amending s. 322.2715, F.S.; clarifying that an ignition interlock device is installed for a continuous period; amending s. 322.291, F.S.; imposing additional sanctions against a person who violates requirements with respect to an ignition interlock device; amending s. 322.36, F.S.; requiring the suspension for a specified period of the driver's license of a person who loans a vehicle to a person whose driver's license is suspended if that vehicle is involved in an accident resulting in bodily injury or death; repealing s. 322.60, F.S., relating to a prohibition against possessing more than one driver's license under certain circumstances; amending s. 322.61, F.S.; clarifying provisions disqualifying a person from operating a commercial motor vehicle following certain traffic violations; providing for permanent disqualification following conviction of a felony involving the manufacture, distribution, or dispensing of a controlled substance; amending s. 322.64, F.S.; providing that refusal to submit to a breath, urine, or blood test disqualifies a person from operating a commercial motor vehicle; providing a period of disqualification if a person has an unlawful blood-alcohol or breath-alcohol level; providing for issuance of a notice of disqualification; revising the requirements for a formal review hearing following a person's disqualification from operating a commercial motor vehicle; amending s. 324.021, F.S.; clarifying that a judgment becomes final by expiration of the time for appeal; amending 501.976, F.S.; conforming a cross-reference; creating the Automobile Lenders Industry Task Force within the Department of Highway Safety and Motor Vehicles; providing duties of the task force; providing for membership and the election of officers; providing for meetings; providing for reimbursement for travel and per diem expenses for public-sector members; requiring the department to provide administrative support and assistance to the task force; prohibiting the Department of Highway Safety and Motor Vehicles from issuing any new specialty license plates for a specified period; providing an effective date.

By the Committee on Banking and Insurance; and Senator Lynn—

CS for SB 2048—A bill to be entitled An act relating to probate; amending s. 732.103, F.S.; authorizing intestate property that has escheated to the state to descend to certain Holocaust descendants prior to the 10-year escheatment period; extending the effective date of this provision; amending s. 732.402, F.S.; revising the list of property that is exempt from most claims against the estate; amending s. 733.602, F.S.; revising which standard of care is applicable to a personal representative responsible for settling an estate; providing an effective date.

By the Committee on Regulated Industries; and Senator Baker—

CS for SB 2054—A bill to be entitled An act relating to surveyors and mappers; amending s. 472.029, F.S.; prohibiting surveyors and mappers

and their subordinates from willfully and maliciously breaking or injuring fences on agricultural land; providing penalties; prohibiting offenders from willfully and maliciously breaking or injuring fences containing livestock; providing penalties; providing for restitution for damages or losses; providing for construction; providing an effective date.

By the Committees on Community Affairs; Regulated Industries; and Senator Villalobos—

CS for CS for SB 2084—A bill to be entitled An act relating to community associations; amending s. 468.431, F.S.; defining the term "community association management firm"; redefining the term "community association manager" to apply only to natural persons; amending s. 468.4315, F.S.; revising membership criteria for members of the Regulatory Council of Community Association Managers; requiring the board to establish a public education program; providing for board members to serve without compensation but be entitled to receive per diem and travel expenses; providing responsibilities of the board; amending s. 468.432, F.S.; providing for the licensure of community association management firms; providing application, licensure, and fee requirements; providing for the cancellation of the license of a community association management firm under certain circumstances; providing that such firm or similar organization agrees that, by being licensed, it shall employ only licensed persons providing certain services; amending s. 468.433, F.S.; providing for the refusal of an applicant certification under certain circumstances; amending s. 468.436, F.S.; requiring the Department of Business and Professional Regulation to investigate certain complaints and allegations; providing complaint and investigation procedures; providing grounds for which disciplinary action may be taken; amending s. 718.111, F.S.; providing duties of officers, directors, and agents of a condominium association and liability for monetary damages under certain circumstances; providing that a person who knowingly or intentionally fails to create or maintain, or who defaces or destroys certain records, is subject to civil penalties as prescribed by state law; requiring that a copy of the inspection report be maintained as an official record of the association; requiring official records of the association to be maintained for a specified minimum period and be made available at certain locations and in specified formats; providing that any person who knowingly or intentionally defaces, destroys, or fails to create or maintain accounting records is subject to civil and criminal sanctions; prohibiting accessibility to certain personal identifying information of unit owners by fellow unit owners; requiring that the Division of Florida Land Sales, Condominiums, and Mobile Homes of the Department of Business and Professional Regulation adopt certain rules; requiring certain audits and reports to be paid for by the developer if done before control of the association is turned over; restricting a condominium association from waiving a financial report for more than a specified period; amending s. 718.112, F.S.; prohibiting a voting interest or a consent right allocated to a unit owner from being exercised under certain circumstances; requiring the board to address certain agenda items proposed by a petition of a specified percentage of the unit owners; providing requirements for the location of annual unit owner meetings; revising terms of service for board members; prohibiting certain persons from serving on the board; requiring the association to provide a certification form to unit owners for specified purposes; authorizing an association consisting of a specified maximum number of units to provide for different voting and election procedures in its bylaws by affirmative vote of a majority of the association's voting interests; revising requirements related to the annual budget; requiring proxy questions relating to reserves to contain a specified statement; providing for the removal of board members under certain circumstances; requiring that directors who are delinquent in certain payments owed in excess of certain periods of time be suspended from office or deemed to have abandoned their offices; requiring that directors charged with certain offenses involving an association's funds or property be suspended from office pending resolution of the charge; providing for the reinstatement of such officers or directors under certain circumstances; amending s. 718.1124, F.S.; providing that any unit owner may give notice of his or her intent to apply to the circuit court for the appointment of a receiver to manage the affairs of the association under certain circumstances; providing a form for such notice; providing for the delivery of such notice; providing procedures for resolving a petition submitted pursuant to such notice; requiring that all unit owners be provided written notice of the appointment of a receiver; amending s. 718.113, F.S.; providing a statement of clarification; authorizing the board to install certain hurricane protection; prohibiting the board from installing hurricane shutters under certain circumstances; requiring that the board inspect certain condominium buildings and a issue a report thereupon; prohibiting the board from refusing a request for reasonable accommodation for the attachment to a unit of religious objects meeting certain size specifications; amending s. 718.117, F.S.; requiring that all unit owners be provided written notice of the appointment of a receiver; providing for the delivery of such notice; amending s. 718.121, F.S.; providing requirements and restrictions for liens filed by the association against a condominium unit; providing for notice and delivery thereof; creating s. 718.1224, F.S.; prohibiting strategic lawsuits against public participation; providing legislative findings and intent; prohibiting a governmental entity, business organization, or individual from filing certain lawsuits made upon specified bases against a unit owner; providing rights of a unit owner who has been served with such a lawsuit; providing procedures for the resolution of claims that such suit violates certain provisions of state law; providing for the award of damages and attorney's fees; prohibiting associations from expending association funds in prosecuting such a suit against a unit owner; amending s. 718.1255, F.S.; revising legislative intent concerning alternative dispute resolution; creating s. 718.1265, F.S.; authorizing an association to exercise certain powers in instances involving damage caused by an event for which a state of emergency has been declared; limiting the applicability of such powers; creating s. 718.127, F.S.; requiring that all unit owners be provided written notice of the appointment of a receiver; providing for the delivery of such notice; amending s. 718.301, F.S.; providing circumstances under which unit owners other than a developer may elect not fewer than a majority of the members of the board of administration of an association; requiring that a developer deliver certain property of the unit owners and the association within a specified period after such election and upon relinquishing control of the association; requiring a turnover inspection report; requiring that the report contain certain information; amending s. 718.3025, F.S.; requiring that maintenance and management services contracts disclose certain information; amending s. 718.3026, F.S.; removing a provision authorizing certain associations to opt out of provisions relating to contracts for products and services; removing provisions relating to competitive bid requirements for contracts executed before a specified date; providing requirements for any contract or transaction between an association and one or more of its directors or any other entity in which one or more of its directors are directors or officers or have a financial interest; amending s. 718.303, F.S.; providing that hearings regarding noncompliance with a declaration be held before certain persons; amending s. 718.501, F.S.; providing authority and responsibilities of the division; providing for enforcement actions brought by the division in its own name; providing for the imposition of penalties by the division; requiring that the division issue a subpoena requiring production of certain requested records under certain circumstances; providing for the issuance of notice of a declaratory statement with respect to documents governing a condominium community; requiring that the division provide training and education for condominium association board members and unit owners; authorizing the division to include certain training components and review or approve training programs offered by providers; requiring that certain individuals cooperate with the division in any investigation conducted by the division; amending s. 718.50151, F.S.; redesignating the Advisory Council on Condominiums as the "Community Association Living Study Council"; providing for the creation of the council; providing functions of the council; amending s. 718.503, F.S.; providing for disclosure of certain information upon the sale of a unit by a nondeveloper; requiring the provisions of a governance form by the seller to the prospective buyer; requiring that such form contain certain information and a specified statement; providing an effective date.

By the Committee on Higher Education; and Senators Oelrich and Fasano—

CS for SB 2170—A bill to be entitled An act relating to retirement; amending s. 121.021, F.S.; clarifying that the term "compensation" for purposes of the benefit retirement program or the Public Employee Optional Retirement Program of the Florida Retirement System does not include fees or salary payments made from a faculty practice plan authorized by the Board of Governors of the State University System for clinical faculty at a state university having a faculty practice plan; amending s. 121.051, F.S.; requiring that a person appointed to a faculty position at a state university having a faculty practice plan participate in the optional retirement program of the State University System rather than the Florida Retirement System; providing definitions;

amending s. 121.35, F.S.; requiring the participating employee in the optional retirement program to execute a contract, not just an annuity contract, with a designated company in order for employee contributions to be forwarded to the company and for interest to accrue; defining the term "participant's gross monthly compensation" for purposes of the optional retirement program for the State University System; creating s. 121.355, F.S.; authorizing certain former participants in the Community College Optional Retirement Program or the State University System Optional Retirement Program and present mandatory participants in the Florida Retirement System to receive a specified amount of service credit under certain conditions; providing a specified time period for the election of such transfer; limiting certain service credit; providing an effective date.

By the Committees on General Government Appropriations; Communications and Public Utilities; and Communications and Public Utilities—

CS for CS for SB 2212—A bill to be entitled An act relating to the Public Service Commission; amending s. 350.01, F.S.; revising the deadline for a sitting member of the Public Service Commission to give notice of intent to seek reappointment; conforming the beginning of a Public Service Commissioner's term as chair with the beginning of terms of commissioners; amending s. 350.012, F.S.; renaming the Committee on Public Service Commission Oversight, a standing joint committee of the Legislature, as the "Committee on Public Counsel Oversight"; deleting the committee's authority to recommend to the Governor nominees to fill vacancies on the Public Service Commission; deleting the committee's authority to file an ethics complaint against a member, former member, or former employee of the commission, or a member of the Public Service Commission Nominating Council; amending s. 350.031, F.S.; increasing the number of members on the council; providing for initial appointments to the expanded council to establish staggered terms; requiring the President of the Senate and the Speaker of the House of Representatives to appoint a chair and vice chair to the council in alternating years; requiring the council to submit recommendations for vacancies on the Public Service Commission to the Governor; requiring the council to nominate a minimum of three persons for each vacancy; revising the date that recommendations for vacancies must be submitted; providing for the council to fill a vacancy on the commission if the Governor fails to do so; authorizing a successor Governor to recall an unconfirmed appointee under certain circumstances; amending ss. 350.061 and 350.0614, F.S., relating to the appointment, oversight, and compensation of the Public Counsel; conforming provisions to changes made by the act; providing an effective date.

By the Committees on Commerce; Banking and Insurance; and Senator Lawson—

CS for CS for SB 2264—A bill to be entitled An act relating to motor vehicle warranty associations; amending s. 628.4615, F.S., relating to specialty insurers; conforming a cross-reference to changes made by the act; amending s. 634.011, F.S.; defining the terms "motor vehicle manufacturer" and "subsidiary" for purposes of part I of ch. 634, F.S.; amending s. 634.041, F.S.; exempting motor vehicle manufacturers applying for licensure as service agreement companies from certain licensing requirements and limitations on claims liabilities; amending s. 634.137, F.S.; authorizing the Office of Insurance Regulation to develop an abbreviated form for statistical reporting of sales of service agreements by motor vehicle manufacturers in lieu of certain other financial reports; amending s. 634.271, F.S.; conforming a cross-reference; amending s. 634.4165, F.S.; requiring warranty service associations that do not collect the names and addresses of warranty holders at the time of sale to provide an alternative method for warranty holders to provide such information; amending s. 634.436, F.S.; prohibiting warranty service associations that do not collect the names and addresses of warranty holders from denying a warranty holder's claim on the basis that the association cannot confirm that the warranty holder in fact purchased the warranty; providing an effective date.

By the Committee on Banking and Insurance; and Senator Posey—

CS for SB 2272—A bill to be entitled An act relating to escrow agents; creating s. 877.101, F.S.; prohibiting unauthorized persons from transacting business using the term "escrow" in a name or a title under certain circumstances; providing certain exceptions to such prohibition; authorizing a person aggrieved by a violation of the act to bring an action for declaratory relief; providing for recovery by an injured person of actual damages, plus attorney's fees and court costs; providing criminal penalties; providing an effective date.

By the Committees on Commerce; Banking and Insurance; and Senator Aronberg—

CS for CS for SB 2338—A bill to be entitled An act relating to motor vehicle insurance; amending s. 627.736, F.S.; revising the schedule of maximum charges on which an insurer may base a limited reimbursement for certain medical services, supplies, and care for injured persons covered by personal injury protection; specifying a minimum amount for the applicable fee schedule or payment limitation under Medicare for such reimbursements; providing an effective date.

By the Committee on Health and Human Services Appropriations; and Senator Webster—

CS for SB 2390—A bill to be entitled An act relating to the Florida Self-Directed Care program; amending s. 394.9084, F.S.; providing for the expansion of the program to all districts of the Department of Children and Family Services; defining the term "fiscal intermediary"; providing for the duties of the intermediary; deleting an obsolete provision; requiring an evaluation of the program by the Office of Program Policy Analysis and Government Accountability by a certain date; revising the evaluation criteria; abrogating the expiration date of the program; providing an effective date.

By the Committees on Finance and Tax; Commerce; and Senator Posey—

CS for CS for SB 2426—A bill to be entitled An act relating to Space Florida; creating s. 288.1087, F.S.; providing legislative intent; creating the Space and Aerospace Catalyst and Enhancement Program in the Office of Tourism, Trade, and Economic Development; providing for moneys from the funds to be distributed to upgrade space-related infrastructure or to enter into partnerships with applicable businesses on space-related projects; requiring that certain information be provided to the Office of Tourism, Trade, and Economic Development; providing for a contract with a nationally recognized consultant to develop an economic impact assessment model that evaluates the costs, benefits, useful life, and other relevant factors related to space and aerospace infrastructure projects; describing the criteria by which the proposals will be judged as eligible to receive funding; requiring the director of the Office of Tourism, Trade, and Economic Development to recommend approval or disapproval of proposed projects; providing for the Governor to approve funds after consultation with the President of the Senate and the Speaker of the House of Representatives; providing for review by the Legislative Budget Commission prior to release of funds; requiring certain contract conditions; describing the content of the contract; providing an appropriation; designating Space Mile Marker One at the Space Florida headquarters; authorizing Space Florida to erect suitable markers; providing an effective date.

By the Committees on General Government Appropriations; Environmental Preservation and Conservation; and Senators Alexander, Carlton, Bennett, Aronberg and Storms—

CS for CS for SB 2580—A bill to be entitled An act relating to the West-Central Florida Water Restoration Action Plan; creating s. 373.0363, F.S.; providing definitions; providing legislative findings and intent; providing criteria governing the implementation of the West-Central Florida Water Restoration Action Plan by the Southwest Florida Water Management District; requiring that the district coordinate with

regional water supply authorities and governmental partners to maximize opportunities concerning the efficient expenditure of public funds; specifying the plan's purpose; specifying the initiatives that are included in the plan; providing criteria governing implementation of the Central West Coast Surface Water Enhancement Initiative, the Facilitating Agricultural Resource Management Systems Initiative, the Ridge Lakes Restoration Initiative, the Upper Peace River Watershed Restoration Initiative, and the Central Florida Water Resource Development Initiative and certain components or projects included in such initiatives; providing for the district to implement certain initiatives or parts thereof in cooperation with the Peace River-Manasota Regional Water Supply Authority or Polk County; requiring an annual report that meets specified criteria concerning implementation of the plan, regional conditions, and the use of funds; requiring that the Southwest Florida Water Management District prepare the report in cooperation with coordinating agencies and affected local governments and provide the report and legislative proposals to the Governor, the President of the Senate, and the Speaker of the House of Representatives; amending s. 403.087, F.S.; prohibiting the permitting of landfills under certain conditions; providing an effective date.

By the Committees on Health and Human Services Appropriations; Health Regulation; and Senator Atwater—

CS for CS for SB 2598—A bill to be entitled An act relating to treatment programs for impaired medical practitioners; amending s. 456.076, F.S.; revising requirements for consultants retained by the Department of Health; providing that a consultant may contract for services to be provided to students of allopathic and osteopathic medicine or physician assistants and nursing students who are alleged to be impaired, if requested by the school; exempting the department from paying the costs for services provided by treatment providers or consultants; indemnifying certain schools from liability in civil actions under certain circumstances; providing limited sovereign immunity for certain program consultants under specified contractual conditions; requiring that the Department of Financial Services defend legal actions against program consultants; providing an effective date.

By the Committees on Health and Human Services Appropriations; Health Policy; Banking and Insurance; and Senators Geller, Ring, Bennett, Deutch, Villalobos, Rich, Fasano, Garcia, Wise, Atwater, Margolis, Crist, Joyner, Justice, Dockery, Dean, Dawson and Saunders—

CS for CS for CS for SB 2654—A bill to be entitled An act relating to autism spectrum disorder; providing a short title; creating s. 627.6686, F.S.; providing definitions; requiring health insurance plans to provide coverage for screening, diagnosis, intervention, and treatment of autism spectrum disorder in certain children; requiring a treatment plan; prohibiting an insurer from denying or refusing coverage or refusing to renew or reissue or terminate coverage based on a diagnosis of autism spectrum disorder; providing coverage limitations; providing treatment plan requirements; limiting the frequency of requests for updating a treatment plan; providing eligibility requirements; providing a maximum benefit limitation; providing for annual adjustments of the maximum benefit limitation; amending s. 1004.55, F.S.; relocating the regional autism center at Florida State University from the Department of Communication Disorders to the College of Medicine; providing for application of the act; providing an effective date.

By the Committees on Transportation and Economic Development Appropriations; Commerce; and Senators Fasano and Crist—

CS for CS for SB 2712—A bill to be entitled An act relating to trust funds; creating s. 288.0971, F.S.; creating the Building Florida's Future Revolving Trust Fund within the Office of Tourism, Trade, and Economic Development; providing the purpose of the fund; providing for an annual carryforward of funds; providing for future review and termination or re-creation of the trust fund; providing a contingent effective date.

By the Committees on Transportation and Economic Development Appropriations; Commerce; and Senators Fasano and Crist—

CS for CS for SB 2714—A bill to be entitled An act relating to economic development; creating s. 288.097, F.S.; establishing Building Florida's Future Revolving Loan Guarantee Program within the Office of Tourism, Trade, and Economic Development; providing for the program to provide loan guarantees or credit enhancements to units of local government or to private entities for use in constructing or modernizing facilities and infrastructure necessary to attract or expand certain industries as part of an economic-development project; providing requirements and criteria for the office to consider in evaluating requests; requiring Enterprise Florida, Inc., to assist the office in its evaluation; requiring the Office of Tourism, Trade, and Economic Development to adopt rules; requiring that the office provide an annual report to the Legislature regarding the program; providing an appropriation; providing a contingent effective date.

By the Committee on Transportation and Economic Development Appropriations; and Senators Fasano and Crist—

CS for SB 2778—A bill to be entitled An act relating to economic development; creating s. 288.061, F.S.; creating a uniform process for the review and certification of economic development incentive projects by Enterprise Florida, Inc., and the Office of Tourism, Trade, and Economic Development; amending ss. 288.063 and 288.0655, F.S.; conforming the review of transportation projects and rural infrastructure projects to changes made by the act; amending s. 288.1045, F.S.; revising the sources of funds that may be used to provide refunds for the qualified defense contractor tax refund program; conforming the review of Department of Defense projects to changes made by the act; providing that the amount of the tax refund may be reduced by the value of the land granted; deleting a requirement for an annual report; amending s. 288.106. F.S.; revising information that must be submitted by a qualified target industry business applying for a tax refund; conforming the application process to changes made by the act; amending s. 288.107, F.S.; conforming review of applications for payment of brownfield redevelopment bonus refunds to changes made by the act; amending s. 288.108, F.S.; conforming the review of grant applications for high-impact businesses to changes made by the act; deleting provisions requiring an annual report; amending s. 288.1088, F.S.; conforming the review of projects funded by the Quick Action Closing Fund to changes made by the act; amending s. 288.1089, F.S.; providing definitions; revising application requirements for innovation incentive awards; revising evaluation and recommendation requirements for innovative incentive awards; requiring the Legislative Budget Commission to review and approve an innovation incentive award before the Executive Office of the Governor releases the funds; revising agreement requirements for payment of incentives; requiring award recipients to comply with certain business ethics developed by Enterprise Florida, Inc.; amending s. 288.955, F.S.; revising definitions; requiring the Scripps Florida Funding Corporation, along with the Office of Tourism, Trade, and Economic Development and Enterprise Florida, Inc., to review the performance and progress of grant recipients of the Innovation Incentive Program; revising membership requirements of the board of directors of the Scripps Florida Funding Corporation; authorizing the corporation to include on the same meeting agenda matters related to The Scripps Research Institute and the Innovation Incentive Program; deleting obsolete provisions; revising the duties of the corporation; revising the contract requirements between the corporation and the grant recipients; requiring the corporation to submit to the Governor and the Legislature a report related to the activities of the Innovation Incentive Program; providing requirements for the report; amending s. 288.9624, F.S.; providing that venture-capital funds affiliated with certain state universities are eligible for investment by the Florida Opportunity Fund; providing an effective date.

By the Committee on Commerce; and Senator Wise—

CS for SB 2856—A bill to be entitled An act relating to aircraft that temporarily enter the state; amending s. 212.08, F.S.; describing items and documents that a nonresident aircraft owner may use to prove that an aircraft has been in the state only temporarily; providing that the tax

exemption is in addition to other provisions authorized by law; providing an effective date.

By the Committee on Health Regulation; and Senators Diaz de la Portilla, Constantine and Baker—

CS for SB 2866—A bill to be entitled An act relating to the practice of medicine; creating s. 458.3096, F.S.; prohibiting the Department of Health from registration for medical residency or licensure under certain circumstances; providing an exception; creating s. 459.0052, F.S.; prohibiting the department from registration for medical residency or licensure under certain circumstances; providing an exception; providing an effective date.

REFERENCE CHANGES PURSUANT TO RULE 4.7(2)

By the Committee on Community Affairs; and Senator Garcia—

CS for SB 474—A bill to be entitled An act relating to growth management; amending s. 70.51, F.S.; deleting an exemption from the limitation on the frequency of amendments of comprehensive plans; transferring, renumbering, and amending s. 125.379, F.S.; requiring counties to certify that they have prepared a list of county-owned property appropriate for affordable housing before obtaining certain funding; amending s. 163.3174, F.S.; prohibiting the members of the local governing body from serving on the local planning agency; providing an exception; amending s. 163.3177, F.S.; requiring coordination of the local comprehensive plan with a school district's educational facilities plan; including a provision encouraging rural counties to adopt a rural sub-element as part of their future land use plan; prohibiting local comprehensive plans from imposing certain standards or development conditions inconsistent with certain requirements of law or state requirements for educational facilities or with maintaining financially feasible school district facilities work plans; requiring certain counties to certify that they have adopted a plan for ensuring affordable workforce housing before obtaining certain funding; requiring the housing element of the comprehensive plan to address senior affordable housing; authorizing the state land planning agency to amend administrative rules relating to planning criteria to allow for varying local conditions; deleting exemptions from the limitation on the frequency of plan amendments; deleting provisions encouraging local governments to develop a community vision and to designate an urban service boundary; amending s. 163.31771, F.S.; requiring a local government to amend its comprehensive plan to allow accessory dwelling units in an area zoned for single-family residential use; prohibiting such units from being treated as new units if there is a land use restriction agreement that restricts use to affordable housing; prohibiting accessory dwelling units from being located on certain land; amending s. 163.3178, F.S.; revising provisions relating to coastal management and coastal high-hazard areas; providing factors for demonstrating the compliance of a comprehensive plan amendment with rule provisions relating to coastal areas; amending s. 163.3180, F.S.; revising concurrency requirements; specifying municipal areas for transportation concurrency exception areas; revising provisions relating to the Strategic Intermodal System; deleting a requirement for local governments to annually submit a summary of de minimus records; providing additional requirements for school concurrency service areas and contiguous service areas; providing a minimum state availability standard for school concurrency; extending the deadline for local governments to adopt a public school facilities element and interlocal agreement; providing that a developer may not be required to reduce or eliminate backlog or address class size reduction; requiring charter schools to be considered as a mitigation option under certain circumstances; limiting the circumstances under which a local government may deny a development permit or comprehensive plan amendment based on school concurrency; requiring school districts to include relocatables in their calculation of school capacity in certain circumstances; requiring consistency between a school impact fee and an adopted school concurrency ordinance; absolving a developer from responsibility for mitigating school concurrency backlogs or addressing class size; authorizing a methodology based on vehicle and miles traveled for calculating proportionate fair-share methodology; providing transportation concurrency incentives for private developers; deleting an exemption from transportation concurrency provided to certain workforce housing; requiring proportionate-share mitigation for developments of regional impact to be based on the existing level of service or the adopted level-of-service standard, whichever is less; defining the term "backlogged transportation facility"; providing for recommendations for the establishment of a uniform mobility fee methodology to replace the current transportation concurrency management system; amending s. 163.3184, F.S.; requiring that potential applicants for a future land use map amendment conduct a meeting to present, discuss, and solicit public comment on the proposed amendment; requiring that such meeting be conducted before the application is filed; providing notice and procedure requirements for such meetings; providing for applicability of such requirements; requiring that applicants conduct a second meeting within a specified period before the local government's scheduled adoption hearing; providing for notice of such meeting; requiring that an applicant file with the local government a written certification attesting to certain information; exempting small-scale amendments from requirements related to meetings; revising a time period for comments on plan amendments; revising a time period for requesting state planning agency review of plan amendments; revising a time period for the state land planning agency to identify written comments on plan amendments for local governments; providing that an amendment is deemed abandoned under certain circumstances; authorizing the state land planning agency to grant extensions; requiring that a comprehensive plan or amendment to be adopted be available to the public; prohibiting certain types of changes to a plan amendment during a specified period before the hearing thereupon; requiring that the local government certify certain information to the state land planning agency; deleting exemptions from the limitation on the frequency of amendments of comprehensive plans; deleting provisions relating to community vision and urban boundary amendments to conform to changes made by the act; amending s. 163.3187, F.S.; providing that comprehensive plan amendments may be adopted by simple majority vote of the governing body of the applicable local government; requiring a super majority vote of such persons for the adoption of certain amendments; authorizing local governments to transmit and adopt certain plan amendments twice per calendar year; authorizing local governments to transmit and adopt certain plan amendments at any time during a calendar year without regard for restrictions on frequency; deleting certain types of amendments from the list of amendments eligible for adoption at any time during a calendar year; deleting exemptions from frequency limitations; providing circumstances under which small-scale amendments become effective; amending s. 163.3245, F.S.; revising provisions relating to optional sector plans; authorizing all local government to adopt optional sector plans into their comprehensive plan; increasing the size of the area to which sector plans apply; deleting certain restrictions on a local government upon entering into sector plans; deleting an annual monitoring report submitted by a host local government that has adopted a sector plan and a status report submitted by the department on optional sector plans; amending s. 163.3246, F.S.; discontinuing the Local Government Comprehensive Planning Certification Program except for currently certified local governments; retaining an exemption from DRI review for a certified community in certain circumstances; creating s. 163.32461, F.S.; providing expedited affordable housing growth strategies; providing legislative intent; providing definitions; providing an optional expedited review for certain future land use map amendments; providing procedures for such review; providing for the expedited review of subdivision, site plans, and building permits; providing for density bonuses for certain land uses; amending s. 163.32465, F.S.; revising provisions relating to the state review of comprehensive plans; providing additional types of amendments to which the alternative state review applies; renumbering and amending s. 166.0451, F.S.; requiring municipalities to certify that they have prepared a list of county-owned property appropriate for affordable housing before obtaining certain funding; amending s. 253.034, F.S.; requiring that a manager of conservation lands report to the Board of Trustees of the Internal Improvement Trust Fund at specified intervals regarding those lands not being used for the purpose for which they were originally leased; requiring that the Division of State Lands annually submit to the President of the Senate and the Speaker of the House of Representatives a copy of the state inventory identifying all nonconservation lands; requiring the division to publish a copy of the annual inventory on its website and notify by electronic mail the executive head of the governing body of each local government having lands in the inventory within its jurisdiction; amending s. 288.975, F.S.; deleting exemptions from the frequency limitations on comprehensive plan amendments; amending s. 380.06, F.S.; providing an exception from development-of-regional-impact review; providing a 3-year extension for the buildout, commencement, and expiration dates of developments of regional impact and Florida Quality Developments, including associated local permits; providing that all transportation impacts for a phase or stage of a development of regional impact shall be

deemed mitigated under certain circumstances; amending s. 380.0651, F.S.; providing an exemption from development-of-regional impact review; amending s. 1002.33, F.S.; restricting facilities from providing space to charter schools unless such use is consistent with the local comprehensive plan; creating s. 1011.775, F.S.; requiring that each district school board prepare an inventory list of certain real property on or before a specified date and at specified intervals thereafter; requiring that such list include certain information; requiring that the district school board review the list at a public meeting and make certain determinations; requiring that the board state its intended use for certain property; authorizing the board to revise the list at the conclusion of the public meeting; requiring that the board adopt a resolution; authorizing the board to offer certain properties for sale and use the proceeds for specified purposes; authorizing the board to make the property available for the production and preservation of permanent affordable housing; defining the term "affordable" for specified purposes; repealing s. 339.282, F.S., relating to transportation concurrency incentives; repealing s. 420.615, F.S., relating to affordable housing land donation density bonus incentives; amending s. 1013.33, F.S.; prohibiting the imposition of standards and conditions exceeding certain requirements for an educational facilities or school district facilities work plan under certain circumstances; providing an exception; amending s. 1013.372, F.S.; requiring that certain charter schools serve as public shelters at the request of the local emergency management agency; amending ss. 163.3217, 163.3182, and 171.203, F.S.; deleting exemptions from the limitation on the frequency of amendments of comprehensive plans; providing an effective date.

—was referred to the Committees on Transportation; and Transportation and Economic Development Appropriations.

By the Committees on Judiciary; Criminal Justice; and Senator Crist—

CS for CS for SB 700—A bill to be entitled An act relating to juvenile justice; amending s. 29.008, F.S.; conforming cross-references; amending s. 790.22, F.S.; revising provisions relating to community service programs; amending s. 939.185, F.S.; providing diversion options; amending s. 984.05, F.S., conforming cross-references; amending s. 984.09, F.S.; deleting duplicative provisions relating to contempt of court and alternative sanctions; amending s. 985.02, F.S.; providing diversion options; amending s. 985.03, F.S.; defining the term "ordinary medical care"; amending and renumbering provisions of s. 985.037, F.S., relating to alterative sanctions; creating s. 985.0375, F.S.; providing for alternative sanctions; amending s. 985.04, F.S; providing that confidential information obtained during an official's service with juvenile delinquents may be shared with authorized personnel of the Department of Children and Family Services; amending s. 985.245, F.S.; providing for additional representatives to be included on the committee formed to advise the Department of Juvenile Justice on the risk assessment instrument; requiring periodic evaluation of the risk assessment instrument; amending s. 985.265, F.S.; providing an exception to required supervision in direct supervision housing; amending s. 985.601, F.S.; requiring the Department of Juvenile Justice to adopt rules to establish procedures to provide ordinary medical care, mental health, substance abuse, and developmental disabilities services to youth within the juvenile justice continuum; requiring that, to the extent possible within available fiscal resources, the procedures must be commensurate with procedures that youth receive in the community; amending s. 985.606, F.S.; revising provisions governing data collection; amending s. 985.632, F.S.; authorizing the department to conduct a demonstration project in order to create an accountable juvenile justice system that is outcome-based; amending s. 985.644, F.S., relating to departmental contracting powers; removing references to the Department of Children and Family Services; amending s. 985.66, F.S.; transferring the responsibility for the juvenile justice training program from the Juvenile Justice Standards and Training Commission to the Department of Juvenile Justice; requiring the department to adopt rules; amending s. 985.664, F.S., relating to the juvenile justice circuit boards and juvenile justice county councils; providing a reference to the Children and Youth Cabinet; requiring that juvenile justice circuit boards and county councils participate in facilitating interagency cooperation and information sharing with certain entities; requiring that such collaborations specify certain information; providing requirements for the annual reports required to be submitted by each juvenile justice circuit board; amending s. 985.668, F.S.; encouraging each juvenile justice circuit board, in consultation with the juvenile justice county council, to propose an innovation zone within the circuit; amending s. 985.676, F.S.; including the development and implantation of a strategic plan; amending s. 985.721, F.S.; conforming a cross-reference; creating s. 1006.125, F.S.; requiring that a student charged with a violation of the code of student conduct which constitutes a serious criminal offense be reported to a law enforcement agency; amending s. 1006.13, F.S.; removing the reference of zero tolerance; providing an appropriation; providing an effective date.

—was referred to the Committees on Criminal and Civil Justice Appropriations; and Education Pre-K - 12 Appropriations.

By the Committee on Environmental Preservation and Conservation; and Senator Crist—

CS for SB 730—A bill to be entitled An act relating to the permitting of landfills; amending s. 403.707, F.S.; requiring the Department of Environmental Protection to conduct a study concerning the location of landfills and report to the Governor and the Legislature; prohibiting the permitting of Class I landfills if the department finds that the applicant has violated certain laws during a specified period; defining the term "applicant"; providing an effective date.

—was referred to the Committees on Community Affairs; and General Government Appropriations.

By the Committee on Transportation and Economic Development Appropriations; and Senator Fasano—

CS for SB 788—A bill to be entitled An act relating to transportation services for the transportation disadvantaged; amending s. 427.011, F.S.; revising definitions; amending s. 427.012, F.S.; revising the number of members required for a quorum at a meeting of the Commission for the Transportation Disadvantaged; amending s. 427.013, F.S.; revising responsibilities for the commission; deleting a requirement that the commission establish by rule acceptable ranges of trip costs; requiring the commission to incur expenses for promotional services and items; amending s. 427.0135, F.S.; revising and creating duties and responsibilities for agencies that purchase transportation service for the transportation disadvantaged; providing requirements for the payment of rates; requiring agencies to negotiate with the commission before procuring transportation disadvantaged services; requiring that an agency identify its allocation for transportation disadvantaged services in its legislative budget request; amending s. 427.015, F.S.; revising provisions relating to the function of the metropolitan planning organization or designated official planning agency; amending s. 427.0155, F.S.; revising the duties of community transportation coordinators; amending s. 427.0157, F.S.; revising duties for coordinating boards; amending s. 427.0158, F.S.; deleting provisions requiring the school board to provide information relating to school buses to the transportation coordinator; providing for the transportation coordinator to request certain information regarding public transportation; amending s. 427.0159, F.S.; revising provisions relating to the Transportation Disadvantaged Trust Fund; providing for the deposit of funds by an agency purchasing transportation services; amending s. 427.016, F.S.; deleting a provision authorizing the establishment of certain fees under the Medicaid program; requiring that an agency identify the allocation of funds for transportation disadvantaged services in its legislative budget request; providing an effective date.

—was referred to the Committee on Health and Human Services Appropriations.

By the Committee on Health Policy; and Senator Dawson—

CS for SB 888—A bill to be entitled An act relating to the Florida Kidcare program; amending s. 20.43, F.S.; redesignating the Division of Children's Medical Services Network within the Department of Health as the "Division of Children's Medical Services Network and Specialty Programs"; creating the Division of Children's Health Insurance and the Office of Child Health Coordination within the Department of Health; amending s. 391.011, F.S.; redesignating ch. 391, F.S., as the "Children's Health Act"; amending s. 391.016, F.S.; revising legislative intent with respect to certain responsibilities of the Children's Health program; amending s. 391.021, F.S.; revising and providing definitions; amending

s. 391.025, F.S.; revising the components of the Children's Health program; conforming provisions to changes made by the act; amending s. 391.026, F.S.; requiring the Department of Health to administer the Florida Kidcare program; amending s. 391.028, F.S.; revising the duties of the Children's Medical Services Network; revising the duties of the director; requiring the Division of Children's Health Insurance to administer the Florida Kidcare program; specifying that the Office of Child Health Coordination is responsible for child health services not directly related to Florida Kidcare; amending s. 391.029, F.S.; requiring the Department of Health to establish clinical eligibility requirements for Florida Kidcare Plus benefits; revising eligibility criteria; amending s. 409.810, F.S.; conforming provisions; amending s. 409.811, F.S.; revising and providing definitions relating to the Florida Kidcare Act; amending s. 409.812, F.S.; revising the purpose of the Florida Kidcare program; amending s. 409.813, F.S.; specifying the components of the program which are marketed collectively as the Florida Kidcare program; amending s. 409.8132, F.S.; revising the assignment requirements in the Medikids program component; amending s. 409.8134, F.S.; revising requirements for the department in conducting enrollment in the Florida Kidcare program; amending s. 409.814, F.S.; revising the eligibility requirements for the program; establishing good cause reasons for voluntarily canceling employer or other private coverage; increasing the cap on enrollment of full-pay children in MediKids and Healthy Kids under certain conditions; requiring notification of changes in eligibility for health plans and providers; requiring the electronic verification of an applicant's family income; providing that full-pay enrollees are not subject to the eligibility documentation requirements of this section; amending s. 409.815, F.S.; requiring that the health benefits coverage of the Florida Kidcare program be equivalent to the pediatric Medicaid benefit package; amending s. 409.8177, F.S.; requiring the department to assume responsibility from the Agency for Health Care Administration for contracting for the annual evaluation of the Florida Kidcare program; amending s. 409.818, F.S.; requiring the Department of Children and Family Services to develop and use a standardized eligibility application; requiring the Department of Children and Family Services to develop a plan for determining the eligibility of certain children for coverage and to submit a report of the plan to the Governor and the Legislature by a specified date; revising the duties of the Department of Health with respect to reviewing the intake process; requiring the department to publicize the Florida Kidcare program, determine eligibility for Florida Kidcare Plus coverage, and develop standards for pediatric quality assurance and access; requiring the department to adopt rules; authorizing the department to make certain program modifications upon the approval of the Legislature; requiring the Agency for Health Care Administration to establish a toll-free telephone number to assist families; requiring the agency to apply for waivers and adopt rules to comply with federal laws and the requirements of the act; requiring the Florida Healthy Kids Corporation to conduct eligibility determination based on rules developed by the Department of Health; repealing s. 409.820, F.S., relating to quality assurance and access standards; amending s. 624.91, F.S.; revising provisions of the Florida Healthy Kids Corporation Act; providing for the transfer of certain functions to the Department of Health; requiring the Florida Healthy Kids Corporation to administer the program based on the rules and policies developed by the Department of Health; requiring the corporation to allow health plans to market the program; specifying the corporation's assignment process for family members in the program; requesting Florida's Congressional Delegation to support certain amendments to Title XXI of the Social Security Act; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Governmental Operations; and Health and Human Services Appropriations.

By the Committee on Commerce; and Senator Diaz de la Portilla—

CS for SB 954—A bill to be entitled An act relating to motor vehicle dealers; amending s. 501.975, F.S.; defining the term "advertised price" for purposes of motor vehicle sales; amending s. 501.976, F.S.; requiring that the advertised price include all costs, fees, or charges that the customer must pay, with certain exclusions; requiring a conspicuous label containing a disclosure regarding the predelivery service fee; providing an exception; providing an effective date.

—was referred to the Committees on Transportation; and General Government Appropriations.

By the Committee on Commerce; and Senator Diaz de la Portilla—

CS for SB 928—A bill to be entitled An act relating to economic development; creating s. 11.9006, F.S.; providing a short title; providing definitions; creating the Small Business Regulatory Advisory Council; providing for appointments, membership, and meetings; providing an administrative location for the council; providing powers and limitations of the council; providing for coordinated review of agency rules by the council, with agency sunset review; providing timelines for review; providing for the council to issue a business-friendly scorecard of agency rules; creating s. 11.9007, F.S.; providing definitions; providing for selection of small business advocate; providing for preferred qualifications of the advocate; providing duties of the advocate; providing for agency cooperation with the advocate; providing for an annual report by the advocate to the Governor and Legislature; amending s. 11.908, F.S.; requiring report of the Small Business Regulatory Advisory Council to be included in recommendations of Joint Legislative Sunset Committee; amending s. 11.919, F.S.; requiring agency assistance to the Small Business Regulatory Advisory Council; authorizing the council to inspect agency documents; amending s. 120.54, F.S.; requiring state agencies to prepare statements of estimated regulatory costs; requiring agency notification to Small Business Regulatory Advisory Council relating to proposed agency action affecting small businesses; requiring the agency to adopt regulatory alternatives offered by the council under certain circumstances; providing for a rule-filing extension when regulatory alternatives are offered by the council; providing for outside review of regulatory alternatives not adopted by the agency and for agency response; amending s. 120.74, F.S.; requiring biennial rule review by each agency to consider the impact of rules on small businesses; requiring that the results be included in report to Legislature; providing an effective date.

—was referred to the Committee on Governmental Operations.

By the Committee on Commerce; and Senator Diaz de la Portilla—

CS for SB 930—A bill to be entitled An act relating to economic development; creating s. 288.001, F.S.; designating the Florida Small Business Development Center Network as the principal business assistance organization for small businesses in the state; providing an effective date.

—was referred to the Committee on Governmental Operations.

By the Committee on Commerce; and Senator Diaz de la Portilla—

CS for SB 940—A bill to be entitled An act relating to employee leasing companies; providing a short title; amending s. 443.036, F.S.; redefining the term "employee leasing company"; amending s. 443.1216, F.S.; requiring quarterly reports that include client and establishment specific information; authorizing the Agency for Workforce Innovation to adopt rules; providing enforcement authority; providing an effective date.

—was referred to the Committee on Governmental Operations.

By the Committees on Education Pre-K - 12 Appropriations; Education Pre-K - 12; and Senators Dockery and Fasano—

CS for CS for SB 1062—A bill to be entitled An act relating to educator certification requirements; amending s. 1012.56, F.S.; requiring a bachelor's degree or higher and subject area examinations in specified foreign languages for the purpose of demonstrating mastery of that subject area knowledge; revising requirements relating to the issuance of temporary certificates; providing an effective date.

—was referred to the Committee on Education Pre-K - 12.

By the Committee on Military Affairs and Domestic Security; and Senator Dean—

CS for SB 1470—A bill to be entitled An act relating to the Uniform Port Access Credential Card; amending s. 311.125, F.S.; authorizing the

Department of Highway Safety and Motor Vehicles to designate the Transportation Security Administration's Transportation Worker Identification Credential card as the Uniform Port Access Credential Card; authorizing the department to set and collect a fee; limiting the amount of such fee; providing an effective date.

—was referred to the Committee on Transportation and Economic Development Appropriations.

By the Committee on Governmental Operations; and Senator Lawson—

CS for SB 1654—A bill to be entitled An act relating to state construction management contracting; creating s. 255.32, F.S.; defining terms; authorizing the Department of Management Services to select and contract with construction management entities to assist in the management of state construction projects; providing criteria; authorizing the department to enter into continuing contracts under certain circumstances; providing that a construction management entity may be required to offer a guaranteed maximum price and a guaranteed completion date under specified circumstances and secure a surety bond; authorizing the department to adopt rules; providing an effective date.

—was referred to the Committee on General Government Appropriations.

By the Committees on Community Affairs; Regulated Industries; and Senator Villalobos—

CS for CS for SB 2084—A bill to be entitled An act relating to community associations; amending s. 468.431, F.S.; defining the term "community association management firm"; redefining the term "community association manager" to apply only to natural persons; amending s. 468.4315, F.S.; revising membership criteria for members of the Regulatory Council of Community Association Managers; requiring the board to establish a public education program; providing for board members to serve without compensation but be entitled to receive per diem and travel expenses; providing responsibilities of the board; amending s. 468.432, F.S.; providing for the licensure of community association management firms; providing application, licensure, and fee requirements; providing for the cancellation of the license of a community association management firm under certain circumstances; providing that such firm or similar organization agrees that, by being licensed, it shall employ only licensed persons providing certain services; amending s. 468.433, F.S.; providing for the refusal of an applicant certification under certain circumstances; amending s. 468.436, F.S.; requiring the Department of Business and Professional Regulation to investigate certain complaints and allegations; providing complaint and investigation procedures; providing grounds for which disciplinary action may be taken; amending s. 718.111, F.S.; providing duties of officers, directors, and agents of a condominium association and liability for monetary damages under certain circumstances; providing that a person who knowingly or intentionally fails to create or maintain, or who defaces or destroys certain records, is subject to civil penalties as prescribed by state law; requiring that a copy of the inspection report be maintained as an official record of the association; requiring official records of the association to be maintained for a specified minimum period and be made available at certain locations and in specified formats; providing that any person who knowingly or intentionally defaces, destroys, or fails to create or maintain accounting records is subject to civil and criminal sanctions; prohibiting accessibility to certain personal identifying information of unit owners by fellow unit owners; requiring that the Division of Florida Land Sales, Condominiums, and Mobile Homes of the Department of Business and Professional Regulation adopt certain rules; requiring certain audits and reports to be paid for by the developer if done before control of the association is turned over; restricting a condominium association from waiving a financial report for more than a specified period; amending s. 718.112, F.S.; prohibiting a voting interest or a consent right allocated to a unit owner from being exercised under certain circumstances; requiring the board to address certain agenda items proposed by a petition of a specified percentage of the unit owners; providing requirements for the location of annual unit owner meetings; revising terms of service for board members; prohibiting certain persons from serving on the board; requiring the association to provide a certification form to unit owners for specified purposes; authorizing an association consisting of a specified maximum number of units to provide for different voting and election procedures in its bylaws by affirmative vote of a majority of the association's voting interests; revising requirements related to the annual budget; requiring proxy questions relating to reserves to contain a specified statement; providing for the removal of board members under certain circumstances; requiring that directors who are delinquent in certain payments owed in excess of certain periods of time be suspended from office or deemed to have abandoned their offices; requiring that directors charged with certain offenses involving an association's funds or property be suspended from office pending resolution of the charge; providing for the reinstatement of such officers or directors under certain circumstances; amending s. 718.1124, F.S.; providing that any unit owner may give notice of his or her intent to apply to the circuit court for the appointment of a receiver to manage the affairs of the association under certain circumstances; providing a form for such notice; providing for the delivery of such notice; providing procedures for resolving a petition submitted pursuant to such notice; requiring that all unit owners be provided written notice of the appointment of a receiver; amending s. 718.113, F.S.; providing a statement of clarification; authorizing the board to install certain hurricane protection; prohibiting the board from installing hurricane shutters under certain circumstances; requiring that the board inspect certain condominium buildings and a issue a report thereupon; prohibiting the board from refusing a request for reasonable accommodation for the attachment to a unit of religious objects meeting certain size specifications; amending s. 718.117, F.S.; requiring that all unit owners be provided written notice of the appointment of a receiver; providing for the delivery of such notice; amending s. 718.121, F.S.; providing requirements and restrictions for liens filed by the association against a condominium unit; providing for notice and delivery thereof; creating s. 718.1224, F.S.; prohibiting strategic lawsuits against public participation; providing legislative findings and intent; prohibiting a governmental entity, business organization, or individual from filing certain lawsuits made upon specified bases against a unit owner; providing rights of a unit owner who has been served with such a lawsuit; providing procedures for the resolution of claims that such suit violates certain provisions of state law; providing for the award of damages and attorney's fees; prohibiting associations from expending association funds in prosecuting such a suit against a unit owner; amending s. 718.1255, F.S.; revising legislative intent concerning alternative dispute resolution; creating s. 718.1265, F.S.; authorizing an association to exercise certain powers in instances involving damage caused by an event for which a state of emergency has been declared; limiting the applicability of such powers; creating s. 718.127, F.S.; requiring that all unit owners be provided written notice of the appointment of a receiver; providing for the delivery of such notice; amending s. 718.301, F.S.; providing circumstances under which unit owners other than a developer may elect not fewer than a majority of the members of the board of administration of an association; requiring that a developer deliver certain property of the unit owners and the association within a specified period after such election and upon relinquishing control of the association; requiring a turnover inspection report; requiring that the report contain certain information; amending s. 718.3025, F.S.; requiring that maintenance and management services contracts disclose certain information; amending s. 718.3026, F.S.; removing a provision authorizing certain associations to opt out of provisions relating to contracts for products and services; removing provisions relating to competitive bid requirements for contracts executed before a specified date; providing requirements for any contract or transaction between an association and one or more of its directors or any other entity in which one or more of its directors are directors or officers or have a financial interest; amending s. 718.303, F.S.; providing that hearings regarding noncompliance with a declaration be held before certain persons; amending s. 718.501, F.S.; providing authority and responsibilities of the division; providing for enforcement actions brought by the division in its own name; providing for the imposition of penalties by the division; requiring that the division issue a subpoena requiring production of certain requested records under certain circumstances; providing for the issuance of notice of a declaratory statement with respect to documents governing a condominium community; requiring that the division provide training and education for condominium association board members and unit owners; authorizing the division to include certain training components and review or approve training programs offered by providers; requiring that certain individuals cooperate with the division in any investigation conducted by the division; amending s. 718.50151, F.S.; redesignating the Advisory Council on Condominiums as the "Community Association Living Study Council"; providing for the creation of the council; providing

functions of the council; amending s. 718.503, F.S.; providing for disclosure of certain information upon the sale of a unit by a nondeveloper; requiring the provisions of a governance form by the seller to the prospective buyer; requiring that such form contain certain information and a specified statement; providing an effective date.

—was referred to the Committee on Judiciary.

By the Committee on Higher Education; and Senator Posey—

CS for SB 2526—A bill to be entitled An act relating to the space industry; providing a short title; providing legislative findings; amending s. 331.3051, F.S.; revising duties of Space Florida to include supporting the development and operation of the Space Technology and Research Diversification Initiative; creating s. 331.365, F.S.; establishing the multiuniversity Space Technology and Research Diversification Initiative within the Office of Tourism, Trade, and Economic Development; providing for duties and administration; providing an effective date.

—was referred to the Committees on Transportation and Economic Development Appropriations; and Higher Education Appropriations.

By the Committee on Commerce; and Senator Atwater—

CS for SB 2774—A bill to be entitled An act relating to security for late-night businesses; providing a short title; creating a pilot project within specified counties to fund surveillance systems for late-night businesses; providing a purpose; providing definitions; providing grant qualifications; providing for pilot project funding; providing an effective date.

—was referred to the Committees on Criminal Justice; and General Government Appropriations.

MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

EXECUTIVE APPOINTMENTS SUBJECT TO CONFIRMATION BY THE SENATE:

The Secretary of State has certified that pursuant to the provisions of section 114.05, Florida Statutes, certificates subject to confirmation by the Senate have been prepared for the following:

Office and Appointment		*For Term Ending*
Governing Board of the Northwest Florida Water Management District		
Appointee:	Antonacci, Peter, Tallahassee	03/01/2012
Executive Director of Northwest Florida Water Management District		
Appointee:	Barr, Douglas E., Tallahassee	Pleasure of the Board
Executive Director of St. Johns River Water Management District		
Appointee:	Green, Kirby B. III, Palatka	Pleasure of the Board
Governing Board of the South Florida Water Management District		
Appointees:	Huck, Paul C., Jr., Coral Gables	03/01/2012
	Montgomery, Robert G., Celebration	03/01/2012
Executive Director of South Florida Water Management District		
Appointee:	Wehle, Carol Ann, Placida	Pleasure of the Board
Governing Board of the Southwest Florida Water Management District		
Appointee:	Joerger, Albert G., Sarasota	03/01/2011
Executive Director of Southwest Florida Water Management District		
Appointee:	Moore, David L., Odessa	Pleasure of the Board
Executive Director of Suwannee River Water Management District		
Appointee:	Still, David, Lake City	Pleasure of the Board

[Referred to the Committees on Environmental Preservation and Conservation; and Ethics and Elections.]

Board of Trustees, Florida Atlantic University		
Appointee:	Plymale, Sherry, Palm City	01/06/2013

[Referred to the Committees on Higher Education; and Ethics and Elections.]

SUPREME COURT OF FLORIDA

The opinion released by the Supreme Court of Florida on January 17, 2008, (as published in the March 4, 2008 Journal of the Senate) has been withdrawn and the following opinion, released on April 15, 2008, was substituted in its place:

The following certificate was received:

No. SC07-2379

In Re: CERTIFICATION OF THE NEED FOR ADDITIONAL JUDGES

[April 15, 2008]

LEWIS, C.J.

This amended opinion is intended to fulfill the constitutional obligation of this Court to determine the need for additional judges in Fiscal Year 2008-2009 and to certify our findings and recommendations concerning that need to the Legislature.[1] Certification is "the sole mechanism established by our constitution for a systematic and uniform assessment of this need." In re Certification of Need for Additional Judges, 889 So. 2d 734, 735 (Fla. 2004).

JUDICIAL RESOURCE STUDY

As part of our continuing commitment to refine the judicial workload model for analysis, this Court directed the Florida Supreme Court Commission on Trial Court Performance and Accountability to perform an additional extensive study of the judicial case weights to be utilized and the contribution of magistrates and other hearing officers in the case disposition process in an attempt to consistently and regularly validate our process of certification.[2] In response, the Commission created a Judicial Resource Study Workgroup composed of circuit and county court judges, trial court administrators, general magistrates, and hearing officers to study, evaluate, and make recommendations to this Court with regard to the overall judicial workload.

The primary objectives of the study were to update the existing judicial case weights and establish processing times for cases which involve the services of general magistrates and hearing officers. A secondary objective of the study was to develop a tool to assist judicial leadership in determining the optimal allocation of judicial and supplemental resources. The updating of the judicial case weights on a continuing basis is consistent with the recommendations of the National Center for State Courts, the original consultants in connection with the 1999 case weight development.[3] Since 1999, new laws and statutory requirements have been enacted by the Florida Legislature that require additional time in the judicial processing of cases. Moreover, to our knowledge, this is the first time that any state court has ever attempted to evaluate the impact of the contribution of supplemental hearing officers as part of a judicial workload model. These factors and others have been considered in the Judicial Resource Study Final Report.

At the direction of the Judicial Resource Study Workgroup, a General Magistrate/Hearing Officer Subgroup was also formed to study the workload of magistrates and other hearing officers. That subgroup was composed of three judges and seven magistrates and hearing officers

from across the state. Together, these two studies provide a state-of-the-art evaluation of judicial workload in Florida. These studies were multi-faceted and integrated.

First, the Judicial Resource Study Workgroup employed a three-prong approach to analyze judicial case weights: (1) a judicial survey of trial court judges was completed; 466 judges, or fifty-four percent, of the 866 trial court judges available during the study participated; (2) a judicial forum was convened to review and validate the weights; seventy-five judges, or nine percent, of the 866 trial court judges available at that time participated; and (3) a final case weight review was conducted by the Judicial Resource Study Workgroup.[4] In addition to reviewing the twenty-six original case weights established in 1999 and the drug court case weight established in 2003, the Workgroup assigned weights to two new categories of cases that have been designated by the Legislature since 1999, namely, Jimmy Ryce and Parental Notice of Abortion cases.

A number of adjustments were made to the existing case weights as a result of this Judicial Resource Study. At the circuit court level, nine weights increased and ten weights decreased. In county court, four weights increased and four decreased. The study provides exhaustive documentation for each adjustment. Reasons for the various case weight adjustments vary by case type in both circuit and county court divisions.

Some of the justifications for increases and decreases in the case weights provided by the judges in the survey and forum group included but were not limited to increases in post-judgment activity, increases in Nelson[5] hearings, increases in bond reduction hearings, mandatory minimum sentencing requirements, disposition requirements for expanded plea colloquies, civil case complexity, statutory changes, difficulty in seating juries, motion practice, increased numbers of parties, the involvement of magistrates in portions of a case, case-related administration, indigence hearings, requirements associated with cases involving children, increasing complexity of Baker Act and Marchman Act cases, increased staff support, increased supplemental resources, increased use of interpreters for non-English speaking litigants, increased numbers of self-represented litigants, changes to the personal injury protection law, increases in identity theft that impact the intensity of workload associated with that category of cases, increases in construction litigation, and decreases in proportions of occurrences of trials and other case-related events. These examples illustrate the changing dynamics and complexities associated with the cases filed in Florida's courts.

Of particular interest to this Court is the nature of the workload relationship between judges and general magistrates and hearing officers. To the extent currently possible, this study addressed that question. Specifically, the adjusted and new weights (e.g., Jimmy Ryce and Parental Notice of Abortion cases) incorporate the use of general magistrates and hearing officers in case disposition.

The objectives of the General Magistrate/Hearing Officer Study were to: (1) develop a mechanism to measure the workload of general magistrates, Title IV-D child support hearing officers, and traffic hearing officers; and (2) develop a tool to assist judicial leadership in determining the optimal allocation of supplemental resources. This study created a new model for magistrates and hearing officers by drawing on the original judicial workload model framework developed in 1999 and utilizing the same case types and filing data source.[6] As a result, this Court, the chief judges, and the Trial Court Budget Commission are all now in a better position to evaluate the need for and distribution of general magistrates and hearing officers throughout the state.

Judicial availability to hear and decide cases in the county, circuit, and district courts is essential to fulfilling the guarantee of meaningful and timely access to justice for the people of Florida. It is essential that our courts be open, properly staffed, and operational at all times.

Florida's courts must also be equally accessible to all of our citizens. This includes physical and communication accessibility for persons with disabilities, effective and sustained remedies for individuals with mental illnesses, and legal access for self-represented litigants.

All of these issues are linked to the presence of a sufficient judicial staffing complement at the trial and appellate court levels. It is our judges who help to ensure public safety, protect individual rights and liberties, and safeguard the promises of our democracy by promoting and enforcing constitutional guarantees and the rule of law.

The State Courts System has now completed its effort to update the judicial case weights. As noted, we have also established new case weights for general magistrates and other supplemental hearing officers. These new case weights reflect statutory changes enacted by the Legislature since 1999 and the availability of additional supplemental resources (e.g., general magistrates, case managers, and staff attorneys), both of which impact judicial workload.

The Court has accepted the adjusted case weights as provided in the Judicial Resource Study and applied them in our current certification analysis. In addition, in accordance with the discretion afforded under Rule of Judicial Administration 2.240, we have also applied an additional factor to the judicial net need equation, that being the availability of senior judges to hear and dispose of cases. Although the case-weighted methodology takes into account all supplemental resources that assist judges in disposing of cases, prior to the analysis, it has not previously included the contribution of senior judges who dispose of cases without the assistance of current county or circuit court judges. In our view, senior judges represent an additional resource that can and must be factored into the total package of available judicial resources and are included in this certification analysis.

The application of the case-weighted methodology in 1999 was the dawn of a new era for the State Courts System. Prior to 1999, the certification process was a blend of statistical data regarding case filings and a review of anecdotal information from the trial and appellate courts. The missing element was the actual time necessary for judges to dispose of cases. By adopting the case-weighting methodology in 1999, Florida became one of a very few states to attempt to employ sophisticated evaluation techniques when analyzing judicial workload. From the outset, our court system has embraced the concept of a case-weighted methodology. We are committed to improving the process and analysis each year. Over the last eight years, we have conducted a continual evaluation of the certification process. It is important to this Court, our judges, and the people of Florida that we employ the appropriate methodology. We believe that ongoing self-analysis enhances the overall validity of the process.

We recognize that the incorporation of senior judge time into the certification process this year is a departure from the previous methodology approach. Clearly, this is a complex issue as the use of senior judges allows for greater operational flexibility in the trial courts. However, we believe that it is a prudent approach given the new judgeships the State Courts System has received the last two fiscal years and the adoption of the adjusted case weights. We intend to carefully consider the impact of our decision in this regard by continuing to consult with the chief judges of the lower courts and requesting that the Commission on Trial Court Performance and Accountability further analyze this change to the certification methodology and advise us accordingly.

TRIAL COURT CERTIFICATION

This Court has examined case filing and disposition data, analyzed various judicial workload indicators, and considered judgeship requests submitted by the lower courts. Further, we have taken into consideration the 114 judgeships that were created by the Florida Legislature during two of the last three fiscal years.

In Fiscal Year 2005-2006, approximately ninety-nine percent of all court filings in Florida were processed in the circuit and county courts. Trial court judges are on the front line in dispensing justice; their work is vital to our citizens and businesses who expect the judicial branch to resolve issues fairly, peaceably, expeditiously, and in a manner that promotes the rule of law. Florida's trial court judges stand as guardians of our constitutional freedoms as they ensure access to the courts, protect vulnerable citizens, and ensure that the courts remain open, operational, and functioning at maximum capacity.

From Fiscal Year 2004-2005 to Fiscal Year 2005-2006, case filings have increased by three percent in circuit court. Felony case filings continue to drive statewide growth, specifically cases involving property crimes and drug crimes. Property crime cases (including burglary, theft, worthless checks, and other felonies) have increased by fourteen percent and drug crimes cases have increased by nine percent since Fiscal Year 2004-2005. In circuit civil, the number of mortgage foreclosures has increased by ninety-seven percent statewide over the last twelve months.

Also contributing to the rise in circuit court filings is substantial growth in certain family case types. From Fiscal Year 2004-2005 to Fiscal Year 2005-2006, dissolution cases have increased by nine percent and dependency cases, including termination of parental rights, have increased by six percent.

County court filings experienced even greater growth from Fiscal Year 2004-2005 to Fiscal Year 2005-2006, with statewide filings increasing by ten percent (excluding civil traffic infractions). Significant growth was seen particularly in the county criminal division, with overall filings rising by nine percent. Cases involving misdemeanors and municipal ordinances increased by seven percent and eight percent, respectively, from Fiscal Year 2004-2005 to Fiscal Year 2005-2006. In county civil, from Fiscal Year 2004-2005 to Fiscal Year 2005-2006, all case types experienced some level of growth with the exception of replevin actions.

In light of the foregoing considerations, this Court certifies the need for nineteen new circuit court judges for Fiscal Year 2008-2009, distributed as follows:

1. Four additional circuit court judges for the Fifth Judicial Circuit;

2. Three additional circuit court judges for both the First and Ninth Judicial Circuits;

3. Two additional circuit court judges for the following circuits: the Seventh, Tenth, and Fourteenth Judicial Circuits; and

4. One additional circuit court judge for the following circuits: the Sixth, Eighth, and Nineteenth Judicial Circuits.

Further, we certify the need for forty-two new county court judges for Fiscal Year 2008-2009, distributed as follows:

1. Six additional county court judges for Miami-Dade County;

2. Five additional county court judges for both Hillsborough and Palm Beach Counties;

3. Four additional county court judges for Duval County;

4. Three additional county court judges for Broward County;

5. Two additional county court judges for the following counties: Brevard, Lee, and Orange; and

6. One additional county court judge for the following counties: Alachua, Citrus, Collier, Columbia, Highlands, Lake, Manatee, Marion, Pinellas, Polk, St. Lucie, Sarasota, and Volusia.

In addition to these judges we have certified today, we have also specifically reviewed the requests from chief judges to certify three circuit court judges in the Ninth Judicial Circuit; two circuit court judges each in the Fourth, Fifth, Seventh, Eleventh, Thirteenth, Fifteenth, Eighteenth, Nineteenth, and Twentieth Judicial Circuits; one circuit court judge each in the Second, Eighth, Tenth, and Twelfth Judicial Circuits; and one county court judge each in Orange, Osceola, St. Lucie, and Seminole Counties. The Court's decision to include the contributions of senior judges in the workload calculation has reduced the net judicial need to less than 0.5 in each of these circuits.[7] We have determined that in the absence of special circumstances, we must deny these requests.

DISTRICT COURT OF APPEAL CERTIFICATION

Florida Rule of Judicial Administration 2.240(b)(2) delineates the criteria for certifying the need for additional judges in the district courts of appeal. Based on these criteria, we do not certify the need for any additional district court judges. Our determination is bolstered by the fact that the district courts have not requested the certification of any additional judgeships this year.

The issue of certifying a need to decrease a judicial position for any appellate court is far more complex and requires the concurrence of multiple factors for practical application. The timing of a decision on a need to decrease and the timing of a certification to the Legislature of that need to decrease are impacted by the interrelated nature of Florida's constitutional structure and the participation of our three branches of government in the process. Any decrease in judicial positions must be considered with reference to the end of a term of a judicial position, or a resignation, retirement, or other opening that does not correspond with the end of a term of a judicial position. Evaluation of the need to decrease a judicial position involves the concept of a vacancy and the considerations of the executive branch related thereto. Finally, these issues must be addressed by the Legislature in the context of a certification by this Court with reference to a legislative session for final action.

We now have a confluence of practical factors to certify a need to decrease one judicial position in the Third District Court of Appeal for a position with a term that ends on January 5, 2009. A judicial officer of the Third District Court of Appeal has formally advised that she will not seek retention and will leave her judicial position upon the end of the current term for that position. The chief judge of the Third District Court of Appeal has requested on behalf of that court that this judicial position be decertified upon the end of the current term, when the position becomes vacant. This is based upon a continued downward trend in caseload.

We have continuously reviewed the workload trends for the Third District for the last several years including case filings and weighted judicial workload. We must be careful that any decision to decrease the number of judicial positions be based on a clear trend and not merely a recent fluctuation in volume. Our review indicates that from FY 2002-03 through FY 2006-07, the Third District has had the lowest weighted judicial workload per judge for four of those five years. Further, during that same time period, the Third District has demonstrated a clear trend to have the lowest number of case filings and case filings per judge for all years. We determine that these factors are not mere periodic fluctuations, but represent a clear trend which supports a decrease of one position.

Based upon the request of the chief judge on behalf of that court and our review of the workload data, we agree that there should be a reduction of one judicial position for the Third District Court of Appeal. Further, this confluence of factors allows us to amend our certification opinion at this time because it is necessary to allow the Legislature to consider this action before the executive branch is required to begin a process which may alter the status of this position.8 Pursuant to our obligation under Article V, Section 9 of the Florida Constitution, we hereby decertify one judgeship for the Third District Court of Appeal upon the vacancy of the judicial position, effective January 5, 2009. This measure is consistent with our efforts to critically evaluate judicial workload, be accountable for our resources and, at the same time, ensure that the administration of justice proceeds without delay.

Despite significant caseloads, the appellate courts of this State have continued to function effectively through the adoption of innovative case-processing methods, strong staff support and law clerk assistance, and diligent case management. The use of technological advancements has also significantly enhanced the efforts of the appellate courts to operate efficiently. We support the conscientious commitment of our district court of appeal judges to improve court operations, and we urge the Legislature to continue to provide funding for the district courts of appeal to support performance at an optimum level.

CONCLUSION

Florida's judiciary continues to be the finest in the country. Our judges serve a vital role in keeping our courts open and accessible to all. The demands on our judiciary arise from several fronts including sustained growth in caseloads and demands for access. There is also a growing recognition by county officials of the need to build more courtrooms to accommodate the space needs of Florida's trial courts.

This Court extends its appreciation to the members of the judiciary who participated in the Judicial Resource Study survey and forum group. The contributions from those sources as subject matter experts in the area of case processing and disposition were essential to the success of the study. We also thank the members of the Judicial Resource Study Workgroup who worked tirelessly for eighteen months with our staff to ensure that the case weights were updated and verified. Lastly, we offer our thanks to the members of the General Magistrate/Hearing Officer Subgroup and all of the general magistrates and hearing officers who participated in the time study and development of new case weights for general magistrates and other hearing officers. Like the judicial effort in 1999, this was a groundbreaking effort for Florida's judiciary.

The Florida Legislature has been receptive to our requests for new judgeships in recent years, for which we are most appreciative. Those

additional judgeships significantly reduced the judicial need that has existed for an extended time and since the development of the case weighting methodology. This amended opinion reflects our commitment to continually monitor and evaluate judicial workload by requiring that the case weights be reviewed every five years and by developing enhanced techniques (e.g., magistrate/hearing officer case weights) that enable us to better understand the complexities of case processing and dispositions in Florida given the variety of resources that are available. Validity of the process must be our top priority.

We recognize that the State of Florida is once again facing revenue issues that may impact the ability to place additional resources into the judicial system. Nevertheless, in accordance with our constitutional obligation, we encourage the Florida Legislature to authorize the judgeships identified in this amended opinion as they are targeted to counties and circuits with sustained growth in judicial workload and unsatisfied needs. We ask the Legislature to accept this amended opinion and give it appropriate consideration.

It is so ordered.

WELLS, ANSTEAD, PARIENTE, QUINCE, CANTERO, and BELL, JJ., concur.

Original Proceeding - Certification of the Need for Additional Judges

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[1.] Article V, section 9 of the Florida Constitution provides in pertinent part:

Determination of number of judges.—The supreme court shall establish by rule uniform criteria for the determination of the need for additional judges except supreme court justices, the necessity for decreasing the number of judges and for increasing, decreasing or redefining appellate districts and judicial circuits. If the supreme court finds that a need exists for increasing or decreasing the number of judges or increasing, decreasing or redefining appellate districts and judicial circuits, it shall, prior to the next regular session of the legislature, certify to the legislature its findings and recommendations concerning such need.

[2.] See Supreme Court of Florida, Commission on Trial Court Performance and Accountability, Judicial Resource Study Final Report, Measuring the Workload of Trial Court Judges, General Magistrates and Hearing Officers (2007), available at http://www.flcourts.org/gen_public/pubs/committee_reports.shtml.

[3.] The report states:

Recommendation 2: The OSCA should plan to conduct a systematic update of the case weights approximately every five years, depending on the judgment of the Court Statistics and Workload Committee. Funding for this should be part of the regular legislative agenda related to the process of certification of the need for new judgeships.

Brian J. Ostrom et al., Florida Delphi-Based Weighted Caseload Project Final Report 75 (2000), available at http://www.floridasupremecourt.org/pub_info/highprofile DelphiFullReport.pdf.

[4.] See Supreme Court of Florida, Commission on Trial Court Performance and Accountability, Judicial Resource Study Final Report, Measuring the Workload of Trial Court Judges, General Magistrates and Hearing Officers (2007), available at http://www.flcourts.org/gen_public/pubs/committee_reports.shtml, for a complete discussion of the methodology used.

[5.] Nelson v. State, 274 So. 2d 256, 258-59 (Fla. 4th DCA 1973) (where defendant, before commencement of trial, requests discharge of his court-appointed counsel, trial judge should make an inquiry of defendant as to reason for request and, if incompetency of counsel is assigned as reason, should make a sufficient inquiry of defendant and his appointed counsel to determine whether there is cause to believe that counsel is not rendering effective assistance to defendant, and if reasonable cause for such belief appears, trial judge should make a finding to that effect on record and appoint substitute counsel who should be allowed adequate time to prepare defense, but if no reasonable basis for such belief appears, trial judge should so state on record and advise defendant that if he discharges his original counsel the State may not thereafter be required to appoint a substitute).

[6.] See Supreme Court of Florida, Commission on Trial Court Performance and Accountability, Judicial Resource Study Final Report, Measuring the Workload of Trial Court Judges, General Magistrates and Hearing Officers (2007) 11, available at http://www.flcourts.org/ gen_public/pubs/committee_reports.shtml.

[7.] Total judicial need is the total number of judges required to complete all expected workload. Net judicial need is the difference between the total judicial need and the number of existing judges.

[8.] See art. V, § 11(a), Fla. Const.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

FIRST READING

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has passed CS for HB 321, CS for HB 537, CS for HB 1363, HB 7041; has passed as amended CS for CS for HB 43, HB 61, HB 603, CS for HB 803 and requests the concurrence of the Senate.

William S. Pittman III, Chief Clerk

By the Safety and Security Council; and Representative Snyder and others—

CS for HB 321—A bill to be entitled An act relating to murder of law enforcement officers; creating s. 782.065, F.S.; providing a minimum mandatory sentence for certain offenses; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Criminal and Civil Justice Appropriations.

By the Safety and Security Council; and Representative Dorworth and others—

CS for HB 537—A bill to be entitled An act relating to the offense of voyeurism; amending s. 810.145, F.S.; providing that it is a third-degree felony for certain persons who are responsible for the welfare of a child younger than 16 years of age to commit the offense of video voyeurism, video voyeurism dissemination, or commercial video voyeurism dissemination against that child; providing that it is a third-degree felony for a person employed at a school or voluntary prekindergarten education program to commit the offense of video voyeurism, video voyeurism dissemination, or commercial video voyeurism dissemination against a student of the school or voluntary prekindergarten education program; providing that it is a third-degree felony for a person who is 24 years of age or older to commit the offense of video voyeurism, video voyeurism dissemination, or commercial video voyeurism dissemination against a child younger than 16 years of age; providing that it is a second-degree felony for a person who was previously convicted of or adjudicated delinquent for video voyeurism, video voyeurism dissemination, or commercial video voyeurism dissemination to commit any such third-degree felony against a child younger than 16 years of age or a student; providing criminal penalties; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Criminal and Civil Justice Appropriations.

By the Safety and Security Council; and Representative Brandenburg and others—

CS for HB 1363—A bill to be entitled An act relating to controlled substances; amending s. 893.03, F.S.; including Salvia divinorum and Salvinorin A on the list of controlled substances in Schedule I; providing exceptions from the scheduling of Salvia divinorum and Salvinorin A; reenacting ss. 893.13(1)(a), (c), (d), (e), (f), and (h), (2)(a), (4)(b), and

(5)(b), and 921.0022(3)(b), (c), and (e), F.S., relating to prohibited acts and penalties concerning controlled substances and the offense severity chart of the Criminal Punishment Code, to incorporate the amendment to s. 893.03, F.S., in references thereto; providing an effective date.

—was referred to the Committees on Criminal Justice; Health Regulation; and Criminal and Civil Justice Appropriations.

By the Healthcare Council; and Representative Bean—

HB 7041—A bill to be entitled An act relating to the Florida Self-Directed Care program; amending s. 394.9084, F.S.; authorizing the Department of Children and Family Services to expand the program statewide; requiring the department to implement a payment mechanism for mental health treatment and support services; defining the term "fiscal intermediary"; providing for the duties of the fiscal intermediary; permitting the fiscal intermediary to receive funds on behalf of participants; requiring an evaluation by the Office of Program Policy Analysis and Government Accountability by a certain date; providing evaluation criteria; deleting provisions relating to the evaluation of the original pilot program; deleting the expiration date of the program; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; and Health and Human Services Appropriations.

By the Policy and Budget Council; Safety and Security Council; and Representative Snyder and others—

CS for CS for HB 43—A bill to be entitled An act relating to criminal activity; amending s. 775.13, F.S.; requiring certain felons whose offenses related to criminal gangs to register; providing penalties; amending s. 790.23, F.S.; providing penalties for certain persons possessing a firearm; amending s. 775.0846, F.S.; providing that a person commits a third degree felony if he or she possesses a bulletproof vest while committing or attempting to commit specified crimes; amending s. 823.05, F.S.; revising provisions relating to the enjoining of public nuisances to include certain nuisances related to criminal gangs and criminal gang activities; providing for enjoining such nuisances; providing for local laws; amending s. 874.01, F.S.; revising a short title; amending s. 874.02, F.S.; revising legislative findings and intent; amending s. 874.03, F.S.; creating and revising definitions; redefining "criminal street gangs" as "criminal gangs"; amending s. 874.04, F.S.; conforming provisions; revising an evidentiary standard; creating s. 874.045, F.S.; providing that chapter 874, F.S., does not preclude arrest and prosecution under other specified provisions; amending s. 874.05, F.S.; revising provisions relating to soliciting or causing another to join a criminal gang; amending s. 874.06, F.S.; authorizing the state to bring civil actions for certain violations; providing that a plaintiff has a superior claim to property or proceeds; providing penalties for knowing violation of certain orders; amending s. 874.08, F.S.; conforming provisions relating to forfeiture; amending s. 874.09, F.S.; providing additional powers for the Department of Law Enforcement and local law enforcement agencies relating to crime data information; creating s. 874.10, F.S.; prohibiting persons from knowingly initiating, organizing, planning, financing, directing, managing, or supervising criminal gang-related activity; providing penalties; creating s. 874.11, F.S.; prohibiting use of electronic communications to further the interests of a criminal gang; providing penalties; creating s. 874.12, F.S.; defining the term "identification document"; prohibiting possession of certain identification documents for specified purposes; providing penalties; amending s. 895.02, F.S.; adding certain offenses to the definition of "racketeering activity"; conforming terminology to changes made by this act; amending s. 903.046, F.S.; adding to the list of items a court may consider when determining whether to release a defendant on bail; amending s. 914.22, F.S.; revising the penalties for tampering with or harassing witnesses; amending s. 943.031, F.S.; revising provisions relating to the Florida Violent Crime and Drug Control Council; providing duties concerning criminal gangs; creating the Drug Control Strategy and Criminal Gangs Committee; providing for duties of the committee concerning funding of certain programs; providing for reports; creating s. 948.033, F.S.; prohibiting certain probationers or community controllees from communicating with criminal gang members; providing exceptions; amending s. 947.18, F.S.; prohibiting certain parolees from communicating with criminal gang members; providing exceptions; amending s. 947.1405, F.S.; prohibiting certain conditional releasees from communicating with criminal gang members; providing exceptions; amending s. 893.138, F.S.; conforming terminology to changes made by this act; amending s. 921.0022, F.S.; adding offenses to the offense severity ranking chart of the Criminal Punishment Code; conforming terminology to changes made by this act; amending ss. 921.0024, 921.141, 943.325, 984.03, 985.03, 985.047, and 985.433, F.S.; conforming cross-references and terminology to changes made by this act; providing a directive to the Division of Statutory Revision; creating the Coordinating Council on Criminal Gang Reduction Strategies; providing membership of the council; providing duties of the council; providing for expiration of the council; providing effective dates.

—was referred to the Committees on Criminal Justice; Judiciary; and Criminal and Civil Justice Appropriations.

By Representative Scionti and others—

HB 61—A bill to be entitled An act relating to offenses against officers; amending s. 776.051, F.S.; providing that a person is not justified in using force to resist an arrest by a law enforcement officer, or to resist a law enforcement officer engaged in executing a legal duty, if the officer acts in good faith and is known or appears to be a law enforcement officer; providing an effective date.

—was referred to the Committees on Criminal Justice; Governmental Operations; and Judiciary.

By Representative Flores and others—

HB 603—A bill to be entitled An act relating to textbook affordability; creating s. 1004.09, F.S.; prohibiting certain actions of community college or state university employees that relate to student purchase of required textbooks; authorizing receipt of certain instructional materials, compensation, and training; requiring student notification of required textbooks; requiring adoption of specified policies and practices to minimize the cost of textbooks; providing an effective date.

—was referred to the Committees on Higher Education; and Higher Education Appropriations.

By the Healthcare Council; and Representative Brise and others—

CS for HB 803—A bill to be entitled An act relating to licensure of psychologists; amending s. 490.005, F.S.; requiring the Board of Psychology to close application files of applicants failing to pass certain examinations, or failing to submit evidence of completion of postdoctoral supervised experience, within a specified timeframe; providing that an individual who completes the required postdoctoral training residency may continue to practice under supervision under certain conditions; providing an effective date.

—was referred to the Committees on Health Regulation; and Health and Human Services Appropriations.

ENROLLING REPORTS

CS for CS for SB 242, CS for SB 276, SB 2100, CS for SB 2102, SB 2104, SB 2106, SB 2108, SB 2110, SB 2112, SB 2114, CS for SB 2116, SB 2118, SB 2120, CS for SB 2122, SB 2124, SB 2128, SB 2130 and SB 2132 have been enrolled, signed by the required Constitutional Officers and presented to the Governor on April 15, 2008.

Faye W. Blanton, Secretary

CORRECTION AND APPROVAL OF JOURNAL

The Journal of April 10 was corrected and approved.

CO-INTRODUCERS

Senators Aronberg—SCR 362; Baker—CS for SB 2172; Bullard—SB 2678; Deutch—CS for CS for CS for SB 920, CS for SB 1490; Fasano—

CS for SB 2170; Justice—SB 226; Lynn—SB 226, CS for SB 274, CS for SB 472, CS for SB 1070, SB 1188, CS for CS for SB 2630

RECESS

On motion by Senator King, the Senate recessed at 3:08 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 9:15 a.m., Thursday, April 17 or upon call of the President.

SENATE PAGES

April 14-18, 2008

Jennifer "Jen" Beatty, Fort Myers; Demi T. Busatta, Cape Coral; Garrett Carlson, Melbourne; Arielle S. Claude, Williston; Lydia M. Cremer, Palatka; Paul M. Dalbery, Plantation; Jamila Dickey, Quincy; Joey Doyle, Pinecrest; Dana Martin, Quincy; Michael "Spencer" McCall, Wildwood; Peter Monteparo, Melbourne; William D. Moose, Miami; Anjali Natarajan, Sarasota; Ranjani Natarajan, Sarasota; Daniella "Danie" Pereira, Miami; Savannah L. Reams, Greenville; Jennifer Sullivan, Eustis; James "Jake" Tate, Venice

Journal of the Senate

Number 14—Regular Session **Thursday, April 17, 2008**

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CALL TO ORDER

The Senate was called to order by President Pruitt at 9:15 a.m. A quorum present—39

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
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Crist	Joyner	Storms
Dawson	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

Excused: Senator Bennett

PRAYER

The following prayer was offered by Pastor Luther R. Leguire, The First Apostolic Church of Lake City:

Almighty God, hear my prayer.

I pray that thou would grant unto this Senate of our great State of Florida, the wisdom, the knowledge, and the understanding that is needed of them in making decisions that affect the lives of millions of people of this great state. Help them perform their duties in the most effective ways.

The burden of office lies heavily upon their shoulders. Help them to be able to bear the negative expressions of so many that will not be pleased with their decisions. Enable them to enjoy the positive expressions, and to know they cannot please everyone.

I pray that thou would keep them safe as they travel to and fro to their homes and families. Grant them good health and strong fortitude of heart as they perform their duties.

Bless this great body of men and women in their endeavors to pass legislation that would make the State of Florida to be the best state of our union.

Bless this great State of Florida, I sincerely pray. Amen.

PLEDGE

Senate Pages Demi T. Busatta of Cape Coral; Dana Martin of Quincy; Jennifer Sullivan of Eustis; and Savannah L. Reams of Greenville, led the Senate in the pledge of allegiance to the flag of the United States of America.

DOCTOR OF THE DAY

The President recognized Dr. J.M. Garmendia of Jacksonville, sponsored by Senator Wise, as doctor of the day. Dr. Garmendia specializes in Internal Medicine.

ADOPTION OF RESOLUTIONS

At the request of Senator Wilson—

By Senator Wilson—

SR 210—A resolution recognizing April 18, 2008, as "STOP Day" in the State of Florida.

WHEREAS, violence in America's schools threatens the core of the educational process and deprives students and teachers of opportunities to learn and teach without the fear of harm, and

WHEREAS, "STOP Day" is intended to raise awareness of the growing epidemic of violence in America's schools and to motivate those who incite violence to opt for peaceful resolution of their grievances and a path of self-improvement and healing, and

WHEREAS, students are urged to recite the "Stop Day" pledge, which states: "I pledge to be nonviolent and to respect my fellow classmates. I will report crime or acts of violence to appropriate officials or call Crime Stoppers to report incidents anonymously. I will not let the actions of a few make my school dangerous or unsafe. I want a safe learning environment and will work with my fellow students to make it so," and

WHEREAS, "STOP Day" participants are urged to show their support by developing anti-violence community service projects, inviting legal professionals to speak to student groups, conducting open-ended skits that allow student observers to predict outcomes of conflict based upon real-life choices, developing a process that encourages the reporting of school crime or violence, and conducting mock trials, and

WHEREAS, "STOP Day" will give every student in Florida an opportunity to evaluate this critical issue and assess his or her role in preventing crime or violence in our schools, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That the Florida Senate is aware of the importance of stopping violence in schools and recognizes April 18, 2008, as "STOP Day" in the State of Florida.

—**SR 210** was introduced, read and adopted by publication.

At the request of Senator Fasano—

By Senator Fasano—

SR 2952—A resolution recognizing the week of September 14-20, 2008, as "Florida Behavior Analysis Week."

WHEREAS, for the past 28 years the Florida Association for Behavior Analysis has promoted the ethical, humane, and effective application of behavior principles in all segments of society, including education, business, rehabilitation facilities, and government, and

WHEREAS, behavior analysis is a science-based, cost-effective approach for training teachers, parents, and caregivers to prevent and solve serious behavior problems, and

WHEREAS, behavior analysis has been used successfully in a wide range of circumstances, including treating individuals who have autism, teaching basic self-help skills and language to persons who have developmental disabilities, and helping foster parents lovingly raise emotionally difficult children, and

WHEREAS, the behavior analysts who are members of the Florida Association for Behavior Analysis are from a variety of backgrounds, including consulting firms, state government programs, private therapy practices, and school administrators, and

WHEREAS, the Florida Association for Behavior Analysis is the largest statewide organization in the country committed to the promotion and support of behavior analysis, and

WHEREAS, the Florida Association for Behavior Analysis holds an annual conference each fall as a forum for exchanging ideas and data-based research related to behavior analysis, behavior therapy, performance management, and behavior management programming, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That the week of September 14-20, 2008, is recognized as "Florida Behavior Analysis Week" in this state.

—**SR 2952** was introduced, read and adopted by publication.

MOTION

On motion by Senator King, by two-thirds vote **CS for SB 274**, which passed April 16, was ordered immediately certified to the House.

BILLS ON THIRD READING

Consideration of **CS for CS for SB 542** and **CS for CS for SB 2212** was deferred.

SENATOR JOYNER PRESIDING

CS for SB 2422—A bill to be entitled An act relating to local government finance; amending s. 215.441, F.S.; providing that the appointment of the executive director of the State Board of Administration be confirmed by the Senate and approved by a majority vote of the trustees of the board; amending s. 215.442, F.S.; requiring the executive director of the State Board of Administration to present the trustees with additional information; providing that the executive director is a state officer and subject to financial disclosure requirements; amending s. 218.401, F.S.; clarifying purpose and intent; amending s. 218.403, F.S.; defining the terms "board" and "trustees" for purposes of the Investment of Local Government Surplus Funds Act; amending s. 218.405, F.S.; providing for the administration of the Local Government Surplus Funds Trust Fund; providing duties of Trustees of the State Board of Administration; amending s. 218.407, F.S.; requiring that the board provide a unit of local government with certain information before such unit makes a determination that it is in the best interest of the local government unit to deposit surplus funds in the trust fund; requiring the filing of a resolution upon such determination; requiring that the resolution contain certain information; requiring that the board invest the moneys in the trust fund in a certain manner; amending s. 218.409, F.S.; providing duties of the board with regard to the administration of the trust fund; providing for the establishment of a reserve account; requiring monthly allocations to the reserve account; limiting the amount of monthly allocations; requiring that the board report annually to every participant having a beneficial interest in the trust fund; providing for the preparation of the report; providing that such report is subject to independent financial audit; requiring that the board provide a monthly statement to beneficiaries; requiring that such statement contain certain information; requiring that the Investment Advisory Council assist the board in investing moneys held in the trust fund; providing duties of the council; creating the Pool Participant Advisory Council; providing purposes for the council; providing for membership and composition of the council; requiring that the executive director of the State Board of Administration consider appropriate action and advise the trustees accordingly under certain circumstances; providing duties of the trustees under such circumstances; authorizing the trustees to perform certain actions for the purpose of ensuring the proper exercise of fiduciary responsibility; authorizing the trustees to place assets of the trust fund into a liquidating account; providing for the maintenance and administration of such liquidating accounts; providing powers and duties of trustees with regard to assets in a liquidating account; providing for distribution of cash received from income or liquidation of assets held in a liquidating account; requiring the audit of such accounts; authorizing certain reasonable expenses to be charged to a liquidating account; excluding certain information related to assets held in liquidating accounts from certain statements; requiring that separate statements be issued for such information; providing for the transfer of reserves held in a liquidating account; requiring that the status of such accounts be reported regularly to the trustees, participants in the fund, the Investment Advisory Council, and the Pool Participant Advisory Council; providing an effective date.

—as amended April 16 was read the third time by title.

On motion by Senator Alexander, **CS for SB 2422** as amended was passed and certified to the House. The vote on passage was:

Yeas—34

Mr. President	Gaetz	Oelrich
Alexander	Garcia	Peaden
Atwater	Geller	Posey
Baker	Haridopolos	Rich
Bullard	Hill	Ring
Carlton	Jones	Saunders
Constantine	Joyner	Siplin
Crist	Justice	Webster
Dean	King	Wilson
Deutch	Lawson	Wise
Dockery	Lynn	
Fasano	Margolis	

Nays—None

Vote after roll call:

Yea—Aronberg, Diaz de la Portilla, Storms, Villalobos

Consideration of **CS for CS for CS for SB 392** was deferred.

CS for CS for SB 2580—A bill to be entitled An act relating to the West-Central Florida Water Restoration Action Plan; creating s. 373.0363, F.S.; providing definitions; providing legislative findings and intent; providing criteria governing the implementation of the West-Central Florida Water Restoration Action Plan by the Southwest Florida Water Management District; requiring that the district coordinate with regional water supply authorities and governmental partners to maximize opportunities concerning the efficient expenditure of public funds; specifying the plan's purpose; specifying the initiatives that are included in the plan; providing criteria governing implementation of the Central West Coast Surface Water Enhancement Initiative, the Facilitating Agricultural Resource Management Systems Initiative, the Ridge Lakes Restoration Initiative, the Upper Peace River Watershed Restoration Initiative, and the Central Florida Water Resource Development Initiative and certain components or projects included in such initiatives; providing for the district to implement certain initiatives or parts thereof in cooperation with the Peace River-Manasota Regional Water Supply Authority or Polk County; requiring an annual report that meets specified criteria concerning implementation of the plan, regional conditions, and the use of funds; requiring that the Southwest Florida Water Management District prepare the report in cooperation with coordinating agencies and affected local governments and provide the report and legislative proposals to the Governor, the President of the Senate, and the Speaker of the House of Representatives; amending s. 403.087, F.S.;

prohibiting the permitting of landfills under certain conditions; providing an effective date.

—was read the third time by title.

On motion by Senator Alexander, **CS for CS for SB 2580** was passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Fasano	Margolis
Alexander	Gaetz	Oelrich
Aronberg	Garcia	Peaden
Atwater	Geller	Posey
Baker	Haridopolos	Rich
Bullard	Hill	Ring
Carlton	Jones	Saunders
Constantine	Joyner	Siplin
Crist	Justice	Storms
Dean	King	Webster
Deutch	Lawson	Wilson
Dockery	Lynn	Wise

Nays—None

Vote after roll call:

Yea—Diaz de la Portilla, Villalobos

Consideration of **CS for SB 794** was deferred.

CS for SB 1426—A bill to be entitled An act relating to sales taxes; amending s. 39, chapter 2007-106, Laws of Florida; extending a deadline for certain mobile home owners to file an application for reimbursement of sales taxes paid on mobile homes purchased to replace mobile homes damaged by a tornado; requiring that certain unexpended funds certified forward be used for the purpose of paying the reimbursements; providing an effective date.

—was read the third time by title.

On motion by Senator Baker, **CS for SB 1426** was passed and certified to the House. The vote on passage was:

Yeas—34

Mr. President	Gaetz	Peaden
Alexander	Garcia	Posey
Aronberg	Geller	Rich
Atwater	Haridopolos	Ring
Baker	Hill	Saunders
Bullard	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Webster
Dean	Lawson	Wilson
Deutch	Lynn	Wise
Dockery	Margolis	
Fasano	Oelrich	

Nays—None

Vote after roll call:

Yea—Carlton, Diaz de la Portilla, King, Villalobos

CS for SB 2778—A bill to be entitled An act relating to economic development; creating s. 288.061, F.S.; creating a uniform process for the review and certification of economic development incentive projects by Enterprise Florida, Inc., and the Office of Tourism, Trade, and Economic Development; amending ss. 288.063 and 288.0655, F.S.; conforming the review of transportation projects and rural infrastructure projects to changes made by the act; creating s. 288.097, F.S.; establishing Building Florida's Future Revolving Loan Guarantee Program within the Office of Tourism, Trade, and Economic Development; providing for the program to provide loan guarantees or credit enhancements to units of local government or to private entities for use in constructing or modernizing facilities and infrastructure necessary to attract or expand certain industries as part of an economic-development project; providing requirements and criteria for the office to consider in evaluating requests; requiring Enterprise Florida, Inc., to assist the office in its evaluation; requiring the Office of Tourism, Trade, and Economic Development to adopt rules; requiring that the office provide an annual report to the Legislature regarding the program; providing an appropriation; making the fund contingent on passage of a companion bill; amending s. 288.1045, F.S.; revising the sources of funds that may be used to provide refunds for the qualified defense contractor tax refund program; conforming the review of Department of Defense projects to changes made by the act; providing that the amount of the tax refund may be reduced by the value of the land granted; deleting a requirement for an annual report; amending s. 288.106. F.S.; revising information that must be submitted by a qualified target industry business applying for a tax refund; modifying the definition of rural county; application process to changes made by the act; modifying the criteria for businesses to be eligible for an economic stimulus exemption; extending the application period; amending s. 288.107, F.S.; conforming review of applications for payment of brownfield redevelopment bonus refunds to changes made by the act; amending s. 288.108, F.S.; conforming the review of grant applications for high-impact businesses to changes made by the act; deleting provisions requiring an annual report; amending s. 288.1088, F.S.; conforming the review of projects funded by the Quick Action Closing Fund to changes made by the act; amending s. 288.1089, F.S.; providing definitions; revising application requirements for innovation incentive awards; revising evaluation and recommendation requirements for innovative incentive awards; requiring the Legislative Budget Commission to review and approve an innovation incentive award before the Executive Office of the Governor releases the funds; revising agreement requirements for payment of incentives; requiring award recipients to comply with certain business ethics developed by Enterprise Florida, Inc.; amending s. 288.955, F.S.; revising definitions; requiring the Scripps Florida Funding Corporation, along with the Office of Tourism, Trade, and Economic Development and Enterprise Florida, Inc., to review the performance and progress of grant recipients of the Innovation Incentive Program; revising membership requirements of the board of directors of the Scripps Florida Funding Corporation; authorizing the corporation to include on the same meeting agenda matters related to The Scripps Research Institute and the Innovation Incentive Program; deleting obsolete provisions; revising the duties of the corporation; revising the contract requirements between the corporation and the grant recipients; requiring the corporation to submit to the Governor and the Legislature a report related to the activities of the Innovation Incentive Program; providing requirements for the report; amending s. 288.9624, F.S.; providing that venture-capital funds affiliated with certain state universities are eligible for investment by the Florida Opportunity Fund; amending s. 220.191, F.S.; requiring applications for capital investment tax credits to be reviewed under a specified provision; amending s. 288.063, F.S.; requiring that adoption of criteria by which certain transportation projects are to be specified and identified be done in accordance with a specified provision; amending s. 288.065, F.S.; revising Rural Community Development Revolving Loan Fund program requirements; amending s. 288.0655, F.S.; authorizing the Office of Tourism, Trade, and Economic Development to award grants for a certain percentage of total infrastructure project costs for certain catalyst site funding applications; providing for waiver of the local matching requirement; expanding eligible facilities for authorized infrastructure projects; amending s. 288.0656, F.S.; providing legislative intent; revising and providing definitions; providing certain additional review and action requirements for REDI relating to rural communities; revising representation on REDI; deleting a limitation on characterization as a rural area of critical economic concern; authorizing rural areas of critical economic concern to designate certain catalyst projects for certain purposes; providing project requirements; requiring the initiative to assist local governments with certain comprehensive planning needs; providing procedures and requirements for such assistance; revising certain reporting requirements for REDI; amending s. 288.0657, F.S.; revising the definition for a rural community; providing two full-time equivalent position and an appropriation for the Office of Tourism, Trade, and Economic Development; amending ss. 257.193, 288.019, 288.06561, and 627.6699, F.S.; conforming cross-references; providing an effective date.

—as amended April 16 was read the third time by title.

On motion by Senator Fasano, further consideration of **CS for SB 2778** was deferred.

Consideration of **CS for CS for SB 2712** was deferred.

CS for SB 2310—A bill to be entitled An act relating to stimulating the economy; providing legislative findings and intent; amending s. 215.44, F.S.; requiring the State Board of Administration to report on the amount and type of technology and growth investments held by each fund; amending s. 215.47, F.S.; authorizing the board to invest a certain percentage of net assets in technology and growth investments; increasing the percentage amount of alternative investments in any fund, including investments that are not publicly traded or specifically authorized; authorizing the board to offer opportunities to small state-based investment management firms; creating s. 215.474, F.S.; requiring the Office of Program Policy Analysis and Government Accountability to perform an annual review of technology and growth investments made by the board and report to the Legislature; creating the Reusable Space Vehicle Industry Prize Program within the Office of Tourism, Trade, and Economic Development of the Executive Office of the Governor; providing for a specified cash prize to be awarded to the individual or firm providing the most significant advancements within the reusable space vehicle industry during a specified period; requiring that the Lieutenant Governor serve as chair of the program and appoint a committee; requiring that the committee perform certain tasks; requiring that the office adopt certain rules; providing for the program to terminate on a specified date; providing an effective date.

—as amended April 16 was read the third time by title.

On motion by Senator Ring, **CS for SB 2310** as amended was passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Gaetz	Oelrich
Alexander	Garcia	Peaden
Atwater	Geller	Posey
Baker	Haridopolos	Rich
Bullard	Hill	Ring
Carlton	Jones	Saunders
Constantine	Joyner	Siplin
Crist	Justice	Storms
Dean	King	Villalobos
Deutch	Lawson	Webster
Dockery	Lynn	Wilson
Fasano	Margolis	Wise

Nays—None

Vote after roll call:

Yea—Aronberg, Diaz de la Portilla

The Senate resumed consideration of—

CS for SB 2778—A bill to be entitled An act relating to economic development; creating s. 288.061, F.S.; creating a uniform process for the review and certification of economic development incentive projects by Enterprise Florida, Inc., and the Office of Tourism, Trade, and Economic Development; amending ss. 288.063 and 288.0655, F.S.; conforming the review of transportation projects and rural infrastructure projects to changes made by the act; creating s. 288.097, F.S.; establishing Building Florida's Future Revolving Loan Guarantee Program within the Office of Tourism, Trade, and Economic Development; providing for the program to provide loan guarantees or credit enhancements to units of local government or to private entities for use in constructing or modernizing facilities and infrastructure necessary to attract or expand certain industries as part of an economic-development project; providing requirements and criteria for the office to consider in evaluating requests; requiring Enterprise Florida, Inc., to assist the office in its evaluation; requiring the Office of Tourism, Trade, and Economic Development to adopt rules; requiring that the office provide an annual report to the Legislature regarding the program; providing an appropriation; making the fund contingent on passage of a companion bill; amending s. 288.1045, F.S.; revising the sources of funds that may be used to provide refunds for the qualified defense contractor tax refund program; conforming the review of Department of Defense projects to changes made by the act; providing that the amount of the tax refund may be reduced by the value of the land granted; deleting a requirement for an annual report; amending s. 288.106. F.S.; revising information that must be submitted by a qualified target industry business applying for a tax refund; modifying the definition of rural county; application process to changes made by the act; modifying the criteria for businesses to be eligible for an economic stimulus exemption; extending the application period; amending s. 288.107, F.S.; conforming review of applications for payment of brownfield redevelopment bonus refunds to changes made by the act; amending s. 288.108, F.S.; conforming the review of grant applications for high-impact businesses to changes made by the act; deleting provisions requiring an annual report; amending s. 288.1088, F.S.; conforming the review of projects funded by the Quick Action Closing Fund to changes made by the act; amending s. 288.1089, F.S.; providing definitions; revising application requirements for innovation incentive awards; revising evaluation and recommendation requirements for innovative incentive awards; requiring the Legislative Budget Commission to review and approve an innovation incentive award before the Executive Office of the Governor releases the funds; revising agreement requirements for payment of incentives; requiring award recipients to comply with certain business ethics developed by Enterprise Florida, Inc.; amending s. 288.955, F.S.; revising definitions; requiring the Scripps Florida Funding Corporation, along with the Office of Tourism, Trade, and Economic Development and Enterprise Florida, Inc., to review the performance and progress of grant recipients of the Innovation Incentive Program; revising membership requirements of the board of directors of the Scripps Florida Funding Corporation; authorizing the corporation to include on the same meeting agenda matters related to The Scripps Research Institute and the Innovation Incentive Program; deleting obsolete provisions; revising the duties of the corporation; revising the contract requirements between the corporation and the grant recipients; requiring the corporation to submit to the Governor and the Legislature a report related to the activities of the Innovation Incentive Program; providing requirements for the report; amending s. 288.9624, F.S.; providing that venture-capital funds affiliated with certain state universities are eligible for investment by the Florida Opportunity Fund; amending s. 220.191, F.S.; requiring applications for capital investment tax credits to be reviewed under a specified provision; amending s. 288.063, F.S.; requiring that adoption of criteria by which certain transportation projects are to be specified and identified be done in accordance with a specified provision; amending s. 288.065, F.S.; revising Rural Community Development Revolving Loan Fund program requirements; amending s. 288.0655, F.S.; authorizing the Office of Tourism, Trade, and Economic Development to award grants for a certain percentage of total infrastructure project costs for certain catalyst site funding applications; providing for waiver of the local matching requirement; expanding eligible facilities for authorized infrastructure projects; amending s. 288.0656, F.S.; providing legislative intent; revising and providing definitions; providing certain additional review and action requirements for REDI relating to rural communities; revising representation on REDI; deleting a limitation on characterization as a rural area of critical economic concern; authorizing rural areas of critical economic concern to designate certain catalyst projects for certain purposes; providing project requirements; requiring the initiative to assist local governments with certain comprehensive planning needs; providing procedures and requirements for such assistance; revising certain reporting requirements for REDI; amending s. 288.0657, F.S.; revising the definition for a rural community; providing two full-time equivalent position and an appropriation for the Office of Tourism, Trade, and Economic Development; amending ss. 257.193, 288.019, 288.06561, and 627.6699, F.S.; conforming cross-references; providing an effective date.

—which was previously considered this day.

MOTION

On motion by Senator Siplin, the rules were waived to allow the following amendments to be considered:

Senator Siplin moved the following amendments which were adopted by two-thirds vote:

Amendment 1 (372540)(with title amendment)—Between line(s) 1479 and 1480, insert:

The Office of Tourism, Trade, and Economic Development shall adopt rules regarding incentives for a grantee in purchasing goods and services from vendors in this state, including requiring the grantee to maintain a policy of making purchases from distributors and vendors located in enterprise zones as defined in s. 290.0065 and requiring the grantee to

establish and maintain policies to promote supplier diversity of Florida entities using the guidelines developed by the Office of Supplier Diversity under s. 287.09451. The Office of Tourism, Trade, and Economic Development shall adopt rules requiring the grantee to submit data on activities and performance during each fiscal year regarding the purchases of goods and services from vendors in this state, including the use of distributors and vendors located in enterprise zones as defined in s. 290.0065 and the fulfillment of policies to promote supplier diversity of Florida entities using the guidelines developed by the Office of Supplier Diversity under s. 287.09451.

And the title is amended as follows:

On line(s) 68, after the semicolon (;) insert: requiring the Office of Tourism, Trade, and Economic Development to adopt rules regarding incentives for the purchases of goods and services in this state and to require the grantee to submit data on activities and performance regarding the purchase of goods and services in this state;

Amendment 2 (525722)(with title amendment)—Between line(s) 1154 and 1155, insert:

(12) The Office of Tourism, Trade, and Economic Development shall adopt rules regarding incentives for the making of purchases of goods and services from vendors in this state, including requiring the grantee to maintain a policy of making purchases from distributors and vendors located in enterprise zones as defined in s. 290.0065, and requiring the grantee to establish and maintain policies to promote supplier diversity of Florida entities using the guidelines developed by the Office of Supplier Diversity under s. 287.09451.

(13) The Office of Tourism, Trade, and Economic Development shall adopt rules requiring the grantee to submit data on activities and performance during each fiscal year regarding the purchases of goods and services from vendors in this state, including the use of distributors and vendors located in enterprise zones as defined in s. 290.0065, and the fulfillment of policies to promote supplier diversity of Florida entities using the guidelines developed by the Office of Supplier Diversity under s. 287.09451.

And the title is amended as follows:

On line(s) 55, after the semicolon (;) insert: requiring the Office of Tourism, Trade, and Economic Development to adopt rules regarding incentives for the purchases of goods and services in this state and to require the grantee to submit data on activities and performance regarding the purchases of goods and services in this state;

On motion by Senator Fasano, **CS for SB 2778** as amended was passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—35

Mr. President	Gaetz	Peaden
Alexander	Garcia	Posey
Atwater	Geller	Rich
Baker	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Dockery	Lynn	Wise
Fasano	Oelrich	

Nays—None

Vote after roll call:

Yea—Aronberg, Diaz de la Portilla

CS for CS for SB 2712—A bill to be entitled An act relating to trust funds; creating s. 288.0971, F.S.; creating the Building Florida's Future Revolving Trust Fund within the Office of Tourism, Trade, and Economic Development; providing the purpose of the fund; providing for an annual carryforward of funds; providing for future review and termination or re-creation of the trust fund; providing a contingent effective date.

—was read the third time by title.

On motion by Senator Fasano, **CS for CS for SB 2712** was passed by the required constitutional three-fifths vote of the membership and certified to the House. The vote on passage was:

Yeas—32

Mr. President	Gaetz	Oelrich
Atwater	Garcia	Peaden
Baker	Geller	Posey
Bullard	Haridopolos	Rich
Carlton	Hill	Ring
Constantine	Jones	Saunders
Crist	Joyner	Siplin
Dean	Justice	Villalobos
Deutch	King	Wilson
Dockery	Lawson	Wise
Fasano	Lynn	

Nays—None

Vote after roll call:

Yea—Alexander, Aronberg, Diaz de la Portilla, Storms, Webster

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CS for CS for CS for SB 2158—A bill to be entitled An act relating to money services businesses; changing the name of money transmitters to money services businesses; requiring licensure rather than registration; amending s. 560.103, F.S.; revising definitions; defining the terms "affiliated party," "branch office," "cashing," "compliance officer," "electronic instrument," "financial audit report," "foreign affiliate," "licensee," "location," "monetary value," "net worth," "outstanding money transmission," and "stored value"; amending s. 560.104, F.S.; revising provision providing exemptions from ch. 560, F.S.; amending s. 560.105, F.S.; revising provisions relating to the powers of the Office of Financial Regulation and the Financial Services Commission; amending s. 560.109, F.S.; revising provisions relating to examinations and investigations conducted by the office; requiring that the office periodically examine each licensee and each new licensee within 6 months after issuing a license; requiring the office to report certain violations to a criminal investigatory agency; requiring that the office annually report to the Legislature information concerning investigations and examinations and the total amount of fines assessed and collected; requiring records in a language other than English to be translated; creating s. 560.1091, F.S.; authorizing the office to contract with third parties to conduct examinations; authorizing the commission to adopt rules relating to who can conduct examinations and the rates charged; creating s. 560.1092, F.S.; requiring persons examined to pay the expenses of examination as set by rule of the commission; providing for the deposit of funds collected from licensees; requiring payment for travel expenses and living expenses and compensation for persons making the examinations from such funds or from funds budgeted for such purposes; creating s. 560.110, F.S.; providing for record retention by licensees; amending s. 560.111, F.S.; revising the list of prohibited acts by a money services business; amending s. 560.113, F.S.; providing for the establishment of a receivership or the payment of restitution by a person found to have violated ch. 560, F.S.; amending s. 560.114, F.S.; revising grounds for the disciplinary actions; creating s. 560.1141, F.S.; authorizing the commission to adopt disciplinary guidelines for imposing penalties for violations; providing for mitigating and aggravating circumstances; amending s. 560.115, F.S.; revising provisions relating to the voluntary surrender of a license; amending s. 560.116, F.S.; revising provisions relating to the granting of immunity for providing information about alleged violations of ch. 560, F.S.; amending s. 560.118, F.S.; revising provisions relating to required reports; deleting an exemption from the requirement to file an annual financial report; transferring, renumbering, and amending s. 560.119, F.S.; revising provisions providing for the deposit of fees and assessments; amending s. 560.121, F.S.; revising restriction on access to records held by a court or the Legislature; amending s. 560.123, F.S.; revising provisions relating to the Florida Control of Money Laundering in Money Services Business; creating s. 560.1235, F.S.; requiring a licensee to comply with state and federal anti-money laundering laws and rules; amending s. 560.124, F.S.; revising provisions relating to sharing reported information; amending s. 560.125,

F.S.; revising provisions relating to unlicensed activity; amending s. 560.126, F.S.; revising provisions relating to certain notice requirements by a licensee; amending s. 560.127, F.S.; revising provisions relating to the control of a money services business; amending s. 560.128, F.S.; revising provisions relating to customer contacts and license display; amending s. 560.129, F.S.; revising provisions relating to the confidentiality of certain records; creating s. 560.140, F.S.; providing licensing standards for a money services business; creating s. 560.141, F.S.; providing for a license application; creating s. 560.142, F.S.; providing for license renewal; creating s. 560.143, F.S.; providing for license fees; amending s. 560.203, F.S.; revising the exemption from licensure for authorized vendors of a money services business; amending s. 560.204, F.S.; revising provisions relating to the requirement for licensure of money transmitters or sellers of payment instruments under part II of ch. 560, F.S.; amending s. 560.205, F.S.; providing additional requirements for a license application; amending s. 560.208, F.S.; revising provisions relating to the conduct of a licensee; creating s. 560.2085, F.S.; providing requirements for authorized vendors; amending s. 560.209, F.S.; revising provisions relating to a licensee's net worth and the filing of a corporate surety bond; requiring a financial audit report; increasing the upper limit of the bond; deleting the option of waiving the bond; amending s. 560.210, F.S.; revising provisions relating to permissible investments; amending s. 560.211, F.S.; revising provisions relating to required recordkeeping under part II of ch. 560, F.S.; amending s. 560.212, F.S.; revising provisions relating to licensee liability; amending s. 560.213, F.S.; revising provisions relating information that must be printed on a payment instrument; amending s. 560.303, F.S.; revising provisions relating to the licensure of check cashers under part II of ch. 560, F.S.; amending s. 560.304, F.S.; revising provisions relating to exemptions from licensure; limiting the exemption for the payment of instruments below a certain value and incidental to certain retail sales; amending s. 560.309, F.S.; revising provisions relating to the conduct of check cashers; providing additional requirements; amending s. 560.310, F.S.; revising requirements for licensee records; specifying the maintenance of identification records for certain customers; amending s. 560.402, F.S.; revising definitions relating to deferred presentment providers; amending s. 560.403, F.S.; revising provisions relating to the licensing requirements for deferred presentment providers; amending s. 560.404, F.S.; revising provisions relating to deferred presentment transactions; amending s. 560.405, F.S.; revising provisions relating to the redemption or deposit of a deferred presentment transaction; amending s. 560.406, F.S.; revising provisions relating to worthless checks; amending ss. 499.005, 499.0691, 501.95, 538.03, 896.101, 896.104, and 921.0022, F.S.; conforming cross-references; repealing s. 560.101, F.S., relating to a short title; repealing s. 560.102, F.S., relating to purpose and application; repealing s. 560.106, F.S., relating to chapter constructions; repealing s. 560.1073, F.S., relating to false or misleading statements or documents; repealing s. 560.108, F.S., relating to administrative enforcement guidelines; repealing s. 560.112, F.S., relating to disciplinary action procedures; repealing s. 560.117, F.S., relating to administrative fines; repealing s. 560.200, F.S., relating to a short title; repealing s. 560.202, F.S., relating to definitions; repealing s. 560.206, F.S., relating to the investigation of applicants; repealing s. 560.207, F.S., relating to registration; repealing s. 560.301, F.S., relating to a short title; repealing s. 560.302, F.S., relating to definitions; repealing s. 560.305, F.S., relating to application for registration; repealing s. 560.306, F.S., relating to standards; repealing s. 560.307, F.S., relating to fees; repealing s. 560.308, F.S., relating to registration; repealing s. 560.401, F.S., relating to a short title; repealing s. 560.407, F.S., relating to required records; providing an effective date.

—as amended April 16 was read the third time by title.

On motion by Senator Storms, **CS for CS for CS for SB 2158** as amended was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Crist	Geller
Alexander	Dean	Haridopolos
Aronberg	Deutch	Hill
Atwater	Diaz de la Portilla	Jones
Baker	Dockery	Joyner
Bullard	Fasano	Justice
Carlton	Gaetz	King
Constantine	Garcia	Lawson
Lynn	Rich	Villalobos
Margolis	Ring	Webster
Oelrich	Saunders	Wilson
Peaden	Siplin	Wise
Posey	Storms	

Nays—None

Consideration of **CS for CS for SB's 556 and 748** was deferred.

CS for CS for SB 682—A bill to be entitled An act relating to the Department of Transportation; requiring the department to conduct a study of transportation alternatives for the Interstate 95 corridor; providing an effective date.

—was read the third time by title.

On motion by Senator Bullard, **CS for CS for SB 682** was passed and certified to the House. The vote on passage was:

Yeas—34

Mr. President	Fasano	Peaden
Alexander	Gaetz	Posey
Atwater	Geller	Rich
Baker	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Joyner	Siplin
Constantine	Justice	Storms
Crist	King	Webster
Dawson	Lawson	Wilson
Dean	Lynn	Wise
Deutch	Margolis	
Diaz de la Portilla	Oelrich	

Nays—4

Dockery	Jones	Villalobos
Garcia		

CS for SB 2438—A bill to be entitled An act relating to informed consent for spaceflight; creating part III of ch. 331, F.S.; providing definitions; providing immunity from liability for injury to or death of certain participants in spaceflight activities if specified informed consent requirements are complied with; providing exceptions; requiring each participant to sign a warning statement; providing minimum requirements for a warning statement; providing for future expiration of the act; providing an effective date.

—was read the third time by title.

On motion by Senator Posey, **CS for SB 2438** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bullard	Haridopolos	Ring
Carlton	Hill	Saunders
Constantine	Jones	Siplin
Crist	Joyner	Storms
Dawson	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

Nays—None

CS for SB 1096—A bill to be entitled An act relating to the production and shipment of wine; creating s. 561.222, F.S.; authorizing the direct shipment of wine into and within this state for personal consumption only; providing legislative intent; requiring licensure of winery shippers by the Division of Alcoholic Beverages and Tobacco; providing license requirements; requiring recipients of a direct shipment of wine to be 21 years of age; requiring proof of age and the signature of a recipient; providing for the payment of taxes, a monthly report, and recordkeeping by winery shippers; providing requirements for common carriers that make deliveries of wine; providing administrative and criminal penalties for violations of the act; authorizing the division and the Department of Revenue to adopt rules; amending ss. 561.24, 561.54, 561.545, and 564.045, F.S.; conforming provisions to changes made by the act; amending s. 599.004, F.S.; revising requirements for qualifying as a certified Florida Farm Winery; providing for severability; providing an effective date.

—as amended April 16 was read the third time by title.

On motion by Senator Margolis, **CS for SB 1096** as amended was passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Fasano	Peaden
Alexander	Gaetz	Posey
Aronberg	Geller	Rich
Atwater	Haridopolos	Ring
Baker	Hill	Saunders
Bullard	Jones	Siplin
Carlton	Joyner	Storms
Constantine	Justice	Villalobos
Crist	King	Webster
Dawson	Lawson	Wilson
Dean	Lynn	Wise
Deutch	Margolis	
Diaz de la Portilla	Oelrich	

Nays—1

Dockery

Vote after roll call:

Yea—Garcia

CS for SB 590—A bill to be entitled An act relating to pari-mutuel wagering; amending s. 550.01215, F.S.; deleting an exception to requirements for the Division of Pari-mutuel Wagering with respect to issuing licenses; amending s. 550.0251, F.S.; requiring the division to adopt rules governing the humane treatment of racing animals at pari-mutuel facilities; amending s. 550.0951, F.S.; providing for monthly payments of the daily license fee and taxes; amending s. 550.09511, F.S.; deleting provisions requiring a biweekly period for the payment of jai alai taxes; amending s. 550.09514, F.S.; deleting provisions requiring a biweekly period for the payment of greyhound dogracing taxes; amending s. 550.105, F.S.; revising provisions requiring certain persons to purchase a 3-year occupational license; providing for license fees to be set by rule of the division; defining the term "convicted" for purposes of licensing provisions; providing for the validity of a temporary occupational license; deleting certain signature requirements; amending s. 550.2415, F.S.; requiring that the division adopt rules for the welfare of racing animals; providing that a penalty imposed by the division does not prohibit criminal prosecution for cruelty to animals; amending s. 550.5251, F.S.; deleting the annual thoroughbred race dates for specified permitholders; establishing racing dates for thoroughbred meets; deleting provisions requiring summer thoroughbred horse racing permits; deleting expired permit provisions for the 2001-2002 thoroughbred licenses; deleting expired provisions relating to failure to operate all thoroughbred performances; amending s. 551.106, F.S.; providing for monthly payments of the tax on slot machine revenues; repealing s. 550.3605, F.S., relating to a requirement for a permit in order to use electronic transmitting equipment at a pari-mutuel facility; repealing s. 550.71, F.S., relating to the operation of chapter 96-364, Laws of Florida; amending s. 849.086, F.S.; limiting a cardroom license to one per location; changing the hours of operation of cardrooms; amending ss. 772.102 and 895.02, F.S., relating to civil and criminal penalty provisions; conforming cross-references; providing an effective date.

—as amended April 16 was read the third time by title.

MOTION

On motion by Senator Jones, the rules were waived to allow the following amendment to be considered:

Senator Jones moved the following amendment which was adopted by two-thirds vote:

Amendment 1 (420674)(with title amendment)—Delete line(s) 435-438 and insert: permit or as otherwise authorized by law. *Cardroom operations shall not be allowed beyond the hours provided in subsection (b) regardless of the number of cardroom licenses issued for permitholders operating at the pari-mutuel facility.*

And the title is amended as follows:

Delete line(s) 37 and insert: F.S.; limiting the hours of cardrooms operations;

On motion by Senator Jones, **CS for SB 590** as amended was passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—30

Mr. President	Diaz de la Portilla	Lawson
Alexander	Dockery	Lynn
Aronberg	Fasano	Margolis
Atwater	Geller	Oelrich
Baker	Haridopolos	Posey
Bullard	Hill	Rich
Constantine	Jones	Ring
Crist	Joyner	Saunders
Dean	Justice	Villalobos
Deutch	King	Wilson

Nays—8

Carlton	Peaden	Webster
Gaetz	Siplin	Wise
Garcia	Storms	

Vote after roll call:

Yea to Nay—Baker, Constantine

SB 2474—A bill to be entitled An act relating to a review of the Department of Agriculture and Consumer Services under the Florida Government Accountability Act; reenacting s. 20.14(2)(e), (j), and (m), F.S., relating to the divisions of licensing, standards, and consumer services of the department; providing an effective date.

—was read the third time by title.

On motion by Senator Diaz de la Portilla, **SB 2474** was passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Gaetz	Peaden
Alexander	Garcia	Posey
Aronberg	Geller	Rich
Atwater	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise
Dockery	Margolis	
Fasano	Oelrich	

Nays—None

Vote after roll call:

Yea—Baker

CS for SB 630—A bill to be entitled An act relating to motor vehicle registration; amending s. 320.02, F.S.; allowing an applicant for a motor vehicle registration or renewal to make a voluntary contribution to Family First; amending s. 322.08, F.S.; allowing an applicant for a driver's license to make a voluntary contribution to Family First; amending s. 322.18, F.S.; requiring the driver license application form for renewal issuance or renewal extension to include an option to make a voluntary contribution to Family First; providing an effective date.

—was read the third time by title.

On motion by Senator Fasano, **CS for SB 630** was passed and certified to the House. The vote on passage was:

Yeas—21

Mr. President	Gaetz	Margolis
Alexander	Haridopolos	Peaden
Atwater	Hill	Posey
Baker	Joyner	Siplin
Dawson	Justice	Storms
Dean	Lawson	Wilson
Fasano	Lynn	Wise

Nays—15

Aronberg	Dockery	Oelrich
Bullard	Garcia	Rich
Constantine	Geller	Ring
Deutch	Jones	Saunders
Diaz de la Portilla	King	Villalobos

Vote after roll call:

Yea—Crist, Webster

Nay to Yea—Bullard

CS for CS for CS for SB 392—A bill to be entitled An act relating to transparency in government contracts; creating s. 218.315, F.S.; defining the terms "contract," "corporation," "county officer," "local government," and "individual," for purposes of the act; providing that contractual rights of local government employees and retirees who are members of the Florida Retirement System or a local government retirement system are not considered contracts; directing the Department of Financial Services to develop and maintain a portal linking to websites maintained by local governments; requiring local governments that have a website to electronically post contract information relating to certain contracts; providing that portions of a public record which are confidential and exempt shall be redacted prior to posting; requiring that access to the website be provided at no cost; requiring that electronic copies of contracts be provided in certain circumstances; requiring the Department of Financial Services to develop a uniform format to be used by local governments when posting contract information; requiring specific information be provided under the uniform format; requiring each local government to designate a central office to maintain all contract information; providing reporting requirements for local governments without a website; requiring that contract information be posted at least quarterly using the uniform format; establishing a schedule for local governments to meet requirements of the act; providing rulemaking authority; defining the terms "contract", "corporation", "expenditure" and "individual" for purposes of state government contract reporting; providing that contractual rights of state employees and retirees who are members of the Florida Retirement System are not considered contracts; directing the Executive Office of the Governor to develop and maintain a port linking to the state agency contract expenditures report maintained by the Department of Financial Services; directing the department of develop and maintain a contract information report containing specified information; directing that the report be maintained by the department in a searchable website; directing that access to the website be provided at no charge to a user who has Internet access; directing each state agency to record information relating to contracts between the agency and a corporation or an individual; directing each agency to record payment information on specified contracts in the Florida Accounting and Information Resources contract subsystem; requiring that electronic copies of contracts be provided in certain circumstances; providing that portions of public records which are confidential and exempt from inspection and copying shall be redacted prior to posting; providing an effective date.

—was read the third time by title.

On motion by Senator Storms, **CS for CS for CS for SB 392** was passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Dockery	Peaden
Alexander	Gaetz	Posey
Aronberg	Garcia	Rich
Atwater	Geller	Ring
Baker	Haridopolos	Saunders
Bullard	Hill	Siplin
Carlton	Jones	Storms
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dawson	King	Wilson
Dean	Lawson	Wise
Deutch	Lynn	
Diaz de la Portilla	Margolis	

Nays—1

Oelrich

Vote after roll call:

Yea—Fasano

CS for SB 794—A bill to be entitled An act relating to the excavation and demolition notification system; amending s. 556.105, F.S.; prohibiting charging a member operator for the costs or expenses associated with compliance with system procedures by an excavator; prohibiting charging an excavator for the costs or expenses associated with compliance with system procedures by a member operator; providing for application; providing an effective date.

—was read the third time by title.

On motion by Senator Aronberg, **CS for SB 794** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bullard	Haridopolos	Ring
Carlton	Hill	Saunders
Constantine	Jones	Siplin
Crist	Joyner	Storms
Dawson	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

Nays—None

THE PRESIDENT PRESIDING

SPECIAL ORDER CALENDAR

On motion by Senator Saunders, the Senate resumed consideration of—

CS for CS for CS for SB 1544—A bill to be entitled An act relating to energy conservation; amending s. 74.051, F.S.; requiring a court to conduct a hearing and issue a final judgment on a petition for a taking within specified times after a utility's request for such hearing; creating s. 112.219, F.S.; defining terms for purposes of the state employee telecommuting program; requiring each state employing entity to complete a telecommuting plan by a specified date which includes a listing of the

job classifications and positions that the state entity considers appropriate for telecommuting; providing requirements for the telecommuting plan; requiring each state employing entity to post the telecommuting plan on its website; amending s. 163.04, F.S.; revising provisions prohibiting restrictions on the use of energy devices based on renewable resources; amending s. 163.3177, F.S.; revising requirements for the future land use element of a local comprehensive plan to include energy-efficient land use patterns; requiring that the traffic-circulation element of incorporate transportation strategies to reduce greenhouse gas emissions; requiring each unit of local government within an urbanized area to amend the transportation element to incorporate transportation strategies addressing reduction in greenhouse gas emissions; amending s. 186.007, F.S.; authorizing the Executive Office of the Governor to include in the state comprehensive plan goals, objectives, and policies related energy and global climate change; amending s. 187.201, F.S.; adopting provisions of the State Comprehensive Plan concerning the development, siting, and use of low-carbon-emitting electric power plants; creating s. 193.804, F.S.; prohibiting the property appraiser from increasing the taxable value of homestead property when the taxpayer adds any solar energy device to the property; authorizing the property appraiser to refer the matter to the Department of Environmental Protection if the property appraiser questions whether a taxpayer is entitled, in whole or in part, to a solar energy device exemption; requiring the Department of Environmental Protection to adopt rules; amending s. 196.012, F.S.; deleting the definition of the term "renewable energy source device" or "device"; amending s. 206.43, F.S.; requiring each terminal supplier, importer, exporter, blender, and wholesaler to include the number of gallons of gasoline fuel which meet and fail to meet certain requirements in their monthly reports to the Department of Revenue; amending s. 212.08, F.S.; requiring that the Florida Energy and Climate Commission rather than the Department of Environmental Protection implement certain responsibilities concerning eligibility and application for the tax exemption; requiring the commission to adopt, by rule, an application form, including the required content and documentation to support the application, for the taxpayer to use in claiming the tax exemption; amending s. 220.192, F.S.; defining terms relating to a tax credit; allowing certain tax credits to be transferred for a specified period; providing procedures and requirements; authorizing the Department of Revenue to adopt rules; amending s. 220.193, F.S.; defining the terms "sale" or "sold" and "taxpayer"; providing legislative intent concerning retroactive application of certain renewable energy production tax credits; providing for the pass through of a renewable energy production tax credit under certain conditions; providing for retroactive application; amending s. 253.02, F.S.; authorizing the Secretary of Environmental Protection to grant easements across lands owned by the Board of Trustees of the Internal Improvement Trust Fund under certain conditions; amending s. 253.034, F.S.; granting a utility the use of nonsovereignty state-owned lands upon a showing of competent substantial evidence that the use is reasonable; establishing criteria relating to the title, distribution, and cost of such lands; amending s. 255.249, F.S.; requiring state agencies to annually provide telecommuting plans to the Department of Management Services; amending s. 255.251, F.S.; creating the "Florida Energy Conservation and Sustainable Buildings Act"; amending s. 255.252, F.S.; providing findings and legislative intent; providing that it is the policy of the state that buildings constructed and financed by the state, or existing buildings renovated by the state, be designed and constructed with a goal of meeting or exceeding the United States Green Building Council (USGBC) Leadership in Energy and Environmental Design (LEED) rating system, the Green Building Initiative's Green Globes rating system, or the Florida Green Building Coalition standards; requiring each state agency to identify and compile a list of energy-conservation projects that it determines are suitable for a guaranteed energy performance savings contract; amending s. 255.253, F.S.; defining terms relating to energy conservation for buildings; amending s. 255.254, F.S.; prohibiting a state agency from leasing or constructing a facility without having secured from the Department of Management Services an evaluation of life-cycle costs for the building; requiring certain leased buildings to have an energy performance analysis conducted; requiring the owner of any building leased by the state from the private sector to submit provisions for monthly energy use data to the department; amending s. 255.255, F.S.; requiring the department to use sustainable building ratings for conducting a life-cycle cost analysis; amending s. 255.257, F.S.; requiring that energy consumption and cost be reported to the department annually in a format prescribed by the department; providing duties of energy-management coordinators; requiring that the department of Management Services develop a state energy-management plan; requiring that state agencies adopt certain rating systems; prohibiting state agencies from entering into leasing agreements for office space not meeting certain building standards; providing an exception; requiring that state agencies develop energy-conservation measures and guidelines for new and existing office space in which state agencies occupy greater than a specified amount of square footage; providing requirements for such measures; creating s. 286.275, F.S.; requiring the Department of Management Services to develop the Florida Climate Friendly Preferred Products List; requiring state agencies to consult the list and purchase products from the list under certain circumstances; requiring state agencies to contract for meeting and conference space with facilities having the "Green Lodging" designation; authorizing the Department of Environmental Protection to adopt rules; requiring the department to establish voluntary technical assistance programs for various businesses; requiring state agencies to maintain vehicles according to minimum standards and follow certain procedures when procuring new vehicles; requiring state agencies to use ethanol and biodiesel-blended fuels when available; amending s. 287.063, F.S.; prohibiting the payment term for equipment from exceeding the useful life of the equipment unless the contract provides for the replacement or the extension of the useful life of the equipment during the term of the deferred payment contract; amending s. 287.064, F.S.; authorizing an extension of the master equipment financing agreement for energy conservation equipment; requiring the guaranteed energy, water, and wastewater performance savings contractor to provide for the replacement or the extension of the useful life of the equipment during the term of the contract; amending s. 287.16, F.S.; requiring the Department of Management Services to conduct an analysis of the Department of Transportation's ethanol and biodiesel use and encourage other state agencies to analyze transportation fuel usage and report such information to the Department of Management Services; amending s. 288.1089, F.S.; defining the term "alternative and renewable energy"; detailing the conditions for an alternative and renewable energy project to be eligible for an innovation incentive award; amending s. 337.401, F.S.; requiring the Department of Environmental Protection to adopt rules relating to the placement of and access to aerial and underground electric transmission lines having certain specifications; defining the term "base-load generating facilities"; amending s. 339.175, F.S.; requiring each metropolitan planning organization to develop a long-range transportation plan that, among other considerations, provides for sustainable growth and reduces greenhouse gas emissions; amending s. 366.82, F.S.; requiring the Public Service Commission to adopt rules requiring utilities to offset 20 percent of their annual load-growth through energy efficiency and conservation measures; requiring the commission to create an in-state market for tradable credits enabling those utilities that exceed the conservation standard to sell credits to those that cannot meet the standard for a given year; requiring that the commission conduct a periodic review; requiring the commission to require municipal and cooperative utilities that are exempt from the Energy Efficiency and Conservation Act to submit an annual report identifying energy efficiency and conservation goals and the actions taken to meet those goals; requiring that the Florida Energy and Climate Commission be a party in the proceedings to adopt goals and file with the Public Service Commission comments on the proposed goals; requiring the Public Service Commission to use certain methodologies in the evaluation of demand-side management programs; amending s. 366.8255, F.S.; redefining the term "environmental compliance costs" to include costs or expenses prudently incurred for scientific research and geological assessments of carbon capture and storage for the purpose of reducing an electric utility's greenhouse gas emissions; amending s. 366.92, F.S.; providing definitions; requiring the commission to adopt a renewable portfolio standard by rule; requiring that the rule be ratified by the Legislature; providing that the rule must be submitted for legislative approval by February 1, 2009; specifying criteria for the rule development; allowing for full cost recovery of certain reasonable and prudent costs prior to the ratification of the rule; requiring each municipal electric utility and rural electric cooperative to develop standards for the use of renewable energy resources and energy conservation measures and submit a report to the Public Service Commission which identifies such standards; amending s. 366.93, F.S.; revising the definitions of "cost" and "preconstruction"; requiring the Public Service Commission to establish rules relating to cost recovery for the construction of new, expanded, or relocated electrical transmission lines and facilities for a nuclear power plant; amending s. 377.601, F.S.; revising legislative intent with respect to the need to implement alternative energy technologies; creating s. 377.6015, F.S.; creating the Florida Energy and Climate Commission; providing for appointment and qualifications of members; providing for meetings, duties, and authority of the commission; amending s. 377.602, F.S.; providing a definition; amending s. 377.605, F.S.; transferring duties on energy data collection from the Department of Environmental Protection to the Florida Energy and

Climate Commission; amending ss. 377.604, 377.605, and 377.606, F.S.; making conforming changes; amending s. 377.703, F.S.; providing for additional duties of the Florida Energy and Climate Commission; conforming cross-references; amending s. 377.803, F.S.; providing definitions; providing the statutory reference to the definition of the term "biomass"; amending s. 377.804, F.S.; providing for administration of the Renewable Energy and Energy-Efficient Technologies Grant Program by the Florida Energy and Climate Commission rather than the Department of Environmental Protection; providing for the program to include matching grants for technologies that increase the energy efficiency of vehicles and commercial buildings; providing application requirements; repealing s. 377.804(6), F.S., relating to bioenergy projects; amending s. 377.806, F.S.; providing for administration of the Solar Energy System Incentives Program by the Florida Energy and Climate Commission rather than the Department of Environmental Protection; requiring compliance with the Florida Building Code rather than local codes in order to be eligible for a rebate under the program; creating s. 377.808, F.S.; creating the Florida Green Government Grants Act; providing a short title; requiring the Florida Energy and Climate Commission within the Executive Office of the Governor to award grants to assist local governments in the development of programs that achieve green standards; requiring the commission to adopt rules; providing requirements for the rules; limiting a certain number of grant applications made by a local government; limiting the number of active projects that may be conducted by a local government; requiring the commission to perform an overview of each grant; repealing s. 377.901, F.S., relating to the Florida Energy Commission; transferring the State Energy Program from the Department of Environmental Protection to the Florida Energy and Climate Commission; creating s. 377.921, F.S., relating to qualified solar energy systems; providing definitions; allowing a public utility to recover certain costs; amending ss. 380.23 and 403.031, F.S.; conforming cross-references; creating s. 403.44, F.S.; creating the Florida Climate Protection Act; defining terms; requiring the Department of Environmental Protection to establish the methodologies, reporting periods, and reporting systems that must be used when major emitters report to The Climate Registry; authorizing the department to adopt rules for a cap-and-trade regulatory program to reduce greenhouse gas emissions from major emitters; providing for the content of the rule; amending s. 403.503, F.S.; defining the term "alternate corridor" and redefining the term "corridor" for purposes of the Florida Electrical Power Plant Siting Act; amending s. 403.504, F.S.; requiring the Department of Environmental Protection to determine whether a proposed alternate corridor is acceptable; amending s. 403.506, F.S.; revising the thresholds and applicability standards of the Florida Electrical Power Plant Siting Act; deleting a provision that exempts from the act a steam generating plant; exempting from the act the associated facilities of an electrical power plant; exempting an electric utility from obtaining certification under the Florida Electrical Power Plant Siting Act before constructing facilities for a power plant using nuclear materials as fuel; providing that a utility may obtain separate licenses, permits, and approvals for such construction under certain circumstances; exempting such provisions from review under ch. 120, F.S.; amending s. 403.5064, F.S.; requiring an applicant to submit a statement to the department if such applicant opts for consideration of alternate corridors; amending s. 403.50665, F.S.; requiring an application to include a statement on the consistency of directly associated facilities constituting a "development"; requiring the Department of Environmental Protection to address at the certification hearing the issue of compliance with land use plans and zoning ordinances for a proposed substation located in or along an alternate corridor; amending s. 403.509, F.S.; requiring the Governor and Cabinet sitting as the siting board to certify the corridor having the least adverse impact; authorizing the board to deny certification or allow a party to amend its proposal; amending s. 403.5115, F.S.; requiring the applicant proposing the alternate corridor to publish all notices relating to the application; requiring that such notices comply with certain requirements; requiring that notices be published at least 45 days before the rescheduled certification hearing; amending s. 403.5175, F.S.; conforming a cross-reference; amending s. 403.518, F.S.; authorizing the Department of Environmental Protection to charge an application fee for an alternate corridor; amending s. 403.519, F.S., relating to determinations of need; conforming provisions to changes made by the act; amending s. 403.7031, F.S.; prohibiting a county or municipality from using in practice any definition inconsistent with certain statutes; creating s. 403.7055, F.S.; encouraging counties in the state to form regional solutions to the capture and reuse or sale of methane gas from landfills and wastewater treatment facilities; requiring the Department of Environmental Protection to provide guidelines and assistance; amending s. 403.814, F.S., relating to general permits; conforming provisions; amending s. 489.145, F.S.; revising provisions of the Guaranteed Energy Performance Savings Contracting Act; renaming the act as the "Guaranteed Energy, Water, and Wastewater Performance Savings Contracting Act"; requiring that each proposed contract or lease contain certain agreements concerning operational cost-saving measures; redefining terms; defining the term "investment grade energy audit"; requiring that certain baseline information, supporting information, and documentation be included in contracts; requiring the office of the Chief Financial Officer to review contract proposals; providing audit requirements; requiring contract approval by the Legislature or Chief Financial Officer; creating s. 526.203, F.S.; providing definitions; requiring that on or after a specified date all gasoline sold in the state contain a specified percent of agriculturally derived denatured ethanol; providing for exemptions; creating s. 526.204, F.S.; providing for the requirements to be suspended during a declared emergency; providing an exemption if a supplier or other distributor is unable to obtain the required fuel at the same or lower price than the price of unblended gasoline; requiring that documentation be provided to the Department of Revenue; creating s. 526.205, F.S.; providing for enforcement of the requirement for gasoline content; providing penalties; providing for the Department of Revenue to grant an extension of time to comply with the requirement; creating s. 526.206, F.S.; authorizing the Department of Revenue and the Department of Agriculture and Consumer Services to adopt rules; requiring the Florida Energy Commission to conduct a study of the lifecycle greenhouse gas emissions associated with all renewable fuels; requiring a report to the Legislature by a specified date; amending s. 553.77, F.S.; authorizing the Florida Building Commission to implement recommendations relating to energy efficiency in residential and commercial buildings; creating s. 553.886, F.S.; requiring that the Florida Building Code facilitate and promote the use of certain renewable energy technologies in buildings; creating s. 553.9061, F.S.; requiring the Florida Building Commission to establish a schedule of increases in the energy performance of buildings subject to the Energy Efficiency Code for Building Construction; providing a process for implementing goals to increase energy-efficiency performance in new buildings; providing a schedule for the implementation of such goals; identifying energy-efficiency performance options and elements available to meet energy-efficiency performance requirements; providing a schedule for the review and adoption of renewable energy-efficiency goals by the commission; requiring the commission to conduct a study to evaluate the energy-efficiency rating of new buildings and appliances; requiring the commission to submit a report to the President of the Senate and the Speaker of the House of Representatives on or before a specified date; requiring the commission to conduct a study to evaluate opportunities to restructure the Florida Energy Code for Building Construction, including the integration of the Thermal Efficiency Code, the Energy Conservation Standards Act, and the Florida Building Energy-Efficiency Rating Act; requiring the commission to submit a report to the President of the Senate and the Speaker of the House of Representatives on or before a specified date; directing the Department of Community Affairs, in conjunction with the Florida Energy Affordability Council, to identify and review issues relating to the Low-Income Home Energy Assistance Program and the Weatherization Assistance Program; requiring the submission of a report to the President of the Senate and the Speaker of the House of Representatives on or before a specified date; providing for the expiration of certain study requirements; amending s. 553.957, F.S.; including certain home and commercial appliances in the requirements for testing and certification for meeting certain energy-conservation standards; amending s. 553.975, F.S.; conforming a cross-reference; requiring the Public Service Commission to analyze utility revenue decoupling and provide a report and recommendations to the Governor, the President of the Senate, and the Speaker of the House of Representatives by a specified date; amending s. 718.113, F.S.; authorizing the board of a condominium or a multicondominium to install solar collectors, clotheslines, or other energy-efficient devices on association property; creating s. 1004.648, F.S.; establishing the Florida Energy Systems Consortium, consisting of specified state universities; providing membership and duties of the consortium; providing for an oversight board and steering committee; providing reporting requirements for the consortium by a date certain; authorizing the Department of Environmental Protection to require certain agreements to contain a stipulation requiring the return to the state of a portion of the profit resulting from commercialization of an energy-related product or process; requiring the department to conduct a study relating to the state earning a monetary return on energy-related products or processes through the use of negotiated or licensing agreements; requiring the department to submit the study to the Governor and the Legislature; requiring the Department of Environmental Protection, in conjunction with the Department of Agriculture and Consumer Services,

to conduct an economic impact analysis on the effect of granting financial incentives to energy producers who use woody biomass; requiring the department to submit the results to the Legislature; establishing a statewide solid waste reduction goal by a certain date; requiring the Department of Environmental Protection to develop a recycling program designed to meet that goal; requiring the Department of Environmental Protection to prepare a report relating to the costs and benefits of implementing a cap-and-trade system to trade emission credits; requiring the department to present the report to the Governor, the President of the Senate, and the Speaker of the House of Representatives; describing certain specified issues to be included in the report; providing effective dates.

—which was previously considered and amended April 16. Pending **Amendment 6 (553502)** by Senator Saunders was adopted.

Senator Constantine moved the following amendments which were adopted:

Amendment 7 (526482)(with title amendment)—Delete line(s) 578-711 and insert:

Section 4. Paragraphs (a), (b), (d), (f), and (j) of subsection (6) of section 163.3177, Florida Statutes, are amended to read:

163.3177 Required and optional elements of comprehensive plan; studies and surveys.—

(6) In addition to the requirements of subsections (1)-(5) and (12), the comprehensive plan shall include the following elements:

(a) A future land use plan element designating proposed future general distribution, location, and extent of the uses of land for residential uses, commercial uses, industry, agriculture, recreation, conservation, education, public buildings and grounds, other public facilities, and other categories of the public and private uses of land. Counties are encouraged to designate rural land stewardship areas, pursuant to ~~the provisions of~~ paragraph (11)(d), as overlays on the future land use map. Each future land use category must be defined in terms of uses included, and must include standards *for* ~~to be followed in~~ the control and distribution of population densities and building and structure intensities. The proposed distribution, location, and extent of the various categories of land use shall be shown on a land use map or map series which shall be supplemented by goals, policies, and measurable objectives. The future land use plan shall be based upon surveys, studies, and data regarding the area, including the amount of land required to accommodate anticipated growth; the projected population of the area; the character of undeveloped land; the availability of water supplies, public facilities, and services; the need for redevelopment, including the renewal of blighted areas and the elimination of nonconforming uses which are inconsistent with the character of the community; the compatibility of uses on lands adjacent to or closely proximate to military installations; *the discouragement of urban sprawl; energy-efficient land use patterns accounting for existing and future electric power generation and transmission systems; greenhouse gas reduction strategies;* and, in rural communities, the need for job creation, capital investment, and economic development that will strengthen and diversify the community's economy. The future land use plan may designate areas for future planned development ~~use~~ involving combinations of types of uses for which special regulations may be necessary to ensure development in accord with the principles and standards of the comprehensive plan and this act. The future land use plan element shall include criteria to be used to achieve the compatibility of adjacent or closely proximate lands with military installations. In addition, for rural communities, the amount of land designated for future planned industrial use shall be based upon surveys and studies that reflect the need for job creation, capital investment, and the necessity to strengthen and diversify the local economies, and *may* ~~shall~~ not be limited solely by the projected population of the rural community. The future land use plan of a county may also designate areas for possible future municipal incorporation. The land use maps or map series shall generally identify and depict historic district boundaries and ~~shall~~ designate historically significant properties meriting protection. For coastal counties, the future land use element must include, without limitation, regulatory incentives and criteria that encourage the preservation of recreational and commercial working waterfronts as defined in s. 342.07. The future land use element must clearly identify the land use categories in which public schools are an allowable use. When delineating the land use categories in which public schools are an allowable use, a local government shall include in the categories sufficient land proximate to residential development to meet the projected needs for schools in coordination with public school boards and may establish differing criteria for schools of different type or size. Each local government shall include lands contiguous to existing school sites, to the maximum extent possible, within the land use categories in which public schools are an allowable use. The failure by a local government to comply with these school siting requirements will result in the prohibition of the local government's ability to amend the local comprehensive plan, except for plan amendments described in s. 163.3187(1)(b), until the school siting requirements are met. Amendments proposed by a local government for purposes of identifying the land use categories in which public schools are an allowable use are exempt from the limitation on the frequency of plan amendments *provided* ~~contained~~ in s. 163.3187. The future land use element shall include criteria that encourage the location of schools proximate to urban residential areas to the extent possible and shall require that the local government seek to collocate public facilities, such as parks, libraries, and community centers, with schools to the extent possible and to encourage the use of elementary schools as focal points for neighborhoods. For schools serving predominantly rural counties, defined as a county with a population of 100,000 or fewer, an agricultural land use category *is* ~~shall be~~ eligible for the location of public school facilities if the local comprehensive plan contains school siting criteria and the location is consistent with such criteria. Local governments required to update or amend their comprehensive plan to include criteria and address compatibility of adjacent or closely proximate lands with existing military installations in their future land use plan element shall transmit the update or amendment to the department by June 30, 2006.

(b) A traffic circulation element consisting of the types, locations, and extent of existing and proposed major thoroughfares and transportation routes, including bicycle and pedestrian ways. Transportation corridors, as defined in s. 334.03, may be designated in the traffic circulation element pursuant to s. 337.273. If the transportation corridors are designated, the local government may adopt a transportation corridor management ordinance. *The traffic circulation element shall incorporate transportation strategies to address reduction in greenhouse gas emissions from the transportation sector.*

(d) A conservation element for the conservation, use, and protection of natural resources in the area, including air, water, water recharge areas, wetlands, waterwells, estuarine marshes, soils, beaches, shores, flood plains, rivers, bays, lakes, harbors, forests, fisheries and wildlife, marine habitat, minerals, and other natural and environmental resources*, including factors that affect energy conservation*. Local governments shall assess their current, as well as projected, water needs and sources for at least a 10-year period, considering the appropriate regional water supply plan approved pursuant to s. 373.0361, or, in the absence of an approved regional water supply plan, the district water management plan approved pursuant to s. 373.036(2). This information shall be submitted to the appropriate agencies. The land use map or map series contained in the future land use element shall generally identify and depict the following:

1. Existing and planned waterwells and cones of influence where applicable.

2. Beaches and shores, including estuarine systems.

3. Rivers, bays, lakes, flood plains, and harbors.

4. Wetlands.

5. Minerals and soils.

6. Energy conservation.

The land uses identified on such maps shall be consistent with applicable state law and rules.

(f)1. A housing element consisting of standards, plans, and principles to be followed in:

a. The provision of housing for all current and anticipated future residents of the jurisdiction.

b. The elimination of substandard dwelling conditions.

c. The structural and aesthetic improvement of existing housing.

d. The provision of adequate sites for future housing, including affordable workforce housing as defined in s. 380.0651(3)(j), housing for low-income, very low-income, and moderate-income families, mobile homes, and group home facilities and foster care facilities, with supporting infrastructure and public facilities.

e. Provision for relocation housing and identification of historically significant and other housing for purposes of conservation, rehabilitation, or replacement.

f. The formulation of housing implementation programs.

g. The creation or preservation of affordable housing to minimize the need for additional local services and avoid the concentration of affordable housing units only in specific areas of the jurisdiction.

h. *Energy efficiency in the design and construction of new housing* ~~By July 1, 2008, each county in which the gap between the buying power of a family of four and the median county home sale price exceeds $170,000, as determined by the Florida Housing Finance Corporation, and which is not designated as an area of critical state concern shall adopt a plan for ensuring affordable workforce housing. At a minimum, the plan shall identify adequate sites for such housing. For purposes of this sub-subparagraph, the term "workforce housing" means housing that is affordable to natural persons or families whose total household income does not exceed 140 percent of the area median income, adjusted for household size~~.

i. *Use of renewable energy resources* ~~Failure by a local government to comply with the requirement in sub-subparagraph h. will result in the local government being ineligible to receive any state housing assistance grants until the requirement of sub-subparagraph h. is met~~.

The goals, objectives, and policies of the housing element must be based on the data and analysis prepared on housing needs, including the affordable housing needs assessment. State and federal housing plans prepared on behalf of the local government must be consistent with the goals, objectives, and policies of the housing element. Local governments are encouraged to *use* ~~utilize~~ job training, job creation, and economic solutions to address a portion of their affordable housing concerns. *By July 1, 2008, each county in which the gap between the buying power of a family of four and the median county home sale price exceeds $170,000, as determined by the Florida Housing Finance Corporation, and which is not designated as an area of critical state concern, shall adopt a plan for ensuring affordable workforce housing. At a minimum, the plan shall identify adequate sites for such housing. For purposes of this subparagraph, the term "workforce housing" means housing that is affordable to natural persons or families whose total household income does not exceed 140 percent of the area median income, adjusted for household size. Failure by a local government to comply with this requirement to adopt a plan for ensuring affordable workforce housing will result in the local government being ineligible to receive any state housing assistance grants until this requirement is met.*

2. To assist local governments in housing data collection and analysis and assure uniform and consistent information regarding the state's housing needs, the state land planning agency shall conduct an affordable housing needs assessment for all local jurisdictions on a schedule that coordinates the implementation of the needs assessment with the evaluation and appraisal reports required by s. 163.3191. Each local government shall utilize the data and analysis from the needs assessment as one basis for the housing element of its local comprehensive plan. The agency shall allow a local government the option to perform its own needs assessment, if it uses the methodology established by the agency by rule.

(j) For each unit of local government within an urbanized area designated for purposes of s. 339.175, a transportation element, which shall be prepared and adopted in lieu of the requirements of paragraph (b) and paragraphs (7)(a), (b), (c), and (d) and which shall address the following issues:

1. Traffic circulation, including major thoroughfares and other routes, including bicycle and pedestrian ways.

2. All alternative modes of travel, such as public transportation, pedestrian, and bicycle travel.

3. Parking facilities.

4. Aviation, rail, seaport facilities, access to those facilities, and intermodal terminals.

5. The availability of facilities and services to serve existing land uses and the compatibility between future land use and transportation elements.

6. The capability to evacuate the coastal population *before* ~~prior to~~ an impending natural disaster.

7. Airports, projected airport and aviation development, and land use compatibility around airports.

8. An identification of land use densities, building intensities, and transportation management programs to promote public transportation systems in designated public transportation corridors so as to encourage population densities sufficient to support such systems.

9. May include transportation corridors, as defined in s. 334.03, intended for future transportation facilities designated pursuant to s. 337.273. If transportation corridors are designated, the local government may adopt a transportation corridor management ordinance.

10. The incorporation of transportation strategies to address reduction in greenhouse gas emissions from the transportation sector.

And the title is amended as follows:

Delete line(s) 17-25 and insert: amending s. 163.3177, F.S.; revising requirements for the future land use element of a local comprehensive plan; requiring that the traffic-circulation element incorporate transportation strategies to reduce greenhouse gas emissions; revising the conservation element of a local comprehensive plan to include factors that affect energy conservation; requiring a land use map of future land use to depict energy conservation; revising the standards, plans, and principles of the housing element of a local comprehensive plan; requiring each unit of local government within an urbanized area to amend the transportation element to incorporate transportation strategies addressing reduction in greenhouse gas emissions; amending s. 186.007, F.S.;

Amendment 8 (835148)(with title amendment)—Between line(s) 4223 and 4224, insert:

Section 73. Section 553.901, Florida Statutes, is amended to read:

553.901 Purpose of thermal efficiency code.—The Department of Community Affairs shall prepare a thermal efficiency code to provide for a statewide uniform standard for energy efficiency in the thermal design and operation of all buildings statewide, consistent with energy conservation goals, and to best provide for public safety, health, and general welfare. The Florida Building Commission shall adopt the Florida Energy Efficiency Code for Building Construction within the Florida Building Code, and shall modify, revise, update, and maintain the code to implement the provisions of this thermal efficiency code and amendments thereto, in accordance with the procedures of chapter 120. The department shall, at least triennially, determine the most cost-effective energy-saving equipment and techniques available and report its determinations to the commission, which shall update the code to incorporate such equipment and techniques. The proposed changes shall be made available for public review and comment no later than 6 months prior to code implementation. *Before adoption of any additional amendments to the Florida Energy Efficiency Code for Building Construction, the commission shall adopt by rule a definition of* the term "cost-effective," for ~~the~~ purposes of this part, *which shall include the criteria and measures to be used by the commission to evaluate proposed amendments* ~~shall be construed to mean cost-effective to the consumer~~.

And the title is amended as follows:

On line(s) 346, after the first semicolon (;) insert: amending s. 553.901, F.S.; requiring the commission to adopt by rule a definition of the term "cost effective";

Amendment 9 (460762)(with title amendment)—Delete lines 4468-4482 and insert:

Section 84. *Recycling.*—

(1) The Legislature finds that the failure or inability to economically recover material and energy resources from solid waste results in the unnecessary waste and depletion of our natural resources. As Florida continues to grow, so will the potential amount of discarded material that must be treated and disposed of, necessitating the improvement of solid waste collection and disposal. Therefore, the maximum recycling and reuse of such resources are considered high-priority goals of this state.

(2) By the year 2020, the long-term goal for the recycling efforts of state and local governmental entities, private companies and organizations, and the general public is to reduce the amount of recyclable solid waste disposed of in waste management facilities, landfills, or incineration facilities by a statewide average of at least 75 percent.

(3) The Department of Environmental Preservation shall develop a comprehensive recycling program that is designed to achieve the percentage stated in subsection (2) and submit the program to the President of the Senate and the Speaker of the House of Representatives by January 1, 2010. The program may not be implemented until approved by the Legislature. The program must be developed in coordination with input from state and local entities, private businesses, and the public. Under the program, recyclable materials shall include, but are not limited to, metals, paper, glass, plastic, textile, rubber materials, and mulch. Components of the program shall include, but are not limited to:

(a) Programs to identify environmentally preferable purchasing practices to encourage the purchase of recycled, durable, and less toxic goods;

(b) Programs to educate students in grades K-12 in the benefits of, and proper techniques for, recycling;

(c) Programs for statewide recognition of successful recycling efforts by schools, businesses, public groups, and private citizens;

(d) Programs for municipalities and counties to develop and implement efficient recycling efforts to return valuable materials to productive use, conserve energy, and protect natural resources;

(e) Programs by which the department can provide technical assistance to municipalities and counties in support of their recycling efforts;

(f) Programs to educate and train the public in proper recycling efforts;

(g) Evaluation of how financial assistance can best be provided to municipalities and counties in support of their recycling efforts; and

(h) Evaluation of why existing waste management and recycling programs in the state have not been better used.

And the title is amended as follows:

Delete lines 411-414 and insert: results to the Legislature; providing legislative findings regarding recycling; providing for a long-term goal of reducing the amount of solid waste disposed of in the state by a certain percentage; requiring the Department of Environmental Protection to develop a comprehensive recycling program and submit such program to the Legislature by a specified date; requiring the Legislature's approval before implementing such program; requiring that such program be developed in coordination with other state and local entities, private businesses, and the public; requiring that the program contain certain components; requiring

MOTION

On motion by Senator Saunders, the rules were waived to allow the following amendments to be considered:

Senator Saunders moved the following amendments which were adopted:

Amendment 10 (182018)—Delete line(s) 435 and 436 and insert: *the petition is filed. The court shall issue its order of taking no more than 30 days after the conclusion of the hearing.*

Amendment 11 (113594)—Delete line(s) 1114-1182 and insert:

Section 12. Paragraphs (f) and (g) are added to subsection (2), and paragraphs (j) and (k) are added to subsection (3) of section 220.193, Florida Statutes, to read:

220.193 Florida renewable energy production credit.—

(2) As used in this section, the term:

(f) "Sale" or "sold" includes the use of electricity by the producer of such electricity which decreases the amount of electricity that the producer would otherwise have to purchase.

(g) "Taxpayer" includes a general partnership, limited partnership, limited liability company, trust, or other artificial entity in which a corporation, as defined in s. 220.03(1)(e), owns an interest and is taxed as a partnership or is disregarded as a separate entity from the corporation under chapter 220.

(3) An annual credit against the tax imposed by this section shall be allowed to a taxpayer, based on the taxpayer's production and sale of electricity from a new or expanded Florida renewable energy facility. For a new facility, the credit shall be based on the taxpayer's sale of the facility's entire electrical production. For an expanded facility, the credit shall be based on the increases in the facility's electrical production that are achieved after May 1, 2006.

(j) When an entity treated as a partnership or a disregarded entity under this chapter produces and sells electricity from a new or expanded renewable energy facility, the credit earned by such entity shall pass through in the same manner as items of income and expense pass through for federal income tax purposes. When an entity applies for the credit and the entity has received the credit by a pass through, the application must identify the taxpayer that passed through the credit, all taxpayers that received the credit, the percentage of the credit, that passes through to each recipient, and provide other information that the department requires.

(k) A taxpayer's use of the credit granted pursuant to this section does not reduce the amount of any credit available to such taxpayer under s. 220.186.

Section 13. *It is the intent of the Legislature that the amendments to s. 220.193, Florida Statutes; are remedial in nature and apply retroactively to the effective date of the law establishing the credit.*

(Redesignate subsequent section.)

Amendment 12 (396144)—Delete line(s) 1787-1822 and insert: *practicable alternative available for placement of the electric utility transmission lines on the department's rights-of-way, the department's rules shall provide for placement of and access to such transmission lines adjacent to and within the right-of-way of any department-controlled public roads, including longitudinally within limited access facilities to the greatest extent allowed by federal law, if compliance with the standards established by such rules is achieved. Such rules may include, but need not be limited to, that the use of the right-of-way is reasonable based upon a consideration of economic and environmental factors, including, without limitation, other practicable alternative alignments, utility corridors and easements, minimum clear zones and other safety standards, and further provide that placement of the electric utility transmission lines within the department's right-of-way does not interfere with operational requirements of the transportation facility or planned or potential future expansion of such transportation facility. If the department approves longitudinal placement of electric utility transmission lines in limited access facilities, compensation for the use of the right-of-way is required. Such consideration or compensation paid by the electric utility in connection with the department's issuance of a permit does not create any property right in the department's property regardless of the amount of consideration paid or the improvements constructed on the property by the utility. Upon notice by the department that the property is needed for expansion or improvement of the transportation facility, the electric utility transmission line will relocate from the facility at the electric utility's sole expense. The electric utility shall pay to the department reasonable damages resulting from the utility's failure or refusal to timely relocate its transmission lines. The rules to be adopted by the department may also address the compensation methodology and relocation. As used in this subsection, the term "base load generating*

Amendment 13 (675048)(with title amendment)—Between line(s) 2126 and 2127 insert:

Section 31. Section 366.91, Florida Statutes, is amended to read:

366.91 Renewable energy.—

(1) The Legislature finds that it is in the public interest to promote the development of renewable energy resources in this state. Renewable energy resources have the potential to help diversify fuel types to meet Florida's growing dependency on natural gas for electric production, minimize the volatility of fuel costs, encourage investment within the state, improve environmental conditions, and make Florida a leader in new and innovative technologies.

(2) As used in this section, the term:

(a) "Biomass" means a power source that is comprised of, but not limited to, combustible residues or gases from forest products manufacturing, *waste, byproducts or products from* agricultural and orchard crops, waste *and co*-products from livestock and poultry operations*, waste and byproducts from* ~~and~~ food processing, urban wood waste, municipal solid waste, municipal liquid waste treatment operations, and landfill gas.

(b) "Renewable energy" means electrical energy produced from a method that uses one or more of the following fuels or energy sources: hydrogen produced from sources other than fossil fuels, biomass, solar energy, geothermal energy, wind energy, ocean energy, and hydroelectric power. The term includes the alternative energy resource, waste heat, from sulfuric acid manufacturing operations.

(c) "Customer-owned renewable generation" means an electric generating system located on a customer's premises that is primarily intended to offset part or all of the customer's electricity requirements with renewable energy.

(d) "Net metering" means a metering and billing methodology whereby customer-owned renewable generation is allowed to offset the customer's electricity consumption on-site.

(3) On or before January 1, 2006, each public utility must continuously offer a purchase contract to producers of renewable energy. The commission shall establish requirements relating to the purchase of capacity and energy by public utilities from renewable energy producers and may adopt rules to administer this section. The contract shall contain payment provisions for energy and capacity which are based upon the utility's full avoided costs, as defined in s. 366.051; however, capacity payments are not required if, due to the operational characteristics of the renewable energy generator or the anticipated peak and off-peak availability and capacity factor of the utility's avoided unit, the producer is unlikely to provide any capacity value to the utility or the electric grid during the contract term. Each contract must provide a contract term of at least 10 years. Prudent and reasonable costs associated with a renewable energy contract shall be recovered from the ratepayers of the contracting utility, without differentiation among customer classes, through the appropriate cost-recovery clause mechanism administered by the commission.

(4) On or before January 1, 2006, each municipal electric utility and rural electric cooperative whose annual sales, as of July 1, 1993, to retail customers were greater than 2,000 gigawatt hours must continuously offer a purchase contract to producers of renewable energy containing payment provisions for energy and capacity which are based upon the utility's or cooperative's full avoided costs, as determined by the governing body of the municipal utility or cooperative; however, capacity payments are not required if, due to the operational characteristics of the renewable energy generator or the anticipated peak and off-peak availability and capacity factor of the utility's avoided unit, the producer is unlikely to provide any capacity value to the utility or the electric grid during the contract term. Each contract must provide a contract term of at least 10 years.

(5) On or before January 1, 2009, each public utility must develop a standardized interconnection agreement and net metering program for customer-owned renewable generation. The commission shall establish requirements relating to the expedited interconnection and net metering of customer-owned renewable generation by public utilities and may adopt rules to administer this section.

(6) On or before July 1, 2009, each municipal electric utility and each rural electric cooperative that sells electricity at retail must develop a standardized interconnection agreement and net metering program for customer-owned renewable generation. Each governing authority shall establish requirements relating to the expedited interconnection and net metering of customer-owned generation. By April 1 of each year, each municipal electric utility and rural electric cooperative utility serving retail customers shall file a report with the commission detailing customer participation in the interconnection and net metering program, including but not limited to the number and total capacity of interconnected generating systems and the total energy net metered in the previous year.

(7)~~(5)~~ A contracting producer of renewable energy must pay the actual costs of its interconnection with the transmission grid or distribution system.

And the title is amended as follows:

Delete line(s) 182 and insert: gas emissions; amending s. 366.91, F.S.; providing definitions; requiring each public utility, municipal electric utility, and rural electric cooperative to develop a standardized interconnection agreement and net metering program for customer-owned renewable generation; provides for rulemaking and the filing of certain reports; providing

Amendment 14 (140528)—Delete line(s) 2142-2261 and insert:

(3) As used in this section, the term:

(a) "Renewable energy credit" or "REC" means a product that represents the unbundled, separable, and renewable attribute of renewable energy produced in Florida and is equivalent to 1 megawatt-hour of electricity generated by a source of renewable energy located in Florida.

(b) "Provider" means an electric utility or utility as defined in s. 366.8255(1)(a).

(c) "Renewable Energy" means energy produced from a method that uses one or more of the following fuels or energy sources: solar thermal, solar hot water, geothermal energy, or as provided in s. 366.91(2)(b).

(d) "Renewable portfolio standard" or "RPS" means the minimum percentage of total annual retail electricity sales by a provider to consumers in Florida, which shall be supplied by renewable energy produced in Florida.

(4)(a) The commission shall adopt rules for a renewable portfolio standard requiring each provider to supply renewable energy to its customers, whether directly, by procurement, or through renewable energy credits. In developing the RPS rule, the commission shall consult the Department of Environmental Protection and the Florida Energy and Climate Commission. The commission shall present a draft rule for legislative consideration by February 1, 2009. The rule may not be implemented until ratified by the Legislature.

(b) In developing the rule, the commission shall evaluate the current and forecasted levelized cost in cents per kilowatt hour through 2020 and current and forecasted installed capacity in kilowatts for each renewable energy generation method through 2020.

(c) The commission's rule shall include methods of managing the cost of compliance with the portfolio standard, whether through direct supply, through the procurement of renewable power, or through the purchase of renewable energy credits. The commission shall have rulemaking authority for providing annual cost recovery and incentive-based adjustments to authorized rates of return on common equity to providers to incentivize renewable energy. Notwithstanding s. 366.91(3) and (4), upon the effective date of the rule, the commission is authorized to approve projects and power sales agreements with renewable power producers, and the sale of renewable energy credits which are needed to comply with the RPS. In the event of any conflict, this section shall supersede s. 366.91(3) and (4).

(d) The commission's rule shall provide for appropriate compliance measures and the conditions under which compliance shall be excused due to a determination by the commission that the supply of renewable energy or renewable energy credits was not adequate to satisfy the demand for such energy, or that the cost of securing renewable energy or renewable energy credits was cost-prohibitive.

(e) The commission's rule shall provide added weight to energy provided by wind and solar energy over other forms of renewable energy, whether directly supplied, procured, or indirectly obtained through the purchase of renewable energy credits.

(f) The commission's rule shall determine an appropriate period of time for which renewable energy credits may be used for purposes of compliance with the renewable portfolio standard.

(g) The commission's rule shall:

1. Determine an appropriate period of time for which renewable energy credits may be used for purposes of compliance with the renewable portfolio standard.

2. Provide for the monitoring of compliance with and enforcement of the requirements of this section.

3. Ensure that energy credited toward compliance with the provisions of this section are not credited toward any other purpose.

4. Develop procedures to track and account for renewable energy credits, including ownership of renewable energy credits that are derived from a customer-owned renewable energy facility as a result of any action by a customer of an electric power supplier that is independent of a program sponsored by the electric power supplier.

(h) The commission's rule shall provide for the conditions and options for the repeal or alteration of the rule in the event that new provisions of federal law supplant or conflict with the rule.

(i) Beginning on April 1 of the year following the effective date of the rule, each provider shall submit a report to the commission describing the steps that have been taken in the previous year and the steps that will be taken in the future to add renewable energy to the provider's energy supply portfolio. The report shall state whether the provider was in compliance with the RPS during the previous year and how it will comply with the RPS in the upcoming year.

(5) In order to demonstrate the feasibility and viability of clean energy systems, the commission shall provide for full cost recovery under the environmental cost-recovery clause of all reasonable and prudent costs incurred by a provider for renewable energy projects that are zero greenhouse gas emitting at the point of generation, up to a total of 110 megawatts statewide, and for which the provider has secured necessary land, zoning permits, and transmission rights within the state. Such costs shall be deemed reasonable and prudent for purposes of cost recovery so long as the provider has used reasonable and customary industry practices in the design, procurement, and construction of the project in a cost-effective manner appropriate to the location of the facility. The provider shall report to the commission as part of the cost-recovery proceedings the construction costs, in-service costs, operating and maintenance costs, hourly energy production of the renewable energy project, and any other information deemed relevant by the commission. Any provider constructing a clean energy facility pursuant to this section shall file for cost recovery no later than July 1, 2009.

(6) Each municipal electric utility and rural electric cooperative shall develop standards for the promotion, encouragement, and expansion of the use of renewable energy resources and energy conservation and efficiency measures. On or before April 1, 2009, and annually thereafter, each municipal electric utility and electric cooperative shall submit to the commission a report that identifies such standards.

(7) No provision in this section shall be construed to impede or impair terms and conditions in existing contracts.

~~(3) The commission may adopt appropriate goals for increasing the use of existing, expanded, and new Florida renewable energy resources. The commission may change the goals. The commission may review and reestablish the goals at least once every 5 years.~~

(8) ~~(4)~~ The commission shall adopt rules to administer and implement the provisions of this section.

Amendment 15 (533368)—Delete line(s) 3174-3253 and insert:

Section 48. Section 377.921, Florida Statutes, is created to read:

377.921 Qualified solar energy system program.—The Legislature finds that qualified solar energy systems provide fuel savings and can help protect against future electricity and natural gas shortages, reduce the state's dependence on foreign sources of energy, and improve environmental conditions. The Legislature further finds that the deployment of qualified solar energy systems advances Florida's goals of promoting energy efficiency and the development of renewable energy resources. Therefore, the Legislature finds that it is in the public interest to encourage public utilities to develop and implement programs that promote the deployment and use of qualified solar energy systems.

(2) As used in this section:

(a) "Qualified solar energy system" means a solar thermal water heating system installed at a customer's premises under a program administered and facilitated by a public utility. In order for a system to be deemed as qualified under this section, the public utility must incur all costs of the purchase and installation of the system, whether directly or indirectly through a customer rebate.

(b) "Public utility" or "utility" means a utility as defined in s. 366.02(1).

(c) "Eligible program" means a program developed by a public utility and approved by the commission pursuant to subsection (5) under which the utility facilitates the installation of solar thermal water heating systems at a utility customer's premises.

(d) "Program fuel cost savings" means the total fuel cost savings that a utility is projected to achieve from all solar thermal water heating systems installed at a customer's premises over the life of the qualified solar energy system.

(e) "Program costs" means all costs incurred in implementing an eligible program, including, but not limited to:

1. In-service capital investments, including the utility's last authorized rate of return thereon; and

2. Operating and maintenance expense, including, but not limited to, labor, overhead, materials, advertising, marketing, customer incentives, or rebates.

(3) Notwithstanding any provision in chapter 366 or rule to the contrary, a public utility shall be allowed to recover through the energy conservation cost-recovery clause, either as period expenses or by capitalizing and amortizing, all prudent and reasonable program costs incurred in implementing an eligible program. With respect to any solar hot water heating system, the amortization period shall be 5 years.

(4) Notwithstanding any provision in chapter 366 or rule to

the contrary, and in addition to recovery under subsection (3), a utility shall be allowed to recover through the fuel cost-recovery clause beginning in the year each solar thermal water heating system begins operation 50 percent of any such program fuel cost savings for five years from the installation date. The remaining 50 percent of fuel saving shall be returned to the utility's customers through the fuel cost-recovery clause.

(5) Notwithstanding any provision in chapter 366 or rule to the contrary, the commission shall enter an order approving a public utility's qualified solar energy system program if the utility demonstrates in a petition that:

(a) The qualified solar energy systems to be installed as part of the program at minimum meet applicable Solar Rating and Certification Corporation OG-300 certification requirements.

(b) The qualified solar energy systems are constructed and installed in conformity with the manufacturer's specifications and all applicable codes and standards.

(6) Within 60 days after receiving a petition to approve a qualified solar energy system program, the commission shall approve the petition or inform the utility of any deficiencies therein. If the commission informs the utility of deficiencies, the utility may correct those deficiencies and refile its petition to approve the qualified solar energy system program.

(7) In order to encourage public utilities to promote the deployment and use of qualified solar energy systems, the public utility shall own the renewable attributes or benefits associated with the energy output of a qualified solar energy system installed pursuant to an eligible program, including any renewable energy credit or other instrument issued as a result of the utility's eligible program.

(8) This section shall sunset on June 30, 2011 unless reenacted by the Legislature. Utilities may not enroll new customers in the qualified solar energy program after June 30, 2011 unless this section is reenacted.

(Redesignate subsequent sections.)

Amendment 16 (488630)—Delete line(s) 2119 and insert: *conducted in Florida for the purpose of reducing an electric utility's greenhouse gas*

Amendment 17 (820960)—Delete line(s) 4367-4442 and insert:

1004.648 Florida Energy Systems Consortium.—

(1) There is created the Florida Energy Systems Consortium to promote collaboration between experts in the State University System for the purposes of sharing energy related expertise and assisting in the development and implementation of a comprehensive, long-term, environmentally compatible, sustainable, and efficient energy strategic plan for the state.

(2) The consortium shall focus on the research and development of innovative energy systems that will lead to alternative energy strategies, improved energy efficiencies, and expanded economic development for the state.

(3) The consortium shall consist of the University of Florida, Florida State University, the University of South Florida, the University of Central Florida, and Florida Atlantic University.

(4) The consortium shall be administered at the University of Florida by a director whom shall be appointed by the oversight board.

(5) The director shall report to the Florida Energy and Climate Commission created pursuant to s. 377.6015.

(6) The oversight board shall consist of the vice president for research at each of the universities that are members of the consortium.

(7) In addition to selecting the director the oversight board shall be responsible for the technical performance and financial management of the consortium.

(8) In performing its responsibilities, the consortium shall collaborate with the oversight board and may also collaborate with industry and other affected parties.

(9) Through collaborative research and development across the State University System and industry, the goal of the consortium is to become a world leader in energy research, education, technology, and energy systems analysis. In so doing, the consortium shall:

(a) Coordinate and initiate increased collaborative interdisciplinary energy research among the universities and the energy industry.

(b) Assist in the creation and development of a Florida-based energy technology industry through efforts that would expedite commercialization of innovative energy technologies by taking advantage of the energy expertise within the State University System, high technology incubators, industrial parks, and industry-driven research centers.

(c) Provide a state resource for objective energy systems analysis.

(d) Develop education and outreach programs to prepare a qualified energy workforce and informed public. Specifically the faculty associated with the consortium shall coordinate a statewide workforce development initiative focusing on college-level degrees, technician training, and public and commercial sectors awareness. The consortium shall develop specific programs targeted at preparing graduates who have a background in energy, continuing education courses for technical and nontechnical professionals, and modules, laboratories, and courses to be shared among the universities. Additionally, the consortium shall work with the Florida Community College system using the Florida Advanced Technological Education Center for the coordination and design of industry-specific training programs for technicians.

(10) The consortium shall solicit and leverage state, federal, and private funds for the purpose of conducting education, research, and development in the area of sustainable energy.

(11) The oversight board, in consultation with the Florida Energy and Climate Commission, shall ensure that the consortium:

(a) Maintains accurate records of any funds received by the consortium.

(b) Meets financial and technical performance expectations, which may include external technical reviews as required.

(12) The oversight board and the Florida Energy and Climate Commission shall constitute the Steering Committee which shall be responsible for establishing and assuring the success of the consortium's mission as provided for in subsection (9).

(13) By November 1 of each year, the consortium shall submit an annual report to the Governor, the President of the Senate, the Speaker of the House of Representatives and the Florida Energy and Climate Commission regarding its activities including, but not limited to, education, research, development, and deployment of alternative energy technologies.

MOTION

On motion by Senator Constantine, the rules were waived to allow the following amendment to be considered:

Senators Constantine and Saunders offered the following amendment which was moved by Senator Constantine and adopted:

Amendment 18 (856282)—Between line(s) 3173 and 3174 insert:

Section 48. *All of the records, property, unexpended balances of appropriations and personnel related to the Florida Energy Commission for the administration and implementation of s. 377.901, Florida Statutes, shall be transferred from the Office of Legislative Services to the Executive Office of the Governor. The Executive Office of the Governor is authorized to establish four full time equivalent positions to staff the Florida Energy and Climate Commission.*

(Redesignate subsequent sections.)

MOTION

On motion by Senator Saunders, the rules were waived to allow the following amendments to be considered:

Senator Saunders moved the following amendments which were adopted:

Amendment 19 (473718)(with title amendment)—Delete line(s) 3386-3765 and insert:

Section 52. Section 403.502, Florida Statutes, is amended to read:

403.502 Legislative intent.—The Legislature finds that the present and predicted growth in electric power demands in this state requires the development of a procedure for the selection and utilization of sites for electrical generating facilities and the identification of a state position with respect to each proposed site *and its associated facilities*. The Legislature recognizes that the selection of sites and the routing of associated *facilities including* transmission lines will have a significant impact upon the welfare of the population, the location and growth of industry, and the use of the natural resources of the state. The Legislature finds that the efficiency of the permit application and review process at both the state and local level would be improved with the implementation of a process whereby a permit application would be centrally coordinated and all permit decisions could be reviewed on the basis of standards and recommendations of the deciding agencies. It is the policy of this state that, while recognizing the pressing need for increased power generation facilities, the state shall ensure through available and reasonable methods that the location and operation of electrical power plants will produce minimal adverse effects on human health, the environment, the ecology of the land and its wildlife, and the ecology of state waters and their aquatic life and will not unduly conflict with the goals established by the applicable local comprehensive plans. It is the intent to seek courses of action that will fully balance the increasing demands for electrical power plant location and operation with the broad interests of the public. Such action will be based on these premises:

(1) To assure the citizens of Florida that operation safeguards are technically sufficient for their welfare and protection.

(2) To effect a reasonable balance between the need for the facility and the environmental impact resulting from construction and operation of the facility, including air and water quality, fish and wildlife, and the water resources and other natural resources of the state.

(3) To meet the need for electrical energy as established pursuant to s. 403.519.

(4) To assure the citizens of Florida that renewable energy sources and technologies, as well as conservation measures, are utilized to the extent reasonably available.

Section 53. Section 403.503, Florida Statutes, is amended to read:

403.503 Definitions relating to Florida Electrical Power Plant Siting Act.—As used in this act:

(1) "Act" means the Florida Electrical Power Plant Siting Act.

(2) "Agency," as the context requires, means an official, officer, commission, authority, council, committee, department, division, bureau, board, section, or other unit or entity of government, including a regional or local governmental entity.

(3) "Alternative corridor" means an area that is proposed by the applicant or a third party within which all or part of an associated electrical transmission line right-of-way is to be located and that is different from the preferred transmission line corridor proposed by the applicant. The width of the alternate corridor proposed for certification for an associated electrical transmission line may be the width of the proposed right-of-way or a wider boundary not to exceed a width of one mile. The area within the alternate corridor may be further restricted as a condition of certification. The alternate corridor may include alternate electrical substation sites if the applicant has proposed an electrical substation as part of the portion of the proposed electrical transmission line.

(4)~~(3)~~ "Amendment" means a material change in the information provided by the applicant to the application for certification made after the initial application filing.*(5)*~~(4)~~ "Applicant" means any electric utility which applies for certification pursuant to the provisions of this act.

(6)~~(5)~~ "Application" means the documents required by the department to be filed to initiate a certification review and evaluation, including the initial document filing, amendments, and responses to requests from the department for additional data and information.

(7)~~(6)~~ "Associated facilities" means, for the purpose of certification, those *on-site and off-site* facilities which directly support the construction and operation of the electrical *generating facility* ~~power plant~~ such as *electrical transmission lines, substations, and* fuel unloading facilities; pipelines necessary for transporting fuel for the operation of the facility or other fuel transportation facilities; water or wastewater transport pipelines; construction, maintenance, and access roads; and railway lines necessary for transport of construction equipment or fuel for the operation of the facility.

(8)~~(7)~~ "Board" means the Governor and Cabinet sitting as the siting board.

(9)~~(8)~~ "Certification" means the written order of the board*, or Secretary when applicable,* approving an application *for the licensing of an electrical power plant,* in whole or with such changes or conditions as the board*, or Secretary when applicable,* may deem appropriate.

(10)~~(9)~~ "Completeness" means that the application has addressed all applicable sections of the prescribed application format, and that those sections are sufficient in comprehensiveness of data or in quality of information provided to allow the department to determine whether the application provides the reviewing agencies adequate information to prepare the reports required by s. 403.507.

(11)~~(10)~~ "Corridor" means the proposed area within which an associated linear facility right-of-way is to be located. The width of the corridor proposed for certification as an associated facility, at the option of the applicant, may be the width of the right-of-way or a wider boundary, not to exceed a width of 1 mile. The area within the corridor in which a right-of-way may be located may be further restricted by a condition of certification. After all property interests required for the right-of-way have been acquired by the licensee, the boundaries of the area certified shall narrow to only that land within the boundaries of the right-of-way. *The corridors proper for certification shall be those addressed in the application, in amendments to the application filed under s. 403.5064, and in notices of acceptance of proposed alternate corridors filed by an applicant and the department pursuant to s. 403.5271 as incorporated by reference in s. 403.5064(1)(b) for which the required information for the preparation of agency supplemental reports was filed.*

(12)~~(11)~~ "Department" means the Department of Environmental Protection.

(13)~~(12)~~ "Designated administrative law judge" means the administrative law judge assigned by the Division of Administrative Hearings pursuant to chapter 120 to conduct the hearings required by this act.

(14)~~(13)~~ "Electrical power plant" means, for the purpose of certification, any steam or solar electrical generating facility using any process or fuel, including nuclear materials, except that this term does not include any steam or solar electrical generating facility of less than 75 megawatts in capacity unless the applicant for such a facility elects to apply for certification under this act. This term *also* includes *the site, all* associated facilities *that will* ~~to~~ be owned by the applicant *that* ~~which~~ are physically connected to the ~~electrical power plant~~ site*; all associated facilities that* ~~or which~~ are *indirectly* ~~directly~~ connected to the ~~electrical power plant~~ site by other proposed associated facilities *that will* ~~to~~ be owned by the applicant;~~,~~ and associated transmission lines *that will* ~~to~~ be owned by the applicant *that* ~~which~~ connect the electrical *generating facility* ~~power plant~~ to an existing transmission network or rights-of-way *to* ~~of~~ which the applicant intends to connect. At the applicant's option, this term may include any offsite associated facilities *that* ~~which~~ will not be owned by the applicant; offsite associated facilities *that* ~~which~~ are owned by the applicant but which are not directly connected to the ~~electrical power plant~~ site; any proposed terminal or intermediate substations or substation expansions connected to the associated transmission line; or new transmission lines, upgrades, or improvements of an existing transmission line on any portion of the applicant's electrical transmission system necessary to support the generation injected into the system from the proposed electrical *generating facility* ~~power plant~~.

(15)~~(14)~~ "Electric utility" means cities and towns, counties, public utility districts, regulated electric companies, electric cooperatives, and joint operating agencies, or combinations thereof, engaged in, or authorized to engage in, the business of generating, transmitting, or distributing electric energy.

(16)~~(15)~~ "Federally delegated or approved permit program" means any environmental regulatory program approved by an agency of the Federal Government so as to authorize the department to administer and issue licenses pursuant to federal law, including, but not limited to, new source review permits, operation permits for major sources of air pollution, and prevention of significant deterioration permits under the Clean Air Act (42 U.S.C. ss. 7401 et seq.), permits under ss. 402 and 404 of the Clean Water Act (33 U.S.C. ss. 1251 et seq.), and permits under the Resource Conservation and Recovery Act (42 U.S.C. ss. 6901 et seq.).

(17)~~(16)~~ "License" means a franchise, permit, certification, registration, charter, comprehensive plan amendment, development order or permit as defined in chapters 163 and 380, or similar form of authorization required by law, including permits issued under federally delegated or approved permit programs, but it does not include a license required primarily for revenue purposes when issuance of the license is merely a ministerial act.

(18)~~(17)~~ "Licensee" means an applicant that has obtained a certification order for the subject project.

(19)~~(18)~~ "Local government" means a municipality or county in the jurisdiction of which the electrical power plant is proposed to be located.

(20)~~(19)~~ "Modification" means any change in the certification order after issuance, including a change in the conditions of certification.

(21)~~(20)~~ "Nonprocedural requirements of agencies" means any agency's regulatory requirements established by statute, rule, ordinance, zoning ordinance, land development code, or comprehensive plan, excluding any provisions prescribing forms, fees, procedures, or time limits for the review or processing of information submitted to demonstrate compliance with such regulatory requirements.

(22)~~(21)~~ "Notice of intent" means that notice which is filed with the department on behalf of an applicant prior to submission of an application pursuant to this act and which notifies the department of an intent to file an application.

(23)~~(22)~~ "Person" means an individual, partnership, joint venture, private or public corporation, association, firm, public service company, political subdivision, municipal corporation, government agency, public utility district, or any other entity, public or private, however organized.

(24)~~(23)~~ "Preliminary statement of issues" means a listing and explanation of those issues within the agency's jurisdiction which are of major concern to the agency in relation to the proposed electrical power plant.

(25)~~(24)~~ "Public Service Commission" or "commission" means the agency created pursuant to chapter 350.

(26)~~(25)~~ "Regional planning council" means a regional planning council as defined in s. 186.503(4) in the jurisdiction of which the electrical power plant is proposed to be located.

(27)~~(26)~~ "Right-of-way" means land necessary for the construction and maintenance of a connected associated linear facility, such as a railroad line, pipeline, or transmission line as owned by or proposed to be certified by the applicant. The typical width of the right-of-way shall be identified in the application. The right-of-way shall be located within the certified corridor and shall be identified by the applicant subsequent to certification in documents filed with the department prior to construction.

(28)~~(27)~~ "Site" means any proposed location *within which will be located* ~~wherein~~ an electrical power *plant's generating facility and on-site support facilities* ~~plant~~, or an ~~electrical power plant~~ alteration or addition *of electrical generating facilities and on-site on-location support facilities* resulting in an increase in generating capacity, ~~will be located,~~ including offshore sites within state jurisdiction.

(29)~~(28)~~ "State comprehensive plan" means that plan set forth in chapter 187.

(30)~~(29)~~ "Ultimate site capacity" means the maximum *gross* generating capacity for a site as certified by the board*, or Secretary when applicable, unless otherwise specified as nte generating capacity*.

(31)~~(30)~~ "Water management district" means a water management district, created pursuant to chapter 373, in the jurisdiction of which the electrical power plant is proposed to be located.

Section 54. Section 403.504, Florida Statutes, is amended to read:

403.504 Department of Environmental Protection; powers and duties enumerated.—The department shall have the following powers and duties in relation to this act:

(1) To adopt rules pursuant to ss. 120.536(1) and 120.54 to implement the provisions of this act, including rules setting forth environmental precautions to be followed in relation to the location, construction, and operation of electrical power plants.

(2) To prescribe the form and content of the public notices and the notice of intent and the form, content, and necessary supporting documentation and studies to be prepared by the applicant for electrical power plant ~~site~~ certification applications.

(3) To receive applications for electrical power plant site certifications and to determine the completeness and sufficiency thereof.

(4) To make, or contract for, studies of electrical power plant ~~site~~ certification applications.

(5) To administer the processing of applications for electric power plant ~~site~~ certifications and to ensure that the applications are processed as expeditiously as possible.

(6) To require such fees as allowed by this act.

(7) To conduct studies and prepare a project analysis under s. 403.507.

(8) To prescribe the means for monitoring the effects arising from the construction and operation of electrical power plants to assure continued compliance with terms of the certification.

(9) To determine whether an alternate corridor proposed for consideration under s. 403.5064(4) is acceptable.

(10)~~(9)~~ To issue final orders after receipt of the administrative law judge's order relinquishing jurisdiction pursuant to s. 403.508(6).

(11)~~(10)~~ To act as clerk for the siting board.

(12)~~(11)~~ To administer and manage the terms and conditions of the certification order and supporting documents and records for the life of the *electrical power plant* ~~facility~~.

(13)~~(12)~~ To issue emergency orders on behalf of the board for facilities licensed under this act.

Section 55. Subsection (1) of section 403.506, Florida Statutes, is amended and subsection (3) is added to read:

403.506 Applicability, thresholds, and certification.—

(1) The provisions of this act shall apply to any electrical power plant as defined herein, except that the provisions of this act shall not apply to any electrical power plant ~~or steam generating plant~~ of less than 75 megawatts in *gross* capacity *including its* ~~or to any~~ *associated facilities* ~~substation to be constructed as part of an associated transmission line~~ unless the applicant has elected to apply for certification of such *electrical power* plant ~~or substation~~ under this act. The provisions of this act shall not apply to ~~any unit~~ capacity *expansions* ~~expansion~~ of *75* ~~35~~ megawatts or less*, in the aggregate,* of an existing exothermic reaction cogeneration *electrical generating facility* ~~unit~~ that was exempt from this act when it was originally built; however, this exemption shall not apply if the unit uses oil or natural gas for purposes other than unit startup. No construction of any new electrical power plant or expansion in steam generating capacity as measured by an increase in the maximum electrical generator rating of any existing electrical power plant may be undertaken after October 1, 1973, without first obtaining certification in the manner as herein provided, except that this act shall not apply to any such electrical power plant which is presently operating or under construction or which has, upon the effective date of chapter 73-33, Laws of Florida, applied for a permit or certification under requirements in force prior to the effective date of such act.

(3) An electric utility may obtain separate licenses, permits, and approvals for the construction of facilities necessary to construct an electrical power plant without first obtaining certification under this act if the utility intends to locate, license, and construct a proposed or expanded electrical power plant that uses nuclear materials as fuel. Such facilities may include, but are not limited to, access and onsite roads, rail lines, electrical transmission facilities to support construction, and facilities necessary for waterborne delivery of construction materials and project components. This exemption applies to such facilities regardless of whether the facilities are used for operation of the power plant. The applicant shall file with the department a statement that declares that the construction of such facilities is necessary for the timely construction of the proposed electrical power plant and identifies those facilities that the applicant intends to seek licenses for and construct prior to or separate from certification of the project. The facilities may be located within or off of the site for the proposed electrical power plant. The filing of an application under this act does not affect other applications for separate licenses which are pending at the time of filing the application. Furthermore, the filing of an application does not prevent an electric utility from seeking separate licenses for facilities that are necessary to construct the electrical power plant. Licenses, permits, or approvals issued by any state, regional, or local agency for such facilities shall be incorporated by the department into a final certification upon completion of construction. Any facilities necessary for construction of the electrical power plant shall become part of the certified electrical power plant upon completion of the electrical power plant's construction. The exemption in this subsection does not require or authorize agency rulemaking, and any action taken under this subsection is not subject to chapter 120. This subsection shall be given retroactive effect and applies to applications filed after May 1, 2008.

Section 56. Subsections (1) and(4) of section 403.5064, Florida Statutes, are amended to read:

403.5064 Application; schedules.—

(1) The formal date of filing of a certification application and commencement of the certification review process shall be when the applicant submits:

(a) Copies of the certification application in a quantity and format as prescribed by rule to the department and other agencies identified in s. 403.507(2)(a).

(b) A statement affirming that the applicant is opting to allow consideration of alternate corridors for an associated transmission line corridors. If alternate corridors are allowed, at the applicant's option, the portion of the application addressing associated transmission line corridors shall be processed pursuant to the schedule set forth in ss. 403.521-43.526, 403.527(4), and 403.5271, including the opportunity for the filing of alternate corridors, provided, however, if such alternate corridors are filed, the certification hearing shall not be rescheduled as allowed by ss. 403.527(1)(b)1. and 2.

(c)~~(b)~~ The application fee specified under s. 403.518 to the department.

(4) Within 7 days after the filing of an application, the department shall prepare a proposed schedule of dates for determination of completeness, submission of statements of issues, submittal of final reports, and other significant dates to be followed during the certification process, including dates for filing notices of appearance to be a party pursuant to s. 403.508(3). *If the application includes one or more associated transmission line corridors, at the request of the applicant filed concurrently with the application, the department shall incorporate the application processing schedule of the Florida electric Transmission Line Siting Act, ss. 403.521-403.526, 403.527(4), and 403.5271 for the associated transmission line corridors, including the opportunity for the filing and review of alternate corridors, if a party proposes alternate transmission line corridor routes for consideration no later than 165 days prior to the scheduled certification hearing. Notwithstanding an applicant's option for the transmission line corridor portion of its application to be processed under the proposed schedule, only one certification hearing will be held for the entire power plant in accordance with s. 403.508(2). The proposed* ~~This~~ schedule shall be timely provided by the department to the applicant, the administrative law judge, all agencies identified pursuant to subsection (2), and all parties. Within 7 days after the filing of the proposed schedule, the administrative law judge shall issue an order establishing a schedule for the matters addressed in the department's proposed schedule and other appropriate matters, if any.

Section 57. Subsection (1) of section 403.5065, Florida Statutes, is amended to read:

403.5065 Appointment of administrative law judge; powers and duties.—

(1) Within 7 days after receipt of an application, the department shall request the Division of Administrative Hearings to designate an administrative law judge to conduct the hearings required by this act. The division director shall designate an administrative law judge within 7 days after receipt of the request from the department. In designating an administrative law judge for this purpose, the division director shall, whenever practicable, assign an administrative law judge who has had prior experience or training in electrical power plant ~~site~~ certification proceedings. Upon being advised that an administrative law judge has been appointed, the department shall immediately file a copy of the application and all supporting documents with the designated administrative law judge, who shall docket the application.

Section 58. Subsection (3) of section 403.50663, Florida Statutes, is amended to read:

403.50663 Informational public meetings.—

(3) A local government or regional planning council that intends to conduct an informational public meeting must provide notice of the meeting to all parties not less than *15* ~~5~~ days prior to the meeting *and to the general public, in accordance with the provisions of s. 403.5115(5). The expense for such notice is eligible for reimbursement under the provisions of s. 403.518(2)(c)1.*

Section 59. Section 403.50665, Florida Statutes, is amended to read:

403.50665 Land use consistency.—

(1) The applicant shall include in the application a statement on the consistency of the site *and* ~~or~~ any ~~directly~~ associated facilities *that constitute "development," as defined in s. 380.04,* with existing land use plans and zoning ordinances that were in effect on the date the application was filed and a full description of such consistency. *This information shall include an identification of those associated facilities that the applicant believes are exempt from the requirements of land use plans and zoning ordinances under the provisions of the Local Government Comprehensive Planning and Land Development Regulation Act provisions of Chapter 163 and s. 380.04(3).*

(2)*(a)* Within 45 days after the filing of the application, each local government shall file a determination with the department, the applicant, the administrative law judge, and all parties on the consistency of the site*, and* ~~or~~ any ~~directly~~ associated facilities *that are not exempt from the requirements of land use plans and zoning ordinances under the provisions of chapter 163 and s. 380.04(3),* with existing land use plans and zoning ordinances that were in effect on the date the application was filed, based on the information provided in the application. *However, this requirement does not apply to any new electrical generation unit proposed to be constructed and operated:*

1. On the site of a previously certified electrical power plant; or

2. On the site of a power plant that was not previously certified that will be wholly contained within the boundaries of the existing site.

(b) The local government may issue its determination up to *55* ~~35~~ days later if the *application has been determined incomplete based in whole or part upon a* local government *request for* ~~has requested~~ additional information on land use and zoning consistency as part of the local government's statement on completeness of the application submitted pursuant to s. 403.5066(1)(a). *Incompleteness of information necessary for a local government to evaluate an application may be claimed by the local government as cause for a statement of inconsistency with existing land use plans and zoning ordinances.*

(c) Notice of the consistency determination shall be published in accordance with the requirements of s. 403.5115.

(3)*(a)* If the local government issues a determination that the proposed *site and any non-exempt associated facilities are* ~~electrical power plant~~ is not consistent or in compliance with local land use plans and zoning ordinances, the applicant may apply to the local government for the necessary local approval to address the inconsistencies *identified* in the local government's determination.

(b) If the applicant makes such an application to the local government, the time schedules under this act shall be tolled until the local government issues its revised determination on land use and zoning or the applicant otherwise withdraws its application to the local government.

(c) If the applicant applies to the local government for necessary local land use or zoning approval, the local government *shall commence a proceeding to consider the application for land use or zoning approval within 45 days of receipt of the complete request, and* shall issue a revised determination within 30 days following the conclusion of that local proceeding.~~, and~~ The time schedules and notice requirements under this act shall apply to such revised determination.

(4) If any substantially affected person wishes to dispute the local government's determination, he or she shall file a petition with the *designated administrative law judge* ~~department~~ within 21 days after the publication of notice of the local government's determination. If a hearing is requested, the provisions of s. 403.508(1) shall apply.

(5) The dates in this section may be altered upon agreement between the applicant, the local government, and the department pursuant to s. 403.5095.

(6) If it is determined by the local government that the proposed site or *non-exempt* ~~directly~~ associated facility does conform with existing land use plans and zoning ordinances in effect as of the date of the application and no petition has been filed, the responsible zoning or planning authority shall not thereafter change such land use plans or zoning ordinances so as to foreclose construction and operation of the

proposed site or ~~directly~~ associated facilities unless certification is subsequently denied or withdrawn.

(7) The issue of land use and zoning consistency for any proposed alternate intermediate electrical substation which is proposed as part of an alternate electrical transmission line corridor which is accepted by the applicant and the department under s. 403.5271(1)(b) shall be addressed in the supplementary report prepared by the local government on the proposed alternate corridor and shall be considered as an issue at any final certification hearing. If such a proposed intermediate electrical substation is determined to not be consistent with local land use plans and zoning ordinances, then that alternate electrical substation shall not be certified.

Section 60. Paragraph (a) of subsection (2) of section 403.507, Florida Statutes, is amended to read:

403.507 Preliminary statements of issues, reports, project analyses, and studies.—

(2)(a) *The* ~~No later than 100 days after the certification application has been determined complete, the~~ following agencies shall prepare reports as provided below and shall submit them to the department and the applicant *no later than 100 days after the certification application has been determined complete, unless a final order denying the Determination of Need has been issued under the provisions of s. 403.519*:

1. The Department of Community Affairs shall prepare a report containing recommendations which address the impact upon the public of the proposed electrical power plant, based on the degree to which the electrical power plant is consistent with the applicable portions of the state comprehensive plan, emergency management, and other such matters within its jurisdiction. The Department of Community Affairs may also comment on the consistency of the proposed electrical power plant with applicable strategic regional policy plans or local comprehensive plans and land development regulations.

2. The water management district shall prepare a report as to matters within its jurisdiction, including but not limited to, the impact of the proposed electrical power plant on water resources, regional water supply planning, and district-owned lands and works.

3. Each local government in whose jurisdiction the proposed electrical power plant is to be located shall prepare a report as to the consistency of the proposed electrical power plant with all applicable local ordinances, regulations, standards, or criteria that apply to the proposed electrical power plant, including any applicable local environmental regulations adopted pursuant to s. 403.182 or by other means.

4. The Fish and Wildlife Conservation Commission shall prepare a report as to matters within its jurisdiction.

5. Each regional planning council shall prepare a report containing recommendations that address the impact upon the public of the proposed electrical power plant, based on the degree to which the electrical power plant is consistent with the applicable provisions of the strategic regional policy plan adopted pursuant to chapter 186 and other matters within its jurisdiction.

6. The Department of Transportation shall address the impact of the proposed electrical power plant on matters within its jurisdiction.

(b) Any other agency, if requested by the department, shall also perform studies or prepare reports as to matters within that agency's jurisdiction which may potentially be affected by the proposed electrical power plant.

Section 61. Subsection (1) of section 403.508, Florida Statutes, is amended to read:

403.508 Land use and certification hearings, parties, participants.—

(1)(a) *Within 5 days after the filing of* ~~If~~ a petition for a hearing on land use ~~has been filed~~ pursuant to s. 403.50665, the designated administrative law judge shall *schedule* ~~conduct~~ a land use hearing *to be conducted* in the county of the proposed site*,* or ~~directly~~ associated facility *that is not exempt from the requirements of land use plans and zoning ordinaces under the provisions of chapter 163 and s. 380.043(3)*, as applicable, as expeditiously as possible, but not later than 30 days after the *designated administrative law judge's* ~~department's~~ receipt of the petition. The place of such hearing shall be as close as possible to the proposed site or ~~directly~~ associated facility. If a petition is filed, the hearing shall be held regardless of the status of the completeness of the application. ~~However, incompleteness of information necessary for a local government to evaluate an application may be claimed by the local government as cause for a statement of inconsistency with existing land use plans and zoning ordinances under s. 403.50665.~~

(b) Notice of the land use hearing shall be published in accordance with the requirements of s. 403.5115.

(c) The sole issue for determination at the land use hearing shall be whether or not the proposed site *or non-exempt associated facility* is consistent and in compliance with existing land use plans and zoning ordinances. If the administrative law judge concludes that the proposed site *or non-exempt associated facility* is not consistent or in compliance with existing land use plans and zoning ordinances, the administrative law judge shall receive at the hearing evidence on, and address in the recommended order any changes to or approvals or variances under, the applicable land use plans or zoning ordinances which will render the proposed site *or non-exempt associate facility* consistent and in compliance with the local land use plans and zoning ordinances.

(d) The designated administrative law judge's recommended order shall be issued within 30 days after completion of the hearing and shall be reviewed by the board within 60 days after receipt of the recommended order by the board.

(e) If it is determined by the board that the proposed site *or non-exempt associate facility* does conform with existing land use plans and zoning ordinances in effect as of the date of the application, or as otherwise provided by this act, the responsible zoning or planning authority shall not thereafter change such land use plans or zoning ordinances so as to foreclose construction and operation of the proposed electrical power plant on the proposed site or ~~directly~~ associated facilities unless certification is subsequently denied or withdrawn.

(f) If it is determined by the board that the proposed site *or non-exempt associated facility* does not conform with existing land use plans and zoning ordinances, the board may, if it determines after notice and hearing and upon consideration of the recommended order on land use and zoning issues that it is in the public interest to authorize the use of the land ~~as a site~~ for *a site or associated facility* ~~an electrical power plant~~, authorize a variance or other necessary approval to the adopted land use plan and zoning ordinances required to render the proposed site *or associated facility* consistent with local land use plans and zoning ordinances. The board's action shall not be controlled by any other procedural requirements of law. In the event a variance or other approval is denied by the board, it shall be the responsibility of the applicant to make the necessary application for any approvals determined by the board as required to make the proposed site *or associated facility* consistent and in compliance with local land use plans and zoning ordinances. No further action may be taken on the complete application until the proposed site *or associated facility* conforms to the adopted land use plan or zoning ordinances or the board grants relief as provided under this act.

(2)(a) A certification hearing shall be held by the designated administrative law judge no later than 265 days after the application is filed with the department. The certification hearing shall be held at a location in proximity to the proposed site. ~~At the conclusion of the certification hearing, the designated administrative law judge shall, after consideration of all evidence of record, submit to the board a recommended order no later than 45 days after the filing of the hearing transcript.~~

(b) Notice of the certification hearing and notice of the deadline for filing of notice of intent to be a party shall be made in accordance with the requirements of s. 403.5115.

Section 62. Subsections(3),(4), and (5) of section 403.509, Florida Statutes, are amended and a new subsection (4) is added to read:

403.509 Final disposition of application.—

(3) In determining whether an application should be approved in whole, approved with modifications or conditions, or denied, the board, or secretary when applicable, shall consider whether, and the extent to which, the location*, construction and operation* of the electrical power

plant ~~and directly associated facilities and their construction and operation~~ will:

(a) Provide reasonable assurance that operational safeguards are technically sufficient for the public welfare and protection.

(b) Comply with applicable nonprocedural requirements of agencies.

(c) Be consistent with applicable local government comprehensive plans and land development regulations.

(d) Meet the electrical energy needs of the state in an orderly*, reliable,* and timely fashion.

(e) Effect a reasonable balance between the need for the facility as established pursuant to s. 403.519 and the impacts upon air and water quality, fish and wildlife, water resources, and other natural resources of the state resulting from the construction and operation of the facility.

(f) Minimize, through the use of reasonable and available methods, the adverse effects on human health, the environment, and the ecology of the land and its wildlife and the ecology of state waters and their aquatic life.

(g) Serve and protect the broad interests of the public.

(4)(a) Any transmission line corridor certified by the board, or secretary if applicable, shall meet the criteria of this section. When more than one transmission line corridor is proper for certification under s. 403.503(11) and meets the criteria of this section, the board, or secretary if applicable, shall certify the transmission line corridor that has the least adverse impact regarding the criteria in subsection (3), including costs.

(b) If the board, or secretary if applicable, finds that an alternate corridor rejected pursuant to s. 403.5271 as incorporated by reference in s. 403.5064(1)(b) meets the criteria of subsection (3) and has the least adverse impact regarding the criteria in subsection (3), the board, or secretary if applicable, shall deny certification or shall allow the applicant to submit an amended application to include the corridor.

(c) If the board, or secretary if applicable, finds that two or more of the corridors that comply with subsection (3) have the least adverse impacts regarding the criteria in subsection (3), including costs, and that the corridors are substantially equal in adverse impacts regarding the criteria in subsection (3), including costs, the board, or secretary if applicable, shall certify the corridor preferred by the applicant if the corridor is one proper for certification under s. 403.503(11).

(5)~~(4)~~ The department's action on a federally required new source review or prevention of significant deterioration permit shall differ from the actions taken by the siting board regarding the certification if the federally approved state implementation plan requires such a different action to be taken by the department. Nothing in this part shall be construed to displace the department's authority as the final permitting entity under the federally approved permit program. Nothing in this part shall be construed to authorize the issuance of a new source review or prevention of significant deterioration permit which does not conform to the requirements of the federally approved state implementation plan.

(6)~~(5)~~ *For certifications issued by the board* in regard to the properties and works of any agency which is a party to the certification hearing, the board shall have the authority to decide issues relating to the use, the connection thereto, or the crossing thereof, for the electrical power plant ~~and directly associated facilities~~ and to direct any such agency to execute, within 30 days after the entry of certification, the necessary license or easement for such use, connection, or crossing, subject only to the conditions set forth in such certification. *For certifications issued by the department in regard to the properties and works of any agency which is a party to the proceeding, any stipulation filed pursuant to s. 403.508(6)(a) must include a stipulation regarding any issues relating to the use, the connection thereto, or the crossing thereof, for the electrical power plant. Any agency stipulating to the use, connection to, or crossing of its property must agree to execute, within 30 days after the entry of certification, the necessary license or easement for such use, connection, or crossing, subject only to the conditions set forth in such certification.*

Section 63. Subsections (1), and (6) of section 403.511, Florida Statutes, are amended to read:

403.511 Effect of certification.—

(1) Subject to the conditions set forth therein, any certification shall constitute the sole license of the state and any agency as to the approval of the *location of the* site *and any associated facility* and the construction and operation of the proposed electrical power plant, except for the issuance of department licenses required under any federally delegated or approved permit program and except as otherwise provided in subsection (4).

(6) No term or condition of *an electrical power plant* ~~a site~~ certification shall be interpreted to supersede or control the provisions of a final operation permit for a major source of air pollution issued by the department pursuant to s. 403.0872 to a facility certified under this part.

Section 64. Subsection (1) of section 403.5112, Florida Statutes, is amended to read:

403.5112 Filing of notice of certified corridor route.—

(1) Within 60 days after certification of *an* ~~a directly~~ associated linear facility pursuant to this act, the applicant shall file, in accordance with s. 28.222, with the department and the clerk of the circuit court for each county through which the corridor will pass, a notice of the certified route.

Section 65. Section 403.5113, Florida Statutes, is amended to read:

403.5113 Postcertification amendments *and review*.—

(1) *POSTCERTIFICATION AMENDMENTS.*—

(a) If, subsequent to certification by the board, a licensee proposes any material change to the application and revisions or amendments thereto, as certified, the licensee shall submit a written request for amendment and a description of the proposed change to the application to the department. Within 30 days after the receipt of the request for the amendment, the department shall determine whether the proposed change to the application requires a modification of the conditions of certification.

(b)~~(2)~~ If the department concludes that the change would not require a modification of the conditions of certification, the department shall provide written notification of the approval of the proposed amendment to the licensee, all agencies, and all other parties.

(c)~~(3)~~ If the department concludes that the change would require a modification of the conditions of certification, the department shall provide written notification to the licensee that the proposed change to the application requires a request for modification pursuant to s. 403.516.

(2)~~(4)~~ *POSTCERTIFICATION REVIEW.*—Postcertification submittals filed by the licensee with one or more agencies are for the purpose of monitoring for compliance with the issued certification and must be reviewed by the agencies on an expedited and priority basis because each facility certified under this act is a critical infrastructure facility. In no event shall a postcertification review be completed in more than 90 days after complete information is submitted to the reviewing agencies.

Section 66. Section 403.5115, Florida Statutes, is amended to read:

403.5115 Public notice.—

(1) The following notices are to be published by the applicant:

(a) Notice of the filing of a notice of intent under s. 403.5063, which shall be published within 21 days after the filing of the notice. The notice shall be published as specified by subsection (2), except that the newspaper notice shall be one-fourth page in size in a standard size newspaper or one-half page in size in a tabloid size newspaper.

(b) Notice of filing of the application, which shall include a description of the proceedings required by this act, within 21 days after the date of the application filing. Such notice shall give notice of the provisions of s. 403.511(1) and (2).

(c) *If applicable,* notice of the land use determination made pursuant to s. 403.50665*(2)*~~(1)~~ within 21 days after the *deadline for the filing of the* determination ~~is filed~~.

(d) *If applicable,* notice of the land use hearing, which shall be published as specified in subsection (2), no later than 15 days before the hearing.

(e) Notice of the certification hearing and notice of the deadline for filing notice of intent to be a party, which shall be published as specified in subsection (2), at least 65 days before the date set for the certification hearing. *If one or more alternate corridors have been accepted for consideration, the notice of the certification hearing shall include a map of all corridors proposed for certification.*

(f) Notice of revised deadline for filing alternate corridors, if the certification hearing is rescheduled to adate other than as published in the notice of filing of the application. This notice shall be published at least 185 days before the rescheduled certification hearing and as specified in paragraph (2) except no map is required and the size of the notice shall be no less than six square inches.

(g)~~(f)~~ Notice of the cancellation of the certification hearing, if applicable, no later than 3 days before the date of the originally scheduled certification hearing. *The newspaper notice shall be one-forth page in size in a standard size newspaper or one-half page in size in a tabloid size newspaper.*

(h)~~(g)~~ Notice of modification when required by the department, based on whether the requested modification of certification will significantly increase impacts to the environment or the public. Such notice shall be published as specified under subsection (2):

1. Within 21 days after receipt of a request for modification. The newspaper notice shall be of a size as directed by the department commensurate with the scope of the modification.

2. If a hearing is to be conducted in response to the request for modification, then notice shall be published no later than 30 days before the hearing.

~~(h) Notice of a supplemental application, which shall be published as specified in paragraph (b) and subsection (2).~~

~~(i) Notice of existing site certification pursuant to s. 403.5175. Notices shall be published as specified in paragraph (b) and subsection (2).~~

(2) Notices provided by the applicant shall be published in newspapers of general circulation within the county or counties in which the proposed electrical power plant will be located. The newspaper notices, *unless otherwise specified,* shall be at least one-half page in size in a standard size newspaper or a full page in a tabloid size newspaper. These notices shall include a map generally depicting the project and all associated facilities corridors. A newspaper of general circulation shall be the newspaper which has the largest daily circulation in that county and has its principal office in that county. If the newspaper with the largest daily circulation has its principal office outside the county, the notices shall appear in both the newspaper having the largest circulation in that county and in a newspaper authorized to publish legal notices in that county.

(3) All notices published by the applicant shall be paid for by the applicant and shall be in addition to the application fee.

(4) The department shall arrange for publication of the following notices in the manner specified by chapter 120 and provide copies of those notices to any persons who have requested to be placed on the departmental mailing list for this purpose *for each case for which an application has been received by the department*:

(a) Notice of the filing of the notice of intent within 15 days after receipt of the notice.

(b) Notice of the filing of the application, no later than 21 days after the application filing.

(c) Notice of the land use determination made pursuant to s. 403.50665*(2)*~~(1)~~ within 21 days after the *deadline for the filing of the* determination ~~is filed~~.

(d) Notice of the land use hearing before the administrative law judge, if applicable, no later than 15 days before the hearing.

(e) Notice of the land use hearing before the board, if applicable.

(f) Notice of the certification hearing at least 45 days before the date set for the certification hearing.

(g) Notice of revised deadline for filing alternate corridors, if the certification hearing is rescheduled to a date other than as published in the notice of filing of the application. This notice shall be published at least 185 days before the rescheduled certification hearing.

(h)~~(g)~~ Notice of the cancellation of the certification hearing, if applicable, no later than 3 days prior to the date of the originally scheduled certification hearing.

(i)~~(h)~~ Notice of the hearing before the board, if applicable.

(j)~~(i)~~ Notice of stipulations, proposed agency action, or petitions for modification.

(5) A local government or regional planning council that proposes to conduct an informational public meeting pursuant to s. 403.50663 must publish notice of the meeting in a newspaper of general circulation within the county or counties in which the proposed electrical power plant will be located no later than 7 days prior to the meeting. A newspaper of general circulation shall be the newspaper which has the largest daily circulation in that county and has its principal office in that county. If the newspaper with the largest daily circulation has its principal office outside the county, the notices shall appear in both the newspaper having the largest circulation in that county and in a newspaper authorized to publish legal notices in that county.

(6)(a) A good faith effort shall be made by the applicant to provide direct written notice of the filing of an application for certification by U.S. mail or hand delivery no later than 45 days after filing of the application to all local landowners whose property, as noted in the most recent local government tax records, and residences, are located within the following distances of the proposed project:

1. Five miles of the proposed main site boundaries of the proposed electrical power plant.

2. One-quarter mile of the proposed boundaries of all linear associated facilities extending away from the main site boundary, such as any proposed electrical transmission line corridors as defined in s. 403.522(22).

(b) No later than 60 days from the filing of an application for certification, the applicant shall file a list with the department's Siting Coordination Office of landowners and residences that were notified.

(7)(a) A good faith effort shall be made by the proponent of an alternate corridor to provide direct written notice of the filing of an alternate corridor for certification by U.S. mail or hand delivery of the filing of no later than 30 days after filing of the alternate corridor to all local landowners whose property, as noted in the most recent local government tax records, and residences, are located within one-quarter mile of the proposed boundaries of the proposed alternate transmission line corridor that includes a transmission line as defined in s. 403.522(22).

(b) No later than 45 days from the filing of an alternate corridor for certification, the proponent of an alternate corridor shall file a list with the department's Siting Coordination Office of landowners and residences that were notified.

Section 67. Subsection (1) of section 403.516, Florida Statutes, is amended to read:

403.516 Modification of certification.—

(1) A certification may be modified after issuance in any one of the following ways:

(a) The board may delegate to the department the authority to modify specific conditions in the certification.

(b)1. The department may modify specific conditions of a ~~site~~ certification which are inconsistent with the terms of any federally delegated or approved permit for the certified electrical power plant.

2. Such modification may be made without further notice if the matter has been previously noticed under the requirements for any federally delegated or approved permit program.

(c) The licensee may file a petition for modification with the department, or the department may initiate the modification upon its own initiative.

1. A petition for modification must set forth:

a. The proposed modification.

b. The factual reasons asserted for the modification.

c. The anticipated environmental effects of the proposed modification.

2. The department may modify the terms and conditions of the certification if no party to the certification hearing objects in writing to such modification within 45 days after notice by mail to such party's last address of record, and if no other person whose substantial interests will be affected by the modification objects in writing within 30 days after issuance of public notice.

3. If objections are raised or the department denies the request, the applicant or department may file a request for a hearing on the modification with the department. Such request shall be handled pursuant to chapter 120.

4. Requests referred to the Division of Administrative Hearings shall be disposed of in the same manner as an application, but with time periods established by the administrative law judge commensurate with the significance of the modification requested.

(d) As required by s. 403.511(5).

Section 68. Subsection (1) of section 403.517, Florida Statutes, is amended to read:

403.517 Supplemental applications for sites certified for ultimate site capacity.—

(1)(a) Supplemental applications may be submitted for certification of the construction and operation of electrical power plants to be located at sites which have been previously certified for an ultimate site capacity pursuant to this act. Supplemental applications shall be limited to electrical power plants using the fuel type previously certified for that site. Such applications shall include all new ~~directly~~ associated facilities that support the construction and operation of the electrical power plant.

(b) The review shall use the same procedural steps and notices as for an initial application.

(c) The time limits for the processing of a complete supplemental application shall be designated by the department commensurate with the scope of the supplemental application, but shall not exceed any time limitation governing the review of initial applications for ~~site~~ certification pursuant to this act, it being the legislative intent to provide shorter time limitations for the processing of supplemental applications for electrical power plants to be constructed and operated at sites which have been previously certified for an ultimate site capacity.

(d) Any time limitation in this section or in rules adopted pursuant to this section may be altered pursuant to s. 403.5095.

Section 69. Subsection (1), subsection (2), and subsection (3) of section 403.5175, Florida Statutes, are amended to read:

403.5175 Existing electrical power plant site certification.—

(1) An electric utility that owns or operates an existing electrical power plant as defined in *s. 403.503(14)* ~~s. 403.503(13)~~ may apply for certification of an existing power plant and its site in order to obtain all agency licenses necessary to ensure compliance with federal or state environmental laws and regulation using the centrally coordinated, one-stop licensing process established by this part. An application for ~~site~~ certification under this section must be in the form prescribed by department rule. Applications must be reviewed and processed using the same procedural steps and notices as for an application for a new facility, except that a determination of need by the Public Service Commission is not required.

(2) An application for certification under this section must include:

(a) A description of the site and existing power plant installations*, and associated facilities*;

(b) A description of all proposed changes or alterations to the site *and* ~~or electrical power plant, including~~ all new associated facilities that are the subject of the application;

(c) A description of the environmental and other impacts caused by the existing utilization of the site and ~~directly~~ associated facilities, and the operation of the electrical power plant that is the subject of the application, and of the environmental and other benefits, if any, to be realized as a result of the proposed changes or alterations if certification is approved and such other information as is necessary for the reviewing agencies to evaluate the proposed changes and the expected impacts;

(d) The justification for the proposed changes or alterations;

(e) Copies of all existing permits, licenses, and compliance plans authorizing utilization of the site and directly associated facilities or operation of the electrical power plant that is the subject of the application.

(3) The land use and zoning determination requirements of s. 403.50665 do not apply to an application under this section if the applicant does not propose to expand the boundaries of the existing site *or to add additional offsite associated facilities that are not exempt from the provisions of s. 403.50665*. If the applicant proposes to expand the boundaries of the existing site *or to add additional offsite facilities that are not exempt from the provisions of s. 403.50665* to accommodate portions of the *electrical generating facility* ~~plant~~ or associated facilities, a land use and zoning determination shall be made as specified in s. 403.50665; provided, however, that the sole issue for determination is whether the proposed site expansion *or additional non-exempt associated facilities are* ~~is~~ consistent and in compliance with the existing land use plans and zoning ordinances.

Section 70. Section 403.518, Florida Statutes, is amended to read:

403.518 Fees; disposition.—The department shall charge the applicant the following fees, as appropriate, which, unless otherwise specified, shall be paid into the Florida Permit Fee Trust Fund:

(1) A fee for a notice of intent pursuant to s. 403.5063, in the amount of $2,500, to be submitted to the department at the time of filing of a notice of intent. The notice-of-intent fee shall be used and disbursed in the same manner as the application fee.

(2) An application fee, which shall not exceed $200,000. The fee shall be fixed by rule on a sliding scale related to the size, type, ultimate site capacity, or increase in electrical generating capacity proposed by the application.

(a) Sixty percent of the fee shall go to the department to cover any costs associated with coordinating the review and acting upon the application, to cover any field services associated with monitoring construction and operation of the facility, and to cover the costs of the public notices published by the department.

(b) The following percentages shall be transferred to the Operating Trust Fund of the Division of Administrative Hearings of the Department of Management Services:

1. Five percent to compensate expenses from the initial exercise of duties associated with the filing of an application.

2. An additional 5 percent if a land use hearing is held pursuant to s. 403.508.

3. An additional 10 percent if a certification hearing is held pursuant to s. 403.508.

(c)1. Upon written request with proper itemized accounting within 90 days after final agency action by the board*, Secretary when applicable,* or withdrawal of the application, the agencies that prepared reports pursuant to s. 403.507 or participated in a hearing pursuant to s.

403.508 may submit a written request to the department for reimbursement of expenses incurred during the certification proceedings. The request shall contain an accounting of expenses incurred which may include time spent reviewing the application, preparation of any studies required of the agencies by this act, agency travel and per diem to attend any hearing held pursuant to this act, and for any ~~agency or~~ local government's *or regional planning council's* provision of notice of public meetings ~~or hearings~~ required as a result of the application for certification. The department shall review the request and verify that the expenses are valid. Valid expenses shall be reimbursed; however, in the event the amount of funds available for reimbursement is insufficient to provide for full compensation to the agencies requesting reimbursement, reimbursement shall be on a prorated basis.

2. If the application review is held in abeyance for more than 1 year, the agencies may submit a request for reimbursement. *This time period shall be measured from the date the applicant has provided written notification to the department that it desires to have application review process placed on hold. The fee disbursement shall be processed in accordance with subparagraph 1.*

(d) If any sums are remaining, the department shall retain them for its use in the same manner as is otherwise authorized by this act; provided, however, that if the certification application is withdrawn, the remaining sums shall be refunded to the applicant within 90 days after *the submittal of the written notification of* withdrawal.

(3)(a) A certification modification fee, which shall not exceed $30,000. The department shall establish rules for determining such a fee based on the *number of agencies involved in the review,* equipment redesign, change in site size, type, increase in generating capacity proposed, or change in an associated ~~linear~~ facility location.

(b) The fee shall be submitted to the department with a petition for modification pursuant to s. 403.516. This fee shall be established, disbursed, and processed in the same manner as the application fee in subsection (2), except that the Division of Administrative Hearings shall not receive a portion of the fee unless the petition for certification modification is referred to the Division of Administrative Hearings for hearing. If the petition is so referred, only $10,000 of the fee shall be transferred to the Operating Trust Fund of the Division of Administrative Hearings of the Department of Management Services.

(4) A supplemental application fee, not to exceed $75,000, to cover all reasonable expenses and costs of the review, processing, and proceedings of a supplemental application. This fee shall be established, disbursed, and processed in the same manner as the certification application fee in subsection (2).

(5) An existing ~~site~~ certification application fee, not to exceed $200,000, to cover all reasonable costs and expenses of the review processing and proceedings for certification of an existing power plant site under s. 403.5175. This fee must be established, disbursed, and processed in the same manner as the certification application fee in subsection (2).

(6)(a) An application fee for an alternate corridor filed pursuant to s. 403.5064(4). The application fee shall be $750 per mile for each mile of the alternate corridor located within an existing electric transmission line right-of-way or within an existing right-of-way for a road, highway, railroad, or other aboveground linear facility, or $1,000 per mile for each mile of an electric transmission line corridor proposed to be located outside the existing right-of-way.

Section 71. Subsection (4) of section 403.519, Florida Statutes, is amended to read:

403.519 Exclusive forum for determination of need.—

(4) In making its determination on a proposed electrical power plant using nuclear materials or synthesis gas produced by integrated gasification combined cycle power plant as fuel, the commission shall hold a hearing within 90 days after the filing of the petition to determine need and shall issue an order granting or denying the petition within 135 days after the date of the filing of the petition. The commission shall be the sole forum for the determination of this matter and the issues addressed in the petition, which accordingly shall not be reviewed in any other forum, or in the review of proceedings in such other forum. In making its determination to either grant or deny the petition, the commission shall consider the need for electric system reliability and integrity, including fuel diversity, the need for base-load generating capacity, the need for adequate electricity at a reasonable cost, and whether renewable energy sources and technologies, as well as conservation measures, are utilized to the extent reasonably available.

(a) The applicant's petition shall include:

1. A description of the need for the generation capacity.

2. A description of how the proposed nuclear or integrated gasification combined cycle power plant will enhance the reliability of electric power production within the state by improving the balance of power plant fuel diversity and reducing Florida's dependence on fuel oil and natural gas.

3. A description of and a nonbinding estimate of the cost of the nuclear or integrated gasification combined cycle power plant*, including any costs associated with new, enlarged, or relocated electrical transmission lines or facilities of any size that are necessary to serve the nuclear power plant*.

4. The annualized base revenue requirement for the first 12 months of operation of the nuclear or integrated gasification combined cycle power plant.

5. Information on whether there were any discussions with any electric utilities regarding ownership of a portion of the nuclear or integrated gasification combined cycle power plant by such electric utilities.

(b) In making its determination, the commission shall take into account matters within its jurisdiction, which it deems relevant, including whether the nuclear or integrated gasification combined cycle power plant will:

1. Provide needed base-load capacity.

2. Enhance the reliability of electric power production within the state by improving the balance of power plant fuel diversity and reducing Florida's dependence on fuel oil and natural gas.

3. Provide the most cost-effective source of power, taking into account the need to improve the balance of fuel diversity, reduce Florida's dependence on fuel oil and natural gas, reduce air emission compliance costs, and contribute to the long-term stability and reliability of the electric grid.

(c) No provision of rule 25-22.082, Florida Administrative Code, shall be applicable to a nuclear or integrated gasification combined cycle power plant sited under this act, including provisions for cost recovery, and an applicant shall not otherwise be required to secure competitive proposals for power supply prior to making application under this act or receiving a determination of need from the commission.

(d) The commission's determination of need for a nuclear or integrated gasification combined cycle power plant shall create a presumption of public need and necessity and shall serve as the commission's report required by s. 403.507(4)(a). An order entered pursuant to this section constitutes final agency action. Any petition for reconsideration of a final order on a petition for need determination shall be filed within 5 days after the date of such order. The commission's final order, including any order on reconsideration, shall be reviewable on appeal in the Florida Supreme Court. Inasmuch as delay in the determination of need will delay siting of a nuclear or integrated gasification combined cycle power plant or diminish the opportunity for savings to customers under the federal Energy Policy Act of 2005, the Supreme Court shall proceed to hear and determine the action as expeditiously as practicable and give the action precedence over matters not accorded similar precedence by law.

(e) After a petition for determination of need for a nuclear or integrated gasification combined cycle power plant has been granted, the right of a utility to recover any costs incurred prior to commercial operation, including, but not limited to, costs associated with the siting, design, licensing, or construction of the plant *and new, expanded, or relocated electrical transmission lines or facilities of any size that are necessary to serve the nuclear power plant*, shall not be subject to challenge unless and only to the extent the commission finds, based on a preponderance of the evidence adduced at a hearing before the commission under s.

120.57, that certain costs were imprudently incurred. Proceeding with the construction of the nuclear or integrated gasification combined cycle power plant following an order by the commission approving the need for the nuclear or integrated gasification combined cycle power plant under this act shall not constitute or be evidence of imprudence. Imprudence shall not include any cost increases due to events beyond the utility's control. Further, a utility's right to recover costs associated with a nuclear or integrated gasification combined cycle power plant may not be raised in any other forum or in the review of proceedings in such other forum. Costs incurred prior to commercial operation shall be recovered pursuant to chapter 366.

Section 72. Subsection (1) of section 403.5252, Florida Statutes, is amended to read:

403.5252 Determination of completeness.—

(1)(a) Within 30 days after *the filing* ~~distribution~~ of an application, the affected agencies shall file a statement with the department containing the recommendations of each agency concerning the completeness of the application for certification.

(b) Within *37* ~~7~~ days after *the filing* ~~receipt~~ of the *application* ~~completeness statements of each agency~~, the department shall file a statement with the Division of Administrative Hearings, with the applicant, and with all parties declaring its position with regard to the completeness of the application. The statement of the department shall be based upon its consultation with the affected agencies.

Section 73. Subsection (1), subsection (2) of section 403.526, Florida Statutes, are amended to read:

403.526 Preliminary statements of issues, reports, and project analyses; studies.—

(1) Each affected agency that is required to file a report in accordance with this section shall submit a preliminary statement of issues to the department and all parties no later than *the submittal of each agency's recommendation that the application is complete* ~~50 days after the filing of the application. Such statements of issues shall be made available to each local government for use as information for public meetings held under s. 403.5272~~. The failure to raise an issue in this preliminary statement of issues does not preclude the issue from being raised in the agency's report.

(2)(a) The following agencies shall prepare reports as provided below and shall submit them to the department and the applicant no later than 90 days after the filing of the application*, unless a final order denying the Determination of Need has been issued under the provisions of s. 403.537*:

1. The department shall prepare a report as to the impact of each proposed transmission line or corridor as it relates to matters within its jurisdiction.

2. Each water management district in the jurisdiction of which a proposed transmission line or corridor is to be located shall prepare a report as to the impact on water resources and other matters within its jurisdiction.

3. The Department of Community Affairs shall prepare a report containing recommendations which address the impact upon the public of the proposed transmission line or corridor, based on the degree to which the proposed transmission line or corridor is consistent with the applicable portions of the state comprehensive plan, emergency management, and other matters within its jurisdiction. The Department of Community Affairs may also comment on the consistency of the proposed transmission line or corridor with applicable strategic regional policy plans or local comprehensive plans and land development regulations.

4. The Fish and Wildlife Conservation Commission shall prepare a report as to the impact of each proposed transmission line or corridor on fish and wildlife resources and other matters within its jurisdiction.

5. Each local government shall prepare a report as to the impact of each proposed transmission line or corridor on matters within its jurisdiction, including the consistency of the proposed transmission line or corridor with all applicable local ordinances, regulations, standards, or criteria that apply to the proposed transmission line or corridor, including local comprehensive plans, zoning regulations, land development regulations, and any applicable local environmental regulations adopted pursuant to s. 403.182 or by other means. A change by the responsible local government or local agency in local comprehensive plans, zoning ordinances, or other regulations made after the date required for the filing of the local government's report required by this section is not applicable to the certification of the proposed transmission line or corridor unless the certification is denied or the application is withdrawn.

6. Each regional planning council shall present a report containing recommendations that address the impact upon the public of the proposed transmission line or corridor based on the degree to which the transmission line or corridor is consistent with the applicable provisions of the strategic regional policy plan adopted under chapter 186 and other impacts of each proposed transmission line or corridor on matters within its jurisdiction.

7. The Department of Transportation shall prepare a report as to the impact of the proposed transmission line or corridor on state roads, railroads, airports, aeronautics, seaports, and other matters within its jurisdiction.

8. The commission shall prepare a report containing its determination under s. 403.537, and the report may include the comments from the commission with respect to any other subject within its jurisdiction.

9. Any other agency, if requested by the department, shall also perform studies or prepare reports as to subjects within the jurisdiction of the agency which may potentially be affected by the proposed transmission line.

(b) Each report must contain:

1. A notice of any nonprocedural requirements not specifically listed in the application from which a variance, exemption, exception, or other relief is necessary in order for the proposed corridor to be certified. Failure to include the notice shall be treated as a waiver from the nonprocedural requirements of that agency.

2. A recommendation for approval or denial of the application.

3. The proposed conditions of certification on matters within the jurisdiction of each agency. For each condition proposed by an agency, the agency shall list the specific statute, rule, or ordinance, as applicable, which authorizes the proposed condition.

(c) Each reviewing agency shall initiate the activities required by this section no later than 15 days after the application is filed. Each agency shall keep the applicant and the department informed as to the progress of its studies and any issues raised thereby.

(d) When an agency whose agency head is a collegial body, such as a commission, board, or council, is required to submit a report pursuant to this section and is required by its own internal procedures to have the report reviewed by its agency head prior to finalization, the agency may submit to the department a draft version of the report by the deadline indicated in paragraph (a), and shall submit a final version of the report after review by the agency head, no later than 15 days after the deadline indicated in paragraph (a).

(e) Receipt of an affirmative determination of need from the commission by the submittal deadline for agency reports under paragraph (a) is a condition precedent to further processing of the application.

Section 74. Subsections (4), and (6) of section 403.527, Florida Statutes, are amended to read:

403.527 Certification hearing, parties, participants.—

(4)*(a)* One public hearing where members of the public who are not parties to the certification hearing may testify shall be held *in conjunction with the certification hearing.*

(b) Upon the request of the local government, one public hearing where members of the public who are not parties to the certification hearing and who reside within the jurisdiction of the local government may testify shall be held within the boundaries of each county *in which a local government that made such a request is located*, ~~at the option of any local government~~.

(c)~~(a)~~ A local government shall notify the administrative law judge and all parties not later than *80 days prior to the certification hearing* ~~21 days after the application has been determined complete~~ as to whether the local government wishes to have a public hearing *within the boundaries of its county*. ~~If a filing for an alternate corridor is accepted for consideration under s. 403.5271(1) by the department and the applicant, any newly affected local government must notify the administrative law judge and all parties not later than 10 days after the data concerning the alternate corridor has been determined complete as to whether the local government wishes to have such a public hearing.~~ The local government is responsible for providing the location of the public hearing if held separately from the certification hearing.

(d)~~(b)~~ Within 5 days after notification, the administrative law judge shall determine the date of the public hearing, which shall be held before or during the certification hearing. If two or more local governments within one county request a public hearing, the hearing shall be consolidated so that only one public hearing is held in any county. The location of a consolidated hearing shall be determined by the administrative law judge.

(e)~~(c)~~ If a local government does not request a public hearing *by the deadline specified in subparagraph 1.* ~~within 21 days after the application has been determined complete~~, *then members of the public who are not parties to the certification hearing and who reside* ~~persons residing~~ within the jurisdiction of the local government may testify during *the* ~~that portion of the certification~~ hearing *held under the provisions of paragraph (4)(a)* ~~at which public testimony is heard~~.

(6)(a) No later than *29* ~~25~~ days before the certification hearing, the department or the applicant may request that the administrative law judge cancel the certification hearing and relinquish jurisdiction to the department if all parties to the proceeding stipulate that there are no disputed issues of material fact *or law* ~~to be raised at the certification hearing~~.

(b) The administrative law judge shall issue an order granting or denying the request within 5 days.

(c) If the administrative law judge grants the request, the department and the applicant shall publish notices of the cancellation of the certification hearing in accordance with s. 403.5363.

(d)1. If the administrative law judge grants the request, the department shall prepare and issue a final order in accordance with s. 403.529(1)(a).

2. Parties may submit proposed final orders to the department no later than 10 days after the administrative law judge issues an order relinquishing jurisdiction.

Section 75. Subsection (1) of section 403.5271, Florida Statutes, is amended to read:

403.5271 Alternate corridors.—

(1) No later than 45 days before the originally scheduled certification hearing, any party may propose alternate transmission line corridor routes for consideration under the provisions of this act.

(a) A notice of a proposed alternate corridor must be filed with the administrative law judge, all parties, and any local governments in whose jurisdiction the alternate corridor is proposed. The filing must include the most recent United States Geological Survey 1:24,000 quadrangle maps specifically delineating the corridor boundaries, a description of the proposed corridor, and a statement of the reasons the proposed alternate corridor should be certified.

(b)1. Within 7 days after receipt of the notice, the applicant and the department shall file with the administrative law judge and all parties a notice of acceptance or rejection of a proposed alternate corridor for consideration. If the alternate corridor is rejected by the applicant or the department, the certification hearing and the public hearings shall be held as scheduled. If both the applicant and the department accept a proposed alternate corridor for consideration, the certification hearing and the public hearings shall be rescheduled, if necessary. *If a filing for an alternate corridor is accepted for consideration by the department and the applicant, any newly affected local government must notify the administrative law judge and all parties not later than 65 days prior to the rescheduled certification hearing as to whether the local government wishes to have such a public hearing. The local government is responsible for providing the location of the public hearing if held separately from the certification hearing. The provisions of s. 403.527(4)(b) and (c) shall apply. Notice of the local hearings shall be published in accordance with s. 403.5363.*

2. If rescheduled, the certification hearing shall be held no more than 90 days after the previously scheduled certification hearing, unless the data submitted under paragraph (d) is determined to be incomplete, in which case the rescheduled certification hearing shall be held no more than 105 days after the previously scheduled certification hearing. If additional time is needed due to the alternate corridor crossing a local government jurisdiction that was not previously affected, the remainder of the schedule listed below shall be appropriately adjusted by the administrative law judge to allow that local government to prepare a report pursuant to s. 403.526(2)(a)5. *Notice that the certification hearing has been deferred due to the acceptance of the alternate corridor shall be published in accordance with s. 403.5363.*

(c) Notice of the filing of the alternate corridor~~, of the revised time schedules, of the deadline for newly affected persons and agencies to file notice of intent to become a party, of the rescheduled hearing date, and of the proceedings~~ shall be published *by the alternate proponent* in accordance with s. 403.5363*(2) and (6). If the notice is not timely published or does not meet the notice requirements, the alternate shall be deemed withdrawn.*

(d) Within 21 days after acceptance of an alternate corridor by the department and the applicant, the party proposing an alternate corridor shall have the burden of providing all data to the agencies listed in s. 403.526(2) and newly affected agencies necessary for the preparation of a supplementary report on the proposed alternate corridor.

(e)1. Reviewing agencies shall advise the department of any issues concerning completeness no later than 15 days after the submittal of the data required by paragraph (d). Within 22 days after receipt of the data, the department shall issue a determination of completeness.

2. If the department determines that the data required by paragraph (d) is not complete, the party proposing the alternate corridor must file such additional data to correct the incompleteness. This additional data must be submitted within 14 days after the determination by the department.

3. *Reviewing agencies may advise the department of any issues concerning completeness of the additional data within 10 days after the filing by the party proposing the alternate corridor.* If the department, within 14 days after receiving the additional data, determines that the data remains incomplete, the incompleteness of the data is deemed a withdrawal of the proposed alternate corridor. The department may make its determination based on recommendations made by other affected agencies.

(f) The agencies listed in s. 403.526(2) and any newly affected agencies shall file supplementary reports with the applicant and the department which address the proposed alternate corridors no later than 24 days after the data submitted pursuant to paragraph (d) or paragraph (e) is determined to be complete.

(g) The agency reports on alternate corridors must include all information required by s. 403.526(2).

(h) When an agency whose agency head is a collegial body, such as a commission, board, or council, is required to submit a report pursuant to this section and is required by its own internal procedures to have the report reviewed by its agency head prior to finalization, the agency may submit to the department a draft version of the report by the deadline indicated in paragraph (f), and shall submit a final version of the report after review by the agency head no later than 7 days after the deadline indicated in paragraph (f).

(i) The department shall file with the administrative law judge, the applicant, and all parties a project analysis consistent with s. 403.526(3) no more than 16 days after submittal of agency reports on the proposed alternate corridor.

Section 76. Subsection (3) of section 403.5272, Florida Statutes, is amended to read:

403.5272 Informational public meetings.—

(3) A local government or regional planning council that intends to conduct an informational public meeting must provide notice of the meeting, with notice sent to all parties listed in s. 403.527(2)(a), not less than *15* ~~5~~ days before the meeting *and to the general public, in accordance with the provisions of s. 403.5363(4).*

Section 77. Subsection (1) of section 403.5312, Florida Statutes, is amended to read:

403.5312 Filing of notice of certified corridor route.—

(1) Within 60 days after certification of a ~~directly associated transmission line under ss. 403.501-403.518 or a~~ transmission line corridor under ss. 403.52-403.5365, the applicant shall file with the department and, in accordance with s. 28.222, with the clerk of the circuit court for each county through which the corridor will pass, a notice of the certified route.

Section 78. Section 403.5363, Florida Statutes, is amended to read:

403.5363 Public notices; requirements.—

(1)(a) The applicant shall arrange for the publication of the notices specified in paragraph (b).

1. The notices shall be published in newspapers of general circulation within counties crossed by the transmission line corridors proper for certification. The required newspaper notices ~~for filing of an application and for the certification hearing~~ shall be ~~one-half page in size in a standard-size newspaper or a full page in a tabloid-size newspaper and~~ published in a section of the newspaper other than the section for legal notices. ~~These two notices must include a map generally depicting all transmission corridors proper for certification.~~ A newspaper of general circulation shall be the newspaper within a county crossed by a transmission line corridor proper for certification which newspaper has the largest daily circulation in that county and has its principal office in that county. If the newspaper having the largest daily circulation has its principal office outside the county, the notices must appear in both the newspaper having the largest circulation in that county and in a newspaper authorized to publish legal notices in that county.

2. The department shall adopt rules specifying the content of the newspaper notices.

3. All notices published by the applicant shall be paid for by the applicant and shall be in addition to the application fee.

(b) Public notices that must be published under this section include:

1. The notice of the filing of an application, which must include a description of the proceedings required by this act. The notice must describe the provisions of s. 403.531(1) and (2) and give the date by which notice of intent to be a party or a petition to intervene in accordance with s. 403.527(2) must be filed. This notice must be published no more than 21 days after the application is filed. *The notice shall, at a minimum, be one-half page in size in a standard-size newspaper or a full page in a tabloid-size newspaper. The notice must include a map generally depicting all transmission corridors proper for certification.*

2. The notice of the certification hearing and any ~~other~~ public hearing *held* ~~permitted~~ under s. 403.527*(4)*. The notice must include the date by which a person wishing to appear as a party must file the notice to do so. The notice of the *originally scheduled* certification hearing must be published at least 65 days before the date set for the certification hearing. *The notice shall meet the same size and map requirements required in subparagraph 1.*

3. The notice of the cancellation of the certification hearing *under s. 403.527(6)*, if applicable. The notice must be published at least 3 days before the date of the originally scheduled certification hearing. *The notice shall, at a minimum, be one-quarter page in size in a standard-size newspaper or one-half page in a tabloid-size newspaper. The notice shall not require a map to be included.*

4. The notice of the deferment of the certification hearing due to the acceptance of an alternate corridor under s. 403.5272(1)(b)2. The notice must be published at least 7 days before the date of the originally scheduled certification hearing. The notice shall, at a minimum, be one-eighth page in size in a standard-size newspaper or one-quarter page in a tabloid-size newspaper. The notice shall not require a map to be included.

5. If the notice of the rescheduled certification hearing required of an alternate proponent under s. 403.5271(1)(c) is not timely published or does not meet the notice requirements such that an alternate corridor is withdrawn under the provisions of s. 403.5271(1)(c), the notice of rescheduled hearing and any local hearings shall be provided by the applicant at least 30 days prior to the rescheduled certification hearing.

*6.*4. The notice of the filing of a proposal to modify the certification submitted under s. 403.5315, if the department determines that the modification would require relocation or expansion of the transmission line right-of-way or a certified substation.

(2) *Each* ~~The~~ proponent of an alternate corridor shall arrange for *newspaper notice of* the publication of the filing of the proposal for an alternate corridor. *If there is more than one alternate proponent, the proponents may jointly publish notice, so long as the content requirements below are met and the maps are legible.*

(a) The notice shall specify~~,~~ the revised time schedules, the date by which newly affected persons or agencies may file the notice of intent to become a party, ~~and~~ the date of the rescheduled hearing*, and any public hearing held under s. 403.527(1)(b)1.*

(b) A notice listed in this subsection must be published in a newspaper of general circulation within the county or counties crossed by the proposed alternate corridor and comply with the content*, size, and map* requirements set forth in *this section* ~~paragraph (1)(a)~~.

(c) The notice *of the alternate corridor proposal* must be published not less than *45* ~~50~~ days before the rescheduled certification hearing.

(3) The department shall arrange for the publication of the following notices in the manner specified by chapter 120:

(a) The notice of the filing of an application and the date by which a person intending to become a party must file a petition to intervene or a notice of intent to be a party. The notice must be published no later than 21 days after the application has been filed.

(b) The notice of any administrative hearing for certification, if applicable. The notice must be published not less than 65 days before the date set for a hearing, except that notice for a rescheduled certification hearing after acceptance of an alternative corridor must be published not less than 50 days before the date set for the hearing.

(c) The notice of the cancellation of a certification hearing *under s. 403.527(6)*, if applicable. The notice must be published not later than 7 days before the date of the originally scheduled certification hearing.

(d) The notice of the deferment of the certification hearing due to the acceptance of an alternate corridor under s. 403.527(1)(b)2. The notice must be published at least 7 days before the date of the originally scheduled certification hearing.

(e)~~(d)~~ The notice of the hearing before the siting board, if applicable.

(f)~~(e)~~ The notice of stipulations, proposed agency action, or a petition for modification.

(4) A local government or regional planning council that proposes to conduct an informational public meeting pursuant to s. 403.5272 must publish notice of the meeting in a newspaper of general circulation within the county or counties in which the proposed electrical transmission line will be located no later than 7 days prior to the meeting. A newspaper of general circulation shall be the newspaper which has the largest daily circulation in that county and has its principal office in that county. If the newspaper with the largest daily circulation has its principal office outside the county, the notices shall appear in both the newspaper having the largest circulation in that county and in a newspaper authorized to publish legal notices in that county.

(5)(a) A good faith effort shall be made by the applicant to provide direct notice of the filing of an application for certification by U.S. mail or hand delivery no later than 45 days after filing of the application to

all local landowners whose property, as noted in the most recent local government tax records, and residences, are located within one-quarter mile of the proposed boundaries of the proposed electrical transmission line corridors, that include a transmission line defined by s. 403.522(22).

(b) No later than 60 days after the filing of an application for certification, the applicant shall file a list with the department's Siting Coordination Office of landowners and residences that were notified.

(6)(a) A good faith effort shall be made by the proponent of an alternate corridor to provide direct notice of the filing of an alternate corridor for certification by U.S. mail or hand delivery of the filing of no later than 30 days after filing of the alternate corridor to all local landowners whose property, as noted in the most recent local government tax records, and residences, are located within one-quarter mile of the proposed boundaries of the proposed alternate transmission line corridor that includes a transmission line defined by 403.522(22).

(b) No later than 45 days after the filing of an alternate corridor for certification, the proponent of an alternate corridor shall file a list with the department's Siting Coordination Office of landowners and residences that were notified.

Section 79. Subsection (1) of section 403.5365, Florida Statutes, is amended to read:

403.5365 Fees; disposition.—The department shall charge the applicant the following fees, as appropriate, which, unless otherwise specified, shall be paid into the Florida Permit Fee Trust Fund:

(1) An application fee.

(a) The application fee shall be $100,000, plus $750 per mile for each mile of corridor in which the transmission line right-of-way is proposed to be located within an existing electric transmission line right-of-way or within any existing right-of-way for any road, highway, railroad, or other aboveground linear facility, or $1,000 per mile for each mile of electric transmission line corridor proposed to be located outside the existing right-of-way.

(b) Sixty percent of the fee shall go to the department to cover any costs associated with coordinating the review of and acting upon the application and any costs for field services associated with monitoring construction and operation of the electric transmission line facility.

(c) The following percentages shall be transferred to the Operating Trust Fund of the Division of Administrative Hearings of the Department of Management Services:

1. Five percent to compensate for expenses from the initial exercise of duties associated with the filing of an application.

2. An additional 10 percent if an administrative hearing under s. 403.527 is held.

(d)1. Upon written request with proper itemized accounting within 90 days after final agency action by the siting board or the department or *written notification of* the withdrawal of the application, the agencies that prepared reports under s. 403.526 or s. 403.5271 or participated in a hearing under s. 403.527 or s. 403.5271 may submit a written request to the department for reimbursement of expenses incurred during the certification proceedings. The request must contain an accounting of expenses incurred, which may include time spent reviewing the application, preparation of any studies required of the agencies by this act, agency travel and per diem to attend any hearing held under this act, and for the local government or regional planning council providing additional notice of the informational public meeting. The department shall review the request and verify whether a claimed expense is valid. Valid expenses shall be reimbursed; however, if the amount of funds available for reimbursement is insufficient to provide for full compensation to the agencies, reimbursement shall be on a prorated basis.

2. If the application review is held in abeyance for more than 1 year, the agencies may submit a request for reimbursement under subparagraph 1. *This time period shall be measured from the date the applicant has provided written notification to the department that it desires to have the application review process placed on hold. The fee disbursement shall be processed in accordance with subparagraph 1.*

(e) If any sums are remaining, the department shall retain them for its use in the same manner as is otherwise authorized by this section; however, if the certification application is withdrawn, the remaining sums shall be refunded to the applicant within 90 days after *submittal of the written notification of* withdrawal.

(Redesignate subsequent sections.)

And the title is amended as follows:

Delete line(s) 256-299 and insert: for the content of the rule; amending s. 403.502, F.S.; providing legislative intent; amending s. 403.503, F.S.; defining the term "alternate corridor" and redefining the term "corridor" for purposes of the Florida Electrical Power Plant Siting Act; amending s. 403.504, F.S.; requiring the Department of Environmental Protection to determine whether a proposed alternate corridor is acceptable; amending s. 403.506, F.S.; exempting an electric utility from obtaining certification under the Florida Electrical Power Plant Siting Act before constructing facilities for a power plant using nuclear materials as fuel; providing that a utility may obtain separate licenses, permits, and approvals for such construction under certain circumstances; exempting such provisions from review under ch. 120, F.S.; amending s. 403.5064, F.S.; requiring an applicant to submit a statement to the department if such applicant opts for consideration of alternate corridors; amending s. 403.5065, F.S.; providing for conforming changes; amending s. 403.50663, F.S.; providing for notice of meeting to the general public; amending s. 403.50665, F.S.; requiring an application to include a statement on the consistency of directly associated facilities constituting a "development"; requiring the Department of Environmental Protection to address at the certification hearing the issue of compliance with land use plans and zoning ordinances for a proposed substation located in or along an alternate corridor; amending s. 403.507, F.S.; providing for reports to be submitted to the department no later than 100 days after certification application has been determined complete; amending s. 403.508, F.S.; providing for land use and certification hearings; amending s. 403.509, F.S.; requiring the Governor and Cabinet sitting as the siting board to certify the corridor having the least adverse impact; authorizing the board to deny certification or allow a party to amend its proposal; amending s. 403.511, F.S.; providing for conforming changes; amending s. 403.5112, F.S.; providing for filing of notice; amending s. 403.5113, F.S.; providing for postcertification amendments and postcertification review; amending s. 403.5115, F.S.; requiring the applicant proposing the alternate corridor to publish all notices relating to the application; requiring that such notices comply with certain requirements; requiring that notices be published at least 45 days before the rescheduled certification hearing; amending ss. 403.516, 403.517, and 403.5175, F.S.; providing conforming changes and cross-references; amending s. 403.518, F.S.; authorizing the Department of Environmental Protection to charge an application fee for an alternate corridor; amending ss. 403.519, 403.5252, 403.526, 403.527, 403.5271, 403.5272, 403.5312, 403.5363, 403.5365, and 403.814, F.S., relating to determinations of need and general permits; conforming provisions to changes made by the act; amending s. 403.7031, F.S.;

Amendment 20 (293438)(with title amendment)—Delete line(s) 2448-3173 and insert:

Section 34. *The State Energy Program, as authorized and governed by ss. 20.255, 288.041, 377.601-377.608, 377.701, 377.703, and 377.801-377.806, Florida Statutes, is transferred by a type two transfer as defined in s. 20.06(2), Florida Statutes, from the Department of Environmental Protection to the Florida Energy and Climate Commission.*

Section 35. Section 377.6015, Florida Statutes, is created to read:

377.6015 Florida Energy and Climate Commission.—

(1) The Florida Energy and Climate Commission is created and shall be located within the Executive Office of the Governor. The commission shall be comprised of nine members, and shall be appointed by the Governor, the Commissioner of Agriculture, and the Chief Financial Officer as follows.

(a) The Governor shall select from three persons nominated by the Florida Public Service Commission Nominating Council, created in s. 350.031, for each of seven seats on the commission. The Commissioner of Agriculture shall select from three persons nominated by the council for one seat on the commission. The Chief Financial Officer shall select from three persons nominated by the council for one seat on the commission.

1. The council shall submit recommendations to the Governor, the Commissioner of Agriculture, and the Chief Financial Officer by September 1 of those years in which the terms are to begin the following October, or within 60 days after a vacancy occurs for any reason other than the expiration of a term. The Governor, the Commissioner of Agriculture, and the Chief Financial Officer may proffer names of persons to be considered for nomination by the council.

2. The Governor, the Commissioner of Agriculture, and the Chief Financial Officer shall fill a vacancy occurring on the commission by appointment of one of the applicants nominated by the council only after a background investigation of the applicant has been conducted by the Department of Law Enforcement.

3. Members shall be appointed to 3-year terms; however, in order to establish staggered terms, for the initial appointments, the Governor shall appoint four members to 3-year terms, two members to 2-year terms, and one member to a 1-year term. The Commissioner of Agriculture and the Chief Financial Officer shall appoint a member each for 3-year terms and shall appoint a successor when that appointee's term expires in the same manner as provided in this paragraph and paragraph (b).

4. The Governor shall select the chair of the commission from one of the nine persons appointed to the commission.

5. Vacancies on the commission shall be filled for the unexpired portion of the term in the same manner as original appointments to the commission.

6. If the Governor, the Commissioner of Agriculture, and the Chief Financial Officer have not made an appointment within 30 days after the receipt of the recommendations, the council shall initiate, in accordance with this section, the nominating process within 30 days.

7. Each appointment to the commission is subject to confirmation by the Senate during the next regular session after the vacancy occurs. If the Senate refuses to confirm or fails to consider an appointment, the council shall initiate, in accordance with this section, the nominating process within 30 days.

(b) Members must meet the following qualifications and restrictions:

1. A member must be an expert in one or more of the following fields: energy, natural resource conservation, economics, engineering, finance, law, transportation and land use, consumer protection, state energy policy, or another field substantially related to the duties and functions of the commission. The commission shall fairly represent the fields specified in this subparagraph.

2. Each member shall, at the time of appointment and at each commission meeting during his or her term of office, disclose:

a. Whether he or she has any financial interest, other than ownership of shares in a mutual fund, in any business entity that, directly or indirectly, owns or controls, or is an affiliate or subsidiary of, any business entity that may be affected by the policy recommendations developed by the commission.

b. Whether he or she is employed by or is engaged in any business activity with any business entity that, directly or indirectly, owns or controls, or is an affiliate or subsidiary of, any business entity that may be affected by the policy recommendations developed by the commission.

(c) The chair may designate ex officio nonvoting members to provide information and advice to the commission. The following shall serve as ex officio nonvoting members and may provide information and advice at the request of the chair:

1. The chair of the Florida Public Service Commission, or designee;

2. The Public Counsel, or designee;

3. A representative of the Department of Agriculture and Consumer Services;

4. A representative of the Department of Financial Services;

5. A representative of the Department of Environmental Protection;

6. A representative of the Department of Community Affairs;

7. A representative of the Board of Governors of the State University System; and

8. A representative of the Department of Transportation.

(2) Members shall serve without compensation, but are entitled to reimbursement for per diem and travel expenses as provided in s. 112.061.

(3) Meetings of the commission may be held in various locations around the state and at the call of the chair; however, the commission must meet at least six times each year.

(4) The commission may:

(a) Employ staff and counsel as needed in the performance of its duties.

(b) Prosecute and defend legal actions in its own name.

(c) Form advisory groups consisting of members of the public to provide information on specific issues.

(5) The commission shall:

(a) Administer the Florida Renewable Energy and Energy Efficient Technologies Grant Program authorized under s. 377.804 to assure a robust grant portfolio.

(b) Develop policies that require grantees to provide royalty-sharing or licensing agreements with state government for commercialized products developed under a state grant.

(c) Administer the Florida Green Government Grants Act pursuant to s. 377.808 and set annual priorities for grants.

(d) Administer the information gathering and reporting functions pursuant to ss. 377.601-377.608.

(e) Administer the petroleum planning and emergency contingency planning pursuant to ss. 377.701 and 377.703-377.704.

(f) Represent Florida in the Southern States Energy Compact pursuant to ss. 377.71-377.712.

(g) Upon completion by the Governor's Action Team on Energy and Climate Change, complete the annual assessment of the efficacy of Florida's Energy and Climate Change Action Plan pursuant to the Governor's Executive Order 2007-128 and provide specific recommendations to the Governor and the Legislature each year to improve results.

(h) Administer the provisions of the Florida Energy and Climate Protection Act pursuant to ss. 377.801-377.806.

(i) Advocate for energy and climate change issues and provide educational outreach and technical assistance in cooperation with Florida's academic institutions.

(j) Be a party in the proceedings to adopt goals and submit comments to the Public Service Commission pursuant to s. 366.82.

(k) Adopt rules pursuant to chapter 120 to administer all powers and duties described in this section.

Section 36. Section 377.602, Florida Statutes, is amended to read:

377.602 Definitions.—As used in ss. 377.601-377.608*, the term*:

(1) "Commission" means the Florida Energy and Climate Commission.

(2) "Department" means the Department of Environmental Protection.

(3)~~(1)~~ "Energy resources" includes, but *is* ~~shall~~ not ~~be~~ limited to:

(a) Energy converted from solar radiation, wind, hydraulic potential, tidal movements, biomass, geothermal sources, and other energy re-

sources the commission determines to be important to the production or supply of energy.

(b)~~(a)~~ Propane, butane, motor gasoline, kerosene, home heating oil, diesel fuel, other middle distillates, aviation gasoline, kerosene-type jet fuel, naphtha-type jet fuel, residual fuels, crude oil, and other petroleum products and hydrocarbons as may be determined by the department to be of importance.

(c)~~(b)~~ All natural gas, including casinghead gas, all other hydrocarbons not defined as petroleum products in paragraph (a), and liquefied petroleum gas as defined in s. 527.01.

(d)~~(c)~~ All types of coal and products derived from its conversion and used as fuel.

(e)~~(d)~~ All types of nuclear energy, special nuclear material, and source material, as defined in s. 290.07.

~~(e) Every other energy resource, whether natural or manmade which the department determines to be important to the production or supply of energy, including, but not limited to, energy converted from solar radiation, wind, hydraulic potential, tidal movements, and geothermal sources.~~

(f) All electrical energy.

~~(2) "Department" means the Department of Environmental Protection.~~

(4)~~(3)~~ "Person" means producer, refiner, wholesaler, marketer, consignee, jobber, distributor, storage operator, importer, exporter, firm, corporation, broker, cooperative, public utility as defined in s. 366.02, rural electrification cooperative, municipality engaged in the business of providing electricity or other energy resources to the public, pipeline company, person transporting any energy resources ~~as defined in subsection (1)~~, and person holding energy reserves for further production; however, *the term* "~~person~~" does not include persons exclusively engaged in the retail sale of petroleum products.

Section 37. Section 377.603, Florida Statutes, is amended to read:

377.603 Energy data collection; powers and duties of the *commission* ~~Department of Environmental Protection.~~—

(1) The *commission* ~~department~~ *may* ~~shall~~ collect data on the extraction, production, importation, exportation, refinement, transportation, transmission, conversion, storage, sale, or reserves of energy resources in this state in an efficient and expeditious manner.

(2) The *commission* ~~department~~ *may* ~~shall~~ prepare periodic reports of energy data it collects.

~~(3) The department shall prescribe and furnish forms for the collection of information as required by ss. 377.601-377.608 and shall consult with other state entities to assure that such data collected will meet their data requirements.~~

(3)~~(4)~~ The *commission* ~~department~~ may adopt and promulgate such rules and regulations as are necessary to carry out the provisions of ss. 377.601-377.608. Such rules shall be pursuant to chapter 120.

(4)~~(5)~~ The *commission* ~~department~~ shall maintain internal validation procedures to assure the accuracy of information received.

Section 38. Section 377.604, Florida Statutes, is amended to read:

377.604 Required reports.—Every person who produces, imports, exports, refines, transports, transmits, converts, stores, sells, or holds known reserves of any form of energy resources used as fuel shall report to the *commission* ~~department~~ *at the commission's request* ~~at a frequency set~~, and in a manner prescribed~~,~~ by the *commission* ~~department,~~ on forms provided by the *commission* ~~department and prepared with the advice of representatives of the energy industry~~. Such forms shall be designed ~~in such a manner as~~ to indicate:

(1) The identity of the person or persons making the report.

(2) The quantity of energy resources extracted, produced, imported, exported, refined, transported, transmitted, converted, stored, or sold except at retail.

(3) The quantity of energy resources known to be held in reserve in the state.

(4) The identity of each refinery from which petroleum products have normally been obtained and the type and quantity of products secured from that refinery for sale or resale in this state.

(5) Any other information which the *commission* ~~department~~ deems proper pursuant to the intent of ss. 377.601-377.608.

Section 39. Section 377.605, Florida Statutes, is amended to read:

377.605 Use of existing information.—The *commission* ~~department~~ *may use* ~~shall utilize~~ to the fullest extent possible any existing energy information already prepared for state or federal agencies. Every state, county, and municipal agency shall cooperate with the *commission* ~~department~~ and shall submit any information on energy to the *commission* ~~department~~ upon request.

Section 40. Section 377.606, Florida Statutes, is amended to read:

377.606 Records of the *commission* ~~department~~; limits of confidentiality.—The information or records of individual persons, as defined herein, obtained by the *commission* ~~department~~ as a result of a report, investigation, or verification required by the *commission* ~~department~~, shall be open to the public, except such information the disclosure of which would be likely to cause substantial harm to the competitive position of the person providing such information and which is requested to be held confidential by the person providing such information. Such proprietary information is confidential and exempt from the provisions of s. 119.07(1). Information reported by entities other than the *commission* ~~department~~ in documents or reports open to public inspection *may not* ~~shall under no circumstances~~ be classified as confidential by the *commission* ~~department~~. Divulgence of proprietary information ~~as is~~ requested to be held confidential, except upon order of a court of competent jurisdiction or except to an officer of the state entitled to receive the same in his or her official capacity, *is* ~~shall be~~ a misdemeanor of the second degree, punishable as provided in ss. 775.082 and 775.083. Nothing herein shall be construed to prohibit the publication or divulgence by other means of data so classified as to prevent identification of particular accounts or reports made to the *commission* ~~department~~ in compliance with s. 377.603 or to prohibit the disclosure of such information to properly qualified legislative committees. The *commission* ~~department~~ shall establish a system which permits reasonable access to information developed.

Section 41. Section 377.701, Florida Statutes, is amended to read:

377.701 Petroleum allocation.—

(1) The *Florida Energy and Climate Commission* ~~Department of Environmental Protection~~ shall assume the state's role in petroleum allocation and conservation, including the development of a fair and equitable petroleum plan. The *commission* ~~department~~ shall constitute the responsible state agency for performing the functions of any federal program delegated to the state, which relates to petroleum supply, demand, and allocation.

(2) The *commission* ~~department~~ shall, in addition to assuming the duties and responsibilities provided by subsection (1), perform the following:

(a) In projecting available supplies of petroleum, coordinate with the Department of Revenue to secure information necessary to assure the sufficiency and accuracy of data submitted by persons affected by any federal fuel allocation program.

(b) Require such periodic reports from public and private sources as may be necessary to the fulfillment of its responsibilities under this act. Such reports may include: petroleum use; all sales, including end-user sales, except retail gasoline and retail fuel oil sales; inventories; expected supplies and allocations; and petroleum conservation measures.

(c) In cooperation with the Department of Revenue and other relevant state agencies, provide for long-range studies regarding the usage of petroleum in the state in order to:

1. Comprehend the consumption of petroleum resources.

2. Predict future petroleum demands in relation to available resources.

3. Report the results of such studies to the Legislature.

(3) For the purpose of determining accuracy of data, all state agencies shall timely provide the *commission* ~~department~~ with petroleum-use information in a format suitable to the needs of the allocation program.

(4) *A* ~~No~~ state employee *may not* ~~shall~~ divulge or make known in any manner any proprietary information acquired under this act if the disclosure of such information would be likely to cause substantial harm to the competitive position of the person providing such information and if the person requests that such information be held confidential, except in accordance with a court order or in the publication of statistical information compiled by methods which *do* ~~would~~ not disclose the identity of individual suppliers or companies. Such proprietary information is confidential and exempt from the provisions of s. 119.07(1). Nothing in this subsection shall be construed to prevent inspection of reports by the Attorney General, members of the Legislature, and interested state agencies; however, such agencies and their employees and members are bound by the requirements set forth in this subsection.

(5) Any person who willfully fails to submit information required by this act or submits false information or who violates any provision of this act *commits* ~~is guilty of~~ a misdemeanor of the first degree and shall be punished as provided in ss. 775.082 and 775.083.

Section 42. Section 377.703, Florida Statutes, is amended to read:

377.703 Additional functions of the *commission* ~~Department of Environmental Protection; energy emergency contingency plan; federal and state conservation programs.—~~

(1) LEGISLATIVE INTENT.—Recognizing that energy supply and demand questions have become a major area of concern to the state *and* which must be dealt with by effective and well-coordinated state action, it is the intent of the Legislature to promote the efficient, effective, and economical management of energy problems, centralize energy coordination responsibilities, pinpoint responsibility for conducting energy programs, and ensure the accountability of state agencies for the implementation of s. 377.601(4), the state energy policy. It is the specific intent of the Legislature that nothing in this act shall in any way change the powers, duties, and responsibilities assigned by the Florida Electrical Power Plant Siting Act, part II of chapter 403, or the powers, duties, and responsibilities of the Florida Public Service Commission.

~~(2) DEFINITIONS.—~~

~~(a) "Coordinate," "coordination," or "coordinating" means the examination and evaluation of state plans and programs and the providing of recommendations to the Cabinet, Legislature, and appropriate state agency on any measures deemed necessary to ensure that such plans and programs are consistent with state energy policy.~~

~~(b) "Energy conservation" means increased efficiency in the utilization of energy.~~

~~(c) "Energy emergency" means an actual or impending shortage or curtailment of usable, necessary energy resources, such that the maintenance of necessary services, the protection of public health, safety, and welfare, or the maintenance of basic sound economy is imperiled in any geographical section of the state or throughout the entire state.~~

~~(d) "Energy source" means electricity, fossil fuels, solar power, wind power, hydroelectric power, nuclear power, or any other resource which has the capacity to do work.~~

~~(e) "Facilities" means any building or structure not otherwise exempted by the provisions of this act.~~

~~(f) "Fuel" means petroleum, crude oil, petroleum product, coal, natural gas, or any other substance used primarily for its energy content.~~

~~(g) "Local government" means any county, municipality, regional planning agency, or other special district or local governmental entity the policies or programs of which may affect the supply or demand, or both, for energy in the state.~~

~~(h) "Promotion" or "promote" means to encourage, aid, assist, provide technical and financial assistance, or otherwise seek to plan, develop, and expand.~~

~~(i) "Regional planning agency" means those agencies designated as regional planning agencies by the Department of Community Affairs.~~

~~(j) "Renewable energy resource" means any method, process, or substance the use of which does not diminish its availability or abundance, including, but not limited to, biomass conversion, geothermal energy, solar energy, wind energy, wood fuels derived from waste, ocean thermal gradient power, hydroelectric power, and fuels derived from agricultural products.~~

(2)~~(3)~~ *FLORIDA ENERGY AND CLIMATE COMMISSION* ~~DEPARTMENT OF ENVIRONMENTAL PROTECTION~~; DUTIES.—The *commission* ~~Department of Environmental Protection~~ shall, ~~in addition to assuming the duties and responsibilities provided by ss. 20.255 and 377.701,~~ perform the following functions consistent with the development of a state energy policy:

(a) The *commission* ~~department~~ shall assume the responsibility for development of an energy emergency contingency plan to respond to serious shortages of primary and secondary energy sources. Upon a finding by the Governor, implementation of any emergency program shall be upon order of the Governor that a particular kind or type of fuel is, or that the occurrence of an event which is reasonably expected within 30 days will make the fuel, in short supply. The *commission* ~~department~~ shall ~~then~~ respond by instituting the appropriate measures of the contingency plan to meet the given emergency or energy shortage. The Governor may *use* ~~utilize~~ the provisions of s. 252.36(5) to carry out any emergency actions required by a serious shortage of energy sources.

(b) The *commission* ~~department~~ shall *be* ~~constitute the~~ responsible ~~state agency~~ for performing or coordinating the functions of any federal energy programs delegated to the state, including energy supply, demand, conservation, or allocation.

(c) The *commission* ~~department~~ shall analyze present and proposed federal energy programs and make recommendations regarding those programs to the Governor.

(d) The *commission* ~~department~~ shall coordinate efforts to seek federal support or other support for state energy activities, including energy conservation, research, or development, and shall be ~~the state agency~~ responsible for the coordination of multiagency energy conservation programs and plans.

(e) The *commission* ~~department~~ shall analyze energy data collected and prepare long-range forecasts of energy supply and demand in coordination with the Florida Public Service Commission, which shall have responsibility for electricity and natural gas forecasts. To this end, the forecasts shall contain:

1. An analysis of the relationship of state economic growth and development to energy supply and demand, including the constraints to economic growth resulting from energy supply constraints.

2. Plans for the development of renewable energy resources and reduction in dependence on depletable energy resources, particularly oil and natural gas, and an analysis of the extent to which renewable energy sources are being utilized in the state.

3. Consideration of alternative scenarios of statewide energy supply and demand for 5, 10, and 20 years, to identify strategies for long-range action, including identification of potential social, economic, and environmental effects.

4. An assessment of the state's energy resources, including examination of the availability of commercially developable and imported fuels, and an analysis of anticipated effects on the state's environment and social services resulting from energy resource development activities or from energy supply constraints, or both.

(f) The *commission* ~~department~~ shall *annually prepare and submit* ~~make~~ a report~~, as requested by~~ *to* the Governor *and* ~~or~~ the Legislature, reflecting its activities and making recommendations of policies for improvement of the state's response to energy supply and demand and its effect on the health, safety, and welfare of the people of Florida. The

report shall include a report from the Florida Public Service Commission on electricity and natural gas and information on energy conservation programs conducted and under way in the past year and shall include recommendations for energy conservation programs for the state, including, but not limited to, the following factors:

1. Formulation of specific recommendations for improvement in the efficiency of energy utilization in governmental, residential, commercial, industrial, and transportation sectors.

2. Collection and dissemination of information relating to energy conservation.

3. Development and conduct of educational and training programs relating to energy conservation.

4. An analysis of the ways in which state agencies are seeking to implement s. 377.601(4), the state energy policy, and recommendations for better fulfilling this policy.

(g) The *commission is authorized* ~~department has authority~~ to adopt rules pursuant to ss. 120.536(1) and 120.54 to implement the provisions of this act.

(h) *The commission shall promote* ~~Promote~~ the development and use of renewable energy resources, in conformance with the provisions of chapter 187 and s. 377.601, by:

1. Establishing goals and strategies for increasing the use of solar energy in this state.

2. Aiding and promoting the commercialization of solar energy technology, in cooperation with the Florida Solar Energy Center, Enterprise Florida, Inc., and any other federal, state, or local governmental agency which may seek to promote research, development, and demonstration of solar energy equipment and technology.

3. Identifying barriers to greater use of solar energy systems in this state, and developing specific recommendations for overcoming identified barriers, with findings and recommendations to be submitted annually in the report to the Legislature required under paragraph (f).

4. In cooperation with the *Department of Environmental Protection,* Department of Transportation, the Department of Community Affairs, Enterprise Florida, Inc., the Florida Solar Energy Center, and the Florida Solar Energy Industries Association, investigating opportunities, pursuant to the National Energy Policy Act of 1992 and the Housing and Community Development Act of 1992, *and any subsequent federal legislation,* for solar electric vehicles and other solar energy manufacturing, distribution, installation, and financing efforts which will enhance this state's position as the leader in solar energy research, development, and use.

5. Undertaking other initiatives to advance the development and use of renewable energy resources in this state.

In the exercise of its responsibilities under this paragraph, the *commission* ~~department~~ shall seek the assistance of the solar energy industry in this state and other interested parties and is authorized to enter into contracts, retain professional consulting services, and expend funds appropriated by the Legislature for such purposes.

(i) The *commission* ~~department~~ shall promote energy conservation in all energy use sectors throughout the state and shall constitute the state agency primarily responsible for this function. To this end, the department shall coordinate the energy conservation programs of all state agencies and review and comment on the energy conservation programs of all state agencies.

(j) The *commission* ~~department~~ shall serve as the state clearinghouse for indexing and gathering all information related to energy programs in state universities, in private universities, in federal, state, and local government agencies, and in private industry and shall prepare and distribute such information in any manner necessary to inform and advise the citizens of the state of such programs and activities. This *includes* ~~shall include~~ developing and maintaining a current index and profile of all research activities, which shall be identified by energy area and may include a summary of the project, the amount and sources of funding, anticipated completion dates, or, in case of completed research, conclusions, recommendations, and applicability to state government and private sector functions. The *commission* ~~department~~ shall coordinate, promote, and respond to efforts by all sectors of the economy to seek financial support for energy activities. The *commission* ~~department~~ shall provide information to consumers regarding the anticipated energy-use and energy-saving characteristics of products and services in coordination with any federal, state, or local governmental agencies *that* ~~as~~ may provide such information to consumers.

(k) The *commission* ~~department~~ shall coordinate energy-related programs of state government, including, but not limited to, the programs provided in this section. To this end, the *commission* ~~department~~ shall:

1. Provide assistance to other state agencies, counties, municipalities, and regional planning agencies to further and promote their energy planning activities.

2. Require, in cooperation with the Department of Management Services, all state agencies to operate state-owned and state-leased buildings in accordance with energy conservation standards as adopted by the Department of Management Services. Every 3 months, the Department of Management Services shall furnish the *commission* ~~department~~ data on agencies' energy consumption *and emissions of greenhouse gases* in a format *prescribed by the commission.* ~~mutually agreed upon by the two departments.~~

3. Promote the development and use of renewable energy resources, energy efficiency technologies, and conservation measures.

4. Promote the recovery of energy from wastes, including, but not limited to, the use of waste heat, the use of agricultural products as a source of energy, and recycling of manufactured products. Such promotion shall be conducted in conjunction with, and after consultation with, the Department of Environmental Protection, the Florida Public Service Commission *if* ~~where~~ electrical generation or natural gas is involved, and any other relevant federal, state, or local governmental agency having responsibility for resource recovery programs.

(l) The *commission* ~~department~~ shall develop, coordinate, and promote a comprehensive research plan for state programs. Such plan shall be consistent with state energy policy and shall be updated on a biennial basis.

(m) In recognition of the devastation to the economy of this state and the dangers to the health and welfare of *state* residents ~~of this state~~ caused by *severe hurricanes,* ~~Hurricane Andrew,~~ and the potential for such impacts caused by other natural disasters, the *commission* ~~department~~ shall include in its energy emergency contingency plan and provide to the *Florida Building Commission* ~~Department of Community Affairs~~ for inclusion in the *Florida Energy Efficiency Code for Building Construction* ~~state model energy efficiency building code~~ specific provisions to facilitate the use of cost-effective solar energy technologies as emergency remedial and preventive measures for providing electric power, street lighting, and water heating service in the event of electric power outages.

(3)~~(4)~~ The *commission* ~~department~~ shall be responsible for the administration of the Coastal Energy Impact Program provided for and described in ~~Pub. L. No. 94-370,~~ 16 U.S.C. s. 1456a.

Section 43. Paragraph (a) of subsection (2) of section 377.705, Florida Statutes, is amended to read:

377.705 Solar Energy Center; development of solar energy standards.—

(2) LEGISLATIVE FINDINGS AND INTENT.—

(a) The Legislature recognizes that ~~if present trends continue, Florida will increase present energy consumption sixfold by the year 2000. Because of this dramatic increase and because existing domestic conventional energy resources will not provide sufficient energy to meet the nation's future needs, new sources of energy must be developed and applied. One such source, solar energy, has been in limited use in Florida for 30 years. Applications of incident solar energy, the use of solar radiation to provide energy for water heating, space heating, space cooling, and other uses, through suitable absorbing equipment on or near a residence or commercial structure, must be extensively expanded. Unfortunately, the initial costs with regard to the production of solar energy have been prohibitively expensive. However,~~ because of increases

in the cost of conventional fuel, certain applications of solar energy are becoming competitive, particularly when life-cycle costs are considered. It is the intent of the Legislature in formulating a sound and balanced energy policy for the state to encourage the development of an alternative energy capability in the form of incident solar energy.

Section 44. Section 377.801, Florida Statutes, is amended to read:

377.801 Short title.—Sections 377.801-377.806 may be cited as the "*Florida Energy and Climate Protection* ~~Florida Renewable Energy Technologies and Energy Efficiency~~ Act."

Section 45. Section 377.802, Florida Statutes, is amended to read:

377.802 Purpose.—This act is intended to provide *incentives for Florida's citizens, businesses, school districts and local governments to take action to diversify Florida's energy supplies, reduce dependence on foreign oil, and mitigate the effects of climate change by providing funding for activities designed to achieve these goals. The grant programs in this act are intended to stimulate capital investment and enhance the market for renewable energy technologies and technologies intended to diversify Florida's energy supplies, reduce dependence on foreign oil, and combat or limit climate change impacts. This act is also intended to provide incentives for the purchase of energy-efficient appliances and rebates for solar energy equipment installations for residential and commercial buildings* ~~matching grants to stimulate capital investment in the state and to enhance the market for and promote the statewide utilization of renewable energy technologies~~. ~~The targeted grants program is designed to advance the already growing establishment of renewable energy technologies in the state and encourage the use of other incentives such as tax exemptions and regulatory certainty to attract additional renewable energy technology producers, developers, and users to the state. This act is also intended to provide incentives for the purchase of energy-efficient appliances and rebates for solar energy equipment installations for residential and commercial buildings.~~

Section 46. Section 377.803, Florida Statutes, is amended to read:

377.803 Definitions.—As used in ss. 377.801-377.806, the term:

(1) "Act" means the *Florida Energy and Climate Protection Act* ~~Florida Renewable Energy Technologies and Energy Efficiency Act~~.

~~(2) "Approved metering equipment" means a device capable of measuring the energy output of a solar thermal system that has been approved by the commission.~~

(2)~~(3)~~ "Commission" means the Florida Public Service Commission.

~~(4) "Department" means the Department of Environmental Protection.~~

(3)~~(5)~~ "Person" means an individual, partnership, joint venture, private or public corporation, association, firm, public service company, or any other public or private entity.

(4)~~(6)~~ "Renewable energy" means electrical, mechanical, or thermal energy produced from a method that uses one or more of the following fuels or energy sources: hydrogen, biomass, solar energy, geothermal energy, wind energy, ocean energy, waste heat, or hydroelectric power.

(5)~~(7)~~ "Renewable energy technology" means any technology that generates or utilizes a renewable energy resource.

(6)~~(8)~~ "Solar energy system" means equipment that provides for the collection and use of incident solar energy for water heating, space heating or cooling, or other applications that would normally require a conventional source of energy such as petroleum products, natural gas, or electricity that performs primarily with solar energy. In other systems in which solar energy is used in a supplemental way, only those components that collect and transfer solar energy *are* ~~shall be~~ included in this definition.

(7)~~(9)~~ "Solar photovoltaic system" means a device that converts incident sunlight into electrical current.

(8)~~(10)~~ "Solar thermal system" means a device that traps heat from incident sunlight in order to heat water.

Section 47. Section 377.804, Florida Statutes, as amended by section 52 of chapter 2007-73, Laws of Florida, is amended to read:

377.804 Renewable Energy *and Energy Efficient* Technologies Grants Program.—

(1) The Renewable Energy *and Energy Efficient* Technologies Grants Program is established within the *commission* ~~department~~ to provide renewable energy matching grants for demonstration, commercialization, research, and development projects relating to renewable energy technologies *and innovative technologies that significantly increase energy efficiency for vehicles and commercial buildings*.

(2) Matching grants for renewable energy technology demonstration, commercialization, research, and development projects may be made to any of the following:

(a) Municipalities and county governments.

(b) Established for-profit companies licensed to do business in the state.

(c) Universities and colleges in the state.

(d) Utilities located and operating within the state.

(e) Not-for-profit organizations.

(f) Other qualified persons, as determined by the *commission* ~~department~~.

(3) The department may adopt rules pursuant to ss. 120.536(1) and 120.54 to provide for application requirements, provide for ranking of applications, and administer the awarding of grants under this program*, and develop policies requiring grantees to provide royalty-sharing or licensing agreements with the state for commercialized products developed under a state grant. All grants may be reviewed by a peer-review process of experts. Up to 5 percent of all grants may be used to pay review expenses, if necessary.*

(4) Factors the *commission* ~~department~~ shall consider in awarding grants include, but are not limited to:

(a) The availability of matching funds or other in-kind contributions applied to the total project from an applicant. The *commission* ~~department~~ shall give greater preference to projects that provide such matching funds or other in-kind contributions.

(b) The degree to which the project stimulates in-state capital investment and economic development in metropolitan and rural areas, including the creation of jobs and the future development of a commercial market for renewable energy technologies.

(c) The extent to which the proposed project has been demonstrated to be technically feasible based on pilot project demonstrations, laboratory testing, scientific modeling, or engineering or chemical theory that supports the proposal.

(d) The degree to which the project incorporates an innovative new technology or an innovative application of an existing technology.

(e) The degree to which a project generates thermal, mechanical, or electrical energy by means of a renewable energy resource that has substantial long-term production potential.

(f) The degree to which a project demonstrates efficient use of energy and material resources.

(g) The degree to which the project fosters overall understanding and appreciation of renewable energy technologies.

(h) The ability to administer a complete project.

(i) Project duration and timeline for expenditures.

(j) The geographic area in which the project is to be conducted in relation to other projects.

(k) The degree of public visibility and interaction.

(5) The *commission* ~~department~~ shall solicit the expertise of other state agencies in evaluating project proposals. State agencies shall cooperate with the *commission* ~~Department of Environmental Protection~~ and provide such assistance as requested.

(6) The *commission* ~~department~~ shall coordinate and actively consult with the Department of Agriculture and Consumer Services during the review and approval process of grants relating to bioenergy projects for renewable energy technology~~, and the departments shall jointly determine the grant awards to these bioenergy projects. No grant funding shall be awarded to any bioenergy project without such joint approval.~~ Factors for consideration in awarding grants may include, but are not limited to, the degree to which:

(a) The project stimulates in-state capital investment and economic development in metropolitan and rural areas, including the creation of jobs and the future development of a commercial market for bioenergy.

(b) The project produces bioenergy from Florida-grown crops or biomass.

(c) The project demonstrates efficient use of energy and material resources.

(d) The project fosters overall understanding and appreciation of bioenergy technologies.

(e) Matching funds and in-kind contributions from an applicant are available.

(f) The project duration and the timeline for expenditures are acceptable.

(g) The project has a reasonable assurance of enhancing the value of agricultural products or will expand agribusiness in the state.

(h) Preliminary market and feasibility research has been conducted by the applicant or others and shows there is a reasonable assurance of a potential market.

(7) Each application must be accompanied by an affidavit from the applicant attesting to the veracity of the statements contained in the application.

Section 48. Section 377.808, Florida Statutes, is created to read:

377.808 Florida Green Government Grants Act.—

(1) This section may be cited as the "Florida Green Government Grants Act."

(2) The Florida Energy and Climate Commission shall use funds specifically appropriated to award grants under this section to assist local governments, including municipalities, counties, and school districts, in the development of programs that achieve green standards. Those standards shall be determined by the commission and must provide for cost-efficient solutions, reducing greenhouse gas emissions, improving quality of life, and strengthening this state's economy.

(3) The commission shall adopt rules pursuant to chapter 120 to administer the grants provided for in this section. In accordance with such rules, the commission may provide grants from funds specifically appropriated for this purpose to local governments for the costs of achieving green standards, including necessary administrative expenses. The rules of the commission must:

(a) Designate one or more suitable green government standards framework from which local governments may develop a greening government initiative, and from which projects may be eligible for funding pursuant to this statute may be developed.

(b) Require projects that plan, design, construct, upgrade, or replace facilities be cost-effective, environmentally sound, reduce greenhouse gas emissions, and be permittable and implementable.

(c) Require local governments to match state funds with direct project cost share or in-kind services.

(d) Provide for a scale of matching requirements for local governments on the basis of population in order to assist rural and undeveloped areas of the state with any financial burden of addressing climate change impacts.

(e) Require grant applications to be submitted on appropriate forms developed and adopted by the commission with appropriate supporting documentation and require records to be maintained.

(f) Establish a system to determine the relative priority of grant applications. The system must consider greenhouse gas reductions, energy savings and efficiencies, and proven technologies.

(g) Establish requirements for competitive procurement of engineering and construction services, materials, and equipment.

(h) Provide for the termination of grants when program requirements are not met.

(4) Each local government is limited to not more than two grant applications during each application period announced by the commission. A local government may not have more than three active projects expending grant funds during any state fiscal year.

(5) The commission shall perform adequate overview of each grant, which may include technical review, site inspections, disbursement approvals, and auditing to successfully implement this section.

Section 49. *Section 377.901, Florida Statutes, is repealed.*

(Redesignate subsequent sections.)

And the title is amended as follows:

Delete line(s) 199-244 and insert: alternative energy technologies; transferring the State Energy Program from the Department of Environmental Protection to the Florida Energy and Climate Commission; creating s. 377.6015, F.S.; creating the Florida Energy and Climate Commission; providing for the appointment and qualifications of members; providing for meetings, duties, and authority of the commission; authorizing the commission to adopt rules; amending s. 377.602, F.S.; revising definitions; amending ss. 377.603, 377.604, 377.605, and 377.606, F.S.; conforming provisions to changes made by the act; amending s. 377.701, F.S.; assigning responsibility for petroleum allocation and conservation to the commission rather than the Department of Environmental Protection; amending s. 377.703, F.S.; assigning additional duties to the Florida Energy and Climate Commission relating to state energy policy; deleting definitions; conforming cross-references; amending s. 377.705, F.S.; revising legislative intent relating to solar energy standards; amending s. 377.801, F.S.; revising a short title; amending s. 377.802, F.S.; revising the purpose of the Florida Energy and Climate Protection Act; amending s. 377.803, F.S.; revising definitions; amending s. 377.804, F.S.; assigning responsibility for the Renewable Energy and Energy-Efficient Technologies Grant Program to the Florida Energy and Climate Commission rather than the Department of Environmental Protection; requiring the commission to develop policies relating to commercialized products developed under a state grant; requiring grant applications to include an affidavit attesting to the veracity of statements in the application; amending s. 377.806, F.S.; providing for administration of the Solar Energy System Incentives Program by the Florida Energy and Climate Commission rather than the Department of Environmental Protection; requiring compliance with the Florida Building Code rather than local codes in order to be eligible for a rebate under the program; creating s. 377.808, F.S.; creating the Florida Green Government Grants Act; providing a short title; requiring the Florida Energy and Climate Commission to award grants to assist local governments in the development of programs that achieve green standards; requiring the commission to adopt rules; providing requirements for the rules; limiting the number of grant applications by a local government; limiting the number of active projects that may be conducted by a local government; requiring the commission to perform an overview of each grant; repealing s. 377.901, F.S., relating to the Florida Energy Commission within the Department of Environmental Protection; creating s. 377.921, F.S., relating to

Pursuant to Rule 4.19, **CS for CS for CS for SB 1544** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

Consideration of **CS for CS for CS for SB 1992** was deferred.

SENATOR DEUTCH PRESIDING

By Senator Villalobos—

CS for SB 92—A bill to be entitled An act relating to persons injured by crime; providing a short title; creating s. 843.21, F.S.; prohibiting the depriving of a victim injured by a crime of medical treatment with specified intent; providing penalties; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 92** was placed on the calendar of Bills on Third Reading.

By Senator Rich—

CS for SB 278—A bill to be entitled An act relating to the protection of lifeguards; amending s. 784.07, F.S.; providing a definition; providing enhanced penalties for an assault or battery on a lifeguard while he or she is engaged in the lawful performance of his or her duties; amending ss. 435.04, 901.15, 943.051, and 985.11, F.S.; conforming provisions; amending s. 921.0022, F.S., and reenacting paragraph (3)(d), relating the offense severity ranking chart, to conform; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 278** was placed on the calendar of Bills on Third Reading.

On motion by Senator Atwater—

CS for CS for SB 76—A bill to be entitled An act relating to criminal activity; creating s. 16.62, F.S.; creating the Coordinating Council on Criminal Gang Reduction Strategies within the Department of Legal Affairs; providing for membership and administration of the council; providing duties of the council; requiring the Department of Legal Affairs to provide staff and administrative support to the council; providing for the expiration of the council; amending s. 775.0846, F.S.; providing that a person commits a felony of the third degree if he or she is in possession of a bulletproof vest when committing or attempting to commit certain specified crimes; amending s. 775.13, F.S.; requiring certain felons whose offenses related to criminal gangs to register with the sheriff; providing penalties; amending s. 790.23, F.S.; providing penalties for certain persons possessing a firearm; amending s. 823.05, F.S.; revising provisions relating to the enjoining of public nuisances to include certain nuisances related to criminal gangs and criminal gang activities; providing for enjoining such nuisances; providing for local laws; amending s. 874.01, F.S.; revising a short title; amending s. 874.02, F.S.; revising legislative findings and intent; amending s. 874.03, F.S.; creating and revising definitions; redefining "criminal street gangs" as "criminal gangs"; amending s. 874.04, F.S.; conforming provisions; revising an evidentiary standard; creating s. 874.045, F.S.; providing that ch. 874, F.S., does not preclude arrest and prosecution under other specified provisions; amending s. 874.05, F.S.; revising provisions relating to soliciting or causing another to join a criminal gang; amending s. 874.06, F.S.; authorizing the state to bring civil actions for certain violations; providing that a plaintiff has a superior claim to property or proceeds; providing penalties for knowing violation of certain orders; amending s. 874.08, F.S.; conforming provisions relating to forfeiture; amending s. 874.09, F.S.; providing additional powers for the Department of Law Enforcement and local law enforcement agencies relating to crime data information; creating s. 874.10, F.S.; prohibiting persons from initiating, organizing, planning, financing, directing, managing, or supervising criminal gang-related activity; providing penalties; creating s. 874.11, F.S.; prohibiting use of electronic communications to further the interests of a criminal gang; providing penalties; creating s. 874.12, F.S.; defining the term "identification document"; prohibiting possession of certain identification documents for specified purposes; providing penalties; amending s. 893.138, F.S.; conforming terminology to changes made by the act; amending s. 895.02, F.S.; adding certain offenses to the definition of "racketeering activity"; conforming terminology to changes made by this act; amending s. 903.046, F.S.; adding to the list of items a court may consider when determining whether to release a defendant on bail; amending s. 914.22, F.S.; revising the penalties for tampering with or harassing witnesses; amending s. 943.031, F.S.; revising provisions relating to the Florida Violent Crime and Drug Control Council; providing duties concerning criminal gangs; creating the Drug Control Strategy and Criminal Gangs Committee; providing for duties of the committee concerning funding of certain programs; providing for reports; amending s. 947.18, F.S.; prohibiting certain parolees from communicating with criminal gang members; providing exceptions; amending s. 947.1405, F.S.; prohibiting certain conditional releasees from communicating with criminal gang members; providing exceptions; creating s. 948.033, F.S., prohibiting certain probationers or community controllees from communicating with criminal gang members; providing exceptions; amending s. 921.0022, F.S.; adding offenses to the offense severity ranking chart of the Criminal Punishment Code; conforming terminology to changes made by this act; amending ss. 921.0024, 921.141, 943.325, 984.03, 985.03, 985.047, and 985.433, F.S.; conforming cross-references and terminology to changes made by this act; providing a directive to the Division of Statutory Revision; providing an effective date.

—was read the second time by title.

Amendments were considered and adopted to conform **CS for CS for SB 76** to **CS for CS for HB 43**.

Pending further consideration of **CS for CS for SB 76** as amended, on motion by Senator Atwater, by two-thirds vote **CS for CS for HB 43** was withdrawn from the Committees on Criminal Justice; Judiciary; and Criminal and Civil Justice Appropriations.

On motion by Senator Atwater, the rules were waived and—

CS for CS for HB 43—A bill to be entitled An act relating to criminal activity; amending s. 775.13, F.S.; requiring certain felons whose offenses related to criminal gangs to register; providing penalties; amending s. 790.23, F.S.; providing penalties for certain persons possessing a firearm; amending s. 775.0846, F.S.; providing that a person commits a third degree felony if he or she possesses a bulletproof vest while committing or attempting to commit specified crimes; amending s. 823.05, F.S.; revising provisions relating to the enjoining of public nuisances to include certain nuisances related to criminal gangs and criminal gang activities; providing for enjoining such nuisances; providing for local laws; amending s. 874.01, F.S.; revising a short title; amending s. 874.02, F.S.; revising legislative findings and intent; amending s. 874.03, F.S.; creating and revising definitions; redefining "criminal street gangs" as "criminal gangs"; amending s. 874.04, F.S.; conforming provisions; revising an evidentiary standard; creating s. 874.045, F.S.; providing that chapter 874, F.S., does not preclude arrest and prosecution under other specified provisions; amending s. 874.05, F.S.; revising provisions relating to soliciting or causing another to join a criminal gang; amending s. 874.06, F.S.; authorizing the state to bring civil actions for certain violations; providing that a plaintiff has a superior claim to property or proceeds; providing penalties for knowing violation of certain orders; amending s. 874.08, F.S.; conforming provisions relating to forfeiture; amending s. 874.09, F.S.; providing additional powers for the Department of Law Enforcement and local law enforcement agencies relating to crime data information; creating s. 874.10, F.S.; prohibiting persons from knowingly initiating, organizing, planning, financing, directing, managing, or supervising criminal gang-related activity; providing penalties; creating s. 874.11, F.S.; prohibiting use of electronic communications to further the interests of a criminal gang; providing penalties; creating s. 874.12, F.S.; defining the term "identification document"; prohibiting possession of certain identification documents for specified purposes; providing penalties; amending s. 895.02, F.S.; adding certain offenses to the definition of "racketeering activity"; conforming terminology to changes made by this act; amending s. 903.046, F.S.; adding to the list of items a court may consider when determining whether to release a defendant on bail; amending s. 914.22, F.S.; revising the penalties for tampering with or harassing witnesses; amending s. 943.031, F.S.; revising provisions relating to the Florida Violent Crime and Drug Control Council; providing duties concerning criminal gangs; creating the Drug Control Strategy and Criminal Gangs Committee; providing for duties of the committee concerning funding of certain programs; providing for reports; creating s. 948.033, F.S.; prohibiting certain probationers or community controllees from communicating with criminal gang members; providing exceptions; amending s. 947.18, F.S.; prohibiting certain parolees from communicating with criminal gang members; providing exceptions; amending s. 947.1405, F.S.; prohibiting certain conditional releasees from communicating with criminal gang members; providing

exceptions; amending s. 893.138, F.S.; conforming terminology to changes made by this act; amending s. 921.0022, F.S.; adding offenses to the offense severity ranking chart of the Criminal Punishment Code; conforming terminology to changes made by this act; amending ss. 921.0024, 921.141, 943.325, 984.03, 985.03, 985.047, and 985.433, F.S.; conforming cross-references and terminology to changes made by this act; providing a directive to the Division of Statutory Revision; creating the Coordinating Council on Criminal Gang Reduction Strategies; providing membership of the council; providing duties of the council; providing for expiration of the council; providing effective dates.

—a companion measure, was substituted for **CS for CS for SB 76** as amended and read the second time by title.

MOTION

On motion by Senator Atwater, the rules were waived to allow the following amendments to be considered:

Senator Atwater moved the following amendments which were adopted:

Amendment 1 (081440)—Delete line 1498 and insert:

874.10	*1st, PBL*	*Knowingly initiates, organizes, plans, finances, directs, manages, or supervises criminal gang-related activity.*

Amendment 2 (564794)—Delete line 1976 and insert:

(j) The council shall cease to exist on June 30, 2009.

Amendment 3 (703050)—Delete line 1464 and insert:

790.23	*1st, PBL*	*Possession of a firearm by a person who qualifies for the penalty enhancements provided for in s. 874.04.*

Pursuant to Rule 4.19, **CS for CS for HB 43** as amended was placed on the calendar of Bills on Third Reading.

On motion by Senator Aronberg, by two-thirds vote **CS for HB 537** was withdrawn from the Committees on Criminal Justice; Judiciary; and Criminal and Civil Justice Appropriations.

On motion by Senator Aronberg—

CS for HB 537—A bill to be entitled An act relating to the offense of voyeurism; amending s. 810.145, F.S.; providing that it is a third-degree felony for certain persons who are responsible for the welfare of a child younger than 16 years of age to commit the offense of video voyeurism, video voyeurism dissemination, or commercial video voyeurism dissemination against that child; providing that it is a third-degree felony for a person employed at a school or voluntary prekindergarten education program to commit the offense of video voyeurism, video voyeurism dissemination, or commercial video voyeurism dissemination against a student of the school or voluntary prekindergarten education program; providing that it is a third-degree felony for a person who is 24 years of age or older to commit the offense of video voyeurism, video voyeurism dissemination, or commercial video voyeurism dissemination against a child younger than 16 years of age; providing that it is a second-degree felony for a person who was previously convicted of or adjudicated delinquent for video voyeurism, video voyeurism dissemination, or commercial video voyeurism dissemination to commit any such third-degree felony against a child younger than 16 years of age or a student; providing criminal penalties; providing an effective date.

—a companion measure, was substituted for **CS for SB 328** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 537** was placed on the calendar of Bills on Third Reading.

On motion by Senator Dockery, by two-thirds vote **CS for HB 321** was withdrawn from the Committees on Criminal Justice; Judiciary; and Criminal and Civil Justice Appropriations.

On motion by Senator Dockery—

CS for HB 321—A bill to be entitled An act relating to murder of law enforcement officers; creating s. 782.065, F.S.; providing a minimum mandatory sentence for certain offenses; providing an effective date.

—a companion measure, was substituted for **CS for SB 1064** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 321** was placed on the calendar of Bills on Third Reading.

Consideration of **CS for CS for CS for SB 756** was deferred.

On motion by Senator Lynn, by two-thirds vote **CS for HB 1363** was withdrawn from the Committees on Criminal Justice; Health Regulation; and Criminal and Civil Justice Appropriations.

On motion by Senator Lynn—

CS for HB 1363—A bill to be entitled An act relating to controlled substances; amending s. 893.03, F.S.; including Salvia divinorum and Salvinorin A on the list of controlled substances in Schedule I; providing exceptions from the scheduling of Salvia divinorum and Salvinorin A; reenacting ss. 893.13(1)(a), (c), (d), (e), (f), and (h), (2)(a), (4)(b), and (5)(b), and 921.0022(3)(b), (c), and (e), F.S., relating to prohibited acts and penalties concerning controlled substances and the offense severity chart of the Criminal Punishment Code, to incorporate the amendment to s. 893.03, F.S., in references thereto; providing an effective date.

—a companion measure, was substituted for **CS for SB's 340 and 1612** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 1363** was placed on the calendar of Bills on Third Reading.

By Senator Dean—

CS for SB 1462—A bill to be entitled An act relating to direct-support organizations; creating s. 292.055, F.S.; creating the "Sergeant First Class Paul R. Smith Memorial Act"; authorizing the Department of Veterans' Affairs to establish a direct-support organization to assist the department; providing definitions; providing purposes, objectives, and duties of the direct-support organization; providing for a board of directors and membership requirements for the board members; requiring the direct-support organization to operate under contract with the department; delineating contract and other governance requirements; providing guidelines for the use of funds; providing for the use of property, facilities, and personal services of the department; providing restrictions; providing limits on the direct-support organization; requiring the direct-support organization to submit certain federal tax forms to the department; providing for an annual audit; amending s. 265.002, F.S.; providing for the Department of Veterans' Affairs to replace the Florida Commission on Veterans' Affairs in cooperating with the Department of Management Services to establish the Florida Medal of Honor Wall; amending s. 320.08058, F.S.; requiring that a certain percent of the annual license plate fee collected from the sale of the "Florida Salutes Veterans" license plate be distributed to the direct-support organization created for the purpose of providing benefit to the Department of Veterans' Affairs for a period not to exceed 24 months after the date the direct-support organization is incorporated; providing that the remaining fees be deposited in the State Homes for Veterans Trust Fund; amending s. 337.111, F.S.; providing that three members of the direct-support organization of the Department of Veterans' Affairs participate on a committee to approve contracts to install monuments and memorials honoring Florida's military veterans at highway rest areas around the state; repealing s. 292.04, F.S., relating to the Florida Commission on Veteran's Affairs; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1462** was placed on the calendar of Bills on Third Reading.

By Senator Aronberg—

CS for SB 1618—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act regarding victims of child abuse or sex crimes; amending s. 119.071, F.S.; expanding the exemption for certain victim information by making it confidential and exempt from public-record requirements; expanding the exemption to include sexual offenses prohibited under chapters 796 and 847, F.S.; creating exceptions to the public record exemption; providing for future legislative review of the exemption; reorganizing the exemption; providing a statement of public necessity; repealing s. 2 of chapter 2003-157, Laws of Florida, which provides for repeal of the exemption; amending s. 92.56, F.S.; requiring that the confidential and exempt status of certain victim information made confidential and exempt s. 119.071(2)(h), F.S., be maintained in court records and court proceedings; providing for a petition for access at the trial court; providing specified criteria for maintaining the confidential and exempt status of such information upon the filing of a petition; permitting a defendant charged with specified offenses to apply for an order of disclosure to prepare a defense; amending s. 119.0714, F.S.; conforming the provisions to changes made in s. 119.071(2)(h), F.S.; amending s. 794.03, F.S.; conforming the provisions to changes made in s. 119.071(2)(h), F.S.; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1618** was placed on the calendar of Bills on Third Reading.

Consideration of **CS for SB 654** and **CS for CS for SB 2152** was deferred.

By Senator Fasano—

CS for SB 2522—A bill to be entitled An act relating to the Family Readiness Program; amending s. 250.5206, F.S.; expanding the purpose, eligibility, and annual report provisions of the Family Readiness Program within the Department of Military Affairs; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 2522** was placed on the calendar of Bills on Third Reading.

By Senator Saunders—

CS for SB 334—A bill to be entitled An act relating to the practice of pharmacy; amending s. 465.0075, F.S.; revising provisions governing licensure by endorsement; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 334** was placed on the calendar of Bills on Third Reading.

By Senator Constantine—

CS for SB 502—A bill to be entitled An act relating to missing persons; creating s. 937.0201, F.S.; providing definitions; amending s. 937.021, F.S.; requiring law enforcement agencies to adopt written policies and procedures to be used when investigating missing children and missing adult reports; requiring the law enforcement agency having jurisdiction to accept and file the report; providing a timeframe for transmitting the report to state and national databases; providing immunity from civil liability for certain persons providing information in good faith; requiring that a law enforcement agency obtain a DNA sample after a child or adult has been missing for more than 90 days; authorizing the Department of Law Enforcement to adopt rules; amending s. 937.022, F.S.; renaming the Missing Children Information Clearinghouse as the "Missing Endangered Persons Information Clearinghouse"; revising provisions to conform; requiring the state and national databases to be purged of information about a person who has been located; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 502** was placed on the calendar of Bills on Third Reading.

By Senator Baker—

CS for CS for SB 574—A bill to be entitled An act relating to Reserve Officers' Training Corps programs; creating s. 1003.451, F.S.; prohibiting a school district from banning a Junior Reserve Officers' Training Corps unit in certain schools; requiring a school district to allow a student, under certain circumstances, to enroll in the Junior Reserve Officers' Training Corps at another school; specifying that a school district is not required to provide transportation for a student enrolling in the Junior Reserve Officers' Training Corps at another school; requiring a school district to grant military recruiters certain access to students, school facilities and grounds, and certain student information; providing for enforcement; providing for the adoption of rules by the State Board of Education; creating s. 1004.009, F.S.; prohibiting a community college or state university from banning a Senior Reserve Officers' Training Corps unit; requiring that a community college or state university grant military recruiters certain access to students and campus facilities and grounds and, to the extent required by federal law, access to certain student information; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 574** was placed on the calendar of Bills on Third Reading.

By Senator Siplin—

SB 642—A bill to be entitled An act relating to public K-12 education; creating s. 1003.06, F.S.; authorizing the parent of multiple birth siblings to request certain classroom placement; providing a definition; providing exceptions to implementation of the requested placement; authorizing appeal of placement; specifying conditions under which provisions do not apply; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 642** was placed on the calendar of Bills on Third Reading.

By Senator Fasano—

CS for SB 856—A bill to be entitled An act relating to disability history and awareness; creating s. 1003.4205, F.S.; authorizing district school boards to designate "Disability History and Awareness Weeks" during the first 2 weeks in October each year; providing for students in all K-12 public schools to be provided disability history and awareness instruction; providing the content and goals of such instruction; encouraging state postsecondary institutions to conduct and promote activities related to disability history and awareness; providing an effective date.

—was read the second time by title.

Senator Fasano moved the following amendment which was adopted:

Amendment 1 (269978)(with title amendment)—On line 21, delete "*may*" and insert: *shall*

And the title is amended as follows:

On line 3, delete "authorizing" and insert: requiring

Pursuant to Rule 4.19, **CS for SB 856** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

By Senator Gaetz—

CS for SB 1318—A bill to be entitled An act relating to onsite sewage treatment and disposal systems; amending ss. 381.0065 and 381.0068, F.S.; providing that a member of local government who is knowledgeable

about domestic wastewater treatment be added to the research review and advisory committee and the technical review and advisory panel established by the Department of Health for purposes of onsite sewage treatment and disposal system regulation; amending s. 318.0101, F.S.; exempting certain persons who are performing site evaluations relating to wastewater treatment and disposal systems from having to be certified as an environmental health professional by the Department of Health; providing that such persons must have completed a soils morphology course approved by the department and be working under the direct responsible charge of a licensed engineer; providing continuing education requirements for such persons; providing an effective date.

—was read the second time by title.

Senator Gaetz moved the following amendment which was adopted:

Amendment 1 (774088)(with title amendment)—Delete line(s) 181-183 and insert: *chapter 471.*

And the title is amended as follows:

Delete line(s) 17 and 18 and insert: licensed engineer; providing an effective

Pursuant to Rule 4.19, **CS for SB 1318** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

By Senator Peaden—

CS for CS for SB 1360—A bill to be entitled An act relating to pharmacy technicians; amending s. 465.0075, F.S.; revising licensure requirements; amending s. 465.014, F.S.; requiring the Board of Pharmacy to adopt rules; providing for the registration of pharmacy technicians; deleting obsolete provisions governing adoption of rules; requiring that a registered pharmacy technician be under the direct supervision of a licensed pharmacist; requiring the board to set fees for the registration of pharmacy technicians; providing qualification requirements; providing a limitation; exempting pharmacy technician students and licensed pharmacy interns from registration requirements; providing continuing education requirements for registration renewal; requiring the board to adopt rules regarding the display of a registration; providing grounds for denial, suspension, or revocation of registration or other disciplinary action; authorizing the board to impose certain penalties; requiring completion of a pharmacy technician training program in order to register as a pharmacy technician by a specified date; providing an exception to the requirement to complete a training program; amending s. 465.015, F.S.; prohibiting a person who is not registered as a pharmacy technician from performing certain functions or holding himself or herself out to others as a registered pharmacy technician; amending ss. 465.019, 465.0196, and 465.0197, F.S., relating to institutional pharmacies, special pharmacy permits, and Internet pharmacy permits; conforming provisions; providing effective dates.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 1360** was placed on the calendar of Bills on Third Reading.

By Senator Jones—

CS for CS for CS for SB 1374—A bill to be entitled An act relating to home health care; amending s. 400.462, F.S.; revising and adding definitions; amending s. 400.464, F.S.; authorizing a home infusion therapy provider to be licensed as a nurse registry; deleting provisions related to Medicare reimbursement; amending s. 400.471, F.S.; requiring an applicant for a home health agency license to submit to the Agency for Health Care Administration a business plan and evidence of contingency funding, and disclose other controlling ownership interests in health care entities; requiring certain standards in documentation demonstrating financial ability to operate; requiring an applicant for a new home health agency license to submit a surety bond of a specified amount to the Agency for Health Care Administration; authorizing the agency to adopt rules for the submission of other forms of security; providing procedures for the agency with respect to making a claim against a surety bond or security; limiting the timing of receipt and the number of applications for a new home health agency license which the agency may accept each quarter; providing an exception under certain circumstances for a home health agency that is part of a retirement community; specifying a procedure for the agency to follow in selecting applications to process for a new home health agency license; providing that the change of ownership of a home health agency that is licensed at the time of the sale is not restricted or limited; providing for the future expiration of such provisions; prohibiting the agency from issuing an initial license to a home health agency licensure applicant located within 20 miles of a licensed home health agency that has common controlling interests; prohibiting the transfer of an application to another home health agency; requiring submission of an initial application to relocate a licensed home health to another geographic service area; imposing the burden of proof on an applicant to demonstrate that a factual determination made by the agency is not supported by a preponderance of the evidence; amending s. 400.474, F.S.; providing additional grounds under which the Agency for Health Care Administration may take disciplinary action against a home health agency; creating s. 400.476, F.S.; establishing staffing requirements for home health agencies; reducing the number of home health agencies that an administrator or director of nursing may serve; requiring that an alternate administrator be designated in writing; limiting the period that a home health agency that provides skilled nursing care may operate without a director of nursing; requiring notification upon the termination and replacement of a director of nursing; requiring the Agency for Health Care Administration to take administrative enforcement action against a home health agency for noncompliance with the notification and staffing requirements for a director of nursing; exempting a home health agency that provides only physical, occupational, or speech therapy from requirements related to a director of nursing; providing training requirements for certified nursing assistants and home health aides; amending s. 400.484, F.S.; requiring the agency to conduct the first unannounced survey of a newly licensed home health agency within a specified period after issuing the license; requiring that the agency impose administrative fines for certain deficiencies; increasing the administrative fines imposed for certain deficiencies; amending s. 400.488, F.S.; deleting provisions authorizing the administration of medication to home health patients by unlicensed staff; providing for the delegation of nursing tasks as provided in ch. 464, F.S., and related rules; amending s. 400.491, F.S.; extending the period that a home health agency must retain records of the nonskilled care it provides; amending s. 400.497, F.S.; requiring that the Agency for Health Care Administration adopt rules related to standards for the director of nursing of a home health agency, requirements for a director of nursing to submit certified staff activity logs pursuant to an agency request, quality assurance programs, and inspections related to an application for a change in ownership; amending s. 400.506, F.S.; providing training requirements for certified nursing assistants and home health aides referred for contract by a nurse registry; providing for the denial, suspension, or revocation of nurse registry license and fines for paying remuneration to certain entities in exchange for patient referrals or refusing fair remuneration in exchange for patient referrals; amending s. 400.518, F.S.; providing for a fine to be imposed against a home health agency that provides complimentary staffing to an assisted care community in exchange for patient referrals; amending s. 409.906, F.S.; requiring durable medical equipment providers enrolled in the Medicaid program to be accredited and have a physical business location that meets specified conditions; providing for exceptions of certain business location criteria; requiring a durable medical equipment provider enrolled in the Medicaid program to obtain a surety bond of a specified amount and for certain staff to undergo background screening; providing for exemptions from accreditation and the surety bond for specified durable medical equipment providers; requiring the Agency for Health Care Administration to review the process for prior authorization of home health agency visits and determine whether modifications to the process are necessary; requiring the agency to report to the Legislature on the feasibility of accessing the Medicare system to determine recipient eligibility for home health services; providing appropriations and authorizing additional positions; providing an effective date.

—was read the second time by title.

Senator Dean moved the following amendment which was adopted:

Amendment 1 (874160)—Delete line(s) 474 and insert: *that is located within 20 miles of the applicant and is in the same county. The agency must*

Senator King moved the following amendment which was adopted:

Amendment 2 (786550)—On line(s) 588, delete "*10*" and insert: *15*

Senator Dean moved the following amendment which was adopted:

Amendment 3 (283322)(with title amendment)—Delete line(s) 722-724 and insert:

(c) A home health agency that does not provide skilled care, or provides only physical, occupational, or speech therapy is not required to have a director of nursing and is exempt from paragraph (b).

And the title is amended as follows:

Delete line(s) 55 and insert: a home health agency that does not provide skilled care, or provides only physical,

Senator Peaden moved the following amendments which were adopted:

Amendment 4 (379440)—Delete line(s) 983 and insert: *available to the general public. A licensed orthotist or prosthetist that provides only orthotic or prosthetic devices as a Medicaid durable medical equipment provider is exempt from the requirements of subparagraph 2., subparagraph 4., and subparagraph 6. The physical business location*

Amendment 5 (700852)—Delete line(s) 1025 and insert: *continuous bond. A licensed orthotist or prosthetist that provides only orthotic or prosthetic devices as a Medicaid durable medical equipment provider is exempt from the provisions in this paragraph.*

Senator Jones moved the following amendment which was adopted:

Amendment 6 (948886)—Delete line 1066 and insert: *Agency for Health Care Administration from the Medical Care*

MOTION

On motion by Senator King, the rules were waived to allow the following amendment to be considered:

Senator King moved the following amendment which was adopted:

Amendment 7 (925370)—Delete line(s) 467-469 and insert:

(d) This subsection does not restrict or limit the change of ownership of a home health agency that is licensed at the time of sale, and an application for a home health agency license submitted by the new owner is exempt from the provisions of paragraphs (a) and (b).

Pursuant to Rule 4.19, **CS for CS for CS for SB 1374** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

By Senator Diaz de la Portilla—

CS for SB 1414—A bill to be entitled An act relating to supplemental educational services; amending s. 1008.331, F.S.; requiring the Department of Education to annually evaluate and grade supplemental educational services providers; specifying evaluation criteria; providing reporting requirements; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1414** was placed on the calendar of Bills on Third Reading.

On motion by Senator Margolis, by two-thirds vote **CS for HB 803** was withdrawn from the Committees on Health Regulation; and Health and Human Services Appropriations.

On motion by Senator Margolis—

CS for HB 803—A bill to be entitled An act relating to licensure of psychologists; amending s. 490.005, F.S.; requiring the Board of Psychology to close application files of applicants failing to pass certain examinations, or failing to submit evidence of completion of postdoctoral supervised experience, within a specified timeframe; providing that an individual who completes the required postdoctoral training residency may continue to practice under supervision under certain conditions; providing an effective date.

—a companion measure, was substituted for **CS for SB 1478** and read the second time by title.

MOTION

On motion by Senator Margolis, the rules were waived to allow the following amendment to be considered:

Senator Margolis moved the following amendment which was adopted:

Amendment 1 (744406)(with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Subsection (3) is added to section 490.005, Florida Statutes, to read:

490.005 Licensure by examination.—

(3)(a) The board shall close the application file of any applicant who fails to pass the psychology licensure examination and the Florida law and rules portion of the examination or who fails to submit evidence of completion of the postdoctoral, supervised experience within a timeframe no longer than 24 months.

(b) The board shall implement a procedure by which an applicant may apply for an extension beyond the required timeframe.

(c) An individual who completes the required postdoctoral training residency may continue to practice under supervision if she or he does so in a manner prescribed by the board by rule, has a current application on file, and no final order of denial has been issued.

Section 2. This act shall take effect January 1, 2009.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to psychology licensure; amending s. 490.005, F.S.; requiring the Board of Psychology within the Department of Health to close an application of an applicant who fails to pass the licensure examination or submit evidence of completing postdoctoral training within a specified period; requiring that the board provide for exceptions; authorizing persons who have completed postdoctoral residency training to continue the practice of psychology under certain circumstances; providing an effective date.

Pursuant to Rule 4.19, **CS for HB 803** as amended was placed on the calendar of Bills on Third Reading.

CS for SB 2350—A bill to be entitled An act relating to textbook affordability; creating s. 1004.09, F.S.; prohibiting certain actions of community college or state university employees that relate to student purchase of required textbooks; authorizing receipt of certain instructional materials, compensation, and training; requiring student notification of required textbooks; requiring adoption of specified policies and practices to minimize the cost of textbooks; providing an effective date.

—was read the second time by title.

An amendment was considered and adopted to conform **CS for SB 2350** to **HB 603**.

Pending further consideration of **CS for SB 2350** as amended, on motion by Senator Atwater, by two-thirds vote **HB 603** was withdrawn from the Committees on Higher Education; and Higher Education Appropriations.

On motion by Senator Atwater—

HB 603—A bill to be entitled An act relating to textbook affordability; creating s. 1004.09, F.S.; prohibiting certain actions of community college or state university employees that relate to student purchase of

required textbooks; authorizing receipt of certain instructional materials, compensation, and training; requiring student notification of required textbooks; requiring adoption of specified policies and practices to minimize the cost of textbooks; providing an effective date.

—a companion measure, was substituted for **CS for SB 2350** as amended and read the second time by title.

Pursuant to Rule 4.19, **HB 603** was placed on the calendar of Bills on Third Reading.

CS for SB 2390—A bill to be entitled An act relating to the Florida Self-Directed Care program; amending s. 394.9084, F.S.; providing for the expansion of the program to all districts of the Department of Children and Family Services; defining the term "fiscal intermediary"; providing for the duties of the intermediary; deleting an obsolete provision; requiring an evaluation of the program by the Office of Program Policy Analysis and Government Accountability by a certain date; revising the evaluation criteria; abrogating the expiration date of the program; providing an effective date.

—was read the second time by title.

An amendment was considered and adopted to conform **CS for SB 2390** to **HB 7041**.

Pending further consideration of **CS for SB 2390** as amended, on motion by Senator Webster, by two-thirds vote **HB 7041** was withdrawn from the Committees on Children, Families, and Elder Affairs; and Health and Human Services Appropriations.

On motion by Senator Webster—

HB 7041—A bill to be entitled An act relating to the Florida Self-Directed Care program; amending s. 394.9084, F.S.; authorizing the Department of Children and Family Services to expand the program statewide; requiring the department to implement a payment mechanism for mental health treatment and support services; defining the term "fiscal intermediary"; providing for the duties of the fiscal intermediary; permitting the fiscal intermediary to receive funds on behalf of participants; requiring an evaluation by the Office of Program Policy Analysis and Government Accountability by a certain date; providing evaluation criteria; deleting provisions relating to the evaluation of the original pilot program; deleting the expiration date of the program; providing an effective date.

—a companion measure, was substituted for **CS for SB 2390** as amended and read the second time by title.

Pursuant to Rule 4.19, **HB 7041** was placed on the calendar of Bills on Third Reading.

THE PRESIDENT PRESIDING

On motion by Senator Baker, the Senate resumed consideration of—

CS for CS for CS for SB 1992—A bill to be entitled An act relating to the Department of Highway Safety and Motor Vehicles; amending s. 316.0741, F.S.; redefining the term "hybrid vehicle"; authorizing the driving of a hybrid, low-emission, or energy-efficient vehicle in a high-occupancy-vehicle lane regardless of occupancy; authorizing the department to limit or discontinue such driving under certain circumstances; exempting such vehicles from the payment of certain tolls; amending s. 316.1575, F.S.; requiring a person walking or driving a vehicle to stop at a railroad crossing upon the signal of a law enforcement officer; amending s. 316.1895, F.S.; requiring the placement of signs in certain school zones stating that speeding fines are doubled within the zone; amending s. 316.191, F.S.; revising provisions prohibiting certain speed competitions and exhibitions; revising the definition of the terms "conviction," "drag race," and "race"; defining the terms "exhibition of acceleration," "exhibition of speed," and "spectator"; prohibiting driving in any race, drag race, exhibition of speed, or exhibition of acceleration; prohibiting certain acts in association with a race, drag race, exhibition of speed, or exhibition of acceleration; prohibiting being a spectator at any such race, drag race, or exhibition; providing criminal and noncriminal penalties; providing for revocation of the offender's driver's license upon conviction; providing for disposition of citation for being a spectator; providing penalties for a second or subsequent offense; providing that a violation that causes or contributes to causing serious bodily injury to another is a felony of the third degree; providing that a violation that causes or contributes to causing the death of any human being or unborn quick child is the crime of manslaughter resulting from the operation of a motor vehicle; providing penalties; providing for a determination of the definition of the term "unborn quick child"; requiring that the driving record of a person charged be provided to the court; providing criteria for arrest; providing procedures for impoundment or immobilization of a motor vehicle under a court order; providing for release from impoundment under specified exceptions; requiring that costs and fees of impoundment to be paid by the owner or lessee of the motor vehicle; providing procedures for an arresting officer to immediately impound a motor vehicle used in a violation; providing for the period of impoundment; removing a requirement for impoundment that the person being arrested is the registered owner or coowner of the motor vehicle; providing for satisfaction of the element of negligent entrustment; providing for severability; providing noncriminal penalties for the display of obscene words, images, or devices on a motor vehicle; creating s. 316.1926, F.S.; creating additional offenses regarding the operation of a motor vehicle; amending s. 316.193, F.S.; lowering the blood-alcohol or breath-alcohol level for which enhanced penalties are imposed against a person who was accompanied in the vehicle by a minor at the time of the offense; clarifying that an ignition interlock device is installed for a continuous period; amending s. 316.1937, F.S.; revising the conditions under which the court may require the use of an ignition interlock device; amending s. 316.2085, F.S.; requiring an operator of a motorcycle or moped to maintain both wheels on the ground at all times; requiring that the license tag of a motorcycle or moped be affixed horizontally; amending s. 316.2397, F.S.; authorizing specified agencies to display blue lights when responding to emergencies; amending s. 316.251, F.S.; conforming a cross-reference; amending s. 316.29545, F.S.; exempting certain investigative vehicles from the prohibition against installing window sunscreening on a vehicle; amending s. 316.302, F.S.; revising the application of certain federal rules; providing for the department to perform certain duties assigned under federal rules; updating a reference to federal provisions governing out-of-service requirements for commercial vehicles; amending s. 316.3045, F.S.; providing enhanced penalties upon multiple convictions for violating prohibitions against the use of excessively loud soundmaking equipment in a motor vehicle; amending s. 316.613, F.S.; redefining the term "motor vehicle" to exclude certain trucks from the requirement to use a child restraint; amending s. 316.645, F.S.; authorizing a police officer to make an arrest upon probable cause of a violation of laws governing motor vehicle licenses; amending s. 316.650, F.S.; revising requirements for traffic citation forms; providing for the electronic transmission of citation data; amending s. 316.656, F.S.; lowering the percentage of blood or breath alcohol content relating to the prohibition against pleading guilty to a lesser offense of driving under the influence than the offense charged; amending s. 318.14, F.S.; prohibiting a person from electing more than five times within 10 years to attend a basic driver improvement course approved by the Department of Highway Safety and Motor Vehicles in lieu of making a court appearance; providing additional penalties for certain offenses involving the operation of a motorcycle or excessive speed; providing for revocation of an offender's privilege to operate a motor vehicle; creating s. 318.195, F.S.; providing enhanced penalties for moving violations that cause injury or death to a person on a motorcycle; amending s. 319.001, F.S.; defining the term "certificate of title" to include information stored electronically in the department's database; amending s. 320.0706, F.S.; providing that a violation of requirements for displaying a truck license plate is a moving violation; amending s. 320.0715, F.S.; requiring the department to withhold issuing or to suspend a registration and license plate for a commercial motor vehicle if the federal identifying number is not provided or if the motor carrier or vehicle owner has been prohibited from operating; amending s. 320.01, F.S.; redefining the term "motorcycle" to exclude a vehicle where the operator is enclosed by a cabin; amending s. 320.02, F.S., as amended; deleting the requirement for a motorcycle endorsement at the time of original registration of a motorcycle, motor-driven cycle, or moped; repealing s. 320.02(13), F.S., relating to a motor vehicle registration voluntary contribution for the Election Campaign Financing Trust Fund; repealing s. 320.08053(3), F.S., relating to provisions requiring that the department adopt rules providing certain specifications for the design of specialty license plates; amending s. 320.08056, F.S.; deleting a provision that exempts collegiate license plates from a requirement that a specialty license plate be discontinued if sales drop below a specified amount; amending s. 320.0894, F.S.; providing for the issuance of Gold Star

license plates to certain family members; amending s. 320.27, F.S.; revising the insurance requirements for persons applying for a motor vehicle dealer license; amending s. 320.69, F.S.; authorizing the Department of Highway Safety and Motor Vehicles to adopt rules, including definitions as necessary; creating s. 321.26, F.S.; designating the Joseph P. Bertrand Building in Fort Myers; amending s. 322.01, F.S.; defining the term "convenience service"; redefining the terms "conviction," "hazardous materials," and "out-of-service order"; amending s. 322.0255, F.S.; revising eligibility for reimbursement for organizations that conduct motorcycle safety courses; amending s. 322.03, F.S.; deleting provisions exempting certain persons from the requirement to surrender a license issued by another jurisdiction; providing certain exceptions for part-time residents; amending ss. 322.051 and 322.08, F.S.; requiring that an applicant for an identification card or driver's license provide additional information; authorizing use of additional documents to prove identity; revising the fee requirements; revising provisions providing for the expiration of an identification card issued by the department; deleting provisions authorizing a voluntary contribution; amending s. 322.14, F.S.; requiring that an applicant for a driver's license provide a residence address; amending s. 322.15, F.S.; authorizing a law enforcement officer or authorized representative of the department to collect a person's fingerprints electronically; amending s. 322.17, F.S.; revising the requirements for obtaining a replacement license or permit; deleting provisions authorizing the department to issue address stickers; amending s. 322.18, F.S.; revising provisions providing for the expiration of driver's licenses; providing for the renewal of certain licenses every 8 years and for the renewal of licenses for persons older than a specified age every 6 years; providing for the renewal of licenses using a convenience service; requiring the department to issue new licenses rather than extension stickers; conforming cross-references; repealing s. 322.181(4), F.S., relating to the Florida At-Risk Driver Council; amending s. 322.19, F.S.; deleting provisions authorizing the use of a change-of-address sticker on a driver's license; conforming cross-references; amending s. 322.21, F.S.; increasing the fees charged for obtaining a new or renewal driver's license or identification card; specifying that a portion of the fees be deposited for use by the department; amending s. 322.2715, F.S.; clarifying that an ignition interlock device is installed for a continuous period; amending s. 322.291, F.S.; imposing additional sanctions against a person who violates requirements with respect to an ignition interlock device; amending s. 322.36, F.S.; requiring the suspension for a specified period of the driver's license of a person who loans a vehicle to a person whose driver's license is suspended if that vehicle is involved in an accident resulting in bodily injury or death; repealing s. 322.60, F.S., relating to a prohibition against possessing more than one driver's license under certain circumstances; amending s. 322.61, F.S.; clarifying provisions disqualifying a person from operating a commercial motor vehicle following certain traffic violations; providing for permanent disqualification following conviction of a felony involving the manufacture, distribution, or dispensing of a controlled substance; amending s. 322.64, F.S.; providing that refusal to submit to a breath, urine, or blood test disqualifies a person from operating a commercial motor vehicle; providing a period of disqualification if a person has an unlawful blood-alcohol or breath-alcohol level; providing for issuance of a notice of disqualification; revising the requirements for a formal review hearing following a person's disqualification from operating a commercial motor vehicle; amending s. 324.021, F.S.; clarifying that a judgment becomes final by expiration of the time for appeal; amending 501.976, F.S.; conforming a cross-reference; creating the Automobile Lenders Industry Task Force within the Department of Highway Safety and Motor Vehicles; providing duties of the task force; providing for membership and the election of officers; providing for meetings; providing for reimbursement for travel and per diem expenses for public-sector members; requiring the department to provide administrative support and assistance to the task force; prohibiting the Department of Highway Safety and Motor Vehicles from issuing any new specialty license plates for a specified period; providing an effective date.

—which was previously considered and amended April 16. Pending **Amendment 4 (502094)** by Senators King and Dockery was adopted.

MOTION TO RECONSIDER AMENDMENT

Senator King moved that the Senate reconsider the vote by which **Amendment 1 (746428)** by Senator Baker was adopted. The motion failed.

MOTION

On motion by Senator Baker, the rules were waived to allow the following amendments to be considered:

Senator Baker moved the following amendments which were adopted:

Amendment 5 (521576)—Delete line(s) 2470 and insert: *its initial meeting, which shall be held by October 1, 2008.*

Amendment 6 (190706)—Delete line(s) 2184 and 2185 and insert: *or her driving privilege shall be disqualified for a period of 1 year for a first offense or permanently if his or*

Pursuant to Rule 4.19, **CS for CS for CS for SB 1992** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

By Senator Storms—

CS for SB 2692—A bill to be entitled An act relating to the teaching of chemical and biological evolution; providing a short title; providing legislative intent; defining the term "scientific information"; providing public school teachers with a right to present scientific information relevant to the full range of views on biological and chemical evolution; prohibiting a teacher from being discriminated against for presenting such information; prohibiting students from being penalized for subscribing to a particular position on evolution; clarifying that the act does not require any change in state curriculum standards or promote any religious position; providing an effective date.

—was read the second time by title.

MOTION

On motion by Senator Deutch, the rules were waived to allow the following amendment to be considered:

Senators Deutch and Rich offered the following amendment which was moved by Senator Deutch and failed:

Amendment 1 (376830)(with title amendment)—Delete lines 45-66 and insert:

(5) A public school teacher in the state's K-12 school system may not be disciplined, denied tenure, terminated, or otherwise discriminated against for objectively presenting scientific information relevant to the full range of scientific views regarding biological or chemical evolution and comprehensive sexual education that is age-appropriate and factual in connection with teaching any prescribed curriculum regarding chemical or biological evolution and any prescribed abstinence-only curriculum regarding human sexuality, respectively.

(6) Public school students in the state's K-12 school system shall be evaluated based upon their understanding of course materials through normal testing procedures. However, students shall not be penalized for subscribing to a particular position or view regarding biological or chemical evolution.

(7) The rights and privileges contained in this section apply when the subject of biological or chemical evolution or comprehensive sexual education is part of the curriculum. This section does not require or encourage any change in the state curriculum standards for the K-12 public school system.

(8) This section does not promote any religious doctrine, promote discrimination for or against a particular set of religious beliefs, or promote discrimination for or against religion or nonreligion.

Section 2. This act shall take effect October 1, 2008.

And the title is amended as follows:

Delete lines 7-13 and insert: on biological and chemical evolution; prohibiting a teacher from being discriminated against for presenting such information; prohibiting students from being penalized for subscribing to a particular position on evolution; clarifying that the act does not require any change in state curriculum standards or promote any religious position; providing an effective date.

Pursuant to Rule 4.19, **CS for SB 2692** was placed on the calendar of Bills on Third Reading.

By Senator Joyner—

CS for CS for CS for SB 756—A bill to be entitled An act relating to compensation for wrongful incarceration; creating the "Victims of Wrongful Incarceration Compensation Act"; providing definitions; providing a limited method by which a person may seek the status of a wrongfully incarcerated person who is eligible and entitled to compensation under the act; requiring a sworn petition by the claimant; requiring the petitioner to show verifiable and substantial evidence of actual innocence; requiring the original prosecuting authority to respond to the petition; providing for a determination on the pleadings whether claimant is ineligible for compensation based on past criminal history; providing for a contested factual determination before an administrative law judge if necessary; requiring the original sentencing court to determine whether a person is a wrongfully incarcerated person based upon clear and convincing evidence; providing exceptions and limitations regarding the eligibility of a wrongfully incarcerated person for compensation; requiring the original sentencing court to include a finding of eligibility for compensation in its order; granting rulemaking authority to the Department of Legal Affairs; requiring that a wrongfully incarcerated person seeking compensation apply to the Department of Legal Affairs; providing application requirements and a deadline; requiring that the Department of Legal Affairs review each application and notify the claimant of any omissions or errors, or the need for additional information, within a specified period; requiring that the Department of Legal Affairs process and review each completed application within a specified period; requiring that the Department of Legal Affairs notify the claimant if he or she qualifies for compensation within a specified period; providing for monetary compensation for certain wrongfully incarcerated persons; providing for recovery of reasonable attorney's fees and other costs with limitations for certain wrongfully incarcerated persons; providing for tuition waivers for wrongfully incarcerated persons who meet certain requirements; providing for administrative expunction of certain records; requiring that any monetary compensation be paid within a specified period by specified means; prescribing conditions under which compensation payments cease; requiring a wrongfully incarcerated person to report any subsequent felony convictions; specifying that the estate, personal representative of, or heirs of the wrongfully incarcerated person are not entitled to future payments; prescribing conditions under which an application may not be filed and compensation may not be awarded; requiring a claimant to sign a release before receiving such compensation; providing for a continuing appropriation from the General Revenue Fund; providing that an award of compensation does not constitute a waiver of sovereign immunity by the state; providing for severability; providing an effective date.

—was read the second time by title.

MOTION

On motion by Senator Joyner, the rules were waived to allow the following amendments to be considered:

Senators Joyner and Webster offered the following amendments which were moved by Senator Joyner and adopted:

Amendment 1 (325798)—On line 224, delete "*crime*" and insert: *felony*

Amendment 2 (715362)(with title amendment)—Delete line(s) 256-270 and insert:

(e) Positive proof of identification, including two full sets of fingerprints administered by a law enforcement agency and a current form of photo identification, demonstrating that the person seeking compensation is the same individual who was wrongfully incarcerated;

(f) All supporting documentation of any fine, penalty, or court costs imposed and paid by the wrongfully incarcerated person as described in paragraph (1)(c) of section 6;

(g) All supporting documentation of any reasonable attorney's fees and expenses as described in paragraph (1)(d) of section 6; and

(h) Any other documentation, evidence, or information required by rules adopted by the department.

(5) The department shall forward one full set of fingerprints of the applicant to the Department of Law Enforcement for statewide criminal records checks. The Department of Law Enforcement shall forward the second set of fingerprints to the Federal Bureau of Investigation for national criminal records checks. The results of the state and national records checks shall be submitted to the department.

(Redesignate subsequent subsections.)

And the title is amended as follows:

On line 26, after the semicolon (;) insert: providing for state and national criminal records checks;

Amendment 3 (541382)(with title amendment)—Delete line(s) 352-441 and insert: *Officer to draw a warrant from the General Revenue Fund or another source designated by the Legislature in law for the purchase of an annuity for the claimant based on the total amount determined by the department under this act.*

(4) The Chief Financial Officer shall purchase an annuity on behalf of the claimant for a term of not less than 10 years. The terms of the annuity shall:

(a) Provide that the annuity may not be sold, discounted, or used as security for a loan or mortgage by the applicant.

(b) Contain beneficiary provisions for the continued disbursement of the annuity in the event of the death of the applicant.

(5) Before the Chief Financial Officer draws the warrant for the purchase of the annuity, the claimant must sign a release and waiver on behalf of the claimant and his or her heirs, successors, and assigns, forever releasing the state or any agency, instrumentality, or any political subdivision thereof, or any other entity subject to the provisions of s. 768.28, Florida Statutes, from all present or future claims that the claimant or his or her heirs, successors, or assigns may have against such entities arising out of the facts in connection with the wrongful conviction for which compensation is being sought under the act. The release and waiver must be provided to the department prior to the issuance of the warrant by the Chief Financial Officer.

(6)(a) A wrongfully incarcerated person may not submit an application for compensation under this act if the person has a lawsuit pending against the state or any agency, instrumentality, or any political subdivision thereof, or any other entity subject to the provisions of s. 768.28, Florida Statutes, in state or federal court requesting compensation arising out of the facts in connection with the claimant's conviction and incarceration.

(b) A wrongfully incarcerated person may not submit an application for compensation under this act if the person is the subject of a claim bill pending for claims arising out of the facts in connection with the claimant's conviction and incarceration.

(c) Once an application is filed under this act, a wrongfully incarcerated person may not pursue recovery under a claim bill until the final disposition of the application.

(d) Any amount awarded under this act is intended to provide the sole compensation for any and all present and future claims arising out of the facts in connection with the claimant's conviction and incarceration. Upon notification by the department that an application meets the requirements of this act, a wrongfully incarcerated person may not recover under a claim bill.

(e) Any compensation awarded under a claim bill shall be the sole redress for claims arising out of the facts in connection with the claimant's conviction and incarceration and, upon any award of compensation to a wrongfully incarcerated person under a claim bill, the person may not receive compensation under this act.

(7) Any payment made under this act does not constitute a waiver of any defense of sovereign immunity or an increase in the limits of liability on behalf of the state or any person subject to the provisions of s. 768.28, Florida Statutes, or other law.

And the title is amended as follows:

Delete line(s) 42-47 and insert: period; directing the Chief Financial Officer to purchase an annuity on behalf of the claimant; prescribing the terms of the annuity; prescribing

Pursuant to Rule 4.19, **CS for CS for CS for SB 756** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Saunders, by two-thirds vote **SB 226** was withdrawn from the Committee on Higher Education.

On motion by Senator Constantine, by two-thirds vote **SB 500** was withdrawn from the Committee on Governmental Operations.

REPORTS OF COMMITTEES

The Law and Justice Policy and Calendar Committee submits the following bills to be placed on the Special Order Calendar for Thursday, April 17, 2008: CS for SB 92, CS for SB 278, CS for CS for SB 76, CS for SB 328, CS for SB 1064, CS for CS for CS for SB 756, CS for SB's 340 and 1612, CS for SB 1462, CS for SB 1618, CS for SB 654, CS for CS for SB 2152, CS for SB 2522

Respectfully submitted,
Paula Dockery, Chair

The Social Responsibility Policy and Calendar Committee submits the following bills to be placed on the Special Order Calendar for Thursday, April 17, 2008: CS for SB 334, CS for SB 502, CS for CS for SB 574, SB 642, CS for SB 856, CS for SB 1318, CS for CS for SB 1360, CS for CS for CS for SB 1374, CS for SB 1414, CS for SB 1478, CS for SB 2350, CS for SB 2390, CS for SB 2692

Respectfully submitted,
Burt L. Saunders, Chair

The Committee on Criminal Justice recommends the following pass: SB 744 with 2 amendments

The bill was referred to the Committee on Agriculture under the original reference.

The Committee on Judiciary recommends the following pass: CS for SB 390; SB 1188

The bills were referred to the Committee on Criminal and Civil Justice Appropriations under the original reference.

The Committee on Military Affairs and Domestic Security recommends the following pass: SB 1974

The bill was referred to the Committee on Finance and Tax under the original reference.

The Committee on Criminal Justice recommends the following pass: CS for SB 694; SB 1182 with 1 amendment; SB 1280 with 1 amendment; SB 2440 with 1 amendment; SB 2444; CS for SB 2552; SB 2604

The bills were referred to the Committee on Judiciary under the original reference.

The Committee on Criminal Justice recommends the following pass: SB 446; CS for SB 456

The bills were referred to the Committee on Transportation and Economic Development Appropriations under the original reference.

The Committee on Judiciary recommends the following pass: CS for SB 654; CS for SB 1704; CS for CS for SB 2152

The bills were placed on the calendar.

The Committee on Judiciary recommends the following not pass: SB 2726

The bill was laid on the table.

The Committee on Regulated Industries recommends a committee substitute for the following: SB 2504

The bill with committee substitute attached was referred to the Committee on Banking and Insurance under the original reference.

The Committee on Health Regulation recommends a committee substitute for the following: SB 1668

The bill with committee substitute attached was referred to the Committee on Children, Families, and Elder Affairs under the original reference.

The Committee on Criminal Justice recommends a committee substitute for the following: CS for SB 1730

The bill with committee substitute attached was referred to the Committee on Criminal and Civil Justice Appropriations under the original reference.

The Committee on Criminal Justice recommends a committee substitute for the following: CS for SB 672

The bill with committee substitute attached was referred to the Committee on General Government Appropriations under the original reference.

The Committee on Health Policy recommends a committee substitute for the following: SB 1338

The bill with committee substitute attached was referred to the Committee on Health Regulation under the original reference.

The Committee on Health Policy recommends a committee substitute for the following: SB 2790

The bill with committee substitute attached was referred to the Committee on Higher Education under the original reference.

The Committee on General Government Appropriations recommends a committee substitute for the following: CS for CS for SB 996

The bill with committee substitute attached was referred to the Committee on Higher Education Appropriations under the original reference.

The Committee on Military Affairs and Domestic Security recommends a committee substitute for the following: SB 2728

The bill with committee substitute attached was referred to the Committee on Transportation and Economic Development Appropriations under the original reference.

The Committee on Education Pre-K - 12 Appropriations recommends committee substitutes for the following: CS for SB 1440; CS for SB 1914

The Committee on General Government Appropriations recommends committee substitutes for the following: CS for SB 1296; CS for CS for SB 2016; CS for SB 2174; CS for SB 2246; CS for SB 2848

The Committee on Regulated Industries recommends a committee substitute for the following: SB 2582

The bills with committee substitutes attached contained in the foregoing reports were placed on the calendar.

REPORTS OF COMMITTEES RELATING TO EXECUTIVE BUSINESS

The Committee on Criminal Justice recommends that the Senate confirm the following appointments made by the Governor:

Office and Appointment	*For Term Ending*
Secretary of Corrections	
Appointee: McNeil, Walter A.	Pleasure of Governor
Secretary of Juvenile Justice	
Appointee: Peterman, Frank W., Jr.	Pleasure of Governor

[The appointments were referred to the Committee on Ethics and Elections under the original reference.]

COMMITTEE SUBSTITUTES

FIRST READING

By the Committees on Criminal Justice; Commerce; and Senator Crist—

CS for CS for SB 672—A bill to be entitled An act relating to wrecker services; creating ch. 508, F.S.; providing for regulatory oversight of wrecker services by the Department of Agriculture and Consumer Services; creating s. 508.101, F.S.; providing definitions; creating s. 508.102, F.S.; creating the Wrecker Operator Advisory Council within the Department of Agriculture and Consumer Services; providing for membership, terms, and organization; providing procedures for meetings and recordkeeping; providing for reimbursement for travel and per diem expenses; directing the department to provide support services for the council; directing the council to review rules adopted by the department and to advise the department on matters relating to standards and practices in the wrecker industry; creating s. 508.103, F.S.; authorizing the department to adopt rules; creating s. 508.105, F.S.; requiring wrecker companies to register annually with the department; providing for the registration application; providing for the processing of fingerprints by the Department of Agriculture and Consumer Services; requiring fees for processing; providing for issuance of a registration certificate; requiring display of the certificate; providing requirements for advertisements; requiring notification of changes in registration information; requiring payment of certain fees; requiring certain companies to obtain a local business tax receipt prior to registration renewal; requiring insurance coverage; requiring the department to notify the Department of Highway Safety and Motor Vehicles when a registration has been suspended or revoked; creating s. 508.106, F.S.; authorizing the Department of Agriculture and Consumer Services to deny, revoke, or refuse to renew the registration of a wrecker company under certain circumstances; creating s. 508.1061, F.S.; requiring a wrecker company to accept certain forms of payment; creating s. 508.107, F.S.; requiring the department to establish a certification program for wrecker operators; providing for the council to approve certification courses and the organizations conducting the courses; providing for the council to prescribe course curricula; providing requirements for courses; requiring that each course include an examination approved by the council; providing criteria for the examination; requiring that the organization conducting the course issue the certificate to the wrecker operator; creating s. 508.108, F.S.; requiring each certification course to offer optional specialized wrecker services instruction, training, and examinations; describing specialized wrecker services; directing the department to adopt rules prescribing specific standards to further define each specialized wrecker service; requiring council approval of the instruction, training, and examination; requiring the organization conducting the course to issue the certificate to the wrecker operator; creating s. 508.109, F.S.; providing for form and content of certification cards; authorizing the department to adopt rules for issuance of certification cards to an operator who completes a certification course and passes a certification examination in another state or completed a certification course and passed a certification examination in this state during a certain time period; authorizing the department to adopt rules for issuance of endorsements for specialized services to a wrecker operator who completed instruction and training for a specialized wrecker service and passed an endorsement examination for that specialized wrecker service during a certain time period; providing for approval by the council of out-of-state certification instructions, training, and examinations; providing for expiration of certification; requiring that certification cards be issued by the organizations conducting the courses; creating s. 508.111, F.S.; providing requirements for recertification; providing for a continuing education program to be established by the department; providing for curricula and examinations to be prescribed by the council; requiring course approval by the council; providing for a certificate to be issued by the training organization to the wrecker operator; creating s. 508.112, F.S.; prohibiting certain acts; creating ss. 508.113 and 508.114, F.S.; providing administrative and civil penalties; creating s. 508.116, F.S.; providing for registration and renewal fees; requiring the department to maintain data relating to the fees; creating s. 508.117, F.S.; providing for deposit and use of fees, penalties, and other funds; creating s. 508.118, F.S.; providing that the chapter does not apply to recovery agents; creating s. 508.119, F.S.; authorizing counties and municipalities to enact ordinances governing wrecker operators; providing for the department to enter into a cooperative agreement with a county or municipality for the referral, investigation, and prosecution of consumer complaints or enforcement of specified wrecker services provisions; creating s. 508.120, F.S.; requiring that a wrecker company maintain records of its services and operators; requiring organizations that conduct operator certification or continuing education courses to maintain records on each person who successfully completes one of the courses; authorizing inspection of records by the department; creating s. 508.104, F.S.; prohibiting persons from owning, operating, or being issued a local business tax receipt on behalf of a wrecker company without first registering with the department; requiring registration prior to issuance or renewal of local business tax receipt; excluding certain motor vehicle repair shops; creating s. 508.110, F.S.; prohibiting the performance of wrecker services after a certain date unless the operator is in the employ of a company that is registered; requiring wrecker operators to be certified; providing exceptions for certain shops and organizations; authorizing the department to inspect company records; creating s. 508.115, F.S.; providing criminal penalties; amending s. 120.80, F.S.; providing for appointment of a hearing officer by the director of the Division of the Florida Highway Patrol when a hearing is held to deny, suspend, or remove a wrecker company from participating in the wrecker-allocation system; creating s. 205.1977, F.S.; prohibiting a county or municipality from issuing or renewing a business tax receipt for a wrecker company that is not registered with the Department of Agriculture and Consumer Services; amending s. 316.530, F.S., relating to towing requirements; conforming terminology; amending s. 320.01, F.S.; redefining the term "wrecker" for purposes of the Florida Statutes; amending s. 320.03, F.S., relating to withholding the motor vehicle registration plate or revalidation sticker; providing for application of provisions to wrecker companies rather than wrecker operators; amending s. 320.0706, F.S.; requiring that the license plate be displayed only on the front of a wrecker; amending s.

320.0821, F.S.; revising requirements for the issuance of wrecker license plates; requiring that the license plate be displayed on the front of the wrecker; amending s. 320.13, F.S., relating to dealer license plates; conforming terminology; reenacting ss. 316.550(4)(a) and (9) and 320.08(5)(d) and (e), F.S., relating to special wrecker permits and license taxes, to incorporate the amendment to s. 320.01, F.S., in references thereto; amending s. 321.051, F.S.; revising provisions for the Florida Highway Patrol wrecker operator system; changing the designation to "wrecker-allocation system"; providing definitions; revising provisions that authorize the Division of the Florida Highway Patrol within the Department of Highway Safety and Motor Vehicles to establish the system; revising requirements for the system; limiting the system to using certain registered wrecker companies; revising eligibility requirements for wreckers; revising provisions for procedures for appeal of final orders by the department denying, suspending, or revoking eligibility to participate; prohibiting an unauthorized wrecker company and wrecker operators dispatched by an unauthorized company from engaging in certain activities; requiring those operators to disclose certain information to the owner or operator of a wrecked or disabled vehicle before towing; providing penalties; providing for a law enforcement officer to dispatch an authorized wrecker company other than a company requested by the vehicle owner or operator or to dispatch a company out of rotation; amending s. 323.001, F.S.; revising procedures for placement of a hold on a vehicle at a storage facility; providing for placement of a hold by a law enforcement agency; providing definitions; revising provisions for payment of towing and storage charges; revising rate-limitation provisions; amending s. 323.002, F.S.; revising provisions for county and municipal wrecker operator systems; changing the designation to "wrecker-allocation systems"; providing definitions; limiting the systems to using certain registered wrecker companies; prohibiting an unauthorized wrecker company and wrecker operators dispatched by an unauthorized company from engaging in certain activities; requiring those operators to disclose certain information to the owner or operator of a wrecked or disabled vehicle before towing; providing penalties; providing for a law enforcement officer to dispatch an authorized wrecker company other than a company requested by the vehicle owner or operator or to dispatch a company out of rotation; amending s. 713.78, F.S.; providing for claim of lien by a wrecker company for recovering, removing, or storing a vehicle or vessel; conforming provisions to changes made by the act; providing definitions; requiring notification to the vehicle or vessel owners, insurers, and lienholders; providing for a law enforcement agency to obtain information from the Department of Highway Safety and Motor Vehicles and provide the information to the wrecker company; providing notice procedures; providing for content of the notice; providing for notice to the agency of jurisdiction if the vehicle or vessel owner or lienholder cannot be identified; revising procedures for complaint by the vehicle or vessel owner; providing for release of the vehicle or vessel; requiring damages, attorney's fees, and costs to be awarded by the court; requiring immediate payment of recovery, towing, and storage fees to be ordered by the court; providing for notice and sale of the vehicle or vessel by the wrecker company; providing for distribution of proceeds; providing for discharge of liens and issuance of certificate of title; providing immunity from liability for a wrecker company, its operators, and other employees or agents under certain conditions; providing for a presumption of the use of reasonable care; requiring wrecker company information to be printed on the wrecker; specifying that failure to make good-faith best efforts to comply with notice requirements precludes imposition of storage charges; requiring a wrecker company to provide access to the vehicle or vessel; requiring release of the vehicle, vessel, or personal property to the owner or agent of the owner; requiring the wrecker company to obtain a certificate of destruction in lieu of a certificate of title when the vehicle or vessel is to be dismantled, destroyed, or changed in such a manner that it is not the motor vehicle or vessel described in the certificate of title; providing for issuance of the certificate of destruction by the county tax collector; providing requirements for application for the certificate of destruction; providing for reassignment of the certificate of destruction; authorizing the Department of Highway Safety and Motor Vehicles to adopt rules; providing penalties for specified violations; authorizing the Department of Highway Safety and Motor Vehicles to inspect wrecker company records; directing the Department of Highway Safety and Motor Vehicles, upon notice of lien from a wrecker company, to place the name of the owner of the vehicle or vessel on the list of those persons who may not be issued a license plate or revalidation sticker for a motor vehicle; providing for forms for the notice of lien; providing for dispute by the owner; providing for the owner's name to be removed from the list of those persons who may not be issued a license plate or revalidation sticker for a motor vehicle; providing for lien expiration; requiring a certificate of discharge to be issued by the wrecker company; providing for certain fees and charges; providing for application and exceptions; clarifying that the amendments made by the act do not affect the validity of prior liens; amending s. 715.07, F.S.; revising provisions for the towing and storage of vehicles and vessels parked on real property without permission; providing definitions; providing requirements for storage facility operation; providing requirements for a wrecker company, its operators, and other employees or agents; prohibiting a wrecker company, a wrecker operator, or another employee or agent of a wrecker company from paying or accepting payment for the privilege of removing vehicles or vessels from a particular location; revising requirements for tow-away signs to be posted by property owners; requiring a wrecker company to maintain rate schedules with the local law enforcement agency and to post rates and contracts at its storage facility; revising requirements for certain signage on a wrecker; providing immunity from liability for a wrecker company, its operators, and other employees or agents if entry into the vehicle or vessel is performed with reasonable care; revising provisions for release of the vehicle or vessel; providing that failure to comply with notice requirements precludes a wrecker company from imposing certain towing or storage charges; providing penalties; repealing s. 1.01(15), F.S., relating to the definition of the term "wrecker operator"; providing an appropriation and authorizing additional positions; providing effective dates.

By the Committees on General Government Appropriations; Higher Education; Regulated Industries; and Senator Wise—

CS for CS for CS for SB 996—A bill to be entitled An act relating to cosmetology; amending s. 477.013, F.S.; providing and revising definitions; redefining "cosmetology" to include specified services and exclude artificial nails and use of certain skin treatments; defining "hair stylist," "esthetician," and "nail technician"; including body wrapping within esthetician services; removing a distinction between specialty salons and other salons; creating s. 477.0131, F.S.; authorizing licensure for cosmetologists, hair stylists, estheticians, and nail technicians; amending s. 477.0132, F.S.; authorizing renewal of current body wrapping registrations; increasing length of required course; specifying that only the Board of Cosmetology may review, evaluate, and approve required course and text; amending s. 477.014, F.S.; revising requirements for qualification to practice under ch. 477, F.S.; authorizing current specialists to sit for licensure examinations in certain circumstances; providing for the renewal of current specialty registrations; amending s. 477.016, F.S.; requiring the Board of Cosmetology to adopt rules relating to protection of health of clients, nail technicians, and estheticians; amending s. 477.019, F.S.; revising qualifications, education, licensure and renewal, supervised practice, and endorsement requirements to include and differentiate such requirements for cosmetologists, hair stylists, estheticians, and nail technicians; requiring the board to adopt certain procedures relating to licensure by endorsement; amending s. 477.0212, F.S.; requiring the board to adopt certain rules relating to license renewal or continuing education; amending s. 477.023, F.S.; stipulating that the Department of Education is not prevented from issuing certain grooming and salon services certification; amending s. 477.025, F.S., relating to cosmetology and specialty salons, requisites, licensure, inspection, and mobile cosmetology salons, to conform; amending s. 477.026, F.S.; revising fee provisions to require specialties that are currently licensed to pay a fee commensurate with prior registration fees; revising fee provisions to conform with other changes made by the act; amending s. 477.0263, F.S.; specifying circumstances under which cosmetology, hair stylist, esthetician, nail technician, or specialty services may be practiced outside of a licensed salon; amending s. 477.0265, F.S., relating to prohibited acts, to conform; prohibiting the use or possession of a device containing a razor blade to remove, scrape, or cut calluses

from the hands or feet; amending s. 477.028, F.S., relating to disciplinary proceedings, to conform; amending s. 477.029, F.S., relating to penalties; conforming provisions; repealing s. 477.0201, F.S., relating to specialty registration, qualifications, registration renewal, and endorsement; requiring a report to the Legislature on the use of a national examination for certain licenses in order to improve reciprocity with other states; providing an appropriation; providing effective dates.

By the Committees on General Government Appropriations; Environmental Preservation and Conservation; and Senator Saunders—

CS for CS for SB 1296—A bill to be entitled An act relating to the water management districts; reenacting ss. 373.069, 373.0693, 373.0695, 373.073, and 373.083, F.S., relating to the creation of the water management districts, pursuant to the provisions of the Florida Government Accountability Act; amending s. 373.0693, F.S.; eliminating the Oklawaha River Basin Advisory Council; amending s. 373.323, F.S.; providing for applicants who meet certain conditions to be certified as a licensed water well contractor; amending s. 373.503, F.S.; providing that a water management district's millage rate is subject to annual authorization by the Legislature; requiring the Legislature to annually review a district's millage rate is subject to annual authorization by the Legislature; requiring the Legislature to annually review a district's millage rate; requiring the Legislature to annually set the amount of revenue authorized to be raised by a district from ad valorem taxes; providing for the amount of authorized revenue to be raised by a district if the Legislature does not set the amount by a specified date; amending s. 373.536, F.S.; revising the beginning and ending dates of a district's fiscal year; revising the date by which a district must submit a tentative budget to the Governor and the Legislature; eliminating the authorization for the Legislature to comment on such budgets; eliminating the requirement for districts to respond to such comments and to forward such responses to the Governor and Legislature; revising the date by which the Executive Office of the Governor must file a specified report with the Legislature; directing districts to implement conforming measures; providing for legislative review of certain district expenditures; amending s. 373.079, F.S.; revising meeting requirements for members of the governing boards of the water management districts, as provided in s. 120.54, F.S.; providing an effective date.

By the Committee on Health Policy; and Senator Hill—

CS for SB 1338—A bill to be entitled An act relating to the staffing of health care facilities; amending s. 395.301, F.S.; requiring acute care hospitals to make information concerning staffing levels at the hospital available to the public upon request; providing an effective date.

By the Committees on Education Pre-K - 12 Appropriations; Education Pre-K - 12; and Senators Gaetz, Lawson, King, Storms, Baker, Crist, Posey, Oelrich, Saunders, Fasano, Peaden, Siplin, Wise, Bennett, Dockery, Haridopolos, Alexander and Garcia—

CS for CS for SB 1440—A bill to be entitled An act relating to the Corporate Income Tax Credit Scholarship Program; amending s. 220.187, F.S.; providing legislative findings; revising program purposes; providing that specified students who are currently or have been in foster care are eligible for participation in the program; providing that siblings of certain students are eligible for participation in the program; providing income criteria for continuation of scholarships for students in foster care; revising provisions authorizing the total amount of tax credits that may be granted and deleting the reservation of a portion thereof; revising authorized uses of scholarship funds and providing for premium payments to certain students who participate in statewide assessments; revising provisions relating to expenditure of contributions received during a fiscal year; removing parent responsibility for providing transportation to certain assessment sites; providing obligations of the Department of Education relating to scholarship student participation in statewide assessments; revising scholarship amounts and providing amount of premium payments; requiring State Board of Education rule for adjustment of scholarship awards; revising requirements relating to verification of student attendance for purposes of scholarship payment; providing for preservation of credits under certain circumstances; providing an effective date.

By the Committee on Health Regulation; and Senators Jones, Dockery, Diaz de la Portilla, Storms, Lawson, King and Deutch—

CS for SB 1668—A bill to be entitled An act relating to long-term care facilities; providing a short title; amending s. 400.021, F.S.; revising definitions relating to nursing homes; defining the terms "affiliate," "controlling entity," "controlling financial interest," "entity," and "governing body"; amending s. 400.0239, F.S.; authorizing the expenditure of funds from the Quality of Long-Term Care Facility Improvement Trust Fund for the development of an electronic Nursing Home Guide; amending s. 400.071, F.S.; revising provisions relating to nursing home license applications; requiring the application to include the facility's affiliates, controlling entities, and entities having a controlling interest in the facility, proof of ability to operate, copies of certain contracts and investigations and fines, and the members of the facility's governing body; requiring financial and ownership information to be submitted in a format prescribed by the agency; amending s. 400.102, F.S.; revising grounds for taking action against a nursing home to conform to changes made by the act; amending s. 400.111, F.S.; requiring the disclosure of controlling interests at the time of licensure, license renewal, or change of ownership; amending s. 400.121, F.S.; revising provisions relating to the denial, suspension, or revocation of a license to conform to changes made by the act; amending s. 400.141, F.S.; prohibiting nursing home liability insurance from paying for certain legal costs; requiring the facility to notify the agency if the policy has been exhausted; amending s. 400.191, F.S.; requiring that the Agency for Health Care Administration to maintain an electronic Nursing Home Guide; deleting the requirement that the agency provide a printed guide; revising the information that must be provided on the agency's website; creating s. 400.197, F.S.; requiring a nursing home to notify residents and post a request for a change of ownership in prominent locations in the nursing home; providing for a hearing as to the fitness of a new owner; providing for investigations of the new owner; providing that a new owner assumes the liabilities of the prior licensee, its affiliates, or controlling entities; amending s. 429.02, F.S.; revising definitions for assisted living facilities; defining the terms "affiliate," "controlling entity," "controlling financial interest," and "entity"; amending s. 429.11, F.S.; revising provisions relating to applications for an assisted living facility license; requiring the application to include members of the facilities governing body, the facility's affiliates, controlling entities, and entities having a controlling interest in the facility, and copies of certain contracts and investigations and fines; requiring financial and ownership information to be submitted in a format prescribed by the agency; amending s. 429.12, F.S.; requiring the assisted living facility to notify residents and post a request for a change of ownership in prominent locations in the facility; providing for a hearing as to the fitness of a new owner upon request; providing for investigations of the new owner; providing that a new owner assumes the liabilities of the prior licensee, affiliates, or controlling entities; amending s. 429.14, F.S.; revising provisions relating to the denial, suspension, or revocation of a license to conform to changes made by the act; amending s. 429.174, F.S.; conforming a cross-reference; amending s. 429.275, F.S.; prohibiting assisted living facility liability insurance from paying for certain legal costs; requiring the facility to notify the agency if the policy has been exhausted; providing effective dates.

By the Committees on Criminal Justice; Judiciary; and Senator Oelrich—

CS for CS for SB 1730—A bill to be entitled An act relating to service of process; amending s. 48.021, F.S.; allowing criminal witness subpoenas and criminal summonses to be served by a special process server appointed by the local sheriff or by a certified process server; amending

s. 48.27, F.S.; providing for the selection of authorized certified process servers to serve such subpoenas and summonses to conform to changes made by the act; amending s. 56.041, F.S.; providing that all unsatisfied executions held by the sheriff which were docketed before October 1, 2001, or held after a specified period may be returned to the issuing court; amending s. 56.21, F.S.; requiring the submission of an affidavit before levying a judgment upon real property; requiring the sheriff to furnish to the judgment debtor or lienholder or the debtor's or lienholder's attorney of record a copy of the notice of sale, notice of levy, and affidavit within a specified period before execution of a sale or levy; amending s. 56.27, F.S.; requiring that priority of liens on real property be based on the effective date of the judgment lien for a specified purpose, unless an affidavit discloses that the property is subject to a recorded mortgage, financing statement, tax warrant or other lien that is junior in priority to the judgment lien; requiring a levying creditor to deliver the affidavit to the sheriff at the time of the levy request setting forth certain information and attestations; amending ss. 741.30 and 784.046, F.S., relating to service of process in cases of domestic violence or sexual abuse; authorizing clerks of court to transmit facsimile or electronic copies of previously certified injunctions to sheriffs upon request; requiring sheriffs to verify receipt of facsimile or electronic copies of injunctions with clerks of court before attempting service; authorizing law enforcement officers to serve facsimile or electronic copies of injunctions in the same manner as certified copies; providing an effective date.

By the Committees on Education Pre-K - 12 Appropriations; Education Pre-K - 12; and Senator Gaetz—

CS for CS for SB 1914—A bill to be entitled An act relating to education; amending s. 1000.21, F.S.; providing and revising definitions; amending s. 1001.03, F.S.; requiring the State Board of Education to periodically review and revise state curriculum standards; eliminating provisions requiring that the state board report proposed revisions to the Governor and the Legislature; amending s. 1001.452, F.S.; revising provisions relating to membership of school advisory councils; amending s. 1003.41, F.S.; requiring that the State Board of Education replace the Sunshine State Standards with the Next Generation Sunshine State Standards; providing for application of the Sunshine State Standards pending adoption of the Next Generation Sunshine State Standards; providing requirements concerning the content and organization of the Next Generation Sunshine State Standards; requiring that the Next Generation Sunshine State Standards establish core curricular content in specified areas for certain grades or grade clusters; requiring that the state board establish schedules for the adoption and revision of the Next Generation Sunshine State Standards; requiring that the state board adopt the Next Generation Sunshine State Standards by a specified date; requiring the Commissioner of Education to provide proposed Next Generation Sunshine State Standards or proposed revisions of such standards to the state board; providing requirements concerning the commissioner's development of the proposed standards or revisions; requiring consultation with certain experts; requiring distribution of a proposal developed by the commissioner for review and comment by certain experts; requiring a written evaluation of the proposal developed by the commissioner by a research institution meeting specified criteria; requiring provision of the commissioner's proposed standards and the written evaluation and comments to the Governor, the President of the Senate, and the Speaker of the House of Representatives; authorizing rulemaking by the State Board of Education; amending s. 1003.413, F.S.; requiring policies of each district school board to address an annual review of student education plans; amending s. 1003.428, F.S.; revising courses that are acceptable for high school graduation; conforming a cross-reference; creating s. 1003.4285, F.S.; providing for high school diploma designations; amending ss. 1003.429, 1003.43, and 1003.433,F.S.; conforming cross-references; amending s. 1003.63, F.S.; revising the type of assessment tests reported to the Governor and the Legislature relating to the deregulated public schools pilot program; amending s. 1004.85, F.S.; conforming cross-references; amending s. 1004.99, F.S.; providing designations of Florida Ready to Work credentials; amending s. 1007.21, F.S., relating to postsecondary placement tests for high school students; authorizing the common placement test to be administered to high school students and not just second semester sophomores; amending s. 1007.235, F.S.; revising the components for the district interinstitutional articulation agreement to include secondary school and postsecondary institution responsibilities for calculation of grades; amending s. 1008.22, F.S.; revising provisions governing application of testing requirements for high school graduation; providing criteria concerning the testing and scores required for a continuously enrolled student to earn a standard high school diploma; authorizing the commissioner to administer comprehensive end-of-course assessments; providing requirements for comprehensive and end-of-course assessments; authorizing the commissioner to select a nationally developed comprehensive examination for use as an end-of-course assessment; revising the design of the testing program; authorizing the commissioner to collaborate with the American Diploma Project to develop end-of-course assessments; authorizing the commissioner to discontinue administration of an outdated assessment under certain conditions; requiring the commissioner to establish schedules for the administration of statewide assessments and the reporting of student test results; providing requirements for the testing and reporting schedules; requiring district school boards to prohibit public schools from suspending a program of curricula for the administration of practice tests; authorizing a district school board to permit a school to engage in certain test-preparation activities; revising the applicability of testing standards under certain conditions; revising the requirements contained in the annual report by the department to the Governor and the Legislature; amending s. 1008.31, F.S.; declaring the legislative intent that the K-20 education system comply with the Individuals with Disabilities Education Act; amending s. 1008.34, F.S.; revising the exceptions for a school to receive a school grade; revising the student assessment data used in determining school grades; requiring a school district that fails to assign FCAT scores back to students' schools to forfeit school recognition funds for a specified time; requiring the collaboration between a home school and alternative school to be between the principals of each school in order to promote student success; authorizing the state board to adopt rules; amending s. 1008.341, F.S.; revising provisions for a school improvement rating for an alternative school; authorizing the state board to adopt rules; amending s. 1012.56, F.S.; requiring teacher certification exams to be aligned to revised curriculum standards; amending ss. 1012.57 and 1012.586, F.S.; conforming cross-reference; amending s. 1012.71, F.S.; providing definitions; revising requirements for the use of program funds by classroom teachers; providing for the disbursement of funds to school districts; specifying the means for providing a classroom teacher with his or her proportionate share of program funds; providing that funds received are not subject to competitive bidding requirements or collective bargaining; requiring each classroom teacher to sign a statement acknowledging receipt of funds; providing requirements for accounting of expenditures and reimbursement of funds under certain conditions; amending s. 1013.12, F.S.; requiring that a school cafeteria post certain information concerning its sanitation certificate and inspection; providing effective dates.

By the Committees on General Government Appropriations; Community Affairs; Regulated Industries; and Senator Aronberg—

CS for CS for CS for SB 2016—A bill to be entitled An act relating to public lodging and public food service establishments; amending s. 509.013, F.S.; revising and adding definitions; amending s. 509.032, F.S.; eliminating the requirement for the Division of Hotels and Restaurants to assist the State Fire Marshal in updating the Florida Fire Prevention Code; eliminating the requirement for the division to enforce the Florida Fire Prevention Code in conducting its inspections; requiring the division, or its agent, to notify firesafety officials of certain readily observable violations of the Florida Fire Prevention Code rules; revising state preemption authority; amending s. 509.039, F.S.; decreasing the amount of time in which a food service manager is required to obtain certification after employment; requiring public food service establishments to provide proof of certification upon request by the division; amending s. 509.101, F.S.; deleting the requirement that a transient establishment maintain a copy of ch. 509, F.S., on its premises; amending s. 509.142, F.S.; requiring the operator of a public lodging establishment or public food service establishment to accommodate any person

using a child conveyance; amending s. 509.211, F.S.; deleting a requirement for division notification of local firesafety officials or the State Fire Marshal of violations of rules under ch. 633, F.S.; amending s. 509.221, F.S.; providing that certain sanitary regulations for a public lodging establishment for its guests and employees and for a public food service establishment for its employees be in compliance with the Florida Building Code as approved by the local building authority; providing for wastewater disposal procedures for public food service establishments; requiring public lodging establishment and public food service establishment public restroom requirements to be in accordance with the Florida Building Code as approved by the local building authority; amending s. 509.242, F.S.; clarifying public lodging establishment classifications; amending s. 509.261, F.S.; authorizing the division to levy sanctions for failing to comply with final orders of the division; authorizing the division to require payment of outstanding fines before renewing or issuing a license; providing an effective date.

By the Committees on General Government Appropriations; Banking and Insurance; and Senator Posey—

CS for CS for SB 2174—A bill to be entitled An act relating to motor vehicle insurance; amending s. 627.736, F.S.; revising the schedule of maximum charges on which an insurer may base a limited reimbursement for certain medical services, supplies, and care for injured persons covered by personal injury protection; specifying a minimum amount for the applicable fee schedule or payment limitation under Medicare for such reimbursements; providing an effective date.

By the Committees on General Government Appropriations; Agriculture; and Senators Baker and Bennett—

CS for CS for SB 2246—A bill to be entitled An act relating to land development regulation; amending s. 163.3162, F.S.; providing for the use of certain lands surrounding an agricultural enclave; creating a rebuttable presumption for the imposition of certain development conditions relating to agricultural enclaves; providing a timeframe for submitting certain information relating to proposed plan amendments; creating a rebuttable presumption for denial of or failure to approve plan amendments relating to agricultural enclaves; providing concurrency standards for agricultural enclaves in relation to previously approved development contiguous to the enclave; amending s. 163.3245, F.S.; revising provisions relating to optional sector plans; providing applicability to certain pending applications; amending s. 163.3164, F.S.; revising the definition of "agricultural enclave"; providing an effective date.

By the Committee on Regulated Industries; and Senators Posey and Fasano—

CS for SB 2504—A bill to be entitled An act relating to residential properties; amending s. 514.011, F.S.; defining the term "homeowners' association"; amending s. 514.0115, F.S.; providing for the regulation and exemption from regulation for homeowners' association swimming pools; amending s. 515.25, F.S.; conforming a cross-reference; amending s. 720.303, F.S.; revising provisions relating to homeowners' association board meetings, inspection and copying of records, and reserve accounts of budgets; prohibiting a salary or compensation for certain association personnel; providing exceptions; amending s. 720.305, F.S.; authorizing fines assessed against members which exceed a certain amount to become a lien against a parcel; amending s. 720.306, F.S.; providing requirements for secret ballots; requiring newly elected members of a board of directors to make certain certifications in writing to the association; providing for disqualification for failure to make such certifications; requiring an association to retain certifications for a specified time; amending s. 720.401, F.S.; requiring that the disclosure summary to prospective parcel owners include additional provisions; amending s. 34.01, F.S.; correcting a cross-reference to conform; amending s. 720.302, F.S.; correcting a cross-reference to conform; establishing legislative intent; repealing s. 720.311, F.S., relating to a procedure for dispute resolution in homeowners' associations; providing that dispute resolution cases pending on the date of repeal will continue under the repealed provisions; creating part IV of ch. 720, F.S.; creating s. 720.501, F.S.; providing a short title; creating s. 720.502, F.S.; creating legislative findings; creating s. 720.503, F.S.; setting applicability of provisions for mediation and arbitration applicable to disputes in homeowners' associations; creating exceptions; proving applicability; tolling applicable statutes of limitations; creating s. 720.504, F.S; requiring that the notice of dispute be delivered before referral to mediation; creating s. 720.505, F.S.; creating a statutory notice form for referral to mediation; requiring delivery by certified mail or personal delivery; setting deadlines; requiring parties to share costs; requiring the selection of a mediator and times to meet; providing penalties for failure to mediate; creating s. 720.506, F.S.; creating an opt-out provision; creating s. 720.507, F.S.; creating a statutory notice form for referral to arbitration; requiring delivery by certified mail or personal delivery; setting deadlines; requiring parties to share costs; requiring the selection of an arbitrator and times to meet; providing penalties for failure to arbitrate; creating s. 720.508, F.S.; providing for rules of procedure; providing for confidentiality; creating s. 720.509, F.S.; setting qualifications for mediators and arbitrators; creating s. 720.510, F.S.; providing for enforcement of mediation agreements and arbitration awards; providing an effective date.

By the Committee on Regulated Industries; and Senator Haridopolos—

CS for SB 2582—A bill to be entitled An act relating to motor vehicle dealers; amending s. 320.64, F.S.; prohibiting licensees from certain actions intended to coerce a dealer to improve its facilities after the licensee has approved those facilities; allowing licensees to offer certain loan or grant programs to induce the dealer to relocate or improve the existing facilities, if such inducement is not discriminatory or designed to force the dealer to do so; prohibiting certain adverse actions against a dealer who does not participate in such programs; declaring certain inducement programs void; authorizing a licensee to set reasonable standards for dealer sales and facilities; prohibiting licensees from altering allocations or supplies of new vehicles to achieve goals that are prohibited in this state by statute; clarifying a provision relating to a prohibition against a dealer selling a motor vehicle to a customer who exported or resold the vehicle; requiring the licensee to prove the dealer had actual knowledge of the customer's intent to export or resell the vehicle; creating a conclusive presumption that the dealer had no actual knowledge if the vehicle was titled or registered in this country; authorizing licensees to audit dealers to determine the validity of paid claims if the licensee complies with applicable statutory requirements; creating s. 320.6412, F.S.; providing a burden of proof in actions to terminate a motor vehicle dealer franchise based on fraud or misrepresentation; amending s. 320.696, F.S.; substantially revising provisions relating to the licensee's responsibility to timely and reasonably compensate a dealer who performs warranty, service contract maintenance plan, or other vehicle preparation work; providing methods of determining the cost for parts and labor to be paid to a dealer as compensation for performing warranty repairs and vehicle preparation for the licensee; prohibiting the licensee from taking certain adverse actions against a dealer for seeking to obtain compensation for such work; prohibiting certain acts by a licensee to reduce the amount of compensation to be paid to a dealer or to offset or recover from the dealer compensation previously received; providing for severability; providing an effective date.

By the Committee on Military Affairs and Domestic Security; and Senator Bullard—

CS for SB 2728—A bill to be entitled An act relating to community redevelopment; amending s. 163.340, F.S.; defining the term "blighted area" to include land previously used as a military facility; providing an effective date.

By the Committee on Health Policy; and Senators Deutch, Ring, Rich, Bennett, Joyner and Dawson—

CS for SB 2790—A bill to be entitled An act relating to cigarette user fees; providing legislative findings; amending s. 210.01, F.S.; defining the terms "council," "total collections," and "net collections"; revising the definitions of "exporter," "unstamped package," "stamp" or "stamps," and "counterfeit cigarettes"; amending s. 210.02, F.S.; replacing all references to the term tax with user fee; increasing the amount of the cigarette user fee; amending ss. 210.021, 210.03, 210.04, 210.05, 210.06, 210.07, 210.08, 210.09, 210.11, 210.12, 210.13, 210.14, 210.15, 210.18, 210.181, 210.185, and 210.19,F.S.; conforming provisions to changes made by the act; amending s. 210.20, F.S.; providing definitions; requiring the Division of Alcoholic Beverages and Tobacco to certify to the Chief Financial Officer the amount of net collections derived from the user fee on a monthly basis; requiring the division to credit a specific percent of the total base allocation to certain trust funds, the H. Lee Moffitt Cancer Center and Research Institute's Board of Directors, the William G. "Bill" Bankhead, Jr., and David Coley Cancer Research Program, and certain medical residency and fellowship programs; providing legislative intent to use the cigarette user fee collections to increase enrollment in the Florida Kidcare program; requiring that the amounts credited or transferred from the Cigarette Tax Collection Trust Fund be adjusted in proportion to the corresponding reference year allocation; providing a formula for calculating the maximum total supplemental allocation; amending s. 210.201, F.S.; requiring the Board of Directors of the H. Lee Moffitt Cancer Center and Research Institute to use funds to secure bonds or financial products for cancer facilities; amending s. 215.5602, F.S.; requiring the James and Esther King Biomedical Research Program to appropriate a certain percent of the program's annual funding to expand research conducted on tobacco-related illnesses; increasing the amount of funds allocated to the Florida Center for Universal Research to Eradicate Disease; extending certain expiration dates; amending s. 381.922, F.S.; revising the purpose of the William G. "Bill" Bankhead, Jr., and David Coley Cancer Research Program to expand cancer research and treatment; requiring the program to provide grants for the recruitment of cancer researchers and institutions, operational start-up grants for newly recruited researchers, and for fixed capital outlay; requiring that certain proceeds be used for certain purposes; extending certain expiration dates; requiring the Department of Health to submit a report to the Governor and the Legislature by a certain date which contains an estimate of the financial impact of tobacco use and related illnesses on the economy and taxpayers; providing an effective date.

By the Committees on General Government Appropriations; Governmental Operations; and Senator Lawson—

CS for CS for SB 2848—A bill to be entitled An act relating to the Florida Retirement System; amending s. 121.021, F.S.; redefining the terms "employer," "officer or employee," "past service," "compensation," "normal retirement date," "regularly established position," and "temporary position"; defining the terms "state board" and "trustees"; amending s. 121.031, F.S.; requiring promotional materials that refer to the Florida Retirement System to include a disclaimer unless approval is obtained from the Department of Management Services; amending s. 121.051, F.S.; conforming a cross-reference; revising provisions relating to participation in the system; excluding the participation of entities under a lease agreement; excluding the participation of prisoners and inmates in the system; amending s. 121.052, F.S.; changing the dates for when a governing body of a municipality or special district may elect to designate its elected positions for inclusion in the Elected Officers' Class; amending s. 121.071, F.S.; expanding the mechanisms for employees to pay contributions to the system; amending s. 121.081, F.S.; revising provisions relating to receiving credit for past or prior service; prohibiting a member from receiving credit for service covered and reported by both a public employer and a private employer; amending s. 121.091, F.S.; revising provisions relating to retirement benefits; deleting a restriction on the reemployment of certain personnel by the Florida School for the Deaf and the Blind; extending the period of time that instructional personnel employed by a developmental research school may participate in the Deferred Retirement Option Program; clarifying that DROP participation cannot be cancelled; providing for the suspension of DROP benefits to a participant who is reemployed; deleting obsolete provisions; authorizing the Division of Retirement to issue benefits pursuant to a qualified domestic relations order directly to the alternate payee; amending s. 121.1115, F.S.; revising provisions relating to receiving retirement credit for out-of-state service; providing that a member is not eligible for and may not receive a benefit based on that service; amending s. 121.1122, F.S.; revising provisions relating to receiving retirement credit for in-state service; providing that a member may not be eligible for or receiving a benefit based on service; amending s. 121.136, F.S.; revising provisions relating to the annual statement of benefits provided to certain active members of the Florida Retirement System; amending s. 121.1905, F.S.; deleting provision describing the mission of the Division of Retirement; amending s. 121.23, F.S.; requiring the State Retirement Commission to meet the same requirements used by the Secretary of Management Services before approving a disability retirement benefit; amending s. 121.24, F.S.; requiring a quorum of three members for all appeal hearings held by the State Retirement Commission; amending s. 1012.33, F.S.; deleting the provision preventing persons who have retired from the public school system from renewing membership in the Florida Retirement System upon reemployment by the school system; repealing s. 121.093, F.S., relating to instructional personnel reemployment after retirement from the developmental research school or the Florida School for the Deaf and the Blind; repealing s. 121.094, F.S., relating to instructional personnel reemployment after retirement from a charter school; repealing s. 121.45, F.S., relating to interstate compacts relating to pension portability; providing a declaration of important state interest; providing an effective date.

REFERENCE CHANGES PURSUANT TO RULE 4.7(2)

By the Committees on Education Pre-K - 12 Appropriations; Education Pre-K - 12; and Senator Gaetz—

CS for CS for SB 1914—A bill to be entitled An act relating to education; amending s. 1000.21, F.S.; providing and revising definitions; amending s. 1001.03, F.S.; requiring the State Board of Education to periodically review and revise state curriculum standards; eliminating provisions requiring that the state board report proposed revisions to the Governor and the Legislature; amending s. 1001.452, F.S.; revising provisions relating to membership of school advisory councils; amending s. 1003.41, F.S.; requiring that the State Board of Education replace the Sunshine State Standards with the Next Generation Sunshine State Standards; providing for application of the Sunshine State Standards pending adoption of the Next Generation Sunshine State Standards; providing requirements concerning the content and organization of the Next Generation Sunshine State Standards; requiring that the Next Generation Sunshine State Standards establish core curricular content in specified areas for certain grades or grade clusters; requiring that the state board establish schedules for the adoption and revision of the Next Generation Sunshine State Standards; requiring that the state board adopt the Next Generation Sunshine State Standards by a specified date; requiring the Commissioner of Education to provide proposed Next Generation Sunshine State Standards or proposed revisions of such standards to the state board; providing requirements concerning the commissioner's development of the proposed standards or revisions; requiring consultation with certain experts; requiring distribution of a proposal developed by the commissioner for review and comment by certain experts; requiring a written evaluation of the proposal developed by the commissioner by a research institution meeting specified criteria; requiring provision of the commissioner's proposed standards and the written evaluation and comments to the Governor, the President of the Senate, and the Speaker of the House of Representatives; authorizing rulemaking by the State Board of Education; amending s. 1003.413, F.S.; requiring policies of each district school board to address an annual review of student education plans; amending s. 1003.428, F.S.; revising courses that are acceptable for high school graduation; conforming a cross-reference; creating s. 1003.4285, F.S.; providing for high school diploma designations; amending ss. 1003.429, 1003.43, and

1003.433,F.S.; conforming cross-references; amending s. 1003.63, F.S.; revising the type of assessment tests reported to the Governor and the Legislature relating to the deregulated public schools pilot program; amending s. 1004.85, F.S.; conforming cross-references; amending s. 1004.99, F.S.; providing designations of Florida Ready to Work credentials; amending s. 1007.21, F.S., relating to postsecondary placement tests for high school students; authorizing the common placement test to be administered to high school students and not just second semester sophomores; amending s. 1007.235, F.S.; revising the components for the district interinstitutional articulation agreement to include secondary school and postsecondary institution responsibilities for calculation of grades; amending s. 1008.22, F.S.; revising provisions governing application of testing requirements for high school graduation; providing criteria concerning the testing and scores required for a continuously enrolled student to earn a standard high school diploma; authorizing the commissioner to administer comprehensive end-of-course assessments; providing requirements for comprehensive and end-of-course assessments; authorizing the commissioner to select a nationally developed comprehensive examination for use as an end-of-course assessment; revising the design of the testing program; authorizing the commissioner to collaborate with the American Diploma Project to develop end-of-course assessments; authorizing the commissioner to discontinue administration of an outdated assessment under certain conditions; requiring the commissioner to establish schedules for the administration of statewide assessments and the reporting of student test results; providing requirements for the testing and reporting schedules; requiring district school boards to prohibit public schools from suspending a program of curricula for the administration of practice tests; authorizing a district school board to permit a school to engage in certain test-preparation activities; revising the applicability of testing standards under certain conditions; revising the requirements contained in the annual report by the department to the Governor and the Legislature; amending s. 1008.31, F.S.; declaring the legislative intent that the K-20 education system comply with the Individuals with Disabilities Education Act; amending s. 1008.34, F.S.; revising the exceptions for a school to receive a school grade; revising the student assessment data used in determining school grades; requiring a school district that fails to assign FCAT scores back to students' schools to forfeit school recognition funds for a specified time; requiring the collaboration between a home school and alternative school to be between the principals of each school in order to promote student success; authorizing the state board to adopt rules; amending s. 1008.341, F.S.; revising provisions for a school improvement rating for an alternative school; authorizing the state board to adopt rules; amending s. 1012.56, F.S.; requiring teacher certification exams to be aligned to revised curriculum standards; amending ss. 1012.57 and 1012.586, F.S.; conforming cross-reference; amending s. 1012.71, F.S.; providing definitions; revising requirements for the use of program funds by classroom teachers; providing for the disbursement of funds to school districts; specifying the means for providing a classroom teacher with his or her proportionate share of program funds; providing that funds received are not subject to competitive bidding requirements or collective bargaining; requiring each classroom teacher to sign a statement acknowledging receipt of funds; providing requirements for accounting of expenditures and reimbursement of funds under certain conditions; amending s. 1013.12, F.S.; requiring that a school cafeteria post certain information concerning its sanitation certificate and inspection; providing effective dates.

—was referred to the Committee on Education Pre-K - 12.

By the Committee on Higher Education; and Senators Oelrich and Fasano—

CS for SB 2170—A bill to be entitled An act relating to retirement; amending s. 121.021, F.S.; clarifying that the term "compensation" for purposes of the benefit retirement program or the Public Employee Optional Retirement Program of the Florida Retirement System does not include fees or salary payments made from a faculty practice plan authorized by the Board of Governors of the State University System for clinical faculty at a state university having a faculty practice plan; amending s. 121.051, F.S.; requiring that a person appointed to a faculty position at a state university having a faculty practice plan participate in the optional retirement program of the State University System rather than the Florida Retirement System; providing definitions; amending s. 121.35, F.S.; requiring the participating employee in the optional retirement program to execute a contract, not just an annuity contract, with a designated company in order for employee contributions to be forwarded to the company and for interest to accrue; defining the term "participant's gross monthly compensation" for purposes of the optional retirement program for the State University System; creating s. 121.355, F.S.; authorizing certain former participants in the Community College Optional Retirement Program or the State University System Optional Retirement Program and present mandatory participants in the Florida Retirement System to receive a specified amount of service credit under certain conditions; providing a specified time period for the election of such transfer; limiting certain service credit; providing an effective date.

—was placed on the Calendar.

By the Committee on Regulated Industries; and Senators Posey and Fasano—

CS for SB 2504—A bill to be entitled An act relating to residential properties; amending s. 514.011, F.S.; defining the term "homeowners' association"; amending s. 514.0115, F.S.; providing for the regulation and exemption from regulation for homeowners' association swimming pools; amending s. 515.25, F.S.; conforming a cross-reference; amending s. 720.303, F.S.; revising provisions relating to homeowners' association board meetings, inspection and copying of records, and reserve accounts of budgets; prohibiting a salary or compensation for certain association personnel; providing exceptions; amending s. 720.305, F.S.; authorizing fines assessed against members which exceed a certain amount to become a lien against a parcel; amending s. 720.306, F.S.; providing requirements for secret ballots; requiring newly elected members of a board of directors to make certain certifications in writing to the association; providing for disqualification for failure to make such certifications; requiring an association to retain certifications for a specified time; amending s. 720.401, F.S.; requiring that the disclosure summary to prospective parcel owners include additional provisions; amending s. 34.01, F.S.; correcting a cross-reference to conform; amending s. 720.302, F.S.; correcting a cross-reference to conform; establishing legislative intent; repealing s. 720.311, F.S., relating to a procedure for dispute resolution in homeowners' associations; providing that dispute resolution cases pending on the date of repeal will continue under the repealed provisions; creating part IV of ch. 720, F.S.; creating s. 720.501, F.S.; providing a short title; creating s. 720.502, F.S.; creating legislative findings; creating s. 720.503, F.S.; setting applicability of provisions for mediation and arbitration applicable to disputes in homeowners' associations; creating exceptions; proving applicability; tolling applicable statutes of limitations; creating s. 720.504, F.S; requiring that the notice of dispute be delivered before referral to mediation; creating s. 720.505, F.S.; creating a statutory notice form for referral to mediation; requiring delivery by certified mail or personal delivery; setting deadlines; requiring parties to share costs; requiring the selection of a mediator and times to meet; providing penalties for failure to mediate; creating s. 720.506, F.S.; creating an opt-out provision; creating s. 720.507, F.S.; creating a statutory notice form for referral to arbitration; requiring delivery by certified mail or personal delivery; setting deadlines; requiring parties to share costs; requiring the selection of an arbitrator and times to meet; providing penalties for failure to arbitrate; creating s. 720.508, F.S.; providing for rules of procedure; providing for confidentiality; creating s. 720.509, F.S.; setting qualifications for mediators and arbitrators; creating s. 720.510, F.S.; providing for enforcement of mediation agreements and arbitration awards; providing an effective date.

—was referred to the Committees on Community Affairs; and Judiciary.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

RETURNING MESSAGES ON HOUSE BILLS

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the Speaker of the House of Representatives has appointed the following Representatives to the conference committee for HB 5001, HB 5003, HB 5043, HB 5045, HB 5047, HB 5049, HB 5051, HB 5053, HB 5055, CS for HB 5057, HB 5059, HB 5061, HB 5063, HB 5067, HB 5069, HB 5071, HB 5073, HB 5075, HB 5077, HB 5079, HB 5081, HB 5083, HB 5085, HB 5087, HB 5091, HB 5093,: Rep. Sansom, Chair: At-Large Reps. Ambler, Bogdanoff, Bowen, Cretul, Cusack, Flores, Gelber, Hasner, Rivera, Sands, Saunders, Seiler, Simmons and Zapata; Rep. Cannon, Chair: Economic Expansion & Infrastructure—Reps. Hukill, Aubuchon, Bucher, Evers, Fitzgerald, Glorioso, Patterson, Proctor, Reed, Scionti and Weatherford; Rep. Mayfield, Chair: Environment & Natural Resources—Reps. Troutman, Boyd, Brandenburg, Glorioso, Grimsley, Kendrick, Kreegel, Machek, Precourt, Randolph, Sasso and Williams; Rep. Attkisson, Chair: Government Efficiency & Accountability—Reps. Grant, Ambler, Domino, Gardiner, Gibbons, Homan, Lopez-Cantera, Meadows, Schenck, Soto and Thompson; Rep. Bean, Chair: Healthcare—Reps. Gibson, Ausley, Galvano, R. Garcia, Harrell, Hays, Hudson, Patronis, Roberson, Skidmore and Waldman; Rep. Reagan, Chair: Jobs & Entrepreneurship—Reps. Poppell, Brisé, Carroll, Chestnut, Dorworth, Long, Murzin, Richardson, Richter, Robaina and Schultz; Rep. Kravitz, Chair: Safety & Security—Reps. Ross, Adams, A. Gibson, Kelly, Llorente, Needelman, Planas, Sachs, Taylor, N. Thompson, and Thurston; Rep. Pickens, Chair: Schools and Learning Reps. Traviesa, Altman, Bendross-Mindingall, Coley, Culp, Kiar, Kriseman, Legg, McBurney, McKeel and Vana.

William S. Pittman III, Chief Clerk

CORRECTION AND APPROVAL OF JOURNAL

The Journal of April 16 was corrected and approved.

CO-INTRODUCERS

Senators Atwater—CS for CS for SB 1084, SB 1316; Baker—CS for SB 2422, CS for CS for SB 2580; Bullard—CS for SB 1064; Dean—CS for SB 1064; Haridopolos—CS for CS for CS for SB 392

RECESS

On motion by Senator King, the Senate recessed at 12:27 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 10:00 a.m., Wednesday, April 23 or upon call of the President.

Journal of the Senate

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CALL TO ORDER

The Senate was called to order by President Pruitt at 10:00 a.m. A quorum present—39:

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

Excused: Senator Dawson; Conferees periodically for the purpose of working on the appropriations bills

PRAYER

The following prayer was offered by the Rev. Clifford Davis, Wesleyan Community Holiness Church, Belle Glade:

Most merciful Father, the only true God, God of both heaven and earth; we come this morning gathered together to thank you for journeying mercies and safe arrival at this place. We thank you for the families, friends and associates we represent. We pray for your guidance and directions in all that will be said and done to benefit our constituents, the people of the United States, the people of America and the people of the world.

Right now, Father, we are at a crossroad of decision; therefore, we solicit not only your intervention, but your control of our minds, thoughts and actions. As it is recorded in your word, "Where there is no vision, the people perish."

Please, Lord, visionize us with wisdom, knowledge and understanding, that as we proceed with the agendas, they will be to the benefit of our fellow man, and to the honor of your matchless name.

We come to you, dear Lord, based upon the authority of your word that whatsoever we ask in prayer and faith believing, we shall receive. We pray for the President of the United States, the President-to-be, and we pray for the world.

At the conclusion of this and all other sessions, guide us safely to our homes, our families and constituents. These and all other blessings we implore in your name. Amen.

PLEDGE

Senate Pages Michael Prutsman of Tallahassee; Cierra Walker of Pompano Beach; Jeremiah "Dakota" Johnson of Boys Ranch; and Leah Nussbaum of Framingham, Massachusetts, granddaughter of Senator Margolis, led the Senate in the pledge of allegiance to the flag of the United States of America.

DOCTOR OF THE DAY

The President recognized Dr. Jack Jawitz of Bradenton, sponsored by Senator Bennett, as doctor of the day. Dr. Jawitz specializes in Dermatology.

ADOPTION OF RESOLUTIONS

At the request of Senator Bullard—

By Senator Bullard—

SR 1368—A resolution recognizing Don Daly for his constructive and beneficial community service work improving the conditions of Caribbean-born Floridians and of Caribbean people in their countries of origin.

WHEREAS, Don Daly is President and CEO of CRI Communications, Inc., and of Caribbean Upliftment, Inc., organizations dedicated to providing links between Caribbean-born residents of the United States and their homelands and to improving their living conditions and the living conditions in Jamaica and other Caribbean countries, and

WHEREAS, CRI Communications, Inc., (CRI) is dedicated to gathering and disseminating responsible news and cultural information from the Caribbean to North American Caribbean nationals through radio and television broadcasts, town hall meetings, and other forms of communication, and

WHEREAS, a native of Jamaica, Don Daly joined the Bank of Nova Scotia in 1967, working there until he moved to New York in 1970, where he earned his Associate of Arts degree from the New York City Community College and his Bachelor of Arts degree in Social Sciences and his Master of Science degree in Urban Development from Stony Brook University in Long Island, and

WHEREAS, in 1980, he moved to South Florida and worked as a Distribution Manager for the Miami Herald until 1996, founding CRI Communications in 1987 and broadcasting a radio program featuring news, sports, interviews, general information, and a variety of music to an audience reaching from the Palm Beaches to Miami and the Bahamas, the majority of his audience living in South Florida and comprising people from more than 35 countries, and

WHEREAS, in 1995, he expanded the program to include television broadcasts on PAX-TV, featuring news and sports from the Caribbean as well as documentaries on Jamaica and other historical and cultural subjects, and

WHEREAS, in the Caribbean community, Don is considered a pioneer in the field of communications, being the first to provide live coverage

of general election results from Jamaica in 1989, 1993, 1997, and 2002, and

WHEREAS, Don has also put enormous effort into planning, coordinating, and raising funds for humanitarian efforts in Miami and overseas, including the organization of a medical team of more than 100 doctors and medical and dental students from Nova University of South Florida who annually spend 11 days in Jamaica administering health care to more than 3,500 people living in underserved areas, and

WHEREAS, in the 7 years of this medical mission, more than 21,000 indigent Jamaicans have received free health care and medication, some through an additional group Don has organized of podiatry doctors and students from Barry University, and

WHEREAS, Don also makes time to assist various local civic organizations with the planning and promotion of events to raise funds for their organizations' charitable causes; he has served for more than 10 years as the master of ceremonies of the Jamaica Independence Ball; he organizes and coordinates town hall meetings in association with several attorneys, doctors, and public and private entities to disseminate information across Florida to various groups; and he is a founding board member of the Unique Coalition of Minority Business, Inc., and the Jamaica-USA Chamber of Commerce, both located in Miami, and

WHEREAS, Don has received multiple awards for his outstanding community service, including the Broward County Board of Commissioners Library Division "Unsung Hero" award for his selfless giving of time, resources, and talent; a proclamation from the Miami-Dade County Office of the Mayor and the Board of County Commissioners recognizing him as a pioneer in communications; recognition by the Antigua and Barbuda Organization for his significant contributions to the promotion of their sports and culture; the Jamaican Prime Minister's "2003 Medal of Appreciation" for his outstanding contribution and service to Jamaica and the Jamaican community; Nova University's SNMA award for his outstanding generosity and selfless contributions; an award from Barry University for his outstanding dedication to the Barry 2003 medical mission; and the Jamaican Nurses Association's 2006 Humanitarian Award, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That the Senate pauses in its deliberations to recognize the manifold contributions Don Daly has made to the well-being of Caribbean-born Floridians and to Jamaicans and others having underserved health needs, and to applaud his success in supporting productive communication among Floridians, Americans in general, and the peoples of the Caribbean.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to Don Daly as a tangible token of the sentiments of the Florida Senate.

—**SR 1368** was introduced, read and adopted by publication.

At the request of Senator Bullard—

By Senator Bullard—

SR 2066—A resolution recognizing the Greater Miami Chapter of Continental Societies, Incorporated, on its 20th Anniversary of serving South Florida's children and youth.

WHEREAS, Continental Societies, Inc., an international public service organization dedicated to the socioeconomic and cultural welfare of underprivileged children and youth, was founded in June 1956 and incorporated nationally in 1972, and

WHEREAS, the Greater Miami Chapter of Continental Societies, Inc., was installed into the Societies on January 30, 1988, at the Radisson Mart Hotel under the sponsorship of the Atlanta chapter and became the 32nd chapter in the 32nd year of Continental Societies, Inc., to officially become a member of the national organization, and

WHEREAS, Vashti Armbrister and Earlene P. Dotson, the organizers of the Greater Miami Chapter, recruited a group of enterprising and innovative Christian women who wanted to have a positive effect on the lives of children and youth, and Earlene Dotson, a dynamic leader, was elected the first President of the Greater Miami Chapter, and

WHEREAS, the mission of the Continental Societies, Inc., is to create environments within our communities which empower children to gain access to quality and appropriate opportunities to reach their optimal potential, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That the Florida Senate commends the Greater Miami Chapter of the Continental Societies, Inc., on 20 years of service to children and youth.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to the Greater Miami Chapter of the Continental Societies, Inc., as a tangible token of the sentiments of the Florida Senate.

—**SR 2066** was introduced, read and adopted by publication.

At the request of Senator King—

By Senator King—

SR 2920—A resolution recognizing the week of June 23-27, 2008, as "Humane Society Appreciation Week" in Florida.

WHEREAS, there are currently 48 humane societies in the State of Florida, serving 40 counties in the struggle with domestic animal overpopulation, and

WHEREAS, humane societies work to promote animal adoption and education, eliminate animal overpopulation, prevent animal cruelty, and relieve animal suffering, and

WHEREAS, humane societies have diligently served many Florida communities for as many as 45 years, and

WHEREAS, the estimated population of more than 800,000 unwanted and stray animals euthanized in Florida each year constitutes a potential health risk for rabies and other contagious diseases in this state, and

WHEREAS, in 2007, humane societies served to locate permanent homes for many thousands of unwanted animals and promoted regional spay/neuter campaigns as a preventive and responsible measure for controlling the animal overpopulation in Florida, and

WHEREAS, humane societies are staffed by an estimated 10,000 Florida residents who unselfishly volunteer their time, energy, and expertise to alleviate the suffering of animals and to deal responsibly with the problems created by stray animal overpopulation, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That the Senate commends the humane societies across this state for protecting the health, safety, and welfare of the people and animals of Florida and for setting an example for responsible human behavior toward animals.

BE IT FURTHER RESOLVED that the week of June 23-27, 2008, is recognized as "Humane Society Appreciation Week" in Florida.

—**SR 2920** was introduced, read and adopted by publication.

At the request of Senator Aronberg—

By Senator Aronberg—

SR 2950—A resolution recognizing May 2008 as "Hepatitis Awareness Month."

WHEREAS, May is World Hepatitis Awareness Month, with the inaugural World Hepatitis Awareness Month held in 2004, and since then World Hepatitis Awareness Month has grown to become a truly international movement, and

WHEREAS, World Hepatitis Awareness Month is an opportunity for the global hepatitis community to increase awareness of viral hepatitis

and alert a worldwide audience to risk factors and symptoms of this infection, and

WHEREAS, often described as "silent killers," both hepatitis B and C can lead to cirrhosis, liver cancer, and, ultimately, liver failure and death; however, in many cases, hepatitis can be cured or managed using currently available treatments, and

WHEREAS, around the world an estimated 350 to 400 million people are living with hepatitis B, and more than 180 million people worldwide are infected with hepatitis C, and

WHEREAS, in the United States, it is estimated that up to 2 million people are chronically infected with hepatitis B, and an estimated 5 million people are infected with hepatitis C, and

WHEREAS, an estimated 300,000 Floridians are infected with hepatitis C and an estimated 75,000 Floridians are infected with hepatitis B, and

WHEREAS, the U.S. Centers for Disease Control has identified African-Americans, Asian-Americans, and Pacific Islanders, as well as Native Americans and Alaskan Natives, as having higher rates of viral hepatitis, and

WHEREAS, the chronic viral hepatitis disease burden in the United States is greatly underestimated. Approximately 200,000 patients are diagnosed with hepatitis B, but the total adjusted prevalence of the disease is approximately 2 million people affected; approximately 800,000 patients are diagnosed with hepatitis C, whereas the total adjusted prevalence is approximately 5 million people affected, and

WHEREAS, the impact of late diagnosis leads to an increasing need for liver transplants and increased prevalence of liver cancer, which is the fastest-growing type of cancer in incidence in the United States while other types of cancer are declining in rate, and

WHEREAS, there is a tremendous need for increasing early screening, diagnosis, and treatment, and effective interventions, such as testing, diagnosis, immunization, and counseling can help prevent and control viral hepatitis and protect personal and community health, and

WHEREAS, the Florida Department of Health has a comprehensive, statewide Hepatitis Prevention Program that includes raising public awareness of viral hepatitis, providing public and professional education, tracking the burden of disease and detecting outbreaks, conducting research, and offering free testing and vaccination for adults at increased risk for infection or for the serious consequences of infection, and

WHEREAS, hepatitis A and B are preventable by vaccination, and Florida's Hepatitis Prevention Program provided over 37,000 hepatitis A and B vaccines to at-risk adults in 2007 through county health departments, and

WHEREAS, Florida's Hepatitis Prevention Program tested more than 24,000 at-risk adults for viral hepatitis using the state laboratory services and, for 1,500 at-risk adults, using home test kits in 2007, and

WHEREAS, patient groups and governments around the world have recognized the need for greater awareness of viral hepatitis and are working together on events during World Hepatitis Awareness Month in order to drive awareness and galvanize action by people who may be at risk, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That the Florida Senate supports the goals and ideals of World Hepatitis Awareness Month; calls upon the people of Florida to observe this month with appropriate programs and activities; and supports all efforts to raise awareness of the consequences of untreated viral hepatitis as a serious public health issue.

—**SR 2950** was introduced, read and adopted by publication.

At the request of Senator Bullard—

By Senator Bullard—

SR 2960—A resolution recognizing Al Dotson, Jr., for his many years of leadership and dedicated service to the South Florida community.

WHEREAS, on June 9, 1960, Mr. Albert Dotson, Jr., was born to Dr. Albert Dotson, Sr., and his wife, Dr. Earlene Dotson, in Detroit, Michigan, and

WHEREAS, Mr. Dotson graduated from Dartmouth College with a degree in Economics and History and was then accepted into Vanderbilt University's School of Law where he earned his Juris Doctor degree and was awarded the Bennett Douglas Bell Memorial Prize for academic achievement and high ethical standards, and

WHEREAS, Mr. Dotson is Chairman of the Board of 100 Black Men of America, Chairman of the Miami Dade College Foundation Board of Trustees, was President of the Orange Bowl Committee for the 2006-2007 Orange Bowl Festival and the FedEx Orange Bowl Game, and participates actively in a wide array of vital organizations and groups including the FTAA Ministerial Board of Trustees, the Super Bowl XLI Host Committee, Big Brothers Big Sisters of Greater Miami, the Simon Wiesenthal Center, United Way of Miami-Dade County, the Overtown Youth Center, the Dade County Bar Association Blue Ribbon Commission on Judicial Campaigns, the Miami Business Forum, the Jackson Memorial Hospital Public Health Trust, the National Conference of Community and Justice, and the Alliance For Ethical Government, and

WHEREAS, he was named one of Ebony Magazine's "100 Most Influential Black Americans"; as one of the "Most Effective Lawyers" in Real Estate/Construction Law by the Daily Business Review; as one of South Florida's Top Lawyers by Miami Metro Magazine; and as one of "40 Business Leaders in South Florida Under Age 40" by the South Florida Business Journal, and

WHEREAS, Mr. Dotson has received numerous additional awards including the March of Dimes Community Excellence in Real Estate Law Award; the 1999 Community Leader Award by the Wilke D. Ferguson, Jr., Bar Association; the 2001 Outstanding Star of Our Community Award by The Vizcayans; the 2004 Certificate of Special Congressional Recognition by Senator Bill Nelson in honor of his contributions to the State of Florida; and has received commendations and proclamations from the Mayor of Miami-Dade County, the Miami-Dade County Board of County Commissioners, the Mayor of the City of Miami, and the City of Miami Commission, and

WHEREAS, Mr. Dotson resides in South Florida with his loving wife, Attorney Gail Ash Dotson, and their two children, Ashley Erin Dotson and Albert Eugene Dotson, III, and continues to contribute greatly to the State of Florida and the South Florida region through his leadership and community service, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That the Senate recognizes and commends Mr. Al Dotson, Jr., for his many years of outstanding leadership and exemplary community service in South Florida.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to Al Dotson, Jr., as a tangible token of the sentiments of the Florida Senate.

—**SR 2960** was introduced, read and adopted by publication.

At the request of Senator Bullard—

By Senator Bullard—

SR 2962—A resolution recognizing Mr. Don Noe for his contribution of more than 20 years of meteorological expertise in South Florida.

WHEREAS, Don Noe, born June 30, 1951, in Fond du Lac, Wisconsin, developed an interest in science, cultivated by "Mr. Wizard" on Saturday morning television, and

WHEREAS, one day, lightning struck a tall tree in the Noes' back yard and this event served as a lightning rod that directed Don's interest towards meteorology, and

WHEREAS, after graduating from high school, Don enrolled in the University of Wisconsin, Madison, where he would earn a Bachelor of Science Degree in 1973, and

WHEREAS, also in 1973, Don married his high school sweetheart, Betty, and together they have raised two wonderful sons, Matthew and Alan, and

WHEREAS, after stints in Green Bay and Portland as Chief Meteorologist, Don accepted a position with WPLG channel 10 in Miami in 1979, just 2 months before his first hurricane experience when Hurricane David, a powerful category 5 storm, swept near the Florida coast, and

WHEREAS, on August 24, 1992, Don's life, like the lives of many South Floridians, was drastically changed as Hurricane Andrew ravaged South Dade with its 200-mph winds, and

WHEREAS, Don spent the next few weeks reporting on the storm that changed forever how he felt about and viewed many things in this world, and

WHEREAS, after the devastation of Andrew, Don recognized the importance of his position as Chief Meteorologist at WPLG and the responsibility it carried to the community, realizing how much people actually depended on him and others to remain in front of the camera throughout the nights of the storm, advising them on the safest course of action and providing communication, comfort, and reassurance, and

WHEREAS, on November 28th, 2007, Don signed off for the last time, saying farewell to all who have trusted and grown with him in South Florida, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That the Florida Senate does hereby recognize WPLG Channel 10 Chief Meteorologist Don Noe for his years of dedicated service to South Florida.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to Don Noe as a tangible token of the sentiments of the Florida Senate.

—**SR 2962** was introduced, read and adopted by publication.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has passed CS for CS for SB 1716, with amendment(s), and requests the concurrence of the Senate.

William S. Pittman III, Chief Clerk

CS for CS for SB 1716—A bill to be entitled An act relating to postsecondary education; amending s. 1000.21, F.S.; redesignating the names of certain community colleges as colleges; creating s. 1001.60, F.S., relating to the Florida College System; providing system purposes; defining the system as comprised of the public postsecondary educational institutions that grant 2-year and 4-year academic degrees; providing limitations; authorizing a name change under certain conditions; providing for institutions within the Florida College System to be governed by local boards of trustees; providing membership for the boards; creating s. 1004.87, F.S.; creating the Florida College System Task Force for the purpose of developing recommendations for the transition of community colleges to baccalaureate-degree-granting colleges; providing for membership and appointments; providing duties of the task force and reporting requirements; providing for the task force to be dissolved unless extended by general law; creating s. 1004.875, F.S.; creating the State College Pilot Project for the purpose of recommending to the Legislature an approval process for the transition of certain community colleges to state colleges; designating certain institutions to participate in the project; providing duties and reporting requirements for the institutions; providing an effective date.

House Amendment 1 (096883)(with title amendment)—

Remove everything after the enacting clause and insert:

Section 1. Paragraphs (b), (e), (k), (u), and (x) of subsection (3) of section 1000.21, Florida Statutes, are amended to read:

1000.21 Systemwide definitions.—As used in the Florida K-20 Education Code:

(3) "Community college," except as otherwise specifically provided, includes the following institutions and any branch campuses, centers, or other affiliates of the institution:

(b) Broward ~~Community~~ College.

(e) Daytona Beach ~~Community~~ College.

(k) Indian River ~~Community~~ College.

(u) Polk ~~Community~~ College.

(x) Santa Fe ~~Community~~ College.

Section 2. Section 1001.60, Florida Statutes, is created to read:

1001.60 Florida College System.—

(1) PURPOSES.—In order to maximize open access for students, respond to community needs for postsecondary academic education and career degree education, and provide associate and baccalaureate degrees that will best meet the state's employment needs, the Legislature establishes a system of governance for the Florida College System.

(2) FLORIDA COLLEGE SYSTEM.—There shall be a single Florida College System comprised of the public postsecondary educational institutions identified in s. 1000.21(3) that grant 2-year and 4-year academic degrees as provided by law. An institution within the Florida College System may not offer graduate degree programs.

(a) The programs and services offered by institutions in the Florida College System in providing associate and baccalaureate degrees shall be delivered in a cost-effective manner that demonstrates substantial savings to the student and to the state over the cost of providing the degree at a state university.

(b)1. With the approval of the institution's local board of trustees, an institution in the Florida College System may change the institution's name and use the designation "college" if it has been authorized to grant baccalaureate degrees pursuant to s. 1004.73 or s. 1007.33 or if it has received approval from the State Board of Education pursuant to this paragraph.

2. With the approval of an institution's local board of trustees, any institution in the Florida College System may request approval from the State Board of Education to change the institution's name and use the designation "college." The State Board of Education may approve the request if the institution enters into an agreement with the State Board of Education to do the following:

a. Maintain as the institution's primary mission responsibility for responding to community needs for postsecondary academic education and career degree education as prescribed in s. 1004.65(6).

b. Maintain an open-door admissions policy for associate-level degree programs and workforce education programs.

c. Continue to provide outreach to underserved populations.

d. Continue to provide remedial education.

e. Comply with all provisions of the statewide articulation agreement that relate to 2-year and 4-year public degree-granting institutions as adopted by the State Board of Education pursuant to s. 1007.23.

3. An institution in the Florida College System shall not use the designation "university."

(3) LOCAL BOARDS OF TRUSTEES.—Each institution within the Florida College System shall be governed by a local board of trustees as provided in s. 1001.64. The membership of each local board of trustees shall be as provided in s. 1001.61.

Section 3. Section 1004.35, Florida Statutes, is amended to read:

1004.35 Broward County campuses of Florida Atlantic University; coordination with other institutions.—The State Board of Education, the Board of Governors, and Florida Atlantic University shall consult with Broward ~~Community~~ College and Florida International University in coordinating course offerings at the postsecondary level in Broward County. Florida Atlantic University may contract with the Board of Trustees of Broward ~~Community~~ College and with Florida International University to provide instruction in courses offered at the Southeast Campus. Florida Atlantic University shall increase course offerings at the Southeast Campus as facilities become available.

Section 4. Section 1004.87, Florida Statutes, is created to read:

1004.87 Florida College System Task Force.—

(1) The Florida College System Task Force is established within the Division of Community Colleges of the Department of Education for the purpose of developing findings and issuing recommendations regarding the transition of community colleges to baccalaureate-degree-granting colleges and the criteria for establishing and funding state colleges.

(2)(a) All members of the task force must be appointed on or before August 31, 2008, and the task force shall hold its first meeting on or before September 15, 2008.

(b)1. The task force shall be comprised of the Commissioner of Education and 11 members appointed by the Commissioner.

2. The Commissioner of Education shall be the chair and a voting member of the task force.

3. The appointees shall include seven community college presidents, one state university president, the president of an institution that is eligible to participate in the William L. Boyd, IV, Florida Resident Access Grant Program, the president of an institution that is licensed by the Commission for Independent Education and grants baccalaureate degrees, and one member at large. The community college presidents appointed to the task force may not include the presidents of the institutions named to participate in the State College Pilot Project. The community college presidents appointed to the task force must reflect the diversity of program offerings and service areas of the 28 community colleges and include representatives of community colleges that are authorized to grant baccalaureate degrees, community colleges that are not authorized to grant baccalaureate degrees, community colleges that have urban service areas, community colleges that have rural service areas, community colleges the service areas of which have populations of 500,000 or more, and community colleges the service areas of which have populations of fewer than 500,000.

(3) The task force shall:

(a) Recommend a program approval process for new baccalaureate degree programs that are designed to meet the employment needs of Florida, including approval as a baccalaureate-degree-granting community college and as a state college.

(b) Recommend a funding model that considers projected enrollment, adjustments for actual enrollment, program mix, and comparable support for similar programs across all institutions, including state colleges and community colleges authorized by the State Board of Education to award baccalaureate degrees pursuant to s. 1007.33. The funding model must ensure that the programs and services offered by institutions in the Florida College System in providing associate and baccalaureate degrees are delivered in a cost-effective manner that demonstrates substantial savings to the student and to the state over the cost of providing the degree at a state university.

(c) Identify the areas, both geographic and academic, in which an increased number of graduates who have baccalaureate degrees are necessary in order to meet regional and statewide workforce needs.

(d) Monitor implementation of the State College Pilot Project.

(e) Recommend priorities and criteria for baccalaureate programs that may be offered without specific approval by the State Board of Education.

(4) Any recommendation from the task force to the Legislature requires approval by at least three-fourths of the membership of the task force.

(5) The task force shall be staffed by existing employees of the Division of Community Colleges.

(6)(a) Community colleges, state universities, the Commission for Independent Education, and the Agency for Workforce Innovation shall provide information and assistance to the task force.

(b) Independent postsecondary educational institutions, representatives of the business community, and other stakeholders are encouraged to provide the task force with information to assist the task force in its deliberations.

(7) The task force shall submit a report and recommendations to the Governor, the State Board of Education, the President of the Senate, and the Speaker of the House of Representatives by March 2, 2009. The report must include any comments from the task force regarding the final report resulting from the State College Pilot Project and any specific recommendations of the task force for legislative action during the 2009 Regular Session of the Legislature.

(8) The task force shall be dissolved effective June 30, 2010, prior to which time it shall issue its final report with recommended detailed criteria for implementing the Florida College System as a permanent part of the state system of higher education.

Section 5. Section 1004.875, Florida Statutes, is created to read:

1004.875 State College Pilot Project.—

(1) The Legislature finds that it is in the best interest of the state to provide the residents of the state affordable access to baccalaureate degree programs that are designed to meet regional and statewide employment needs.

(2)(a) Beginning with the 2008-2009 fiscal year, the State College Pilot Project is created, which shall be conducted by Chipola College, Daytona Beach College, Edison College, Indian River College, Miami Dade College, Okaloosa-Walton College, Polk College, Santa Fe College, and St. Petersburg College in collaboration with the Florida College System Task Force. The purpose of the pilot project is to recommend to the Legislature an approval process for the transition of baccalaureate-degree-granting community colleges to state colleges in order to meet the employment needs of Florida, criteria for the transition of institutions in the Florida College System to state colleges, and a funding model for the Florida College System.

(b) With the approval of the community college's board of trustees and continued compliance with the provisions of subsection (3), a community college identified in paragraph (a) as a participant in the State College Pilot Project may change the institution's name and use the designation "state college." An institution participating in the State College Pilot Project shall not use the designation "university."

(3) Each institution identified in subsection (2) as a participant in the pilot project shall:

(a) Maintain, as the institution's primary mission, responsibility for responding to community needs for postsecondary academic education and career degree education as prescribed in s. 1004.65(6).

(b) Maintain an open-door admissions policy for associate-level degree programs and workforce education programs.

(c)1. Require, as a condition of admission to upper-division programs, successful completion of the college-level communication and mathematics skills examination (CLAST), established pursuant to s. 1008.29, unless the student has been awarded an associate degree from a community college or a state university.

2. For purposes of a longitudinal analysis of the CLAST, and notwithstanding any other provision of law to the contrary, administer the CLAST to each student admitted to an upper-division program unless the student has previously achieved the minimum scores that constitute successful completion of the examination as established pursuant to s. 1008.29(4). The institution shall report annually the test scores of each student tested pursuant to the provisions of this subparagraph and any exemption the student has been provided pursuant to s. 1008.29(9) to the Florida College System Task Force until its dissolution, to the State Board of Education once the task force is dissolved, and to the Office of Program Policy Analysis and Government Accountability.

(d) Continue to provide outreach to underserved populations.

(e) Continue to provide remedial education.

(f) Comply with all provisions of the statewide articulation agreement that relate to 2-year and 4-year public degree-granting institutions as adopted by the State Board of Education pursuant to s. 1007.23.

(g) Be prohibited from awarding graduate credit or graduate degrees.

(h) Be prohibited from participating in intercollegiate athletics beyond the 2-year level.

(i) Deliver the programs and services in providing associate and baccalaureate degrees in a cost-effective manner that demonstrates substantial savings to the student and to the state over the cost of providing the degree at a state university.

(4)(a) The institutions participating in the pilot project shall collaborate with the Florida College System Task Force to make recommendations to the State Board of Education, the President of the Senate, and the Speaker of the House of Representatives on specific issues that should be addressed in the transition of a community college to a state college. Any recommendations of the institutions participating in the pilot project require approval by two-thirds of the participating institutions. At a minimum, the following areas should be addressed during the course of the pilot project:

1. The development of a program approval process to be followed by the State Board of Education when considering proposals for new baccalaureate degree programs that are designed to meet the employment needs of Florida. Proposals for new baccalaureate degree programs are not limited to proposals designed to meet regional workforce needs.

2. The formulation of criteria for the transition of an institution from a community college to a state college.

3. The development of a funding model for state colleges.

(b) A final report, including a status report on the transition of the institutions participating in the pilot project and recommendations on the issues outlined in paragraph (a), shall be submitted to the State Board of Education, the President of the Senate, the Speaker of the House of Representatives, and the Florida College System Task Force by January 1, 2009.

Section 6. This act shall take effect July 1, 2008.

And the title is amended as follows:

Remove the entire title and insert: A bill to be entitled An act relating to postsecondary education; amending s. 1000.21, F.S.; redesignating the names of certain community colleges as colleges; creating s. 1001.60, F.S.; establishing the Florida College System to be comprised of public postsecondary educational institutions meeting certain criteria; providing system purposes; providing limitations; authorizing the name change of an institution under certain conditions; providing for local boards of trustees and membership thereof; amending s. 1004.35, F.S.; conforming provisions; creating s. 1004.87, F.S.; establishing the Florida College System Task Force for the purpose of developing recommendations for the transition of community colleges to baccalaureate-degree-granting colleges and for establishing and funding state colleges; providing for membership and appointments; providing duties of the task force; requiring reporting; providing for dissolution of the task force; creating s. 1004.875, F.S.; creating the State College Pilot Project for the purpose of developing recommendations for the transition of community colleges to state colleges and for developing a funding model for the Florida College System; designating certain institutions to participate in the pilot project; providing duties of the institutions; requiring reporting; providing an effective date.

On motion by Senator Oelrich, the Senate concurred in the House amendment.

CS for CS for SB 1716 passed as amended and was ordered engrossed and then enrolled. The action of the Senate was certified to the House. The vote on passage was:

Yeas—35

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Dean	Justice	Wilson
Deutch	King	Wise
Diaz de la Portilla	Lynn	

Nays—None

Vote after roll call:

Yea—Crist, Villalobos, Webster

BILLS ON THIRD READING

CS for CS for SB 542—A bill to be entitled An act relating to land acquisition and management; amending s. 201.15, F.S., relating to the distribution of taxes collected for debt service; extending the deadline for retiring the bonds issued under the Florida Forever Act; amending s. 215.618, F.S.; authorizing the distribution of bonds for the acquisition of conservation lands; increasing the bonding authority for issuance of Florida Forever bonds; directing the Legislature to complete a debt analysis prior to the issuance of any such bonds by a date certain; directing the Legislature to complete an analysis on potential revenue sources by a date certain; amending s. 253.025, F.S.; requiring appraisals of land under certain circumstances; deleting provisions that allow appraisers to reject an appraisal report under certain conditions; providing authority to the Board of Trustees of the Internal Improvement Trust Fund to waive sales history requirements under certain conditions; amending s. 253.0325, F.S.; requiring the Department of Environmental Protection to modernize its information systems; requiring a annual report of state lands acquired by each recipient of funds; amending s. 253.034, F.S.; defining the term "public access" for purposes of chapters 253 and 259, F.S.; requiring that land management plans provide short-term and long-term management goals; specifying measurable objectives; requiring that a land management plan contain certain elements; revising requirements for determining which state-owned lands may be surplus lands; requiring additional appraisals under certain conditions; requiring the Division of State Lands to contract with an organization for the purpose of determining the value of carbon capture and carbon sequestration with respect to state lands and provide an inventory to the board of trustees; authorizing to the Fish and Wildlife Conservation Commission to manage lands for imperiled species under certain conditions; requiring a report to the Legislature; providing for future expiration of such authority; amending s. 253.0341, F.S.; providing specific uses for state-surplused lands; amending s. 253.111, F.S.; extending the period within which a board of county commissioners must provide a resolution to the Board of Trustees of the Internal Improvement Trust Fund before state-owned lands are otherwise sold; amending s. 253.82, F.S.; revising requirements of the sale of nonsovereignty lands owned by the board of trustees; deleting appraisal limitations; amending s. 259.032, F.S.; requiring priority purchase of conservation and recreational lands that have high concentrations of population and certain agricultural lands; revising requirements for land management plans; establishing a minimum for funds expended for the management of state-owned land; requiring the Land Management Uniform Accounting Council to report on the formula for allocating land management funds; providing requirements for the report; deleting obsolete provisions; amending s. 259.035, F.S.; revising provisions establishing the Acquisition and Restoration Council; revising membership criteria; directing the council to establish specific criteria and numeric performance measures for the acquisition of land; amending s. 259.037, F.S.; revising the categories used by the Land Management Uniform Accounting Council to collect and report the costs of land management activities; requiring agencies to report additional information to the council; amending s. 259.041, F.S., relating to the acquisition of state-owned lands for preservation, conservation, and recreation purposes; requiring Legislative approval for acquisitions by the state exceeding a certain amount; increasing appraisal thresholds; requiring that specific language be included on

option contracts; amending s. 259.105, F.S., relating to the Florida Forever Act; revising Legislative intent; providing for funds to be deposited in the Florida Forever Trust Fund; requiring bonded moneys be spent for capital improvements under certain conditions; providing for the expenditure of funds for conservation and agricultural easements under certain conditions; providing for the inclusion of carbon sequestration as a multiple use; providing rulemaking authority for the board of trustees; providing for the reversion of lands to the board of trustees under certain conditions; requiring an annual work plan be developed by the Acquisition and Restoration Council; authorizing alternatives to fee-simple purchases; deleting obsolete provisions; amending s. 259.1051, F.S., relating to the Florida Forever Trust Fund; increasing bonding authority; amending s. 342.201, F.S.; providing that the Department of Community Affairs adopt criteria by rule; creating s. 342.2015, F.S.; establishing a funding mechanism for the Waterfronts Florida Program through Florida Forever; providing eligible projects meet certain conditions; amending s. 373.089, F.S.; clarifying the process for disposing of surplus lands; amending s. 373.1391, F.S.; providing additional oversight authority to the department; amending s. 373.199, F.S.; clarifying work plan requirements; providing an effective date.

—as amended April 16 was read the third time by title.

Senator Saunders moved the following amendment which was adopted by two-thirds vote:

Amendment 1 (020706)—Delete line(s) 455-482 and redesignate subsequent subsections.

Senator Justice moved the following amendment which was adopted by two-thirds vote:

Amendment 2 (155782)(with title amendment)—Between line(s) 747 and 748 insert:

(d) If state-owned lands are subject to annexation procedures, the Division of State Lands must notify the county legislative delegation of the county in which the land is located.

And the title is amended as follows:

On line(s) 39, after the semicolon (;) insert: requiring the Division of State Lands to notify the county legislative delegation if state-owned lands within the county are subject to annexation;

Senator Saunders moved the following amendments which were adopted by two-thirds vote:

Amendment 3 (438902)—Between lines 1595 and 1596, insert:

5. Include a report of the estimated calculable financial benefits to the public for the ecosystem services provided by conservation lands, based on the best readily available information or science that provides a standard measurement methodology to be consistently applied by the land managing agencies. Such information may include, but need not be limited to, the value of natural lands for protecting the quality and quantity of drinking water through natural water filtration and recharge, contributions to protecting and improving air quality, benefits to agriculture through increased soil productivity and preservation of biodiversity, and savings to property and lives through flood control.

Amendment 4 (598542)—Delete line(s) 1897 and 1898 and insert: *and non-state funded tools such as rural land stewardship areas, sector planning, and mitigation* ~~and similar tools~~ should be used, where appropriate, to bring

Amendment 5 (026786)—Delete line(s) 2639-2708 and redesignate subsequent sections.

Amendment 6 (682352)—Delete line(s) 2882-2890 and insert:

Section 22. Subsection (1) of section 380.5115, Florida Statutes, is amended to read:

380.5115 Florida Forever Program Trust Fund of the Department of Community Affairs.—

(1) There is created a Florida Forever Program Trust Fund within the Department of Community Affairs to further the purposes of this part as specified in s. 259.105(3)(c) *and (j)*. The trust fund shall receive funds pursuant to s. 259.105(3)(c) *and (j)*.

MOTION

On motion by Senator Saunders, the rules were waived to allow the following amendment to be considered:

Senator Saunders moved the following amendment:

Amendment 7 (617414)—Delete line(s) 2882-2890 and insert:

Section 22. Section 380.502, Florida Statutes, is amended to read:

380.502 Legislative findings and intent.—

(1) The Legislature finds that the conservation of natural areas is vital to the state's economy and ecology. The Legislature further finds that rapid increases in population and development throughout Florida threaten the integrity of the environment and limit opportunities for citizens and visitors to enjoy the state's natural areas. The Legislature further finds that inappropriate and poorly planned land uses overburden natural resources and disrupt the state's ecology. Finally, the Legislature finds that the quality of life, environmental quality, as well as the viability and vitality of the urban areas of this state are directly linked to urban open space and greenways. The creation of greenways; expansion of green spaces; enhancement of recreation areas; *preservation of working waterfronts;* and protection and restoration of urban lakes, rivers, and watersheds in the urban areas of this state are necessary to link populated areas with natural areas, preserve unique cultural and heritage sites, provide land for recreational opportunities to enhance the health and well-being of the urban residents of this state, improve water quality, reduce the level of urban crime and violence, and build confidence and self-esteem among the urban youth of this state.

(2) The Legislature recognizes that the primary responsibility for establishing well-planned land use rests at the local government level through the implementation of comprehensive plans. The Legislature also recognizes that many of the goals and objectives of these comprehensive plans will not be met through regulation, but require creative and innovative action to ensure their accomplishment.

(3) It is the intent of the Legislature to establish a nonregulatory agency that will assist local governments in bringing local comprehensive plans into compliance and implementing the goals, objectives, and policies of the conservation, recreation and open space, and coastal elements of local comprehensive plans, or in conserving natural resources and resolving land use conflicts by:

(a) Responding promptly and creatively to opportunities to correct undesirable development patterns, restore degraded natural areas, enhance resource values, restore deteriorated or deteriorating urban waterfronts, *preserve working waterfronts,* reserve lands for later purchase, participate in and promote the use of innovative land acquisition methods, and provide public access to surface waters.

(b) Providing financial and technical assistance to local governments, state agencies, and nonprofit organizations to carry out projects and activities and to develop programs authorized by this part.

(c) Involving local governments and private interests in voluntarily resolving land use conflicts and issues.

Section 23. Subsection (18) is added to section 380.503, Florida Statutes, to read:

380.503 Definitions.—As used in ss. 380.501-380.515, unless the context indicates a different meaning or intent:

(18) "Working waterfront" means:

(a) A parcel or parcels of land directly used for the purposes of the commercial harvest of marine organisms or saltwater products by state-licensed commercial fishermen, aquaculturists, or business entities, including piers, wharves, docks, or other facilities operated to provide waterfront access to licensed commercial fishermen, aquaculturists, or business entities; or

(b) A parcel or parcels of land used for exhibitions, demonstrations, educational venues, civic events, and other purposes that promote and

educate the public about economic, cultural, and historic heritage of Florida's traditional working waterfronts, including the marketing of the seafood and aquaculture industries.

Section 24. Paragraph (g) is added to subsection (2) of section 380.507, Florida Statutes, to read:

380.507 Powers of the trust.—The trust shall have all the powers necessary or convenient to carry out the purposes and provisions of this part, including:

(2) To undertake, coordinate, or fund activities and projects which will help bring local comprehensive plans into compliance and help implement the goals, objectives, and policies of the conservation, recreation and open space, and coastal elements of local comprehensive plans, or which will otherwise serve to conserve natural resources and resolve land use conflicts, including, but not limited to:

(g) Working waterfronts.

Section 25. Subsection (4) of section 380.508, Florida Statutes, is amended to read:

380.508 Projects; development, review, and approval.—

(4) Projects or activities which the trust undertakes, coordinates, or funds in any manner shall comply with the following guidelines:

(a) The purpose of redevelopment projects shall be to restore areas which are adversely affected by scattered ownership, poor lot layout, inadequate park and open space, incompatible land uses, or other conditions which endanger the environment or impede orderly development. Grants and loans awarded for redevelopment projects shall be used for assembling parcels of land within redevelopment project areas for the redesign of such areas and for the installation of public improvements required to serve such areas. After redesign and installation of public improvements, if any, lands in redevelopment projects, with the exception of lands acquired for public purposes, shall be conveyed to any person for development in accordance with a redevelopment project plan approved according to this part.

(b) The purpose of resource enhancement projects shall be to enhance natural resources which, because of indiscriminate dredging or filling, improper location of improvements, natural or human-induced events, or incompatible land uses, have suffered loss of natural and scenic values. Grants and loans awarded for resource enhancement projects shall be used for the assembly of parcels of land to improve resource management, for relocation of improperly located or designed improvements, and for other corrective measures which will enhance the natural and scenic character of project areas.

(c) The purpose of public access projects shall be to acquire interests in and initially develop lands which are suitable for and which will be used for public accessways to surface waters. The trust shall identify local governments and nonprofit organizations which will accept responsibility for maintenance and liability for public accessways which are located outside the state park system. The trust may lease any public access site developed under this part to a local government or nonprofit organization, provided that the conditions of the lease guarantee public use of the site. The trust may accept, from any local government or nonprofit organization, fees collected for providing public access to surface waters. The trust shall expend any such funds it accepts only for acquisition, development, and maintenance of such public accessways. To the maximum extent possible, the trust shall expend such fees in the general area where they are collected or in areas where public access to surface waters is clearly deficient. The trust may transfer funds, including such fees, to a local government or nonprofit organization to acquire public access sites. In developing or coordinating public access projects, the trust shall ensure that project plans involving beach access are consistent with state laws governing beach access.

(d) The purpose of urban waterfront restoration projects shall be to restore deteriorated or deteriorating urban waterfronts for public use and enjoyment. Urban waterfront restoration projects shall include public access sites.

(e) The purpose of working waterfront projects shall be to restore and preserve working waterfronts as provided in s. 380.5101.

(f)~~(e)~~ The trust shall cooperate with local governments, state agencies, federal agencies, and nonprofit organizations in ensuring the reservation of lands for parks, recreation, fish and wildlife habitat, historical preservation, or scientific study. In the event that any local government, state agency, federal agency, or nonprofit organization is unable, due to limited financial resources or other circumstances of a temporary nature, to acquire a site for the purposes described in this paragraph, the trust may acquire and hold the site for subsequent conveyance to the appropriate governmental agency or nonprofit organization. The trust may provide such technical assistance as is required to aid local governments, state and federal agencies, and nonprofit organizations in completing acquisition and related functions. The trust shall not reserve lands acquired in accordance with this paragraph for more than 5 years from the time of acquisition. A local government, federal or state agency, or nonprofit organization may acquire the land at any time during this period for public purposes. The purchase price shall be based upon the trust's cost of acquisition, plus administrative and management costs in reserving the land. The payment of this purchase price shall be by money, trust-approved property of an equivalent value, or a combination of money and trust-approved property. If, after the 5-year period, the trust has not sold to a governmental agency or nonprofit organization land acquired for site reservation, the trust shall dispose of such land at fair market value or shall trade it for other land of comparable value which will serve to accomplish the purposes of this part. Any proceeds from the sale of such land shall be deposited in the Florida Communities Trust Fund.

Project costs may include costs of providing parks, open space, public access sites, scenic easements, and other areas and facilities serving the public where such features are part of a project plan approved according to this part. In undertaking or coordinating projects or activities authorized by this part, the trust shall, when appropriate, use and promote the use of creative land acquisition methods, including the acquisition of less than fee interest through, among other methods, conservation easements, transfer of development rights, leases, and leaseback arrangements. The trust also shall assist local governments in the use of sound alternative methods of financing for funding projects and activities authorized by this part. Any funds over and above eligible project costs, which remain after completion of a project approved according to this part, shall be transmitted to the state and deposited in the Florida Communities Trust Fund.

Section 26. Section 380.5105, Florida Statutes, is created to read:

380.5105 Working Waterfronts; Florida Forever.—

(1) Notwithstanding any other provision of this chapter, it is the intent of the legislature that the trust shall administer the working waterfronts program as set forth in this section.

(2) The trust and the Department of Agriculture and Consumer Services shall jointly develop rules specifically establishing an application process and a process for the evaluation, scoring and ranking of working waterfront acquisition projects. The proposed rules jointly developed pursuant to this subsection shall be promulgated by the trust. Such rules shall establish a system of weighted criteria to give increased priority to projects:

(a) Within a municipality with a population less than 30,000; or

(b) Within a municipality or area under intense growth and development pressures, as evidenced by a number of factors, including a determination that the municipality's growth rate exceeds the average growth rate for the state; or

(c) Within the boundary of a community redevelopment agency established pursuant to s. 163.356; or

(d) Adjacent to state-owned submerged lands designated as an aquatic preserve identified in s. 258.39; or

(e) That provide a demonstrable benefit to the local economy.

(3) For projects that will require more than the grant amount awarded for completion, the applicant must identify in their project application funding sources that will provide the difference between the grant award and the estimated project completion cost.

Such rules may be incorporated into those developed pursuant to s. 380.507(11).

(4) The trust shall develop a ranking list based on criteria identified in subsection (2) for proposed fee simple and less-than-fee simple acquisition projects developed pursuant to this section. The trust shall, by the first Board of Trustees of the Internal Improvement Trust Fund meeting in February, present the ranking list pursuant to this section, to the board of trustees for final approval of projects for funding. The board of trustees may remove projects from the ranking list but may not add projects.

(5) Grant awards, acquisition approvals, and terms of less-than-fee acquisitions, shall be approved by the trust. Waterfront communities that receive grant awards must submit annual progress reports to the trust identifying project activities which are complete, and the progress achieved in meeting the goals outlined in the project application. The trust must implement a process to monitor and evaluate the performance of grant recipients in completing projects that are funded through the working waterfronts program.

(Redesignate subsequent sections.)

MOTION

On motion by Senator Saunders, the rules were waived to allow the following amendments to be considered:

Senator Saunders moved the following amendments to **Amendment 7** which were adopted by two-thirds vote:

Amendment 7A (209030)—On line(s) 146, delete "*380.5101*" and insert: *380.5105*

Amendment 7B (914544)—Delete line(s) 195 and insert:

380.5105 The Stan Mayfield Working Waterfronts; Florida Forever.—

Amendment 7 as amended was adopted by two-thirds vote.

MOTION

On motion by Senator Saunders, the rules were waived to allow the following amendments to be considered:

Senator Saunders moved the following amendments which were adopted by two-thirds vote:

Amendment 8 (657062)—Delete line(s) 2120-2123 and insert:

(j) Two and five-tenths percent to the Department of Community Affairs for the acquisition of land and capital project expenditures necessary to implement the Stan Mayfield Working Waterfronts Program within the Florida communities trust pursuant to s. 380.5105.

Amendment 9 (103300)—Delete line(s) 2006 and insert:

(c) *Twenty-one* ~~Twenty-two~~ percent to the Department of Community

Amendment 10 (146008)(with title amendment)—Between line(s) 2890 and 2891 insert:

Section 23. Section 15.0386, Florida Statutes, is created to read:

15.0386 Official state tortoise.—The Gopher Tortoise (Gopherus polyphemus) is designated the official state tortoise.

And the title is amended as follows:

Delete line(s) 100 and insert: plan requirements; creating s. 15.0386, F.S.; designating the official state tortoise; providing an effective date.

On motions by Senator Saunders, **CS for CS for SB 542** as amended was passed, ordered engrossed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Baker	Constantine
Alexander	Bennett	Dean
Aronberg	Bullard	Deutch
Atwater	Carlton	Diaz de la Portilla
Dockery	Justice	Ring
Fasano	King	Saunders
Gaetz	Lawson	Siplin
Garcia	Lynn	Storms
Geller	Margolis	Villalobos
Haridopolos	Oelrich	Webster
Hill	Peaden	Wilson
Jones	Posey	Wise
Joyner	Rich	

Nays—None

Vote after roll call:

Yea—Crist

On motion by Senator Joyner, by unanimous consent—

CS for CS for CS for SB 756—A bill to be entitled An act relating to compensation for wrongful incarceration; creating the "Victims of Wrongful Incarceration Compensation Act"; providing definitions; providing a limited method by which a person may seek the status of a wrongfully incarcerated person who is eligible and entitled to compensation under the act; requiring a sworn petition by the claimant; requiring the petitioner to show verifiable and substantial evidence of actual innocence; requiring the original prosecuting authority to respond to the petition; providing for a determination on the pleadings whether claimant is ineligible for compensation based on past criminal history; providing for a contested factual determination before an administrative law judge if necessary; requiring the original sentencing court to determine whether a person is a wrongfully incarcerated person based upon clear and convincing evidence; providing exceptions and limitations regarding the eligibility of a wrongfully incarcerated person for compensation; requiring the original sentencing court to include a finding of eligibility for compensation in its order; granting rulemaking authority to the Department of Legal Affairs; requiring that a wrongfully incarcerated person seeking compensation apply to the Department of Legal Affairs; providing application requirements and a deadline; providing for state and national criminal records checks; requiring that the Department of Legal Affairs review each application and notify the claimant of any omissions or errors, or the need for additional information, within a specified period; requiring that the Department of Legal Affairs process and review each completed application within a specified period; requiring that the Department of Legal Affairs notify the claimant if he or she qualifies for compensation within a specified period; providing for monetary compensation for certain wrongfully incarcerated persons; providing for recovery of reasonable attorney's fees and other costs with limitations for certain wrongfully incarcerated persons; providing for tuition waivers for wrongfully incarcerated persons who meet certain requirements; providing for administrative expunction of certain records; requiring that any monetary compensation be paid within a specified period; directing the Chief Financial Officer to purchase an annuity on behalf of the claimant; prescribing the terms of the annuity; prescribing conditions under which an application may not be filed and compensation may not be awarded; requiring a claimant to sign a release before receiving such compensation; providing for a continuing appropriation from the General Revenue Fund; providing that an award of compensation does not constitute a waiver of sovereign immunity by the state; providing for severability; providing an effective date.

—as amended April 17 was taken up out of order and read the third time by title.

On motion by Senator Joyner, **CS for CS for CS for SB 756** as amended was passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Carlton	Gaetz
Alexander	Constantine	Garcia
Aronberg	Dean	Geller
Atwater	Deutch	Haridopolos
Baker	Diaz de la Portilla	Hill
Bennett	Dockery	Jones
Bullard	Fasano	Joyner

Justice	Peaden	Villalobos
King	Posey	Webster
Lawson	Rich	Wilson
Lynn	Saunders	Wise
Margolis	Siplin	
Oelrich	Storms	

Nays—1

Ring

Vote after roll call:

Yea—Crist

On motion by Senator Constantine, by unanimous consent—

CS for SB 502—A bill to be entitled An act relating to missing persons; creating s. 937.0201, F.S.; providing definitions; amending s. 937.021, F.S.; requiring law enforcement agencies to adopt written policies and procedures to be used when investigating missing children and missing adult reports; requiring the law enforcement agency having jurisdiction to accept and file the report; providing a timeframe for transmitting the report to state and national databases; providing immunity from civil liability for certain persons providing information in good faith; requiring that a law enforcement agency obtain a DNA sample after a child or adult has been missing for more than 90 days; authorizing the Department of Law Enforcement to adopt rules; amending s. 937.022, F.S.; renaming the Missing Children Information Clearinghouse as the "Missing Endangered Persons Information Clearinghouse"; revising provisions to conform; requiring the state and national databases to be purged of information about a person who has been located; providing an effective date.

—was taken up out of order and read the third time by title.

Senator Constantine moved the following amendment which was adopted by two-thirds vote:

Amendment 1 (264732)(with title amendment)—On line(s) 23, insert:

Section 1. *This act may be cited as the "Jennifer Kesse and Tiffany Sessions Missing Persons Act."*

(Redesignate subsequent sections.)

And the title is amended as follows:

On line(s) 2, after the semicolon (;) insert: providing a short title;

On motion by Senator Constantine, **CS for SB 502** as amended was passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—38

Mr. President	Fasano	Oelrich
Alexander	Gaetz	Peaden
Aronberg	Garcia	Posey
Atwater	Geller	Rich
Baker	Haridopolos	Ring
Bennett	Hill	Saunders
Bullard	Jones	Siplin
Carlton	Joyner	Storms
Constantine	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise
Dockery	Margolis	

Nays—None

Vote after roll call:

Yea—Crist

On motion by Senator Storms, by unanimous consent—

CS for SB 2692—A bill to be entitled An act relating to the teaching of chemical and biological evolution; providing a short title; providing legislative intent; defining the term "scientific information"; providing public school teachers with a right to present scientific information relevant to the full range of views on biological and chemical evolution; prohibiting a teacher from being discriminated against for presenting such information; prohibiting students from being penalized for subscribing to a particular position on evolution; clarifying that the act does not require any change in state curriculum standards or promote any religious position; providing an effective date.

—was taken up out of order and read the third time by title.

Senator Storms moved the following amendment which failed to receive the required two-thirds vote:

Amendment 1 (225552)(with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Paragraph (u) is added to subsection (2) of section 1003.42, Florida Statutes, to read:

1003.42 Required instruction.—

(2) Members of the instructional staff of the public schools, subject to the rules of the State Board of Education and the district school board, shall teach efficiently and faithfully, using the books and materials required that meet the highest standards for professionalism and historic accuracy, following the prescribed courses of study, and employing approved methods of instruction, the following:

(u) A thorough presentation and critical analysis of the scientific theory of evolution.

The State Board of Education is encouraged to adopt standards and pursue assessment of the requirements of this subsection.

Section 2. This act shall take effect October 1, 2008.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to evolutionary theory; amending s. 1003.42; requiring public school instruction in, and the critical analysis of, the scientific theory of evolution; providing an effective date.

On motion by Senator Storms, **CS for SB 2692** was passed and certified to the House. The vote on passage was:

Yeas—21

Mr. President	Diaz de la Portilla	Posey
Alexander	Fasano	Saunders
Baker	Gaetz	Siplin
Carlton	Garcia	Storms
Constantine	Haridopolos	Villalobos
Crist	Oelrich	Webster
Dean	Peaden	Wise

Nays—17

Aronberg	Hill	Lynn
Bennett	Jones	Margolis
Bullard	Joyner	Rich
Deutch	Justice	Ring
Dockery	King	Wilson
Geller	Lawson	

Consideration of **CS for CS for SB 2212** was deferred.

SENATOR GAETZ PRESIDING

On motion by Senator Constantine, by two-thirds vote **CS for CS for HB 105** was withdrawn from the Committees on Commerce; Criminal Justice; and Criminal and Civil Justice Appropriations.

On motion by Senator Constantine, by two-thirds vote—

CS for CS for HB 105—A bill to be entitled An act relating to secondary metals recyclers; amending s. 538.18, F.S.; revising the definition of "personal identification card"; deleting an exclusion of transactions under a specified amount from the definition of "purchase transaction" for specified purposes; revising the definition of "regulated metals property"; amending s. 538.19, F.S.; revising recordkeeping requirements for purchase transactions; providing for additional seller information to be obtained; requiring an image of the regulated metals being sold; providing an exemption from a specified recordkeeping provision if the same information is maintained in an electronic database meeting specified requirements; providing a substitute recordkeeping requirement for certain transactions between registered secondary metals recyclers; amending s. 538.23, F.S.; providing for enhanced penalties for third or subsequent violations of a specified provision; providing enhanced penalties for violations of specified provisions relating to false verification of ownership or false or altered identification of a seller of regulated metals; prohibiting engaging in business as a secondary metals recycler without registration with the Department of Revenue under a specified provision; providing criminal penalties; creating s. 538.235, F.S.; prohibiting secondary metals recyclers from entering into cash transactions in certain circumstances; amending s. 538.25, F.S.; requiring the Department of Revenue to provide a law enforcement official, upon request, with specified information regarding certain secondary metals recyclers; amending s. 538.26, F.S.; prohibiting the purchase of any regulated metals property when presented at the property of a secondary metals recycler and not transported in a motor vehicle; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB's 556 and 748** and by two-thirds vote read the second time by title. On motion by Senator Constantine, by two-thirds vote **CS for CS for HB 105** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Fasano	Oelrich
Alexander	Gaetz	Peaden
Aronberg	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Wilson
Deutch	Lawson	Wise
Diaz de la Portilla	Lynn	
Dockery	Margolis	

Nays—1

Webster

Vote after roll call:

Yea—Atwater

Consideration of **CS for CS for CS for SB 1544** was deferred.

CS for CS for CS for SB 1992—A bill to be entitled An act relating to the Department of Highway Safety and Motor Vehicles; amending s. 316.0741, F.S.; redefining the term "hybrid vehicle"; authorizing the driving of a hybrid, low-emission, or energy-efficient vehicle in a high-occupancy-vehicle lane regardless of occupancy; authorizing the department to limit or discontinue such driving under certain circumstances; exempting such vehicles from the payment of certain tolls; amending s. 316.1575, F.S.; requiring a person walking or driving a vehicle to stop at a railroad crossing upon the signal of a law enforcement officer; amending s. 316.1895, F.S.; requiring the placement of signs in certain school zones stating that speeding fines are doubled within the zone; amending s. 316.191, F.S.; revising provisions prohibiting certain speed competitions and exhibitions; revising the definition of the terms "conviction," "drag race," and "race"; defining the terms "exhibition of acceleration," "exhibition of speed," and "spectator"; prohibiting driving in any race, drag race, exhibition of speed, or exhibition of acceleration; prohibiting certain acts in association with a race, drag race, exhibition of speed, or exhibition of acceleration; prohibiting being a spectator at any such race, drag race, or exhibition; providing criminal and noncriminal penalties; providing for revocation of the offender's driver's license upon conviction; providing for disposition of citation for being a spectator; providing penalties for a second or subsequent offense; providing that a violation that causes or contributes to causing serious bodily injury to another is a felony of the third degree; providing that a violation that causes or contributes to causing the death of any human being or unborn quick child is the crime of manslaughter resulting from the operation of a motor vehicle; providing penalties; providing for a determination of the definition of the term "unborn quick child"; requiring that the driving record of a person charged be provided to the court; providing criteria for arrest; providing procedures for impoundment or immobilization of a motor vehicle under a court order; providing for release from impoundment under specified exceptions; requiring that costs and fees of impoundment to be paid by the owner or lessee of the motor vehicle; providing procedures for an arresting officer to immediately impound a motor vehicle used in a violation; providing for the period of impoundment; removing a requirement for impoundment that the person being arrested is the registered owner or coowner of the motor vehicle; providing for satisfaction of the element of negligent entrustment; providing for severability; providing noncriminal penalties for the display of images or devices on a motor vehicle; creating s. 316.1926, F.S.; creating additional offenses regarding the operation of a motor vehicle; amending s. 316.193, F.S.; lowering the blood-alcohol or breath-alcohol level for which enhanced penalties are imposed against a person who was accompanied in the vehicle by a minor at the time of the offense; clarifying that an ignition interlock device is installed for a continuous period; amending s. 316.1937, F.S.; revising the conditions under which the court may require the use of an ignition interlock device; amending s. 316.2085, F.S.; requiring an operator of a motorcycle or moped to maintain both wheels on the ground at all times; requiring that the license tag of a motorcycle or moped be affixed horizontally; amending s. 316.2397, F.S.; authorizing specified agencies to display blue lights when responding to emergencies; amending s. 316.251, F.S.; conforming a cross-reference; amending s. 316.29545, F.S.; exempting certain investigative vehicles from the prohibition against installing window sunscreening on a vehicle; amending s. 316.302, F.S.; revising the application of certain federal rules; providing for the department to perform certain duties assigned under federal rules; updating a reference to federal provisions governing out-of-service requirements for commercial vehicles; amending s. 316.3045, F.S.; providing enhanced penalties upon multiple convictions for violating prohibitions against the use of excessively loud soundmaking equipment in a motor vehicle; amending s. 316.613, F.S.; redefining the term "motor vehicle" to exclude certain trucks from the requirement to use a child restraint; amending s. 316.645, F.S.; authorizing a police officer to make an arrest upon probable cause of a violation of laws governing motor vehicle licenses; amending s. 316.650, F.S.; revising requirements for traffic citation forms; providing for the electronic transmission of citation data; amending s. 316.656, F.S.; lowering the percentage of blood or breath alcohol content relating to the prohibition against pleading guilty to a lesser offense of driving under the influence than the offense charged; amending s. 318.14, F.S.; prohibiting a person from electing more than five times within 10 years to attend a basic driver improvement course approved by the Department of Highway Safety and Motor Vehicles in lieu of making a court appearance; providing additional penalties for certain offenses involving the operation of a motorcycle or excessive speed; providing for revocation of an offender's privilege to operate a motor vehicle; creating s. 318.195, F.S.; providing enhanced penalties for moving violations that cause injury or death to a person on a motorcycle; amending s. 319.001, F.S.; defining the term "certificate of title" to include information stored electronically in the department's database; amending s. 320.0706, F.S.; providing that a violation of requirements for displaying a truck license plate is a moving violation; amending s. 320.0715, F.S.; requiring the department to withhold issuing or to suspend a registration and license plate for a commercial motor vehicle if the federal identifying number is not provided or if the motor carrier or vehicle owner has been prohibited from operating; amending s. 320.01, F.S.; redefining the term "motorcycle" to exclude a vehicle where the operator is enclosed by a cabin; amending s. 320.02, F.S., as amended; deleting the requirement for a motorcycle endorsement at the time of original registration of a motorcycle, motor-driven cycle, or moped; repealing s. 320.02(13), F.S., relating to a motor vehicle registration voluntary contribution for the Election Campaign Financing Trust Fund; repealing s.

320.08053(3), F.S., relating to provisions requiring that the department adopt rules providing certain specifications for the design of specialty license plates; amending s. 320.0894, F.S.; providing for the issuance of Gold Star license plates to certain family members; amending s. 320.27, F.S.; revising the insurance requirements for persons applying for a motor vehicle dealer license; amending s. 320.69, F.S.; authorizing the Department of Highway Safety and Motor Vehicles to adopt rules, including definitions as necessary; creating s. 321.26, F.S.; designating the Joseph P. Bertrand Building in Fort Myers; amending s. 322.01, F.S.; defining the term "convenience service"; redefining the terms "conviction," "hazardous materials," and "out-of-service order"; amending s. 322.0255, F.S.; revising eligibility for reimbursement for organizations that conduct motorcycle safety courses; amending s. 322.03, F.S.; deleting provisions exempting certain persons from the requirement to surrender a license issued by another jurisdiction; providing certain exceptions for part-time residents; amending ss. 322.051 and 322.08, F.S.; requiring that an applicant for an identification card or driver's license provide additional information; authorizing use of additional documents to prove identity; revising the fee requirements; revising provisions providing for the expiration of an identification card issued by the department; deleting provisions authorizing a voluntary contribution; amending s. 322.14, F.S.; requiring that an applicant for a driver's license provide a residence address; amending s. 322.15, F.S.; authorizing a law enforcement officer or authorized representative of the department to collect a person's fingerprints electronically; amending s. 322.17, F.S.; revising the requirements for obtaining a replacement license or permit; deleting provisions authorizing the department to issue address stickers; amending s. 322.18, F.S.; revising provisions providing for the expiration of driver's licenses; providing for the renewal of certain licenses every 8 years and for the renewal of licenses for persons older than a specified age every 6 years; providing for the renewal of licenses using a convenience service; requiring the department to issue new licenses rather than extension stickers; conforming cross-references; repealing s. 322.181(4), F.S., relating to the Florida At-Risk Driver Council; amending s. 322.19, F.S.; deleting provisions authorizing the use of a change-of-address sticker on a driver's license; conforming cross-references; amending s. 322.21, F.S.; increasing the fees charged for obtaining a new or renewal driver's license or identification card; specifying that a portion of the fees be deposited for use by the department; amending s. 322.2715, F.S.; clarifying that an ignition interlock device is installed for a continuous period; amending s. 322.291, F.S.; imposing additional sanctions against a person who violates requirements with respect to an ignition interlock device; amending s. 322.36, F.S.; requiring the suspension for a specified period of the driver's license of a person who loans a vehicle to a person whose driver's license is suspended if that vehicle is involved in an accident resulting in bodily injury or death; repealing s. 322.60, F.S., relating to a prohibition against possessing more than one driver's license under certain circumstances; amending s. 322.61, F.S.; clarifying provisions disqualifying a person from operating a commercial motor vehicle following certain traffic violations; providing for permanent disqualification following conviction of a felony involving the manufacture, distribution, or dispensing of a controlled substance; amending s. 322.64, F.S.; providing that refusal to submit to a breath, urine, or blood test disqualifies a person from operating a commercial motor vehicle; providing a period of disqualification if a person has an unlawful blood-alcohol or breath-alcohol level; providing for issuance of a notice of disqualification; revising the requirements for a formal review hearing following a person's disqualification from operating a commercial motor vehicle; amending s. 324.021, F.S.; clarifying that a judgment becomes final by expiration of the time for appeal; amending 501.976, F.S.; conforming a cross-reference; creating the Automobile Lenders Industry Task Force within the Department of Highway Safety and Motor Vehicles; providing duties of the task force; providing for membership and the election of officers; providing for meetings; providing for reimbursement for travel and per diem expenses for public-sector members; requiring the department to provide administrative support and assistance to the task force; prohibiting the Department of Highway Safety and Motor Vehicles from issuing any new specialty license plates for a specified period; providing an exception; providing an effective date.

—as amended April 16 and April 17 was read the third time by title.

On motions by Senator Baker, **CS for CS for CS for SB 1992** as amended was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—37

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Rich
Baker	Geller	Ring
Bennett	Haridopolos	Saunders
Bullard	Hill	Siplin
Carlton	Jones	Storms
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dean	King	Wise
Deutch	Lawson	
Diaz de la Portilla	Lynn	

Nays—2

Posey	Wilson

CS for SB 92—A bill to be entitled An act relating to persons injured by crime; providing a short title; creating s. 843.21, F.S.; prohibiting the depriving of a victim injured by a crime of medical treatment with specified intent; providing penalties; providing an effective date.

—was read the third time by title.

On motion by Senator Villalobos, **CS for SB 92** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

Nays—None

CS for SB 278—A bill to be entitled An act relating to the protection of lifeguards; amending s. 784.07, F.S.; providing a definition; providing enhanced penalties for an assault or battery on a lifeguard while he or she is engaged in the lawful performance of his or her duties; amending ss. 435.04, 901.15, 943.051, and 985.11, F.S.; conforming provisions; amending s. 921.0022, F.S., and reenacting paragraph (3)(d), relating the offense severity ranking chart, to conform; providing an effective date.

—was read the third time by title.

On motion by Senator Rich, **CS for SB 278** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dean	Jones
Alexander	Deutch	Joyner
Aronberg	Diaz de la Portilla	Justice
Atwater	Dockery	King
Baker	Fasano	Lawson
Bennett	Gaetz	Lynn
Bullard	Garcia	Margolis
Carlton	Geller	Oelrich
Constantine	Haridopolos	Peaden
Crist	Hill	Posey

Rich	Siplin	Webster
Ring	Storms	Wilson
Saunders	Villalobos	Wise

Nays—None

CS for CS for HB 43—A bill to be entitled An act relating to criminal activity; amending s. 775.13, F.S.; requiring certain felons whose offenses related to criminal gangs to register; providing penalties; amending s. 790.23, F.S.; providing penalties for certain persons possessing a firearm; amending s. 775.0846, F.S.; providing that a person commits a third degree felony if he or she possesses a bulletproof vest while committing or attempting to commit specified crimes; amending s. 823.05, F.S.; revising provisions relating to the enjoining of public nuisances to include certain nuisances related to criminal gangs and criminal gang activities; providing for enjoining such nuisances; providing for local laws; amending s. 874.01, F.S.; revising a short title; amending s. 874.02, F.S.; revising legislative findings and intent; amending s. 874.03, F.S.; creating and revising definitions; redefining "criminal street gangs" as "criminal gangs"; amending s. 874.04, F.S.; conforming provisions; revising an evidentiary standard; creating s. 874.045, F.S.; providing that chapter 874, F.S., does not preclude arrest and prosecution under other specified provisions; amending s. 874.05, F.S.; revising provisions relating to soliciting or causing another to join a criminal gang; amending s. 874.06, F.S.; authorizing the state to bring civil actions for certain violations; providing that a plaintiff has a superior claim to property or proceeds; providing penalties for knowing violation of certain orders; amending s. 874.08, F.S.; conforming provisions relating to forfeiture; amending s. 874.09, F.S.; providing additional powers for the Department of Law Enforcement and local law enforcement agencies relating to crime data information; creating s. 874.10, F.S.; prohibiting persons from knowingly initiating, organizing, planning, financing, directing, managing, or supervising criminal gang-related activity; providing penalties; creating s. 874.11, F.S.; prohibiting use of electronic communications to further the interests of a criminal gang; providing penalties; creating s. 874.12, F.S.; defining the term "identification document"; prohibiting possession of certain identification documents for specified purposes; providing penalties; amending s. 895.02, F.S.; adding certain offenses to the definition of "racketeering activity"; conforming terminology to changes made by this act; amending s. 903.046, F.S.; adding to the list of items a court may consider when determining whether to release a defendant on bail; amending s. 914.22, F.S.; revising the penalties for tampering with or harassing witnesses; amending s. 943.031, F.S.; revising provisions relating to the Florida Violent Crime and Drug Control Council; providing duties concerning criminal gangs; creating the Drug Control Strategy and Criminal Gangs Committee; providing for duties of the committee concerning funding of certain programs; providing for reports; creating s. 948.033, F.S.; prohibiting certain probationers or community controllees from communicating with criminal gang members; providing exceptions; amending s. 947.18, F.S.; prohibiting certain parolees from communicating with criminal gang members; providing exceptions; amending s. 947.1405, F.S.; prohibiting certain conditional releasees from communicating with criminal gang members; providing exceptions; amending s. 893.138, F.S.; conforming terminology to changes made by this act; amending s. 921.0022, F.S.; adding offenses to the offense severity ranking chart of the Criminal Punishment Code; conforming terminology to changes made by this act; amending ss. 921.0024, 921.141, 943.325, 984.03, 985.03, 985.047, and 985.433, F.S.; conforming cross-references and terminology to changes made by this act; providing a directive to the Division of Statutory Revision; creating the Coordinating Council on Criminal Gang Reduction Strategies; providing membership of the council; providing duties of the council; providing for expiration of the council; providing effective dates.

—as amended April 17 was read the third time by title.

On motions by Senator Atwater, **CS for CS for HB 43** as amended was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—39

Mr. President	Baker	Constantine
Alexander	Bennett	Crist
Aronberg	Bullard	Dean
Atwater	Carlton	Deutch
Diaz de la Portilla	Joyner	Rich
Dockery	Justice	Ring
Fasano	King	Saunders
Gaetz	Lawson	Siplin
Garcia	Lynn	Storms
Geller	Margolis	Villalobos
Haridopolos	Oelrich	Webster
Hill	Peaden	Wilson
Jones	Posey	Wise

Nays—None

CS for HB 537—A bill to be entitled An act relating to the offense of voyeurism; amending s. 810.145, F.S.; providing that it is a third-degree felony for certain persons who are responsible for the welfare of a child younger than 16 years of age to commit the offense of video voyeurism, video voyeurism dissemination, or commercial video voyeurism dissemination against that child; providing that it is a third-degree felony for a person employed at a school or voluntary prekindergarten education program to commit the offense of video voyeurism, video voyeurism dissemination, or commercial video voyeurism dissemination against a student of the school or voluntary prekindergarten education program; providing that it is a third-degree felony for a person who is 24 years of age or older to commit the offense of video voyeurism, video voyeurism dissemination, or commercial video voyeurism dissemination against a child younger than 16 years of age; providing that it is a second-degree felony for a person who was previously convicted of or adjudicated delinquent for video voyeurism, video voyeurism dissemination, or commercial video voyeurism dissemination to commit any such third-degree felony against a child younger than 16 years of age or a student; providing criminal penalties; providing an effective date.

—was read the third time by title.

On motion by Senator Aronberg, **CS for HB 537** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

Nays—None

CS for HB 321—A bill to be entitled An act relating to murder of law enforcement officers; creating s. 782.065, F.S.; providing a minimum mandatory sentence for certain offenses; providing an effective date.

—was read the third time by title.

On motion by Senator Dockery, **CS for HB 321** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Constantine	Garcia
Alexander	Crist	Geller
Aronberg	Dean	Haridopolos
Atwater	Deutch	Hill
Baker	Diaz de la Portilla	Jones
Bennett	Dockery	Joyner
Bullard	Fasano	Justice
Carlton	Gaetz	King

Lawson	Posey	Storms
Lynn	Rich	Villalobos
Margolis	Ring	Webster
Oelrich	Saunders	Wilson
Peaden	Siplin	Wise

Nays—None

CS for HB 1363—A bill to be entitled An act relating to controlled substances; amending s. 893.03, F.S.; including Salvia divinorum and Salvinorin A on the list of controlled substances in Schedule I; providing exceptions from the scheduling of Salvia divinorum and Salvinorin A; reenacting ss. 893.13(1)(a), (c), (d), (e), (f), and (h), (2)(a), (4)(b), and (5)(b), and 921.0022(3)(b), (c), and (e), F.S., relating to prohibited acts and penalties concerning controlled substances and the offense severity chart of the Criminal Punishment Code, to incorporate the amendment to s. 893.03, F.S., in references thereto; providing an effective date.

—was read the third time by title.

On motion by Senator Lynn, **CS for HB 1363** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

Nays—None

On motion by Senator Dean, by two-thirds vote **CS for HB 861** was withdrawn from the Committees on Military Affairs and Domestic Security; Governmental Operations; and Health and Human Services Appropriations.

On motion by Senator Dean, by two-thirds vote—

CS for HB 861—A bill to be entitled An act relating to direct-support organizations; creating s. 292.055, F.S.; creating the "Sergeant First Class Paul R. Smith Memorial Act"; authorizing the Department of Veterans' Affairs to establish a direct-support organization to assist the department; providing definitions; providing purposes, objectives, and duties of the direct-support organization; providing for a board of directors and membership requirements for the board members; requiring the direct-support organization to operate under contract with the department; delineating contract and other governance requirements; providing guidelines for the use of funds; providing for the use of property, facilities, and personal services of the department; providing restrictions; providing limits on the direct-support organization; requiring the direct-support organization to submit certain federal tax forms to the department; providing for an annual audit; amending s. 265.002, F.S.; providing for the Department of Veterans' Affairs to replace the Florida Commission on Veterans' Affairs in cooperating with the Department of Management Services to establish the Florida Medal of Honor Wall; amending s. 320.08058, F.S.; requiring that a certain percentage of the annual license plate fee collected from the sale of the "Florida Salutes Veterans" license plate be distributed to the direct-support organization created for the purpose of providing benefit to the Department of Veterans' Affairs for a specified period; providing that the remaining fees be deposited in the State Homes for Veterans Trust Fund; amending s. 337.111, F.S.; providing that three members of the direct-support organization of the Department of Veterans' Affairs participate on a committee to approve contracts to install monuments and memorials honoring Florida's military veterans at highway rest areas around the state; repealing s. 292.04, F.S., relating to the Florida Commission on Veteran's Affairs; providing an effective date.

—a companion measure, was substituted for **CS for SB 1462** and by two-thirds vote read the second time by title. On motion by Senator Dean, by two-thirds vote **CS for HB 861** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

Nays—None

CS for SB 1618—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act regarding victims of child abuse or sex crimes; amending s. 119.071, F.S.; expanding the exemption for certain victim information by making it confidential and exempt from public-record requirements; expanding the exemption to include sexual offenses prohibited under chapters 796 and 847, F.S.; creating exceptions to the public record exemption; providing for future legislative review of the exemption; reorganizing the exemption; providing a statement of public necessity; repealing s. 2 of chapter 2003-157, Laws of Florida, which provides for repeal of the exemption; amending s. 92.56, F.S.; requiring that the confidential and exempt status of certain victim information made confidential and exempt s. 119.071(2)(h), F.S., be maintained in court records and court proceedings; providing for a petition for access at the trial court; providing specified criteria for maintaining the confidential and exempt status of such information upon the filing of a petition; permitting a defendant charged with specified offenses to apply for an order of disclosure to prepare a defense; amending s. 119.0714, F.S.; conforming the provisions to changes made in s. 119.071(2)(h), F.S.; amending s. 794.03, F.S.; conforming the provisions to changes made in s. 119.071(2)(h), F.S.; providing an effective date.

—was read the third time by title.

Senators Dockery and Aronberg offered the following amendment which was moved by Senator Aronberg and adopted by two-thirds vote:

Amendment 1 (898908)—Between line(s) 73 and 74 insert:

c. To another governmental agency in the furtherance of its official duties and responsibilities.

On motion by Senator Aronberg, **CS for SB 1618** as amended was passed by the required constitutional two-thirds vote of the members present, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—38

Mr. President	Deutch	King
Alexander	Diaz de la Portilla	Lawson
Aronberg	Dockery	Lynn
Atwater	Fasano	Margolis
Baker	Gaetz	Oelrich
Bennett	Garcia	Peaden
Bullard	Haridopolos	Posey
Carlton	Hill	Rich
Constantine	Jones	Ring
Crist	Joyner	Saunders
Dean	Justice	Siplin

Storms	Webster	Wise
Villalobos	Wilson	

Nays—None

Vote after roll call:

Yea—Geller

On motion by Senator Fasano, by two-thirds vote **CS for HB 843** was withdrawn from the Committees on Military Affairs and Domestic Security; and Transportation and Economic Development Appropriations.

On motion by Senator Fasano, by two-thirds vote—

CS for HB 843—A bill to be entitled An act relating to the Family Readiness Program; amending s. 250.5206, F.S.; expanding purpose, eligibility, and annual report provisions of the Family Readiness Program within the Department of Military Affairs; providing an effective date.

—a companion measure, was substituted for **CS for SB 2522** and by two-thirds vote read the second time by title. On motion by Senator Fasano, by two-thirds vote **CS for HB 843** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

Nays—None

CS for SB 334—A bill to be entitled An act relating to the practice of pharmacy; amending s. 465.0075, F.S.; revising provisions governing licensure by endorsement; providing an effective date.

—was read the third time by title.

On motion by Senator Saunders, **CS for SB 334** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

Nays—None

On motion by Senator Baker, by two-thirds vote **CS for HB 251** was withdrawn from the Committees on Education Pre-K - 12; Military Affairs and Domestic Security; Higher Education; and Education Pre-K - 12 Appropriations.

On motion by Senator Baker, by two-thirds vote—

CS for HB 251—A bill to be entitled An act relating to Reserve Officers' Training Corps programs; creating s. 1003.451, F.S.; prohibiting a school district from banning a Junior Reserve Officers' Training Corps unit in certain schools; requiring a school district to allow a student, under certain circumstances, to enroll in the Junior Reserve Officers' Training Corps at another school; specifying that a school district is not required to provide transportation for a student enrolling in the Junior Reserve Officers' Training Corps at another school; requiring a school district to grant military recruiters certain access to students, school facilities and grounds, and certain student information; providing for enforcement; providing for the adoption of rules by the State Board of Education; creating s. 1004.009, F.S.; prohibiting a community college or state university from banning a Senior Reserve Officers' Training Corps unit; requiring that a community college or state university grant military recruiters certain access to students and campus facilities and grounds and, to the extent required by federal law, access to certain student information; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 574** and by two-thirds vote read the second time by title. On motion by Senator Baker, by two-thirds vote **CS for HB 251** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

Nays—None

SB 642—A bill to be entitled An act relating to public K-12 education; creating s. 1003.06, F.S.; authorizing the parent of multiple birth siblings to request certain classroom placement; providing a definition; providing exceptions to implementation of the requested placement; authorizing appeal of placement; specifying conditions under which provisions do not apply; providing an effective date.

—was read the third time by title.

On motion by Senator Siplin, **SB 642** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

Nays—None

CS for SB 856—A bill to be entitled An act relating to disability history and awareness; creating s. 1003.4205, F.S.; requiring district

school boards to designate "Disability History and Awareness Weeks" during the first 2 weeks in October each year; providing for students in all K-12 public schools to be provided disability history and awareness instruction; providing the content and goals of such instruction; encouraging state postsecondary institutions to conduct and promote activities related to disability history and awareness; providing an effective date.

—as amended April 17 was read the third time by title.

On motion by Senator Fasano, **CS for SB 856** as amended was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

Nays—None

CS for SB 1318—A bill to be entitled An act relating to onsite sewage treatment and disposal systems; amending ss. 381.0065 and 381.0068, F.S.; providing that a member of local government who is knowledgeable about domestic wastewater treatment be added to the research review and advisory committee and the technical review and advisory panel established by the Department of Health for purposes of onsite sewage treatment and disposal system regulation; amending s. 318.0101, F.S.; exempting certain persons who are performing site evaluations relating to wastewater treatment and disposal systems from having to be certified as an environmental health professional by the Department of Health; providing that such persons must have completed a soils morphology course approved by the department and be working under the direct responsible charge of a licensed engineer; providing an effective date.

—as amended April 17 was read the third time by title.

On motion by Senator Baker, **CS for SB 1318** as amended was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

Nays—None

CS for CS for SB 1360—A bill to be entitled An act relating to pharmacy technicians; amending s. 465.0075, F.S.; revising licensure requirements; amending s. 465.014, F.S.; requiring the Board of Pharmacy to adopt rules; providing for the registration of pharmacy technicians; deleting obsolete provisions governing adoption of rules; requiring that a registered pharmacy technician be under the direct supervision of a licensed pharmacist; requiring the board to set fees for the registration of pharmacy technicians; providing qualification requirements; providing a limitation; exempting pharmacy technician students and licensed pharmacy interns from registration requirements; providing continuing education requirements for registration renewal; requiring the board to adopt rules regarding the display of a registration; providing grounds for denial, suspension, or revocation of registration or other disciplinary action; authorizing the board to impose certain penalties; requiring completion of a pharmacy technician training program in order to register as a pharmacy technician by a specified date; providing an exception to the requirement to complete a training program; amending s. 465.015, F.S.; prohibiting a person who is not registered as a pharmacy technician from performing certain functions or holding himself or herself out to others as a registered pharmacy technician; amending ss. 465.019, 465.0196, and 465.0197, F.S., relating to institutional pharmacies, special pharmacy permits, and Internet pharmacy permits; conforming provisions; providing effective dates.

—was read the third time by title.

On motion by Senator Peaden, **CS for CS for SB 1360** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

Nays—None

CS for CS for CS for SB 1374—A bill to be entitled An act relating to home health care; amending s. 400.462, F.S.; revising and adding definitions; amending s. 400.464, F.S.; authorizing a home infusion therapy provider to be licensed as a nurse registry; deleting provisions related to Medicare reimbursement; amending s. 400.471, F.S.; requiring an applicant for a home health agency license to submit to the Agency for Health Care Administration a business plan and evidence of contingency funding, and disclose other controlling ownership interests in health care entities; requiring certain standards in documentation demonstrating financial ability to operate; requiring an applicant for a new home health agency license to submit a surety bond of a specified amount to the Agency for Health Care Administration; authorizing the agency to adopt rules for the submission of other forms of security; providing procedures for the agency with respect to making a claim against a surety bond or security; limiting the timing of receipt and the number of applications for a new home health agency license which the agency may accept each quarter; providing an exception under certain circumstances for a home health agency that is part of a retirement community; specifying a procedure for the agency to follow in selecting applications to process for a new home health agency license; providing that the change of ownership of a home health agency that is licensed at the time of the sale is not restricted or limited; providing for the future expiration of such provisions; prohibiting the agency from issuing an initial license to a home health agency licensure applicant located within 20 miles of a licensed home health agency that has common controlling interests; prohibiting the transfer of an application to another home health agency; requiring submission of an initial application to relocate a licensed home health to another geographic service area; imposing the burden of proof on an applicant to demonstrate that a factual determination made by the agency is not supported by a preponderance of the evidence; amending s. 400.474, F.S.; providing additional grounds under which the Agency for Health Care Administration may take disciplinary action against a home health agency; creating s. 400.476, F.S.; establishing staffing requirements for home health agencies; reducing the number of home health agencies that an administrator

or director of nursing may serve; requiring that an alternate administrator be designated in writing; limiting the period that a home health agency that provides skilled nursing care may operate without a director of nursing; requiring notification upon the termination and replacement of a director of nursing; requiring the Agency for Health Care Administration to take administrative enforcement action against a home health agency for noncompliance with the notification and staffing requirements for a director of nursing; exempting a home health agency that does not provide skilled care, or provides only physical, occupational, or speech therapy from requirements related to a director of nursing; providing training requirements for certified nursing assistants and home health aides; amending s. 400.484, F.S.; requiring the agency to conduct the first unannounced survey of a newly licensed home health agency within a specified period after issuing the license; requiring that the agency impose administrative fines for certain deficiencies; increasing the administrative fines imposed for certain deficiencies; amending s. 400.488, F.S.; deleting provisions authorizing the administration of medication to home health patients by unlicensed staff; providing for the delegation of nursing tasks as provided in ch. 464, F.S., and related rules; amending s. 400.491, F.S.; extending the period that a home health agency must retain records of the nonskilled care it provides; amending s. 400.497, F.S.; requiring that the Agency for Health Care Administration adopt rules related to standards for the director of nursing of a home health agency, requirements for a director of nursing to submit certified staff activity logs pursuant to an agency request, quality assurance programs, and inspections related to an application for a change in ownership; amending s. 400.506, F.S.; providing training requirements for certified nursing assistants and home health aides referred for contract by a nurse registry; providing for the denial, suspension, or revocation of nurse registry license and fines for paying remuneration to certain entities in exchange for patient referrals or refusing fair remuneration in exchange for patient referrals; amending s. 400.518, F.S.; providing for a fine to be imposed against a home health agency that provides complimentary staffing to an assisted care community in exchange for patient referrals; amending s. 409.906, F.S.; requiring durable medical equipment providers enrolled in the Medicaid program to be accredited and have a physical business location that meets specified conditions; providing for exceptions of certain business location criteria; requiring a durable medical equipment provider enrolled in the Medicaid program to obtain a surety bond of a specified amount and for certain staff to undergo background screening; providing for exemptions from accreditation and the surety bond for specified durable medical equipment providers; requiring the Agency for Health Care Administration to review the process for prior authorization of home health agency visits and determine whether modifications to the process are necessary; requiring the agency to report to the Legislature on the feasibility of accessing the Medicare system to determine recipient eligibility for home health services; providing appropriations and authorizing additional positions; providing an effective date.

—as amended April 17 was read the third time by title.

Amendments were considered and adopted to conform **CS for CS for CS for SB 1374** to **CS for HB 7083**.

Pending further consideration of **CS for CS for CS for SB 1374** as amended, on motion by Senator Jones, by two-thirds vote **CS for HB 7083** was withdrawn from the Committees on Health Regulation; Banking and Insurance; and Health and Human Services Appropriations.

On motion by Senator Jones, the rules were waived and by two-thirds vote—

CS for HB 7083—A bill to be entitled An act relating to health care fraud and abuse; amending s. 400.462, F.S.; revising definitions; amending s. 400.464, F.S.; authorizing a home infusion therapy provider to be licensed as a nurse registry; deleting provisions relating to Medicare reimbursement; amending s. 400.471, F.S.; requiring an applicant for a home health agency license to submit to the Agency for Health Care Administration a business plan and evidence of contingency funding and disclose other controlling ownership interests in health care entities; requiring certain standards in documentation demonstrating financial ability to operate; requiring home health agencies to maintain certain accreditation to maintain licensure; permitting certain accrediting organizations to submit surveys regarding licensure of home health agencies; prohibiting the agency from issuing an initial license to a home health agency licensure applicant located within 10 miles of a licensed home health agency that has common controlling interests; prohibiting the transfer of an application to another home health agency prior to issuance of the license; requiring submission of an initial application to relocate a licensed home health agency to another geographic service area; amending s. 400.474, F.S.; providing additional grounds under which the agency may take disciplinary action against a home health agency; providing for a fine; creating s. 400.476, F.S.; establishing staffing requirements for home health agencies; reducing the number of home health agencies that an administrator or director of nursing may serve; requiring that an alternate administrator be designated in writing; limiting the period that a home health agency that provides skilled nursing care may operate without a director of nursing; requiring notification upon the termination and replacement of a director of nursing; requiring the agency to take administrative enforcement action against a home health agency for noncompliance with the notification and staffing requirements for a director of nursing; providing for fines; exempting a home health agency that is not Medicare or Medicaid certified and does not provide skilled care or provides only physical, occupational, or speech therapy from requirements related to a director of nursing; providing training requirements for certified nursing assistants and home health aides; amending s. 400.484, F.S.; requiring the agency to impose administrative fines for certain deficiencies; increasing the administrative fines imposed for certain deficiencies; amending s. 400.491, F.S.; extending the period that a home health agency must retain records of the nonskilled care it provides; amending s. 400.497, F.S.; requiring that the agency adopt rules related to standards for the director of nursing of a home health agency, requirements for a director of nursing to submit certified staff activity logs pursuant to an agency request, quality assurance programs, and inspections related to an application for a change in ownership; amending s. 400.506, F.S.; providing training requirements for certified nursing assistants and home health aides referred for contract by a nurse registry; amending s, 409.901, F.S.; defining the term "change of ownership"; amending s. 409.907, F.S.; revising provisions relating to change of ownership of Medicaid provider agreements; providing for continuing financial liability of a transferor under certain circumstances; defining the term "outstanding overpayment"; requiring the transferor to provide notice of change of ownership to the agency within a specified time period; requiring the transferee to submit a Medicaid provider enrollment application to the agency; providing for joint and several liability under certain circumstances; requiring a written payment plan for certain outstanding financial obligations; providing conditions under which additional enrollment effective dates apply; amending s. 409.910, F.S.; conforming a cross-reference; amending s. 409.912, F.S.; requiring the agency to limit its network of Medicaid durable medical equipment and medical supply providers; prohibiting reimbursement for dates of service after January 1, 2009; requiring accreditation; requiring direct provision of services or supplies; authorizing provider to store nebulizers at a physician's office under certain circumstances; imposing certain physical location requirements; requiring providers to maintain a certain stock of equipment and supplies; requiring a surety bond; requiring background screening of employees; providing for certain exemptions; providing an effective date.

—a companion measure, was substituted for **CS for CS for CS for SB 1374** as amended and by two-thirds vote read the second time by title.

MOTION

On motion by Senator Jones, the rules were waived to allow the following amendment to be considered:

Senator Jones moved the following amendment which was adopted:

Amendment 1 (508496)(with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Section 400.462, Florida Statutes, is amended to read:

400.462 Definitions.—As used in this part, the term:

(1) "Administrator" means a direct employee, as defined in subsection (9)*, who is*~~. The administrator must be~~ a licensed physician, physician assistant, or registered nurse licensed to practice in this state or an individual having at least 1 year of supervisory or administrative experience in home health care or in a facility licensed under chapter 395, under part II of this chapter, or under part I of chapter 429. ~~An administrator may manage a maximum of five licensed home health agencies located within one agency service district or within an immediately~~

~~contiguous county. If the home health agency is licensed under this chapter and is part of a retirement community that provides multiple levels of care, an employee of the retirement community may administer the home health agency and up to a maximum of four entities licensed under this chapter or chapter 429 that are owned, operated, or managed by the same corporate entity. An administrator shall designate, in writing, for each licensed entity, a qualified alternate administrator to serve during absences.~~

(2) "Admission" means a decision by the home health agency, during or after an evaluation visit to the patient's home, that there is reasonable expectation that the patient's medical, nursing, and social needs for skilled care can be adequately met by the agency in the patient's place of residence. Admission includes completion of an agreement with the patient or the patient's legal representative to provide home health services as required in s. 400.487(1).

(3) "Advanced registered nurse practitioner" means a person licensed in this state to practice professional nursing and certified in advanced or specialized nursing practice, as defined in s. 464.003.

(4) "Agency" means the Agency for Health Care Administration.

(5) "Certified nursing assistant" means any person who has been issued a certificate under part II of chapter 464. ~~The licensed home health agency or licensed nurse registry shall ensure that the certified nursing assistant employed by or under contract with the home health agency or licensed nurse registry is adequately trained to perform the tasks of a home health aide in the home setting.~~

(6) "Client" means an elderly, handicapped, or convalescent individual who receives companion services or homemaker services in the individual's home or place of residence.

(7) "Companion" or "sitter" means a person who spends time with or cares for an elderly, handicapped, or convalescent individual and accompanies such individual on trips and outings and may prepare and serve meals to such individual. A companion may not provide hands-on personal care to a client.

(8) "Department" means the Department of Children and Family Services.

(9) "Direct employee" means an employee for whom one of the following entities pays withholding taxes: a home health agency; a management company that has a contract to manage the home health agency on a day-to-day basis; or an employee leasing company that has a contract with the home health agency to handle the payroll and payroll taxes for the home health agency.

(10) "Director of nursing" means a registered nurse who is a direct employee, as defined in subsection (9), of the agency and who is a graduate of an approved school of nursing and is licensed in this state; who has at least 1 year of supervisory experience as a registered nurse; and who is responsible for overseeing the professional nursing and home health aid delivery of services of the agency. ~~A director of nursing may be the director of a maximum of five licensed home health agencies operated by a related business entity and located within one agency service district or within an immediately contiguous county. If the home health agency is licensed under this chapter and is part of a retirement community that provides multiple levels of care, an employee of the retirement community may serve as the director of nursing of the home health agency and of up to four entities licensed under this chapter or chapter 429 which are owned, operated, or managed by the same corporate entity.~~

(11) "Fair market value" means the value in arms length transactions, consistent with the price that an asset would bring as the result of bona fide bargaining between well-informed buyers and sellers who are not otherwise in a position to generate business for the other party, or the compensation that would be included in a service agreement as the result of bona fide bargaining between well-informed parties to the agreement who are not otherwise in a position to generate business for the other party, on the date of acquisition of the asset or at the time of the service agreement.

(12)~~(11)~~ "Home health agency" means an organization that provides home health services and staffing services.

(13)~~(12)~~ "Home health agency personnel" means persons who are employed by or under contract with a home health agency and enter the home or place of residence of patients at any time in the course of their employment or contract.

(14)~~(13)~~ "Home health services" means health and medical services and medical supplies furnished by an organization to an individual in the individual's home or place of residence. The term includes organizations that provide one or more of the following:

(a) Nursing care.

(b) Physical, occupational, respiratory, or speech therapy.

(c) Home health aide services.

(d) Dietetics and nutrition practice and nutrition counseling.

(e) Medical supplies, restricted to drugs and biologicals prescribed by a physician.

(15)~~(14)~~ "Home health aide" means a person who is trained or qualified, as provided by rule, and who provides hands-on personal care, performs simple procedures as an extension of therapy or nursing services, assists in ambulation or exercises, or assists in administering medications as permitted in rule and for which the person has received training established by the agency under s. 400.497(1). ~~The licensed home health agency or licensed nurse registry shall ensure that the home health aide employed by or under contract with the home health agency or licensed nurse registry is adequately trained to perform the tasks of a home health aide in the home setting.~~

(16)~~(15)~~ "Homemaker" means a person who performs household chores that include housekeeping, meal planning and preparation, shopping assistance, and routine household activities for an elderly, handicapped, or convalescent individual. A homemaker may not provide hands-on personal care to a client.

(17)~~(16)~~ "Home infusion therapy provider" means an organization that employs, contracts with, or refers a licensed professional who has received advanced training and experience in intravenous infusion therapy and who administers infusion therapy to a patient in the patient's home or place of residence.

(18)~~(17)~~ "Home infusion therapy" means the administration of intravenous pharmacological or nutritional products to a patient in his or her home.

(19) "Immediate family member" means a husband or wife; a birth or adoptive parent, child, or sibling; a stepparent, stepchild, stepbrother, or stepsister; a father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, or sister-in-law; a grandparent or grandchild; or a spouse of a grandparent or grandchild.

(20) "Medical director" means a physician who is a volunteer with, or who receives remuneration from, a home health agency.

(21)~~(18)~~ "Nurse registry" means any person that procures, offers, promises, or attempts to secure health-care-related contracts for registered nurses, licensed practical nurses, certified nursing assistants, home health aides, companions, or homemakers, who are compensated by fees as independent contractors, including, but not limited to, contracts for the provision of services to patients and contracts to provide private duty or staffing services to health care facilities licensed under chapter 395, this chapter, or chapter 429 or other business entities.

(22)~~(19)~~ "Organization" means a corporation, government or governmental subdivision or agency, partnership or association, or any other legal or commercial entity, any of which involve more than one health care professional discipline; a health care professional and a home health aide or certified nursing assistant; more than one home health aide; more than one certified nursing assistant; or a home health aide and a certified nursing assistant. The term does not include an entity that provides services using only volunteers or only individuals related by blood or marriage to the patient or client.

(23)~~(20)~~ "Patient" means any person who receives home health services in his or her home or place of residence.

(24)~~(21)~~ "Personal care" means assistance to a patient in the activities of daily living, such as dressing, bathing, eating, or personal hy-

giene, and assistance in physical transfer, ambulation, and in administering medications as permitted by rule.

(25)~~(22)~~ "Physician" means a person licensed under chapter 458, chapter 459, chapter 460, or chapter 461.

(26)~~(23)~~ "Physician assistant" means a person who is a graduate of an approved program or its equivalent, or meets standards approved by the boards, and is licensed to perform medical services delegated by the supervising physician, as defined in s. 458.347 or s. 459.022.

(27) "Remuneration" means any payment or other benefit made directly or indirectly, overtly or covertly, in cash or in kind.

(28)~~(24)~~ "Skilled care" means nursing services or therapeutic services required by law to be delivered by a health care professional who is licensed under part I of chapter 464; part I, part III, or part V of chapter 468; or chapter 486 and who is employed by or under contract with a licensed home health agency or is referred by a licensed nurse registry.

(29)~~(25)~~ "Staffing services" means services provided to a health care facility*, school,* or other business entity on a temporary *or school-year* basis *pursuant to a written contract* by licensed health care personnel and by certified nursing assistants and home health aides who are employed by, or work under the auspices of, a licensed home health agency or who are registered with a licensed nurse registry. ~~Staffing services may be provided anywhere within the state.~~

Section 2. Subsection (3) of section 400.464, Florida Statutes, is amended to read:

400.464 Home Health agencies to be licensed; expiration of license; exemptions; unlawful acts; penalties.—

(3) *A* ~~Any~~ home infusion therapy provider *must* ~~shall~~ be licensed as a home health agency *or nurse registry*. ~~Any infusion therapy provider currently authorized to receive Medicare reimbursement under a DME - Part B Provider number for the provision of infusion therapy shall be licensed as a non-certified home health agency. Such a provider shall continue to receive that specified Medicare reimbursement without being certified so long as the reimbursement is limited to those items authorized pursuant to the DME - Part B Provider Agreement and the agency is licensed in compliance with the other provisions of this part.~~

Section 3. Paragraphs (d), (e), (f), (g), and (h) are added to subsection (2) of section 400.471, Florida Statutes, and subsections (7), (8), and (9), are added to that section, to read:

400.471 Application for license; fee.—

(2) In addition to the requirements of part II of chapter 408, the initial applicant must file with the application satisfactory proof that the home health agency is in compliance with this part and applicable rules, including:

(d) A business plan, signed by the applicant, which details the home health agency's methods to obtain patients and its plan to recruit and maintain staff.

(e) Evidence of contingency funding equal to 1 month's average operating expenses during the first year of operation.

(f) A balance sheet, income and expense statement, and statement of cash flows for the first 2 years of operation which provide evidence of having sufficient assets, credit, and projected revenues to cover liabilities and expenses. The applicant has demonstrated financial ability to operate if the applicant's assets, credit, and projected revenues meet or exceed projected liabilities and expenses. An applicant may not project an operating margin of 15 percent or greater for any month in the first year of operation. All documents required under this paragraph must be prepared in accordance with generally accepted accounting principles and compiled and signed by a certified public accountant.

(g) All other ownership interests in health care entities for each controlling interest, as defined in part II of chapter 408.

(h) In the case of an application for initial licensure, documentation of accreditation, or an application for accreditation, from an accrediting organization that is recognized by the agency as having standards comparable to those required by this part and part II of chapter 408. Notwithstanding s. 408.806, an applicant that has applied for accreditation must provide proof of accreditation that is not conditional or provisional within 120 days after the date of the agency's receipt of the application for licensure or the application shall be withdrawn from further consideration. Such accreditation must be maintained by the home health agency to maintain licensure. The agency shall accept, in lieu of its own periodic licensure survey, the submission of the survey of an accrediting organization that is recognized by the agency if the accreditation of the licensed home health agency is not provisional and if the licensed home health agency authorizes releases of, and the agency receives the report of, the accrediting organization.

(7) The agency may not issue an initial license to an applicant for a home health agency license if the applicant shares common controlling interests with another licensed home health agency that is located within 10 miles of the applicant and is in the same county. The agency must return the application and fees to the applicant.

(8) An application for a home health agency license may not be transferred to another home health agency or controlling interest before issuance of the license.

(9) A licensed home health agency that seeks to relocate to a different geographic service area not listed on its license must submit an initial application for a home health agency license for the new location.

Section 4. Section 400.474, Florida Statutes, is amended to read:

400.474 Administrative penalties.—

(1) The agency may deny, revoke, and suspend a license and impose an administrative fine in the manner provided in chapter 120.

(2) Any of the following actions by a home health agency or its employee is grounds for disciplinary action by the agency:

(a) Violation of this part, part II of chapter 408, or of applicable rules.

(b) An intentional, reckless, or negligent act that materially affects the health or safety of a patient.

(c) Knowingly providing home health services in an unlicensed assisted living facility or unlicensed adult family-care home, unless the home health agency or employee reports the unlicensed facility or home to the agency within 72 hours after providing the services.

(d) Preparing or maintaining fraudulent patient records, such as, but not limited to, charting ahead, recording vital signs or symptoms that were not personally obtained or observed by the home health agency's staff at the time indicated, borrowing patients or patient records from other home health agencies to pass a survey or inspection, or falsifying signatures.

(e) Failing to provide at least one service directly to a patient for a period of 60 days.

(3) The agency shall impose a fine of $1,000 against a home health agency that demonstrates a pattern of falsifying:

(a) Documents of training for home health aides or certified nursing assistants; or

(b) Health statements for staff providing direct care to patients.

A pattern may be demonstrated by a showing of at least three fraudulent entries or documents. The fine shall be imposed for each fraudulent document or, if multiple staff members are included on one document, for each fraudulent entry on the document.

(4) The agency shall impose a fine of $5,000 against a home health agency that demonstrates a pattern of billing any payor for services not provided. A pattern may be demonstrated by a showing of at least three billings for services not provided within a 12-month period. The fine must be imposed for each incident that is falsely billed. The agency may also:

(a) Require payback of all funds;

(b) Revoke the license; or

(c) Issue a moratorium in accordance with s. 408.814.

(5) The agency shall impose a fine of $5,000 against a home health agency that demonstrates a pattern of failing to provide a service specified in the home health agency's written agreement with a patient or the patient's legal representative, or the plan of care for that patient, unless a reduction in service is mandated by Medicare, Medicaid, or a state program or as provided in s. 400.492(3). A pattern may be demonstrated by a showing of at least three incidences, regardless of the patient or service, where the home health agency did not provide a service specified in a written agreement or plan of care during a 3-month period. The agency shall impose the fine for each occurrence. The agency may also impose additional administrative fines under s. 400.484 for the direct or indirect harm to a patient, or deny, revoke, or suspend the license of the home health agency for a pattern of failing to provide a service specified in the home health agency's written agreement with a patient or the plan of care for that patient.

(6) The agency may deny, revoke, or suspend the license of a home health agency and shall impose a fine of $5,000 against a home health agency that:

(a) Gives remuneration for staffing services to:

1. Another home health agency with which it has formal or informal patient-referral transactions or arrangements; or

2. A health services pool with which it has formal or informal patient-referral transactions or arrangements,

unless the home health agency has activated its comprehensive emergency management plan in accordance with s. 400.492. This paragraph does not apply to a Medicare-certified home health agency that provides fair market value remuneration for staffing services to a non-Medicare-certified home health agency that is part of a continuing care facility licensed under chapter 651 for providing services to its own residents if each resident receiving home health services pursuant to this arrangement attests in writing that he or she made a decision without influence from staff of the facility to select, from a list of Medicare-certified home health agencies provided by the facility, that Medicare-certified home health agency to provide the services.

(b) Provides services to residents in an assisted living facility for which the home health agency does not receive fair market value remuneration.

(c) Provides staffing to an assisted living facility for which the home health agency does not receive fair market value remuneration.

(d) Fails to provide the agency, upon request, with copies of all contracts with assisted living facilities which were executed within 5 years before the request.

(e) Gives remuneration to a case manager, discharge planner, facility-based staff member, or third-party vendor who is involved in the discharge-planning process of a facility licensed under chapter 395 or this chapter from whom the home health agency receives referrals.

(f) Fails to submit to the agency, within 15 days after the end of each calendar quarter, a written report that includes the following data based on data as it existed on the last day of the quarter:

1. The number of insulin-dependent diabetic patients receiving insulin-injection services from the home health agency;

2. The number of patients receiving both home health services from the home health agency and hospice services;

3. The number of patients receiving home health services from that home health agency; and

4. The names and license numbers of nurses whose primary job responsibility is to provide home health services to patients and who received remuneration from the home health agency in excess of $25,000 during the calendar quarter.

(g) Gives cash, or its equivalent, to a Medicare or Medicaid beneficiary.

(h) Has more than one medical director contract in effect at one time or more than one medical director contract and one contract with a physician-specialist whose services are mandated for the home health agency in order to qualify to participate in a federal or state health care program at one time.

(i) Gives remuneration to a physician without a medical director contract being in effect. The contract must:

1. Be in writing and signed by both parties;

2. Provide for remuneration that is at fair market value for an hourly rate, which must be supported by invoices submitted by the medical director describing the work performed, the dates on which that work was performed, and the duration of that work; and

3. Be for a term of at least 1 year.

The hourly rate specified in the contract may not be increased during the term of the contract. The home health agency may not execute a subsequent contract with that physician which has an increased hourly rate and covers any portion of the term that was in the original contract.

(j) Gives remuneration to:

1. A physician, and the home health agency is in violation of paragraph (h) or paragraph (i);

2. A member of the physician's office staff; or

3. An immediate family member of the physician,

if the home health agency has received a patient referral in the preceding 12 months from that physician or physician's office staff.

(k) Fails to provide to the agency, upon request, copies of all contracts with a medical director which were executed within 5 years before the request.

(7)~~(3)~~(a) In addition to the requirements of s. 408.813, any person, partnership, or corporation that violates *s. 408.812 or* s. 408.813 and that previously operated a licensed home health agency or concurrently operates both a licensed home health agency and an unlicensed home health agency commits a felony of the third degree punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(b) If any home health agency is found to be operating without a license and that home health agency has received any government reimbursement for services, the agency shall make a fraud referral to the appropriate government reimbursement program.

Section 5. Section 400.476, Florida Statutes, is created to read:

400.476 Staffing requirements; notifications; limitations on staffing services.—

(1) ADMINISTRATOR.—

(a) An administrator may manage only one home health agency, except that an administrator may manage up to five home health agencies if all five home health agencies have identical controlling interests as defined in s. 408.803 and are located within one agency geographic service area or within an immediately contiguous county. If the home health agency is licensed under this chapter and is part of a retirement community that provides multiple levels of care, an employee of the retirement community may administer the home health agency and up to a maximum of four entities licensed under this chapter or chapter 429 which all have identical controlling interests as defined in s. 408.803. An administrator shall designate, in writing, for each licensed entity, a qualified alternate administrator to serve during the administrator's absence.

(b) An administrator of a home health agency who is a licensed physician, physician assistant, or registered nurse licensed to practice in this state may also be the director of nursing for a home health agency. An administrator may serve as a director of nursing for up to the number of entities authorized in subsection (2) only if there are 10 or fewer full-time equivalent employees and contracted personnel in each home health agency.

(2) DIRECTOR OF NURSING.—

(a) A director of nursing may be the director of nursing for:

1. Up to two licensed home health agencies if the agencies have identical controlling interests as defined in s. 408.803 and are located within one agency geographic service area or within an immediately contiguous county; or

2. Up to five licensed home health agencies if:

a. All of the home health agencies have identical controlling interests as defined in s. 408.803;

b. All of the home health agencies are located within one agency geographic service area or within an immediately contiguous county; and

c. Each home health agency has a registered nurse who meets the qualifications of a director of nursing and who has a written delegation from the director of nursing to serve as the director of nursing for that home health agency when the director of nursing is not present.

If a home health agency licensed under this chapter is part of a retirement community that provides multiple levels of care, an employee of the retirement community may serve as the director of nursing of the home health agency and up to a maximum of four entities, other than home health agencies, licensed under this chapter or chapter 429 which all have identical controlling interests as defined in s. 408.803.

(b) A home health agency that provides skilled nursing care may not operate for more than 30 calendar days without a director of nursing. A home health agency that provides skilled nursing care and the director of nursing of a home health agency must notify the agency within 10 business days after termination of the services of the director of nursing for the home health agency. A home health agency that provides skilled nursing care must notify the agency of the identity and qualifications of the new director of nursing within 10 days after the new director is hired. If a home health agency that provides skilled nursing care operates for more than 30 calendar days without a director of nursing, the home health agency commits a class II deficiency. In addition to the fine for a class II deficiency, the agency may issue a moratorium in accordance with s. 408.814 or revoke the license. The agency shall fine a home health agency that fails to notify the agency as required in this paragraph $1,000 for the first violation and $2,000 for a repeat violation. The agency may not take administrative action against a home health agency if the director of nursing fails to notify the department upon termination of services as the director of nursing for the home health agency.

(c) A home health agency that is not Medicare or Medicaid certified and does not provide skilled care or provides only physical, occupational, or speech therapy is not required to have a director of nursing and is exempt from paragraph (b).

(3) TRAINING.—A home health agency shall ensure that each certified nursing assistant employed by or under contract with the home health agency and each home health aide employed by or under contract with the home health agency is adequately trained to perform the tasks of a home health aide in the home setting.

(4) STAFFING.—Staffing services may be provided anywhere within the state.

Section 6. Section 400.484, Florida Statutes, is amended to read:

400.484 Right of inspection; deficiencies; fines.—

(1) In addition to the requirements of s. 408.811, the agency may make such inspections and investigations as are necessary in order to determine the state of compliance with this part, part II of chapter 408, and applicable rules.

(2) The agency shall impose fines for various classes of deficiencies in accordance with the following schedule:

(a) A class I deficiency is any act, omission, or practice that results in a patient's death, disablement, or permanent injury, or places a patient at imminent risk of death, disablement, or permanent injury. Upon finding a class I deficiency, the agency *shall* ~~may~~ impose an administrative fine in the amount of *$15,000* ~~$5,000~~ for each occurrence and each day that the deficiency exists.

(b) A class II deficiency is any act, omission, or practice that has a direct adverse effect on the health, safety, or security of a patient. Upon finding a class II deficiency, the agency *shall* ~~may~~ impose an administrative fine in the amount of *$5,000* ~~$1,000~~ for each occurrence and each day that the deficiency exists.

(c) A class III deficiency is any act, omission, or practice that has an indirect, adverse effect on the health, safety, or security of a patient. Upon finding an uncorrected or repeated class III deficiency, the agency *shall* ~~may~~ impose an administrative fine not to exceed *$1,000* ~~$500~~ for each occurrence and each day that the uncorrected or repeated deficiency exists.

(d) A class IV deficiency is any act, omission, or practice related to required reports, forms, or documents which does not have the potential of negatively affecting patients. These violations are of a type that the agency determines do not threaten the health, safety, or security of patients. Upon finding an uncorrected or repeated class IV deficiency, the agency *shall* ~~may~~ impose an administrative fine not to exceed *$500* ~~$200~~ for each occurrence and each day that the uncorrected or repeated deficiency exists.

(3) In addition to any other penalties imposed pursuant to this section or part, the agency may assess costs related to an investigation that results in a successful prosecution, excluding costs associated with an attorney's time.

Section 7. Subsection (2) of section 400.491, Florida Statutes, is amended to read:

400.491 Clinical records.—

(2) The home health agency must maintain for each client who receives nonskilled care a service provision plan. Such records must be maintained by the home health agency for *3 years* ~~1 year~~ following termination of services.

Section 8. Present subsections (5), (6), (7), and (8) of section 400.497, Florida Statutes, are renumbered as subsections (7), (8), (9), and (10), respectively, and a new subsections (5) and (6) are added to that section, to read:

400.497 Rules establishing minimum standards.—The agency shall adopt, publish, and enforce rules to implement part II of chapter 408 and this part, including, as applicable, ss. 400.506 and 400.509, which must provide reasonable and fair minimum standards relating to:

(5) Oversight by the director of nursing. The agency shall develop rules related to:

(a) Standards that address oversight responsibilities by the director of nursing of skilled nursing and personal care services provided by the home health agency's staff;

(b) Requirements for a director of nursing to provide to the agency, upon request, a certified daily report of the home health services provided by a specified direct employee or contracted staff member on behalf of the home health agency. The agency may request a certified daily report only for a period not to exceed 2 years prior to the date of the request; and

(c) A quality assurance program for home health services provided by the home health agency.

(6) Conditions for using a recent unannounced licensure inspection for the inspection required in s. 408.806 related to a licensure application associated with a change in ownership of a licensed home health agency.

Section 9. Paragraph (a) of subsection (6) of section 400.506, Florida Statutes, is amended, present subsections (15) and (16) of that section are renumbered as subsections (16) and (17), respectively, and a new subsection (15) is added to that section, to read:

400.506 Licensure of nurse registries; requirements; penalties.—

(6)(a) A nurse registry may refer for contract in private residences registered nurses and licensed practical nurses registered and licensed under part I of chapter 464, certified nursing assistants certified under part II of chapter 464, home health aides who present documented proof of successful completion of the training required by rule of the agency,

and companions or homemakers for the purposes of providing those services authorized under s. 400.509(1). *A licensed nurse registry shall ensure that each certified nursing assistant referred for contract by the nurse registry and each home health aide referred for contract by the nurse registry is adequately trained to perform the tasks of a home health aide in the home setting.* Each person referred by a nurse registry must provide current documentation that he or she is free from communicable diseases.

(15)(a) The agency may deny, suspend, or revoke the license of a nurse registry and shall impose a fine of $5,000 against a nurse registry that:

1. Provides services to residents in an assisted living facility for which the nurse registry does not receive fair market value remuneration.

2. Provides staffing to an assisted living facility for which the nurse registry does not receive fair market value remuneration.

3. Fails to provide the agency, upon request, with copies of all contracts with assisted living facilities which were executed within the last 5 years.

4. Gives remuneration to a case manager, discharge planner, facility-based staff member, or third-party vendor who is involved in the discharge-planning process of a facility licensed under chapter 395 or this chapter and from whom the nurse registry receives referrals.

5. Gives remuneration to a physician, a member of the physician's office staff, or an immediate family member of the physician, and the nurse registry received a patient referral in the last 12 months from that physician or the physician's office staff.

(b) The agency shall also impose an administrative fine of $15,000 if the nurse registry refers nurses, certified nursing assistants, home health aides, or other staff without charge to a facility licensed under chapter 429 in return for patient referrals from the facility.

(c) The proceeds of all fines collected under this subsection shall be deposited into the Health Care Trust Fund.

Section 10. Subsection (4) is added to section 400.518, Florida Statutes, to read:

400.518 Prohibited referrals to home health agencies.—

(4) The agency shall impose an administrative fine of $15,000 if a home health agency provides nurses, certified nursing assistants, home health aides, or other staff without charge to a facility licensed under chapter 429 in return for patient referrals from the facility. The proceeds of such fines shall be deposited into the Health Care Trust Fund.

Section 11. Subsections (5) through (27) of section 409.901, Florida Statutes, are redesignated as subsections (6) through (28), respectively, and a new subsection (5) is added to that section to read:

409.901 Definitions; ss. 409.901-409.920.—As used in ss. 409.901-409.920, except as otherwise specifically provided, the term:

(5) "Change of ownership" means an event in which the provider changes to a different legal entity or in which 45 percent or more of the ownership, voting shares, or controlling interest in a corporation whose shares are not publicly traded on a recognized stock exchange is transferred or assigned, including the final transfer or assignment of multiple transfers or assignments over a 2-year period that cumulatively total 45 percent or more. A change solely in the management company or board of directors is not a change of ownership.

Section 12. Subsections (6) and (9) of section 409.907, Florida Statutes, are amended to read:

409.907 Medicaid provider agreements.—The agency may make payments for medical assistance and related services rendered to Medicaid recipients only to an individual or entity who has a provider agreement in effect with the agency, who is performing services or supplying goods in accordance with federal, state, and local law, and who agrees that no person shall, on the grounds of handicap, race, color, or national origin, or for any other reason, be subjected to discrimination under any program or activity for which the provider receives payment from the agency.

(6) A Medicaid provider agreement may be revoked, at the option of the agency, as the result of a change of ownership of any facility, association, partnership, or other entity named as the provider in the provider agreement. ~~A provider shall give the agency 60 days' notice before making any change in ownership of the entity named in the provider agreement as the provider.~~

(a) In the event of a change of ownership, the transferor remains liable for all outstanding overpayments, administrative fines, and any other moneys owed to the agency before the effective date of the change of ownership. In addition to the continuing liability of the transferor, the transferee is liable to the agency for all outstanding overpayments identified by the agency on or before the effective date of the change of ownership. For purposes of this subsection, the term "outstanding overpayment" includes any amount identified in a preliminary audit report issued to the transferor by the agency on or before the effective date of the change of ownership. In the event of a change of ownership for a skilled nursing facility or intermediate care facility, the Medicaid provider agreement shall be assigned to the transferee if the transferee meets all other Medicaid provider qualifications. In the event of a change of ownership involving a skilled nursing facility licensed under part II of chapter 400, liability for all outstanding overpayments, administrative fines, and any moneys owed to the agency before the effective date of the change of ownership shall be determined in accordance with s. 400.179.

(b) At least 60 days before the anticipated date of the change of ownership, the transferor shall notify the agency of the intended change of ownership and the transferee shall submit to the agency a Medicaid provider enrollment application. If a change of ownership occurs without compliance with the notice requirements of this subsection, the transferor and transferee shall be jointly and severally liable for all overpayments, administrative fines, and other moneys due to the agency, regardless of whether the agency identified the overpayments, administrative fines, or other moneys before or after the effective date of the change of ownership. The agency may not approve a transferee's Medicaid provider enrollment application if the transferee or transferor has not paid or agreed in writing to a payment plan for all outstanding overpayments, administrative fines, and other moneys due to the agency. This subsection does not preclude the agency from seeking any other legal or equitable remedies available to the agency for the recovery of moneys owed to the Medicaid program. In the event of a change of ownership involving a skilled nursing facility licensed under part II of chapter 400, liability for all outstanding overpayments, administrative fines, and any moneys owed to the agency before the effective date of the change of ownership shall be determined in accordance with the s. 400.179 if the Medicaid provider enrollment application for change of ownership is submitted before the change of ownership.

(9) Upon receipt of a completed, signed, and dated application, and completion of any necessary background investigation and criminal history record check, the agency must either:

(a) Enroll the applicant as a Medicaid provider upon approval of the provider application. The enrollment effective date shall be the date the agency receives the provider application. *With respect to a provider that requires a Medicare certification survey, the enrollment effective date is the date the certification is awarded. With respect to a provider that completes a change of ownership, the effective date is the date the agency received the application, the date the change of ownership was complete, or the date the applicant became eligible to provide services under Medicaid, whichever date is later. With respect to a provider of emergency medical services transportation or emergency services and care, the effective date is the date the services were rendered.* Payment for any claims for services provided to Medicaid recipients between the date of receipt of the application and the date of approval is contingent on applying any and all applicable audits and edits contained in the agency's claims adjudication and payment processing systems; or

(b) Deny the application if the agency finds that it is in the best interest of the Medicaid program to do so. The agency may consider the factors listed in subsection (10), as well as any other factor that could affect the effective and efficient administration of the program, including, but not limited to, the applicant's demonstrated ability to provide services, conduct business, and operate a financially viable concern; the current availability of medical care, services, or supplies to recipients, taking into account geographic location and reasonable travel time; the number of providers of the same type already enrolled in the same geographic area; and the credentials, experience, success, and patient

outcomes of the provider for the services that it is making application to provide in the Medicaid program. The agency shall deny the application if the agency finds that a provider; any officer, director, agent, managing employee, or affiliated person; or any partner or shareholder having an ownership interest equal to 5 percent or greater in the provider if the provider is a corporation, partnership, or other business entity, has failed to pay all outstanding fines or overpayments assessed by final order of the agency or final order of the Centers for Medicare and Medicaid Services, not subject to further appeal, unless the provider agrees to a repayment plan that includes withholding Medicaid reimbursement until the amount due is paid in full.

Section 13. Subsection (20) of section 409.910, Florida Statutes, is amended to read:

409.910 Responsibility for payments on behalf of Medicaid-eligible persons when other parties are liable.—

(20) Entities providing health insurance as defined in s. 624.603, health maintenance organizations and prepaid health clinics as defined in chapter 641, and, on behalf of their clients, third-party administrators and pharmacy benefits managers as defined in *s. 409.901 (27)* ~~s. 409.901(26)~~ shall provide such records and information as are necessary to accomplish the purpose of this section, unless such requirement results in an unreasonable burden.

(a) The director of the agency and the Director of the Office of Insurance Regulation of the Financial Services Commission shall enter into a cooperative agreement for requesting and obtaining information necessary to effect the purpose and objective of this section.

1. The agency shall request only that information necessary to determine whether health insurance as defined pursuant to s. 624.603, or those health services provided pursuant to chapter 641, could be, should be, or have been claimed and paid with respect to items of medical care and services furnished to any person eligible for services under this section.

2. All information obtained pursuant to subparagraph 1. is confidential and exempt from s. 119.07(1).

3. The cooperative agreement or rules adopted under this subsection may include financial arrangements to reimburse the reporting entities for reasonable costs or a portion thereof incurred in furnishing the requested information. Neither the cooperative agreement nor the rules shall require the automation of manual processes to provide the requested information.

(b) The agency and the Financial Services Commission jointly shall adopt rules for the development and administration of the cooperative agreement. The rules shall include the following:

1. A method for identifying those entities subject to furnishing information under the cooperative agreement.

2. A method for furnishing requested information.

3. Procedures for requesting exemption from the cooperative agreement based on an unreasonable burden to the reporting entity.

Section 14. Subsection (48) of section 409.912, Florida Statutes, is amended to read:

409.912 Cost-effective purchasing of health care.—The agency shall purchase goods and services for Medicaid recipients in the most cost-effective manner consistent with the delivery of quality medical care. To ensure that medical services are effectively utilized, the agency may, in any case, require a confirmation or second physician's opinion of the correct diagnosis for purposes of authorizing future services under the Medicaid program. This section does not restrict access to emergency services or poststabilization care services as defined in 42 C.F.R. part 438.114. Such confirmation or second opinion shall be rendered in a manner approved by the agency. The agency shall maximize the use of prepaid per capita and prepaid aggregate fixed-sum basis services when appropriate and other alternative service delivery and reimbursement methodologies, including competitive bidding pursuant to s. 287.057, designed to facilitate the cost-effective purchase of a case-managed continuum of care. The agency shall also require providers to minimize the exposure of recipients to the need for acute inpatient, custodial, and other institutional care and the inappropriate or unnecessary use of high-cost services. The agency shall contract with a vendor to monitor and evaluate the clinical practice patterns of providers in order to identify trends that are outside the normal practice patterns of a provider's professional peers or the national guidelines of a provider's professional association. The vendor must be able to provide information and counseling to a provider whose practice patterns are outside the norms, in consultation with the agency, to improve patient care and reduce inappropriate utilization. The agency may mandate prior authorization, drug therapy management, or disease management participation for certain populations of Medicaid beneficiaries, certain drug classes, or particular drugs to prevent fraud, abuse, overuse, and possible dangerous drug interactions. The Pharmaceutical and Therapeutics Committee shall make recommendations to the agency on drugs for which prior authorization is required. The agency shall inform the Pharmaceutical and Therapeutics Committee of its decisions regarding drugs subject to prior authorization. The agency is authorized to limit the entities it contracts with or enrolls as Medicaid providers by developing a provider network through provider credentialing. The agency may competitively bid single-source-provider contracts if procurement of goods or services results in demonstrated cost savings to the state without limiting access to care. The agency may limit its network based on the assessment of beneficiary access to care, provider availability, provider quality standards, time and distance standards for access to care, the cultural competence of the provider network, demographic characteristics of Medicaid beneficiaries, practice and provider-to-beneficiary standards, appointment wait times, beneficiary use of services, provider turnover, provider profiling, provider licensure history, previous program integrity investigations and findings, peer review, provider Medicaid policy and billing compliance records, clinical and medical record audits, and other factors. Providers shall not be entitled to enrollment in the Medicaid provider network. The agency shall determine instances in which allowing Medicaid beneficiaries to purchase durable medical equipment and other goods is less expensive to the Medicaid program than long-term rental of the equipment or goods. The agency may establish rules to facilitate purchases in lieu of long-term rentals in order to protect against fraud and abuse in the Medicaid program as defined in s. 409.913. The agency may seek federal waivers necessary to administer these policies.

(48)*(a)* A provider is not entitled to enrollment in the Medicaid provider network. The agency may implement a Medicaid fee-for-service provider network controls, including, but not limited to, competitive procurement and provider credentialing. If a credentialing process is used, the agency may limit its provider network based upon the following considerations: beneficiary access to care, provider availability, provider quality standards and quality assurance processes, cultural competency, demographic characteristics of beneficiaries, practice standards, service wait times, provider turnover, provider licensure and accreditation history, program integrity history, peer review, Medicaid policy and billing compliance records, clinical and medical record audit findings, and such other areas that are considered necessary by the agency to ensure the integrity of the program.

(b) The agency shall limit its network of durable medical equipment and medical supply providers. For dates of service after January 1, 2009, the agency shall limit payment for durable medical equipment and supplies to providers that meet all the requirements of this paragraph.

1. Providers must be accredited by a Centers for Medicare and Medicaid Services deemed accreditation organization for suppliers of durable medical equipment, prosthetics, orthotics, and supplies. The provider must maintain accreditation and is subject to unannounced reviews by the accrediting organization.

2. Providers must provide the services or supplies directly to the Medicaid recipient or caregiver at the provider location or recipient's residence or send the supplies directly to the recipient's residence with receipt of mailed delivery. Subcontracting or consignment of the service or supply to a third party is prohibited.

3. Notwithstanding subparagraph 2., a durable medical equipment provider may store nebulizers at a physician's office for the purpose of having the physician's staff issue the equipment if it meets all of the following conditions:

a. The physician must document the medical necessity and need to prevent further deterioration of the patient's respiratory status by the timely delivery of the nebulizer in the physician's office.

b. The durable medical equipment provider must have written documentation of the competency and training by a Florida-licensed registered respiratory therapist of any durable medical equipment staff who participate in the training of physician office staff for the use of nebulizers, including cleaning, warranty, and special needs of patients.

c. The physician's office must have documented the training and competency of any staff member who initiates the delivery of nebulizers to patients. The durable medical equipment provider must maintain copies of all physician office training.

d. The physician's office must maintain inventory records of stored nebulizers, including documentation of the durable medical equipment provider source.

e. A physician contracted with a Medicaid durable medical equipment provider may not have a financial relationship with that provider or receive any financial gain from the delivery of nebulizers to patients.

4. Providers must have a physical business location and a functional landline business phone. The location must be within the state or not more than 50 miles from the Florida state line. The agency may make exceptions for providers of durable medical equipment or supplies not otherwise available from other enrolled providers located within the state.

5. Physical business locations must be clearly identified as a business that furnishes durable medical equipment or medical supplies by signage that can be read from 20 feet away. The location must be readily accessible to the public during normal, posted business hours and must operate no less than 5 hours per day and no less than 5 days per week, with the exception of scheduled and posted holidays. The location may not be located within or at the same numbered street address as another enrolled Medicaid durable medical equipment or medical supply provider or as an enrolled Medicaid pharmacy that is also enrolled as a durable medical equipment provider. A licensed orthotist or prosthetist that provides only orthotic or prosthetic devices as a Medicaid durable medical equipment provider is exempt from the provisions in this paragraph.

6. Providers must maintain a stock of durable medical equipment and medical supplies on site that is readily available to meet the needs of the durable medical equipment business location's customers.

7. Providers must provide a surety bond of $50,000 for each provider location, up to a maximum of 5 bonds statewide or an aggregate bond of $250,000 statewide, as identified by Federal Employer Identification Number. Providers who post a statewide or an aggregate bond must identify all of their locations in any Medicaid durable medical equipment and medical supply provider enrollment application or bond renewal. Each provider location's surety bond must be renewed annually and the provider must submit proof of renewal even if the original bond is a continuous bond. A licensed orthotist or prosthetist that provides only orthotic or prosthetic devices as a Medicaid durable medical equipment provider is exempt from the provisions in this paragraph.

8. Providers must obtain a level 2 background screening, as provided under s. 435.04, for each provider employee in direct contact with or providing direct services to recipients of durable medical equipment and medical supplies in their homes. This requirement includes, but is not limited to, repair and service technicians, fitters, and delivery staff. The provider shall pay for the cost of the background screening.

9. The following providers are exempt from the requirements of subparagraphs 1. and 7.:

a. Durable medical equipment providers owned and operated by a government entity.

b. Durable medical equipment providers that are operating within a pharmacy that is currently enrolled as a Medicaid pharmacy provider.

c. Active, Medicaid-enrolled orthopedic physician groups, primarily owned by physicians, which provide only orthotic and prosthetic devices.

Section 15. *The Agency for Health Care Administration shall review the process, procedures, and contractor's performance for the prior authorization of home health agency visits that are in excess of 60 visits over the lifetime of a Medicaid recipient. The agency shall determine whether modifications are necessary in order to reduce Medicaid fraud and abuse related to home health services for a Medicaid recipient which are not medically necessary. If modifications to the prior authorization function are necessary, the agency shall amend the contract to require contractor performance that reduces potential Medicaid fraud and abuse with respect to home health agency visits.*

Section 16. *The Agency for Health Care Administration shall report to the Legislature by January 1, 2009, on the feasibility and costs of accessing the Medicare system to disallow Medicaid payment for home health services that are paid for under the Medicare prospective payment system for recipients who are dually eligible for Medicaid and Medicare.*

Section 17. This act shall take effect July 1, 2008.

And the title is amended as follows:

Delete everything before the enacting clause and insert:

A bill to be entitled An act relating to health care fraud and abuse; amending s. 400.462, F.S.; revising and adding definitions; amending s. 400.464, F.S.; authorizing a home infusion therapy provider to be licensed as a nurse registry; deleting provisions related to Medicare reimbursement; amending s. 400.471, F.S.; requiring an applicant for a home health agency license to submit to the Agency for Health Care Administration a business plan and evidence of contingency funding, and disclose other controlling ownership interests in health care entities; requiring certain standards in documentation demonstrating financial ability to operate; requiring home health agencies to maintain certain accreditation to maintain licensure; permitting certain accrediting organizations to submit surveys regarding licensure of home health agencies; prohibiting the agency from issuing an initial license to an applicant for a home health agency license which is located within a certain distance of a licensed home health agency that has common controlling interests; prohibiting the transfer of an application to another home health agency before issuance of the license; requiring submission of an initial application to relocate a licensed home health agency to another geographic service area; amending s. 400.474, F.S.; providing additional grounds under which the Agency for Health Care Administration may take disciplinary action against a home health agency; creating s. 400.476, F.S.; establishing staffing requirements for home health agencies; reducing the number of home health agencies that an administrator or director of nursing may serve; requiring that an alternate administrator be designated in writing; limiting the period that a home health agency that provides skilled nursing care may operate without a director of nursing; requiring notification upon the termination and replacement of a director of nursing; requiring the Agency for Health Care Administration to take administrative enforcement action against a home health agency for noncompliance with the notification and staffing requirements for a director of nursing; providing for fines; exempting a home health agency that is not Medicare or Medicaid certified and does not provide skilled care or provides only physical, occupational, or speech therapy from requirements related to a director of nursing; providing training requirements for certified nursing assistants and home health aides; amending s. 400.484, F.S.; requiring the agency to impose administrative fines for certain deficiencies; increasing the administrative fines imposed for certain deficiencies; amending s. 400.491, F.S.; extending the period that a home health agency must retain records of the nonskilled care it provides; amending s. 400.497, F.S.; requiring that the Agency for Health Care Administration adopt rules related to standards for the director of nursing of a home health agency, requirements for a director of nursing to submit certified staff activity logs pursuant to an agency request, quality assurance programs, and inspections related to an application for a change in ownership; amending s. 400.506, F.S.; providing training requirements for certified nursing assistants and home health aides referred for contract by a nurse registry; providing for the denial, suspension, or revocation of nurse registry license and fines for paying remuneration to certain entities in exchange for patient referrals or refusing fair remuneration in exchange for patient referrals; amending s. 400.518, F.S.; providing for a fine to be imposed against a home health agency that provides complimentary staffing to an assisted care community in exchange for patient referrals; amending s, 409.901, F.S.; defining the term "change of ownership"; amending s. 409.907, F.S.; revising provisions relating to change of ownership of Medicaid provider agreements; providing for continuing financial liability of a transferor under certain circumstances; defining the term "outstanding overpayment"; requiring the transferor to provide notice of change of ownership to the agency within a specified time period; requiring the transferee to submit a Medicaid provider enrollment application to the agency; providing for joint and several liability under certain circumstances; requir-

ing a written payment plan for certain outstanding financial obligations; providing conditions under which additional enrollment effective dates apply; amending s. 409.910, F.S.; conforming a cross-reference; amending s. 409.912, F.S.; requiring the agency to limit its network of Medicaid durable medical equipment and medical supply providers; prohibiting reimbursement for dates of service after a certain date; requiring accreditation; requiring direct provision of services or supplies; authorizing a provider to store nebulizers at a physician's office under certain circumstances; imposing certain physical location requirements; requiring a provider to maintain a certain stock of equipment and supplies; requiring a surety bond; requiring background screenings of employees; providing for certain exemptions; requiring the Agency for Health Care Administration to review the process for prior authorization of home health agency visits and determine whether modifications to the process are necessary; requiring the agency to report to the Legislature on the feasibility of accessing the Medicare system to determine recipient eligibility for home health services; providing an effective date.

On motion by Senator Jones, by two-thirds vote **CS for HB 7083** as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

Nays—None

CS for SB 1414—A bill to be entitled An act relating to supplemental educational services; amending s. 1008.331, F.S.; requiring the Department of Education to annually evaluate and grade supplemental educational services providers; specifying evaluation criteria; providing reporting requirements; providing an effective date.

—was read the third time by title.

On motion by Senator Diaz de la Portilla, **CS for SB 1414** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

Nays—None

CS for HB 803—A bill to be entitled An act relating to licensure of psychologists; amending s. 490.005, F.S.; requiring the Board of Psychology to close application files of applicants failing to pass certain examinations, or failing to submit evidence of completion of postdoctoral supervised experience, within a specified timeframe; providing that an individual who completes the required postdoctoral training residency may continue to practice under supervision under certain conditions; providing an effective date.

—as amended April 17 was read the third time by title.

On motion by Senator Margolis, **CS for HB 803** as amended was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

Nays—None

HB 603—A bill to be entitled An act relating to textbook affordability; creating s. 1004.09, F.S.; prohibiting certain actions of community college or state university employees that relate to student purchase of required textbooks; authorizing receipt of certain instructional materials, compensation, and training; requiring student notification of required textbooks; requiring adoption of specified policies and practices to minimize the cost of textbooks; providing an effective date.

—was read the third time by title.

On motion by Senator Atwater, **HB 603** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Storms
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dean	King	Wilson
Deutch	Lawson	Wise
Diaz de la Portilla	Lynn	

Nays—None

Vote after roll call:

Yea—Siplin

HB 7041—A bill to be entitled An act relating to the Florida Self-Directed Care program; amending s. 394.9084, F.S.; authorizing the Department of Children and Family Services to expand the program statewide; requiring the department to implement a payment mechanism for mental health treatment and support services; defining the term "fiscal intermediary"; providing for the duties of the fiscal intermediary; permitting the fiscal intermediary to receive funds on behalf of participants; requiring an evaluation by the Office of Program Policy Analysis and Government Accountability by a certain date; providing evaluation criteria; deleting provisions relating to the evaluation of the original pilot program; deleting the expiration date of the program; providing an effective date.

—was read the third time by title.

On motion by Senator Webster, **HB 7041** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Storms
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dean	King	Wilson
Deutch	Lawson	Wise
Diaz de la Portilla	Lynn	

Nays—None

Vote after roll call:

Yea—Siplin

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Atwater, by two-thirds vote **CS for SB 2054** was withdrawn from the Committee on Agriculture; **SB 1572** was withdrawn from the Committee on Community Affairs; **SB 1626**, **CS for CS for SB 2304** and **CS for SB 2864** were withdrawn from the Committee on Finance and Tax; **CS for SB 1206** was withdrawn from the Committee on General Government Appropriations; and **SB 2604** was withdrawn from the Committee on Judiciary.

On motion by Senator Dockery, by two-thirds vote **SB 744** was withdrawn from the Committee on Agriculture; **CS for SB 2248** was withdrawn from the Committee on Criminal and Civil Justice Appropriations; and **CS for SB 2172** was withdrawn from the Committee on Governmental Operations.

On motion by Senator Constantine, by two-thirds vote **CS for SB 730** was withdrawn from the Committee on Community Affairs; **CS for SB 1116** was withdrawn from the Committee on Criminal and Civil Justice Appropriations; **CS for CS for SB's 1094 and 326** was withdrawn from the Committee on General Government Appropriations; and **SB 230** and **SB 1486** were withdrawn from the Committee on Governmental Operations.

On motion by Senator Saunders, by two-thirds vote **CS for CS for SB 1914** was withdrawn from the Committee on Education Pre-K - 12; **CS for SB 790** and **SB 2564** were withdrawn from the Committee on Education Pre-K - 12 Appropriations; and **CS for SB 2866** was withdrawn from the Committee on Higher Education.

MOTIONS RELATING TO COMMITTEE MEETINGS

On motion by Senator Atwater, the rules were waived and the Committee on Health Regulation was granted permission to meet Friday, April 25 from 8:45 a.m. until 9:30 a.m. to consider **SB 46**.

On motion by Senator Fasano, the rules were waived and the Committee on Transportation and Economic Development Appropriations was granted permission to meet Thursday, April 24 from 4:00 p.m. until 6:00 p.m. to consider **CS for CS for SB 1978**.

MOTION

On motion by Senator King, by two-thirds vote **CS for SB 2422**, which passed April 17, was ordered immediately certified to the House.

RECESS

On motion by Senator King, the Senate recessed at 12:30 p.m. to reconvene at 1:30 p.m.

AFTERNOON SESSION

The Senate was called to order by the President at 1:47 p.m. A quorum present—39:

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

SPECIAL ORDER CALENDAR

On motion by Senator Fasano, by two-thirds vote **CS for HB 687** was withdrawn from the Committees on Military Affairs and Domestic Security; Governmental Operations; and General Government Appropriations.

On motion by Senator Fasano, by two-thirds vote—

CS for HB 687—A bill to be entitled An act relating to service-disabled veteran business enterprises; creating the Florida Service-Disabled Veteran Business Enterprise Opportunity Act; providing legislative intent; providing definitions; providing a selection preference in state contracting for certified service-disabled veteran business enterprises; providing a certification procedure to be established by the Department of Management Services and the Department of Veterans' Affairs and reviewed biennially and updated as necessary; providing requirements for application for, renewal of, and revocation of certification; providing duties of the departments; providing for data reporting by the Florida Small Business Development Center; authorizing the departments to adopt rules; amending s. 288.705, F.S.; requiring the center to report the percentage of service-disabled veteran business enterprises using the statewide contracts register; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 108** and by two-thirds vote read the second time by title.

Pursuant to Rule 4.19, **CS for HB 687** was placed on the calendar of Bills on Third Reading.

On motion by Senator Baker—

SB 1606—A bill to be entitled An act relating to license plates; amending s. 320.089, F.S.; expanding the types of veterans special license plates from which revenues may be used to fund state veterans' homes; providing for additional revenue from the sale of such plates to be used to construct, maintain, and operate the homes; amending s. 320.02, F.S.; providing for a check-off provision on motor vehicle registration application and renewal forms to authorize a voluntary donation to the state veterans' homes; providing an effective date.

—was read the second time by title.

Amendments were considered and adopted to conform **SB 1606** to **CS for HB 1027**.

Pending further consideration of **SB 1606** as amended, on motion by Senator Baker, by two-thirds vote **CS for HB 1027** was withdrawn from the Committees on Military Affairs and Domestic Security; Transportation; Finance and Tax; and Transportation and Economic Development Appropriations.

On motion by Senator Baker, by two-thirds vote—

CS for HB 1027—A bill to be entitled An act relating to funding for state veterans' homes; amending s. 320.089, F.S.; expanding the types

of veterans special license plates from which revenues may be used to fund state veterans' homes; providing for additional revenue from the sale of such plates to be used to construct, maintain, and operate the homes; amending s. 320.02, F.S.; providing for a check-off provision on motor vehicle registration application and renewal forms to authorize a voluntary donation to the state veterans' homes; providing an effective date.

—a companion measure, was substituted for **SB 1606** as amended and by two-thirds vote read the second time by title.

Pursuant to Rule 4.19, **CS for HB 1027** was placed on the calendar of Bills on Third Reading.

On motion by Senator Dean, by two-thirds vote **CS for HB 863** was withdrawn from the Committees on Military Affairs and Domestic Security; Governmental Operations; and Rules.

On motion by Senator Dean, by two-thirds vote—

CS for HB 863—A bill to be entitled An act relating to public records and meetings; amending s. 292.055, F.S.; providing an exemption from public records requirements for information concerning certain donors and prospective donors to the direct-support organization of the Department of Veterans' Affairs; providing an exemption from public meeting requirements for portions of meetings of the direct-support organization at which the identity of donors and prospective donors is discussed; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing a contingent effective date.

—a companion measure, was substituted for **CS for SB 1464** and by two-thirds vote read the second time by title.

Pursuant to Rule 4.19, **CS for HB 863** was placed on the calendar of Bills on Third Reading.

By Senator Dockery—

CS for SB 624—A bill to be entitled An act relating to human smuggling; creating s. 787.07, F.S.; defining the term "illegal alien"; providing that a person commits a third-degree felony if he or she transports an individual 18 years of age or older into this state and knows, or should know, that the individual is an illegal alien; providing that it is a second-degree felony if such illegal alien is injured or dies; providing that a person commits a second-degree felony if he or she transports a minor into this state and knows, or should know, that the minor is an illegal alien; providing that it is a first-degree felony if such illegal alien is injured or dies; providing that a person commits a separate offense for each person he or she unlawfully transports; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 624** was placed on the calendar of Bills on Third Reading.

On motion by Senator Dockery, by two-thirds vote **CS for HB 151** was withdrawn from the Committees on Criminal Justice; and Community Affairs.

On motion by Senator Dockery, by two-thirds vote—

CS for HB 151—A bill to be entitled An act relating to radio equipment using law enforcement frequencies; amending s. 843.16, F.S.; providing exceptions to prohibition on use of such equipment for specified personnel using personal transportation to and from work and for certain government employees; providing an effective date.

—a companion measure, was substituted for **CS for SB 522** and by two-thirds vote read the second time by title.

Pursuant to Rule 4.19, **CS for HB 151** was placed on the calendar of Bills on Third Reading.

On motion by Senator Storms, by two-thirds vote **HB 7077** was withdrawn from the Committees on Children, Families, and Elder Affairs; Criminal Justice; and Health and Human Services Appropriations.

On motion by Senator Storms, by unanimous consent—

HB 7077—A bill to be entitled An act relating to child protection; amending s. 39.01, F.S.; defining the term "child who has exhibited inappropriate sexual behavior"; amending s. 39.0121, F.S.; authorizing the Department of Children and Family Services to adopt rules providing for reporting, locating, recovering, and stabilizing missing children who are involved with the department; amending s. 39.0138, F.S.; specifying additional persons to be subject to a criminal history records check prior to placement of a child; requiring a criminal history records check of persons being considered for placement of a child to include a search of the department's automated abuse information system; authorizing the department to adopt rules establishing standards for evaluating such information; creating s. 39.0141, F.S.; requiring the department, the community-based care provider, or the appropriate law enforcement agency to file a report following a determination that a child involved with the department is missing; amending s. 39.201, F.S.; providing for additional methods to report suspected child abuse, abandonment, and neglect of a child or to report a child who has exhibited inappropriate sexual behavior; amending s. 39.301, F.S.; conforming language relating to reporting suspected child abuse, abandonment, and neglect; providing certain exceptions to the requirements that a child protective investigation be closed within 60 days; amending s. 39.307, F.S.; revising provisions relating to the provision of services to a child in cases of child-on-child sexual abuse to include a child who has exhibited inappropriate sexual behavior; revising terminology; amending s. 39.401, F.S.; requiring a law enforcement officer who takes a child into custody to release such child to an adoptive parent of the child's sibling, if the sibling was previously adopted; requiring judicial approval for the placement of a child with a nonrelative; amending s. 39.502, F.S.; requiring certain notice to foster and preadoptive parents of any hearings involving the child in their care; amending s. 39.503, F.S.; revising procedures relating to diligent searches for missing parents and relatives; amending s. 39.504, F.S.; revising procedures related to injunctions pending disposition of petition issued to protect a child; requiring that such injunctions remain in effect until modified or dissolved by the court; providing additional conditions for an injunction to protect a child from domestic violence; providing for process of service; authorizing law enforcement officers to exercise certain arrest powers; amending s. 39.507, F.S.; limiting a court to one order adjudicating dependency; providing for supplemental findings; correcting a cross-reference; amending s. 39.521, F.S.; providing an exception from the requirement for a predisposition study in dependency proceedings; correcting cross-references; amending s. 39.621, F.S.; requiring that an adoptive parent of a child's sibling be given the opportunity to apply to adopt such child if the child is available for adoption; requiring that such application be given priority consideration if it is in the best interest of the child; amending s. 39.701, F.S.; requiring that notice of a judicial review of a child's status be served on certain persons regardless of whether or not they attended a prior hearing at which the hearing was announced; amending s. 63.0541, F.S.; permitting certain information contained in the Florida Putative Father Registry to be disclosed to the department; amending s. 322.142, F.S.; authorizing the department to be provided copies of driver's license files maintained by the Department of Highway Safety and Motor Vehicles for the purpose of conducting protective investigations and expediting the determination of eligibility for public assistance; amending s. 402.401; providing for administration of the Florida Child Welfare Student Loan Forgiveness Program by the Department of Children and Family Services rather than the Department of Education; authorizing loan reimbursement to certain eligible employees; revising loan eligibility requirements; directing the Department of Children and Family Services to adopt rules to administer the program; amending s. 409.1671, F.S.; providing for certain coverage in lieu of personal motor vehicle insurance for automobiles not owned by a lead agency that are used for agency business; amending s. 409.175, F.S.; revising requirements for licensure as a foster home or child-caring agency; deleting the exemption from licensure for persons who receive a child from the department; clarifying that a permanent guardian is exempt from licensure; amending s. 787.04, F.S.; prohibiting a person from knowingly and willfully taking or removing a minor from the state or concealing the location of a minor during the pendency of a dependency proceeding or any other action concerning alleged abuse or neglect of the minor; amending s. 937.021, F.S.; requiring that a report of a missing child made by the department, a community-based care provider, or the appropriate law

enforcement agency be treated as a missing child report filed by a parent or guardian; prohibiting a law enforcement agency from requiring an order that a child be taken into custody or any other such order before accepting a missing child report for investigation; amending ss. 393.0661, 393.071, 393.125, 39.0015, 39.205, 39.302, 39.6011, 39.828, and 419.001, F.S.; conforming cross-references; amending s. 1, ch. 2007-174, Laws of Florida; extending the date for the repeal of provisions authorizing the reorganization of the Department of Children and Family Services; providing effective dates.

—a companion measure, was taken up out of order, by two-thirds vote substituted for **CS for CS for CS for SB 1048** and by two-thirds vote read the second time by title.

MOTION

On motion by Senator Storms, the rules were waived to allow the following amendment to be considered:

Senator Storms moved the following amendment:

Amendment 1 (784706)(with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Subsection (1) and paragraphs (e) and (g) of present subsection (31) of section 39.01, Florida Statutes, are amended, present subsections (14) through (74) are renumbered as subsections (15) through (75), respectively, and a new subsection (14) is added to that section, to read:

39.01 Definitions.—When used in this chapter, unless the context otherwise requires:

(1) "Abandoned" *or "abandonment"* means a situation in which the parent or legal custodian of a child or, in the absence of a parent or legal custodian, the caregiver ~~responsible for the child's welfare~~, while being able, makes no provision for the child's support *and has failed to establish or maintain a substantial and positive relationship with the child. For purposes of this subsection, "establish or maintain a substantial and positive relationship" includes, but is not limited to, frequent and regular contact with the child through frequent and regular visitation or frequent and regular communication to or with the child, and the exercise of parental rights and responsibilities. Marginal efforts and incidental or token visits or communications are not sufficient to establish or maintain a substantial and positive relationship with a child.* ~~and makes no effort to communicate with the child, which situation is sufficient to evince a willful rejection of parental obligations. If the efforts of the parent or legal custodian, or caregiver primarily responsible for the child's welfare, to support and communicate with the child are, in the opinion of the court, only marginal efforts that do not evince a settled purpose to assume all parental duties, the court may declare the child to be abandoned.~~ The term ~~"abandoned"~~ does not include an abandoned newborn infant as described in s. 383.50, a "child in need of services" as defined in chapter 984, or a "family in need of services" as defined in chapter 984. The incarceration of a parent, legal custodian, or caregiver responsible for a child's welfare may support a finding of abandonment.

(14) "Child who has exhibited inappropriate sexual behavior" means a child who is 12 years of age or younger and who has been found by the department or the court to have committed an inappropriate sexual act on himself or herself or another individual.

(32)~~(31)~~ "Harm" to a child's health or welfare can occur when any person:

(e) Abandons the child. Within the context of the definition of "harm," the term *"abandoned the child" or "abandonment of the child" means a situation in which the parent or legal custodian of a child or, in the absence of a parent or legal custodian, the caregiver, while being able, makes no provision for the child's support and has failed to establish or maintain a substantial and positive relationship with the child. For purposes of this paragraph, "establish or maintain a substantial and positive relationship" includes, but is not limited to, frequent and regular contact with the child through frequent and regular visitation or frequent and regular communication to or with the child, and the exercise of parental rights and responsibilities. Marginal efforts and incidental or token visits or communications are not sufficient to establish or maintain a substantial and positive relationship with a child.* ~~"abandons the child" means that the parent or legal custodian of a child or, in the absence of a parent or legal custodian, the person responsible for the child's welfare, while being able, makes no provision for the child's support and makes no effort to communicate with the child, which situation is sufficient to evince a willful rejection of parental obligation. If the efforts of the parent or legal custodian or person primarily responsible for the child's welfare to support and communicate with the child are only marginal efforts that do not evince a settled purpose to assume all parental duties, the child may be determined to have been abandoned.~~ The term "abandoned" does not include an abandoned newborn infant as described in s. 383.50.

(g) Exposes a child to a controlled substance or alcohol. Exposure to a controlled substance or alcohol is established by:

1. *A test, administered at birth, which indicated that the child's blood, urine, or meconium contained any amount of alcohol or a controlled substance or metabolites of such substances, the presence of which was not the result of medical treatment administered to the mother or the newborn infant* ~~Use by the mother of a controlled substance or alcohol during pregnancy when the child, at birth, is demonstrably adversely affected by such usage~~; or

2. *Evidence of extensive, abusive, and* ~~Continued~~ chronic ~~and severe~~ use of a controlled substance or alcohol by a parent when the child is demonstrably adversely affected by such usage.

As used in this paragraph, the term "controlled substance" means prescription drugs not prescribed for the parent or not administered as prescribed and controlled substances as outlined in Schedule I or Schedule II of s. 893.03.

Section 2. Subsection (16) is added to section 39.0121, Florida Statutes, to read:

39.0121 Specific rulemaking authority.—Pursuant to the requirements of s. 120.536, the department is specifically authorized to adopt, amend, and repeal administrative rules which implement or interpret law or policy, or describe the procedure and practice requirements necessary to implement this chapter, including, but not limited to, the following:

(16) Provisions for reporting, locating, recovering, and stabilizing children whose whereabouts become unknown while they are involved with the department and for preventing recurrences of such incidents. At a minimum, the rules must:

(a) Provide comprehensive, explicit, and consistent guidelines to be followed by the department's employees and contracted providers when the whereabouts of a child involved with the department is unknown.

(b) Include criteria to determine when a child is missing for purposes of making a report to a law enforcement agency, and require that in all cases in which a law enforcement agency has accepted a case for criminal investigation pursuant to s. 39.301(2)(c) and the child's whereabouts are unknown, the child shall be considered missing and a report made.

(c) Include steps to be taken by employees and contracted providers to ensure and provide evidence that parents and guardians have been advised of the requirements of s. 787.04(3) and that violations are reported.

Section 3. Subsection (1) of section 39.0138, Florida Statutes, is amended to read:

39.0138 Criminal history records check; limit on placement of a child.—

(1) The department shall conduct a criminal history records check *on* ~~for~~ all persons being considered by the department ~~for approval~~ for placement of a child subject to a placement decision under this chapter*, including all nonrelative placement decisions, all members of the household of the person being considered, and frequent visitors to the household*. For purposes of this section, a criminal history records check may include, but is not limited to, submission of fingerprints to the Department of Law Enforcement for processing and forwarding to the Federal Bureau of Investigation for state and national criminal history information, and local criminal records checks through local law enforcement agencies. *A criminal history records check must also include a search of the department's automated abuse information system. The department*

shall establish by rule standards for evaluating any information contained in the automated system relating to a person who must be screened for purposes of making a placement decision.

Section 4. Section 39.0141, Florida Statutes, is created to read:

39.0141 Missing children; report required.—Whenever the whereabouts of a child involved with the department becomes unknown, the department, the community-based care provider, or the sheriff's office providing investigative services for the department shall make reasonable efforts, as defined by rule, to locate the child. If, pursuant to criteria established by rule, the child is determined to be missing, the department, the community-based care provider, or the sheriff's office shall file a report that the child is missing in accordance with s. 937.021.

Section 5. Subsections (2), (4), and (7) of section 39.201, Florida Statutes, are amended to read:

39.201 Mandatory reports of child abuse, abandonment, or neglect; mandatory reports of death; central abuse hotline.—

(2)(a) Each report of known or suspected child abuse, abandonment, or neglect by a parent, legal custodian, caregiver, or other person responsible for the child's welfare as defined in this chapter, except those solely under s. 827.04(3), and each report that a child is in need of supervision and care and has no parent, legal custodian, or responsible adult relative immediately known and available to provide supervision and care shall be made immediately to the department's central abuse hotline. *Such reports may be made* on the single statewide toll-free telephone number *or by fax or e-mail*. Personnel at the ~~department's central abuse~~ hotline shall determine if the report received meets the statutory definition of child abuse, abandonment, or neglect. Any report meeting one of these definitions shall be accepted for the protective investigation pursuant to part III of this chapter.

(b) If the report is of an instance of known or suspected child abuse by someone other than a parent, legal custodian, caregiver, or other person responsible for the child's welfare as defined in this chapter, the call *or report* shall be immediately electronically transferred to the appropriate county sheriff's office by the central abuse hotline.

(c) If the report is of an instance of known or suspected child abuse, abandonment, or neglect that occurred out of state and the alleged perpetrator and the child alleged to be a victim live out of state, the central abuse hotline *may* ~~shall~~ not accept the call *or report* for investigation, but shall transfer the information ~~on the report~~ to the appropriate state.

(d) If the report is of an instance of known or suspected child abuse involving impregnation of a child under 16 years of age by a person 21 years of age or older solely under s. 827.04(3), the report shall be made immediately to the appropriate county sheriff's office or other appropriate law enforcement agency. If the report is of an instance of known or suspected child abuse solely under s. 827.04(3), the reporting provisions of this subsection do not apply to health care professionals or other persons who provide medical or counseling services to pregnant children when such reporting would interfere with the provision of medical services.

(e) Reports involving known or suspected institutional child abuse or neglect shall be made and received in the same manner as all other reports made pursuant to this section.

(f) Reports involving a known or suspected juvenile sexual offender *or a child who has exhibited inappropriate sexual behavior* shall be made and received by the department.

1. The department shall determine the age of the alleged ~~juvenile sexual~~ offender*,* if known.

2. *If* ~~When~~ the alleged ~~juvenile sexual~~ offender is 12 years of age or younger, the central abuse hotline shall immediately electronically transfer the call *or report* to the appropriate law enforcement agency office. The department shall conduct an assessment and assist the family in receiving appropriate services pursuant to s. 39.307, and send a written report of the allegation to the appropriate county sheriff's office within 48 hours after the initial report is made to the central abuse hotline.

3. *If* ~~When~~ the alleged ~~juvenile sexual~~ offender is 13 years of age or older, the *central abuse hotline* ~~department~~ shall immediately electronically transfer the call *or report* to the appropriate county sheriff's office by the central abuse hotline, and send a written report to the appropriate county sheriff's office within 48 hours after the initial report to the central abuse hotline.

(g) Reports involving abandoned newborn infants as described in s. 383.50 shall be made and received by the department.

1. If the report is of an abandoned newborn infant as described in s. 383.50 and there is no indication of abuse, neglect, or abandonment other than that ~~necessarily~~ entailed in the infant having been left at a hospital, emergency medical services station, or fire station, the department shall provide to the caller the name of a licensed child-placing agency on a rotating basis from a list of licensed child-placing agencies eligible and required to accept physical custody of and to place newborn infants left at a hospital, emergency medical services station, or fire station. The report *may* ~~shall~~ not be considered a report of abuse, neglect, or abandonment solely because the infant has been left at a hospital, emergency medical services station, or fire station pursuant to s. 383.50.

2. If the *call, fax, or e-mail includes* ~~caller reports~~ indications of abuse or neglect beyond that necessarily entailed in the infant having been left at a hospital, emergency medical services station, or fire station, the report shall be considered ~~as~~ a report of abuse, neglect, or abandonment and *is* ~~shall be~~ subject to the requirements of s. 39.395 and all other relevant provisions of this chapter, notwithstanding any provisions of chapter 383.

(h) Hotline counselors shall receive periodic training in encouraging reporters to provide their names when reporting abuse, abandonment, or neglect. Callers shall be advised of the confidentiality provisions of s. 39.202. The department shall secure and install electronic equipment that automatically provides to the hotline the number from which the call *or fax* is placed*, or the Internet protocol (IP) address from which the e-mail report is received*. This number *or address* shall be entered into the report of abuse, abandonment, or neglect and become a part of the record of the report, but shall enjoy the same confidentiality as provided to the identity of the *reporter* ~~caller~~ pursuant to s. 39.202.

(i) The department shall voice-record all incoming or outgoing calls that are received or placed by the central abuse hotline *and shall maintain an electronic copy of each fax or e-mail that relates* ~~which relate~~ to suspected or known child abuse, neglect, or abandonment. The recording *or electronic copy of each fax and e-mail* shall become a part of the record of the report but, notwithstanding s. 39.202, shall be released in full only to law enforcement agencies and state attorneys for the purpose of investigating and prosecuting criminal charges pursuant to s. 39.205, or to employees of the department for the purpose of investigating and seeking administrative penalties pursuant to s. 39.206. ~~Nothing in~~ This paragraph *does not* ~~shall~~ prohibit the use of the recordings *or electronic copies of faxes or e-mails* by hotline staff for quality assurance and training.

(4) The department shall establish and maintain a central abuse hotline to receive all reports made pursuant to this section in writing*, by fax or e-mail,* or through a single statewide toll-free telephone number, which any person may use to report known or suspected child abuse, abandonment, or neglect at any hour of the day or night, any day of the week. The central abuse hotline shall be operated in such a manner as to enable the department to:

(a) Immediately identify and locate prior reports or cases of child abuse, abandonment, or neglect through *the use* ~~utilization~~ of the department's automated tracking system.

(b) Monitor and evaluate the effectiveness of the department's program for reporting and investigating suspected abuse, abandonment, or neglect of children through the development and analysis of statistical and other information.

(c) Track critical steps in the investigative process to ensure compliance with all requirements for any report of abuse, abandonment, or neglect.

(d) Maintain and produce aggregate statistical reports monitoring patterns of child abuse, child abandonment, and child neglect. The department shall collect and analyze child-on-child sexual abuse reports and include the information in aggregate statistical reports.

(e) Serve as a resource for the evaluation, management, and planning of preventive and remedial services for children who have been subject to abuse, abandonment, or neglect.

(f) Initiate and enter into agreements with other states for the purpose of gathering and sharing information contained in reports on child maltreatment to further enhance programs for the protection of children.

(7) On an ongoing basis, the department's quality assurance program shall review calls *and reports* to the hotline involving three or more unaccepted reports on a single child, where jurisdiction applies, in order to detect such things as harassment and situations that warrant an investigation because of the frequency or variety of the source of the reports. The Program Director for Family Safety may refer a case for investigation when it is determined, as a result of this review, that an investigation may be warranted.

Section 6. Subsections (1) and (16) of section 39.301, Florida Statutes, are amended to read:

39.301 Initiation of protective investigations.—

(1) Upon receiving *a* ~~an oral or written~~ report of known or suspected child abuse, abandonment, or neglect, or that a child is in need of supervision and care and has no parent, legal custodian, or responsible adult relative immediately known and available to provide supervision and care, the central abuse hotline shall determine if the report requires an immediate onsite protective investigation. For reports requiring an immediate onsite protective investigation, the central abuse hotline shall immediately notify the department's designated ~~children and families~~ district staff responsible for protective investigations to ensure that an onsite investigation is promptly initiated. For reports not requiring an immediate onsite protective investigation, the central abuse hotline shall notify the department's designated ~~children and families~~ district staff responsible for protective investigations in sufficient time to allow for an investigation. At the time of notification ~~of district staff with respect to the report~~, the central abuse hotline shall also provide information *to district staff* on any previous report concerning a subject of the present report or any pertinent information relative to the present report or any noted earlier reports.

(16) *The department shall complete its protective investigation within* ~~No later than~~ 60 days after receiving the initial report, *unless:* ~~the local office of the department shall complete its investigation.~~

(a) There is also an active, concurrent criminal investigation that is continuing beyond the 60-day period and the closure of the protective investigation may compromise successful criminal prosecution of the child abuse or neglect case, in which case the closure date shall coincide with the closure date of the criminal investigation and any resulting legal action.

(b) In child death cases, the final report of the medical examiner is necessary for the department to close its investigation, and the report has not been received within the 60-day period, in which case the report closure date shall be extended to accommodate to the report.

(c) A child who is necessary to an investigation has been declared missing by the department, a law enforcement agency, or a court, in which case the 60-day period shall be extended until the child has been located or until sufficient information exists to close the investigation despite the unknown location of the child.

Section 7. Subsections (2), (3), (4), and (5) of section 39.307, Florida Statutes, are amended to read:

39.307 Reports of child-on-child sexual abuse.—

(2) District staff, at a minimum, shall adhere to the following procedures:

(a) The purpose of the response to a report alleging juvenile sexual abuse behavior shall be explained to the caregiver.

1. The purpose of the response shall be explained in a manner consistent with legislative purpose and intent provided in this chapter.

2. The name and office telephone number of the person responding shall be provided to the caregiver of the alleged juvenile sexual offender *or child who has exhibited inappropriate sexual behavior* and *the* victim's caregiver.

3. The possible consequences of the department's response, including outcomes and services, shall be explained to the caregiver of the alleged juvenile sexual offender *or child who has exhibited inappropriate sexual behavior* and the victim's ~~family or~~ caregiver.

(b) The caregiver of the alleged juvenile sexual offender *or child who has exhibited inappropriate sexual behavior* and the *victim's* caregiver ~~of the victim~~ shall be involved to the fullest extent possible in determining the nature of the allegation and the nature of any problem or risk to other children.

(c) The assessment of risk and the perceived treatment needs of the alleged juvenile sexual offender *or child who has exhibited inappropriate sexual behavior*, the victim, and respective caregivers shall be conducted by the district staff, the child protection team of the Department of Health, and other providers under contract with the department to provide services to the caregiver of the alleged offender, the victim, and the victim's caregiver.

(d) The assessment shall be conducted in a manner that is sensitive to the social, economic, and cultural environment of the family.

(e) *If* ~~When~~ necessary, the child protection team of the Department of Health shall conduct a physical examination of the victim*,* which is sufficient to meet forensic requirements.

(f) Based on the information obtained from the alleged juvenile sexual offender *or child who has exhibited inappropriate sexual behavior*, *his or her* ~~the alleged juvenile sexual offender's~~ caregiver, the victim, and the victim's caregiver, an assessment service and treatment needs report must be completed within 7 days and, if needed, a case plan developed within 30 days.

(g) The department shall classify the outcome of ~~its initial assessment of~~ the report as follows:

1. Report closed. Services were not offered ~~to the alleged juvenile sexual offender~~ because the department determined that there was no basis for intervention.

2. Services accepted by alleged offender. Services were offered to the alleged juvenile sexual offender *or child who has exhibited inappropriate sexual behavior* and accepted by the caregiver.

3. Report closed. Services were offered to the alleged juvenile sexual offender *or child who has exhibited inappropriate sexual behavior*, but were rejected by the caregiver.

4. Notification to law enforcement. ~~Either~~ The risk to the victim's safety and well-being cannot be reduced by the provision of services or the *caregiver* ~~family~~ rejected services, and notification of the alleged delinquent act or violation of law to the appropriate law enforcement agency was initiated.

5. Services accepted by victim. Services were offered to the victim ~~of the alleged juvenile sexual offender~~ and accepted by the caregiver.

6. Report closed. Services were offered to the victim ~~of the alleged juvenile sexual offender,~~ but were rejected by the caregiver.

(3) *If* ~~When~~ services have been accepted by the alleged juvenile sexual offender *or child who has exhibited inappropriate sexual behavior*, *the* victim, and respective caregivers ~~or family~~, the department shall designate a case manager and develop a specific case plan.

(a) Upon receipt of the plan, the caregiver ~~or family~~ shall indicate its acceptance of the plan in writing.

(b) The case manager shall periodically review the progress toward achieving the objectives of the plan in order to:

1. Make adjustments to the plan or take additional action as provided in this part; or

2. Terminate the case *if* ~~when~~ indicated by successful or substantial achievement of the objectives of the plan.

(4) Services provided to the alleged juvenile sexual offender or child who has exhibited inappropriate sexual behavior, the victim, and respective caregivers or family must be voluntary and of necessary duration.

(5)~~(4)~~ *If* ~~In the event~~ the family or caregiver of the alleged juvenile sexual offender *or child who has exhibited inappropriate sexual behavior* fails to adequately participate or allow for the adequate participation of the *child* ~~juvenile sexual offender~~ in the services or treatment delineated in the case plan, the case manager may recommend that the department:

(a) Close the case;

(b) Refer the case to mediation or arbitration, if available; or

(c) Notify the appropriate law enforcement agency of failure to comply.

~~(5) Services to the alleged juvenile sexual offender, the victim, and respective caregivers or family under this section shall be voluntary and of necessary duration.~~

Section 8. Subsections (2) and (3) of section 39.401, Florida Statutes, are amended, and subsection (5) is added to that section, to read:

39.401 Taking a child alleged to be dependent into custody; law enforcement officers and authorized agents of the department.—

(2) If the law enforcement officer takes the child into custody, that officer shall:

(a) Release the child to:

1. The parent or legal custodian of the child;

2. A responsible adult approved by the court when limited to temporary emergency situations;

3. A responsible adult relative who shall be given priority consideration over a nonrelative placement when this is in the best interests of the child; ~~or~~

4. The adoptive parent of the child's sibling, if such sibling was previously adopted, who shall be given priority consideration over a nonrelative placement if it is in the best interest of the child to do so; or

5.~~4.~~ A responsible adult approved by the department; or

(b) Deliver the child to an authorized agent of the department, stating the facts by reason of which the child was taken into custody and sufficient information to establish probable cause that the child is abandoned, abused, or neglected, or otherwise dependent.

For cases involving allegations of abandonment, abuse, or neglect, or other dependency cases, within 3 days after such release or within 3 days after delivering the child to an authorized agent of the department, the law enforcement officer who took the child into custody shall make a full written report to the department.

(3) If the child is taken into custody by, or is delivered to, an authorized agent of the department, the ~~authorized~~ agent shall review the facts supporting the removal with an attorney representing the department. The purpose of *the* ~~this~~ review *is* ~~shall be~~ to determine whether *there is* probable cause ~~exists~~ for the filing of a shelter petition.

(a) If the facts are not sufficient ~~to support the filing of a shelter petition~~, the child shall immediately be returned to the custody of the parent or legal custodian.

(b) If the facts are sufficient ~~to support the filing of the shelter petition~~ and the child has not been returned to the custody of the parent or legal custodian, the department shall file the petition and schedule a hearing, and the attorney representing the department shall request that a shelter hearing be held *within* ~~as quickly as possible, not to exceed~~ 24 hours after the removal of the child. While awaiting the shelter hearing, the authorized agent of the department may place the child in licensed shelter care or may release the child to a parent or legal custodian or responsible adult relative who shall be given priority consideration over a licensed placement, or a responsible adult approved by the department *if* ~~when~~ this is in the best interests of the child. ~~Any~~ Placement of a child which is not in a licensed shelter must be preceded by a *criminal history records check as required under s. 39.0138* ~~local and state criminal records check, as well as a search of the department's automated abuse information system, on all members of the household, to assess the child's safety within the home~~. In addition, the department may authorize placement of a housekeeper/homemaker in the home of a child alleged to be dependent until the parent or legal custodian assumes care of the child.

(5) Judicial review and approval is required within 24 hours after placement for all nonrelative placements. A nonrelative placement must be for a specific and predetermined period of time, not to exceed 12 months, and shall be reviewed by the court at least every 6 months. If the nonrelative placement continues for longer than 12 months, the department shall request the court to establish permanent guardianship or require that the nonrelative seek licensure as a foster care provider within 30 days after the court decision.

Section 9. Subsection (17) of section 39.502, Florida Statutes, is amended to read:

39.502 Notice, process, and service.—

(17) The parent or legal custodian of the child, the attorney for the department, the guardian ad litem, *the foster or preadoptive parents,* and all other parties and participants shall be given reasonable notice of all *proceedings and* hearings provided for under this part. *All foster or preadoptive parents must be provided with at least 72 hours' notice, verbally or in writing, of all proceedings or hearings relating to children in their care or children they are seeking to adopt to ensure the ability to provide input to the court.*

Section 10. Subsection (6) of section 39.503, Florida Statutes, is amended to read:

39.503 Identity or location of parent unknown; special procedures.—

(6) The diligent search required by subsection (5) must include, at a minimum, inquiries of all relatives of the parent or prospective parent made known to the petitioner, inquiries of all offices of program areas of the department likely to have information about the parent or prospective parent, inquiries of other state and federal agencies likely to have information about the parent or prospective parent, inquiries of appropriate utility and postal providers, *a thorough search of at least one electronic database specifically designed for locating persons,* and inquiries of appropriate law enforcement agencies. Pursuant to s. 453 of the Social Security Act, 42 U.S.C. s. 653(c)(4), the department, as the state agency administering Titles IV-B and IV-E of the act, shall be provided access to the federal and state parent locator service for diligent search activities.

Section 11. Section 39.504, Florida Statutes, is amended to read:

39.504 Injunction pending disposition of petition; penalty.—

(1)~~(a)~~ *At any time after a protective investigation has been initiated pursuant to part III of this chapter* ~~When a petition for shelter placement or a petition for dependency has been filed or when a child has been taken into custody and reasonable cause, as defined in paragraph (b), exists~~, the court, upon the request of the department, a law enforcement officer, the state attorney, or other responsible person, or upon its own motion, *may, if there is reasonable cause,* ~~shall have the authority to~~ issue an injunction to prevent any act of child abuse ~~or any unlawful sexual offense involving a child~~.

~~(b)~~ Reasonable cause for the issuance of an injunction exists if there is evidence of child abuse ~~or an unlawful sexual offense involving a child~~ or if there is a reasonable likelihood of such abuse ~~or offense~~ occurring based upon a recent overt act or failure to act.

(2) Notice shall be provided to the parties as set forth in the Florida Rules of Juvenile Procedure, unless the child is reported to be in imminent danger, in which case the court may issue an injunction immediately. A judge may issue an emergency injunction pursuant to this section without notice *if* ~~at times when~~ the court is closed for the transaction of judicial business. *If* ~~When such~~ an immediate injunction is issued, the court *must* ~~shall~~ hold a hearing on the next day of judicial business ~~either~~ to dissolve the injunction or to continue or modify it in accordance with ~~the other provisions of~~ this section.

(3)~~(a)~~ *If* ~~In every instance in which~~ an injunction is issued under this section, the *primary* purpose of the injunction *must be* ~~shall be primarily~~ to protect and promote the best interests of the child, taking the preservation of the child's immediate family into consideration. ~~The effective period of the injunction shall be determined by the court, except that the injunction will expire at the time of the disposition of the petition for shelter placement or dependency.~~

(a)~~(b)~~ The injunction shall apply to the alleged or actual offender in a case of child abuse or *acts of domestic violence* ~~an unlawful sexual offense involving a child~~. The conditions of the injunction shall be determined by the court, which conditions may include ordering the alleged or actual offender to:

1. Refrain from further abuse or *acts of domestic violence* ~~unlawful sexual activity involving a child~~.

2. Participate in a specialized treatment program.

3. Limit contact or communication with the child victim, other children in the home, or any other child.

4. Refrain from contacting the child at home, school, work, or wherever the child may be found.

5. Have limited or supervised visitation with the child.

6. Pay temporary support for the child or other family members; the costs of medical, psychiatric, and psychological treatment for the child ~~victim~~ incurred as a result of the offenses; and similar costs for other family members.

7. Vacate the home in which the child resides.

(b)~~(c)~~ *If the intent of the injunction is to protect the child from domestic violence, the conditions may also include:*

1. Awarding the exclusive use and possession of the dwelling to the caregiver or excluding the alleged or actual offender from the residence of the caregiver.

2. Awarding temporary custody of the child to the caregiver.

3. Establishing temporary support for the child. ~~At any time prior to the disposition of the petition, the alleged or actual offender may offer the court evidence of changed circumstances as a ground to dissolve or modify the injunction.~~

This paragraph does not preclude the adult victim of domestic violence from seeking protection under s. 741.30.

(c) The terms of the injunction shall remain in effect until modified or dissolved by the court. The petitioner, respondent, or caregiver may move at any time to modify or dissolve the injunction. The injunction is valid and enforceable in all counties in the state.

(4) *Service of process on the respondent shall be carried out pursuant to s. 741.30. The department shall deliver* a copy of any injunction issued pursuant to this section ~~shall be delivered~~ to the protected party~~,~~ or *to* a parent*,* ~~or~~ caregiver*,* or individual acting in the place of a parent who is not the respondent~~, and to any law enforcement agency having jurisdiction to enforce such injunction~~. *Law enforcement officers may exercise their arrest powers as provided in s. 901.15(6) to enforce the terms of the injunction.* ~~Upon delivery of the injunction to the appropriate law enforcement agency, the agency shall have the duty and responsibility to enforce the injunction.~~

(5) Any person who fails to comply with an injunction issued pursuant to this section *commits* ~~is guilty of~~ a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

Section 12. Subsection (7) of section 39.507, Florida Statutes, is amended to read:

39.507 Adjudicatory hearings; orders of adjudication.—

(7)*(a) For as long as a court maintains jurisdiction over a dependency case, only one order adjudicating each child in the case dependent shall be entered. This order establishes the legal status of the child for purposes of proceedings under this chapter and may be based on the conduct of one parent, both parents, or a legal custodian.*

(b) Upon a properly noticed motion, a subsequent evidentiary hearing may be held regarding the conduct of one parent, both parents, or a custodian. With court approval, supplemental findings made beyond a preponderance of the evidence may be entered. The child's dependency status may not be retried or readjudicated.

(c) If a court adjudicates a child dependent and the child is in out-of-home care, the court shall inquire of the parent or parents whether the parents have relatives who might be considered as a placement for the child. The court shall advise the parents that, if the parents fail to substantially comply with the case plan, their parental rights may be terminated and that the child's out-of-home placement may become permanent. The parent or parents shall provide to the court and all parties identification and location information of the relatives.

Section 13. Paragraphs (a) and (f) of subsection (1) of section 39.521, Florida Statutes, are amended to read:

39.521 Disposition hearings; powers of disposition.—

(1) A disposition hearing shall be conducted by the court, if the court finds that the facts alleged in the petition for dependency were proven in the adjudicatory hearing, or if the parents or legal custodians have consented to the finding of dependency or admitted the allegations in the petition, have failed to appear for the arraignment hearing after proper notice, or have not been located despite a diligent search having been conducted.

(a) A written case plan and a predisposition study prepared by an authorized agent of the department must be filed with the court*,* ~~and~~ served upon the parents of the child, provided to the representative of the guardian ad litem program, if the program has been appointed, and provided to all other parties~~,~~ not less than 72 hours before the disposition hearing. All such case plans must be approved by the court. If the court does not approve the case plan at the disposition hearing, the court must set a hearing within 30 days after the disposition hearing to review and approve the case plan. *The court may grant an exception to the requirement for a predisposition study by separate order or within the judge's order of disposition upon finding that all the family and child information required by subsection (2) is available in other documents filed with the court.*

(f) If the court places the child in an out-of-home placement, the disposition order must include a written determination that the child cannot safely remain at home with reunification or family preservation services and that removal of the child is necessary to protect the child. If the child *is* ~~has been~~ removed before the disposition hearing, the order must also include a written determination as to whether, after removal, the department ~~has~~ made a reasonable effort to reunify the parent and child~~, if reasonable efforts are required~~. Reasonable efforts to reunify are not required if the court *finds* ~~has found~~ that any of the acts listed in *s. 39.806(1)(f)-(l)* ~~s. 39.806(1)(f)-(i)~~ have occurred. The department has the burden of demonstrating that it ~~has~~ made reasonable efforts ~~under this paragraph~~.

1. For the purposes of this paragraph, the term "reasonable effort" means the exercise of reasonable diligence and care by the department to provide the services ordered by the court or delineated in the case plan.

2. In support of its determination as to whether reasonable efforts have been made, the court shall:

a. Enter written findings as to whether ~~or not~~ prevention or reunification efforts were indicated.

b. If prevention or reunification efforts were indicated, include a brief written description of what appropriate and available prevention and reunification efforts were made.

c. Indicate in writing why further efforts could or could not have prevented or shortened the separation of the parent and child.

3. A court may find that the department ~~has~~ made a reasonable effort to prevent or eliminate the need for removal if:

a. The first contact of the department with the family occurs during an emergency;

b. The appraisal by the department of the home situation indicates ~~that it presents~~ a substantial and immediate danger to the child's safety or physical, mental, or emotional health which cannot be mitigated by the provision of preventive services;

c. The child cannot safely remain at home, ~~either~~ because there are no preventive services that can ensure the health and safety of the child or, even with appropriate and available services being provided, the health and safety of the child cannot be ensured; or

d. The parent is alleged to have committed any of the acts listed as grounds for expedited termination of parental rights *under s. 39.806(1)(f)-(l)* ~~in s. 39.806(1)(f)-(i)~~.

4. A reasonable effort by the department for reunification ~~of the parent and child~~ has been made if the appraisal of the home situation by the department indicates that the severity of the conditions of dependency is such that reunification efforts are inappropriate. The department has the burden of demonstrating to the court that reunification efforts were inappropriate.

5. If the court finds that the prevention or reunification effort of the department would not have permitted the child to remain safely at home, the court may commit the child to the temporary legal custody of the department or take any other action authorized by this chapter.

Section 14. Subsection (6) of section 39.621, Florida Statutes, is amended to read:

39.621 Permanency determination by the court.—

(6) If a child will not be reunited with a parent, adoption, under chapter 63, is the primary permanency option. *If the child is a sibling of a previously adopted child and the child becomes available for adoption, the adoptive parent of the previously placed sibling shall be offered the opportunity to apply to adopt the child and the adoptive parent's application shall be given the same consideration as a relative's application for adoption.* If the child is placed with a relative or with a relative of the child's half-brother or half-sister as a permanency option, the court may recognize the permanency of this placement without requiring the relative to adopt the child. If the court approves a permanency goal of permanent guardianship of a dependent child, placement with a fit and willing relative, or another planned permanent living arrangement, the court shall make findings as to why this permanent placement is established without adoption of the child to follow. If the court approves a permanency goal of another planned permanent living arrangement, the court shall document the compelling reasons for choosing this goal.

Section 15. Subsection (5) of section 39.701, Florida Statutes, is amended to read:

39.701 Judicial review.—

(5) Notice of a judicial review hearing or a citizen review panel hearing, and a copy of the motion for judicial review, if any, must be served by the clerk of the court upon *all of the following persons regardless of whether the person was present at the previous hearing at which the date, time, and location of the hearing was announced*:

(a) The social service agency charged with the supervision of care, custody, or guardianship of the child, if that agency is not the movant.

(b) The foster parent or legal custodian in whose home the child resides.

(c) The parents.

(d) The guardian ad litem for the child, or the representative of the guardian ad litem program if the program has been appointed.

(e) The attorney for the child.

(f) The child, if the child is 15 years of age or older.

(g)~~(e)~~ Any preadoptive parent.

(h)~~(f)~~ Such other persons as the court may ~~in its discretion~~ direct.

~~Service of notice is not required on any of the persons listed in paragraphs (a)-(f) if the person was present at the previous hearing during which the date, time, and location of the hearing was announced.~~

Section 16. Subsection (1) of section 39.8055, Florida Statutes, is amended to read:

39.8055 Requirement to file a petition to terminate parental rights; exceptions.—

(1) The department shall file a petition to terminate parental rights within 60 days after any of the following if:

(a) At the time of the 12-month judicial review hearing, a child is not returned to the physical custody of the parents;

(b) A petition for termination of parental rights has not otherwise been filed, and the child has been in out-of-home care under the responsibility of the state for *12* ~~15~~ of the most recent 22 months, calculated on a cumulative basis, but not including any trial home visits or time during which the child was a runaway;

(c) A parent has been convicted of *the* murder ~~of the other parent~~, manslaughter ~~of the other parent~~, aiding or abetting *the murder,* or conspiracy or solicitation to murder the other parent *or another child of the parent*, or a felony battery that resulted in serious bodily injury to the child or to *another* ~~any other~~ child of the parent; or

(d) A court determines that reasonable efforts to reunify the child and parent are not required.

Section 17. Paragraphs (e) though (h) of subsection (1) of section 39.806, Florida Statutes, are amended, paragraphs (j), (k), and (l) are added to that subsection, and subsections (2), (3), and (4) of that section are amended, to read:

39.806 Grounds for termination of parental rights.—

(1) Grounds for the termination of parental rights may be established under any of the following circumstances:

(e) *The* ~~When a~~ child has been adjudicated dependent, a case plan has been filed with the court, and *the parent or parents have materially breached the case plan. For purposes of this subsection, the term "materially breached" means*:

1. The child continues to be abused, neglected, or abandoned by the *parent or* parents. ~~In this case,~~ The failure of the *parent or* parents to substantially comply for a period of *9-months* ~~12 months~~ after an adjudication of the child as a dependent child or the child's placement into shelter care, whichever *occurs* ~~came~~ first, constitutes evidence of continuing abuse, neglect, or abandonment unless the failure to substantially comply with the case plan was due ~~either~~ to the *parent's* lack of financial resources ~~of the parents~~ or to the failure of the department to make reasonable efforts to reunify the parent and child. The *9-month* ~~12-month~~ period begins to run only after the child's placement into shelter care or the entry of a disposition order placing the custody of the child with the department or a person other than the parent and the *court's* approval ~~by the court~~ of a case plan *having the* ~~with a~~ goal of reunification with the parent, whichever *occurs* ~~came~~ first; ~~or~~

2. *The parent or parents are unlikely or unable* ~~The parent has materially breached the case plan by making it unlikely that he or she will be able~~ to substantially comply with the case plan before the time for compliance expires*; or*. ~~Time is of the essence for permanency of children in the dependency system. In order to prove the parent has materially breached the case plan, the court must find by clear and convincing evidence that the parent is unlikely or unable to substantially comply with the case plan before time expires to comply with the case plan.~~

3. The parent or parents, although able, fail to maintain frequent and regular contact with the child through frequent and regular visitation or communication.

(f) ~~When~~ The parent or parents engaged in egregious conduct or had the opportunity and capability to prevent and knowingly failed to prevent egregious conduct that threatens the life, safety, or physical, mental, or emotional health of the child or the child's sibling.

1. As used in this subsection, the term "sibling" means another child who resides with or is cared for by the parent or parents regardless of whether the child is related legally or by consanguinity.

2. As used in this subsection, the term "egregious conduct" means abuse, abandonment, neglect, or any other conduct ~~of the parent or parents~~ that is deplorable, flagrant, or outrageous by a normal standard of conduct. Egregious conduct may include an act or omission that occurred only once but was of such intensity, magnitude, or severity as to endanger the life of the child.

(g) ~~When~~ The parent or parents have subjected the child *or another child* to aggravated child abuse as defined in s. 827.03, sexual battery or sexual abuse as defined in s. 39.01, or chronic abuse.

(h) ~~When~~ The parent or parents have *been convicted of the murder, manslaughter, aiding or abetting the murder, or conspiracy or solicitation to murder the other parent or another child, or a felony battery that resulted in serious bodily injury to the child or to another child* ~~committed murder or voluntary manslaughter of another child, or a felony assault that results in serious bodily injury to the child or another child, or aided or abetted, attempted, conspired, or solicited to commit such a murder or voluntary manslaughter or felony assault~~.

(i) ~~When~~ The parental rights of the parent to a sibling *of the child* have been terminated involuntarily.

(j) The parent or parents have a history of extensive, abusive, and chronic use of alcohol or a controlled substance which renders them incapable of caring for the child, and have refused or failed to complete available treatment for such use during the 3-year period immediately preceding the filing of the petition for termination of parental rights.

(k) A test administered at birth that indicated that the child's blood, urine, or meconium contained any amount of alcohol or a controlled substance or metabolites of such substances, the presence of which was not the result of medical treatment administered to the mother or the newborn infant, and the biological mother of the child is the biological mother of at least one other child who was adjudicated dependent after a finding of harm to the child's health or welfare due to exposure to a controlled substance or alcohol as defined in s. 39.01(31)(g), after which the biological mother had the opportunity to participate in substance abuse treatment.

(l) On three or more occasions the child or another child of the parent or parents has been placed in out-of-home care pursuant to this chapter, and the conditions that led to the child's out-of-home placement were caused by the parent or parents.

(2) Reasonable efforts to preserve and reunify families are not required if a court of competent jurisdiction has determined that any of the events described in paragraphs *(1)(e)-(l)* ~~(1)(e)-(i)~~ have occurred.

(3) *If* ~~When~~ a petition for termination of parental rights is filed under subsection (1), a separate petition for dependency need not be filed and the department need not offer the parents a case plan *having* ~~with~~ a goal of reunification, but may instead file with the court a case plan *having* ~~with~~ a goal of termination of parental rights to allow continuation of services until the termination is granted or until further orders of the court are issued.

(4) *If* ~~When~~ an expedited termination of parental rights petition is filed, reasonable efforts shall be made to place the child in a timely manner in accordance with the permanency plan, and to complete whatever steps are necessary to finalize the permanent placement of the child.

Section 18. Section 39.810, Florida Statutes, is amended to read:

39.810 Manifest best interests of the child.—In a hearing on a petition for termination of parental rights, the court shall consider the manifest best interests of the child. This consideration shall not include a comparison between the attributes of the parents and those of any persons providing a present or potential placement for the child. For the purpose of determining the manifest best interests of the child, the court shall consider and evaluate all relevant factors, including, but not limited to:

(1) Any suitable permanent custody arrangement with a relative of the child. However, the availability of a nonadoptive placement with a relative may not receive greater consideration than any other factor weighing on the manifest best interest of the child and may not be considered as a factor weighing against termination of parental rights. If a child has been in a stable or preadoptive placement for not less than 6 months, the availability of a different placement, including a placement with a relative, may not be considered as a ground to deny the termination of parental rights.

(2) The ability and disposition of the parent or parents to provide the child with food, clothing, medical care or other remedial care recognized and permitted under state law instead of medical care, and other material needs of the child.

(3) The capacity of the parent or parents to care for the child to the extent that the child's safety, well-being, and physical, mental, and emotional health will not be endangered upon the child's return home.

(4) The present mental and physical health needs of the child and such future needs of the child to the extent that such future needs can be ascertained based on the present condition of the child.

(5) The love, affection, and other emotional ties existing between the child and the child's parent or parents, siblings, and other relatives, and the degree of harm to the child that would arise from the termination of parental rights and duties.

(6) The likelihood of an older child remaining in long-term foster care upon termination of parental rights, due to emotional or behavioral problems or any special needs of the child.

(7) The child's ability to form a significant relationship with a parental substitute and the likelihood that the child will enter into a more stable and permanent family relationship as a result of permanent termination of parental rights and duties.

(8) The length of time that the child has lived in a stable, satisfactory environment and the desirability of maintaining continuity.

(9) The depth of the relationship existing between the child and the present custodian.

(10) The reasonable preferences and wishes of the child, if the court deems the child to be of sufficient intelligence, understanding, and experience to express a preference.

(11) The recommendations for the child provided by the child's guardian ad litem or legal representative.

If the court finds that termination of parental rights is in the manifest best interests of the child, the court shall also find that termination of parental rights is the least restrictive means of protecting the child.

Section 19. Subsection (4) of section 322.142, Florida Statutes, is amended to read:

322.142 Color photographic or digital imaged licenses.—

(4) The department may maintain a film negative or print file. The department shall maintain a record of the digital image and signature of the licensees, together with other data required by the department for identification and retrieval. Reproductions from the file or digital record *are exempt from the provisions of s. 119.07(1) and* shall be made and issued only for departmental administrative purposes; for the issuance of duplicate licenses; in response to law enforcement agency requests; to the Department of State pursuant to an interagency agreement to facilitate determinations of eligibility of voter registration applicants and registered voters in accordance with ss. 98.045 and 98.075; to the Department of Revenue pursuant to an interagency agreement for use in establishing paternity and establishing, modifying, or enforcing support obligations in Title IV-D cases; *to the Department of Children and Family Services pursuant to an interagency agreement to conduct protective investigations under part III of chapter 39;* or to the Department of Financial Services pursuant to an interagency agreement to facilitate the location of owners of unclaimed property, the validation of unclaimed property claims, and the identification of fraudulent or false claims~~, and are exempt from the provisions of s. 119.07(1)~~.

Section 20. Section 402.401, Florida Statutes, is amended to read:

402.401 Florida Child Welfare Student Loan Forgiveness Program.—

~~(1)~~ There is created the Florida Child Welfare Student Loan Forgiveness Program to be administered by the Department of *Children and Family Services* ~~Education~~. The program shall provide loan *reimbursement* ~~assistance~~ to eligible *employees in child welfare positions that are critical to the department's mission, as determined by the department, and that are within the department, sheriff's offices, or contracted community-based care agencies* ~~students for upper-division undergraduate and graduate study~~. ~~The primary purpose of the program is to attract capable and promising students to the child welfare profession, increase employment and retention of individuals who are working towards or who have received either a bachelor's degree or a master's degree in social work, or any human services subject area that qualifies the individual for employment as a family services worker, and provide opportunities for persons making midcareer decisions to enter the child welfare profession. The State Board of Education shall adopt rules necessary to administer the program.~~

~~(2)(a)~~ To be eligible for a program loan, *the employee's outstanding student loans may not be in a default status.* ~~a candidate shall:~~

~~1. Be a full-time student at the upper-division undergraduate or graduate level in a social work program approved by the Council on Social Work Education leading to either a bachelor's degree or a master's degree in social work or an accredited human services degree program.~~

~~2. Have declared an intent to work in child welfare for at least the number of years for which a forgivable loan is received at the Department of Children and Family Services or its successor, or with an eligible lead community-based provider as defined in s. 409.1671.~~

~~3. If applying for an undergraduate forgivable loan, have maintained a minimum cumulative grade point average of at least a 2.5 on a 4.0 scale for all undergraduate work. Renewal applicants for undergraduate loans shall have maintained a minimum cumulative grade point average of at least a 2.5 on a 4.0 scale for all undergraduate work and have earned at least 12 semester credits per term, or the equivalent.~~

~~4. If applying for a graduate forgivable loan, have maintained an undergraduate cumulative grade point average of at least a 3.0 on a 4.0 scale or have attained a Graduate Record Examination score of at least 1,000. Renewal applicants for graduate loans shall have maintained a minimum cumulative grade point average of at least a 3.0 on a 4.0 scale for all graduate work and have earned at least 9 semester credits per term, or the equivalent.~~

~~(b) An undergraduate forgivable loan may be awarded for 2 undergraduate years, not to exceed $4,000 per year.~~

~~(c) A graduate forgivable loan may be awarded for 2 graduate years, not to exceed $8,000 per year. In addition to meeting criteria specified in paragraph (a), a loan recipient at the graduate level shall:~~

~~1. Hold a bachelor's degree from a school or department of social work at any college or university accredited by the Council on Social Work Education, or hold a degree in a human services field from an accredited college or university.~~

~~2. Not have received an undergraduate forgivable loan as provided for in paragraph (b).~~

~~(d) The State Board of Education shall adopt by rule repayment schedules and applicable interest rates under ss. 1009.82 and 1009.95. A forgivable loan must be repaid within 10 years after completion of a program of studies.~~

~~1. Credit for repayment of an undergraduate or graduate forgivable loan shall be in an amount not to exceed $4,000 in loan principal plus applicable accrued interest for each full year of eligible service in the child welfare profession.~~

~~2. Any forgivable loan recipient who fails to work at the Department of Children and Family Services or its successor, or with an eligible lead community-based provider as defined in s. 409.1671, is responsible for repaying the loan plus accrued interest at 8 percent annually.~~

~~3. Forgivable loan recipients may receive loan repayment credit for child welfare service rendered at any time during the scheduled repayment period. However, such repayment credit shall be applicable only to the current principal and accrued interest balance that remains at the time the repayment credit is earned. No loan recipient shall be reimbursed for previous cash payments of principal and interest.~~

~~(3)~~ This section shall be implemented only as specifically funded.

Section 21. Paragraphs (h) and (j) of subsection (1) of section 409.1671, Florida Statutes, are amended to read:

409.1671 Foster care and related services; outsourcing.—

(1)

(h) Other than an entity to which s. 768.28 applies, any eligible lead community-based provider, as defined in paragraph (e), or its employees or officers, except as otherwise provided in paragraph (i), must, as a part of its contract, obtain a minimum of $1 million per claim/$3 million per incident in general liability insurance coverage. The eligible lead community-based provider must also require that staff who transport client children and families in their personal automobiles in order to carry out their job responsibilities obtain minimum bodily injury liability insurance in the amount of $100,000 per claim, $300,000 per incident, on their personal automobiles. *In lieu of personal motor vehicle insurance, the lead community-based provider's casualty, liability, or motor vehicle insurance carrier may provide nonowned automobile liability coverage. This insurance provides liability insurance for automobiles that the provider uses in connection with the provider's business but does not own, lease, rent, or borrow. This coverage includes automobiles owned by the employees of the provider or a member of the employee's household but only while the automobiles are used in connection with the provider's business. The nonowned automobile coverage for the provider applies as excess coverage over any other collectible insurance. The personal automobile policy for the employee of the provider shall be primary insurance and the nonowned automobile coverage of the provider acts as excess insurance to the primary insurance. The provider shall provide a minimum limit of $1 million in nonowned automobile coverage.* In any tort action brought against such an eligible lead community-based provider or employee, net economic damages shall be limited to $1 million per liability claim and $100,000 per automobile claim, including, but not limited to, past and future medical expenses, wage loss, and loss of earning capacity, offset by any collateral source payment paid or payable. In any tort action brought against such an eligible lead community-based provider, noneconomic damages shall be limited to $200,000 per claim. A claims bill may be brought on behalf of a claimant pursuant to s. 768.28 for any amount exceeding the limits specified in this paragraph. Any offset of collateral source payments made as of the date of the settlement or judgment shall be in accordance with s. 768.76. The lead community-based provider shall not be liable in tort for the acts or omissions of its subcontractors or the officers, agents, or employees of its subcontractors.

(j) Any subcontractor of an eligible lead community-based provider, as defined in paragraph (e), which is a direct provider of foster care and related services to children and families, and its employees or officers, except as otherwise provided in paragraph (i), must, as a part of its contract, obtain a minimum of $1 million per claim/$3 million per incident in general liability insurance coverage. The subcontractor of an eligible lead community-based provider must also require that staff who transport client children and families in their personal automobiles in order to carry out their job responsibilities obtain minimum bodily injury liability insurance in the amount of $100,000 per claim, $300,000 per incident, on their personal automobiles. *In lieu of personal motor vehicle insurance, the subcontractor's casualty, liability, or motor vehicle insurance carrier may provide nonowned automobile liability coverage. This insurance provides liability insurance for automobiles that the subcontractor uses in connection with the subcontractor's business but does not own, lease, rent, or borrow. This coverage includes automobiles owned by the employees of the subcontractor or a member of the employee's household but only while the automobiles are used in connection with the subcontractor's business. The nonowned automobile coverage for the subcontractor applies as excess coverage over any other collectible insurance. The personal automobile policy for the employee of the subcontractor shall be primary insurance and the nonowned automobile coverage of the subcontractor acts as excess insurance to the primary insurance. The subcontractor shall provide a minimum limit of $1 million in nonowned automobile coverage.* In any tort action brought against such subcontractor or employee, net economic damages shall be limited to $1

million per liability claim and $100,000 per automobile claim, including, but not limited to, past and future medical expenses, wage loss, and loss of earning capacity, offset by any collateral source payment paid or payable. In any tort action brought against such subcontractor, noneconomic damages shall be limited to $200,000 per claim. A claims bill may be brought on behalf of a claimant pursuant to s. 768.28 for any amount exceeding the limits specified in this paragraph. Any offset of collateral source payments made as of the date of the settlement or judgment shall be in accordance with s. 768.76.

Section 22. Paragraph (a) of subsection (4) of section 409.175, Florida Statutes, is amended to read:

409.175 Licensure of family foster homes, residential child-caring agencies, and child-placing agencies; public records exemption.—

(4)(a) A person, family foster home, or residential child-caring agency *may* ~~shall~~ not *provide* ~~receive a child for~~ continuing full-time *child* care or custody unless such person, home, or agency has first procured a license from the department to provide such care. This requirement does not apply to a person who is a relative of the child by blood, marriage, or adoption*,* ~~or to~~ a *permanent* ~~legal~~ guardian *established under s. 39.6221*, ~~a person who has received the child from the department,~~ a licensed child-placing agency, or an intermediary for the purposes of adoption pursuant to chapter 63.

Section 23. Subsection (3) of section 787.04, Florida Statutes, is amended to read:

787.04 Removing minors from state or concealing minors contrary to state agency order or court order.—

(3) It is unlawful for any person~~, with criminal intent,~~ to *knowingly and willfully* lead, take, entice, or remove a minor beyond the limits of this state, or to *knowingly and willfully* conceal the location of a minor, during the pendency of a dependency proceeding affecting such minor or during the pendency of any investigation, action, or proceeding concerning the alleged abuse or neglect of such minor, after having received *actual or constructive* notice of the pendency of such investigation, action, or proceeding and without the permission of the state agency or court in which the investigation, action, or proceeding is pending.

Section 24. Subsection (1) of section 937.021, Florida Statutes, is amended to read:

937.021 Missing child reports.—

(1) Upon the filing of a police report that a child is missing by the parent or guardian, *the Department of Children and Family Services, a community-based care provider, or a sheriff's office providing investigative services for the department,* the law enforcement agency receiving the report shall immediately inform all on-duty law enforcement officers of the ~~existence of the~~ missing child report, communicate the report to every other law enforcement agency having jurisdiction in the county, and transmit the report for inclusion within the Florida Crime Information Center computer. *A law enforcement agency may not require a reporter to present an order that a child be taken into custody or any other such order before accepting a report that a child is missing.*

Section 25. Paragraph (c) of subsection (4) of section 985.04, Florida Statutes, is amended to read:

985.04 Oaths; records; confidential information.—

(4)

(c) The department shall disclose to the school superintendent the presence of any child in the care and custody or under the jurisdiction or supervision of the department who has a known history of criminal sexual behavior with other juveniles; is an alleged juvenile sexual offender *or a child who has exhibited inappropriate sexual behavior*, as defined in s. 39.01; or has pled guilty or nolo contendere to, or has been found to have committed, a violation of chapter 794, chapter 796, chapter 800, s. 827.071, or s. 847.0133, regardless of adjudication. *An* ~~Any~~ employee of a district school board who knowingly and willfully discloses such information to an unauthorized person commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

Section 26. Effective upon this act becoming a law and operating retroactively to June 29, 2008, subsection (3) of section 1 of chapter 2007-174, Laws of Florida, is amended to read:

(3) This section expires June 30, *2009* ~~2008~~.

Section 27. Paragraph (b) of subsection (3) of section 39.0015, Florida Statutes, is amended to read:

39.0015 Child abuse prevention training in the district school system.—

(3) DEFINITIONS.—As used in this section:

(b) "Child abuse" means *abandonment, abuse, harm, mental injury, neglect, physical injury, or sexual abuse of a child as those terms are defined in s. 39.01* ~~those acts as defined in ss. 39.01(1), (2), (31), (41), (43), (55), and (66)~~, 827.04, and *984.03* ~~984.03(1), (2), and (37)~~.

Section 28. Subsection (5) of section 39.205, Florida Statutes, is amended to read:

39.205 Penalties relating to reporting of child abuse, abandonment, or neglect.—

(5) If the department or its authorized agent has determined after its investigation that a report is false, the department shall, with the consent of the alleged perpetrator, refer the report to the local law enforcement agency having jurisdiction for an investigation to determine whether sufficient evidence exists to refer the case for prosecution for filing a false report as defined in *s. 39.01* ~~s. 39.01(28)~~. During the pendency of the investigation ~~by the local law enforcement agency~~, the department must notify the local law enforcement agency of, and the local law enforcement agency must respond to, all subsequent reports concerning children in that same family in accordance with s. 39.301. If the law enforcement agency believes that there are indicators of abuse, abandonment, or neglect, it must immediately notify the department, which must *ensure* ~~assure~~ the safety of the children. If the law enforcement agency finds sufficient evidence for prosecution for filing a false report, it must refer the case to the appropriate state attorney for prosecution.

Section 29. Subsection (1) of section 39.302, Florida Statutes, is amended to read:

39.302 Protective investigations of institutional child abuse, abandonment, or neglect.—

(1) The department shall conduct a child protective investigation of each report of institutional child abuse, abandonment, or neglect. Upon receipt of a report that alleges that an employee or agent of the department, or any other entity or person covered by *s. 39.01(33) or (47)* ~~s. 39.01(32) or (46)~~, acting in an official capacity, has committed an act of child abuse, abandonment, or neglect, the department shall initiate a child protective investigation within the timeframe established ~~by the central abuse hotline~~ under s. 39.201(5) and orally notify the appropriate state attorney, law enforcement agency, and licensing agency*, which*~~.~~ ~~These agencies~~ shall immediately conduct a joint investigation, unless independent investigations are more feasible. When conducting investigations onsite or having face-to-face interviews with the child, ~~such~~ investigation visits shall be unannounced unless it is determined by the department or its agent that ~~the~~ unannounced visits ~~would~~ threaten the safety of the child. *If* ~~When~~ a facility is exempt from licensing, the department shall inform the owner or operator of the facility of the report. Each agency conducting a joint investigation is entitled to full access to the information gathered by the department in the course of the investigation. A protective investigation must include an onsite visit of the child's place of residence. ~~In all cases,~~ The department shall make a full written report to the state attorney within 3 working days after making the oral report. A criminal investigation shall be coordinated, whenever possible, with the child protective investigation of the department. Any interested person who has information regarding the offenses described in this subsection may forward a statement to the state attorney as to whether prosecution is warranted and appropriate. Within 15 days after the completion of the investigation, the state attorney shall report the findings to the department and shall include in the report a determination of whether or not prosecution is justified and appropriate in view of the circumstances of the specific case.

Section 30. Paragraphs (b) and (c) of subsection (2) of section 39.6011, Florida Statutes, are amended to read:

39.6011 Case plan development.—

(2) The case plan must be written simply and clearly in English and, if English is not the principal language of the child's parent, to the extent possible in the parent's principal language. Each case plan must contain:

(b) The permanency goal ~~as defined in s. 39.01(51)~~.

(c) If concurrent planning is being used, a description of the permanency goal of reunification with the parent or legal custodian in addition to a description of one of the remaining permanency goals described in *s. 39.01* ~~s. 39.01(51)~~.

Section 31. Paragraph (e) of subsection (6) of section 39.811, Florida Statutes, is amended to read:

39.811 Powers of disposition; order of disposition.—

(6) The parental rights of one parent may be severed without severing the parental rights of the other parent only under the following circumstances:

(e) If the parent whose rights are being terminated meets any of the criteria specified in s. 39.806(1)(d) and *(f)-(l)* ~~(f)-(i)~~.

Section 32. Paragraph (a) of subsection (1) of section 39.828, Florida Statutes, is amended to read:

39.828 Grounds for appointment of a guardian advocate.—

(1) The court shall appoint the person named in the petition as a guardian advocate with all the powers and duties specified in s. 39.829 for an initial term of 1 year upon a finding that:

(a) The child named in the petition is or was a drug dependent newborn as described in *s. 39.01(32)(g)* ~~s. 39.01(31)(g)~~;

Section 33. Paragraph (d) of subsection (1) of section 419.001, Florida Statutes, is amended to read:

419.001 Site selection of community residential homes.—

(1) For the purposes of this section, the following definitions shall apply:

(d) "Resident" means any of the following: a frail elder as defined in s. 429.65; a physically disabled or handicapped person as defined in s. 760.22(7)(a); a developmentally disabled person as defined in s. 393.063; a nondangerous mentally ill person as defined in s. 394.455(18); or a child who is found to be dependent *as defined in s. 39.01 or s.984.03,* or a child in need of services as defined in *s. 984.03* ~~s. 39.01(14), s. 984.03(9) or (12)~~, or s. 985.03.

Section 34. Except as otherwise expressly provided in this act and except for this section, which shall take effect upon becoming a law, this act shall take effect July 1, 2008.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to child protection; amending s. 39.01, F.S.; redefining the terms "abandoned" and "harm"; defining the term "child who has exhibited inappropriate sexual behavior"; amending s. 39.0121, F.S.; authorizing the Department of Children and Family Services to adopt rules providing for locating and recovering missing children who are involved with the department; providing requirements for reports; amending s. 39.0138, F.S.; requiring a criminal history check of persons being considered for placement of a child to include a search of the department's automated abuse information system; authorizing the department to adopt rules establishing standards for evaluating such information; creating s. 39.0141, F.S.; requiring the department, the community-based care provider, or sheriff's office to file a report following a determination that a child involved with the department is missing; amending s. 39.201, F.S.; revising provisions relating to reporting child abuse, abandonment, or neglect to the central abuse hotline to allow for reports by fax or e-mail; amending s. 39.301, F.S.; conforming provisions to changes made by the act; providing certain exceptions to the requirements that a child protective investigation be closed within 60 days; amending s. 39.307, F.S.; revising provision relating to the provision of services to a child in cases of child-on-child sexual abuse to include a child who has exhibited inappropriate sexual behavior; amending s. 39.401, F.S.; requiring a law enforcement officer who takes a child into custody to release such child to an adoptive parent of the child's sibling, if the sibling was previously adopted and if it is in the best interest of the child; requiring judicial approval for the placement of a child with a nonrelative; amending s. 39.502, F.S.; providing for notice to foster or preadoptive parents of any hearings involving the child in their care; amending s. 39.503, F.S.; revising the minimum inquiries a petitioner for dependency or shelter must make in trying to locate an identified parent or prospective parent; amending s. 39.504, F.S.; revising procedures related to injunctions issued to protect a child; requiring that such injunctions remain in effect until modified or dissolved by the court; amending s. 39.507, F.S.; limiting a court to one order adjudicating dependency; providing for supplemental findings; amending s. 39.521, F.S.; providing an exception from the requirement for a predisposition study in dependency proceedings; conforming cross-references; amending s. 39.621, F.S.; requiring that an adoptive parent of a child's sibling be given the opportunity to apply to adopt such child if the child is available for adoption; requiring that such application be given the same consideration as a relative's application for adoption; amending s. 39.701, F.S.; requiring that notice of a judicial review of a child's status be served on certain persons regardless of whether they attended a prior hearing at which the hearing was announced; amending s. 39.8055, F.S.; revising provisions relating to filing a petition to terminate parental rights; expanding the grounds for terminating parental rights to include conviction for the murder, manslaughter, or conspiracy to murder another child of the parent; amending s. 39.806, F.S.; adding additional grounds for terminating parental rights; amending s. 39.810, F.S.; providing that if termination of parental rights is in the best interests of the child, it is also the least restrictive means of protecting the child; amending s. 322.142, F.S.; authorizing the Department of Children and Family Services to be provided copies of driver's license files maintained by the Department of Highway Safety and Motor Vehicles for the purpose of conducting protective investigations; amending s. 402.401, F.S., relating to the Florida Child Welfare Student Loan Forgiveness Program; transferring administration of the program to the Department of Children and Family Services; amending s. 409.1671, F.S.; providing that a community-based provider or a subcontractor of a community-based provider may provide nonowned automobile liability coverage in lieu of providing personal motor vehicle insurance; providing terms, conditions, and applicability for nonowned automobile insurance coverage; requiring a community-based provider or a subcontractor of a community-based provider to provide a minimum limit for nonowned automobile insurance coverage; amending s. 409.175, F.S.; revising requirements for licensure as a foster home or child-caring agency; deleting the exemption from licensure for persons who receive a child from the department; clarifying that a permanent guardian is exempt from licensure; amending s. 787.04, F.S.; prohibiting a person from knowingly and willfully taking or removing a minor from the state or concealing the location of a minor during the pendency of a dependency proceeding or any other action concerning alleged abuse or neglect of the minor; amending s. 937.021, F.S.; requiring that a report of a missing child made by the department, a community-based care provider, or a sheriff's office be treated as a missing child report filed by a parent or guardian; prohibiting a law enforcement agency from requiring an order that a child be taken into custody or any other such order before accepting a missing child report for investigation; amending s. 985.04, F.S.; providing for the disclosure of certain records relating to children having a history of inappropriate sexual behavior to schools superintendents; amending chapter 2007-174, Laws of Florida; extending the date for the repeal of provisions authorizing the reorganization of the Department of Children and Family Services; providing for retroactive application; amending ss. 39.0015, 39.205, 39.302, 39.6011, 39.811, 39.828, and 419.001, F.S.; conforming cross-references; providing effective dates.

MOTION

On motion by Senator Storms, the rules were waived to allow the following amendments to be considered:

Senator Storms moved the following amendments to **Amendment 1** which were adopted:

Amendment 1A (657828)(with title amendment)—Delete line(s) 1228-1244 and renumber subsequent sections.

And the title is amended as follows:

Delete line(s) 1472-1475 and insert: investigation; amending chapter 2007-174, Laws of

Amendment 1B (209944)(with title amendment)—Delete line(s) 514-886 and insert:

(5) Judicial review and approval is required within 24 hours after placement for all nonrelative placements. A nonrelative placement must be for a specific and predetermined period of time, not to exceed 12 months, and shall be reviewed by the court at least every 6 months. If the nonrelative placement continues for longer than 12 months, the department shall request the court to establish permanent guardianship or require that the nonrelative seek licensure as a foster care provider within 30 days after the court decision. Failure to establish permanent guardianship or obtain licensure does not require the court to change a child's placement unless it is in the best interest of the child to do so.

Section 9. Subsection (17) of section 39.502, Florida Statutes, is amended to read:

39.502 Notice, process, and service.—

(17) The parent or legal custodian of the child, the attorney for the department, the guardian ad litem, *the foster or preadoptive parents,* and all other parties and participants shall be given reasonable notice of all *proceedings and* hearings provided for under this part. *All foster or preadoptive parents must be provided with at least 72 hours' notice, verbally or in writing, of all proceedings or hearings relating to children in their care or children they are seeking to adopt to ensure the ability to provide input to the court.*

Section 10. Subsection (6) of section 39.503, Florida Statutes, is amended to read:

39.503 Identity or location of parent unknown; special procedures.—

(6) The diligent search required by subsection (5) must include, at a minimum, inquiries of all relatives of the parent or prospective parent made known to the petitioner, inquiries of all offices of program areas of the department likely to have information about the parent or prospective parent, inquiries of other state and federal agencies likely to have information about the parent or prospective parent, inquiries of appropriate utility and postal providers, *a thorough search of at least one electronic database specifically designed for locating persons,* and inquiries of appropriate law enforcement agencies. Pursuant to s. 453 of the Social Security Act, 42 U.S.C. s. 653(c)(4), the department, as the state agency administering Titles IV-B and IV-E of the act, shall be provided access to the federal and state parent locator service for diligent search activities.

Section 11. Section 39.504, Florida Statutes, is amended to read:

39.504 Injunction pending disposition of petition; penalty.—

(1)~~(a)~~ *At any time after a protective investigation has been initiated pursuant to part III of this chapter* ~~When a petition for shelter placement or a petition for dependency has been filed or when a child has been taken into custody and reasonable cause, as defined in paragraph (b), exists~~, the court, upon the request of the department, a law enforcement officer, the state attorney, or other responsible person, or upon its own motion, *may, if there is reasonable cause,* ~~shall have the authority to~~ issue an injunction to prevent any act of child abuse ~~or any unlawful sexual offense involving a child~~.

~~(b)~~ Reasonable cause for the issuance of an injunction exists if there is evidence of child abuse ~~or an unlawful sexual offense involving a child~~ or if there is a reasonable likelihood of such abuse ~~or offense~~ occurring based upon a recent overt act or failure to act.

(2) Notice shall be provided to the parties as set forth in the Florida Rules of Juvenile Procedure, unless the child is reported to be in imminent danger, in which case the court may issue an injunction immediately. A judge may issue an emergency injunction pursuant to this section without notice *if* ~~at times when~~ the court is closed for the transaction of judicial business. *If* ~~When such~~ an immediate injunction is issued, the court *must* ~~shall~~ hold a hearing on the next day of judicial business ~~either~~ to dissolve the injunction or to continue or modify it in accordance with ~~the other provisions of~~ this section.

(3)~~(a)~~ *If* ~~In every instance in which~~ an injunction is issued under this section, the *primary* purpose of the injunction *must be* ~~shall be primarily~~ to protect and promote the best interests of the child, taking the preservation of the child's immediate family into consideration. ~~The effective period of the injunction shall be determined by the court, except that the injunction will expire at the time of the disposition of the petition for shelter placement or dependency.~~

(a)~~(b)~~ The injunction shall apply to the alleged or actual offender in a case of child abuse or *acts of domestic violence* ~~an unlawful sexual offense involving a child~~. The conditions of the injunction shall be determined by the court, which conditions may include ordering the alleged or actual offender to:

1. Refrain from further abuse or *acts of domestic violence* ~~unlawful sexual activity involving a child~~.

2. Participate in a specialized treatment program.

3. Limit contact or communication with the child victim, other children in the home, or any other child.

4. Refrain from contacting the child at home, school, work, or wherever the child may be found.

5. Have limited or supervised visitation with the child.

6. Pay temporary support for the child or other family members; the costs of medical, psychiatric, and psychological treatment for the child ~~victim~~ incurred as a result of the offenses; and similar costs for other family members.

7. Vacate the home in which the child resides.

(b)~~(c)~~ *If the intent of the injunction is to protect the child from domestic violence, the conditions may also include:*

1. Awarding the exclusive use and possession of the dwelling to the caregiver or excluding the alleged or actual offender from the residence of the caregiver.

2. Awarding temporary custody of the child to the caregiver.

3. Establishing temporary support for the child. ~~At any time prior to the disposition of the petition, the alleged or actual offender may offer the court evidence of changed circumstances as a ground to dissolve or modify the injunction.~~

This paragraph does not preclude the adult victim of domestic violence from seeking protection under s. 741.30.

(c) The terms of the injunction shall remain in effect until modified or dissolved by the court. The petitioner, respondent, or caregiver may move at any time to modify or dissolve the injunction. The injunction is valid and enforceable in all counties in the state.

(4) *Service of process on the respondent shall be carried out pursuant to s. 741.30. The department shall deliver* a copy of any injunction issued pursuant to this section ~~shall be delivered~~ to the protected party~~,~~ or *to* a parent*,* ~~or~~ caregiver*,* or individual acting in the place of a parent who is not the respondent~~, and to any law enforcement agency having jurisdiction to enforce such injunction~~. *Law enforcement officers may exercise their arrest powers as provided in s. 901.15(6) to enforce the terms of the injunction.* ~~Upon delivery of the injunction to the appropriate law enforcement agency, the agency shall have the duty and responsibility to enforce the injunction.~~

(5) Any person who fails to comply with an injunction issued pursuant to this section *commits* ~~is guilty of~~ a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

Section 12. Subsection (7) of section 39.507, Florida Statutes, is amended to read:

39.507 Adjudicatory hearings; orders of adjudication.—

(7)*(a) For as long as a court maintains jurisdiction over a dependency case, only one order adjudicating each child in the case dependent shall be entered. This order establishes the legal status of the child for purposes of proceedings under this chapter and may be based on the conduct of one parent, both parents, or a legal custodian.*

(b) However, the court must determine whether each parent or legal custodian identified in the case abused, abandoned, or neglected the child

in a subsequent evidentiary hearing. If the evidentiary hearing is conducted subsequent to the adjudication of the child, the court shall supplement the adjudicatory order, disposition order, and the case plan, as necessary. With the exception of proceedings pursuant to s. 39.811, the child's dependency status may not be retried or readjudicated.

(c) If a court adjudicates a child dependent and the child is in out-of-home care, the court shall inquire of the parent or parents whether the parents have relatives who might be considered as a placement for the child. The court shall advise the parents that, if the parents fail to substantially comply with the case plan, their parental rights may be terminated and that the child's out-of-home placement may become permanent. The parent or parents shall provide to the court and all parties identification and location information of the relatives.

Section 13. Paragraphs (a) and (f) of subsection (1) and paragraph (c) of subsection (3) of section 39.521, Florida Statutes, are amended to read:

39.521 Disposition hearings; powers of disposition.—

(1) A disposition hearing shall be conducted by the court, if the court finds that the facts alleged in the petition for dependency were proven in the adjudicatory hearing, or if the parents or legal custodians have consented to the finding of dependency or admitted the allegations in the petition, have failed to appear for the arraignment hearing after proper notice, or have not been located despite a diligent search having been conducted.

(a) A written case plan and a predisposition study prepared by an authorized agent of the department must be filed with the court*,* ~~and~~ served upon the parents of the child, provided to the representative of the guardian ad litem program, if the program has been appointed, and provided to all other parties~~,~~ not less than 72 hours before the disposition hearing. All such case plans must be approved by the court. If the court does not approve the case plan at the disposition hearing, the court must set a hearing within 30 days after the disposition hearing to review and approve the case plan. *The court may grant an exception to the requirement for a predisposition study by separate order or within the judge's order of disposition upon finding that all the family and child information required by subsection (2) is available in other documents filed with the court.*

(f) If the court places the child in an out-of-home placement, the disposition order must include a written determination that the child cannot safely remain at home with reunification or family preservation services and that removal of the child is necessary to protect the child. If the child *is* ~~has been~~ removed before the disposition hearing, the order must also include a written determination as to whether, after removal, the department ~~has~~ made a reasonable effort to reunify the parent and child~~, if reasonable efforts are required~~. Reasonable efforts to reunify are not required if the court *finds* ~~has found~~ that any of the acts listed in *s. 39.806(1)(f)-(l)* ~~s. 39.806(1)(f)-(i)~~ have occurred. The department has the burden of demonstrating that it ~~has~~ made reasonable efforts ~~under this paragraph~~.

1. For the purposes of this paragraph, the term "reasonable effort" means the exercise of reasonable diligence and care by the department to provide the services ordered by the court or delineated in the case plan.

2. In support of its determination as to whether reasonable efforts have been made, the court shall:

a. Enter written findings as to whether ~~or not~~ prevention or reunification efforts were indicated.

b. If prevention or reunification efforts were indicated, include a brief written description of what appropriate and available prevention and reunification efforts were made.

c. Indicate in writing why further efforts could or could not have prevented or shortened the separation of the parent and child.

3. A court may find that the department ~~has~~ made a reasonable effort to prevent or eliminate the need for removal if:

a. The first contact of the department with the family occurs during an emergency;

b. The appraisal by the department of the home situation indicates ~~that it presents~~ a substantial and immediate danger to the child's safety or physical, mental, or emotional health which cannot be mitigated by the provision of preventive services;

c. The child cannot safely remain at home, ~~either~~ because there are no preventive services that can ensure the health and safety of the child or, even with appropriate and available services being provided, the health and safety of the child cannot be ensured; or

d. The parent is alleged to have committed any of the acts listed as grounds for expedited termination of parental rights *under s. 39.806(1)(f)-(l)* ~~in s. 39.806(1)(f)-(i)~~.

4. A reasonable effort by the department for reunification ~~of the parent and child~~ has been made if the appraisal of the home situation by the department indicates that the severity of the conditions of dependency is such that reunification efforts are inappropriate. The department has the burden of demonstrating to the court that reunification efforts were inappropriate.

5. If the court finds that the prevention or reunification effort of the department would not have permitted the child to remain safely at home, the court may commit the child to the temporary legal custody of the department or take any other action authorized by this chapter.

(3) When any child is adjudicated by a court to be dependent, the court shall determine the appropriate placement for the child as follows:

(c) If no fit parent is willing or available to assume care and custody of the child, place the child in the temporary legal custody of an adult relative*, the adoptive parent of the child's sibling,* or ~~other~~ *another* adult approved by the court who is willing to care for the child, under the protective supervision of the department. The department must supervise this placement until the child reaches permanency status in this home, and in no case for a period of less than 6 months. Permanency in a relative placement shall be by adoption, long-term custody, or guardianship.

Protective supervision continues until the court terminates it or until the child reaches the age of 18, whichever date is first. Protective supervision shall be terminated by the court whenever the court determines that permanency has been achieved for the child, whether with a parent, another relative, or a legal custodian, and that protective supervision is no longer needed. The termination of supervision may be with or without retaining jurisdiction, at the court's discretion, and shall in either case be considered a permanency option for the child. The order terminating supervision by the department shall set forth the powers of the custodian of the child and shall include the powers ordinarily granted to a guardian of the person of a minor unless otherwise specified. Upon the court's termination of supervision by the department, no further judicial reviews are required, so long as permanency has been established for the child.

Section 14. Subsection (5) of section 39.701, Florida Statutes, is amended to read:

39.701 Judicial review.—

(5) Notice of a judicial review hearing or a citizen review panel hearing, and a copy of the motion for judicial review, if any, must be served by the clerk of the court upon *all of the following persons, if available to be served, regardless of whether the person was present at the previous hearing at which the date, time, and location of the hearing was announced*:

(a) The social service agency charged with the supervision of care, custody, or guardianship of the child, if that agency is not the movant.

(b) The foster parent or legal custodian in whose home the child resides.

(c) The parents.

(d) The guardian ad litem for the child, or the representative of the guardian ad litem program if the program has been appointed.

(e) The attorney for the child.

(f) The child, if the child is 13 years of age or older.

(g)~~(e)~~ Any preadoptive parent.

(h)~~(f)~~ Such other persons as the court may ~~in its discretion~~ direct.

~~Service of notice is not required on any of the persons listed in paragraphs (a)-(f) if the person was present at the previous hearing during which the date, time, and location of the hearing was announced.~~

Section 15. Subsection (1) of section 39.8055, Florida Statutes, is amended to read:

39.8055 Requirement to file a petition to terminate parental rights; exceptions.—

(1) The department shall file a petition to terminate parental rights within 60 days after any of the following if:

(a) At the time of the 12-month judicial review hearing, a child is not returned to the physical custody of the parents;

(b) A petition for termination of parental rights has not otherwise been filed, and the child has been in out-of-home care under the responsibility of the state for *12* ~~15~~ of the most recent 22 months, calculated on a cumulative basis, but not including any trial home visits or time during which the child was a runaway;

(c) A parent has been convicted of *the* murder ~~of the other parent~~, manslaughter ~~of the other parent~~, aiding or abetting *the murder,* or conspiracy or solicitation to murder the other parent *or another child of the parent*, or a felony battery that resulted in serious bodily injury to the child or to *another* ~~any other~~ child of the parent; or

(d) A court determines that reasonable efforts to reunify the child and parent are not required.

Section 16. Paragraphs (e) through (h) of subsection (1) of section 39.806, Florida Statutes, are amended, paragraphs (j), (k), and (l) are added to that subsection, and subsections (2), (3), and (4) of that section are amended, to read:

39.806 Grounds for termination of parental rights.—

(1) Grounds for the termination of parental rights may be established under any of the following circumstances:

(e) When a child has been adjudicated dependent, a case plan has been filed with the court, and:

1. The child continues to be abused, neglected, or abandoned by the *parent or* parents. ~~In this case,~~ The failure of the *parent or* parents to substantially comply *with the case plan* for a period of *9* ~~12~~ months after an adjudication of the child as a dependent child or the child's placement into shelter care, whichever *occurs* ~~came~~ first, constitutes evidence of continuing abuse, neglect, or abandonment unless the failure to substantially comply with the case plan was due ~~either~~ to the *parent's* lack of financial resources ~~of the parents~~ or to the failure of the department to make reasonable efforts to reunify the parent and child. The *9-month* ~~12-month~~ period begins to run only after the child's placement into shelter care or the entry of a disposition order placing the custody of the child with the department or a person other than the parent and the *court's* approval ~~by the court~~ of a case plan *having the* ~~with a~~ goal of reunification with the parent, whichever *occurs* ~~came~~ first; ~~or~~

2. The parent *or parents have* ~~has~~ materially breached the case plan ~~by making it unlikely that he or she will be able to substantially comply with the case plan before the time for compliance expires~~. Time is of the essence for permanency of children in the dependency system. In order to prove the parent *or parents have* ~~has~~ materially breached the case plan, the court must find by clear and convincing evidence that the parent *or parents are* ~~is~~ unlikely or unable to substantially comply with the case plan before time ~~expires~~ to comply with the case plan *expires*.

(f) ~~When~~ The parent or parents engaged in egregious conduct or had the opportunity and capability to prevent and knowingly failed to prevent egregious conduct that threatens the life, safety, or physical, mental, or emotional health of the child or the child's sibling.

1. As used in this subsection, the term "sibling" means another child who resides with or is cared for by the parent or parents regardless of whether the child is related legally or by consanguinity.

2. As used in this subsection, the term "egregious conduct" means abuse, abandonment, neglect, or any other conduct ~~of the parent or parents~~ that is deplorable, flagrant, or outrageous by a normal standard of conduct. Egregious conduct may include an act or omission that occurred only once but was of such intensity, magnitude, or severity as to endanger the life of the child.

(g) ~~When~~ The parent or parents have subjected the child *or another child* to aggravated child abuse as defined in s. 827.03, sexual battery or sexual abuse as defined in s. 39.01, or chronic abuse.

(h) ~~When~~ The parent or parents have *committed the murder, manslaughter, aiding or abetting the murder, or conspiracy or solicitation to murder the other parent or another child, or a felony battery that resulted in serious bodily injury to the child or to another child* ~~committed murder or voluntary manslaughter of another child, or a felony assault that results in serious bodily injury to the child or another child, or aided or abetted, attempted, conspired, or solicited to commit such a murder or voluntary manslaughter or felony assault~~.

And the title is amended as follows:

Delete line(s) 1417-1425 and insert: findings; amending s. 39.521, F.S.; providing an exception from the requirement for a predisposition study in dependency proceedings; conforming cross-references; authorizing the court to place a dependent child with the adoptive parent of the child's sibling if no fit parent is willing or available to assume care and custody; amending s. 39.701, F.S.; requiring that notice

Amendment 1C (072084)(with title amendment)—Delete line(s) 928-986 and renumber subsequent sections.

And the title is amended as follows:

Delete line(s) 1435-1438 and insert: rights; amending s. 322.142, F.S.;

Amendment 1D (498052)(with title amendment)—Delete line(s) 41-305 and insert:

(14) "Child who has exhibited inappropriate sexual behavior" means a child who is 12 years of age or younger and who has been found by the department or the court to have committed an inappropriate sexual act.

(32)~~(31)~~ "Harm" to a child's health or welfare can occur when any person:

(e) Abandons the child. Within the context of the definition of "harm," the term *"abandoned the child" or "abandonment of the child" means a situation in which the parent or legal custodian of a child or, in the absence of a parent or legal custodian, the caregiver, while being able, makes no provision for the child's support and has failed to establish or maintain a substantial and positive relationship with the child. For purposes of this paragraph, "establish or maintain a substantial and positive relationship" includes, but is not limited to, frequent and regular contact with the child through frequent and regular visitation or frequent and regular communication to or with the child, and the exercise of parental rights and responsibilities. Marginal efforts and incidental or token visits or communications are not sufficient to establish or maintain a substantial and positive relationship with a child* ~~"abandons the child" means that the parent or legal custodian of a child or, in the absence of a parent or legal custodian, the person responsible for the child's welfare, while being able, makes no provision for the child's support and makes no effort to communicate with the child, which situation is sufficient to evince a willful rejection of parental obligation. If the efforts of the parent or legal custodian or person primarily responsible for the child's welfare to support and communicate with the child are only marginal efforts that do not evince a settled purpose to assume all parental duties, the child may be determined to have been abandoned.~~ The term "abandoned" does not include an abandoned newborn infant as described in s. 383.50.

(g) Exposes a child to a controlled substance or alcohol. Exposure to a controlled substance or alcohol is established by:

1. *A test, administered at birth, which indicated that the child's blood, urine, or meconium contained any amount of alcohol or a controlled substance or metabolites of such substances, the presence of which was not the result of medical treatment administered to the mother or the newborn infant* ~~Use by the mother of a controlled substance or alcohol during pregnancy when the child, at birth, is demonstrably adversely affected by such usage~~; or

2. *Evidence of extensive, abusive, and* ~~Continued~~ chronic ~~and severe~~ use of a controlled substance or alcohol by a parent when the child is demonstrably adversely affected by such usage.

As used in this paragraph, the term "controlled substance" means prescription drugs not prescribed for the parent or not administered as prescribed and controlled substances as outlined in Schedule I or Schedule II of s. 893.03.

Section 2. Subsection (16) is added to section 39.0121, Florida Statutes, to read:

39.0121 Specific rulemaking authority.—Pursuant to the requirements of s. 120.536, the department is specifically authorized to adopt, amend, and repeal administrative rules which implement or interpret law or policy, or describe the procedure and practice requirements necessary to implement this chapter, including, but not limited to, the following:

(16) Provisions for reporting, locating, recovering, and stabilizing children whose whereabouts become unknown while they are involved with the department and for preventing recurrences of such incidents. At a minimum, the rules must:

(a) Provide comprehensive, explicit, and consistent guidelines to be followed by the department's employees and contracted providers when the whereabouts of a child involved with the department is unknown.

(b) Include criteria to determine when a child is missing for purposes of making a report to a law enforcement agency, and require that in all cases in which a law enforcement agency has accepted a case for criminal investigation pursuant to s. 39.301(2)(c) and the child's whereabouts are unknown, the child shall be considered missing and a report made.

(c) Include steps to be taken by employees and contracted providers to ensure and provide evidence that parents and guardians have been advised of the requirements of s. 787.04(3) and that violations are reported.

Section 3. Subsection (1) of section 39.0138, Florida Statutes, is amended to read:

39.0138 Criminal history records check; limit on placement of a child.—

(1) The department shall conduct a criminal history records check *on* ~~for~~ all persons being considered by the department ~~for approval~~ for placement of a child subject to a placement decision under this chapter*, including all nonrelative placement decisions, all members of the household of the person being considered, and frequent visitors to the household*. For purposes of this section, a criminal history records check may include, but is not limited to, submission of fingerprints to the Department of Law Enforcement for processing and forwarding to the Federal Bureau of Investigation for state and national criminal history information, and local criminal records checks through local law enforcement agencies. *A criminal history records check must also include a search of the department's automated abuse information system. The department shall establish by rule standards for evaluating any information contained in the automated system relating to a person who must be screened for purposes of making a placement decision.*

Section 4. Section 39.0141, Florida Statutes, is created to read:

39.0141 Missing children; report required.—Whenever the whereabouts of a child involved with the department becomes unknown, the department, the community-based care provider, or the sheriff's office providing investigative services for the department shall make reasonable efforts, as defined by rule, to locate the child. If, pursuant to criteria established by rule, the child is determined to be missing, the department, the community-based care provider, or the sheriff's office shall file a report that the child is missing in accordance with s. 937.021.

Section 5. Subsections (2), (4), and (7) of section 39.201, Florida Statutes, are amended to read:

39.201 Mandatory reports of child abuse, abandonment, or neglect; mandatory reports of death; central abuse hotline.—

(2)(a) Each report of known or suspected child abuse, abandonment, or neglect by a parent, legal custodian, caregiver, or other person responsible for the child's welfare as defined in this chapter, except those solely under s. 827.04(3), and each report that a child is in need of supervision and care and has no parent, legal custodian, or responsible adult relative immediately known and available to provide supervision and care shall be made immediately to the department's central abuse hotline. *Such reports may be made* on the single statewide toll-free telephone number *or via fax or web-based report*. Personnel at the department's central abuse hotline shall determine if the report received meets the statutory definition of child abuse, abandonment, or neglect. Any report meeting one of these definitions shall be accepted for the protective investigation pursuant to part III of this chapter.

(b) If the report is of an instance of known or suspected child abuse by someone other than a parent, legal custodian, caregiver, or other person responsible for the child's welfare as defined in this chapter, the *report or* call shall be immediately electronically transferred to the appropriate county sheriff's office by the central abuse hotline.

(c) If the report is of an instance of known or suspected child abuse, abandonment, or neglect that occurred out of state and the alleged perpetrator and the child alleged to be a victim live out of state, the central abuse hotline shall not accept the *report or* call for investigation, but shall transfer the information on the report to the appropriate state.

(d) If the report is of an instance of known or suspected child abuse involving impregnation of a child under 16 years of age by a person 21 years of age or older solely under s. 827.04(3), the report shall be made immediately to the appropriate county sheriff's office or other appropriate law enforcement agency. If the report is of an instance of known or suspected child abuse solely under s. 827.04(3), the reporting provisions of this subsection do not apply to health care professionals or other persons who provide medical or counseling services to pregnant children when such reporting would interfere with the provision of medical services.

(e) Reports involving known or suspected institutional child abuse or neglect shall be made and received in the same manner as all other reports made pursuant to this section.

(f) Reports involving a known or suspected juvenile sexual offender *or a child who has exhibited inappropriate sexual behavior* shall be made and received by the department.

1. The department shall determine the age of the alleged ~~juvenile sexual~~ offender*,* if known.

2. *If* ~~When~~ the alleged ~~juvenile sexual~~ offender is 12 years of age or younger, the central abuse hotline shall immediately electronically transfer the *report or* call to the *county sheriff's* ~~appropriate law enforcement agency~~ office. The department shall conduct an assessment and assist the family in receiving appropriate services pursuant to s. 39.307, and send a written report of the allegation to the appropriate county sheriff's office within 48 hours after the initial report is made to the central abuse hotline.

3. *If* ~~When~~ the alleged ~~juvenile sexual~~ offender is 13 years of age or older, the *central abuse hotline* ~~department~~ shall immediately electronically transfer the *report or* call to the appropriate county sheriff's office ~~by the central abuse hotline,~~ and send a written report to the appropriate county sheriff's office within 48 hours after the initial report to the central abuse hotline.

(g) Reports involving abandoned newborn infants as described in s. 383.50 shall be made and received by the department.

1. If the report is of an abandoned newborn infant as described in s. 383.50 and there is no indication of abuse, neglect, or abandonment other than that necessarily entailed in the infant having been left at a hospital, emergency medical services station, or fire station, the department shall provide to the caller the name of a licensed child-placing agency on a rotating basis from a list of licensed child-placing agencies

eligible and required to accept physical custody of and to place newborn infants left at a hospital, emergency medical services station, or fire station. The report shall not be considered a report of abuse, neglect, or abandonment solely because the infant has been left at a hospital, emergency medical services station, or fire station pursuant to s. 383.50.

2. If the *call, fax, or web-based report includes* ~~caller reports~~ indications of abuse or neglect beyond that necessarily entailed in the infant having been left at a hospital, emergency medical services station, or fire station, the report shall be considered as a report of abuse, neglect, or abandonment and shall be subject to the requirements of s. 39.395 and all other relevant provisions of this chapter, notwithstanding any provisions of chapter 383.

(h) Hotline counselors shall receive periodic training in encouraging reporters to provide their names when reporting abuse, abandonment, or neglect. Callers shall be advised of the confidentiality provisions of s. 39.202. The department shall secure and install electronic equipment that automatically provides to the hotline the number from which the call *or fax* is placed *or the Internet protocol (IP) address from which the report is received*. This number shall be entered into the report of abuse, abandonment, or neglect and become a part of the record of the report, but shall enjoy the same confidentiality as provided to the identity of the *reporter* ~~caller~~ pursuant to s. 39.202.

(i) The department shall voice-record all incoming or outgoing calls that are received or placed by the central abuse hotline which relate to suspected or known child abuse, neglect, or abandonment. *The department shall maintain an electronic copy of each fax and web-based report.* The recording *or electronic copy of each fax and web-based report* shall become a part of the record of the report but, notwithstanding s. 39.202, shall be released in full only to law enforcement agencies and state attorneys for the purpose of investigating and prosecuting criminal charges pursuant to s. 39.205, or to employees of the department for the purpose of investigating and seeking administrative penalties pursuant to s. 39.206. Nothing in this paragraph shall prohibit the use of the recordings*, the electronic copies of faxes, and web-based reports* by hotline staff for quality assurance and training.

(4) The department shall establish and maintain a central abuse hotline to receive all reports made pursuant to this section in writing*, via fax, via web-based reporting,* or through a single statewide toll-free telephone number, which any person may use to report known or suspected child abuse, abandonment, or neglect at any hour of the day or night, any day of the week. The central abuse hotline shall be operated in such a manner as to enable the department to:

(a) Immediately identify and locate prior reports or cases of child abuse, abandonment, or neglect through utilization of the department's automated tracking system.

(b) Monitor and evaluate the effectiveness of the department's program for reporting and investigating suspected abuse, abandonment, or neglect of children through the development and analysis of statistical and other information.

(c) Track critical steps in the investigative process to ensure compliance with all requirements for any report of abuse, abandonment, or neglect.

(d) Maintain and produce aggregate statistical reports monitoring patterns of child abuse, child abandonment, and child neglect. The department shall collect and analyze child-on-child sexual abuse reports and include the information in aggregate statistical reports.

(e) Serve as a resource for the evaluation, management, and planning of preventive and remedial services for children who have been subject to abuse, abandonment, or neglect.

(f) Initiate and enter into agreements with other states for the purpose of gathering and sharing information contained in reports on child maltreatment to further enhance programs for the protection of children.

(7) On an ongoing basis, the department's quality assurance program shall review calls*, fax reports, and web-based reports* to the hotline involving three or more unaccepted reports on a single child, where jurisdiction applies, in order to detect such things as harassment and situations that warrant an investigation because of the frequency or variety of the source of the reports. The Program Director for Family Safety may refer a case for investigation when it is determined, as a result of this review, that an investigation may be warranted.

(Redesignate subsequent sections.)

And the title is amended as follows:

On line(s) 1393, delete "e-mail" and insert: web-based report

MOTION

On motion by Senator Rich, the rules were waived to allow the following amendment to be considered:

Senator Rich moved the following amendment to **Amendment 1** which was adopted:

Amendment 1E (614530)(with title amendment)—Delete line(s) 463-513 and insert:

3. A responsible adult relative *or the adoptive parent of the child's sibling* who shall be given priority consideration over a nonrelative placement when this is in the best interests of the child; or

4. A responsible adult approved by the department; or

(b) Deliver the child to an authorized agent of the department, stating the facts by reason of which the child was taken into custody and sufficient information to establish probable cause that the child is abandoned, abused, or neglected, or otherwise dependent.

For cases involving allegations of abandonment, abuse, or neglect, or other dependency cases, within 3 days after such release or within 3 days after delivering the child to an authorized agent of the department, the law enforcement officer who took the child into custody shall make a full written report to the department.

(3) If the child is taken into custody by, or is delivered to, an authorized agent of the department, the ~~authorized~~ agent shall review the facts supporting the removal with an attorney representing the department. The purpose of *the* ~~this~~ review *is* ~~shall be~~ to determine whether *there is* probable cause ~~exists~~ for the filing of a shelter petition.

(a) If the facts are not sufficient ~~to support the filing of a shelter petition~~, the child shall immediately be returned to the custody of the parent or legal custodian.

(b) If the facts are sufficient ~~to support the filing of the shelter petition~~ and the child has not been returned to the custody of the parent or legal custodian, the department shall file the petition and schedule a hearing, and the attorney representing the department shall request that a shelter hearing be held *within* ~~as quickly as possible, not to exceed~~ 24 hours after the removal of the child. While awaiting the shelter hearing, the authorized agent of the department may place the child in licensed shelter care or may release the child to a parent or legal custodian or responsible adult relative or *the adoptive parent of the child's sibling* who shall be given priority consideration over a licensed placement, or a responsible adult approved by the department *if* ~~when~~ this is in the best interests of the child. ~~Any~~ Placement of a child which is not in a licensed shelter must be preceded by a *criminal history records check as required under s. 39.0138* ~~local and state criminal records check, as well as a search of the department's automated abuse information system, on all members of the household, to assess the child's safety within the home~~. In addition, the department may authorize placement of a housekeeper/homemaker in the home of a child alleged to be dependent until the parent or legal custodian assumes care of the child.

And the title is amended as follows:

Delete line(s) 1403 and 1404 and insert: child's sibling; authorizing the department to release a child awaiting a shelter hearing to an adoptive parent of the child's sibling; requiring

Amendment 1 as amended was adopted.

Pursuant to Rule 4.19, **HB 7077** as amended was placed on the calendar of Bills on Third Reading.

On motion by Senator Geller, by unanimous consent—

CS for CS for CS for SB 2654—A bill to be entitled An act relating to autism spectrum disorder; providing a short title; creating s. 627.6686, F.S.; providing definitions; requiring health insurance plans to provide coverage for screening, diagnosis, intervention, and treatment of autism spectrum disorder in certain children; requiring a treatment plan; prohibiting an insurer from denying or refusing coverage or refusing to renew or reissue or terminate coverage based on a diagnosis of autism spectrum disorder; providing coverage limitations; providing treatment plan requirements; limiting the frequency of requests for updating a treatment plan; providing eligibility requirements; providing a maximum benefit limitation; providing for annual adjustments of the maximum benefit limitation; amending s. 1004.55, F.S.; relocating the regional autism center at Florida State University from the Department of Communication Disorders to the College of Medicine; providing for application of the act; providing an effective date.

—was taken up out of order and read the second time by title.

MOTION

On motion by Senator Geller, the rules were waived to allow the following amendment to be considered:

Senator Geller moved the following amendment which was adopted:

Amendment 1 (454676)—On line 61, delete "*behavioral*" and insert: *behavior*

MOTION

On motion by Senator Webster, the rules were waived to allow the following amendment to be considered:

Senator Webster moved the following amendment which was adopted:

Amendment 2 (687410)—Delete line(s) 23 and 24 and insert:

Section 1. *This act may be cited as the "Steven A. Geller Autism Coverage Act."*

On motions by Senator Geller, by two-thirds vote **CS for CS for CS for SB 2654** as amended was read the third time by title, passed, ordered engrossed and then immediately certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

Nays—None

CO-INTRODUCERS

All Senators voting yea, not previously shown as co-introducers, were recorded as co-introducers of **CS for CS for CS for SB 2654**.

On motion by Senator Villalobos, by unanimous consent—

CS for CS for SB 2084—A bill to be entitled An act relating to community associations; amending s. 468.431, F.S.; defining the term "community association management firm"; redefining the term "community association manager" to apply only to natural persons; amending s. 468.4315, F.S.; revising membership criteria for members of the Regulatory Council of Community Association Managers; requiring the board to establish a public education program; providing for board members to serve without compensation but be entitled to receive per diem and travel expenses; providing responsibilities of the board; amending s. 468.432, F.S.; providing for the licensure of community association management firms; providing application, licensure, and fee requirements; providing for the cancellation of the license of a community association management firm under certain circumstances; providing that such firm or similar organization agrees that, by being licensed, it shall employ only licensed persons providing certain services; amending s. 468.433, F.S.; providing for the refusal of an applicant certification under certain circumstances; amending s. 468.436, F.S.; requiring the Department of Business and Professional Regulation to investigate certain complaints and allegations; providing complaint and investigation procedures; providing grounds for which disciplinary action may be taken; amending s. 718.111, F.S.; providing duties of officers, directors, and agents of a condominium association and liability for monetary damages under certain circumstances; providing that a person who knowingly or intentionally fails to create or maintain, or who defaces or destroys certain records, is subject to civil penalties as prescribed by state law; requiring that a copy of the inspection report be maintained as an official record of the association; requiring official records of the association to be maintained for a specified minimum period and be made available at certain locations and in specified formats; providing that any person who knowingly or intentionally defaces, destroys, or fails to create or maintain accounting records is subject to civil and criminal sanctions; prohibiting accessibility to certain personal identifying information of unit owners by fellow unit owners; requiring that the Division of Florida Land Sales, Condominiums, and Mobile Homes of the Department of Business and Professional Regulation adopt certain rules; requiring certain audits and reports to be paid for by the developer if done before control of the association is turned over; restricting a condominium association from waiving a financial report for more than a specified period; amending s. 718.112, F.S.; prohibiting a voting interest or a consent right allocated to a unit owner from being exercised under certain circumstances; requiring the board to address certain agenda items proposed by a petition of a specified percentage of the unit owners; providing requirements for the location of annual unit owner meetings; revising terms of service for board members; prohibiting certain persons from serving on the board; requiring the association to provide a certification form to unit owners for specified purposes; authorizing an association consisting of a specified maximum number of units to provide for different voting and election procedures in its bylaws by affirmative vote of a majority of the association's voting interests; revising requirements related to the annual budget; requiring proxy questions relating to reserves to contain a specified statement; providing for the removal of board members under certain circumstances; requiring that directors who are delinquent in certain payments owed in excess of certain periods of time be suspended from office or deemed to have abandoned their offices; requiring that directors charged with certain offenses involving an association's funds or property be suspended from office pending resolution of the charge; providing for the reinstatement of such officers or directors under certain circumstances; amending s. 718.1124, F.S.; providing that any unit owner may give notice of his or her intent to apply to the circuit court for the appointment of a receiver to manage the affairs of the association under certain circumstances; providing a form for such notice; providing for the delivery of such notice; providing procedures for resolving a petition submitted pursuant to such notice; requiring that all unit owners be provided written notice of the appointment of a receiver; amending s. 718.113, F.S.; providing a statement of clarification; authorizing the board to install certain hurricane protection; prohibiting the board from installing hurricane shutters under certain circumstances; requiring that the board inspect certain condominium buildings and a issue a report thereupon; prohibiting the board from refusing a request for reasonable accommodation for the attachment to a unit of religious objects meeting certain size specifications; amending s. 718.117, F.S.; requiring that all unit owners be provided written notice of the appointment of a receiver; providing for the delivery of such notice; amending s. 718.121, F.S.; providing requirements and restrictions for liens filed by the association against a condominium unit; providing for notice and delivery thereof; creating s. 718.1224, F.S.; prohibiting strategic lawsuits against public participation; providing legislative findings and intent; prohibiting a governmental entity, business organization, or individual from filing certain lawsuits made upon specified bases against a unit owner; providing rights of a unit owner who has been served with such a lawsuit; providing procedures for the resolution of claims that such suit violates certain provisions of state law; providing for the award of damages and attorney's fees; prohibiting associations from expending association funds in prosecuting such a suit against a unit owner; amending

s. 718.1255, F.S.; revising legislative intent concerning alternative dispute resolution; creating s. 718.1265, F.S.; authorizing an association to exercise certain powers in instances involving damage caused by an event for which a state of emergency has been declared; limiting the applicability of such powers; creating s. 718.127, F.S.; requiring that all unit owners be provided written notice of the appointment of a receiver; providing for the delivery of such notice; amending s. 718.301, F.S.; providing circumstances under which unit owners other than a developer may elect not fewer than a majority of the members of the board of administration of an association; requiring that a developer deliver certain property of the unit owners and the association within a specified period after such election and upon relinquishing control of the association; requiring a turnover inspection report; requiring that the report contain certain information; amending s. 718.3025, F.S.; requiring that maintenance and management services contracts disclose certain information; amending s. 718.3026, F.S.; removing a provision authorizing certain associations to opt out of provisions relating to contracts for products and services; removing provisions relating to competitive bid requirements for contracts executed before a specified date; providing requirements for any contract or transaction between an association and one or more of its directors or any other entity in which one or more of its directors are directors or officers or have a financial interest; amending s. 718.303, F.S.; providing that hearings regarding noncompliance with a declaration be held before certain persons; amending s. 718.501, F.S.; providing authority and responsibilities of the division; providing for enforcement actions brought by the division in its own name; providing for the imposition of penalties by the division; requiring that the division issue a subpoena requiring production of certain requested records under certain circumstances; providing for the issuance of notice of a declaratory statement with respect to documents governing a condominium community; requiring that the division provide training and education for condominium association board members and unit owners; authorizing the division to include certain training components and review or approve training programs offered by providers; requiring that certain individuals cooperate with the division in any investigation conducted by the division; amending s. 718.50151, F.S.; redesignating the Advisory Council on Condominiums as the "Community Association Living Study Council"; providing for the creation of the council; providing functions of the council; amending s. 718.503, F.S.; providing for disclosure of certain information upon the sale of a unit by a nondeveloper; requiring the provisions of a governance form by the seller to the prospective buyer; requiring that such form contain certain information and a specified statement; providing an effective date.

—was taken up out of order and read the second time by title.

Amendments were considered and adopted to conform **CS for CS for SB 2084** to **CS for HB 995**.

Pending further consideration of **CS for CS for SB 2084** as amended, on motion by Senator Villalobos, by two-thirds vote **CS for HB 995** was withdrawn from the Committees on Regulated Industries; Community Affairs; and Judiciary.

On motion by Senator Villalobos, by two-thirds vote—

CS for HB 995—A bill to be entitled An act relating to community associations; amending s. 468.431, F.S.; defining the term "community association management firm"; redefining the term "community association manager" to apply only to natural persons; amending s. 468.4315, F.S.; revising membership criteria for members of the Regulatory Council of Community Association Managers; requiring the council to establish a public education program; providing for council members to serve without compensation but be entitled to receive per diem and travel expenses; providing responsibilities of the council; amending s. 468.432, F.S.; providing for the licensure of community association management firms; providing application, licensure, and fee requirements; providing for the cancellation of the license of a community association management firm under certain circumstances; providing that such firm or similar organization agrees that, by being licensed, it shall employ only licensed persons providing certain services; amending s. 468.433, F.S.; providing for the refusal of an applicant certification under certain circumstances; amending s. 468.436, F.S.; requiring the Department of Business and Professional Regulation to investigate certain complaints and allegations; providing complaint and investigation procedures; providing grounds for which disciplinary action may be taken; amending s. 718.111, F.S.; providing that a director of the association who abstains from voting on any action taken on any corporate matter shall be presumed to have taken no position with regard to the action; providing duties of officers, directors, and agents of a condominium association and liability for monetary damages under certain circumstances; providing that a person who knowingly or intentionally fails to create or maintain, or who defaces or destroys certain records, is subject to civil penalties as prescribed by state law; requiring that a copy of the inspection report be maintained as an official record of the association; requiring official records of the association to be maintained for a specified minimum period and be made available at certain locations and in specified formats; providing that any person who knowingly or intentionally defaces, destroys, or fails to create or maintain accounting records is subject to civil and criminal sanctions; prohibiting accessibility to certain personal identifying information of unit owners by fellow unit owners; requiring that the Division of Florida Land Sales, Condominiums, and Mobile Homes of the Department of Business and Professional Regulation adopt certain rules; requiring certain audits and reports to be paid for by the developer if done before control of the association is turned over; restricting a condominium association from waiving a financial report for more than a specified period; amending s. 718.112, F.S.; prohibiting a voting interest or a consent right allocated to a unit owner from being exercised under certain circumstances; requiring the board to address certain agenda items proposed by a petition of a specified percentage of the unit owners; providing requirements for the location of annual unit owner meetings; revising terms of service for board members; prohibiting certain persons from serving on the board; requiring the association to provide a certification form to unit owners for specified purposes; authorizing an association consisting of a specified maximum number of units to provide for different voting and election procedures in its bylaws by affirmative vote of a majority of the association's voting interests; revising requirements related to the annual budget; requiring proxy questions relating to reserves to contain a specified statement; providing for the removal of board members under certain circumstances; requiring that directors who are delinquent in certain payments owed in excess of certain periods of time be suspended from office or deemed to have abandoned their offices; requiring that directors charged with certain offenses involving an association's funds or property be suspended from office pending resolution of the charge; providing for the reinstatement of such officers or directors under certain circumstances; amending s. 718.1124, F.S.; providing that any unit owner may give notice of his or her intent to apply to the circuit court for the appointment of a receiver to manage the affairs of the association under certain circumstances; providing a form for such notice; providing for the delivery of such notice; providing procedures for resolving a petition submitted pursuant to such notice; requiring that all unit owners be provided written notice of the appointment of a receiver; amending s. 718.113, F.S.; providing a statement of clarification; authorizing the board to install certain hurricane protection; prohibiting the board from installing hurricane shutters under certain circumstances; providing for the maintenance, repair, and replacement of hurricane shutters or other hurricane protection; providing that a vote of the owners is not required under certain conditions; prohibiting a board from refusing to approve the installation or replacement of hurricane shutters by a unit owner under certain conditions; requiring that the board inspect certain condominium buildings and issue a report thereupon; providing an exception; prohibiting the board from refusing a request for reasonable accommodation for the attachment to a unit of religious objects meeting certain size specifications; amending s. 718.115, F.S.; providing the expense of installation, replacement, operation, repair, and maintenance of hurricane shutters or other hurricane protection shall constitute either a common expense or shall be charged individually to the unit owners under certain conditions; amending s. 718.117, F.S.; requiring that all unit owners be provided written notice of the appointment of a receiver; providing for the delivery of such notice; amending s. 718.121, F.S.; providing requirements and restrictions for liens filed by the association against a condominium unit; providing for notice and delivery thereof; creating s. 718.1224, F.S.; prohibiting strategic lawsuits against public participation; providing legislative findings and intent; prohibiting a governmental entity, business organization, or individual from filing certain lawsuits made upon specified bases against a unit owner; providing rights of a unit owner who has been served with such a lawsuit; providing procedures for the resolution of claims that such suit violates certain provisions of state law; providing for the award of damages and attorney's fees; prohibiting associations from expending association funds in prosecuting such a suit against a unit owner; amending s. 718.1255, F.S.; revising legislative intent concerning alternative dispute resolution; creating s. 718.1265, F.S.; authorizing an association to exercise certain powers in instances involving damage caused by an event for which a state of emergency has been declared; limiting the applicability of such powers; creating s. 718.127, F.S.; requiring that all unit owners be provided written notice

of the appointment of a receiver; providing for the delivery of such notice; amending s. 718.301, F.S.; providing circumstances under which unit owners other than a developer may elect not fewer than a majority of the members of the board of administration of an association; requiring a turnover inspection report; requiring that the report contain certain information; amending s. 718.3025, F.S.; requiring that maintenance and management services contracts disclose certain information; amending s. 718.3026, F.S.; revising a provision authorizing certain associations to opt out of provisions relating to contracts for products and services; removing provisions relating to competitive bid requirements for contracts executed before a specified date; providing requirements for any contract or transaction between an association and one or more of its directors or any other entity in which one or more of its directors are directors or officers or have a financial interest; amending s. 718.303, F.S.; providing that hearings regarding noncompliance with a declaration be held before certain persons; amending s. 718.501, F.S.; providing authority and responsibilities of the division; providing for enforcement actions brought by the division in its own name; providing for the imposition of penalties by the division; requiring that the division issue a subpoena requiring production of certain requested records under certain circumstances; providing for the issuance of notice of a declaratory statement with respect to documents governing a condominium community; requiring that the division provide training and education for condominium association board members and unit owners; authorizing the division to include certain training components and review or approve training programs offered by providers; requiring that certain individuals cooperate with the division in any investigation conducted by the division; amending s. 718.5012, F.S.; providing additional powers of the ombudsman; amending s. 718.50151, F.S.; redesignating the Advisory Council on Condominiums as the "Community Association Living Study Council"; providing for the creation of the council; revising legislative intent with respect to the appointment of council members; providing functions of the council; amending s. 718.503, F.S.; providing for disclosure of certain information upon the sale of a unit by a nondeveloper; requiring the provision of a governance form by the seller to the prospective buyer; requiring that such form contain certain information and a specified statement; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 2084** as amended and by two-thirds vote read the second time by title.

Pursuant to Rule 4.19, **CS for HB 995** was placed on the calendar of Bills on Third Reading.

On motion by Senator Gaetz, by unanimous consent—

CS for CS for SB 1012—A bill to be entitled An act relating to health insurance; amending s. 624.443, F.S.; authorizing the Office of Insurance Regulation to waive the requirement that each multiple-employer welfare arrangement maintain its principal place of business in this state if the arrangement meets certain specified conditions and has a minimum specified fund balance at the time of licensure; amending s. 627.638, F.S.; authorizing the payment of health insurance policy benefits directly to a licensed ambulance provider; requiring that an insurer make payments directly to the preferred provider for the delivery of health care services; creating s. 627.64731, F.S.; providing requirements for the rent, lease, or granting of access to the health care services of a preferred provider or exclusive provider under a health care contract; amending s. 627.662, F.S.; applying the requirements for the rent, lease, or granting of access to the health care services of a preferred provider or exclusive provider under a health care contract to group health insurance, blanket health insurance, and franchise health insurance policies; amending s. 641.31; providing that a health maintenance contract may not prohibit and a claims form must provide an option for direct payment to specified providers; authorizing a health maintenance organization to require a provider to make available a written attestation of assignment of benefits; authorizing the attestation to be submitted to the health maintenance organization in electronic form; amending s. 641.3155, F.S.; decreasing the amount of time in which a health maintenance organization may make a claim for overpayment against a provider; amending s. 627.6131, F.S.; reducing the period for a health insurer to submit a claim to a provider for overpayment; amending s. 627.6471, F.S.; requiring that a nonpreferred provider, upon request of the insured, provide to the insured the estimated range of charges for the services requested; specifying that the provider in not liable if the final charge exceeds the initial estimate; providing applicability; providing an effective date.

—was taken up out of order and read the second time by title.

Senator Gaetz moved the following amendment which was adopted:

Amendment 1 (182378)(with title amendment)—Delete line(s) 85-301 and insert:

Section 3. Subsections (18) and (19) are added to section 627.6131, Florida Statutes, to read:

627.6131 Payment of claims.—

(18) Notwithstanding the 30-month period provided in subsection (6), all claims for overpayment submitted to a provider licensed under chapter 458, chapter 459, chapter 460, chapter 461, or chapter 466 must be submitted to the provider within 12 months after the health insurer's payment of the claim. A claim for overpayment may not be permitted beyond 12 months after the health insurer's payment of a claim, except that claims for overpayment may be sought beyond that time from providers convicted of fraud pursuant to s. 817.234.

(19) Notwithstanding any other provision of this section, all claims for underpayment from a provider licensed under chapter 458, chapter 459, chapter 460, chapter 461, or chapter 466 must be submitted to the insurer within 12 months after the health insurer's payment of the claim. A claim for underpayment may not be permitted beyond 12 months after the health insurer's payment of a claim.

Section 4. Section 627.64731, Florida Statutes, is created to read:

627.64731 Leasing, renting, or granting access to a participating provider.—

(1) As used in this section, the term:

(a) "Contracting entity" means any person or entity that is engaged in the act of contracting with participating providers and has a direct contract with a participating provider for the delivery of health care services or the selling or assigning of physicians or physician panels to other health care entities.

(b) "Participating provider" means a physician licensed under chapter 458, chapter 459, chapter 460, chapter 461, or chapter 466, or a physician group practice that has a health care contract with a contracting entity and is entitled to reimbursement for health care services rendered to an enrollee under the health care contract and includes both preferred providers as defined in s. 627.6471 and exclusive providers as defined in s. 627.6472.

(2) A contracting entity may not sell, lease, rent, or otherwise grant access to the health care services of a participating provider under a health care contract unless expressly authorized by the health care contract. The health care contract must specifically provide that it applies to network rental arrangements and state that one purpose of the contract is selling, renting, or giving the contracting entity rights to the services of the participating provider, including other preferred provider organizations. At the time a health care contract is entered into with a participating provider, the contracting entity shall, to the extent possible, identify any third party to which the contracting entity has granted access to the health care services of the participating provider. The contracting entity may sell, lease, rent, or otherwise grant access to the participating provider's services only to a third party that is:

(a) A payer or a third-party administrator or other entity responsible for administering claims on behalf of the payer;

(b) A preferred provider organization or preferred provider network that receives access to the participating provider's services pursuant to an arrangement with the preferred provider organization or preferred provider network in a contract with the participating provider and that is required to comply with all of the terms, conditions, and affirmative obligations to which the originally contracted primary participating provider network is bound under its contract with the participating provider, including, but not limited to, obligations concerning patient steerage and the timeliness and manner of reimbursement; or

(c) An entity that is engaged in the business of providing electronic claims transport between the contracting entity and the payer or third-party administrator and that complies with all of the applicable terms,

conditions, and affirmative obligations of the contracting entity's contract with the participating provider including, but not limited to, obligations concerning patient steerage and the timeliness and manner of reimbursement.

(3) Upon a request by a participating provider, a contracting entity must provide the identity of any third party that has been granted access to the health care services of the participating provider.

(4) A contracting entity that leases, rents, or otherwise grants access to the health care services of a participating provider must maintain an Internet website or a toll-free telephone number through which the provider may obtain a listing, updated at least every 90 days, of the third parties that have been granted access to the provider's health care services.

(5) A contracting entity that leases, rents, or otherwise grants access to a participating provider's health care services must ensure that an explanation of benefits or remittance advice furnished to the participating provider that delivers health care services under the health care contract identifies the contractual source of any applicable discount.

(6) Subject to applicable continuity-of-care laws, the right of a third party to exercise the rights and responsibilities of a contracting entity under a health care contract terminates on the day following the termination of the participating provider's contract with the contracting entity.

(7) The provisions of this section do not apply if the third party that is granted access to a participating provider's health care services under a health care contract is:

(a) An employer or other entity providing coverage for health care services to the employer's employees or the entity's members and the employer or entity has a contract with the contracting entity or the contracting entity's affiliate for the administration or processing of claims for payment or services provided under the health care contract;

(b) An entity providing administrative services to, or receiving administrative services from, the contracting entity or the contracting entity's affiliate or subsidiary; or

(c) An affiliate or a subsidiary of a contracting entity, or other entity if operating under the same brand licensee program as the contracting entity.

(8) A health care contract may provide for arbitration of disputes arising under this section.

(9) A contracting entity shall ensure that all third parties to which the contracting entity has sold, rented, assigned, or otherwise given access to the participating provider's discounted rate comply with the physician contract, including all requirements to encourage access to the participating provider, and pay the provider pursuant to the rates of payment and methodology set forth in that contract, unless otherwise agreed to by a participating provider.

(10) A contracting entity is deemed in compliance with this section when the insured's identification card provides information, written or electronically, which identifies the preferred provider network or networks to be used to reimburse the provider for covered services.

(11) This section does not apply to a contract between a contracting entity and a discount medical plan organization licensed or exempt under part II of chapter 636.

Section 5. Subsections (11), (12), and (13) of section 627.662, Florida Statutes, are renumbered as subsections (12), (13), and (14), respectively, and a new subsection (11) is added to that section, to read:

627.662 Other provisions applicable.—The following provisions apply to group health insurance, blanket health insurance, and franchise health insurance:

(11) Section 627.64731, relating to leasing, renting, or granting access to a participating provider.

Section 6. Paragraph (v) of subsection (3) of section 627.6699, Florida Statutes, is amended to read:

627.6699 Employee Health Care Access Act.—

(3) DEFINITIONS.—As used in this section, the term:

(v) "Small employer" means, in connection with a health benefit plan with respect to a calendar year and a plan year, any person, sole proprietor, self-employed individual, independent contractor, firm, corporation, partnership, or association that is actively engaged in business, has its principal place of business in this state, employed an average of at least 1 but not more than 50 eligible employees on business days during the preceding calendar year *the majority of whom were employed in this state*, ~~and~~ employs at least 1 employee on the first day of the plan year*, and is not formed primarily for purposes of purchasing insurance. In determining the number of eligible employees, companies that are an affiliated group as defined in s. 1504(a) of the Internal Revenue Code of 1986, as amended, are considered a single employer.* For purposes of this section, a sole proprietor, an independent contractor, or a self-employed individual is considered a small employer only if all of the conditions and criteria established in this section are met.

Section 7. Subsection (41) is added to section 641.31, Florida Statutes, to read:

641.31 Health maintenance contracts.—

(41) Whenever, in any health maintenance organization claim form, a subscriber specifically authorizes payment of benefits directly to any contracted hospital, ambulance provider, physician, or dentist, the health maintenance organization shall make such payment to the designated provider of such services if any benefits are due to the subscriber under the terms of the agreement between the subscriber and the health maintenance organization. The health maintenance organization contract may not prohibit, and claims forms must provide an option for, the payment of benefits directly to a licensed hospital, ambulance provider, physician, or dentist for covered services provided, for services provided pursuant to s. 395.1041, and for ambulance transport and treatment provided pursuant to part III of chapter 401. The attestation of assignment of benefits may be in written or electronic form. Payment to the provider from the health maintenance organization may not be more than the amount that the insurer would otherwise have paid without the assignment. This subsection does not affect the applicability of ss. 641.3154 and 641.513 with respect to services provided and payment for such services provided pursuant to the subsection.

Section 8. Subsections (16) and (17) are added to section 641.3155, Florida Statutes, to read:

641.3155 Prompt payment of claims.—

(16) Notwithstanding the 30-month period provided in subsection (5), all claims for overpayment submitted to a provider licensed under chapter 458, chapter 459, chapter 460, chapter 461, or chapter 466 must be submitted to the provider within 12 months after the health maintenance organization's payment of the claim. A claim for overpayment may not be permitted beyond 12 months after the health maintenance organization's payment of a claim, except that claims for overpayment may be sought beyond that time from providers convicted of fraud pursuant to s. 817.234.

(17) Notwithstanding any other provision of this section, all claims for underpayment from a provider licensed under chapter 458, chapter 459, chapter 460, chapter 461, or chapter 466 must be submitted to the health maintenance organization within 12 months after the health maintenance organization's payment of the claim. A claim for underpayment may not be permitted beyond 12 months after the health maintenance organization's payment of a claim.

Section 9. This act shall take effect November 1, 2008, and applies to contracts entered into, issued, or renewed on or after that date, and the amendments made by this act to ss. 627.6131 and 641.3155, Florida Statutes, apply to claims payments made on or after November 1, 2008.

And the title is amended as follows:

Delete line(s) 12-39 and insert: for the delivery of health care services; amending s. 627.6131, F.S.; requiring claims for overpayment and underpayment be submitted to the provider within a certain timeframe; providing exceptions; creating s. 627.64731, F.S.; providing definitions; providing requirements, limitations, and procedures for leasing, renting,

or granting access to participating providers by third parties; providing exceptions; providing for arbitration; providing for application; amending s. 627.662, F.S.; expanding the list of sections applicable to certain types of insurance; amending s. 627.6699, F.S.; revising the definition of the term "small employer" with regard to the Employee Health Care Access Act; amending s. 641.31, F.S.; requiring health maintenance organizations to pay benefits directly to certain providers under certain circumstances; prohibiting health maintenance contracts from prohibiting and requiring claims forms to provide the option for payment of benefits directly to certain providers; amending s. 641.3155, F.S.; providing time limitations for and prohibitions against submitting certain claims for overpayment and claims for underpayment; providing for applicability; providing an effective date.

Pursuant to Rule 4.19, **CS for CS for SB 1012** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Gaetz, by unanimous consent—

CS for SB 2462—A bill to be entitled An act relating to group self-insurance funds; amending s. 624.4621, F.S.; authorizing the board of trustees of certain self-insurers to declare any moneys in excess of the amount necessary to fund all obligations of the self-insurer as refundable to the members or policyholders of the self-insurer; authorizing the board to distribute such dividends or premium refunds at the board's discretion, in accordance with the agreement establishing the self-insurer; providing limitations; requiring that such self-insurers receive prior written approval from the office for any dividend or premium refunds during a specified period after such self-insurers commence operations; requiring that a notice or request for refund contain certain information; providing for the submission of certain information to the Office of Insurance Regulation if a self-insurer does not make or declare a dividend or member distribution payable during a given fund year; requiring that the office issue a decision within a specified period after receiving a request; providing an effective date.

—was taken up out of order and read the second time by title.

Pursuant to Rule 4.19, **CS for SB 2462** was placed on the calendar of Bills on Third Reading.

SENATOR GAETZ PRESIDING

On motion by Senator Crist, by two-thirds vote **HB 61** was withdrawn from the Committees on Criminal Justice; Governmental Operations; and Judiciary.

On motion by Senator Crist—

HB 61—A bill to be entitled An act relating to offenses against officers; amending s. 776.051, F.S.; providing that a person is not justified in using force to resist an arrest by a law enforcement officer, or to resist a law enforcement officer engaged in executing a legal duty, if the officer acts in good faith and is known or appears to be a law enforcement officer; providing an effective date.

—a companion measure, was substituted for **CS for SB 654** and read the second time by title.

Pursuant to Rule 4.19, **HB 61** was placed on the calendar of Bills on Third Reading.

CS for CS for SB 2152—A bill to be entitled An act relating to criminal justice; providing legislative intent; requiring state agencies and regulatory boards to submit to the Governor and legislative officers a report that states current restrictions on employment of ex-offenders and possible alternatives that are compatible with public safety; requiring that such report be submitted in 2011 and then every 8 years thereafter; amending s. 112.011, F.S.; providing that a person may not be disqualified from receiving a license, permit, or certificate or from obtaining public employment on the grounds that the person's civil rights have not been restored; providing that a person is not required to secure the restoration of his or her civil rights or prove that his or her civil rights have been restored in order to receive a license, permit, or certificate or to obtain public employment; amending s. 943.0581, F.S.; authorizing the arresting agency or the agency where the warrant was issued to request an administrative expunction; amending s. 943.0585, F.S.; requiring the clerk of the court to place information about the availability of criminal history sealing and expunction on the court's Internet website and provide a link to the Department of Law Enforcement's website related to such information; clarifying under what circumstances a person may legally deny an expunged criminal history record; authorizing disclosure of the contents of an expunged record upon receipt of a written, notarized request from the record subject; amending s. 943.059, F.S.; clarifying under what circumstances a person may legally deny a sealed criminal history record; authorizing a person to petition the court to seek a second criminal history record sealing under certain circumstances; requiring the Office of Program Policy Analysis and Government Accountability to conduct a study; specifying the research questions for the study; requiring a report to be submitted to the Legislature; providing an effective date.

—was read the second time by title.

On motion by Senator Dockery, further consideration of **CS for CS for SB 2152** was deferred.

On motion by Senator Jones, by two-thirds vote **CS for HB 435** was withdrawn from the Committees on Judiciary; and Banking and Insurance.

On motion by Senator Jones, by two-thirds vote—

CS for HB 435—A bill to be entitled An act relating to trust administration; amending s. 736.0703, F.S.; providing exceptions to duties and liabilities of cotrustees for excluded cotrustees under certain circumstances; relieving excluded cotrustees from specified liabilities and obligations under certain circumstances; providing for liabilities and obligations of included cotrustees; amending s. 736.0802, F.S.; providing an exception for trustee payments of costs and attorney's fees from trust assets except pursuant to court order under certain circumstances; requiring trustees to provide certain notice to beneficiaries; providing notice requirements; providing requirements for obtaining such a court order; specifying remedies; providing for specified refunds and sanctions; preserving certain court remedies; amending s. 736.1008, F.S.; specifying periods of repose barring claims by a beneficiary against a trustee; providing construction; providing an effective date.

—a companion measure, was substituted for **CS for SB 2164** and by two-thirds vote read the second time by title.

Pursuant to Rule 4.19, **CS for HB 435** was placed on the calendar of Bills on Third Reading.

By Senator Joyner—

CS for SB 1474—A bill to be entitled An act relating to dissolution of marriage; amending s. 61.075, F.S.; providing for interim partial distributions during dissolution actions; providing for motions; providing for effect on final distributions; providing factors to be considered; revising the definition of the term "marital assets and liabilities"; providing a presumption concerning certain personal property acquired during the marriage; specifying the burden of proof necessary to overcome the gift presumption; abolishing special equity; providing for claims formerly identified as special equity; amending s. 741.0306, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was read the second time by title.

MOTION

On motion by Senator Joyner, the rules were waived to allow the following amendments to be considered:

Senator Joyner moved the following amendments which were adopted:

Amendment 1 (620860)(with title amendment)—Delete line(s) 30-47 and insert: *the subject of the sworn motion, set apart those nonmarital assets and liabilities, and provide for a partial distribution of*

those marital assets and liabilities. An interim order may be entered at any time after the date the dissolution of marriage is filed and served and before the final distribution of marital and nonmarital assets and marital and nonmarital liabilities.

(a) Such an interim order shall be entered only upon good cause shown and upon sworn motion establishing specific factual basis for the motion. The motion may be filed by either party and shall demonstrate good cause why the matter should not be deferred until the final hearing.

(b) The court shall specifically take into account and give appropriate credit for any partial distribution of marital assets or liabilities in its final allocation of marital assets or liabilities. Further, the court shall make specific findings in any interim order under this section that any partial distribution will not cause inequity or prejudice to either party as to either party's claims for support or attorney's fees.

And the title is amended as follows:

Delete line(s) 7 and insert: term "marital assets and liabilities"; conforming provisions to the abolition of special equity; providing a

Amendment 2 (570024)(with title amendment)—Delete line(s) 76-89 and insert:

3. All personal property titled jointly by the parties as tenants by the entireties, whether acquired prior to or during the marriage, shall be presumed to be a marital asset. In the event a party makes a claim to the contrary, the burden of proof shall be on the party asserting the claim that the subject property, or some portion thereof, is nonmarital.

4. The burden of proof to overcome the gift presumption shall be by clear and convincing evidence.

(11) Special equity is abolished. All claims formerly identified as special equity, and all special equity calculations, are abolished and shall be asserted either as a claim for unequal distribution of marital property and resolved by the factors set forth in subsection (1) or as a claim of enhancement in value or appreciation of nonmarital property.

And the title is amended as follows:

Delete line(s) 13 and insert: provisions to the abolition of special equity; providing an

Pursuant to Rule 4.19, **CS for SB 1474** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

By Senator Dean—

CS for SB 740—A bill to be entitled An act relating to retired justices and judges; amending s. 25.073, F.S.; providing exceptions to a prohibition against certain former judges serving as retired justices or retired judges under certain circumstances; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 740** was placed on the calendar of Bills on Third Reading.

By Senator Rich—

CS for CS for SB 766—A bill to be entitled An act relating to public records; amending s. 119.071, F.S.; creating exemptions from public-records requirements for the home addresses and telephone numbers of general magistrates, special magistrates, judges of compensation claims, administrative law judges of the Division of Administrative Hearings, and child support enforcement hearing officers, the home addresses, telephone numbers, and places of employment of the spouses and children of general magistrates, special magistrates, judges of compensation claims, administrative law judges of the Division of Administrative Hearings, and child support enforcement hearing officers, and the names and locations of schools and day care facilities attended by the children of general magistrates, special magistrates, judges of compensation claims, administrative law judges of the Division of Administrative Hearings, and child support enforcement hearing officers; requiring reasonable efforts by the magistrates, judges, and hearing officers to prevent access through other means; providing for legislative review and repeal of the exemptions; providing a statement of public necessity; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 766** was placed on the calendar of Bills on Third Reading.

On motion by Senator Constantine, by two-thirds vote—

CS for CS for SB 866—A bill to be entitled An act relating to elections; amending s. 97.012, F.S.; revising provisions relating to the investigative duties of the Secretary of State; amending s. 97.041, F.S.; revising requirements for voter preregistration of minors; amending s. 97.053, F.S.; revising provisions relating to verification of certain information on voter registration applications; amending s. 97.0535, F.S.; revising forms of acceptable identification for certain voter registration applicants; amending s. 97.055, F.S.; providing for change of party affiliation after the closing of the registration books to apply to an upcoming election under certain circumstances; amending s. 98.065, F.S.; revising registration list maintenance provisions; creating s. 98.0655, F.S.; requiring the Department of State to prescribe registration list maintenance forms; providing criteria for such forms; amending s. 98.075, F.S.; providing for the removal of the name of a deceased person from the statewide voter registration system upon receipt by the supervisor of a copy of a death certificate; providing procedures concerning such removal; amending s. 98.0981, F.S.; reducing the time by which supervisors of elections must electronically transmit certain voter history information to the department; requiring the department to prepare a detailed report containing specified voter information to legislative officers after a general election; requiring supervisors of elections to collect and submit data to the department after certain elections; defining the phrase "all ballots cast"; requiring the department to compile precinct-level statistical data for counties before certain elections; amending s. 99.012, F.S.; providing restrictions on individuals qualifying for public office; removing an exception from such restrictions for persons seeking any federal public office; amending s. 99.021, F.S.; deleting a resignation statement from the qualifying oath for candidates for federal office; amending s. 100.221, F.S.; providing circumstances under which early voting is not required; amending s. 100.361, F.S.; revising provisions relating to the recall of municipal or charter county officers, recall committees, recall petitions, recall defense, and offenses related thereto; amending s. 100.371, F.S.; providing that a petition form circulated for signatures may not be bundled with other petitions; deleting requirements relating to the recording and determination of signature forms; providing that an elector may complete and submit a standard petition-revocation form directly to the supervisor of elections under certain circumstances; requiring that the division adopt petition-revocation forms by rule; amending s. 101.041, F.S.; deleting a requirement for the printing and distribution of official ballots; amending s. 101.045, F.S.; authorizing the use of a voter registration application for a name or address change; amending s. 101.111, F.S.; revising methods by which a person's right to vote may be challenged; amending s. 101.23, F.S.; deleting provisions requiring an election inspector to prevent certain persons from voting; amending s. 101.51, F.S.; deleting provisions specifying certain responsibilities of election officials before allowing electors to enter a booth or compartment to vote; amending s. 101.5608, F.S.; revising certain procedures relating to the deposit of ballots; repealing s. 101.573, F.S., relating to the reporting of precinct-level election results; amending s. 101.6102, F.S.; providing exceptions to the types of elections that may not be conducted by mail ballot; amending s. 101.6923, F.S.; revising forms of acceptable identification for certain absentee voters; amending s. 101.733, F.S.; authorizing the Governor to call for a mail ballot election in the event of a declared state of emergency or an impending emergency; requiring that the Department of State adopt rules regarding such election; revising notice requirements for elections rescheduled due to an emergency; amending s. 101.75, F.S.; authorizing municipalities to set by ordinance election dates to coincide with statewide or countywide elections; amending s. 102.014, F.S.; revising provisions relating to the training of poll workers; amending s. 102.031, F.S.; including the term "solicitation" as an equivalent of the term "solicit" as it relates to the unlawful solicitation of voters; providing that such terms do not prohibit exit polling; amending s. 102.112, F.S.; revising the county canvassing board's certification requirements for election returns; amending s. 103.101, F.S.; deleting provisions related to the placement on the ballot of presidential candidates whose names

do not appear on the list submitted to the Secretary of State; amending s. 106.021, F.S.; removing a campaign finance filing requirement for certain candidates; amending s. 106.07, F.S.; clarifying that political subdivisions may impose electronic filing requirements on certain candidates, and that expenditures for such filing system serve a valid public purpose; repealing s. 106.082, F.S., relating to campaign contribution limitations for candidates for the office of Commissioner of Agriculture; amending s. 106.147, F.S.; requiring a disclosure statement for certain telephone calls; revising provisions requiring authorization from the candidate or sponsor for certain telephone calls; amending s. 106.24, F.S.; providing that the Florida Elections Commission is its own agency head rather than the director of the commission; amending s. 190.006, F.S.; deleting certain fee and assessment provisions for candidates seeking election to the board of supervisors of a community redevelopment district; providing effective dates.

—was read the second time by title.

Senator Constantine moved the following amendment which was adopted:

Amendment 1 (402546)(with title amendment)—Delete line(s) 294-382 and redesignate subsequent sections.

And the title is amended as follows:

Delete line(s) 17-21, and insert: criteria for such forms; amending s.

Senator Aronberg moved the following amendment which failed:

Amendment 2 (421232)(with directory and title amendments)—Between line(s) 545 and 546, insert:

(d) In addition to the requirements set forth in paragraph (a), a person seeking to qualify as a write-in candidate shall, at the time of subscribing to the oath or affirmation, state in writing:

1. The party of which the person is a member. If the person is not a member of any party, that person shall so indicate by writing "no party affiliation."

2. That the person has not been a registered member of any other political party at any time during the 90 days immediately preceding that date.

And the directory clause is amended as follows:

Delete line(s) 482 and insert: 99.021, Florida Statutes, is amended, and paragraph (d) is added to that subsection, to read:

And the title is amended as follows:

On line(s) 37, after the first semicolon (;) insert: requiring a person seeking to qualify as a write-in candidate to state certain information in writing at the time of subscribing to the oath or affirmation;

The vote was:

Yeas—18

Aronberg	Dockery	Justice
Bennett	Garcia	Margolis
Bullard	Geller	Rich
Crist	Hill	Ring
Dean	Jones	Villalobos
Deutch	Joyner	Wilson

Nays—18

Alexander	Fasano	Peaden
Atwater	Gaetz	Posey
Baker	Haridopolos	Siplin
Carlton	King	Storms
Constantine	Lynn	Webster
Diaz de la Portilla	Oelrich	Wise

Senator Constantine moved the following amendment which was adopted:

Amendment 3 (728280)(with title amendment)—Between lines 545 and 546, insert:

Section 12. Paragraph (a) of subsection (2) of section 99.095, Florida Statutes, is amended to read:

99.095 Petition process in lieu of a qualifying fee and party assessment.—

(2)(a) Except as provided in paragraph (b), a candidate must obtain the number of signatures of voters in the geographical area represented by the office sought equal to at least 1 percent of the total number of registered voters of that geographical area, as shown by the compilation by the department for the immediately preceding general election. Signatures may not be obtained until the candidate has filed the appointment of campaign treasurer and designation of campaign depository pursuant to s. 106.021 *and are valid only for the qualifying period immediately following such filings*.

(Redesignate subsequent sections.)

And the title is amended as follows:

On line 37, after the first semicolon (;) insert: amending s. 99.095, F.S.; providing requirements for candidate qualifying petitions;

Senator Justice moved the following amendment which failed:

Amendment 4 (442990)(with title amendment)—Delete lines 1098-1146 and insert:

(1) When the right to vote of any person who desires to vote is challenged by any elector or poll watcher, the challenge shall be reduced to writing with an oath as provided in this section, giving reasons for the challenge, which shall be delivered to the clerk or inspector. Any elector or poll watcher challenging the right of a person to vote shall execute the oath set forth below:

OATH OF PERSON ENTERING CHALLENGE

State of Florida

County of _____

I do solemnly swear that my name is _____ ; that I am a member of the _____ Party; that I am a registered voter or pollwatcher; that my residence address is _____, in the municipality of _____; and that I have reason to believe that _____ is attempting to vote illegally and the reasons for my belief are set forth herein to wit:

(Signature of person challenging voter)

Sworn and subscribed to before me this ____ day of _____, (year) .

(Clerk of election)

(2) A voter's right to register or vote may not be challenged on the basis of the following documents:

(a) A "voter caging document," which is defined as a nonforwardable document, sent by a person other than a state or local election official, and which is returned to the sender or a third party as undelivered or undeliverable despite an attempt to deliver such document to the address of a registered voter or applicant for registration;

(b) A list of individuals compiled from voter caging documents; or

(c) A list produced by matching the information of registered voters or applicants for voter registration to a list of individuals who are ineligible to vote by virtue of death, conviction, change of address, or otherwise, unless one of the pieces of information matched includes a signature, photograph, or unique identifying number ensuring that the information from each source refers to the same individual.

(3) A person other than a state or local election official may not submit a formal challenge to an individual's eligibility to register to vote or to vote in any election if the basis for such challenge is evidence consisting of an error or omission on any record or paper relating to any application, registration, or other act requisite to voting, if such error or omission is not material to an individual's eligibility to vote as provided by law.

(4)~~(2)~~ The clerk or inspector shall immediately deliver to the challenged person a copy of the oath of the person entering the challenge, and the challenged voter shall be allowed to cast a provisional ballot.

(5)~~(3)~~ Any elector or poll watcher may challenge the right of any voter to vote not sooner than 30 days before an election by filing a completed copy of the oath contained in subsection (1) to the supervisor of election's office. The challenged voter shall be permitted to cast a provisional ballot.

(6)~~(4)~~ Any elector or poll watcher filing a frivolous challenge of any person's right to vote commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083; however, electors or poll watchers shall not be subject to liability for any action taken in good faith and in furtherance of any activity or duty permitted of such electors or poll watchers by law. Each instance where any elector or poll watcher files a frivolous challenge of any person's right to vote constitutes a separate offense.

And the title is amended as follows:

Delete lines 55 and 56 and insert: 101.111, F.S.; prohibiting a voter's right to vote from being challenged on the basis of certain documents; providing an exception; prohibiting a person other than a state or local election official from challenging another person's right to register or vote if the basis for such challenge is evidence consisting of certain information; amending s. 101.23, F.S.;

Senator Constantine moved the following amendment which was adopted:

Amendment 5 (661364)(with title amendment)—Delete lines 1204 to 1214 and lines 1290 to 1348 and redesignate subsequent sections.

And the title is amended as follows:

Delete line(s) 65-74, and insert: results; amending s. 101.6923, F.S.; revising forms of acceptable identification for certain absentee voters; amending s. 101.75, F.S.;

Senator Justice moved the following amendment:

Amendment 6 (321150)(with title amendment)—Between line(s) 1624 and 1625, insert:

(e) Any electioneering communication paid for with public funds must include a disclaimer containing the words "paid for at taxpayers' expense."

And the title is amended as follows:

Delete line(s) 97 and insert: calls and communications; revising provisions requiring authorization from

MOTION

On motion by Senator Justice, the rules were waived to allow the following amendment to be considered:

Senator Justice moved the following amendment to **Amendment 6** which was adopted:

Amendment 6A (532486)—Delete line(s) 6-8 and insert:

(e) Any electioneering communication paid for with public funds must include a disclaimer containing the words "paid for by (Name of the government entity paying for the communication)."

Amendment 6 as amended was adopted.

MOTION

On motion by Senator Constantine, the rules were waived to allow the following amendment to be considered:

Senator Constantine moved the following amendment which was adopted:

Amendment 7 (343450)(with title amendment)—Between line(s) 1669 and 1670 insert:

Section 36. Subsection (2) of section 105.041, Florida Statutes, is amended to read:

105.041 Form of ballot.—

(2) LISTING OF CANDIDATES.—

The ~~(a) Except as provided in paragraph (b), the~~ order of nonpartisan offices appearing on the ballot shall be determined by the Department of State. The names of candidates for election to each nonpartisan office shall be listed in alphabetical order. With respect to retention of justices and judges, the question "Shall Justice (or Judge) (name of justice or judge) of the (name of the court) be retained in office?" shall appear on the ballot in alphabetical order and thereafter the words "Yes" and "No."

~~(b)1. The names of candidates for the office of circuit judge shall be listed on the primary election ballot in the order determined by lot conducted by the director of the Division of Elections of the Department of State after the close of the qualifying period.~~

~~2. Candidates who have secured a position on the general election ballot, after having survived elimination at the primary election, shall have their names listed in the same order as on the primary election ballot, notwithstanding the elimination of any intervening names as a result of the primary election.~~

And the title is amended as follows:

On line(s) 104 after the semicolon (;) insert: amending s. 105.041, F.S.; providing procedure for determining ballot position of candidates for the office of circuit judge;

Pursuant to Rule 4.19, **CS for CS for SB 866** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

By Senator Dockery—

CS for CS for CS for SB 1442—A bill to be entitled An act relating to exploited children; amending s. 92.56, F.S.; permitting use of a pseudonym to designate the victim of a crime involving a victim of production, possession, or promotion of child pornography; revising provisions concerning use of victim pseudonyms to specify that they may be used in civil and criminal proceedings; amending s. 796.035, F.S.; revising provisions relating to the sale or transfer of minors into sex trafficking or prostitution; amending s. 800.04, F.S., relating to lewd or lascivious exhibition, to conform to changes made by the act; amending s. 847.0135, F.S.; conforming provisions to changes made by the act; creating s. 847.002, F.S.; requiring law enforcement officers to provide certain information to the National Center for Missing and Exploited Children; requiring law enforcement officers submitting a case for prosecution that involves the creation, possession, or promotion of child pornography to provide specified information to prosecutors; requiring prosecutors to enter specified information in a database maintained by the Attorney General; creating s. 847.01357, F.S.; providing a civil remedy for any person who, while under the age of 18, was a victim of certain sexual abuse crimes wherein any portion of that abuse was used in the production of child pornography and who suffers personal or psychological injury as a result of the production, promotion, or possession of such images; specifying damages; providing for limitation of actions; providing for confidential pseudonyms to specified claimants; precluding a defense to certain civil actions; permitting the Attorney General to pursue cases on behalf of victims; providing for disposition of damages and attorney's fees; amending s. 960.03, F.S.; expanding the definition of "crime" for purposes of victim compensation to include violations of s. 827.071, s. 847.0135, s. 847.0137, or s. 847.038, related to online sexual exploitation and child pornography; defining the term "identified victim of child pornography;" expanding the definition of "victim" for purposes of victim compensation to include a person less than 18 years of age who was present at the scene of a crime, saw or heard the crime, and suffered a psychiatric or psychological injury because of the crime, but who was not physically injured; creating s. 960.197, F.S.; authorizing victim compensation awards to certain persons who suffer psychiatric or psychological injury as a result of certain crimes; amending ss. 90.404, 92.565, 394.912, 409.2355, 775.082, 775.084, 775.15, 775.21, 784.048, 787.01, 787.02, 787.025, 794.065, 914.16, 921.0022, 921.244, 938.10, 943.04354, 947.1405, 948.03, 948.06, 948.101, 948.30, and 948.31, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was read the second time by title.

Senator Dockery moved the following amendment which was adopted:

Amendment 1 (703292)—Delete line 201 and insert: *victim of child pornography.*

Pursuant to Rule 4.19, **CS for CS for CS for SB 1442** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Dean, the Senate recalled—

CS for SB 740—A bill to be entitled An act relating to retired justices and judges; amending s. 25.073, F.S.; providing exceptions to a prohibition against certain former judges serving as retired justices or retired judges under certain circumstances; providing an effective date.

—for further consideration.

MOTION

On motion by Senator Dean, the rules were waived to allow the following amendment to be considered:

Senator Dean moved the following amendment which was adopted:

Amendment 1 (706276)(with directory and title amendments)—Delete lines 14-33 and insert:

(2) Notwithstanding subsection (1), a former justice or judge who has failed to win reelection or be retained after more than 12 years of service as a justice or judge, or has served at least one complete term as a justice or judge and has chosen not to stand for retention or reelection at the conclusion of the latest term, may be qualified to serve as a retired justice or judge unless:

(a) Such former justice or judge has been reprimanded, fined, suspended, or disciplined by the Florida Supreme Court for violations of the Florida Code of Judicial Conduct or the rules regulating The Florida Bar;

(b) The Judicial Qualifications Commission has brought charges against such former justice or judge which were not dismissed, or such former justice or judge was not exonerated of all such charges; or

(c) Any party objects to the assignment of such former justice or judge when such former justice or judge is to preside over a civil case, including any appeal of a civil case.

And the directory clause is amended as follows:

Delete lines 10 and 11 and insert:

Section 1. Present subsections (2) and (3) of section 25.073, Florida Statutes, are renumbered as subsections (3) and (4), respectively, and a new subsection (2) is added to that section, to read:

And the title is amended as follows:

Delete lines 3-5 and insert: s. 25.073, F.S.; providing that a former justice or judge may be qualified to serve as a retired justice or judge under certain conditions; providing circumstances under which such justice or judge is excluded from serving as a retired justice or judge; providing

Pursuant to Rule 4.19, **CS for SB 740** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

The Senate resumed consideration of—

CS for CS for SB 2152—A bill to be entitled An act relating to criminal justice; providing legislative intent; requiring state agencies and regulatory boards to submit to the Governor and legislative officers a report that states current restrictions on employment of ex-offenders and possible alternatives that are compatible with public safety; requiring that such report be submitted in 2011 and then every 8 years thereafter; amending s. 112.011, F.S.; providing that a person may not be disqualified from receiving a license, permit, or certificate or from obtaining public employment on the grounds that the person's civil rights have not been restored; providing that a person is not required to secure the restoration of his or her civil rights or prove that his or her civil rights have been restored in order to receive a license, permit, or certificate or to obtain public employment; amending s. 943.0581, F.S.; authorizing the arresting agency or the agency where the warrant was issued to request an administrative expunction; amending s. 943.0585, F.S.; requiring the clerk of the court to place information about the availability of criminal history sealing and expunction on the court's Internet website and provide a link to the Department of Law Enforcement's website related to such information; clarifying under what circumstances a person may legally deny an expunged criminal history record; authorizing disclosure of the contents of an expunged record upon receipt of a written, notarized request from the record subject; amending s. 943.059, F.S.; clarifying under what circumstances a person may legally deny a sealed criminal history record; authorizing a person to petition the court to seek a second criminal history record sealing under certain circumstances; requiring the Office of Program Policy Analysis and Government Accountability to conduct a study; specifying the research questions for the study; requiring a report to be submitted to the Legislature; providing an effective date.

—which was previously considered this day.

MOTION

On motion by Senator King, the rules were waived to allow the following amendment to be considered:

Senators Posey and King offered the following amendment which was moved by Senator King and adopted:

Amendment 1 (423910)—On line(s) 116, after the period (.) insert: *However, paragraph (c) does not apply to the issuance of a license for a concealed weapon or firearm or the purchasing of a firearm pursuant to chapter 790.*

On motions by Senator King, by two-thirds vote **CS for CS for SB 2152** as amended was read the third time by title, passed, ordered engrossed and then immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Fasano	Oelrich
Alexander	Gaetz	Peaden
Aronberg	Garcia	Posey
Atwater	Geller	Rich
Baker	Haridopolos	Ring
Bennett	Hill	Saunders
Bullard	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise
Dockery	Margolis	

Nays—None

THE PRESIDENT PRESIDING

On motion by Senator Storms, by two-thirds vote **HB 7007** was withdrawn from the Committees on Children, Families, and Elder Affairs; Health Policy; and Judiciary.

On motion by Senator Storms, by two-thirds vote—

HB 7007—A bill to be entitled An act relating to safe haven protection for surrendered newborn infants; amending s. 39.01, F.S.; revising definitions; amending s. 39.201, F.S.; conforming terminology to changes made by the act; amending s. 63.0423, F.S.; providing for presumption of consent to termination of parental rights in cases of surrendered infants; removing a requirement that the child-placing agency conduct a search to identify a parent of a surrendered infant; providing an exception; conforming provisions relating to granting a petition for termination of parental rights; amending s. 383.50, F.S.; increasing the age at which an infant is considered a newborn infant for purposes of treatment

after surrender; providing for anonymity of the infant's parents; providing an effective date.

—a companion measure, was substituted for **CS for SB 1704** and by two-thirds vote read the second time by title.

Pursuant to Rule 4.19, **HB 7007** was placed on the calendar of Bills on Third Reading.

On motion by Senator Storms, by two-thirds vote **HB 7073** was withdrawn from the Committees on Children, Families, and Elder Affairs; Judiciary; and General Government Appropriations.

On motion by Senator Storms, by two-thirds vote—

HB 7073—A bill to be entitled An act relating to child support enforcement; amending s. 61.14, F.S.; requiring payments on child support judgments to be applied first to the current child support due, then to the delinquent principal, and then to any interest on the support judgment; amending s. 61.1824, F.S.; requiring the State Disbursement Unit to disburse payments to obligees electronically; amending s. 328.42, F.S.; requiring the Department of Highway Safety and Motor Vehicles to cooperate with the Department of Revenue in establishing an automated method for disclosing owners of registered vessels to the Department of Revenue; authorizing the Department of Highway Safety and Motor Vehicles to suspend the operating privilege of vessel owners who are not in compliance with orders relating to child support when directed by the Department of Revenue; amending s. 409.2558, F.S.; requiring the State Disbursement Unit to disburse payments to obligees electronically; amending s. 409.256, F.S.; requiring the correctional facility to assist an incarcerated putative father in complying with an administrative order to appear for genetic testing; clarifying that an administrative order for genetic testing has the same force and effect as a court order; amending s. 456.004, F.S.; requiring the Department of Health to cooperate with the Department of Revenue in establishing an automated method for disclosing health practitioner licensees to the Department of Revenue; authorizing the Department of Health to suspend or deny the license of a licensee who is not in compliance with orders relating to child support when directed by the Department of Revenue; amending s. 497.167, F.S.; authorizing the Department of Financial Services to suspend or deny the license of a licensee who is not in compliance with orders relating to child support when directed by the Department of Revenue; amending s. 559.79, F.S.; requiring the Department of Business and Professional Regulation to cooperate with the Department of Revenue in establishing a method for disclosing professional licensees to the Department of Revenue; authorizing the Department of Business and Professional Regulation to suspend or deny the license of a licensee who is not in compliance with orders relating to child support when directed by the Department of Revenue; amending s. 1012.21, F.S.; requiring the Department of Education to cooperate with the Department of Revenue in establishing a method for disclosing educators to the Department of Revenue; authorizing the Department of Education to suspend or deny the teaching certificate of a person who is not in compliance with orders relating to child support when directed by the Department of Revenue; amending s. 1012.795, F.S.; requiring the Education Practices Commission to suspend or deny the educator certificate of a person who is not in compliance with orders relating to child support upon notice by the Department of Revenue; repealing s. 409.25645, F.S., relating to administrative orders for genetic testing; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 1152** and by two-thirds vote read the second time by title.

Pursuant to Rule 4.19, **HB 7073** was placed on the calendar of Bills on Third Reading.

SENATOR GAETZ PRESIDING

Consideration of **CS for SB 988** was deferred.

On motion by Senator Rich, by two-thirds vote **CS for HB 663** was withdrawn from the Committees on Children, Families, and Elder Affairs; Judiciary; and Criminal and Civil Justice Appropriations.

On motion by Senator Rich, by two-thirds vote—

CS for HB 663—A bill to be entitled An act relating to the termination of parental rights; amending s. 39.812, F.S.; requiring a petition for adoption to be accompanied by a statement verifying that adoptive parents have received all information required to be disclosed; amending s. 49.011, F.S.; providing for service of process by publication for termination of parental rights under ch. 63, F.S.; amending s. 63.032, F.S.; redefining terms; amending s. 63.037, F.S.; specifying applicability of exemptions from disclosure requirements for adoption entities under certain circumstances; amending s. 63.039, F.S.; requiring an adoption entity to provide adoption disclosure statements to persons whose consent is required for adoption; requiring attorney's fees and costs in certain actions to be awarded pursuant to the Florida Rules of Civil Procedures; amending s. 63.0425, F.S.; clarifying a grandparent's right to notice; amending s. 63.054, F.S.; providing that an unmarried biological father who fails to register with the Florida Putative Father Registry before the filing of a petition for termination of parental rights may not file a paternity claim under ch. 742, F.S.; providing an exception from the time limitations for filing a paternity claim; providing that if a registrant fails to report a change of address, the adoption entity or adoption petitioner is not obligated to search further for the registrant; requiring a petitioner in a proceeding in which parental rights are terminated simultaneously with entry of final judgment of adoption to contact the Office of Vital Statistics for a search of the registry; providing procedures for searching the registry when termination of parental rights and an adoption proceeding are adjudicated separately; amending s. 63.062, F.S.; revising criteria for serving notice of terminating parental rights to the father of a minor; revising procedures for serving notice of intended adoption plan; providing criteria for avoiding default on providing consent to adoption; providing for the proper venue to file a petition to terminate parental rights; amending s. 63.063, F.S.; revising the standard for compliance with laws relating to adoption; amending s. 63.082, F.S.; revising the notice and consent requirements to adoption to also exclude cases involving sexual activity with certain minors; revising consent requirements that apply to men; limiting the time period for revoking consent to adopt a child older than 6 months of age to 3 business days; revising requirements for withdrawing a consent for adoption; amending s. 63.085, F.S.; revising requirements for required disclosures by an adoption entity; requiring that background information concerning the child be revealed to prospective adoptive parents; amending s. 63.087, F.S.; revising procedures for terminating parental rights pending an adoption; providing the proper venue in which to file a petition to terminate parental rights; providing for joint petitions for termination of parental rights and adoption; providing that failure to appear at certain hearings constitutes grounds for termination of parental rights; removing a provision relating to the procedure for notifying a petitioner of a final hearing; amending s. 63.088, F.S.; providing that a mother's failure to identify an unmarried biological father is not a defense to a termination of parental rights; revising information relating to a court's inquiry about the father of the child who is to be adopted; requiring persons contacted by a petitioner or adoption entity to release certain records; providing that a judgment approving a diligent search is not subject to direct or collateral attack; amending s. 63.089, F.S.; revising provisions relating to service of notice and petition regarding termination of parental rights and consent to adoption; revising conditions for making a finding of abandonment; prohibiting a person who failed to establish parental rights from challenging a judgment terminating parental rights under certain circumstances; amending s. 63.092, F.S.; revising the conditions and timeframe for an adoption entity to report to the court the intent to place a minor for adoption; amending s. 63.102, F.S.; revising procedures for the filing of a petition for adoption; providing the proper venue where the petition may be filed; amending s. 63.122, F.S.; revising whose name may be removed from a petition under certain circumstances; amending s. 63.132, F.S.; providing additional exceptions to the requirement that the adoptive parent and the adoption entity file an affidavit itemizing all expenses and receipts; amending s. 63.135, F.S.; requiring the adoption entity or petitioner to file an affidavit under the Uniform Child Custody Jurisdiction and Enforcement Act in a termination of parental rights proceeding; deleting information required to be submitted under oath to the court; amending s. 63.142, F.S.; requiring that if an adoption petition is dismissed, any further proceedings regarding the minor be brought in a separate custody action under ch. 61, F.S., a dependency action under ch. 39, F.S., or a paternity action under ch. 742, F.S.; revising conditions under which a judgment terminating parental rights is voidable; amending s. 63.192, F.S.; requiring the courts of this state to recognize decrees of termination of parental rights and adoptions from other states and countries; amending s.

63.212, F.S.; revising acts that are unlawful pertaining to adoptions; creating s. 63.236, F.S.; providing that a petition for termination of parental rights filed before the effective date of the act is governed by the law in effect at the time the petition was filed; amending s. 742.021, F.S.; requiring the clerk of court to issue certain notice in cases of complaints concerning determination of paternity; amending s. 742.10, F.S.; providing applicability of chs. 39 and 63, F.S., to jurisdiction and procedures for determination of paternity for children born out of wedlock; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 1084** and by two-thirds vote read the second time by title.

Pursuant to Rule 4.19, **CS for HB 663** was placed on the calendar of Bills on Third Reading.

By Senator Storms—

CS for SB 1042—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 63.0541, F.S., relating to a public-records exemption for information contained in the Florida Putative Father Registry; saving the exemption from repeal under the Open Government Sunset Review Act; narrowing the exemption to allow access by the birth mother; removing superfluous provisions; repealing s. 2, ch. 2003-56, Laws of Florida, relating to provisions providing for the repeal of the exemption; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1042** was placed on the calendar of Bills on Third Reading.

By Senator Storms—

SB 1046—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 409.175, F.S.; revising the public-records exemption provided for information held by the Department of Children and Family Services regarding foster parent applicants, foster parents, and persons providing character or neighbor references regarding foster parent applicants or foster parents; removing an exemption provided for social security numbers; saving the exemption from repeal under the Open Government Sunset Review Act; repealing s. 2, ch. 2003-83, Laws of Florida; deleting provisions that provide for the repeal of the exemption; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 1046** was placed on the calendar of Bills on Third Reading.

By Senator Alexander—

SB 186—A bill to be entitled An act relating to the University of South Florida Lakeland; creating s. 1004.345, F.S.; establishing and designating the University of South Florida Lakeland campus; providing legislative intent; requiring the Board of Trustees to appoint a Campus Board; providing membership, powers, and duties of the Campus Board; providing that the university is administered by a Campus Executive Officer; requiring the President of the University of South Florida to consult with the Campus Board before hiring or terminating the Campus Executive Officer; providing duties and powers of the Campus Executive Officer; providing that students enrolled at a branch campus of the university have the same rights as other students; requiring the University of South Florida to provide for a system of student registration that meets certain conditions; providing an effective date.

—was read the second time by title.

Senator Alexander moved the following amendments which were adopted:

Amendment 1 (183624)(with title amendment)—On line(s) 23, 26, 28, 31, 33, 36, 43, 55, 61, 67, 94, 97, 105, and 114, delete "*Lakeland*" and insert: *Polytechnic*

And the title is amended as follows:

On line(s) 3 and 4, delete "Lakeland" and insert: Polytechnic

Amendment 2 (909878)—On line 94, delete "*2007-2008*" and insert: *2008-2009*

Pursuant to Rule 4.19, **SB 186** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Bennett—

CS for CS for SB 818—A bill to be entitled An act relating to financial services; amending s. 20.121, F.S.; providing that the appointment of the director of each office within the Department of Financial Services is subject biennially to reaffirmation, which may be accomplished by a simple majority vote of the Financial Services Commission; requiring that such vote occur by a specified date; amending s. 520.02, F.S.; defining the term "guaranteed asset protection products"; amending s. 520.07, F.S.; setting forth requirements and prohibitions for selling guaranteed asset protection products; amending s. 624.605, F.S.; including debt-cancellation products under casualty insurance; providing a definition; authorizing certain entities to offer debt-cancellation products under certain circumstances; specifying that such products are not insurance; amending ss. 627.553 and 627.679, F.S.; revising limitations on the amount of authorized insurance for debtors; amending s. 627.681, F.S.; revising a limitation on the term of credit disability insurance; amending s. 655.005, F.S.; redefining the terms "federal financial institution" and "financial institution"; defining the term "debt-cancellation products"; amending s. 655.79, F.S.; providing that a deposit account by a husband and wife is a tenancy by the entirety; creating s. 655.947, F.S.; providing a definition; authorizing financial institutions to offer debt-cancellation products; authorizing a fee; requiring the Financial Services Commission to adopt rules; providing that a periodic payment option is not required for certain debt-cancellation products; amending s. 655.954, F.S.; authorizing a financial institution to offer a debt-cancellation product but not as a requirement of receiving a loan; creating s. 655.967, F.S.; providing that state-mandated endowments may be maintained in trust accounts in financial institutions; amending s. 658.21, F.S.; revising an ownership of capital criterion for capital accounts at financial institutions and one-bank holding companies; amending s. 658.34, F.S.; prohibiting certain stock issuance practices for banks; amending s. 658.36, F.S.; requiring a state bank or trust company to file a written notice before increasing its capital stock; amending s. 658.44, F.S.; revising criteria for determining the value of dissenting shares of certain entities; providing an effective date.

—was read the second time by title.

An amendment was considered and adopted to conform **CS for CS for SB 818** to **CS for CS for HB 343**.

Pending further consideration of **CS for CS for SB 818** as amended, on motion by Senator Bennett, by two-thirds vote **CS for CS for HB 343** was withdrawn from the Committees on Banking and Insurance; Commerce; and General Government Appropriations.

On motion by Senator Bennett, by two-thirds vote—

CS for CS for HB 343—A bill to be entitled An act relating to financial services; amending s. 520.02, F.S.; defining the term "guaranteed asset protection product"; amending s. 520.07, F.S.; authorizing certain entities to offer optional guaranteed asset protection products under certain circumstances; prohibiting such entities from requiring purchase of such products as a condition for certain financial transactions; providing requirements for offering such products; providing limitations; amending s. 624.605, F.S.; including debt cancellation products under casualty insurance; providing a definition; authorizing certain entities to offer debt cancellation products under certain circumstances; specifying such products as not constituting insurance; amending ss. 627.553 and 627.679, F.S.; revising limitations on the amount of authorized insurance for debtors; amending s. 627.681, F.S.; revising a limitation on the term of credit disability insurance; amending s. 655.005, F.S.; revising and providing definitions; amending s. 655.79, F.S.; specifying certain accounts as tenancies by the entireties; creating s. 655.967, F.S.; authorizing a state-mandated endowment to be maintained in trust accounts in financial institutions; creating s. 655.947, F.S.; authorizing

financial institutions to offer debt cancellation products; authorizing a fee; providing a definition; providing requirements for financial institutions relating to debt cancellation products; requiring the Financial Services Commission to adopt rules; specifying that periodic payment options are not required to be offered for certain debt cancellation products; amending s. 655.954, F.S.; authorizing certain institutions to offer optional debt cancellation products with certain financial transactions; prohibiting requiring such products as a condition of such transactions; updating definitions; amending s. 658.21, F.S.; revising ownership requirements for capital accounts at opening for a bank or trust company; providing capital investment requirements for owners of certain holding companies; amending s. 658.34, F.S.; revising requirements for shares of capital stock of banks and trust companies; providing restrictions on issuance or sale of certain stock under certain circumstances; amending s. 658.36, F.S.; requiring a state bank or trust company to file a written notice before increasing its capital stock; amending s. 658.44, F.S.; revising certain notice requirements relating to dissenting stockholders; revising criteria for determining the value of dissenting shares of certain entities; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 818** as amended and by two-thirds vote read the second time by title.

Pursuant to Rule 4.19, **CS for CS for HB 343** was placed on the calendar of Bills on Third Reading.

On motion by Senator Posey, by two-thirds vote **CS for HB 535** was withdrawn from the Committees on Banking and Insurance; Health Policy; and General Government Appropriations.

On motion by Senator Posey, by two-thirds vote—

CS for HB 535—A bill to be entitled An act relating to health insurance; amending s. 627.4236, F.S.; revising the definition of the term "bone marrow transplant"; amending ss. 627.642, 627.657, and 641.31, F.S.; requiring an identification card containing specified information to be given to insureds under health benefit plans and group health insurance policies and persons having health care services through health maintenance contracts; providing applicability; providing for an exception to certain identification card requirements for cards issued before a certain date; providing an effective date.

—a companion measure, was substituted for **CS for SB 1968** and by two-thirds vote read the second time by title.

Pursuant to Rule 4.19, **CS for HB 535** was placed on the calendar of Bills on Third Reading.

By Senator Posey—

CS for CS for SB 2174—A bill to be entitled An act relating to motor vehicle insurance; amending s. 627.736, F.S.; revising the schedule of maximum charges on which an insurer may base a limited reimbursement for certain medical services, supplies, and care for injured persons covered by personal injury protection; specifying a minimum amount for the applicable fee schedule or payment limitation under Medicare for such reimbursements; providing an effective date.

—was read the second time by title.

Senator Posey moved the following amendment which was adopted:

Amendment 1 (515950)—Delete line 78 and insert: ~~applicable 2007~~ Medicare Part B *for 2007* ~~fee schedule~~ for medical

Pursuant to Rule 4.19, **CS for CS for SB 2174** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

By Senator Lawson—

CS for CS for SB 2264—A bill to be entitled An act relating to motor vehicle warranty associations; amending s. 628.4615, F.S., relating to specialty insurers; conforming a cross-reference to changes made by the act; amending s. 634.011, F.S.; defining the terms "motor vehicle manufacturer" and "subsidiary" for purposes of part I of ch. 634, F.S.; amending s. 634.041, F.S.; exempting motor vehicle manufacturers applying for licensure as service agreement companies from certain licensing requirements and limitations on claims liabilities; amending s. 634.137, F.S.; authorizing the Office of Insurance Regulation to develop an abbreviated form for statistical reporting of sales of service agreements by motor vehicle manufacturers in lieu of certain other financial reports; amending s. 634.271, F.S.; conforming a cross-reference; amending s. 634.4165, F.S.; requiring warranty service associations that do not collect the names and addresses of warranty holders at the time of sale to provide an alternative method for warranty holders to provide such information; amending s. 634.436, F.S.; prohibiting warranty service associations that do not collect the names and addresses of warranty holders from denying a warranty holder's claim on the basis that the association cannot confirm that the warranty holder in fact purchased the warranty; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 2264** was placed on the calendar of Bills on Third Reading.

SM 2452—A memorial to the Congress of the United States, urging Congress to support a National Catastrophe Insurance Program.

WHEREAS, during the 2004 and 2005 hurricane seasons, the State of Florida was devastated by eight hurricanes and four tropical storms, causing approximately $35 billion in estimated gross probable insurance losses, and

WHEREAS, the hurricanes from the 2004 and 2005 hurricane seasons produced high winds, coastal storm surges, torrential rainfalls, and flooding resulting in significant damage to Florida and the Gulf Coast states, which resulted in displacement of policyholders from their dwellings, loss of personal belongings and contents, closing of businesses and financial institutions, and temporary loss of employment and created numerous health and safety issues within our local communities, and

WHEREAS, in 1992, Hurricane Andrew resulted in approximately $20.8 billion in insured losses and was previously the costliest catastrophe in the United States, but Hurricane Katrina alone left the Gulf Coast states with an estimated loss of approximately $35 billion, and

WHEREAS, natural disasters continually threaten communities across the United States with extreme weather conditions that pose an immediate danger to the lives, property, and security of the residents of those communities, and

WHEREAS, the insurance industry, state officials, and consumer groups have been striving to develop solutions to insure mega-catastrophic risks, because hurricanes, earthquakes, tornadoes, typhoons, floods, wildfires, ice storms, and other natural catastrophes continue to affect policyholders across the United States, and

WHEREAS, on November 16 and 17, 2005, insurance commissioners from Florida, California, Illinois, and New York convened a summit to devise a national catastrophe insurance plan that would more effectively spread insurance risks and help mitigate the tremendous financial damage survivors contend with following such catastrophes, NOW, THEREFORE,

Be It Resolved by the Legislature of the State of Florida:

That the Congress of the United States is urged to support a National Catastrophe Insurance Program. Policyholders require a rational insurance mechanism for responding to the economic losses resulting from catastrophic events. The risk of catastrophes must be addressed through a public-private partnership involving individuals, private industry, local and state governments, and the Federal Government. A national catastrophe insurance program is necessary to promote personal responsibility among policyholders; support strong building codes, development plans, and other mitigation tools; maximize the risk-bearing capacity of the private markets; and provide quantifiable risk management through the Federal Government. The program should encompass:

(1) Providing consumers with a private market residential insurance program that provides all-perils protection.

(2) Promoting personal responsibility through mitigation; promoting the retrofitting of existing housing stock; and providing individuals with the ability to manage their own disaster savings accounts that, similar to health savings accounts, accumulate on a tax-advantaged basis for the purpose of paying for mitigation enhancements and catastrophic losses.

(3) Creating tax-deferred insurance company catastrophe reserves to benefit policyholders. These tax-deferred reserves would build up over time and only be eligible to be used to pay for future catastrophic losses.

(4) Enhancing local and state government's role in establishing and maintaining effective building codes, mitigation education, and land use management; promoting state emergency management, preparedness, and response; and creating state or multistate regional catastrophic risk financing mechanisms such as the Florida Hurricane Catastrophe Fund.

(5) Creating a national catastrophe financing mechanism that would provide a quantifiable level of risk management and financing for mega-catastrophes; maximizing the risk-bearing capacity of the private markets; and allowing for aggregate risk pooling of natural disasters funded through sound risk-based premiums paid in correct proportion by all policyholders in the United States.

BE IT FURTHER RESOLVED that copies of this memorial be dispatched to the President of the United States, to the President of the United States Senate, to the Speaker of the United States House of Representatives, and to each member of the Florida delegation to the United States Congress.

—was read the second time in full. On motion by Senator Posey, **SM 2452** was adopted and certified to the House.

CS for SM 2488—A memorial to the Congress of the United States, urging Congress to pass legislation that exempts from taxation all reserves placed in escrow for the exclusive use of paying potential future property insurance claims arising out of natural catastrophes.

WHEREAS, rising costs resulting from natural disasters are placing an increasing strain on the ability of property and casualty insurance companies to ensure payment of homeowners' claims and other insurance claims arising from major natural disasters now and in the future, and

WHEREAS, present tax laws do not provide adequate incentives to ensure that natural disaster insurance is provided or, where such insurance is provided, that funds are available for payment of insurance claims in the event of future catastrophic losses from major natural disasters, as present law requires an insurer wanting to accumulate surplus assets for this purpose to do so entirely from its after-tax retained earnings, and

WHEREAS, revising the tax laws applicable to the property and casualty insurance industry to permit carefully controlled accumulation of pretax dollars in separate reserve funds devoted solely to the payment of claims arising from future major natural disasters will provide incentives for property and casualty insurers to make natural disaster insurance available; will give greater protection to the nation's homeowners, small businesses, and -ther insurance consumers; and will help ensure the future financial health of the nation's insurance system as a whole, and

WHEREAS, implementing these changes will reduce the possibility that a significant portion of the private insurance system would fail in the wake of a major natural disaster and that governmental entities would be required to step in to provide relief at taxpayer expense, NOW, THEREFORE,

Be It Resolved by the Legislature of the State of Florida:

That the Congress of the United States is requested to enact legislation that will allow insurers to establish tax-deferred catastrophe reserves if such reserves are set aside to be used exclusively for paying future property insurance claims arising out of natural catastrophes.

BE IT FURTHER RESOLVED that copies of this memorial be dispatched to the President of the United States, to the President of the United States Senate, to the Speaker of the United States House of Representatives, and to each member of the Florida delegation to the United States Congress.

—was read the second time in full. On motion by Senator Posey, **CS for SM 2488** was adopted and certified to the House.

By Senator Bennett—

CS for CS for SB 428—A bill to be entitled An act relating to workforce innovation; amending s. 445.007, F.S.; authorizing designation of a regional workforce board as a one-stop operator and direct provider of certain services by agreement of the chief elected official and the Governor; requiring that Workforce Florida, Inc., establish procedures for a regional workforce board to request permission to operate and the criteria for granting such permission; providing for the permission to operate not exceed a certain period; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 428** was placed on the calendar of Bills on Third Reading.

By Senator Aronberg—

CS for CS for CS for SB 2016—A bill to be entitled An act relating to public lodging and public food service establishments; amending s. 509.013, F.S.; revising and adding definitions; amending s. 509.032, F.S.; eliminating the requirement for the Division of Hotels and Restaurants to assist the State Fire Marshal in updating the Florida Fire Prevention Code; eliminating the requirement for the division to enforce the Florida Fire Prevention Code in conducting its inspections; requiring the division, or its agent, to notify firesafety officials of certain readily observable violations of the Florida Fire Prevention Code rules; revising state preemption authority; amending s. 509.039, F.S.; decreasing the amount of time in which a food service manager is required to obtain certification after employment; requiring public food service establishments to provide proof of certification upon request by the division; amending s. 509.101, F.S.; deleting the requirement that a transient establishment maintain a copy of ch. 509, F.S., on its premises; amending s. 509.142, F.S.; requiring the operator of a public lodging establishment or public food service establishment to accommodate any person using a child conveyance; amending s. 509.211, F.S.; deleting a requirement for division notification of local firesafety officials or the State Fire Marshal of violations of rules under ch. 633, F.S.; amending s. 509.221, F.S.; providing that certain sanitary regulations for a public lodging establishment for its guests and employees and for a public food service establishment for its employees be in compliance with the Florida Building Code as approved by the local building authority; providing for wastewater disposal procedures for public food service establishments; requiring public lodging establishment and public food service establishment public restroom requirements to be in accordance with the Florida Building Code as approved by the local building authority; amending s. 509.242, F.S.; clarifying public lodging establishment classifications; amending s. 509.261, F.S.; authorizing the division to levy sanctions for failing to comply with final orders of the division; authorizing the division to require payment of outstanding fines before renewing or issuing a license; providing an effective date.

—was read the second time by title.

MOTION

On motion by Senator Crist, the rules were waived to allow the following amendment to be considered:

Senator Crist moved the following amendment:

Amendment 1 (256358)(with title amendment)—Between line(s) 321 and 322, insert:

(c) Each toilet facility located on the premises of the public food service establishment must be completely enclosed and provided with a tight-fitting, self-closing door or have entrances and exits constructed in such a manner as to ensure the privacy of occupants. Such door may not be left open except during cleaning or maintenance.

(d) Toilet facilities that are used by patrons must be situated so that a patron does not pass through food-preparation or utensil-washing areas.

(e) Toilet fixtures must be cleanable.

(f) Toilet facilities, including rooms and fixtures, must be kept clean and in good repair.

(g) The floors must be made of a nonabsorbent material and cleaned daily. The requirement that floors be made of a nonabsorbent material applies only to public food service establishments that are constructed or substantially remodeled on or after July 1, 2008.

(h) Receptacles must be provided for waste material and such receptacles must contain a trash-can liner and must be covered. Receptacles must be emptied as necessary to prevent excessive accumulation of waste material.

(i) A supply of hand-cleansing, antibacterial soap or detergent must be available in each toilet facility, and running water must be available at each hand-washing sink within a toilet facility. A supply of sanitary towels or a hand-drying device providing heated air must be located in each toilet facility. Applicable to public food service establishments that are constructed or substantially remodeled on or after July 1, 2008, hot and cold running water must be available at each hand-washing sink within a toilet facility, and hand-washing sinks that have an automatic shut-off must run for a minimum of 20 seconds. Hand-washing sinks, soap dispensers, hand-drying devices, and all related fixtures must be kept clean and in good repair.

(j) A supply of toilet tissue must be provided in each toilet stall at all times.

(k) Each toilet facility must be lighted and ventilated. This requirement applies only to public food service establishments that are constructed or substantially remodeled on or after July 1, 2008.

(l) A sign or poster that notifies food service employees to wash their hands must be provided at each hand-washing sink used by public food service employees and must be clearly visible to the food service employees.

This section does not apply to restrooms in a public airport as defined in s. 330.27 which are not located within a public food service establishment.

And the title is amended as follows:

On line(s) 33, after the semicolon (;) insert: providing the minimum sanitation standards for toilet facilities in food service establishments; providing certain exemptions; providing an exemption for a restroom in a public airport;

MOTION

On motion by Senator Aronberg, the rules were waived to allow the following amendment to be considered:

Senator Aronberg moved the following substitute amendment which was adopted:

Amendment 2 (499878)(with title amendment)—Between line(s) 321 and 322 insert:

(c) Each toilet facility located on the premises of the public food service establishment must be completely enclosed and provided with a tight-fitting, self-closing door or have entrances and exits constructed in such a manner as to ensure the privacy of occupants. Such door may not be left open except during cleaning or maintenance.

(d) Toilet facilities that are used by patrons must be situated so that a patron does not pass through food-preparation or utensil-washing areas.

(e) Toilet fixtures must be cleanable.

(f) Toilet facilities, including rooms and fixtures, must be kept clean and in good repair.

(g) The floors must be made of a nonabsorbent material and be kept clean.

(h) Receptacles must be provided for waste material and such receptacles must contain a trash-can liner and must be covered. Receptacles must be emptied as necessary to prevent excessive accumulation of waste material.

(i) A supply of hand-cleansing, antibacterial soap or detergent must be available in each toilet facility, and running water must be available at each hand-washing sink within a toilet facility. A supply of sanitary towels or a hand-drying device providing heated air must be located in each toilet facility. Running water must be available at each hand-washing sink within a toilet facility, and hand-washing sinks that have an automatic shut-off must run for a minimum of 15 seconds. Hand-washing sinks, soap dispensers, hand-drying devices, and all related fixtures must be kept clean and in good repair.

(j) A supply of toilet tissue must be provided in each toilet stall.

(k) Each toilet facility must be lighted and ventilated.

(l) A sign or poster that notifies food service employees to wash their hands must be provided at each hand-washing sink used by public food service employees and must be clearly visible to the food service employees.

And the title is amended as follows:

On line(s) 33, after the semicolon (;) insert: providing the minimum sanitation standards for toilet facilities in food service establishments;

Pursuant to Rule 4.19, **CS for CS for CS for SB 2016** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

By Senator King—

CS for CS for SB 1076—A bill to be entitled An act relating to the dismantling and destruction of motor vehicles and mobile homes; amending s. 319.30, F.S.; revising definitions; defining "certificate of title," "derelict motor vehicle," "derelict motor vehicle certificate," "recreational vehicle," and "salvage certificate of title"; revising provisions requiring that certain documents accompany a motor vehicle or mobile home sold, transported, or delivered to a salvage motor vehicle dealer or a secondary metals recycler; providing requirements for the transfer of a derelict motor vehicle to a salvage motor vehicle dealer or a secondary metals recycler; requiring the purchaser to record and maintain certain information; providing for the use of a derelict motor vehicle certificate if the certificate of title, salvage certificate of title, or certificate of destruction is not available; restricting reassignment of a derelict motor vehicle certificate; providing penalties; revising provisions for reporting to the Department of Highway Safety and Motor Vehicles and cancellation of title records; providing for an electronic notification system to be established by the department; providing for the placement of a hold on a motor vehicle or mobile home in the possession of a salvage motor vehicle dealer or secondary metals recycler by an agent or employee of the department or a law enforcement officer who has reason to believe that the motor vehicle or mobile home was stolen or is fraudulently titled; authorizing the department to adopt rules and charge described fees; amending s. 319.14, F.S.; correcting a cross-reference; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 1076** was placed on the calendar of Bills on Third Reading.

By Senator Haridopolos—

CS for SB 2582—A bill to be entitled An act relating to motor vehicle dealers; amending s. 320.64, F.S.; prohibiting licensees from certain actions intended to coerce a dealer to improve its facilities after the licensee has approved those facilities; allowing licensees to offer certain loan or grant programs to induce the dealer to relocate or improve the existing facilities, if such inducement is not discriminatory or designed

to force the dealer to do so; prohibiting certain adverse actions against a dealer who does not participate in such programs; declaring certain inducement programs void; authorizing a licensee to set reasonable standards for dealer sales and facilities; prohibiting licensees from altering allocations or supplies of new vehicles to achieve goals that are prohibited in this state by statute; clarifying a provision relating to a prohibition against a dealer selling a motor vehicle to a customer who exported or resold the vehicle; requiring the licensee to prove the dealer had actual knowledge of the customer's intent to export or resell the vehicle; creating a conclusive presumption that the dealer had no actual knowledge if the vehicle was titled or registered in this country; authorizing licensees to audit dealers to determine the validity of paid claims if the licensee complies with applicable statutory requirements; creating s. 320.6412, F.S.; providing a burden of proof in actions to terminate a motor vehicle dealer franchise based on fraud or misrepresentation; amending s. 320.696, F.S.; substantially revising provisions relating to the licensee's responsibility to timely and reasonably compensate a dealer who performs warranty, service contract maintenance plan, or other vehicle preparation work; providing methods of determining the cost for parts and labor to be paid to a dealer as compensation for performing warranty repairs and vehicle preparation for the licensee; prohibiting the licensee from taking certain adverse actions against a dealer for seeking to obtain compensation for such work; prohibiting certain acts by a licensee to reduce the amount of compensation to be paid to a dealer or to offset or recover from the dealer compensation previously received; providing for severability; providing an effective date.

—was read the second time by title.

MOTION

On motion by Senator Bennett, the rules were waived to allow the following amendments to be considered:

Senators Bennett and Haridopolos offered the following amendments which were moved by Senator Bennett and adopted:

Amendment 1 (291400)—Delete lines 264-266 and insert: *the licensee or its common entity, unless issued by a common entity that is not a manufacturer; to fulfill a licensee's delivery or preparation*

Amendment 2 (804822)—Delete lines 110-112 and insert:

(f) Any portion of a licensee-offered program for a bonus, incentive, or other benefit that, in whole or in part, is based upon or aimed at inducing a dealer's relocation, expansion, improvement, remodeling, renovation, or alteration of the dealer's sales or service facility, or both, is void as to each of the licensee's motor vehicle dealers in this state who, nevertheless, shall be eligible for the entire amount of the bonuses, incentives, or benefits offered in the program upon compliance with the other eligibility provisions in the program.

(g) A licensee may set and uniformly apply reasonable standards for a motor vehicle dealer's sales and service facilities which are related to upkeep, repair, and cleanliness.

Pursuant to Rule 4.19, **CS for SB 2582** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

Consideration of **CS for CS for CS for SB 802** was deferred.

By Senator Baker—

CS for CS for SB 1946—A bill to be entitled An act relating to motor vehicles; amending s. 316.515, F.S.; revising restrictions on use of certain agriculture-related vehicles; providing for exemptions from width limitations for certain farming or agricultural equipment; providing conditions for use of such equipment; authorizing certain movements without an overwideth permit from the Department of Transportation; providing lighting requirements for certain overwidth equipment; providing an effective date.

—was read the second time by title.

Senator Baker moved the following amendment which was adopted:

Amendment 1 (850218)—On line 61, after the period (.) insert: *Equipment being delivered by a dealer to a purchaser is not subject to the 50-mile limitation.*

Pursuant to Rule 4.19, **CS for CS for SB 1946** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

By Senator Posey—

SB 2296—A bill to be entitled An act relating to commercial motor vehicles; amending s. 316.003, F.S.; exempting certain vehicles that occasionally transport personal property to and from closed-course motorsport facilities from the definition of "commercial motor vehicle" for purposes of statutory provisions relating to state uniform traffic control; amending ss. 320.01 and 322.01, F.S.; exempting certain vehicles that occasionally transport personal property to and from closed-course motorsport facilities from the definition of "commercial motor vehicle" for purposes of statutory provisions governing motor vehicle licenses and driver's licenses; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 2296** was placed on the calendar of Bills on Third Reading.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Constantine, by two-thirds vote **CS for CS for SB 1994** was withdrawn from the Committee on General Government Appropriations.

On motion by Senator Saunders, by two-thirds vote **CS for CS for SB 2756** was withdrawn from the Committee on Health and Human Services Appropriations.

MOTIONS

On motion by Senator King, a deadline of one hour after the availability of engrossed bills was set for filing amendments to Bills on Third Reading to be considered Thursday, April 24.

On motion by Senator King, by two-thirds vote all bills remaining on the Special Order Calendar this day were placed on the Special Order Calendar for Thursday, April 24.

MOTIONS RELATING TO COMMITTEE MEETINGS

On motion by Senator King, the rules were waived and the Special Order Calendar Group was granted permission to meet this day from 5:30 p.m. until completion.

REPORTS OF COMMITTEES

The Law and Justice Policy and Calendar Committee submits the following bills to be placed on the Special Order Calendar for Wednesday, April 23, 2008: CS for CS for SB 108, SB 1606, CS for SB 1464, CS for SB 624, CS for SB 522, CS for SB 654, CS for CS for SB 2152, CS for SB 2164, CS for SB 1474, CS for SB 740, CS for CS for SB 766, CS for CS for SB 866, CS for CS for CS for SB 1442

Respectfully submitted,
Paula Dockery, Chair

The Social Responsibility Policy and Calendar Committee submits the following bills to be placed on the Special Order Calendar for Wednesday, April 23, 2008: CS for SB 1704, CS for CS for CS for SB 1048, CS for CS for SB 1152, CS for SB 988, CS for CS for SB 1084, CS for SB 1042, SB 1046, SB 186

Respectfully submitted,
Burt L. Saunders, Chair

The Economic Opportunities Policy and Calendar Committee submits the following bills to be placed on the Special Order Calendar for Wednesday, April 23, 2008: CS for CS for SB 818, CS for SB 1968, CS for CS for SB 2174, CS for CS for SB 2264, CS for SB 2462, CS for CS for CS for SB 2654, SM 2452, CS for SM 2488, CS for CS for SB 428, CS for CS for CS for SB 2016, CS for CS for SB 2084, CS for CS for SB 1076, CS for SB 2582, CS for CS for CS for SB 802, CS for CS for SB 1946, SB 2296, CS for CS for SB 1012

Respectfully submitted,
Jeff Atwater, Chair

The Committee on Environmental Preservation and Conservation recommends the following pass: SB 2602 with 1 amendment

The bill was referred to the Committee on Agriculture under the original reference.

The Committee on Transportation recommends the following pass: SB 1274 with 1 amendment

The bill was referred to the Committee on Children, Families, and Elder Affairs under the original reference.

The Committee on Community Affairs recommends the following pass: CS for SB 402

The bill was referred to the Committee on Commerce under the original reference.

The Committee on Health and Human Services Appropriations recommends the following pass: SB 1456

The Committee on Judiciary recommends the following pass: CS for SB 792 with 1 amendment; CS for SB 1086

The bills contained in the foregoing reports were referred to the Committee on Criminal and Civil Justice Appropriations under the original reference.

The Committee on Community Affairs recommends the following pass: SB 2524 with 1 amendment; SB 2678

The bills were referred to the Committee on Education Pre-K - 12 under the original reference.

The Committee on Community Affairs recommends the following pass: SB 822 with 1 amendment; SB 1418

The Committee on Governmental Operations recommends the following pass: SB 330

The bills contained in the foregoing reports were referred to the Committee on Finance and Tax under the original reference.

The Committee on Community Affairs recommends the following pass: SB 432; SB 1554 with 1 amendment; SB 2078; CS for SB 2080

The Committee on Environmental Preservation and Conservation recommends the following pass: SB 1634 with 1 amendment

The Committee on Finance and Tax recommends the following pass: CS for SB 1492; SB 1974

The Committee on Governmental Operations recommends the following pass: CS for SB 614; CS for SB 1018; SB 1516

The Committee on Judiciary recommends the following pass: CS for SB 886; SB 1638; CS for SB 2048; CS for SB 2532 with 7 amendments; CS for SB 2640 with 2 amendments

The bills contained in the foregoing reports were referred to the Committee on General Government Appropriations under the original reference.

The Committee on Community Affairs recommends the following pass: CS for SB 2484

The bill was referred to the Committee on Governmental Operations under the original reference.

The Committee on Community Affairs recommends the following pass: CS for CS for SB 1580

The bill was referred to the Committee on Health and Human Services Appropriations under the original reference.

The Committee on Community Affairs recommends the following pass: CS for SB 2394

The Special Master on Claims recommends the following pass: SB 46 with 1 amendment

The bills contained in the foregoing reports were referred to the Committee on Health Regulation under the original reference.

The Committee on Community Affairs recommends the following pass: SB 530; SB 1578; CS for SB 2470

The Committee on Criminal Justice recommends the following pass: CS for SB 1950; CS for SB 2374

The Committee on Governmental Operations recommends the following pass: CS for SB 1496

The bills contained in the foregoing reports were referred to the Committee on Judiciary under the original reference.

The Committee on Governmental Operations recommends the following pass: SB 2298 with 1 amendment

The bill was referred to the Committee on Military Affairs and Domestic Security under the original reference.

The Committee on Community Affairs recommends the following pass: CS for SB 222 with 1 amendment

The Committee on Criminal Justice recommends the following pass: CS for SB 1996

The Committee on Governmental Operations recommends the following pass: SB 1700

The bills contained in the foregoing reports were referred to the Committee on Transportation and Economic Development Appropriations under the original reference.

The Committee on Community Affairs recommends the following pass: SB 42; CS for SB 522

The Committee on Criminal and Civil Justice Appropriations recommends the following pass: SB 496; CS for SB 1384

The Committee on Criminal Justice recommends the following pass: SB 1044; CS for SB 2044

The Committee on Education Pre-K - 12 Appropriations recommends the following pass: CS for SB 2546

The Committee on General Government Appropriations recommends the following pass: SB 432; CS for SB 800; CS for CS for CS for SB 920; CS for CS for SB 1310; CS for CS for SB 1598; SB 1982

The Committee on Governmental Operations recommends the following pass: CS for SB 940; CS for SB 948

The Committee on Health and Human Services Appropriations recommends the following pass: CS for SB 1694

The Committee on Higher Education Appropriations recommends the following pass: CS for CS for CS for SB 996

The Committee on Judiciary recommends the following pass: CS for CS for SB 2084

The Committee on Transportation and Economic Development Appropriations recommends the following pass: CS for SB 698; SB 1700; CS for SB 2660

The bills contained in the foregoing reports were placed on the calendar.

The Committee on Environmental Preservation and Conservation recommends the following not pass: CS for SB 774 with 1 amendment; SB 2406 with 1 amendment

The bills were laid on the table.

The Committee on Community Affairs recommends a committee substitute for the following: CS for SB 2594

The bill with committee substitute attached was referred to the Committee on Banking and Insurance under the original reference.

The Committee on Criminal Justice recommends a committee substitute for the following: SB 2490

The bill with committee substitute attached was referred to the Committee on Children, Families, and Elder Affairs under the original reference.

The Committee on Criminal Justice recommends a committee substitute for the following: CS for SB 1800

The bill with committee substitute attached was referred to the Committee on Commerce under the original reference.

The Committee on Governmental Operations recommends a committee substitute for the following: CS for SB 706

The Committee on Judiciary recommends committee substitutes for the following: CS for SB 1128; CS for SB 1430; SB 2300; SB 2676

The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Criminal and Civil Justice Appropriations under the original reference.

The Committee on Community Affairs recommends committee substitutes for the following: SB 976; CS for SB 2388

The bills with committee substitutes attached were referred to the Committee on Criminal Justice under the original reference.

The Committee on Community Affairs recommends a committee substitute for the following: SB 2648

The bill with committee substitute attached was referred to the Committee on Education Pre-K - 12 under the original reference.

The Committee on Criminal and Civil Justice Appropriations recommends a committee substitute for the following: CS for CS for SB 700

The bill with committee substitute attached was referred to the Committee on Education Pre-K - 12 Appropriations under the original reference.

The Committee on Community Affairs recommends committee substitutes for the following: SB 512; CS for SB 850

The Committee on Criminal Justice recommends a committee substitute for the following: SB 658

The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Finance and Tax under the original reference.

The Committee on Criminal Justice recommends a committee substitute for the following: CS for SB 1310

The Committee on Environmental Preservation and Conservation recommends a committee substitute for the following: SB 1304

The Committee on Finance and Tax recommends committee substitutes for the following: SB 1552; CS for SB 2040; SB 2094

The Committee on Governmental Operations recommends a committee substitute for the following: CS for SB 1684

The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on General Government Appropriations under the original reference.

The Committee on Community Affairs recommends committee substitutes for the following: CS for SB 1242; SB 2710

The Committee on Judiciary recommends committee substitutes for the following: CS for SB's 2086 and 2498; CS for SB 2644

The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Governmental Operations under the original reference.

The Committee on Governmental Operations recommends committee substitutes for the following: CS for SB 862; SB 1694; CS for SB 1998; CS for SB 2652; CS for CS for SB 2762

The Committee on Judiciary recommends committee substitutes for the following: CS for SB 1150; CS for SB 2756

The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Health and Human Services Appropriations under the original reference.

The Committee on Community Affairs recommends a committee substitute for the following: SB 2494

The Committee on Criminal Justice recommends committee substitutes for the following: SB 1408; SB 1438; CS for SB 1722 and SB 2478

The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Judiciary under the original reference.

The Committee on Governmental Operations recommends a committee substitute for the following: SB 1090

The Committee on Judiciary recommends a committee substitute for the following: SB 2574

The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Rules under the original reference.

The Committee on Community Affairs recommends a committee substitute for the following: SB 2148

The bill with committee substitute attached was referred to the Committee on Transportation under the original reference.

The Committee on Criminal Justice recommends a committee substitute for the following: SB 668

The Committee on Judiciary recommends committee substitutes for the following: CS for SB 866; SB 2492

The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Transportation and Economic Development Appropriations under the original reference.

The Committee on Criminal and Civil Justice Appropriations recommends committee substitutes for the following: CS for SB 546; CS for SB 858; CS for CS for CS for SB 1614; CS for SB 2676

The Committee on Education Pre-K - 12 Appropriations recommends committee substitutes for the following: CS for SB 318; CS for SB 1458; CS for SB 2700

The Committee on Environmental Preservation and Conservation recommends a committee substitute for the following: SB 64

The Committee on Governmental Operations recommends a committee substitute for the following: CS for SB 928

The Committee on Health and Human Services Appropriations recommends committee substitutes for the following: SB 500; CS for SB 788; CS for CS for SB 1150; SB 2192; CS for CS for SB 2626; CS for CS for SB 2652

The Committee on Higher Education Appropriations recommends a committee substitute for the following: SB 1768

The Committee on Judiciary recommends committee substitutes for the following: SB 994; SB 1308; CS for SB 1582; SB 2716

The Committee on Transportation and Economic Development Appropriations recommends committee substitutes for the following: CS for SB 222; SB 342; CS for SB 544; CS for CS for CS for SB 1670; CS for SB 1732; CS for SB 1978; SB 2666

The bills with committee substitutes attached contained in the foregoing reports were placed on the calendar.

REPORTS OF COMMITTEES RELATING TO EXECUTIVE BUSINESS

The Committee on Environmental Preservation and Conservation recommends that the Senate confirm the following appointments made by the Governor:

Office and Appointment		*For Term Ending*
Governing Board of the Northwest Florida Water Management District		
Appointee:	Antonacci, Peter	03/01/2012
Governing Board of the South Florida Water Management District		
Appointees:	Huck, Paul C., Jr.	03/01/2012
	Montgomery, Robert G.	03/01/2012
Governing Board of the Southwest Florida Water Management District		
Appointee:	Joerger, Albert G.	03/01/2011

The Committee on Environmental Preservation and Conservation recommends that the Senate confirm the following appointments made by the Governing Board:

Office and Appointment		*For Term Ending*
Executive Director of Northwest Florida Water Management District		
Appointee:	Barr, Douglas E.	Pleasure of the Board
Executive Director of St. Johns River Water Management District		
Appointee:	Green, Kirby B. III	Pleasure of the Board
Executive Director of South Florida Water Management District		
Appointee:	Wehle, Carol Ann	Pleasure of the Board
Executive Director of Southwest Florida Water Management District		
Appointee:	Moore, David L.	Pleasure of the Board
Executive Director of Suwannee River Water Management District		
Appointee:	Still, David	Pleasure of the Board

The Committee on Governmental Operations recommends that the Senate confirm the following appointments made by the Board of Administration:

Office and Appointment		*For Term Ending*
Investment Advisory Council		
Appointees:	Hill, John H., Jr.	12/12/2011
	Jaeb, John R.	12/12/2011
	Konrad, Robert L.	12/12/2010
	McCague, Beth Ayers	12/12/2010

The Committee on Transportation recommends that the Senate confirm the following appointments made by the Governor:

Office and Appointment		*For Term Ending*
Tampa-Hillsborough County Expressway Authority		
Appointee:	Diaco, Stephen C.	07/01/2010
Florida Transportation Commission		
Appointees:	Criser, Marshall M. III	09/30/2011
	Pullum, Bart R.	09/30/2010

[The appointments were referred to the Committee on Ethics and Elections under the original reference.]

INTRODUCTION AND REFERENCE OF BILLS

ADDITIONAL REFERENCE

By Senator Lawson—

SB 46—A bill to be entitled An act for the relief of Marissa Amora; providing an appropriation to compensate her, a minor, by and through her legal guardians, Dawn and Rick Amora, for injuries she sustained as a result of the negligence of employees of the Department of Children

and Family Services; providing a limitation on the payment of fees and costs; providing an effective date.

—was also referred to the Committee on Health Regulation.

COMMITTEE SUBSTITUTES

FIRST READING

By the Committee on Environmental Preservation and Conservation; and Senator Diaz de la Portilla—

CS for SB 64—A bill to be entitled An act relating to the South Florida Water Management District; providing for the relief of Brian Daiagi; authorizing and directing the South Florida Water Management District to compensate Mr. Daiagi for personal injuries that he suffered due to the negligence of the South Florida Water Management District; providing a limitation on the payment of fees and costs; providing an effective date.

By the Committees on Transportation and Economic Development Appropriations; Transportation; and Senators Wise and Baker—

CS for CS for SB 222—A bill to be entitled An act relating to license plates; amending s. 320.06, F.S.; requiring counties to issue license plates that have the name of the county in which the plate is sold and the state motto or the words "Sunshine State" printed on the plate; providing conditions; providing an effective date.

By the Committees on Education Pre-K - 12 Appropriations; Education Pre-K - 12; and Senator Constantine—

CS for CS for SB 318—A bill to be entitled An act relating to exceptional students with a disability; amending s. 1003.57, F.S.; providing definitions; requiring the Department of Children and Family Services, the Agency for Health Care Administration, and residential facilities licensed by the Agency for Persons with Disabilities to notify a school district under certain circumstances; requiring the review of a student's individual educational plan; providing for a determination of responsibility for educational instruction; requiring the school district to report the student for funding purposes; requiring the Department of Education, in consultation with specified agencies, to develop procedures for the placement of students in residential care facilities; requiring the State Board of Education and the Agency for Persons with Disabilities to adopt rules; requiring certain agencies to implement procedures; requiring a cooperative agreement; providing an exception; providing an effective date.

By the Committee on Transportation and Economic Development Appropriations; and Senator Lynn—

CS for SB 342—A bill to be entitled An act relating to candidates for public office; amending s. 99.012, F.S.; authorizing a law enforcement officer to qualify as a candidate for public office without resigning his or her law enforcement position; providing an exception; providing for reinstatement to the law enforcement office; amending s. 99.095, F.S.; authorizing a candidate to pay a pro rata portion of the qualifying fee under certain conditions; providing an effective date.

By the Committee on Health and Human Services Appropriations; and Senators Bullard, Wilson, Margolis, Lawson, Dawson and Storms—

CS for SB 500—A bill to be entitled An act relating to children's zones; creating s. 409.147, F.S.; providing legislative findings and intent; providing policy and purpose; providing definitions; providing a process for nominating and selecting a children's zone; providing for the governing body of a county or municipality to adopt a resolution designating a children's zone; specifying contents of the resolution; requiring the governing body to establish a children's zone planning team; providing powers and responsibilities of the planning team; requiring the planning team to designate working groups; specifying focus areas for the working groups; providing for the development of a strategic community plan; providing objectives for each focus area; requiring the governing body to create a corporation not for profit for specified purposes; establishing the Magic City Children's Zone, Inc., pilot project; providing for management by an entity organized as a corporation not for profit; providing geographic boundaries for the zone; providing for designation and appointment of a board of directors; providing for meetings and duties of the board of directors; providing per diem and travel expenses; requiring the board to enter into a contract to develop a business plan; providing for reports to the Legislature; providing for contingent implementation of the zone; providing an effective date.

By the Committee on Community Affairs; and Senators Fasano and Justice—

CS for SB 512—A bill to be entitled An act relating to property assessments; amending s. 195.096, F.S.; requiring the Department of Revenue to review the assessment of certain property owned or controlled by property appraisers; requiring property appraisers to identify such property and make certain information available to the department; requiring the department to comply with certain standards when conducting its review; providing an effective date.

By the Committees on Transportation and Economic Development Appropriations; Transportation; and Senator Baker—

CS for CS for SB 544—A bill to be entitled An act relating to temporary motor vehicle license tags; amending s. 320.131, F.S.; revising provisions for the placement of temporary tags on vehicles; revising provisions for implementation of an electronic, print-on-demand temporary tag issuance system; authorizing a motor vehicle dealer to charge a fee in certain circumstances; authorizing the department to adopt rules; repealing s. 320.96, F.S., relating to implementation of an electronic print-on-demand temporary license plate system; providing an effective date.

By the Committees on Criminal and Civil Justice Appropriations; Governmental Operations; and Senator Wilson—

CS for CS for SB 546—A bill to be entitled An act relating to the Council on the Social Status of Black Men and Boys; amending s. 16.615, F.S.; removing outdated provisions; providing additional duties and powers of the council; removing certain duties of the Attorney General; removing a provision that discontinues the council under certain conditions; creating s. 16.616, F.S.; creating a direct-support organization; specifying duties and requiring a contract; providing contract requirements; providing for appointment of members of the board of directors; requiring the direct-support organization to form strategic partnerships for specified purposes, including in specified counties; requiring certain reports; providing additional duties and powers of the direct-support organization; requiring the direct-support organization to consider expansion of participation in certain counties and initiation of participation of certain other counties; providing an effective date.

By the Committee on Criminal Justice; and Senator Bennett—

CS for SB 658—A bill to be entitled An act relating to motor vehicles; creating the "Highway Safety Act"; providing legislative intent relating to road rage and aggressive careless driving; amending s. 316.003, F.S.; defining the term "road rage"; amending s. 316.083, F.S.; requiring an operator of a motor vehicle to yield the left lane when being overtaken on a multilane highway; providing exceptions; amending s. 316.1923, F.S.; revising the number of specified acts necessary to qualify as an aggressive careless driver; providing specified punishments for aggressive careless driving; specifying the allocation of moneys received from the increased fine imposed for aggressive careless driving; amending s. 318.19, F.S.; providing that a second or subsequent infraction as an aggressive careless driver requires attendance at a mandatory hearing; providing for the disposition of the increased penalties; requiring the

Department of Highway Safety and Motor Vehicles to provide information about the Highway Safety Act in driver's license educational materials; reenacting s. 316.650(1)(a), F.S., relating to traffic citations, to incorporate the amendments made to s. 316.1923, F.S., in a reference thereto; providing an effective date.

By the Committee on Criminal Justice; and Senators Posey, Oelrich, Ring and Deutch—

CS for SB 668—A bill to be entitled An act relating to child-restraint requirements; amending s. 316.003, F.S.; defining "for compensation" for specified purposes; amending s. 316.613, F.S.; providing child-restraint requirements for children ages 4 through 7; redefining the term "motor vehicle" so as to exclude certain vehicles from such requirements; providing a grace period; providing exceptions to such requirements; providing effective dates.

By the Committees on Criminal and Civil Justice Appropriations; Judiciary; Criminal Justice; and Senator Crist—

CS for CS for CS for SB 700—A bill to be entitled An act relating to juvenile justice; amending s. 29.008, F.S.; conforming cross-references; amending s. 790.22, F.S.; revising provisions relating to community service programs; amending s. 939.185, F.S.; providing diversion options; amending s. 984.05, F.S., conforming cross-references; amending s. 984.09, F.S.; deleting duplicative provisions relating to contempt of court and alternative sanctions; amending s. 985.02, F.S.; providing diversion options; amending s. 985.03, F.S.; defining the term "ordinary medical care"; amending and renumbering provisions of s. 985.037, F.S., relating to alterative sanctions; creating s. 985.0375, F.S.; providing for alternative sanctions; amending s. 985.04, F.S; providing that confidential information obtained during an official's service with juvenile delinquents may be shared with authorized personnel of the Department of Children and Family Services; amending s. 985.245, F.S.; providing for additional representatives to be included on the committee formed to advise the Department of Juvenile Justice on the risk assessment instrument; requiring periodic evaluation of the risk assessment instrument; amending s. 985.265, F.S.; providing an exception to required supervision in direct supervision housing; amending s. 985.601, F.S.; requiring the Department of Juvenile Justice to adopt rules to establish procedures to provide ordinary medical care, mental health, substance abuse, and developmental disabilities services to youth within the juvenile justice continuum; requiring that, to the extent possible within available fiscal resources, the procedures must be commensurate with procedures that youth receive in the community; amending s. 985.606, F.S.; revising provisions governing data collection; amending s. 985.632, F.S.; authorizing the department to conduct a demonstration project in order to create an accountable juvenile justice system that is outcome-based; amending s. 985.644, F.S., relating to departmental contracting powers; removing references to the Department of Children and Family Services; amending s. 985.66, F.S.; transferring the responsibility for the juvenile justice training program from the Juvenile Justice Standards and Training Commission to the Department of Juvenile Justice; requiring the department to adopt rules; amending s. 985.664, F.S., relating to the juvenile justice circuit boards and juvenile justice county councils; providing a reference to the Children and Youth Cabinet; requiring that juvenile justice circuit boards and county councils participate in facilitating interagency cooperation and information sharing with certain entities; requiring that such collaborations specify certain information; providing requirements for the annual reports required to be submitted by each juvenile justice circuit board; amending s. 985.668, F.S.; encouraging each juvenile justice circuit board, in consultation with the juvenile justice county council, to propose an innovation zone within the circuit; amending s. 985.676, F.S.; including the development and implantation of a strategic plan; amending s. 985.721, F.S.; conforming a cross-reference; amending s. 1006.13, F.S.; removing the reference of zero tolerance; providing an effective date.

By the Committees on Governmental Operations; Criminal Justice; and Senators Baker, Rich, Bennett, Deutch, Wilson, Saunders, Diaz de la Portilla, Gaetz, Jones, Lynn, Ring, Posey, Aronberg and Atwater—

CS for CS for SB 706—A bill to be entitled An act relating to Special Risk Class retirement benefits; amending s. 121.091, F.S.; prohibiting certain members of the Special Risk Class from being reemployed or contracting with the same employing agency from which the member retired; extending the period of time during which certain Special Risk Class members may participate in the Florida Retirement System Deferred Retirement Option program; providing requirements for extended participation; deleting obsolete provisions; providing legislative findings with respect to the state's interest in protecting the public's safety and welfare by extending retirement benefits for officers and funding increased retirement benefits in an actuarially sound manner; providing an effective date.

By the Committees on Health and Human Services Appropriations; Transportation and Economic Development Appropriations; and Senator Fasano—

CS for CS for SB 788—A bill to be entitled An act relating to transportation services for the transportation disadvantaged; amending s. 409.908, F.S.; authorizing the Agency for Health Care Administration to continue to contract for Medicaid nonemergency transportation services in a specified agency service area with managed care plans under certain conditions; amending s. 427.011, F.S.; revising definitions; defining the term "purchasing agency"; amending s. 427.012, F.S.; revising the number of members required for a quorum at a meeting of the Commission for the Transportation Disadvantaged; amending s. 427.013, F.S.; revising responsibilities of the commission; deleting a requirement that the commission establish by rule acceptable ranges of trip costs; removing a provision for functioning and oversight of the quality assurance and management review program; requiring the commission to incur expenses for promotional services and items; amending s. 427.0135, F.S.; revising and creating duties and responsibilities for agencies that purchase transportation services for the transportation disadvantaged; providing requirements for the payment of rates; requiring an agency to negotiate with the commission before procuring transportation disadvantaged services; requiring an agency to identify its allocation for transportation disadvantaged services in its legislative budget request; amending s. 427.015, F.S.; revising provisions relating to the function of the metropolitan planning organization or designated official planning agency; amending s. 427.0155, F.S.; revising duties of community transportation coordinators; amending s. 427.0157, F.S.; revising duties of coordinating boards; amending s. 427.0158, F.S.; deleting provisions requiring the school board to provide information relating to school buses to the transportation coordinator; providing for the transportation coordinator to request certain information regarding public transportation; amending s. 427.0159, F.S.; revising provisions relating to the Transportation Disadvantaged Trust Fund; providing for the deposit of funds by an agency purchasing transportation services; amending s. 427.016, F.S.; providing for construction and application of specified provisions to certain acts of a purchasing agency in lieu of the Medicaid agency; requiring that an agency identify the allocation of funds for transportation disadvantaged services in its legislative budget request; providing an effective date.

By the Committees on Community Affairs; Commerce; and Senators Fasano, Crist and Haridopolos—

CS for CS for SB 850—A bill to be entitled An act relating to corporate income tax credits; creating part XIII of ch. 288, F.S., consisting of s. 288.991, F.S.; creating the New Markets Tax Credit Program; providing definitions; authorizing the Office of Tourism, Trade, and Economic Development to develop a list of industries, in consultation with Enterprise Florida, Inc., in which equity investments can be made; qualify certain equity investments as eligible for tax credits; providing an application process; requiring an application fee; providing for the certification of an investment; providing for notice to the applicant and the Department of Revenue; providing for a limit on the amount of investments the office may certify; requiring the certified equity investments to be issued within a certain timeframe; providing that a taxpayer who holds a qualified equity investment in a qualified low-income business

on the credit allowance date of the investment is entitled to a nonrefundable, nontransferable tax credit for the taxable year in which the credit allowance date falls; limiting the amount of the tax credit that may be redeemed in a fiscal year; authorizing a taxpayer to carry over any amount of the tax credit that the taxpayer is prohibited from redeeming in a taxable year to a subsequent taxable year; providing for the redemption of tax credits earned by certain business entities and by the partners, members, or shareholders of those entities; specifying how tax credits may be claimed by insurance companies; providing how the amount of tax credits available to the taxpayer will be calculated; requiring the calculations to be certified and accompanied by audited financial statements and notarized affidavits; requiring the office to disqualify community development entities under certain circumstances; requiring the department to recapture tax credits from certain taxpayers under certain circumstances; requiring notice; requiring community development entities that have certified investments to report certain information to the office; requiring the office to prepare annual reports on low-income community investments made in this state; authorizing the department to conduct examinations to verify receipt and application of tax credits; authorizing the department to pursue recovery of certain funds; authorizing the office to revoke or modify certain decisions relating to eligibility for tax credits under certain circumstances; providing for applicant liability for costs and fees relating to investigations of fraudulent claims; providing for taxpayer liability for reimbursement of fraudulently claimed tax credits; providing a penalty; authorizing the office and the department to adopt rules; providing for future repeal of the tax credit program; amending s. 220.02, F.S.; revising legislative intent with respect to the order of tax credits to include the New Markets Tax Credit; amending s. 220.13, F.S.; revising a definition; amending s. 213.053, F.S.; authorizing the Department of Revenue to share confidential taxpayer information with the Office of Tourism, Trade, and Economic Development; providing for application of the tax credit; providing an effective date.

By the Committees on Criminal and Civil Justice Appropriations; Judiciary; and Senator Joyner—

CS for CS for SB 858—A bill to be entitled An act relating to community service for infractions of noncriminal traffic offenses; amending s. 318.18, F.S.; requiring a court to allow a person to satisfy a civil penalty for an infraction of a noncriminal traffic offense by participating in community service if the person is unable to pay the civil penalty due to a demonstrable financial hardship; requiring that a person participating in community service receive credit for the civil penalty at the specified hourly credit rate per hour of community service performed or at the prevailing wage rate for a trade or profession; defining the term "specified hourly credit rate"; providing responsibilities for community service agencies; defining the terms "community service" and "community service agency"; providing an effective date.

By the Committees on Governmental Operations; Children, Families, and Elder Affairs; and Senators Fasano and Lynn—

CS for CS for SB 862—A bill to be entitled An act relating to developmental disabilities institutions; creating s. 393.35, F.S.; providing legislative intent; requiring the Agency for Persons with Disabilities to submit a plan to the Governor and the Legislature if the agency proposes to close or reduce by a certain percentage the resident population of a developmental disabilities institution; providing for content of the plan; requiring the Governor to forward the Legislature's comments on the plan to the head of the agency after he or she considers such comments; requiring the agency to provide quarterly reports; providing for content of the reports; providing an effective date.

By the Committees on Judiciary; Ethics and Elections; and Senator Constantine—

CS for CS for SB 866—A bill to be entitled An act relating to elections; amending s. 97.012, F.S.; revising provisions relating to the investigative duties of the Secretary of State; amending s. 97.041, F.S.; revising requirements for voter preregistration of minors; amending s. 97.053, F.S.; revising provisions relating to verification of certain information on voter registration applications; amending s. 97.0535, F.S.; revising forms of acceptable identification for certain voter registration applicants; amending s. 97.055, F.S.; providing for change of party affiliation after the closing of the registration books to apply to an upcoming election under certain circumstances; amending s. 98.065, F.S.; revising registration list maintenance provisions; creating s. 98.0655, F.S.; requiring the Department of State to prescribe registration list maintenance forms; providing criteria for such forms; amending s. 98.075, F.S.; providing for the removal of the name of a deceased person from the statewide voter registration system upon receipt by the supervisor of a copy of a death certificate; providing procedures concerning such removal; amending s. 98.0981, F.S.; reducing the time by which supervisors of elections must electronically transmit certain voter history information to the department; requiring the department to prepare a detailed report containing specified voter information to legislative officers after a general election; requiring supervisors of elections to collect and submit data to the department after certain elections; defining the phrase "all ballots cast"; requiring the department to compile precinct-level statistical data for counties before certain elections; amending s. 99.012, F.S.; providing restrictions on individuals qualifying for public office; removing an exception from such restrictions for persons seeking any federal public office; amending s. 99.021, F.S.; deleting a resignation statement from the qualifying oath for candidates for federal office; amending s. 100.221, F.S.; providing circumstances under which early voting is not required; amending s. 100.361, F.S.; revising provisions relating to the recall of municipal or charter county officers, recall committees, recall petitions, recall defense, and offenses related thereto; amending s. 100.371, F.S.; providing that a petition form circulated for signatures may not be bundled with other petitions; deleting requirements relating to the recording and determination of signature forms; providing that an elector may complete and submit a standard petition-revocation form directly to the supervisor of elections under certain circumstances; requiring that the division adopt petition-revocation forms by rule; amending s. 101.041, F.S.; deleting a requirement for the printing and distribution of official ballots; amending s. 101.045, F.S.; authorizing the use of a voter registration application for a name or address change; amending s. 101.111, F.S.; revising methods by which a person's right to vote may be challenged; amending s. 101.23, F.S.; deleting provisions requiring an election inspector to prevent certain persons from voting; amending s. 101.51, F.S.; deleting provisions specifying certain responsibilities of election officials before allowing electors to enter a booth or compartment to vote; amending s. 101.5608, F.S.; revising certain procedures relating to the deposit of ballots; repealing s. 101.573, F.S., relating to the reporting of precinct-level election results; amending s. 101.6102, F.S.; providing exceptions to the types of elections that may not be conducted by mail ballot; amending s. 101.6923, F.S.; revising forms of acceptable identification for certain absentee voters; amending s. 101.733, F.S.; authorizing the Governor to call for a mail ballot election in the event of a declared state of emergency or an impending emergency; requiring that the Department of State adopt rules regarding such election; revising notice requirements for elections rescheduled due to an emergency; amending s. 101.75, F.S.; authorizing municipalities to set by ordinance election dates to coincide with statewide or countywide elections; amending s. 102.014, F.S.; revising provisions relating to the training of poll workers; amending s. 102.031, F.S.; including the term "solicitation" as an equivalent of the term "solicit" as it relates to the unlawful solicitation of voters; providing that such terms do not prohibit exit polling; amending s. 102.112, F.S.; revising the county canvassing board's certification requirements for election returns; amending s. 103.101, F.S.; deleting provisions related to the placement on the ballot of presidential candidates whose names do not appear on the list submitted to the Secretary of State; amending s. 106.021, F.S.; removing a campaign finance filing requirement for certain candidates; amending s. 106.07, F.S.; clarifying that political subdivisions may impose electronic filing requirements on certain candidates, and that expenditures for such filing system serve a valid public purpose; repealing s. 106.082, F.S., relating to campaign contribution limitations for candidates for the office of Commissioner of Agriculture; amending s. 106.147, F.S.; requiring a disclosure statement for certain telephone calls; revising provisions requiring authorization from the candidate or sponsor for certain telephone calls; amending s. 106.24, F.S.; providing that the Florida Elections Commission is its own agency head rather than the director of the commission; amending s. 190.006, F.S.; deleting certain fee and assessment provisions for candidates seeking election to the board of supervisors of a community redevelopment district; providing effective dates.

By the Committees on Governmental Operations; Commerce; and Senator Diaz de la Portilla—

CS for CS for SB 928—A bill to be entitled An act relating to economic development; amending ss. 11.908 and 11.911, F.S.; requiring that the report of the Small Business Regulatory Advisory Council be included in recommendations of the Joint Legislative Sunset Committee; amending s. 11.919, F.S.; requiring agency assistance to the Small Business Regulatory Advisory Council; authorizing the council to inspect agency documents; amending s. 120.54, F.S.; requiring state agencies to prepare statements of estimated regulatory costs; requiring agency notification to the Small Business Regulatory Advisory Council relating to proposed agency action affecting small businesses; requiring the agency to adopt regulatory alternatives offered by the council under certain circumstances; providing for extending the period for filing a rule when regulatory alternatives are offered by the council; providing for outside review of regulatory alternatives that are not adopted by the agency and for the agency to respond; amending s. 120.74, F.S.; requiring biennial rule review by each agency to consider the impact of rules on small businesses; requiring that the results be included in a report to the Legislature; creating s. 288.001, F.S.; designating the Florida Small Business Development Center Network as the principal business assistance organization for small businesses in the state; creating s. 288.7001, F.S.; providing a short title; providing definitions; creating the Small Business Regulatory Advisory Council; providing for appointments, membership, and meetings; providing an administrative location for the council; providing powers and limitations of the council; providing for coordinated review of agency rules by the council as part of agency sunset review; providing timelines for review; requiring that the council issue a business-friendly scorecard of agency rules; creating s. 288.7002, F.S.; providing definitions; providing for the selection of a Small Business Advocate; providing for preferred qualifications of the advocate; providing duties of the advocate; providing for agency cooperation with the advocate; providing for an annual report by the advocate to the Governor and Legislature; providing an effective date.

By the Committee on Community Affairs; and Senator Jones—

CS for SB 976—A bill to be entitled An act relating to firefighter and municipal police pensions; amending s. 175.032, F.S.; revising the definition of "creditable service" for purposes of determining credit for prior service as a firefighter; revising the definition of "firefighter"; amending s. 175.061, F.S.; authorizing the terms of office for the board of trustees of the firefighters' pension trust fund to be revised under certain circumstances; authorizing the firefighters' pension trust fund plan administrator to withhold funds to pay for premiums for accident, health, and long-term care insurance for the retiree and the retiree's spouse and dependents; providing an exemption from liability under certain circumstances; amending s. 175.071, F.S.; specifying that trustees are subject to certain standards; authorizing certain individuals to sign drafts issued upon the firefighters' pension trust fund; amending s. 175.101, F.S.; clarifying boundaries of a special fire control district for purposes of assessment and imposition of the excise tax on property insurance premiums; amending s. 175.171, F.S.; authorizing retired firefighters to change their designation of joint annuitant or beneficiary up to two times without the approval of the board of trustees or the prior joint annuitant or beneficiary; amending s. 175.361, F.S.; revising fund distribution procedures with respect to plan termination; requiring the Department of Management Services to effect the termination of the fund; amending s. 185.02, F.S.; revising the definition of "creditable service" for purposes of determining credit for prior service as a police officer; amending s. 185.05, F.S.; revising municipal police officers' retirement trust fund board of trustee selection procedures; authorizing the terms of office for the board of trustees of the municipal police officers' retirement trust fund to be revised under certain circumstances; authorizing the plan administrator to withhold funds to pay for premiums for accident, health, and long-term care insurance for the retiree and the retiree's spouse and dependents; providing an exemption from liability under certain circumstances; amending s. 185.06, F.S.; specifying that trustees are subject to certain standards; authorizing certain individuals to sign drafts issued upon the municipal police officers' retirement trust fund; amending s. 185.161, F.S.; authorizing retired police officers to change their designation of joint annuitant or beneficiary up to two times without the approval of the board of trustees or the prior joint annuitant or beneficiary; amending s. 185.37, F.S.; revising fund distribution procedures with respect to plan termination; requiring that the Department of Management Services effect the termination of the fund; providing an effective date.

By the Committee on Judiciary; and Senators Fasano and Crist—

CS for SB 994—A bill to be entitled An act relating to sexual violence; amending s. 741.313, F.S.; defining the term "sexual violence"; providing specified employee leave benefits to employees who are victims of sexual violence or who have a family or household member who is a victim of sexual violence; providing an effective date.

By the Committees on Governmental Operations; and Health Policy—

CS for SB 1090—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 409.821, F.S., relating to a public-records exemption for certain records pertaining to the Florida Kidcare program; clarifying provisions authorizing the release of certain information to the legal guardian of an enrollee; saving the exemption from repeal under the Open Government Sunset Review Act; repealing s. 2, chapter 2003-104, Laws of Florida; deleting provisions providing for repeal of the exemption; repealing s. 624.91(8), F.S., relating to a public-records exemption for the Florida Healthy Kids Corporation; providing an effective date.

By the Committees on Judiciary; Criminal Justice; and Senator Fasano—

CS for CS for SB 1128—A bill to be entitled An act relating to material harmful to minors; amending s. 847.001, F.S.; redefining the term "harmful to minors"; amending s. 847.011, F.S.; providing that it is a third-degree felony for any person to sell, distribute, transmit, advertise, or possess with the intent to sell, distribute, transmit, or advertise certain materials to minors; providing that ignorance of a minor's age or the minor's consent is not a defense in a prosecution for such a violation if the minor is younger than 12 years of age; providing penalties; amending s. 847.012, F.S.; prohibiting a person from knowingly using a minor in the production of certain materials, regardless of whether those materials are intended for distribution to minors or actually distributed to minors; providing a penalty; providing that ignorance of a minor's age or the minor's consent is not a defense in a prosecution for specified violations if the minor is younger than 12 years of age; amending s. 847.013, F.S.; providing that ignorance of a minor's age or the minor's consent is not a defense in a prosecution for specified violations if the minor is younger than 12 years of age; revising legislative intent concerning the enforcement of such laws with respect to minors; amending s. 847.0133, F.S.; revising terminology; amending s. 921.0022, F.S., relating to the offense severity ranking chart of the Criminal Punishment Code; establishing offense levels to conform to changes made by the act; providing an exemption to laws amended by the act for providers of communications services and providers of information services in certain circumstances; providing an effective date.

By the Committees on Judiciary; Children, Families, and Elder Affairs; and Senator Storms—

CS for CS for SB 1150—A bill to be entitled An act relating to mental health and substance abuse; amending s. 394.4572, F.S.; requiring level II screening for all personnel who work with persons with mental illness; amending s. 394.462, F.S.; providing for HIV testing of persons being transported for mental health services upon the request of law enforcement officers or other designated agents who come into contact with the person's body fluids; requiring the county health department to provide HIV testing at no cost to such officers and agents; amending s. 394.67, F.S.; removing an obsolete reference to a corporation's contract with the Department of Children and Family Services and adding a reference to a corporation's licensure by the Agency for Health Care Administration to the definition of residential treatment center for children and adolescents; amending s. 394.674, F.S.; establishing priority populations who are eligible for services funded by the Department of Children and Family Services; authorizing the department to adopt rules; creating s. 394.4996, F.S.; authorizing the department to establish facilities that

provide services as an integrated adult mental health crisis stabilization unit and addictions receiving facility; requiring licensure; providing eligibility criteria for treatment services; authorizing the department to adopt rules; amending s. 553.80, F.S.; requiring that local construction regulations for secure mental health treatment facilities be enforced by the department; amending s. 916.111, F.S.; requiring that a forensic evaluator training course be provided annually in order for mental health experts to be placed on the forensic evaluator registry; providing that mental health professionals that have taken the course within the last 5 years remain on the registry; requiring mental health professionals on the registry to maintain training course documentation and provide the department with current information; amending s. 916.115, F.S.; allowing certain persons who are supervised by a person who has taken the forensic evaluator training course to assist in the forensic evaluation process; amending s. 916.13, F.S.; requiring defendants in the custody of the Department of Corrections who are adjudicated incompetent to remain in the custody of the Department of Corrections and receive treatment from the department; requiring the Department of Children and Family Services to determine whether the inmate has regained competency; providing timelines for competency hearings; amending s. 916.15, F.S.; providing a timeline for holding a commitment hearing for defendants who no longer meet the criteria for continued commitment by reason of insanity; providing an exception for defendants in the custody of the Department of Corrections; requiring defendants in the custody of the Department of Corrections who are charged with a new felony and found not guilty by reason of insanity to remain in the department's custody for the remainder of their sentence; requiring the Department of Children and Family Services to evaluate the inmate and file a report with the court requesting a hearing for determining continued commitment placement; amending s. 985.19, F.S.; requiring that experts appointed in juvenile incompetent-to-proceed cases be a psychiatrist, licensed psychologist, or physician and have completed the forensic evaluator training within 5 years prior to conducting evaluations for the court; providing that, beginning July 1, 2009, experts who have completed or retaken the course within the last 5 years remain on the registry; requiring experts on the registry to maintain training course documentation and provide the Department of Children and Family Services with current information; requiring the Department of Children and Family Services and the Agency for Health Care Administration to prepare a mental health plan to be submitted to the Legislature and the Governor; requiring a study by the Office of Program Policy Analysis and Governmental Accountability on mental health issues; providing an effective date.

By the Committees on Health and Human Services Appropriations; Judiciary; Children, Families, and Elder Affairs; and Senator Storms—

CS for CS for CS for SB 1150—A bill to be entitled An act relating to mental health and substance abuse; amending s. 394.4572, F.S.; requiring level II screening for all personnel who work with persons with mental illness; amending s. 394.462, F.S.; providing for HIV testing of persons being transported for mental health services upon the request of law enforcement officers or other designated agents who come into contact with the person's body fluids; requiring the county health department to provide HIV testing at no cost to such officers and agents; amending s. 394.67, F.S.; removing an obsolete reference to a corporation's contract with the Department of Children and Family Services and adding a reference to a corporation's licensure by the Agency for Health Care Administration to the definition of residential treatment center for children and adolescents; amending s. 394.674, F.S.; establishing priority populations who are eligible for services funded by the Department of Children and Family Services; authorizing the department to adopt rules; creating s. 394.4996, F.S.; authorizing the department to establish facilities that provide services as an integrated adult mental health crisis stabilization unit and addictions receiving facility; requiring licensure; providing eligibility criteria for treatment services; authorizing the department to adopt rules; amending s. 553.80, F.S.; requiring that local construction regulations for secure mental health treatment facilities be enforced by the department or the Agency for Health Care Administration; amending s. 916.111, F.S.; requiring that a forensic evaluator training course be provided annually in order for mental health experts to be placed on the forensic evaluator registry; providing that mental health professionals that have taken the course within the last 5 years remain on the registry; requiring mental health professionals on the registry to maintain training course documentation and provide the department with current information; amending s. 916.115, F.S.; allowing certain persons who are supervised by a person who has taken the forensic evaluator training course to assist in the forensic evaluation process; amending s. 916.13, F.S.; requiring defendants in the custody of the Department of Corrections who are adjudicated incompetent to remain in the custody of the Department of Corrections and receive treatment from the department; requiring the Department of Children and Family Services to determine whether the inmate has regained competency; providing timelines for competency hearings; amending s. 916.15, F.S.; providing a timeline for holding a commitment hearing for defendants who no longer meet the criteria for continued commitment by reason of insanity; providing an exception for defendants in the custody of the Department of Corrections; requiring defendants in the custody of the Department of Corrections who are charged with a new felony and found not guilty by reason of insanity to remain in the department's custody for the remainder of their sentence; requiring the Department of Children and Family Services to evaluate the inmate and file a report with the court requesting a hearing for determining continued commitment placement; amending s. 985.19, F.S.; requiring that experts appointed in juvenile incompetent-to-proceed cases be a psychiatrist, licensed psychologist, or physician and have completed the forensic evaluator training within 5 years prior to conducting evaluations for the court; providing that, beginning July 1, 2009, experts who have completed or retaken the course within the last 5 years remain on the registry; requiring experts on the registry to maintain training course documentation and provide the Department of Children and Family Services with current information; requiring the Department of Children and Family Services and the Agency for Health Care Administration to prepare a mental health plan to be submitted to the Legislature and the Governor; requiring a study by the Office of Program Policy Analysis and Governmental Accountability on mental health issues; providing an effective date.

By the Committees on Community Affairs; Environmental Preservation and Conservation; and Senators Jones and Bennett—

CS for CS for SB 1242—A bill to be entitled An act relating to environmental permitting; requiring the Department of Environmental Protection to conduct a study and implement a plan to provide parity in salaries for permitting staff and submit such plan to the President of the Senate, the Speaker of the House of Representatives, and the Legislative Committee on Intergovernmental Relations; requiring the department to develop a plan to implement the remaining phases of an e-permitting program and submit such plan to the President of the Senate, the Speaker of the House of Representatives, and the Legislative Committee on Intergovernmental Relations; prohibiting local governments from requiring the production of certain written documentation from the Department of Environmental Protection or a water management district showing that a project does not require a particular permit; amending s. 403.061, F.S.; revising the department's powers and duties to include maintaining a list of projects or activities that applicants may consider when developing proposals for certain projects or activities; amending s. 403.813, F.S.; prohibiting a local government from requiring further verification from the department for certain projects that are exempt from permit requirements other than a general permit; revising a provision relating to the replacement or repair of existing docks and piers; authorizing local governments to require permitting or a one-time registration for the construction of certain private docks; providing an effective date.

By the Committee on Environmental Preservation and Conservation; and Senator Saunders—

CS for SB 1304—A bill to be entitled An act relating to fish and wildlife conservation; consolidating chapters 370 and 372, F.S., to create chapter 379, F.S., entitled "Fish and Wildlife Conservation"; creating part I of chapter 379, F.S., relating to general provisions; creating part II of chapter 379, F.S., relating to marine life; creating part III of chapter 379, F.S., relating to freshwater aquatic life; creating part IV of chapter 379, F.S., relating to wild animal life; creating part V of chapter 379, F.S., relating to law enforcement; creating part VI of chapter 379, F.S., relating to licenses for recreation activities; creating part VII of chapter 379, F.S., relating to nonrecreational licenses; creating part VIII of chapter 379, F.S., relating to penalties; renumbering, amending, creating, and repealing various statutory provisions to conform; renumbering and

amending ss. 370.021, 370.06, 370.061, 370.063, 370.16, 370.22, 370.26, 370.028, 370.07, 370.08, 370.11, 370.1107, 370.1121, 370.135, 370.14, 370.143, 370.1535, 370.1603, 370.31, 370.73, 372.07, 372.071, 372.0715, 372.0025, 372.023, 372.0725, 372.16, 372.26, 372.551, 372.561, 372.562, 372.65, 372.57, 372.5704, 372.5705, 372.571, 372.5711, 372.5714, 372.5717, 372.5718, 372.574, 372.58, 372.581, 372.59, 372.651, 372.653, 372.66, 372.661, 372.662, 372.663, 372.664, 372.6645, 372.665, 372.6671, 372.6672, 372.6673, 372.6674, 372.6678, 372.671, 372.673, 372.70, 372.701, 372.7015, 372.7016, 372.76, 372.761, 372.83, 372.84, 372.86, 372.87, 372.88, 372.921, 372.922, 372.935, 372.988, 372.99, 372.9901, 372.99021, 372.99022, 372.9903, 372.9904, 372.9905, and 372.992, F.S.; correcting cross-references; conforming provisions to changes made by this act; renumbering and amending s. 370.12, F.S.; deleting an obsolete provision relating to certain annual use fees; correcting cross-references; renumbering and amending s. 370.13, F.S.; deleting an obsolete provision relating to stone crab trap tag fees; correcting cross-references; renumbering and amending s. 370.142, F.S.; deleting an obsolete provision relating to spiny lobster trap tag fees; correcting cross-references; renumbering and amending s. 370.151, F.S.; deleting legislative intent relating to shrimp beds; conforming provisions relating to shrimping license violations; renumbering and amending s. 372.5701, F.S.; deleting provisions requiring an annual legislative appropriation for specified activities and programs; correcting cross-references; creating s. 379.3711, F.S.; establishing an annual license fee for private game preserves and farms; providing for payment of such fees to the commission; requiring proceeds to be deposited in the State Game Trust Fund; creating 379.414, F.S.; providing additional civil penalties for violations of record requirements by saltwater products dealers; requiring fees collected for such violations are deposited in the Marine Resources Conservation Trust Fund; specifying the use of such funds; amending ss. 72.011, 97.05831, 125.01, 142.01, 161.053, 201.15, 212.06, 212.08, 213.053, 215.20, 290.004, 320.08058, 327.02, 327.41, 327.73, 328.66, 328.72, 328.76, 373.046, 403.41315, 403.813, 597.010, 777.04, 810.09, 921.0022, and 932.7055, F.S.; correcting cross-references to conform to changes made by this act; repealing s. 370.081, F.S., relating to illegal importation or possession of nonindigenous marine plants and animals to conform to changes made by this act; repealing s. 370.0821, F.S., relating to use of nets in St. Johns County to conform to changes made by this act; repealing s. 370.09, F.S., relating to industrial hazards and prohibited oil deposits discharge to conform to changes made by this act; repealing s. 370.1105, F.S., relating to saltwater finfish trap regulation to conform to changes made by this act; repealing ss. 370.15 and 370.154, F.S., relating to shrimp regulations to conform to changes made by this act; repealing s. 370.155, F.S., relating to shrimp fishing to conform to changes made by this act; repealing 372.001, F.S., relating to wildlife definitions to conform to changes made by this act; repealing s. 372.0225, F.S., relating to freshwater organisms to conform to changes made by this act; repealing s. 372.107, F.S., relating to the Fish and Wildlife Conservation Commission Federal Law Enforcement Trust Fund to conform to changes made by this act; repealing s. 372.27, F.S., relating to the prohibition of fishing in Silver Springs and Rainbow Springs to conform to changes made by this act; repealing s. 372.667, F.S., relating to the unlawful feeding or enticement of alligators or crocodiles to conform to changes made by this act; repealing s. 372.85, F.S., relating to the contamination of fresh waters to conform to changes made by this act; repealing s. 372.98, F.S., relating to the possession of nutria to conform to changes made by this act; repealing s. 372.981, F.S., relating to the regulation of importation of caiman to conform to changes made by this act; repealing s. 372.993, F.S., relating to land-based commercial and recreational fishing activities to conform to changes made by this act; providing an effective date.

By the Committee on Judiciary; and Senator Bennett—

CS for SB 1308—A bill to be entitled An act relating to cemeteries; amending s. 497.270, F.S.; prohibiting the taking of certain cemetery property by eminent domain; providing exceptions; prohibiting governmental entities from requiring the transfer of cemetery property as a condition of obtaining any regulatory approval; providing an effective date.

By the Committees on Criminal Justice; Military Affairs and Domestic Security; and Senator Baker—

CS for CS for SB 1310—A bill to be entitled An act relating to sellers of travel; amending s. 559.927, F.S.; revising the definition of "prearranged travel, tourist-related services, or tour-guide services"; defining "certifying party" and "terrorist state"; amending s. 559.928, F.S.; revising provisions relating to registration as a seller of travel; revising registration fees; creating s. 559.9285, F.S.; requiring a seller of travel to annually certify to the Department of Agriculture and Consumer Services the scope of its business activities by filing a disclosure statement; categorizing certifying parties; providing requirements of a certifying party that changes its scope of business; requiring that such certifying party provide to the department an appropriate bond; requiring the department to specify by rule the form of certification; specifying required certification information; amending s. 559.929, F.S.; revising requirements with respect to the performance bond that must accompany registration or an application for registration as a seller of travel; specifying amounts of bonds for certification categories; eliminating alternative means of satisfying security requirements; providing for priority of payment with respect to such bonds; revising conditions under which the department may annually waive the bond; precluding specified certification categories from waiver of bond; amending s. 559.9335, F.S.; providing that it is a violation of the Florida Sellers of Travel Act to offer to sell, at wholesale or retail, prearranged travel, tourist-related services, or tour-guide services for individuals or groups directly to any terrorist state which originate in Florida without disclosing such business activities in a certification filed with the department and to violate any state or federal law restricting or prohibiting commerce with terrorist states; amending s. 559.935, F.S.; revising provisions that exempt certain sellers of travel and affiliates thereof from specified registration, security, disclosure, and recordkeeping requirements; amending s. 559.9355, F.S.; imposing an administrative fine for each act or omission in violation of the prohibited offer to sell, at wholesale or retail, prearranged travel, tourist-related services, or tour-guide services for individuals or groups directly to any terrorist state which originate in Florida without disclosing such business activities in a certification or in violation of any state or federal law restricting or prohibiting commerce with terrorist states; amending s. 559.936, F.S.; authorizing the department to seek a specified civil penalty for each act or omission in violation of the prohibited offer to sell, at wholesale or retail, prearranged travel, tourist-related services, or tour-guide services for individuals or groups directly to any terrorist state which originate in Florida without disclosing such business activities in a certification or in violation of any state or federal law restricting or prohibiting commerce with terrorist states; amending s. 559.937, F.S.; providing a criminal penalty for a violation of the Florida Sellers of Travel Act which directly or indirectly pertains to an offer to sell, at wholesale or retail, prearranged travel, tourist-related services, or tour-guide services for individuals or groups directly to any terrorist state which originate in Florida; providing an effective date.

By the Committee on Criminal Justice; and Senators Rich and Fasano—

CS for SB 1408—A bill to be entitled An act relating to residential tenancies; creating s. 83.683, F.S.; defining terms; prohibiting a landlord from terminating, failing to renew, or refusing to enter into a residential rental agreement because the tenant, applicant, or family or household member is a victim of domestic violence, dating violence, repeat violence, or sexual violence; prohibiting a landlord from including in a residential rental agreement a provision that authorizes the landlord to terminate a rental agreement or impose a penalty on a tenant for calling for assistance from a law enforcement agency or other emergency assistance in response to domestic violence, dating violence, repeat violence, or sexual violence; providing for evidence of the domestic violence, dating violence, repeat violence, or sexual violence which may be provided to the landlord; requiring a landlord to change door and other locks of the dwelling unit of a victim of domestic violence, dating violence, repeat violence, or sexual violence under certain circumstances within a specified period; requiring the protected tenant to pay the costs of changing the door and other locks of the dwelling unit; prohibiting waiver of the provisions of the act; providing an effective date.

By the Committees on Judiciary; Criminal Justice; and Senator Aronberg—

CS for CS for SB 1430—A bill to be entitled An act relating to public safety; amending s. 775.21, F.S.; revising provisions relating to reimbursement of specified costs by sexual predators; revising provisions relating to the residence of sexual predators; providing criminal penalties; creating s. 775.215, F.S.; specifying residency distance limitations for persons convicted of certain sexual offenses; preempting certain local ordinances and providing for repeal of such ordinances; amending s. 775.24, F.S.; revising provisions relating to the duty of the court to uphold certain laws; amending s. 794.065, F.S.; providing additional residency restrictions for certain offenders; providing penalties; creating s. 794.0701, F.S.; providing for enhanced penalties for loitering or prowling by persons convicted of certain sex offenses; providing definitions; providing an exemption; amending s. 947.1405, F.S.; providing additional conditional release restrictions for certain offenders; providing an exemption; amending s. 948.06, F.S.; revising provisions relating to probation or community control for sexual predators and sexual offenders; amending s. 948.30, F.S.; revising provisions relating to terms and conditions of probation or community control for certain sex offenses; providing additional restrictions for certain probationers or community controllees who committed sexual offenses against a minor younger than 16 years of age; providing an effective date.

By the Committee on Criminal Justice; and Senator Aronberg—

CS for SB 1438—A bill to be entitled An act relating to unlawful use of utility services; amending s. 812.14, F.S.; providing definitions; prohibiting trespass and larceny in relation to utility fixtures for the purpose of manufacturing a controlled substance; providing for prima facie evidence of the intent to commit such offense; providing that trespass and larceny in relation to utility fixtures for the purpose of manufacturing a controlled substance is a third-degree felony; providing that prosecution for trespass and larceny in relation to utility fixtures does not preclude prosecution for theft of utility services; providing that theft of utility services for the purpose of manufacturing a controlled substance is a third-degree felony; providing that prosecution of theft of utility services for the purpose of manufacturing a controlled substance is in lieu of prosecution for theft pursuant to s. 812.014, F.S.; providing for prima facie evidence of intent to commit theft of utility services for the purpose of manufacturing a controlled substance; providing an effective date.

By the Committees on Education Pre-K - 12 Appropriations; Education Pre-K - 12; and Senators Wise, Gaetz, Fasano and Siplin—

CS for CS for SB 1458—A bill to be entitled An act relating to school food service programs; amending s. 1006.06, F.S.; requiring school breakfast programs in middle and high schools; providing procedures for school breakfast programs; specifying requirements for setting prices of breakfast meals; requiring district school boards to consider policies for the provision of universal-free school breakfast meals in certain schools; requiring information to be communicated to students and parents; clarifying the allocation of funds for school breakfast programs; directing the Office of Program Policy Analysis and Government Accountability to submit a report on school district food service programs; providing an effective date.

By the Committee on Finance and Tax; and Senator Saunders—

CS for SB 1552—A bill to be entitled An act relating to Everglades restoration bonds; amending s. 215.619, F.S.; extending the period during which such bonds may be issued each fiscal year; providing an effective date.

By the Committees on Judiciary; Children, Families, and Elder Affairs; and Senator Joyner—

CS for CS for SB 1582—A bill to be entitled An act relating to guardians ad litem; amending s. 61.402, F.S.; authorizing a person affiliated with a not-for-profit legal aid organization to serve as a guardian ad litem under certain circumstances; requiring that such person undergo a security background investigation; requiring not-for-profit legal aid organizations to provide training developed by The Florida Bar before a person is certified as a guardian ad litem; providing for interim training developed by a curriculum committee; providing an effective date.

By the Committees on Criminal and Civil Justice Appropriations; Judiciary; Children, Families, and Elder Affairs; Criminal Justice; and Criminal Justice—

CS for CS for CS for CS for SB 1614—A bill to be entitled An act relating to the Department of Corrections; amending s. 921.187, F.S.; deleting certain provisions limiting circumstances under which an offender may be placed in community control; amending s. 940.061, F.S.; specifying that the Department of Corrections meets its statutory obligation to assist released offenders with completing the application for the restoration of civil rights by sending an electronic list to the Parole Commission each month of those inmates and offenders who were released from incarceration or terminated from supervision during the preceding month; amending s. 943.16, F.S.; eliminating provisions requiring that a law enforcement officer reimburse the employing agency for wages and benefits paid by the employing agency if the officer terminates employment before the end of a 2-year commitment period; eliminating wages and benefits from the costs that employing agencies may recover; eliminating the definition of the term "academy training period"; amending s. 944.1905, F.S.; authorizing the department to assign certain inmates younger than 18 years of age to a facility for youthful offenders until the inmate reaches a specified age; deleting provisions requiring that certain offenders younger than 18 years of age be housed and provided certain services separately from older offenders or placed in a facility for youthful offenders; amending s. 944.293, F.S.; specifying that the Department of Corrections meets its statutory obligation to assist released offenders with completing the application for the restoration of civil rights by sending an electronic list to the Parole Commission each month of those inmates and offenders who were released from incarceration or terminated from supervision during the preceding month; amending s. 944.47, F.S.; providing that a cellular telephone or other portable communication device that is introduced inside the secure perimeter of a state correctional institution without prior authorization is contraband; prohibiting an inmate or other person upon the grounds of the institution from possessing such contraband without authorization; providing a definition; providing criminal penalties; amending s. 945.41, F.S.; eliminating a requirement that the Department of Corrections contract with the Department of Children and Family Services to provide certain mental health services; authorizing the Department of Corrections to contract with other entities or persons to provide mental health services to inmates; amending s. 945.42, F.S.; revising definitions and defining the term "crisis stabilization care"; amending s. 945.43, F.S.; revising the procedures for placing an inmate in a mental health treatment facility; authorizing the court to waive the presence of the inmate at the hearing on the inmate's placement; amending s. 945.44, F.S.; providing for the emergency placement of an inmate in a mental health treatment facility; amending s. 945.45, F.S.; revising the provisions governing the continued placement of an inmate in a mental health treatment facility; authorizing administrative law judges to appoint private pro bono attorneys to represent inmates in continued placement hearings; providing that the administrative law judge may waive the presence of the inmate at the hearing under certain conditions; amending s. 945.46, F.S.; authorizing the warden to initiate procedures for the involuntary examination of an inmate who has a mental illness and meets certain criteria; amending s. 945.47, F.S.; providing for the transfer of an inmate who is no longer in need of mental health treatment; deleting certain provisions governing involuntary placement; requiring that a summary of the inmate's treatment be provided to the Parole Commission and the Department of Children and Family Services upon request; amending s. 945.48, F.S.; revising the procedure for the involuntary mental health treatment of an inmate; providing for the warden of the institution containing the mental health treatment facility to petition the circuit court for an order authorizing involuntary treatment; providing requirements for the hearing on involuntary treatment; limiting the period that an order authorizing involuntary treatment is effective; providing a procedure for emergency treatment; amending s. 945.49, F.S.; deleting a provision requiring that training provided to correctional officers employed by a mental health treatment facility be

in accordance with the requirements of the Criminal Justice Standards and Training Commission; amending s. 948.01, F.S.; deleting certain provisions limiting circumstances under which an offender may be placed in community control; amending s. 948.10, F.S.; deleting a requirement that community control programs and manuals be developed in consultation with the Florida Conference of Circuit Court Judges and the State Courts Administrator; deleting requirements for the department in developing and implementing community control programs, resource directories, and training programs; deleting a requirement for the Florida Court Education Council and the State Courts Administrator to coordinate certain resources for judges pertaining to community control; eliminating provisions governing review and notice by the department of offenders ineligible for community control and requiring the department to develop a caseload equalization strategy; amending s. 958.04, F.S.; authorizing the court to sentence a person as a youthful offender if the offender is younger than 21 years of age at the time sentence is imposed; requiring the Department of Corrections to adopt by rule criteria to define successful participation in the youthful offender program; amending s. 958.11, F.S.; removing the specific designation of youthful offender facilities for housing female offenders; revising requirements for the department with respect to assigning or transferring youthful offenders; removing references to the Assistant Secretary for Youthful Offenders; amending s. 958.12, F.S.; removing the requirement for a youthful offender to be visited by a probation and parole officer before release; removing the requirement for the department to develop community partnerships with the Department of Labor and Employment Security and the Department of Children and Family Services; providing an effective date.

By the Committees on Transportation and Economic Development Appropriations; Commerce; Children, Families, and Elder Affairs; Education Pre-K - 12; and Senators Gaetz and Lynn—

CS for CS for CS for CS for SB 1670—A bill to be entitled An act relating to early learning; providing a short title; amending s. 402.316, F.S.; requiring the Department of Children and Family Services to adopt rules regarding screening standards and notice for certain child care personnel; amending s. 411.01, F.S.; revising conditions relating to the service of a children's services council or juvenile welfare board chair or director as a member of an early learning coalition; authorizing the use of telecommunication methods in conducting early learning coalition board meetings; amending and renumbering s. 402.27, F.S.; transferring requirements for the establishment of a statewide child care resource and referral network by the Department of Children and Family Services to the Agency for Workforce Innovation; providing for use of early learning coalitions as child care resource and referral agencies; requiring rulemaking; amending and renumbering s. 409.178, F.S.; transferring duties of the Department of Children and Family Services with respect to the Child Care Executive Partnership Program to the Agency for Workforce Innovation and early learning coalitions; requiring rulemaking; amending s. 435.04, F.S.; providing additional criminal offenses for screening child care personnel; amending s. 1001.10, F.S.; requiring the Department of Education to assist school districts, charter schools, the Florida School for the Deaf and the Blind, and certain private schools and providers in developing policies and procedures governing educator ethics and employment; requiring the department to provide authorized staff with access to or provide verification through certain employment-screening tools; amending ss. 1002.55, 1002.61, and 1002.63, F.S., relating to the Voluntary Prekindergarten Education Program; providing additional accreditation standards for private prekindergarten providers; providing requirements for assignment of substitute instructors; requiring owners of certain private schools and private prekindergarten providers to adopt ethical standards for all employees; prohibiting confidentiality agreements regarding terminated or dismissed employees which have the effect of concealing certain conduct; requiring such owners and providers to contact the previous employer of each instructional or administrative candidate for employment and notify the Department of Education of dates of employment of an educator; requiring rulemaking; conforming cross-references; providing an effective date.

By the Committees on Governmental Operations; Banking and Insurance; and Senators Baker and Gaetz—

CS for CS for SB 1684—A bill to be entitled An act relating to title insurance; creating the Florida 2008 Title Insurance Study Advisory Council; providing for membership; providing for administrative support for the council; providing responsibilities of the council; authorizing the council to invite independent actuaries to provide certain information; requiring the Office of Program Policy Analysis and Government Accountability to conduct a review and report to the council; requiring that the report be submitted to the council by a certain date; providing council meeting requirements; requiring the council to file a report with the Governor and the Legislature; providing for termination of the council; providing an effective date.

By the Committee on Governmental Operations; and Senators Aronberg, Fasano and Margolis—

CS for SB 1694—A bill to be entitled An act relating to emergency dispatchers; creating s. 401.465, F.S.; providing definitions; requiring the Department of Health to establish criteria for the certification of 911 emergency dispatchers; providing requirements for certification; requiring the department to determine if an applicant meets the requirements for certification; requiring the department to establish a procedure for certificate renewal; providing for the expiration and renewal of certificates; authorizing the department to suspend or revoke a certificate; providing that a certificateholder may request inactivation of his or her certification; providing requirements for renewing an inactive certificate; requiring the department to establish a procedure for the initial certification of certain 911 emergency dispatchers; providing fees for original application and renewal of a certificate; requiring that fees be deposited in a trust fund and used for specified purposes; providing for replacement of a lost or destroyed certificate; requiring the department to issue a replacement certificate under certain circumstances; providing an effective date.

By the Committees on Criminal Justice; Commerce; and Senators Joyner and Lynn—

CS for CS for SB 1722 and SB 2478—A bill to be entitled An act relating to sex trafficking; amending s. 559.927, F.S.; defining the term "travel services for commercial sexual purposes"; amending s. 559.928, F.S.; requiring the seller of travel to include in the initial registration documents, and in the annual affidavit to renew the registration, sent to the Department of Agriculture and Consumer Services a statement that the seller of travel does not offer for sale, facilitate, advertise, or promote travel services for commercial sexual purposes; providing that the department may deny or refuse to renew the registration of any seller of travel based upon a determination that the seller of travel has offered for sale, facilitated, advertised, or promoted travel services for commercial sexual purposes; amending s. 559.9335, F.S.; providing that an offer of sale, facilitation, an advertisement, or a promotion of travel services for commercial sexual purposes is a violation of part IX of ch. 559, F.S.; amending s. 559.937, F.S.; providing that a seller of travel who offers for sale, facilitates, advertises, or promotes travel services for commercial sexual purposes commits a felony of the second degree; providing criminal penalties; authorizing a court to freeze the assets of a seller of travel who has or is about to commit such offense; providing procedures; amending s. 772.102, F.S.; expanding the definition of the term "criminal activity" to include the offense of facilitating certain offenses for purposes of seeking civil remedies for criminal offenses; amending s. 775.21, F.S.; conforming cross-references; creating s. 796.011, F.S.; providing definitions; amending s. 796.03, F.S.; increasing penalties for procuring a minor for prostitution; amending s. 796.04, F.S.; providing enhanced penalties for forcing, compelling, or coercing another to become a prostitute; renumbering and amending s. 796.035, F.S., and amending s. 796.045, F.S.; increasing penalties for selling or buying minors into sex trafficking or prostitution; revising provisions relating to sex trafficking; increasing penalties; amending s. 796.06, F.S.; revising provisions prohibiting rental of certain facilities for prohibited activities; amending s. 796.07, F.S.; revising provisions prohibiting prostitution, lewdness, and assignation; providing penalties; amending s. 796.09, F.S.; revising provisions providing a civil action against persons who coerce or induce certain activities; requiring the court to award prevailing plaintiffs reasonable attorney's fees and costs; creating s. 796.10, F.S.; defining the term "business entity"; providing that a business entity convicted of a violation of chapter 796, F.S., may be subject to specified sanctions and forfeiture of property; amending s. 823.05, F.S.; providing that a place used for specified violations relating

to prostitution may be declared a public nuisance and abated or enjoined; amending s. 893.138, F.S.; providing additional prostitution offenses that may subject a place to being declared a public nuisance by a county or municipality and abated pursuant to specified provisions; amending s. 895.02, F.S.; redefining the term "racketeering activity" to revise the offenses included for purposes of the Florida RICO Act; amending s. 921.0022, F.S.; conforming the offense severity ranking chart of the Criminal Punishment Code; amending ss. 322.28, 943.0435, 944.606, and 944.607, F.S.; conforming cross-references; providing an effective date.

By the Committees on Transportation and Economic Development Appropriations; Criminal Justice; and Senator Joyner—

CS for CS for SB 1732—A bill to be entitled An act relating to human trafficking; creating within the Executive Office of the Governor the Florida Statewide Task Force on Human Trafficking; prescribing the membership of the task force; providing for members of the task force to serve without compensation or reimbursement for per diem and travel expenses; providing specific responsibilities and duties of the task force and its members; requiring that the task force prepare a final report by a specified date; providing duties of the Florida State University Center for the Advancement of Human Rights; abolishing the task force on a specified date; providing an effective date.

By the Committee on Higher Education Appropriations; and Senator Lynn—

CS for SB 1768—A bill to be entitled An act relating to university tuition; amending s. 1009.24, F.S.; revising requirements for the Board of Governors in establishing tuition and out-of-state fees for graduate and professional programs; revising requirements for the Board of Governors in establishing a uniform maximum undergraduate tuition differential for universities that have research and development expenditures of a specified amount; allowing the university board of trustees to maintain the differential unless otherwise directed by the Board of Governors; providing an exemption from payment of the tuition differential for beneficiaries of a prepaid tuition contract that was in effect on July 1, 2008; providing an effective date.

By the Committees on Criminal Justice; Criminal and Civil Justice Appropriations; and Senator Crist—

CS for CS for SB 1800—A bill to be entitled An act relating to correctional work programs; creating the Correctional Work Program Council; assigning the council to the Agency for Workforce Innovation for administrative purposes; providing a purpose for the council; providing for membership of the council; requiring that the council meet by a specified date; requiring the council to present a report to the Governor and the Legislature; providing requirements for the findings and the recommendations; providing for future expiration of the council; amending s. 946.523, F.S.; requiring a prison industry enhancement certificate to be relinquished to the Department of Corrections on a specified date; providing for the deposit of deductions from prison industry employee wages made after a specified date; amending s. 946.510, F.S.; providing that employees of the private nonprofit corporation operating prison industries are deemed state employees for workers' compensation purposes; providing an effective date.

By the Committees on Transportation and Economic Development Appropriations; Transportation; and Senator Baker—

CS for CS for SB 1978—A bill to be entitled An act relating to the Department of Transportation; amending s. 20.23, F.S.; providing Senior Management Service status to the Executive Director of the Florida Transportation Commission; amending s. 125.42, F.S.; providing an exception to utility owners from the responsibility for relocating utilities along county roads and highways; amending s. 163.3177, F.S.; revising requirements for comprehensive plans; providing for airports, land adjacent to airports, and certain interlocal agreements relating thereto in certain elements of the plan; amending s. 163.3182, F.S., relating to transportation concurrency backlog authorities; providing legislative findings and declarations; expanding the power of authorities to borrow money to include issuing certain debt obligations; providing a maximum maturity date for certain debt incurred to finance or refinance certain transportation concurrency backlog projects; authorizing authorities to continue operations and administer certain trust funds for the period of the remaining outstanding debt; requiring local transportation concurrency backlog trust funds to continue to be funded for certain purposes; providing for increased ad valorem tax increment funding for such trust funds under certain circumstances; revising provisions for dissolution of an authority; amending s. 316.0741, F.S.; redefining the term "hybrid vehicle"; authorizing the driving of a hybrid, low-emission, or energy-efficient vehicle in a high-occupancy-vehicle lane regardless of occupancy; authorizing the department to limit or discontinue such driving under certain circumstances; exempting such vehicles from the payment of certain tolls; amending s. 316.193, F.S.; lowering the blood-alcohol or breath-alcohol level for which enhanced penalties are imposed against a person who was accompanied in the vehicle by a minor at the time of the offense; clarifying that an ignition interlock device is installed for a continuous period; amending s. 316.302, F.S.; revising the application of certain federal rules; providing for the department to perform certain duties assigned under federal rules; updating a reference to federal provisions governing out-of-service requirements for commercial vehicles; amending ss. 316.613 and 316.614, F.S.; revising the definition of "motor vehicle" for purposes of child restraint and safety belt usage requirements; amending s. 316.656, F.S.; lowering the percentage of blood or breath alcohol content relating to the prohibition against pleading guilty to a lesser offense of driving under the influence than the offense charged; amending s. 322.64, F.S.; providing that refusal to submit to a breath, urine, or blood test disqualifies a person from operating a commercial motor vehicle; providing a period of disqualification if a person has an unlawful blood-alcohol or breath-alcohol level; providing for issuance of a notice of disqualification; revising the requirements for a formal review hearing following a person's disqualification from operating a commercial motor vehicle; amending s. 336.41, F.S.; providing that a county, municipality, or special district may not own or operate an asphalt plant or a portable or stationary concrete batch plant having an independent mixer; amending s. 337.11, F.S.; authorizing the department to pay stipends to unsuccessful bidders on construction and maintenance contracts; amending s. 337.18, F.S.; revising the recording requirements of payment and performance bonds; amending s. 337.185, F.S.; providing for maintenance contracts to be included in the types of claims settled by the State Arbitration Board; amending s. 337.403, F.S.; providing for the department or a local governmental entity to pay the costs of removing or relocating a utility that is interfering with the use of a road or rail corridor; amending s. 338.01, F.S.; requiring that newly installed electronic toll collection systems be interoperable with the department's electronic toll collection system; amending s. 338.165, F.S.; providing that provisions requiring the continuation of tolls following the discharge of bond indebtedness does not apply to high-occupancy toll lanes or express lanes; creating s. 338.166, F.S.; authorizing the department to request that bonds be issued which are secured by toll revenues from high-occupancy toll or express lanes in a specified location; providing for the department to continue to collect tolls after discharge of indebtedness; authorizing the use of excess toll revenues for improvements to the State Highway System; authorizing the implementation of variable rate tolls on high-occupancy toll lanes or express lanes; amending s. 338.2216, F.S.; directing the turnpike enterprise to develop new technologies and processes for the collection of tolls and usage fees; prohibiting the enterprise from entering into certain joint contracts for the sale of fuel and other goods; providing an exception; providing restrictions on contracts pertaining to service plazas; amending s. 338.223, F.S.; conforming a cross-reference; amending s. 338.231, F.S.; eliminating reference to uniform toll rates on the Florida Turnpike System; authorizing the department to fix by rule and collect the amounts needed to cover toll collection costs; amending s. 339.12, F.S.; clarifying a provision specifying a maximum total amount of project agreements for certain projects; authorizing the department to enter into certain agreements with counties having a specified maximum population; defining the term "project phase"; requiring that a project or project phase be a high priority of a governmental entity; providing for reimbursement for a project or project phase; specifying a maximum total amount for certain projects and project phases; requiring that such project be included in the local government's adopted comprehensive plan; authorizing the department to enter into long-term repayment agreements up to a specified maximum length; amending s. 339.135, F.S.; revising certain notice provisions that require the Department of Transportation to notify local

governments regarding amendments to an adopted 5-year work program; amending s. 339.155, F.S.; revising provisions for development of the Florida Transportation Plan; amending s. 339.2816, F.S., relating to the small county road assistance program; providing for resumption of certain funding for the program; revising the criteria for counties eligible to participate in the program; amending ss. 339.2819 and 339.285, F.S.; conforming cross-references; amending s. 348.0003, F.S.; providing for financial disclosure for expressway, transportation, bridge, and toll authorities; amending s. 348.0004, F.S.; providing for certain expressway authorities to index toll rate increases; repealing part III of ch. 343 F.S.; abolishing the Tampa Bay Commuter Transit Authority; requiring the department to conduct a study of transportation alternatives for the Interstate 95 corridor; amending s. 409.908, F.S.; authorizing the Agency for Health Care Administration to continue to contract for Medicaid nonemergency transportation services in a specified agency service area with managed care plans under certain conditions; amending s. 427.011, F.S.; revising definitions; defining the term "purchasing agency"; amending s. 427.012, F.S.; revising the number of members required for a quorum at a meeting of the Commission for the Transportation Disadvantaged; amending s. 427.013, F.S.; revising responsibilities of the commission; deleting a requirement that the commission establish by rule acceptable ranges of trip costs; removing a provision for functioning and oversight of the quality assurance and management review program; requiring the commission to incur expenses for promotional services and items; amending s. 427.0135, F.S.; revising and creating duties and responsibilities for agencies that purchase transportation services for the transportation disadvantaged; providing requirements for the payment of rates; requiring an agency to negotiate with the commission before procuring transportation disadvantaged services; requiring an agency to identify its allocation for transportation disadvantaged services in its legislative budget request; amending s. 427.015, F.S.; revising provisions relating to the function of the metropolitan planning organization or designated official planning agency; amending s. 427.0155, F.S.; revising duties of community transportation coordinators; amending s. 427.0157, F.S.; revising duties of coordinating boards; amending s. 427.0158, F.S.; deleting provisions requiring the school board to provide information relating to school buses to the transportation coordinator; providing for the transportation coordinator to request certain information regarding public transportation; amending s. 427.0159, F.S.; revising provisions relating to the Transportation Disadvantaged Trust Fund; providing for the deposit of funds by an agency purchasing transportation services; amending s. 427.016, F.S.; providing for construction and application of specified provisions to certain acts of a purchasing agency in lieu of the Medicaid agency; requiring that an agency identify the allocation of funds for transportation disadvantaged services in its legislative budget request; amending s. 479.01, F.S.; redefining the term "automatic changeable facing" as used in provisions governing outdoor advertising; amending s. 479.07, F.S.; revising the locations within which signs require permitting; providing requirements for the placement of permit tags; requiring the department to establish by rule a service fee and specifications for replacement tags; amending s. 479.08, F.S.; deleting a provision allowing a sign permittee to correct false information that was knowingly provided to the department; requiring the department to include certain information in the notice of violation; amending s. 479.156, F.S.; modifying local government control of the regulation of wall murals adjacent to certain federal highways; amending s. 479.261, F.S.; revising requirements for the logo sign program of the interstate highway system; deleting provisions providing for permits to be awarded to the highest bidders; requiring the department to implement a rotation-based logo program; requiring the department to adopt rules that set reasonable rates based on certain factors for annual permit fees; requiring that such fees not exceed a certain amount for sign locations inside and outside an urban area; amending s. 212.0606, F.S.; providing for the imposition by countywide referendum of an additional surcharge on the lease or rental of a motor vehicle; providing the proceeds of the surcharge to be transferred to the Local Option Fuel Tax Trust Fund and used for the construction and maintenance of commuter rail service facilities; providing definitions relating to commuter rail service, rail corridors, and railroad operation for purposes of the rail program within the department; amending s. 341.302, F.S.; authorizing the department to purchase specified property for the purpose of implementing commuter rail service; authorizing the department to assume certain liability on a rail corridor; authorizing the department to indemnify and hold harmless a railroad company when the department acquires a rail corridor from the company; providing allocation of risk; providing a specific cap on the amount of the contractual duty for such indemnification; authorizing the department to purchase and provide insurance in relation to rail corridors; authorizing marketing and promotional expenses; extending provisions to other governmental entities providing commuter rail service on public right-of-way; amending s. 768.28, F.S.; expanding the list of entities considered agents of the state; providing for construction in relation to certain federal laws; providing an effective date.

By the Committees on Governmental Operations; Health Regulation; and Senator Ring—

CS for CS for SB 1998—A bill to be entitled An act relating to electronic health records; amending s. 395.3025, F.S.; expanding access to a patient's medical records to facilitate electronic exchange of data between certain health care facilities, practitioners, and providers and attending physicians; revising provisions relating to the disclosure of patient records to conform to changes made by the act; authorizing a health information exchange to receive patient medical records without patient consent for processing and transmission of electronic medical records; amending s. 408.05, F.S.; removing the responsibility of the Agency for Health Care Administration for monitoring certain grants; creating s. 408.051, F.S.; creating the "Florida eHealth Initiative Act"; providing legislative intent; providing definitions; requiring the agency to award and monitor grants to certain health information organizations; providing rulemaking authority regarding establishment of eligibility criteria; establishing the Electronic Medical Records System Adoption Loan Program; providing eligibility criteria; providing rulemaking authority regarding terms and conditions for the granting of loans; creating the Florida Health Information Exchange Advisory Council; providing for purpose, membership, terms of office, and duties of the council; requiring the Florida Center for Health Information and Policy Analysis to provide staff support; requiring reports to the Governor and Legislature; providing for future repeal of s. 408.051, F.S., and abolition of the council; providing duties of the agency with regard to availability of specified information on the agency's Internet website; requiring the agency to develop and implement a plan to promote participation in regional and statewide health information exchanges; requiring the Office of Program Policy Analysis and Government Accountability to complete an independent evaluation of the grants program administered by the agency and submit the report to the Governor and Legislature by a certain date; amending s. 408.062, F.S.; removing the responsibility of the agency for developing an electronic health information network; amending s. 483.181, F.S.; expanding access to laboratory reports to facilitate electronic exchange of data between certain health care practitioners and providers; providing an effective date.

By the Committees on Finance and Tax; Judiciary; and Senator Geller—

CS for CS for SB 2040—A bill to be entitled An act relating to the excise tax on documents; amending s. 201.02, F.S.: revising criteria determining liability for payment of the tax; providing requirements and methods for making an election regarding payment of tax under specified circumstances; providing requirements; providing for application of the act; providing an effective date.

By the Committees on Judiciary; Regulated Industries; and Senators Jones and Bennett—

CS for CS for SB's 2086 and 2498—A bill to be entitled An act relating to the Department of Business and Professional Regulation; amending s. 718.111, F.S.; requiring that hazard insurance be based upon the replacement cost of the property to be insured as determined by an independent insurance appraisal or update of a prior appraisal; requiring that the full insurable value be determined at specified intervals; providing a means by which an association may provide adequate hazard insurance; authorizing an association to consider certain information when determining coverage amounts; providing for coverage by developer-controlled associations; providing that policies may include deductibles as determined by the association's board of directors; providing requirements and guidelines for the establishment of such deductibles; requiring that the amounts of deductibles be set at a meeting of the board; providing requirements for such meeting; requiring that an

association controlled by unit owners operating as a residential condominium use its best efforts to obtain and maintain adequate insurance to protect the association and property under its supervision or control; providing that a declaration of condominium may provide that condominium property consisting of freestanding buildings comprised of no more than one building in or on such unit need not be insured by the association if the declaration requires the unit owner to obtain adequate insurance for the condominium property; authorizing an association to obtain and maintain liability insurance for directors and officers, insurance for the benefit of association employees, and flood insurance for common elements, association property, and units; requiring that every hazard insurance policy issued or renewed on or after a specified date for the purpose of protecting the condominium provide certain coverage; requiring that such policies contain certain provisions; providing that such policies issued to individual unit owners do not provide rights of subrogation against the condominium association; providing for the insurance of improvements or additions benefiting fewer than all unit owners; requiring that an association require each owner to provide evidence of a current policy of hazard and liability insurance upon request; limiting the frequency with which an association may make such a request; authorizing an association to purchase coverage on behalf of an owner under certain circumstances; providing for the collection of the costs of such a policy; providing responsibilities of the unit owner and association with regard to reconstruction work and associated costs after a casualty loss; authorizing a multicondominium association to operate such condominiums as a single condominium for certain purposes by majority vote of the members of all applicable condominiums; providing that such election constitutes an amendment to the declaration of all applicable condominiums; requiring that an association maintain insurance or fidelity bonding for all persons who control or disburse association funds; requiring that such insurance policy or fidelity bond cover the maximum funds in the custody of the association or its management agent at any one time; defining the term "persons who control or disburse funds of the association"; authorizing an association to amend the declaration of condominium without regard to any requirement for approval by mortgagees of amendments affecting insurance requirements for the purpose of conforming the declaration of condominium to certain coverage requirements; providing that any portion of the condominium property required to be insured by the association against casualty loss which is damaged be reconstructed, repaired, or replaced as necessary by the association as a common expense; providing that all hazard insurance deductibles, uninsured losses, and other damages in excess of hazard insurance coverage under the hazard insurance policies maintained by the association are a common expense of the condominium; providing exceptions; allocating responsibility for certain costs of repair or reconstruction; authorizing an association to opt out of certain requirements related to such allocation of responsibility by majority vote; providing a procedure by which a multicondominium association that has not consolidated its financial operations may opt out of such allocation of responsibility; requiring that a decision to opt out be recorded; providing that such decision takes effect on the date on which it is recorded; authorizing the reversal of such decision; providing a procedure for reversal; providing that an association is not obligated to pay for any reconstruction or repair expenses for improvements made by an owner or the development if an improvement benefits only the unit for which it was installed; amending s. 718.115, F.S.; requiring that certain expenses be designated as common expenses; amending s. 718.116, F.S.; authorizing the designee of a unit owner or mortgagee to request a certificate of assessment; requiring that the fee for preparation of such certificate be stated on the certificate; providing for the establishment of such fees; providing for payment of the fee; requiring that the fee be refunded if a planned sale or mortgage does not occur; providing that any such refund is the obligation of the unit owner and is collectable in the same manner as an assessment; amending s. 718.117, F.S.; prohibiting the distribution of proceeds from the sale of a condominium unit to a lienholder from exceeding a unit owner's share of the proceeds; creating s. 720.30851, F.S.; requiring that the association provide a certificate signed by an officer or agent of the association stating all assessments and other moneys owed to the association by the parcel owner or mortgagee with respect to the parcel within a specified period after the association's receipt of a request for an estoppel certificate by an owner or mortgagee; providing that any person other than a parcel owner who relies upon a certificate receives the benefits and protection thereof; providing that a summary proceeding may be brought to compel the association to comply with the requirement to provide a certificate; providing that the prevailing party is entitled to recover reasonable attorney's fees; requiring that the fee for preparation of such certificate be stated on the certificate; providing for the establishment of such fees; providing for payment of the fee; requiring that the fee be refunded if a planned sale or mortgage does not occur; providing that any such refund is the obligation of the unit owner and is collectable in the same manner as an assessment; amending s. 20.165, F.S.; changing the name of the Division of Florida Land Sales, Condominiums, and Mobile Homes to the Division of Florida Condominiums, Timeshares, and Mobile Homes and the Division of Technology, Licensure, and Testing to the Division of Technology; amending s. 215.20, F.S.; conforming the name of the division's trust fund to correspond to the name change of the division; amending s. 450.33, F.S.; removing the requirement for a farm labor contractor to file a set of fingerprints with the department; amending s. 455.203, F.S.; authorizing the department to close and terminate deficient license applications and to approve professional license applications meeting certain criteria; amending s. 455.217, F.S.; conforming terminology to changes made by the act; amending s. 455.2273, F.S.; authorizing the section to apply to disciplinary guidelines adopted by all boards and divisions; amending s. 468.841, F.S.; clarifying exemption provisions for license provisions governing mold-related services; amending s. 475.17, F.S.; revising requirements for licensure as a real estate broker; amending s. 475.451, F.S.; deleting requirements relating to the submission of certain real estate course rosters to the department; amending s. 489.105, F.S.; clarifying that individuals and business entities that sell manufactured and factory-built buildings can legally enter into contracts for those sales; amending s. 489.511, F.S.; revising requirements for taking the electrical or alarm system contractor certification examination; providing requirements for certification; amending s. 489.515, F.S.; revising requirements for certification as a certified contractor by the Electrical Contractors' Licensing Board to reflect changes made to s. 489.511, F.S., by this act; renumbering s. 498.009, F.S., relating to the location of the division's offices; amending and renumbering s. 498.011, F.S., relating to payment of per diem, mileage, and other expenses for division employees; providing for reimbursement of expenses for on-site review; deleting the expense reimbursement for inspection of subdivided lands; renumbering s. 498.013, F.S., relating to the authentication of records; amending and renumbering s. 498.057, F.S., relating to service of process; deleting provision that service may be made by delivering a copy of the process to the division director; providing that the division can be the petitioner or the plaintiff; repealing ss. 498.001, 498.003, 498.005, 498.007, 498.017, 498.021, 498.022, 498.023, 498.024, 498.025, 498.027, 498.028, 498.029, 498.031, 498.033, 498.035, 498.037, 498.039, 498.041, 498.047, 498.049, 498.051, 498.053, 498.059, 498.061, and 498.063, F.S., relating to regulation of land sales practices; amending s. 548.0065, F.S.; including amateur mixed martial arts in a provision relating to the authority of the Florida State Boxing Commission to suspend amateur matches for violation of certain health and safety standards; amending s. 548.008, F.S.; removing prohibition against holding amateur mixed martial arts matches in this state; amending s. 548.041, F.S.; providing additional licensure requirements for boxing participants; amending s. 718.501, F.S.; providing additional powers and duties of the division; providing for additional enforcement proceedings for carrying out the purposes of ch. 718, F.S.; deleting the payment of money by a developer to a condominium association as a permissible affirmative action; providing for actions of conservator or receiver; providing for application to circuit court for an order of restitution; providing for imposition of civil penalties and award of court costs, attorney's fees, and costs of investigation under certain circumstances; providing for contracting for investigative services; providing for acceptance of grants-in-aid; requiring the cooperation with similar agencies on establishment of certain procedures, standards, and forms; providing what constitutes completeness of notice; authorizing the division to issue a notice to show cause; providing conforming changes; amending s. 718.509, F.S., and transferring, renumbering, and amending s. 498.019, F.S.; consolidating and revising provisions relating to the creation, purposes, and sources of funds of the Division of Florida Condominiums, Timeshares, and Mobile Homes Trust Fund; revising provisions to conform to the change in division name; providing for the deposit of moneys resulting from an administrative final order; amending s. 721.03, F.S.; clarifying that timeshare plan includes a nonspecific multisite timeshare plan; amending ss. 73.073, 190.009, 192.037, 213.053, 326.002, 326.006, 380.05, 380.06, 380.0651, 381.0065, 455.116, 475.455, 494.008, 509.512, 517.301, 559.935, 718.103, 718.105, 718.1255, 718.5011, 718.502, 718.504, 718.508, 718.608, 719.103, 719.1255, 719.501, 719.502, 719.504, 719.508, 719.608, 720.301, 720.401, 721.05, 721.07, 721.08, 721.26, 721.28, 721.301, 721.50, 723.003, 723.006, 723.009, and 723.0611, F.S., to conform; amending s. 849.094, F.S.; providing that certain provisions related to game promotion in connection with the sale of consumer products or services do not apply to pari-mutuel permitholders licensed to conduct slot machine gaming; providing effective dates.

By the Committee on Finance and Tax; and Senators Webster and Fasano—

CS for SB 2094—A bill to be entitled An act relating to the tax on sales, use, and other transactions; specifying a period during which the sale of clothing and school supplies is exempt from the tax; providing definitions; providing exceptions; authorizing the Department of Revenue to adopt rules; providing an appropriation; providing an effective date.

By the Committee on Community Affairs; and Senators Haridopolos, Dean, Baker and Bennett—

CS for SB 2148—A bill to be entitled An act relating to public construction; prohibiting a county, municipality, or special district from owning or operating an asphalt plant or concrete plant having an independent mixer; providing an effective date.

By the Committee on Health and Human Services Appropriations; and Senator Storms—

CS for SB 2192—A bill to be entitled An act relating to independent living preparation for youth in foster care; amending s. 409.1451, F.S.; authorizing group home provider agencies and residential agencies to prepare and implement developmental plans for children in their care; requiring the Independent Living Services Advisory Council to research and advise the Department of Children and Family Services and the Legislature on specific methods to reduce the number of youth in foster care who attain the age of 18 and do not acquire a high school diploma or its equivalent; creating s. 743.046, F.S.; removing the disability of nonage for minor executing a contract for the purpose of securing utility services upon reaching 17 years of age; providing an effective date.

By the Committee on Judiciary; and Senator Villalobos—

CS for SB 2300—A bill to be entitled An act relating to statutory references to court rules; amending s. 27.51, F.S.; removing reference to a specific court rule relating to duties of the public defender; providing duties of the public defender to notify an accused of certain rights; amending s. 34.01, F.S.; removing reference to court rules relating to the jurisdiction of county courts; amending s. 34.011, F.S.; removing specific reference to court rules relating to jurisdiction in landlord and tenant cases; amending s. 39.01, F.S.; removing a reference to court rules relating to definitions of a child who is found to be dependent; redefining the term "child who is found to be dependent"; amending s. 39.4086, F.S.; deleting a provision requesting that the Supreme Court adopt court rules by a certain date relating to a pilot program for attorneys ad litem for dependent children; amending s. 39.504, F.S.; removing a reference to court rules relating to an injunction pending disposition of a petition; amending s. 39.507, F.S.; removing references to court rules relating to adjudicatory hearings; amending s. 39.603, F.S.; removing references to court rules relating to court approvals of case planning; amending s. 39.701, F.S.; removing specific reference to court rules relating to judicial review; amending s. 39.801, F.S.; removing a requirement that notice of hearings be prescribed by court rules relating to procedures and jurisdiction in termination of parental rights; amending s. 39.802, F.S.; removing references to court rules relating to a petition for termination of parental rights; amending s. 39.807, F.S.; removing a reference to court rules relating to guardians ad litem; amending s. 39.824, F.S.; removing obsolete provisions requesting the Supreme Court to adopt rules relating to procedure and jurisdiction; amending s. 39.825, F.S.; removing a reference to court rules relating to a petition for appointment of a guardian advocate; amending s. 48.27, F.S.; removing specific reference to a court rule regarding certified process servers; amending s. 55.503, F.S.; removing a reference to court rules relating to the recording of foreign judgments; amending s. 56.29, F.S.; removing a reference to service of summons in court rules relating to supplementary proceedings; amending s. 61.1301, F.S.; removing a reference to court rules relating to enforcement of income deduction orders; amending s. 61.14, F.S.; removing specific reference to a court rule relating to enforcement and modification of support, maintenance, or alimony agreements; amending s. 61.16, F.S.; removing specific reference to a court rule relating to attorney's fees; amending s. 63.087, F.S.; removing specific reference to court rules relating to proceedings for termination of parental rights pending adoption; amending s. 63.122, F.S.; removing a reference to the court rule relating to the notice of hearing on a petition; amending s. 68.083, F.S.; removing reference to the court rules relating to civil actions for false claims; amending s. 83.231, F.S.; removing a reference to court rules relating to the removal of a tenant; amending s. 83.625, F.S.; removing a reference to court rules relating to the power to enter money judgments in an action by a landlord; amending s. 222.30, F.S.; removing a reference to court rules relating to fraudulent asset conversions; amending s. 255.071, F.S.; removing a reference to court rules relating to payment of subcontractors for public projects; amending ss. 316.1934 and 327.354, F.S.; removing references to court rules relating to presumption of impairment; amending s. 364.183, F.S.; removing reference to a specific court rule relating to access to company records; amending s. 366.093, F.S.; removing reference to a specific court rule relating to public utility records; amending s. 367.156, F.S.; removing reference to a specific court rule relating to discovery in public utility records; amending s. 368.108, F.S.; removing reference to a specific court rule relating to confidentiality; amending s. 392.60, F.S.; removing a reference to court rules relating to the right of appeal; amending s. 393.11, F.S.; removing a reference to court rules regarding the appeal of involuntary admission to residential services; amending s. 393.12, F.S.; removing references to court rules regarding capacity and a guardian advocate; amending s. 400.0233, F.S.; providing a reference to a specific chapter of court rules relating to informal discovery and used to obtain unsworn statements; revising provisions relating to informal discovery used to obtain unsworn statements; amending s. 409.2563, F.S.; removing a reference to court rule relating to the administrative establishment of child support obligations; amending s. 409.257, F.S.; removing a reference to court rules regarding service of process; amending s. 415.1045, F.S.; removing specific reference to a court rule relating to medical examinations; amending s. 415.1051, F.S.; removing specific reference to a court rule relating to emergency protective services intervention; amending s. 429.293, F.S.; providing a reference to a specific chapter of court rules relating to informal discovery; revising provisions relating to informal discovery used to obtain unsworn statements; amending s. 440.31, F.S.; removing specific reference to a court rule relating to the definition of expert witnesses; defining the term "expert witness"; amending s. 447.507, F.S.; removing reference to court rules relating to violation of a strike prohibition; amending s. 448.110, F.S.; removing reference to a specific court rule relating to state minimum wage and annual wage adjustment; amending s. 456.057, F.S.; removing reference to a specific court rule relating to the furnishing of patient records; amending s. 518.112, F.S.; removing a reference to court rules relating to delegation of investment functions; amending s. 552.40, F.S.; removing specific reference to a court rule relating to an administrative remedy for alleged damage due to the use of explosives in mining; amending ss. 607.0505 and 617.0503, F.S.; removing reference to court rules relating to registered agents of corporations; amending s. 713.346, F.S.; removing a reference to bond requirements in court rules relating to payment on construction contracts; amending s. 718.1255, F.S.; removing a reference to court rules relating to mandatory nonbinding arbitration and mediation of disputes; providing a reference to a specific chapter of court rules relating to mandatory nonbinding arbitration and mediation of disputes; amending s. 720.311, F.S.; removing a reference to court rules relating to dispute resolution; providing reference to a specific chapter of court rules relating to dispute resolution; amending s. 723.0381, F.S.; removing a reference to court rules relating to civil arbitration actions; amending s. 726.108, F.S.; removing a reference to court rules relating to remedies of creditors; amending s. 727.104, F.S.; removing a reference to court rules relating to commencement of proceedings; amending s. 731.011, F.S.; removing a reference to court rules relating to determination and procedure of substantive rights; amending s. 732.107, F.S.; removing a reference to court rules relating to escheat; amending s. 733.101, F.S.; removing a reference to court rules relating to venue of probate proceedings; amending s. 733.212, F.S.; removing a reference to court rules relating to notice of administration; amending s. 733.6171, F.S.; removing a reference to court rules relating to compensation of attorneys for the personal representative; amending s. 733.705, F.S.; removing a reference to court rules relating to the payment of and objection to claims; amending s. 734.102, F.S.; removing a reference to court rules relating to ancillary administration; amending s. 736.0109, F.S.; removing a reference to court rules relating to methods and waiver of notice; amending s. 738.104, F.S.; removing a reference to court rules relating to a trustee's power to adjust; providing for delivering or mailing a copy of the statement to the beneficiary relating to a trustee's power to adjust; amending s. 738.1041, F.S.; removing a reference to court rules relating to a total return unitrust; providing for delivering or mailing a

copy of the statement to the beneficiary relating to total return unitrust; amending s. 741.30, F.S.; removing a reference to court rules relating to injunctions for domestic violence; amending s. 742.16, F.S.; removing a reference to court rules relating to expedited affirmation of parent status for gestational surrogacy; amending s. 742.18, F.S.; removing specific reference to a court rule relating to disestablishment of paternity or termination of a child support obligation; amending s. 744.3025, F.S.; removing a reference to court rules relating to claims of minors; amending s. 744.307, F.S.; removing a reference to court rules relating to foreign guardians; amending s. 744.447, F.S.; removing a reference to court rules relating to a petition for authorization to act; amending s. 765.105, F.S.; removing specific reference to a court rule relating to the review of a decision by a surrogate or proxy; amending s. 765.113, F.S.; removing specific reference to a court rule relating to restrictions on providing consent; amending s. 768.81, F.S.; removing a reference to court rules relating to apportionment of damages in comparative fault; amending s. 784.046, F.S.; removing a reference to court rules relating to repeat violence, sexual violence, or dating violence; amending s. 790.157, F.S.; removing a reference to trial by jury in court rules relating to the presumption of impairment; amending s. 896.101, F.S.; removing a reference to court rules relating to the Florida Money Laundering Act; amending s. 916.13, F.S.; removing a reference to court rules relating to involuntary commitment of a defendant who is adjudicated incompetent; amending s. 916.15, F.S.; removing a reference to court rules relating to involuntary commitment of a defendant who is adjudicated not guilty by reason of insanity; amending s. 916.302, F.S.; removing a reference to court rules relating to involuntary commitment of a defendant who is determined incompetent to proceed; amending s. 924.07, F.S.; removing a reference to court rules relating to appeals by the state; amending s. 932.704, F.S.; removing a reference to court rules relating to forfeiture proceedings; amending s. 984.03, F.S.; removing a reference to court rules relating to the definition of a dependent child; redefining the term "dependent child"; amending s. 984.04, F.S.; removing a reference to court rules relating to families and children in need of services; amending s. 984.19, F.S.; removing a reference to court rules relating to medical screening and treatment regarding custody; amending s. 984.20, F.S.; removing references to court rules relating to hearings for child-in-need-of-services cases; amending s. 985.19, F.S.; removing references to court rules relating to incompetency in juvenile delinquency cases; amending s. 985.255, F.S.; removing a reference to court rules relating to detention criteria and hearings; amending s. 985.26, F.S.; removing a reference to court rules relating to length of detention; amending s. 985.35, F.S.; removing a reference to court rules relating to adjudicatory hearings; amending s. 985.534, F.S.; removing a reference to court rules relating to appeals; providing an effective date.

By the Committees on Community Affairs; Banking and Insurance; and Senator Saunders—

CS for CS for SB 2388—A bill to be entitled An act relating to fire prevention and control; amending ss. 218.23 and 447.203, F.S.; revising cross-references; amending s. 553.895, F.S.; revising outdated publication references; amending s. 633.02, F.S.; providing the correct name for the State Fire Marshal; amending s. 633.022, F.S.; revising provisions relating to uniform firesafety standards to include application to tunnels; revising requirements pertaining to supervised automatic sprinkler systems within nursing homes; requiring a nursing home licensee to submit complete sprinkler construction documents to the Agency for Health Care Administration by a specified date; requiring such licensee to gain final approval from the agency to start construction by a specified date; authorizing the agency to extend the deadline under certain circumstances; amending s. 633.0245, F.S.; changing the application deadline for participation in the State Fire Marshal Nursing Home Loan Guarantee Program; amending s. 633.025, F.S.; providing requirements for firesafety plans and inspections for manufactured buildings; amending s. 633.03, F.S.; expanding application of authority of the State Fire Marshal to investigate fires to include explosions; amending s. 633.061, F.S.; revising the type of fire suppression equipment in which a person must be licensed in order to engage in the business of servicing, inspecting, recharging, hydrotesting, or installing; revising the requirements for the renewal of a license to engage in the business of servicing, inspecting, recharging, hydrotesting, or installing fire suppression equipment; amending s. 633.081, F.S.; authorizing the State Fire Marshal to inspect buildings or structures for certain violations; abolishing special state firesafety inspector classifications; providing for certification as a firesafety inspector; providing application and examination requirements; authorizing the State Fire Marshal to develop a certain advanced training and certification program for firesafety inspectors; authorizing the Division of State Fire Marshal to enter into a reciprocity agreement with the Florida Building Code Administrators and Inspectors Board for certain continuing education recertification purposes; amending s. 633.085, F.S.; revising requirements for the State Fire Marshal to inspect state buildings; amending s. 633.101, F.S.; revising and expanding the authority and powers of the State Fire Marshal to administer oaths, compel attendance of witnesses, and collect evidence; providing certain forms of immunity from liability for certain actions and persons under certain circumstances; exempting certain information from discovery under certain circumstances; exempting agents of the State Fire Marshal from subpoena under certain circumstances; specifying limitations on treatment of physical evidence; authorizing persons and agents of the State Fire Marshal to submit certain crime-related reports or information to the State Fire Marshal; authorizing agents of the State Fire Marshal to make arrests as state law enforcement officers under certain circumstances; providing that it is unlawful to resist arrest; amending s. 633.121, F.S.; expanding the list of eligible persons authorized to enforce laws and rules of the State Fire Marshal; amending s. 633.13, F.S.; revising a provision relating to the authority of agents of the State Fire Marshal; amending s. 633.14, F.S.; revising and expanding powers regarding arrests, searches, and the carrying of firearms by State Fire Marshal agents and investigators; amending s. 633.161, F.S.; expanding the list of violations for which the State Fire Marshal may issue certain enforcement orders; providing criminal penalties for failure to comply with such orders; amending s. 633.171, F.S.; conforming a provision; amending s. 633.175, F.S.; specifying additional powers granted to the State Fire Marshal; amending s. 633.18, F.S.; revising a provision relating to conduct of inquiries or investigations by agents of the State Fire Marshal; amending s. 633.30, F.S.; revising and providing definitions; amending s. 633.34, F.S.; revising requirements for qualification for employment as a firefighter; amending s. 633.35, F.S.; revising requirements for firefighter training and certification; amending s. 633.351, F.S.; revising provisions for disciplinary actions for firefighters; revising standards for revocation of firefighter certifications; amending s. 633.352, F.S.; revising requirements for retention of firefighter certification; amending s. 633.382, F.S.; revising provisions regarding required supplemental compensation for firefighters; amending s. 633.524, F.S.; authorizing the State Fire Marshal to contract to provide certain examinations; amending s. 633.541, F.S.; expanding an exclusion from application of a prohibition against contracting without certification for certain homeowners; amending s. 633.72, F.S.; revising the membership terms of the Fire Code Advisory Council; amending s. 633.811, F.S.; expanding authority of the division to enforce provisions of law and rules applicable to employers; authorizing assessment of administrative fines; amending s. 633.821, F.S.; deleting certain obsolete provisions requiring counties, municipalities, and special districts to implement certain provisions of federal law; repealing s. 1013.12(8), F.S., relating to annual reports; providing an effective date.

By the Committee on Criminal Justice; and Senator Crist—

CS for SB 2490—A bill to be entitled An act relating to sexual offenders and predators; amending s. 775.21, F.S.; revising provisions relating to reimbursement of specified costs by sexual predators; creating s. 775.215, F.S.; specifying residency distance limitations for persons convicted of certain sexual offenses; preempting certain local ordinances and providing for repeal of such ordinances; amending s. 775.24, F.S.; revising provisions relating to the duty of the court to uphold certain laws; amending s. 794.065, F.S.; providing additional residency restrictions on certain offenders; providing penalties; creating s. 794.0701, F.S.; providing for enhanced penalties for loitering or prowling by persons convicted of certain sex offenses; amending s. 947.1405, F.S.; providing additional conditional release restrictions for certain offenders; amending s. 948.30, F.S.; revising provisions relating to terms and conditions of probation or community control for certain sex offenses; providing additional restrictions for certain probationers or community controllees who committed sexual offenses with minors under the age of 16; providing an effective date.

By the Committee on Judiciary; and Senators Crist, Lynn and Bullard—

CS for SB 2492—A bill to be entitled An act relating to contract carriers; amending s. 316.302, F.S.; applying specified rules and regulations to contract carriers employed by railroad companies; requiring the Department of Transportation to adopt rules regulating such contract carriers; requiring the department to inform contract carriers and railroad companies of applicable requirements and statutes; providing an effective date.

By the Committee on Community Affairs; and Senator Margolis—

CS for SB 2494—A bill to be entitled An act relating to community associations; amending s. 718.1124, F.S., and creating ss. 719.1124 and 720.3053, F.S.; providing for notification of a unit owner's or member's intent to petition for the appointment of a receiver if an association's governing board fails to fill vacancies sufficient to constitute a quorum; providing for written notice to unit owners or members of any such appointment; requiring the salary of the receiver and certain costs and fees to be paid by the association; providing powers, duties, and term of service of the receiver; amending s. 718.117, F.S., and creating ss. 718.127, 719.127, and 720.313, F.S.; specifying receivership notification requirements with respect to condominium associations, cooperative associations, and homeowners' associations; amending s. 718.121, F.S.; providing requirements and restrictions for liens filed by the association against a condominium unit; providing for notice and delivery of such notice; amending s. 719.108, F.S.; prohibiting a lien from being filed by an association against a condominium unit or cooperative parcel until 30 days after service of a notice of intent to file the lien; amending s. 720.305, F.S.; deleting notification requirements for the appointment of a receiver under specified circumstances for matters relating to homeowners' associations; providing an effective date.

By the Committee on Judiciary; and Senator Fasano—

CS for SB 2574—A bill to be entitled An act relating to public records; amending s. 741.313, F.S.; expanding an exemption from public-records requirements for certain records and time sheets submitted to an agency to include those submitted by an employee who is a victim of sexual violence; extending future legislative review and repeal; amending s. 2, ch. 2007-108, Laws of Florida; revising a statement of public necessity to conform; providing a contingent effective date.

By the Committees on Community Affairs; Environmental Preservation and Conservation; and Senator Constantine—

CS for CS for SB 2594—A bill to be entitled An act relating to brownfield site redevelopment; amending s. 220.1845, F.S.; revising requirements for site rehabilitation tax credits; expanding eligibility for site rehabilitation tax credits; providing for application to brownfield site redevelopment solid waste removal costs; providing requirements and limitations; providing definitions; providing for application to construction and operation of new health care facilities or health care providers on brownfield sites; providing requirements; amending s. 376.30715, F.S.; providing for financial assistance in certain additional circumstances involving a transfer of contaminated property; amending s. 376.30781, F.S.; revising provisions providing tax credits for rehabilitation of certain contaminated sites and brownfield sites; providing for application to solid waste removal activities and site rehabilitation; providing for granting tax credits to multiple applicants; providing criteria for claiming costs for solid waste removal; providing definitions; providing for application to construction and operation of new health care facilities or health care providers on brownfield sites; providing requirements; revising criteria and requirements for granting site rehabilitation tax credits; providing criteria and requirements for granting solid waste removal tax credits; revising criteria and requirements for Department of Environmental Protection review of tax credit applications; providing notice requirements for the department in reviewing applications; increasing available amounts eligible for tax credits; providing additional limitations on tax credit awards for site rehabilitation costs and solid waste removal costs; providing construction of costs not eligible for tax credits; providing requirements and procedures for allocating and awarding certain ineligible or disputed costs; amending s. 376.77, F.S.; conforming cross-references; amending s. 376.79, F.S.; revising definitions relating to brownfield redevelopment; conforming a cross-reference; amending s. 376.80, F.S.; revising the brownfield program administration process; revising local government proposal requirements; revising requirements for brownfield site redevelopment agreements; deleting certain brownfield site rehabilitation contractor certification requirements; deleting a requirement that certain professionals carry professional liability insurance; providing legislative findings and declarations; authorizing local governments to evaluate certain benefits and effects of brownfield site redevelopment and rehabilitation; providing criteria; authorizing the Department of Health to assist local governments in such evaluations; amending ss. 376.82 and 376.83, F.S.; conforming cross-references; amending s. 376.86, F.S.; providing for limited application of Brownfield Areas Loan Guarantee Program grants to construction and operation of new health care facilities and health care providers; expanding membership of the Brownfield Areas Loan Guarantee Council; amending s. 163.3221, F.S.; conforming a cross-reference; providing for retroactive application; providing an effective date.

By the Committees on Health and Human Services Appropriations; Governmental Operations; Children, Families, and Elder Affairs; and Senators Storms and Lynn—

CS for CS for CS for SB 2626—A bill to be entitled An act relating to mental health and substance abuse services; amending s. 394.9082, F.S.; providing legislative findings and intent; establishing goals; specifying roles and responsibilities of the Department of Children and Family Services; creating community-based systems of care; authorizing the implementation of managing entities by the Department of Children and Family Services; establishing a process for contracting with managing entities; specifying qualifying criteria for managing entities; specifying responsibilities of managing entities; specifying responsibilities of the department; providing for evaluations and reports; providing for a monitoring process; providing an effective date.

By the Committees on Judiciary; Children, Families, and Elder Affairs; and Senator Storms—

CS for CS for SB 2644—A bill to be entitled An act relating to care of children; creating the "Zahid Jones, Jr., Give Grandparents and Other Relatives a Voice Act"; amending s. 39.201, F.S.; providing for the Department of Children and Family Services to analyze certain unaccepted reports to the central abuse hotline; requiring information to be provided to a reporter; authorizing the submission of a written report; amending s. 39.202, F.S.; expanding access to certain confidential reports of child abuse or neglect to include physicians, psychologists, and mental health professionals; amending s. 39.301, F.S.; requiring information to be provided to a reporter; authorizing the submission of a written report; providing conditions for a relative to be a collateral contact in certain child protective investigations; providing for a relative to request notice of proceedings and hearings relating to protective investigations under certain circumstances; specifying content of the request; conforming cross-references; amending s. 39.304, F.S.; providing for preservation in department records of certain photographs and X rays and reports on medical examinations and treatments of an abused child; amending s. 39.402, F.S.; requiring notification of certain relatives in an order for placement of a child in shelter care of their right to attend hearings, submit reports to the court, and speak to the court; amending s. 39.502, F.S.; providing for certain relatives to receive notice of dependency hearings under certain circumstances; providing an opportunity for certain relatives to be heard in court; providing an exception; amending s. 39.506, F.S.; providing for certain relatives to receive notice of arraignment hearings under certain circumstances; amending s. 39.5085, F.S.; revising legislative intent with regard to the Relative Caregiver Program; authorizing the department to develop liaison functions for certain relatives; amending s. 39.6011, F.S.; requiring a case plan for a child receiving services from the department to include a protocol for notification of certain relatives of proceedings and hearings; amending s. 39.6013, F.S.; conforming a cross-reference; amending s. 39.701, F.S.; requiring an attorney for the department to provide notice to certain relatives of the child regarding upcoming judicial hearings; conforming cross-references; amending s. 39.823, F.S.; conforming a cross-reference; amending s. 683.10, F.S.; designating the first Sunday after Labor Day

as "Grandparents' and Family Caregivers' Day"; authorizing the Governor to issue proclamations commemorating the occasion; providing an effective date.

By the Committee on Community Affairs; and Senator Dean—

CS for SB 2648—A bill to be entitled An act relating to government accountability and efficiency; amending s. 112.061, F.S.; revising certain per diem and travel requirements and limitations; providing for application to certain water management districts, authorities, and other entities; amending s. 129.01, F.S.; providing limitations on annual unreserved undesignated fund balances; amending s. 129.02, F.S.; providing definitions; providing additional requirements for budgets; requiring a proposed budget summary; providing summary requirements; deleting requirements for county fine and forfeiture fund budgets; amending s. 129.021, F.S.; expanding application of certain requirements for county officer budgets; amending s. 129.03, F.S.; extending a time period for county budget officers to prepare and present a tentative budget; providing additional requirements for filing comprehensive annual financial reports with clerks of circuit court and county residents; providing requirements for posting reports on websites; amending s. 166.241, F.S.; providing definitions; providing additional requirements for filing budgets by municipalities; providing budget disclosure requirements; requiring a proposed budget summary; providing summary requirements; providing additional requirements for posting comprehensive annual financial reports at certain public offices, online, and with municipal residents; providing limitations on annual unreserved undesignated fund balances; amending s. 189.418, F.S.; providing definitions; providing additional requirements for filing budgets by special districts; providing budget disclosure requirements; requiring a proposed budget summary; providing summary requirements; providing additional requirements for posting comprehensive annual financial reports at certain public offices, online, and with special district residents; providing limitations on annual unreserved undesignated fund balances; amending s. 190.006, F.S.; increasing the amount of the filing fee and election assessment for qualification of members of boards of supervisors of community development districts; increasing the amount of compensation for members of boards of supervisors; amending s. 373.536, F.S.; providing additional requirements for filing comprehensive annual financial reports of water management districts with clerks of circuit court, water management residents, and online; providing limitations on annual unreserved undesignated fund balances; amending ss. 189.429 and 191.015, F.S.; correcting cross-references; providing applicability; creating s. 218.315, F.S.; defining the terms "contract," "corporation," "county officer," "local government," and "individual," for purposes of the act; providing that contractual rights of local government employees and retirees who are members of the Florida Retirement System or a local government retirement system are not considered contracts; directing the Department of Financial Services to develop and maintain a portal linking to websites maintained by local governments; requiring local governments that have a website to electronically post contract information relating to certain contracts; providing that portions of a public record which are confidential and exempt shall be redacted prior to posting; requiring that access to the website be provided at no cost; requiring that electronic copies of contracts be provided in certain circumstances; requiring the Department of Financial Services to develop a uniform format to be used by local governments when posting contract information; requiring specific information be provided under the uniform format; requiring each local government to designate a central office to maintain all contract information; providing reporting requirements for local governments without a website; requiring that contract information be posted at least quarterly using the uniform format; establishing a schedule for local governments to meet requirements of the act; providing rulemaking authority; defining the terms "contract", "corporation", "expenditure" and "individual" for purposes of state government contract reporting; providing that contractual rights of state employees and retirees who are members of the Florida Retirement System are not considered contracts; directing the Executive Office of the Governor to develop and maintain a portal linking to the state agency contract expenditures report maintained by the Department of Financial Services; directing the department of develop and maintain a contract information report containing specified information; directing that the report be maintained by the department in a searchable website; directing that access to the website be provided at no charge to a user who has Internet access; directing each state agency to record information relating to contracts between the agency and a corporation or an individual; directing each agency to record payment information on specified contracts in the Florida Accounting and Information Resources contract subsystem; requiring that electronic copies of contracts be provided in certain circumstances; providing that portions of public records which are confidential and exempt from inspection and copying shall be redacted prior to posting; providing effective dates.

By the Committees on Governmental Operations; Health Policy; and Senators Garcia and Crist—

CS for CS for SB 2652—A bill to be entitled An act relating to maternal and child health programs; amending s. 409.942, F.S.; requiring the Department of Health to establish an electronic benefits transfer system for the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC); requiring the Department of Children and Family Services to assist the Department of Health in developing the electronic benefits transfer program; requiring the Department of Health to reimburse the Department of Children and Family Services for costs incurred; amending s. 383.011, F.S.; requiring the Department of Health to compare the average cost of certain food items and collect individual food item redemption costs; prohibiting the Department of Health from discontinuing a WIC-eligible generic product; providing an exception; providing an effective date.

By the Committees on Health and Human Services Appropriations; Governmental Operations; Health Policy; and Senators Garcia and Crist—

CS for CS for CS for SB 2652—A bill to be entitled An act relating to maternal and child health programs; amending s. 409.942, F.S.; requiring the Department of Health to submit a plan for the implementation of a electronic benefits transfer program for the dissemination of Women, Infants, and Children (WIC) benefits to the United States Department of Agriculture by a certain date and to establish the program by a certain date; amending s. 383.011, F.S.; requiring the Department of Health to compare the average cost of certain food items and collect individual food item redemption costs; prohibiting the Department of Health from discontinuing a WIC-eligible generic product; providing an exception; requiring that the department expend funds provided by the Federal Government only for administering the program; authorizing the department to submit a budget amendment to the Executive Office of the Governor if the department exceeds the federal funds allocation; providing an effective date.

By the Committee on Transportation and Economic Development Appropriations; and Senators Posey and Haridopolos—

CS for SB 2666—A bill to be entitled An act relating to tax refunds for qualified space flight contractors; amending s. 288.1045, F.S.; including space flight contractors in the qualified defense contractor tax refund program; expanding the definition of "applicant" and "project" to include space flight business contracts; defining the terms "space flight business," "space flight business contract," "new space flight business contract," and "consolidation of a space flight business contract"; providing that qualified defense contractors are, upon approval, eligible for specified tax refunds under certain circumstances; authorizing a qualified applicant to receive refunds from the account for certain taxes after entering into certain tax refund agreements; excluding certain taxes from the list of eligible taxes on which a refund may be based; expanding the requirements for an application for certification as a qualified defense contractor or space flight contractor; providing that an applicant may not apply for certification after a proposal has been submitted for a new space flight business contract or after the applicant has made the decision to consolidate an existing space flight business contract; requiring that an applicant establish certain information to qualify for review by the Office of Tourism, Trade, and Economic Development; requiring that certain types of applications contain certain information; requiring that the office review and evaluate each application based on specified criteria; requiring that the office forward its written findings regarding each application meeting certain requirements to its director within a specified period; requiring that applications for certification based on the consolidation of a space flight business contract or a new space flight business contract be submitted to the office in the manner prescribed by

the office; requiring that such contracts contain certain information; providing for the claiming of a tax refund by an applicant who has entered into a valid new space flight business contract or commenced the consolidation of a space flight business contract; prohibiting a tax refund for a qualified defense contractor from being paid unless local financial support has been paid to the Economic Development Trust Fund for that refund; providing eligible sources of such local financial support; providing for certain reductions in the amount of such tax refunds and applicable limitations; providing that an applicant may not be certified after a specified date; deleting provisions relating to the submission of an annual report of the payment of certain tax refunds by the Office of Tourism, Trade, and Economic Development to the Governor, the President of the Senate, and the Speaker of the House of Representatives; amending ss. 14.2015 and 213.053, F.S., relating to duties of the Office of Tourism, Trade, and Economic Development and the sharing of information by the Department of Revenue; conforming provisions to changes made by the act; providing an effective date.

By the Committee on Judiciary; and Senator Crist—

CS for SB 2676—A bill to be entitled An act relating to pretrial release programs; creating s. 907.043, F.S.; creating the "Citizens' Right-to-Know Act"; defining the terms "nonsecured release," "pretrial release program," "register," and "secured release"; requiring each pretrial release program to prepare a register displaying information relevant to the defendants released through such a program; requiring that a copy of the register be located at the office of the clerk of the circuit court in the county where the program is located and readily accessible to the public; specifying the contents of the register; requiring each pretrial release program to submit an annual report to the Office of the State Courts Administrator and to the clerk of the circuit court by a specified date; specifying the content of the annual report; providing penalties for noncompliance by the pretrial release program; amending s. 903.011, F.S.; providing requirements for the form of bail or bond required for release from detention; amending s. 903.286, F.S.; requiring that all cash bond forms prominently display a notice explaining that cash funds are subject to forfeiture and withholding by the clerk of the court for the payment of court fees, court costs, and criminal penalties on behalf of the criminal defendant regardless of who posted the funds; providing an effective date.

By the Committees on Criminal and Civil Justice Appropriations; Judiciary; and Senator Crist—

CS for CS for SB 2676—A bill to be entitled An act relating to pretrial release programs; creating s. 907.043, F.S.; creating the "Citizens' Right-to-Know Act"; defining the terms "nonsecured release," "pretrial release program," "register," and "secured release"; requiring each pretrial release program to prepare a register displaying information relevant to the defendants released through such a program; requiring that a copy of the register be located at the office of the clerk of the circuit court in the county where the program is located and readily accessible to the public; specifying the contents of the register; requiring each pretrial release program to submit an annual report to the Office of the State Courts Administrator and to the clerk of the circuit court by a specified date; specifying the content of the annual report; amending s. 903.011, F.S.; providing requirements for the form of bail or bond required for release from detention; amending s. 903.286, F.S.; requiring that all cash bond forms prominently display a notice explaining that cash funds are subject to forfeiture and withholding by the clerk of the court for the payment of court fees, court costs, and criminal penalties on behalf of the criminal defendant regardless of who posted the funds; providing an effective date.

By the Committees on Education Pre-K - 12 Appropriations; Higher Education; and Senator Wise—

CS for CS for SB 2700—A bill to be entitled An act relating to students with disabilities; amending ss. 1002.33, 1002.39, 1003.01, and 1003.438, F.S., relating to charter schools, the John M. McKay Scholarships for Students with Disabilities Program, definitions, and special high school graduation requirements; revising the terminology used to identify students with certain disabilities; amending s. 1003.21, F.S., relating to school attendance; revising the terminology used to identify students with certain disabilities; authorizing the State Board of Education to adopt rules relating to the eligibility of certain children with disabilities for admission to special programs and related services; removing the authority of district school boards to adopt such rules; amending s. 1004.55, F.S.; deleting a provision that prohibits direct medical intervention or pharmaceutical intervention in a regional autism center; amending ss. 1007.02, 1007.264, and 1007.265, F.S., relating to postsecondary education; revising the terminology used to identify students with intellectual, emotional, or behavioral disabilities; providing an effective date.

By the Committee on Community Affairs; and Senators Aronberg and Justice—

CS for SB 2710—A bill to be entitled An act relating to special districts; amending s. 170.01, F.S.; revising provisions relating to special assessments; authorizing a municipality to determine by resolution that the affected property owners vote by tax folio numbers of affected properties or by total square footage of the affected properties; amending s. 189.403, F.S.; revising the definition of "special district"; creating s. 189.4221, F.S.; authorizing a special district to purchase commodities and contractual services from the purchasing agreements of other special districts, municipalities, or counties; creating s. 418.27, F.S.; requiring that certain special recreation districts be dissolved within a certain period after the bonds are satisfied; requiring that the district or bonding authority notify the municipality or county that created the special district that the bonds have been satisfied; requiring such district to file a notice with the county clerk and the property appraiser that the district has been dissolved; providing for retroactivity; repealing ch. 77-635, Laws of Florida, and abolishing the Pinellas Sports Authority; repealing ch. 84-423, Laws of Florida, and abolishing the Tri-County Hospital Authority; repealing ch. 12010, Laws of Florida, and abolishing the Eagle Bay Sub-Drainage District; repealing ch. 84-391, Laws of Florida, and abolishing the Bay County Bridge Authority; repealing ch. 2004-451, Laws of Florida, and abolishing the North Sumter County Hospital District; providing for severability; providing an effective date.

By the Committee on Judiciary; and Senator Aronberg—

CS for SB 2716—A bill to be entitled An act relating to residential tenancies; amending s. 83.43, F.S.; redefining the term "rental agreement"; defining the term "early termination fee"; amending s. 83.595, F.S.; allowing a landlord to terminate a rental agreement and recover liquidated damages or charge the tenant an early termination fee for breach of the agreement, or both, under certain circumstances; requiring the tenant to indicate acceptance of an early termination fee or liquidated-damages provision in the rental agreement in order for the provision to take effect; providing a limit on the combined total of damages and fees; providing liability of the tenant for rent, other charges due, and rental concessions; providing an effective date.

By the Committees on Judiciary; Health Regulation; and Senator Peaden—

CS for CS for SB 2756—A bill to be entitled An act relating to drugs, devices, and cosmetics; amending and reorganizing provisions in part I of ch. 499, F.S.; amending s. 499.002, F.S.; expanding the provisions of the section to include administration and enforcement of, exemptions from, and purpose of the part; amending and redesignating ss. 499.004, 499.0053, 499.07, 499.071, and 499.081, F.S., as provisions in that section relating to such functions to conform; amending s. 499.003, F.S.; revising and providing definitions; amending and redesignating provisions in ss. 499.012, 499.029, and 499.0661, F.S., relating to definitions, as provisions of that section; amending s. 499.005, F.S.; conforming provisions to changes made by the act, including the substitution of the term "prescription drug" for the term "legend drug"; amending s. 499.0051, F.S.; substituting the term "prescription drug" for the term "legend drug" with regard to criminal acts; consolidating criminal act provisions of part I of ch. 499, F.S.; amending and redesignating ss. 499.0052, 499.00535, 499.00545, 499.069, and 499.0691, F.S., as criminal offense provisions in that section; providing penalties; conforming provisions to changes made by the act; amending s. 499.0054, F.S.,

relating to advertising and labeling of drugs, devices, and cosmetics to include certain exemptions; amending and redesignating ss. 499.0055 and 499.0057, F.S., as provisions relating to those functions in that section; amending s. 499.006, F.S.; conforming provisions to changes made by the act; amending s. 499.007, F.S.; conforming provisions to changes made by the act; providing that a drug or device is misbranded if it is an active pharmaceutical ingredient in bulk form and does not bear a label containing certain information; amending ss. 499.008 and 499.009, F.S.; conforming provisions to changes made by the act; amending s. 499.01, F.S.; providing that the section relates only to permits; requiring a permit to operate as a third party logistics provider and a health care clinic establishment; providing requirements for obtaining a permit to operate in certain capacities; deleting certain permit requirements; providing an exemption for a nonresident prescription drug manufacturer permit; providing requirements for such exemption; providing requirements for a third party logistics provider permit and a health care clinic establishment permit; amending and redesignating provisions of ss. 499.013, and 499.014, F.S., relating to such functions as provisions of that section; conforming provisions and cross-references to changes made by the act; amending s. 499.012, F.S.; providing that the section relates to permit application requirements; providing that a separate establishment permit is not required when a permitted prescription drug wholesale distributor operates temporary transit storage facilities for the sole purpose of storage; amending the provisions to conform; amending and redesignating provisions of s. 499.01, F.S., relating to such functions as provisions of that section; conforming provisions and cross-references to changes made by the act; amending s. 499.01201, F.S.; conforming provisions to changes made by the act; amending s. 499.0121, F.S., relating to storage and handling of prescription drugs and recordkeeping; directing the department to adopt rules requiring a wholesale distributor to maintain pedigree papers separate and distinct from other required records; deleting a requirement that a person who is engaged in the wholesale distribution of a prescription drug and who is not the manufacturer of that drug provide a pedigree paper to the person who receives the drug; deleting the department's requirement to adopt rules with regard to recordkeeping by affiliated groups; conforming provisions and cross-references to changes made by the act; amending and redesignating a provision of s. 499.013, F.S., relating to such functions as a provision of that section; amending s. 499.01211, F.S.; conforming provisions and cross-references to changes made by the act; creating s. 499.01212, F.S.; requiring a person who is engaged in the wholesale distribution of a prescription drug to provide a pedigree paper to the person who receives the drug; requiring certain information in a pedigree paper; requiring a wholesale distributor to maintain and make available to the department certain information; providing exceptions to the requirement of a pedigree paper; repealing s. 499.0122, F.S., relating to medical oxygen and veterinary legend drug retail establishments; repealing s. 499.013, F.S., relating to manufacturers and repackagers of drugs, devices, and cosmetics; amending ss. 499.015, 499.024, 499.028, 499.029, and 499.03, F.S.; conforming provisions and cross-references to changes made by the act; amending ss. 499.032 and 499.033, F.S.; conforming terminology to changes made by the act; amending s. 499.039, F.S.; conforming a provision and cross-reference; amending ss. 499.04, F.S.; conforming provisions to changes made by the act; amending s. 499.041, F.S.; conforming provisions to changes made by the act; requiring the department to assess an annual fee for a third part logistic provider permit and a health care clinic establishment permit; amending s. 499.05, F.S.; conforming provisions to changes made by the act; requiring the department to adopt rules with regard to procedures and forms relating to pedigree paper requirements, alternatives to compliance with the requirement of certain pedigree papers, and the return of prescription drugs purchased before a specified date; amending and redesignating provisions of ss. 499.013 and 499.0122, F.S., as provisions relating to rulemaking functions of that section; amending ss. 499.051, 499.052, 499.055, and 499.06, F.S.; conforming provisions to changes made by the act; amending s. 499.062, F.S.; providing that the section relates to seizure and condemnation of drugs, devices, or cosmetics; conforming a provision to changes made by the act; amending and redesignating ss. 499.063 and 499.064, F.S., as provisions relating to such functions in that section; amending ss. 499.065, 499.066, 499.0661, and 499.067, F.S.; conforming provisions and cross-references to changes made by the act; amending ss. 409.9201, 460.403, 465.0265, 794.075, 895.02, and 921.0022, F.S.; conforming provisions to changes made by the act; conforming cross-references to changes made by the act; providing an effective date.

By the Committees on Governmental Operations; Judiciary; Children, Families, and Elder Affairs; and Senators Dockery and Lynn—

CS for CS for CS for SB 2762—A bill to be entitled An act relating to confidential records of children; creating s. 39.00145, F.S.; requiring that the case file of a child under the supervision or in the custody of the Department of Children and Family Services be maintained in a complete and accurate manner; specifying who has access to the case file and the records in the file; authorizing the court to directly release the child's records to certain entities; requiring that the department release information in a manner and setting that is appropriate to the child's age and maturity and the nature of the information; providing that certain entities may share confidential information about a child with other entities that provide services benefiting children; amending s. 39.202, F.S.; clarifying who has access to a child's records and who may bring an action to require access to confidential records held by the department; revising provisions relating to the amount of time the department is required to make and keep such records; amending s. 39.2021, F.S.; expanding the department's authority to release records relating to children on its own initiative upon a showing of good cause; requiring notice to certain parties before such release; providing for a court order to stop such release; amending s. 402.115, F.S.; adding the Department of Juvenile Justice to the list of agencies that are authorized to exchange confidential information; amending s. 415.107, F.S.; clarifying who may bring an action to require access to confidential records held by the Department of Children and Family Services; amending s. 415.1071, F.S.; expanding the department's authority to release records relating to vulnerable adults on its own initiative upon a showing of good cause; requiring notice to certain parties before such release; providing for a court order to stop such release; providing an effective date.

REFERENCE CHANGES PURSUANT TO RULE 4.7(2)

By the Committees on Criminal and Civil Justice Appropriations; Judiciary; Criminal Justice; and Senator Crist—

CS for CS for CS for SB 700—A bill to be entitled An act relating to juvenile justice; amending s. 29.008, F.S.; conforming cross-references; amending s. 790.22, F.S.; revising provisions relating to community service programs; amending s. 939.185, F.S.; providing diversion options; amending s. 984.05, F.S., conforming cross-references; amending s. 984.09, F.S.; deleting duplicative provisions relating to contempt of court and alternative sanctions; amending s. 985.02, F.S.; providing diversion options; amending s. 985.03, F.S.; defining the term "ordinary medical care"; amending and renumbering provisions of s. 985.037, F.S., relating to alterative sanctions; creating s. 985.0375, F.S.; providing for alternative sanctions; amending s. 985.04, F.S; providing that confidential information obtained during an official's service with juvenile delinquents may be shared with authorized personnel of the Department of Children and Family Services; amending s. 985.245, F.S.; providing for additional representatives to be included on the committee formed to advise the Department of Juvenile Justice on the risk assessment instrument; requiring periodic evaluation of the risk assessment instrument; amending s. 985.265, F.S.; providing an exception to required supervision in direct supervision housing; amending s. 985.601, F.S.; requiring the Department of Juvenile Justice to adopt rules to establish procedures to provide ordinary medical care, mental health, substance abuse, and developmental disabilities services to youth within the juvenile justice continuum; requiring that, to the extent possible within available fiscal resources, the procedures must be commensurate with procedures that youth receive in the community; amending s. 985.606, F.S.; revising provisions governing data collection; amending s. 985.632, F.S.; authorizing the department to conduct a demonstration project in order to create an accountable juvenile justice system that is outcome-based; amending s. 985.644, F.S., relating to departmental contracting powers; removing references to the Department of Children and Family Services; amending s. 985.66, F.S.; transferring the responsibility for the juvenile justice training program from the Juvenile Justice Standards and Training Commission to the Department of Juvenile Justice; requiring the department to adopt rules; amending s. 985.664, F.S., relating to the juvenile justice circuit boards and juvenile justice county councils; providing a reference to the Children and Youth Cabinet; requiring that juvenile justice circuit boards and county councils participate in facilitating interagency cooperation and information sharing with certain entities; requiring that such collaborations specify certain information; providing requirements for the annual reports required to be submitted

by each juvenile justice circuit board; amending s. 985.668, F.S.; encouraging each juvenile justice circuit board, in consultation with the juvenile justice county council, to propose an innovation zone within the circuit; amending s. 985.676, F.S.; including the development and implantation of a strategic plan; amending s. 985.721, F.S.; conforming a cross-reference; amending s. 1006.13, F.S.; removing the reference of zero tolerance; providing an effective date.

—was placed on the Calendar.

By the Committees on Judiciary; Ethics and Elections; and Senator Constantine—

CS for CS for SB 866—A bill to be entitled An act relating to elections; amending s. 97.012, F.S.; revising provisions relating to the investigative duties of the Secretary of State; amending s. 97.041, F.S.; revising requirements for voter preregistration of minors; amending s. 97.053, F.S.; revising provisions relating to verification of certain information on voter registration applications; amending s. 97.0535, F.S.; revising forms of acceptable identification for certain voter registration applicants; amending s. 97.055, F.S.; providing for change of party affiliation after the closing of the registration books to apply to an upcoming election under certain circumstances; amending s. 98.065, F.S.; revising registration list maintenance provisions; creating s. 98.0655, F.S.; requiring the Department of State to prescribe registration list maintenance forms; providing criteria for such forms; amending s. 98.075, F.S.; providing for the removal of the name of a deceased person from the statewide voter registration system upon receipt by the supervisor of a copy of a death certificate; providing procedures concerning such removal; amending s. 98.0981, F.S.; reducing the time by which supervisors of elections must electronically transmit certain voter history information to the department; requiring the department to prepare a detailed report containing specified voter information to legislative officers after a general election; requiring supervisors of elections to collect and submit data to the department after certain elections; defining the phrase "all ballots cast"; requiring the department to compile precinct-level statistical data for counties before certain elections; amending s. 99.012, F.S.; providing restrictions on individuals qualifying for public office; removing an exception from such restrictions for persons seeking any federal public office; amending s. 99.021, F.S.; deleting a resignation statement from the qualifying oath for candidates for federal office; amending s. 100.221, F.S.; providing circumstances under which early voting is not required; amending s. 100.361, F.S.; revising provisions relating to the recall of municipal or charter county officers, recall committees, recall petitions, recall defense, and offenses related thereto; amending s. 100.371, F.S.; providing that a petition form circulated for signatures may not be bundled with other petitions; deleting requirements relating to the recording and determination of signature forms; providing that an elector may complete and submit a standard petition-revocation form directly to the supervisor of elections under certain circumstances; requiring that the division adopt petition-revocation forms by rule; amending s. 101.041, F.S.; deleting a requirement for the printing and distribution of official ballots; amending s. 101.045, F.S.; authorizing the use of a voter registration application for a name or address change; amending s. 101.111, F.S.; revising methods by which a person's right to vote may be challenged; amending s. 101.23, F.S.; deleting provisions requiring an election inspector to prevent certain persons from voting; amending s. 101.51, F.S.; deleting provisions specifying certain responsibilities of election officials before allowing electors to enter a booth or compartment to vote; amending s. 101.5608, F.S.; revising certain procedures relating to the deposit of ballots; repealing s. 101.573, F.S., relating to the reporting of precinct-level election results; amending s. 101.6102, F.S.; providing exceptions to the types of elections that may not be conducted by mail ballot; amending s. 101.6923, F.S.; revising forms of acceptable identification for certain absentee voters; amending s. 101.733, F.S.; authorizing the Governor to call for a mail ballot election in the event of a declared state of emergency or an impending emergency; requiring that the Department of State adopt rules regarding such election; revising notice requirements for elections rescheduled due to an emergency; amending s. 101.75, F.S.; authorizing municipalities to set by ordinance election dates to coincide with statewide or countywide elections; amending s. 102.014, F.S.; revising provisions relating to the training of poll workers; amending s. 102.031, F.S.; including the term "solicitation" as an equivalent of the term "solicit" as it relates to the unlawful solicitation of voters; providing that such terms do not prohibit exit polling; amending s. 102.112, F.S.; revising the county canvassing board's certification requirements for election returns; amending s. 103.101, F.S.; deleting provisions related to the placement on the ballot of presidential candidates whose names do not appear on the list submitted to the Secretary of State; amending s. 106.021, F.S.; removing a campaign finance filing requirement for certain candidates; amending s. 106.07, F.S.; clarifying that political subdivisions may impose electronic filing requirements on certain candidates, and that expenditures for such filing system serve a valid public purpose; repealing s. 106.082, F.S., relating to campaign contribution limitations for candidates for the office of Commissioner of Agriculture; amending s. 106.147, F.S.; requiring a disclosure statement for certain telephone calls; revising provisions requiring authorization from the candidate or sponsor for certain telephone calls; amending s. 106.24, F.S.; providing that the Florida Elections Commission is its own agency head rather than the director of the commission; amending s. 190.006, F.S.; deleting certain fee and assessment provisions for candidates seeking election to the board of supervisors of a community redevelopment district; providing effective dates.

—was placed on the Calendar.

By the Committees on Governmental Operations; and Health Policy—

CS for SB 1090—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 409.821, F.S., relating to a public-records exemption for certain records pertaining to the Florida Kidcare program; clarifying provisions authorizing the release of certain information to the legal guardian of an enrollee; saving the exemption from repeal under the Open Government Sunset Review Act; repealing s. 2, chapter 2003-104, Laws of Florida; deleting provisions providing for repeal of the exemption; repealing s. 624.91(8), F.S., relating to a public-records exemption for the Florida Healthy Kids Corporation; providing an effective date.

—was placed on the Calendar.

By the Committees on Transportation and Economic Development Appropriations; Transportation; and Senator Baker—

CS for CS for SB 1978—A bill to be entitled An act relating to the Department of Transportation; amending s. 20.23, F.S.; providing Senior Management Service status to the Executive Director of the Florida Transportation Commission; amending s. 125.42, F.S.; providing an exception to utility owners from the responsibility for relocating utilities along county roads and highways; amending s. 163.3177, F.S.; revising requirements for comprehensive plans; providing for airports, land adjacent to airports, and certain interlocal agreements relating thereto in certain elements of the plan; amending s. 163.3182, F.S., relating to transportation concurrency backlog authorities; providing legislative findings and declarations; expanding the power of authorities to borrow money to include issuing certain debt obligations; providing a maximum maturity date for certain debt incurred to finance or refinance certain transportation concurrency backlog projects; authorizing authorities to continue operations and administer certain trust funds for the period of the remaining outstanding debt; requiring local transportation concurrency backlog trust funds to continue to be funded for certain purposes; providing for increased ad valorem tax increment funding for such trust funds under certain circumstances; revising provisions for dissolution of an authority; amending s. 316.0741, F.S.; redefining the term "hybrid vehicle"; authorizing the driving of a hybrid, low-emission, or energy-efficient vehicle in a high-occupancy-vehicle lane regardless of occupancy; authorizing the department to limit or discontinue such driving under certain circumstances; exempting such vehicles from the payment of certain tolls; amending s. 316.193, F.S.; lowering the blood-alcohol or breath-alcohol level for which enhanced penalties are imposed against a person who was accompanied in the vehicle by a minor at the time of the offense; clarifying that an ignition interlock device is installed for a continuous period; amending s. 316.302, F.S.; revising the application of certain federal rules; providing for the department to perform certain duties assigned under federal rules; updating a reference to federal provisions governing out-of-service requirements for commercial vehicles; amending ss. 316.613 and 316.614, F.S.; revising the definition of "motor vehicle" for purposes of child restraint and safety belt usage requirements; amending s. 316.656, F.S.; lowering the percentage of

blood or breath alcohol content relating to the prohibition against pleading guilty to a lesser offense of driving under the influence than the offense charged; amending s. 322.64, F.S.; providing that refusal to submit to a breath, urine, or blood test disqualifies a person from operating a commercial motor vehicle; providing a period of disqualification if a person has an unlawful blood-alcohol or breath-alcohol level; providing for issuance of a notice of disqualification; revising the requirements for a formal review hearing following a person's disqualification from operating a commercial motor vehicle; amending s. 336.41, F.S.; providing that a county, municipality, or special district may not own or operate an asphalt plant or a portable or stationary concrete batch plant having an independent mixer; amending s. 337.11, F.S.; authorizing the department to pay stipends to unsuccessful bidders on construction and maintenance contracts; amending s. 337.18, F.S.; revising the recording requirements of payment and performance bonds; amending s. 337.185, F.S.; providing for maintenance contracts to be included in the types of claims settled by the State Arbitration Board; amending s. 337.403, F.S.; providing for the department or a local governmental entity to pay the costs of removing or relocating a utility that is interfering with the use of a road or rail corridor; amending s. 338.01, F.S.; requiring that newly installed electronic toll collection systems be interoperable with the department's electronic toll collection system; amending s. 338.165, F.S.; providing that provisions requiring the continuation of tolls following the discharge of bond indebtedness does not apply to high-occupancy toll lanes or express lanes; creating s. 338.166, F.S.; authorizing the department to request that bonds be issued which are secured by toll revenues from high-occupancy toll or express lanes in a specified location; providing for the department to continue to collect tolls after discharge of indebtedness; authorizing the use of excess toll revenues for improvements to the State Highway System; authorizing the implementation of variable rate tolls on high-occupancy toll lanes or express lanes; amending s. 338.2216, F.S.; directing the turnpike enterprise to develop new technologies and processes for the collection of tolls and usage fees; prohibiting the enterprise from entering into certain joint contracts for the sale of fuel and other goods; providing an exception; providing restrictions on contracts pertaining to service plazas; amending s. 338.223, F.S.; conforming a cross-reference; amending s. 338.231, F.S.; eliminating reference to uniform toll rates on the Florida Turnpike System; authorizing the department to fix by rule and collect the amounts needed to cover toll collection costs; amending s. 339.12, F.S.; clarifying a provision specifying a maximum total amount of project agreements for certain projects; authorizing the department to enter into certain agreements with counties having a specified maximum population; defining the term "project phase"; requiring that a project or project phase be a high priority of a governmental entity; providing for reimbursement for a project or project phase; specifying a maximum total amount for certain projects and project phases; requiring that such project be included in the local government's adopted comprehensive plan; authorizing the department to enter into long-term repayment agreements up to a specified maximum length; amending s. 339.135, F.S.; revising certain notice provisions that require the Department of Transportation to notify local governments regarding amendments to an adopted 5-year work program; amending s. 339.155, F.S.; revising provisions for development of the Florida Transportation Plan; amending s. 339.2816, F.S., relating to the small county road assistance program; providing for resumption of certain funding for the program; revising the criteria for counties eligible to participate in the program; amending ss. 339.2819 and 339.285, F.S.; conforming cross-references; amending s. 348.0003, F.S.; providing for financial disclosure for expressway, transportation, bridge, and toll authorities; amending s. 348.0004, F.S.; providing for certain expressway authorities to index toll rate increases; repealing part III of ch. 343 F.S.; abolishing the Tampa Bay Commuter Transit Authority; requiring the department to conduct a study of transportation alternatives for the Interstate 95 corridor; amending s. 409.908, F.S.; authorizing the Agency for Health Care Administration to continue to contract for Medicaid nonemergency transportation services in a specified agency service area with managed care plans under certain conditions; amending s. 427.011, F.S.; revising definitions; defining the term "purchasing agency"; amending s. 427.012, F.S.; revising the number of members required for a quorum at a meeting of the Commission for the Transportation Disadvantaged; amending s. 427.013, F.S.; revising responsibilities of the commission; deleting a requirement that the commission establish by rule acceptable ranges of trip costs; removing a provision for functioning and oversight of the quality assurance and management review program; requiring the commission to incur expenses for promotional services and items; amending s. 427.0135, F.S.; revising and creating duties and responsibilities for agencies that purchase transportation services for the transportation disadvantaged; providing requirements for the payment of rates; requiring an agency to negotiate with the commission before procuring transportation disadvantaged services; requiring an agency to identify its allocation for transportation disadvantaged services in its legislative budget request; amending s. 427.015, F.S.; revising provisions relating to the function of the metropolitan planning organization or designated official planning agency; amending s. 427.0155, F.S.; revising duties of community transportation coordinators; amending s. 427.0157, F.S.; revising duties of coordinating boards; amending s. 427.0158, F.S.; deleting provisions requiring the school board to provide information relating to school buses to the transportation coordinator; providing for the transportation coordinator to request certain information regarding public transportation; amending s. 427.0159, F.S.; revising provisions relating to the Transportation Disadvantaged Trust Fund; providing for the deposit of funds by an agency purchasing transportation services; amending s. 427.016, F.S.; providing for construction and application of specified provisions to certain acts of a purchasing agency in lieu of the Medicaid agency; requiring that an agency identify the allocation of funds for transportation disadvantaged services in its legislative budget request; amending s. 479.01, F.S.; redefining the term "automatic changeable facing" as used in provisions governing outdoor advertising; amending s. 479.07, F.S.; revising the locations within which signs require permitting; providing requirements for the placement of permit tags; requiring the department to establish by rule a service fee and specifications for replacement tags; amending s. 479.08, F.S.; deleting a provision allowing a sign permittee to correct false information that was knowingly provided to the department; requiring the department to include certain information in the notice of violation; amending s. 479.156, F.S.; modifying local government control of the regulation of wall murals adjacent to certain federal highways; amending s. 479.261, F.S.; revising requirements for the logo sign program of the interstate highway system; deleting provisions providing for permits to be awarded to the highest bidders; requiring the department to implement a rotation-based logo program; requiring the department to adopt rules that set reasonable rates based on certain factors for annual permit fees; requiring that such fees not exceed a certain amount for sign locations inside and outside an urban area; amending s. 212.0606, F.S.; providing for the imposition by countywide referendum of an additional surcharge on the lease or rental of a motor vehicle; providing the proceeds of the surcharge to be transferred to the Local Option Fuel Tax Trust Fund and used for the construction and maintenance of commuter rail service facilities; providing definitions relating to commuter rail service, rail corridors, and railroad operation for purposes of the rail program within the department; amending s. 341.302, F.S.; authorizing the department to purchase specified property for the purpose of implementing commuter rail service; authorizing the department to assume certain liability on a rail corridor; authorizing the department to indemnify and hold harmless a railroad company when the department acquires a rail corridor from the company; providing allocation of risk; providing a specific cap on the amount of the contractual duty for such indemnification; authorizing the department to purchase and provide insurance in relation to rail corridors; authorizing marketing and promotional expenses; extending provisions to other governmental entities providing commuter rail service on public right-of-way; amending s. 768.28, F.S.; expanding the list of entities considered agents of the state; providing for construction in relation to certain federal laws; providing an effective date.

—was referred to the Committee on Transportation and Economic Development Appropriations.

By the Committee on Finance and Tax; and Senators Webster and Fasano—

CS for SB 2094—A bill to be entitled An act relating to the tax on sales, use, and other transactions; specifying a period during which the sale of clothing and school supplies is exempt from the tax; providing definitions; providing exceptions; authorizing the Department of Revenue to adopt rules; providing an appropriation; providing an effective date.

—was placed on the Calendar.

By the Committees on Community Affairs; Banking and Insurance; and Senator Saunders—

CS for CS for SB 2388—A bill to be entitled An act relating to fire prevention and control; amending ss. 218.23 and 447.203, F.S.; revising cross-references; amending s. 553.895, F.S.; revising outdated publication references; amending s. 633.02, F.S.; providing the correct name for the State Fire Marshal; amending s. 633.022, F.S.; revising provisions relating to uniform firesafety standards to include application to tunnels; revising requirements pertaining to supervised automatic sprinkler systems within nursing homes; requiring a nursing home licensee to submit complete sprinkler construction documents to the Agency for Health Care Administration by a specified date; requiring such licensee to gain final approval from the agency to start construction by a specified date; authorizing the agency to extend the deadline under certain circumstances; amending s. 633.0245, F.S.; changing the application deadline for participation in the State Fire Marshal Nursing Home Loan Guarantee Program; amending s. 633.025, F.S.; providing requirements for firesafety plans and inspections for manufactured buildings; amending s. 633.03, F.S.; expanding application of authority of the State Fire Marshal to investigate fires to include explosions; amending s. 633.061, F.S.; revising the type of fire suppression equipment in which a person must be licensed in order to engage in the business of servicing, inspecting, recharging, hydrotesting, or installing; revising the requirements for the renewal of a license to engage in the business of servicing, inspecting, recharging, hydrotesting, or installing fire suppression equipment; amending s. 633.081, F.S.; authorizing the State Fire Marshal to inspect buildings or structures for certain violations; abolishing special state firesafety inspector classifications; providing for certification as a firesafety inspector; providing application and examination requirements; authorizing the State Fire Marshal to develop a certain advanced training and certification program for firesafety inspectors; authorizing the Division of State Fire Marshal to enter into a reciprocity agreement with the Florida Building Code Administrators and Inspectors Board for certain continuing education recertification purposes; amending s. 633.085, F.S.; revising requirements for the State Fire Marshal to inspect state buildings; amending s. 633.101, F.S.; revising and expanding the authority and powers of the State Fire Marshal to administer oaths, compel attendance of witnesses, and collect evidence; providing certain forms of immunity from liability for certain actions and persons under certain circumstances; exempting certain information from discovery under certain circumstances; exempting agents of the State Fire Marshal from subpoena under certain circumstances; specifying limitations on treatment of physical evidence; authorizing persons and agents of the State Fire Marshal to submit certain crime-related reports or information to the State Fire Marshal; authorizing agents of the State Fire Marshal to make arrests as state law enforcement officers under certain circumstances; providing that it is unlawful to resist arrest; amending s. 633.121, F.S.; expanding the list of eligible persons authorized to enforce laws and rules of the State Fire Marshal; amending s. 633.13, F.S.; revising a provision relating to the authority of agents of the State Fire Marshal; amending s. 633.14, F.S.; revising and expanding powers regarding arrests, searches, and the carrying of firearms by State Fire Marshal agents and investigators; amending s. 633.161, F.S.; expanding the list of violations for which the State Fire Marshal may issue certain enforcement orders; providing criminal penalties for failure to comply with such orders; amending s. 633.171, F.S.; conforming a provision; amending s. 633.175, F.S.; specifying additional powers granted to the State Fire Marshal; amending s. 633.18, F.S.; revising a provision relating to conduct of inquiries or investigations by agents of the State Fire Marshal; amending s. 633.30, F.S.; revising and providing definitions; amending s. 633.34, F.S.; revising requirements for qualification for employment as a firefighter; amending s. 633.35, F.S.; revising requirements for firefighter training and certification; amending s. 633.351, F.S.; revising provisions for disciplinary actions for firefighters; revising standards for revocation of firefighter certifications; amending s. 633.352, F.S.; revising requirements for retention of firefighter certification; amending s. 633.382, F.S.; revising provisions regarding required supplemental compensation for firefighters; amending s. 633.524, F.S.; authorizing the State Fire Marshal to contract to provide certain examinations; amending s. 633.541, F.S.; expanding an exclusion from application of a prohibition against contracting without certification for certain homeowners; amending s. 633.72, F.S.; revising the membership terms of the Fire Code Advisory Council; amending s. 633.811, F.S.; expanding authority of the division to enforce provisions of law and rules applicable to employers; authorizing assessment of administrative fines; amending s. 633.821, F.S.; deleting certain obsolete provisions requiring counties, municipalities, and special districts to implement certain provisions of federal law; repealing s. 1013.12(8), F.S., relating to annual reports; providing an effective date.

—was referred to the Committees on Criminal Justice; and General Government Appropriations.

MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

The Governor advised that he had filed with the Secretary of State CS for SB 276 which he approved on April 22, 2008.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

FIRST READING

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has passed HB 85, CS for HB 151, CS for HB 251, CS for HB 337, CS for HB 435, CS for HB 535, CS for HB 625, CS for HB 687, CS for HB 843, CS for HB 853, CS for HB 861, HB 989, CS for HB 1027, HB 7007, HB 7073, HB 7085; has passed as amended CS for HB 3, CS for CS for HB 105, CS for CS for HB 343, CS for HB 663, CS for HB 995, CS for CS for HB 1395, HB 7077, CS for HB 7083; has passed by the required constitutional two-thirds vote of the members present CS for HB 863 and requests the concurrence of the Senate.

William S. Pittman III, Chief Clerk

By Representative Kravitz and others—

HB 85—A bill to be entitled An act relating to lewd or lascivious molestation; amending s. 775.082, F.S.; requiring life sentences for certain second or subsequent offenders; amending s. 948.012, F.S.; conforming a cross-reference; reenacting s. 800.04(5)(b), F.S., relating to lewd or lascivious offenses committed against persons less than 12 years of age, to incorporate the amendments made to s. 775.082, F.S., in a reference thereto; providing an effective date.

—was referred to the Committees on Criminal Justice; Judiciary; and Criminal and Civil Justice Appropriations.

By the Safety and Security Council; and Representative Reed and others—

CS for HB 151—A bill to be entitled An act relating to radio equipment using law enforcement frequencies; amending s. 843.16, F.S.; providing exceptions to prohibition on use of such equipment for specified personnel using personal transportation to and from work and for certain government employees; providing an effective date.

—was referred to the Committees on Criminal Justice; and Community Affairs.

By the Schools and Learning Council; and Representative Jordan and others—

CS for HB 251—A bill to be entitled An act relating to Reserve Officers' Training Corps programs; creating s. 1003.451, F.S.; prohibiting a school district from banning a Junior Reserve Officers' Training Corps unit in certain schools; requiring a school district to allow a student, under certain circumstances, to enroll in the Junior Reserve Officers' Training Corps at another school; specifying that a school district is not required to provide transportation for a student enrolling in the Junior Reserve Officers' Training Corps at another school; requiring a school district to grant military recruiters certain access to students, school facilities and grounds, and certain student information; providing for enforcement; providing for the adoption of rules by the State Board of Education; creating s. 1004.009, F.S.; prohibiting a community college

or state university from banning a Senior Reserve Officers' Training Corps unit; requiring that a community college or state university grant military recruiters certain access to students and campus facilities and grounds and, to the extent required by federal law, access to certain student information; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Military Affairs and Domestic Security; Higher Education; and Education Pre-K - 12 Appropriations.

By the Schools and Learning Council; and Representative Ford and others—

CS for HB 337—A bill to be entitled An act relating to management of Historic Pensacola properties; amending s. 267.173, F.S.; providing for the University of West Florida to directly contract for management of certain state-owned properties in Pensacola; requiring agreement of all parties to existing contracts and execution of contract with the Board of Trustees of the Internal Improvement Trust Fund; deleting a requirement to contract with the Department of State for certain historic properties in Pensacola; deleting language related to transfer of properties and contract requirements with the Department of State; permitting the University of West Florida to contract with its direct-support organization for management of historic properties; providing eligibility for certain grants; providing an effective date.

—was referred to the Committees on Governmental Operations; Higher Education; Transportation and Economic Development Appropriations; and Higher Education Appropriations.

By the Safety and Security Council; and Representative Hukill and others—

CS for HB 435—A bill to be entitled An act relating to trust administration; amending s. 736.0703, F.S.; providing exceptions to duties and liabilities of cotrustees for excluded cotrustees under certain circumstances; relieving excluded cotrustees from specified liabilities and obligations under certain circumstances; providing for liabilities and obligations of included cotrustees; amending s. 736.0802, F.S.; providing an exception for trustee payments of costs and attorney's fees from trust assets except pursuant to court order under certain circumstances; requiring trustees to provide certain notice to beneficiaries; providing notice requirements; providing requirements for obtaining such a court order; specifying remedies; providing for specified refunds and sanctions; preserving certain court remedies; amending s. 736.1008, F.S.; specifying periods of repose barring claims by a beneficiary against a trustee; providing construction; providing an effective date.

—was referred to the Committees on Judiciary; and Banking and Insurance.

By the Policy and Budget Council; and Representative Cretul and others—

CS for HB 535—A bill to be entitled An act relating to health insurance; amending s. 627.4236, F.S.; revising the definition of the term "bone marrow transplant"; amending ss. 627.642, 627.657, and 641.31, F.S.; requiring an identification card containing specified information to be given to insureds under health benefit plans and group health insurance policies and persons having health care services through health maintenance contracts; providing applicability; providing for an exception to certain identification card requirements for cards issued before a certain date; providing an effective date.

—was referred to the Committees on Banking and Insurance; Health Policy; and General Government Appropriations.

By the Healthcare Council; and Representative Glorioso and others—

CS for HB 625—A bill to be entitled An act relating to independent living transition services; amending s. 409.1451, F.S.; providing for family foster homes, residential child-caring agencies, or other authorized caregivers to be included in the development of plans for activities for certain children; requiring specified information to be included in a report to the Legislature by the Independent Living Services Advisory Council; creating s. 743.046, F.S.; providing for removal of disabilities of certain minors for purposes of securing utility services; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; and Health and Human Services Appropriations.

By the Government Efficiency and Accountability Council; and Representative Proctor and others—

CS for HB 687—A bill to be entitled An act relating to service-disabled veteran business enterprises; creating the Florida Service-Disabled Veteran Business Enterprise Opportunity Act; providing legislative intent; providing definitions; providing a selection preference in state contracting for certified service-disabled veteran business enterprises; providing a certification procedure to be established by the Department of Management Services and the Department of Veterans' Affairs and reviewed biennially and updated as necessary; providing requirements for application for, renewal of, and revocation of certification; providing duties of the departments; providing for data reporting by the Florida Small Business Development Center; authorizing the departments to adopt rules; amending s. 288.705, F.S.; requiring the center to report the percentage of service-disabled veteran business enterprises using the statewide contracts register; providing an effective date.

—was referred to the Committees on Military Affairs and Domestic Security; Governmental Operations; and General Government Appropriations.

By the Government Efficiency and Accountability Council; and Representative Patronis and others—

CS for HB 843—A bill to be entitled An act relating to the Family Readiness Program; amending s. 250.5206, F.S.; expanding purpose, eligibility, and annual report provisions of the Family Readiness Program within the Department of Military Affairs; providing an effective date.

—was referred to the Committees on Military Affairs and Domestic Security; and Transportation and Economic Development Appropriations.

By the Jobs and Entrepreneurship Council; and Representative Troutman and others—

CS for HB 853—A bill to be entitled An act relating to cemetery lands; amending s. 497.270, F.S.; revising provisions relating to the sale or disposition of cemetery lands to provide restrictions with respect to takings by eminent domain and the imposition of certain conditions for obtaining specified regulatory approval; providing an effective date.

—was referred to the Committees on Community Affairs; Banking and Insurance; and Judiciary.

By the Healthcare Council; and Representative Reagan and others—

CS for HB 861—A bill to be entitled An act relating to direct-support organizations; creating s. 292.055, F.S.; creating the "Sergeant First Class Paul R. Smith Memorial Act"; authorizing the Department of Veterans' Affairs to establish a direct-support organization to assist the department; providing definitions; providing purposes, objectives, and duties of the direct-support organization; providing for a board of directors and membership requirements for the board members; requiring the direct-support organization to operate under contract with the department; delineating contract and other governance requirements; providing guidelines for the use of funds; providing for the use of property,

facilities, and personal services of the department; providing restrictions; providing limits on the direct-support organization; requiring the direct-support organization to submit certain federal tax forms to the department; providing for an annual audit; amending s. 265.002, F.S.; providing for the Department of Veterans' Affairs to replace the Florida Commission on Veterans' Affairs in cooperating with the Department of Management Services to establish the Florida Medal of Honor Wall; amending s. 320.08058, F.S.; requiring that a certain percentage of the annual license plate fee collected from the sale of the "Florida Salutes Veterans" license plate be distributed to the direct-support organization created for the purpose of providing benefit to the Department of Veterans' Affairs for a specified period; providing that the remaining fees be deposited in the State Homes for Veterans Trust Fund; amending s. 337.111, F.S.; providing that three members of the direct-support organization of the Department of Veterans' Affairs participate on a committee to approve contracts to install monuments and memorials honoring Florida's military veterans at highway rest areas around the state; repealing s. 292.04, F.S., relating to the Florida Commission on Veteran's Affairs; providing an effective date.

—was referred to the Committees on Military Affairs and Domestic Security; Governmental Operations; and Health and Human Services Appropriations.

By Representative Bogdanoff and others—

HB 989—A bill to be entitled An act relating to physician assistants; amending s. 458.347, F.S.; revising the requirements for the formulary established by the Council on Physician Assistants in order to allow physician assistants to prescribe antipsychotics and parenteral preparations; providing an effective date.

—was referred to the Committees on Health Regulation; and Health Policy.

By the Economic Expansion and Infrastructure Council; and Representative Kreegel and others—

CS for HB 1027—A bill to be entitled An act relating to funding for state veterans' homes; amending s. 320.089, F.S.; expanding the types of veterans special license plates from which revenues may be used to fund state veterans' homes; providing for additional revenue from the sale of such plates to be used to construct, maintain, and operate the homes; amending s. 320.02, F.S.; providing for a check-off provision on motor vehicle registration application and renewal forms to authorize a voluntary donation to the state veterans' homes; providing an effective date.

—was referred to the Committees on Military Affairs and Domestic Security; Transportation; Finance and Tax; and Transportation and Economic Development Appropriations.

By the Healthcare Council; and Representative R. Garcia and others—

HB 7007—A bill to be entitled An act relating to safe haven protection for surrendered newborn infants; amending s. 39.01, F.S.; revising definitions; amending s. 39.201, F.S.; conforming terminology to changes made by the act; amending s. 63.0423, F.S.; providing for presumption of consent to termination of parental rights in cases of surrendered infants; removing a requirement that the child-placing agency conduct a search to identify a parent of a surrendered infant; providing an exception; conforming provisions relating to granting a petition for termination of parental rights; amending s. 383.50, F.S.; increasing the age at which an infant is considered a newborn infant for purposes of treatment after surrender; providing for anonymity of the infant's parents; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Health Policy; and Judiciary.

By the Healthcare Council; and Representative Galvano—

HB 7073—A bill to be entitled An act relating to child support enforcement; amending s. 61.14, F.S.; requiring payments on child support judgments to be applied first to the current child support due, then to the delinquent principal, and then to any interest on the support judgment; amending s. 61.1824, F.S.; requiring the State Disbursement Unit to disburse payments to obligees electronically; amending s. 328.42, F.S.; requiring the Department of Highway Safety and Motor Vehicles to cooperate with the Department of Revenue in establishing an automated method for disclosing owners of registered vessels to the Department of Revenue; authorizing the Department of Highway Safety and Motor Vehicles to suspend the operating privilege of vessel owners who are not in compliance with orders relating to child support when directed by the Department of Revenue; amending s. 409.2558, F.S.; requiring the State Disbursement Unit to disburse payments to obligees electronically; amending s. 409.256, F.S.; requiring the correctional facility to assist an incarcerated putative father in complying with an administrative order to appear for genetic testing; clarifying that an administrative order for genetic testing has the same force and effect as a court order; amending s. 456.004, F.S.; requiring the Department of Health to cooperate with the Department of Revenue in establishing an automated method for disclosing health practitioner licensees to the Department of Revenue; authorizing the Department of Health to suspend or deny the license of a licensee who is not in compliance with orders relating to child support when directed by the Department of Revenue; amending s. 497.167, F.S.; authorizing the Department of Financial Services to suspend or deny the license of a licensee who is not in compliance with orders relating to child support when directed by the Department of Revenue; amending s. 559.79, F.S.; requiring the Department of Business and Professional Regulation to cooperate with the Department of Revenue in establishing a method for disclosing professional licensees to the Department of Revenue; authorizing the Department of Business and Professional Regulation to suspend or deny the license of a licensee who is not in compliance with orders relating to child support when directed by the Department of Revenue; amending s. 1012.21, F.S.; requiring the Department of Education to cooperate with the Department of Revenue in establishing a method for disclosing educators to the Department of Revenue; authorizing the Department of Education to suspend or deny the teaching certificate of a person who is not in compliance with orders relating to child support when directed by the Department of Revenue; amending s. 1012.795, F.S.; requiring the Education Practices Commission to suspend or deny the educator certificate of a person who is not in compliance with orders relating to child support upon notice by the Department of Revenue; repealing s. 409.25645, F.S., relating to administrative orders for genetic testing; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Judiciary; and General Government Appropriations.

By the Healthcare Council; and Representative Galvano—

HB 7085—A bill to be entitled An act relating to mental health and substance abuse; amending s. 394.4572, F.S.; revising provisions relating to employment screening requirements for mental health personnel; revising the definition of the term "mental health personnel"; removing an exemption from screening requirements for certain mental health personnel; creating s. 394.4996, F.S.; authorizing the Agency for Health Care Administration, in consultation with the Department of Children and Family Services, to establish a licensure category for facilities providing integrated adult mental health crisis stabilization unit and addictions receiving facility services; authorizing such facilities to provide integrated mental health and substance abuse services to adults who meet certain criteria; providing for standards, procedures, and requirements for services; providing rulemaking authority; amending s. 394.655, F.S.; revising purpose of the Criminal Justice, Mental Health, and Substance Abuse Policy Council; amending s. 394.656, F.S.; requiring the department and the agency to develop local treatment and service delivery infrastructures in coordination with counties receiving grants under the Criminal Justice, Mental Health, and Substance Abuse Reinvestment Grant Program; amending s. 394.657, F.S.; providing additional duties of certain county planning councils and committees; amending s. 394.659, F.S.; providing additional duties of the Criminal Justice, Mental Health, and Substance Abuse Technical Assistance Center; requiring an annual report; amending s. 394.67, F.S.; revising the definition of the term "residential treatment center for children and

adolescents"; providing for such centers to be licensed by the agency; amending s. 394.674, F.S.; revising eligibility requirements for substance abuse and mental health services funded by the department; providing rulemaking authority; creating s. 394.9086, F.S.; creating the "Community Mental Health and Substance Abuse Treatment and Crime Reduction Act"; providing goals; providing definitions; creating a community mental health and substance abuse treatment forensic treatment system; providing criteria for eligibility; providing responsibilities of the department; establishing demonstration sites; providing rulemaking authority; amending s. 409.906, F.S.; authorizing the agency to seek federal approval to implement home and community-based services; amending s. 553.80, F.S.; providing for enforcement of the Florida Building Code construction regulations for secure mental health treatment facilities by the department; amending s. 916.111, F.S.; revising provisions governing the training of mental health experts; requiring forensic evaluator training courses to be offered annually; providing requirements for being placed on or removed from the department's forensic evaluator registry; amending s. 916.115, F.S.; revising provisions relating to appointment of experts by the court to evaluate the mental condition of a criminal defendant; requiring experts to complete forensic evaluator training within a specified period of time to remain on the department's registry; providing conditions under which certain persons may assist in forensic evaluations; amending s. 916.13, F.S.; creating an exception to involuntary commitment for defendants adjudicated incompetent in the custody of the Department of Corrections; providing duties of the department relating to treatment for defendants adjudicated incompetent to proceed due to mental illness; revising duties of the department and the court; specifying timeframes for the filing of reports, the commitment and placement of defendants, and the holding of hearings; amending s. 916.15, F.S.; creating an exception for the involuntary commitment of defendants adjudicated not guilty by reason of insanity in the custody of the Department of Corrections; revising duties of the department and the court; specifying timeframes for the filing of reports, the commitment and placement of defendants, and the holding of hearings; amending s. 916.17, F.S.; providing conditions for placement of a defendant in a community residential facility in a demonstration area established under the act under certain circumstances; providing criteria for such placement; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Judiciary; and Health and Human Services Appropriations.

By the Healthcare Council; and Representative Bendross-Mindingall and others—

CS for HB 3—A bill to be entitled An act relating to children's zones; creating s. 409.147, F.S.; providing legislative findings and intent; providing policy and purpose; providing definitions; providing a process for nominating and selecting a children's zone; providing for the governing body of a county or municipality to adopt a resolution designating a children's zone; specifying contents of the resolution; requiring the governing body to establish a children's zone planning team; providing powers and responsibilities of the planning team; requiring the planning team to designate working groups; specifying focus areas for the working groups; providing for the development of a strategic community plan; providing objectives for each focus area; requiring the governing body to create a corporation not for profit for specified purposes; establishing the Magic City Children's Zone, Inc., pilot project; providing for management by an entity organized as a corporation not for profit; providing geographic boundaries for the zone; providing for designation and appointment of a board of directors; providing for meetings and duties of the board of directors; providing per diem and travel expenses; requiring the board to enter into a contract to develop a business plan; providing for reports to the Legislature; establishing the Jacksonville Children's Zone pilot project; providing for management by an entity organized as a corporation not for profit; providing for a request for proposals process to identify an existing corporation to manage the zone; providing geographic boundaries for the zone; providing for an oversight committee; requiring the corporation to enter into a contract to develop a business plan; providing for reports to the Legislature; establishing the Orlando Children's Zone pilot project; providing for management by the City of Orlando or a not-for-profit corporation; providing geographic boundaries for the zone; providing for funding for the zone to be disbursed through a donor-advised fund; providing a definition; providing for advisory groups; providing for reports to the Legislature; requiring the Department of Children and Family Services to contract with certain private not-for-profit corporations for specified purposes; requiring the corporation to provide evaluation, fiscal management, and oversight of the Magic City Children's Zone, Inc., and the Jacksonville Children's Zone pilot projects; providing a contingent effective date.

—was referred to the Committees on Community Affairs; and Health and Human Services Appropriations.

By the Policy and Budget Council; Safety and Security Council; and Representative Troutman and others—

CS for CS for HB 105—A bill to be entitled An act relating to secondary metals recyclers; amending s. 538.18, F.S.; revising the definition of "personal identification card"; deleting an exclusion of transactions under a specified amount from the definition of "purchase transaction" for specified purposes; revising the definition of "regulated metals property"; amending s. 538.19, F.S.; revising recordkeeping requirements for purchase transactions; providing for additional seller information to be obtained; requiring an image of the regulated metals being sold; providing an exemption from a specified recordkeeping provision if the same information is maintained in an electronic database meeting specified requirements; providing a substitute recordkeeping requirement for certain transactions between registered secondary metals recyclers; amending s. 538.23, F.S.; providing for enhanced penalties for third or subsequent violations of a specified provision; providing enhanced penalties for violations of specified provisions relating to false verification of ownership or false or altered identification of a seller of regulated metals; prohibiting engaging in business as a secondary metals recycler without registration with the Department of Revenue under a specified provision; providing criminal penalties; creating s. 538.235, F.S.; prohibiting secondary metals recyclers from entering into cash transactions in certain circumstances; amending s. 538.25, F.S.; requiring the Department of Revenue to provide a law enforcement official, upon request, with specified information regarding certain secondary metals recyclers; amending s. 538.26, F.S.; prohibiting the purchase of any regulated metals property when presented at the property of a secondary metals recycler and not transported in a motor vehicle; providing an effective date.

—was referred to the Committees on Commerce; Criminal Justice; and Criminal and Civil Justice Appropriations.

By the Policy and Budget Council; Jobs and Entrepreneurship Council; and Representative Carroll and others—

CS for CS for HB 343—A bill to be entitled An act relating to financial services; amending s. 520.02, F.S.; defining the term "guaranteed asset protection product"; amending s. 520.07, F.S.; authorizing certain entities to offer optional guaranteed asset protection products under certain circumstances; prohibiting such entities from requiring purchase of such products as a condition for certain financial transactions; providing requirements for offering such products; providing limitations; amending s. 624.605, F.S.; including debt cancellation products under casualty insurance; providing a definition; authorizing certain entities to offer debt cancellation products under certain circumstances; specifying such products as not constituting insurance; amending ss. 627.553 and 627.679, F.S.; revising limitations on the amount of authorized insurance for debtors; amending s. 627.681, F.S.; revising a limitation on the term of credit disability insurance; amending s. 655.005, F.S.; revising and providing definitions; amending s. 655.79, F.S.; specifying certain accounts as tenancies by the entireties; creating s. 655.967, F.S.; authorizing a state-mandated endowment to be maintained in trust accounts in financial institutions; creating s. 655.947, F.S.; authorizing financial institutions to offer debt cancellation products; authorizing a fee; providing a definition; providing requirements for financial institutions relating to debt cancellation products; requiring the Financial Services Commission to adopt rules; specifying that periodic payment options are not required to be offered for certain debt cancellation products; amending s. 655.954, F.S.; authorizing certain institutions to offer optional debt cancellation products with certain financial transactions; prohibiting requiring such products as a condition of such transactions; updating definitions; amending s. 658.21, F.S.; revising ownership requirements for capital accounts at opening for a bank or trust company; providing capital investment requirements for owners of certain holding

companies; amending s. 658.34, F.S.; revising requirements for shares of capital stock of banks and trust companies; providing restrictions on issuance or sale of certain stock under certain circumstances; amending s. 658.36, F.S.; requiring a state bank or trust company to file a written notice before increasing its capital stock; amending s. 658.44, F.S.; revising certain notice requirements relating to dissenting stockholders; revising criteria for determining the value of dissenting shares of certain entities; providing an effective date.

—was referred to the Committees on Banking and Insurance; Commerce; and General Government Appropriations.

By the Healthcare Council; and Representative Cannon and others—

CS for HB 663—A bill to be entitled An act relating to the termination of parental rights; amending s. 39.812, F.S.; requiring a petition for adoption to be accompanied by a statement verifying that adoptive parents have received all information required to be disclosed; amending s. 49.011, F.S.; providing for service of process by publication for termination of parental rights under ch. 63, F.S.; amending s. 63.032, F.S.; redefining terms; amending s. 63.037, F.S.; specifying applicability of exemptions from disclosure requirements for adoption entities under certain circumstances; amending s. 63.039, F.S.; requiring an adoption entity to provide adoption disclosure statements to persons whose consent is required for adoption; requiring attorney's fees and costs in certain actions to be awarded pursuant to the Florida Rules of Civil Procedures; amending s. 63.0425, F.S.; clarifying a grandparent's right to notice; amending s. 63.054, F.S.; providing that an unmarried biological father who fails to register with the Florida Putative Father Registry before the filing of a petition for termination of parental rights may not file a paternity claim under ch. 742, F.S.; providing an exception from the time limitations for filing a paternity claim; providing that if a registrant fails to report a change of address, the adoption entity or adoption petitioner is not obligated to search further for the registrant; requiring a petitioner in a proceeding in which parental rights are terminated simultaneously with entry of final judgment of adoption to contact the Office of Vital Statistics for a search of the registry; providing procedures for searching the registry when termination of parental rights and an adoption proceeding are adjudicated separately; amending s. 63.062, F.S.; revising criteria for serving notice of terminating parental rights to the father of a minor; revising procedures for serving notice of intended adoption plan; providing criteria for avoiding default on providing consent to adoption; providing for the proper venue to file a petition to terminate parental rights; amending s. 63.063, F.S.; revising the standard for compliance with laws relating to adoption; amending s. 63.082, F.S.; revising the notice and consent requirements to adoption to also exclude cases involving sexual activity with certain minors; revising consent requirements that apply to men; limiting the time period for revoking consent to adopt a child older than 6 months of age to 3 business days; revising requirements for withdrawing a consent for adoption; amending s. 63.085, F.S.; revising requirements for required disclosures by an adoption entity; requiring that background information concerning the child be revealed to prospective adoptive parents; amending s. 63.087, F.S.; revising procedures for terminating parental rights pending an adoption; providing the proper venue in which to file a petition to terminate parental rights; providing for joint petitions for termination of parental rights and adoption; providing that failure to appear at certain hearings constitutes grounds for termination of parental rights; removing a provision relating to the procedure for notifying a petitioner of a final hearing; amending s. 63.088, F.S.; providing that a mother's failure to identify an unmarried biological father is not a defense to a termination of parental rights; revising information relating to a court's inquiry about the father of the child who is to be adopted; requiring persons contacted by a petitioner or adoption entity to release certain records; providing that a judgment approving a diligent search is not subject to direct or collateral attack; amending s. 63.089, F.S.; revising provisions relating to service of notice and petition regarding termination of parental rights and consent to adoption; revising conditions for making a finding of abandonment; prohibiting a person who failed to establish parental rights from challenging a judgment terminating parental rights under certain circumstances; amending s. 63.092, F.S.; revising the conditions and timeframe for an adoption entity to report to the court the intent to place a minor for adoption; amending s. 63.102, F.S.; revising procedures for the filing of a petition for adoption; providing the proper venue where the petition may be filed; amending s. 63.122, F.S.; revising whose name may be removed from a petition under certain circumstances; amending s. 63.132, F.S.; providing additional exceptions to the requirement that the adoptive parent and the adoption entity file an affidavit itemizing all expenses and receipts; amending s. 63.135, F.S.; requiring the adoption entity or petitioner to file an affidavit under the Uniform Child Custody Jurisdiction and Enforcement Act in a termination of parental rights proceeding; deleting information required to be submitted under oath to the court; amending s. 63.142, F.S.; requiring that if an adoption petition is dismissed, any further proceedings regarding the minor be brought in a separate custody action under ch. 61, F.S., a dependency action under ch. 39, F.S., or a paternity action under ch. 742, F.S.; revising conditions under which a judgment terminating parental rights is voidable; amending s. 63.192, F.S.; requiring the courts of this state to recognize decrees of termination of parental rights and adoptions from other states and countries; amending s. 63.212, F.S.; revising acts that are unlawful pertaining to adoptions; creating s. 63.236, F.S.; providing that a petition for termination of parental rights filed before the effective date of the act is governed by the law in effect at the time the petition was filed; amending s. 742.021, F.S.; requiring the clerk of court to issue certain notice in cases of complaints concerning determination of paternity; amending s. 742.10, F.S.; providing applicability of chs. 39 and 63, F.S., to jurisdiction and procedures for determination of paternity for children born out of wedlock; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Judiciary; and Criminal and Civil Justice Appropriations.

By the Safety and Security Council; and Representative Robaina and others—

CS for HB 995—A bill to be entitled An act relating to community associations; amending s. 468.431, F.S.; defining the term "community association management firm"; redefining the term "community association manager" to apply only to natural persons; amending s. 468.4315, F.S.; revising membership criteria for members of the Regulatory Council of Community Association Managers; requiring the council to establish a public education program; providing for council members to serve without compensation but be entitled to receive per diem and travel expenses; providing responsibilities of the council; amending s. 468.432, F.S.; providing for the licensure of community association management firms; providing application, licensure, and fee requirements; providing for the cancellation of the license of a community association management firm under certain circumstances; providing that such firm or similar organization agrees that, by being licensed, it shall employ only licensed persons providing certain services; amending s. 468.433, F.S.; providing for the refusal of an applicant certification under certain circumstances; amending s. 468.436, F.S.; requiring the Department of Business and Professional Regulation to investigate certain complaints and allegations; providing complaint and investigation procedures; providing grounds for which disciplinary action may be taken; amending s. 718.111, F.S.; providing that a director of the association who abstains from voting on any action taken on any corporate matter shall be presumed to have taken no position with regard to the action; providing duties of officers, directors, and agents of a condominium association and liability for monetary damages under certain circumstances; providing that a person who knowingly or intentionally fails to create or maintain, or who defaces or destroys certain records, is subject to civil penalties as prescribed by state law; requiring that a copy of the inspection report be maintained as an official record of the association; requiring official records of the association to be maintained for a specified minimum period and be made available at certain locations and in specified formats; providing that any person who knowingly or intentionally defaces, destroys, or fails to create or maintain accounting records is subject to civil and criminal sanctions; prohibiting accessibility to certain personal identifying information of unit owners by fellow unit owners; requiring that the Division of Florida Land Sales, Condominiums, and Mobile Homes of the Department of Business and Professional Regulation adopt certain rules; requiring certain audits and reports to be paid for by the developer if done before control of the association is turned over; restricting a condominium association from waiving a financial report for more than a specified period; amending s. 718.112, F.S.; prohibiting a voting interest or a consent right allocated to a unit owner from being exercised under certain circumstances; requiring the board to address certain agenda items proposed by a petition of a specified percentage of the unit owners; providing requirements for the location of annual unit owner meetings; revising terms of service for board members; prohibiting certain persons from serving on the board; requiring the association

to provide a certification form to unit owners for specified purposes; authorizing an association consisting of a specified maximum number of units to provide for different voting and election procedures in its bylaws by affirmative vote of a majority of the association's voting interests; revising requirements related to the annual budget; requiring proxy questions relating to reserves to contain a specified statement; providing for the removal of board members under certain circumstances; requiring that directors who are delinquent in certain payments owed in excess of certain periods of time be suspended from office or deemed to have abandoned their offices; requiring that directors charged with certain offenses involving an association's funds or property be suspended from office pending resolution of the charge; providing for the reinstatement of such officers or directors under certain circumstances; amending s. 718.1124, F.S.; providing that any unit owner may give notice of his or her intent to apply to the circuit court for the appointment of a receiver to manage the affairs of the association under certain circumstances; providing a form for such notice; providing for the delivery of such notice; providing procedures for resolving a petition submitted pursuant to such notice; requiring that all unit owners be provided written notice of the appointment of a receiver; amending s. 718.113, F.S.; providing a statement of clarification; authorizing the board to install certain hurricane protection; prohibiting the board from installing hurricane shutters under certain circumstances; providing for the maintenance, repair, and replacement of hurricane shutters or other hurricane protection; providing that a vote of the owners is not required under certain conditions; prohibiting a board from refusing to approve the installation or replacement of hurricane shutters by a unit owner under certain conditions; requiring that the board inspect certain condominium buildings and issue a report thereupon; providing an exception; prohibiting the board from refusing a request for reasonable accommodation for the attachment to a unit of religious objects meeting certain size specifications; amending s. 718.115, F.S.; providing the expense of installation, replacement, operation, repair, and maintenance of hurricane shutters or other hurricane protection shall constitute either a common expense or shall be charged individually to the unit owners under certain conditions; amending s. 718.117, F.S.; requiring that all unit owners be provided written notice of the appointment of a receiver; providing for the delivery of such notice; amending s. 718.121, F.S.; providing requirements and restrictions for liens filed by the association against a condominium unit; providing for notice and delivery thereof; creating s. 718.1224, F.S.; prohibiting strategic lawsuits against public participation; providing legislative findings and intent; prohibiting a governmental entity, business organization, or individual from filing certain lawsuits made upon specified bases against a unit owner; providing rights of a unit owner who has been served with such a lawsuit; providing procedures for the resolution of claims that such suit violates certain provisions of state law; providing for the award of damages and attorney's fees; prohibiting associations from expending association funds in prosecuting such a suit against a unit owner; amending s. 718.1255, F.S.; revising legislative intent concerning alternative dispute resolution; creating s. 718.1265, F.S.; authorizing an association to exercise certain powers in instances involving damage caused by an event for which a state of emergency has been declared; limiting the applicability of such powers; creating s. 718.127, F.S.; requiring that all unit owners be provided written notice of the appointment of a receiver; providing for the delivery of such notice; amending s. 718.301, F.S.; providing circumstances under which unit owners other than a developer may elect not fewer than a majority of the members of the board of administration of an association; requiring a turnover inspection report; requiring that the report contain certain information; amending s. 718.3025, F.S.; requiring that maintenance and management services contracts disclose certain information; amending s. 718.3026, F.S.; revising a provision authorizing certain associations to opt out of provisions relating to contracts for products and services; removing provisions relating to competitive bid requirements for contracts executed before a specified date; providing requirements for any contract or transaction between an association and one or more of its directors or any other entity in which one or more of its directors are directors or officers or have a financial interest; amending s. 718.303, F.S.; providing that hearings regarding noncompliance with a declaration be held before certain persons; amending s. 718.501, F.S.; providing authority and responsibilities of the division; providing for enforcement actions brought by the division in its own name; providing for the imposition of penalties by the division; requiring that the division issue a subpoena requiring production of certain requested records under certain circumstances; providing for the issuance of notice of a declaratory statement with respect to documents governing a condominium community; requiring that the division provide training and education for condominium association board members and unit owners; authorizing the division to include certain training components and review or approve training programs offered by providers; requiring that certain individuals cooperate with the division in any investigation conducted by the division; amending s. 718.5012, F.S.; providing additional powers of the ombudsman; amending s. 718.50151, F.S.; redesignating the Advisory Council on Condominiums as the "Community Association Living Study Council"; providing for the creation of the council; revising legislative intent with respect to the appointment of council members; providing functions of the council; amending s. 718.503, F.S.; providing for disclosure of certain information upon the sale of a unit by a nondeveloper; requiring the provision of a governance form by the seller to the prospective buyer; requiring that such form contain certain information and a specified statement; providing an effective date.

—was referred to the Committees on Regulated Industries; Community Affairs; and Judiciary.

By the Policy and Budget Council; Safety and Security Council; and Representative Llorente and others—

CS for CS for HB 1395—A bill to be entitled An act relating to the Council on the Social Status of Black Men and Boys; amending s. 16.615, F.S.; removing outdated provisions; providing additional duties and powers of the council; removing certain duties of the Attorney General; removing a provision that discontinues the council under certain conditions; creating s. 16.616, F.S.; creating a direct-support organization; specifying duties and requiring a contract; providing contract requirements; providing for appointment of members of the board of directors; requiring the direct-support organization to form strategic partnerships for specified purposes, including in specified counties; requiring certain reports; providing additional duties and powers of the direct-support organization; requiring the direct-support organization to consider the participation of certain other counties; providing an appropriation; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Governmental Operations; and Criminal and Civil Justice Appropriations.

By the Healthcare Council; and Representative Galvano and others—

HB 7077—A bill to be entitled An act relating to child protection; amending s. 39.01, F.S.; defining the term "child who has exhibited inappropriate sexual behavior"; amending s. 39.0121, F.S.; authorizing the Department of Children and Family Services to adopt rules providing for reporting, locating, recovering, and stabilizing missing children who are involved with the department; amending s. 39.0138, F.S.; specifying additional persons to be subject to a criminal history records check prior to placement of a child; requiring a criminal history records check of persons being considered for placement of a child to include a search of the department's automated abuse information system; authorizing the department to adopt rules establishing standards for evaluating such information; creating s. 39.0141, F.S.; requiring the department, the community-based care provider, or the appropriate law enforcement agency to file a report following a determination that a child involved with the department is missing; amending s. 39.201, F.S.; providing for additional methods to report suspected child abuse, abandonment, and neglect of a child or to report a child who has exhibited inappropriate sexual behavior; amending s. 39.301, F.S.; conforming language relating to reporting suspected child abuse, abandonment, and neglect; providing certain exceptions to the requirements that a child protective investigation be closed within 60 days; amending s. 39.307, F.S.; revising provisions relating to the provision of services to a child in cases of child-on-child sexual abuse to include a child who has exhibited inappropriate sexual behavior; revising terminology; amending s. 39.401, F.S.; requiring a law enforcement officer who takes a child into custody to release such child to an adoptive parent of the child's sibling, if the sibling was previously adopted; requiring judicial approval for the placement of a child with a nonrelative; amending s. 39.502, F.S.; requiring certain notice to foster and preadoptive parents of any hearings involving the child in their care; amending s. 39.503, F.S.; revising procedures relating to diligent searches for missing parents and relatives; amending s. 39.504, F.S.; revising procedures related to injunctions pending disposition of petition issued to protect a child; requiring that such injunctions

remain in effect until modified or dissolved by the court; providing additional conditions for an injunction to protect a child from domestic violence; providing for process of service; authorizing law enforcement officers to exercise certain arrest powers; amending s. 39.507, F.S.; limiting a court to one order adjudicating dependency; providing for supplemental findings; correcting a cross-reference; amending s. 39.521, F.S.; providing an exception from the requirement for a predisposition study in dependency proceedings; correcting cross-references; amending s. 39.621, F.S.; requiring that an adoptive parent of a child's sibling be given the opportunity to apply to adopt such child if the child is available for adoption; requiring that such application be given priority consideration if it is in the best interest of the child; amending s. 39.701, F.S.; requiring that notice of a judicial review of a child's status be served on certain persons regardless of whether or not they attended a prior hearing at which the hearing was announced; amending s. 63.0541, F.S.; permitting certain information contained in the Florida Putative Father Registry to be disclosed to the department; amending s. 322.142, F.S.; authorizing the department to be provided copies of driver's license files maintained by the Department of Highway Safety and Motor Vehicles for the purpose of conducting protective investigations and expediting the determination of eligibility for public assistance; amending s. 402.401; providing for administration of the Florida Child Welfare Student Loan Forgiveness Program by the Department of Children and Family Services rather than the Department of Education; authorizing loan reimbursement to certain eligible employees; revising loan eligibility requirements; directing the Department of Children and Family Services to adopt rules to administer the program; amending s. 409.1671, F.S.; providing for certain coverage in lieu of personal motor vehicle insurance for automobiles not owned by a lead agency that are used for agency business; amending s. 409.175, F.S.; revising requirements for licensure as a foster home or child-caring agency; deleting the exemption from licensure for persons who receive a child from the department; clarifying that a permanent guardian is exempt from licensure; amending s. 787.04, F.S.; prohibiting a person from knowingly and willfully taking or removing a minor from the state or concealing the location of a minor during the pendency of a dependency proceeding or any other action concerning alleged abuse or neglect of the minor; amending s. 937.021, F.S.; requiring that a report of a missing child made by the department, a community-based care provider, or the appropriate law enforcement agency be treated as a missing child report filed by a parent or guardian; prohibiting a law enforcement agency from requiring an order that a child be taken into custody or any other such order before accepting a missing child report for investigation; amending ss. 393.0661, 393.071, 393.125, 39.0015, 39.205, 39.302, 39.6011, 39.828, and 419.001, F.S.; conforming cross-references; amending s. 1, ch. 2007-174, Laws of Florida; extending the date for the repeal of provisions authorizing the reorganization of the Department of Children and Family Services; providing effective dates.

—was referred to the Committees on Children, Families, and Elder Affairs; Criminal Justice; and Health and Human Services Appropriations.

By the Policy and Budget Council; Healthcare Council; and Representative R. Garcia—

CS for HB 7083—A bill to be entitled An act relating to health care fraud and abuse; amending s. 400.462, F.S.; revising definitions; amending s. 400.464, F.S.; authorizing a home infusion therapy provider to be licensed as a nurse registry; deleting provisions relating to Medicare reimbursement; amending s. 400.471, F.S.; requiring an applicant for a home health agency license to submit to the Agency for Health Care Administration a business plan and evidence of contingency funding and disclose other controlling ownership interests in health care entities; requiring certain standards in documentation demonstrating financial ability to operate; requiring home health agencies to maintain certain accreditation to maintain licensure; permitting certain accrediting organizations to submit surveys regarding licensure of home health agencies; prohibiting the agency from issuing an initial license to a home health agency licensure applicant located within 10 miles of a licensed home health agency that has common controlling interests; prohibiting the transfer of an application to another home health agency prior to issuance of the license; requiring submission of an initial application to relocate a licensed home health agency to another geographic service area; amending s. 400.474, F.S.; providing additional grounds under which the agency may take disciplinary action against a home health agency; providing for a fine; creating s. 400.476, F.S.; establishing staffing requirements for home health agencies; reducing the number of home health agencies that an administrator or director of nursing may serve; requiring that an alternate administrator be designated in writing; limiting the period that a home health agency that provides skilled nursing care may operate without a director of nursing; requiring notification upon the termination and replacement of a director of nursing; requiring the agency to take administrative enforcement action against a home health agency for noncompliance with the notification and staffing requirements for a director of nursing; providing for fines; exempting a home health agency that is not Medicare or Medicaid certified and does not provide skilled care or provides only physical, occupational, or speech therapy from requirements related to a director of nursing; providing training requirements for certified nursing assistants and home health aides; amending s. 400.484, F.S.; requiring the agency to impose administrative fines for certain deficiencies; increasing the administrative fines imposed for certain deficiencies; amending s. 400.491, F.S.; extending the period that a home health agency must retain records of the nonskilled care it provides; amending s. 400.497, F.S.; requiring that the agency adopt rules related to standards for the director of nursing of a home health agency, requirements for a director of nursing to submit certified staff activity logs pursuant to an agency request, quality assurance programs, and inspections related to an application for a change in ownership; amending s. 400.506, F.S.; providing training requirements for certified nursing assistants and home health aides referred for contract by a nurse registry; amending s, 409.901, F.S.; defining the term "change of ownership"; amending s. 409.907, F.S.; revising provisions relating to change of ownership of Medicaid provider agreements; providing for continuing financial liability of a transferor under certain circumstances; defining the term "outstanding overpayment"; requiring the transferor to provide notice of change of ownership to the agency within a specified time period; requiring the transferee to submit a Medicaid provider enrollment application to the agency; providing for joint and several liability under certain circumstances; requiring a written payment plan for certain outstanding financial obligations; providing conditions under which additional enrollment effective dates apply; amending s. 409.910, F.S.; conforming a cross-reference; amending s. 409.912, F.S.; requiring the agency to limit its network of Medicaid durable medical equipment and medical supply providers; prohibiting reimbursement for dates of service after January 1, 2009; requiring accreditation; requiring direct provision of services or supplies; authorizing provider to store nebulizers at a physician's office under certain circumstances; imposing certain physical location requirements; requiring providers to maintain a certain stock of equipment and supplies; requiring a surety bond; requiring background screening of employees; providing for certain exemptions; providing an effective date.

—was referred to the Committees on Health Regulation; Banking and Insurance; and Health and Human Services Appropriations.

By the Healthcare Council; and Representative Reagan and others—

CS for HB 863—A bill to be entitled An act relating to public records and meetings; amending s. 292.055, F.S.; providing an exemption from public records requirements for information concerning certain donors and prospective donors to the direct-support organization of the Department of Veterans' Affairs; providing an exemption from public meeting requirements for portions of meetings of the direct-support organization at which the identity of donors and prospective donors is discussed; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing a contingent effective date.

—was referred to the Committees on Military Affairs and Domestic Security; Governmental Operations; and Rules.

RETURNING MESSAGES—FINAL ACTION

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has passed CS for SB 34, CS for SB 274, CS for SB 464, CS for SB 646, CS for SB 648, CS for SB 732, CS for SB 736, SB 874, CS for SB 1070, SB 1092, CS for SB 1378 and CS for SB 2366.

William S. Pittman III, Chief Clerk

The bills contained in the foregoing messages were ordered enrolled.

CORRECTION AND APPROVAL OF JOURNAL

The Journal of April 17 was corrected and approved.

CO-INTRODUCERS

Senators Baker—CS for CS for SB 542; Bullard—CS for SB 334, CS for CS for SB 542, CS for CS for SB 1302, CS for SB 1618; Crist—CS for SB 1704; Fasano—CS for SB 2094; Gaetz—SJR 956, SB 958, SJR 2384; Haridopolos—SB 1316; Jones—CS for CS for SB 76, CS for SB 624, CS for SB 1086; Justice—CS for SB 512, CS for SB 2710; Lynn—CS for SB 92, SB 366, CS for SB 522, CS for CS for SB 542, CS for CS for SB 574, CS for SB 624, CS for CS for CS for SB 756, CS for SB 988, CS for CS for SB 1302, CS for SB 1370, CS for SB 1378, CS for SB 1414, CS for SB 1426, CS for CS for CS for SB 1442, CS for SB 1462, CS for CS for CS for SB 1544, CS for SB 1618, CS for CS for SB 1648, CS for CS for SB 1716, CS for SB 2522; Siplin—CS for CS for SB 1458, CS for CS for SB 2152; Wilson—SB 94, SB 1650, CS for CS for SB 2152

RECESS

On motion by Senator King, the Senate recessed at 4:47 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 10:00 a.m., Thursday, April 24 or upon call of the President.

SENATE PAGES

April 21-25, 2008

Liane Burris, Lexington, NC; Christopher Butler, Deerfield; Stephen A. Davis, Tallahassee; Racquel Doty, Jacksonville; Amanda Frank, Southwest Ranches; Jeremiah "Dakota" Johnson, Boys Ranch; Brittany Kotchman, Seminole; Leah Nussbaum, Framingham, MA; DeAndre Parks, Tallahassee; Desirray Peters, Tallahassee; Michael Prutsman, Tallahassee; Erin N. Riley, Sopchoppy; James R. Stanbridge, Boys Ranch; Alexander Stanley, Inverness; Cierra Walker, Pompano Beach; Kevin Waters II, Mayo; Bryan Young, Boys Ranch

Journal of the Senate

Number 16—Regular Session **Thursday, April 24, 2008**

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CALL TO ORDER

The Senate was called to order by President Pruitt at 10:00 a.m. A quorum present—40:

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Aronberg	Gaetz	Posey
Atwater	Garcia	Rich
Baker	Geller	Ring
Bennett	Haridopolos	Saunders
Bullard	Hill	Siplin
Carlton	Jones	Storms
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dawson	King	Wilson
Dean	Lawson	Wise
Deutch	Lynn	
Diaz de la Portilla	Margolis	

Excused: Conferees periodically for the purpose of working on the appropriations bills

PRAYER

The following prayer was offered by the Rev. John Wesley Cain, Wacissa Pentecostal Holiness Church, Wacissa:

Our gracious heavenly Father, we humbly ask for your divine inspiration today as these legislators undertake their ordinate duties in this session. May your wisdom and knowledge be heard and seen in all that is said and done today. Let this chamber be the hallowed hall where all people of our state are represented with dignity and honor. Confirm in us today the just and moral obligations to all the constituents represented by this Senate.

Let wisdom and knowledge prevail in the decisions made today by this body, that they may rightly govern your creation. Bestow your love and compassion for humanity through these elected officials, that we may be governed by man, and not ruled by tyrants, as stated by the Statesman, William Penn.

This is our prayer today, our Emanuel, and the blessed peacemaker of all creation. Amen.

PLEDGE

Senate Pages Racquel Doty of Jacksonville; Amanda Frank of Southwest Ranches; Alexander "Alex" Stanley of Inverness; and Kevin Waters II of Mayo, led the Senate in the pledge of allegiance to the flag of the United States of America.

DOCTOR OF THE DAY

The President recognized Dr. James Brookins of Tampa, sponsored by Senator Joyner, as doctor of the day. Dr. Brookins specializes in Internal Medicine.

ADOPTION OF RESOLUTIONS

On motion by Senator Gaetz—

By Senator Gaetz—

SR 2204—A resolution honoring University of Florida Quarterback Timothy "Tim" Tebow on winning the Heisman Trophy, and recognizing his athletic, academic, and other achievements.

WHEREAS, Tim Tebow was born on August 14, 1987, to Bob and Pam Tebow, who instilled in him the importance of giving to and serving others, and

WHEREAS, he has been an inspiration both on and off the football field, exhibiting character and compassion in his missionary work in the Philippines, where he regularly visits orphanages, and in his similar visits to hospitals in the United States, and

WHEREAS, Tim has maintained a 3.77 grade point average at the University of Florida while becoming only the fourth sophomore in the history of the university to earn first-team Academic All-American honors, and

WHEREAS, he played an integral role in the University of Florida's National Collegiate Athletic Association's national championship football team in 2006, and

WHEREAS, in the 2007 season, Tim Tebow threw 32 touchdown passes and ran for 23 touchdowns, earning a record as the first player in major college football history to run for at least 20 touchdowns and pass for at least 20 touchdowns in the same season, and

WHEREAS, his total of 55 touchdowns, with 23 rushing touchdowns, were both Southeastern Conference records, the latter also a national collegiate record for quarterbacks, and

WHEREAS, Tim completed more than 66 percent of his passing attempts for a total of 3,286 yards this season, guiding Florida to a 9 and 4 record as the team led the Southeastern Conference in scoring and total yardage, and

WHEREAS, on December 8, 2007, Tim Tebow became the first and only sophomore ever to win the Heisman Trophy, college football's most coveted and prestigious award, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That the Florida Senate commends Tim Tebow for his academic and athletic accomplishments, recognizes him for his character and compassion toward his fellow human beings, and congratulates him on his historic recognition in being awarded the 2007 Heisman Trophy.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to Tim Tebow as a tangible token of the sentiments of the Florida Senate.

BE IT FURTHER RESOLVED that additional copies of this resolution be transmitted to University of Florida President J. Bernard Machen and Head Football Coach Urban Meyer for appropriate display.

—was introduced out of order and read by title. On motion by Senator Gaetz, **SR 2204** was read the second time in full and adopted.

SPECIAL GUESTS AND PRESENTATION

Senator Wise introduced the following guests who were present in the chamber: University of Florida football player and 2008 Heisman Trophy winner, Tim Tebow, and University of Florida President J. Barnard Machen as well as Carlos Alfonso and Cynthia O'Connell, members of the Board of Trustees. Upon request of the President, Tim Tebow joined the President at the rostrum where he was presented the Medallion of Excellence and a copy of the resolution.

At the request of Senator Hill—

By Senator Hill—

SR 820—A resolution honoring the life and preserving the legacy of Dr. Howard W. Thurman.

WHEREAS, Dr. Howard W. Thurman, an educator, author, ordained minister and preacher, philosopher, theologian, and civil rights leader, was one of the most important people in American history, and

WHEREAS, Howard Thurman, who was born in 1900 in Daytona Beach, Florida, and raised by his grandmother, a former slave, developed a deep commitment to breaking through the walls that separate mankind on the basis of race, color, creed, or national origin, and

WHEREAS, as a professor and dean of the chapels at Howard University and Boston University, Howard Thurman created a climate of action-oriented nonviolence, which was later inherited by the civil rights movement, and

WHEREAS, as a cofounder of the Church for the Fellowship of All Peoples in San Francisco, California, Howard Thurman stimulated change in the racial and cultural policies of American churches, and

WHEREAS, as a theologian and cultural ambassador, Howard Thurman met with world figures, including Mahatma Gandhi, who deepened Thurman's faith in the power of nonviolent resistance to segregation, and

WHEREAS, as an author of 20 books of ethical and cultural criticism, Howard Thurman deeply influenced prominent leaders of the civil rights movement, including Dr. Martin Luther King, Jr., and

WHEREAS, subsequent to Howard Thurman's death in 1981, the Howard Thurman Program was established at Stetson University in partnership with New Birth Corporation, an organization dedicated to fostering a cultural renaissance in the African-American community headed by Reverend Jefferson P. Rogers, and

WHEREAS, under the directorship of Reverend Rogers, the Howard Thurman Program and its Howard Thurman Lecture Series extend the legacy of the Daytona Beach native, Howard Thurman, and integrate the work of scholars with community leaders to find solutions to social, religious, and ethnic problems, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That the life of Dr. Howard W. Thurman is hereby honored and his legacy is preserved.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to Reverend Jefferson P. Rogers, Director of the Howard Thurman Program at Stetson University, as a tangible token of the sentiments of the Florida Senate.

—**SR 820** was introduced, read and adopted by publication.

At the request of Senator Hill—

By Senator Hill—

SR 2090—A resolution urging support of the American Stroke Association's "Power to End Stroke" campaign and recognizing May 2008 as "Power to End Stroke Month" in Florida.

WHEREAS, stroke is the third leading cause of death in the United States, striking approximately 700,000 Americans each year and killing 150,000, and

WHEREAS, stroke is also a leading cause of serious long-term disability in the United States, with more than 1.1 million adults experiencing functional limitations or difficulty with activities of daily living resulting from stroke, and

WHEREAS, on the average, a stroke occurs every 45 seconds in the United States and takes a life every 3 minutes, and

WHEREAS, the estimated direct and indirect costs of stroke in the United States this year will be greater than $62 billion, and

WHEREAS, the majority of Americans are unaware of their risk factors for a stroke and are unaware of the signs and symptoms of an impending stroke, and

WHEREAS, statistics show that African Americans have almost twice the risk of a first stroke compared to Caucasians, primarily because of their increased risk of hypertension, high cholesterol, and diabetes, and

WHEREAS, the American Stroke Association recently launched the "Power to End Stroke" campaign, the goal of which is to educate and empower African Americans, as well as those of other ethnic groups, to fight stroke in their communities, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That the Senate recognizes May 2008 as "Power to End Stroke Month" in Florida and urges all residents of this state to recognize that stroke must be taken seriously in order to reduce its risks.

BE IT FURTHER RESOLVED that the Senate urges all Floridians to support the American Stroke Association's "Power to End Stroke" campaign by becoming familiar with the warning signs, symptoms, and risk factors associated with stroke and live stronger, healthier lives.

—**SR 2090** was introduced, read and adopted by publication.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator King, by two-thirds vote **SB 1456** was withdrawn from the Committee on Criminal and Civil Justice Appropriations.

BILLS ON THIRD READING

Consideration of **CS for CS for SB 2212** and **CS for CS for CS for SB 1544** was deferred.

CS for HB 687—A bill to be entitled An act relating to service-disabled veteran business enterprises; creating the Florida Service-Disabled Veteran Business Enterprise Opportunity Act; providing legislative intent; providing definitions; providing a selection preference in state contracting for certified service-disabled veteran business enterprises; providing a certification procedure to be established by the Department of Management Services and the Department of Veterans' Affairs and reviewed biennially and updated as necessary; providing requirements for application for, renewal of, and revocation of certification; providing duties of the departments; providing for data reporting by the Florida Small Business Development Center; authorizing the departments to adopt rules; amending s. 288.705, F.S.; requiring the center to report the percentage of service-disabled veteran business enterprises using the statewide contracts register; providing an effective date.

—was read the third time by title.

On motion by Senator Fasano, **CS for HB 687** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Webster
Dawson	King	Wilson
Dean	Lawson	Wise
Deutch	Lynn	

Nays—None

Vote after roll call:

Yea—Diaz de la Portilla

CS for HB 1027—A bill to be entitled An act relating to funding for state veterans' homes; amending s. 320.089, F.S.; expanding the types of veterans special license plates from which revenues may be used to fund state veterans' homes; providing for additional revenue from the sale of such plates to be used to construct, maintain, and operate the homes; amending s. 320.02, F.S.; providing for a check-off provision on motor vehicle registration application and renewal forms to authorize a voluntary donation to the state veterans' homes; providing an effective date.

—was read the third time by title.

On motion by Senator Baker, **CS for HB 1027** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Diaz de la Portilla	Lynn
Alexander	Dockery	Margolis
Aronberg	Fasano	Oelrich
Atwater	Gaetz	Peaden
Baker	Garcia	Posey
Bennett	Geller	Rich
Bullard	Haridopolos	Ring
Carlton	Hill	Saunders
Constantine	Jones	Siplin
Crist	Joyner	Storms
Dawson	Justice	Webster
Dean	King	Wilson
Deutch	Lawson	Wise

Nays—None

CS for HB 863—A bill to be entitled An act relating to public records and meetings; amending s. 292.055, F.S.; providing an exemption from public records requirements for information concerning certain donors and prospective donors to the direct-support organization of the Department of Veterans' Affairs; providing an exemption from public meeting requirements for portions of meetings of the direct-support organization at which the identity of donors and prospective donors is discussed; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing a contingent effective date.

—was read the third time by title.

On motion by Senator Dean, **CS for HB 863** was passed by the required constitutional two-thirds vote of the members present and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Diaz de la Portilla	Lynn
Alexander	Dockery	Margolis
Aronberg	Fasano	Oelrich
Atwater	Gaetz	Peaden
Baker	Garcia	Posey
Bennett	Geller	Rich
Bullard	Haridopolos	Ring
Carlton	Hill	Saunders
Constantine	Jones	Siplin
Crist	Joyner	Storms
Dawson	Justice	Webster
Dean	King	Wilson
Deutch	Lawson	Wise

Nays—None

CS for SB 624—A bill to be entitled An act relating to human smuggling; creating s. 787.07, F.S.; defining the term "illegal alien"; providing that a person commits a third-degree felony if he or she transports an individual 18 years of age or older into this state and knows, or should know, that the individual is an illegal alien; providing that it is a second-degree felony if such illegal alien is injured or dies; providing that a person commits a second-degree felony if he or she transports a minor into this state and knows, or should know, that the minor is an illegal alien; providing that it is a first-degree felony if such illegal alien is injured or dies; providing that a person commits a separate offense for each person he or she unlawfully transports; providing an effective date.

—was read the third time by title.

On motion by Senator Dockery, **CS for SB 624** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Ring
Bennett	Haridopolos	Saunders
Bullard	Hill	Siplin
Carlton	Jones	Storms
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dean	King	Wilson
Deutch	Lawson	Wise
Diaz de la Portilla	Lynn	

Nays—None

Vote after roll call:

Yea—Rich

CS for HB 151—A bill to be entitled An act relating to radio equipment using law enforcement frequencies; amending s. 843.16, F.S.; providing exceptions to prohibition on use of such equipment for specified personnel using personal transportation to and from work and for certain government employees; providing an effective date.

—was read the third time by title.

On motion by Senator Hill, **CS for HB 151** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Bennett	Dean
Alexander	Bullard	Deutch
Aronberg	Carlton	Diaz de la Portilla
Atwater	Constantine	Dockery
Baker	Crist	Fasano

Gaetz	King	Ring
Garcia	Lawson	Saunders
Geller	Lynn	Siplin
Haridopolos	Margolis	Storms
Hill	Oelrich	Villalobos
Jones	Peaden	Webster
Joyner	Posey	Wilson
Justice	Rich	Wise

Nays—None

HB 61—A bill to be entitled An act relating to offenses against officers; amending s. 776.051, F.S.; providing that a person is not justified in using force to resist an arrest by a law enforcement officer, or to resist a law enforcement officer engaged in executing a legal duty, if the officer acts in good faith and is known or appears to be a law enforcement officer; providing an effective date.

—was read the third time by title.

On motion by Senator Crist, **HB 61** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

Nays—None

CS for HB 435—A bill to be entitled An act relating to trust administration; amending s. 736.0703, F.S.; providing exceptions to duties and liabilities of cotrustees for excluded cotrustees under certain circumstances; relieving excluded cotrustees from specified liabilities and obligations under certain circumstances; providing for liabilities and obligations of included cotrustees; amending s. 736.0802, F.S.; providing an exception for trustee payments of costs and attorney's fees from trust assets except pursuant to court order under certain circumstances; requiring trustees to provide certain notice to beneficiaries; providing notice requirements; providing requirements for obtaining such a court order; specifying remedies; providing for specified refunds and sanctions; preserving certain court remedies; amending s. 736.1008, F.S.; specifying periods of repose barring claims by a beneficiary against a trustee; providing construction; providing an effective date.

—was read the third time by title.

On motion by Senator Jones, **CS for HB 435** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Deutch	Justice
Alexander	Diaz de la Portilla	King
Aronberg	Dockery	Lawson
Atwater	Fasano	Lynn
Baker	Gaetz	Margolis
Bennett	Garcia	Oelrich
Bullard	Geller	Peaden
Carlton	Haridopolos	Posey
Constantine	Hill	Rich
Crist	Jones	Ring
Dean	Joyner	Saunders
Siplin	Villalobos	Wilson
Storms	Webster	Wise

Nays—None

CS for SB 1474—A bill to be entitled An act relating to dissolution of marriage; amending s. 61.075, F.S.; providing for interim partial distributions during dissolution actions; providing for motions; providing for effect on final distributions; providing factors to be considered; revising the definition of the term "marital assets and liabilities"; conforming provisions to the abolition of special equity; providing a presumption concerning certain personal property acquired during the marriage; specifying the burden of proof necessary to overcome the gift presumption; abolishing special equity; providing for claims formerly identified as special equity; amending s. 741.0306, F.S.; conforming provisions to the abolition of special equity; providing an effective date.

—as amended April 23 was read the third time by title.

On motion by Senator Joyner, **CS for SB 1474** as amended was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Aronberg	Gaetz	Posey
Atwater	Garcia	Rich
Baker	Geller	Ring
Bennett	Haridopolos	Saunders
Bullard	Hill	Siplin
Carlton	Jones	Storms
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dawson	King	Wilson
Dean	Lawson	Wise
Deutch	Lynn	
Diaz de la Portilla	Margolis	

Nays—None

CS for SB 740—A bill to be entitled An act relating to retired justices and judges; amending s. 25.073, F.S.; providing that a former justice or judge may be qualified to serve as a retired justice or judge under certain conditions; providing circumstances under which such justice or judge is excluded from serving as a retired justice or judge; providing an effective date.

—as amended April 23 was read the third time by title.

Senator Dean moved the following amendment which was adopted by two-thirds vote:

Amendment 1 (648286)—Delete line(s) 19-22 and insert: *than 12 years of service as a justice or judge may be qualified to serve as a retired justice or*

On motion by Senator Dean, **CS for SB 740** as amended was passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dean	Justice
Alexander	Deutch	King
Aronberg	Diaz de la Portilla	Lawson
Atwater	Dockery	Lynn
Baker	Gaetz	Margolis
Bennett	Garcia	Oelrich
Bullard	Geller	Peaden
Carlton	Haridopolos	Posey
Constantine	Hill	Rich
Crist	Jones	Ring
Dawson	Joyner	Saunders

Siplin	Villalobos	Wilson
Storms	Webster	Wise

Nays—1

Fasano

CS for CS for SB 766—A bill to be entitled An act relating to public records; amending s. 119.071, F.S.; creating exemptions from public-records requirements for the home addresses and telephone numbers of general magistrates, special magistrates, judges of compensation claims, administrative law judges of the Division of Administrative Hearings, and child support enforcement hearing officers, the home addresses, telephone numbers, and places of employment of the spouses and children of general magistrates, special magistrates, judges of compensation claims, administrative law judges of the Division of Administrative Hearings, and child support enforcement hearing officers, and the names and locations of schools and day care facilities attended by the children of general magistrates, special magistrates, judges of compensation claims, administrative law judges of the Division of Administrative Hearings, and child support enforcement hearing officers; requiring reasonable efforts by the magistrates, judges, and hearing officers to prevent access through other means; providing for legislative review and repeal of the exemptions; providing a statement of public necessity; providing an effective date.

—was read the third time by title.

On motion by Senator Rich, **CS for CS for SB 766** was passed by the required constitutional two-thirds vote of the members present and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Aronberg	Gaetz	Posey
Atwater	Garcia	Rich
Baker	Geller	Ring
Bennett	Haridopolos	Saunders
Bullard	Hill	Siplin
Carlton	Jones	Storms
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dawson	King	Wilson
Dean	Lawson	Wise
Deutch	Lynn	
Diaz de la Portilla	Margolis	

Nays—None

CS for CS for SB 866—A bill to be entitled An act relating to elections; amending s. 97.012, F.S.; revising provisions relating to the investigative duties of the Secretary of State; amending s. 97.041, F.S.; revising requirements for voter preregistration of minors; amending s. 97.053, F.S.; revising provisions relating to verification of certain information on voter registration applications; amending s. 97.0535, F.S.; revising forms of acceptable identification for certain voter registration applicants; amending s. 97.055, F.S.; providing for change of party affiliation after the closing of the registration books to apply to an upcoming election under certain circumstances; amending s. 98.065, F.S.; revising registration list maintenance provisions; creating s. 98.0655, F.S.; requiring the Department of State to prescribe registration list maintenance forms; providing criteria for such forms; amending s. 98.0981, F.S.; reducing the time by which supervisors of elections must electronically transmit certain voter history information to the department; requiring the department to prepare a detailed report containing specified voter information to legislative officers after a general election; requiring supervisors of elections to collect and submit data to the department after certain elections; defining the phrase "all ballots cast"; requiring the department to compile precinct-level statistical data for counties before certain elections; amending s. 99.012, F.S.; providing restrictions on individuals qualifying for public office; removing an exception from such restrictions for persons seeking any federal public office; amending s. 99.021, F.S.; deleting a resignation statement from the qualifying oath for candidates for federal office; amending s. 99.095, F.S.; providing requirements for candidate qualifying petitions; amending s. 100.221, F.S.; providing circumstances under which early voting is not required; amending s. 100.361, F.S.; revising provisions relating to the recall of municipal or charter county officers, recall committees, recall petitions, recall defense, and offenses related thereto; amending s. 100.371, F.S.; providing that a petition form circulated for signatures may not be bundled with other petitions; deleting requirements relating to the recording and determination of signature forms; providing that an elector may complete and submit a standard petition-revocation form directly to the supervisor of elections under certain circumstances; requiring that the division adopt petition-revocation forms by rule; amending s. 101.041, F.S.; deleting a requirement for the printing and distribution of official ballots; amending s. 101.045, F.S.; authorizing the use of a voter registration application for a name or address change; amending s. 101.111, F.S.; revising methods by which a person's right to vote may be challenged; amending s. 101.23, F.S.; deleting provisions requiring an election inspector to prevent certain persons from voting; amending s. 101.51, F.S.; deleting provisions specifying certain responsibilities of election officials before allowing electors to enter a booth or compartment to vote; amending s. 101.5608, F.S.; revising certain procedures relating to the deposit of ballots; repealing s. 101.573, F.S., relating to the reporting of precinct-level election results; amending s. 101.6923, F.S.; revising forms of acceptable identification for certain absentee voters; amending s. 101.75, F.S.; authorizing municipalities to set by ordinance election dates to coincide with statewide or countywide elections; amending s. 102.014, F.S.; revising provisions relating to the training of poll workers; amending s. 102.031, F.S.; including the term "solicitation" as an equivalent of the term "solicit" as it relates to the unlawful solicitation of voters; providing that such terms do not prohibit exit polling; amending s. 102.112, F.S.; revising the county canvassing board's certification requirements for election returns; amending s. 103.101, F.S.; deleting provisions related to the placement on the ballot of presidential candidates whose names do not appear on the list submitted to the Secretary of State; amending s. 106.021, F.S.; removing a campaign finance filing requirement for certain candidates; amending s. 106.07, F.S.; clarifying that political subdivisions may impose electronic filing requirements on certain candidates, and that expenditures for such filing system serve a valid public purpose; repealing s. 106.082, F.S., relating to campaign contribution limitations for candidates for the office of Commissioner of Agriculture; amending s. 106.147, F.S.; requiring a disclosure statement for certain telephone calls and communications; revising provisions requiring authorization from the candidate or sponsor for certain telephone calls; amending s. 106.24, F.S.; providing that the Florida Elections Commission is its own agency head rather than the director of the commission; amending s. 190.006, F.S.; deleting certain fee and assessment provisions for candidates seeking election to the board of supervisors of a community redevelopment district; amending s. 105.041, F.S.; providing procedure for determining ballot position of candidates for the office of circuit judge; providing effective dates.

—as amended April 23 was read the third time by title.

Senator Justice moved the following amendment which was adopted by two-thirds vote:

Amendment 1 (952304)(with directory and title amendments)—Between lines 461 and 462 insert:

(6) If a candidate obtains at least 50 percent but less than 100 percent of the required number of signatures set forth in this section, the candidate may pay a pro rata portion of the qualifying fee required pursuant to s. 99.092.

And the directory clause is amended as follows:

Delete line 449 and insert:

99.095, Florida Statutes, is amended, and subsection (6) is added to that section, to read:

And the title is amended as follows:

On line 34, after the first semicolon (;) insert: authorizing a candidate to pay a pro rata portion of the qualifying fee under certain conditions;

Senator Justice moved the following amendment which failed to receive the required two-thirds vote:

Amendment 2 (869878)(with title amendment)—Between line(s) 1442 and 1443 insert:

Section 31. Subsection (2) of section 106.1439, Florida Statutes, is redesignated as subsection(3), and a new subsection (2) is added to that section, to read:

106.1439 Electioneering communications; disclaimers.—

(2) Any electioneering communication paid for with public funds must include a disclaimer containing the words "paid for by (Name of the government entity paying for the communication)."

And the title is amended as follows:

On line(s) 84, after the first semicolon (;) insert: amending s. 106.1439, F.S.; providing an additional disclaimer for electioneering communications;

Senator Constantine moved the following amendment which was adopted by two-thirds vote:

Amendment 3 (710160)—Delete line 1518 and insert:

Section 34. Effective upon this act becoming a law, subsection (2) of section 105.041, Florida

MOTION

On motion by Senator Siplin, the rules were waived to allow the following amendment to be considered:

Senator Siplin moved the following amendment which failed to receive the required two-thirds vote:

Amendment 4 (549506)(with title amendment)—Between lines 1539 and 1540 insert:

Section 35. Effective upon becoming a law, section 106.071, Florida Statutes, is amended to read:

106.071 Independent expenditures; electioneering communications; reports; disclaimers.—

(1) Each person who makes an independent expenditure with respect to any candidate or issue, and each individual who makes an expenditure for an electioneering communication which is not otherwise reported pursuant to this chapter, which expenditure, in the aggregate, is in the amount of $100 or more, shall file periodic reports of such expenditures in the same manner, at the same time, subject to the same penalties, and with the same officer as a political committee supporting or opposing such candidate or issue. The report shall contain the full name and address of the person making the expenditure; the full name and address of each person to whom and for whom each such expenditure has been made; the amount, date, and purpose of each such expenditure; a description of the services or goods obtained by each such expenditure; the issue to which the expenditure relates; and the name and address of, and office sought by, each candidate on whose behalf such expenditure was made.

(2) Any political advertisement paid for by an independent expenditure shall prominently state "Paid political advertisement paid for by (Name and address of person paying for advertisement) independently of any (candidate or committee)."

(3) Subsection (2) does not apply to*:*

(a) Novelty items having a retail value of $10 or less which support, but do not oppose, a candidate or issue.

(b) An individual who uses his or her personal resources in an amount less than $5,000 and acts independently of any candidate or committee.

(4) Any person who fails to include the disclaimer prescribed in subsection (2) in any political advertisement that is required to contain such disclaimer commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

Section 36. Effective upon becoming a law and retroactive to January 1, 2006, subsection (1) of section 106.143, Florida Statutes, is amended to read:

106.143 Political advertisements circulated prior to election; requirements.—

(1)(a) Any political advertisement that is paid for by a candidate and that is published, displayed, or circulated prior to, or on the day of, any election must prominently state: "Political advertisement paid for and approved by (name of candidate), (party affiliation), for (office sought)."

(b) Any other political advertisement published, displayed, or circulated prior to, or on the day of, any election must prominently:

1. Be marked "paid political advertisement" or with the abbreviation "pd. pol. adv."

2. State the name and address of the persons sponsoring the advertisement.

3.a.(I) State whether the advertisement and the cost of production is paid for or provided in kind by or at the expense of the entity publishing, displaying, broadcasting, or circulating the political advertisement; or

(II) State who provided or paid for the advertisement and cost of production, if different from the source of sponsorship.

b. This subparagraph does not apply if the source of the sponsorship is patently clear from the content or format of the political advertisement.

(c) Any political advertisement made pursuant to s. 106.021(3)(d) must be marked "paid political advertisement" or with the abbreviation "pd. pol. adv." and must prominently state, "Paid for and sponsored by (name of person paying for political advertisement). Approved by (names of persons, party affiliation, and offices sought in the political advertisement)."

This subsection does not apply to*:*

(a) Campaign messages used by a candidate and the candidate's supporters if those messages are designed to be worn by a person.

(b) An individual who uses his or her personal resources in an amount less than $5,000 and acts independently of any candidate or committee.

Section 37. Effective upon becoming a law, section 106.1439, Florida Statutes, is amended to read:

106.1439 Electioneering communications; disclaimers.—

(1) Any electioneering communication shall prominently state: "Paid electioneering communication paid for by (Name and address of person paying for the communication)." *However, this section does not apply to an individual who uses his or her personal resources in an amount less than $5,000 and acts independently of any candidate or committee.*

(2) Any person who fails to include the disclaimer prescribed in this section in any electioneering communication that is required to contain such disclaimer commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

And the title is amended as follows:

On line 96, after the semicolon (;) insert: amending ss. 106.071, 106.143, and 106.1439, F.S.; providing an exemption from independent expenditure, political advertisement, and electioneering communication sponsorship disclaimer requirements for an individual who uses up to a specified amount of his or her personal resources and acts independent of any candidate or committee;

RECONSIDERATION OF AMENDMENT

On motion by Senator Villalobos, the Senate reconsidered the vote by which **Amendment 1 (952304)** was adopted. **Amendment 1** failed to receive the required two-thirds vote.

On motion by Senator Constantine, **CS for CS for SB 866** as amended was passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—36

Mr. President	Diaz de la Portilla	Margolis
Alexander	Dockery	Oelrich
Aronberg	Fasano	Peaden
Atwater	Gaetz	Rich
Baker	Garcia	Ring
Bennett	Geller	Saunders
Bullard	Hill	Siplin
Carlton	Jones	Storms
Constantine	Joyner	Villalobos
Crist	King	Webster
Dean	Lawson	Wilson
Deutch	Lynn	Wise

Nays—2

Dawson	Justice

Vote after roll call:

Yea—Haridopolos, Posey

Yea to Nay—Rich

CS for CS for CS for SB 1442—A bill to be entitled An act relating to exploited children; amending s. 92.56, F.S.; permitting use of a pseudonym to designate the victim of a crime involving a victim of production, possession, or promotion of child pornography; revising provisions concerning use of victim pseudonyms to specify that they may be used in civil and criminal proceedings; amending s. 796.035, F.S.; revising provisions relating to the sale or transfer of minors into sex trafficking or prostitution; amending s. 800.04, F.S., relating to lewd or lascivious exhibition, to conform to changes made by the act; amending s. 847.0135, F.S.; conforming provisions to changes made by the act; creating s. 847.002, F.S.; requiring law enforcement officers to provide certain information to the National Center for Missing and Exploited Children; requiring law enforcement officers submitting a case for prosecution that involves the creation, possession, or promotion of child pornography to provide specified information to prosecutors; requiring prosecutors to enter specified information in a database maintained by the Attorney General; creating s. 847.01357, F.S.; providing a civil remedy for any person who, while under the age of 18, was a victim of certain sexual abuse crimes wherein any portion of that abuse was used in the production of child pornography and who suffers personal or psychological injury as a result of the production, promotion, or possession of such images; specifying damages; providing for limitation of actions; providing for confidential pseudonyms to specified claimants; precluding a defense to certain civil actions; permitting the Attorney General to pursue cases on behalf of victims; providing for disposition of damages and attorney's fees; amending s. 960.03, F.S.; expanding the definition of "crime" for purposes of victim compensation to include violations of s. 827.071, s. 847.0135, s. 847.0137, or s. 847.038, related to online sexual exploitation and child pornography; defining the term "identified victim of child pornography;" expanding the definition of "victim" for purposes of victim compensation to include a person less than 18 years of age who was present at the scene of a crime, saw or heard the crime, and suffered a psychiatric or psychological injury because of the crime, but who was not physically injured; creating s. 960.197, F.S.; authorizing victim compensation awards to certain persons who suffer psychiatric or psychological injury as a result of certain crimes; amending ss. 90.404, 92.565, 394.912, 409.2355, 775.082, 775.084, 775.15, 775.21, 784.048, 787.01, 787.02, 787.025, 794.065, 914.16, 921.0022, 921.244, 938.10, 943.04354, 947.1405, 948.03, 948.06, 948.101, 948.30, and 948.31, F.S.; conforming provisions to changes made by the act; providing an effective date.

—as amended April 23 was read the third time by title.

On motions by Senator Dockery, **CS for CS for CS for SB 1442** as amended was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—39

Mr. President	Atwater	Bullard
Alexander	Baker	Carlton
Aronberg	Bennett	Constantine
Crist	Haridopolos	Posey
Dawson	Hill	Rich
Dean	Joyner	Ring
Deutch	Justice	Saunders
Diaz de la Portilla	King	Siplin
Dockery	Lawson	Storms
Fasano	Lynn	Villalobos
Gaetz	Margolis	Webster
Garcia	Oelrich	Wilson
Geller	Peaden	Wise

Nays—None

Vote after roll call:

Yea—Jones

HB 7007—A bill to be entitled An act relating to safe haven protection for surrendered newborn infants; amending s. 39.01, F.S.; revising definitions; amending s. 39.201, F.S.; conforming terminology to changes made by the act; amending s. 63.0423, F.S.; providing for presumption of consent to termination of parental rights in cases of surrendered infants; removing a requirement that the child-placing agency conduct a search to identify a parent of a surrendered infant; providing an exception; conforming provisions relating to granting a petition for termination of parental rights; amending s. 383.50, F.S.; increasing the age at which an infant is considered a newborn infant for purposes of treatment after surrender; providing for anonymity of the infant's parents; providing an effective date.

—was read the third time by title.

On motion by Senator Storms, **HB 7007** was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Aronberg	Gaetz	Posey
Atwater	Garcia	Rich
Baker	Geller	Ring
Bennett	Haridopolos	Saunders
Bullard	Hill	Siplin
Carlton	Jones	Storms
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dawson	King	Wilson
Dean	Lawson	Wise
Deutch	Lynn	
Diaz de la Portilla	Margolis	

Nays—None

HB 7077—A bill to be entitled An act relating to child protection; amending s. 39.01, F.S.; defining the term "child who has exhibited inappropriate sexual behavior"; amending s. 39.0121, F.S.; authorizing the Department of Children and Family Services to adopt rules providing for reporting, locating, recovering, and stabilizing missing children who are involved with the department; amending s. 39.0138, F.S.; specifying additional persons to be subject to a criminal history records check prior to placement of a child; requiring a criminal history records check of persons being considered for placement of a child to include a search of the department's automated abuse information system; authorizing the department to adopt rules establishing standards for evaluating such information; creating s. 39.0141, F.S.; requiring the department, the community-based care provider, or the appropriate law enforcement agency to file a report following a determination that a child involved with the department is missing; amending s. 39.201, F.S.; providing for additional methods to report suspected child abuse, abandonment, and neglect of a child or to report a child who has exhibited inappropriate sexual behavior; amending s. 39.301, F.S.; conforming language relating to reporting suspected child abuse, abandonment, and neglect; providing certain exceptions to the requirements that a child protective investigation be closed within 60 days; amending s. 39.307, F.S.; revising provi-

sions relating to the provision of services to a child in cases of child-on-child sexual abuse to include a child who has exhibited inappropriate sexual behavior; revising terminology; amending s. 39.401, F.S.; requiring a law enforcement officer who takes a child into custody to release such child to an adoptive parent of the child's sibling, if the sibling was previously adopted; requiring judicial approval for the placement of a child with a nonrelative; amending s. 39.502, F.S.; requiring certain notice to foster and preadoptive parents of any hearings involving the child in their care; amending s. 39.503, F.S.; revising procedures relating to diligent searches for missing parents and relatives; amending s. 39.504, F.S.; revising procedures related to injunctions pending disposition of petition issued to protect a child; requiring that such injunctions remain in effect until modified or dissolved by the court; providing additional conditions for an injunction to protect a child from domestic violence; providing for process of service; authorizing law enforcement officers to exercise certain arrest powers; amending s. 39.507, F.S.; limiting a court to one order adjudicating dependency; providing for supplemental findings; correcting a cross-reference; amending s. 39.521, F.S.; providing an exception from the requirement for a predisposition study in dependency proceedings; correcting cross-references; amending s. 39.621, F.S.; requiring that an adoptive parent of a child's sibling be given the opportunity to apply to adopt such child if the child is available for adoption; requiring that such application be given priority consideration if it is in the best interest of the child; amending s. 39.701, F.S.; requiring that notice of a judicial review of a child's status be served on certain persons regardless of whether or not they attended a prior hearing at which the hearing was announced; amending s. 63.0541, F.S.; permitting certain information contained in the Florida Putative Father Registry to be disclosed to the department; amending s. 322.142, F.S.; authorizing the department to be provided copies of driver's license files maintained by the Department of Highway Safety and Motor Vehicles for the purpose of conducting protective investigations and expediting the determination of eligibility for public assistance; amending s. 402.401; providing for administration of the Florida Child Welfare Student Loan Forgiveness Program by the Department of Children and Family Services rather than the Department of Education; authorizing loan reimbursement to certain eligible employees; revising loan eligibility requirements; directing the Department of Children and Family Services to adopt rules to administer the program; amending s. 409.1671, F.S.; providing for certain coverage in lieu of personal motor vehicle insurance for automobiles not owned by a lead agency that are used for agency business; amending s. 409.175, F.S.; revising requirements for licensure as a foster home or child-caring agency; deleting the exemption from licensure for persons who receive a child from the department; clarifying that a permanent guardian is exempt from licensure; amending s. 787.04, F.S.; prohibiting a person from knowingly and willfully taking or removing a minor from the state or concealing the location of a minor during the pendency of a dependency proceeding or any other action concerning alleged abuse or neglect of the minor; amending s. 937.021, F.S.; requiring that a report of a missing child made by the department, a community-based care provider, or the appropriate law enforcement agency be treated as a missing child report filed by a parent or guardian; prohibiting a law enforcement agency from requiring an order that a child be taken into custody or any other such order before accepting a missing child report for investigation; amending ss. 393.0661, 393.071, 393.125, 39.0015, 39.205, 39.302, 39.6011, 39.828, and 419.001, F.S.; conforming cross-references; amending s. 1, ch. 2007-174, Laws of Florida; extending the date for the repeal of provisions authorizing the reorganization of the Department of Children and Family Services; providing effective dates.

—as amended April 23 was read the third time by title.

On motion by Senator Storms, **HB 7077** as amended was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Crist	Geller
Alexander	Dawson	Haridopolos
Aronberg	Dean	Hill
Atwater	Deutch	Jones
Baker	Diaz de la Portilla	Joyner
Bennett	Dockery	Justice
Bullard	Fasano	King
Carlton	Gaetz	Lawson
Constantine	Garcia	Lynn
Margolis	Ring	Villalobos
Oelrich	Saunders	Webster
Peaden	Siplin	Wilson
Posey	Storms	Wise
Rich		

Nays—None

SENATOR ATWATER PRESIDING

HB 7073—A bill to be entitled An act relating to child support enforcement; amending s. 61.14, F.S.; requiring payments on child support judgments to be applied first to the current child support due, then to the delinquent principal, and then to any interest on the support judgment; amending s. 61.1824, F.S.; requiring the State Disbursement Unit to disburse payments to obligees electronically; amending s. 328.42, F.S.; requiring the Department of Highway Safety and Motor Vehicles to cooperate with the Department of Revenue in establishing an automated method for disclosing owners of registered vessels to the Department of Revenue; authorizing the Department of Highway Safety and Motor Vehicles to suspend the operating privilege of vessel owners who are not in compliance with orders relating to child support when directed by the Department of Revenue; amending s. 409.2558, F.S.; requiring the State Disbursement Unit to disburse payments to obligees electronically; amending s. 409.256, F.S.; requiring the correctional facility to assist an incarcerated putative father in complying with an administrative order to appear for genetic testing; clarifying that an administrative order for genetic testing has the same force and effect as a court order; amending s. 456.004, F.S.; requiring the Department of Health to cooperate with the Department of Revenue in establishing an automated method for disclosing health practitioner licensees to the Department of Revenue; authorizing the Department of Health to suspend or deny the license of a licensee who is not in compliance with orders relating to child support when directed by the Department of Revenue; amending s. 497.167, F.S.; authorizing the Department of Financial Services to suspend or deny the license of a licensee who is not in compliance with orders relating to child support when directed by the Department of Revenue; amending s. 559.79, F.S.; requiring the Department of Business and Professional Regulation to cooperate with the Department of Revenue in establishing a method for disclosing professional licensees to the Department of Revenue; authorizing the Department of Business and Professional Regulation to suspend or deny the license of a licensee who is not in compliance with orders relating to child support when directed by the Department of Revenue; amending s. 1012.21, F.S.; requiring the Department of Education to cooperate with the Department of Revenue in establishing a method for disclosing educators to the Department of Revenue; authorizing the Department of Education to suspend or deny the teaching certificate of a person who is not in compliance with orders relating to child support when directed by the Department of Revenue; amending s. 1012.795, F.S.; requiring the Education Practices Commission to suspend or deny the educator certificate of a person who is not in compliance with orders relating to child support upon notice by the Department of Revenue; repealing s. 409.25645, F.S., relating to administrative orders for genetic testing; providing an effective date.

—was read the third time by title.

On motion by Senator Storms, **HB 7073** was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Deutch	King
Alexander	Diaz de la Portilla	Lawson
Aronberg	Dockery	Lynn
Atwater	Fasano	Margolis
Baker	Gaetz	Oelrich
Bennett	Garcia	Peaden
Bullard	Geller	Posey
Carlton	Haridopolos	Rich
Constantine	Hill	Ring
Crist	Jones	Saunders
Dawson	Joyner	Siplin
Dean	Justice	Storms

Villalobos	Wilson	Wise
Webster		

Nays—None

CS for HB 663—A bill to be entitled An act relating to the termination of parental rights; amending s. 39.812, F.S.; requiring a petition for adoption to be accompanied by a statement verifying that adoptive parents have received all information required to be disclosed; amending s. 49.011, F.S.; providing for service of process by publication for termination of parental rights under ch. 63, F.S.; amending s. 63.032, F.S.; redefining terms; amending s. 63.037, F.S.; specifying applicability of exemptions from disclosure requirements for adoption entities under certain circumstances; amending s. 63.039, F.S.; requiring an adoption entity to provide adoption disclosure statements to persons whose consent is required for adoption; requiring attorney's fees and costs in certain actions to be awarded pursuant to the Florida Rules of Civil Procedures; amending s. 63.0425, F.S.; clarifying a grandparent's right to notice; amending s. 63.054, F.S.; providing that an unmarried biological father who fails to register with the Florida Putative Father Registry before the filing of a petition for termination of parental rights may not file a paternity claim under ch. 742, F.S.; providing an exception from the time limitations for filing a paternity claim; providing that if a registrant fails to report a change of address, the adoption entity or adoption petitioner is not obligated to search further for the registrant; requiring a petitioner in a proceeding in which parental rights are terminated simultaneously with entry of final judgment of adoption to contact the Office of Vital Statistics for a search of the registry; providing procedures for searching the registry when termination of parental rights and an adoption proceeding are adjudicated separately; amending s. 63.062, F.S.; revising criteria for serving notice of terminating parental rights to the father of a minor; revising procedures for serving notice of intended adoption plan; providing criteria for avoiding default on providing consent to adoption; providing for the proper venue to file a petition to terminate parental rights; amending s. 63.063, F.S.; revising the standard for compliance with laws relating to adoption; amending s. 63.082, F.S.; revising the notice and consent requirements to adoption to also exclude cases involving sexual activity with certain minors; revising consent requirements that apply to men; limiting the time period for revoking consent to adopt a child older than 6 months of age to 3 business days; revising requirements for withdrawing a consent for adoption; amending s. 63.085, F.S.; revising requirements for required disclosures by an adoption entity; requiring that background information concerning the child be revealed to prospective adoptive parents; amending s. 63.087, F.S.; revising procedures for terminating parental rights pending an adoption; providing the proper venue in which to file a petition to terminate parental rights; providing for joint petitions for termination of parental rights and adoption; providing that failure to appear at certain hearings constitutes grounds for termination of parental rights; removing a provision relating to the procedure for notifying a petitioner of a final hearing; amending s. 63.088, F.S.; providing that a mother's failure to identify an unmarried biological father is not a defense to a termination of parental rights; revising information relating to a court's inquiry about the father of the child who is to be adopted; requiring persons contacted by a petitioner or adoption entity to release certain records; providing that a judgment approving a diligent search is not subject to direct or collateral attack; amending s. 63.089, F.S.; revising provisions relating to service of notice and petition regarding termination of parental rights and consent to adoption; revising conditions for making a finding of abandonment; prohibiting a person who failed to establish parental rights from challenging a judgment terminating parental rights under certain circumstances; amending s. 63.092, F.S.; revising the conditions and timeframe for an adoption entity to report to the court the intent to place a minor for adoption; amending s. 63.102, F.S.; revising procedures for the filing of a petition for adoption; providing the proper venue where the petition may be filed; amending s. 63.122, F.S.; revising whose name may be removed from a petition under certain circumstances; amending s. 63.132, F.S.; providing additional exceptions to the requirement that the adoptive parent and the adoption entity file an affidavit itemizing all expenses and receipts; amending s. 63.135, F.S.; requiring the adoption entity or petitioner to file an affidavit under the Uniform Child Custody Jurisdiction and Enforcement Act in a termination of parental rights proceeding; deleting information required to be submitted under oath to the court; amending s. 63.142, F.S.; requiring that if an adoption petition is dismissed, any further proceedings regarding the minor be brought in a separate custody action under ch. 61, F.S., a dependency action under ch. 39, F.S., or a paternity action under ch. 742, F.S.; revising conditions under which a judgment terminating parental rights is voidable; amending s. 63.192, F.S.; requiring the courts of this state to recognize decrees of termination of parental rights and adoptions from other states and countries; amending s. 63.212, F.S.; revising acts that are unlawful pertaining to adoptions; creating s. 63.236, F.S.; providing that a petition for termination of parental rights filed before the effective date of the act is governed by the law in effect at the time the petition was filed; amending s. 742.021, F.S.; requiring the clerk of court to issue certain notice in cases of complaints concerning determination of paternity; amending s. 742.10, F.S.; providing applicability of chs. 39 and 63, F.S., to jurisdiction and procedures for determination of paternity for children born out of wedlock; providing an effective date.

—was read the third time by title.

On motion by Senator Rich, **CS for HB 663** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Aronberg	Gaetz	Posey
Atwater	Garcia	Rich
Baker	Haridopolos	Ring
Bennett	Hill	Saunders
Bullard	Jones	Siplin
Carlton	Joyner	Storms
Constantine	Justice	Villalobos
Dawson	King	Webster
Dean	Lawson	Wilson
Deutch	Lynn	Wise
Diaz de la Portilla	Margolis	

Nays—None

Vote after roll call:

Yea—Crist

CS for SB 1042—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 63.0541, F.S., relating to a public-records exemption for information contained in the Florida Putative Father Registry; saving the exemption from repeal under the Open Government Sunset Review Act; narrowing the exemption to allow access by the birth mother; removing superfluous provisions; repealing s. 2, ch. 2003-56, Laws of Florida, relating to provisions providing for the repeal of the exemption; providing an effective date.

—was read the third time by title.

On motion by Senator Storms, **CS for SB 1042** was passed by the required constitutional two-thirds vote of the members present and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Dawson	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

Nays—None

Vote after roll call:

Yea—Crist

SB 1046—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 409.175, F.S.; revising the public-records exemption provided for information held by the Department of Children and Family Services regarding foster parent applicants, foster parents, and persons providing character or neighbor references regarding foster parent applicants or foster parents; removing an exemption provided for social security numbers; saving the exemption from repeal under the Open Government Sunset Review Act; repealing s. 2, ch. 2003-83, Laws of Florida; deleting provisions that provide for the repeal of the exemption; providing an effective date.

—was read the third time by title.

On motion by Senator Storms, **SB 1046** was passed by the required constitutional two-thirds vote of the members present and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Diaz de la Portilla	Margolis
Alexander	Dockery	Oelrich
Aronberg	Fasano	Peaden
Atwater	Gaetz	Posey
Baker	Garcia	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dawson	King	Webster
Dean	Lawson	Wilson
Deutch	Lynn	Wise

Nays—None

SB 186—A bill to be entitled An act relating to the University of South Florida Polytechnic; creating s. 1004.345, F.S.; establishing and designating the University of South Florida Polytechnic campus; providing legislative intent; requiring the Board of Trustees to appoint a Campus Board; providing membership, powers, and duties of the Campus Board; providing that the university is administered by a Campus Executive Officer; requiring the President of the University of South Florida to consult with the Campus Board before hiring or terminating the Campus Executive Officer; providing duties and powers of the Campus Executive Officer; providing that students enrolled at a branch campus of the university have the same rights as other students; requiring the University of South Florida to provide for a system of student registration that meets certain conditions; providing an effective date.

—as amended April 23 was read the third time by title.

On motion by Senator Alexander, **SB 186** as amended was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Aronberg	Gaetz	Posey
Atwater	Garcia	Rich
Baker	Geller	Ring
Bennett	Haridopolos	Saunders
Bullard	Hill	Siplin
Carlton	Jones	Storms
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dawson	King	Wilson
Dean	Lawson	Wise
Deutch	Lynn	
Diaz de la Portilla	Margolis	

Nays—None

CS for CS for HB 343—A bill to be entitled An act relating to financial services; amending s. 520.02, F.S.; defining the term "guaranteed asset protection product"; amending s. 520.07, F.S.; authorizing certain entities to offer optional guaranteed asset protection products under certain circumstances; prohibiting such entities from requiring purchase of such products as a condition for certain financial transactions; providing requirements for offering such products; providing limitations; amending s. 624.605, F.S.; including debt cancellation products under casualty insurance; providing a definition; authorizing certain entities to offer debt cancellation products under certain circumstances; specifying such products as not constituting insurance; amending ss. 627.553 and 627.679, F.S.; revising limitations on the amount of authorized insurance for debtors; amending s. 627.681, F.S.; revising a limitation on the term of credit disability insurance; amending s. 655.005, F.S.; revising and providing definitions; amending s. 655.79, F.S.; specifying certain accounts as tenancies by the entireties; creating s. 655.967, F.S.; authorizing a state-mandated endowment to be maintained in trust accounts in financial institutions; creating s. 655.947, F.S.; authorizing financial institutions to offer debt cancellation products; authorizing a fee; providing a definition; providing requirements for financial institutions relating to debt cancellation products; requiring the Financial Services Commission to adopt rules; specifying that periodic payment options are not required to be offered for certain debt cancellation products; amending s. 655.954, F.S.; authorizing certain institutions to offer optional debt cancellation products with certain financial transactions; prohibiting requiring such products as a condition of such transactions; updating definitions; amending s. 658.21, F.S.; revising ownership requirements for capital accounts at opening for a bank or trust company; providing capital investment requirements for owners of certain holding companies; amending s. 658.34, F.S.; revising requirements for shares of capital stock of banks and trust companies; providing restrictions on issuance or sale of certain stock under certain circumstances; amending s. 658.36, F.S.; requiring a state bank or trust company to file a written notice before increasing its capital stock; amending s. 658.44, F.S.; revising certain notice requirements relating to dissenting stockholders; revising criteria for determining the value of dissenting shares of certain entities; providing an effective date.

—was read the third time by title.

On motion by Senator Bennett, **CS for CS for HB 343** was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Aronberg	Gaetz	Posey
Atwater	Garcia	Rich
Baker	Geller	Ring
Bennett	Haridopolos	Saunders
Bullard	Hill	Siplin
Carlton	Jones	Storms
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dawson	King	Wilson
Dean	Lawson	Wise
Deutch	Lynn	
Diaz de la Portilla	Margolis	

Nays—None

CS for HB 535—A bill to be entitled An act relating to health insurance; amending s. 627.4236, F.S.; revising the definition of the term "bone marrow transplant"; amending ss. 627.642, 627.657, and 641.31, F.S.; requiring an identification card containing specified information to be given to insureds under health benefit plans and group health insurance policies and persons having health care services through health maintenance contracts; providing applicability; providing for an exception to certain identification card requirements for cards issued before a certain date; providing an effective date.

—was read the third time by title.

On motion by Senator Posey, **CS for HB 535** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bullard	Haridopolos	Ring
Carlton	Hill	Saunders
Constantine	Jones	Siplin
Crist	Joyner	Storms
Dawson	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

Nays—None

Vote after roll call:

Yea—Bennett

CS for CS for SB 2174—A bill to be entitled An act relating to motor vehicle insurance; amending s. 627.736, F.S.; revising the schedule of maximum charges on which an insurer may base a limited reimbursement for certain medical services, supplies, and care for injured persons covered by personal injury protection; specifying a minimum amount for the applicable fee schedule or payment limitation under Medicare for such reimbursements; providing an effective date.

—as amended April 23 was read the third time by title.

On motion by Senator Posey, **CS for CS for SB 2174** as amended was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Aronberg	Gaetz	Posey
Atwater	Garcia	Rich
Baker	Geller	Ring
Bennett	Haridopolos	Saunders
Bullard	Hill	Siplin
Carlton	Jones	Storms
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dawson	King	Wilson
Dean	Lawson	Wise
Deutch	Lynn	
Diaz de la Portilla	Margolis	

Nays—None

Consideration of **CS for CS for SB 2264** was deferred.

CS for SB 2462—A bill to be entitled An act relating to group self-insurance funds; amending s. 624.4621, F.S.; authorizing the board of trustees of certain self-insurers to declare any moneys in excess of the amount necessary to fund all obligations of the self-insurer as refundable to the members or policyholders of the self-insurer; authorizing the board to distribute such dividends or premium refunds at the board's discretion, in accordance with the agreement establishing the self-insurer; providing limitations; requiring that such self-insurers receive prior written approval from the office for any dividend or premium refunds during a specified period after such self-insurers commence operations; requiring that a notice or request for refund contain certain information; providing for the submission of certain information to the Office of Insurance Regulation if a self-insurer does not make or declare a dividend or member distribution payable during a given fund year; requiring that the office issue a decision within a specified period after receiving a request; providing an effective date.

—was read the third time by title.

On motion by Senator Gaetz, **CS for SB 2462** was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Aronberg	Gaetz	Posey
Atwater	Garcia	Rich
Baker	Geller	Ring
Bennett	Haridopolos	Saunders
Bullard	Hill	Siplin
Carlton	Jones	Storms
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dawson	King	Wilson
Dean	Lawson	Wise
Deutch	Lynn	
Diaz de la Portilla	Margolis	

Nays—None

CS for CS for SB 428—A bill to be entitled An act relating to workforce innovation; amending s. 445.007, F.S.; authorizing designation of a regional workforce board as a one-stop operator and direct provider of certain services by agreement of the chief elected official and the Governor; requiring that Workforce Florida, Inc., establish procedures for a regional workforce board to request permission to operate and the criteria for granting such permission; providing for the permission to operate not exceed a certain period; providing an effective date.

—was read the third time by title.

On motion by Senator Bennett, **CS for CS for SB 428** was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Aronberg	Gaetz	Posey
Atwater	Garcia	Rich
Baker	Geller	Ring
Bennett	Haridopolos	Saunders
Bullard	Hill	Siplin
Carlton	Jones	Storms
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dawson	King	Wilson
Dean	Lawson	Wise
Deutch	Lynn	
Diaz de la Portilla	Margolis	

Nays—None

Consideration of **CS for CS for CS for SB 2016** was deferred.

CS for CS for SB 2264—A bill to be entitled An act relating to motor vehicle warranty associations; amending s. 628.4615, F.S., relating to specialty insurers; conforming a cross-reference to changes made by the act; amending s. 634.011, F.S.; defining the terms "motor vehicle manufacturer" and "subsidiary" for purposes of part I of ch. 634, F.S.; amending s. 634.041, F.S.; exempting motor vehicle manufacturers applying for licensure as service agreement companies from certain licensing requirements and limitations on claims liabilities; amending s. 634.137, F.S.; authorizing the Office of Insurance Regulation to develop an abbreviated form for statistical reporting of sales of service agreements by motor vehicle manufacturers in lieu of certain other financial reports; amending s. 634.271, F.S.; conforming a cross-reference; amending s. 634.4165, F.S.; requiring warranty service associations that do not collect the names and addresses of warranty holders at the time of sale to

provide an alternative method for warranty holders to provide such information; amending s. 634.436, F.S.; prohibiting warranty service associations that do not collect the names and addresses of warranty holders from denying a warranty holder's claim on the basis that the association cannot confirm that the warranty holder in fact purchased the warranty; providing an effective date.

—was read the third time by title.

On motions by Senator Lawson, **CS for CS for SB 2264** was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—39

Mr. President	Diaz de la Portilla	Margolis
Alexander	Dockery	Oelrich
Aronberg	Fasano	Peaden
Atwater	Gaetz	Posey
Baker	Garcia	Rich
Bennett	Geller	Ring
Bullard	Haridopolos	Saunders
Carlton	Hill	Siplin
Constantine	Jones	Storms
Crist	Joyner	Villalobos
Dawson	Justice	Webster
Dean	Lawson	Wilson
Deutch	Lynn	Wise

Nays—None

Vote after roll call:

Yea—King

CS for HB 995—A bill to be entitled An act relating to community associations; amending s. 468.431, F.S.; defining the term "community association management firm"; redefining the term "community association manager" to apply only to natural persons; amending s. 468.4315, F.S.; revising membership criteria for members of the Regulatory Council of Community Association Managers; requiring the council to establish a public education program; providing for council members to serve without compensation but be entitled to receive per diem and travel expenses; providing responsibilities of the council; amending s. 468.432, F.S.; providing for the licensure of community association management firms; providing application, licensure, and fee requirements; providing for the cancellation of the license of a community association management firm under certain circumstances; providing that such firm or similar organization agrees that, by being licensed, it shall employ only licensed persons providing certain services; amending s. 468.433, F.S.; providing for the refusal of an applicant certification under certain circumstances; amending s. 468.436, F.S.; requiring the Department of Business and Professional Regulation to investigate certain complaints and allegations; providing complaint and investigation procedures; providing grounds for which disciplinary action may be taken; amending s. 718.111, F.S.; providing that a director of the association who abstains from voting on any action taken on any corporate matter shall be presumed to have taken no position with regard to the action; providing duties of officers, directors, and agents of a condominium association and liability for monetary damages under certain circumstances; providing that a person who knowingly or intentionally fails to create or maintain, or who defaces or destroys certain records, is subject to civil penalties as prescribed by state law; requiring that a copy of the inspection report be maintained as an official record of the association; requiring official records of the association to be maintained for a specified minimum period and be made available at certain locations and in specified formats; providing that any person who knowingly or intentionally defaces, destroys, or fails to create or maintain accounting records is subject to civil and criminal sanctions; prohibiting accessibility to certain personal identifying information of unit owners by fellow unit owners; requiring that the Division of Florida Land Sales, Condominiums, and Mobile Homes of the Department of Business and Professional Regulation adopt certain rules; requiring certain audits and reports to be paid for by the developer if done before control of the association is turned over; restricting a condominium association from waiving a financial report for more than a specified period; amending s. 718.112, F.S.; prohibiting a voting interest or a consent right allocated to a unit owner from being exercised under certain circumstances; requiring the board to address certain agenda items proposed by a petition of a specified percentage of the unit owners; providing requirements for the location of annual unit owner meetings; revising terms of service for board members; prohibiting certain persons from serving on the board; requiring the association to provide a certification form to unit owners for specified purposes; authorizing an association consisting of a specified maximum number of units to provide for different voting and election procedures in its bylaws by affirmative vote of a majority of the association's voting interests; revising requirements related to the annual budget; requiring proxy questions relating to reserves to contain a specified statement; providing for the removal of board members under certain circumstances; requiring that directors who are delinquent in certain payments owed in excess of certain periods of time be suspended from office or deemed to have abandoned their offices; requiring that directors charged with certain offenses involving an association's funds or property be suspended from office pending resolution of the charge; providing for the reinstatement of such officers or directors under certain circumstances; amending s. 718.1124, F.S.; providing that any unit owner may give notice of his or her intent to apply to the circuit court for the appointment of a receiver to manage the affairs of the association under certain circumstances; providing a form for such notice; providing for the delivery of such notice; providing procedures for resolving a petition submitted pursuant to such notice; requiring that all unit owners be provided written notice of the appointment of a receiver; amending s. 718.113, F.S.; providing a statement of clarification; authorizing the board to install certain hurricane protection; prohibiting the board from installing hurricane shutters under certain circumstances; providing for the maintenance, repair, and replacement of hurricane shutters or other hurricane protection; providing that a vote of the owners is not required under certain conditions; prohibiting a board from refusing to approve the installation or replacement of hurricane shutters by a unit owner under certain conditions; requiring that the board inspect certain condominium buildings and issue a report thereupon; providing an exception; prohibiting the board from refusing a request for reasonable accommodation for the attachment to a unit of religious objects meeting certain size specifications; amending s. 718.115, F.S.; providing the expense of installation, replacement, operation, repair, and maintenance of hurricane shutters or other hurricane protection shall constitute either a common expense or shall be charged individually to the unit owners under certain conditions; amending s. 718.117, F.S.; requiring that all unit owners be provided written notice of the appointment of a receiver; providing for the delivery of such notice; amending s. 718.121, F.S.; providing requirements and restrictions for liens filed by the association against a condominium unit; providing for notice and delivery thereof; creating s. 718.1224, F.S.; prohibiting strategic lawsuits against public participation; providing legislative findings and intent; prohibiting a governmental entity, business organization, or individual from filing certain lawsuits made upon specified bases against a unit owner; providing rights of a unit owner who has been served with such a lawsuit; providing procedures for the resolution of claims that such suit violates certain provisions of state law; providing for the award of damages and attorney's fees; prohibiting associations from expending association funds in prosecuting such a suit against a unit owner; amending s. 718.1255, F.S.; revising legislative intent concerning alternative dispute resolution; creating s. 718.1265, F.S.; authorizing an association to exercise certain powers in instances involving damage caused by an event for which a state of emergency has been declared; limiting the applicability of such powers; creating s. 718.127, F.S.; requiring that all unit owners be provided written notice of the appointment of a receiver; providing for the delivery of such notice; amending s. 718.301, F.S.; providing circumstances under which unit owners other than a developer may elect not fewer than a majority of the members of the board of administration of an association; requiring a turnover inspection report; requiring that the report contain certain information; amending s. 718.3025, F.S.; requiring that maintenance and management services contracts disclose certain information; amending s. 718.3026, F.S.; revising a provision authorizing certain associations to opt out of provisions relating to contracts for products and services; removing provisions relating to competitive bid requirements for contracts executed before a specified date; providing requirements for any contract or transaction between an association and one or more of its directors or any other entity in which one or more of its directors are directors or officers or have a financial interest; amending s. 718.303, F.S.; providing that hearings regarding noncompliance with a declaration be held before certain persons; amending s. 718.501, F.S.; providing authority and responsibilities of the division; providing for enforcement actions brought by the division in its own name; providing for the imposition of penalties by the division; requiring that the division

issue a subpoena requiring production of certain requested records under certain circumstances; providing for the issuance of notice of a declaratory statement with respect to documents governing a condominium community; requiring that the division provide training and education for condominium association board members and unit owners; authorizing the division to include certain training components and review or approve training programs offered by providers; requiring that certain individuals cooperate with the division in any investigation conducted by the division; amending s. 718.5012, F.S.; providing additional powers of the ombudsman; amending s. 718.50151, F.S.; redesignating the Advisory Council on Condominiums as the "Community Association Living Study Council"; providing for the creation of the council; revising legislative intent with respect to the appointment of council members; providing functions of the council; amending s. 718.503, F.S.; providing for disclosure of certain information upon the sale of a unit by a nondeveloper; requiring the provision of a governance form by the seller to the prospective buyer; requiring that such form contain certain information and a specified statement; providing an effective date.

—was read the third time by title.

On motion by Senator Villalobos, **CS for HB 995** was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Aronberg	Gaetz	Posey
Atwater	Garcia	Rich
Baker	Geller	Ring
Bennett	Haridopolos	Saunders
Bullard	Hill	Siplin
Carlton	Jones	Storms
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dawson	King	Wilson
Dean	Lawson	Wise
Deutch	Lynn	
Diaz de la Portilla	Margolis	

Nays—None

CS for CS for SB 1076—A bill to be entitled An act relating to the dismantling and destruction of motor vehicles and mobile homes; amending s. 319.30, F.S.; revising definitions; defining "certificate of title," "derelict motor vehicle," "derelict motor vehicle certificate," "recreational vehicle," and "salvage certificate of title"; revising provisions requiring that certain documents accompany a motor vehicle or mobile home sold, transported, or delivered to a salvage motor vehicle dealer or a secondary metals recycler; providing requirements for the transfer of a derelict motor vehicle to a salvage motor vehicle dealer or a secondary metals recycler; requiring the purchaser to record and maintain certain information; providing for the use of a derelict motor vehicle certificate if the certificate of title, salvage certificate of title, or certificate of destruction is not available; restricting reassignment of a derelict motor vehicle certificate; providing penalties; revising provisions for reporting to the Department of Highway Safety and Motor Vehicles and cancellation of title records; providing for an electronic notification system to be established by the department; providing for the placement of a hold on a motor vehicle or mobile home in the possession of a salvage motor vehicle dealer or secondary metals recycler by an agent or employee of the department or a law enforcement officer who has reason to believe that the motor vehicle or mobile home was stolen or is fraudulently titled; authorizing the department to adopt rules and charge described fees; amending s. 319.14, F.S.; correcting a cross-reference; providing an effective date.

—was read the third time by title.

On motion by Senator King, **CS for CS for SB 1076** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Aronberg	Baker
Alexander	Atwater	Bennett
Bullard	Garcia	Oelrich
Carlton	Geller	Peaden
Constantine	Haridopolos	Posey
Crist	Hill	Rich
Dawson	Jones	Saunders
Dean	Joyner	Siplin
Deutch	Justice	Storms
Diaz de la Portilla	King	Villalobos
Dockery	Lawson	Webster
Fasano	Lynn	Wilson
Gaetz	Margolis	Wise

Nays—None

CS for SB 2582—A bill to be entitled An act relating to motor vehicle dealers; amending s. 320.64, F.S.; prohibiting licensees from certain actions intended to coerce a dealer to improve its facilities after the licensee has approved those facilities; allowing licensees to offer certain loan or grant programs to induce the dealer to relocate or improve the existing facilities, if such inducement is not discriminatory or designed to force the dealer to do so; prohibiting certain adverse actions against a dealer who does not participate in such programs; declaring certain inducement programs void; authorizing a licensee to set reasonable standards for dealer sales and facilities; prohibiting licensees from altering allocations or supplies of new vehicles to achieve goals that are prohibited in this state by statute; clarifying a provision relating to a prohibition against a dealer selling a motor vehicle to a customer who exported or resold the vehicle; requiring the licensee to prove the dealer had actual knowledge of the customer's intent to export or resell the vehicle; creating a conclusive presumption that the dealer had no actual knowledge if the vehicle was titled or registered in this country; authorizing licensees to audit dealers to determine the validity of paid claims if the licensee complies with applicable statutory requirements; creating s. 320.6412, F.S.; providing a burden of proof in actions to terminate a motor vehicle dealer franchise based on fraud or misrepresentation; amending s. 320.696, F.S.; substantially revising provisions relating to the licensee's responsibility to timely and reasonably compensate a dealer who performs warranty, service contract maintenance plan, or other vehicle preparation work; providing methods of determining the cost for parts and labor to be paid to a dealer as compensation for performing warranty repairs and vehicle preparation for the licensee; prohibiting the licensee from taking certain adverse actions against a dealer for seeking to obtain compensation for such work; prohibiting certain acts by a licensee to reduce the amount of compensation to be paid to a dealer or to offset or recover from the dealer compensation previously received; providing for severability; providing an effective date.

—as amended April 23 was read the third time by title.

On motion by Senator Haridopolos, **CS for SB 2582** as amended was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Aronberg	Gaetz	Posey
Atwater	Garcia	Rich
Baker	Geller	Ring
Bennett	Haridopolos	Saunders
Bullard	Hill	Siplin
Carlton	Jones	Storms
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dawson	King	Wilson
Dean	Lawson	Wise
Deutch	Lynn	
Diaz de la Portilla	Margolis	

Nays—None

CS for CS for SB 1946—A bill to be entitled An act relating to motor vehicles; amending s. 316.515, F.S.; revising restrictions on use of certain agriculture-related vehicles; providing for exemptions from width

limitations for certain farming or agricultural equipment; providing conditions for use of such equipment; authorizing certain movements without an overwidth permit from the Department of Transportation; providing lighting requirements for certain overwidth equipment; providing an effective date.

—as amended April 23 was read the third time by title.

MOTION

On motion by Senator Baker, the rules were waived to allow the following amendment to be considered:

Senator Baker moved the following amendment which was adopted by two-thirds vote:

Amendment 1 (293368)(with title amendment)—Delete line(s) 61-69 and insert: *rented, or leased by the equipment owner. However, equipment being delivered by a dealer to a purchaser is not subject to the 50-mile limitation. Farming or agricultural equipment greater than 174 inches in width must have one warning lamp mounted on each side of the equipment to denote the width and must have a slow-moving vehicle sign. Warning lamps required by this paragraph must be visible from the front and rear of the vehicle and must be visible from a distance of at least 1,000 feet.*

And the title is amended as follows:

On line(s) 4, after "width" insert: and height

On motion by Senator Baker, **CS for CS for SB 1946** as amended was passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—40

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Aronberg	Gaetz	Posey
Atwater	Garcia	Rich
Baker	Geller	Ring
Bennett	Haridopolos	Saunders
Bullard	Hill	Siplin
Carlton	Jones	Storms
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dawson	King	Wilson
Dean	Lawson	Wise
Deutch	Lynn	
Diaz de la Portilla	Margolis	

Nays—None

SB 2296—A bill to be entitled An act relating to commercial motor vehicles; amending s. 316.003, F.S.; exempting certain vehicles that occasionally transport personal property to and from closed-course motorsport facilities from the definition of "commercial motor vehicle" for purposes of statutory provisions relating to state uniform traffic control; amending ss. 320.01 and 322.01, F.S.; exempting certain vehicles that occasionally transport personal property to and from closed-course motorsport facilities from the definition of "commercial motor vehicle" for purposes of statutory provisions governing motor vehicle licenses and driver's licenses; providing an effective date.

—was read the third time by title.

On motion by Senator Posey, **SB 2296** was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Bullard	Deutch
Alexander	Carlton	Diaz de la Portilla
Aronberg	Constantine	Dockery
Atwater	Crist	Fasano
Baker	Dawson	Gaetz
Bennett	Dean	Garcia
Geller	Lynn	Siplin
Haridopolos	Margolis	Storms
Hill	Oelrich	Villalobos
Jones	Peaden	Webster
Joyner	Posey	Wilson
Justice	Rich	Wise
King	Ring	
Lawson	Saunders	

Nays—None

CS for CS for SB 1012—A bill to be entitled An act relating to health insurance; amending s. 624.443, F.S.; authorizing the Office of Insurance Regulation to waive the requirement that each multiple-employer welfare arrangement maintain its principal place of business in this state if the arrangement meets certain specified conditions and has a minimum specified fund balance at the time of licensure; amending s. 627.638, F.S.; authorizing the payment of health insurance policy benefits directly to a licensed ambulance provider; requiring that an insurer make payments directly to the preferred provider for the delivery of health care services; amending s. 627.6131, F.S.; requiring claims for overpayment and underpayment be submitted to the provider within a certain timeframe; providing exceptions; creating s. 627.64731, F.S.; providing definitions; providing requirements, limitations, and procedures for leasing, renting, or granting access to participating providers by third parties; providing exceptions; providing for arbitration; providing for application; amending s. 627.662, F.S.; expanding the list of sections applicable to certain types of insurance; amending s. 627.6699, F.S.; revising the definition of the term "small employer" with regard to the Employee Health Care Access Act; amending s. 641.31, F.S.; requiring health maintenance organizations to pay benefits directly to certain providers under certain circumstances; prohibiting health maintenance contracts from prohibiting and requiring claims forms to provide the option for payment of benefits directly to certain providers; amending s. 641.3155, F.S.; providing time limitations for and prohibitions against submitting certain claims for overpayment and claims for underpayment; providing for applicability; providing an effective date.

—as amended April 23 was read the third time by title.

On motions by Senator Gaetz, **CS for CS for SB 1012** as amended was passed and by two-thirds vote immediately certified to the House. The vote on passage was:

Yeas—38

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Aronberg	Gaetz	Posey
Atwater	Garcia	Rich
Baker	Geller	Ring
Bennett	Haridopolos	Saunders
Bullard	Hill	Siplin
Carlton	Jones	Storms
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dean	King	Wilson
Deutch	Lawson	Wise
Diaz de la Portilla	Lynn	

Nays—None

SPECIAL ORDER CALENDAR

By Senator Constantine—

CS for CS for CS for CS for SB 560—A bill to be entitled An act relating to energy efficiency and conservation; amending s. 163.04, F.S.; revising provisions authorizing the use of solar collectors and other energy devices; amending s. 163.3177, F.S.; revising requirements for the future land use element of a local comprehensive plan to include energy-efficient land use patterns and greenhouse gas reduction strategies; requiring that the traffic-circulation element of a local comprehensive plan incorporate transportation strategies to reduce greenhouse gas emissions; requiring that the land use map or map series contained in the future land use element of a local comprehensive plan identify and

depict energy conservation; requiring that the home element of a local comprehensive plan include energy efficiency in the design and construction of new housing and use of renewable energy resources; providing that certain counties may not receive state affordable housing funds under certain circumstances; requiring each unit of local government within an urbanized area to amend the transportation element of a local comprehensive plan to incorporate transportation strategies addressing reduction in greenhouse gas emissions; amending s. 489.105, F.S.; expanding the scope of the definition of "roofing contractor" to include contractors performing required roof-deck attachments and any repair or replacement of wood roof sheathing or fascia as needed during roof repair or replacement; amending s. 553.36, F.S.; redefining the term "manufactured building" for purposes of the Florida Manufactured Building Act to include modular and factory-built buildings; amending s. 553.37, F.S.; requiring the Department of Community Affairs to adopt rules related to the inspection, construction, and modification of manufactured buildings; requiring the department to develop an insignia to be affixed to newly constructed manufactured buildings; authorizing the department to charge a fee for the insignia; providing requirements for the insignia; requiring the department to develop minimum criteria for a manufacturer's data plate; amending s. 553.381, F.S.; conforming provisions; amending s. 553.415, F.S.; requiring the department to require that an insignia be affixed to all newly constructed factory-built school buildings; providing requirements for the manufacturer's data plate; amending s. 553.71, F.S.; providing a definition; amending s. 553.73, F.S.; expanding required codes to be included in Florida Building Code updates; expanding the list of reasons the commission may amend the Florida Building Code; providing requirements for the retroactive application of parts of the Florida Building Code to commercial wireless communications towers; amending s. 553.74, F.S.; revising requirements for selecting members of the Florida Building Commission; revising membership of the commission; deleting obsolete provisions; amending s. 553.75, F.S.; authorizing the Florida Building Commission to use communications media technology in conducting its meetings or meetings held in conjunction with commission meetings; providing for public comment at meetings of the commission; amending s. 553.77, F.S.; authorizing the commission to implement recommendations relating to energy efficiency in residential and commercial buildings; amending s. 553.775, F.S.; authorizing the commission to render declaratory statements; amending s. 553.80, F.S.; providing that the enforcement of construction regulations relating to facilities for mental health treatment are under the jurisdiction of the Department of Children and Family Services; amending s. 553.842, F.S.; requiring the commission to review the list of product evaluation entities; providing reporting requirements; providing for rulemaking; designating an entity as an approved production evaluation entity until October, 1, 2009; providing criteria for substitution of approved products under certain conditions; providing for the expiration of certain product approvals; amending s. 553.844, F.S.; revising provisions requiring the adoption of certain mitigation techniques by the Florida Building Commission within the Florida Building Code for certain structures; amending s. 553.885, F.S.; requiring the installation of carbon monoxide detectors in certain new hospitals, hospice and nursing homes facilities; creating s. 553.886, F.S.; requiring that the Florida Building Code facilitate and promote the use of certain renewable energy technologies in buildings; amending s. 553.901, F.S.; requiring the commission to adopt by rule a definition of the term "cost-effective"; creating s. 553.9061, F.S.; establishing a schedule of required increases in the energy performance of buildings subject to the Florida Building Code; providing a process for implementing goals to increase energy-efficiency performance in new buildings; providing a schedule for the implementation of such goals; identifying energy-efficiency performance options and elements available to meet energy-efficiency performance requirements; providing a schedule for the review and adoption of renewable energy-efficiency goals by the commission; requiring the commission to conduct a study to evaluate the energy-efficiency rating of new buildings and appliances; requiring the commission to submit a report to the President of the Senate and the Speaker of the House of Representatives on or before a specified date; requiring the commission to conduct a study to evaluate opportunities to restructure the Florida Energy Code for Building Construction, including the integration of the Thermal Efficiency Code, the Energy Conservation Standards Act, and the Florida Building Energy-Efficiency Rating Act; requiring the commission to submit a report to the President of the Senate and the Speaker of the House of Representatives on or before a specified date; directing the Department of Community Affairs, in conjunction with the Florida Energy Affordability Council, to identify and review issues relating to the Low-Income Home Energy Assistance Program and the Weatherization Assistance Program; requiring the submission of a report to the President of the Senate and the Speaker of the House of Representatives on or before a specified date; providing for the expiration of certain study requirements; repealing s. 553.731 F.S., relating to wind-borne debris protection requirements; amending s. 718.113, F.S.; authorizing the board of a condominium or a multicondominium to install solar collectors, clotheslines, or other energy-efficient devices on association property; requiring the Florida Building Commission to include certain information in its report to the Legislature; providing an effective date.

—was read the second time by title.

Senator Constantine moved the following amendments which were adopted:

Amendment 1 (524398)(with title amendment)—Delete line(s) 649 and insert: *wireless communication towers when such general provisions are inconsistent with the*

And the title is amended as follows:

Delete line(s) 2 and insert: An act relating to building code standards;

Amendment 2 (224402)(with title amendment)—Delete line(s) 827-854 and insert:

Section 14. Paragraph (g) is added to subsection (1) of section 553.80, Florida Statutes, to read:

553.80 Enforcement.—

(1) Except as provided in paragraphs *(a)-(g)* ~~(a)-(f)~~, each local government and each legally constituted enforcement district with statutory authority shall regulate building construction and, where authorized in the state agency's enabling legislation, each state agency shall enforce the Florida Building Code required by this part on all public or private buildings, structures, and facilities, unless such responsibility has been delegated to another unit of government pursuant to s. 553.79(9).

(g) Construction regulations relating to secure mental health treatment facilities under the jurisdiction of the Department of Children and Family Services shall be enforced exclusively by the department in conjunction with the Agency for Health Care Administration's review authority under paragraph (c).

The governing bodies of local governments may provide a schedule of fees, as authorized by s. 125.56(2) or s. 166.222 and this section, for the enforcement of the provisions of this part. Such fees shall be used solely for carrying out the local government's responsibilities in enforcing the Florida Building Code. The authority of state enforcing agencies to set fees for enforcement shall be derived from authority existing on July 1, 1998. However, nothing contained in this subsection shall operate to limit such agencies from adjusting their fee schedule in conformance with existing authority.

And the title is amended as follows:

Delete line(s) 64-67 and insert: enforcement of construction regulations relating to secure mental health treatment facilities under the jurisdiction of the Department of Children and Family Services shall be enforced exclusively by the department in conjunction with the review authority of the Agency for Health Care Administration; amending s. 553.842, F.S.; requiring the

Amendment 3 (977212)—Delete line(s) 919-926 and insert:

(1) Every building*, other than a hospital, an inpatient hospice facility, or a nursing home facility licensed by the Agency for Health Care Administration,* for which a building permit is issued for new construction on or after July 1, 2008, and having a fossil-fuel-burning heater or appliance, a fireplace, or an attached garage shall have an approved operational carbon monoxide alarm installed within 10 feet of each room used for sleeping purposes. *For a new hospital, an inpatient hospice facility, or a*

Amendment 4 (773790)—Delete line(s) 959 and insert: implementation. *Before initiating rulemaking for amendments to*

Amendment 5 (960512)(with title amendment)—Between line(s) 1064 and 1065 insert:

Section 25. *The repeal of s. 553.731, Florida Statutes, by this act, does not diminish or authorize changes that diminish the provisions of the Florida Building Code relating to wind resistance or water intrusion which were adopted pursuant to chapter 2007-1, Laws of Florida.*

Section 26. *Subparagraph 6. of paragraph (a) of subsection (6) of s. 627.351, Florida Statutes, is repealed.*

And the title is amended as follows:

Delete line(s) 117 and insert: wind-borne debris protection requirements; providing for construction and interpretation of the repeal, repealing s. 627.351(6)(a)6., F.S.; providing requirements for certain properties to meet building code plus requirements as a condition of eligibility for coverage by Citizens Property Insurance Corporation; amending s.

Pursuant to Rule 4.19, **CS for CS for CS for CS for SB 560** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

Consideration of **CS for CS for SB 482** was deferred.

CS for CS for SB 704—A bill to be entitled An act relating to administrative procedures; providing a short title; amending s. 120.52, F.S.; redefining the term "invalid exercise of delegated legislative authority" to remove a limitation on the construction of statutory language granting rulemaking authority; defining the terms "law implemented," "rulemaking authority," and "unadopted rule"; amending s. 120.53, F.S.; authorizing agencies to transmit agency orders electronically to the Division of Administrative Hearings; amending s. 120.536, F.S.; revising guidelines for the construction of statutory language granting rulemaking authority; amending s. 120.54, F.S.; prescribing limits and guidelines with respect to the incorporation of material by reference; prescribing requirements for material being incorporated by reference; prohibiting an agency head from delegating or transferring certain specified rulemaking responsibilities; revising the information required in notices of proposed actions; providing additional procedures for rule-adoption hearings; revising requirements for filing rules; requiring that material incorporated by reference be published by the agency when adopting emergency rules; revising provisions with respect to petitions to initiate rulemaking; amending s. 120.545, F.S.; revising duties and procedures of the Administrative Procedures Committee and agencies with respect to review of agency rules; deleting procedures for agency election to modify, withdraw, amend, or repeal a proposed rule; providing for the effect of the failure of an agency to respond to a committee objection to a statement of estimated regulatory costs within the time prescribed; deleting a requirement that the Department of State publish final legislative action; amending s. 120.55, F.S.; requiring the department to prescribe by rule the content requirements for rules, notices, and other materials; providing for the transfer of excess funds; requiring electronic publication of the Florida Administrative Code; prescribing requirements with respect to the content of such electronic publication; providing for filing information incorporated by reference in electronic form; providing requirements for the Florida Administrative Weekly Internet website; amending s. 120.56, F.S., relating to challenges to rules; conforming a cross-reference; revising procedures for administrative determinations of the invalidity of rules; requiring an agency to discontinue reliance on a statement under certain circumstances; providing an exception; deleting certain provisions relating to actions before a final hearing is held; amending s. 120.57, F.S.; revising procedures applicable to hearings involving disputed issues of material fact; prohibiting enforcement of unadopted agency rules under certain circumstances; amending s. 120.595, F.S.; increasing the limitation on attorney's fees in challenges to proposed agency rules or existing agency rules; providing for an award of reasonable costs and attorney's fees accrued by a petitioner under certain circumstances; providing for an award of fees and costs if the agency prevails and a party participated for an improper purpose; amending s. 120.569, F.S.; requiring that certain administrative proceedings be terminated and subsequently reinstated under different provisions of law if a disputed issue of material fact arises during the proceeding; conforming a cross-reference; amending s. 120.74, F.S.; revising reporting requirement for agency heads; amending ss. 120.80, 120.81, 409.175, 420.9072, and 420.9075, F.S.; conforming cross-references; providing appropriations; requiring a temporary increase in the space rate charge for publication in the Florida Administrative Weekly; revising, for a specified period, the limit for the unencumbered balance in the Records Management Trust Fund at the beginning of the fiscal year for fees collected under ch. 120, F.S.; providing effective dates.

—was read the second time by title. On motions by Senator Bennett, by two-thirds vote **CS for CS for SB 704** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—40

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Aronberg	Gaetz	Posey
Atwater	Garcia	Rich
Baker	Geller	Ring
Bennett	Haridopolos	Saunders
Bullard	Hill	Siplin
Carlton	Jones	Storms
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dawson	King	Wilson
Dean	Lawson	Wise
Deutch	Lynn	
Diaz de la Portilla	Margolis	

Nays—None

Consideration of **CS for SB 500** was deferred.

By Senator Saunders—

CS for SB 1300—A bill to be entitled An act relating to fish and wildlife; amending s. 253.04, F.S., relating to the protection of state lands; providing definitions; providing that it is a civil infraction to operate a vessel outside a marked channel in a manner that causes seagrass scarring; providing penalties; amending s. 327.73, F.S., relating to noncriminal infractions; establishing civil penalties for the destruction of seagrasses; amending s. 372.73, F.S., relating to the disposition of illegally taken wildlife; providing for the disposition of such wildlife; providing for the documentation of illegally taken wildlife; creating s. 372.731, F.S., relating to photographs of illegally taken wildlife; providing for the admission of photographs as evidentiary materials; providing conditions under which such photographs shall be taken; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1300** was placed on the calendar of Bills on Third Reading.

Consideration of **SB 1986** was deferred.

By Senator Bennett—

CS for SB 758—A bill to be entitled An act relating to inland navigation; amending s. 374.975, F.S.; providing that operation and maintenance of the Intracoastal Waterway and certain other public navigation channels by inland navigation districts is in the public interest; amending s. 374.976, F.S.; authorizing inland navigation districts to aid and cooperate with certain nonmember counties, certain seaports, and navigation districts in planning and carrying out certain projects concerning waterways; authorizing inland navigation districts to furnish assistance and support to seaports in planning and carrying out projects concerning waterway-related access; amending s. 374.977, F.S.; requiring that the Fish and Wildlife Conservation Commission assume certain responsibilities for posting and maintaining regulatory markers concerning manatee protection speed zones; allowing the commission to apply to inland navigation districts for funding to assist with this responsibility; amending s. 403.813, F.S.; removing provisions requiring the Secretary of Environmental Protection to adopt procedural rules for certain dredge and fill projects; revising requirements governing maintenance dredging by

inland navigation districts and certain seaports; granting mixing zones; authorizing discharge of the return water from the site for the disposal of the dredged material under certain conditions; defining the term "manmade waters"; prohibiting the state from charging an inland navigation district or a public port authority for certain removed materials; authorizing the use of flocculants at a site for the disposal of dredged material under certain conditions; authorizing the Department of Environmental Protection to develop and maintain a list concerning the use of flocculants; providing that publication of the list is not a rule; authorizing the department to approve the use of a flocculant that is not on the list under specified conditions; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 758** was placed on the calendar of Bills on Third Reading.

By Senator Lawson—

CS for CS for SB 2848—A bill to be entitled An act relating to the Florida Retirement System; amending s. 121.021, F.S.; redefining the terms "employer," "officer or employee," "past service," "compensation," "normal retirement date," "regularly established position," and temporary position"; defining the terms "state board" and "trustees"; amending s. 121.031, F.S.; requiring promotional materials that refer to the Florida Retirement System to include a disclaimer unless approval is obtained from the Department of Management Services; amending s. 121.051, F.S.; conforming a cross-reference; revising provisions relating to participation in the system; excluding the participation of entities under a lease agreement; excluding the participation of prisoners and inmates in the system; amending s. 121.052, F.S.; changing the dates for when a governing body of a municipality or special district may elect to designate its elected positions for inclusion in the Elected Officers' Class; amending s. 121.071, F.S.; expanding the mechanisms for employees to pay contributions to the system; amending s. 121.081, F.S.; revising provisions relating to receiving credit for past or prior service; prohibiting a member from receiving credit for service covered and reported by both a public employer and a private employer; amending s. 121.091, F.S.; revising provisions relating to retirement benefits; deleting a restriction on the reemployment of certain personnel by the Florida School for the Deaf and the Blind; extending the period of time that instructional personnel employed by a developmental research school may participate in the Deferred Retirement Option Program; clarifying that DROP participation cannot be cancelled; providing for the suspension of DROP benefits to a participant who is reemployed; deleting obsolete provisions; authorizing the Division of Retirement to issue benefits pursuant to a qualified domestic relations order directly to the alternate payee; amending s. 121.1115, F.S.; revising provisions relating to receiving retirement credit for out-of-state service; providing that a member is not eligible for and may not receive a benefit based on that service; amending s. 121.1122, F.S.; revising provisions relating to receiving retirement credit for in-state service; providing that a member may not be eligible for or receiving a benefit based on service; amending s. 121.136, F.S.; revising provisions relating to the annual statement of benefits provided to certain active members of the Florida Retirement System; amending s. 121.1905, F.S.; deleting provision describing the mission of the Division of Retirement; amending s. 121.23, F.S.; requiring the State Retirement Commission to meet the same requirements used by the Secretary of Management Services before approving a disability retirement benefit; amending s. 121.24, F.S.; requiring a quorum of three members for all appeal hearings held by the State Retirement Commission; amending s. 1012.33, F.S.; deleting the provision preventing persons who have retired from the public school system from renewing membership in the Florida Retirement System upon reemployment by the school system; repealing s. 121.093, F.S., relating to instructional personnel reemployment after retirement from the developmental research school or the Florida School for the Deaf and the Blind; repealing s. 121.094, F.S., relating to instructional personnel reemployment after retirement from a charter school; repealing s. 121.45, F.S., relating to interstate compacts relating to pension portability; providing a declaration of important state interest; providing an effective date.

—was read the second time by title.

Senator Lawson moved the following amendments which were adopted:

Amendment 1 (821848)(with title amendment)—Delete line(s) 106-119 and insert:

(22) "Compensation" means the monthly salary paid a member by his or her employer for work performed arising from that employment.

(b) Under no circumstances shall compensation *for a member participating in the defined benefit retirement program or the Public Employee Optional Retirement Program of the Florida Retirement System* include:

1. Fees paid professional persons for special or particular services or include salary payments made from a faculty practice plan authorized by the Board of Governors of the State University System for eligible clinical faculty at a *college in a* state university *that has* ~~with~~ a faculty practice plan; ~~or~~

2. ~~Any~~ Bonuses or other payments prohibited from inclusion in the member's average final compensation and defined in subsection (47)*; or*~~.~~

3. Payment for work given to a person who is an inmate or prisoner at the time the work is performed.

And the title is amended as follows:

Delete line(s) 2 and insert: An act relating to retirement; amending

Amendment 2 (174916)(with title amendment)—Delete line(s) 224-233 and insert: any state-supported retirement system.

1.a. Any person appointed on or after July 1, 1989, to a faculty position in a college at the J. Hillis Miller Health Center at the University of Florida or the Medical Center at the University of South Florida which has a faculty practice plan *adopted* ~~provided~~ by rule *may* ~~adopted by the Board of Regents shall~~ not participate in the Florida Retirement System. *Effective July 1, 2008, any person appointed thereafter to a faculty position, including clinical faculty, in a college at a state university that has a faculty practice plan authorized by the Board of Governors may not participate in the Florida Retirement System.* A faculty member so appointed shall participate in the optional retirement program *for the State University System* ~~on the basis of his or her state-funded compensation,~~ notwithstanding the provisions of s. 121.35(2)(a).

b. For purposes of this subparagraph, the term "faculty position" is defined as a position assigned the principal responsibility of teaching, research, or public service activities or administrative responsibility directly related to the academic mission of the college. The term "clinical faculty" is defined as a faculty position appointment in conjunction with a professional position in a hospital or other clinical environment at a college. The term "faculty practice plan" includes professional services to patients, institutions, or other parties which are rendered by the clinical faculty employed by a college that has a faculty practice plan at a state university authorized by the Board of Governors.

And the title is amended as follows:

On line(s) 13, after the semicolon (;) insert: requiring that a person appointed to a faculty position at a state university having a faculty practice plan participate in the optional retirement program of the State University System rather than the Florida Retirement System; providing definitions;

Amendment 3 (022310)(with title amendment)—Between line(s) 1255 and 1256 insert:

Section 15. Paragraph (a) of subsection (4) of section 121.35, Florida Statutes, is amended, and paragraph (g) is added to that subsection, to read:

121.35 Optional retirement program for the State University System.—

(4) CONTRIBUTIONS.—

(a) Through June 30, 2001, each employer shall contribute on behalf of each participant in the optional retirement program an amount equal to the normal cost portion of the employer retirement contribution which would be required if the participant were a regular member of the Florida Retirement System defined benefit program, plus the portion of the contribution rate required in s. 112.363(8) that would otherwise be assigned to the Retiree Health Insurance Subsidy Trust Fund. Effective

July 1, 2001, each employer shall contribute on behalf of each participant in the optional program an amount equal to 10.43 percent of the participant's gross monthly compensation. The department shall deduct an amount approved by the Legislature to provide for the administration of this program. The payment of the contributions to the optional program which is required by this paragraph for each participant shall be made by the employer to the department, which shall forward the contributions to the designated company or companies contracting for payment of benefits for the participant under the program. However, such contributions paid on behalf of an employee described in paragraph (3)(c) shall not be forwarded to a company and shall not begin to accrue interest until the employee has executed *a* ~~an annuity~~ contract and notified the department.

(g) Effective July 1, 2008, for purposes of paragraph (a) and notwithstanding s. 121.021(22)(b)1., the term "participant's gross monthly compensation" includes salary payments made to eligible clinical faculty from a state university using funds provided by a faculty practice plan authorized by the Board of Governors of the State University System if:

1. There is not any employer contribution from the state university to any other retirement program with respect to such salary payments; and

2. The employer contribution on behalf of the participant in the optional retirement program with respect to such salary payments is made using funds provided by the faculty practice plan.

Section 16. Section 121.355, Florida Statutes, is created to read:

121.355 Community College Optional Retirement Program and State University System Optional Retirement Program member transfer.—Effective January 1, 2009, through December 31, 2009, an employee who is a former participant in the Community College Optional Retirement Program or the State University System Optional Retirement Program and present mandatory participant in the Florida Retirement System defined benefit plan may receive service credit equal to his or her years of service under the Community College Optional Retirement Program or the State University System Optional Retirement Program under the following conditions:

(1) The cost for such credit shall be an amount representing the actuarial accrued liability for the affected period of service. The cost shall be calculated using the discount rate and other relevant actuarial assumptions that were used to value the Florida Retirement System defined benefit plan liabilities in the most recent actuarial valuation. The calculation shall include any service already maintained under the defined benefit plan in addition to the years under the Community College Optional Retirement Program or the State University System Optional Retirement Program. The actuarial accrued liability of any service already maintained under the defined benefit plan shall be applied as a credit to total cost resulting from the calculation. The division shall ensure that the transfer sum is prepared using a formula and methodology certified by an enrolled actuary.

(2) The employee must transfer from his or her Community College Optional Retirement Program account or State University System Optional Retirement Program account, subject to the terms of the applicable optional retirement program contract, and from other employee moneys as necessary, a sum representing the actuarial accrued liability immediately following the time of such movement, determined assuming that attained service equals the sum of service in the defined benefit program and service in the Community College Optional Retirement Program or State University System Optional Retirement Program.

(3) The employee may not receive service credit for a period of mandatory participation in the State University Optional Retirement Program or for a period for which a distribution was received from the Community College Optional Retirement Program or State University System Optional Retirement Program.

And the title is amended as follows:

On line(s) 59, after the semicolon (;) insert: amending s. 121.35, F.S.; requiring the participating employee in the optional retirement program to execute a contract, not just an annuity contract, with a designated company in order for employee contributions to be forwarded to the company and for interest to accrue; defining the term "participant's gross monthly compensation" for purposes of the optional retirement program for the State University System; creating s. 121.355, F.S.; authorizing certain former participants in the Community College Optional Retirement Program or the State University System Optional Retirement Program and present mandatory participants in the Florida Retirement System to receive a specified amount of service credit under certain conditions; providing a specified time period for the election of such transfer; limiting certain service credit;

Pursuant to Rule 4.19, **CS for CS for SB 2848** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Gaetz, by two-thirds vote **CS for HB 337** was withdrawn from the Committees on Governmental Operations; Higher Education; Transportation and Economic Development Appropriations; and Higher Education Appropriations.

On motion by Senator Gaetz—

CS for HB 337—A bill to be entitled An act relating to management of Historic Pensacola properties; amending s. 267.173, F.S.; providing for the University of West Florida to directly contract for management of certain state-owned properties in Pensacola; requiring agreement of all parties to existing contracts and execution of contract with the Board of Trustees of the Internal Improvement Trust Fund; deleting a requirement to contract with the Department of State for certain historic properties in Pensacola; deleting language related to transfer of properties and contract requirements with the Department of State; permitting the University of West Florida to contract with its direct-support organization for management of historic properties; providing eligibility for certain grants; providing an effective date.

—a companion measure, was substituted for **CS for SB 1014** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 337** was placed on the calendar of Bills on Third Reading.

On motion by Senator Bullard, by two-thirds vote **CS for HB 3** was withdrawn from the Committees on Community Affairs; and Health and Human Services Appropriations.

On motion by Senator Bullard, the rules were waived and by two-thirds vote—

CS for HB 3—A bill to be entitled An act relating to children's zones; creating s. 409.147, F.S.; providing legislative findings and intent; providing policy and purpose; providing definitions; providing a process for nominating and selecting a children's zone; providing for the governing body of a county or municipality to adopt a resolution designating a children's zone; specifying contents of the resolution; requiring the governing body to establish a children's zone planning team; providing powers and responsibilities of the planning team; requiring the planning team to designate working groups; specifying focus areas for the working groups; providing for the development of a strategic community plan; providing objectives for each focus area; requiring the governing body to create a corporation not for profit for specified purposes; establishing the Magic City Children's Zone, Inc., pilot project; providing for management by an entity organized as a corporation not for profit; providing geographic boundaries for the zone; providing for designation and appointment of a board of directors; providing for meetings and duties of the board of directors; providing per diem and travel expenses; requiring the board to enter into a contract to develop a business plan; providing for reports to the Legislature; establishing the Jacksonville Children's Zone pilot project; providing for management by an entity organized as a corporation not for profit; providing for a request for proposals process to identify an existing corporation to manage the zone; providing geographic boundaries for the zone; providing for an oversight committee; requiring the corporation to enter into a contract to develop a business plan; providing for reports to the Legislature; establishing the Orlando Children's Zone pilot project; providing for management by the City of Orlando or a not-for-profit corporation; providing geographic boundaries for the zone; providing for funding for the zone to be disbursed through a donor-advised fund; providing a definition; providing for advisory groups; providing for reports to the Legislature; requiring the Department of Children and Family Services to contract with certain private

not-for-profit corporations for specified purposes; requiring the corporation to provide evaluation, fiscal management, and oversight of the Magic City Children's Zone, Inc., and the Jacksonville Children's Zone pilot projects; providing a contingent effective date.

—a companion measure, was substituted for **CS for SB 500** and by two-thirds vote read the second time by title.

MOTION

On motion by Senator Bullard, the rules were waived to allow the following amendment to be considered:

Senator Bullard moved the following amendment which was adopted:

Amendment 1 (932828)(with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Section 409.147, Florida Statutes, is created to read:

409.147 Children's zones.—

(1) LEGISLATIVE FINDINGS AND INTENT.—

(a) The Legislature finds that:

1. There are neighborhoods in the state where the infrastructure and opportunities that middle-class communities take for granted are nonexistent or so marginal that they are ineffective.

2. Children living in these neighborhoods are read to by an adult on a regular basis and attend a prekindergarten education program at a much lower rate than children in other communities. These children experience below-average performance on standardized tests and graduate from high school in fewer numbers. Most of these children are eligible for the free or reduced-price school lunch program.

3. Children in these neighborhoods often suffer from high rates of asthma, a higher risk of lead poisoning, and inadequate health care, and they are routinely exposed to violence and crime.

4. In spite of these obstacles, these neighborhoods are many times home to strong individuals and institutions that are committed to making a difference in the lives of children and their families.

(b) It is therefore the intent of the Legislature to assist disadvantaged areas within the state in creating a community-based service network that develops, coordinates, and provides quality education, accessible health care, youth development programs, opportunities for employment, and safe and affordable housing for children and families living within its boundaries.

(2) POLICY AND PURPOSE.—It is the policy of this state to provide the necessary means to assist local communities, the children and families who live in those communities, and the private sector in creating a sound educational, social, and economic environment. To achieve this objective, the state intends to provide investments sufficient to encourage community partners to commit financial and other resources to severely disadvantaged areas. The purpose of this section is to establish a process that clearly identifies the severely disadvantaged areas and provides guidance for developing a new social service paradigm that systematically coordinates programs that address the critical needs of children and their families and for directing efforts to rebuild the basic infrastructure of the community. The Legislature, therefore, declares the creation of children's zones, through the collaborative efforts of government and the private sector, to be a public purpose.

(3) DEFINITIONS.—As used in this section, the term:

(a) "Governing body" means the commission or other legislative body charged with governing a county or municipality.

(b) "Ounce" means the Ounce of Prevention Fund of Florida, Inc.

(c) "Planning team" means a children's zone planning team established under this section.

(d) "Resident" means a person who lives or operates a small community-based business or organization within the boundaries of the children's zone.

(4) CHILDREN'S ZONE NOMINATING PROCESS.—A county or municipality, or a county and one or more municipalities together, may apply to Ounce to designate an area as a children's zone after the governing body:

(a) Adopts a resolution that:

1. Finds that an area exists in such county or municipality, or in the county and one or more municipalities, that chronically exhibits extreme and unacceptable levels of poverty, unemployment, physical deterioration, as well as limited access to quality educational, health care, and social services.

2. Determines that the rehabilitation, conservation, or redevelopment, or a combination thereof, of the area is necessary in the interest of improving the health, wellness, education, living conditions, and livelihoods of the children and families who live in the county or municipality.

3. Determines that the revitalization of the area can occur only if the state and the private sector invest resources to improve infrastructure and the provision of services.

(b) Establishes a children's zone planning team as provided in subsection (5).

(c) Develops and adopts a strategic community plan as provided in subsection (6).

(d) Creates a corporation not for profit as provided in subsection (7).

(5) CHILDREN'S ZONE PLANNING TEAM.—

(a) After the governing body adopts the resolution described in subsection (4), the county or municipality shall establish a children's zone planning team.

(b) The planning team shall include residents and representatives from community-based organizations and other community institutions. At least half of the members of the planning team must be residents.

(c) The planning team shall:

1. Develop a planning process that sets the direction for, builds a commitment to, and develops the capacity to realize the children's zone concept.

2. Develop a vision of what the children's zone will look like when the challenges, problems, and opportunities in the children's zone are successfully addressed.

3. Identify important opportunities, strengths, challenges, and problems in the children's zone.

4. Develop a strategic community plan consisting of goals, objectives, tasks, the designation of responsible parties, the identification of resources needed, timelines for implementation of the plan, and procedures for monitoring outcomes.

(d) The planning team shall designate working groups to specifically address each of the following focus areas:

1. Early development and care of children.

2. Education of children and youth.

3. Health and wellness.

4. Youth support.

5. Parent and guardian support.

6. Adult education, training, and jobs.

7. Community safety.

8. Housing and community development.

(6) CHILDREN'S ZONE STRATEGIC COMMUNITY PLAN.—After the governing body adopts the resolution described in subsection (4), the working groups shall develop objectives and identify strategies for each

focus area. The objectives, specified by focus area, for a working group may include, but not be limited to:

(a) Early development and care of children.

1. Providing resources to enable every child to be adequately nurtured during the first 3 years of life.

2. Ensuring that all schools are ready for children and all children are ready for school.

3. Facilitating enrollment in half-day or full-day prekindergarten for all 3-year-old and 4-year-old children.

4. Strengthening parent and guardian relationships with care providers.

5. Providing support and education for families and child care providers.

(b) Education of children and youth.

1. Increasing the level and degree of accountability of persons who are responsible for the development and well-being of all children in the children's zone.

2. Changing the structure and function of schools to increase the quality and amount of time spent on instruction and increase programmatic options and offerings.

3. Creating a safe and respectful environment for student learning.

4. Identifying and supporting points of alignment between the children's zone community plan and the school district's strategic plan.

(c) Health and wellness.

1. Facilitating enrollment of all eligible children in the Florida Kidcare program and providing full access to high-quality drug and alcohol treatment services.

2. Eliminating health disparities between racial and cultural groups, including improving outcomes and increasing interventions.

3. Providing fresh, good quality, affordable, and nutritious food within the children's zone.

4. Providing all children in the children's zone with access to safe structured and unstructured recreation.

(d) Youth support.

1. Increasing the high school graduation rate.

2. Increasing leadership development and employment opportunities for youth.

(e) Parent and guardian support.

1. Increasing parent and adult literacy.

2. Expanding access for parents to critical resources, such as jobs, transportation, day care, and after-school care.

3. Improving the effectiveness of the ways in which support systems communicate and collaborate with parents and the ways in which parents communicate and collaborate with support systems.

4. Making the services of the Healthy Families Florida program available to provide multiyear support to expectant parents and persons caring for infants and toddlers.

(f) Adult education, training, and jobs.

1. Creating job opportunities for adults that lead to career development.

2. Establishing a career and technical school, or a satellite of such a school in the children's zone, which includes a one-stop career center.

(g) Community safety.

1. Providing a safe environment for all children at home, in school, and in the community.

2. Eliminating the economic, political, and social forces that lead to a lack of safety within the family, the community, schools, and institutional structures.

3. Assessing policies and practices, including sentencing, incarceration, detention, and data reporting, in order to reduce youth violence, crime, and recidivism.

(h) Housing and community development.

1. Strengthening the residential real estate market.

2. Building on existing efforts to promote socioeconomic diversity when developing a comprehensive land use strategic plan.

3. Promoting neighborhood beautification strategies.

(7) CHILDREN'S ZONE CORPORATION.—After the governing body adopts the resolution described in subsection (4), the county or municipality shall create a corporation not for profit which shall be registered, incorporated, organized, and operated in compliance with chapter 617. The purpose of the corporation is to facilitate fundraising, to secure broad community ownership of the children's zone, and, if the area selected by the governing body is designated as a children's zone, to:

(a) Begin to transfer responsibility for planning from the planning team to the corporation.

(b) Begin the implementation and governance of the children's zone community plan.

(8) CREATION OF MAGIC CITY CHILDREN'S ZONE, INC., PILOT PROJECT.—

(a) There is created within the Liberty City neighborhood in Miami-Dade County a 10-year pilot project zone that, by November 1, 2008, shall be managed by an entity organized as a corporation not for profit which shall be registered, incorporated, organized, and operated in compliance with chapter 617. The corporation shall be known as the Magic City Children's Zone, Inc., and shall be administratively housed within the Belafonte Tacolcy Center. However, Magic City Children's Zone, Inc., is not subject to control, supervision, or direction by the Belafonte Tacolcy Center in any manner. The Legislature determines, however, that public policy dictates that the corporation operate in the most open and accessible manner consistent with its public purpose. Therefore, the Legislature specifically declares that the corporation is subject to chapter 119, relating to public records, chapter 286, relating to public meetings and records, and chapter 287, relating to procurement of commodities or contractual services.

(b) This pilot project zone is designed to encompass an area that is large enough to include all of the necessary components of community life, including, but not limited to, schools, places of worship, recreational facilities, commercial areas, and common space, yet small enough to allow programs and services to reach every willing member of the neighborhood. Therefore, the geographic boundaries of the pilot project zone are:

1. Northwest 79th Street to the north;

2. Northwest 36th Street to the south;

3. North Miami Avenue to the east; and

4. Northwest 27th Avenue to the west.

(c)1. The corporation shall be governed by a 15-member board of directors. The board of directors shall consist of the following members:

a. The chief executive officer of the Belafonte Tacolcy Center.

b. The executive director of the Carrie P. Meek Entrepreneurial Education Center, Miami-Dade College.

c. The director of the Parks and Recreation Department of the City of Miami.

d. The director of the Miami-Dade Cultural Arts Center.

e. The chief executive officer of the Urban League of Greater Miami.

f. The director of the Liberty City Service Partnership.

g. The regional superintendent of the Miami-Dade County Public Schools.

h. The president of the Student Government Association of Northwestern High School.

i. The president of the Student Government Association of Edison High School.

j. The president of the Parent Teacher Student Association of Northwestern High School.

k. The president of the Parent Teacher Student Association of Edison High School.

l. Four members from the local private business sector, to be appointed by a majority vote of the members designated in sub-subparagraphs a.-k., all of whom must have significant experience in one of the focus areas specified in subsection (6).

2. All members of the board of directors shall be appointed no later than 90 days following the incorporation of the Magic City Children's Zone, Inc., and:

a. Eleven members initially appointed pursuant to this paragraph shall each serve a 4-year term.

b. The remaining initial four appointees shall each serve a 2-year term.

c. Each member appointed thereafter shall serve a 4-year term.

d. A vacancy shall be filled in the same manner in which the original appointment was made, and a member appointed to fill a vacancy shall serve for the remainder of that term.

e. A member may not serve more than 8 years in consecutive terms.

3. The board of directors shall annually elect a chairperson and a vice chairperson from among the board's members. The members may, by a vote of eight members, remove a member from the position of chairperson or vice chairperson before the expiration of his or her term as chairperson or vice chairperson. His or her successor shall be elected to serve for the balance of the term of the chairperson or vice chairperson who was removed.

4. The board of directors shall meet at least four times each year upon the call of the chairperson, at the request of the vice chairperson, or at the request of a majority of the membership. A majority of the membership constitutes a quorum. The board of directors may take official action by a majority vote of the members present at any meeting at which a quorum is present. The board may conduct its meetings through teleconferences or other similar means.

5. A member of the board of directors may be removed by a majority of the membership. Absence from three consecutive meetings results in automatic removal.

6. Each member of the board of directors shall serve without compensation but is entitled to reimbursement for per diem and travel expenses as provided in s. 112.061 while in the performance of his or her duties.

7. The corporation shall create a standing advisory board to assist in any part of its delegated duties. The membership of the standing advisory board shall reflect the expertise necessary for the implementation of the children's zone pilot project.

8. The board of directors has the power and duty to:

a. Adopt articles of incorporation and bylaws necessary to govern its activities.

b. Begin to transfer responsibility for planning from the children's zone planning team to the corporation.

c. Begin the implementation and governance of the children's zone community plan.

d. Enter into a contract with a management consultant who has experience working with social service and educational entities for the purpose of developing a 10-year comprehensive business plan to carry out the provisions of this section.

(d) Magic City Children's Zone, Inc., shall submit an annual report to the President of the Senate and the Speaker of the House of Representatives by January 31, 2009, and by January 31 of each year thereafter, which shall include a comprehensive and detailed report of its operations, activities, and accomplishments for the prior year as well as its goals for the current year. The initial report shall also include information concerning the status of the development of a business plan.

(9) IMPLEMENTATION.—The implementation of this section is contingent upon a specific appropriation to provide a grant for a 3-year period for the purpose of implementing this section, which includes contracting with a not-for-profit corporation for the development of a business plan and for the evaluation, fiscal management, and oversight of the Magic City Children's Zone, Inc., pilot project.

Section 2. This act shall take effect July 1, 2008.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to children's zones; creating s. 409.147, F.S.; providing legislative findings and intent; providing policy and purpose; providing definitions; providing a process for nominating and selecting a children's zone; providing for the governing body of a county or municipality to adopt a resolution designating a children's zone; specifying contents of the resolution; requiring the governing body to establish a children's zone planning team; providing powers and responsibilities of the planning team; requiring the planning team to designate working groups; specifying focus areas for the working groups; providing for the development of a strategic community plan; providing objectives for each focus area; requiring the governing body to create a corporation not for profit for specified purposes; establishing the Magic City Children's Zone, Inc., pilot project; providing for management by an entity organized as a corporation not for profit; providing geographic boundaries for the zone; providing for designation and appointment of a board of directors; providing for meetings and duties of the board of directors; providing per diem and travel expenses; requiring the board to enter into a contract to develop a business plan; providing for reports to the Legislature; providing for contingent implementation of the zone; providing an effective date.

Pursuant to Rule 4.19, **CS for HB 3** as amended was placed on the calendar of Bills on Third Reading.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Dockery, by two-thirds vote **CS for SB 838** was withdrawn from the Committee on Judiciary.

On motion by Senator Saunders, by two-thirds vote **CS for SB 2574** was withdrawn from the Committee on Rules.

On motion by Senator King, by two-thirds vote **CS for SB 1490**, **CS for SB 1492** and **CS for CS for SB 1672** were withdrawn from the Committee on General Government Appropriations.

RECESS

On motion by Senator King, the Senate recessed at 11:58 a.m. to reconvene at 1:30 p.m.

AFTERNOON SESSION

The Senate was called to order by the President at 1:30 p.m. A quorum present—39:

Mr. President	Atwater	Bullard
Alexander	Baker	Carlton
Aronberg	Bennett	Constantine

Crist	Hill	Posey
Dean	Jones	Rich
Deutch	Joyner	Ring
Diaz de la Portilla	Justice	Saunders
Dockery	King	Siplin
Fasano	Lawson	Storms
Gaetz	Lynn	Villalobos
Garcia	Margolis	Webster
Geller	Oelrich	Wilson
Haridopolos	Peaden	Wise

SPECIAL ORDER CALENDAR, continued

On motion by Senator Bennett, by two-thirds vote **CS for HB 853** was withdrawn from the Committees on Community Affairs; Banking and Insurance; and Judiciary.

On motion by Senator Bennett—

CS for HB 853—A bill to be entitled An act relating to cemetery lands; amending s. 497.270, F.S.; revising provisions relating to the sale or disposition of cemetery lands to provide restrictions with respect to takings by eminent domain and the imposition of certain conditions for obtaining specified regulatory approval; providing an effective date.

—a companion measure, was substituted for **CS for SB 1308** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 853** was placed on the calendar of Bills on Third Reading.

On motion by Senator Wilson, by two-thirds vote **CS for CS for HB 1395** was withdrawn from the Committees on Children, Families, and Elder Affairs; Governmental Operations; and Criminal and Civil Justice Appropriations.

On motion by Senator Wilson, by unanimous consent—

CS for CS for HB 1395—A bill to be entitled An act relating to the Council on the Social Status of Black Men and Boys; amending s. 16.615, F.S.; removing outdated provisions; providing additional duties and powers of the council; removing certain duties of the Attorney General; removing a provision that discontinues the council under certain conditions; creating s. 16.616, F.S.; creating a direct-support organization; specifying duties and requiring a contract; providing contract requirements; providing for appointment of members of the board of directors; requiring the direct-support organization to form strategic partnerships for specified purposes, including in specified counties; requiring certain reports; providing additional duties and powers of the direct-support organization; requiring the direct-support organization to consider the participation of certain other counties; providing an appropriation; providing an effective date.

—a companion measure, was taken up out of order, substituted for **CS for CS for SB 546** and read the second time by title. On motion by Senator Wilson, by two-thirds vote **CS for CS for HB 1395** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Diaz de la Portilla	King
Alexander	Dockery	Lawson
Aronberg	Fasano	Lynn
Atwater	Gaetz	Margolis
Baker	Garcia	Oelrich
Bennett	Geller	Peaden
Bullard	Haridopolos	Posey
Carlton	Hill	Rich
Crist	Jones	Ring
Dean	Joyner	Saunders
Deutch	Justice	Siplin
Storms	Webster	Wise
Villalobos	Wilson	

Nays—None

Vote after roll call:

Yea—Constantine

On motion by Senator Wilson, by unanimous consent—

SB 1456—A bill to be entitled An act relating to medical assistance eligibility of inmates; creating s. 409.9025, F.S.; providing for suspension of medical assistance for certain incarcerated persons while such persons are inmates; providing an exception; providing for eligibility following release from incarceration; providing that, to the extent permitted under federal law, the time during which such person is an inmate shall not be included in any calculation of when the person must recertify his or her eligibility; providing an effective date.

—was taken up out of order and read the second time by title.

Pursuant to Rule 4.19, **SB 1456** was placed on the calendar of Bills on Third Reading.

Consideration of **SB 1486** was deferred.

By Senator Baker—

CS for SB 2052—A bill to be entitled An act relating to water and wastewater utilities; amending s. 367.0814, F.S.; revising provisions for Florida Public Service Commission staff assistance in changing rates and charges for water and wastewater utilities; providing for periodic adjustment of the gross annual revenue level established by the commission for such purposes; requiring the commission to periodically submit a report to the Legislature; specifying report requirements; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 2052** was placed on the calendar of Bills on Third Reading.

SB 1558—A bill to be entitled An act relating to official state designations; creating s. 15.0326, F.S.; designating the song "Where the Sawgrass Meets the Sky" as the official state song; providing an effective date.

—was read the second time by title.

Senator King moved the following amendment which was adopted:

Amendment 1 (876018)(with title amendment)—Delete line(s) 9-13 and insert:

Section 1. Section 15.0326, Florida Statutes, is created to read:

15.0326 State anthem.—The song "Florida, Where the Sawgrass Meets the Sky," music and lyrics written by Jan Hinton, is designated as the official anthem of the State of Florida.

Section 2. Section 15.0327, Florida Statutes, is created to read:

15.0327 State song.—The song "Old Folks at Home," revised lyrics, as adopted by the Center for American Music, Stephen Foster Memorial, at the University of Pittsburgh, is designated as the official song of the State of Florida.

And the title is amended as follows:

Delete line(s) 3 and 4 and insert: s. 15.0326, F.S.; designating the song "Florida, Where the Sawgrass Meets the Sky" as the official state anthem; creating s. 15.0327, F.S.; designating the song "Old Folks at Home," revised lyrics, as adopted by the Center for American Music,

Stephen Foster Memorial, at the University of Pittsburgh, as the official state song; providing an

MOTION

On motion by Senator Hill, the rules were waived to allow the following amendment to be considered:

Senator Hill moved the following amendment:

Amendment 2 (103420)(with title amendment)—Delete line 11 and insert:

15.0326 State song.—The song "Florida, Where the Sawgrass Meets the

And the title is amended as follows:

Delete line 3 and insert: s. 15.0326, F.S.; designating the song "Florida, Where the Sawgrass

On motion by Senator Hill, further consideration of **SB 1558** with pending **Amendment 2 (103420)** was deferred.

On motion by Senator Lawson, the Senate recalled from Engrossing—

CS for CS for SB 2848—A bill to be entitled An act relating to the Florida Retirement System; amending s. 121.021, F.S.; redefining the terms "employer," "officer or employee," "past service," "compensation," "normal retirement date," "regularly established position," and temporary position"; defining the terms "state board" and "trustees"; amending s. 121.031, F.S.; requiring promotional materials that refer to the Florida Retirement System to include a disclaimer unless approval is obtained from the Department of Management Services; amending s. 121.051, F.S.; conforming a cross-reference; revising provisions relating to participation in the system; excluding the participation of entities under a lease agreement; excluding the participation of prisoners and inmates in the system; amending s. 121.052, F.S.; changing the dates for when a governing body of a municipality or special district may elect to designate its elected positions for inclusion in the Elected Officers' Class; amending s. 121.071, F.S.; expanding the mechanisms for employees to pay contributions to the system; amending s. 121.081, F.S.; revising provisions relating to receiving credit for past or prior service; prohibiting a member from receiving credit for service covered and reported by both a public employer and a private employer; amending s. 121.091, F.S.; revising provisions relating to retirement benefits; deleting a restriction on the reemployment of certain personnel by the Florida School for the Deaf and the Blind; extending the period of time that instructional personnel employed by a developmental research school may participate in the Deferred Retirement Option Program; clarifying that DROP participation cannot be cancelled; providing for the suspension of DROP benefits to a participant who is reemployed; deleting obsolete provisions; authorizing the Division of Retirement to issue benefits pursuant to a qualified domestic relations order directly to the alternate payee; amending s. 121.1115, F.S.; revising provisions relating to receiving retirement credit for out-of-state service; providing that a member is not eligible for and may not receive a benefit based on that service; amending s. 121.1122, F.S.; revising provisions relating to receiving retirement credit for in-state service; providing that a member may not be eligible for or receiving a benefit based on service; amending s. 121.136, F.S.; revising provisions relating to the annual statement of benefits provided to certain active members of the Florida Retirement System; amending s. 121.1905, F.S.; deleting provision describing the mission of the Division of Retirement; amending s. 121.23, F.S.; requiring the State Retirement Commission to meet the same requirements used by the Secretary of Management Services before approving a disability retirement benefit; amending s. 121.24, F.S.; requiring a quorum of three members for all appeal hearings held by the State Retirement Commission; amending s. 1012.33, F.S.; deleting the provision preventing persons who have retired from the public school system from renewing membership in the Florida Retirement System upon reemployment by the school system; repealing s. 121.093, F.S., relating to instructional personnel reemployment after retirement from the developmental research school or the Florida School for the Deaf and the Blind; repealing s. 121.094, F.S., relating to instructional personnel reemployment after retirement from a charter school; repealing s. 121.45, F.S., relating to interstate compacts relating to pension portability; providing a declaration of important state interest; providing an effective date.

—which was previously considered and amended this day.

On motions by Senator Lawson, by two-thirds vote **CS for CS for SB 2848** as amended was read the third time by title, passed, ordered engrossed and then immediately certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

Nays—None

The Senate resumed consideration of—

SB 1558—A bill to be entitled An act relating to official state designations; creating s. 15.0326, F.S.; designating the song "Where the Sawgrass Meets the Sky" as the official state song; providing an effective date.

—which was previously considered and amended this day. Pending **Amendment 2 (103420)** by Senator Hill was withdrawn.

On motions by Senator Hill, by two-thirds vote **SB 1558** as amended was read the third time by title, passed, ordered engrossed and then immediately certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

Nays—None

By Senator Fasano—

CS for SB 994—A bill to be entitled An act relating to sexual violence; amending s. 741.313, F.S.; defining the term "sexual violence"; providing specified employee leave benefits to employees who are victims of sexual violence or who have a family or household member who is a victim of sexual violence; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 994** was placed on the calendar of Bills on Third Reading.

By Senator Saunders—

SB 1486—A bill to be entitled An act relating to state symbols; creating s. 15.0386, F.S.; designating the official state tortoise; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 1486** was placed on the calendar of Bills on Third Reading.

On motion by Senator Saunders, by two-thirds vote **HB 989** was withdrawn from the Committees on Health Regulation; and Health Policy.

On motion by Senator Saunders—

HB 989—A bill to be entitled An act relating to physician assistants; amending s. 458.347, F.S.; revising the requirements for the formulary established by the Council on Physician Assistants in order to allow physician assistants to prescribe antipsychotics and parenteral preparations; providing an effective date.

—a companion measure, was substituted for **SB 1106** and read the second time by title.

Pursuant to Rule 4.19, **HB 989** was placed on the calendar of Bills on Third Reading.

On motion by Senator Storms, by two-thirds vote **HB 7085** was withdrawn from the Committees on Children, Families, and Elder Affairs; Judiciary; and Health and Human Services Appropriations.

On motion by Senator Storms, the rules were waived and—

HB 7085—A bill to be entitled An act relating to mental health and substance abuse; amending s. 394.4572, F.S.; revising provisions relating to employment screening requirements for mental health personnel; revising the definition of the term "mental health personnel"; removing an exemption from screening requirements for certain mental health personnel; creating s. 394.4996, F.S.; authorizing the Agency for Health Care Administration, in consultation with the Department of Children and Family Services, to establish a licensure category for facilities providing integrated adult mental health crisis stabilization unit and addictions receiving facility services; authorizing such facilities to provide integrated mental health and substance abuse services to adults who meet certain criteria; providing for standards, procedures, and requirements for services; providing rulemaking authority; amending s. 394.655, F.S.; revising purpose of the Criminal Justice, Mental Health, and Substance Abuse Policy Council; amending s. 394.656, F.S.; requiring the department and the agency to develop local treatment and service delivery infrastructures in coordination with counties receiving grants under the Criminal Justice, Mental Health, and Substance Abuse Reinvestment Grant Program; amending s. 394.657, F.S.; providing additional duties of certain county planning councils and committees; amending s. 394.659, F.S.; providing additional duties of the Criminal Justice, Mental Health, and Substance Abuse Technical Assistance Center; requiring an annual report; amending s. 394.67, F.S.; revising the definition of the term "residential treatment center for children and adolescents"; providing for such centers to be licensed by the agency; amending s. 394.674, F.S.; revising eligibility requirements for substance abuse and mental health services funded by the department; providing rulemaking authority; creating s. 394.9086, F.S.; creating the "Community Mental Health and Substance Abuse Treatment and Crime Reduction Act"; providing goals; providing definitions; creating a community mental health and substance abuse treatment forensic treatment system; providing criteria for eligibility; providing responsibilities of the department; establishing demonstration sites; providing rulemaking authority; amending s. 409.906, F.S.; authorizing the agency to seek federal approval to implement home and community-based services; amending s. 553.80, F.S.; providing for enforcement of the Florida Building Code construction regulations for secure mental health treatment facilities by the department; amending s. 916.111, F.S.; revising provisions governing the training of mental health experts; requiring forensic evaluator training courses to be offered annually; providing requirements for being placed on or removed from the department's forensic evaluator registry; amending s. 916.115, F.S.; revising provisions relating to appointment of experts by the court to evaluate the mental condition of a criminal defendant; requiring experts to complete forensic evaluator training within a specified period of time to remain on the department's registry; providing conditions under which certain persons may assist in forensic evaluations; amending s. 916.13, F.S.; creating an exception to involuntary commitment for defendants adjudicated incompetent in the custody of the Department of Corrections; providing duties of the department relating to treatment for defendants adjudicated incompetent to proceed due to mental illness; revising duties of the department and the court; specifying timeframes for the filing of reports, the commitment and placement of defendants, and the holding of hearings; amending s. 916.15, F.S.; creating an exception for the involuntary commitment of defendants adjudicated not guilty by reason of insanity in the custody of the Department of Corrections; revising duties of the department and the court; specifying timeframes for the filing of reports, the commitment and placement of defendants, and the holding of hearings; amending s. 916.17, F.S.; providing conditions for placement of a defendant in a community residential facility in a demonstration area established under the act under certain circumstances; providing criteria for such placement; providing an effective date.

—a companion measure, was substituted for **CS for CS for CS for SB 1150** and read the second time by title.

Senator Storms moved the following amendment:

Amendment 1 (378566)(with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Subsection (1) of section 394.4572, Florida Statutes, is amended to read:

394.4572 Screening of mental health personnel.—

(1)(a) The department and the Agency for Health Care Administration shall require employment screening for mental health personnel using the standards for level 2 screening set forth in chapter 435. "Mental health personnel" includes all program directors, professional clinicians, staff members, and volunteers working in public or private mental health programs and facilities who have direct contact with ~~unmarried~~ patients ~~under the age of 18 years~~. For purposes of this chapter, employment screening of mental health personnel shall also include, but is not limited to, employment screening as provided under chapter 435.

(b) Students in the health care professions who are interning in a mental health facility licensed under chapter 395, where the primary purpose of the facility is not the treatment of minors, are exempt from the fingerprinting and screening requirements, provided they are under direct supervision in the actual physical presence of a licensed health care professional.

~~(c) Mental health personnel working in a facility licensed under chapter 395 who have less than 15 hours per week of direct contact with patients or who are health care professionals licensed by the Agency for Health Care Administration or a board thereunder are exempt from the fingerprinting and screening requirements, except for persons working in mental health facilities where the primary purpose of the facility is the treatment of minors.~~

(c)~~(d)~~ A volunteer who assists on an intermittent basis for less than 40 hours per month is exempt from the fingerprinting and screening requirements, provided the volunteer is under direct and constant supervision by persons who meet the screening requirements of paragraph (a).

Section 2. Subsection (4) is added to section 394.462, Florida Statutes, to read:

394.462 Transportation.—

(4) HIV EXPOSURE.—

(a) In any case in which a law enforcement officer; employee of an emergency medical transport service, private transport company contracting with the county, or mobile crisis response service; or other designated agent of the county, department, or the court comes into contact with or is exposed to body fluids, to which universal precautions apply as outlined in s. 381.004(2)(c), of a person being taken into custody for the purpose of delivering him or her to a receiving or treatment facility, hospital, community mental health center, or other facility authorized to provide mental health evaluations or services pursuant to this chapter, the law enforcement officer, employee, or agent may seek a court order directing that the person who is the source of the significant exposure undergo HIV testing. A sworn statement by the law enforcement officer,

employee, or agent that a significant exposure has occurred constitutes probable cause for the issuance of the order by the court. The order shall direct the person to undergo HIV testing within 48 hours after the issuance of the court order.

1. The testing shall be performed in accordance with s. 381.004.

2. The results of the test shall be disclosed to the law enforcement officer, employee, or agent no later than 2 weeks after the receipt of the test results.

3. The results of the test are not admissible in any subsequent court proceeding involving the person being transported.

(b) A law enforcement officer; employee of an emergency medical transport service, private transport company contracting with the county, or mobile crisis response service; or other designated agent of the county, department, or the court who comes into contact with or is exposed to body fluids, to which universal precautions apply as outlined in s. 381.004(2)(c), of a person being transported pursuant to this section and who requests HIV testing may obtain such test from his or her respective county health department at no cost.

Section 3. Subsection (21) of section 394.67, Florida Statutes, is amended to read:

394.67 Definitions.—As used in this part, the term:

(21) "Residential treatment center for children and adolescents" means a 24-hour residential program, including a therapeutic group home, which provides mental health services to emotionally disturbed children or adolescents as defined in s. 394.492(5) or (6) and which is a private for-profit or not-for-profit corporation *licensed by the Agency for Health Care Administration* ~~under contract with the department~~ which offers a variety of treatment modalities in a more restrictive setting.

Section 4. Section 394.674, Florida Statutes, is amended to read:

394.674 ~~Clinical~~ Eligibility for publicly funded substance abuse and mental health services; fee collection requirements.—

(1) To be eligible to receive substance abuse and mental health services funded by the department, a person must be a member of *at least* one of the department's *priority populations* ~~target groups~~ approved by the Legislature~~, pursuant to s. 216.0166~~. *The priority populations include:*

(a) For adult mental health services:

1. Adults who have severe and persistent mental illness, as designated by the department using criteria which include severity of diagnosis, duration of the mental illness, ability to independently perform activities of daily living, and receipt of disability income for a psychiatric condition. Within this group priority populations include:

a. Older adults in crisis.

b. Older adults who are at risk of being placed in a more restrictive environment because of their mental illness.

c. Individuals deemed incompetent to proceed or not guilty by reason of insanity under chapter 916.

d. Other individuals with criminal justice involvement.

e. Individuals who have co-occurring mental illness and substance use disorders.

2. Adults experiencing an acute mental or emotional crisis as defined in s. 394.67(17).

(b) For children's mental health services:

1. Children who have a serious emotional disturbance.

2. Children who have an emotional disturbance.

3. Children who are at risk of emotional disturbance.

(c) For substance abuse services:

1. Adults who have substance use disorders and have a history of intravenous drug use.

2. Persons dually diagnosed as having co-occurring substance abuse and mental health disorders.

3. Parents putting children at risk due to a substance abuse disorder.

4. Persons who have a substance abuse disorder and have been ordered by the court to receive treatment.

5. Children at risk for initiating drug use.

6. Children under state supervision.

7. Children who have a substance abuse disorder but who are not under the supervision of a court or in the custody of a state agency.

8. Persons identified as a priority population as a condition of the receipt of the Substance Abuse Block Grant.

(2) Crisis services, as defined in s. 394.67, must, within the limitations of available state and local matching resources, be available to each person who is eligible for services under subsection (1), regardless of the person's ability to pay for such services. A person who is experiencing a mental health crisis and who does not meet the criteria for involuntary examination under s. 394.463(1), or a person who is experiencing a substance abuse crisis and who does not meet the involuntary admission criteria in s. 397.675, must contribute to the cost of his or her care and treatment pursuant to the sliding fee scale developed under subsection (4), unless charging a fee is contraindicated because of the crisis situation.

(3) Mental health services, substance abuse services, and crisis services, as defined in s. 394.67, must, within the limitations of available state and local matching resources, be available to each person who is eligible for services under subsection (1). Such person must contribute to the cost of his or her care and treatment pursuant to the sliding fee scale developed under subsection (4).

(4) The department shall adopt rules *relating* to *client* ~~implement the clinical~~ eligibility*, client enrollment,* and fee collection ~~requirements~~ for publicly funded substance abuse and mental health services. The rules must require ~~that~~ each provider under contract with the department *which enrolls eligible persons into treatment to* develop a sliding fee scale for persons who have a net family income at or above 150 percent of the Federal Poverty Income Guidelines, unless otherwise required by state or federal law. The sliding fee scale must use the uniform schedule of discounts by which a provider under contract with the department discounts its established client charges for services supported with state, federal, or local funds, using, at a minimum, factors such as family income, financial assets, and family size as declared by the person or the person's guardian. The rules must include uniform criteria to be used by all service providers in developing the schedule of discounts for the sliding fee scale. The rules must address the most expensive types of treatment, such as residential and inpatient treatment, in order to make it possible for a client to responsibly contribute to his or her mental health or substance abuse care without jeopardizing the family's financial stability. A person who is not eligible for Medicaid and whose net family income is less than 150 percent of the Federal Poverty Income Guidelines must pay a portion of his or her treatment costs which is comparable to the copayment amount required by the Medicaid program for Medicaid clients pursuant to s. 409.9081. The rules must require that persons who receive financial assistance from the Federal Government because of a disability and are in long-term residential treatment settings contribute to their board and care costs and treatment costs and must be consistent with the provisions in s. 409.212.

(5) A person who meets the eligibility criteria in subsection (1) shall be served in accordance with the appropriate district substance abuse and mental health services plan specified in s. 394.75 and within available resources.

(6) The department may adopt rules to administer this section.

Section 5. Section 394.4996, Florida Statutes, is created to read:

394.4996 Integrated adult mental health crisis stabilization and addictions receiving facilities.—

(1) Beginning July 1, 2008, the Agency for Health Care Administration, in consultation with the Department of Children and Family Services, may license facilities that integrate services provided in an adult mental health crisis stabilization unit with services provided in an adult addictions receiving facility. Such a facility shall be licensed by the agency as an adult crisis stabilization unit under part IV and shall meet all licensure requirements for crisis stabilization units providing integrated services.

(2) An integrated mental health crisis stabilization unit and addictions receiving facility may provide services under this section to adults, 18 years of age or older, who fall into one or more of the following categories:

(a) An adult meeting the requirements for voluntary admission for mental health treatment under s. 394.4625.

(b) An adult meeting the criteria for involuntary examination for mental illness under s. 394.463.

(c) An adult qualifying for voluntary admission for substance abuse treatment under s. 397.601.

(d) An adult meeting the criteria for involuntary admission for substance abuse impairment under s. 397.675.

(3) The department, in consultation with the agency, shall adopt by rule standards that address eligibility criteria; clinical procedures; staffing requirements; operational, administrative, and financing requirements; and the investigation of complaints. Standards that are implemented specific to substance abuse treatment services shall meet or exceed existing standards for addiction receiving facilities.

Section 6. Subsection (1) of section 553.80, Florida Statutes, is amended to read:

553.80 Enforcement.—

(1) Except as provided in paragraphs *(a)-(g)* ~~(a)-(f)~~, each local government and each legally constituted enforcement district with statutory authority shall regulate building construction and, where authorized in the state agency's enabling legislation, each state agency shall enforce the Florida Building Code required by this part on all public or private buildings, structures, and facilities, unless such responsibility has been delegated to another unit of government pursuant to s. 553.79(9).

(a) Construction regulations relating to correctional facilities under the jurisdiction of the Department of Corrections and the Department of Juvenile Justice are to be enforced exclusively by those departments.

(b) Construction regulations relating to elevator equipment under the jurisdiction of the Bureau of Elevators of the Department of Business and Professional Regulation shall be enforced exclusively by that department.

(c) Construction regulations relating to secure mental health treatment facilities under the jurisdiction of the Department of Children and Family Services and secure mental health treatment facilities licensed under chapter 395 by the Agency for Health Care Administration shall be enforced exclusively by that department and the agency.

(d)~~(c)~~ In addition to the requirements of s. 553.79 and this section, facilities subject to ~~the provisions of~~ chapter 395 and part II of chapter 400 shall have facility plans reviewed and construction surveyed by the state agency authorized to do so under the requirements of chapter 395 and part II of chapter 400 and the certification requirements of the Federal Government.

(e)~~(d)~~ Building plans approved under s. 553.77(3) and state-approved manufactured buildings, including buildings manufactured and assembled offsite and not intended for habitation, such as lawn storage buildings and storage sheds, are exempt from local code enforcing agency plan reviews except for provisions of the code relating to erection, assembly, or construction at the site. Erection, assembly, and construction at the site are subject to local permitting and inspections. Lawn storage buildings and storage sheds bearing the insignia of approval of the department are not subject to s. 553.842. Such buildings that do not exceed 400 square feet may be delivered and installed without need of a contractor's or specialty license.

(f)~~(e)~~ Construction regulations governing public schools, state universities, and community colleges shall be enforced as provided in subsection (6).

(g)~~(f)~~ The Florida Building Code as it pertains to toll collection facilities under the jurisdiction of the turnpike enterprise of the Department of Transportation shall be enforced exclusively by the turnpike enterprise.

The governing bodies of local governments may provide a schedule of fees, as authorized by s. 125.56(2) or s. 166.222 and this section, for the enforcement of ~~the provisions of~~ this part. Such fees shall be used solely for carrying out the local government's responsibilities in enforcing the Florida Building Code. The authority of state enforcing agencies to set fees ~~for enforcement~~ shall be derived from authority existing on July 1, 1998. However, ~~nothing contained in~~ this subsection *does not* ~~shall operate to~~ limit such agencies from adjusting their fee schedule in conformance with existing authority.

Section 7. Section 916.111, Florida Statutes, is amended to read:

916.111 Training of mental health experts.—The evaluation of defendants for competency to proceed or for sanity at the time of the commission of the offense shall be conducted in such a way as to ensure uniform application of the criteria enumerated in Rules 3.210 and 3.216, Florida Rules of Criminal Procedure.

(1) A forensic evaluator training course approved by the department must be provided at least annually to ensure that mental health professionals have the opportunity to be placed on the department's forensic evaluator registry.

(a) Beginning July 1, 2009, experts shall remain on the registry if they have completed or retaken the required training within the previous 5 years. Those who have not completed the required training within the previous 5 years shall be removed from the registry and may not conduct evaluations for the courts.

(b) A mental health professional who has completed the training course within the previous 5 years is responsible for maintaining documentation of completion of the required training and providing the department with current contact information.

(2) The department shall develop, and may contract with accredited institutions:

(a)~~(1)~~ To provide:

1.~~(a)~~ A plan for training mental health professionals to perform forensic evaluations and to standardize the criteria and procedures to be used in these evaluations;

2.~~(b)~~ Clinical protocols and procedures based upon the criteria of Rules 3.210 and 3.216, Florida Rules of Criminal Procedure; and

3.~~(c)~~ Training for mental health professionals in the application of these protocols and procedures in performing forensic evaluations and providing reports to the courts; and

(b)~~(2)~~ To compile and maintain the necessary information for evaluating the success of this program, including the number of persons trained, the cost of operating the program, and the effect on the quality of forensic evaluations as measured by appropriateness of admissions to state forensic facilities and to community-based care programs.

Section 8. Subsection (1) of section 916.115, Florida Statutes, is amended to read:

916.115 Appointment of experts.—

(1) The court shall appoint no more than three experts to determine the mental condition of a defendant in a criminal case, including competency to proceed, insanity, involuntary placement, and treatment. The experts may evaluate the defendant in jail or in another appropriate local facility or in a facility of the Department of Corrections.

(a) ~~To the extent possible, the~~ Appointed experts *must* ~~shall~~ have completed forensic evaluator training *as provided in s. 916.111* ~~approved by the department~~, and each shall be a psychiatrist, licensed psychologist, or physician.

(b) Graduate students completing a practicum or internship, psychological specialists or counselors, and postdoctoral fellows at the state's mental health treatment facilities may assist in the evaluation process as long as their reports are overseen and signed by a supervising evaluator who has completed forensic evaluator training within the previous 5 years.

(c)~~(b)~~ The department shall maintain and annually provide the courts with a *forensic evaluator registry* ~~list~~ of available mental health professionals who have completed the approved training as experts.

Section 9. Section 916.13, Florida Statutes, is amended to read:

916.13 Involuntary commitment of defendant adjudicated incompetent.—

(1) *Except for a defendant who is serving a sentence in the custody of the Department of Corrections, a* ~~Every~~ defendant who is charged with a felony and who is adjudicated incompetent to proceed may be involuntarily committed for treatment upon a finding by the court of clear and convincing evidence that:

(a) The defendant has a mental illness and because of the mental illness:

1. The defendant is manifestly incapable of surviving alone or with the help of willing and responsible family or friends, including available alternative services, and, without treatment, the defendant is likely to suffer from neglect or refuse to care for herself or himself and such neglect or refusal poses a real and present threat of substantial harm to the defendant's well-being; or

2. There is a substantial likelihood that in the near future the defendant will inflict serious bodily harm on herself or himself or another person, as evidenced by recent behavior causing, attempting, or threatening such harm;

(b) All available, less restrictive treatment alternatives, including treatment in community residential facilities or community inpatient or outpatient settings, which would offer an opportunity for improvement of the defendant's condition have been judged to be inappropriate; and

(c) There is a substantial probability that the mental illness causing the defendant's incompetence will respond to treatment and the defendant will regain competency to proceed in the reasonably foreseeable future.

(2)*(a)* A defendant who has been charged with a felony and who has been adjudicated incompetent to proceed due to mental illness, and who meets the criteria for involuntary commitment ~~to the department~~ under ~~the provisions of~~ this chapter, may be committed to the department, and the department shall retain and treat the defendant. *Within* ~~No later than~~ 6 months after the date of admission and at the end of any period of extended commitment, or at any time the administrator or designee shall have determined that the defendant has regained competency to proceed or no longer meets the criteria for continued commitment, the administrator or designee shall file a report with the court pursuant to the applicable Florida Rules of Criminal Procedure.

(b) A defendant who is serving a sentence in the custody of the Department of Corrections, who is charged with a new felony or is entitled to a mandatory appeal pursuant to Rule 3.851, Florida Rules of Criminal Procedure, and who has been adjudicated incompetent to proceed due to mental illness shall be retained in the physical custody of the Department of Corrections and the department shall administer a lesson plan for competency restoration training provided by the Department of Children and Family Services. Within 6 months after the administration of the lesson plan and every 12 months thereafter, or at any time the Department of Children and Family Services determines that the defendant has regained competency to proceed, the Department of Children and Family Services shall file a report with the court pursuant to the applicable Florida Rules of Criminal Procedure.

(c) Within 15 days after the court receives notification that a defendant is competent to proceed or no longer meets the criteria for continued commitment, the defendant shall be transported back to jail pursuant to s. 916.107(10) for the purpose of holding a competency hearing.

(d) A competency hearing shall be held within 30 days after a court receives notification that the defendant is competent to proceed.

Section 10. Section 916.15, Florida Statutes, is amended to read:

916.15 Involuntary commitment of defendant adjudicated not guilty by reason of insanity.—

(1) The determination of whether a defendant is not guilty by reason of insanity shall be determined in accordance with Rule 3.217, Florida Rules of Criminal Procedure.

(2) *Except for a defendant who is serving a sentence in the custody of the Department of Corrections,* a defendant who is acquitted of criminal charges because of a finding of not guilty by reason of insanity may be involuntarily committed pursuant to such finding if the defendant has a mental illness and, because of the illness, is manifestly dangerous to himself or herself or others.

(3) *Except for a defendant who is serving a sentence in the custody of the Department of Corrections, a* ~~Every~~ defendant acquitted of criminal charges by reason of insanity and found to meet the criteria for involuntary commitment may be committed and treated in accordance with ~~the provisions of~~ this section and the applicable Florida Rules of Criminal Procedure. The department shall admit a defendant so adjudicated to an appropriate facility or program for treatment and shall retain and treat such defendant.

(a) Within ~~No later than~~ 6 months after the date of admission, prior to the end of any period of extended commitment, or at any time the administrator or designee *has* ~~shall have~~ determined that the defendant no longer meets the criteria for continued commitment placement, the administrator or designee shall file a report with the court pursuant to the applicable Florida Rules of Criminal Procedure.

(b) Within 15 days after the court receives notification that the defendant no longer meets the criteria for continued commitment placement, the defendant shall, pursuant to s. 916.107(10), be transported back to jail for the purpose of holding a commitment hearing.

(c) A commitment hearing shall be held within 30 days after the court receives notification that the defendant no longer meets the criteria for continued commitment placement.

(4) A defendant who is serving a sentence in the custody of the Department of Corrections, who has been charged with a new felony, and who has been adjudicated not guilty by reason of insanity shall be retained in the physical custody of the Department of Corrections for the remainder of his or her sentence. Within 30 days before the defendant's anticipated release date, the Department of Children and Family Services shall evaluate the defendant and file a report with the court requesting that the defendant be returned to the court's jurisdiction to determine if the defendant continues to meet the criteria for continued commitment placement.

(5)~~(4)~~ In all proceedings under this section, both the defendant and the state shall have the right to a hearing before the committing court. Evidence at such hearing may be presented by the hospital administrator or the administrator's designee as well as by the state and the defendant. The defendant shall have the right to counsel at any such hearing. *If* ~~In the event that~~ a defendant is determined to be indigent pursuant to s. 27.52, the public defender shall represent the defendant. The parties shall have access to the defendant's records at the treating facilities and may interview or depose personnel who have had contact with the defendant at the treating facilities.

Section 11. Paragraphs (b) and (d) of subsection (1) of section 985.19, Florida Statutes, are amended to read:

985.19 Incompetency in juvenile delinquency cases.—

(1) If, at any time prior to or during a delinquency case, the court has reason to believe that the child named in the petition may be incompetent to proceed with the hearing, the court on its own motion may, or on the motion of the child's attorney or state attorney must, stay all proceedings and order an evaluation of the child's mental condition.

(b) All determinations of competency shall be made at a hearing, with findings of fact based on an evaluation of the child's mental condition made by not less than two nor more than three experts appointed by the court. The basis for the determination of incompetency must be specifically stated in the evaluation *and shall be conducted in compliance with uniform procedures relating to competency to proceed and*

evaluation criteria. ~~In addition, a recommendation as to whether residential or nonresidential treatment or training is required must be included in the evaluation.~~ Experts appointed by the court to determine the mental condition of a child shall be allowed reasonable fees for services rendered. State employees may be paid expenses pursuant to s. 112.061. The fees shall be taxed as costs in the case.

(d) Appointed experts shall have completed forensic evaluator training approved by the Department of Children and Family Services within 5 years before conducting evaluations for the court, and each shall be a psychiatrist, licensed psychologist, or physician.

1.~~(d)~~ For incompetency evaluations related to mental illness, the Department of Children and Family Services shall maintain and annually provide the courts with a list of available mental health professionals who have completed a training program approved by the Department of Children and Family Services to perform the evaluations. *Beginning July 1, 2009, experts shall remain on the list as long as they have completed or retaken the forensic evaluator training within the previous 5 years. Those who have not completed the required training within the previous 5 years shall be removed from the list and may not conduct evaluations for the courts.*

2. Experts are responsible for maintaining documentation of completion of the required training and providing the department with current contact information during the 5-year effective period of the required training.

Section 12. *The Department of Children and Family Services and the Agency for Health Care Administration, in consultation with the Florida Substance Abuse and Mental Health Corporation and the Criminal Justice, Mental Health, and Substance Abuse Technical Assistance Center, shall prepare a plan relating to the provision and management of mental health services for consideration by the Legislature.*

(1) The plan shall, at a minimum, include the following:

(a) A review and evaluation of the structure of governance of mental health services and recommendations that will improve the coordination of services at the local and state level, maximize the use of resources, and inform and link target populations with available services.

(b) A review and evaluation of, and recommendations concerning, the development of methodologies to accurately estimate target populations for mental health services, the service needs of each target population, and the availability of services.

(c) Proposed guidelines for the development and implementation of community-based mental health programs and services that reduce the likelihood of future involvement with the criminal justice system.

(d) Proposed guidelines for the development and implementation of programs and services that facilitate the transition and successful reentry into the community by providing a continuum of mental health services to persons released from criminal justice or forensic facilities.

(e) Recommended performance measures and reporting requirements for state and local programs and services specified in paragraphs (c) and (d).

(f) Proposed guidelines and strategies for providing a continuum of care to persons receiving competency restoration services.

(2) The plan shall be submitted to the Governor, the President of the Senate, and the Speaker of the House of Representatives by January 1, 2010.

Section 13. *The Office of Program Policy Analysis and Government Accountability shall conduct a study and make recommendations relating to mental health services by January 2009. The study shall include a review of the following:*

(1) Mental health courts in this state compared with similar courts in other states.

(2) Mental health funding in this state compared with mental health funding in other states.

(3) A review of cost-containment strategies for mental health services in other states.

(4) Mental health diversion programs in this state compared with similar programs in other states.

Section 14. This act shall take effect July 1, 2008.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to mental health and substance abuse; amending s. 394.4572, F.S.; requiring level II screening for all personnel who work with persons with mental illness; amending s. 394.462, F.S.; providing for HIV testing of persons being transported for mental health services upon the request of law enforcement officers or other designated agents who come into contact with the person's body fluids; requiring the county health department to provide HIV testing at no cost to such officers and agents; amending s. 394.67, F.S.; removing an obsolete reference to a corporation's contract with the Department of Children and Family Services and adding a reference to a corporation's licensure by the Agency for Health Care Administration to the definition of residential treatment center for children and adolescents; amending s. 394.674, F.S.; establishing priority populations who are eligible for services funded by the Department of Children and Family Services; authorizing the department to adopt rules; creating s. 394.4996, F.S.; authorizing the department to establish facilities that provide services as an integrated adult mental health crisis stabilization unit and addictions receiving facility; requiring licensure; providing eligibility criteria for treatment services; authorizing the department to adopt rules; amending s. 553.80, F.S.; requiring that local construction regulations for secure mental health treatment facilities be enforced by the department or the Agency for Health Care Administration; amending s. 916.111, F.S.; requiring that a forensic evaluator training course be provided annually in order for mental health experts to be placed on the forensic evaluator registry; providing that mental health professionals that have taken the course within the last 5 years remain on the registry; requiring mental health professionals on the registry to maintain training course documentation and provide the department with current information; amending s. 916.115, F.S.; allowing certain persons who are supervised by a person who has taken the forensic evaluator training course to assist in the forensic evaluation process; amending s. 916.13, F.S.; requiring defendants in the custody of the Department of Corrections who are adjudicated incompetent to remain in the custody of the Department of Corrections and receive treatment from the department; requiring the Department of Children and Family Services to determine whether the inmate has regained competency; providing timelines for competency hearings; amending s. 916.15, F.S.; providing a timeline for holding a commitment hearing for defendants who no longer meet the criteria for continued commitment by reason of insanity; providing an exception for defendants in the custody of the Department of Corrections; requiring defendants in the custody of the Department of Corrections who are charged with a new felony and found not guilty by reason of insanity to remain in the department's custody for the remainder of their sentence; requiring the Department of Children and Family Services to evaluate the inmate and file a report with the court requesting a hearing for determining continued commitment placement; amending s. 985.19, F.S.; requiring that experts appointed in juvenile incompetent-to-proceed cases be a psychiatrist, licensed psychologist, or physician and have completed the forensic evaluator training within 5 years prior to conducting evaluations for the court; providing that, beginning July 1, 2009, experts who have completed or retaken the course within the last 5 years remain on the registry; requiring experts on the registry to maintain training course documentation and provide the Department of Children and Family Services with current information; requiring the Department of Children and Family Services and the Agency for Health Care Administration to prepare a mental health plan to be submitted to the Legislature and the Governor; requiring a study by the Office of Program Policy Analysis and Governmental Accountability on mental health issues; providing an effective date.

MOTION

On motion by Senator Storms, the rules were waived to allow the following amendment to be considered:

Senator Storms moved the following amendment to **Amendment 1** which was adopted:

Amendment 1A (663282)—Delete line(s) 510 and 511 and insert: *with current contact information.*

Amendment 1 as amended was adopted.

Pursuant to Rule 4.19, **HB 7085** as amended was placed on the calendar of Bills on Third Reading.

Consideration of **CS for CS for SB 1440** was deferred.

By Senator Dean—

CS for CS for SB 1488—A bill to be entitled An act relating to consumer information concerning health care; providing a short title; providing a purpose; amending s. 381.026, F.S.; requiring a health care provider or a health care facility to provide an uninsured person with a reasonable estimate of charges for planned nonemergency medical services before such services are provided; requiring that the provider or the facility provide the uninsured person with information regarding such provider's or facility's discount or charity policies; requiring that the estimate be in writing and in a language comprehensible to an ordinary layperson; amending s. 395.301, F.S.; requiring certain licensed facilities to provide a written estimate within a certain period of time to an uninsured person seeking planned nonemergency elective admission; requiring the facility to notify the person if the estimate is revised; requiring the facility to provide the person with a copy of any discount or charity care discount policies for which such person may be eligible; requiring the facility to place a notice in the reception area where such information is available; imposing a monetary penalty if the facility fails to provide the requested information; amending s. 408.05, F.S.; revising the list of patient charge data that may be disclosed by the Agency for Health Care Administration; requiring the agency to publish on its website information concerning prices for the most commonly performed adult and pediatric procedures; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 1488** was placed on the calendar of Bills on Third Reading.

By Senator Justice—

CS for CS for SB 1582—A bill to be entitled An act relating to guardians ad litem; amending s. 61.402, F.S.; authorizing a person affiliated with a not-for-profit legal aid organization to serve as a guardian ad litem under certain circumstances; requiring that such person undergo a security background investigation; requiring not-for-profit legal aid organizations to provide training developed by The Florida Bar before a person is certified as a guardian ad litem; providing for interim training developed by a curriculum committee; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 1582** was placed on the calendar of Bills on Third Reading.

CS for SB 1694—A bill to be entitled An act relating to emergency dispatchers; creating s. 401.465, F.S.; providing definitions; requiring the Department of Health to establish criteria for the certification of 911 emergency dispatchers; providing requirements for certification; requiring the department to determine if an applicant meets the requirements for certification; requiring the department to establish a procedure for certificate renewal; providing for the expiration and renewal of certificates; authorizing the department to suspend or revoke a certificate; providing that a certificateholder may request inactivation of his or her certification; providing requirements for renewing an inactive certificate; requiring the department to establish a procedure for the initial certification of certain 911 emergency dispatchers; providing fees for original application and renewal of a certificate; requiring that fees be deposited in a trust fund and used for specified purposes; providing for replacement of a lost or destroyed certificate; requiring the department to issue a replacement certificate under certain circumstances; providing an effective date.

—was read the second time by title.

Senator Aronberg moved the following amendment which was adopted:

Amendment 1 (851960)(with title amendment)—Between line(s) 25 and 26 insert:

Section 1. *This act may be cited as the "Denise Amber Lee Act."*

(Redesignate subsequent sections.)

And the title is amended as follows:

On line(s) 2, after the semicolon (;) insert: providing a short title;

On motions by Senator Aronberg, by two-thirds vote **CS for SB 1694** as amended was read the third time by title, passed, ordered engrossed and then immediately certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

Nays—None

CS for CS for SB 1696—A bill to be entitled An act relating to orthotics, prosthetics, and pedorthics; amending s. 468.80, F.S.; providing and revising definitions; amending s. 468.801, F.S.; changing the composition of the Board of Orthotists and Prosthetists; removing an obsolete requirement for initial staggering of terms; amending s. 468.802, F.S.; expanding the authority for rule adoption to include standards of practice for orthotic fitters, orthotic fitter assistants, and residents; amending s. 468.803, F.S.; providing for registration for a resident to practice orthotics or prosthetics; authorizing licensure as a prosthetist-orthotist; providing requirements for such licensure; requiring applicants for registration, examination, or licensure to apply on forms created and provided by the Department of Health; requiring applicants to submit fingerprints and a fee to cover department costs for criminal background checks; requiring board verification of certain information prior to an applicant's examination, registration, or licensure; providing requirements for registration as a resident in orthotics or prosthetics; providing for registration and renewal fees for registration; authorizing either the Department of Health to develop and administer a state examination for an orthotist or prosthetist license or the board to approve an existing examination of a national standards organization; providing examination requirements; authorizing examination fees; delineating applicant qualifications for examination; delineating requirements for licensure and licensure fees for an orthotist, a prosthetist, an orthotic fitter, an orthotic fitter assistant, and a pedorthist; amending s. 468.806, F.S.; revising the list of materials required for submission for biennial license renewal, including information necessary to conduct a statewide criminal history check and payment of associated costs; requiring certain mandatory courses, standards, and qualifications for continuing education courses, and standards and qualifications for course providers to be established by rule; repealing s. 468.807, F.S., relating to the issuance of a temporary license; amending s. 468.808, F.S.; revising duties that can be delegated to unlicensed support personnel; providing requirements for support personnel identification; amending s. 468.809, F.S.; including the practice of orthotics, prosthetics, or pedorthics without registration in certain prohibitions; providing penalties; creating s. 468.8095, F.S.; requiring licensees and registrants to post licenses, registrations, recent photographs, and certain notices in a facility and to wear certain identification tags or badges; amending s. 468.811, F.S.; revising grounds for denial of a license or disciplinary

action; providing grounds for denial of registration; amending s. 468.812, F.S.; revising provisions exempting certain persons from licensure; amending s. 468.813, F.S.; revising requirements regarding use of titles; providing effective dates.

—was read the second time by title.

Senator Baker moved the following amendment which was adopted:

Amendment 1 (249050)—Delete line(s) 590-597 and insert:

(2) This *part* ~~act~~ does not require an additional license of, or regulate the practice of, any other licensed health care professional within the state, or prevent a qualified member of any other profession or any person employed under the supervision of such a licensed professional from doing work of a nature consistent with that person's training, as long as the person does not hold himself or herself out to the public as a licensee under this act.

Senator Baker moved the following amendment:

Amendment 2 (083782)(with title amendment)—Between lines 627 and 628 insert:

Section 13. Paragraph (l) of subsection (4) of section 400.9905, Florida Statutes, is amended to read:

400.9905 Definitions.—

(4) "Clinic" means an entity at which health care services are provided to individuals and which tenders charges for reimbursement for such services, including a mobile clinic and a portable equipment provider. For purposes of this part, the term does not include and the licensure requirements of this part do not apply to:

(l) Orthotic or prosthetic*, pediatric cardiology, or maternal fetal medicine* clinical facilities that are a publicly traded corporation or that are wholly owned, directly or indirectly, by a publicly traded corporation. As used in this paragraph, a publicly traded corporation is a corporation that issues securities traded on an exchange registered with the United States Securities and Exchange Commission as a national securities exchange.

And the title is amended as follows:

On line 55, after the semicolon (;) insert: amending s. 400.9905, F.S.; providing that, for purposes of the Health Care Clinic Act and the licensure requirements of that act, the definition of the term "clinic" does not apply to pediatric cardiology or maternal fetal medicine clinical facilities;

On motion by Senator Baker, further consideration of **CS for CS for SB 1696** with pending **Amendment 2 (083782)** was deferred.

Consideration of **CS for SB 1954** and **CS for SB 2170** was deferred.

On motion by Senator Storms, by two-thirds vote **CS for HB 625** was withdrawn from the Committees on Children, Families, and Elder Affairs; and Health and Human Services Appropriations.

On motion by Senator Storms—

CS for HB 625—A bill to be entitled An act relating to independent living transition services; amending s. 409.1451, F.S.; providing for family foster homes, residential child-caring agencies, or other authorized caregivers to be included in the development of plans for activities for certain children; requiring specified information to be included in a report to the Legislature by the Independent Living Services Advisory Council; creating s. 743.046, F.S.; providing for removal of disabilities of certain minors for purposes of securing utility services; providing an effective date.

—a companion measure, was substituted for **CS for SB 2192** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 625** was placed on the calendar of Bills on Third Reading.

Consideration of **SB 2400** was deferred.

By Senator Atwater—

CS for CS for SB 2598—A bill to be entitled An act relating to treatment programs for impaired medical practitioners; amending s. 456.076, F.S.; revising requirements for consultants retained by the Department of Health; providing that a consultant may contract for services to be provided to students of allopathic and osteopathic medicine or physician assistants and nursing students who are alleged to be impaired, if requested by the school; exempting the department from paying the costs for services provided by treatment providers or consultants; indemnifying certain schools from liability in civil actions under certain circumstances; providing limited sovereign immunity for certain program consultants under specified contractual conditions; requiring that the Department of Financial Services defend legal actions against program consultants; providing an effective date.

—was read the second time by title.

MOTION

On motion by Senator Atwater, the rules were waived to allow the following amendments to be considered:

Senator Atwater moved the following amendments which were adopted:

Amendment 1 (534128)(with title amendment)—Delete line(s) 57 and insert: *nurses under chapter 464, or pharmacists under chapter 465 who are alleged to be impaired as a*

And the title is amended as follows:

Delete line(s) 6-8 and insert: services to be provided to students enrolled in schools for licensure as allopathic and osteopathic physicians or physician assistants, nurses, or pharmacists who are alleged to be impaired, if requested by

Amendment 2 (429412)—Delete line(s) 67-69 and insert: *allopathic physicians under chapter 458 or osteopathic physicians under chapter 459, which is governed by accreditation*

Pursuant to Rule 4.19, **CS for CS for SB 2598** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

By Senator Wise—

CS for SB 988—A bill to be entitled An act relating to transitional services for young adults with disabilities; creating a health care transition services task force within the Department of Health; providing legislative intent; providing for membership, duties, and responsibilities of the task force; providing for reimbursement of members for expenses; requiring the task force to assess the need for health care transition services and provide a report to the Governor and the Legislature; providing an effective date.

—was read the second time by title.

Senator Wise moved the following amendment which was adopted:

Amendment 1 (612014)—Delete line(s) 28-30 and insert:

(a) The Deputy Secretary of Children's Medical Services within the Department of Health or his or her designee who shall be the chairperson of the task force.

Pursuant to Rule 4.19, **CS for SB 988** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

CS for CS for CS for SB 802—A bill to be entitled An act relating to operating a motor vehicle; creating s. 316.1926, F.S.; creating additional offenses regarding the operation of a motor vehicle; amending s. 316.2085, F.S.; requiring an operator of a motorcycle or moped to maintain both wheels on the ground at all times; requiring that the license

tag of a motorcycle or moped be affixed horizontally; amending s. 318.14, F.S.; providing additional penalties for certain offenses involving the operation of a motorcycle or excessive speed; providing for revocation of the person's privilege to operate a motor vehicle; creating s. 318.195, F.S.; providing that a person who is convicted of a moving violation that causes or contributes to causing serious injury to or the death of a person riding a motorcycle commits a misdemeanor offense; requiring that the offender pay a specified fine, serve a minimum of period of incarceration, and attend a driver improvement course; requiring the court to revoke the person's driver's license for a specified period; providing criminal penalties; providing that the act does not prohibit the offender from being charged with, convicted of, or punished for any other violation of law; providing an effective date.

—was read the second time by title.

Senator Crist moved the following amendment:

Amendment 1 (456412)(with title amendment)—Between lines 97 and 98 insert:

(4) A person who commits a criminal traffic offense may not pay a fine in lieu of community service, if community service would otherwise be required in addition to financial restitution. A judge may only order a defendant to pay a fine in lieu of required community service if the court finds that the defendant's residence, location, or employment obligations would create an undue hardship for the defendant.

And the title is amended as follows:

On line 22, after the semicolon (;) insert: providing that a person who commits a criminal traffic offense may not pay a fine in lieu of community service, if community service would otherwise be required in addition to financial restitution; providing that a person may pay a fine in lieu of community service only under specified conditions;

On motion by Senator Villalobos, further consideration of **CS for CS for CS for SB 802** with pending **Amendment 1 (456412)** was deferred.

On motion by Senator Dockery, by two-thirds vote **HB 85** was withdrawn from the Committees on Criminal Justice; Judiciary; and Criminal and Civil justice Appropriations.

On motion by Senator Dockery—

HB 85—A bill to be entitled An act relating to lewd or lascivious molestation; amending s. 775.082, F.S.; requiring life sentences for certain second or subsequent offenders; amending s. 948.012, F.S.; conforming a cross-reference; reenacting s. 800.04(5)(b), F.S., relating to lewd or lascivious offenses committed against persons less than 12 years of age, to incorporate the amendments made to s. 775.082, F.S., in a reference thereto; providing an effective date.

—a companion measure, was substituted for **SB 496** and read the second time by title.

Pursuant to Rule 4.19, **HB 85** was placed on the calendar of Bills on Third Reading.

By Senator Dockery—

CS for CS for CS for CS for SB 1614—A bill to be entitled An act relating to the Department of Corrections; amending s. 921.187, F.S.; deleting certain provisions limiting circumstances under which an offender may be placed in community control; amending s. 940.061, F.S.; specifying that the Department of Corrections meets its statutory obligation to assist released offenders with completing the application for the restoration of civil rights by sending an electronic list to the Parole Commission each month of those inmates and offenders who were released from incarceration or terminated from supervision during the preceding month; amending s. 943.16, F.S.; eliminating provisions requiring that a law enforcement officer reimburse the employing agency for wages and benefits paid by the employing agency if the officer terminates employment before the end of a 2-year commitment period; eliminating wages and benefits from the costs that employing agencies may recover; eliminating the definition of the term "academy training period"; amending s. 944.1905, F.S.; authorizing the department to assign certain inmates younger than 18 years of age to a facility for youthful offenders until the inmate reaches a specified age; deleting provisions requiring that certain offenders younger than 18 years of age be housed and provided certain services separately from older offenders or placed in a facility for youthful offenders; amending s. 944.293, F.S.; specifying that the Department of Corrections meets its statutory obligation to assist released offenders with completing the application for the restoration of civil rights by sending an electronic list to the Parole Commission each month of those inmates and offenders who were released from incarceration or terminated from supervision during the preceding month; amending s. 944.47, F.S.; providing that a cellular telephone or other portable communication device that is introduced inside the secure perimeter of a state correctional institution without prior authorization is contraband; prohibiting an inmate or other person upon the grounds of the institution from possessing such contraband without authorization; providing a definition; providing criminal penalties; amending s. 945.41, F.S.; eliminating a requirement that the Department of Corrections contract with the Department of Children and Family Services to provide certain mental health services; authorizing the Department of Corrections to contract with other entities or persons to provide mental health services to inmates; amending s. 945.42, F.S.; revising definitions and defining the term "crisis stabilization care"; amending s. 945.43, F.S.; revising the procedures for placing an inmate in a mental health treatment facility; authorizing the court to waive the presence of the inmate at the hearing on the inmate's placement; amending s. 945.44, F.S.; providing for the emergency placement of an inmate in a mental health treatment facility; amending s. 945.45, F.S.; revising the provisions governing the continued placement of an inmate in a mental health treatment facility; authorizing administrative law judges to appoint private pro bono attorneys to represent inmates in continued placement hearings; providing that the administrative law judge may waive the presence of the inmate at the hearing under certain conditions; amending s. 945.46, F.S.; authorizing the warden to initiate procedures for the involuntary examination of an inmate who has a mental illness and meets certain criteria; amending s. 945.47, F.S.; providing for the transfer of an inmate who is no longer in need of mental health treatment; deleting certain provisions governing involuntary placement; requiring that a summary of the inmate's treatment be provided to the Parole Commission and the Department of Children and Family Services upon request; amending s. 945.48, F.S.; revising the procedure for the involuntary mental health treatment of an inmate; providing for the warden of the institution containing the mental health treatment facility to petition the circuit court for an order authorizing involuntary treatment; providing requirements for the hearing on involuntary treatment; limiting the period that an order authorizing involuntary treatment is effective; providing a procedure for emergency treatment; amending s. 945.49, F.S.; deleting a provision requiring that training provided to correctional officers employed by a mental health treatment facility be in accordance with the requirements of the Criminal Justice Standards and Training Commission; amending s. 948.01, F.S.; deleting certain provisions limiting circumstances under which an offender may be placed in community control; amending s. 948.10, F.S.; deleting a requirement that community control programs and manuals be developed in consultation with the Florida Conference of Circuit Court Judges and the State Courts Administrator; deleting requirements for the department in developing and implementing community control programs, resource directories, and training programs; deleting a requirement for the Florida Court Education Council and the State Courts Administrator to coordinate certain resources for judges pertaining to community control; eliminating provisions governing review and notice by the department of offenders ineligible for community control and requiring the department to develop a caseload equalization strategy; amending s. 958.04, F.S.; authorizing the court to sentence a person as a youthful offender if the offender is younger than 21 years of age at the time sentence is imposed; requiring the Department of Corrections to adopt by rule criteria to define successful participation in the youthful offender program; amending s. 958.11, F.S.; removing the specific designation of youthful offender facilities for housing female offenders; revising requirements for the department with respect to assigning or transferring youthful offenders; removing references to the Assistant Secretary for Youthful Offenders; amending s. 958.12, F.S.; removing the requirement for a youthful offender to be visited by a probation and parole officer before release; removing the requirement for the department to develop community partnerships with the Department of Labor and Employment Security and the Department of Children and Family Services; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for CS for CS for SB 1614** was placed on the calendar of Bills on Third Reading.

By Senator Ring—

SB 1986—A bill to be entitled An act relating to lien claims by homeowners' associations; amending s. 720.3085, F.S.; providing that when authorized by the governing documents, a homeowners' association has a lien on each parcel to secure the payment of assessments and other amounts; providing an exception to first mortgages of record; providing that the act does not bestow upon any lien, mortgage, or certified judgment of record on July 1, 2008, a priority that the lien, mortgage, or judgment did not have before that date; providing for the elements of a valid claim of lien; providing for the content of a recording notice; requiring a parcel owner or the parcel owner's agent or attorney to require the homeowners' association to enforce a recorded claim of lien against his or her parcel; providing procedures for notifying the homeowners' association; requiring that service be made by certified mail, return receipt requested; authorizing the homeowners' association to bring a civil action to foreclose a lien for assessments in the same manner in which a mortgage of real property is foreclosed; providing that the homeowners' association may also bring an action to recover a money judgment for the unpaid assessments without waiving any claim of lien; providing that if a parcel owner remains in possession of the parcel after a foreclosure judgment has been entered, the court may require the parcel owner to pay a reasonable rent for the parcel; providing that the homeowners' association may purchase the parcel at the foreclosure sale and hold, lease, mortgage, or convey the parcel; limiting the liability of a first mortgagee or its successor or assignee as a subsequent holder of the first mortgage who acquires title to a parcel by foreclosure or by deed in lieu of foreclosure for the unpaid assessments that became due before the mortgagee's acquisition of title; providing that the time limitations in the act do not apply if the parcel is subject to a foreclosure action or forced sale of another party; providing for a qualified offer during the pendency of a foreclosure action; providing procedures for offering and accepting a qualifying offer; requiring that the qualifying offer be in a particular format; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 1986** was placed on the calendar of Bills on Third Reading.

By Senator Bennett—

SB 1700—A bill to be entitled An act relating to mutual aid agreements; creating s. 285.185, F.S.; authorizing the Seminole Tribe of Florida to enter into any existing mutual aid plan, arrangement, or agreement; requiring the Division of Emergency Management and the Department of Law Enforcement to abide by the terms of such plan, arrangement, or agreement and provide assistance; authorizing parties to modify the provisions of such plan, arrangement, or agreement; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 1700** was placed on the calendar of Bills on Third Reading.

By Senator Joyner—

CS for CS for SB 1732—A bill to be entitled An act relating to human trafficking; creating within the Executive Office of the Governor the Florida Statewide Task Force on Human Trafficking; prescribing the membership of the task force; providing for members of the task force to serve without compensation or reimbursement for per diem and travel expenses; providing specific responsibilities and duties of the task force and its members; requiring that the task force prepare a final report by a specified date; providing duties of the Florida State University Center for the Advancement of Human Rights; abolishing the task force on a specified date; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 1732** was placed on the calendar of Bills on Third Reading.

By Senator Crist—

CS for CS for SB 2676—A bill to be entitled An act relating to pretrial release programs; creating s. 907.043, F.S.; creating the "Citizens' Right-to-Know Act"; defining the terms "nonsecured release," "pretrial release program," "register," and "secured release"; requiring each pretrial release program to prepare a register displaying information relevant to the defendants released through such a program; requiring that a copy of the register be located at the office of the clerk of the circuit court in the county where the program is located and readily accessible to the public; specifying the contents of the register; requiring each pretrial release program to submit an annual report to the Office of the State Courts Administrator and to the clerk of the circuit court by a specified date; specifying the content of the annual report; amending s. 903.011, F.S.; providing requirements for the form of bail or bond required for release from detention; amending s. 903.286, F.S.; requiring that all cash bond forms prominently display a notice explaining that cash funds are subject to forfeiture and withholding by the clerk of the court for the payment of court fees, court costs, and criminal penalties on behalf of the criminal defendant regardless of who posted the funds; providing an effective date.

—was read the second time by title.

MOTION

On motion by Senator Crist, the rules were waived to allow the following amendments to be considered:

Senator Crist moved the following amendments which were adopted:

Amendment 1 (603470)—On line 40, after the period (.) insert: *However, the term "pretrial release program" shall not apply to the Department of Corrections.*

Amendment 2 (209394)(with title amendment)—Between line(s) 151 and 152 insert:

Section 4. *The Office of Program Policy Analysis and Government Accountability shall conduct an annual study to evaluate the effectiveness and cost-efficiency of pretrial release programs in this state. The study's scope shall include, but need not be limited to, gathering information pertaining to the funding sources of each pretrial release program, the nature of criminal convictions of defendants accepted into the programs, the number of failed court appearances by defendants accepted into each program, and the number of warrants issued subsequently by defendants in each program, as well as the program's compliance with the provisions of this section. OPPAGA shall submit a report to the President of the Senate and the Speaker of the House of Representatives by January 1 of each year.*

(Redesignate subsequent section.)

And the title is amended as follows:

On line(s) 24, after the semicolon (;) insert: requiring the Office of Program Policy Analysis and Government Accountability to conduct a study to evaluate the effectiveness and cost-efficiency of pretrial release programs in this state; describing the scope of the study; requiring OPPAGA to submit a report of the study to the President of the Senate and the Speaker of the House of Representatives by a specified date;

Pursuant to Rule 4.19, **CS for CS for SB 2676** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Lynn, by two-thirds vote—

CS for SB 342—A bill to be entitled An act relating to candidates for public office; amending s. 99.012, F.S.; authorizing a law enforcement officer to qualify as a candidate for public office without resigning his or

her law enforcement position; providing an exception; providing for reinstatement to the law enforcement office; amending s. 99.095, F.S.; authorizing a candidate to pay a pro rata portion of the qualifying fee under certain conditions; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 342** was placed on the calendar of Bills on Third Reading.

The Senate resumed consideration of—

CS for CS for SB 1696—A bill to be entitled An act relating to orthotics, prosthetics, and pedorthics; amending s. 468.80, F.S.; providing and revising definitions; amending s. 468.801, F.S.; changing the composition of the Board of Orthotists and Prosthetists; removing an obsolete requirement for initial staggering of terms; amending s. 468.802, F.S.; expanding the authority for rule adoption to include standards of practice for orthotic fitters, orthotic fitter assistants, and residents; amending s. 468.803, F.S.; providing for registration for a resident to practice orthotics or prosthetics; authorizing licensure as a prosthetist-orthotist; providing requirements for such licensure; requiring applicants for registration, examination, or licensure to apply on forms created and provided by the Department of Health; requiring applicants to submit fingerprints and a fee to cover department costs for criminal background checks; requiring board verification of certain information prior to an applicant's examination, registration, or licensure; providing requirements for registration as a resident in orthotics or prosthetics; providing for registration and renewal fees for registration; authorizing either the Department of Health to develop and administer a state examination for an orthotist or prosthetist license or the board to approve an existing examination of a national standards organization; providing examination requirements; authorizing examination fees; delineating applicant qualifications for examination; delineating requirements for licensure and licensure fees for an orthotist, a prosthetist, an orthotic fitter, an orthotic fitter assistant, and a pedorthist; amending s. 468.806, F.S.; revising the list of materials required for submission for biennial license renewal, including information necessary to conduct a statewide criminal history check and payment of associated costs; requiring certain mandatory courses, standards, and qualifications for continuing education courses, and standards and qualifications for course providers to be established by rule; repealing s. 468.807, F.S., relating to the issuance of a temporary license; amending s. 468.808, F.S.; revising duties that can be delegated to unlicensed support personnel; providing requirements for support personnel identification; amending s. 468.809, F.S.; including the practice of orthotics, prosthetics, or pedorthics without registration in certain prohibitions; providing penalties; creating s. 468.8095, F.S.; requiring licensees and registrants to post licenses, registrations, recent photographs, and certain notices in a facility and to wear certain identification tags or badges; amending s. 468.811, F.S.; revising grounds for denial of a license or disciplinary action; providing grounds for denial of registration; amending s. 468.812, F.S.; revising provisions exempting certain persons from licensure; amending s. 468.813, F.S.; revising requirements regarding use of titles; providing effective dates.

—which was previously considered and amended this day with pending **Amendment 2 (083782)** by Senator Baker.

POINT OF ORDER

Senator Margolis raised a point of order that pursuant to Rule 7.1 **Amendment 2 (083782)** was not germane to the bill.

The President referred the point of order and the amendment to Senator King, Chair of the Committee on Rules.

On motion by Senator Baker, further consideration of **CS for CS for SB 1696** with pending **Amendment 2 (083782)** was deferred.

SB 2400—A bill to be entitled An act relating to abortion; amending s. 390.0111, F.S.; requiring that an ultrasound be performed on any woman obtaining an abortion; specifying who must perform an ultrasound; requiring that the ultrasound be reviewed with the patient prior to the woman giving informed consent; specifying who must review the ultrasound with the patient; requiring that the woman certify in writing that she declined to review the ultrasound and did so of her own free will and without undue influence; providing an exemption from the requirement to view the ultrasound for women who are the victims of rape, incest, domestic violence, or human trafficking or for women who have a serious medical condition necessitating the abortion; revising requirements for written materials; amending s. 390.012, F.S.; conforming cross-references; requiring ultrasounds for all patients; requiring that live ultrasound images be reviewed and explained to the patient; requiring that all other provisions in s. 390.0111, F.S., be complied with if the patient declines to view her live ultrasound images; providing for severability; providing an effective date.

—was read the second time by title.

Senators Bennett, Rich, King, Dockery, Deutch, Margolis and Joyner offered the following amendment which was moved by Senator Bennett:

Amendment 1 (445744)(with title amendment)—Delete line(s) 43-114 and insert:

b. The probable gestational age of the fetus at the time the termination of pregnancy is to be performed.

c. The medical risks to the woman and fetus of carrying the pregnancy to term.

2. Printed materials prepared and provided by the department have been provided to the pregnant woman, if she chooses to view these materials, including:

a. A description of the fetus.

b. A list of agencies that offer alternatives to terminating the pregnancy.

c. Detailed information on the availability of medical assistance benefits for prenatal care, childbirth, and neonatal care.

3. The woman acknowledges in writing, before the termination of pregnancy, that the information required to be provided under this subsection has been provided.

Nothing in this paragraph is intended to prohibit a physician from providing any additional information which the physician deems material to the woman's informed decision to terminate her pregnancy.

(b) In the event a medical emergency exists and a physician cannot comply with the requirements for informed consent, a physician may terminate a pregnancy if he or she has obtained at least one corroborative medical opinion attesting to the medical necessity for emergency medical procedures and to the fact that to a reasonable degree of medical certainty the continuation of the pregnancy would threaten the life of the pregnant woman. In the event no second physician is available for a corroborating opinion, the physician may proceed but shall document reasons for the medical necessity in the patient's medical records.

(c) If an ultrasound is performed at any time before an abortion is performed or the physician or health care professional working in conjunction with the physician determines that an ultrasound will be performed as part of the abortion procedure, such physician or health care professional working in conjunction with the physician shall offer the woman the opportunity to view a live ultrasound image and, upon the request of the woman, contemporaneously review and explain the live ultrasound images.

1. The ultrasound must be performed by the physician who is to perform the abortion or by a health care professional under such physician's supervision.

2. The woman has the right to decline to view the ultrasound images after she is informed of her right and offered the opportunity to view such ultrasound images.

3. The requirements in this paragraph must be performed at no additional charge to the pregnant woman.

This paragraph does not apply if the woman is a victim of rape or incest or if the woman has been diagnosed as having a condition that, on the basis of the physician's good faith clinical judgment, so threatens the

health or life of the pregnant woman as to necessitate the immediate termination of her pregnancy.

(d)~~(c)~~ Violation of this subsection by a physician constitutes grounds for disciplinary action under s. 458.331 or s. 459.015. Substantial compliance or reasonable belief that complying with the requirements of informed consent would threaten the life or health of the patient is a defense to any action brought under this paragraph.

And the title is amended as follows:

Delete line(s) 3-15 and insert: requiring a physician or health care professional to offer a pregnant woman the opportunity to view a live ultrasound image and, upon request, review and explain the images under certain circumstances; requiring that the ultrasound be performed by the physician or health care professional who will perform the abortion; providing for the right to decline an opportunity to view the ultrasound images; requiring that the services be performed at no additional charge; providing an exception if the woman is a victim of rape or incest or has been diagnosed as having a condition that necessitates the immediate termination of the pregnancy; amending s.

MOTION

On motion by Senator Webster, the rules were waived to allow the following amendment to be considered:

Senator Webster moved the following substitute amendment:

Amendment 2 (767380)(with title amendment)—Delete lines 43-114 and insert:

b. The probable gestational age of the fetus*, verified by an ultrasound,* at the time the termination of pregnancy is to be performed.

(I) The ultrasound must be performed by the physician who is to perform the abortion or by a person having documented evidence that he or she has completed a course in the operation of ultrasound equipment as prescribed by rule and who is working in conjunction with the physician.

(II) The person performing the ultrasound must allow the woman to view the live ultrasound images, and a physician or a registered nurse, licensed practical nurse, advanced registered nurse practitioner, or physician assistant working in conjunction with the physician must contemporaneously review and explain the live ultrasound images to the woman prior to the woman giving informed consent to having an abortion procedure performed. However, this sub-sub-subparagraph does not apply if, at the time the woman schedules or arrives for her appointment to obtain an abortion, a copy of a restraining order, police report, medical record, or other court order or documentation is presented that evidences that the woman is obtaining the abortion because the woman is a victim of rape, incest, domestic violence, or human trafficking or that the woman has been diagnosed with a condition that, on the basis of a physician's good faith clinical judgment, would create a serious risk of substantial and irreversible impairment of a major bodily function if the woman delayed terminating her pregnancy.

(III) The woman has a right to decline to view the ultrasound images after she is informed of her right and offered an opportunity to view them. If the woman declines to view the ultrasound images, the woman shall complete a form acknowledging that she was offered an opportunity to view her ultrasound but that she rejected that opportunity. The form must also indicate that the woman's decision not to view the ultrasound was not based on any undue influence from any third party to discourage her from viewing the images and that she declined to view the images of her own free will.

c. The medical risks to the woman and fetus of carrying the pregnancy to term.

2. Printed materials prepared and provided by the department have been provided to the pregnant woman, if she chooses to view these materials, including:

a. A description of the fetus*, including a description of the various stages of development*.

b. A list of *entities* ~~agencies~~ that offer alternatives to terminating the pregnancy.

c. Detailed information on the availability of medical assistance benefits for prenatal care, childbirth, and neonatal care.

3. The woman acknowledges in writing, before the termination of pregnancy, that the information required to be provided under this subsection has been provided.

Nothing in this paragraph is intended to prohibit a physician from providing any additional information which the physician deems material to the woman's informed decision to terminate her pregnancy.

(b) In the event a medical emergency exists and a physician cannot comply with the requirements for informed consent, a physician may terminate a pregnancy if he or she has obtained at least one corroborative medical opinion attesting to the medical necessity for emergency medical procedures and to the fact that to a reasonable degree of medical certainty the continuation of the pregnancy would threaten the life of the pregnant woman. In the event no second physician is available for a corroborating opinion, the physician may proceed but shall document reasons for the medical necessity in the patient's medical records.

(c) Violation of this subsection by a physician constitutes grounds for disciplinary action under s. 458.331 or s. 459.015. Substantial compliance or reasonable belief that complying with the requirements of informed consent would threaten the life or health of the patient is a defense to any action brought under this paragraph.

And the title is amended as follows:

Delete lines 3-15 and insert: requiring that an ultrasound be performed on any woman obtaining an abortion; specifying who must perform an ultrasound; requiring that the ultrasound be reviewed with the patient prior to the woman giving informed consent; specifying who must review the ultrasound with the patient; requiring that the woman certify in writing that she declined to review the ultrasound and did so of her own free will and without undue influence; providing an exemption from the requirement to view the ultrasound for women who are the victims of rape, incest, domestic violence, or human trafficking or for women who have a serious medical condition necessitating the abortion; revising requirements for written materials; amending s.

Further consideration of **Amendment 1 (445744)** and **Substitute Amendment 2 (767380)** was deferred.

Senators Bennett, Rich, Deutch, Margolis, Dockery, Joyner and King offered the following amendment which was moved by Senator Bennett:

Amendment 3 (343562)(with title amendment)—Delete line(s) 115-175 and renumber subsequent sections.

And the title is amended as follows:

Delete line(s) 15-21 and insert: revising requirements for written materials; providing for

MOTION

On motion by Senator Webster, the rules were waived to allow the following amendment to be considered:

Senator Webster moved the following substitute amendment:

Amendment 4 (856752)(with title amendment)—Delete lines 115-175 and insert:

Section 2. Subsection (1) and paragraph (d) of subsection (3) of section 390.012, Florida Statutes, are amended to read:

390.012 Powers of agency; rules; disposal of fetal remains.—

(1) The agency may develop and enforce rules pursuant to ss. *390.011-390.018* ~~390.001-390.018~~ and part II of chapter 408 for the health, care, and treatment of persons in abortion clinics and for the safe operation of such clinics.

(a) The rules shall be reasonably related to the preservation of maternal health of the clients.

(b) The rules shall be in accordance with s. 797.03 and may not impose an unconstitutional burden on a woman's freedom to decide whether to terminate her pregnancy.

(c) The rules shall provide for:

1. The performance of pregnancy termination procedures only by a licensed physician.

2. The making, protection, and preservation of patient records, which shall be treated as medical records under chapter 458.

(3) For clinics that perform or claim to perform abortions after the first trimester of pregnancy, the agency shall adopt rules pursuant to ss. 120.536(1) and 120.54 to implement the provisions of this chapter, including the following:

(d) Rules relating to the medical screening and evaluation of each abortion clinic patient. At a minimum, these rules shall require:

1. A medical history including reported allergies to medications, antiseptic solutions, or latex; past surgeries; and an obstetric and gynecological history.

2. A physical examination, including a bimanual examination estimating uterine size and palpation of the adnexa.

3. The appropriate laboratory tests, including:

a. ~~For an abortion in which an ultrasound examination is not performed before the abortion procedure,~~ Urine or blood tests for pregnancy performed before the abortion procedure.

b. A test for anemia.

c. Rh typing, unless reliable written documentation of blood type is available.

d. Other tests as indicated from the physical examination.

4. An ultrasound evaluation for all patients ~~who elect to have an abortion after the first trimester~~. The rules shall require that if a person who is not a physician performs an ultrasound examination, that person shall have documented evidence that he or she has completed a course in the operation of ultrasound equipment as prescribed in rule. The physician, registered nurse, licensed practical nurse, advanced registered nurse practitioner, or physician assistant shall review *and explain* ~~, at the request of the patient,~~ the *live* ultrasound *images* ~~evaluation results~~, including an estimate of the probable gestational age of the fetus, with the patient before the abortion procedure is performed*, unless the patient declines pursuant to s. 390.0111. If the patient declines to view the live ultrasound images, the rules shall require that s. 390.0111 be complied with in all other respects.*

5. That the physician is responsible for estimating the gestational age of the fetus based on the ultrasound examination and obstetric standards in keeping with established standards of care regarding the estimation of fetal age as defined in rule and shall write the estimate in the patient's medical history. The physician shall keep original prints of each ultrasound examination of a patient in the patient's medical history file.

And the title is amended as follows:

Delete lines 15-21 and insert: revising requirements for written materials; amending s. 390.012, F.S.; conforming cross-references; requiring ultrasounds for all patients; requiring that live ultrasound images be reviewed and explained to the patient; requiring that all other provisions in s. 390.0111, F.S., be complied with if the patient declines to view her live ultrasound images; providing for

MOTION

On motion by Senator Webster, the rules were waived to allow the following amendment to be considered:

Senator Webster moved the following amendment to **Substitute Amendment 4 (856752)**:

Amendment 4A (621152)(with title amendment)—Delete lines 5-67 and insert:

Delete lines 26-182 and insert:

Section 1. Subsection (3) of section 390.0111, Florida Statutes, is amended to read:

390.0111 Termination of pregnancies.—

(3) CONSENTS REQUIRED.—A termination of pregnancy may not be performed or induced except with the voluntary and informed written consent of the pregnant woman or, in the case of a mental incompetent, the voluntary and informed written consent of her court-appointed guardian.

(a) Except in the case of a medical emergency, consent to a termination of pregnancy is voluntary and informed only if:

1. The physician who is to perform the procedure, or the referring physician, has, at a minimum, orally, in person, informed the woman of:

a. The nature and risks of undergoing or not undergoing the proposed procedure that a reasonable patient would consider material to making a knowing and willful decision of whether to terminate a pregnancy.

b. The probable gestational age of the fetus*, verified by an ultrasound,* at the time the termination of pregnancy is to be performed.

(I) The ultrasound must be performed by the physician who is to perform the abortion or by a person having documented evidence that he or she has completed a course in the operation of ultrasound equipment as prescribed by rule and who is working in conjunction with the physician.

(II) The person performing the ultrasound must allow the woman to view the live ultrasound images, and a physician or a registered nurse, licensed practical nurse, advanced registered nurse practitioner, or physician assistant working in conjunction with the physician must contemporaneously review and explain the live ultrasound images to the woman prior to the woman giving informed consent to having an abortion procedure performed. However, this sub-sub-subparagraph does not apply if, at the time the woman schedules or arrives for her appointment to obtain an abortion, a copy of a restraining order, police report, medical record, or other court order or documentation is presented that evidences that the woman is obtaining the abortion because the woman is a victim of rape, incest, domestic violence, or human trafficking or that the woman has been diagnosed with a condition that, on the basis of a physician's good faith clinical judgment, would create a serious risk of substantial and irreversible impairment of a major bodily function if the woman delayed terminating her pregnancy.

(III) The woman has a right to decline to view the ultrasound images after she is informed of her right and offered an opportunity to view them. If the woman declines to view the ultrasound images, the woman shall complete a form acknowledging that she was offered an opportunity to view her ultrasound but that she rejected that opportunity. The form must also indicate that the woman's decision not to view the ultrasound was not based on any undue influence from any third party to discourage her from viewing the images and that she declined to view the images of her own free will.

c. The medical risks to the woman and fetus of carrying the pregnancy to term.

2. Printed materials prepared and provided by the department have been provided to the pregnant woman, if she chooses to view these materials, including:

a. A description of the fetus*, including a description of the various stages of development*.

b. A list of *entities* ~~agencies~~ that offer alternatives to terminating the pregnancy.

c. Detailed information on the availability of medical assistance benefits for prenatal care, childbirth, and neonatal care.

3. The woman acknowledges in writing, before the termination of pregnancy, that the information required to be provided under this subsection has been provided.

Nothing in this paragraph is intended to prohibit a physician from providing any additional information which the physician deems material to the woman's informed decision to terminate her pregnancy.

(b) In the event a medical emergency exists and a physician cannot comply with the requirements for informed consent, a physician may terminate a pregnancy if he or she has obtained at least one corroborative medical opinion attesting to the medical necessity for emergency medical procedures and to the fact that to a reasonable degree of medical certainty the continuation of the pregnancy would threaten the life of the pregnant woman. In the event no second physician is available for a corroborating opinion, the physician may proceed but shall document reasons for the medical necessity in the patient's medical records.

(c) Violation of this subsection by a physician constitutes grounds for disciplinary action under s. 458.331 or s. 459.015. Substantial compliance or reasonable belief that complying with the requirements of informed consent would threaten the life or health of the patient is a defense to any action brought under this paragraph.

Section 2. Subsection (1) and paragraph (d) of subsection (3) of section 390.012, Florida Statutes, are amended to read:

390.012 Powers of agency; rules; disposal of fetal remains.—

(1) The agency may develop and enforce rules pursuant to ss. *390.011-390.018* ~~390.001-390.018~~ and part II of chapter 408 for the health, care, and treatment of persons in abortion clinics and for the safe operation of such clinics.

(a) The rules shall be reasonably related to the preservation of maternal health of the clients.

(b) The rules shall be in accordance with s. 797.03 and may not impose an unconstitutional burden on a woman's freedom to decide whether to terminate her pregnancy.

(c) The rules shall provide for:

1. The performance of pregnancy termination procedures only by a licensed physician.

2. The making, protection, and preservation of patient records, which shall be treated as medical records under chapter 458.

(3) For clinics that perform or claim to perform abortions after the first trimester of pregnancy, the agency shall adopt rules pursuant to ss. 120.536(1) and 120.54 to implement the provisions of this chapter, including the following:

(d) Rules relating to the medical screening and evaluation of each abortion clinic patient. At a minimum, these rules shall require:

1. A medical history including reported allergies to medications, antiseptic solutions, or latex; past surgeries; and an obstetric and gynecological history.

2. A physical examination, including a bimanual examination estimating uterine size and palpation of the adnexa.

3. The appropriate laboratory tests, including:

a. ~~For an abortion in which an ultrasound examination is not performed before the abortion procedure,~~ Urine or blood tests for pregnancy performed before the abortion procedure.

b. A test for anemia.

c. Rh typing, unless reliable written documentation of blood type is available.

d. Other tests as indicated from the physical examination.

4. An ultrasound evaluation for all patients ~~who elect to have an abortion after the first trimester~~. The rules shall require that if a person who is not a physician performs an ultrasound examination, that person shall have documented evidence that he or she has completed a course in the operation of ultrasound equipment as prescribed in rule. The physician, registered nurse, licensed practical nurse, advanced registered nurse practitioner, or physician assistant shall review *and explain* ~~, at the request of the patient,~~ the *live* ultrasound *images* ~~evaluation results~~, including an estimate of the probable gestational age of the fetus, with the patient before the abortion procedure is performed*, unless the patient declines pursuant to s. 390.0111. If the patient declines to view the live ultrasound images, the rules shall require that s. 390.0111 be complied with in all other respects.*

5. That the physician is responsible for estimating the gestational age of the fetus based on the ultrasound examination and obstetric standards in keeping with established standards of care regarding the estimation of fetal age as defined in rule and shall write the estimate in the patient's medical history. The physician shall keep original prints of each ultrasound examination of a patient in the patient's medical history file.

Section 3. *If any provision of this act or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are severable.*

Section 4. This act shall take effect July 1, 2008.

And the title is amended as follows:

Delete lines 72-80 and insert:

Delete lines 2-22 and insert: An act relating to abortion; amending s. 390.0111, F.S.; requiring that an ultrasound be performed on any woman obtaining an abortion; specifying who must perform an ultrasound; requiring that the ultrasound be reviewed with the patient prior to the woman giving informed consent; specifying who must review the ultrasound with the patient; requiring that the woman certify in writing that she declined to review the ultrasound and did so of her own free will and without undue influence; providing an exemption from the requirement to view the ultrasound for women who are the victims of rape, incest, domestic violence, or human trafficking or for women who have a serious medical condition necessitating the abortion; revising requirements for written materials; amending s. 390.012, F.S.; conforming cross-references; requiring ultrasounds for all patients; requiring that live ultrasound images be reviewed and explained to the patient; requiring that all other provisions in s. 390.0111, F.S., be complied with if the patient declines to view her live ultrasound images; providing for severability; providing an effective date.

On motion by Senator Webster, further consideration of **SB 2400** with pending **Amendment 1 (445744)**, **Amendment 2 (767380)**, **Amendment 3 (343562)**, **Amendment 4 (856752)** and **Amendment 4A (621152)**, was deferred.

On motion by Senator Webster, by two-thirds vote **CS for HB 257** was withdrawn from the Committees on Health Regulation; and Health and Human Services Appropriations.

On motion by Senator Webster, by unanimous consent—

CS for HB 257—A bill to be entitled An act relating to abortion; amending s. 390.0111, F.S.; requiring that third trimester abortions be performed in a hospital; providing for disciplinary action for violation of specified provisions; requiring an ultrasound to be performed on any woman obtaining an abortion; specifying who must perform an ultrasound; providing that the ultrasound must be reviewed with the patient prior to the woman giving informed consent; specifying who must review the ultrasound with the patient; providing that the woman must certify in writing that she declined to review the ultrasound and did so of her own free will and without undue influence; providing an exemption to view the ultrasound for women who are the victims of rape, incest, domestic violence, or human trafficking or for women who have a serious medical condition necessitating the abortion; revising requirements for printed materials; amending s. 390.01114, F.S.; revising provisions relating to parental notice of abortion; requiring the appointment of a guardian ad litem for a minor who petitions for a waiver of the notice requirements; specifying factors to be considered in determining whether a minor is sufficiently mature to waive the notice requirements; revising provisions relating to confidentiality of hearings; requiring that an annual report concerning waiver proceedings provide additional information; amending s. 390.012, F.S.; correcting a cross-reference; providing that agency rules shall prohibit the performance of third trimester abortions other than in a hospital; conforming provisions; requiring ultrasounds for all patients; requiring that live ultrasound images be reviewed and explained to the patient; requiring that all other provisions in s. 390.0111, F.S., must be complied with should the patient

decline to view her live ultrasound images; providing for severability; providing an effective date.

—was taken up out of order and by two-thirds vote read the second time by title.

MOTION

On motion by Senator Webster, the rules were waived to allow the following amendment to be considered:

Senator Webster moved the following amendment:

Amendment 1 (386098)(with directory and title amendments)—Delete after the enacting clause and insert:

Section 1. Subsection (3) of section 390.0111, Florida Statutes, is amended to read:

390.0111 Termination of pregnancies.—

(3) CONSENTS REQUIRED.—A termination of pregnancy may not be performed or induced except with the voluntary and informed written consent of the pregnant woman or, in the case of a mental incompetent, the voluntary and informed written consent of her court-appointed guardian.

(a) Except in the case of a medical emergency, consent to a termination of pregnancy is voluntary and informed only if:

1. The physician who is to perform the procedure, or the referring physician, has, at a minimum, orally, in person, informed the woman of:

a. The nature and risks of undergoing or not undergoing the proposed procedure that a reasonable patient would consider material to making a knowing and willful decision of whether to terminate a pregnancy.

b. The probable gestational age of the fetus*, verified by an ultrasound,* at the time the termination of pregnancy is to be performed.

(I) The ultrasound must be performed by the physician who is to perform the abortion or by a person having documented evidence that he or she has completed a course in the operation of ultrasound equipment as prescribed by rule and who is working in conjunction with the physician.

(II) The person performing the ultrasound must allow the woman to view the live ultrasound images, and a physician or a registered nurse, licensed practical nurse, advanced registered nurse practitioner, or physician assistant working in conjunction with the physician must contemporaneously review and explain the live ultrasound images to the woman prior to the woman giving informed consent to having an abortion procedure performed. However, this sub-sub-subparagraph does not apply if, at the time the woman schedules or arrives for her appointment to obtain an abortion, a copy of a restraining order, police report, medical record, or other court order or documentation is presented that evidences that the woman is obtaining the abortion because the woman is a victim of rape, incest, domestic violence, or human trafficking or that the woman has been diagnosed with a condition that, on the basis of a physician's good faith clinical judgment, would create a serious risk of substantial and irreversible impairment of a major bodily function if the woman delayed terminating her pregnancy.

(III) The woman has a right to decline to view the ultrasound images after she is informed of her right and offered an opportunity to view them. If the woman declines to view the ultrasound images, the woman shall complete a form acknowledging that she was offered an opportunity to view her ultrasound but that she rejected that opportunity. The form must also indicate that the woman's decision not to view the ultrasound was not based on any undue influence from any third party to discourage her from viewing the images and that she declined to view the images of her own free will.

c. The medical risks to the woman and fetus of carrying the pregnancy to term.

2. Printed materials prepared and provided by the department have been provided to the pregnant woman, if she chooses to view these materials, including:

a. A description of the fetus*, including a description of the various stages of development*.

b. A list of *entities* ~~agencies~~ that offer alternatives to terminating the pregnancy.

c. Detailed information on the availability of medical assistance benefits for prenatal care, childbirth, and neonatal care.

3. The woman acknowledges in writing, before the termination of pregnancy, that the information required to be provided under this subsection has been provided.

Nothing in this paragraph is intended to prohibit a physician from providing any additional information which the physician deems material to the woman's informed decision to terminate her pregnancy.

(b) In the event a medical emergency exists and a physician cannot comply with the requirements for informed consent, a physician may terminate a pregnancy if he or she has obtained at least one corroborative medical opinion attesting to the medical necessity for emergency medical procedures and to the fact that to a reasonable degree of medical certainty the continuation of the pregnancy would threaten the life of the pregnant woman. In the event no second physician is available for a corroborating opinion, the physician may proceed but shall document reasons for the medical necessity in the patient's medical records.

(c) Violation of this subsection by a physician constitutes grounds for disciplinary action under s. 458.331 or s. 459.015. Substantial compliance or reasonable belief that complying with the requirements of informed consent would threaten the life or health of the patient is a defense to any action brought under this paragraph.

Section 2. Subsection (1) and paragraph (d) of subsection (3) of section 390.012, Florida Statutes, are amended to read:

390.012 Powers of agency; rules; disposal of fetal remains.—

(1) The agency may develop and enforce rules pursuant to ss. *390.011-390.018* ~~390.001-390.018~~ and part II of chapter 408 for the health, care, and treatment of persons in abortion clinics and for the safe operation of such clinics.

(a) The rules shall be reasonably related to the preservation of maternal health of the clients.

(b) The rules shall be in accordance with s. 797.03 and may not impose an unconstitutional burden on a woman's freedom to decide whether to terminate her pregnancy.

(c) The rules shall provide for:

1. The performance of pregnancy termination procedures only by a licensed physician.

2. The making, protection, and preservation of patient records, which shall be treated as medical records under chapter 458.

(3) For clinics that perform or claim to perform abortions after the first trimester of pregnancy, the agency shall adopt rules pursuant to ss. 120.536(1) and 120.54 to implement the provisions of this chapter, including the following:

(d) Rules relating to the medical screening and evaluation of each abortion clinic patient. At a minimum, these rules shall require:

1. A medical history including reported allergies to medications, antiseptic solutions, or latex; past surgeries; and an obstetric and gynecological history.

2. A physical examination, including a bimanual examination estimating uterine size and palpation of the adnexa.

3. The appropriate laboratory tests, including:

a. ~~For an abortion in which an ultrasound examination is not performed before the abortion procedure,~~ Urine or blood tests for pregnancy performed before the abortion procedure.

b. A test for anemia.

c. Rh typing, unless reliable written documentation of blood type is available.

d. Other tests as indicated from the physical examination.

4. An ultrasound evaluation for all patients ~~who elect to have an abortion after the first trimester~~. The rules shall require that if a person who is not a physician performs an ultrasound examination, that person shall have documented evidence that he or she has completed a course in the operation of ultrasound equipment as prescribed in rule. The physician, registered nurse, licensed practical nurse, advanced registered nurse practitioner, or physician assistant shall review *and explain* ~~, at the request of the patient,~~ the *live* ultrasound *images* ~~evaluation results~~, including an estimate of the probable gestational age of the fetus, with the patient before the abortion procedure is performed*, unless the patient declines pursuant to s. 390.0111. If the patient declines to view the live ultrasound images, the rules shall require that s. 390.0111 be complied with in all other respects.*

5. That the physician is responsible for estimating the gestational age of the fetus based on the ultrasound examination and obstetric standards in keeping with established standards of care regarding the estimation of fetal age as defined in rule and shall write the estimate in the patient's medical history. The physician shall keep original prints of each ultrasound examination of a patient in the patient's medical history file.

Section 3. *If any provision of this act or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are severable.*

Section 4. This act shall take effect July 1, 2008.

And the title is amended as follows:

Delete everything before the enacting clause and insert:

A bill to be entitled An act relating to abortion; amending s. 390.0111, F.S.; requiring that an ultrasound be performed on any woman obtaining an abortion; specifying who must perform an ultrasound; requiring that the ultrasound be reviewed with the patient prior to the woman giving informed consent; specifying who must review the ultrasound with the patient; requiring that the woman certify in writing that she declined to review the ultrasound and did so of her own free will and without undue influence; providing an exemption from the requirement to view the ultrasound for women who are the victims of rape, incest, domestic violence, or human trafficking or for women who have a serious medical condition necessitating the abortion; revising requirements for written materials; amending s. 390.012, F.S.; conforming cross-references; requiring ultrasounds for all patients; requiring that live ultrasound images be reviewed and explained to the patient; requiring that all other provisions in s. 390.0111, F.S., be complied with if the patient declines to view her live ultrasound images; providing for severability; providing an effective date.

On motion by Senator Webster, further consideration of **CS for HB 257** with pending **Amendment 1 (386098)** was deferred.

MOTIONS

On motion by Senator King, the rules were waived and by two-thirds vote **CS for HB 257** was placed first on the Special Order Calendar for Friday, April 25.

On motion by Senator King, a deadline of one hour after the availability of engrossed bills was set for filing amendments to Bills on Third Reading to be considered Friday, April 25.

On motion by Senator King, by two-thirds vote all bills remaining on the Special Order Calendar this day were placed on the Special Order Calendar for Friday, April 25.

MOTIONS RELATING TO COMMITTEE MEETINGS

On motion by Senator King, the rules were waived and the Committee on Transportation and Economic Development Appropriations was granted permission to meet at 4:00 p.m. this day.

On motion by Senator King, the rules were waived and the Special Order Calendar Group was granted permission to meet 15 minutes after announcement.

INTRODUCTION OF FORMER SENATOR

Senator Justice introduced former Senator Les Miller who was present in the chamber.

REPORTS OF COMMITTEES

The Responsible Regulation Policy and Calendar Committee submits the following bills to be placed on the Special Order Calendar for Thursday, April 24, 2008: CS for CS for CS for CS for SB 560, CS for CS for SB 482, CS for CS for SB 704, CS for SB 500, CS for SB 1300, SB 1986, CS for SB 758, CS for CS for SB 2848, CS for SB 1014, CS for SB 1308, SB 1486, CS for SB 2052, SB 1558

Respectfully submitted,
Lee Constantine, Chair

The Social Responsibility Policy and Calendar Committee submits the following bills to be placed on the Special Order Calendar for Thursday, April 24, 2008: CS for CS for SB 546, CS for SB 994, SB 1106, CS for CS for CS for SB 1150, CS for CS for SB 1440, SB 1456, CS for CS for SB 1488, CS for CS for SB 1582, CS for SB 1694, CS for CS for SB 1696, CS for SB 1954, CS for SB 2170, CS for SB 2192, SB 2400, CS for CS for SB 2598

Respectfully submitted,
Burt L. Saunders, Chair

The Law and Justice Policy and Calendar Committee submits the following bills to be placed on the Special Order Calendar for Thursday, April 24, 2008: SB 496, CS for CS for CS for CS for SB 1614, SB 1700, CS for CS for SB 1732, CS for CS for SB 2676, CS for SB 342

Respectfully submitted,
Paula Dockery, Chair

The Committee on General Government Appropriations recommends a committee substitute for the following: SB 1376

The bill with committee substitute attached was referred to the Committee on Rules under the original reference.

The Committee on Transportation recommends a committee substitute for the following: CS for SB 474

The bill with committee substitute attached was referred to the Committee on Transportation and Economic Development Appropriations under the original reference.

The Committee on Criminal and Civil Justice Appropriations recommends a committee substitute for the following: CS for CS for SB 2026

The Committee on General Government Appropriations recommends committee substitutes for the following: CS for SB 498; CS for SB 652; CS for SB 1422; SB 1502; CS for CS for SB 1684; CS for SB 2018; CS for SB 2080; CS for SB 2378; CS for SB 2532; CS for SB 2640

The Committee on Health and Human Services Appropriations recommends a committee substitute for the following: CS for SB 688

The Committee on Transportation and Economic Development Appropriations recommends a committee substitute for the following: CS for SB 2220

The bills with committee substitutes attached contained in the foregoing reports were placed on the calendar.

COMMITTEE SUBSTITUTES

FIRST READING

By the Committees on General Government Appropriations; Governmental Operations; and Senator Bennett—

CS for CS for SB 498—A bill to be entitled An act relating to agency inspectors general; amending s. 20.055, F.S.; providing definitions; requiring agency inspectors general to comply with certain principles and standards; requiring an inspector general to submit findings of audits and investigations to specified persons or entities if such findings are not exempt from disclosure; requiring responses to findings within 20 working days; requiring agencies under the Governor to notify the Chief Inspector General of inspector general appointments and terminations; prohibiting agency staff from preventing or prohibiting the inspector general from initiating, carrying out, or completing any audit or investigation; requiring audits to be conducted in accordance with the current International Standards for the Professional Practice of Internal Auditing; requiring the inspector general of each state agency to report certain written complaints to the agency head, and for agencies under the Governor, to the agency head and the Chief Inspector General; providing an effective date.

By the Committees on General Government Appropriations; Governmental Operations; and Senator Lynn—

CS for CS for SB 652—A bill to be entitled An act relating to workplace safety; creating the Florida Public Task Force on Workplace Safety within the Safety Florida Consultation Program at the University of South Florida; providing purpose of the task force; providing for membership; requiring that the task force address certain issues concerning workplace safety in the public and private sectors; providing for staffing; providing for members to serve without compensation but to be reimbursed for per diem and travel expenses; authorizing the task force to procure information or assistance from any officer or agency of the state; requiring that such officers or agencies provide information and assistance to the task force; requiring that the task force submit a report and recommendations to the Governor, the Chief Financial Officer, and the Legislature by a specified date; requiring that the report include certain information; providing for dissolution of the task force; providing an appropriation; providing an effective date.

By the Committees on Health and Human Services Appropriations; Judiciary; and Senators Crist, Gaetz and Lynn—

CS for CS for SB 688—A bill to be entitled An act relating to guardian advocates for persons with developmental disabilities; amending s. 393.12, F.S.; requiring the court to conduct determination of incapacity of persons with developmental disabilities and appointment of guardian advocates in separate proceedings; revising conditions relating to venue for appointment of guardian advocates; providing that the guardian advocate need not be represented by an attorney unless required by the court or the guardian advocate is delegated certain rights regarding property; limiting applicability to certain proceedings relating to appointment and supervision of guardian advocates; requiring the petition to include the relationship of the proposed guardian advocate to certain providers; modifying the persons to whom a notice of the filing of the petition must be given to include next of kin, the health care surrogate designated to execute an advance directive, and the agent under durable power of attorney; establishing a timeframe for appointment of counsel and modifying who may be appointed as counsel to a person with a developmental disability; providing conditions for the court to appoint attorneys; requiring court proceedings and orders to consider advance directives for health care and durable powers of attorney; requiring the court's order to provide the name and reasons for the selection of the guardian advocate; providing a process for restoration of rights for the person with a developmental disability; providing for the petitioner to submit evidentiary support to the court; providing for a hearing if no evidentiary support is available; amending s. 393.13, F.S.; conforming a cross-reference; providing an effective date.

By the Committee on General Government Appropriations; and Senator Dean—

CS for SB 1376—A bill to be entitled An act relating to agriculture; amending s. 163.3162, F.S.; prohibiting county government imposition of an assessment or fee for stormwater management on agricultural land meeting certain requirements; amending s. 205.064, F.S.; expanding the applicability of an exemption from a local business tax receipt for the privilege of selling specified products; creating s. 500.70, F.S.; providing that a tomato farmer, packer, repacker, or handler acts in good faith if certain requirements are met; amending s. 570.07, F.S.; authorizing the Department of Agriculture and Consumer Services to adopt rules relating to the comprehensive best-management practice for agricultural production and food safety; amending s. 581.091, F.S.; providing conditions for use of Casuarina cunninghamiana as a windbreak for commercial citrus groves; providing for permitting and permit fees; providing for destruction of Casuarina cunninghamiana; providing that use as a windbreak does not preclude research or release of agents to control Casuarina spp.; providing that the use of Casuarina cunninghamiana for windbreaks does not interfere with or restrict efforts to manage or control noxious weeds or invasive plants; prohibiting any other agency or local government from removing Casuarina cunninghamiana planted as a windbreak under special permit; requiring the removal of Casuarina cunninghamiana under certain conditions; requiring that the permitholder pay the costs of removal; providing for a lien against the property of a permitholder for failure to pay such costs; amending s. 604.15, F.S.; revising the term "agricultural products" to exempt tropical foliage from regulation; amending s. 823.145, F.S.; expanding the materials used in agricultural operations that can be openly burned; providing limitations; providing an effective date.

By the Committees on General Government Appropriations; Banking and Insurance; and Senator Bennett—

CS for CS for SB 1422—A bill to be entitled An act relating to commercial property insurance; amending s. 215.555, F.S.; excluding nonassessable commercial property insurance from emergency assessments for the Florida Hurricane Catastrophe Fund; amending s. 627.041, F.S.; defining the terms "assessable commercial property insurance" and "nonassessable commercial property insurance"; amending s. 627.062, F.S.; providing rate standards regarding nonassessable commercial property insurance; providing that nonassessable commercial property insurance is not subject to a determination that the rate is excessive or unfairly discriminatory; providing an exception; amending s. 627.351, F.S.; excluding nonassessable commercial property insurance from the definition of "subject lines of business"; providing that insurers issuing nonassessable commercial property insurance policies are not assessable for the portion of the assessment from which the nonassessable commercial property insurance policy is exempt; creating s. 627.7031, F.S.; authorizing insurers offering assessable commercial property insurance policies to offer nonassessable commercial property insurance policies; authorizing an owner of a commercial property to purchase a nonassessable commercial property insurance policy if such a policy is offered by the insurer; requiring that an application for a nonassessable commercial property policy contain a specified disclaimer; requiring that the declarations page of a nonassessable commercial property policy contain a specified disclaimer; providing an effective date.

By the Committee on General Government Appropriations; and Senator Margolis—

CS for SB 1502—A bill to be entitled An act relating to property leased for public purposes; amending s. 125.031, F.S.; exempting counties operating under a home rule charter from a 30-year lease limitation under certain circumstances; providing an effective date.

By the Committees on General Government Appropriations; Governmental Operations; Banking and Insurance; and Senators Baker and Gaetz—

CS for CS for CS for SB 1684—A bill to be entitled An act relating to title insurance; creating the Florida 2008 Title Insurance Study Advi-

sory Council; providing for membership; providing for administrative support for the council; providing responsibilities of the council; authorizing the council to invite independent actuaries to provide certain information; requiring the Office of Program Policy Analysis and Government Accountability to conduct a review and report to the council; requiring that the report be submitted to the council by a certain date; providing council meeting requirements; requiring the council to file a report with the Governor and the Legislature; providing for termination of the council; providing appropriations and authorizing additional positions; providing an effective date.

By the Committees on General Government Appropriations; Judiciary; and Senators Posey, Jones and Baker—

CS for CS for SB 2018—A bill to be entitled An act relating to financial assistance for contaminated petroleum storage sites; amending s. 376.30715, F.S.; providing for financial assistance in certain additional circumstances involving a transfer of the contaminated property; amending s. 220.1845, F.S.; revising requirements for site rehabilitation tax credits; expanding eligibility for site rehabilitation tax credits; providing for application to brownfield site redevelopment solid waste removal costs; providing requirements and limitations; providing definitions; providing for application to construction and operation of new health care facilities or health care providers on brownfield sites; providing requirements; amending s. 376.30781, F.S.; revising provisions providing tax credits for rehabilitation of certain contaminated sites and brownfield sites; providing for application to solid waste removal activities and site rehabilitation; providing for granting tax credits to multiple applicants; providing criteria for claiming costs for solid waste removal; providing definitions; providing for application to construction and operation of new health care facilities or health care providers on brownfield sites; providing requirements; revising criteria and requirements for granting site rehabilitation tax credits; providing criteria and requirements for granting solid waste removal tax credits; revising criteria and requirements for Department of Environmental Protection review of tax credit applications; providing notice requirements for the department in reviewing applications; increasing available amounts eligible for tax credits; providing additional limitations on tax credit awards for site rehabilitation costs and solid waste removal costs; providing construction of costs not eligible for tax credits; providing requirements and procedures for allocating and awarding certain ineligible or disputed costs; amending s. 376.77, F.S.; conforming cross-references; amending s. 376.79, F.S.; revising definitions relating to brownfield redevelopment; conforming a cross-reference; amending s. 376.80, F.S.; revising the brownfield program administration process; revising local government proposal requirements; revising requirements for brownfield site redevelopment agreements; deleting certain brownfield site rehabilitation contractor certification requirements; deleting a requirement that certain professionals carry professional liability insurance; providing legislative findings and declarations; authorizing local governments to evaluate certain benefits and effects of brownfield site redevelopment and rehabilitation; providing criteria; authorizing the Department of Health to assist local governments in such evaluations; amending ss. 376.82 and 376.83, F.S.; conforming cross-references; amending s. 376.86, F.S.; providing for limited application of Brownfield Areas Loan Guarantee Program grants to construction and operation of new health care facilities and health care providers; expanding membership of the Brownfield Areas Loan Guarantee Council; amending s. 163.3221, F.S.; conforming a cross-reference; providing for retroactive application; providing an effective date.

By the Committees on Criminal and Civil Justice Appropriations; Judiciary; Criminal Justice; and Senators Ring, Crist and Fasano—

CS for CS for CS for SB 2026—A bill to be entitled An act relating to sexual offenders and predators; amending ss. 775.21, 943.0435, 944.607, and 985.4815, F.S.; requiring sexual offenders and predators to provide home telephone numbers and any cellular telephone numbers as part of the registration process; specifying that failure to provide such telephone numbers as required is a third-degree felony; requiring registrants to attest to the truthfulness of the information submitted during registration; providing criminal penalties for submission of false information during registration; amending s. 943.043; requiring the Department of Law Enforcement to notify the public through the Internet of information concerning sexual predators and sexual offenders, including any information regarding juveniles who are designated as a sexual predator or who meet the criteria of a sexual offender; specifying what sexual predator and sexual offender information and features must be available on the Internet; requiring the Department of Law Enforcement to develop a uniform system to verify predator and offender address information when address submitted cannot be plotted on a map; requiring the Department of Law Enforcement to determine the feasibility of certain Internet features; amending s. 944.606, F.S.; requiring that the Department of Law Enforcement be notified of the home telephone number and any cellular telephone number of a sexual offender released from incarceration; amending s. 985.481, F.S.; requiring that the Department of Law Enforcement be notified of the home telephone number and any cellular telephone number of a juvenile sexual offender released after serving a period of residential commitment; providing effective dates.

By the Committees on General Government Appropriations; Finance and Tax; and Senator Haridopolos—

CS for CS for SB 2080—A bill to be entitled An act relating to value adjustment boards; amending s. 194.011, F.S.; requiring that the Department of Revenue develop a uniform policies and procedures manual for use in proceedings before value adjustment boards; specifying availability requirements for such manual; amending s. 194.015, F.S.; revising the membership of value adjustment boards; providing for citizen members; revising criteria related to appointment to such boards; revising quorum requirements; deleting provisions authorizing county attorneys to act as counsel for value adjustment boards; amending s. 194.035, F.S.; providing that a requirement that value adjustment boards appoint special magistrates for certain purposes applies to all counties; requiring value adjustment boards to verify the qualifications of special magistrates prior to appointment; providing selection criteria; requiring that the department provide training for special magistrates; providing training requirements; requiring that the department charge tuition for such training; requiring that the department deposit fees collected from such tuition into the Certification Program Trust Fund; amending s. 194.037, F.S.; revising information required to be provided on the disclosure of tax impact form to include certain additional information; amending s. 195.002, F.S.; conforming provisions to changes made by the act; providing an effective date.

By the Committees on Transportation and Economic Development Appropriations; Transportation; and Transportation—

CS for CS for SB 2220—A bill to be entitled An act relating to a review of the Department of Highway Safety and Motor Vehicles under the Florida Government Accountability Act; reenacting and amending s. 20.24, F.S., relating to the establishment of the department; eliminating an obsolete reference to the Bureau of Motor Vehicle Inspection; creating s. 318.195, F.S.; providing that a person who is convicted of a moving violation that causes or contributes to causing serious injury to or the death of a person riding a motorcycle commits a misdemeanor offense; requiring that the offender pay a specified fine, serve a minimum of period of incarceration, and attend a driver improvement course; requiring the court to revoke the person's driver's license for a specified period; providing criminal penalties; providing that the act does not prohibit the offender from being charged with, convicted of, or punished for any other violation of law; amending ss. 320.08056 and 320.08058, F.S.; directing the department to develop a Horse Country license plate; providing an annual use fee for the license plate; providing for the distribution of funds received from the sale of the Horse Country license plate; amending s. 322.01, F.S.; defining the term "convenience service"; amending s. 322.02, F.S.; requiring the department to collect and report to the Legislature information concerning customer service at driver's license offices; amending s. 322.03, F.S.; deleting provisions exempting certain persons from the requirement to surrender a license issued by another jurisdiction; providing certain exceptions for part-time residents; amending ss. 322.051 and 322.08, F.S.; requiring that an applicant for an identification card or driver's license provide additional information; authorizing use of additional documents to prove identity; revising the fee requirements; revising provisions providing for the expiration of an identification card issued by the department; deleting provisions authorizing a voluntary contribution; amending s. 322.135, F.S.; increasing the amount of the service fee that may be charged by driver's

license agents; amending s. 322.14, F.S.; requiring that an applicant for a driver's license provide a residence address; amending s. 322.17, F.S.; revising the requirements for obtaining a replacement license or permit; deleting provisions authorizing the department to issue address stickers; amending s. 322.18, F.S.; revising provisions providing for the expiration of driver's licenses; providing for the renewal of certain licenses every 8 years and for the renewal of licenses for persons older than a specified age every 6 years; providing for the renewal of licenses using a convenience service; requiring the department to issue new licenses rather than extension stickers; conforming cross-references; repealing s. 322.181(4), F.S.; relating to the Florida At-Risk Driver Council; amending s. 322.19, F.S.; deleting provisions authorizing the use of a change-of-address sticker on a driver's license; conforming cross-references; amending s. 322.21, F.S.; increasing the fees charged for obtaining a new or renewal driver's license or identification card; specifying that a portion of the fees be deposited for use by the department; repealing s. 322.60, F.S., relating to a prohibition against possessing more than one driver's license under certain circumstances; amending s. 316.003, F.S.; defining the term "traffic infraction detector"; creating s. 316.0083, F.S.; preempting to the state the use of cameras to enforce traffic laws; authorizing the use of traffic infraction detectors and traffic infraction detector enforcement officers by the Department of Highway Safety and Motor Vehicles, the Department of Transportation, counties, and municipalities; providing requirements for notifying a driver of the issuance of a citation; providing that the owner of the motor vehicle involved in a violation is responsible and liable for payment of the fine assessed; providing exceptions; establishing admissibility of evidence as a rebuttable presumption of a violation; providing that submission of a false affidavit constitutes a second-degree misdemeanor; requiring the Department of Transportation to adopt and publish specifications relating to the operation and implementation of traffic infraction detectors; requiring that the specifications conform to certain minimum requirements; requiring the certification of a location by a traffic engineer before a detector is installed; authorizing the Department of Transportation to direct the removal of a detector that fails to meet the required specifications; authorizing the department to allow the installation of a detector that does not conform to the required specification upon a showing of good cause; exempting certain existing traffic infraction detectors from the requirements for meeting the department's specifications for a specified period; requiring the qualification of vendors by the Department of Transportation; amending s. 316.640, F.S.; directing the Department of Transportation to develop training and qualifications for traffic infraction detector enforcement officers; amending s. 318.18, F.S.; providing for penalties and distribution of fines for failing to stop at a traffic signal when such violation is enforced by a traffic infraction detector enforcement officer; amending s. 322.27, F.S.; prohibiting the imposition of points against a violator's driver's license for infractions enforced by a traffic infraction detector enforcement officer; directing the Department of Highway Safety and Motor Vehicles and the Department of Transportation to jointly report the efficacy of traffic infraction detectors on or before a specified date; providing an effective date.

By the Committees on General Government Appropriations; Regulated Industries; and Senator Aronberg—

CS for CS for SB 2378—A bill to be entitled An act relating to pari-mutuel wagering permitholders; amending s. 550.054, F.S.; providing for a jai alai permitholder meeting certain conditions to apply to the Division of Pari-mutuel Wagering to convert a permit to conduct jai alai to a permit to conduct greyhound racing; directing the division to issue a permit to conduct greyhound racing if certain conditions are met; providing for the relocation of certain permits; providing an effective date.

By the Committees on General Government Appropriations; Children, Families, and Elder Affairs; and Senator Lynn—

CS for CS for SB 2532—A bill to be entitled An act relating to child custody and support; providing a directive to the Division of Statutory Revision to retitle ch. 61, F.S.; amending s. 61.046, F.S.; defining the terms "parenting plan," "parenting plan recommendation," and "time-sharing schedule"; deleting definitions of the terms "custodial parent" and "noncustodial parent"; amending ss. 61.052, 61.09, and 61.10, F.S.; conforming provisions to changes in terminology; repealing s. 61.121, F.S., relating to rotating custody; amending s. 61.122, F.S.; conforming provisions to changes in terminology; revising provisions relating to a presumption of good faith for psychologists making specified determinations; amending s. 61.13, F.S.; revising provisions relating to modification of support; conforming provisions to changes in terminology; revising provisions relating to development of a parenting plan; amending s. 61.13001, F.S.; conforming provisions to changes in terminology; deleting obsolete definitions; amending s. 61.13002, F.S.; providing for orders of temporary support for children whose time-sharing is temporarily modified due to a parent's military service; conforming provisions to changes in terminology; amending ss. 61.14, 61.181, and 61.1827, F.S.; conforming provisions to changes in terminology; conforming a cross-reference; amending s. 61.20, F.S.; conforming provisions to changes in terminology; revising provisions relating to social investigation and recommendations regarding a parenting plan; amending s. 61.21, F.S.; conforming provisions to changes in terminology; amending s. 61.30, F.S.; conforming provisions to changes in terminology; amending ss. 61.401, 61.45, 409.2554, and 409.2558, F.S.; conforming provisions to changes in terminology; amending s. 409.2563, F.S.; conforming provisions to changes in terminology; revising provisions relating to presumption of a parent's income for the purpose of establishing a support obligation; deleting an obsolete provision concerning a study by the Office of Program Policy Analysis and Government Accountability; amending ss. 409.2564, 409.25657, 409.25659, and 409.2577, F.S.; conforming provisions to changes in terminology; amending s. 409.2579, F.S.; conforming a cross-reference; amending ss. 409.811, 414.0252, 414.065, 414.085, 414.095, 414.295, and 445.024, F.S.; conforming provisions to changes in terminology; amending s. 741.0306, F.S.; revising requirements for a family law handbook; conforming provisions to changes in terminology; requiring a review of the handbook and report to the Legislature; amending s. 741.30, F.S.; conforming provisions to changes in terminology; amending s. 742.031, F.S.; conforming provisions to changes in terminology; providing for time-sharing and parental responsibility in paternity judgments; amending ss. 753.01 and 827.06, F.S.; conforming provisions to changes in terminology; reenacting s. 61.1825(3)(a), F.S., relating to relating to the State Case Registry, to incorporate the amendments made to s. 741.30, F.S., in a reference thereto; providing an effective date.

By the Committees on General Government Appropriations; Regulated Industries; and Senator Constantine—

CS for CS for SB 2640—A bill to be entitled An act relating to the Reduced Cigarette Ignition Propensity Standard and Firefighter Protection Act; creating s. 633.042, F.S.; providing a short title; providing legislative findings and intent; providing definitions; providing cigarette testing methods and performance standards; providing specific testing criteria; requiring manufacturers to provide certain written certification; requiring cigarettes to be marked in specific manners; providing for alternative testing methods under certain circumstances; providing reporting requirements; providing the Division of Alcoholic Beverages and Tobacco with certain powers and responsibilities; providing certification requirements for manufacturers; providing fee; providing for the deposit of certification fees into the Reduced Cigarette Ignition Propensity and Firefighter Protection Enforcement Trust Fund; providing requirements for the marking of certain cigarette packaging; providing reporting requirements; providing approval requirements for markings submitted to the division by a manufacturer; providing notification requirements; providing fines and penalties; providing for the deposit of penalties into the Fire Prevention and Public Safety Trust Fund; providing the division with rulemaking authority; authorizing certain government entities with inspection powers to examine specified documents of any person in possession, control, or occupancy of any premises where cigarettes are placed, stored, sold, or offered for sale, as well as the stock of cigarettes on the premises; providing that nothing in the act shall be construed to prohibit any person or entity from manufacturing or selling cigarettes that do not meet the specified requirements if such cigarettes are or will be stamped for sale in another state or are packaged for sale outside the United States; providing for repeal upon the enactment of a preemptive federal standard; prohibiting local government units from enacting and enforcing any ordinance or other local law or regulation that conflicts with, or is preempted by, any provision of the act; providing effective dates.

REFERENCE CHANGES PURSUANT TO RULE 4.7(2)

By the Committee on Environmental Preservation and Conservation; and Senator Saunders—

CS for SB 1304—A bill to be entitled An act relating to fish and wildlife conservation; consolidating chapters 370 and 372, F.S., to create chapter 379, F.S., entitled "Fish and Wildlife Conservation"; creating part I of chapter 379, F.S., relating to general provisions; creating part II of chapter 379, F.S., relating to marine life; creating part III of chapter 379, F.S., relating to freshwater aquatic life; creating part IV of chapter 379, F.S., relating to wild animal life; creating part V of chapter 379, F.S., relating to law enforcement; creating part VI of chapter 379, F.S., relating to licenses for recreation activities; creating part VII of chapter 379, F.S., relating to nonrecreational licenses; creating part VIII of chapter 379, F.S., relating to penalties; renumbering, amending, creating, and repealing various statutory provisions to conform; renumbering and amending ss. 370.021, 370.06, 370.061, 370.063, 370.16, 370.22, 370.26, 370.028, 370.07, 370.08, 370.11, 370.1107, 370.1121, 370.135, 370.14, 370.143, 370.1535, 370.1603, 370.31, 370.73, 372.07, 372.071, 372.0715, 372.0025, 372.023, 372.0725, 372.16, 372.26, 372.551, 372.561, 372.562, 372.65, 372.57, 372.5704, 372.5705, 372.571, 372.5711, 372.5714, 372.5717, 372.5718, 372.574, 372.58, 372.581, 372.59, 372.651, 372.653, 372.66, 372.661, 372.662, 372.663, 372.664, 372.6645, 372.665, 372.6671, 372.6672, 372.6673, 372.6674, 372.6678, 372.671, 372.673, 372.70, 372.701, 372.7015, 372.7016, 372.76, 372.761, 372.83, 372.84, 372.86, 372.87, 372.88, 372.921, 372.922, 372.935, 372.988, 372.99, 372.9901, 372.99021, 372.99022, 372.9903, 372.9904, 372.9905, and 372.992, F.S.; correcting cross-references; conforming provisions to changes made by this act; renumbering and amending s. 370.12, F.S.; deleting an obsolete provision relating to certain annual use fees; correcting cross-references; renumbering and amending s. 370.13, F.S.; deleting an obsolete provision relating to stone crab trap tag fees; correcting cross-references; renumbering and amending s. 370.142, F.S.; deleting an obsolete provision relating to spiny lobster trap tag fees; correcting cross-references; renumbering and amending s. 370.151, F.S.; deleting legislative intent relating to shrimp beds; conforming provisions relating to shrimping license violations; renumbering and amending s. 372.5701, F.S.; deleting provisions requiring an annual legislative appropriation for specified activities and programs; correcting cross-references; creating s. 379.3711, F.S.; establishing an annual license fee for private game preserves and farms; providing for payment of such fees to the commission; requiring proceeds to be deposited in the State Game Trust Fund; creating 379.414, F.S.; providing additional civil penalties for violations of record requirements by saltwater products dealers; requiring fees collected for such violations are deposited in the Marine Resources Conservation Trust Fund; specifying the use of such funds; amending ss. 72.011, 97.05831, 125.01, 142.01, 161.053, 201.15, 212.06, 212.08, 213.053, 215.20, 290.004, 320.08058, 327.02, 327.41, 327.73, 328.66, 328.72, 328.76, 373.046, 403.41315, 403.813, 597.010, 777.04, 810.09, 921.0022, and 932.7055, F.S.; correcting cross-references to conform to changes made by this act; repealing s. 370.081, F.S., relating to illegal importation or possession of nonindigenous marine plants and animals to conform to changes made by this act; repealing s. 370.0821, F.S., relating to use of nets in St. Johns County to conform to changes made by this act; repealing s. 370.09, F.S., relating to industrial hazards and prohibited oil deposits discharge to conform to changes made by this act; repealing s. 370.1105, F.S., relating to saltwater finfish trap regulation to conform to changes made by this act; repealing ss. 370.15 and 370.154, F.S., relating to shrimp regulations to conform to changes made by this act; repealing s. 370.155, F.S., relating to shrimp fishing to conform to changes made by this act; repealing 372.001, F.S., relating to wildlife definitions to conform to changes made by this act; repealing s. 372.0225, F.S., relating to freshwater organisms to conform to changes made by this act; repealing s. 372.107, F.S., relating to the Fish and Wildlife Conservation Commission Federal Law Enforcement Trust Fund to conform to changes made by this act; repealing s. 372.27, F.S., relating to the prohibition of fishing in Silver Springs and Rainbow Springs to conform to changes made by this act; repealing s. 372.667, F.S., relating to the unlawful feeding or enticement of alligators or crocodiles to conform to changes made by this act; repealing s. 372.85, F.S., relating to the contamination of fresh waters to conform to changes made by this act; repealing s. 372.98, F.S., relating to the possession of nutria to conform to changes made by this act; repealing s. 372.981, F.S., relating to the regulation of importation of caiman to conform to changes made by this act; repealing s. 372.993, F.S., relating to land-based commercial and recreational fishing activities to conform to changes made by this act; providing an effective date.

—was placed on the Calendar.

By the Committees on Finance and Tax; Judiciary; and Senator Geller—

CS for CS for SB 2040—A bill to be entitled An act relating to the excise tax on documents; amending s. 201.02, F.S.: revising criteria determining liability for payment of the tax; providing requirements and methods for making an election regarding payment of tax under specified circumstances; providing requirements; providing for application of the act; providing an effective date.

—was placed on the Calendar.

By the Committees on Governmental Operations; Judiciary; Children, Families, and Elder Affairs; and Senators Dockery and Lynn—

CS for CS for CS for SB 2762—A bill to be entitled An act relating to confidential records of children; creating s. 39.00145, F.S.; requiring that the case file of a child under the supervision or in the custody of the Department of Children and Family Services be maintained in a complete and accurate manner; specifying who has access to the case file and the records in the file; authorizing the court to directly release the child's records to certain entities; requiring that the department release information in a manner and setting that is appropriate to the child's age and maturity and the nature of the information; providing that certain entities may share confidential information about a child with other entities that provide services benefiting children; amending s. 39.202, F.S.; clarifying who has access to a child's records and who may bring an action to require access to confidential records held by the department; revising provisions relating to the amount of time the department is required to make and keep such records; amending s. 39.2021, F.S.; expanding the department's authority to release records relating to children on its own initiative upon a showing of good cause; requiring notice to certain parties before such release; providing for a court order to stop such release; amending s. 402.115, F.S.; adding the Department of Juvenile Justice to the list of agencies that are authorized to exchange confidential information; amending s. 415.107, F.S.; clarifying who may bring an action to require access to confidential records held by the Department of Children and Family Services; amending s. 415.1071, F.S.; expanding the department's authority to release records relating to vulnerable adults on its own initiative upon a showing of good cause; requiring notice to certain parties before such release; providing for a court order to stop such release; providing an effective date.

—was placed on the Calendar.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

FIRST READING

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has passed CS for HB 257, CS for HB 419, CS for CS for HB 1175, HB 7049, HB 7075; has passed as amended CS for CS for HB 745 and requests the concurrence of the Senate.

William S. Pittman III, Chief Clerk

By the Healthcare Council; and Representative Traviesa and others—

CS for HB 257—A bill to be entitled An act relating to abortion; amending s. 390.0111, F.S.; requiring that third trimester abortions be performed in a hospital; providing for disciplinary action for violation of specified provisions; requiring an ultrasound to be performed on any woman obtaining an abortion; specifying who must perform an ultrasound; providing that the ultrasound must be reviewed with the patient prior to the woman giving informed consent; specifying who must review

the ultrasound with the patient; providing that the woman must certify in writing that she declined to review the ultrasound and did so of her own free will and without undue influence; providing an exemption to view the ultrasound for women who are the victims of rape, incest, domestic violence, or human trafficking or for women who have a serious medical condition necessitating the abortion; revising requirements for printed materials; amending s. 390.01114, F.S.; revising provisions relating to parental notice of abortion; requiring the appointment of a guardian ad litem for a minor who petitions for a waiver of the notice requirements; specifying factors to be considered in determining whether a minor is sufficiently mature to waive the notice requirements; revising provisions relating to confidentiality of hearings; requiring that an annual report concerning waiver proceedings provide additional information; amending s. 390.012, F.S.; correcting a cross-reference; providing that agency rules shall prohibit the performance of third trimester abortions other than in a hospital; conforming provisions; requiring ultrasounds for all patients; requiring that live ultrasound images be reviewed and explained to the patient; requiring that all other provisions in s. 390.0111, F.S., must be complied with should the patient decline to view her live ultrasound images; providing for severability; providing an effective date.

—was referred to the Committees on Health Regulation; and Health and Human Services Appropriations.

By the Jobs and Entrepreneurship Council; and Representative Simmons and others—

CS for HB 419—A bill to be entitled An act relating to business entities; amending s. 607.1109, F.S.; exempting a domestic corporation from the requirement to file articles of merger under certain circumstances; amending s. 607.1113, F.S.; exempting a domestic corporation from the requirement to file a certificate of conversion under certain circumstances; amending s. 607.1115, F.S.; requiring that each converting entity file a certificate of conversion with the Department of State; amending s. 608.4382, F.S.; exempting a domestic limited liability company from the requirement to file a certificate of merger under certain circumstances; amending s. 608.439, F.S.; including a corporation within the definition of "other business entity" or "another business entity"; requiring that each converting entity file a certificate of conversion with the department; amending s. 608.4403, F.S.; exempting a limited liability company from the requirement to file a certificate of conversion under certain circumstances; amending s. 617.1108, F.S.; exempting a domestic corporation not for profit from the requirement to file articles of merger under certain circumstances; providing for a copy of articles of merger or the certificate of merger to be filed in each county in which real property of a party to the merger is situated; amending s. 620.1406, F.S.; revising the requirements for general partners with respect to exercising certain management rights; providing that the expulsion of a limited partner requires the consent of all of the other limited partners; amending s. 620.2104, F.S.; requiring that a certificate of conversion be signed by each general partner and by the converting organization; exempting a limited partnership from the requirement to file a certificate of conversion if the partnership complies with certain other laws; amending s. 620.2108, F.S.; providing exceptions to a requirement that constituent limited partnerships file articles of merger or a certificate of merger with the Department of State; amending s. 620.2204, F.S.; changing the date of application of provisions authorizing a limited partner to dissociate from a limited partnership; amending s. 620.8101, F.S.; redefining the term "statement" to exclude a statement of merger; amending s. 620.8105, F.S.; requiring that a registration statement be filed with the department before filing a certificate of conversion or a certificate of merger; amending s. 620.81055, F.S.; providing that a filing fee applies to a certificate of merger; amending s. 620.8911, F.S.; clarifying that the term "organization" includes a converted or surviving organization under certain circumstances; amending s. 620.8914, F.S.; revising requirements for conversions; exempting converting domestic partnerships from filing a certificate of conversion under certain circumstances; providing that the certificate of conversion acts as a cancellation of the registration statement for a converting partnership; amending s. 620.8918, F.S.; exempting domestic constituent partnerships from filing a certificate of merger under certain circumstances; requiring that such partnership file a registration statement with the department under certain circumstances; amending s. 621.06, F.S.; revising limitations on qualifications to render professional services; amending s. 621.10, F.S.; revising limitations on disqualifications to render professional services; amending s. 621.13, F.S.; deleting limitations on mergers between domestic and foreign professional corporations and limited liability companies; amending s. 727.114, F.S.; providing for disposition of residue moneys after payment of certain creditors' claims; providing effective dates.

—was referred to the Committees on Commerce; Judiciary; Finance and Tax; and Transportation and Economic Development Appropriations.

By the Policy and Budget Council; Healthcare Council; and Representative Robaina—

CS for CS for HB 1175—A bill to be entitled An act relating to transportation services for the transportation disadvantaged; amending s. 409.908, F.S.; authorizing the Agency for Health Care Administration to continue to contract for Medicaid nonemergency transportation services in a specified agency service area with managed care plans under certain conditions; amending s. 427.011, F.S.; revising definitions; defining the term "purchasing agency"; amending s. 427.012, F.S.; revising the number of members required for a quorum at a meeting of the Commission for the Transportation Disadvantaged; amending s. 427.013, F.S.; revising responsibilities of the commission; deleting a requirement that the commission establish by rule acceptable ranges of trip costs; removing a provision for functioning and oversight of the quality assurance and management review program; requiring the commission to incur expenses for promotional services and items; amending s. 427.0135, F.S.; revising and creating duties and responsibilities for agencies that purchase transportation services for the transportation disadvantaged; providing requirements for the payment of rates; requiring an agency to negotiate with the commission before procuring transportation disadvantaged services; requiring an agency to identify its allocation for transportation disadvantaged services in its legislative budget request; amending s. 427.015, F.S.; revising provisions relating to the function of the metropolitan planning organization or designated official planning agency; amending s. 427.0155, F.S.; revising duties of community transportation coordinators; amending s. 427.0157, F.S.; revising duties of coordinating boards; amending s. 427.0158, F.S.; deleting provisions requiring the school board to provide information relating to school buses to the transportation coordinator; providing for the transportation coordinator to request certain information regarding public transportation; amending s. 427.0159, F.S.; revising provisions relating to the Transportation Disadvantaged Trust Fund; providing for the deposit of funds by an agency purchasing transportation services; amending s. 427.016, F.S.; providing for construction and application of specified provisions to certain acts of a purchasing agency in lieu of the Medicaid agency; requiring that an agency identify the allocation of funds for transportation disadvantaged services in its legislative budget request; providing an effective date.

—was referred to the Committees on Transportation; Community Affairs; and Transportation and Economic Development Appropriations.

By the Healthcare Council; and Representative Bean and others—

HB 7049—A bill to be entitled An act relating to drugs, devices, and cosmetics; amending and reorganizing provisions in part I of ch. 499, F.S.; amending s. 499.002, F.S.; expanding the provisions of the section to include administration and enforcement of, exemptions from, and purpose of the part; amending and redesignating ss. 499.004, 499.0053, 499.07, 499.071, and 499.081, F.S., as provisions in that section relating to such functions to conform; amending s. 499.003, F.S.; revising and providing definitions; amending and redesignating provisions in ss. 499.012, 499.029, and 499.0661, F.S., relating to definitions, as provisions of that section; amending s. 499.005, F.S.; conforming provisions to changes made by the act, including the substitution of the term "prescription drug" for the term "legend drug"; amending s. 499.0051, F.S.; substituting the term "prescription drug" for the term "legend drug" with regard to criminal acts; consolidating criminal act provisions of part I of ch. 499, F.S.; amending and redesignating ss. 499.0052, 499.00535, 499.00545, 499.069, and 499.0691, F.S., as criminal offense provisions in that section; providing penalties; conforming provisions to changes made by the act; amending s. 499.0054, F.S., relating to advertising and labeling of drugs, devices, and cosmetics to include certain exemptions;

amending and redesignating ss. 499.0055 and 499.0057, F.S., as provisions relating to those functions in that section; amending s. 499.006, F.S.; conforming provisions to changes made by the act; amending s. 499.007, F.S.; conforming provisions to changes made by the act; providing that a drug or device is misbranded if it is an active pharmaceutical ingredient in bulk form and does not bear a label containing certain information; amending ss. 499.008 and 499.009, F.S.; conforming provisions to changes made by the act; amending s. 499.01, F.S.; providing that the section relates only to permits; providing requirements for obtaining a permit to operate in certain capacities; deleting certain permit requirements; amending and redesignating provisions of ss. 499.012, 499.013, and 499.014, F.S., relating to such functions as provisions of that section; conforming provisions and cross-references to changes made by the act; amending s. 499.012, F.S.; providing that the section relates to permit application requirements; amending the provisions to conform; amending and redesignating provisions of s. 499.01, F.S., relating to such functions as provisions of that section; conforming provisions and cross-references to changes made by the act; amending s. 499.01201, F.S.; conforming provisions to changes made by the act; amending s. 499.0121, F.S., relating to storage and handling of prescription drugs and recordkeeping; directing the department to adopt rules requiring a wholesale distributor to maintain pedigree papers separate and distinct from other required records; deleting a requirement that a person who is engaged in the wholesale distribution of a prescription drug and who is not the manufacturer of that drug provide a pedigree paper to the person who receives the drug; deleting the department's requirement to adopt rules with regard to recordkeeping by affiliated groups; conforming provisions and cross-references to changes made by the act; amending and redesignating a provision of s. 499.013, F.S., relating to such functions as a provision of that section; amending s. 499.01211, F.S.; conforming provisions and cross-references to changes made by the act; creating s. 499.01212, F.S.; requiring a person who is engaged in the wholesale distribution of a prescription drug to provide a pedigree paper to the person who receives the drug; requiring certain information in a pedigree paper; requiring a wholesale distributor to maintain and make available to the department certain information; providing exceptions to the requirement of a pedigree paper; repealing s. 499.0122, F.S., relating to medical oxygen and veterinary legend drug retail establishments; repealing s. 499.013, F.S., relating to manufacturers and repackagers of drugs, devices, and cosmetics; amending ss. 499.015, 499.024, 499.028, 499.029, and 499.03, F.S.; conforming provisions and cross-references to changes made by the act; amending ss. 499.032 and 499.033, F.S.; conforming terminology to changes made by the act; amending s. 499.039, F.S.; conforming a provision and cross-reference; amending ss. 499.04 and 499.041, F.S.; conforming provisions to changes made by the act; amending s. 499.05, F.S.; conforming provisions to changes made by the act; requiring the department to adopt rules with regard to procedures and forms relating to pedigree paper requirements, alternatives to compliance with the requirement of certain pedigree papers, and the return of prescription drugs purchased before a specified date; amending and redesignating provisions of ss. 499.013 and 499.0122, F.S., as provisions relating to rulemaking functions of that section; amending ss. 499.051, 499.052, 499.055, and 499.06, F.S.; conforming provisions to changes made by the act; amending s. 499.062, F.S.; providing that the section relates to seizure and condemnation of drugs, devices, or cosmetics; conforming a provision to changes made by the act; amending and redesignating ss. 499.063 and 499.064, F.S., as provisions relating to such functions in that section; amending ss. 499.065, 499.066, 499.0661, and 499.067, F.S.; conforming provisions and cross-references to changes made by the act; amending ss. 409.9201, 460.403, 465.0265, 794.075, 895.02, and 921.0022, F.S.; conforming cross-references to changes made by the act; providing an effective date.

—was referred to the Committees on Health Regulation; and Judiciary.

By the Healthcare Council; and Representative Galvano—

HB 7075—A bill to be entitled An act relating to developmental disabilities; amending s. 393.063, F.S.; revising definitions applicable to ch. 393, F.S., relating to persons with developmental disabilities; amending ss. 287.155, 393.064, 393.0651, 393.066, 393.135, 393.22, 393.23, 402.181, 402.22, 408.036, and 435.03, F.S.; conforming terminology to changes made by the act; amending s. 393.0657, F.S.; revising an exemption from certain requirements for refingerprinting and rescreening; amending s. 393.0673, F.S.; providing circumstances under which the Agency for Persons with Disabilities may deny, revoke, or suspend a license or impose a fine; amending s. 393.506, F.S.; authorizing direct service providers to administer a certain medication to clients with developmental disabilities; amending s. 400.063, F.S.; conforming a cross-reference; amending s. 916.301, F.S.; clarifying provisions relating to court appointment of certain qualified experts to evaluate a defendant's mental condition; amending s. 916.302, F.S.; authorizing the sheriff to transport a defendant determined incompetent to proceed due to retardation or autism to county jail under certain conditions pending a court appearance at a competency hearing held within a specified period of time; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Health Regulation; and Health and Human Services Appropriations.

By the Policy and Budget Council; Schools and Learning Council; and Representative Precourt and others—

CS for CS for HB 745—A bill to be entitled An act relating to postsecondary education; amending s. 216.136, F.S.; revising provisions relating to student enrollment projections, and adjustments thereto, for the state educational system developed by the Education Estimating Conference; amending s. 1005.32, F.S.; revising requirements for application for licensure by accreditation by an independent postsecondary educational institution; amending s. 1007.24, F.S.; revising provisions regarding determination of equivalency of courses; amending s. 1009.01, F.S.; providing definitions relating to postsecondary education; amending s. 1009.21, F.S.; providing that determination of resident status applies to eligibility for state financial aid awards and tuition assistance grants; revising definitions; revising provisions relating to qualification as a resident for tuition purposes; providing for reclassification of status; providing duties of institutions of higher education; amending s. 1009.22, F.S.; revising provisions relating to the workforce education postsecondary student capital improvement fee; amending s. 1009.23, F.S.; providing an exemption relating to establishment of the community college activity and service student fee; authorizing an increase in the amount of fees collected for financial aid purposes; increasing the amount of financial aid fees that may be used to assist students who meet specified criteria; authorizing rulemaking; amending s. 1009.24, F.S.; revising provisions relating to state university student fees; providing for the establishment of tuition and fees at the undergraduate and graduate levels and for professional programs; revising provisions relating to use of the student financial aid fee; revising provisions relating to establishment and conditions of the undergraduate tuition differential; amending s. 1009.25, F.S.; revising provisions authorizing student fee exemptions by community colleges; defining "fee-paying student"; amending s. 1009.265, F.S.; revising conditions for the use of state employee fee waivers; amending ss. 1009.98 and 1011.48, F.S.; conforming cross-references; amending s. 196.192, F.S.; specifying educational institutions as exempt entities for purposes of exemptions from ad valorem taxation for property owned by exempt entities; providing an effective date.

—was referred to the Committee on Higher Education Appropriations.

CORRECTION AND APPROVAL OF JOURNAL

The Journal of April 23 was corrected and approved.

CO-INTRODUCERS

Senators Bullard—SB 2296; Dockery—CS for SB 2778; Gaetz—CS for CS for SB 2848; Haridopolos—CS for SB 624; Lynn—CS for SB 1318, CS for CS for SB 1732; Storms—CS for CS for SB 2848; Wilson—SB 1558

VOTES RECORDED

Senator Posey was recorded as voting "yea" on the following bills which were considered April 9: **CS for SB 82**, **SB 96**, **CS for SB 192**, **CS for SB 322**, **CS for SB 656**, **SB 784**, **CS for SB 1036**, **CS for SB 1070**, **CS for CS for SB 1702**, **CS for SB 1756**, **CS for SB 1774**, **CS for SB 1788**, **CS for SB 1790**, **CS for SB 1792**, **CS for SB 1810**, **CS for SB 1820**, **CS for SB 1824**, **CS for SB 1830**, **CS for SB 1838**, **CS for SB 1856**, **CS for SB 1882**, **CS for SB 1886**, **CS for SB 1888**, **CS**

for SB 1892, **CS for CS for SB 2000**, **CS for CS for SB 2002**, **SB 2820** and **CS for HB 503**; and "nay" on **CS for SB 1988**.

RECESS

On motion by Senator King, the Senate recessed at 3:55 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 10:00 a.m., Friday, April 25 or upon call of the President.

Journal of the Senate

Number 17—Regular Session **Friday, April 25, 2008**

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CALL TO ORDER

The Senate was called to order by President Pruitt at 10:00 a.m. A quorum present—37:

Mr. President	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wise
Diaz de la Portilla	Lynn	
Dockery	Margolis	

Excused: Senator Alexander; Conferees periodically for the purpose of working on the appropriations bills

PRAYER

The following prayer was offered by the Rev. Matthew M. Carter II, Pastor, Beulah Hill Missionary Baptist Church, Gretna:

O Mighty God, our creator and sustainer, we pray that we may hold our liberty in high esteem, because you have truly blessed America, and our great State of Florida.

We pray for our leaders that you would give them wisdom, as they deliberate and make laws that will inspire, motivate and care for the citizens of our state.

Our leaders here today are our friends, neighbors and family who have this wonderful privilege to serve. Inspire all of our people to hold sacred this glorious heritage we call freedom.

Keep us from strife, and may we live together in unity. Bless this honorable chamber's presiding officer, and all other members and leaders of our state. Bless them with your wisdom, strength and character. Be with all those who are in power. Thank you for blessing us to live in this paradise we call Florida.

May God bless Florida, and may God bless America. Amen.

PLEDGE

Senate Pages Erin N. Riley of Sopchoppy, daughter of Carrie Riley, Senate Bill Drafting; Christopher Butler of Deerfield; Stephen A. Davis of Tallahassee; and Bryan Young of Boys Ranch, led the Senate in the pledge of allegiance to the flag of the United States of America.

DOCTOR OF THE DAY

The President recognized Dr. Robert Brooks of Tallahassee, sponsored by Senator Posey, as doctor of the day. Dr. Brooks specializes in Infectious Diseases.

ADOPTION OF RESOLUTIONS

At the request of Senator Rich—

By Senator Rich—

SR 2978—A resolution recognizing January 2009 as "Cervical Cancer Awareness Month."

WHEREAS, cervical cancer is the second most common cancer diagnosed in women worldwide, and

WHEREAS, Florida ranks fourth in the nation for the highest numbers of new cervical cancer cases, and

WHEREAS, the American Cancer Society estimates that 770 new cases of cervical cancer in Florida will be diagnosed during the year 2008, and

WHEREAS, the incidence of and mortality from cervical cancer has been greatly reduced due to the use of Pap tests, which can detect precancerous lesions that can be treated before a cancer develops, and

WHEREAS, invasive cervical cancers are diagnosed at the localized, most treatable and survivable stage in 53 percent of white women and 45 percent of African American women, and

WHEREAS, the primary cause of cervical cancer is infection with human papillomavirus (HPV), a virus commonly found in healthy women and only rarely resulting in cancer, and

WHEREAS, early detection, through annual Pap tests in compliance with the American Cancer Society's recommended guidelines, is the key to detecting cervical cancer at pre-cancerous stages, and

WHEREAS, the burden of cervical cancer can be significantly reduced due to the development of the first vaccine to prevent the most common HPV infections that cause cervical cancer, for use in females ages 9 to 26, and

WHEREAS, early cervical cancer detection through regular screening is the goal of the promotion of January as Cervical Cancer Awareness Month and of cervical cancer screening programs, such as the Mary Brogan Breast and Cervical Cancer Early Detection program, funded by the Centers for Disease Control and Prevention, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That the Senate recognizes the month of January 2009 as "Cervical Cancer Awareness Month" in Florida and urges all women to understand the risks associated with cervical cancer, to take preventive steps to minimize those risks, and to undergo early detection procedures such

as Pap tests and compliance with the American Cancer Society's recommended cervical cancer screening guidelines.

—**SR 2978** was introduced, read and adopted by publication.

At the request of Senator Gaetz—

By Senator Gaetz—

SR 2994—A resolution expressing appreciation to Frank M. Ryll, Jr., for his leadership and service to the state and the business community of Florida.

WHEREAS, Mr.Ryll, a long-time community and business leader in Florida, has a distinguished record of rendering valuable services to the people of Florida, and

WHEREAS, he has given generously of his time, talents, and expertise to bring Florida's business community to new levels of influence and effectiveness, and

WHEREAS, Frank Ryll, Jr., has played an important personal role in the governance of Florida's business community through his exemplary service for 25 years as president of the Florida Chamber of Commerce and the Florida Chamber of Commerce Foundation, and

WHEREAS, he ushered in an era of action in protecting Florida businesses and Florida's economy which will improve Florida for generations to come, and

WHEREAS, Mr. Ryll engaged other leaders in assuring economic well-being for the state and brought forth research and recommendations that resulted in fundamental and lasting changes to our education system, economic development, and international initiatives, and

WHEREAS, over a period of many years, Frank Ryll, Jr., has shown himself to be committed to the advancement of education, economic development, and leadership in Florida, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That the Senate commends and expresses sincere gratitude to Frank Ryll, Jr., for his dedicated, effective, and untiring public service, which have made a significant difference in the lives of countless Floridians.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to Frank Ryll, Jr., as a tangible token of the sentiments of the Florida Senate.

—**SR 2994** was introduced, read and adopted by publication.

MOTIONS RELATING TO COMMITTEE MEETINGS

On motion by Senator King, the rules were waived and the Special Order Calendar Group was granted permission to meet this day immediately upon recess to set the Special Order Calendar for Monday, April 28.

BILLS ON THIRD READING

Consideration of **CS for CS for SB 2212** and **CS for CS for CS for SB 1544** was deferred.

CS for CS for CS for SB 2016—A bill to be entitled An act relating to public lodging and public food service establishments; amending s. 509.013, F.S.; revising and adding definitions; amending s. 509.032, F.S.; eliminating the requirement for the Division of Hotels and Restaurants to assist the State Fire Marshal in updating the Florida Fire Prevention Code; eliminating the requirement for the division to enforce the Florida Fire Prevention Code in conducting its inspections; requiring the division, or its agent, to notify firesafety officials of certain readily observable violations of the Florida Fire Prevention Code rules; revising state preemption authority; amending s. 509.039, F.S.; decreasing the amount of time in which a food service manager is required to obtain certification after employment; requiring public food service establishments to provide proof of certification upon request by the division; amending s. 509.101, F.S.; deleting the requirement that a transient establishment maintain a copy of ch. 509, F.S., on its premises; amending s. 509.142, F.S.; requiring the operator of a public lodging establishment or public food service establishment to accommodate any person using a child conveyance; amending s. 509.211, F.S.; deleting a requirement for division notification of local firesafety officials or the State Fire Marshal of violations of rules under ch. 633, F.S.; amending s. 509.221, F.S.; providing that certain sanitary regulations for a public lodging establishment for its guests and employees and for a public food service establishment for its employees be in compliance with the Florida Building Code as approved by the local building authority; providing for wastewater disposal procedures for public food service establishments; providing the minimum sanitation standards for toilet facilities in food service establishments; requiring public lodging establishment and public food service establishment public restroom requirements to be in accordance with the Florida Building Code as approved by the local building authority; amending s. 509.242, F.S.; clarifying public lodging establishment classifications; amending s. 509.261, F.S.; authorizing the division to levy sanctions for failing to comply with final orders of the division; authorizing the division to require payment of outstanding fines before renewing or issuing a license; providing an effective date.

—as amended April 23 was read the third time by title.

Senator Aronberg moved the following amendments which were adopted by two-thirds vote:

Amendment 1 (601964)(with title amendment)—Delete line(s) 243-259 and renumber subsequent sections.

And the title is amended as follows:

Delete line(s) 20-23 and insert: amending s. 509.211, F.S.; deleting a

Amendment 2 (361424)(with title amendment)—Delete lines 324-358

And the title is amended as follows:

Delete lines 33 and 34 and insert: establishments;

Senator Crist moved the following amendment:

Amendment 3 (237924)(with title amendment)—Delete lines 243-358 and insert:

Section 5. Subsections (2) through (5) of section 509.211, Florida Statutes, are amended to read:

509.211 Safety regulations.—

~~(2) The division, or its agent, shall immediately notify the local firesafety authority or the State Fire Marshal of any major violation of a rule adopted under chapter 633 which relates to public lodging establishments or public food service establishments. The division may impose administrative sanctions for violations of these rules pursuant to s. 509.261 or may refer such violations to the local firesafety authorities for enforcement.~~

(2)~~(3)~~(a) It is unlawful for any person to use within any public lodging establishment or public food service establishment any fuel-burning wick-type equipment for space heating unless such equipment is vented so as to prevent the accumulation of toxic or injurious gases or liquids.

(b) Any person who violates the provisions of paragraph (a) *commits* ~~is guilty of~~ a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

(3)~~(4)~~ Each public lodging establishment that is three or more stories in height must have safe and secure railings on all balconies, platforms, and stairways, and all such railings must be properly maintained and repaired. The division may impose administrative sanctions for violations of this subsection pursuant to s. 509.261.

(4)~~(5)~~ Every enclosed space or room that contains a boiler regulated under chapter 554 which is fired by the direct application of energy from the combustion of fuels and that is located in any portion of a public

lodging establishment that also contains sleeping rooms shall be equipped with one or more carbon monoxide sensor devices that bear the label of a nationally recognized testing laboratory and have been tested and listed as complying with the most recent Underwriters Laboratories, Inc., Standard 2034, or its equivalent, unless it is determined that carbon monoxide hazards have otherwise been adequately mitigated as determined by the division. Such devices shall be integrated with the public lodging establishment's fire detection system. Any such installation or determination shall be made in accordance with rules adopted by the division.

Section 6. Subsections (1) and (5) and paragraph (a) of subsection (2) of section 509.221, Florida Statutes, are amended to read:

509.221 Sanitary regulations.—

(1)*(a)* Each public lodging establishment ~~and each public food service establishment~~ shall be supplied with potable water and shall provide adequate sanitary facilities for the accommodation of its employees and guests. Such facilities may include, but are not limited to, showers, handwash basins, toilets, and bidets. Such sanitary facilities shall be connected to approved plumbing. Such plumbing shall be sized, installed, and maintained in accordance with the Florida Building Code *as approved by the local building authority*. Wastewater or sewage shall be properly treated onsite or discharged into an approved sewage collection and treatment system.

(b) Each public food service establishment shall be supplied with potable water and shall provide adequate sanitary facilities for the accommodation of its employees. Such facilities may include, but are not limited to, showers, handwash basins, toilets, and bidets. Such sanitary facilities shall be connected to approved plumbing. Such plumbing shall be sized, installed, and maintained in accordance with the Florida Building Code as approved by the local building authority. Wastewater or sewage shall be properly treated onsite or discharged into an approved sewage collection and treatment system.

And the title is amended as follows:

Delete lines 20-31 and insert: amending s. 509.211, F.S.; deleting a requirement for division notification of local firesafety officials or the State Fire Marshal of violations of rules under ch. 633, F.S.; amending s. 509.221, F.S.; providing that certain sanitary regulations for a public lodging establishment for its guests and employees and for a public food service establishment for its employees be in compliance with the Florida Building Code as approved by the local building authority; providing for wastewater

On motion by Senator Aronberg, further consideration of **CS for CS for CS for SB 2016** with pending **Amendment 3 (237924)** was deferred.

Consideration of **CS for CS for CS for CS for SB 560** was deferred.

CS for HB 3—A bill to be entitled An act relating to children's zones; creating s. 409.147, F.S.; providing legislative findings and intent; providing policy and purpose; providing definitions; providing a process for nominating and selecting a children's zone; providing for the governing body of a county or municipality to adopt a resolution designating a children's zone; specifying contents of the resolution; requiring the governing body to establish a children's zone planning team; providing powers and responsibilities of the planning team; requiring the planning team to designate working groups; specifying focus areas for the working groups; providing for the development of a strategic community plan; providing objectives for each focus area; requiring the governing body to create a corporation not for profit for specified purposes; establishing the Magic City Children's Zone, Inc., pilot project; providing for management by an entity organized as a corporation not for profit; providing geographic boundaries for the zone; providing for designation and appointment of a board of directors; providing for meetings and duties of the board of directors; providing per diem and travel expenses; requiring the board to enter into a contract to develop a business plan; providing for reports to the Legislature; establishing the Jacksonville Children's Zone pilot project; providing for management by an entity organized as a corporation not for profit; providing for a request for proposals process to identify an existing corporation to manage the zone; providing geographic boundaries for the zone; providing for an oversight committee; requiring the corporation to enter into a contract to develop a business plan; providing for reports to the Legislature; establishing the Orlando Children's Zone pilot project; providing for management by the City of Orlando or a not-for-profit corporation; providing geographic boundaries for the zone; providing for funding for the zone to be disbursed through a donor-advised fund; providing a definition; providing for advisory groups; providing for reports to the Legislature; requiring the Department of Children and Family Services to contract with certain private not-for-profit corporations for specified purposes; requiring the corporation to provide evaluation, fiscal management, and oversight of the Magic City Children's Zone, Inc., and the Jacksonville Children's Zone pilot projects; providing a contingent effective date.

—as amended April 24 was read the third time by title.

On motion by Senator Bullard, **CS for HB 3** was passed as amended and certified to the House. The vote on passage was:

Yeas—33

Mr. President	Gaetz	Margolis
Aronberg	Garcia	Oelrich
Atwater	Geller	Peaden
Baker	Haridopolos	Rich
Bennett	Hill	Ring
Bullard	Jones	Saunders
Carlton	Joyner	Siplin
Constantine	Justice	Storms
Deutch	King	Villalobos
Dockery	Lawson	Webster
Fasano	Lynn	Wise

Nays—None

Vote after roll call:

Yea—Crist, Dean, Diaz de la Portilla, Posey

Consideration of **CS for SB 1300** and **SB 1986** was deferred.

CS for SB 758—A bill to be entitled An act relating to inland navigation; amending s. 374.975, F.S.; providing that operation and maintenance of the Intracoastal Waterway and certain other public navigation channels by inland navigation districts is in the public interest; amending s. 374.976, F.S.; authorizing inland navigation districts to aid and cooperate with certain nonmember counties, certain seaports, and navigation districts in planning and carrying out certain projects concerning waterways; authorizing inland navigation districts to furnish assistance and support to seaports in planning and carrying out projects concerning waterway-related access; amending s. 374.977, F.S.; requiring that the Fish and Wildlife Conservation Commission assume certain responsibilities for posting and maintaining regulatory markers concerning manatee protection speed zones; allowing the commission to apply to inland navigation districts for funding to assist with this responsibility; amending s. 403.813, F.S.; removing provisions requiring the Secretary of Environmental Protection to adopt procedural rules for certain dredge and fill projects; revising requirements governing maintenance dredging by inland navigation districts and certain seaports; granting mixing zones; authorizing discharge of the return water from the site for the disposal of the dredged material under certain conditions; defining the term "manmade waters"; prohibiting the state from charging an inland navigation district or a public port authority for certain removed materials; authorizing the use of flocculants at a site for the disposal of dredged material under certain conditions; authorizing the Department of Environmental Protection to develop and maintain a list concerning the use of flocculants; providing that publication of the list is not a rule; authorizing the department to approve the use of a flocculant that is not on the list under specified conditions; providing an effective date.

—was read the third time by title.

On motion by Senator Bennett, **CS for SB 758** was passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wise
Diaz de la Portilla	Lynn	
Dockery	Margolis	

Nays—None

The Senate resumed consideration of—

CS for CS for CS for SB 2016—A bill to be entitled An act relating to public lodging and public food service establishments; amending s. 509.013, F.S.; revising and adding definitions; amending s. 509.032, F.S.; eliminating the requirement for the Division of Hotels and Restaurants to assist the State Fire Marshal in updating the Florida Fire Prevention Code; eliminating the requirement for the division to enforce the Florida Fire Prevention Code in conducting its inspections; requiring the division, or its agent, to notify firesafety officials of certain readily observable violations of the Florida Fire Prevention Code rules; revising state preemption authority; amending s. 509.039, F.S.; decreasing the amount of time in which a food service manager is required to obtain certification after employment; requiring public food service establishments to provide proof of certification upon request by the division; amending s. 509.101, F.S.; deleting the requirement that a transient establishment maintain a copy of ch. 509, F.S., on its premises; amending s. 509.142, F.S.; requiring the operator of a public lodging establishment or public food service establishment to accommodate any person using a child conveyance; amending s. 509.211, F.S.; deleting a requirement for division notification of local firesafety officials or the State Fire Marshal of violations of rules under ch. 633, F.S.; amending s. 509.221, F.S.; providing that certain sanitary regulations for a public lodging establishment for its guests and employees and for a public food service establishment for its employees be in compliance with the Florida Building Code as approved by the local building authority; providing for wastewater disposal procedures for public food service establishments; providing the minimum sanitation standards for toilet facilities in food service establishments; requiring public lodging establishment and public food service establishment public restroom requirements to be in accordance with the Florida Building Code as approved by the local building authority; amending s. 509.242, F.S.; clarifying public lodging establishment classifications; amending s. 509.261, F.S.; authorizing the division to levy sanctions for failing to comply with final orders of the division; authorizing the division to require payment of outstanding fines before renewing or issuing a license; providing an effective date.

—which was previously considered and amended this day. Pending **Amendment 3 (237924)** by Senator Crist was withdrawn.

On motion by Senator Aronberg, **CS for CS for CS for SB 2016** as amended was passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—37

Mr. President	Diaz de la Portilla	King
Aronberg	Dockery	Lawson
Atwater	Fasano	Lynn
Baker	Gaetz	Margolis
Bennett	Garcia	Oelrich
Bullard	Geller	Peaden
Carlton	Haridopolos	Posey
Constantine	Hill	Rich
Crist	Jones	Ring
Dean	Joyner	Saunders
Deutch	Justice	Siplin
Storms	Webster	Wise
Villalobos		

Nays—None

CS for HB 337—A bill to be entitled An act relating to management of Historic Pensacola properties; amending s. 267.173, F.S.; providing for the University of West Florida to directly contract for management of certain state-owned properties in Pensacola; requiring agreement of all parties to existing contracts and execution of contract with the Board of Trustees of the Internal Improvement Trust Fund; deleting a requirement to contract with the Department of State for certain historic properties in Pensacola; deleting language related to transfer of properties and contract requirements with the Department of State; permitting the University of West Florida to contract with its direct-support organization for management of historic properties; providing eligibility for certain grants; providing an effective date.

—was read the third time by title.

On motion by Senator Gaetz, **CS for HB 337** was passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wise
Diaz de la Portilla	Lynn	
Dockery	Margolis	

Nays—None

CS for HB 853—A bill to be entitled An act relating to cemetery lands; amending s. 497.270, F.S.; revising provisions relating to the sale or disposition of cemetery lands to provide restrictions with respect to takings by eminent domain and the imposition of certain conditions for obtaining specified regulatory approval; providing an effective date.

—was read the third time by title.

On motion by Senator Bennett, **CS for HB 853** was passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wise
Diaz de la Portilla	Lynn	
Dockery	Margolis	

Nays—None

SB 1486—A bill to be entitled An act relating to state symbols; creating s. 15.0386, F.S.; designating the official state tortoise; providing an effective date.

—was read the third time by title.

On motion by Senator Saunders, **SB 1486** was passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Dockery	Lynn
Aronberg	Fasano	Margolis
Atwater	Gaetz	Peaden
Baker	Garcia	Posey
Bennett	Geller	Rich
Bullard	Haridopolos	Ring
Carlton	Hill	Saunders
Constantine	Jones	Siplin
Crist	Joyner	Storms
Dean	Justice	Villalobos
Deutch	King	Webster
Diaz de la Portilla	Lawson	Wise

Nays—1

Oelrich

CS for SB 2052—A bill to be entitled An act relating to water and wastewater utilities; amending s. 367.0814, F.S.; revising provisions for Florida Public Service Commission staff assistance in changing rates and charges for water and wastewater utilities; providing for periodic adjustment of the gross annual revenue level established by the commission for such purposes; requiring the commission to periodically submit a report to the Legislature; specifying report requirements; providing an effective date.

—was read the third time by title.

On motion by Senator Baker, **CS for SB 2052** was passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wise
Diaz de la Portilla	Lynn	
Dockery	Margolis	

Nays—None

Consideration of **CS for SB 994** was deferred.

HB 989—A bill to be entitled An act relating to physician assistants; amending s. 458.347, F.S.; revising the requirements for the formulary established by the Council on Physician Assistants in order to allow physician assistants to prescribe antipsychotics and parenteral preparations; providing an effective date.

—was read the third time by title.

On motion by Senator Saunders, **HB 989** was passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Baker	Carlton
Aronberg	Bennett	Constantine
Atwater	Bullard	Crist
Dean	Jones	Rich
Deutch	Joyner	Ring
Diaz de la Portilla	Justice	Saunders
Dockery	King	Siplin
Fasano	Lawson	Storms
Gaetz	Lynn	Villalobos
Garcia	Margolis	Webster
Geller	Oelrich	Wise
Haridopolos	Peaden	
Hill	Posey	

Nays—None

HB 7085—A bill to be entitled An act relating to mental health and substance abuse; amending s. 394.4572, F.S.; revising provisions relating to employment screening requirements for mental health personnel; revising the definition of the term "mental health personnel"; removing an exemption from screening requirements for certain mental health personnel; creating s. 394.4996, F.S.; authorizing the Agency for Health Care Administration, in consultation with the Department of Children and Family Services, to establish a licensure category for facilities providing integrated adult mental health crisis stabilization unit and addictions receiving facility services; authorizing such facilities to provide integrated mental health and substance abuse services to adults who meet certain criteria; providing for standards, procedures, and requirements for services; providing rulemaking authority; amending s. 394.655, F.S.; revising purpose of the Criminal Justice, Mental Health, and Substance Abuse Policy Council; amending s. 394.656, F.S.; requiring the department and the agency to develop local treatment and service delivery infrastructures in coordination with counties receiving grants under the Criminal Justice, Mental Health, and Substance Abuse Reinvestment Grant Program; amending s. 394.657, F.S.; providing additional duties of certain county planning councils and committees; amending s. 394.659, F.S.; providing additional duties of the Criminal Justice, Mental Health, and Substance Abuse Technical Assistance Center; requiring an annual report; amending s. 394.67, F.S.; revising the definition of the term "residential treatment center for children and adolescents"; providing for such centers to be licensed by the agency; amending s. 394.674, F.S.; revising eligibility requirements for substance abuse and mental health services funded by the department; providing rulemaking authority; creating s. 394.9086, F.S.; creating the "Community Mental Health and Substance Abuse Treatment and Crime Reduction Act"; providing goals; providing definitions; creating a community mental health and substance abuse treatment forensic treatment system; providing criteria for eligibility; providing responsibilities of the department; establishing demonstration sites; providing rulemaking authority; amending s. 409.906, F.S.; authorizing the agency to seek federal approval to implement home and community-based services; amending s. 553.80, F.S.; providing for enforcement of the Florida Building Code construction regulations for secure mental health treatment facilities by the department; amending s. 916.111, F.S.; revising provisions governing the training of mental health experts; requiring forensic evaluator training courses to be offered annually; providing requirements for being placed on or removed from the department's forensic evaluator registry; amending s. 916.115, F.S.; revising provisions relating to appointment of experts by the court to evaluate the mental condition of a criminal defendant; requiring experts to complete forensic evaluator training within a specified period of time to remain on the department's registry; providing conditions under which certain persons may assist in forensic evaluations; amending s. 916.13, F.S.; creating an exception to involuntary commitment for defendants adjudicated incompetent in the custody of the Department of Corrections; providing duties of the department relating to treatment for defendants adjudicated incompetent to proceed due to mental illness; revising duties of the department and the court; specifying timeframes for the filing of reports, the commitment and placement of defendants, and the holding of hearings; amending s. 916.15, F.S.; creating an exception for the involuntary commitment of defendants adjudicated not guilty by reason of insanity in the custody of the Department of Corrections; revising duties of the department and the court; specifying timeframes for the filing of reports, the commitment and placement of defendants, and the holding of hearings; amending s. 916.17, F.S.; providing conditions for placement of a defendant in a community residential facility in a demonstration area established under the act under certain circumstances; providing criteria for such placement; providing an effective date.

—as amended April 24 was read the third time by title.

On motion by Senator Storms, **HB 7085** as amended was passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wise
Diaz de la Portilla	Lynn	
Dockery	Margolis	

Nays—None

SB 1456—A bill to be entitled An act relating to medical assistance eligibility of inmates; creating s. 409.9025, F.S.; providing for suspension of medical assistance for certain incarcerated persons while such persons are inmates; providing an exception; providing for eligibility following release from incarceration; providing that, to the extent permitted under federal law, the time during which such person is an inmate shall not be included in any calculation of when the person must recertify his or her eligibility; providing an effective date.

—was read the third time by title.

On motion by Senator Joyner, **SB 1456** was passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wise
Diaz de la Portilla	Lynn	
Dockery	Margolis	

Nays—None

CS for CS for SB 1488—A bill to be entitled An act relating to consumer information concerning health care; providing a short title; providing a purpose; amending s. 381.026, F.S.; requiring a health care provider or a health care facility to provide an uninsured person with a reasonable estimate of charges for planned nonemergency medical services before such services are provided; requiring that the provider or the facility provide the uninsured person with information regarding such provider's or facility's discount or charity policies; requiring that the estimate be in writing and in a language comprehensible to an ordinary layperson; amending s. 395.301, F.S.; requiring certain licensed facilities to provide a written estimate within a certain period of time to an uninsured person seeking planned nonemergency elective admission; requiring the facility to notify the person if the estimate is revised; requiring the facility to provide the person with a copy of any discount or charity care discount policies for which such person may be eligible; requiring the facility to place a notice in the reception area where such information is available; imposing a monetary penalty if the facility fails to provide the requested information; amending s. 408.05, F.S.; revising the list of patient charge data that may be disclosed by the Agency for Health Care Administration; requiring the agency to publish on its website information concerning prices for the most commonly performed adult and pediatric procedures; providing an effective date.

—was read the third time by title.

On motion by Senator Dean, **CS for CS for SB 1488** was passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wise
Diaz de la Portilla	Lynn	
Dockery	Margolis	

Nays—None

CS for CS for SB 1582—A bill to be entitled An act relating to guardians ad litem; amending s. 61.402, F.S.; authorizing a person affiliated with a not-for-profit legal aid organization to serve as a guardian ad litem under certain circumstances; requiring that such person undergo a security background investigation; requiring not-for-profit legal aid organizations to provide training developed by The Florida Bar before a person is certified as a guardian ad litem; providing for interim training developed by a curriculum committee; providing an effective date.

—was read the third time by title.

On motion by Senator Joyner, **CS for CS for SB 1582** was passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wise
Diaz de la Portilla	Lynn	
Dockery	Margolis	

Nays—None

CS for HB 625—A bill to be entitled An act relating to independent living transition services; amending s. 409.1451, F.S.; providing for family foster homes, residential child-caring agencies, or other authorized caregivers to be included in the development of plans for activities for certain children; requiring specified information to be included in a report to the Legislature by the Independent Living Services Advisory Council; creating s. 743.046, F.S.; providing for removal of disabilities of certain minors for purposes of securing utility services; providing an effective date.

—was read the third time by title.

On motion by Senator Storms, **CS for HB 625** was passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wise
Diaz de la Portilla	Lynn	
Dockery	Margolis	

Nays—None

CS for CS for SB 2598—A bill to be entitled An act relating to treatment programs for impaired medical practitioners; amending s. 456.076, F.S.; revising requirements for consultants retained by the Department of Health; providing that a consultant may contract for services to be provided to students enrolled in schools for licensure as allopathic and osteopathic physicians or physician assistants, nurses, or pharmacists who are alleged to be impaired, if requested by the school; exempting the department from paying the costs for services provided by treatment providers or consultants; indemnifying certain schools from liability in civil actions under certain circumstances; providing limited sovereign immunity for certain program consultants under specified contractual conditions; requiring that the Department of Financial Services defend legal actions against program consultants; providing an effective date.

—as amended April 24 was read the third time by title.

On motion by Senator Atwater, **CS for CS for SB 2598** as amended was passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wise
Diaz de la Portilla	Lynn	
Dockery	Margolis	

Nays—None

Consideration of **CS for SB 988** was deferred.

HB 85—A bill to be entitled An act relating to lewd or lascivious molestation; amending s. 775.082, F.S.; requiring life sentences for certain second or subsequent offenders; amending s. 948.012, F.S.; conforming a cross-reference; reenacting s. 800.04(5)(b), F.S., relating to lewd or lascivious offenses committed against persons less than 12 years of age, to incorporate the amendments made to s. 775.082, F.S., in a reference thereto; providing an effective date.

—was read the third time by title.

On motion by Senator Dockery, **HB 85** was passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wise
Diaz de la Portilla	Lynn	
Dockery	Margolis	

Nays—None

On motion by Senator Dockery, by two-thirds vote **HB 7137** was withdrawn from the Committees on Criminal Justice; Children, Families, and Elder Affairs; Judiciary; and Criminal and Civil Justice Appropriations.

On motion by Senator Dockery, by two-thirds vote—

HB 7137—A bill to be entitled An act relating to the Department of Corrections; amending s. 921.187, F.S.; deleting certain provisions limiting circumstances under which an offender may be placed in community control; amending s. 943.16, F.S.; eliminating provisions requiring that a law enforcement officer reimburse the employing agency for wages and benefits paid by the employing agency if the officer terminates employment before the end of a 2-year commitment period; eliminating wages and benefits from the costs that employing agencies may recover; eliminating the definition of the term "academy training period"; amending s. 944.1905, F.S.; authorizing the department to assign certain young adult offenders to a facility for youthful offenders until the offender reaches a specified age; deleting provisions requiring that certain young adult offenders be housed and provided certain services separately from older offenders; amending s. 944.47, F.S.; providing that a cellular telephone or other portable communication device that is introduced inside the secure perimeter of a state correctional institution without prior authorization is contraband; prohibiting an inmate or other person upon the grounds of the institution from possessing such contraband without authorization; providing a definition; providing criminal penalties; amending s. 948.01, F.S.; deleting the requirement that a court using a specified alternative to a sentence of incarceration require the Department of Corrections to provide certain notifications; amending s. 948.10, F.S.; deleting a requirement that community control programs and manuals be developed in consultation with the Florida Conference of Circuit Court Judges and the State Courts Administrator; deleting the prohibition on sentencing offenders convicted of certain forcible felonies to community control; deleting requirements for the department in developing and implementing community control programs, resource directories, and training programs; deleting a requirement for the Florida Court Education Council and the State Courts Administrator to coordinate certain resources for judges pertaining to community control; eliminating provisions governing review and notice by the department of offenders ineligible for community control and requiring the department to develop a caseload equalization strategy; conforming provisions to deletion of the prohibition on sentencing offenders convicted of certain forcible felonies to community control; amending s. 958.04, F.S.; authorizing the court to sentence a person as a youthful offender if the offender is younger than 21 years of age at the time sentence is imposed; requiring the Department of Corrections to adopt by rule criteria to define successful participation in the youthful offender program; amending s. 958.11, F.S.; removing the specific designation of youthful offender facilities for housing female offenders; revising requirements for the department with respect to assigning or transferring youthful offenders; removing references to the Assistant Secretary for Youthful Offenders; amending s. 958.12, F.S.; removing the requirement for a youthful offender to be visited by a probation and parole officer before release; removing the requirement for the department to develop community partnerships with the Department of Labor and Employment Security and the Department of Children and Family Services and including private agencies as possible partners in such partnerships; amending s. 945.41, F.S.; eliminating a requirement that the Department of Corrections contract

with the Department of Children and Family Services to provide certain mental health services; authorizing the Department of Corrections to contract with other entities or persons to provide mental health services to inmates; amending s. 945.42, F.S.; revising definitions and defining the term "crisis stabilization care"; amending s. 945.43, F.S.; revising the procedures for placing an inmate in a mental health treatment facility; authorizing the court to waive the presence of the inmate at the hearing on the inmate's placement; amending s. 945.44, F.S.; providing for the emergency placement of an inmate in a mental health treatment facility; amending s. 945.45, F.S.; revising the provisions governing the continued placement of an inmate in a mental health treatment facility; authorizing an administrative law judge to appoint a private pro bono attorney to represent an inmate in continued placement hearings; providing that the administrative law judge may waive the presence of the inmate at the hearing under certain conditions; amending s. 945.46, F.S.; authorizing the warden to initiate procedures for the involuntary examination of an inmate who has a mental illness and meets certain criteria; amending s. 945.47, F.S.; providing for the transfer of an inmate who is no longer in need of mental health treatment; deleting certain provisions governing involuntary placement; requiring that a summary of the inmate's treatment be provided to the Parole Commission and the Department of Children and Family Services upon request; amending s. 945.48, F.S.; revising the procedure for the involuntary mental health treatment of an inmate; providing for the warden of the institution containing the mental health treatment facility to petition the circuit court for an order authorizing involuntary treatment; providing requirements for the hearing on involuntary treatment; limiting the period that an order authorizing involuntary treatment is effective; providing a procedure for emergency treatment; amending s. 945.49, F.S.; deleting a provision requiring that training provided to correctional officers employed by a mental health treatment facility be in accordance with the requirements of the Criminal Justice Standards and Training Commission; deleting a requirement that a specified number of administrative law judges be assigned to conduct hearings on continued placement of inmates; requiring that inmates receiving mental health treatment be subject to the same standards applied to other inmates in the department; providing an effective date.

—a companion measure, was substituted for **CS for CS for CS for CS for SB 1614** and by two-thirds vote read the second time by title. On motion by Senator Dockery, by two-thirds vote **HB 7137** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wise
Diaz de la Portilla	Lynn	
Dockery	Margolis	

Nays—None

SB 1700—A bill to be entitled An act relating to mutual aid agreements; creating s. 285.185, F.S.; authorizing the Seminole Tribe of Florida to enter into any existing mutual aid plan, arrangement, or agreement; requiring the Division of Emergency Management and the Department of Law Enforcement to abide by the terms of such plan, arrangement, or agreement and provide assistance; authorizing parties to modify the provisions of such plan, arrangement, or agreement; providing an effective date.

—was read the third time by title.

On motion by Senator Bennett, **SB 1700** was passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wise
Diaz de la Portilla	Lynn	
Dockery	Margolis	

Nays—None

CS for CS for SB 1732—A bill to be entitled An act relating to human trafficking; creating within the Executive Office of the Governor the Florida Statewide Task Force on Human Trafficking; prescribing the membership of the task force; providing for members of the task force to serve without compensation or reimbursement for per diem and travel expenses; providing specific responsibilities and duties of the task force and its members; requiring that the task force prepare a final report by a specified date; providing duties of the Florida State University Center for the Advancement of Human Rights; abolishing the task force on a specified date; providing an effective date.

—was read the third time by title.

On motion by Senator Joyner, **CS for CS for SB 1732** was passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wise
Diaz de la Portilla	Lynn	
Dockery	Margolis	

Nays—None

CS for CS for SB 2676—A bill to be entitled An act relating to pretrial release programs; creating s. 907.043, F.S.; creating the "Citizens' Right-to-Know Act"; defining the terms "nonsecured release," "pretrial release program," "register," and "secured release"; requiring each pretrial release program to prepare a register displaying information relevant to the defendants released through such a program; requiring that a copy of the register be located at the office of the clerk of the circuit court in the county where the program is located and readily accessible to the public; specifying the contents of the register; requiring each pretrial release program to submit an annual report to the Office of the State Courts Administrator and to the clerk of the circuit court by a specified date; specifying the content of the annual report; amending s. 903.011, F.S.; providing requirements for the form of bail or bond required for release from detention; amending s. 903.286, F.S.; requiring that all cash bond forms prominently display a notice explaining that cash funds are subject to forfeiture and withholding by the clerk of the court for the payment of court fees, court costs, and criminal penalties on behalf of the criminal defendant regardless of who posted the funds; requiring the Office of Program Policy Analysis and Government Accountability to conduct a study to evaluate the effectiveness and cost-efficiency of pretrial release programs in this state; describing the scope of the study; requiring OPPAGA to submit a report of the study to the

President of the Senate and the Speaker of the House of Representatives by a specified date; providing an effective date.

—as amended April 24 was read the third time by title.

On motion by Senator Crist, **CS for CS for SB 2676** as amended was passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wise
Diaz de la Portilla	Lynn	
Dockery	Margolis	

Nays—None

CS for SB 342—A bill to be entitled An act relating to candidates for public office; amending s. 99.012, F.S.; authorizing a law enforcement officer to qualify as a candidate for public office without resigning his or her law enforcement position; providing an exception; providing for reinstatement to the law enforcement office; amending s. 99.095, F.S.; authorizing a candidate to pay a pro rata portion of the qualifying fee under certain conditions; providing an effective date.

—was read the third time by title.

On motion by Senator Lynn, **CS for SB 342** was passed and certified to the House. The vote on passage was:

Yeas—28

Mr. President	Garcia	Posey
Aronberg	Haridopolos	Rich
Atwater	Hill	Ring
Baker	Jones	Saunders
Bennett	Joyner	Siplin
Carlton	Justice	Villalobos
Dean	King	Webster
Deutch	Lynn	Wise
Dockery	Margolis	
Fasano	Peaden	

Nays—9

Bullard	Diaz de la Portilla	Lawson
Constantine	Gaetz	Oelrich
Crist	Geller	Storms

On motion by Senator Fasano, by two-thirds vote **HB 489** was withdrawn from the Committees on Children, Families, and Elder Affairs; Commerce; Governmental Operations; and Judiciary.

On motion by Senator Fasano, by two-thirds vote—

HB 489—A bill to be entitled An act relating to sexual violence; amending s. 741.313, F.S.; defining the term "sexual violence"; providing specified employee leave benefits to employees who are victims of sexual violence or who have a family or household member who is a victim of sexual violence; providing an effective date.

—a companion measure, was substituted for **CS for SB 994** and by two-thirds vote read the second time by title. On motion by Senator Fasano, by two-thirds vote **HB 489** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Fasano	Margolis
Aronberg	Gaetz	Oelrich
Atwater	Garcia	Peaden
Baker	Geller	Posey
Bullard	Haridopolos	Rich
Carlton	Hill	Ring
Constantine	Jones	Saunders
Crist	Joyner	Siplin
Dean	Justice	Storms
Deutch	King	Villalobos
Diaz de la Portilla	Lawson	Webster
Dockery	Lynn	Wise

Nays—None

SB 1986—A bill to be entitled An act relating to lien claims by homeowners' associations; amending s. 720.3085, F.S.; providing that when authorized by the governing documents, a homeowners' association has a lien on each parcel to secure the payment of assessments and other amounts; providing an exception to first mortgages of record; providing that the act does not bestow upon any lien, mortgage, or certified judgment of record on July 1, 2008, a priority that the lien, mortgage, or judgment did not have before that date; providing for the elements of a valid claim of lien; providing for the content of a recording notice; requiring a parcel owner or the parcel owner's agent or attorney to require the homeowners' association to enforce a recorded claim of lien against his or her parcel; providing procedures for notifying the homeowners' association; requiring that service be made by certified mail, return receipt requested; authorizing the homeowners' association to bring a civil action to foreclose a lien for assessments in the same manner in which a mortgage of real property is foreclosed; providing that the homeowners' association may also bring an action to recover a money judgment for the unpaid assessments without waiving any claim of lien; providing that if a parcel owner remains in possession of the parcel after a foreclosure judgment has been entered, the court may require the parcel owner to pay a reasonable rent for the parcel; providing that the homeowners' association may purchase the parcel at the foreclosure sale and hold, lease, mortgage, or convey the parcel; limiting the liability of a first mortgagee or its successor or assignee as a subsequent holder of the first mortgage who acquires title to a parcel by foreclosure or by deed in lieu of foreclosure for the unpaid assessments that became due before the mortgagee's acquisition of title; providing that the time limitations in the act do not apply if the parcel is subject to a foreclosure action or forced sale of another party; providing for a qualified offer during the pendency of a foreclosure action; providing procedures for offering and accepting a qualifying offer; requiring that the qualifying offer be in a particular format; providing an effective date.

—was read the third time by title.

MOTION

On motion by Senator Ring, the rules were waived to allow the following amendment to be considered:

Senator Ring moved the following amendment which was adopted by two-thirds vote:

Amendment 1 (887968)—Delete lines 102-119 and insert:

(c) The association may bring an action in its name to foreclose a lien for assessments in the same manner in which a mortgage of real property is foreclosed and may also bring an action to recover a money judgment for the unpaid assessments without waiving any claim of lien. The association is entitled to recover its reasonable attorney's fees incurred in an action to foreclose a lien or an action to recover a money judgment for unpaid assessments.

(d) If the parcel owner remains in possession of the parcel after a foreclosure judgment has been entered, the court may require the parcel owner to pay a reasonable rent for the parcel. If the parcel is rented or leased during the pendency of the foreclosure action, the association is entitled to the appointment of a receiver to collect the rent. The expenses of the receiver must be paid by the party who does not prevail in the foreclosure action.

(e) The association may purchase the parcel at the foreclosure sale and hold, lease, mortgage, or convey the parcel.

On motion by Senator Ring, **SB 1986** as amended was passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—37

Mr. President	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wise
Diaz de la Portilla	Lynn	
Dockery	Margolis	

Nays—None

CS for SB 988—A bill to be entitled An act relating to transitional services for young adults with disabilities; creating a health care transition services task force within the Department of Health; providing legislative intent; providing for membership, duties, and responsibilities of the task force; providing for reimbursement of members for expenses; requiring the task force to assess the need for health care transition services and provide a report to the Governor and the Legislature; providing an effective date.

—as amended April 24 was read the third time by title.

On motion by Senator Wise, **CS for SB 988** as amended was passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Fasano	Margolis
Aronberg	Gaetz	Oelrich
Atwater	Garcia	Peaden
Bennett	Geller	Posey
Bullard	Haridopolos	Rich
Carlton	Hill	Ring
Constantine	Jones	Saunders
Crist	Joyner	Siplin
Dean	Justice	Storms
Deutch	King	Villalobos
Diaz de la Portilla	Lawson	Webster
Dockery	Lynn	Wise

Nays—None

SPECIAL ORDER CALENDAR

Consideration of **CS for HB 257** and **SB 2400** was deferred.

On motion by Senator Wise, by two-thirds vote **CS for HB 69** was withdrawn from the Committees on Transportation; Community Affairs; and Transportation and Economic Development Appropriations.

On motion by Senator Wise, the rules were waived and by two-thirds vote—

CS for HB 69—A bill to be entitled An act relating to license plates; amending s. 320.06, F.S.; requiring counties to issue license plates with either the name of the county in which the plate is sold, the state motto, or the words "Sunshine State," printed on the plate; providing conditions; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 222** and by two-thirds vote read the second time by title.

Pursuant to Rule 4.19, **CS for HB 69** was placed on the calendar of Bills on Third Reading.

By Senator Baker—

SB 230—A bill to be entitled An act relating to state symbols; creating s. 15.0526, F.S.; designating the Florida Cracker Horse (Marshtackie) as the official state horse; providing for future legislative review and repeal; providing an effective date.

—was read the second time by title.

Senator Lawson moved the following amendment which was adopted:

Amendment 1 (912780)(with title amendment)—Between line(s) 16 and 17 insert:

Section 2. Section 15.0386, Florida Statutes, is created to read:

15.0386 Official state salt water reptile.—The Loggerhead Turtle is designated as the official Florida state salt water reptile.

And the title is amended as follows:

On line(s) 5, after the semicolon (;) insert: creating s. 15.0386, F.S.; designating the Loggerhead Turtle as the official Florida state salt water reptile;

Pursuant to Rule 4.19, **SB 230** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

By Senator Bennett—

SB 432—A bill to be entitled An act relating to the placement of vessels in state or federal waters seaward of the state to form artificial reefs; amending s. 370.25, F.S., relating to the state's artificial reef program; providing legislative findings; authorizing the planning and development of a statewide matching grant program to secure and place United States Maritime Administration and United States Navy decommissioned vessels in specified waters as artificial reefs; providing for administration of the program by the Florida Fish and Wildlife Conservation Commission; providing for implementation of the program subject to appropriations; providing objectives of the program; creating s. 370.255, F.S.; providing for the establishment of the Florida Ships-2-Reefs Program, a matching grant program, by the Florida Fish and Wildlife Conservation Commission; providing the purposes of the program; specifying the percentage of the state matching grant; providing procedures and requirements with respect to the program; authorizing the Florida Fish and Wildlife Conservation Commission to adopt rules; providing for reports; authorizing provision of funds under the program contingent upon an appropriation; providing for a report; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 432** was placed on the calendar of Bills on Third Reading.

Consideration of **CS for CS for SB 482** was deferred.

On motion by Senator Bennett—

CS for CS for SB 498—A bill to be entitled An act relating to agency inspectors general; amending s. 20.055, F.S.; providing definitions; requiring agency inspectors general to comply with certain principles and standards; requiring an inspector general to submit findings of audits and investigations to specified persons or entities if such findings are not exempt from disclosure; requiring responses to findings within 20 working days; requiring agencies under the Governor to notify the Chief Inspector General of inspector general appointments and terminations; prohibiting agency staff from preventing or prohibiting the inspector general from initiating, carrying out, or completing any audit or investigation; requiring audits to be conducted in accordance with the current

International Standards for the Professional Practice of Internal Auditing; requiring the inspector general of each state agency to report certain written complaints to the agency head, and for agencies under the Governor, to the agency head and the Chief Inspector General; providing an effective date.

—was read the second time by title.

Amendments were considered and adopted to conform **CS for CS for SB 498** to **CS for HB 165**.

Pending further consideration of **CS for CS for SB 498** as amended, on motion by Senator Bennett, by two-thirds vote **CS for HB 165** was withdrawn from the Committees on Governmental Operations; and General Government Appropriations.

On motion by Senator Bennett, by two-thirds vote—

CS for HB 165—A bill to be entitled An act relating to agency inspectors general; amending s. 20.055, F.S.; providing definitions; requiring agency inspectors general to comply with certain principles and standards; requiring an inspector general to submit findings of audits and investigations to specified persons or entities if such findings are not exempt from disclosure; requiring responses to findings within 20 working days; requiring agencies under the Governor to notify the Chief Inspector General of inspector general appointments and terminations; prohibiting agency staff from preventing or prohibiting the inspector general from initiating, carrying out, or completing any audit or investigation; requiring audits to be conducted in accordance with the current International Standards for the Professional Practice of Internal Auditing; requiring the inspector general of each state agency to report certain written complaints to the agency head, and for agencies under the Governor, to the agency head and the Chief Inspector General; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 498** as amended and by two-thirds vote read the second time by title.

Pursuant to Rule 4.19, **CS for HB 165** was placed on the calendar of Bills on Third Reading.

By Senator Baker—

CS for CS for SB 544—A bill to be entitled An act relating to temporary motor vehicle license tags; amending s. 320.131, F.S.; revising provisions for the placement of temporary tags on vehicles; revising provisions for implementation of an electronic, print-on-demand temporary tag issuance system; authorizing a motor vehicle dealer to charge a fee in certain circumstances; authorizing the department to adopt rules; repealing s. 320.96, F.S., relating to implementation of an electronic print-on-demand temporary license plate system; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 544** was placed on the calendar of Bills on Third Reading.

On motion by Senator Deutch, by two-thirds vote **CS for HB 419** was withdrawn from the Committees on Commerce; Judiciary; Finance and Tax; and Transportation and Economic Development Appropriations.

On motion by Senator Deutch—

CS for HB 419—A bill to be entitled An act relating to business entities; amending s. 607.1109, F.S.; exempting a domestic corporation from the requirement to file articles of merger under certain circumstances; amending s. 607.1113, F.S.; exempting a domestic corporation from the requirement to file a certificate of conversion under certain circumstances; amending s. 607.1115, F.S.; requiring that each converting entity file a certificate of conversion with the Department of State; amending s. 608.4382, F.S.; exempting a domestic limited liability company from the requirement to file a certificate of merger under certain circumstances; amending s. 608.439, F.S.; including a corporation within the definition of "other business entity" or "another business entity"; requiring that each converting entity file a certificate of conversion with the department; amending s. 608.4403, F.S.; exempting a limited liability company from the requirement to file a certificate of conversion under certain circumstances; amending s. 617.1108, F.S.; exempting a domestic corporation not for profit from the requirement to file articles of merger under certain circumstances; providing for a copy of articles of merger or the certificate of merger to be filed in each county in which real property of a party to the merger is situated; amending s. 620.1406, F.S.; revising the requirements for general partners with respect to exercising certain management rights; providing that the expulsion of a limited partner requires the consent of all of the other limited partners; amending s. 620.2104, F.S.; requiring that a certificate of conversion be signed by each general partner and by the converting organization; exempting a limited partnership from the requirement to file a certificate of conversion if the partnership complies with certain other laws; amending s. 620.2108, F.S.; providing exceptions to a requirement that constituent limited partnerships file articles of merger or a certificate of merger with the Department of State; amending s. 620.2204, F.S.; changing the date of application of provisions authorizing a limited partner to dissociate from a limited partnership; amending s. 620.8101, F.S.; redefining the term "statement" to exclude a statement of merger; amending s. 620.8105, F.S.; requiring that a registration statement be filed with the department before filing a certificate of conversion or a certificate of merger; amending s. 620.81055, F.S.; providing that a filing fee applies to a certificate of merger; amending s. 620.8911, F.S.; clarifying that the term "organization" includes a converted or surviving organization under certain circumstances; amending s. 620.8914, F.S.; revising requirements for conversions; exempting converting domestic partnerships from filing a certificate of conversion under certain circumstances; providing that the certificate of conversion acts as a cancellation of the registration statement for a converting partnership; amending s. 620.8918, F.S.; exempting domestic constituent partnerships from filing a certificate of merger under certain circumstances; requiring that such partnership file a registration statement with the department under certain circumstances; amending s. 621.06, F.S.; revising limitations on qualifications to render professional services; amending s. 621.10, F.S.; revising limitations on disqualifications to render professional services; amending s. 621.13, F.S.; deleting limitations on mergers between domestic and foreign professional corporations and limited liability companies; amending s. 727.114, F.S.; providing for disposition of residue moneys after payment of certain creditors' claims; providing effective dates.

—a companion measure, was substituted for **CS for SB 698** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 419** was placed on the calendar of Bills on Third Reading.

By Senator Crist—

CS for CS for CS for SB 700—A bill to be entitled An act relating to juvenile justice; amending s. 29.008, F.S.; conforming cross-references; amending s. 790.22, F.S.; revising provisions relating to community service programs; amending s. 939.185, F.S.; providing diversion options; amending s. 984.05, F.S., conforming cross-references; amending s. 984.09, F.S.; deleting duplicative provisions relating to contempt of court and alternative sanctions; amending s. 985.02, F.S.; providing diversion options; amending s. 985.03, F.S.; defining the term "ordinary medical care"; amending and renumbering provisions of s. 985.037, F.S., relating to alterative sanctions; creating s. 985.0375, F.S.; providing for alternative sanctions; amending s. 985.04, F.S; providing that confidential information obtained during an official's service with juvenile delinquents may be shared with authorized personnel of the Department of Children and Family Services; amending s. 985.245, F.S.; providing for additional representatives to be included on the committee formed to advise the Department of Juvenile Justice on the risk assessment instrument; requiring periodic evaluation of the risk assessment instrument; amending s. 985.265, F.S.; providing an exception to required supervision in direct supervision housing; amending s. 985.601, F.S.; requiring the Department of Juvenile Justice to adopt rules to establish procedures to provide ordinary medical care, mental health, substance abuse, and developmental disabilities services to youth within the juvenile justice continuum; requiring that, to the extent possible within available fiscal resources, the procedures must be commensurate with procedures that youth receive in the community; amending s. 985.606, F.S.; revising provisions governing data collection; amending s. 985.632, F.S.; authorizing the department to conduct a demonstration project in

order to create an accountable juvenile justice system that is outcome-based; amending s. 985.644, F.S., relating to departmental contracting powers; removing references to the Department of Children and Family Services; amending s. 985.66, F.S.; transferring the responsibility for the juvenile justice training program from the Juvenile Justice Standards and Training Commission to the Department of Juvenile Justice; requiring the department to adopt rules; amending s. 985.664, F.S., relating to the juvenile justice circuit boards and juvenile justice county councils; providing a reference to the Children and Youth Cabinet; requiring that juvenile justice circuit boards and county councils participate in facilitating interagency cooperation and information sharing with certain entities; requiring that such collaborations specify certain information; providing requirements for the annual reports required to be submitted by each juvenile justice circuit board; amending s. 985.668, F.S.; encouraging each juvenile justice circuit board, in consultation with the juvenile justice county council, to propose an innovation zone within the circuit; amending s. 985.676, F.S.; including the development and implantation of a strategic plan; amending s. 985.721, F.S.; conforming a cross-reference; amending s. 1006.13, F.S.; removing the reference of zero tolerance; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for CS for SB 700** was placed on the calendar of Bills on Third Reading.

By Senator Fasano—

CS for SB 734—A bill to be entitled An act relating to license plates; amending ss. 320.08056 and 320.08058, F.S.; creating a Florida Tennis license plate; creating a Lighthouse Association license plate; creating an I Believe license plate; creating an In God We Trust license plate; providing for the distribution of annual use fees received from the sale of such plates; providing an effective date.

—was read the second time by title.

Senator Geller moved the following amendment:

Amendment 1 (250998)(with title amendment)—Delete line(s) 12-85 and insert:

Section 1. Paragraphs (mmm), (nnn), and (ooo) are added to subsection (4) of section 320.08056, Florida Statutes, to read:

320.08056 Specialty license plates.—

(4) The following license plate annual use fees shall be collected for the appropriate specialty license plates:

(mmm) Florida Tennis license plate, $25.

(nnn) Lighthouse Association license plate, $25.

(ooo) In God We Trust license plate, $25.

Section 2. Subsections (65), (66), and (67) are added to section 320.08058, Florida Statutes, to read:

320.08058 Specialty license plates.—

(65) FLORIDA TENNIS LICENSE PLATES.—

(a) The department shall develop a Florida Tennis license plate as provided in this section. The word "Florida" must appear at the top of the plate and the words "Play Tennis" must appear at the bottom of the plate. The United States Tennis Association Florida Section Foundation may submit a revised sample plate for consideration by the department.

(b) The department shall distribute the annual use fees to the Florida Sports Foundation, a direct-support organization of the Office of Tourism, Trade, and Economic Development. The license plate annual use fees shall be annually allocated as follows:

1. Up to 5 percent of the proceeds from the annual use fees may be used by the Florida Sports Foundation to administer the license plate program.

2. The United States Tennis Association Florida Section shall receive the first $60,000 in proceeds from the annual use fees to reimburse it for startup costs, administrative costs, and other costs it incurs in the development and approval process.

3. Up to 5 percent of the proceeds from the annual use fees may be used for promoting and marketing the license plates. The remaining proceeds shall be available for grants by the United States Tennis Association Florida Section Foundation to nonprofit organizations to operate youth tennis programs and adaptive tennis programs for special populations of all ages, and for building, renovating, and maintaining public tennis courts.

(c) All grant recipients shall provide to the United States Tennis Association Florida Section Foundation an annual program and financial report regarding the use of grant funds. Such reports shall be made available to the public.

(66) LIGHTHOUSE ASSOCIATION LICENSE PLATES.—

(a) The department shall develop a Lighthouse Association license plate as provided in this section. The word "Florida" must appear at the top of the plate, and the words "Visit Our Lights" must appear at the bottom of the plate.

(b) The annual use fees shall be distributed to the Florida Lighthouse Association, Inc., which may use a maximum of 10 percent of the proceeds to promote and market the plates. The remaining proceeds shall be used by the association to fund the preservation, restoration, and protection of the 29 historic lighthouses remaining in the state.

(67) IN GOD WE TRUST LICENSE PLATES.—

And the title is amended as follows:

Delete line(s) 5 and insert: creating an In God We

MOTION

On motion by Senator Storms, the rules were waived to allow the following amendment to be considered:

Senator Storms moved the following amendment to **Amendment 1** which failed:

Amendment 1A (688624)(with title amendment)—Delete line(s) 7-59 and insert:

Section 1. Paragraphs (mmm), (nnn), (ooo), and (ppp) are added to subsection (4) of section 320.08056, Florida Statutes, to read:

320.08056 Specialty license plates.—

(4) The following license plate annual use fees shall be collected for the appropriate specialty license plates:

(mmm) Florida Tennis license plate, $25.

(nnn) Lighthouse Association license plate, $25.

(ooo) I Believe license plate, $25.

(ppp) In God We Trust license plate, $25.

Section 2. Subsections (65), (66), (67), and (68) are added to section 320.08058, Florida Statutes, to read:

320.08058 Specialty license plates.—

(65) FLORIDA TENNIS LICENSE PLATES.—

(a) The department shall develop a Florida Tennis license plate as provided in this section. The word "Florida" must appear at the top of the plate and the words "Play Tennis" must appear at the bottom of the plate. The United States Tennis Association Florida Section Foundation may submit a revised sample plate for consideration by the department.

(b) The department shall distribute the annual use fees to the Florida Sports Foundation, a direct-support organization of the Office of Tourism, Trade, and Economic Development. The license plate annual use fees shall be annually allocated as follows:

1. Up to 5 percent of the proceeds from the annual use fees may be used by the Florida Sports Foundation to administer the license plate program.

2. The United States Tennis Association Florida Section shall receive the first $60,000 in proceeds from the annual use fees to reimburse it for startup costs, administrative costs, and other costs it incurs in the development and approval process.

3. Up to 5 percent of the proceeds from the annual use fees may be used for promoting and marketing the license plates. The remaining proceeds shall be available for grants by the United States Tennis Association Florida Section Foundation to nonprofit organizations to operate youth tennis programs and adaptive tennis programs for special populations of all ages, and for building, renovating, and maintaining public tennis courts.

(c) All grant recipients shall provide to the United States Tennis Association Florida Section Foundation an annual program and financial report regarding the use of grant funds. Such reports shall be made available to the public.

(66) LIGHTHOUSE ASSOCIATION LICENSE PLATES.—

(a) The department shall develop a Lighthouse Association license plate as provided in this section. The word "Florida" must appear at the top of the plate, and the words "Visit Our Lights" must appear at the bottom of the plate.

(b) The annual use fees shall be distributed to the Florida Lighthouse Association, Inc., which may use a maximum of 10 percent of the proceeds to promote and market the plates. The remaining proceeds shall be used by the association to fund the preservation, restoration, and protection of the 29 historic lighthouses remaining in the state.

(67) I BELIEVE LICENSE PLATES.—

(a) The department shall develop an I Believe license plate as provided in this section. However, the requirements of s. 320.08053 must be met before the plates are issued. The plate must bear the colors and design approved by the department. The word "Florida" must appear at the top of the plate and the words "I Believe" must appear at the bottom of the plate.

(b) The annual use fees from the plate shall be distributed to Faith in Teaching, Inc., which may retain all revenue from the use fees until all startup costs for developing and establishing the plate have been recovered. Thereafter, Faith in Teaching, Inc., shall allocate the annual use fees as follows:

1. A maximum of 10 percent may be used to offset administrative costs incurred by Faith in Teaching, Inc.;

2. A maximum of 10 percent may be used to promote and market the plate; and

3. The remaining funds shall be used to fund programs, activities, and projects that promote faith-based education for youth in this state.

(68) IN GOD WE TRUST LICENSE PLATES.—

And the title is amended as follows:

Delete line(s) 65 and insert: creating an I Believe license plate; creating an In God We

The question recurred on **Amendment 1** which was adopted.

Pursuant to Rule 4.19, **CS for SB 734** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Fasano, by two-thirds vote **CS for CS for HB 1175** was withdrawn from the Committees on Transportation; Community Affairs; and Transportation and Economic Development Appropriations.

On motion by Senator Fasano—

CS for CS for HB 1175—A bill to be entitled An act relating to transportation services for the transportation disadvantaged; amending s. 409.908, F.S.; authorizing the Agency for Health Care Administration to continue to contract for Medicaid nonemergency transportation services in a specified agency service area with managed care plans under certain conditions; amending s. 427.011, F.S.; revising definitions; defining the term "purchasing agency"; amending s. 427.012, F.S.; revising the number of members required for a quorum at a meeting of the Commission for the Transportation Disadvantaged; amending s. 427.013, F.S.; revising responsibilities of the commission; deleting a requirement that the commission establish by rule acceptable ranges of trip costs; removing a provision for functioning and oversight of the quality assurance and management review program; requiring the commission to incur expenses for promotional services and items; amending s. 427.0135, F.S.; revising and creating duties and responsibilities for agencies that purchase transportation services for the transportation disadvantaged; providing requirements for the payment of rates; requiring an agency to negotiate with the commission before procuring transportation disadvantaged services; requiring an agency to identify its allocation for transportation disadvantaged services in its legislative budget request; amending s. 427.015, F.S.; revising provisions relating to the function of the metropolitan planning organization or designated official planning agency; amending s. 427.0155, F.S.; revising duties of community transportation coordinators; amending s. 427.0157, F.S.; revising duties of coordinating boards; amending s. 427.0158, F.S.; deleting provisions requiring the school board to provide information relating to school buses to the transportation coordinator; providing for the transportation coordinator to request certain information regarding public transportation; amending s. 427.0159, F.S.; revising provisions relating to the Transportation Disadvantaged Trust Fund; providing for the deposit of funds by an agency purchasing transportation services; amending s. 427.016, F.S.; providing for construction and application of specified provisions to certain acts of a purchasing agency in lieu of the Medicaid agency; requiring that an agency identify the allocation of funds for transportation disadvantaged services in its legislative budget request; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 788** and read the second time by title.

MOTION

On motion by Senator Fasano, the rules were waived to allow the following amendment to be considered:

Senator Fasano moved the following amendment which was adopted:

Amendment 1 (228096)(with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Subsection (18) of section 409.908, Florida Statutes, is amended to read:

409.908 Reimbursement of Medicaid providers.—Subject to specific appropriations, the agency shall reimburse Medicaid providers, in accordance with state and federal law, according to methodologies set forth in the rules of the agency and in policy manuals and handbooks incorporated by reference therein. These methodologies may include fee schedules, reimbursement methods based on cost reporting, negotiated fees, competitive bidding pursuant to s. 287.057, and other mechanisms the agency considers efficient and effective for purchasing services or goods on behalf of recipients. If a provider is reimbursed based on cost reporting and submits a cost report late and that cost report would have been used to set a lower reimbursement rate for a rate semester, then the provider's rate for that semester shall be retroactively calculated using the new cost report, and full payment at the recalculated rate shall be effected retroactively. Medicare-granted extensions for filing cost reports, if applicable, shall also apply to Medicaid cost reports. Payment for Medicaid compensable services made on behalf of Medicaid eligible persons is subject to the availability of moneys and any limitations or directions provided for in the General Appropriations Act or chapter 216. Further, nothing in this section shall be construed to prevent or limit the agency from adjusting fees, reimbursement rates, lengths of stay, number of visits, or number of services, or making any other adjustments necessary to comply with the availability of moneys and any limitations or directions provided for in the General Appropriations Act, provided the adjustment is consistent with legislative intent.

(18) Unless otherwise provided for in the General Appropriations Act, a provider of transportation services shall be reimbursed the lesser of the amount billed by the provider or the Medicaid maximum allowable fee established by the agency, except when the agency has entered into a direct contract with the provider, or with a community transportation coordinator, for the provision of an all-inclusive service, or when services are provided pursuant to an agreement negotiated between the agency and the provider. The agency, as provided for in s. 427.0135, shall purchase transportation services through the community coordinated transportation system, if available, unless the agency*, after consultation with the commission, determines that it cannot reach mutually acceptable contract terms with the commission. The agency may then contract for the same transportation services provided in a more cost-effective manner and of comparable or higher quality and standards* ~~determines a more cost-effective method for Medicaid clients~~. Nothing in this subsection shall be construed to limit or preclude the agency from contracting for services using a prepaid capitation rate or from establishing maximum fee schedules, individualized reimbursement policies by provider type, negotiated fees, prior authorization, competitive bidding, increased use of mass transit, or any other mechanism that the agency considers efficient and effective for the purchase of services on behalf of Medicaid clients, including implementing a transportation eligibility process. The agency shall not be required to contract with any community transportation coordinator or transportation operator that has been determined by the agency, the Department of Legal Affairs Medicaid Fraud Control Unit, or any other state or federal agency to have engaged in any abusive or fraudulent billing activities. The agency is authorized to competitively procure transportation services or make other changes necessary to secure approval of federal waivers needed to permit federal financing of Medicaid transportation services at the service matching rate rather than the administrative matching rate. *Notwithstanding chapter 427, the agency is authorized to continue contracting for Medicaid nonemergency transportation services in agency service area 11 with managed care plans that were under contract for those services before July 1, 2004.*

Section 2. Subsections (8), (12), and (13) of section 427.011, Florida Statutes, are amended to read:

427.011 Definitions.—For the purposes of ss. 427.011-427.017:

(8) *"Purchasing agency"* ~~"Member department"~~ means a department *or agency* whose head is *an ex officio, nonvoting advisor to* ~~a member of~~ the commission*, or an agency that purchases transportation services for the transportation disadvantaged*.

~~(12) "Annual budget estimate" means a budget estimate of funding resources available for providing transportation services to the transportation disadvantaged and which is prepared annually to cover a period of 1 state fiscal year.~~

(12)~~(13)~~ "Nonsponsored transportation disadvantaged services" means transportation disadvantaged services that are not sponsored or subsidized by any funding source other than the Transportation Disadvantaged Trust Fund.

Section 3. Subsection (4) of section 427.012, Florida Statutes, is amended to read:

427.012 The Commission for the Transportation Disadvantaged.—There is created the Commission for the Transportation Disadvantaged in the Department of Transportation.

(4) The commission shall meet at least quarterly, or more frequently at the call of the chairperson. *Four* ~~Five~~ members of the commission constitute a quorum, and a majority vote of the members present is necessary for any action taken by the commission.

Section 4. Subsections (7), (8), (9), (14), and (26) of section 427.013, Florida Statutes, are amended, and subsection (29) is added to that section, to read:

427.013 The Commission for the Transportation Disadvantaged; purpose and responsibilities.—The purpose of the commission is to accomplish the coordination of transportation services provided to the transportation disadvantaged. The goal of this coordination *is* ~~shall be~~ to assure the cost-effective provision of transportation by qualified community transportation coordinators or transportation operators for the transportation disadvantaged without any bias or presumption in favor of multioperator systems or not-for-profit transportation operators over single operator systems or for-profit transportation operators. In carrying out this purpose, the commission shall:

(7) *Unless otherwise provided by state or federal law, ensure* ~~Assure~~ that all procedures, guidelines, and directives issued by *purchasing agencies* ~~member departments~~ are conducive to the coordination of transportation services.

(8)(a) *Ensure* ~~Assure~~ that *purchasing agencies* ~~member departments~~ purchase all trips within the coordinated system, unless they *have fulfilled the requirements of s. 427.0135(3) and* use a more cost-effective alternative provider *that meets comparable quality and standards*.

(b) *Unless the purchasing agency has negotiated with the commission pursuant to the requirements of s. 427.0135(3),* provide, by rule, criteria and procedures for *purchasing agencies* ~~member departments~~ to use if they wish to use an alternative provider. *Agencies* ~~Departments~~ must demonstrate ~~either~~ that the proposed alternative provider can provide a trip of *comparable* ~~acceptable~~ quality *and standards* for the clients at a lower cost than that provided within the coordinated system, or that the coordinated system cannot accommodate the *agency's* ~~department's~~ clients.

(9) *Unless the purchasing agency has negotiated with the commission pursuant to the requirements of s. 427.0135(3),* develop by rule standards for community transportation coordinators and any transportation operator or coordination contractor from whom service is purchased or arranged by the community transportation coordinator covering coordination, operation, safety, insurance, eligibility for service, costs, and utilization of transportation disadvantaged services. These standards and rules must include, but are not limited to:

~~(a) Inclusion, by rule, of acceptable ranges of trip costs for the various modes and types of transportation services provided.~~

(a)~~(b)~~ Minimum performance standards for the delivery of services. These standards must be included in coordinator contracts and transportation operator contracts with clear penalties for repeated or continuing violations.

(b)~~(c)~~ Minimum liability insurance requirements for all transportation services purchased, provided, or coordinated for the transportation disadvantaged through the community transportation coordinator.

(14) Consolidate, for each state agency, ~~the annual budget estimates for transportation disadvantaged services, and~~ the amounts of each agency's actual expenditures, together with the *actual expenditures* ~~annual budget estimates~~ of each ~~official planning agency,~~ local government~~,~~ and directly federally funded agency and *the amounts collected by each official planning agency* ~~issue a report~~.

(26) Develop a quality assurance and management review program to monitor, based upon approved commission standards, services contracted for by an agency, and those provided by a community transportation operator pursuant to s. 427.0155. ~~Staff of the quality assurance and management review program shall function independently and be directly responsible to the executive director.~~

(29) Incur expenses for the purchase of advertisements, marketing services, and promotional items.

Section 5. Section 427.0135, Florida Statutes, is amended to read:

427.0135 *Purchasing agencies* ~~Member departments~~; duties and responsibilities.—Each *purchasing agency* ~~member department~~, in carrying out the policies and procedures of the commission, shall:

(1)~~(a)~~ Use the coordinated transportation system for provision of services to its clients, unless each department *or purchasing agency* meets the criteria outlined in rule *or statute* to use an alternative provider.

~~(b) Subject to the provisions of s. 409.908(18), the Medicaid agency shall purchase transportation services through the community coordinated transportation system unless a more cost-effective method is determined by the agency for Medicaid clients or unless otherwise limited or directed by the General Appropriations Act.~~

(2) Pay the rates established in the service plan or negotiated statewide contract, unless the purchasing agency has completed the procedure

for using an alternative provider and demonstrated that a proposed alternative provider can provide a more cost-effective transportation service of comparable quality and standards or unless the agency has satisfied the requirements of subsection (3).

(3) Not procure transportation disadvantaged services without initially negotiating with the commission, as provided in s. 287.057(5)(f)13., or unless otherwise authorized by statute. If the purchasing agency, after consultation with the commission, determines that it cannot reach mutually acceptable contract terms with the commission, the purchasing agency may contract for the same transportation services provided in a more cost-effective manner and of comparable or higher quality and standards. The Medicaid agency shall implement this subsection in a manner consistent with s. 409.908(18) and as otherwise limited or directed by the General Appropriations Act.

(4) Identify in the legislative budget request provided to the Governor each year for the General Appropriations Act the specific amount of money the purchasing agency will allocate to provide transportation disadvantaged services.

(5)~~(2)~~ Provide the commission, by September 15 of each year, an accounting of all funds spent as well as how many trips were purchased with agency funds.

(6)~~(3)~~ Assist communities in developing coordinated transportation systems designed to serve the transportation disadvantaged. However, a *purchasing agency* ~~member department~~ may not serve as the community transportation coordinator in any designated service area.

(7)~~(4)~~ *Ensure* ~~Assure~~ that its rules, procedures, guidelines, and directives are conducive to the coordination of transportation funds and services for the transportation disadvantaged.

(8)~~(5)~~ Provide technical assistance, as needed, to community transportation coordinators or transportation operators or participating agencies.

Section 6. Subsections (2) and (3) of section 427.015, Florida Statutes, are amended to read:

427.015 Function of the metropolitan planning organization or designated official planning agency in coordinating transportation for the transportation disadvantaged.—

(2) Each metropolitan planning organization or designated official planning agency shall recommend to the commission a single community transportation coordinator. However, a *purchasing agency* ~~member department~~ may not serve as the community transportation coordinator in any designated service area. The coordinator may provide all or a portion of needed transportation services for the transportation disadvantaged but shall be responsible for the provision of those coordinated services. Based on approved commission evaluation criteria, the coordinator shall subcontract or broker those services that are more cost-effectively and efficiently provided by subcontracting or brokering. The performance of the coordinator shall be evaluated based on the commission's approved evaluation criteria by the coordinating board at least annually. A copy of the evaluation shall be submitted to the metropolitan planning organization or the designated official planning agency, and the commission. The recommendation or termination of any community transportation coordinator shall be subject to approval by the commission.

(3) Each metropolitan planning organization or designated official planning agency shall request each local government in its jurisdiction to provide *the actual expenditures* ~~an estimate~~ of all local and direct federal funds to be expended for transportation for the disadvantaged. The metropolitan planning organization or designated official planning agency shall consolidate this information into a single report and forward it, by *September 15* ~~the beginning of each fiscal year~~, to the commission.

Section 7. Subsection (7) of section 427.0155, Florida Statutes, is amended to read:

427.0155 Community transportation coordinators; powers and duties.—Community transportation coordinators shall have the following powers and duties:

(7) In cooperation with the coordinating board and pursuant to criteria developed by the Commission for the Transportation Disadvantaged, establish *eligibility guidelines and* priorities with regard to the recipients of nonsponsored transportation disadvantaged services that are purchased with Transportation Disadvantaged Trust Fund moneys.

Section 8. Subsection (4) of section 427.0157, Florida Statutes, is amended to read:

427.0157 Coordinating boards; powers and duties.—The purpose of each coordinating board is to develop local service needs and to provide information, advice, and direction to the community transportation coordinators on the coordination of services to be provided to the transportation disadvantaged. The commission shall, by rule, establish the membership of coordinating boards. The members of each board shall be appointed by the metropolitan planning organization or designated official planning agency. The appointing authority shall provide each board with sufficient staff support and resources to enable the board to fulfill its responsibilities under this section. Each board shall meet at least quarterly and shall:

(4) Assist the community transportation coordinator in establishing *eligibility guidelines and* priorities with regard to the recipients of nonsponsored transportation disadvantaged services that are purchased with Transportation Disadvantaged Trust Fund moneys.

Section 9. Subsections (2) and (3) of section 427.0158, Florida Statutes, are amended to read:

427.0158 School bus and public transportation.—

(2) The school boards shall cooperate in the utilization of their vehicles to enhance coordinated ~~disadvantaged~~ transportation *disadvantaged services* by providing ~~the~~ information as *requested by the community transportation coordinator* ~~required by this section~~ and by allowing the use of their vehicles at actual cost upon request when those vehicles are available for such use and are not transporting students. ~~Semiannually, no later than October 1 and April 30, a designee from the local school board shall provide the community transportation coordinator with copies to the coordinated transportation board, the following information for vehicles not scheduled 100 percent of the time for student transportation use:~~

~~(a) The number and type of vehicles by adult capacity, including days and times, that the vehicles are available for coordinated transportation disadvantaged services;~~

~~(b) The actual cost per mile by vehicle type available;~~

~~(c) The actual driver cost per hour;~~

~~(d) Additional actual cost associated with vehicle use outside the established workday or workweek of the entity; and~~

~~(e) Notification of lead time required for vehicle use.~~

(3) The public transit fixed route or fixed schedule system shall cooperate in the utilization of its regular service to enhance coordinated transportation disadvantaged services by providing the information as *requested by the community transportation coordinator* ~~required by this section~~. ~~Annually, no later than October 1, a designee from the local public transit fixed route or fixed schedule system shall provide~~ The community transportation coordinator *may request, without limitation*, ~~with copies to the coordinated transportation board,~~ the following information:

(a) A copy of all current schedules, route maps, system map, and fare structure;

(b) A copy of the current charter policy;

(c) A copy of the current charter rates and hour requirements; and

(d) Required notification time to arrange for a charter.

Section 10. Subsection (4) is added to section 427.0159, Florida Statutes, to read:

427.0159 Transportation Disadvantaged Trust Fund.—

(4) A purchasing agency may deposit funds into the Transportation Disadvantaged Trust Fund for the commission to implement, manage, and administer the purchasing agency's transportation disadvantaged funds, as defined in s. 427.011(10).

Section 11. Paragraph (b) of subsection (1) and subsection (2) of section 427.016, Florida Statutes, are amended to read:

427.016 Expenditure of local government, state, and federal funds for the transportation disadvantaged.—

(1)

(b) ~~Nothing in~~ This subsection *does not* ~~shall be construed to limit or~~ preclude *a purchasing* ~~the Medicaid~~ agency from establishing maximum fee schedules, individualized reimbursement policies by provider type, negotiated fees, ~~competitive bidding,~~ or any other mechanism*, including contracting after initial negotiation with the commission, which* ~~that~~ the agency considers *more cost-effective and of comparable or higher quality and standards than those of the commission* ~~efficient and effective~~ for the purchase of services on behalf of *its* ~~Medicaid~~ clients *if it has fulfilled the requirements of s. 427.0135(3) or the procedure for using an alternative provider*. State and local agencies shall not contract for any transportation disadvantaged services, including Medicaid reimbursable transportation services, with any community transportation coordinator or transportation operator that has been determined by the Agency for Health Care Administration, the Department of Legal Affairs Medicaid Fraud Control Unit, or any state or federal agency to have engaged in any abusive or fraudulent billing activities.

(2) Each *year, each* agency, whether or not it is *an ex officio, nonvoting advisor to* ~~a member of~~ the Commission for the Transportation Disadvantaged, shall *identify in the legislative budget request provided to the Governor for the General Appropriations Act* ~~inform the commission in writing, before the beginning of each fiscal year, of~~ the specific amount of any money the agency *will allocate* ~~allocated~~ for *the provision of* transportation disadvantaged services. Additionally, each state agency shall, by September 15 of each year, provide the commission with an accounting of the actual amount of funds expended and the total number of trips purchased.

Section 12. This act shall take effect July 1, 2008.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to transportation services for the transportation disadvantaged; amending s. 409.908, F.S.; authorizing the Agency for Health Care Administration to continue to contract for Medicaid nonemergency transportation services in a specified agency service area with managed care plans under certain conditions; amending s. 427.011, F.S.; revising definitions; defining the term "purchasing agency"; amending s. 427.012, F.S.; revising the number of members required for a quorum at a meeting of the Commission for the Transportation Disadvantaged; amending s. 427.013, F.S.; revising responsibilities of the commission; deleting a requirement that the commission establish by rule acceptable ranges of trip costs; removing a provision for functioning and oversight of the quality assurance and management review program; requiring the commission to incur expenses for promotional services and items; amending s. 427.0135, F.S.; revising and creating duties and responsibilities for agencies that purchase transportation services for the transportation disadvantaged; providing requirements for the payment of rates; requiring an agency to negotiate with the commission before procuring transportation disadvantaged services; requiring an agency to identify its allocation for transportation disadvantaged services in its legislative budget request; amending s. 427.015, F.S.; revising provisions relating to the function of the metropolitan planning organization or designated official planning agency; amending s. 427.0155, F.S.; revising duties of community transportation coordinators; amending s. 427.0157, F.S.; revising duties of coordinating boards; amending s. 427.0158, F.S.; deleting provisions requiring the school board to provide information relating to school buses to the transportation coordinator; providing for the transportation coordinator to request certain information regarding public transportation; amending s. 427.0159, F.S.; revising provisions relating to the Transportation Disadvantaged Trust Fund; providing for the deposit of funds by an agency purchasing transportation services; amending s. 427.016, F.S.; providing for construction and application of specified provisions to certain acts of a purchasing agency in lieu of the Medicaid agency; requiring that an agency identify the allocation of funds for transportation disadvantaged services in its legislative budget request; providing an effective date.

Pursuant to Rule 4.19, **CS for CS for HB 1175** as amended was placed on the calendar of Bills on Third Reading.

By Senator Villalobos—

CS for SB 800—A bill to be entitled An act relating to the Florida Retirement System; amending s. 121.0515, F.S.; revising the criteria under which certain employees of the Department of Law Enforcement, the Division of State Fire Marshal, or a local government law enforcement agency or medical examiner's office are eligible for membership in the Special Risk Class; authorizing the Department of Management Services to review the special risk designation of certain members; authorizing certain members to purchase additional retirement credit to upgrade prior service to Special Risk Class service; providing for the calculation of contributions for such service upgrade; authorizing the employer to purchase such additional credit for certain members; providing a declaration of important state interest; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 800** was placed on the calendar of Bills on Third Reading.

Consideration of **CS for CS for CS for SB 802** was deferred.

By Senator Joyner—

CS for CS for SB 858—A bill to be entitled An act relating to community service for infractions of noncriminal traffic offenses; amending s. 318.18, F.S.; requiring a court to allow a person to satisfy a civil penalty for an infraction of a noncriminal traffic offense by participating in community service if the person is unable to pay the civil penalty due to a demonstrable financial hardship; requiring that a person participating in community service receive credit for the civil penalty at the specified hourly credit rate per hour of community service performed or at the prevailing wage rate for a trade or profession; defining the term "specified hourly credit rate"; providing responsibilities for community service agencies; defining the terms "community service" and "community service agency"; providing an effective date.

—was read the second time by title.

MOTION

On motion by Senator Joyner, the rules were waived to allow the following amendment to be considered:

Senator Joyner moved the following amendment which was adopted:

Amendment 1 (709076)—Delete line(s) 61-65 and insert:

4. As used in this paragraph, the term:

Pursuant to Rule 4.19, **CS for CS for SB 858** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

By Senator Diaz de la Portilla—

CS for SB 940—A bill to be entitled An act relating to employee leasing companies; providing a short title; amending s. 443.036, F.S.; redefining the term "employee leasing company"; amending s. 443.1216, F.S.; requiring quarterly reports that include client and establishment specific information; authorizing the Agency for Workforce Innovation to adopt rules; providing enforcement authority; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 940** was placed on the calendar of Bills on Third Reading.

By Senator Diaz de la Portilla—

CS for SB 948—A bill to be entitled An act relating to concealed weapons licenses; amending s. 790.06, F.S.; specifying that the United States residency required to obtain a license to carry a concealed weapon or firearm means that the licensee must be a United States citizen or a permanent resident alien of the United States; providing legislative intent; providing applicability; providing an effective date.

—was read the second time by title.

MOTION

On motion by Senator Diaz de la Portilla, the rules were waived to allow the following amendment to be considered:

Senator Diaz de la Portilla moved the following amendment which was adopted:

Amendment 1 (105624)(with directory and title amendments)—Delete lines 15-107 and insert:

(1) The Department of Agriculture and Consumer Services is authorized to issue licenses to carry concealed weapons or concealed firearms to persons qualified as provided in this section. Each such license must bear a color photograph of the licensee. For the purposes of this section, concealed weapons or concealed firearms are defined as a handgun, electronic weapon or device, tear gas gun, knife, or billie, but the term does not include a machine gun as defined in s. 790.001(9). Such licenses shall be valid throughout the state for a period of *7* ~~5~~ years from the date of issuance. Any person in compliance with the terms of such license may carry a concealed weapon or concealed firearm notwithstanding the provisions of s. 790.01. The licensee must carry the license, together with valid identification, at all times in which the licensee is in actual possession of a concealed weapon or firearm and must display both the license and proper identification upon demand by a law enforcement officer. Violations of the provisions of this subsection shall constitute a noncriminal violation with a penalty of $25, payable to the clerk of the court.

(2) The Department of Agriculture and Consumer Services shall issue a license if the applicant:

(a) Is a resident of the United States *and a citizen of the United States or a permanent resident alien of the United States, as determined by the United States Bureau of Citizenship and Immigration Services,* or is a consular security official of a foreign government that maintains diplomatic relations and treaties of commerce, friendship, and navigation with the United States and is certified as such by the foreign government and by the appropriate embassy in this country;

(b) Is 21 years of age or older;

(c) Does not suffer from a physical infirmity which prevents the safe handling of a weapon or firearm;

(d) Is not ineligible to possess a firearm pursuant to s. 790.23 by virtue of having been convicted of a felony;

(e) Has not been committed for the abuse of a controlled substance or been found guilty of a crime under the provisions of chapter 893 or similar laws of any other state relating to controlled substances within a 3-year period immediately preceding the date on which the application is submitted;

(f) Does not chronically and habitually use alcoholic beverages or other substances to the extent that his or her normal faculties are impaired. It shall be presumed that an applicant chronically and habitually uses alcoholic beverages or other substances to the extent that his or her normal faculties are impaired if the applicant has been committed under chapter 397 or under the provisions of former chapter 396 or has been convicted under s. 790.151 or has been deemed a habitual offender under s. 856.011(3), or has had two or more convictions under s. 316.193 or similar laws of any other state, within the 3-year period immediately preceding the date on which the application is submitted;

(g) Desires a legal means to carry a concealed weapon or firearm for lawful self-defense;

(h) Demonstrates competence with a firearm by any one of the following:

1. Completion of any hunter education or hunter safety course approved by the Fish and Wildlife Conservation Commission or a similar agency of another state;

2. Completion of any National Rifle Association firearms safety or training course;

3. Completion of any firearms safety or training course or class available to the general public offered by a law enforcement, junior college, college, or private or public institution or organization or firearms training school, utilizing instructors certified by the National Rifle Association, Criminal Justice Standards and Training Commission, or the Department of Agriculture and Consumer Services;

4. Completion of any law enforcement firearms safety or training course or class offered for security guards, investigators, special deputies, or any division or subdivision of law enforcement or security enforcement;

5. Presents evidence of equivalent experience with a firearm through participation in organized shooting competition or military service;

6. Is licensed or has been licensed to carry a firearm in this state or a county or municipality of this state, unless such license has been revoked for cause; or

7. Completion of any firearms training or safety course or class conducted by a state-certified or National Rifle Association certified firearms instructor;

A photocopy of a certificate of completion of any of the courses or classes; or an affidavit from the instructor, school, club, organization, or group that conducted or taught said course or class attesting to the completion of the course or class by the applicant; or a copy of any document which shows completion of the course or class or evidences participation in firearms competition shall constitute evidence of qualification under this paragraph; any person who conducts a course pursuant to subparagraph 2., subparagraph 3., or subparagraph 7., or who, as an instructor, attests to the completion of such courses, must maintain records certifying that he or she observed the student safely handle and discharge the firearm;

(i) Has not been adjudicated an incapacitated person under s. 744.331, or similar laws of any other state, unless 5 years have elapsed since the applicant's restoration to capacity by court order;

(j) Has not been committed to a mental institution under chapter 394, or similar laws of any other state, unless the applicant produces a certificate from a licensed psychiatrist that he or she has not suffered from disability for at least 5 years prior to the date of submission of the application;

(k) Has not had adjudication of guilt withheld or imposition of sentence suspended on any felony or misdemeanor crime of domestic violence unless 3 years have elapsed since probation or any other conditions set by the court have been fulfilled, or the record has been sealed or expunged;

(l) Has not been issued an injunction that is currently in force and effect and that restrains the applicant from committing acts of domestic violence or acts of repeat violence; and

(m) Is not prohibited from purchasing or possessing a firearm by any other provision of Florida or federal law.

(13) All moneys collected by the department pursuant to this section shall be deposited in the Division of Licensing Trust Fund, and the Legislature shall appropriate from the fund those amounts deemed necessary to administer the provisions of this section. All revenues collected, less those costs determined by the Department of Agriculture and Consumer Services to be nonrecurring or one-time costs, shall be deferred over the *7-year* ~~3-year~~ licensure period. Notwithstanding the provisions of s. 493.6117, all moneys collected pursuant to this section shall not revert to the General Revenue Fund; however, this shall not abrogate the requirement for payment of the service charge imposed pursuant to chapter 215.

And the directory clause is amended as follows:

Delete line 12 and insert:

Section 1. Subsections (1), (2), and (13) of section 790.06, Florida

And the title is amended as follows:

On line 3, after the semicolon (;) insert: extending the period that a license is valid;

Pursuant to Rule 4.19, **CS for SB 948** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

By Senator Crist—

CS for SB 1090—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 409.821, F.S., relating to a public-records exemption for certain records pertaining to the Florida Kidcare program; clarifying provisions authorizing the release of certain information to the legal guardian of an enrollee; saving the exemption from repeal under the Open Government Sunset Review Act; repealing s. 2, chapter 2003-104, Laws of Florida; deleting provisions providing for repeal of the exemption; repealing s. 624.91(8), F.S., relating to a public-records exemption for the Florida Healthy Kids Corporation; providing an effective date.

—was read the second time by title.

MOTION

On motion by Senator Crist, the rules were waived to allow the following amendment to be considered:

Senator Dawson offered the following amendment which was moved by Senator Crist and adopted:

Amendment 1 (842658)—Delete lines 30-39 and insert:

1. Another governmental entity *in the performance of* ~~only if disclosure is necessary for the entity to perform~~ its *official* duties and responsibilities*;* ~~under the Florida Kidcare program and shall be disclosed to~~

2. The Department of Revenue for purposes of administering the state Title IV-D program*; or*~~. The receiving governmental entity must maintain the confidential and exempt status of such information. Furthermore, such information may not be released to~~

3. Any person *who has* ~~without~~ the written consent of the

Pursuant to Rule 4.19, **CS for SB 1090** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

CS for CS for SB's 1094 and 326—A bill to be entitled An act relating to the regulation of releases from gambling vessels; creating s. 376.25, F.S.; providing a short title; providing definitions; requiring gambling vessels operating in coastal waters of the state to register with the Department of Environmental Protection; specifying the requirements for vessel registration; requiring the owners of certain waterfront-landing facilities to establish procedures concerning the release of waste from gambling vessels; requiring that such owners make available a waste-management service meeting specified criteria; requiring that such owners establish and collect certain fees; requiring that the department maintain on its website an estimate of the minimum waste-service demand of such waterfront-landing facilities; providing criteria governing the estimate; requiring the reporting of the release of certain substances into coastal waters by gambling vessels; providing civil penalties for violations; providing for the department to establish and collect fees meeting specified criteria; requiring the department to adopt rules; providing exemptions and legislative intent; directing the department to seek federal approval to amend Florida's Coastal Zone Management Plan and, upon such approval, to petition the Federal Government, via consistency review under the federal Coastal Zone Management Act, to prohibit certain releases from gambling vessels within the federal territorial waters off the shores of this state; directing the department to petition the Federal Government to prohibit certain releases from gambling vessels independently of such approval; providing an effective date.

—was read the second time by title. On motions by Senator Haridopolos, by two-thirds vote **CS for CS for SB's 1094 and 326** was read the third time by title, passed and immediately certified to the House. The vote on passage was:

Yeas—36

Mr. President	Dockery	Lynn
Aronberg	Fasano	Margolis
Atwater	Gaetz	Oelrich
Baker	Garcia	Peaden
Bennett	Geller	Posey
Bullard	Haridopolos	Rich
Carlton	Hill	Ring
Constantine	Jones	Saunders
Crist	Joyner	Siplin
Dean	Justice	Villalobos
Deutch	King	Webster
Diaz de la Portilla	Lawson	Wise

Nays—1

Storms

Vote after roll call:

Nay to Yea—Storms

By Senator Jones—

CS for SB 1206—A bill to be entitled An act relating to public accountancy; amending s. 473.306, F.S.; revising prerequisites for taking the examination for licensure as a certified public accountant; eliminating certain obsolete provisions; amending s. 473.308, F.S.; revising and updating the requirements for education and work experience; requiring the Board of Accountancy to adopt rules governing requirements for work experience; clarifying provisions that specify what constitutes good moral character for purposes of qualifying for licensure as a certified public accountant; revising provisions governing licensure by endorsement; amending s. 473.323, F.S.; correcting a cross-reference; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1206** was placed on the calendar of Bills on Third Reading.

Consideration of **CS for CS for SB 1440** was deferred.

By Senator Peaden—

CS for CS for SB 1598—A bill to be entitled An act relating to health insurance; amending ss. 627.42395 and 641.31, F.S.; requiring health insurance policies and health maintenance contracts in this state to provide additional premium coverage for amino-acid-based elemental formulas for the treatment of certain medical conditions; revising a prerequisite concerning such coverage to authorize persons holding certain licenses to prescribe or order such formulas; limiting application to children of a certain age; amending s. 627.6741, F.S.; requiring an insurer issuing Medicare supplement policies to offer a Medicare supplement policy without conditioning the issuance or discriminating in the price based on health status to individuals who are eligible for Medicare due to having end-stage renal disease and who meet other conditions; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 1598** was placed on the calendar of Bills on Third Reading.

By Senator Baker—

CS for CS for CS for SB 1684—A bill to be entitled An act relating to title insurance; creating the Florida 2008 Title Insurance Study Advisory Council; providing for membership; providing for administrative

support for the council; providing responsibilities of the council; authorizing the council to invite independent actuaries to provide certain information; requiring the Office of Program Policy Analysis and Government Accountability to conduct a review and report to the council; requiring that the report be submitted to the council by a certain date; providing council meeting requirements; requiring the council to file a report with the Governor and the Legislature; providing for termination of the council; providing appropriations and authorizing additional positions; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for CS for SB 1684** was placed on the calendar of Bills on Third Reading.

On motion by Senator Baker, the Senate resumed consideration of—

CS for CS for SB 1696—A bill to be entitled An act relating to orthotics, prosthetics, and pedorthics; amending s. 468.80, F.S.; providing and revising definitions; amending s. 468.801, F.S.; changing the composition of the Board of Orthotists and Prosthetists; removing an obsolete requirement for initial staggering of terms; amending s. 468.802, F.S.; expanding the authority for rule adoption to include standards of practice for orthotic fitters, orthotic fitter assistants, and residents; amending s. 468.803, F.S.; providing for registration for a resident to practice orthotics or prosthetics; authorizing licensure as a prosthetist-orthotist; providing requirements for such licensure; requiring applicants for registration, examination, or licensure to apply on forms created and provided by the Department of Health; requiring applicants to submit fingerprints and a fee to cover department costs for criminal background checks; requiring board verification of certain information prior to an applicant's examination, registration, or licensure; providing requirements for registration as a resident in orthotics or prosthetics; providing for registration and renewal fees for registration; authorizing either the Department of Health to develop and administer a state examination for an orthotist or prosthetist license or the board to approve an existing examination of a national standards organization; providing examination requirements; authorizing examination fees; delineating applicant qualifications for examination; delineating requirements for licensure and licensure fees for an orthotist, a prosthetist, an orthotic fitter, an orthotic fitter assistant, and a pedorthist; amending s. 468.806, F.S.; revising the list of materials required for submission for biennial license renewal, including information necessary to conduct a statewide criminal history check and payment of associated costs; requiring certain mandatory courses, standards, and qualifications for continuing education courses, and standards and qualifications for course providers to be established by rule; repealing s. 468.807, F.S., relating to the issuance of a temporary license; amending s. 468.808, F.S.; revising duties that can be delegated to unlicensed support personnel; providing requirements for support personnel identification; amending s. 468.809, F.S.; including the practice of orthotics, prosthetics, or pedorthics without registration in certain prohibitions; providing penalties; creating s. 468.8095, F.S.; requiring licensees and registrants to post licenses, registrations, recent photographs, and certain notices in a facility and to wear certain identification tags or badges; amending s. 468.811, F.S.; revising grounds for denial of a license or disciplinary action; providing grounds for denial of registration; amending s. 468.812, F.S.; revising provisions exempting certain persons from licensure; amending s. 468.813, F.S.; revising requirements regarding use of titles; providing effective dates.

—which was previously considered and amended April 24.

POINT OF ORDER DISPOSITION

Pending **Amendment 2 (083782)** by Senator Baker and pending point of order by Senator Margolis were withdrawn.

Pursuant to Rule 4.19, **CS for CS for SB 1696** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

CS for SB 1706—A bill to be entitled An act relating to developments of regional impact; amending s. 380.06, F.S.; exempting proposed developments involving medical technology, biotechnology, or life sciences which meet certain criteria from review as a development of regional impact; providing an effective date.

—was read the second time by title.

Senator Margolis moved the following amendment which was adopted:

Amendment 1 (238630)(with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Paragraph (c) of subsection (19) and subsection (24) of section 380.06, Florida Statutes, are amended to read:

380.06 Developments of regional impact.—

(19) SUBSTANTIAL DEVIATIONS.—

(c) An extension of the date of buildout of a development, or any phase thereof, by more than 7 years is presumed to create a substantial deviation subject to further development-of-regional-impact review. An extension of the date of buildout, or any phase thereof, of more than 5 years but not more than 7 years is presumed not to create a substantial deviation. The extension of the date of buildout of an areawide development of regional impact by more than 5 years but less than 10 years is presumed not to create a substantial deviation. These presumptions may be rebutted by clear and convincing evidence at the public hearing held by the local government. An extension of 5 years or less is not a substantial deviation. For the purpose of calculating when a buildout or phase date has been exceeded, the time shall be tolled during the pendency of administrative or judicial proceedings relating to development permits. Any extension of the buildout date of a project or a phase thereof shall automatically extend the commencement date of the project, the termination date of the development order, the expiration date of the development of regional impact, and the phases thereof if applicable by a like period of time. In recognition of the 2007 real estate market conditions, all *development order* phase, buildout, *commencement,* and expiration dates *and all related local government approvals* for projects that are developments of regional impact *or Florida Quality Developments* and under active construction on July 1, 2007, *or for which a development order was adopted between January 1, 2006, and July 1, 2007, regardless of whether or not active construction has commenced,* are extended for 3 years regardless of any prior extension. The 3-year extension is not a substantial deviation, is not subject to further development-of-regional-impact review, and may not be considered when determining whether a subsequent extension is a substantial deviation under this subsection. *This extension also applies to all associated local government approvals, including, but not limited to, agreements, certificates, and permits related to the project.*

(24) STATUTORY EXEMPTIONS.—

(a) Any proposed hospital is exempt from the provisions of this section.

(b) Any proposed electrical transmission line or electrical power plant is exempt from the provisions of this section.

(c) Any proposed addition to an existing sports facility complex is exempt from the provisions of this section if the addition meets the following characteristics:

1. It would not operate concurrently with the scheduled hours of operation of the existing facility.

2. Its seating capacity would be no more than 75 percent of the capacity of the existing facility.

3. The sports facility complex property is owned by a public body prior to July 1, 1983.

This exemption does not apply to any pari-mutuel facility.

(d) Any proposed addition or cumulative additions subsequent to July 1, 1988, to an existing sports facility complex owned by a state university is exempt if the increased seating capacity of the complex is no more than 30 percent of the capacity of the existing facility.

(e) Any addition of permanent seats or parking spaces for an existing sports facility located on property owned by a public body prior to July

1, 1973, is exempt from the provisions of this section if future additions do not expand existing permanent seating or parking capacity more than 15 percent annually in excess of the prior year's capacity.

(f) Any increase in the seating capacity of an existing sports facility having a permanent seating capacity of at least 50,000 spectators is exempt from the provisions of this section, provided that such an increase does not increase permanent seating capacity by more than 5 percent per year and not to exceed a total of 10 percent in any 5-year period, and provided that the sports facility notifies the appropriate local government within which the facility is located of the increase at least 6 months prior to the initial use of the increased seating, in order to permit the appropriate local government to develop a traffic management plan for the traffic generated by the increase. Any traffic management plan shall be consistent with the local comprehensive plan, the regional policy plan, and the state comprehensive plan.

(g) Any expansion in the permanent seating capacity or additional improved parking facilities of an existing sports facility is exempt from the provisions of this section, if the following conditions exist:

1.a. The sports facility had a permanent seating capacity on January 1, 1991, of at least 41,000 spectator seats;

b. The sum of such expansions in permanent seating capacity does not exceed a total of 10 percent in any 5-year period and does not exceed a cumulative total of 20 percent for any such expansions; or

c. The increase in additional improved parking facilities is a one-time addition and does not exceed 3,500 parking spaces serving the sports facility; and

2. The local government having jurisdiction of the sports facility includes in the development order or development permit approving such expansion under this paragraph a finding of fact that the proposed expansion is consistent with the transportation, water, sewer and stormwater drainage provisions of the approved local comprehensive plan and local land development regulations relating to those provisions.

Any owner or developer who intends to rely on this statutory exemption shall provide to the department a copy of the local government application for a development permit. Within 45 days of receipt of the application, the department shall render to the local government an advisory and nonbinding opinion, in writing, stating whether, in the department's opinion, the prescribed conditions exist for an exemption under this paragraph. The local government shall render the development order approving each such expansion to the department. The owner, developer, or department may appeal the local government development order pursuant to s. 380.07, within 45 days after the order is rendered. The scope of review shall be limited to the determination of whether the conditions prescribed in this paragraph exist. If any sports facility expansion undergoes development-of-regional-impact review, all previous expansions which were exempt under this paragraph shall be included in the development-of-regional-impact review.

(h) Expansion to port harbors, spoil disposal sites, navigation channels, turning basins, harbor berths, and other related inwater harbor facilities of ports listed in s. 403.021(9)(b), port transportation facilities and projects listed in s. 311.07(3)(b), and intermodal transportation facilities identified pursuant to s. 311.09(3) are exempt from the provisions of this section when such expansions, projects, or facilities are consistent with comprehensive master plans that are in compliance with the provisions of s. 163.3178.

(i) Any proposed facility for the storage of any petroleum product or any expansion of an existing facility is exempt from the provisions of this section.

(j) Any renovation or redevelopment within the same land parcel which does not change land use or increase density or intensity of use.

(k) Waterport and marina development, including dry storage facilities, are exempt from the provisions of this section.

(l) Any proposed development within an urban service boundary established under s. 163.3177(14) is exempt from the provisions of this section if the local government having jurisdiction over the area where the development is proposed has adopted the urban service boundary, has entered into a binding agreement with jurisdictions that would be impacted and with the Department of Transportation regarding the mitigation of impacts on state and regional transportation facilities, and has adopted a proportionate share methodology pursuant to s. 163.3180(16).

(m) Any proposed development within a rural land stewardship area created under s. 163.3177(11)(d) is exempt from the provisions of this section if the local government that has adopted the rural land stewardship area has entered into a binding agreement with jurisdictions that would be impacted and the Department of Transportation regarding the mitigation of impacts on state and regional transportation facilities, and has adopted a proportionate share methodology pursuant to s. 163.3180(16).

(n) Any proposed development or redevelopment within an area designated as an urban infill and redevelopment area under s. 163.2517 is exempt from this section if the local government has entered into a binding agreement with jurisdictions that would be impacted and the Department of Transportation regarding the mitigation of impacts on state and regional transportation facilities, and has adopted a proportionate share methodology pursuant to s. 163.3180(16).

(o) The establishment, relocation, or expansion of any military installation as defined in s. 163.3175, is exempt from this section.

(p) Any self-storage warehousing that does not allow retail or other services is exempt from this section.

(q) Any proposed nursing home or assisted living facility is exempt from this section.

(r) Any development identified in an airport master plan and adopted into the comprehensive plan pursuant to s. 163.3177(6)(k) is exempt from this section.

(s) Any development identified in a campus master plan and adopted pursuant to s. 1013.30 is exempt from this section.

(t) Any development in a specific area plan which is prepared pursuant to s. 163.3245 and adopted into the comprehensive plan is exempt from this section.

(u) Any development within a county having a population greater than 1.25 million which is proposed for at least two uses, one of which is for use as an office or laboratory appropriate for the research and development of medical technology, biotechnology, or life science applications, is exempt from this section if:

1. The land is located in a designated urban infill area or within 5 miles of a state-supported biotechnical research facility or if a local government having jurisdiction recognizes, by resolution, that the land is located in a compact, high-intensity, and high-density multiuse area that is appropriate for intensive growth.

2. The land is located within three-fourths of 1 mile from one or more bus or light rail transit stops.

3. The development is registered with the United States Green Building Council and there is an intent to apply for certification of each building under the Leadership in Energy and Environmental Design rating program, or the development is registered by an alternate green building rating system that a local government having jurisdiction finds appropriate, by resolution.

(v)~~(u)~~ Any development within a county with a research and education authority created by special act and that is also within a research and development park that is operated or managed by a research and development authority pursuant to part V of chapter 159 is exempt from this section.

If a use is exempt from review as a development of regional impact under paragraphs *(a)-(u)* ~~(a)-(t)~~, but will be part of a larger project that is subject to review as a development of regional impact, the impact of the exempt use must be included in the review of the larger project.

Section 2. This act shall take effect July 1, 2008.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to developments of regional impact; amending

s. 380.06, F.S.; revising criteria for extending application of certain deadline dates and approvals for developments of regional impact; providing an additional statutory exemption for certain developments in certain counties; providing requirements and limitations; providing an effective date.

On motions by Senator Margolis, by two-thirds vote **CS for SB 1706** as amended was read the third time by title, passed, ordered engrossed and then immediately certified to the House. The vote on passage was:

Yeas—37

Mr. President	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wise
Diaz de la Portilla	Lynn	
Dockery	Margolis	

Nays—None

Consideration of **CS for CS for SB 1762** was deferred.

On motion by Senator Lynn—

CS for SB 1768—A bill to be entitled An act relating to university tuition; amending s. 1009.24, F.S.; revising requirements for the Board of Governors in establishing tuition and out-of-state fees for graduate and professional programs; revising requirements for the Board of Governors in establishing a uniform maximum undergraduate tuition differential for universities that have research and development expenditures of a specified amount; allowing the university board of trustees to maintain the differential unless otherwise directed by the Board of Governors; providing an exemption from payment of the tuition differential for beneficiaries of a prepaid tuition contract that was in effect on July 1, 2008; providing an effective date.

—was read the second time by title.

An amendment was considered and adopted to conform **CS for SB 1768** to **CS for CS for HB 745**.

Pending further consideration of **CS for SB 1768** as amended, on motion by Senator Lynn, by two-thirds vote **CS for CS for HB 745** was withdrawn from the Committee on Health and Human Services Appropriations.

On motion by Senator Lynn, the rules were waived and—

CS for CS for HB 745—A bill to be entitled An act relating to postsecondary education; amending s. 216.136, F.S.; revising provisions relating to student enrollment projections, and adjustments thereto, for the state educational system developed by the Education Estimating Conference; amending s. 1005.32, F.S.; revising requirements for application for licensure by accreditation by an independent postsecondary educational institution; amending s. 1007.24, F.S.; revising provisions regarding determination of equivalency of courses; amending s. 1009.01, F.S.; providing definitions relating to postsecondary education; amending s. 1009.21, F.S.; providing that determination of resident status applies to eligibility for state financial aid awards and tuition assistance grants; revising definitions; revising provisions relating to qualification as a resident for tuition purposes; providing for reclassification of status; providing duties of institutions of higher education; amending s. 1009.22, F.S.; revising provisions relating to the workforce education postsecondary student capital improvement fee; amending s. 1009.23, F.S.; providing an exemption relating to establishment of the community college activity and service student fee; authorizing an increase in the amount of fees collected for financial aid purposes; increasing the amount of financial aid fees that may be used to assist students who meet specified criteria; authorizing rulemaking; amending s. 1009.24, F.S.; revising provisions relating to state university student fees; providing for the establishment of tuition and fees at the undergraduate and graduate levels and for professional programs; revising provisions relating to use of the student financial aid fee; revising provisions relating to establishment and conditions of the undergraduate tuition differential; amending s. 1009.25, F.S.; revising provisions authorizing student fee exemptions by community colleges; defining "fee-paying student"; amending s. 1009.265, F.S.; revising conditions for the use of state employee fee waivers; amending ss. 1009.98 and 1011.48, F.S.; conforming cross-references; amending s. 196.192, F.S.; specifying educational institutions as exempt entities for purposes of exemptions from ad valorem taxation for property owned by exempt entities; providing an effective date.

—a companion measure, was substituted for **CS for SB 1768** as amended and read the second time by title.

Senator Lynn moved the following amendment which was adopted:

Amendment 1 (202094)(with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Paragraph (c) of subsection (4) and subsection (16) of section 1009.24, Florida Statutes, as amended by section 5 of chapter 2007-329, Laws of Florida, are amended to read:

1009.24 State university student fees.—

(4)

(c) The Board of Governors, or the board's designee, may establish tuition for graduate and professional programs, and out-of-state fees for all programs. The sum of tuition and out-of-state fees assessed to nonresident students must be sufficient to offset the full instructional cost of serving such students. However, adjustments to out-of-state fees or tuition for graduate ~~and professional~~ programs pursuant to this section may not exceed 10 percent in any year *and adjustments to out-of-state fees or tuition for professional programs may not exceed 15 percent in any year*.

(16) The Board of Governors may establish a uniform maximum undergraduate tuition differential that does not exceed 40 percent of tuition for all universities that meet the criteria for Funding Level 1 under s. 1004.635(3), and may establish a uniform maximum undergraduate tuition differential that does not exceed 30 percent of tuition for all universities that *have total research and development expenditures for all fields of at least $100 million per year as reported annually to the National Science Foundation* ~~meet the criteria for Funding Level 2 under s. 1004.635(3)~~. *Once these criteria have been met and the differential established by the Board of Governors, the board of trustees of a qualified university may maintain the differential unless otherwise directed by the Board of Governors.* However, the board shall ensure that the maximum tuition differential it establishes for universities meeting the Funding Level 1 criteria is at least 30 percent greater than the maximum tuition differential the board establishes for universities that meet *the required* ~~Funding Level 2~~ criteria *for research and development expenditures*. The tuition differential is subject to the following conditions:

(a) The sum of tuition and the tuition differential may not be increased by more than 15 percent of the total charged for these fees in the preceding fiscal year.

(b) The tuition differential may not be calculated as a part of the scholarship programs established in ss. 1009.53-1009.537.

(c) Beneficiaries having prepaid tuition contracts pursuant to s. 1009.98(2)(b) which were in effect on July 1, 2007, and which remain in effect, are exempt from the payment of the tuition differential.

(d) The tuition differential may not be charged to any student who was in attendance at the university before July 1, 2007, and who maintains continuous enrollment.

(e) The tuition differential may be waived by the university for students who meet the eligibility requirements for the Florida public student assistance grant established in s. 1009.50.

(f) A university board of trustees that has been authorized by the Board of Governors to establish a tuition differential pursuant to this subsection may establish the tuition differential at a rate lower than the maximum tuition differential established by the board, but may not exceed the maximum tuition differential established by the board.

(g) The revenue generated from the tuition differential must be spent solely for improving the quality of direct undergraduate instruction and support services.

(h) Information relating to the annual receipt and expenditure of the proceeds from the assessment of the tuition differential shall be reported by the university in accordance with guidelines established by the Board of Governors.

Section 2. This act shall take effect July 1, 2008.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to university tuition; amending s. 1009.24, F.S.; revising requirements for the Board of Governors in establishing tuition and out-of-state fees for graduate and professional programs; revising requirements for the Board of Governors in establishing a uniform maximum undergraduate tuition differential for universities that have research and development expenditures of a specified amount; allowing the university board of trustees to maintain the differential unless otherwise directed by the Board of Governors; providing an effective date.

Pursuant to Rule 4.19, **CS for CS for HB 745** as amended was placed on the calendar of Bills on Third Reading.

Consideration of **CS for CS for SB 1914** and **CS for SB 1954** was deferred.

By Senator Posey—

CS for SB 2044—A bill to be entitled An act relating to selling, giving, or serving alcoholic beverages to persons under 21 years of age; amending s. 562.11, F.S.; increasing the penalty imposed for a second or subsequent offense of selling, giving, or serving alcoholic beverages to a person under 21 years of age within a specified period following the prior offense; providing a defense to such a charge; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 2044** was placed on the calendar of Bills on Third Reading.

Consideration of **CS for SB 2094** and **CS for SB 2170** was deferred.

By Senator Baker—

CS for SB 2248—A bill to be entitled An act relating to judicial sales; amending s. 45.031, F.S.; providing for certain sales to be conducted by electronic means; requiring that electronic sales comply with specified procedures; providing exceptions; requiring clerks to provide public access terminals for electronic sales; authorizing clerks to receive electronic payments and deposits related to electronic sales; amending s. 45.035, F.S.; providing a service charge to be received by clerks for sales conducted by electronic means under a specified provision; providing an exception to the fee for moneys in the registry of the court; amending s. 197.542, F.S.; providing for electronic tax deed sales; requiring clerks to provide public access terminals for electronic sales; authorizing clerks to receive electronic payments and deposits related to electronic sales; providing an effective date.

—was read the second time by title.

Senator Baker moved the following amendment which was adopted:

Amendment 1 (656718)—Delete lines 60-72 and insert:

(4) A clerk may conduct an electronic tax deed sale in lieu of public outcry. The clerk must comply with the procedures provided in this chapter, except that electronic proxy bidding shall be allowed and the clerk may require bidders to advance sufficient funds to pay the deposit required by subsection (2). The clerk shall provide access to the electronic sale by computer terminals open to the public at a designated location. A clerk who conducts such electronic sales may receive electronic deposits and payments related to the sale. The portion of an advance deposit required by subsection (2) from a winning bidder shall, upon acceptance of the winning bid, be subject to the fee under s. 28.24(10).

MOTION

On motion by Senator Baker, the rules were waived to allow the following amendments to be considered:

Senator Baker moved the following amendments which were adopted:

Amendment 2 (167048)—Delete line(s) 47-56 and insert:

(3) If the sale is conducted by electronic means, as provided in s. 45.031(10), the clerk shall receive a service charge of $60 as provided in subsection (1) for services in conducting or contracting for the electronic sale, which service charge shall be assessed as costs and shall be advanced by the plaintiff before the sale. If the clerk requires advance electronic deposits to secure the right to bid, such deposits are not subject to the fee under s. 28.24(10). The portion of an advance deposit from a winning bidder required by s. 45.031(3) shall, upon acceptance of the winning bid, be subject to the fee under s. 28.24(10).

Amendment 3 (386270)(with title amendment)—On line(s) 72, after the period (.) insert: *This subsection does not restrict or limit a charter county from conducting electronic tax deed sales. In a charter county where the clerk of the circuit court does not conduct all of its electronic sales, the charter county may receive electronic deposits and payments related to any sales such charter county conducts and to subject the winning bidder to a fee consistent with the schedule in s. 28.24(10).*

And the title is amended as follows:

On line(s) 16, after the semicolon (;) insert: providing that a charter county is not restricted or limited from conducting electronic tax deed sales; authorizing a charter county to receive electronic deposits and payments related to the sales such charter county conducts and impose a fee on the winning bidder, if the clerk of the circuit court does not conduct all electronic sales;

Pursuant to Rule 4.19, **CS for SB 2248** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

By Senator Aronberg—

CS for CS for SB 2378—A bill to be entitled An act relating to pari-mutuel wagering permitholders; amending s. 550.054, F.S.; providing for a jai alai permitholder meeting certain conditions to apply to the Division of Pari-mutuel Wagering to convert a permit to conduct jai alai to a permit to conduct greyhound racing; directing the division to issue a permit to conduct greyhound racing if certain conditions are met; providing for the relocation of certain permits; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 2378** was placed on the calendar of Bills on Third Reading.

On motion by Senator Constantine—

CS for CS for SB 2640—A bill to be entitled An act relating to the Reduced Cigarette Ignition Propensity Standard and Firefighter Protection Act; creating s. 633.042, F.S.; providing a short title; providing legislative findings and intent; providing definitions; providing cigarette testing methods and performance standards; providing specific testing criteria; requiring manufacturers to provide certain written certification; requiring cigarettes to be marked in specific manners; providing for alternative testing methods under certain circumstances; providing reporting requirements; providing the Division of Alcoholic Beverages and

Tobacco with certain powers and responsibilities; providing certification requirements for manufacturers; providing fee; providing for the deposit of certification fees into the Reduced Cigarette Ignition Propensity and Firefighter Protection Enforcement Trust Fund; providing requirements for the marking of certain cigarette packaging; providing reporting requirements; providing approval requirements for markings submitted to the division by a manufacturer; providing notification requirements; providing fines and penalties; providing for the deposit of penalties into the Fire Prevention and Public Safety Trust Fund; providing the division with rulemaking authority; authorizing certain government entities with inspection powers to examine specified documents of any person in possession, control, or occupancy of any premises where cigarettes are placed, stored, sold, or offered for sale, as well as the stock of cigarettes on the premises; providing that nothing in the act shall be construed to prohibit any person or entity from manufacturing or selling cigarettes that do not meet the specified requirements if such cigarettes are or will be stamped for sale in another state or are packaged for sale outside the United States; providing for repeal upon the enactment of a preemptive federal standard; prohibiting local government units from enacting and enforcing any ordinance or other local law or regulation that conflicts with, or is preempted by, any provision of the act; providing effective dates.

—was read the second time by title.

Amendments were considered and adopted to conform **CS for CS for SB 2640** to **CS for CS for HB 1167**.

Pending further consideration of **CS for CS for SB 2640** as amended, on motion by Senator Constantine, by two-thirds vote **CS for CS for HB 1167** was withdrawn from the Committees on Regulated Industries; Judiciary; and General Government Appropriations.

On motion by Senator Constantine, by two-thirds vote—

CS for CS for HB 1167—A bill to be entitled An act relating to the Reduced Cigarette Ignition Propensity Standard and Firefighter Protection Act; creating s. 633.042, F.S.; providing a short title; providing legislative findings and intent; providing definitions; providing cigarette testing methods and performance standards; providing specific testing criteria; requiring manufacturers to provide certain written certification; requiring cigarettes to be marked in specific manners; providing for alternative testing methods under certain circumstances; providing reporting requirements; providing the Division of Alcoholic Beverages and Tobacco and the State Fire Marshal with certain powers and responsibilities; providing certification requirements for manufacturers; providing requirements for the marking of certain cigarette packaging; providing reporting requirements; providing approval requirements for markings submitted to the division by a manufacturer; providing notification requirements; providing fines and penalties; providing the division and the State Fire Marshal with rulemaking authority; authorizing certain governmental entities with inspection powers to examine specified documents of any person in possession, control, or occupancy of any premises where cigarettes are placed, stored, sold, or offered for sale, as well as the stock of cigarettes on the premises; providing that nothing in the act shall be construed to prohibit any person or entity from manufacturing or selling cigarettes that do not meet the specified requirements if such cigarettes are or will be stamped for sale in another state or are packaged for sale outside the United States; providing for repeal upon the enactment of a preemptive federal standard; prohibiting local government units from enacting and enforcing any ordinance or other local law or regulation that conflicts with, or is preempted by, any provision of the act; providing effective dates.

—a companion measure, was substituted for **CS for CS for SB 2640** as amended and by two-thirds vote read the second time by title.

Pursuant to Rule 4.19, **CS for CS for HB 1167** was placed on the calendar of Bills on Third Reading.

By Senator Lawson—

CS for SB 2660—A bill to be entitled An act relating to cultural and historical programs; creating s. 265.7025, F.S.; providing definitions; amending s. 265.703, F.S.; providing for more than one citizen support organization; adding historical and museum programs to those programs that can be assisted by the citizen support organizations of the Division of Cultural Affairs of the Department of State; revising the name of the trust fund into which funds are deposited; providing that information of the citizen support organization for the Museum of Florida History which is confidential and exempt pursuant to s. 267.17, F.S., retains its status; creating s. 265.704, F.S.; providing powers and duties of the Division of Cultural Affairs related to historical museums; creating s. 265.705, F.S.; providing state policy relating to historic properties; creating s. 265.706, F.S.; authorizing the division to acquire, maintain, preserve, interpret, exhibit, and make available for study certain objects having historical or archaeological value; vesting title of such objects in the division; requiring maintenance of records; requiring inventory of objects of specified value; authorizing the division to loan, exchange, sell, or otherwise transfer certain objects; providing exemptions from ch. 273, F.S.; providing for deposit and use of funds; requiring the adoption of rules; providing a penalty for certain violations by a custodian; providing for insuring of certain items; amending and renumbering s. 267.072, F.S., relating to the Museum of Florida History and its programs; transferring the responsibility for and administration of the Museum of Florida History, its programs, and the citizen support organization for the museum from the Division of Historical Resources to the Division of Cultural Affairs; providing for the operation of additional stores associated with the Museum of Florida History; authorizing the Division of Cultural Affairs to operate other historical museums; conforming provisions to changes made by the act; amending and renumbering s. 267.0619, F.S., relating to historical museum grants under the Division of Historical Resources of the Department of State; transferring the grant program to the Division of Cultural Affairs; conforming provisions to changes made by the act; providing that a for-profit corporation, partnership, or organization is ineligible for receipt of such grants; creating s. 265.709, F.S.; authorizing the Division of Cultural Affairs to promote and encourage the writing of Florida history through certain activities; authorizing the collecting, editing, and publishing of documents related to Florida history; authorizing the division to establish a reasonable charge for such publications; providing for such proceeds to be deposited in the Grants and Donations Trust Fund or certain separate depository accounts; amending s. 267.0612, F.S.; providing a uniform starting date for all appointments to the Florida Historical Commission; amending s. 267.071, F.S.; removing the Museum of Florida History as one of the historical museums that the Division of Historical Resources is required to encourage, promote, maintain, and operate; amending s. 267.0731, F.S.; adding representatives of the Secretary of State to the list of representatives on the ad hoc committee responsible for making recommendations for Great Floridian nominations; deleting references to the citizen support organization for the Museum of Florida History; deleting responsibilities of the Museum of Florida History; requiring the Department of State to be the repository of certain films or videotapes produced concerning a Great Floridian as well as certain items related to such productions; repealing s. 267.174, F.S., relating to the Discovery of Florida Quincentennial Commemoration Commission; amending s. 272.129, F.S.; authorizing a citizen support organization for the Legislative Research Center and Museum at the Historic Capitol, which is known as the "center"; requiring the citizen support organization to be a corporation not for profit; authorizing the citizen support organization to perform certain tasks for the direct and indirect benefit of the center; authorizing the center to prescribe conditions with which the citizen support organization must comply in order to use fixed property or facilities of the center; prohibiting the center from permitting a citizen support organization to use the center's facilities under certain conditions; requiring that the citizen support organization provide for an annual audit; providing that records of the organization are public records; requiring that certain funds be deposited into the account of the citizen support organization; providing for reversion of funds to the state under certain circumstances; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 2660** was placed on the calendar of Bills on Third Reading.

On motion by Senator Posey, by two-thirds vote **CS for HB 1373** was withdrawn from the Committees on Commerce; Finance and Tax; and Transportation and Economic Development Appropriations.

On motion by Senator Posey, by two-thirds vote—

CS for HB 1373—A bill to be entitled An act relating to the qualified defense contractor tax refund program; amending s. 288.1045, F.S.; re-

vising definitions to include space flight businesses and space flight contracts; specifying a methodology and amounts for tax refund payments to qualified defense contractor businesses; revising provisions authorizing qualified applicants to receive refunds of certain taxes; revising application process requirements to include space flight businesses and contracts; revising information requirements for applications for certain qualified applicant certifications; providing employment requirements for space flight business contracts; specifying required information for applications for certification under space flight business contracts; including space flight businesses under provisions authorizing annual claims for refund; revising limitations on payments of tax refunds; revising certain required reductions of amounts of tax refunds; deleting a reporting requirement of tax refunds paid and use of appropriations expended; extending an expiration date; amending ss. 14.2015 and 213.053, F.S.; conforming program references; providing an effective date.

—a companion measure, was substituted for **CS for SB 2666** and by two-thirds vote read the second time by title.

Pursuant to Rule 4.19, **CS for HB 1373** was placed on the calendar of Bills on Third Reading.

On motion by Senator Aronberg, by two-thirds vote **HB 1489** was withdrawn from the Committees on Regulated Industries; and Judiciary.

On motion by Senator Aronberg, by two-thirds vote—

HB 1489—A bill to be entitled An act relating to residential tenancies; amending s. 83.43, F.S.; redefining the term "rental agreement"; defining the term "early termination fee"; amending s. 83.595, F.S.; allowing a landlord to terminate a rental agreement and recover liquidated damages or charge the tenant an early termination fee for breach of the agreement, or both, under certain circumstances; requiring the tenant to indicate acceptance of an early termination fee or liquidated-damages provision in the rental agreement in order for the provision to take effect; providing a limit on the combined total of damages and fees; providing liability of the tenant for rent, other charges due, and rental concessions; providing an effective date.

—a companion measure, was substituted for **CS for SB 2716** and by two-thirds vote read the second time by title.

REMARKS

On motion by Senator Aronberg, the following remarks were ordered spread upon the Journal:

Senator Aronberg: This bill passed this chamber last year and passed the House. It was vetoed by the Governor. We think we've worked out the issues. This allows a landlord and tenant to agree to come up with liquidated damages/early termination fee of two months, no more than two months rent plus the rent for the month that they are terminating the lease plus accrued charges from that month and that would be the agreed upon penalty instead of current law which allows a landlord to sit back and do nothing and collect rent for the rest of the year, for the rest of the lease. So this is a bill that is good for landlords and good for tenants.

Senator Lawson: Senator Aronberg, I have a series of questions that I would like for you to comment on. In cases of a lease terminated by the tenant, what charges are allowed under this bill?

Senator Aronberg: I appreciate the questions from Senator Lawson and I would like to move that the questions and answers that Senator Lawson and I have on this bill be spread on the record as intent language to make clear exactly what we are trying to do here.

Senator Lawson, your question in the case of a lease termination by a tenant was, "what charges are allowed under this bill?" The answer is 60 days of rent plus unpaid rent and accrued charges to the end of the month in which the tenant terminates the lease. Accrued charges are charges that the tenant pays every month. They are not concessions. We have removed that language from the bill. They are not fees that are waived by the landlord. They are charges, such as cable or water owed by the tenant to the landlord that the tenant actually pays each month.

Senator Lawson: Thank you very much Senator Aronberg. Under this bill, will the landlord be entitled to charge the tenant an additional fee for failing to provide advance notice to the landlord that the tenant will be terminating the lease?

Senator Aronberg: The answer is "No."

Senator Lawson: I think you might have answered my second question in your explanation on the first one, so I won't ask that question. I just wanted to make sure that we cleared that up.

Pursuant to Rule 4.19, **HB 1489** was placed on the calendar of Bills on Third Reading.

On motion by Senator Peaden—

CS for CS for SB 2756—A bill to be entitled An act relating to drugs, devices, and cosmetics; amending and reorganizing provisions in part I of ch. 499, F.S.; amending s. 499.002, F.S.; expanding the provisions of the section to include administration and enforcement of, exemptions from, and purpose of the part; amending and redesignating ss. 499.004, 499.0053, 499.07, 499.071, and 499.081, F.S., as provisions in that section relating to such functions to conform; amending s. 499.003, F.S.; revising and providing definitions; amending and redesignating provisions in ss. 499.012, 499.029, and 499.0661, F.S., relating to definitions, as provisions of that section; amending s. 499.005, F.S.; conforming provisions to changes made by the act, including the substitution of the term "prescription drug" for the term "legend drug"; amending s. 499.0051, F.S.; substituting the term "prescription drug" for the term "legend drug" with regard to criminal acts; consolidating criminal act provisions of part I of ch. 499, F.S.; amending and redesignating ss. 499.0052, 499.00535, 499.00545, 499.069, and 499.0691, F.S., as criminal offense provisions in that section; providing penalties; conforming provisions to changes made by the act; amending s. 499.0054, F.S., relating to advertising and labeling of drugs, devices, and cosmetics to include certain exemptions; amending and redesignating ss. 499.0055 and 499.0057, F.S., as provisions relating to those functions in that section; amending s. 499.006, F.S.; conforming provisions to changes made by the act; amending s. 499.007, F.S.; conforming provisions to changes made by the act; providing that a drug or device is misbranded if it is an active pharmaceutical ingredient in bulk form and does not bear a label containing certain information; amending ss. 499.008 and 499.009, F.S.; conforming provisions to changes made by the act; amending s. 499.01, F.S.; providing that the section relates only to permits; requiring a permit to operate as a third party logistics provider and a health care clinic establishment; providing requirements for obtaining a permit to operate in certain capacities; deleting certain permit requirements; providing an exemption for a nonresident prescription drug manufacturer permit; providing requirements for such exemption; providing requirements for a third party logistics provider permit and a health care clinic establishment permit; amending and redesignating provisions of ss. 499.013, and 499.014, F.S., relating to such functions as provisions of that section; conforming provisions and cross-references to changes made by the act; amending s. 499.012, F.S.; providing that the section relates to permit application requirements; providing that a separate establishment permit is not required when a permitted prescription drug wholesale distributor operates temporary transit storage facilities for the sole purpose of storage; amending the provisions to conform; amending and redesignating provisions of s. 499.01, F.S., relating to such functions as provisions of that section; conforming provisions and cross-references to changes made by the act; amending s. 499.01201, F.S.; conforming provisions to changes made by the act; amending s. 499.0121, F.S., relating to storage and handling of prescription drugs and recordkeeping; directing the department to adopt rules requiring a wholesale distributor to maintain pedigree papers separate and distinct from other required records; deleting a requirement that a person who is engaged in the wholesale distribution of a prescription drug and who is not the manufacturer of that drug provide a pedigree paper to the person who receives the drug; deleting the department's requirement to adopt rules with regard to recordkeeping by affiliated groups; conforming provisions and cross-references to changes made by the act; amending and redesignating a provision of s. 499.013, F.S., relating to such functions as a provision of that section; amending s. 499.01211, F.S.; conforming provisions and cross-references to changes made by the act; creating s. 499.01212, F.S.; requiring a person who is engaged in the wholesale distribution of a prescription drug to provide a pedigree paper to the person who receives the drug; requiring certain information in a

pedigree paper; requiring a wholesale distributor to maintain and make available to the department certain information; providing exceptions to the requirement of a pedigree paper; repealing s. 499.0122, F.S., relating to medical oxygen and veterinary legend drug retail establishments; repealing s. 499.013, F.S., relating to manufacturers and repackagers of drugs, devices, and cosmetics; amending ss. 499.015, 499.024, 499.028, 499.029, and 499.03, F.S.; conforming provisions and cross-references to changes made by the act; amending ss. 499.032 and 499.033, F.S.; conforming terminology to changes made by the act; amending s. 499.039, F.S.; conforming a provision and cross-reference; amending ss. 499.04, F.S.; conforming provisions to changes made by the act; amending s. 499.041, F.S.; conforming provisions to changes made by the act; requiring the department to assess an annual fee for a third part logistic provider permit and a health care clinic establishment permit; amending s. 499.05, F.S.; conforming provisions to changes made by the act; requiring the department to adopt rules with regard to procedures and forms relating to pedigree paper requirements, alternatives to compliance with the requirement of certain pedigree papers, and the return of prescription drugs purchased before a specified date; amending and redesignating provisions of ss. 499.013 and 499.0122, F.S., as provisions relating to rulemaking functions of that section; amending ss. 499.051, 499.052, 499.055, and 499.06, F.S.; conforming provisions to changes made by the act; amending s. 499.062, F.S.; providing that the section relates to seizure and condemnation of drugs, devices, or cosmetics; conforming a provision to changes made by the act; amending and redesignating ss. 499.063 and 499.064, F.S., as provisions relating to such functions in that section; amending ss. 499.065, 499.066, 499.0661, and 499.067, F.S.; conforming provisions and cross-references to changes made by the act; amending ss. 409.9201, 460.403, 465.0265, 794.075, 895.02, and 921.0022, F.S.; conforming provisions to changes made by the act; conforming cross-references to changes made by the act; providing an effective date.

—was read the second time by title.

Amendments were considered and adopted to conform **CS for CS for SB 2756** to **HB 7049**.

Pending further consideration of **CS for CS for SB 2756** as amended, on motion by Senator Peaden, by two-thirds vote **HB 7049** was withdrawn from the Committees on Health Regulation; and Judiciary.

On motion by Senator Peaden—

HB 7049—A bill to be entitled An act relating to drugs, devices, and cosmetics; amending and reorganizing provisions in part I of ch. 499, F.S.; amending s. 499.002, F.S.; expanding the provisions of the section to include administration and enforcement of, exemptions from, and purpose of the part; amending and redesignating ss. 499.004, 499.0053, 499.07, 499.071, and 499.081, F.S., as provisions in that section relating to such functions to conform; amending s. 499.003, F.S.; revising and providing definitions; amending and redesignating provisions in ss. 499.012, 499.029, and 499.0661, F.S., relating to definitions, as provisions of that section; amending s. 499.005, F.S.; conforming provisions to changes made by the act, including the substitution of the term "prescription drug" for the term "legend drug"; amending s. 499.0051, F.S.; substituting the term "prescription drug" for the term "legend drug" with regard to criminal acts; consolidating criminal act provisions of part I of ch. 499, F.S.; amending and redesignating ss. 499.0052, 499.00535, 499.00545, 499.069, and 499.0691, F.S., as criminal offense provisions in that section; providing penalties; conforming provisions to changes made by the act; amending s. 499.0054, F.S., relating to advertising and labeling of drugs, devices, and cosmetics to include certain exemptions; amending and redesignating ss. 499.0055 and 499.0057, F.S., as provisions relating to those functions in that section; amending s. 499.006, F.S.; conforming provisions to changes made by the act; amending s. 499.007, F.S.; conforming provisions to changes made by the act; providing that a drug or device is misbranded if it is an active pharmaceutical ingredient in bulk form and does not bear a label containing certain information; amending ss. 499.008 and 499.009, F.S.; conforming provisions to changes made by the act; amending s. 499.01, F.S.; providing that the section relates only to permits; providing requirements for obtaining a permit to operate in certain capacities; deleting certain permit requirements; amending and redesignating provisions of ss. 499.012, 499.013, and 499.014, F.S., relating to such functions as provisions of that section; conforming provisions and cross-references to changes made by the act; amending s. 499.012, F.S.; providing that the section relates to permit application requirements; amending the provisions to conform; amending and redesignating provisions of s. 499.01, F.S., relating to such functions as provisions of that section; conforming provisions and cross-references to changes made by the act; amending s. 499.01201, F.S.; conforming provisions to changes made by the act; amending s. 499.0121, F.S., relating to storage and handling of prescription drugs and recordkeeping; directing the department to adopt rules requiring a wholesale distributor to maintain pedigree papers separate and distinct from other required records; deleting a requirement that a person who is engaged in the wholesale distribution of a prescription drug and who is not the manufacturer of that drug provide a pedigree paper to the person who receives the drug; deleting the department's requirement to adopt rules with regard to recordkeeping by affiliated groups; conforming provisions and cross-references to changes made by the act; amending and redesignating a provision of s. 499.013, F.S., relating to such functions as a provision of that section; amending s. 499.01211, F.S.; conforming provisions and cross-references to changes made by the act; creating s. 499.01212, F.S.; requiring a person who is engaged in the wholesale distribution of a prescription drug to provide a pedigree paper to the person who receives the drug; requiring certain information in a pedigree paper; requiring a wholesale distributor to maintain and make available to the department certain information; providing exceptions to the requirement of a pedigree paper; repealing s. 499.0122, F.S., relating to medical oxygen and veterinary legend drug retail establishments; repealing s. 499.013, F.S., relating to manufacturers and repackagers of drugs, devices, and cosmetics; amending ss. 499.015, 499.024, 499.028, 499.029, and 499.03, F.S.; conforming provisions and cross-references to changes made by the act; amending ss. 499.032 and 499.033, F.S.; conforming terminology to changes made by the act; amending s. 499.039, F.S.; conforming a provision and cross-reference; amending ss. 499.04 and 499.041, F.S.; conforming provisions to changes made by the act; amending s. 499.05, F.S.; conforming provisions to changes made by the act; requiring the department to adopt rules with regard to procedures and forms relating to pedigree paper requirements, alternatives to compliance with the requirement of certain pedigree papers, and the return of prescription drugs purchased before a specified date; amending and redesignating provisions of ss. 499.013 and 499.0122, F.S., as provisions relating to rulemaking functions of that section; amending ss. 499.051, 499.052, 499.055, and 499.06, F.S.; conforming provisions to changes made by the act; amending s. 499.062, F.S.; providing that the section relates to seizure and condemnation of drugs, devices, or cosmetics; conforming a provision to changes made by the act; amending and redesignating ss. 499.063 and 499.064, F.S., as provisions relating to such functions in that section; amending ss. 499.065, 499.066, 499.0661, and 499.067, F.S.; conforming provisions and cross-references to changes made by the act; amending ss. 409.9201, 460.403, 465.0265, 794.075, 895.02, and 921.0022, F.S.; conforming cross-references to changes made by the act; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 2756** as amended and read the second time by title.

Pursuant to Rule 4.19, **HB 7049** was placed on the calendar of Bills on Third Reading.

On motion by Senator Lynn, by two-thirds vote **CS for HB 7105** was withdrawn from the Committees on Health and Human Services Appropriations; and Higher Education.

On motion by Senator Lynn, by two-thirds vote—

CS for HB 7105—A bill to be entitled An act relating to postsecondary distance learning; establishing the Florida Distance Learning Task Force; providing for membership; requiring the task force to submit a report containing certain recommendations to the Governor, the Legislature, and certain entities by a specified date; providing for future expiration; creating s. 1004.09, F.S.; establishing the Florida Higher Education Distance Learning Catalog; requiring that the Florida Distance Learning Consortium establish guidelines and procedures and provide information on certain requirements and information relating to distance learning courses and degree programs; requiring that the catalog include an Internet-based analytic tool that collects and analyzes certain data; amending s. 1009.23, F.S.; exempting a distance learning course from laboratory fees; authorizing the State Board of Education to adopt rules; authorizing a community college to assess a student enrolled in a course listed in the catalog a per-credit-hour user fee; requiring that such fee not exceed a certain amount; prohibiting the assessment of other fees if the distance learning course user fee is assessed; requiring

that the board of trustees report to the Division of Community Colleges the total amount of revenue generated by such fee for the preceding year and how such fee was expended; requiring that the link for the catalog be prominently displayed on the institution's website; amending s. 1009.24, F.S.; authorizing a state university to assess a per-credit-hour distance learning course fee; requiring that such fee not exceed a certain amount; prohibiting the state university from assessing duplicative fees to cover the same additional costs; requiring that the link to the catalog be prominently displayed on the institution's website; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 1762** and by two-thirds vote read the second time by title.

Pursuant to Rule 4.19, **CS for HB 7105** was placed on the calendar of Bills on Third Reading.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Bennett, by two-thirds vote **SB 2616** and **SB 2410** were withdrawn from the committees of reference and further consideration.

On motion by Senator Atwater, by two-thirds vote **CS for SB 2272** was withdrawn from the Committee on Commerce; **CS for SB 2504** was withdrawn from the Committee on Community Affairs; **CS for CS for SB 2388** was withdrawn from the Committee on Criminal Justice; and **CS for SB 644** and **CS for SB 886** were withdrawn from the Committee on General Government Appropriations.

On motion by Senator Dockery, by two-thirds vote **SB 1188** and **CS for CS for SB 1430** were withdrawn from the Committee on Criminal and Civil Justice Appropriations; and **CS for SB 268** was withdrawn from the Committee on Rules.

On motion by Senator Constantine, by two-thirds vote **CS for SB 402** was withdrawn from the Committee on Commerce; **CS for SB 2394** was withdrawn from the Committee on Health Regulation; and **CS for SB 2148** was withdrawn from the Committee on Transportation.

On motion by Senator Saunders, by two-thirds vote **CS for CS for SB 1962** was withdrawn from the Committee on General Government Appropriations; and **SB 226** was withdrawn from the Committee on Health and Human Services Appropriations.

MOTIONS RELATING TO COMMITTEE MEETINGS

On motion by Senator King, the rules were waived and the Special Order Calendar Group was granted permission to meet April 28 two hours after announcement.

MOTIONS

On motion by Senator King, by two-thirds vote all bills remaining on the Special Order Calendar this day were placed on the Special Order Calendar for Monday, April 28.

REPORTS OF COMMITTEES

Pursuant to Rule 4.17(2), the President Pro Tempore, the Majority Leader, and the Minority Leader submit the following bills to be placed on the Special Order Calendar for Friday, April 25, 2008: CS for CS for SB 222, SB 230, SB 432, CS for CS for SB 498, CS for CS for SB 544, CS for SB 698, CS for CS for CS for SB 700, CS for SB 734, CS for CS for SB 788, CS for SB 800, CS for CS for SB 858, CS for SB 940, CS for SB 948, CS for SB 1090, CS for CS for SB's 1094 and 326, CS for SB 1206, CS for CS for SB 1598, CS for CS for CS for SB 1684, CS for SB 1706, CS for CS for SB 1762, CS for SB 1768, CS for CS for SB 1914, CS for SB 2044, CS for SB 2094, CS for SB 2248, CS for CS for SB 2378, CS for CS for SB 2640, CS for SB 2660, CS for SB 2666, CS for SB 2716, CS for CS for SB 2756

Respectfully submitted,
Lisa Carlton, President Pro Tempore
Daniel Webster, Majority Leader
Steven A. Geller, Minority Leader

The Committee on Health Regulation recommends a committee substitute for the following: SB 46

The Committee on Transportation and Economic Development Appropriations recommends a committee substitute for the following: CS for CS for SB 1978

The bills with committee substitutes attached contained in the foregoing reports were placed on the calendar.

COMMITTEE SUBSTITUTES

FIRST READING

By the Committee on Health Regulation; and Senator Lawson—

CS for SB 46—A bill to be entitled An act for the relief of Marissa Amora; providing an appropriation to compensate Marissa Amora, a minor, for injuries she sustained as a result of the negligence of employees of the Department of Children and Family Services; requiring a specified legislative budget request; providing a limitation on attorney's fees, lobbying fees, costs, and other similar expenses relating to the claim; providing an effective date.

By the Committees on Transportation; Community Affairs; and Senator Garcia—

CS for CS for SB 474—A bill to be entitled An act relating to growth management; amending s. 70.51, F.S.; deleting an exemption from the limitation on the frequency of amendments of comprehensive plans; transferring, renumbering, and amending s. 125.379, F.S.; requiring counties to certify that they have prepared a list of county-owned property appropriate for affordable housing before obtaining certain funding; amending s. 163.3174, F.S.; prohibiting the members of the local governing body from serving on the local planning agency; providing an exception; amending s. 163.3177, F.S.; extending the date for local governments to adopt plan amendments to implement a financially feasible capital improvements element; extending the date for prohibiting future land use map amendments if a local government does not adopt and transmit its annual update to the capital improvements element; revising standards for the future land use plan in a local comprehensive plan; including a provision encouraging rural counties to adopt a rural sub-element as part of their future land use plan; revising standards for the housing element of a local comprehensive plan; requiring certain counties to certify that they have adopted a plan for ensuring affordable workforce housing before obtaining certain funding; authorizing the state land planning agency to amend administrative rules relating to planning criteria to allow for varying local conditions; deleting exemptions from the limitation on the frequency of plan amendments; extending the deadline for local governments to adopt a public school facilities element and interlocal agreement; providing legislative findings concerning the need to preserve agricultural land and protect rural agricultural communities from adverse changes in the agricultural economy; defining the term "rural agricultural industrial center"; authorizing a landowner within a rural agricultural industrial center to apply for an amendment to the comprehensive plan to expand an existing center; providing requirements for such an application; providing a rebuttable presumption that such an amendment is consistent with state rule; providing certain exceptions to the approval of such an amendment; deleting provisions encouraging local governments to develop a community vision and to designate an urban service boundary; amending s. 163.31771, F.S.; requiring a local government to amend its comprehensive plan to allow accessory dwelling units in an area zoned for single-family residential use; prohibiting such units from being treated as new units if there is a land use restriction agreement that restricts use to affordable housing; prohibiting accessory dwelling units from being located on certain land; amending s. 163.3178, F.S.; revising provisions relating to coastal management and coastal high-hazard areas; providing factors for demonstrating the compliance of a comprehensive plan amendment with rule provisions relating to coastal areas; amending s. 163.3180, F.S.; revising concurrency requirements; specifying municipal areas for transportation concurrency exception areas; revising provisions relating to the Strategic Intermodal System; deleting a requirement for local governments to annually submit a summary of de minimus records; increasing the percentage of transportation impacts that

must be reserved for urban redevelopment; requiring concurrency management systems to be coordinated with the appropriate metropolitan planning organization; revising regional impact proportionate share provisions to allow for improvements outside the jurisdiction in certain circumstances; providing for the determination of mitigation to include credit for certain mitigation provided under an earlier phase, calculated at present value; defining the terms "present value" and "backlogged transportation facility"; revising the calculation of school capacity to include relocatables used by a school district; providing a minimum state availability standard for school concurrency; providing that a developer may not be required to reduce or eliminate backlog or address class size reduction; requiring charter schools to be considered as a mitigation option under certain circumstances; requiring school districts to include relocatables in their calculation of school capacity in certain circumstances; providing for an Urban Placemaking Initiative Pilot Project Program; providing for designating certain local governments as urban placemaking initiative pilot projects; providing purposes, requirements, criteria, procedures, and limitations for such local governments, the pilot projects, and the program; authorizing a methodology based on vehicle and miles traveled for calculating proportionate fair-share methodology; providing transportation concurrency incentives for private developers; providing for recommendations for the establishment of a uniform mobility fee methodology to replace the current transportation concurrency management system; amending s. 163.31801, F.S.; requiring the provision of notice before the imposition of an increased impact fee; providing that the provision of notice is not required before decreasing or eliminating an impact fee; amending s. 163.3184, F.S.; requiring that potential applicants for a future land use map amendment applying to 50 or more acres conduct two meetings to present, discuss, and solicit public comment on the proposed amendment; requiring that one such meeting be conducted before the application is filed and the second meeting be conducted before adoption of the plan amendment; providing notice and procedure requirements for such meetings; requiring that applicants for a plan amendment applying to more than 11 acres but less than 50 acres conduct a meeting before the application is filed and encouraging a second meeting within a specified period before the local government's scheduled adoption hearing; providing for notice of such meeting; requiring that an applicant file with the local government a written certification attesting to certain information; exempting small-scale amendments from requirements related to meetings; revising a time period for comments on plan amendments; revising a time period for requesting state planning agency review of plan amendments; revising a time period for the state land planning agency to identify written comments on plan amendments for local governments; providing that an amendment is deemed abandoned under certain circumstances; authorizing the state land planning agency to grant extensions; requiring that a comprehensive plan or amendment to be adopted be available to the public; prohibiting certain types of changes to a plan amendment during a specified period before the hearing thereupon; requiring that the local government certify certain information to the state land planning agency; deleting exemptions from the limitation on the frequency of amendments of comprehensive plans; deleting provisions relating to community vision and urban boundary amendments to conform to changes made by the act; amending s. 163.3187, F.S.; limiting the adoption of certain plan amendments to twice per calendar year; limiting the adoption of certain plan amendments to once per calendar year; authorizing local governments to adopt certain plan amendments at any time during a calendar year without regard for restrictions on frequency; deleting certain types of amendments from the list of amendments eligible for adoption at any time during a calendar year; deleting exemptions from frequency limitations; providing circumstances under which small-scale amendments become effective; amending s. 163.3245, F.S.; revising provisions relating to optional sector plans; authorizing all local government to adopt optional sector plans into their comprehensive plan; increasing the size of the area to which sector plans apply; deleting certain restrictions on a local government upon entering into sector plans; deleting an annual monitoring report submitted by a host local government that has adopted a sector plan and a status report submitted by the department on optional sector plans; amending s. 163.3246, F.S.; discontinuing the Local Government Comprehensive Planning Certification Program except for currently certified local governments; retaining an exemption from DRI review for a certified community in certain circumstances; amending s. 163.32465, F.S.; revising provisions relating to the state review of comprehensive plans; providing additional types of amendments to which the alternative state review applies; providing a 30-day period for agency comments begins when the state land planning agency notifies the local government that the plan amendment package is complete; requiring adoption of a plan amendment within 120 days of receipt of agency comments or the plan amendment is deemed abandoned; revising the effective date of adopted plan amendments; providing procedural rulemaking authority to the state land planning agency; amending s. 163.340, F.S.; defining the term "blighted area" to include land previously used as a military facility; renumbering and amending s. 166.0451, F.S.; requiring municipalities to certify that they have prepared a list of county-owned property appropriate for affordable housing before obtaining certain funding; amending s. 253.034, F.S.; requiring that a manager of conservation lands report to the Board of Trustees of the Internal Improvement Trust Fund at specified intervals regarding those lands not being used for the purpose for which they were originally leased; requiring that the Division of State Lands annually submit to the President of the Senate and the Speaker of the House of Representatives a copy of the state inventory identifying all nonconservation lands; requiring the division to publish a copy of the annual inventory on its website and notify by electronic mail the executive head of the governing body of each local government having lands in the inventory within its jurisdiction; amending s. 288.975, F.S.; deleting exemptions from the frequency limitations on comprehensive plan amendments; amending s. 380.06, F.S.; providing a 3-year extension for the buildout, commencement, and expiration dates of developments of regional impact and Florida Quality Developments, including associated local permits; providing an exception from development-of-regional-impact review; amending s. 380.0651, F.S.; providing an exemption from development-of-regional impact review; amending s. 1002.33, F.S.; restricting facilities from providing space to charter schools unless such use is consistent with the local comprehensive plan; prohibiting the expansion of certain facilities to accommodate for a charter school unless such use is consistent with the local comprehensive plan; creating s. 1011.775, F.S.; requiring that each district school board prepare an inventory list of certain real property on or before a specified date and at specified intervals thereafter; requiring that such list include certain information; requiring that the district school board review the list at a public meeting and make certain determinations; requiring that the board state its intended use for certain property; authorizing the board to revise the list at the conclusion of the public meeting; requiring that the board adopt a resolution; authorizing the board to offer certain properties for sale and use the proceeds for specified purposes; authorizing the board to make the property available for the production and preservation of permanent affordable housing; defining the term "affordable" for specified purposes; repealing s. 339.282, F.S., relating to transportation concurrency incentives; amending s. 1013.372, F.S.; requiring that certain charter schools serve as public shelters at the request of the local emergency management agency; amending ss. 163.3217, 163.3182, and 171.203, F.S.; deleting exemptions from the limitation on the frequency of amendments of comprehensive plans; providing an effective date.

By the Committees on Transportation and Economic Development Appropriations; Transportation and Economic Development Appropriations; Transportation; and Senator Baker—

CS for CS for CS for SB 1978—A bill to be entitled An act relating to the Department of Transportation; amending s. 20.23, F.S.; providing Senior Management Service status to the Executive Director of the Florida Transportation Commission; amending s. 125.42, F.S.; providing an exception to utility owners from the responsibility for relocating utilities along county roads and highways; amending s. 163.3177, F.S.; revising requirements for comprehensive plans; providing for airports, land adjacent to airports, and certain interlocal agreements relating thereto in certain elements of the plan; amending s. 163.3178, F.S.; providing that facilities determined by the Department of Community Affairs and the applicable general-purpose local government to be port-related industrial or commercial projects located within 3 miles of or in the port master plan area which rely upon the utilization of port and intermodal transportation facilities are not developments of regional impact under certain circumstances; amending s. 163.3180, F.S.; requiring the Department of Transportation to establish a transportation methodology to serve as the basis for sustainable development impact assessments; defining the terms "present value" and "backlogged transportation facility"; amending s. 163.3182, F.S., relating to transportation concurrency backlog authorities; providing legislative findings and declarations; expanding the power of authorities to borrow money to include issuing certain debt obligations; providing a maximum maturity date for certain debt incurred to finance or refinance certain transportation concurrency

backlog projects; authorizing authorities to continue operations and administer certain trust funds for the period of the remaining outstanding debt; requiring local transportation concurrency backlog trust funds to continue to be funded for certain purposes; providing for increased ad valorem tax increment funding for such trust funds under certain circumstances; revising provisions for dissolution of an authority; providing legislative findings relating to investment of funds from the Lawton Chiles Endowment Fund in Florida infrastructure by the State Board of Administration; providing that such investment is the policy of the State Board of Administration; amending s. 215.44, F.S.; including infrastructure investments in annual reporting requirements of State Board of Administration; amending s. 215.47, F.S.; increasing the maximum allowable percent of any fund in alternative investments or infrastructure investments; defining infrastructure investments; amending s. 215.5601, F.S.; directing the State Board of Administration to lease Alligator Alley for up to 50 years from the Department of Transportation using funds from the Lawton Chiles Endowment; limiting the investment of funds to between 20 and 50 percent of the endowment's assets; requiring a report to the Legislature; authorizing the board to contract with other government, public, and private entities to operate and maintain the toll facility; creating s. 334.305, F.S.; providing a finding of public need for leasing transportation facilities to expedite provision of additional facilities; providing that infrastructure investment agreements may not be impaired by state or local act; authorizing a lease agreement of up to 50 years for Alligator Alley; authorizing the engagement of private consultants to develop the agreement; directing funds received by the department under such provisions to the State Transportation Trust Fund; providing requirements for the lease agreement; requiring adherence to state and federal laws and standards for the operation and maintenance of transportation facilities; requiring the regulation of toll increases; authorizing state action to remedy impairments to the lease agreement; requiring an independent cost-effectiveness analysis and traffic and revenue study; limiting the use of funds received under the act to transportation uses; requiring specifications for construction, engineering, maintenance, and law enforcement activities in lease agreements; allowing the department to submit to the Legislative Budget Commission a plan for advancing transportation projects using funds received from a lease; requiring remaining toll revenue to be used in accordance with the lease agreement and s. 338.26, F.S.; confirming the ability of the State Board of Administration to invest in government-owned infrastructure; providing legislative intent relating to road rage and aggressive careless driving; amending s. 316.003, F.S.; defining the term "road rage"; amending s. 316.083, F.S.; requiring an operator of a motor vehicle to yield the left lane when being overtaken on a multilane highway; providing exceptions; amending s. 316.1923, F.S.; revising the number of specified acts necessary to qualify as an aggressive careless driver; providing specified punishments for aggressive careless driving; specifying the allocation of moneys received from the increased fine imposed for aggressive careless driving; amending s. 318.19, F.S.; providing that a second or subsequent infraction as an aggressive careless driver requires attendance at a mandatory hearing; providing for the disposition of the increased penalties; requiring the Department of Highway Safety and Motor Vehicles to provide information about road rage and aggressive careless driving in driver's license educational materials; reenacting s. 316.650(1)(a), F.S., relating to traffic citations, to incorporate the amendments made to s. 316.1923, F.S., in a reference thereto; amending s. 316.0741, F.S.; redefining the term "hybrid vehicle"; authorizing the driving of a hybrid, low-emission, or energy-efficient vehicle in a high-occupancy-vehicle lane regardless of occupancy; authorizing the department to limit or discontinue such driving under certain circumstances; exempting such vehicles from the payment of certain tolls; amending s. 316.193, F.S.; lowering the blood-alcohol or breath-alcohol level for which enhanced penalties are imposed against a person who was accompanied in the vehicle by a minor at the time of the offense; clarifying that an ignition interlock device is installed for a continuous period; amending s. 316.302, F.S.; revising the application of certain federal rules; providing for the department to perform certain duties assigned under federal rules; updating a reference to federal provisions governing out-of-service requirements for commercial vehicles; amending ss. 316.613 and 316.614, F.S.; revising the definition of "motor vehicle" for purposes of child restraint and safety belt usage requirements; amending s. 316.656, F.S.; lowering the percentage of blood or breath alcohol content relating to the prohibition against pleading guilty to a lesser offense of driving under the influence than the offense charged; amending s. 320.03, F.S.; revising the amount of a nonrefundable fee that is charged on the initial and renewal registration for certain automobiles and trucks; amending s. 322.64, F.S.; providing that refusal to submit to a breath, urine, or blood test disqualifies a person from operating a commercial motor vehicle; providing a period of disqualification if a person has an unlawful blood-alcohol or breath-alcohol level; providing for issuance of a notice of disqualification; revising the requirements for a formal review hearing following a person's disqualification from operating a commercial motor vehicle; amending s. 336.41, F.S.; providing that a county, municipality, or special district may not own or operate an asphalt plant or a portable or stationary concrete batch plant having an independent mixer; amending s. 337.11, F.S.; establishing a goal for the procurement of design-build contracts; amending s. 337.18, F.S.; revising the recording requirements of payment and performance bonds; amending s. 337.185, F.S.; providing for maintenance contracts to be included in the types of claims settled by the State Arbitration Board; amending s. 337.403, F.S.; providing for the department or a local governmental entity to pay the costs of removing or relocating a utility that is interfering with the use of a road or rail corridor; amending s. 338.01, F.S.; requiring that newly installed electronic toll collection systems be interoperable with the department's electronic toll collection system; amending s. 338.165, F.S.; providing that provisions requiring the continuation of tolls following the discharge of bond indebtedness does not apply to high-occupancy toll lanes or express lanes; creating s. 338.166, F.S.; authorizing the department to request that bonds be issued which are secured by toll revenues from high-occupancy toll or express lanes in a specified location; providing for the department to continue to collect tolls after discharge of indebtedness; authorizing the use of excess toll revenues for improvements to the State Highway System; authorizing the implementation of variable rate tolls on high-occupancy toll lanes or express lanes; amending s. 338.2216, F.S.; directing the turnpike enterprise to develop new technologies and processes for the collection of tolls and usage fees; prohibiting the enterprise from entering into certain joint contracts for the sale of fuel and other goods; providing an exception; providing restrictions on contracts pertaining to service plazas; amending s. 338.223, F.S.; conforming a cross-reference; amending s. 338.231, F.S.; eliminating reference to uniform toll rates on the Florida Turnpike System; authorizing the department to fix by rule and collect the amounts needed to cover toll collection costs; directing the turnpike enterprise to increase tolls; amending s. 339.12, F.S.; clarifying a provision specifying a maximum total amount of project agreements for certain projects; authorizing the department to enter into certain agreements with counties having a specified maximum population; defining the term "project phase"; requiring that a project or project phase be a high priority of a governmental entity; providing for reimbursement for a project or project phase; specifying a maximum total amount for certain projects and project phases; requiring that such project be included in the local government's adopted comprehensive plan; authorizing the department to enter into long-term repayment agreements up to a specified maximum length; amending s. 339.135, F.S.; revising certain notice provisions that require the Department of Transportation to notify local governments regarding amendments to an adopted 5-year work program; amending s. 339.155, F.S.; revising provisions for development of the Florida Transportation Plan; amending s. 339.2816, F.S., relating to the small county road assistance program; providing for resumption of certain funding for the program; revising the criteria for counties eligible to participate in the program; amending ss. 339.2819 and 339.285, F.S.; conforming cross-references; amending s. 348.0003, F.S.; providing for financial disclosure for expressway, transportation, bridge, and toll authorities; amending s. 348.0004, F.S.; providing for certain expressway authorities to index toll rate increases; repealing part III of ch. 343 F.S.; abolishing the Tampa Bay Commuter Transit Authority; requiring the department to conduct a study of transportation alternatives for the Interstate 95 corridor; amending s. 409.908, F.S.; authorizing the Agency for Health Care Administration to continue to contract for Medicaid nonemergency transportation services in a specified agency service area with managed care plans under certain conditions; amending s. 427.011, F.S.; revising definitions; defining the term "purchasing agency"; amending s. 427.012, F.S.; revising the number of members required for a quorum at a meeting of the Commission for the Transportation Disadvantaged; amending s. 427.013, F.S.; revising responsibilities of the commission; deleting a requirement that the commission establish by rule acceptable ranges of trip costs; removing a provision for functioning and oversight of the quality assurance and management review program; requiring the commission to incur expenses for promotional services and items; amending s. 427.0135, F.S.; revising and creating duties and responsibilities for agencies that purchase transportation services for the transportation disadvantaged; providing requirements for the payment of rates; requiring an agency to negotiate with the commission before procuring transportation disadvantaged services; requiring an agency to identify its

allocation for transportation disadvantaged services in its legislative budget request; amending s. 427.015, F.S.; revising provisions relating to the function of the metropolitan planning organization or designated official planning agency; amending s. 427.0155, F.S.; revising duties of community transportation coordinators; amending s. 427.0157, F.S.; revising duties of coordinating boards; amending s. 427.0158, F.S.; deleting provisions requiring the school board to provide information relating to school buses to the transportation coordinator; providing for the transportation coordinator to request certain information regarding public transportation; amending s. 427.0159, F.S.; revising provisions relating to the Transportation Disadvantaged Trust Fund; providing for the deposit of funds by an agency purchasing transportation services; amending s. 427.016, F.S.; providing for construction and application of specified provisions to certain acts of a purchasing agency in lieu of the Medicaid agency; requiring that an agency identify the allocation of funds for transportation disadvantaged services in its legislative budget request; amending s. 479.01, F.S.; redefining the term "automatic changeable facing" as used in provisions governing outdoor advertising; amending s. 479.07, F.S.; revising the locations within which signs require permitting; providing requirements for the placement of permit tags; requiring the department to establish by rule a service fee and specifications for replacement tags; amending s. 479.08, F.S.; deleting a provision allowing a sign permittee to correct false information that was knowingly provided to the department; requiring the department to include certain information in the notice of violation; amending s. 479.156, F.S.; modifying local government control of the regulation of wall murals adjacent to certain federal highways; amending s. 479.261, F.S.; revising requirements for the logo sign program of the interstate highway system; deleting provisions providing for permits to be awarded to the highest bidders; requiring the department to implement a rotation-based logo program; requiring the department to adopt rules that set reasonable rates based on certain factors for annual permit fees; requiring that such fees not exceed a certain amount for sign locations inside and outside an urban area; amending s. 212.0606, F.S.; providing for the imposition by countywide referendum of an additional surcharge on the lease or rental of a motor vehicle; providing the proceeds of the surcharge to be transferred to the Local Option Fuel Tax Trust Fund and used for the construction and maintenance of commuter rail service facilities; amending s. 341.301, F.S.; providing definitions relating to commuter rail service, rail corridors, and railroad operation for purposes of the rail program within the department; amending s. 341.302, F.S.; authorizing the department to purchase specified property for the purpose of implementing commuter rail service; authorizing the department to assume certain liability on a rail corridor; authorizing the department to indemnify and hold harmless a railroad company when the department acquires a rail corridor from the company; providing allocation of risk; providing a specific cap on the amount of the contractual duty for such indemnification; authorizing the department to purchase and provide insurance in relation to rail corridors; authorizing marketing and promotional expenses; extending provisions to other governmental entities providing commuter rail service on public right-of-way; amending s. 768.28, F.S.; expanding the list of entities considered agents of the state; providing for construction in relation to certain federal laws; authorizing the expenditure of public funds for certain alterations of Old Cutler Road in the Village of Palmetto Bay; requiring the official approval of the Department of State before any alterations may begin; providing an effective date.

REFERENCE CHANGES PURSUANT TO RULE 4.7(2)

By the Committees on Transportation; Community Affairs; and Senator Garcia—

CS for CS for SB 474—A bill to be entitled An act relating to growth management; amending s. 70.51, F.S.; deleting an exemption from the limitation on the frequency of amendments of comprehensive plans; transferring, renumbering, and amending s. 125.379, F.S.; requiring counties to certify that they have prepared a list of county-owned property appropriate for affordable housing before obtaining certain funding; amending s. 163.3174, F.S.; prohibiting the members of the local governing body from serving on the local planning agency; providing an exception; amending s. 163.3177, F.S.; extending the date for local governments to adopt plan amendments to implement a financially feasible capital improvements element; extending the date for prohibiting future land use map amendments if a local government does not adopt and transmit its annual update to the capital improvements element; revising standards for the future land use plan in a local comprehensive plan; including a provision encouraging rural counties to adopt a rural sub-element as part of their future land use plan; revising standards for the housing element of a local comprehensive plan; requiring certain counties to certify that they have adopted a plan for ensuring affordable workforce housing before obtaining certain funding; authorizing the state land planning agency to amend administrative rules relating to planning criteria to allow for varying local conditions; deleting exemptions from the limitation on the frequency of plan amendments; extending the deadline for local governments to adopt a public school facilities element and interlocal agreement; providing legislative findings concerning the need to preserve agricultural land and protect rural agricultural communities from adverse changes in the agricultural economy; defining the term "rural agricultural industrial center"; authorizing a landowner within a rural agricultural industrial center to apply for an amendment to the comprehensive plan to expand an existing center; providing requirements for such an application; providing a rebuttable presumption that such an amendment is consistent with state rule; providing certain exceptions to the approval of such an amendment; deleting provisions encouraging local governments to develop a community vision and to designate an urban service boundary; amending s. 163.31771, F.S.; requiring a local government to amend its comprehensive plan to allow accessory dwelling units in an area zoned for single-family residential use; prohibiting such units from being treated as new units if there is a land use restriction agreement that restricts use to affordable housing; prohibiting accessory dwelling units from being located on certain land; amending s. 163.3178, F.S.; revising provisions relating to coastal management and coastal high-hazard areas; providing factors for demonstrating the compliance of a comprehensive plan amendment with rule provisions relating to coastal areas; amending s. 163.3180, F.S.; revising concurrency requirements; specifying municipal areas for transportation concurrency exception areas; revising provisions relating to the Strategic Intermodal System; deleting a requirement for local governments to annually submit a summary of de minimus records; increasing the percentage of transportation impacts that must be reserved for urban redevelopment; requiring concurrency management systems to be coordinated with the appropriate metropolitan planning organization; revising regional impact proportionate share provisions to allow for improvements outside the jurisdiction in certain circumstances; providing for the determination of mitigation to include credit for certain mitigation provided under an earlier phase, calculated at present value; defining the terms "present value" and "backlogged transportation facility"; revising the calculation of school capacity to include relocatables used by a school district; providing a minimum state availability standard for school concurrency; providing that a developer may not be required to reduce or eliminate backlog or address class size reduction; requiring charter schools to be considered as a mitigation option under certain circumstances; requiring school districts to include relocatables in their calculation of school capacity in certain circumstances; providing for an Urban Placemaking Initiative Pilot Project Program; providing for designating certain local governments as urban placemaking initiative pilot projects; providing purposes, requirements, criteria, procedures, and limitations for such local governments, the pilot projects, and the program; authorizing a methodology based on vehicle and miles traveled for calculating proportionate fair-share methodology; providing transportation concurrency incentives for private developers; providing for recommendations for the establishment of a uniform mobility fee methodology to replace the current transportation concurrency management system; amending s. 163.31801, F.S.; requiring the provision of notice before the imposition of an increased impact fee; providing that the provision of notice is not required before decreasing or eliminating an impact fee; amending s. 163.3184, F.S.; requiring that potential applicants for a future land use map amendment applying to 50 or more acres conduct two meetings to present, discuss, and solicit public comment on the proposed amendment; requiring that one such meeting be conducted before the application is filed and the second meeting be conducted before adoption of the plan amendment; providing notice and procedure requirements for such meetings; requiring that applicants for a plan amendment applying to more than 11 acres but less than 50 acres conduct a meeting before the application is filed and encouraging a second meeting within a specified period before the local government's scheduled adoption hearing; providing for notice of such meeting; requiring that an applicant file with the local government a written certification attesting to certain information; exempting small-scale amendments from requirements related to meetings; revising a time period for comments on plan amendments; revising a time period

for requesting state planning agency review of plan amendments; revising a time period for the state land planning agency to identify written comments on plan amendments for local governments; providing that an amendment is deemed abandoned under certain circumstances; authorizing the state land planning agency to grant extensions; requiring that a comprehensive plan or amendment to be adopted be available to the public; prohibiting certain types of changes to a plan amendment during a specified period before the hearing thereupon; requiring that the local government certify certain information to the state land planning agency; deleting exemptions from the limitation on the frequency of amendments of comprehensive plans; deleting provisions relating to community vision and urban boundary amendments to conform to changes made by the act; amending s. 163.3187, F.S.; limiting the adoption of certain plan amendments to twice per calendar year; limiting the adoption of certain plan amendments to once per calendar year; authorizing local governments to adopt certain plan amendments at any time during a calendar year without regard for restrictions on frequency; deleting certain types of amendments from the list of amendments eligible for adoption at any time during a calendar year; deleting exemptions from frequency limitations; providing circumstances under which small-scale amendments become effective; amending s. 163.3245, F.S.; revising provisions relating to optional sector plans; authorizing all local government to adopt optional sector plans into their comprehensive plan; increasing the size of the area to which sector plans apply; deleting certain restrictions on a local government upon entering into sector plans; deleting an annual monitoring report submitted by a host local government that has adopted a sector plan and a status report submitted by the department on optional sector plans; amending s. 163.3246, F.S.; discontinuing the Local Government Comprehensive Planning Certification Program except for currently certified local governments; retaining an exemption from DRI review for a certified community in certain circumstances; amending s. 163.32465, F.S.; revising provisions relating to the state review of comprehensive plans; providing additional types of amendments to which the alternative state review applies; providing a 30-day period for agency comments begins when the state land planning agency notifies the local government that the plan amendment package is complete; requiring adoption of a plan amendment within 120 days of receipt of agency comments or the plan amendment is deemed abandoned; revising the effective date of adopted plan amendments; providing procedural rulemaking authority to the state land planning agency; amending s. 163.340, F.S.; defining the term "blighted area" to include land previously used as a military facility; renumbering and amending s. 166.0451, F.S.; requiring municipalities to certify that they have prepared a list of county-owned property appropriate for affordable housing before obtaining certain funding; amending s. 253.034, F.S.; requiring that a manager of conservation lands report to the Board of Trustees of the Internal Improvement Trust Fund at specified intervals regarding those lands not being used for the purpose for which they were originally leased; requiring that the Division of State Lands annually submit to the President of the Senate and the Speaker of the House of Representatives a copy of the state inventory identifying all nonconservation lands; requiring the division to publish a copy of the annual inventory on its website and notify by electronic mail the executive head of the governing body of each local government having lands in the inventory within its jurisdiction; amending s. 288.975, F.S.; deleting exemptions from the frequency limitations on comprehensive plan amendments; amending s. 380.06, F.S.; providing a 3-year extension for the buildout, commencement, and expiration dates of developments of regional impact and Florida Quality Developments, including associated local permits; providing an exception from development-of-regional-impact review; amending s. 380.0651, F.S.; providing an exemption from development-of-regional impact review; amending s. 1002.33, F.S.; restricting facilities from providing space to charter schools unless such use is consistent with the local comprehensive plan; prohibiting the expansion of certain facilities to accommodate for a charter school unless such use is consistent with the local comprehensive plan; creating s. 1011.775, F.S.; requiring that each district school board prepare an inventory list of certain real property on or before a specified date and at specified intervals thereafter; requiring that such list include certain information; requiring that the district school board review the list at a public meeting and make certain determinations; requiring that the board state its intended use for certain property; authorizing the board to revise the list at the conclusion of the public meeting; requiring that the board adopt a resolution; authorizing the board to offer certain properties for sale and use the proceeds for specified purposes; authorizing the board to make the property available for the production and preservation of permanent affordable housing; defining the term "affordable" for specified purposes; repealing s. 339.282, F.S., relating to transportation concurrency incentives; amending s. 1013.372, F.S.; requiring that certain charter schools serve as public shelters at the request of the local emergency management agency; amending ss. 163.3217, 163.3182, and 171.203, F.S.; deleting exemptions from the limitation on the frequency of amendments of comprehensive plans; providing an effective date.

—was placed on the Calendar.

By the Committee on Finance and Tax; and Senator Saunders—

CS for SB 1552—A bill to be entitled An act relating to Everglades restoration bonds; amending s. 215.619, F.S.; extending the period during which such bonds may be issued each fiscal year; providing an effective date.

—was placed on the Calendar.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

FIRST READING

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has passed CS for HB 219, HB 489, CS for HB 623, CS for HB 743, CS for HB 799, CS for HB 987, CS for HB 1313, CS for HB 7105; has passed as amended CS for HB 69, CS for HB 137, CS for HB 165, CS for CS for HB 1167, CS for HB 1203, CS for HB 1373, HB 1489, HB 7067, CS for HB 7087, HB 7137 and requests the concurrence of the Senate.

William S. Pittman III, Chief Clerk

By the Environment and Natural Resources Council; and Representative Domino and others—

CS for HB 219—A bill to be entitled An act relating to the Gertrude Maxwell Save a Pet Act; providing a short title; creating s. 570.97, F.S.; creating a direct-support organization for the Department of Agriculture and Consumer Services; providing for the organization and operation of the direct-support organization; providing for the purpose of the direct-support organization; providing for the membership of the board of directors; providing for honorary board members of the direct-support organization; providing for appointment of Gertrude Maxwell or her designee as the first honorary board member of the direct-support organization; providing an effective date.

—was referred to the Committees on Agriculture; and Governmental Operations.

By Representative Jenne and others—

HB 489—A bill to be entitled An act relating to sexual violence; amending s. 741.313, F.S.; defining the term "sexual violence"; providing specified employee leave benefits to employees who are victims of sexual violence or who have a family or household member who is a victim of sexual violence; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Commerce; Governmental Operations; and Judiciary.

By the Schools and Learning Council; and Representative Kendrick and others—

CS for HB 623—A bill to be entitled An act relating to school food service programs; amending s. 1006.06, F.S.; requiring school breakfast programs in middle and high schools; providing procedures for school breakfast programs; specifying requirements for setting prices of breakfast meals; requiring district school boards to consider policies for the provision of universal-free school breakfast meals in certain schools;

requiring information to be communicated to students and parents; clarifying the allocation of funds for school breakfast programs; directing the Office of Program Policy Analysis and Government Accountability to submit a report on school district food service programs; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Children, Families, and Elder Affairs; and Education Pre-K - 12 Appropriations.

By the Jobs and Entrepreneurship Council; and Representative Lopez-Cantera and others—

CS for HB 743—A bill to be entitled An act relating to mortgage fraud; creating s. 193.133, F.S.; requiring law enforcement agencies to notify property appraisers of incidents of mortgage fraud under certain circumstances; authorizing property appraisers to adjust property assessments under certain circumstances; requiring property appraisers to reassess certain properties under certain circumstances; amending s. 817.545, F.S.; providing an increased penalty for certain types of mortgage fraud; providing an effective date.

—was referred to the Committees on Community Affairs; Criminal Justice; Judiciary; and Finance and Tax.

By the Safety and Security Council; and Representative Adams and others—

CS for HB 799—A bill to be entitled An act relating to the theft of copper or other nonferrous metals; creating s. 812.145, F.S.; providing definitions; providing that it is a felony of the first degree to knowingly and intentionally take copper or other nonferrous metal from a utility or communications services provider, thereby causing damage to the facilities of a utility or communications services provider or interrupting or interfering with utility or communications services; providing criminal penalties; providing an effective date.

—was referred to the Committees on Communications and Public Utilities; Commerce; Criminal Justice; and Criminal and Civil Justice Appropriations.

By the Economic Expansion and Infrastructure Council; and Representative Culp and others—

CS for HB 987—A bill to be entitled An act relating to cultural and historical programs; creating s. 265.7025, F.S.; providing definitions; amending s. 265.703, F.S.; providing for more than one citizen support organization; adding historical and museum programs to those programs that can be assisted by the citizen support organizations of the Division of Cultural Affairs of the Department of State; revising the name of the trust fund into which funds are deposited; providing that information of the citizen support organization for the Museum of Florida History which is confidential and exempt pursuant to s. 267.17, F.S., retains its status; creating s. 265.704, F.S.; providing powers and duties of the Division of Cultural Affairs related to historical museums; creating s. 265.705, F.S.; providing state policy relating to historic properties; creating s. 265.706, F.S.; authorizing the division to acquire, maintain, preserve, interpret, exhibit, and make available for study certain objects having historical or archaeological value; vesting title of such objects in the division; requiring maintenance of records; requiring inventory of objects of specified value; authorizing the division to loan, exchange, sell, or otherwise transfer certain objects; providing exemptions from ch. 273, F.S.; providing for deposit and use of funds; requiring the adoption of rules; providing a penalty for certain violations by a custodian; providing for insuring of certain items; amending and renumbering s. 267.072, F.S., relating to the Museum of Florida History and its programs; transferring the responsibility for and administration of the Museum of Florida History, its programs, and the citizen support organization for the museum from the Division of Historical Resources to the Division of Cultural Affairs; providing for the operation of additional stores associated with the Museum of Florida History; authorizing the Division of Cultural Affairs to operate other historical museums; conforming provisions to changes made by the act; amending and renumbering s. 267.0619, F.S., relating to historical museum grants under the Division of Historical Resources of the Department of State; transferring the grant program to the Division of Cultural Affairs; conforming provisions to changes made by the act; providing that a for-profit corporation, partnership, or organization is ineligible for receipt of such grants; creating s. 265.709, F.S.; authorizing the Division of Cultural Affairs to promote and encourage the writing of Florida history through certain activities; authorizing the collecting, editing, and publishing of documents related to Florida history; authorizing the division to establish a reasonable charge for such publications; providing for such proceeds to be deposited in the Grants and Donations Trust Fund or certain separate depository accounts; amending s. 267.0612, F.S.; providing a uniform starting date for all appointments to the Florida Historical Commission; amending s. 267.071, F.S.; removing the Museum of Florida History as one of the historical museums that the Division of Historical Resources is required to encourage, promote, maintain, and operate; amending s. 267.0731, F.S.; adding representatives of the Secretary of State to the list of representatives on the ad hoc committee responsible for making recommendations for Great Floridian nominations; deleting references to the citizen support organization for the Museum of Florida History; deleting responsibilities of the Museum of Florida History; requiring the Department of State to be the repository of certain films or videotapes produced concerning a Great Floridian as well as certain items related to such productions; repealing s. 267.174, F.S., relating to the Discovery of Florida Quincentennial Commemoration Commission; amending s. 272.129, F.S.; authorizing a citizen support organization for the Legislative Research Center and Museum at the Historic Capitol, which is known as the "center"; requiring the citizen support organization to be a corporation not for profit; authorizing the citizen support organization to perform certain tasks for the direct and indirect benefit of the center; authorizing the center to prescribe conditions with which the citizen support organization must comply in order to use fixed property or facilities of the center; prohibiting the center from permitting a citizen support organization to use the center's facilities under certain conditions; requiring that the citizen support organization provide for an annual audit; providing that records of the organization are public records; requiring that certain funds be deposited into the account of the citizen support organization; providing for reversion of funds to the state under certain circumstances; providing an effective date.

—was referred to the Committees on Governmental Operations; and Transportation and Economic Development Appropriations.

By the Schools and Learning Council; and Representative Precourt—

CS for HB 1313—A bill to be entitled An act relating to students with disabilities; amending ss. 1002.33, 1002.39, 1003.01, 1003.21, and 1003.438, F.S., relating to charter schools, the John M. McKay Scholarships for Students with Disabilities Program, school attendance, and high school graduation requirements; revising the terminology used to identify students with certain disabilities; authorizing the State Board of Education to adopt rules for eligibility of certain children with disabilities for admission to special programs and related services; removing authority of district school boards to adopt such rules; amending ss. 1007.02, 1007.264, and 1007.265, F.S., relating to postsecondary education; revising the terminology used to identify students with intellectual, emotional, or behavioral disabilities; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Higher Education; and Education Pre-K - 12 Appropriations.

By the Policy and Budget Council; Schools and Learning Council; and Representative Pickens—

CS for HB 7105—A bill to be entitled An act relating to postsecondary distance learning; establishing the Florida Distance Learning Task Force; providing for membership; requiring the task force to submit a report containing certain recommendations to the Governor, the Legislature, and certain entities by a specified date; providing for future expiration; creating s. 1004.09, F.S.; establishing the Florida Higher Education Distance Learning Catalog; requiring that the Florida Distance Learning Consortium establish guidelines and procedures and provide information on certain requirements and information relating to distance learning courses and degree programs; requiring that the catalog include an Internet-based analytic tool that collects and analyzes certain

data; amending s. 1009.23, F.S.; exempting a distance learning course from laboratory fees; authorizing the State Board of Education to adopt rules; authorizing a community college to assess a student enrolled in a course listed in the catalog a per-credit-hour user fee; requiring that such fee not exceed a certain amount; prohibiting the assessment of other fees if the distance learning course user fee is assessed; requiring that the board of trustees report to the Division of Community Colleges the total amount of revenue generated by such fee for the preceding year and how such fee was expended; requiring that the link for the catalog be prominently displayed on the institution's website; amending s. 1009.24, F.S.; authorizing a state university to assess a per-credit-hour distance learning course fee; requiring that such fee not exceed a certain amount; prohibiting the state university from assessing duplicative fees to cover the same additional costs; requiring that the link to the catalog be prominently displayed on the institution's website; providing an effective date.

—was referred to the Committees on Health and Human Services Appropriations; and Higher Education.

By the Economic Expansion and Infrastructure Council; and Representative Patterson and others—

CS for HB 69—A bill to be entitled An act relating to license plates; amending s. 320.06, F.S.; requiring counties to issue license plates with either the name of the county in which the plate is sold, the state motto, or the words "Sunshine State," printed on the plate; providing conditions; providing an effective date.

—was referred to the Committees on Transportation; Community Affairs; and Transportation and Economic Development Appropriations.

By the Economic Expansion and Infrastructure Council; and Representative Lopez-Cantera—

CS for HB 137—A bill to be entitled An act relating to operating a motor vehicle; creating s. 316.1926, F.S.; creating additional offenses regarding motor vehicle operation; amending s. 316.2085, F.S.; requiring an operator of a motorcycle or moped to maintain both wheels on the ground at all times; requiring that the license tag of a motorcycle or moped be affixed horizontally; amending s. 318.14, F.S.; providing additional penalties for certain offenses; providing for a specified fine and revocation of the person's privilege to operate a motor vehicle; providing an effective date.

—was referred to the Committees on Transportation; Criminal Justice; and Criminal and Civil Justice Appropriations.

By the Government Efficiency and Accountability Council; and Representative Bean—

CS for HB 165—A bill to be entitled An act relating to agency inspectors general; amending s. 20.055, F.S.; providing definitions; requiring agency inspectors general to comply with certain principles and standards; requiring an inspector general to submit findings of audits and investigations to specified persons or entities if such findings are not exempt from disclosure; requiring responses to findings within 20 working days; requiring agencies under the Governor to notify the Chief Inspector General of inspector general appointments and terminations; prohibiting agency staff from preventing or prohibiting the inspector general from initiating, carrying out, or completing any audit or investigation; requiring audits to be conducted in accordance with the current International Standards for the Professional Practice of Internal Auditing; requiring the inspector general of each state agency to report certain written complaints to the agency head, and for agencies under the Governor, to the agency head and the Chief Inspector General; providing an effective date.

—was referred to the Committees on Governmental Operations; and General Government Appropriations.

By the Policy and Budget Council; Jobs and Entrepreneurship Council; and Representative Legg—

CS for CS for HB 1167—A bill to be entitled An act relating to the Reduced Cigarette Ignition Propensity Standard and Firefighter Protection Act; creating s. 633.042, F.S.; providing a short title; providing legislative findings and intent; providing definitions; providing cigarette testing methods and performance standards; providing specific testing criteria; requiring manufacturers to provide certain written certification; requiring cigarettes to be marked in specific manners; providing for alternative testing methods under certain circumstances; providing reporting requirements; providing the Division of Alcoholic Beverages and Tobacco and the State Fire Marshal with certain powers and responsibilities; providing certification requirements for manufacturers; providing requirements for the marking of certain cigarette packaging; providing reporting requirements; providing approval requirements for markings submitted to the division by a manufacturer; providing notification requirements; providing fines and penalties; providing the division and the State Fire Marshal with rulemaking authority; authorizing certain governmental entities with inspection powers to examine specified documents of any person in possession, control, or occupancy of any premises where cigarettes are placed, stored, sold, or offered for sale, as well as the stock of cigarettes on the premises; providing that nothing in the act shall be construed to prohibit any person or entity from manufacturing or selling cigarettes that do not meet the specified requirements if such cigarettes are or will be stamped for sale in another state or are packaged for sale outside the United States; providing for repeal upon the enactment of a preemptive federal standard; prohibiting local government units from enacting and enforcing any ordinance or other local law or regulation that conflicts with, or is preempted by, any provision of the act; providing effective dates.

—was referred to the Committees on Regulated Industries; Judiciary; and General Government Appropriations.

By the Schools and Learning Council; and Representative Proctor and others—

CS for HB 1203—A bill to be entitled An act relating to the Interstate Compact on Educational Opportunity for Military Children; creating s. 1000.36, F.S.; directing the Governor to execute the Interstate Compact on Educational Opportunity for Military Children on behalf of this state with any other state or states legally adopting the compact; providing definitions; providing applicability; providing for the transfer of education records from a sending to a receiving state; requiring that children of military personnel be enrolled in classes at current grade level; providing for eligibility for graduation; providing for a state council to coordinate agencies and schools; providing for membership on the council; creating the Interstate Commission on Educational Opportunity for Military Children; providing for membership, organization, meetings, operations, powers, and duties; creating an executive committee; requiring the commission to adopt rules; providing for a legal challenge to the adopted rules; providing for oversight, enforcement, and dispute resolution; providing procedures to suspend or terminate member states; authorizing the commission to levy and collect an annual assessment from each member state; providing the method for the compact to become effective and binding on the member states; providing procedures for the withdrawal of a member state; providing severability; providing for the effect of the compact on member states' laws; creating s. 1000.37, F.S.; requiring the Secretary of State to furnish a copy of the enrolled act enacting the Interstate Compact on Educational Opportunity for Military Children to each of the states approving the compact; creating s. 1000.38, F.S.; authorizing the designation of a Compact Commissioner and a Military Family Education Liaison by the Governor; creating s. 1000.39, F.S.; creating the State Council on Interstate Educational Opportunity for Military Children; providing purpose and membership; prohibiting compensation; authorizing reimbursement for per diem and travel expenses; providing for public records and open meetings; requiring the Department of Education to provide administrative support; prescribing procedures if the council is abolished; providing for future legislative review and repeal of the act; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Military Affairs and Domestic Security; and Education Pre-K - 12 Appropriations.

By the Economic Expansion and Infrastructure Council; and Representative Altman and others—

CS for HB 1373—A bill to be entitled An act relating to the qualified defense contractor tax refund program; amending s. 288.1045, F.S.; revising definitions to include space flight businesses and space flight contracts; specifying a methodology and amounts for tax refund payments to qualified defense contractor businesses; revising provisions authorizing qualified applicants to receive refunds of certain taxes; revising application process requirements to include space flight businesses and contracts; revising information requirements for applications for certain qualified applicant certifications; providing employment requirements for space flight business contracts; specifying required information for applications for certification under space flight business contracts; including space flight businesses under provisions authorizing annual claims for refund; revising limitations on payments of tax refunds; revising certain required reductions of amounts of tax refunds; deleting a reporting requirement of tax refunds paid and use of appropriations expended; extending an expiration date; amending ss. 14.2015 and 213.053, F.S.; conforming program references; providing an effective date.

—was referred to the Committees on Commerce; Finance and Tax; and Transportation and Economic Development Appropriations.

By Representative Patterson and others—

HB 1489—A bill to be entitled An act relating to residential tenancies; amending s. 83.43, F.S.; redefining the term "rental agreement"; defining the term "early termination fee"; amending s. 83.595, F.S.; allowing a landlord to terminate a rental agreement and recover liquidated damages or charge the tenant an early termination fee for breach of the agreement, or both, under certain circumstances; requiring the tenant to indicate acceptance of an early termination fee or liquidated-damages provision in the rental agreement in order for the provision to take effect; providing a limit on the combined total of damages and fees; providing liability of the tenant for rent, other charges due, and rental concessions; providing an effective date.

—was referred to the Committees on Regulated Industries; and Judiciary.

By the Schools and Learning Council; and Representative Pickens and others—

HB 7067—A bill to be entitled An act relating to virtual education; amending s. 1000.04, F.S.; providing that K-8 virtual schools are public K-12 schools; amending ss. 1002.20 and 1002.31, F.S.; providing that K-8 virtual schools are a public school choice option; amending s. 1002.415, F.S.; establishing the school district K-8 Virtual School Program; requiring school districts to offer a K-8 Virtual School Program beginning with the 2009-2010 school year; authorizing school districts to offer such program for the 2008-2009 school year; authorizing the provision of specified online instruction to students in grades 6 through 8 through a franchise agreement with the Florida Virtual School; specifying qualifications for and requiring Department of Education approval of contracted providers; requiring department approval for district programs; specifying requirements for a K-8 virtual school relating to employees, curriculum, equipment, and fees; requiring specified capacity and limiting future enrollment increases; providing student eligibility and enrollment requirements; requiring student compliance with specified attendance provisions; requiring students to take state assessment tests; providing funding through the Florida Education Finance Program for district K-8 Virtual School Programs; requiring K-8 virtual schools to participate in the state assessment program and education performance accountability system and receive school grades; requiring school improvement plans for schools that receive specified grades; requiring annual department review and reporting of student performance; specifying reasons for nonrenewal or termination of provider contracts; providing for continuation of existing K-8 virtual schools under contract with the department for specified students; providing requirements for the funding of such schools; requiring rulemaking; providing for application of section; amending s. 1003.01, F.S.; amending the definition of the term "core-curricula courses" to exclude Florida Virtual School and K-8 Virtual School Program courses; amending s. 1011.61, F.S.; defining a K-8 virtual school full-time equivalent student; providing effective dates.

—was referred to the Committee on Education Pre-K - 12 Appropriations.

By the Policy and Budget Council; Safety and Security Council; and Representative Needelman and others—

CS for HB 7087—A bill to be entitled An act relating to juvenile justice; amending s. 29.008, F.S.; conforming cross-references; amending s. 790.22, F.S.; revising provisions relating to community service programs; amending s. 939.185, F.S.; providing diversion options for specified youth; amending s. 943.053, F.S.; revising provisions relating to dissemination of criminal justice information; amending s. 943.0585, F.S., relating to court-ordered expunction of criminal history records, to revise a reference; amending s. 984.05, F.S.; revising terminology applicable to rules relating to habitual truants; amending s. 984.09, F.S.; deleting duplicative provisions relating to contempt of court and alternative sanctions; amending s. 985.02, F.S.; providing diversion options for specified youth; amending s. 985.03, F.S.; defining the term "ordinary medical care"; amending and redesignating provisions of s. 985.037, F.S.; relating to alterative sanctions; creating s. 985.0375, F.S.; providing for alternative sanctions; amending s. 985.04, F.S.; providing that confidential information obtained during an official's service with juvenile delinquents may be shared with authorized personnel of the Department of Children and Family Services; amending s. 985.245, F.S.; providing additional representatives to the committee developing a risk assessment instrument; providing an additional factor to be considered in a risk assessment instrument; providing for periodic evaluation of risk assessment instruments; amending s. 985.265, F.S.; providing an exception in direct supervision housing for supervision and monitoring of children in a jail or other adult facility; creating s. 985.438, F.S.; providing for commitment alternatives; providing for the Redirection Program; providing eligibility for participation; requiring maintenance of data for program evaluation; amending s. 985.601, F.S.; requiring the Department of Juvenile Justice to adopt rules to establish procedures to provide ordinary medical care, mental health, substance abuse, and developmental disabilities services to youth within the juvenile justice continuum; requiring that certain rulemaking be coordinated with other agencies; requiring counties with non-state-funded delinquency programs for youth to provide diversion options for certain youth in order to participate in a specified delinquency diversion program; amending s. 985.606, F.S.; revising provisions relating to data collection; amending s. 985.632, F.S.; providing for a demonstration project using outcome-based contracts; requiring a report; amending s. 985.644, F.S.; removing the reference to the Department of Children and Family Services as it relates to contracting for certain services; revising provisions relating to the contracting powers of the Department of Juvenile Justice; amending s. 985.66, F.S.; transferring the responsibility for the juvenile justice training program from the Juvenile Justice Standards and Training Commission to the Department of Juvenile Justice; conforming provisions; requiring the department to adopt rules; defining the term "delinquency program staff"; amending s. 985.664, F.S.; revising provisions relating to juvenile justice circuit boards and juvenile justice county councils to provide references to the Children and Youth Cabinet; providing additional duties for councils and boards; revising provisions concerning membership of boards and councils; requiring the secretary of the department to meet with the chair of the juvenile justice circuit boards and the Children and Youth Cabinet at least annually for specified purposes; amending s. 985.668, F.S.; including juvenile justice county councils in provisions relating to innovation zone proposals; amending s. 985.676, F.S.; deleting a limit on renewals of annual community juvenile justice partnership grants; providing priority for funding certain applications; amending s. 985.721, F.S.; conforming a cross-reference; creating s. 1006.125, F.S.; requiring referral to law enforcement of serious offenses; providing for reimbursement of secure detention costs in certain circumstances; providing a limit on such reimbursements; amending s. 1006.13, F.S.; revising provisions relating to school policies concerning crime and victimization to remove references to zero tolerance; providing for consideration of certain provider types relating to services for children in need of services and families in need of services; providing an appropriation; providing effective dates.

—was referred to the Committees on Criminal Justice; Judiciary; and Criminal and Civil Justice Appropriations.

By the Safety and Security Council; and Representative Adams—

HB 7137—A bill to be entitled An act relating to the Department of Corrections; amending s. 921.187, F.S.; deleting certain provisions limiting circumstances under which an offender may be placed in community control; amending s. 943.16, F.S.; eliminating provisions requiring that a law enforcement officer reimburse the employing agency for wages and benefits paid by the employing agency if the officer terminates employment before the end of a 2-year commitment period; eliminating wages and benefits from the costs that employing agencies may recover; eliminating the definition of the term "academy training period"; amending s. 944.1905, F.S.; authorizing the department to assign certain young adult offenders to a facility for youthful offenders until the offender reaches a specified age; deleting provisions requiring that certain young adult offenders be housed and provided certain services separately from older offenders; amending s. 944.47, F.S.; providing that a cellular telephone or other portable communication device that is introduced inside the secure perimeter of a state correctional institution without prior authorization is contraband; prohibiting an inmate or other person upon the grounds of the institution from possessing such contraband without authorization; providing a definition; providing criminal penalties; amending s. 948.01, F.S.; deleting the requirement that a court using a specified alternative to a sentence of incarceration require the Department of Corrections to provide certain notifications; amending s. 948.10, F.S.; deleting a requirement that community control programs and manuals be developed in consultation with the Florida Conference of Circuit Court Judges and the State Courts Administrator; deleting the prohibition on sentencing offenders convicted of certain forcible felonies to community control; deleting requirements for the department in developing and implementing community control programs, resource directories, and training programs; deleting a requirement for the Florida Court Education Council and the State Courts Administrator to coordinate certain resources for judges pertaining to community control; eliminating provisions governing review and notice by the department of offenders ineligible for community control and requiring the department to develop a caseload equalization strategy; conforming provisions to deletion of the prohibition on sentencing offenders convicted of certain forcible felonies to community control; amending s. 958.04, F.S.; authorizing the court to sentence a person as a youthful offender if the offender is younger than 21 years of age at the time sentence is imposed; requiring the Department of Corrections to adopt by rule criteria to define successful participation in the youthful offender program; amending s. 958.11, F.S.; removing the specific designation of youthful offender facilities for housing female offenders; revising requirements for the department with respect to assigning or transferring youthful offenders; removing references to the Assistant Secretary for Youthful Offenders; amending s. 958.12, F.S.; removing the requirement for a youthful offender to be visited by a probation and parole officer before release; removing the requirement for the department to develop community partnerships with the Department of Labor and Employment Security and the Department of Children and Family Services and including private agencies as possible partners in such partnerships; amending s. 945.41, F.S.; eliminating a requirement that the Department of Corrections contract with the Department of Children and Family Services to provide certain mental health services; authorizing the Department of Corrections to contract with other entities or persons to provide mental health services to inmates; amending s. 945.42, F.S.; revising definitions and defining the term "crisis stabilization care"; amending s. 945.43, F.S.; revising the procedures for placing an inmate in a mental health treatment facility; authorizing the court to waive the presence of the inmate at the hearing on the inmate's placement; amending s. 945.44, F.S.; providing for the emergency placement of an inmate in a mental health treatment facility; amending s. 945.45, F.S.; revising the provisions governing the continued placement of an inmate in a mental health treatment facility; authorizing an administrative law judge to appoint a private pro bono attorney to represent an inmate in continued placement hearings; providing that the administrative law judge may waive the presence of the inmate at the hearing under certain conditions; amending s. 945.46, F.S.; authorizing the warden to initiate procedures for the involuntary examination of an inmate who has a mental illness and meets certain criteria; amending s. 945.47, F.S.; providing for the transfer of an inmate who is no longer in need of mental health treatment; deleting certain provisions governing involuntary placement; requiring that a summary of the inmate's treatment be provided to the Parole Commission and the Department of Children and Family Services upon request; amending s. 945.48, F.S.; revising the procedure for the involuntary mental health treatment of an inmate; providing for the warden of the institution containing the mental health treatment facility to petition the circuit court for an order authorizing involuntary treatment; providing requirements for the hearing on involuntary treatment; limiting the period that an order authorizing involuntary treatment is effective; providing a procedure for emergency treatment; amending s. 945.49, F.S.; deleting a provision requiring that training provided to correctional officers employed by a mental health treatment facility be in accordance with the requirements of the Criminal Justice Standards and Training Commission; deleting a requirement that a specified number of administrative law judges be assigned to conduct hearings on continued placement of inmates; requiring that inmates receiving mental health treatment be subject to the same standards applied to other inmates in the department; providing an effective date.

—was referred to the Committees on Criminal Justice; Children, Families, and Elder Affairs; Judiciary; and Criminal and Civil Justice Appropriations.

ENROLLING REPORTS

CS for SB 34 has been enrolled, signed by the required Constitutional Officers and presented to the Governor on April 25, 2008.

Faye W. Blanton, Secretary

CORRECTION AND APPROVAL OF JOURNAL

The Journal of April 24 was corrected and approved.

CO-INTRODUCERS

Senators Bullard—CS for CS for SB 544, CS for SB 1706; Deutch—CS for CS for SB's 1094 and 326; Dockery—CS for CS for SB 1732; Joyner—CS for SB 994

RECESS

On motion by Senator King, the Senate recessed at 12:11 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 3:00 p.m., Monday, April 28 or upon call of the President.

REGULAR SESSION

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(To Obtain the Number of a Bill, see Subject Index.)

Abbreviations:

BA — Bill Action
Ch. — Chapter Number, Bill Passed
CO — Co-Introducers
CR — Committee Report
CS — Committee Substitute
FR — First Reading
MO — Motion
RC — Reference Change
Boldfaced Page Numbers — Passage of Bill

Types of Bills:

SB/HB — Senate/House Bill
SCR/HCR — Senate/House Concurrent Resolution
SJR/HJR — Senate/House Joint Resolution
SM/HM — Senate/House Memorial
SR — Senate Resolution

Final Disposition:

Adopted
CSP — Companion or Similar Bill Passed
DCC — Died in Conference Committee
DCH — Died on House Calendar
DCS — Died on Senate Calendar
DHC — Died in House Committee
DM — Died in Messages
DNI — Died, Not Introduced
DSC — Died in Senate Committee
FPH — Failed to Pass House
FPS — Failed to Pass Senate
LTH — Laid on Table in House
LTS — Laid on Table in Senate
Passed
UHC — Unfavorable Report, House Committee
USC — Unfavorable Report, Senate Committee
Vetoed
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WS — Withdrawn from the Senate

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86 Sales Tax Exemption/Hurricane Preparedness Items (Baker and others) (FR)10, (CO)282, (CO)331, (CO)1261, (CO)1719 DSC
88 School Safety/Bullying and Harassment (Baker and others) (FR)10, (CO)331, (CO)415, (CO)1261 DSC/CSP-HB 669
90 United States Flag Display/Local Ordinances (Saunders and others) (FR)10, (CO)1261 DSC
92 Persons Injured by Crime/Medical Treatment (Judiciary and others) (FR)10, (CS)123, (CR)130, (CR)131, (CO)415, (CR)618, (BA)678, (CR)686, (BA)**706**, (CO)781, 1261 Ch. 2008-208
94 Safety Belt Law Enforcement (Rich and others) (FR)10, (CO)282, (CO)331, (CO)781 DSC
96 Marital Assets and Liabilities (Aronberg) (FR)10, (CR)287, (BA)422, (CR)424, (BA)**453**, 825 DM
98 Testing for Infectious Diseases/Juvenile Centers (Wilson) (FR)10 DSC
SJR
100 Clemency/Restoration of Civil Rights (Wilson and others) (FR)10, (CO)448 DSC
SB
102 Pub. Rec./Juveniles/Blood Test Results/DJJ (Wilson) (FR)10 DSC
104 School Wellness and Physical Education Policies (Wilson) (FR)11 DSC
106 FRS/Special Risk Class Credit Purchase (Fasano) (FR)11 DSC
108 Service-disabled Veteran Business Enterprises (Governmental Operations and others) (FR)11, (CS)123, (CR)131, (CO)282, (CO)331, (CR)391, (CS/CS)392, (CO)415, (CR)618, (BA)720, (CR)751 LTS/CSP-CS/HB 687
SR
110 Disability History and Awareness Weeks (Fasano and others) (CO)331, (FR)**380** Adopted
SB
112 Student Voter Education Program (Fasano and others) (FR)11, (CO)254, (CR)260 DSC
114 Decorated Combat Vets/Repayment of Student Loans (Fasano and others) (FR)11, (MO)198 WS
116 Electronic Monitoring/Lost Persons (Criminal Justice and others) (FR)11, (CR)130, (CR)162, (CS)165, (CO)331, (CO)415 DSC
118 Qualified Blind Trusts/Public Officials (Fasano) (FR)11 DSC
120 Residential Property Just Valuation (Fasano) (FR)11, (MO)198 WS
122 Personal Identification Information/Criminal Use (Fasano) (FR)11, (MO)198 WS
124 Aliens/Unauthorized Employment (Fasano and others) (FR)11, (MO)198 WS
126 Bishop Victor Tyrone Curry Boulevard/Miami-Dade (Wilson) (FR)12 DSC/CSP-CS/SB 1604
128 AIDS Education Grants in Public Schools (Wilson) (FR)12 DSC
130 School-based Health Centers (Wilson) (FR)12 DSC
SJR
132 Commissioner of Education/Elected Cabinet Member (Wilson) (FR)12 DSC
SB
134 Elections/Qualifying Fee for Write-in Candidates (Wilson) (FR)12 DSC
136 Child Care Personnel Training/Domestic Violence (Wilson) (FR)12 DSC
138 Imitation Firearms (Wilson) (FR)12 DSC
140 Juvenile Proceedings/Use of Restraints on a Child (Wilson) (FR)12 DSC
142 Racial Profiling/Complaint Against Law Enforcement (Wilson and others) (FR)12, (CO)448, (CO)532 DSC
144 Female Inmates Who are Parents of Minor Children (Wilson) (FR)12 DSC
SR
146 Chronic Kidney Disease Awareness Day (Wilson) (FR)283, **284** Adopted
SB
148 Voluntary Prekindergarten Education Program (Wilson) (FR)13 DSC
150 Miccosukee Tribe of Indians/State Jurisdiction (Wilson) (FR)13 DSC
152 Mandatory Employee Paid Sick Leave (Wilson) 13 WNI/CSP-HB 489
SB
154 Pedestrian Safety/Driver Requirements (Fasano and others) (FR)13, (CR)131, (CO)168, (BA)195, (CR)247, (BA)**256**, 1094 Ch. 2008-33
156 Insurance Fraud/Motor Vehicles/Specialty Clinics (Garcia) 13 WNI
158 Public Schools/Reading Lab for Grades 1-3 (Wilson) (FR)13 DSC
160 Sports Franchises (Diaz de la Portilla) (FR)13 DSC
162 Veterans' In-state Tuition (Crist and others) (FR)13 DSC
164 Mental/Nervous/Substance Disorders/Insurance (Health Policy and others) (FR)13, (CR)169, (CO)331, (CR)345, (CS)347, (CO)415, (CO)497 DSC
166 Official Orchestra Designation (Crist) (FR)13 DSC
SR
168 Minority Cancer Awareness Week (Wilson) (FR)**499** Adopted
SB
170 Not Used
SJR
172 Teachers/Beginning and Average Salaries (Wilson and others) (FR)13, (CO)448 DSC
SB
174 Infant Eye Care/Mandatory Examinations (Wilson) (FR)14 DSC
176 School Nurse Services (Wilson) (FR)14 DSC
178 Motor Vehicle Insurance/Foster Children (Wilson) 14 WNI
180 Teachers/Public School/Cost-of-Living Increase (Wilson) (FR)14 DSC
182 Prisoners/Sexual Barrier Protection Devices (Wilson) (FR)14 DSC
184 Telecommunications Svc. Contracts/Written Consent (Garcia) (FR)14, (MO)616 WS
186 University of South Florida Polytechnic (Alexander and others) (FR)14, (CR)287, (CO)415, (CR)478, (BA)747, (CR)751, (BA)**791**, 1094 Ch. 2008-97
188 Elderly or Disabled/Criminal Offenses Against (Fasano and others) (FR)14, (CO)331 DSC
190 Small Business Health Care Insurance Assistance (Fasano and others) (FR)14 DSC
192 State Parks (Environmental Preservation and Conservation and others) (FR)14, (CR)170, (CS)185, (CR)345, (CO)415, (BA)423, (CR)424, (BA)**454**, 825, 979 Ch. 2008-98
194 Students Withdrawing from School (Wilson) (FR)15 DSC
196 Miami-Dade County Foster Care Pilot Program (Wilson) (FR)15 DSC
198 HIV Testing in Prisons (Wilson) (FR)15 DSC
200 Adoption (Rich and others) (FR)15, (CO)331 DSC
202 DNA Testing of Mentally Incompetent Offenders (Lynn) (FR)15 DSC
204 Health Insurance for Dependent Children (Lynn) (FR)15 DSC/CSP-CS/CS/SB 2534
206 Construction Licensing Exemptions (Lynn) (FR)15 DSC
SR
208 Alpha Kappa Alpha Sorority, Inc. (Wilson) (FR)**284** Adopted
210 STOP Day/April 18, 2008 (Wilson) (FR)**644** Adopted
SB
212 HIV Testing/County Detention Facilities/Inmates (Wilson) (FR)15 DSC
214 Disability History and Awareness Pilot Project (Fasano and others) 15, (CO)331 WNI/CSP-HR 9153, SR 110, CS/SB 856
216 State Procurement Advisory Committee (Fasano) (FR)15 DSC
218 Firefighter & Municipal Police Pensions (Wise) (FR)16 DSC
220 Change of Name/Petition (Wise) (FR)16, (CR)130, (CR)162, (CR)478, (BA)518, (CR)520, (BA)**554** DM
222 License Plates/County/State Motto/Sunshine State (Transportation and Economic Development Appropriations and others) (FR)16, (CR)288, (CS)317, (CO)360, (CR)752, (CR)754, (CS/CS)755, (BA)836, (CR)852 LTS/CSP-CS/HB 69
224 Luring or Enticing a Child (Fasano) (FR)16 DSC
226 Social Worker Identification (Rich and others) (FR)16, (CO)331, (CO)415, (CO)497, (CO)532, (CR)617, (CO)643, (MO)686, (MO)852, (BA)944, (CR)973 LTS/CSP-HB 35
228 Sales Tax on Rent (Baker) (FR)16 DSC
230 State Symbols/Fla. Cracker Horse/Loggerhead Turtle (Baker) (FR)16, (CR)287, (MO)720, (BA)836, (CR)852, (BA)864, (BA)926, **927**, 1719 Ch. 2008-34

SB
232 Developmental Disabilities Institutions (Fasano) 16 WNI
234 Governor's School for Science and Technology (Wise) (FR)17 DSC
236 Interpreters for the Deaf and Hard of Hearing (Education Pre-K - 12) (FR)17, (CS)123, (RC)128, (CR)132 DSC
238 Charter Schools (Wise) 17 WNI
240 Workforce Education Grant Program (Wise and others) 17 WNI
242 Schools/Single-gender Classes (Judiciary and others) (FR)17, (CS)123, (CR)132, (CR)170, (CS/CS)185, (RC)189, (BA)197, (CR)247, (BA)**258**, (CO)282, 532, 642 Ch. 2008-26
244 Statewide Educational Assessment Program (Wilson) (FR)17 DSC
246 Restoration of Civil Rights Act/Former Felons (Wilson) (FR)17 DSC
248 Juvenile Sentencing (Wilson) (FR)17 DSC
250 Criminal History Records/Expunction and Sealing (Wilson) (FR)17 DSC
252 Compulsory School Attendance/Age Requirement (Wilson) (FR)18 DSC
254 School Progression/Retention/Reading Proficiency (Wilson) (FR)18 DSC
256 Council on the Social Status of Black Men & Boys (Wilson) 18 WNI/CSP-CS/CS/HB 1395
258 Corporate Income Tax Credits/Nonprofit Educ. Orgs. (Wilson) (FR)18 DSC
260 Gold Seal Quality Care/Child Care Placement (Wilson) (FR)18 DSC
262 Indigent Care/Hospital Reimbursement (Wilson) (FR)18 DSC
264 Kidcare Outreach Program Study/Uninsured Children (Wilson) (FR)18 DSC
266 Cellular Telephones/Use in a Motor Vehicle (Wilson) (FR)18 DSC
268 Truth in Government Act/Legislature (Criminal Justice and others) (FR)18, (CR)130, (CR)163, (CS)165, (CO)331, (CO)415, (MO)852, (BA)944, (CR)973, (BA)**998** DM
SM
270 Haitians/Temporary Protective Status (Wilson) (FR)19 DSC
SB
272 Street Gang Prevention/Civil Causes of Action (Aronberg) (FR)19 DSC/CSP-CS/CS/HB 43
274 POW-MIA Flag/State Parks (Military Affairs and Domestic Security and others) (FR)19, (CS)123, (CR)131, (CR)478, (CO)497, (BA)518, (CR)520, (BA)**554**, (CO)643, (MO)645, 780, (CO)1719 Ch. 2008-159
276 Food Donation by Public Food Service Establishment (Judiciary and others) (FR)19, (CS)123, (CR)130, (CR)132, (BA)195, (BA)198, (CR)247, (BA)**257**, (CO)331, (CO)415, 532, 642, 774, (CO)1261, (CO)1719 Ch. 2008-25
278 Lifeguards/Assault or Battery (Criminal Justice and others) (FR)19, (CS)124, (CR)131, (CR)618, (BA)678, (CR)686, (BA)**706** DM
280 Religious-exempt Child Care Programs (Lynn) (FR)19 DSC
282 Drivers' License Restrictions/Person Under 18 Yrs. (Criminal Justice and others) (FR)19, (CR)162, (CS)165, (CO)254, (CR)346, (CS/CS)347, (CO)979 DCS
284 Technical Colleges (Wise) (FR)19 DSC
286 Educators Teaching English/Inservice Requirements (Wise and others) (FR)19, (CR)130, (CR)131, (BA)197, (CR)247, (CO)254, (BA)**259** DM
SM
288 Home Health Services/Increase Federal Funding (Aronberg) (FR)19 DSC
SB
290 Electronic Gaming Machines (Geller) (FR)19 DSC
292 School Grading System (Wilson and others) (FR)20, (CR)131 USC/LTS
294 FRS/Special Risk Class (Fasano) (FR)20 DSC
296 Bingo/Electronic Verification of Numbers (Regulated Industries) (FR)20, (CS)124, (CR)132, (BA)196, (CR)247, (BA)**257** DHC
298 Blind Children/Literacy Education (Crist and others) (FR)20, (CO)497 DSC
300 Service of Process (Judiciary) (FR)20, (CS)124, (CR)131, (CR)162, (CR)478, (BA)518, (BA)519, (CR)520, (BA)554, **555** DM
302 Public School Dress Requirements (Siplin and others) (FR)20, (CR)131, (BA)197, (CR)247, (CO)254, (BA)**259**, (BA)1632 DM
SB
304 Corporations Not for Profit (Judiciary) (FR)21, (CR)(CS)249, (CR)426, (CS/CS)428, (MO)519 DSC
306 Motor Vehicle Insurers/Homeowners' Insurance (Garcia) 22 WNI
308 Energy Conservation (Constantine) (FR)22 DSC/CSP-CS/HB 697, HB 7135
310 Biomass Energy Production (Agriculture) (FR)22, (CR)169, (CS)185, (RC)189 DSC/CSP-HB 7135
312 Sustainable Standards for State Buildings (Constantine) (FR)23 DSC/CSP-HB 7135
314 Renewable Energy Technologies Tax Credits (Constantine) (FR)23 DSC/CSP-HB 7135
316 Energy Use (Governmental Operations) (FR)23, (CR)169, (CS)185, (RC)190 DSC/CSP-HB 7135
318 Exceptional Students with Disabilities (Education Pre-K - 12 Appropriations) (FR)23, (CR)426, (CS)429, (CR)754, (CS/CS)755, (BA)917, (BA)918, (CR)928, (BA)**934** DM
320 University Fees/Undergraduate Tuition Differential (Higher Education) (FR)23, (CR)346, (CS)347, (CO)415 DSC/CSP-CS/CS/HB 745
322 Local Governments/Officers and Employees/Conduct (Governmental Operations and others) (FR)23, (CS)124, (CR)130, (CR)132, (BA)422, (CR)424, (BA)**452**, 825 DM
324 Gift Certificates (Constantine) (FR)23 DSC
326 Vessels/Clean Ocean Act (Constantine) (FR)23, (CO)331, (CR)391, (CS)397, (RC)412, (CO)415, (MO)424, (CR)618, (CS/CS)625, (MO)720, (BA)**844**, (CR)852, (CO)860, 1094, (CO)1261 Ch. 2008-231
328 Video Voyeurism (Criminal and Civil Justice Appropriations and others) (FR)24, (CR)130, (CR)248, (CO)331, (CR)618, (CS)620, (BA)679, (CR)686 LTS/CSP-CS/HB 537
330 State Excise Tax/Casualty Insurance Premiums (Aronberg) (FR)24, (CR)130, (CR)752 DSC
332 Construction Liens/Notices of Commencement (Saunders) (FR)24 DSC
334 Pharmacists (Health Regulation and others) (FR)24, (CS)124, (CR)132, (MO)477, (BA)680, (CR)686, (BA)**709**, (CO)781 DM/CSP-CS/CS/SB 1360
336 Sheriffs & Deputy Sheriffs/Complaint Review Boards (Saunders) (FR)24 DSC
338 Officers' Rights in Disciplinary Proceedings (Saunders) (FR)24 DSC
340 Salvia Divinorum and Salvinorin A (Criminal Justice and others) (FR)24, (CR)249, (CS)250, (CR)286, (CO)415, (CR)618, (BA)679, (CR)686 LTS/CSP-CS/HB 1363
342 Law Enforcement Officers/Candidates/Public Office (Transportation and Economic Development Appropriations) (FR)24, (CR)131, (CR)754, (CS)755, (BA)813, (BA)814, (CR)819, (BA)**835** DM
344 Sports Coaches/Youth Athletic Teams/Screening (Ring) 24 WNI
346 Sure Futures Scholarship Program & Foundation (Higher Education) (FR)24, (CR)389, (CR)390, (CS)392, (CR)617 DSC
348 Stalking (Ring) 25 WNI
350 Repeat Sexual Offenders/Electronic Monitoring (Ring) 25 WNI
SR
352 Amyotrophic Lateral Sclerosis Awareness Month (Ring) (FR)980, **981** Adopted
SB
354 Online Dating Safety (Ring) 25 WNI
356 Pub. Rec./Donor Info./Pub. Buildings or Facilities (Ring) (FR)25 DSC
358 Biomedical Research/Botanical Drugs (Fasano) (FR)25 DSC
360 Community Redevelopment Areas/Ad Valorem Taxes (Fasano) (FR)25 DSC
SCR
362 Equal Rights for Men and Women (Margolis and others) (FR)25, (CO)191, (CO)331, (CR)390, (CO)642 DSC
SB
364 Cystic Fibrosis Treatment/Insurance Coverage (Margolis) (FR)25, (MO)372 WS
366 Elderly Persons & Disabled Adults/Abuse & Neglect (Margolis and others) (FR)25, (CR)130, (CR)286, (CO)331, (MO)424, (BA)519, (CR)520, (BA)555, **556**, (CO)781, 1719 Ch. 2008-160
368 Collective Bargaining Impasse/Legislative Body (Oelrich and others) (FR)25 DSC

SB
370 Personal Care Attendant Program (Health and Human Services Appropriations and others) (FR)25, (CR)130, (CR)170, (CS)185, (CR)480, (CS/CS)481, (BA)513, (CR)519, (BA)**547**, 979 Ch. 2008-99
372 Florida Prepaid Tuition Scholarship Endowment (Wise) (FR)26 DSC
374 Child Dependency/Legal Representation (Lynn) (FR)26 DSC
376 Interspousal Transfers of Real Property (Lynn) (FR)26 DSC
378 Urban Revitalization Congress (Crist and others) (FR)26, (CO)497 DSC
380 Tax Exemption/Fractional Aircraft Ownership Prog. (Commerce) (FR)26, (CS)124, (CR)131 DSC
382 School Zone Signs (Baker) (FR)26 DSC/CSP-CS/CS/CS/SB 1992
384 Restitution/Criminal Cases (Fasano) (FR)26, (MO)198 WS
386 Food Service/Restroom Inspections (Health Regulation) (FR)26, (CR)248, (CR)288, (CS)317, (CR)478 DCS
388 Security and Immigration Compliance Act (Fasano and others) (FR)26, (CO)331 DSC
390 Controlled Substances (Criminal Justice and others) (FR)27, (CR)391, (CS)393, (CO)497, (CR)686, (MO)972, (BA)1079, (CR)1089, (CO)1261 LTS/CSP-CS/HB 173
392 Transparency in Local Government Contracts (Finance and Tax and others) (FR)27, (CR)345, (CS)347, (CR)391, (CS/CS)393, (CR)426, (CS/CS/CS)429, (CO)448, (BA)590, (BA)591, (CR)617, (CR)618, (BA)645, (BA)**651**, (CO)694 DM
394 Sales Tax Exemption/Electricity/Packinghouses (Agriculture and others) (FR)27, (CS)124, (CR)131, (CO)254 DSC
396 FRS/Defined Contribution Retirement Program (Fasano) (FR)27 DSC
SR
398 Deron Mikal/Veterans Service Officer (Fasano) 27 WNI
SB
400 Insurance/Unfair Competition/Deceptive Acts (Fasano) (FR)27 DSC
402 Target Industry Businesses/Expedited Permitting (Environmental Preservation and Conservation and others) (FR)28, (CR)479, (CS)481, (CR)752, (MO)852 DSC
404 Organized Crime Groups (Aronberg) (FR)28 DSC/CSP-CS/CS/HB 43
406 Commercial Parasailing (Banking and Insurance) (FR)28, (CR)169, (CS)186, (CR)426, (CS/CS)429 DSC
408 Not Used
410 Health Insurance/Local Govt. Officers & Employees (Justice) (FR)28, (CR)260, (CR)287 DSC
412 Energy (Bennett) (FR)28 DSC/CSP-HB 7135
414 Alternative Energy Center/Incentive Program (Bennett) (FR)29 DSC
416 Florida Alternative Energy Center Trust Fund (Bennett) (FR)29 DSC
418 Pub. Rec./Florida Alternative Energy Center (Bennett) (FR)29 DSC
420 State Purchase/Hybrid/Flex-fuel/Biodiesel Vehicles (Deutch and others) (FR)29, (CO)415 DSC
422 School Funding/Student's District of Residence (Baker and others) (FR)29 DSC
424 Human Smuggling (Haridopolos and others) (FR)29, (CO)1261 DSC
SM
426 Oil and Gas Drilling/Florida Coastline (Bennett and others) (FR)30 DSC
SB
428 Workforce Innovation (Transportation and Economic Development Appropriations) (FR)30, (CR)162, (CS)165, (CR)287, (CR)619, (CS/CS)620, (BA)749, (CR)752, (BA)**792**, 1261 Ch. 2008-161
430 Certificates of Need/Geriatric Specialty Hospitals (Bennett) 30 WNI
432 Artificial Reefs/Placement of Vessels (Bennett and others) (FR)30, (CR)169, (CO)415, (CR)752, (CR)753, (BA)836, (CR)852, (BA)**864**, 979, (CO)1261 Ch. 2008-100
434 Energy-Efficient Motor Vehicle Sales Tax Refund (Margolis) (FR)30 DSC
436 High School Graduation/Diploma Requirements/Voting (Margolis) (FR)30, (MO)372 WS
SJR
438 Elected Property Appraisers (Garcia) 30 WNI
SB
440 High School Graduation Requirements/Health Ed. (Justice and others) (FR)30, (CO)331 DSC
442 Major Disasters/Cash, Food, and Shelter Assistance (Bullard) (FR)30 DSC
444 Sale of Dogs and Cats/DOACS (Judiciary) (FR)30, (CR)390, (CR)479, (CS)481 DSC
446 Bicycle Safety (Bullard and others) (FR)31, (CR)248, (CO)282, (CO)331, (CO)378, (CO)448, (CO)497, (CR)686 DSC
448 Breast Cancer/Lymph Node Dissection Coverage (Joyner) (FR)31, (CR)390, (CR)617 DSC
450 Not Used
452 FRS/Credit for Prior Military Wartime Service (Aronberg) (FR)31 DSC
454 Employee Leasing Companies (Regulated Industries) (FR)31, (CR)479, (CS)481 DSC
456 Ignition Interlock Devices/DUI (Transportation and others) (FR)31, (CR)260, (CS)281, (CO)282, (CR)686 DSC
458 Amateur Matches/Fraternal Order of Police (Wise) (FR)31, (CR)131, (BA)196, (CR)247, (BA)**257**, 1094 Ch. 2008-209
460 Congenital Craniofacial Anomalies/Coverage Study (Bullard and others) (FR)31, (CO)282, (CO)331, (CO)497 DSC
462 Prevention of Harassment/Public K-12 Schools (Ring) 31 WNI/CSP-HB 669
464 Transfer Fee Covenants/Real Property (Judiciary) (FR)31, (CR)289, (CS)317, (CR)390, (BA)519, (CR)520, (BA)**556**, 780 Ch. 2008-35
466 Veterans' Day Observance/School Districts (Hill) (FR)31 DSC
468 Child Care Personnel/Fingerprinting (Hill) (FR)31 DSC
470 Seaport Security Standards (Military Affairs and Domestic Security) (FR)32, (CR)345, (CS)348, (RC)411 DSC
472 DNA Testing (Criminal and Civil Justice Appropriations and others) (FR)32, (CR)130, (CR)162, (CO)282, (CO)331, (CO)415, (CR)480, (CS)482, (BA)519, (CR)520, (CO)643, (CO)1261 LTS/CSP-CS/HB 29
474 Growth Management (Transportation) (FR)32, (CR)618, (CS)620, (RC)634, (CR)819, (CS/CS)852, (RC)855, (BA)926, (CR)928, (BA)944, (BA)1032, (BA)1102, (BA)1228, (BA)1242, (BA)1583, (BA)1613 DCS/CSP-CS/HB 697
476 Growth Management (Garcia) (FR)32 DSC
478 Department of Community Affairs (Garcia and others) (FR)32, (CO)360 DSC
480 Department of Community Affairs (Garcia) (FR)32 DSC
482 Affordable Housing (Transportation and Economic Development Appropriations and others) (FR)32, (CO)360, (CR)392, (CS)393, (RC)411, (CR)619, (CS/CS)621, (BA)797, (CR)819, (BA)836, (BA)918, (BA)944, (BA)948, (BA)998, (BA)1098, (BA)**1102**, (CO)1719 DM
484 Affordable Housing (Garcia and others) (FR)32, (CO)360 DSC
486 Property Tax Administration (Garcia) (FR)32 DSC
488 Property Tax Administration (Garcia) (FR)32 DSC
490 Building Codes (Garcia) (FR)32 DSC
492 Building Codes (Garcia) (FR)32 DSC
494 Not Used
496 Lewd or Lascivious Molestation/Victim Under Twelve (Dockery and others) (FR)32, (CR)130, (CR)752, (BA)812, (CR)819, (CO)1261 LTS/CSP-HB 85
498 Agency Inspectors General (General Government Appropriations) (FR)33, (CR)391, (CS)393, (CR)819, (CS/CS)820, (BA)836, (BA)837, (CR)852 LTS/CSP-CS/HB 165
500 Children's Zones (Health and Human Services Appropriations and others) (FR)33, (CO)282, (CO)331, (CO)378, (CO)497, (MO)616, (CR)617, (MO)686, (CR)754, (CS)755, (BA)797, (BA)800, (CR)819 LTS/CSP-CS/HB 3
502 Missing Persons/Investigation (Children, Families, and Elder Affairs and others) (FR)33, (CR)288, (CS)317, (CR)389, (CO)415, (MO)519, (BA)680, (CR)686, (BA)**704**, (CO)1261, 1719 Ch. 2008-162
504 Motor Vehicles/Wireless Communications Devices (Baker) (FR)33, (CR)389, (CR)520 DSC
506 Juveniles/Records (Wilson) (FR)33 DSC
508 Hospitalized Patients/Safe Lifting Policies (Health Regulation and others) (FR)33, (CS)124, (CR)132, (CO)191, (BA)197, (CR)247, (BA)**259**, (CO)282, (CO)497 DHC
510 School-entry/Vision Examinations (Wilson) (FR)33 DSC
512 Property Assessments/Appraisers/DOR Review (Community Affairs and others) (FR)34, (CR)753, (CS)755, (CO)781 DSC

SB
514 Schools/Disability History & Awareness Instruction (Fasano and others) (FR)34, (MO)286 WS/CSP-CS/SB 856, HR 9153, SR 110
516 Forensic Client Services (Hill) (FR)34 DSC
518 Public Transit/Restroom Breaks for Operators (Hill) (FR)34 DSC
520 Pardons/Restoration of Rights/Rosa Parks Act (Hill and others) (FR)34, (CO)415 DSC
522 Radio Equipment Using Law Enforcement Frequencies (Criminal Justice and others) (FR)34, (CR)390, (CS)394, (BA)721, (CR)751, (CR)752, (CO)781 LTS/CSP-CS/HB 151
524 Disabled Parking Permits/Health Care Facilities (Hill) 34 WNI
526 Interscholastic and Intrascholastic Sports (Education Pre-K - 12 Appropriations and others) (FR)34, (CS)124, (CR)131, (CR)289, (CS/CS)317, (RC)329, (BA)341, (BA)342, (CR)344, (BA)**363**, 1174, **1175**, (CO)1261 Ch. 2008-228
528 Sexual Battery Involving Minor Victims/Prosecution (Aronberg) (FR)34, (CR)162 DSC
530 Household Moving Services (Saunders and others) (FR)34, (CR)130, (CR)752 DSC
532 Campaign Financing/Local Government Expenditures (Justice and others) (FR)35 DSC
534 Veterans/Local Government (Fasano) 35 WNI
SR
536 William Lascheid, M.D. and Nancy Lascheid, R.N. (Saunders) (FR)284, **285** Adopted
SB
538 Sexual Predators/Fees/Supervision and Registration (Baker) (FR)35 DSC
540 Felons/Enforcement of Federal Immigration Laws (Baker and others) (FR)35, (CO)282, (CO)331 DSC
542 Land Acquisition and Management (General Government Appropriations and others) (FR)35, (MO)452, (CR)479, (CS)482, (RC)493, (BA)589, (BA)(MO)600, (BA)611, (CR)617, (CR)618, (CS/CS)621, (BA)645, (BA)700, **703**, (CO)781, 1094 Ch. 2008-229
544 Motor Vehicle Temporary License Tags (Transportation and Economic Development Appropriations and others) (FR)35, (CS)124, (CR)132, (CR)287, (CR)754, (CS/CS)755, (BA)837, (CR)852, (CO)860, (BA)865 LTS/CSP-CS/HB 167, CS/CS/CS/SB 1992
546 Council on the Social Status of Black Men & Boys (Criminal and Civil Justice Appropriations) (FR)35, (CR)130, (CR)288, (CS)317, (CR)754, (CS/CS)755, (BA)803, (CR)819 LTS/CSP-CS/CS/HB 1395
548 Sales Tax Exemption/Water-efficient Products (Aronberg and others) 35, (CO)331 WNI
550 Elevator Safety/Alternative Power Sources (Regulated Industries) (FR)35, (CS)124, (CR)131 DSC
552 Assault/Battery/Law Enforcement Officer & Others (Aronberg) (FR)35 DSC
554 Pinellas Bayway/Department of Transportation (Jones) (FR)36, (MO)286 WS
556 Secondary Metals Recycling (Criminal Justice and others) (FR)36, (CS)124, (CR)131, (RC)167, (CO)254, (CR)288, (CS/CS)317, (CO)415, (CR)478, (BA)597, (CR)617, (BA)649, (BA)705 LTS/CSP-CS/CS/HB 105
558 Florida Building Code (Constantine) (FR)36 DSC/CSP-CS/HB 697
560 Building Code Standards (Transportation and Economic Development Appropriations) (FR)36, (CR)170, (CS)186, (CR)288, (CS/CS)318, (CR)480, (CS/CS/CS)482, (CR)619, (CS/CS/CS/CS)622, (BA)795, (BA)797, (CR)819, (BA)829, (BA)864, (BA)934, (BA)992, (BA)1020, (BA)1021 LTS/CSP-CS/HB 697, HB 7135, CS/CS/SB 2860
562 Educational Facilities/Building Standards (Constantine and others) (FR)36, (CO)415, (CR)520, (MO)616 DSC
564 Automated External Defibrillators (Judiciary and others) (FR)36, (CS)125, (CR)132, (CR)170, (CS/CS)186, (RC)190, (BA)197, (CR)247, (BA)**259**, (CO)331, 1094 Ch. 2008-101
566 Automated External Defibrillators/Public Schools (Constantine) (FR)36 DSC
568 Money Transmitters' Code (Constantine) (FR)36 DSC/CSP-CS/CS/CS/SB 2158
570 Wekiva Onsite Sewage Treatment Grant Program (Constantine) (FR)36, (CR)389, (CR)520 DSC
572 Civil Rights/Sexual Orientation & Familial Status (Commerce and others) (FR)36, (CO)168, (CR)479, (CS)483, (CO)497 DSC
SB
574 School Access/Jr. or Sr. Officers' Training Corps (Higher Education and others) (FR)37, (CS)125, (RC)128, (CR)131, (CO)254, (CR)288, (CS/CS)318, (CR)618, (BA)680, (CR)686, (BA)709, (CO)781 LTS/CSP-CS/HB 251
576 Ad Valorem Tax Assessment (Jones and others) (FR)37 DSC
578 Alcoholic Beverages (Jones) (FR)37 DSC
580 Cardrooms (Jones) (FR)37 DSC
582 Construction Contracting (Jones) (FR)37 DSC
584 Construction Lien Law (Jones) (FR)37 DSC
586 Department of the Lottery (Regulated Industries and others) (FR)37, (CS)125, (RC)128, (CR)131, (CR)389, (CO)497 DSC
588 Elevator Safety (Jones) (FR)37 DSC
590 Pari-mutuel Wagering (Regulated Industries) (FR)37, (CS)125, (RC)129, (CR)131, (MO)477, (BA)599, (BA)600, (CR)617, (BA)**650** DM
592 Professional and Business Regulation (Jones) (FR)37 DSC
594 Professions (Jones) (FR)37 DSC
596 Simulcast Wagering (Jones) (FR)38 DSC
598 Slot Machine Gaming (Jones) (FR)38 DSC
600 Tribal-state Gaming Compact (Jones) (FR)38 DSC
602 Video Lotteries (Jones) (FR)38 DSC
604 Pari-mutuel Wagering (Regulated Industries) (FR)38, (CR)288, (CS)318, (RC)356, (BA)386, (BA)387, (CR)389, (BA)421, **422** DM
606 Towing Vehicles or Vessels on Private Property (Crist) (FR)38 DSC
608 Indigent Persons/Court Fees and Penalties (Crist and others) (FR)38, (CO)415, (CO)497 DSC
610 Physical Education/Grades 6-8 (Education Pre-K - 12 Appropriations) (FR)38, (CR)346, (CS)348, (RC)356, (CR)426, (CS/CS)429, (BA)504, (BA)512, (BA)513, (CR)519, (BA)**547**, 1719 Ch. 2008-94
612 Judges (Crist) (FR)38 DSC
614 Public Defenders/Classification and Pay Plans (Criminal Justice and others) (FR)38, (CR)163, (CS)165, (CO)331, (CR)345, (CO)415, (CR)752 DSC
616 Driver Financial Responsibility (Bennett) (FR)38 DSC
618 Space Mile Marker One/Space Florida Headquarters (Posey and others) (FR)38, (CO)254 DSC
620 Veterans' In-state Tuition Waivers (Fasano and others) (FR)38, (CO)282 DSC
622 Orders of No Contact with Victims of Crimes (Criminal Justice and others) (FR)39, (CS)125, (RC)129, (CR)131, (CR)248, (CR)478, (BA)519, (CR)520, (BA)**556**, 1094, (CO)1261 Ch. 2008-251
624 Human Smuggling (Criminal and Civil Justice Appropriations and others) (FR)39, (CR)130, (CR)131, (CR)286, (CR)618, (CS)622, (BA)721, (CR)751, (CO)781, (BA)**784**, (CO)825 DCH
626 Just Valuation of Property (Atwater and others) (FR)39, (CO)1719 DSC/CSP-CS/HB 909
628 Court Actions Involving Families (Judiciary and others) (FR)39, (CS)125, (CR)132, (CR)260, (CS/CS)281 DSC
630 Vehicle Registration/Family First Contribution (Transportation and Economic Development Appropriations) (FR)39, (CR)161, (CR)287, (CR)372, (CR)480, (CS)483, (BA)600, (CR)617, (BA)**651**, 1261 Ch. 2008-102
632 Emergency Medical Dispatchers/Training (Fasano) 39 WNI
634 Veterans' Day/Paid Holiday (Fasano) (FR)39 DSC
636 Domestic Violence/Injunction for Protection (Fasano) (FR)39, (CR)478 DSC
638 Sexual Battery/Termination of Parental Rights (Children, Families, and Elder Affairs and others) (FR)39, (CS)125, (CR)131, (CO)448, (CR)478 DSC
640 Local Governments/Financial Management (Community Affairs and others) (FR)39, (CR)618, (CS)623, (MO)944 DCS
642 School/Multiple Birth Siblings/Classroom Placement (Siplin and others) (FR)40, (CR)372, (CR)478, (BA)680, (CR)686, (BA)**709**, 1719 Ch. 2008-210
644 My Safe Florida Home Program/Wind Certification (Banking and Insurance and others) (FR)40, (CR)162, (CS)165, (CO)415, (MO)852, (BA)948, (CR)973, (BA)998, (CO)1261 LTS/CSP-HB 7103
646 HIV and AIDS Educational Requirements (Health Regulation and others) (FR)40, (CS)125, (CR)132, (CR)287, (BA)342, (CR)344, (BA)**365**, 780, (CO)1261 Ch. 2008-103
648 Insurable Interest/Insurance Contracts (Judiciary) (FR)40, (CR)248, (BA)386, (CR)389, (CR)392, (CS)394, (BA)**421**, 780 Ch. 2008-36

SB
650 Sex Trafficking (Lynn) 40 WNI
652 Workplace Safety (General Government Appropriations) (FR)40, (CR)390, (CS)394, (CR)617, (CR)819, (CS/CS)820, (BA)1079, (CR)1089, (BA)1099 LTS/CSP-CS/CS/HB 967
654 Offenses Against Officers/Execution of Legal Duty (Criminal Justice) (FR)40, (CR)248, (CS)250, (CR)425, (BA)680, (CR)686, (BA)741, (CR)751 LTS/CSP-HB 61
656 Judicial and Execution Sales of Property (Banking and Insurance) (FR)40, (CR)130, (CR)163, (CS)165, (BA)422, (CR)424, (BA)**452**, 825 DM
658 Road Rage and Aggressive Careless Driving (Criminal Justice) (FR)40, (CR)344, (CR)753, (CS)755 DSC
660 Seagrass Beds/Protection and Restoration (Environmental Preservation and Conservation) (FR)41, (CR)169, (CS)186 DSC
662 Impact Fees (Bennett and others) 41 WNI
664 Proposed Property Tax Notices (Bennett) (FR)41 DSC
666 Abandoned Petroleum Storage/Financial Assistance (Posey) 41 WNI/CSP-CS/HB 527
668 Child-restraint Requirements (Criminal Justice and others) (FR)41, (CO)168, (CR)389, (CR)754, (CS)756, (MO)1004 DCS
SM
670 Security and Prosperity Partnership of N. America (Lynn) (FR)41 DSC
SB
672 Wrecker Services (Criminal Justice) (FR)41, (CR)130, (CR)344, (CR)391, (CS)394, (CR)686, (CS/CS)687 DSC
674 Just Valuation of Real Property/Highest & Best Use (Fasano and others) (FR)42 DSC
676 Publicly Funded Facilities for Children (Fasano) (FR)42, (MO)198 WS
678 Ad Valorem Tax Assessments (Fasano and others) (FR)43, (CO)168, (CO)254, (CO)282, (CO)415 DSC/CSP-CS/HB 909
680 Cellular Telephones in School Zones (Bullard) (FR)43 DSC
682 Department of Transportation (Transportation and Economic Development Appropriations and others) (FR)43, (CS)126, (RC)129, (CR)132, (CR)162, (CO)331, (CO)448, (CO)497, (CR)(CS/CS)521, (BA)597, (CR)617, (BA)**649**, 1698, **1714**, (CO)1719 Vetoed/CSP-CS/HB 697, HB 7135, CS/SB 1604, CS/CS/SB 1906, CS/CS/CS/SB 1992
684 Barriers/Highways, Canals and Bodies of Water (Bullard and others) (FR)43, (CO)282, (CO)448 DSC
686 Nursing Facilities (Judiciary) (FR)43, (CS)126, (CR)132, (CR)162, (CS/CS)165, (CR)287, (BA)342, (CR)344, (BA)**365**, **1098** Vetoed
688 Developmentally Disabled/Guardian Advocates (Health and Human Services Appropriations and others) (FR)43, (CR)130, (CO)191, (CR)391, (CS)395, (CR)819, (CS/CS)820, (BA)918, (CR)928 LTS/CSP-CS/HB 739
SJR
690 School District Division (Wise) 43 WNI
SB
692 Recycling (Commerce and others) (FR)43, (CR)169, (CR)389, (CO)448, (CR)479, (CS)483 DSC
694 Caller ID Anti-spoofing Act (Commerce and others) (FR)44, (CR)162, (CS)165, (CO)331, (CR)686, (MO)972, (BA)1079, (CR)1089 LTS/CSP-CS/HB 225
696 Community Colleges (Higher Education Appropriations and others) (FR)44, (CS)126, (CR)130, (CR)131, (BA)342, (CR)344, (CR)346, (CS/CS)348, (BA)**366**, 1094, (CO)1261 Ch. 2008-163 CSP-CS/CS/SB 1716
698 Business Entities (Judiciary) (FR)44, (CR)248, (CR)426, (CS)429, (CR)617, (CR)753, (BA)837, (CR)852 LTS/CSP-CS/HB 419
700 Juvenile Justice (Criminal and Civil Justice Appropriations) (FR)44, (CR)346, (CS)348, (RC)377, (CR)520, (CS/CS)521, (RC)635, (CR)753, (CS/CS/CS)756, (RC)771, (BA)837, (BA)838, (CR)852, (BA)866 LTS
702 Prekindergarten Education (Rich) (FR)44 DSC
704 Open Government Act/Administrative Procedures (Transportation and Economic Development Appropriations and others) (FR)44, (CR)130, (CR)392, (CS)395, (CR)619, (CS/CS)623, (BA)**797**, (CR)819, 979 Ch. 2008-104
706 Special Risk Class Retirement Benefits (Governmental Operations and others) (FR)45, (CR)248, (CS)250, (RC)329, (CO)360, (CO)378, (CR)389, (CR)753, (CS/CS)756 DSC
708 Water Management (Environmental Preservation and Conservation and others) (FR)45, (CO)331, (CR)391, (CS)396, (MO)1004 DCS
SB
710 Credit Cards/Marketing to Undergraduate Students (Baker and others) (FR)45 DSC
SR
712 Barrington Irving (Wilson and others) (FR)533, **534** Adopted
SB
714 Registry for Companions (Wilson) 45 WNI
716 Clinical Laboratories (Fasano and others) (FR)45, (CR)130, (CR)162, (BA)197, (CR)247, (BA)259, **260**, (CO)282 DCH
718 Data Theft (Fasano) (FR)45 DSC
720 Homestead Property Assessment (Margolis) (FR)45 DSC
722 Residential Property Assessment (Margolis) (FR)45 DSC
SJR
724 Residential Property/Assessed Value (Margolis) (FR)46 DSC
SB
726 Temporary Child Support/Alleged Father (Crist) (FR)46 DSC
728 Museums/Conveyance of Bodies Into or Out of State (Crist) (FR)46, (CR)169, (CR)390, (BA)423, (CR)424, (BA)**454** DM
730 Class I Landfills/Permits (Environmental Preservation and Conservation) (FR)46, (CR)521, (CS)522, (RC)635, (MO)720 DSC
732 Bethune-Cookman University License Plates (Transportation and others) (FR)46, (CR)289, (CS)318, (BA)368, (CR)372, (BA)**382**, (CO)497, 780, (CO)1261 Ch. 2008-37
734 License Plates (Transportation and Economic Development Appropriations and others) (FR)46, (CR)287, (CR)521, (CS)522, (BA)838, (BA)839, (CR)852, (BA)875, (BA)877, (BA)**880**, (CO)979, 1094 Ch. 2008-38
736 Clinical Nurse Specialists/Certification (Health Regulation and others) (FR)46, (CS)126, (CR)132, (BA)197, (CR)247, (BA)**260**, (CO)331, 780 Ch. 2008-164
738 Research Commercialization Matching Grant Program (Saunders) 46 WNI
740 Retired Justices and Judges (Judiciary) (FR)46, (CR)619, (CS)623, (BA)742, (BA)745, (CR)751, (BA)**785** DM
742 Electronic Surveillance Equipment/Use in Crimes (Dean) (FR)46 DSC
744 Sexual Activities Involving Animals (Rich) (FR)46, (CR)686, (MO)720 DSC
746 Return of Firearms Taken Under Search Warrant (Crist) (FR)46 DSC
748 Secondary Metals Recyclers/Purchase Transaction (Crist and others) (FR)46, (CS)124, (CR)131, (RC)167, (CO)191, (CO)254, (CR)288, (CS/CS)317, (CO)415, (CR)478, (BA)597, (CR)617, (BA)649, (BA)705 DCS/CSP
SR
750 Osteopathic Medicine Day (Peaden) (FR)**450** Adopted
SB
752 False Claims/Personal Injury Protection Insurance (Banking and Insurance) (FR)47, (CR)289, (CS)318, (CR)389 DSC
754 Hurricane Preparedness and Insurance (Baker) (FR)47 DSC/CSP-CS/CS/SB 2860
756 Wrongful Incarceration Compensation (Criminal and Civil Justice Appropriations and others) (FR)47, (CR)(CS)373, (CO)415, (CR)479, (CS/CS)483, (CO)532, (CR)618, (CS/CS/CS)623, (BA)679, (BA)685, (BA)(CR)686, (BA)**703**, (CO)781, 979, (CO)1261 Ch. 2008-39
758 Inland Navigation Districts (Environmental Preservation and Conservation and others) (FR)47, (CR)169, (CS)187, (CO)254, (CR)287, (CR)618, (BA)797, (BA)798, (CR)819, (BA)**829**, 979 Ch. 2008-40
760 Highway Safety (Baker) (FR)47 DSC
762 Highway Safety (Baker) (FR)47 DSC
764 Department of Highway Safety and Motor Vehicles (Baker) (FR)47 DSC
766 Pub. Rec./Judicial and Administrative Officials (Governmental Operations and others) (FR)48, (CR)260, (CS)281, (CO)282, (CR)480, (CS/CS)483, (MO)616, (BA)742, (CR)751, (BA)**786**, 1094, (CO)1261 Ch. 2008-41
768 Public Display of a Noose (Bullard and others) (FR)48, (CO)282, (CO)331, (CO)378, (CO)448 DSC
770 Department of Highway Safety and Motor Vehicles (Baker) (FR)48 DSC
772 Florida Retirement System/Regular Class Benefits (Jones and others) (FR)48, (CO)532 DSC
774 Transportation/Construction Aggregate Materials (Transportation) (FR)48, (CR)372, (CS)374, (RC)412, (CR)520, (CR)753 USC/LTS
776 Transportation (Baker) (FR)48 DSC

SB
778 Department of Transportation (Baker) (FR)48 DSC
780 Reproductive Health Services and Family Planning (Health Regulation and others) (FR)48, (CO)168, (CO)282, (CR)618, (CS)623 DSC
782 Weapons and Firearms (Criminal Justice) (FR)48, (CR)289, (CS)318 DSC
784 Local Telecommunications Services (Bennett) (FR)48, (CR)131, (BA)(CR)424, (BA)**454**, 825 DM
786 Homelessness (Children, Families, and Elder Affairs) (FR)49, (CR)618, (CS)624 DSC
788 Transportation Disadvantaged/Services (Health and Human Services Appropriations and others) (FR)49, (CR)162, (CR)260, (CR)426, (CS)430, (RC)635, (CR)754, (CS/CS)756, (BA)839, (CR)852, (CO)979 LTS/CSP-CS/CS/HB 1175
790 School Safety/Bullying and Harassment (Criminal Justice and others) (FR)49, (CR)286, (CO)415, (CR)479, (CS)484, (CO)532, (MO)720, (BA)1079, (CR)1089, (CO)1719 LTS/CSP-HB 669
792 Juvenile Justice (Criminal Justice) (FR)49, (CR)480, (CS)484, (CR)752 DSC
794 Underground Utilities/Excavations and Demolitions (Communications and Public Utilities) (FR)49, (CS)126, (CR)131, (CR)169, (CR)478, (BA)591, (CR)617, (BA)646, (BA)**651**, 979 Ch. 2008-230
796 Affordable Housing (Bennett) (FR)50 DSC
798 Retirement/Special Risk Class (Dean and others) (FR)50, (CR)389, (CO)415, (CO)1719 DSC
800 FRS/Special Risk Class/Prior Service Upgrade (Governmental Operations and others) (FR)50, (CR)286, (CR)389, (CR)521, (CS)522, (CR)753, (BA)842, (CR)852, (BA)877, (CO)1094 LTS/CSP-CS/HB 531
802 Operation of Motor Vehicles (Transportation and Economic Development Appropriations) (FR)50, (CR)425, (CS)430, (CR)480, (CS/CS)484, (CR)619, (CS/CS/CS)624, (BA)751, (CR)752, (BA)811, (BA)812, (BA)842, (BA)918 LTS/CSP-CS/HB 137
804 Traffic Accidents/Blood Testing (Wise) (FR)50 DSC
806 Pub. Rec./Criminal Investigations/Seaport Security (Storms) (FR)50 DSC
808 Seaport Security Briefings (Storms) (FR)50 DSC
810 Contributions/Electioneering Communication Orgs. (Justice) (FR)50 DSC
812 Property Appraisal/Highest and Best Use (Storms and others) (FR)50 DSC
814 DNA Testing of Arrested Persons (Lynn) (FR)51 DSC
816 Uniform Traffic Control (Transportation and others) (FR)51, (CO)282, (CR)288, (CS)318, (RC)329, (CR)477 DSC
818 Financial Services (General Government Appropriations) (FR)51, (CR)162, (CS)165, (CR)248, (MO)452, (CR)618, (CS/CS)624, (BA)747, (BA)748, (CR)752 LTS/CSP-CS/CS/HB 343
SR
820 Dr. Howard W. Thurman (Hill) (FR)**783** Adopted
SB
822 Ad Valorem Tax Data/Department of Revenue (Atwater) (FR)51, (CR)752 DSC/CSP-CS/HB 909
SM
824 Employee Free Choice Act (Hill) (FR)51 DSC
SB
826 Juneteenth Independence Day/The End of Slavery (Hill) (FR)51 DSC
828 Motorcycles or Mopeds/Young Riders (Bennett) (FR)51, (MO)198 WS
830 Corrections (Dockery) (FR)52 DSC
832 Juvenile Justice (Dockery) (FR)52 DSC
834 Death Penalty (Dockery) (FR)52 DSC
836 Criminal Penalties (Dockery) (FR)52 DSC
838 Department of Law Enforcement (Criminal Justice) (FR)52, (CR)480, (CS)484, (RC)526, (MO)802, (MO)1257, (MO)1258, (BA)1613, (CR)1717 LTS/CSP-HB 7113
840 Community Supervision (Dockery) (FR)52 DSC
842 Parole (Dockery) (FR)52 DSC
844 Health Care Providers/Immunity from Civil Damages (Bennett) (FR)52 DSC
846 Medicaid/Psychiatric Disabilities (Children, Families, and Elder Affairs and others) (FR)52, (CO)360, (CR)372, (CO)415, (CR)426, (CS)430, (CO)448 DSC
848 Public Schools/Human Sexuality Education (Deutch and others) (FR)52, (CO)168, (CO)254, (CO)360, (CR)389 DSC
850 Corporate Income Tax Credits (Community Affairs and others) (FR)52, (CR)288, (CS)319, (CO)360, (CO)415, (CR)753, (CS/CS)756, (CO)1719 DSC
SB
852 Flag Procurement Act (Fasano) (FR)53 DSC
854 Unemployment Compensation/Day Laborer (Transportation and Economic Development Appropriations and others) (FR)53, (CR)163, (CS)166, (CR)346, (CS/CS)348, (BA)368, (CR)372, (BA)382, **383**, 979 Ch. 2008-165
856 Disability History and Awareness (Children, Families, and Elder Affairs and others) (FR)53, (CR)130, (CR)345, (CS)348, (CO)497, (CR)618, (BA)680, (CR)686, (BA)709, **710**, 1094 Ch. 2008-156 CSP-HR 9153, SR 110
858 Noncriminal Traffic Offenses/Community Service (Criminal and Civil Justice Appropriations and others) (FR)53, (CR)345, (CR)479, (CS)484, (CR)754, (CS/CS)757, (BA)842, (CR)852, (BA)878, (CO)1261 LTS/CSP-CS/HB 1509
860 Employee Leave (Fasano) (FR)53, (MO)344 WS
862 Developmental Disabilities Institutions (Governmental Operations and others) (FR)53, (CS)126, (RC)129, (CR)132, (CR)753, (CS/CS)757 DSC
864 Elections (Constantine) (FR)53 DSC
866 Elections (Judiciary) (FR)54, (CR)426, (CS)430, (BA)742, (BA)744, (CR)751, (CR)754, (CS/CS)757, (RC)772, (BA)786, **787**, 1199, (BA)1200, 1719 Ch. 2008-95
868 Elections (Constantine) (FR)54 DSC
870 Pub. Rec./Injunction/Domestic Violence (Fasano) (FR)54, (CR)260 DSC
872 Video Voyeurism (Fasano) (FR)54 DSC/CSP-CS/HB 537
874 Title Loans/Regulation/Consumers (Fasano) (FR)54, (CR)247, (CR)287, (BA)368, (CR)372, (BA)**382**, 780 Ch. 2008-42
876 Elections (Constantine) (FR)54 DSC
878 Elections (Constantine) (FR)54 DSC
880 Elections (Ethics and Elections and others) (FR)54, (CR)425, (CS)431, (CO)448 DSC
882 Civil Actions Against Insurers (Baker) (FR)54 DSC
884 Obsolete/Outdated Agency Plans/Reports/Programs (Haridopolos and others) (FR)54 DSC/CSP-HB 5085, HB 7137, CS/CS/SB 1286
886 Toxic Substances in Children's Products (Commerce and others) (FR)57, (CR)289, (CS)319, (CO)331, (RC)356, (CR)478, (CR)752, (MO)852, (BA)948, (CR)973, (BA)**1000** DM
888 Florida Kidcare Program (Health Policy) (FR)57, (CR)479, (CS)485, (RC)635 DSC
890 Medicaid Reform (Dawson) (FR)57 DSC
892 Medicaid (Dawson) (FR)57 DSC
894 Public Health (Dawson) (FR)57 DSC
896 Department of Health (Dawson) (FR)57 DSC
898 Agency for Health Care Administration (Dawson) (FR)57 DSC
900 Health Insurance (Dawson) (FR)57 DSC
902 Health Care (Dawson) (FR)57 DSC
904 Public Records and Meetings Exemptions (Dawson) (FR)58 DSC
906 Health Care Facilities and Services Regulation (Atwater) (FR)58 DSC
908 Agency for Health Care Administration (Atwater) (FR)58 DSC
910 Health Care Practitioners Regulation (Atwater) (FR)58 DSC
912 Electronic Health Records (Atwater) (FR)58 DSC
914 Department of Health (Atwater) (FR)58 DSC
916 Health Care (Atwater) (FR)58 DSC
918 Public Records and Meetings Exemptions (Atwater) (FR)58 DSC
920 Driver's License Fees (Transportation and Economic Development Appropriations and others) (FR)58, (CR)162, (CS)166, (CO)168, (RC)190, (CR)391, (CS/CS)396, (CR)617, (CR)618, (CS/CS/CS)624, (CO)642, (CR)753 DCS
922 Ex-offenders/Employment (Wilson) (FR)58, (CR)287 DSC
924 Correctional Officers/Definition (Criminal Justice) (FR)58, (CR)345, (CS)348 DSC
926 Tax/Food, Beverages, or Alcohol/Education Funding (Commerce) (FR)58, (CO)331, (CR)391, (CS)396, (RC)494 DSC
928 Economic Development (Governmental Operations) (FR)59, (CR)520, (CS)522, (RC)636, (CR)754, (CS/CS)758, (BA)948, (BA)972, (CR)973 LTS/CSP-HB 7109
930 Economic Development (Commerce) (FR)59, (CR)520, (CS)522, (RC)636 DSC/CSP-HB 7109
932 Economic Development (Diaz de la Portilla) (FR)59 DSC
934 Economic Development (Diaz de la Portilla) (FR)59 DSC
936 Economic Development (Diaz de la Portilla) (FR)59 DSC
938 Workforce Development (Diaz de la Portilla) (FR)59 DSC

SB
940 Employee Leasing Companies (Commerce) (FR)59, (CR)521, (CS)522, (RC)636, (CR)753, (BA)842, (CR)852, (BA)**878** DM
942 Workforce Development (Diaz de la Portilla) (FR)59 DSC
944 Unemployment Compensation (Diaz de la Portilla) (FR)59 DSC
946 Department of State (Diaz de la Portilla) (FR)59 DSC
948 Concealed Weapons Licenses (Commerce and others) (FR)59, (CR)373, (CS)374, (RC)412, (CR)478, (CR)753, (BA)843, (BA)844, (CR)852, (BA)**878**, (CO)1261 Ch. 2008-105
950 Department of Agriculture and Consumer Services (Diaz de la Portilla) (FR)59 DSC
952 Department of Agriculture and Consumer Services (Diaz de la Portilla) (FR)59 DSC
954 Motor Vehicle Dealers (Commerce) (FR)59, (CR)480, (CS)485, (RC)636 DSC
SJR
956 Public Financing of Campaigns/Statewide Office (Oelrich and others) (FR)60, (CR)248, (CO)781 DSC
SB
958 Public Campaign Financing (Oelrich and others) (FR)60, (CR)248, (CO)781 DSC/CSP-CS/CS/CS/SB 1992
960 Teaching Hospitals/Certificate of Need/Exemptions (Jones) (FR)60 DSC
962 Streamlined Sales and Use Tax Agreement (Geller) (FR)60 DSC
964 Nicole Hornstein Act/Equine Activities (Agriculture) (FR)60, (CR)392, (CS)396, (CR)478 DSC
966 Automated Teller Machine Transactions (Commerce and others) (FR)60, (CR)161, (CR)249, (CS)250, (RC)329, (CO)331, (BA)368, (CR)372, (BA)**382**, 979 Ch. 2008-166
968 Use of Deadly Force (Joyner) (FR)60 DSC
970 Slot Machine Revenues/Tax Rate (Finance and Tax) (FR)61, (CS)126, (RC)129, (CR)131, (CR)170, (CS/CS)187, (RC)190, (BA)196, (CR)247, (BA)**258**, (BA)**285** DHC
972 Medically Underserved/ARNP/Controlled Substances (Saunders) (FR)61 DSC
SR
974 Spinal Cord Injury Awareness Week (Rich and others) (FR)**381**, (CO)415 Adopted
SB
976 Firefighter and Municipal Police Pensions (Community Affairs) (FR)61, (CR)753, (CS)758
978 Ad Valorem Taxation for District School Operations (Jones) (FR)61 DSC
980 Tribal-state Gaming Compacts (Geller) (FR)61, (CR)130 DSC
982 Slot Machine Applicants/Equal Treatment (Bennett) (FR)61 DSC
984 Motor Fuels Taxes (Bennett) (FR)61 DSC
986 Local Government Infrastructure Surtax/Housing (Jones) (FR)62 DSC
988 Transitional Services/Young Adults/Disabilities (Health Policy and others) (FR)62, (CR)425, (CS)431, (CR)478, (CR)618, (BA)746, (CR)751, (CO)781, (BA)811, (BA)833, (BA)**836**, 1094 Ch. 2008-211
990 Gifted/Academically Talented Student Education (Wise) (FR)62 DSC
992 Foreclosure Fraud (Judiciary and others) (FR)62, (CR)289, (CS)319, (CO)331, (CR)521, (CS/CS)522, (MO)944, (BA)1080, (CR)1089, (CO)1261, (CO)1719 LTS/CSP-CS/HB 643
994 Employee Leave/Victims of Sexual Violence (Judiciary and others) (FR)62, (CR)286, (CR)345, (CO)378, (CR)425, (CR)754, (CS)758, (BA)804, (CR)819, (BA)831, (BA)835, (CO)860 LTS/CSP-HB 489, CS/HB 1141
996 Cosmetology (General Government Appropriations and others) (FR)62, (CR)162, (CS)166, (CR)391, (CS/CS)396, (CR)686, (CS/CS/CS)688, (CR)753, (BA)918, (CR)928, (BA)937, (BA)**941**, (CO)1261, 1719 Vetoed/CSP-CS/CS/HB 601
998 Retirement Benefits for Public School Personnel (Wise and others) (FR)63, (CO)331 DSC
1000 Jacksonville Transportation Authority (King) (FR)63 DSC
SR
1002 AARP (Rich) (FR)379, **380** Adopted
SB
1004 Partial Payment of Property Taxes (Fasano) (FR)63 DSC
1006 Cardrooms (Finance and Tax) (FR)63, (CR)391, (CS)397, (CR)618, (CS/CS)624 DSC
1008 Failure to Redeliver Hired Vehicles (Criminal Justice and others) (FR)63, (CR)162, (CR)346, (CS)348, (BA)387, (CR)389, (BA)**422**, (CO)497, 979 Vetoed
SB
1010 Senator Les Miller Act/Prostate Cancer Screening (Banking and Insurance and others) (FR)63, (CO)415, (CR)426, (CS)431, (CR)617 DSC
1012 Health Insurance Claims Payments (General Government Appropriations and others) (FR)64, (CS)126, (CR)131, (RC)191, (CR)248, (CO)282, (CR)372, (CR)389, (CO)415, (MO)477, (CR)618, (CS/CS)624, (BA)739, (BA)741, (CR)752, (BA)**795**, 979 Ch. 2008-212 CSP-CS/CS/SB 2012
1014 Historic Pensacola Properties Management (Higher Education) (FR)64, (CR)169, (CR)346, (CS)348, (CR)478, (CR)618, (BA)799, (CR)819 LTS/CSP-CS/HB 337
1016 Podiatrists/Ankle Surgery (Bennett) (FR)64 DSC
1018 Property Insurance Appraisal Umpires (Banking and Insurance) (FR)64, (CR)248, (CS)250, (CR)752 DSC
1020 Affordable Housing for Veterans (Geller and others) (FR)65, (CO)331 DSC
1022 Health Flex Plans (Peaden and others) (FR)65, (CR)248, (CR)287, (CO)331, (BA)517, (CR)520, (BA)1080, (CR)1089, (CO)1719 LTS/CSP-HB 461, CS/CS/SB 2534
1024 Retirement/Officer Malcolm Thompson Act (Oelrich) (FR)65 DSC
1026 Unemployment Compensation Benefits (Governmental Operations and others) (FR)65, (CR)162, (CO)168, (CR)288, (CR)289, (CS)319, (BA)368, (CR)372, (BA)**382**, 933 Ch. 2008-167
1028 Public Schools/Starting Date (Saunders) (FR)65 DSC
1030 Highway Safety (Transportation and others) (FR)65, (CR)162, (CS)166 DSC
1032 Retiree Health Insurance Subsidy/FRS (Lawson) (FR)66 DSC
1034 State Group Insurance Program (Governmental Operations) (FR)66, (CR)169, (CS)187 DSC
1036 Inmate Death Notification (Lawson and others) (FR)66, (CR)287, (CO)331, (BA)422, (CR)424, (BA)452, (BA)453, **454**, 825 DM
1038 Insurance Agents/Continuing Education (Lawson) 66 WNI
1040 Electrical Power Plants (Bennett) (FR)66 DSC/CSP-HB 7135
1042 OGSR/Putative Father Registry/Department of Health (Judiciary and others) (FR)66, (CR)130, (CR)162, (CS)167, (CR)287, (MO)616, (BA)747, (CR)751, (BA)**790**, 1094 Ch. 2008-168
1044 Child Abuse, Abandonment, or Neglect Reporting (Children, Families, and Elder Affairs and others) (FR)66, (CR)130, (CO)168, (CR)752 DCS
1046 OGSR/Foster Parents/DCFS (Children, Families, and Elder Affairs and others) (FR)66, (CR)130, (CR)162, (CO)168, (CR)287, (MO)616, (BA)747, (CR)751, (BA)**791**, 1094 Ch. 2008-169
1048 Child Protection (Health and Human Services Appropriations and others) (FR)66, (CS)126, (RC)129, (CR)131, (CO)168, (CR)289, (CS/CS)319, (CR)480, (CS/CS/CS)485, (BA)722, (CR)751 LTS/CSP-HB 7077
1050 State Judicial System (Villalobos) (FR)66 DSC
1052 Individual Rights (Villalobos) (FR)67 DSC
1054 Justice Administrative Commission (Villalobos) (FR)67 DSC
1056 State Courts System (Villalobos) (FR)67 DSC
1058 Public Records and Meetings (Villalobos) (FR)67 DSC
SJR
1060 State Constitution Amendment (Villalobos) (FR)67 DSC
SB
1062 Educator Certification/Foreign Languages (Education Pre-K - 12 Appropriations and others) (FR)67, (CS)127, (CR)131, (CR)480, (CS/CS)486, (RC)636, (CO)1261 DSC/CSP-CS/SB 1908
1064 Murder/Attempted Murder/Law Enforcement Officers (Criminal Justice and others) (FR)67, (CR)163, (CS)167, (CR)344, (CO)360, (CR)618, (BA)679, (CR)686, (CO)694 LTS/CSP-CS/HB 321
SR
1066 Women's History Month (Joyner) (FR)**500** Adopted
SB
1068 Public School Required Instruction (Siplin and others) (FR)67, (CO)360 DSC
1070 Intergovernmental Cooperation (Education Pre-K - 12 and others) (FR)67, (CR)130, (CR)288, (CS)320, (CR)345, (BA)422, (BA)423, (CR)424, (BA)**453**, (CO)643, 780, 825 Ch. 2008-43
1072 Judiciary (Villalobos) (FR)67 DSC

SB
1074 Litigation (Villalobos) (FR)67 DSC
1076 Motor Vehicles and Mobile Homes/Destruction (Transportation and Economic Development Appropriations and others) (FR)67, (CR)161, (CR)248, (CO)282, (CR)289, (CS)320, (CO)497, (CR)619, (CS/CS)625, (BA)750, (CR)752, (BA)**794**, 1094 Ch. 2008-170
1078 Personal Property Title Insurance (Wise) (FR)68 DSC
1080 Byrd Alzheimer's Center and Research Institute (Health and Human Services Appropriations and others) (FR)68, (CO)168, (CR)346, (CS)349, (RC)356, (CO)360, (CR)426, (CS/CS)431, (BA)504, (BA)505, (CR)519, (BA)542, **543** DM
1082 Stalking (Ring) (FR)68 DSC
1084 Termination of Parental Rights/Adoption/Paternity (Judiciary and others) (FR)68, (CR)289, (CS)320, (CO)331, (CR)520, (CS/CS)522, (CR)618, (CO)694, (BA)747, (CR)751 LTS/CSP-CS/HB 663
1086 Illegal or Undocumented Aliens/DOC (Criminal Justice and others) (FR)68, (CO)331, (CR)391, (CS)397, (CO)497, (CR)752, (CO)781, (MO)972 DCS
1088 Emergency Management Powers (Rich) (FR)69 DSC
1090 OGSR/Florida Kidcare Program (Governmental Operations) (FR)69, (CR)130, (CR)753, (CS)758, (RC)772, (BA)844, (CR)852, (BA)878 LTS/CSP-HB 7053
1092 Alzheimer's Disease/Medicaid Waiver Program (Health Policy) (FR)69, (CR)130, (CR)162, (MO)372, (BA)384, (CR)388, (BA)**420**, 780 Ch. 2008-44
1094 Gambling Vessels/Clean Ocean Act (Regulated Industries and others) (FR)69, (CO)331, (CR)391, (CS)397, (RC)412, (CO)415, (MO)424, (CR)618, (CS/CS)625, (MO)720, (BA)**844**, (CR)852, (CO)860, 1094, (CO)1261 Ch. 2008-231
1096 Wine Production and Shipment (Finance and Tax and others) (FR)69, (CO)254, (CR)287, (CR)392, (CS)397, (BA)599, (CR)617, (BA)**650** DM
1098 Insurance Adjusters (Banking and Insurance) (FR)69, (CR)249, (CS)251, (CR)344, (MO)1004 DSC/CSP-CS/CS/SB 2012
1100 State Lottery (Jones) (FR)70 DSC
1102 High-occupancy-vehicle (HOV) Lanes (Geller) (FR)70 DSC/CSP-HB 7135, CS/CS/CS/SB 1992
1104 Alcohol Abuse/Expectant Mothers (Bennett) (FR)70 DSC
1106 Physician Assistants/Prescriptions/Formulary (Saunders) (FR)70, (CR)130, (CR)162, (MO)616, (BA)805, (CR)819 LTS/CSP-HB 989
1108 Delinquent Property Taxes (Deutch) (FR)70 DSC
1110 Court Costs (Criminal Justice) (FR)71, (CR)346, (CS)349, (CR)478, (CR)617 DSC
1112 Public School Supervision of Students (Ring) (FR)71 DSC
SJR
1114 Apportionment and Redistricting (Justice) (FR)71 DSC
SB
1116 Mortgage Fraud (Community Affairs and others) (FR)71, (CR)169, (CS)187, (CR)345, (CO)378, (CR)389, (CO)415, (CR)617, (MO)720, (BA)919, (CR)928, (CO)1261 LTS/CSP-CS/HB 743
1118 Illegal Aliens (Wilson) (FR)71 DSC
1120 Research Commercialization Matching Grant Program (Governmental Operations) (FR)71, (CR)426, (CS)431, (CR)521, (CS/CS)523 DSC
1122 Siting of Power Plants and Transmission Lines (Saunders) (FR)71 DSC/CSP-HB 7135
1124 Summary Guardianship/Persons with Mental Illness (Aronberg) (FR)72 DSC
1126 Dept. of Gaming Control/Government Reorganization (Ring) (FR)72 DSC
1128 Minors/Distribution of Harmful Material (Judiciary) (FR)72, (CR)479, (CS)486, (CR)617, (CR)753, (CS/CS)758, (MO)944, (BA)1080, (CR)1089 LTS/CSP-CS/HB 559
1130 Firearms in Motor Vehicles (Judiciary and others) (FR)72, (CR)287, (CR)392, (CS)397, (BA)418, (BA)419, (CR)424 LTS/CSP-CS/HB 503
1132 Protective Services (Storms) (FR)73 DSC
1134 Children (Storms) (FR)73 DSC
1136 Persons with Disabilities (Storms) (FR)73 DSC
1138 Abandoned Infants (Storms) (FR)73 DSC
1140 Children and Families (Storms) (FR)73 DSC
1142 Adult Services (Storms) (FR)73 DSC
1144 Public Records (Storms) (FR)73 DSC
1146 Long-term Care (Storms) (FR)73 DSC
1148 Elderly (Storms) (FR)73 DSC
1150 Mental Health and Substance Abuse (Health and Human Services Appropriations) (FR)73, (CR)391, (CS)397, (RC)412, (CR)753, (CR)754, (CS/CS)758, (CS/CS/CS)759, (BA)805, (CR)819 LTS/CSP-CS/HB 697
1152 Child Support Enforcement (Judiciary and others) (FR)73, (CR)170, (CS)187, (RC)191, (CO)254, (CR)426, (CS/CS)431, (CR)618, (BA)746, (CR)751 LTS/CSP-HB 7073, HB 5003
1154 Assisted Living (Storms) (FR)74 DSC
1156 Public Records (Storms) (FR)74 DSC
1158 Agency for Persons with Disabilities (Storms) (FR)74 DSC
1160 Putative Father Registry (Storms) (FR)74 DSC
1162 Sentencing (Dockery) (FR)74 DSC
1164 Termination of Parental Rights (Storms) (FR)74 DSC
1166 Florida Gaming Trust Fund/Dept. of Gaming Control (Ring) (FR)74 DSC
SR
1168 Black History Month (Joyner) (FR)**500** Adopted
SB
1170 High School Students/End-of-course Testing (Lynn) (FR)74 DSC/CSP-CS/SB 1908
1172 Public School Utilization (Wise) (FR)74 DSC
1174 Insurance Rate Standards (Fasano) (FR)74 DSC/CSP-CS/CS/SB 2860
1176 Storm Cost Recovery/Small Local Exchange Companies (Bennett) (FR)74 DSC
1178 Renewable Energy Technologies & Energy Efficiency (Dockery and others) (FR)75 DSC/CSP-HB 7135
1180 Pasco County/Water-wastewater Utility System (Fasano) (FR)75 DSC
1182 Sports Coaches/Criminal History Screening (Ring) (FR)75, (CR)344, (CR)686 DSC
1184 Board-certified Emergency Physicians (Saunders) (FR)75 DSC
1186 Patients' Right-to-Know Act (Rich and others) (FR)75, (CO)331, (MO)477 WS
1188 Dating Violence (Dean and others) (FR)75, (CR)478, (CO)643, (CR)686, (MO)852, (BA)949, (CR)973 LTS/CSP-HB 313
1190 Motor Vehicle Sales Warranties (Wise) (FR)75 DSC
1192 Personal Watercraft Safety (Environmental Preservation and Conservation and others) (FR)75, (CR)169, (CS)187, (CR)287, (CO)331 DSC
1194 Sexual Battery on a Minor (Ring) (FR)76, (CR)345 DSC
1196 Insurance Rate Standards (Geller and others) (FR)76, (CO)360, (CR)391, (CS)410, (CO)415, (CR)480, (CS/CS)492, (BA)508, (BA)511, (CR)520, (BA)544, **546**, 1177, **1198**, (CO)1261 Ch. 2008-66 CSP-CS/HB 697, CS/CS/SB 2012
1198 Public Broadcasting Program System (Rich) (FR)76 DSC
1200 Alzheimer's Disease (Wise) (FR)76 DSC
1202 Parking Spaces/Disabled Persons (Wise) (FR)76 DSC
SR
1204 City of Coral Springs/Malcolm Baldrige Award (Ring) (FR)534, **535** Adopted
SB
1206 Public Accountancy (Regulated Industries) (FR)76, (CR)162, (CS)167, (CR)389, (MO)720, (BA)844, (CR)852, (BA)879 LTS/CSP-HB 797
1208 Water Pollution Control (Community Affairs) (FR)76, (CR)390, (CS)398, (CR)521, (CS/CS)523, (MO)944, (BA)1080, (BA)1081, (CR)1089 LTS/CSP-CS/HB 547
1210 Special Districts/Charter Codification (Baker) (FR)76 DSC
1212 Lake Jesup Restoration (Constantine) (FR)77 DSC
1214 Wekiva Parkway Protection Act (Constantine) (FR)77 DSC
1216 Public K-12 Students/Hazardous Walking Conditions (Constantine) (FR)77 DSC
1218 Ethics (Constantine) (FR)77 DSC
1220 Code of Ethics/Public Officers and Employees (Ethics and Elections) (FR)77, (CR)260, (CS)281 DSC
1222 Ethics (Constantine) (FR)77 DSC
1224 Ethics (Constantine) (FR)77 DSC
1226 Ethics (Constantine) (FR)77 DSC
1228 Ethics (Constantine) (FR)77 DSC
1230 Elections (Constantine) (FR)77 DSC
1232 Student Financial Assistance (Storms and others) (FR)77 DSC
1234 Lake County Magnet High School Pilot Project (Baker) (FR)77 DSC
SR
1236 Florida Lottery's 20th Anniversary (Jones and others) (CO)331, (CO)415, (FR)498, **499**, (CO)933 Adopted
SB
1238 Driver Licenses/Minors (Deutch) (FR)78 DSC
1240 Political Party Executive Committees (Wise) 78 WNI

SB
1242 Environmental Permitting (Community Affairs and others) (FR)78, (CO)168, (CR)390, (CS)398, (CR)753, (CS/CS)759 DSC
1244 Political Advertisement Website (Deutch) (FR)78 DSC
1246 Communications (Bennett) (FR)78 DSC
1248 Energy (Bennett) (FR)78 DSC
1250 Public Service Commission (Bennett) (FR)78 DSC
1252 Electric Utilities (Bennett) (FR)78 DSC
1254 Energy Security (Bennett) (FR)78 DSC
1256 Telecommunications (Bennett) (FR)78 DSC
1258 Electric Utilities (Bennett) (FR)79 DSC
1260 Water and Wastewater (Bennett) (FR)79 DSC
1262 Energy (Bennett) (FR)79 DSC
1264 Handguns/Purchase and Delivery (Bennett) 79 WNI
1266 Electronic Wireless Communications Devices/Driving (Bennett) (FR)79 DSC
1268 Free License Plates/Choctaw Indians (Lawson) (FR)79, (CR)287 DSC
1270 Automatic Renewal of Service Contracts (Banking and Insurance and others) (FR)79, (CR)288, (CS)321, (CO)331, (CR)426, (CS/CS)432
1272 EMTs and Paramedics/Emergency Services/Hospitals (Fasano) 79 WNI
1274 Horse Country License Plate (Gaetz) (FR)79, (CR)752 DSC/CSP-CS/SB 734
1276 Educational Facilities (Education Facilities Appropriations) (FR)79, (CS)127, (CR)131, (CR)346, (CS/CS)349, (BA)383, (CR)388, (BA)**420**, 1553, **1554** Ch. 2008-213 CSP-HB 5083
1278 Physical Therapy (Lawson) (FR)79 DSC
1280 Criminal Conduct/Child Abuse and Neglect (Aronberg and others) (FR)79, (CR)286, (CR)686 DSC
1282 Court Costs (Bennett) (FR)79, (MO)158 WS
1284 Compacts and Agreements/Ratification Authority (Regulated Industries) (FR)80, (CR)425, (CR)618, (CS)625 DSC
1286 Fish and Wildlife Conservation Commission (General Government Appropriations) (FR)80, (CR)287, (CR)288, (CS)321, (CR)426, (CS/CS)432, (BA)**476**, (CR)(MO)477, (BA)536, (BA)616, 1117, **1119**, 1261 Ch. 2008-106 CSP-HB 7091
1288 Franchises (Bennett) (FR)80, (MO)198 WS
1290 Insurance/Amino Acid Formulas/Mental Disorders (Peaden) 80 WNI
1292 Land Acquisition/Florida Forever Trust Fund (Saunders) (FR)80 DSC
1294 Environmental Protection (General Government Appropriations) (FR)80, (CR)287, (CR)288, (CS)321, (CR)426, (CS/CS)432, (BA)**476**, (CR)(MO)477, (BA)537, (BA)616, 1119, **1131**, 1261 Ch. 2008-150
1296 Water Management Districts (General Government Appropriations and others) (FR)80, (CR)391, (CS)398, (RC)413, (MO)452, (CR)687, (CS/CS)689, (CO)979, (MO)1613 DCS
1298 Submerged Lands/Surcharges (Saunders) (FR)80 DSC
1300 Seagrass Scarring/Illegally Taken Wildlife (Environmental Preservation and Conservation and others) (FR)80, (CR)345, (CS)349, (RC)357, (CR)478, (CR)618, (BA)797, (CR)819, (BA)829, (BA)864, (BA)934, (BA)992, (BA)1029, (CO)1719 LTS
1302 Wastewater Disposal/Ocean Outfalls (General Government Appropriations and others) (FR)80, (CR)345, (CS)349, (RC)357, (CR)426, (CS/CS)432, (BA)511, (BA)512, (CR)520, (BA)**553**, (CO)781, 1094 Ch. 2008-232
1304 Fish and Wildlife Conservation (Environmental Preservation and Conservation) (FR)80, (CR)753, (CS)759, (RC)823, (BA)949, (CR)973, (BA)1001 LTS/CSP-HB 7091, CS/CS/SB 1286
1306 Collective Bargaining Impasse/Sheriff's Office (Saunders) (FR)80 DSC
1308 Cemeteries/Eminent Domain (Judiciary) (FR)80, (CR)389, (CR)478, (CR)754, (CS)760, (BA)803, (CR)819 LTS/CSP-CS/HB 853
1310 Sellers of Travel (Criminal Justice) (FR)81, (CR)248, (CR)288, (CS)321, (CR)753, (CS/CS)760, (BA)**1081**, (CR)1089, 1094 Ch. 2008-214
1312 Petroleum Cleanup (Saunders) (FR)81 DSC
1314 Motor Vehicles/Wireless Communications Devices (Deutch) (FR)81 DSC
1316 Tower Cranes/Tower Crane Operators Certification (Gaetz and others) (FR)81, (CR)247, (CO)360, (CO)694, (CO)781 DSC
1318 Onsite Sewage Treatment and Disposal Systems (Community Affairs and others) (FR)81, (CR)162, (CR)286, (CR)521, (CS)523, (BA)680, (BA)681, (CR)686, (BA)**710**, (CO)825, 1094 Ch. 2008-215

SB
1320 Florida Bright Futures Scholarship Program (Ring) (FR)81 DSC
1322 Economic Development/Local Option Tourist Dev. Tax (Siplin) (FR)81 DSC
1324 Gifts/Candidates, Officers, and State Employees (Bullard) (FR)81 DSC
1326 Out-of-State Collegiate License Plate (Deutch and others) (FR)82, (CO)331 DSC
1328 State Work Opportunity Tax Credit/Felons (Siplin) (FR)82 DSC
1330 Law Enforcement Officers/Annual Salary Increase (Siplin) (FR)82 DSC
1332 Paintball Guns and Markers (Siplin) (FR)82 DSC
1334 Inmates/Substance Abuse Treatment Services (Siplin) (FR)82 DSC
1336 Juvenile Proceedings/Use of Restraints (Siplin) (FR)82 DSC
1338 Acute Care Hospitals/Staffing (Health Policy) (FR)82, (CR)686, (CS)689 DSC
1340 Public School Student Discipline (Wise) (FR)82 DSC
1342 Workforce Education Grant Program (Wise) 82 WNI
1344 Health Care for Children (Siplin) (FR)82 DSC
1346 School Board Policies/Crime and Victimization (Hill) (FR)83 DSC
1348 Community Reinvestment Plans/Tax Credits (Siplin) (FR)83 DSC
1350 Presidential Elections/Popular Vote (Hill) (FR)83 DSC
1352 Agency for Early Learning (Rich) (FR)83 DSC
1354 Pornographic Materials/Commercial Distribution (Siplin) (FR)83 DSC

SR
1356 Ronald Reagan Day (Fasano and others) (FR)**381**, (CO)448 Adopted

SB
1358 Low and Moderate Income Insurance Assistance Fund (Wilson) (FR)83 DSC
1360 Pharmacy Technicians (Health and Human Services Appropriations) (FR)84, (CR)288, (CS)322, (CR)372, (CR)619, (CS/CS)625, (BA)681, (CR)686, (BA)**710**, 1261 Ch. 2008-216
1362 Affordable Housing Preservation (Fasano) (FR)84 DSC
1364 Immigration (Villalobos) (FR)84 DSC

SR
1366 Eugene C. Badger (Bullard) (FR)**1264** Adopted
1368 Don Daly/Community Service Work (Bullard) (FR)695, **696** Adopted

SB
1370 Florida Patient Safety Corporation (Judiciary and others) (FR)84, (CR)162, (CR)288, (CS)322, (CR)389, (MO)477, (BA)513, (CR)519, (BA)**548**, (CO)781 DM
1372 Emergency Services and Care Access (Health Regulation) (FR)84 DSC
1374 Home Health Care (Health and Human Services Appropriations and others) (FR)84, (CR)169, (CS)187, (CR)289, (CS/CS)322, (CR)426, (CS/CS/CS)433, (BA)513, (CR)519, (BA)681, (BA)682, (CR)686, (BA)710, (BA)711 LTS/CSP-CS/HB 7083
1376 Agriculture (General Government Appropriations) (FR)85, (CO)415, (CR)520, (CR)819, (CS)820, (MO)1088 DCS/CSP-CS/SB 2222
1378 Display of Flags/Homeowners' Associations (Community Affairs and others) (FR)85, (CO)254, (CR)289, (CS)323, (CR)390, (BA)517, (BA)518, (CR)520, (BA)553, **554**, 780, (CO)781 Ch. 2008-45
1380 Electronic Gaming Machines (Finance and Tax and others) (FR)85, (CS)(CS/CS)127, (CR)131, (CR)132, (BA)196, (CR)247, (BA)257, **258** DHC
1382 Net Metering (Bennett and others) (FR)85 DSC/CSP-HB 7135
1384 Theft of Copper or Other Nonferrous Metals (Communications and Public Utilities and others) (FR)85, (CO)168, (CR)169, (CS)188, (CO)254, (CO)282, (CR)286, (CO)360, (CR)478, (CR)752, (BA)919, (CR)928 LTS/CSP-CS/HB 799
1386 Telecommunications Services/Universal Service (Bennett) (FR)85 DSC
1388 Ephedrine and Related Compounds/Retail Sale (Saunders) (FR)85 DSC
1390 Pub. Rec./Sale of Ephedrine (Saunders) (FR)86 DSC
1392 Public Records and Meetings (Lawson) (FR)86 DSC
1394 Public Records and Meetings (Lawson) (FR)86 DSC
1396 Public Records and Meetings (Lawson) (FR)86 DSC

SB
1398 Research and Development Expenses Tax Credit (Commerce) (FR)86, (CR)373, (CS)374 DSC
1400 Public Records and Meetings (Lawson) (FR)86 DSC
1402 Public Records and Meetings (Lawson) (FR)86 DSC
1404 Child Care/Early Learning Programs/Pre-K Education (Rich) (FR)86 DSC
1406 Consumer Credit Reports (Siplin) (FR)86 DSC
1408 Residential Tenancies/Domestic and Sexual Violence (Criminal Justice and others) (FR)86, (CR)753, (CS)760 DSC
1410 Physician & Dental Services/Medicaid Reimbursement (Deutch) (FR)87 DSC
1412 Public Moneys and Property/Sports Teams (Bennett) (FR)87 DSC
1414 Supplemental Educational Services (Education Pre-K - 12 and others) (FR)87, (CR)345, (CS)349, (CR)618, (BA)682, (CR)686, (BA)**719**, (CO)781, **1175** Ch. 2008-171
1416 Alimony/Supportive Relationship (Diaz de la Portilla) (FR)87, (CR)287 DSC
1418 Taxes/Property Rental Fees and Admissions (Diaz de la Portilla) (FR)87, (CR)344, (CR)752 DSC
1420 Physicians and Osteopathic Physicians (Jones) (FR)87 DSC
1422 Commercial Property Insurance (General Government Appropriations) (FR)87, (CR)390, (CS)398, (CR)617, (CR)819, (CS/CS)820 DCS
1424 Driving Privileges/Driving Under the Influence (Transportation) (FR)88, (CR)520, (CS)523 DSC
1426 Mobile Homes Sales Tax Reimbursement/Tornadoes (Community Affairs and others) (FR)88, (CR)288, (CS)323, (CO)331, (CR)372, (CR)478, (BA)591, (CR)617, (BA)**646**, (CO)781 DM
1428 Retirement/Community Colleges & Universities (General Government Appropriations) (FR)88, (CR)345, (CS)349, (CR)373, (CS/CS)374, (BA)423, (BA)(CR)(MO)424, (CR)520 USC/LTS/CSP-HB 5063
1430 Sexual Predators/Sexual Offenders/Public Safety (Judiciary and others) (FR)88, (CR)391, (CS)399, (CR)753, (CS/CS)761, (MO)852, (BA)949, (BA)969, (BA)970, (CR)973, (BA)1001, (BA)1098, (BA)1582, (BA)1653, **1658**, (CO)1719 DM
1432 Renewable Energy Generation and Net Metering (Justice) (FR)88 DSC
1434 Hearsay Statements/Felony Cases (Joyner) (FR)88 DSC
1436 Not Used
1438 Utility Services/Unlawful Use/Controlled Substance (Criminal Justice) (FR)89, (CR)753, (CS)761 DSC
1440 Corporate Income Tax Credit Scholarship Program (Education Pre-K - 12 Appropriations and others) (FR)89, (CO)331, (CR)345, (CS)350, (CR)425, (CO)448, (CR)687, (CS/CS)689, (BA)810, (CR)819, (BA)844, (BA)919, (BA)949, (BA)950 LTS/CSP-CS/CS/CS/HB 653
1442 Exploited Children (Criminal and Civil Justice Appropriations and others) (FR)89, (CR)162, (CS)167, (CR)287, (CO)415, (CR)425, (CS/CS)433, (CR)618, (CS/CS/CS)625, (BA)744, (BA)745, (CR)751, (CO)781, (BA)**788**, 933 Ch. 2008-172
1444 Fla. Forever Water Management District Work Plan (Saunders) (FR)89 DSC
SR
1446 Aerospace Education (Wise) (FR)332, **333** Adopted
SB
1448 Expert Witnesses (Wise) (FR)89 DSC
1450 Agriculture (Alexander) (FR)89 DSC
1452 Building Inspection Professionals (Wise) (FR)89, (CR)247 DSC/CSP-CS/CS/HB 601
SM
1454 Federal 2010 Census in Creole (Wilson) (FR)90, (CR)287, (BA)(CR)**424**, 933 Adopted
SB
1456 Inmates/Medical Assistance Eligibility/Medicaid (Wilson and others) (FR)90, (CR)389, (CR)478, (CR)752, (MO)783, (BA)803, (CR)819, (BA)**832**, (CO)979, 1261 Ch. 2008-217
1458 School Breakfast Programs (Education Pre-K - 12 Appropriations and others) (FR)90, (CR)425, (CS)433, (CR)478, (MO)616, (CR)754, (CS/CS)761, (CO)781, (BA)919, (CR)928 LTS/CSP-CS/HB 623
SR
1460 Go Red For Women Day (Wilson) (FR)**285** Adopted
SB
1462 Veterans' Affairs/Direct-support Organization (Military Affairs and Domestic Security and others) (FR)90, (CS)251, (CR)287, (CR)288, (CO)331, (CR)618, (BA)679, (CR)686, (BA)708, (CO)781 LTS/CSP-CS/HB 861, CS/HB 863
SB
1464 Pub. Rec./Direct-support Organization/FDVA (Governmental Operations) (FR)90, (CR)248, (CR)346, (CS)350, (MO)616, (BA)721, (CR)751 LTS/CSP-CS/HB 863, CS/HB 861
1466 Construction Contracting (Aronberg) (FR)90 DSC
1468 Department of Military Affairs (Dean) (FR)90 DSC
1470 Uniform Port Access Credential Card (Military Affairs and Domestic Security) (FR)90, (CR)479, (CS)486, (RC)636 DSC
1472 Emergency Preparedness (Dean) (FR)90 DSC
1474 Dissolution of Marriage (Judiciary and others) (FR)90, (CR)480, (CS)486, (BA)741, (BA)742, (CR)751, (BA)**785**, (CO)1261 Ch. 2008-46
1476 Department of Veterans' Affairs (Dean) (FR)91 DSC
1478 Psychology Licensure (Health Regulation) (FR)91, (CR)260, (CS)281, (MO)477, (BA)682, (CR)686 LTS/CSP-CS/HB 803
SR
1480 Naples High School Golden Eagles Football Team (Saunders) (FR)**193** Adopted
SB
1482 Onsite Sewage Treatment and Disposal Systems (Geller) (FR)91 DSC
1484 Limited English Proficient Students/Instruction (Saunders) (FR)91 DSC
1486 State Tortoise (Saunders) (FR)91, (CR)169, (MO)720, (BA)803, (BA)804, (BA)805, (CR)819, (BA)830, **831** DM/CSP-CS/CS/SB 542
1488 Health Care Consumer's Right to Information Act (Banking and Insurance) (FR)91, (CR)390, (CS)399, (CR)479, (CS/CS)486, (CR)618, (BA)810, (CR)819, (BA)**832**, 979 Ch. 2008-47
1490 Affordable Housing (Community Affairs and others) (FR)91, (CR)391, (CS)399, (CR)617, (CO)642, (MO)802, (BA)920, (CR)928, (BA)961 DCS
1492 Discretionary Surtax on Documents (Community Affairs) (FR)91, (CR)345, (CS)350, (CR)752, (MO)802, (BA)920, (BA)921, (BA)927, (BA)(CR)928, (BA)938, (BA)942 LTS
1494 Secretary of State/Nonpartisan Statements (Aronberg) (FR)92 DSC
1496 Service Animals for Individuals with Disabilities (Community Affairs) (FR)92, (CR)288, (CS)323, (CR)752 DSC
1498 Public Schools/Service-learning Programs (Fasano) (FR)92 DSC
1500 Paid Holidays/Presidential Election Day (Ring) (FR)92 DSC
1502 Leased Property for Public Purposes (General Government Appropriations) (FR)92, (CR)287, (CR)520, (CR)617, (CR)819, (CS)820, (BA)961, (CR)973, (BA)**1001**, 1094 Ch. 2008-48
1504 Termination of Pregnancy/Nonresident Minors (Wise) (FR)92 DSC
1506 Electric Utilities (Bennett) (FR)92 DSC/CSP-HB 7135
1508 Medicaid Managed Care Programs (Saunders) (FR)93, (CR)390, (CR)478 DSC
1510 Public Meetings and Records/Pending Litigation (Geller) (FR)93 DSC
1512 Transportation and Transit Authorities (Geller) (FR)93 DSC
1514 Taxpayer Rights/Property Appraiser's Assessment (Storms and others) (FR)93, (CO)282 DSC
1516 Art in Public Buildings (Storms) (FR)93, (CR)752 DSC
1518 Arcade Amusement Centers (Jones) (FR)93 DSC
1520 Medicaid Personal Allowance/Sales Tax (Storms) (FR)93 DSC
1522 Real Property Assessments/Burden of Proof (Storms and others) (FR)94, (CO)282 DSC
1524 Pasco County/Property Insurance Reduction (Fasano and others) (FR)94, (CO)1261 DSC
1526 Salvage Motor Vehicles (Justice) (FR)94 DSC/CSP-CS/CS/SB 1076
1528 Community Redevelopment Agencies/Dissolution (Storms) (FR)94 DSC
1530 Access to Dwelling Units (Bennett) (FR)94 DSC
SJR
1532 Embryonic Stem Cell Research (Geller) (FR)94 DSC
SR
1534 Vets for Victory Day/June 16, 2008 (Storms and others) (FR)**380** Adopted
SB
1536 Internet Predator Awareness and Online Safety Act (Storms and others) (FR)94, (CR)344, (CO)415 DSC

SR
1538 Patient Safety Awareness Week/March 2-8,2008 (Saunders) (FR)**158** Adopted
SB
1540 Pub. Rec./Patients' Medication History Website (Health Regulation) (FR)94, (CR)391, (CS)399 DSC
1542 Pharmaceutical Drugs (Ring) (FR)94 DSC
1544 Energy Conservation (General Government Appropriations and others) (FR)95, (CR)345, (CS)350, (RC)357, (CR)391, (CS/CS)399, (MO)452, (BA)589, (MO)600, (BA)611, (BA)(CO)(MO)616, (CR)617, (CR)618, (CS/CS/CS)626, (BA)651, (BA)677, (BA)705, (CO)781, (BA)783, (BA)828, (BA)864, (BA)934, (BA)981, (BA)992, (BA)993, (BA)995, (BA)997, (CO)1719 LTS/CSP-CS/HB 697, HB 7135
1546 Personal Floatation Devices (Saunders) (FR)95 DSC
1548 Property Appraisers (Finance and Tax) (FR)95, (CR)389, (CR)618, (CS)628 DSC
1550 Patients' Medication History Website (Health Regulation) (FR)95, (CR)391, (CS)401 DSC
1552 Everglades Restoration Bonds (Finance and Tax and others) (FR)95, (CR)287, (CR)753, (CS)761, (RC)856, (BA)961, (BA)962, (CR)973, (CO)979, (BA)**1001**, 1261, (CO)1719 Ch. 2008-49
1554 Firesafety/Structure Markings (Wise and others) (FR)95, (CR)247, (CR)752, (MO)972, (BA)1081, (BA)1082, (CR)1089, (BA)1101, (CO)1261 LTS/CSP-CS/HB 727
1556 Florida Locksmith Services Act (Crist) (FR)95 DSC
1558 Official State Anthem and Official State Song (Hill and others) (FR)95, (CR)287, (CR)478, (MO)519, (BA)803, (BA)**804**, (CR)819, (CO)825, 1261 Ch. 2008-233
1560 Hoax Firearms (Oelrich) (FR)96 DSC
1562 Payment Card Transactions/Sales Tax Credit (Baker) (FR)96 DSC
1564 Insurance Rate Standards (Atwater and others) (FR)96, (CO)360, (CO)1261 DSC/CSP-CS/CS/SB 2860
1566 Medicaid Managed Care Plans (Lynn) (FR)96, (CR)287, (CR)617 DSC
1568 Contributions to Relieve Homelessness (Lynn) (FR)96 DSC
1570 Medicaid Managed Care Pilot Program (Lynn) (FR)96, (CR)287 DSC
1572 Enterprise Zones/City of Ocala (Lynn) (FR)96, (CR)617, (MO)720 DSC
1574 Ignition Interlock Devices/Blood Alcohol Level (Rich) (FR)96 DSC
1576 Public Employees' Charitable Campaigns (Storms and others) (FR)96 DSC
1578 Property Rights (Baker) (FR)97, (CR)752 DSC
1580 Swimming Pool and Spa Safety Drains (Regulated Industries and others) (FR)97, (CR)289, (CS)323, (CO)360, (CO)415, (CR)425, (CS/CS)433, (CR)752 DSC
1582 Guardians Ad Litem (Judiciary) (FR)97, (CR)391, (CS)402, (CR)754, (CS/CS)761, (BA)810, (CR)819, (BA)**832** DM
1584 Property Taxation (Haridopolos) (FR)97 DSC
1586 Corporate Income Tax (Finance and Tax) (FR)97, (CR)426, (CS)434, (RC)494, (BA)515, (CR)520, (BA)550 LTS/CSP-HB 5065
1588 Property Taxation (Finance and Tax) (FR)97, (CR)425, (CS)434, (RC)494, (BA)515, (BA)517, (CR)520, (BA)**552**, 1658, **1659** Ch. 2008-173
1590 Taxation (Finance and Tax) (FR)97, (CR)618, (CS)628
1592 Taxation (Haridopolos) (FR)97 DSC
1594 General Tax Administration (Haridopolos) (FR)97 DSC
1596 Taxation (Haridopolos) (FR)97 DSC
1598 Health Insurance Coverage/Amino-acid-based Formula (Health Policy) (FR)97, (CR)426, (CS)434, (CR)479, (CS/CS)486, (CR)753, (BA)844, (CR)852, (BA)**879** DM
SM
1600 Rotating Regional Presidential Primary System (Justice and others) (FR)98, (CO)168, (CR)248, (CO)254, (CO)331 USC/LTS
SB
1602 Sales and Use Tax (Haridopolos) (FR)98 DSC
1604 Designations (Transportation) (FR)98, (CR)521, (CS)524, (BA)921, (BA)922, (BA)923, (CR)928, (BA)938, (BA)992, (BA)993, (BA)(MO)1011, **1012**, 1659, 1660, **1661** Ch. 2008-256 CSP-CS/CS/CS/SB 1992
1606 Veterans Special License Plates (Baker and others) (FR)98, (CR)248, (CO)254, (CO)282, (CR)287, (CR)372, (CR)478, (BA)720, (BA)721, (CR)751 LTS/CSP-CS/HB 1027
1608 Home Care Consumer and Worker Act (Alexander and others) (FR)98 DSC
SB
1610 State Attorneys (Wise) (FR)98 DSC
1612 Salvia Divinorum and Salvinorin A (Criminal Justice) (FR)98, (CR)249, (CS)250, (CR)286, (CO)415, (CR)618, (BA)679, (CR)686 LTS/CSP-CS/HB 1363
1614 Department of Corrections (Criminal and Civil Justice Appropriations) (FR)98, (CR)248, (CS)252, (CR)391, (CS/CS)402, (CR)618, (CS/CS/CS)628, (CR)754, (CS/CS/CS/CS)761, (BA)812, (BA)813, (CR)819, (BA)834 LTS/CSP-HB 7137
1616 Weapon & Firearm Licenses/Interagency Data Sharing (Judiciary and others) (FR)99, (CR)247, (CR)287, (CO)331, (CR)480, (CS)487, (BA)519, (CR)520, (BA)**556**, 1261 Ch. 2008-50
1618 OGSR/Victims of Child Abuse or Sex Crimes (Criminal Justice and others) (FR)99, (CR)345, (CS)352, (CR)425, (MO)477, (BA)680, (CR)686, (BA)**708**, (CO)781, 1094 Ch. 2008-234
1620 Agriculture (Alexander) (FR)99 DSC
1622 Nonprofit Cooperative Associations (Deutch) (FR)99 DSC
1624 Public Procurement (Deutch) (FR)99 DSC
1626 Charter County Transit System Surtax (Alexander) (FR)99, (CR)344, (CR)520, (MO)720, (MO)1088, (MO)1257, (MO)1258, (BA)1613, **1614**, (CR)1717 DM
1628 Early Voting Sites/Community College Facilities (Aronberg and others) (FR)100, (CO)415 DSC
1630 OGSR/Department of Agriculture & Consumer Services (Agriculture) (FR)100, (CR)170, (CS)188, (CR)287, (MO)388, (BA)517, (CR)520, (BA)**553**, 1094 Ch. 2008-218
1632 Citrus (Alexander) (FR)100 DSC
1634 Wastewater Management (Bennett) (FR)100, (CR)478, (CR)752 DSC
1636 Courts/Collection of Fees, Service Charges & Costs (Judiciary) (FR)100, (CR)391, (CS)402 DSC
1638 Pest Control Compact (Agriculture and others) (FR)100, (CR)169, (CR)425, (CR)752, (MO)944, (BA)1082, (CR)1089, (CO)1719 LTS
1640 Emergency Health Care Providers (Baker and others) (FR)100, (CO)254 DSC
1642 Department of Citrus (Alexander) (FR)100 DSC
1644 Transportation (King) (FR)100 DSC
1646 Student Loans/Attorneys (Aronberg) (FR)101 DSC
1648 HIV Testing/Informed Consent (Health Policy and others) (FR)101, (CR)426, (CS)434, (CR)480, (CS/CS)487, (BA)513, (CR)519, (BA)**547**, (CO)781, 1719 Ch. 2008-219
1650 School Nurses/Epinephrine Auto-injectors (Aronberg and others) (FR)101, (CO)282, (CO)331, (CO)781 DSC
1652 Charter Schools/Charter Technical Career Centers (Education Pre-K - 12 Appropriations and others) (FR)101, (CR)169, (CS)188, (BA)342, (BA)343, (CR)344, (CR)346, (CS/CS)352, (BA)**366**, (CO)415, 1632, (BA)1641 DM
1654 State Construction Management Contracting (Governmental Operations) (FR)101, (CR)521, (CS)524, (RC)637 DSC
1656 Governmental Effectiveness and Efficiency (Lawson) (FR)101 DSC
1658 Computer Users/Spyware Offenses (Ring) (FR)101 DSC
1660 Pub. Rec./Emergency Medical Technicians/Paramedics (Aronberg) (FR)101 DSC
1662 School Bus Safety (Aronberg) (FR)102 DSC
1664 Culpable Negligence/Assault Weapons (Bullard and others) (FR)102, (CO)282, (CO)331, (CO)448 DSC
1666 Commuter Rail Service (Baker) (FR)102, (MO)286 WS
1668 Nursing Homes and Assisted Living Facilities (Health Regulation and others) (FR)102, (CO)415, (CO)497, (CR)686, (CS)689 DSC
1670 Early Learning (Transportation and Economic Development Appropriations and others) (FR)102, (CR)345, (CS)352, (CR)390, (CS/CS)402, (RC)413, (CO)415, (CR)479, (CS/CS/CS)487, (MO)616, (CR)754, (CS/CS/CS/CS)762, (BA)922, (CR)928, (BA)962, (BA)963 LTS/CSP-HB 879, CS/CS/CS/SB 1712
1672 Beach Management (Community Affairs and others) (FR)102, (CR)288, (CS)323, (CO)331, (CR)479, (CS/CS)487, (MO)802, (BA)923, (CR)928, (CO)1719 LTS/CSP-CS/HB 1427
SR
1674 Monty Trainer (Bullard) (FR)500, **501** Adopted
SB
1676 Official Florida Statutes (King) (MO)4, (FR)103, (CR)131, (BA)**160**, 331, 415, 496 Ch. 2008-3
1678 Florida Statutes (Rules) (MO)4, (FR)103, (CS)128, (CR)132, (BA)160, **161**, 331, 415, 496 Ch. 2008-4

SB
1680 Florida Statutes (King) (MO)4, (FR)103, (CR)131, (BA)**161**, 331, 415, 496 Ch. 2008-5
1682 Florida Statutes (King) (MO)4, (FR)103, (CR)131, (BA)**161**, 331, 415, 496 Ch. 2008-6
1684 Title Insurance (General Government Appropriations and others) (FR)103, (CR)288, (CS)323, (CO)331, (CR)753, (CS/CS)762, (CR)819, (CS/CS/CS)820, (BA)844, (BA)845, (CR)852, (BA)879 LTS/CSP-CS/HB 937
1686 Public School Grading System (Wise) 104 WNI
1688 Transportation (Baker) (FR)104, (CR)286 DSC
1690 Capital Collateral Representation (Criminal Justice) (FR)104, (CR)346, (CS)353, (RC)377, (CR)478 DSC
1692 Copies of Recordings/Unauthorized (Commerce and others) (FR)104, (CO)360, (CR)373, (CS)374 DSC
1694 911 Emergency Dispatchers (Governmental Operations and others) (FR)104, (CO)331, (CR)389, (CR)425, (CR)753, (CS)762, (BA)**810**, (CR)819, 1261 Ch. 2008-51
1696 Orthotics, Prosthetics, and Pedorthics (Health and Human Services Appropriations) (FR)104, (CR)346, (CS)353, (MO)388, (CR)619, (CS/CS)629, (BA)810, (BA)811, (BA)814, (CR)819, (BA)845, (BA)880 LTS/CSP-CS/HB 607
1698 Sexual Offenders and Predators (Dean) (FR)105 DSC
1700 Seminole Tribe of Florida/Mutual Aid Agreements (Bennett) (FR)105, (CR)248, (CR)478, (CR)752, (CR)753, (BA)813, (CR)819, (BA)**834** DCH
1702 Agriculture (General Government Appropriations) (FR)105, (CR)345, (CS)353, (RC)359, (CR)426, (CS/CS)434, (BA)476, (CR)(MO)**477**, (BA)537, (BA)616, 825, 1131, **1133**, 1261 Ch. 2008-107
1704 Surrendered Newborn Infants/Safe Haven Protection (Children, Families, and Elder Affairs and others) (FR)105, (CO)168, (CR)289, (CS)323, (CR)390, (CO)415, (CO)497, (CR)686, (BA)746, (CR)751, (CO)781 LTS/CSP-HB 7007
1706 Developments of Regional Impact (Higher Education and others) (FR)106, (CR)286, (CR)345, (CR)390, (CR)521, (CS)524, (BA)845, **847**, (CR)852, (CO)860, 1094 Vetoed
1708 Child Nutrition (Margolis) (FR)106 DSC
1710 Soil & Water Conservation/Watershed Improvement (Rich) (FR)106 DSC
1712 Ethics in Education Act (Education Pre-K - 12 Appropriations and others) (FR)106, (CR)170, (CS)188, (CR)287, (CR)289, (CS/CS)323, (BA)343, (CR)344, (CR)346, (CS/CS/CS)353, (CO)360, (BA)366, **367**, (CO)415, 1661, **1672**, (CO)1719 Ch. 2008-108
1714 Higher Education (Oelrich) (FR)106 DSC
1716 Postsecondary Education (Higher Education Appropriations and others) (FR)106, (CR)346, (CS)354, (RC)359, (CR)426, (CS/CS)435, (BA)504, (BA)513, (BA)515, (CR)519, (CO)532, (BA)**542**, 698, **700**, (CO)781, (CO)1719 Ch. 2008-52 CSP-CS/CS/SB 696
1718 Higher Education (Oelrich) (FR)107 DSC
1720 Public Records (Oelrich) (FR)107 DSC
1722 Sex Trafficking (Criminal Justice) (FR)107, (CR)373, (CS)374, (CR)753, (CS/CS)762 DSC
1724 Higher Education (Oelrich) (FR)107 DSC
1726 Higher Education (Oelrich) (FR)107 DSC
1728 Trust Funds (Oelrich) (FR)107 DSC
1730 Service of Process (Criminal Justice) (FR)107, (CR)288, (CS)324, (CR)686, (CS/CS)689 DSC
1732 Florida Statewide Task Force on Human Trafficking (Transportation and Economic Development Appropriations and others) (FR)107, (CR)390, (CS)403, (CR)478, (CR)754, (CS/CS)763, (BA)813, (CR)819, (CO)825, (BA)**834**, (CO)860 DM
1734 Not Used
1736 Winery Shippers (Geller) (FR)107, (MO)198 WS
SJR
1738 Higher Education (Oelrich) (FR)108 DSC
SR
1740 Father's Day (Bullard) (FR)1264, **1265** Adopted
SM
1742 Educator Ethics (Carlton and others) (FR)108, (CR)162, (BA)**197**, (CR)247, (CO)254, 979 Adopted
SB
1744 Special Appropriations/District School Boards (Education Pre-K - 12 Appropriations) (FR)108, (CS)128, (CR)132
1746 Public School Funding (Education Pre-K - 12 Appropriations) (FR)108, (CR)426, (CS)435, (BA)467, **468**, (CR)477 DS/CSP-HB 5083
1748 Public Schools (Wise) (FR)108 DSC
1750 Early Learning (Wise) (FR)108 DSC
SB
1752 Virtual Instruction Programs (Education Pre-K - 12 Appropriations and others) (FR)108, (CR)426, (CS)435, (MO)477, (RC)494, (BA)923, (CR)928, (BA)963, (BA)966, (BA)967, (CO)1094, (CO)1719 LTS/CSP-HB 7067
1754 Education Accountability (Wise) (FR)108 DSC
1756 Classroom Size Reductions (Education Pre-K - 12 Appropriations) (FR)108, (CR)426, (CS)435, (BA)468, **469**, (CR)(MO)477, (BA)537, (BA)616, 825 DCC/CSP-HB 5083
1758 Florida Education Finance Program (Wise) (FR)108 DSC
1760 Implementing 2008-2009 General Appropriations Act (Education Pre-K - 12 Appropriations) (FR)108, (CR)426, (CS)435
1762 Postsecondary Distance Learning (Higher Education) (FR)108, (CR)426, (CS)435, (RC)445, (CR)619, (CS/CS)629, (BA)847, (BA)(CR)852 LTS/CSP-CS/HB 7105
1764 Workforce Education and Adult Education Services (Lynn) (FR)108 DSC
1766 Student Financial Assistance (Lynn) (FR)108 DSC
1768 University Tuition (Higher Education Appropriations) (FR)109, (CR)754, (CS)763, (BA)847, (CR)852 LTS/CSP-CS/CS/HB 745
1770 Independent Postsecondary Education (Lynn) (FR)109 DSC
1772 Educational Accountability (Lynn) (FR)109 DSC
1774 Postsecondary Education (Higher Education Appropriations) (FR)109, (CR)426, (CS)436, (BA)**469**, (CR)(MO)477, (BA)538, (BA)616, 825, 1134, **1136**, 1261 Ch. 2008-109
1776 Implementing 2008-2009 General Appropriations Act (Lynn) (FR)109 DSC
1778 Educational Facilities (King) (FR)109 DSC
1780 Educational Facilities Planning (King) (FR)109 DSC
1782 Higher Education Facilities (King) (FR)109 DSC
1784 K-12 Educational Facilities (King) (FR)109 DSC
1786 Clerks of Court (Crist) (FR)109 DSC
1788 Indigent Civil Defense Trust Fund/JAC (Criminal and Civil Justice Appropriations) (FR)109, (CR)426, (CS)436, (BA)**469**, (CR)(MO)477, (BA)538, (BA)617, 825, 1136, **1137**, 1261 Ch. 2008-110
1790 State Judicial System (Criminal and Civil Justice Appropriations) (FR)109, (CR)426, (CS)436, (BA)469, **470**, (CR)(MO)477, (BA)538, (BA)617, 825, 1137, **1152**, 1261 Ch. 2008-111
1792 Criminal Justice Information (Criminal and Civil Justice Appropriations) (FR)109, (CR)426, (CS)437, (BA)**470**, (CR)(MO)477, (BA)539, (BA)617, 825, 1152, **1153**, 1261 Ch. 2008-112
1794 Juvenile Justice (Crist) (FR)109 DSC
1796 Corrections (Crist) (FR)109 DSC
1798 Parole Commission (Crist) (FR)110 DSC
1800 Correctional Work Programs (Criminal Justice) (FR)110, (CR)426, (CS)437, (RC)445, (CR)753, (CS/CS)763 DSC
1802 Implementing 2008-2009 General Appropriations Act (Criminal and Civil Justice Appropriations) (FR)110, (CR)426, (CS)437
1804 Department of Legal Affairs (Crist) (FR)110 DSC
1806 Juvenile Justice Facilities (Crist) (FR)110 DSC
1808 Regulatory Fees (Alexander) (FR)110 DSC
1810 Agriculture (General Government Appropriations) (FR)110, (CR)426, (CS)437, (BA)470, **471**, (CR)477, 825 DS/CSP-CS/CS/SB 1702
1812 Governmental Operations (Alexander) (FR)110 DSC
1814 Transfer-of-interest Return/Clerk of the Court (General Government Appropriations) (FR)110, (CR)426, (CS)437, (BA)471, (CR)477 LTS/CSP-HB 7019
1816 Governmental Operations (Alexander) (FR)110 DSC
1818 Fees (Alexander) (FR)110 DSC
1820 Department of Business and Professional Regulation (General Government Appropriations) (FR)110, (CR)426, (CS)437, (BA)471, **472**, (CR)477, 825 DS/CSP-CS/HB 995, HB 5047, HB 5051, CS/CS/CS/SB 2016
1822 Governmental Operations (Alexander) (FR)110 DSC
1824 Financial Services (General Government Appropriations) (FR)110, (CR)426, (CS)437, (BA)**472**, (CR)477, 825 DS/CSP-HB 5043
1826 Regulation (Alexander) (FR)111 DSC
1828 Governmental Operations (Alexander) (FR)111 DSC
1830 Disposition of Traffic Infractions (General Government Appropriations) (FR)111, (CR)426, (CS)438, (BA)**472**, (CR)477, 825 DS/CSP-HB 5059
1832 Governmental Operations (Alexander) (FR)111 DSC
1834 Department of the Lottery (Alexander) (FR)111 DSC
1836 Governmental Operations (Alexander) (FR)111 DSC

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1838 Department of Revenue (General Government Appropriations) (FR)111, (CR)426, (CS)438, (BA)**472**, (CR)477, 825 DS/CSP-HB 5061
1840 Governmental Operations (Alexander) (FR)111 DSC
1842 Citrus (Alexander) (FR)111 DSC
1844 Implementing 2008-2009 General Appropriations Act (General Government Appropriations) (FR)111, (CR)426, (CS)438
1846 Water Management Districts (Alexander) (FR)111 DSC
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1848 Water Management Districts/Millage Rate (General Government Appropriations) (FR)111, (CR)426, (CS)438, (RC)495 DSC
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1850 Trust Funds (Alexander) (FR)111 DSC
1852 Medicaid Providers/Reimbursement (Health and Human Services Appropriations) (FR)111, (CS)128, (RC)130, (CR)132, (BA)(MO)**159**, 160, (CR)161, 168 DCC/CSP-HB 5085
1854 Medicaid Program (Health and Human Services Appropriations) (FR)112, (CR)426, (CS)438, (BA)473, **474**, (CR)477 DS/CSP-HB 5085
1856 Tobacco Education & Use Prevention Program (Health and Human Services Appropriations) (FR)112, (CR)426, (CS)438, (BA)**474**, (CR)477, 825 DS
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1860 Department of Children and Family Services (Peaden) (FR)112 DSC
1862 Department of Health (Peaden) (FR)112 DSC
1864 Medical Research (Health and Human Services Appropriations) (FR)112, (CR)426, (CS)438, (BA)**474**, (CR)(MO)477, (BA)540, (BA)617, 1153, **1154**, 1261 Ch. 2008-113
1866 Home and Community-based Services/Disabled (Health and Human Services Appropriations) (FR)112, (CR)426, (CS)439, (BA)**474**, (CR)477 DS/CSP-HB 5087
1868 Implementing 2008-2009 General Appropriations Act (Health and Human Services Appropriations) (FR)112, (CR)426, (CS)439
1870 Economic Development (Fasano) (FR)112 DSC
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1874 Transportation (Fasano) (FR)112 DSC
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1884 Implementing 2008-2009 General Appropriations Act (Transportation and Economic Development Appropriations) (FR)113, (CR)426, (CS)439
1886 State Group Insurance Program (General Government Appropriations) (FR)113, (CR)426, (CS)439, (BA)**472**, (CR)(MO)477, (BA)535, (BA)616, 825 DCC
1888 State Employment/Collective Bargaining (General Government Appropriations) (FR)113, (CR)426, (CS)439, (BA)**473**, (CR)(MO)477, (BA)536, (BA)616, 825, 1159, **1160**, 1261 Ch. 2008-115
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1894 Not Used
1896 Not Used
1898 Not Used
1900 Not Used
1902 Not Used
1904 Not Used
1906 Alternative High School Courses & Programs (Education Pre-K - 12 Appropriations and others) (FR)113, (CR)288, (CS)324, (RC)330, (BA)343, (BA)(CR)344, (CR)346, (CS/CS)354, (BA)**367**, (CO)415, 1687, **1690**, 1719 Ch. 2008-174
1908 Education (Education Pre-K - 12 and others) (FR)113, (CR)288, (CS)324, (RC)330, (BA)(CR)344, (CR)345, (BA)**367**, (CO)415, (CO)448, 1673, **1684**, (CO)1719 Ch. 2008-235 CSP-HB 5083
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1912 Pre-K through 12 Education (Gaetz) (FR)113 DSC
1914 Education (Education Pre-K - 12 Appropriations) (FR)113, (CR)426, (CS)440, (RC)445, (CR)687, (CS/CS)690, (RC)692, (MO)720, (BA)848, (CR)852, (BA)923, (BA)963, (BA)1032, (BA)1033, (BA)1034 LTS/CSP-CS/SB 1908
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1916 Pre-K through 12 Education (Gaetz) (FR)113 DSC
1918 Pre-K through 12 Education (Gaetz) (FR)113 DSC
1920 Pre-K through 12 Education (Gaetz) (FR)113 DSC
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1922 Pre-K through 12 Education (Gaetz) (FR)114 DSC
1924 Pre-K through 12 Education (Gaetz) (FR)114 DSC
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1926 Public Records (Gaetz) (FR)114 DSC
1928 Trust Funds (Gaetz) (FR)114 DSC
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1932 Pre-K through 12 Education (Gaetz) (FR)114 DSC
1934 Pre-K through 12 Education (Gaetz) (FR)114 DSC
1936 Pre-K through 12 Education (Gaetz) (FR)114 DSC
1938 Pre-K through 12 Education (Gaetz) (FR)114 DSC
1940 Pre-K through 12 Education (Gaetz) (FR)114 DSC
1942 Pre-K through 12 Education (Gaetz) (FR)114 DSC
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1946 Agricultural and Farming Equipment/Highways (Transportation and Economic Development Appropriations) (FR)114, (CR)344, (CR)480, (CS)487, (CR)619, (CS/CS)629, (BA)751, (CR)752, (BA)794, **795**, 1094 Ch. 2008-236
1948 Palmetto Bay Boulevard (Bullard) (FR)114 DSC/CSP-CS/SB 1604
1950 Forensic Services for Retarded or Autistic Persons (Children, Families, and Elder Affairs) (FR)115, (CR)391, (CS)403, (CR)752, (MO)944 DCS/CSP-HB 7075
1952 Cutler Bay Boulevard (Bullard) (FR)115 DSC/CSP-CS/SB 1604
1954 Developmental Disabilities (Children, Families, and Elder Affairs and others) (FR)115, (CR)391, (CS)403, (CR)478, (CR)618, (BA)811, (CR)819, (BA)848, (BA)923, (BA)926, (BA)938, (BA)972, (CO)979 LTS/CSP-HB 7075
SR
1956 Hillsborough County Day (Crist and others) (FR)**501** Adopted
1958 Obesity Awareness Day (Haridopolos) (FR)**501** Adopted
1960 Mothers (Bullard) (FR)**1265** Adopted
SB
1962 Tax Exemptions/Nonprofit Hospital Laundries (Finance and Tax and others) (FR)115, (CR)260, (CS)281, (CR)391, (CS/CS)403, (MO)852, (BA)963, (CR)973, (BA)1079, (BA)1085, (BA)1086, (CO)1094 LTS/CSP-CS/HB 1059
1964 Cigarette Tax Revenues (Higher Education and others) (FR)115, (CO)254, (CO)282, (CR)289, (CS)325, (RC)330, (CO)331, (CO)360, (CO)378, (CO)497 DSC
1966 Commercial Development and Capital Improvements (Bennett) (FR)115 DSC
1968 Health Insurance (General Government Appropriations and others) (FR)115, (CR)248, (CR)287, (CO)378, (CR)618, (CS)629, (BA)748, (CR)752 LTS/CSP-CS/HB 535
1970 Housing Authorities (Bennett) (FR)115 DSC
1972 Sales and Use Tax Credits or Refunds (Haridopolos) (FR)115 DSC
1974 State Parks/Military Personnel & Families (Diaz de la Portilla) (FR)116, (CR)425, (CO)497, (CR)686, (CR)752 DSC
1976 Nonpublic Postsecondary Institutions/Accreditation (Ring) (FR)116 DSC
1978 Department of Transportation (Transportation and Economic Development Appropriations) (FR)116, (CR)260, (CS)282, (CR)372, (MO)720, (CR)754, (CS/CS)763, (RC)772, (CR)852, (CS/CS/CS)853, (BA)964, (BA)970, (BA)971, (CR)973, (BA)1079, (BA)1103, (BA)1104, (BA)1613 DCS/CSP-CS/HB 697, CS/CS/HB 1175, HB 7135, CS/SB 1604, CS/CS/CS/SB 1992
1980 Community Residential Homes (Margolis) (FR)116 DSC
1982 Cleanup of Contaminated Petroleum Sites (Baker) (FR)116, (CR)425, (CR)520, (CR)617, (CR)753, (BA)923, (CR)928 LTS/CSP-HB 961
1984 Motorsports Entertainment Complexes (Bullard) (FR)116 DSC
1986 Homeowners' Associations/Lien Claims (Ring) (FR)117, (CR)287, (CR)477, (CR)618, (BA)797, (BA)813, (CR)819, (BA)829, (BA)835, **836**, 1094 Ch. 2008-175
1988 Drivers' Licenses/Suspended, Revoked, or Canceled (Criminal Justice and others) (FR)117, (CR)248, (CS)252, (CR)390, (BA)**475**, (CR)(MO)477, (CO)497, (BA)539, (BA)617, 826, 1170, **1171**, 1261 Ch. 2008-53
1990 Inmates/Supervised Reentry Programs (Dockery) (FR)117, (CR)248 DSC
1992 Department of Highway Safety and Motor Vehicles (Transportation and Economic Development Appropriations)

SB
(FR)117, (CR)288, (CS)325, (CR)345, (CS/CS)354, (CR)425, (BA)598, (BA)599, (MO)616, (CR)617, (CR)619, (CS/CS/CS)629, (BA)677, (BA)683, (BA)684, (BA)705, **706**, 1242, **1257** Ch. 2008-176 CSP-CS/HB 167, HB 7135, CS/SB 1604
1994 Gertrude Maxwell Save a Pet Act (Governmental Operations) (FR)118, (CR)288, (CS)326, (CR)521, (CS/CS)524, (MO)751, (BA)924, (CR)928 LTS/CSP-CS/HB 219
1996 Public Libraries/Internet Safety Education Program (Governmental Operations) (FR)118, (CR)479, (CS)487, (CR)752, (MO)1004 DCS
1998 Electronic Health Records (Governmental Operations) (FR)118, (CR)425, (CS)440, (CR)617, (CR)753, (CS/CS)764 DSC
2000 Correctional Policies (Criminal and Civil Justice Appropriations) (FR)118, (CR)248, (CS)252, (CR)426, (CS/CS)440, (BA)**475**, (CR)(MO)477, (BA)539, (BA)617, 826, 1171, **1172**, 1261 Ch. 2008-54
2002 FRS/Payroll Contribution Rates (General Government Appropriations) (FR)119, (CR)345, (CS)355, (CR)426, (CS/CS)441, (BA)(CR)**477**, 826 DS/CSP-HB 5063
SR
2004 Swimming Pool Safety Month (Storms) (FR)**362** Adopted
SB
2006 Concealed Weapons Licenses (Commerce and others) (FR)119, (CO)331, (CR)373, (CS)374 DSC
2008 Information Technology (Governmental Operations) (FR)119 DSC/CSP-CS/SB 1892
2010 I Believe License Plates (Storms) (FR)119 DSC
2012 Insurance (Health Policy and others) (FR)119, (CR)248, (CS)252, (BA)385, (CR)389, (CR)392, (CS/CS)403, (CO)415, (BA)**421**, (CO)1261, 1554, **1563** Ch. 2008-220 CSP-CS/CS/SB 1012, CS/CS/SB 2860
2014 Affordable Senior Housing (Deutch and others) (FR)119, (CO)360 DSC
2016 Public Lodging and Food Service Establishments (General Government Appropriations) (FR)119, (CR)248, (CS)253, (CR)286, (CR)479, (CS/CS)487, (CR)687, (CS/CS/CS)690, (BA)749, (BA)750, (CR)752, (BA)792, (BA)828, (BA)829, (BA)**830**, 1261 Ch. 2008-55 CSP-HB 5047
2018 Contaminated Petroleum Site/Financial Assistance (General Government Appropriations and others) (FR)120, (CO)254, (CR)287, (CR)479, (CS)488, (CR)819, (CS/CS)821, (BA)924, (CR)928 LTS/CSP-CS/HB 527
2020 Political Advertisements/Disclaimers (Deutch) (FR)120 DSC
SJR
2022 Homestead Tax Exemption/Disabled Veterans (Fasano and others) (FR)120, (CO)254 DSC
2024 Just Valuation of Real Property (Fasano) (FR)120 DSC
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2026 Sexual Offenders and Predators (Criminal and Civil Justice Appropriations and others) (FR)120, (CR)249, (CS)253, (CR)391, (CS/CS)403, (CO)415, (CO)532, (CR)819, (CS/CS/CS)821, (CO)933, (BA)964, (CR)973, (BA)**1002** DM
2028 Disabled School Students/Discipline (Deutch and others) (FR)120, (CO)360, (CO)448 DSC
2030 Adolescent Offenders/Parole (Geller and others) (FR)120, (CO)254 DSC
2032 Florida Kidcare Program/Medikids (Fasano) (FR)120 DSC
2034 Open House Parties/Serve Alcohol or Drugs to Minor (Posey) (FR)121 DSC
SJR
2036 Legislative Session Dates (Posey) (FR)121 DSC
SB
2038 Examination/Investigation Reports/FSC/DFS (Lawson) (FR)121 DSC
2040 Excise Tax On Documents (Finance and Tax) (FR)121, (CR)479, (CS)488, (CR)753, (CS/CS)764, (RC)823, (BA)924, (CR)928, (BA)939, (BA)**943** DM
2042 Learner's Driver's License/Communication Devices (Posey) (FR)121 DSC
2044 Alcoholic Beverages/Persons Under 21 Years (Regulated Industries) (FR)121, (CR)391, (CS)403, (CR)752, (BA)848, (CR)852, (BA)**881** DM
SR
2046 Reverend Dr. Martin Luther King, Jr. (Joyner) (FR)**534** Adopted
SB
2048 Probate (Banking and Insurance and others) (FR)170, (CR)618, (CS)630, (CR)752, (CO)1719 DSC
SB
2050 Impact Fees (Bennett) (FR)170 DSC
2052 Water and Wastewater Utilities (Communications and Public Utilities) (FR)171, (CR)288, (CS)326, (CR)618, (BA)803, (CR)819, (BA)**831**, 1094 Ch. 2008-56
2054 Surveyors and Mappers/Fences/Agricultural Land (Regulated Industries) (FR)171, (CR)618, (CS)630, (MO)720 DSC
2056 Lobbyist/Prohibition of Acceptance of Expenditures (Lawson) (FR)171 DSC
2058 Hunter Safety Course Requirements/Military (Military Affairs and Domestic Security) (FR)171, (CR)288, (CS)326, (CR)389 DSC
2060 Agriculture and Consumer Services (Agriculture and others) (FR)171, (CO)331, (CR)345, (CS)355, (RC)359, (CO)415 DSC
2062 Airline Travel (Bennett and others) (FR)171, (CR)287, (CO)360 DSC
SR
2064 FAMU Day (Lawson) (FR)255, **256** Adopted
2066 Greater Miami Chapter of Continental Societies (Bullard) (FR)**696** Adopted
2068 Delta Sigma Theta Sorority, Inc./Delta Days (Bullard) (FR)501, **502** Adopted
SB
2070 Super Enterprise Zones (Bullard) (FR)171 DSC
2072 Motor Vehicles/Minor in Bed of Truck (Posey) (FR)172 DSC
2074 American Legion Way (Bullard) (FR)172 DSC/CSP-CS/SB 1604
2076 Arbitration (Deutch) (FR)172, (CR)372, (CR)389 DSC
2078 Florida Springs Stewardship Act (Oelrich) (FR)172, (CR)389, (CR)752 DSC
2080 Value Adjustment Boards (General Government Appropriations and others) (FR)172, (CR)390, (CS)403, (RC)413, (CR)752, (CR)819, (CS/CS)821, (BA)924, (CR)928, (BA)939, (BA)993, (BA)1003, (BA)1004, (BA)1087, (CO)1719 LTS/CSP-CS/HB 909
2082 Insurance (General Government Appropriations and others) (FR)163, (CR)288, (CS)326, (CO)331, (BA)384, (BA)385, (CR)389, (CR)392, (CS/CS)404, (BA)420, **421**, (MO)939, (BA)1626, **1630**, 1719 Ch. 2008-237
2084 Community Associations (Community Affairs) (FR)172, (MO)388, (CR)390, (CS)404, (RC)413, (CR)618, (CS/CS)631, (RC)637, (BA)737, (BA)738, (BA)739, (CR)752, (CR)753 LTS/CSP-CS/HB 995, CS/HB 1105
2086 Department of Business and Professional Regulation (Judiciary) (FR)173, (CR)372, (CS)375, (CR)478, (CR)753, (CS/CS)764, (MO)928, (MO)1088, (MO)1257, (MO)1258, (BA)1614, (BA)1615, (BA)1616, (CR)1717 LTS/CSP-CS/CS/HB 601, CS/HB 697
2088 Water Supply (Justice) (FR)173 DSC
SR
2090 Power to End Stroke Month (Hill and others) (FR)**783**, (CO)1261 Adopted
SB
2092 Florida Retirement System (Hill) (FR)174, (CR)617 DSC
2094 Sales Tax Exemption/Books/Clothing/School Supplies (Finance and Tax and others) (FR)174, (CR)753, (CS)766, (RC)773, (CO)781, (BA)848, (CR)852, (BA)924, (BA)964 DCS
2096 Department of Transportation (Bullard) (FR)174, (CR)344, (CR)520 DSC
2098 Federal Grants Trust Fund/Parole Commission (Crist) (FR)174, (CR)287, (BA)**335**, (CR)344 DM
2100 Shared County/State Juvenile Detention TF/DJJ (Crist) (FR)174, (CR)287, (BA)**336**, (CR)344, 532, 642 Ch. 2008-8
2102 Trust Funds/Agency for Health Care Administration (Health and Human Services Appropriations) (FR)175, (CR)289, (CS)326, (RC)330, (BA)**336**, (CR)344, 532, 642 Ch. 2008-9
2104 Administrative Trust Fund/APD (Peaden) (FR)175, (CR)287, (BA)**336**, (CR)344, 532, 642 Ch. 2008-10
2106 Tobacco Settlement Trust Fund/APD (Peaden) (FR)175, (CR)287, (BA)**336**, (CR)344, 532, 642 Ch. 2008-11
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2110 Operations and Maintenance Trust Fund/APD (Peaden) (FR)175, (CR)287, (BA)**337**, (CR)344, 532, 642 Ch. 2008-13
2112 Social Services Block Grant Trust Fund/APD (Peaden) (FR)175, (CR)287, (BA)**337**, (CR)344, 532, 642 Ch. 2008-14
2114 Welfare Transition Trust Fund/DCFS (Peaden) (FR)175, (CR)287, (BA)**337**, (CR)344, 532, 642 Ch. 2008-15

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2116 Trust Funds/DCFS (Health and Human Services Appropriations) (FR)175, (CR)289, (CS)326, (RC)330, (BA)337, **338**, (CR)344, 532, 642 Ch. 2008-16
2118 Welfare Transition Trust Fund/Department of Health (Peaden) (FR)176, (CR)287, (BA)**338**, (CR)344, 532, 642 Ch. 2008-17 CSP-CS/SB 2122
2120 Trust Funds/Department of Veterans' Affairs (Peaden) (FR)176, (CR)287, (BA)**338**, (CR)344, 532, 642 Ch. 2008-18
2122 Trust Funds/Department of Health (Health and Human Services Appropriations) (FR)176, (CR)289, (CS)327, (RC)330, (BA)338, **339**, (CR)344, 532, 642 Ch. 2008-19 CSP-SB 2118
2124 Trust Funds/Department of Elderly Affairs (Peaden) (FR)176, (CR)287, (BA)**339**, (CR)344, 532, 642 Ch. 2008-20
2126 Water Protection and Sustainability Program TF/DEP (Alexander and others) (FR)176, (CR)260, (BA)**339**, (CR)344 DM
2128 Administrative Trust Fund/FWC (Alexander and others) (FR)176, (CR)260, (BA)**339**, (CR)344, 532, 642 Ch. 2008-21
2130 Federal Grants Trust Fund/FWC (Alexander and others) (FR)176, (CR)260, (BA)**339**, (CR)344, 532, 642 Ch. 2008-22
2132 Grants and Donations Trust Fund/FWC (Alexander and others) (FR)176, (CR)260, (BA)**340**, (CR)344, 532, 642 Ch. 2008-23
2134 Working Capital Trust Fund/DFS (Alexander and others) (FR)176, (CR)260, (BA)**340**, (CR)344 DM
2136 Federal Grants Trust Fund/Department of State (Fasano) (FR)176, (CR)288, (BA)**340**, (CR)344 DM
2138 Clearing Funds Trust Fund/Department of State (Fasano) (FR)177, (CR)288, (BA)**340**, (CR)344 DM
2140 Welfare Transition Trust Fund/DMA (Transportation and Economic Development Appropriations) (FR)177, (CR)289, (CS)327, (RC)331, (BA)340, **341**, (CR)344 DM
2142 Federal Grants TF/Department of Community Affairs (Fasano) (FR)177, (CR)288, (BA)**341**, (CR)344 DM
2144 Trust Funds/Department of State (Fasano) (FR)177, (CR)288, (BA)**341**, (CR)344 DM
2146 Trust Funds/Department of Community Affairs (Fasano) (FR)177, (CR)288, (BA)**341**, (CR)344 DM
2148 Public Construction/Independent Mixers (Community Affairs and others) (FR)177, (CO)254, (CO)415, (CR)754, (CS)766, (MO)852 DSC/CSP-CS/HB 697
2150 Motor Vehicle Dealerships (Commerce) (FR)177, (CR)372, (CS)376, (CR)426, (CS/CS)441 DSC
2152 Criminal Justice (Governmental Operations and others) (FR)178, (CR)391, (CS)405, (CO)497, (CR)521, (CS/CS)524, (BA)680, (CR)686, (BA)741, (BA)**745**, (CR)751, (CO)781, (CO)933 DCH
2154 Juvenile Justice (Criminal Justice) (FR)178 DSC
2156 Florida Hurricane Catastrophe Fund (General Government Appropriations) (FR)178, (CR)373, (CS)376, (RC)414, (CR)479, (CS/CS)488, (CR)521, (CS/CS/CS)524 DCS/CSP-CS/CS/SB 2012, CS/CS/SB 2860
2158 Money Services Businesses (General Government Appropriations) (FR)163, (CR)248, (CS)253, (CR)287, (CR)391, (CS/CS)405, (CR)521, (CS/CS/CS)525, (BA)596, (BA)597, (CR)617, (BA)648, **649**, **1176** Ch. 2008-177
2160 Tax Exemption/Hybrid Vehicles/Alternative Fuels (Deutch) (FR)179 DSC
2162 Motor Vehicle/Smoking while Child is in Vehicle (Wilson) (FR)179 DSC
2164 Trust Administration (Judiciary) (FR)179, (CR)390, (CS)405, (CR)478, (BA)741, (CR)751 LTS/CSP-CS/HB 435
2166 High School/Financial Responsibility Instruction (Wilson) (FR)179 DSC
2168 Driving Under the Influence Penalties (Crist) (FR)179 DSC
2170 Retirement (Higher Education and others) (FR)179, (CR)618, (CS)631, (CO)643, (RC)693, (BA)811, (CR)819, (BA)848, (BA)924, (BA)964 DCS/CSP-HB 5063
2172 Security Officers/Detention & Search of Suspects (Criminal Justice and others) (FR)179, (CR)390, (CS)406, (CR)617, (CO)642, (MO)720 DSC
2174 Motor Vehicle Insurance/PIP (General Government Appropriations) (FR)179, (CR)391, (CS)406, (RC)495, (CR)687, (CS/CS)691, (BA)748, (CR)752, (BA)**792** DM/CSP-CS/CS/SB 2012
2176 Insurance (Posey) (FR)179 DSC
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2180 Insurance (Posey) (FR)180 DSC
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2182 Insurance (Posey) (FR)180 DSC
2184 Florida Building Code (Posey) (FR)180 DSC
SR
2186 Helen Gordon Davis (Joyner) (FR)**502** Adopted
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2192 Foster Care/Independent Living Transition Services (Health and Human Services Appropriations) (FR)180, (CR)389, (MO)616, (CR)754, (CS)766, (BA)811, (CR)819 LTS/CSP-CS/HB 625
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2204 Timothy "Tim" Tebow (Wise) (FR)782, **783** Adopted
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2206 Florida Tennis License Plate (Transportation) (FR)181, (CR)288, (CS)327, (CR)390 DSC/CSP-CS/SB 734
2208 Florida Poet Laureate (Lynn) (FR)181, (CR)520 DSC
2210 Financial Aid Programs (Higher Education) (FR)181, (CR)288, (CS)327 DSC
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2882 Pharmaceutical Research & Manufacturers of America (Peaden) (FR)**333** Adopted
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CONTINUATION OF

FORTIETH REGULAR SESSION

UNDER THE CONSTITUTION AS REVISED IN 1968

MARCH 4 THROUGH MAY 2, 2008

Journal of the Senate

Number 18—Regular Session **Monday, April 28, 2008**

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CALL TO ORDER

The Senate was called to order by President Pruitt at 3:00 p.m. A quorum present—39:

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

PRAYER

The following prayer was offered by the Rev. Canon Laughton D. Thomas, St. Michael and All Angels Episcopal Church of Tallahassee:

Almighty Creator, you have called these women and men to the work of legislating for the people of this great State of Florida. We are grateful for the commitments they have made to serving in the best manner possible. As they begin the last week of deliberation and legislation of this regular session, grant them new insights toward providing the best and most comprehensive education for the children of Florida from pre-K through the college years. Remind them of their overall well-rounded education, which has brought them success in their fields of endeavor and set upon their hearts the will to provide the same opportunities for future generations.

Grant your guidance to all of their work this week, that your will be done. May these Senators always work in a sense of collegiality and commitment to the common good of all our citizens, from the weakest to the most affluent.

You are the fountain of wisdom, whose will is good and gracious, and whose law is truth. Therefore, may all their decisions abide in your name. Amen.

PLEDGE

Senate Pages Schyler "Skye" Drew of Orlando; Stephen B. Skipper of New Port Richey; Austin R. Drawdy of Groveland; and Victoria S. Webster of Orlando, daughter of Majority Leader Webster, led the Senate in the pledge of allegiance to the flag of the United States of America.

DOCTOR OF THE DAY

The President recognized Dr. Charles Riggs of Gainesville, sponsored by Senator Oelrich, as doctor of the day. Dr. Riggs specializes in Oncology.

ADOPTION OF RESOLUTIONS

At the request of Senator Lawson—

By Senator Lawson—

SR 2964—A resolution recognizing November 2008 as "Lung Cancer Awareness Month" in Florida.

WHEREAS, lung cancer is the leading cause of cancer death in the State of Florida, and

WHEREAS, nearly 12,490 Floridians will die from lung cancer in 2008, and more than an additional 17,360 Floridians will be diagnosed with the disease, and

WHEREAS, cigarette smoking and other tobacco use is the leading cause of lung cancer, with more than 87 percent of all lung cancer attributed to smoking tobacco products, and

WHEREAS, early detection of lung cancer is very difficult and costly, and has not yet been proven to improve survival rates, and

WHEREAS, the 5-year survival rate for lung cancer is only 15 percent, and

WHEREAS, smoking-related diseases such as lung cancer cost Florida $6.32 billion in directly related health costs and another $6.47 billion in productivity losses caused by smoking, and

WHEREAS, the best-known way to prevent lung cancer, the premature deaths associated with lung cancer, and the costs related to this disease is to prevent youth from starting to use tobacco and to help current smokers to quit, and

WHEREAS, the American Cancer Society, in partnership with the Florida Department of Health, helps adult and youth smokers to stop smoking through the proven cessation support of the toll-free Quit-For-Life-Line, 1-877-U-CAN-NOW, and

WHEREAS, the Florida Division of the American Cancer Society is committed to preventing the use of and addiction to tobacco in young people through all scientifically proven methods, including the measures detailed in the Centers for Disease Control and Prevention's recommendations for a fully comprehensive statewide youth tobacco prevention and cessation program, NOW, THEREFORE,

Be it Resolved by the Senate of the State of Florida:

That the Florida Senate recognizes the month of November 2008 as "Lung Cancer Awareness Month" in Florida and urges all Floridians to understand the risks associated with lung cancer, to take preventive steps to minimize those risks, and to join the American Cancer Society

in promoting better health and lung-cancer prevention through the cessation of current smoking and the prevention of future tobacco use.

—**SR 2964** was introduced, read and adopted by publication.

At the request of Senator Hill—

By Senator Hill—

SR 2972—A resolution recognizing April 28, 2008, as "Workers' Memorial Day" in Florida.

WHEREAS, 36 years ago Congress passed the Occupational Safety and Health Act, promising every American worker the right to a safe job, and

WHEREAS, unions and their allies have fought hard to make that promise a reality, winning protections that have saved hundreds of thousands of lives and prevented millions of workplace injuries, and

WHEREAS, the toll of workplace injuries, illnesses, and death nonetheless remains enormous, with 60,000 American workers dying from job-related injuries each year and another 15.6 million workers injured on the job, and

WHEREAS, the unions of the AFL-CIO are committed to the continuing struggle to make workers' safety a priority and to keep and create good jobs in America, for American workers, and

WHEREAS, America's economy and the health and vigor of American society depend on the availability of decent jobs for American workers and on the safety of those jobs, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That April 28, 2008, is recognized as "Workers' Memorial Day" in the State of Florida in honor of the many American workers who have suffered injury and death on the job, and in recognition of the work of the unions of the AFL-CIO to protect the safety of American workers and to secure the availability of decent jobs for Americans.

—**SR 2972** was introduced, read and adopted by publication.

At the request of Senator Hill—

By Senator Hill—

SR 2974—A resolution recognizing and commending The Omega Psi Phi Fraternity, Inc., for its invaluable community service to the people of the State of Florida.

WHEREAS, on November 17, 1911, three Howard University undergraduate students, assisted by their faculty advisor, met and conceived the idea of founding Omega Psi Phi Fraternity, Inc., based on the cardinal principles of "manhood, scholarship, perseverance, and uplift," and

WHEREAS, Omega Psi Phi Fraternity, Inc., was the first fraternity founded at a Historically Black College or University, and, since its inception, has initiated more than 130,000 members in over 550 chapters in 44 states, the District of Columbia, Europe, Asia, Africa, the Bahamas, the Virgin Islands, and Panama, and

WHEREAS, Omega Psi Phi Fraternity, Inc., is committed to rendering community service that makes a difference in quality of life, and has made invaluable contributions toward improving the educational, civic, and social lives of the people it has touched in Florida and throughout the world, and

WHEREAS, Brother Warren G. Lee, Jr. of Dallas, Texas, presently leads Omega Psi Phi Fraternity, Inc., serving as the Fraternity's 38th Grand Basileus; Brother Joseph Williams of Tuskegee, Alabama, is the National Representative for District 7, which includes Florida, Georgia, Alabama, and Mississippi; and Brother Anthony Brown of Miami, Florida is the National Representative for the State of Florida, and

WHEREAS, other distinguished Floridians who are Brothers of Omega Psi Phi Fraternity, Inc., include United States Congressman Kendrick Meek, State Senator Anthony C. "Tony" Hill, Sr., State Senator Gary Siplin, former State Representative Wilbert "Tee" Holloway, former State Representative Frank Peterman, Jr., Tallahassee Mayor John Marks, immediate past Grand Basileus, George H. Grace of Miami, Florida, and immediate past National Representative for the 7th District, Edgar L. Mathis, Sr. of Jacksonville, Florida, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That the Florida Senate commends Omega Psi Phi Fraternity, Inc., for its invaluable community service to the people of Florida and recognizes March 20, 2008, as "Omega Psi Phi Fraternity, Inc., Day" in the State of Florida.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to Warren G. Lee, Jr., Grand Basileus of Omega Psi Phi Fraternity, Inc., as a tangible token of the sentiments of the Florida Senate.

—**SR 2974** was introduced, read and adopted by publication.

At the request of Senator Gaetz—

By Senator Gaetz—

SR 2992—A resolution commending the Florida Goodwill Association for its contributions to the economic base of the State of Florida and its provision of employment and job training to millions of Floridians.

WHEREAS, Goodwill Industries, operating on the belief that productivity and vocation are cornerstones of life and that all people have a right to be treated with dignity and respect without regard to race, gender, age, marital status, national origin, or state of health, is now the largest nonprofit provider of vocational training and employment services in the United States, and

WHEREAS, Goodwill Industries provides quality vocational training and employment services to people who are impaired by disabilities and to those who suffer other disadvantages, such as being undereducated or illiterate, welfare-dependent, or homeless, or having a criminal history, and

WHEREAS, through the 106 years of its existence, Goodwill Industries has successfully designed and implemented many innovative vocational training and employment programs, enabling millions of people with disabilities and disadvantages to develop career opportunities and improve the quality of their lives, and

WHEREAS, in the 2007 calendar year, 141,924 Floridians have participated in the programs administered by Goodwill Industries, and 44,084 of those participants have obtained gainful employment in the communities in which they live, and

WHEREAS, throughout this last calendar year, the Florida Goodwill Association, through nine local Goodwill Industries entities operating throughout Florida, collectively generated more than $641 million in earnings realized by people in community employment, resulting in a significant contribution to the state's economic base and increasing its tax revenues, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That the Senate commends the Florida Goodwill Association for its valued programs and vision, which have expanded the employment opportunities and occupational capabilities of millions of Floridians.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to Mr. Tom Fuerig, President of the Florida Goodwill Association, as a tangible token of the sentiments of the Florida Senate.

—**SR 2992** was introduced, read and adopted by publication.

At the request of Senator Diaz de la Portilla—

By Senator Diaz de la Portilla—

SR 2998—A resolution recognizing April 17, 2008, as "Jackson Health System Appreciation Day."

WHEREAS, on June 25, 1918, Jackson Memorial Hospital opened its doors as the City of Miami's first charity care hospital, and

WHEREAS, today, 90 years later, though it still remains the county's only charity care "safety-net" hospital, Jackson Memorial Hospital has evolved into Jackson Health System, an integrated healthcare delivery system with more than 11,000 employees that provides medical services to residents of Miami-Dade County, regardless of their ability to pay, and

WHEREAS, Jackson Health System currently consists of 12 primary care centers, 16 school-based clinics, two long-term care nursing facilities, an outpatient diagnostic center, a children's hospital, a rehabilitation hospital, two community hospitals, and the system's centerpiece, the regional referral, tertiary care Jackson Memorial Hospital, which is the primary teaching hospital of the University of Miami Leonard M. Miller School of Medicine, and

WHEREAS, Jackson Health System is made up of five hospitals: Jackson Memorial Hospital, Holtz Children's Hospital, Jackson South Community Hospital, Jackson North Medical Center, and Jackson Rehabilitation Hospital, and

WHEREAS, Jackson Memorial Hospital, the system's flagship hospital with 1,498 beds, is the third-largest teaching hospital in the United States through an academic affiliation with the University of Miami Leonard M. Miller School of Medicine, and is also a training center for physicians and other healthcare professionals from around the world, and

WHEREAS, Holtz Children's Hospital is one of the largest children's hospitals in the southeast United States, one of three centers in the country that specialize in pediatric multi-organ transplants, home to one of the largest neonatal intensive care units in the United States, and has more pediatric physicians on the "Best Doctors in America" list than any other children's hospital in South Florida, and

WHEREAS, Jackson South Community Hospital is a 199-bed acute-care hospital located in south Miami-Dade County, designed specifically for patient comfort and convenience with state-of-the-art technology, leading-edge treatments and services, and a wide array of specialties and subspecialties practiced by nationally respected, board-certified physicians and healthcare professionals, and

WHEREAS, Jackson North Medical Center is a 382-bed, acute-care, community hospital serving the residents of north Miami-Dade and south Broward counties which offers a variety of services including 24-hour adult and pediatric emergency care, maternity care, and rehabilitation, and is also home to specialized centers such as the Wound Care Center, the Center for Mental Health, and the Pain & Spine Institute, and

WHEREAS, Jackson Rehabilitation Hospital is a state-designated facility for its Brain & Spinal Cord Injury Program and offers additional services that include treatment programs for medical rehabilitation, burns, and hand injuries, and

WHEREAS, Jackson Health System also offers health care through 12 primary care centers, the remote "Care-A-Van" program, school-based care delivered in 16 school-based clinics venues and initiatives, and the Jackson Health System Primary Care Initiative, and

WHEREAS, the innumerable accolades received by, and the remarkable accomplishments of, member institutions of the Jackson Health System, are truly voluminous, and

WHEREAS, in 2007, Jackson Health System spent nearly $500 million on charity care, a level that is among the highest in the nation, and

WHEREAS, the University of Miami Miller School of Medicine and Jackson Memorial Hospital have consistently ranked in U.S. News & World Report among "America's Best Hospitals," and

WHEREAS, in 2007, the University of Miami/Jackson Memorial Hospital was ranked in four different specialties: ophthalmology; ear, nose and throat; digestive disorders; and kidney disease, and has more ranked specialties than any other hospital in South Florida, and

WHEREAS, the Ryder Trauma Center, located at the University of Miami/Jackson Memorial Medical Center, is the only adult and pediatric Level 1 Trauma Center in Miami-Dade County, is one of the busiest trauma centers in the nation, and is the only trauma center chosen by the United States Army to train its military surgical teams before being deployed to areas of conflict, and

WHEREAS, Holtz Children's Hospital's 126-bed Newborn Special Care Center is also a regional referral facility that is home to a 66-bed, Level III Neonatal Intensive Care Unit, which is the largest in Florida, and

WHEREAS, the Transplant Center, located at the University of Miami/Jackson Memorial Medical Center, is ranked among the busiest in the nation, and Jackson Memorial Hospital is the only Florida hospital to perform every kind of solid organ transplantation, with more than half of the world's reported multi-organ transplants having been performed there, and

WHEREAS, the University of Miami/Jackson Memorial Burn Center has been one of the nation's leading burn treatment facilities since its founding in the 1960s and is the only such center in Miami-Dade County, and

WHEREAS, Jackson Health System has recently affiliated with the newly created Florida International University's School of Medicine, and

WHEREAS, as is obvious, the vast scope and superlative quality of health care provided to the citizens of South Florida by Jackson Health System is of incalculable benefit, not only to area residents directly served by Jackson Health System but to the State of Florida as a whole, and constitutes a level of care rarely found elsewhere in the nation, and

WHEREAS, it is fitting and appropriate that on this, the 90th anniversary of the founding of Jackson Memorial Hospital, the citizens of the state should recognize Jackson Health System for its astounding growth, achievements, and service to the people of the State of Florida, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That in celebration of Jackson Memorial Hospital's 90 years of continued service to the residents of Miami-Dade County, April 17, 2008, is recognized as "Jackson Health System Appreciation Day."

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to Marvin O'Quinn, president of the Public Health Trust and chief executive officer of Jackson Health System, as a tangible token of the sentiments of the Florida Senate.

—**SR 2998** was introduced, read and adopted by publication.

At the request of Senator Rich—

By Senator Rich—

SR 3006—A resolution recognizing the Holocaust Days of Remembrance, April 27 through May 4, 2008.

WHEREAS, the Holocaust was the state-sponsored, systematic persecution and annihilation of European Jewry by Nazi Germany and its collaborators between 1933 and 1945; Jews were the primary victims (6 million were murdered), and Gypsies, the handicapped, Poles, homosexuals, Jehovah's Witnesses, Soviet prisoners of war, and political dissidents were also subjected to persecution and destruction under Nazi tyranny, and

WHEREAS, the history of the Holocaust offers us an opportunity to reflect on the moral responsibilities of individuals, societies, and governments, and

WHEREAS, the people of the State of Florida should always remember the terrible events of the Holocaust, remain vigilant against hatred, persecution, and tyranny, and work to establish justice and fairness for all, and

WHEREAS, the Days of Remembrance have been set aside for the people of the State of Florida to remember the victims of the Holocaust as well as to reflect on the need for respect of all peoples, and

WHEREAS, the United States Congress established the Days of Remembrance as our nation's annual commemoration of the victims of the Holocaust, and the United States Holocaust Memorial Council designates the Days of Remembrance of the victims of the Holocaust to be Sunday, April 27 through May 4, including the Day of Remembrance known as Yom Hashoah, May 2, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That the Senate recognizes the week of Sunday, April 27, through Sunday, May 4, 2008, as "Days of Remembrance" in memory of the victims of the Holocaust and in honor of the Survivors, as well as the rescuers and liberators, and further recognizes that all residents of the State of Florida should strive to overcome intolerance and indifference through learning and remembrance.

—**SR 3006** was introduced, read and adopted by publication.

BILLS ON THIRD READING

Consideration of **CS for CS for SB 2212**, **CS for CS for CS for SB 1544**, **CS for CS for CS for CS for SB 560**, and **CS for SB 1300** was deferred.

CS for HB 69—A bill to be entitled An act relating to license plates; amending s. 320.06, F.S.; requiring counties to issue license plates with either the name of the county in which the plate is sold, the state motto, or the words "Sunshine State," printed on the plate; providing conditions; providing an effective date.

—was read the third time by title.

On motion by Senator Wise, **CS for HB 69** was passed and certified to the House. The vote on passage was:

Yeas—33

Mr. President	Fasano	Margolis
Alexander	Gaetz	Peaden
Aronberg	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Constantine	Jones	Siplin
Crist	Justice	Storms
Dean	King	Villalobos
Deutch	Lawson	Wilson
Dockery	Lynn	Wise

Nays—2

Joyner	Oelrich

Vote after roll call:

Yea—Atwater, Diaz de la Portilla, Webster

Consideration of **SB 230** was deferred.

SB 432—A bill to be entitled An act relating to the placement of vessels in state or federal waters seaward of the state to form artificial reefs; amending s. 370.25, F.S., relating to the state's artificial reef program; providing legislative findings; authorizing the planning and development of a statewide matching grant program to secure and place United States Maritime Administration and United States Navy decommissioned vessels in specified waters as artificial reefs; providing for administration of the program by the Florida Fish and Wildlife Conservation Commission; providing for implementation of the program subject to appropriations; providing objectives of the program; creating s. 370.255, F.S.; providing for the establishment of the Florida Ships-2-Reefs Program, a matching grant program, by the Florida Fish and Wildlife Conservation Commission; providing the purposes of the program; specifying the percentage of the state matching grant; providing procedures and requirements with respect to the program; authorizing the Florida Fish and Wildlife Conservation Commission to adopt rules; providing for reports; authorizing provision of funds under the program contingent upon an appropriation; providing for a report; providing an effective date.

—was read the third time by title.

On motion by Senator Bennett, **SB 432** was passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Fasano	Margolis
Alexander	Gaetz	Oelrich
Aronberg	Garcia	Peaden
Baker	Geller	Posey
Bennett	Haridopolos	Rich
Bullard	Hill	Ring
Carlton	Jones	Saunders
Constantine	Joyner	Siplin
Crist	Justice	Storms
Dean	King	Villalobos
Deutch	Lawson	Wilson
Dockery	Lynn	Wise

Nays—None

Vote after roll call:

Yea—Atwater, Diaz de la Portilla, Webster

CS for HB 165—A bill to be entitled An act relating to agency inspectors general; amending s. 20.055, F.S.; providing definitions; requiring agency inspectors general to comply with certain principles and standards; requiring an inspector general to submit findings of audits and investigations to specified persons or entities if such findings are not exempt from disclosure; requiring responses to findings within 20 working days; requiring agencies under the Governor to notify the Chief Inspector General of inspector general appointments and terminations; prohibiting agency staff from preventing or prohibiting the inspector general from initiating, carrying out, or completing any audit or investigation; requiring audits to be conducted in accordance with the current International Standards for the Professional Practice of Internal Auditing; requiring the inspector general of each state agency to report certain written complaints to the agency head, and for agencies under the Governor, to the agency head and the Chief Inspector General; providing an effective date.

—was read the third time by title.

Senator Bennett moved the following amendment which was adopted by two-thirds vote:

Amendment 1 (825658)—Delete lines 261-307 and insert:

(6) In carrying out the investigative duties and responsibilities specified in this section, each inspector general shall initiate, conduct, supervise, and coordinate investigations designed to detect, deter, prevent, and eradicate fraud, waste, mismanagement, misconduct, and other abuses in state government. For these purposes, each *inspector general* ~~state agency~~ shall:

(a) Receive complaints and coordinate all activities of the agency as required by the Whistle-blower's Act pursuant to ss. 112.3187-112.31895.

(b) Receive and consider the complaints which do not meet the criteria for an investigation under the Whistle-blower's Act and conduct, supervise, or coordinate such inquiries, investigations, or reviews as the inspector general deems appropriate.

(c) Report expeditiously to the Department of Law Enforcement or other law enforcement agencies, as appropriate, whenever the inspector general has reasonable grounds to believe there has been a violation of criminal law.

(d) Conduct investigations and other inquiries free of actual or perceived impairment to the independence of the inspector general or the

inspector general's office. This shall include freedom from any interference with investigations and timely access to records and other sources of information.

(e) At the conclusion of each investigation in which the subject of the investigation is a specific entity contracting with the state or an individual substantially affected as defined by this section, and if the investigation is not confidential or otherwise exempt from disclosure by law, the inspector general shall, consistent with s. 119.07(1), submit findings to the subject that is a specific entity contracting with the state or an individual substantially affected, who shall be advised in writing that they may submit a written response within 20 working days after receipt of the findings. Such response and the inspector general's rebuttal to the response, if any, shall be included in the final investigative report.

(f)~~(e)~~ Submit in a timely fashion final reports on investigations conducted by the inspector general to the agency head, except for whistleblower's investigations, which shall be conducted and reported pursuant to s. 112.3189.

On motion by Senator Bennett, **CS for HB 165** as amended was passed and certified to the House. The vote on passage was:

Yeas—35

Mr. President	Gaetz	Oelrich
Alexander	Garcia	Peaden
Aronberg	Geller	Posey
Baker	Haridopolos	Rich
Bennett	Hill	Ring
Bullard	Jones	Saunders
Constantine	Joyner	Siplin
Crist	Justice	Storms
Dean	King	Villalobos
Deutch	Lawson	Wilson
Dockery	Lynn	Wise
Fasano	Margolis	

Nays—None

Vote after roll call:

Yea—Atwater, Diaz de la Portilla, Webster

On motion by Senator Baker, by two-thirds vote **CS for HB 167** was withdrawn from the Committees on Transportation; Governmental Operations; and Transportation and Economic Development Appropriations.

On motion by Senator Baker, by two-thirds vote—

CS for HB 167—A bill to be entitled An act relating to temporary motor vehicle license tags; amending s. 320.131, F.S.; revising provisions for the placement of temporary tags on vehicles; revising provisions for implementation of an electronic, print-on demand, temporary tag issuance system; authorizing certain motor vehicle dealers to charge a fee in certain circumstance; authorizing limited use of a backup manual issuance method; authorizing the department to adopt rules; repealing s. 320.96, F.S., relating to implementation of an electronic, print-on-demand, temporary license plate system; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 544** and by two-thirds vote read the second time by title. On motion by Senator Baker, by two-thirds vote **CS for HB 167** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Dean	Jones
Alexander	Deutch	Joyner
Aronberg	Dockery	Justice
Baker	Fasano	King
Bennett	Gaetz	Lawson
Bullard	Garcia	Lynn
Carlton	Geller	Margolis
Constantine	Haridopolos	Oelrich
Crist	Hill	Peaden
Posey	Saunders	Villalobos
Rich	Siplin	Wilson
Ring	Storms	Wise

Nays—None

Vote after roll call:

Yea—Atwater, Diaz de la Portilla, Webster

CS for HB 419—A bill to be entitled An act relating to business entities; amending s. 607.1109, F.S.; exempting a domestic corporation from the requirement to file articles of merger under certain circumstances; amending s. 607.1113, F.S.; exempting a domestic corporation from the requirement to file a certificate of conversion under certain circumstances; amending s. 607.1115, F.S.; requiring that each converting entity file a certificate of conversion with the Department of State; amending s. 608.4382, F.S.; exempting a domestic limited liability company from the requirement to file a certificate of merger under certain circumstances; amending s. 608.439, F.S.; including a corporation within the definition of "other business entity" or "another business entity"; requiring that each converting entity file a certificate of conversion with the department; amending s. 608.4403, F.S.; exempting a limited liability company from the requirement to file a certificate of conversion under certain circumstances; amending s. 617.1108, F.S.; exempting a domestic corporation not for profit from the requirement to file articles of merger under certain circumstances; providing for a copy of articles of merger or the certificate of merger to be filed in each county in which real property of a party to the merger is situated; amending s. 620.1406, F.S.; revising the requirements for general partners with respect to exercising certain management rights; providing that the expulsion of a limited partner requires the consent of all of the other limited partners; amending s. 620.2104, F.S.; requiring that a certificate of conversion be signed by each general partner and by the converting organization; exempting a limited partnership from the requirement to file a certificate of conversion if the partnership complies with certain other laws; amending s. 620.2108, F.S.; providing exceptions to a requirement that constituent limited partnerships file articles of merger or a certificate of merger with the Department of State; amending s. 620.2204, F.S.; changing the date of application of provisions authorizing a limited partner to dissociate from a limited partnership; amending s. 620.8101, F.S.; redefining the term "statement" to exclude a statement of merger; amending s. 620.8105, F.S.; requiring that a registration statement be filed with the department before filing a certificate of conversion or a certificate of merger; amending s. 620.81055, F.S.; providing that a filing fee applies to a certificate of merger; amending s. 620.8911, F.S.; clarifying that the term "organization" includes a converted or surviving organization under certain circumstances; amending s. 620.8914, F.S.; revising requirements for conversions; exempting converting domestic partnerships from filing a certificate of conversion under certain circumstances; providing that the certificate of conversion acts as a cancellation of the registration statement for a converting partnership; amending s. 620.8918, F.S.; exempting domestic constituent partnerships from filing a certificate of merger under certain circumstances; requiring that such partnership file a registration statement with the department under certain circumstances; amending s. 621.06, F.S.; revising limitations on qualifications to render professional services; amending s. 621.10, F.S.; revising limitations on disqualifications to render professional services; amending s. 621.13, F.S.; deleting limitations on mergers between domestic and foreign professional corporations and limited liability companies; amending s. 727.114, F.S.; providing for disposition of residue moneys after payment of certain creditors' claims; providing effective dates.

—was read the third time by title.

On motion by Senator Deutch, **CS for HB 419** was passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Carlton	Fasano
Alexander	Constantine	Gaetz
Aronberg	Crist	Garcia
Baker	Dean	Geller
Bennett	Deutch	Haridopolos
Bullard	Dockery	Hill

Jones	Margolis	Saunders
Joyner	Oelrich	Siplin
Justice	Peaden	Storms
King	Posey	Villalobos
Lawson	Rich	Wilson
Lynn	Ring	Wise

Nays—None

Vote after roll call:

Yea—Atwater, Diaz de la Portilla, Webster

On motion by Senator Crist, by two-thirds vote **CS for HB 7087** was withdrawn from the Committees on Criminal Justice; Judiciary; and Criminal and Civil Justice Appropriations.

On motion by Senator Crist, the rules were waived and by two-thirds vote—

CS for HB 7087—A bill to be entitled An act relating to juvenile justice; amending s. 29.008, F.S.; conforming cross-references; amending s. 790.22, F.S.; revising provisions relating to community service programs; amending s. 939.185, F.S.; providing diversion options for specified youth; amending s. 943.053, F.S.; revising provisions relating to dissemination of criminal justice information; amending s. 943.0585, F.S., relating to court-ordered expunction of criminal history records, to revise a reference; amending s. 984.05, F.S.; revising terminology applicable to rules relating to habitual truants; amending s. 984.09, F.S.; deleting duplicative provisions relating to contempt of court and alternative sanctions; amending s. 985.02, F.S.; providing diversion options for specified youth; amending s. 985.03, F.S.; defining the term "ordinary medical care"; amending and redesignating provisions of s. 985.037, F.S.; relating to alterative sanctions; creating s. 985.0375, F.S.; providing for alternative sanctions; amending s. 985.04, F.S.; providing that confidential information obtained during an official's service with juvenile delinquents may be shared with authorized personnel of the Department of Children and Family Services; amending s. 985.245, F.S.; providing additional representatives to the committee developing a risk assessment instrument; providing an additional factor to be considered in a risk assessment instrument; providing for periodic evaluation of risk assessment instruments; amending s. 985.265, F.S.; providing an exception in direct supervision housing for supervision and monitoring of children in a jail or other adult facility; creating s. 985.438, F.S.; providing for commitment alternatives; providing for the Redirection Program; providing eligibility for participation; requiring maintenance of data for program evaluation; amending s. 985.601, F.S.; requiring the Department of Juvenile Justice to adopt rules to establish procedures to provide ordinary medical care, mental health, substance abuse, and developmental disabilities services to youth within the juvenile justice continuum; requiring that certain rulemaking be coordinated with other agencies; requiring counties with non-state-funded delinquency programs for youth to provide diversion options for certain youth in order to participate in a specified delinquency diversion program; amending s. 985.606, F.S.; revising provisions relating to data collection; amending s. 985.632, F.S.; providing for a demonstration project using outcome-based contracts; requiring a report; amending s. 985.644, F.S.; removing the reference to the Department of Children and Family Services as it relates to contracting for certain services; revising provisions relating to the contracting powers of the Department of Juvenile Justice; amending s. 985.66, F.S.; transferring the responsibility for the juvenile justice training program from the Juvenile Justice Standards and Training Commission to the Department of Juvenile Justice; conforming provisions; requiring the department to adopt rules; defining the term "delinquency program staff"; amending s. 985.664, F.S.; revising provisions relating to juvenile justice circuit boards and juvenile justice county councils to provide references to the Children and Youth Cabinet; providing additional duties for councils and boards; revising provisions concerning membership of boards and councils; requiring the secretary of the department to meet with the chair of the juvenile justice circuit boards and the Children and Youth Cabinet at least annually for specified purposes; amending s. 985.668, F.S.; including juvenile justice county councils in provisions relating to innovation zone proposals; amending s. 985.676, F.S.; deleting a limit on renewals of annual community juvenile justice partnership grants; providing priority for funding certain applications; amending s. 985.721, F.S.; conforming a cross-reference; creating s. 1006.125, F.S.; requiring referral to law enforcement of serious offenses; providing for reimbursement of secure detention costs in certain circumstances; providing a limit on such reimbursements; amending s. 1006.13, F.S.; revising provisions relating to school policies concerning crime and victimization to remove references to zero tolerance; providing for consideration of certain provider types relating to services for children in need of services and families in need of services; providing an appropriation; providing effective dates.

—a companion measure, was substituted for **CS for CS for CS for SB 700** and read the second time by title.

Senator Crist moved the following amendment which was adopted:

Amendment 1 (206662)(with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Paragraph (b) of subsection (3) of section 29.008, Florida Statutes, is amended to read:

29.008 County funding of court-related functions.—

(3) The following shall be considered a local requirement pursuant to subparagraph (2)(a)1.:

(b) Alternative sanctions coordinators pursuant to *s. 985.0375* ~~ss. 984.09 and 985.037~~.

Section 2. Paragraph (c) of subsection (4) of section 790.22, Florida Statutes, is amended to read:

790.22 Use of BB guns, air or gas-operated guns, or electric weapons or devices by minor under 16; limitation; possession of firearms by minor under 18 prohibited; penalties.—

(4)

(c) The juvenile justice circuit boards or juvenile justice county councils or the Department of Juvenile Justice shall establish appropriate community service programs to be available *as provided in s. 985.0375* ~~to the alternative sanctions coordinators of the circuit courts in implementing this subsection. The boards or councils or department shall propose the implementation of a community service program in each circuit, and may submit a circuit plan, to be implemented upon approval of the circuit alternative sanctions coordinator~~.

Section 3. Paragraph (a) of subsection (1) of section 939.185, Florida Statutes, is amended to read:

939.185 Assessment of additional court costs and surcharges.—

(1)(a) The board of county commissioners may adopt by ordinance an additional court cost, not to exceed $65, to be imposed by the court when a person pleads guilty or nolo contendere to, or is found guilty of, or adjudicated delinquent for, any felony, misdemeanor, delinquent act, or criminal traffic offense under the laws of this state. Such additional assessment shall be accounted for separately by the county in which the offense occurred and be used only in the county imposing this cost, to be allocated as follows:

1. Twenty-five percent of the amount collected shall be allocated to fund innovations to supplement state funding for the elements of the state courts system identified in s. 29.004 and county funding for local requirements under s. 29.008(2)(a)2.

2. Twenty-five percent of the amount collected shall be allocated to assist counties in providing legal aid programs required under s. 29.008(3)(a).

3. Twenty-five percent of the amount collected shall be allocated to fund personnel and legal materials for the public as part of a law library.

4. Twenty-five percent of the amount collected shall be used as determined by the board of county commissioners to support teen court programs, except as provided in s. 938.19(7), juvenile assessment centers, and other juvenile alternative programs *that include diversion options for first-time misdemeanant youth or youth 10 years of age or younger*.

Each county receiving funds under this section shall report the amount of funds collected pursuant to this section and an itemized list of expenditures for all authorized programs and activities. The report shall be

submitted in a format developed by the Supreme Court to the Governor, the Chief Financial Officer, the President of the Senate, and the Speaker of the House of Representatives on a quarterly basis beginning with the quarter ending September 30, 2004. Quarterly reports shall be submitted no later than 30 days after the end of the quarter. Any unspent funds at the close of the county fiscal year allocated under subparagraphs 2., 3., and 4., shall be transferred for use pursuant to subparagraph 1.

Section 4. Section 984.05, Florida Statutes, is amended to read:

984.05 Rules relating to habitual truants; adoption by State Board of Education and Department of Juvenile Justice.—The Department of Juvenile Justice and the State Board of Education shall work together on the development of, and shall adopt, rules as necessary for *administering* ~~the implementation of~~ ss. 984.03(27), *985.03(26)* ~~985.03(25)~~, and 1003.27.

Section 5. Section 984.09, Florida Statutes, is amended to read:

984.09 Punishment for contempt of court~~; alternative sanctions~~.—

(1) CONTEMPT OF COURT~~; LEGISLATIVE INTENT~~.—*Except as otherwise provided in this section,* the court may punish any child for contempt for interfering with the court or with court administration, or for violating any provision of this chapter or order of the court relative thereto *as provided in s. 985.037*. ~~It is the intent of the Legislature that the court restrict and limit the use of contempt powers with respect to commitment of a child to a secure facility. A child who commits direct contempt of court or indirect contempt of a valid court order may be taken into custody and ordered to serve an alternative sanction or placed in a secure facility, as authorized in this section, by order of the court.~~

(2) PLACEMENT IN A SECURE FACILITY.—

(a) A child may be placed in a secure facility *as provided in s. 985.037(2)* ~~for purposes of punishment for contempt of court if alternative sanctions are unavailable or inappropriate, or if the child has already been ordered to serve an alternative sanction but failed to comply with the sanction.~~

~~(a) A delinquent child who has been held in direct or indirect contempt may be placed in a secure detention facility for 5 days for a first offense or 15 days for a second or subsequent offense,~~ or in a secure residential commitment facility.

(b) A child in need of services who has been held in direct contempt or indirect contempt may be placed, for 5 days for a first offense or 15 days for a second or subsequent offense, in a staff-secure shelter or a staff-secure residential facility solely for children in need of services if such placement is available, or, if such placement is not available, the child may be placed in an appropriate mental health facility or substance abuse facility for assessment. In addition to disposition under this paragraph, a child in need of services who is held in direct contempt or indirect contempt may be placed in a physically secure setting as provided under s. 984.226 if conditions of eligibility are met.

~~(3) ALTERNATIVE SANCTIONS.—Each judicial circuit shall have an alternative sanctions coordinator who shall serve under the chief administrative judge of the juvenile division of the circuit court, and who shall coordinate and maintain a spectrum of contempt sanction alternatives in conjunction with the circuit plan implemented in accordance with s. 790.22(4)(c). Upon determining that a child has committed direct contempt of court or indirect contempt of a valid court order, the court may immediately request the alternative sanctions coordinator to recommend the most appropriate available alternative sanction and shall order the child to perform up to 50 hours of community service manual labor or a similar alternative sanction, unless an alternative sanction is unavailable or inappropriate, or unless the child has failed to comply with a prior alternative sanction. Alternative contempt sanctions may be provided by local industry or by any nonprofit organization or any public or private business or service entity that has entered into a contract with the Department of Juvenile Justice to act as an agent of the state to provide voluntary supervision of children on behalf of the state in exchange for the manual labor of children and limited immunity in accordance with s. 768.28(11).~~

(3)~~(4)~~ *CHILDREN IN NEED OF SERVICES* ~~CONTEMPT OF COURT SANCTIONS; PROCEDURE AND DUE PROCESS~~.—

~~(a) If a child is charged with direct contempt of court, including traffic court, the court may impose an authorized sanction immediately.~~

~~(b) If a child is charged with indirect contempt of court, the court must hold a hearing within 24 hours to determine whether the child committed indirect contempt of a valid court order. At the hearing, the following due process rights must be provided to the child:~~

~~1. Right to a copy of the order to show cause alleging facts supporting the contempt charge.~~

~~2. Right to an explanation of the nature and the consequences of the proceedings.~~

~~3. Right to legal counsel and the right to have legal counsel appointed by the court if the juvenile is indigent, pursuant to s. 985.033.~~

~~4. Right to confront witnesses.~~

~~5. Right to present witnesses.~~

~~6. Right to have a transcript or record of the proceeding.~~

~~7. Right to appeal to an appropriate court.~~

~~The child's parent or guardian may address the court regarding the due process rights of the child. The court shall review the placement of the child every 72 hours to determine whether it is appropriate for the child to remain in the facility.~~

~~(c) The court may not order that a child be placed in a secure facility for punishment for contempt unless the court determines that an alternative sanction is inappropriate or unavailable or that the child was initially ordered to an alternative sanction and did not comply with the alternative sanction. The court is encouraged to order a child to perform community service, up to the maximum number of hours, where appropriate before ordering that the child be placed in a secure facility as punishment for contempt of court.~~

~~(d)~~ In addition to any other sanction imposed under *s. 985.037* ~~this section, the court may direct the Department of Highway Safety and Motor Vehicles to withhold issuance of, or suspend, a child's driver's license or driving privilege. The court may order that a child's driver's license or driving privilege be withheld or suspended for up to 1 year for a first offense of contempt and up to 2 years for a second or subsequent offense. If the child's driver's license or driving privilege is suspended or revoked for any reason at the time the sanction for contempt is imposed, the court shall extend the period of suspension or revocation by the additional period ordered under this paragraph. If the child's driver's license is being withheld at the time the sanction for contempt is imposed, the period of suspension or revocation ordered under this paragraph shall begin on the date on which the child is otherwise eligible to drive.~~ for a child in need of services whose driver's license or driving privilege is suspended under *that section* ~~this paragraph~~, the court may direct the Department of Highway Safety and Motor Vehicles to issue the child a license for driving privileges restricted to business or employment purposes only, as defined in s. 322.271, or for the purpose of completing court-ordered community service, if the child is otherwise qualified for a license. However, the department may not issue a restricted license unless specifically ordered to do so by the court.

~~(5) ALTERNATIVE SANCTIONS COORDINATOR.—There is created the position of alternative sanctions coordinator within each judicial circuit, pursuant to subsection (3). Each alternative sanctions coordinator shall serve under the direction of the chief administrative judge of the juvenile division as directed by the chief judge of the circuit. The alternative sanctions coordinator shall act as the liaison between the judiciary, local department officials, district school board employees, and local law enforcement agencies. The alternative sanctions coordinator shall coordinate within the circuit community-based alternative sanctions, including nonsecure detention programs, community service projects, and other juvenile sanctions, in conjunction with the circuit plan implemented in accordance with s. 790.22(4)(c).~~

Section 6. Subsection (3) of section 985.02, Florida Statutes, is amended to read:

985.02 Legislative intent for the juvenile justice system.—

(3) JUVENILE JUSTICE AND DELINQUENCY PREVENTION.—It is the policy of the state with respect to juvenile justice and delinquency prevention to first protect the public from acts of delinquency. In addition, it is the policy of the state to:

(a) Develop and implement effective methods of preventing and reducing acts of delinquency, with a focus on maintaining and strengthening the family as a whole so that children may remain in their homes or communities.

(b) Develop and implement effective programs to prevent delinquency, to divert children from the traditional juvenile justice system, to intervene at an early stage of delinquency, and to provide critically needed alternatives to institutionalization and deep-end commitment.

(c) Provide well-trained personnel, high-quality services, and cost-effective programs within the juvenile justice system.

(d) Increase the capacity of local governments and public and private agencies to conduct rehabilitative treatment programs and to provide research, evaluation, and training services in the field of juvenile delinquency prevention.

(e) Encourage and promote diversion options when appropriate, especially for first-time misdemeanant youth or youth 10 years of age or younger.

The Legislature intends that detention care, in addition to providing secure and safe custody, will promote the health and well-being of the children committed thereto and provide an environment that fosters their social, emotional, intellectual, and physical development.

Section 7. Subsections (39) through (57) of section 985.03, Florida Statutes, are redesignated as subsections (40) through (58), respectively, and a new subsection (38) is added to that section, to read:

985.03 Definitions.—As used in this chapter, the term:

(38) "Ordinary medical care" means medical procedures that are administered or performed on a routine basis and include, but are not limited to, inoculations, physical examinations, remedial treatment for minor illnesses and injuries, preventive services, medication management, chronic disease management, and other medical procedures that are administered or performed on a routine basis and that do not involve hospitalization, surgery, or use of general anesthesia.

Section 8. Subsections (1), (2), and (4) of section 985.037, Florida Statutes, are amended, and subsections (3) and (5) of that section are redesignated as subsections (1) and (2) of section 985.0375, Florida Statutes, and amended to read:

985.037 Punishment for contempt of court~~; alternative sanctions~~.—

(1) CONTEMPT OF COURT; LEGISLATIVE INTENT.—The court may punish any child for contempt for interfering with the court or with court administration, or for violating any provision of this chapter or order of the court relative thereto. It is the intent of the Legislature that the court restrict and limit the use of contempt powers with respect to commitment of a child to a secure facility. A child who commits direct contempt of court or indirect contempt of a valid court order may be taken into custody and ordered to serve an alternative sanction or placed in a secure facility, as authorized in this section, by order of the court.

(2) PLACEMENT IN A SECURE FACILITY.—A child may be placed in a secure facility for purposes of punishment for contempt of court if alternative sanctions are unavailable or inappropriate, or if the child has already been ordered to serve an alternative sanction but failed to comply with the sanction. A delinquent child who has been held in direct or indirect contempt may be placed in a secure detention facility not to exceed 5 days for a first offense and not to exceed 15 days for a second or subsequent offense.

(3)~~(4)~~ CONTEMPT OF COURT SANCTIONS; PROCEDURE AND DUE PROCESS.—

(a) If a child is charged with direct contempt of court, including traffic court, the court may impose an authorized sanction immediately.

(b) If a child is charged with indirect contempt of court, the court must hold a hearing within 24 hours to determine whether the child committed indirect contempt of a valid court order. At the hearing, the following due process rights must be provided to the child:

1. Right to a copy of the order to show cause alleging facts supporting the contempt charge.

2. Right to an explanation of the nature and the consequences of the proceedings.

3. Right to legal counsel and the right to have legal counsel appointed by the court if the juvenile is indigent, under s. 985.033.

4. Right to confront witnesses.

5. Right to present witnesses.

6. Right to have a transcript or record of the proceeding.

7. Right to appeal to an appropriate court.

The child's parent or guardian may address the court regarding the due process rights of the child. The court shall review the placement of the child every 72 hours to determine whether it is appropriate for the child to remain in the facility.

(c) The court may not order that a child be placed in a secure facility for punishment for contempt unless the court determines that an alternative sanction is inappropriate or unavailable or that the child was initially ordered to an alternative sanction and did not comply with the alternative sanction. The court is encouraged to order a child to perform community service, up to the maximum number of hours, where appropriate before ordering that the child be placed in a secure facility as punishment for contempt of court.

(d) In addition to any other sanction imposed under this section, the court may direct the Department of Highway Safety and Motor Vehicles to withhold issuance of, or suspend, a child's driver's license or driving privilege. The court may order that a child's driver's license or driving privilege be withheld or suspended for up to 1 year for a first offense of contempt and up to 2 years for a second or subsequent offense. If the child's driver's license or driving privilege is suspended or revoked for any reason at the time the sanction for contempt is imposed, the court shall extend the period of suspension or revocation by the additional period ordered under this paragraph. If the child's driver's license is being withheld at the time the sanction for contempt is imposed, the period of suspension or revocation ordered under this paragraph shall begin on the date on which the child is otherwise eligible to drive.

985.0375 Alternative sanctions.—

(1)~~(3)~~ ~~ALTERNATIVE SANCTIONS.—~~Each judicial circuit shall have an alternative sanctions coordinator who shall serve under the chief administrative judge of the juvenile division of the circuit court, and who shall coordinate and maintain a spectrum of contempt sanction alternatives in conjunction with the circuit plan implemented in accordance with s. 790.22(4)(c). Upon determining that a child has committed direct contempt of court or indirect contempt of a valid court order, the court may immediately request the alternative sanctions coordinator to recommend the most appropriate available alternative sanction and shall order the child to perform up to 50 hours of community-service manual labor or a similar alternative sanction, unless an alternative sanction is unavailable or inappropriate, or unless the child has failed to comply with a prior alternative sanction. Alternative contempt sanctions may be provided by local industry or by any nonprofit organization or any public or private business or service entity that has entered into a contract with the department ~~of Juvenile Justice~~ to act as an agent of the state to provide voluntary supervision of children on behalf of the state in exchange for the manual labor of children and limited immunity in accordance with s. 768.28(11).

(2)~~(5)~~ ~~ALTERNATIVE SANCTIONS COORDINATOR.—~~There is created the position of alternative sanctions coordinator within each judicial circuit, pursuant to subsection *(1)* ~~(3)~~. Each alternative sanctions coordinator shall serve under the direction of the chief administrative judge of the juvenile division as directed by the chief judge of the circuit. The alternative sanctions coordinator shall act as the liaison between the judiciary, local department officials, district school board employees, and local law enforcement agencies. The alternative sanctions coordinator shall coordinate within the circuit community-based

alternative sanctions, including nonsecure detention programs, community service projects, and other juvenile sanctions, *to implement s. 790.22(4)* ~~in conjunction with the circuit plan implemented in accordance with s. 790.22(4)(c)~~.

Section 9. Subsections (1) and (7) of section 985.04, Florida Statutes, are amended to read:

985.04 Oaths; records; confidential information.—

(1) Except as provided in subsections (2), (3), (6), and (7) and s. 943.053, all information obtained under this chapter in the discharge of official duty by any judge, any employee of the court, any authorized agent of the department, the Parole Commission, the Department of Corrections, the juvenile justice circuit boards, any law enforcement agent, or any licensed professional or licensed community agency representative participating in the assessment or treatment of a juvenile is confidential and may be disclosed only to the authorized personnel of the court, the department and its designees, the Department of Corrections, *the Department of Children and Family Services,* the Parole Commission, law enforcement agents, school superintendents and their designees, any licensed professional or licensed community agency representative participating in the assessment or treatment of a juvenile, and others entitled under this chapter to receive that information, or upon order of the court. Within each county, the sheriff, the chiefs of police, the district school superintendent, and the department shall enter into an interagency agreement for the purpose of sharing information about juvenile offenders among all parties. The agreement must specify the conditions under which summary criminal history information is to be made available to appropriate school personnel, and the conditions under which school records are to be made available to appropriate department personnel. Such agreement shall require notification to any classroom teacher of assignment to the teacher's classroom of a juvenile who has been placed in a probation or commitment program for a felony offense. The agencies entering into such agreement must comply with s. 943.0525, and must maintain the confidentiality of information that is otherwise exempt from s. 119.07(1), as provided by law.

(7)(a) Records in the custody of the department regarding children are not open to inspection by the public. Such records may be inspected only upon order of the Secretary of Juvenile Justice or his or her authorized agent by persons who have sufficient reason and upon such conditions for their use and disposition as the secretary or his or her authorized agent deems proper. The information in such records may be disclosed only to other employees of the department who have a need therefor in order to perform their official duties; to other persons as authorized by rule of the department; and, upon request, to the Department of Corrections *and the Department of Children and Family Services*. The secretary or his or her authorized agent may permit properly qualified persons to inspect and make abstracts from records for statistical purposes under whatever conditions upon their use and disposition the secretary or his or her authorized agent deems proper, provided adequate assurances are given that children's names and other identifying information will not be disclosed by the applicant.

(b) The destruction of records pertaining to children committed to or supervised by the department pursuant to a court order, which records are retained until a child reaches the age of 24 years or until a serious or habitual delinquent child reaches the age of 26 years, shall be subject to chapter 943.

Section 10. Subsection (2) of section 985.245, Florida Statutes, is amended to read:

985.245 Risk assessment instrument.—

(2)(a) The risk assessment instrument for detention care placement determinations and *court* orders shall be developed by the department in *consultation* ~~agreement~~ with *a committee composed of two* representatives appointed by ~~the following associations:~~ the Conference of Circuit Judges of Florida, the Prosecuting Attorneys Association, the Public Defenders Association, the Florida Sheriffs Association, and the Florida Association of Chiefs of Police. Each association shall appoint two individuals, one representing an urban area and one representing a rural area. *In addition, the committee shall include two representatives from child advocacy organizations, and two recognized child mental health experts, appointed by the department.* The parties involved shall evaluate and revise the risk assessment instrument as is considered necessary using the method for revision as agreed by the parties. *The risk assessment instrument shall be evaluated to determine if the instrument contributes to disproportionate minority contact.*

(b) The risk assessment instrument shall take into consideration, but need not be limited to, prior history of failure to appear, prior offenses, *prior history of residential delinquency commitments,* offenses committed pending adjudication, any unlawful possession of a firearm, theft of a motor vehicle or possession of a stolen motor vehicle, and probation status at the time the child is taken into custody. The risk assessment instrument shall also take into consideration appropriate aggravating and mitigating circumstances, and shall be designed to target a narrower population of children than s. 985.255. The risk assessment instrument shall also include any information concerning the child's history of abuse and neglect. The risk assessment shall indicate whether detention care is warranted, and, if detention care is warranted, whether the child should be placed into secure, nonsecure, or home detention care.

(c) Any risk assessment instrument used for determining detention care placements and court orders shall be validated not later than December 31, 2008, and periodically evaluated thereafter for continued validity.

Section 11. Subsection (5) of section 985.265, Florida Statutes, is amended to read:

985.265 Detention transfer and release; education; adult jails.—

(5) The court shall order the delivery of a child to a jail or other facility intended or used for the detention of adults:

(a) When the child has been transferred or indicted for criminal prosecution as an adult under part X, except that the court may not order or allow a child alleged to have committed a misdemeanor who is being transferred for criminal prosecution pursuant to either s. 985.556 or s. 985.557 to be detained or held in a jail or other facility intended or used for the detention of adults; however, such child may be held temporarily in a detention facility; or

(b) When a child taken into custody in this state is wanted by another jurisdiction for prosecution as an adult.

The child shall be housed separately from adult inmates to prohibit a child from having regular contact with incarcerated adults, including trustees. "Regular contact" means sight and sound contact. Separation of children from adults shall permit no more than haphazard or accidental contact. The receiving jail or other facility shall contain a separate section for children and shall have an adequate staff to supervise and monitor the child's activities at all times. Supervision and monitoring of children includes physical observation and documented checks by jail or receiving facility supervisory personnel at intervals not to exceed 15 minutes*, except in direct supervision housing with 24-hour supervision*. This subsection does not prohibit placing two or more children in the same cell. Under no circumstances shall a child be placed in the same cell with an adult.

Section 12. Subsection (2) of section 985.601, Florida Statutes, is amended, and paragraph (e) is added to subsection (3) of that section, to read:

985.601 Administering the juvenile justice continuum.—

(2)*(a)* The department shall develop and implement an appropriate continuum of care that provides individualized, multidisciplinary assessments, objective evaluations of relative risks, and the matching of needs with placements for all children under its care, and that uses a system of case management to facilitate each child being appropriately assessed, provided with services, and placed in a program that meets the child's needs.

(b) As part of the continuum of services, the department shall adopt rules establishing procedures to provide ordinary medical care, mental health, substance abuse, and developmental disabilities services to youth within the juvenile justice continuum as defined in s. 985.03.

The department shall coordinate such rulemaking with other affected agencies to avoid duplication, conflict, or inconsistency.

(3)

(e) In order to be eligible to participate in the state-funded Intensive Delinquency Diversion Services program, counties having nonstate-funded delinquency programs for youth must include diversion options for first-time misdemeanant youth or youth 10 years of age or younger, unless otherwise prohibited.

Section 13. Section 985.606, Florida Statutes, is amended to read:

985.606 Prevention services providers; *outcome* ~~performance~~ data collection; reporting.—Each state agency or entity that receives or uses state appropriations to fund programs, grants, appropriations, or activities that are designed to prevent juvenile crime, delinquency, gang membership, status offenses, or that are designed to prevent a child from becoming a "child in need of services," as defined in chapter 984, shall collect data relative to the *outcomes related to* ~~performance of~~ such activities and shall provide said data to the Governor, the President of the Senate, and the Speaker of the House no later than January 31st of each year for the preceding fiscal year.

Section 14. Subsection (8) is added to section 985.632, Florida Statutes, to read:

985.632 Quality assurance and cost-effectiveness*; outcome-based contracting*.—

(8) To create an accountable juvenile justice system that is outcome-based, the department is authorized to conduct a demonstration project using outcome performance-based contracts. During the 2008-2009 fiscal year, the department shall develop, in consultation with the Department of Financial Services and a provider organization that has multiple sites, an implementation plan for outcome-based contracting. Such a plan shall include interim and long-term outcome performance measures, strategies for using financial incentives and disincentives to increase provider performance, a plan to shift oversight and monitoring of providers from a compliance-based approach to a more outcome-based approach, and recommendations of needed legislative action to implement. This plan shall be submitted to the Executive Office of the Governor, the President of the Senate, and the Speaker of the House of Representatives by March 1, 2009.

Section 15. Section 985.644, Florida Statutes, is amended to read:

985.644 Departmental contracting powers; personnel standards and screening.—

(1) The department ~~of Juvenile Justice or the Department of Children and Family Services, as appropriate,~~ may contract with the Federal Government, other state departments and agencies, county and municipal governments and agencies, public and private agencies, and private individuals and corporations in carrying out the purposes of, and the responsibilities established in, this chapter.

(a) When the department ~~of Juvenile Justice or the Department of Children and Family Services~~ contracts with a provider for any program for children, all personnel, including owners, operators, employees, and volunteers, in the facility must be of good moral character. Each contract entered into by *the* ~~either~~ department for services delivered on an appointment or intermittent basis by a provider that does not have regular custodial responsibility for children and each contract with a school for before or aftercare services must ensure that the owners, operators, and all personnel who have direct contact with children are of good moral character. A volunteer who assists on an intermittent basis for less than 40 hours per month need not be screened if the volunteer is under direct and constant supervision by persons who meet the screening requirements.

(b) The department ~~of Juvenile Justice and the Department of Children and Family Services~~ shall require employment screening pursuant to chapter 435, using the level 2 standards set forth in that chapter for personnel in programs for children or youths.

(c) The department of ~~Juvenile Justice or the Department of Children and Family Services~~ may grant exemptions from disqualification from working with children as provided in s. 435.07.

~~(2) The department may contract with the Federal Government, other state departments and agencies, county and municipal governments and agencies, public and private agencies, and private individuals and corporations in carrying out the purposes and the responsibilities of the delinquency services and programs of the department.~~

(2)~~(3)~~ The department shall adopt a rule ~~pursuant to chapter 120~~ establishing a procedure to provide notice of policy changes that affect contracted delinquency services and programs. A policy is defined as an operational requirement that applies to only the specified contracted delinquency service or program. The procedure *must* ~~shall~~ include:

(a) Public notice of policy development.

(b) Opportunity for public comment on the proposed policy.

(c) Assessment for fiscal impact upon the department and providers.

(d) The department's response to comments received.

~~(4) When the department contracts with a provider for any delinquency service or program, all personnel, including all owners, operators, employees, and volunteers in the facility or providing the service or program shall be of good moral character. A volunteer who assists on an intermittent basis for less than 40 hours per month is not required to be screened if the volunteer is under direct and constant supervision by persons who meet the screening requirements.~~

(3)~~(5)~~(a) For any person employed by the department, or by a provider under contract with the department, in delinquency facilities, services, or programs, the department shall require:

1. A level 2 employment screening pursuant to chapter 435 prior to employment.

2. A federal criminal records check by the Federal Bureau of Investigation every 5 years following the date of the person's employment.

(b) Except for law enforcement, correctional, and correctional probation officers, to whom s. 943.13(5) applies, the department shall electronically submit to the Department of Law Enforcement:

1. Fingerprint information obtained during the employment screening required by subparagraph (a)1.

2. Beginning on December 15, 2005, fingerprint information for all persons employed by the department, or by a provider under contract with the department, in delinquency facilities, services, or programs if such fingerprint information has not previously been electronically submitted to the Department of Law Enforcement under this paragraph.

(c) All fingerprint information electronically submitted to the Department of Law Enforcement under paragraph (b) shall be retained by the Department of Law Enforcement and entered into the statewide automated fingerprint identification system authorized by s. 943.05(2)(b). Thereafter, such fingerprint information shall be available for all purposes and uses authorized for arrest fingerprint information entered into the statewide automated fingerprint identification system pursuant to s. 943.051 until the fingerprint information is removed *under* ~~pursuant to~~ paragraph (e). The Department of Law Enforcement shall search all arrest fingerprint information received pursuant to s. 943.051 against the fingerprint information entered into the statewide automated fingerprint system *under* ~~pursuant~~ to this subsection. Any arrest records identified as a result of the search shall be reported to the department in the manner and timeframe established by the Department of Law Enforcement by rule.

(d) The department shall pay an annual fee to the Department of Law Enforcement for its costs resulting from the fingerprint information retention services required by this subsection. The amount of the annual fee and procedures for the submission and retention of fingerprint information and for the dissemination of search results shall be established by the Department of Law Enforcement by *adopting* a rule that is applicable to the department individually *under* ~~pursuant to~~ this subsection or that is applicable to the department and other employing agencies pursuant to rulemaking authority otherwise provided by law.

(e) The department shall notify the Department of Law Enforcement when a person whose fingerprint information is retained by the Department of Law Enforcement under this subsection is no longer employed by the department, or by a provider under contract with the department, in a delinquency facility, service, or program. This notice shall be provided by the department to the Department of Law Enforcement no later than 6 months after the date of the change in the person's employment status. Fingerprint information for persons identified by the department

in the notice shall be removed from the statewide automated fingerprint system.

~~(6) The department may grant exemptions from disqualification from working with children as provided in s. 435.07.~~

Section 16. Subsections (2), (3), (4), (5), (6), (7), (8), and (9) of section 985.66, Florida Statutes, are amended to read:

985.66 Juvenile justice training academies; Juvenile Justice Standards and Training Commission; Juvenile Justice Training Trust Fund.—

(2) *STAFF DEVELOPMENT AND TRAINING* ~~JUVENILE JUSTICE STANDARDS AND TRAINING COMMISSION.—~~

~~(a) There is created under the Department of Juvenile Justice the Juvenile Justice Standards and Training Commission, hereinafter referred to as the commission. The 17-member commission shall consist of the Attorney General or designee, the Commissioner of Education or designee, a member of the juvenile court judiciary to be appointed by the Chief Justice of the Supreme Court, and 14 members to be appointed by the Secretary of Juvenile Justice as follows:~~

~~1. Seven members shall be juvenile justice professionals: a superintendent or a direct care staff member from an institution; a director from a contracted community-based program; a superintendent and a direct care staff member from a regional detention center or facility; a juvenile probation officer supervisor and a juvenile probation officer; and a director of a day treatment or conditional release program. No fewer than three of these members shall be contract providers.~~

~~2. Two members shall be representatives of local law enforcement agencies.~~

~~3. One member shall be an educator from the state's university and community college program of criminology, criminal justice administration, social work, psychology, sociology, or other field of study pertinent to the training of juvenile justice program staff.~~

~~4. One member shall be a member of the public.~~

~~5. One member shall be a state attorney, or assistant state attorney, who has juvenile court experience.~~

~~6. One member shall be a public defender, or assistant public defender, who has juvenile court experience.~~

~~7. One member shall be a representative of the business community.~~

~~All appointed members shall be appointed to serve terms of 2 years.~~

~~(b) The composition of the commission shall be broadly reflective of the public and shall include minorities and women. The term "minorities" as used in this paragraph means a member of a socially or economically disadvantaged group that includes blacks, Hispanics, and American Indians.~~

~~(c) The Department of Juvenile Justice shall provide the commission with staff necessary to assist the commission in the performance of its duties.~~

~~(d) The commission shall annually elect its chairperson and other officers. The commission shall hold at least four regular meetings each year at the call of the chairperson or upon the written request of three members of the commission. A majority of the members of the commission constitutes a quorum. Members of the commission shall serve without compensation but are entitled to be reimbursed for per diem and travel expenses as provided by s. 112.061 and these expenses shall be paid from the Juvenile Justice Training Trust Fund.~~

~~(e)~~ The powers, duties, and functions of the *department* ~~commission~~ shall be to:

(a)~~1.~~ Designate the location of the training academies; develop, implement, maintain, and update the curriculum to be used in the training of *delinquency* ~~juvenile justice~~ program staff; establish timeframes for participation in and completion of training by *delinquency* ~~juvenile justice~~ program staff; develop, implement, maintain, and update job-related examinations; develop, implement, and update the types and frequencies of evaluations of the training academies; approve, modify, or disapprove the budget for the training academies, and the contractor to be selected to organize and operate the training academies and to provide the training curriculum.

(b)~~2.~~ Establish uniform minimum job-related training courses and examinations for *delinquency* ~~juvenile justice~~ program staff.

(c)~~3.~~ Consult and cooperate with the state or any political subdivision; any private entity or contractor; and with private and public universities, colleges, community colleges, and other educational institutions concerning the development of juvenile justice training and programs or courses of instruction, including, but not limited to, education and training in the areas of juvenile justice.

(d)~~4.~~ *Enter into* ~~With the approval of the department, make and enter into such~~ contracts and agreements with other agencies, organizations, associations, corporations, individuals, or federal agencies as ~~the commission determines are~~ necessary in the execution of its powers or the performance of its duties.

~~5. Make recommendations to the Department of Juvenile Justice concerning any matter within the purview of this section.~~

(3) JUVENILE JUSTICE TRAINING PROGRAM.—The *department* ~~commission~~ shall establish a certifiable program for juvenile justice training pursuant to this section, and all *delinquency* ~~department~~ program staff ~~and providers~~ who deliver direct care services ~~pursuant to contract with the department~~ shall be required to participate in and successfully complete the ~~commission-~~approved program of training pertinent to their areas of responsibility. Judges, state attorneys, and public defenders, law enforcement officers, and school district personnel may participate in such training program. For the *delinquency* ~~juvenile justice~~ program staff, the *department* ~~commission~~ shall, based on a job-task analysis:

(a) Design, implement, maintain, evaluate, and revise a basic training program, including a competency-based examination, for the purpose of providing minimum employment training qualifications for all *delinquency program staff* ~~juvenile justice personnel~~. All *delinquency* program staff of the department and providers who deliver direct-care services who are hired after October 1, 1999, must meet the following minimum requirements:

1. Be at least 19 years of age.

2. Be a high school graduate or its equivalent as determined by the *department* ~~commission~~.

3. Not have been convicted of any felony or a misdemeanor involving perjury or a false statement, or have received a dishonorable discharge from any of the Armed Forces of the United States. Any person who, after September 30, 1999, pleads guilty or nolo contendere to or is found guilty of any felony or a misdemeanor involving perjury or false statement is not eligible for employment, notwithstanding suspension of sentence or withholding of adjudication. Notwithstanding this subparagraph, any person who pled nolo contendere to a misdemeanor involving a false statement before October 1, 1999, and who has had such record of that plea sealed or expunged is not ineligible for employment for that reason.

4. Abide by all the provisions of s. 985.644(1) regarding fingerprinting and background investigations and other screening requirements for personnel.

5. Execute and submit to the department an affidavit-of-application form, adopted by the department, attesting to his or her compliance with subparagraphs 1.-4. The affidavit must be executed under oath and constitutes an official statement under s. 837.06. The affidavit must include conspicuous language that the intentional false execution of the affidavit constitutes a misdemeanor of the second degree. The employing agency shall retain the affidavit.

(b) Design, implement, maintain, evaluate, and revise an advanced training program, including a competency-based examination for each training course, which is intended to enhance knowledge, skills, and abilities related to job performance.

(c) Design, implement, maintain, evaluate, and revise a career development training program, including a competency-based examination

for each training course. Career development courses are intended to prepare personnel for promotion.

(d) The *department* ~~commission~~ is encouraged to design, implement, maintain, evaluate, and revise juvenile justice training courses, or to enter into contracts for such training courses, that are intended to provide for the safety and well-being of both citizens and juvenile offenders.

(4) JUVENILE JUSTICE TRAINING TRUST FUND.—

(a) There is created within the State Treasury a Juvenile Justice Training Trust Fund to be used by the Department of Juvenile Justice for the purpose of funding the development and updating of a job-task analysis of *delinquency program staff* ~~juvenile justice personnel~~; the development, implementation, and updating of job-related training courses and examinations; *and* the cost of ~~commission-approved~~ juvenile justice training courses~~; and reimbursement for expenses as provided in s. 112.061 for members of the commission and staff~~.

(b) One dollar from every noncriminal traffic infraction collected pursuant to ss. 318.14(10)(b) and 318.18 shall be deposited into the Juvenile Justice Training Trust Fund.

(c) In addition to the funds generated by paragraph (b), the trust fund may receive funds from any other public or private source.

(d) Funds that are not expended by the end of the budget cycle or through a supplemental budget approved by the department shall revert to the trust fund.

(5) ESTABLISHMENT OF JUVENILE JUSTICE TRAINING ACADEMIES.—The number, location, and establishment of juvenile justice training academies shall be determined by the *department* ~~commission~~.

(6) SCHOLARSHIPS AND STIPENDS.—

(a) By rule, the *department* ~~commission~~ shall establish criteria to award scholarships or stipends to qualified *delinquency program staff* ~~juvenile justice personnel~~ who are residents of the state who want to pursue a bachelor's or associate in arts degree in juvenile justice or a related field. The department shall handle the administration of the scholarship or stipend. The Department of Education shall handle the notes issued for the payment of the scholarships or stipends. All scholarship and stipend awards shall be paid from the Juvenile Justice Training Trust Fund upon vouchers approved by the Department of Education and properly certified by the Chief Financial Officer. Prior to the award of a scholarship or stipend, the *delinquency program staff* ~~juvenile justice employee~~ must agree in writing to practice her or his profession in juvenile justice or a related field for 1 month for each month of grant or to repay the full amount of the scholarship or stipend together with interest at the rate of 5 percent per annum over a period not to exceed 10 years. Repayment shall be made payable to the state for deposit into the Juvenile Justice Training Trust Fund.

(b) The *department* ~~commission~~ may establish the scholarship program by rule and implement the program on or after July 1, 1996.

(7) ADOPTION OF RULES.—The *department may* ~~commission shall~~ adopt rules as necessary to carry out the provisions of this section.

(8) PARTICIPATION OF CERTAIN PROGRAMS IN THE STATE RISK MANAGEMENT TRUST FUND.—Pursuant to s. 284.30, the Division of Risk Management of the Department of Financial Services is authorized to insure a private agency, individual, or corporation operating a state-owned training school under a contract to carry out the purposes and responsibilities of any program of the department. The coverage authorized herein shall be under the same general terms and conditions as the department is insured for its responsibilities under chapter 284.

(9) *As used in this section, the term "delinquency program staff" means supervisory and direct care staff of a delinquency program as well as support staff who have direct contact with children in a delinquency program that is owned and operated by the department.* ~~The Juvenile Justice Standards and Training Commission is terminated on June 30, 2001, and such termination shall be reviewed by the Legislature prior to that date.~~

Section 17. Section 985.664, Florida Statutes, is amended to read:

985.664 Juvenile justice circuit boards and juvenile justice county councils.—

(1) There is authorized a juvenile justice circuit board to be established in each of the 20 judicial circuits and a juvenile justice county council to be established in each of the 67 counties. The purpose of each juvenile justice circuit board and each juvenile justice county council is to provide advice and direction to the department *and the Children and Youth Cabinet* in the development and implementation of juvenile justice programs and to work collaboratively with the department in seeking program improvements and policy changes to address the emerging and changing needs of Florida's youth who are at risk of delinquency.

(2) Each juvenile justice county council shall develop a juvenile justice prevention and early intervention plan for the county and shall collaborate with the circuit board and other county councils assigned to that circuit in the development of a comprehensive plan for the circuit. *As part of such plan, each council and board shall make provision for continual monitoring to identify and remedy disproportionate minority contact with the juvenile justice system. The Children and Youth Cabinet shall consider these local plans in implementing s. 402.56(5).*

(3) Juvenile justice circuit boards and county councils shall also participate in facilitating interagency cooperation and information sharing *with local school authorities, law enforcement agencies, state attorneys, public defenders, judicial entities, local representatives of the department, the Department of Children and Family Services, and faith-based and community-based organizations for the purposes of forwarding the goals of the county or circuit plan. Such interagency collaborations shall specify how the community's entities will cooperate, collaborate, and share information to achieve the goals of the juvenile justice prevention and early intervention plan or the comprehensive plan for the circuit.*

(4) Juvenile justice circuit boards and county councils may apply for and receive public or private grants to be administered by one of the community partners that support one or more components of the county or circuit plan.

(5) Juvenile justice circuit boards and county councils shall advise and assist the department in the evaluation and award of prevention and early intervention grant programs, including the Community Juvenile Justice Partnership Grant program established in s. 985.676 and proceeds from the Invest in Children license plate annual use fees.

(6) Each juvenile justice circuit board shall provide an annual report to the department *and to the Children and Youth Cabinet* describing the activities of the circuit board and each of the county councils contained within its circuit. *Such reports must be agreed upon and signed by each acting chair of the board and council and submitted to the Children and Youth Cabinet through the department secretary or the secretary's designee.* The department may prescribe a format and content requirements for submission of annual reports.

(7) Membership of the juvenile justice circuit board may not exceed 18 members, except as provided in subsections (8) and (9). Members must include the state attorney, the public defender, and the chief judge of the circuit, or their respective designees. The remaining 15 members of the board must be appointed by the county councils within that circuit. The board *where possible* must *be composed of an equitable number of members* ~~include at least one representative~~ from each county council within the circuit*, taking into account differences in population*. In appointing members to the circuit board, the county councils must reflect:

(a) The circuit's geography and population distribution.

(b) Juvenile justice partners, including, but not limited to, representatives of law enforcement, the school system, and the Department of Children and Family Services.

(c) Diversity in the judicial circuit.

(d) Representation from residents of the targeted high-crime zip code communities as identified by the department and based on referral rates within the county.

(8) At any time after the adoption of initial bylaws pursuant to subsection (12), a juvenile justice circuit board may revise the bylaws to

increase the number of members by not more than three in order to adequately reflect the diversity of the population and community organizations or agencies in the circuit.

(9) If county councils are not formed within a circuit, the circuit board may establish its membership in accordance with subsection (10). For juvenile justice circuit boards organized pursuant to this subsection, the state attorney, public defender, and chief circuit judge, or their respective designees, shall be members of the circuit board.

(10) Membership of the juvenile justice county councils, or juvenile justice circuit boards established under subsection (9), *must include representation from residents of the targeted high-crime zip code communities as identified by the department and based on referral rates within the county and* may *also* include representatives from the following entities:

(a) Representatives from the school district, which may include elected school board officials, the school superintendent, school or district administrators, teachers, and counselors.

(b) Representatives of the board of county commissioners.

(c) Representatives of the governing bodies of local municipalities within the county.

(d) A representative of the corresponding circuit or regional entity of the Department of Children and Family Services.

(e) Representatives of local law enforcement agencies, including the sheriff or the sheriff's designee.

(f) Representatives of the judicial system.

(g) Representatives of the business community.

(h) Representatives of other interested officials, groups, or entities, including, but not limited to, a children's services council, public or private providers of juvenile justice programs and services, students, parents, and advocates. Private providers of juvenile justice programs may not exceed one-third of the voting membership.

(i) Representatives of the faith community.

(j) Representatives of victim-service programs and victims of crimes.

(k) Representatives of the Department of Corrections.

(11) Each juvenile justice county council, or juvenile justice circuit board established under subsection (9), must provide for the establishment of an executive committee of not more than 10 members. The duties and authority of the executive committee must be addressed in the bylaws.

(12) Each juvenile justice circuit board and county council shall develop bylaws that provide for officers and committees as the board or council deems necessary and shall specify the qualifications, method of selection, and term for each office created. The bylaws shall address at least the following issues: process for appointments to the board or council; election or appointment of officers; filling of vacant positions; duration of member terms; provisions for voting; meeting attendance requirements; and the establishment and duties of an executive committee, if required under subsection (11).

(13) The secretary shall meet at least annually, individually or collectively, by telephone or in person, with the chair of the juvenile justice circuit boards and the Children and Youth Cabinet in order to:

1. Advise juvenile justice circuit board chairs of statewide juvenile justice issues and activities.

2. Provide and receive comments on prevention and intervention program budget priorities.

3. Provide and receive comments on the planning process.

4. Discuss program development, program implementation, quality assurance, and program outcomes.

(14)~~(13)~~ Members of juvenile justice circuit boards and county councils are subject to the provisions of part III of chapter 112.

(15) Juvenile justice circuit boards and county councils shall use due diligence in notifying the community of board vacancies through various community outreach outlets such as community newspapers, churches, and free public announcements.

Section 18. Section 985.668, Florida Statutes, is amended to read:

985.668 Innovation zones.—The department shall encourage each of the juvenile justice circuit boards*, in consultation with the juvenile justice county council within the circuit,* to propose at least one innovation zone within the circuit for the purpose of implementing any experimental, pilot, or demonstration project that furthers the legislatively established goals of the department. An innovation zone is a defined geographic area such as a circuit, commitment region, county, municipality, service delivery area, school campus, or neighborhood providing a laboratory for the research, development, and testing of the applicability and efficacy of model programs, policy options, and new technologies for the department.

(1)(a) The juvenile justice circuit board shall submit a proposal for an innovation zone to the secretary. If the purpose of the proposed innovation zone is to demonstrate that specific statutory goals can be achieved more effectively by using procedures that require modification of existing rules, policies, or procedures, the proposal may request the secretary to waive such existing rules, policies, or procedures or to otherwise authorize use of alternative procedures or practices. Waivers of such existing rules, policies, or procedures must comply with applicable state or federal law.

(b) For innovation zone proposals that the secretary determines require changes to state law, the secretary may submit a request for a waiver from such laws, together with any proposed changes to state law, to the chairs of the appropriate legislative committees for consideration.

(c) For innovation zone proposals that the secretary determines require waiver of federal law, the secretary may submit a request for such waivers to the applicable federal agency.

(2) An innovation zone project may not have a duration of more than 2 years, but the secretary may grant an extension.

(3) Before implementing an innovation zone under this subsection, the secretary shall, in conjunction with the Office of Program Policy Analysis and Government Accountability, develop measurable and valid objectives for such zone within a negotiated reasonable period of time. Moneys designated for an innovation zone in one operating circuit may not be used to fund an innovation zone in another operating circuit.

(4) Program models for innovation zone projects include, but are not limited to:

(a) A forestry alternative work program that provides selected juvenile offenders an opportunity to serve in a forestry work program as an alternative to incarceration, in which offenders assist in wildland firefighting, enhancement of state land management, environmental enhancement, and land restoration.

(b) A collaborative public/private dropout prevention partnership that trains personnel from both the public and private sectors of a target community who are identified and brought into the school system as an additional resource for addressing problems which inhibit and retard learning, including abuse, neglect, financial instability, pregnancy, and substance abuse.

(c) A support services program that provides economically disadvantaged youth with support services, jobs, training, counseling, mentoring, and prepaid postsecondary tuition scholarships.

(d) A juvenile offender job training program that offers an opportunity for juvenile offenders to develop educational and job skills in a 12-month to 18-month nonresidential training program, teaching the offenders skills such as computer-aided design, modular panel construction, and heavy vehicle repair and maintenance which will readily transfer to the private sector, thereby promoting responsibility and productivity.

(e) An infant mortality prevention program that is designed to discourage unhealthy behaviors such as smoking and alcohol or drug consumption, reduce the incidence of babies born prematurely or with low

birth weight, reduce health care cost by enabling babies to be safely discharged earlier from the hospital, reduce the incidence of child abuse and neglect, and improve parenting and problem-solving skills.

(f) A regional crime prevention and intervention program that serves as an umbrella agency to coordinate and replicate existing services to at-risk children, first-time juvenile offenders, youth crime victims, and school dropouts.

(g) An alternative education outreach school program that serves delinquent repeat offenders between 14 and 18 years of age who have demonstrated failure in school and who are referred by the juvenile court.

(h) A drug treatment and prevention program that provides early identification of children with alcohol or drug problems to facilitate treatment, comprehensive screening and assessment, family involvement, and placement options.

(i) A community resource mother or father program that emphasizes parental responsibility for the behavior of children, and requires the availability of counseling services for children at high risk for delinquent behavior.

Section 19. Paragraph (a) of subsection (2) and subsection (3) of section 985.676, Florida Statutes, are amended to read:

985.676 Community juvenile justice partnership grants.—

(2) GRANT APPLICATION PROCEDURES.—

(a) Each entity wishing to apply for an annual community juvenile justice partnership grant, which may be renewed ~~for a maximum of 2 additional years~~ for the same provision of services, shall submit a grant proposal for funding or continued funding to the department. The department shall establish the grant application procedures. In order to be considered for funding, the grant proposal shall include the following assurances and information:

1. A letter from the chair of the juvenile justice circuit board confirming that the grant application has been reviewed and found to support one or more purposes or goals of the juvenile justice plan as developed by the board.

2. A rationale and description of the program and the services to be provided, including goals and objectives.

3. A method for identification of the juveniles most likely to be involved in the juvenile justice system who will be the focus of the program.

4. Provisions for the participation of parents and guardians in the program.

5. Coordination with other community-based and social service prevention efforts, including, but not limited to, drug and alcohol abuse prevention and dropout prevention programs, that serve the target population or neighborhood.

6. An evaluation component to measure the effectiveness of the program in accordance with s. 985.632.

7. A program budget, including the amount and sources of local cash and in-kind resources committed to the budget. The proposal must establish to the satisfaction of the department that the entity will make a cash or in-kind contribution to the program of a value that is at least equal to 20 percent of the amount of the grant.

8. The necessary program staff.

(b) The department shall consider the following in awarding such grants:

1. The recommendations of the juvenile justice county council as to the priority that should be given to proposals submitted by entities within a county.

2. The recommendations of the juvenile justice circuit board as to the priority that should be given to proposals submitted by entities within a circuit.

As the first priority, the department shall fund applications that meet the requirements of this section and also fulfill the local juvenile justice circuit board and county council plans.

(3) RESTRICTIONS.—~~This section does not prevent a program initiated under a community juvenile justice partnership grant established pursuant to this section from continuing to operate beyond the 3-year maximum funding period if it can find other funding sources. Likewise,~~ This section does not restrict the number of programs an entity may apply for or operate.

Section 20. Section 985.721, Florida Statutes, is amended to read:

985.721 Escapes from secure detention or residential commitment facility.—An escape from:

(1) Any secure detention facility maintained for the temporary detention of children, pending adjudication, disposition, or placement;

(2) Any residential commitment facility described in *s. 985.03(45)* ~~s. 985.03(44)~~, maintained for the custody, treatment, punishment, or rehabilitation of children found to have committed delinquent acts or violations of law; or

(3) Lawful transportation to or from any such secure detention facility or residential commitment facility,

Section 7. constitutes escape within the intent and meaning of s. 944.40 and is a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

Section 21. Subsections (1) and (2) of section 1006.13, Florida Statutes, are amended to read:

1006.13 Policy ~~of zero tolerance~~ for crime and victimization.—

(1) Each district school board shall adopt a policy ~~of zero tolerance~~ for:

(a) Crime and substance abuse, including the reporting of delinquent acts and crimes occurring whenever and wherever students are under the jurisdiction of the district school board.

(b) Victimization of students, including taking all steps necessary to protect the victim of any violent crime from any further victimization.

(2) The ~~zero tolerance~~ policy shall require students found to have committed one of the following *serious criminal* offenses to be expelled, with or without continuing educational services, from the student's regular school for *at least* ~~a period of not less than~~ 1 full year, and to be referred to the criminal justice or juvenile justice system.

(a) Bringing a firearm or weapon, as defined in chapter 790, to school, to any school function, or onto any school-sponsored transportation or possessing a firearm at school.

(b) Making a threat or false report, as defined by ss. 790.162 and 790.163, respectively, involving school or school personnel's property, school transportation, or a school-sponsored activity.

District school boards may assign the student to a disciplinary program for the purpose of continuing educational services during the period of expulsion. District school superintendents may consider the 1-year expulsion requirement on a case-by-case basis and request the district school board to modify the requirement by assigning the student to a disciplinary program or second chance school if the request for modification is in writing and it is determined to be in the best interest of the student and the school system. If a student committing any of the offenses in this subsection is a student with a disability, the district school board *must* ~~shall~~ comply with applicable State Board of Education rules.

Section 22. This act shall take effect July 1, 2008.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to juvenile justice; amending s. 29.008, F.S.; conforming cross-references; amending s. 790.22, F.S.; revising provisions relating to community service programs; amending s. 939.185, F.S.; providing diversion options; amending s. 984.05, F.S., conforming

cross-references; amending s. 984.09, F.S.; deleting duplicative provisions relating to contempt of court and alternative sanctions; amending s. 985.02, F.S.; providing diversion options; amending s. 985.03, F.S.; defining the term "ordinary medical care"; amending and renumbering provisions of s. 985.037, F.S., relating to alterative sanctions; creating s. 985.0375, F.S.; providing for alternative sanctions; amending s. 985.04, F.S; providing that confidential information obtained during an official's service with juvenile delinquents may be shared with authorized personnel of the Department of Children and Family Services; amending s. 985.245, F.S.; providing for additional representatives to be included on the committee formed to advise the Department of Juvenile Justice on the risk assessment instrument; requiring periodic evaluation of the risk assessment instrument; amending s. 985.265, F.S.; providing an exception to required supervision in direct supervision housing; amending s. 985.601, F.S.; requiring the Department of Juvenile Justice to adopt rules to establish procedures to provide ordinary medical care, mental health, substance abuse, and developmental disabilities services to youth within the juvenile justice continuum; requiring that, to the extent possible within available fiscal resources, the procedures must be commensurate with procedures that youth receive in the community; amending s. 985.606, F.S.; revising provisions governing data collection; amending s. 985.632, F.S.; authorizing the department to conduct a demonstration project in order to create an accountable juvenile justice system that is outcome-based; amending s. 985.644, F.S., relating to departmental contracting powers; removing references to the Department of Children and Family Services; amending s. 985.66, F.S.; transferring the responsibility for the juvenile justice training program from the Juvenile Justice Standards and Training Commission to the Department of Juvenile Justice; requiring the department to adopt rules; amending s. 985.664, F.S., relating to the juvenile justice circuit boards and juvenile justice county councils; providing a reference to the Children and Youth Cabinet; requiring that juvenile justice circuit boards and county councils participate in facilitating interagency cooperation and information sharing with certain entities; requiring that such collaborations specify certain information; providing requirements for the annual reports required to be submitted by each juvenile justice circuit board; amending s. 985.668, F.S.; encouraging each juvenile justice circuit board, in consultation with the juvenile justice county council, to propose an innovation zone within the circuit; amending s. 985.676, F.S.; including the development and implantation of a strategic plan; amending s. 985.721, F.S.; conforming a cross-reference; amending s. 1006.13, F.S.; removing the reference of zero tolerance; providing an effective date.

On motion by Senator Crist, by two-thirds vote **CS for HB 7087** as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—32

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Aronberg	Gaetz	Posey
Baker	Garcia	Rich
Bennett	Geller	Ring
Bullard	Haridopolos	Saunders
Constantine	Jones	Storms
Crist	Justice	Villalobos
Dean	King	Wilson
Deutch	Lawson	Wise
Diaz de la Portilla	Margolis	

Nays—4

Hill	Lynn	Siplin
Joyner		

Vote after roll call:

Yea—Atwater, Webster

CS for SB 734—A bill to be entitled An act relating to license plates; amending ss. 320.08056 and 320.08058, F.S.; creating a Florida Tennis license plate; creating a Lighthouse Association license plate; creating an In God We Trust license plate; providing for the distribution of annual use fees received from the sale of such plates; providing an effective date.

—as amended April 25 was read the third time by title.

Senator Gaetz moved the following amendment which was adopted by two-thirds vote:

Amendment 1 (464554)(with title amendment)—Delete line(s) 11-92 and insert:

Section 1. Paragraphs (mmm), (nnn), (ooo), and (ppp) are added to subsection (4) of section 320.08056, Florida Statutes, to read:

320.08056 Specialty license plates.—

(4) The following license plate annual use fees shall be collected for the appropriate specialty license plates:

(mmm) Florida Tennis license plate, $25.

(nnn) Lighthouse Association license plate, $25.

(ooo) In God We Trust license plate, $25.

(ppp) Horse Country license plate, $25.

Section 2. Subsections (65), (66), (67), and (68) are added to section 320.08058, Florida Statutes, to read:

320.08058 Specialty license plates.—

(65) FLORIDA TENNIS LICENSE PLATES.—

(a) The department shall develop a Florida Tennis license plate as provided in this section. The word "Florida" must appear at the top of the plate and the words "Play Tennis" must appear at the bottom of the plate. The United States Tennis Association Florida Section Foundation may submit a revised sample plate for consideration by the department.

(b) The department shall distribute the annual use fees to the Florida Sports Foundation, a direct-support organization of the Office of Tourism, Trade, and Economic Development. The license plate annual use fees shall be annually allocated as follows:

1. Up to 5 percent of the proceeds from the annual use fees may be used by the Florida Sports Foundation to administer the license plate program.

2. The United States Tennis Association Florida Section shall receive the first $60,000 in proceeds from the annual use fees to reimburse it for startup costs, administrative costs, and other costs it incurs in the development and approval process.

3. Up to 5 percent of the proceeds from the annual use fees may be used for promoting and marketing the license plates. The remaining proceeds shall be available for grants by the United States Tennis Association Florida Section Foundation to nonprofit organizations to operate youth tennis programs and adaptive tennis programs for special populations of all ages, and for building, renovating, and maintaining public tennis courts.

(c) All grant recipients shall provide to the United States Tennis Association Florida Section Foundation an annual program and financial report regarding the use of grant funds. Such reports shall be made available to the public.

(66) LIGHTHOUSE ASSOCIATION LICENSE PLATES.—

(a) The department shall develop a Lighthouse Association license plate as provided in this section. The word "Florida" must appear at the top of the plate, and the words "Visit Our Lights" must appear at the bottom of the plate.

(b) The annual use fees shall be distributed to the Florida Lighthouse Association, Inc., which may use a maximum of 10 percent of the proceeds to promote and market the plates. The remaining proceeds shall be used by the association to fund the preservation, restoration, and protection of the 29 historic lighthouses remaining in the state.

(67) IN GOD WE TRUST LICENSE PLATES.—

(a) The department shall develop an In God We Trust license plate as provided in this section. However, the requirements of s. 320.08053 must

be met before the plates are issued. In God We Trust license plates must bear the colors and design approved by the department. The word "Florida" must appear at the top of the plate, and the words "In God We Trust" must appear in the body of the plate.

(b) The license plate annual use fees shall be distributed to the In God We Trust Foundation, Inc., to fund educational scholarships for the children of Florida residents who are members of the United States Armed Forces, the National Guard, and the United States Armed Forces Reserve and for the children of public safety employees who have died in the line of duty who are not covered by existing state law. Funds shall also be distributed to other 501(c)(3) organizations that may apply for grants and scholarships and to provide educational grants to public and private schools to promote the historical and religious significance of American and Florida history. The In God We Trust Foundation, Inc., shall distribute the license plate annual use fees in the following manner:

1. The In God We Trust Foundation, Inc., shall retain all revenues from the sale of such plates until all startup costs for developing and establishing the plate have been recovered.

2. Ten percent of the funds received by the In God We Trust Foundation, Inc., shall be expended for administrative costs, promotion, and marketing of the license plate directly associated with the operations of the In God We Trust Foundation, Inc.

3. All remaining funds shall be expended by the In God We Trust Foundation, Inc., for programs.

(68) HORSE COUNTRY LICENSE PLATES.—

(a) Notwithstanding s. 320.08053, the department shall develop a Horse Country license plate as provided in this section. Horse Country license plates must bear the colors and design approved by the department. The word "Florida" must appear at the top of the plate, and the words "Horse Country" must appear at the bottom of the plate.

(b) The requirements of s. 320.08053 must be met prior to the issuance of the plate. Thereafter, the license plate annual use fees shall be distributed to PCMI Properties, Inc., to fund programs involved in the rehabilitation of at-risk youth as directed by the Board of Trustees of PCMI Properties, Inc. Such funds may be used to provide educational materials, athletic equipment, transportation, food, medical services, counseling, scholarships, and other direct administrative and program expenses. The funds may also be used as grants for expansion of youth rehabilitation programs in the state. Special consideration shall be given to programs using horses and other livestock in the efforts to redirect at-risk youth. PCMI Properties, Inc., may retain all revenue from the annual use fees until all startup costs for developing and establishing the plate have been recovered. Thereafter, up to 10 percent of the annual use fee revenue may be used for promotion and marketing of the plate, and as necessary for annual audit or compliance affidavit costs.

And the title is amended as follows:

On line(s) 5, after the semicolon (;) insert: creating a Horse Country license plate;

Senator Storms moved the following amendment:

Amendment 2 (360666)(with directory and title amendments)—Delete lines 13-62 and insert:

320.08056 Specialty license plates.—

(4) The following license plate annual use fees shall be collected for the appropriate specialty license plates:

(mmm) Florida Tennis license plate, $25.

(nnn) Lighthouse Association license plate, $25.

(ooo) I Believe license plate, $25.

(ppp) In God We Trust license plate, $25.

Section 2. Subsections (65), (66), (67), and (68) are added to section 320.08058, Florida Statutes, to read:

320.08058 Specialty license plates.—

(65) FLORIDA TENNIS LICENSE PLATES.—

(a) The department shall develop a Florida Tennis license plate as provided in this section. The word "Florida" must appear at the top of the plate and the words "Play Tennis" must appear at the bottom of the plate. The United States Tennis Association Florida Section Foundation may submit a revised sample plate for consideration by the department.

(b) The department shall distribute the annual use fees to the Florida Sports Foundation, a direct-support organization of the Office of Tourism, Trade, and Economic Development. The license plate annual use fees shall be annually allocated as follows:

1. Up to 5 percent of the proceeds from the annual use fees may be used by the Florida Sports Foundation to administer the license plate program.

2. The United States Tennis Association Florida Section shall receive the first $60,000 in proceeds from the annual use fees to reimburse it for startup costs, administrative costs, and other costs it incurs in the development and approval process.

3. Up to 5 percent of the proceeds from the annual use fees may be used for promoting and marketing the license plates. The remaining proceeds shall be available for grants by the United States Tennis Association Florida Section Foundation to nonprofit organizations to operate youth tennis programs and adaptive tennis programs for special populations of all ages, and for building, renovating, and maintaining public tennis courts.

(c) All grant recipients shall provide to the United States Tennis Association Florida Section Foundation an annual program and financial report regarding the use of grant funds. Such reports shall be made available to the public.

(66) LIGHTHOUSE ASSOCIATION LICENSE PLATES.—

(a) The department shall develop a Lighthouse Association license plate as provided in this section. The word "Florida" must appear at the top of the plate, and the words "Visit Our Lights" must appear at the bottom of the plate.

(b) The annual use fees shall be distributed to the Florida Lighthouse Association, Inc., which may use a maximum of 10 percent of the proceeds to promote and market the plates. The remaining proceeds shall be used by the association to fund the preservation, restoration, and protection of the 29 historic lighthouses remaining in the state.

(67) I BELIEVE LICENSE PLATES.—

(a) The department shall develop an I Believe license plate as provided in this section. However, the requirements of s. 320.08053 must be met before the plates are issued. The plate must bear the colors and design approved by the department. The word "Florida" must appear at the top of the plate and the words "I Believe" must appear at the bottom of the plate.

(b) The annual use fees from the plate shall be distributed to Faith in Teaching, Inc., which may retain all revenue from the use fees until all startup costs for developing and establishing the plate have been recovered. Thereafter, Faith in Teaching, Inc., shall allocate the annual use fees as follows:

1. A maximum of 10 percent may be used to offset administrative costs incurred by Faith in Teaching, Inc.;

2. A maximum of 10 percent may be used to promote and market the plate; and

3. The remaining funds shall be used to fund programs, activities, and projects that promote faith-based education for youth in this state.

(Redesignate subsequent subsection.)

And the directory clause is amended as follows:

Delete line 11 and insert:

Section 1. Paragraphs (mmm), (nnn), (ooo), and (ppp) are added to

And the title is amended as follows:

On line 4, after the second semicolon (;) insert: creating an I Believe license plate;

POINT OF ORDER

Senator Geller raised a point of order that pursuant to Rule 7.1 **Amendment 2 (360666)** contained language of a bill not reported favorably by a Senate committee and was therefore out of order.

The President referred the point of order and the amendment to Senator King, Chair of the Committee on Rules.

On motion by Senator Fasano, further consideration of **CS for SB 734** with pending **Amendment 2 (360666)** and pending point of order was deferred.

CS for CS for HB 1175—A bill to be entitled An act relating to transportation services for the transportation disadvantaged; amending s. 409.908, F.S.; authorizing the Agency for Health Care Administration to continue to contract for Medicaid nonemergency transportation services in a specified agency service area with managed care plans under certain conditions; amending s. 427.011, F.S.; revising definitions; defining the term "purchasing agency"; amending s. 427.012, F.S.; revising the number of members required for a quorum at a meeting of the Commission for the Transportation Disadvantaged; amending s. 427.013, F.S.; revising responsibilities of the commission; deleting a requirement that the commission establish by rule acceptable ranges of trip costs; removing a provision for functioning and oversight of the quality assurance and management review program; requiring the commission to incur expenses for promotional services and items; amending s. 427.0135, F.S.; revising and creating duties and responsibilities for agencies that purchase transportation services for the transportation disadvantaged; providing requirements for the payment of rates; requiring an agency to negotiate with the commission before procuring transportation disadvantaged services; requiring an agency to identify its allocation for transportation disadvantaged services in its legislative budget request; amending s. 427.015, F.S.; revising provisions relating to the function of the metropolitan planning organization or designated official planning agency; amending s. 427.0155, F.S.; revising duties of community transportation coordinators; amending s. 427.0157, F.S.; revising duties of coordinating boards; amending s. 427.0158, F.S.; deleting provisions requiring the school board to provide information relating to school buses to the transportation coordinator; providing for the transportation coordinator to request certain information regarding public transportation; amending s. 427.0159, F.S.; revising provisions relating to the Transportation Disadvantaged Trust Fund; providing for the deposit of funds by an agency purchasing transportation services; amending s. 427.016, F.S.; providing for construction and application of specified provisions to certain acts of a purchasing agency in lieu of the Medicaid agency; requiring that an agency identify the allocation of funds for transportation disadvantaged services in its legislative budget request; providing an effective date.

—as amended April 25 was read the third time by title.

On motion by Senator Fasano, **CS for CS for HB 1175** as amended was passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Diaz de la Portilla	Justice
Alexander	Dockery	King
Aronberg	Fasano	Lawson
Bennett	Gaetz	Lynn
Bullard	Garcia	Margolis
Carlton	Geller	Oelrich
Constantine	Haridopolos	Peaden
Crist	Hill	Posey
Dean	Jones	Rich
Deutch	Joyner	Ring
Saunders	Storms	Wilson
Siplin	Villalobos	Wise

Nays—None

Vote after roll call:

Yea—Atwater, Webster

On motion by Senator Villalobos, by two-thirds vote **CS for HB 531** was withdrawn from the Committees on Community Affairs; Criminal Justice; Governmental Operations; and General Government Appropriations.

On motion by Senator Villalobos, by two-thirds vote—

CS for HB 531—A bill to be entitled An act relating to the Florida Retirement System; amending s. 121.0515, F.S.; revising the criteria under which certain employees of the Department of Law Enforcement, the Division of State Fire Marshal, or a local government law enforcement agency or medical examiner's office are eligible for membership in the Special Risk Class; authorizing the Department of Management Services to review the special risk designation of certain members; authorizing certain members to purchase additional retirement credit to upgrade prior service to Special Risk Class service; providing for the calculation of contributions for such service upgrade; authorizing the employer to purchase such additional credit for certain members; providing a declaration of important state interest; providing an effective date.

—a companion measure, was substituted for **CS for SB 800** and by two-thirds vote read the second time by title. On motion by Senator Villalobos, by two-thirds vote **CS for HB 531** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Fasano	Oelrich
Alexander	Gaetz	Peaden
Aronberg	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Wilson
Deutch	Lawson	Wise
Diaz de la Portilla	Lynn	
Dockery	Margolis	

Nays—None

Vote after roll call:

Yea—Atwater, Webster

On motion by Senator Joyner, by two-thirds vote **CS for HB 1509** was withdrawn from the Committees on Transportation; Judiciary; and Criminal and Civil Justice Appropriations.

On motion by Senator Joyner, by two-thirds vote—

CS for HB 1509—A bill to be entitled An act relating to community service for infractions of noncriminal traffic offenses; amending s. 318.18, F.S.; requiring a court to allow a person to satisfy a civil penalty for an infraction of a noncriminal traffic offense by participating in community service if the person is unable to pay the civil penalty due to a demonstrable financial hardship; requiring that a person participating in community service receive credit for the civil penalty at the specified hourly credit rate per hour of community service performed or at the prevailing wage rate for a trade or profession; defining the term "specified hourly credit rate"; providing responsibilities for community service agencies; defining the terms "community service" and "community service agency"; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 858** as amended and by two-thirds vote read the second time by title. On motion by Senator Joyner, by two-thirds vote **CS for HB 1509** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Fasano	Oelrich
Alexander	Gaetz	Peaden
Aronberg	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise
Dockery	Margolis	

Nays—None

Vote after roll call:

Yea—Atwater

CS for SB 940—A bill to be entitled An act relating to employee leasing companies; providing a short title; amending s. 443.036, F.S.; redefining the term "employee leasing company"; amending s. 443.1216, F.S.; requiring quarterly reports that include client and establishment specific information; authorizing the Agency for Workforce Innovation to adopt rules; providing enforcement authority; providing an effective date.

—was read the third time by title.

On motion by Senator Diaz de la Portilla, **CS for SB 940** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Fasano	Oelrich
Alexander	Gaetz	Peaden
Aronberg	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise
Dockery	Margolis	

Nays—None

Vote after roll call:

Yea—Atwater

CS for SB 948—A bill to be entitled An act relating to concealed weapons licenses; amending s. 790.06, F.S.; extending the period that a license is valid; specifying that the United States residency required to obtain a license to carry a concealed weapon or firearm means that the licensee must be a United States citizen or a permanent resident alien of the United States; providing legislative intent; providing applicability; providing an effective date.

—as amended April 25 was read the third time by title.

On motion by Senator Diaz de la Portilla, **CS for SB 948** as amended was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

Nays—None

On motion by Senator Crist, by two-thirds vote **HB 7053** was withdrawn from the Committees on Health Policy; and Governmental Operations.

On motion by Senator Crist, by two-thirds vote—

HB 7053—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act regarding the Florida Kidcare program; amending s. 409.821, F.S.; reorganizing the exemption; authorizing release of information to any governmental entity in the performance of its official duties and responsibilities; providing that the public record exemption does not prohibit the release of certain information to the legal guardian of an enrollee; removing superfluous language; repealing s. 2, ch. 2003-104, Laws of Florida, which provides for repeal of the exemption; repealing s. 624.91(8), F.S., which provides a duplicative public records exemption for the Florida Healthy Kids Corporation; providing an effective date.

—a companion measure, was substituted for **CS for SB 1090** as amended and by two-thirds vote read the second time by title. On motion by Senator Crist, by two-thirds vote **HB 7053** was read the third time by title, passed by the required constitutional two-thirds vote of the members present and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

Nays—None

On motion by Senator Jones, by two-thirds vote **HB 797** was withdrawn from the Committees on Regulated Industries; and Higher Education.

On motion by Senator Jones, by two-thirds vote—

HB 797—A bill to be entitled An act relating to public accountancy; amending s. 473.306, F.S.; revising prerequisites for taking the examination for licensure as a certified public accountant; eliminating certain obsolete provisions; amending s. 473.308, F.S.; revising and updating the requirements for education and work experience; requiring the Board of Accountancy to adopt rules governing requirements for work experience; clarifying provisions that specify what constitutes good moral character for purposes of qualifying for licensure as a certified

public accountant; revising provisions governing licensure by endorsement; amending s. 473.323, F.S.; correcting a cross-reference; providing an effective date.

—a companion measure, was substituted for **CS for SB 1206** and by two-thirds vote read the second time by title. On motion by Senator Jones, by two-thirds vote **HB 797** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Fasano	Oelrich
Alexander	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise
Dockery	Margolis	

Nays—None

Vote after roll call:

Yea—Aronberg

CS for CS for SB 1598—A bill to be entitled An act relating to health insurance; amending ss. 627.42395 and 641.31, F.S.; requiring health insurance policies and health maintenance contracts in this state to provide additional premium coverage for amino-acid-based elemental formulas for the treatment of certain medical conditions; revising a prerequisite concerning such coverage to authorize persons holding certain licenses to prescribe or order such formulas; limiting application to children of a certain age; amending s. 627.6741, F.S.; requiring an insurer issuing Medicare supplement policies to offer a Medicare supplement policy without conditioning the issuance or discriminating in the price based on health status to individuals who are eligible for Medicare due to having end-stage renal disease and who meet other conditions; providing an effective date.

—was read the third time by title.

On motion by Senator Peaden, **CS for CS for SB 1598** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

Nays—None

On motion by Senator Baker, by two-thirds vote **CS for HB 937** was withdrawn from the Committees on Banking and Insurance; Governmental Operations; and General Government Appropriations.

On motion by Senator Baker, by two-thirds vote—

CS for HB 937—A bill to be entitled An act relating to title insurance; creating the Florida 2008 Title Insurance Study Advisory Council; providing for membership; providing for administrative support for the council; providing responsibilities of the council; authorizing the council to invite independent actuaries to provide certain information; requiring the Office of Program Policy Analysis and Government Accountability to conduct a review and report to the council; requiring that the report be submitted to the council by a certain date; providing council meeting requirements; requiring the council to file a report with the Governor and the Legislature; providing for termination of the council; providing appropriations and authorizing additional positions; providing an effective date.

—a companion measure, was substituted for **CS for CS for CS for SB 1684** and by two-thirds vote read the second time by title. On motion by Senator Baker, by two-thirds vote **CS for HB 937** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

Nays—None

On motion by Senator Baker, by two-thirds vote **CS for HB 607** was withdrawn from the Committees on Health Regulation; and Higher Education Appropriations.

On motion by Senator Baker, by two-thirds vote—

CS for HB 607—A bill to be entitled An act relating to orthotics, prosthetics, and pedorthics; amending s. 468.80, F.S.; providing and revising definitions; amending s. 468.801, F.S.; changing composition of the Board of Orthotists and Prosthetists; removing obsolete requirement for initial staggering of terms; amending s. 468.802, F.S.; expanding the authority for rule adoption to include standards of practice for orthotic fitters, orthotic fitter assistants, and residents; amending s. 468.803, F.S.; providing for registration for a resident to practice orthotics or prosthetics; authorizing licensure as a prosthetist-orthotist; providing requirements for such licensure; requiring applicants for registration, examination, or licensure to apply on Department of Health forms; requiring applicants to submit fingerprints and a fee to cover department costs for criminal background checks; requiring board verification of certain information prior to an applicant's examination, registration, or licensure; providing requirements for registration as a resident in orthotics or prosthetics; providing for registration and renewal fees for registration; authorizing either the Department of Health to develop and administer a state examination for an orthotist or prosthetist license or the board to approve an existing examination of a national standards organization; providing examination requirements; authorizing examination fees; delineating applicant qualifications for examination; delineating requirements for licensure and licensure fees for an orthotist, a prosthetist, an orthotic fitter, an orthotic fitter assistant, and a pedorthist; amending s. 468.806, F.S.; revising materials required for submission for biennial license renewal, including information necessary to conduct a statewide criminal history check and payment of costs therefor; requiring certain mandatory courses, standards and qualifications for continuing education courses, and standards and qualifications for course providers to be established by rule; repealing s. 468.807, F.S., relating to issuance of a temporary license; amending s. 468.808, F.S.; revising duties that can be delegated to unlicensed support personnel; providing requirements for support personnel identification; amending s. 468.809, F.S.; including the practice of orthotics, prosthetics, or pedorthics without registration in certain prohibitions; providing penalties; creating s. 468.8095, F.S.; requiring licensees and registrants to post licenses, registrations, recent photographs, and certain notices in

a facility and to wear certain identification tags or badges; amending s. 468.811, F.S.; revising grounds for denial of a license or disciplinary action; providing grounds for denial of registration; amending s. 468.812, F.S.; revising provisions exempting certain persons from licensure; amending s. 468.813, F.S.; revising requirements regarding use of titles providing requirements for such licensure; providing an effective dates.

—a companion measure, was substituted for **CS for CS for SB 1696** as amended and by two-thirds vote read the second time by title. On motion by Senator Baker, by two-thirds vote **CS for HB 607** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

Nays—None

CS for HB 7105—A bill to be entitled An act relating to postsecondary distance learning; establishing the Florida Distance Learning Task Force; providing for membership; requiring the task force to submit a report containing certain recommendations to the Governor, the Legislature, and certain entities by a specified date; providing for future expiration; creating s. 1004.09, F.S.; establishing the Florida Higher Education Distance Learning Catalog; requiring that the Florida Distance Learning Consortium establish guidelines and procedures and provide information on certain requirements and information relating to distance learning courses and degree programs; requiring that the catalog include an Internet-based analytic tool that collects and analyzes certain data; amending s. 1009.23, F.S.; exempting a distance learning course from laboratory fees; authorizing the State Board of Education to adopt rules; authorizing a community college to assess a student enrolled in a course listed in the catalog a per-credit-hour user fee; requiring that such fee not exceed a certain amount; prohibiting the assessment of other fees if the distance learning course user fee is assessed; requiring that the board of trustees report to the Division of Community Colleges the total amount of revenue generated by such fee for the preceding year and how such fee was expended; requiring that the link for the catalog be prominently displayed on the institution's website; amending s. 1009.24, F.S.; authorizing a state university to assess a per-credit-hour distance learning course fee; requiring that such fee not exceed a certain amount; prohibiting the state university from assessing duplicative fees to cover the same additional costs; requiring that the link to the catalog be prominently displayed on the institution's website; providing an effective date.

—was read the third time by title.

On motion by Senator Lynn, **CS for HB 7105** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Crist	Haridopolos
Alexander	Dean	Hill
Aronberg	Deutch	Jones
Atwater	Diaz de la Portilla	Joyner
Baker	Dockery	Justice
Bennett	Fasano	King
Bullard	Gaetz	Lawson
Carlton	Garcia	Lynn
Constantine	Geller	Margolis
Oelrich	Ring	Villalobos
Peaden	Saunders	Webster
Posey	Siplin	Wilson
Rich	Storms	Wise

Nays—None

The Senate resumed consideration of—

CS for SB 734—A bill to be entitled An act relating to license plates; amending ss. 320.08056 and 320.08058, F.S.; creating a Florida Tennis license plate; creating a Lighthouse Association license plate; creating an In God We Trust license plate; providing for the distribution of annual use fees received from the sale of such plates; providing an effective date.

—which was previously considered and amended this day with pending **Amendment 2 (360666)** by Senator Storms and pending point of order by Senator Geller.

RULING ON POINT OF ORDER

On recommendation of Senator King, Chair of the Committee on Rules, the President ruled the point not well taken. **Amendment 2 (360666)** by Senator Storms failed to received the required two-thirds vote.

On motion by Senator Fasano, by two-thirds vote **CS for SB 734** as amended was passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—35

Mr. President	Fasano	Peaden
Alexander	Gaetz	Posey
Aronberg	Garcia	Rich
Atwater	Geller	Ring
Baker	Haridopolos	Saunders
Bennett	Hill	Siplin
Bullard	Jones	Storms
Carlton	Justice	Villalobos
Crist	King	Webster
Dean	Lawson	Wilson
Deutch	Lynn	Wise
Diaz de la Portilla	Margolis	

Nays—4

Constantine	Joyner	Oelrich
Dockery		

CS for CS for HB 745—A bill to be entitled An act relating to postsecondary education; amending s. 216.136, F.S.; revising provisions relating to student enrollment projections, and adjustments thereto, for the state educational system developed by the Education Estimating Conference; amending s. 1005.32, F.S.; revising requirements for application for licensure by accreditation by an independent postsecondary educational institution; amending s. 1007.24, F.S.; revising provisions regarding determination of equivalency of courses; amending s. 1009.01, F.S.; providing definitions relating to postsecondary education; amending s. 1009.21, F.S.; providing that determination of resident status applies to eligibility for state financial aid awards and tuition assistance grants; revising definitions; revising provisions relating to qualification as a resident for tuition purposes; providing for reclassification of status; providing duties of institutions of higher education; amending s. 1009.22, F.S.; revising provisions relating to the workforce education postsecondary student capital improvement fee; amending s. 1009.23, F.S.; providing an exemption relating to establishment of the community college activity and service student fee; authorizing an increase in the amount of fees collected for financial aid purposes; increasing the amount of financial aid fees that may be used to assist students who meet specified criteria; authorizing rulemaking; amending s. 1009.24, F.S.; revising provisions relating to state university student fees; providing for the establishment of tuition and fees at the undergraduate and graduate levels and for professional programs; revising provisions relating to use of the student financial aid fee; revising provisions relating to

establishment and conditions of the undergraduate tuition differential; amending s. 1009.25, F.S.; revising provisions authorizing student fee exemptions by community colleges; defining "fee-paying student"; amending s. 1009.265, F.S.; revising conditions for the use of state employee fee waivers; amending ss. 1009.98 and 1011.48, F.S.; conforming cross-references; amending s. 196.192, F.S.; specifying educational institutions as exempt entities for purposes of exemptions from ad valorem taxation for property owned by exempt entities; providing an effective date.

—as amended April 25 was read the third time by title.

On motion by Senator Lynn, **CS for CS for HB 745** as amended was passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Dockery	Peaden
Alexander	Fasano	Posey
Aronberg	Gaetz	Rich
Atwater	Garcia	Ring
Baker	Geller	Saunders
Bennett	Haridopolos	Siplin
Bullard	Hill	Storms
Carlton	Jones	Villalobos
Constantine	King	Webster
Crist	Lawson	Wilson
Dean	Lynn	Wise
Deutch	Margolis	
Diaz de la Portilla	Oelrich	

Nays—2

Joyner	Justice

CS for SB 2044—A bill to be entitled An act relating to selling, giving, or serving alcoholic beverages to persons under 21 years of age; amending s. 562.11, F.S.; increasing the penalty imposed for a second or subsequent offense of selling, giving, or serving alcoholic beverages to a person under 21 years of age within a specified period following the prior offense; providing a defense to such a charge; providing an effective date.

—was read the third time by title.

On motion by Senator Posey, **CS for SB 2044** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

Nays—None

On motion by Senator Baker, by two-thirds vote **CS for HB 773** was withdrawn from the Committees on Judiciary; and Finance and Tax.

On motion by Senator Baker, by two-thirds vote—

CS for HB 773—A bill to be entitled An act relating to judicial sales; amending s. 45.031, F.S.; permitting certain sales to be conducted by electronic means; requiring electronic sales to comply with specified procedures; providing exceptions; requiring clerks to provide public access terminals for electronic sales; permitting clerks to receive electronic payments and deposits related to electronic sales; amending s. 45.035, F.S.; providing a service charge to be received by clerks for sales conducted by electronic means under a specified provision; providing an exception to the fee for moneys in the registry of the court; amending s. 197.542, F.S.; providing for electronic tax deed sales; requiring clerks to provide public access terminals for electronic sales; permitting clerks to receive electronic payments and deposits related to electronic sales; providing provisions relating to electronic tax deed sales in charter counties; for providing an effective date.

—a companion measure, was substituted for **CS for SB 2248** as amended and by two-thirds vote read the second time by title. On motion by Senator Baker, by two-thirds vote **CS for HB 773** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

Nays—None

CS for CS for SB 2378—A bill to be entitled An act relating to pari-mutuel wagering permitholders; amending s. 550.054, F.S.; providing for a jai alai permitholder meeting certain conditions to apply to the Division of Pari-mutuel Wagering to convert a permit to conduct jai alai to a permit to conduct greyhound racing; directing the division to issue a permit to conduct greyhound racing if certain conditions are met; providing for the relocation of certain permits; providing an effective date.

—was read the third time by title.

On motion by Senator Aronberg, **CS for CS for SB 2378** failed to pass. The vote was:

Yeas—14

Mr. President	Diaz de la Portilla	Jones
Aronberg	Fasano	King
Atwater	Geller	Lawson
Bennett	Haridopolos	Lynn
Deutch	Hill	

Nays—25

Alexander	Garcia	Saunders
Baker	Joyner	Siplin
Bullard	Justice	Storms
Carlton	Margolis	Villalobos
Constantine	Oelrich	Webster
Crist	Peaden	Wilson
Dean	Posey	Wise
Dockery	Rich	
Gaetz	Ring	

Vote after roll call:

Yea to Nay—Atwater, Haridopolos

CS for CS for HB 1167—A bill to be entitled An act relating to the Reduced Cigarette Ignition Propensity Standard and Firefighter Protection Act; creating s. 633.042, F.S.; providing a short title; providing legislative findings and intent; providing definitions; providing cigarette testing methods and performance standards; providing specific testing

criteria; requiring manufacturers to provide certain written certification; requiring cigarettes to be marked in specific manners; providing for alternative testing methods under certain circumstances; providing reporting requirements; providing the Division of Alcoholic Beverages and Tobacco and the State Fire Marshal with certain powers and responsibilities; providing certification requirements for manufacturers; providing requirements for the marking of certain cigarette packaging; providing reporting requirements; providing approval requirements for markings submitted to the division by a manufacturer; providing notification requirements; providing fines and penalties; providing the division and the State Fire Marshal with rulemaking authority; authorizing certain governmental entities with inspection powers to examine specified documents of any person in possession, control, or occupancy of any premises where cigarettes are placed, stored, sold, or offered for sale, as well as the stock of cigarettes on the premises; providing that nothing in the act shall be construed to prohibit any person or entity from manufacturing or selling cigarettes that do not meet the specified requirements if such cigarettes are or will be stamped for sale in another state or are packaged for sale outside the United States; providing for repeal upon the enactment of a preemptive federal standard; prohibiting local government units from enacting and enforcing any ordinance or other local law or regulation that conflicts with, or is preempted by, any provision of the act; providing effective dates.

—was read the third time by title.

On motion by Senator Constantine, **CS for CS for HB 1167** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

Nays—None

On motion by Senator Lawson, by two-thirds vote **CS for HB 987** was withdrawn from the Committees on Governmental Operations; and Transportation and Economic Development Appropriations.

On motion by Senator Lawson, by two-thirds vote—

CS for HB 987—A bill to be entitled An act relating to cultural and historical programs; creating s. 265.7025, F.S.; providing definitions; amending s. 265.703, F.S.; providing for more than one citizen support organization; adding historical and museum programs to those programs that can be assisted by the citizen support organizations of the Division of Cultural Affairs of the Department of State; revising the name of the trust fund into which funds are deposited; providing that information of the citizen support organization for the Museum of Florida History which is confidential and exempt pursuant to s. 267.17, F.S., retains its status; creating s. 265.704, F.S.; providing powers and duties of the Division of Cultural Affairs related to historical museums; creating s. 265.705, F.S.; providing state policy relating to historic properties; creating s. 265.706, F.S.; authorizing the division to acquire, maintain, preserve, interpret, exhibit, and make available for study certain objects having historical or archaeological value; vesting title of such objects in the division; requiring maintenance of records; requiring inventory of objects of specified value; authorizing the division to loan, exchange, sell, or otherwise transfer certain objects; providing exemptions from ch. 273, F.S.; providing for deposit and use of funds; requiring the adoption of rules; providing a penalty for certain violations by a custodian; providing for insuring of certain items; amending and renumbering s. 267.072, F.S., relating to the Museum of Florida History and its programs; transferring the responsibility for and administration of the Museum of Florida History, its programs, and the citizen support organization for the museum from the Division of Historical Resources to the Division of Cultural Affairs; providing for the operation of additional stores associated with the Museum of Florida History; authorizing the Division of Cultural Affairs to operate other historical museums; conforming provisions to changes made by the act; amending and renumbering s. 267.0619, F.S., relating to historical museum grants under the Division of Historical Resources of the Department of State; transferring the grant program to the Division of Cultural Affairs; conforming provisions to changes made by the act; providing that a for-profit corporation, partnership, or organization is ineligible for receipt of such grants; creating s. 265.709, F.S.; authorizing the Division of Cultural Affairs to promote and encourage the writing of Florida history through certain activities; authorizing the collecting, editing, and publishing of documents related to Florida history; authorizing the division to establish a reasonable charge for such publications; providing for such proceeds to be deposited in the Grants and Donations Trust Fund or certain separate depository accounts; amending s. 267.0612, F.S.; providing a uniform starting date for all appointments to the Florida Historical Commission; amending s. 267.071, F.S.; removing the Museum of Florida History as one of the historical museums that the Division of Historical Resources is required to encourage, promote, maintain, and operate; amending s. 267.0731, F.S.; adding representatives of the Secretary of State to the list of representatives on the ad hoc committee responsible for making recommendations for Great Floridian nominations; deleting references to the citizen support organization for the Museum of Florida History; deleting responsibilities of the Museum of Florida History; requiring the Department of State to be the repository of certain films or videotapes produced concerning a Great Floridian as well as certain items related to such productions; repealing s. 267.174, F.S., relating to the Discovery of Florida Quincentennial Commemoration Commission; amending s. 272.129, F.S.; authorizing a citizen support organization for the Legislative Research Center and Museum at the Historic Capitol, which is known as the "center"; requiring the citizen support organization to be a corporation not for profit; authorizing the citizen support organization to perform certain tasks for the direct and indirect benefit of the center; authorizing the center to prescribe conditions with which the citizen support organization must comply in order to use fixed property or facilities of the center; prohibiting the center from permitting a citizen support organization to use the center's facilities under certain conditions; requiring that the citizen support organization provide for an annual audit; providing that records of the organization are public records; requiring that certain funds be deposited into the account of the citizen support organization; providing for reversion of funds to the state under certain circumstances; providing an effective date.

—a companion measure, was substituted for **CS for SB 2660** and read the second time by title. On motion by Senator Lawson, by two-thirds vote **CS for HB 987** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

Nays—None

CS for HB 1373—A bill to be entitled An act relating to the qualified defense contractor tax refund program; amending s. 288.1045, F.S.; revising definitions to include space flight businesses and space flight contracts; specifying a methodology and amounts for tax refund payments to qualified defense contractor businesses; revising provisions authorizing qualified applicants to receive refunds of certain taxes; revising application process requirements to include space flight businesses and contracts; revising information requirements for applications

for certain qualified applicant certifications; providing employment requirements for space flight business contracts; specifying required information for applications for certification under space flight business contracts; including space flight businesses under provisions authorizing annual claims for refund; revising limitations on payments of tax refunds; revising certain required reductions of amounts of tax refunds; deleting a reporting requirement of tax refunds paid and use of appropriations expended; extending an expiration date; amending ss. 14.2015 and 213.053, F.S.; conforming program references; providing an effective date.

—was read the third time by title.

On motion by Senator Posey, **CS for HB 1373** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

Nays—None

HB 1489—A bill to be entitled An act relating to residential tenancies; amending s. 83.43, F.S.; redefining the term "rental agreement"; defining the term "early termination fee"; amending s. 83.595, F.S.; allowing a landlord to terminate a rental agreement and recover liquidated damages or charge the tenant an early termination fee for breach of the agreement, or both, under certain circumstances; requiring the tenant to indicate acceptance of an early termination fee or liquidated-damages provision in the rental agreement in order for the provision to take effect; providing a limit on the combined total of damages and fees; providing liability of the tenant for rent, other charges due, and rental concessions; providing an effective date.

—was read the third time by title.

On motion by Senator Aronberg, **HB 1489** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Fasano	Oelrich
Alexander	Gaetz	Peaden
Aronberg	Garcia	Posey
Atwater	Geller	Rich
Baker	Haridopolos	Ring
Bennett	Hill	Saunders
Bullard	Jones	Siplin
Carlton	Joyner	Storms
Constantine	Justice	Villalobos
Crist	King	Webster
Dean	Lawson	Wilson
Deutch	Lynn	Wise
Dockery	Margolis	

Nays—None

HB 7049—A bill to be entitled An act relating to drugs, devices, and cosmetics; amending and reorganizing provisions in part I of ch. 499, F.S.; amending s. 499.002, F.S.; expanding the provisions of the section to include administration and enforcement of, exemptions from, and purpose of the part; amending and redesignating ss. 499.004, 499.0053, 499.07, 499.071, and 499.081, F.S., as provisions in that section relating to such functions to conform; amending s. 499.003, F.S.; revising and providing definitions; amending and redesignating provisions in ss. 499.012, 499.029, and 499.0661, F.S., relating to definitions, as provisions of that section; amending s. 499.005, F.S.; conforming provisions to changes made by the act, including the substitution of the term "prescription drug" for the term "legend drug"; amending s. 499.0051, F.S.; substituting the term "prescription drug" for the term "legend drug" with regard to criminal acts; consolidating criminal act provisions of part I of ch. 499, F.S.; amending and redesignating ss. 499.0052, 499.00535, 499.00545, 499.069, and 499.0691, F.S., as criminal offense provisions in that section; providing penalties; conforming provisions to changes made by the act; amending s. 499.0054, F.S., relating to advertising and labeling of drugs, devices, and cosmetics to include certain exemptions; amending and redesignating ss. 499.0055 and 499.0057, F.S., as provisions relating to those functions in that section; amending s. 499.006, F.S.; conforming provisions to changes made by the act; amending s. 499.007, F.S.; conforming provisions to changes made by the act; providing that a drug or device is misbranded if it is an active pharmaceutical ingredient in bulk form and does not bear a label containing certain information; amending ss. 499.008 and 499.009, F.S.; conforming provisions to changes made by the act; amending s. 499.01, F.S.; providing that the section relates only to permits; providing requirements for obtaining a permit to operate in certain capacities; deleting certain permit requirements; amending and redesignating provisions of ss. 499.012, 499.013, and 499.014, F.S., relating to such functions as provisions of that section; conforming provisions and cross-references to changes made by the act; amending s. 499.012, F.S.; providing that the section relates to permit application requirements; amending the provisions to conform; amending and redesignating provisions of s. 499.01, F.S., relating to such functions as provisions of that section; conforming provisions and cross-references to changes made by the act; amending s. 499.01201, F.S.; conforming provisions to changes made by the act; amending s. 499.0121, F.S., relating to storage and handling of prescription drugs and recordkeeping; directing the department to adopt rules requiring a wholesale distributor to maintain pedigree papers separate and distinct from other required records; deleting a requirement that a person who is engaged in the wholesale distribution of a prescription drug and who is not the manufacturer of that drug provide a pedigree paper to the person who receives the drug; deleting the department's requirement to adopt rules with regard to recordkeeping by affiliated groups; conforming provisions and cross-references to changes made by the act; amending and redesignating a provision of s. 499.013, F.S., relating to such functions as a provision of that section; amending s. 499.01211, F.S.; conforming provisions and cross-references to changes made by the act; creating s. 499.01212, F.S.; requiring a person who is engaged in the wholesale distribution of a prescription drug to provide a pedigree paper to the person who receives the drug; requiring certain information in a pedigree paper; requiring a wholesale distributor to maintain and make available to the department certain information; providing exceptions to the requirement of a pedigree paper; repealing s. 499.0122, F.S., relating to medical oxygen and veterinary legend drug retail establishments; repealing s. 499.013, F.S., relating to manufacturers and repackagers of drugs, devices, and cosmetics; amending ss. 499.015, 499.024, 499.028, 499.029, and 499.03, F.S.; conforming provisions and cross-references to changes made by the act; amending ss. 499.032 and 499.033, F.S.; conforming terminology to changes made by the act; amending s. 499.039, F.S.; conforming a provision and cross-reference; amending ss. 499.04 and 499.041, F.S.; conforming provisions to changes made by the act; amending s. 499.05, F.S.; conforming provisions to changes made by the act; requiring the department to adopt rules with regard to procedures and forms relating to pedigree paper requirements, alternatives to compliance with the requirement of certain pedigree papers, and the return of prescription drugs purchased before a specified date; amending and redesignating provisions of ss. 499.013 and 499.0122, F.S., as provisions relating to rulemaking functions of that section; amending ss. 499.051, 499.052, 499.055, and 499.06, F.S.; conforming provisions to changes made by the act; amending s. 499.062, F.S.; providing that the section relates to seizure and condemnation of drugs, devices, or cosmetics; conforming a provision to changes made by the act; amending and redesignating ss. 499.063 and 499.064, F.S., as provisions relating to such functions in that section; amending ss. 499.065, 499.066, 499.0661, and 499.067, F.S.; conforming provisions and cross-references to changes made by the act; amending ss. 409.9201, 460.403, 465.0265, 794.075, 895.02, and 921.0022, F.S.; conforming cross-references to changes made by the act; providing an effective date.

—was read the third time by title.

MOTION

On motion by Senator Peaden, the rules were waived to allow the following amendment to be considered:

Senator Peaden moved the following amendment which was adopted by two-thirds vote:

Amendment 1 (286928)(with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Section 499.002, Florida Statutes, is amended; section 499.004, Florida Statutes, is redesignated as subsection (2) of that section and amended; section 499.0053, Florida Statutes, is redesignated as subsection (3) of that section and amended; section 499.07, Florida Statutes, is redesignated as subsection (4) of that section and amended; section 499.071, Florida Statutes, is redesignated as subsection (5) of that section and amended; and section 499.081, Florida Statutes, is redesignated as subsection (6) of that section and amended, to read:

499.002 Purpose*, administration, and enforcement* of *and exemption from this part* ~~ss. 499.001-499.081.—~~

(1) This part is ~~Sections 499.001-499.081 are~~ intended to:

(a)~~(1)~~ Safeguard the public health and promote the public welfare by protecting the public from injury by product use and by merchandising deceit involving drugs, devices, and cosmetics.

(b)~~(2)~~ Provide uniform legislation to be administered so far as practicable in conformity with the provisions of, and regulations issued under the authority of, the Federal Food, Drug, and Cosmetic Act and that portion of the Federal Trade Commission Act which expressly prohibits the false advertisement of drugs, devices, and cosmetics.

(c)~~(3)~~ Promote thereby uniformity of such state and federal laws, and their administration and enforcement, throughout the United States.

(2) ~~499.004 Administration and enforcement by department.—~~The department ~~of Health~~ shall administer and enforce *this part* ~~ss. 499.001-499.081~~ to prevent fraud, adulteration, misbranding, or false advertising in the preparation, manufacture, repackaging, or distribution of drugs, devices, and cosmetics.

(3) ~~499.0053 Power to administer oaths, take depositions, and issue and serve subpoenas.—~~For the purpose of any investigation or proceeding conducted by the department under *this part* ~~ss. 499.001-499.081~~, the department may administer oaths, take depositions, issue and serve subpoenas, and compel the attendance of witnesses and the production of books, papers, documents, or other evidence. The department shall exercise this power on its own initiative. Challenges to, and enforcement of, the subpoenas and orders shall be handled as provided in s. 120.569.

(4) ~~499.07 Duty of prosecuting officer.—~~Each state attorney, county attorney, or municipal attorney to whom the department or its designated agent reports any violation of *this part* ~~ss. 499.001-499.081~~ shall cause appropriate proceedings to be instituted in the proper courts without delay and to be prosecuted in the manner required by law.

(5) ~~499.071 Issuance of warnings for minor violations.—~~*This part does* ~~Sections 499.001-499.081 do~~ not require the department to report, for the institution of proceedings under *this part* ~~ss. 499.001-499.081~~, minor violations of *this part* ~~ss. 499.001-499.081~~ when it believes that the public interest will be adequately served in the circumstances by a suitable written notice or warning.

(6) ~~499.081 Carriers in interstate commerce exempted from ss. 499.001-499.081.—~~*Common* carriers engaged in interstate commerce are not subject to *this part* ~~ss. 499.001-499.081~~ if they are engaged in the usual course of business as *common* carriers.

Section 2. Section 499.003, Florida Statutes, is amended; paragraphs (a) through (f) of subsection (1) of section 499.012, Florida Statutes, are redesignated as subsections (55), (56), (52), and (48), paragraph (c) of subsection (48), and subsection (53), respectively, of that section and amended; paragraphs (f) through (j) and (l) through (m) of subsection (3) of section 499.029, Florida Statutes, are redesignated as subsections (25), (26), (27), (35), (40), and (41), and, respectively, of that section and amended; and subsection (1) of section 499.0661, Florida Statutes, is redesignated as subsection (38) of that section and amended, to read:

499.003 Definitions of terms used in *this part* ~~ss. 499.001-499.081.—~~ As used in *this part* ~~ss. 499.001-499.081~~, the term:

(1) "Advertisement" means any representation disseminated in any manner or by any means, other than by labeling, for the purpose of inducing, or which is likely to induce, directly or indirectly, the purchase of drugs, devices, or cosmetics.

(2) "Affiliated group" means an affiliated group as defined by s. 1504 of the Internal Revenue Code of 1986, as amended, which is composed of chain drug entities, including at least 50 retail pharmacies, warehouses, or repackagers, which are members of the same affiliated group. The affiliated group must disclose the names of all its members to the department.

(3)~~(2)~~ "Affiliated party" means:

(a) A director, officer, trustee, partner, or committee member of a permittee or applicant or a subsidiary or service corporation of the permittee or applicant;

(b) A person who, directly or indirectly, manages, controls, or oversees the operation of a permittee or applicant, regardless of whether such person is a partner, shareholder, manager, member, officer, director, independent contractor, or employee of the permittee or applicant;

(c) A person who has filed or is required to file a personal information statement pursuant to *s. 499.012(9)* ~~s. 499.012(4)~~ or is required to be identified in an application for a permit or to renew a permit pursuant to *s. 499.012(8)* ~~s. 499.012(3)~~; or

(d) The five largest natural shareholders that own at least 5 percent of the permittee or applicant.

(4)~~(3)~~ "Applicant" means a person applying for a permit or certification under *this part* ~~ss. 499.001-499.081~~.

(5)~~(4)~~ "Authenticate" means to affirmatively verify *upon receipt* ~~before any distribution~~ of a *prescription* ~~legend~~ drug ~~occurs~~ that each transaction listed on the pedigree paper has occurred.

(a) A wholesale distributor is not required to open a sealed, medical convenience kit to authenticate a pedigree paper for a prescription drug contained within the kit.

(b) Authentication of a prescription drug included in a sealed, medical convenience kit shall be limited to verifying the transaction and pedigree information received.

(6)~~(5)~~ "Certificate of free sale" means a document prepared by the department which certifies a drug, device, or cosmetic, that is registered with the department, as one that can be legally sold in the state.

(7) "Chain pharmacy warehouse" means a wholesale distributor permitted pursuant to s. 499.01 that maintains a physical location for prescription drugs that functions solely as a central warehouse to perform intracompany transfers of such drugs to a member of its affiliated group.

(8)~~(6)~~ "Closed pharmacy" means a pharmacy that is licensed under chapter 465 and purchases prescription drugs for use by a limited patient population and not for wholesale distribution or sale to the public. The term does not include retail pharmacies.

(9)~~(7)~~ "Color" includes black, white, and intermediate grays.

(10)~~(8)~~ "Color additive" means*, with the exception of any material that has been or hereafter is exempt under the federal act,* a material that:

(a) Is a dye pigment, or other substance, made by a process of synthesis or similar artifice, or extracted, isolated, or otherwise derived, with or without intermediate or final change of identity from a vegetable, animal, mineral, or other source; or

(b) When added or applied to a drug or cosmetic or to the human body, or any part thereof, is capable alone, or through reaction with other substances, of imparting color thereto~~;~~

~~except that the term does not include any material which has been or hereafter is exempt under the federal act~~.

(11)~~(9)~~ "Compressed medical gas" means any liquefied or vaporized gas that is a prescription drug, whether it is alone or in combination with other gases.

(12)~~(10)~~ "Contraband *prescription* ~~legend~~ drug" means any adulterated drug, as defined in s. 499.006, any counterfeit drug, as defined in this section, and also means any *prescription* ~~legend~~ drug for which a pedigree paper does not exist, or for which the pedigree paper in existence has been forged, counterfeited, falsely created, or contains any altered, false, or misrepresented matter.

(13)~~(11)~~ "Cosmetic" means an article*, with the exception of soap,* that is:

(a) Intended to be rubbed, poured, sprinkled, or sprayed on; introduced into; or otherwise applied to the human body or any part thereof for cleansing, beautifying, promoting attractiveness, or altering the appearance; or

(b) Intended for use as a component of any such article~~;~~

~~except that the term does not include soap~~.

(14)~~(12)~~ "Counterfeit *drug," "counterfeit device," or "counterfeit* ~~drug, counterfeit device, or counterfeit~~ cosmetic" means a drug, device, or cosmetic which, or the container, seal, or labeling of which, without authorization, bears the trademark, trade name, or other identifying mark, imprint, or device, or any likeness thereof, of a drug, device, or cosmetic manufacturer, processor, packer, or distributor other than the person that in fact manufactured, processed, packed, or distributed that drug, device, or cosmetic and which thereby falsely purports or is represented to be the product of, or to have been packed or distributed by, that other drug, device, or cosmetic manufacturer, processor, packer, or distributor.

(15)~~(13)~~ "Department" means the Department of Health.

(16)~~(14)~~ "Device" means any instrument, apparatus, implement, machine, contrivance, implant, in vitro reagent, or other similar or related article, including its components, parts, or accessories, which is:

(a) Recognized in the current edition of the United States Pharmacopoeia and National Formulary, or any supplement thereof,

(b) Intended for use in the diagnosis, cure, mitigation, treatment, therapy, or prevention of disease in humans or other animals, or

(c) Intended to affect the structure or any function of the body of humans or other animals,

and *that* ~~which~~ does not achieve any of its principal intended purposes through chemical action within or on the body of humans or other animals and which is not dependent upon being metabolized for the achievement of any of its principal intended purposes.

(17)~~(15)~~ "Distribute ~~or distribution~~" *or "distribution"* means to sell; offer to sell; give away; transfer, whether by passage of title, physical movement, or both; deliver; or offer to deliver. The term does not mean to administer or dispense.

(18) "Drop shipment" means the sale of a prescription drug from a manufacturer to a wholesale distributor, where the wholesale distributor takes title to, but not possession of, the prescription drug and the manufacturer of the prescription drug ships the prescription drug directly to a chain pharmacy warehouse or a person authorized by law to purchase prescription drugs for the purpose of administering or dispensing the drug, as defined in s. 465.003.

~~(16) "Diverted from the legal channels of distribution for prescription drugs" means an adulterated drug pursuant to s. 499.006(10).~~

(19)~~(17)~~ "Drug" means an article that is:

(a) Recognized in the current edition of the United States Pharmacopoeia and National Formulary, official Homeopathic Pharmacopoeia of the United States, or any supplement to any of those publications;

(b) Intended for use in the diagnosis, cure, mitigation, treatment, therapy, or prevention of disease in humans or other animals;

(c) Intended to affect the structure or any function of the body of humans or other animals; or

(d) Intended for use as a component of any article specified in paragraph (a), paragraph (b), or paragraph (c), but does not include devices or their components, parts, or accessories.

(20)~~(18)~~ "Establishment" means a place of business at one general physical location.

(21)~~(19)~~ "Federal act" means the Federal Food, Drug, and Cosmetic Act, 21 U.S.C. ss. 301 et seq.; 52 Stat. 1040 et seq.

(22)~~(20)~~ "Freight forwarder" means a person who receives *prescription* ~~legend~~ drugs which are owned by another person and designated by that person for export, and exports those *prescription* ~~legend~~ drugs.

(23)~~(21)~~ "Health care entity" means a closed pharmacy or any person, organization, or business entity that provides diagnostic, medical, surgical, or dental treatment or care, or chronic or rehabilitative care, but does not include any wholesale distributor or retail pharmacy licensed under state law to deal in prescription drugs.

(24)~~(f)~~ "Health care facility" means a health care facility licensed under chapter 395.

(25)~~(h)~~ "Hospice" means a corporation licensed under part IV of chapter 400.

(26)~~(i)~~ "Hospital" means a facility as defined in s. 395.002 and licensed under chapter 395.

(27)~~(22)~~ "Immediate container" does not include package liners.

(28)~~(23)~~ "Label" means a display of written, printed, or graphic matter upon the immediate container of any drug, device, or cosmetic. A requirement made by or under authority of *this part* ~~ss. 499.001-499.081~~ or rules adopted under *this part* ~~those sections~~ that any word, statement, or other information appear on the label is not complied with unless such word, statement, or other information also appears on the outside container or wrapper, if any, of the retail package of such drug, device, or cosmetic or is easily legible through the outside container or wrapper.

(29)~~(24)~~ "Labeling" means all labels and other written, printed, or graphic matters:

(a) Upon a drug, device, or cosmetic, or any of its containers or wrappers; or

(b) Accompanying or related to such drug, device, or cosmetic.

~~(25) "Legend drug," "prescription drug," or "medicinal drug" means any drug, including, but not limited to, finished dosage forms, or active ingredients subject to, defined by, or described by s. 503(b) of the Federal Food, Drug, and Cosmetic Act or s. 465.003(8), s. 499.007(12), or s. 499.0122(1)(b) or (c).~~

~~(26) "Legend drug label" means any display of written, printed, or graphic matter upon the immediate container of any legend drug prior to its dispensing to an individual patient pursuant to a prescription of a practitioner authorized by law to prescribe.~~

(30)~~(27)~~ "Manufacture" means the preparation, deriving, compounding, propagation, processing, producing, or fabrication of any drug, device, or cosmetic.

(31)~~(28)~~ "Manufacturer" means:

(a) A person who prepares, derives, manufactures, or produces a drug, device, or cosmetic.

(b) The holder or holders of a New Drug Application (NDA), an Abbreviated New Drug Application (ANDA), a Biologics License Application (BLA), or a New Animal Drug Application (NADA), provided such application has become effective or is otherwise approved consistent with s. 499.023; a private label distributor for whom the private label distributor's prescription drugs are originally manufactured and labeled for the

distributor and have not been repackaged; or the distribution point for the manufacturer, contract manufacturer, or private label distributor whether the establishment is a member of the manufacturer's affiliated group or is a contract distribution site.

The term excludes pharmacies that are operating in compliance with pharmacy practice standards as defined in chapter 465 and rules adopted under that chapter.

(32)~~(29)~~ "New drug" means:

(a) Any drug the composition of which is such that the drug is not generally recognized, among experts qualified by scientific training and experience to evaluate the safety and effectiveness of drugs, as safe and effective for use under the conditions prescribed, recommended, or suggested in the labeling of that drug; or

(b) Any drug the composition of which is such that the drug, as a result of investigations to determine its safety and effectiveness for use under certain conditions, has been recognized for use under such conditions, but which drug has not, other than in those investigations, been used to a material extent or for a material time under such conditions.

(33) "Normal distribution chain" means a wholesale distribution of a prescription drug in which the wholesale distributor or its wholly owned subsidiary purchases and receives the specific unit of the prescription drug directly from the manufacturer and distributes the prescription drug directly, or through up to two intracompany transfers, to a chain pharmacy warehouse or a person authorized by law to purchase prescription drugs for the purpose of administering or dispensing the drug, as defined in s. 465.003. For purposes of this subsection, the term "intracompany" means any transaction or transfer between any parent, division, or subsidiary wholly owned by a corporate entity.

(34)~~(j)~~ "Nursing home" means a facility licensed under part II of chapter 400.

(35)~~(30)~~ "Official compendium" means the current edition of the official United States Pharmacopoeia and National Formulary, or any supplement thereto.

(36)~~(31)~~ "Pedigree paper" means~~:~~

~~(a) Effective July 1, 2006,~~ A document *in written* or electronic form approved by the department *which contains* ~~of Health and containing~~ information *required by s. 499.01212 regarding the sale and* ~~that records each~~ distribution of any given *prescription* ~~legend~~ drug~~, from sale by a pharmaceutical manufacturer, through acquisition and sale by any wholesaler or repackager, until final sale to a pharmacy or other person administering or dispensing the drug. The information required to be included on the form approved by the department pursuant to this paragraph must at least detail the amount of the legend drug; its dosage form and strength; its lot numbers; the name and address of each owner of the legend drug and his or her signature; its shipping information, including the name and address of each person certifying delivery or receipt of the legend drug; an invoice number, a shipping document number, or another number uniquely identifying the transaction; and a certification that the recipient wholesaler has authenticated the pedigree papers. If the manufacturer or repackager has uniquely serialized the individual legend drug unit, that identifier must also be included on the form approved pursuant to this paragraph. It must also include the name, address, telephone number and, if available, e-mail contact information of each wholesaler involved in the chain of the legend drug's custody; or~~

~~(b) A statement, under oath, in written or electronic form, confirming that a wholesale distributor purchases and receives the specific unit of the prescription drug directly from the manufacturer of the prescription drug and distributes the prescription drug directly, or through an intracompany transfer, to a chain pharmacy warehouse or a person authorized by law to purchase prescription drugs for the purpose of administering or dispensing the drug, as defined in s. 465.003. For purposes of this subsection, the term "chain pharmacy warehouse" means a wholesale distributor permitted pursuant to s. 499.01 that maintains a physical location for prescription drugs that functions solely as a central warehouse to perform intracompany transfers of such drugs to a member of its affiliated group as described in s. 499.0121(6)(f)1.~~

~~1. The information required to be included pursuant to this paragraph must include:~~

~~a. The following statement: "This wholesale distributor purchased the specific unit of the prescription drug directly from the manufacturer."~~

~~b. The manufacturer's national drug code identifier and the name and address of the wholesaler and the purchaser of the prescription drug.~~

~~c. The name of the prescription drug as it appears on the label.~~

~~d. The quantity, dosage form, and strength of the prescription drug.~~

~~2. The wholesale distributor must also maintain and make available to the department, upon request, the point of origin of the prescription drugs, including intracompany transfers; the date of the shipment from the manufacturer to the wholesale distributor; the lot numbers of such drugs; and the invoice numbers from the manufacturer.~~

~~The department may adopt rules and forms relating to the requirements of this subsection.~~

(37)~~(1) DEFINITION.—As used in this section, the term~~ "Permittee" means any person holding a permit issued pursuant to s. 499.012.

(38)~~(32)~~ "Person" means any individual, child, joint venture, syndicate, fiduciary, partnership, corporation, division of a corporation, firm, trust, business trust, company, estate, public or private institution, association, organization, group, city, county, city and county, political subdivision of this state, other governmental agency within this state, and any representative, agent, or agency of any of the foregoing, or any other group or combination of the foregoing.

(39)~~(l)~~ "Pharmacist" means a person licensed under chapter 465.

(40)~~(m)~~ "Pharmacy" means an entity licensed under chapter 465.

(41)~~(33)~~ "Prepackaged drug product" means a drug that originally was in finished packaged form sealed by a manufacturer and that is placed in a properly labeled container by a pharmacy or practitioner authorized to dispense pursuant to chapter 465 for the purpose of dispensing in the establishment in which the prepackaging occurred.

(42) "Prescription drug" means a prescription, medicinal, or legend drug, including, but not limited to, finished dosage forms or active ingredients subject to, defined by, or described by s. 503(b) of the Federal Food, Drug, and Cosmetic Act or s. 465.003(8), s. 499.007(13), or subsection (11), subsection (47), or subsection (54).

(43) "Prescription drug label" means any display of written, printed, or graphic matter upon the immediate container of any prescription drug prior to its dispensing to an individual patient pursuant to a prescription of a practitioner authorized by law to prescribe.

(44)~~(34)~~ "Prescription label" means any display of written, printed, or graphic matter upon the immediate container of any *prescription* ~~legend~~ drug dispensed pursuant to a prescription of a practitioner authorized by law to prescribe.

(45)~~(35)~~ "Prescription medical oxygen" means oxygen USP which is a drug that can only be sold on the order or prescription of a practitioner authorized by law to prescribe. The label of prescription medical oxygen must comply with current labeling requirements for oxygen under the Federal Food, Drug, and Cosmetic Act.

(46)~~(d)~~ "Primary *wholesale distributor* ~~wholesaler~~" means any wholesale distributor that:

(a)~~1.~~ Purchased 90 percent or more of the total dollar volume of its purchases of prescription drugs directly from manufacturers in the previous year; and

(b)1.~~2.a.~~ Directly purchased prescription drugs from not fewer than 50 different prescription drug manufacturers in the previous year; or

2.~~b.~~ Has, or the affiliated group, as defined in s. 1504 of the Internal Revenue Code, of which the wholesale distributor is a member has, not fewer than 250 employees.

(c)~~(e)~~ *For purposes of this subsection,* "directly from *manufacturers* ~~a manufacturer~~" means:

1. Purchases made by the wholesale distributor directly from the manufacturer of prescription drugs; and

2. Transfers from a member of an affiliated group, as defined in s. 1504 of the Internal Revenue Code, of which the wholesale distributor is a member, if:

a. The affiliated group purchases 90 percent or more of the total dollar volume of its purchases of prescription drugs from the manufacturer in the previous year; and

b. The wholesale distributor discloses to the department the names of all members of the affiliated group of which the wholesale distributor is a member and the affiliated group agrees in writing to provide records on prescription drug purchases by the members of the affiliated group not later than 48 hours after the department requests access to such records, regardless of the location where the records are stored.

(47)~~(36)~~ "Proprietary drug," or "OTC drug," means a patent or over-the-counter drug in its unbroken, original package, which drug is sold to the public by, or under the authority of, the manufacturer or primary distributor thereof, is not misbranded under the provisions of *this part* ~~ss. 499.001-499.081~~, and can be purchased without a prescription.

(48)~~(37)~~ "Repackage" includes repacking or otherwise changing the container, wrapper, or labeling to further the distribution of the drug, device, or cosmetic.

(49)~~(38)~~ "Repackager" means a person who repackages. The term excludes pharmacies that are operating in compliance with pharmacy practice standards as defined in chapter 465 and rules adopted under that chapter.

(50)~~(e)~~ "Retail pharmacy" means a community pharmacy licensed under chapter 465 that purchases prescription drugs at fair market prices and provides prescription services to the public.

(51)~~(f)~~ "Secondary *wholesale distributor* ~~wholesaler~~" means a wholesale distributor that is not a primary *wholesale distributor* ~~wholesaler~~.

(53)~~(39)~~ "Veterinary prescription drug" means a *prescription* ~~legend~~ drug intended solely for veterinary use. The label of the drug must bear the statement, "Caution: Federal law restricts this drug to sale by or on the order of a licensed veterinarian."

~~(40) "Veterinary prescription drug wholesaler" means any person engaged in wholesale distribution of veterinary prescription drugs in or into this state.~~

(54)~~(a)~~ "Wholesale distribution" means distribution of prescription drugs to persons other than a consumer or patient, but does not include:

(a)~~1.~~ Any of the following activities, which is not a violation of s. 499.005(21) if such activity is conducted in accordance with *s. 499.01(2)(g)* ~~s. 499.014~~:

1.~~a.~~ The purchase or other acquisition by a hospital or other health care entity that is a member of a group purchasing organization of a prescription drug for its own use from the group purchasing organization or from other hospitals or health care entities that are members of that organization.

2.~~b.~~ The sale, purchase, or trade of a prescription drug or an offer to sell, purchase, or trade a prescription drug by a charitable organization described in s. 501(c)(3) of the Internal Revenue Code of 1986, as amended and revised, to a nonprofit affiliate of the organization to the extent otherwise permitted by law.

3.~~c.~~ The sale, purchase, or trade of a prescription drug or an offer to sell, purchase, or trade a prescription drug among hospitals or other health care entities that are under common control. For purposes of this *subparagraph* ~~section~~, "common control" means the power to direct or cause the direction of the management and policies of a person or an organization, whether by ownership of stock, by voting rights, by contract, or otherwise.

4.~~d.~~ The sale, purchase, trade, or other transfer of a prescription drug from or for any federal, state, or local government agency or any entity eligible to purchase prescription drugs at public health services prices pursuant to Pub. L. No. 102-585, s. 602 to a contract provider or its subcontractor for eligible patients of the agency or entity under the following conditions:

a.~~(I)~~ The agency or entity must obtain written authorization for the sale, purchase, trade, or other transfer of a prescription drug under this *subparagraph* ~~sub-subparagraph~~ from the State Surgeon General or his or her designee.

b.~~(II)~~ The contract provider or subcontractor must be authorized by law to administer or dispense prescription drugs.

c.~~(III)~~ In the case of a subcontractor, the agency or entity must be a party to and execute the subcontract.

d.~~(IV)~~ A contract provider or subcontractor must maintain separate and apart from other prescription drug inventory any prescription drugs of the agency or entity in its possession.

e.~~(V)~~ The contract provider and subcontractor must maintain and produce immediately for inspection all records of movement or transfer of all the prescription drugs belonging to the agency or entity, including, but not limited to, the records of receipt and disposition of prescription drugs. Each contractor and subcontractor dispensing or administering these drugs must maintain and produce records documenting the dispensing or administration. Records that are required to be maintained include, but are not limited to, a perpetual inventory itemizing drugs received and drugs dispensed by prescription number or administered by patient identifier, which must be submitted to the agency or entity quarterly.

f.~~(VI)~~ The contract provider or subcontractor may administer or dispense the prescription drugs only to the eligible patients of the agency or entity or must return the prescription drugs for or to the agency or entity. The contract provider or subcontractor must require proof from each person seeking to fill a prescription or obtain treatment that the person is an eligible patient of the agency or entity and must, at a minimum, maintain a copy of this proof as part of the records of the contractor or subcontractor required under *sub-subparagraph e.* ~~sub-sub-subparagraph (V).~~

g.~~(VII)~~ In addition to the departmental inspection authority set forth in s. 499.051, the establishment of the contract provider and subcontractor and all records pertaining to prescription drugs subject to this *subparagraph* ~~sub-subparagraph~~ shall be subject to inspection by the agency or entity. All records relating to prescription drugs of a manufacturer under this *subparagraph* ~~sub-subparagraph~~ shall be subject to audit by the manufacturer of those drugs, without identifying individual patient information.

(b)~~2.~~ Any of the following activities, which is not a violation of s. 499.005(21) if such activity is conducted in accordance with rules established by the department:

1.~~a.~~ The sale, purchase, or trade of a prescription drug among federal, state, or local government health care entities that are under common control and are authorized to purchase such prescription drug.

2.~~b.~~ The sale, purchase, or trade of a prescription drug or an offer to sell, purchase, or trade a prescription drug for emergency medical reasons. For purposes of this *subparagraph* ~~sub-subparagraph~~, the term "emergency medical reasons" includes transfers of prescription drugs by a retail pharmacy to another retail pharmacy to alleviate a temporary shortage.

3.~~c.~~ The transfer of a prescription drug acquired by a medical director on behalf of a licensed emergency medical services provider to that emergency medical services provider and its transport vehicles for use in accordance with the provider's license under chapter 401.

4.~~d.~~ The revocation of a sale or the return of a prescription drug to the person's prescription drug wholesale supplier.

5.~~e.~~ The donation of a prescription drug by a health care entity to a charitable organization that has been granted an exemption under s. 501(c)(3) of the Internal Revenue Code of 1986, as amended, and that is authorized to possess prescription drugs.

6.~~f.~~ The transfer of a prescription drug by a person authorized to purchase or receive prescription drugs to a person licensed or permitted

to handle reverse distributions or destruction under the laws of the jurisdiction in which the person handling the reverse distribution or destruction receives the drug.

7.~~g.~~ The transfer of a prescription drug by a hospital or other health care entity to a person licensed under this *part* ~~chapter~~ to repackage prescription drugs for the purpose of repackaging the prescription drug for use by that hospital, or other health care entity and other health care entities that are under common control, if ownership of the prescription drugs remains with the hospital or other health care entity at all times. In addition to the recordkeeping requirements of s. 499.0121(6), the hospital or health care entity that transfers prescription drugs pursuant to this *subparagraph* ~~sub-subparagraph~~ must reconcile all drugs transferred and returned and resolve any discrepancies in a timely manner.

(c)~~3.~~ The distribution of prescription drug samples by manufacturers' representatives or distributors' representatives conducted in accordance with s. 499.028.

(d)~~4.~~ The sale, purchase, or trade of blood and blood components intended for transfusion. As used in this *paragraph* ~~subparagraph~~, the term "blood" means whole blood collected from a single donor and processed ~~either~~ for transfusion or further manufacturing, and the term "blood components" means that part of the blood separated by physical or mechanical means.

(e)~~5.~~ The lawful dispensing of a prescription drug in accordance with chapter 465.

(f)~~6.~~ The sale, purchase, or trade of a prescription drug between pharmacies as a result of a sale, transfer, merger, or consolidation of all or part of the business of the pharmacies from or with another pharmacy, whether accomplished as a purchase and sale of stock or of business assets.

(54)~~(b)~~ "Wholesale distributor" means any person engaged in wholesale distribution of prescription drugs in or into this state, including, but not limited to, manufacturers; repackagers; own-label distributors; jobbers; private-label distributors; brokers; warehouses, including manufacturers' and distributors' warehouses, chain drug warehouses, and wholesale drug warehouses; independent wholesale drug traders; exporters; retail pharmacies; and the agents thereof that conduct wholesale distributions.

Section 3. Subsections (4), (10), (11), (12), (14), (15), (18), (19), (20), (22), (24), (28), and (29) of section 499.005, Florida Statutes, are amended to read:

499.005 Prohibited acts.—It is unlawful for a person to perform or cause the performance of any of the following acts in this state:

(4) The sale, distribution, purchase, trade, holding, or offering of any drug, device, or cosmetic in violation of *this part* ~~ss. 499.001-499.081~~.

(10) Forging; counterfeiting; simulating; falsely representing any drug, device, or cosmetic; or, without the authority of the manufacturer, using any mark, stamp, tag, label, or other identification device authorized or required by rules adopted under *this part* ~~ss. 499.001-499.081~~.

(11) The use, on the labeling of any drug or in any advertisement relating to such drug, of any representation or suggestion that an application of the drug is effective when it is not or that the drug complies with *this part* ~~ss. 499.001-499.081~~ when it does not.

(12) The possession of any drug in violation of *this part* ~~ss. 499.001-499.081~~.

(14) The purchase or receipt of a *prescription* ~~legend~~ drug from a person that is not authorized under this chapter to distribute *prescription* ~~legend~~ drugs to that purchaser or recipient.

(15) The sale or transfer of a *prescription* ~~legend~~ drug to a person that is not authorized under the law of the jurisdiction in which the person receives the drug to purchase or possess *prescription* ~~legend~~ drugs from the person selling or transferring the *prescription* ~~legend~~ drug.

(18) Failure to maintain records as required by *this part* ~~ss. 499.001-499.081~~ and rules adopted under *this part* ~~those sections~~.

(19) Providing the department with false or fraudulent records, or making false or fraudulent statements, regarding any matter within the provisions of this *part* ~~chapter~~.

(20) The importation of a *prescription* ~~legend~~ drug except as provided by s. 801(d) of the Federal Food, Drug, and Cosmetic Act.

(22) Failure to obtain a permit or registration, or operating without a valid permit when a permit or registration is required by *this part* ~~ss. 499.001-499.081~~ for that activity.

(24) The distribution of a *prescription* ~~legend~~ device to the patient or ultimate consumer without a prescription or order from a practitioner licensed by law to use or prescribe the device.

(28) Failure to *acquire* ~~obtain~~ or *deliver* ~~pass on~~ a pedigree paper *as required under this part*.

(29) The receipt of a prescription drug pursuant to a wholesale distribution without *having previously received or simultaneously* ~~either first~~ receiving a pedigree paper that was attested to as accurate and complete by the wholesale distributor *as required under this part* ~~or complying with the provisions of s. 499.0121(6)(d)5~~.

Section 4. Section 499.0051, Florida Statutes, is amended; section 499.0052, Florida Statutes, is redesignated as subsection (7) of that section and amended; section 499.00535, Florida Statutes, is redesignated as subsection (9) of that section and amended; section 499.00545, Florida Statutes, is redesignated as subsection (10) of that section and amended; section 499.069, Florida Statutes, is redesignated as subsection (11) of that section and amended; and section 499.0691, Florida Statutes, is redesignated as subsections (12) through (15) of that section and amended, to read:

499.0051 Criminal acts ~~involving contraband or adulterated drugs~~.—

(1) FAILURE TO MAINTAIN OR DELIVER PEDIGREE PAPERS.—

(a) A person, other than a manufacturer, engaged in the wholesale distribution of *prescription* ~~legend~~ drugs who fails to deliver to another person complete and accurate pedigree papers concerning a *prescription* ~~legend~~ drug or contraband *prescription* ~~legend~~ drug prior to*, or simultaneous with, the transfer of* ~~transferring~~ the *prescription* ~~legend~~ drug or contraband *prescription* ~~legend~~ drug to another person commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(b) A person engaged in the wholesale distribution of *prescription* ~~legend~~ drugs who fails to acquire complete and accurate pedigree papers concerning a *prescription* ~~legend~~ drug or contraband *prescription* ~~legend~~ drug prior to*, or simultaneous with, the receipt of* ~~obtaining~~ the *prescription* ~~legend~~ drug or contraband *prescription* ~~legend~~ drug from another person commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(c) Any person who knowingly destroys, alters, conceals, or fails to maintain complete and accurate pedigree papers concerning any *prescription* ~~legend~~ drug or contraband *prescription* ~~legend~~ drug in his or her possession commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(2) FAILURE TO AUTHENTICATE PEDIGREE PAPERS.—Effective July 1, 2006:

(a) A person engaged in the wholesale distribution of *prescription* ~~legend~~ drugs who is in possession of pedigree papers concerning *prescription* ~~legend~~ drugs or contraband *prescription* ~~legend~~ drugs and who fails to authenticate the matters contained in the pedigree papers and who nevertheless attempts to further distribute *prescription* ~~legend~~ drugs or contraband *prescription* ~~legend~~ drugs commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(b) A person in possession of pedigree papers concerning *prescription* ~~legend~~ drugs or contraband *prescription* ~~legend~~ drugs who falsely swears or certifies that he or she has authenticated the matters contained in the pedigree papers commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(3) *KNOWING* FORGERY OF PEDIGREE PAPERS.—A person who knowingly forges, counterfeits, or falsely creates any pedigree paper; who falsely represents any factual matter contained on any pedigree paper; or who knowingly omits to record material information required to be recorded in a pedigree paper, commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(4) *KNOWING* PURCHASE OR RECEIPT OF *PRESCRIPTION* ~~LEGEND~~ DRUG FROM UNAUTHORIZED PERSON.—A person who knowingly purchases or receives from a person not authorized to distribute *prescription* ~~legend~~ drugs under this chapter a *prescription* ~~legend~~ drug in a wholesale distribution transaction commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(5) *KNOWING* SALE OR TRANSFER OF *PRESCRIPTION* ~~LEGEND~~ DRUG TO UNAUTHORIZED PERSON.—A person who knowingly sells or transfers to a person not authorized to purchase or possess *prescription* ~~legend~~ drugs, under the law of the jurisdiction in which the person receives the drug, a *prescription* ~~legend~~ drug in a wholesale distribution transaction commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(6) *KNOWING* SALE OR DELIVERY, OR POSSESSION WITH INTENT TO SELL, CONTRABAND *PRESCRIPTION* ~~LEGEND~~ DRUGS.—A person who is knowingly in actual or constructive possession of any amount of contraband *prescription* ~~legend~~ drugs, who knowingly sells or delivers, or who possesses with intent to sell or deliver any amount of contraband *prescription* ~~legend~~ drugs, commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(7)~~499.0052~~ *KNOWING* TRAFFICKING IN CONTRABAND *PRESCRIPTION* ~~LEGEND~~ DRUGS.—A person who knowingly sells, purchases, manufactures, delivers, or brings into this state, or who is knowingly in actual or constructive possession of any amount of contraband *prescription* ~~legend~~ drugs valued at $25,000 or more commits a felony of the first degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(a) Upon conviction, each defendant shall be ordered to pay a mandatory fine according to the following schedule:

1.~~(1)~~ If the value of contraband *prescription* ~~legend~~ drugs involved is $25,000 or more, but less than $100,000, the defendant shall pay a mandatory fine of $25,000. If the defendant is a corporation or other person that is not a natural person, it shall pay a mandatory fine of $75,000.

2.~~(2)~~ If the value of contraband *prescription* ~~legend~~ drugs involved is $100,000 or more, but less than $250,000, the defendant shall pay a mandatory fine of $100,000. If the defendant is a corporation or other person that is not a natural person, it shall pay a mandatory fine of $300,000.

3.~~(3)~~ If the value of contraband *prescription* ~~legend~~ drugs involved is $250,000 or more, the defendant shall pay a mandatory fine of $200,000. If the defendant is a corporation or other person that is not a natural person, it shall pay a mandatory fine of $600,000.

(b) As used in this *subsection* ~~section~~, the term "value" means the market value of the property at the time and place of the offense or, if such cannot be satisfactorily ascertained, the cost of replacement of the property within a reasonable time after the offense. Amounts of value of separate contraband *prescription* ~~legend~~ drugs involved in distinct transactions for the distribution of the contraband *prescription* ~~legend~~ drugs committed pursuant to one scheme or course of conduct, whether involving the same person or several persons, may be aggregated in determining the punishment of the offense.

(8)~~(7)~~ *KNOWING* FORGERY OF PRESCRIPTION OR *PRESCRIPTION* ~~LEGEND~~ DRUG LABELS.—A person who knowingly forges, counterfeits, or falsely creates any prescription label or *prescription* ~~legend~~ drug label, or who falsely represents any factual matter contained on any prescription label or *prescription* ~~legend~~ drug label, commits a felony of the first degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(9)~~499.00535~~ *KNOWING* Sale or purchase of contraband *prescription* ~~legend~~ drugs resulting in great bodily harm.—A person who knowingly sells, purchases, manufactures, delivers, or brings into this state, or who is knowingly in actual or constructive possession of any amount of contraband *prescription* ~~legend~~ drugs, and whose acts in violation of this *subsection* ~~section~~ result in great bodily harm to a person, commits a felony of the first degree, as provided in s. 775.082, s. 775.083, or s. 775.084.

(10)~~499.00545~~ *Knowing* Sale or purchase of contraband *prescription* ~~legend~~ drugs resulting in death.—A person who knowingly manufactures, sells, purchases, delivers, or brings into this state, or who is knowingly in actual or constructive possession of any amount of contraband *prescription* ~~legend~~ drugs, and whose acts in violation of this *subsection* ~~section~~ result in the death of a person, commits a felony of the first degree, punishable by a term of years not exceeding life, as provided in s. 775.082, s. 775.083, or s. 775.084.

(11)~~499.069~~ ~~Criminal punishment for~~ violations of s. 499.005 related to devices and cosmetics; dissemination of false advertisement.—

(a)~~(1)~~ Any person who violates any of the provisions of s. 499.005 with respect to a device or cosmetic commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083; but, if the violation is committed after a conviction of such person under this *subsection* ~~section~~ has become final, such person is guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083 or as otherwise provided in *this part* ~~ss. 499.001-499.081~~, except that any person who violates *s. 499.005(8) or (10)* ~~subsection (8) or subsection (10) of s. 499.005~~ with respect to a device or cosmetic commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084, or as otherwise provided in *this part* ~~ss. 499.001-499.081~~.

(b)~~(2)~~ A publisher, radio broadcast licensee, or agency or medium for the dissemination of an advertisement, except the manufacturer, wholesaler, or seller of the article to which a false advertisement relates, is not liable under this *subsection* ~~section~~ by reason of the dissemination by him or her of such false advertisement, unless he or she has refused, on the request of the department, to furnish to the department the name and post office address of the manufacturer, wholesaler, seller, or advertising agency that asked him or her to disseminate such advertisement.

(12)~~499.0691~~ *ADULTERATED AND MISBRANDED DRUGS; FALSE ADVERTISEMENT; FAILURE TO MAINTAIN RECORDS RELATING TO DRUGS* ~~Criminal punishment for violations related to drugs; dissemination of false advertisement.—(1)~~ Any person who violates any of the following provisions commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083; but, if the violation is committed after a conviction of such person under this *subsection* ~~section~~ has become final, such person commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083, or as otherwise provided in *this part* ~~ss. 499.001-499.081~~:

(a) The manufacture, repackaging, sale, delivery, or holding or offering for sale of any drug that is adulterated or misbranded or has otherwise been rendered unfit for human or animal use.

(b) The adulteration or misbranding of any drug intended for further distribution.

(c) The receipt of any drug that is adulterated or misbranded, and the delivery or proffered delivery of such drug, for pay or otherwise.

(d) The dissemination of any false or misleading advertisement of a drug.

(e) The use, on the labeling of any drug or in any advertisement relating to such drug, of any representation or suggestion that an application of the drug is effective when it is not or that the drug complies with *this part* ~~ss. 499.001-499.081~~ when it does not.

(f) The purchase or receipt of a compressed medical gas from a person that is not authorized under this chapter to distribute compressed medical gases.

(g) Charging a dispensing fee for dispensing, administering, or distributing a prescription drug sample.

(h) The failure to maintain records related to a drug as required by *this part* ~~ss. 499.001-499.081~~ and rules adopted under *this part* ~~those sections~~, except for pedigree papers, invoices, or shipping documents related to *prescription* ~~legend~~ drugs.

(i) The possession of any drug in violation of *this part* ~~ss. 499.001-499.081~~, except if the violation relates to a deficiency in pedigree papers.

(13) REFUSAL TO ALLOW INSPECTION; SELLING, PURCHASING, OR TRADING DRUG SAMPLES; FAILURE TO MAINTAIN RECORDS RELATING TO PRESCRIPTION DRUGS.—~~(2)~~ Any person who violates any of the following provisions commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084, or as otherwise provided in *this part:* ~~ss. 499.001-499.081.~~

(a) The refusal or constructive refusal to allow:

1. The department to enter or inspect an establishment in which drugs are manufactured, processed, repackaged, sold, brokered, or held;

2. Inspection of any record of that establishment;

3. The department to enter and inspect any vehicle that is being used to transport drugs; or

4. The department to take samples of any drug.

(b) The sale, purchase, or trade, or the offer to sell, purchase, or trade, a drug sample as defined in s. 499.028; the distribution of a drug sample in violation of s. 499.028; or the failure to otherwise comply with s. 499.028.

(c) Providing the department with false or fraudulent records, or making false or fraudulent statements, regarding any matter within the provisions of this *part* ~~chapter~~ related to a drug.

(d) The failure to receive, maintain, or provide invoices and shipping documents, other than pedigree papers, if applicable, related to the distribution of a *prescription* ~~legend~~ drug.

(e) The importation of a *prescription* ~~legend~~ drug for wholesale distribution, except as provided by s. 801(d) of the Federal Food, Drug, and Cosmetic Act.

(f) The wholesale distribution of *a* ~~any~~ prescription drug that was:

1. Purchased by a public or private hospital or other health care entity; or

2. Donated or supplied at a reduced price to a charitable organization.

(g) The failure to obtain a permit as a prescription drug *wholesale distributor* ~~wholesaler~~ when a permit is required by *this part* ~~ss. 499.001-499.081~~ for that activity.

(h) Knowingly possessing any adulterated or misbranded *prescription* ~~legend~~ drug outside of a designated quarantine area.

(i) The purchase or sale of *a* prescription *drug* ~~drugs~~ for wholesale distribution in exchange for currency, as defined in s. 560.103(6).

(14) OTHER VIOLATIONS.—~~(3)~~ Any person who violates any of the following provisions commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084, or as otherwise provided in *this part:* ~~ss. 499.001-499.081.~~

(a) Knowingly manufacturing, repackaging, selling, delivering, or holding or offering for sale any drug that is adulterated or misbranded or has otherwise been rendered unfit for human or animal use.

(b) Knowingly adulterating a drug that is intended for further distribution.

(c) Knowingly receiving a drug that is adulterated and delivering or proffering delivery of such drug for pay or otherwise.

(d) Committing any act that causes a drug to be a counterfeit drug, or selling, dispensing, or knowingly holding for sale a counterfeit drug.

(e) Forging, counterfeiting, simulating, or falsely representing any drug, or, without the authority of the manufacturer, using any mark, stamp, tag, label, or other identification device authorized or required by rules adopted under *this part* ~~ss. 499.001-499.081~~.

(f) Knowingly obtaining or attempting to obtain a prescription drug for wholesale distribution by fraud, deceit, misrepresentation, or subterfuge, or engaging in misrepresentation or fraud in the distribution of a drug.

(g) Removing a pharmacy's dispensing label from a dispensed prescription drug with the intent to further distribute the prescription drug.

(h) Knowingly distributing a prescription drug that was previously dispensed by a licensed pharmacy, unless such distribution was authorized in chapter 465 or the rules adopted under chapter 465.

(15) FALSE ADVERTISEMENT.—~~(4)~~ A publisher, radio broadcast licensee, or agency or medium for the dissemination of an advertisement, except the manufacturer, repackager, *wholesale distributor* ~~wholesaler~~, or seller of the article to which a false advertisement relates, is not liable under *subsection (12), subsection (13), or subsection (14)* ~~this section~~ by reason of the dissemination by him or her of such false advertisement, unless he or she has refused, on the request of the department, to furnish to the department the name and post office address of the manufacturer, repackager, *wholesale distributor* ~~wholesaler~~, seller, or advertising agency that asked him or her to disseminate such advertisement.

Section 5. Section 499.0054, Florida Statutes, is amended; section 499.0055, Florida Statutes, is redesignated as subsection (2) of that section and amended; and section 499.0057, Florida Statutes, is redesignated as subsection (3) of that section and amended, to read:

499.0054 Advertising and labeling of drugs, devices, and cosmetics*; exemptions*.—

(1) It is a violation of the Florida Drug and Cosmetic Act to perform or cause the performance of any of the following acts:

(a)~~(1)~~ The dissemination of any false advertisement of any drug, device, or cosmetic. An advertisement is false if it is false or misleading in any way.

(b)~~(2)~~ The distribution in commerce of any drug, device, or cosmetic, if its labeling or advertising is in violation of *this part* ~~ss. 499.001-499.081~~.

(c)~~(3)~~ The manufacturing, repackaging, packaging, selling, delivery, holding, or offering for sale of any drug, device, or cosmetic for which the advertising or labeling is false or misleading.

(d)~~(4)~~ The advertising of any drug, device, or cosmetic that is adulterated or misbranded.

(e)~~(5)~~ The receiving in commerce of any drug, device, or cosmetic that is falsely advertised or labeled or the delivering or proffering for delivery of any such drug, device, or cosmetic.

(f)~~(6)~~ The advertising or labeling of any product containing ephedrine, a salt of ephedrine, an isomer of ephedrine, or a salt of an isomer of ephedrine, for the indication of stimulation, mental alertness, weight loss, appetite control, energy, or other indications not approved by the pertinent United States Food and Drug Administration Over-the-Counter Final or Tentative Final Monograph or approved new drug application under the federal act. In determining compliance with this requirement, the department may consider the following factors:

1.~~(a)~~ The packaging of the product.

2.~~(b)~~ The name and labeling of the product.

3.~~(c)~~ The manner of distribution, advertising, and promotion of the product, including verbal representations at the point of sale.

4.~~(d)~~ The duration, scope, and significance of abuse of the particular product.

(g)~~(7)~~ The advertising of any drug or device represented to have any effect in any of the following conditions, disorders, diseases, or processes:

1.~~(a)~~ Blood disorders.

2.~~(b)~~ Bone or joint diseases.

3.~~(c)~~ Kidney diseases or disorders.

4.~~(d)~~ Cancer.

5.~~(e)~~ Diabetes.

6.~~(f)~~ Gall bladder diseases or disorders.

7.~~(g)~~ Heart and vascular diseases.

8.~~(h)~~ High blood pressure.

9.~~(i)~~ Diseases or disorders of the ear or auditory apparatus, including hearing loss or deafness.

10.~~(j)~~ Mental disease or mental retardation.

11.~~(k)~~ Paralysis.

12.~~(l)~~ Prostate gland disorders.

13.~~(m)~~ Conditions of the scalp affecting hair loss.

14.~~(n)~~ Baldness.

15.~~(o)~~ Endocrine disorders.

16.~~(p)~~ Sexual impotence.

17.~~(q)~~ Tumors.

18.~~(r)~~ Venereal diseases.

19.~~(s)~~ Varicose ulcers.

20.~~(t)~~ Breast enlargement.

21.~~(u)~~ Purifying blood.

22.~~(v)~~ Metabolic disorders.

23.~~(w)~~ Immune system disorders or conditions affecting the immune system.

24.~~(x)~~ Extension of life expectancy.

25.~~(y)~~ Stress and tension.

26.~~(z)~~ Brain stimulation or performance.

27.~~(aa)~~ The body's natural defense mechanisms.

28.~~(bb)~~ Blood flow.

29.~~(cc)~~ Depression.

30.~~(dd)~~ Human immunodeficiency virus or acquired immune deficiency syndrome or related disorders or conditions.

(h)~~(8)~~ The representation or suggestion in labeling or advertising that an article is approved under *this part* ~~ss. 499.001-499.081~~, when such is not the case.

*(2)*499.0055 ~~False or misleading advertisement.—~~In determining whether an advertisement is false or misleading, the department shall review the representations made or suggested by statement, word, design, device, sound, or any combination thereof within the advertisement and the extent to which the advertisement fails to reveal material facts with respect to consequences that can result from the use of the drug, device, or cosmetic to which the advertisement relates under the conditions of use prescribed in the labeling or advertisement.

(3)~~499.0057 Advertisement exemptions.—~~

(a)~~(1)~~ An advertisement that is not prohibited under *paragraph (1)(a)* ~~s. 499.0054(1)~~ is not prohibited under *paragraph (1)(g)* ~~s. 499.0054(7)~~ if it is disseminated*:*

1. To the public solely to advertise the product for those indications that are safe and effective indications and the product is safe and effective for self-medication, as established by the United States Food and Drug Administration; *or*

2. ~~if it is disseminated~~ Only to members of the medical, dental, pharmaceutical, or veterinary professions or appears only in the scientific periodicals of these professions.

(b)~~(2)~~ Compliance with *this part* ~~ss. 499.001-499.081~~ and the rules adopted under *this part* ~~those sections~~ creates no legal presumption that a drug or device is safe or effective.

Section 6. Subsections (3), (10), and (11) of section 499.006, Florida Statutes, are amended to read:

499.006 Adulterated drug or device.—A drug or device is adulterated:

(3) If it is a drug and the methods used in, or the facilities or controls used for, its manufacture, processing, packing, or holding do not conform to, or are not operated or administered in conformity with, current good manufacturing practices to assure that the drug meets the requirements of *this part* ~~ss. 499.001-499.081~~ and that the drug has the identity and strength, and meets the standard of quality and purity, which it purports or is represented to possess;

(10) If it is a *prescription* ~~legend~~ drug for which the required pedigree paper is nonexistent, fraudulent, or incomplete under the requirements of *this part* ~~ss. 499.001-499.081~~ or applicable rules, or that has been purchased, held, sold, or distributed at any time by a person not authorized under federal or state law to do so; or

(11) If it is a prescription drug subject to, defined by, or described by s. 503(b) of the Federal Food, Drug, and Cosmetic Act which has been returned by a veterinarian to a limited prescription drug veterinary *wholesale distributor* ~~wholesaler~~.

Section 7. Section 499.007, Florida Statutes, is amended to read:

499.007 Misbranded drug or device.—A drug or device is misbranded:

(1) If its labeling is in any way false or misleading.

(2) ~~Unless,~~ If in package form~~,~~ it *does not bear* ~~bears~~ a label containing:

(a) The name and place of business of the manufacturer, repackager, or distributor of the finished dosage form of the drug. For the purpose of this paragraph, the finished dosage form of a *prescription* ~~medicinal~~ drug is that form of the drug which is, or is intended to be, dispensed or administered to the patient and requires no further manufacturing or processing other than packaging, reconstitution, and labeling; and

(b) An accurate statement of the quantity of the contents in terms of weight, measure, or numerical count.~~;~~ However, under this section, reasonable variations are permitted, and the department shall establish by rule exemptions for small packages.

(3) If it is an active pharmaceutical ingredient in bulk form and does not bear a label containing:

(a) The name and place of business of the manufacturer, repackager, or distributor; and

(b) An accurate statement of the quantity of the contents in terms of weight, measure, or numerical count.

(4)~~(3)~~ If any word, statement, or other information required by or under *this part* ~~ss. 499.001-499.081~~ to appear on the label or labeling is not prominently placed thereon with such conspicuousness as compared with other words, statements, designs, or devices in the labeling, and in such terms, as to render the word, statement, or other information likely to be read and understood under customary conditions of purchase and use.

(5)~~(4)~~ If it is a drug and is not designated solely by a name recognized in an official compendium *and*~~, unless~~ its label *does not bear* ~~bears~~:

(a) The common or usual name of the drug, if any; and

(b) In case it is fabricated from two or more ingredients, the common or usual name and quantity of each active ingredient.

(6)~~(5)~~ *If* ~~Unless~~ its labeling *does not bear* ~~bears~~:

(a) Adequate directions for use; and

(b) Adequate warnings against use in those pathological conditions in which its use may be dangerous to health or against use by children if its use may be dangerous to health, or against unsafe dosage or methods or duration of administration or application, in such manner and form as are necessary for the protection of users.

(7)~~(6)~~ If it purports to be a drug the name of which is recognized in the official compendium *and*~~, unless~~ it is *not* packaged and labeled as prescribed therein.~~;~~ However, the method of packaging may be modified with the consent of the department.

(8)~~(7)~~ If it has been found by the department to be a drug liable to deterioration *and*~~, unless~~ it is *not* packaged in such form and manner, and its label bears a statement of such precautions, as the department by rule requires as necessary to protect the public health. Such rule may not be established for any drug recognized in an official compendium until the department has informed the appropriate body charged with the revision of such compendium of the need for such packaging or labeling requirements and that body has failed within a reasonable time to prescribe such requirements.

(9)~~(8)~~ If it is:

(a) A drug and its container or finished dosage form is so made, formed, or filled as to be misleading;

(b) An imitation of another drug; or

(c) Offered for sale under the name of another drug.

(10)~~(9)~~ If it is dangerous to health when used in the dosage or with the frequency or duration prescribed, recommended, or suggested in the labeling of the drug.

(11)~~(10)~~ If it is, purports to be, or is represented as a drug composed wholly or partly of insulin *and*~~, unless:~~

~~(a)~~ it is *not* from a batch with respect to which a certificate has been issued pursuant to s. 506 of the federal act*, which*~~; and~~

~~(b) The~~ certificate is in effect with respect to the drug.

(12)~~(11)~~ If it is, purports to be, or is represented as a drug composed wholly or partly of any kind of antibiotic requiring certification under the federal act *and* ~~unless:~~

~~(a)~~ it is *not* from a batch with respect to which a certificate has been issued pursuant to s. 507 of the federal act*, which*~~; and~~

~~(b)~~ the certificate is in effect with respect to the drug.~~;~~

However, this subsection does not apply to any drug or class of drugs exempted by regulations adopted under s. 507(c) or (d) of the federal act.

(13)~~(12)~~ If it is a drug intended for use by humans which is a habit-forming drug or which, because of its toxicity or other potentiality for harmful effect, or the method of its use, or the collateral measures necessary to its use, is not safe for use except under the supervision of a practitioner licensed by law to administer such drugs*,*~~;~~ or which is limited by an effective application under s. 505 of the federal act to use under the professional supervision of a practitioner licensed by law to prescribe such drug, *if* ~~unless~~ it is *not* dispensed only:

(a) Upon the written prescription of a practitioner licensed by law to prescribe such drug;

(b) Upon an oral prescription of such practitioner, which is reduced promptly to writing and filled by the pharmacist; or

(c) By refilling any such written or oral prescription, if such refilling is authorized by the prescriber ~~either~~ in the original prescription or by oral order which is reduced promptly to writing and filled by the pharmacist.

This subsection does not relieve any person from any requirement prescribed by law with respect to controlled substances as defined in the applicable federal and state laws.

(14)~~(13)~~ If it is a drug that is subject to paragraph *(13)*~~(12)~~(a), and if, at any time before it is dispensed, its label *does not* ~~fails to~~ bear the statement:

(a) "Caution: Federal Law Prohibits Dispensing Without Prescription";

(b) "Rx Only";

(c) The prescription symbol followed by the word "Only"; or

(d) "Caution: State Law Prohibits Dispensing Without Prescription."

(15)~~(14)~~ If it is a drug that is not subject to paragraph *(13)*~~(12)~~(a), if at any time before it is dispensed its label bears the statement of caution required in subsection *(14)* ~~(13)~~.

(16)~~(15)~~ If it is a color additive, the intended use of which in or on drugs is for the purpose of coloring only *and*~~, unless~~ its packaging and labeling are *not* in conformity with the packaging and labeling requirements that apply to such color additive and are prescribed under the federal act.

(17) A drug dispensed by filling or refilling a written or oral prescription of a practitioner licensed by law to prescribe such drug is exempt from the requirements of this section, except subsections (1), *(9)* ~~(8)~~, *(11)* ~~(10)~~, and *(12)* ~~(11)~~ and the packaging requirements of subsections *(7)* ~~(6)~~ and *(8)* ~~(7)~~, if the drug bears a label that contains the name and address of the dispenser or seller, the prescription number and the date the prescription was written or filled, the name of the prescriber and the name of the patient, and the directions for use and cautionary statements. This exemption does not apply to any drug dispensed in the course of the conduct of a business of dispensing drugs pursuant to diagnosis by mail or to any drug dispensed in violation of subsection *(13)* ~~(12)~~. The department may, by rule, exempt drugs subject to *s. 499.062* ~~ss. 499.062-499.064~~ from subsection *(13)* ~~(12)~~ if compliance with that subsection is not necessary to protect the public health, safety, and welfare.

Section 8. Subsection (1) of section 499.008, Florida Statutes, is amended and subsection (5) is added to that section to read:

499.008 Adulterated cosmetics.—A cosmetic is adulterated:

(1) If it bears or contains any poisonous or deleterious substance that is injurious to users under the conditions of use prescribed in the labeling or advertisement thereof or under such conditions of use as are customary or usual; however, this subsection does not apply to coal-tar hair dye:

(a) The label of which bears the following legend conspicuously displayed thereon: "Caution: This product contains ingredients which may cause skin irritation on certain individuals, and a preliminary test according to accompanying directions should first be made. This product must not be used for dyeing the eyelashes or eyebrows; to do so may cause blindness"; and

(b) The labeling of which bears adequate directions for such preliminary testing.

~~For the purposes of this subsection and subsection (4), the term "hair dye" does not include eyelash dyes or eyebrow dyes.~~

(5) For the purposes of subsections (1) and (4), the term "hair dye" does not include eyelash dyes or eyebrow dyes.

Section 9. Subsections (2), (3), and (5) of section 499.009, Florida Statutes, are amended to read:

499.009 Misbranded cosmetics.—A cosmetic is misbranded:

(2) ~~Unless,~~ If in package form, it *does not bear* ~~bears~~ a label containing:

(a) The name and place of business of the manufacturer, packer, or distributor;

(b) An accurate statement of the quantity of the contents in terms of weight, measure, or numerical count; however, under this paragraph reasonable variations are permitted, and the department shall establish by rule exemptions for small packages; and

(c) A declaration of ingredients in descending order of predominance, or as otherwise required by federal law.

(3) If any word, statement, or other information required by or under authority of *this part* ~~ss. 499.001-499.081~~ to appear on the label or labeling is not prominently placed thereon with such conspicuousness as compared with other words, statements, designs, or devices in the labeling, and in such terms, as to render the word, statement, or other information likely to be read and understood by an individual under customary conditions of purchase and use.

(5) ~~Unless,~~ If it is a color additive, its packaging and labeling are *not* in conformity with the packaging and labeling requirements applicable to that color additive prescribed under the federal act. This subsection does not apply to packages of color additives that, with respect to their use for cosmetics, are marketed and intended for use only in or on hair dyes.

Section 10. Section 499.01, Florida Statutes, is amended; the introductory paragraph and paragraphs (a) through (h) of subsection (2) of section 499.012, Florida Statutes, are redesignated as the introductory paragraph and paragraphs (d), (n), (e), (f), (c), (i), (k), and (l), respectively, of subsection (2) of that section and amended; paragraphs (b) through (e) of subsection (2) of section 499.013, Florida Statutes, are redesignated as paragraphs (p), (o), (q), and (r), respectively, of subsection (2) of that section and amended; and section 499.014, Florida Statutes, is redesignated as paragraph (g) of subsection (2) of that section and amended, to read:

499.01 Permits~~; applications; renewal; general requirements~~.—

(1) Prior to operating, a permit is required for each person and establishment that intends to operate as:

(a) A prescription drug manufacturer;

(b) A prescription drug repackager;

(c) A nonresident prescription drug manufacturer;

(d) A prescription drug wholesale distributor;

(e) An out-of-state prescription drug wholesale distributor;

(f) A retail pharmacy drug wholesale distributor;

(g) A restricted prescription drug distributor;

(h) A complimentary drug distributor;

(i) A freight forwarder;

(j) A veterinary prescription drug retail establishment;

(k) A veterinary prescription drug wholesale distributor;

(l) A limited prescription drug veterinary wholesale distributor;

(m) A medical oxygen retail establishment;

(n) A compressed medical gas wholesale distributor;

(o) A compressed medical gas manufacturer;

(p)~~(c)~~ An over-the-counter drug manufacturer;

~~(d) A compressed medical gas manufacturer;~~

(q)~~(e)~~ A device manufacturer;

(r)~~(f)~~ A cosmetic manufacturer;

(s) A third party logistic provider; or

(t) A health care clinic establishment.

~~(g) A prescription drug wholesaler;~~

~~(h) A veterinary prescription drug wholesaler;~~

~~(i) A compressed medical gas wholesaler;~~

~~(j) An out-of-state prescription drug wholesaler;~~

~~(k) A nonresident prescription drug manufacturer;~~

~~(l) A freight forwarder;~~

~~(m) A retail pharmacy drug wholesaler;~~

~~(n) A veterinary legend drug retail establishment;~~

~~(o) A medical oxygen retail establishment;~~

~~(p) A complimentary drug distributor;~~

~~(q) A restricted prescription drug distributor; or~~

~~(r) A limited prescription drug veterinary wholesaler.~~

(2) The following ~~types of wholesaler~~ permits are established:

(a) Prescription drug manufacturer permit.—A prescription drug manufacturer permit is required for any person that manufactures a prescription drug in this state.

1. A person that operates an establishment permitted as a prescription drug manufacturer may engage in wholesale distribution of prescription drugs manufactured at that establishment and must comply with all the provisions of this part and the rules adopted under this part that apply to a wholesale distributor.

2. A prescription drug manufacturer must comply with all appropriate state and federal good manufacturing practices.

(b) Prescription drug repackager permit.—A prescription drug repackager permit is required for any person that repackages a prescription drug in this state.

1. A person that operates an establishment permitted as a prescription drug repackager may engage in wholesale distribution of prescription drugs repackaged at that establishment and must comply with all the provisions of this part and the rules adopted under this part that apply to a wholesale distributor.

2. A prescription drug repackager must comply with all appropriate state and federal good manufacturing practices.

(c)~~(e)~~ Nonresident prescription drug manufacturer permit.—A nonresident prescription drug manufacturer permit is required for any person that is a manufacturer of prescription drugs, or the distribution point for a manufacturer of prescription drugs *unless permitted as a third party logistics provider*, and located outside of this state, or that is an entity to whom an approved new drug application has been issued by the United States Food and Drug Administration, or the contracted manufacturer of the approved new drug application holder, and located outside the United States, which engages in the wholesale distribution in this state of the prescription drugs it manufactures or is responsible for manufacturing. Each such manufacturer or entity must be permitted by the department and comply with all the provisions required of a wholesale distributor *under this part* ~~ss. 499.001-499.081~~, except *s. 499.01212* ~~s. 499.0121(6)(d)~~.

1. A person that distributes prescription drugs that it did not manufacture must also obtain an out-of-state prescription drug *wholesale distributor* ~~wholesaler~~ permit pursuant to this section to engage in the wholesale distribution of the prescription drugs manufactured by another person and comply with the requirements of an out-of-state prescription drug *wholesale distributor* ~~wholesaler~~.

2. Any such person must comply with the licensing or permitting requirements of the jurisdiction in which the establishment is located

and the federal act, and any product wholesaled into this state must comply with *this part* ~~ss. 499.001-499.081~~. If a person intends to import prescription drugs from a foreign country into this state, the nonresident prescription drug manufacturer must provide to the department a list identifying each prescription drug it intends to import and document approval by the United States Food and Drug Administration for such importation.

3. A nonresident prescription drug manufacturer permit is not required for a manufacturer to distribute a prescription drug active pharmaceutical ingredient that it manufactures to a prescription drug manufacturer permitted in this state in limited quantities intended for research and development and not for resale, or human use other than lawful clinical trials and biostudies authorized and regulated by federal law. A manufacturer claiming to be exempt from the permit requirements of this subparagraph and the prescription drug manufacturer purchasing and receiving the active pharmaceutical ingredient shall comply with the recordkeeping requirements of s. 499.0121(6), but not the requirements of s. 499.01212. The prescription drug manufacturer purchasing and receiving the active pharmaceutical ingredient shall maintain on file a record of the FDA registration number; the out-of-state license, permit, or registration number; and, if available, a copy of the most current FDA inspection report, for all manufacturers from whom they purchase active pharmaceutical ingredients under this section. The department shall specify by rule the allowable number of transactions within a given period of time and the amount of active pharmaceutical ingredients that qualify as limited quantities for purposes of this exemption. The failure to comply with the requirements of this subparagraph, or rules adopted by the department to administer this subparagraph, for the purchase of prescription drug active pharmaceutical ingredients is a violation of s. 499.005(14).

(d)~~(a)~~ ~~A~~ Prescription drug *wholesale distributor* ~~wholesaler's~~ permit.—A prescription drug *wholesale distributor* ~~wholesaler~~ is a wholesale distributor that may engage in the wholesale distribution of prescription drugs. A prescription drug *wholesale distributor* ~~wholesaler~~ that applies to the department for a new permit or the renewal of a permit must submit a bond of $100,000, or other equivalent means of security acceptable to the department, such as an irrevocable letter of credit or a deposit in a trust account or financial institution, payable to the Florida Drug, Device, and Cosmetic Trust Fund. The purpose of the bond is to secure payment of any administrative penalties imposed by the department and any fees and costs incurred by the department regarding that permit which are authorized under state law and which the permittee fails to pay 30 days after the fine or costs become final. The department may make a claim against such bond or security until 1 year after the permittee's license ceases to be valid or until 60 days after any administrative or legal proceeding authorized in *this part* ~~ss. 499.001-499.081~~ which involves the permittee is concluded, including any appeal, whichever occurs later. The department may adopt rules for issuing a prescription drug *wholesale distributor-broker* ~~wholesaler-broker~~ permit to a person who engages in the wholesale distribution of prescription drugs and does not take physical possession of any prescription drugs.

(e)~~(c)~~ ~~An~~ Out-of-state prescription drug *wholesale distributor* ~~wholesaler's~~ permit.—An out-of-state prescription drug *wholesale distributor* ~~wholesaler~~ is a wholesale distributor located outside this state which engages in the wholesale distribution of prescription drugs into this state and which must be permitted by the department and comply with all the provisions required of a wholesale distributor under *this part* ~~ss. 499.001-499.081~~. An out-of-state prescription drug *wholesale distributor* ~~wholesaler~~ that applies to the department for a new permit or the renewal of a permit must submit a bond of $100,000, or other equivalent means of security acceptable to the department, such as an irrevocable letter of credit or a deposit in a trust account or financial institution, payable to the Florida Drug, Device, and Cosmetic Trust Fund. The purpose of the bond is to secure payment of any administrative penalties imposed by the department and any fees and costs incurred by the department regarding that permit which are authorized under state law and which the permittee fails to pay 30 days after the fine or costs become final. The department may make a claim against such bond or security until 1 year after the permittee's license ceases to be valid or until 60 days after any administrative or legal proceeding authorized in *this part* ~~ss. 499.001-499.081~~ which involves the permittee is concluded, including any appeal, whichever occurs later.

1. The out-of-state *prescription* drug *wholesale distributor* ~~wholesaler~~ must maintain at all times a license or permit to engage in the wholesale distribution of prescription drugs in compliance with laws of the state in which it is a resident.

2. An out-of-state prescription drug *wholesale distributor* ~~wholesaler's~~ permit is not required for an intracompany sale or transfer of a prescription drug from an out-of-state establishment that is duly licensed as a prescription drug *wholesale distributor* ~~wholesaler~~, in its state of residence, to a licensed prescription drug *wholesale distributor* ~~wholesaler~~ in this state, if both *wholesale distributors* ~~wholesalers~~ conduct wholesale distributions of prescription drugs under the same business name. The recordkeeping requirements of *ss.* ~~s.~~ 499.0121(6) *and 499.01212* must be followed for this transaction.

(f)~~(d)~~ ~~A~~ Retail pharmacy *drug wholesale distributor* ~~wholesaler's~~ permit.—A retail pharmacy *drug wholesale distributor* ~~wholesaler~~ is a retail pharmacy engaged in wholesale distribution of prescription drugs within this state under the following conditions:

1. The pharmacy must obtain a retail pharmacy *drug wholesale distributor* ~~wholesaler's~~ permit pursuant to *this part* ~~ss. 499.001-499.081~~ and the rules adopted under *this part* ~~those sections~~.

2. The wholesale distribution activity does not exceed 30 percent of the total annual purchases of prescription drugs. If the wholesale distribution activity exceeds the 30-percent maximum, the pharmacy must obtain a prescription drug *wholesale distributor* ~~wholesaler's~~ permit.

3. The transfer of prescription drugs that appear in any schedule contained in chapter 893 is subject to chapter 893 and the federal Comprehensive Drug Abuse Prevention and Control Act of 1970.

4. The transfer is between a retail pharmacy and another retail pharmacy, or a Modified Class II institutional pharmacy, or a health care practitioner licensed in this state and authorized by law to dispense or prescribe prescription drugs.

5. All records of sales of prescription drugs subject to this section must be maintained separate and distinct from other records and comply with the recordkeeping requirements of *this part* ~~ss. 499.001-499.081~~.

(g)~~499.014~~ *Restricted prescription drug distributor permit* ~~Distribution of legend drugs by hospitals, health care entities, charitable organizations, and return or destruction companies; permits, general requirements~~.—

~~(1)~~ A restricted prescription drug distributor permit is required for any person that engages in the distribution of a *prescription* ~~legend~~ drug, which distribution is not considered "wholesale distribution" under *s. 499.003(53)(a)* ~~s. 499.012(1)(a)1~~.

1.~~(2)~~ A person who engages in the receipt or distribution of a *prescription* ~~legend~~ drug in this state for the purpose of processing its return or its destruction must obtain a permit as a restricted prescription drug distributor if such person is not the person initiating the return, the prescription drug wholesale supplier of the person initiating the return, or the manufacturer of the drug.

2.~~(3)~~ Storage, handling, and recordkeeping of these distributions must comply with the requirements for wholesale distributors under s. 499.0121, *but not* ~~except~~ those set forth in *s. 499.01212* ~~s. 499.0121(6)(d)~~.

3.~~(4)~~ A person who applies for a permit as a restricted prescription drug distributor, or for the renewal of such a permit, must provide to the department the information required under *s. 499.012* ~~s. 499.01~~.

4.~~(5)~~ The department may ~~issue permits to restricted prescription drug distributors and may~~ adopt rules regarding the distribution of prescription drugs by hospitals, health care entities, charitable organizations, or other persons not involved in wholesale distribution, which rules are necessary for the protection of the public health, safety, and welfare.

(h) Complimentary drug distributor permit.—A complimentary drug distributor permit is required for any person that engages in the distribution of a complimentary drug, subject to the requirements of s. 499.028.

(i)~~(f)~~ Freight forwarder permit.—A freight forwarder permit is required for any person that engages in the distribution of a *prescription* ~~legend~~ drug as a freight forwarder unless the person is a common carrier. The storage, handling, and recordkeeping of such distributions

must comply with the requirements for wholesale distributors under s. 499.0121, *but not* ~~except~~ those set forth in *s. 499.01212* ~~s. 499.0121(6)(d)~~. A freight forwarder must provide the source of the *prescription* ~~legend~~ drugs with a validated airway bill, bill of lading, or other appropriate documentation to evidence the exportation of the product.

(j) Veterinary prescription drug retail establishment permit.—A veterinary prescription drug retail establishment permit is required for any person that sells veterinary prescription drugs to the public but does not include a pharmacy licensed under chapter 465.

1. The sale to the public must be based on a valid written order from a veterinarian licensed in this state who has a valid client-veterinarian relationship with the purchaser's animal.

2. Veterinary prescription drugs may not be sold in excess of the amount clearly indicated on the order or beyond the date indicated on the order.

3. An order may not be valid for more than 1 year.

4. A veterinary prescription drug retail establishment may not purchase, sell, trade, or possess human prescription drugs or any controlled substance as defined in chapter 893.

5. A veterinary prescription drug retail establishment must sell a veterinary prescription drug in the original, sealed manufacturer's container with all labeling intact and legible. The department may adopt by rule additional labeling requirements for the sale of a veterinary prescription drug.

6. A veterinary prescription drug retail establishment must comply with all of the wholesale distribution requirements of s. 499.0121.

7. Prescription drugs sold by a veterinary prescription drug retail establishment pursuant to a practitioner's order may not be returned into the retail establishment's inventory.

(k)~~(g)~~ A veterinary prescription drug *wholesale distributor* ~~wholesaler~~ permit.—A veterinary prescription drug *wholesale distributor* ~~wholesaler~~ permit is required for any person that engages in the distribution of veterinary prescription drugs in or into this state. A veterinary prescription drug *wholesale distributor* ~~wholesaler~~ that also distributes prescription drugs subject to, defined by, or described by s. 503(b) of the Federal Food, Drug, and Cosmetic Act which it did not manufacture must obtain a permit as a prescription drug *wholesale distributor* ~~wholesaler~~, an out-of-state prescription drug *wholesale distributor* ~~wholesaler~~, or a limited prescription drug veterinary *wholesale distributor* ~~wholesaler~~ in lieu of the veterinary prescription drug *wholesale distributor* ~~wholesaler~~ permit. A veterinary prescription drug *wholesale distributor* ~~wholesaler~~ must comply with the requirements for wholesale distributors under s. 499.0121, *but not* ~~except~~ those set forth in *s. 499.01212* ~~s. 499.0121(6)(d)~~.

(l)~~(h)~~ Limited prescription drug veterinary *wholesale distributor* ~~wholesaler~~ permit.—Unless engaging in the activities of and permitted as a prescription drug manufacturer, nonresident prescription drug manufacturer, prescription drug *wholesale distributor* ~~wholesaler~~, or out-of-state prescription drug *wholesale distributor* ~~wholesaler~~, a limited prescription drug veterinary *wholesale distributor* ~~wholesaler~~ permit is required for any person that engages in the distribution in or into this state of veterinary prescription drugs and prescription drugs subject to, defined by, or described by s. 503(b) of the Federal Food, Drug, and Cosmetic Act under the following conditions:

1. The person is engaged in the business of wholesaling prescription and veterinary *prescription* ~~legend~~ drugs to persons:

a. Licensed as veterinarians practicing on a full-time basis;

b. Regularly and lawfully engaged in instruction in veterinary medicine;

c. Regularly and lawfully engaged in law enforcement activities;

d. For use in research not involving clinical use; or

e. For use in chemical analysis or physical testing or for purposes of instruction in law enforcement activities, research, or testing.

2. No more than 30 percent of total annual prescription drug sales may be prescription drugs approved for human use which are subject to, defined by, or described by s. 503(b) of the Federal Food, Drug, and Cosmetic Act.

3. The person *does not distribute* ~~is not permitted, licensed, or otherwise authorized~~ in any *jurisdiction* ~~state to wholesale~~ prescription drugs subject to, defined by, or described by s. 503(b) of the Federal Food, Drug, and Cosmetic Act to any person who is authorized to sell, distribute, purchase, trade, or use these drugs on or for humans.

4. A limited prescription drug veterinary *wholesale distributor* ~~wholesaler~~ that applies to the department for a new permit or the renewal of a permit must submit a bond of $20,000, or other equivalent means of security acceptable to the department, such as an irrevocable letter of credit or a deposit in a trust account or financial institution, payable to the Florida Drug, Device, and Cosmetic Trust Fund. The purpose of the bond is to secure payment of any administrative penalties imposed by the department and any fees and costs incurred by the department regarding that permit which are authorized under state law and which the permittee fails to pay 30 days after the fine or costs become final. The department may make a claim against such bond or security until 1 year after the permittee's license ceases to be valid or until 60 days after any administrative or legal proceeding authorized in *this part* ~~ss. 499.001-499.081~~ which involves the permittee is concluded, including any appeal, whichever occurs later.

5. A limited prescription drug veterinary *wholesale distributor* ~~wholesaler~~ must maintain at all times a license or permit to engage in the wholesale distribution of prescription drugs in compliance with laws of the state in which it is a resident.

6. A limited prescription drug veterinary *wholesale distributor* ~~wholesaler~~ must comply with the requirements for wholesale distributors under *ss.* ~~s.~~ 499.0121 *and 499.01212*, except that a limited prescription drug veterinary *wholesale distributor* ~~wholesaler~~ is not required to provide a pedigree paper as required by *s. 499.01212* ~~s. 499.0121(6)(d)~~ upon the wholesale distribution of a prescription drug to a veterinarian.

7. A limited prescription drug veterinary *wholesale distributor* ~~wholesaler~~ may not return to inventory for subsequent wholesale distribution any prescription drug subject to, defined by, or described by s. 503(b) of the Federal Food, Drug, and Cosmetic Act which has been returned by a veterinarian.

8. ~~An out-of-state prescription drug wholesaler's permit or~~ A limited prescription drug veterinary *wholesale distributor* ~~wholesaler~~ permit is not required for an intracompany sale or transfer of a prescription drug from an out-of-state establishment that is duly licensed to engage in the wholesale distribution of prescription drugs in its state of residence to a licensed limited prescription drug veterinary *wholesale distributor* ~~wholesaler~~ in this state if both *wholesale distributors* ~~wholesalers~~ conduct wholesale distributions of prescription drugs under the same business name. The recordkeeping requirements of *ss.* ~~s.~~ 499.0121(6) *and 499.01212* must be followed for this transaction.

(m) Medical oxygen retail establishment permit.—A medical oxygen retail establishment permit is required for any person that sells medical oxygen to patients only. The sale must be based on an order from a practitioner authorized by law to prescribe. The term does not include a pharmacy licensed under chapter 465.

1. A medical oxygen retail establishment may not possess, purchase, sell, or trade any prescription drug other than medical oxygen.

2. A medical oxygen retail establishment may refill medical oxygen for an individual patient based on an order from a practitioner authorized by law to prescribe. A medical oxygen retail establishment that refills medical oxygen must comply with all appropriate state and federal good manufacturing practices.

3. A medical oxygen retail establishment must comply with all of the wholesale distribution requirements of s. 499.0121.

4. Prescription medical oxygen sold by a medical oxygen retail establishment pursuant to a practitioner's order may not be returned into the retail establishment's inventory.

(n)~~(b)~~ A compressed medical gas *wholesale distributor* ~~wholesaler's~~ permit.—A compressed medical gas *wholesale distributor* ~~wholesaler~~ is

a wholesale distributor that is limited to the wholesale distribution of compressed medical gases to other than the consumer or patient. The compressed medical gas must be in the original sealed container that was purchased by that *wholesale distributor* ~~wholesaler~~. A compressed medical gas *wholesale distributor* ~~wholesaler~~ may not possess or engage in the wholesale distribution of any prescription drug other than compressed medical gases. The department shall adopt rules that govern the wholesale distribution of prescription medical oxygen for emergency use. With respect to the emergency use of prescription medical oxygen, those rules may not be inconsistent with rules and regulations of federal agencies unless the Legislature specifically directs otherwise.

(o)~~(e)~~ *Compressed medical gas manufacturer permit.*—A compressed medical gas *manufacturer* ~~manufacturer's~~ permit is required for any person that engages in the manufacture of compressed medical gases or repackages compressed medical gases from one container to another.

1. A compressed medical gas manufacturer ~~permittee~~ may not manufacture or possess any prescription drug other than compressed medical gases.

2. A compressed medical gas manufacturer ~~permittee~~ may engage in wholesale distribution of compressed medical gases manufactured at that establishment and must comply with all the provisions of *this part* ~~ss. 499.001-499.081~~ and the rules adopted under *this part* ~~those sections~~ that apply to a wholesale distributor.

3. A compressed medical gas manufacturer ~~permittee~~ must comply with all appropriate state and federal good manufacturing practices.

(p)~~(b)~~ *Over-the-counter drug manufacturer permit.*—An over-the-counter drug *manufacturer* ~~manufacturer's~~ permit is required for any person that engages in the manufacture or repackaging of an over-the-counter drug.

1. An over-the-counter drug manufacturer ~~permittee~~ may not possess or purchase prescription drugs.

2. A pharmacy is exempt from obtaining an over-the-counter drug *manufacturer* ~~manufacturer's~~ permit if it is operating in compliance with pharmacy practice standards as defined in chapter 465 and the rules adopted under that chapter.

3. An over-the-counter drug manufacturer ~~permittee~~ must comply with all appropriate state and federal good manufacturing practices.

(q)~~(d)~~ *Device manufacturer permit.*—A device *manufacturer* ~~manufacturer's~~ permit is required for any person that engages in the manufacture, repackaging, or assembly of medical devices for human use in this state, except that a permit is not required if the person is engaged only in manufacturing, repackaging, or assembling a medical device pursuant to a practitioner's order for a specific patient.

1. A manufacturer or repackager of medical devices in this state must comply with all appropriate state and federal good manufacturing practices and quality system rules.

2. The department shall adopt rules related to storage, handling, and recordkeeping requirements for manufacturers of medical devices for human use.

(r)~~(e)~~ *Cosmetic manufacturer permit.*—A cosmetic *manufacturer* ~~manufacturer's~~ permit is required for any person that manufactures or repackages cosmetics in this state. A person that only labels or changes the labeling of a cosmetic but does not open the container sealed by the manufacturer of the product is exempt from obtaining a permit under this paragraph.

(s) Third party logistics provider permit.—A third party logistics provider permit is required for any person that contracts with a prescription drug wholesale distributor or prescription drug manufacturer to provide warehousing, distribution, or other logistics services on behalf of a manufacturer or wholesale distributor, but who does not take title to the prescription drug or have responsibility to direct the sale or disposition of the prescription drug. Each third party logistics provider permittee shall comply with the requirements for wholesale distributors under ss. 499.0121 and 499.01212, with the exception of those wholesale distributions described in s. 499.01212(3)(a), and other rules that the department requires.

(t) Health care clinic establishment permit.—Effective January 1, 2009, a health care clinic establishment permit is required for the purchase of a prescription drug by a place of business at one general physical location owned and operated by a professional corporation or professional limited liability company described in chapter 621, or a corporation that employs a veterinarian as a qualifying practitioner. For the purpose of this paragraph, the term "qualifying practitioner" means a licensed health care practitioner defined in s. 456.001 or a veterinarian licensed under chapter 474, who is authorized under the appropriate practice act to prescribe and administer a prescription drug.

1. An establishment must provide, as part of the application required under s. 499.012, designation of a qualifying practitioner who will be responsible for complying with all legal and regulatory requirements related to the purchase, recordkeeping, storage, and handling of the prescription drugs. In addition, the designated qualifying practitioner shall be the practitioner whose name, establishment address, and license number is used on all distribution documents for prescription drugs purchased or returned by the health care clinic establishment. Upon initial appointment of a qualifying practitioner, the qualifying practitioner and the health care clinic establishment shall notify the department on a form furnished by the department within 10 days after such employment. In addition, the qualifying practitioner and health care clinic establishment shall notify the department within 10 days after any subsequent change.

2. The health care clinic establishment must employ a qualifying practitioner at each establishment.

3. In addition to the remedies and penalties provided in this part, a violation of this chapter by the health care clinic establishment or qualifying practitioner constitutes grounds for discipline of the qualifying practitioner by the appropriate regulatory board.

4. The purchase of prescription drugs by the health care clinic establishment is prohibited during any period of time when the establishment does not comply with this paragraph.

5. A health care clinic establishment permit is not a pharmacy permit or otherwise subject to chapter 465. A health care clinic establishment that meets the criteria of a modified Class II institutional pharmacy under s. 465.019 is not eligible to be permitted under this paragraph.

6. This paragraph does not prohibit a qualifying practitioner from purchasing prescription drugs.

Section 11. Section 499.012, Florida Statutes, is amended and subsections (2) through (8) of section 499.01, Florida States, are redesignated as subsections (1) through (7) of that section and amended, to read:

499.012 *Permit application* ~~Wholesale distribution; definitions; permits; applications; general~~ requirements.—

(1) ~~As used in this section, the term:~~

~~(2)~~(a) A permit issued pursuant to *this part* ~~ss. 499.001-499.081~~ may be issued only to a natural person who is at least 18 years of age or to an applicant that is not a natural person if each person who, directly or indirectly, manages, controls, or oversees the operation of that applicant is at least 18 years of age.

(b) An establishment that is a place of residence may not receive a permit and may not operate under *this part* ~~ss. 499.001-499.081~~.

(c) A person that applies for or renews a permit to manufacture or distribute *prescription* ~~legend~~ drugs may not use a name identical to the name used by any other establishment or licensed person authorized to purchase prescription drugs in this state, except that a restricted drug distributor permit issued to a health care entity will be issued in the name in which the institutional pharmacy permit is issued and a retail pharmacy drug *wholesale distributor* ~~wholesaler~~ will be issued a permit in the name of its retail pharmacy permit.

(d) A permit for a prescription drug manufacturer, prescription drug repackager, prescription drug *wholesale distributor* ~~wholesaler~~, limited prescription drug veterinary *wholesale distributor* ~~wholesaler~~, or retail pharmacy *drug wholesale distributor* ~~wholesaler~~ may not be issued to the address of a health care entity or to a pharmacy licensed under chapter 465, except as provided in this paragraph. The department may issue a prescription drug manufacturer permit to an applicant at the

same address as a licensed nuclear pharmacy, which is a health care entity, for the purpose of manufacturing prescription drugs used in positron emission tomography or other radiopharmaceuticals, as listed in a rule adopted by the department pursuant to this paragraph. The purpose of this exemption is to assure availability of state-of-the-art pharmaceuticals that would pose a significant danger to the public health if manufactured at a separate establishment address from the nuclear pharmacy from which the prescription drugs are dispensed. The department may also issue a retail pharmacy *drug wholesale distributor* ~~wholesaler~~ permit to the address of a community pharmacy licensed under chapter 465 which does not meet the definition of a closed pharmacy in s. 499.003.

(e) A county or municipality may not issue an occupational license for any licensing period beginning on or after October 1, 2003, for any establishment that requires a permit pursuant to *this part* ~~ss. 499.001-499.081~~, unless the establishment exhibits a current permit issued by the department for the establishment. Upon presentation of the requisite permit issued by the department, an occupational license may be issued by the municipality or county in which application is made. The department shall furnish to local agencies responsible for issuing occupational licenses a current list of all establishments licensed pursuant to *this part* ~~ss. 499.001-499.081~~.

(2)~~(3)~~ Notwithstanding subsection *(6)* ~~(7)~~, a permitted person in good standing may change the type of permit issued to that person by completing a new application for the requested permit, paying the amount of the difference in the permit fees if the fee for the new permit is more than the fee for the original permit, and meeting the applicable permitting conditions for the new permit type. The new permit expires on the expiration date of the original permit being changed; however, a new permit for a prescription drug *wholesale distributor* ~~wholesaler~~, an out-of-state prescription drug *wholesale distributor* ~~wholesaler~~, or a retail pharmacy drug *wholesale distributor* ~~wholesaler~~ shall expire on the expiration date of the original permit or 1 year after the date of issuance of the new permit, whichever is earlier. A refund may not be issued if the fee for the new permit is less than the fee that was paid for the original permit.

(3)~~(4)~~ A written application for a permit or to renew a permit must be filed with the department on forms furnished by the department. The department shall establish, by rule, the form and content of the application to obtain or renew a permit. The applicant must submit to the department with the application a statement that swears or affirms that the information is true and correct.

(4)~~(5)~~(a) Except for a permit for a prescription drug *wholesale distributor* ~~wholesaler~~ or an out-of-state prescription drug *wholesale distributor* ~~wholesaler~~, an application for a permit must include:

1. The name, full business address, and telephone number of the applicant;

2. All trade or business names used by the applicant;

3. The address, telephone numbers, and the names of contact persons for each facility used by the applicant for the storage, handling, and distribution of prescription drugs;

4. The type of ownership or operation, such as a partnership, corporation, or sole proprietorship; and

5. The names of the owner and the operator of the establishment, including:

a. If an individual, the name of the individual;

b. If a partnership, the name of each partner and the name of the partnership;

c. If a corporation, the name and title of each corporate officer and director, the corporate names, and the name of the state of incorporation;

d. If a sole proprietorship, the full name of the sole proprietor and the name of the business entity;

e. If a limited liability company, the name of each member, the name of each manager, the name of the limited liability company, and the name of the state in which the limited liability company was organized; and

f. Any other relevant information that the department requires.

(b) Upon approval of the application by the department and payment of the required fee, the department shall issue a permit to the applicant, if the applicant meets the requirements of *this part* ~~ss. 499.001-499.081~~ and rules adopted under *this part* ~~those sections~~.

(c) Any change in information required under paragraph (a) must be submitted to the department before the change occurs.

(d) The department shall consider, at a minimum, the following factors in reviewing the qualifications of persons to be permitted under *this part* ~~ss. 499.001-499.081~~:

1. The applicant's having been found guilty, regardless of adjudication, in a court of this state or other jurisdiction, of a violation of a law that directly relates to a drug, device, or cosmetic. A plea of nolo contendere constitutes a finding of guilt for purposes of this subparagraph.

2. The applicant's having been disciplined by a regulatory agency in any state for any offense that would constitute a violation of *this part* ~~ss. 499.001-499.081~~.

3. Any felony conviction of the applicant under a federal, state, or local law;

4. The applicant's past experience in manufacturing or distributing drugs, devices, or cosmetics;

5. The furnishing by the applicant of false or fraudulent material in any application made in connection with manufacturing or distributing drugs, devices, or cosmetics;

6. Suspension or revocation by a federal, state, or local government of any permit currently or previously held by the applicant for the manufacture or distribution of any drugs, devices, or cosmetics;

7. Compliance with permitting requirements under any previously granted permits;

8. Compliance with requirements to maintain or make available to the state permitting authority or to federal, state, or local law enforcement officials those records required under this section; and

9. Any other factors or qualifications the department considers relevant to and consistent with the public health and safety.

(5)~~(6)~~ Except for *a permit* ~~permits~~ for *a* prescription drug *wholesale distributor* ~~wholesalers~~ or *an* out-of-state prescription drug *wholesale distributor* ~~wholesalers~~:

(a) The department shall adopt rules for the biennial renewal of permits.

(b) The department shall renew a permit upon receipt of the renewal application and renewal fee if the applicant meets the requirements established under *this part* ~~ss. 499.001-499.081~~ and the rules adopted under *this part* ~~those sections~~.

(c) A permit, unless sooner suspended or revoked, automatically expires 2 years after the last day of the anniversary month in which the permit was originally issued. A permit issued under *this part* ~~ss. 499.001-499.081~~ may be renewed by making application for renewal on forms furnished by the department and paying the appropriate fees. If a renewal application and fee are submitted and postmarked after the expiration date of the permit, the permit may be renewed only upon payment of a late renewal delinquent fee of $100, plus the required renewal fee, not later than 60 days after the expiration date.

(d) Failure to renew a permit in accordance with this section precludes any future renewal of that permit. If a permit issued pursuant to this *part* ~~section~~ has expired and cannot be renewed, before an establishment may engage in activities that require a permit under *this part* ~~ss. 499.001-499.081~~, the establishment must submit an application for a new permit, pay the applicable application fee, the initial permit fee, and all applicable penalties, and be issued a new permit by the department.

(6)~~(7)~~ A permit issued by the department is nontransferable. Each permit is valid only for the person or governmental unit to which it is issued and is not subject to sale, assignment, or other transfer, voluntarily or involuntarily; nor is a permit valid for any establishment other than the establishment for which it was originally issued.

(a) A person permitted under *this part* ~~ss. 499.001-499.081~~ must notify the department before making a change of address. The department shall set a change of location fee not to exceed $100.

(b)1. An application for a new permit is required when a majority of the ownership or controlling interest of a permitted establishment is transferred or assigned or when a lessee agrees to undertake or provide services to the extent that legal liability for operation of the establishment will rest with the lessee. The application for the new permit must be made before the date of the sale, transfer, assignment, or lease.

2. A permittee that is authorized to distribute *prescription* ~~legend~~ drugs may transfer such drugs to the new owner or lessee under subparagraph 1. only after the new owner or lessee has been approved for a permit to distribute *prescription* ~~legend~~ drugs.

(c) If an establishment permitted under *this part* ~~ss. 499.001-499.081~~ closes, the owner must notify the department in writing before the effective date of closure and must:

1. Return the permit to the department;

2. If the permittee is authorized to distribute *prescription* ~~legend~~ drugs, indicate the disposition of such drugs, including the name, address, and inventory, and provide the name and address of a person to contact regarding access to records that are required to be maintained under *this part* ~~ss. 499.001-499.081~~. Transfer of ownership of *prescription* ~~legend~~ drugs may be made only to persons authorized to possess *prescription* ~~legend~~ drugs under *this part* ~~ss. 499.001-499.081~~.

The department may revoke the permit of any person that fails to comply with the requirements of this subsection.

(7)~~(8)~~ A permit must be posted in a conspicuous place on the licensed premises.

(8)~~(3)~~ An application for a permit or to renew a permit for a prescription drug *wholesale distributor* ~~wholesaler~~ or an out-of-state prescription drug *wholesale distributor* ~~wholesaler~~ submitted to the department must include:

(a) The name, full business address, and telephone number of the applicant.

(b) All trade or business names used by the applicant.

(c) The address, telephone numbers, and the names of contact persons for each facility used by the applicant for the storage, handling, and distribution of prescription drugs.

(d) The type of ownership or operation, such as a partnership, corporation, or sole proprietorship.

(e) The names of the owner and the operator of the establishment, including:

1. If an individual, the name of the individual.

2. If a partnership, the name of each partner and the name of the partnership.

3. If a corporation:

a. The name, address, and title of each corporate officer and director.

b. The name and address of the corporation, resident agent of the corporation, the resident agent's address, and the corporation's state of incorporation.

c. The name and address of each shareholder of the corporation that owns 5 percent or more of the outstanding stock of the corporation.

4. If a sole proprietorship, the full name of the sole proprietor and the name of the business entity.

5. If a limited liability company:

a. The name and address of each member.

b. The name and address of each manager.

c. The name and address of the limited liability company, the resident agent of the limited liability company, and the name of the state in which the limited liability company was organized.

(f) If applicable, the name and address of each member of the affiliated group of which the applicant is a member.

(g)1. For an application for a new permit, the estimated annual dollar volume of prescription drug sales of the applicant, the estimated annual percentage of the applicant's total company sales that are prescription drugs, the applicant's estimated annual total dollar volume of purchases of prescription drugs, and the applicant's estimated annual total dollar volume of prescription drug purchases directly from manufacturers.

2. For an application to renew a permit, the total dollar volume of prescription drug sales in the previous year, the total dollar volume of prescription drug sales made in the previous 6 months, the percentage of total company sales that were prescription drugs in the previous year, the total dollar volume of purchases of prescription drugs in the previous year, and the total dollar volume of prescription drug purchases directly from manufacturers in the previous year.

Such portions of the information required pursuant to this paragraph which are a trade secret, as defined in s. 812.081, shall be maintained by the department as trade secret information is required to be maintained under s. 499.051.

(h) The tax year of the applicant.

(i) A copy of the deed for the property on which applicant's establishment is located, if the establishment is owned by the applicant, or a copy of the applicant's lease for the property on which applicant's establishment is located that has an original term of not less than 1 calendar year, if the establishment is not owned by the applicant.

(j) A list of all licenses and permits issued to the applicant by any other state which authorize the applicant to purchase or possess prescription drugs.

(k) The name of the manager of the establishment that is applying for the permit or to renew the permit, the next four highest ranking employees responsible for prescription drug wholesale operations for the establishment, and the name of all affiliated parties for the establishment, together with the personal information statement and fingerprints required pursuant to subsection *(9)* ~~(4)~~ for each of such persons.

(l) The name of each of the applicant's designated representatives as required by subsection *(16)* ~~(11)~~, together with the personal information statement and fingerprints required pursuant to subsection *(9)* ~~(4)~~ for each such person.

(m) For an applicant that is a secondary *wholesale distributor* ~~wholesaler~~, each of the following:

1. A personal background information statement containing the background information and fingerprints required pursuant to subsection *(9)* ~~(4)~~ for each person named in the applicant's response to paragraphs (k) and (l) and for each affiliated party of the applicant.

2. If any of the five largest shareholders of the corporation seeking the permit is a corporation, the name, address, and title of each corporate officer and director of each such corporation; the name and address of such corporation; the name of such corporation's resident agent, such corporation's resident agent's address, and such corporation's state of its incorporation; and the name and address of each shareholder of such corporation that owns 5 percent or more of the stock of such corporation.

3. The name and address of all financial institutions in which the applicant has an account which is used to pay for the operation of the establishment or to pay for drugs purchased for the establishment, together with the names of all persons that are authorized signatories on such accounts. The portions of the information required pursuant to this subparagraph which are a trade secret, as defined in s. 812.081, shall be

maintained by the department as trade secret information is required to be maintained under s. 499.051.

4. The sources of all funds and the amounts of such funds used to purchase or finance purchases of prescription drugs or to finance the premises on which the establishment is to be located.

5. If any of the funds identified in subparagraph 4. were borrowed, copies of all promissory notes or loans used to obtain such funds.

(n) Any other relevant information that the department requires, including, but not limited to, any information related to whether the applicant satisfies the definition of a primary *wholesale distributor* ~~wholesaler~~ or a secondary *wholesale distributor* ~~wholesaler~~.

(9)~~(4)~~(a) Each person required by subsection *(8)* ~~(3)~~ to provide a personal information statement and fingerprints shall provide the following information to the department on forms prescribed by the department:

1. The person's places of residence for the past 7 years.

2. The person's date and place of birth.

3. The person's occupations, positions of employment, and offices held during the past 7 years.

4. The principal business and address of any business, corporation, or other organization in which each such office of the person was held or in which each such occupation or position of employment was carried on.

5. Whether the person has been, during the past 7 years, the subject of any proceeding for the revocation of any license and, if so, the nature of the proceeding and the disposition of the proceeding.

6. Whether, during the past 7 years, the person has been enjoined, ~~either~~ temporarily or permanently, by a court of competent jurisdiction from violating any federal or state law regulating the possession, control, or distribution of prescription drugs, together with details concerning any such event.

7. A description of any involvement by the person with any business, including any investments, other than the ownership of stock in a publicly traded company or mutual fund, during the past 7 years, which manufactured, administered, prescribed, distributed, or stored pharmaceutical products and any lawsuits in which such businesses were named as a party.

8. A description of any felony criminal offense of which the person, as an adult, was found guilty, regardless of whether adjudication of guilt was withheld or whether the person pled guilty or nolo contendere. A criminal offense committed in another jurisdiction which would have been a felony in this state must be reported. If the person indicates that a criminal conviction is under appeal and submits a copy of the notice of appeal of that criminal offense, the applicant must, within 15 days after the disposition of the appeal, submit to the department a copy of the final written order of disposition.

9. A photograph of the person taken in the previous 30 days.

10. A set of fingerprints for the person on a form and under procedures specified by the department, together with payment of an amount equal to the costs incurred by the department for the criminal record check of the person.

11. The name, address, occupation, and date and place of birth for each member of the person's immediate family who is 18 years of age or older. As used in this subparagraph, the term "member of the person's immediate family" includes the person's spouse, children, parents, siblings, the spouses of the person's children, and the spouses of the person's siblings.

12. Any other relevant information that the department requires.

(b) The information required pursuant to paragraph (a) shall be provided under oath.

(c) The department shall submit the fingerprints provided by a person for initial licensure to the Department of Law Enforcement for a statewide criminal record check and for forwarding to the Federal Bureau of Investigation for a national criminal record check of the person. The department shall submit the fingerprints provided by a person as a part of a renewal application to the Department of Law Enforcement for a statewide criminal record check, and for forwarding to the Federal Bureau of Investigation for a national criminal record check, for the initial renewal of a permit after January 1, 2004; for any subsequent renewal of a permit, the department shall submit the required information for a statewide and national criminal record check of the person. Any person who as a part of an initial permit application or initial permit renewal after January 1, 2004, submits to the department a set of fingerprints required for the criminal record check required in this paragraph shall not be required to provide a subsequent set of fingerprints for a criminal record check to the department, if the person has undergone a criminal record check as a condition of the issuance of an initial permit or the initial renewal of a permit of an applicant after January 1, 2004.

(10)~~(5)~~ The department may deny an application for a permit or refuse to renew a permit for a prescription drug *wholesale distributor* ~~wholesaler~~ or an out-of-state prescription drug *wholesale distributor* ~~wholesaler~~ if:

(a) The applicant has not met the requirements for the permit.

(b) The management, officers, or directors of the applicant or any affiliated party are found by the department to be incompetent or untrustworthy.

(c) The applicant is so lacking in experience in managing a wholesale distributor as to make the issuance of the proposed permit hazardous to the public health.

(d) The applicant is so lacking in experience in managing a wholesale distributor as to jeopardize the reasonable promise of successful operation of the wholesale distributor.

(e) The applicant is lacking in experience in the distribution of prescription drugs.

(f) The applicant's past experience in manufacturing or distributing prescription drugs indicates that the applicant poses a public health risk.

(g) The applicant is affiliated directly or indirectly through ownership, control, or other business relations, with any person or persons whose business operations are or have been detrimental to the public health.

(h) The applicant, or any affiliated party, has been found guilty of or has pleaded guilty or nolo contendere to any felony or crime punishable by imprisonment for 1 year or more under the laws of the United States, any state, or any other country, regardless of whether adjudication of guilt was withheld.

(i) The applicant or any affiliated party has been charged with a felony in a state or federal court and the disposition of that charge is pending during the application review or renewal review period.

(j) The applicant has furnished false or fraudulent information or material in any application made in this state or any other state in connection with obtaining a permit or license to manufacture or distribute drugs, devices, or cosmetics.

(k) That a federal, state, or local government permit currently or previously held by the applicant, or any affiliated party, for the manufacture or distribution of any drugs, devices, or cosmetics has been disciplined, suspended, or revoked and has not been reinstated.

(l) The applicant does not possess the financial or physical resources to operate in compliance with the permit being sought, this chapter, and the rules adopted under this chapter.

(m) The applicant or any affiliated party receives, directly or indirectly, financial support and assistance from a person who was an affiliated party of a permittee whose permit was subject to discipline or was suspended or revoked, other than through the ownership of stock in a publicly traded company or a mutual fund.

(n) The applicant or any affiliated party receives, directly or indirectly, financial support and assistance from a person who has been

found guilty of any violation of *this part* ~~ss. 499.001-499.081~~ or chapter 465, chapter 501, or chapter 893, any rules adopted under any of *this part* ~~those sections~~ or *those* chapters, any federal or state drug law, or any felony where the underlying facts related to drugs, regardless of whether the person has been pardoned, had her or his civil rights restored, or had adjudication withheld, other than through the ownership of stock in a publicly traded company or a mutual fund.

(o) The applicant for renewal of a permit under *s. 499.01(2)(d)* ~~paragraph (2)(a)~~ or *s. 499.01(2)(e)* ~~paragraph (2)(e)~~ has not actively engaged in the wholesale distribution of prescription drugs, as demonstrated by the regular and systematic distribution of prescription drugs throughout the year as evidenced by not fewer than 12 wholesale distributions in the previous year and not fewer than three wholesale distributions in the previous 6 months.

(p) Information obtained in response to *s. 499.01(2)(d)* ~~paragraph (2)(a)~~ or *s. 499.01(2)(e)* ~~paragraph (2)(e)~~ demonstrates it would not be in the best interest of the public health, safety, and welfare to issue a permit.

(q) The applicant does not possess the financial standing and business experience for the successful operation of the applicant.

(r) The applicant or any affiliated party has failed to comply with the requirements for manufacturing or distributing prescription drugs under *this part* ~~ss. 499.001-499.081~~, similar federal laws, similar laws in other states, or the rules adopted under such laws.

(11)~~(6)~~ Upon approval of the application by the department and payment of the required fee, the department shall issue or renew a prescription drug *wholesale distributor* ~~wholesaler~~ or an out-of-state prescription drug *wholesale distributor* ~~wholesaler~~ permit to the applicant.

(12)~~(7)~~ For *a permit* ~~permits~~ for *a* prescription drug *wholesale distributor* ~~wholesalers~~ or *an* out-of-state prescription drug *wholesale distributor* ~~wholesalers~~:

(a) The department shall adopt rules for the annual renewal of permits. At least 90 days before the expiration of a permit, the department shall forward a permit renewal notification and renewal application to the prescription drug *wholesale distributor* ~~wholesaler~~ or out-of-state prescription drug *wholesale distributor* ~~wholesaler~~ at the mailing address of the permitted establishment on file with the department. The permit renewal notification must state conspicuously the date on which the permit for the establishment will expire and that the establishment may not operate unless the permit for the establishment is renewed timely.

(b) A permit, unless sooner suspended or revoked, automatically expires 1 year after the last day of the anniversary month in which the permit was originally issued. A permit may be renewed by making application for renewal on forms furnished by the department and paying the appropriate fees. If a renewal application and fee are submitted and postmarked after 45 days prior to the expiration date of the permit, the permit may be renewed only upon payment of a late renewal fee of $100, plus the required renewal fee. A permittee that has submitted a renewal application in accordance with this paragraph may continue to operate under its permit, unless the permit is suspended or revoked, until final disposition of the renewal application.

(c) Failure to renew a permit in accordance with this section precludes any future renewal of that permit. If a permit issued pursuant to this section has expired and cannot be renewed, before an establishment may engage in activities that require a permit under *this part* ~~ss. 499.001-499.081~~, the establishment must submit an application for a new permit; pay the applicable application fee, initial permit fee, and all applicable penalties; and be issued a new permit by the department.

(13)~~(8)~~ A person that engages in wholesale distribution of prescription drugs in this state must have a wholesale distributor's permit issued by the department, except as noted in this section. Each establishment must be separately permitted except as noted in this subsection.

(a) A separate establishment permit is not required when a permitted prescription drug *wholesale distributor* ~~wholesaler~~ consigns a prescription drug to a pharmacy that is permitted under chapter 465 and located in this state, provided that:

1. The consignor *wholesale distributor* ~~wholesaler~~ notifies the department in writing of the contract to consign prescription drugs to a pharmacy along with the identity and location of each consignee pharmacy;

2. The pharmacy maintains its permit under chapter 465;

3. The consignor *wholesale distributor* ~~wholesaler~~, which has no legal authority to dispense prescription drugs, complies with all wholesale distribution requirements of *ss.* ~~s.~~ 499.0121 *and 499.01212* with respect to the consigned drugs and maintains records documenting the transfer of title or other completion of the wholesale distribution of the consigned prescription drugs;

4. The distribution of the prescription drug is otherwise lawful under this chapter and other applicable law;

5. Open packages containing prescription drugs within a pharmacy are the responsibility of the pharmacy, regardless of how the drugs are titled; and

6. The pharmacy dispenses the consigned prescription drug in accordance with the limitations of its permit under chapter 465 or returns the consigned prescription drug to the consignor *wholesale distributor* ~~wholesaler~~. In addition, a person who holds title to prescription drugs may transfer the drugs to a person permitted or licensed to handle the reverse distribution or destruction of drugs. Any other distribution by and means of the consigned prescription drug by any person, not limited to the consignor *wholesale distributor* ~~wholesaler~~ or consignee pharmacy, to any other person is prohibited.

(b) A wholesale distributor's permit is not required for the one-time transfer of title of a pharmacy's lawfully acquired prescription drug inventory by a pharmacy with a valid permit issued under chapter 465 to a consignor prescription drug *wholesale distributor* ~~wholesaler~~, permitted under this chapter, in accordance with a written consignment agreement between the pharmacy and that *wholesale distributor* ~~wholesaler~~ if~~:~~ the permitted pharmacy and the permitted prescription drug *wholesale distributor* ~~wholesaler~~ comply with all of the provisions of paragraph (a) and the prescription drugs continue to be within the permitted pharmacy's inventory for dispensing in accordance with the limitations of the pharmacy permit under chapter 465. A consignor drug *wholesale distributor* ~~wholesaler~~ may not use the pharmacy as a wholesale distributor through which it distributes the *prescription* ~~legend~~ drugs to other pharmacies. Nothing in this section is intended to prevent a wholesale ~~drug~~ distributor from obtaining this inventory in the event of nonpayment by the pharmacy.

(c) A separate establishment permit is not required when a permitted prescription drug wholesale distributor operates temporary transit storage facilities for the sole purpose of storage, for up to 16 hours, of a delivery of prescription drugs when the wholesale distributor was temporarily unable to complete the delivery to the recipient.

(d)~~(c)~~ The department shall require information from each

wholesale distributor as part of the permit and renewal of such permit, as required under ~~s. 499.01 or~~ this section.

(14)~~(9)~~ Personnel employed in wholesale distribution must have appropriate education and experience to enable them to perform their duties in compliance with state permitting requirements.

(15)~~(10)~~ The name of a permittee or establishment on a prescription drug *wholesale distributor* ~~wholesaler~~ permit or an out-of-state prescription drug *wholesale distributor* ~~wholesaler~~ permit may not include any indicia of attainment of any educational degree, any indicia that the permittee or establishment possesses a professional license, or any name or abbreviation that the department determines is likely to cause confusion or mistake or that the department determines is deceptive, including that of any other entity authorized to purchase prescription drugs.

(16)~~(11)~~(a) Each establishment that is issued an initial or renewal permit as a prescription drug *wholesale distributor* ~~wholesaler~~ or an out-of-state prescription drug *wholesale distributor* ~~wholesaler~~ must designate in writing to the department at least one natural person to serve as the designated representative of the *wholesale distributor* ~~wholesaler~~. Such person must have an active certification as a designated representative from the department.

(b) To be certified as a designated representative, a natural person must:

1. Submit an application on a form furnished by the department and pay the appropriate fees;

2. Be at least 18 years of age;

3. Have not less than 2 years of verifiable full-time work experience in a pharmacy licensed in this state or another state, where the person's responsibilities included, but were not limited to, recordkeeping for prescription drugs, or have not less than 2 years of verifiable full-time managerial experience with a prescription drug *wholesale distributor* ~~wholesaler~~ licensed in this state or in another state;

4. Receive a passing score of at least 75 percent on an examination given by the department regarding federal laws governing distribution of prescription drugs and *this part* ~~ss. 499.001-499.081~~ and the rules adopted by the department governing the wholesale distribution of prescription drugs. This requirement shall be effective 1 year after the results of the initial examination are mailed to the persons that took the examination. The department shall offer such examinations at least four times each calendar year; and

5. Provide the department with a personal information statement and fingerprints pursuant to subsection *(9)*~~(4)~~.

(c) The department may deny an application for certification as a designated representative or may suspend or revoke a certification of a designated representative pursuant to s. 499.067.

(d) A designated representative:

1. Must be actively involved in and aware of the actual daily operation of the wholesale distributor.

2. Must be employed full time in a managerial position by the wholesale distributor.

3. Must be physically present at the establishment during normal business hours, except for time periods when absent due to illness, family illness or death, scheduled vacation, or other authorized absence.

4. May serve as a designated representative for only one wholesale distributor at any one time.

(e) A wholesale distributor must notify the department when a designated representative leaves the employ of the wholesale distributor. Such notice must be provided to the department within 10 business days after the last day of designated representative's employment with the wholesale distributor.

(f) A wholesale distributor may not operate under a prescription drug *wholesale distributor* ~~wholesaler~~ permit or an out-of-state prescription drug *wholesale distributor* ~~wholesaler~~ permit for more than 10 business days after the designated representative leaves the employ of the wholesale distributor, unless the wholesale distributor employs another designated representative and notifies the department within 10 business days of the identity of the new designated representative.

Section 12. Section 499.01201, Florida Statutes, is amended to read:

499.01201 Agency for Health Care Administration review and use of statute and rule violation or compliance data.—Notwithstanding any other provisions of law to the contrary, the Agency for Health Care Administration may not:

(1) Review or use any violation or alleged violation of s. 499.0121(6) *or s. 499.01212*, or any rules adopted under *those sections* ~~that section~~, as a ground for denying or withholding any payment of a Medicaid reimbursement to a pharmacy licensed under chapter 465; or

(2) Review or use compliance with s. 499.0121(6) *or s. 499.01212*, or any rules adopted under *those sections* ~~that section~~, as the subject of any audit of Medicaid-related records held by a pharmacy licensed under chapter 465.

Section 13. Section 499.0121, Florida Statutes, is amended, and subsection (4) of section 499.013, Florida Statutes, is redesignated as paragraph (d) of subsection (6) of that section and amended, to read:

499.0121 Storage and handling of prescription drugs; recordkeeping.—The department shall adopt rules to implement this section as necessary to protect the public health, safety, and welfare. Such rules shall include, but not be limited to, requirements for the storage and handling of prescription drugs and for the establishment and maintenance of prescription drug distribution records.

(1) ESTABLISHMENTS.—An establishment at which prescription drugs are stored, warehoused, handled, held, offered, marketed, or displayed must:

(a) Be of suitable size and construction to facilitate cleaning, maintenance, and proper operations;

(b) Have storage areas designed to provide adequate lighting, ventilation, temperature, sanitation, humidity, space, equipment, and security conditions;

(c) Have a quarantine area for storage of prescription drugs that are outdated, damaged, deteriorated, misbranded, or adulterated, or that are in immediate or sealed, secondary containers that have been opened;

(d) Be maintained in a clean and orderly condition; and

(e) Be free from infestation by insects, rodents, birds, or vermin of any kind.

(2) SECURITY.—

(a) An establishment that is used for wholesale drug distribution must be secure from unauthorized entry.

1. Access from outside the premises must be kept to a minimum and be well-controlled.

2. The outside perimeter of the premises must be well-lighted.

3. Entry into areas where prescription drugs are held must be limited to authorized personnel.

(b) An establishment that is used for wholesale drug distribution must be equipped with:

1. An alarm system to detect entry after hours; however, the department may exempt by rule establishments that only hold a permit as prescription drug *wholesale distributor-brokers* ~~wholesaler-brokers~~ and establishments that only handle medical oxygen; and

2. A security system that will provide suitable protection against theft and diversion. When appropriate, the security system must provide protection against theft or diversion that is facilitated or hidden by tampering with computers or electronic records.

(c) Any vehicle that contains prescription drugs must be secure from unauthorized access to the prescription drugs in the vehicle.

(3) STORAGE.—All prescription drugs shall be stored at appropriate temperatures and under appropriate conditions in accordance with requirements, if any, in the labeling of such drugs, or with requirements in the official compendium.

(a) If no storage requirements are established for a prescription drug, the drug may be held at "controlled" room temperature, as defined in the official compendium, to help ensure that its identity, strength, quality, and purity are not adversely affected.

(b) Appropriate manual, electromechanical, or electronic temperature and humidity recording equipment, devices, or logs must be used to document proper storage of prescription drugs.

(c) The recordkeeping requirements in subsection (6) must be followed for all stored prescription drugs.

(4) EXAMINATION OF MATERIALS AND RECORDS.—

(a) Upon receipt, each outside shipping container must be visually examined for identity and to prevent the acceptance of contaminated prescription drugs that are otherwise unfit for distribution. This examination must be adequate to reveal container damage that would suggest possible contamination or other damage to the contents.

(b) Each outgoing shipment must be carefully inspected for identity of the prescription drug products and to ensure that there is no delivery of prescription drugs that have expired or been damaged in storage or held under improper conditions.

(c) The recordkeeping requirements in subsection (6) must be followed for all incoming and outgoing prescription drugs.

(d) Upon receipt, a *wholesale distributor* ~~wholesaler~~ must review records required under this section for the acquisition of prescription drugs for accuracy and completeness, considering the total facts and circumstances surrounding the transactions and the wholesale distributors involved. This includes authenticating each transaction listed on a pedigree paper, as defined in *s. 499.003(35)* ~~s. 499.001(31)~~.

(5) RETURNED, DAMAGED, OR OUTDATED PRESCRIPTION DRUGS.—

(a)1. Prescription drugs that are outdated, damaged, deteriorated, misbranded, or adulterated must be quarantined and physically separated from other prescription drugs until they are destroyed or returned to their supplier. A quarantine section must be separate and apart from other sections where prescription drugs are stored so that prescription drugs in this section are not confused with usable prescription drugs.

2. Prescription drugs must be examined at least every 12 months, and drugs for which the expiration date has passed must be removed and quarantined.

(b) Any prescription drugs of which the immediate or sealed outer containers or sealed secondary containers have been opened or used must be identified as such and must be quarantined and physically separated from other prescription drugs until they are ~~either~~ destroyed or returned to the supplier.

(c) If the conditions under which a prescription drug has been returned cast doubt on the drug's safety, identity, strength, quality, or purity, the drug must be destroyed or returned to the supplier, unless examination, testing, or other investigation proves that the drug meets appropriate standards of safety, identity, strength, quality, and purity. In determining whether the conditions under which a drug has been returned cast doubt on the drug's safety, identity, strength, quality, or purity, the wholesale ~~drug~~ distributor must consider, among other things, the conditions under which the drug has been held, stored, or shipped before or during its return and the conditions of the drug and its container, carton, or labeling, as a result of storage or shipping.

(d) The recordkeeping requirements in subsection (6) must be followed for all outdated, damaged, deteriorated, misbranded, or adulterated prescription drugs.

(6) RECORDKEEPING.—The department shall adopt rules that require keeping such records of prescription drugs as are necessary for the protection of the public health.

(a) Wholesale ~~drug~~ distributors must establish and maintain inventories and records of all transactions regarding the receipt and distribution or other disposition of prescription drugs. These records must provide a complete audit trail from receipt to sale or other disposition, be readily retrievable for inspection, and include, at a minimum, the following information:

1. The source of the drugs, including the name and principal address of the seller or transferor, and the address of the location from which the drugs were shipped;

2. The name, principal address, and state license permit or registration number of the person authorized to purchase prescription drugs;

3. The name, strength, dosage form, and quantity of the drugs received and distributed or disposed of;

4. The dates of receipt and distribution or other disposition of the drugs; and

5. Any financial documentation supporting the transaction.

(b) Inventories and records must be made available for inspection and photocopying by authorized federal, state, or local officials for a period of 2 years following disposition of the drugs or 3 years after the creation of the records, whichever period is longer.

(c) Records described in this section that are kept at the inspection site or that can be immediately retrieved by computer or other electronic means must be readily available for authorized inspection during the retention period. Records that are kept at a central location outside of this state and that are not electronically retrievable must be made available for inspection within 2 working days after a request by an authorized official of a federal, state, or local law enforcement agency. Records that are maintained at a central location within this state must be maintained at an establishment that is permitted pursuant to *this part* ~~ss. 499.001-499.081~~ and must be readily available.

(d)~~(4)~~ Each manufacturer or repackager of medical devices, over-the-counter drugs, or cosmetics must maintain records that include the name and principal address of the seller or transferor of the product, the address of the location from which the product was shipped, the date of the transaction, the name and quantity of the product involved, and the name and principal address of the person who purchased the product.

(e) A wholesale distributor must maintain pedigree papers separate and distinct from other records required under this chapter.

~~(d)1. Effective July 1, 2006, each person who is engaged in the wholesale distribution of a prescription drug and who is not the manufacturer of that drug must, before each wholesale distribution of such drug, provide to the person who receives the drug a pedigree paper as defined in s. 499.003(31).~~

~~2. A repackager must comply with this paragraph.~~

~~3. The pedigree paper requirements in this paragraph do not apply to compressed medical gases or veterinary legend drugs.~~

~~4. Each wholesale distributor of prescription drugs must maintain separate and distinct from other required records all statements that are required under subparagraph 1.~~

~~5. Subparagraph 1. is satisfied when a wholesale distributor takes title to, but not possession of, a prescription drug and the prescription drug's manufacturer ships the prescription drug directly to a person authorized by law to purchase prescription drugs for the purpose of administering or dispensing the drug, as defined in s. 465.003, or a member of an affiliated group, as described in paragraph (f), with the exception of a repackager.~~

~~a. The wholesale distributor must deliver to the recipient of the prescription drug, within 14 days after the shipment notification from the manufacturer, an invoice and the following sworn statement: "This wholesale distributor purchased the specific unit of the prescription drug listed on the invoice directly from the manufacturer, and the specific unit of prescription drug was shipped by the manufacturer directly to a person authorized by law to administer or dispense the legend drug, as defined in s. 465.003, Florida Statutes, or a member of an affiliated group, as described in s. 499.0121(6)(f), Florida Statutes, with the exception of a repackager." The invoice must contain a unique cross-reference to the shipping document sent by the manufacturer to the recipient of the prescription drug.~~

~~b. The manufacturer of the prescription drug shipped directly to the recipient under this section must provide and the recipient of the prescription drug must acquire, within 14 days after receipt of the prescription drug, a shipping document from the manufacturer that contains, at a minimum:~~

~~(I) The name and address of the manufacturer, including the point of origin of the shipment, and the names and addresses of the wholesaler and the purchaser.~~

~~(II) The name of the prescription drug as it appears on the label.~~

~~(III) The quantity, dosage form, and strength of the prescription drug.~~

~~(IV) The date of the shipment from the manufacturer.~~

~~c. The wholesale distributor must also maintain and make available to the department, upon request, the lot number of such drug if not contained in the shipping document acquired by the recipient.~~

~~6. Failure of the manufacturer to provide, the recipient to acquire, or the wholesale distributor to deliver, the documentation required under subparagraph 5. shall constitute failure to acquire or deliver a pedigree paper under s. 499.0051. Forgery by the manufacturer, the recipient, or the wholesale distributor of the documentation required to be acquired or delivered under subparagraph 5. shall constitute forgery of a pedigree paper under s. 499.0051.~~

~~7. The department may, by rule, specify alternatives to compliance with subparagraph 1. for a prescription drug in the inventory of a permitted prescription drug wholesaler as of June 30, 2006, and the return of a prescription drug purchased prior to July 1, 2006. The department may specify time limits for such alternatives.~~

(7)~~(e)~~ *PRESCRIPTION DRUG PURCHASE LIST.*—Each wholesale distributor, except for a manufacturer, shall annually provide the department with a written list of all wholesale distributors and manufacturers from whom the wholesale distributor purchases prescription drugs. A wholesale distributor, except a manufacturer, shall notify the department not later than 10 days after any change to either list. Such portions of the information required pursuant to this *subsection* ~~paragraph~~ which are a trade secret, as defined in s. 812.081, shall be maintained by the department as trade secret information is required to be maintained under s. 499.051.

~~(f)1. This paragraph applies only to an affiliated group, as defined by s. 1504 of the Internal Revenue Code of 1986, as amended, which is composed of chain drug entities, including at least 50 retail pharmacies, warehouses, or repackagers, which are members of the same affiliated group, if the affiliated group:~~

~~a. Discloses to the department the names of all its members; and~~

~~b. Agrees in writing to provide records on prescription drug purchases by members of the affiliated group not later than 48 hours after the department requests such records, regardless of the location where the records are stored.~~

~~2. Each warehouse within the affiliated group must comply with all applicable federal and state drug wholesale permit requirements and must purchase, receive, hold, and distribute prescription drugs only to a retail pharmacy or warehouse within the affiliated group. Such a warehouse is exempt from providing a pedigree paper in accordance with paragraph (d) to its affiliated group member warehouse or retail pharmacy, provided that:~~

~~a. Any affiliated group member that purchases or receives a prescription drug from outside the affiliated group must receive a pedigree paper if the prescription drug is distributed in or into this state and a pedigree paper is required under this section and must authenticate the documentation as required in subsection (4), regardless of whether the affiliated group member is directly subject to regulation under this chapter; and~~

~~b. The affiliated group makes available to the department on request all records related to the purchase or acquisition of prescription drugs by members of the affiliated group, regardless of the location where the records are stored, if the prescription drugs were distributed in or into this state.~~

~~3. If a repackager repackages prescription drugs solely for distribution to its affiliated group members for the exclusive distribution to and among retail pharmacies that are members of the affiliated group to which the repackager is a member:~~

~~a. The repackager must:~~

~~(I) In lieu of the written statement required by paragraph (d), for all repackaged prescription drugs distributed in or into this state, state in writing under oath with each distribution of a repackaged prescription drug to an affiliated group member warehouse or repackager: "All repackaged prescription drugs are purchased by the affiliated group directly from the manufacturer or from a prescription drug wholesaler that purchased the prescription drugs directly from the manufacturer.";~~

~~(II) Purchase all prescription drugs it repackages:~~

~~(A) Directly from the manufacturer; or~~

~~(B) From a prescription drug wholesaler that purchased the prescription drugs directly from the manufacturer; and~~

~~(III) Maintain records in accordance with this section to document that it purchased the prescription drugs directly from the manufacturer or that its prescription drug wholesale supplier purchased the prescription drugs directly from the manufacturer.~~

~~b. All members of the affiliated group must provide to agents of the department on request records of purchases by all members of the affiliated group of prescription drugs that have been repackaged, regardless of the location where the records are stored or where the repackager is located.~~

(8)~~(7)~~ WRITTEN POLICIES AND PROCEDURES.—Wholesale ~~drug~~ distributors must establish, maintain, and adhere to written policies and procedures, which must be followed for the receipt, security, storage, inventory, and distribution of prescription drugs, including policies and procedures for identifying, recording, and reporting losses or thefts, and for correcting all errors and inaccuracies in inventories. Wholesale ~~drug~~ distributors must include in their written policies and procedures:

(a) A procedure whereby the oldest approved stock of a prescription drug product is distributed first. The procedure may permit deviation from this requirement, if the deviation is temporary and appropriate.

(b) A procedure to be followed for handling recalls and withdrawals of prescription drugs. Such procedure must be adequate to deal with recalls and withdrawals due to:

1. Any action initiated at the request of the Food and Drug Administration or any other federal, state, or local law enforcement or other government agency, including the department.

2. Any voluntary action by the manufacturer or repackager to remove defective or potentially defective drugs from the market; or

3. Any action undertaken to promote public health and safety by replacing existing merchandise with an improved product or new package design.

(c) A procedure to ensure that wholesale ~~drug~~ distributors prepare for, protect against, and handle any crisis that affects security or operation of any facility if a strike, fire, flood, or other natural disaster, or a local, state, or national emergency, occurs.

(d) A procedure to ensure that any outdated prescription drugs are segregated from other drugs and ~~either~~ returned to the manufacturer or repackager or destroyed. This procedure must provide for written documentation of the disposition of outdated prescription drugs. This documentation must be maintained for 2 years after disposition of the outdated drugs.

(9)~~(8)~~ RESPONSIBLE PERSONS.—Wholesale ~~drug~~ distributors must establish and maintain lists of officers, directors, managers, designated representatives, and other persons in charge of wholesale drug distribution, storage, and handling, including a description of their duties and a summary of their qualifications.

(10)~~(9)~~ COMPLIANCE WITH FEDERAL, STATE, AND LOCAL LAW.—A wholesale ~~drug~~ distributor must operate in compliance with applicable federal, state, and local laws and regulations.

(a) A wholesale ~~drug~~ distributor must allow the department and authorized federal, state, and local officials to enter and inspect its premises and delivery vehicles, and to audit its records and written operating procedures, at reasonable times and in a reasonable manner, to the extent authorized by law.

(b) A wholesale ~~drug~~ distributor that deals in controlled substances must register with the Drug Enforcement Administration and must comply with all applicable state, local, and federal laws. A wholesale ~~drug~~ distributor that distributes any substance controlled under chapter 893 must notify the department when registering with the Drug Enforcement Administration pursuant to that chapter and must provide the department with its DEA number.

(11)~~(10)~~ SALVAGING AND REPROCESSING.—A wholesale ~~drug~~ distributor is subject to any applicable federal, state, or local laws or

regulations that relate to prescription drug product salvaging or reprocessing.

(12)~~(11)~~ SHIPPING AND TRANSPORTATION.—The person responsible for shipment and transportation of a prescription drug in a wholesale distribution may use a common carrier; its own vehicle or employee acting within the scope of employment if authorized under s. 499.03 for the possession of prescription drugs in this state; or, in the case of a prescription drug intended for domestic distribution, an independent contractor who must be the agent of the authorized seller or recipient responsible for shipping and transportation as set forth in a written contract between the parties. A person selling a prescription drug for export must obtain documentation, such as a validated airway bill, bill of lading, or other appropriate documentation that the prescription drug was exported. A person responsible for shipping or transporting prescription drugs is not required to maintain documentation from a common carrier that the designated recipient received the prescription drugs; however, the person must obtain such documentation from the common carrier and make it available to the department upon request of the department.

(13)~~(12)~~ DUE DILIGENCE OF SUPPLIERS.—Prior to purchasing any prescription drugs from another wholesale ~~drug~~ distributor, a prescription drug *wholesale distributor* ~~wholesaler~~, an out-of-state prescription drug *wholesale distributor* ~~wholesaler~~, or a prescription drug repackager must:

(a) Enter an agreement with the selling wholesale ~~drug~~ distributor by which the selling wholesale ~~drug~~ distributor will indemnify the purchasing wholesale ~~drug~~ distributor for any loss caused to the purchasing wholesale ~~drug~~ distributor related to the purchase of drugs from the selling wholesale ~~drug~~ distributor which are determined to be counterfeit or to have been distributed in violation of any federal or state law governing the distribution of drugs.

(b) Determine that the selling wholesale ~~drug~~ distributor has insurance coverage of not less than the greater of 1 percent of the amount of total dollar volume of the prescription drug sales reported to the department under *s. 499.012(8)(g)* ~~s. 499.012(3)(g)~~ or $500,000; however the coverage need not exceed $2 million.

(c) Obtain information from the selling wholesale ~~drug~~ distributor, including the length of time the selling wholesale ~~drug~~ distributor has been licensed in this state, a copy of the selling wholesale ~~drug~~ distributor's licenses or permits, and background information concerning the ownership of the selling wholesale ~~drug~~ distributor, including the experience of the wholesale distributor in the wholesale distribution of prescription drugs.

(d) Verify that the selling wholesale ~~drug~~ distributor's Florida permit is valid.

(e) Inspect the selling wholesale ~~drug~~ distributor's licensed establishment to document that it has a policies and procedures manual relating to the distribution of drugs, the appropriate temperature controlled environment for drugs requiring temperature control, an alarm system, appropriate access restrictions, and procedures to ensure that records related to the wholesale distribution of prescription drugs are maintained as required by law:

1. Before purchasing any drug from the wholesale ~~drug~~ distributor, and at least once each subsequent year; or

2. Before purchasing any drug from the wholesale ~~drug~~ distributor, and each subsequent year obtain a complete copy of the most recent inspection report for the establishment which was prepared by the department or the regulatory authority responsible for wholesale ~~drug~~ distributors in the state in which the establishment is located.

Section 14. Section 499.01211, Florida Statutes, is amended to read:

499.01211 Drug *Wholesale Distributor* ~~Wholesaler~~ Advisory Council.—

(1) There is created the Drug *Wholesale Distributor* ~~Wholesaler~~ Advisory Council within the department. The council shall meet at least once each calendar quarter. Staff for the council shall be provided by the department. The council shall consist of 11 members who shall serve without compensation. The council shall elect a chairperson and a vice chairperson annually.

(2) The State Surgeon General, or his or her designee, and the Secretary of Health Care Administration, or her or his designee, shall be members of the council. The State Surgeon General shall appoint nine additional members to the council who shall be appointed to a term of 4 years each, as follows:

(a) Three different persons each of whom is employed by a different prescription drug *wholesale distributor* ~~wholesaler~~ licensed under this *part* ~~chapter~~ which operates nationally and is a primary *wholesale distributor* ~~wholesaler~~, as defined in *s. 499.003(46)* ~~s. 499.012(1)(d)~~.

(b) One person employed by a prescription drug *wholesale distributor* ~~wholesaler~~ licensed under this *part* ~~chapter~~ which is a secondary *wholesale distributor* ~~wholesaler~~, as defined in *s. 499.003(51)* ~~s. 499.012(1)(f)~~.

(c) One person employed by a retail pharmacy chain located in this state.

(d) One person who is a member of the Board of Pharmacy and is a pharmacist licensed under chapter 465.

(e) One person who is a physician licensed pursuant to chapter 458 or chapter 459.

(f) One person who is an employee of a hospital licensed pursuant to chapter 395 and is a pharmacist licensed pursuant to chapter 465.

(g) One person who is an employee of a pharmaceutical manufacturer.

(3) The council shall review *this part* ~~ss. 499.001-499.081~~ and the rules adopted to administer *this part* ~~ss. 499.001-499.081~~ annually, provide input to the department regarding all proposed rules to administer *this part* ~~ss. 499.001-499.081~~, make recommendations to the department to improve the protection of the prescription drugs and public health, make recommendations to improve coordination with other states' regulatory agencies and the federal government concerning the wholesale distribution of drugs, and make recommendations to minimize the impact of regulation of the wholesale distribution industry while ensuring protection of the public health.

Section 15. Section 499.01212, Florida Statutes, is created to read:

499.01212 Pedigree paper.—

(1) APPLICATION.—Each person who is engaged in the wholesale distribution of a prescription drug must, prior to or simultaneous with each wholesale distribution, provide a pedigree paper to the person who receives the drug.

(2) FORMAT.—A pedigree paper must contain the following information:

(a) For the wholesale distribution of a prescription drug within the normal distribution chain:

1. The following statement: "This wholesale distributor purchased the specific unit of the prescription drug directly from the manufacturer."

2. The manufacturer's national drug code identifier and the name and address of the wholesale distributor and the purchaser of the prescription drug.

3. The name of the prescription drug as it appears on the label.

4. The quantity, dosage form, and strength of the prescription drug.

The wholesale distributor must also maintain and make available to the department, upon request, the point of origin of the prescription drugs, including intracompany transfers, the date of the shipment from the manufacturer to the wholesale distributor, the lot numbers of such drugs, and the invoice numbers from the manufacturer.

(b) For all other wholesale distributions of prescription drugs:

1. The quantity, dosage form, and strength of the prescription drugs.

2. The lot numbers of the prescription drugs.

3. The name and address of each owner of the prescription drug and his or her signature.

4. Shipping information, including the name and address of each person certifying delivery or receipt of the prescription drug.

5. An invoice number, a shipping document number, or another number uniquely identifying the transaction.

6. A certification that the recipient wholesale distributor has authenticated the pedigree papers.

7. The unique serialization of the prescription drug, if the manufacturer or repackager has uniquely serialized the individual prescription drug unit.

8. The name, address, telephone number, and, if available, e-mail contact information of each wholesale distributor involved in the chain of the prescription drug's custody.

(3) EXCEPTIONS.—A pedigree paper is not required for:

(a) The wholesale distribution of a prescription drug by the manufacturer or by a third party logistics provider performing a wholesale distribution of a prescription drug for a manufacturer.

(b) The wholesale distribution of a prescription drug by a freight forwarder within the authority of a freight forwarder permit.

(c) The wholesale distribution of a prescription drug by a limited prescription drug veterinary wholesale distributor to a veterinarian.

(d) The wholesale distribution of a compressed medical gas.

(e) The wholesale distribution of a veterinary prescription drug.

(f) A drop shipment, provided:

1. The wholesale distributor delivers to the recipient of the prescription drug, within 14 days after the shipment notification from the manufacturer, an invoice and the following sworn statement: "This wholesale distributor purchased the specific unit of the prescription drug listed on the invoice directly from the manufacturer, and the specific unit of prescription drug was shipped by the manufacturer directly to a person authorized by law to administer or dispense the legend drug, as defined in s. 465.003, Florida Statutes, or a member of an affiliated group, with the exception of a repackager." The invoice must contain a unique cross-reference to the shipping document sent by the manufacturer to the recipient of the prescription drug.

2. The manufacturer of the prescription drug shipped directly to the recipient provides and the recipient of the prescription drug acquires, within 14 days after receipt of the prescription drug, a shipping document from the manufacturer that contains, at a minimum:

a. The name and address of the manufacturer, including the point of origin of the shipment, and the names and addresses of the wholesale distributor and the purchaser.

b. The name of the prescription drug as it appears on the label.

c. The quantity, dosage form, and strength of the prescription drug.

d. The date of the shipment from the manufacturer.

3. The wholesale distributor maintains and makes available to the department, upon request, the lot number of such drug if not contained in the shipping document acquired by the recipient.

Failure of the manufacturer to provide, the recipient to acquire, or the wholesale distributor to deliver the documentation required under this paragraph shall constitute failure to acquire or deliver a pedigree paper under ss. 499.005(28) and 499.0051. Forgery by the manufacturer, the recipient, or the wholesale distributor of the documentation required to be acquired or delivered under this paragraph shall constitute forgery of a pedigree paper under s. 499.0051.

4. The wholesale distributor that takes title to, but not possession of, the prescription drug is not a member of the affiliated group that receives the prescription drug directly from the manufacturer.

(g) The wholesale distribution of a prescription drug by a warehouse within an affiliated group to a warehouse or retail pharmacy within its affiliated group, provided:

1. Any affiliated group member that purchases or receives a prescription drug from outside the affiliated group must receive a pedigree paper if the prescription drug is distributed in or into this state and a pedigree paper is required under this section and must authenticate the documentation as required in s. 499.0121(4), regardless of whether the affiliated group member is directly subject to regulation under this part; and

2. The affiliated group makes available, within 48 hours, to the department on request to one or more of its members all records related to the purchase or acquisition of prescription drugs by members of the affiliated group, regardless of the location where the records are stored, if the prescription drugs were distributed in or into this state.

(h) The repackaging of prescription drugs by a repackager solely for distribution to its affiliated group members for the exclusive distribution to and among retail pharmacies that are members of the affiliated group to which the repackager is a member.

1. The repackager must:

a. For all repackaged prescription drugs distributed in or into this state, state in writing under oath with each distribution of a repackaged prescription drug to an affiliated group member warehouse or repackager: "All repackaged prescription drugs are purchased by the affiliated group directly from the manufacturer or from a prescription drug wholesale distributor that purchased the prescription drugs directly from the manufacturer."

b. Purchase all prescription drugs it repackages:

(I) Directly from the manufacturer; or

(II) From a prescription drug wholesale distributor that purchased the prescription drugs directly from the manufacturer.

c. Maintain records in accordance with this section to document that it purchased the prescription drugs directly from the manufacturer or that its prescription drug wholesale supplier purchased the prescription drugs directly from the manufacturer.

2. All members of the affiliated group must provide, within 48 hours, to agents of the department on request to one or more of its members records of purchases by all members of the affiliated group of prescription drugs that have been repackaged, regardless of the location at which the records are stored or at which the repackager is located.

Section 16. *Section 499.0122, Florida Statutes, is repealed.*

Section 17. *Section 499.013, Florida Statutes, is repealed.*

Section 18. Subsections (1), (3), (4), (6), (8), and (9) of section 499.015, Florida Statutes, are amended to read:

499.015 Registration of drugs, devices, and cosmetics; issuance of certificates of free sale.—

(1)(a) Except for those persons exempted from the definition *of manufacturer* in *s. 499.003(32)* ~~s. 499.003(28)~~, any person who manufactures, packages, repackages, labels, or relabels a drug, device, or cosmetic in this state must register such drug, device, or cosmetic biennially with the department; pay a fee in accordance with the fee schedule provided by s. 499.041; and comply with this section. The registrant must list each separate and distinct drug, device, or cosmetic at the time of registration.

(b) The department may not register any product that does not comply with the Federal Food, Drug, and Cosmetic Act, as amended, or Title 21 C.F.R. Registration of a product by the department does not mean that the product does in fact comply with all provisions of the Federal Food, Drug, and Cosmetic Act, as amended.

(3) Except for those persons exempted from the definition *of manufacturer* in *s. 499.003(31)* ~~s. 499.003(28)~~, a person may not sell any product that he or she has failed to register in conformity with this section. Such failure to register subjects such drug, device, or cosmetic product to seizure and condemnation as provided in *s. 499.062* ~~ss.~~

~~499.062-499.064~~, and subjects such person to the penalties and remedies provided in *this part* ~~ss. 499.001-499.081~~.

(4) Unless a registration is renewed, it expires 2 years after the last day of the month in which it was issued. The department may issue a stop-sale notice or order against a person that is subject to the requirements of this section and that fails to comply with this section within 31 days after the date the registration expires. The notice or order shall prohibit such person from selling or causing to be sold any drugs, devices, or cosmetics covered by *this part* ~~ss. 499.001-499.081~~ until he or she complies with the requirements of this section.

(6) The department may issue a certificate of free sale for any product that is required to be registered under *this part* ~~ss. 499.001-499.081~~.

(8) Notwithstanding any requirements set forth in *this part* ~~ss. 499.001-499.081~~, a manufacturer of medical devices that is registered with the federal Food and Drug Administration is exempt from this section and s. 499.041(6) if:

(a) The manufacturer's medical devices are approved for marketing by, or listed with the federal Food and Drug Administration in accordance with federal law for commercial distribution; or

(b) The manufacturer subcontracts with a manufacturer of medical devices to manufacture components of such devices.

(9) However, the manufacturer must submit evidence of such registration, listing, or approval with its initial application for a permit to do business in this state, as required in *s. 499.01* ~~s. 499.013~~ and any changes to such information previously submitted at the time of renewal of the permit. Evidence of approval, listing, and registration by the federal Food and Drug Administration must include:

(a) For Class II devices, a copy of the pre-market notification letter (510K);

(b) For Class III devices, a Federal Drug Administration pre-market approval number;

(c) For a manufacturer who subcontracts with a manufacturer of medical devices to manufacture components of such devices, a Federal Drug Administration registration number; or

(d) For a manufacturer of medical devices whose devices are exempt from pre-market approval by the Federal Drug Administration, a Federal Drug Administration registration number.

Section 19. Subsections (3), (5), and (6) of section 499.024, Florida Statutes, are amended to read:

499.024 Drug product classification.—The State Surgeon General shall adopt rules to classify drug products intended for use by humans which the United States Food and Drug Administration has not classified in the federal act or the Code of Federal Regulations.

(3) Any product that falls under the *definition of* drug *in s. 499.003(19)* ~~definition, s. 499.003(17),~~ may be classified under the authority of this section. This section does not subject portable emergency oxygen inhalators to classification; however, this section does not exempt any person from ss. 499.01 and 499.015.

(5) The department may by rule reclassify drugs subject to *this part* ~~ss. 499.001-499.081~~ when such classification action is necessary to protect the public health.

(6) The department may adopt rules that exempt from any labeling or packaging requirements of *this part* ~~ss. 499.001-499.081~~ drugs classified under this section if those requirements are not necessary to protect the public health.

Section 20. Subsections (7), (12), and (15) of section 499.028, Florida Statutes, are amended to read:

499.028 Drug samples or complimentary drugs; starter packs; permits to distribute.—

(7) A drug manufacturer or distributor must report to the department any conviction of itself or of its assigns, agents, employees, or representatives for a violation of s. 503(c)(1) of the federal act or of *this part* ~~ss. 499.001-499.081~~ because of the sale, purchase, or trade of a drug sample or the offer to sell, purchase, or trade a drug sample.

(12) The department may suspend or revoke a permit issued under this section, after giving notice and an opportunity to be heard pursuant to chapter 120, when:

(a) Such permit was obtained by misrepresentation or fraud or through a mistake of the department.

(b) The holder of the permit has distributed or disposed of any *prescription* ~~legend~~ drug, directly or through its agents, employees, or independent contractors, to any person not authorized to possess such drug.

(c) The holder of the permit, or its agents, employees, or independent contractors, has distributed or possessed any *prescription* ~~legend~~ drug except in the usual course of its business.

(d) The holder of the permit, or its agents, employees, or independent contractors, has distributed any *prescription* ~~legend~~ drug that is misbranded or adulterated under *this part* ~~ss. 499.001-499.081~~.

(e) The holder of the permit, or its agents, employees, or independent contractors, has distributed any *prescription* ~~legend~~ drug without written request, when a written request is required by this section.

(f) The holder of the permit has in its employ, or uses as agent or independent contractor for the purpose of distributing or disposing of drugs, any person who has:

1. Violated the requirements of this section or any rule adopted under this section.

2. Been convicted in any of the courts of this state, the United States, or any other state of a felony or any other crime involving moral turpitude or involving those drugs named or described in chapter 893.

(15) A person may not possess a prescription drug sample unless:

(a) The drug sample was prescribed to her or him as evidenced by the label required in s. 465.0276(5).

(b) She or he is the employee of a complimentary drug distributor that holds a permit issued under *this part* ~~ss. 499.001-499.081~~.

(c) She or he is a person to whom prescription drug samples may be distributed pursuant to this section.

(d) He or she is an officer or employee of a federal, state, or local government acting within the scope of his or her employment.

Section 21. Subsections (2) and (3) of section 499.029, Florida Statutes, are amended to read:

499.029 Cancer Drug Donation Program.—

(2) There is created a Cancer Drug Donation Program within the department ~~of Health~~ for the purpose of authorizing and facilitating the donation of cancer drugs and supplies to eligible patients.

(3) As used in this section:

(a) "Cancer drug" means a prescription drug that has been approved under s. 505 of the federal Food, Drug, and Cosmetic Act and is used to treat cancer or its side effects or is used to treat the side effects of a prescription drug used to treat cancer or its side effects. "Cancer drug" does not include a substance listed in Schedule II, Schedule III, Schedule IV, or Schedule V of s. 893.03.

(b) "Closed drug delivery system" means a system in which the actual control of the unit-dose medication package is maintained by the facility rather than by the individual patient.

~~(c) "Department" means the Department of Health.~~

(c)~~(d)~~ "Donor" means a patient or patient representative who donates cancer drugs or supplies needed to administer cancer drugs that have been maintained within a closed drug delivery system; health care facilities, nursing homes, hospices, or hospitals with closed drug delivery

systems; or pharmacies, drug manufacturers, medical device manufacturers or suppliers, or wholesalers of drugs or supplies, in accordance with this section. "Donor" includes a physician licensed under chapter 458 or chapter 459 who receives cancer drugs or supplies directly from a drug manufacturer, *wholesale distributor* ~~drug wholesaler~~, or pharmacy.

(d)~~(c)~~ "Eligible patient" means a person who the department determines is eligible to receive cancer drugs from the program.

(e)~~(k)~~ "Participant facility" means a class II hospital pharmacy that has elected to participate in the program and that accepts donated cancer drugs and supplies under the rules adopted by the department for the program.

(f)~~(n)~~ "Prescribing practitioner" means a physician licensed under chapter 458 *or chapter 459* or any other medical professional with authority under state law to prescribe cancer medication.

~~(o) "Prescription drug" means a drug as defined in s. 465.003(8).~~

(g)~~(p)~~ "Program" means the Cancer Drug Donation Program created by this section.

(h)~~(q)~~ "Supplies" means any supplies used in the administration of a cancer drug.

Section 22. Subsection (1) of section 499.03, Florida Statutes, is amended to read:

499.03 Possession of certain drugs without prescriptions unlawful; exemptions and exceptions.—

(1) A person may not possess, or possess with intent to sell, dispense, or deliver, any habit-forming, toxic, harmful, or new drug subject to *s. 499.003(32)* ~~s. 499.003(29)~~, or *prescription* ~~legend~~ drug as defined in *s. 499.003(42)* ~~s. 499.003(25)~~, unless the possession of the drug has been obtained by a valid prescription of a practitioner licensed by law to prescribe the drug. However, this section does not apply to the delivery of such drugs to persons included in any of the classes named in this subsection, or to the agents or employees of such persons, for use in the usual course of their businesses or practices or in the performance of their official duties, as the case may be; nor does this section apply to the possession of such drugs by those persons or their agents or employees for such use:

(a) A licensed pharmacist or any person under the licensed pharmacist's supervision while acting within the scope of the licensed pharmacist's practice;

(b) A licensed practitioner authorized by law to prescribe *prescription* ~~legend~~ drugs or any person under the licensed practitioner's supervision while acting within the scope of the licensed practitioner's practice;

(c) A qualified person who uses *prescription* ~~legend~~ drugs for lawful research, teaching, or testing, and not for resale;

(d) A licensed hospital or other institution that procures such drugs for lawful administration or dispensing by practitioners;

(e) An officer or employee of a federal, state, or local government; or

(f) A person that holds a valid permit issued by the department pursuant to *this part* ~~ss. 499.001-499.081~~ which authorizes that person to possess prescription drugs.

Section 23. Section 499.032, Florida Statutes, is amended to read:

499.032 Phenylalanine; prescription required.—Phenylalanine restricted formula is declared to be a prescription ~~legend~~ drug and may be dispensed only upon the prescription of a practitioner authorized by law to prescribe *prescription* ~~medicinal~~ drugs.

Section 24. Subsection (1) of section 499.033, Florida Statutes, is amended to read:

499.033 Ephedrine; prescription required.—Ephedrine is declared to be a prescription drug.

(1) Except as provided in subsection (2), any product that contains any quantity of ephedrine, a salt of ephedrine, an optical isomer of ephedrine, or a salt of an optical isomer of ephedrine may be dispensed only upon the prescription of a duly licensed practitioner authorized by the laws of the state to prescribe *prescription* ~~medicinal~~ drugs.

Section 25. Subsections (1) and (3) of section 499.039, Florida Statutes, are amended to read:

499.039 Sale, distribution, or transfer of harmful chemical substances; penalties; authority for enforcement.—It is unlawful for a person to sell, deliver, or give to a person under the age of 18 years any compound, liquid, or chemical containing toluol, hexane, trichloroethylene, acetone, toluene, ethyl acetate, methyl ethyl ketone, trichloroethane, isopropanol, methyl isobutyl ketone, ethylene glycol monomethyl ether acetate, cyclohexanone, nitrous oxide, diethyl ether, alkyl nitrites (butyl nitrite), or any similar substance for the purpose of inducing by breathing, inhaling, or ingesting a condition of intoxication or which is intended to distort or disturb the auditory, visual, or other physical or mental processes.

(1) On the first violation of this section, the department may issue a warning according to *s. 499.002(5)* ~~s. 499.071~~, if the violation has not caused temporary or permanent physical or mental injury to the user.

(3) The department ~~of Health~~ shall adopt rules to implement this section.

Section 26. Section 499.04, Florida Statutes, is amended to read:

499.04 Fee authority.—The department may collect fees for all drug, device, and cosmetic applications, permits, product registrations, and free-sale certificates. The total amount of fees collected from all permits, applications, product registrations, and free-sale certificates must be adequate to fund the expenses incurred by the department in carrying out *this part* ~~ss. 499.001-499.081~~. The department shall, by rule, establish a schedule of fees that are within the ranges provided in this section and shall adjust those fees from time to time based on the costs associated with administering *this part* ~~ss. 499.001-499.081~~. The fees are payable to the department to be deposited into the Florida Drug, Device, and Cosmetic Trust Fund for the sole purpose of carrying out the provisions of *this part* ~~ss. 499.001-499.081~~.

Section 27. Subsections (1) through (5), (8), and (10) of section 499.041, Florida Statutes, are amended to read:

499.041 Schedule of fees for drug, device, and cosmetic applications and permits, product registrations, and free-sale certificates.—

(1) The department shall assess applicants requiring a manufacturing permit an annual fee within the ranges established in this section for the specific type of manufacturer.

(a) The fee for a prescription drug *manufacturer* ~~manufacturer's~~ permit may not be less than $500 or more than $750 annually.

(b) The fee for a device *manufacturer* ~~manufacturer's~~ permit may not be less than $500 or more than $600 annually.

(c) The fee for a cosmetic *manufacturer* ~~manufacturer's~~ permit may not be less than $250 or more than $400 annually.

(d) The fee for an over-the-counter drug *manufacturer* ~~manufacturer's~~ permit may not be less than $300 or more than $400 annually.

(e) The fee for a compressed medical gas *manufacturer* ~~manufacturer's~~ permit may not be less than $400 or more than $500 annually.

(f) The fee for a prescription drug *repackager* ~~repackager's~~ permit may not be less than $500 or more than $750 annually.

(g) A manufacturer may not be required to pay more than one fee per establishment to obtain an additional manufacturing permit, but each manufacturer must pay the highest fee applicable to his or her operation in each establishment.

(2) The department shall assess an applicant that is required to have a wholesaling permit an annual fee within the ranges established in this section for the specific type of wholesaling.

(a) The fee for a prescription drug *wholesale distributor* ~~wholesaler's~~ permit may not be less than $300 or more than $800 annually.

(b) The fee for a compressed medical gas *wholesale distributor* ~~wholesaler's~~ permit may not be less than $200 or more than $300 annually.

(c) The fee for an out-of-state prescription drug *wholesale distributor* ~~wholesaler's~~ permit may not be less than $300 or more than $800 annually.

(d) The fee for a nonresident prescription drug *manufacturer* ~~manufacturer's~~ permit may not be less than $300 or more than $500 annually.

(e) The fee for a retail pharmacy *drug wholesale distributor* ~~wholesaler's~~ permit may not be less than $35 or more than $50 annually.

(f) The fee for a freight *forwarder* ~~forwarder's~~ permit may not be less than $200 or more than $300 annually.

(g) The fee for a veterinary prescription drug *wholesale distributor* ~~wholesaler's~~ permit may not be less than $300 or more than $500 annually.

(h) The fee for a limited prescription drug veterinary *wholesale distributor* ~~wholesaler's~~ permit may not be less than $300 or more than $500 annually.

(i) The fee for a third part logistics provider permit may not be less than $200 or more than $300 annually.

(3) The department shall assess an applicant that is required to have a retail establishment permit an annual fee within the ranges established in this section for the specific type of retail establishment.

(a) The fee for a veterinary *prescription* ~~legend~~ drug retail establishment permit may not be less than $200 or more than $300 annually.

(b) The fee for a medical oxygen retail establishment permit may not be less than $200 or more than $300 annually.

(c) The fee for a health care clinic establishment permit may not be less than $125 or more than $250 annually.

(4) The department shall assess an applicant that is required to have a restricted prescription drug *distributor* ~~distributor's~~ permit an annual fee of not less than $200 or more than $300.

(5) In addition to the fee charged for a permit required by *this part* ~~ss. 499.001-499.081~~, the department shall assess applicants an initial application fee of $150 for each new permit issued by the department which requires an onsite inspection.

(8) The department shall assess an out-of-state prescription drug *wholesale distributor* ~~wholesaler~~ applicant or permittee an onsite inspection fee of not less than $1,000 or more than $3,000 annually, to be based on the actual cost of the inspection if an onsite inspection is performed by agents of the department.

(10) The department shall assess other fees as provided in *this part* ~~ss. 499.001-499.081~~.

Section 28. Section 499.05, Florida Statutes, is amended; subsection (3) of section 499.013, Florida Statutes, is redesignated as paragraph (k) of subsection (1) of that section and amended; paragraph (b) of subsection (2) of section 499.0122, Florida Statutes, is redesignated as paragraph (l) of subsection (1) of that section and amended; and subsection (12) of section 499.012, Florida Statutes, is redesignated as paragraph (m) of subsection (1) of that section and amended, to read:

499.05 Rules.—

(1) The department shall adopt rules to implement and enforce *this part* ~~ss. 499.001-499.081~~ with respect to:

(a) The definition of terms used in *this part* ~~ss. 499.001-499.081~~, and used in the rules adopted under *this part* ~~ss. 499.001-499.081~~, when the use of the term is not its usual and ordinary meaning.

(b) Labeling requirements for drugs, devices, and cosmetics.

(c) The establishment of fees authorized in *this part* ~~ss. 499.001-499.081~~.

(d) The identification of permits that require an initial application and onsite inspection or other prerequisites for permitting which demonstrate that the establishment and person are in compliance with the requirements of *this part* ~~ss. 499.001-499.081~~.

(e) The application processes and forms for product registration.

(f) Procedures for requesting and issuing certificates of free sale.

(g) Inspections and investigations conducted under s. 499.051, and the identification of information claimed to be a trade secret and exempt from the public records law as provided in s. 499.051(7).

(h) The establishment of a range of penalties, as provided in *s. 499.066* ~~s. 499.006~~; requirements for notifying persons of the potential impact of a violation of *this part* ~~ss. 499.001-499.081~~; and a process for the uncontested settlement of alleged violations.

(i) Additional conditions that qualify as an emergency medical reason under *s. 499.003(53)(b)2.* ~~s. 499.012(1)(a)2.b.~~

(j) Procedures and forms relating to the pedigree paper requirement of s. 499.01212.

(k)~~(3)~~ ~~The department may adopt such rules as are necessary for~~ The protection of the public health, safety, and welfare regarding good manufacturing practices that manufacturers and repackagers must follow to ensure the safety of the products.

(l)~~(b)~~ ~~The department shall adopt rules relating to~~ Information required from each retail establishment pursuant to *s. 499.012(3)* ~~s. 499.01(4)~~, including requirements for prescriptions or orders.

(m)~~(12) The department may adopt rules governing~~ The recordkeeping, storage, and handling with respect to each of the distributions of prescription drugs specified in *s. 499.003(53)(a)-(d)* ~~subparagraphs (1)(a)1.-4.~~

(n) Alternatives to compliance with s. 499.01212 for a prescription drug in the inventory of a permitted prescription drug wholesale distributor as of June 30, 2006, and the return of a prescription drug purchased prior to July 1, 2006. The department may specify time limits for such alternatives.

(2) With respect to products in interstate commerce, those rules must not be inconsistent with rules and regulations of federal agencies unless specifically otherwise directed by the Legislature.

(3) The department shall adopt rules regulating recordkeeping for and the storage, handling, and distribution of medical devices and over-the-counter drugs to protect the public from adulterated products.

Section 29. Section 499.051, Florida Statutes, is amended to read:

499.051 Inspections and investigations.—

(1) The agents of the department ~~of Health~~ and of the Department of Law Enforcement, after they present proper identification, may inspect, monitor, and investigate any establishment permitted pursuant to *this part* ~~ss. 499.001-499.081~~ during business hours for the purpose of enforcing *this part* ~~ss. 499.001-499.081~~, chapters 465, 501, and 893, and the rules of the department that protect the public health, safety, and welfare.

(2) In addition to the authority set forth in subsection (1), the department and any duly designated officer or employee of the department may enter and inspect any other establishment for the purpose of determining compliance with *this part* ~~ss. 499.001-499.081~~ and rules adopted under *this part* ~~those sections~~ regarding any drug, device, or cosmetic product.

(3) Any application for a permit or product registration or for renewal of such permit or registration made pursuant to *this part* ~~ss. 499.001-499.081~~ and rules adopted under *this part* ~~those sections~~ constitutes permission for any entry or inspection of the premises in order to verify compliance with *this part* ~~those sections~~ and rules; to discover,

investigate, and determine the existence of compliance; or to elicit, receive, respond to, and resolve complaints and violations.

(4) Any application for a permit made pursuant to *s. 499.012* ~~ss. 499.01 and 499.012~~ and rules adopted under *that section* ~~those sections~~ constitutes permission for agents of the department ~~of Health~~ and the Department of Law Enforcement, after presenting proper identification, to inspect, review, and copy any financial document or record related to the manufacture, repackaging, or distribution of a drug as is necessary to verify compliance with *this part* ~~ss. 499.001-499.081~~ and the rules adopted by the department to administer *this part* ~~those sections~~, in order to discover, investigate, and determine the existence of compliance, or to elicit, receive, respond to, and resolve complaints and violations.

(5) The authority to inspect under this section includes the authority to access, review, and copy any and all financial documents related to the activity of manufacturing, repackaging, or distributing prescription drugs.

(6) The authority to inspect under this section includes the authority to secure:

(a) Samples or specimens of any drug, device, or cosmetic; or

(b) Such other evidence as is needed for any action to enforce *this part* ~~ss. 499.001-499.081~~ and the rules adopted under *this part* ~~those sections~~.

(7) The complaint and all information obtained pursuant to the investigation by the department are confidential and exempt from ~~the provisions of~~ s. 119.07(1) and s. 24(a), Art. I of the State Constitution until the investigation and the enforcement action are completed. However, trade secret information contained therein as defined by s. 812.081(1)(c) shall remain confidential and exempt from the provisions of s. 119.07(1) and s. 24(a), Art. I of the State Constitution, as long as the information is retained by the department. This subsection does not prohibit the department from using such information for regulatory or enforcement proceedings under this chapter or from providing such information to any law enforcement agency or any other regulatory agency. However, the receiving agency shall keep such records confidential and exempt as provided in this subsection. In addition, this subsection is not intended to prevent compliance with the provisions of *s. 499.01212* ~~s. 499.0121(6)(d)~~, and the pedigree papers required in that *section* ~~subsection~~ shall not be deemed a trade secret.

Section 30. Section 499.052, Florida Statutes, is amended to read:

499.052 Records of interstate shipment.—For the purpose of enforcing *this part* ~~ss. 499.001-499.081~~, carriers engaged in interstate commerce and persons receiving drugs, devices, or cosmetics in interstate commerce must, upon the request, in the manner set out below, by an officer or employee duly designated by the department, permit the officer or employee to have access to and to copy all records showing the movement in interstate commerce of any drug, device, or cosmetic, and the quantity, shipper, and consignee thereof.

Section 31. Subsection (4) of section 499.055, Florida Statutes, is amended to read:

499.055 Reports and dissemination of information by department.—

(4) The department shall publish on the department's website and update at least monthly:

(a) A list of the prescription drug *wholesale distributors* ~~wholesalers~~, out-of-state prescription drug *wholesale distributors* ~~wholesalers~~, and retail pharmacy drug *wholesale distributors* ~~wholesalers~~ against whom the department has initiated enforcement action pursuant to *this part* ~~ss. 499.001-499.081~~ to suspend or revoke a permit, seek an injunction, or otherwise file an administrative complaint and the permit number of each such *wholesale distributor* ~~wholesaler~~.

(b) A list of the prescription drug *wholesale distributors* ~~wholesalers~~, out-of-state prescription drug *wholesale distributors* ~~wholesalers~~, and retail pharmacy drug *wholesale distributors* ~~wholesalers~~ to which the department has issued a permit, including the date on which each permit will expire.

(c) A list of the prescription drug *wholesale distributor* ~~wholesalers~~, out-of-state prescription drug *wholesale distributor* ~~wholesalers~~, and retail pharmacy drug *wholesale distributor* ~~wholesalers'~~ permits that have been returned to the department, were suspended, were revoked, have expired, or were not renewed in the previous year.

Section 32. Subsections (1) and (3) of section 499.06, Florida Statutes, are amended to read:

499.06 Embargoing, detaining, or destroying article or processing equipment which is in violation of law or rule.—

(1) When a duly authorized agent of the department finds, or has probable cause to believe, that any drug, device, or cosmetic is in violation of any provision of *this part* ~~ss. 499.001-499.081~~ or any rule adopted under *this part* ~~such sections~~ so as to be dangerous, unwholesome, or fraudulent within the meaning of *this part* ~~ss. 499.001-499.081~~, she or he may issue and enforce a stop-sale, stop-use, removal, or hold order, which order gives notice that such article or processing equipment is, or is suspected of being, in violation and has been detained or embargoed, and which order warns all persons not to remove, use, or dispose of such article or processing equipment by sale or otherwise until permission for removal, use, or disposal is given by such agent or the court. It is unlawful for any person to remove, use, or dispose of such detained or embargoed article or processing equipment by sale or otherwise without such permission; and such act is a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(3) If the court finds that the detained or embargoed article or processing equipment is in violation, such article or processing equipment shall, after entry of the court order, be destroyed or made sanitary at the expense of the claimant thereof, under the supervision of such agent; and all court costs, fees, and storage and other proper expenses shall be taxed against the claimant of such article or processing equipment or her or his agent. However, when the violation can be corrected by proper labeling of the article or sanitizing of the processing equipment, and after such costs, fees, and expenses have been paid and a good and sufficient bond, conditioned that such article be so labeled or processed or such processing equipment be so sanitized, has been executed, the court may by order direct that such article or processing equipment be delivered to the claimant thereof for such labeling, processing, or sanitizing, under the supervision of an agent of the department. The expense of such supervision shall be paid by the claimant. Such bond shall be returned to the claimant of the article or processing equipment upon representation to the court by the department that the article or processing equipment is no longer in violation of *this part* ~~ss. 499.001-499.081~~ and that the expenses of such supervision have been paid.

Section 33. Section 499.062, Florida Statutes, is amended; section 499.063, Florida Statutes, is redesignated as section (2) of that section and amended; and section 499.064, Florida Statutes, is redesignated as paragraphs (a) and (b) of subsection (2) of that section and amended, to read:

499.062 ~~Cause for~~ Seizure and condemnation of drugs, devices, or cosmetics.—

(1) Any article of any drug, device, or cosmetic that is adulterated or misbranded under *this part* ~~ss. 499.001-499.081~~ is subject to seizure and condemnation by the department or by its duly authorized agents designated for that purpose in regard to drugs, devices, or cosmetics.

(2)~~499.063 Seizure; procedure; prohibition on sale or disposal of article; penalty.—~~Whenever a duly authorized officer or employee of the department finds cause, or has probable cause to believe that cause exists, for the seizure of any drug, device, or cosmetic, as set out in *this part* ~~ss. 499.001-499.081~~, he or she shall affix to the article a tag, stamp, or other appropriate marking, giving notice that the article is, or is suspected of being, subject to seizure under *this part* ~~ss. 499.001-499.081~~ and that the article has been detained and seized by the department. Such officer or employee shall also warn all persons not to remove or dispose of the article, by sale or otherwise, until permission is given by the department or the court. Any person who violates this *subsection* ~~section~~ is guilty of a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(a)~~499.064 Condemnation and sale; release of seized article.—(1)~~ When any article detained or seized under *this subsection* ~~s. 499.063~~

has been found by the department to be subject to seizure and condemnation ~~under s. 499.063~~, the department shall petition the court for an order of condemnation or sale, as the court directs. The proceeds of the sale of drugs, devices, and cosmetics, less the legal costs and charges, shall be deposited into the Florida Drug, Device, and Cosmetic Trust Fund.

(b)~~(2)~~ If the department finds that any article seized under *this subsection* ~~s. 499.063~~ was not subject to seizure ~~under that section~~, the department or the designated officer or employee shall remove the tag or marking.

Section 34. Section 499.065, Florida Statutes, is amended to read:

499.065 *Inspections;* imminent danger.—

(1) Notwithstanding s. 499.051, the department shall inspect each prescription drug wholesale *distributor* establishment, prescription drug repackager establishment, veterinary prescription drug wholesale *distributor* establishment, limited prescription drug veterinary *wholesale distributor* ~~wholesaler~~ establishment, and retail pharmacy drug *wholesale distributor* ~~wholesaler~~ establishment that is required to be permitted under this *part* ~~chapter~~ as often as necessary to ensure compliance with applicable laws and rules. The department shall have the right of entry and access to these facilities at any reasonable time.

(2) To protect the public from prescription drugs that are adulterated or otherwise unfit for human or animal consumption, the department may examine, sample, seize, and stop the sale or use of prescription drugs to determine the condition of those drugs. The department may immediately seize and remove any prescription drugs if the State Surgeon General or his or her designee determines that the prescription drugs represent a threat to the public health. The owner of any property seized under this section may, within 10 days after the seizure, apply to a court of competent jurisdiction for whatever relief is appropriate. At any time after 10 days, the department may destroy the drugs as contraband.

(3) The department may determine that a prescription drug wholesale *distributor* establishment, prescription drug repackager establishment, veterinary prescription drug wholesale *distributor* establishment, limited prescription drug veterinary *wholesale distributor* ~~wholesaler~~ establishment, or retail pharmacy drug *wholesale distributor* ~~wholesaler~~ establishment that is required to be permitted under this *part* ~~chapter~~ is an imminent danger to the public health and shall require its immediate closure if the establishment fails to comply with applicable laws and rules and, because of the failure, presents an imminent threat to the public's health, safety, or welfare. Any establishment so deemed and closed shall remain closed until allowed by the department or by judicial order to reopen.

(4) For purposes of this section, a refusal to allow entry to the department for inspection at reasonable times, or a failure or refusal to provide the department with required documentation for purposes of inspection, constitutes an imminent danger to the public health.

Section 35. Subsections (1) through (4) of section 499.066, Florida Statutes, are amended to read:

499.066 Penalties; remedies.—In addition to other penalties and other enforcement provisions:

(1) The department may institute such suits or other legal proceedings as are required to enforce any provision of *this part* ~~ss. 499.001-499.081~~. If it appears that a person has violated any provision of *this part* ~~ss. 499.001-499.081~~ for which criminal prosecution is provided, the department may provide the appropriate state attorney or other prosecuting agency having jurisdiction with respect to such prosecution with the relevant information in the department's possession.

(2) If any person engaged in any activity covered by *this part* ~~ss. 499.001-499.081~~ violates any provision of *this part* ~~those sections~~, any rule adopted under *this part* ~~those sections~~, or a cease and desist order as provided by *this part* ~~those sections~~, the department may obtain an injunction in the circuit court of the county in which the violation occurred or in which the person resides or has its principal place of business, and may apply in that court for such temporary and permanent orders as the department considers necessary to restrain the person from engaging in any such activities until the person complies with *this part* ~~ss. 499.001-499.081~~, the rules adopted under *this part* ~~those sections~~, and the orders of the department authorized by *this part* ~~those sections~~ or to mandate compliance with *this part* ~~ss. 499.001-499.081~~, the rules adopted under *this part* ~~those sections~~, and any order or permit issued by the department under *this part* ~~those sections~~.

(3) The department may impose an administrative fine, not to exceed $5,000 per violation per day, for the violation of any provision of *this part* ~~ss. 499.001-499.081~~ or rules adopted under *this part* ~~those sections~~. Each day a violation continues constitutes a separate violation, and each separate violation is subject to a separate fine. All amounts collected pursuant to this section shall be deposited into the Florida Drug, Device, and Cosmetic Trust Fund and are appropriated for the use of the department in administering *this part* ~~ss. 499.001-499.081~~. In determining the amount of the fine to be levied for a violation, the department shall consider:

(a) The severity of the violation;

(b) Any actions taken by the person to correct the violation or to remedy complaints; and

(c) Any previous violations.

(4) The department shall deposit any rewards, fines, or collections that are due the department and which derive from joint enforcement activities with other state and federal agencies which relate to *this part* ~~ss. 499.001-499.081~~, chapter 893, or the federal act, into the Florida Drug, Device, and Cosmetic Trust Fund. The proceeds of those rewards, fines, and collections are appropriated for the use of the department in administering *this part* ~~ss. 499.001-499.081~~.

Section 36. Section 499.0661, Florida Statutes, is amended to read:

499.0661 Cease and desist orders; removal of certain persons.—

(1)~~(2)~~ CEASE AND DESIST ORDERS.—

(a) In addition to any authority otherwise provided in this chapter, the department may issue and serve a complaint stating charges upon any permittee or upon any affiliated party, whenever the department has reasonable cause to believe that the person or individual named therein is engaging in or has engaged in conduct that is:

1. An act that demonstrates a lack of fitness or trustworthiness to engage in the business authorized under the permit issued pursuant to *this part* ~~ss. 499.001-499.081~~, is hazardous to the public health, or constitutes business operations that are a detriment to the public health;

2. A violation of any provision of *this part* ~~ss. 499.001-499.081~~;

3. A violation of any rule of the department;

4. A violation of any order of the department; or

5. A breach of any written agreement with the department.

(b) The complaint must contain a statement of facts and notice of opportunity for a hearing pursuant to ss. 120.569 and 120.57.

(c) If a hearing is not requested within the time allowed by ss. 120.569 and 120.57, or if a hearing is held and the department finds that any of the charges are proven, the department may enter an order directing the permittee or the affiliated party named in the complaint to cease and desist from engaging in the conduct complained of and take corrective action to remedy the effects of past improper conduct and assure future compliance.

(d) A contested or default cease and desist order is effective when reduced to writing and served upon the permittee or affiliated party named therein. An uncontested cease and desist order is effective as agreed.

(e) Whenever the department finds that conduct described in paragraph (a) is likely to cause an immediate threat to the public health, it may issue an emergency cease and desist order requiring the permittee or any affiliated party to immediately cease and desist from engaging in the conduct complained of and to take corrective and remedial action. The emergency order is effective immediately upon service of a copy of the order upon the permittee or affiliated party named therein and

remains effective for 90 days. If the department begins nonemergency cease and desist proceedings under this subsection, the emergency order remains effective until the conclusion of the proceedings under ss. 120.569 and 120.57.

(2)~~(3)~~ REMOVAL OF AFFILIATED PARTIES BY THE DEPARTMENT.—

(a) The department may issue and serve a complaint stating charges upon any affiliated party and upon the permittee involved whenever the department has reason to believe that an affiliated party is engaging in or has engaged in conduct that constitutes:

1. An act that demonstrates a lack of fitness or trustworthiness to engage in the business authorized under the permit issued pursuant to *this part* ~~ss. 499.001-499.081~~, is hazardous to the public health, or constitutes business operations that are a detriment to the public health;

2. A willful violation of *this part* ~~ss. 499.001-499.081~~; however, if the violation constitutes a misdemeanor, a complaint may not be served as provided in this section until the affiliated party is notified in writing of the matter of the violation and has been afforded a reasonable period of time, as set forth in the notice, to correct the violation and has failed to do so;

3. A violation of any other law involving fraud or moral turpitude which constitutes a felony;

4. A willful violation of any rule of the department;

5. A willful violation of any order of the department; or

6. A material misrepresentation of fact, made knowingly and willfully or made with reckless disregard for the truth of the matter.

(b) The complaint must contain a statement of facts and notice of opportunity for a hearing pursuant to ss. 120.569 and 120.57.

(c) If a hearing is not requested within the time allotted by ss. 120.569 and 120.57, or if a hearing is held and the department finds that any of the charges in the complaint are proven true, the department may enter an order removing the affiliated party or restricting or prohibiting participation by the person in the affairs of that permittee or of any other permittee.

(d) A contested or default order of removal, restriction, or prohibition is effective when reduced to writing and served on the permittee and the affiliated party. An uncontested order of removal, restriction, or prohibition is effective as agreed.

(e)1. The chief executive officer, designated representative, or the person holding the equivalent office, of a permittee shall promptly notify the department if she or he has actual knowledge that any affiliated party is charged with a felony in a state or federal court.

2. Whenever any affiliated party is charged with a felony in a state or federal court or with the equivalent of a felony in the courts of any foreign country with which the United States maintains diplomatic relations, and the charge alleges violation of any law involving prescription drugs, pharmaceuticals, fraud, theft, or moral turpitude, the department may enter an emergency order suspending the affiliated party or restricting or prohibiting participation by the affiliated party in the affairs of the particular permittee or of any other permittee upon service of the order upon the permittee and the affiliated party charged. The order must contain notice of opportunity for a hearing pursuant to ss. 120.569 and 120.57, where the affiliated party may request a postsuspension hearing to show that continued service to or participation in the affairs of the permittee does not pose a threat to the public health or the interests of the permittee and does not threaten to impair public confidence in the permittee. In accordance with applicable departmental rules, the department shall notify the affiliated party whether the order suspending or prohibiting the person from participation in the affairs of a permittee will be rescinded or otherwise modified. The emergency order remains in effect, unless otherwise modified by the department, until the criminal charge is disposed of. The acquittal of the person charged, or the final, unappealed dismissal of all charges against the person, dissolves the emergency order but does not prohibit the department from instituting proceedings under paragraph (a). If the person charged is convicted or pleads guilty or nolo contendere, whether or not an adjudication of guilt is entered by the court, the emergency order shall become final.

(f) Any affiliated party removed pursuant to this section is not eligible for reemployment by the permittee or to be an affiliated party of any permittee except upon the written consent of the department. Any affiliated party who is removed, restricted, or prohibited from participating in the affairs of a permittee pursuant to this section may petition the department for modification or termination of the removal, restriction, or prohibition.

Section 37. Section 499.067, Florida Statutes, is amended to read:

499.067 Denial, suspension, or revocation of permit, certification, or registration.—

(1)(a) The department may deny, suspend, or revoke a permit if it finds that there has been a substantial failure to comply with *this part* ~~ss. 499.001-499.081~~ or chapter 465, chapter 501, or chapter 893, the rules adopted under *this part* ~~any of those sections~~ or *those* chapters, any final order of the department, or applicable federal laws or regulations or other state laws or rules governing drugs, devices, or cosmetics.

(b) The department may deny an application for a permit or certification, or suspend or revoke a permit or certification, if the department finds that:

1. The applicant is not of good moral character or that it would be a danger or not in the best interest of the public health, safety, and welfare if the applicant were issued a permit or certification.

2. The applicant has not met the requirements for the permit or certification.

3. The applicant is not eligible for a permit or certification for any of the reasons enumerated in *s. 499.012* ~~s. 499.01 or s. 499.012(5)~~.

4. The applicant, permittee, or person certified under *s. 499.012(16)* ~~s. 499.012(11)~~ demonstrates any of the conditions enumerated in *s. 499.012* ~~s. 499.01 or s. 499.012(5)~~.

5. The applicant, permittee, or person certified under *s. 499.012(16)* ~~s. 499.012(11)~~ has committed any violation of ss. 499.005-499.0054.

(2) The department may deny, suspend, or revoke any registration required by the provisions of *this part* ~~ss. 499.001-499.081~~ for the violation of any provision of *this part* ~~ss. 499.001-499.081~~ or of any rules adopted under *this part* ~~those sections~~.

(3) The department may revoke or suspend a permit:

(a) If the permit was obtained by misrepresentation or fraud or through a mistake of the department;

(b) If the permit was procured, or attempted to be procured, for any other person by making or causing to be made any false representation; or

(c) If the permittee has violated any provision of *this part* ~~ss. 499.001-499.081~~ or rules adopted under *this part* ~~those sections~~.

(4) If any permit issued under *this part* ~~ss. 499.001-499.081~~ is revoked or suspended, the owner, manager, operator, or proprietor of the establishment shall cease to operate as the permit authorized, from the effective date of the suspension or revocation until the person is again registered with the department and possesses the required permit. If a permit is revoked or suspended, the owner, manager, or proprietor shall remove all signs and symbols that identify the operation as premises permitted as a drug wholesaling establishment; drug, device, or cosmetic manufacturing establishment; or retail establishment. The department shall determine the length of time for which the permit is to be suspended. If a permit is revoked, the person that owns or operates the establishment may not apply for any permit under *this part* ~~ss. 499.001-499.081~~ for a period of 1 year after the date of the revocation. A revocation of a permit may be permanent if the department considers that to be in the best interest of the public health.

(5) The department may deny, suspend, or revoke a permit issued under *this part* ~~ss. 499.001-499.081~~ which authorizes the permittee to purchase prescription drugs~~,~~ if any owner, officer, employee, or other

person who participates in administering or operating the establishment has been found guilty of any violation of *this part* ~~ss. 499.001-499.081~~ or chapter 465, chapter 501, or chapter 893, any rules adopted under *this part* ~~any of those sections~~ or *those* chapters, or any federal or state drug law, regardless of whether the person has been pardoned, had her or his civil rights restored, or had adjudication withheld.

(6) The department shall deny, suspend, or revoke the permit of any person or establishment if the assignment, sale, transfer, or lease of an establishment permitted under *this part* ~~ss. 499.001-499.081~~ will avoid an administrative penalty, civil action, or criminal prosecution.

(7) Notwithstanding s. 120.60(5), if a permittee fails to comply with *s. 499.012(6)* ~~s. 499.01(7)~~, the department may revoke the permit of the permittee and shall provide notice of the intended agency action by posting a notice at the department's headquarters and by mailing a copy of the notice of intended agency action by certified mail to the most recent mailing address on record with the department and, if the permittee is not a natural person, to the permittee's registered agent on file with the Department of State.

Section 38. Paragraph (a) of subsection (1) of section 409.9201, Florida Statutes, is amended to read:

409.9201 Medicaid fraud.—

(1) As used in this section, the term:

(a) "*Prescription* ~~Legend~~ drug" means any drug, including, but not limited to, finished dosage forms or active ingredients that are subject to, defined by, or described by s. 503(b) of the Federal Food, Drug, and Cosmetic Act or by s. 465.003(8), *s. 499.007(13)* ~~s. 499.007(12)~~, or *s. 499.003(45) or (52)* ~~s. 499.0122(1)(b) or (c)~~.

The value of individual items of the legend drugs or goods or services involved in distinct transactions committed during a single scheme or course of conduct, whether involving a single person or several persons, may be aggregated when determining the punishment for the offense.

Section 39. Paragraph (c) of subsection (9) of section 460.403, Florida Statutes, is amended to read:

460.403 Definitions.—As used in this chapter, the term:

(9)

(c)1. Chiropractic physicians may adjust, manipulate, or treat the human body by manual, mechanical, electrical, or natural methods; by the use of physical means or physiotherapy, including light, heat, water, or exercise; by the use of acupuncture; or by the administration of foods, food concentrates, food extracts, and items for which a prescription is not required and may apply first aid and hygiene, but chiropractic physicians are expressly prohibited from prescribing or administering to any person any legend drug except as authorized under subparagraph 2., from performing any surgery except as stated herein, or from practicing obstetrics.

2. Notwithstanding the prohibition against prescribing and administering legend drugs under subparagraph 1.~~,~~ or *s. 499.01(2)(m)* ~~s. 499.0122~~, pursuant to board rule chiropractic physicians may order, store, and administer, for emergency purposes only at the chiropractic physician's office or place of business, prescription medical oxygen and may also order, store, and administer the following topical anesthetics in aerosol form:

a. Any solution consisting of 25 percent ethylchloride and 75 percent dichlorodifluoromethane.

b. Any solution consisting of 15 percent dichlorodifluoromethane and 85 percent trichloromonofluoromethane.

However, this paragraph does not authorize a chiropractic physician to prescribe medical oxygen as defined in chapter 499.

Section 40. Subsection (3) of section 465.0265, Florida Statutes, is amended to read:

465.0265 Centralized prescription filling.—

(3) The filling, delivery, and return of a prescription by one pharmacy for another pursuant to this section shall not be construed as the filling of a transferred prescription as set forth in s. 465.026 or as a wholesale distribution as set forth in *s. 499.003(53)* ~~s. 499.012(1)(a)~~.

Section 41. Section 794.075, Florida Statutes, is amended to read:

794.075 Sexual predators; erectile dysfunction drugs.—

(1) A person may not possess a prescription drug, as defined in *s. 499.003(42)* ~~s. 499.003(25)~~, for the purpose of treating erectile dysfunction if the person is designated as a sexual predator under s. 775.21.

(2) A person who violates a provision of this section for the first time commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083. A person who violates a provision of this section a second or subsequent time commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

Section 42. Paragraph (a) of subsection (1) of section 895.02, Florida Statutes, is amended to read:

895.02 Definitions.—As used in ss. 895.01-895.08, the term:

(1) "Racketeering activity" means to commit, to attempt to commit, to conspire to commit, or to solicit, coerce, or intimidate another person to commit:

(a) Any crime that is chargeable by indictment or information under the following provisions of the Florida Statutes:

1. Section 210.18, relating to evasion of payment of cigarette taxes.

2. Section 403.727(3)(b), relating to environmental control.

3. Section 409.920 or s. 409.9201, relating to Medicaid fraud.

4. Section 414.39, relating to public assistance fraud.

5. Section 440.105 or s. 440.106, relating to workers' compensation.

6. Section 443.071(4), relating to creation of a fictitious employer scheme to commit unemployment compensation fraud.

7. Section 465.0161, relating to distribution of medicinal drugs without a permit as an Internet pharmacy.

8. *Section 499.0051* ~~Sections 499.0051, 499.0052, 499.00535, 499.00545, and 499.0691~~, relating to crimes involving contraband and adulterated drugs.

9. Part IV of chapter 501, relating to telemarketing.

10. Chapter 517, relating to sale of securities and investor protection.

11. Section 550.235, s. 550.3551, or s. 550.3605, relating to dogracing and horseracing.

12. Chapter 550, relating to jai alai frontons.

13. Section 551.109, relating to slot machine gaming.

14. Chapter 552, relating to the manufacture, distribution, and use of explosives.

15. Chapter 560, relating to money transmitters, if the violation is punishable as a felony.

16. Chapter 562, relating to beverage law enforcement.

17. Section 624.401, relating to transacting insurance without a certificate of authority, s. 624.437(4)(c)1., relating to operating an unauthorized multiple-employer welfare arrangement, or s. 626.902(1)(b), relating to representing or aiding an unauthorized insurer.

18. Section 655.50, relating to reports of currency transactions, when such violation is punishable as a felony.

19. Chapter 687, relating to interest and usurious practices.

20. Section 721.08, s. 721.09, or s. 721.13, relating to real estate timeshare plans.

21. Chapter 782, relating to homicide.

22. Chapter 784, relating to assault and battery.

23. Chapter 787, relating to kidnapping or human trafficking.

24. Chapter 790, relating to weapons and firearms.

25. Section 796.03, s. 796.035, s. 796.04, s. 796.045, s. 796.05, or s. 796.07, relating to prostitution and sex trafficking.

26. Chapter 806, relating to arson.

27. Section 810.02(2)(c), relating to specified burglary of a dwelling or structure.

28. Chapter 812, relating to theft, robbery, and related crimes.

29. Chapter 815, relating to computer-related crimes.

30. Chapter 817, relating to fraudulent practices, false pretenses, fraud generally, and credit card crimes.

31. Chapter 825, relating to abuse, neglect, or exploitation of an elderly person or disabled adult.

32. Section 827.071, relating to commercial sexual exploitation of children.

33. Chapter 831, relating to forgery and counterfeiting.

34. Chapter 832, relating to issuance of worthless checks and drafts.

35. Section 836.05, relating to extortion.

36. Chapter 837, relating to perjury.

37. Chapter 838, relating to bribery and misuse of public office.

38. Chapter 843, relating to obstruction of justice.

39. Section 847.011, s. 847.012, s. 847.013, s. 847.06, or s. 847.07, relating to obscene literature and profanity.

40. Section 849.09, s. 849.14, s. 849.15, s. 849.23, or s. 849.25, relating to gambling.

41. Chapter 874, relating to criminal street gangs.

42. Chapter 893, relating to drug abuse prevention and control.

43. Chapter 896, relating to offenses related to financial transactions.

44. Sections 914.22 and 914.23, relating to tampering with a witness, victim, or informant, and retaliation against a witness, victim, or informant.

45. Sections 918.12 and 918.13, relating to tampering with jurors and evidence.

Section 43. Paragraphs (d), (f), (h), (i), and (j) of subsection (3) of section 921.0022, Florida Statutes, are amended to read:

921.0022 Criminal Punishment Code; offense severity ranking chart.—

(3) OFFENSE SEVERITY RANKING CHART
(d) LEVEL 4

Florida Statute	Felony Degree	Description
316.1935(3)(a)	2nd	Driving at high speed or with wanton disregard for safety while fleeing or attempting to elude law enforcement officer who is in a patrol vehicle with siren and lights activated.
499.0051(1)	3rd	Failure to maintain or deliver pedigree papers.
499.0051(2)	3rd	Failure to authenticate pedigree papers.
499.0051(6)	2nd	*Knowing* sale or delivery, or possession with intent to sell, contraband *prescription* ~~legend~~ drugs.
784.07(2)(b)	3rd	Battery of law enforcement officer, firefighter, intake officer, etc.
784.074(1)(c)	3rd	Battery of sexually violent predators facility staff.
784.075	3rd	Battery on detention or commitment facility staff.
784.078	3rd	Battery of facility employee by throwing, tossing, or expelling certain fluids or materials.
784.08(2)(c)	3rd	Battery on a person 65 years of age or older.
784.081(3)	3rd	Battery on specified official or employee.
784.082(3)	3rd	Battery by detained person on visitor or other detainee.
784.083(3)	3rd	Battery on code inspector.
784.085	3rd	Battery of child by throwing, tossing, projecting, or expelling certain fluids or materials.
787.03(1)	3rd	Interference with custody; wrongly takes minor from appointed guardian.
787.04(2)	3rd	Take, entice, or remove child beyond state limits with criminal intent pending custody proceedings.
787.04(3)	3rd	Carrying child beyond state lines with criminal intent to avoid producing child at custody hearing or delivering to designated person.
790.115(1)	3rd	Exhibiting firearm or weapon within 1,000 feet of a school.
790.115(2)(b)	3rd	Possessing electric weapon or device, destructive device, or other weapon on school property.
790.115(2)(c)	3rd	Possessing firearm on school property.
800.04(7)(d)	3rd	Lewd or lascivious exhibition; offender less than 18 years.
810.02(4)(a)	3rd	Burglary, or attempted burglary, of an unoccupied structure; unarmed; no assault or battery.
810.02(4)(b)	3rd	Burglary, or attempted burglary, of an unoccupied conveyance; unarmed; no assault or battery.
810.06	3rd	Burglary; possession of tools.
810.08(2)(c)	3rd	Trespass on property, armed with firearm or dangerous weapon.
812.014(2)(c)3.	3rd	Grand theft, 3rd degree $10,000 or more but less than $20,000.
812.014(2)(c)4.-10.	3rd	Grand theft, 3rd degree, a will, firearm, motor vehicle, livestock, etc.
812.0195(2)	3rd	Dealing in stolen property by use of the Internet; property stolen $300 or more.
817.563(1)	3rd	Sell or deliver substance other than controlled substance agreed upon, excluding s. 893.03(5) drugs.
817.568(2)(a)	3rd	Fraudulent use of personal identification information.
817.625(2)(a)	3rd	Fraudulent use of scanning device or reencoder.
828.125(1)	2nd	Kill, maim, or cause great bodily harm or permanent breeding disability to any registered horse or cattle.
837.02(1)	3rd	Perjury in official proceedings.
837.021(1)	3rd	Make contradictory statements in official proceedings.
838.022	3rd	Official misconduct.
839.13(2)(a)	3rd	Falsifying records of an individual in the care and custody of a state agency.

Florida Statute	Felony Degree	Description
839.13(2)(c)	3rd	Falsifying records of the Department of Children and Family Services.
843.021	3rd	Possession of a concealed handcuff key by a person in custody.
843.025	3rd	Deprive law enforcement, correctional, or correctional probation officer of means of protection or communication.
843.15(1)(a)	3rd	Failure to appear while on bail for felony (bond estreature or bond jumping).
874.05(1)	3rd	Encouraging or recruiting another to join a criminal street gang.
893.13(2)(a)1.	2nd	Purchase of cocaine (or other s. 893.03(1)(a), (b), or (d), (2)(a), (2)(b), or (2)(c)4. drugs).
914.14(2)	3rd	Witnesses accepting bribes.
914.22(1)	3rd	Force, threaten, etc., witness, victim, or informant.
914.23(2)	3rd	Retaliation against a witness, victim, or informant, no bodily injury.
918.12	3rd	Tampering with jurors.
934.215	3rd	Use of two-way communications device to facilitate commission of a crime.

(f) LEVEL 6

Florida Statute	Felony Degree	Description
316.193(2)(b)	3rd	Felony DUI, 4th or subsequent conviction.
499.0051(3)	2nd	*Knowing* forgery of pedigree papers.
499.0051(4)	2nd	*Knowing* purchase or receipt of *prescription* ~~legend~~ drug from unauthorized person.
499.0051(5)	2nd	*Knowing* sale *or transfer* of *prescription* ~~legend~~ drug to unauthorized person.
775.0875(1)	3rd	Taking firearm from law enforcement officer.
784.021(1)(a)	3rd	Aggravated assault; deadly weapon without intent to kill.
784.021(1)(b)	3rd	Aggravated assault; intent to commit felony.
784.041	3rd	Felony battery; domestic battery by strangulation.
784.048(3)	3rd	Aggravated stalking; credible threat.
784.048(5)	3rd	Aggravated stalking of person under 16.
784.07(2)(c)	2nd	Aggravated assault on law enforcement officer.
784.074(1)(b)	2nd	Aggravated assault on sexually violent predators facility staff.
784.08(2)(b)	2nd	Aggravated assault on a person 65 years of age or older.
784.081(2)	2nd	Aggravated assault on specified official or employee.
784.082(2)	2nd	Aggravated assault by detained person on visitor or other detainee.
784.083(2)	2nd	Aggravated assault on code inspector.
787.02(2)	3rd	False imprisonment; restraining with purpose other than those in s. 787.01.
790.115(2)(d)	2nd	Discharging firearm or weapon on school property.
790.161(2)	2nd	Make, possess, or throw destructive device with intent to do bodily harm or damage property.
790.164(1)	2nd	False report of deadly explosive, weapon of mass destruction, or act of arson or violence to state property.
790.19	2nd	Shooting or throwing deadly missiles into dwellings, vessels, or vehicles.
794.011(8)(a)	3rd	Solicitation of minor to participate in sexual activity by custodial adult.
794.05(1)	2nd	Unlawful sexual activity with specified minor.
800.04(5)(d)	3rd	Lewd or lascivious molestation; victim 12 years of age or older but less than 16 years; offender less than 18 years.
800.04(6)(b)	2nd	Lewd or lascivious conduct; offender 18 years of age or older.
806.031(2)	2nd	Arson resulting in great bodily harm to firefighter or any other person.
810.02(3)(c)	2nd	Burglary of occupied structure; unarmed; no assault or battery.
812.014(2)(b)1.	2nd	Property stolen $20,000 or more, but less than $100,000, grand theft in 2nd degree.
812.014(6)	2nd	Theft; property stolen $3,000 or more; coordination of others.
812.015(9)(a)	2nd	Retail theft; property stolen $300 or more; second or subsequent conviction.
812.015(9)(b)	2nd	Retail theft; property stolen $3,000 or more; coordination of others.
812.13(2)(c)	2nd	Robbery, no firearm or other weapon (strong-arm robbery).
817.034(4)(a)1.	1st	Communications fraud, value greater than $50,000.
817.4821(5)	2nd	Possess cloning paraphernalia with intent to create cloned cellular telephones.
825.102(1)	3rd	Abuse of an elderly person or disabled adult.
825.102(3)(c)	3rd	Neglect of an elderly person or disabled adult.
825.1025(3)	3rd	Lewd or lascivious molestation of an elderly person or disabled adult.
825.103(2)(c)	3rd	Exploiting an elderly person or disabled adult and property is valued at less than $20,000.
827.03(1)	3rd	Abuse of a child.
827.03(3)(c)	3rd	Neglect of a child.
827.071(2)&(3)	2nd	Use or induce a child in a sexual performance, or promote or direct such performance.
836.05	2nd	Threats; extortion.
836.10	2nd	Written threats to kill or do bodily injury.
843.12	3rd	Aids or assists person to escape.
847.0135(2)	3rd	Facilitates sexual conduct of or with a minor or the visual depiction of such conduct.
914.23	2nd	Retaliation against a witness, victim, or informant, with bodily injury.
944.35(3)(a)2.	3rd	Committing malicious battery upon or inflicting cruel or inhuman treatment on an inmate or offender on community supervision, resulting in great bodily harm.
944.40	2nd	Escapes.
944.46	3rd	Harboring, concealing, aiding escaped prisoners.
944.47(1)(a)5.	2nd	Introduction of contraband (firearm, weapon, or explosive) into correctional facility.
951.22(1)	3rd	Intoxicating drug, firearm, or weapon introduced into county facility.

(h) LEVEL 8

Florida Statute	Felony Degree	Description
316.193(3)(c)3.a.	2nd	DUI manslaughter.
316.1935(4)(b)	1st	Aggravated fleeing or attempted eluding with serious bodily injury or death.
327.35(3)(c)3.	2nd	Vessel BUI manslaughter.
499.0051(8) ~~499.0051(7)~~	1st	*Knowing* forgery of prescription *labels* or *prescription* ~~legend~~ drug labels.
499.0051(7) ~~499.0052~~	1st	*Knowing* trafficking in contraband *prescription* ~~legend~~ drugs.
560.123(8)(b)2.	2nd	Failure to report currency or payment instruments totaling or exceeding $20,000, but less than $100,000 by money transmitter.
560.125(5)(b)	2nd	Money transmitter business by unauthorized person, currency or payment instruments totaling or exceeding $20,000, but less than $100,000.
655.50(10)(b)2.	2nd	Failure to report financial transactions totaling or exceeding $20,000, but less than $100,000 by financial institutions.
777.03(2)(a)	1st	Accessory after the fact, capital felony.
782.04(4)	2nd	Killing of human without design when engaged in act or attempt of any felony other than arson, sexual battery, robbery, burglary, kidnapping, aircraft piracy, or unlawfully discharging bomb.
782.051(2)	1st	Attempted felony murder while perpetrating or attempting to perpetrate a felony not enumerated in s. 782.04(3).
782.071(1)(b)	1st	Committing vehicular homicide and failing to render aid or give information.
782.072(2)	1st	Committing vessel homicide and failing to render aid or give information.
790.161(3)	1st	Discharging a destructive device which results in bodily harm or property damage.
794.011(5)	2nd	Sexual battery, victim 12 years or over, offender does not use physical force likely to cause serious injury.
794.08(3)	2nd	Female genital mutilation, removal of a victim younger than 18 years of age from this state.
800.04(4)	2nd	Lewd or lascivious battery.
806.01(1)	1st	Maliciously damage dwelling or structure by fire or explosive, believing person in structure.
810.02(2)(a)	1st, PBL	Burglary with assault or battery.
810.02(2)(b)	1st, PBL	Burglary; armed with explosives or dangerous weapon.
810.02(2)(c)	1st	Burglary of a dwelling or structure causing structural damage or $1,000 or more property damage.
812.014(2)(a)2.	1st	Property stolen; cargo valued at $50,000 or more, grand theft in 1st degree.
812.13(2)(b)	1st	Robbery with a weapon.
812.135(2)(c)	1st	Home-invasion robbery, no firearm, deadly weapon, or other weapon.
817.568(6)	2nd	Fraudulent use of personal identification information of an individual under the age of 18.
825.102(2)	2nd	Aggravated abuse of an elderly person or disabled adult.
825.1025(2)	2nd	Lewd or lascivious battery upon an elderly person or disabled adult.
825.103(2)(a)	1st	Exploiting an elderly person or disabled adult and property is valued at $100,000 or more.
837.02(2)	2nd	Perjury in official proceedings relating to prosecution of a capital felony.
837.021(2)	2nd	Making contradictory statements in official proceedings relating to prosecution of a capital felony.
860.121(2)(c)	1st	Shooting at or throwing any object in path of railroad vehicle resulting in great bodily harm.
860.16	1st	Aircraft piracy.
893.13(1)(b)	1st	Sell or deliver in excess of 10 grams of any substance specified in s. 893.03(1)(a) or (b).
893.13(2)(b)	1st	Purchase in excess of 10 grams of any substance specified in s. 893.03(1)(a) or (b).
893.13(6)(c)	1st	Possess in excess of 10 grams of any substance specified in s. 893.03(1)(a) or (b).
893.135(1)(a)2.	1st	Trafficking in cannabis, more than 2,000 lbs., less than 10,000 lbs.
893.135(1)(b)1.b.	1st	Trafficking in cocaine, more than 200 grams, less than 400 grams.
893.135(1)(c)1.b.	1st	Trafficking in illegal drugs, more than 14 grams, less than 28 grams.
893.135(1)(d)1.b.	1st	Trafficking in phencyclidine, more than 200 grams, less than 400 grams.
893.135(1)(e)1.b.	1st	Trafficking in methaqualone, more than 5 kilograms, less than 25 kilograms.
893.135(1)(f)1.b.	1st	Trafficking in amphetamine, more than 28 grams, less than 200 grams.
893.135(1)(g)1.b.	1st	Trafficking in flunitrazepam, 14 grams or more, less than 28 grams.
893.135(1)(h)1.b.	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 5 kilograms or more, less than 10 kilograms.
893.135(1)(j)1.b.	1st	Trafficking in 1,4-Butanediol, 5 kilograms or more, less than 10 kilograms.
893.135(1)(k)2.b.	1st	Trafficking in Phenethylamines, 200 grams or more, less than 400 grams.
895.03(1)	1st	Use or invest proceeds derived from pattern of racketeering activity.
895.03(2)	1st	Acquire or maintain through racketeering activity any interest in or control of any enterprise or real property.
895.03(3)	1st	Conduct or participate in any enterprise through pattern of racketeering activity.
896.101(5)(b)	2nd	Money laundering, financial transactions totaling or exceeding $20,000, but less than $100,000.
896.104(4)(a)2.	2nd	Structuring transactions to evade reporting or registration requirements, financial transactions totaling or exceeding $20,000 but less than $100,000.

(i) LEVEL 9

Florida Statute	Felony Degree	Description
316.193(3)(c)3.b.	1st	DUI manslaughter; failing to render aid or give information.
327.35(3)(c)3.b.	1st	BUI manslaughter; failing to render aid or give information.
499.0051(9) ~~499.00535~~	1st	*Knowing* sale or purchase of contraband *prescription* ~~legend~~ drugs resulting in great bodily harm.
560.123(8)(b)3.	1st	Failure to report currency or payment instruments totaling or exceeding $100,000 by money transmitter.
560.125(5)(c)	1st	Money transmitter business by unauthorized person, currency, or payment instruments totaling or exceeding $100,000.
655.50(10)(b)3.	1st	Failure to report financial transactions totaling or exceeding $100,000 by financial institution.
775.0844	1st	Aggravated white collar crime.
782.04(1)	1st	Attempt, conspire, or solicit to commit premeditated murder.
782.04(3)	1st, PBL	Accomplice to murder in connection with arson, sexual battery, robbery, burglary, and other specified felonies.
782.051(1)	1st	Attempted felony murder while perpetrating or attempting to perpetrate a felony enumerated in s. 782.04(3).
782.07(2)	1st	Aggravated manslaughter of an elderly person or disabled adult.
787.01(1)(a)1.	1st, PBL	Kidnapping; hold for ransom or reward or as a shield or hostage.
787.01(1)(a)2.	1st, PBL	Kidnapping with intent to commit or facilitate commission of any felony.
787.01(1)(a)4.	1st, PBL	Kidnapping with intent to interfere with performance of any governmental or political function.
787.02(3)(a)	1st	False imprisonment; child under age 13; perpetrator also commits aggravated child abuse, sexual battery, or lewd or lascivious battery, molestation, conduct, or exhibition.
790.161	1st	Attempted capital destructive device offense.
790.166(2)	1st, PBL	Possessing, selling, using, or attempting to use a weapon of mass destruction.
794.011(2)	1st	Attempted sexual battery; victim less than 12 years of age.
794.011(2)	Life	Sexual battery; offender younger than 18 years and commits sexual battery on a person less than 12 years.
794.011(4)	1st	Sexual battery; victim 12 years or older, certain circumstances.
794.011(8)(b)	1st	Sexual battery; engage in sexual conduct with minor 12 to 18 years by person in familial or custodial authority.
794.08(2)	1st	Female genital mutilation; victim younger than 18 years of age.
800.04(5)(b)	Life	Lewd or lascivious molestation; victim less than 12 years; offender 18 years or older.
812.13(2)(a)	1st, PBL	Robbery with firearm or other deadly weapon.
812.133(2)(a)	1st, PBL	Carjacking; firearm or other deadly weapon.
812.135(2)(b)	1st	Home-invasion robbery with weapon.
817.568(7)	2nd, PBL	Fraudulent use of personal identification information of an individual under the age of 18 by his or her parent, legal guardian, or person exercising custodial authority.
827.03(2)	1st	Aggravated child abuse.
847.0145(1)	1st	Selling, or otherwise transferring custody or control, of a minor.
847.0145(2)	1st	Purchasing, or otherwise obtaining custody or control, of a minor.
859.01	1st	Poisoning or introducing bacteria, radioactive materials, viruses, or chemical compounds into food, drink, medicine, or water with intent to kill or injure another person.
893.135	1st	Attempted capital trafficking offense.
893.135(1)(a)3.	1st	Trafficking in cannabis, more than 10,000 lbs.
893.135(1)(b)1.c.	1st	Trafficking in cocaine, more than 400 grams, less than 150 kilograms.
893.135(1)(c)1.c.	1st	Trafficking in illegal drugs, more than 28 grams, less than 30 kilograms.
893.135(1)(d)1.c.	1st	Trafficking in phencyclidine, more than 400 grams.
893.135(1)(e)1.c.	1st	Trafficking in methaqualone, more than 25 kilograms.
893.135(1)(f)1.c.	1st	Trafficking in amphetamine, more than 200 grams.
893.135(1)(h)1.c.	1st	Trafficking in gamma-hydroxybutyric acid (GHB), 10 kilograms or more.
893.135(1)(j)1.c.	1st	Trafficking in 1,4-Butanediol, 10 kilograms or more.
893.135(1)(k)2.c.	1st	Trafficking in Phenethylamines, 400 grams or more.
896.101(5)(c)	1st	Money laundering, financial instruments totaling or exceeding $100,000.
896.104(4)(a)3.	1st	Structuring transactions to evade reporting or registration requirements, financial transactions totaling or exceeding $100,000.

(j) LEVEL 10

Florida Statute	Felony Degree	Description
499.0051(10) ~~499.00545~~	1st	*Knowing* sale or purchase of contraband *prescription* ~~legend~~ drugs resulting in death.
782.04(2)	1st, PBL	Unlawful killing of human; act is homicide, unpremeditated.
787.01(1)(a)3.	1st, PBL	Kidnapping; inflict bodily harm upon or terrorize victim.
787.01(3)(a)	Life	Kidnapping; child under age 13, perpetrator also commits aggravated child abuse, sexual battery, or lewd or lascivious battery, molestation, conduct, or exhibition.
782.07(3)	1st	Aggravated manslaughter of a child.
794.011(3)	Life	Sexual battery; victim 12 years or older, offender uses or threatens to use deadly weapon or physical force to cause serious injury.
812.135(2)(a)	1st, PBL	Home-invasion robbery with firearm or other deadly weapon.
876.32	1st	Treason against the state.

Section 44. This act shall take effect July 1, 2008.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to drugs, devices, and cosmetics; amending and reorganizing provisions in part I of ch. 499, F.S.; amending s. 499.002, F.S.; expanding the provisions of the section to include administration and enforcement of, exemptions from, and purpose of the part; amending and redesignating ss. 499.004, 499.0053, 499.07, 499.071, and 499.081, F.S., as provisions in that section relating to such functions to conform; amending s. 499.003, F.S.; revising and providing definitions; amending and redesignating provisions in ss. 499.012, 499.029, and 499.0661, F.S., relating to definitions, as provisions of that section; amending s. 499.005, F.S.; conforming provisions to changes made by the act, including the substitution of the term "prescription drug" for the term "legend drug"; amending s. 499.0051, F.S.; substituting the term "prescription drug" for the term "legend drug" with regard to criminal acts; consolidating criminal act provisions of part I of ch. 499, F.S.; amending and redesignating ss. 499.0052, 499.00535, 499.00545, 499.069, and 499.0691, F.S., as criminal offense provisions in that section; providing penalties; conforming provisions to changes made by the act; amending s. 499.0054, F.S., relating to advertising and labeling of drugs, devices, and cosmetics to include certain exemptions; amending and redesignating ss. 499.0055 and 499.0057, F.S., as provisions relating to those functions in that section; amending s. 499.006, F.S.; conforming provisions to changes made by the act; amending s. 499.007, F.S.; conforming provisions to changes made by the act; providing that a drug or device is misbranded if it is an active pharmaceutical ingredient in bulk form and does not bear a label containing certain information; amending ss. 499.008 and 499.009, F.S.; conforming provisions to changes made by the act; amending s. 499.01, F.S.; providing that the section relates only to permits; requiring a permit to operate as a third party logistics provider and a health care clinic establishment; providing requirements for obtaining a permit to operate in certain capacities; deleting certain permit requirements; providing an exemption for a nonresident prescription drug manufacturer permit; providing requirements for such exemption; providing requirements for a third party logistics provider permit and a health care clinic establishment permit; amending and redesignating provisions of ss. 499.013, and 499.014, F.S., relating to such functions as provisions of that section; conforming provisions and cross-references to changes made by the act; amending s. 499.012, F.S.; providing that the section relates to permit application requirements; providing that a separate establishment permit is not required when a permitted prescription drug wholesale distributor operates temporary transit storage facilities for the sole purpose of storage; amending the provisions to conform; amending and redesignating provisions of s. 499.01, F.S., relating to such functions as provisions of that section; conforming provisions and cross-references to changes made by the act; amending s. 499.01201, F.S.; conforming provisions to changes made by the act; amending s. 499.0121, F.S., relating to storage and handling of prescription drugs and recordkeeping; directing the department to adopt rules requiring a wholesale distributor to maintain pedigree papers separate and distinct from other required records; deleting a requirement that a person who is engaged in the wholesale distribution of a prescription drug and who is not the manufacturer of that drug provide a pedigree paper to the person who receives the drug; deleting the department's requirement to adopt rules with regard to recordkeeping by affiliated groups; conforming provisions and cross-references to changes made by the act; amending and redesignating a provision of s. 499.013, F.S., relating to such functions as a provision of that section; amending s. 499.01211, F.S.; conforming provisions and cross-references to changes made by the act; creating s. 499.01212, F.S.; requiring a person who is engaged in the wholesale distribution of a prescription drug to provide a pedigree paper to the person who receives the drug; requiring certain information in a pedigree paper; requiring a wholesale distributor to maintain and make available to the department certain information; providing exceptions to the requirement of a pedigree paper; repealing s. 499.0122, F.S., relating to medical oxygen and veterinary legend drug retail establishments; repealing s. 499.013, F.S., relating to manufacturers and repackagers of drugs, devices, and cosmetics; amending ss. 499.015, 499.024, 499.028, 499.029, and 499.03, F.S.; conforming provisions and cross-references to changes made by the act; amending ss. 499.032 and 499.033, F.S.; conforming terminology to changes made by the act; amending s. 499.039, F.S.; conforming a provision and cross-reference; amending ss. 499.04, F.S.; conforming provisions to changes made by the act; amending s. 499.041, F.S.; conforming provisions to changes made by the act; requiring the department to assess an annual fee for a third part logistic provider permit and a health care clinic establishment permit; amending s. 499.05, F.S.; conforming provisions to changes made by the act; requiring the department to adopt rules with regard to procedures and forms relating to pedigree paper requirements, alternatives to compliance with the requirement of certain pedigree papers, and the return of prescription drugs purchased before a specified date; amending and redesignating provisions of ss. 499.013 and 499.0122, F.S., as provisions relating to rulemaking functions of that section; amending ss. 499.051, 499.052, 499.055, and 499.06, F.S.; conforming provisions to changes made by the act; amending s. 499.062, F.S.; providing that the section relates to seizure and condemnation of drugs, devices, or cosmetics; conforming a provision to changes made by the act; amending and redesignating ss. 499.063 and 499.064, F.S., as provisions relating to such functions in that section; amending ss. 499.065, 499.066, 499.0661, and 499.067, F.S.; conforming provisions and cross-references to changes made by the act; amending ss. 409.9201, 460.403, 465.0265, 794.075, 895.02, and 921.0022, F.S.; conforming provisions to changes made by the act; conforming cross-references to changes made by the act; providing an effective date.

On motion by Senator Peaden, **HB 7049** as amended was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Fasano	Oelrich
Alexander	Gaetz	Peaden
Aronberg	Garcia	Posey
Atwater	Geller	Rich
Baker	Haridopolos	Ring
Bennett	Hill	Saunders
Bullard	Jones	Siplin
Carlton	Joyner	Storms
Constantine	Justice	Villalobos
Crist	King	Webster
Dean	Lawson	Wilson
Deutch	Lynn	Wise
Dockery	Margolis	

Nays—None

Vote after roll call:

Yea—Diaz de la Portilla

SPECIAL ORDER CALENDAR

Consideration of **SB 2400** and **CS for HB 257** was deferred.

By Senator Constantine—

CS for CS for SB 318—A bill to be entitled An act relating to exceptional students with a disability; amending s. 1003.57, F.S.; providing definitions; requiring the Department of Children and Family Services, the Agency for Health Care Administration, and residential facilities licensed by the Agency for Persons with Disabilities to notify a school district under certain circumstances; requiring the review of a student's individual educational plan; providing for a determination of responsibility for educational instruction; requiring the school district to report the student for funding purposes; requiring the Department of Education, in consultation with specified agencies, to develop procedures for the placement of students in residential care facilities; requiring the State Board of Education and the Agency for Persons with Disabilities to adopt rules; requiring certain agencies to implement procedures; requiring a cooperative agreement; providing an exception; providing an effective date.

—was read the second time by title.

Senator Constantine moved the following amendment which was adopted:

Amendment 1 (877916)—Delete line(s) 80-87 and insert:

2. The State Board of Education shall adopt the procedures by rule pursuant to ss. 120.536(1) and 120.54 and the agencies shall implement the procedures.

3. A residential care facility that is licensed by the Agency for Persons with Disabilities shall provide written notification to school districts when an exceptional student is placed in the residential care facility.

Pursuant to Rule 4.19, **CS for CS for SB 318** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

Consideration of **CS for CS for SB 482** was deferred.

On motion by Senator Crist, by two-thirds vote **CS for HB 739** was withdrawn from the Committees on Children, Families, and Elder Affairs; Judiciary; and Health and Human Services Appropriations.

On motion by Senator Crist, by two-thirds vote—

CS for HB 739—A bill to be entitled An act relating to guardian advocates for persons with developmental disabilities; amending s. 393.12, F.S.; requiring the court to conduct determination of incapacity of persons with developmental disabilities and appointment of guardian advocates in separate proceedings; revising conditions relating to venue for appointment of guardian advocates; providing that the guardian advocate need not be represented by an attorney unless required by the court or the guardian advocate is delegated certain rights regarding property; limiting applicability to certain proceedings relating to appointment and supervision of guardian advocates; requiring the petition to include the relationship of the proposed guardian advocate to certain providers; modifying the persons to whom a notice of the filing of the petition must be given to include next of kin, the health care surrogate designated to execute an advance directive, and the agent under durable power of attorney; removing a provision requiring the inclusion of certain information relating to the right to be represented by counsel in the notice of the filing of the petition; establishing a timeframe for appointment of counsel and modifying who may be appointed as counsel to a person with a developmental disability; providing conditions for the court to appoint attorneys; requiring court proceedings and orders to consider advance directives for health care and durable powers of attorney; requiring the court's order to provide the name and reasons for the selection of the guardian advocate; providing a process for restoration of rights for the person with a developmental disability; providing for the petitioner to submit evidentiary support to the court; providing for a hearing if no evidentiary support is available; amending s. 393.13, F.S.; conforming a cross-reference; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 688** and by two-thirds vote read the second time by title.

Pursuant to Rule 4.19, **CS for HB 739** was placed on the calendar of Bills on Third Reading.

The Senate resumed consideration of—

CS for CS for CS for SB 802—A bill to be entitled An act relating to operating a motor vehicle; creating s. 316.1926, F.S.; creating additional offenses regarding the operation of a motor vehicle; amending s. 316.2085, F.S.; requiring an operator of a motorcycle or moped to maintain both wheels on the ground at all times; requiring that the license tag of a motorcycle or moped be affixed horizontally; amending s. 318.14, F.S.; providing additional penalties for certain offenses involving the operation of a motorcycle or excessive speed; providing for revocation of the person's privilege to operate a motor vehicle; creating s. 318.195, F.S.; providing that a person who is convicted of a moving violation that causes or contributes to causing serious injury to or the death of a person riding a motorcycle commits a misdemeanor offense; requiring that the offender pay a specified fine, serve a minimum of period of incarceration, and attend a driver improvement course; requiring the court to revoke the person's driver's license for a specified period; providing criminal penalties; providing that the act does not prohibit the offender from being charged with, convicted of, or punished for any other violation of law; providing an effective date.

—which was previously considered April 24. Pending **Amendment 1 (456412)** by Senator Crist was withdrawn.

Pending further consideration of **CS for CS for CS for SB 802**, on motion by Senator Garcia, by two-thirds vote **CS for HB 137** was withdrawn from the Committees on Transportation and Economic Development Appropriations; Criminal Justice; and Criminal and Civil Justice Appropriations.

On motion by Senator Garcia, the rules were waived and—

CS for HB 137—A bill to be entitled An act relating to operating a motor vehicle; creating s. 316.1926, F.S.; creating additional offenses regarding motor vehicle operation; amending s. 316.2085, F.S.; requiring an operator of a motorcycle or moped to maintain both wheels on the ground at all times; requiring that the license tag of a motorcycle or moped be affixed horizontally; amending s. 318.14, F.S.; providing additional penalties for certain offenses; providing for a specified fine and revocation of the person's privilege to operate a motor vehicle; providing an effective date.

—a companion measure, was substituted for **CS for CS for CS for SB 802** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 137** was placed on the calendar of Bills on Third Reading.

By Senator Wise—

CS for CS for CS for SB 996—A bill to be entitled An act relating to cosmetology; amending s. 477.013, F.S.; providing and revising definitions; redefining "cosmetology" to include specified services and exclude artificial nails and use of certain skin treatments; defining "hair stylist," "esthetician," and "nail technician"; including body wrapping within esthetician services; removing a distinction between specialty salons and other salons; creating s. 477.0131, F.S.; authorizing licensure for cosmetologists, hair stylists, estheticians, and nail technicians; amending s. 477.0132, F.S.; authorizing renewal of current body wrapping registrations; increasing length of required course; specifying that only the Board of Cosmetology may review, evaluate, and approve required course and text; amending s. 477.014, F.S.; revising requirements for qualification to practice under ch. 477, F.S.; authorizing current specialists to sit for licensure examinations in certain circumstances; providing for the renewal of current specialty registrations; amending s. 477.016, F.S.; requiring the Board of Cosmetology to adopt rules relating to protection of health of clients, nail technicians, and estheticians; amending s. 477.019, F.S.; revising qualifications, education, licensure and renewal, supervised practice, and endorsement requirements to include and differentiate such requirements for cosmetologists, hair stylists, estheticians, and nail technicians; requiring the board to adopt certain procedures relating to licensure by endorsement; amending s. 477.0212, F.S.; requiring the board to adopt certain rules relating to license renewal or continuing education; amending s. 477.023, F.S.; stipulating that the Department of Education is not prevented from issuing certain grooming and salon services certification; amending s. 477.025, F.S., relating to cosmetology and specialty salons, requisites, licensure, inspection, and mobile cosmetology salons, to conform; amending s. 477.026, F.S.; revising fee provisions to require specialties that are currently licensed to pay a fee commensurate with prior registration fees; revising fee provisions to conform with other changes made by the act; amending s. 477.0263, F.S.; specifying circumstances under which cosmetology, hair stylist, esthetician, nail technician, or specialty services may be practiced outside of a licensed salon; amending s. 477.0265, F.S., relating to prohibited acts, to conform; prohibiting the use or possession of a device containing a razor blade to remove, scrape, or cut calluses from the hands or feet; amending s. 477.028, F.S., relating to disciplinary proceedings, to conform; amending s. 477.029, F.S., relating to penalties; conforming provisions; repealing s. 477.0201, F.S., relating to specialty registration, qualifications, registration renewal, and endorsement; requiring a report to the Legislature on the use of a national examination for certain licenses in order to improve reciprocity with other states; providing an appropriation; providing effective dates.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for CS for SB 996** was placed on the calendar of Bills on Third Reading.

On motion by Senator Margolis, by two-thirds vote **CS for HB 743** was withdrawn from the Committees on Community Affairs; Criminal Justice; Judiciary; and Finance and Tax.

On motion by Senator Margolis—

CS for HB 743—A bill to be entitled An act relating to mortgage fraud; creating s. 193.133, F.S.; requiring law enforcement agencies to notify property appraisers of incidents of mortgage fraud under certain circumstances; authorizing property appraisers to adjust property assessments under certain circumstances; requiring property appraisers to reassess certain properties under certain circumstances; amending s. 817.545, F.S.; providing an increased penalty for certain types of mortgage fraud; providing an effective date.

—a companion measure, was substituted for **CS for SB 1116** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 743** was placed on the calendar of Bills on Third Reading.

On motion by Senator Dean, by two-thirds vote **CS for HB 799** was withdrawn from the Committees on Communications and Public Utilities; Commerce; Criminal Justice; and Criminal and Civil Justice Appropriations.

On motion by Senator Dean—

CS for HB 799—A bill to be entitled An act relating to the theft of copper or other nonferrous metals; creating s. 812.145, F.S.; providing definitions; providing that it is a felony of the first degree to knowingly and intentionally take copper or other nonferrous metal from a utility or communications services provider, thereby causing damage to the facilities of a utility or communications services provider or interrupting or interfering with utility or communications services; providing criminal penalties; providing an effective date.

—a companion measure, was substituted for **CS for SB 1384** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 799** was placed on the calendar of Bills on Third Reading.

Consideration of **CS for CS for SB 1440** was deferred.

CS for CS for SB 1458—A bill to be entitled An act relating to school food service programs; amending s. 1006.06, F.S.; requiring school breakfast programs in middle and high schools; providing procedures for school breakfast programs; specifying requirements for setting prices of breakfast meals; requiring district school boards to consider policies for the provision of universal-free school breakfast meals in certain schools; requiring information to be communicated to students and parents; clarifying the allocation of funds for school breakfast programs; directing the Office of Program Policy Analysis and Government Accountability to submit a report on school district food service programs; providing an effective date.

—was read the second time by title.

Amendments were considered and adopted to conform **CS for CS for SB 1458** to **CS for HB 623**.

Pending further consideration of **CS for CS for SB 1458** as amended, on motion by Senator Wise, by two-thirds vote **CS for HB 623** was withdrawn from the Committees on Education Pre-K - 12; Children, Families, and Elder Affairs; and Education Pre-K - 12 Appropriations.

On motion by Senator Wise—

CS for HB 623—A bill to be entitled An act relating to school food service programs; amending s. 1006.06, F.S.; requiring school breakfast programs in middle and high schools; providing procedures for school breakfast programs; specifying requirements for setting prices of breakfast meals; requiring district school boards to consider policies for the provision of universal-free school breakfast meals in certain schools; requiring information to be communicated to students and parents; clarifying the allocation of funds for school breakfast programs; directing the Office of Program Policy Analysis and Government Accountability to submit a report on school district food service programs; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 1458** as amended and read the second time by title.

Senator Wise moved the following amendment which was adopted:

Amendment 1 (345358)(with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Subsection (5) of section 1006.06, Florida Statutes, is amended to read:

1006.06 School food service programs.—

(5)(a) Each district school board shall implement school breakfast programs ~~in all elementary schools~~ that make breakfast *meals* available to all students in ~~kindergarten through grade 6 in~~ each ~~district school, unless the~~ elementary school*. By the beginning of the 2010-2011 school year, the school breakfast programs shall make breakfast meals available to all students in each elementary, middle, and high school. Each school shall, to the maximum extent practicable, make breakfast meals available to students at an alternative site location, which may include, but need not be limited to, alternative breakfast options as described in publications of the Food and Nutrition Service of the United States Department of Agriculture for the federal School Breakfast Program* ~~goes only through grade 5, in which case the requirement shall apply only through grade 5. Each district school board shall implement breakfast programs in all elementary schools in which students are eligible for free and reduced price lunch meals, to the extent specifically funded in the General Appropriations Act.~~

(b) Beginning with the 2009-2010 school year, each school district must annually set prices for breakfast meals at rates that, combined with federal reimbursements, are sufficient to defray costs of school breakfast programs without requiring allocations from the district's operating funds, except if the district school board approves lower rates.

(c) Each district school board is encouraged to provide universal-free school breakfast meals to all students in each elementary, middle, and high school. By the beginning of the 2010-2011 school year, each district school board shall approve or disapprove a policy, after receiving public testimony concerning the proposed policy at two or more regular meetings, which makes universal-free school breakfast meals available to all students in each elementary, middle, and high school in which 80 percent or more of the students are eligible for free or reduced-price meals.

(d) Beginning with the 2009-2010 school year, each elementary, middle, and high school shall make a breakfast meal available if a student arrives at school on the school bus less than 15 minutes before the first bell rings and shall allow the student at least 15 minutes to eat the breakfast.

(e) Each school district shall annually provide to all students in each elementary, middle, and high school information prepared by the district's food service administration regarding its school breakfast programs. The information shall be communicated through school announcements and written notice sent to all parents.

(f) A district school board may operate a breakfast program providing for food preparation at the school site or in central locations with distribution to designated satellite schools or any combination thereof.

(g)~~(b)~~ The commissioner shall make every reasonable effort to ensure that any school designated a "severe need school" receives the highest rate of reimbursement to which it is entitled *under* ~~pursuant to~~ 42 U.S.C. s. 1773 for each ~~free and reduced price~~ breakfast *meal* served.

(h)~~(c)~~ The department shall *annually allocate among the school districts funds provided from the* ~~calculate and distribute a~~ school ~~district~~ breakfast supplement ~~for each school year by multiplying the state breakfast rate as specified~~ in the General Appropriations Act *based on each district's total* ~~by the~~ number of free and *reduced-price* ~~reduced price~~ breakfast meals served.

~~(d) The Legislature shall provide sufficient funds in the General Appropriations Act to reimburse participating school districts for the difference between the average federal reimbursement for free and reduced price breakfasts and the average statewide cost for breakfasts.~~

Section 2. *(1) The Office of Program Policy Analysis and Government Accountability, by January 15, 2009, shall submit a report to the*

Governor, the President of the Senate, the Speaker of the House of Representatives, the members of the State Board of Education, and the Commissioner of Education on school district food service programs. The report shall:

(a) Estimate the district-by-district cost if each school district implements a universal-free school breakfast program in all elementary, middle, and high schools. The estimate shall consider the marginal costs per breakfast meal, anticipated increases in student participation rates, expected reductions in the marginal costs per breakfast meal which result from increased economies of scale, offsetting federal reimbursements, impact on the marginal costs per breakfast meal of limiting participation in a universal-free school breakfast program to schools having various percentages of students eligible for free or reduced-price meals, and impact on student participation rates and marginal costs per breakfast meal of alternatives to serving meals in school cafeterias. The estimate shall also consider the experiences of specific Florida schools and school districts implementing a universal-free school breakfast program.

(b) Determine the extent to which school district food service programs are fiscally self-sufficient or require financial support from other district operating funds.

(c) Examine for at least the previous 5 years the prices that school food service programs charged for meals, the frequency of price-level increases, and the relationship between increases in the costs per meal and price-level increases.

(d) Identify best practices for the efficient and effective operation of school district food service programs, which shall include strategies for a school district to reduce the costs of its food service programs without sacrificing the nutritional value of meals, including, but not limited to, the use of alternatives to the daily counting of meals at the point of service which are authorized under 7 C.F.R. s. 210.7(c)(2).

(e) Evaluate the methodology and forms used for school district food service programs to report their revenues and expenditures to the Department of Education. The evaluation shall assess whether the forms require food service programs to accurately report their total operating costs, including, but not limited to, food, labor, equipment, utilities, janitorial services, overhead, and indirect costs; whether the calculations submitted on the forms accurately report the average costs per meal; and whether information obtained from the forms as submitted to the department allows an equitable district-by-district comparison of the average costs per meal.

(f) Assess the methodology used to allocate funds provided in the General Appropriations Act for school district food service programs and the extent to which the allocation methodology creates incentives for the fiscal efficiency of the food service programs.

(g) Evaluate the organizational structure of the state for, and the state implementation and programmatic management of, federal programs administered by the Food and Nutrition Service of the United States Department of Agriculture, including, but not limited to, the National School Lunch Program, the federal School Breakfast Program, and the federal Summer Food Service Program.

(2) The Office of Program Policy Analysis and Government Accountability shall consult with staff of the education committees of the Senate and House of Representatives, the Department of Education, the Department of Agriculture and Consumer Services, and the Auditor General concerning the research design for the report.

Section 3. This act shall take effect July 1, 2008.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to school food service programs; amending s. 1006.06, F.S.; requiring school breakfast programs in middle and high schools; providing procedures for school breakfast programs; specifying requirements for setting prices of breakfast meals; requiring district school boards to consider policies for the provision of universal-free school breakfast meals in certain schools; requiring information to be communicated to students and parents; clarifying the allocation of funds for school breakfast programs; directing the Office of Program Policy Analysis and Government Accountability to submit a report on school district food service programs; providing an effective date.

Pursuant to Rule 4.19, **CS for HB 623** as amended was placed on the calendar of Bills on Third Reading.

Consideration of **CS for SB 1490** was deferred.

CS for SB 1492—A bill to be entitled An act relating to a discretionary surtax; amending s. 3, ch. 83-220, Laws of Florida, as amended; extending the date of repeal of provisions authorizing counties to levy a discretionary surtax on documents; amending s. 201.031, F.S.; requiring each county that levies the discretionary surtax to prepare an annual financial report showing the revenues and the expenses of the trust fund for the fiscal year, to retain an independent outside auditor to conduct a financial audit of surtax revenues and expenditures, to adopt by resolution of its governing body a housing plan every 3 years, and to require by resolution that the staff or entity that has administrative authority for implementing the housing plan to prepare and submit to the county's governing body an annual report; limiting to a maximum of 10 percent the portion of the surtax revenues which may be used for administrative costs; providing an effective date.

—was read the second time by title.

Senator Margolis moved the following amendment:

Amendment 1 (636396)(with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Section 3 of chapter 83-220, Laws of Florida, as amended by section 1 of chapter 84-270, Laws of Florida, and section 1 of chapter 89-252, Laws of Florida, is amended to read:

Section 3. Sections 1 and 2 of chapter 83-220, Laws of Florida, as amended by this act, are repealed effective October 1, *2031* ~~2011~~.

Section 2. Subsections (4), (5), (6), (7), and (8) are added to section 125.0167, Florida Statutes, to read:

125.0167 Discretionary surtax on documents; adoption; application of revenue.—

(4) No more than 10 percent of surtax revenues collected by the Department of Revenue and remitted to the county in any fiscal year may be used for administrative costs.

(5)(a) Notwithstanding the provisions of subsection (3), no less than 50 percent of the revenues collected in the Housing Assistance Loan Trust Fund shall be used to provide homeownership assistance for low-income and moderate-income families. At least 10 percent of the funds specified in this paragraph shall be used for down payment assistance.

(b) For purposes of this subsection, the term "homeownership assistance" means assisting low-income and moderate-income families in purchasing a home as their primary residence, including, but not limited to, reducing the cost of the home with below-market construction financing, the amount of down payment and closing costs paid by the borrower, or the mortgage payment to an affordable amount for the purchaser or using any other financial assistance measure set forth in s. 420.5088.

(6) Rehabilitation of housing owned by a recipient government shall only be authorized after an affirmative vote of the governing body that no other sources of funds are available.

(7)(a) The governing body of each county as defined in s. 125.011(1) may by county ordinance and pursuant to procedures and requirements provided by such ordinance create a housing choice assistance voucher program.

(b) For purposes of this subsection, the term:

1. "Housing choice assistance voucher" means the document used to access assistance paid by the county from the discretionary surtax balance in the Housing Assistance Trust Fund to a prospective purchaser of a single-family residence which must be the purchaser's homestead.

2. "Purchasing employer" means a business or business entity that has acquired real property within the county and paid the surtax due as a result of the acquisition of that property pursuant to this section.

(c) Housing choice assistance vouchers shall be used for down payment assistance:

1. For the purchase of a single-family residence within the county.

2. By low-income or moderate-income persons who are:

a. Actively employed by the purchasing employer or by a business entity directly affiliated with the purchasing employer; and

b. Prequalified for a mortgage loan by a certified lending institution.

(d) Upon payment of the discretionary surtax pursuant to this section, the purchasing employer may file for an allocation for housing choice assistance vouchers from the county in an amount not to exceed 50 percent of the amount of the discretionary surtax paid. The purchasing employer shall distribute the allocation to employees in the form of housing choice assistance vouchers pursuant to rules and procedures established for the program.

(e) Any housing choice assistance voucher allocation not distributed to employees and redeemed by an employee within 1 year after the date the discretionary surtax is paid may not be used for housing choice assistance vouchers under this subsection.

(f) Any housing assistance paid pursuant to the housing choice assistance voucher program shall be included in the calculation determining the percentage of discretionary surtax funds used for homeownership purposes during the year in which the surtax funds for such purposes are expended.

Section 3. Section 201.031, Florida Statutes, is amended to read:

201.031 Discretionary surtax; administration and collection; Housing Assistance Loan Trust Fund; reporting requirements.—

(1) Each county, as defined by s. 125.011(1), may levy, subject to the provisions of s. 125.0167, a discretionary surtax on documents taxable under the provisions of s. 201.02, except that there shall be no surtax on any document pursuant to which the interest granted, assigned, transferred, or conveyed involves only a single-family residence. *The* ~~Such~~ single-family residence may be a condominium unit, a unit held through stock ownership or membership representing a proprietary interest in a corporation owning a fee or a leasehold initially in excess of 98 years, or a detached dwelling.

(2) All provisions of chapter 201, except s. 201.15, ~~shall~~ apply to the surtax. The Department of Revenue shall pay to the governing authority of the county which levies the surtax all taxes, penalties, and interest collected under this section less any costs of administration.

(3) Each county *that* ~~which~~ levies the surtax shall*:*

(a) Include in the financial report required under s. 218.32 information showing the revenues and the expenses of the trust fund for the fiscal year.

(b) Adopt a housing plan every 3 years that includes provisions substantially similar to the plans required in s. 420.9075(1).

(c) Have adopted an affordable housing element of its comprehensive land use plan that complies with s. 163.3177(6)(f).

(d) Require by resolution that the staff or entity that has administrative authority for implementing the housing plan prepare and submit to the county's governing body an annual report substantially similar to the annual report required in s. 420.9075(10).

(4) Every 2 years after the effective date of this act, the Auditor General shall conduct an operational audit as defined in s. 11.45 of the discretionary surtax program operated by counties under s. 125.0167. The Auditor General shall provide a report of such audit to the President of the Senate and the Speaker of the House of Representatives.

Section 4. This act shall take effect upon becoming a law.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to discretionary surtax on documents; amending s. 3, ch. 83-220, Laws of Florida, as amended; extending a future repeal date of provisions authorizing counties to levy a discretionary surtax on documents; amending s. 125.0167, F.S.; limiting the percentage of surtax revenues that may be used for administrative costs; specifying a minimum amount of surtax revenues to be used for housing for certain low-income and moderate-income families; requiring an affirmative vote of a local government governing body to rehabilitate certain governmentally owned housing; requiring certain remaining revenues to be used for down payment assistance; authorizing certain counties to create by ordinance a housing choice assistance voucher program; providing definitions; providing eligibility requirements for such vouchers; authorizing purchasing employers to file for allocations for such vouchers; limiting allocations; requiring distribution of allocations to employees in the form of such vouchers; prohibiting use of allocations for such vouchers if not awarded within a certain period after certain documentary stamps taxes are collected; amending s. 201.031, F.S.; expanding requirements for counties levying the discretionary surtax to include housing plan, affordable housing element, and annual reporting requirements; requiring the Auditor General to conduct a biennial operational audit of the discretionary surtax program operated by counties; requiring a report; providing an effective date.

On motion by Senator Margolis, further consideration of **CS for SB 1492** with pending **Amendment 1 (636396)** was deferred.

CS for SB 1604—A bill to be entitled An act relating to designations of state facilities; designating the Major Claude A. Gnann Memorial Highway and the Deputy Wayne Koester Memorial Highway in Lake County; designating Lt. Colonel Robert T. Heagy, Jr., Memorial Highway in Marion County; designating Cutler Bay Boulevard, Palmetto Bay Boulevard, American Legion Way, Honorable Robert B. Ingram, Ph.D., Boulevard, Father Emilio Vallina Avenue, and Bishop Victor Tyrone Curry Boulevard in Miami-Dade County; designating United States Army Specialist Brandon Tyler Thorsen Memorial Highway in Levy County; designating John E. Andrews Boulevard, George Matthews Boulevard, Angela Webb Hammonds Boulevard, Willie F. Faust Boulevard, and James H. Argrett, Sr., Avenue in Duval County; designating Veteran's Memorial Parkway in Sarasota County; designating a bridge in the city of Sarasota as Gil Waters Bridge; directing the Department of Transportation to erect suitable markers; designating the Joseph P. Bertrand Building in Fort Myers; authorizing the Department of Management Services to erect suitable markers; amending s. 589.19, F.S.; designating the state forest in Seminole County as the Charles H. Bronson State Forest; providing an effective date.

—was read the second time by title.

MOTION

On motion by Senator Baker, the rules were waived to allow the following amendments to be considered:

Senator Baker moved the following amendments which were adopted:

Amendment 1 (091298)—Delete line(s) 97 and insert:

(1) The portion of N.W. 135th Street between 7th Avenue

Amendment 2 (207040)(with title amendment)—Between line(s) 203 and 204 insert:

Section 20. *Rolando Encinosa Road designated; Department of Transportation to erect suitable markers.—*

(1) That portion of SR 972 / SW 22nd Street between SW 22nd Avenue and SW 24th Avenue in Miami-Dade County is designated as "Rolando Encinosa Road."

(2) The Department of Transportation is directed to erect suitable markers designating Rolando Encinosa Road as described in subsection (1).

Section 21. *Henry Levy Boulevard designated; Department of Transportation to erect suitable markers.—*

(1) That portion of 71st Street between Collins Avenue and Bay Drive in the City of Miami Beach in Miami-Dade County is designated as "Henri Levy Boulevard."

(2) The Department of Transportation is directed to erect suitable markers designating Henri Levy Boulevard as described in subsection (1).

Section 22. *Manuel Feijoo Avenue designated; Department of Transportation to erect suitable markers.—*

(1) That portion of S.W. 72nd Avenue between S.W. 21st Street and North Waterway Drive in Miami-Dade County is designated as "Manuel Feijoo Avenue."

(2) The Department of Transportation is directed to erect suitable markers designating Manuel Feijoo Avenue as described in subsection (1).

Section 23. *All-America Parkway designated; Department of Transportation to erect suitable markers.—*

(1) That portion of U.S. Highway 1 between S.W. 80th Street and S.W. 57th Avenue in Miami-Dade County designated as "South Miami All-American Parkway" by chapter 2003-298, Laws of Florida, is redesignated as "All America Parkway."

(2) The Department of Transportation is directed to erect suitable markers redesignating the South Miami All-American Parkway as All America Parkway as described in section (1).

Section 24. *Katherine Fernandez Rundle Avenue designated; Department of Transportation to erect suitable markers.—*

(1) That portion of 12th Avenue between 8th Street S.W. and 64th Street N.W. in Miami-Dade County is designated as "Katherine Fernandez Rundle Avenue."

(2) The Department of Transportation is directed to erect suitable markers designating Katherine Fernandez Rundle Avenue as described in subsection (1).

Section 25. *Judy Drucker Boulevard designated; Department of Transportation to erect suitable markers.—*

(1) The portion of Biscayne Boulevard in Miami-Dade County between N.E. 13th Street and N.E. 14th Street is designated as "Judy Drucker Boulevard."

(2) The Department of Transportation is directed to erect suitable markers designating Judy Drucker Boulevard as described in subsection (1).

Section 26. *Will James Johnson Road designated; Department of Transportation to erect suitable markers.—*

(1) The portion of State Road 976/S.W. 40th Street in Miami-Dade County from Hibiscus Street to Ohio Street is designated as "Will James Johnson Road."

(2) The Department of Transportation is directed to erect suitable markers designating Will James Johnson Road as described in subsection (1).

Section 27. *Martha Flores Way designated; Department of Transportation to erect suitable markers.—*

(1) The portion of 8th Street in Miami-Dade County from SW 42nd Avenue to SW 47th Avenue is designated as "Martha Flores Way."

(2) The Department of Transportation is directed to erect suitable markers designating Martha Flores Way as described in subsection (1).

Section 28. *Rabbi Barry Tabachnikoff Avenue designated; Department of Transportation to erect suitable markers.—*

(1) The portion of SW 87th Ave from SW 94th St to SW 95th Street is designated as "Rabbi Barry Tabachnikoff Avenue."

(2) The Department of Transportation is directed to erect suitable markers designating Rabbi Barry Tabachnikoff Avenue as described in subsection (1).

Section 29. *Notwithstanding any provision of chapter 74-8 400, Laws of Florida, public funds may be used for the alteration of Old Cutler Road, between Southwest 136th Street and Southwest 184th Street, in the Village of Palmetto Bay.*

(1) The alteration may include the installation of sidewalks, curbing, and landscaping to enhance pedestrian access to the road.

(2) The official approval of the project by the Department of State must be obtained before any alteration is started.

And the title is amended as follows:

Delete line(s) 23 and insert: Forest; designating Rolando Encinosa Road, Henry Levy Boulevard, Manuel Feijoo Avenue, All-America Parkway, Katherine Fernandez Rundle Avenue, Judy Drucker Boulevard, Will James Johnson Road, Martha Flores Way, and Rabbi Barry Tabachnikoff Avenue in Miami-Dade County; directing the Department of Transportation to erect suitable markers; authorizing certain alterations of Old Cutler Road in the Village of Palmetto Bay; requiring the official approval of the Department of State before any alterations may begin; providing an effective date.

MOTION

On motion by Senator Garcia, the rules were waived to allow the following amendment to be considered:

Senator Garcia moved the following amendment which was adopted:

Amendment 3 (858156)(with title amendment)—Between lines 170 and 171 insert:

Section 18. *Raquel Regalado Avenue designated; Department of Transportation to erect suitable markers.—*

(1) The portion of 27th Avenue in Miami-Dade County from Flagler to S.W. 5th Street is designated as "Raquel Regalado Avenue."

(2) The Department of Transportation is directed to erect suitable markers designating Raquel Regalado Avenue as described in subsection (1).

And the title is amended as follows:

On line 17, after the semicolon (;) insert: designating Raquel Regalado Avenue in Miami-Dade County;

MOTION

On motion by Senator Wilson, the rules were waived to allow the following amendment to be considered:

Senator Wilson moved the following amendment:

Amendment 4 (245056)(with title amendment)—Between line(s) 177 and 178, insert:

Section 19. *Reverend Dr. C.P. Preston, Jr. Street designated; Department of Transportation to erect suitable markers.—*

(1) The portion of SR 934 on N.W. 79th Street between N.W. 7th Avenue and N.W. 37th Avenue in Miami-Dade County is designated as "Reverend Dr. C.P. Preston, Jr. Street."

(2) The Department of Transportation is directed to erect suitable markers designating "Reverend Dr. C.P. Preston, Jr. Street" as described in subsection (1).

And the title is amended as follows:

On line(s) 21, after the first semicolon (;) insert: designating Reverend Dr. C.P. Preston, Jr. Street in Miami-Dade County; authorizing the Department of Transportation to erect suitable markers;

On motion by Senator Baker, further consideration of **CS for SB 1604** with pending **Amendment 4 (245056)** was deferred.

Consideration of **CS for CS for CS for CS for SB 1670** was deferred.

On motion by Senator Jones, by two-thirds vote **CS for HB 1427** was withdrawn from the Committees on Environmental Preservation and Conservation; and Community Affairs.

On motion by Senator Jones, by two-thirds vote—

CS for HB 1427—A bill to be entitled An act relating to beach management; amending s. 161.142, F.S.; providing legislative intent and findings; providing requirements concerning the quality and quantity of dredged sand placed on certain beaches adjacent to inlets; requiring an estimation of the requisite quantity of beach-quality sand by the Department of Environmental Protection and its consultants; revising exemptions from certain permitting requirements and prohibitions for certain construction activities; requiring compliance with the applicable Florida Building Code; requiring the protection of nesting shorebirds and marine turtles; specifying requirements of certain ports concerning the placement of dredged sand on adjacent eroding beaches; authorizing such ports to sponsor or cosponsor inlet management projects that are fully eligible for state cost-sharing; providing requirements and findings concerning the placement of dredged sand from federal navigation projects; providing for assignment of responsibility for the erosion caused by inlets; specifying actions to be taken by the department in disputes between local governments and property owners concerning how much sand should bypass an inlet; creating s. 161.143, F.S.; requiring that inlet management studies, projects, and activities be supported by certain plans; providing criteria governing the department's ranking of inlet management projects and activities; specifying conditions that must be met; requiring that the department establish funding priorities for projects and activities concerning inlet management; providing for input from interested governmental and private entities; providing criteria for establishing priorities; authorizing funding levels for inlet management projects under specified conditions; requiring that the department annually provide an inlet management project list to the Legislature; providing requirements for the list; requiring that the department make available certain moneys for projects on the list; requiring that the department make available certain moneys for projects on other legislatively approved inlet management project lists; requiring that the Legislature designate a certain inlet project as "Inlet of the Year"; requiring the department to provide an annual report to the Legislature concerning the success of projects so designated; requiring rulemaking by the department; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 1672** and by two-thirds vote read the second time by title.

Pursuant to Rule 4.19, **CS for HB 1427** was placed on the calendar of Bills on Third Reading.

On motion by Senator Baker, the Senate resumed consideration of—

CS for SB 1604—A bill to be entitled An act relating to designations of state facilities; designating the Major Claude A. Gnann Memorial Highway and the Deputy Wayne Koester Memorial Highway in Lake County; designating Lt. Colonel Robert T. Heagy, Jr., Memorial Highway in Marion County; designating Cutler Bay Boulevard, Palmetto Bay Boulevard, American Legion Way, Honorable Robert B. Ingram, Ph.D., Boulevard, Father Emilio Vallina Avenue, and Bishop Victor Tyrone Curry Boulevard in Miami-Dade County; designating United States Army Specialist Brandon Tyler Thorsen Memorial Highway in Levy County; designating John E. Andrews Boulevard, George Matthews Boulevard, Angela Webb Hammonds Boulevard, Willie F. Faust Boulevard, and James H. Argrett, Sr., Avenue in Duval County; designating Veteran's Memorial Parkway in Sarasota County; designating a bridge in the city of Sarasota as Gil Waters Bridge; directing the Department of Transportation to erect suitable markers; designating the Joseph P. Bertrand Building in Fort Myers; authorizing the Department of Management Services to erect suitable markers; amending s. 589.19, F.S.; designating the state forest in Seminole County as the Charles H. Bronson State Forest; providing an effective date.

—which was previously considered and amended this day. Pending **Amendment 4 (245056)** by Senator Wilson was adopted.

Pursuant to Rule 4.19, **CS for SB 1604** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

Consideration of **CS for SB 1752** and **CS for CS for SB 1914** was deferred.

On motion by Senator Rich, by two-thirds vote **HB 7075** was withdrawn from the Committees on Children, Families, and Elder Affairs; Health Regulation; and Health and Human Services Appropriations.

On motion by Senator Rich, the rules were waived and—

HB 7075—A bill to be entitled An act relating to developmental disabilities; amending s. 393.063, F.S.; revising definitions applicable to ch. 393, F.S., relating to persons with developmental disabilities; amending ss. 287.155, 393.064, 393.0651, 393.066, 393.135, 393.22, 393.23, 402.181, 402.22, 408.036, and 435.03, F.S.; conforming terminology to changes made by the act; amending s. 393.0657, F.S.; revising an exemption from certain requirements for refingerprinting and rescreening; amending s. 393.0673, F.S.; providing circumstances under which the Agency for Persons with Disabilities may deny, revoke, or suspend a license or impose a fine; amending s. 393.506, F.S.; authorizing direct service providers to administer a certain medication to clients with developmental disabilities; amending s. 400.063, F.S.; conforming a cross-reference; amending s. 916.301, F.S.; clarifying provisions relating to court appointment of certain qualified experts to evaluate a defendant's mental condition; amending s. 916.302, F.S.; authorizing the sheriff to transport a defendant determined incompetent to proceed due to retardation or autism to county jail under certain conditions pending a court appearance at a competency hearing held within a specified period of time; providing an effective date.

—a companion measure, was substituted for **CS for SB 1954** and read the second time by title.

Pursuant to Rule 4.19, **HB 7075** was placed on the calendar of Bills on Third Reading.

On motion by Senator Baker, by two-thirds vote **HB 961** was withdrawn from the Committees on Environmental Preservation and Conservation; Governmental Operations; Finance and Tax; and General Government Appropriations.

On motion by Senator Baker, by two-thirds vote—

HB 961—A bill to be entitled An act relating to cleanup of sites contaminated by petroleum; amending s. 376.3071, F.S.; increasing public funding for the restoration of certain sites contaminated by petroleum; providing criteria for the sites eligible for additional funds; prohibiting reimbursements for expenses incurred outside the petroleum cleanup preapproved site rehabilitation program administered by the Department of Environmental Protection; amending s. 376.30711, F.S.; providing requirements concerning preapproved site rehabilitation agreements that govern submittal of invoices to the department and payment of subcontractors; providing that an exemption from requirements concerning payments to subcontractors and suppliers does not apply to payments associated with such preapproved agreements; amending s. 376.3072, F.S., relating to the Florida Petroleum Liability and Restoration Insurance Program; increasing the amount of funds available under the insurance program for certain incidents or discharges; providing criteria for the sites eligible for additional funds; prohibiting reimbursements for expenses incurred outside the petroleum cleanup preapproved site rehabilitation program administered by the Department of Environmental Protection; providing an effective date.

—a companion measure, was substituted for **SB 1982** and by two-thirds vote read the second time by title.

Pursuant to Rule 4.19, **HB 961** was placed on the calendar of Bills on Third Reading.

On motion by Senator Atwater, by two-thirds vote **CS for HB 219** was withdrawn from the Committees on Agriculture; and Governmental Operations.

On motion by Senator Atwater—

CS for HB 219—A bill to be entitled An act relating to the Gertrude Maxwell Save a Pet Act; providing a short title; creating s. 570.97, F.S.; creating a direct-support organization for the Department of Agriculture and Consumer Services; providing for the organization and operation of the direct-support organization; providing for the purpose of the direct-support organization; providing for the membership of the board of directors; providing for honorary board members of the direct-support organization; providing for appointment of Gertrude Maxwell or her designee as the first honorary board member of the direct-support organization; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 1994** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 219** was placed on the calendar of Bills on Third Reading.

On motion by Senator Posey, by two-thirds vote **CS for HB 527** was withdrawn from the Committees on Environmental Preservation and Conservation; Judiciary; and General Government Appropriations.

On motion by Senator Posey, by two-thirds vote—

CS for HB 527—A bill to be entitled An act relating to environmental site redevelopment; amending s. 376.30715, F.S.; defining the term "acquired"; providing for financial assistance in certain additional circumstances involving the transfer of a contaminated property; s. 220.1845, F.S.; revising requirements for site rehabilitation tax credits; expanding eligibility for site rehabilitation tax credits; providing for application to brownfield site redevelopment solid waste removal costs; providing requirements and limitations; providing definitions; providing for application to construction and operation of new health care facilities or health care providers on brownfield sites; providing requirements; amending s. 376.30781, F.S.; revising provisions providing tax credits for rehabilitation of certain contaminated sites and brownfield sites; providing for application to solid waste removal activities and site rehabilitation; providing for granting tax credits to multiple applicants; providing criteria for claiming costs for solid waste removal; providing definitions; providing for application to construction and operation of new health care facilities or health care providers on brownfield sites; providing requirements; revising criteria and requirements for granting site rehabilitation tax credits; providing criteria and requirements for granting solid waste removal tax credits; revising criteria and requirements for Department of Environmental Protection review of tax credit applications; providing notice requirements for the department in reviewing applications; increasing available amounts eligible for tax credits; providing additional limitations on tax credit awards for site rehabilitation costs and solid waste removal costs; providing construction of costs not eligible for tax credits; providing requirements and procedures for allocating and awarding certain ineligible or disputed costs; amending s. 376.79, F.S.; revising definitions relating to brownfield redevelopment; conforming a cross-reference; amending s. 376.80, F.S.; revising the brownfield program administration process; revising local government proposal requirements; revising requirements for brownfield site redevelopment agreements; deleting certain brownfield site rehabilitation contractor certification requirements; deleting a requirement that certain professionals carry professional liability insurance; providing legislative findings and declarations; authorizing local governments to evaluate certain benefits and effects of brownfield site redevelopment and rehabilitation; providing criteria; authorizing the Department of Health to assist local governments in such evaluations; amending s. 376.82, F.S.; conforming references; amending s. 376.86, F.S.; providing for limited application of Brownfield Areas Loan Guarantee Program grants to construction and operation of new health care facilities and health care providers; expanding membership of the Brownfield Areas Loan Guarantee Council; providing for retroactive application; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 2018** and by two-thirds vote read the second time by title.

Pursuant to Rule 4.19, **CS for HB 527** was placed on the calendar of Bills on Third Reading.

By Senator Geller—

CS for CS for SB 2040—A bill to be entitled An act relating to the excise tax on documents; amending s. 201.02, F.S.: revising criteria determining liability for payment of the tax; providing requirements and methods for making an election regarding payment of tax under specified circumstances; providing requirements; providing for application of the act; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 2040** was placed on the calendar of Bills on Third Reading.

By Senator Haridopolos—

CS for CS for SB 2080—A bill to be entitled An act relating to value adjustment boards; amending s. 194.011, F.S.; requiring that the Department of Revenue develop a uniform policies and procedures manual for use in proceedings before value adjustment boards; specifying availability requirements for such manual; amending s. 194.015, F.S.; revising the membership of value adjustment boards; providing for citizen members; revising criteria related to appointment to such boards; revising quorum requirements; deleting provisions authorizing county attorneys to act as counsel for value adjustment boards; amending s. 194.035, F.S.; providing that a requirement that value adjustment boards appoint special magistrates for certain purposes applies to all counties; requiring value adjustment boards to verify the qualifications of special magistrates prior to appointment; providing selection criteria; requiring that the department provide training for special magistrates; providing training requirements; requiring that the department charge tuition for such training; requiring that the department deposit fees collected from such tuition into the Certification Program Trust Fund; amending s. 194.037, F.S.; revising information required to be provided on the disclosure of tax impact form to include certain additional information; amending s. 195.002, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 2080** was placed on the calendar of Bills on Third Reading.

Consideration of **CS for SB 2094** and **CS for SB 2170** was deferred.

By Senator Lynn—

CS for CS for SB 2532—A bill to be entitled An act relating to child custody and support; providing a directive to the Division of Statutory Revision to retitle ch. 61, F.S.; amending s. 61.046, F.S.; defining the terms "parenting plan," "parenting plan recommendation," and "time-sharing schedule"; deleting definitions of the terms "custodial parent" and "noncustodial parent"; amending ss. 61.052, 61.09, and 61.10, F.S.; conforming provisions to changes in terminology; repealing s. 61.121, F.S., relating to rotating custody; amending s. 61.122, F.S.; conforming provisions to changes in terminology; revising provisions relating to a presumption of good faith for psychologists making specified determinations; amending s. 61.13, F.S.; revising provisions relating to modification of support; conforming provisions to changes in terminology; revising provisions relating to development of a parenting plan; amending s. 61.13001, F.S.; conforming provisions to changes in terminology; deleting obsolete definitions; amending s. 61.13002, F.S.; providing for orders of temporary support for children whose time-sharing is temporarily modified due to a parent's military service; conforming provisions to changes in terminology; amending ss. 61.14, 61.181, and 61.1827, F.S.; conforming provisions to changes in terminology; conforming a cross-reference; amending s. 61.20, F.S.; conforming provisions to changes in terminology; revising provisions relating to social investigation and recommendations regarding a parenting plan; amending s. 61.21, F.S.; conforming provisions to changes in terminology; amending s. 61.30, F.S.; conforming provisions to changes in terminology; amending ss. 61.401, 61.45, 409.2554, and 409.2558, F.S.; conforming provisions to changes in terminology; amending s. 409.2563, F.S.; conforming provisions to changes in terminology; revising provisions relating to presumption of a parent's income for the purpose of establishing a support obligation; deleting an obsolete provision concerning a study by the Office of

Program Policy Analysis and Government Accountability; amending ss. 409.2564, 409.25657, 409.25659, and 409.2577, F.S.; conforming provisions to changes in terminology; amending s. 409.2579, F.S.; conforming a cross-reference; amending ss. 409.811, 414.0252, 414.065, 414.085, 414.095, 414.295, and 445.024, F.S.; conforming provisions to changes in terminology; amending s. 741.0306, F.S.; revising requirements for a family law handbook; conforming provisions to changes in terminology; requiring a review of the handbook and report to the Legislature; amending s. 741.30, F.S.; conforming provisions to changes in terminology; amending s. 742.031, F.S.; conforming provisions to changes in terminology; providing for time-sharing and parental responsibility in paternity judgments; amending ss. 753.01 and 827.06, F.S.; conforming provisions to changes in terminology; reenacting s. 61.1825(3)(a), F.S., relating to relating to the State Case Registry, to incorporate the amendments made to s. 741.30, F.S., in a reference thereto; providing an effective date.

—was read the second time by title.

Senator Storms moved the following amendment which was adopted:

Amendment 1 (827576)—Delete line(s) 604-655 and insert:

(h) The home, school, and community record of the child.

(i) The reasonable preference of the child, if the court deems the child to be of sufficient intelligence, understanding, and experience to express a preference.

(j) The demonstrated knowledge, capacity, and disposition of each parent to be informed of the circumstances of the minor child, including, but not limited to, the child's friends, teachers, medical care providers, daily activities, and favorite things.

(k) The demonstrated capacity and disposition of each parent to provide a consistent routine for the child, such as discipline, and daily schedules for homework, meals, and bedtime.

(l)~~(j)~~ *The demonstrated capacity of each parent to communicate with and keep the other parent informed of issues and activities regarding the minor child, and the willingness of each parent to adopt a unified front on all major issues when dealing with the child* ~~The willingness and ability of each parent to facilitate and encourage a close and continuing parent-child relationship between the child and the other parent~~.

(m)~~(k)~~ Evidence *of domestic violence, sexual violence, child abuse, child abandonment, or child neglect, regardless of whether a prior or pending action relating to those issues has been brought* ~~that any party has knowingly provided false information to the court regarding a domestic violence proceeding pursuant to s. 741.30~~.

(n)~~(l)~~ Evidence *that either parent has knowingly provided false information to the court regarding any prior or pending action regarding domestic violence, sexual violence, child abuse, child abandonment, or child neglect* ~~of domestic violence or child abuse~~.

(o)~~(m)~~ *The particular parenting tasks customarily performed by each parent and the division of parental responsibilities before the institution of litigation and during the pending litigation, including the extent to which parenting responsibilities were undertaken by third parties* ~~Any other fact considered by the court to be relevant~~.

(p) The demonstrated capacity and disposition of each parent to participate and be involved in the child's school and extracurricular activities.

(q) The demonstrated capacity and disposition of each parent to maintain an environment for the child which is free from substance abuse.

(r) The capacity and disposition of each parent to protect the child from the ongoing litigation as demonstrated by not discussing the litigation with the child, not sharing documents or electronic media related to the litigation with the child, and refraining from disparaging comments about the other parent to the child.

(s) The developmental stages and needs of the child and the demonstrated capacity and disposition of each parent to meet the child's developmental needs.

(t) Any other factor that is relevant to the determination

Pursuant to Rule 4.19, **CS for CS for SB 2532** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Storms, by two-thirds vote **CS for HB 1203** was withdrawn from the Committees on Education Pre-K - 12; Military Affairs and Domestic Security; and Education Pre-K - 12 Appropriations.

On motion by Senator Storms—

CS for HB 1203—A bill to be entitled An act relating to the Interstate Compact on Educational Opportunity for Military Children; creating s. 1000.36, F.S.; directing the Governor to execute the Interstate Compact on Educational Opportunity for Military Children on behalf of this state with any other state or states legally adopting the compact; providing definitions; providing applicability; providing for the transfer of education records from a sending to a receiving state; requiring that children of military personnel be enrolled in classes at current grade level; providing for eligibility for graduation; providing for a state council to coordinate agencies and schools; providing for membership on the council; creating the Interstate Commission on Educational Opportunity for Military Children; providing for membership, organization, meetings, operations, powers, and duties; creating an executive committee; requiring the commission to adopt rules; providing for a legal challenge to the adopted rules; providing for oversight, enforcement, and dispute resolution; providing procedures to suspend or terminate member states; authorizing the commission to levy and collect an annual assessment from each member state; providing the method for the compact to become effective and binding on the member states; providing procedures for the withdrawal of a member state; providing severability; providing for the effect of the compact on member states' laws; creating s. 1000.37, F.S.; requiring the Secretary of State to furnish a copy of the enrolled act enacting the Interstate Compact on Educational Opportunity for Military Children to each of the states approving the compact; creating s. 1000.38, F.S.; authorizing the designation of a Compact Commissioner and a Military Family Education Liaison by the Governor; creating s. 1000.39, F.S.; creating the State Council on Interstate Educational Opportunity for Military Children; providing purpose and membership; prohibiting compensation; authorizing reimbursement for per diem and travel expenses; providing for public records and open meetings; requiring the Department of Education to provide administrative support; prescribing procedures if the council is abolished; providing for future legislative review and repeal of the act; providing an effective date.

—a companion measure, was substituted for **CS for SB 2546** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 1203** was placed on the calendar of Bills on Third Reading.

RECONSIDERATION OF BILL

On motion by Senator Rich, the rules were waived and the Senate reconsidered the vote by which—

HB 7075—A bill to be entitled An act relating to developmental disabilities; amending s. 393.063, F.S.; revising definitions applicable to ch. 393, F.S., relating to persons with developmental disabilities; amending ss. 287.155, 393.064, 393.0651, 393.066, 393.135, 393.22, 393.23, 402.181, 402.22, 408.036, and 435.03, F.S.; conforming terminology to changes made by the act; amending s. 393.0657, F.S.; revising an exemption from certain requirements for refingerprinting and rescreening; amending s. 393.0673, F.S.; providing circumstances under which the Agency for Persons with Disabilities may deny, revoke, or suspend a license or impose a fine; amending s. 393.506, F.S.; authorizing direct service providers to administer a certain medication to clients with developmental disabilities; amending s. 400.063, F.S.; conforming a cross-reference; amending s. 916.301, F.S.; clarifying provisions relating to court appointment of certain qualified experts to evaluate a defendant's mental condition; amending s. 916.302, F.S.; authorizing the sheriff to transport a defendant determined incompetent to proceed due to retardation or autism to county jail under certain conditions pending a court appearance at a competency hearing held within a specified period of time; providing an effective date.

—was substituted for **CS for SB 1954** this day.

On motion by Senator Rich, the Senate resumed consideration of—

CS for SB 1954—A bill to be entitled An act relating to developmental disabilities; amending s. 393.063, F.S.; revising definitions; revising the term "developmental disabilities institution" to be known as a "developmental disabilities center"; redefining the term "retardation"; amending s. 393.0655, F.S.; requiring certain persons to undergo background screening if they have been unemployed for more than 90 days; amending s. 393.0673, F.S.; providing additional grounds for denying, suspending, or revoking a license or imposing a fine against a provider serving clients of the Agency for Persons with Disabilities; amending s. 393.506, F.S.; expanding the types of medications that an unlicensed direct service provider may administer; amending ss. 287.155, 393.064, 393.0651, 393.066, 393.135, 393.22, 393.23, 402.181, 402.22, 435.03, F.S.; conforming provisions to changes made by the act; repealing s. 393.0657, F.S., relating to background screening; providing an effective date.

—which was previously considered this day.

Pursuant to Rule 4.19, **CS for SB 1954** was placed on the calendar of Bills on Third Reading.

On motion by Senator Fasano—

CS for SB 2574—A bill to be entitled An act relating to public records; amending s. 741.313, F.S.; expanding an exemption from public-records requirements for certain records and time sheets submitted to an agency to include those submitted by an employee who is a victim of sexual violence; extending future legislative review and repeal; amending s. 2, ch. 2007-108, Laws of Florida; revising a statement of public necessity to conform; providing a contingent effective date.

—was read the second time by title.

An amendment was considered and adopted to conform **CS for SB 2574** to **CS for HB 1141**.

Pending further consideration of **CS for SB 2574** as amended, on motion by Senator Fasano, by two-thirds vote **CS for HB 1141** was withdrawn from the Committees on Children, Families, and Elder Affairs; Commerce; Governmental Operations; and Judiciary.

On motion by Senator Fasano, by two-thirds vote—

CS for HB 1141—A bill to be entitled An act relating to public records; amending s. 741.313, F.S.; expanding an exemption from public records requirements for certain records and time sheets submitted to an agency to include those submitted by an employee who is a victim of sexual violence; extending future legislative review and repeal; amending s. 2, ch. 2007-108, Laws of Florida; revising a statement of public necessity to conform; providing a contingent effective date.

—a companion measure, was substituted for **CS for SB 2574** as amended and by two-thirds vote read the second time by title.

Pursuant to Rule 4.19, **CS for HB 1141** was placed on the calendar of Bills on Third Reading.

On motion by Senator Garcia—

CS for CS for CS for SB 2652—A bill to be entitled An act relating to maternal and child health programs; amending s. 409.942, F.S.; requiring the Department of Health to submit a plan for the implementation of a electronic benefits transfer program for the dissemination of Women, Infants, and Children (WIC) benefits to the United States Department of Agriculture by a certain date and to establish the program by a certain date; amending s. 383.011, F.S.; requiring the Department of Health to compare the average cost of certain food items and collect individual food item redemption costs; prohibiting the Department of Health from discontinuing a WIC-eligible generic product; providing an exception; requiring that the department expend funds provided by the Federal Government only for administering the program; authorizing the department to submit a budget amendment to the Executive Office of the Governor if the department exceeds the federal funds allocation; providing an effective date.

—was read the second time by title.

An amendment was considered and adopted to conform **CS for CS for CS for SB 2652** to **CS for HB 1193**.

Pending further consideration of **CS for CS for CS for SB 2652** as amended, on motion by Senator Garcia, by two-thirds vote **CS for HB 1193** was withdrawn from the Committees on Health Policy; Governmental Operations; and Health and Human Services Appropriations.

On motion by Senator Garcia, by two-thirds vote—

CS for HB 1193—A bill to be entitled An act relating to maternal and child health programs; amending s. 383.011, F.S.; requiring the Department of Health, in administering the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC), to compare the costs of food items redeemed by certain vendors for purposes of meeting certain federal requirements; prohibiting the department from discontinuing certain generic products under certain circumstances; restricting the funding of the program to federal funds; providing for submission of budget amendments by the department; amending s. 409.942, F.S.; requiring the department to submit a plan to establish an electronic benefit transfer program to distribute WIC benefits to the United States Department of Agriculture; requiring the department to establish an electronic benefit transfer program to distribute WIC benefits; requiring the department to collaborate with the Department of Children and Family Services in developing the program and pay all costs associated therewith; providing an effective date.

—a companion measure, was substituted for **CS for CS for CS for SB 2652** as amended and by two-thirds vote read the second time by title.

Pursuant to Rule 4.19, **CS for HB 1193** was placed on the calendar of Bills on Third Reading.

Consideration of **CS for CS for SB 2700** and **CS for CS for SB 474** was deferred.

By direction of the President, the rules were waived and the Senate reverted to—

BILLS ON THIRD READING

SB 230—A bill to be entitled An act relating to state symbols; creating s. 15.0526, F.S.; designating the Florida Cracker Horse (Marshtackie) as the official state horse; providing for future legislative review and repeal; creating s. 15.0386, F.S.; designating the Loggerhead Turtle as the official Florida state salt water reptile; providing an effective date.

—as amended April 25 was read the third time by title.

MOTION

On motion by Senator Baker, the rules were waived to allow the following amendment to be considered:

Senator Baker moved the following amendment which was adopted by two-thirds vote:

Amendment 1 (301322)(with title amendment)—Delete lines 20-22 and insert:

15.0386 Official state salt water reptile.—

(1) The Loggerhead Turtle is designated as the official Florida state salt water reptile.

(2) This section is repealed July 1, 2018, unless reviewed and reenacted by the Legislature before that date.

And the title is amended as follows:

On line 7, after the semicolon (;) insert: providing for future legislative review and repeal;

On motion by Senator Baker, **SB 230** as amended was passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—38

Mr. President	Dockery	Margolis
Alexander	Fasano	Peaden
Aronberg	Gaetz	Posey
Atwater	Garcia	Rich
Baker	Geller	Ring
Bennett	Haridopolos	Saunders
Bullard	Hill	Siplin
Carlton	Jones	Storms
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dean	King	Wilson
Deutch	Lawson	Wise
Diaz de la Portilla	Lynn	

Nays—1

Oelrich

SPECIAL ORDER CALENDAR, continued

On motion by Senator Margolis, the Senate resumed consideration of—

CS for SB 1492—A bill to be entitled An act relating to a discretionary surtax; amending s. 3, ch. 83-220, Laws of Florida, as amended; extending the date of repeal of provisions authorizing counties to levy a discretionary surtax on documents; amending s. 201.031, F.S.; requiring each county that levies the discretionary surtax to prepare an annual financial report showing the revenues and the expenses of the trust fund for the fiscal year, to retain an independent outside auditor to conduct a financial audit of surtax revenues and expenditures, to adopt by resolution of its governing body a housing plan every 3 years, and to require by resolution that the staff or entity that has administrative authority for implementing the housing plan to prepare and submit to the county's governing body an annual report; limiting to a maximum of 10 percent the portion of the surtax revenues which may be used for administrative costs; providing an effective date.

—which was previously considered this day with pending **Amendment 1 (636396)** by Senator Margolis.

MOTION

On motion by Senator Geller, the rules were waived to allow the following amendment to be considered:

Senator Geller moved the following amendment to **Amendment 1** which was adopted:

Amendment 1A (737640)(with title amendment)—Delete line 120 and insert:

Section 4. Subsection (1) of section 201.02, Florida Statutes, is amended to read:

201.02 Tax on deeds and other instruments relating to real property or interests in real property.—

(1)*(a)* On deeds, instruments, *documents,* or writings whereby any lands, tenements, or other real property, or any interest therein, shall be granted, assigned, transferred, or otherwise conveyed to, or vested in, the purchaser or any other person by his or her direction, on each $100 of the consideration therefor the tax shall be 70 cents *except as otherwise provided in this subsection*. When the full amount of the consideration for the execution, assignment, transfer, or conveyance is not shown in the face of such deed, instrument, document, or writing, the tax shall be at the rate of 70 cents for each $100 or fractional part thereof of the consideration therefor *except as otherwise provided in this subsection*. For purposes of this section, consideration includes, but is not limited to, the money paid or agreed to be paid; the discharge of an obligation; ~~and~~ the amount of any mortgage, purchase money mortgage lien, or other encumbrance, whether or not the underlying indebtedness is assumed*; and any increase in the value of any ownership interest in a grantee entity or any other entity*. If the consideration paid or given in exchange for real property or any interest therein includes property other than money, it is presumed that *there is a purchaser and that* the consideration is equal to the fair market value of the real property or interest therein.

(b) If:

1. A deed, instrument, document, or writing grants, assigns, transfers, or conveys any interest in real property;

2. There is a mere change in form of ownership without effecting any change in any beneficial ownership interests; and

3. The only consideration given is an increase in the value of any ownership interests in the grantee entity or any other entity,

in lieu of paying the tax due on such deed, instrument, document, or writing, the parties to the grant, assignment, transfer, or conveyance may make an election, on or before the date of the grant, assignment, transfer, or conveyance, on a form issued by the department, to not make payment of the tax due on such deed, instrument, document, or writing but instead to pay tax on the fair market value of the real property upon the subsequent change in any ownership interest in the real property or the subsequent transfer of any interest in the real property. The form on which such election is made shall be attached to and recorded with the deed, instrument, document, or writing that grants, assigns, conveys, or otherwise transfers any interest in the real property. However, when an election has been made, no tax shall apply to the subsequent transfer of the ownership interest in the legal entity, or the subsequent transfer of an interest in the real property, when the subsequent transfer is limited to a return of the identical interest in the real property by the grantee legal entity to the identical grantor or grantors resulting in no change in the beneficial ownership interests originally held in the real property.

Section 5. This act shall take effect upon becoming a law and section 4 of this act applies to transfers of property for which the first transfer to an artificial entity occurs after that date.

And the title is amended as follows:

Delete lines 127-153 and insert: An act relating to the excise tax on documents; amending s. 3, ch. 83-220, Laws of Florida, as amended; extending a future repeal date of provisions authorizing counties to levy a discretionary surtax on documents; amending s. 125.0167, F.S.; limiting the percentage of surtax revenues that may be used for administrative costs; specifying a minimum amount of surtax revenues to be used for housing for certain low-income and moderate-income families; requiring an affirmative vote of a local government governing body to rehabilitate certain governmentally owned housing; requiring certain remaining revenues to be used for down payment assistance; authorizing certain counties to create by ordinance a housing choice assistance voucher program; providing definitions; providing eligibility requirements for such vouchers; authorizing purchasing employers to file for allocations for such vouchers; limiting allocations; requiring distribution of allocations to employees in the form of such vouchers; prohibiting use of allocations for such vouchers if not awarded within a certain period after certain documentary stamps taxes are collected; amending s. 201.031, F.S.; expanding requirements for counties levying the discretionary surtax to include housing plan, affordable housing element, and annual reporting requirements; requiring the Auditor General to conduct a biennial operational audit of the discretionary surtax program operated by counties; requiring a report; amending s. 201.02, F.S.; revising criteria determining liability for payment of the tax; providing requirements and methods for making an election regarding payment of tax under specified circumstances; providing requirements; providing for application of the act;

MOTION

On motion by Senator Margolis, the rules were waived to allow the following amendment to be considered:

Senator Margolis moved the following amendment to **Amendment 1** which was adopted:

Amendment 1B (750798)—Delete line(s) 52-61 and insert:

(c) Housing choice assistance vouchers shall be used for down payment assistance for the purchase of a single-family residence within the county by low-income or moderate-income persons who are:

1. Actively employed by the purchasing employer or by a business entity directly affiliated with the purchasing employer; and

2. Prequalified for a mortgage loan by a certified lending institution.

Amendment 1 as amended was adopted.

Pursuant to Rule 4.19, **CS for SB 1492** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Dockery, by two-thirds vote **CS for SB 2484** was withdrawn from the Committee on Governmental Operations.

On motion by Senator Constantine, by two-thirds vote **SB 2602** was withdrawn from the Committee on Agriculture; **CS for CS for SB 2594** was withdrawn from the Committee on Banking and Insurance; and **CS for SB 2202** was withdrawn from the Committee on General Government Appropriations.

On motion by Senator Saunders, by two-thirds vote **CS for CS for SB 2644** was withdrawn from the Committee on Governmental Operations.

On motion by Senator King, by two-thirds vote **CS for CS for SB's 2086 and 2498** was withdrawn from the Committee on Governmental Operations.

MOTIONS

On motion by Senator King, a deadline of one hour after the availability of engrossed bills was set for filing amendments to Bills on Third Reading to be considered Tuesday, April 29.

On motion by Senator King, by two-thirds vote all bills remaining on the Special Order Calendar this day were placed on the Special Order Calendar for Tuesday, April 29.

MOTIONS RELATING TO COMMITTEE MEETINGS

On motion by Senator King, the rules were waived and the Special Order Calendar Group was granted permission to meet Tuesday, April 29, one hour after announcement.

MOTION TO RECONSIDER BILL

Senator Justice moved that the Senate reconsider the vote by which—

CS for CS for SB 2378—A bill to be entitled An act relating to pari-mutuel wagering permitholders; amending s. 550.054, F.S.; providing for a jai alai permitholder meeting certain conditions to apply to the Division of Pari-mutuel Wagering to convert a permit to conduct jai alai to a permit to conduct greyhound racing; directing the division to issue a permit to conduct greyhound racing if certain conditions are met; providing for the relocation of certain permits; providing an effective date.

—failed to pass this day.

The motion failed.

COMMUNICATION

The Honorable Ken Pruitt, President April 28, 2008
The Florida Senate

Dear Mr. President:

In compliance with Article III, Section 19(d), State Constitution, and Joint Rule 2, copies of the Appropriations Conference Committee Report on **HB 5001** have been furnished to each member of the Legislature, the Governor, the Chief Justice of the Supreme Court, and each member of the Cabinet.

The House Clerk has certified that delivery was completed April 28, 2008 at 6:52 p.m., EDT.

Respectfully submitted,
Faye W. Blanton,
Secretary of the Senate

REPORTS OF COMMITTEES

Pursuant to Rule 4.17(2), the President Pro Tempore, the Majority Leader, and the Minority Leader submit the following bills to be placed on the Special Order Calendar for Monday, April 28, 2008: CS for CS for SB 318, CS for CS for SB 688, CS for CS for CS for SB 996, CS for SB 1116, CS for SB 1384, CS for CS for SB 1458, CS for SB 1490, CS for SB 1492, CS for SB 1604, CS for CS for CS for CS for SB 1670, CS for CS for SB 1672, CS for SB 1752, SB 1982, CS for CS for SB 1994, CS for CS for SB 2018, CS for CS for SB 2040, CS for CS for SB 2080, CS for CS for SB 2532, CS for SB 2546, CS for SB 2574, CS for CS for CS for SB 2652, CS for CS for SB 2700, CS for CS for SB 474

Respectfully submitted,
Lisa Carlton, President Pro Tempore
Daniel Webster, Majority Leader
Steven A. Geller, Minority Leader

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

FIRST READING

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has passed HB 35, HB 313, CS for CS for HB 443, CS for HB 531, CS for CS for CS for HB 653, HB 797, HB 961, CS for HB 1059, CS for HB 7045; has passed as amended CS for HB 167, CS for HB 527, CS for HB 607, CS for HB 739, CS for HB 773, HB 879, CS for HB 937, CS for HB 1193, CS for HB 1427, CS for HB 1509, HB 7053, CS for HB 7059, HB 7109; has passed by the required constitutional two-thirds vote of the members present CS for HB 1141 and requests the concurrence of the Senate.

William S. Pittman III, Chief Clerk

By Representative Richardson and others—

HB 35—A bill to be entitled An act relating to social worker identification; amending ss. 39.01 and 491.003, F.S.; providing definitions for "social worker"; creating s. 491.016, F.S.; providing requirements for using the title "social worker"; providing a penalty; providing exemptions; requiring the Department of Health to adopt certain implementing and enforcing rules; providing an effective date.

—was referred to the Committee on Children, Families, and Elder Affairs.

By Representative Kelly and others—

HB 313—A bill to be entitled An act relating to dating violence; providing a short title; amending s. 784.046, F.S.; revising provisions relating to dating violence incidents to provide requirements for investigations, notice to victims, and reporting similar to those for incidents of domestic violence and to apply certain immunity provisions thereto; prohibiting certain willful violations of conditions of pretrial release; providing penalties; amending s. 901.15, F.S.; providing for warrantless arrests of persons for dating violence; conforming provisions; providing an effective date.

—was referred to the Committees on Criminal Justice; and Judiciary.

By the Policy and Budget Council; Healthcare Council; and Representative Coley—

CS for CS for HB 443—A bill to be entitled An act for the relief of Marissa Amora; providing an appropriation to compensate Marissa Amora, a minor, for injuries she sustained as a result of the negligence of employees of the Department of Children and Family Services; requiring a specified legislative budget request; providing a limitation on attorney's fees, lobbying fees, costs, and other similar expenses relating to the claim; providing an effective date.

—was referred to the Committee on Health Regulation.

By the Government Efficiency and Accountability Council; and Representative Weatherford and others—

CS for HB 531—A bill to be entitled An act relating to the Florida Retirement System; amending s. 121.0515, F.S.; revising the criteria under which certain employees of the Department of Law Enforcement, the Division of State Fire Marshal, or a local government law enforcement agency or medical examiner's office are eligible for membership in the Special Risk Class; authorizing the Department of Management Services to review the special risk designation of certain members; authorizing certain members to purchase additional retirement credit to upgrade prior service to Special Risk Class service; providing for the calculation of contributions for such service upgrade; authorizing the employer to purchase such additional credit for certain members; providing a declaration of important state interest; providing an effective date.

—was referred to the Committees on Community Affairs; Criminal Justice; Governmental Operations; and General Government Appropriations.

By the Policy and Budget Council; Policy and Budget Council; Schools and Learning Council; and Representative Traviesa and others—

CS for CS for CS for HB 653—A bill to be entitled An act relating to the Corporate Income Tax Credit Scholarship Program; amending s. 220.187, F.S.; providing legislative findings; revising program purposes; providing that siblings of certain students are eligible for participation in the program; revising provisions authorizing the total amount of tax credits that may be granted and deleting the reservation of a portion thereof; revising authorized uses of scholarship funds; revising provisions relating to expenditure of contributions received by a scholarship-funding organization during a state fiscal year; authorizing expenditure of contributions for specified administrative expenses by certain scholarship-funding organizations; providing for the annual return of specified eligible contributions to the State Treasury; correcting a cross-reference; revising scholarship amounts and providing for adjustments in future scholarship amounts; revising requirements relating to verification of student attendance for purposes of scholarship payment; providing for preservation of credits under certain circumstances; requiring the Office of Program Policy Analysis and Government Accountability to submit a report on funding for the scholarship program; specifying report requirements; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Finance and Tax; and Education Pre-K - 12 Appropriations.

By Representative Holder and others—

HB 797—A bill to be entitled An act relating to public accountancy; amending s. 473.306, F.S.; revising prerequisites for taking the examination for licensure as a certified public accountant; eliminating certain obsolete provisions; amending s. 473.308, F.S.; revising and updating the requirements for education and work experience; requiring the Board of Accountancy to adopt rules governing requirements for work experience; clarifying provisions that specify what constitutes good moral character for purposes of qualifying for licensure as a certified public accountant; revising provisions governing licensure by endorsement; amending s. 473.323, F.S.; correcting a cross-reference; providing an effective date.

—was referred to the Committees on Regulated Industries; and Higher Education.

By Representative Machek—

HB 961—A bill to be entitled An act relating to cleanup of sites contaminated by petroleum; amending s. 376.3071, F.S.; increasing public funding for the restoration of certain sites contaminated by petroleum; providing criteria for the sites eligible for additional funds; prohibiting reimbursements for expenses incurred outside the petroleum cleanup preapproved site rehabilitation program administered by the Department of Environmental Protection; amending s. 376.30711, F.S.; providing requirements concerning preapproved site rehabilitation agreements that govern submittal of invoices to the department and payment of subcontractors; providing that an exemption from requirements concerning payments to subcontractors and suppliers does not apply to payments associated with such preapproved agreements; amending s. 376.3072, F.S., relating to the Florida Petroleum Liability and Restoration Insurance Program; increasing the amount of funds available under the insurance program for certain incidents or discharges; providing criteria for the sites eligible for additional funds; prohibiting reimbursements for expenses incurred outside the petroleum cleanup preapproved site rehabilitation program administered by the Department of Environmental Protection; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Governmental Operations; Finance and Tax; and General Government Appropriations.

By the Healthcare Council; and Representative Llorente—

CS for HB 1059—A bill to be entitled An act relating to exemptions from the tax on sales, use, and other transactions; amending s. 212.08, F.S.; revising the exemption provided to nonprofit cooperative hospital laundries; requiring a member of a nonprofit cooperative to immediately divest itself of participation in the cooperative under certain circumstances; providing that provision of certain supplies and services pursuant to a declaration of emergency and a written emergency plan of operation does not invalidate a certificate of exemption or cause such a certificate to be denied; providing an effective date.

—was referred to the Committees on Health Regulation; and Finance and Tax.

By the Policy and Budget Council; Schools and Learning Council; and Representative Pickens and others—

CS for HB 7045—A bill to be entitled An act relating to public school curricular standards; amending s. 1003.41, F.S.; requiring the State Board of Education to review the Sunshine State Standards and replace them with enhanced curricular standards; establishing requirements for the standards; providing requirements for the adoption, review, and revision of the standards; requiring evaluation of proposed standards; authorizing the adoption of rules; amending s. 220.187, F.S.; revising requirements for the selection of norm-referenced tests administered by private schools for purposes of the Corporate Income Tax Credit Scholarship Program; amending s. 1000.21, F.S.; revising the systemwide definition of "Sunshine State Standards"; amending s. 1001.03, F.S.; requiring the state board to review and revise the Sunshine State Standards; conforming provisions; amending s. 1001.41, F.S.; conforming provisions relating to district school board adoption of standards and policies; amending s. 1001.42, F.S.; prohibiting school district expenditure of legislative appropriations for purposes of Florida Comprehensive Assessment Test (FCAT) preparation; providing penalties for unlawful expenditures; amending ss. 1003.428, 1003.429, 1003.43, 1003.433, 1003.63, 1006.28, and 1006.31, F.S.; conforming provisions and cross-references; amending s. 1006.34, F.S.; specifying additional criteria for evaluating instructional materials; conforming provisions; amending s.

1006.38, F.S.; conforming provisions; amending s. 1006.40, F.S.; requiring instructional materials to align to the Sunshine State Standards; prohibiting school district expenditure of the instructional materials allocation for purposes of FCAT preparation; requiring notification to manufacturers and publishers; providing a penalty; authorizing purchases of specified content or devices; amending s. 1008.22, F.S.; revising requirements and conforming provisions relating to the statewide assessment program; revising powers and duties of the Commissioner of Education; requiring the FCAT to assess students in social studies by a certain time; providing for end-of-course assessments; requiring the content knowledge and skills assessed by the FCAT and end-of-course assessments to align to the Sunshine State Standards; authorizing the commissioner to select certain nationally developed examinations as end-of-course assessments under specified conditions; deleting provisions relating to documentation of certain testing procedures; providing restrictions on the development or publication of test-preparation materials; deleting requirements for norm-referenced tests; revising requirements for assessments of writing; establishing requirements for FCAT testing and reporting schedules; prohibiting practice testing and FCAT-preparation activities under certain conditions; authorizing certain test-preparation activities; requiring public schools to comply with statewide assessment and reporting schedules; establishing requirements for calculating student scores on revised statewide assessments; authorizing the administration of former assessments to be discontinued under certain circumstances; requiring the state board to adopt rules establishing passing scores on revised assessments required for a standard high school diploma; clarifying determination of concordant scores for the FCAT; revising requirements for an annual report on student performance; amending s. 1008.25, F.S.; requiring each district school board's student progression program to include performance in social studies; requiring assessment, remediation, and reporting related thereto; amending s. 1008.34, F.S.; exempting certain schools from receiving school grades; revising the definition of "home school" for purposes of calculating school grades for alternative schools; requiring annual collaboration among school principals concerning the school assignment of students attending an alternative school; conforming provisions; amending s. 1008.341, F.S.; exempting certain alternative schools from receiving school improvement ratings; conforming provisions; amending s. 1008.345, F.S.; conforming provisions; amending s. 1008.36, F.S.; revising criteria for financial awards under the Florida School Recognition Program; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; and Education Pre-K - 12 Appropriations.

By the Economic Expansion and Infrastructure Council; and Representative Cretul and others—

CS for HB 167—A bill to be entitled An act relating to temporary motor vehicle license tags; amending s. 320.131, F.S.; revising provisions for the placement of temporary tags on vehicles; revising provisions for implementation of an electronic, print-on demand, temporary tag issuance system; authorizing certain motor vehicle dealers to charge a fee in certain circumstance; authorizing limited use of a backup manual issuance method; authorizing the department to adopt rules; repealing s. 320.96, F.S., relating to implementation of an electronic, print-on-demand, temporary license plate system; providing an effective date.

—was referred to the Committees on Transportation; Governmental Operations; and Transportation and Economic Development Appropriations.

By the Environment and Natural Resources Council; and Representative Williams—

CS for HB 527—A bill to be entitled An act relating to environmental site redevelopment; amending s. 376.30715, F.S.; defining the term "acquired"; providing for financial assistance in certain additional circumstances involving the transfer of a contaminated property; s. 220.1845, F.S.; revising requirements for site rehabilitation tax credits; expanding eligibility for site rehabilitation tax credits; providing for application to brownfield site redevelopment solid waste removal costs; providing requirements and limitations; providing definitions; providing for application to construction and operation of new health care facilities or health care providers on brownfield sites; providing requirements; amending s. 376.30781, F.S.; revising provisions providing tax credits for rehabilitation of certain contaminated sites and brownfield sites; providing for application to solid waste removal activities and site rehabilitation; providing for granting tax credits to multiple applicants; providing criteria for claiming costs for solid waste removal; providing definitions; providing for application to construction and operation of new health care facilities or health care providers on brownfield sites; providing requirements; revising criteria and requirements for granting site rehabilitation tax credits; providing criteria and requirements for granting solid waste removal tax credits; revising criteria and requirements for Department of Environmental Protection review of tax credit applications; providing notice requirements for the department in reviewing applications; increasing available amounts eligible for tax credits; providing additional limitations on tax credit awards for site rehabilitation costs and solid waste removal costs; providing construction of costs not eligible for tax credits; providing requirements and procedures for allocating and awarding certain ineligible or disputed costs; amending s. 376.79, F.S.; revising definitions relating to brownfield redevelopment; conforming a cross-reference; amending s. 376.80, F.S.; revising the brownfield program administration process; revising local government proposal requirements; revising requirements for brownfield site redevelopment agreements; deleting certain brownfield site rehabilitation contractor certification requirements; deleting a requirement that certain professionals carry professional liability insurance; providing legislative findings and declarations; authorizing local governments to evaluate certain benefits and effects of brownfield site redevelopment and rehabilitation; providing criteria; authorizing the Department of Health to assist local governments in such evaluations; amending s. 376.82, F.S.; conforming references; amending s. 376.86, F.S.; providing for limited application of Brownfield Areas Loan Guarantee Program grants to construction and operation of new health care facilities and health care providers; expanding membership of the Brownfield Areas Loan Guarantee Council; providing for retroactive application; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Judiciary; and General Government Appropriations.

By the Healthcare Council; and Representative Cretul and others—

CS for HB 607—A bill to be entitled An act relating to orthotics, prosthetics, and pedorthics; amending s. 468.80, F.S.; providing and revising definitions; amending s. 468.801, F.S.; changing composition of the Board of Orthotists and Prosthetists; removing obsolete requirement for initial staggering of terms; amending s. 468.802, F.S.; expanding the authority for rule adoption to include standards of practice for orthotic fitters, orthotic fitter assistants, and residents; amending s. 468.803, F.S.; providing for registration for a resident to practice orthotics or prosthetics; authorizing licensure as a prosthetist-orthotist; providing requirements for such licensure; requiring applicants for registration, examination, or licensure to apply on Department of Health forms; requiring applicants to submit fingerprints and a fee to cover department costs for criminal background checks; requiring board verification of certain information prior to an applicant's examination, registration, or licensure; providing requirements for registration as a resident in orthotics or prosthetics; providing for registration and renewal fees for registration; authorizing either the Department of Health to develop and administer a state examination for an orthotist or prosthetist license or the board to approve an existing examination of a national standards organization; providing examination requirements; authorizing examination fees; delineating applicant qualifications for examination; delineating requirements for licensure and licensure fees for an orthotist, a prosthetist, an orthotic fitter, an orthotic fitter assistant, and a pedorthist; amending s. 468.806, F.S.; revising materials required for submission for biennial license renewal, including information necessary to conduct a statewide criminal history check and payment of costs therefor; requiring certain mandatory courses, standards and qualifications for continuing education courses, and standards and qualifications for course providers to be established by rule; repealing s. 468.807, F.S., relating to issuance of a temporary license; amending s. 468.808, F.S.; revising duties that can be delegated to unlicensed support personnel; providing requirements for support personnel identification; amending s. 468.809, F.S.; including the practice of orthotics, prosthetics, or pedorthics without registration in certain prohibitions; providing penalties; creating s. 468.8095, F.S.; requiring licensees and registrants to post licenses, registrations, recent photographs, and certain notices in

a facility and to wear certain identification tags or badges; amending s. 468.811, F.S.; revising grounds for denial of a license or disciplinary action; providing grounds for denial of registration; amending s. 468.812, F.S.; revising provisions exempting certain persons from licensure; amending s. 468.813, F.S.; revising requirements regarding use of titles providing requirements for such licensure; providing an effective dates.

—was referred to the Committees on Health Regulation; and Higher Education Appropriations.

By the Healthcare Council; and Representative Ambler and others—

CS for HB 739—A bill to be entitled An act relating to guardian advocates for persons with developmental disabilities; amending s. 393.12, F.S.; requiring the court to conduct determination of incapacity of persons with developmental disabilities and appointment of guardian advocates in separate proceedings; revising conditions relating to venue for appointment of guardian advocates; providing that the guardian advocate need not be represented by an attorney unless required by the court or the guardian advocate is delegated certain rights regarding property; limiting applicability to certain proceedings relating to appointment and supervision of guardian advocates; requiring the petition to include the relationship of the proposed guardian advocate to certain providers; modifying the persons to whom a notice of the filing of the petition must be given to include next of kin, the health care surrogate designated to execute an advance directive, and the agent under durable power of attorney; removing a provision requiring the inclusion of certain information relating to the right to be represented by counsel in the notice of the filing of the petition; establishing a timeframe for appointment of counsel and modifying who may be appointed as counsel to a person with a developmental disability; providing conditions for the court to appoint attorneys; requiring court proceedings and orders to consider advance directives for health care and durable powers of attorney; requiring the court's order to provide the name and reasons for the selection of the guardian advocate; providing a process for restoration of rights for the person with a developmental disability; providing for the petitioner to submit evidentiary support to the court; providing for a hearing if no evidentiary support is available; amending s. 393.13, F.S.; conforming a cross-reference; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Judiciary; and Health and Human Services Appropriations.

By the Safety and Security Council; and Representative Dorworth and others—

CS for HB 773—A bill to be entitled An act relating to judicial sales; amending s. 45.031, F.S.; permitting certain sales to be conducted by electronic means; requiring electronic sales to comply with specified procedures; providing exceptions; requiring clerks to provide public access terminals for electronic sales; permitting clerks to receive electronic payments and deposits related to electronic sales; amending s. 45.035, F.S.; providing a service charge to be received by clerks for sales conducted by electronic means under a specified provision; providing an exception to the fee for moneys in the registry of the court; amending s. 197.542, F.S.; providing for electronic tax deed sales; requiring clerks to provide public access terminals for electronic sales; permitting clerks to receive electronic payments and deposits related to electronic sales; providing provisions relating to electronic tax deed sales in charter counties; for providing an effective date.

—was referred to the Committees on Judiciary; and Finance and Tax.

By Representative Kelly and others—

HB 879—A bill to be entitled An act relating to early learning; providing a short title; amending s. 411.01, F.S.; revising provisions relating to membership of early learning coalitions; authorizing use of telecommunication methods in conducting early learning coalition board meetings; amending and renumbering s. 402.27, F.S.; transferring requirements for the establishment of a statewide child care resource and referral network by the Department of Children and Family Services to the Agency for Workforce Innovation; providing for use of early learning coalitions as child care resource and referral agencies; requiring rulemaking; amending and renumbering s. 409.178, F.S.; transferring duties of the Department of Children and Family Services with respect to the Child Care Executive Partnership Program to the Agency for Workforce Innovation and early learning coalitions; requiring rulemaking; amending ss. 1002.55, 1002.61, and 1002.63, F.S., relating to the Voluntary Prekindergarten Education Program; providing additional accreditation standards for private prekindergarten providers; providing requirements for assignment of substitute instructors; requiring rulemaking; conforming cross-references; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; Children, Families, and Elder Affairs; Commerce; and Transportation and Economic Development Appropriations.

By the Jobs and Entrepreneurship Council; and Representative Ambler and others—

CS for HB 937—A bill to be entitled An act relating to title insurance; creating the Florida 2008 Title Insurance Study Advisory Council; providing for membership; providing for administrative support for the council; providing responsibilities of the council; authorizing the council to invite independent actuaries to provide certain information; requiring the Office of Program Policy Analysis and Government Accountability to conduct a review and report to the council; requiring that the report be submitted to the council by a certain date; providing council meeting requirements; requiring the council to file a report with the Governor and the Legislature; providing for termination of the council; providing appropriations and authorizing additional positions; providing an effective date.

—was referred to the Committees on Banking and Insurance; Governmental Operations; and General Government Appropriations.

By the Healthcare Council; and Representative Rivera—

CS for HB 1193—A bill to be entitled An act relating to maternal and child health programs; amending s. 383.011, F.S.; requiring the Department of Health, in administering the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC), to compare the costs of food items redeemed by certain vendors for purposes of meeting certain federal requirements; prohibiting the department from discontinuing certain generic products under certain circumstances; restricting the funding of the program to federal funds; providing for submission of budget amendments by the department; amending s. 409.942, F.S.; requiring the department to submit a plan to establish an electronic benefit transfer program to distribute WIC benefits to the United States Department of Agriculture; requiring the department to establish an electronic benefit transfer program to distribute WIC benefits; requiring the department to collaborate with the Department of Children and Family Services in developing the program and pay all costs associated therewith; providing an effective date.

—was referred to the Committees on Health Policy; Governmental Operations; and Health and Human Services Appropriations.

By the Environment and Natural Resources Council; and Representative Mayfield—

CS for HB 1427—A bill to be entitled An act relating to beach management; amending s. 161.142, F.S.; providing legislative intent and findings; providing requirements concerning the quality and quantity of dredged sand placed on certain beaches adjacent to inlets; requiring an estimation of the requisite quantity of beach-quality sand by the Department of Environmental Protection and its consultants; revising exemptions from certain permitting requirements and prohibitions for certain construction activities; requiring compliance with the applicable Florida Building Code; requiring the protection of nesting shorebirds and marine turtles; specifying requirements of certain ports concerning the placement of dredged sand on adjacent eroding beaches; authorizing such ports to sponsor or cosponsor inlet management projects that are fully eligible for state cost-sharing; providing requirements and findings

concerning the placement of dredged sand from federal navigation projects; providing for assignment of responsibility for the erosion caused by inlets; specifying actions to be taken by the department in disputes between local governments and property owners concerning how much sand should bypass an inlet; creating s. 161.143, F.S.; requiring that inlet management studies, projects, and activities be supported by certain plans; providing criteria governing the department's ranking of inlet management projects and activities; specifying conditions that must be met; requiring that the department establish funding priorities for projects and activities concerning inlet management; providing for input from interested governmental and private entities; providing criteria for establishing priorities; authorizing funding levels for inlet management projects under specified conditions; requiring that the department annually provide an inlet management project list to the Legislature; providing requirements for the list; requiring that the department make available certain moneys for projects on the list; requiring that the department make available certain moneys for projects on other legislatively approved inlet management project lists; requiring that the Legislature designate a certain inlet project as "Inlet of the Year"; requiring the department to provide an annual report to the Legislature concerning the success of projects so designated; requiring rulemaking by the department; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; and Community Affairs.

By the Economic Expansion and Infrastructure Council; and Representative Braynon and others—

CS for HB 1509—A bill to be entitled An act relating to community service for infractions of noncriminal traffic offenses; amending s. 318.18, F.S.; requiring a court to allow a person to satisfy a civil penalty for an infraction of a noncriminal traffic offense by participating in community service if the person is unable to pay the civil penalty due to a demonstrable financial hardship; requiring that a person participating in community service receive credit for the civil penalty at the specified hourly credit rate per hour of community service performed or at the prevailing wage rate for a trade or profession; defining the term "specified hourly credit rate"; providing responsibilities for community service agencies; defining the terms "community service" and "community service agency"; providing an effective date.

—was referred to the Committees on Transportation; Judiciary; and Criminal and Civil Justice Appropriations.

By the Government Efficiency and Accountability Council; and Representative Gardiner—

HB 7053—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act regarding the Florida Kidcare program; amending s. 409.821, F.S.; reorganizing the exemption; authorizing release of information to any governmental entity in the performance of its official duties and responsibilities; providing that the public record exemption does not prohibit the release of certain information to the legal guardian of an enrollee; removing superfluous language; repealing s. 2, ch. 2003-104, Laws of Florida, which provides for repeal of the exemption; repealing s. 624.91(8), F.S., which provides a duplicative public records exemption for the Florida Healthy Kids Corporation; providing an effective date.

—was referred to the Committees on Health Policy; and Governmental Operations.

By the Policy and Budget Council; Environment and Natural Resources Council; and Representative Mayfield and others—

CS for HB 7059—A bill to be entitled An act relating to the protection of wild and aquatic life; amending s. 253.03, F.S.; requiring the Board of Trustees of the Internal Improvement Trust Fund to provide for the establishment of seagrass mitigation banks for specified purposes; amending s. 253.04, F.S.; providing that careless operation of a vessel outside a marked channel that causes seagrass scarring within certain aquatic preserves is a civil infraction; defining the terms "seagrass scarring" and "seagrasses"; providing that refusal to post bond or sign a boating citation is a second degree misdemeanor; providing criminal penalties; requiring that civil penalties collected for the careless operation of a vessel causing seagrass scarring be deposited into the Internal Improvement Trust Fund and used for specified purposes; amending s. 253.034, F.S.; creating a monitoring team for the purposes of reviewing management plans of state-owned lands; providing review procedures; amending s. 259.037, F.S.; requiring agencies to report additional information to the Division of State Lands; amending s. 327.73, F.S.; providing civil penalties for seagrass scarring; amending s. 372.73, F.S.; providing for the forfeiture of illegally taken wildlife, freshwater fish, and saltwater fish to investigating law enforcement agencies; authorizing investigating law enforcement agencies to dispose of such wildlife, freshwater fish, and saltwater fish in a specified manner; requiring certain documentation; requiring the release of certain wildlife, freshwater fish, and saltwater fish to native habitats; providing for release of nonnative species by rule; revising provisions for the deposit of certain proceeds relating to the confiscation and disposition of illegally taken wildlife, freshwater fish, and saltwater fish; authorizing certain law enforcement agencies to receive specified portions of forfeited property; creating s. 372.731, F.S.; providing for photographs of illegally taken wildlife, freshwater fish, or saltwater fish to be admissible as evidence in the prosecution of certain violations; specifying requirements and procedures for such photographs; amending ss. 370.021, 370.061, 372.9901, 372.9904, and 932.7055, F.S.; conforming cross-references; repealing s. 327.803, F.S., relating to the Boating Advisory Council; repealing s. 372.107, F.S., relating to the Federal Law Enforcement Trust Fund within the Fish and Wildlife Conservation Commission; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; Judiciary; and General Government Appropriations.

By the Government Efficiency and Accountability Council; and Representative Attkisson—

HB 7109—A bill to be entitled An act relating to small business regulatory relief; creating s. 288.001, F.S.; designating the Florida Small Business Development Center Network as the principal business assistance organization for small businesses in the state; creating s. 288.7001, F.S.; providing a short title; providing definitions; creating the Small Business Regulatory Advisory Council; providing for appointments, membership, and meetings; providing powers and duties of the council; providing administrative location for council; providing for periodic review of agency rules by the council with agency sunset review; providing timelines for review; providing for the council to issue a report; creating s. 288.7002, F.S.; providing definitions; creating the Office of Small Business Advocate; providing for selection of the Florida Small Business Advocate; providing for preferred qualifications of the advocate; providing duties of the advocate; providing for agency cooperation with the advocate; providing for an annual report by the advocate to the Governor and Legislature; amending s. 11.908, F.S.; including the Small Business Regulatory Advisory Council among groups that may be consulted for agency or committee review; amending s. 11.911, F.S.; providing for the inclusion of the report of the Small Business Regulatory Advisory Council in the Legislative Sunset Committee's recommendations; amending s. 11.919, F.S.; requiring agency assistance to the Small Business Regulatory Advisory Council; authorizing the council to access or request information and assistance; amending s. 120.54, F.S.; requiring an agency to prepare a statement of estimated regulatory costs; requiring agency notification to the Small Business Regulatory Advisory Council relating to proposed agency action affecting small business; requiring an agency to adopt regulatory alternatives offered by the council under certain circumstances; providing for rule filing extension when regulatory alternatives are offered by the council; providing for outside review of regulatory alternatives not adopted by an agency and for an agency response; amending s. 120.74, F.S.; requiring biennial rule review by each agency to consider the impact of rules on small business; requiring the economic impact of the rules to be included in a report to the Legislature; providing an effective date.

—was referred to the Committees on Commerce; and Governmental Operations.

By the Jobs and Entrepreneurship Council; and Representative Jenne and others—

CS for HB 1141—A bill to be entitled An act relating to public records; amending s. 741.313, F.S.; expanding an exemption from public records requirements for certain records and time sheets submitted to an agency to include those submitted by an employee who is a victim of sexual violence; extending future legislative review and repeal; amending s. 2, ch. 2007-108, Laws of Florida; revising a statement of public necessity to conform; providing a contingent effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Commerce; Governmental Operations; and Judiciary.

RETURNING MESSAGES—FINAL ACTION

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has passed CS for SB 1026 and CS for CS for CS for SB 1442; and adopted SM 1454.

William S. Pittman III, Chief Clerk

The bills contained in the foregoing messages were ordered enrolled.

CORRECTION AND APPROVAL OF JOURNAL

The Journal of April 25 was corrected and approved.

CO-INTRODUCERS

Senators Baker—CS for CS for CS for SB 2026, SB 2564; Hill—CS for CS for SB 2152; Lawson—CS for SB 2790; Lynn—CS for SB 2778; Siplin—SR 1236

VOTES RECORDED

Senator Crist was recorded as voting "yea" on the following bill which was considered April 2: **SM 2662**.

RECESS

On motion by Senator King, the Senate recessed at 4:50 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 9:30 a.m., Tuesday, April 29 or upon call of the President.

SENATE PAGES

April 28-May 2, 2008

Ethan C. Bell, Groveland; Luke Brigham, Orlando; Lillian "Lilly" Caldwell, Tallahassee; Carey "Allie" Caldwell, Tallahassee; Crystal Chadwell, Panacea; Hannah Ciupalo, Tallahassee; Alex "Sasha" Ciupalo, Tallahassee; Austin R. Drawdy, Groveland; Schyler "Skye" Drew, Orlando; Kory Eylmann, New Smyrna Beach; Perla B. Fernandez, Miami; Patrick H. Freeman, Newberry; Rance B. Hood, Palatka; Rosemarthe Jean-Joseph, Miami; Mary Anna Jones, Windermere; Arianna Knox, Quincy; Curtis "Curt" Milner, Tallahassee; Alyson Peet, Tallahassee; Caleb M. Sides, Ocoee; Lindsey Sanders, Tallahassee; William S. Santiago, Winter Garden; Stephen B. Skipper, New Port Richey, Grace Smokay, Haines City; Courtney Thomas, Tallahassee; John E. Webster, Orlando; Victoria S. Webster, Orlando

Journal of the Senate

Number 19—Regular Session **Tuesday, April 29, 2008**

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CALL TO ORDER

The Senate was called to order by President Pruitt at 9:30 a.m. A quorum present—39:

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

PRAYER

The following prayer was offered by Rabbi Schneur Z. Oirechman, Director of Chabad Lubavitch of the Panhandle-Tallahassee:

Almighty God, creator of all mankind:

With Passover, the Festival of Freedom, celebrated around the world just a few days ago, let us internalize the message of Passover today. Let our public servants humbly recognize their important role in promoting freedom here and abroad, and let the Passover spirit inspire us all to pass over our obstacles and reach ever-greater heights.

Let us draw inspiration from the self-sacrifice of Moses, the humble hero of Passover, and let us sacrifice of ourselves for the benefit of others. Let the work of our public servants be not in vain; let them not falter in the discharge of their duties; bestow leadership upon them and grant them your grace.

From this chamber we ask you, almighty God, to come to our aid as we strive to make our world a better place.

Let our laws reflect the universal, spiritual and moral principles that allow mankind to reach its potential. Let even our smallest decisions bring about the greatest results. Almighty God, may the sacrifices of our distinguished public servants who leave loved ones at home to serve the people, find a special place in your heart.

Grant wisdom to our public servants who now move on to new public or private horizons, and bless their journeys with success and fulfillment.

Almighty God, we ask you to grant us your aid and your helping hand, that we may best respond to those seeking aid and a helping hand. Bestow your wisdom upon us and let your will be realized in our lives, and in the lives of every man, woman and child we seek to assist, until the day that all mankind shall know peace at the ultimate redemption; may it come speedily in our days. Amen.

PLEDGE

Senate Pages Rance B. Hood of Palatka; Alyson Peet of Tallahassee; Mary Anna Jones of Windermere; and Caleb M. Sides of Ocoee, led the Senate in the pledge of allegiance to the flag of the United States of America.

DOCTOR OF THE DAY

The President recognized Dr. Mark Moore of Tallahassee, sponsored by Senator Lawson, as doctor of the day. Dr. Moore specializes in Anesthesiology/Pain Management.

BILLS ON THIRD READING

Consideration of **CS for CS for SB 2212**, **CS for CS for CS for SB 1544**, **CS for CS for CS for CS for SB 560** and **CS for SB 1300** was deferred.

CS for CS for SB 318—A bill to be entitled An act relating to exceptional students with a disability; amending s. 1003.57, F.S.; providing definitions; requiring the Department of Children and Family Services, the Agency for Health Care Administration, and residential facilities licensed by the Agency for Persons with Disabilities to notify a school district under certain circumstances; requiring the review of a student's individual educational plan; providing for a determination of responsibility for educational instruction; requiring the school district to report the student for funding purposes; requiring the Department of Education, in consultation with specified agencies, to develop procedures for the placement of students in residential care facilities; requiring the State Board of Education and the Agency for Persons with Disabilities to adopt rules; requiring certain agencies to implement procedures; requiring a cooperative agreement; providing an exception; providing an effective date.

—as amended April 28 was read the third time by title.

On motion by Senator Constantine, **CS for CS for SB 318** as amended was passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Carlton	Gaetz
Alexander	Constantine	Geller
Aronberg	Crist	Haridopolos
Atwater	Dean	Hill
Baker	Deutch	Jones
Bennett	Dockery	Joyner
Bullard	Fasano	Justice

King	Posey	Villalobos
Lawson	Rich	Webster
Lynn	Ring	Wilson
Margolis	Saunders	Wise
Oelrich	Siplin	
Peaden	Storms	

Nays—None

Vote after roll call:

Yea—Diaz de la Portilla, Garcia

CS for HB 739—A bill to be entitled An act relating to guardian advocates for persons with developmental disabilities; amending s. 393.12, F.S.; requiring the court to conduct determination of incapacity of persons with developmental disabilities and appointment of guardian advocates in separate proceedings; revising conditions relating to venue for appointment of guardian advocates; providing that the guardian advocate need not be represented by an attorney unless required by the court or the guardian advocate is delegated certain rights regarding property; limiting applicability to certain proceedings relating to appointment and supervision of guardian advocates; requiring the petition to include the relationship of the proposed guardian advocate to certain providers; modifying the persons to whom a notice of the filing of the petition must be given to include next of kin, the health care surrogate designated to execute an advance directive, and the agent under durable power of attorney; removing a provision requiring the inclusion of certain information relating to the right to be represented by counsel in the notice of the filing of the petition; establishing a timeframe for appointment of counsel and modifying who may be appointed as counsel to a person with a developmental disability; providing conditions for the court to appoint attorneys; requiring court proceedings and orders to consider advance directives for health care and durable powers of attorney; requiring the court's order to provide the name and reasons for the selection of the guardian advocate; providing a process for restoration of rights for the person with a developmental disability; providing for the petitioner to submit evidentiary support to the court; providing for a hearing if no evidentiary support is available; amending s. 393.13, F.S.; conforming a cross-reference; providing an effective date.

—was read the third time by title.

Senator Crist moved the following amendment which was adopted by two-thirds vote:

Amendment 1 (939538)(with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Section 393.12, Florida Statutes, is amended to read:

393.12 Capacity; appointment of guardian advocate.—

(1) CAPACITY.—

(a) ~~The issue of capacity shall be separate and distinct from a determination of the appropriateness of admission to nonresidential services or residential care for a condition of developmental disabilities.~~ *A* ~~No~~ person *with a developmental disability may not* ~~shall~~ be presumed incapacitated solely by reason of his or her acceptance in nonresidential services or admission to residential care *and may not*~~; nor shall any such person~~ be denied the full exercise of all legal rights guaranteed to citizens of this state and of the United States.

(b) The *determination of incapacity* ~~issue of capacity~~ of a person with *a* developmental *disability and the appointment of a guardian must be conducted* ~~disabilities shall be determined~~ in a separate proceeding according to the procedures and requirements of chapter 744 and the Florida Probate Rules.

(2) APPOINTMENT OF A GUARDIAN ADVOCATE.—

(a) ~~Conditions.—~~A *circuit* ~~probate~~ court may appoint a guardian advocate, without an adjudication of incapacity, for a person with developmental disabilities, if the person lacks the *decisionmaking ability* ~~capacity~~ to do some, but not all, of the *decisionmaking* tasks necessary to care for his or her person *or*~~,~~ property~~, or estate~~ or if the person has voluntarily petitioned for the appointment of a guardian advocate. Except as otherwise specified, the proceeding shall be governed by the Florida Rules of *Probate* ~~Civil~~ Procedure.

(b) A person who is being considered for appointment or is appointed as a guardian advocate need not be represented by an attorney unless required by the court or if the guardian advocate is delegated any rights regarding property other than the right to be the representative payee for government benefits. This paragraph applies only to proceedings relating to the appointment of a guardian advocate and the court's supervision of a guardian advocate and is not an exercise of the Legislature's authority pursuant to s. (2)(a), Art. V of the State Constitution.

(3)~~(b)~~ PETITION.—A petition to appoint a guardian advocate *for a person with a developmental disability* may be executed by an adult person who is a resident of this state. The petition *must* ~~shall~~ be verified and *must* ~~shall~~:

(a)~~1.~~ State the name, age, and present address of the petitioner and his or her relationship to the person with *a* developmental *disability* ~~disabilities~~;

(b)~~2.~~ State the name, age, county of residence, and present address of the person with *a* developmental *disability* ~~disabilities~~;

(c)~~3.~~ Allege that the petitioner believes that the person needs a guardian advocate and specify the factual information on which such belief is based;

(d)~~4.~~ Specify the exact areas in which the person lacks the *decisionmaking ability* ~~capacity~~ to make informed decisions about his or her care and treatment services or to meet the essential requirements for his or her physical health or safety;

(e)~~5.~~ Specify the legal disabilities to which the person is subject; and

(f)~~6.~~ State the name of the proposed guardian advocate, the relationship of that person to the person with *a* developmental *disability; the relationship that the proposed guardian advocate had or has with a provider of health care services, residential services, or other services to the person with a developmental disability;* ~~disabilities,~~ and the reason why this person should be appointed. If a willing and qualified guardian advocate cannot be located, the petition shall so state.

(4)~~(c)~~ NOTICE.—

(a)~~1.~~ Notice of the filing of the petition *must* ~~shall~~ be given to the *person with a developmental disability,* ~~individual and his or her parent or parents. The notice shall be given both~~ verbally and in writing in the language of the person and in English. Notice *must* ~~shall~~ also be given to *the next of kin of the person with a developmental disability as defined in chapter 744, a health care surrogate designated to execute an advance directive under chapter 765, an agent under a durable power of attorney, and* such other persons as the court may direct. *A copy of* the petition to appoint a guardian advocate *must* ~~shall~~ be served with the notice.

(b)~~2.~~ The notice *must* ~~shall~~ state that a hearing *will be held* ~~shall be set~~ to inquire into the capacity of the person with *a* developmental *disability* ~~disabilities~~ to exercise the rights enumerated in the petition. The notice *must* ~~shall~~ also state the date of the hearing on the petition.

(c)~~3.~~ The notice shall state that the *person with a developmental disability* ~~individual with developmental disabilities~~ has the right to be represented by counsel of his or her own choice and that if the *person* ~~individual~~ cannot afford an attorney, the court shall appoint one.

(5)~~(d)~~ COUNSEL.—*Within 3 days after a petition has been filed, the court shall appoint an attorney to represent a person with a developmental disability who is the subject of a petition to appoint a guardian advocate. The person with a developmental disability may substitute his or her own attorney for the attorney appointed by the court.*

(a) If the court appoints the attorney, the attorney must have completed a minimum of 8 hours of education in guardianship. The court may waive this requirement for an attorney who has served as a court-appointed attorney in guardian advocate proceedings or as an attorney of record for guardian advocates for at least 3 years.

(b) An attorney representing a person with a developmental disability may not also serve as the guardian advocate of the person, as counsel for

the guardian advocate, or as counsel for the person petitioning for the appointment of a guardian advocate.

~~1. Every person with developmental disabilities who is the subject of a petition to appoint a guardian advocate shall be represented by counsel.~~

~~2. Every person with developmental disabilities has the right to be represented by counsel of his or her own choice. If the person cannot afford an attorney, the court shall appoint one to represent the person. The court shall appoint counsel if no appearance has been filed within 10 working days of the hearing.~~

(6)~~(e)~~ HEARING.—

(a)~~1.~~ Upon the filing of the petition to appoint a guardian advocate, the court shall set a date *for holding a hearing on* ~~upon which~~ the petition ~~shall be heard~~. *The* ~~A~~ hearing *must* ~~on the petition shall~~ be held as soon as practicable after the petition is filed, but reasonable delay for the purpose of investigation, discovery, or procuring counsel or witnesses *may* ~~shall~~ be granted.

(b)~~2.~~ The hearing *must be held* ~~shall be conducted~~ at the time and place specified in the notice of hearing *and must*~~.~~ ~~The hearing shall~~ be conducted in a manner consistent with due process.

(c)~~3.~~ The *person with a developmental disability* ~~individual~~ has the right to be present at the hearing and shall be present unless good cause to exclude the individual can be shown. The *person* ~~individual~~ has the right to remain silent, to present evidence, to call and cross-examine witnesses, and to have the hearing open or closed, as the person may choose.

(d)~~4.~~ At the hearing, the court shall receive and consider all reports relevant to the person's *disability* ~~disabilities~~, including, but not limited to, the *person's* current individual family or individual support plan, the individual education plan, and other professional reports documenting the condition and needs of the *person* ~~individual~~.

(e)~~5.~~ The Florida Evidence Code, chapter 90, *applies* ~~shall apply~~ at the hearing. The burden of proof *must* ~~shall~~ be by clear and convincing evidence.

(7) ADVANCE DIRECTIVES FOR HEALTH CARE AND DURABLE POWER OF ATTORNEY.—In each proceeding in which a guardian advocate is appointed under this section, the court shall determine whether the person with a developmental disability has executed any valid advance directive under chapter 765 or a durable power of attorney under chapter 709.

(a) If the person with a developmental disability has executed an advance directive or durable power of attorney, the court must consider and find whether the documents will sufficiently address the needs of the person with a developmental disability for whom the guardian advocate is sought. A guardian advocate may not be appointed if the court finds that the advance directive or durable power of attorney provides an alternative to the appointment of a guardian advocate which will sufficiently address the needs of the person with a developmental disability.

(b) If an interested person seeks to contest an advance directive or durable power of attorney executed by a person with a developmental disability, the interested person shall file a verified statement. The verified statement shall include the factual basis for the belief that the advance directive or durable power of attorney is invalid or does not sufficiently address the needs of the person for whom a guardian advocate is sought or that the person with authority under the advance directive or durable power of attorney is abusing his or her power.

(c) If an advance directive exists, the court shall specify in its order and letters of guardian advocacy what authority, if any, the guardian advocate shall exercise over the person's health care surrogate. Pursuant to the grounds listed in s. 765.105, the court, upon its own motion, may, with notice to the health care surrogate and any other appropriate parties, modify or revoke the authority of the health care surrogate to make health care decisions for the person with a developmental disability. For purposes of this section, the term "health care decision" has the same meaning as in s. 765.101.

(d) If any durable power of attorney exists, the court shall specify in its order and letters of guardian advocacy what powers of the agent, if any, are suspended and granted to the guardian advocate. The court, however, may not suspend any powers of the agent unless the court determines the durable power of attorney is invalid or there is an abuse by the agent of the powers granted.

(8)~~(f)~~ *COURT* ORDER ~~determining the appointment of a guardian advocate~~.—If the court finds the person with *a* developmental *disability* ~~disabilities~~ requires the appointment of a guardian advocate, the court shall enter a written order *appointing the guardian advocate and containing* ~~determining the need for a guardian advocate. The written order shall contain~~ the findings of facts and conclusions of law on which the court made its decision*, including*~~. The court shall make the following findings~~:

(a)~~1.~~ The nature and scope of the person's *lack of decisionmaking ability* ~~incapacity~~;

(b)~~2.~~ The exact areas in which the individual lacks *decisionmaking ability* ~~capacity~~ to make informed decisions about care and treatment services or to meet the essential requirements for his or her physical health and safety;

(c)~~3.~~ The specific legal disabilities to which the person with developmental *disability* ~~disabilities~~ is subject; ~~and~~

(d) The name of the person selected as guardian advocate and the reasons for the court's selection; and

(e)~~4.~~ The powers*,* ~~and~~ duties*, and responsibilities* of the guardian advocate, including bonding of the guardian advocate, as *provided in* ~~governed by~~ s. 744.351.

(9)~~(g)~~ LEGAL RIGHTS.—A person with *a* developmental *disability* ~~disabilities~~ for whom a guardian advocate has been appointed retains all legal rights except those *that* ~~which~~ have been specifically granted to the guardian advocate.

(10)~~(h)~~ POWERS AND DUTIES OF GUARDIAN ADVOCATE.—A guardian advocate for a person with *a* developmental *disability* ~~disabilities~~ shall be a person or corporation qualified to act as guardian, with the same powers, duties, and responsibilities required of a guardian under chapter 744 or those defined by court order under this section. However, a guardian advocate may not be required to file an annual accounting under s. 744.3678 if the court determines that the person with *a* developmental *disability* ~~disabilities~~ receives income only from Social Security benefits and the guardian advocate is the person's representative payee for the benefits.

(11)~~(3)~~ COURT COSTS.—In all proceedings under this section, ~~no~~ court costs *may not* ~~shall~~ be charged against the agency.

(12) SUGGESTION OF RESTORATION OF RIGHTS.—Any interested person, including the person with a developmental disability, may file a suggestion of restoration of rights with the court in which the guardian advocacy is pending. The suggestion must state that the person with a developmental disability is currently capable of exercising some or all of the rights that were delegated to the guardian advocate and provide evidentiary support for the filing of the suggestion. Evidentiary support includes, but is not limited to, a signed statement from a medical, psychological, or psychiatric practitioner by whom the person with a developmental disability was evaluated and which supports the suggestion for the restoration. If the petitioner is unable to provide evidentiary support due to the lack of access to such information or reports, the petitioner may state a good faith basis for the suggestion for the restoration of rights without attaching evidentiary support. The court shall immediately set a hearing if no evidentiary support is attached to inquire of the petitioner and guardian advocate as to the reason and enter such orders as are appropriate to secure the required documents. The person with a disability and the person's attorney shall be provided notice of the hearing.

(a) Within 3 days after the filing of the suggestion, counsel shall be appointed for the person with a developmental disability as set forth in subsection (5).

(b) The clerk of the court shall immediately send notice of the filing of the suggestion to the person with a developmental disability, the guardian advocate, the attorney for the person with a developmental disability, the attorney for the guardian advocate, if any, and any other

interested person designated by the court. Formal notice shall be served on the guardian advocate. Informal notice may be served on other persons. Notice need not be served on the person who filed the suggestion.

(c) Any objections to the suggestion must be filed within 20 days after service of the notice. If an objection is timely filed, or if the evidentiary support suggests that restoration of rights is not appropriate, the court shall set the matter for hearing. The hearing shall be conducted as set forth in s. 744.1095. The court, at the hearing, shall consider all reports and testimony relevant to the person's decisionmaking abilities at the hearing, including, but not limited to, the person's current individual family plan or individual support plan, the individual education plan, and other professional reports that document the condition and needs of the person.

(d) Notice of the hearing and copies of the objections shall be served upon the person with a developmental disability, the attorney for the person with a developmental disability, the guardian advocate, the attorney for the guardian advocate, the next of kin of the person with a developmental disability, and any other interested person as directed by the court.

(e) If no objections are filed and the court is satisfied with the evidentiary support for restoration, the court shall enter an order of restoration of rights which were delegated to a guardian advocate and which the person with a developmental disability may now exercise.

(f) At the conclusion of a hearing, the court shall enter an order denying the suggestion or restoring all or some of the rights that were delegated to the guardian advocate. If only some rights are restored to the person with a developmental disability, the court shall enter amended letters of guardian advocacy.

(g) If only some rights are restored to the person with a developmental disability, the order must state which rights are restored and amended letters of guardian advocacy shall be issued by the court. The guardian advocate shall amend the current plan as required under chapter 744 if personal rights are restored to the person with a developmental disability. The guardian advocate shall file a final accounting as required under chapter 744 if all property rights are restored to the person with a developmental disability. The guardian advocate must file the amended plan or final accounting within 60 days after the order restoring rights and amended letters of guardian advocacy are issued. A copy of the reports shall be served upon the person with a developmental disability and the attorney for the person with a developmental disability.

Section 2. Paragraph (h) of subsection (3) of section 393.13, Florida Statutes, is amended to read:

393.13 Treatment of persons with developmental disabilities.—

(3) RIGHTS OF ALL PERSONS WITH DEVELOPMENTAL DISABILITIES.—The rights described in this subsection shall apply to all persons with developmental disabilities, whether or not such persons are clients of the agency.

(h) Persons with developmental disabilities shall have a right to consent to or refuse treatment, subject to the *powers of a guardian advocate appointed pursuant to s. 393.12 or a guardian appointed pursuant to* ~~provisions of s. 393.12(2)(a) or~~ chapter 744.

Section 3. This act shall take effect July 1, 2008.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to guardian advocates for persons with developmental disabilities; amending s. 393.12, F.S.; requiring the court to conduct determination of incapacity of persons with developmental disabilities and appointment of guardian advocates in separate proceedings; revising conditions relating to venue for appointment of guardian advocates; providing that the guardian advocate need not be represented by an attorney unless required by the court or the guardian advocate is delegated certain rights regarding property; limiting applicability to certain proceedings relating to appointment and supervision of guardian advocates; requiring the petition to include the relationship of the proposed guardian advocate to certain providers; modifying the persons to whom a notice of the filing of the petition must be given to include next of kin, the health care surrogate designated to execute an advance directive, and the agent under durable power of attorney; establishing a timeframe for appointment of counsel and modifying who may be appointed as counsel to a person with a developmental disability; providing conditions for the court to appoint attorneys; requiring court proceedings and orders to consider advance directives for health care and durable powers of attorney; requiring the court's order to provide the name and reasons for the selection of the guardian advocate; providing a process for restoration of rights for the person with a developmental disability; providing for the petitioner to submit evidentiary support to the court; providing for a hearing if no evidentiary support is available; amending s. 393.13, F.S.; conforming a cross-reference; providing an effective date.

On motion by Senator Crist, **CS for HB 739** as amended was passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Geller	Posey
Baker	Haridopolos	Rich
Bennett	Hill	Ring
Bullard	Jones	Saunders
Carlton	Joyner	Siplin
Constantine	Justice	Storms
Crist	King	Webster
Dean	Lawson	Wilson
Deutch	Lynn	Wise

Nays—None

Vote after roll call:

Yea—Diaz de la Portilla, Garcia

Consideration of **CS for HB 137** and **CS for CS for CS for SB 996** was deferred.

CS for HB 743—A bill to be entitled An act relating to mortgage fraud; creating s. 193.133, F.S.; requiring law enforcement agencies to notify property appraisers of incidents of mortgage fraud under certain circumstances; authorizing property appraisers to adjust property assessments under certain circumstances; requiring property appraisers to reassess certain properties under certain circumstances; amending s. 817.545, F.S.; providing an increased penalty for certain types of mortgage fraud; providing an effective date.

—was read the third time by title.

On motion by Senator Margolis, **CS for HB 743** was passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Fasano	Peaden
Alexander	Gaetz	Posey
Aronberg	Geller	Rich
Atwater	Haridopolos	Ring
Baker	Hill	Saunders
Bennett	Jones	Siplin
Bullard	Joyner	Storms
Carlton	Justice	Villalobos
Constantine	King	Webster
Crist	Lawson	Wilson
Dean	Lynn	Wise
Deutch	Margolis	
Dockery	Oelrich	

Nays—None

Vote after roll call:

Yea—Diaz de la Portilla, Garcia

CS for HB 799—A bill to be entitled An act relating to the theft of copper or other nonferrous metals; creating s. 812.145, F.S.; providing definitions; providing that it is a felony of the first degree to knowingly and intentionally take copper or other nonferrous metal from a utility or communications services provider, thereby causing damage to the facilities of a utility or communications services provider or interrupting or interfering with utility or communications services; providing criminal penalties; providing an effective date.

—was read the third time by title.

On motion by Senator Dean, **CS for HB 799** was passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Aronberg	Gaetz	Posey
Atwater	Geller	Rich
Baker	Haridopolos	Ring
Bennett	Hill	Saunders
Bullard	Jones	Siplin
Carlton	Joyner	Storms
Constantine	Justice	Villalobos
Crist	King	Webster
Dean	Lawson	Wise
Deutch	Lynn	
Diaz de la Portilla	Margolis	

Nays—None

Vote after roll call:

Yea—Garcia, Wilson

CS for HB 623—A bill to be entitled An act relating to school food service programs; amending s. 1006.06, F.S.; requiring school breakfast programs in middle and high schools; providing procedures for school breakfast programs; specifying requirements for setting prices of breakfast meals; requiring district school boards to consider policies for the provision of universal-free school breakfast meals in certain schools; requiring information to be communicated to students and parents; clarifying the allocation of funds for school breakfast programs; directing the Office of Program Policy Analysis and Government Accountability to submit a report on school district food service programs; providing an effective date.

—as amended April 28 was read the third time by title.

On motion by Senator Wise, **CS for HB 623** as amended was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Aronberg	Gaetz	Posey
Atwater	Geller	Rich
Baker	Haridopolos	Ring
Bennett	Hill	Saunders
Bullard	Jones	Siplin
Carlton	Joyner	Storms
Constantine	Justice	Villalobos
Crist	King	Webster
Dean	Lawson	Wilson
Deutch	Lynn	Wise
Diaz de la Portilla	Margolis	

Nays—None

Vote after roll call:

Yea—Garcia

Consideration of **CS for SB 1492** and **CS for SB 1604** was deferred.

CS for HB 1427—A bill to be entitled An act relating to beach management; amending s. 161.142, F.S.; providing legislative intent and findings; providing requirements concerning the quality and quantity of dredged sand placed on certain beaches adjacent to inlets; requiring an estimation of the requisite quantity of beach-quality sand by the Department of Environmental Protection and its consultants; revising exemptions from certain permitting requirements and prohibitions for certain construction activities; requiring compliance with the applicable Florida Building Code; requiring the protection of nesting shorebirds and marine turtles; specifying requirements of certain ports concerning the placement of dredged sand on adjacent eroding beaches; authorizing such ports to sponsor or cosponsor inlet management projects that are fully eligible for state cost-sharing; providing requirements and findings concerning the placement of dredged sand from federal navigation projects; providing for assignment of responsibility for the erosion caused by inlets; specifying actions to be taken by the department in disputes between local governments and property owners concerning how much sand should bypass an inlet; creating s. 161.143, F.S.; requiring that inlet management studies, projects, and activities be supported by certain plans; providing criteria governing the department's ranking of inlet management projects and activities; specifying conditions that must be met; requiring that the department establish funding priorities for projects and activities concerning inlet management; providing for input from interested governmental and private entities; providing criteria for establishing priorities; authorizing funding levels for inlet management projects under specified conditions; requiring that the department annually provide an inlet management project list to the Legislature; providing requirements for the list; requiring that the department make available certain moneys for projects on the list; requiring that the department make available certain moneys for projects on other legislatively approved inlet management project lists; requiring that the Legislature designate a certain inlet project as "Inlet of the Year"; requiring the department to provide an annual report to the Legislature concerning the success of projects so designated; requiring rulemaking by the department; providing an effective date.

—was read the third time by title.

On motion by Senator Jones, **CS for HB 1427** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Aronberg	Gaetz	Posey
Atwater	Geller	Rich
Baker	Haridopolos	Ring
Bennett	Hill	Saunders
Bullard	Jones	Siplin
Carlton	Joyner	Storms
Constantine	Justice	Villalobos
Crist	King	Webster
Dean	Lawson	Wilson
Deutch	Lynn	Wise
Diaz de la Portilla	Margolis	

Nays—None

Vote after roll call:

Yea—Garcia

Consideration of **CS for SB 1954** was deferred.

HB 961—A bill to be entitled An act relating to cleanup of sites contaminated by petroleum; amending s. 376.3071, F.S.; increasing public funding for the restoration of certain sites contaminated by petroleum; providing criteria for the sites eligible for additional funds; prohibiting reimbursements for expenses incurred outside the petroleum cleanup preapproved site rehabilitation program administered by the Department of Environmental Protection; amending s. 376.30711, F.S.;

providing requirements concerning preapproved site rehabilitation agreements that govern submittal of invoices to the department and payment of subcontractors; providing that an exemption from requirements concerning payments to subcontractors and suppliers does not apply to payments associated with such preapproved agreements; amending s. 376.3072, F.S., relating to the Florida Petroleum Liability and Restoration Insurance Program; increasing the amount of funds available under the insurance program for certain incidents or discharges; providing criteria for the sites eligible for additional funds; prohibiting reimbursements for expenses incurred outside the petroleum cleanup preapproved site rehabilitation program administered by the Department of Environmental Protection; providing an effective date.

—was read the third time by title.

On motion by Senator Baker, **HB 961** was passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Dockery	Peaden
Alexander	Fasano	Posey
Aronberg	Gaetz	Rich
Atwater	Geller	Ring
Baker	Hill	Saunders
Bennett	Jones	Siplin
Bullard	Joyner	Storms
Carlton	Justice	Villalobos
Constantine	King	Webster
Crist	Lawson	Wilson
Dean	Lynn	Wise
Deutch	Margolis	
Diaz de la Portilla	Oelrich	

Nays—1

Haridopolos

Vote after roll call:

Yea—Garcia

CS for HB 219—A bill to be entitled An act relating to the Gertrude Maxwell Save a Pet Act; providing a short title; creating s. 570.97, F.S.; creating a direct-support organization for the Department of Agriculture and Consumer Services; providing for the organization and operation of the direct-support organization; providing for the purpose of the direct-support organization; providing for the membership of the board of directors; providing for honorary board members of the direct-support organization; providing for appointment of Gertrude Maxwell or her designee as the first honorary board member of the direct-support organization; providing an effective date.

—was read the third time by title.

On motion by Senator Atwater, **CS for HB 219** was passed and certified to the House. The vote on passage was:

Yeas—38

Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise
Dockery	Margolis	

Nays—None

CS for HB 527—A bill to be entitled An act relating to environmental site redevelopment; amending s. 376.30715, F.S.; defining the term "acquired"; providing for financial assistance in certain additional circumstances involving the transfer of a contaminated property; s. 220.1845, F.S.; revising requirements for site rehabilitation tax credits; expanding eligibility for site rehabilitation tax credits; providing for application to brownfield site redevelopment solid waste removal costs; providing requirements and limitations; providing definitions; providing for application to construction and operation of new health care facilities or health care providers on brownfield sites; providing requirements; amending s. 376.30781, F.S.; revising provisions providing tax credits for rehabilitation of certain contaminated sites and brownfield sites; providing for application to solid waste removal activities and site rehabilitation; providing for granting tax credits to multiple applicants; providing criteria for claiming costs for solid waste removal; providing definitions; providing for application to construction and operation of new health care facilities or health care providers on brownfield sites; providing requirements; revising criteria and requirements for granting site rehabilitation tax credits; providing criteria and requirements for granting solid waste removal tax credits; revising criteria and requirements for Department of Environmental Protection review of tax credit applications; providing notice requirements for the department in reviewing applications; increasing available amounts eligible for tax credits; providing additional limitations on tax credit awards for site rehabilitation costs and solid waste removal costs; providing construction of costs not eligible for tax credits; providing requirements and procedures for allocating and awarding certain ineligible or disputed costs; amending s. 376.79, F.S.; revising definitions relating to brownfield redevelopment; conforming a cross-reference; amending s. 376.80, F.S.; revising the brownfield program administration process; revising local government proposal requirements; revising requirements for brownfield site redevelopment agreements; deleting certain brownfield site rehabilitation contractor certification requirements; deleting a requirement that certain professionals carry professional liability insurance; providing legislative findings and declarations; authorizing local governments to evaluate certain benefits and effects of brownfield site redevelopment and rehabilitation; providing criteria; authorizing the Department of Health to assist local governments in such evaluations; amending s. 376.82, F.S.; conforming references; amending s. 376.86, F.S.; providing for limited application of Brownfield Areas Loan Guarantee Program grants to construction and operation of new health care facilities and health care providers; expanding membership of the Brownfield Areas Loan Guarantee Council; providing for retroactive application; providing an effective date.

—was read the third time by title.

On motion by Senator Posey, **CS for HB 527** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

Nays—None

MOTION

On motion by Senator Bennett, the House was requested to return **CS for CS for SB 2082**.

Consideration of **CS for CS for SB 2040** and **CS for CS for SB 2080** was deferred.

CS for CS for SB 2532—A bill to be entitled An act relating to child custody and support; providing a directive to the Division of Statutory Revision to retitle ch. 61, F.S.; amending s. 61.046, F.S.; defining the terms "parenting plan," "parenting plan recommendation," and "time-sharing schedule"; deleting definitions of the terms "custodial parent" and "noncustodial parent"; amending ss. 61.052, 61.09, and 61.10, F.S.; conforming provisions to changes in terminology; repealing s. 61.121, F.S., relating to rotating custody; amending s. 61.122, F.S.; conforming provisions to changes in terminology; revising provisions relating to a presumption of good faith for psychologists making specified determinations; amending s. 61.13, F.S.; revising provisions relating to modification of support; conforming provisions to changes in terminology; revising provisions relating to development of a parenting plan; amending s. 61.13001, F.S.; conforming provisions to changes in terminology; deleting obsolete definitions; amending s. 61.13002, F.S.; providing for orders of temporary support for children whose time-sharing is temporarily modified due to a parent's military service; conforming provisions to changes in terminology; amending ss. 61.14, 61.181, and 61.1827, F.S.; conforming provisions to changes in terminology; conforming a cross-reference; amending s. 61.20, F.S.; conforming provisions to changes in terminology; revising provisions relating to social investigation and recommendations regarding a parenting plan; amending s. 61.21, F.S.; conforming provisions to changes in terminology; amending s. 61.30, F.S.; conforming provisions to changes in terminology; amending ss. 61.401, 61.45, 409.2554, and 409.2558, F.S.; conforming provisions to changes in terminology; amending s. 409.2563, F.S.; conforming provisions to changes in terminology; revising provisions relating to presumption of a parent's income for the purpose of establishing a support obligation; deleting an obsolete provision concerning a study by the Office of Program Policy Analysis and Government Accountability; amending ss. 409.2564, 409.25657, 409.25659, and 409.2577, F.S.; conforming provisions to changes in terminology; amending s. 409.2579, F.S.; conforming a cross-reference; amending ss. 409.811, 414.0252, 414.065, 414.085, 414.095, 414.295, and 445.024, F.S.; conforming provisions to changes in terminology; amending s. 741.0306, F.S.; revising requirements for a family law handbook; conforming provisions to changes in terminology; requiring a review of the handbook and report to the Legislature; amending s. 741.30, F.S.; conforming provisions to changes in terminology; amending s. 742.031, F.S.; conforming provisions to changes in terminology; providing for time-sharing and parental responsibility in paternity judgments; amending ss. 753.01 and 827.06, F.S.; conforming provisions to changes in terminology; reenacting s. 61.1825(3)(a), F.S., relating to the State Case Registry, to incorporate the amendments made to s. 741.30, F.S., in a reference thereto; providing an effective date.

—as amended April 28 was read the third time by title.

Senator Lynn moved the following amendment which was adopted by two-thirds vote:

Amendment 1 (450614)—Between lines 1143 and 1144 insert:

(4)~~(3)~~ This section does not apply to permanent change of station moves by military personnel, which shall be governed by s. 61.13001.

On motion by Senator Lynn, **CS for CS for SB 2532** as amended was passed, ordered engrossed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

Nays—None

CS for HB 1203—A bill to be entitled An act relating to the Interstate Compact on Educational Opportunity for Military Children; creating s. 1000.36, F.S.; directing the Governor to execute the Interstate Compact on Educational Opportunity for Military Children on behalf of this state with any other state or states legally adopting the compact; providing definitions; providing applicability; providing for the transfer of education records from a sending to a receiving state; requiring that children of military personnel be enrolled in classes at current grade level; providing for eligibility for graduation; providing for a state council to coordinate agencies and schools; providing for membership on the council; creating the Interstate Commission on Educational Opportunity for Military Children; providing for membership, organization, meetings, operations, powers, and duties; creating an executive committee; requiring the commission to adopt rules; providing for a legal challenge to the adopted rules; providing for oversight, enforcement, and dispute resolution; providing procedures to suspend or terminate member states; authorizing the commission to levy and collect an annual assessment from each member state; providing the method for the compact to become effective and binding on the member states; providing procedures for the withdrawal of a member state; providing severability; providing for the effect of the compact on member states' laws; creating s. 1000.37, F.S.; requiring the Secretary of State to furnish a copy of the enrolled act enacting the Interstate Compact on Educational Opportunity for Military Children to each of the states approving the compact; creating s. 1000.38, F.S.; authorizing the designation of a Compact Commissioner and a Military Family Education Liaison by the Governor; creating s. 1000.39, F.S.; creating the State Council on Interstate Educational Opportunity for Military Children; providing purpose and membership; prohibiting compensation; authorizing reimbursement for per diem and travel expenses; providing for public records and open meetings; requiring the Department of Education to provide administrative support; prescribing procedures if the council is abolished; providing for future legislative review and repeal of the act; providing an effective date.

—was read the third time by title.

On motion by Senator Storms, **CS for HB 1203** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

Nays—None

CS for HB 1141—A bill to be entitled An act relating to public records; amending s. 741.313, F.S.; expanding an exemption from public records requirements for certain records and time sheets submitted to an agency to include those submitted by an employee who is a victim of sexual violence; extending future legislative review and repeal; amending s. 2, ch. 2007-108, Laws of Florida; revising a statement of public necessity to conform; providing a contingent effective date.

—was read the third time by title.

On motion by Senator Fasano, **CS for HB 1141** was passed by the required constitutional two-thirds vote of the members present and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Aronberg	Baker
Alexander	Atwater	Bennett

Bullard
Carlton
Constantine
Crist
Dean
Deutch
Diaz de la Portilla
Dockery
Fasano
Gaetz
Garcia
Geller
Haridopolos
Hill
Jones
Joyner
Justice
King
Lawson
Lynn
Margolis
Oelrich
Peaden
Posey
Rich
Ring
Saunders
Siplin
Storms
Villalobos
Webster
Wilson
Wise

Nays—None

CS for HB 1193—A bill to be entitled An act relating to maternal and child health programs; amending s. 383.011, F.S.; requiring the Department of Health, in administering the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC), to compare the costs of food items redeemed by certain vendors for purposes of meeting certain federal requirements; prohibiting the department from discontinuing certain generic products under certain circumstances; restricting the funding of the program to federal funds; providing for submission of budget amendments by the department; amending s. 409.942, F.S.; requiring the department to submit a plan to establish an electronic benefit transfer program to distribute WIC benefits to the United States Department of Agriculture; requiring the department to establish an electronic benefit transfer program to distribute WIC benefits; requiring the department to collaborate with the Department of Children and Family Services in developing the program and pay all costs associated therewith; providing an effective date.

—was read the third time by title.

On motion by Senator Garcia, **CS for HB 1193** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President
Alexander
Aronberg
Atwater
Baker
Bennett
Bullard
Carlton
Constantine
Crist
Dean
Deutch
Diaz de la Portilla
Dockery
Fasano
Gaetz
Garcia
Geller
Haridopolos
Hill
Jones
Joyner
Justice
King
Lawson
Lynn
Margolis
Oelrich
Peaden
Posey
Rich
Ring
Saunders
Siplin
Storms
Villalobos
Webster
Wilson
Wise

Nays—None

CS for HB 137—A bill to be entitled An act relating to operating a motor vehicle; creating s. 316.1926, F.S.; creating additional offenses regarding motor vehicle operation; amending s. 316.2085, F.S.; requiring an operator of a motorcycle or moped to maintain both wheels on the ground at all times; requiring that the license tag of a motorcycle or moped be affixed horizontally; amending s. 318.14, F.S.; providing additional penalties for certain offenses; providing for a specified fine and revocation of the person's privilege to operate a motor vehicle; providing an effective date.

—was read the third time by title.

On motion by Senator Garcia, **CS for HB 137** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President
Alexander
Aronberg
Atwater
Baker
Bennett
Bullard
Carlton
Constantine
Crist
Dean
Deutch
Diaz de la Portilla
Dockery
Fasano
Gaetz
Garcia
Geller
Haridopolos
Hill
Jones
Joyner
Justice
King
Lawson
Lynn
Margolis
Oelrich
Peaden
Rich
Ring
Saunders
Siplin
Storms
Villalobos
Webster
Wilson
Wise

Nays—1

Posey

CS for CS for CS for SB 996—A bill to be entitled An act relating to cosmetology; amending s. 477.013, F.S.; providing and revising definitions; redefining "cosmetology" to include specified services and exclude artificial nails and use of certain skin treatments; defining "hair stylist," "esthetician," and "nail technician"; including body wrapping within esthetician services; removing a distinction between specialty salons and other salons; creating s. 477.0131, F.S.; authorizing licensure for cosmetologists, hair stylists, estheticians, and nail technicians; amending s. 477.0132, F.S.; authorizing renewal of current body wrapping registrations; increasing length of required course; specifying that only the Board of Cosmetology may review, evaluate, and approve required course and text; amending s. 477.014, F.S.; revising requirements for qualification to practice under ch. 477, F.S.; authorizing current specialists to sit for licensure examinations in certain circumstances; providing for the renewal of current specialty registrations; amending s. 477.016, F.S.; requiring the Board of Cosmetology to adopt rules relating to protection of health of clients, nail technicians, and estheticians; amending s. 477.019, F.S.; revising qualifications, education, licensure and renewal, supervised practice, and endorsement requirements to include and differentiate such requirements for cosmetologists, hair stylists, estheticians, and nail technicians; requiring the board to adopt certain procedures relating to licensure by endorsement; amending s. 477.0212, F.S.; requiring the board to adopt certain rules relating to license renewal or continuing education; amending s. 477.023, F.S.; stipulating that the Department of Education is not prevented from issuing certain grooming and salon services certification; amending s. 477.025, F.S., relating to cosmetology and specialty salons, requisites, licensure, inspection, and mobile cosmetology salons, to conform; amending s. 477.026, F.S.; revising fee provisions to require specialties that are currently licensed to pay a fee commensurate with prior registration fees; revising fee provisions to conform with other changes made by the act; amending s. 477.0263, F.S.; specifying circumstances under which cosmetology, hair stylist, esthetician, nail technician, or specialty services may be practiced outside of a licensed salon; amending s. 477.0265, F.S., relating to prohibited acts, to conform; prohibiting the use or possession of a device containing a razor blade to remove, scrape, or cut calluses from the hands or feet; amending s. 477.028, F.S., relating to disciplinary proceedings, to conform; amending s. 477.029, F.S., relating to penalties; conforming provisions; repealing s. 477.0201, F.S., relating to specialty registration, qualifications, registration renewal, and endorsement; requiring a report to the Legislature on the use of a national examination for certain licenses in order to improve reciprocity with other states; providing an appropriation; providing effective dates.

—was read the third time by title.

On motion by Senator Wise, **CS for CS for CS for SB 996** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President
Alexander
Aronberg
Atwater
Baker
Bennett
Bullard
Carlton
Constantine
Crist
Dean
Deutch
Diaz de la Portilla
Dockery
Fasano
Gaetz
Garcia
Geller
Haridopolos
Hill
Jones
Justice
King
Lawson
Lynn
Margolis
Oelrich

Peaden	Saunders	Webster
Posey	Siplin	Wilson
Rich	Storms	Wise
Ring	Villalobos	

Nays—None

On motion by Senator Margolis, by two-thirds vote **CS for CS for HB 1459** was withdrawn from the Committees on Community Affairs; and Finance and Tax.

On motion by Senator Margolis, the rules were waived and by two-thirds vote—

CS for CS for HB 1459—A bill to be entitled An act relating to discretionary surtax on documents; amending s. 3, ch. 83-220, Laws of Florida, as amended; extending a future repeal date of provisions authorizing counties to levy a discretionary surtax on documents; amending s. 125.0167, F.S.; limiting the percentage of surtax revenues that may be used for administrative costs; specifying a minimum amount of surtax revenues to be used for housing for certain low-income and moderate-income families; requiring an affirmative vote of a local government governing body to rehabilitate certain governmentally owned housing; requiring certain remaining revenues to be used for down payment assistance; authorizing certain counties to create by ordinance a housing choice assistance voucher program; providing definitions; providing eligibility requirements for such vouchers; authorizing purchasing employers to file for allocations for such vouchers; limiting allocations; requiring distribution of allocations to employees in the form of such vouchers; prohibiting use of allocations for such vouchers if not awarded within a time certain after certain documentary stamps taxes are collected; amending s. 201.031, F.S.; expanding requirements for counties levying the discretionary surtax to include housing plan, affordable housing element, and annual reporting requirements; requiring the Auditor General to conduct a biennial operational audit of the discretionary surtax program operated by counties; requiring a report; providing an effective date.

—a companion measure, was substituted for **CS for SB 1492** as amended and by two-thirds vote read the second time by title.

MOTION

On motion by Senator Margolis, the rules were waived to allow the following amendment to be considered:

Senator Margolis moved the following amendment which was adopted:

Amendment 1 (386820)(with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Section 3 of chapter 83-220, Laws of Florida, as amended by section 1 of chapter 84-270, Laws of Florida, and section 1 of chapter 89-252, Laws of Florida, is amended to read:

Section 3. Sections 1 and 2 of chapter 83-220, Laws of Florida, as amended by this act, are repealed effective October 1, *2031* ~~2011~~.

Section 2. Subsections (4), (5), (6), (7), and (8) are added to section 125.0167, Florida Statutes, to read:

125.0167 Discretionary surtax on documents; adoption; application of revenue.—

(4) No more than 10 percent of surtax revenues collected by the Department of Revenue and remitted to the county in any fiscal year may be used for administrative costs.

(5)(a) Notwithstanding the provisions of subsection (3), no less than 50 percent of the revenues collected in the Housing Assistance Loan Trust Fund shall be used to provide homeownership assistance for low-income and moderate-income families. At least 10 percent of the funds specified in this paragraph shall be used for down payment assistance.

(b) For purposes of this subsection, the term "homeownership assistance" means assisting low-income and moderate-income families in purchasing a home as their primary residence, including, but not limited to, reducing the cost of the home with below-market construction financing, the amount of down payment and closing costs paid by the borrower, or the mortgage payment to an affordable amount for the purchaser or using any other financial assistance measure set forth in s. 420.5088.

(6) Rehabilitation of housing owned by a recipient government shall only be authorized after an affirmative vote of the governing body that no other sources of funds are available.

(7)(a) The governing body of each county as defined in s. 125.011(1) may by county ordinance and pursuant to procedures and requirements provided by such ordinance create a housing choice assistance voucher program.

(b) For purposes of this subsection, the term:

1. "Housing choice assistance voucher" means the document used to access assistance paid by the county from the discretionary surtax balance in the Housing Assistance Trust Fund to a prospective purchaser of a single-family residence which must be the purchaser's homestead.

2. "Purchasing employer" means a business or business entity that has acquired real property within the county and paid the surtax due as a result of the acquisition of that property pursuant to this section.

(c) Housing choice assistance vouchers shall be used for down payment assistance for the purchase of a single-family residence within the county by low-income or moderate-income persons who are:

1. Actively employed by the purchasing employer or by a business entity directly affiliated with the purchasing employer; and

2. Prequalified for a mortgage loan by a certified lending institution.

(d) Upon payment of the discretionary surtax pursuant to this section, the purchasing employer may file for an allocation for housing choice assistance vouchers from the county in an amount not to exceed 50 percent of the amount of the discretionary surtax paid. The purchasing employer shall distribute the allocation to employees in the form of housing choice assistance vouchers pursuant to rules and procedures established for the program.

(e) Any housing choice assistance voucher allocation not distributed to employees and redeemed by an employee within 1 year after the date the discretionary surtax is paid may not be used for housing choice assistance vouchers under this subsection.

(f) Any housing assistance paid pursuant to the housing choice assistance voucher program shall be included in the calculation determining the percentage of discretionary surtax funds used for homeownership purposes during the year in which the surtax funds for such purposes are expended.

Section 3. Section 201.031, Florida Statutes, is amended to read:

201.031 Discretionary surtax; administration and collection; Housing Assistance Loan Trust Fund; reporting requirements.—

(1) Each county, as defined by s. 125.011(1), may levy, subject to the provisions of s. 125.0167, a discretionary surtax on documents taxable under the provisions of s. 201.02, except that there shall be no surtax on any document pursuant to which the interest granted, assigned, transferred, or conveyed involves only a single-family residence. *The* ~~Such~~ single-family residence may be a condominium unit, a unit held through stock ownership or membership representing a proprietary interest in a corporation owning a fee or a leasehold initially in excess of 98 years, or a detached dwelling.

(2) All provisions of chapter 201, except s. 201.15, ~~shall~~ apply to the surtax. The Department of Revenue shall pay to the governing authority of the county which levies the surtax all taxes, penalties, and interest collected under this section less any costs of administration.

(3) Each county *that* ~~which~~ levies the surtax shall*:*

(a) Include in the financial report required under s. 218.32 information showing the revenues and the expenses of the trust fund for the fiscal year.

(b) Adopt a housing plan every 3 years that includes provisions substantially similar to the plans required in s. 420.9075(1).

(c) Have adopted an affordable housing element of its comprehensive land use plan that complies with s. 163.3177(6)(f).

(d) Require by resolution that the staff or entity that has administrative authority for implementing the housing plan prepare and submit to the county's governing body an annual report substantially similar to the annual report required in s. 420.9075(10).

(4) Every 2 years after the effective date of this act, the Auditor General shall conduct an operational audit as defined in s. 11.45 of the discretionary surtax program operated by counties under s. 125.0167. The Auditor General shall provide a report of such audit to the President of the Senate and the Speaker of the House of Representatives.

Section 4. Subsection (1) of section 201.02, Florida Statutes, is amended to read:

201.02 Tax on deeds and other instruments relating to real property or interests in real property.—

(1)*(a)* On deeds, instruments, *documents,* or writings whereby any lands, tenements, or other real property, or any interest therein, shall be granted, assigned, transferred, or otherwise conveyed to, or vested in, the purchaser or any other person by his or her direction, on each $100 of the consideration therefor the tax shall be 70 cents *except as otherwise provided in this subsection*. When the full amount of the consideration for the execution, assignment, transfer, or conveyance is not shown in the face of such deed, instrument, document, or writing, the tax shall be at the rate of 70 cents for each $100 or fractional part thereof of the consideration therefor *except as otherwise provided in this subsection*. For purposes of this section, consideration includes, but is not limited to, the money paid or agreed to be paid; the discharge of an obligation; ~~and~~ the amount of any mortgage, purchase money mortgage lien, or other encumbrance, whether or not the underlying indebtedness is assumed*; and any increase in the value of any ownership interest in a grantee entity or any other entity*. If the consideration paid or given in exchange for real property or any interest therein includes property other than money, it is presumed that *there is a purchaser and that* the consideration is equal to the fair market value of the real property or interest therein.

(b) If:

1. A deed, instrument, document, or writing grants, assigns, transfers, or conveys any interest in real property;

2. There is a mere change in form of ownership without effecting any change in any beneficial ownership interests; and

3. The only consideration given is an increase in the value of any ownership interests in the grantee entity or any other entity,

in lieu of paying the tax due on such deed, instrument, document, or writing, the parties to the grant, assignment, transfer, or conveyance may make an election, on or before the date of the grant, assignment, transfer, or conveyance, on a form issued by the department, to not make payment of the tax due on such deed, instrument, document, or writing but instead to pay tax on the fair market value of the real property upon the subsequent change in any ownership interest in the real property or the subsequent transfer of any interest in the real property. The form on which such election is made shall be attached to and recorded with the deed, instrument, document, or writing that grants, assigns, conveys, or otherwise transfers any interest in the real property. However, when an election has been made, no tax shall apply to the subsequent transfer of the ownership interest in the legal entity, or the subsequent transfer of an interest in the real property, when the subsequent transfer is limited to a return of the identical interest in the real property by the grantee legal entity to the identical grantor or grantors resulting in no change in the beneficial ownership interests originally held in the real property.

Section 5. This act shall take effect upon becoming a law and section 4 of this act applies to transfers of property for which the first transfer to an artificial entity occurs after that date.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to the excise tax on documents; amending s. 3, ch. 83-220, Laws of Florida, as amended; extending a future repeal date of provisions authorizing counties to levy a discretionary surtax on documents; amending s. 125.0167, F.S.; limiting the percentage of surtax revenues that may be used for administrative costs; specifying a minimum amount of surtax revenues to be used for housing for certain low-income and moderate-income families; requiring an affirmative vote of a local government governing body to rehabilitate certain governmentally owned housing; requiring certain remaining revenues to be used for down payment assistance; authorizing certain counties to create by ordinance a housing choice assistance voucher program; providing definitions; providing eligibility requirements for such vouchers; authorizing purchasing employers to file for allocations for such vouchers; limiting allocations; requiring distribution of allocations to employees in the form of such vouchers; prohibiting use of allocations for such vouchers if not awarded within a certain period after certain documentary stamps taxes are collected; amending s. 201.031, F.S.; expanding requirements for counties levying the discretionary surtax to include housing plan, affordable housing element, and annual reporting requirements; requiring the Auditor General to conduct a biennial operational audit of the discretionary surtax program operated by counties; requiring a report; amending s. 201.02, F.S.; revising criteria determining liability for payment of the tax; providing requirements and methods for making an election regarding payment of tax under specified circumstances; providing requirements; providing for application of the act; providing an effective date.

On motion by Senator Margolis, by two-thirds vote **CS for CS for HB 1459** as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Aronberg	Gaetz	Posey
Atwater	Garcia	Rich
Baker	Geller	Ring
Bennett	Hill	Saunders
Bullard	Jones	Siplin
Carlton	Joyner	Storms
Constantine	Justice	Villalobos
Crist	King	Webster
Dean	Lawson	Wilson
Deutch	Lynn	Wise
Diaz de la Portilla	Margolis	

Nays—1

Haridopolos

CS for CS for SB 2040—A bill to be entitled An act relating to the excise tax on documents; amending s. 201.02, F.S.: revising criteria determining liability for payment of the tax; providing requirements and methods for making an election regarding payment of tax under specified circumstances; providing requirements; providing for application of the act; providing an effective date.

—was read the third time by title.

On motion by Senator Geller, **CS for CS for SB 2040** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Deutch	King
Alexander	Diaz de la Portilla	Lawson
Aronberg	Fasano	Lynn
Atwater	Gaetz	Margolis
Baker	Garcia	Oelrich
Bennett	Geller	Peaden
Bullard	Haridopolos	Posey
Carlton	Hill	Rich
Constantine	Jones	Ring
Crist	Joyner	Saunders
Dean	Justice	Siplin

Storms Webster Wise
Villalobos Wilson

Nays—None

Vote after roll call:

Yea—Dockery

Yea to Nay—Haridopolos

SPECIAL ORDER CALENDAR

On motion by Senator Webster, the Senate resumed consideration of—

SB 2400—A bill to be entitled An act relating to abortion; amending s. 390.0111, F.S.; requiring that an ultrasound be performed on any woman obtaining an abortion; specifying who must perform an ultrasound; requiring that the ultrasound be reviewed with the patient prior to the woman giving informed consent; specifying who must review the ultrasound with the patient; requiring that the woman certify in writing that she declined to review the ultrasound and did so of her own free will and without undue influence; providing an exemption from the requirement to view the ultrasound for women who are the victims of rape, incest, domestic violence, or human trafficking or for women who have a serious medical condition necessitating the abortion; revising requirements for written materials; amending s. 390.012, F.S.; conforming cross-references; requiring ultrasounds for all patients; requiring that live ultrasound images be reviewed and explained to the patient; requiring that all other provisions in s. 390.0111, F.S., be complied with if the patient declines to view her live ultrasound images; providing for severability; providing an effective date.

—which was previously considered April 24. Pending **Amendment 1 (445744)** and **Amendment 3 (343562)** by Senator Bennett were withdrawn. Subsequently pending **Amendment 2 (767380)**, **Amendment 4 (856752)** and **Amendment 4A (621152)** by Senator Webster were also withdrawn.

Pursuant to Rule 4.19, **SB 2400** was placed on the calendar of Bills on Third Reading.

Consideration of **CS for HB 257**, **SB 42**, **CS for SB 46** and **CS for SB 64** was deferred.

On motion by Senator Rich, by two-thirds vote **HB 35** was withdrawn from the Committee on Children, Families, and Elder Affairs.

On motion by Senator Rich—

HB 35—A bill to be entitled An act relating to social worker identification; amending ss. 39.01 and 491.003, F.S.; providing definitions for "social worker"; creating s. 491.016, F.S.; providing requirements for using the title "social worker"; providing a penalty; providing exemptions; requiring the Department of Health to adopt certain implementing and enforcing rules; providing an effective date.

—a companion measure, was substituted for **SB 226** and read the second time by title.

Pursuant to Rule 4.19, **HB 35** was placed on the calendar of Bills on Third Reading.

By Senator Villalobos—

CS for SB 268—A bill to be entitled An act relating to the Legislature; providing a short title; amending s. 11.143, F.S.; eliminating authority for members of a legislative committee to administer certain oaths and affirmations to witnesses; eliminating penalties for false swearing before a legislative committee; conforming to the creation of new provisions relating to oaths and affirmations before a legislative committee; creating s. 11.1435, F.S.; requiring persons who address a legislative committee to take an oath or affirmation of truthfulness; requiring a member of the legislative committee to administer the oath or affirmation; providing criminal penalties for certain false statements before a legislative committee; authorizing the use of a signed appearance card in lieu of an oral oath or affirmation; prescribing conditions related to the use of the card; providing for penalties for making a false statement after signing the card; providing an effective date.

—was read the second time by title.

Senator Villalobos moved the following amendments which were adopted:

Amendment 1 (452640)(with title amendment)—Delete line(s) 104-106 and insert:

(b) Paragraph (a) does not apply to:

1. A member of the Legislature in his or her official capacity or an employee of the Legislature in his or her capacity as an employee; however, the member or employee shall be subject to discipline by the presiding officer of the applicable house of the Legislature for making a false statement that he or she does not believe to be true.

2. A child, if the chair of the committee determines the child understands the duty to tell the truth or the duty not to lie.

Notwithstanding the exceptions prescribed in this paragraph, a standing or select committee, or any subcommittee thereof, may, if it deems necessary, require any person who addresses the committee to take an oath or affirmation of truthfulness as provided in this section and subject to the penalties provided in this section.

(c) The chair or any other member of the committee shall administer the oath or affirmation required under this section.

(2)(a) Except as provided in paragraph (b), whoever makes a

And the title is amended as follows:

On line 11, after the semicolon (;) insert: providing exceptions;

Amendment 2 (978606)—Delete line(s) 128-131 and insert: *provisions.*

Pursuant to Rule 4.19, **CS for SB 268** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Atwater, by two-thirds vote **CS for CS for SB 992** was withdrawn from the Committee on General Government Appropriations.

On motion by Senator Dockery, by two-thirds vote **CS for CS for SB 1128** was withdrawn from the Committee on Criminal and Civil Justice Appropriations and **SB 2440** was withdrawn from the Committee on Judiciary.

On motion by Senator Saunders, by two-thirds vote **CS for SB 1950** was withdrawn from the Committees on Health and Human Services Appropriations; and Judiciary.

On motion by Senator Constantine, by two-thirds vote **CS for CS for SB 1208** and **SB 1638** were withdrawn from the Committee on General Government Appropriations; and **CS for SB 640** was withdrawn from the Committee on Judiciary.

SPECIAL ORDER CALENDAR, continued

Consideration of **CS for CS for SB 474** was deferred.

By Senator Garcia—

CS for CS for SB 482—A bill to be entitled An act relating to affordable housing; amending s. 212.055, F.S.; redefining the term "infrastructure" to allow the proceeds of a local government infrastructure surtax to be used to purchase land for the construction of affordable or workforce housing units; amending s. 420.503, F.S.; defining the term "moderate rehabilitation" for purposes of the Florida Housing Finance Corpo-

ration Act; amending s. 420.5087, F.S.; revising purposes for which State Apartment Incentive Loans may be used; amending s. 420.5095, F.S.; requiring that certain funds related to the Community Workforce Housing Innovation Pilot Program be made available for workforce housing for teachers and instructional personnel; requiring that the Florida Housing Finance Corporation select projects for funding based on certain criteria; amending s. 420.9071, F.S.; defining the terms "assisted housing," "assisted housing development," and "preservation"; revising the definition of "eligible housing," "local housing incentive strategies," and "recaptured funds" for purposes of the State Housing Initiatives Partnership Act; amending s. 420.9072, F.S.; revising provisions related to the administration of certain funds in the Local Government Housing Trust Fund; amending s. 420.9073, F.S.; revising requirements for distribution of funds in the Local Government Housing Trust Fund; specifying purposes for which such withheld funds may be used; clarifying purposes for which certain local governments may expend funds from the Local Government Housing Trust Fund; amending s. 420.9075, F.S.; requiring that local housing assistance plans address the special housing needs of persons with disabilities; authorizing the Florida Housing Finance Corporation to define "high-cost counties" by rule; authorizing high-cost counties or certain municipalities to assist persons meeting specific income requirements; revising requirements to be included in the local housing assistance plan; requiring counties and certain municipalities to include certain strategies in the local housing assistance plan; revising criteria that applies to awards made for the purpose of providing affordable housing; authorizing and limiting the percentage of funds from the local housing distribution that may be used for certain manufactured housing; extending the expiration date of an exemption from certain income requirements in specified areas; authorizing the use of certain funds for preconstruction activities; providing that certain costs are a program expense; authorizing counties and certain municipalities to award grant funds under certain conditions; providing for the repayment of funds by counties or certain municipalities; amending provisions related to the administration of certain funds in the Local Government Housing Trust Fund; amending s. 420.9076, F.S.; revising appointments to a local affordable housing advisory committee; deleting cross-references to conform to changes made by the act; deleting provisions related to the administration of certain funds by the Local Government Housing Trust Fund; amending s. 421.08, F.S.; limiting the authority of housing authorities in certain circumstances; amending s. 159.807, F.S.; deleting an exemption for the Florida Housing Finance Corporation from the applicability of certain uses of the state allocation pool; repealing s. 420.9078, F.S., relating to state administration of funds remaining in the Local Government Housing Trust Fund; amending ss. 212.08, 220.03, and 220.183, F.S.; conforming cross-references to changes made by the act; amending s. 624.5105, F.S.; conforming cross-references to changes made by the act; providing an effective date.

—was read the second time by title.

Senator Garcia moved the following amendments which were adopted:

Amendment 1 (182098)(with title amendment)—Delete line(s) 608 and insert: *of the corporation or eligible municipalities within high-cost counties may include*

And the title is amended as follows:

Delete line(s) 34 and insert: authorizing high-cost counties or eligible municipalities within high-cost counties

Amendment 2 (226354)—Delete line(s) 765 and insert: subsection with the exception of paragraphs (a) and *(e)* ~~(d)~~ of this

Amendment 3 (300242)(with title amendment)—Delete line(s) 971-1017 and insert:

Section 10. Section 420.9079, Florida Statutes, is amended to read:

420.9079 Local Government Housing Trust Fund.—

(1) There is created in the State Treasury the Local Government Housing Trust Fund, which shall be administered by the corporation on behalf of the department according to the provisions of ss. *420.907-420.9076* ~~420.907-420.9078~~ and this section. There shall be deposited into the fund a portion of the documentary stamp tax revenues as provided in s. 201.15, moneys received from any other source for the purposes of ss. *420.907-420.9076* ~~420.907-420.9078~~ and this section, and all proceeds derived from the investment of such moneys. Moneys in the fund that are not currently needed for the purposes of the programs administered pursuant to ss. *420.907-420.9076* ~~420.907-420.9078~~ and this section shall be deposited to the credit of the fund and may be invested as provided by law. The interest received on any such investment shall be credited to the fund.

(2) The corporation shall administer the fund exclusively for the purpose of implementing the programs described in ss. *420.907-420.9076* ~~420.907-420.9078~~ and this section. With the exception of monitoring the activities of counties and eligible municipalities to determine local compliance with program requirements, the corporation shall not receive appropriations from the fund for administrative or personnel costs. For the purpose of implementing the compliance monitoring provisions of s. 420.9075(9), the corporation may request a maximum of one-quarter of 1 percent of the annual appropriation per state fiscal year. When such funding is appropriated, the corporation shall deduct the amount appropriated prior to calculating the local housing distribution pursuant to ss. 420.9072 and 420.9073.

Section 11. Subsection (6) of section 421.08, Florida Statutes, is amended to read:

421.08 Powers of authority.—An authority shall constitute a public body corporate and politic, exercising the public and essential governmental functions set forth in this chapter, and having all the powers necessary or convenient to carry out and effectuate the purpose and provisions of this chapter, including the following powers in addition to others herein granted:

(6) Within its area of operation: to investigate into living, dwelling, and housing conditions and into the means and methods of improving such conditions; to determine where slum areas exist or where there is a shortage of decent, safe, and sanitary dwelling accommodations for persons of low income; to make studies and recommendations relating to the problem of clearing, replanning, and reconstruction of slum areas and the problem of providing dwelling accommodations for persons of low income; to administer fair housing ordinances and other ordinances as adopted by cities, counties, or other authorities who wish to contract for administrative services and to cooperate with the city, the county, the state or any political subdivision thereof in action taken in connection with such problems; and to engage in research, studies, and experimentation on the subject of housing. *However, the housing authority may not take action to prohibit access to a housing project by a state or local elected official or a candidate for state or local government office.*

Section 12. Subsection (12) of section 1001.43, Florida Statutes, is amended to read:

1001.43 Supplemental powers and duties of district school board.—The district school board may exercise the following supplemental powers and duties as authorized by this code or State Board of Education rule.

(12) AFFORDABLE HOUSING.—A district school board may use portions of school sites purchased within the guidelines of the State Requirements for Educational Facilities, land deemed not usable for educational purposes because of location or other factors, or land declared as surplus by the board to provide sites for affordable housing for teachers and other district personnel *and, in areas of critical state concern, for other essential services personnel as defined by local affordable housing eligibility requirements,* independently or in conjunction with other agencies as described in subsection (5).

Section 13. Subsection (4) of section 159.807, Florida Statutes, is amended to read:

159.807 State allocation pool.—

(4)(a) The state allocation pool shall also be used to provide written confirmations for private activity bonds that are to be issued by state agencies, which bonds, notwithstanding any other provisions of this part, shall receive priority in the use of the pool available at the time the notice of intent to issue such bonds is filed with the division.

(b) *Notwithstanding the provisions of paragraph (a), on or before November 15 of each year, the Florida Housing Finance Corporation's access to the state allocation pool is limited to the amount of the corporation's initial allocation under s. 159.804. Thereafter, the corporation may not receive more than 80 percent of the amount in the state allocation pool*

on November 16 of each year, and may not receive more than 80 percent of any additional amounts that become available each year. ~~This subsection does not apply to the Florida Housing Finance Corporation:~~

~~1. Until its allocation pursuant to s. 159.804(3) has been exhausted, is unavailable, or is inadequate to provide an allocation pursuant to s. 159.804(3) and any carryforwards of volume limitation from prior years for the same carryforward purpose, as that term is defined in s. 146 of the Code, as the bonds it intends to issue have been completely utilized or have expired.~~

~~2. Prior to July 1 of any year, when housing bonds for which the Florida Housing Finance Corporation has made an assignment of its allocation permitted by s. 159.804(3)(c) have not been issued.~~

And the title is amended as follows:

Delete line(s) 57-59 and insert: Government Housing Trust Fund; amending s. 420.9079, F.S.; conforming cross-references; amending s. 421.08, F.S.; limiting the authority of housing authorities in certain circumstances; amending s. 1001.43, F.S.; revising district school board powers and duties in relation to use of land for affordable housing in certain areas for certain personnel; amending s. 159.807, F.S.; revising an

MOTION

On motion by Senator Garcia, the rules were waived to allow the following amendment to be considered:

Senator Garcia moved the following amendment which was adopted:

Amendment 4 (628486)(with title amendment)—Delete line(s) 72-217 and insert:

Section 1. Section 193.018, Florida Statutes, is created to read:

193.018 Land owned by a community land trust used to provide affordable housing.—

(1) As used in this section, the term "community land trust" means a nonprofit entity that is qualified as charitable under s. 501(c)(3) of the Internal Revenue Code and has as one of its purposes the acquisition of land to be held in perpetuity for the primary purpose of providing affordable homeownership.

(2) A community land trust may convey structural improvements, condominium parcels, or cooperative parcels, located on specific parcels of land which are identified by a legal description contained in and subject to a ground lease having a term of at least 99 years, for the purpose of providing affordable housing to natural persons or families who meet the extremely low, very-low, low, or moderate income limits specified in s. 420.0004, or the income limits for workforce housing as specified in s. 420.5095(3). A community land trust shall retain a preemptive option to purchase any structural improvements, condominium parcels, or cooperative parcels on the land at a price determined by a formula specified in the ground lease designed to ensure that such structural improvements, condominium parcels, or cooperative parcels remain affordable.

(3) In arriving at just valuation under s. 193.011, a structural improvement, condominium parcel, or cooperative parcel providing affordable housing on land owned by a community land trust, and the land owned by a community land trust that is subject to a 99-year or longer ground lease, shall be assessed using the following criteria:

(a) The amount a willing purchaser would pay a willing seller for the land is limited to an amount commensurate with the terms of the ground lease which restricts the use of the land to the provision of affordable housing in perpetuity.

(b) The amount a willing purchaser would pay a willing seller for the resale-restricted improvements, condominium parcel, or cooperative parcel is limited to the amount determined by the formula in the ground lease.

(c) If the ground lease and all amendments and supplements thereto, or a memorandum documenting how such lease and amendments or supplements restrict the price at which the improvements, condominium parcel, or cooperative parcel may be sold, is recorded in the official public records of the county in which the leased land is located, the recorded lease and any amendments or supplements, or the recorded memorandum, shall be deemed a land use regulation during the term of the lease as amended or supplemented.

Section 2. Subsection (5) is added to section 196.196, Florida Statutes, to read:

196.196 Determining whether property is entitled to charitable, religious, scientific, or literary exemption.—

(5) Property owned by an exempt organization qualified as charitable under s. 501(c)(3) of the Internal Revenue Code is used for a charitable purpose if the organization has taken affirmative steps to prepare the property to provide affordable housing to persons or families that meet the extremely-low-income, very-low-income, low-income, or moderate-income limits specified in s. 420.0004. For purposes of this subsection, the term "affirmative steps" means environmental or land use permitting activities, the creation of architectural plans or schematic drawings, land clearing or site preparation, construction or renovation activities, or other similar activities that demonstrate a commitment by the exempt entity to use of the property to provide affordable housing.

Section 3. Section 196.1978, Florida Statutes, is amended to read:

196.1978 Affordable housing property exemption.—

(1) Property used to provide affordable housing serving eligible persons as defined by s. 159.603(7) and *natural persons or families meeting the extremely-low-income, very-low-income, low-income, or moderate-income* ~~persons meeting income~~ limits specified in *s. 420.0004* ~~s. 420.0004(8), (10), (11), and (15)~~, which property is owned entirely by a nonprofit entity *that is a corporation not for profit, qualified as charitable under s. 501(c)(3) of the Internal Revenue Code, and in compliance with Rev. Proc. 96-32, 1996-1 C.B. 717, or a Florida-based limited partnership, the sole general partner of which is a corporation not for profit* which is qualified as charitable under s. 501(c)(3) of the Internal Revenue Code and which complies with Rev. Proc. 96-32, 1996-1 C.B. 717, shall be considered property owned by an exempt entity and used for a charitable purpose, and those portions of the affordable housing property which provide housing to *natural persons or families classified as extremely-low income, very-low income, low-income, or moderate-income under s. 420.0004* ~~individuals with incomes as defined in s. 420.0004(10) and (15)~~ shall be exempt from ad valorem taxation to the extent authorized in s. 196.196. All property identified in this section shall comply with the criteria for determination of exempt status to be applied by property appraisers on an annual basis as defined in s. 196.195. The Legislature intends that any property owned by a limited liability company *or limited partnership* which is disregarded as an entity for federal income tax purposes pursuant to Treasury Regulation 301.7701-3(b)(1)(ii) shall be treated as owned by its sole member *or sole general partner*.

(2) If property owned by an organization granted an exemption under s. 196.196(5) is transferred for a purpose other than directly providing affordable housing to persons or families who meet the extremely-low-income, very-low-income, low-income, or moderate-income limits, as specified in s. 420.0004, or is not actually used to provide affordable housing within 5 years after the date the organization is initially granted the exemption, the property appraiser making the determination shall serve upon the organization that illegally or improperly received the exemption a notice of intent to record in the public records of the county where the property is located a notice of tax lien against any property owned by that organization in the county, and such property shall be identified in the notice of tax lien. The organization owning such property is subject to the taxes otherwise due and owing as a result of the failure to use the property to provide affordable housing plus 15 percent interest per annum and a penalty of 50 percent of the taxes owed. The tax lien, when filed, attaches to any property identified in the notice of tax lien owned by the organization that illegally or improperly received the exemption. If the organization no longer owns property in the county but owns property in any other county in the state, the property appraiser shall record in each other county a notice of tax lien identifying the property owned by such organization in the county which shall become a tax lien against the identified property. If an exemption is improperly granted as a result of a clerical mistake or an omission by the property appraiser, the organization improperly receiving the exemption may not be assessed penalty and interest. Prior to the filing of a tax lien, the

organization that received the written notice of intent must be given 30 days to pay the taxes, penalties, and interest. The 5-year limitation specified in this subsection may be extended provided the holder of the exemption continues to take affirmative steps to develop the property for the purposes specified in s. 196.196(5).

Section 4. Paragraph (d) of subsection (2) of section 212.055, Florida Statutes, is amended to read:

212.055 Discretionary sales surtaxes; legislative intent; authorization and use of proceeds.—It is the legislative intent that any authorization for imposition of a discretionary sales surtax shall be published in the Florida Statutes as a subsection of this section, irrespective of the duration of the levy. Each enactment shall specify the types of counties authorized to levy; the rate or rates which may be imposed; the maximum length of time the surtax may be imposed, if any; the procedure which must be followed to secure voter approval, if required; the purpose for which the proceeds may be expended; and such other requirements as the Legislature may provide. Taxable transactions and administrative procedures shall be as provided in s. 212.054.

(2) LOCAL GOVERNMENT INFRASTRUCTURE SURTAX.—

(d)~~1.~~ The proceeds of the surtax authorized by this subsection and any *accrued* interest ~~accrued thereto~~ shall be expended by the school district*,* ~~or~~ within the county and municipalities within the county, or, in the case of a negotiated joint county agreement, within another county, to finance, plan, and construct infrastructure*;* ~~and~~ to acquire land for public recreation*,* ~~or~~ conservation*,* or protection of natural resources*; or* ~~and~~ to finance the closure of county-owned or municipally owned solid waste landfills that *have been* ~~are already~~ closed or are required to *be closed* ~~close~~ by order of the Department of Environmental Protection. Any use of *the* ~~such~~ proceeds or interest for purposes of landfill closure *before* ~~prior to~~ July 1, 1993, is ratified. ~~Neither~~ The proceeds *and* ~~nor~~ any interest *may not* ~~accrued thereto shall~~ be used for *the* operational expenses of ~~any~~ infrastructure, except that *a* ~~any~~ county *that has* ~~with~~ a population of *fewer* ~~less~~ than 75,000 *and* that is required to close a landfill ~~by order of the Department of Environmental Protection~~ may use the proceeds or ~~any~~ interest ~~accrued thereto~~ for long-term maintenance costs associated with landfill closure. Counties, as defined in *s. 125.011* ~~s. 125.011(1)~~, and charter counties may, in addition, use the proceeds *or* ~~and any~~ interest ~~accrued thereto~~ to retire or service indebtedness incurred for bonds issued *before* ~~prior to~~ July 1, 1987, for infrastructure purposes, and for bonds subsequently issued to refund such bonds. Any use of *the* ~~such~~ proceeds or interest for purposes of retiring or servicing indebtedness incurred for ~~such~~ refunding bonds *before* ~~prior to~~ July 1, 1999, is ratified.

1.~~2.~~ For the purposes of this paragraph, the term "infrastructure" means:

a. Any fixed capital expenditure or fixed capital outlay associated with the construction, reconstruction, or improvement of public facilities that have a life expectancy of 5 or more years and any *related* land acquisition, land improvement, design, and engineering costs ~~related thereto~~.

b. A fire department vehicle, an emergency medical service vehicle, a sheriff's office vehicle, a police department vehicle, or any other vehicle, and *the* ~~such~~ equipment necessary to outfit the vehicle for its official use or equipment that has a life expectancy of at least 5 years.

c. Any expenditure for the construction, lease, or maintenance of, or provision of utilities or security for, facilities*,* as defined in s. 29.008.

d. Any fixed capital expenditure or fixed capital outlay associated with the improvement of private facilities that have a life expectancy of 5 or more years and that the owner agrees to make available for use on a temporary basis as needed by a local government as a public emergency shelter or a staging area for emergency response equipment during an emergency officially declared by the state or by the local government under s. 252.38. Such improvements ~~under this sub-subparagraph~~ are limited to those necessary to comply with current standards for public emergency evacuation shelters. The owner *must* ~~shall~~ enter into a written contract with the local government providing the improvement funding to make *the* ~~such~~ private facility available to the public for purposes of emergency shelter at no cost to the local government for a minimum ~~period~~ of 10 years after completion of the improvement, with the provision that *the* ~~such~~ obligation will transfer to any subsequent owner until the end of the minimum period.

e. Any land acquisition expenditure for a residential housing project in which at least 30 percent of the units are affordable to individuals or families whose total annual household income does not exceed 120 percent of the area median income adjusted for household size, if the land is owned by a local government or by a special district that enters into a written agreement with the local government to provide such housing. The local government or special district may enter into a ground lease with a public or private person or entity for nominal or other consideration for the construction of the residential housing project on land acquired pursuant to this sub-subparagraph.

2.~~3.~~ Notwithstanding any other provision of this subsection, a *local government infrastructure* ~~discretionary sales~~ surtax imposed or extended after *July 1, 1998,* ~~the effective date of this act~~ may *allocate up to* ~~provide for an amount not to exceed~~ 15 percent of the ~~local option sales~~ surtax proceeds ~~to be allocated~~ for deposit *in* ~~to~~ a trust fund within the county's accounts created for the purpose of funding economic development projects *having* ~~of~~ a general public purpose *of improving* ~~targeted to improve~~ local economies, including the funding of operational costs and incentives related to ~~such~~ economic development. The ballot statement must indicate the intention to make an allocation under the authority of this subparagraph.

Section 5. Present subsections (25) through (41) of section 420.503, Florida Statutes, are redesignated as subsections (26) through (42), respectively, and a new subsection (25) is added to that section, to read:

420.503 Definitions.—As used in this part, the term:

(25) "Moderate rehabilitation" means repair or restoration of a dwelling unit when the value of such repair or restoration is 40 percent or less of the value of the dwelling unit but not less than $10,000.

Section 6. Paragraph (l) of subsection (6) of section 420.5087, Florida Statutes, is amended to read:

420.5087 State Apartment Incentive Loan Program.—There is hereby created the State Apartment Incentive Loan Program for the purpose of providing first, second, or other subordinated mortgage loans or loan guarantees to sponsors, including for-profit, nonprofit, and public entities, to provide housing affordable to very-low-income persons.

(6) On all state apartment incentive loans, except loans made to housing communities for the elderly to provide for lifesafety, building preservation, health, sanitation, or security-related repairs or improvements, the following provisions shall apply:

(l) The proceeds of all loans shall be used for new construction*, moderate rehabilitation,* or substantial rehabilitation *that* ~~which~~ creates *or preserves* affordable, safe, and sanitary housing units.

Section 7. Subsection (17) is added to section 420.5095, Florida Statutes, to read:

420.5095 Community Workforce Housing Innovation Pilot Program.—

(17) Funds appropriated by s. 33, chapter 2006-69, Laws of Florida, which were awarded but have been declined or returned, shall be made available for projects that otherwise comply with this section and are created to provide workforce housing for teachers and instructional personnel employed by the school district in the county in which the project is located.

(a) Projects shall be given priority for funding if:

1. The school district provides the property for the project pursuant to s. 1001.43;

2. The public-private partnership includes the school district and a national nonprofit organization to provide financial support, technical assistance, and training for community-based revitalization efforts; or

3. The project is located in a county in which a project selected for funding under this section did not go forward.

(b) Projects shall be selected for funding by requests for proposals.

And the title is amended as follows:

Between line(s) 2 and 3 insert: 193.018, F.S.; providing for the assessment of property receiving the low-income housing tax credit; defining the term "community land trust"; providing for the assessment of structural improvements, condominium parcels, and cooperative parcels on land owned by a community land trust and used to provide affordable housing; providing for the conveyance of structural improvements, condominium parcels, and cooperative parcels subject to certain conditions; specifying the criteria to be used in arriving at just valuation of a structural improvement, condominium parcel, or cooperative parcel; amending s.

Pursuant to Rule 4.19, **CS for CS for SB 482** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

By Senator Justice—

CS for SB 644—A bill to be entitled An act relating to the My Safe Florida Home Program; amending s. 215.5586, F.S.; requiring that wind certification entities meet certain minimum criteria to qualify for selection by the Department of Financial Services; deleting a provision requiring hurricane mitigation inspectors participating in the program to meet the requirements for a criminal record check by a specified date; authorizing the department to require that improvements be made to all openings of a structure, including exterior doors and garage doors, as a condition of reimbursing a homeowner for a grant; authorizing the department to contract with third parties for contractor services and technology; amending s. 627.711, F.S.; requiring insurers to accept as valid certain uniform inspection forms; providing an effective date.

—was read the second time by title.

Senator Justice moved the following amendment which was adopted:

Amendment 1 (621042)(with directory and title amendments)—Between line(s) 124 and 125 insert:

~~(j) The department shall transfer the amount of $40 million from funds appropriated to the program, including up to 5 percent for administrative costs, to Volunteer Florida Foundation, Inc., for provision of inspections and grants to low-income homeowners, as defined in s. 420.0004(10), consistent with this section. Volunteer Florida Foundation, Inc., shall be responsible for inspections and grants management for low-income homeowners and shall report its activities and account for state funds on a quarterly and annual basis to the Chief Financial Officer, the President of the Senate, and the Speaker of the House of Representatives.~~

And the directory clause is amended as follows:

Delete line(s) 20 and insert:

Section 1. Subsection (1), paragraphs (e) and (j) of subsection (2),

And the title is amended as follows:

On line(s) 12, after the semicolon (;) insert: deleting a provision authorizing the department to transfer certain funds to Volunteer Florida Foundation, Inc., for certain purposes; deleting a requirement that Volunteer Florida, Inc., undertake certain activities;

Senator Justice moved the following amendment:

Amendment 2 (036444)(with title amendment)—Delete lines 138-151 and insert:

Section 2. Subsection (2) of section 627.711, Florida Statutes, is amended to read:

627.711 Notice of premium discounts for hurricane loss mitigation; uniform mitigation verification inspection form.—

(2) By July 1, 2007, the Financial Services Commission shall develop by rule a uniform mitigation verification inspection form that shall be used by all insurers when *submitted by policy owners for the purpose of* factoring discounts for wind insurance. In developing the form, the commission shall seek input from insurance, construction, and building code representatives. Further, the commission shall provide guidance as to the length of time the inspection results are valid. *An insurer shall accept as valid a uniform mitigation verification form certified by the Department of Financial Services or signed by:*

(a) A hurricane mitigation inspector employed by an approved My Safe Florida Home wind certification entity;

(b) A building code inspector certified under s. 468.607;

(c) A general or residential contractor licensed under s. 489.111;

(d) A professional engineer licensed under s. 471.015 who has passed the appropriate equivalency test of the Building Code training program as required by s. 553.841; or

(e) A professional architect licensed under s. 481.213.

And the title is amended as follows:

Delete lines 15 and 16 and insert: requiring insurers to accept as valid uniform mitigation verification forms certified by the department or signed by certain professionals; providing an effective date.

MOTION

On motion by Senator Justice, the rules were waived to allow the following amendment to be considered:

Senator Justice moved the following amendment to **Amendment 2** which was adopted:

Amendment 2A (912260)—Delete line(s) 13 and insert: *by policyholders for the purpose of* factoring discounts for wind

Amendment 2 as amended was adopted.

Pursuant to Rule 4.19, **CS for SB 644** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

By Senator Justice—

CS for SB 886—A bill to be entitled An act relating to toxic substances in children's products; providing definitions; prohibiting a person from using or applying a toxic substance in or on any toy or child care article in this state; prohibiting a person from manufacturing, selling, offering for sale, or distributing a toy or child care article that contains a toxic substance; providing an exception; providing civil fines for manufacturing, selling, offering for sale, or distributing a toy or child care article that contains a toxic substance; requiring that certain civil fines be waived under specified circumstances; providing that a knowing and intentional violation of the act is a felony of the third degree; providing criminal penalties; providing an effective date.

—was read the second time by title.

Senator Justice moved the following amendment which was adopted:

Amendment 1 (572092)—Delete lines 36-39 and insert:

(e) "Toxic substance" means a substance that contains lead, or a coating on an item that contains lead, so that the lead content is more than 0.06 percent of the total weight. The term does not include glass or crystal decorative components, electrical components, or any component that is not accessible through normal and reasonably foreseeable use and abuse of a toy or article of child care. For purposes of this section, a component is "not accessible" if it cannot be touched with an articulated probe meant to simulate a child's finger both before and after use and abuse testing, such as drop, torque, tension, compression, and other applicable testing performed in a manner described in 16 C.F.R. part 1500.

Pursuant to Rule 4.19, **CS for SB 886** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

Consideration of **CS for CS for SB 928** was deferred.

On motion by Senator Dean, by two-thirds vote **HB 313** was withdrawn from the Committees on Criminal Justice; and Judiciary.

On motion by Senator Dean—

HB 313—A bill to be entitled An act relating to dating violence; providing a short title; amending s. 784.046, F.S.; revising provisions relating to dating violence incidents to provide requirements for investigations, notice to victims, and reporting similar to those for incidents of domestic violence and to apply certain immunity provisions thereto; prohibiting certain willful violations of conditions of pretrial release; providing penalties; amending s. 901.15, F.S.; providing for warrantless arrests of persons for dating violence; conforming provisions; providing an effective date.

—a companion measure, was substituted for **SB 1188** and read the second time by title.

Pursuant to Rule 4.19, **HB 313** was placed on the calendar of Bills on Third Reading.

By Senator Saunders—

CS for SB 1304—A bill to be entitled An act relating to fish and wildlife conservation; consolidating chapters 370 and 372, F.S., to create chapter 379, F.S., entitled "Fish and Wildlife Conservation"; creating part I of chapter 379, F.S., relating to general provisions; creating part II of chapter 379, F.S., relating to marine life; creating part III of chapter 379, F.S., relating to freshwater aquatic life; creating part IV of chapter 379, F.S., relating to wild animal life; creating part V of chapter 379, F.S., relating to law enforcement; creating part VI of chapter 379, F.S., relating to licenses for recreation activities; creating part VII of chapter 379, F.S., relating to nonrecreational licenses; creating part VIII of chapter 379, F.S., relating to penalties; renumbering, amending, creating, and repealing various statutory provisions to conform; renumbering and amending ss. 370.021, 370.06, 370.061, 370.063, 370.16, 370.22, 370.26, 370.028, 370.07, 370.08, 370.11, 370.1107, 370.1121, 370.135, 370.14, 370.143, 370.1535, 370.1603, 370.31, 370.73, 372.07, 372.071, 372.0715, 372.0025, 372.023, 372.0725, 372.16, 372.26, 372.551, 372.561, 372.562, 372.65, 372.57, 372.5704, 372.5705, 372.571, 372.5711, 372.5714, 372.5717, 372.5718, 372.574, 372.58, 372.581, 372.59, 372.651, 372.653, 372.66, 372.661, 372.662, 372.663, 372.664, 372.6645, 372.665, 372.6671, 372.6672, 372.6673, 372.6674, 372.6678, 372.671, 372.673, 372.70, 372.701, 372.7015, 372.7016, 372.76, 372.761, 372.83, 372.84, 372.86, 372.87, 372.88, 372.921, 372.922, 372.935, 372.988, 372.99, 372.9901, 372.99021, 372.99022, 372.9903, 372.9904, 372.9905, and 372.992, F.S.; correcting cross-references; conforming provisions to changes made by this act; renumbering and amending s. 370.12, F.S.; deleting an obsolete provision relating to certain annual use fees; correcting cross-references; renumbering and amending s. 370.13, F.S.; deleting an obsolete provision relating to stone crab trap tag fees; correcting cross-references; renumbering and amending s. 370.142, F.S.; deleting an obsolete provision relating to spiny lobster trap tag fees; correcting cross-references; renumbering and amending s. 370.151, F.S.; deleting legislative intent relating to shrimp beds; conforming provisions relating to shrimping license violations; renumbering and amending s. 372.5701, F.S.; deleting provisions requiring an annual legislative appropriation for specified activities and programs; correcting cross-references; creating s. 379.3711, F.S.; establishing an annual license fee for private game preserves and farms; providing for payment of such fees to the commission; requiring proceeds to be deposited in the State Game Trust Fund; creating 379.414, F.S.; providing additional civil penalties for violations of record requirements by saltwater products dealers; requiring fees collected for such violations are deposited in the Marine Resources Conservation Trust Fund; specifying the use of such funds; amending ss. 72.011, 97.05831, 125.01, 142.01, 161.053, 201.15, 212.06, 212.08, 213.053, 215.20, 290.004, 320.08058, 327.02, 327.41, 327.73, 328.66, 328.72, 328.76, 373.046, 403.41315, 403.813, 597.010, 777.04, 810.09, 921.0022, and 932.7055, F.S.; correcting cross-references to conform to changes made by this act; repealing s. 370.081, F.S., relating to illegal importation or possession of nonindigenous marine plants and animals to conform to changes made by this act; repealing s. 370.0821, F.S., relating to use of nets in St. Johns County to conform to changes made by this act; repealing s. 370.09, F.S., relating to industrial hazards and prohibited oil deposits discharge to conform to changes made by this act; repealing s. 370.1105, F.S., relating to saltwater finfish trap regulation to conform to changes made by this act; repealing ss. 370.15 and 370.154, F.S., relating to shrimp regulations to conform to changes made by this act; repealing s. 370.155, F.S., relating to shrimp fishing to conform to changes made by this act; repealing 372.001, F.S., relating to wildlife definitions to conform to changes made by this act; repealing s. 372.0225, F.S., relating to freshwater organisms to conform to changes made by this act; repealing s. 372.107, F.S., relating to the Fish and Wildlife Conservation Commission Federal Law Enforcement Trust Fund to conform to changes made by this act; repealing s. 372.27, F.S., relating to the prohibition of fishing in Silver Springs and Rainbow Springs to conform to changes made by this act; repealing s. 372.667, F.S., relating to the unlawful feeding or enticement of alligators or crocodiles to conform to changes made by this act; repealing s. 372.85, F.S., relating to the contamination of fresh waters to conform to changes made by this act; repealing s. 372.98, F.S., relating to the possession of nutria to conform to changes made by this act; repealing s. 372.981, F.S., relating to the regulation of importation of caiman to conform to changes made by this act; repealing s. 372.993, F.S., relating to land-based commercial and recreational fishing activities to conform to changes made by this act; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1304** was placed on the calendar of Bills on Third Reading.

CS for CS for SB 1430—A bill to be entitled An act relating to public safety; amending s. 775.21, F.S.; revising provisions relating to reimbursement of specified costs by sexual predators; revising provisions relating to the residence of sexual predators; providing criminal penalties; creating s. 775.215, F.S.; specifying residency distance limitations for persons convicted of certain sexual offenses; preempting certain local ordinances and providing for repeal of such ordinances; amending s. 775.24, F.S.; revising provisions relating to the duty of the court to uphold certain laws; amending s. 794.065, F.S.; providing additional residency restrictions for certain offenders; providing penalties; creating s. 794.0701, F.S.; providing for enhanced penalties for loitering or prowling by persons convicted of certain sex offenses; providing definitions; providing an exemption; amending s. 947.1405, F.S.; providing additional conditional release restrictions for certain offenders; providing an exemption; amending s. 948.06, F.S.; revising provisions relating to probation or community control for sexual predators and sexual offenders; amending s. 948.30, F.S.; revising provisions relating to terms and conditions of probation or community control for certain sex offenses; providing additional restrictions for certain probationers or community controllees who committed sexual offenses against a minor younger than 16 years of age; providing an effective date.

—was read the second time by title.

On motion by Senator Aronberg, further consideration of **CS for CS for SB 1430** was deferred.

CS for CS for SB 1440—A bill to be entitled An act relating to the Corporate Income Tax Credit Scholarship Program; amending s. 220.187, F.S.; providing legislative findings; revising program purposes; providing that specified students who are currently or have been in foster care are eligible for participation in the program; providing that siblings of certain students are eligible for participation in the program; providing income criteria for continuation of scholarships for students in foster care; revising provisions authorizing the total amount of tax credits that may be granted and deleting the reservation of a portion thereof; revising authorized uses of scholarship funds and providing for premium payments to certain students who participate in statewide assessments; revising provisions relating to expenditure of contributions received during a fiscal year; removing parent responsibility for providing transportation to certain assessment sites; providing obligations of the Department of Education relating to scholarship student participation in statewide assessments; revising scholarship amounts and providing amount of premium payments; requiring State Board of Education rule for adjustment of scholarship awards; revising requirements relating to verification of student attendance for purposes of scholarship payment; providing for preservation of credits under certain circumstances; providing an effective date.

—was read the second time by title.

Amendments were considered and failed and amendments were considered and adopted to conform **CS for CS for SB 1440** to **CS for CS for CS for HB 653**.

Pending further consideration of **CS for CS for SB 1440** as amended, on motion by Senator Gaetz, by two-thirds vote **CS for CS for CS for HB 653** was withdrawn from the Committees on Education Pre-K - 12; Finance and Tax; and Education Pre-K - 12 Appropriations.

On motion by Senator Gaetz, the rules were waived and—

CS for CS for CS for HB 653—A bill to be entitled An act relating to the Corporate Income Tax Credit Scholarship Program; amending s. 220.187, F.S.; providing legislative findings; revising program purposes; providing that siblings of certain students are eligible for participation in the program; revising provisions authorizing the total amount of tax credits that may be granted and deleting the reservation of a portion thereof; revising authorized uses of scholarship funds; revising provisions relating to expenditure of contributions received by a scholarship-funding organization during a state fiscal year; authorizing expenditure of contributions for specified administrative expenses by certain scholarship-funding organizations; providing for the annual return of specified eligible contributions to the State Treasury; correcting a cross-reference; revising scholarship amounts and providing for adjustments in future scholarship amounts; revising requirements relating to verification of student attendance for purposes of scholarship payment; providing for preservation of credits under certain circumstances; requiring the Office of Program Policy Analysis and Government Accountability to submit a report on funding for the scholarship program; specifying report requirements; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 1440** as amended and read the second time by title.

MOTION

On motion by Senator Gaetz, the rules were waived to allow the following amendment to be considered:

Senator Gaetz moved the following amendment which was adopted:

Amendment 1 (973310)(with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Subsections (1) and (3), paragraph (b) of subsection (5), paragraphs (d), (i), and (m) of subsection (6), paragraph (e) of subsection (7), paragraph (c) of subsection (8), and subsection (11) of section 220.187, Florida Statutes, are amended, paragraphs (k) through (n) of subsection (9) are redesignated as paragraphs (m) through (p), respectively, new paragraphs (k) and (l) are added to that subsection, and a new subsection (14) is added to that section, to read:

220.187 Credits for contributions to nonprofit scholarship-funding organizations.—

(1) *FINDINGS AND* PURPOSE.—

(a) The Legislature finds that:

1. It has the inherent power to determine subjects of taxation for general or particular public purposes.

2. Expanding educational opportunities and improving the quality of educational services within the state are valid public purposes that the Legislature may promote using its sovereign power to determine subjects of taxation and exemptions from taxation.

3. Ensuring that all parents, regardless of means, may exercise and enjoy their basic right to educate their children as they see fit is a valid public purpose that the Legislature may promote using its sovereign power to determine subjects of taxation and exemptions from taxation.

4. Expanding educational opportunities and the healthy competition they promote are critical to improving the quality of education in the state and to ensuring that all children receive the high-quality education to which they are entitled.

(b) The purpose of this section is to:

1.~~(a)~~ *Enable taxpayers to make* ~~Encourage~~ private, voluntary contributions to nonprofit scholarship-funding organizations *in order to promote the general welfare*.

2. Provide taxpayers who wish to help parents with limited resources exercise their basic right to educate their children as they see fit with a means to do so.

3.~~(b)~~ *Promote the general welfare by expanding* ~~Expand~~ educational opportunities for children of families that have limited financial resources.

4.~~(c)~~ Enable children in this state to achieve a greater level of excellence in their education.

5. Improve the quality of education in this state, both by expanding educational opportunities for children and by creating incentives for schools to achieve excellence.

(3) PROGRAM; SCHOLARSHIP ELIGIBILITY.—The Corporate Income Tax Credit Scholarship Program is established. A student is eligible for a corporate income tax credit scholarship if the student qualifies for free or reduced-price school lunches under the National School Lunch Act and:

(a) Was counted as a full-time equivalent student during the previous state fiscal year for purposes of state per-student funding;

(b) Received a scholarship from an eligible nonprofit scholarship-funding organization or from the State of Florida during the previous school year; ~~or~~

(c) Is eligible to enter kindergarten or first grade*; or*

(d) Is currently placed, or during the previous state fiscal year was placed, in foster care as defined in s. 39.01.

Contingent upon available funds, a student may continue in the scholarship program as long as the student's *household* ~~family~~ income level does not exceed 200 percent of the federal poverty level. *A sibling of a student who is continuing in the program and resides in the same household as the student shall also be eligible as a first-time corporate income tax credit scholarship recipient as long as the student's and sibling's household income level does not exceed 200 percent of the federal poverty level. Household income for purposes of a student who is currently in foster care as defined in s. 39.01 shall consist only of the income that may be considered in determining whether he or she qualifies for free or reduced-price school lunches under the National School Lunch Act.*

(5) AUTHORIZATION TO GRANT SCHOLARSHIP FUNDING TAX CREDITS; LIMITATIONS ON INDIVIDUAL AND TOTAL CREDITS.—

(b) The total amount of tax credits and carryforward of tax credits which may be granted each state fiscal year under this section is*:*

1. Through June 30, 2008, $88 million.

2. Beginning July 1, 2008, and thereafter, $118 million. ~~At least 1 percent of the total statewide amount authorized for the tax credit shall be reserved for taxpayers who meet the definition of a small business provided in s. 288.703(1) at the time of application.~~

(6) OBLIGATIONS OF ELIGIBLE NONPROFIT SCHOLARSHIP-FUNDING ORGANIZATIONS.—An eligible nonprofit scholarship-funding organization:

(d)*1.* Must provide scholarships, from eligible contributions, to eligible students for *the cost of*:

a.~~1.~~ Tuition *and fees* ~~or textbook expenses~~ for~~, or transportation to,~~ an eligible private school~~. At least 75 percent of the scholarship funding must be used to pay tuition expenses~~; or

b.~~2.~~ Transportation ~~expenses~~ to a Florida public school that is located outside the district in which the student resides or to a lab school as defined in s. 1002.32.

2. Beginning in the 2009-2010 state fiscal year, must provide a premium payment to a scholarship student who participates in the statewide

assessments pursuant to s. 1008.22 and who attends an eligible private school that has at least 95-percent participation of eligible scholarship students in the statewide assessments. This premium payment shall be applied to transportation costs related to participation in the statewide assessments, statewide assessment preparation costs, and other school fees incurred by a student which are not otherwise covered under this paragraph.

(i) *1. May use up to 3 percent of eligible contributions received during the state fiscal year in which such contributions are collected for administrative expenses if the organization has operated under this section for at least 3 state fiscal years and did not have any negative financial findings in its most recent audit under paragraph (l). Such administrative expenses must be reasonable and necessary for the organization's management and distribution of eligible contributions under this section. No more than one-third of the funds authorized for administrative expenses under this subparagraph may be used for expenses related to the recruitment of contributions from corporate taxpayers.*

2. Must expend for annual or partial-year scholarships an amount equal to or greater than 75 percent of the net eligible contributions remaining after administrative expenses during the state fiscal year in which such contributions are collected. No more than 25 percent of such net eligible contributions may be carried forward to the following state fiscal year. Any amounts carried forward shall be expended for ~~Must obligate, in the same fiscal year in which the contribution was received, 100 percent of the eligible contribution to provide~~ annual or partial-year scholarships~~; however, up to 25 percent of the total contribution may be carried forward for expenditure~~ in the following state fiscal year. *Net eligible contributions remaining on June 30 of each year which are in excess of the 25 percent that may be carried forward shall be returned to the State Treasury for deposit in the General Revenue Fund.*

3. ~~A scholarship-funding organization~~ Must, before granting a scholarship for an academic year, document each scholarship student's eligibility for that academic year. A scholarship-funding organization may not grant multiyear scholarships in one approval process. ~~No portion of eligible contributions may be used for administrative expenses. All interest accrued from contributions must be used for scholarships.~~

(m) Must prepare and submit quarterly reports to the Department of Education pursuant to paragraph (9)*(o)*~~(m)~~. In addition, an eligible nonprofit scholarship-funding organization must submit in a timely manner any information requested by the Department of Education relating to the scholarship program.

Any and all information and documentation provided to the Department of Education and the Auditor General relating to the identity of a taxpayer that provides an eligible contribution under this section shall remain confidential at all times in accordance with s. 213.053.

(7) PARENT AND STUDENT RESPONSIBILITIES FOR PROGRAM PARTICIPATION.—

(e) The parent shall ensure that the student participating in the scholarship program takes the norm-referenced assessment offered by the private school. The parent may also choose to have the student participate in the statewide assessments pursuant to s. 1008.22. *Except as provided in subsection (6),* if the parent requests that the student participating in the scholarship program take statewide assessments pursuant to s. 1008.22, the parent is responsible for transporting the student to the assessment site designated by the school district.

(8) PRIVATE SCHOOL ELIGIBILITY AND OBLIGATIONS.—An eligible private school may be sectarian or nonsectarian and must:

(c) Be academically accountable to the parent for meeting the educational needs of the student by:

1. At a minimum, annually providing to the parent a written explanation of the student's progress.

2. Annually administering or making provision for students participating in the scholarship program to take one of the nationally norm-referenced tests identified by the Department of Education. Students with disabilities for whom standardized testing is not appropriate are exempt from this requirement. A participating private school must report a student's scores to the parent and to the independent research organization selected by the Department of Education as described in paragraph (9)(j).

3. Cooperating with the scholarship student whose parent chooses to *have the student* participate in the statewide assessments pursuant to *s. 1008.22* ~~s. 1008.32~~. *Beginning in the 2009-2010 state fiscal year, in order to encourage participation, a scholarship student who participates in the statewide assessments is eligible for a premium payment pursuant to subparagraphs (6)(d)2. and (11)(a)2.*

The inability of a private school to meet the requirements of this subsection shall constitute a basis for the ineligibility of the private school to participate in the scholarship program as determined by the Department of Education.

(9) DEPARTMENT OF EDUCATION OBLIGATIONS.—The Department of Education shall:

(k) Provide participating schools with all preparation and instructional materials to prepare students for the statewide assessments pursuant to s. 1008.22.

(l) Beginning in the 2009-2010 state fiscal year, determine if at least 95 percent of a private school's eligible scholarship students participate in the statewide assessments pursuant to s. 1008.22.

(11) SCHOLARSHIP *AND PREMIUM* AMOUNT AND PAYMENT.—

(a)*1.* The amount of a scholarship provided to any student for any single school year by an eligible nonprofit scholarship-funding organization from eligible contributions shall *be for total costs authorized under subparagraph (6)(d)1.,* not *to* exceed the following annual limits:

a.~~1.~~ *Three thousand nine hundred fifty dollars* ~~Three thousand seven hundred fifty dollars~~ for a scholarship awarded to a student enrolled in an eligible private school *for the 2008-2009 state fiscal year and each fiscal year thereafter*.

b.~~2.~~ Five hundred dollars for a scholarship awarded to a student enrolled in a Florida public school that is located outside the district in which the student resides or in a lab school as defined in s. 1002.32.

2. Beginning in the 2009-2010 state fiscal year, the amount of an annual premium payment by an eligible nonprofit scholarship-funding organization from eligible contributions shall be $200 for costs authorized under subparagraph (6)(d)2. provided to a student who takes the statewide assessments pursuant to s. 1008.22 if at least 95 percent of the private school's eligible scholarship students participate in the statewide assessments.

(b) Payment of the scholarship *and premium* by the eligible nonprofit scholarship-funding organization shall be by individual warrant made payable to the student's parent. If the parent chooses that his or her child attend an eligible private school, the warrant must be delivered by the eligible nonprofit scholarship-funding organization to the private school of the parent's choice, and the parent shall restrictively endorse the warrant to the private school. An eligible nonprofit scholarship-funding organization shall ensure that the parent to whom the warrant is made restrictively endorsed the warrant to the private school for deposit into the account of the private school.

(c) An eligible nonprofit scholarship-funding organization shall obtain verification from the private school of a student's continued attendance at the school *for* ~~prior to~~ each *period covered by a* scholarship payment.

(d) Payment of the scholarship shall be made by the eligible nonprofit scholarship-funding organization no less frequently than on a quarterly basis.

(14) PRESERVATION OF CREDIT.—If any provision or portion of subsection (5) or the application thereof to any person or circumstance is held unconstitutional by any court or is otherwise declared invalid, the unconstitutionality or invalidity shall not affect any credit earned under subsection (5) by any taxpayer with respect to any contribution paid to an eligible nonprofit scholarship-funding organization before the date of a determination of unconstitutionality or invalidity. Such credit shall be allowed at such time and in such a manner as if a determination of unconstitutionality or invalidity had not been made, provided that nothing in this subsection by itself or in combination with any other provision of law shall result in the allowance of any credit to any taxpayer in excess

of one dollar of credit for each dollar paid to an eligible nonprofit scholarship-funding organization.

Section 2. *Corporate Income Tax Credit Scholarship Program funding.—*

(1) By December 1, 2008, the Office of Program Policy Analysis and Government Accountability shall submit a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives which:

(a) Reviews the advisability and net state fiscal impact of:

1. Increasing the maximum annual amount of credits for the corporate income tax permitted under s. 220.187, Florida Statutes, for the scholarship program.

2. Authorizing the use of credits for insurance premium taxes under chapter 624, Florida Statutes, as an additional source of funding for the scholarship program under s. 220.187, Florida Statutes.

(b) Provides recommendations, if warranted by the review under paragraph (a):

1. For methodologies to annually or otherwise increase the maximum annual amount of corporate income tax credits for scholarship funding.

2. To implement the use of insurance premium tax credits for scholarship funding.

Such recommendations may only include options that will annually produce a neutral or positive net fiscal impact on state revenue and expenditures.

(2) The Office of Program Policy Analysis and Government Accountability may request that the Revenue Estimating Conference and the Education Estimating Conference established under s. 216.134, Florida Statutes, evaluate its findings and recommendations under this section.

Section 3. This act shall take effect June 30, 2008.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to the Corporate Income Tax Credit Scholarship Program; amending s. 220.187, F.S.; providing legislative findings; revising program purposes; providing that specified students who are currently or have been in foster care are eligible for participation in the program; providing that siblings of certain students are eligible for participation in the program; providing income criteria for continuation of scholarships for students in foster care; revising provisions authorizing the total amount of tax credits that may be granted and deleting the reservation of a portion thereof; revising authorized uses of scholarship funds and providing for premium payments to certain students who participate in statewide assessments; revising provisions relating to expenditure of contributions received by a scholarship-funding organization during a state fiscal year; authorizing expenditure of contributions for specified administrative expenses by certain scholarship-funding organizations; providing for the annual return of specified eligible contributions to the State Treasury; removing parent responsibility for providing transportation to certain assessment sites; providing obligations of the Department of Education relating to scholarship student participation in statewide assessments; revising scholarship amounts and providing amount of premium payments; revising requirements relating to verification of student attendance for purposes of scholarship payment; providing for preservation of credits under certain circumstances; requiring the Office of Program Policy Analysis and Government Accountability to submit a report on funding for the scholarship program to the Governor and the Legislature; specifying report requirements; authorizing the Office of Program Policy Analysis and Government Accountability to request the Revenue Estimating Conference and the Education Estimating Conference to evaluate its findings and recommendations; providing an effective date.

SENATOR LAWSON PRESIDING

THE PRESIDENT PRESIDING

On motion by Senator Gaetz, further consideration of **CS for CS for CS for HB 653** as amended was deferred.

RECOGNITION OF SENATOR POSEY

REMARKS

On motion by Senator King, the following remarks were ordered spread upon the Journal:

President Pruitt: Fearless, bold, brave, tenacious and determined are a series of words that have one thing in common: Senator Bill Posey. This is a man who literally and figuratively puts the "pedal to the metal" every single day.

This tribute is going to be a little different from the others because Senator Posey is not technically "termed out" of office. After being heavily recruited by citizens in his community, including outgoing Congressman Dave Weldon, Mr. Posey has decided to go to Washington. Let me tell you, the federal government will never be the same. He is going to shake things up in Washington D.C., challenging the status quo, asking the tough questions, and changing the way the federal government does business.

How do I know that? Because he has done it here in the Florida Legislature. It's why the marquee bill for Senator Posey is the "State Agency Performance Report Act." Passed in 1999 as House Bill 1, this legislation is a layer of accountability spread over every single agency in state government.

Since the day he arrived in Tallahassee, Senator Posey has been driven by the noble goal of ensuring that taxpayers get, as he says, "the biggest bang for THEIR buck."

The history of this marquee bill, like the rest of our Senators' bills that you will be hearing about this week, came as a result of Senator Posey's expertise, interests, and personal experience.

During his tenure in the House, Representative Posey was looking for a way to fund improvements on a very dangerous narrow highway dubbed by the locals as "Bloody State Road 520." By pressing, pushing, and prodding the Department of Transportation, he was able to collect information on the different types of toll collection stations, how much it costs to collect tolls at each one. Through his analysis he was able to create a solution within existing resources that saved enough money to widen and improve State Road 520.

Senator Posey believed every policymaker who wanted to should have access to the same level of information that he had to hunt for during his quest to four-lane State Road 520. So he developed a simple, one page summary sheet that highlighted the cost of activity level functions of each agency. These documents are available to all policymakers so that they can compare programs and activities costs.

Senator Posey not only changed Florida law, but he caught the attention of policymakers nationally. For his work on HB 1, he was chosen as the "Legislator of the Year" by the American Legislative Exchange Council. The national director called Posey's bill, "the best piece of legislation that came out of any state capitol in over a decade."

On a side note—it's no secret that there were a lot of people in the Capitol who opposed Senator Posey's efforts. For public safety reasons, their identities will not be revealed. A few years after HB 1 passed, there was a massive clean-up of chapter 186, F.S., and the unit cost language section was "accidentally lost" during the transfer. Senator Posey's faithful and fearless legislative assistant Russ Cyphers didn't tell Representative Posey until after arrangements had been made to return the language to the statute. I don't usually recommend that professional staff keep information from Senators, but I have to say, that was one of Russ' best moves.

Senator Posey, though you leave us to head up north, your influence will continue to benefit taxpayers all across our state. The only thing worse than losing Senator Posey is going to be missing out on seeing his lovely bride, Katie, who has always been by his side, providing a solid base and gentle balance. One thing is for sure, our loss will be Washington's gain.

Godspeed, my friend.

Senator Webster: I love Bill Posey; that's pretty much it. I love his wife, Katie, and their beautiful daughters, and their three grandchil-

dren. He has raised two great daughters and has some great grandchildren.

However, I do believe that he is a picture in himself when he's in a racing car. He's a picture of how he legislates. I have seem him race at New Smyrna Speedway and he's a sight to behold. There is that determination, Mr. President, you spoke of and a whole lot more. It's a picture not only of the way he lives life, but the way he does other things.

I was thinking about House Bill 1 and I thought about how Bill cuts through the smoke; there is right and there is wrong and that's it. There is no in-between. It's like here is all this smoke, cut through it; here's the deal, this is right, this is wrong. He doesn't do it one time; he does it every time. After we gained majority there was a big meeting in the Majority Office and a lot of people were there. Lobbyists and other people came in as a kind of celebration. Bill said, "Not one of these people were in this room two years ago when we were in the minority." Then he saw one of them who was one of the biggest offenders. Bill happened to bump into him a little hard—the guy fell on the ground. He says, "Oh man! I'm sorry!" and starts patting him on the back. I think he hit him five or six times on the back. The guy gets up and says, "I think I've been body-checked by Bill Posey." Racing, serving in the legislature, body-checking.

He was also the Chair of what we could consider a killer committee. As a matter of fact, Mr. President, you were on that five-member committee in the House, and so was Senator Lawson. There weren't many five-member committees in the House. They were a tough group. I remember one time, Representative Lippman, who had been in the majority, and was now in his first year in the minority. He was used to passing lots and lots of bills. But it got down to just a couple. He came in and said, "Mr. Speaker, this has got to go on the agenda. It just has to. I got it through three of four committees. I got it through Governmental Operations, I got it past Posey. It's got to be a good bill!" So whether it is racing or serving or legislating or body-checking or chairing a committee, Bill Posey did it right.

I can't tell you, Bill, how much I love you. You're one in a million and I'm going to do everything I possibly can in my power to see you get where you want to go in the United States Congress. Mr. President, I agree with you, he's just what they need.

Senator Lawson: I first met a young man who was very enthusiastic, who came to the committee that I was chairing and told me that he wanted to change the course of government, the way we do business. At first I didn't pay much attention to it but as time went on I found out that he was very serious, very conscientious, always on the move and willing to work hard.

I remember one time I was called into the Speaker's office and had to leave my committee so I left the committee to Senator Posey. I was questioned why I left it to a Republican. I said, "It's in good hands. He's great; he's going to do what's right." We did have a very tough committee. I can't think of any other individual that I worked with over the last dozen or so years who cares so much about government; cares so much about people; cares so much about the service that we render for people; and cares about the waste we have in government and wanting to make government more efficient and to make sure the people's tax dollars are spent well, than Bill Posey.

I hope, when Bill gets to Washington, that he doesn't serve on a Governmental Operations Committee because they would be in for some kind of awakening process. I can tell you that all of the stuff he has discussed over the years, made sense; accountability, budget, all those issues. I have been with him through all those years. He told me one day, "Al, we're going to go to the Senate." I didn't see where it was possible. He said it was possible. He said, "We need to go down to the Senate to bring some more life to the Senate because things in the House were always in an upheaval." Sure enough, we came to the Senate and were given a chance to serve on those insurance committees and also the Governmental Operations Committee, over and over. We never could leave each other. When the Republicans were in control of the House, they weren't supposed to make any Democratic members vice chairs, but because of my relationship with Senator Posey, he went to the leadership and said that I had to be vice chair. That says a lot about this man when you talk about bipartisanship; someone who is willing to stand up for you and someone who is working on behalf of the people and the taxpayers of the state. That exemplifies Senator Posey.

I will really miss him. He was always there. He is the only guy I know who will call me from out of town and tell me that he cannot be at a committee meeting the next day. Not necessarily worried about sending a letter asking to be excused but calling you personally from wherever he's located, whether it's Washington D.C. or South Florida, saying, "Do you need anything? I can't make the meeting because of other obligations."

Not one time in a committee, when you needed him to do what was right, did he turn you down. Senator Posey has always been a person where, if a member had terrible bills, bills that would get in trouble, he would make sure that the bills didn't go down in committee. He would work hard to see what he could possibly do for you, either temporarily pass the bill so you could work something out, or just change the whole scope of the bill. I think many of you will recognize that. He was determined to work with the members for the benefit of those members because he recognized the fact that they were trying to do something for their constituents back home.

I will thoroughly miss Senator Posey. He has been a good friend over the years and someone I could always go to. I wish him well in the future in his pursuits. Thank you.

Senator Aronberg: I've served with Senator Posey for six years. Senator Posey is exactly what the Senate is filled with—free thinking, thoughtful and passionate individuals. I don't think anyone is any more passionate than Senator Posey. He is also someone who puts policy over partisanship and I think Congress needs that. It is such a partisan institution and I'm glad that Senator Posey is going to be there. No matter what side of the issue I'm on, for or against him, he has always been a friend.

I want to relay this one story, which to me, tells why I think so highly of Senator Posey. Despite the fact that we've been on opposite sides of issues, he handed me a book when I disagreed with him. He said, "Read it; it's in this book." I found out the book was written by Bill Posey. It's one of those little paperback books, with 10-point font.

I was up for reelection in 2004. It looked like I could have a real race that year. Senator Posey called me up and said, "Aronberg, I can't get involved with races. I'm a Republican and you're a Democrat, but I've really enjoyed working with you. I've enjoyed having you on my committee and I want you to keep serving on my committee with me so I've written you a letter saying how much I've enjoyed working with you. Use it as you want. It's just a nice letter. Give me the address so I can send it to you." I said, "Bill, that is really, really nice of you. I am touched, just one problem, I wasn't on your committee." He said, "Oh well, I'll send it anyway." I guess I'm the only member of the Senate with a congratulatory letter for service on the Banking and Insurance Committee that never actually served on that committee.

Bill Posey, you're a great man, I've enjoyed working with you and you're just what Congress needs. Thank you.

Senator Bullard: I've served with Bill Posey eight years in the House and six years in the Senate. As a Representative and as a Senator, he had the driest humor and other times, very serious humor. You are the person who will tell it like it is and you didn't mind telling it like it was. For that reason I gained a great deal of respect for you because I would turn to you and ask you the question, "Is this safe for me to vote for?" He said, "I could tell you a lie, Larcenia, but no." I appreciate you for that fairness. I could go on and say many good things about you, but I especially want to recognize Katie. I was not just with you, I was also with Katie, as a spouse for two years. My, did we have a good time. So I want to recognize Katie for all the goodness that you gave to Senator Posey, because I'm sure that when spouses are working together, all things are good.

By direction of the President, Sergeant at Arms Severance escorted Katie Posey, Senator Posey's wife, to the floor of the chamber to join the Senator.

Senator Posey: It was sixteen years ago and I remember walking into the House Chamber on the opening day of session. Remember what the House Chamber used to look like on opening day? There were 120 desks and they were all covered with the most beautiful flower arrangements. It was splendor; if you've seen the Grand Canyon, the Pacific Northwest, the Alps, you know what I mean. In a picture book, they're just rocks but when you see the Alps, they take your breath away. That's

the way that chamber looked to me—it was splendor. All the activity buzzing around and I remember wondering "Wow, how did little ol' Bill Posey from Rockledge get elected to this awesome place?"

Back in that day, as Senator Webster mentioned, we were in the minority. It seemed like everything they thought was wrong, I thought was right. It seemed that way for about four years. Then there was a changing of the guard. The reality is that I learned what true representative self-government was about. It was called the House of Representatives. It wasn't called the House of Webster, King, Carlton or Posey. It was called the House of Representatives, and it was truly the House of Representatives. We had tall people, people that weren't so tall; smart people, people that weren't so smart; liberal people, conservative people; different colored people; honest people and people that weren't so honest. That's where I met Senator Webster, the most principled person I've ever met in my life. It truly was a compliment to the American experiment in representative self-government.

Then I came over to the Senate and many of the other House members came over here and enjoyed a much more pleasurable service. It's been an unexpected highlight of my life. I feel like I need to spend the rest of my time thanking the people who have made this such a wonderful experience.

First of all, I think we have to thank the committee staffs that we have worked so closely with. Earlier today, Senator Atwater was thanking Brian Deffenbaugh and all he said about Brian covers just this year. He didn't have a chance to go back into medical malpractice, workers' compensation, viatical and personal injury protection (PIP). It was always a series of crises and we are so fortunate to have people like him and the other staff members who are there to make us look good. My first assignment when I got here was after the 2000 presidential election. They said I was going to have a really exciting assignment in the Senate. I figured, "Wow, Appropriations Chair as a freshman, that's pretty good." Then the assignments came out and it was Ethics and Elections. I found out the difference in the Senate, how much easier it was to work between the two parties over here. The election reform legislation we passed, signed off and developed by both parties, is being used for a model by most other states in this nation right now. It was a true testament to what a good bipartisan product could turn out to be and it surely was. I want to thank the Senate staff from the fourth floor to lower level for all they have done. They had an impact on every day of service that I've been here. It's just a shame that we don't have time to name each one of them individually. It's a professional team unlike any that I've ever served with before in any other capacity in my private or professional life.

I want to thank my legislative staff. Russ Cyphers was the best man in my wedding in 1966. That's how long I have known Russ. I'd take a bullet for him and he'd take a bullet for me. It's been a pleasure to have him around. I got to know John MacIver when he volunteered to work on my Senate campaign and he did a great job. Unfortunately, in this process, I'm going to be losing John to law school. I won't go into a lot of personal details about it because that would be indiscreet and you know how I am. He's got a $90,000 scholarship to Northwestern and he's going to make a good attorney and a great judge some day. Patrick Gavin is back in the district holding down the fort. I've known Patrick since he was about four years old. He has been a good, loyal soldier for this state serving back in the district office. We have Jordan Howes, our OPS legislative aide, and Bobby Putnam, our intern this year; they are going to be outstanding. They have outstanding futures before them. Thank you all very much for your service with us this year.

Just in case there's ever a need, I always have good back-up from my roommate, my good friend, my son, Senator Haridopolos. I have to thank the voters in this district and in the different counties that I've represented since I got elected—Orange, Brevard, Indian River and Seminole. All told, probably 600,000 different voters have had the opportunity to vote for me because my district has been moved around. They've given me an incredible opportunity to serve and I will always be grateful for that. If I had to come back next year and be with you in January, I don't think that would be an awful thing either, folks.

I want to thank each and every one of you for being here and I mean that from the bottom of my heart. I have learned so much from each and every one of you since I've been here. When I was making notes, I knew I wouldn't have time to go into a lot of detail, but I could tell a story of experiences that we've shared with each and every person in here. I just want you to know that I am honored to have served with you. I am proud to have served with you. I am absolutely happy that you are here and I feel comfortable leaving state government knowing that so many of you will still be here to make sure the people of this state are served by the highest and the best possible public servants who really have hearts of servants.

Finally, I have to thank my family. You all know, like nobody outside this chamber knows, what it costs your families for you to serve. They pay a price whether it's by your absence, by your diminished earning capacity, by the burden on your shoulders that makes it harder to smile when you walk in the door or when you are with your families. It is a heavy price that nobody who hasn't walked in your shoes can possibly begin to comprehend. I thank you for that and I thank my family for that. My daughter, Pam, and my daughter, Cathi, and my grandchildren, Billy, Clarke and little Katie. It has cost them as well. Most of all, I want to thank my wonderful better half, my high school sweetheart and still the only single true love of my entire life, my wife, Katie Ingram Posey. Thank you darling. I love you. Thank you for the ride, it was good.

SPECIAL PRESENTATION

On behalf of the Senate, President Pruitt presented a framed copy of CS for HB 1 (1999), the State Agency Performance Report Act, to Senator Posey.

RECOGNITION OF SENATOR MARGOLIS

President Pruitt: Madam President. It has been an honor for all of us in this chamber to serve with you on your "second time around." Like Senator Posey, you're not leaving due to term limits; but in your typical, gracious way, you're returning home to make way for another to take your place. After that meltdown in the House, there's probably a good number of people who'd "move for you to reconsider." Just kidding, Representative Gelber.

If we recounted all of your accomplishments, we would probably be able to fill every day of the entire last week of session. You presided over one of the most difficult budgets in Florida's history. Your experience and help, by the way, have been of great value to us as we work through the latest budget challenges. You took on many complex and forward thinking issues, one of which is the marquee bill that we will present to you today.

The year was 1992. Gwen Margolis had just finished her first year as the first woman to serve as President of the Florida Senate. The previous year, she had sponsored a joint resolution to create the Florida Sunshine Act. But despite the strong support of the public, the measure failed to gain legislative approval.

Senators, not since I have been in the Senate has a presiding officer sponsored a piece of legislation. Yet, this bill was of such great personal importance to Senator Margolis, that she actually filed the Senate Joint Resolution during her term as President. In fact, when the bill came to the full Senate, she left her post at the rostrum to lead the fight on the floor—and what a fight it was.

As is customary in this process, the Senate and the House had very different approaches. *Florida Times Union* Senior Correspondent Randy Pendelton wrote in January 1992, "The Senate proposal goes further than the House's, including a provision that would put most of the Sunshine Law for open meetings into the Constitution."

Ultimately, the Senate Joint Resolution passed both chambers with only one single "No" vote. When it went to the ballot, the people of Florida gave it a strong seal of approval, passing the measure by an overwhelming 83 percent!

Senator Margolis, thank you for bringing sunshine to state government; not only in the form of open meetings and accessible records, but also in the sunshine of your presence—marked by wisdom, patience, and even-handed judgment. We thank you for your service, and wish you well as you write the next chapter in your already accomplished life history.

Senator Diaz de la Portilla: Gwen Margolis started her career in service to Florida in 1975. That was thirty-three years ago. To put it in perspective, that's the same year that Saigon fell to the Viet Cong, effectively ending the Vietnam war; the same year that Saturday Night Live premiered its first episode, with John Belushi as the star, before

John Belushi was a star; and the same year that competing versions of the video cassette recorders were introduced in Japan. It was the year that Senator-to-be Mike Haridopolos was five years old, and writing the third chapter of his book.

From that moment on, for thirty-three years, Senator Margolis has been a tireless, relentless, and passionate advocate for all Floridians. Her passionate successes have been many. The President spoke of one. She was a pioneer in enacting Florida's Sunshine Law. She led countless fights on how to fund education in our state. She led the way in affordable housing for Florida's needy citizens. Any one of these accomplishments by themselves can define Gwen Margolis. In fact, it can define any politician's career. But in my mind and in my heart, her longlasting and never ending fight for women's rights will be her true lasting legacy.

She fought to enact equal access laws. She stood up for anti-discrimination legislation. Every step of the way, her ultimate goal was to level the playing field for all women of Florida. Even though I never quite clearly understood the legal and societal impediments that existed for women in this state, that never stopped her. In her eyes that glass ceiling would not stop her rise to the pinnacle of the Florida Senate. She was elected to the Senate in 1980. She became the first woman to chair the Senate Finance and Taxation Committee. She became the first woman to chair the Senate Appropriations Committee. In 1990, she broke right through that ceiling, defying all odds to become the first female President of the Florida Senate.

One of her first acts was to order the construction of a women's bathroom in the back of this chamber. Remarkably enough, there wasn't one, in 1990, Senators.

As President, she served during hard economic times in the Senate, in this state, specifically dealing with education budget difficulties. But difficult times can test people's will and tenacity and it sure did for Gwen Margolis. Those boys soon found out that when it came to pure grit, when it came to negotiating skills, and when it came to downright guts, they had met their match in Gwen Margolis.

In history's hindsight, her presidency has been considered one of the most successful ones in modern times. To this day, 16 years later, she continues to fight for the Equal Rights Amendment. I think every Senator in this chamber agrees that all people, regardless of race, gender, ethnicity or color, should be treated with respect and with dignity and should be equal in the eyes of the law. Senator, you can be assured that your passionate belief in equality of all Floridians will live on long after you leave this chamber. So at the end of the day, Gwen Margolis' greatest accomplishment is Gwen Margolis herself.

It is the example that you have set in your life and your successes. An example that says to every little girl in this state that no goal is unattainable, that no dream is too big, and that no obstacle is insurmountable. What a great role model you have been, Senator.

Finally, we all know that there will be another Senator from the 35th District sitting in that chair. But there will never ever be another Gwen Margolis. For this reason, this Friday will be a sad day for this state, this Senate and for me, personally. But a happy day and a new beginning for you, Senator as you seek to continue your public service in Miami-Dade County. The final chapter in your service to this state has not yet been written, and for that, Miami-Dade County should be grateful.

Godspeed to you, Senator, my friend, in your next adventure in life. Always know that here in Tallahassee, here in this Senate, you will be fondly remembered. You will always be loved and you will always be sorely missed. Your service to this state will never, ever be forgotten. I love you.

Senator King: I knew Senator Margolis when I was serving in the House, but I didn't know her well. After a few years over there and a few years over here, we developed some mutual friends in the Democratic Party, and also in the lobbying corps. It was coincidental that when my presidency began, Senator Margolis was elected too, back to the Senate. I will tell you that I had great trepidation because I remembered what Gwen was like when she was President of the Senate. I knew that she was going to come over here and she knew everything about being President, and I knew absolutely nothing. I was concerned about the fact that I was going to have to deal with somebody who had been in the post, looking over my shoulder all the time, second guessing my decisions, trying to guide my every move because she was so knowledgeable. The first thing that happened, which I will always appreciate is, just prior to the time that we came up here to be sworn in, Gwen Margolis held a fundraiser for me in Miami.

You know, I don't think the Democratic party liked it very much, but she had a fundraiser for me and raised a ton of money. Now flip forward, we are serving in the Senate and I'm the President. I cannot tell you the number of times when I was in a box, as Presidents and presiding officers will attest happens frequently, that I didn't think I could ever get out of, and I needed votes, or I needed support, or I needed someone to offer something. Senator Margolis never, ever welched. She never, ever lost sight of the fact that when you are up there, you are up there over a whole Senate, not just your own party. Time after time, when I needed it, she would come up and say, "On this procedural vote, count me in. I know what you were trying to do. I agree with you, or even, I don't agree with you, but I'm going to give you the procedural vote to move forward or to stop what's happening," because she loves the Senate that much.

I don't know what I would have done without you, dear lady. I don't know what decisions I would have made that would have been even more stupid than the decisions I did make. I will tell you this, having you as my advisor and my friend will be something I will remember forever. I was one of your first contributors for your new post. I will always be there for you, and anytime you need me, just pick up the phone. Thank you, Gwen.

Senator Rich: I find it almost incredible that I am actually serving in the same chamber with you, Senator Margolis. I go back to the late 1970s or early '80s when I was an advocate coming to you, asking you to get things passed or to get money for programs like CHARLEE (Children Have All Rights Legal, Educational and Emotional) or Guardian Ad Litem. You were always there for me, for women, for children, for people who needed the most.

That's why it was so amazing when I came to the Senate and realized that I would have the opportunity to serve with you in this body. That has meant a great, great deal to me. I think we mentioned the legacy of the bills you have passed and those are all wonderful. So are the memories that many of us have here. But I think about the thousands upon thousands of women, in particular, for whom you have been the role model and mentor and that, my dear Gwen, is your finest legacy. Congratulations.

Senator Margolis: As I was listening to Senator Rich and all of you, I thought to myself, I don't know if I'm going to make it through this whole talk. I looked up there on that wall at those pictures, and you can see how many people I've served with and how many years I've actually been here. It's been a long time.

I started 34 years ago in the House. When I first started, we only had the old Capitol. My office was on top of Don Tucker's office and you had to go up the spiral staircase in the old Capitol to get to my office. It was full of bug droppings and all kinds of things. It was so far up in the attic I never knew there were lobbyists because nobody could come to see me. It's really kind of strange that I grew up to be the President of the Senate. I've come to this wonderful place; a place with camaraderie and friendship; a place like I've never seen before, where everybody is really accommodating, not backbiting, and wants to work out the best issues for the people of the State of Florida.

I thank you. I thank you, Senator King. I thank you, Senator Diaz de la Portilla, good friend; and Nan, thank you so much. Mr. President you've been wonderful to me. You've been fair and helpful and I appreciate it. My staff is great, Zack Kobrin and Cameron Sisser; and the whole staff of the Senate has been more than helpful. I have so many memories. I guess the biggest memory is leaving my children home and coming here. I have kids who say, "We really raised ourselves." Of course, they had a lot of help at home. When a woman comes here it's a different situation and, of course, I think they raised themselves very well. I'm very proud of them. I have seven grandchildren and look forward when I leave here to spend time with them again.

It has been an experience of a lifetime, something that I will never forget. I love you all. I respect you all and thank you.

SPECIAL PRESENTATION

On behalf of the Senate, President Pruitt presented a framed copy of CS for CS for HJR's 1727, 863 and 2035, [Senate Companion SJR 1288] (1992), the Access to Public Records and Meetings, to Senator Margolis.

RECESS

On motion by Senator King, the Senate recessed at 12:54 p.m. to reconvene at 2:00 p.m.

AFTERNOON SESSION

The Senate was called to order by the President at 2:00 p.m. A quorum present—40:

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Aronberg	Gaetz	Posey
Atwater	Garcia	Rich
Baker	Geller	Ring
Bennett	Haridopolos	Saunders
Bullard	Hill	Siplin
Carlton	Jones	Storms
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dawson	King	Wilson
Dean	Lawson	Wise
Deutch	Lynn	
Diaz de la Portilla	Margolis	

SPECIAL ORDER CALENDAR, continued

SB 42—A bill to be entitled An act for the relief of Rhonda A. Hughes by Escambia County; providing for a county appropriation to compensate Rhonda A. Hughes for injuries sustained as a result of the negligence of a county employee; providing a limitation on the payment of attorney's and lobbying fees and costs; providing an effective date.

—was read the second time by title. On motion by Senator Hill, by two-thirds vote **SB 42** was read the third time by title and failed to pass. The vote was:

Yeas—16

Mr. President	Fasano	Rich
Aronberg	Haridopolos	Ring
Bullard	Hill	Siplin
Dawson	Joyner	Wilson
Deutch	Justice	
Diaz de la Portilla	Margolis	

Nays—17

Alexander	Dean	Peaden
Atwater	Gaetz	Posey
Baker	Jones	Saunders
Bennett	King	Webster
Carlton	Lynn	Wise
Constantine	Oelrich	

Vote after roll call:

Nay—Crist, Dockery, Garcia, Storms

On motion by Senator Lawson, by two-thirds vote **CS for CS for HB 443** was withdrawn from the Committee on Health Regulation.

On motion by Senator Lawson—

CS for CS for HB 443—A bill to be entitled An act for the relief of Marissa Amora; providing an appropriation to compensate Marissa Amora, a minor, for injuries she sustained as a result of the negligence of employees of the Department of Children and Family Services; requiring a specified legislative budget request; providing a limitation on attorney's fees, lobbying fees, costs, and other similar expenses relating to the claim; providing an effective date.

—a companion measure, was substituted for **CS for SB 46** and read the second time by title. On motion by Senator Lawson, by two-thirds vote **CS for CS for HB 443** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—32

Mr. President	Dockery	Margolis
Aronberg	Fasano	Peaden
Atwater	Gaetz	Posey
Baker	Geller	Rich
Bullard	Haridopolos	Ring
Constantine	Hill	Saunders
Crist	Jones	Siplin
Dawson	Joyner	Storms
Dean	Justice	Wilson
Deutch	Lawson	Wise
Diaz de la Portilla	Lynn	

Nays—6

Alexander	Carlton	Oelrich
Bennett	King	Webster

Vote after roll call:

Yea—Garcia

On motion by Senator Diaz de la Portilla, by two-thirds vote **CS for HB 787** was withdrawn from the Special Master; and the Committee on Environmental Preservation and Conservation.

On motion by Senator Diaz de la Portilla, by two-thirds vote—

CS for HB 787—A bill to be entitled An act for the relief of Brian Daiagi by the South Florida Water Management District; authorizing and directing the South Florida Water Management District to compensate Brian Daiagi for personal injuries that he suffered due to the negligence of the South Florida Water Management District; providing a limitation on attorney's fees, lobbying fees, costs, and other similar expenses relating to the claim; providing an effective date.

—a companion measure, was substituted for **CS for SB 64** and by two-thirds vote read the second time by title. On motion by Senator Diaz de la Portilla, by two-thirds vote **CS for HB 787** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—22

Mr. President	Hill	Rich
Atwater	Jones	Ring
Bullard	Joyner	Saunders
Dawson	Justice	Siplin
Dean	Lawson	Villalobos
Deutch	Margolis	Wilson
Diaz de la Portilla	Peaden	
Haridopolos	Posey	

Nays—15

Alexander	Crist	Lynn
Baker	Dockery	Oelrich
Bennett	Fasano	Storms
Carlton	Gaetz	Webster
Constantine	King	Wise

RECOGNITION OF SENATOR DAWSON

On motion by Senator King, the following remarks were ordered spread upon the Journal:

President Pruitt: When a Senator serves for as many years as Mandy Dawson has, she becomes associated with certain issues or policy areas. Senator Mandy Dawson, since the day she arrived in the Legislature and continuing through to her last session as a state Senator, has been a champion for the health, welfare, and safety of children.

Inside an outer shell that has suffered a lot of physical pain, there resides Senator Dawson's compassionate heart. She has shown that compassion through the bills she has supported and filed over her 10 years in the Senate, from her work on Kidcare to her efforts to improve the foster care system.

But it is not only the bills she has filed.

She's very active on the community level: I know we all witnessed her heart of service for children, as we watched the photo slideshow on the first day of session.

Senators, the parting gift that we believe is a fitting piece of legislation to honor Senator Dawson is the "Unattended Child in Motor Vehicle Act," which passed in the 2007 legislative session.

In response to the rise in tragic deaths of infants and young children who were left in cars, Senator Dawson went to work to save lives. First, on the local level, working on a public awareness campaign; she then brought forth legislation, the bill that is now framed and before us today.

Senator Dawson, thank you for your service to the State of Florida. We hope this bill will be a reminder to you of the difference that you made in the lives of many Floridians.

Senator Siplin: I wanted to say a few words about the person I affectionately call "Sister girl." I never had a big sister, but Senator Dawson over the six years that I've been in the Senate has become my big sister. Often times we would ride home together to Orlando. We would be driving down I-10 or I-75 and she would say, "Gary, slow down. You're following too close" or "Move over." I would say, "You sound like my wife." She is always giving orders to protect what I consider her little brother.

The other thing I want to say about Mandy is that she does have compassion for the job that she has undertaken as the Senator for her district. I remember about four years ago, I had a blood clot in my left leg, from the bottom of my heel to the middle of my thigh. The blood clot broke off and went into my lungs. I was in the hospital for about two weeks. I was confined and could not continue to do my work as a Senator. As we look over this chamber, other Senators have also had their own health issues. Mandy has had her health issues, but she has fought through them. She has come to committee meetings when she probably wasn't feeling the greatest. She has come to Session when she had health issues, just to be here to continue to represent the people that she has fought so long for throughout her career.

As an example of the compassion that she has shown, Mandy gives away over 10,000 toys to her constituents every year. She feeds the elderly every year. She even has a foundation, the Mandy Dawson Foundation that gives at least $50,000 in scholarships to needy kids in the inner city. In fact, during Hurricane Katrina, she teamed up with members of the Black Caucus and Senator Hill and took busloads of food. She went herself. There were some health issues that she had already which she could have exacerbated by going to New Orleans. That reflects her compassion for the little guy, the downtrodden and the weak. We know that a person is more blessed when they consider the weak and the poor. Their lives will be improved with it.

Friendship. Senator Dawson has always been a friend to me. I define a friend in very simple terms. A friend will bring soup when any friend is sick at 2 o'clock in the morning. A friend will help a person who is unemployed for several months to pay his or her mortgage. That's a friend. Senator Dawson is a single grandparent and a single mother. She hasn't had the employment or the entrepreneurship or the results that some of us have had in this august body. The thing that touched my wife, Victoria, my four boys and myself, was when they suspended my livelihood that I had been involved in for 20 years and could not work in the trade that I had been trained to do, my good friend, my "Sister girl," gave my wife two checks. That means a lot to me, Senator Dawson. Victoria wanted me to tell you that we love you, and we know that you have a good future ahead of you. God is going to bless you and your children and your children's children. I love you too, "Sister girl."

Senator Crist: Members, this is strictly impromptu. I wasn't expecting to do this, but I felt very strongly compelled. I know of all of you that are here in this chamber, there is a handful that I am close to. Mandy is one of those souls that I am very close to.

We came in at the same time in the early 90s in the House as two young, green freshmen. She was a member of the majority party and I was a member of the minority party. I had some pretty aggressive ideas in those days of overhauling our justice system. I wanted to rewrite our criminal codes and I wanted to pass laws that would reduce the crime rates in Florida. I wanted to pull juvenile justice out of the Department of Health and Rehabilitative Services. I had some pretty radical ideas. Mandy pulled me aside and said, "If you slow it down a little bit and try to build a little more consensus, you wouldn't be such a lightening rod." I tried to do that, but we still opposed each other on the floor for many years on issues.

It wasn't until about 12 years ago, we were both at a function that Al Lawson was hosting. It was the annual gala. I was there and Mandy was there. Neither of our dates danced. Both Mandy and I learned very quickly that we had something very strong in common and that is that we loved to dance. So we danced all night long and left our partners off to the side.

For the last 12 years, she has been my companion to functions when our significant others were not able to attend, thereby providing friendship and companionship. As a result of that, we've developed a friendship that reaches outside the legislative process. She is probably one of the least understood and, I believe, the least known members of this body. She has a heart that is absolutely beyond comparison. Her love for people, for children, for this process and even for all of us in here extends widely.

I learned a lot working with her in this process. I am very, very, very grateful to have you as a friend and I look forward to whatever it is that you move on to after this. I'm sure it will be working to help children and families. You can count on Victor to be there with you.

Senator Bullard: There are many Senators who are leaving with whom I came in. There are some people where I have to say something; it's in my heart and I have to say it.

We were in the same class in the House when I met Mandy. I think that was the largest class at that particular time. There were 47 of us. At first, I stood off because I didn't know her. But one day, she came to my office and said, "I would like to take you to lunch." She and I went over to Andrew's and we talked. The one thing she said to me that I will not ever forget is, "I want to try marriage. I want you to tell me what you think about it." I shared what I thought about it. She said, "Well, I'm going to try it, but I don't know if I can do that." The bottom line is that she did try. Today, I look at her and say "Mandy believes in health care and children. She believes in doing what is right." The people in her district love her. They speak of her in the highest regard.

I got to know Mandy when she would come to my office and we would pray. How many times has she come to my office and said, "Senator Bullard, I want you to pray with me?" Those were the times that I will cherish; the times at Andrew's; the times we talked about those situations regarding children and families; and those times we prayed together.

I say to you, continue to pray and it will make you stronger. Thank you.

Senator Lawson: I knew Senator Dawson when she was a legislative aide. I also knew Senator Dawson when she was in college. She was a very conscientious young lady who was destined to rise to great heights. As an aide in the House, she was very well recognized as someone who took good care of her Member, and as a person who would eventually probably come to this process.

I spent a lot of time with her. One of the things that most members don't know about Senator Dawson is that for a while, she travelled all around the country, going to seminars and meetings on health care, trying to come back and let people know what we need to do in the State of Florida. She was the lead person in the Black Caucus for health care. She was always a person you could count on for support, as Senator Siplin stated. I can't tell you how many times we have talked late at night about what she wanted to do for children and health care. Eventually, she really got involved in HIV/AIDS and how HIV/AIDS was destroying our community, and what we need to do to improve and educate people on this dreadful disease, on how we can give people a better quality of life.

Over the years she's been very supportive of me. I know that you care, Mr. President, for Mandy Dawson; all the things that you have been involved in. There's not too much that many of us would not do for Senator Dawson. We love her. I'm sure that as she retires from this legislative body, that she won't go away. She's going to continue her efforts in order to give people a better quality of life. I know of no other individual that cares so much, members, about all of you. I've hardly been in conversation with Senator Dawson when she was not mentioning some members in this body who have reached out to her when she has been ill; members in this body that she wanted to help.

I was visualizing the other day, Senator Dawson and Senator Crist dancing at the Gala. Senator Crist had an Afro at that time, but I can tell you that she was a lot better dancer than Senator Crist. I thought that it would be appropriate that I tell her, in the words, Mandy, of a great President, and I use this often: "People will little notice, nor long remember what you say here, but they will never forget what you did here." Congratulations.

Senator Dawson: I have to tell you I am so thankful to God, to my family, and to you guys, my family. The next person who gets my office (410 Senate Office Building) needs to put in a request first. It depends on who's the President that's coming in and I think that's Senator Atwater. So if you want that office, and it's one of the largest, now is a good time to start with Senator Atwater in getting that office. Senator Atwater can get all the faxes now.

I want to leave on a high note, because I've had so much fun here. I have to tell you, Senator Crist, the problem was that he and I were with younger people who left us. So we ended up together at several of the dances, from the Black Caucus dances to the President's dances. Eventually, he got a wife and I had to ask permission. But I had all of you and I had my work to do and that's what I think God intended for me to do in this journey of life.

Many of you are new and I don't know you very well; but I know you in my heart because I know that no one comes into this body without some sort of love or commitment and trust of the process. I'm still wondering if God has a sense of humor because I made it here.

I am happy to say that there are so many things that when God entrusted the citizens of the 29th District and those of the great State of Florida to me, I had a great concern for the issue of health care. I wasn't sure whether or not people heard or knew that there were differences which were significant and were quite costly to the State of Florida. Many of you, when I first got here in 1992, the year of change, supposedly, also found that we needed some change in the way that we dealt with women's health care. We've come a long way. We've done some really good things because we now talk about issues that we used to gloss over. Women are better off these days. We got the osteoporosis legislation and it took me a long time to get that. It took putting Senator Grant in the machine and having him realize that he had osteoporosis. That was a big feat for women. We have breast cancer checks. We've done great things for men in the way of health care, as well. We've made a dent and recognized that HIV/AIDS is a potential killer, and quite costly to the citizens of the State of Florida. And on that issue, I know we can do better.

I also want to take the opportunity to thank my staff, who are here with me today. Chandler Williamson came to me from the Urban League. Most of you know Chandler, he's "Mr. Hey There." He has put up with a lot. There's Alberta McCarthy, who came to me from the City of Delray Beach. At home is Elizabeth Honorat, who couldn't be here with us today and we also have Vontese Jones, who's my OPS person. We're starting them new and younger.

I want to also thank the Senate President. We came in a little bit behind each other, but we've had so many times together. For always listening, for always understanding, and for always having an open office, I thank him. When I first got over here, going to the President's office was like, "Ooh, you've done something bad." But it didn't necessarily mean that for this President. President Pruitt, you know this has not been one of my best years, but it's been a good year.

I do want to say to each and every one of you how very much you mean to me and how much I've learned and grown. I've learned even from you, Senator Posey. I've learned so much. Senator Posey and I have been together forever. He's Mr. Insurance, and I just don't fight him anymore. I've learned so much about compassion and differences. This is why I appreciate this Senate and I couldn't wait to get here. Paula Dockery, you were with me over in the House and we wanted to get into this Senate. There's nothing like sneaking into the Senate when you are a House member and trying to sit in the golden chairs. But I knew that if I could become a part of this Senate, that ideas would be formed and policies would be conjoined and we would look more like the State of Florida. To all of you, I leave and ask that you would continue to do that. We have come such a long way since the 90s. We were in the majority party; now you're in the majority party. But I'm not sure sometimes when I look at the policy, of who's in the majority and whose ideas are the minority, and that makes me quite happy. That is why I wanted to serve in this Senate, because I knew that there would come a day that as Senators we would act and become the upper statesmen for the people of the State of Florida. You have shown me that; and that for me, has been a gift of love for the people of the State of Florida.

I want to leave by saying that my parents were simple people, Clifford and Altamese Harding of Daytona Beach. I grew up in Senator Lynn's neighborhood. My parents taught me to be honest with everything that I do. They also taught me that there is good in everyone. My three daughters taught me that no one has the power to define who you are. I have learned such great lessons. I have tried to stand and make my parents proud, and especially, my little girls who taught me the most important lesson in life. Now as I leave, I have a 5-year old who calls me "Mimi," and I have a month-old granddaughter as well.

So when I leave here, I'm still going to be doing good things for children, my own this time, for a little while. I pray that you continue the good work. Senator Bullard and I did have a nice conversation when she drove. On the way back, I noticed that she stopped at every corner, and I made a comment and said, "Wow, Senator Bullard, you don't drive like people from Miami. Where did you get your license from, 7-Eleven?" She said, "No, Sears." She was telling the truth. So, I'll leave that with you, you may not want to ride with Senator Bullard, she really did get her license from Sears a few years ago.

I want to leave with you the ability to continue to pray for the work that we must continue to do to make Florida great, on behalf of the people who trust us and lend us their vote and their confidence. With that, my Senators, I love, eternally, you all. Thank you, Mr. President.

SPECIAL PRESENTATION

On behalf of the Senate, President Pruitt presented a framed copy of SB 2 (2007), the Unattended Child in Motor Vehicle Act, to Senator Dawson.

RECOGNITION OF SENATOR SAUNDERS

President Pruitt: Senator Saunders is truly an unsung hero. Senators, I have never ever heard an unkind word, a complaint, or a demand from this man. Year after year, he quietly and gently goes about his work without a thought of taking credit for himself. Don't mistake that quiet demeanor for inaction—for Senator Saunders has been one of our most accomplished members of this Senate.

It wasn't hard to select a marquee bill for Senator Saunders—not because we didn't have a lot of choices, for there is not a single area of public policy where he has not made a contribution. It was easy to choose his marquee bill because it's a crowning jewel of public policy in our state: the "Everglades Restoration Investment Act."

Passed in 2000, this is one of those issues where the sponsor's background, experience, and passion created the perfect advocate for a big public policy idea. Senator Saunders is not only a lawyer, but he also holds a degree in physics and a specialized degree in coastal and ocean law. He has always had a strong commitment to the environment. Senators, he was green way before it was cool to be green.

Senator Saunders had the vision to send a strong message to Congress that Florida was ready, willing, and able to do our part in being a good steward of this national treasure.

The results couldn't be better. The State of Florida and our partners at the South Florida Water Management District have invested over $2.3 billion to restore the Everglades. In our first phase, we acquired over 217,000 acres of land. 217,000 acres! In the next phase, Florida has begun constructing restoration projects: most notable is the restoration

of Picayune Strand—we have literally backfilled over three miles of canals and restored 13,000 acres of wetlands that now benefit the endangered Florida panther.

It just takes your breath away.

Senator Saunders, I hope that you are filled with a sense of satisfaction and accomplishment. Your contribution to this state will continue to be felt, not just today, not just tomorrow, but for generations to come.

Senator Carlton: Thank you, Mr. President. It's my privilege and honor to talk to you a little bit today about my friend, whom I call B. Saunders. Those of you that know the story behind B. Saunders, know that when we were all in the House, there were two Saunders. One was Dean Saunders, from I think, Polk County and the other one was Burt Saunders. So the vote board, instead of saying Saunders, said B. Saunders. So he became known as my friend, B. Saunders.

We came into the House together, and we moved from the House to the Senate together. So we have spent our entire legislative careers together. We sat next to one another on the floor. Most of you know, if you served in the House, that on the floor, in the House, as freshmen on the back row is a really interesting place to be. You really can't say anything, because you really don't know much to say. You learn a lot about one another, you talk to one another, you tell stories about one another and you watch the people around you. You also try to be helpful every once in a while. One particular time when Senator Saunders and I were being just a smidge too helpful comes to mind and I would like to share that with you.

We really wanted to make sure we followed all of the rules, because it was very important that we follow all the rules. We didn't want to get into any trouble. We thought that the most important thing you could do is make sure that if your neighbors were not around when it came time for an important vote that you press their button. Senator Saunders and I took that job very, very seriously. So, for one entire day in the House of Representatives, and interestingly enough, looking back on it, on a series of amendments to the budget, we spent an entire day punching the button of a colleague who sat next to us. This was back when there were about 200 amendments to the appropriations bill, so this went on and on. Well, towards the middle of the afternoon, we got a little visit from Leader Webster, and I think, Mr. President, it might have been you, as well. I can't really remember. They said, "We would like to know who has been punching so and so's button." I looked at Burt and he looked at me. I said, "I don't know. What do you mean, who has been punching so and so's button?" They said, "Well, you know you really are not supposed to do that if the person is not on the floor." So the both of us looked around us rather dumbfounded and we said, "Oh, okay. Well, we won't do that anymore." You will never ever see either one of us press somebody's button who is not anywhere in sight on the floor because of that story.

I'd like to tell you about the B. Saunders that you don't know. The B. Saunders that you don't know is the B. Saunders that I know the most. The B. Saunders that I know has an undying love and devotion for his family. He takes his kids to school every morning that he is home and they usually stop, at a McDonald's or somewhere along the way to have a healthy, nutritious breakfast. He spends a lot of time with his sons, and when you talk to him about his sons, he knows every single thing that they are doing. He is one of the most involved fathers that I think I have ever spoken to. He knows what they are doing, when they are doing it, what activities they are signed up for. He takes them to most of the activities and he is an incredible role model for all the fathers on this floor. Their needs and the welfare of his family have always come first in his life. He is also very actively involved in his temple, and you know when I got to the Legislature, I really didn't know there were Jewish Republicans. It was just sort of a phenomenon at that time. So he was not only green before green was cool, he was a Jewish Republican before I knew there were Jewish Republicans. He has an incredible wife who is a medical doctor, so you can imagine the complexities of his family life when he is here in Tallahassee and she is at home in a very busy medical practice, trying to raise two kids while B. is up here in Tallahassee. His two sons, twins, many of you have met. They have been Pages here on the floor. Matthew and Jonathan just completed their bar mitzvah. They are twins, so they did it at the same time.

He lost his father recently. For those of you that had a chance to learn a little bit about B.'s father, he was a wonderful person. The dedication and love that B. had for his father was incredible. He called him every day. He visited with him and he really showed me what kind of person he was in the way he treated his father during his father's last years.

B. doesn't look adventurous, does he? He kind of looks rather conservative. You know, kind of inside the box. However, I will tell you, not many of us can say that we have climbed the summit of Mount Kilimanjaro as part of a major fundraising effort for a children's hospital in Southwest Florida. But he has. He is also, believe it or not, and I'm not sure when he has time to do this, a Boy Scout troop leader.

I'm going to tell you one story about that because I think this symbolizes the kind of person he is. He is a Boy Scout leader. His sons are in a Boy Scout troop and all of you who have done this kind of thing know it is very time consuming. They are just constantly going on trips and overnight camping trips. You know it takes a lot of time. But it is time that he gets to spend with his sons which I think is very special. They have a really good time together. You know, sometimes as parents, we like to brag to other parents about all the things we do for our kids and we spend a lot of time with them. I want to tell you a story about one of those Boy Scout camping experiences. I had expected him to tell me a little bit about what he had done with his sons and the particulars of the camping trip. He told me about a little boy in the troop who was sort of down in the mouth. The child had very little self-confidence. He was very nervous around the other kids. He was very shy and his self-esteem was quite low. On a Saturday morning, they were all going to get up and trek to the top of the mountain. The other kids and the other leaders were making comments about how this particular little boy probably should be in the back, because he was going to hold everybody up. Or maybe some of the parents could stay back at camp and maybe not let him come with them. So, Burt got together in his usual quiet, understanding way, and he talked to the other camp leaders. He said, "You know what? I think he needs to be in front. I think when we trek out of here in the morning and we start walking up the mountain, he needs to be in the front. I'll go up there and I'll walk in the front with him and I'm going to help him along the way and if he starts slowing down, I'm going to push him forward. I'm going to help him get going." The next time they had a Scout camping trip, Burt will tell you, the light in that little boy's eyes changed. All because Burt took some time with him, helped him, showed him how he could be a leader and how he could be successful, that changed that little boy's life. That's the kind of person that B. is. He doesn't do things for himself. He does things for others and he does it in a very quiet and a very understanding way.

Now balance that with the fact that Burt is an NRA enthusiast. Burt owns quite a few guns. He spends a lot of time at the gun range practicing. He doesn't just own, you know, common guns. He has AK 47's and, you know, we are talking serious firearms here. He goes on paintball wars with his sons and for their thirteenth birthday, I think he lost a paintball war game. But I think he had a good time playing it. He is a NASA enthusiast for those of you from the Space Coast. He also enjoys spending time with his family on the beach and kayaking.

Now if you ever get B. Saunders upset with you, and he really doesn't get upset very much; his way of telling you that that's the dumbest idea he's ever heard of, without saying it that way is, he rolls his eyes. So, if he's ever rolled his eyes at you like he's rolled his eyes at me over the years when I've given him a couple of great ideas that I thought were great ideas, he does one of these numbers with his eyes, that means that it's the dumbest idea he has ever heard of.

B. Saunders and I started a new tradition a few years back. We were both a few years younger, of course. That is walking the stairs in the Capitol. B. Saunders is an avid exerciser. He exercises quite a bit. We walk the stairs in the Capitol quite a bit. We've enjoyed doing that, we've had a lot of fun times and a lot of fun conversations while we were walking the stairs. We took our last flight up today. This morning, we met at 6:30 a.m. out in front of the Capitol and we took out last flight up the stairs. What I say to my friend B. Saunders, Senator from the 37th District, you know our memories of yesterday are going to last a lifetime. We're going to take the best, and we're going to forget the rest. Someday we're going to find that these were the best of times. I love you, my dear friend from the 37th District. I look forward to seeing what's next on your plate.

Senator Bullard: Those of you who do not know Senator Saunders, whom I have affectionately called "Burt," for six years, he has been my seat mate. When I arrived here in the Senate, I was just beginning to

walk again. I had just gone through some very serious therapy. I was without the ability to walk for almost a year. I was just recovering, but many people did not know that, but I shared it with him. He would give me little hints of encouragement. If I dropped something, I didn't ask this gentleman to get it; he just figured it out because he knew that I could not reach it.

Every morning, he would serve me orange juice. He would bring the orange juice to my desk, and for that, I appreciate him. I appreciate you so very much. For the day you and the Sergeant lifted my chair, pulling it out and pushing it in for me. I appreciate you for all of the little things that you did for me, that many people will never know. You treated me almost as if we were relatives, or brothers and sisters, in a bond for six years because you knew that I needed you. It didn't matter how big it was or how small it was, you helped me. You helped me stand today; you gave me advice on what I needed to do in terms of exercise. I took that advice.

I want to say "I'm going to miss you." Since this is your last week, I've been serving you orange juice every morning this week. So don't you dare go to the orange juice container because I will continue to bring you a cup of orange juice. I want to thank you abundantly for caring enough to never think anything was too small or too big to help me with in a time when I needed you. Thank you.

Senator Dockery: Senator Saunders, I have so enjoyed working with you both in the House and in the Senate. The comment was made earlier that you were green before it was cool. I'm not sure it still isn't cool but you and I are a few of those who do tend to go along the green ways. I have truly appreciated working with you and serving on your Environmental Protection Committee this year. This was the first time that I wasn't totally involved in the environmental issues and the way that you handled that committee and those issues was phenomenal.

I want to thank you for two things. Number one, for showing an independent side and not always voting the easy way, but voting the way that you thought was right, whether it was environmental or on any other front. Second of all, when we were in committee and there were controversial issues, it would have been easy to pass them on and let it be the next committee's problem. But you held them there; you gave everybody an opportunity to work things out; and if the bill still wasn't ready for prime time, it didn't leave that committee.

Your leadership is one that we all can learn a lot from. I wish you well in your future endeavors. You have shown tremendous, tremendous effectiveness both in the House and in the Senate. It has been my honor to get to know you and to work with you.

Senator Rich: I arrived in the Senate in 2004 and I had the very good fortune of serving on two committees which Senator Burt Saunders has chaired. The first two years was Health and Human Services Appropriations, and this year it was Environmental Preservation.

When I came over here, I think everybody who comes over here says, "Oh, I'm so glad to be over here." This is a much more collegial body and you are respected for your ideas and your experiences. I can say that there is nobody in this process who is a better example of that than you. I have four years to show for it. I thank you for all you have taught me in this process. I wish you the very best in your future endeavors. Thank you, Burt.

Senator Saunders: I was doing well until Senator Carlton mentioned my dad and that got me a little emotional. Senator Carlton, I certainly appreciate your comments. Everyone, I can't tell you how much I appreciate those fine comments. Mr. President, I want to thank you for giving me a chance to say a few words as I prepare to leave the Senate. I can tell you this last 10 years has gone by like a flash. There's a lot of truth to the old saying that "time flies when you are having fun." For me, this has been a great adventure and a lot of fun.

Mr. President, before I start, I want to thank you for all that you have done in terms of leading this Senate. The job you have done has been unbelievable and incredible. The professionalism and the decorum that you have brought to this Senate will have long-lasting and positive impacts on the entire legislative process. That will be for a long, long time. You truly have brought the Senate together.

I also want to thank you for giving me the opportunity to chair the Environmental Preservation and Conservation Committee for these last two years. I was kind of pigeon-holed in Health for a long time and quite frankly, I was getting a little stale in that position. You gave me an opportunity to chair this committee, to work on some very great issues like Florida Forever, the Everglades, and energy. I can't thank you enough for that. I will tell you the staff of that committee is unbelievable under the leadership of Wayne Kiger. That staff has done an incredible job especially this year with some of the unexpected surprises that we had to deal with. They were never too tired to deal with those issues and to answer my questions and to help out. They did a great job.

As I was thinking about some of the things I would like to say today, I started to reminisce on some of the things that I will remember. The Florida Senate is really blessed to have membership with unquestionable character. As I look around the room, there is no question about your dedication to serving your constituents and serving the citizens of Florida and to make life better for all of our citizens. You have unquestionable character. I was thinking that what I'm really going to remember are the real characters that we have here in the Senate. And we do have some real characters. Senator Bullard, as she mentioned, has been my seat mate for the last six years. I will never forget hearing her sing "Happy Birthday, Mr. President." Her various roles in the skits I'll never forget; and most importantly, her positive attitude. She is always positive about everything. It's contagious and I appreciate that. Senator Wilson's hats and Senator Siplin's suits and ties; the most fabulous attire I've ever seen anywhere. I wish I could wear clothes like that and look good but I couldn't do it. What is most important is how passionate they are for their constituents. That's what I'll remember most.

Senator Geller, your single malt Scotch tastings—you have one tonight. Lox and bagels in the minority office every Wednesday. Wonderful stuff. Senator Aronberg, who is our Harvard lawyer, singing songs to Senator Geller at the press skits. Most importantly, digging for worms in the Panhandle. I'm sure that Senator Aronberg was wearing his $250 shoes while he was doing that. Senator King, speaking of characters, you are the funniest human being I have ever known. I certainly hope, at some point, you write a book about the legislative process, especially after all applicable statutes of limitations have run out. My good friend, Senator Carlton, who is always smiling, who is always gracious, who is always in a great mood, but like Margaret Thatcher, is always in control. What a wonderful, wonderful leader you have been. These are a few of the characters that I will remember in the Senate; but all of you are characters in your own way and I will remember all of you.

I think the most important thing that I will remember as a member of the Senate is the good work that we have done for the citizens of Florida: improving public education, working on the environment, making sure that we have a clean environment for the future, protecting our children from pedophiles. These types of things are so important and I will always remember the opportunity to have worked on those. I can tell you that it's been the highest honor for me to serve in the Florida Senate. It's been an absolute pleasure to serve with each of you here.

There are a few people that I want to thank for helping me over the years in making sure that I would have a modicum of success. We've all said "No one can serve in this process without the love and support of their family." My wife has given me the opportunity to spend the last 14 years in the Legislature. My oldest son was 11 years old when I was elected. As was noted, my twin sons are 13 years old now but they were born about a month before I went into my first session. So they have sacrificed the most to help me accomplish what I've been able to accomplish. It is my hope to be able to make it up to them at the end of this session.

My chief legislative aide, Randi Rosete, has been with me since the very first day that I was elected to the Florida Senate. She continues to run the show with great enthusiasm, great intelligence and effectiveness. So Randi, I want to thank you for helping me accomplish certain things and letting me take all the credit for that which has been very important. I have Erica Atalla with me who is our student from F.S.U. She just graduated and has spent the last two years working in my office and she's done a great job. But I also have a great office staff down in Naples. Sandy Mummert and Kim Schlottman are true public servants. They keep my constituents very happy down there. I want to thank them for all that they have done.

Mr. President, you have started a very important tradition of bringing all of the Senate staff here to thank them. I want to thank our Senate staff. Without question, the Florida Senate is blessed with the most

effective, the best-trained and the most professional staff of any legislative body in the country. I have had the pleasure of working with a lot of them over the years. I want to thank them again for everything that they have done.

So members, I want to thank all of you for all of the memories. I want to thank you for your service to the citizens of Florida. As I look around, I know that the future of Florida is very bright in your capable hands. So God bless you and thank you for all of your assistance over the years. I'll look forward to seeing you in the future. Thank you, Mr. President.

SPECIAL PRESENTATION

On behalf of the Senate, President Pruitt presented a framed copy of CS for CS for HB 221 [Senate Companion CS for CS for SB 1694] (2000), the Everglades Restoration Investment Act, to Senator Saunders.

SPECIAL ORDER CALENDAR, continued

On motion by Senator Gaetz, the Senate resumed consideration of—

CS for CS for CS for HB 653—A bill to be entitled An act relating to the Corporate Income Tax Credit Scholarship Program; amending s. 220.187, F.S.; providing legislative findings; revising program purposes; providing that siblings of certain students are eligible for participation in the program; revising provisions authorizing the total amount of tax credits that may be granted and deleting the reservation of a portion thereof; revising authorized uses of scholarship funds; revising provisions relating to expenditure of contributions received by a scholarship-funding organization during a state fiscal year; authorizing expenditure of contributions for specified administrative expenses by certain scholarship-funding organizations; providing for the annual return of specified eligible contributions to the State Treasury; correcting a cross-reference; revising scholarship amounts and providing for adjustments in future scholarship amounts; revising requirements relating to verification of student attendance for purposes of scholarship payment; providing for preservation of credits under certain circumstances; requiring the Office of Program Policy Analysis and Government Accountability to submit a report on funding for the scholarship program; specifying report requirements; providing an effective date.

—which was previously considered and amended this day.

Pursuant to Rule 4.19, **CS for CS for CS for HB 653** as amended was placed on the calendar of Bills on Third Reading.

Consideration of **CS for SB 1490** was deferred.

By Senator Margolis—

CS for SB 1502—A bill to be entitled An act relating to property leased for public purposes; amending s. 125.031, F.S.; exempting counties operating under a home rule charter from a 30-year lease limitation under certain circumstances; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1502** was placed on the calendar of Bills on Third Reading.

By Senator Saunders—

CS for SB 1552—A bill to be entitled An act relating to Everglades restoration bonds; amending s. 215.619, F.S.; extending the period during which such bonds may be issued each fiscal year; providing an effective date.

—was read the second time by title.

MOTION

On motion by Senator Saunders, the rules were waived to allow the following amendment to be considered:

Senator Saunders moved the following amendment which was adopted:

Amendment 1 (827118)(with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Subsection (1) of section 215.619, Florida Statutes, is amended to read:

215.619 Bonds for Everglades restoration.—

(1) The issuance of Everglades restoration bonds to finance or refinance the cost of acquisition and improvement of land, water areas, and related property interests and resources for the purpose of implementing the Comprehensive Everglades Restoration Plan under s. 373.470, the Lake Okeechobee Watershed Protection Plan under s. 373.4595, the Caloosahatchee River Watershed Protection Plan under s. 373.4595, ~~and~~ the St. Lucie River Watershed Protection Plan under s. 373.4595*, and the Florida Keys Area of Critical State Concern protection program under ss. 380.05 and 380.0552 to restore and conserve natural systems through the implementation of water management projects, including wastewater management projects identified in the "Keys Wastewater Plan" dated November 2007 and submitted to the Florida House of Representatives on December 4, 2007,* is authorized in accordance with s. 11(e), Art. VII of the State Constitution. Everglades restoration bonds, except refunding bonds, may be issued only in fiscal years 2002-2003 through *2019-2020* ~~2009-2010~~ and may not be issued in an amount exceeding $100 million per fiscal year unless*:*

(a) The Department of Environmental Protection has requested additional amounts in order to achieve cost savings or accelerate the purchase of land*; or*

(b) The Legislature authorizes an additional amount of bonds not to exceed $50 million per fiscal year, for no more than 4 fiscal years, specifically for the purpose of funding the Florida Keys Area of Critical State Concern protection program.

The duration of Everglades restoration bonds may not exceed 20 annual maturities, and those bonds must mature by December 31, *2040* ~~2030~~. Except for refunding bonds, a series of bonds may not be issued unless an amount equal to the debt service coming due in the year of issuance has been appropriated by the Legislature. *Beginning July 1, 2010, the Legislature shall analyze the ratio of the state's debt to projected revenues prior to the authorization to issue any bonds under this section.*

Section 2. Subsections (2), (4), and (6) of section 373.470, Florida Statutes, are amended to read:

373.470 Everglades restoration.—

(2) DEFINITIONS.—As used in this section, the term:

(a) "Caloosahatchee River Watershed Protection Plan" means the plan developed pursuant to s. 373.4595.

(b) "Comprehensive plan" means the recommended comprehensive plan contained within the "Final Integrated Feasibility Report and Programmatic Environmental Impact Statement, April 1999" and submitted to Congress on July 1, 1999.

(c) "Corps" means the United States Army Corps of Engineers.

(d) "District" means the South Florida Water Management District.

(e) "Keys Wastewater Plan" means the plan prepared by the Monroe County Engineering Division dated November 2007 and submitted to the Florida House of Representatives on December 4, 2007.

(f)~~(e)~~ "Lake Okeechobee Watershed Protection Plan" means the plan developed pursuant to ss. 375.4595 and 373.451-373.459.

(g)~~(f)~~ "Project" means the Central and Southern Florida Project authorized under the heading "CENTRAL AND SOUTHERN FLORIDA" in s. 203 of the Flood Control Act of 1948 (62 Stat. 1176), and any modification to the project authorized by law.

(h)~~(g)~~ "Project component" means any structural or operational change, resulting from the comprehensive plan, to the project as it existed and was operated as of January 1, 1999.

(i)~~(h)~~ "Project implementation report" means the project implementation report as described in the "Final Integrated Feasibility Report and Programmatic Environmental Impact Statement, April 1999" and submitted to Congress on July 1, 1999.

(j)~~(i)~~ "River Watershed Protection Plans" means the Caloosahatchee River Watershed Protection Plan and the St. Lucie River Watershed Protection Plan as defined in this subsection.

(k)~~(j)~~ "St. Lucie River Watershed Protection Plan" means the plan developed pursuant to s. 373.4595.

(4) SAVE OUR EVERGLADES TRUST FUND; FUNDS AUTHORIZED FOR DEPOSIT.—The following funds may be deposited into the Save Our Everglades Trust Fund created by s. 373.472 to finance implementation of the comprehensive plan, the Lake Okeechobee Watershed Protection Plan, ~~and~~ the River Watershed Protection Plans*, and the Keys Wastewater Plan*:

(a) Funds described in subsection (5).

(b) Federal funds appropriated by Congress for implementation of the comprehensive plan, the Lake Okeechobee Watershed Protection Plan, or the River Watershed Protection Plans.

(c) Any additional funds appropriated by the Legislature for the purpose of implementing the comprehensive plan, the Lake Okeechobee Watershed Protection Plan, ~~or~~ the River Watershed Protection Plans*, or the Keys Wastewater Plan*.

(d) Gifts designated for implementation of the comprehensive plan, the Lake Okeechobee Watershed Protection Plan, ~~or~~ the River Watershed Protection Plans*, or the Keys Wastewater Plan* from individuals, corporations, or other entities.

(e) Funds made available pursuant to s. 201.15 for debt service for Everglades restoration bonds.

(6) DISTRIBUTIONS FROM SAVE OUR EVERGLADES TRUST FUND.—

(a) Except *as provided in paragraphs (d) and (e) and* for funds appropriated for debt service, the department shall distribute funds in the Save Our Everglades Trust Fund to the district in accordance with a legislative appropriation and s. 373.026(8)(b) and (c). Distribution of funds to the district from the Save Our Everglades Trust Fund shall be equally matched by the cumulative contributions from the district by fiscal year 2019-2020 by providing funding or credits toward project components. The dollar value of in-kind project design and construction work by the district in furtherance of the comprehensive plan and existing interest in public lands needed for a project component are credits towards the district's contributions.

(b) The department shall distribute funds in the Save Our Everglades Trust Fund to the district in accordance with a legislative appropriation for debt service for Everglades restoration bonds.

(c) To the extent that funds are available, the department may reserve a minimum of $10 million annually from the Save Our Everglades Trust Fund for the purpose of implementation of the River Watershed Protection Plans within the Northern Everglades as identified in s. 373.4595. Distribution of funds from the Save Our Everglades Trust Fund for the implementation of the River Watershed Protection Plans shall be in accordance with paragraph (a) and shall be equally matched by the district and Lee and Martin Counties by fiscal year 2019-2020 by providing funding or credits toward project components. The dollar value of in-kind project design and construction work by the district or the counties in furtherance of the River Watershed Protection Plans and existing interest in public lands needed for a project component are credits towards the district's and counties' contributions.

(d) Subject to a specific appropriation to the Department of Agriculture and Consumer Services for the purpose of implementing agricultural nonpoint source controls as identified in s. 373.4595 or the legislatively ratified Lake Okeechobee Watershed Protection Plan and the River Watershed Protection Plans, and upon written request by the Department of Agriculture and Consumer Services for the transfer, the department shall transfer an amount equal to such specific appropriation from the Save Our Everglades Trust Fund to the Department of Agriculture and Consumer Services General Inspection Trust Fund. All interest earned on the investment of funds transferred from the Save Our Everglades Trust Fund to the General Inspection Trust Fund shall be credited to the Save Our Everglades Trust Fund by June 30 of each year.

(e) Subject to specific appropriation, the department shall use moneys from the Save Our Everglades Trust Fund to fund projects identified in the Keys Wastewater Plan. The department may establish requirements, through grant agreements or other contractual arrangements, to ensure the timely construction of projects and expenditure of appropriated funds by the local governments in Monroe County, including, but not limited to, project implementation deadlines, local matching requirements, fair and competitive procurement requirements, and financial tracking requirements.

Section 3. Subsections (1) and (4) of section 373.472, Florida Statutes, are amended to read:

373.472 Save Our Everglades Trust Fund.—

(1) There is created within the Department of Environmental Protection the Save Our Everglades Trust Fund. Funds in the trust fund shall be expended to implement the comprehensive plan defined in s. *373.470(2)(b);* ~~373.470(2)(a),~~ the Lake Okeechobee Watershed Protection Plan defined in s. 373.4595(2)*;*~~,~~ the Caloosahatchee River Watershed Protection Plan defined in s. 373.4595(2)*;*~~, and~~ the St. Lucie River Watershed Protection Plan defined in s. 373.4595(2)*; and the Florida Keys Area of Critical State Concern protection program under ss. 380.05 and 380.0552 to restore and conserve natural systems through the implementation of water management projects, including wastewater management projects identified in the "Keys Wastewater Plan" dated November 2007 and submitted to the Florida House of Representatives on December 4, 2007;*~~,~~ and to pay debt service for Everglades restoration bonds issued pursuant to s. 215.619. The trust fund shall serve as the repository for state, local, and federal project contributions in accordance with s. 373.470(4).

~~(4) Pursuant to the provisions of s. 19(f)(2), Art. III of the State Constitution, the Save Our Everglades Trust Fund shall, unless terminated sooner, terminate on July 1, 2004. Prior to its scheduled termination, the trust fund shall be reviewed as provided in s. 215.3206(1) and (2).~~

Section 4. This act shall take effect July 1, 2008.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to Everglades restoration bonds; amending s. 215.619, F.S.; authorizing the issuance of additional Everglades restoration bonds to implement the Florida Keys Area of Critical State Concern protection program; extending the period during which Everglades Restoration bonds may be issued; authorizing the issuance of an additional amount of bonds for a specified time period specifically to fund the Florida Keys Area of Critical State Concern protection program; requiring the Legislature to analyze the ratio of the state's debt to projected revenues before authorizing issuance of certain bonds; amending s. 373.470, F.S.; defining the term "Keys Wastewater Plan"; authorizing funds deposited into the Save Our Everglades Trust Fund to be used to implement the Keys Wastewater Plan; amending s. 373.472, F.S.; authorizing the Department of Environmental Protection, subject to specific appropriation, to use moneys from the Save Our Everglades Trust Fund to fund projects identified in the Keys Wastewater Plan; deleting an obsolete provision terminating the Save Our Everglades Trust Fund; providing an effective date.

Pursuant to Rule 4.19, **CS for SB 1552** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

CS for CS for CS for CS for SB 1670—A bill to be entitled An act relating to early learning; providing a short title; amending s. 402.316, F.S.; requiring the Department of Children and Family Services to adopt rules regarding screening standards and notice for certain child care personnel; amending s. 411.01, F.S.; revising conditions relating to the service of a children's services council or juvenile welfare board chair or director as a member of an early learning coalition; authorizing the use of telecommunication methods in conducting early learning coalition

board meetings; amending and renumbering s. 402.27, F.S.; transferring requirements for the establishment of a statewide child care resource and referral network by the Department of Children and Family Services to the Agency for Workforce Innovation; providing for use of early learning coalitions as child care resource and referral agencies; requiring rulemaking; amending and renumbering s. 409.178, F.S.; transferring duties of the Department of Children and Family Services with respect to the Child Care Executive Partnership Program to the Agency for Workforce Innovation and early learning coalitions; requiring rulemaking; amending s. 435.04, F.S.; providing additional criminal offenses for screening child care personnel; amending s. 1001.10, F.S.; requiring the Department of Education to assist school districts, charter schools, the Florida School for the Deaf and the Blind, and certain private schools and providers in developing policies and procedures governing educator ethics and employment; requiring the department to provide authorized staff with access to or provide verification through certain employment-screening tools; amending ss. 1002.55, 1002.61, and 1002.63, F.S., relating to the Voluntary Prekindergarten Education Program; providing additional accreditation standards for private prekindergarten providers; providing requirements for assignment of substitute instructors; requiring owners of certain private schools and private prekindergarten providers to adopt ethical standards for all employees; prohibiting confidentiality agreements regarding terminated or dismissed employees which have the effect of concealing certain conduct; requiring such owners and providers to contact the previous employer of each instructional or administrative candidate for employment and notify the Department of Education of dates of employment of an educator; requiring rulemaking; conforming cross-references; providing an effective date.

—was read the second time by title.

Amendments were considered and adopted to conform **CS for CS for CS for CS for SB 1670** to **HB 879**.

Pending further consideration of **CS for CS for CS for CS for SB 1670** as amended, on motion by Senator Gaetz, by two-thirds vote **HB 879** was withdrawn from the Committees on Education Pre-K - 12; Children, Families, and Elder Affairs; Commerce; and Transportation and Economic Development Appropriations.

On motion by Senator Gaetz, the rules were waived and—

HB 879—A bill to be entitled An act relating to early learning; providing a short title; amending s. 411.01, F.S.; revising provisions relating to membership of early learning coalitions; authorizing use of telecommunication methods in conducting early learning coalition board meetings; amending and renumbering s. 402.27, F.S.; transferring requirements for the establishment of a statewide child care resource and referral network by the Department of Children and Family Services to the Agency for Workforce Innovation; providing for use of early learning coalitions as child care resource and referral agencies; requiring rulemaking; amending and renumbering s. 409.178, F.S.; transferring duties of the Department of Children and Family Services with respect to the Child Care Executive Partnership Program to the Agency for Workforce Innovation and early learning coalitions; requiring rulemaking; amending ss. 1002.55, 1002.61, and 1002.63, F.S., relating to the Voluntary Prekindergarten Education Program; providing additional accreditation standards for private prekindergarten providers; providing requirements for assignment of substitute instructors; requiring rulemaking; conforming cross-references; providing an effective date.

—a companion measure, was substituted for **CS for CS for CS for CS for SB 1670** as amended and read the second time by title.

Senator Gaetz moved the following amendment which was adopted:

Amendment 1 (043312)—On line(s) 453; on line(s) 549; and on line(s) 629, after "*screened*" insert: *before employment*

Pursuant to Rule 4.19, **HB 879** as amended was placed on the calendar of Bills on Third Reading.

Consideration of **CS for SB 1752** and **CS for CS for SB 1914** was deferred.

CS for CS for SB 1962—A bill to be entitled An act relating to the tax exemption for nonprofit cooperative hospital laundries; amending s. 212.08, F.S.; requiring a member of a nonprofit cooperative to immediately divest itself of participation in the cooperative if it loses its nonprofit status; providing that the provision of emergency services to a nonmember business does not invalidate the certificate of tax exemption; providing an effective date.

—was read the second time by title.

MOTION

On motion by Senator Haridopolos, the rules were waived to allow the following amendment to be considered:

Senator Haridopolos moved the following amendment which was adopted:

Amendment 1 (132694)(with title amendment)—Delete line(s) 53 and insert:

Section 2. *Subsection (9) of section 212.031, Florida Statutes, is repealed. The exempt status of charges imposed under a contract entered into before July 1, 2008, terminates no later than January 1, 2011.*

Section 3. This Act shall Take effect July 1, 2008.

And the title is amended as follows:

Delete line(s) 2-9 and insert: An act relating to the tax exemptions; amending s. 212.08, F.S., relating to the tax exemption for nonprofit cooperative hospital laundries; requiring a member of a nonprofit cooperative to immediately divest itself of participation in the cooperative if it loses its nonprofit status; providing that the provision of emergency services to a nonmember business does not invalidate the certificate of tax exemption; repealing s. 212.031(9), F.S.; repealing the exemption from the tax on the use of real property which applies to charges for the rental, lease, sublease, or license for the use of a skybox, luxury box, or other box seats during a high school or college football game; providing that the exempt status of charges imposed under a contract entered into before a specified date will end after another specified date; providing an effective date.

MOTION

On motion by Senator Haridopolos, the rules were waived to allow the following amendment to be considered:

Senator Haridopolos moved the following amendment:

Amendment 2 (930694)(with title amendment)—Delete line(s) 53 and insert:

Section 2. *Subsection (15) of section 212.06, Florida Statutes, is repealed.*

Section 3. This act shall take effect July 1, 2008.

And the title is amended as follows:

Delete line(s) 2-9 and insert: An act relating to the tax exemptions; amending s. 212.08, F.S., relating to the tax exemption for nonprofit cooperative hospital laundries; requiring a member of a nonprofit cooperative to immediately divest itself of participation in the cooperative if it loses its nonprofit status; providing that the provision of emergency services to a nonmember business does not invalidate the certificate of tax exemption; repealing s. 212.06(15), F.S.; repealing the exemption from the tax on fill dirt; providing an effective date.

POINT OF ORDER

Senator Rich raised a point of order that pursuant to Rule 7.1 **Amendment 2 (930694)** contained language of a bill not reported favorably by all Senate committees and was therefore out of order.

The President referred the point of order and the amendment to Senator King, Chair of the Committee on Rules.

On motion by Senator Rich, further consideration of **CS for CS for SB 1962** with pending **Amendment 2 (930694)** and pending point of order was deferred.

Consideration of **CS for CS for CS for SB 1978** was deferred.

By Senator Ring—

CS for CS for CS for SB 2026—A bill to be entitled An act relating to sexual offenders and predators; amending ss. 775.21, 943.0435, 944.607, and 985.4815, F.S.; requiring sexual offenders and predators to provide home telephone numbers and any cellular telephone numbers as part of the registration process; specifying that failure to provide such telephone numbers as required is a third-degree felony; requiring registrants to attest to the truthfulness of the information submitted during registration; providing criminal penalties for submission of false information during registration; amending s. 943.043; requiring the Department of Law Enforcement to notify the public through the Internet of information concerning sexual predators and sexual offenders, including any information regarding juveniles who are designated as a sexual predator or who meet the criteria of a sexual offender; specifying what sexual predator and sexual offender information and features must be available on the Internet; requiring the Department of Law Enforcement to develop a uniform system to verify predator and offender address information when address submitted cannot be plotted on a map; requiring the Department of Law Enforcement to determine the feasibility of certain Internet features; amending s. 944.606, F.S.; requiring that the Department of Law Enforcement be notified of the home telephone number and any cellular telephone number of a sexual offender released from incarceration; amending s. 985.481, F.S.; requiring that the Department of Law Enforcement be notified of the home telephone number and any cellular telephone number of a juvenile sexual offender released after serving a period of residential commitment; providing effective dates.

—was read the second time by title.

MOTION

On motion by Senator Villalobos, the rules were waived to allow the following amendment to be considered:

Senator Villalobos moved the following amendment which was adopted:

Amendment 1 (605918)(with title amendment)—Delete line(s) 176-183 and insert:

(1) The department *shall* ~~may~~ notify the public through the Internet of any information regarding *adult* sexual predators and *adult* sexual offenders*, and of any information regarding a juvenile who is designated a sexual predator pursuant to s. 775.21 or who meets the criteria of a sexual offender pursuant to s. 943.0435(1)(a)1.d.,* which is not confidential and exempt from the public disclosure under s. 119.07(1) and s. 24(a), Art. I of the State Constitution. *As used in this section, the term "adult sexual predators and adult sexual offenders" means those persons designated as sexual predators or who meet the criteria as sexual offenders and whose designation as a sexual predator or meeting the criteria as a sexual offender is based on an offense or offenses committed after such persons attained the age of 18 years, or is based on an offense or offenses for which such persons were adjudicated as an adult, regardless of age.*

And the title is amended as follows:

Delete line(s) 13-17 and insert: notify the public of certain adult and juvenile sexual predator and sexual offender information through the Internet; providing a definition of the term "adult sexual predators and adult sexual offenders"; specifying what sexual predator and

Pursuant to Rule 4.19, **CS for CS for CS for SB 2026** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

Consideration of **CS for SB 2094** and **CS for SB 2170** was deferred.

On motion by Senator Dean—

CS for SB 2202—A bill to be entitled An act relating to career service employees; amending s. 110.227, F.S.; revising requirements for disciplining an employee and provisions governing which employees are subject to certain personnel actions; specifying the requirements for achieving permanent status in the Career Service System; revising criteria for certain rules and procedures for the suspension, reduction in pay, transfer, layoff, demotion, and dismissal of career service employees; revising provisions relating to the applicability of layoff procedures; providing that the grievance process is available to all career service employees; increasing the amounts of time in which to submit grievances and respond to grievances; revising what written decisions of the agency are the final authority for all grievances at the Step Two level; authorizing certain Step Two grievances to be submitted to the Department of Management Services; revising notice requirements; providing for the removal and placement of certain career service employees serving a probationary period; authorizing certain employees to appeal to the Public Employees Relations Commission; increasing the amount of time in which the employee must file an appeal; revising procedures applicable to appeals filed with the commission; providing for mitigation in disciplinary actions; revising which actions must be reviewed without consideration of any other case or set of facts; providing an effective date.

—was read the second time by title.

An amendment was considered and adopted to conform **CS for SB 2202** to **CS for CS for HB 887**.

Pending further consideration of **CS for SB 2202** as amended, on motion by Senator Dean, by two-thirds vote **CS for CS for HB 887** was withdrawn from the Committees on Governmental Operations; and Judiciary.

On motion by Senator Dean, the rules were waived and by two-thirds vote—

CS for CS for HB 887—A bill to be entitled An act relating to the Career Service System; amending s. 110.227, F.S.; revising criteria for certain rules and procedures for the suspension, reduction in pay, transfer, layoff, demotion, and dismissal of employees in the career service; increasing the amounts of time in which to submit grievances and respond to grievances; revising notice requirements; increasing the amount of time in which the employee must file an appeal to the Public Employees Relations Commission; revising procedures applicable to appeals filed with the commission; providing for the removal and placement of certain career service employees serving a probationary period; providing an effective date.

—a companion measure, was substituted for **CS for SB 2202** as amended and by two-thirds vote read the second time by title.

Pursuant to Rule 4.19, **CS for CS for HB 887** was placed on the calendar of Bills on Third Reading.

On motion by Senator Wise, by two-thirds vote **CS for HB 1313** was withdrawn from the Committees on Education Pre-K - 12; Higher Education; and Education Pre-K - 12 Appropriations.

On motion by Senator Wise—

CS for HB 1313—A bill to be entitled An act relating to students with disabilities; amending ss. 1002.33, 1002.39, 1003.01, 1003.21, and 1003.438, F.S., relating to charter schools, the John M. McKay Scholarships for Students with Disabilities Program, school attendance, and high school graduation requirements; revising the terminology used to identify students with certain disabilities; authorizing the State Board of Education to adopt rules for eligibility of certain children with disabilities for admission to special programs and related services; removing authority of district school boards to adopt such rules; amending ss. 1007.02, 1007.264, and 1007.265, F.S., relating to postsecondary education; revising the terminology used to identify students with intellectual, emotional, or behavioral disabilities; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 2700** and read the second time by title.

Senator Wise moved the following amendment which was adopted:

Amendment 1 (209868)(with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Paragraph (f) of subsection (10) of section 1002.33, Florida Statutes, is amended to read:

1002.33 Charter schools.—

(10) ELIGIBLE STUDENTS.—

(f) Students with *disabilities* ~~handicapping conditions~~ and students served in English for Speakers of Other Languages programs shall have an equal opportunity of being selected for enrollment in a charter school.

Section 2. Subsection (1) of section 1002.39, Florida Statutes, is amended to read:

1002.39 The John M. McKay Scholarships for Students with Disabilities Program.—There is established a program that is separate and distinct from the Opportunity Scholarship Program and is named the John M. McKay Scholarships for Students with Disabilities Program.

(1) THE JOHN M. MCKAY SCHOLARSHIPS FOR STUDENTS WITH DISABILITIES PROGRAM.—The John M. McKay Scholarships for Students with Disabilities Program is established to provide the option to attend a public school other than the one to which assigned, or to provide a scholarship to a private school of choice, for students with disabilities for whom an individual *educational* ~~education~~ plan has been written in accordance with rules of the State Board of Education. Students with disabilities include K-12 students who are documented as having *an intellectual disability* ~~a mental handicap, including trainable, profound, or educable~~; a speech *impairment; a* ~~or~~ language impairment; a hearing impairment, including deafness; a visual impairment, including blindness; a dual sensory impairment; *an orthopedic* ~~a physical~~ impairment; *an other health impairment;* ~~a serious emotional disturbance, including~~ an emotional *or behavioral disability* ~~handicap~~; a specific learning disability, including, but not limited to, dyslexia, dyscalculia, or developmental aphasia; a traumatic brain injury; *a developmental delay;* or autism *spectrum disorder*.

Section 3. Paragraph (a) of subsection (3) of section 1003.01, Florida Statutes, is amended to read:

1003.01 Definitions.—As used in this chapter, the term:

(3)(a) "Exceptional student" means any student who has been determined eligible for a special program in accordance with rules of the State Board of Education. The term includes students who are gifted and students with disabilities who *have an intellectual disability; autism spectrum disorder; a speech impairment; a language impairment; an orthopedic impairment; an other health impairment; traumatic brain injury; a visual impairment; an emotional or behavioral disability; or a specific learning disability, including, but not limited to, dyslexia, dyscalculia, or developmental aphasia; students who are deaf or hard of hearing or dual sensory impaired; students who are hospitalized or homebound; children with developmental delays* ~~are mentally handicapped, speech and language impaired, deaf or hard of hearing, visually impaired, dual sensory impaired, physically impaired, emotionally handicapped, specific learning disabled, hospital and homebound, autistic, developmentally delayed children,~~ ages birth through 5 years, or children, ages birth through 2 years, with established conditions that are identified in State Board of Education rules pursuant to s. 1003.21(1)(e).

Section 4. Paragraph (e) of subsection (1) of section 1003.21, Florida Statutes, is amended to read:

1003.21 School attendance.—

(1)

(e) Consistent with rules adopted by the State Board of Education, children with disabilities who have attained the age of 3 years shall be eligible for admission to public special education programs and for related services ~~under rules adopted by the district school board~~. ~~Exceptional~~ Children *with disabilities younger than 3 years of age* who are deaf or hard of hearing*;*~~,~~ visually impaired*;*~~,~~ dual sensory impaired*; orthopedically impaired; other health impaired; who have experienced traumatic brain injury;*~~, severely physically handicapped, trainable mentally handicapped, or profoundly handicapped, or~~ who have *autism spectrum disorder;* established conditions, or *who* exhibit developmental delays *or intellectual disabilities*~~, below age 3~~ may be eligible for special programs *and may receive services in accordance with rules of the State Board of Education*~~; or, if enrolled in other school readiness programs, they may be eligible for supplemental instruction~~. Rules for the identification of established conditions for children birth through 2 years of age and developmental delays for children birth through 5 years of age must be adopted by the State Board of Education.

Section 5. Section 1003.438, Florida Statutes, is amended to read:

1003.438 Special high school graduation requirements for certain exceptional students.—A student who has been *identified* ~~properly classified~~, in accordance with rules established by the State Board of Education, as *a student with disabilities who has an intellectual disability; an autism spectrum disorder; a language impairment; an orthopedic impairment; an other health impairment; a traumatic brain injury; an emotional or behavioral disability; a specific learning disability, including, but not limited to, dyslexia, dyscalculia, or developmental aphasia; or students who are deaf or hard of hearing or dual sensory impaired* ~~"educable mentally handicapped," "trainable mentally handicapped," "hearing impaired," "specific learning disabled," "physically or language impaired," or "emotionally handicapped"~~ shall not be required to meet all requirements of s. 1003.43 *or s. 1003.428* and shall, upon meeting all applicable requirements prescribed by the district school board pursuant to s. 1008.25, be awarded a special diploma in a form prescribed by the commissioner; however, such special graduation requirements prescribed by the district school board must include minimum graduation requirements as prescribed by the commissioner. Any such student who meets all special requirements of the district school board ~~for exceptionality~~, but is unable to meet the appropriate special state minimum requirements, shall be awarded a special certificate of completion in a form prescribed by the commissioner. ~~A student who has been properly classified as "profoundly handicapped" and who meets the special requirements of the district school board for a special diploma in accordance with requirements for any exceptional student identified in this section shall be awarded a special diploma; however, such a student shall alternatively be eligible for a special certificate of completion, in a form prescribed by the commissioner, if all school requirements for students who are "profoundly handicapped" have been met.~~ However, this section does not limit or restrict the right of an exceptional student solely to a special diploma or special certificate of completion. Any such student shall, upon proper request, be afforded the opportunity to fully meet all requirements of s. 1003.43 *or s. 1003.428* through the standard procedures established therein and thereby to qualify for a standard diploma upon graduation.

Section 6. Subsection (4) of section 1004.55, Florida Statutes, is amended to read:

1004.55 Regional autism centers.—

(4)~~(a)~~ Each center shall provide:

(a)~~1.~~ A staff that has expertise in autism and autistic-like behaviors and in sensory impairments.

(b)~~2.~~ Individual and direct family assistance in the home, community, and school. A center's assistance should not supplant other responsibilities of state and local agencies, and each school district is responsible for providing an appropriate education program for clients of a center who are school age.

(c)~~3.~~ Technical assistance and consultation services, including specific intervention and assistance for a client of the center, the client's family, and the school district, and any other services that are appropriate.

(d)~~4.~~ Professional training programs that include developing, providing, and evaluating preservice and inservice training in state-of-the-art practices for personnel who work with the populations served by the centers and their families.

(e)~~5.~~ Public education programs to increase awareness of the public about autism, autistic-related disabilities of communication and behavior, dual sensory impairments, and sensory impairments with other handicapping conditions.

~~(b) Direct medical intervention or pharmaceutical intervention is prohibited in any center on or after July 1, 2008.~~

Section 7. Subsection (2) of section 1007.02, Florida Statutes, is amended to read:

1007.02 Access to postsecondary education and meaningful careers for students with disabilities; popular name; definition.—

(2) For the purposes of this act, the term "student with a disability" means any student who is documented as having *an intellectual disability* ~~mental retardation~~; a hearing impairment, including deafness; a speech or language impairment; a visual impairment, including blindness; *an emotional or behavioral disability* ~~a serious emotional disturbance, including an emotional handicap~~; an orthopedic *or other health* impairment; *an* autism *spectrum disorder*; a traumatic brain injury; or a specific learning disability, including, but not limited to, dyslexia, dyscalculia, or developmental aphasia.

Section 8. Section 1007.264, Florida Statutes, is amended to read:

1007.264 *Persons with disabilities* ~~Impaired and learning disabled persons~~; admission to postsecondary educational institutions; substitute requirements; rules.—

(1) Any student with a disability, as defined in s. 1007.02(2), except those students who have been documented as having *intellectual disabilities* ~~mental retardation~~, shall be eligible for reasonable substitution for any requirement for admission into a public postsecondary educational institution where documentation can be provided that the person's failure to meet the admission requirement is related to the disability.

(2) The State Board of Education, in consultation with the Board of Governors, shall adopt rules to implement this section for community colleges and shall develop substitute admission requirements where appropriate.

(3) The Board of Governors, in consultation with the State Board of Education, shall adopt rules to implement this section for state universities and shall develop substitute admission requirements where appropriate.

Section 9. Section 1007.265, Florida Statutes, is amended to read:

1007.265 *Persons with disabilities* ~~Impaired and learning disabled persons~~; graduation, study program admission, and upper-division entry; substitute requirements; rules.—

(1) Any student with a disability, as defined in s. 1007.02(2), in a public postsecondary educational institution, except those students who have been documented as having *intellectual disabilities* ~~mental retardation~~, shall be eligible for reasonable substitution for any requirement for graduation, for admission into a program of study, or for entry into the upper division where documentation can be provided that the person's failure to meet the requirement is related to the disability and where failure to meet the graduation requirement or program admission requirement does not constitute a fundamental alteration in the nature of the program.

(2) The State Board of Education, in consultation with the Board of Governors, shall adopt rules to implement this section for community colleges and shall develop substitute requirements where appropriate.

(3) The Board of Governors, in consultation with the State Board of Education, shall adopt rules to implement this section for state universities and shall develop substitute requirements where appropriate.

Section 10. This act shall take effect July 1, 2008.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to students with disabilities; amending ss. 1002.33, 1002.39, 1003.01, and 1003.438, F.S., relating to charter schools, the John M. McKay Scholarships for Students with Disabilities Program, definitions, and special high school graduation requirements; revising the terminology used to identify students with certain disabilities; amending s. 1003.21, F.S., relating to school attendance; revising the terminology used to identify students with certain disabilities; authorizing the State Board of Education to adopt rules relating to the eligibility of certain children with disabilities for admission to special programs and related services; removing the authority of district school boards to adopt such rules; amending s. 1004.55, F.S.; deleting a provision that prohibits direct medical intervention or pharmaceutical intervention in a regional autism center; amending ss. 1007.02, 1007.264, and 1007.265, F.S., relating to postsecondary education; revising the terminology used to identify students with intellectual, emotional, or behavioral disabilities; providing an effective date.

Pursuant to Rule 4.19, **CS for HB 1313** as amended was placed on the calendar of Bills on Third Reading.

On motion by Senator Wise—

CS for SB 1752—A bill to be entitled An act relating to virtual instruction programs; creating s. 1002.45, F.S.; authorizing a school district to offer courses by virtual instruction to students meeting certain conditions; providing a purpose; authorizing a school district to implement virtual instruction programs by approved district-operated programs or programs provided by contracted providers if approved by the Department of Education; authorizing a school district to participate in multi-district contractual arrangements; requiring the department to review and approve district-operated virtual programs on an annual basis; requiring contract providers to meet certain qualifications; requiring each virtual instruction program operated or contracted by a school district to meet certain requirements; prohibiting a school district from increasing its enrollment in a virtual education program in excess of the prior year's enrollment unless the program achieves a certain performance grade under the school grading system; requiring students enrolled in a virtual instruction program to meet certain requirements to participate in such program; defining the term "full-time equivalent student"; providing that full-time equivalent students participating in a school district's virtual instruction program be funded through the Florida Education Finance Program; requiring that a program provider participate in the statewide assessment program and education performance accountability system and meet a certain performance grade; requiring the State Board of Education to adopt rules; amending s. 1011.61, F.S.; revising the definition of "full-time equivalent" student to conform to changes made by the act; providing an effective date.

—was read the second time by title.

Amendments were considered and adopted to conform **CS for SB 1752** to **HB 7067**.

Pending further consideration of **CS for SB 1752** as amended, on motion by Senator Wise, by two-thirds vote **HB 7067** was withdrawn from the Committee on Education Pre-K - 12 Appropriations.

On motion by Senator Wise, the rules were waived and—

HB 7067—A bill to be entitled An act relating to virtual education; amending s. 1000.04, F.S.; providing that K-8 virtual schools are public K-12 schools; amending ss. 1002.20 and 1002.31, F.S.; providing that K-8 virtual schools are a public school choice option; amending s. 1002.415, F.S.; establishing the school district K-8 Virtual School Program; requiring school districts to offer a K-8 Virtual School Program beginning with the 2009-2010 school year; authorizing school districts to offer such program for the 2008-2009 school year; authorizing the provision of specified online instruction to students in grades 6 through 8 through a franchise agreement with the Florida Virtual School; specifying qualifications for and requiring Department of Education approval of contracted providers; requiring department approval for district programs; specifying requirements for a K-8 virtual school relating to employees, curriculum, equipment, and fees; requiring specified capacity and limiting future enrollment increases; providing student eligibility and enrollment requirements; requiring student compliance with specified attendance provisions; requiring students to take state assessment tests; providing funding through the Florida Education Finance Program for district K-8 Virtual School Programs; requiring K-8 virtual schools to participate in the state assessment program and education performance accountability system and receive school grades; requiring school improvement plans for schools that receive specified grades; requiring annual department review and reporting of student performance; specifying reasons for nonrenewal or termination of provider contracts; providing for continuation of existing K-8 virtual schools under contract with the department for specified students; providing requirements for the funding of such schools; requiring rulemaking; providing for application of section; amending s. 1003.01, F.S.; amending the definition of the term "core-curricula courses" to exclude Florida Virtual

School and K-8 Virtual School Program courses; amending s. 1011.61, F.S.; defining a K-8 virtual school full-time equivalent student; providing effective dates.

—a companion measure, was substituted for **CS for SB 1752** as amended and read the second time by title.

MOTION

On motion by Senator Wise, the rules were waived to allow the following amendment to be considered:

Senator Wise moved the following amendment which was adopted:

Amendment 1 (034724)(with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Subsection (1) of section 1000.04, Florida Statutes, is amended to read:

1000.04 Components for the delivery of public education within the Florida K-20 education system.—Florida's K-20 education system provides for the delivery of public education through publicly supported and controlled K-12 schools, community colleges, state universities and other postsecondary educational institutions, other educational institutions, and other educational services as provided or authorized by the Constitution and laws of the state.

(1) PUBLIC K-12 SCHOOLS.—The public K-12 schools include charter schools and consist of kindergarten classes; elementary, middle, and high school grades and special classes; *school district virtual instruction programs;* workforce education; career centers; adult, part-time, and evening schools, courses, or classes, as authorized by law to be operated under the control of district school boards; and lab schools operated under the control of state universities.

Section 2. Paragraph (a) of subsection (6) of section 1002.20, Florida Statutes, is amended to read:

1002.20 K-12 student and parent rights.—Parents of public school students must receive accurate and timely information regarding their child's academic progress and must be informed of ways they can help their child to succeed in school. K-12 students and their parents are afforded numerous statutory rights including, but not limited to, the following:

(6) EDUCATIONAL CHOICE.—

(a) Public school choices.—Parents of public school students may seek whatever public school choice options that are applicable to their students and are available to students in their school districts. These options may include controlled open enrollment, lab schools, *school district virtual instruction programs,* charter schools, charter technical career centers, magnet schools, alternative schools, special programs, advanced placement, dual enrollment, International Baccalaureate, International General Certificate of Secondary Education (pre-AICE), Advanced International Certificate of Education, early admissions, credit by examination or demonstration of competency, the New World School of the Arts, the Florida School for the Deaf and the Blind, and the Florida Virtual School. These options may also include the public school choice options of the Opportunity Scholarship Program and the McKay Scholarships for Students with Disabilities Program.

Section 3. Subsections (2) and (8) of section 1002.31, Florida Statutes, are amended to read:

1002.31 Public school parental choice.—

(2) Each district school board may offer controlled open enrollment within the public schools. The controlled open enrollment program shall be offered in addition to the existing choice programs such as *virtual instruction programs,* magnet schools, alternative schools, special programs, advanced placement, and dual enrollment.

(8) Each district school board shall annually report the number of students applying for and attending the various types of public schools of choice in the district, including schools such as *virtual instruction programs,* magnet schools, and public charter schools, according to rules adopted by the State Board of Education.

Section 4. Section 1002.45, Florida Statutes, is created to read:

1002.45 School district virtual instruction programs.—

(1) PROGRAM.—Beginning with the 2008-2009 school year, each school district shall provide students the option of participating in virtual instruction if they wish to do so. An eligible student must be a full-time student in the school district based on the student's enrollment in virtual courses or a combination of virtual courses and standard district courses. The purpose of the program is to make academic instruction available to full-time school district students who use online and distance learning technology and who are not taught in the traditional classroom. Each school district may implement its program through approved district-operated programs or programs by contracted providers approved by the Department of Education under subsection (2). School districts may participate in multi-district contractual arrangements to provide such programs. A school district and a charter school may enter into a joint agreement for charter school students to participate in an approved district virtual instruction program or enter into a district contract with an approved virtual instruction provider.

(2) PROVIDER QUALIFICATIONS.—On or before March 1, 2009, and annually thereafter, the department shall review and approve district-operated virtual programs. To be approved by the department, a contract provider must annually document that it:

(a) Is nonsectarian in its programs, admission policies, employment practices, and operations;

(b) Complies with the antidiscrimination provisions of s. 1000.05;

(c) Locates an administrative office or offices in this state, requires its administrative staff to be state residents, and requires all instructional staff members to be Florida-certified teachers;

(d) Possesses prior, successful experience offering online courses to elementary, middle, or high school students;

(e) Is accredited by the Commission on Colleges of the Southern Association of Colleges and Schools, the Middle States Association of Colleges and Schools, the North Central Association of Colleges and Schools, or the New England Association of Colleges and Schools; and

(f) Complies with all requirements under this section.

The Florida Virtual School established under s. 1002.37 and the K-8 Virtual School Program approved under s. 1002.415, which provided virtual instruction during 2007-2008, are not subject to the provider qualifications of this subsection. The department may approve other providers who meet the requirements of this subsection prior to August 1, 2008.

(3) SCHOOL DISTRICT VIRTUAL INSTRUCTION REQUIREMENTS.—Each virtual instruction program operated or contracted by a school district must:

(a) Require all instructional staff to be certified professional educators under chapter 1012.

(b) Conduct a background screening of all employees or contracted personnel, as required by s. 1012.32, using state and national criminal history records.

(c) Align virtual course curriculum and course content to the Sunshine State Standards under s. 1003.41.

(d) Offer instruction that is designed to enable a student to gain proficiency in each virtually delivered course of study.

(e) Provide each student enrolled in the program with all the necessary instructional materials.

(f) Provide, when appropriate, each household having a full-time student enrolled in the program with:

1. All the necessary equipment necessary for participants in the school district virtual instruction program, including, but not limited to, a computer, computer monitor, and printer; and

2. Access to or reimbursement for all Internet services necessary for online delivery of instruction.

(g) Not require tuition or student registration fees.

(4) PROGRAM CAPACITY; ENROLLMENT.—Beginning with the 2010-2011 school year, except for courses offered by the Florida Virtual School under s. 1002.37, a school district may not increase the enrollment for a virtual education program in excess of its prior school year enrollment unless the program is designated with a grade of "C," making satisfactory progress, or better under the school grading system provided in s. 1008.34.

(5) STUDENT ELIGIBILITY.—Enrollment in a school district virtual instruction program is open to any student residing within the district's attendance area if the student meets at least one of the following conditions:

(a) The student has spent the prior school year in attendance at a public school in this state and was enrolled and reported by a public school district for funding during the preceding October and February for purposes of the Florida Education Finance Program surveys; however, a student who is a dependent child of a member of the United States Armed Forces who was transferred within the last 12 months to this state from another state or from a foreign country pursuant to the parent's permanent change of station orders is not required to have been enrolled and reported for funding during the preceding school year; or

(b) The student was enrolled during the prior school year in a school district virtual instruction program under this section or a K-8 Virtual School Program under s. 1002.415.

(6) STUDENT PARTICIPATION REQUIREMENTS.—Each student enrolled in a school district virtual instruction program must:

(a) Comply with the compulsory attendance requirements of s. 1003.21. Student attendance must be verified by the school district.

(b) Take state assessment tests within the school district where such student resides, which must provide the student with access to the district's testing facilities.

(7) FUNDING.—

(a) For purposes of a district virtual instruction program, "full-time equivalent student" has the same meaning as provided in s.1011.61(1)(c)1.b.(III) or (IV).

(b) The school district shall report full-time equivalent students for the school district virtual instruction program to the department only in a manner prescribed by the department, and funding shall be provided through the Florida Education Finance Program.

(c) For 2008-2009, school district virtual instruction program courses provided for students in grades 9 through 12 are limited to the following: Department of Juvenile Justice programs, credit recovery, alternative schools, and drop-out prevention.

(8) ASSESSMENT AND ACCOUNTABILITY.—

(a) With the exception of the programs offered by the Florida Virtual School under s. 1002.37, each school district virtual instruction program must:

1. Participate in the statewide assessment program under s. 1008.22 and in the state's education performance accountability system under s. 1008.31.

2. Receive a school grade as provided in s. 1008.34. A school district virtual instruction program shall be considered a school under s. 1008.34 for purposes of this section, regardless of the number of individual providers participating in the district's program.

(b) A program that is designated with a grade of "D," making less than satisfactory progress, or "F," failing to make adequate progress, must file a school improvement plan with the department for consultation to determine the causes for low performance and to develop a plan for correction and improvement.

(c) The school district shall terminate its program or its provider's contract for any program that is designated with the grade of "D," making less than satisfactory progress, or "F," failing to make adequate progress, for 2 years during any consecutive 4-year period.

(d) A school district virtual instruction program must have a sufficient number of students enrolled in each grade for a grade to be assigned to the program pursuant to s. 1008.34 and State Board of Education rule.

(e) If the district uses multiple providers, the district may choose to terminate the lowest performing providers.

(9) EXCEPTIONS.—A provider of digital or online content of curriculum that is used to supplement the instruction of students who are not enrolled in a virtual instruction program under this section is not required to meet the requirements of this section.

(10) RULES.—The State Board of Education shall adopt rules under ss. 120.536(1) and 120.54 to administer this section.

Section 5. Subsection (14) of section 1003.01, Florida Statutes, is amended to read:

1003.01 Definitions.—As used in this chapter, the term:

(14) "Core-curricula courses" means courses defined by the Department of Education as mathematics, language arts/reading, science, social studies, foreign language, English for Speakers of Other Languages, exceptional student education, and courses taught in traditional self-contained elementary school classrooms. The term is limited in meaning and used for the sole purpose of designating classes that are subject to the maximum class size requirements established in s. 1, Art. IX of the State Constitution. *This term does not include courses offered under ss. 1002.37 and 1002.45.*

Section 6. Paragraph (c) of subsection (1) of section 1011.61, Florida Statutes, is amended to read:

1011.61 Definitions.—Notwithstanding the provisions of s. 1000.21, the following terms are defined as follows for the purposes of the Florida Education Finance Program:

(1) A "full-time equivalent student" in each program of the district is defined in terms of full-time students and part-time students as follows:

(c)1. A "full-time equivalent student" is:

a. A full-time student in any one of the programs listed in s. 1011.62(1)(c); or

b. A combination of full-time or part-time students in any one of the programs listed in s. 1011.62(1)(c) which is the equivalent of one full-time student based on the following calculations:

(I) A full-time student, except a postsecondary or adult student or a senior high school student enrolled in adult education when such courses are required for high school graduation, in a combination of programs listed in s. 1011.62(1)(c) shall be a fraction of a full-time equivalent membership in each special program equal to the number of net hours per school year for which he or she is a member, divided by the appropriate number of hours set forth in subparagraph (a)1. or subparagraph (a)2. The difference between that fraction or sum of fractions and the maximum value as set forth in subsection (4) for each full-time student is presumed to be the balance of the student's time not spent in such special education programs and shall be recorded as time in the appropriate basic program.

(II) A prekindergarten handicapped student shall meet the requirements specified for kindergarten students.

(III) A full-time equivalent student for students in grades K-8 in a school district virtual instruction program as provided in s. 1002.45 shall consist of a student who has successfully completed a basic program listed in s. 1011.62(1)(c)1.a. or b., and who is promoted to a higher grade level.

(IV) A full-time equivalent student for students in grades 9-12 in a school district virtual instruction program as provided in s. 1002.45 shall consist of six full credit completions in programs listed in s. 1011.62(1)(c)1. and 4. Credit completions can be a combination of either full credits or half credits.

(V)~~(III)~~ A Florida Virtual School full-time equivalent student shall consist of six full credit completions in the programs listed in s.

1011.62(1)(c)1. and 4. Credit completions can be a combination of either full credits or half credits.

2. A student in membership in a program scheduled for more or less than 180 school days is a fraction of a full-time equivalent membership equal to the number of instructional hours in membership divided by the appropriate number of hours set forth in subparagraph (a)1.; however, for the purposes of this subparagraph, membership in programs scheduled for more than 180 days is limited to students enrolled in juvenile justice education programs and the Florida Virtual School.

The department shall determine and implement an equitable method of equivalent funding for experimental schools and for schools operating under emergency conditions, which schools have been approved by the department to operate for less than the minimum school day.

Section 7. This act shall take effect July 1, 2008.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to virtual instruction programs; amending s. 1000.04, F.S.; revising provisions relating to public K-12 schools to include school district virtual instruction programs; amending ss. 1002.20 and 1002.31, F.S.; conforming provisions to changes made by the act; creating s. 1002.45, F.S.; requiring a school district to provide a student the option of participating in virtual instruction if certain requirements are met; providing a purpose; authorizing a school district to implement virtual instruction programs by approved district-operated programs or programs provided by contracted providers if approved by the Department of Education; authorizing a school district to participate in multidistrict contractual arrangements; authorizing a school district and a charter school to enter into a joint agreement for charter school students to participate in an approved district virtual instruction program or a contract with an approved virtual instruction provider; requiring the department to review and approve district-operated virtual programs on an annual basis; requiring contract providers to meet certain qualifications; providing an exemption from such qualifications for the Florida Virtual School and the K-8 Virtual School Program; requiring each virtual instruction program operated or contracted by a school district to meet certain requirements; prohibiting a school district from increasing its enrollment in a virtual education program in excess of the prior year's enrollment unless the program achieves a certain performance grade under the school grading system; providing an exemption for such prohibition for the Florida Virtual School; requiring students enrolled in a virtual instruction program to meet certain requirements to participate in such program, except a dependent child of a member of the United States Armed Forces under certain circumstances; defining the term "full-time equivalent student"; providing that full-time equivalent students participating in a school district's virtual instruction program be funded through the Florida Education Finance Program; requiring that a program provider participate in the statewide assessment program and education performance accountability system and meet a certain performance grade; providing that certain providers are exempt from the act; requiring the State Board of Education to adopt rules; amending s. 1003.01, F.S.; revising the definition of "core-curricula courses"; amending s. 1011.61, F.S.; revising the definition of "full-time equivalent" student to conform to changes made by the act; providing an effective date.

Pursuant to Rule 4.19, **HB 7067** as amended was placed on the calendar of Bills on Third Reading.

On motion by Senator Aronberg, the Senate resumed consideration of—

CS for CS for SB 1430—A bill to be entitled An act relating to public safety; amending s. 775.21, F.S.; revising provisions relating to reimbursement of specified costs by sexual predators; revising provisions relating to the residence of sexual predators; providing criminal penalties; creating s. 775.215, F.S.; specifying residency distance limitations for persons convicted of certain sexual offenses; preempting certain local ordinances and providing for repeal of such ordinances; amending s. 775.24, F.S.; revising provisions relating to the duty of the court to uphold certain laws; amending s. 794.065, F.S.; providing additional residency restrictions for certain offenders; providing penalties; creating s. 794.0701, F.S.; providing for enhanced penalties for loitering or prowling by persons convicted of certain sex offenses; providing definitions; providing an exemption; amending s. 947.1405, F.S.; providing additional conditional release restrictions for certain offenders; providing an exemption; amending s. 948.06, F.S.; revising provisions relating to probation or community control for sexual predators and sexual offenders; amending s. 948.30, F.S.; revising provisions relating to terms and conditions of probation or community control for certain sex offenses; providing additional restrictions for certain probationers or community controllees who committed sexual offenses against a minor younger than 16 years of age; providing an effective date.

—which was previously considered this day.

MOTION

On motion by Senator Aronberg, the rules were waived to allow the following amendments to be considered:

Senator Aronberg moved the following amendments which were adopted:

Amendment 1 (438568)(with title amendment)—Delete line(s) 204-212.

And the title is amended as follows:

Delete line(s) 16 and insert: offenses; providing definitions;

Amendment 2 (233228)—Delete line(s) 145-161 and insert:

(2)(a)1. Any person who has been convicted of a violation of s. 787.01, s. 787.02, s. 794.011, s. 800.04, s. 827.071, or s. 847.0145, or a violation of a similar law of another jurisdiction, committed on or after October 1, 2008, regardless of whether adjudication has been withheld, in which the victim of the offense was younger than 16 years of age, may not reside within 1,500 feet of any school, child care facility, park as defined in s. 794.0701, or playground. Any person who is subject to subparagraph (1)(a)1. and who establishes a new residence after October 1, 2008, is subject to the residency distance limitation set forth in this subparagraph.

Amendment 3 (457308)—On line(s) 459; and on line(s) 616, delete "*special*" and insert: *standard*

Amendment 4 (406926)—Delete line(s) 588-596.

Amendment 5 (663530)—Delete line(s) 296-341 and insert:

2.*a.* If the victim was under the age of 18, a prohibition on living within 1,000 feet of a school, *child care facility* ~~day care center~~, park *as defined in s. 794.0701*, playground, designated public school bus stop, or other place where children regularly congregate. A releasee who is subject to this subparagraph may not relocate to a residence that is within 1,000 feet of a public school bus stop.

b. Beginning October 1, 2004, the commission or the department may not approve a residence that is located within 1,000 feet of a school, *child care facility* ~~day care center~~, park *as defined in s. 794.0701*, playground, designated school bus stop, or other place where children regularly congregate for any releasee who is subject to this subparagraph. On October 1, 2004, the department shall notify each affected school district of the location of the residence of a releasee 30 days prior to release and thereafter, if the releasee relocates to a new residence, shall notify any affected school district of the residence of the releasee within 30 days after relocation. If, on October 1, 2004, any public school bus stop is located within 1,000 feet of the existing residence of such releasee, the district school board shall relocate that school bus stop. Beginning October 1, 2004, a district school board may not establish or relocate a public school bus stop within 1,000 feet of the residence of a releasee who is subject to this subparagraph. The failure of the district school board to comply with this subparagraph shall not result in a violation of conditional release supervision.

c. If the victim was under the age of 18, beginning October 1, 2008, neither the commission nor the department may approve a residence located within 1,000 feet of any designated school bus stop or within 1,500 feet of a school, child care facility, park as defined in s. 794.0701, playground, or other place where children regularly congregate for any releasee who is subject to this subparagraph. The distance in this subsubparagraph shall be measured in a straight line from the offender's place of residence to the nearest boundary line of any designated school

bus stop, school, child care facility, park as defined in s. 794.0701, playground, or other place where children regularly congregate. The distance may not be measured by a pedestrian route or automobile route.

MOTION

On motion by Senator Diaz de la Portilla, the rules were waived to allow the following amendment to be considered:

Senator Diaz de la Portilla moved the following amendment which failed:

Amendment 6 (206248)—Delete line(s) 82-91 insert: *and repealed.—Except for Miami-Dade County, the adoption of residency distance limitations for persons convicted of sexual offenses, including, but not limited to, violations of s. 787.01, s. 787.02, s. 794.011, s. 800.04, s. 827.071, or s. 847.0145, regardless of whether adjudication has been withheld, is expressly preempted to the state. The provisions of ss. 794.065, 947.1405, and 948.30 which establish such residency distance limitations supersede the distance limitation included in any municipal or county ordinances other than in Miami-Dade County. Any such residency distance limitations adopted by a county or municipality, other than Miami-Dade County, before October 1, 2008, are repealed and abolished*

Pursuant to Rule 4.19, **CS for CS for SB 1430** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

CS for CS for CS for SB 1978—A bill to be entitled An act relating to the Department of Transportation; amending s. 20.23, F.S.; providing Senior Management Service status to the Executive Director of the Florida Transportation Commission; amending s. 125.42, F.S.; providing an exception to utility owners from the responsibility for relocating utilities along county roads and highways; amending s. 163.3177, F.S.; revising requirements for comprehensive plans; providing for airports, land adjacent to airports, and certain interlocal agreements relating thereto in certain elements of the plan; amending s. 163.3178, F.S.; providing that facilities determined by the Department of Community Affairs and the applicable general-purpose local government to be port-related industrial or commercial projects located within 3 miles of or in the port master plan area which rely upon the utilization of port and intermodal transportation facilities are not developments of regional impact under certain circumstances; amending s. 163.3180, F.S.; requiring the Department of Transportation to establish a transportation methodology to serve as the basis for sustainable development impact assessments; defining the terms "present value" and "backlogged transportation facility"; amending s. 163.3182, F.S., relating to transportation concurrency backlog authorities; providing legislative findings and declarations; expanding the power of authorities to borrow money to include issuing certain debt obligations; providing a maximum maturity date for certain debt incurred to finance or refinance certain transportation concurrency backlog projects; authorizing authorities to continue operations and administer certain trust funds for the period of the remaining outstanding debt; requiring local transportation concurrency backlog trust funds to continue to be funded for certain purposes; providing for increased ad valorem tax increment funding for such trust funds under certain circumstances; revising provisions for dissolution of an authority; providing legislative findings relating to investment of funds from the Lawton Chiles Endowment Fund in Florida infrastructure by the State Board of Administration; providing that such investment is the policy of the State Board of Administration; amending s. 215.44, F.S.; including infrastructure investments in annual reporting requirements of State Board of Administration; amending s. 215.47, F.S.; increasing the maximum allowable percent of any fund in alternative investments or infrastructure investments; defining infrastructure investments; amending s. 215.5601, F.S.; directing the State Board of Administration to lease Alligator Alley for up to 50 years from the Department of Transportation using funds from the Lawton Chiles Endowment; limiting the investment of funds to between 20 and 50 percent of the endowment's assets; requiring a report to the Legislature; authorizing the board to contract with other government, public, and private entities to operate and maintain the toll facility; creating s. 334.305, F.S.; providing a finding of public need for leasing transportation facilities to expedite provision of additional facilities; providing that infrastructure investment agreements may not be impaired by state or local act; authorizing a lease agreement of up to 50 years for Alligator Alley; authorizing the engagement of private consultants to develop the agreement; directing funds received by the department under such provisions to the State Transportation Trust Fund; providing requirements for the lease agreement; requiring adherence to state and federal laws and standards for the operation and maintenance of transportation facilities; requiring the regulation of toll increases; authorizing state action to remedy impairments to the lease agreement; requiring an independent cost-effectiveness analysis and traffic and revenue study; limiting the use of funds received under the act to transportation uses; requiring specifications for construction, engineering, maintenance, and law enforcement activities in lease agreements; allowing the department to submit to the Legislative Budget Commission a plan for advancing transportation projects using funds received from a lease; requiring remaining toll revenue to be used in accordance with the lease agreement and s. 338.26, F.S.; confirming the ability of the State Board of Administration to invest in government-owned infrastructure; providing legislative intent relating to road rage and aggressive careless driving; amending s. 316.003, F.S.; defining the term "road rage"; amending s. 316.083, F.S.; requiring an operator of a motor vehicle to yield the left lane when being overtaken on a multilane highway; providing exceptions; amending s. 316.1923, F.S.; revising the number of specified acts necessary to qualify as an aggressive careless driver; providing specified punishments for aggressive careless driving; specifying the allocation of moneys received from the increased fine imposed for aggressive careless driving; amending s. 318.19, F.S.; providing that a second or subsequent infraction as an aggressive careless driver requires attendance at a mandatory hearing; providing for the disposition of the increased penalties; requiring the Department of Highway Safety and Motor Vehicles to provide information about road rage and aggressive careless driving in driver's license educational materials; reenacting s. 316.650(1)(a), F.S., relating to traffic citations, to incorporate the amendments made to s. 316.1923, F.S., in a reference thereto; amending s. 316.0741, F.S.; redefining the term "hybrid vehicle"; authorizing the driving of a hybrid, low-emission, or energy-efficient vehicle in a high-occupancy-vehicle lane regardless of occupancy; authorizing the department to limit or discontinue such driving under certain circumstances; exempting such vehicles from the payment of certain tolls; amending s. 316.193, F.S.; lowering the blood-alcohol or breath-alcohol level for which enhanced penalties are imposed against a person who was accompanied in the vehicle by a minor at the time of the offense; clarifying that an ignition interlock device is installed for a continuous period; amending s. 316.302, F.S.; revising the application of certain federal rules; providing for the department to perform certain duties assigned under federal rules; updating a reference to federal provisions governing out-of-service requirements for commercial vehicles; amending ss. 316.613 and 316.614, F.S.; revising the definition of "motor vehicle" for purposes of child restraint and safety belt usage requirements; amending s. 316.656, F.S.; lowering the percentage of blood or breath alcohol content relating to the prohibition against pleading guilty to a lesser offense of driving under the influence than the offense charged; amending s. 320.03, F.S.; revising the amount of a nonrefundable fee that is charged on the initial and renewal registration for certain automobiles and trucks; amending s. 322.64, F.S.; providing that refusal to submit to a breath, urine, or blood test disqualifies a person from operating a commercial motor vehicle; providing a period of disqualification if a person has an unlawful blood-alcohol or breath-alcohol level; providing for issuance of a notice of disqualification; revising the requirements for a formal review hearing following a person's disqualification from operating a commercial motor vehicle; amending s. 336.41, F.S.; providing that a county, municipality, or special district may not own or operate an asphalt plant or a portable or stationary concrete batch plant having an independent mixer; amending s. 337.11, F.S.; establishing a goal for the procurement of design-build contracts; amending s. 337.18, F.S.; revising the recording requirements of payment and performance bonds; amending s. 337.185, F.S.; providing for maintenance contracts to be included in the types of claims settled by the State Arbitration Board; amending s. 337.403, F.S.; providing for the department or a local governmental entity to pay the costs of removing or relocating a utility that is interfering with the use of a road or rail corridor; amending s. 338.01, F.S.; requiring that newly installed electronic toll collection systems be interoperable with the department's electronic toll collection system; amending s. 338.165, F.S.; providing that provisions requiring the continuation of tolls following the discharge of bond indebtedness does not apply to high-occupancy toll lanes or express lanes; creating s. 338.166, F.S.; authorizing the department to request that bonds be issued which are secured by toll revenues from high-occupancy toll or express lanes in a specified location; providing for

the department to continue to collect tolls after discharge of indebtedness; authorizing the use of excess toll revenues for improvements to the State Highway System; authorizing the implementation of variable rate tolls on high-occupancy toll lanes or express lanes; amending s. 338.2216, F.S.; directing the turnpike enterprise to develop new technologies and processes for the collection of tolls and usage fees; prohibiting the enterprise from entering into certain joint contracts for the sale of fuel and other goods; providing an exception; providing restrictions on contracts pertaining to service plazas; amending s. 338.223, F.S.; conforming a cross-reference; amending s. 338.231, F.S.; eliminating reference to uniform toll rates on the Florida Turnpike System; authorizing the department to fix by rule and collect the amounts needed to cover toll collection costs; directing the turnpike enterprise to increase tolls; amending s. 339.12, F.S.; clarifying a provision specifying a maximum total amount of project agreements for certain projects; authorizing the department to enter into certain agreements with counties having a specified maximum population; defining the term "project phase"; requiring that a project or project phase be a high priority of a governmental entity; providing for reimbursement for a project or project phase; specifying a maximum total amount for certain projects and project phases; requiring that such project be included in the local government's adopted comprehensive plan; authorizing the department to enter into long-term repayment agreements up to a specified maximum length; amending s. 339.135, F.S.; revising certain notice provisions that require the Department of Transportation to notify local governments regarding amendments to an adopted 5-year work program; amending s. 339.155, F.S.; revising provisions for development of the Florida Transportation Plan; amending s. 339.2816, F.S., relating to the small county road assistance program; providing for resumption of certain funding for the program; revising the criteria for counties eligible to participate in the program; amending ss. 339.2819 and 339.285, F.S.; conforming cross-references; amending s. 348.0003, F.S.; providing for financial disclosure for expressway, transportation, bridge, and toll authorities; amending s. 348.0004, F.S.; providing for certain expressway authorities to index toll rate increases; repealing part III of ch. 343 F.S.; abolishing the Tampa Bay Commuter Transit Authority; requiring the department to conduct a study of transportation alternatives for the Interstate 95 corridor; amending s. 409.908, F.S.; authorizing the Agency for Health Care Administration to continue to contract for Medicaid nonemergency transportation services in a specified agency service area with managed care plans under certain conditions; amending s. 427.011, F.S.; revising definitions; defining the term "purchasing agency"; amending s. 427.012, F.S.; revising the number of members required for a quorum at a meeting of the Commission for the Transportation Disadvantaged; amending s. 427.013, F.S.; revising responsibilities of the commission; deleting a requirement that the commission establish by rule acceptable ranges of trip costs; removing a provision for functioning and oversight of the quality assurance and management review program; requiring the commission to incur expenses for promotional services and items; amending s. 427.0135, F.S.; revising and creating duties and responsibilities for agencies that purchase transportation services for the transportation disadvantaged; providing requirements for the payment of rates; requiring an agency to negotiate with the commission before procuring transportation disadvantaged services; requiring an agency to identify its allocation for transportation disadvantaged services in its legislative budget request; amending s. 427.015, F.S.; revising provisions relating to the function of the metropolitan planning organization or designated official planning agency; amending s. 427.0155, F.S.; revising duties of community transportation coordinators; amending s. 427.0157, F.S.; revising duties of coordinating boards; amending s. 427.0158, F.S.; deleting provisions requiring the school board to provide information relating to school buses to the transportation coordinator; providing for the transportation coordinator to request certain information regarding public transportation; amending s. 427.0159, F.S.; revising provisions relating to the Transportation Disadvantaged Trust Fund; providing for the deposit of funds by an agency purchasing transportation services; amending s. 427.016, F.S.; providing for construction and application of specified provisions to certain acts of a purchasing agency in lieu of the Medicaid agency; requiring that an agency identify the allocation of funds for transportation disadvantaged services in its legislative budget request; amending s. 479.01, F.S.; redefining the term "automatic changeable facing" as used in provisions governing outdoor advertising; amending s. 479.07, F.S.; revising the locations within which signs require permitting; providing requirements for the placement of permit tags; requiring the department to establish by rule a service fee and specifications for replacement tags; amending s. 479.08, F.S.; deleting a provision allowing a sign permittee to correct false information that was knowingly provided to the department; requiring the department to include certain information in the notice of violation; amending s. 479.156, F.S.; modifying local government control of the regulation of wall murals adjacent to certain federal highways; amending s. 479.261, F.S.; revising requirements for the logo sign program of the interstate highway system; deleting provisions providing for permits to be awarded to the highest bidders; requiring the department to implement a rotation-based logo program; requiring the department to adopt rules that set reasonable rates based on certain factors for annual permit fees; requiring that such fees not exceed a certain amount for sign locations inside and outside an urban area; amending s. 212.0606, F.S.; providing for the imposition by countywide referendum of an additional surcharge on the lease or rental of a motor vehicle; providing the proceeds of the surcharge to be transferred to the Local Option Fuel Tax Trust Fund and used for the construction and maintenance of commuter rail service facilities; amending s. 341.301, F.S.; providing definitions relating to commuter rail service, rail corridors, and railroad operation for purposes of the rail program within the department; amending s. 341.302, F.S.; authorizing the department to purchase specified property for the purpose of implementing commuter rail service; authorizing the department to assume certain liability on a rail corridor; authorizing the department to indemnify and hold harmless a railroad company when the department acquires a rail corridor from the company; providing allocation of risk; providing a specific cap on the amount of the contractual duty for such indemnification; authorizing the department to purchase and provide insurance in relation to rail corridors; authorizing marketing and promotional expenses; extending provisions to other governmental entities providing commuter rail service on public right-of-way; amending s. 768.28, F.S.; expanding the list of entities considered agents of the state; providing for construction in relation to certain federal laws; authorizing the expenditure of public funds for certain alterations of Old Cutler Road in the Village of Palmetto Bay; requiring the official approval of the Department of State before any alterations may begin; providing an effective date.

—was read the second time by title.

Senators Joyner and Dockery offered the following amendment which was moved by Senator Dockery:

Amendment 1 (037438)—Delete line(s) 3200-3205 and insert:

(17) After the United States Congress appropriates at least $340 million for the commuter rail service in what is commonly identified as the Central Florida Rail Corridor, the department is authorized to purchase the required right-of-way, improvements, and appurtenances of the A-Line rail corridor from CSX Transportation, Inc., for a maximum purchase price of $450 million for the primary purpose of implementing such commuter rail service, and consisting of an approximately

POINT OF ORDER

Senator Villalobos raised a point of order that the bill had a revision in the Committee on Transportation and Economic Development Appropriations relating to sovereign immunity and that pursuant to Rule 4.7(2) the bill should be referred to the Committee on Judiciary.

The President referred the point of order to Senator King, Chair of the Committee on Rules.

On motion by Senator Baker, further consideration of **CS for CS for CS for SB 1978** with pending **Amendment 1 (037438)** and pending point of order was deferred.

On motion by Senator Diaz de la Portilla, by two-thirds vote **HB 7109** was withdrawn from the Committees on Commerce; and Governmental Operations.

On motion by Senator Diaz de la Portilla—

HB 7109—A bill to be entitled An act relating to small business regulatory relief; creating s. 288.001, F.S.; designating the Florida Small Business Development Center Network as the principal business assistance organization for small businesses in the state; creating s. 288.7001, F.S.; providing a short title; providing definitions; creating the Small Business Regulatory Advisory Council; providing for appointments, membership, and meetings; providing powers and duties of the council; providing administrative location for council; providing for periodic review of agency rules by the council with agency sunset review; providing

timelines for review; providing for the council to issue a report; creating s. 288.7002, F.S.; providing definitions; creating the Office of Small Business Advocate; providing for selection of the Florida Small Business Advocate; providing for preferred qualifications of the advocate; providing duties of the advocate; providing for agency cooperation with the advocate; providing for an annual report by the advocate to the Governor and Legislature; amending s. 11.908, F.S.; including the Small Business Regulatory Advisory Council among groups that may be consulted for agency or committee review; amending s. 11.911, F.S.; providing for the inclusion of the report of the Small Business Regulatory Advisory Council in the Legislative Sunset Committee's recommendations; amending s. 11.919, F.S.; requiring agency assistance to the Small Business Regulatory Advisory Council; authorizing the council to access or request information and assistance; amending s. 120.54, F.S.; requiring an agency to prepare a statement of estimated regulatory costs; requiring agency notification to the Small Business Regulatory Advisory Council relating to proposed agency action affecting small business; requiring an agency to adopt regulatory alternatives offered by the council under certain circumstances; providing for rule filing extension when regulatory alternatives are offered by the council; providing for outside review of regulatory alternatives not adopted by an agency and for an agency response; amending s. 120.74, F.S.; requiring biennial rule review by each agency to consider the impact of rules on small business; requiring the economic impact of the rules to be included in a report to the Legislature; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 928** and read the second time by title.

Pursuant to Rule 4.19, **HB 7109** was placed on the calendar of Bills on Third Reading.

By direction of the President, the rules were waived and the Senate reverted to—

BILLS ON THIRD READING, continued

CS for SB 1954—A bill to be entitled An act relating to developmental disabilities; amending s. 393.063, F.S.; revising definitions; revising the term "developmental disabilities institution" to be known as a "developmental disabilities center"; redefining the term "retardation"; amending s. 393.0655, F.S.; requiring certain persons to undergo background screening if they have been unemployed for more than 90 days; amending s. 393.0673, F.S.; providing additional grounds for denying, suspending, or revoking a license or imposing a fine against a provider serving clients of the Agency for Persons with Disabilities; amending s. 393.506, F.S.; expanding the types of medications that an unlicensed direct service provider may administer; amending ss. 287.155, 393.064, 393.0651, 393.066, 393.135, 393.22, 393.23, 402.181, 402.22, 435.03, F.S.; conforming provisions to changes made by the act; repealing s. 393.0657, F.S., relating to background screening; providing an effective date.

—was read the third time by title.

An amendment was considered and adopted to conform **CS for SB 1954** to **HB 7075**.

Pending further consideration of **CS for SB 1954** as amended, on motion by Senator Rich, by two-thirds vote **HB 7075** was withdrawn from the Committees on Children, Families, and Elder Affairs; Health Regulation; and Health and Human Services Appropriations.

On motion by Senator Rich by two-thirds vote—

HB 7075—A bill to be entitled An act relating to developmental disabilities; amending s. 393.063, F.S.; revising definitions applicable to ch. 393, F.S., relating to persons with developmental disabilities; amending ss. 287.155, 393.064, 393.0651, 393.066, 393.135, 393.22, 393.23, 402.181, 402.22, 408.036, and 435.03, F.S.; conforming terminology to changes made by the act; amending s. 393.0657, F.S.; revising an exemption from certain requirements for refingerprinting and rescreening; amending s. 393.0673, F.S.; providing circumstances under which the Agency for Persons with Disabilities may deny, revoke, or suspend a license or impose a fine; amending s. 393.506, F.S.; authorizing direct service providers to administer a certain medication to clients with developmental disabilities; amending s. 400.063, F.S.; conforming a cross-reference; amending s. 916.301, F.S.; clarifying provisions relating to court appointment of certain qualified experts to evaluate a defendant's mental condition; amending s. 916.302, F.S.; authorizing the sheriff to transport a defendant determined incompetent to proceed due to retardation or autism to county jail under certain conditions pending a court appearance at a competency hearing held within a specified period of time; providing an effective date.

—a companion measure, was substituted for **CS for SB 1954** as amended and read the second time by title.

MOTION

On motion by Senator Rich, the rules were waived to allow the following amendment to be considered:

Senator Rich moved the following amendment which was adopted:

Amendment 1 (612506)(with title amendment)—Delete line(s) 390-412 and redesignate subsequent section.

And the title is amended as follows:

Delete line(s) 19-23 and insert: condition;

On motion by Senator Rich, by two-thirds vote **HB 7075** as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Aronberg	Gaetz	Posey
Atwater	Garcia	Rich
Baker	Geller	Ring
Bennett	Haridopolos	Saunders
Bullard	Hill	Siplin
Carlton	Jones	Storms
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dawson	King	Wilson
Dean	Lawson	Wise
Deutch	Lynn	
Diaz de la Portilla	Margolis	

Nays—None

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Atwater, by two-thirds vote **CS for SB 694** was withdrawn from the Committee on Judiciary; and **SB 1554** was withdrawn from the Committee on General Government Appropriations.

On motion by Senator Dockery, by two-thirds vote **CS for SB 390** and **CS for SB 1086** were withdrawn from the Committee on Criminal and Civil Justice Appropriations; and **CS for SB 2484** was withdrawn from the Committee on Rules.

On motion by Senator Constantine, by two-thirds vote **SB 2524** was withdrawn from the Committee on Education Pre-K - 12.

MOTIONS

On motion by Senator King, a deadline of one hour after the availability of engrossed bills was set for filing amendments to Bills on Third Reading to be considered Wednesday, April 30.

On motion by Senator King, by two-thirds vote all bills remaining on the Special Order Calendar this day were placed on the Special Order Calendar for Wednesday, April 30.

MOTIONS RELATING TO COMMITTEE MEETINGS

On motion by Senator King, the rules were waived and the Special Order Calendar Group was granted permission to meet 15 minutes after announcement.

REPORTS OF COMMITTEES

Pursuant to Rule 4.17(2), the President Pro Tempore, the Majority Leader, and the Minority Leader submit the following bills to be placed on the Special Order Calendar for Tuesday, April 29, 2008: SB 42, CS for SB 46, CS for SB 64, SB 226, CS for SB 268, CS for SB 644, CS for SB 886, CS for CS for SB 928, SB 1188, CS for SB 1304, CS for CS for SB 1430, CS for SB 1502, CS for SB 1552, CS for CS for SB 1962, CS for CS for CS for SB 1978, CS for CS for CS for SB 2026, CS for SB 2202, CS for CS for SB 2714

Respectfully submitted,
Lisa Carlton, President Pro Tempore
Daniel Webster, Majority Leader
Steven A. Geller, Minority Leader

MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

The Governor advised that he had filed with the Secretary of State CS for SB 34 which he approved on April 29, 2008.

The following Executive Order was filed with the Secretary:

EXECUTIVE ORDER NUMBER 08-70

(Executive Order of Reinstatement)

WHEREAS, by Executive Order Number 06-68 Christy Fitzgerald was suspended from her position as County Commissioner for Clay County, Florida, effective March 23, 2006 based on an Indictment issued March 23, 2006 charging her with five counts of petit theft and committing official misconduct; and

WHEREAS, on April 14, 2008, a jury acquitted Christy Fitzgerald of the charges underlying her suspension;

NOW THEREFORE, I, CHARLIE CRIST, Governor of Florida, pursuant to Article IV, Section 7(a) of the Florida Constitution and the Laws of the State of Florida, issue this Executive Order:

1. Christy Fitzgerald is reinstated as Clay County Commissioner, effective immediately.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal of the State of Florida to be affixed, at Tallahassee, the Capitol, this 21 day of April, 2008.

Charlie Crist
GOVERNOR

ATTEST:
Kurt S. Browning
SECRETARY OF STATE

[Referred to the Committee on Ethics and Elections.]

REPORTS OF COMMITTEES RELATING TO EXECUTIVE BUSINESS

The Honorable Ken Pruitt
President, The Florida Senate

April 29, 2008

Re: Suspension of:

CHRISTY FITZGERALD
Commissioner
Clay County, Florida

Dear Mr. President:

The Committee on Ethics and Elections submits this final report on the matter of the suspension of Christy Fitzgerald.

By Executive Order Number 06-68 filed with the Secretary of State, the Honorable Jeb Bush, Governor, suspended Christy Fitzgerald as Commissioner of Clay County, Florida. On April 21, 2008, The Honorable Charlie Crist by Executive Order Number 08-70, reinstated The Honorable Christy Fitzgerald to the aforesaid county office.

In view of the foregoing, that no further action by the Senate is authorized or required by the Florida Constitution. I advise and recommend that the Senate take no further action on the above-named suspension during the 2008 Regular Session of the Florida Legislature, and consider the matter closed.

Sincerely,
Lee Constantine, Chair

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

FIRST READING

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has passed CS for HB 173, CS for HB 197, CS for HB 225, HB 461, HB 487, HB 507, CS for HB 791, HB 889, HB 933, CS for HB 935, CS for HB 973, HB 999, HB 1031, HB 1033, HB 1063, HB 1065, HB 1067, HB 1069, CS for HB 1071, HB 1073, HB 1077, CS for HB 1085, CS for HB 1087, HB 1089, HB 1145, HB 1211, CS for HB 1225, CS for HB 1231, HB 1263, CS for HB 1365, HB 1445, CS for HB 1515, CS for HB 1543, HB 1545, CS for HB 1547; has passed as amended CS for HB 547, CS for HB 559, CS for HB 643, HB 669, CS for HB 787, CS for CS for HB 887, CS for HB 1429, CS for CS for HB 1459; has passed by the required constitutional two-thirds vote of the members present HB 7033 and requests the concurrence of the Senate.

William S. Pittman III, Chief Clerk

By the Safety and Security Council; and Representative N. Thompson and others—

CS for HB 173—A bill to be entitled An act relating to controlled substances; amending s. 893.02, F.S.; defining the term "cultivating" for specified purposes; amending s. 893.1351, F.S.; prohibiting a person from owning or actually or constructively possessing a place, structure, trailer, or other described place with knowledge that the place will be used to manufacture, sell, or traffic in a controlled substance; providing that possession of a specified number or more of cannabis plants constitutes prima facie evidence of intent to sell or distribute; providing that a person with actual or constructive possession of a place, structure, trailer, or conveyance being used to manufacture a controlled substance for sale and distribution commits a felony of the first degree if a minor is present or resides in the place, structure, trailer, or conveyance; providing criminal penalties; amending s. 893.10, F.S.; providing that equipment used in the manufacture of controlled substances may be photographed or video recorded and the photograph or video recording used as evidence for later use at trial; providing for the destruction of the equipment; amending s. 921.0022, F.S.; ranking specified offenses in the offense severity ranking chart of the Criminal Punishment Code; amending ss. 465.016, 465.023, and 893.135, F.S.; conforming cross-references; providing an effective date.

—was referred to the Committees on Criminal Justice; and Judiciary.

By the Environment and Natural Resources Council; and Representative Kendrick—

CS for HB 197—A bill to be entitled An act relating to pest control; creating s. 570.345, F.S., the Pest Control Compact; providing for enactment of the compact; requiring the Commissioner of Agriculture to administer the compact; requiring that an application for assistance under the compact be made by the commissioner; providing for crediting of funds to appropriate accounts of a state treasury under certain circumstances; providing findings with respect to the need for all states to cooperate in pest-eradication and control programs; providing definitions; providing for the establishment of the Pest Control Insurance Fund for the purpose of financing pest-control operations under the compact; specifying sources of funds deposited into the Pest Control Insurance Fund and any conditions that may be placed on such funds;

providing for the Pest Control Insurance Fund to be administered by a Governing Board and Executive Committee; providing for the internal operations and management of the Governing Board; requiring an annual report to the Governor and Legislature of each state that is a party to the compact; providing for the administration of the compact and the Pest Control Insurance Fund; providing procedures for applying for an expenditure from the fund; providing for a determination with respect to expenditures from the fund and for the review thereof; authorizing the Governing Board to establish advisory and technical committees; providing for an application for assistance from the fund on behalf of a nonparty state; providing requirements for the fund with respect to preparing budgets and maintaining financial assets; prohibiting a pledge of the assets of a state that is a party to the compact; providing for the compact to enter into force upon its enactment by five or more states; providing a procedure for a state to withdraw from the compact; providing for construction and severability; providing an effective date.

—was referred to the Committees on Agriculture; Governmental Operations; and Judiciary.

By the Safety and Security Council; and Representative Kiar and others—

CS for HB 225—A bill to be entitled An act relating to telephone caller identification; providing a short title; creating s. 817.487, F.S.; prohibiting entering or causing to be entered false information into a telephone caller identification system with the intent to deceive, defraud, or mislead; prohibiting placing a call knowing that false information was entered into the telephone caller identification system; providing definitions; providing exceptions; providing penalties; providing that a violation is an unlawful trade practice under specified provisions; providing for enhancement of penalties when a violation is committed during the commission of a criminal offense or when a violation facilitates a criminal offense; providing an effective date.

—was referred to the Committees on Commerce; and Criminal Justice.

By Representative Patronis and others—

HB 461—A bill to be entitled An act relating to health flex plans; amending s. 408.909, F.S.; revising eligibility for enrollment in a health flex plan; extending the expiration date of the health flex plan program; providing an effective date.

—was referred to the Committees on Banking and Insurance; and Health and Human Services Appropriations.

By Representative Nehr and others—

HB 487—A bill to be entitled An act relating to Pasco County; repealing chapter 71-841, Laws of Florida, relating to the issuance of special alcoholic beverage licenses to restaurants accommodating at least 200 patrons and occupying more than 4,000 square feet of floor space; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By Representative Bean—

HB 507—A bill to be entitled An act relating to Bradford County; providing career service status for certain employees of the Bradford County Sheriff's Office; providing definitions; providing for transition between administrations; providing for appeals procedures; providing for career service appeals boards; providing proceedings and provisions with respect to disciplinary suspension and dismissal; providing severability; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By the Government Efficiency and Accountability Council; and Representative Kreegel—

CS for HB 791—A bill to be entitled An act relating to the DeSoto County Hospital District; amending chapter 2004-450, Laws of Florida; providing the nature of the district; providing for sovereign immunity; providing additional powers of the district; revising provisions relating to the destruction of records; providing for treatment of prisoners or county officers admitted to any hospital operated or leased by the district; providing for personnel; providing contract requirements for lease of facilities to not-for-profit corporations; providing for self-insurance plans; deleting certain requirements for insurance policy contracts; providing for liens for collection of charges; providing applicability; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By Representative Ambler and others—

HB 889—A bill to be entitled An act relating to Hillsborough County; amending chapter 2004-414, Laws of Florida, relating to projects for which payment and performance bonds may be waived for the construction of a public building, for the prosecution and completion of a public work, or for repairs on a public building under certain circumstances; increasing the number of such projects on which a small business may successfully bid before becoming ineligible for certain additional bidding; extending the sunset date of chapter 2004-414, Laws of Florida; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By Representative Domino—

HB 933—A bill to be entitled An act relating to the Indian Trail Improvement District, Palm Beach County; amending chapter 2002-330, Laws of Florida; expanding the territorial boundaries of the district; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By the Government Efficiency and Accountability Council; and Representative Cretul—

CS for HB 935—A bill to be entitled An act relating to the Marion County Hospital District; codifying, amending, reenacting, and repealing special laws relating to the district; providing a status statement; providing legislative intent; providing definitions; providing boundaries of the district; providing for a board of trustees of the district; providing for appointment of board members; providing powers and organization of the board; providing for a hospital or clinic in the district; providing for construction funds for such hospital or clinic; providing for a training school for nurses; providing that the board has the power of eminent domain; providing for the board to borrow money; providing for general obligation bonds; providing for taxation; providing for board approval of bonds; providing procedures for bond elections; providing for form and type of bonds; providing for resolution authorizing bonds; providing that the board may include more than one improvement or hospital purpose on a bond issue; providing for advertisement and publication; providing for refunding bonds; providing for legal investments; providing for revenue bonds; providing for payment of funds by warrant; providing for levy of ad valorem tax; providing for taxes to be authorized by resolution; providing for payment of expenses; providing for contractual authority; providing for publication of annual statement; providing that hospitals or clinics shall be established for the benefit of residents of the district; providing for rules and regulations regarding physicians; providing that the board may secure insurance; providing for construction; providing for record destruction; providing severability; repealing chapters 65-

1905, 69-1296, 70-802, 71-764, 71-765, 71-766, 71-767, and 75-437, Laws of Florida, to conform; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By the Government Efficiency and Accountability Council; and Representative Domino—

CS for HB 973—A bill to be entitled An act relating to the South Indian River Water Control District, Palm Beach County; amending chapter 2001-313, Laws of Florida; providing for the dedication of certain nonpublic roads within the district to the public for district maintenance; providing requirements for such dedication; providing for prima facie evidence of district ownership of a road; exempting certain property of an electric utility; providing a method of claiming interest in affected property; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By Representative Williams—

HB 999—A bill to be entitled An act relating to the Fort Myers Beach Fire Control District, Lee County; amending chapter 2000-422, Laws of Florida; amending the boundaries of the district; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By Representative Williams—

HB 1031—A bill to be entitled An act relating to Lee County; amending chapter 74-522, Laws of Florida, as amended; revising the qualifications for employment or reemployment as a classified employee of the Lee County Sheriff's Office; providing definitions; revising and providing provisions relating to the funding of civil service board and retirement health insurance benefits; providing membership qualifications for participation in the Lee County Sheriff's Office group health insurance plan; specifying payment and premium provisions of the plan; specifying to whom benefits may be payable; providing participation requirements for certain terminated employees prior to their receiving a retirement benefit; requiring the office to be a secondary payor to certain coverage held from previous or subsequent employers; providing schedule requirements for employer premiums; providing the effect of Medicare eligibility; providing for methods of premium payments; providing a limitation on the selection of continued insurance benefits; providing the effect in instances of the death of an insured retiree; providing applicability to all classified and unclassified members of the office; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By Representative Domino—

HB 1033—A bill to be entitled An act relating to the Police Pension Fund of the City of West Palm Beach, Palm Beach County; amending chapter 24981 (1947), Laws of Florida, as amended; revising the definition of "retirement"; providing applicability of certain investment policy guidelines; providing statutory limitations on investments in foreign investments; providing additional standards for the performance of duties by the Board of Trustees relating to investments; deleting provisions relating to investments and purchases of securities, uninvested cash, and minimum investment standards; providing for transfer to the fund of certain members' leave payments remaining after required contributions to health savings accounts; providing for reemployment after retirement by a public or private employer, reemployment after retirement inside or outside the police department, reemployment of terminated vested persons, and reemployment of DROP participants; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By Representative Seiler—

HB 1063—A bill to be entitled An act relating to Broward County; amending chapter 98-521, Laws of Florida; revising membership of the South Broward Utility Advisory Board to provide for appointment of members by the Town of Southwest Ranches rather than the Broward County Commission; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By Representative Seiler—

HB 1065—A bill to be entitled An act relating to Broward County; repealing chapters 28946 (1953), 30626 (1955), 57-1196, 61-1964, 63-1169, and 63-1179, Laws of Florida, relating to plats and the platting of lands located in Broward County; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By Representative Seiler—

HB 1067—A bill to be entitled An act relating to Broward County; repealing chapter 61-1960, Laws of Florida, relating to tax assessor's authority to make, reproduce, or procure plats of lands that were previously subdivided for which no plat had been recorded; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By Representative Seiler—

HB 1069—A bill to be entitled An act relating to Broward County; repealing chapter 74-442, Laws of Florida, relating to prohibiting the governing body of a municipality from annexing any property lying within Broward County unless such municipality has adopted a land use plan; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By the Government Efficiency and Accountability Council; and Representative Seiler—

CS for HB 1071—A bill to be entitled An act relating to the Cities of Lauderhill, Plantation, and Fort Lauderdale, Broward County; adjusting the corporate limits of the Cities of Lauderhill, Plantation, and Fort Lauderdale to include within, or exclude from, such corporate limits a specified parcel and portions of rights-of-way and to remedy the creation of an enclave; providing for transfer of public roads and rights-of-way; providing for certain powers over the annexed area; providing for continuation of contracts in effect prior to annexation; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By Representative Seiler—

HB 1073—A bill to be entitled An act relating to the Hillsboro Inlet District, Broward County; amending chapter 99-433, Laws of Florida, as amended; revising language relating to appointment of members of the commission; revising the number of members of the district required for a quorum; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By Representative Reagan—

HB 1077—A bill to be entitled An act relating to the West Villages Improvement District, Sarasota County; amending chapter 2004-456, Laws of Florida, as amended; expanding the territorial boundaries of the district; providing for a referendum; providing an effective date.

—was referred to the Committee on Rules.

By the Government Efficiency and Accountability Council; and Representative Anderson—

CS for HB 1085—A bill to be entitled An act relating to the Pinellas County Sheriff's Civil Service System; amending chapter 89-404, Laws of Florida, as amended; deleting intent relating to collective bargaining; limiting application; revising the definition of "personnel"; revising positions covered in the Classified and Unclassified Services; providing effect of participating in the Florida Retirement System's Senior Management Service Class; providing for Certified Executive Staff; providing additional causes for member suspension or dismissal; providing duties of the Civil Service Board regarding appeals; providing authority of the Division of Administrative Hearings under certain circumstances; revising provisions relating to the timeframe for filing a notice of appeal and for disposing of appeals and making findings of fact and stating a conclusion; removing a provision relating to certified personnel status as appointed officers; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By the Government Efficiency and Accountability Council; and Representative Frishe—

CS for HB 1087—A bill to be entitled An act relating to the City of Belleair Beach, Pinellas County; authorizing the City Council of the City of Belleair Beach to hold regular and special meetings outside the jurisdictional limits of the city as prescribed by ordinance, resolution, or interlocal agreement; encouraging the council to hold meetings in close proximity to the people it serves; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By Representative Hooper—

HB 1089—A bill to be entitled An act relating to the City of Clearwater, Pinellas County; amending chapter 30658 (1955), Laws of Florida, as amended; updating terminology; revising the interval at which actuarial valuations of the city's fire pension fund shall be made; providing eligibility for election to the board of trustees of the fire pension fund; providing that board members may be appointed in certain circumstances; removing a requirement for payment of certain warrants; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By Representative Poppell—

HB 1145—A bill to be entitled An act relating to the Canaveral Port District, Brevard County; amending chapter 2003-335, Laws of Florida; amending the powers and duties of the district; authorizing the district to establish a direct-support organization to receive, hold, invest, and administer property, make expenditures to or for the benefit of the district, and promote the development and expansion of the economic, historical, and cultural contributions of the maritime industry of the district; providing powers and duties of the organization; providing for membership of the board of directors of the organization; providing for the budget and financial audit of the organization; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By Representative Taylor—

HB 1211—A bill to be entitled An act relating to the Shawano Water Control District, Palm Beach County; amending chapter 2002-382, Laws of Florida; expanding the territorial boundaries of the district; providing for a referendum; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By the Government Efficiency and Accountability Council; and Representative Glorioso and others—

CS for HB 1225—A bill to be entitled An act relating to Hillsborough County; amending chapter 2001-299, Laws of Florida, relating to the Public Transportation Commission; providing for certain national criminal history background checks; authorizing the issuance of temporary public vehicle driver's licenses; providing for an exception to a public driver's license requirement; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By the Government Efficiency and Accountability Council; and Representative R. Saunders and others—

CS for HB 1231—A bill to be entitled An act relating to the Key Largo Wastewater Treatment District, Monroe County; amending chapter 2002-337, Laws of Florida; providing that the district is not subject to local regulations governing discharge of effluent and is not obligated to obtain licenses, permits, or authorizations required by local regulating agencies; requiring the district to provide the county with a notice of development; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By Representative Needelman—

HB 1263—A bill to be entitled An act relating to Brevard County; amending chapter 2000-451, Laws of Florida, as amended; extending the expiration date for the clam harvesting licensure program; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By the Government Efficiency and Accountability Council; and Representative Seiler—

CS for HB 1365—A bill to be entitled An act relating to Tindall Hammock Irrigation and Soil Conservation District, Broward County; amending chapter 98-523, Laws of Florida; providing for the addition of certain lands into the district; providing for the deletion of certain lands from the district; providing the board with the power to own, acquire, construct, operate, and improve water systems and sewer systems within and without the district; amending the amount for which advertisement for bids is required for the procurement by the district of contractual services and purchase of goods, supplies, and materials to comply with general law; providing additional requirements for the procurement of goods and services and contracts for improvements to district facilities; providing for the election of supervisors; redesignating the office of president of the board to chair of the board; creating the office of vice chair of the board; providing for a designation of who shall preside at meetings of the board; providing for the election of officers of the board; providing for the calling of special meetings of the board; providing the maximum allowable interest rate on loans, notes, bonds, assessments, and other obligations of the district; revising the district's bond criteria and provisions; providing that the meeting place of the district shall be in Broward County; deleting obsolete provisions; revising inconsistent provisions; revising provisions relating to controlling, regulating, and maintaining water systems and sewer systems within and without the district; providing severability; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By Representative Ausley—

HB 1445—A bill to be entitled An act relating to the City of Tallahassee, Leon County; authorizing the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation to issue up to a specified number of temporary permits to a nonprofit civic organization to sell alcoholic beverages for consumption on the premises at outdoor events on public right-of-way in the downtown area of Tallahassee; providing that such events require a street-closure permit from the City of Tallahassee; providing that the permits authorized by the act are in addition to certain other authorized temporary permits; requiring the nonprofit civic organization to comply with certain statutory requirements in obtaining the permits authorized by the act; requiring the division to adopt rules; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By the Government Efficiency and Accountability Council; and Representative Gardiner—

CS for HB 1515—A bill to be entitled An act relating to the City of Orlando Firefighter Pension Fund, Orange County; amending chapter 23444, Laws of Florida, 1945, as amended; providing definitions of "legal guardian" and "guardians of said issue"; clarifying the amount of certain disability pension; providing that surviving spouses and other beneficiaries are entitled to cost of living increases upon the death of eligible firefighters; approving ordinances enacted by the City of Orlando concerning the firefighter pension plan; providing that the act is contingent upon a collective bargaining agreement; providing retroactive effect; providing effective dates.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By the Government Efficiency and Accountability Council; and Representative Coley—

CS for HB 1543—A bill to be entitled An act relating to the Jackson County Sheriff's Office; providing permanent status for certain employees of the Sheriff; specifying rights of employees; providing procedures for appeal of disciplinary actions and complaints against employees; providing for transition between sheriffs; providing for the appointment of career service appeals boards to hear appeals and procedures with respect thereto; providing for complaints against employees; providing applicability; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By Representative McKeel—

HB 1545—A bill to be entitled An act relating to the City of Lakeland, Polk County; amending the Charter of the City of Lakeland; providing for replacing all current members of the civil service board; increasing membership of the board; deleting an obsolete provision; providing that the civil service director shall be a city employee and supervised by the city manager; providing membership of the pension board; providing qualification of members; providing that the board may employ a retirement services director; providing duties of the retirement services director; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By the Government Efficiency and Accountability Council; and Representative Coley—

CS for HB 1547—A bill to be entitled An act relating to the Wakulla County Sheriff's Office; providing permanent status for certain employees of the Sheriff; specifying rights of employees; providing procedures for appeal of disciplinary actions and complaints against employees; providing for transition between sheriffs; providing for the appointment of career service appeals boards to hear appeals and procedures with respect thereto; providing for complaints against employees; providing applicability; providing an effective date.

Proof of publication of the required notice was attached.

—was referred to the Committee on Rules.

By the Environment and Natural Resources Council; and Representative Kreegel—

CS for HB 547—A bill to be entitled An act relating to water pollution control; amending s. 403.067, F.S.; providing requirements for basin management action plans; allowing such plans to take into account the benefits of pollutant load reduction achieved by point or nonpoint sources, where appropriate; requiring that the Department of Environmental Protection adopt all or part of any such plan, or any amendment thereto, by secretarial order as provided by state law; providing that the provisions of the department's rule relating to the equitable abatement of pollutants into surface waters may not be applied to water bodies or water body segments for which a basin management plan that takes into account future or new expanded activities or discharges has been adopted; authorizing water quality protection programs to include the trading of water quality credits; authorizing the department to adopt rules related to the trading of water quality credits; requiring that such rulemaking include certain provisions; specifying that a water quality credit trading pilot project be limited to the Lower St. Johns River Basin as a pilot project; requiring that the department provide the Legislature with an annual report regarding the effectiveness of the pilot project; providing report requirements; providing that the department may authorize and establish specific requirements for water quality credit trading as part of the Lower St. Johns River Basin adopted basin management action plan; correcting cross-references to conform to changes made by the act; amending s. 403.088, F.S.; authorizing the department to revise a water pollution operation permit under certain circumstances; authorizing the department to issue, renew, or reissue such a permit if a water quality credit trade meets the requirements of 403.067, F.S.; requiring that revised permits be accompanied by an order estab-

lishing a schedule for achieving compliance with all permit conditions; providing an effective date.

—was referred to the Committees on Environmental Preservation and Conservation; and Community Affairs.

By the Safety and Security Council; and Representative Schenck and others—

CS for HB 559—A bill to be entitled An act relating to material harmful to minors; amending s. 847.001, F.S.; redefining the term "harmful to minors"; amending s. 847.011, F.S.; providing that it is a third-degree felony for any person to sell, distribute, transmit, advertise, or possess with the intent to sell, distribute, transmit, or advertise certain materials to minors; providing that ignorance of a minor's age or the minor's consent is not a defense in a prosecution for such a violation; providing penalties; amending s. 847.012, F.S.; prohibiting a person from knowingly using a minor in the production of certain materials, regardless of whether those materials are intended for distribution to minors or actually distributed to minors; providing a penalty; providing that ignorance of a minor's age or the minor's consent is not a defense in a prosecution for specified violations; amending s. 847.013, F.S.; providing that ignorance of a minor's age or the minor's consent is not a defense in a prosecution for specified violations; revising legislative intent concerning the enforcement of such laws with respect to minors; amending s. 847.0133, F.S.; revising terminology; amending s. 921.0022, F.S., relating to the offense severity ranking chart of the Criminal Punishment Code; establishing offense levels to conform to changes made by the act; providing an exemption to sections amended by this act for providers of communications services and providers of information services in certain circumstances; providing an effective date.

—was referred to the Committees on Criminal Justice; Commerce; and Judiciary.

By the Jobs and Entrepreneurship Council; and Representative Ford and others—

CS for HB 643—A bill to be entitled An act relating to foreclosure fraud; creating s. 501.1377, F.S.; providing legislative findings and intent with respect to the need to protect homeowners who enter into agreements designed to save their homes from foreclosure; providing definitions; prohibiting a foreclosure-rescue consultant from engaging in certain acts or failing to perform contracted services; requiring that all agreements for foreclosure-related rescue services and foreclosure-rescue transactions be in writing; specifying information that must be in the written agreement; requiring that certain statements in the written agreement be in uppercase letters and of a specified size; providing that the homeowner has a right to cancel the agreement for a specified period and the right may not be waived; providing that the homeowner has a specified period during which to cure a default under certain circumstances; requiring equity purchasers to assume or discharge certain liens; requiring that an equity purchaser verify the homeowner's ability to make payments under a repurchase agreement; providing price limitations for repurchase transactions; providing for a rebuttable presumption of certain transactions being unconscionable under certain circumstances; providing for limited application of the presumption; providing an exclusion; providing that a foreclosure-rescue transaction involving a lease option or other repurchase agreement creates a rebuttable presumption that the transaction is a loan transaction and the conveyance from the homeowner to the equity purchaser is a mortgage; providing limited application of the presumption; providing an exclusion; providing that a person who violates certain provisions commits an unfair and deceptive trade practice as defined in part II of ch. 501, F.S.; providing penalties; repealing s. 501.2078, F.S., relating to violations involving individual homeowners during the course of residential foreclosure proceedings; providing an effective date.

—was referred to the Committees on Banking and Insurance; and Judiciary.

By Representative N. Thompson and others—

HB 669—A bill to be entitled An act relating to school safety; creating s. 1006.147, F.S.; providing a short title; prohibiting bullying and harassment of any student or employee of a public K-12 educational institution; providing definitions; requiring each school district to adopt a policy prohibiting such bullying and harassment; providing minimum requirements for the contents of the policy; requiring the Department of Education to develop a model policy; providing immunity; providing restrictions with respect to defense of an action and application of the section; requiring department approval of a school district's policy and school district compliance with reporting procedures as prerequisites to receipt of safe schools funds; requiring a report on implementation; providing for construction; providing for severability; providing an effective date.

—was referred to the Committees on Education Pre-K - 12; and Criminal Justice.

By the Environment and Natural Resources Council; and Representative Flores—

CS for HB 787—A bill to be entitled An act for the relief of Brian Daiagi by the South Florida Water Management District; authorizing and directing the South Florida Water Management District to compensate Brian Daiagi for personal injuries that he suffered due to the negligence of the South Florida Water Management District; providing a limitation on attorney's fees, lobbying fees, costs, and other similar expenses relating to the claim; providing an effective date.

—was referred to the Special Master; and the Committee on Environmental Preservation and Conservation.

By the Policy and Budget Council; Government Efficiency and Accountability Council; and Representative Coley and others—

CS for CS for HB 887—A bill to be entitled An act relating to the Career Service System; amending s. 110.227, F.S.; revising criteria for certain rules and procedures for the suspension, reduction in pay, transfer, layoff, demotion, and dismissal of employees in the career service; increasing the amounts of time in which to submit grievances and respond to grievances; revising notice requirements; increasing the amount of time in which the employee must file an appeal to the Public Employees Relations Commission; revising procedures applicable to appeals filed with the commission; providing for the removal and placement of certain career service employees serving a probationary period; providing an effective date.

—was referred to the Committees on Governmental Operations; and Judiciary.

By the Healthcare Council; and Representative Gardiner—

CS for HB 1429—A bill to be entitled An act relating to mental health and substance abuse services; amending s. 394.9082, F.S.; providing legislative findings and intent; providing definitions; providing service delivery strategies; providing for data sharing agreements; establishing a process for the Department of Children and Family Services to contract with community-based managing entities; specifying criteria for contracts between the department and managing entities for the provision of behavioral health services; establishing goals for service delivery; creating community-based systems of care; authorizing the implementation of managing entities by the department; specifying responsibilities of managing entities; specifying roles and responsibilities of the department; specifying management information system requirements; providing for evaluations and reports; providing for a monitoring process; providing rulemaking authority; providing an effective date.

—was referred to the Committees on Children, Families, and Elder Affairs; Governmental Operations; and Health and Human Services Appropriations.

By the Policy and Budget Council; Economic Expansion and Infrastructure Council; and Representative Lopez-Cantera—

CS for CS for HB 1459—A bill to be entitled An act relating to discretionary surtax on documents; amending s. 3, ch. 83-220, Laws of Florida, as amended; extending a future repeal date of provisions authorizing counties to levy a discretionary surtax on documents; amending s. 125.0167, F.S.; limiting the percentage of surtax revenues that may be used for administrative costs; specifying a minimum amount of surtax revenues to be used for housing for certain low-income and moderate-income families; requiring an affirmative vote of a local government governing body to rehabilitate certain governmentally owned housing; requiring certain remaining revenues to be used for down payment assistance; authorizing certain counties to create by ordinance a housing choice assistance voucher program; providing definitions; providing eligibility requirements for such vouchers; authorizing purchasing employers to file for allocations for such vouchers; limiting allocations; requiring distribution of allocations to employees in the form of such vouchers; prohibiting use of allocations for such vouchers if not awarded within a time certain after certain documentary stamps taxes are collected; amending s. 201.031, F.S.; expanding requirements for counties levying the discretionary surtax to include housing plan, affordable housing element, and annual reporting requirements; requiring the Auditor General to conduct a biennial operational audit of the discretionary surtax program operated by counties; requiring a report; providing an effective date.

—was referred to the Committees on Community Affairs; and Finance and Tax.

By the Government Efficiency and Accountability Council; and Representative Gardiner—

HB 7033—A bill to be entitled An act relating to public records; renumbering and amending s. 119.0711(1), F.S.; transferring provisions which provide a public records exemption for complaints and other records in the custody of any agency in the executive branch of state government which relate to a complaint of discrimination; expanding the exemption to provide for applicability to any agency rather than any agency in the executive branch of state government; amending s. 119.071, F.S.; reorganizing provisions; providing for review and repeal of the exemption; providing a statement of public necessity; amending s. 338.223, F.S.; conforming a cross-reference; providing an effective date.

—was referred to the Committees on Judiciary; and Community Affairs.

RETURNING MESSAGES—FINAL ACTION

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has passed CS for SB 192, CS for CS for SB 370, SB 432, CS for CS for SB 704, CS for CS for CS for SB 756, CS for SB 758, CS for SB 794, CS for CS for SB 854, CS for SB 966, CS for SB 1008, CS for CS for SB 1012, CS for CS for SB 1488, SB 2296, CS for SB 2438, CS for SB 2462, CS for SB 2582 and CS for CS for SB 2598; and adopted SM 1742.

William S. Pittman III, Chief Clerk

The bills contained in the foregoing messages were ordered enrolled.

CORRECTION AND APPROVAL OF JOURNAL

The Journal of April 28 was corrected and approved.

CO-INTRODUCERS

Senators Baker—CS for CS for SB 282, CS for CS for SB 1296; Bullard—CS for SB 1552; Dockery—SB 1456; Gaetz—CS for SB 734; Lynn—CS for CS for SB 788, CS for SB 1954, CS for SB 2366

RECESS

On motion by Senator King, the Senate recessed at 4:42 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 10:00 a.m., Wednesday, April 30 or upon call of the President.

Journal of the Senate

Number 20—Regular Session **Wednesday, April 30, 2008**

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CALL TO ORDER

The Senate was called to order by President Pruitt at 10:00 a.m. A quorum present—40:

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Aronberg	Gaetz	Posey
Atwater	Garcia	Rich
Baker	Geller	Ring
Bennett	Haridopolos	Saunders
Bullard	Hill	Siplin
Carlton	Jones	Storms
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dawson	King	Wilson
Dean	Lawson	Wise
Deutch	Lynn	
Diaz de la Portilla	Margolis	

PRAYER

The following prayer was offered by the Rev. Dr. Robert Vernon Lee III, Founding Chairman and Chief Executive Officer, Fresh Ministries, Jacksonville:

I have chosen today two verses in Scripture—one that is common to both Judaism and Christianity, and the other integral to the Christian message. Both hold a theme common to the principles of most religions. The first, Genesis 18:19, reveals God's attitude to us through Abraham. It reads: "I have chosen him, that he may charge his children and the household after him to keep the way of the Lord by doing righteousness and justice." My second verse, Matthew 5:7, reads: "Blessed are the merciful, for they shall obtain mercy."

Let us pray. Dear Lord, we come before you today with thanksgiving, but also with a sense of daunting duty. We come before you understanding the responsibility carried by the men and women of this body—a responsibility to both you and the people of this state—people in great need of elected champions.

Guide our Senators, we pray with a sense of justice and fair play, that opportunity and blessings may be the reward of hard work. Guide our Senators that the land, our resources and the environment of this great state might be preserved. Let us, in the light of justice, understand the Kenyan proverb that we are to be caretakers of all entrusted to us, for we haven't inherited it from our parents, but rather, we have borrowed it from our children.

But let us also be merciful. Help us to remember the words of Frederick Buechner who wrote: "Justice does not preclude mercy. It makes mercy possible. Justice is the pitch of the roof and the structure of the walls. Mercy is the patter of rain on the roof and the life sheltered by the walls. Justice is the grammar of things. Mercy is the poetry of things."

Enable our leaders, dear Lord, to remember the plight in which our homeless, our destitute and our disenfranchised find themselves. Help them to remember the working poor. Help us to find the ways to raise up new generations of children—children who have equal opportunity to live healthy, happy and productive lives. Help our Senators, dear Lord, to wind the poetry of mercy through the grammar of the justice they legislate.

And above all, we call on you, our creator, to help our Senators to live in the clear light of your love. Give them the courage, in all that they do, to stand and share the truth no matter what the personal cost. Maintain in them the strength and the character to create a lasting legacy of hope for all of our citizens in all walks of life.

We know, dear Lord, that whatever we dream in the name of your spirit can be accomplished. But the time for only dreams is past. It is time now to act. Each moment—a gift from you—is not to be carelessly abandoned. Help us to make each second, each moment, rich with possibility—with justice and with mercy.

Envelop us with your love, empower us with your spirit, and lead us with your light. All this we pray in your holy name. Amen.

PLEDGE

Senate Pages Luke Brigham of Orlando; Hannah Ciupalo of Tallahassee; Patrick H. Freeman of Newberry; and Kory Eylmann of New Smyrna Beach, led the Senate in the pledge of allegiance to the flag of the United States of America.

ADOPTION OF RESOLUTIONS

At the request of Senator Ring—

By Senator Ring—

SR 352—A resolution recognizing May 2008 as "Amyotrophic Lateral Sclerosis Awareness Month" in the State of Florida.

WHEREAS, Amyotrophic Lateral Sclerosis (ALS), better known as Lou Gehrig's Disease, is a progressive neurodegenerative disease that affects nerve cells in the brain and spinal cord, and

WHEREAS, the early symptoms of ALS include weakness of the skeletal muscles, especially involving the arms and legs, and difficulty in swallowing, talking, and breathing, and

WHEREAS, ALS eventually causes muscles to atrophy, and the patient becomes a functional quadriplegic, and

WHEREAS, ALS does not affect a patient's mental capacity; therefore, the patient remains alert and aware of his or her loss of motor functions and the inevitability of continued deterioration and death, and

WHEREAS, on average, patients diagnosed as having ALS survive only 2 to 5 years after the diagnosis, and

WHEREAS, research indicates that military veterans are at least 50 percent more likely to develop ALS than those who have not served in the military, and

WHEREAS, ALS has no known cause, means of prevention, or cure, and

WHEREAS, the recognition of an "Amyotrophic Lateral Sclerosis Awareness Month" will increase awareness regarding the circumstances of ALS patients and the terrible impact this disease has not only on the patient but on the patient's family and the larger community and will support the goals of biomedical research on ALS, which are to find the cause or causes of ALS, understand the mechanisms involved in the progression of the disease, and develop effective treatment, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That May 2008 is recognized as "Amyotrophic Lateral Sclerosis Awareness Month" in the State of Florida.

—**SR 352** was introduced, read and adopted by publication.

At the request of Senator Peaden—

By Senator Peaden—

SR 3004—A resolution to encourage the Agency for Health Care Administration and the Department of Health to consider disease management of chronic obstructive pulmonary disease.

WHEREAS, chronic obstructive pulmonary disease (COPD), also known as chronic bronchitis and emphysema, is the fourth leading cause of death in the United States and unlike many diseases yielding to advances in medicine, COPD death rates are not declining but are the top five causes whose prevalence and death rate are rising, and

WHEREAS, COPD is a chronic progressive disease that impacts over 910,644 residents of Florida and affects 32 million persons in the United States, and

WHEREAS, the number of women dying from the disease has surpassed the number of men who have lost their lives to the disease, and

WHEREAS, the primary risk factor for COPD is smoking, approximately 80 to 90 percent of COPD deaths are caused by smoking, and female smokers are nearly 13 times as likely to die from COPD as women who have never smoked, and

WHEREAS, male smokers are nearly 12 times as likely to die from COPD as men who have never smoked, and

WHEREAS, other risk factors for COPD include air pollution, secondhand smoke, a history of childhood respiratory infections, and heredity, and

WHEREAS, the health care cost of COPD in Florida was $948 million in 2002, and there were more than 51,482 hospitalizations due to the disease, an increase of 71.6 percent from 1992, and

WHEREAS, COPD is a primary cause of hospitalization among the aged population throughout the United States, and 65 percent of hospital discharges in 2005 were in the 65-years-or-older population, and

WHEREAS, the annual cost to the nation for COPD in 2007 was estimated to be approximately $42.6 billion, including $26.7 billion in direct health care expenditures, $8 billion in indirect morbidity costs, and $7.9 billion in indirect mortality costs, and

WHEREAS, early diagnosis and management of COPD can effectively reduce the overall financial burden of the illness within public programs, such as Medicaid, as well as in the private sector, and

WHEREAS, there is no cure for COPD, but proper management of the disease can lead to improved quality of life and self-sufficiency on the part of COPD patients cared for within public programs to slow the damage to the heart and lungs of such patients, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That the Senate encourages the Agency for Health Care Administration and the Department of Health to consider disease management of chronic obstructive pulmonary disease in an effort to reduce the financial and clinical burden of COPD illness upon the Medicaid program and the residents of Florida.

—**SR 3004** was introduced, read and adopted by publication.

At the request of Senator Haridopolos—

By Senator Haridopolos—

SR 3010—A resolution recognizing and commending the People to People Student Ambassador Program.

WHEREAS, President Dwight D. Eisenhower believed that ordinary citizens of different nations, if able to communicate directly, would solve their differences and find a way to live in peace, and in 1956 he put those beliefs into action when he created the People to People Ambassador Program, and

WHEREAS, that year President Eisenhower called a special White House conference of American leaders, who joined him in creating the People to People initiative, and as a result the People to People mission developed around personal exchanges and firsthand experiences with other cultures, and

WHEREAS, beginning in 1963, the People to People Student Ambassador Program has sent thousands of young Americans across international borders and to areas within the continental United States to learn what it means to be a good neighbor and a global citizen, and

WHEREAS, following his participation in the 1964 People to People International White House conference, Walt Disney created the "It's a Small World" attraction, which has introduced more than 250 million people to the concept that, despite our differences, our planet's citizens all share the same core values, and

WHEREAS, as Student Ambassadors and governmental leaders travel under the banner of People to People, they represent the best of our country's aspirations: hope, courage, openness, and a love of peace, and

WHEREAS, this summer approximately 3,000 students from the State of Florida will participate in the People to People Student Ambassador Program, helping to exemplify and realize President Eisenhower's insight that "peaceful relations between nations require mutual respect between individuals," and

WHEREAS, in President John F. Kennedy's words, "the nature of People to People activities is as varied as the individuals involved. The housewife whose recipe contains the yeast of kindness, the soldier whose arms embrace homeless waifs, the doctor who heals with humility, all assert a single theme—the power of people, acting as individuals, to respond imaginatively to the world's need for peace," NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That the Florida Senate supports the vision and accomplishments of the People to People Student Ambassador Program and commends all those who have devoted time and effort to its success.

BE IT FURTHER RESOLVED that the Senate applauds the thousands of young Floridians who will serve as People to People Student Ambassadors during the coming summer and in the future.

—**SR 3010** was introduced, read and adopted by publication.

BILLS ON THIRD READING

Consideration of **CS for CS for SB 2212** was deferred.

CS for CS for CS for SB 1544—A bill to be entitled An act relating to energy conservation; amending s. 74.051, F.S.; requiring a court to

conduct a hearing and issue a final judgment on a petition for a taking within specified times after a utility's request for such hearing; amending s. 110.171, F.S.; requiring each state agency to complete a telecommuting program by a specified date which includes a listing of the job classification and positions that the state agency considers appropriate for telecommuting; providing requirements for the telecommuting program; requiring each state agency to post the telecommuting program on its website; amending s. 163.04, F.S.; revising provisions prohibiting restrictions on the use of energy devices based on renewable resources; amending s. 163.3177, F.S.; revising requirements for the future land use element of a local comprehensive plan; requiring that the traffic-circulation element incorporate transportation strategies to reduce greenhouse gas emissions; revising the conservation element of a local comprehensive plan to include factors that affect energy conservation; requiring a land use map of future land use to depict energy conservation; revising the standards, plans, and principles of the housing element of a local comprehensive plan; requiring each unit of local government within an urbanized area to amend the transportation element to incorporate transportation strategies addressing reduction in greenhouse gas emissions; amending s. 186.007, F.S.; authorizing the Executive Office of the Governor to include in the state comprehensive plan goals, objectives, and policies related energy and global climate change; amending s. 187.201, F.S.; adopting provisions of the State Comprehensive Plan concerning the development, siting, and use of low-carbon-emitting electric power plants; amending s. 196.012, F.S.; deleting the definition of the term "renewable energy source device" or "device"; amending s. 196.175, F.S.; providing no exemption shall be granted for renewable energy source devices installed before January 1, 2009; amending s. 206.43, F.S.; requiring each terminal supplier, importer, exporter, blender, and wholesaler to include the number of gallons of gasoline fuel which meet and fail to meet certain requirements in their monthly reports to the Department of Revenue; amending s. 212.08, F.S.; requiring that the Florida Energy and Climate Commission rather than the Department of Environmental Protection implement certain responsibilities concerning eligibility and application for the tax exemption; requiring the commission to adopt, by rule, an application form, including the required content and documentation to support the application, for the taxpayer to use in claiming the tax exemption; amending s. 220.192, F.S.; defining terms relating to a tax credit; allowing certain tax credits to be transferred for a specified period; providing procedures and requirements; authorizing the Department of Revenue to adopt rules; amending s. 220.193, F.S.; defining the terms "sale" or "sold" and "taxpayer"; providing legislative intent concerning retroactive application of certain renewable energy production tax credits; providing for the pass through of a renewable energy production tax credit under certain conditions; providing for retroactive application; amending s. 253.02, F.S.; providing that the Board of Trustees of the Internal Improvement Trust Fund may delegate to the Secretary of Environmental Protection the authority to grant easements on its behalf under certain conditions; amending s. 253.034, F.S.; granting a utility the use of nonsovereignty state-owned lands upon a showing of competent substantial evidence that the use is reasonable; establishing criteria relating to the title, distribution, and cost of such lands; amending s. 255.249, F.S.; requiring state agencies to annually provide telecommuting plans to the Department of Management Services; amending s. 255.251, F.S.; creating the "Florida Energy Conservation and Sustainable Buildings Act"; amending s. 255.252, F.S.; providing findings and legislative intent; providing that it is the policy of the state that buildings constructed and financed by the state, or existing buildings renovated by the state, be designed and constructed with a goal of meeting or exceeding the United States Green Building Council (USGBC) Leadership in Energy and Environmental Design (LEED) rating system, the Green Building Initiative's Green Globes rating system, or the Florida Green Building Coalition standards; requiring each state agency to identify and compile a list of energy-conservation projects that it determines are suitable for a guaranteed energy performance savings contract; amending s. 255.253, F.S.; defining terms relating to energy conservation for buildings; amending s. 255.254, F.S.; prohibiting a state agency from leasing or constructing a facility without having secured from the Department of Management Services an evaluation of life-cycle costs for the building; requiring certain leased buildings to have an energy performance analysis conducted; requiring the owner of any building leased by the state from the private sector to submit provisions for monthly energy use data to the department; amending s. 255.255, F.S.; requiring the department to use sustainable building ratings for conducting a life-cycle cost analysis; amending s. 255.257, F.S.; requiring that energy consumption and cost be reported to the department annually in a format prescribed by the department; providing duties of energy-management coordinators; requiring that the department of Management Services develop a state energy-management plan; requiring that state agencies adopt certain rating systems; prohibiting state agencies from entering into leasing agreements for office space not meeting certain building standards; providing an exception; requiring that state agencies develop energy-conservation measures and guidelines for new and existing office space in which state agencies occupy greater than a specified amount of square footage; providing requirements for such measures; creating s. 286.275, F.S.; requiring the Department of Management Services to develop the Florida Climate Friendly Preferred Products List; requiring state agencies to consult the list and purchase products from the list under certain circumstances; requiring state agencies to contract for meeting and conference space with facilities having the "Green Lodging" designation; authorizing the Department of Environmental Protection to adopt rules; requiring the department to establish voluntary technical assistance programs for various businesses; requiring state agencies to maintain vehicles according to minimum standards and follow certain procedures when procuring new vehicles; requiring state agencies to use ethanol and biodiesel-blended fuels when available; amending s. 287.063, F.S.; prohibiting the payment term for equipment from exceeding the useful life of the equipment unless the contract provides for the replacement or the extension of the useful life of the equipment during the term of the deferred payment contract; amending s. 287.064, F.S.; authorizing an extension of the master equipment financing agreement for energy conservation equipment; requiring the guaranteed energy, water, and wastewater performance savings contractor to provide for the replacement or the extension of the useful life of the equipment during the term of the contract; amending s. 287.16, F.S.; requiring the Department of Management Services to conduct an analysis of the Department of Transportation's ethanol and biodiesel use and encourage other state agencies to analyze transportation fuel usage and report such information to the Department of Management Services; amending s. 288.1089, F.S.; defining the term "alternative and renewable energy"; detailing the conditions for an alternative and renewable energy project to be eligible for an innovation incentive award; amending s. 337.401, F.S.; requiring the Department of Environmental Protection to adopt rules relating to the placement of and access to aerial and underground electric transmission lines having certain specifications; defining the term "base-load generating facilities"; amending s. 339.175, F.S.; requiring each metropolitan planning organization to develop a long-range transportation plan that, among other considerations, provides for sustainable growth and reduces greenhouse gas emissions; amending s. 366.82, F.S.; requiring the Public Service Commission to adopt rules requiring utilities to offset 20 percent of their annual load-growth through energy efficiency and conservation measures; requiring the commission to create an in-state market for tradable credits enabling those utilities that exceed the conservation standard to sell credits to those that cannot meet the standard for a given year; requiring that the commission conduct a periodic review; requiring the commission to require municipal and cooperative utilities that are exempt from the Energy Efficiency and Conservation Act to submit an annual report identifying energy efficiency and conservation goals and the actions taken to meet those goals; requiring that the Florida Energy and Climate Commission be a party in the proceedings to adopt goals and file with the Public Service Commission comments on the proposed goals; requiring the Public Service Commission to use certain methodologies in the evaluation of demand-side management programs; amending s. 366.8255, F.S.; redefining the term "environmental compliance costs" to include costs or expenses prudently incurred for scientific research and geological assessments of carbon capture and storage for the purpose of reducing an electric utility's greenhouse gas emissions; amending s. 366.91, F.S.; providing definitions; requiring each public utility, municipal electric utility, and rural electric cooperative to develop a standardized interconnection agreement and net metering program for customer-owned renewable generation; provides for rulemaking and the filing of certain reports; providing definitions; requiring the commission to adopt a renewable portfolio standard by rule; requiring that the rule be ratified by the Legislature; providing that the rule must be submitted for legislative approval by February 1, 2009; specifying criteria for the rule development; allowing for full cost recovery of certain reasonable and prudent costs prior to the ratification of the rule; requiring each municipal electric utility and rural electric cooperative to develop standards for the use of renewable energy resources and energy conservation measures and submit a report to the Public Service Commission which identifies such standards; amending s. 366.93, F.S.; revising the definitions of "cost" and "preconstruction"; requiring the Public Service Commission to establish rules relating to cost recovery for the construction of new, expanded, or relocated electrical transmission

lines and facilities for alternative energy technologies; transferring the State Energy Program from the Department of Environmental Protection to the Florida Energy and Climate Commission; creating s. 377.6015, F.S.; creating the Florida Energy and Climate Commission; providing for the appointment and qualifications of members; providing for meetings, duties, and authority of the commission; authorizing the commission to adopt rules; amending s. 377.602, F.S.; revising definitions; amending ss. 377.603, 377.604, 377.605, and 377.606, F.S.; conforming provisions to changes made by the act; amending s. 377.701, F.S.; assigning responsibility for petroleum allocation and conservation to the commission rather than the Department of Environmental Protection; amending s. 377.703, F.S.; assigning additional duties to the Florida Energy and Climate Commission relating to state energy policy; deleting definitions; conforming cross-references; amending s. 377.705, F.S.; revising legislative intent relating to solar energy standards; amending s. 377.801, F.S.; revising a short title; amending s. 377.802, F.S.; revising the purpose of the Florida Energy and Climate Protection Act; amending s. 377.803, F.S.; revising definitions; amending s. 377.804, F.S.; assigning responsibility for the Renewable Energy and Energy-Efficient Technologies Grant Program to the Florida Energy and Climate Commission rather than the Department of Environmental Protection; requiring the commission to develop policies relating to commercialized products developed under a state grant; requiring grant applications to include an affidavit attesting to the veracity of statements in the application; amending s. 377.806, F.S.; providing for administration of the Solar Energy System Incentives Program by the Florida Energy and Climate Commission rather than the Department of Environmental Protection; requiring compliance with the Florida Building Code rather than local codes in order to be eligible for a rebate under the program; creating s. 377.808, F.S.; creating the Florida Green Government Grants Act; providing a short title; requiring the Florida Energy and Climate Commission to award grants to assist local governments in the development of programs that achieve green standards; requiring the commission to adopt rules; providing requirements for the rules; limiting the number of grant applications by a local government; limiting the number of active projects that may be conducted by a local government; requiring the commission to perform an overview of each grant; repealing s. 377.901, F.S., relating to the Florida Energy Commission within the Department of Environmental Protection; creating s. 377.921, F.S., relating to qualified solar energy systems; providing definitions; allowing a public utility to recover certain costs; amending ss. 380.23 and 403.031, F.S.; conforming cross-references; creating s. 403.44, F.S.; creating the Florida Climate Protection Act; defining terms; requiring the Department of Environmental Protection to establish the methodologies, reporting periods, and reporting systems that must be used when major emitters report to The Climate Registry; authorizing the department to adopt rules for a cap-and-trade regulatory program to reduce greenhouse gas emissions from major emitters; providing for the content of the rule; amending s. 403.502, F.S.; providing legislative intent; amending s. 403.503, F.S.; defining the term "alternate corridor" and redefining the term "corridor" for purposes of the Florida Electrical Power Plant Siting Act; amending s. 403.504, F.S.; requiring the Department of Environmental Protection to determine whether a proposed alternate corridor is acceptable; amending s. 403.506, F.S.; exempting an electric utility from obtaining certification under the Florida Electrical Power Plant Siting Act before constructing facilities for a power plant using nuclear materials as fuel; providing that a utility may obtain separate licenses, permits, and approvals for such construction under certain circumstances; exempting such provisions from review under ch. 120, F.S.; amending s. 403.5064, F.S.; requiring an applicant to submit a statement to the department if such applicant opts for consideration of alternate corridors; amending s. 403.5065, F.S.; providing for conforming changes; amending s. 403.50663, F.S.; providing for notice of meeting to the general public; amending s. 403.50665, F.S.; requiring an application to include a statement on the consistency of directly associated facilities constituting a "development"; requiring the Department of Environmental Protection to address at the certification hearing the issue of compliance with land use plans and zoning ordinances for a proposed substation located in or along an alternate corridor; amending s. 403.507, F.S.; providing for reports to be submitted to the department no later than 100 days after certification application has been determined complete; amending s. 403.508, F.S.; providing for land use and certification hearings; amending s. 403.509, F.S.; requiring the Governor and Cabinet sitting as the siting board to certify the corridor having the least adverse impact; authorizing the board to deny certification or allow a party to amend its proposal; amending s. 403.511, F.S.; providing for conforming changes; amending s. 403.5112, F.S.; providing for filing of notice; amending s. 403.5113, F.S.; providing for postcertification amendments and postcertification review; amending s. 403.5115, F.S.; requiring the applicant proposing the alternate corridor to publish all notices relating to the application; requiring that such notices comply with certain requirements; requiring that notices be published at least 45 days before the rescheduled certification hearing; amending ss. 403.516, 403.517, and 403.5175, F.S.; providing conforming changes and cross-references; amending s. 403.518, F.S.; authorizing the Department of Environmental Protection to charge an application fee for an alternate corridor; amending ss. 403.519, 403.5252, 403.526, 403.527, 403.5271, 403.5272, 403.5312, 403.5363, 403.5365, and 403.814, F.S., relating to determinations of need and general permits; conforming provisions to changes made by the act; amending s. 403.7031, F.S.; prohibiting a county or municipality from using in practice any definition inconsistent with certain statutes; creating s. 403.7055, F.S.; encouraging counties in the state to form regional solutions to the capture and reuse or sale of methane gas from landfills and wastewater treatment facilities; requiring the Department of Environmental Protection to provide guidelines and assistance; amending s. 403.814, F.S., relating to general permits; conforming provisions; amending s. 489.145, F.S.; revising provisions of the Guaranteed Energy Performance Savings Contracting Act; renaming the act as the "Guaranteed Energy, Water, and Wastewater Performance Savings Contracting Act"; requiring that each proposed contract or lease contain certain agreements concerning operational cost-saving measures; redefining terms; defining the term "investment grade energy audit"; requiring that certain baseline information, supporting information, and documentation be included in contracts; requiring the office of the Chief Financial Officer to review contract proposals; providing audit requirements; requiring contract approval by the Legislature or Chief Financial Officer; creating s. 526.203, F.S.; providing definitions; requiring that on or after a specified date all gasoline sold in the state contain a specified percent of agriculturally derived denatured ethanol; providing for exemptions; creating s. 526.204, F.S.; providing for the requirements to be suspended during a declared emergency; providing an exemption if a supplier or other distributor is unable to obtain the required fuel at the same or lower price than the price of unblended gasoline; requiring that documentation be provided to the Department of Revenue; creating s. 526.205, F.S.; providing for enforcement of the requirement for gasoline content; providing penalties; providing for the Department of Revenue to grant an extension of time to comply with the requirement; creating s. 526.206, F.S.; authorizing the Department of Revenue and the Department of Agriculture and Consumer Services to adopt rules; requiring the Florida Energy Commission to conduct a study of the lifecycle greenhouse gas emissions associated with all renewable fuels; requiring a report to the Legislature by a specified date; amending s. 553.77, F.S.; authorizing the Florida Building Commission to implement recommendations relating to energy efficiency in residential and commercial buildings; creating s. 553.886, F.S.; requiring that the Florida Building Code facilitate and promote the use of certain renewable energy technologies in buildings; amending s. 553.901, F.S.; requiring the commission to adopt by rule a definition of the term "cost effective"; creating s. 553.9061, F.S.; requiring the Florida Building Commission to establish a schedule of increases in the energy performance of buildings subject to the Energy Efficiency Code for Building Construction; providing a process for implementing goals to increase energy-efficiency performance in new buildings; providing a schedule for the implementation of such goals; identifying energy-efficiency performance options and elements available to meet energy-efficiency performance requirements; providing a schedule for the review and adoption of renewable energy-efficiency goals by the commission; requiring the commission to conduct a study to evaluate the energy-efficiency rating of new buildings and appliances; requiring the commission to submit a report to the President of the Senate and the Speaker of the House of Representatives on or before a specified date; requiring the commission to conduct a study to evaluate opportunities to restructure the Florida Energy Code for Building Construction, including the integration of the Thermal Efficiency Code, the Energy Conservation Standards Act, and the Florida Building Energy-Efficiency Rating Act; requiring the commission to submit a report to the President of the Senate and the Speaker of the House of Representatives on or before a specified date; directing the Department of Community Affairs, in conjunction with the Florida Energy Affordability Council, to identify and review issues relating to the Low-Income Home Energy Assistance Program and the Weatherization Assistance Program; requiring the submission of a report to the President of the Senate and the Speaker of the House of Representatives on or before a specified date; providing for the expiration of certain study requirements; amending s. 553.957, F.S.; including certain home and commercial appliances in the requirements for testing and certification for meeting certain energy-conservation standards; amending s.

553.975, F.S.; conforming a cross-reference; requiring the Public Service Commission to analyze utility revenue decoupling and provide a report and recommendations to the Governor, the President of the Senate, and the Speaker of the House of Representatives by a specified date; amending s. 718.113, F.S.; authorizing the board of a condominium or a multi-condominium to install solar collectors, clotheslines, or other energy-efficient devices on association property; creating s. 1004.648, F.S.; establishing the Florida Energy Systems Consortium, consisting of specified state universities; providing membership and duties of the consortium; providing for an oversight board and steering committee; providing reporting requirements for the consortium by a date certain; authorizing the Department of Environmental Protection to require certain agreements to contain a stipulation requiring the return to the state of a portion of the profit resulting from commercialization of an energy-related product or process; requiring the department to conduct a study relating to the state earning a monetary return on energy-related products or processes through the use of negotiated or licensing agreements; requiring the department to submit the study to the Governor and the Legislature; requiring the Department of Environmental Protection, in conjunction with the Department of Agriculture and Consumer Services, to conduct an economic impact analysis on the effect of granting financial incentives to energy producers who use woody biomass; requiring the department to submit the results to the Legislature; providing legislative findings regarding recycling; providing for a long-term goal of reducing the amount of solid waste disposed of in the state by a certain percentage; requiring the Department of Environmental Protection to develop a comprehensive recycling program and submit such program to the Legislature by a specified date; requiring the Legislature's approval before implementing such program; requiring that such program be developed in coordination with other state and local entities, private businesses, and the public; requiring that the program contain certain components; requiring the Department of Environmental Protection to prepare a report relating to the costs and benefits of implementing a cap-and-trade system to trade emission credits; requiring the department to present the report to the Governor, the President of the Senate, and the Speaker of the House of Representatives; describing certain specified issues to be included in the report; providing effective dates.

—as amended April 16 and 17 was read the third time by title.

Senator Bennett moved the following amendment which was adopted by two-thirds vote:

Amendment 1 (177142)(with title amendment)—Between lines 3405 and 3406 insert:

Section 58. Section 377.806, Florida Statutes, is amended to read:

377.806 Solar Energy System Incentives Program.—

(1) PURPOSE.—The Solar Energy System Incentives Program is established within the *commission* ~~department~~ to provide financial incentives for the purchase and installation of solar energy systems. Any resident of the state who purchases and installs a new solar energy system of 2 kilowatts or larger for a solar photovoltaic system, a solar energy system that provides at least 50 percent of a building's hot water consumption for a solar thermal system, or a solar thermal pool heater, from July 1, 2006, through June 30, 2010, is eligible for a rebate on a portion of the purchase price of that solar energy system.

(2) SOLAR PHOTOVOLTAIC SYSTEM INCENTIVE.—

(a) Eligibility requirements.—A solar photovoltaic system qualifies for a rebate if:

1. The system is installed by a state-licensed master electrician, electrical contractor, or solar contractor.

2. The system complies with state interconnection standards as provided by the *Florida Public Service* Commission.

3. The system complies with all applicable building codes as defined by the *Florida Building Code* ~~local jurisdictional authority~~.

(b) Rebate amounts.—The rebate amount shall be set at $4 per watt based on the total wattage rating of the system. The maximum allowable rebate per solar photovoltaic system installation shall be as follows:

1. Twenty thousand dollars for a residence.

2. One hundred thousand dollars for a place of business, a publicly owned or operated facility, or a facility owned or operated by a private, not-for-profit organization, including condominiums or apartment buildings.

(3) SOLAR THERMAL SYSTEM INCENTIVE.—

(a) Eligibility requirements.—A solar thermal system qualifies for a rebate if:

1. The system is installed by a state-licensed solar or plumbing contractor *for the installation of standing seam hybrid thermal roofs, a roofing contractor*.

2. The system complies with all applicable building codes as defined by the *Florida Building Code* ~~local jurisdictional authority~~.

(b) Rebate amounts.—Authorized rebates for installation of solar thermal systems shall be as follows:

1. Five hundred dollars for a residence.

2. Fifteen dollars per 1,000 Btu up to a maximum of $5,000 for a place of business, a publicly owned or operated facility, or a facility owned or operated by a private, not-for-profit organization, including condominiums or apartment buildings. ~~Btu must be verified by approved metering equipment.~~

(4) SOLAR THERMAL POOL HEATER INCENTIVE.—

(a) Eligibility requirements.—A solar thermal pool heater qualifies for a rebate if the system is installed by a state-licensed solar or plumbing contractor and the system complies with all applicable building codes as defined by the *Florida Building Code* ~~local jurisdictional authority~~.

(b) Rebate amount.—Authorized rebates for installation of solar thermal pool heaters shall be $100 per installation.

(5) APPLICATION.—Application for a rebate must be made within *120* ~~90~~ days after the purchase of the solar energy equipment.

(6) REBATE AVAILABILITY.—The *commission* ~~department~~ shall determine and publish on a regular basis the amount of rebate funds remaining in each fiscal year. The total dollar amount of all rebates issued ~~by the department~~ is subject to the total amount of appropriations in any fiscal year for this program. If funds are insufficient during the current fiscal year, any requests for rebates received during that fiscal year may be processed during the following fiscal year. Requests for rebates received in a fiscal year that are processed during the following fiscal year shall be given priority over requests for rebates received during the following fiscal year.

(7) RULES.—The *commission* ~~department~~ shall adopt rules pursuant to ss. 120.536(1) and 120.54 to develop rebate applications and administer the issuance of rebates.

And the title is amended as follows:

Delete lines 231-236 and insert: 377.806, F.S., conforming provisions relating to the Solar Energy System Incentives Program to changes made by this act; requiring all eligible systems under the program to comply with the Florida Building Code; revising rebate eligibility requirements for solar thermal systems to include the installation of certain products by roofing contractors; creating s.

MOTION

On motion by Senator Saunders, the rules were waived to allow the following amendments to be considered:

Senator Saunders moved the following amendments which were adopted by two-thirds vote:

Amendment 2 (663556)—Delete line(s) 6201-6281 and insert:

Section 108. Section 1004.648, Florida Statutes, is created to read:

1004.648 Florida Energy Systems Consortium.—

(1) There is created the Florida Energy Systems Consortium to promote collaboration among experts in the State University System for the

purposes of sharing energy-related expertise and assisting in the development and implementation of a comprehensive, long-term, environmentally compatible, sustainable, and efficient energy strategic plan for the state.

(2) The consortium shall focus on the research and development of innovative energy systems that will lead to alternative energy strategies, improved energy efficiencies, and expanded economic development for the state.

(3) The consortium shall consist of the state universities as identified under s. 1000.21(6).

(4) The consortium shall be administered at the University of Florida by a director who shall be appointed by the President of the University of Florida.

(5) The director, whose office shall be located at the University of Florida, shall report to the Florida Energy and Climate Commission created pursuant to s. 377.6015.

(6) The oversight board shall consist of the Vice President for Research or other appropriate representative appointed by the university president of each member of the consortium.

(7) The oversight board shall be responsible for the technical performance and financial management of the consortium.

(8) In performing its responsibilities, the consortium shall collaborate with the oversight board and may also collaborate with industry and other affected parties.

(9) Through collaborative research and development across the State University System and the industry, the goal of the consortium is to become a world leader in energy research, education, technology, and energy systems analysis. In so doing, the consortium shall:

(a) Coordinate and initiate increased collaborative interdisciplinary energy research among the universities and the energy industry.

(b) Assist in the creation and development of a Florida-based energy technology industry through efforts that would expedite commercialization of innovative energy technologies by taking advantage of the energy expertise within the State University System, high-technology incubators, industrial parks, and industry-driven research centers.

(c) Provide a state resource for objective energy systems analysis.

(d) Develop education and outreach programs to prepare a qualified energy workforce and informed public. Specifically, the faculty associated with the consortium shall coordinate a statewide workforce development initiative focusing on college-level degrees, technician training, and public and commercial sectors awareness. The consortium shall develop specific programs targeted at preparing graduates who have a background in energy, continuing education courses for technical and nontechnical professionals, and modules, laboratories, and courses to be shared among the universities. Additionally, the consortium shall work with the Florida Community College System using the Florida Advanced Technological Education Center for the coordination and design of industry-specific training programs for technicians.

(10) The consortium shall solicit and leverage state, federal, and private funds for the purpose of conducting education, research, and development in the area of sustainable energy.

(11) The oversight board, in consultation with the Florida Energy and Climate Commission, shall ensure that the consortium:

(a) Maintains accurate records of any funds received by the consortium.

(b) Meets financial and technical performance expectations, which may include external technical reviews as required.

(12) The steering committee shall consist of the university representatives included in the Centers of Excellence proposals for the Florida Energy Systems Consortium and the Center of Excellence in Ocean Energy Technology-Phase II which were reviewed during the 2007-2008 fiscal year by the Florida Technology, Research, and Scholarship Board created in s. 1004.226(4); a university representative appointed by the President of Florida International University; and the Florida Energy and Climate Commission. The steering committee shall be responsible for establishing and ensuring the success of the consortium's mission under subsection (9).

(13) By November 1 of each year, the consortium shall submit an annual report to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the Florida Energy and Climate Commission regarding its activities, including, but not limited to, education and research related to, and the development and deployment of, alternative energy technologies.

Amendment 3 (705786)—Delete line(s) 3470-3551

Amendment 4 (152886)—Delete line(s) 5576-5581

Amendment 5 (687322)(with title amendment)—Between line(s) 5876 and 5877 insert:

Section 89. Section 526.06, Florida Statutes, is amended to read:

526.06 Mixing, blending, compounding, or adulteration of liquid fuels of same manufacturer prohibited; sale of *gasoline blended with ethanol* ~~gasohol~~.—It is unlawful for any person to mix, blend, compound, or adulterate the liquid fuel, lubricating oil, grease, or similar product of a manufacturer or distributor with a liquid fuel, lubricating oil, grease, or similar product of the same manufacturer or distributor of a character or nature different from the character or nature of the liquid fuel, lubricating oil, grease, or similar product so mixed, blended, compounded, or adulterated, and expose for sale, offer for sale, or sell the same as the unadulterated product of such manufacturer or distributor or as the unadulterated product of any other manufacturer or distributor. However, nothing in this chapter shall be construed to prevent the lawful owner of such products from applying his, her, or its own trademark, trade name, or symbol to any product or material. *Ethanol-blended* ~~Alcohol-blended~~ fuels which contain ~~90 percent~~ unleaded gasoline and *up to* 10 percent *denatured ethanol by volume* ~~ethyl alcohol of a minimum of 198 proof and a maximum 50 parts per million of acetic acid, commonly known as "gasohol,"~~ may be sold at retail service stations for use in motor vehicles~~, as long as the gasoline component complies with current state specifications, until the American Society for Testing and Materials approves specifications for gasohol~~. *To provide retail service stations flexibility during the transition period to ethanol-blended fuels, the T50 and TV/L specifications for gasoline containing between 9 and 10 percent ethanol shall be applied to all gasoline containing between 1 and 10 percent ethanol by volume provided the last three or fewer deliveries contained between 9 and 10 percent ethanol by volume. If there is no reasonable availability of ethanol or the price of ethanol exceeds the price of gasoline, the T50 and TV/L specifications for gasoline containing between 9 and 10 percent ethanol shall be applicable for gasoline containing between 1 and 10 percent ethanol for up to three deliveries of fuel.*

(Redesignate subsequent sections.)

And the title is amended as follows:

On line(s) 335, after the semicolon (;) insert: amending s. 526.06, F.S.; revising provisions for the sale of gasoline blended with ethanol; providing specifications for transitioning to ethanol-blended fuels;

Amendment 6 (306282)—Delete line(s) 6154-6176 and insert:

Section 101. Subsection (1) of section 553.909, Florida Statutes, is amended, subsections (3) and (4) are renumbered as subsections (6) and (7), respectively, and new subsections (3), (4), and (5) are added to that section, to read:

553.909 Setting requirements for appliances; exceptions.—

(1) The Florida Energy Efficiency Code for Building Construction shall set the minimum requirements for *commercial or residential swimming pool pumps, swimming pool water heaters, and* ~~heat traps and thermostat settings for~~ water heaters *used to heat potable water* ~~sold for residential use~~. The code shall further establish the minimum acceptable standby loss for electric water heaters and the minimum recovery efficiency and standby loss for water heaters fueled by natural gas or liquefied petroleum gas.

(3) Commercial or residential swimming pool pumps or water heaters sold after July 1, 2011, shall comply with the requirements of this subsection. Natural gas pool heaters shall not be equipped with constantly burning pilots. Heat pump pool heaters shall have a coefficient of performance at low temperature of not less than 4.0. The thermal efficiency of gas-fired pool heaters and oil-fired pool heaters shall not be less than 78 percent. All pool heaters shall have a readily accessible on-off switch that is mounted outside the heater and that allows shutting off the heater without adjusting the thermostat setting.

(4) Pool pump motors shall not be split-phase, shaded-pole, or capacitor start-induction run types. Residential pool pumps and pool pumps motors with a total horsepower of 1 HP or more shall have the capability of operating at two or more speeds with a low speed having a rotation rate that is no more than one-half of the motor's maximum rotation rate. Residential pool pump motor controls shall have the capability of operating the pool pump at a minimum of two speeds. The default circulation speed shall be the residential filtration speed, with a higher speed override capability being for a temporary period not to exceed one normal cycle or 120 minutes, whichever is less. Except that circulation speed for solar pool heating systems shall be permitted to run at higher speeds during periods of usable solar heat gain.

(5) Portable electric spas standby power shall not be greater than 5(V2/3) watts where V = the total volume, in gallons, when spas are measured in accordance with the spa industry test protocol.

(6)~~(3)~~ The Florida Energy Efficiency Code for Building Construction may include standards for other appliances and energy-using systems if they are determined by the department to have a significant impact on the energy use of the building and if they are cost-effective to the consumer.

(7)~~(4)~~ If the provisions of this section are preempted in part by federal standards, those provisions not preempted shall apply.

Amendment 7 (832500)—Between line(s) 2043 and 2044 insert:

Section 30. Section 350.01, Florida Statutes, is amended to read:

350.01 Florida Public Service Commission; terms of commissioners; vacancies; election and duties of chair; quorum; proceedings.—

(1) The Florida Public Service Commission shall consist of five commissioners appointed pursuant to s. 350.031.

(2)(a) Each commissioner serving on July 1, 1978, shall be permitted to remain in office until the completion of his or her current term. Upon the expiration of the term, a successor shall be appointed in the manner prescribed by s. 350.031~~(5), (6), and (7)~~ for a 4-year term, except that the terms of the initial members appointed under this act shall be as follows:

1. The vacancy created by the present term ending in January, 1981, shall be filled by appointment for a 4-year term and for 4-year terms thereafter; and

2. The vacancies created by the two present terms ending in January, 1979, shall be filled by appointment for a 3-year term and for 4-year terms thereafter.

(b) Two additional commissioners shall be appointed in the manner prescribed by s. 350.031~~(5), (6), and (7)~~ for 4-year terms beginning the first Tuesday after the first Monday in January, 1979, and successors shall be appointed for 4-year terms thereafter with each term beginning on January 2 of the year the term commences and ending 4 years later on January 1.

(c) Vacancies on the commission shall be filled for the unexpired portion of the term in the same manner as original appointments to the commission.

(3) Any person serving on the commission who seeks to be appointed or reappointed shall file with the nominating council *no later than June 1 prior to the year in which his or her term expires* ~~at least 210 days before the expiration of his or her term~~ a statement that he or she desires to serve an additional term.

(4) One member of the commission shall be elected by majority vote to serve as chair for a term of 2 years, beginning *on January 1 of the first year of the term* ~~with the first Tuesday after the first Monday in January 1979~~. A member may not serve two consecutive terms as chair.

(5) The primary duty of the chair is to serve as chief administrative officer of the commission; however, the chair may participate in any proceedings pending before the commission when administrative duties and time permit. In order to distribute the workload and expedite the commission's calendar, the chair, in addition to other administrative duties, has authority to assign the various proceedings pending before the commission requiring hearings to two or more commissioners or to the commission's staff of hearing examiners under the supervision of the office of general counsel. Only those commissioners assigned to a proceeding requiring hearings are entitled to participate in the final decision of the commission as to that proceeding; provided, if only two commissioners are assigned to a proceeding requiring hearings and cannot agree on a final decision, the chair shall cast the deciding vote for final disposition of the proceeding. If more than two commissioners are assigned to any proceeding, a majority of the members assigned shall constitute a quorum and a majority vote of the members assigned shall be essential to final commission disposition of those proceedings requiring actual participation by the commissioners. If a commissioner becomes unavailable after assignment to a particular proceeding, the chair shall assign a substitute commissioner. In those proceedings assigned to a hearing examiner, following the conclusion of the hearings, the designated hearing examiner is responsible for preparing recommendations for final disposition by a majority vote of the commission. A petition for reconsideration shall be voted upon by those commissioners participating in the final disposition of the proceeding.

(6) A majority of the commissioners may determine that the full commission shall sit in any proceeding. The public counsel or a person regulated by the Public Service Commission and substantially affected by a proceeding may file a petition that the proceeding be assigned to the full commission. Within 15 days of receipt by the commission of any petition or application, the full commission shall dispose of such petition by majority vote and render a written decision thereon prior to assignment of less than the full commission to a proceeding. In disposing of such petition, the commission shall consider the overall general public interest and impact of the pending proceeding, including but not limited to the following criteria: the magnitude of a rate filing, including the number of customers affected and the total revenues requested; the services rendered to the affected public; the urgency of the requested action; the needs of the consuming public and the utility; value of service involved; the effect on consumer relations, regulatory policies, conservation, economy, competition, public health, and safety of the area involved. If the petition is denied, the commission shall set forth the grounds for denial.

(7) This section does not prohibit a commissioner, designated by the chair, from conducting a hearing as provided under ss. 120.569 and 120.57(1) and the rules of the commission adopted pursuant thereto.

Section 31. Section 350.012, Florida Statutes, is amended to read:

350.012 Committee on Public *Counsel* ~~Service Commission~~ Oversight; creation; membership; powers and duties.—

(1) There is created a standing joint committee of the Legislature, designated the Committee on Public *Counsel* ~~Service Commission~~ Oversight, and composed of 12 members appointed as follows: six members of the Senate appointed by the President of the Senate, two of whom must be members of the minority party; and six members of the House of Representatives appointed by the Speaker of the House of Representatives, two of whom must be members of the minority party. The terms of members shall be for 2 years and shall run from the organization of one Legislature to the organization of the next Legislature. The President shall appoint the chair of the committee in even-numbered years and the vice chair in odd-numbered years, and the Speaker of the House of Representatives shall appoint the chair of the committee in odd-numbered years and the vice chair in even-numbered years, from among the committee membership. Vacancies shall be filled in the same manner as the original appointment. Members shall serve without additional compensation, but shall be reimbursed for expenses.

(2) The committee shall:

~~(a) Recommend to the Governor nominees to fill a vacancy on the Public Service Commission, as provided by general law; and~~

~~(b)~~ Appoint a Public Counsel as provided by general law.

(3) The committee is authorized to file a complaint with the Commission on Ethics alleging a violation of this chapter by a commissioner, former commissioner, former commission employee, or member of the Public Service Commission Nominating Council.

(4) The committee will not have a permanent staff, but the President of the Senate and the Speaker of the House of Representatives shall select staff members from among existing legislative staff, when and as needed.

Section 32. Subsections (1), (5), (6), (7), and (8) of section 350.031, Florida Statutes, are amended, and subsection (9) is added to that section, to read:

350.031 Florida Public Service Commission Nominating Council.—

(1)*(a)* There is created a Florida Public Service Commission Nominating Council consisting of *12* ~~nine~~ members. At least one member of the council must be 60 years of age or older. *Six* ~~Three~~ members, including *three members* ~~one member~~ of the House of Representatives, *one of whom shall be a member of the minority party,* shall be appointed by and serve at the pleasure of the Speaker of the House of Representatives. *Six*~~; three~~ members, including *three members* ~~one member~~ of the Senate, *one of whom shall be a member of the minority party,* shall be appointed by and serve at the pleasure of the President of the Senate~~; and three members shall be selected and appointed by a majority vote of the other six members of the council~~.

(b) All terms shall be for 4 years except those members of the House and Senate, who shall serve 2-year terms concurrent with the 2-year elected terms of House members. *All terms of the members of the Public Service Commission Nominating Council existing on June 30, 2008, shall terminate upon the effective date of this act; however, such members may serve an additional term if reappointed by the Speaker of the House of Representatives or the President of the Senate. To establish staggered terms, appointments of members shall be made for initial terms to begin on July 1, 2008, with each appointing officer to appoint three legislator members, one of whom shall be a member of the minority party, to terms through the remainder of the 2-year elected terms of House members; one nonlegislator member to a 6-month term; one nonlegislator member to an 18-month term; and one nonlegislator member to a 42-month term. Thereafter, the terms of the nonlegislator members of the Public Service Commission Nominating Council shall begin on January 2 of the year the term commences and end 4 years later on January 1.*

(c) The President of the Senate shall appoint the chair of the council in even-numbered years and the vice chair in odd-numbered years, and the Speaker of the House of Representatives shall appoint the chair of the council in odd-numbered years and the vice chair in even-numbered years, from among the council membership.

(d) Vacancies on the council shall be filled for the unexpired portion of the term in the same manner as original appointments to the council. A member may not be reappointed to the council, except for a member of the House of Representatives or the Senate who may be appointed to two 2-year terms*, members who are reappointed pursuant to paragraph (b),* or a person who is appointed to fill the remaining portion of an unexpired term.

(5) A person may not be nominated to the *Governor for appointment to the* ~~Committee on~~ Public Service Commission ~~Oversight~~ until the council has determined that the person is competent and knowledgeable in one or more fields, which shall include, but not be limited to: public affairs, law, economics, accounting, engineering, finance, natural resource conservation, energy, or another field substantially related to the duties and functions of the commission. The commission shall fairly represent the above-stated fields. Recommendations of the council shall be nonpartisan.

(6) It is the responsibility of the council to nominate to the *Governor no fewer than three* ~~Committee on Public Service Commission Oversight six~~ persons for each vacancy occurring on the Public Service Commission. The council shall submit the recommendations to the *Governor by September 15* ~~committee by August 1~~ of those years in which the terms are to begin the following January, or within 60 days after a vacancy occurs for any reason other than the expiration of the term.

(7) ~~The Committee on Public Service Commission Oversight shall select from the list of nominees provided by the nominating council three nominees for recommendation to the Governor for appointment to the commission. The recommendations must be provided to the Governor within 45 days after receipt of the list of nominees.~~ The Governor shall fill a vacancy occurring on the Public Service Commission by appointment of one of the applicants nominated by the *council* ~~committee~~ only after a background investigation of such applicant has been conducted by the Florida Department of Law Enforcement. If the Governor has not made an appointment within 30 *consecutive calendar* days after the receipt of the recommendation, the *council* ~~committee~~, by majority vote, shall appoint, within 30 days after the expiration of the Governor's time to make an appointment, one person from the applicants previously nominated to the Governor to fill the vacancy.

(8) Each appointment to the Public Service Commission shall be subject to confirmation by the Senate during the next regular session after the vacancy occurs. If the Senate refuses to confirm or *fails to consider* ~~rejects~~ the Governor's appointment, the council shall initiate, in accordance with this section, the nominating process within 30 days.

(9) When the Governor makes an appointment, to fill a vacancy occurring due to expiration of the term, and that appointment has not been confirmed by the Senate before the appointing Governor's term ends, a successor Governor may, within 30 days after taking office, recall the appointment and, prior to the first day of the next regular session, make a replacement appointment from the list provided to the previous Governor by the council. Such an appointment is subject to confirmation by the Senate at the next regular session following the creation of the vacancy to which the appointments are being made. If the replacement appointment is not timely made, or if the appointment is not confirmed by the Senate for any reason, the council, by majority vote, shall appoint, within 30 days after the Legislature adjourns sine die, one person from the applicants previously nominated to the Governor to fill the vacancy, and this appointee is subject to confirmation by the Senate during the next regular session following the appointment.

(Redesignate subsequent subsections.)

Amendment 8 (469850)(with title amendment)—Between line(s) 6371 and 6372 insert:

Section 110. *(1) By July 1, 2009, the Agency for enterprise Information Technology shall define objective standards for:*

(a) Measuring data center energy consumption and efficiency, including, but not limited to, airflow and cooling, power consumption and distribution, and environmental control systems in a data center facility.

(b) Calculating total cost of ownership of energy-efficient information technology products, including initial purchase, installation, ongoing operation and maintenance, and disposal costs over the life cycle of the product.

(2) State shared resource data centers and other data centers that the Agency for Enterprise Information Technology has determined will be recipients for consolidating data centers, which are designated by the Agency for Enterprise Information Technology, shall evaluate their data center facilities for energy efficiency using the standards established in this section.

(a) Results of these evaluations shall be reported to the Agency for Enterprise Information Technology, the President of the Senate, and the Speaker of the House of Representatives. Reports shall enable the tracking of energy performance over time and comparisons between facilities.

(b) By December 31, 2010, and bi-annually thereafter, the Agency for Enterprise Information Technology shall submit to the Legislature recommendations for reducing energy consumption and improving the energy efficiency of state data centers.

(3) The primary means of achieving maximum energy savings across all state data centers and computing facilities shall be the consolidation of data centers and computing facilities as determined by the Agency for Enterprise Information Technology. State data centers and computing facilities in the state data center system shall be established as an enterprise information technology service as defined in s. 282.0041. The Agency for Enterprise Information Technology shall make recommendations on consolidating state data centers and computing facilities, pursuant to s. 282.0056, by December 31, 2009.

(4) When the total cost of ownership of an energy-efficient product is less than or equal to the cost of the existing data center facility or infrastructure, technical specifications for energy-efficient products should be incorporated in the plans and processes for replacing, upgrading, or expanding data center facilities or infrastructure, including, but not limited to, network, storage, or computer equipment and software.

(Redesignate subsequent sections.)

And the title is amended as follows:

Delete line(s) 445 after the semicolon (;) and insert: for certain commercial or residential appliances; requiring the Agency for Enterprise Information Technology to define specified objective standards and conduct evaluations relating to energy efficiency; requiring the agency to submit a report; providing report requirements; requiring the agency to submit specified recommendations; providing for the inclusion of specifications in certain plans and processes; creating s.

Amendment 9 (746532)(with title amendments)—Between line(s) 1608 and 1609 insert:

Section 23. *(1) The Legislature declares that there is an important state interest in promoting the construction of energy-efficient and sustainable buildings. Government leadership in promoting these standards is vital to demonstrate the state's commitment to energy conservation, saving taxpayers money, and raising public awareness of energy-rating systems.*

(2) All county, municipal, school district, water management district, state university, community college, and Florida state court buildings shall be constructed to meet the United States Green Building Council (USGBC) Leadership in Energy and Environmental Design (LEED) rating system, the Green Building Initiative's Green Globes rating system, the Florida Green Building Coalition standards, or a nationally recognized, high-performance green building rating system as approved by the Department of Management Services. This section shall apply to all county, municipal, school district, water management district, state university, community college, and Florida state court buildings the architectural plans of which are commenced after July 1, 2008.

(3) The Department of Education and the Department of Environmental Protection shall, in coordination with representatives of the business community, the environmental community, and the energy community, develop a program to provide awards or recognition for outstanding efforts or achievements concerning conservation, reductions in energy and water use, green cleaning solutions, green pest management, recycling efforts, and curriculum development that is consistent with efforts that enhance the quality of education while preserving the environment. Entities that are eligible for such an award or recognition include students, classes, teachers, schools, or district school boards. The Legislature encourages the Department of Education and the Department of Environmental Protection to form partnerships with the private sector to help fund the program.

(Redesignate subsequent sections.)

And the title is amended as follows:

Delete line(s) 446 and insert: requiring the Department of Education and the Department of Environmental Protection to develop an awards or recognition program for outstanding efforts in conservation, energy and water use reduction, environmental enhancement, and conservation-related educational curriculum development; encouraging the departments to seek private sector funding for the program; providing an effective date.

Amendment 10 (856316)(with title amendment)—Between line(s) 1108 and 1109 insert:

Section 11. Subsection (2) of section 220.191, Florida Statutes, is amended to read:

220.191 Capital investment tax credit.—

(2)*(a)* An annual credit against the tax imposed by this chapter shall be granted to any qualifying business in an amount equal to 5 percent of the eligible capital costs generated by a qualifying project, for a period not to exceed 20 years beginning with the commencement of operations of the project. *Unless assigned as described in this subsection,* the tax credit shall be granted against only the corporate income tax liability or the premium tax liability generated by or arising out of the qualifying project, and the sum of all tax credits provided pursuant to this section shall not exceed 100 percent of the eligible capital costs of the project. In no event may any credit granted under this section be carried forward or backward by any qualifying business with respect to a subsequent or prior year. The annual tax credit granted under this section shall not exceed the following percentages of the annual corporate income tax liability or the premium tax liability generated by or arising out of a qualifying project:

1.~~(a)~~ One hundred percent for a qualifying project which results in a cumulative capital investment of at least $100 million.

2.~~(b)~~ Seventy-five percent for a qualifying project which results in a cumulative capital investment of at least $50 million but less than $100 million.

3.~~(c)~~ Fifty percent for a qualifying project which results in a cumulative capital investment of at least $25 million but less than $50 million.

(b) A qualifying project which results in a cumulative capital investment of less than $25 million is not eligible for the capital investment tax credit. An insurance company claiming a credit against premium tax liability under this program shall not be required to pay any additional retaliatory tax levied pursuant to s. 624.5091 as a result of claiming such credit. Because credits under this section are available to an insurance company, s. 624.5091 does not limit such credit in any manner.

(c) A qualifying business that establishes a qualifying project that includes locating a new solar panel manufacturing facility in this state that generates a minimum of 400 jobs within 6 months after commencement of operations with an average salary of at least $50,000 may assign or transfer the annual credit, or any portion thereof, granted under this section to any other business. However, the amount of the tax credit that may be transferred in any year shall be the lesser of the qualifying business's state corporate income tax liability for that year, as limited by the percentages applicable under paragraph (a) and as calculated prior to taking any credit pursuant to this section, or the credit amount granted for that year. A business receiving the transferred or assigned credits may use the credits only in the year received, and the credits may not be carried forward or backward. To perfect the transfer, the transferor shall provide the department with a written transfer statement notifying the department of the transferor's intent to transfer the tax credits to the transferee; the date the transfer is effective; the transferee's name, address, and federal taxpayer identification number; the tax period; and the amount of tax credits to be transferred. The department shall, upon receipt of a transfer statement conforming to the requirements of this paragraph, provide the transferee with a certificate reflecting the tax credit amounts transferred. A copy of the certificate must be attached to each tax return for which the transferee seeks to apply such tax credits.

(Redesignate subsequent sections.)

And the title is amended as follows:

Delete line(s) 51 and insert: claiming a tax exemption; amending s. 220.191, F.S.; providing that certain qualifying projects are eligible to transfer capital investment tax credits to other businesses under certain circumstances; providing limitations on the use of such transferred credits; specifying requirements for such transfers; amending s. 220.192, F.S.;

Amendment 11 (464752)(with title amendment)—Between line(s) 1869 and 1870 insert:

Section 28. Section 316.0741, Florida Statutes, is amended to read:

316.0741 *High-occupancy-vehicle* ~~High occupancy vehicle~~ lanes.—

(1) *As used in this section, the term:*

(a) "High-occupancy-vehicle" ~~"High occupancy vehicle~~ lane" or "HOV lane" means a lane of a public roadway designated for use by vehicles in which there is more than one occupant unless otherwise authorized by federal law.

(b) "Hybrid vehicle" means a motor vehicle that:

1. Draws propulsion energy from an onboard source of stored energy comprised of both an internal combustion or heat engine using combustible fuel and a rechargeable energy-storage system; and

2. In the case of a passenger automobile or light truck, has received a certificate of conformity under the Clean Air Act, 42 U.S.C. ss. 7401 et seq., and meets or exceeds the equivalent qualifying California standards for a low-emission vehicle.

(2) The number of persons *who* ~~that~~ must be in a vehicle to qualify for legal use of the HOV lane and the hours during which the lane will serve as an HOV lane, if it is not designated as such on a full-time basis, must also be indicated on a traffic control device.

(3) *Except as provided in subsection (4),* a vehicle may not be driven in an HOV lane if the vehicle is occupied by fewer than the number of occupants indicated by a traffic control device. A driver who violates this section shall be cited for a moving violation, punishable as provided in chapter 318.

(4)*(a)* Notwithstanding any other provision of this section, an inherently low-emission vehicle (ILEV) that is certified and labeled in accordance with federal regulations may be driven in an HOV lane at any time, regardless of its occupancy. In addition, upon the state's receipt of written notice from the proper federal regulatory agency authorizing such use, a vehicle defined as a hybrid vehicle under this section may be driven in an HOV lane at any time, regardless of its occupancy.

(b) All eligible hybrid and other low-emission and energy-efficient vehicles driven in an HOV lane must comply with the minimum fuel economy standards in 23 U.S.C. s. 166(f)(3)(B).

(c) Upon its effective date, the eligibility of hybrid and other low-emission and energy-efficient vehicles for operation in an HOV lane regardless of occupancy shall be determined in accordance with the applicable final rule issued by the United States Environmental Protection Agency pursuant to 23 U.S.C. s. 166(e).

(5) The department shall issue a decal and registration certificate, to be renewed annually, reflecting the HOV lane designation on ~~such~~ vehicles *meeting the criteria in subsection (4)* authorizing *driving in an HOV lane at any time* ~~such use~~. The department may charge a fee for a decal, not to exceed the costs of designing, producing, and distributing each decal, or $5, whichever is less. The proceeds from sale of the decals shall be deposited in the Highway Safety Operating Trust Fund. *The department may, for reasons of operation and management of HOV facilities, limit or discontinue issuance of decals for the use of HOV facilities by hybrid and low-emission and energy-efficient vehicles regardless of occupancy if it has been determined by the Department of Transportation that the facilities are degraded as defined by 23 U.S.C. s. 166(d)(2).*

(6) Vehicles having decals by virtue of compliance with the minimum fuel economy standards in 23 U.S.C. s. 166(f)(3)(B) and that are registered for use in high-occupancy-vehicle toll lanes or express lanes in accordance with Department of Transportation rule shall be allowed to use any HOV lane redesignated as a high-occupancy-vehicle toll lane without requiring payment of the toll.

~~(5) As used in this section, the term "hybrid vehicle" means a motor vehicle:~~

~~(a) That draws propulsion energy from onboard sources of stored energy which are both:~~

~~1. An internal combustion or heat engine using combustible fuel; and~~

~~2. A rechargeable energy storage system; and~~

~~(b) That, in the case of a passenger automobile or light truck:~~

~~1. Has received a certificate of conformity under the Clean Air Act, 42 U.S.C. ss. 7401 et seq.; and~~

~~2. Meets or exceeds the equivalent qualifying California standards for a low-emission vehicle.~~

(7)~~(6)~~ The department may adopt rules ~~necessary~~ to administer this section.

And the title is amended as follows:

On line(s) 145 after the semicolon (;) insert: amending s. 316.0741, F.S.; defining "high-occupancy vehicle" and "hybrid vehicle"; providing that such vehicles driven in an HOV lane must comply with certain minimum fuel economy standards; exempting certain vehicles from paying highway tolls;

Amendment 12 (849498)—Delete line(s) 2044-2195 and insert:

Section 30. Section 366.82, Florida Statutes, is amended to read:

366.82 Definition; goals; plans; programs; annual reports; energy audits.—

(1) For the purposes of ss. 366.80-366.85 and 403.519:~~,~~

(a) "Utility" means any person or entity of whatever form which provides electricity or natural gas at retail to the public, specifically including municipalities or instrumentalities thereof and cooperatives organized under the Rural Electric Cooperative Law and specifically excluding any municipality or instrumentality thereof, any cooperative organized under the Rural Electric Cooperative Law, or any other person or entity providing natural gas at retail to the public whose annual sales volume is less than 100 million therms or any municipality or instrumentality thereof and any cooperative organized under the Rural Electric Cooperative Law providing electricity at retail to the public whose annual sales as of July 1, 1993, to end-use customers is less than 2,000 gigawatt hours.

(b) "Demand-side renewable energy" means a system located on a customer's premises generating thermal or electric energy using Florida renewable energy resources and primarily intended to offset all or part of the customer's electricity requirements provided such system does not exceed 2 megawatts.

(2) The commission shall adopt appropriate goals for increasing the efficiency of energy consumption and increasing the development of *demand-side renewable energy systems* ~~cogeneration~~, specifically including goals designed to increase the conservation of expensive resources, such as petroleum fuels, to reduce and control the growth rates of electric consumption, ~~and~~ to reduce the growth rates of weather-sensitive peak demand*, and to encourage development of demand-side renewable energy resources. The commission may allow efficiency investments across generation, transmission, and distribution as well as efficiencies within the user base*. ~~The Executive Office of the Governor shall be a party in the proceedings to adopt goals. The commission may change the goals for reasonable cause. The time period to review the goals, however, shall not exceed 5 years. After the programs and plans to meet those goals are completed, the commission shall determine what further goals, programs, or plans are warranted and, if so, shall adopt them.~~

(3) In developing the goals, the commission shall evaluate the full technical potential of all available demand-side and supply-side conservation and efficiency measures, including demand-side renewable energy systems. In establishing the goals, the commission shall take into consideration:

(a) The costs and benefits to customers participating in the measure.

(b) The costs and benefits to the general body of ratepayers as a whole, including utility incentives and participant contributions.

(c) The need for incentives to promote both customer-owned and utility-owned energy efficiency and demand-side renewable energy systems.

(d) The costs imposed by state and federal regulations on the emission of greenhouse gases.

(4) Subject to specific appropriation, the commission may expend up to $250,000 from the Florida Public Service Regulatory Trust Fund to obtain needed technical consulting assistance.

(5) The Florida Energy and Climate Commission shall be a party in the proceedings to adopt goals and shall file with the commission comments on the proposed goals, including, but not limited to:

(a) An evaluation of utility load forecasts, including an assessment of alternative supply-side and demand-side resource options.

(b) An analysis of various policy options that can be implemented to achieve a least-cost strategy, including nonutility programs targeted at reducing and controlling the per capita use of electricity in the state.

(c) An analysis of the impact of state and local building codes and appliance efficiency standards on the need for utility-sponsored conservation and energy efficiency measures and programs.

(6) The commission may change the goals for reasonable cause. The time period to review the goals, however, shall not exceed 5 years. After the programs and plans to meet those goals are completed, the commission shall determine what further goals, programs, or plans are warranted and adopt them.

(7)~~(3)~~ Following adoption of goals pursuant to *subsections* ~~subsection~~ (2) *and (3)*, the commission shall require each utility to develop plans and programs to meet the overall goals within its service area. *The commission may require modifications or additions to a utility's plans and programs at any time it is in the public interest consistent with this act. In approving plans and programs for cost recovery, the commission shall have the flexibility to modify or deny plans or programs that would have an undue impact on the costs passed on to customers.* If any plan or program includes loans, collection of loans, or similar banking functions by a utility and the plan is approved by the commission, the utility shall perform such functions, notwithstanding any other provision of the law. ~~The commission may pledge up to $5 million of the Florida Public Service Regulatory Trust Fund to guarantee such loans.~~ However, no utility shall be required to loan its funds for the purpose of purchasing or otherwise acquiring conservation measures or devices, but nothing herein shall prohibit or impair the administration or implementation of a utility plan as submitted by a utility and approved by the commission under this subsection. If the commission disapproves a plan, it shall specify the reasons for disapproval, and the utility whose plan is disapproved shall resubmit its modified plan within 30 days. Prior approval by the commission shall be required to modify or discontinue a plan, or part thereof, which has been approved. If any utility has not implemented its programs and is not substantially in compliance with the provisions of its approved plan at any time, the commission shall adopt programs required for that utility to achieve the overall goals. Utility programs may include variations in rate design, load control, cogeneration, residential energy conservation subsidy, or any other measure within the jurisdiction of the commission which the commission finds likely to be effective; this provision shall not be construed to preclude these measures in any plan or program.

(8) The commission may authorize financial rewards for those utilities over which it has rate-setting authority that exceed their goals and may authorize financial penalties for those utilities that fail to meet their goals, including, but not limited to, the sharing of generation, transmission, and distribution cost savings associated with conservation, energy efficiency, and demand-side renewable energy systems additions.

(9) The commission is authorized to allow an investor-owned electric utility an additional return on equity of up to 50 basis points for exceeding 20 percent of their annual load-growth through energy efficiency and conservation measures. The additional return on equity shall be established by the commission through a limited proceeding.

(10)~~(4)~~ The commission shall require periodic reports from each utility and shall provide the Legislature and the Governor with an annual report by March 1 of the goals it has adopted and its progress toward meeting those goals. The commission shall also consider the performance of each utility pursuant to ss. 366.80-366.85 and 403.519 when establishing rates for those utilities over which the commission has ratesetting authority.

(11)~~(5)~~ The commission shall require each utility to offer, or to contract to offer, energy audits to its residential customers. This requirement need not be uniform, but may be based on such factors as level of usage, geographic location, or any other reasonable criterion, so long as all eligible customers are notified. The commission may extend this requirement to some or all commercial customers. The commission shall set the charge for audits by rule, not to exceed the actual cost, and may describe by rule the general form and content of an audit. In the event one utility contracts with another utility to perform audits for it, the utility for which the audits are performed shall pay the contracting utility the reasonable cost of performing the audits. Each utility over which the commission has ratesetting authority shall estimate its costs and revenues for audits, conservation programs, and implementation of its plan for the immediately following 6-month period. Reasonable and prudent unreimbursed costs projected to be incurred, or any portion of such costs, may be added to the rates which would otherwise be charged by a utility upon approval by the commission, provided that the commission shall not allow the recovery of the cost of any company image-enhancing advertising or of any advertising not directly related to an approved conservation program. Following each 6-month period, each utility shall report the actual results for that period to the commission, and the difference, if any, between actual and projected results shall be taken into account in succeeding periods. The state plan as submitted for consideration under the National Energy Conservation Policy Act shall not be in conflict with any state law or regulation.

(12)~~(6)(a)~~ Notwithstanding the provisions of s. 377.703, the commission shall be the responsible state agency for performing, coordinating, implementing, or administering the functions of the state plan submitted for consideration under the National Energy Conservation Policy Act and any acts amendatory thereof or supplemental thereto and for performing, coordinating, implementing, or administering the functions of any future federal program delegated to the state which relates to consumption, utilization, or conservation of electricity or natural gas; and the commission shall have exclusive responsibility for preparing all reports, information, analyses, recommendations, and materials related to consumption, utilization, or conservation of electrical energy which are required or authorized by s. 377.703.

~~(b) The Executive Office of the Governor shall be a party in the proceedings to adopt goals and shall file with the commission comments on the proposed goals including, but not limited to:~~

~~1. An evaluation of utility load forecasts, including an assessment of alternative supply and demand-side resource options.~~

~~2. An analysis of various policy options which can be implemented to achieve a least-cost strategy.~~

(13)~~(7)~~ The commission shall establish all minimum requirements for energy auditors used by each utility. The commission is authorized to contract with any public agency or other person to provide any training, testing, evaluation, or other step necessary to fulfill the provisions of this subsection.

Amendment 13 (212736)—Delete line(s) 1260-1304 and insert: *appurtenances which are approved by the Secretary of Environmental Protection pursuant to the authority delegated by the board of trustees shall meet the following criteria:*

1. Such easements shall not prevent the use of the state-owned uplands adjacent to the easement area for the purposes for which such lands were acquired and shall not unreasonably diminish the ecological, conservation, or recreational values of the state-owned uplands adjacent to the easement area.

2. There is no practical and prudent alternative to locating the linear facility and related appurtenances on state-owned upland. For purposes of this subparagraph, the test of practicality and prudence shall compare the social, economic, and environmental effects of the alternatives.

3. Appropriate steps are taken to minimize the impacts to state-owned uplands. Such steps may include:

a. Siting of facilities so as to reduce impacts and minimize fragmentation of the overall state-owned parcel;

b. Avoiding significant wildlife habitat, wetlands, or other valuable natural resources to the maximum extent practicable; or

c. Avoiding interference with active land management practices, such as prescribed burning.

4. Except for easements granted as a part of a land exchange to accomplish a recreational or conservation benefit or other public purpose, in exchange for such easements, the grantee pays an amount equal to the market value of the interest acquired. In addition, for the initial grant of such easements only, the grantee shall provide additional compensation by vesting in the board of trustees fee simple title to other available uplands that are 1.5 times the size of the easement acquired by the grantee. The Secretary of Environmental Protection shall approve the property to be acquired on behalf of the board of trustees based on the geographic location in relation to the land proposed to be under easement and a determination that economic, ecological, and recreational value is at least equivalent to the value of the lands under proposed easement.

Priority for replacement uplands shall be given to parcels identified as in-holdings and additions to public lands and lands on a Florida Forever land acquisition list. However, if suitable replacement uplands cannot be identified, the grantee shall provide additional compensation for the initial grant of such easements only by paying to the department an amount equal to 2 times the current market value of the state-owned land or the highest and best use value at the time of purchase, whichever is greater. When determining such use of funds, priority shall be given to parcels identified as in-holdings and additions to public lands and lands on a Florida Forever land acquisition list.

(c) Where authority to approve easements for rights-of-way over, across, and upon uplands the title to which is vested in the board of trustees for the construction and operation of electric transmission and distribution facilities and related appurtenances has not been delegated to the Secretary of Environmental Protection, the board of trustees shall apply the same criteria and require the same compensation as provided above, provided, however, the board of trustees shall have the discretion to determine the amount of replacement lands required within a range of from one to two times the size of the easement acquired by the grantee, depending upon the degree to which the proposed use of the easement will interfere with the manner in which the lands within the proposed easement area have historically been managed.

Amendment 14 (251802)—Delete line(s) 6019-6153 and insert:

Section 94. Section 553.9061, Florida Statutes, is created to read:

553.9061 Scheduled increases in thermal efficiency standards.—

(1) The purpose of this section is to establish a schedule of increases in the energy performance of buildings subject to the Florida Energy Efficiency Code for Building Construction. The Florida Building Commission shall:

(a) Include the necessary provisions by the 2010 edition of the Florida Energy Efficiency Code for Building Construction to increase the energy performance of new buildings by at least 20 percent as compared to the energy efficiency provisions of the 2007 Florida Building Code adopted October 31, 2007.

(b) Increase energy efficiency requirements by the 2013 edition of the Florida Energy Efficiency Code for Building Construction by at least 30 percent as compared to the energy efficiency provisions of the 2007 Florida Building Code adopted October 31, 2007.

(c) Increase energy efficiency requirements by the 2016 edition of the Florida Energy Efficiency Code for Building Construction by at least 40 percent as compared to the energy efficiency provisions of the 2007 Florida Building Code adopted October 31, 2007.

(d) Increase energy efficiency requirements by the 2019 edition of the Florida Energy Efficiency Code for Building Construction by at least 50 percent as compared to the energy efficiency provisions of the 2007 Florida Building Code adopted October 31, 2007.

(2) The Florida Building Commission shall identify within code support and compliance documentation the specific building options and elements available to meet the energy performance goals established in subsection (1). Energy-efficiency performance options and elements include, but are not limited to:

(a) Solar water heating.

(b) Energy-efficient appliances.

(c) Energy-efficient windows, doors, and skylights.

(d) Low solar-absorption roofs, also known as "cool roofs."

(e) Enhanced ceiling and wall insulation.

(f) Reduced-leak duct systems.

(g) Programmable thermostats.

(h) Energy-efficient lighting systems.

(3) The Florida Building Commission shall, prior to implementing the goals established in subsection (1), adopt by rule and implement a cost-effectiveness test for proposed increases in energy efficiency. The cost-effectiveness test shall measure cost-effectiveness and shall ensure that energy efficiency increases result in a positive net financial impact.

Amendment 15 (903066)—Between line(s) 2318 and 2319 insert:

(8) Under the provisions of subsections (5) and (6), when a utility purchases power generated from biogas produced by the anaerobic digestion of agricultural waste, including food waste or other agricultural byproducts, net metering shall be available at a single metering point or as a part of conjunctive billing of multiple points for a customer at a single location, so long as the provision of such service and its associated charges, terms, and other conditions are not reasonably projected to result in higher cost electric service to the utility's general body of ratepayers or adversely affect the adequacy or reliability of electric service to all customers, as determined by the commission for public utilities, or as determined by the governing authority of the municipal electric utility or rural electric cooperative that serves at retail.

Amendment 16 (250992)—Between line(s) 2043 and 2044 insert:

Section 30. Subsection (7) is added to section 366.04, Florida Statutes, to read:

366.04 Jurisdiction of commission.—

(7)(a) As used in this subsection, the term "affected municipal electric utility" means a municipality that operates an electric utility that:

1. Serves two cities in the same county;

2. Is located in a noncharter county;

3. Has between 30,000 and 35,000 retail electric customers as of September 30, 2007; and

4. Does not have a service territory that extends beyond its home county as of September 30, 2007.

(b) Each affected municipal electric utility shall conduct a referendum election of all of its retail electric customers, with each named retail electric customer having one vote, concurrent with the next regularly scheduled general election following the effective date of this act.

(c) The ballot for the referendum election required under paragraph (b) shall contain the following question: "Should a separate electric utility authority be created to operate the business of the electric utility in the affected municipal electric utility?" The statement shall be followed by the word "yes" and the word "no."

(d) The provisions of the Election Code relating to notice and conduct of the election shall be followed to the extent practicable. Costs of the referendum election shall be borne by the affected municipal electric utility.

(e) If a majority of the affected municipal electric utility's retail electric customers vote in favor of creating a separate electric utility authority, the affected municipal electric utility shall, no later than January 15, 2009, provide to each member of the Legislature whose district includes any portion of the electric service territory of the affected municipal electric utility a proposed charter that transfers operations of its electric, water, and sewer utility businesses to a duly-created authority, the governing board of which shall proportionally represent the number of county and city ratepayers of the electric utility.

Amendment 17 (394682)—Between line(s) 5590 and 5591 insert:

Section 87. Section 403.7032, Florida Statutes, is created to read

403.7032 Recycling.—

(1) The Legislature finds that the failure or inability to economically recover material and energy resources from solid waste results in the unnecessary waste and depletion of our natural resources. As the state continues to grow, so will the potential amount of discarded material that must be treated and disposed of, necessitating the improvement of solid waste collection and disposal. Therefore, the maximum recycling and reuse of such resources are considered high-priority goals of the state.

(2) By the year 2020, the long-term goal for the recycling efforts of state and local governmental entities, private companies and organizations, and the general public is to reduce the amount of recyclable solid waste disposed of in waste management facilities, landfills, or incineration facilities by a statewide average of at least 75 percent. However, any solid waste used for the production of renewable energy shall count toward the long term recycling goal as set forth in this section.

(3) The Department of Environmental Protection shall develop a comprehensive recycling program that is designed to achieve the percentage under subsection (2) and submit the program to the President of the Senate and the Speaker of the House of Representatives by January 1, 2010. The program may not be implemented until approved by the Legislature. The program must be developed in coordination with input from state and local entities, private businesses, and the public. Under the program, recyclable materials shall include, but are not limited to, metals, paper, glass, plastic, textile, rubber materials, and mulch. Components of the program shall include, but are not limited to:

(a) Programs to identify environmentally preferable purchasing practices to encourage the purchase of recycled, durable, and less toxic goods.

(b) Programs to educate students in grades K-12 in the benefits of, and proper techniques for, recycling.

(c) Programs for statewide recognition of successful recycling efforts by schools, businesses, public groups, and private citizens.

(d) Programs for municipalities and counties to develop and implement efficient recycling efforts to return valuable materials to productive use, conserve energy, and protect natural resources.

(e) Programs by which the department can provide technical assistance to municipalities and counties in support of their recycling efforts.

(f) Programs to educate and train the public in proper recycling efforts;

(g) Evaluation of how financial assistance can best be provided to municipalities and counties in support of their recycling efforts.

(h) Evaluation of why existing waste management and recycling programs in the state have not been better used.

Section 88. Section 403.7033, Florida Statutes, is created to read:

403.7033 Departmental analysis of particular recyclable materials.—The Legislature finds that prudent regulation of recyclable materials is crucial to the ongoing welfare of Florida's ecology and economy. As such, the Department of Environmental Protection shall undertake an analysis of the need for new or different regulation of auxiliary containers, wrappings, or disposable plastic bags used by consumers to carry products from retail establishments. The analysis shall include input from state and local government agencies, stakeholders, private businesses, and citizens, and shall evaluate the efficacy and necessity of both statewide and local regulation of these materials. To ensure consistent and effective implementation, the department shall submit a report with conclusions and recommendations to the Legislature no later than February 1, 2010. Until such time that the Legislature adopts the recommendations of the department, no local government, local governmental agency, or state government agency may enact any rule, regulation, or ordinance regarding use, disposition, sale, prohibition, restriction, or tax of such auxiliary containers, wrappings, or disposable plastic bags.

Section 89. 403.706 Local government solid waste responsibilities.—-

(2)(a) Each county shall implement a recyclable materials recycling program. Counties and municipalities are encouraged to form cooperative arrangements for implementing recycling programs.

(b) Such programs shall be designed to recover a significant portion of at least four of the following materials from the solid waste stream prior to final disposal at a solid waste disposal facility and to offer these materials for recycling: newspaper, aluminum cans, steel cans, glass, plastic bottles, cardboard, office paper, and yard trash. Local governments which operate permitted waste-to-energy facilities may retrieve ferrous and nonferrous metal as a byproduct of combustion.

(c) Local governments are encouraged to separate all plastics, metal, and all grades of paper for recycling prior to final disposal and are further encouraged to recycle yard trash and other mechanically treated solid waste into compost available for agricultural and other acceptable uses.

(d) *By July 1, 2010,* each county *shall develop and implement a plan to achieve a goal to compost* ~~is encouraged to consider plans for composting or mulching of~~ organic materials that would otherwise be disposed of in a landfill. *The goal shall provide that up to 10 percent and no less than 5 percent of organic material would be composted within the county and the municipalities within its boundaries. The department may reduce or modify the compost goal if the county demonstrates to the department that achievement of the goal would be impractical given the county's unique demographic, urban density, or inability to separate normally compostable material from the solid waste stream.* The composting *plan is* ~~or mulching plans are~~ encouraged to address partnership with the private sector.

(e) Each county is encouraged to consider plans for mulching organic materials that would otherwise be disposed of in a landfill. The mulching plans are encouraged to address partnership with the private sector.

Amendment 18 (538002)—Between line(s) 6371 and 6372 insert:

Section 110. *Motor vehicle emissions standards.—If the Department of Environmental Protection proposes to adopt the California motor vehicle emission standards, such standards shall not be implemented until ratified by the Legislature. If the department proposes to modify its rule adopting the California motor vehicle emission standards, such rule modifications shall not be implemented until ratified by the Legislature.*

On motion by Senator Saunders, further consideration of **CS for CS for CS for SB 1544** as amended was deferred.

Consideration of **CS for CS for CS for CS for SB 560** and **CS for SB 1300** was deferred.

CS for SB 1604—A bill to be entitled An act relating to designations of state facilities; designating the Major Claude A. Gnann Memorial Highway and the Deputy Wayne Koester Memorial Highway in Lake County; designating Lt. Colonel Robert T. Heagy, Jr., Memorial Highway in Marion County; designating Cutler Bay Boulevard, Palmetto Bay Boulevard, American Legion Way, Honorable Robert B. Ingram, Ph.D., Boulevard, Father Emilio Vallina Avenue, and Bishop Victor Tyrone Curry Boulevard in Miami-Dade County; designating United States Army Specialist Brandon Tyler Thorsen Memorial Highway in Levy County; designating John E. Andrews Boulevard, George Matthews Boulevard, Angela Webb Hammonds Boulevard, Willie F. Faust Boulevard, and James H. Argrett, Sr., Avenue in Duval County; designating Veteran's Memorial Parkway in Sarasota County; designating a bridge in the city of Sarasota as Gil Waters Bridge; designating Raquel Regalado Avenue in Miami-Dade County; directing the Department of Transportation to erect suitable markers; designating the Joseph P. Bertrand Building in Fort Myers; authorizing the Department of Management Services to erect suitable markers; designating Reverend Dr. C.P. Preston, Jr. Street in Miami-Dade County; authorizing the Department of Transportation to erect suitable markers; amending s. 589.19, F.S.; designating the state forest in Seminole County as the Charles H. Bronson State Forest; designating Rolando Encinosa Road, Henry Levy Boulevard, Manuel Feijoo Avenue, All-America Parkway, Katherine Fernandez Rundle Avenue, Judy Drucker Boulevard, Will James Johnson Road, Martha Flores Way, and Rabbi Barry Tabachnikoff Avenue in Miami-Dade County; directing the Department of Transportation to erect suitable markers; authorizing certain alterations of Old Cutler Road in the Village of Palmetto Bay; requiring the official approval of the Department of State before any alterations may begin; providing an effective date.

—as amended April 28 was read the third time by title.

Senator Baker moved the following amendment which was adopted by two-thirds vote:

Amendment 1 (339300)(with title amendment)—Delete line(s) 242 and insert:

Section 23. *Henri Levy Boulevard designated; Department of*

And the title is amended as follows:

Delete line(s) 27 and insert: Rolando Encinosa Road, Henri Levy Boulevard, Manuel Feijoo

On motion by Senator Baker, further consideration of **CS for SB 1604** as amended was deferred.

Consideration of **CS for CS for SB 2080** was deferred.

SB 2400—A bill to be entitled An act relating to abortion; amending s. 390.0111, F.S.; requiring that an ultrasound be performed on any woman obtaining an abortion; specifying who must perform an ultrasound; requiring that the ultrasound be reviewed with the patient prior to the woman giving informed consent; specifying who must review the ultrasound with the patient; requiring that the woman certify in writing that she declined to review the ultrasound and did so of her own free will and without undue influence; providing an exemption from the requirement to view the ultrasound for women who are the victims of rape, incest, domestic violence, or human trafficking or for women who have a serious medical condition necessitating the abortion; revising requirements for written materials; amending s. 390.012, F.S.; conforming cross-references; requiring ultrasounds for all patients; requiring that live ultrasound images be reviewed and explained to the patient; requiring that all other provisions in s. 390.0111, F.S., be complied with if the patient declines to view her live ultrasound images; providing for severability; providing an effective date.

—was read the third time by title.

On motion by Senator Webster, **SB 2400** failed to pass. The vote was:

Yeas—20

Mr. President	Diaz de la Portilla	Posey
Alexander	Fasano	Siplin
Atwater	Gaetz	Storms
Baker	Garcia	Villalobos
Constantine	Haridopolos	Webster
Crist	Oelrich	Wise
Dean	Peaden	

Nays—20

Aronberg	Geller	Lynn
Bennett	Hill	Margolis
Bullard	Jones	Rich
Carlton	Joyner	Ring
Dawson	Justice	Saunders
Deutch	King	Wilson
Dockery	Lawson	

The Senate resumed consideration of—

CS for CS for CS for SB 1544—A bill to be entitled An act relating to energy conservation; amending s. 74.051, F.S.; requiring a court to conduct a hearing and issue a final judgment on a petition for a taking within specified times after a utility's request for such hearing; amending s. 110.171, F.S.; requiring each state agency to complete a telecommuting program by a specified date which includes a listing of the job classification and positions that the state agency considers appropriate for telecommuting; providing requirements for the telecommuting program; requiring each state agency to post the telecommuting program on its website; amending s. 163.04, F.S.; revising provisions prohibiting restrictions on the use of energy devices based on renewable resources; amending s. 163.3177, F.S.; revising requirements for the future land use element of a local comprehensive plan; requiring that the traffic-circulation element incorporate transportation strategies to reduce greenhouse gas emissions; revising the conservation element of a local comprehensive plan to include factors that affect energy conservation; requiring a land use map of future land use to depict energy conservation; revising the standards, plans, and principles of the housing element of a local comprehensive plan; requiring each unit of local government within an urbanized area to amend the transportation element to incorporate transportation strategies addressing reduction in greenhouse gas emissions; amending s. 186.007, F.S.; authorizing the Executive Office of the Governor to include in the state comprehensive plan goals, objectives, and policies related energy and global climate change; amending s. 187.201, F.S.; adopting provisions of the State Comprehensive Plan concerning the development, siting, and use of low-carbon-emitting electric power plants; amending s. 196.012, F.S.; deleting the definition of the term "renewable energy source device" or "device"; amending s. 196.175, F.S.; providing no exemption shall be granted for renewable energy source devices installed before January 1, 2009; amending s. 206.43, F.S.; requiring each terminal supplier, importer, exporter, blender, and wholesaler to include the number of gallons of gasoline fuel which meet and fail to meet certain requirements in their monthly reports to the Department of Revenue; amending s. 212.08, F.S.; requiring that the Florida Energy and Climate Commission rather than the Department of Environmental Protection implement certain responsibilities concerning eligibility and application for the tax exemption; requiring the commission to adopt, by rule, an application form, including the required content and documentation to support the application, for the taxpayer to use in claiming the tax exemption; amending s. 220.192, F.S.; defining terms relating to a tax credit; allowing certain tax credits to be transferred for a specified period; providing procedures and requirements; authorizing the Department of Revenue to adopt rules; amending s. 220.193, F.S.; defining the terms "sale" or "sold" and "taxpayer"; providing legislative intent concerning retroactive application of certain renewable energy production tax credits; providing for the pass through of a renewable energy production tax credit under certain conditions; providing for retroactive application; amending s. 253.02, F.S.; providing that the Board of Trustees of the Internal Improvement Trust Fund may delegate to the Secretary of Environmental Protection the authority to grant easements on its behalf under certain conditions; amending s. 253.034, F.S.; granting a utility the use of nonsovereignty state-owned lands upon a showing of competent substantial evidence that the use is reasonable; establishing criteria relating to the title, distribution, and cost of such lands; amending s. 255.249, F.S.; requiring state agencies to annually provide telecommuting plans to the Department of Management Services; amending s. 255.251, F.S.; creating the "Florida Energy Conservation and Sustainable Buildings Act"; amending s. 255.252, F.S.; providing findings and legislative intent; providing that it is the policy of the state that buildings constructed and financed by the state, or existing buildings renovated by the state, be designed and constructed with a goal of meeting or exceeding the United States Green Building Council (USGBC) Leadership in Energy and Environmental Design (LEED) rating system, the Green Building Initiative's Green Globes rating system, or the Florida Green Building Coalition standards; requiring each state agency to identify and compile a list of energy-conservation projects that it determines are suitable for a guaranteed energy performance savings contract; amending s. 255.253, F.S.; defining terms relating to energy conservation for buildings; amending s. 255.254, F.S.; prohibiting a state agency from leasing or constructing a facility without having secured from the Department of Management Services an evaluation of life-cycle costs for the building; requiring certain leased buildings to have an energy performance analysis conducted; requiring the owner of any building leased by the state from the private sector to submit provisions for monthly energy use data to the department; amending s. 255.255, F.S.; requiring the department to use sustainable building ratings for conducting a life-cycle cost analysis; amending s. 255.257, F.S.; requiring that energy consumption and cost be reported to the department annually in a format prescribed by the department; providing duties of energy-management coordinators; requiring that the department of Management Services develop a state energy-management plan; requiring that state agencies adopt certain rating systems; prohibiting state agencies from entering into leasing agreements for office space not meeting certain building standards; providing an exception; requiring that state agencies develop energy-conservation measures and guidelines for new and existing office space in which state agencies occupy greater than a specified amount of square footage; providing requirements for such measures; creating s. 286.275, F.S.; requiring the Department of Management Services to develop the Florida Climate Friendly Preferred Products List; requiring state agencies to consult the list and purchase products from the list under certain circumstances; requiring state agencies to contract for meeting and conference space with facilities having the "Green Lodging" designation; authorizing the Department of Environmental Protection to adopt rules;

requiring the department to establish voluntary technical assistance programs for various businesses; requiring state agencies to maintain vehicles according to minimum standards and follow certain procedures when procuring new vehicles; requiring state agencies to use ethanol and biodiesel-blended fuels when available; amending s. 287.063, F.S.; prohibiting the payment term for equipment from exceeding the useful life of the equipment unless the contract provides for the replacement or the extension of the useful life of the equipment during the term of the deferred payment contract; amending s. 287.064, F.S.; authorizing an extension of the master equipment financing agreement for energy conservation equipment; requiring the guaranteed energy, water, and wastewater performance savings contractor to provide for the replacement or the extension of the useful life of the equipment during the term of the contract; amending s. 287.16, F.S.; requiring the Department of Management Services to conduct an analysis of the Department of Transportation's ethanol and biodiesel use and encourage other state agencies to analyze transportation fuel usage and report such information to the Department of Management Services; amending s. 288.1089, F.S.; defining the term "alternative and renewable energy"; detailing the conditions for an alternative and renewable energy project to be eligible for an innovation incentive award; amending s. 337.401, F.S.; requiring the Department of Environmental Protection to adopt rules relating to the placement of and access to aerial and underground electric transmission lines having certain specifications; defining the term "base-load generating facilities"; amending s. 339.175, F.S.; requiring each metropolitan planning organization to develop a long-range transportation plan that, among other considerations, provides for sustainable growth and reduces greenhouse gas emissions; amending s. 366.82, F.S.; requiring the Public Service Commission to adopt rules requiring utilities to offset 20 percent of their annual load-growth through energy efficiency and conservation measures; requiring the commission to create an in-state market for tradable credits enabling those utilities that exceed the conservation standard to sell credits to those that cannot meet the standard for a given year; requiring that the commission conduct a periodic review; requiring the commission to require municipal and cooperative utilities that are exempt from the Energy Efficiency and Conservation Act to submit an annual report identifying energy efficiency and conservation goals and the actions taken to meet those goals; requiring that the Florida Energy and Climate Commission be a party in the proceedings to adopt goals and file with the Public Service Commission comments on the proposed goals; requiring the Public Service Commission to use certain methodologies in the evaluation of demand-side management programs; amending s. 366.8255, F.S.; redefining the term "environmental compliance costs" to include costs or expenses prudently incurred for scientific research and geological assessments of carbon capture and storage for the purpose of reducing an electric utility's greenhouse gas emissions; amending s. 366.91, F.S.; providing definitions; requiring each public utility, municipal electric utility, and rural electric cooperative to develop a standardized interconnection agreement and net metering program for customer-owned renewable generation; provides for rulemaking and the filing of certain reports; providing definitions; requiring the commission to adopt a renewable portfolio standard by rule; requiring that the rule be ratified by the Legislature; providing that the rule must be submitted for legislative approval by February 1, 2009; specifying criteria for the rule development; allowing for full cost recovery of certain reasonable and prudent costs prior to the ratification of the rule; requiring each municipal electric utility and rural electric cooperative to develop standards for the use of renewable energy resources and energy conservation measures and submit a report to the Public Service Commission which identifies such standards; amending s. 366.93, F.S.; revising the definitions of "cost" and "preconstruction"; requiring the Public Service Commission to establish rules relating to cost recovery for the construction of new, expanded, or relocated electrical transmission lines and facilities for alternative energy technologies; transferring the State Energy Program from the Department of Environmental Protection to the Florida Energy and Climate Commission; creating s. 377.6015, F.S.; creating the Florida Energy and Climate Commission; providing for the appointment and qualifications of members; providing for meetings, duties, and authority of the commission; authorizing the commission to adopt rules; amending s. 377.602, F.S.; revising definitions; amending ss. 377.603, 377.604, 377.605, and 377.606, F.S.; conforming provisions to changes made by the act; amending s. 377.701, F.S.; assigning responsibility for petroleum allocation and conservation to the commission rather than the Department of Environmental Protection; amending s. 377.703, F.S.; assigning additional duties to the Florida Energy and Climate Commission relating to state energy policy; deleting definitions; conforming cross-references; amending s. 377.705, F.S.; revising legislative intent relating to solar energy standards; amending s. 377.801, F.S.; revising a short title; amending s. 377.802, F.S.; revising the purpose of the Florida Energy and Climate Protection Act; amending s. 377.803, F.S.; revising definitions; amending s. 377.804, F.S.; assigning responsibility for the Renewable Energy and Energy-Efficient Technologies Grant Program to the Florida Energy and Climate Commission rather than the Department of Environmental Protection; requiring the commission to develop policies relating to commercialized products developed under a state grant; requiring grant applications to include an affidavit attesting to the veracity of statements in the application; amending s. 377.806, F.S.; providing for administration of the Solar Energy System Incentives Program by the Florida Energy and Climate Commission rather than the Department of Environmental Protection; requiring compliance with the Florida Building Code rather than local codes in order to be eligible for a rebate under the program; creating s. 377.808, F.S.; creating the Florida Green Government Grants Act; providing a short title; requiring the Florida Energy and Climate Commission to award grants to assist local governments in the development of programs that achieve green standards; requiring the commission to adopt rules; providing requirements for the rules; limiting the number of grant applications by a local government; limiting the number of active projects that may be conducted by a local government; requiring the commission to perform an overview of each grant; repealing s. 377.901, F.S., relating to the Florida Energy Commission within the Department of Environmental Protection; creating s. 377.921, F.S., relating to qualified solar energy systems; providing definitions; allowing a public utility to recover certain costs; amending ss. 380.23 and 403.031, F.S.; conforming cross-references; creating s. 403.44, F.S.; creating the Florida Climate Protection Act; defining terms; requiring the Department of Environmental Protection to establish the methodologies, reporting periods, and reporting systems that must be used when major emitters report to The Climate Registry; authorizing the department to adopt rules for a cap-and-trade regulatory program to reduce greenhouse gas emissions from major emitters; providing for the content of the rule; amending s. 403.502, F.S.; providing legislative intent; amending s. 403.503, F.S.; defining the term "alternate corridor" and redefining the term "corridor" for purposes of the Florida Electrical Power Plant Siting Act; amending s. 403.504, F.S.; requiring the Department of Environmental Protection to determine whether a proposed alternate corridor is acceptable; amending s. 403.506, F.S.; exempting an electric utility from obtaining certification under the Florida Electrical Power Plant Siting Act before constructing facilities for a power plant using nuclear materials as fuel; providing that a utility may obtain separate licenses, permits, and approvals for such construction under certain circumstances; exempting such provisions from review under ch. 120, F.S.; amending s. 403.5064, F.S.; requiring an applicant to submit a statement to the department if such applicant opts for consideration of alternate corridors; amending s. 403.5065, F.S.; providing for conforming changes; amending s. 403.50663, F.S.; providing for notice of meeting to the general public; amending s. 403.50665, F.S.; requiring an application to include a statement on the consistency of directly associated facilities constituting a "development"; requiring the Department of Environmental Protection to address at the certification hearing the issue of compliance with land use plans and zoning ordinances for a proposed substation located in or along an alternate corridor; amending s. 403.507, F.S.; providing for reports to be submitted to the department no later than 100 days after certification application has been determined complete; amending s. 403.508, F.S.; providing for land use and certification hearings; amending s. 403.509, F.S.; requiring the Governor and Cabinet sitting as the siting board to certify the corridor having the least adverse impact; authorizing the board to deny certification or allow a party to amend its proposal; amending s. 403.511, F.S.; providing for conforming changes; amending s. 403.5112, F.S.; providing for filing of notice; amending s. 403.5113, F.S.; providing for postcertification amendments and postcertification review; amending s. 403.5115, F.S.; requiring the applicant proposing the alternate corridor to publish all notices relating to the application; requiring that such notices comply with certain requirements; requiring that notices be published at least 45 days before the rescheduled certification hearing; amending ss. 403.516, 403.517, and 403.5175, F.S.; providing conforming changes and cross-references; amending s. 403.518, F.S.; authorizing the Department of Environmental Protection to charge an application fee for an alternate corridor; amending ss. 403.519, 403.5252, 403.526, 403.527, 403.5271, 403.5272, 403.5312, 403.5363, 403.5365, and 403.814, F.S., relating to determinations of need and general permits; conforming provisions to changes made by the act; amending s. 403.7031, F.S.; prohibiting a county or municipality from using in practice any definition inconsistent with certain statutes; creating s. 403.7055, F.S.; encouraging counties in the state to form regional solutions to the capture and reuse or sale of

methane gas from landfills and wastewater treatment facilities; requiring the Department of Environmental Protection to provide guidelines and assistance; amending s. 403.814, F.S., relating to general permits; conforming provisions; amending s. 489.145, F.S.; revising provisions of the Guaranteed Energy Performance Savings Contracting Act; renaming the act as the "Guaranteed Energy, Water, and Wastewater Performance Savings Contracting Act"; requiring that each proposed contract or lease contain certain agreements concerning operational cost-saving measures; redefining terms; defining the term "investment grade energy audit"; requiring that certain baseline information, supporting information, and documentation be included in contracts; requiring the office of the Chief Financial Officer to review contract proposals; providing audit requirements; requiring contract approval by the Legislature or Chief Financial Officer; creating s. 526.203, F.S.; providing definitions; requiring that on or after a specified date all gasoline sold in the state contain a specified percent of agriculturally derived denatured ethanol; providing for exemptions; creating s. 526.204, F.S.; providing for the requirements to be suspended during a declared emergency; providing an exemption if a supplier or other distributor is unable to obtain the required fuel at the same or lower price than the price of unblended gasoline; requiring that documentation be provided to the Department of Revenue; creating s. 526.205, F.S.; providing for enforcement of the requirement for gasoline content; providing penalties; providing for the Department of Revenue to grant an extension of time to comply with the requirement; creating s. 526.206, F.S.; authorizing the Department of Revenue and the Department of Agriculture and Consumer Services to adopt rules; requiring the Florida Energy Commission to conduct a study of the lifecycle greenhouse gas emissions associated with all renewable fuels; requiring a report to the Legislature by a specified date; amending s. 553.77, F.S.; authorizing the Florida Building Commission to implement recommendations relating to energy efficiency in residential and commercial buildings; creating s. 553.886, F.S.; requiring that the Florida Building Code facilitate and promote the use of certain renewable energy technologies in buildings; amending s. 553.901, F.S.; requiring the commission to adopt by rule a definition of the term "cost effective"; creating s. 553.9061, F.S.; requiring the Florida Building Commission to establish a schedule of increases in the energy performance of buildings subject to the Energy Efficiency Code for Building Construction; providing a process for implementing goals to increase energy-efficiency performance in new buildings; providing a schedule for the implementation of such goals; identifying energy-efficiency performance options and elements available to meet energy-efficiency performance requirements; providing a schedule for the review and adoption of renewable energy-efficiency goals by the commission; requiring the commission to conduct a study to evaluate the energy-efficiency rating of new buildings and appliances; requiring the commission to submit a report to the President of the Senate and the Speaker of the House of Representatives on or before a specified date; requiring the commission to conduct a study to evaluate opportunities to restructure the Florida Energy Code for Building Construction, including the integration of the Thermal Efficiency Code, the Energy Conservation Standards Act, and the Florida Building Energy-Efficiency Rating Act; requiring the commission to submit a report to the President of the Senate and the Speaker of the House of Representatives on or before a specified date; directing the Department of Community Affairs, in conjunction with the Florida Energy Affordability Council, to identify and review issues relating to the Low-Income Home Energy Assistance Program and the Weatherization Assistance Program; requiring the submission of a report to the President of the Senate and the Speaker of the House of Representatives on or before a specified date; providing for the expiration of certain study requirements; amending s. 553.957, F.S.; including certain home and commercial appliances in the requirements for testing and certification for meeting certain energy-conservation standards; amending s. 553.975, F.S.; conforming a cross-reference; requiring the Public Service Commission to analyze utility revenue decoupling and provide a report and recommendations to the Governor, the President of the Senate, and the Speaker of the House of Representatives by a specified date; amending s. 718.113, F.S.; authorizing the board of a condominium or a multicondominium to install solar collectors, clotheslines, or other energy-efficient devices on association property; creating s. 1004.648, F.S.; establishing the Florida Energy Systems Consortium, consisting of specified state universities; providing membership and duties of the consortium; providing for an oversight board and steering committee; providing reporting requirements for the consortium by a date certain; authorizing the Department of Environmental Protection to require certain agreements to contain a stipulation requiring the return to the state of a portion of the profit resulting from commercialization of an energy-related product or process; requiring the department to conduct a study relating to the state earning a monetary return on energy-related products or processes through the use of negotiated or licensing agreements; requiring the department to submit the study to the Governor and the Legislature; requiring the Department of Environmental Protection, in conjunction with the Department of Agriculture and Consumer Services, to conduct an economic impact analysis on the effect of granting financial incentives to energy producers who use woody biomass; requiring the department to submit the results to the Legislature; providing legislative findings regarding recycling; providing for a long-term goal of reducing the amount of solid waste disposed of in the state by a certain percentage; requiring the Department of Environmental Protection to develop a comprehensive recycling program and submit such program to the Legislature by a specified date; requiring the Legislature's approval before implementing such program; requiring that such program be developed in coordination with other state and local entities, private businesses, and the public; requiring that the program contain certain components; requiring the Department of Environmental Protection to prepare a report relating to the costs and benefits of implementing a cap-and-trade system to trade emission credits; requiring the department to present the report to the Governor, the President of the Senate, and the Speaker of the House of Representatives; describing certain specified issues to be included in the report; providing effective dates.

—which was previously considered and amended this day.

Pending further consideration of **CS for CS for CS for SB 1544** as amended, on motion by Senator Saunders, by two-thirds vote **HB 7135** was withdrawn from the Committees on Environmental Preservation and Conservation; Communications and Public Utilities; and General Government Appropriations.

On motion by Senator Saunders, the rules were waived and by two-thirds vote—

HB 7135—A bill to be entitled An act relating to energy; amending s. 74.051, F.S.; providing that it is the intent of the Legislature for a court, when practicable, to conduct a hearing and issue an order on a petition for a taking within a specified time; amending s. 110.171, F.S.; requiring each state agency to complete a telecommuting program by a specified date which includes a listing of the job classifications and positions that the state agency considers appropriate for telecommuting; providing requirements for the telecommuting program; requiring each state agency to post the telecommuting program on its Internet website; amending s. 163.04, F.S.; clarifying that condominium declarations may not prohibit renewable energy devices; removes three-story height restriction for installation of solar collectors on condominiums; amending s. 186.007, F.S.; authorizing the Executive Office of the Governor to include in the state comprehensive plan goals, objectives, and policies related to energy and global climate change; amending s. 187.201, F.S.; expanding the air quality, energy, and land use goals of the State Comprehensive Plan to include the development of low-carbon-emitting electric power plants, the reduction of atmospheric carbon dioxide, the promotion of the use and development of renewable energy resources, and provide for the siting of low carbon emitting electric power plants, including nuclear plants; amending ss. 196.012 and 196.175, F.S.; deleting outdated, obsolete language; removing the expiration date of the property tax exemption for real property on which a renewable energy source device is installed and revising the options for calculating the amount of the exemption; amending s. 206.43, F.S.; requiring each terminal supplier, importer, blender, and wholesaler to provide in a report to the Department of Revenue the number of gallons of blended and unblended gasoline sold; amending s. 212.08, F.S.; revising the definition of "ethanol"; specifying eligible items as limited to one refund; requiring a person who receives a refund to notify a subsequent purchaser of such refund; transferring certain duties and responsibilities from the Department of Environmental Protection to the Florida Energy and Climate Commission; requiring the Florida Energy and Climate Commission to adopt, by rule, an application form for claiming a tax exemption; amending s. 220.191, F.S.; providing that certain qualifying projects are eligible to transfer capital investment tax credits to other businesses under certain circumstances; providing limitations on the use of such transferred credits; specifying requirements for such transfers; amending s. 220.192, F.S.; defining terms related to a tax credit; allowing the tax credit to be transferred for a specified period; providing procedures and requirements; requiring the Department of Revenue to adopt rules for implementation and administration of the program; transferring certain duties and responsibilities from the Department of Environmental Protection to the Florida Energy and Climate Commission; amending s.

220.193, F.S.; defining the terms "sale" or "sold"; defining the term "taxpayer"; providing for retroactivity; providing that the use of the renewable energy production credit does not reduce the alternative minimum tax credit; amending s. 253.02, F.S.; authorizing the Board of Trustees of the Internal Improvement Trust Fund to delegate authority to grant easements across lands owned by the Board of Trustees of the Internal Improvement Trust Fund to the Secretary of Environmental Protection under certain conditions; amending s. 255.249, F.S.; requiring state agencies to annually provide telecommuting plans to the Department of Management Services; amending s. 255.251, F.S.; creating the "Florida Energy Conservation and Sustainable Buildings Act"; amending s. 255.252, F.S.; providing findings and legislative intent; providing that it is the policy of the state that buildings constructed and financed by the state be designed to meet the United States Green Building Council (USGBC) Leadership in Energy and Environmental Design (LEED) rating system, the Green Building Initiative's Green Globes rating system, the Florida Green Building Coalition standards, or a nationally recognized green building rating system as approved by the department; requiring each state agency occupying space owned or managed by the department to identify and compile a list of projects suitable for a guaranteed energy, water, and wastewater performance savings contract; amending s. 255.253, F.S.; defining terms relating to energy conservation for buildings; amending s. 255.254, F.S.; prohibiting a state agency from leasing or constructing a facility without having secured from the department a proper evaluation of life-cycle costs for the building; amending s. 255.255, F.S.; requiring the department to use sustainable building ratings for conducting a life-cycle cost analysis; amending s. 255.257, F.S.; requiring all state agencies to adopt an energy efficiency rating system as approved by the department for all new buildings and renovations to existing buildings; requiring all county, municipal, school district, water management district, state university, community college, and Florida state court buildings to meet certain energy efficiency standards for construction; providing applicability; creating a sustainable building training certification program within St. Petersburg College; specifying program components; creating s. 286.29, F.S.; requiring the Department of Management Services to develop the Florida Climate-Friendly Preferred Products List; requiring state agencies to consult the list and purchase products from the list if the price is comparable; requiring state agencies to contract for meeting and conference space with facilities having the "Green Lodging" designation; authorizing the Department of Environmental Protection to adopt rules; requiring the department to establish voluntary technical assistance programs for various businesses; requiring state agencies, state universities, community colleges, and local governments that purchase vehicles under a state purchasing plan to maintain vehicles according to minimum standards and follow certain procedures when procuring new vehicles; requiring state agencies to use ethanol and biodiesel-blended fuels when available; amending s. 287.063, F.S.; prohibiting the payment term for equipment from exceeding the useful life of the equipment unless the contract provides for the replacement or the extension of the useful life of the equipment during the term of the loan; amending s. 287.064, F.S.; authorizing an extension of the master equipment financing agreement for energy conservation equipment; requiring the guaranteed energy, water, and wastewater savings contractor to provide for the replacement or the extension of the useful life of the energy conservation equipment during the term of the contract; amending s. 287.16, F.S.; requiring the Department of Management Services to analyze specified fuel usage by the Department of Transportation; amending s. 288.1089, F.S.; defining the term "alternative and renewable energy"; revising provisions relating to innovation incentive awards to include alternative and renewable energy projects; specifying eligibility requirements for such projects; requiring Enterprise Florida, Inc., to solicit comments and recommendations from the Florida Energy and Climate Commission in evaluating such projects; amending s. 316.0741, F.S.; requiring all hybrid and other low-emission and energy-efficient vehicles that do not meet the minimum occupancy requirement and are driven in a high-occupancy-vehicle lane to comply with federally mandated minimum fuel economy standards; authorizing specified vehicles to use certain high-occupancy-vehicle lanes without payment of tolls; amending s. 337.401, F.S.; requiring the Department of Environmental Protection to adopt rules relating to the placement of and access to aerial and underground electric transmission lines having certain specifications; defining the term "base-load generating facilities"; amending s. 339.175, F.S.; requiring each metropolitan planning organization to develop a long-range transportation plan and an annual project priority list that, among other considerations, provide for sustainable growth and reduce greenhouse gas emissions; amending s. 350.01, F.S.; conforming the beginning of a Public Service Commission member's term as chair with the beginning of terms of commissioners; correcting cross-references; amending s. 350.012, F.S.; renaming the Committee on Public Service Commission Oversight, a standing joint committee of the Legislature, as the "Committee on Public Counsel Oversight"; deleting the committee's authority to recommend to the Governor nominees to fill vacancies on the Public Service Commission; amending s. 350.03, F.S.; clarifying the power of the Governor to remove and fill commission vacancies as set forth in the State Constitution; amending s. 350.031, F.S.; increasing the number of members on the council; requiring the President of the Senate and the Speaker of the House of Representatives to appoint a chair and vice chair to the council in alternating years; removing spending authority for the council to advertise vacancies; requiring the council to submit recommendations for vacancies on the Public Service Commission to the Governor; requiring the council to nominate a minimum of three persons for each vacancy; revising the date that recommendations for vacancies must be submitted; providing that a successor Governor may remove an appointee only as provided; providing for the council to fill a vacancy on the commission if the Governor fails to do so; authorizing a successor governor to recall an unconfirmed appointee under certain circumstances; amending ss. 350.061 and 350.0614, F.S., relating to the appointment, oversight, and compensation of the Public Counsel; conforming provisions to changes made by the act; amending s. 366.04, F.S.; requiring an affected municipal electric utility to conduct a referendum election of all its retail electric customers to determine whether to require the municipal electric utility to provide a proposed charter transferring the operations of the utility to an electric utility authority; amending s. 366.81, F.S.; providing legislative intent; amending s. 366.82, F.S.; defining the term "demand-side renewable energy"; requiring the Public Service Commission to adopt goals for increasing the development of demand-side renewable energy systems energy resources; providing for cost-effectiveness tests; requiring the Florida Energy and Climate Commission to be a party in the proceedings to adopt goals; providing for an appropriations; providing for cost recovery; authorizing the commission to provide financial rewards and penalties; authorizing the commission to allow an investor-owned utility to earn an additional return on equity for exceeding energy efficiency and conservation goals; amending s. 366.8255, F.S.; redefining the term "environmental compliance costs" to include costs or expenses prudently incurred for scientific research and geological assessments of carbon capture and storage for the purpose of reducing an electric utility's greenhouse gas emissions; amending s. 366.91, F.S.; clarifying the definition of "biomass" to include waste and byproducts; requiring each public utility, and each municipal electric utility and rural electric utility cooperative that sells electricity at retail, to develop a standardized interconnection and net metering program for customer-owned renewable generation; authorizing net metering to be available when a utility purchases power generated from biogas produced by anaerobic digestion under certain conditions; amending s. 366.92, F.S.; directing the Public Service Commission to adopt a renewable portfolio standard; providing definitions; providing for renewable energy credits; providing for cost recovery; prohibiting the renewable portfolio standard rule from taking effect until ratified by the Legislature; amending s. 366.93, F.S.; revising the definitions of "cost" and "preconstruction"; requiring the Public Service Commission to establish rules relating to cost recovery for the construction of new, expanded, or relocated electrical transmission lines and facilities for a nuclear power plant; amending s. 377.601, F.S.; revising legislative intent with respect to the need to implement alternative energy technologies; providing for the transfer of the Florida Energy Commission in the Office of Legislative Services to the Florida Energy and Climate Commission in the Executive Office of the Governor; creating s. 377.6015, F.S.; providing for the membership, meetings, duties, and responsibilities of the Florida Energy and Climate Commission; providing rulemaking authority; amending s. 377.602, F.S.; revising the definition of "energy resources"; providing for conforming changes; providing for the type two transfer of the state energy program in the Department of Environmental Protection to the Florida Energy and Climate Commission in the Executive Office of the Governor; amending ss. 377.603, 377.604, 377.605, 377.606, 377.608, 377.701, 377.703, and 377.705, F.S.; providing for conforming changes; amending s. 377.801, F.S.; providing a short title; amending s. 377.802, F.S.; providing the purpose of the Florida Energy and Climate Protection Act; amending s. 377.803, F.S.; revising definitions; clarifying the definition of "renewable energy" to include biomass, as defined in s. 366.91, F.S.; amending s. 377.804, F.S., relating to the Renewable Energy and Energy-Efficient Technologies Grants Program; providing for the program to include matching grants for technologies that increase the energy efficiency of vehicles and commercial buildings; providing for the solicitation of expertise of other entities; providing application requirements; amending s. 377.806, F.S.; conforming

provisions relating to the Solar Energy System Incentives Program, to changes made by this act; requiring all eligible systems under the program to comply with the Florida Building Code; revising rebate eligibility requirements for solar thermal systems to include the installation of certain products by roofing contractors; creating s. 377.808, F.S.; establishing the "Florida Green Government Grants Act"; providing for grants to be awarded to local governments in the development of programs that achieve green standards; amending ss. 380.23 and 403.031, F.S.; conforming cross-references; creating s. 403.44, F.S.; creating the Florida Climate Protection Act; defining terms; requiring the Department of Environmental Protection to establish the methodologies, reporting periods, and reporting systems that must be used when major emitters report to The Climate Registry; authorizing the department to adopt rules for a cap-and-trade regulatory program to reduce greenhouse gas emissions from major emitters; providing for the content of the rule; prohibiting the rules from being adopted until after January 1, 2010, and from becoming effective until ratified by the Legislature; amending s. 403.502, F.S.; providing legislative intent; amending s. 403.503, F.S.; defining the term "alternate corridor" and redefining the term "corridor" for purposes of the Florida Electrical Power Plant Siting Act; amending s. 403.504, F.S.; requiring the Department of Environmental Protection to determine whether a proposed alternate corridor is acceptable; amending s. 403.506, F.S.; exempting an electric utility from obtaining certification under the Florida Electrical Power Plant Siting Act before constructing facilities for a power plant using nuclear materials as fuel; providing that a utility may obtain separate licenses, permits, and approvals for such construction under certain circumstances; exempting such provisions from review under ch. 120, F.S.; amending s. 403.5064, F.S.; requiring an applicant to submit a statement to the department if such applicant opts for consideration of alternate corridors; amending s. 403.5065, F.S.; providing for conforming changes; amending s. 403.50663, F.S.; providing for notice of meeting to the general public; amending s. 403.50665, F.S.; requiring an application to include a statement on the consistency of directly associated facilities constituting a "development"; requiring the Department of Environmental Protection to address at the certification hearing the issue of compliance with land use plans and zoning ordinances for a proposed substation located in or along an alternate corridor; amending s. 403.507, F.S.; providing for reports to be submitted to the department no later than 100 days after certification application has been determined complete; amending s. 403.508, F.S.; providing for land use and certification hearings; amending s. 403.509, F.S.; requiring the Governor and Cabinet sitting as the siting board to certify the corridor having the least adverse impact; authorizing the board to deny certification or allow a party to amend its proposal; amending s. 403.511, F.S.; providing for conforming changes; amending s. 403.5112, F.S.; providing for filing of notice; amending s. 403.5113, F.S.; providing for postcertification amendments and postcertification review; amending s. 403.5115, F.S.; requiring the applicant proposing the alternate corridor to publish all notices relating to the application; requiring that such notices comply with certain requirements; requiring that notices be published at least 45 days before the rescheduled certification hearing; requiring applicants to make specified efforts to provide notice to certain landowners and to file a list of such notification with the Department of Environmental Protection's Siting Coordination Office; amending ss. 403.516, 403.517, and 403.5175, F.S.; providing conforming changes and cross-references; amending s. 403.518, F.S.; authorizing the Department of Environmental Protection to charge an application fee for an alternate corridor; amending ss. 403.519, 403.5252, 403.526, 403.527, 403.5271, 403.5272, 403.5312, 403.5363, 403.5365, and 403.814, F.S., relating to determinations of need, public notice requirements, and general permits; conforming provisions to changes made by the act; creating s. 403.7055, F.S.; encouraging counties in the state to form regional solutions to the capture and reuse or sale of methane gas from landfills and wastewater treatment facilities; requiring the Department of Environmental Protection to provide guidelines and assistance; amending s. 489.145, F.S.; creating s. 403.7032, F.S.; providing legislative findings regarding recycling; providing for a long-term goal of reducing the amount of solid waste disposed of in the state by a certain percentage; requiring the Department of Environmental Protection to develop a comprehensive recycling program and submit such program to the Legislature by a specified date; requiring the Legislature's approval before implementing such program; requiring that such program be developed in coordination with other state and local entities, private businesses, and the public; requiring that the program contain certain components; creating s. 403.7033, F.S., requiring a departmental analysis of particular recyclable materials; requiring a submission of a report; amending s. 403.706, F.S., requiring every county to implement a composting plan to attain certain goals by a date certain; provides for goal modifications upon demonstrated need to the department; amending s. 489.145, F.S.; revising provisions of the Guaranteed Energy, Water, and Wastewater Performance Savings Contracting Act; requiring that each proposed contract or lease contain certain agreements concerning operational cost-saving measures; requiring the Office of the Chief Financial Officer to review contract proposals; redefining terms; requiring that certain baseline information, supporting information, and documentation be included in contracts; requiring the Office of the Chief Financial Officer to review contract proposals; providing audit requirements; requiring contract approval by the Chief Financial Officer; amending s. 526.06, F.S.; revising provisions for the sale of gasoline blended with ethanol; providing specifications for transitioning to ethanol-blended fuels; creating s. 526.201, F.S.; creating the "Florida Renewable Fuel Standard Act"; creating s. 526.202, F.S.; establishing legislative findings for the act; creating s. 526.203, F.S.; providing definitions, fuel standard, exemptions, and reporting; creating s. 526.204, F.S.; providing for waivers; providing for suspension of standard requirement during declared emergencies; creating s. 526.205, F.S.; providing for enforcement of the act; providing for extensions; creating s. 526.206, F.S.; providing for rulemaking authority by the Department of Revenue and the Department of Agriculture and Consumer Services; creating s. 526.207, F.S.; requiring studies and reports by the Florida Energy and Climate Commission; amending s. 553.73, F.S.; requiring that the Florida Building Commission select the most recent International Energy Conservation Code as a foundation code; providing for modification of the International Energy Conservation Code by the commission under certain circumstances; creating s. 553.9061, F.S.; requiring the Florida Building Commission to establish a schedule of increases in the energy performance of buildings subject to the Florida Energy Efficiency Code for Building Construction; providing energy-efficiency performance options and elements for achieving performance goals; requiring the commission to adopt rules and implement a cost-effectiveness test; amending s. 553.909, F.S.; requiring the Florida Energy Efficiency Code for Building Construction to set minimum requirements for certain commercial or residential appliances; requiring the Agency for Enterprise Information Technology to define specified objective standards and conduct evaluations relating to energy efficiency; requiring the agency to submit a report; providing report requirements; requiring the agency to submit specified recommendations; providing for the inclusion of specifications in certain plans and processes; creating s. 1004.648, F.S.; establishing the Florida Energy Systems Consortium consisting of all the state universities; providing for membership and duties of the consortium; providing for a director, an oversight board, and a steering committee; requiring the consortium to submit an annual report; requiring an economic impact analysis on the effects of granting financial incentives to energy producers who use woody biomass as fuel; providing that certain vehicle emission standards are subject to ratification by the Legislature prior to implementation or modification by the Department of Environmental Protection; requiring the Department of Education and the Department of Environmental Protection to develop an awards or recognition program for outstanding efforts in conservation, energy and water use reduction, environmental enhancement, and conservation-related educational curriculum development; encouraging the departments to seek private sector funding for the program; repealing s. 377.901, F.S., relating to the Florida Energy Commission; requiring the Public Service Commission to provide a report to the Governor and the Legislature on utility revenue decoupling; providing effective dates.

—a companion measure, was substituted for **CS for CS for CS for SB 1544** as amended and by two-thirds vote read the second time by title. On motion by Senator Saunders, by two-thirds vote **HB 7135** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Dawson	Hill
Alexander	Dean	Jones
Aronberg	Deutch	Joyner
Atwater	Diaz de la Portilla	Justice
Baker	Dockery	King
Bennett	Fasano	Lawson
Bullard	Gaetz	Lynn
Carlton	Garcia	Margolis
Constantine	Geller	Oelrich
Crist	Haridopolos	Peaden

Posey	Siplin	Webster
Rich	Storms	Wilson
Ring	Villalobos	Wise
Saunders		

Nays—None

HB 35—A bill to be entitled An act relating to social worker identification; amending ss. 39.01 and 491.003, F.S.; providing definitions for "social worker"; creating s. 491.016, F.S.; providing requirements for using the title "social worker"; providing a penalty; providing exemptions; requiring the Department of Health to adopt certain implementing and enforcing rules; providing an effective date.

—was read the third time by title.

On motion by Senator Rich, **HB 35** was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Diaz de la Portilla	Lynn
Alexander	Dockery	Margolis
Aronberg	Fasano	Oelrich
Atwater	Gaetz	Peaden
Baker	Garcia	Posey
Bennett	Geller	Rich
Bullard	Haridopolos	Ring
Carlton	Hill	Saunders
Constantine	Jones	Siplin
Crist	Joyner	Villalobos
Dawson	Justice	Webster
Dean	King	Wilson
Deutch	Lawson	Wise

Nays—1

Storms

CS for SB 268—A bill to be entitled An act relating to the Legislature; providing a short title; amending s. 11.143, F.S.; eliminating authority for members of a legislative committee to administer certain oaths and affirmations to witnesses; eliminating penalties for false swearing before a legislative committee; conforming to the creation of new provisions relating to oaths and affirmations before a legislative committee; creating s. 11.1435, F.S.; requiring persons who address a legislative committee to take an oath or affirmation of truthfulness; providing exceptions; requiring a member of the legislative committee to administer the oath or affirmation; providing criminal penalties for certain false statements before a legislative committee; authorizing the use of a signed appearance card in lieu of an oral oath or affirmation; prescribing conditions related to the use of the card; providing for penalties for making a false statement after signing the card; providing an effective date.

—as amended April 29 was read the third time by title.

On motion by Senator Villalobos, **CS for SB 268** as amended was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dean	Justice
Alexander	Deutch	King
Aronberg	Dockery	Lawson
Atwater	Fasano	Lynn
Baker	Gaetz	Margolis
Bennett	Garcia	Oelrich
Bullard	Geller	Peaden
Carlton	Haridopolos	Posey
Constantine	Hill	Rich
Crist	Jones	Ring
Dawson	Joyner	Saunders
Siplin	Villalobos	Wilson
Storms	Webster	Wise

Nays—None

Vote after roll call:

Yea—Diaz de la Portilla

Consideration of **CS for CS for SB 482** was deferred.

On motion by Senator Justice, by two-thirds vote **HB 7103** was withdrawn from the Committee on Banking and Insurance.

On motion by Senator Justice, the rules were waived and by two-thirds vote—

HB 7103—A bill to be entitled An act relating to mitigation enhancement; amending s. 215.5586, F.S.; revising eligibility criteria for qualifying as a wind certification entity for certain purposes; deleting an obsolete provision; requiring the Department of Financial Services to implement a quality assurance program; revising authority of the department to require certain improvements to be made as a condition of reimbursing a homeowner approved for a grant; deleting a provision authorizing the department to transfer certain funds to Volunteer Florida Foundation, Inc., for certain purposes; deleting a requirement that Volunteer Florida, Inc., undertake certain activities; requiring the department to implement a no-interest loan program by a certain date; providing program requirements; requiring the department to set aside certain moneys for certain purposes; authorizing the department to adopt rules; expanding authority of the department to contract with additional third parties for certain purposes; amending s. 627.062, F.S.; requiring insurers to account for county ordinances and local amendments to the Florida Building Code in certain rate filings; amending s. 627.711, F.S.; requiring insurers to accept as valid uniform mitigation verification forms certified by the department or signed by certain professionals; providing an effective date.

—a companion measure, was substituted for **CS for SB 644** as amended and by two-thirds vote read the second time by title.

Senator Justice moved the following amendment:

Amendment 1 (231502)(with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Subsection (1), paragraphs (e) and (j) of subsection (2), and subsection (10) of section 215.5586, Florida Statutes, are amended to read:

215.5586 My Safe Florida Home Program.—There is established within the Department of Financial Services the My Safe Florida Home Program. The department shall provide fiscal accountability, contract management, and strategic leadership for the program, consistent with this section. This section does not create an entitlement for property owners or obligate the state in any way to fund the inspection or retrofitting of residential property in this state. Implementation of this program is subject to annual legislative appropriations. It is the intent of the Legislature that the My Safe Florida Home Program provide inspections for at least 400,000 site-built, single-family, residential properties and provide grants to at least 35,000 applicants before June 30, 2009. The program shall develop and implement a comprehensive and coordinated approach for hurricane damage mitigation that shall include the following:

(1) HURRICANE MITIGATION INSPECTIONS.—

(a) Free home-retrofit inspections of site-built, single-family, residential property shall be offered throughout the state to determine what mitigation measures are needed, what insurance premium discounts may be available, and what improvements to existing residential properties are needed to reduce the property's vulnerability to hurricane damage. The Department of Financial Services shall contract with wind certification entities to provide free hurricane mitigation inspections. The inspections provided to homeowners, at a minimum, must include:

1. A home inspection and report that summarizes the results and identifies recommended improvements a homeowner may take to mitigate hurricane damage.

2. A range of cost estimates regarding the recommended mitigation improvements.

3. Insurer-specific information regarding premium discounts correlated to the current mitigation features and the recommended mitigation improvements identified by the inspection.

4. A hurricane resistance rating scale specifying the home's current as well as projected wind resistance capabilities. As soon as practical, the rating scale must be the uniform home grading scale adopted by the Financial Services Commission pursuant to s. 215.55865.

(b) To qualify for selection by the department as a wind certification entity to provide hurricane mitigation inspections, the entity shall, at a minimum*, meet the following requirements*:

1. Use hurricane mitigation inspectors who:

a. Are certified as a building inspector under s. 468.607;

b. Are licensed as a general or residential contractor under s. 489.111;

c. Are licensed as a professional engineer under s. 471.015 and who have passed the appropriate equivalency test of the Building Code Training Program as required by s. 553.841;

d. Are licensed as a professional architect under s. 481.213; or

e.~~a.~~ Have *at least 2 years of* ~~prior~~ experience in residential construction or *residential building* inspection and have received specialized training in hurricane mitigation procedures. Such training may be provided by a class offered online or in person.

2. Use hurricane mitigation inspectors who also:

a.~~b.~~ Have undergone drug testing and level 2 background checks pursuant to s. 435.04. The department *may* ~~is authorized to~~ conduct criminal record checks of inspectors used by wind certification entities. Inspectors must submit a set of the fingerprints to the department for state and national criminal history checks and must pay the fingerprint processing fee set forth in s. 624.501. The fingerprints shall be sent by the department to the Department of Law Enforcement and forwarded to the Federal Bureau of Investigation for processing. The results shall be returned to the department for screening. The fingerprints shall be taken by a law enforcement agency, designated examination center, or other department-approved entity*; and*~~. Hurricane mitigation inspectors participating in the program on January 25, 2007, shall have until June 1, 2007, to meet the requirements for a criminal record check.~~

b.~~c.~~ Have been certified, in a manner satisfactory to the department, to conduct the inspections.

3.~~2.~~ Provide a quality assurance program including a reinspection component.

(c) The department shall implement a quality assurance program that includes a statistically valid number of reinspections.

(d)~~(c)~~ An application for an inspection must contain a signed or electronically verified statement made under penalty of perjury that the applicant has submitted only a single application for that home.

(e)~~(d)~~ The owner of a site-built, single-family, residential property may apply for and receive an inspection without also applying for a grant pursuant to subsection (2) and without meeting the requirements of paragraph (2)(a).

(2) MITIGATION GRANTS.—Financial grants shall be used to encourage single-family, site-built, owner-occupied, residential property owners to retrofit their properties to make them less vulnerable to hurricane damage.

(e) When recommended by a hurricane mitigation inspection, grants may be used for the following improvements only:

1. Opening protection.

2. Exterior doors, including garage doors.

3. Brace gable ends.

The department may require that improvements be made to all openings, including exterior doors and garage doors, as a condition of *reimbursing a homeowner approved* ~~approving an application~~ for a grant ~~if the department determines that improvements to less than all openings would not substantially improve the structure's ability to withstand hurricane damage~~.

~~(j) The department shall transfer the amount of $40 million from funds appropriated to the program, including up to 5 percent for administrative costs, to Volunteer Florida Foundation, Inc., for provision of inspections and grants to low-income homeowners, as defined in s. 420.0004(10), consistent with this section. Volunteer Florida Foundation, Inc., shall be responsible for inspections and grants management for low-income homeowners and shall report its activities and account for state funds on a quarterly and annual basis to the Chief Financial Officer, the President of the Senate, and the Speaker of the House of Representatives.~~

(10) CONTRACT MANAGEMENT.—The department may contract with third parties for grants management, inspection services, *contractor services for low-income homeowners, information technology,* educational outreach, and auditing services. Such contracts shall be considered direct costs of the program and shall not be subject to administrative cost limits, but contracts valued at $500,000 or more shall be subject to review and approval by the Legislative Budget Commission. The department shall contract with providers that have a demonstrated record of successful business operations in areas directly related to the services to be provided and shall ensure the highest accountability for use of state funds, consistent with this section.

Section 2. Subsection (2) of section 627.711, Florida Statutes, is amended to read:

627.711 Notice of premium discounts for hurricane loss mitigation; uniform mitigation verification inspection form.—

(2) By July 1, 2007, the Financial Services Commission shall develop by rule a uniform mitigation verification inspection form that shall be used by all insurers when *submitted by policyholders for the purpose of* factoring discounts for wind insurance. In developing the form, the commission shall seek input from insurance, construction, and building code representatives. Further, the commission shall provide guidance as to the length of time the inspection results are valid. *An insurer shall accept as valid a uniform mitigation verification form certified by the Department of Financial Services or signed by:*

(a) A hurricane mitigation inspector employed by an approved My Safe Florida Home wind certification entity;

(b) A building code inspector certified under s. 468.607;

(c) A general or residential contractor licensed under s. 489.111;

(d) A professional engineer licensed under s. 471.015 who has passed the appropriate equivalency test of the Building Code training program as required by s. 553.841; or

(e) A professional architect licensed under s. 481.213.

Section 3. This act shall take effect July 1, 2008.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to the My Safe Florida Home Program; amending s. 215.5586, F.S.; requiring that wind certification entities meet certain minimum criteria to qualify for selection by the Department of Financial Services; deleting a provision requiring hurricane mitigation inspectors participating in the program to meet the requirements for a criminal record check by a specified date; authorizing the department to require that improvements be made to all openings of a structure, including exterior doors and garage doors, as a condition of reimbursing a homeowner for a grant; deleting a provision authorizing the department to transfer certain funds to Volunteer Florida Foundation, Inc., for

certain purposes; deleting a requirement that Volunteer Florida, Inc., undertake certain activities; authorizing the department to contract with third parties for contractor services and technology; amending s. 627.711, F.S.; requiring insurers to accept as valid uniform mitigation verification forms certified by the department or signed by certain professionals; providing an effective date.

MOTION

On motion by Senator Justice, the rules were waived to allow the following amendment to be considered:

Senator Justice moved the following amendment to **Amendment 1** which was adopted:

Amendment 1A (640666)(with directory and title amendments)—Between line(s) 122 and 123 insert:

(8) NO-INTEREST LOANS.—The department *shall implement* ~~may develop~~ a no-interest loan program by *October 1, 2008, contingent upon the selection of a qualified vendor and execution of a contract acceptable to the department and the vendor. The department shall enter into partnerships with* ~~December 31, 2007, to encourage~~ the private sector to provide loans to owners of site-built, single-family, residential property to pay for mitigation measures listed in subsection (2). A loan eligible for interest payments pursuant to this subsection may be for a term of up to 3 years and cover up to $5,000 in mitigation measures. The department shall pay the creditor the market rate of interest using funds appropriated for the My Safe Florida Home Program. In no case shall the department pay more than the interest rate set by s. 687.03. To be eligible for a loan, a loan applicant must first obtain a home inspection and report that specifies what improvements are needed to reduce the property's vulnerability to windstorm damage pursuant to this section and meet loan underwriting requirements set by the lender. The department *shall* ~~may~~ set aside ~~up to~~ $10 million from funds appropriated for the My Safe Florida Home Program to implement this subsection. The department *may* ~~shall~~ adopt rules pursuant to ss. 120.536(1) and 120.54 to implement this subsection which may include eligibility criteria.

And the directory clause is amended as follows:

Delete line(s) 7 and insert: subsection (2), and subsections (8) and (10) of section 215.5586, Florida

And the title is amended as follows:

On line(s) 181, after the semicolon (;) insert: requiring the department to implement a no-interest loan program by a certain date; providing program requirements; requiring the department to set aside certain moneys for certain purposes; authorizing the department to adopt rules;

Amendment 1 as amended was adopted.

On motion by Senator Justice, by two-thirds vote **HB 7103** as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Aronberg	Gaetz	Posey
Atwater	Garcia	Rich
Baker	Geller	Ring
Bennett	Haridopolos	Saunders
Bullard	Hill	Siplin
Carlton	Jones	Storms
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dawson	King	Wilson
Dean	Lawson	Wise
Deutch	Lynn	
Diaz de la Portilla	Margolis	

Nays—None

CS for SB 886—A bill to be entitled An act relating to toxic substances in children's products; providing definitions; prohibiting a person from using or applying a toxic substance in or on any toy or child care article in this state; prohibiting a person from manufacturing, selling, offering for sale, or distributing a toy or child care article that contains a toxic substance; providing an exception; providing civil fines for manufacturing, selling, offering for sale, or distributing a toy or child care article that contains a toxic substance; requiring that certain civil fines be waived under specified circumstances; providing that a knowing and intentional violation of the act is a felony of the third degree; providing criminal penalties; providing an effective date.

—as amended April 29 was read the third time by title.

On motion by Senator Justice, **CS for SB 886** as amended was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Carlton	Hill	Saunders
Constantine	Jones	Siplin
Crist	Joyner	Storms
Dawson	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

Nays—None

Consideration of **HB 7109** and **HB 313** was deferred.

On motion by Senator Saunders, by two-thirds vote **HB 7091** was withdrawn from the Committee on Environmental Preservation and Conservation.

On motion by Senator Saunders, by two-thirds vote—

HB 7091—A bill to be entitled An act relating to fish and wildlife conservation; consolidating chapters 370 and 372, F.S., to create chapter 379, F.S., entitled "Fish and Wildlife Conservation"; creating part I of chapter 379, F.S., relating to general provisions; creating part II of chapter 379, F.S., relating to marine life; creating part III of chapter 379, F.S., relating to freshwater aquatic life; creating part IV of chapter 379, F.S., relating to wild animal life; creating part V of chapter 379, F.S., relating to law enforcement; creating part VI of chapter 379, F.S., relating to licenses for recreation activities; creating part VII of chapter 379, F.S., relating to nonrecreational licenses; creating part VIII of chapter 379, F.S., relating to penalties; renumbering, amending, creating, and repealing various statutory provisions to conform; renumbering and amending ss. 370.021, 370.06, 370.061, 370.063, 370.16, 370.22, 370.26, 370.028, 370.07, 370.08, 370.081, 370.11, 370.1107, 370.1121, 370.135, 370.14, 370.143, 370.1535, 370.1603, 370.31, 370.73, 372.07, 372.071, 372.0715, 372.0025, 372.023, 372.0725, 372.16, 372.26, 372.551, 372.561, 372.562, 372.65, 372.57, 372.5704, 372.5705, 372.571, 372.5711, 372.5714, 372.5717, 372.5718, 372.574, 372.58, 372.581, 372.59, 372.651, 372.653, 372.66, 372.661, 372.662, 372.663, 372.664, 372.6645, 372.665, 372.6671, 372.6672, 372.6673, 372.6674, 372.6678, 372.671, 372.673, 372.70, 372.701, 372.7015, 372.7016, 372.76, 372.761, 372.83, 372.84, 372.85, 372.86, 372.87, 372.88, 372.921, 372.922, 372.935, 372.988, 372.99, 372.9901, 372.99021, 372.99022, 372.9903, 372.9904, 372.9905, and 372.992, F.S.; correcting cross-references; conforming provisions to changes made by this act; renumbering and amending s. 370.12, F.S.; deleting an obsolete provision relating to certain annual use fees; correcting cross-references; renumbering and amending s. 370.13, F.S.; deleting an obsolete provision relating to stone crab trap tag fees; correcting cross-references; renumbering and amending s. 370.142, F.S.; deleting an obsolete provision relating to spiny lobster trap tag fees; correcting cross-references; renumbering and amending s. 370.151, F.S.; deleting legislative intent relating to shrimp beds; conforming provisions relating to shrimping license violations; renumbering and amending s. 372.5701, F.S.; deleting provisions requir-

ing an annual legislative appropriation for specified activities and programs; correcting cross-references; creating s. 379.3711, F.S.; establishing an annual license fee for private game preserves and farms; providing for payment of such fees to the commission; requiring proceeds to be deposited in the State Game Trust Fund; creating 379.414, F.S.; providing additional civil penalties for violations of record requirements by saltwater products dealers; requiring fees collected for such violations are deposited in the Marine Resources Conservation Trust Fund; specifying the use of such funds; amending ss. 72.011, 97.05831, 125.01, 142.01, 161.053, 201.15, 212.06, 212.08, 213.053, 215.20, 290.004, 320.08058, 327.02, 327.41, 327.73, 328.66, 328.72, 328.76, 373.046, 403.41315, 403.813, 597.010, 777.04, 810.09, 921.0022, and 932.7055, F.S.; correcting cross-references to conform to changes made by this act; repealing s. 370.0821, F.S., relating to use of nets in St. Johns County to conform to changes made by this act; repealing s. 370.09, F.S., relating to industrial hazards and prohibited oil deposits discharge to conform to changes made by this act; repealing s. 370.1105, F.S., relating to saltwater finfish trap regulation to conform to changes made by this act; repealing ss. 370.15 and 370.154, F.S., relating to shrimp regulations to conform to changes made by this act; repealing s. 370.155, F.S., relating to shrimp fishing to conform to changes made by this act; repealing 372.001, F.S., relating to wildlife definitions to conform to changes made by this act; repealing s. 372.0225, F.S., relating to freshwater organisms to conform to changes made by this act; repealing s. 372.107, F.S., relating to the Fish and Wildlife Conservation Commission Federal Law Enforcement Trust Fund to conform to changes made by this act; repealing s. 372.27, F.S., relating to the prohibition of fishing in Silver Springs and Rainbow Springs to conform to changes made by this act; repealing s. 372.667, F.S., relating to the unlawful feeding or enticement of alligators or crocodiles to conform to changes made by this act; repealing s. 372.98, F.S., relating to the possession of nutria to conform to changes made by this act; repealing s. 372.981, F.S., relating to the regulation of importation of caiman to conform to changes made by this act; repealing s. 372.993, F.S., relating to land-based commercial and recreational fishing activities to conform to changes made by this act; providing an effective date.

—a companion measure, was substituted for **CS for SB 1304** and by two-thirds vote read the second time by title. On motion by Senator Saunders, by two-thirds vote **HB 7091** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Aronberg	Gaetz	Posey
Atwater	Garcia	Rich
Baker	Geller	Ring
Bennett	Haridopolos	Saunders
Bullard	Hill	Siplin
Carlton	Jones	Storms
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dawson	King	Wilson
Dean	Lawson	Wise
Deutch	Lynn	
Diaz de la Portilla	Margolis	

Nays—None

Consideration of **CS for CS for SB 1430** and **CS for CS for CS for HB 653** was deferred.

CS for SB 1502—A bill to be entitled An act relating to property leased for public purposes; amending s. 125.031, F.S.; exempting counties operating under a home rule charter from a 30-year lease limitation under certain circumstances; providing an effective date.

—was read the third time by title.

On motion by Senator Margolis, **CS for SB 1502** was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Aronberg	Gaetz	Posey
Atwater	Garcia	Rich
Baker	Geller	Ring
Bennett	Haridopolos	Saunders
Bullard	Hill	Siplin
Carlton	Jones	Storms
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dawson	King	Wilson
Dean	Lawson	Wise
Deutch	Lynn	
Diaz de la Portilla	Margolis	

Nays—None

CS for SB 1552—A bill to be entitled An act relating to Everglades restoration bonds; amending s. 215.619, F.S.; authorizing the issuance of additional Everglades restoration bonds to implement the Florida Keys Area of Critical State Concern protection program; extending the period during which Everglades Restoration bonds may be issued; authorizing the issuance of an additional amount of bonds for a specified time period specifically to fund the Florida Keys Area of Critical State Concern protection program; requiring the Legislature to analyze the ratio of the state's debt to projected revenues before authorizing issuance of certain bonds; amending s. 373.470, F.S.; defining the term "Keys Wastewater Plan"; authorizing funds deposited into the Save Our Everglades Trust Fund to be used to implement the Keys Wastewater Plan; amending s. 373.472, F.S.; authorizing the Department of Environmental Protection, subject to specific appropriation, to use moneys from the Save Our Everglades Trust Fund to fund projects identified in the Keys Wastewater Plan; deleting an obsolete provision terminating the Save Our Everglades Trust Fund; providing an effective date.

—as amended April 29 was read the third time by title.

On motion by Senator Saunders, **CS for SB 1552** as amended was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Aronberg	Gaetz	Posey
Atwater	Garcia	Rich
Baker	Geller	Ring
Bennett	Haridopolos	Saunders
Bullard	Hill	Siplin
Carlton	Jones	Storms
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dawson	King	Wilson
Dean	Lawson	Wise
Deutch	Lynn	
Diaz de la Portilla	Margolis	

Nays—None

HB 879—A bill to be entitled An act relating to early learning; providing a short title; amending s. 411.01, F.S.; revising provisions relating to membership of early learning coalitions; authorizing use of telecommunication methods in conducting early learning coalition board meetings; amending and renumbering s. 402.27, F.S.; transferring requirements for the establishment of a statewide child care resource and referral network by the Department of Children and Family Services to the Agency for Workforce Innovation; providing for use of early learning coalitions as child care resource and referral agencies; requiring rulemaking; amending and renumbering s. 409.178, F.S.; transferring duties of the Department of Children and Family Services with respect to the Child Care Executive Partnership Program to the Agency for Workforce Innovation and early learning coalitions; requiring rulemaking;

amending ss. 1002.55, 1002.61, and 1002.63, F.S., relating to the Voluntary Prekindergarten Education Program; providing additional accreditation standards for private prekindergarten providers; providing requirements for assignment of substitute instructors; requiring rulemaking; conforming cross-references; providing an effective date.

—as amended April 29 was read the third time by title.

On motion by Senator Gaetz, **HB 879** as amended was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Aronberg	Gaetz	Posey
Atwater	Garcia	Rich
Baker	Geller	Ring
Bennett	Haridopolos	Saunders
Bullard	Hill	Siplin
Carlton	Jones	Storms
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dawson	King	Wilson
Dean	Lawson	Wise
Deutch	Lynn	
Diaz de la Portilla	Margolis	

Nays—None

HB 7067—A bill to be entitled An act relating to virtual education; amending s. 1000.04, F.S.; providing that K-8 virtual schools are public K-12 schools; amending ss. 1002.20 and 1002.31, F.S.; providing that K-8 virtual schools are a public school choice option; amending s. 1002.415, F.S.; establishing the school district K-8 Virtual School Program; requiring school districts to offer a K-8 Virtual School Program beginning with the 2009-2010 school year; authorizing school districts to offer such program for the 2008-2009 school year; authorizing the provision of specified online instruction to students in grades 6 through 8 through a franchise agreement with the Florida Virtual School; specifying qualifications for and requiring Department of Education approval of contracted providers; requiring department approval for district programs; specifying requirements for a K-8 virtual school relating to employees, curriculum, equipment, and fees; requiring specified capacity and limiting future enrollment increases; providing student eligibility and enrollment requirements; requiring student compliance with specified attendance provisions; requiring students to take state assessment tests; providing funding through the Florida Education Finance Program for district K-8 Virtual School Programs; requiring K-8 virtual schools to participate in the state assessment program and education performance accountability system and receive school grades; requiring school improvement plans for schools that receive specified grades; requiring annual department review and reporting of student performance; specifying reasons for nonrenewal or termination of provider contracts; providing for continuation of existing K-8 virtual schools under contract with the department for specified students; providing requirements for the funding of such schools; requiring rulemaking; providing for application of section; amending s. 1003.01, F.S.; amending the definition of the term "core-curricula courses" to exclude Florida Virtual School and K-8 Virtual School Program courses; amending s. 1011.61, F.S.; defining a K-8 virtual school full-time equivalent student; providing effective dates.

—as amended April 29 was read the third time by title.

On motion by Senator Wise, **HB 7067** as amended was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Bullard	Deutch
Alexander	Carlton	Diaz de la Portilla
Aronberg	Constantine	Dockery
Atwater	Crist	Fasano
Baker	Dawson	Gaetz
Bennett	Dean	Garcia
Geller	Lynn	Siplin
Haridopolos	Margolis	Storms
Hill	Oelrich	Villalobos
Jones	Peaden	Webster
Joyner	Posey	Wilson
Justice	Rich	Wise
King	Ring	
Lawson	Saunders	

Nays—None

CS for CS for CS for SB 2026—A bill to be entitled An act relating to sexual offenders and predators; amending ss. 775.21, 943.0435, 944.607, and 985.4815, F.S.; requiring sexual offenders and predators to provide home telephone numbers and any cellular telephone numbers as part of the registration process; specifying that failure to provide such telephone numbers as required is a third-degree felony; requiring registrants to attest to the truthfulness of the information submitted during registration; providing criminal penalties for submission of false information during registration; amending s. 943.043; requiring the Department of Law Enforcement to notify the public of certain adult and juvenile sexual predator and sexual offender information through the Internet; providing a definition of the term "adult sexual predators and adult sexual offenders"; specifying what sexual predator and sexual offender information and features must be available on the Internet; requiring the Department of Law Enforcement to develop a uniform system to verify predator and offender address information when address submitted cannot be plotted on a map; requiring the Department of Law Enforcement to determine the feasibility of certain Internet features; amending s. 944.606, F.S.; requiring that the Department of Law Enforcement be notified of the home telephone number and any cellular telephone number of a sexual offender released from incarceration; amending s. 985.481, F.S.; requiring that the Department of Law Enforcement be notified of the home telephone number and any cellular telephone number of a juvenile sexual offender released after serving a period of residential commitment; providing effective dates.

—as amended April 29 was read the third time by title.

MOTION

On motion by Senator Villalobos, the rules were waived to allow the following amendment to be considered:

Senator Villalobos moved the following amendment which was adopted by two-thirds vote:

Amendment 1 (775714)—On line 182, delete "the"

On motion by Senator Ring, **CS for CS for CS for SB 2026** as amended was passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—40

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Aronberg	Gaetz	Posey
Atwater	Garcia	Rich
Baker	Geller	Ring
Bennett	Haridopolos	Saunders
Bullard	Hill	Siplin
Carlton	Jones	Storms
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dawson	King	Wilson
Dean	Lawson	Wise
Deutch	Lynn	
Diaz de la Portilla	Margolis	

Nays—None

CS for CS for HB 887—A bill to be entitled An act relating to the Career Service System; amending s. 110.227, F.S.; revising criteria for

certain rules and procedures for the suspension, reduction in pay, transfer, layoff, demotion, and dismissal of employees in the career service; increasing the amounts of time in which to submit grievances and respond to grievances; revising notice requirements; increasing the amount of time in which the employee must file an appeal to the Public Employees Relations Commission; revising procedures applicable to appeals filed with the commission; providing for the removal and placement of certain career service employees serving a probationary period; providing an effective date.

—was read the third time by title.

On motion by Senator Dean, **CS for CS for HB 887** was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Aronberg	Gaetz	Posey
Atwater	Garcia	Rich
Baker	Geller	Ring
Bennett	Haridopolos	Saunders
Bullard	Hill	Siplin
Carlton	Jones	Storms
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dawson	King	Wilson
Dean	Lawson	Wise
Deutch	Lynn	
Diaz de la Portilla	Margolis	

Nays—None

CS for HB 1313—A bill to be entitled An act relating to students with disabilities; amending ss. 1002.33, 1002.39, 1003.01, 1003.21, and 1003.438, F.S., relating to charter schools, the John M. McKay Scholarships for Students with Disabilities Program, school attendance, and high school graduation requirements; revising the terminology used to identify students with certain disabilities; authorizing the State Board of Education to adopt rules for eligibility of certain children with disabilities for admission to special programs and related services; removing authority of district school boards to adopt such rules; amending ss. 1007.02, 1007.264, and 1007.265, F.S., relating to postsecondary education; revising the terminology used to identify students with intellectual, emotional, or behavioral disabilities; providing an effective date.

—as amended April 29 was read the third time by title.

On motion by Senator Wise, **CS for HB 1313** as amended was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Aronberg	Gaetz	Posey
Atwater	Garcia	Rich
Baker	Geller	Ring
Bennett	Haridopolos	Saunders
Bullard	Hill	Siplin
Carlton	Jones	Storms
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dawson	King	Wilson
Dean	Lawson	Wise
Deutch	Lynn	
Diaz de la Portilla	Margolis	

Nays—None

HB 313—A bill to be entitled An act relating to dating violence; providing a short title; amending s. 784.046, F.S.; revising provisions relating to dating violence incidents to provide requirements for investigations, notice to victims, and reporting similar to those for incidents of domestic violence and to apply certain immunity provisions thereto; prohibiting certain willful violations of conditions of pretrial release; providing penalties; amending s. 901.15, F.S.; providing for warrantless arrests of persons for dating violence; conforming provisions; providing an effective date.

—was read the third time by title.

On motion by Senator Dean, **HB 313** was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Aronberg	Gaetz	Posey
Atwater	Garcia	Rich
Baker	Geller	Ring
Bennett	Haridopolos	Saunders
Bullard	Hill	Siplin
Carlton	Jones	Storms
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dawson	King	Wilson
Dean	Lawson	Wise
Deutch	Lynn	
Diaz de la Portilla	Margolis	

Nays—None

CS for CS for SB 2080—A bill to be entitled An act relating to value adjustment boards; amending s. 194.011, F.S.; requiring that the Department of Revenue develop a uniform policies and procedures manual for use in proceedings before value adjustment boards; specifying availability requirements for such manual; amending s. 194.015, F.S.; revising the membership of value adjustment boards; providing for citizen members; revising criteria related to appointment to such boards; revising quorum requirements; deleting provisions authorizing county attorneys to act as counsel for value adjustment boards; amending s. 194.035, F.S.; providing that a requirement that value adjustment boards appoint special magistrates for certain purposes applies to all counties; requiring value adjustment boards to verify the qualifications of special magistrates prior to appointment; providing selection criteria; requiring that the department provide training for special magistrates; providing training requirements; requiring that the department charge tuition for such training; requiring that the department deposit fees collected from such tuition into the Certification Program Trust Fund; amending s. 194.037, F.S.; revising information required to be provided on the disclosure of tax impact form to include certain additional information; amending s. 195.002, F.S.; conforming provisions to changes made by the act; providing an effective date.

—was read the third time by title.

MOTION

On motion by Senator Haridopolos, the rules were waived to allow the following amendment to be considered:

Senator Haridopolos moved the following amendment:

Amendment 1 (102928)(with title amendment)—Between line(s) 29 and 30 insert:

Section 1. Paragraph (c) of subsection (4) of section 193.155, Florida Statutes, is amended to read:

193.155 Homestead assessments.—Homestead property shall be assessed at just value as of January 1, 1994. Property receiving the homestead exemption after January 1, 1994, shall be assessed at just value as of January 1 of the year in which the property receives the exemption unless the provisions of subsection (8) apply.

(4)

(c) Changes, additions, or improvements that replace all or a portion of real property that was damaged or destroyed by misfortune or calamity shall be assessed upon substantial completion as if such damage or

destruction had not occurred and in accordance with paragraph (b) if the owner of such property:

1. Was permanently residing on such property *or improvements were under construction and subject to completion prior to January 1 of the year* when the damage or destruction occurred.~~;~~

2. Was not entitled to receive homestead exemption on such property as of January 1 of that year.~~; and~~

3. Applies for and receives homestead exemption on such property the *year* following *the completion of improvements made in compliance with paragraph (b)* ~~year~~.

Section 2. Paragraph (b) of subsection (3) of section 193.461, Florida Statutes, is amended to read:

193.461 Agricultural lands; classification and assessment; mandated eradication or quarantine program.—

(3)

(b) Subject to the restrictions set out in this section, only lands which are used primarily for bona fide agricultural purposes shall be classified agricultural. "Bona fide agricultural purposes" means good faith commercial agricultural use of the land. In determining whether the use of the land for agricultural purposes is bona fide, the following factors may be taken into consideration:

1. The length of time the land has been so *used.* ~~utilized;~~

2. Whether the use has been continuous.~~;~~

3. The purchase price paid.~~;~~

4. Size, as it relates to specific agricultural use*, but in no event shall a minimum acreage be required for agricultural assessment.*~~;~~

5. Whether an indicated effort has been made to care sufficiently and adequately for the land in accordance with accepted commercial agricultural practices, including, without limitation, fertilizing, liming, tilling, mowing, reforesting, and other accepted agricultural practices.~~;~~

6. Whether such land is under lease and, if so, the effective length, terms, and conditions of the lease.~~; and~~

7. Such other factors as may from time to time become applicable.

And the title is amended as follows:

Delete line(s) 2 and insert: An act relating to ad valorem taxation; amending s. 193.155, F.S.; revising the assessment of homestead property damaged or destroyed by misfortune or calamity; amending s. 193.461, F.S.; revising criteria for classifying agricultural lands; amending s.

On motion by Senator Haridopolos, further consideration of **CS for CS for SB 2080** with pending **Amendment 1 (102928)** was deferred.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Constantine, by two-thirds vote **CS for SB 708** was withdrawn from the Committee on General Government Appropriations; and **CS for SB 1996** was withdrawn from the Committee on Transportation and Economic Development Appropriations.

On motion by Senator Atwater, by two-thirds vote **CS for SB 1098** was withdrawn from the Committee on Criminal Justice; **CS for SB 2272** was withdrawn from the Committee on Judiciary; and **CS for SB 668** was withdrawn from the Committee on Transportation and Economic Development Appropriations.

RECESS

On motion by Senator King, the Senate recessed at 12:50 p.m. to reconvene at 1:30 p.m.

AFTERNOON SESSION

The Senate was called to order by the President at 1:30 p.m. A quorum present—40:

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Aronberg	Gaetz	Posey
Atwater	Garcia	Rich
Baker	Geller	Ring
Bennett	Haridopolos	Saunders
Bullard	Hill	Siplin
Carlton	Jones	Storms
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dawson	King	Wilson
Dean	Lawson	Wise
Deutch	Lynn	
Diaz de la Portilla	Margolis	

RECOGNITION OF MINORITY LEADER GELLER

President Pruitt: It was Thanksgiving weekend in 1988. A 29-year-old newly-elected Representative named Steve Geller heard a news report about a horrific accident at Gulf Stream Park, the site of the Broward County Fair.

A young high school senior named Kristy Shaftley was on an amusement ride called the Spider. What started out as a day of fun and leisure ended in unspeakable tragedy as the ride Kristy was on collapsed, resulting in her death.

Representative Geller and the Broward community were hit hard with the news. Such a young, beautiful life snuffed out in an instant. The day after the accident, Representative Geller traveled to the scene to try and sort out how this could possibly happen.

The result of the post-accident inspection showed that the ride collapsed because of metal fatigue. Senator Geller asked a lot of tough questions that day and the answers troubled him. It turned out that Florida did not have a ride inspection program.

Representative Steve Geller said, "There ought to be a law."

So, in his first session in Tallahassee, he filed the toughest ride inspection program in the nation. It required an inspection every time a ride was moved from one park to another, an inspection for every new ride, and a mandatory once-a-year inspection for all stationary rides to check for metal fatigue—which was the cause of the accident that killed Kristy Shaftley.

There were some very powerful special interests who opposed the bill. One company, that I will leave unnamed, worked hard to defeat the legislation. After coming to a hard fought agreement with the tenacious freshman sponsor, they still went on to lobby against the bill.

Representative Geller, in his typical demure way, called the lobbyist into his office and said, "Let me tell you what I am going to do tomorrow. I am going to call a press conference to tell every parent in the State of Florida that when their child is injured on a ride they should send your company a personal thank you because you killed the bill that would have protected their child. Then, I am going to encourage those same families to be sure and name your company as a defendant in the lawsuit they are going to file." The next day, the company and the lobbyist supported the bill.

Senators, that ride inspection program is still in effect today. No one will ever know the exact number of children who were spared, but one thing is certain: many lives have been saved because of this bill. So, today we present Senate Democratic Leader Steve Geller with a framed copy of the "Amusement Ride and Attraction Act."

You know, Senator Geller, I think it is fitting that the first bill you filed in 1988 was about helping children, and 20 years later, the final bill you filed in your last session is about helping children. I think that is a perfect way to summarize your service to our state.

Senator Aronberg: It is my pleasure to pay tribute to Senator Steve Geller. I first met Steve Geller in the early 90s, about 16 years ago, at a Democratic dinner. I had known Joe Geller, his brother. I had worked with him on some campaigns as a volunteer. That was the first time I had a chance to meet Steve Geller, the brother that was the elected official, very prominent in South Florida. I remember, there he was holding court, talking about everything and really having a good time.

It was 16 years ago but I can remember vividly a joke he told that day when I mentioned I was interested in running for the Legislature. Unlike everybody else, he actually took me seriously. I was in my early twenties and he proceeded to tell me a joke about "Schlomo, the politician." I'm sure I'm not telling it right and you're probably not going to find it that funny. I'm going to give it a shot. Someone goes to find "Schlomo, the politician" in the old country. He walks up and asks if anyone has seen "Schlomo, the politician." Someone said, "Oh, that crook, I hope he gets run over by a mule. He lives over the mountain." So he goes over the mountain and he finds someone else and he says "Hey, do you know where Schlomo, the politician lives?" "Oh, that schlub. I hope he gets his toenails ripped out. He lives over in that house." So he goes over to that house where he finds Schlomo, the politician. He says "Why do you put yourself out there and be an elected official?" Schlomo looks at him and says "It's the naches." Now that joke killed Broward County. I tell that joke because if you don't speak Italian, that word is a Yiddish word for "honors." At the table, in Broward, it had everyone roaring. It really is something that I won't forget because in a way, Steve Geller's never changed. His jokes are still just as funny and he is at his happiest when he is at a dinner table, holding court, talking about the news of the world, telling jokes.

Although he can dish it out, he can also take it. When we went to the roast for Steve Geller, to his credit, he got us all back. He took all of our jokes and put downs and then gave it all back to us. They were not bad; but to see what he put up with, I had a song called "Kosher Cowboy" and the refrain was "They call him Bubba Geller" since he used to represent Collier County. He thought that he was a "Bubba" like everyone else. So "they call him Bubba Geller. Yeehaw, oy vey, they scream. He thinks he's Lawton Chiles, when he's more like Howard Dean." He took it with good humor even after I repeated the song at the Press Skits.

That really is one of Steve Geller's greatest qualities, his sense of humor. His other great quality, as we know, is his intelligence. Steve Geller is the past President of the National Conference of Insurance Legislators (NCOIL), he is an AV-rated attorney and he's the founder and first President of the National Council of Legislators from Gaming States (NCLGS).

I remember the last day of session, last year, Mr. President, when he worked very hard with you on tax legislation. President Pruitt stood up and said "We've now answered the question, 'Who is the smartest person in the Legislature? Is it Geller or is it Aronberg? It's Geller!'" People laughed but Geller was like, "It's even a debate?"

Steve Geller truly enjoys helping people. He really, really does. He gets a lot of satisfaction. He gets involved with a lot of our business. He does it because he cares about people. To this day, he has been working hard for the Democrats to get our bills heard. As a member of the "Gang of Three," when I needed him most when I had a pari-mutuel bill up, he was one of three people to vote with me on the Senate floor, even though he lives in Broward County. He does it because he wants to do right by other people.

When I was running for office the first time, I didn't know many people. I was 30 years old, running in my first race. Steve Geller offered to make fundraising calls with me. For all of you first-time candidates, you know how imposing that can be. So he took time out of his day at his law firm, every day, we'd make calls. If you've ever done a fundraising call with Senator Geller, it's really interesting. Essentially, he calls up someone and says "Hello, this is Senator Geller. Can I please speak to Howard? Hey Howard, there's a young man running for office here; Aronberg. He's a good guy, he needs your help. But enough about him."

He remains loyal to the end. The people he's most loyal to, even though he loves all of us here, are the people sitting with him there. Laurel, his wonderful wife, and his great kids, Marc and Ben. Wonderful family. I think they are the spitting image of a young Steve Geller, Marc and Ben. This year was tough for Steve Geller. He doesn't like to bring up negative stuff. I'm only going to allude to it and I'll let him talk about it if he wants to. He announced that he had to undergo some serious abdominal surgery. For the first time since I've known him, he seemed like he was confronted with his own mortality. He choked up a little bit at a Democratic Caucus meeting when he announced that he was undergoing the surgery because it put at risk everything that he loved. For that moment, we did see into the soul of Steve Geller and it was quite touching and it just shows you what is important to him. It is the institution of the Senate. It is the future of the State of Florida and most importantly, it is his family. Well, you can't put off a speeding train. He was told he would be put off for months. He came right back. People didn't even know he was gone. Same Steve Geller as ever.

For those who think he was ever going to slow down, this newspaper article is from his office and Gail said if I lost it, she'd kill me. This article is from Sunday, December 30, 1990. "Unexpected actions by politicians" was the headline. "Representative Steve Geller, above with colleagues, hospitalized with pneumonia, rolled into a Legislative Delegation meeting in a wheelchair with an oxygen tube up his nose to help Ben Graber defeat Peter Deutsch as Vice Chairman of the Broward Delegation." Let that be a lesson to you, Senator Deutch. You don't want to cross Steve Geller. He is loyal to his friends and that's why he willed himself to get back here in record time.

It's wonderful that this year, his final year in the Legislature, he's finally been able to take a victory lap. I define it as a victory lap because this was his finest year. Not only did he have a hand in all the major legislation, but he was part of the "Gang of Three." That's a tribute to you, Mr. President, that you would allow the Minority Leader to have a say in what bill goes to the floor. After trying for many years, he was actually able to pass his autism bill. With the help of Senator Webster, the bill even had his name on it. To have everyone co-sponsor it in unison, it was truly a wonderful moment and I think, a great cap to his very impressive career.

So members, the Dean of the Senate—that is what he is, the Dean of the Senate—Steve Geller will be retiring from the Legislature this year. I really can't imagine Tallahassee without him. But we know he will be back. Apparently he will be running for County Commission, shockingly. He'll be back up here one day. He'll be lobbying us about all the evil unfunded mandates that the arrogant legislators send down to local governments. It will be great to have him back because Steve, after 20 years of legislative service, you deserve all the "naches" you are getting today. Thank you for everything and God bless you.

Senator Webster: I've been trying to think about, "What are the reasons I love Steve Geller." Is it because he is liberal and I am conservative? Is it because he is Jewish and I am Christian? He's not real liberal, but he's pretty liberal. Is it because he's from Broward and I'm from Orange? Yeah, it is. He is different than I am, and I'm different than he is. But it is just a proof text to the fact, not just liking somebody but loving someone can go far beyond any of the other things that we put on.

Does he answer his phone "Senator Steve Geller?" Do I answer my phone "Hello?" Yes. I don't even like talking on the phone. He loves talking on the phone. If he's looking for me, I can expect a call at my business, a call at my legislative office, a call on my cell phone and a call at my home—all in a matter of about three minutes. He wants me. So, that is one of the reasons I love Steve Geller.

He is so persistent; persistent in the things he believes in; persistent in the legislation that he cares for; persistent in his money. Senator Carlton, you can have it today, but he is always looking for his money and that is being persistent and that is a great quality to have. To serve up here, you can't get along without being persistent, because people don't necessarily do what you want them to do. You have to persevere. He has done that and I think he is one of the quality legislators of our time. I think he set the stage.

I'll tell you one story I remember. It was when he used to chair the Regulated Industries Committee in the House. He had the ability, Senator Aronberg, of holding court. You couldn't have imagined what it was like. He could take everyone of those people who wanted racing dates and wanted jai lai and wanted Gulf Stream and wanted dogs and wanted this and wanted that and he would wrap them all up and give none of them what they wanted. None of them. Then, he would break out at the last minute the solution, and everybody would run behind, he wouldn't even let them catch up with him. He would take off and they would be

running behind him because of his ring. And I'm not kidding you. That's the way it was. Once he was done with the bill, he would run outside and there would be this huge cheer that he had done what they wanted him to do. I loved that. I mean he could just hold court. Senator King knows that. Senator Jones knows that. It was hard for him to keep from holding court, even in Senator Jones' committee.

Steve, I personally will miss being here. I personally will miss being with you. I personally will miss all the great times we had together. You know one thing, too, about him, he kind of talks loud. Every secret plan that he had was known before it was ever let out, by the entire majority office staff. That is when he came to give me the secret plan. You bundle all of that up and that tells you why I love Steve Geller. I love his family, and I think he is going to have a lot more to his career. He is only 49 years old. There's plenty of time left, Steve, to make an impact. You already have and I know you'll make more. Thanks for being a part of this Senate, and thanks for letting me be a part of your life and it's not goodbye. It's just farewell for now.

Senator Geller: Senator Aronberg, it was a funny joke, if told properly. Senator Webster, I'll be talking more about you in a few moments, so I will save my remarks for your time, not mine.

Giving this speech today is one of the hardest things I've ever had to do. One of the reasons that it's the hardest thing I've ever had to do is because I'm not ready to go yet. I was elected to the Legislature in 1988. Bob Martinez was Governor. I was 29 years old. At 49 years old, which is what I am now, I just don't feel that I'm quite ready to retire. One of the reasons that I feel like I'm not ready yet, or don't want to leave is because I think that today I have the best job in the State of Florida. That is being a member of the State Senate. Not being Minority Leader but being a State Senator is the best job in the state. If you're watching this at home, it's certainly not because of the salary. I remember reading an article about 15 or 20 years ago where they interviewed people and asked them what they thought it would be like to have dinner with their state Senator or Congressman. People described riding out to the country estate and being greeted by the livery footmen and the magnificent dinner. People don't realize that the salary of a state Senator is about $30,000 a year. Our staff makes more than we do. This part-time job can easily be, and typically is, a full-time job. The challenge for those of us that have other, outside occupations is to try and make sure that this job only takes half or two-thirds of our time.

Again, that's not the reason that this is the best job. The reason that this is one of the best jobs in the state is because, unlike in the House, any single member of the Florida Senate can really have a major influence in passing legislation. Some people say, "You know, there ought to be a law." Then they move on and talk about the weather. When one of us says, "You know, there ought to be a law," frequently there's a law. When we make phone calls, we can call people and try to help our constituents and try to influence other opinion leaders. When we make phone calls to just about anybody in the state, public sector, or private sector, they will take our calls. I remember about 12 years ago I called someone and I said, "This is Representative Geller, may I speak to so and so." The receptionist said, "Yes sir, who do you represent?" That's when you say you're a Representative. In the last 11 years that I've been in the Senate, I've not had one person ask me who I represented. I'm proud I've seen everyone of you welcomed to the Florida Senate. By virtue of being elected in a special election, that's why I'm the Dean. I've served longer than anyone here in the Senate. I've seen each of you elected and that's meant a lot. Another reason that I like being in the Senate, and again more than the House, is this chamber has the tradition of being the bipartisan chamber.

I remember when I was in the House of Representatives and the Democrats were in charge, we were always complaining about the Senate. We couldn't believe how conservative those guys were. Now if you look at what's happening over in the House run by the Republicans, leadership is saying how liberal the Florida Senate is. In fact, the Florida Senate has always been the more moderate, more bipartisan body. Senator Margolis, I know when you were the Democratic President you had Republican committee chairs. That tradition has been carried on by having committee chairs by the minority party. President Pruitt, I'll talk more about you also in your remarks, I have the greatest respect for the job that you have done.

I'm starting to see what I am afraid are disturbing signs for the future because of term limits, as more people from the House come over. There could be an increase of partisanship in the future. I am begging the leaders of both parties to please ensure that the Florida Senate remains and keeps its tradition of bipartisanship.

Being a legislator for 20 years has meant a lot to me. I think that I've passed a lot of legislation that has helped a lot of people. Seniors, veterans, condominiums, lottery, a scholarship bill that was later renamed the Bright Futures Bill. I've become an expert in insurance and gambling, finance and tax, judiciary, growth management. As the President said, I started my first major piece of legislation with helping children. The Autism Bill, Mr. President, I'm still hopeful, but right now I think the bill is on life support. I started trying to help children. My last bill that I'm doing my best to pass is trying to help children.

The Legislature has meant a lot to me. Because of my legislative service, I was up in Washington at a legislative conference of the United Jewish Appeal. We broke into groups of about 300 people. We had a panel discussion. They introduced State Senator Lee Fisher from Ohio who went to Ohio State. People applauded. They introduced some city councilman and they also applauded. Then they introduced State Representative Steve Geller of Florida who went to Florida State. This real pretty young lady in the front row applauded loudly because she'd also gone to Florida State, although she started the year after I graduated law school. After the panel discussion was over, she came up to me and discussed how to get involved in politics in Florida. I thought she was real cute. I thought she should get involved with a politician in Florida. That was 18 years ago. She is now my wife, Laurel.

Let me talk a little more about family, because all of us have said that families are really the ones that bear all the burden of our public service. They are the ones that are impacted most. When we come here, when we go to night-time meetings and all of these things, they are the ones that are left when the music stops up here and we go home. When all of our best friends in the lobbying community don't remember who we are any longer, our family is what matters. When the music finally stops permanently for us, what really matters most to us is the way that we've treated our families and how they have treated us. That is the single most important thing that we have to deal with.

Let me tell you briefly about my parents. I grew up in the Ozzie and Harriet family which is the way my children are growing up. Working father, stay-at-home mom. My dad went to work and my mom stayed at home and raised four kids. All of us live in the South Florida area. We all see my mom all the time. We all worship her. My dad had a high school education and he worked ridiculous hours to make sure all of his kids had at least a college education. My brother and I are both lawyers. We are law partners. I was elected to the Legislature in September 1988. I was installed in November 1988. My father passed away unexpectedly of a heart attack in December 1988. I still miss him. I know that one of the greatest joys in his life was seeing his son elected to the Florida Legislature. I know how proud he was that day.

I've been told that I'm a clone of my dad; appearance, intellect, and temperament, I am a clone of my dad. Actually, my older boy, Marc, is my clone. I started calling Marc, "Chip," as in chip off the old block. Being the wise guy that he is, when I started calling him Chip, he immediately began calling me "Block." Then my younger boy didn't want to be left out, so Ben started saying, "I must be Splinter, then." Then we had to figure out what to call my wife. We all jointly came up with the name "Glue," because she's the glue that holds all of us together. So, Glue, thank you so much for keeping us together while I've been out playing politics. I remember when I was first elected, before we had the kids, how she would cry when I'd go up to Tallahassee for committee meetings. Of course, now that we have been married for like 80 years, she's like, "Oh, when are you leaving again?" Marc, Ben, I'm sorry I missed so many concerts, plays, soccer games, Scout meetings. But as I've told both of you so many times, and I think I have shown you, how much I love you. I'm sorry I missed so many of those meetings.

One story about them, which is why I never ran for Congress or Cabinet, and I've had opportunities where I could have run for either seat and had reasonably good chances of winning, I promised my children that I would not run for any higher office that would take me away from them more than I already am. That matters to me. A few years ago, the two of them came to me with the older one as ring leader, and said to me, "Daddy, we see all these political signs up. Are you running for higher office?" I said, "No, Marc, Ben. I promised you I wouldn't." Then Marc came up and said, "We just wanted to let you know that if you run

for higher office, we're going to hold up signs against you saying, 'Senator Geller isn't fair to his kids.'" Thanks, boys. Benjamin joined in and said, "Yeah, we're going to hold signs against you." Ben was three or four at the time, so I'm not sure he knew, but it was funny.

The months from October or November 2007 to October or November of 2008 are 12 months I will never forget. In October, it seemed like we had been in special session forever; we passed the property bill. Then in December, I had surgery for kidney cancer. I've been roasted and toasted this year. I was roasted the night before the start of session this year. Let me tell you, if you're ever offered the privilege of being roasted, decline. Then, just a couple of weeks ago I was so honored when you named the autism bill after me. Although that bill is on life support, I'm still going to keep on trying. We have plenty of time left.

Last night was the grand farewell finale, single-malt scotch tasting. We had 25 or more there, along with the Governor. There's a farewell party tonight. Over the summer, I'm a super delegate to the convention. I am planning on going to the Democratic Convention. That should be interesting. But then comes "Black Tuesday," November 4, 2008, is both the day that I get termed out of office and the day that I turn 50. Black Tuesday, that day I'll be wearing black all day. Senator King, as you referred to the meetings with the adult beverages, that will occur unless I just decide to stay in bed all day. That's not going to be my best day.

Members, it's time to start saying goodbye. There's a couple of people I want to say goodbye to. I made a lot of friends in the lobbying community. I've done that simply by not doing everything they have asked, but by doing one thing. I always told them where I was going to be and how I was going to vote. That's how I voted. It's one thing everybody seems to have appreciated. I'd like to say goodbye to the committee staff. The Florida Legislature is nationally known for the quality of our committee staff and again, that's been proven year after year.

I was privileged to serve as a Democratic committee chair under two separate Republican Senate Presidents. I'd like to thank the two staff directors, Tom Yeatman in the Community Affairs Committee and Jeff Poole in the Agriculture Committee. I'd like to thank the staff in the President's Office. You guys have been great. To call you great is to understate how good you guys are. The Governor once referred to me as the smartest guy in Tallahassee. No, that's Richard. Deputy Dog, you've been just so wonderful. Kathy, and everybody in the President's Office. David, I don't want to start naming names. The President's Office has been wonderful. I already spoke earlier today about the Democratic Office. My district staff, we have some of them here. Marty Cassini and Sammy Kalmowicz, they are both young lawyers. Marty, who will be running for public office himself at some time, deals with my legislation up here. Sammy is back at home dealing with constituents. They both have been great. I'm introducing Gail Schwartz as part of my staff, but I could have also introduced her as part of my family because, she's been family. My kids refer to her as Aunt Gail. She's worked for me since I started, 20 years ago and our relationship goes well beyond that in the legislative office.

Senators, I've been proud to have all of you as my friends and colleagues. Faye could tell us how many, but there's only a couple hundred people alive today that can wear this ring that says Senator, State of Florida. For those of you who haven't been a Senator, you can't understand the bond that we have with each other. Sometimes we may fight over specific issues, but the bond we have as Senators is something, whether past, present or future, that is indescribable.

I'd like to thank the Senate Democratic Caucus for the honor and privilege of electing me as your leader over the past two years. Although, sometimes, being the Democratic Leader, the Minority Leader, the job title is really "Cat Herder." Senator Wilson, your passion has just been a pleasure to watch, particularly when we're talking about your kids. Please take care of yourself, because you've made us all nervous about the state of your health. Please be careful. Senator Lawson, my successor, I've done everything I can to help smooth your way in as Democratic Leader. You have proven to be an outstanding friend and colleague and a tremendous support to me. I have not discussed Leader Webster and President Pruitt. I will do so when we're talking about them.

I'd like to thank my constituents who have given me the greatest honor that anybody could have. For 20 years, in three counties and more cities than I can count, they continuously elected me to the Legislature. The surprising part is, I polled my district recently, they actually still like me. That's the interesting part. I've had a lot of people recently call me a statesman. I figured out what the difference is between a politician and a statesman. If you hang around long enough and you either die or retire, you move from being a politician to a statesman. If I'm becoming a statesman and those are the two ways, then perhaps retirement is not such a bad option, after all.

Marc, Ben, at the end of this week, Daddy is coming home. I won't be going away as much as I used to. I'll be there more.

SPECIAL PRESENTATION

On behalf of the Senate, President Pruitt presented a framed copy of CS for CS for SB 185, [House Companion CS for CS for HB 165] (1989), the Amusement Ride and Attraction Act, to Minority Leader Geller.

RECOGNITION OF MAJORITY LEADER WEBSTER

President Pruitt: When Tim Tebow was on the floor last week, Senator Wise thanked Senator Webster for his contribution to Florida's Heisman Trophy winner. We all smiled, but I wonder how many really understood the significance of those words of praise.

You see, before Tim went to the University of Florida, he was educated by his parents at home. They were able to choose the option to home school because Florida passed a law in 1985 making home education legal, a bill that was sponsored in the House of Representatives by Daniel Webster.

What's amazing about this bill is that Senator Webster sponsored the legislation as a member in the minority, way in the minority. In fact, I am pretty sure the entire Republican caucus in both the House and Senate could fit in a phone booth back then.

Senator Webster was a Republican in a Democrat-controlled House, with a Democrat-controlled Senate, a Democrat Commissioner of Education, and a Democrat Governor.

So how did this young member in the minority get such a groundbreaking piece of legislation passed? It started with a couple of dedicated families who wanted to change the law.

Very few people had even heard of the concept of home-schooling back then, including Representative Webster. There were no laws, no statutes, no rules on the books, and the courts were mixed on their decisions, until one court issued an opinion that said home education was really a matter of public policy, and that the Legislature needed to decide once and for all if it was going to be legal.

A few brave families led the charge to get a law passed. Two in particular, June Sullivan and a lawyer named Craig Dickenson met with Representative Webster to present their case and gain his support. Craig Dickenson and Senator Webster actually wrote the legislation that is framed before us today.

The road to passage wasn't easy. There were those who wanted to prevent home education in Florida, and in fact, the Education Committee Chair at the time, Representative Walter Young, filed an opposing bill. By the way, Senator Webster, Representative Young was the principal at my junior high school.

To add to the challenge, the concept was so new and so foreign that it was met with a great deal of skepticism. In fact, the typical response from most members, both Democrat and Republican was, "Why in the world would we want to do THAT?" But Webster pressed on.

During the process, there was one pivotal hearing. Families with their home-schooled children lined the front row of the committee. As the Chair flipped through the appearance cards, he suddenly stopped, put the cards down and announced that he was not going to choose from the people who volunteered to speak in favor of the bill, but he was going to pick people randomly from the audience to testify.

He pointed to an unsuspecting skinny kid on the front row who was only about 11 years old. The boy nervously made his way up to the podium.

Taking a deep breath to compose himself, he gulped hard, pulled the microphone down to his level and said, "Mr. Chairman, members of the committee, I want you to know, my future is in your hands." When he finished, the committee gave him a standing ovation, and, needless to say, they passed the bill.

Eventually, Chairman Young combined his bill with Representative Webster's bill. At the same time, the Senate version was working its way through the process, sponsored by Senator Dick Langley and Senator Karen Thurman.

Through a lot of hard work and earnest advocating, the bill passed both chambers. However, Webster's work was far from done.

Governor Graham was being lobbied pretty hard by then-Education Commissioner Ralph Turlington to veto the bill, and Governor Graham indicated that he was probably going to do just that.

Days went by and the veto clock ticked. Finally, the last day for the Governor to act came; Governor Graham had until midnight to make his final decision.

The ever-strategic Representative Webster didn't visit Governor Graham on the bill, but instead sent two Democrats: Craig Dickenson, the author of the bill and Dr. Larry Walker, a professor at the University of West Florida who was home schooling his two children because they had severe illnesses. The advocates talked and talked with hopes of turning the Governor but they left with no assurance.

A few hours later, Governor Graham made his decision. He didn't just let it go without his signature; he took the extra step to allow it to become law with his signature.

That fall, Daniel Webster started home-schooling his children.

I love this story because it points to the tenacity, the strategic mind, and the unwavering spirit of Daniel Webster. He is always thinking outside of the box, always breaking new ground, always finding a way to get the impossible done.

On behalf of the Florida Senate, we want to present you with your marquee bill, the Home Education Program Act.

Leader Webster, we cannot adequately express the gratitude, the appreciation, and the honor that is due to you for your service and your leadership, but we are sure going to try. I hope you will sit back and soak in every word of praise that the Senate has for you, it is certainly well deserved.

Senator Lawson: Members, it's truly a unique opportunity. Twenty-six years ago I met a man who came to this process with leadership and the type of integrity we really needed in the Legislature. Twenty-six years ago I met a man on a mission, a mission that we as Democrats had been in control of for about 125 years. I met a man who said that he was going to change the course of the Florida Legislature. We were talking about salary, Dan Webster came to the Legislature making about $12,000 a year, not enough to take care of a family of six, then. And it has taken 28 years to get up to about $30,000.

The most remarkable thing about Dan Webster is that we became very close. I spent an awful lot of time listening to Dan telling me about what he wanted to do. At that time, he was considered to be one of the most conservative members of the Republican caucus. You could just see the energy that was in everything he was doing, how he rose to be the Minority Leader and how many of my colleagues really respected him.

During that time, in 1982, many of the African American legislators were concerned because they didn't think that Dan Webster really understood our communities and many of the things that we were interested in.

But you know, Dan Webster proved my colleagues to be wrong. He started a process in this area. He met with many of us on a regular basis. I was so excited about him becoming Speaker, they had to calm me down on the other side. The Democrats had to calm me down; because I knew that there were going to be a lot of changes in Florida. Even when he started giving people the ability to home school their kids, I was very motivated, working in that area myself to sign off on that bill and at the same time, give the home schoolers the opportunity to play athletics in the regular school districts. Some of my colleagues objected to it, but I thought it was the right thing to do. Now, you're talking about a person who came to this process who believed in family, who believed in personal security and opportunities for all individuals.

Let me tell you a little bit about Dan Webster. Many of my colleagues, especially the ones in the Black Caucus, embraced him. Dan became an honorary member of the Black Caucus. In fact, we gave him his Afro wig and his James Brown tape, "Say it Loud, I'm Black and I'm Proud." Dan attended many of our meetings and when he became Speaker of the House of Representatives, he didn't change. He being a Baptist and me, being an Episcopalian, we went to Bible study together, no difference. We also went to eat lunch together. I want to tell you where we ate lunch, in the heart of the ghetto, at Shingles Chicken House. It was just by coincidence that the President had chicken for dinner today. I thought it would be great if I presented Dan a picture of Shingles Chicken House to remember all of the good times there. Every time Dan looks at this picture, he's going to think of all the times we ate chicken together.

Even more important, how does a guy from Central Florida bond with a guy from up here in North Florida? I've always thought of them as being involved in a conspiracy. But I can tell you the reason why we bonded, because Dan Webster proved to me that he knew that there was nothing more important on a Friday than eating a Moon Pie and drinking an RC Cola. That set the standard.

But more important than that, you need to know that when we were trying to pass legislation involving the small and minority businesses, to give the minority businesses the opportunity to do business with the state agencies and to improve their communities, Dan Webster was there. You need to know that when we wanted to change the course of how funding went to the universities, to go out on Florida A&M University campus and to see university buildings that were actually boarded up, Dan Webster stepped up to help us resolve those issues, because that shouldn't happen on a university campus.

You need to know that many of my colleagues don't know how they got elected 10 years ago during reapportionment. Sometimes reapportionment might have been criticized from the Democratic Party. But I know, when Dan Webster came to me and told me that "We're going to make history, Al. We're going to draw some districts where for the first time in the history of Florida, we're going to elect some African Americans to Congress." The three congressional people that we had in Congress at the time of the election were Carrie Meek, Corrine Brown and Alcee Hastings. I can stand on the floor of the Senate today and tell you, had it not been for Dan Webster, none of those individuals would be serving in Congress today. That's the way it is. Many of my colleagues down in the House would not be serving without Dan Webster.

Dan Webster was fair. I didn't question a lot of his conservative views, whether I liked them or not, but he was a fair man. That's why it's so important for me to have the opportunity to give him some of the accolades that he should have today. I often make this statement, for many of us, one of our greatest Presidents stated that people "will little notice, nor long remember what we say here," but they "will never forget what we did here." Dan, I will never forget all that you have accomplished over these years and all the time that you spent with so many people, and the time that you share. A lot of people don't know you. But the people at the Chicken House know you, they really do. These are common people, just like you and me.

The things he talked about for his family, the opportunities to have for the family. You know, he is an engineering graduate from Georgia Tech, but he never waved a flag the way most of us do, during football and basketball games. He never waved his flag and stuck his chest out every time Georgia Tech beat Florida State, or somebody like that. He just kept on going on this mission. And God knows what he would have in store for Dan Webster. I can tell you that with Dan Webster leaving, Steve Geller, Lisa Carlton who I'm extremely close to, it's just hard for me to really take on a day like this.

But in closing I would like to say that I love this guy and that Dan reminds me of what was stated when William Henley wrote the poem *Invictus*:

Out of the night that covers me,
Black as the Pit from pole to pole,
I thank whatever gods may be
For my unconquerable soul.

In the fell clutch of circumstance
I have not winced nor cried aloud.
Under the bludgeonings of chance
My head is bloody, but unbowed.

Beyond this place of wrath and tears
Looms but the horror of the shade,
And yet the menace of the years
Finds, and shall find me, unafraid.

It matters not how strait the gate,
How charged with punishments the scroll,
[You are] the master of [your] fate;
[You are] the captain of [your] soul.

Senator Fasano: Senator Lawson, that is a tough act to follow, God bless you, sir. I'll only take a few minutes because I'm sure there are many other members who would like to say a few words about our Leader, our Senator, our former Speaker.

Senator Webster, Mrs. Webster, and the Webster family, thank you. Thank you for all that you have done not only for the people in your district and your community, but for the State of Florida and for the people up here in the Florida Legislature.

I had the honor to be elected in 1994 when we were in the minority party, and Dan Webster was our incoming Leader. Talk about fairness; Senator Lawson, you hit it right on the mark. Senator Webster is a true servant and as President Pruitt said before, whenever he signs his letters, whenever he signs anything that goes out to anyone, he signs "Your Servant, Dan Webster."

I bring that up because when he was Leader, he made a point of doing one thing, making certain each of us in the minority party passed a piece of legislation. His goal was before we left, before we sine die after 60 days of session, that one of our pieces of legislation that normally would have just fallen by the wayside, lost somewhere in committee, had gotten passed. I think Senator Garcia, Senator Villalobos, Senator Diaz de la Portilla, Senator Constantine, Senator Posey, Senator Carlton, Senator Saunders, we were all there. He made sure that we got a bill passed and were able to go home as a freshman member of the minority party and to brag just a little bit, you got something passed. It went a long way back home in our districts.

When I became a member of the Florida House, he made sure that I didn't get into the basement. I was able to share an office with Senator Wise and former Representative Fuller. I used to brag to people back home that in my second year, I was living with the Speaker of the Florida House. He made sure that I got a little of the money to come back home for our Boys and Girls Teen Center. He made sure that happened.

A lot of people describe Senator Webster with all kinds of accolades. One word I use is "character." Senator Lawson, I think you eloquently stated how he treats other people. He treats everyone as he would like to have them treat him, regardless of race, regardless of where you're from in this state, regardless of who you are, he treats you fairly and equally. We could all learn from that. I truly do try to learn from him. Over the years, I remember when he used to come to us as freshman members and he'd say, "Pick your fights. Make sure you know exactly what you're going to talk about. Don't get up to argue the point, just to argue the point. Make sure you get up there on principle and values and you do it and say it because you believe in it." So to just say "Thank you" to Dan Webster is minuscule. He has been my leader, my mentor, one of the best friends I have in this Florida Legislature. Somebody who I could just hope and pray I could emulate in some small way.

I'm a fan of term limits, Mr. President. Always have been. But when people say to me "What about Dan Webster?" That is the best argument against term limits. Just those two words, just that one name, Dan Webster. Leader, Senator, Mr. Speaker, thank you.

Thank you for what you've done for me, for my district. What I was able to accomplish over the years wasn't because of just me and my staff, it was with the help of Senator Webster. From the time I was elected in 1994 until just the other day when I was able to get a bill out of committee and get it to the Special Order Calendar for today. He cares about every one of you and every person in this Florida Legislature. He cares about his family, his friends and the people back in his district.

Character, that's what it's all about, and that's you, Dan Webster. Thank you, sir.

Senator King: I'll be brief because I don't want to take up any of your time. How many times have we gone head to head. How many times have we sat in chambers and fought together. How many times have we complimented each other on the fights that we had; not between us; not amongst us; between us and them. And then we became them. That was great, too.

A few things that I would say about Dan Webster, because I think they need to be said. You know we went head to head for the Speakership in the Florida House and Dan beat me. It was a heartfelt fight. It was toe to toe and it was close. It didn't get ugly. It just got intense. So after the thing was over with and before he was sworn in, I said to all of my followers, "You know it is going to be kind of grim. We might be bussed in from Monticello, you know, because he is going to be the Speaker."

To his credit, the first thing he did was to make me his Majority Leader, an unheard of thing in politics in Florida up to that point. Because back then, when you lost, you really lost. The only thing you didn't do was take off your head. But Dan enveloped me in his administration. Dan, I learned a great deal about ultimately leading by having served you as your Majority Leader. We had a great time. I've often told people it was the best job I ever had, maybe even including the presiding officership because of who I matched up with.

I will always remember the fact because we were locked in combat for the presidency of the Senate as well. I remember Dan calling me. It was around Christmas time. It was nip and tuck and it was only a few votes difference and he called me. He said, "Jim, I've made up my mind." He said, "It's yours. I've got to step aside. I'm not going to fight anymore." I thought to myself, "What a gracious man that was." What a gracious man he is and what a principled man he is. He and I, as many of you know, are as different as night and day, in many things we do in our lives.

I hope you don't mind me retelling this one. He was talking in the House, when he was Speaker and I was Majority Leader, about the ritual he follows when he gets up in the morning. He prepared himself by getting out the Bible and reading the scriptures. He said it made the morning go really well. I, being a loud mouth even back then, couldn't resist it. I said, "Mr. Speaker, I follow a ritual, too. About that same time in the morning, I'm getting home, getting ready to shower and getting ready to go to work."

The shoes that you leave are big shoes to fill; maybe they will never be filled. I've never known anybody who was as principled. I've never known anybody who was unshakeable in what he or she thought was fairness. I've never known anybody who was as inclusive in making sure that everybody felt they were important. It is a natural talent you have. I know that either Congress or the mayorship in Orlando is soon going to have the benefit of a Dan Webster in its home, well deserved. I've learned a lot from you, my friend. Thank you very much.

Senator Peaden: I came to the Legislature in 1994. I was on the other side of the fence. I met this guy. We talked. It sounded like the fence that he was on the side of was a little more compatible with where I'm from. I never will forget watching him on the floor. I was kind of analytical and I knew he was an engineer. I tried to figure out how the seating pattern was arranged over in the House. It was unique. By the time we'd been there a couple of weeks, I figured out what the layout was and how he'd planned it. It wasn't by happenstance at all.

That was about the time that Lois Frankel was sitting next to John Thrasher. John voted for her a lot. She had a real good record, a conser-

vative record that year. I don't know if you all remember that or not but I watched every move he made since I was about to make this change. I made this change. I had an opportunity to file a bill about medical education, health care education. My bill came up in about the last meeting, just like most of these meetings where everyone's running around holding blue cards trying to get their bills pulled. I was glad to have my bill heard. It was one of those bills that on the last part, it was so bad that even the people in Northwest Florida voted against my bill. I felt real uncomfortable about it and it passed in one committee.

I learned quickly that Dan was an idea guy. If you had a good idea, he thought you ought to look at it. He thought it was worthwhile and he asked for a study. Basically the study that he authorized validated what we said about the needs of Florida. We looked at the study and Dan said "Maybe we ought to do another study and look at the positive things." Those positive things validated what we said to begin with. Back then in this state, everybody's opinion was maybe the research ought to be done by private companies and the state shouldn't do research. Maybe we didn't need any more medical schools back then. Maybe nobody knew the value of those things. Dan Webster was analytical enough that he thought it ought to be looked into and the idea ought to be investigated.

Mr. President, we developed a medical school and now we have nine medical schools. There would never have been a medical branch in Ft. Pierce if it hadn't been for Dan Webster allowing an idea to be heard. Senator Atwater, you probably wouldn't have a SCRIPPS down there and you wouldn't have a medical school at Florida Atlantic if Dan Webster hadn't allowed an idea to be heard. Senator Constantine, your alma mater wouldn't have a medical school and it wouldn't have all the places to do research if Dan hadn't been enlightened enough to allow an idea to be studied. You tend to look at things differently when they say, "Well, that school and that research might be worth about $1.2 billion to our community if we do that."

Everybody wants to do that now including Senator Diaz de la Portilla. He passes legislation about medical education and things like that. Senator Webster, I can't say enough about you being open-minded to ideas that help develop good things for the people of Florida, especially for those of us who are getting a little bit older. I think one of your studies recognized geriatrics as one of the most costly items in our state. Maybe we ought to educate some folks to take care of senior citizens. Thanks to Dan Webster, we've been able to do that.

Senator Posey: Every Senator and every member of staff in the room, of course, wants to thank you, Sandy, and every member of your family, for the sacrifices that you have given to share your husband/father with us. There is not a person is this room, and probably not in the gallery either, if they have been around longer than a week, that is not a better person because your husband/father served.

When many of us arrived here back in the day, things were different in the House. I don't know if they were that different, but at least the other side was in charge. If you were in the minority, you didn't get your bills heard. Our senior member was Senator Webster. At the time there were over 100 committees, subcommittees, and select committees in the House. Over 100! Our senior member wasn't even a vice chair of a single committee. It was that rancid; it was that partisan. It was not pretty; it was very, very ugly. But the political climate was changing. Within four years, there was a dramatic change.

I remember getting a phone call. At the other end of the phone was a person who I told you yesterday was the most principled person I have ever met. Not the most principled politician, but the most principled person. He said, "I'm thinking about running for Leader, maybe to be the Speaker someday. How about you sign a proxy for me?" I really didn't know what a proxy was at the time. I knew that people in our homeowner's association who were always killing each other, always wanted my proxy. I said, "Dan, I don't know. I don't do proxies very well, buddy." When the conversation ended, I sat there and thought about it for a couple minutes. I thought, "You know, I don't care if it's wrong, he's getting the proxy." So I called him back and said, "You fax it to me and I will fax it back to you, Dan." So I did. That was when there were nine other members pledged to Dan Webster to be the Speaker. Some people called us the "Dirty 10." Most people I encountered said it was the stupidest thing that I ever did in my life. "That Webster guy is a religious zealot. There is no way he will ever be Speaker of this House. If he ever was, it would be the worst thing that ever happened." Well, history shows they were wrong on every count. Dan never told me about his morning ritual. He doesn't wear that on his sleeve. Carl Littlefield was telling the story about when he wakes up every morning and Dan was taking his time in prayer. Senator King said, "That's about the same time I'm coming in for a shower." It was pretty hysterical and showed clearly a difference that was there.

When Representative Webster became Speaker Webster, many Republicans said, "Now it's our turn. Now let's show them what it feels like to get hammered every day." I almost hate to use the term, but there is a member of the House that is kind of surly. A lot of times they get up and talk and it's like nails on a chalk board. I don't have to tell any member of either party who I'm talking about. I was about that bad. I was to the point where I was getting surly because it seemed like we were dogs and every time they walked through they kicked us in the mouth. When that happens to you enough you start getting ready to bite back. Sooner or later you can make a dog angry, make a dog mean. Many members wanted retribution for the way the Democrats treated us. But as you have heard Senator King explain, Senator Webster has the heart of a servant, the heart of a servant's mind, and the heart of a servant's motives. Senator Webster rewards his enemies, his adversaries. Not a lot of people are that big.

When Senator Webster had control of the House he did what every single one of us in the room hopes the U.S. Congress will do. He said, "Enough is enough. We are going to put partisanship aside. We are going to operate this House on principles." He whittled over 70-80 committees down to approximately 30. The agenda wasn't set in the Speaker's office. You remember how the agenda used to be set; all the guys from the lobby in the Speaker's office, with smoke-filled rooms. Then in Speaker Webster's House, the agenda was set in public. The chairman and vice chairman of every committee set the agendas. At least the vice chairman of every committee was a Democrat. Through his whole career, it was only in the last two years he'd even been made a vice chair. Senator Lawson, you were a chairman. There were some Democrats who were chairmen. He really stopped the partisan insanity and brought civility back. Both sides respected that. The Democrats, I think, to this day are happy with the two years they served under Senator Webster in the minority. I think to this day he's respected because of that. We appreciate what you did, Senator Webster, when you had the opportunity to stop the insanity and put principle before party and politics. You did it. You didn't talk about it; you did it.

We all have Legislator/Senator of the Year awards. We'll have plenty more of them. I think truly, if we are going to name a Senator of the Decade, a Senator of the Century, a Lawmaker of the Millenium, it would have to be Senator Dan Webster. Dan, we love you, man. God bless you.

Senator Wise: D is for **Different**—Daniel Webster's approach to power is **DIFFERENT**. When Senator Webster was Speaker he spread the power of influence and decision making to the lowest level contrary to the practice at the time. He was different.

A is for **Advice**—Dan seeks **ADVICE** from the Bible each day on issues that directly have an impact upon the Senate and its membership.

N is for **Nurture**—Dan **NURTURED** and encouraged many of us to become the best in what we do both on and off the legislative playing field because there is life after we leave this process.

I is for **Integrity**—Senator Webster is the persona of what **INTEGRITY** means. If he says it, you can count on it.

E is for **Example**—Dan has set the standard for each of us to be an **EXAMPLE** for future generations.

L is for **Leader**—We all know Dan was the Republican Leader in the House and in 1996 he became the first Republican Speaker of the House in more than 100 years. For the past two years he has been the Republican Leader of the Senate.

What about a name like **WEBSTER?** W is for **Wisdom**—Dan has the uncanny ability to look at a situation and see what is right, not what is wrong. His training as an engineer from Georgia Tech has been an added advantage. He has often quoted the Bible using the verse from Deuteronomy 6:16 which says "Do what is right and good in the sight of the Lord."

E is for **Encourager**—Dan's goal is to **ENCOURAGE** each of us, no matter what the party affiliation, to reach our full potential.

B is for **Bright and Bold**—Dan is **BRIGHT** beyond comprehension. Because of his **BOLDNESS**, he made a paradigm shift in the legislative structure when he became Speaker. His concept was emulated in the Senate under President Pruitt.

S is for **Speaker**—I believe that God placed his man Dan Webster as **SPEAKER** of the House in 1996 because no one would ever believe that could happen or would happen.

T is for **Teacher**—If you want to learn the Rules and the process, you could not find anyone more adroit than Daniel Webster as your **TEACHER**.

E is for **Endure**—In this process, you must be able to **ENDURE** the good, the bad, the press, and the pressure. Dan did that by his faith and daily reading of the Scriptures.

R is for **Reputation**—Daniel Webster's **REPUTATION** as God's servant in our Legislature is also known across America. In fact, in the mid 90s on ABC's "Good Morning America" show, a well known person stated, and I quote, "Florida State Representative Daniel Webster is the most dangerous legislator in America and he needs to be defeated in this year's election." Well God protected Dan and no one ran against him—in fact he has never had an opponent since the very first time he ran for public office.

Senator, Mr. Speaker, you will be truly missed by one and all. May God continue to bless you and your wonderful family.

Senator Geller: I guess we are both going and that's probably appropriate because we have spent so much time over the last couple of years together that I'm not sure what I would do up here if he wasn't here, and possibly the reverse. We were dealing with every major issue—property insurance; taxes; Constitutional amendments. It seemed like on every issue Senator Webster and I were talking every day. I had to call you at all four places because when I needed to talk to you and you weren't at one of the places, I would just run down the list until I found you.

In 1990 he probably was the most dangerous legislator. This process has a way of mellowing all of us and rounding off the sharp edges and bringing a lot of us closer together. I was elected in 1988. You were, at the time, many of the things you still are today. You were a Boy Scout—brave, honest, thrifty, reverent, trustworthy.

Over the past couple of years we spent so much time together that I think the edges have been rounded off. I have a picture in my office that was sent to me by the Senate Majority Office and it shows Dan and me. I think my face was taped over a picture of the President when he and Dan were talking. It has voice bubbles. One of them says, "I miss you when you're gone." It says "Best Friends Forever" on it, "BFF." Dan, that makes you my BFF.

We are so different philosophically, but alike in so many ways. I don't know if people know that I recently nominated Senator Webster for a National Legislative Leadership Award. I would like to read the nomination letter because I think it says it a lot better than I can.

Dear Selection Committee:

Senator Daniel Webster is the Majority (Republican) Leader of the Florida Senate, and is a former Speaker of the Florida House of Representatives. He is one of the most conservative, anti-gambling, fundamentalist Christian members of the Senate.

I am the Senate Minority (Democratic) Leader of the Senate, a moderate to liberal Jewish, pro-gambling senator. I have the privilege of nominating Senator Daniel Webster for the William M. Bulger Excellence in State Legislative Leadership Award.

Under the direction of our Senate President, President Ken Pruitt, the Florida Senate has become a model of how a bi-partisan Senate should be run. Although there are 26 Republican Senators and only 14 Democratic Senators, Senator Webster and I meet virtually every day during session and work together to ensure that both political parties' agendas are advanced. The Republicans could try and roll over the Democrats, yet they don't, and as a result we have a great deal of harmony in the Florida Senate.

Senator Webster is one of the most decent human beings I have ever met. I believe his tongue would fall out if he tried to tell a lie. Although he is devoutly religious, he does not try and impose his religious beliefs on other people, and is one of the few people in public life that I have ever met who actually lives his life according to his religous beliefs. He is universally respected among both conservatives and (sometimes grudgingly) liberals, and has taken a central role in resolving virtually every major issue in the Florida Legislature. He has generally been our lead negotiator with the House of Representatives because of the broad respect which that very conservative body has for him.

Senator Webster has brought dignity and stature to the Florida Senate. I am pleased to nominate him for the William Bulger Award.

Sincerely,

Steven A. Geller
State Senator
Senate District 31

I meant every word in that letter. Senator Webster, you have brought dignity, respect and stature to the Florida Senate. You have become one of my closest friends, probably my closest friend here in the Florida Senate. Probably because we are so much alike. On those weeks where there's a couple of days that go by and I'm not talking to you about some issue, I kind of go through withdrawal. I have to call him just to keep in touch. Senator, you know for two years I have been saying that I have been wondering when that other shoe was going to drop. It never did. So you can have the other shoe now because I no longer have to wait for it to drop. Mr. President and members, I think we all owe a debt of gratitude to Leader Webster.

Mr. President, I move that we take up **CS for SB 1604** instanter.

BILLS ON THIRD READING, continued

On motion by Senator Geller the Senate resumed consideration of—

CS for SB 1604—A bill to be entitled An act relating to designations of state facilities; designating the Major Claude A. Gnann Memorial Highway and the Deputy Wayne Koester Memorial Highway in Lake County; designating Lt. Colonel Robert T. Heagy, Jr., Memorial Highway in Marion County; designating Cutler Bay Boulevard, Palmetto Bay Boulevard, American Legion Way, Honorable Robert B. Ingram, Ph.D., Boulevard, Father Emilio Vallina Avenue, and Bishop Victor Tyrone Curry Boulevard in Miami-Dade County; designating United States Army Specialist Brandon Tyler Thorsen Memorial Highway in Levy County; designating John E. Andrews Boulevard, George Matthews Boulevard, Angela Webb Hammonds Boulevard, Willie F. Faust Boulevard, and James H. Argrett, Sr., Avenue in Duval County; designating Veteran's Memorial Parkway in Sarasota County; designating a bridge in the city of Sarasota as Gil Waters Bridge; designating Raquel Regalado Avenue in Miami-Dade County; directing the Department of Transportation to erect suitable markers; designating the Joseph P. Bertrand Building in Fort Myers; authorizing the Department of Management Services to erect suitable markers; designating Reverend Dr. C.P. Preston, Jr. Street in Miami-Dade County; authorizing the Department of Transportation to erect suitable markers; amending s. 589.19, F.S.; designating the state forest in Seminole County as the Charles H. Bronson State Forest; designating Rolando Encinosa Road, Henry Levy Boulevard, Manuel Feijoo Avenue, All-America Parkway, Katherine Fernandez Rundle Avenue, Judy Drucker Boulevard, Will James Johnson Road, Martha Flores Way, and Rabbi Barry Tabachnikoff Avenue in Miami-Dade County; directing the Department of Transportation to erect suitable markers; authorizing certain alterations of Old Cutler Road in the Village of Palmetto Bay; requiring the official approval of the Department of State before any alterations may begin; providing an effective date.

—which was previously considered and amended this day.

MOTION

On motion by Senator Geller, the rules were waived to allow the following amendment to be considered:

Senator Geller moved the following amendment which was adopted by two-thirds vote:

Amendment 2 (487614)(with title amendment)—Between line(s) 314 and 315 insert:

Section 32. *Senator Daniel Webster Building designated; Department of Transportation to erect suitable markers.—*

(1) The Department of Transportation Turnpike District Headquarters Building located at the Turkey Lake Service Plaza at Turnpike Mile Post 263 is designated as the "Senator Daniel Webster Building."

(2) The Department of Transportation may erect suitable markers designating the "Senator Daniel Webster Building" as described in subsection (1).

And the title is amended as follows:

Delete line(s) 36 and insert: designating the Senator Daniel Webster Building in Orange County; directing the Department of Transportation to erect suitable markers; providing an effective date.

CO-INTRODUCERS

On motion by Senator Geller, all Senators voting yea, not previously shown as co-introducers, were recorded as co-introducers of **Amendment 2 (487614)**.

On motion by Senator Geller, **CS for SB 1604** as amended was passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—40

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Aronberg	Gaetz	Posey
Atwater	Garcia	Rich
Baker	Geller	Ring
Bennett	Haridopolos	Saunders
Bullard	Hill	Siplin
Carlton	Jones	Storms
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dawson	King	Wilson
Dean	Lawson	Wise
Deutch	Lynn	
Diaz de la Portilla	Margolis	

Nays—None

Senator Webster: Mr. President, I'm not sure what to say. Somebody asked me, "How long have you been here?" I said, "My first Page is now a grandmother." It's true. Somebody topped that for me the other day. Representative Will Weatherford came up to me and said, "I was born on the day you were elected." So I've been here a long time. It just seems like a short time. Senator Garcia, it just seems like the other day you were the youngest member of the Florida House. You still look pretty young. Were you twenty-one or twenty-two? Twenty-one, amazing. Youngest elected member of the Legislature. It seems like yesterday. It's kind of hard to sum up 28 years in a few minutes. I'll try to do it if I can.

I was the son of Mildred and Dennis Webster. I'm proud of them. They were great instillers of character in me. That's where I got it, from them. Whatever good that is in me is due to the investment of God and others and it took place and started with my Mom and Dad. Whatever bad there is, is my fault.

Sandy and I got married and had two small boys. I was minding my own business. I was appointed by our church as the Building Committee Chairman, just a volunteer job. We bought this house on the corner of our property where the church was. It was my job to go down to the county and ask for the zoning exception to use it one hour a week. So I did. I didn't know anything about politics. I voted and that's about all. So we went down there and they had the zoning adjustment board hearing. Then it went to the County Commission. They turned it down. So I asked, "Why did you turn it down?" They said "Well this is adverse public policy." I said, "Adverse public policy, this is the United States of America." I didn't know, so I asked this question which changed my life. I said, "Who sets public policy?" Somebody said the Legislature. I said, "Okay, I'm running for the Legislature." I had never been to Tallahassee before. I had never seen a gavel, a chamber or anything else. Didn't know anything about it. I just set up and ran. Flew up here. We had multi-member districts back then, so you ran countywide. I flew up here on the last day, two hours before qualifying. Paid my money and I was running. Had a primary, a runoff and a general election. I raised the grand total of $16,000. That wouldn't get you very far today and really shouldn't have gotten me very far then. It was the First Baptist Church of Pine Hills. I was from Pine Hills. That is where I went to high school and everything else. I lived in Pine Hills. I didn't go very far away from that place. Senator Siplin represents that now. That is my roots. That is why I didn't want them to move Evans High School.

Somebody gave me this little book on how to run for office. It's called "In The Spirit of '76." It's a little manual so I looked at it. The first chapter was the extra early start, so I missed that. It had 12 or 13 chapters. I flipped over and finally got to chapter 8. That was it. Fast finish.

We had all these workers. Many are in the gallery. They were all way, way young then, just like I was. They are older now, just like me. But they went door to door, that's all we could do. People told me there was no way to win. I remember telling Sandy after the last event we went to on the Saturday or Friday before the general election, "We are going to lose." She said, "Why?" I said, "Every person I ran into said you are a nice guy, but you are going to lose." So sure enough the results came in and I lost. They had my opponent on the TV interviewing him and he had won. We had a little victory party because that little book said you were supposed to have a victory party. The party too, was made up of some of our friends in Pine Hills. Everybody went home. That was it. It was over. They declared the winner, so everybody went home. I got a call. This was in the days of real manual balloting. You walk in and close the curtain and you pull the lever. So everything was manual then. Senator Constantine, it's a little different now. They called me and said it was a little close. They wanted me to go down to the elections office. So I did.

I went down to the Supervisor of Elections' office and walked in the door. There was only one person I knew there. He said, "It is a tie vote." A tie vote. I didn't know they had tie votes. He said, "No, no, there is one area left." I said where is it? He said, "Pine Hills." Anyway, I won. I came up here and I started serving.

Senator Wise mentioned I've been unopposed a long time. Matter of fact, John Guthrie told me four or five years ago that I had passed the amount of time you could go without being opposed. That is by the grace of God. There is no reason why I shouldn't have had an opponent. There were all kinds of things I did that should have deserved opponents. I just didn't get them. I am very grateful for that. I served under seven governors. I've served with 439 different members of the House of Representatives. I've served with 210 different Senators, along with 13 Speakers and 14 Presidents of the Senate during the time I was here. I am just grateful for the time I've been here. I would like to thank all those people. They all had an impact. It is not just the people here today. It's the people that were here yesterday and the day before, back to the time that Ralph H. Haben was Speaker of the House. Senator Jones, you remember him. They all had an impact on my life.

I would like to thank people, my two good roommates. Actually Senator Wise and Senator Posey were part of the "Dirty 10." We adopted Senator Fasano. When he got here, he didn't know any better and he joined us. Senator Geller, whom I've already talked about, thank you for giving me a shoe and naming a building and other things. Senator Peaden, thank you. Senator Lawson, thank you, I love Shingles. It is a great place to eat. It's different. It's great. They don't even have air conditioning over there. It's hot! But it's good. All the rest of you have impacted me. I've always been an observer, I watch people. I see how people speak and what they do. I just enjoy it. I enjoy this process and it's good to be here.

I would like to say "thank you" to my staff. Ann Drawdy, who has served me for 16 years as my Chief Legislative Assistant. Cindy Brown, who has been with me for 10 years. Jaryn Emhof who has been with me for six years. Actually if you go back when she interned in the Speaker's office, it's been longer than that. I appreciate all that they have done and the other staff that I've had in the past, Kathy Mears, Sherry Churchill and some others, I appreciate them too. They have all served me well and made me successful.

I came here with three things. First, I came with a family albeit a little bit smaller at the time. There was a run of pregnancies, it was awesome. We had four Websters at the time. Two boys, four and two years old. Now we have 15 Websters, all named Webster. I'm leaving with a bigger family and I'm grateful for that. [Senator Webster introduced the following family members: David and Angela and their three children, Benjamin, Sarah and Jonathan; Brent and Regina and their two children, Daniel Grant and Ellie; and children still at home Jordan, Elizabeth, John and Victoria; in the gallery sister Pam and brother-in-law Bill Brown.]

I came with some principles. Those principles were later put into the analysis in the House; less government, lower taxes, basic freedoms are principles I'm going to leave with. I came with faith, it's no secret that I'm a follower of Jesus Christ. It's been written about in the paper, talked about on the floor, talked about out there, so it's no secret. I have been open to anyone that would be open to my telling them about it. Those that didn't want to hear about it, they didn't. It just is a fact. I had faith when I came here. I'm going to leave with that very same faith. I came with a family. I came with a set of principles and I came with faith. I'm going to walk out that door in a few days and I'm going to carry them with me. I've got some quick advice. This may not apply to everybody, I'm just going to give you my advice. I have three don'ts and three do's. The three don'ts: Don't go to Clydes. Don't make it personal. Don't burn any bridges. The three do's: Do rise early. Do read the Bible. Do serve others. Three don'ts and three do's. I'm saying goodbye today to most of you because there's a good possibility that we won't see each other again. The people in the gallery and the people here on this floor. We'll see a few, but not many. So for most of you I'm saying goodbye. For a few of you I'm saying so long for a certain time. No one person, or no sitting body, whether it be House or Senate, is greater than the institution.

If I could leave you with one thing it is this: just protect the institution. People will come and go. Bodies will come and go. The institution will stay. God bless you and thank you for all you've done.

I have a wife and I want to say something special about her. I couldn't serve without a wife. I couldn't have been here without someone to hold down the fort. Just like your wife did, Senator Geller. The fort kept getting bigger, but it still worked out. We started our home education because I saw in those kids something that I'd like to emulate in my kids. But more important than that, I felt I was gone and when I came home I was so tired I couldn't see them. So I said, "We'll take them with us." Home education. I didn't home educate our children, my wife did. I didn't raise my children, although I wanted to be an example, my wife did. I didn't instill a lot of the things that they have, she did. They are children of a good character. Sandy, thank you for everything you've done for me. Thank you for allowing me to serve these 28 years. Thank you for holding down the fort. So with that, I say good-bye. Thank you for the great time I've had here.

SPECIAL PRESENTATION

On behalf of the Senate, President Pruitt presented a framed copy of CS for HB's 50 and 326 (1985), the Home Education Program Act, to Majority Leader Webster.

LOCAL BILL CALENDAR

HB 487—A bill to be entitled An act relating to Pasco County; repealing chapter 71-841, Laws of Florida, relating to the issuance of special alcoholic beverage licenses to restaurants accommodating at least 200 patrons and occupying more than 4,000 square feet of floor space; providing an effective date.

—was read the second time by title. On motion by Senator Fasano, by two-thirds vote **HB 487** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Carlton	Fasano
Alexander	Constantine	Gaetz
Aronberg	Crist	Garcia
Atwater	Dean	Geller
Baker	Deutch	Haridopolos
Bennett	Diaz de la Portilla	Hill
Bullard	Dockery	Jones
Joyner	Margolis	Ring
Justice	Oelrich	Saunders
King	Peaden	Siplin
Lawson	Posey	Villalobos
Lynn	Rich	Wilson

Nays—3

Storms	Webster	Wise

HB 507—A bill to be entitled An act relating to Bradford County; providing career service status for certain employees of the Bradford County Sheriff's Office; providing definitions; providing for transition between administrations; providing for appeals procedures; providing for career service appeals boards; providing proceedings and provisions with respect to disciplinary suspension and dismissal; providing severability; providing an effective date.

—was read the second time by title. On motion by Senator Oelrich, by two-thirds vote **HB 507** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

Nays—None

CS for HB 791—A bill to be entitled An act relating to the DeSoto County Hospital District; amending chapter 2004-450, Laws of Florida; providing the nature of the district; providing for sovereign immunity; providing additional powers of the district; revising provisions relating to the destruction of records; providing for treatment of prisoners or county officers admitted to any hospital operated or leased by the district; providing for personnel; providing contract requirements for lease of facilities to not-for-profit corporations; providing for self-insurance plans; deleting certain requirements for insurance policy contracts; providing for liens for collection of charges; providing applicability; providing an effective date.

—was read the second time by title. On motion by Senator Bennett, by two-thirds vote **CS for HB 791** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

Nays—None

HB 889—A bill to be entitled An act relating to Hillsborough County; amending chapter 2004-414, Laws of Florida, relating to projects for which payment and performance bonds may be waived for the construction of a public building, for the prosecution and completion of a public work, or for repairs on a public building under certain circumstances; increasing the number of such projects on which a small business may successfully bid before becoming ineligible for certain additional bidding; extending the sunset date of chapter 2004-414, Laws of Florida; providing an effective date.

—was read the second time by title. On motion by Senator Joyner, by two-thirds vote **HB 889** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

Nays—None

HB 933—A bill to be entitled An act relating to the Indian Trail Improvement District, Palm Beach County; amending chapter 2002-330, Laws of Florida; expanding the territorial boundaries of the district; providing an effective date.

—was read the second time by title. On motion by Senator Deutch, by two-thirds vote **HB 933** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

Nays—None

CS for HB 935—A bill to be entitled An act relating to the Marion County Hospital District; codifying, amending, reenacting, and repealing special laws relating to the district; providing a status statement; providing legislative intent; providing definitions; providing boundaries of the district; providing for a board of trustees of the district; providing for appointment of board members; providing powers and organization of the board; providing for a hospital or clinic in the district; providing for construction funds for such hospital or clinic; providing for a training school for nurses; providing that the board has the power of eminent domain; providing for the board to borrow money; providing for general obligation bonds; providing for taxation; providing for board approval of bonds; providing procedures for bond elections; providing for form and type of bonds; providing for resolution authorizing bonds; providing that the board may include more than one improvement or hospital purpose on a bond issue; providing for advertisement and publication; providing for refunding bonds; providing for legal investments; providing for revenue bonds; providing for payment of funds by warrant; providing for levy of ad valorem tax; providing for taxes to be authorized by resolution; providing for payment of expenses; providing for contractual authority; providing for publication of annual statement; providing that hospitals or clinics shall be established for the benefit of residents of the district; providing for rules and regulations regarding physicians; providing that the board may secure insurance; providing for construction; providing for record destruction; providing severability; repealing chapters 65-1905, 69-1296, 70-802, 71-764, 71-765, 71-766, 71-767, and 75-437, Laws of Florida, to conform; providing an effective date.

—was read the second time by title. On motion by Senator Baker, by two-thirds vote **CS for HB 935** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

Nays—None

CS for HB 973—A bill to be entitled An act relating to the South Indian River Water Control District, Palm Beach County; amending chapter 2001-313, Laws of Florida; providing for the dedication of certain nonpublic roads within the district to the public for district maintenance; providing requirements for such dedication; providing for prima facie evidence of district ownership of a road; exempting certain property of an electric utility; providing a method of claiming interest in affected property; providing an effective date.

—was read the second time by title. On motion by Senator Deutch, by two-thirds vote **CS for HB 973** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

Nays—None

HB 999—A bill to be entitled An act relating to the Fort Myers Beach Fire Control District, Lee County; amending chapter 2000-422, Laws of Florida; amending the boundaries of the district; providing an effective date.

—was read the second time by title. On motion by Senator Saunders, by two-thirds vote **HB 999** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

Nays—None

HB 1031—A bill to be entitled An act relating to Lee County; amending chapter 74-522, Laws of Florida, as amended; revising the qualifications for employment or reemployment as a classified employee of the Lee County Sheriff's Office; providing definitions; revising and providing provisions relating to the funding of civil service board and retirement health insurance benefits; providing membership qualifications for participation in the Lee County Sheriff's Office group health insurance plan; specifying payment and premium provisions of the plan; specifying to whom benefits may be payable; providing participation requirements for certain terminated employees prior to their receiving a retirement benefit; requiring the office to be a secondary payor to certain coverage held from previous or subsequent employers; providing schedule requirements for employer premiums; providing the effect of Medicare eligibility; providing for methods of premium payments; providing a limitation on the selection of continued insurance benefits; providing the effect in instances of the death of an insured retiree; providing applicability to all classified and unclassified members of the office; providing an effective date.

—was read the second time by title. On motion by Senator Saunders, by two-thirds vote **HB 1031** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

Nays—None

HB 1033—A bill to be entitled An act relating to the Police Pension Fund of the City of West Palm Beach, Palm Beach County; amending chapter 24981 (1947), Laws of Florida, as amended; revising the definition of "retirement"; providing applicability of certain investment policy guidelines; providing statutory limitations on investments in foreign investments; providing additional standards for the performance of duties by the Board of Trustees relating to investments; deleting provisions relating to investments and purchases of securities, uninvested cash, and minimum investment standards; providing for transfer to the fund of certain members' leave payments remaining after required contributions to health savings accounts; providing for reemployment after retirement by a public or private employer, reemployment after retirement inside or outside the police department, reemployment of terminated vested persons, and reemployment of DROP participants; providing an effective date.

—was read the second time by title. On motion by Senator Deutch, by two-thirds vote **HB 1033** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

Nays—None

HB 1063—A bill to be entitled An act relating to Broward County; amending chapter 98-521, Laws of Florida; revising membership of the South Broward Utility Advisory Board to provide for appointment of members by the Town of Southwest Ranches rather than the Broward County Commission; providing an effective date.

—was read the second time by title. On motion by Senator Ring, by two-thirds vote **HB 1063** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

Nays—None

HB 1065—A bill to be entitled An act relating to Broward County; repealing chapters 28946 (1953), 30626 (1955), 57-1196, 61-1964, 63-1169, and 63-1179, Laws of Florida, relating to plats and the platting of lands located in Broward County; providing an effective date.

—was read the second time by title. On motion by Senator Ring, by two-thirds vote **HB 1065** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Deutch	Justice
Alexander	Diaz de la Portilla	King
Aronberg	Dockery	Lawson
Atwater	Fasano	Lynn
Baker	Gaetz	Margolis
Bennett	Garcia	Oelrich
Bullard	Geller	Peaden
Carlton	Haridopolos	Posey
Constantine	Hill	Rich
Crist	Jones	Ring
Dean	Joyner	Saunders

Siplin	Villalobos	Wilson
Storms	Webster	Wise

Nays—None

HB 1067—A bill to be entitled An act relating to Broward County; repealing chapter 61-1960, Laws of Florida, relating to tax assessor's authority to make, reproduce, or procure plats of lands that were previously subdivided for which no plat had been recorded; providing an effective date.

—was read the second time by title. On motion by Senator Ring, by two-thirds vote **HB 1067** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

Nays—None

HB 1069—A bill to be entitled An act relating to Broward County; repealing chapter 74-442, Laws of Florida, relating to prohibiting the governing body of a municipality from annexing any property lying within Broward County unless such municipality has adopted a land use plan; providing an effective date.

—was read the second time by title. On motion by Senator Ring, by two-thirds vote **HB 1069** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

Nays—None

CS for HB 1071—A bill to be entitled An act relating to the Cities of Lauderhill, Plantation, and Fort Lauderdale, Broward County; adjusting the corporate limits of the Cities of Lauderhill, Plantation, and Fort Lauderdale to include within, or exclude from, such corporate limits a specified parcel and portions of rights-of-way and to remedy the creation of an enclave; providing for transfer of public roads and rights-of-way; providing for certain powers over the annexed area; providing for continuation of contracts in effect prior to annexation; providing an effective date.

—was read the second time by title. On motion by Senator Ring, by two-thirds vote **CS for HB 1071** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

Nays—None

HB 1073—A bill to be entitled An act relating to the Hillsboro Inlet District, Broward County; amending chapter 99-433, Laws of Florida, as amended; revising language relating to appointment of members of the commission; revising the number of members of the district required for a quorum; providing an effective date.

—was read the second time by title. On motion by Senator Ring, by two-thirds vote **HB 1073** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

Nays—None

HB 1077—A bill to be entitled An act relating to the West Villages Improvement District, Sarasota County; amending chapter 2004-456, Laws of Florida, as amended; expanding the territorial boundaries of the district; providing for a referendum; providing an effective date.

—was read the second time by title. On motion by Senator Bennett, by two-thirds vote **HB 1077** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

Nays—None

CS for HB 1085—A bill to be entitled An act relating to the Pinellas County Sheriff's Civil Service System; amending chapter 89-404, Laws of Florida, as amended; deleting intent relating to collective bargaining; limiting application; revising the definition of "personnel"; revising positions covered in the Classified and Unclassified Services; providing effect of participating in the Florida Retirement System's Senior Management Service Class; providing for Certified Executive Staff; providing additional causes for member suspension or dismissal; providing duties of the Civil Service Board regarding appeals; providing authority of the Division of Administrative Hearings under certain circumstances; revising provisions relating to the timeframe for filing a notice of appeal and for disposing of appeals and making findings of fact and stating a conclusion; removing a provision relating to certified personnel status as appointed officers; providing an effective date.

—was read the second time by title. On motion by Senator Jones, by two-thirds vote **CS for HB 1085** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

Nays—None

CS for HB 1087—A bill to be entitled An act relating to the City of Belleair Beach, Pinellas County; authorizing the City Council of the City of Belleair Beach to hold regular and special meetings outside the jurisdictional limits of the city as prescribed by ordinance, resolution, or interlocal agreement; encouraging the council to hold meetings in close proximity to the people it serves; providing an effective date.

—was read the second time by title. On motion by Senator Jones, by two-thirds vote **CS for HB 1087** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

Nays—None

HB 1089—A bill to be entitled An act relating to the City of Clearwater, Pinellas County; amending chapter 30658 (1955), Laws of Florida, as amended; updating terminology; revising the interval at which actuarial valuations of the city's fire pension fund shall be made; providing eligibility for election to the board of trustees of the fire pension fund; providing that board members may be appointed in certain circumstances; removing a requirement for payment of certain warrants; providing an effective date.

—was read the second time by title. On motion by Senator Fasano, by two-thirds vote **HB 1089** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

Nays—None

HB 1145—A bill to be entitled An act relating to the Canaveral Port District, Brevard County; amending chapter 2003-335, Laws of Florida; amending the powers and duties of the district; authorizing the district to establish a direct-support organization to receive, hold, invest, and administer property, make expenditures to or for the benefit of the district, and promote the development and expansion of the economic, historical, and cultural contributions of the maritime industry of the district; providing powers and duties of the organization; providing for membership of the board of directors of the organization; providing for the budget and financial audit of the organization; providing an effective date.

—was read the second time by title. On motion by Senator Posey, by two-thirds vote **HB 1145** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

Nays—None

HB 1211—A bill to be entitled An act relating to the Shawano Water Control District, Palm Beach County; amending chapter 2002-382, Laws of Florida; expanding the territorial boundaries of the district; providing for a referendum; providing an effective date.

—was read the second time by title. On motion by Senator Deutch, by two-thirds vote **HB 1211** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Carlton	Fasano
Alexander	Constantine	Gaetz
Aronberg	Crist	Garcia
Atwater	Dean	Geller
Baker	Deutch	Haridopolos
Bennett	Diaz de la Portilla	Hill
Bullard	Dockery	Jones

Joyner	Oelrich	Siplin
Justice	Peaden	Storms
King	Posey	Villalobos
Lawson	Rich	Webster
Lynn	Ring	Wilson
Margolis	Saunders	Wise

Nays—None

CS for HB 1225—A bill to be entitled An act relating to Hillsborough County; amending chapter 2001-299, Laws of Florida, relating to the Public Transportation Commission; providing for certain national criminal history background checks; authorizing the issuance of temporary public vehicle driver's licenses; providing for an exception to a public driver's license requirement; providing an effective date.

—was read the second time by title. On motion by Senator Crist, by two-thirds vote **CS for HB 1225** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

Nays—None

HB 1263—A bill to be entitled An act relating to Brevard County; amending chapter 2000-451, Laws of Florida, as amended; extending the expiration date for the clam harvesting licensure program; providing an effective date.

—was read the second time by title. On motion by Senator Posey, by two-thirds vote **HB 1263** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

Nays—None

CS for HB 1365—A bill to be entitled An act relating to Tindall Hammock Irrigation and Soil Conservation District, Broward County; amending chapter 98-523, Laws of Florida; providing for the addition of certain lands into the district; providing for the deletion of certain lands from the district; providing the board with the power to own, acquire, construct, operate, and improve water systems and sewer systems within and without the district; amending the amount for which advertisement for bids is required for the procurement by the district of contractual services and purchase of goods, supplies, and materials to comply with general law; providing additional requirements for the procurement of goods and services and contracts for improvements to district facilities; providing for the election of supervisors; redesignating the office of president of the board to chair of the board; creating the office of vice chair of the board; providing for a designation of who shall preside at meetings of the board; providing for the election of officers of the board; providing for the calling of special meetings of the board; providing the maximum allowable interest rate on loans, notes, bonds, assessments, and other obligations of the district; revising the district's bond criteria and provisions; providing that the meeting place of the district shall be in Broward County; deleting obsolete provisions; revising inconsistent provisions; revising provisions relating to controlling, regulating, and maintaining water systems and sewer systems within and without the district; providing severability; providing an effective date.

—was read the second time by title. On motion by Senator Ring, by two-thirds vote **CS for HB 1365** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

Nays—None

HB 1445—A bill to be entitled An act relating to the City of Tallahassee, Leon County; authorizing the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation to issue up to a specified number of temporary permits to a nonprofit civic organization to sell alcoholic beverages for consumption on the premises at outdoor events on public right-of-way in the downtown area of Tallahassee; providing that such events require a street-closure permit from the City of Tallahassee; providing that the permits authorized by the act are in addition to certain other authorized temporary permits; requiring the nonprofit civic organization to comply with certain statutory requirements in obtaining the permits authorized by the act; requiring the division to adopt rules; providing an effective date.

—was read the second time by title. On motion by Senator Lawson, by two-thirds vote **HB 1445** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Diaz de la Portilla	Lawson
Alexander	Dockery	Lynn
Aronberg	Fasano	Margolis
Atwater	Gaetz	Oelrich
Baker	Garcia	Peaden
Bennett	Geller	Posey
Bullard	Haridopolos	Rich
Carlton	Hill	Ring
Constantine	Jones	Saunders
Crist	Joyner	Siplin
Dean	Justice	Villalobos
Deutch	King	Wilson

Nays—3

Storms	Webster	Wise

CS for HB 1515—A bill to be entitled An act relating to the City of Orlando Firefighter Pension Fund, Orange County; amending chapter

23444, Laws of Florida, 1945, as amended; providing definitions of "legal guardian" and "guardians of said issue"; clarifying the amount of certain disability pension; providing that surviving spouses and other beneficiaries are entitled to cost of living increases upon the death of eligible firefighters; approving ordinances enacted by the City of Orlando concerning the firefighter pension plan; providing that the act is contingent upon a collective bargaining agreement; providing retroactive effect; providing effective dates.

—was read the second time by title. On motion by Senator Webster, by two-thirds vote **CS for HB 1515** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

Nays—None

CS for HB 1543—A bill to be entitled An act relating to the Jackson County Sheriff's Office; providing permanent status for certain employees of the Sheriff; specifying rights of employees; providing procedures for appeal of disciplinary actions and complaints against employees; providing for transition between sheriffs; providing for the appointment of career service appeals boards to hear appeals and procedures with respect thereto; providing for complaints against employees; providing applicability; providing an effective date.

—was read the second time by title. On motion by Senator Lawson, by two-thirds vote **CS for HB 1543** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

Nays—None

HB 1545—A bill to be entitled An act relating to the City of Lakeland, Polk County; amending the Charter of the City of Lakeland; providing for replacing all current members of the civil service board; increasing membership of the board; deleting an obsolete provision; providing that the civil service director shall be a city employee and supervised by the city manager; providing membership of the pension board; providing qualification of members; providing that the board may employ a retirement services director; providing duties of the retirement services director; providing an effective date.

—was read the second time by title. On motion by Senator Alexander, by two-thirds vote **HB 1545** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

Nays—None

CS for HB 1547—A bill to be entitled An act relating to the Wakulla County Sheriff's Office; providing permanent status for certain employees of the Sheriff; specifying rights of employees; providing procedures for appeal of disciplinary actions and complaints against employees; providing for transition between sheriffs; providing for the appointment of career service appeals boards to hear appeals and procedures with respect thereto; providing for complaints against employees; providing applicability; providing an effective date.

—was read the second time by title. On motion by Senator Lawson, by two-thirds vote **CS for HB 1547** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

Nays—None

CS for HB 1231—A bill to be entitled An act relating to the Key Largo Wastewater Treatment District, Monroe County; amending chapter 2002-337, Laws of Florida; providing that the district is not subject to local regulations governing discharge of effluent and is not obligated to obtain licenses, permits, or authorizations required by local regulating agencies; requiring the district to provide the county with a notice of development; providing an effective date.

—was read the second time by title. On motion by Senator Bullard, by two-thirds vote **CS for HB 1231** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dean	Jones
Alexander	Deutch	Joyner
Aronberg	Diaz de la Portilla	Justice
Atwater	Dockery	King
Baker	Fasano	Lawson
Bennett	Gaetz	Lynn
Bullard	Garcia	Margolis
Carlton	Geller	Oelrich
Constantine	Haridopolos	Peaden
Crist	Hill	Posey

Rich	Siplin	Webster
Ring	Storms	Wilson
Saunders	Villalobos	Wise

Nays—None

By direction of the President, the rules were waived and the Senate reverted to—

BILLS ON THIRD READING

CS for CS for CS for CS for SB 560—A bill to be entitled An act relating to building code standards; amending s. 163.04, F.S.; revising provisions authorizing the use of solar collectors and other energy devices; amending s. 163.3177, F.S.; revising requirements for the future land use element of a local comprehensive plan to include energy-efficient land use patterns and greenhouse gas reduction strategies; requiring that the traffic-circulation element of a local comprehensive plan incorporate transportation strategies to reduce greenhouse gas emissions; requiring that the land use map or map series contained in the future land use element of a local comprehensive plan identify and depict energy conservation; requiring that the home element of a local comprehensive plan include energy efficiency in the design and construction of new housing and use of renewable energy resources; providing that certain counties may not receive state affordable housing funds under certain circumstances; requiring each unit of local government within an urbanized area to amend the transportation element of a local comprehensive plan to incorporate transportation strategies addressing reduction in greenhouse gas emissions; amending s. 489.105, F.S.; expanding the scope of the definition of "roofing contractor" to include contractors performing required roof-deck attachments and any repair or replacement of wood roof sheathing or fascia as needed during roof repair or replacement; amending s. 553.36, F.S.; redefining the term "manufactured building" for purposes of the Florida Manufactured Building Act to include modular and factory-built buildings; amending s. 553.37, F.S.; requiring the Department of Community Affairs to adopt rules related to the inspection, construction, and modification of manufactured buildings; requiring the department to develop an insignia to be affixed to newly constructed manufactured buildings; authorizing the department to charge a fee for the insignia; providing requirements for the insignia; requiring the department to develop minimum criteria for a manufacturer's data plate; amending s. 553.381, F.S.; conforming provisions; amending s. 553.415, F.S.; requiring the department to require that an insignia be affixed to all newly constructed factory-built school buildings; providing requirements for the manufacturer's data plate; amending s. 553.71, F.S.; providing a definition; amending s. 553.73, F.S.; expanding required codes to be included in Florida Building Code updates; expanding the list of reasons the commission may amend the Florida Building Code; providing requirements for the retroactive application of parts of the Florida Building Code to commercial wireless communications towers; amending s. 553.74, F.S.; revising requirements for selecting members of the Florida Building Commission; revising membership of the commission; deleting obsolete provisions; amending s. 553.75, F.S.; authorizing the Florida Building Commission to use communications media technology in conducting its meetings or meetings held in conjunction with commission meetings; providing for public comment at meetings of the commission; amending s. 553.77, F.S.; authorizing the commission to implement recommendations relating to energy efficiency in residential and commercial buildings; amending s. 553.775, F.S.; authorizing the commission to render declaratory statements; amending s. 553.80, F.S.; providing that the enforcement of construction regulations relating to secure mental health treatment facilities under the jurisdiction of the Department of Children and Family Services shall be enforced exclusively by the department in conjunction with the review authority of the Agency for Health Care Administration; amending s. 553.842, F.S.; requiring the commission to review the list of product evaluation entities; providing reporting requirements; providing for rulemaking; designating an entity as an approved production evaluation entity until October 1, 2009; providing criteria for substitution of approved products under certain conditions; providing for the expiration of certain product approvals; amending s. 553.844, F.S.; revising provisions requiring the adoption of certain mitigation techniques by the Florida Building Commission within the Florida Building Code for certain structures; amending s. 553.885, F.S.; requiring the installation of carbon monoxide detectors in certain new hospitals, hospice and nursing homes facilities; creating s. 553.886, F.S.; requiring that the Florida Building Code facilitate and promote the use of certain renewable energy technologies in buildings; amending s. 553.901, F.S.; requiring the commission to adopt by rule a definition of the term "cost-effective"; creating s. 553.9061, F.S.; establishing a schedule of required increases in the energy performance of buildings subject to the Florida Building Code; providing a process for implementing goals to increase energy-efficiency performance in new buildings; providing a schedule for the implementation of such goals; identifying energy-efficiency performance options and elements available to meet energy-efficiency performance requirements; providing a schedule for the review and adoption of renewable energy-efficiency goals by the commission; requiring the commission to conduct a study to evaluate the energy-efficiency rating of new buildings and appliances; requiring the commission to submit a report to the President of the Senate and the Speaker of the House of Representatives on or before a specified date; requiring the commission to conduct a study to evaluate opportunities to restructure the Florida Energy Code for Building Construction, including the integration of the Thermal Efficiency Code, the Energy Conservation Standards Act, and the Florida Building Energy-Efficiency Rating Act; requiring the commission to submit a report to the President of the Senate and the Speaker of the House of Representatives on or before a specified date; directing the Department of Community Affairs, in conjunction with the Florida Energy Affordability Council, to identify and review issues relating to the Low-Income Home Energy Assistance Program and the Weatherization Assistance Program; requiring the submission of a report to the President of the Senate and the Speaker of the House of Representatives on or before a specified date; providing for the expiration of certain study requirements; repealing s. 553.731, F.S., relating to wind-borne debris protection requirements; providing for construction and interpretation of the repeal; repealing s. 627.351(6)(a)6., F.S.; providing requirements for certain properties to meet building code plus requirements as a condition of eligibility for coverage by Citizens Property Insurance Corporation; amending s. 718.113, F.S.; authorizing the board of a condominium or a multicondominium to install solar collectors, clotheslines, or other energy-efficient devices on association property; requiring the Florida Building Commission to include certain information in its report to the Legislature; providing an effective date.

—as amended April 24 was read the third time by title.

Amendments were considered and adopted to conform **CS for CS for CS for CS for SB 560** to **CS for HB 697**.

Pending further consideration of **CS for CS for CS for CS for SB 560** as amended, on motion by Senator Constantine, by two-thirds vote **CS for HB 697** was withdrawn from the Committees on Community Affairs; Regulated Industries; Environmental Preservation and Conservation; and Transportation and Economic Development Appropriations.

On motion by Senator Constantine, the rules were waived and by two-thirds vote—

CS for HB 697—A bill to be entitled An act relating to building standards; amending s. 489.105, F.S.; revising the definition of the term "roofing contractor"; creating s. 489.1138, F.S.; providing definitions; requiring a tower crane to be certified in order to be operated; requiring a person to be certified in order to operate a tower crane on construction projects; providing applicable standards; specifying duties of contractors; providing penalties; authorizing persons in training for certification to operate tower cranes under direct supervision of a certified tower crane operator; creating s. 489.1139, F.S.; preempting the regulation of tower cranes and tower crane operators to the state; amending s. 553.36, F.S.; revising the definition of the term "manufactured building" to include modular buildings and factory-built buildings; amending s. 553.37, F.S.; revising requirements that the Florida Building Commission adopt requirements for construction or modification of manufactured buildings; requiring the Department of Community Affairs to adopt certain rules relating to manufactured buildings; transferring certain responsibilities from the commission to the department; requiring the department to develop an insignia to be affixed to newly constructed manufactured buildings; authorizing the department to charge a fee for the insignia; providing requirements for the insignia; requiring the department to develop minimum criteria for a manufacturer's data plate; amending s. 553.381, F.S.; revising the department's authority to conform; authorizing the department to establish certain fees by rule; amending s. 553.415, F.S.; requiring the department to require that an insignia and manufacturer's data plate be affixed to certain school buildings; providing requirements for the data plate; requiring under certain

circumstances manufacturers or the department to affix the insignia and data plate; amending s. 553.71, F.S.; providing a definition of the term "temporary;" amending s. 553.73, F.S.; expanding the list of required codes to be included in the Florida Building Code as foundation codes; expanding authority of the commission to approve amendments to the Florida Building Code; amending s. 553.74., F.S.; specifying entities encouraged to recommend candidate lists for consideration as members of the commission; increasing membership of the commission; deleting obsolete provisions; amending s. 553.75, F.S.; authorizing the commission to use communications media technology in conducting certain meetings; providing for requirements for public comment at commission meetings; amending s. 553.775, F.S.; authorizing the commission to render certain accessibility declaratory statements; amending s. 553.80, F.S.; revising enforcement requirements for construction regulations for certain facilities; amending s. 553.844, F.S.; revising requirements for criteria for mitigation techniques adopted by the commission; specifying certain roof retrofitting requirements; amending s. 553.885, F.S.; requiring the installation of carbon monoxide detectors in certain new hospitals, hospice facilities, and nursing homes; amending s. 627.351, F.S.; specifying that certain buildings or structures must meet certain coastal construction line setbacks to be eligible for Citizens Property Insurance coverage; repealing s. 553.731 F.S., relating to wind-borne debris protection requirements; providing for construction and interpretation of the repeal; providing effective dates.

—a companion measure, was substituted for **CS for CS for CS for CS for SB 560** as amended and by two-thirds vote read the second time by title.

MOTION

On motion by Senator Constantine, the rules were waived to allow the following amendment to be considered:

Senator Constantine moved the following amendment:

Amendment 1 (427394)(with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Subsection (2) of section 163.04, Florida Statutes, is amended to read:

163.04 Energy devices based on renewable resources.—

(2) *A deed restriction, covenant, declaration, or similar binding agreement may not* ~~No deed restrictions, covenants, or similar binding agreements running with the land shall~~ prohibit or have the effect of prohibiting solar collectors, clotheslines, or other energy devices based on renewable resources from being installed on buildings erected on the lots or parcels covered by the deed *restriction, covenant, declaration, or binding agreement* ~~restrictions, covenants, or binding agreements~~. A property owner may not be denied permission to install solar collectors or other energy devices ~~based on renewable resources~~ by any entity granted the power or right in any deed restriction, covenant, *declaration,* or similar binding agreement to approve, forbid, control, or direct alteration of property with respect to residential dwellings *and within the boundaries of a condominium unit* ~~not exceeding three stories in height~~. ~~For purposes of this subsection,~~ Such entity may determine the specific location where solar collectors may be installed on the roof within an orientation to the south or within 45° east or west of due south *if* ~~provided that~~ such determination does not impair the effective operation of the solar collectors.

Section 2. Paragraphs (a), (b), (d), (f), and (j) of subsection (6) of section 163.3177, Florida Statutes, are amended to read:

163.3177 Required and optional elements of comprehensive plan; studies and surveys.—

(6) In addition to the requirements of subsections (1)-(5) and (12), the comprehensive plan shall include the following elements:

(a) A future land use plan element designating proposed future general distribution, location, and extent of the uses of land for residential uses, commercial uses, industry, agriculture, recreation, conservation, education, public buildings and grounds, other public facilities, and other categories of the public and private uses of land. Counties are encouraged to designate rural land stewardship areas, pursuant to the provisions of paragraph (11)(d), as overlays on the future land use map. Each future land use category must be defined in terms of uses included, and must include standards to be followed in the control and distribution of population densities and building and structure intensities. The proposed distribution, location, and extent of the various categories of land use shall be shown on a land use map or map series which shall be supplemented by goals, policies, and measurable objectives. The future land use plan shall be based upon surveys, studies, and data regarding the area, including the amount of land required to accommodate anticipated growth; the projected population of the area; the character of undeveloped land; the availability of water supplies, public facilities, and services; the need for redevelopment, including the renewal of blighted areas and the elimination of nonconforming uses which are inconsistent with the character of the community; the compatibility of uses on lands adjacent to or closely proximate to military installations; *the discouragement of urban sprawl; energy-efficient land use patterns accounting for existing and future electric power generation and transmission systems; greenhouse gas reduction strategies;* and, in rural communities, the need for job creation, capital investment, and economic development that will strengthen and diversify the community's economy. The future land use plan may designate areas for future planned development use involving combinations of types of uses for which special regulations may be necessary to ensure development in accord with the principles and standards of the comprehensive plan and this act. The future land use plan element shall include criteria to be used to achieve the compatibility of adjacent or closely proximate lands with military installations. In addition, for rural communities, the amount of land designated for future planned industrial use shall be based upon surveys and studies that reflect the need for job creation, capital investment, and the necessity to strengthen and diversify the local economies, and shall not be limited solely by the projected population of the rural community. The future land use plan of a county may also designate areas for possible future municipal incorporation. The land use maps or map series shall generally identify and depict historic district boundaries and shall designate historically significant properties meriting protection. For coastal counties, the future land use element must include, without limitation, regulatory incentives and criteria that encourage the preservation of recreational and commercial working waterfronts as defined in s. 342.07. The future land use element must clearly identify the land use categories in which public schools are an allowable use. When delineating the land use categories in which public schools are an allowable use, a local government shall include in the categories sufficient land proximate to residential development to meet the projected needs for schools in coordination with public school boards and may establish differing criteria for schools of different type or size. Each local government shall include lands contiguous to existing school sites, to the maximum extent possible, within the land use categories in which public schools are an allowable use. The failure by a local government to comply with these school siting requirements will result in the prohibition of the local government's ability to amend the local comprehensive plan, except for plan amendments described in s. 163.3187(1)(b), until the school siting requirements are met. Amendments proposed by a local government for purposes of identifying the land use categories in which public schools are an allowable use are exempt from the limitation on the frequency of plan amendments contained in s. 163.3187. The future land use element shall include criteria that encourage the location of schools proximate to urban residential areas to the extent possible and shall require that the local government seek to collocate public facilities, such as parks, libraries, and community centers, with schools to the extent possible and to encourage the use of elementary schools as focal points for neighborhoods. For schools serving predominantly rural counties, defined as a county with a population of 100,000 or fewer, an agricultural land use category shall be eligible for the location of public school facilities if the local comprehensive plan contains school siting criteria and the location is consistent with such criteria. Local governments required to update or amend their comprehensive plan to include criteria and address compatibility of adjacent or closely proximate lands with existing military installations in their future land use plan element shall transmit the update or amendment to the department by June 30, 2006.

(b) A traffic circulation element consisting of the types, locations, and extent of existing and proposed major thoroughfares and transportation routes, including bicycle and pedestrian ways. Transportation corridors, as defined in s. 334.03, may be designated in the traffic circulation element pursuant to s. 337.273. If the transportation corridors are designated, the local government may adopt a transportation corridor management ordinance. *The traffic circulation element shall incorporate transportation strategies to address reduction in greenhouse gas emissions from the transportation sector.*

(d) A conservation element for the conservation, use, and protection of natural resources in the area, including air, water, water recharge areas, wetlands, waterwells, estuarine marshes, soils, beaches, shores, flood plains, rivers, bays, lakes, harbors, forests, fisheries and wildlife, marine habitat, minerals, and other natural and environmental resources*, including factors that affect energy conservation*. Local governments shall assess their current, as well as projected, water needs and sources for at least a 10-year period, considering the appropriate regional water supply plan approved pursuant to s. 373.0361, or, in the absence of an approved regional water supply plan, the district water management plan approved pursuant to s. 373.036(2). This information shall be submitted to the appropriate agencies. The land use map or map series contained in the future land use element shall generally identify and depict the following:

1. Existing and planned waterwells and cones of influence where applicable.

2. Beaches and shores, including estuarine systems.

3. Rivers, bays, lakes, flood plains, and harbors.

4. Wetlands.

5. Minerals and soils.

6. Energy conservation.

The land uses identified on such maps shall be consistent with applicable state law and rules.

(f)1. A housing element consisting of standards, plans, and principles to be followed in:

a. The provision of housing for all current and anticipated future residents of the jurisdiction.

b. The elimination of substandard dwelling conditions.

c. The structural and aesthetic improvement of existing housing.

d. The provision of adequate sites for future housing, including affordable workforce housing as defined in s. 380.0651(3)(j), housing for low-income, very low-income, and moderate-income families, mobile homes, and group home facilities and foster care facilities, with supporting infrastructure and public facilities.

e. Provision for relocation housing and identification of historically significant and other housing for purposes of conservation, rehabilitation, or replacement.

f. The formulation of housing implementation programs.

g. The creation or preservation of affordable housing to minimize the need for additional local services and avoid the concentration of affordable housing units only in specific areas of the jurisdiction.

h. Energy efficiency in the design and construction of new housing.

i. Use of renewable energy resources.

j. ~~h. By July 1, 2008,~~ Each county in which the gap between the buying power of a family of four and the median county home sale price exceeds $170,000, as determined by the Florida Housing Finance Corporation, and which is not designated as an area of critical state concern shall adopt a plan for ensuring affordable workforce housing. At a minimum, the plan shall identify adequate sites for such housing. For purposes of this sub-subparagraph, the term "workforce housing" means housing that is affordable to natural persons or families whose total household income does not exceed 140 percent of the area median income, adjusted for household size.

k. As a precondition to receiving any state affordable housing funding or allocation for any project or program within the jurisdiction of a county that is subject to sub-subparagraph j., a county must, by July 1 of each year, provide certification that the county has complied with the requirements of sub-subparagraph j.

~~i. Failure by a local government to comply with the requirement in sub-subparagraph h. will result in the local government being ineligible to receive any state housing assistance grants until the requirement of sub-subparagraph h. is met.~~

The goals, objectives, and policies of the housing element must be based on the data and analysis prepared on housing needs, including the affordable housing needs assessment. State and federal housing plans prepared on behalf of the local government must be consistent with the goals, objectives, and policies of the housing element. Local governments are encouraged to *use* ~~utilize~~ job training, job creation, and economic solutions to address a portion of their affordable housing concerns.

2. To assist local governments in housing data collection and analysis and assure uniform and consistent information regarding the state's housing needs, the state land planning agency shall conduct an affordable housing needs assessment for all local jurisdictions on a schedule that coordinates the implementation of the needs assessment with the evaluation and appraisal reports required by s. 163.3191. Each local government shall utilize the data and analysis from the needs assessment as one basis for the housing element of its local comprehensive plan. The agency shall allow a local government the option to perform its own needs assessment, if it uses the methodology established by the agency by rule.

(j) For each unit of local government within an urbanized area designated for purposes of s. 339.175, a transportation element, which shall be prepared and adopted in lieu of the requirements of paragraph (b) and paragraphs (7)(a), (b), (c), and (d) and which shall address the following issues:

1. Traffic circulation, including major thoroughfares and other routes, including bicycle and pedestrian ways.

2. All alternative modes of travel, such as public transportation, pedestrian, and bicycle travel.

3. Parking facilities.

4. Aviation, rail, seaport facilities, access to those facilities, and intermodal terminals.

5. The availability of facilities and services to serve existing land uses and the compatibility between future land use and transportation elements.

6. The capability to evacuate the coastal population prior to an impending natural disaster.

7. Airports, projected airport and aviation development, and land use compatibility around airports.

8. An identification of land use densities, building intensities, and transportation management programs to promote public transportation systems in designated public transportation corridors so as to encourage population densities sufficient to support such systems.

9. May include transportation corridors, as defined in s. 334.03, intended for future transportation facilities designated pursuant to s. 337.273. If transportation corridors are designated, the local government may adopt a transportation corridor management ordinance.

10. The incorporation of transportation strategies to address reduction in greenhouse gas emissions from the transportation sector.

Section 3. Paragraph (e) of subsection (3) of section 489.105, Florida Statutes, is amended to read:

489.105 Definitions.—As used in this part:

(3) "Contractor" means the person who is qualified for, and shall only be responsible for, the project contracted for and means, except as exempted in this part, the person who, for compensation, undertakes to, submits a bid to, or does himself or herself or by others construct, repair, alter, remodel, add to, demolish, subtract from, or improve any building or structure, including related improvements to real estate, for others or for resale to others; and whose job scope is substantially similar to the job scope described in one of the subsequent paragraphs of this subsection. For the purposes of regulation under this part, "demolish" applies only to demolition of steel tanks over 50 feet in height; towers over 50 feet in height; other structures over 50 feet in height, other than buildings or residences over three stories tall; and buildings or residences

over three stories tall. Contractors are subdivided into two divisions, Division I, consisting of those contractors defined in paragraphs (a)-(c), and Division II, consisting of those contractors defined in paragraphs (d)-(q):

(e) "Roofing contractor" means a contractor whose services are unlimited in the roofing trade and who has the experience, knowledge, and skill to install, maintain, repair, alter, extend, or design, when not prohibited by law, and use materials and items used in the installation, maintenance, extension, and alteration of all kinds of roofing, waterproofing, and coating, except when coating is not represented to protect, repair, waterproof, stop leaks, or extend the life of the roof. *The scope of work of a roofing contractor also includes required roof-deck attachments and any repair or replacement of wood roof sheathing or fascia as needed during roof repair or replacement.*

Section 4. Subsection (13) of section 553.36, Florida Statutes, is amended to read:

553.36 Definitions.—The definitions contained in this section govern the construction of this part unless the context otherwise requires.

(13) "Manufactured building"*, "modular building," or "factory-built building"* means a closed structure, building assembly, or system of subassemblies, which may include structural, electrical, plumbing, heating, ventilating, or other service systems manufactured in manufacturing facilities for installation or erection as a finished building or as part of a finished building, which shall include, but not be limited to, residential, commercial, institutional, storage, and industrial structures. The term includes buildings not intended for human habitation such as lawn storage buildings and storage sheds manufactured and assembled offsite by a manufacturer certified in conformance with this part. This part does not apply to mobile homes.

Section 5. Section 553.37, Florida Statutes, is amended to read:

553.37 Rules; inspections; and insignia.—

(1) The Florida Building Commission shall adopt within the Florida Building Code requirements for construction or modification of manufactured buildings and building modules, to address:

(a) Submittal to and approval by the department of manufacturers' drawings and specifications, including any amendments.

(b) Submittal to and approval by the department of manufacturers' internal quality control procedures and manuals, including any amendments.

(c) *Minimum inspection criteria.* ~~Procedures and qualifications for approval of third-party plan review and inspection entities and of those who perform inspections and plan reviews.~~

(2) The department shall adopt rules to address:

(a) Procedures and qualifications for approval of third-party plan review and inspection agencies and of those who perform inspections and plan reviews.

(b)~~(d)~~ Investigation of consumer complaints of noncompliance of manufactured buildings with the Florida Building Code and the Florida Fire Prevention Code.

(c)~~(e)~~ Issuance, cancellation, and revocation of any insignia issued by the department and procedures for auditing and accounting for disposition of them.

(d)~~(f)~~ Monitoring the manufacturers', inspection *agencies'* ~~entities'~~, and plan review *agencies'* ~~entities'~~ compliance with this part and the Florida Building Code. Monitoring may include, but is not limited to, performing audits of plans, inspections of manufacturing facilities and observation of the manufacturing and inspection process, and onsite inspections of buildings.

(e)~~(g)~~ The performance by the department of any other functions required by this part.

(3)~~(2)~~ After the effective date of the Florida Building Code, no manufactured building, except as provided in subsection *(12)* ~~(11)~~, may be installed in this state unless it is approved and bears the insignia of approval of the department *and a manufacturer's data plate*. Approvals issued by the department under the provisions of the prior part shall be deemed to comply with the requirements of this part.

(4)~~(3)~~ All manufactured buildings issued and bearing insignia of approval pursuant to subsection *(3)* ~~(2)~~ shall be deemed to comply with the Florida Building Code and are exempt from local amendments enacted by any local government.

(5)~~(4)~~ No manufactured building bearing department insignia of approval pursuant to subsection *(3)* ~~(2)~~ shall be in any way modified prior to installation, except in conformance with the Florida Building Code.

(6)~~(5)~~ Manufactured buildings which have been issued and bear the insignia of approval pursuant to this part upon manufacture or first sale shall not require an additional approval or insignia by a local government in which they are subsequently sold or installed. Buildings or structures that meet the definition of "open construction" are subject to permitting by the local jurisdiction and are not required to bear insignia.

(7)~~(6)~~ If the *department* ~~Florida Building Commission~~ determines that the standards for construction and inspection of manufactured buildings prescribed by statute or rule of another state are at least equal to the Florida Building Code and that such standards are actually enforced by such other state, it may provide by rule that the manufactured building which has been inspected and approved by such other state shall be deemed to have been approved by the department and shall authorize the affixing of the appropriate insignia of approval.

(8)~~(7)~~ The *department* ~~Florida Building Commission~~, by rule, shall establish a schedule of fees to pay the cost *of* ~~incurred by the department for~~ the ~~work related to~~ administration and enforcement of this part.

(9)~~(8)~~ The department may delegate its enforcement authority to a state department having building construction responsibilities or a local government. The department may delegate its plan review and inspection authority to *one or more of the following in any combination:*

(a) A state department having building construction responsibilities*;*~~,~~

(b) A local government*;*~~,~~

(c) An approved inspection agency*;*~~,~~

(d) An approved plan review agency*;*~~,~~ or

(e) An agency of another state.

~~(9) If the commission delegates its inspection authority to third-party approved inspection agencies, manufacturers must have one, and only one, inspection agency responsible for inspection of a manufactured building, module, or component at all times.~~

(10) *The department shall develop an insignia to be affixed to all newly constructed buildings by the manufacturer or the inspection agency prior to the building leaving the plant. The department may charge a fee for issuing such insignias. Such insignias shall bear the department's name, the state seal, an identification number unique to that insignia, and such other information as the department may require by rule.* ~~If the commission delegates its inspection authority to third-party approved plan review agencies, manufacturers must have one, and only one, plan review agency responsible for review of plans of a manufactured building, module, or component at all times.~~

(11) *The department shall by rule develop minimum criteria for manufacturer's data that must be affixed to all newly constructed buildings by the manufacturer prior to the building leaving the plant.* ~~Custom or one-of-a-kind prototype manufactured buildings shall not be required to have state approval but must comply with all local requirements of the governmental agency having jurisdiction at the installation site.~~

Section 6. Subsections (1) and (3) of section 553.381, Florida Statutes, are amended to read:

553.381 Manufacturer certification.—

(1) Before manufacturing buildings to be located within this state or selling manufactured buildings within this state, whichever occurs later, a manufacturer must be certified by the department. The department

shall certify a manufacturer upon receipt from the manufacturer and approval and verification by the department of the following:

(a) The manufacturer's internal quality control procedures and manuals, including any amendments;

(b) Evidence that the manufacturer has product liability insurance for the safety and welfare of the public in amounts determined by rule of the *department* ~~commission~~; and

(c) The fee established by the *department* ~~commission~~ under *s. 553.37(8)* ~~s. 553.37(7)~~.

(3) Certification of manufacturers under this section shall be for a period of 3 years, subject to renewal by the manufacturer. Upon application for renewal, the manufacturer must submit the information described in subsection (1) or a sworn statement that there has been no change in the status or content of that information since the manufacturer's last submittal. Fees for renewal of manufacturers' certification shall be established by the *department* ~~commission~~ by rule.

Section 7. Subsections (11) and (12) of section 553.415, Florida Statutes, are amended to read:

553.415 Factory-built school buildings.—

(11) The department shall *require that an insignia bearing the department's name and state seal and a manufacturer's data plate* ~~develop a unique identification label to~~ be affixed to all newly constructed factory-built school buildings and existing factory-built school buildings which have been brought into compliance with the standards for existing "satisfactory" buildings pursuant to chapter 5 of the Uniform Code for Public Educational Facilities, and after March 1, 2002, the Florida Building Code. The department may charge a fee for issuing such *insignias* ~~labels~~. *The manufacturer's data plate* ~~Such labels, bearing the department's name and state seal,~~ shall, at a minimum, contain:

(a) The name of the manufacturer.

(b) The standard plan approval number or alteration number.

(c) The date of manufacture or alteration.

(d) The serial or other identification number.

(e) The following designed-for loads: lbs. per square foot live load; lbs. per square foot floor live load; lbs. per square foot horizontal wind load; and lbs. per square foot wind uplift load.

(f) The designed-for flood zone usage.

(g) The designed-for wind zone usage.

(h) The designed-for enhanced hurricane protection zone usage: yes or no.

(12) Such *insignia and data plate* ~~identification label~~ shall be permanently affixed by the manufacturer in the case of newly constructed factory-built school buildings, or by the department or its designee in the case of an existing factory-built building altered to comply with provisions of s. 1013.20.

Section 8. Subsection (11) is added to section 553.71, Florida Statutes, to read:

553.71 Definitions.—As used in this part, the term:

(11) "Temporary" includes, but is not limited to, buildings identified by, but not designated as permanent structures on, an approved development order.

Section 9. Paragraph (a) of subsection (6) and subsection (7) of section 553.73, Florida Statutes, are amended, and subsection (13) is added to that section, to read:

553.73 Florida Building Code.—

(6)(a) The commission, by rule adopted pursuant to ss. 120.536(1) and 120.54, shall update the Florida Building Code every 3 years. When updating the Florida Building Code, the commission shall select the most current version of the International Building Code, the International Fuel Gas Code, the International Mechanical Code, the International Plumbing Code, and the International Residential Code, all of which are adopted by the International Code Council, and the National Electrical Code, which is adopted by the National Fire Protection Association, to form the foundation codes of the updated Florida Building Code, if the version has been adopted by the applicable model code entity and made available to the public at least 6 months prior to its selection by the commission. *The commission shall select the most current version of the International Energy Conservation Code (IECC) as a foundation code; however, the IECC shall be modified by the commission to maintain the efficiencies of the Florida Energy Efficiency Code for Building Construction adopted and amended pursuant to s. 553.901.*

(7) Notwithstanding the provisions of subsection (3) or subsection (6), the commission may address issues identified in this subsection by amending the code pursuant only to the rule adoption procedures contained in chapter 120. Provisions of the Florida Building Code, including those contained in referenced standards and criteria, relating to wind resistance or the prevention of water intrusion may not be amended pursuant to this subsection to diminish those construction requirements; however, the commission may, subject to conditions in this subsection, amend the provisions to enhance those construction requirements. Following the approval of any amendments to the Florida Building Code by the commission and publication of the amendments on the commission's website, authorities having jurisdiction to enforce the Florida Building Code may enforce the amendments. The commission may approve amendments that are needed to address:

(a) Conflicts within the updated code;

(b) Conflicts between the updated code and the Florida Fire Prevention Code adopted pursuant to chapter 633;

(c) The omission of previously adopted Florida-specific amendments to the updated code if such omission is not supported by a specific recommendation of a technical advisory committee or particular action by the commission;

(d) Unintended results from the integration of previously adopted Florida-specific amendments with the model code; ~~or~~

(e) Changes to federal or state law*; or*~~.~~

(f) Adoption of an updated edition of the National Electrical Code if the commission finds that delay of implementing the updated edition causes undue hardship to stakeholders or otherwise threatens the public health, safety, and welfare.

(13) The general provisions of the Florida Building Code for buildings and other structures shall not apply to commercial wireless communication towers when such general provisions are inconsistent with the provisions of the code controlling radio and television towers. This subsection is intended to be remedial in nature and to clarify existing law.

Section 10. Subsections (1) and (2) of section 553.74, Florida Statutes, are amended to read:

553.74 Florida Building Commission.—

(1) The Florida Building Commission is created and shall be located within the Department of Community Affairs for administrative purposes. Members shall be appointed by the Governor subject to confirmation by the Senate. The commission shall be composed of *25* ~~23~~ members, consisting of the following:

(a) One architect registered to practice in this state and actively engaged in the profession. *The American Institute of Architects, Florida Section, is encouraged to recommend a list of candidates for consideration.*

(b) One structural engineer registered to practice in this state and actively engaged in the profession. *The Florida Engineering Society is encouraged to recommend a list of candidates for consideration.*

(c) One air-conditioning or mechanical contractor certified to do business in this state and actively engaged in the profession. *The Florida Air Conditioning Contractors Association, the Florida Refrigeration and Air Conditioning Contractors Association, and the Mechanical Contractors*

Association of Florida are encouraged to recommend a list of candidates for consideration.

(d) One electrical contractor certified to do business in this state and actively engaged in the profession. *The Florida Electrical Contractors Association and the National Electrical Contractors Association, Florida Chapter, are encouraged to recommend a list of candidates for consideration.*

(e) One member from fire protection engineering or technology who is actively engaged in the profession. *The Florida Chapter of the Society of Fire Protection Engineers and the Florida Fire Marshals and Inspectors Association are encouraged to recommend a list of candidates for consideration.*

(f) One general contractor certified to do business in this state and actively engaged in the profession. *The Associated Builders and Contractors of Florida, the Florida Associated General Contractors Council, and the Union Contractors Association are encouraged to recommend a list of candidates for consideration.*

(g) One plumbing contractor licensed to do business in this state and actively engaged in the profession. *The Florida Association of Plumbing, Heating, and Cooling Contractors is encouraged to recommend a list of candidates for consideration.*

(h) One roofing or sheet metal contractor certified to do business in this state and actively engaged in the profession. *The Florida Roofing, Sheet Metal, and Air Conditioning Contractors Association and the Sheet Metal and Air Conditioning Contractors National Association are encouraged to recommend a list of candidates for consideration.*

(i) One residential contractor licensed to do business in this state and actively engaged in the profession. *The Florida Home Builders Association is encouraged to recommend a list of candidates for consideration.*

(j) Three members who are municipal or district codes enforcement officials, one of whom is also a fire official. *The Building Officials Association of Florida and the Florida Fire Marshals and Inspectors Association are encouraged to recommend a list of candidates for consideration.*

(k) One member who represents the Department of Financial Services.

(l) One member who is a county codes enforcement official. *The Building Officials Association of Florida is encouraged to recommend a list of candidates for consideration.*

(m) One member of a Florida-based organization of persons with disabilities or a nationally chartered organization of persons with disabilities with chapters in this state.

(n) One member of the manufactured buildings industry who is licensed to do business in this state and is actively engaged in the industry. *The Florida Manufactured Housing Association is encouraged to recommend a list of candidates for consideration.*

(o) One mechanical or electrical engineer registered to practice in this state and actively engaged in the profession. *The Florida Engineering Society is encouraged to recommend a list of candidates for consideration.*

(p) One member who is a representative of a municipality or a charter county. *The Florida League of Cities and the Florida Association of Counties are encouraged to recommend a list of candidates for consideration.*

(q) One member of the building products manufacturing industry who is authorized to do business in this state and is actively engaged in the industry. *The Florida Building Material Association, the Florida Concrete and Products Association, and the Fenestration Manufacturers Association are encouraged to recommend a list of candidates for consideration.*

(r) One member who is a representative of the building owners and managers industry who is actively engaged in commercial building ownership or management. *The Building Owners and Managers Association is encouraged to recommend a list of candidates for consideration.*

(s) One member who is a representative of the insurance industry. *The Florida Insurance Council is encouraged to recommend a list of candidates for consideration.*

(t) One member who is a representative of public education.

(u) One member who *is a swimming pool contractor licensed to do business in this state and actively engaged in the profession. The Florida Swimming Pool Association and the United Pool and Spa Association are encouraged to recommend a list of candidates for consideration* ~~shall be the chair~~.

(v) One member who is a representative of the green building industry and who is a third-party commission agent, a Florida board member of the United States Green Building Council or Green Building Initiative, or a LEED-accredited professional.

(w) One member who shall be the chair.

Any person serving on the commission under paragraph (c) or paragraph (h) on October 1, 2003, and who has served less than two full terms is eligible for reappointment to the commission regardless of whether he or she meets the new qualification.

(2) All appointments shall be for terms of 4 years~~, except that of the chair who shall serve at the pleasure of the Governor~~. Each person who is a member of the Board of Building Codes and Standards on the effective date of this act shall serve the remainder of their term as a member of the Florida Building Commission. ~~Except for the chair, newly created positions on the Florida Building Commission shall be appointed after February 1, 1999. A vacancy shall be filled for the remainder of the unexpired term.~~ Any member who shall, during his or her term, cease to meet the qualifications for original appointment, through ceasing to be a practicing member of the profession indicated or otherwise, shall thereby forfeit membership on the commission.

Section 11. Section 553.75, Florida Statutes, is amended to read:

553.75 Organization of commission; rules and regulations; meetings; staff; fiscal affairs*; public comment*.—

(1) The commission shall meet on call of the secretary. The commission shall annually elect from its appointive members such officers as it may choose.

(2) The commission shall meet at the call of its chair, at the request of a majority of its membership, at the request of the department, or at such times as may be prescribed by its rules. The members shall be notified in writing of the time and place of a regular or special meeting at least 7 days in advance of the meeting. A majority of members of the commission shall constitute a quorum.

(3) The department shall be responsible for the provision of administrative and staff support services relating to the functions of the commission. With respect to matters within the jurisdiction of the commission, the department shall be responsible for the implementation and faithful discharge of all decisions of the commission made pursuant to its authority under the provisions of this part. *The department is specifically authorized to use communications media technology in conducting meetings of the commission or any meetings held in conjunction with meetings of the commission.*

(4) Meetings of the commission shall be conducted so as to encourage participation by interested persons in attendance. At a minimum, the commission shall provide one opportunity for interested members of the public in attendance at a meeting to comment on each proposed action of the commission before a final vote is taken on any motion.

Section 12. Present subsection (5) of section 553.77, Florida Statutes, is renumbered as subsection (6), and a new subsection (5) is added to that section, to read:

553.77 Specific powers of the commission.—

(5) The commission may implement its recommendations delivered pursuant to subsection (2) of section 48 of chapter 2007-73, Laws of Florida, by amending the Florida Energy Efficiency Code for Building Construction as provided in s. 553.901.

Section 13. Subsection (5) of section 553.775, Florida Statutes, is amended to read:

553.775 Interpretations.—

(5) *The commission may render declaratory statements in accordance with s. 120.565 relating to the provisions of the Florida Accessibility Code for Building Construction not attributable to the Americans with Disabilities Act Accessibility Guidelines.* Notwithstanding the other provisions of this section, the Florida Accessibility Code for Building Construction and chapter 11 of the Florida Building Code may not be interpreted by, and are not subject to review under, any of the procedures specified in this section. This subsection has no effect upon the commission's authority to waive the Florida Accessibility Code for Building Construction as provided by s. 553.512.

Section 14. Paragraph (g) is added to subsection (1) of section 553.80, Florida Statutes, and subsection (7) of that section is amended, to read:

553.80 Enforcement.—

(1) Except as provided in paragraphs *(a)-(g)* ~~(a)-(f)~~, each local government and each legally constituted enforcement district with statutory authority shall regulate building construction and, where authorized in the state agency's enabling legislation, each state agency shall enforce the Florida Building Code required by this part on all public or private buildings, structures, and facilities, unless such responsibility has been delegated to another unit of government pursuant to s. 553.79(9).

(g) Construction regulations relating to secure mental health treatment facilities under the jurisdiction of the Department of Children and Family Services shall be enforced exclusively by the department in conjunction with the Agency for Health Care Administration's review authority under paragraph (c).

The governing bodies of local governments may provide a schedule of fees, as authorized by s. 125.56(2) or s. 166.222 and this section, for the enforcement of the provisions of this part. Such fees shall be used solely for carrying out the local government's responsibilities in enforcing the Florida Building Code. The authority of state enforcing agencies to set fees for enforcement shall be derived from authority existing on July 1, 1998. However, nothing contained in this subsection shall operate to limit such agencies from adjusting their fee schedule in conformance with existing authority.

(7) The governing bodies of local governments may provide a schedule of reasonable fees, as authorized by s. 125.56(2) or s. 166.222 and this section, for enforcing this part. These fees, and any fines or investment earnings related to the fees, shall be used solely for carrying out the local government's responsibilities in enforcing the Florida Building Code. When providing a schedule of reasonable fees, the total estimated annual revenue derived from fees, and the fines and investment earnings related to the fees, may not exceed the total estimated annual costs of allowable activities. Any unexpended balances shall be carried forward to future years for allowable activities or shall be refunded at the discretion of the local government. The basis for a fee structure for allowable activities shall relate to the level of service provided by the local government *and shall include consideration for refunding fees due to reduced services based on services provided as prescribed by s. 553.791, but not provided by the local government*. Fees charged shall be consistently applied.

(a) As used in this subsection, the phrase "enforcing the Florida Building Code" includes the direct costs and reasonable indirect costs associated with review of building plans, building inspections, reinspections, and building permit processing; building code enforcement; and fire inspections associated with new construction. The phrase may also include training costs associated with the enforcement of the Florida Building Code and enforcement action pertaining to unlicensed contractor activity to the extent not funded by other user fees.

(b) The following activities may not be funded with fees adopted for enforcing the Florida Building Code:

1. Planning and zoning or other general government activities.

2. Inspections of public buildings for a reduced fee or no fee.

3. Public information requests, community functions, boards, and any program not directly related to enforcement of the Florida Building Code.

4. Enforcement and implementation of any other local ordinance, excluding validly adopted local amendments to the Florida Building Code and excluding any local ordinance directly related to enforcing the Florida Building Code as defined in paragraph (a).

(c) A local government shall use recognized management, accounting, and oversight practices to ensure that fees, fines, and investment earnings generated under this subsection are maintained and allocated or used solely for the purposes described in paragraph (a).

Section 15. Subsection (17) is added to section 553.842, Florida Statutes, to read:

553.842 Product evaluation and approval.—

(17)(a) The Florida Building Commission shall review the list of evaluation entities in subsection (8) and, in the annual report required under s. 553.77, shall either recommend amendments to the list to add evaluation entities the commission determines should be authorized to perform product evaluations or shall report on the criteria adopted by rule or to be adopted by rule allowing the commission to approve evaluation entities that use the commission's product evaluation process. If the commission adopts criteria by rule, the rulemaking process must be completed by July 1, 2009.

(b) Notwithstanding paragraph (8)(a), the International Association of Plumbing and Mechanical Officials Evaluation Services is approved as an evaluation entity until October 1, 2009. If the association does not obtain permanent approval by the commission as an evaluation entity by October 1, 2009, products approved on the basis of an association evaluation must be substituted by an alternative, approved entity by December 31, 2009, and on January 1, 2010, any product approval issued by the commission based on an association evaluation is void.

Section 16. Paragraph (b) of subsection (2) of section 553.844, Florida Statutes, is amended to read:

553.844 Windstorm loss mitigation; requirements for roofs and opening protection.—

(2) The Florida Building Commission shall:

(b) Develop and adopt within the Florida Building Code a means to incorporate recognized mitigation techniques for site-built, single-family residential structures constructed *before* ~~prior to~~ the implementation of the Florida Building Code, including, but not limited to:

1. Prescriptive techniques for the installation of gable-end bracing;

2. Secondary water barriers for roofs and standards relating to secondary water barriers. The criteria may include, but need not be limited to, roof shape, slope, and composition of all elements of the roof system. *The criteria may not be limited to one method or material for a secondary water barrier*;

3. Prescriptive techniques for improvement of roof-to-wall connections. The Legislature recognizes that the cost of retrofitting existing buildings to meet the code requirements for new construction in this regard may exceed the practical benefit to be attained. The Legislature intends for the commission to provide for the integration of alternate, lower-cost means that may be employed to retrofit existing buildings that are not otherwise required to comply with the requirements of the Florida Building Code for new construction so that the cost of such improvements does not exceed approximately 15 percent of the cost of reroofing. *Roof-to-wall connections shall not be required unless evaluation and installation of connections at gable ends or all corners can be completed for 15 percent of the cost of roof replacement. For houses that have both hip and gable roof ends, the priority shall be to retrofit the gable end roof-to-wall connections unless the width of the hip is more than 1.5 times greater than the width of the gable end. Priority shall be given to connecting the corners of roofs to walls below the locations at which the spans of the roofing members are greatest*;

4. Strengthening or correcting roof-decking attachments and fasteners during reroofing; and

5. Adding or strengthening opening protections.

Section 17. Subsection (1) of section 553.885, Florida Statutes, is amended to read:

553.885 Carbon monoxide alarm required.—

(1) Every building*, other than a hospital, an inpatient hospice facility, or a nursing home facility licensed by the Agency for Health Care Administration,* for which a building permit is issued for new construction on or after July 1, 2008, and having a fossil-fuel-burning heater or appliance, a fireplace, or an attached garage shall have an approved operational carbon monoxide alarm installed within 10 feet of each room used for sleeping purposes. *For a new hospital, an inpatient hospice facility, or a nursing home facility licensed by the Agency for Health Care Administration, an approved operational carbon monoxide detector shall be installed inside or directly outside of each room or area within the hospital or facility were a fossil-fuel burning heater, engine, or appliance is located. This detector shall be connected to the fire-alarm system of the hospital or facility as a supervisory signal.*

Section 18. Section 553.886, Florida Statutes, is created to read:

553.886 Energy-efficiency technologies.—The provisions of the Florida Building Code must facilitate and promote the use of cost-effective energy conservation, energy-demand management, and renewable energy technologies in buildings.

Section 19. Section 553.9061, Florida Statutes, is created to read:

553.9061 Scheduled increases in thermal efficiency standards.—

(1) The purpose of this section is to establish a schedule of increases in the energy performance of buildings subject to the Florida Energy Efficiency Code for Building Construction. The Florida Building Commission shall:

(a) Include the necessary provisions by the 2010 edition of the Florida Energy Efficiency Code for Building Construction to increase the energy performance of new buildings by at least 20 percent as compared to the energy efficiency provisions of the 2007 Florida Building Code adopted October 31, 2007.

(b) Increase energy efficiency requirements by the 2013 edition of the Florida Energy Efficiency Code for Building Construction by at least 30 percent as compared to the energy efficiency provisions of the 2007 Florida Building Code adopted October 31, 2007.

(c) Increase energy efficiency requirements by the 2016 edition of the Florida Energy Efficiency Code for Building Construction by at least 40 percent as compared to the energy efficiency provisions of the 2007 Florida Building Code adopted October 31, 2007.

(d) Increase energy efficiency requirements by the 2019 edition of the Florida Energy Efficiency Code for Building Construction by at least 50 percent as compared to the energy efficiency provisions of the 2007 Florida Building Code adopted October 31, 2007.

(2) The Florida Building Commission shall identify within code support and compliance documentation the specific building options and elements available to meet the energy performance goals established in subsection (1). Energy-efficiency performance options and elements include, but are not limited to:

(a) Solar water heating.

(b) Energy-efficient appliances.

(c) Energy-efficient windows, doors, and skylights.

(d) Low solar-absorption roofs, also known as "cool roofs."

(e) Enhanced ceiling and wall insulation.

(f) Reduced-leak duct systems.

(g) Programmable thermostats.

(h) Energy-efficient lighting systems.

(3) The Florida Building Commission shall, prior to implementing the goals established in subsection (1), adopt by rule and implement a cost-effectiveness test for proposed increases in energy efficiency. The cost-effectiveness test shall measure cost-effectiveness and shall ensure that energy efficiency increases result in a positive net financial impact.

Section 20. *(1) The Department of Community Affairs, in conjunction with the Florida Energy Affordability Coalition, shall identify and review issues relating to the Low-Income Home Energy Assistance Program and the Weatherization Assistance Program, and identify recommendations that:*

(a) Support customer health, safety, and well-being;

(b) Maximize available financial and energy-conservation assistance;

(c) Improve the quality of service to customers seeking assistance; and

(d) Educate customers to make informed decisions regarding energy use and conservation.

(2) On or before January 1, 2009, the department shall report its findings and any recommended statutory changes required to implement such findings to the President of the Senate and the Speaker of the House of Representatives.

(3) The provisions of this section expire July 1, 2009.

Section 21. *Section 553.731, Florida Statutes, is repealed.*

Section 22. *The repeal of s. 553.731, Florida Statutes, by this act, does not diminish or authorize changes that diminish the provisions of the Florida Building Code relating to wind resistance or water intrusion which were adopted pursuant to chapter 2007-1, Laws of Florida.*

Section 23. *Subparagraph 6. of paragraph (a) of subsection (6) of s. 627.351, Florida Statutes, is repealed.*

Section 24. Subsections (3), and (4) of section 336.41, Florida Statutes, are renumbered as subsections (4), and (5), respectively, and a subsection (3) is added to that section, to read:

336.41 Counties; employing labor and providing road equipment; accounting; when competitive bidding required.—

(3) Notwithstanding any law to the contrary, a county, municipality, or special district may not own or operate an asphalt plant or a portable or stationary concrete batch plant that has an independent mixer; however, this prohibition does not apply to any county that owns or is under contract to purchase an asphalt plant as of April 15, 2008, and that furnishes its plant-generated asphalt solely for use by local governments or companies under contract with local governments for projects within the boundaries of the county. Sale of plant-generated asphalt to private entities or local governments outside the boundaries of the county is prohibited.

Section 25. Subsection (6) is added to section 718.113, Florida Statutes, to read:

718.113 Maintenance; limitation upon improvement; display of flag; hurricane shutters.—

(6) Notwithstanding the provisions of this section or the governing documents of a condominium or a multicondominium association, the board of administration may, without any requirement for approval of the unit owners, install upon or within the common elements or association property solar collectors, clotheslines, or other energy-efficient devices based on renewable resources for the benefit of the unit owners.

Section 26. *The Florida Building Commission shall submit the text of the rule required by section 19 of this act to the Legislature in its report to the 2009-2010 Legislature, and shall provide an effective date for the rule by July 1, 2009.*

Section 27. This act shall take effect July 1, 2008.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to building code standards; amending s. 163.04, F.S.; revising provisions authorizing the use of solar collectors and other energy devices; amending s. 163.3177, F.S.; revising requirements for the future land use element of a local comprehensive plan to include energy-efficient land use patterns and greenhouse gas reduction strategies; requiring that the traffic-circulation element of a local comprehensive plan incorporate transportation strategies to reduce greenhouse gas

emissions; requiring that the land use map or map series contained in the future land use element of a local comprehensive plan identify and depict energy conservation; requiring that the home element of a local comprehensive plan include energy efficiency in the design and construction of new housing and use of renewable energy resources; providing that certain counties may not receive state affordable housing funds under certain circumstances; requiring each unit of local government within an urbanized area to amend the transportation element of a local comprehensive plan to incorporate transportation strategies addressing reduction in greenhouse gas emissions; amending s. 489.105, F.S.; expanding the scope of the definition of "roofing contractor" to include contractors performing required roof-deck attachments and any repair or replacement of wood roof sheathing or fascia as needed during roof repair or replacement; amending s. 553.36, F.S.; redefining the term "manufactured building" for purposes of the Florida Manufactured Building Act to include modular and factory-built buildings; amending s. 553.37, F.S.; requiring the Department of Community Affairs to adopt rules related to the inspection, construction, and modification of manufactured buildings; requiring the department to develop an insignia to be affixed to newly constructed manufactured buildings; authorizing the department to charge a fee for the insignia; providing requirements for the insignia; requiring the department to develop minimum criteria for a manufacturer's data plate; amending s. 553.381, F.S.; conforming provisions; amending s. 553.415, F.S.; requiring the department to require that an insignia be affixed to all newly constructed factory-built school buildings; providing requirements for the manufacturer's data plate; amending s. 553.71, F.S.; providing a definition; amending s. 553.73, F.S.; expanding required codes to be included in Florida Building Code updates; expanding the list of reasons the commission may amend the Florida Building Code; providing requirements for the retroactive application of parts of the Florida Building Code to commercial wireless communications towers; amending s. 553.74, F.S.; revising requirements for selecting members of the Florida Building Commission; revising membership of the commission; deleting obsolete provisions; amending s. 553.75, F.S.; authorizing the Florida Building Commission to use communications media technology in conducting its meetings or meetings held in conjunction with commission meetings; providing for public comment at meetings of the commission; amending s. 553.77, F.S.; authorizing the commission to implement recommendations relating to energy efficiency in residential and commercial buildings; amending s. 553.775, F.S.; authorizing the commission to render declaratory statements; amending s. 553.80, F.S.; providing that the enforcement of construction regulations relating to secure mental health treatment facilities under the jurisdiction of the Department of Children and Family Services shall be enforced exclusively by the department in conjunction with the review authority of the Agency for Health Care Administration; requiring that the basis for a fee structure for allowable activities include consideration for refunding fees due to reduced services based on certain services; amending s. 553.842, F.S.; requiring the commission to review the list of product evaluation entities; providing reporting requirements; providing for rulemaking; designating an entity as an approved production evaluation entity until October 1, 2009; providing criteria for substitution of approved products under certain conditions; providing for the expiration of certain product approvals; amending s. 553.844, F.S.; revising provisions requiring the adoption of certain mitigation techniques by the Florida Building Commission within the Florida Building Code for certain structures; amending s. 553.885, F.S.; requiring the installation of carbon monoxide detectors in certain new hospitals, hospice and nursing homes facilities; creating s. 553.886, F.S.; requiring that the Florida Building Code facilitate and promote the use of certain renewable energy technologies in buildings; creating s. 553.9061, F.S.; establishing a schedule of required increases in the energy performance of buildings subject to the Florida Building Code; providing a process for implementing goals to increase energy-efficiency performance in new buildings; providing a schedule for the implementation of such goals; identifying energy-efficiency performance options and elements available to meet energy-efficiency performance requirements; requiring the commission to adopt by rule a definition of the term "cost-effectiveness test"; providing that the commission implement a cost-effectiveness test; providing requirements for the test; directing the Department of Community Affairs, in conjunction with the Florida Energy Affordability Council, to identify and review issues relating to the Low-Income Home Energy Assistance Program and the Weatherization Assistance Program; requiring the submission of a report to the President of the Senate and the Speaker of the House of Representatives on or before a specified date; providing for the expiration of certain study requirements; repealing s. 553.731, F.S., relating to wind-borne debris protection requirements; providing for construction and interpretation of the repeal; repealing s. 627.351(6)(a)6., F.S.; providing requirements for certain properties to meet building code plus requirements as a condition of eligibility for coverage by Citizens Property Insurance Corporation; amending s. 336.41, F.S.; providing that a county, municipality, or special district may not own or operate an asphalt plant or a portable or stationary concrete batch plant having an independent mixer; amending s. 718.113, F.S.; authorizing the board of a condominium or a multicondominium to install solar collectors, clotheslines, or other energy-efficient devices on association property; requiring the Florida Building Commission to include certain information in its report to the Legislature; providing an effective date.

MOTION

On motion by Senator Bennett, the rules were waived to allow the following amendment to be considered:

Senator Bennett moved the following amendment to **Amendment 1** which was adopted:

Amendment 1A (088502)(with title amendment)—Between line(s) 257 and 258 insert:

Section 3. Paragraph (a) of subsection (3) of section 377.806, Florida Statutes, is amended to read:

377.806 Solar Energy System Incentives Program.—

(3) SOLAR THERMAL SYSTEM INCENTIVE.—

(a) Eligibility requirements.—A solar thermal system qualifies for a rebate if:

1. The system is installed by a state-licensed solar or plumbing contractor *or a roofing contractor installing standing seam hybrid thermal roofs*.

2. The system complies with all applicable building codes as defined by the local jurisdictional authority.

And the title is amended as follows:

On line(s) 998, after the first semicolon (;) insert: amending s. 377.806, F.S.; revising eligibility requirements for rebates under the Solar Energy System Incentives Program;

Amendment 1 as amended was adopted.

On motion by Senator Constantine, by two-thirds vote **CS for HB 697** as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Aronberg	Gaetz	Posey
Atwater	Garcia	Rich
Baker	Geller	Ring
Bennett	Haridopolos	Saunders
Bullard	Hill	Siplin
Carlton	Jones	Storms
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dawson	King	Wilson
Dean	Lawson	Wise
Deutch	Lynn	
Diaz de la Portilla	Margolis	

Nays—None

HB 7109—A bill to be entitled An act relating to small business regulatory relief; creating s. 288.001, F.S.; designating the Florida Small Business Development Center Network as the principal business assistance organization for small businesses in the state; creating s. 288.7001, F.S.; providing a short title; providing definitions; creating the Small Business Regulatory Advisory Council; providing for appointments, membership, and meetings; providing powers and duties of the council;

providing administrative location for council; providing for periodic review of agency rules by the council with agency sunset review; providing timelines for review; providing for the council to issue a report; creating s. 288.7002, F.S.; providing definitions; creating the Office of Small Business Advocate; providing for selection of the Florida Small Business Advocate; providing for preferred qualifications of the advocate; providing duties of the advocate; providing for agency cooperation with the advocate; providing for an annual report by the advocate to the Governor and Legislature; amending s. 11.908, F.S.; including the Small Business Regulatory Advisory Council among groups that may be consulted for agency or committee review; amending s. 11.911, F.S.; providing for the inclusion of the report of the Small Business Regulatory Advisory Council in the Legislative Sunset Committee's recommendations; amending s. 11.919, F.S.; requiring agency assistance to the Small Business Regulatory Advisory Council; authorizing the council to access or request information and assistance; amending s. 120.54, F.S.; requiring an agency to prepare a statement of estimated regulatory costs; requiring agency notification to the Small Business Regulatory Advisory Council relating to proposed agency action affecting small business; requiring an agency to adopt regulatory alternatives offered by the council under certain circumstances; providing for rule filing extension when regulatory alternatives are offered by the council; providing for outside review of regulatory alternatives not adopted by an agency and for an agency response; amending s. 120.74, F.S.; requiring biennial rule review by each agency to consider the impact of rules on small business; requiring the economic impact of the rules to be included in a report to the Legislature; providing an effective date.

—was read the third time by title.

On motion by Senator Diaz de la Portilla, **HB 7109** was passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Aronberg	Gaetz	Posey
Atwater	Garcia	Rich
Baker	Geller	Ring
Bennett	Haridopolos	Saunders
Bullard	Hill	Siplin
Carlton	Jones	Storms
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dawson	King	Wilson
Dean	Lawson	Wise
Deutch	Lynn	
Diaz de la Portilla	Margolis	

Nays—None

CS for SB 1300—A bill to be entitled An act relating to fish and wildlife; amending s. 253.04, F.S., relating to the protection of state lands; providing definitions; providing that it is a civil infraction to operate a vessel outside a marked channel in a manner that causes seagrass scarring; providing penalties; amending s. 327.73, F.S., relating to noncriminal infractions; establishing civil penalties for the destruction of seagrasses; amending s. 372.73, F.S., relating to the disposition of illegally taken wildlife; providing for the disposition of such wildlife; providing for the documentation of illegally taken wildlife; creating s. 372.731, F.S., relating to photographs of illegally taken wildlife; providing for the admission of photographs as evidentiary materials; providing conditions under which such photographs shall be taken; providing an effective date.

—was read the third time by title.

Amendments were considered and adopted to conform **CS for SB 1300** to **CS for HB 7059**.

Pending further consideration of **CS for SB 1300** as amended, on motion by Senator Saunders, by two-thirds vote **CS for HB 7059** was withdrawn from the Committees on Environmental Preservation and Conservation; Judiciary; and General Government Appropriations.

On motion by Senator Saunders, the rules were waived and by two-thirds vote—

CS for HB 7059—A bill to be entitled An act relating to the protection of wild and aquatic life; amending s. 253.03, F.S.; requiring the Board of Trustees of the Internal Improvement Trust Fund to provide for the establishment of seagrass mitigation banks for specified purposes; amending s. 253.04, F.S.; providing that careless operation of a vessel outside a marked channel that causes seagrass scarring within certain aquatic preserves is a civil infraction; defining the terms "seagrass scarring" and "seagrasses"; providing that refusal to post bond or sign a boating citation is a second degree misdemeanor; providing criminal penalties; requiring that civil penalties collected for the careless operation of a vessel causing seagrass scarring be deposited into the Internal Improvement Trust Fund and used for specified purposes; amending s. 253.034, F.S.; creating a monitoring team for the purposes of reviewing management plans of state-owned lands; providing review procedures; amending s. 259.037, F.S.; requiring agencies to report additional information to the Division of State Lands; amending s. 327.73, F.S.; providing civil penalties for seagrass scarring; amending s. 372.73, F.S.; providing for the forfeiture of illegally taken wildlife, freshwater fish, and saltwater fish to investigating law enforcement agencies; authorizing investigating law enforcement agencies to dispose of such wildlife, freshwater fish, and saltwater fish in a specified manner; requiring certain documentation; requiring the release of certain wildlife, freshwater fish, and saltwater fish to native habitats; providing for release of nonnative species by rule; revising provisions for the deposit of certain proceeds relating to the confiscation and disposition of illegally taken wildlife, freshwater fish, and saltwater fish; authorizing certain law enforcement agencies to receive specified portions of forfeited property; creating s. 372.731, F.S.; providing for photographs of illegally taken wildlife, freshwater fish, or saltwater fish to be admissible as evidence in the prosecution of certain violations; specifying requirements and procedures for such photographs; amending ss. 370.021, 370.061, 372.9901, 372.9904, and 932.7055, F.S.; conforming cross-references; repealing s. 327.803, F.S., relating to the Boating Advisory Council; repealing s. 372.107, F.S., relating to the Federal Law Enforcement Trust Fund within the Fish and Wildlife Conservation Commission; providing an effective date.

—a companion measure, was substituted for **CS for SB 1300** as amended and read the second time by title.

MOTION

On motion by Senator Saunders, the rules were waived to allow the following amendment to be considered:

Senator Saunders moved the following amendment which was adopted:

Amendment 1 (639446)(with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Subsection (18) is added to section 253.03, Florida Statutes, to read:

253.03 Board of trustees to administer state lands; lands enumerated.—

(18) The Board of Trustees of the Internal Improvement Trust Fund may ensure the preservation and regeneration of seagrass, as defined in s. 253.04(4)(a)2., by providing for the establishment of seagrass mitigation banks, pursuant to s. 373.4136, to offset the unavoidable impacts of projects where such banks meet the applicable public interest test of chapters 253 and 258. This subsection shall not prohibit mitigation for impacts to seagrass or other habitats on sovereignty submerged lands for other types of projects, or for projects occurring on nonsovereign submerged lands, upon applicable approval of the board of trustees.

Section 2. Paragraph (c) is added to subsection (5) of section 253.034, Florida Statutes, to read:

253.034 State-owned lands; uses.—

(5) Each manager of conservation lands shall submit to the Division of State Lands a land management plan at least every 10 years in a form and manner prescribed by rule by the board and in accordance with the provisions of s. 259.032. Each manager of conservation lands shall also update a land management plan whenever the manager proposes to add

new facilities or make substantive land use or management changes that were not addressed in the approved plan, or within 1 year of the addition of significant new lands. Each manager of nonconservation lands shall submit to the Division of State Lands a land use plan at least every 10 years in a form and manner prescribed by rule by the board. The division shall review each plan for compliance with the requirements of this subsection and the requirements of the rules established by the board pursuant to this section. All land use plans, whether for single-use or multiple-use properties, shall include an analysis of the property to determine if any significant natural or cultural resources are located on the property. Such resources include archaeological and historic sites, state and federally listed plant and animal species, and imperiled natural communities and unique natural features. If such resources occur on the property, the manager shall consult with the Division of State Lands and other appropriate agencies to develop management strategies to protect such resources. Land use plans shall also provide for the control of invasive nonnative plants and conservation of soil and water resources, including a description of how the manager plans to control and prevent soil erosion and soil or water contamination. Land use plans submitted by a manager shall include reference to appropriate statutory authority for such use or uses and shall conform to the appropriate policies and guidelines of the state land management plan. Plans for managed areas larger than 1,000 acres shall contain an analysis of the multiple-use potential of the property, which analysis shall include the potential of the property to generate revenues to enhance the management of the property. Additionally, the plan shall contain an analysis of the potential use of private land managers to facilitate the restoration or management of these lands. In those cases where a newly acquired property has a valid conservation plan that was developed by a soil and conservation district, such plan shall be used to guide management of the property until a formal land use plan is completed.

(c) Beginning July 1, 2010, and every 3 years thereafter, state-owned lands with an approved land management plan shall be monitored for land management activities by a monitoring team. The Division of State Lands shall coordinate the activities of the monitoring team, which shall consist of three members. One member shall be selected by the Executive Director of the Fish and Wildlife Conservation Commission or a designee, and shall have experience with applied habitat management. One member shall be selected by the Secretary of the Department of Environmental Protection or a designee, and shall have experience with public recreation or use administration. One member shall be selected by the Commissioner of Agriculture or a designee, and shall have experience with applied land management. The Division of State Lands shall provide the monitoring team with the operational report prepared pursuant to s. 259.037(6). The monitoring team shall prepare a monitoring report that assesses the progress towards achieving short-term and long-term land management goals, as identified in the operational report, and shall propose corrective actions for identified deficiencies in management activities. The monitoring report shall be submitted to the Acquisition and Restoration Council and the managing agency. The Acquisition and Restoration Council shall review the monitoring report and determine whether the deficiencies warrant a corrective action plan or revisions to the management plan. Significant and recurring deficiencies shall be brought to the Board of Trustees, which shall determine whether the corrective actions being proposed by the land manager and the Acquisition and Restoration Council sufficiently address the deficiencies. Corrective action plans shall be prepared and submitted in the same manner as land management plans.

Section 3. Subsection (4) of section 253.04, Florida Statutes, is amended to read:

253.04 Duty of board to protect, etc., state lands; state may join in any action brought.—

(4) Whenever any person or the agent of any person knowingly refuses to comply with or willfully violates any of the provisions of this chapter so that such person causes damage to the lands of the state or products thereof, including removal of those products, such violator is liable for such damage. Whenever two or more persons or their agents cause damage, and if such damage is indivisible, each violator is jointly and severally liable for such damage; however, if such damage is divisible and may be attributed to a particular violator or violators, each violator is liable only for that damage and subject to the fine attributable to his or her violation.

(a) The duty to conserve and improve state-owned lands and the products thereof shall include the preservation and regeneration of seagrass, which is deemed essential to the oceans, gulfs, estuaries, and shorelines of the state. Any person operating a vessel outside a lawfully marked channel in a careless manner that causes seagrass scarring within an aquatic preserve established in ss. 258.39-258.399 with the exception of the Lake Jackson, Oklawaha River, Wekiva River, and Rainbow Springs aquatic preserves, commits a civil infraction, punishable as provided in s. 327.73. Each violation is a separate offense. As used in this subsection, the term:

1. "Seagrass scarring" means destruction of seagrass roots, shoots or stems that results in tracks on the substrate, caused by the operation of a motorized vessel in waters supporting seagrasses, commonly referred to as prop-scars or propeller scars.

2. "Seagrasses" means Cuban shoal grass (Halodule wrightii), turtle grass (Thalassia testudinum), manatee grass (Syringodium filiforme), star grass (Halophila engelmannii), paddle grass (Halophila decipiens), Johnsons seagrass (Halophila johnsonii) or widgeon grass (Ruppia maritima).

(b) Any violation of this subsection is a violation of the boating laws of this state and shall be charged on a uniform boating citation as provided in s. 327.74. Any person who refuses to post a bond or accept and sign a uniform boating citation commits a misdemeanor of the second degree, as provided in s. 327.73(3), punishable as provided in s. 775.082 or s. 775.083.

Section 4. Subsection (6) is added to section 259.037, Florida Statutes, to read:

259.037 Land Management Uniform Accounting Council.—

(6) Beginning July 1, 2010, and every 3 years thereafter, each reporting agency shall also submit an operational report for each management area along with an approved management plan. The report should assess the progress toward achieving short-term and long-term management goals of the approved management plan, including all land management activities, and identify any deficiencies in management and corrective actions to address identified deficiencies as appropriate. This report shall be submitted to the Division of State Lands for inclusion in its annual report required pursuant to s. 259.036.

Section 5. Paragraph (x) of subsection (1) of section 327.73, Florida Statutes, is created to read:

327.73 Noncriminal infractions.—

(1) Violations of the following provisions of the vessel laws of this state are noncriminal infractions:

(x) Section 253.04(4)(a), relating to carelessly causing seagrass scarring, for which the civil penalty is:

1. Fifty dollars upon conviction for a first offense.

2. Two hundred and fifty dollars upon conviction for a second offense occurring within 12 months after a prior conviction.

3. Five hundred dollars upon conviction for a third offense occurring within 36 months after a prior conviction.

4. One thousand dollars upon conviction for a fourth or subsequent offense.

Any person cited for a violation of any such provision shall be deemed to be charged with a noncriminal infraction, shall be cited for such an infraction, and shall be cited to appear before the county court. The civil penalty for any such infraction is $50, except as otherwise provided in this section. Any person who fails to appear or otherwise properly respond to a uniform boating citation shall, in addition to the charge relating to the violation of the boating laws of this state, be charged with the offense of failing to respond to such citation and, upon conviction, be guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083. A written warning to this effect shall be provided at the time such uniform boating citation is issued.

Section 6. Paragraph (m) of subsection (2) of section 370.021, Florida Statutes, is amended to read:

370.021 Administration; rules, publications, records; penalties; injunctions.—

(2) MAJOR VIOLATIONS.—In addition to the penalties provided in paragraphs (1)(a) and (b), the court shall assess additional penalties against any commercial harvester convicted of major violations as follows:

(m) For a violation involving the taking or harvesting of any marine life species, as those species are defined by rule of the commission, the harvest of which is prohibited, or the taking or harvesting of such a species out of season, or with an illegal gear or chemical, or any violation involving the possession of 25 or more individual specimens of marine life species, or any combination of violations in any 3-year period involving more than 70 such specimens in the aggregate, the suspension or revocation of the licenseholder's marine life endorsement as provided in paragraph (h).

The penalty provisions of this subsection apply to commercial harvesters and wholesale and retail dealers as defined in s. 370.07. Any other person who commits a major violation under this subsection commits a Level Three violation under s. 372.83. Notwithstanding the provisions of s. 948.01, no court may suspend, defer, or withhold adjudication of guilt or imposition of sentence for any major violation prescribed in this subsection. The proceeds from the penalties assessed pursuant to this subsection shall be deposited into the Marine Resources Conservation Trust Fund to be used for marine fisheries research ~~or into the commission's Federal Law Enforcement Trust Fund as provided in s. 372.107, as applicable~~.

Section 7. Subsection (4), paragraph (c) of subsection (5) of section 370.061, Florida Statutes, are amended to read:

370.061 Confiscation, seizure, and forfeiture of property and products.—

(4) DESTRUCTION OR DISPOSITION OF PROPERTY.—All property forfeited under this section may be destroyed, used by the commission, disposed of by gift to charitable or state institutions, or sold, with the proceeds derived from the sale deposited into the Marine Resources Conservation Trust Fund to be used for law enforcement purposes~~, or into the commission's Federal Law Enforcement Trust Fund as provided in s. 372.107, as applicable~~.

(5) CONFISCATION AND SALE OF PERISHABLE SALTWATER PRODUCTS; PROCEDURE.—

(c) In the event of acquittal, the proceeds of a sale or the bond or cash deposit required by this subsection shall be returned to the defendant. In the event of a conviction, the proceeds of a sale or the bond or cash deposit required by this subsection shall be deposited into the Marine Resources Conservation Trust Fund to be used for law enforcement purposes ~~or into the commission's Federal Law Enforcement Trust Fund as provided in s. 372.107, as applicable~~. Such deposit into the Marine Resources Conservation Trust Fund ~~or the Federal Law Enforcement Trust Fund~~ shall constitute confiscation.

Section 8. Section 372.73, Florida Statutes, is amended to read:

372.73 Confiscation and disposition of illegally taken *wildlife, freshwater fish, and saltwater fish* ~~game~~.—

(1) All *wildlife,* ~~game and~~ freshwater fish*, and saltwater fish* seized under the authority of this chapter*, any other chapter, or rules of the commission* shall, upon conviction of the offender or sooner *in accordance with a court order* ~~if the court so orders~~, be forfeited *to the investigating law enforcement agency. The law enforcement agency may elect to retain the wildlife, freshwater fish, or saltwater fish for the agency's official use; transfer it to another unit of state or local government for official use; donate it to a charitable organization; sell it at public sale, pursuant to the provisions of s. 705.103; or destroy the wildlife, freshwater fish, or saltwater fish if none of the other options are practicable or if the wildlife, freshwater fish, or saltwater fish is unwholesome or otherwise not of appreciable value. All live wildlife, freshwater fish, and saltwater fish, the possession of which is unlawful, shall be properly documented as evidence as provided in s. 372.731, and returned to the habitat unharmed, except that nonnative species may be released only as allowed by rules of the commission. Any unclaimed wildlife, freshwater fish, or saltwater fish shall be retained by the investigating law enforcement agency and disposed of in accordance with the above provisions* ~~and given to some hospital or charitable institution and receipt therefor sent to the Fish and Wildlife Conservation Commission~~.

(2) All furs or hides or fur-bearing animals seized under the authority of this chapter shall, upon conviction of the offender, be forfeited and sent to the commission, which shall sell the same ~~and deposit the proceeds of such sale to the credit of the State Game Trust Fund or into the commission's Federal Law Enforcement Trust Fund as provided in s. 372.107, as applicable~~. If any such hides or furs are seized and the offender is unknown, the court shall order such hides or furs sent to the Fish and Wildlife Conservation Commission, which shall sell such hides and furs.

(3) Except as otherwise provided, ~~and deposit~~ the proceeds of *any* ~~such~~ sale *pursuant to this section shall be remitted to the Department of Revenue to be deposited* to the credit of the State Game Trust Fund or *the Marine Resources Conservation Trust Fund* ~~into the commission's Federal Law Enforcement Trust Fund as provided in s. 372.107~~, as applicable.

(4) Any state, municipal, or county law enforcement agency that enforces or assists the commission in enforcing the provisions of this chapter, which results in a forfeiture of property as provided in this section, shall be entitled to receive all or a share of any property based upon its participation in such enforcement.

Section 9. Section 372.731, Florida Statutes, is created to read:

372.731 Photographs of illegally taken wildlife, freshwater fish, and saltwater fish.—In any prosecution for a violation of chapter 370, this chapter, or rules of the commission, a photograph of the illegally taken wildlife, freshwater fish, or saltwater fish may be deemed competent evidence of such property and may be admissible in the prosecution to the same extent as if such wildlife, freshwater fish, or saltwater fish were introduced as evidence. Such photograph shall bear a written description of the wildlife, freshwater fish, or saltwater fish alleged to have been illegally taken, the name of the violator, the location where the alleged wrongful taking occurred, the name of the investigating law enforcement officer, the date the photograph was taken, and the name of the photographer. Such writing shall be made under oath by the investigating law enforcement officer, and the photograph shall be identified by the signature of the photographer.

Section 10. Subsection (5) of section 372.9901, Florida Statutes, is amended to read:

372.9901 Seizure of illegal hunting devices; disposition; notice; forfeiture.—In order to protect the state's wildlife resources, any vehicle, vessel, animal, gun, light, or other hunting device used or attempted to be used in connection with, as an instrumentality of, or in aiding and abetting in the commission of an offense prohibited by s. 372.99 is subject to seizure and forfeiture. The provisions of chapter 932 do not apply to any seizure or forfeiture under this section. For purposes of this section, a conviction is any disposition other than acquittal or dismissal.

(5) All amounts received from the sale or other disposition of the property shall be paid into the State Game Trust Fund ~~or into the commission's Federal Law Enforcement Trust Fund as provided in s. 372.107, as applicable~~. If the property is not sold or converted, it shall be delivered to the executive director of the commission.

Section 11. Subsection (3) of section 372.9904, Florida Statutes, is amended to read:

372.9904 Seizure of illegal transportation devices; disposition; appraisal; forfeiture.—

(3) Upon conviction of the violator, the property, if owned by the person convicted, shall be forfeited to the state under the procedure set forth in ss. 370.061 and 370.07, when not inconsistent with this section. All amounts received from the sale or other disposition of the property shall be paid into the State Game Trust Fund ~~or into the commission's Federal Law Enforcement Trust Fund as provided in s. 372.107, as applicable~~. If the property is not sold or converted, it shall be delivered to the director of the Fish and Wildlife Conservation Commission.

Section 12. Paragraph (e) of subsection (6) of section 932.7055, Florida Statutes, is amended to read:

932.7055 Disposition of liens and forfeited property.—

(6) If the seizing agency is a state agency, all remaining proceeds shall be deposited into the General Revenue Fund. However, if the seizing agency is:

(e) The Fish and Wildlife Conservation Commission, the proceeds accrued pursuant to the provisions of the Florida Contraband Forfeiture Act shall be deposited into the State Game Trust Fund as provided in ss. 372.73, 372.9901, and 372.9904, into the Marine Resources Conservation Trust Fund as provided in s. 370.061~~, or into the commission's Federal Law Enforcement Trust Fund as provided in s. 372.107, as applicable~~.

Section 13. Subsection (1) of section 253.002, Florida Statutes, is amended to read:

253.002 Department of Environmental Protection, water management districts, and Department of Agriculture and Consumer Services; duties with respect to state lands.—

(1) The Department of Environmental Protection shall perform all staff duties and functions related to the acquisition, administration, and disposition of state lands, title to which is or will be vested in the Board of Trustees of the Internal Improvement Trust Fund. However, upon the effective date of rules adopted pursuant to s. 373.427, a water management district created under s. 373.069 shall perform the staff duties and functions related to the review of any application for authorization to use board of trustees-owned submerged lands necessary for an activity regulated under part IV of chapter 373 for which the water management district has permitting responsibility as set forth in an operating agreement adopted pursuant to s. 373.046(4); and the Department of Agriculture and Consumer Services shall perform the staff duties and functions related to the review of applications and compliance with conditions for use of board of trustees-owned submerged lands under authorizations or leases issued pursuant to ss. 253.67-253.75 and 597.010. Unless expressly prohibited by law, the board of trustees may delegate to the department any statutory duty or obligation relating to the acquisition, administration, or disposition of lands, title to which is or will be vested in the board of trustees. The board of trustees may also delegate to any water management district created under s. 373.069 the authority to take final agency action, without any action on behalf of the board, on applications for authorization to use board of trustees-owned submerged lands for any activity regulated under part IV of chapter 373 for which the water management district has permitting responsibility as set forth in an operating agreement adopted pursuant to s. 373.046(4). This water management district responsibility under this subsection shall be subject to the department's general supervisory authority pursuant to s. 373.026(7). The board of trustees may also delegate to the Department of Agriculture and Consumer Services the authority to take final agency action on behalf of the board on applications to use board of trustees-owned submerged lands for any activity for which that department has responsibility pursuant to ss. 253.67-253.75 and 597.010. However, the board of trustees shall retain the authority to take final agency action on establishing any areas for leasing, new leases, expanding existing lease areas, or changing the type of lease activity in existing leases. Upon issuance of an aquaculture lease or other real property transaction relating to aquaculture, the Department of Agriculture and Consumer Services must send a copy of the document and the accompanying survey to the Department of Environmental Protection. *Unless otherwise expressly superseded, the board of trustees may also delegate to the Fish and Wildlife Conservation Commission the authority to take final agency action, without any action on behalf of the board, on applications for authorization to use board of trustees-owned submerged lands for any activity regulated under ss. 369.20 and 369.22. The amendments to section 253.002, Florida Statutes, in this act prevail over any conflicting amendments to that section contained in SB 1294 and enacted during the 2008 Regular Session.*

Section 14. *(1) Except as otherwise provided in subsection (2), all of the powers, duties, functions, records, personnel, and property; unexpended balances of appropriations, allocations, and other funds; administrative authority; administrative rules; pending issues; and existing contracts of the Bureau of Invasive Plant Management in the Department of Environmental Protection are transferred by a type two transfer, pursuant to s. 20.06(2), Florida Statutes, to the Fish and Wildlife Conservation Commission.*

(2) The statutory powers, duties, and functions of the Bureau of Invasive Plant Management in the Department of Environmental Protection under ss. 369.25 and 369.251, Florida Statutes, are transferred to the Department of Agriculture and Consumer Services.

Section 15. *Section 327.803, Florida Statutes, is repealed.*

Section 16. *Section 372.107, Florida Statutes, is repealed.*

Section 17. This act shall take effect July 1, 2008.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to fish and wildlife; amending s. 253.03, F.S.; requiring the Board of Trustees to provide for the establishment of seagrass mitigation banks for specific purposes; amending s. 253.034, F.S.; creating a monitoring team for the purposes of reviewing management plans of state-owned lands; providing review procedures; amending s. 253.04, F.S; relating to the protection of state lands; providing definitions; providing that it is a civil infraction to operate a vessel outside a marked channel in a manner that causes seagrass scarring; providing penalties; amending s. 259.037, F.S.; requiring state-owned land managing agencies report additional information to the Division of State Lands; amending s. 327.73, F.S., relating to noncriminal infractions; establishing civil penalties for the destruction of seagrasses; amending ss. 370.021 and 370.061, F.S., conforming cross-references; amending s. 372.73, F.S., relating to the disposition of illegally taken wildlife; providing for the disposition of such wildlife; providing for the documentation of illegally taken wildlife; creating s. 372.731, F.S., relating to photographs of illegally taken wildlife; providing for the admission of photographs as evidentiary materials; providing conditions under which such photographs shall be taken; amending ss. 372.9901, 372.9904, and 932.7055, F.S., conforming cross-references; repealing ss. 327.803 and 372.107, F.S.; amends s. 253.002, F.S.; providing for a type two transfer of the Bureau of Invasive Plant Management to the Fish and Wildlife Conservation Commission; providing an effective date.

On motion by Senator Saunders, by two-thirds vote **CS for HB 7059** as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Aronberg	Gaetz	Posey
Atwater	Garcia	Rich
Baker	Geller	Ring
Bennett	Haridopolos	Saunders
Bullard	Hill	Siplin
Carlton	Jones	Storms
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dawson	King	Wilson
Dean	Lawson	Wise
Deutch	Lynn	
Diaz de la Portilla	Margolis	

Nays—None

SPECIAL ORDER CALENDAR

Consideration of **CS for CS for SB 474** was deferred.

CS for CS for SB 1914—A bill to be entitled An act relating to education; amending s. 1000.21, F.S.; providing and revising definitions; amending s. 1001.03, F.S.; requiring the State Board of Education to periodically review and revise state curriculum standards; eliminating provisions requiring that the state board report proposed revisions to the Governor and the Legislature; amending s. 1001.452, F.S.; revising provisions relating to membership of school advisory councils; amending s. 1003.41, F.S.; requiring that the State Board of Education replace the Sunshine State Standards with the Next Generation Sunshine State Standards; providing for application of the Sunshine State Standards pending adoption of the Next Generation Sunshine State Standards; providing requirements concerning the content and organization of the

Next Generation Sunshine State Standards; requiring that the Next Generation Sunshine State Standards establish core curricular content in specified areas for certain grades or grade clusters; requiring that the state board establish schedules for the adoption and revision of the Next Generation Sunshine State Standards; requiring that the state board adopt the Next Generation Sunshine State Standards by a specified date; requiring the Commissioner of Education to provide proposed Next Generation Sunshine State Standards or proposed revisions of such standards to the state board; providing requirements concerning the commissioner's development of the proposed standards or revisions; requiring consultation with certain experts; requiring distribution of a proposal developed by the commissioner for review and comment by certain experts; requiring a written evaluation of the proposal developed by the commissioner by a research institution meeting specified criteria; requiring provision of the commissioner's proposed standards and the written evaluation and comments to the Governor, the President of the Senate, and the Speaker of the House of Representatives; authorizing rulemaking by the State Board of Education; amending s. 1003.413, F.S.; requiring policies of each district school board to address an annual review of student education plans; amending s. 1003.428, F.S.; revising courses that are acceptable for high school graduation; conforming a cross-reference; creating s. 1003.4285, F.S.; providing for high school diploma designations; amending ss. 1003.429, 1003.43, and 1003.433,F.S.; conforming cross-references; amending s. 1003.63, F.S.; revising the type of assessment tests reported to the Governor and the Legislature relating to the deregulated public schools pilot program; amending s. 1004.85, F.S.; conforming cross-references; amending s. 1004.99, F.S.; providing designations of Florida Ready to Work credentials; amending s. 1007.21, F.S., relating to postsecondary placement tests for high school students; authorizing the common placement test to be administered to high school students and not just second semester sophomores; amending s. 1007.235, F.S.; revising the components for the district interinstitutional articulation agreement to include secondary school and postsecondary institution responsibilities for calculation of grades; amending s. 1008.22, F.S.; revising provisions governing application of testing requirements for high school graduation; providing criteria concerning the testing and scores required for a continuously enrolled student to earn a standard high school diploma; authorizing the commissioner to administer comprehensive end-of-course assessments; providing requirements for comprehensive and end-of-course assessments; authorizing the commissioner to select a nationally developed comprehensive examination for use as an end-of-course assessment; revising the design of the testing program; authorizing the commissioner to collaborate with the American Diploma Project to develop end-of-course assessments; authorizing the commissioner to discontinue administration of an outdated assessment under certain conditions; requiring the commissioner to establish schedules for the administration of statewide assessments and the reporting of student test results; providing requirements for the testing and reporting schedules; requiring district school boards to prohibit public schools from suspending a program of curricula for the administration of practice tests; authorizing a district school board to permit a school to engage in certain test-preparation activities; revising the applicability of testing standards under certain conditions; revising the requirements contained in the annual report by the department to the Governor and the Legislature; amending s. 1008.31, F.S.; declaring the legislative intent that the K-20 education system comply with the Individuals with Disabilities Education Act; amending s. 1008.34, F.S.; revising the exceptions for a school to receive a school grade; revising the student assessment data used in determining school grades; requiring a school district that fails to assign FCAT scores back to students' schools to forfeit school recognition funds for a specified time; requiring the collaboration between a home school and alternative school to be between the principals of each school in order to promote student success; authorizing the state board to adopt rules; amending s. 1008.341, F.S.; revising provisions for a school improvement rating for an alternative school; authorizing the state board to adopt rules; amending s. 1012.56, F.S.; requiring teacher certification exams to be aligned to revised curriculum standards; amending ss. 1012.57 and 1012.586, F.S.; conforming cross-reference; amending s. 1012.71, F.S.; providing definitions; revising requirements for the use of program funds by classroom teachers; providing for the disbursement of funds to school districts; specifying the means for providing a classroom teacher with his or her proportionate share of program funds; providing that funds received are not subject to competitive bidding requirements or collective bargaining; requiring each classroom teacher to sign a statement acknowledging receipt of funds; providing requirements for accounting of expenditures and reimbursement of funds under certain conditions; amending s. 1013.12, F.S.; requiring that a school cafeteria post certain information concerning its sanitation certificate and inspection; providing effective dates.

—was read the second time by title.

Amendments were considered and adopted to conform **CS for CS for SB 1914** to **CS for HB 7045**.

Pending further consideration of **CS for CS for SB 1914** as amended, on motion by Senator Gaetz, by two-thirds vote **CS for HB 7045** was withdrawn from the Committees on Education Pre-K - 12; and Education Pre-K - 12 Appropriations.

On motion by Senator Gaetz, the rules were waived and—

CS for HB 7045—A bill to be entitled An act relating to public school curricular standards; amending s. 1003.41, F.S.; requiring the State Board of Education to review the Sunshine State Standards and replace them with enhanced curricular standards; establishing requirements for the standards; providing requirements for the adoption, review, and revision of the standards; requiring evaluation of proposed standards; authorizing the adoption of rules; amending s. 220.187, F.S.; revising requirements for the selection of norm-referenced tests administered by private schools for purposes of the Corporate Income Tax Credit Scholarship Program; amending s. 1000.21, F.S.; revising the systemwide definition of "Sunshine State Standards"; amending s. 1001.03, F.S.; requiring the state board to review and revise the Sunshine State Standards; conforming provisions; amending s. 1001.41, F.S.; conforming provisions relating to district school board adoption of standards and policies; amending s. 1001.42, F.S.; prohibiting school district expenditure of legislative appropriations for purposes of Florida Comprehensive Assessment Test (FCAT) preparation; providing penalties for unlawful expenditures; amending ss. 1003.428, 1003.429, 1003.43, 1003.433, 1003.63, 1006.28, and 1006.31, F.S.; conforming provisions and cross-references; amending s. 1006.34, F.S.; specifying additional criteria for evaluating instructional materials; conforming provisions; amending s. 1006.38, F.S.; conforming provisions; amending s. 1006.40, F.S.; requiring instructional materials to align to the Sunshine State Standards; prohibiting school district expenditure of the instructional materials allocation for purposes of FCAT preparation; requiring notification to manufacturers and publishers; providing a penalty; authorizing purchases of specified content or devices; amending s. 1008.22, F.S.; revising requirements and conforming provisions relating to the statewide assessment program; revising powers and duties of the Commissioner of Education; requiring the FCAT to assess students in social studies by a certain time; providing for end-of-course assessments; requiring the content knowledge and skills assessed by the FCAT and end-of-course assessments to align to the Sunshine State Standards; authorizing the commissioner to select certain nationally developed examinations as end-of-course assessments under specified conditions; deleting provisions relating to documentation of certain testing procedures; providing restrictions on the development or publication of test-preparation materials; deleting requirements for norm-referenced tests; revising requirements for assessments of writing; establishing requirements for FCAT testing and reporting schedules; prohibiting practice testing and FCAT-preparation activities under certain conditions; authorizing certain test-preparation activities; requiring public schools to comply with statewide assessment and reporting schedules; establishing requirements for calculating student scores on revised statewide assessments; authorizing the administration of former assessments to be discontinued under certain circumstances; requiring the state board to adopt rules establishing passing scores on revised assessments required for a standard high school diploma; clarifying determination of concordant scores for the FCAT; revising requirements for an annual report on student performance; amending s. 1008.25, F.S.; requiring each district school board's student progression program to include performance in social studies; requiring assessment, remediation, and reporting related thereto; amending s. 1008.34, F.S.; exempting certain schools from receiving school grades; revising the definition of "home school" for purposes of calculating school grades for alternative schools; requiring annual collaboration among school principals concerning the school assignment of students attending an alternative school; conforming provisions; amending s. 1008.341, F.S.; exempting certain alternative schools from receiving school improvement ratings; conforming provisions; amending s. 1008.345, F.S.; conforming provisions; amending s. 1008.36, F.S.; revising criteria for financial awards under the Florida School Recognition Program; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 1914** and read the second time by title.

Senator Gaetz moved the following amendment:

Amendment 1 (510960)(with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Subsection (7) of section 1000.21, Florida Statutes, is amended to read:

1000.21 Systemwide definitions.—As used in the Florida K-20 Education Code:

(7) "Sunshine State Standards" *or the "Next Generation Sunshine State Standards" means the state's public K-12 curricular* ~~are~~ standards *established under s. 1003.41. The term includes the Sunshine State Standards that are in place for a subject until the standards for that subject are replaced under s. 1003.41 by the Next Generation Sunshine State Standards.* ~~that identify what public school students should know and be able to do. These standards delineate the academic achievement of students for which the state will hold its public schools accountable in grades K-2, 3-5, 6-8, and 9-12, in the subjects of language arts, mathematics, science, social studies, the arts, health and physical education, foreign languages, reading, writing, history, government, geography, economics, and computer literacy.~~

Section 2. Subsection (1) of section 1001.03, Florida Statutes, is amended to read:

1001.03 Specific powers of State Board of Education.—

(1) PUBLIC K-12 *CURRICULAR* ~~STUDENT PERFORMANCE~~ STANDARDS.—The State Board of Education shall *adopt and periodically review and revise* ~~approve the student performance standards known as~~ the Sunshine State Standards in *accordance with s. 1003.41* ~~key academic subject areas and grade levels~~. ~~The state board shall establish a schedule to facilitate the periodic review of the standards to ensure adequate rigor, relevance, logical student progression, and integration of reading, writing, and mathematics across all subject areas. The standards review by subject area must include participation of curriculum leaders in other content areas, including the arts, to ensure valid content area integration and to address the instructional requirements of different learning styles. The process for review and proposed revisions must include leadership and input from the state's classroom teachers, school administrators, and community colleges and universities, and from representatives from business and industry who are identified by local education foundations. A report including proposed revisions must be submitted to the Governor, the President of the Senate, and the Speaker of the House of Representatives annually to coincide with the established review schedule. The review schedule and an annual status report must be submitted to the Governor, the President of the Senate, and the Speaker of the House of Representatives annually not later than January 1~~.

Section 3. Subsection (3) of section 1001.41, Florida Statutes, is amended to read:

1001.41 General powers of district school board.—The district school board, after considering recommendations submitted by the district school superintendent, shall exercise the following general powers:

(3) ~~Prescribe and~~ Adopt standards and policies *that* ~~to~~ provide each student the opportunity to receive a complete education program, including *instruction in the core curricular content established in* ~~language arts, mathematics, science, social studies, health, physical education, foreign languages, and the arts, as defined by~~ the *Next Generation* Sunshine State Standards. ~~The standards and policies must emphasize integration and reinforcement of reading, writing, and mathematics skills across all subjects, including career awareness, career exploration, and~~ Career and technical education *standards and policies must integrate with and reinforce the Next Generation Sunshine State Standards*.

Section 4. Paragraph (a) of subsection (1) of section 1001.452, Florida Statutes, is amended to read:

1001.452 District and school advisory councils.—

(1) ESTABLISHMENT.—

(a) The district school board shall establish an advisory council for each school in the district and shall develop procedures for the election and appointment of advisory council members. Each school advisory council shall include in its name the words "school advisory council." The school advisory council shall be the sole body responsible for final decisionmaking at the school relating to implementation of the provisions of ss. 1001.42(16) and 1008.345. A majority of the members of each school advisory council must be persons who are not employed by the school *district*. Each advisory council shall be composed of the principal and an appropriately balanced number of teachers, education support employees, students, parents, and other business and community citizens who are representative of the ethnic, racial, and economic community served by the school. Career center and high school advisory councils shall include students, and middle and junior high school advisory councils may include students. School advisory councils of career centers and adult education centers are not required to include parents as members. Council members representing teachers, education support employees, students, and parents shall be elected by their respective peer groups at the school in a fair and equitable manner as follows:

1. Teachers shall be elected by teachers.

2. Education support employees shall be elected by education support employees.

3. Students shall be elected by students.

4. Parents shall be elected by parents.

The district school board shall establish procedures for use by schools in selecting business and community members that include means of ensuring wide notice of vacancies and of taking input on possible members from local business, chambers of commerce, community and civic organizations and groups, and the public at large. The district school board shall review the membership composition of each advisory council. If the district school board determines that the membership elected by the school is not representative of the ethnic, racial, and economic community served by the school, the district school board shall appoint additional members to achieve proper representation. The commissioner shall determine if schools have maximized their efforts to include on their advisory councils minority persons and persons of lower socioeconomic status. Although schools are strongly encouraged to establish school advisory councils, the district school board of any school district that has a student population of 10,000 or fewer may establish a district advisory council which shall include at least one duly elected teacher from each school in the district. For the purposes of school advisory councils and district advisory councils, the term "teacher" shall include classroom teachers, certified student services personnel, and media specialists. For purposes of this paragraph, "education support employee" means any person employed by a school who is not defined as instructional or administrative personnel pursuant to s. 1012.01 and whose duties require 20 or more hours in each normal working week.

Section 5. Section 1003.41, Florida Statutes, is amended to read:

1003.41 Sunshine State Standards.—

(1) Public K-12 educational instruction in Florida is based on the "Sunshine State Standards." *The State Board of Education shall review the Sunshine State Standards and replace them with the Next Generation Sunshine State Standards that establish the core content of the curricula to be taught in this state and that specify the core content knowledge and skills that the next generation of K-12 public school students are expected to acquire. The Next Generation Sunshine State Standards must, at a minimum:*

(a) Establish the core curricular content for language arts, science, mathematics, and social studies, as follows:

1. Language arts standards must establish specific curricular content for, at a minimum, the reading process, literary analysis, the writing process, writing applications, communication, and information and media literacy. The standards must include distinct grade-level expectations for the core content knowledge and skills that a student is expected to have acquired by each individual grade level from kindergarten through grade 8. The standards for grades 9-12 may be organized by grade clusters of more than one grade level or strands within the content area. The State Board of Education shall, in accordance with the expedited schedule established under subsection (2), review and replace the

language arts standards adopted by the state board in 2007 with Next Generation Sunshine State Standards that comply with this subparagraph.

2. Science standards must establish specific curricular content for, at a minimum, the nature of science, earth and space science, physical science, and life science. The standards must include distinct grade-level expectations for the core content knowledge and skills that a student is expected to have acquired by each individual grade level from kindergarten through grade 8. The science standards for grades 9 through 12 may be organized by grade clusters of more than one grade level.

3. Mathematics standards must establish specific curricular content for, at a minimum, algebra, geometry, probability, statistics, calculus, discrete mathematics, financial literacy, and trigonometry. The standards must include distinct grade-level expectations for the core content knowledge and skills that a student is expected to have acquired by each individual grade level from kindergarten through grade 8. The mathematics standards for grades 9 through 12 may be organized by grade clusters of more than one grade level.

4. Social studies standards must establish specific curricular content for, at a minimum, geography, United States and world history, government, civics, economics, and humanities. The standards must include distinct grade-level expectations for the core content knowledge and skills that a student is expected to have acquired by each individual grade level from kindergarten through grade 8. The social studies standards for grades 9 through 12 may be organized by grade clusters of more than one grade level.

(b) Establish the core curricular content for visual and performing arts, physical education, health, and foreign languages. Standards for these subjects must establish specific curricular content and include distinct grade-level expectations for the core content knowledge and skills that a student is expected to have acquired by each individual grade level from kindergarten through grade 5. The standards for grades 6 through 12 may be organized by grade clusters of more than one grade level.

(c) Identify the core curricular content that a student is expected to learn for each subject at each individual grade level in order to acquire the broad background knowledge needed for reading comprehension.

(d) Be rigorous and relevant and provide for the logical, sequential progression of core curricular content that incrementally increases a student's core content knowledge and skills over time.

(e) Integrate critical-thinking and problem-solving skills; communication, reading, and writing skills; mathematics skills; collaboration skills; contextual and applied-learning skills; technology-literacy skills; information and media-literacy skills; and civic-engagement skills.

(f) Be organized according to a uniform structure and format that is consistent for each subject. The Next Generation Sunshine State Standards shall, for each subject and grade level, use the same alphanumeric coding system.

(g) Be aligned to expectations for success in postsecondary education and high-skill, high-wage employment.

(2) By December 31, 2008, the State Board of Education shall establish an expedited schedule for adoption of the Next Generation Sunshine State Standards and shall establish by rule a schedule for the periodic review and revision of the standards. The state board shall adopt the Next Generation Sunshine State Standards for each subject by December 31, 2011.

(3)(a) The Commissioner of Education shall develop and submit to the State Board of Education proposed Next Generation Sunshine State Standards, and periodically submit proposed revisions to the standards, for adoption by the state board according to the schedules established under subsection (2). The commissioner, in developing the proposed standards, shall consult with renowned experts on K-12 curricular standards and content in each subject listed in paragraphs (1)(a) and (b) and shall consider standards that are implemented by other states or nations and regarded as exceptionally rigorous by the curricular and content experts. The commissioner may also consult with curricular and content experts in other subjects.

(b) The commissioner shall submit the proposed standards for review and comment by state educators, school administrators, representatives of community colleges and state universities who have expertise in the content knowledge and skills necessary to prepare a student for postsecondary education, and leaders in business and industry. The commissioner, after considering any comments and making any revisions to the proposed standards, shall submit the standards for written evaluation by renowned experts on K-12 curricular standards and content.

(c) The commissioner, upon finalizing the proposed standards, shall submit the standards and evaluations by the curricular and content experts to the Governor, the President of the Senate, and the Speaker of the House of Representatives at least 21 days before the State Board of Education considers adoption of the proposed standards.

(4) The State Board of Education may adopt rules under ss. 120.536(1) and 120.54 to administer this section. ~~These standards have been adopted by the State Board of Education and delineate the academic achievement of students, for which the state will hold schools accountable, in grades K-2, 3-5, 6-8, and 9-12 in the subjects of language arts, mathematics, science, social studies, the arts, health and physical education, and foreign languages. They include standards in reading, writing, history, government, geography, economics, and computer literacy.~~

Section 6. Paragraph (i) of subsection (3) of section 1003.413, Florida Statutes, is amended to read:

1003.413 Florida Secondary School Redesign Act.—

(3) Based on these guiding principles, district school boards shall establish policies to implement the requirements of ss. 1003.4156, 1003.428, and 1003.493. The policies must address:

(i) *An annual review of each high school student's electronic personal education plan pursuant to s. 1003.4156 and* procedures for high school students who have not prepared an electronic personal education plan pursuant to s. 1003.4156 to prepare such plan.

Section 7. Paragraph (a) of subsection (2) and paragraph (b) of subsection (4) of section 1003.428, Florida Statutes, are amended to read:

1003.428 General requirements for high school graduation; revised.—

(2) The 24 credits may be earned through applied, integrated, and combined courses approved by the Department of Education and shall be distributed as follows:

(a) Sixteen core curriculum credits:

1. Four credits in English, with major concentration in composition, reading for information, and literature.

2. Four credits in mathematics, one of which must be Algebra I, a series of courses equivalent to Algebra I, or a higher-level mathematics course. School districts are encouraged to set specific goals to increase enrollments in, and successful completion of, geometry and Algebra II.

3. Three credits in science, two of which must have a laboratory component.

4. Three credits in social studies as follows: one credit in American history; one credit in world history; one-half credit in economics; and one-half credit in American government.

5. One credit in fine or performing arts, which may include speech and debate *or practical arts*.

6. One credit in physical education to include integration of health. Participation in an interscholastic sport at the junior varsity or varsity level for two full seasons shall satisfy the one-credit requirement in physical education if the student passes a competency test on personal fitness with a score of "C" or better. The competency test on personal fitness must be developed by the Department of Education. A district school board may not require that the one credit in physical education be taken during the 9th grade year. Completion of one semester with a grade of "C" or better in a marching band class, in a physical activity class that requires participation in marching band activities as an extracurricular activity, or in a dance class shall satisfy one-half credit in physical education or one-half credit in performing arts. This credit may

not be used to satisfy the personal fitness requirement or the requirement for adaptive physical education under an individual education plan (IEP) or 504 plan. Completion of 2 years in a Reserve Officer Training Corps (R.O.T.C.) class, a significant component of which is drills, shall satisfy the one-credit requirement in physical education and the one-credit requirement in performing arts. This credit may not be used to satisfy the personal fitness requirement or the requirement for adaptive physical education under an individual education plan (IEP) or 504 plan.

(4) Each district school board shall establish standards for graduation from its schools, which must include:

(b) Earning passing scores on the FCAT, as defined in s. 1008.22(3)(c), or scores on a standardized test that are concordant with passing scores on the FCAT as defined in *s. 1008.22(10)* ~~s. 1008.22(9)~~.

Each district school board shall adopt policies designed to assist students in meeting the requirements of this subsection. These policies may include, but are not limited to: forgiveness policies, summer school or before or after school attendance, special counseling, volunteers or peer tutors, school-sponsored help sessions, homework hotlines, and study skills classes. Forgiveness policies for required courses shall be limited to replacing a grade of "D" or "F," or the equivalent of a grade of "D" or "F," with a grade of "C" or higher, or the equivalent of a grade of "C" or higher, earned subsequently in the same or comparable course. Forgiveness policies for elective courses shall be limited to replacing a grade of "D" or "F," or the equivalent of a grade of "D" or "F," with a grade of "C" or higher, or the equivalent of a grade of "C" or higher, earned subsequently in another course. The only exception to these forgiveness policies shall be made for a student in the middle grades who takes any high school course for high school credit and earns a grade of "C," "D," or "F" or the equivalent of a grade of "C," "D," or "F." In such case, the district forgiveness policy must allow the replacement of the grade with a grade of "C" or higher, or the equivalent of a grade of "C" or higher, earned subsequently in the same or comparable course. In all cases of grade forgiveness, only the new grade shall be used in the calculation of the student's grade point average. Any course grade not replaced according to a district school board forgiveness policy shall be included in the calculation of the cumulative grade point average required for graduation.

Section 8. Section 1003.4285, Florida Statutes, is created to read:

1003.4285 Standard high school diploma designations.—By the 2008-2009 school year, each standard high school diploma shall include, as applicable:

(1) A designation of the student's major area of interest pursuant to the student's completion of credits as provided in s. 1003.428.

(2) A designation reflecting completion of accelerated college credit courses if the student is eligible for college credit pursuant to s. 1007.27 in four or more advanced placement, International Baccalaureate, Advanced International Certificate of Education, or dual enrollment courses. The Commissioner of Education shall establish guidelines for successful passage of examinations or coursework in each of the accelerated college credit options for purposes of this subsection.

(3) A designation reflecting career education certification in accordance with s. 1003.431.

(4) A designation reflecting Florida Ready to Work Certification in accordance with s. 1004.99.

Section 9. Paragraph (a) of subsection (6) of section 1003.429, Florida Statutes, is amended to read:

1003.429 Accelerated high school graduation options.—

(6) Students pursuing accelerated 3-year high school graduation options pursuant to paragraph (1)(b) or paragraph (1)(c) are required to:

(a) Earn passing scores on the FCAT as defined in s. 1008.22(3)(c) or scores on a standardized test that are concordant with passing scores on the FCAT as defined in *s. 1008.22(10)* ~~s. 1008.22(9)~~.

Weighted grades referred to in paragraphs (b), (c), and (d) shall be applied to those courses specifically listed or identified by the department as rigorous pursuant to s. 1009.531(3) or weighted by the district school board for class ranking purposes.

Section 10. Paragraph (a) of subsection (5) of section 1003.43, Florida Statutes, is amended to read:

1003.43 General requirements for high school graduation.—

(5) Each district school board shall establish standards for graduation from its schools, and these standards must include:

(a) Earning passing scores on the FCAT, as defined in s. 1008.22(3)(c), or scores on a standardized test that are concordant with passing scores on the FCAT as defined in *s. 1008.22(10)* ~~s. 1008.22(9)~~.

The standards required in this subsection, and any subsequent modifications, shall be reprinted in the Florida Administrative Code even though not defined as "rules."

Section 11. Subsection (1) of section 1003.433, Florida Statutes, is amended to read:

1003.433 Learning opportunities for out-of-state and out-of-country transfer students and students needing additional instruction to meet high school graduation requirements.—

(1) Students who enter a Florida public school at the eleventh or twelfth grade from out of state or from a foreign country shall not be required to spend additional time in a Florida public school in order to meet the high school course requirements if the student has met all requirements of the school district, state, or country from which he or she is transferring. Such students who are not proficient in English should receive immediate and intensive instruction in English language acquisition. However, to receive a standard high school diploma, a transfer student must earn a 2.0 grade point average and pass the grade 10 FCAT required in s. 1008.22(3) or an alternate assessment as described in *s. 1008.22(10)* ~~s. 1008.22(9)~~.

Section 12. Paragraph (d) of subsection (6) of section 1003.63, Florida Statutes, is amended to read:

1003.63 Deregulated public schools pilot program.—

(6) ELEMENTS OF THE PROPOSAL.—The major issues involving the operation of a deregulated public school shall be considered in advance and written into the proposal.

(d) Upon receipt of the annual report required by paragraph (b), the Department of Education shall provide the State Board of Education, the Commissioner of Education, the President of the Senate, and the Speaker of the House of Representatives with a copy of each report and an analysis and comparison of the overall performance of students, to include all students in deregulated public schools whose scores are counted as part of the statewide assessment tests, versus comparable public school students in the district as determined by *statewide assessments administered under s. 1008.22(3)* ~~FCAT~~ and district assessment tests ~~and, as appropriate, the Florida Writes Assessment Test, and other assessments administered pursuant to s. 1008.22(3)~~.

Section 13. Paragraphs (c) and (d) of subsection (3) of section 1004.85, Florida Statutes, are amended to read:

1004.85 Postsecondary educator preparation institutes.—

(3) Educator preparation institutes approved pursuant to this section may offer alternative certification programs specifically designed for noneducation major baccalaureate degree holders to enable program participants to meet the educator certification requirements of s. 1012.56. Such programs shall be competency-based educator certification preparation programs that prepare educators through an alternative route. An educator preparation institute choosing to offer an alternative certification program pursuant to the provisions of this section must implement a program previously approved by the Department of Education for this purpose or a program developed by the institute and approved by the department for this purpose. Approved programs shall be available for use by other approved educator preparation institutes.

(c) Upon completion of an alternative certification program approved pursuant to this subsection, a participant shall receive a credential from the sponsoring institution signifying satisfaction of the requirements of *s. 1012.56(6)* ~~s. 1012.56(5)~~ relating to mastery of professional preparation and education competence. A participant shall be eligible for educator certification through the Department of Education upon satisfaction

of all requirements for certification set forth in s. 1012.56(2), including demonstration of mastery of general knowledge, subject area knowledge, and professional preparation and education competence, through testing or other statutorily authorized means.

(d) If an institution offers an alternative certification program approved pursuant to this subsection, such program may be used by the school district or districts served by that institution in addition to the alternative certification program as required in *s. 1012.56(8)* ~~s. 1012.56(7)~~.

Section 14. Subsection (3) of section 1004.91, Florida Statutes, is amended to read:

1004.91 Career-preparatory instruction.—

(3) An adult student with a disability may be exempted from the provisions of this section. A student who possesses a college degree at the associate in applied science level or higher is exempt from this section. A student who has completed or who is exempt from the college-level communication and computation skills examination pursuant to s. 1008.29, or who is exempt from the college entry-level examination pursuant to s. 1008.29, is exempt from the provisions of this section. Students who have passed a state, national, or industry licensure exam are exempt from this section. *An adult student who is enrolled in an apprenticeship program that is registered with the Department of Education in accordance with the provisions of chapter 446 is exempt from the provisions of this section.*

Section 15. Paragraph (d) of subsection (3) of section 1004.99, Florida Statutes, is amended, present subsection (4) of that section is renumbered as subsection (5), and a new subsection (4) is added to that section, to read:

1004.99 Florida Ready to Work Certification Program.—

(3) The Florida Ready to Work Certification Program shall be composed of:

(d) A *Florida Ready to Work Credential* ~~certificate~~ and portfolio awarded to students upon successful completion of the instruction. Each portfolio must delineate the skills demonstrated by the student as evidence of the student's preparation for employment.

(4) A Florida Ready to Work Credential shall be awarded to a student who successfully passes assessments in Reading for Information, Applied Mathematics, and Locating Information or any other assessments of comparable rigor. Each assessment shall be scored on a scale of 3 to 7. The level of the credential each student receives is based on the following:

(a) A bronze-level credential requires a minimum score of 3 or above on each of the assessments.

(b) A silver-level credential requires a minimum score of 4 or above on each of the assessments.

(c) A gold-level credential requires a minimum score of 5 or above on each of the assessments.

Section 16. Paragraph (c) of subsection (2) of section 1007.21, Florida Statutes, is amended to read:

1007.21 Readiness for postsecondary education and the workplace.—

(2)

(c) The common placement test authorized in ss. 1001.03(10) and 1008.30 or a similar test may be administered to ~~all~~ high school *students* ~~second semester sophomores~~ who have chosen one of the four destinations. The results of the placement test shall be used to target additional instructional needs in reading, writing, and mathematics prior to graduation.

Section 17. Paragraph (b) of subsection (2) of section 1007.235, Florida Statutes, is amended to read:

1007.235 District interinstitutional articulation agreements.—

(2) The district interinstitutional articulation agreement for each school year must be completed before high school registration for the fall term of the following school year. The agreement must include, but is not limited to, the following components:

(b)1. A delineation of courses and programs available to students eligible to participate in dual enrollment. This delineation must include a plan for the community college to provide guidance services to participating students on the selection of courses in the dual enrollment program. The process of community college guidance should make maximum use of the automated advisement system for community colleges. The plan must assure that each dual enrollment student is encouraged to identify a postsecondary education objective with which to guide the course selection. At a minimum, each student's plan should include a list of courses that will result in an Applied Technology Diploma, an Associate in Science degree, or an Associate in Arts degree. If the student identifies a baccalaureate degree as the objective, the plan must include courses that will meet the general education requirements and any prerequisite requirements for entrance into a selected baccalaureate degree program.

2. A delineation of the process by which students and their parents are informed about opportunities to participate in articulated acceleration programs.

3. A delineation of the process by which students and their parents exercise their option to participate in an articulated acceleration program.

4. A delineation of high school credits earned for completion of each dual enrollment course.

5. Provision for postsecondary courses that meet the criteria for inclusion in a district articulated acceleration program to be counted toward meeting the graduation requirements of s. 1003.43.

6. An identification of eligibility criteria for student participation in dual enrollment courses and programs.

7. A delineation of institutional responsibilities regarding student screening prior to enrollment and monitoring student performance subsequent to enrollment in dual enrollment courses and programs.

8. An identification of the criteria by which the quality of dual enrollment courses and programs are to be judged and a delineation of institutional responsibilities for the maintenance of instructional quality.

9. A delineation of institutional responsibilities for assuming the cost of dual enrollment courses and programs that includes such responsibilities for student instructional materials.

10. An identification of responsibility for providing student transportation if the dual enrollment instruction is conducted at a facility other than the high school campus.

11. A delineation of the process for converting college credit hours earned through dual enrollment and early admission programs to high school credit based on mastery of course outcomes as determined by the Department of Education in accordance with s. 1007.271(6).

12. An identification of the responsibility of the postsecondary educational institution for assigning letter grades for dual enrollment courses and the responsibility of school districts for posting dual enrollment course grades to the high school transcript as assigned by the postsecondary institution awarding the credit.

Section 18. Paragraphs (a) and (c) of subsection (3), subsections (4) and (5), paragraph (c) of subsection (6), and subsections (7), (8), (9), (10), and (11) of section 1008.22, Florida Statutes, are amended to read:

1008.22 Student assessment program for public schools.—

(3) STATEWIDE ASSESSMENT PROGRAM.—The commissioner shall design and implement a statewide program of educational assessment that provides information for the improvement of the operation and management of the public schools, including schools operating for the purpose of providing educational services to youth in Department of Juvenile Justice programs. The commissioner may enter into contracts for the continued administration of the assessment, testing, and evaluation programs authorized and funded by the Legislature. Contracts may

be initiated in 1 fiscal year and continue into the next and may be paid from the appropriations of either or both fiscal years. The commissioner is authorized to negotiate for the sale or lease of tests, scoring protocols, test scoring services, and related materials developed pursuant to law. Pursuant to the statewide assessment program, the commissioner shall:

(a) Submit *proposed Next Generation Sunshine State Standards* to the State Board of Education *for adoption and periodic review and revision under s. 1003.41* ~~a list that specifies student skills and competencies to which the goals for education specified in the state plan apply, including, but not limited to, reading, writing, science, and mathematics. The skills and competencies must include problem-solving and higher-order skills as appropriate and shall be known as the Sunshine State Standards as defined in s. 1000.21. The commissioner shall select such skills and competencies after receiving recommendations from educators, citizens, and members of the business community. The commissioner shall submit to the State Board of Education revisions to the list of student skills and competencies in order to maintain continuous progress toward improvements in student proficiency.~~

(c) Develop and implement a student achievement testing program known as the Florida Comprehensive Assessment Test (FCAT) as part of the statewide assessment program to measure reading, writing, science, and mathematics. Other content areas may be included as directed by the commissioner. The assessment of reading and mathematics shall be administered annually in grades 3 through 10. The assessment of writing and science shall be administered at least once at the elementary, middle, and high school levels. *End-of-course assessments may be administered in addition to the comprehensive assessments required under this paragraph. An end-of-course assessment must be rigorous, standardized, and approved by the department. The content knowledge and skills assessed by comprehensive and end-of-course assessments must be aligned to the core curricular content established in the Sunshine State Standards. The Commissioner of Education may select one or more nationally developed comprehensive examinations, which may include, but need not be limited to, examinations for a College Board Advanced Placement course, International Baccalaureate course, industry-approved examinations to earn national industry certifications as defined in s. 1003.492, or Advanced International Certificate of Education course, for use as end-of-course assessments under this paragraph, if the Commissioner determines that the content knowledge and skills assessed by the examinations meet or exceed the grade-level expectations of the Sunshine State Standards for the course. The commissioner may collaborate with the American Diploma Project in the adoption or development of rigorous end-of-course assessments that are aligned to state curriculum standards.* ~~The commissioner must document the procedures used to ensure that the versions of the FCAT which are taken by students retaking the grade 10 FCAT are equally as challenging and difficult as the tests taken by students in grade 10 which contain performance tasks.~~ The testing program must be designed *as follows* ~~so that~~:

1. The tests *shall* measure student skills and competencies adopted by the State Board of Education as specified in paragraph (a). The tests must measure and report student proficiency levels of all students assessed in reading, writing, mathematics, and science. The commissioner shall provide for the tests to be developed or obtained, as appropriate, through contracts and project agreements with private vendors, public vendors, public agencies, postsecondary educational institutions, or school districts. The commissioner shall obtain input with respect to the design and implementation of the testing program from state educators, assistive technology experts, and the public.

2. The testing program *shall be composed* ~~will include a combination~~ of ~~norm-referenced and~~ criterion-referenced tests *that shall* ~~and include~~, to the extent determined by the commissioner, *include test items* ~~questions~~ that require the student to produce information or perform tasks in such a way that the *core content knowledge and* skills ~~and competencies~~ he or she uses can be measured.

3. *Beginning with the 2008-2009 school year, the commissioner shall discontinue administration of the selected-response test items on the comprehensive assessments of writing. Beginning with the 2012-2013 school year, the comprehensive assessments of writing shall be composed of a combination of selected-response test items, short-response performance tasks, and extended-response performance tasks, which shall measure a student's content knowledge of writing, including, but not limited to, paragraph and sentence structure, sentence construction, grammar and usage, punctuation, capitalization, spelling, parts of speech, verb tense, irregular verbs, subject-verb agreement, and noun-pronoun agreement.* ~~Each testing program, whether at the elementary, middle, or high school level, includes a test of writing in which students are required to produce writings that are then scored by appropriate and timely methods.~~

4. A score *shall be* ~~is~~ designated for each subject area tested, below which score a student's performance is deemed inadequate. The school districts shall provide appropriate remedial instruction to students who score below these levels.

5. Except as provided in s. 1003.428(8)(b) or s. 1003.43(11)(b), students must earn a passing score on the grade 10 assessment test described in this paragraph or attain concordant scores as described in subsection (9) in reading, writing, and mathematics to qualify for a standard high school diploma. The State Board of Education shall designate a passing score for each part of the grade 10 assessment test. In establishing passing scores, the state board shall consider any possible negative impact of the test on minority students. The State Board of Education shall adopt rules which specify the passing scores for the grade 10 FCAT. Any such rules, which have the effect of raising the required passing scores, shall ~~only~~ apply *only* to students taking the grade 10 FCAT for the first time after such rules are adopted by the State Board of Education.

6. Participation in the testing program is mandatory for all students attending public school, including students served in Department of Juvenile Justice programs, except as otherwise prescribed by the commissioner. If a student does not participate in the statewide assessment, the district must notify the student's parent and provide the parent with information regarding the implications of such nonparticipation. A parent must provide signed consent for a student to receive classroom instructional accommodations that would not be available or permitted on the statewide assessments and must acknowledge in writing that he or she understands the implications of such instructional accommodations. The State Board of Education shall adopt rules, based upon recommendations of the commissioner, for the provision of test accommodations for students in exceptional education programs and for students who have limited English proficiency. Accommodations that negate the validity of a statewide assessment are not allowable in the administration of the FCAT. However, instructional accommodations are allowable in the classroom if included in a student's individual education plan. Students using instructional accommodations in the classroom that are not allowable as accommodations on the FCAT may have the FCAT requirement waived pursuant to the requirements of s. 1003.428(8)(b) or s. 1003.43(11)(b).

7. A student seeking an adult high school diploma must meet the same testing requirements that a regular high school student must meet.

8. District school boards must provide instruction to prepare students to demonstrate proficiency in the skills and competencies necessary for successful grade-to-grade progression and high school graduation. If a student is provided with instructional accommodations in the classroom that are not allowable as accommodations in the statewide assessment program, as described in the test manuals, the district must inform the parent in writing and must provide the parent with information regarding the impact on the student's ability to meet expected proficiency levels in reading, writing, and math. The commissioner shall conduct studies as necessary to verify that the required skills and competencies are part of the district instructional programs.

9. District school boards must provide opportunities for students to demonstrate an acceptable level of performance on an alternative standardized assessment approved by the State Board of Education following enrollment in summer academies.

10. The Department of Education must develop, or select, and implement a common battery of assessment tools that will be used in all juvenile justice programs in the state. These tools must accurately measure the skills and competencies established in the Sunshine State Standards.

11. For students seeking a special diploma pursuant to s. 1003.438, the Department of Education must develop or select and implement an alternate assessment tool that accurately measures the skills and competencies established in the Sunshine State Standards for students with disabilities under s. 1003.438.

12. The Commissioner of Education shall establish schedules for the administration of statewide assessments and the reporting of student test results. The commissioner shall, by August 1 of each year, notify each school district in writing and publish on the department's Internet website the testing and reporting schedules for, at a minimum, the school year following the upcoming school year. The testing and reporting schedules shall require that:

a. There is the latest possible administration of statewide assessments and the earliest possible reporting to the school districts of student test results which is feasible within available technology and specific appropriations; however, test results must be made available no later than the final day of the regular school year for students.

b. Beginning with the 2010-2011 school year, a comprehensive statewide assessment of writing is not administered earlier than the week of March 1 and a comprehensive statewide assessment of any other subject is not administered earlier than the week of April 15.

c. The department-approved, end-of-course assessment is administered within the last 2 weeks of the course.

The commissioner may, based on collaboration and input from school districts, design and implement student testing programs, for any grade level and subject area, necessary to effectively monitor educational achievement in the state, including the measurement of educational achievement of the Sunshine State Standards for students with disabilities. Development and refinement of assessments shall include universal design principles and accessibility standards that will prevent any unintended obstacles for students with disabilities while ensuring the validity and reliability of the test. These principles should be applicable to all technology platforms and assistive devices available for the assessments. The field testing process and psychometric analyses for the statewide assessment program must include an appropriate percentage of students with disabilities and an evaluation or determination of the effect of test items on such students.

(4) STATEWIDE ASSESSMENT PREPARATION; PROHIBITED ACTIVITIES.—Beginning with the 2008-2009 school year, a district school board shall prohibit each public school from suspending a regular program of curricula for purposes of administering practice tests or engaging in other test-preparation activities for a statewide assessment. However, a district school board may authorize a public school to engage in the following test-preparation activities for a statewide assessment:

(a) Distributing to students the sample test books and answer keys published by the Department of Education;

(b) Providing individualized instruction in test-taking strategies, without suspending the school's regular program of curricula, for a student who scores at Level 1 or Level 2 on a prior administration of the statewide assessment;

(c) Providing individualized instruction in the content knowledge and skills assessed, without suspending the school's regular program of curricula, for a student who scores at Level 1 or Level 2 on a prior administration of the statewide assessment, or a student who, through a diagnostic assessment administered by the school district, is identified as having a deficiency in the content knowledge and skills assessed;

(d) Incorporating test-taking exercises and strategies into curricula for intensive reading and mathematics intervention courses; and

(e) Administering a practice test or engaging in other test-preparation activities for the statewide assessment which are determined necessary to familiarize students with the organization of the assessment, the format of the test items, and the test directions, or which are otherwise necessary for the valid and reliable administration of the assessment, as set forth in rules adopted by the State Board of Education with specific reference to this paragraph.

(5)~~(4)~~ DISTRICT TESTING PROGRAMS.—Each district school board shall periodically assess student performance and achievement within each school of the district. The assessment programs must be based upon local goals and objectives that are compatible with the state plan for education and that supplement the skills and competencies adopted by the State Board of Education. All school districts must participate in the statewide assessment program designed to measure annual student learning and school performance. All district school boards shall report assessment results as required by the state management information system.

(6)~~(5)~~ SCHOOL TESTING PROGRAMS.—Each public school shall participate in the statewide assessment program, unless specifically exempted by state board rule based on serving a specialized population for which standardized testing is not appropriate. Student performance data shall be analyzed and reported to parents, the community, and the state. Student performance data shall be used in developing objectives of the school improvement plan, evaluation of instructional personnel, evaluation of administrative personnel, assignment of staff, allocation of resources, acquisition of instructional materials and technology, performance-based budgeting, and promotion and assignment of students into educational programs. The analysis of student performance data also must identify strengths and needs in the educational program and trends over time. The analysis must be used in conjunction with the budgetary planning processes developed pursuant to s. 1008.385 and the development of the programs of remediation.

(7)~~(6)~~ REQUIRED ANALYSES.—The commissioner shall provide, at a minimum, for the following analyses of data produced by the student achievement testing program:

(c) The annual testing program shall be administered to provide for valid statewide comparisons of learning gains to be made for purposes of accountability and recognition. ~~The commissioner shall establish a schedule for the administration of the statewide assessments. In establishing such schedule, the commissioner is charged with the duty to accomplish the latest possible administration of the statewide assessments and the earliest possible provision of the results to the school districts feasible within available technology and specific appropriation.~~ District school boards shall not establish school calendars that jeopardize or limit the valid testing and comparison of student learning gains.

(8)~~(7)~~ LOCAL ASSESSMENTS.—Measurement of the learning gains of students in all subjects and grade levels other than subjects and grade levels required for the state student achievement testing program is the responsibility of the school districts.

(9)~~(8)~~ APPLICABILITY OF TESTING STANDARDS.—

(a) If the Commissioner of Education revises a statewide assessment and the revisions require the State Board of Education to modify the assessment's proficiency levels or modify the passing scores required for a standard high school diploma, until the state board adopts the modifications by rule the commissioner shall use calculations for scoring the assessment which adjust student scores on the revised assessment for statistical equivalence to student scores on the former assessment.

(b) A student must *attain* ~~meet~~ the *passing scores on the statewide assessment required* ~~testing requirements~~ for *a standard* high school *diploma which are* ~~graduation that were~~ in effect at the time the student *enters* ~~entered 9th~~ grade *9 if*~~, provided~~ the student's enrollment *is* ~~was~~ continuous.

(c) If the commissioner revises a statewide assessment and the revisions require the State Board of Education to modify the passing scores required for a standard high school diploma, the commissioner may, with approval of the state board, discontinue administration of the former assessment upon the graduation, based on normal student progression, of students participating in the final regular administration of the former assessment. The state board shall adopt by rule passing scores for the revised assessment which are statistically equivalent to passing scores on the discontinued assessment for a student required under paragraph (b) to attain passing scores on the discontinued assessment.

(10)~~(9)~~ CONCORDANT SCORES FOR THE FCAT.—

(a) The State Board of Education shall analyze the content and concordant data sets for widely used high school achievement tests, including, but not limited to, the PSAT, PLAN, SAT, ACT, and College Placement Test, to assess if concordant scores for FCAT scores can be determined for high school graduation, college placement, and scholarship awards. In cases where content alignment and concordant scores can be determined, the Commissioner of Education shall adopt those scores as meeting the graduation requirement in lieu of achieving the FCAT passing score and may adopt those scores as being sufficient to achieve additional purposes as determined by rule. Each time that test content or scoring procedures *change* ~~are changed~~ for the FCAT or *for a high*

school achievement test for which a concordant score is determined ~~one of the identified tests~~, new concordant scores must be determined.

(b) In order to use a concordant subject area score pursuant to this subsection to satisfy the assessment requirement for a standard high school diploma as provided in s. 1003.429(6)(a), s. 1003.43(5)(a), or s. 1003.428, a student must take each subject area of the grade 10 FCAT a total of three times without earning a passing score. The requirements of this paragraph shall not apply to a new student who enters the Florida public school system in grade 12, who may either achieve a passing score on the FCAT or use an approved subject area concordant score to fulfill the graduation requirement.

(c) The State Board of Education may define by rule the allowable uses, other than to satisfy the high school graduation requirement, for concordant scores as described in this subsection. Such uses may include, but need not be limited to, achieving appropriate standardized test scores required for the awarding of Florida Bright Futures Scholarships and college placement.

(11)~~(10)~~ REPORTS.—The Department of Education shall annually provide a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives on the following:

(a) Longitudinal performance of students in mathematics and reading.

(b) Longitudinal performance of students by grade level in mathematics and reading.

(c) Longitudinal performance regarding efforts to close the achievement gap.

~~(d) Longitudinal performance of students on the norm-referenced component of the FCAT.~~

(d)~~(e)~~ Other student performance data based on national norm-referenced and criterion-referenced tests, when available, and numbers of students who after 8th grade enroll in adult education rather than other secondary education.

(12)~~(11)~~ RULES.—The State Board of Education shall adopt rules pursuant to ss. 120.536(1) and 120.54 to implement the provisions of this section.

Section 19. Subsection (3) of section 1008.30, Florida Statutes, is amended to read:

1008.30 Common placement testing for public postsecondary education.—

(3) The State Board of Education shall adopt rules that would require high schools to give the common placement test prescribed in this section, or an equivalent test identified by the State Board of Education, at the beginning of the tenth grade year before enrollment in the eleventh grade year in public high school for the purpose of obtaining remedial instruction prior to entering public postsecondary education. *The Department of Education shall purchase or develop assessments to evaluate the college readiness of eleventh grade students who may be at risk of needing remediation in reading or mathematics prior to enrollment in postsecondary institutions. The department shall work with school districts to administer the assessments during the 2008-2009 school year. To the maximum extent practicable, a school district shall provide twelfth grade students who need remediation and who indicate an interest in postsecondary education with access to appropriate remediation courses to mitigate remediation at the postsecondary level.*

Section 20. Paragraph (c) of subsection (1) of section 1008.31, Florida Statutes, is amended to read:

1008.31 Florida's K-20 education performance accountability system; legislative intent; mission, goals, and systemwide measures; data quality improvements.—

(1) LEGISLATIVE INTENT.—It is the intent of the Legislature that:

(c) The K-20 education performance accountability system comply with the ~~accountability~~ requirements of the "No Child Left Behind Act of 2001," Pub. L. No. 107-110*, and the Individuals with Disabilities Education Act (IDEA)*.

Section 21. Subsection (3) of section 1008.34, Florida Statutes, is amended, and subsection (8) is added to that section, to read:

1008.34 School grading system; school report cards; district grade.—

(3) DESIGNATION OF SCHOOL GRADES.—

(a) Schools receiving a school grade.—Each school that has students who are tested and included in the school grading system~~, except an alternative school that receives a school improvement rating pursuant to s. 1008.341,~~ shall receive a school grade*, except as follows:*

1. A school shall not receive a school grade if the number of its students tested and included in the school grading system are fewer than the minimum sample size necessary, based on accepted professional practice, for statistical reliability and prevention of the unlawful release of personally identifiable student data under s. 1002.22 or 20 U.S.C. s. 1232g.~~; however,~~

2. An alternative school may choose to receive a school grade under this section *or* ~~in lieu of~~ a school improvement rating *under s. 1008.341*.

3. ~~Additionally,~~ A school that serves any combination of students in kindergarten through grade 3 which does not receive a school grade because its students are not tested and included in the school grading system shall receive the school grade designation of a K-3 feeder pattern school identified by the Department of Education and verified by the school district. A school feeder pattern exists if at least 60 percent of the students in the school serving a combination of students in kindergarten through grade 3 are scheduled to be assigned to the graded school. ~~School grades itemized in subsection (2) shall be based on the following:~~

(b)~~(a)~~ Criteria.—A school's grade shall be based on a combination of:

1. Student achievement scores, including achievement scores for students seeking a special diploma.

2. Student learning gains as measured by annual FCAT assessments in grades 3 through 10; learning gains for students seeking a special diploma, as measured by an alternate assessment tool, shall be included not later than the 2009-2010 school year.

3. Improvement of the lowest 25th percentile of students in the school in reading, math, or writing on the FCAT, unless these students are exhibiting satisfactory performance.

(c)~~(b)~~ Student assessment data.—Student assessment data used in determining school grades shall include:

1. The aggregate scores of all eligible students enrolled in the school who have been assessed on the FCAT.

2. The aggregate scores of all eligible students enrolled in the school who have been assessed on the FCAT~~, including Florida Writes,~~ and who have scored at or in the lowest 25th percentile of students in the school in reading, math, or writing, unless these students are exhibiting satisfactory performance.

3. Effective with the 2005-2006 school year, the achievement scores and learning gains of eligible students attending alternative schools that provide dropout prevention and academic intervention services pursuant to s. 1003.53. The term "eligible students" in this subparagraph does not include students attending an alternative school who are subject to district school board policies for expulsion for repeated or serious offenses, who are in dropout retrieval programs serving students who have officially been designated as dropouts, or who are in programs operated or contracted by the Department of Juvenile Justice. The student performance data for eligible students identified in this subparagraph shall be included in the calculation of the home school's grade. *As used in* ~~For purposes of~~ this section and s. 1008.341, *the term* "home school" means the school *to which* the student *would be assigned if the student were not* ~~was attending when~~ assigned to an alternative school. If an alternative school chooses to be graded *under* ~~pursuant to~~ this section, student performance data for eligible students identified in this subparagraph shall not be included in the home school's grade but shall be included only in the calculation of the alternative school's grade. *A school district*

that fails to assign the FCAT scores of all students back to their home school or to the alternative school that receives a grade shall forfeit school recognition funds for 1 fiscal year. School districts must require collaboration between the home school and the alternative school in order to promote student success. *This collaboration must include an annual discussion between the principal of the alternative school and the principal of each student's home school concerning the most appropriate school assignment of the student.*

The State Board of Education shall adopt appropriate criteria for each school grade. The criteria must also give added weight to student achievement in reading. Schools designated with a grade of "C," making satisfactory progress, shall be required to demonstrate that adequate progress has been made by students in the school who are in the lowest 25th percentile in reading, math, or writing on the FCAT, including Florida Writes, unless these students are exhibiting satisfactory performance.

(8) RULES.—The State Board of Education shall adopt rules under ss. 120.536(1) and 120.54 to administer this section.

Section 22. Subsections (2) and (3) of section 1008.341, Florida Statutes, are amended, and subsection (6) is added to that section, to read:

1008.341 School improvement rating for alternative schools.—

(2) SCHOOL IMPROVEMENT RATING.—*An* alternative *school* ~~schools~~ that *provides* ~~provide~~ dropout prevention and academic intervention services pursuant to s. 1003.53 shall receive a school improvement rating pursuant to this section. *However, an alternative school shall not receive a school improvement rating if the number of its students for whom student performance data is available for the current year and previous year are fewer than the minimum sample size necessary, based on acceptable professional practice, for statistical reliability and prevention of the unlawful release of personally identifiable student data under s. 1002.22 or 20 U.S.C. s. 1232g.* The school improvement rating shall identify *an alternative school* ~~schools~~ as having one of the following ratings defined according to rules of the State Board of Education:

(a) "Improving" means *the* ~~schools with~~ students *attending the school are* making more academic progress than when the students were served in their home schools.

(b) "Maintaining" means *the* ~~schools with~~ students *attending the school are* making progress equivalent to the progress made when the students were served in their home schools.

(c) "Declining" means *the* ~~schools with~~ students *attending the school are* making less academic progress than when the students were served in their home schools.

The school improvement rating shall be based on a comparison of student performance data for the current year and previous year. Schools that improve at least one level or maintain an "improving" rating pursuant to this section are eligible for school recognition awards pursuant to s. 1008.36.

(3) DESIGNATION OF SCHOOL IMPROVEMENT RATING.—Student data used in determining an alternative school's school improvement rating shall include:

(a) The aggregate scores of all eligible students who were assigned to and enrolled in the school during the October or February FTE count, who have been assessed on the FCAT, and who have FCAT or comparable scores for the preceding school year.

(b) The aggregate scores of all eligible students who were assigned to and enrolled in the school during the October or February FTE count, who have been assessed on the FCAT~~, including Florida Writes,~~ and who have scored in the lowest 25th percentile of students in the state on FCAT Reading.

The assessment scores of students who are subject to district school board policies for expulsion for repeated or serious offenses, who are in dropout retrieval programs serving students who have officially been designated as dropouts, or who are in programs operated or contracted by the Department of Juvenile Justice may not be included in an alternative school's school improvement rating.

(6) RULES.—The State Board of Education shall adopt rules under ss. 120.536(1) and 120.54 to administer this section.

Section 23. Subsection (2) of section 1008.36, Florida Statutes, is amended to read:

1008.36 Florida School Recognition Program.—

(2) The Florida School Recognition Program is created to provide financial awards to public schools that:

(a) Sustain high performance by receiving a school grade of "A," making excellent progress; or

(b) Demonstrate exemplary improvement due to innovation and effort by improving *at least one* ~~a~~ letter grade *or by improving more than one letter grade and sustaining the improvement the following school year*.

Notwithstanding statutory provisions to the contrary, incentive awards are not subject to collective bargaining.

Section 24. Present subsections (4) through (16) of section 1012.56, Florida Statutes, are renumbered as subsections (5) through (17), respectively, and a new subsection (4) is added to that section, to read:

1012.56 Educator certification requirements.—

(4) ALIGNMENT OF SUBJECT AREAS.—As the Sunshine State Standards are replaced by the Next Generation Sunshine State Standards under s.1001.03, the State Board of Education shall align the subject area examinations to the Next Generation Sunshine State Standards.

Section 25. Subsection (1) of section 1012.57, Florida Statutes, is amended to read:

1012.57 Certification of adjunct educators.—

(1) Notwithstanding the provisions of ss. 1012.32, 1012.55, and 1012.56, or any other provision of law or rule to the contrary, district school boards shall adopt rules to allow for the issuance of an adjunct teaching certificate to any applicant who fulfills the requirements of s. 1012.56(2)(a)-(f) and *(10)* ~~(9)~~ and who has expertise in the subject area to be taught. An applicant shall be considered to have expertise in the subject area to be taught if the applicant demonstrates sufficient subject area mastery through passage of a subject area test. The adjunct teaching certificate shall be used for part-time teaching positions. The intent of this provision is to allow school districts to tap the wealth of talent and expertise represented in Florida's citizens who may wish to teach part-time in a Florida public school by permitting school districts to issue adjunct certificates to qualified applicants. Adjunct certificateholders should be used as a strategy to reduce the teacher shortage; thus, adjunct certificateholders should supplement a school's instructional staff, not supplant it. Each school principal shall assign an experienced peer mentor to assist the adjunct teaching certificateholder during the certificateholder's first year of teaching, and an adjunct certificateholder may participate in a district's new teacher training program. District school boards shall provide the adjunct teaching certificateholder an orientation in classroom management prior to assigning the certificateholder to a school. Each adjunct teaching certificate is valid for 5 school years and is renewable if the applicant has received satisfactory performance evaluations during each year of teaching under adjunct teaching certification.

Section 26. Subsection (1) of section 1012.586, Florida Statutes, is amended to read:

1012.586 Additions or changes to certificates; duplicate certificates.—A school district may process via a Department of Education website certificates for the following applications of public school employees:

(1) Addition of a subject coverage or endorsement to a valid Florida certificate on the basis of the completion of the appropriate subject area testing requirements of *s. 1012.56(5)(a)* ~~s. 1012.56(4)(a)~~ or the completion of the requirements of an approved school district program or the inservice components for an endorsement.

The employing school district shall charge the employee a fee not to exceed the amount charged by the Department of Education for such services. Each district school board shall retain a portion of the fee as defined in the rules of the State Board of Education. The portion sent to the department shall be used for maintenance of the technology system, the web application, and posting and mailing of the certificate.

Section 27. Effective upon this act becoming a law, section 1012.71, Florida Statutes, is amended to read:

(Substantial rewording of section. See s. 1012.71, F.S., for present text.)

1012.71 The Florida Teachers Lead Program.—

(1) For purposes of the Florida Teachers Lead Program, the term "classroom teacher" means a certified teacher employed by a public school district or a public charter school in that district on or before September 1 of each year whose full-time or job-share responsibility is the classroom instruction of students in prekindergarten through grade 12, including full-time media specialists and guidance counselors serving students in prekindergarten through grade 12, who are funded through the Florida Education Finance Program. A "job-share classroom teacher" is one of two teachers whose combined full-time equivalent employment for the same teaching assignment equals one full-time classroom teacher.

(2) The Legislature, in the General Appropriations Act, shall determine funding for the Florida Teachers Lead Program. The funds appropriated are for classroom teachers to purchase, on behalf of the school district or charter school, classroom materials and supplies for the public school students assigned to them and may not be used to purchase equipment. The funds appropriated shall be used to supplement the materials and supplies otherwise available to classroom teachers. From the funds appropriated for the Florida Teachers Lead Program, the Commissioner of Education shall calculate an amount for each school district based upon each school district's proportionate share of the state's total unweighted FTE student enrollment and shall disburse the funds to the school districts by July 15.

(3) From the funds allocated to each school district for the Florida Teachers Lead Program, the district school board shall calculate an identical amount for each classroom teacher, which is that teacher's proportionate share of the total amount allocated to the district. A job-share classroom teacher may receive a prorated share of the amount provided to a full-time classroom teacher. The district school board and each charter school board shall provide each classroom teacher with his or her total proportionate share by September 30 of each year by any means determined appropriate by the district school board or charter school board, including, but not limited to, direct deposit, check, debit card, or purchasing card, notwithstanding any law to the contrary. Expenditures under the program are not subject to state or local competitive bidding requirements. Funds received by a classroom teacher do not affect wages, hours, or terms and conditions of employment and, therefore, are not subject to collective bargaining. Any classroom teacher may decline receipt of or return the funds without explanation or cause. This subsection applies retroactively to July 1, 2007.

(4) Each classroom teacher must sign a statement acknowledging receipt of the funds, keep receipts for no less than 4 years to show that funds expended meet the requirements of this section, and return any unused funds to the district school board at the end of the regular school year. Any unused funds that are returned to the district school board shall be deposited into the school advisory council account of the school at which the classroom teacher returning the funds was employed when that teacher received the funds or shall be deposited into the Florida Teachers Lead Program account of the school district in which a charter school is sponsored, as applicable.

(5) The statement must be signed and dated by each classroom teacher before receipt of the Florida Teachers Lead Program funds and shall include the wording: "I, (name of teacher) , am employed by the County District School Board or by the Charter School as a full-time classroom teacher. I acknowledge that Florida Teachers Lead Program funds are appropriated by the Legislature for the sole purpose of purchasing classroom materials and supplies to be used in the instruction of students assigned to me. In accepting custody of these funds, I agree to keep the receipts for all expenditures for no less than 4 years. I understand that if I do not keep the receipts, it will be my personal responsibility to pay any federal taxes due on these funds. I also agree to return any unexpended funds to the district school board at the end of the regular school year for deposit into the school advisory council account of the school where I was employed at the time I received the funds or for deposit into the Florida Teachers Lead Program account of the school district in which the charter school is sponsored, as applicable."

Section 28. Present paragraphs (b) and (c) of subsection (2) of section 1013.12, Florida Statutes, are redesignated as paragraphs (c) and (d), respectively, and a new paragraph (b) is added to that subsection, to read:

1013.12 Casualty, safety, sanitation, and firesafety standards and inspection of property.—

(2) PERIODIC INSPECTION OF PROPERTY BY DISTRICT SCHOOL BOARDS.—

(b) Each school cafeteria must post in a visible location and on the school website the school's semiannual sanitation certificate and a copy of its most recent sanitation inspection report.

Section 29. Except as otherwise expressly provided in this act and except for this section, which shall take effect upon becoming a law, this act shall take effect July 1, 2008.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to education; amending s. 1000.21, F.S.; providing and revising definitions; amending s. 1001.03, F.S.; requiring the State Board of Education to periodically review and revise state curriculum standards; eliminating provisions requiring that the state board report proposed revisions to the Governor and the Legislature; amending s. 1001.41, F.S.; revising the general powers of district school boards; amending s. 1001.452, F.S.; revising provisions relating to membership of school advisory councils; amending s. 1003.41, F.S.; requiring that the State Board of Education replace the Sunshine State Standards with the Next Generation Sunshine State Standards; providing for application of the Sunshine State Standards pending adoption of the Next Generation Sunshine State Standards; providing requirements concerning the content and organization of the Next Generation Sunshine State Standards; requiring that the Next Generation Sunshine State Standards establish core curricular content in specified areas for certain grades or grade clusters; requiring that the state board establish schedules for the adoption and revision of the Next Generation Sunshine State Standards; requiring that the state board adopt the Next Generation Sunshine State Standards by a specified date; requiring the Commissioner of Education to provide proposed Next Generation Sunshine State Standards or proposed revisions of such standards to the state board; providing requirements concerning the commissioner's development of the proposed standards or revisions; requiring consultation with certain experts; requiring distribution of a proposal developed by the commissioner for review and comment by certain experts; requiring a written evaluation of the proposal developed by the commissioner by a research institution meeting specified criteria; requiring provision of the commissioner's proposed standards and the written evaluation and comments to the Governor, the President of the Senate, and the Speaker of the House of Representatives; authorizing rulemaking by the State Board of Education; amending s. 1003.413, F.S.; requiring policies of each district school board to address an annual review of student education plans; amending s. 1003.428, F.S.; revising courses that are acceptable for high school graduation; conforming a cross-reference; creating s. 1003.4285, F.S.; providing for high school diploma designations; amending ss. 1003.429, 1003.43, and 1003.433,F.S.; conforming cross-references; amending s. 1003.63, F.S.; revising the type of assessment tests reported to the Governor and the Legislature relating to the deregulated public schools pilot program; amending s. 1004.85, F.S.; conforming cross-references; amending s. 1004.91, F.S.; expanding the list of students who are exempt from basic skill mastery for certificate career education programs; amending s. 1004.99, F.S.; providing designations of Florida Ready to Work credentials; amending s. 1007.21, F.S., relating to postsecondary placement tests for high school students; authorizing the common placement test to be administered to high school students and not just second semester sophomores; amending s. 1007.235, F.S.; revising the components for the district interinstitutional articulation agreement to include secondary school and postsecondary institution responsibilities for calculation of grades; amending s. 1008.22, F.S.; revising provisions governing application of testing requirements for high school graduation; providing criteria concerning the testing and scores required for a continuously enrolled student to earn a standard high school diploma; authorizing the commissioner to administer comprehensive end-of-course assessments; providing requirements for comprehensive and end-of-course assessments; authorizing the commissioner to select a nationally developed comprehensive examination for use as an end-of-course assessment; revising the design of the testing program; authorizing the commissioner to collaborate with the American Diploma

Project to develop end-of-course assessments; authorizing the commissioner to discontinue administration of an outdated assessment under certain conditions; requiring the commissioner to establish schedules for the administration of statewide assessments and the reporting of student test results; providing requirements for the testing and reporting schedules; requiring district school boards to prohibit public schools from suspending a program of curricula for the administration of practice tests; authorizing a district school board to permit a school to engage in certain test-preparation activities; revising the applicability of testing standards under certain conditions; revising the requirements contained in the annual report by the department to the Governor and the Legislature; amending s. 1008.30, F.S.; requiring the Department of Education to purchase or develop assessments to evaluate the college readiness of certain students before enrollment in a postsecondary institution; requiring a school district to provide certain students access to appropriate remediation courses; amending s. 1008.31, F.S.; declaring the legislative intent that the K-20 education system comply with the Individuals with Disabilities Education Act; amending s. 1008.34, F.S.; revising the exceptions for a school to receive a school grade; revising the student assessment data used in determining school grades; requiring a school district that fails to assign FCAT scores back to students' schools to forfeit school recognition funds for a specified time; requiring the collaboration between a home school and alternative school to be between the principals of each school in order to promote student success; authorizing the state board to adopt rules; amending s. 1008.341, F.S.; revising provisions for a school improvement rating for an alternative school; authorizing the state board to adopt rules; amending s. 1008.36, F.S.; revising provisions relating to the Florida School Recognition Program; amending s. 1012.56, F.S.; requiring teacher certification exams to be aligned to revised curriculum standards; amending ss. 1012.57 and 1012.586, F.S.; conforming cross-reference; amending s. 1012.71, F.S.; providing definitions; revising requirements for the use of program funds by classroom teachers; providing for the disbursement of funds to school districts; specifying the means for providing a classroom teacher with his or her proportionate share of program funds; providing that funds received are not subject to competitive bidding requirements or collective bargaining; requiring each classroom teacher to sign a statement acknowledging receipt of funds; providing requirements for accounting of expenditures and reimbursement of funds under certain conditions; amending s. 1013.12, F.S.; requiring that a school cafeteria post certain information concerning its sanitation certificate and inspection; providing an effective date.

Senator Gaetz moved the following amendments to **Amendment 1** which were adopted:

Amendment 1A (207736)(with title amendment)—Between line(s) 5 and 6 insert:

Section 1. Paragraph (e) of subsection (7) and subsection (8) of section 11.45, Florida Statutes, are amended to read:

11.45 Definitions; duties; authorities; reports; rules.—

(7) AUDITOR GENERAL REPORTING REQUIREMENTS.—

(e) The Auditor General shall notify the Governor or the Commissioner of Education, as appropriate, and the Legislative Auditing Committee of any audit report reviewed by the Auditor General pursuant to paragraph (b) which contains a statement that a local governmental entity, charter school, *charter technical career center,* or district school board has met one or more of the conditions specified in s. 218.503. If the Auditor General requests a clarification regarding information included in an audit report to determine whether a local governmental entity, charter school, *charter technical career center,* or district school board has met one or more of the conditions specified in s. 218.503, the requested clarification must be provided within 45 days after the date of the request. If the local governmental entity, charter school, *charter technical career center,* or district school board does not comply with the Auditor General's request, the Auditor General shall notify the Legislative Auditing Committee. If, after obtaining the requested clarification, the Auditor General determines that the local governmental entity, charter school, *charter technical career center,* or district school board has met one or more of the conditions specified in s. 218.503, he or she shall notify the Governor or the Commissioner of Education, as appropriate, and the Legislative Auditing Committee.

(8) RULES OF THE AUDITOR GENERAL.—The Auditor General, in consultation with the Board of Accountancy, shall adopt rules for the form and conduct of all financial audits performed by independent certified public accountants pursuant to ss. 215.981, 218.39, 1001.453, 1004.28, and 1004.70. The rules for audits of local governmental entities, charter schools, *charter school technical career centers,* and district school boards must include, but are not limited to, requirements for the reporting of information necessary to carry out the purposes of the Local Governmental Entity, Charter School, *Charter Technical Career Center,* and District School Board Financial Emergencies Act as stated in s. 218.501.

Section 2. Section 218.50, Florida Statutes, is amended to read:

218.50 Short title.—Sections 218.50-218.504 may be cited as the "Local Governmental Entity, Charter School, *Charter Technical Career Center,* and District School Board Financial Emergencies Act."

Section 3. Section 218.501, Florida Statutes, is amended to read:

218.501 Purposes.—The purposes of ss. 218.50-218.504 are:

(1) To promote the fiscal responsibility of local governmental entities, charter schools, *charter technical career centers,* and district school boards.

(2) To assist local governmental entities, charter schools, *charter technical career centers,* and district school boards in providing essential services without interruption and in meeting their financial obligations.

(3) To assist local governmental entities, charter schools, *charter technical career centers,* and district school boards through the improvement of local financial management procedures.

Section 4. Subsections (1), (2), and (4) of section 218.503, Florida Statutes, are amended to read:

218.503 Determination of financial emergency.—

(1) Local governmental entities, charter schools, *charter technical career centers,* and district school boards shall be subject to review and oversight by the Governor, *the* charter school sponsor, *the charter technical career center sponsor,* or the Commissioner of Education, as appropriate, when any one of the following conditions occurs:

(a) Failure within the same fiscal year in which due to pay short-term loans or failure to make bond debt service or other long-term debt payments when due, as a result of a lack of funds.

(b) Failure to pay uncontested claims from creditors within 90 days after the claim is presented, as a result of a lack of funds.

(c) Failure to transfer at the appropriate time, due to lack of funds:

1. Taxes withheld on the income of employees; or

2. Employer and employee contributions for:

a. Federal social security; or

b. Any pension, retirement, or benefit plan of an employee.

(d) Failure for one pay period to pay, due to lack of funds:

1. Wages and salaries owed to employees; or

2. Retirement benefits owed to former employees.

(e) An unreserved or total fund balance or retained earnings deficit, or unrestricted or total net assets deficit, as reported on the balance sheet or statement of net assets on the general purpose or fund financial statements, for which sufficient resources of the local governmental entity, as reported on the balance sheet or statement of net assets on the general purpose or fund financial statements, are not available to cover the deficit. Resources available to cover reported deficits include net assets that are not otherwise restricted by federal, state, or local laws, bond covenants, contractual agreements, or other legal constraints. Fixed or capital assets, the disposal of which would impair the ability of a local governmental entity to carry out its functions, are not considered resources available to cover reported deficits.

(2) A local governmental entity shall notify the Governor and the Legislative Auditing Committee, a charter school shall notify the charter

school sponsor and the Legislative Auditing Committee, *a charter technical career center shall notify the charter technical career center sponsor and the Legislative Auditing Committee,* and a district school board shall notify the Commissioner of Education and the Legislative Auditing Committee, when one or more of the conditions specified in subsection (1) have occurred or will occur if action is not taken to assist the local governmental entity, charter school, *charter school technical career center,* or district school board. In addition, any state agency must, within 30 days after a determination that one or more of the conditions specified in subsection (1) have occurred or will occur if action is not taken to assist the local governmental entity, charter school, *charter school technical career center,* or district school board, notify the Governor, charter school sponsor, *charter school technical career center sponsor,* or the Commissioner of Education, as appropriate, and the Legislative Auditing Committee.

(4)*(a)* Upon notification that one or more of the conditions in subsection (1) exist, the charter school sponsor or the sponsor's designee *and the Commissioner of Education* shall contact the charter school governing body to determine what actions have been taken by the charter school governing body to resolve the condition. The *Commissioner of Education* ~~charter school sponsor~~ has the authority to require and approve a financial recovery plan, to be prepared by the charter school governing body, prescribing actions that will cause the charter school to no longer be subject to this section. ~~The Department of Education shall establish guidelines for developing such plans.~~

(b) Upon notification that one or more of the conditions in subsection (1) exist, the charter technical career center sponsor or the sponsor's designee and the Commissioner of Education shall contact the charter technical career center governing body to determine what actions have been taken by the charter technical career center governing body to resolve the condition. The Commissioner of Education may require and approve a financial recovery plan, to be prepared by the charter technical career center governing body, prescribing actions that will cause the charter technical career center to no longer be subject to this section.

(c) The Commissioner of Education shall determine if the charter school or charter technical career center needs a financial recovery plan to resolve the condition. If the Commissioner of Education determines that a financial recovery plan is needed, the charter school or charter technical career center is considered to be in a state of financial emergency.

The Department of Education, with the involvement of sponsors, charter schools, and charter technical career centers, shall establish guidelines for developing such plans.

Section 5. Section 218.504, Florida Statutes, is amended to read:

218.504 Cessation of state action.—The Governor or the Commissioner of Education, as appropriate, has the authority to terminate all state actions pursuant to ss. 218.50-218.504. Cessation of state action must not occur until the Governor or the Commissioner of Education, as appropriate, has determined that:

(1) The local governmental entity, charter school, *charter technical career center,* or district school board:

(a) Has established and is operating an effective financial accounting and reporting system.

(b) Has resolved the conditions outlined in s. 218.503(1).

(2) None of the conditions outlined in s. 218.503(1) exists.

Section 6. Paragraph (b) of subsection (5), paragraphs (a), (b), and (g) of subsection (6), paragraph (a) of subsection (7), paragraph (d) of subsection (8), paragraphs (g) through (q) of subsection (9), paragraph (a) of subsection (10), and subsections (17), (21), and (23) of section 1002.33, Florida Statutes, are amended, present subsection (24) of that section is redesignated as subsection (26), and a new subsection (24) and subsection (25) are added to that section, to read:

1002.33 Charter schools.—

(5) SPONSOR; DUTIES.—

(b) Sponsor duties.—

1.a. The sponsor shall monitor and review the charter school in its progress toward the goals established in the charter.

b. The sponsor shall monitor the revenues and expenditures of the charter school *and perform the duties provided for in s. 1002.345*.

c. The sponsor may approve a charter for a charter school before the applicant has secured space, equipment, or personnel, if the applicant indicates approval is necessary for it to raise working funds.

d. The sponsor's policies shall not apply to a charter school unless mutually agreed to by both the sponsor and the charter school.

e. The sponsor shall ensure that the charter is innovative and consistent with the state education goals established by s. 1000.03(5).

f. The sponsor shall ensure that the charter school participates in the state's education accountability system. If a charter school falls short of performance measures included in the approved charter, the sponsor shall report such shortcomings to the Department of Education.

g. The sponsor shall not be liable for civil damages under state law for personal injury, property damage, or death resulting from an act or omission of an officer, employee, agent, or governing body of the charter school.

h. The sponsor shall not be liable for civil damages under state law for any employment actions taken by an officer, employee, agent, or governing body of the charter school.

i. The sponsor's duties to monitor the charter school shall not constitute the basis for a private cause of action.

j. The sponsor shall not impose additional reporting requirements on a charter school without providing reasonable and specific justification in writing to the charter school.

2. Immunity for the sponsor of a charter school under subparagraph 1. applies only with respect to acts or omissions not under the sponsor's direct authority as described in this section.

3. Nothing contained in this paragraph shall be considered a waiver of sovereign immunity by a district school board.

4. A community college may work with the school district or school districts in its designated service area to develop charter schools that offer secondary education. These charter schools must include an option for students to receive an associate degree upon high school graduation. District school boards shall cooperate with and assist the community college on the charter application. Community college applications for charter schools are not subject to the time deadlines outlined in subsection (6) and may be approved by the district school board at any time during the year. Community colleges shall not report FTE for any students who receive FTE funding through the Florida Education Finance Program.

(6) APPLICATION PROCESS AND REVIEW.—Charter school applications are subject to the following requirements:

(a) A person or entity wishing to open a charter school shall prepare *and submit* an application *on a model application form prepared by the Department of Education, in conjunction with the Florida Schools of Excellence Commission, which* ~~that~~:

1. Demonstrates how the school will use the guiding principles and meet the statutorily defined purpose of a charter school.

2. Provides a detailed curriculum plan that illustrates how students will be provided services to attain the Sunshine State Standards.

3. Contains goals and objectives for improving student learning and measuring that improvement. These goals and objectives must indicate how much academic improvement students are expected to show each year, how success will be evaluated, and the specific results to be attained through instruction.

4. Describes the reading curriculum and differentiated strategies that will be used for students reading at grade level or higher and a separate curriculum and strategies for students who are reading below grade level. A sponsor shall deny a charter if the school does not propose

a reading curriculum that is consistent with effective teaching strategies that are grounded in scientifically based reading research.

5. Contains an annual financial plan for each year requested by the charter for operation of the school for up to 5 years. This plan must contain anticipated fund balances based on revenue projections, a spending plan based on projected revenues and expenses, and a description of controls that will safeguard finances and projected enrollment trends.

6. Documents that the applicant has participated in the training required in subparagraph (g)2. A sponsor may require an applicant to provide additional information as an addendum to the charter school application as described in this paragraph.

(b) A sponsor shall receive and review all applications for a charter school *using an evaluation instrument developed by the Department of Education. A sponsor may require an applicant to provide additional information as an addendum to this evaluation instrument*. Beginning with the 2007-2008 school year, a sponsor shall receive and consider charter school applications received on or before August 1 of each calendar year for charter schools to be opened at the beginning of the school district's next school year, or to be opened at a time agreed to by the applicant and the sponsor. A sponsor may receive applications later than this date if it chooses. A sponsor may not charge an applicant for a charter any fee for the processing or consideration of an application, and a sponsor may not base its consideration or approval of an application upon the promise of future payment of any kind.

1. In order to facilitate an accurate budget projection process, a sponsor shall be held harmless for FTE students who are not included in the FTE projection due to approval of charter school applications after the FTE projection deadline. In a further effort to facilitate an accurate budget projection, within 15 calendar days after receipt of a charter school application, a sponsor shall report to the Department of Education the name of the applicant entity, the proposed charter school location, and its projected FTE.

2. In order to ensure fiscal responsibility, an application for a charter school shall include a full accounting of expected assets, a projection of expected sources and amounts of income, including income derived from projected student enrollments and from community support, and an expense projection that includes full accounting of the costs of operation, including start-up costs.

3. A sponsor shall by a majority vote approve or deny an application no later than 60 calendar days after the application is received, unless the sponsor and the applicant mutually agree in writing to temporarily postpone the vote to a specific date, at which time the sponsor shall by a majority vote approve or deny the application. If the sponsor fails to act on the application, an applicant may appeal to the State Board of Education as provided in paragraph (c). If an application is denied, the sponsor shall, within 10 calendar days, articulate in writing the specific reasons, based upon good cause, supporting its denial of the charter application and shall provide the letter of denial and supporting documentation to the applicant and to the Department of Education supporting those reasons.

4. For budget projection purposes, the sponsor shall report to the Department of Education the approval or denial of a charter application within 10 calendar days after such approval or denial. In the event of approval, the report to the Department of Education shall include the final projected FTE for the approved charter school.

5. Upon approval of a charter application, the initial startup shall commence with the beginning of the public school calendar for the district in which the charter is granted unless the sponsor allows a waiver of this provision for good cause.

(g)*1.* The Department of Education shall offer or arrange for training and technical assistance to charter school applicants in developing business plans and estimating costs and income. This assistance shall address estimating startup costs, projecting enrollment, and identifying the types and amounts of state and federal financial assistance the charter school will be eligible to receive. The department may provide other technical assistance to an applicant upon written request.

2. A charter school applicant must participate in the training provided by the Department of Education prior to filing an application. However, a sponsor may require the charter school applicant to attend training provided by the sponsor in lieu of the department's training if the sponsor's training standards meet or exceed the standards developed by the Department of Education. The training shall include instruction in accurate financial planning and good business practices. In addition to the applicant, if the applicant is a management company or other nonprofit organization, the charter school principal and the chief financial officer must also participate in the training.

(7) CHARTER.—The major issues involving the operation of a charter school shall be considered in advance and written into the charter. The charter shall be signed by the governing body of the charter school and the sponsor, following a public hearing to ensure community input.

(a) The charter shall address, and criteria for approval of the charter shall be based on:

1. The school's mission, the students to be served, and the ages and grades to be included.

2. The focus of the curriculum, the instructional methods to be used, any distinctive instructional techniques to be employed, and identification and acquisition of appropriate technologies needed to improve educational and administrative performance which include a means for promoting safe, ethical, and appropriate uses of technology which comply with legal and professional standards. The charter shall ensure that reading is a primary focus of the curriculum and that resources are provided to identify and provide specialized instruction for students who are reading below grade level. The curriculum and instructional strategies for reading must be consistent with the Sunshine State Standards and grounded in scientifically based reading research.

3. The current incoming baseline standard of student academic achievement, the outcomes to be achieved, and the method of measurement that will be used. The criteria listed in this subparagraph shall include a detailed description for each of the following:

a. How the baseline student academic achievement levels and prior rates of academic progress will be established.

b. How these baseline rates will be compared to rates of academic progress achieved by these same students while attending the charter school.

c. To the extent possible, how these rates of progress will be evaluated and compared with rates of progress of other closely comparable student populations.

The district school board is required to provide academic student performance data to charter schools for each of their students coming from the district school system, as well as rates of academic progress of comparable student populations in the district school system.

4. The methods used to identify the educational strengths and needs of students and how well educational goals and performance standards are met by students attending the charter school. Included in the methods is a means for the charter school to ensure accountability to its constituents by analyzing student performance data and by evaluating the effectiveness and efficiency of its major educational programs. Students in charter schools shall, at a minimum, participate in the statewide assessment program created under s. 1008.22.

5. In secondary charter schools, a method for determining that a student has satisfied the requirements for graduation in s. 1003.43.

6. A method for resolving conflicts between the governing body of the charter school and the sponsor.

7. The admissions procedures and dismissal procedures, including the school's code of student conduct.

8. The ways by which the school will achieve a racial/ethnic balance reflective of the community it serves or within the racial/ethnic range of other public schools in the same school district.

9. The financial and administrative management of the school, including a reasonable demonstration of the professional experience or competence of those individuals or organizations applying to operate the charter school or those hired or retained to perform such professional services and the description of clearly delineated responsibilities and the policies and practices needed to effectively manage the charter school.

A description of internal audit procedures and establishment of controls to ensure that financial resources are properly managed must be included. Both public sector and private sector professional experience shall be equally valid in such a consideration.

10. The asset and liability projections required in the application which are incorporated into the charter and which shall be compared with information provided in the annual report of the charter school. ~~The charter shall ensure that, if a charter school internal audit or annual financial audit reveals a state of financial emergency as defined in s. 218.503 or deficit financial position, the auditors are required to notify the charter school governing board, the sponsor, and the Department of Education. The internal auditor shall report such findings in the form of an exit interview to the principal or the principal administrator of the charter school and the chair of the governing board within 7 working days after finding the state of financial emergency or deficit position. A final report shall be provided to the entire governing board, the sponsor, and the Department of Education within 14 working days after the exit interview. When a charter school is in a state of financial emergency, the charter school shall file a detailed financial recovery plan with the sponsor. The department, with the involvement of both sponsors and charter schools, shall establish guidelines for developing such plans.~~

11. A description of procedures that identify various risks and provide for a comprehensive approach to reduce the impact of losses; plans to ensure the safety and security of students and staff; plans to identify, minimize, and protect others from violent or disruptive student behavior; and the manner in which the school will be insured, including whether or not the school will be required to have liability insurance, and, if so, the terms and conditions thereof and the amounts of coverage.

12. The term of the charter which shall provide for cancellation of the charter if insufficient progress has been made in attaining the student achievement objectives of the charter and if it is not likely that such objectives can be achieved before expiration of the charter. The initial term of a charter shall be for 4 or 5 years. In order to facilitate access to long-term financial resources for charter school construction, charter schools that are operated by a municipality or other public entity as provided by law are eligible for up to a 15-year charter, subject to approval by the district school board. A charter lab school is eligible for a charter for a term of up to 15 years. In addition, to facilitate access to long-term financial resources for charter school construction, charter schools that are operated by a private, not-for-profit, s. 501(c)(3) status corporation are eligible for up to a 15-year charter, subject to approval by the district school board. Such long-term charters remain subject to annual review and may be terminated during the term of the charter, but only according to the provisions set forth in subsection (8).

13. The facilities to be used and their location.

14. The qualifications to be required of the teachers and the potential strategies used to recruit, hire, train, and retain qualified staff to achieve best value.

15. The governance structure of the school, including the status of the charter school as a public or private employer as required in paragraph (12)(i).

16. A timetable for implementing the charter which addresses the implementation of each element thereof and the date by which the charter shall be awarded in order to meet this timetable.

17. In the case of an existing public school being converted to charter status, alternative arrangements for current students who choose not to attend the charter school and for current teachers who choose not to teach in the charter school after conversion in accordance with the existing collective bargaining agreement or district school board rule in the absence of a collective bargaining agreement. However, alternative arrangements shall not be required for current teachers who choose not to teach in a charter lab school, except as authorized by the employment policies of the state university which grants the charter to the lab school.

18. Full disclosure of the identity of all relatives employed by the charter school who are related to the charter school owner, president, chairperson of the governing board of directors, superintendent, governing board member, principal, assistant principal, or any other person employed by the charter school having equivalent decisionmaking authority. For the purpose of this subparagraph, the term "relative" means father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, or half sister.

(8) CAUSES FOR NONRENEWAL OR TERMINATION OF CHARTER.—

(d) A charter may be terminated immediately if the sponsor determines that good cause has been shown or if the health, safety, or welfare of the students is threatened. *The sponsor's determination is not subject to an informal hearing under paragraph (b) or pursuant to chapter 120.* The sponsor shall notify in writing the charter school's governing body, the charter school principal, and the department if a charter is immediately terminated. The sponsor shall clearly identify the specific issues that resulted in the immediate termination and provide evidence of prior notification of issues resulting in the immediate termination when appropriate. The school district in which the charter school is located shall assume operation of the school under these circumstances. The charter school's governing board may, within 30 days after receiving the sponsor's decision to terminate the charter, appeal the decision pursuant to the procedure established in subsection (6).

(9) CHARTER SCHOOL REQUIREMENTS.—

~~(g) A charter school shall provide for an annual financial audit in accordance with s. 218.39. Financial audits that reveal a state of financial emergency as defined in s. 218.503 and are conducted by a certified public accountant or auditor in accordance with s. 218.39 shall be provided to the governing body of the charter school within 7 working days after finding that a state of financial emergency exists. When a charter school is found to be in a state of financial emergency by a certified public accountant or auditor, the charter school must file a detailed financial recovery plan with the sponsor within 30 days after receipt of the audit.~~

(g)~~(h)~~ In order to provide financial information that is comparable to that reported for other public schools, charter schools are to maintain all financial records which constitute their accounting system:

1. In accordance with the accounts and codes prescribed in the most recent issuance of the publication titled "Financial and Program Cost Accounting and Reporting for Florida Schools"; or

2. At the discretion of the charter school governing board, a charter school may elect to follow generally accepted accounting standards for not-for-profit organizations, but must reformat this information for reporting according to this paragraph.

Charter schools shall provide annual financial report and program cost report information in the state-required formats for inclusion in district reporting in compliance with s. 1011.60(1). Charter schools that are operated by a municipality or are a component unit of a parent nonprofit organization may use the accounting system of the municipality or the parent but must reformat this information for reporting according to this paragraph. *A charter school shall provide monthly financial statements to the sponsor.*

(h)~~(i)~~ The governing board of the charter school shall annually adopt and maintain an operating budget.

(i)~~(j)~~ The governing body of the charter school shall exercise continuing oversight over charter school operations.

(j)~~(k)~~ The governing body of the charter school shall be responsible for:

1. Ensuring that the charter school has retained the services of a certified public accountant or auditor for the annual financial audit, pursuant to *s. 1002.345(2)* ~~paragraph (g)~~, who shall submit the report to the governing body.

2. Reviewing and approving the audit report, including audit findings and recommendations for the financial recovery plan.

3.*a. Performing the duties provided for in s. 1002.345, including monitoring a corrective action plan.*

b. Monitoring a financial recovery plan in order to ensure compliance.

4. Participating in governance training approved by the department that must include government in the sunshine, conflicts of interest, ethics, and financial responsibility.

(k)~~(l)~~ The governing body of the charter school shall report its progress annually to its sponsor, which shall forward the report to the Commissioner of Education at the same time as other annual school accountability reports. The Department of Education shall develop a uniform, online annual accountability report to be completed by charter schools. This report shall be easy to utilize and contain demographic information, student performance data, and financial accountability information. A charter school shall not be required to provide information and data that is duplicative and already in the possession of the department. The Department of Education shall include in its compilation a notation if a school failed to file its report by the deadline established by the department. The report shall include at least the following components:

1. Student achievement performance data, including the information required for the annual school report and the education accountability system governed by ss. 1008.31 and 1008.345. Charter schools are subject to the same accountability requirements as other public schools, including reports of student achievement information that links baseline student data to the school's performance projections identified in the charter. The charter school shall identify reasons for any difference between projected and actual student performance.

2. Financial status of the charter school which must include revenues and expenditures at a level of detail that allows for analysis of the ability to meet financial obligations and timely repayment of debt.

3. Documentation of the facilities in current use and any planned facilities for use by the charter school for instruction of students, administrative functions, or investment purposes.

4. Descriptive information about the charter school's personnel, including salary and benefit levels of charter school employees, the proportion of instructional personnel who hold professional or temporary certificates, and the proportion of instructional personnel teaching in-field or out-of-field.

(l)~~(m)~~ A charter school shall not levy taxes or issue bonds secured by tax revenues.

(m)~~(n)~~ A charter school shall provide instruction for at least the number of days required by law for other public schools, and may provide instruction for additional days.

(n)~~(o)~~ The director and a representative of the governing body of a charter school that has received a school grade of "D" under s. 1008.34(2) shall appear before the sponsor or the sponsor's staff at least once a year to present information concerning each contract component having noted deficiencies. The sponsor shall communicate at the meeting, and in writing to the director, the services provided to the school to help the school address its deficiencies.

(o)~~(p)~~ Upon notification that a charter school receives a school grade of "D" for 2 consecutive years or a school grade of "F" under s. 1008.34(2), the charter school sponsor or the sponsor's staff shall require the director and a representative of the governing body to submit to the sponsor for approval a school improvement plan to raise student achievement and to implement the plan. The sponsor has the authority to approve a school improvement plan that the charter school will implement in the following school year. The sponsor may also consider the State Board of Education's recommended action pursuant to s. 1008.33(1) as part of the school improvement plan. The Department of Education shall offer technical assistance and training to the charter school and its governing body and establish guidelines for developing, submitting, and approving such plans.

1. If the charter school fails to improve its student performance from the year immediately prior to the implementation of the school improvement plan, the sponsor shall place the charter school on probation and shall require the charter school governing body to take one of the following corrective actions:

a. Contract for the educational services of the charter school;

b. Reorganize the school at the end of the school year under a new director or principal who is authorized to hire new staff and implement a plan that addresses the causes of inadequate progress; or

c. Reconstitute the charter school.

2. A charter school that is placed on probation shall continue the corrective actions required under subparagraph 1. until the charter school improves its student performance from the year prior to the implementation of the school improvement plan.

3. Notwithstanding any provision of this paragraph, the sponsor may terminate the charter at any time pursuant to the provisions of subsection (8).

(p)~~(q)~~ The director and a representative of the governing body of a graded charter school that has submitted a school improvement plan or has been placed on probation under paragraph *(o)*~~(p)~~ shall appear before the sponsor or the sponsor's staff at least once a year to present information regarding the corrective strategies that are being implemented by the school pursuant to the school improvement plan. The sponsor shall communicate at the meeting, and in writing to the director, the services provided to the school to help the school address its deficiencies.

(10) ELIGIBLE STUDENTS.—

(a) A charter school shall be open to any student ~~covered in an interdistrict agreement or~~ residing in the school district in which the charter school is located; however, in the case of a charter lab school, the charter lab school shall be open to any student eligible to attend the lab school as provided in s. 1002.32 or who resides in the school district in which the charter lab school is located. Any ~~eligible~~ student shall be allowed interdistrict transfer to attend a charter school when based on good cause. *Good cause shall include, but not be limited to, geographic proximity to a charter school in a neighboring school district.*

(17) FUNDING.—Students enrolled in a charter school, regardless of the sponsorship, shall be funded as if they are in a basic program or a special program, the same as students enrolled in other public schools in the school district. Funding for a charter lab school shall be as provided in s. 1002.32.

(a) Each charter school shall report its student enrollment to the sponsor as required in s. 1011.62, and in accordance with the definitions in s. 1011.61. The sponsor shall include each charter school's enrollment in the district's report of student enrollment. All charter schools submitting student record information required by the Department of Education shall comply with the Department of Education's guidelines for electronic data formats for such data, and all districts shall accept electronic data that complies with the Department of Education's electronic format.

(b) The basis for the agreement for funding students enrolled in a charter school shall be the sum of the school district's operating funds from the Florida Education Finance Program as provided in s. 1011.62 and the General Appropriations Act, including gross state and local funds, discretionary lottery funds, and funds from the school district's current operating discretionary millage levy; divided by total funded weighted full-time equivalent students in the school district; multiplied by the weighted full-time equivalent students for the charter school. Charter schools whose students or programs meet the eligibility criteria in law shall be entitled to their proportionate share of categorical program funds included in the total funds available in the Florida Education Finance Program by the Legislature, including transportation. Total funding for each charter school shall be recalculated during the year to reflect the revised calculations under the Florida Education Finance Program by the state and the actual weighted full-time equivalent students reported by the charter school during the full-time equivalent student survey periods designated by the Commissioner of Education. *Florida Education Finance Program funds for a charter school must be distributed to the charter school by the district school board within 10 days after receipt from the state.*

(c) If the district school board is providing programs or services to students funded by federal funds, any eligible students enrolled in charter schools in the school district shall be provided federal funds for the same level of service provided students in the schools operated by the district school board. Pursuant to provisions of 20 U.S.C. 8061 s. 10306, all charter schools shall receive all federal funding for which the school is otherwise eligible, including Title I funding, not later than 5 months after the charter school first opens and within 5 months after any subsequent expansion of enrollment.

(d) District school boards shall make timely and efficient payment and reimbursement to charter schools, including processing paperwork required to access special state and federal funding for which they may be eligible. The district school board may distribute funds to a charter school for up to 3 months based on the projected full-time equivalent student membership of the charter school. Thereafter, the results of full-time equivalent student membership surveys shall be used in adjusting the amount of funds distributed monthly to the charter school for the remainder of the fiscal year. The payment shall be issued no later than 10 working days after the district school board receives a distribution of state or federal funds. If a warrant for payment is not issued within 10 working days after receipt of funding by the district school board, the school district shall pay to the charter school, in addition to the amount of the scheduled disbursement, interest at a rate of 1 percent per month calculated on a daily basis on the unpaid balance from the expiration of the 10 working days until such time as the warrant is issued.

(21) PUBLIC INFORMATION ON CHARTER SCHOOLS.—

(a) The Department of Education shall provide information to the public, directly and through sponsors, both on how to form and operate a charter school and on how to enroll in charter schools once they are created. This information shall include a standard application format, charter format, *evaluation instrument,* and charter renewal format, which shall include the information specified in subsection (7) and shall be developed by consulting and negotiating with ~~both~~ school districts*, the Florida Schools of Excellence Commission,* and charter schools before implementation. *The charter and charter renewal* ~~These~~ formats shall be used as guidelines by charter school sponsors.

(b)1. The Department of Education shall report student assessment data pursuant to s. 1008.34(3)(b) which is reported to schools that receive a school grade pursuant to s. 1008.34 or student assessment data pursuant to s. 1008.341(3) which is reported to alternative schools that receive a school improvement rating pursuant to s. 1008.341 to each charter school that:

a. Does not receive a school grade pursuant to s. 1008.34 or a school improvement rating pursuant to s. 1008.341; and

b. Serves at least 10 students who are tested on the statewide assessment test pursuant to s. 1008.22.

2. The charter school shall report the information in subparagraph 1. to each parent of a student at the charter school, the parent of a child on a waiting list for the charter school, the district in which the charter school is located, and the governing board of the charter school. This paragraph does not abrogate the provisions of s. 1002.22, relating to student records, and the requirements of 20 U.S.C. s. 1232g, the Family Educational Rights and Privacy Act.

3.a. Pursuant to this paragraph, the Department of Education shall compare the charter school student performance data for each charter school in subparagraph 1. with the student performance data in traditional public schools in the district in which the charter school is located and other charter schools in the state. For alternative charter schools, the department shall compare the student performance data described in this paragraph with all alternative schools in the state. The comparative data shall be provided by the following grade groupings:

(I) Grades 3 through 5;

(II) Grades 6 through 8; and

(III) Grades 9 through 11.

b. Each charter school shall provide the information in this paragraph on its Internet website and also provide notice to the public in a manner that notifies the community at large, as provided by rules of the State Board of Education. The State Board of Education shall adopt rules to administer the notice requirements of this subparagraph pursuant to ss. 120.536(1) and 120.54. The website shall include, through links or actual content, other information related to school performance.

(23) ANALYSIS OF CHARTER SCHOOL PERFORMANCE.—Upon receipt of the annual report required by paragraph *(9)(k)* ~~(9)(l)~~, the Department of Education shall provide to the State Board of Education, the Commissioner of Education, the Governor, the President of the Senate, and the Speaker of the House of Representatives an analysis and comparison of the overall performance of charter school students, to include all students whose scores are counted as part of the statewide assessment program, versus comparable public school students in the district as determined by the statewide assessment program currently administered in the school district, and other assessments administered pursuant to s. 1008.22(3).

(24) RESTRICTION ON EMPLOYMENT OF RELATIVES.—

(a) This subsection applies to charter school personnel in a charter school operated by a private entity. As used in this subsection, the term:

1. "Charter school personnel" means a charter school owner, president, chairperson of the governing board of directors, superintendent, governing board member, principal, assistant principal, or any other person employed by the charter school having equivalent decisionmaking authority and in whom is vested the authority, or to whom the authority has been delegated, to appoint, employ, promote, or advance individuals or to recommend individuals for appointment, employment, promotion, or advancement in connection with employment in a charter school, including the authority as a member of a governing body of a charter school to vote on the appointment, employment, promotion, or advancement of individuals.

2. "Relative" means father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, or half sister.

(b) Charter school personnel may not appoint, employ, promote, or advance, or advocate for appointment, employment, promotion, or advancement, in or to a position in the charter school in which the personnel are serving or over which the personnel exercises jurisdiction or control any individual who is a relative. An individual may not be appointed, employed, promoted, or advanced in or to a position in a charter school if such appointment, employment, promotion, or advancement has been advocated by charter school personnel who serve in or exercise jurisdiction or control over the charter school and who is a relative of the individual or if such appointment, employment, promotion, or advancement is made by the governing board of which a relative of the individual is a member.

(c) The requirements in paragraph (b) may be waived by the Commissioner of Education or his or her designee for good cause.

(d) Mere approval of budgets does not constitute "jurisdiction or control" for the purposes of this subsection. Charter school personnel in schools operated by a municipality or other public entity are subject to the provisions of s. 112.3135.

(25) STANDARDS OF CONDUCT AND FINANCIAL DISCLOSURE.—

(a) A member of a governing board of a charter school, including a charter school operated by a private entity, is subject to the provisions of ss. 112.313(2), (3), (7), and (12) and 112.3143(3).

(b) A member of a governing board of a charter school operated by a municipality or other public entity is subject to the provisions of s. 112.3144, relating to the disclosure of financial interests.

Section 7. Subsection (5), paragraph (a) of subsection (7), paragraph (a) of subsection (11), and subsection (12) of section 1002.335, Florida Statutes, are amended to read:

1002.335 Florida Schools of Excellence Commission.—

(5) CHARTERING AUTHORITY.—

(a) A charter school applicant may submit an application to the commission only if the school district in which the FSE charter school is to be located has not retained exclusive authority to authorize charter schools as provided in paragraph (e). If a district school board has not retained exclusive authority to authorize charter schools as provided in paragraph (e), the district school board and the commission shall have concurrent authority to authorize charter schools and FSE charter schools, respectively, to be located within the geographic boundaries of the school district. The district school board shall monitor and oversee all charter schools authorized by the district school board pursuant to s.

1002.33. The commission shall monitor and oversee all FSE charter schools sponsored by the commission pursuant to subsection (4).

(b) Paragraph (e) may not be construed to eliminate the ability of a district school board to authorize charter schools pursuant to s. 1002.33. A district school board shall retain the authority to reauthorize and to oversee any charter school that it has authorized, except with respect to any charter school that is converted to an FSE charter school under this section.

(c) For fiscal year *2008-2009 and every 4 fiscal years* ~~2007-2008 and for each fiscal year~~ thereafter, a district school board may seek ~~to retain~~ exclusive authority to authorize charter schools within the geographic boundaries of the school district by presenting to the State Board of Education, on or before March 1 of the fiscal year prior to that for which the exclusive authority is to apply, a written resolution adopted by the district school board indicating the intent to *seek* ~~retain~~ exclusive authority to authorize charter schools. ~~A district school board may seek to retain the exclusive authority to authorize charter schools by presenting to the state board the written resolution on or before a date 60 days after establishment of the commission.~~ The written resolution shall be accompanied by a written description addressing the elements described in paragraph (e). The district school board shall provide a complete copy of the resolution, including the description, to each charter school authorized by the district school board on or before the date it submits the resolution to the state board.

(d) A party may challenge the grant of exclusive authority made by the State Board of Education pursuant to paragraph (e) by filing with the state board a notice of challenge within 30 days after the state board grants exclusive authority. The notice shall be accompanied by a specific written description of the basis for the challenge. The challenging party, at the time of filing notice with the state board, shall provide a copy of the notice of challenge to the district school board that has been granted exclusive authority. The state board shall permit the district school board the opportunity to appear and respond in writing to the challenge. The state board shall make a determination upon the challenge within 60 days after receiving the notice of challenge.

(e) The State Board of Education shall grant to a district school board exclusive authority to authorize charter schools within the geographic boundaries of the school district if the state board determines, after adequate notice, in a public hearing, and after receiving input from any charter school authorized by the district school board, that the district school board has provided fair and equitable treatment to its charter schools during the 4 years prior to the district school board's submission of the resolution described in paragraph (c). The state board's review of the resolution shall, at a minimum, include consideration of the following:

1. Compliance with the provisions of s. 1002.33.

2. Compliance with full and accurate accounting practices and charges for central administrative overhead costs.

3. Compliance with requirements allowing a charter school, at its discretion, to purchase certain services or a combination of services at actual cost to the district.

4. The absence of a district school board moratorium regarding charter schools or the absence of any districtwide charter school enrollment limits.

5. Compliance with valid orders of the state board.

6. The provision of assistance to charter schools to meet their facilities needs by including those needs in local bond issues or otherwise providing available land and facilities that are comparable to those provided to other public school students in the same grade levels within the school district.

7. The distribution to charter schools authorized by the district school board of a pro rata share of federal and state grants received by the district school board, except for any grant received for a particular purpose which, by its express terms, is intended to benefit a student population not able to be served by, or a program not able to be offered at, a charter school that did not receive a proportionate share of such grant proceeds.

8. The provision of adequate staff and other resources to serve charter schools authorized by the district school board, which services are provided by the district school board at a cost to the charter schools that does not exceed their actual cost to the district school board.

9. The lack of a policy or practice of imposing individual charter school enrollment limits, except as otherwise provided by law.

10. The provision of an adequate number of educational choice programs to serve students exercising their rights to transfer pursuant to the "No Child Left Behind Act of 2001," Pub. L. No. 107-110, and a history of charter school approval that encourages chartering.

(f) The decision of the State Board of Education *to grant or deny exclusive authority to a district school board* pursuant to paragraph (e) *shall be effective for 4 fiscal years,* shall not be subject to the provisions of chapter 120 and shall be a final action subject to judicial review by the district court of appeal.

(g) For district school boards that have no discernible history of authorizing charter schools, the State Board of Education may not grant exclusive authority unless the district school board demonstrates that no approvable application has come before the district school board.

(h) A grant of exclusive authority by the State Board of Education shall continue so long as a district school board continues to comply with this section ~~and has presented a written resolution to the state board as set forth in paragraph (e)~~.

(i) Notwithstanding any other provision of this section to the contrary, a district school board may permit the establishment of one or more FSE charter schools within the geographic boundaries of the school district by adopting a favorable resolution and submitting the resolution to the State Board of Education. The resolution shall be effective until it is rescinded by resolution of the district school board.

(7) COSPONSOR AGREEMENT.—

(a) Upon approval of a cosponsor, the commission and the cosponsor shall enter into an agreement that defines the cosponsor's rights and obligations and includes the following:

1. An explanation of the personnel, contractual and interagency relationships, and potential revenue sources referenced in the application as required in paragraph (6)(c).

2. Incorporation of the requirements of equal access for all students, including any plans to provide food service or transportation reasonably necessary to provide access to as many students as possible.

3. Incorporation of the requirement to serve low-income, low-performing, gifted, or underserved student populations.

4. An explanation of the academic and financial goals and expected outcomes for the cosponsor's charter schools and the method and plans by which they will be measured and achieved as referenced in the application.

5. The conflict-of-interest policies referenced in the application.

6. An explanation of the disposition of facilities and assets upon termination and dissolution of a charter school approved by the cosponsor.

7.*a.* A provision requiring the cosponsor to annually appear before the commission and provide a report as to the information provided pursuant to *s. 1002.33(9)(k)* ~~s. 1002.33(9)(l)~~ for each of its charter schools.

b. A provision requiring the cosponsor to perform the duties provided for in s. 1002.345.

c. A provision requiring the governing board to perform the duties provided for in s. 1002.345, including monitoring the corrective action plan.

8. A provision requiring that the cosponsor report the student enrollment in each of its sponsored charter schools to the district school board of the county in which the school is located.

9. A provision requiring that the cosponsor work with the commission to provide the necessary reports to the State Board of Education.

10. Any other reasonable terms deemed appropriate by the commission given the unique characteristics of the cosponsor.

(11) APPLICATION OF CHARTER SCHOOL STATUTE.—

(a) The provisions of s. 1002.33(7)-(12), (14), ~~and~~ (16)-(19)*, (21)(b), (24), and (25)* ~~shall~~ apply to the commission and the cosponsors and charter schools approved pursuant to this section.

(12) ACCESS TO INFORMATION.—The commission shall provide maximum access to information to all parents in the state. It shall maintain information systems, including, but not limited to, a user-friendly Internet website, that will provide information and data necessary for parents to make informed decisions*, including a link to the information provided in s. 1002.33(21)(b)3.b*. At a minimum, the commission must provide parents with information on its accountability standards, links to schools of excellence throughout the state, and public education programs available in the state.

Section 8. Subsections (4) and (5), paragraphs (d) and (f) of subsection (6), paragraph (c) of subsection (10), and subsection (13) of section 1002.34, Florida Statutes, are amended to read:

1002.34 Charter technical career centers.—

(4) CHARTER.—A sponsor may designate centers as provided in this section. An application to establish a center may be submitted by a sponsor or another organization that is determined, by rule of the State Board of Education, to be appropriate. However, an independent school is not eligible for status as a center. The charter must be signed by the governing body of the center and the sponsor, and must be approved by the district school board and community college board of trustees in whose geographic region the facility is located. If a charter technical career center is established by the conversion to charter status of a public technical center formerly governed by a district school board, the charter status of that center takes precedence in any question of governance. The governance of the center or of any program within the center remains with its board of directors unless the board agrees to a change in governance or its charter is revoked as provided in subsection (15). Such a conversion charter technical career center is not affected by a change in the governance of public technical centers or of programs within other centers that are or have been governed by district school boards. A charter technical career center, or any program within such a center, that was governed by a district school board and transferred to a community college prior to the effective date of this act is not affected by this provision. An applicant who wishes to establish a center must submit to the district school board or community college board of trustees, or a consortium of one or more of each, an application *on a form developed by the Department of Education which* ~~that~~ includes:

(a) The name of the proposed center.

(b) The proposed structure of the center, including a list of proposed members of the board of directors or a description of the qualifications for and method of their appointment or election.

(c) The workforce development goals of the center, the curriculum to be offered, and the outcomes and the methods of assessing the extent to which the outcomes are met.

(d) The admissions policy and criteria for evaluating the admission of students.

(e) A description of the staff responsibilities and the proposed qualifications of the teaching staff.

(f) A description of the procedures to be implemented to ensure significant involvement of representatives of business and industry in the operation of the center.

(g) A method for determining whether a student has satisfied the requirements for graduation specified in s. 1003.43 and for completion of a postsecondary certificate or degree.

(h) A method for granting secondary and postsecondary diplomas, certificates, and degrees.

(i) A description of and address for the physical facility in which the center will be located.

(j) A method of resolving conflicts between the governing body of the center and the sponsor and between consortium members, if applicable.

(k) A method for reporting student data as required by law and rule.

(l) A statement that the applicant has participated in the training provided by the Department of Education.

(m) The identity of all relatives employed by the charter technical career center who are related to the center owner, president, chairperson of the governing board of directors, superintendent, governing board member, principal, assistant principal, or any other person employed by the center who has equivalent decisionmaking authority. As used in this paragraph, the term "relative" means father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, or half sister.

(m)~~(l)~~ Other information required by the district school board or community college board of trustees.

Students at a center must meet the same testing and academic performance standards as those established by law and rule for students at public schools and public technical centers. The students must also meet any additional assessment indicators that are included within the charter approved by the district school board or community college board of trustees.

(5) APPLICATION.—An application to establish a center must be submitted by February 1 of the year preceding the school year in which the center will begin operation. The sponsor must review the application *using an evaluation instrument developed by the Department of Education* and make a final decision on whether to approve the application and grant the charter by March 1, and may condition the granting of a charter on the center's taking certain actions or maintaining certain conditions. Such actions and conditions must be provided to the applicant in writing. The district school board or community college board of trustees is not required to issue a charter to any person.

(6) SPONSOR.—A district school board or community college board of trustees or a consortium of one or more of each may sponsor a center in the county in which the board has jurisdiction.

(d)*1. The Department of Education shall offer or arrange for training and technical assistance to applicants in developing business plans and estimating costs and income. This assistance shall address estimating startup costs, projecting enrollment, and identifying the types and amounts of state and federal financial assistance the center will be eligible to receive. The training shall include instruction in accurate financial planning and good business practices.*

2. An applicant must participate in the training provided by the Department of Education prior to filing an application. The Department of Education may provide technical assistance to an applicant upon written request.

(f) The sponsor shall monitor and review the center's progress toward charter goals and shall monitor the center's revenues and expenditures. *The sponsor shall perform the duties provided for in s. 1002.345.*

(10) EXEMPTION FROM STATUTES.—

(c) A center must comply with the antidiscrimination provisions of s. 1000.05 *and the provisions of s. 1002.33(24), relating to the employment of relatives*.

(13) BOARD OF DIRECTORS AUTHORITY.—The board of directors of a center may decide matters relating to the operation of the school, including budgeting, curriculum, and operating procedures, subject to the center's charter. *The board of directors is responsible for performing the duties provided for in s. 1002.345, including monitoring the corrective action plan. The board of directors must comply with the provisions of s. 1002.33(25).*

Section 9. Section 1002.345, Florida Statutes, is created to read:

1002.345 Determination of financial weaknesses and financial emergencies for charter schools and charter technical career centers.—This section applies to charter schools operating pursuant to ss. 1002.33 and 1002.335, and to charter technical career centers operating pursuant to s. 1002.34.

(1) FINANCIAL WEAKNESS; REQUIREMENTS.—

(a) A charter school and a charter technical career center shall be subject to an expedited review by the sponsor when any one of the following conditions occurs:

1. An end-of-year financial deficit.

2. A substantial decline in student enrollment without a commensurate reduction in expenses.

3. Insufficient revenues to pay current operating expenses.

4. Insufficient revenues to pay long-term expenses.

5. Disproportionate administrative expenses.

6. Excessive debt.

7. Excessive expenditures.

8. Inadequate fund balances or reserves.

9. Failure to meet financial reporting requirements pursuant to s. 1002.33(9), s. 1002.335(7)(a)7., or s. 1002.34(14).

10. Weak financial controls or other adverse financial conditions identified through an annual audit conducted pursuant to s. 218.39.

11. Negative financial findings cited in reports by the Auditor General or the Office of Program Policy Analysis and Government Accountability.

(b) A sponsor shall notify the governing board within 7 working days when one or more of the conditions specified in paragraph (a) occur.

(c) The governing board and the sponsor shall develop a corrective action plan and file the plan with the Commissioner of Education within 30 working days. If the governing board and the sponsor are unable to agree on a corrective action plan, the Commissioner of Education shall determine the components of the plan. The governing board shall implement the plan.

(d) The governing board shall include the corrective action plan and the status of its implementation in the annual progress report to the sponsor that is required under s. 1002.33(9)(k), s. 1002.335(7)(a)7., or s. 1002.34(14).

(e) If the governing board fails to implement the corrective action plan within 1 year, the State Board of Education shall prescribe any steps necessary for the charter school or the charter technical career center to comply with state requirements.

(f) The chair of the governing board shall annually appear before the State Board of Education and report on the implementation of the State Board of Education's requirements.

(2) FINANCIAL EMERGENCY; DEFICIT FUND BALANCE; DEFICIT NET ASSETS; REQUIREMENTS.—

(a) A charter school and a charter technical career center shall provide for a certified public accountant or auditor to conduct an annual financial audit in accordance with s. 218.39.

(b) The charter shall ensure that, if an annual financial audit of a charter school or charter technical career center reveals one or more of the conditions in s. 218.503(1) have occurred or will occur if action is not taken or if a charter school or charter technical career center has a deficit fund balance or deficit net assets, the auditor must notify the governing board of the charter school or charter technical career center, as appropriate, the sponsor, and the Commissioner of Education.

(c)1. When a financial audit conducted by a certified public accountant in accordance with s. 218.39 reveals that one or more of the conditions in s. 218.503(1) have occurred or will occur if action is not taken or when a deficit fund balance or deficit net assets exist, the auditor shall notify and provide the financial audit to the governing board of the charter school or charter technical career center, as appropriate, the sponsor, and the Commissioner of Education within 7 working days after the finding is made.

2. When the charter school or charter technical career center is found to be in a state of financial emergency pursuant to s. 218.503(4), the charter school or charter technical career center shall file a detailed financial recovery plan as provided for in s. 218.503 with the sponsor within 30 days after being notified by the Commissioner of Education that a financial recovery plan is needed.

(d) The sponsor shall file a copy of the financial recovery plan with the Commissioner of Education.

(e) The governing board shall include the financial recovery plan and the status of its implementation in the annual progress report to the sponsor which is required under s. 1002.33(9)(k), s. 1002.335(7)(a)7., or s. 1002.34(14).

(3) REPORT.—The Commissioner of Education shall annually report to the State Board of Education each charter school and charter technical career center that is subject to a financial recovery plan or a corrective action plan under this section.

(4) RULES.—The State Board of Education shall adopt rules pursuant to ss. 120.536(1) and 120.54 for developing financial recovery and corrective action plans and establishing the criteria for defining each of the conditions in subsection (1).

(5) TECHNICAL ASSISTANCE.—The Department of Education shall provide technical assistance to charter schools, charter technical career centers, governing boards, and sponsors in developing financial recovery and corrective action plans.

(6) FAILURE TO CORRECT DEFICIENCIES.—The sponsor may choose not to renew or may terminate a charter if the charter school or charter technical career center fails to correct the deficiencies noted in the corrective action plan within 1 year or exhibits one or more financial emergency conditions as provided in s. 218.503 for 2 consecutive years. This subsection is not intended to affect a sponsor's authority to terminate or not renew a charter pursuant to s. 1002.33(8).

And the title is amended as follows:

On line(s) 1305, after the first semicolon (;) insert: amending ss. 11.45, 218.50, and 218.501, F.S., relating to audit reports by the Auditor General; conforming provisions related to changes in the entities subject to a state of financial emergency; amending ss. 218.503 and 218.504, F.S.; providing that charter technical career centers are subject to certain requirements in the event of a financial emergency; requiring that the sponsor be notified of certain conditions; providing for the development of a financial recovery plan, which may be approved by the Commissioner of Education; amending s. 1002.33, F.S.; providing for duties of charter school sponsors and governing boards when charter schools and charter technical career centers experience a financial weakness or a financial emergency; specifying forms to be used by charter school applicants and sponsors; requiring applicant training and documentation; deleting the auditing requirements and financial emergency provisions for charter schools; requiring charters schools to disclose the identity of relatives of charter school personnel; providing that the immediate termination of a charter is exempt from requirements for an informal hearing or for a hearing under ch. 120, F.S.; revising provisions relating to eligible students; providing requirements for the distribution of funds for charter schools; providing for the disclosure of the performance of charter schools that are not given a school grade or school improvement rating; revising the requirements for providing information to the public on how to form and operate a charter school; providing reporting requirements; providing restrictions for the employment of relatives by charter school personnel; providing for a waiver by the Commissioner of Education; providing that members of a charter school governing board are subject to certain standards of conduct specified in ss. 112.313 and 112.3143, F.S.; amending s. 1002.335, F.S.; eliminating the requirement for district school boards to annually seek continued exclusivity from the State Board of Education; specifying additional components of cosponsor agreements; amending s. 1002.34, F.S.; providing additional duties for charter technical career centers, applicants, sponsors, and governing

boards; requiring the Department of Education to offer or arrange training and assistance to applicants for a charter technical career center; requiring that an applicant participate in the training; creating s. 1002.345, F.S.; establishing criteria and requirements for charter schools and charter technical career centers that have financial weaknesses or are in a state of financial emergency; establishing requirements for charter schools, charter technical career centers, governing bodies, and sponsors; requiring financial audits of charter schools and charter technical career centers; providing for corrective action and financial recovery plans; providing for duties of auditors, the Commissioner of Education, and the Department of Education; requiring the State Board of Education to adopt rules; providing grounds for termination or nonrenewal of a charter;

Amendment 1B (679444)(with title amendment)—Between line(s) 5 and 6 insert:

Section 1. Subsections (1) and (3), paragraph (b) of subsection (5), paragraphs (d), (i), and (m) of subsection (6), paragraph (e) of subsection (7), paragraph (c) of subsection (8), and subsection (11) of section 220.187, Florida Statutes, are amended, paragraphs (k) through (n) of subsection (9) are redesignated as paragraphs (m) through (p), respectively, new paragraphs (k) and (l) are added to that subsection, and a new subsection (14) is added to that section, to read:

220.187 Credits for contributions to nonprofit scholarship-funding organizations.—

(1) *FINDINGS AND* PURPOSE.—

(a) The Legislature finds that:

1. It has the inherent power to determine subjects of taxation for general or particular public purposes.

2. Expanding educational opportunities and improving the quality of educational services within the state are valid public purposes that the Legislature may promote using its sovereign power to determine subjects of taxation and exemptions from taxation.

3. Ensuring that all parents, regardless of means, may exercise and enjoy their basic right to educate their children as they see fit is a valid public purpose that the Legislature may promote using its sovereign power to determine subjects of taxation and exemptions from taxation.

4. Expanding educational opportunities and the healthy competition they promote are critical to improving the quality of education in the state and to ensuring that all children receive the high-quality education to which they are entitled.

(b) The purpose of this section is to:

1.~~(a)~~ *Enable taxpayers to make* ~~Encourage~~ private, voluntary contributions to nonprofit scholarship-funding organizations *in order to promote the general welfare*.

2. Provide taxpayers who wish to help parents with limited resources exercise their basic right to educate their children as they see fit with a means to do so.

3.~~(b)~~ *Promote the general welfare by expanding* ~~Expand~~ educational opportunities for children of families that have limited financial resources.

4.~~(c)~~ Enable children in this state to achieve a greater level of excellence in their education.

5. Improve the quality of education in this state, both by expanding educational opportunities for children and by creating incentives for schools to achieve excellence.

(3) PROGRAM; SCHOLARSHIP ELIGIBILITY.—The Corporate Income Tax Credit Scholarship Program is established. A student is eligible for a corporate income tax credit scholarship if the student qualifies for free or reduced-price school lunches under the National School Lunch Act and:

(a) Was counted as a full-time equivalent student during the previous state fiscal year for purposes of state per-student funding;

(b) Received a scholarship from an eligible nonprofit scholarship-funding organization or from the State of Florida during the previous school year; ~~or~~

(c) Is eligible to enter kindergarten or first grade*; or*

(d) Is currently placed, or during the previous state fiscal year was placed, in foster care as defined in s. 39.01.

Contingent upon available funds, a student may continue in the scholarship program as long as the student's *household* ~~family~~ income level does not exceed 200 percent of the federal poverty level. *A sibling of a student who is continuing in the program and resides in the same household as the student shall also be eligible as a first-time corporate income tax credit scholarship recipient as long as the student's and sibling's household income level does not exceed 200 percent of the federal poverty level. Household income for purposes of a student who is currently in foster care as defined in s. 39.01 shall consist only of the income that may be considered in determining whether he or she qualifies for free or reduced-price school lunches under the National School Lunch Act.*

(5) AUTHORIZATION TO GRANT SCHOLARSHIP FUNDING TAX CREDITS; LIMITATIONS ON INDIVIDUAL AND TOTAL CREDITS.—

(b) The total amount of tax credits and carryforward of tax credits which may be granted each state fiscal year under this section is*:*

1. Through June 30, 2008, $88 million.

2. Beginning July 1, 2008, and thereafter, $118 million. ~~At least 1 percent of the total statewide amount authorized for the tax credit shall be reserved for taxpayers who meet the definition of a small business provided in s. 288.703(1) at the time of application.~~

(6) OBLIGATIONS OF ELIGIBLE NONPROFIT SCHOLARSHIP-FUNDING ORGANIZATIONS.—An eligible nonprofit scholarship-funding organization:

(d)*1.* Must provide scholarships, from eligible contributions, to eligible students for *the cost of*:

a.~~1.~~ Tuition *and fees* ~~or textbook expenses~~ for~~, or transportation to,~~ an eligible private school~~. At least 75 percent of the scholarship funding must be used to pay tuition expenses~~; or

b.~~2.~~ Transportation ~~expenses~~ to a Florida public school that is located outside the district in which the student resides or to a lab school as defined in s. 1002.32.

2. Beginning in the 2009-2010 state fiscal year, must provide a premium payment to a scholarship student who participates in the statewide assessments pursuant to s. 1008.22 and who attends an eligible private school that has at least 95-percent participation of eligible scholarship students in the statewide assessments. This premium payment shall be applied to transportation costs related to participation in the statewide assessments, statewide assessment preparation costs, and other school fees incurred by a student which are not otherwise covered under this paragraph.

(i) *1. May use up to 3 percent of eligible contributions received during the state fiscal year in which such contributions are collected for administrative expenses if the organization has operated under this section for at least 3 state fiscal years and did not have any negative financial findings in its most recent audit under paragraph (l). Such administrative expenses must be reasonable and necessary for the organization's management and distribution of eligible contributions under this section. No more than one-third of the funds authorized for administrative expenses under this subparagraph may be used for expenses related to the recruitment of contributions from corporate taxpayers.*

2. Must expend for annual or partial-year scholarships an amount equal to or greater than 75 percent of the net eligible contributions remaining after administrative expenses during the state fiscal year in which such contributions are collected. No more than 25 percent of such net eligible contributions may be carried forward to the following state fiscal year. Any amounts carried forward shall be expended for ~~Must obligate, in the same fiscal year in which the contribution was received, 100 percent of the eligible contribution to provide~~ annual or partial-year scholarships~~; however, up to 25 percent of the total contribution may be~~

~~carried forward for expenditure~~ in the following state fiscal year. *Net eligible contributions remaining on June 30 of each year which are in excess of the 25 percent that may be carried forward shall be returned to the State Treasury for deposit in the General Revenue Fund.*

3. ~~A scholarship-funding organization~~ Must, before granting a scholarship for an academic year, document each scholarship student's eligibility for that academic year. A scholarship-funding organization may not grant multiyear scholarships in one approval process. ~~No portion of eligible contributions may be used for administrative expenses. All interest accrued from contributions must be used for scholarships.~~

(m) Must prepare and submit quarterly reports to the Department of Education pursuant to paragraph (9)*(o)*~~(m)~~. In addition, an eligible nonprofit scholarship-funding organization must submit in a timely manner any information requested by the Department of Education relating to the scholarship program.

Any and all information and documentation provided to the Department of Education and the Auditor General relating to the identity of a taxpayer that provides an eligible contribution under this section shall remain confidential at all times in accordance with s. 213.053.

(7) PARENT AND STUDENT RESPONSIBILITIES FOR PROGRAM PARTICIPATION.—

(e) The parent shall ensure that the student participating in the scholarship program takes the norm-referenced assessment offered by the private school. The parent may also choose to have the student participate in the statewide assessments pursuant to s. 1008.22. *Except as provided in subsection (6),* if the parent requests that the student participating in the scholarship program take statewide assessments pursuant to s. 1008.22, the parent is responsible for transporting the student to the assessment site designated by the school district.

(8) PRIVATE SCHOOL ELIGIBILITY AND OBLIGATIONS.—An eligible private school may be sectarian or nonsectarian and must:

(c) Be academically accountable to the parent for meeting the educational needs of the student by:

1. At a minimum, annually providing to the parent a written explanation of the student's progress.

2. Annually administering or making provision for students participating in the scholarship program to take one of the nationally norm-referenced tests identified by the Department of Education. Students with disabilities for whom standardized testing is not appropriate are exempt from this requirement. A participating private school must report a student's scores to the parent and to the independent research organization selected by the Department of Education as described in paragraph (9)(j).

3. Cooperating with the scholarship student whose parent chooses to *have the student* participate in the statewide assessments pursuant to *s. 1008.22* ~~s. 1008.32~~*. Beginning in the 2009-2010 state fiscal year, in order to encourage participation, a scholarship student who participates in the statewide assessments is eligible for a premium payment pursuant to subparagraphs (6)(d)2. and (11)(a)2.*

The inability of a private school to meet the requirements of this subsection shall constitute a basis for the ineligibility of the private school to participate in the scholarship program as determined by the Department of Education.

(9) DEPARTMENT OF EDUCATION OBLIGATIONS.—The Department of Education shall:

(k) Provide participating schools with all preparation and instructional materials to prepare students for the statewide assessments pursuant to s. 1008.22.

(l) Beginning in the 2009-2010 state fiscal year, determine if at least 95 percent of a private school's eligible scholarship students participate in the statewide assessments pursuant to s. 1008.22.

(11) SCHOLARSHIP *AND PREMIUM* AMOUNT AND PAYMENT.—

(a)*1.* The amount of a scholarship provided to any student for any single school year by an eligible nonprofit scholarship-funding organization from eligible contributions shall *be for total costs authorized under subparagraph (6)(d)1.,* not *to* exceed the following annual limits:

a.~~1.~~ *Three thousand nine hundred fifty dollars* ~~Three thousand seven hundred fifty dollars~~ for a scholarship awarded to a student enrolled in an eligible private school *for the 2008-2009 state fiscal year and each fiscal year thereafter*.

b.~~2.~~ Five hundred dollars for a scholarship awarded to a student enrolled in a Florida public school that is located outside the district in which the student resides or in a lab school as defined in s. 1002.32.

2. Beginning in the 2009-2010 state fiscal year, the amount of an annual premium payment by an eligible nonprofit scholarship-funding organization from eligible contributions shall be $200 for costs authorized under subparagraph (6)(d)2. provided to a student who takes the statewide assessments pursuant to s. 1008.22 if at least 95 percent of the private school's eligible scholarship students participate in the statewide assessments.

(b) Payment of the scholarship *and premium* by the eligible nonprofit scholarship-funding organization shall be by individual warrant made payable to the student's parent. If the parent chooses that his or her child attend an eligible private school, the warrant must be delivered by the eligible nonprofit scholarship-funding organization to the private school of the parent's choice, and the parent shall restrictively endorse the warrant to the private school. An eligible nonprofit scholarship-funding organization shall ensure that the parent to whom the warrant is made restrictively endorsed the warrant to the private school for deposit into the account of the private school.

(c) An eligible nonprofit scholarship-funding organization shall obtain verification from the private school of a student's continued attendance at the school *for* ~~prior to~~ each *period covered by a* scholarship payment.

(d) Payment of the scholarship shall be made by the eligible nonprofit scholarship-funding organization no less frequently than on a quarterly basis.

(14) PRESERVATION OF CREDIT.—If any provision or portion of subsection (5) or the application thereof to any person or circumstance is held unconstitutional by any court or is otherwise declared invalid, the unconstitutionality or invalidity shall not affect any credit earned under subsection (5) by any taxpayer with respect to any contribution paid to an eligible nonprofit scholarship-funding organization before the date of a determination of unconstitutionality or invalidity. Such credit shall be allowed at such time and in such a manner as if a determination of unconstitutionality or invalidity had not been made, provided that nothing in this subsection by itself or in combination with any other provision of law shall result in the allowance of any credit to any taxpayer in excess of one dollar of credit for each dollar paid to an eligible nonprofit scholarship-funding organization.

Section 2. *Corporate Income Tax Credit Scholarship Program funding.—*

(1) By December 1, 2008, the Office of Program Policy Analysis and Government Accountability shall submit a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives which:

(a) Reviews the advisability and net state fiscal impact of:

1. Increasing the maximum annual amount of credits for the corporate income tax permitted under s. 220.187, Florida Statutes, for the scholarship program.

2. Authorizing the use of credits for insurance premium taxes under chapter 624, Florida Statutes, as an additional source of funding for the scholarship program under s. 220.187, Florida Statutes.

(b) Provides recommendations, if warranted by the review under paragraph (a):

1. For methodologies to annually or otherwise increase the maximum annual amount of corporate income tax credits for scholarship funding.

2. To implement the use of insurance premium tax credits for scholarship funding.

Such recommendations may only include options that will annually produce a neutral or positive net fiscal impact on state revenue and expenditures.

(2) The Office of Program Policy Analysis and Government Accountability may request that the Revenue Estimating Conference and the Education Estimating Conference established under s. 216.134, Florida Statutes, evaluate its findings and recommendations under this section.

And the title is amended as follows:

On line(s) 1305, after the first semicolon (;) insert: amending s. 220.187, F.S.; providing legislative findings; revising program purposes; providing that specified students who are currently or have been in foster care are eligible for participation in the program; providing that siblings of certain students are eligible for participation in the program; providing income criteria for continuation of scholarships for students in foster care; revising provisions authorizing the total amount of tax credits that may be granted and deleting the reservation of a portion thereof; revising authorized uses of scholarship funds and providing for premium payments to certain students who participate in statewide assessments; revising provisions relating to expenditure of contributions received by a scholarship-funding organization during a state fiscal year; authorizing expenditure of contributions for specified administrative expenses by certain scholarship-funding organizations; providing for the annual return of specified eligible contributions to the State Treasury; removing parent responsibility for providing transportation to certain assessment sites; providing obligations of the Department of Education relating to scholarship student participation in statewide assessments; revising scholarship amounts and providing amount of premium payments; revising requirements relating to verification of student attendance for purposes of scholarship payment; providing for preservation of credits under certain circumstances; requiring the Office of Program Policy Analysis and Government Accountability to submit a report on funding for the scholarship program to the Governor and the Legislature; specifying report requirements; authorizing the Office of Program Policy Analysis and Government Accountability to request the Revenue Estimating Conference and the Education Estimating Conference to evaluate its findings and recommendations;

The vote was:

Yeas—28

Mr. President	Diaz de la Portilla	Oelrich
Alexander	Dockery	Peaden
Atwater	Fasano	Posey
Baker	Gaetz	Saunders
Bennett	Garcia	Siplin
Carlton	Haridopolos	Storms
Constantine	Jones	Webster
Crist	King	Wise
Dawson	Lawson	
Dean	Lynn	

Nays—10

Bullard	Joyner	Ring
Deutch	Margolis	Villalobos
Geller	Rich	Wilson
Hill		

Vote after roll call:

Nay—Justice

Senator Lynn moved the following amendment to **Amendment 1** which was adopted:

Amendment 1C (895154)—Delete line(s) 283 and 284 and insert:

5. One credit in fine or performing arts, ~~which may include~~ speech and debate*, or a practical arts course that incorporates artistic content and techniques of creativity, interpretation, and imagination. Eligible practical arts courses shall be identified through the Course Code Directory*.

Senator Gaetz moved the following amendments to **Amendment 1** which were adopted:

Amendment 1D (873206)(with title amendment)—Delete line(s) 980-1072 and insert:

Section 21. Subsection (3) of section 1008.34, Florida Statutes, is amended, and subsection (8) is added to that section, to read:

1008.34 School grading system; school report cards; district grade.—

(3) DESIGNATION OF SCHOOL GRADES.—

(a) Schools receiving a school grade.—Each school that has students who are tested and included in the school grading system~~, except an alternative school that receives a school improvement rating pursuant to s. 1008.341,~~ shall receive a school grade*, except as follows:*

1. A school shall not receive a school grade if the number of its students tested and included in the school grading system are fewer than the minimum sample size necessary, based on accepted professional practice, for statistical reliability and prevention of the unlawful release of personally identifiable student data under s. 1002.22 or 20 U.S.C. s. 1232g.~~; however,~~

2. An alternative school may choose to receive a school grade under this section *or* ~~in lieu of~~ a school improvement rating *under s. 1008.341*.

3. ~~Additionally,~~ A school that serves any combination of students in kindergarten through grade 3 which does not receive a school grade because its students are not tested and included in the school grading system shall receive the school grade designation of a K-3 feeder pattern school identified by the Department of Education and verified by the school district. A school feeder pattern exists if at least 60 percent of the students in the school serving a combination of students in kindergarten through grade 3 are scheduled to be assigned to the graded school. ~~School grades itemized in subsection (2) shall be based on the following:~~

(b)1.~~(a) Criteria.—~~A school's grade shall be based on a combination of:

a.~~1.~~ Student achievement scores, including achievement scores for students seeking a special diploma.

b.~~2.~~ Student learning gains as measured by annual FCAT assessments in grades 3 through 10; learning gains for students seeking a special diploma, as measured by an alternate assessment tool, shall be included not later than the 2009-2010 school year.

c.~~3.~~ Improvement of the lowest 25th percentile of students in the school in reading, math, or writing on the FCAT, unless these students are exhibiting satisfactory performance.

2. Beginning with the 2009-2010 school year for schools comprised of high school grades 9, 10, 11, and 12, or grades 10, 11, and 12, 50 percent of the school grade shall be based on a combination of the factors listed in sub-subparagraphs 1.a.-c. and the remaining 50 percent on the following factors:

a. The high school graduation rate of the school;

b. As valid data becomes available, the performance and participation of the school's students in College Board Advanced Placement courses; International Baccalaureate courses; dual enrollment courses; Advanced International Certificate of Education courses; and achievement of industry certification, as determined by the Agency for Workforce Innovation under s. 1003.492(2) in a career and professional academy, as described in s. 1003.493;

c. Postsecondary readiness of the school's students as measured by the SAT, ACT, or the common placement test;

d. The high school graduation rate of at-risk students who scored at Level 2 or lower on the 8th grade FCAT Reading and Mathematics examinations;

e. As valid data becomes available, the performance of the school's students on statewide standardized end-of-course assessments approved by the Department of Education; and

f. The growth or decline in the components listed in sub-subparagraphs a. through e. from year to year.

(c)~~(b) Student assessment data.—~~Student assessment data used in determining school grades shall include:

1. The aggregate scores of all eligible students enrolled in the school who have been assessed on the FCAT.

2. The aggregate scores of all eligible students enrolled in the school who have been assessed on the FCAT~~, including Florida Writes,~~ and who have scored at or in the lowest 25th percentile of students in the school in reading, math, or writing, unless these students are exhibiting satisfactory performance.

3. Effective with the 2005-2006 school year, the achievement scores and learning gains of eligible students attending alternative schools that provide dropout prevention and academic intervention services pursuant to s. 1003.53. The term "eligible students" in this subparagraph does not include students attending an alternative school who are subject to district school board policies for expulsion for repeated or serious offenses, who are in dropout retrieval programs serving students who have officially been designated as dropouts, or who are in programs operated or contracted by the Department of Juvenile Justice. The student performance data for eligible students identified in this subparagraph shall be included in the calculation of the home school's grade. *As used in* ~~For purposes of~~ this section and s. 1008.341, *the term* "home school" means the school *to which* the student *would be assigned if the student were not* ~~was attending when~~ assigned to an alternative school. If an alternative school chooses to be graded *under* ~~pursuant to~~ this section, student performance data for eligible students identified in this subparagraph shall not be included in the home school's grade but shall be included only in the calculation of the alternative school's grade. *A school district that fails to assign the FCAT scores of all students back to their home school or to the alternative school that receives a grade shall forfeit school recognition funds for 1 fiscal year.* School districts must require collaboration between the home school and the alternative school in order to promote student success. *This collaboration must include an annual discussion between the principal of the alternative school and the principal of each student's home school concerning the most appropriate school assignment of the student.*

4. Beginning with the 2009-2010 school year for schools comprised of high school grades 9, 10, 11, and 12, or grades 10, 11, and 12, the data listed in subparagraphs 1. through 3. and the following data as the Department of Education determines such data are valid and available:

a. The high school graduation rate of the school as calculated by the Department of Education;

b. The participation rate of all eligible students enrolled in the school and enrolled in College Board Advanced Placement courses; International Baccalaureate courses; dual enrollment courses; Advanced International Certificate of Education courses; and courses or sequence of courses leading to industry certification, as determined by the Agency for Workforce Innovation under s. 1003.492(2) in a career and professional academy, as described in s. 1003.493;

c. The aggregate scores of all eligible students enrolled in the school in College Board Advanced Placement courses, International Baccalaureate courses, and Advanced International Certificate of Education courses;

d. Earning of college credit by all eligible students enrolled in the school in dual enrollment programs under s. 1007.271;

e. Earning of an industry certification, as determined by the Agency for Workforce Innovation under s. 1003.492(2) in a career and professional academy, as described in s. 1003.493;

f. The aggregate scores of all eligible students enrolled in the school in reading, mathematics, and other subjects as measured by the SAT, ACT, and common placement test for postsecondary readiness;

g. The high school graduation rate of all eligible at-risk students enrolled in the school who scored at Level 2 or lower on the 8th grade FCAT Reading and Mathematics examinations;

h. The performance of the school's students on statewide standardized end-of-course assessments approved by the Department of Education; and

i. The growth or decline in the data components listed in sub-subparagraphs a. through h. from year to year.

The State Board of Education shall adopt appropriate criteria for each school grade. The criteria must also give added weight to student achievement in reading. Schools designated with a grade of "C," making satisfactory progress, shall be required to demonstrate that adequate progress has been made by students in the school who are in the lowest 25th percentile in reading, math, or writing on the FCAT, including Florida Writes, unless these students are exhibiting satisfactory performance. *Beginning with the 2009-2010 school year for schools comprised of high school grades 9, 10, 11, and 12, or grades 10, 11, and 12, the criteria for school grades must also give added weight to the graduation rate of all eligible at-risk students, as defined in this paragraph. Beginning in the 2009-2010 school year, in order for a high school to be designated as having a grade of "A," making excellent progress, the school must demonstrate that at-risk students, as defined in this paragraph, in the school are making adequate progress.*

(8) RULES.—The State Board of Education shall adopt rules under ss. 120.536(1) and 120.54 to administer this section.

And the title is amended as follows:

Delete line(s) 1401-1410 and insert: Disabilities Education Act; amending s. 1008.34, F.S.; revising the exceptions for a school to receive a school grade; revising the student assessment data used in determining school grades; requiring a school district that fails to assign FCAT scores back to students' schools to forfeit school recognition funds for a specified time; requiring the collaboration between a home school and alternative school to be between the principals of each school in order to promote student success; providing for a revised high school grading system beginning with the 2009-2010 school year which includes the statewide standardized assessment, graduation rates, performance and participation in certain courses, postsecondary readiness as measured by certain examinations, and the change in these factors from year to year; specifying the data components to be used in determining the revised high school grading system; requiring that the criteria for school grades give added weight to the graduation rate of all eligible at-risk students; authorizing the state board to adopt rules; amending s. 1008.341,

Amendment 1E (594982)(with title amendment)—Between line(s) 1295 and 1296 insert:

Section 29. Section 1002.375, Florida Statutes, is created to read:

1002.375 Alternative credit for high school courses; pilot project.—

(1) The Commissioner of Education shall implement a pilot project in up to three school districts beginning in the 2008-2009 school year which allows school districts to award alternative course credit for students enrolled in nationally or state-recognized industry certification programs, as defined by the Agency for Workforce Innovation in accordance with the criteria described in s. 1003.492(2). The Commissioner of Education shall establish criteria for districts that participate in the pilot program. School districts interested in participating in the program must submit a letter of interest by July 15, 2008, to the Commissioner of Education identifying up to five nationally or state-recognized industry certification programs, as defined by the Agency for Workforce Innovation in accordance with the criteria described in s. 1003.492(2), under which the district would like to award alternative credit for the eligible courses identified in subsection (2). The Commissioner of Education shall select up to three participating school districts by July 30, 2008. The Commissioner of Education shall submit a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives identifying the number of students choosing to earn alternative credit, the number of students that received alternative credit, and legislative recommendations for expanding the use of alternative credit for core academic courses required for high school graduation. The report shall be submitted by January 1, 2010.

(2) For purposes of designing and implementing a successful pilot project, eligible alternative credit courses include Algebra 1a, Algebra 1b, Algebra 1, Geometry, and Biology. Alternative credits shall be awarded for courses in which a student is not enrolled, but for which the student may earn academic credit by enrolling in another course or sequence of courses required to earn a nationally or state-recognized industry certificate, as defined by the Agency for Workforce Innovation in accordance

with the criteria described in s. 1003.492(2), of which the majority of the standards-based content in the course description is consistent with the alternative credit course description approved by the Department of Education.

(3) An alternative credit course is not subject to:

(a) The definition of credit under s. 1003.436;

(b) The time requirements of s. 1011.60(2); or

(c) The net hours of instruction requirements for purposes of determining full-time equivalency pursuant to s. 1011.61(1)(a)1. under the Florida Education Finance Program.

(4) The Department of Education may approve a course as an alternative credit course pursuant to this section. In order to earn credit, each participating student must pass an end-of-course assessment that measures proficiency in the Sunshine State Standards addressed by the course. The Department of Education shall approve each end-of-course assessment and the minimum passing score for each assessment. Approved assessments shall be limited to assessments for Algebra 1a, Algebra 1b, Algebra 1, Geometry, and Biology developed by the Florida Virtual School, or end-of-course statewide standardized assessments for these courses which may be adopted or developed by the department. The department shall approve the method of administering end-of-course assessments for alternative credit courses in each participating school district in order to ensure the validity of the assessment results.

(5) School districts shall report all enrollments and credits awarded for alternative education courses pursuant to this section under procedures prescribed by the Department of Education.

(6) The Department of Education shall maintain a list of approved assessments and minimum passing scores for each approved course. The approved list must be incorporated into the Course Code Directory. The department shall prescribe the information a district must provide in order to have a course considered for inclusion in the directory listing for the approved courses used in the pilot program. A properly completed request by a district to have a course included in the directory must be approved or denied by the department within 30 days after receipt. When a request is denied, the department must provide the district with its reason for denial in writing within 10 days after the denial.

(7) The State Board of Education shall adopt rules pursuant to ss. 120.536(1) and 120.54 to implement the pilot program created in this section.

Section 30. Paragraph (c) of subsection (1) of section 1011.61, Florida Statutes, is amended to read:

1011.61 Definitions.—Notwithstanding the provisions of s. 1000.21, the following terms are defined as follows for the purposes of the Florida Education Finance Program:

(1) A "full-time equivalent student" in each program of the district is defined in terms of full-time students and part-time students as follows:

(c)1. A "full-time equivalent student" is:

a. A full-time student in any one of the programs listed in s. 1011.62(1)(c); or

b. A combination of full-time or part-time students in any one of the programs listed in s. 1011.62(1)(c) which is the equivalent of one full-time student based on the following calculations:

(I) A full-time student, except a postsecondary or adult student or a senior high school student enrolled in adult education when such courses are required for high school graduation, in a combination of programs listed in s. 1011.62(1)(c) shall be a fraction of a full-time equivalent membership in each special program equal to the number of net hours per school year for which he or she is a member, divided by the appropriate number of hours set forth in subparagraph (a)1. or subparagraph (a)2. The difference between that fraction or sum of fractions and the maximum value as set forth in subsection (4) for each full-time student is presumed to be the balance of the student's time not spent in such special education programs and shall be recorded as time in the appropriate basic program.

(II) A prekindergarten handicapped student shall meet the requirements specified for kindergarten students.

(III) A Florida Virtual School full-time equivalent student shall consist of six full credit completions in the programs listed in s. 1011.62(1)(c)1. and 4. Credit completions can be a combination of either full credits or half credits.

(IV) Each successfully completed credit earned under the alternative high school course credit requirements authorized in s. 1002.375, which is not reported as a portion of the 900 net hours of instruction pursuant to subparagraph (1)(a)1., shall be calculated as 1/6 FTE.

2. A student in membership in a program scheduled for more or less than 180 school days is a fraction of a full-time equivalent membership equal to the number of instructional hours in membership divided by the appropriate number of hours set forth in subparagraph (a)1.; however, for the purposes of this subparagraph, membership in programs scheduled for more than 180 days is limited to students enrolled in juvenile justice education programs and the Florida Virtual School.

The department shall determine and implement an equitable method of equivalent funding for experimental schools and for schools operating under emergency conditions, which schools have been approved by the department to operate for less than the minimum school day.

And the title is amended as follows:

On line(s) 1431, after the semicolon (;) insert: creating s. 1002.375, F.S.; establishing a pilot project for awarding high school credit to students enrolled in industry certification programs; requiring the Commissioner of Education to establish criteria for program participation; requiring that a school district submit a letter of interest by a specified date in order to participate in the pilot project; requiring that the Commissioner of Education submit a report to the Governor and the Legislature; providing for specified courses to be included as alternative credit courses; exempting alternative credit courses from certain requirements; authorizing the Department of Education to approve certain courses for credit by examination; requiring the Department of Education to adopt passing minimum scores on approved assessments and maintain a course directory; requiring the State Board of Education to adopt rules; amending s. 1011.61, F.S., relating to definitions for the Florida Education Finance Program; providing for an alternate method of reporting full-time equivalent membership for credit earned in alternative high school credit courses for the pilot project created under s. 1002.375, F.S.;

Senator Gaetz moved the following amendment to **Amendment 1**:

Amendment 1F (652466)(with title amendment)—Between line(s) 1295 and 1296 insert:

Section 29. Paragraphs (c) and (d) of subsection (5) of section 24.121, Florida Statutes, are amended to read:

24.121 Allocation of revenues and expenditure of funds for public education.—

(5)

(c) A portion of such net revenues, as determined annually by the Legislature, shall be distributed to each school district and shall be made available to each public school in the district for enhancing school performance through development and implementation of a school improvement plan pursuant to *s. 1001.42(18)* ~~s. 1001.42(16)~~. A portion of these moneys, as determined annually in the General Appropriations Act, must be allocated to each school in an equal amount for each student enrolled. These moneys may be expended only on programs or projects selected by the school advisory council or by a parent advisory committee created pursuant to this paragraph. If a school does not have a school advisory council, the district advisory council must appoint a parent advisory committee composed of parents of students enrolled in that school, which ~~committee~~ is representative of the ethnic, racial, and economic community served by the school, to advise the school's principal on the programs or projects to be funded. Neither school district staff nor principals may override the recommendations of the school advisory council or the parent advisory committee. These moneys may not be used for capital improvements *or*~~, nor may they be used~~ for any project or program that has a duration of more than 1 year; however, a school

advisory council or parent advisory committee may independently determine that a program or project formerly funded under this paragraph should receive funds in a subsequent year.

(d) No funds shall be released for any purpose from the Educational Enhancement Trust Fund to any school district in which one or more schools do not have an approved school improvement plan pursuant to *s. 1001.42(18)* ~~s. 1001.42(16)~~ or do not comply with school advisory council membership composition requirements pursuant to s. 1001.452(1). The Commissioner of Education shall withhold disbursements from the trust fund to any school district that fails to adopt the performance-based salary schedule required by s. 1012.22(1).

Section 30. Paragraph (e) of subsection (2) of section 112.3173, Florida Statutes, is amended to read:

112.3173 Felonies involving breach of public trust and other specified offenses by public officers and employees; forfeiture of retirement benefits.—

(2) DEFINITIONS.—As used in this section, unless the context otherwise requires, the term:

(e) "Specified offense" means:

1. The committing, aiding, or abetting of an embezzlement of public funds;

2. The committing, aiding, or abetting of any theft by a public officer or employee from his or her employer;

3. Bribery in connection with the employment of a public officer or employee;

4. Any felony specified in chapter 838, except ss. 838.15 and 838.16;

5. The committing of an impeachable offense; ~~or~~

6. The committing of any felony by a public officer or employee who, willfully and with intent to defraud the public or the public agency for which the public officer or employee acts or in which he or she is employed of the right to receive the faithful performance of his or her duty as a public officer or employee, realizes or obtains, or attempts to realize or obtain, a profit, gain, or advantage for himself or herself or for some other person through the use or attempted use of the power, rights, privileges, duties, or position of his or her public office or employment position*; or*~~.~~

7. The committing on or after October 1, 2008, of any felony defined in s. 800.04 against a victim younger than 16 years of age, or any felony defined in chapter 794 against a victim younger than 18 years of age, by a public officer or employee through the use or attempted use of power, rights, privileges, duties, or position of his or her public office or employment position.

Section 31. Paragraph (i) of subsection (5) of section 121.091, Florida Statutes, is redesignated as paragraph (j), present paragraph (j) is redesignated as paragraph (k) and amended, and a new paragraph (i) is added to that subsection, to read:

121.091 Benefits payable under the system.—Benefits may not be paid under this section unless the member has terminated employment as provided in s. 121.021(39)(a) or begun participation in the Deferred Retirement Option Program as provided in subsection (13), and a proper application has been filed in the manner prescribed by the department. The department may cancel an application for retirement benefits when the member or beneficiary fails to timely provide the information and documents required by this chapter and the department's rules. The department shall adopt rules establishing procedures for application for retirement benefits and for the cancellation of such application when the required information or documents are not received.

(5) TERMINATION BENEFITS.—A member whose employment is terminated prior to retirement retains membership rights to previously earned member-noncontributory service credit, and to member-contributory service credit, if the member leaves the member contributions on deposit in his or her retirement account. If a terminated member receives a refund of member contributions, such member may reinstate membership rights to the previously earned service credit represented by the refund by completing 1 year of creditable service and repaying the refunded member contributions, plus interest.

(i) The division may not pay benefits to any member convicted of a felony committed on or after October 1, 2008, defined in s. 800.04 against a victim younger than 16 years of age, or defined in chapter 794 against a victim younger than 18 years of age, through the use or attempted use of power, rights, privileges, duties, or position of the member's public office or employment position. However, the division shall return the member's accumulated contributions, if any, that the member accumulated as of the date of conviction.

(k)~~(j)~~ Benefits shall not be paid by the division pending final resolution of such charges against a member or beneficiary if the resolution of such charges could require the forfeiture of benefits as provided in paragraph (f), paragraph (g), paragraph (h), ~~or~~ paragraph (i)*, or paragraph (j)*.

Section 32. Section 794.09, Florida Statutes, is created to read:

794.09 Forfeiture of retirement benefits.—The retirement benefits of a person convicted of a felony committed on or after October 1, 2008, under this chapter are subject to forfeiture in accordance with s. 112.3173 or s. 121.091 if the person is a public officer or employee when the offense occurs; the person commits the offense through the use or attempted use of power, rights, privileges, duties, or position of the person's public office or employment position; and the victim is younger than 18 years of age when the offense occurs.

Section 33. Section 800.05, Florida Statutes, is created to:

800.05 Forfeiture of retirement benefits for a felony defined in s. 800.04.—The retirement benefits of a person convicted of a felony committed on or after October 1, 2008, defined in s. 800.04 are subject to forfeiture in accordance with s. 112.3173 or s. 121.091 if the person is a public officer or employee when the offense occurs; the person commits the offense through the use or attempted use of power, rights, privileges, duties, or position of the person's public office or employment position; and the victim is younger than 16 years of age when the offense occurs.

Section 34. Subsection (4) of section 1001.10, Florida Statutes, is renumbered as subsection (6) and new subsections (4) and (5) are added to that section to read:

1001.10 Commissioner of Education; general powers and duties.—

(4) The Department of Education shall provide technical assistance to school districts, charter schools, the Florida School for the Deaf and the Blind, and private schools that accept scholarship students under s. 220.187 or s. 1002.39 in the development of policies, procedures, and training related to employment practices and standards of ethical conduct for instructional personnel and school administrators, as defined in s. 1012.01.

(5) The Department of Education shall provide authorized staff of school districts, charter schools, the Florida School for the Deaf and the Blind, and private schools that accept scholarship students under s. 220.187 or s. 1002.39 with access to electronic verification of information from the following employment screening tools:

(a) The Professional Practices' Database of Disciplinary Actions Against Educators; and

(b) The Department of Education's Teacher Certification Database.

This subsection does not require the department to provide these staff with unlimited access to the databases. However, the department shall provide the staff with access to the data necessary for performing employment history checks of the instructional personnel and school administrators included in the databases.

Section 35. Subsection (4) of section 1001.32, Florida Statutes, is amended to read:

1001.32 Management, control, operation, administration, and supervision.—The district school system must be managed, controlled, operated, administered, and supervised as follows:

(4) SCHOOL PRINCIPAL OR HEAD OF SCHOOL.—Responsibility for the administration of any school or schools at a given school center,

for the supervision of instruction therein, and for providing leadership in the development or revision and implementation of a school improvement plan required *by s. 1001.42(18)* ~~pursuant to s. 1001.42(16)~~ shall be delegated to the school principal or head of the school or schools in accordance with rules established by the district school board.

Section 36. Subsections (6) through (23) of section 1001.42, Florida Statutes, are renumbered as subsections (8) through (25), respectively, and new subsections (6) and (7) are added to that section to read:

1001.42 Powers and duties of district school board.—The district school board, acting as a board, shall exercise all powers and perform all duties listed below:

(6) STANDARDS OF ETHICAL CONDUCT FOR INSTRUCTIONAL PERSONNEL AND SCHOOL ADMINISTRATORS.—Adopt policies establishing standards of ethical conduct for instructional personnel and school administrators. The policies must require all instructional personnel and school administrators, as defined in s. 1012.01, to complete training on the standards; establish the duty of instructional personnel and school administrators to report, and procedures for reporting, alleged misconduct by other instructional personnel and school administrators which affects the health, safety, or welfare of a student; and include an explanation of the liability protections provided under ss. 39.203 and 768.095. A district school board, or any of its employees, may not enter into a confidentiality agreement regarding terminated or dismissed instructional personnel or school administrators, or personnel or administrators who resign in lieu of termination, based in whole or in part on misconduct that affects the health, safety, or welfare of a student, and may not provide instructional personnel or school administrators with employment references, or discuss the personnel's or administrators' performance with prospective employers in another educational setting, without disclosing the personnel's or administrators' misconduct. Any part of an agreement or contract that has the purpose or effect of concealing misconduct by instructional personnel or school administrators which affects the health, safety, or welfare of a student is void, is contrary to public policy, and may not be enforced.

(7) DISQUALIFICATION FROM EMPLOYMENT.—Disqualify instructional personnel and school administrators, as defined in s. 1012.01, from employment in any position that requires direct contact with students, if the personnel or administrators are ineligible for such employment under s. 1012.315. An elected or appointed school board official forfeits his or her salary for 1 year, if:

(a) The school board official knowingly signs and transmits to any state official a report of alleged misconduct by instructional personnel or school administrators which affects the health, safety, or welfare of a student, and the school board official knows the report to be false or incorrect; or

(b) The school board official knowingly fails to adopt policies that require instructional personnel and school administrators to report alleged misconduct by other instructional personnel and school administrators, or that require the investigation of all reports of alleged misconduct by instructional personnel and school administrators, if the misconduct affects the health, safety, or welfare of a student.

Section 37. Paragraphs (a) and (c) of subsection (1) and subsection (2) of section 1001.452, Florida Statutes, are amended to read:

1001.452 District and school advisory councils.—

(1) ESTABLISHMENT.—

(a) The district school board shall establish an advisory council for each school in the district and shall develop procedures for the election and appointment of advisory council members. Each school advisory council shall include in its name the words "school advisory council." The school advisory council shall be the sole body responsible for final decisionmaking at the school relating to implementation of *ss. 1001.42(18)* ~~the provisions of ss. 1001.42(16)~~ and 1008.345. A majority of the members of each school advisory council must be persons who are not employed by the school. Each advisory council shall be composed of the principal and an appropriately balanced number of teachers, education support employees, students, parents, and other business and community citizens who are representative of the ethnic, racial, and economic community served by the school. Career center and high school advisory councils shall include students, and middle and junior high school advisory councils may include students. School advisory councils of career centers and adult education centers are not required to include parents as members. Council members representing teachers, education support employees, students, and parents shall be elected by their respective peer groups at the school in a fair and equitable manner as follows:

1. Teachers shall be elected by teachers.

2. Education support employees shall be elected by education support employees.

3. Students shall be elected by students.

4. Parents shall be elected by parents.

The district school board shall establish procedures *to be used* ~~for use~~ by schools in selecting business and community members that include means of ensuring wide notice of vacancies and of taking input on possible members from local business, chambers of commerce, community and civic organizations and groups, and the public at large. The district school board shall review the membership composition of each advisory council. If the district school board determines that the membership elected by the school is not representative of the ethnic, racial, and economic community served by the school, the district school board shall appoint additional members to achieve proper representation. The commissioner shall determine if schools have maximized their efforts to include on their advisory councils minority persons and persons of lower socioeconomic status. Although schools are strongly encouraged to establish school advisory councils, the district school board of any school district that has a student population of 10,000 or fewer may establish a district advisory council which *includes* ~~shall include~~ at least one duly elected teacher from each school in the district. For the purposes of school advisory councils and district advisory councils, the term "teacher" *includes* ~~shall include~~ classroom teachers, certified student services personnel, and media specialists. For purposes of this paragraph, "education support employee" means any person employed by a school who is not defined as instructional or administrative personnel pursuant to s. 1012.01 and whose duties require 20 or more hours in each normal working week.

(c) For those schools operating for the purpose of providing educational services to youth in Department of Juvenile Justice programs, district school boards may establish a district advisory council with appropriate representatives for the purpose of developing and monitoring a district school improvement plan that encompasses all such schools in the district, pursuant to *s. 1001.42(18)(a)* ~~s. 1001.42(16)(a)~~.

(2) DUTIES.—Each advisory council shall perform ~~such~~ functions ~~as are~~ prescribed by regulations of the district school board; however, no advisory council shall have any of the powers and duties now reserved by law to the district school board. Each school advisory council shall assist in the preparation and evaluation of the school improvement plan required pursuant to *s. 1001.42(18)* ~~s. 1001.42(16)~~. With technical assistance from the Department of Education, each school advisory council shall assist in the preparation of the school's annual budget and plan as required by s. 1008.385(1). A portion of funds provided in the annual General Appropriations Act for use by school advisory councils must be used for implementing the school improvement plan.

Section 38. Subsection (12) of section 1001.51, Florida Statutes, is amended to read:

1001.51 Duties and responsibilities of district school superintendent.—The district school superintendent shall exercise all powers and perform all duties listed below and elsewhere in the law, provided that, in so doing, he or she shall advise and counsel with the district school board. The district school superintendent shall perform all tasks necessary to make sound recommendations, nominations, proposals, and reports required by law to be acted upon by the district school board. All such recommendations, nominations, proposals, and reports by the district school superintendent shall be either recorded in the minutes or shall be made in writing, noted in the minutes, and filed in the public records of the district school board. It shall be presumed that, in the absence of the record required in this section, the recommendations, nominations, and proposals required of the district school superintendent were not contrary to the action taken by the district school board in such matters.

(12) RECORDS AND REPORTS.—Recommend such records as should be kept in addition to those prescribed by rules of the State Board of Education; prepare forms for keeping such records as are approved by the district school board; ensure that such records are properly kept; and make all reports that are needed or required, as follows:

(a) Forms, blanks, and reports.—Require that all employees accurately keep all records and promptly make in proper form all reports required by the education code or by rules of the State Board of Education; recommend the keeping of such additional records and the making of such additional reports as may be deemed necessary to provide data essential for the operation of the school system; and prepare such forms and blanks as may be required and ensure that these records and reports are properly prepared.

(b) Reports to the department.—Prepare, for the approval of the district school board, all reports ~~that may be~~ required by law or rules of the State Board of Education to be made to the department and transmit promptly all such reports, when approved, to the department, as required by law. If any ~~such~~ reports are not transmitted at the time and in the manner prescribed by law or by State Board of Education rules, the salary of the district school superintendent must be withheld until the report has been properly submitted. Unless otherwise provided by rules of the State Board of Education, the annual report on attendance and personnel is due on or before July 1, and the annual school budget and the report on finance are due on the date prescribed by the commissioner.

Any district school superintendent who knowingly signs and transmits to any state official a ~~false or incorrect~~ report *that the superintendent knows to be false or incorrect; who knowingly fails to investigate any allegation of misconduct by instructional personnel or school administrators, as defined in s. 1012.01, which affects the health, safety, or welfare of a student; or who knowingly fails to report the alleged misconduct to the department as required in s. 1012.796, forfeits* ~~shall forfeit~~ his or her ~~right to any~~ salary for ~~the period of~~ 1 year *following the* ~~from that~~ date *of such act or failure to act*.

Section 39. Subsection (2) of section 1001.54, Florida Statutes, is amended to read:

1001.54 Duties of school principals.—

(2) Each school principal shall provide instructional leadership in the development, revision, and implementation of a school improvement plan pursuant to *s. 1001.42(18)* ~~s. 1001.42(16)~~.

Section 40. Paragraph (b) of subsection (11) of section 1002.32, Florida Statutes, is amended to read:

1002.32 Developmental research (laboratory) schools.—

(11) EXCEPTIONS TO LAW.—To encourage innovative practices and facilitate the mission of the lab schools, in addition to the exceptions to law specified in s. 1001.23(2), the following exceptions shall be permitted for lab schools:

(b) With the exception of *s. 1001.42(18)* ~~s. 1001.42(16)~~, s. 1001.42 shall be held in abeyance. Reference to district school boards in *s. 1001.42(18)* ~~s. 1001.42(16)~~ shall mean the president of the university or the president's designee.

Section 41. Paragraph (g) of subsection (12) of section 1002.33, Florida Statutes, is amended to read:

1002.33 Charter schools.—

(12) EMPLOYEES OF CHARTER SCHOOLS.—

(g)*1.* A charter school shall employ or contract with employees who have undergone background screening as provided in s. 1012.32. Members of the governing board of the charter school shall also undergo background screening in a manner similar to that provided in s. 1012.32.

2. A charter school shall disqualify instructional personnel and school administrators, as defined in s. 1012.01, from employment in any position that requires direct contact with students, if the personnel or administrators are ineligible for such employment under s. 1012.315.

3. The governing board of a charter school shall adopt policies establishing standards of ethical conduct for instructional personnel and school administrators. The policies must require all instructional personnel and school administrators, as defined in s. 1012.01, to complete training on the standards; establish the duty of instructional personnel and school administrators to report, and procedures for reporting, alleged misconduct by other instructional personnel and school administrators which affects the health, safety, or welfare of a student; and include an explanation of the liability protections provided under ss. 39.203 and 768.095. A charter school, or any of its employees, may not enter into a confidentiality agreement regarding terminated or dismissed instructional personnel or school administrators, or personnel or administrators who resign in lieu of termination, based in whole or in part on misconduct that affects the health, safety, or welfare of a student, and may not provide instructional personnel or school administrators with employment references, or discuss the personnel's or administrators' performance with prospective employers in another educational setting, without disclosing the personnel's or administrators' misconduct. Any part of an agreement or contract that has the purpose or effect of concealing misconduct by instructional personnel or school administrators which affects the health, safety, or welfare of a student is void, is contrary to public policy, and may not be enforced.

4. Before employing instructional personnel or school administrators in any position that requires direct contact with students, a charter school shall conduct employment history checks of each of the personnel's or administrators' previous employer, screen the instructional personnel or school administrators through use of the educator screening tools described in s. 1001.10(5), and document the findings. If unable to contact a previous employer, the charter school must document efforts to contact the employer.

5. The sponsor of a charter school that fails to comply with this paragraph shall terminate the charter under subsection (8).

Section 42. Paragraph (g) is added to subsection (7) of section 1002.36, Florida Statutes, to read:

1002.36 Florida School for the Deaf and the Blind.—

(7) PERSONNEL SCREENING.—

(g) For purposes of protecting the health, safety, or welfare of students, the Florida School for the Deaf and the Blind is considered a school district and must, except as otherwise provided in this section, comply with ss. 1001.03, 1001.42, 1001.51, 1006.061, 1012.27, 1012.315, 1012.32, 1012.33, 1012.56, 1012.795, and 1012.796.

Section 43. Subsections (4), (5), and (6) of section 1002.421, Florida Statutes, are renumbered as subsections (5), (6), and (7), respectively, and a new subsection (4) is added to that section to read:

1002.421 Accountability of private schools participating in state school choice scholarship programs.—

(4) A private school that accepts scholarship students under s. 220.187 or s. 1002.39 must:

(a) Disqualify instructional personnel and school administrators, as defined in s. 1012.01, from employment in any position that requires direct contact with students, if the personnel or administrators are ineligible for such employment under s. 1012.315.

(b) Adopt policies establishing standards of ethical conduct for instructional personnel and school administrators. The policies must require all instructional personnel and school administrators, as defined in s. 1012.01, to complete training on the standards; establish the duty of instructional personnel and school administrators to report, and procedures for reporting, alleged misconduct by other instructional personnel and school administrations which affects the health, safety, or welfare of a student; and include an explanation of the liability protections provided under ss. 39.203 and 768.095. A private school, or any of its employees, may not enter into a confidentiality agreement regarding terminated or dismissed instructional personnel or school administrators, or personnel or administrators who resign in lieu of termination, based in whole or in part on misconduct that affects the health, safety, or welfare of a student, and may not provide the instructional personnel or school administrators with employment references, or discuss the personnel's or

administrators' performance with prospective employers in another educational setting, without disclosing the personnel's or administrators' misconduct. Any part of an agreement or contract that has the purpose or effect of concealing misconduct by instructional personnel or school administrators which affects the health, safety, or welfare of a student is void, is contrary to public policy, and may not be enforced.

(c) Before employing instructional personnel or school administrators in any position that requires direct contact with students, conduct employment history checks of each of the personnel's or administrators' previous employer, screen the personnel or administrators through use of the educator screening tools described in s. 1001.10(5), and document the findings. If unable to contact a previous employer, the private school must document efforts to contact the employer.

The department shall suspend the payment of funds under ss. 220.187 and 1002.39 to a private school that fails to comply with this subsection, and shall prohibit the school from enrolling new scholarship students, for 1 fiscal year and until the school complies.

Section 44. Subsection (2) of section 1003.413, Florida Statutes, is amended to read:

1003.413 Florida Secondary School Redesign Act.—

(2) The following guiding principles for secondary school redesign shall be used in the annual preparation of each secondary school's improvement plan required by *s. 1001.42(18)* ~~s. 1001.42(16)~~:

(a) Struggling students, especially those in failing schools, need the highest quality teachers and dramatically different, innovative approaches to teaching and learning.

(b) Every teacher must contribute to every student's reading improvement.

(c) Quality professional development provides teachers and principals with the tools they need to better serve students.

(d) Small learning communities allow teachers to personalize instruction to better address student learning styles, strengths, and weaknesses.

(e) Intensive intervention in reading and mathematics must occur early and through innovative delivery systems.

(f) Parents need access to tools they can use to monitor their child's progress in school, communicate with teachers, and act early on behalf of their child.

(g) Applied and integrated courses help students see the relationships between subjects and relevance to their futures.

(h) School is more relevant when students choose courses based on their goals, interests, and talents.

(i) Master schedules should not determine instruction and must be designed based on student needs, not adult or institutional needs.

(j) Academic and career planning engages students in developing a personally meaningful course of study so they can achieve goals they have set for themselves.

Section 45. Paragraph (b) of subsection (2) of section 1003.53, Florida Statutes, is amended to read:

1003.53 Dropout prevention and academic intervention.—

(2)

(b) Each school that establishes a dropout prevention and academic intervention program at that school site shall reflect that program in the school improvement plan as required under *s. 1001.42(18)* ~~s. 1001.42(16)~~.

Section 46. Subsections (1) and (3) of section 1004.92, Florida Statutes, are amended to read:

1004.92 Purpose and responsibilities for career education.—

(1) The purpose of career education is to enable students who complete career programs to attain and sustain employment and realize economic self-sufficiency. The purpose of this section is to identify issues related to career education for which school boards and community college boards of trustees are accountable. It is the intent of the Legislature that the standards articulated in subsection (2) be considered in the development of accountability standards for public schools pursuant to ss. 1000.03, *1001.42(18)* ~~1001.42(16)~~, and 1008.345 and for community colleges pursuant to s. 1008.45.

(3) Each career center operated by a district school board shall establish a center advisory council pursuant to s. 1001.452. The center advisory council shall assist in the preparation and evaluation of center improvement plans required pursuant to *s. 1001.42(18)* ~~s. 1001.42(16)~~ and may provide assistance, upon the request of the center director, in the preparation of the center's annual budget and plan as required by s. 1008.385(1).

Section 47. Section 1006.061, Florida Statutes, is amended to read:

1006.061 Child abuse, abandonment, and neglect policy.—Each district school board*, charter school, and private school that accepts scholarship students under s. 220.187 or s. 1002.39* shall:

(1) Post in a prominent place in each school a notice that, pursuant to chapter 39, all employees and agents of the district school board*, charter school, or private school* have an affirmative duty to report all actual or suspected cases of child abuse, abandonment, or neglect; have immunity from liability if they report such cases in good faith; and have a duty to comply with child protective investigations and all other provisions of law relating to child abuse, abandonment, and neglect. The notice shall also include the statewide toll-free telephone number of the central abuse hotline.

(2) Post in a prominent place at each school site and on each school's Internet website, if available, the policies and procedures for reporting alleged misconduct by instructional personnel or school administrators which affects the health, safety, or welfare of a student; the contact person to whom the report is made; and the penalties imposed on instructional personnel or school administrators who fail to report suspected or actual child abuse or alleged misconduct by other instructional personnel or school administrators.

(3)~~(2)~~ Require the *principal of the charter school or private school, or the* district school superintendent, or the superintendent's designee, at the request of the Department of Children and Family Services, to act as a liaison to the Department of Children and Family Services and the child protection team, as defined in s. 39.01, when in a case of suspected child abuse, abandonment, or neglect or an unlawful sexual offense involving a child the case is referred to such a team; except that this does not relieve or restrict the Department of Children and Family Services from discharging its duty and responsibility under the law to investigate and report every suspected or actual case of child abuse, abandonment, or neglect or unlawful sexual offense involving a child.

The Department of Education shall develop, and publish on the department's Internet website, sample notices suitable for posting in accordance with subsections (1) and (2).

Section 48. Subsection (4) of section 1008.33, Florida Statutes, is amended to read:

1008.33 Authority to enforce public school improvement.—It is the intent of the Legislature that all public schools be held accountable for students performing at acceptable levels. A system of school improvement and accountability that assesses student performance by school, identifies schools in which students are not making adequate progress toward state standards, institutes appropriate measures for enforcing improvement, and provides rewards and sanctions based on performance shall be the responsibility of the State Board of Education.

(4) The State Board of Education may require the Department of Education or Chief Financial Officer to withhold any transfer of state funds to the school district if, within the timeframe specified in state board action, the school district has failed to comply with the action ordered to improve the district's low-performing schools. Withholding the transfer of funds shall occur only after all other recommended actions for school improvement have failed to improve performance. The State Board of Education may impose the same penalty on any district

school board that fails to develop and implement a plan for assistance and intervention for low-performing schools as specified in *s. 1001.42(18)(c)* ~~s. 1001.42(16)(c)~~.

Section 49. Paragraph (c) of subsection (6) of section 1008.345, Florida Statutes, is amended to read:

1008.345 Implementation of state system of school improvement and education accountability.—

(6)

(c) Pursuant to s. 24.121(5)(d), the department shall not release funds from the Educational Enhancement Trust Fund to any district in which a school, including schools operating for the purpose of providing educational services to youth in Department of Juvenile Justice programs, does not have an approved school improvement plan, pursuant to *s. 1001.42(18)* ~~s. 1001.42(16)~~, after 1 full school year of planning and development, or does not comply with school advisory council membership composition requirements pursuant to s. 1001.452. The department shall send a technical assistance team to each school without an approved plan to develop such school improvement plan or to each school without appropriate school advisory council membership composition to develop a strategy for corrective action. The department shall release the funds upon approval of the plan or upon establishment of a plan of corrective action. Notice shall be given to the public of the department's intervention and shall identify each school without a plan or without appropriate school advisory council membership composition.

Section 50. Subsection (5) of section 1010.215, Florida Statutes, is amended to read:

1010.215 Educational funding accountability.—

(5) The annual school public accountability report required by ss. *1001.42(18)* ~~1001.42(16)~~ and 1008.345 must include a school financial report. The purpose of the school financial report is to better inform parents and the public concerning how funds were spent to operate the school during the prior fiscal year. Each school's financial report must follow a uniform, districtwide format that is easy to read and understand.

(a) Total revenue must be reported at the school, district, and state levels. The revenue sources that must be addressed are state and local funds, other than lottery funds; lottery funds; federal funds; and private donations.

(b) Expenditures must be reported as the total expenditures per unweighted full-time equivalent student at the school level and the average expenditures per full-time equivalent student at the district and state levels in each of the following categories and subcategories:

1. Teachers, excluding substitute teachers, and education paraprofessionals who provide direct classroom instruction to students enrolled in programs classified by s. 1011.62 as:

a. Basic programs;

b. Students-at-risk programs;

c. Special programs for exceptional students;

d. Career education programs; and

e. Adult programs.

2. Substitute teachers.

3. Other instructional personnel, including school-based instructional specialists and their assistants.

4. Contracted instructional services, including training for instructional staff and other contracted instructional services.

5. School administration, including school-based administrative personnel and school-based education support personnel.

6. The following materials, supplies, and operating capital outlay:

a. Textbooks;

b. Computer hardware and software;

c. Other instructional materials;

d. Other materials and supplies; and

e. Library media materials.

7. Food services.

8. Other support services.

9. Operation and maintenance of the school plant.

(c) The school financial report must also identify the types of district-level expenditures that support the school's operations. The total amount of these district-level expenditures must be reported and expressed as total expenditures per full-time equivalent student.

Section 51. Paragraph (b) of subsection (6) of section 1011.18, Florida Statutes, is amended to read:

1011.18 School depositories; payments into and withdrawals from depositories.—

(6) EXEMPTION FOR SELF-INSURANCE PROGRAMS AND THIRD-PARTY ADMINISTERED EMPLOYEES' FRINGE BENEFIT PROGRAMS.—

(b) The district school board may contract with an insurance company or professional administrator who holds a valid certificate of authority issued by the Office of Insurance Regulation of the Financial Services Commission to provide any ~~or all~~ services that a third-party administrator is authorized by law to perform. Pursuant to such contract, the district school board may advance or remit money to the administrator to be deposited in a designated special checking account for paying claims against the district school board under its self-insurance programs, and remitting premiums to the providers of insured benefits on behalf of the district school board and the participants in such programs, and otherwise fulfilling the obligations imposed upon the administrator by law and the contractual agreements between the district school board and the administrator. The special checking account shall be maintained in a designated district school depository. The district school board may replenish such account as often as necessary upon the presentation by the service organization of documentation for claims or premiums due paid equal to the amount of the requested reimbursement. Such replenishment shall be made by a warrant signed by the chair of the district school board and countersigned by the district school superintendent. Such replenishment may be made by electronic, telephonic, or other medium, and each transfer shall be confirmed in writing and signed by the district school superintendent or his or her designee. The provisions of strict accountability of all funds and an annual audit by an independent certified public accountant as provided in *s. 1001.42(12)(k)* ~~s. 1001.42(10)(k) shall~~ apply to this subsection.

Section 52. Subsection (6) of section 1012.27, Florida Statutes, is renumbered as subsection (7), and a new subsection (6) is added to that section to read:

1012.27 Public school personnel; powers and duties of district school superintendent.—The district school superintendent is responsible for directing the work of the personnel, subject to the requirements of this chapter, and in addition the district school superintendent shall perform the following:

(6) EMPLOYMENT HISTORY CHECKS.—Before employing instructional personnel and school administrators, as defined in s. 1012.01, in any position that requires direct contact with students, conduct employment history checks of each of the personnel's or administrators' previous employer, screen the personnel or administrators through use of the educator screening tools described in s. 1001.10(5), and document the findings. If unable to contact a previous employer, the district school superintendent shall document efforts to contact the employer.

Section 53. Section 1012.315, Florida Statutes, is created to read:

1012.315 Disqualification from employment.—A person is ineligible for educator certification, and instructional personnel and school administrators, as defined in s. 1012.01, are ineligible for employment in any

position that requires direct contact with students in a district school system, charter school, or private school that accepts scholarship students under s. 220.187 or s. 1002.39, if the person, instructional personnel, or school administrators, have been convicted of any offense prohibited under any of the following statutes:

(1) Section 393.135, relating to sexual misconduct with certain developmentally disabled clients and reporting of such sexual misconduct.

(2) Section 394.4593, relating to sexual misconduct with certain mental health patients and reporting of such sexual misconduct.

(3) Section 415.111, relating to adult abuse, neglect, or exploitation of aged persons or disabled adults.

(4) Section 782.04, relating to murder.

(5) Section 782.07, relating to manslaughter, aggravated manslaughter of an elderly person or disabled adult, aggravated manslaughter of a child, or aggravated manslaughter of an officer, a firefighter, an emergency medical technician, or a paramedic.

(6) Section 782.09, relating to killing of an unborn quick child by injury to the mother.

(7) Section 784.011, relating to assault, if the victim of the offense was a minor.

(8) Section 784.021, relating to aggravated assault.

(9) Section 784.03, relating to battery, if the victim of the offense was a minor.

(10) Section 784.045, relating to aggravated battery.

(11) Section 784.075, relating to battery on a detention or commitment facility staff.

(12) Section 787.01, relating to kidnapping.

(13) Section 787.02, relating to false imprisonment.

(14) Section 787.025, relating to luring or enticing a child.

(15) Section 787.04(2), relating to leading, taking, enticing, or removing a minor beyond the state limits, or concealing the location of a minor, with criminal intent pending custody proceedings.

(16) Section 787.04(3), relating to leading, taking, enticing, or removing a minor beyond the state limits, or concealing the location of a minor, with criminal intent pending dependency proceedings or proceedings concerning alleged abuse or neglect of a minor.

(17) Section 790.115(1), relating to exhibiting firearms or weapons within 1,000 feet of a school.

(18) Section 790.115(2)(b), relating to possessing an electric weapon or device, destructive device, or other weapon on school property.

(19) Section 794.011, relating to sexual battery.

(20) Former section 794.041, relating to prohibited act of familial or custodial authority.

(21) Section 794.05, relating to unlawful sexual activity with certain minors.

(22) Section 794.08, relating to female genital mutilation.

(23) Chapter 796, relating to prostitution.

(24) Chapter 800, relating to lewdness and indecent exposure.

(25) Section 806.01, relating to arson.

(26) Section 810.14, relating to voyeurism.

(27) Section 810.145, relating to video voyeurism.

(28) Section 812.014(6), relating to coordinating the commission of theft in excess of $3,000.

(29) Section 812.0145, relating to theft from persons 65 years of age or older.

(30) Section 812.019, relating to dealing in stolen property.

(31) Section 812.13, relating to robbery.

(32) Section 812.131, relating to robbery by sudden snatching.

(33) Section 812.133, relating to carjacking.

(34) Section 812.135, relating to home-invasion robbery.

(35) Section 817.563, relating to fraudulent sale of controlled substances, if the offense was a felony.

(36) Section 825.102, relating to abuse, aggravated abuse, or neglect of an elderly person or disabled adult.

(37) Section 825.103, relating to exploitation of an elderly person or disabled adult.

(38) Section 825.1025, relating to lewd or lascivious offenses committed upon or in the presence of an elderly person or disabled person.

(39) Section 826.04, relating to incest.

(40) Section 827.03, relating to child abuse, aggravated child abuse, or neglect of a child.

(41) Section 827.04, relating to contributing to the delinquency or dependency of a child.

(42) Section 827.071, relating to sexual performance by a child.

(43) Section 843.01, relating to resisting arrest with violence.

(44) Section 843.025, relating to depriving a law enforcement, correctional, or correctional probation officer means of protection and communication.

(45) Chapter 847, relating to obscenity.

(46) Section 874.05(1), relating to encouraging or recruiting another to join a criminal gang.

(47) Chapter 893, relating to drug abuse prevention and control, if the offense was a felony of the second degree or greater severity.

(48) Section 916.1075, relating to sexual misconduct with certain forensic clients and reporting of such sexual misconduct.

(49) Section 944.35(3), relating to inflicting cruel or inhuman treatment on an inmate resulting in great bodily harm, if the offense was a felony.

(50) Section 944.47, relating to introduction of contraband into a correctional facility.

(51) Section 985.701, relating to sexual misconduct in juvenile justice programs.

(52) Section 985.711, relating to contraband introduced into detention facilities.

(53) Any criminal act committed in another state or under federal law which, if committed in this state, constitutes an offense prohibited under any statute listed in subsections (1)-(52).

(54) Any delinquent act committed in this state or any delinquent or criminal act committed in another state or under federal law which, if committed in this state, qualifies an individual for inclusion on the Registered Juvenile Sex Offender List under s. 943.0435(1)(a)1.d.

Section 54. Subsections (1) and (2) and paragraph (c) of subsection (3) of section 1012.32, Florida Statutes, are amended to read:

1012.32 Qualifications of personnel.—

(1) To be eligible for appointment in any position in any district school system, a person *must* ~~shall~~ be of good moral character; *must* ~~shall~~

have attained the age of 18 years, if he or she is to be employed in an instructional capacity; *must not be ineligible for such employment under s. 1012.315;* and *must* ~~shall~~, when required by law, hold a certificate or license issued under rules of the State Board of Education or the Department of Children and Family Services, except when employed pursuant to s. 1012.55 or under the emergency provisions of s. 1012.24. Previous residence in this state shall not be required in any school of the state as a prerequisite for any person holding a valid Florida certificate or license to serve in an instructional capacity.

(2)(a) Instructional and noninstructional personnel who are hired or contracted to fill positions *that require* ~~requiring~~ direct contact with students in any district school system or university lab school *must* ~~shall~~, upon employment or engagement to provide services, undergo background screening as required under s. 1012.465 or s. 1012.56, whichever is applicable.

(b) Instructional and noninstructional personnel who are hired or contracted to fill positions in any charter school and members of the governing board of any charter school, in compliance with s. 1002.33(12)(g), *must* ~~shall~~, upon employment, engagement of services, or appointment, undergo background screening as required under s. 1012.465 or s. 1012.56, whichever is applicable, by filing with the district school board for the school district in which the charter school is located a complete set of fingerprints taken by an authorized law enforcement agency or an employee of the school or school district who is trained to take fingerprints.

(c) Instructional and noninstructional personnel who are hired or contracted to fill positions *that require* ~~requiring~~ direct contact with students in an alternative school that operates under contract with a district school system *must* ~~shall~~, upon employment or engagement to provide services, undergo background screening as required under s. 1012.465 or s. 1012.56, whichever is applicable, by filing with the district school board for the school district to which the alternative school is under contract a complete set of fingerprints taken by an authorized law enforcement agency or an employee of the school or school district who is trained to take fingerprints.

(d) Student teachers, persons participating in a field experience pursuant to s. 1004.04(6) or s. 1004.85, and persons participating in a short-term experience as a teacher assistant pursuant to s. 1004.04(10) in any district school system, lab school, or charter school *must* ~~shall~~, upon engagement to provide services, undergo background screening as required under s. 1012.56.

Fingerprints shall be submitted to the Department of Law Enforcement for state *criminal records checks* ~~processing~~ and to the Federal Bureau of Investigation for *national criminal records checks* ~~federal processing~~. *A person* ~~Persons~~ subject to this subsection *who is* found *ineligible for employment under s. 1012.315, or otherwise found* through *background screening* ~~fingerprint processing~~ to have been convicted of *any* ~~a~~ crime involving moral turpitude *as defined by rule of the State Board of Education,* shall not be employed, engaged to provide services, or serve in any position *that requires* ~~requiring~~ direct contact with students. Probationary persons subject to this subsection terminated because of their criminal record have the right to appeal such decisions. The cost of the background screening may be borne by the district school board, the charter school, the employee, the contractor, or a person subject to this subsection.

(3)

(c) Personnel whose fingerprints are not retained by the Department of Law Enforcement under paragraphs (a) and (b) *must* ~~are required to~~ be refingerprinted and *rescreened in accordance with subsection (2)* ~~must meet level 2 screening requirements as described in this section~~ upon reemployment or reengagement to provide services in order to comply with the requirements of this subsection.

Section 55. Paragraph (a) of subsection (1), paragraph (c) of subsection (4), and paragraph (b) of subsection (6) of section 1012.33, Florida Statutes, are amended to read:

1012.33 Contracts with instructional staff, supervisors, and school principals.—

(1)(a) Each person employed as a member of the instructional staff in any district school system shall be properly certified pursuant to s. 1012.56 or s. 1012.57 or employed pursuant to s. 1012.39 and shall be entitled to and shall receive a written contract as specified in this section. All such contracts, except continuing contracts as specified in subsection (4), shall contain provisions for dismissal during the term of the contract only for just cause. Just cause includes, but is not limited to, the following instances, as defined by rule of the State Board of Education: *immorality,* misconduct in office, incompetency, gross insubordination, willful neglect of duty, *or being convicted or found guilty of, or entering a plea of guilty to, regardless of adjudication of guilt, any* ~~or conviction of a~~ crime involving moral turpitude.

(4)

(c) Any member of the district administrative or supervisory staff and any member of the instructional staff, including any school principal, who is under continuing contract may be suspended or dismissed at any time during the school year; however, the charges against him or her must be based on immorality, misconduct in office, incompetency, gross insubordination, willful neglect of duty, drunkenness, or *being convicted or found guilty of, or entering a plea of guilty to, regardless of adjudication of guilt, any* ~~conviction of a~~ crime involving moral turpitude, as these terms are defined by rule of the State Board of Education. Whenever such charges are made against *an* ~~any such~~ employee of the district school board, the district school board may suspend such person without pay; but, if the charges are not sustained, he or she shall be immediately reinstated, and his or her back salary shall be paid. In cases of suspension by the district school board or by the district school superintendent, the district school board shall determine upon the evidence submitted whether the charges have been sustained and, if the charges are sustained, shall determine either to dismiss the employee or fix the terms under which he or she may be reinstated. If such charges are sustained by a majority vote of the full membership of the district school board and *the* ~~such~~ employee is discharged, his or her contract of employment shall be ~~thereby~~ canceled. Any ~~such~~ decision adverse to the employee may be appealed by the employee pursuant to s. 120.68, provided *the* ~~such~~ appeal is filed within 30 days after the decision of the district school board.

(6)

(b) Any member of the district administrative or supervisory staff, including any principal but excluding an employee specified in subsection (4), may be suspended or dismissed at any time during the term of the contract; however, the charges against him or her must be based on immorality, misconduct in office, incompetency, gross insubordination, willful neglect of duty, drunkenness, or *being convicted or found guilty of, or entering a plea of guilty, regardless of adjudication of guilt,* ~~conviction of~~ any crime involving moral turpitude, as these terms are defined by rule of the State Board of Education. Whenever such charges are made against *an* ~~any such~~ employee of the district school board, the district school board may suspend the employee without pay; but, if the charges are not sustained, he or she shall be immediately reinstated, and his or her back salary shall be paid. In cases of suspension by the district school board or by the district school superintendent, the district school board shall determine upon the evidence submitted whether the charges have been sustained and, if the charges are sustained, shall determine either to dismiss the employee or fix the terms under which he or she may be reinstated. If such charges are sustained by a majority vote of the full membership of the district school board and *the* ~~such~~ employee is discharged, his or her contract of employment shall be ~~thereby~~ canceled. Any ~~such~~ decision adverse to the employee may be appealed by him or her pursuant to s. 120.68, provided such appeal is filed within 30 days after the decision of the district school board.

Section 56. Subsection (4) of section 1012.34, Florida Statutes, is amended to read:

1012.34 Assessment procedures and criteria.—

(4) The district school superintendent shall notify the department of any instructional personnel who receive two consecutive unsatisfactory evaluations and who have been given written notice by the district that their employment is being terminated or is not being renewed or that the district school board intends to terminate, or not renew, their employment. The department shall conduct an investigation to determine whether action shall be taken against the certificateholder pursuant to *s. 1012.795(1)(c)* ~~s. 1012.795(1)(b)~~.

Section 57. Subsections (9) and (14) of section 1012.56, Florida Statutes, are amended to read:

1012.56 Educator certification requirements.—

(9) BACKGROUND SCREENING REQUIRED, INITIALLY AND PERIODICALLY.—

(a) Each person who seeks certification under this chapter must *be fingerprinted and screened* ~~meet level 2 screening requirements as described~~ in *accordance with* s. 1012.32 *and must not be ineligible for such certification under s. 1012.315. A person who has been screened in accordance with s. 1012.32* ~~unless a level 2 screening has been conducted~~ by a district school board or the Department of Education within 12 months before the date the person initially obtains certification under this chapter, the results of which are submitted to the district school board or to the Department of Education*, is not required to repeat the screening under this paragraph*.

(b) A person may not receive a certificate under this chapter until the *person's* ~~level 2~~ screening *under s. 1012.32 is* ~~has been~~ completed and the results have been submitted to the Department of Education or to the district school superintendent of the school district that employs the person. Every 5 years after obtaining initial certification, each person who is required to be certified under this chapter must *be rescreened* ~~meet level 2 screening requirements as described~~ in *accordance with* s. 1012.32*,* at which time the school district shall request the Department of Law Enforcement to forward the fingerprints to the Federal Bureau of Investigation for *national criminal records checks* ~~the level 2 screening~~. If, for any reason after obtaining initial certification, the fingerprints of a person who is required to be certified under this chapter are not retained by the Department of Law Enforcement under s. 1012.32(3)(a) and (b), the person must file a complete set of fingerprints with the district school superintendent of the employing school district. Upon submission of fingerprints for this purpose, the school district shall request the Department of Law Enforcement to forward the fingerprints to the Federal Bureau of Investigation for *national criminal records checks* ~~the level 2 screening~~, and the fingerprints shall be retained by the Department of Law Enforcement under s. 1012.32(3)(a) and (b). The cost of the state and *national* ~~federal~~ criminal history *checks* ~~check~~ required by *paragraph (a) and this paragraph* ~~level 2 screening~~ may be borne by the district school board or the employee. Under penalty of perjury, each person who is certified under this chapter must agree to inform his or her employer within 48 hours if convicted of any disqualifying offense while he or she is employed in a position for which such certification is required.

(c) If it is found under s. 1012.796 that a person who is employed in a position requiring certification under this chapter *has* ~~does~~ not *been screened in accordance with s. 1012.32, or is ineligible for such certification under s. 1012.315* ~~meet the level 2 screening requirements~~, the person's certification shall be immediately revoked or suspended and he or she shall be immediately suspended from the position requiring certification.

(14) PERSONNEL RECORDS.—The Department of Education shall maintain *an electronic database that includes, but need not be limited to,* ~~a complete statement of~~ the academic preparation, professional training, and teaching experience of each person to whom a certificate is issued. The applicant or the district school superintendent shall furnish the information using a format ~~or forms~~ provided by the department.

Section 58. Subsection (1) and paragraph (a) of subsection (8) of section 1012.79, Florida Statutes, are amended to read:

1012.79 Education Practices Commission; organization.—

(1) The Education Practices Commission consists of *25* ~~17~~ members, including *8* ~~7~~ teachers*;*~~,~~ 5 administrators, *at least one of whom shall represent a private school; 7* ~~and 5~~ lay citizens*, 5* ~~(~~of whom *shall be parents of public school students and who are unrelated to public school employees and* 2 *of whom* shall be former district school board members*;*~~),~~ *and 5 sworn law enforcement officials,* appointed by the State Board of Education from nominations by the Commissioner of Education and subject to Senate confirmation. Prior to making nominations, the commissioner shall consult with ~~the~~ teaching *associations, parent organizations, law enforcement agencies,* and other involved associations in the state. In making nominations, the commissioner shall attempt to achieve equal geographical representation, as closely as possible.

(a) A teacher member, in order to be qualified for appointment:

1. Must be certified to teach in the state.

2. Must be a resident of the state.

3. Must have practiced the profession in this state for at least 5 years immediately preceding the appointment.

(b) A school administrator member, in order to be qualified for appointment:

1. Must have an endorsement on the educator certificate in the area of school administration or supervision.

2. Must be a resident of the state.

3. Must have practiced the profession as an administrator for at least 5 years immediately preceding the appointment.

(c) The lay members must be residents of the state.

(d) The law enforcement official members must have served in the profession for at least 5 years immediately preceding appointment and have background expertise in child safety.

(8)(a) The commission shall, from time to time, designate members of the commission to serve on panels for the purpose of reviewing and issuing final orders upon cases presented to the commission. A case concerning a complaint against a teacher shall be reviewed and a final order ~~thereon shall be~~ entered by a panel composed of five commission members, *at least one of whom must be a parent or a sworn law enforcement officer and at least* three of whom *must* ~~shall~~ be teachers. A case concerning a complaint against an administrator shall be reviewed and a final order ~~thereon shall be~~ entered by a panel composed of five commission members, *at least one of whom must be a parent or a sworn law enforcement officer and at least* three of whom *must* ~~shall~~ be administrators.

Section 59. Subsection (1) of section 1012.795, Florida Statutes, is amended to read:

1012.795 Education Practices Commission; authority to discipline.—

(1) The Education Practices Commission may suspend the educator certificate of any person as defined in s. 1012.01(2) or (3) for a period of time not to exceed 5 years, thereby denying that person the right to teach or otherwise be employed by a district school board or public school in any capacity requiring direct contact with students for that period of time, after which the holder may return to teaching as provided in subsection (4); may revoke the educator certificate of any person, thereby denying that person the right to teach or otherwise be employed by a district school board or public school in any capacity requiring direct contact with students for a period of time not to exceed 10 years, with reinstatement subject to the provisions of subsection (4); may revoke permanently the educator certificate of any person thereby denying that person the right to teach or otherwise be employed by a district school board or public school in any capacity requiring direct contact with students; may suspend the educator certificate, upon order of the court, of any person found to have a delinquent child support obligation; or may impose any other penalty provided by law, *if* ~~provided it can be shown that~~ the person:

(a) Obtained or attempted to obtain an educator certificate by fraudulent means.

(b) Knowingly failed to report actual or suspected child abuse as required in s. 1006.061 or report alleged misconduct by instructional personnel or school administrators which affects the health, safety, or welfare of a student as required in s. 1012.796.

(c)~~(b)~~ Has proved to be incompetent to teach or to perform duties as an employee of the public school system or to teach in or to operate a private school.

(d)~~(c)~~ Has been guilty of gross immorality or an act involving moral turpitude *as defined by rule of the State Board of Education*.

(e)~~(d)~~ Has had an educator certificate sanctioned by revocation, suspension, or surrender in another state.

(f)~~(e)~~ Has been convicted *or found guilty* of*, or entered a plea of guilty to, regardless of adjudication of guilt,* a misdemeanor, felony, or any other criminal charge, other than a minor traffic violation.

(g)~~(f)~~ Upon investigation, has been found guilty of personal conduct which seriously reduces that person's effectiveness as an employee of the district school board.

(h)~~(g)~~ Has breached a contract, as provided in s. 1012.33(2).

(i)~~(h)~~ Has been the subject of a court order directing the Education Practices Commission to suspend the certificate as a result of a delinquent child support obligation.

(j)~~(i)~~ Has violated the Principles of Professional Conduct for the Education Profession prescribed by State Board of Education rules.

(k)~~(j)~~ Has otherwise violated the provisions of law, the penalty for which is the revocation of the educator certificate.

(l)~~(k)~~ Has violated any order of the Education Practices Commission.

(m)~~(l)~~ Has been the subject of a court order or plea agreement in any jurisdiction which requires the certificateholder to surrender or otherwise relinquish his or her educator's certificate. A surrender or relinquishment shall be for permanent revocation of the certificate. A person may not surrender or otherwise relinquish his or her certificate prior to a finding of probable cause by the commissioner as provided in s. 1012.796.

(n) Has been disqualified from educator certification under s. 1012.315.

Section 60. Subsections (1), (3), and (5) of section 1012.796, Florida Statutes, are amended to read:

1012.796 Complaints against teachers and administrators; procedure; penalties.—

(1)(a) The Department of Education shall cause to be investigated expeditiously any complaint filed before it or otherwise called to its attention which, if legally sufficient, contains grounds for the revocation or suspension of a certificate or any other appropriate penalty as set forth in subsection (7). The complaint is legally sufficient if it contains the ultimate facts which show a violation has occurred as provided in s. 1012.795 *and defined by rule of the State Board of Education*. The department *shall* ~~may~~ investigate or continue to investigate and take appropriate action on a complaint even though the original complainant withdraws the complaint or otherwise indicates a desire not to cause it to be investigated or prosecuted to completion. The department may investigate or continue to investigate and take action on a complaint filed against a person whose educator certificate has expired if the act or acts *that* ~~which~~ are the basis for the complaint were allegedly committed while that person possessed an educator certificate.

(b) The department shall immediately investigate any legally sufficient complaint that involves misconduct by any certificated personnel which affects the health, safety, or welfare of a student, giving the complaint priority over other pending complaints. The department must investigate or continue to investigate and take action on such a complaint filed against a person whose educator certificate has expired if the act or acts that are the basis for the complaint were allegedly committed while that person possessed an educator certificate.

(c)~~(b)~~ When an investigation is undertaken, the department shall notify the certificateholder or applicant for certification and the district school superintendent or the university laboratory school, charter school, or private school in which the certificateholder or applicant for certification is employed or was employed at the time the alleged offense occurred. In addition, the department shall inform the certificateholder or applicant for certification of the substance of any complaint which has been filed against that certificateholder or applicant, unless the department determines that such notification would be detrimental to the investigation, in which case the department may withhold notification.

(d)~~(c)~~ Each school district shall file in writing with the department all legally sufficient complaints within 30 days after the date on which subject matter of the complaint comes to the attention of the school district. *A complaint is legally sufficient if it contains ultimate facts that show a violation has occurred as provided in s. 1012.795 and defined by rule of the State Board of Education.* The school district shall include all information relating to the complaint which is known to the school district at the time of filing. Each district school board shall develop *and adopt* policies and procedures to comply with this reporting requirement. *School board policies and procedures must include standards for screening, hiring, and terminating instructional personnel and school administrators, as defined in s. 1012.01; standards of ethical conduct for instructional personnel and school administrators; the duties of instructional personnel and school administrators for upholding the standards; detailed procedures for reporting alleged misconduct by instructional personnel and school administrators which affects the health, safety, or welfare of a student; requirements for the reassignment of instructional personnel or school administrators pending the outcome of a misconduct investigation; and penalties for failing to comply with s. 1001.51 or s. 1012.795.* The district school board policies and procedures shall include appropriate penalties for all personnel of the district school board for nonreporting and procedures for promptly informing the district school superintendent of each legally sufficient complaint. The district school superintendent is charged with knowledge of these policies and procedures *and is accountable for the training of all instructional personnel and school administrators of the school district on the standards of ethical conduct, policies, and procedures*. If the district school superintendent has knowledge of a legally sufficient complaint and does not report the complaint, or fails to enforce the policies and procedures of the district school board, and fails to comply with the requirements of this subsection, in addition to other actions against certificateholders authorized by law, the district school superintendent *is* ~~shall be~~ subject to penalties as specified in s. 1001.51(12). *If the superintendent determines that misconduct by instructional personnel or school administrators who hold an educator certificate affects the health, safety, or welfare of a student, and the misconduct warrants termination, the instructional personnel or school administrators may resign or be terminated, and the superintendent must report the misconduct to the department in the format prescribed by the department. The department shall maintain each report of misconduct as a public record in the instructional personnel's or school administrators' certification files.* This paragraph does not limit or restrict the power and duty of the department to investigate complaints ~~as provided in paragraphs (a) and (b)~~, regardless of the school district's untimely filing, or failure to file, complaints and followup reports.

(e) If allegations arise against an employee who is certified under s. 1012.56, and employed in an educator-certificated position in any school or by any provider in the state, such school or provider, or governing body thereof, shall file in writing with the department a legally sufficient complaint within 30 days after the date on which the subject matter of the complaint came to the attention of the school or provider. A complaint is legally sufficient if it contains ultimate facts that show a violation has occurred as provided in s. 1012.795 and defined by rule of the State Board of Education. The school or provider shall include all known information relating to the complaint with the filing of the complaint. This paragraph does not limit or restrict the power and duty of the department to investigate complaints, regardless of the school's or the provider's untimely filing, or failure to file, complaints and followup reports.

(f)~~(d)~~ Notwithstanding any other law, all law enforcement agencies, state attorneys, social service agencies, district school boards, and the Division of Administrative Hearings shall fully cooperate with and, upon request, shall provide unredacted documents to the Department of Education to further investigations and prosecutions conducted pursuant to this section. Any document received ~~pursuant to this paragraph~~ may not be redisclosed except as authorized by law.

(3) The department staff shall advise the commissioner concerning the findings of the investigation. The department general counsel or members of that staff shall review the investigation and advise the commissioner concerning probable cause or lack thereof. The determination of probable cause shall be made by the commissioner. The commissioner shall provide an opportunity for a conference, if requested, prior to determining probable cause. The commissioner may enter into deferred prosecution agreements in lieu of finding probable cause *if,* ~~when~~ in his or her judgment, such agreements *are* ~~would be~~ in the best interests of the department, the certificateholder, and the public. Such deferred prosecution agreements shall become effective when filed with the clerk of the Education Practices Commission. However, a deferred prosecution agreement shall not be entered into *if* ~~where~~ there is probable

cause to believe that a felony or an act of moral turpitude*, as defined by rule of the State Board of Education,* has occurred. Upon finding no probable cause, the commissioner shall dismiss the complaint.

(5) When *an allegation of misconduct by instructional personnel or school administrators, as defined in s. 1012.01, is received, if the alleged misconduct affects* ~~deemed necessary to protect~~ the health, safety, *or* ~~and~~ welfare of a ~~minor~~ student, the district school superintendent in consultation with the school principal*, or* ~~may, and~~ upon the request of the Commissioner of Education*, must immediately* ~~shall, temporarily~~ suspend *the instructional personnel or school administrators* ~~a certificate-holder~~ from ~~the certificateholder's~~ regularly assigned duties, with pay, and reassign the suspended *personnel or administrators* ~~certificate-holder~~ to *positions* ~~a position~~ that *do* ~~does~~ not require direct contact with students in the district school system. Such suspension shall continue until the completion of the proceedings and the determination of sanctions, if any, pursuant to this section and s. 1012.795.

Section 61. Paragraph (b) of subsection (4) of section 1012.98, Florida Statutes, is amended to read:

1012.98 School Community Professional Development Act.—

(4) The Department of Education, school districts, schools, community colleges, and state universities share the responsibilities described in this section. These responsibilities include the following:

(b) Each school district shall develop a professional development system as specified in subsection (3). The system shall be developed in consultation with teachers, teacher-educators of community colleges and state universities, business and community representatives, and local education foundations, consortia, and professional organizations. The professional development system must:

1. Be approved by the department. All substantial revisions to the system shall be submitted to the department for review for continued approval.

2. Be based on analyses of student achievement data and instructional strategies and methods that support rigorous, relevant, and challenging curricula for all students. Schools and districts, in developing and refining the professional development system, shall also review and monitor school discipline data; school environment surveys; assessments of parental satisfaction; performance appraisal data of teachers, managers, and administrative personnel; and other performance indicators to identify school and student needs that can be met by improved professional performance.

3. Provide inservice activities coupled with followup support appropriate to accomplish district-level and school-level improvement goals and standards. The inservice activities for instructional personnel shall focus on analysis of student achievement data, ongoing formal and informal assessments of student achievement, identification and use of enhanced and differentiated instructional strategies that emphasize rigor, relevance, and reading in the content areas, enhancement of subject content expertise, integrated use of classroom technology that enhances teaching and learning, classroom management, parent involvement, and school safety.

4. Include a master plan for inservice activities, pursuant to rules of the State Board of Education, for all district employees from all fund sources. The master plan shall be updated annually by September 1, must be based on input from teachers and district and school instructional leaders, and must use the latest available student achievement data and research to enhance rigor and relevance in the classroom. Each district inservice plan must be aligned to and support the school-based inservice plans and school improvement plans pursuant to *s. 1001.42(18)* ~~s. 1001.42(16)~~. District plans must be approved by the district school board annually in order to ensure compliance with subsection (1) and to allow for dissemination of research-based best practices to other districts. District school boards must submit verification of their approval to the Commissioner of Education no later than October 1, annually.

5. Require each school principal to establish and maintain an individual professional development plan for each instructional employee assigned to the school as a seamless component to the school improvement plans developed pursuant to *s. 1001.42(18)* ~~s. 1001.42(16)~~. The individual professional development plan must:

a. Be related to specific performance data for the students to whom the teacher is assigned.

b. Define the inservice objectives and specific measurable improvements expected in student performance as a result of the inservice activity.

c. Include an evaluation component that determines the effectiveness of the professional development plan.

6. Include inservice activities for school administrative personnel that address updated skills necessary for instructional leadership and effective school management pursuant to s. 1012.986.

7. Provide for systematic consultation with regional and state personnel designated to provide technical assistance and evaluation of local professional development programs.

8. Provide for delivery of professional development by distance learning and other technology-based delivery systems to reach more educators at lower costs.

9. Provide for the continuous evaluation of the quality and effectiveness of professional development programs in order to eliminate ineffective programs and strategies and to expand effective ones. Evaluations must consider the impact of such activities on the performance of participating educators and their students' achievement and behavior.

Section 62. Subsection (4) of section 1013.03, Florida Statutes, is amended to read:

1013.03 Functions of the department and the Board of Governors.—The functions of the Department of Education as it pertains to educational facilities of school districts and community colleges and of the Board of Governors as it pertains to educational facilities of state universities shall include, but not be limited to, the following:

(4) Require each board and other appropriate agencies to submit complete and accurate financial data as to the amounts of funds from all sources that are available and spent for construction and capital improvements. The commissioner shall prescribe the format and the date for the submission of this data and any other educational facilities data. If any district does not submit the required educational facilities fiscal data by the prescribed date, the Commissioner of Education shall notify the district school board of this fact and, if appropriate action is not taken to immediately submit the required report, the district school board shall be directed to proceed pursuant to *s. 1001.42(13)(b)* ~~the provisions of s. 1001.42(11)(b)~~. If any community college or university does not submit the required educational facilities fiscal data by the prescribed date, the same policy prescribed in this subsection for school districts shall be implemented.

Section 63. *The sum of $153,872 is appropriated from the Educational Certification and Services Trust Fund to the Department of Education for the 2008-2009 fiscal year, and two additional full-time equivalent positions and associated salary rate of 90,088 are authorized, for the purpose of implementing this act.*

And the title is amended as follows:

On line(s) 1431, after the semicolon (;) insert: providing a short title; amending s. 24.121, F.S., relating to public school funding; conforming cross-references; amending s. 112.3173, F.S.; specifying certain felony offenses against a minor as additional offenses that constitute a breach of the public trust; requiring a person committing such an offense to forfeit benefits under certain public retirement systems; amending s. 121.091, F.S.; prohibiting the Division of Retirement from paying benefits to a member who commits certain felony offenses against a minor; conforming a cross-reference; creating ss. 794.09 and 800.05, F.S.; providing notice in the criminal statutes that certain retirement benefits are subject to forfeiture for committing certain felony offenses against a minor; amending s. 1001.10, F.S.; requiring the Department of Education to assist school districts, charter schools, the Florida School for the Deaf and the Blind, and private schools that accept school choice scholarship students in developing policies, procedures, and training related to employment practices and standards of ethical conduct; requiring the department to provide authorized staff with access to certain databases for employment history verification; amending s. 1001.32, F.S., relating to school administration; conforming a cross-reference; amending s.

1001.42, F.S.; requiring each district school board to adopt standards of ethical conduct and provide training for instructional personnel and school administrators; prohibiting confidentiality agreements regarding terminated or dismissed instructional personnel and school administrators which have the effect of concealing certain misconduct; prohibiting a school district from providing employment references for specified personnel and administrators except under certain circumstances; requiring a person who committed certain crimes to be disqualified from employment in certain positions in a district school system under specified conditions; providing that a district school board official who knowingly signs and transmits a false or incorrect report, or fails to adopt certain policies, forfeits his or her salary for a specified period; amending s. 1001.452, F.S., relating to district and school advisory councils; conforming cross-references; amending s. 1001.51, F.S.; providing that a district school superintendent forfeits his or her salary for a specified period following failure to investigate and report allegations of certain misconduct by specified personnel or administrators; amending ss. 1001.54 and 1002.32, F.S., relating to duties of principals and laboratory schools; conforming cross-references; amending s. 1002.33, F.S.; requiring a person who committed certain crimes to be disqualified from employment in certain positions in a charter school under specified conditions; requiring charter schools to adopt standards of ethical conduct and provide training for all instructional personnel and school administrators; prohibiting confidentiality agreements regarding terminated or dismissed instructional personnel and school administrators which have the effect of concealing certain misconduct; prohibiting a charter school from providing employment references for specified personnel and administrators except under certain circumstances; requiring a charter school to contact the previous employer, and verify the employment history against certain databases, of persons seeking employment in certain positions; requiring a charter school's sponsor to terminate the school's charter for failing to comply with these requirements; amending s. 1002.36, F.S.; requiring the Florida School for the Deaf and the Blind to meet certain requirements governing the screening of personnel; amending s. 1002.421, F.S.; requiring a person who committed certain crimes to be disqualified from employment in certain positions in a private school that accepts certain scholarship students under specified conditions; requiring certain private schools to adopt standards of ethical conduct and provide training for all instructional personnel and school administrations; prohibiting confidentiality agreements regarding terminated or dismissed instructional personnel or school administrators which have the effect of concealing certain misconduct; prohibiting a private school from providing employment references for specified personnel and administrators except under certain circumstances; requiring a private school to contact the previous employer, and verify the employment history against certain databases, of persons seeking employment in certain positions; requiring the Department of Education to suspend enrollment of new students and the payment of funds to a private school failing to comply with these requirements; amending ss. 1003.413, 1003.53, and 1004.92, F.S., relating to educational instruction and programs; conforming cross-references; amending s. 1006.061, F.S.; requiring district school boards, charter schools, and private schools that accept certain scholarship students to post policies for reporting child abuse and misconduct by specified personnel and administrators; requiring the principal of such schools to act as a liaison in suspected cases of child abuse; requiring the Department of Education to publish sample notices; amending ss. 1008.33, 1008.345, 1010.215, and 1011.18, F.S., relating to accountability procedures; conforming cross-references; amending s. 1012.27, F.S.; requiring the district school superintendent to contact the previous employer, and verify the employment history against certain databases, of persons seeking employment in certain positions; creating s. 1012.315, F.S.; specifying offenses that disqualify instructional personnel and school administrations from employment in certain positions that require direct contact with students; amending s. 1012.32, F.S.; requiring specified personnel or administrators who committed certain crimes to be disqualified from employment in certain positions in a district school system or charter school under specified conditions; amending s. 1012.33, F.S.; providing that just cause for terminating instructional staff includes immorality or commission of certain crimes; amending s. 1012.34, F.S., relating to assessment procedures; conforming a cross-reference; amending s. 1012.56, F.S., relating to certification requirements for educators; revising requirements for conducting state and national ~~federal~~ criminal records checks of persons seeking certification; requiring a person who committed certain crimes to be ineligible for certification under specified conditions; providing for the Department of Education to maintain educator records in an electronic database; amending s. 1012.79, F.S.; providing for additional members to be appointed to the Education Practices Commission; revising the composition of panels appointed to review complaints against teachers and administrators; amending s. 1012.795, F.S.; providing for the suspension of the educator certificate of a person who knowingly fails to report child abuse or misconduct by specified personnel or administrators; clarifying authority of the commission to discipline educators who commit certain crimes; amending s. 1012.796, F.S.; requiring the Department of Education to investigate each complaint involving misconduct by certificated personnel; clarifying what constitutes a legally sufficient complaint; providing requirements for school board policies and procedures relating to standards of ethical conduct; providing that the district school superintendent is accountable for training of instructional personnel and school administrators on the standards, policies, and procedures; requiring employers of certificated personnel to report misconduct by such personnel to the Department of Education; requiring that instructional personnel or school administrators be immediately suspended and reassigned under certain circumstances; amending ss. 1012.98 and 1013.03, F.S., relating to the School Community Professional Development Act and functions of the Department of Education and Board of Governors; conforming cross-references; providing an appropriation and authorizing additional positions;

MOTION

On motion by Senator Gaetz, the rules were waived to allow the following amendment to be considered:

Senator Gaetz moved the following substitute amendment for **Amendment 1F** which was adopted:

Amendment 1G (587670)(with title amendment)—Between line(s) 1295 and 1296 insert:

Section 29. Paragraphs (c) and (d) of subsection (5) of section 24.121, Florida Statutes, are amended to read:

24.121 Allocation of revenues and expenditure of funds for public education.—

(5)

(c) A portion of such net revenues, as determined annually by the Legislature, shall be distributed to each school district and shall be made available to each public school in the district for enhancing school performance through development and implementation of a school improvement plan pursuant to *s. 1001.42(18)* ~~s. 1001.42(16)~~. A portion of these moneys, as determined annually in the General Appropriations Act, must be allocated to each school in an equal amount for each student enrolled. These moneys may be expended only on programs or projects selected by the school advisory council or by a parent advisory committee created pursuant to this paragraph. If a school does not have a school advisory council, the district advisory council must appoint a parent advisory committee composed of parents of students enrolled in that school, which ~~committee~~ is representative of the ethnic, racial, and economic community served by the school, to advise the school's principal on the programs or projects to be funded. Neither school district staff nor principals may override the recommendations of the school advisory council or the parent advisory committee. These moneys may not be used for capital improvements *or*~~, nor may they be used~~ for any project or program that has a duration of more than 1 year; however, a school advisory council or parent advisory committee may independently determine that a program or project formerly funded under this paragraph should receive funds in a subsequent year.

(d) No funds shall be released for any purpose from the Educational Enhancement Trust Fund to any school district in which one or more schools do not have an approved school improvement plan pursuant to *s. 1001.42(18)* ~~s. 1001.42(16)~~ or do not comply with school advisory council membership composition requirements pursuant to s. 1001.452(1). The Commissioner of Education shall withhold disbursements from the trust fund to any school district that fails to adopt the performance-based salary schedule required by s. 1012.22(1).

Section 30. Paragraph (e) of subsection (2) of section 112.3173, Florida Statutes, is amended to read:

112.3173 Felonies involving breach of public trust and other specified offenses by public officers and employees; forfeiture of retirement benefits.—

(2) DEFINITIONS.—As used in this section, unless the context otherwise requires, the term:

(e) "Specified offense" means:

1. The committing, aiding, or abetting of an embezzlement of public funds;

2. The committing, aiding, or abetting of any theft by a public officer or employee from his or her employer;

3. Bribery in connection with the employment of a public officer or employee;

4. Any felony specified in chapter 838, except ss. 838.15 and 838.16;

5. The committing of an impeachable offense; ~~or~~

6. The committing of any felony by a public officer or employee who, willfully and with intent to defraud the public or the public agency for which the public officer or employee acts or in which he or she is employed of the right to receive the faithful performance of his or her duty as a public officer or employee, realizes or obtains, or attempts to realize or obtain, a profit, gain, or advantage for himself or herself or for some other person through the use or attempted use of the power, rights, privileges, duties, or position of his or her public office or employment position*; or*~~.~~

7. The committing on or after October 1, 2008, of any felony defined in s. 800.04 against a victim younger than 16 years of age, or any felony defined in chapter 794 against a victim younger than 18 years of age, by a public officer or employee through the use or attempted use of power, rights, privileges, duties, or position of his or her public office or employment position.

Section 31. Paragraph (i) of subsection (5) of section 121.091, Florida Statutes, is redesignated as paragraph (j), present paragraph (j) is redesignated as paragraph (k) and amended, and a new paragraph (i) is added to that subsection, to read:

121.091 Benefits payable under the system.—Benefits may not be paid under this section unless the member has terminated employment as provided in s. 121.021(39)(a) or begun participation in the Deferred Retirement Option Program as provided in subsection (13), and a proper application has been filed in the manner prescribed by the department. The department may cancel an application for retirement benefits when the member or beneficiary fails to timely provide the information and documents required by this chapter and the department's rules. The department shall adopt rules establishing procedures for application for retirement benefits and for the cancellation of such application when the required information or documents are not received.

(5) TERMINATION BENEFITS.—A member whose employment is terminated prior to retirement retains membership rights to previously earned member-noncontributory service credit, and to member-contributory service credit, if the member leaves the member contributions on deposit in his or her retirement account. If a terminated member receives a refund of member contributions, such member may reinstate membership rights to the previously earned service credit represented by the refund by completing 1 year of creditable service and repaying the refunded member contributions, plus interest.

(i) The division may not pay benefits to any member convicted of a felony committed on or after October 1, 2008, defined in s. 800.04 against a victim younger than 16 years of age, or defined in chapter 794 against a victim younger than 18 years of age, through the use or attempted use of power, rights, privileges, duties, or position of the member's public office or employment position. However, the division shall return the member's accumulated contributions, if any, that the member accumulated as of the date of conviction.

(k)~~(j)~~ Benefits shall not be paid by the division pending final resolution of such charges against a member or beneficiary if the resolution of such charges could require the forfeiture of benefits as provided in paragraph (f), paragraph (g), paragraph (h), ~~or~~ paragraph (i)*, or paragraph (j)*.

Section 32. Section 794.09, Florida Statutes, is created to read:

794.09 Forfeiture of retirement benefits.—The retirement benefits of a person convicted of a felony committed on or after October 1, 2008, under this chapter are subject to forfeiture in accordance with s. 112.3173 or s. 121.091 if the person is a public officer or employee when the offense occurs; the person commits the offense through the use or attempted use of power, rights, privileges, duties, or position of the person's public office or employment position; and the victim is younger than 18 years of age when the offense occurs.

Section 33. Section 800.05, Florida Statutes, is created to:

800.05 Forfeiture of retirement benefits for a felony defined in s. 800.04.—The retirement benefits of a person convicted of a felony committed on or after October 1, 2008, defined in s. 800.04 are subject to forfeiture in accordance with s. 112.3173 or s. 121.091 if the person is a public officer or employee when the offense occurs; the person commits the offense through the use or attempted use of power, rights, privileges, duties, or position of the person's public office or employment position; and the victim is younger than 16 years of age when the offense occurs.

Section 34. Subsection (4) of section 1001.10, Florida Statutes, is renumbered as subsection (6) and new subsections (4) and (5) are added to that section to read:

1001.10 Commissioner of Education; general powers and duties.—

(4) The Department of Education shall provide technical assistance to school districts, charter schools, the Florida School for the Deaf and the Blind, and private schools that accept scholarship students under s. 220.187 or s. 1002.39 in the development of policies, procedures, and training related to employment practices and standards of ethical conduct for instructional personnel and school administrators, as defined in s. 1012.01.

(5) The Department of Education shall provide authorized staff of school districts, charter schools, the Florida School for the Deaf and the Blind, and private schools that accept scholarship students under s. 220.187 or s. 1002.39 with access to electronic verification of information from the following employment screening tools:

(a) The Professional Practices' Database of Disciplinary Actions Against Educators; and

(b) The Department of Education's Teacher Certification Database.

This subsection does not require the department to provide these staff with unlimited access to the databases. However, the department shall provide the staff with access to the data necessary for performing employment history checks of the instructional personnel and school administrators included in the databases.

Section 35. Subsection (4) of section 1001.32, Florida Statutes, is amended to read:

1001.32 Management, control, operation, administration, and supervision.—The district school system must be managed, controlled, operated, administered, and supervised as follows:

(4) SCHOOL PRINCIPAL OR HEAD OF SCHOOL.—Responsibility for the administration of any school or schools at a given school center, for the supervision of instruction therein, and for providing leadership in the development or revision and implementation of a school improvement plan required *by s. 1001.42(18)* ~~pursuant to s. 1001.42(16)~~ shall be delegated to the school principal or head of the school or schools in accordance with rules established by the district school board.

Section 36. Subsections (6) through (23) of section 1001.42, Florida Statutes, are renumbered as subsections (8) through (25), respectively, and new subsections (6) and (7) are added to that section to read:

1001.42 Powers and duties of district school board.—The district school board, acting as a board, shall exercise all powers and perform all duties listed below:

(6) STANDARDS OF ETHICAL CONDUCT FOR INSTRUCTIONAL PERSONNEL AND SCHOOL ADMINISTRATORS.—Adopt policies establishing standards of ethical conduct for instructional personnel and school administrators. The policies must require all instructional personnel and school administrators, as defined in s. 1012.01, to complete training on the standards; establish the duty of instructional

personnel and school administrators to report, and procedures for reporting, alleged misconduct by other instructional personnel and school administrators which affects the health, safety, or welfare of a student; and include an explanation of the liability protections provided under ss. 39.203 and 768.095. A district school board, or any of its employees, may not enter into a confidentiality agreement regarding terminated or dismissed instructional personnel or school administrators, or personnel or administrators who resign in lieu of termination, based in whole or in part on misconduct that affects the health, safety, or welfare of a student, and may not provide instructional personnel or school administrators with employment references, or discuss the personnel's or administrators' performance with prospective employers in another educational setting, without disclosing the personnel's or administrators' misconduct. Any part of an agreement or contract that has the purpose or effect of concealing misconduct by instructional personnel or school administrators which affects the health, safety, or welfare of a student is void, is contrary to public policy, and may not be enforced.

(7) DISQUALIFICATION FROM EMPLOYMENT.—Disqualify instructional personnel and school administrators, as defined in s. 1012.01, from employment in any position that requires direct contact with students, if the personnel or administrators are ineligible for such employment under s. 1012.315. An elected or appointed school board official forfeits his or her salary for 1 year, if:

(a) The school board official knowingly signs and transmits to any state official a report of alleged misconduct by instructional personnel or school administrators which affects the health, safety, or welfare of a student, and the school board official knows the report to be false or incorrect; or

(b) The school board official knowingly fails to adopt policies that require instructional personnel and school administrators to report alleged misconduct by other instructional personnel and school administrators, or that require the investigation of all reports of alleged misconduct by instructional personnel and school administrators, if the misconduct affects the health, safety, or welfare of a student.

Section 37. Paragraphs (a) and (c) of subsection (1) and subsection (2) of section 1001.452, Florida Statutes, are amended to read:

1001.452 District and school advisory councils.—

(1) ESTABLISHMENT.—

(a) The district school board shall establish an advisory council for each school in the district and shall develop procedures for the election and appointment of advisory council members. Each school advisory council shall include in its name the words "school advisory council." The school advisory council shall be the sole body responsible for final decisionmaking at the school relating to implementation of *ss. 1001.42(18)* ~~the provisions of ss. 1001.42(16)~~ and 1008.345. A majority of the members of each school advisory council must be persons who are not employed by the school. Each advisory council shall be composed of the principal and an appropriately balanced number of teachers, education support employees, students, parents, and other business and community citizens who are representative of the ethnic, racial, and economic community served by the school. Career center and high school advisory councils shall include students, and middle and junior high school advisory councils may include students. School advisory councils of career centers and adult education centers are not required to include parents as members. Council members representing teachers, education support employees, students, and parents shall be elected by their respective peer groups at the school in a fair and equitable manner as follows:

1. Teachers shall be elected by teachers.

2. Education support employees shall be elected by education support employees.

3. Students shall be elected by students.

4. Parents shall be elected by parents.

The district school board shall establish procedures *to be used* ~~for use~~ by schools in selecting business and community members that include means of ensuring wide notice of vacancies and of taking input on possible members from local business, chambers of commerce, community and civic organizations and groups, and the public at large. The district school board shall review the membership composition of each advisory council. If the district school board determines that the membership elected by the school is not representative of the ethnic, racial, and economic community served by the school, the district school board shall appoint additional members to achieve proper representation. The commissioner shall determine if schools have maximized their efforts to include on their advisory councils minority persons and persons of lower socioeconomic status. Although schools are strongly encouraged to establish school advisory councils, the district school board of any school district that has a student population of 10,000 or fewer may establish a district advisory council which *includes* ~~shall include~~ at least one duly elected teacher from each school in the district. For the purposes of school advisory councils and district advisory councils, the term "teacher" *includes* ~~shall include~~ classroom teachers, certified student services personnel, and media specialists. For purposes of this paragraph, "education support employee" means any person employed by a school who is not defined as instructional or administrative personnel pursuant to s. 1012.01 and whose duties require 20 or more hours in each normal working week.

(c) For those schools operating for the purpose of providing educational services to youth in Department of Juvenile Justice programs, district school boards may establish a district advisory council with appropriate representatives for the purpose of developing and monitoring a district school improvement plan that encompasses all such schools in the district, pursuant to *s. 1001.42(18)(a)* ~~s. 1001.42(16)(a)~~.

(2) DUTIES.—Each advisory council shall perform ~~such~~ functions ~~as are~~ prescribed by regulations of the district school board; however, no advisory council shall have any of the powers and duties now reserved by law to the district school board. Each school advisory council shall assist in the preparation and evaluation of the school improvement plan required pursuant to *s. 1001.42(18)* ~~s. 1001.42(16)~~. With technical assistance from the Department of Education, each school advisory council shall assist in the preparation of the school's annual budget and plan as required by s. 1008.385(1). A portion of funds provided in the annual General Appropriations Act for use by school advisory councils must be used for implementing the school improvement plan.

Section 38. Subsection (12) of section 1001.51, Florida Statutes, is amended to read:

1001.51 Duties and responsibilities of district school superintendent.—The district school superintendent shall exercise all powers and perform all duties listed below and elsewhere in the law, provided that, in so doing, he or she shall advise and counsel with the district school board. The district school superintendent shall perform all tasks necessary to make sound recommendations, nominations, proposals, and reports required by law to be acted upon by the district school board. All such recommendations, nominations, proposals, and reports by the district school superintendent shall be either recorded in the minutes or shall be made in writing, noted in the minutes, and filed in the public records of the district school board. It shall be presumed that, in the absence of the record required in this section, the recommendations, nominations, and proposals required of the district school superintendent were not contrary to the action taken by the district school board in such matters.

(12) RECORDS AND REPORTS.—Recommend such records as should be kept in addition to those prescribed by rules of the State Board of Education; prepare forms for keeping such records as are approved by the district school board; ensure that such records are properly kept; and make all reports that are needed or required, as follows:

(a) Forms, blanks, and reports.—Require that all employees accurately keep all records and promptly make in proper form all reports required by the education code or by rules of the State Board of Education; recommend the keeping of such additional records and the making of such additional reports as may be deemed necessary to provide data essential for the operation of the school system; and prepare such forms and blanks as may be required and ensure that these records and reports are properly prepared.

(b) Reports to the department.—Prepare, for the approval of the district school board, all reports ~~that may be~~ required by law or rules of the State Board of Education to be made to the department and transmit promptly all such reports, when approved, to the department, as required by law. If any ~~such~~ reports are not transmitted at the time and

in the manner prescribed by law or by State Board of Education rules, the salary of the district school superintendent must be withheld until the report has been properly submitted. Unless otherwise provided by rules of the State Board of Education, the annual report on attendance and personnel is due on or before July 1, and the annual school budget and the report on finance are due on the date prescribed by the commissioner.

Any district school superintendent who knowingly signs and transmits to any state official a ~~false or incorrect~~ report *that the superintendent knows to be false or incorrect; who knowingly fails to investigate any allegation of misconduct by instructional personnel or school administrators, as defined in s. 1012.01, which affects the health, safety, or welfare of a student; or who knowingly fails to report the alleged misconduct to the department as required in s. 1012.796, forfeits* ~~shall forfeit~~ his or her ~~right to any~~ salary for ~~the period of~~ 1 year *following the* ~~from that~~ date *of such act or failure to act*.

Section 39. Subsection (2) of section 1001.54, Florida Statutes, is amended to read:

1001.54 Duties of school principals.—

(2) Each school principal shall provide instructional leadership in the development, revision, and implementation of a school improvement plan pursuant to *s. 1001.42(18)* ~~s. 1001.42(16)~~.

Section 40. Paragraph (b) of subsection (11) of section 1002.32, Florida Statutes, is amended to read:

1002.32 Developmental research (laboratory) schools.—

(11) EXCEPTIONS TO LAW.—To encourage innovative practices and facilitate the mission of the lab schools, in addition to the exceptions to law specified in s. 1001.23(2), the following exceptions shall be permitted for lab schools:

(b) With the exception of *s. 1001.42(18)* ~~s. 1001.42(16)~~, s. 1001.42 shall be held in abeyance. Reference to district school boards in *s. 1001.42(18)* ~~s. 1001.42(16)~~ shall mean the president of the university or the president's designee.

Section 41. Paragraph (g) of subsection (12) of section 1002.33, Florida Statutes, is amended to read:

1002.33 Charter schools.—

(12) EMPLOYEES OF CHARTER SCHOOLS.—

(g)*1.* A charter school shall employ or contract with employees who have undergone background screening as provided in s. 1012.32. Members of the governing board of the charter school shall also undergo background screening in a manner similar to that provided in s. 1012.32.

2. A charter school shall disqualify instructional personnel and school administrators, as defined in s. 1012.01, from employment in any position that requires direct contact with students, if the personnel or administrators are ineligible for such employment under s. 1012.315.

3. The governing board of a charter school shall adopt policies establishing standards of ethical conduct for instructional personnel and school administrators. The policies must require all instructional personnel and school administrators, as defined in s. 1012.01, to complete training on the standards; establish the duty of instructional personnel and school administrators to report, and procedures for reporting, alleged misconduct by other instructional personnel and school administrators which affects the health, safety, or welfare of a student; and include an explanation of the liability protections provided under ss. 39.203 and 768.095. A charter school, or any of its employees, may not enter into a confidentiality agreement regarding terminated or dismissed instructional personnel or school administrators, or personnel or administrators who resign in lieu of termination, based in whole or in part on misconduct that affects the health, safety, or welfare of a student, and may not provide instructional personnel or school administrators with employment references, or discuss the personnel's or administrators' performance with prospective employers in another educational setting, without disclosing the personnel's or administrators' misconduct. Any part of an agreement or contract that has the purpose or effect of concealing misconduct by instructional personnel or school administrators which affects the health, safety, or welfare of a student is void, is contrary to public policy, and may not be enforced.

4. Before employing instructional personnel or school administrators in any position that requires direct contact with students, a charter school shall conduct employment history checks of each of the personnel's or administrators' previous employer, screen the instructional personnel or school administrators through use of the educator screening tools described in s. 1001.10(5), and document the findings. If unable to contact a previous employer, the charter school must document efforts to contact the employer.

5. The sponsor of a charter school that fails to comply with this paragraph shall terminate the charter under subsection (8).

Section 42. Paragraph (g) is added to subsection (7) of section 1002.36, Florida Statutes, to read:

1002.36 Florida School for the Deaf and the Blind.—

(7) PERSONNEL SCREENING.—

(g) For purposes of protecting the health, safety, or welfare of students, the Florida School for the Deaf and the Blind is considered a school district and must, except as otherwise provided in this section, comply with ss. 1001.03, 1001.42, 1001.51, 1006.061, 1012.27, 1012.315, 1012.32, 1012.33, 1012.56, 1012.795, and 1012.796.

Section 43. Subsections (4), (5), and (6) of section 1002.421, Florida Statutes, are renumbered as subsections (5), (6), and (7), respectively, and a new subsection (4) is added to that section to read:

1002.421 Accountability of private schools participating in state school choice scholarship programs.—

(4) A private school that accepts scholarship students under s. 220.187 or s. 1002.39 must:

(a) Disqualify instructional personnel and school administrators, as defined in s. 1012.01, from employment in any position that requires direct contact with students, if the personnel or administrators are ineligible for such employment under s. 1012.315.

(b) Adopt policies establishing standards of ethical conduct for instructional personnel and school administrators. The policies must require all instructional personnel and school administrators, as defined in s. 1012.01, to complete training on the standards; establish the duty of instructional personnel and school administrators to report, and procedures for reporting, alleged misconduct by other instructional personnel and school administrations which affects the health, safety, or welfare of a student; and include an explanation of the liability protections provided under ss. 39.203 and 768.095. A private school, or any of its employees, may not enter into a confidentiality agreement regarding terminated or dismissed instructional personnel or school administrators, or personnel or administrators who resign in lieu of termination, based in whole or in part on misconduct that affects the health, safety, or welfare of a student, and may not provide the instructional personnel or school administrators with employment references, or discuss the personnel's or administrators' performance with prospective employers in another educational setting, without disclosing the personnel's or administrators' misconduct. Any part of an agreement or contract that has the purpose or effect of concealing misconduct by instructional personnel or school administrators which affects the health, safety, or welfare of a student is void, is contrary to public policy, and may not be enforced.

(c) Before employing instructional personnel or school administrators in any position that requires direct contact with students, conduct employment history checks of each of the personnel's or administrators' previous employer, screen the personnel or administrators through use of the educator screening tools described in s. 1001.10(5), and document the findings. If unable to contact a previous employer, the private school must document efforts to contact the employer.

The department shall suspend the payment of funds under ss. 220.187 and 1002.39 to a private school that fails to comply with this subsection, and shall prohibit the school from enrolling new scholarship students, for 1 fiscal year and until the school complies.

Section 44. Subsection (2) of section 1003.413, Florida Statutes, is amended to read:

1003.413 Florida Secondary School Redesign Act.—

(2) The following guiding principles for secondary school redesign shall be used in the annual preparation of each secondary school's improvement plan required by *s. 1001.42(18)* ~~s. 1001.42(16)~~:

(a) Struggling students, especially those in failing schools, need the highest quality teachers and dramatically different, innovative approaches to teaching and learning.

(b) Every teacher must contribute to every student's reading improvement.

(c) Quality professional development provides teachers and principals with the tools they need to better serve students.

(d) Small learning communities allow teachers to personalize instruction to better address student learning styles, strengths, and weaknesses.

(e) Intensive intervention in reading and mathematics must occur early and through innovative delivery systems.

(f) Parents need access to tools they can use to monitor their child's progress in school, communicate with teachers, and act early on behalf of their child.

(g) Applied and integrated courses help students see the relationships between subjects and relevance to their futures.

(h) School is more relevant when students choose courses based on their goals, interests, and talents.

(i) Master schedules should not determine instruction and must be designed based on student needs, not adult or institutional needs.

(j) Academic and career planning engages students in developing a personally meaningful course of study so they can achieve goals they have set for themselves.

Section 45. Paragraph (b) of subsection (2) of section 1003.53, Florida Statutes, is amended to read:

1003.53 Dropout prevention and academic intervention.—

(2)

(b) Each school that establishes a dropout prevention and academic intervention program at that school site shall reflect that program in the school improvement plan as required under *s. 1001.42(18)* ~~s. 1001.42(16)~~.

Section 46. Subsections (1) and (3) of section 1004.92, Florida Statutes, are amended to read:

1004.92 Purpose and responsibilities for career education.—

(1) The purpose of career education is to enable students who complete career programs to attain and sustain employment and realize economic self-sufficiency. The purpose of this section is to identify issues related to career education for which school boards and community college boards of trustees are accountable. It is the intent of the Legislature that the standards articulated in subsection (2) be considered in the development of accountability standards for public schools pursuant to ss. 1000.03, *1001.42(18)* ~~1001.42(16)~~, and 1008.345 and for community colleges pursuant to s. 1008.45.

(3) Each career center operated by a district school board shall establish a center advisory council pursuant to s. 1001.452. The center advisory council shall assist in the preparation and evaluation of center improvement plans required pursuant to *s. 1001.42(18)* ~~s. 1001.42(16)~~ and may provide assistance, upon the request of the center director, in the preparation of the center's annual budget and plan as required by s. 1008.385(1).

Section 47. Section 1006.061, Florida Statutes, is amended to read:

1006.061 Child abuse, abandonment, and neglect policy.—Each district school board*, charter school, and private school that accepts scholarship students under s. 220.187 or s. 1002.39* shall:

(1) Post in a prominent place in each school a notice that, pursuant to chapter 39, all employees and agents of the district school board*, charter school, or private school* have an affirmative duty to report all actual or suspected cases of child abuse, abandonment, or neglect; have immunity from liability if they report such cases in good faith; and have a duty to comply with child protective investigations and all other provisions of law relating to child abuse, abandonment, and neglect. The notice shall also include the statewide toll-free telephone number of the central abuse hotline.

(2) Post in a prominent place at each school site and on each school's Internet website, if available, the policies and procedures for reporting alleged misconduct by instructional personnel or school administrators which affects the health, safety, or welfare of a student; the contact person to whom the report is made; and the penalties imposed on instructional personnel or school administrators who fail to report suspected or actual child abuse or alleged misconduct by other instructional personnel or school administrators.

(3)~~(2)~~ Require the *principal of the charter school or private school, or the* district school superintendent, or the superintendent's designee, at the request of the Department of Children and Family Services, to act as a liaison to the Department of Children and Family Services and the child protection team, as defined in s. 39.01, when in a case of suspected child abuse, abandonment, or neglect or an unlawful sexual offense involving a child the case is referred to such a team; except that this does not relieve or restrict the Department of Children and Family Services from discharging its duty and responsibility under the law to investigate and report every suspected or actual case of child abuse, abandonment, or neglect or unlawful sexual offense involving a child.

The Department of Education shall develop, and publish on the department's Internet website, sample notices suitable for posting in accordance with subsections (1) and (2).

Section 48. Subsection (4) of section 1008.33, Florida Statutes, is amended to read:

1008.33 Authority to enforce public school improvement.—It is the intent of the Legislature that all public schools be held accountable for students performing at acceptable levels. A system of school improvement and accountability that assesses student performance by school, identifies schools in which students are not making adequate progress toward state standards, institutes appropriate measures for enforcing improvement, and provides rewards and sanctions based on performance shall be the responsibility of the State Board of Education.

(4) The State Board of Education may require the Department of Education or Chief Financial Officer to withhold any transfer of state funds to the school district if, within the timeframe specified in state board action, the school district has failed to comply with the action ordered to improve the district's low-performing schools. Withholding the transfer of funds shall occur only after all other recommended actions for school improvement have failed to improve performance. The State Board of Education may impose the same penalty on any district school board that fails to develop and implement a plan for assistance and intervention for low-performing schools as specified in *s. 1001.42(18)(c)* ~~s. 1001.42(16)(c)~~.

Section 49. Paragraph (c) of subsection (6) of section 1008.345, Florida Statutes, is amended to read:

1008.345 Implementation of state system of school improvement and education accountability.—

(6)

(c) Pursuant to s. 24.121(5)(d), the department shall not release funds from the Educational Enhancement Trust Fund to any district in which a school, including schools operating for the purpose of providing educational services to youth in Department of Juvenile Justice programs, does not have an approved school improvement plan, pursuant to *s. 1001.42(18)* ~~s. 1001.42(16)~~, after 1 full school year of planning and development, or does not comply with school advisory council membership composition requirements pursuant to s. 1001.452. The department shall send a technical assistance team to each school without an approved plan to develop such school improvement plan or to each school without appropriate school advisory council membership composition to develop a strategy for corrective action. The department shall release

the funds upon approval of the plan or upon establishment of a plan of corrective action. Notice shall be given to the public of the department's intervention and shall identify each school without a plan or without appropriate school advisory council membership composition.

Section 50. Subsection (5) of section 1010.215, Florida Statutes, is amended to read:

1010.215 Educational funding accountability.—

(5) The annual school public accountability report required by ss. *1001.42(18)* ~~1001.42(16)~~ and 1008.345 must include a school financial report. The purpose of the school financial report is to better inform parents and the public concerning how funds were spent to operate the school during the prior fiscal year. Each school's financial report must follow a uniform, districtwide format that is easy to read and understand.

(a) Total revenue must be reported at the school, district, and state levels. The revenue sources that must be addressed are state and local funds, other than lottery funds; lottery funds; federal funds; and private donations.

(b) Expenditures must be reported as the total expenditures per unweighted full-time equivalent student at the school level and the average expenditures per full-time equivalent student at the district and state levels in each of the following categories and subcategories:

1. Teachers, excluding substitute teachers, and education paraprofessionals who provide direct classroom instruction to students enrolled in programs classified by s. 1011.62 as:

a. Basic programs;

b. Students-at-risk programs;

c. Special programs for exceptional students;

d. Career education programs; and

e. Adult programs.

2. Substitute teachers.

3. Other instructional personnel, including school-based instructional specialists and their assistants.

4. Contracted instructional services, including training for instructional staff and other contracted instructional services.

5. School administration, including school-based administrative personnel and school-based education support personnel.

6. The following materials, supplies, and operating capital outlay:

a. Textbooks;

b. Computer hardware and software;

c. Other instructional materials;

d. Other materials and supplies; and

e. Library media materials.

7. Food services.

8. Other support services.

9. Operation and maintenance of the school plant.

(c) The school financial report must also identify the types of district-level expenditures that support the school's operations. The total amount of these district-level expenditures must be reported and expressed as total expenditures per full-time equivalent student.

Section 51. Paragraph (b) of subsection (6) of section 1011.18, Florida Statutes, is amended to read:

1011.18 School depositories; payments into and withdrawals from depositories.—

(6) EXEMPTION FOR SELF-INSURANCE PROGRAMS AND THIRD-PARTY ADMINISTERED EMPLOYEES' FRINGE BENEFIT PROGRAMS.—

(b) The district school board may contract with an insurance company or professional administrator who holds a valid certificate of authority issued by the Office of Insurance Regulation of the Financial Services Commission to provide any ~~or all~~ services that a third-party administrator is authorized by law to perform. Pursuant to such contract, the district school board may advance or remit money to the administrator to be deposited in a designated special checking account for paying claims against the district school board under its self-insurance programs, and remitting premiums to the providers of insured benefits on behalf of the district school board and the participants in such programs, and otherwise fulfilling the obligations imposed upon the administrator by law and the contractual agreements between the district school board and the administrator. The special checking account shall be maintained in a designated district school depository. The district school board may replenish such account as often as necessary upon the presentation by the service organization of documentation for claims or premiums due paid equal to the amount of the requested reimbursement. Such replenishment shall be made by a warrant signed by the chair of the district school board and countersigned by the district school superintendent. Such replenishment may be made by electronic, telephonic, or other medium, and each transfer shall be confirmed in writing and signed by the district school superintendent or his or her designee. The provisions of strict accountability of all funds and an annual audit by an independent certified public accountant as provided in *s. 1001.42(12)(k)* ~~s. 1001.42(10)(k) shall~~ apply to this subsection.

Section 52. Subsection (6) of section 1012.27, Florida Statutes, is renumbered as subsection (7), and a new subsection (6) is added to that section to read:

1012.27 Public school personnel; powers and duties of district school superintendent.—The district school superintendent is responsible for directing the work of the personnel, subject to the requirements of this chapter, and in addition the district school superintendent shall perform the following:

(6) EMPLOYMENT HISTORY CHECKS.—Before employing instructional personnel and school administrators, as defined in s. 1012.01, in any position that requires direct contact with students, conduct employment history checks of each of the personnel's or administrators' previous employer, screen the personnel or administrators through use of the educator screening tools described in s. 1001.10(5), and document the findings. If unable to contact a previous employer, the district school superintendent shall document efforts to contact the employer.

Section 53. Section 1012.315, Florida Statutes, is created to read:

1012.315 Disqualification from employment.—A person is ineligible for educator certification, and instructional personnel and school administrators, as defined in s. 1012.01, are ineligible for employment in any position that requires direct contact with students in a district school system, charter school, or private school that accepts scholarship students under s. 220.187 or s. 1002.39, if the person, instructional personnel, or school administrator has been convicted of:

(1) Any felony offense prohibited under any of the following statutes:

(a) Section 393.135, relating to sexual misconduct with certain developmentally disabled clients and reporting of such sexual misconduct.

(b) Section 394.4593, relating to sexual misconduct with certain mental health patients and reporting of such sexual misconduct.

(c) Section 415.111, relating to adult abuse, neglect, or exploitation of aged persons or disabled adults.

(d) Section 782.04, relating to murder.

(e) Section 782.07, relating to manslaughter, aggravated manslaughter of an elderly person or disabled adult, aggravated manslaughter of a child, or aggravated manslaughter of an officer, a firefighter, an emergency medical technician, or a paramedic.

(f) Section 782.09, relating to killing of an unborn quick child by injury to the mother.

(g) Section 784.021, relating to aggravated assault.

(h) Section 784.045, relating to aggravated battery.

(i) Section 784.075, relating to battery on a detention or commitment facility staff.

(j) Section 787.01, relating to kidnapping.

(k) Section 787.02, relating to false imprisonment.

(l) Section 787.025, relating to luring or enticing a child.

(m) Section 787.04(2), relating to leading, taking, enticing, or removing a minor beyond the state limits, or concealing the location of a minor, with criminal intent pending custody proceedings.

(n) Section 787.04(3), relating to leading, taking, enticing, or removing a minor beyond the state limits, or concealing the location of a minor, with criminal intent pending dependency proceedings or proceedings concerning alleged abuse or neglect of a minor.

(o) Section 790.115(1), relating to exhibiting firearms or weapons within 1,000 feet of a school.

(p) Section 790.115(2)(b), relating to possessing an electric weapon or device, destructive device, or other weapon on school property.

(q) Section 794.011, relating to sexual battery.

(r) Former section 794.041, relating to prohibited act of familial or custodial authority.

(s) Section 794.05, relating to unlawful sexual activity with certain minors.

(t) Section 794.08, relating to female genital mutilation.

(u) Chapter 796, relating to prostitution.

(v) Chapter 800, relating to lewdness and indecent exposure.

(w) Section 806.01, relating to arson.

(x) Section 810.14, relating to voyeurism.

(y) Section 810.145, relating to video voyeurism.

(z) Section 812.014(6), relating to coordinating the commission of theft in excess of $3,000.

(aa) Section 812.0145, relating to theft from persons 65 years of age or older.

(bb) Section 812.019, relating to dealing in stolen property.

(cc) Section 812.13, relating to robbery.

(dd) Section 812.131, relating to robbery by sudden snatching.

(ee) Section 812.133, relating to carjacking.

(ff) Section 812.135, relating to home-invasion robbery.

(gg) Section 817.563, relating to fraudulent sale of controlled substances.

(hh) Section 825.102, relating to abuse, aggravated abuse, or neglect of an elderly person or disabled adult.

(ii) Section 825.103, relating to exploitation of an elderly person or disabled adult.

(jj) Section 825.1025, relating to lewd or lascivious offenses committed upon or in the presence of an elderly person or disabled person.

(kk) Section 826.04, relating to incest.

(ll) Section 827.03, relating to child abuse, aggravated child abuse, or neglect of a child.

(mm) Section 827.04, relating to contributing to the delinquency or dependency of a child.

(nn) Section 827.071, relating to sexual performance by a child.

(oo) Section 843.01, relating to resisting arrest with violence.

(pp) Chapter 847, relating to obscenity.

(qq) Section 874.05, relating to encouraging or recruiting another to join a criminal gang.

(rr) Chapter 893, relating to drug abuse prevention and control, if the offense was a felony of the second degree or greater severity.

(ss) Section 916.1075, relating to sexual misconduct with certain forensic clients and reporting of such sexual misconduct.

(tt) Section 944.47, relating to introduction of contraband into a correctional facility.

(uu) Section 985.701, relating to sexual misconduct in juvenile justice programs.

(vv) Section 985.711, relating to contraband introduced into detention facilities.

(2) Any misdemeanor offense prohibited under any of the following statutes:

(a) Section 784.03, relating to battery, if the victim of the offense was a minor.

(b) Section 787.025, relating to luring or enticing a child.

(3) Any criminal act committed in another state or under federal law which, if committed in this state, constitutes an offense prohibited under any statute listed in subsection (1) or subsection (2).

(4) Any delinquent act committed in this state or any delinquent or criminal act committed in another state or under federal law which, if committed in this state, qualifies an individual for inclusion on the Registered Juvenile Sex Offender List under s. 943.0435(1)(a)1.d.

Section 54. Subsections (1) and (2) and paragraph (c) of subsection (3) of section 1012.32, Florida Statutes, are amended to read:

1012.32 Qualifications of personnel.—

(1) To be eligible for appointment in any position in any district school system, a person *must* ~~shall~~ be of good moral character; *must* ~~shall~~ have attained the age of 18 years, if he or she is to be employed in an instructional capacity; *must not be ineligible for such employment under s. 1012.315;* and *must* ~~shall~~, when required by law, hold a certificate or license issued under rules of the State Board of Education or the Department of Children and Family Services, except when employed pursuant to s. 1012.55 or under the emergency provisions of s. 1012.24. Previous residence in this state shall not be required in any school of the state as a prerequisite for any person holding a valid Florida certificate or license to serve in an instructional capacity.

(2)(a) Instructional and noninstructional personnel who are hired or contracted to fill positions *that require* ~~requiring~~ direct contact with students in any district school system or university lab school *must* ~~shall~~, upon employment or engagement to provide services, undergo background screening as required under s. 1012.465 or s. 1012.56, whichever is applicable.

(b) Instructional and noninstructional personnel who are hired or contracted to fill positions in any charter school and members of the governing board of any charter school, in compliance with s. 1002.33(12)(g), *must* ~~shall~~, upon employment, engagement of services, or appointment, undergo background screening as required under s. 1012.465 or s. 1012.56, whichever is applicable, by filing with the district school board for the school district in which the charter school is located a complete set of fingerprints taken by an authorized law enforcement agency or an employee of the school or school district who is trained to take fingerprints.

(c) Instructional and noninstructional personnel who are hired or contracted to fill positions *that require* ~~requiring~~ direct contact with students in an alternative school that operates under contract with a district school system *must* ~~shall~~, upon employment or engagement to provide services, undergo background screening as required under s. 1012.465 or s. 1012.56, whichever is applicable, by filing with the district school board for the school district to which the alternative school is under contract a complete set of fingerprints taken by an authorized law enforcement agency or an employee of the school or school district who is trained to take fingerprints.

(d) Student teachers, persons participating in a field experience pursuant to s. 1004.04(6) or s. 1004.85, and persons participating in a short-term experience as a teacher assistant pursuant to s. 1004.04(10) in any district school system, lab school, or charter school *must* ~~shall~~, upon engagement to provide services, undergo background screening as required under s. 1012.56.

Fingerprints shall be submitted to the Department of Law Enforcement for state *criminal records checks* ~~processing~~ and to the Federal Bureau of Investigation for *national criminal records checks* ~~federal processing~~. *A person* ~~Persons~~ subject to this subsection *who is* found *ineligible for employment under s. 1012.315, or otherwise found* through *background screening* ~~fingerprint processing~~ to have been convicted of *any* ~~a~~ crime involving moral turpitude *as defined by rule of the State Board of Education,* shall not be employed, engaged to provide services, or serve in any position *that requires* ~~requiring~~ direct contact with students. Probationary persons subject to this subsection terminated because of their criminal record have the right to appeal such decisions. The cost of the background screening may be borne by the district school board, the charter school, the employee, the contractor, or a person subject to this subsection.

(3)

(c) Personnel whose fingerprints are not retained by the Department of Law Enforcement under paragraphs (a) and (b) *must* ~~are required to~~ be refingerprinted and *rescreened in accordance with subsection (2)* ~~must meet level 2 screening requirements as described in this section~~ upon reemployment or reengagement to provide services in order to comply with the requirements of this subsection.

Section 55. Paragraph (a) of subsection (1), paragraph (c) of subsection (4), and paragraph (b) of subsection (6) of section 1012.33, Florida Statutes, are amended to read:

1012.33 Contracts with instructional staff, supervisors, and school principals.—

(1)(a) Each person employed as a member of the instructional staff in any district school system shall be properly certified pursuant to s. 1012.56 or s. 1012.57 or employed pursuant to s. 1012.39 and shall be entitled to and shall receive a written contract as specified in this section. All such contracts, except continuing contracts as specified in subsection (4), shall contain provisions for dismissal during the term of the contract only for just cause. Just cause includes, but is not limited to, the following instances, as defined by rule of the State Board of Education: *immorality,* misconduct in office, incompetency, gross insubordination, willful neglect of duty, *or being convicted or found guilty of, or entering a plea of guilty to, regardless of adjudication of guilt, any* ~~or conviction of a~~ crime involving moral turpitude.

(4)

(c) Any member of the district administrative or supervisory staff and any member of the instructional staff, including any school principal, who is under continuing contract may be suspended or dismissed at any time during the school year; however, the charges against him or her must be based on immorality, misconduct in office, incompetency, gross insubordination, willful neglect of duty, drunkenness, or *being convicted or found guilty of, or entering a plea of guilty to, regardless of adjudication of guilt, any* ~~conviction of a~~ crime involving moral turpitude, as these terms are defined by rule of the State Board of Education. Whenever such charges are made against *an* ~~any such~~ employee of the district school board, the district school board may suspend such person without pay; but, if the charges are not sustained, he or she shall be immediately reinstated, and his or her back salary shall be paid. In cases of suspension by the district school board or by the district school superintendent, the district school board shall determine upon the evidence submitted whether the charges have been sustained and, if the charges are sustained, shall determine either to dismiss the employee or fix the terms under which he or she may be reinstated. If such charges are sustained by a majority vote of the full membership of the district school board and *the* ~~such~~ employee is discharged, his or her contract of employment shall be ~~thereby~~ canceled. Any ~~such~~ decision adverse to the employee may be appealed by the employee pursuant to s. 120.68, provided *the* ~~such~~ appeal is filed within 30 days after the decision of the district school board.

(6)

(b) Any member of the district administrative or supervisory staff, including any principal but excluding an employee specified in subsection (4), may be suspended or dismissed at any time during the term of the contract; however, the charges against him or her must be based on immorality, misconduct in office, incompetency, gross insubordination, willful neglect of duty, drunkenness, or *being convicted or found guilty of, or entering a plea of guilty, regardless of adjudication of guilt,* ~~conviction of~~ any crime involving moral turpitude, as these terms are defined by rule of the State Board of Education. Whenever such charges are made against *an* ~~any such~~ employee of the district school board, the district school board may suspend the employee without pay; but, if the charges are not sustained, he or she shall be immediately reinstated, and his or her back salary shall be paid. In cases of suspension by the district school board or by the district school superintendent, the district school board shall determine upon the evidence submitted whether the charges have been sustained and, if the charges are sustained, shall determine either to dismiss the employee or fix the terms under which he or she may be reinstated. If such charges are sustained by a majority vote of the full membership of the district school board and *the* ~~such~~ employee is discharged, his or her contract of employment shall be ~~thereby~~ canceled. Any ~~such~~ decision adverse to the employee may be appealed by him or her pursuant to s. 120.68, provided such appeal is filed within 30 days after the decision of the district school board.

Section 56. Subsection (4) of section 1012.34, Florida Statutes, is amended to read:

1012.34 Assessment procedures and criteria.—

(4) The district school superintendent shall notify the department of any instructional personnel who receive two consecutive unsatisfactory evaluations and who have been given written notice by the district that their employment is being terminated or is not being renewed or that the district school board intends to terminate, or not renew, their employment. The department shall conduct an investigation to determine whether action shall be taken against the certificateholder pursuant to *s. 1012.795(1)(c)* ~~s. 1012.795(1)(b)~~.

Section 57. Subsections (9) and (14) of section 1012.56, Florida Statutes, are amended to read:

1012.56 Educator certification requirements.—

(9) BACKGROUND SCREENING REQUIRED, INITIALLY AND PERIODICALLY.—

(a) Each person who seeks certification under this chapter must *be fingerprinted and screened* ~~meet level 2 screening requirements as described~~ in *accordance with* s. 1012.32 *and must not be ineligible for such certification under s. 1012.315. A person who has been screened in accordance with s. 1012.32* ~~unless a level 2 screening has been conducted~~ by a district school board or the Department of Education within 12 months before the date the person initially obtains certification under this chapter, the results of which are submitted to the district school board or to the Department of Education*, is not required to repeat the screening under this paragraph*.

(b) A person may not receive a certificate under this chapter until the *person's* ~~level 2~~ screening *under s. 1012.32 is* ~~has been~~ completed and the results have been submitted to the Department of Education or to the district school superintendent of the school district that employs the person. Every 5 years after obtaining initial certification, each person who is required to be certified under this chapter must *be rescreened* ~~meet level 2 screening requirements as described~~ in *accordance with* s. 1012.32, at which time the school district shall request the Department of Law Enforcement to forward the fingerprints to the Federal Bureau of Investigation for *national criminal records checks* ~~the level 2 screening~~. If, for any reason after obtaining initial certification, the finger-

prints of a person who is required to be certified under this chapter are not retained by the Department of Law Enforcement under s. 1012.32(3)(a) and (b), the person must file a complete set of fingerprints with the district school superintendent of the employing school district. Upon submission of fingerprints for this purpose, the school district shall request the Department of Law Enforcement to forward the fingerprints to the Federal Bureau of Investigation for *national criminal records checks* ~~the level 2 screening~~, and the fingerprints shall be retained by the Department of Law Enforcement under s. 1012.32(3)(a) and (b). The cost of the state and *national* ~~federal~~ criminal history *checks* ~~check~~ required by *paragraph (a) and this paragraph* ~~level 2 screening~~ may be borne by the district school board or the employee. Under penalty of perjury, each person who is certified under this chapter must agree to inform his or her employer within 48 hours if convicted of any disqualifying offense while he or she is employed in a position for which such certification is required.

(c) If it is found under s. 1012.796 that a person who is employed in a position requiring certification under this chapter *has* ~~does~~ not *been screened in accordance with s. 1012.32, or is ineligible for such certification under s. 1012.315* ~~meet the level 2 screening requirements~~, the person's certification shall be immediately revoked or suspended and he or she shall be immediately suspended from the position requiring certification.

(14) PERSONNEL RECORDS.—The Department of Education shall maintain *an electronic database that includes, but need not be limited to,* ~~a complete statement of~~ the academic preparation, professional training, and teaching experience of each person to whom a certificate is issued. The applicant or the district school superintendent shall furnish the information using a format ~~or forms~~ provided by the department.

Section 58. Subsection (1) and paragraph (a) of subsection (8) of section 1012.79, Florida Statutes, are amended to read:

1012.79 Education Practices Commission; organization.—

(1) The Education Practices Commission consists of *25* ~~17~~ members, including *8* ~~7~~ teachers;~~,~~ 5 administrators, *at least one of whom shall represent a private school; 7* ~~and 5~~ lay citizens*, 5* ~~(~~of whom *shall be parents of public school students and who are unrelated to public school employees and* 2 *of whom* shall be former district school board members;~~)~~*, and 5 sworn law enforcement officials,* appointed by the State Board of Education from nominations by the Commissioner of Education and subject to Senate confirmation. Prior to making nominations, the commissioner shall consult with ~~the~~ teaching *associations, parent organizations, law enforcement agencies,* and other involved associations in the state. In making nominations, the commissioner shall attempt to achieve equal geographical representation, as closely as possible.

(a) A teacher member, in order to be qualified for appointment:

1. Must be certified to teach in the state.

2. Must be a resident of the state.

3. Must have practiced the profession in this state for at least 5 years immediately preceding the appointment.

(b) A school administrator member, in order to be qualified for appointment:

1. Must have an endorsement on the educator certificate in the area of school administration or supervision.

2. Must be a resident of the state.

3. Must have practiced the profession as an administrator for at least 5 years immediately preceding the appointment.

(c) The lay members must be residents of the state.

(d) The law enforcement official members must have served in the profession for at least 5 years immediately preceding appointment and have background expertise in child safety.

(8)(a) The commission shall, from time to time, designate members of the commission to serve on panels for the purpose of reviewing and issuing final orders upon cases presented to the commission. A case concerning a complaint against a teacher shall be reviewed and a final order ~~thereon shall be~~ entered by a panel composed of five commission members, *at least one of whom must be a parent or a sworn law enforcement officer and at least* three of whom *must* ~~shall~~ be teachers. A case concerning a complaint against an administrator shall be reviewed and a final order ~~thereon shall be~~ entered by a panel composed of five commission members, *at least one of whom must be a parent or a sworn law enforcement officer and at least* three of whom *must* ~~shall~~ be administrators.

Section 59. Subsection (1) of section 1012.795, Florida Statutes, is amended to read:

1012.795 Education Practices Commission; authority to discipline.—

(1) The Education Practices Commission may suspend the educator certificate of any person as defined in s. 1012.01(2) or (3) for a period of time not to exceed 5 years, thereby denying that person the right to teach or otherwise be employed by a district school board or public school in any capacity requiring direct contact with students for that period of time, after which the holder may return to teaching as provided in subsection (4); may revoke the educator certificate of any person, thereby denying that person the right to teach or otherwise be employed by a district school board or public school in any capacity requiring direct contact with students for a period of time not to exceed 10 years, with reinstatement subject to the provisions of subsection (4); may revoke permanently the educator certificate of any person thereby denying that person the right to teach or otherwise be employed by a district school board or public school in any capacity requiring direct contact with students; may suspend the educator certificate, upon order of the court, of any person found to have a delinquent child support obligation; or may impose any other penalty provided by law, *if* ~~provided it can be shown that~~ the person:

(a) Obtained or attempted to obtain an educator certificate by fraudulent means.

(b) Knowingly failed to report actual or suspected child abuse as required in s. 1006.061 or report alleged misconduct by instructional personnel or school administrators which affects the health, safety, or welfare of a student as required in s. 1012.796.

(c)~~(b)~~ Has proved to be incompetent to teach or to perform duties as an employee of the public school system or to teach in or to operate a private school.

(d)~~(c)~~ Has been guilty of gross immorality or an act involving moral turpitude *as defined by rule of the State Board of Education*.

(e)~~(d)~~ Has had an educator certificate sanctioned by revocation, suspension, or surrender in another state.

(f)~~(e)~~ Has been convicted *or found guilty* of*, or entered a plea of guilty to, regardless of adjudication of guilt,* a misdemeanor, felony, or any other criminal charge, other than a minor traffic violation.

(g)~~(f)~~ Upon investigation, has been found guilty of personal conduct which seriously reduces that person's effectiveness as an employee of the district school board.

(h)~~(g)~~ Has breached a contract, as provided in s. 1012.33(2).

(i)~~(h)~~ Has been the subject of a court order directing the Education Practices Commission to suspend the certificate as a result of a delinquent child support obligation.

(j)~~(i)~~ Has violated the Principles of Professional Conduct for the Education Profession prescribed by State Board of Education rules.

(k)~~(j)~~ Has otherwise violated the provisions of law, the penalty for which is the revocation of the educator certificate.

(l)~~(k)~~ Has violated any order of the Education Practices Commission.

(m)~~(l)~~ Has been the subject of a court order or plea agreement in any jurisdiction which requires the certificateholder to surrender or otherwise relinquish his or her educator's certificate. A surrender or relinquishment shall be for permanent revocation of the certificate. A person

may not surrender or otherwise relinquish his or her certificate prior to a finding of probable cause by the commissioner as provided in s. 1012.796.

(n) Has been disqualified from educator certification under s. 1012.315.

Section 60. Subsections (1), (3), and (5) of section 1012.796, Florida Statutes, are amended to read:

1012.796 Complaints against teachers and administrators; procedure; penalties.—

(1)(a) The Department of Education shall cause to be investigated expeditiously any complaint filed before it or otherwise called to its attention which, if legally sufficient, contains grounds for the revocation or suspension of a certificate or any other appropriate penalty as set forth in subsection (7). The complaint is legally sufficient if it contains the ultimate facts which show a violation has occurred as provided in s. 1012.795 *and defined by rule of the State Board of Education*. The department *shall* ~~may~~ investigate or continue to investigate and take appropriate action on a complaint even though the original complainant withdraws the complaint or otherwise indicates a desire not to cause it to be investigated or prosecuted to completion. The department may investigate or continue to investigate and take action on a complaint filed against a person whose educator certificate has expired if the act or acts *that* ~~which~~ are the basis for the complaint were allegedly committed while that person possessed an educator certificate.

(b) The department shall immediately investigate any legally sufficient complaint that involves misconduct by any certificated personnel which affects the health, safety, or welfare of a student, giving the complaint priority over other pending complaints. The department must investigate or continue to investigate and take action on such a complaint filed against a person whose educator certificate has expired if the act or acts that are the basis for the complaint were allegedly committed while that person possessed an educator certificate.

(c)~~(b)~~ When an investigation is undertaken, the department shall notify the certificateholder or applicant for certification and the district school superintendent or the university laboratory school, charter school, or private school in which the certificateholder or applicant for certification is employed or was employed at the time the alleged offense occurred. In addition, the department shall inform the certificateholder or applicant for certification of the substance of any complaint which has been filed against that certificateholder or applicant, unless the department determines that such notification would be detrimental to the investigation, in which case the department may withhold notification.

(d)~~(c)~~ Each school district shall file in writing with the department all legally sufficient complaints within 30 days after the date on which subject matter of the complaint comes to the attention of the school district. *A complaint is legally sufficient if it contains ultimate facts that show a violation has occurred as provided in s. 1012.795 and defined by rule of the State Board of Education.* The school district shall include all information relating to the complaint which is known to the school district at the time of filing. Each district school board shall develop *and adopt* policies and procedures to comply with this reporting requirement. *School board policies and procedures must include standards for screening, hiring, and terminating instructional personnel and school administrators, as defined in s. 1012.01; standards of ethical conduct for instructional personnel and school administrators; the duties of instructional personnel and school administrators for upholding the standards; detailed procedures for reporting alleged misconduct by instructional personnel and school administrators which affects the health, safety, or welfare of a student; requirements for the reassignment of instructional personnel or school administrators pending the outcome of a misconduct investigation; and penalties for failing to comply with s. 1001.51 or s. 1012.795.* The district school board policies and procedures shall include appropriate penalties for all personnel of the district school board for nonreporting and procedures for promptly informing the district school superintendent of each legally sufficient complaint. The district school superintendent is charged with knowledge of these policies and procedures *and is accountable for the training of all instructional personnel and school administrators of the school district on the standards of ethical conduct, policies, and procedures*. If the district school superintendent has knowledge of a legally sufficient complaint and does not report the complaint, or fails to enforce the policies and procedures of the district school board, and fails to comply with the requirements of this subsection, in addition to other actions against certificateholders authorized by law, the district school superintendent *is* ~~shall be~~ subject to penalties as specified in s. 1001.51(12). *If the superintendent determines that misconduct by instructional personnel or school administrators who hold an educator certificate affects the health, safety, or welfare of a student, and the misconduct warrants termination, the instructional personnel or school administrators may resign or be terminated, and the superintendent must report the misconduct to the department in the format prescribed by the department. The department shall maintain each report of misconduct as a public record in the instructional personnel's or school administrators' certification files.* This paragraph does not limit or restrict the power and duty of the department to investigate complaints ~~as provided in paragraphs (a) and (b)~~, regardless of the school district's untimely filing, or failure to file, complaints and followup reports.

(e) If allegations arise against an employee who is certified under s. 1012.56, and employed in an educator-certificated position in any school or by any provider in the state, such school or provider, or governing body thereof, shall file in writing with the department a legally sufficient complaint within 30 days after the date on which the subject matter of the complaint came to the attention of the school or provider. A complaint is legally sufficient if it contains ultimate facts that show a violation has occurred as provided in s. 1012.795 and defined by rule of the State Board of Education. The school or provider shall include all known information relating to the complaint with the filing of the complaint. This paragraph does not limit or restrict the power and duty of the department to investigate complaints, regardless of the school's or the provider's untimely filing, or failure to file, complaints and followup reports.

(f)~~(d)~~ Notwithstanding any other law, all law enforcement agencies, state attorneys, social service agencies, district school boards, and the Division of Administrative Hearings shall fully cooperate with and, upon request, shall provide unredacted documents to the Department of Education to further investigations and prosecutions conducted pursuant to this section. Any document received ~~pursuant to this paragraph~~ may not be redisclosed except as authorized by law.

(3) The department staff shall advise the commissioner concerning the findings of the investigation. The department general counsel or members of that staff shall review the investigation and advise the commissioner concerning probable cause or lack thereof. The determination of probable cause shall be made by the commissioner. The commissioner shall provide an opportunity for a conference, if requested, prior to determining probable cause. The commissioner may enter into deferred prosecution agreements in lieu of finding probable cause *if,* ~~when~~ in his or her judgment, such agreements *are* ~~would be~~ in the best interests of the department, the certificateholder, and the public. Such deferred prosecution agreements shall become effective when filed with the clerk of the Education Practices Commission. However, a deferred prosecution agreement shall not be entered into *if* ~~where~~ there is probable cause to believe that a felony or an act of moral turpitude*, as defined by rule of the State Board of Education,* has occurred. Upon finding no probable cause, the commissioner shall dismiss the complaint.

(5) When *an allegation of misconduct by instructional personnel or school administrators, as defined in s. 1012.01, is received, if the alleged misconduct affects* ~~deemed necessary to protect~~ the health, safety, *or* ~~and~~ welfare of a ~~minor~~ student, the district school superintendent in consultation with the school principal*, or* ~~may, and~~ upon the request of the Commissioner of Education*, must immediately* ~~shall, temporarily~~ suspend *the instructional personnel or school administrators* ~~a certificateholder~~ from ~~the certificateholder's~~ regularly assigned duties, with pay, and reassign the suspended *personnel or administrators* ~~certificateholder~~ to *positions* ~~a position~~ that *do* ~~does~~ not require direct contact with students in the district school system. Such suspension shall continue until the completion of the proceedings and the determination of sanctions, if any, pursuant to this section and s. 1012.795.

Section 61. Paragraph (b) of subsection (4) of section 1012.98, Florida Statutes, is amended to read:

1012.98 School Community Professional Development Act.—

(4) The Department of Education, school districts, schools, community colleges, and state universities share the responsibilities described in this section. These responsibilities include the following:

(b) Each school district shall develop a professional development system as specified in subsection (3). The system shall be developed in consultation with teachers, teacher-educators of community colleges and state universities, business and community representatives, and local education foundations, consortia, and professional organizations. The professional development system must:

1. Be approved by the department. All substantial revisions to the system shall be submitted to the department for review for continued approval.

2. Be based on analyses of student achievement data and instructional strategies and methods that support rigorous, relevant, and challenging curricula for all students. Schools and districts, in developing and refining the professional development system, shall also review and monitor school discipline data; school environment surveys; assessments of parental satisfaction; performance appraisal data of teachers, managers, and administrative personnel; and other performance indicators to identify school and student needs that can be met by improved professional performance.

3. Provide inservice activities coupled with followup support appropriate to accomplish district-level and school-level improvement goals and standards. The inservice activities for instructional personnel shall focus on analysis of student achievement data, ongoing formal and informal assessments of student achievement, identification and use of enhanced and differentiated instructional strategies that emphasize rigor, relevance, and reading in the content areas, enhancement of subject content expertise, integrated use of classroom technology that enhances teaching and learning, classroom management, parent involvement, and school safety.

4. Include a master plan for inservice activities, pursuant to rules of the State Board of Education, for all district employees from all fund sources. The master plan shall be updated annually by September 1, must be based on input from teachers and district and school instructional leaders, and must use the latest available student achievement data and research to enhance rigor and relevance in the classroom. Each district inservice plan must be aligned to and support the school-based inservice plans and school improvement plans pursuant to *s. 1001.42(18)* ~~s. 1001.42(16)~~. District plans must be approved by the district school board annually in order to ensure compliance with subsection (1) and to allow for dissemination of research-based best practices to other districts. District school boards must submit verification of their approval to the Commissioner of Education no later than October 1, annually.

5. Require each school principal to establish and maintain an individual professional development plan for each instructional employee assigned to the school as a seamless component to the school improvement plans developed pursuant to *s. 1001.42(18)* ~~s. 1001.42(16)~~. The individual professional development plan must:

a. Be related to specific performance data for the students to whom the teacher is assigned.

b. Define the inservice objectives and specific measurable improvements expected in student performance as a result of the inservice activity.

c. Include an evaluation component that determines the effectiveness of the professional development plan.

6. Include inservice activities for school administrative personnel that address updated skills necessary for instructional leadership and effective school management pursuant to s. 1012.986.

7. Provide for systematic consultation with regional and state personnel designated to provide technical assistance and evaluation of local professional development programs.

8. Provide for delivery of professional development by distance learning and other technology-based delivery systems to reach more educators at lower costs.

9. Provide for the continuous evaluation of the quality and effectiveness of professional development programs in order to eliminate ineffective programs and strategies and to expand effective ones. Evaluations must consider the impact of such activities on the performance of participating educators and their students' achievement and behavior.

Section 62. Subsection (4) of section 1013.03, Florida Statutes, is amended to read:

1013.03 Functions of the department and the Board of Governors.—The functions of the Department of Education as it pertains to educational facilities of school districts and community colleges and of the Board of Governors as it pertains to educational facilities of state universities shall include, but not be limited to, the following:

(4) Require each board and other appropriate agencies to submit complete and accurate financial data as to the amounts of funds from all sources that are available and spent for construction and capital improvements. The commissioner shall prescribe the format and the date for the submission of this data and any other educational facilities data. If any district does not submit the required educational facilities fiscal data by the prescribed date, the Commissioner of Education shall notify the district school board of this fact and, if appropriate action is not taken to immediately submit the required report, the district school board shall be directed to proceed pursuant to *s. 1001.42(13)(b)* ~~the provisions of s. 1001.42(11)(b)~~. If any community college or university does not submit the required educational facilities fiscal data by the prescribed date, the same policy prescribed in this subsection for school districts shall be implemented.

Section 63. *The sum of $153,872 is appropriated from the Educational Certification and Services Trust Fund to the Department of Education for the 2008-2009 fiscal year, and two additional full-time equivalent positions and associated salary rate of 90,088 are authorized, for the purpose of implementing this act.*

And the title is amended as follows:

On line(s) 1431, after the semicolon (;) insert: amending s. 24.121, F.S., relating to public school funding; conforming cross-references; amending s. 112.3173, F.S.; specifying certain felony offenses against a minor as additional offenses that constitute a breach of the public trust; requiring a person committing such an offense to forfeit benefits under certain public retirement systems; amending s. 121.091, F.S.; prohibiting the Division of Retirement from paying benefits to a member who commits certain felony offenses against a minor; conforming a cross-reference; creating ss. 794.09 and 800.05, F.S.; providing notice in the criminal statutes that certain retirement benefits are subject to forfeiture for committing certain felony offenses against a minor; amending s. 1001.10, F.S.; requiring the Department of Education to assist school districts, charter schools, the Florida School for the Deaf and the Blind, and private schools that accept school choice scholarship students in developing policies, procedures, and training related to employment practices and standards of ethical conduct; requiring the department to provide authorized staff with access to certain databases for employment history verification; amending s. 1001.32, F.S., relating to school administration; conforming a cross-reference; amending s. 1001.42, F.S.; requiring each district school board to adopt standards of ethical conduct and provide training for instructional personnel and school administrators; prohibiting confidentiality agreements regarding terminated or dismissed instructional personnel and school administrators which have the effect of concealing certain misconduct; prohibiting a school district from providing employment references for specified personnel and administrators except under certain circumstances; requiring a person who committed certain crimes to be disqualified from employment in certain positions in a district school system under specified conditions; providing that a district school board official who knowingly signs and transmits a false or incorrect report, or fails to adopt certain policies, forfeits his or her salary for a specified period; amending s. 1001.452, F.S., relating to district and school advisory councils; conforming cross-references; amending s. 1001.51, F.S.; providing that a district school superintendent forfeits his or her salary for a specified period following failure to investigate and report allegations of certain misconduct by specified personnel or administrators; amending ss. 1001.54 and 1002.32, F.S., relating to duties of principals and laboratory schools; conforming cross-references; amending s. 1002.33, F.S.; requiring a person who committed certain crimes to be disqualified from employment in certain positions in a charter school under specified conditions; requiring charter schools to adopt standards of ethical conduct and provide training for all instructional personnel and school administrators; prohibiting confidentiality agreements regarding terminated or dismissed instructional personnel and school administrators which have the effect of concealing certain misconduct; prohibiting a charter school from providing employment references for specified personnel and administrators except under certain circumstances; requiring a charter school to

contact the previous employer, and verify the employment history against certain databases, of persons seeking employment in certain positions; requiring a charter school's sponsor to terminate the school's charter for failing to comply with these requirements; amending s. 1002.36, F.S.; requiring the Florida School for the Deaf and the Blind to meet certain requirements governing the screening of personnel; amending s. 1002.421, F.S.; requiring a person who committed certain crimes to be disqualified from employment in certain positions in a private school that accepts certain scholarship students under specified conditions; requiring certain private schools to adopt standards of ethical conduct and provide training for all instructional personnel and school administrations; prohibiting confidentiality agreements regarding terminated or dismissed instructional personnel or school administrators which have the effect of concealing certain misconduct; prohibiting a private school from providing employment references for specified personnel and administrators except under certain circumstances; requiring a private school to contact the previous employer, and verify the employment history against certain databases, of persons seeking employment in certain positions; requiring the Department of Education to suspend enrollment of new students and the payment of funds to a private school failing to comply with these requirements; amending ss. 1003.413, 1003.53, and 1004.92, F.S., relating to educational instruction and programs; conforming cross-references; amending s. 1006.061, F.S.; requiring district school boards, charter schools, and private schools that accept certain scholarship students to post policies for reporting child abuse and misconduct by specified personnel and administrators; requiring the principal of such schools to act as a liaison in suspected cases of child abuse; requiring the Department of Education to publish sample notices; amending ss. 1008.33, 1008.345, 1010.215, and 1011.18, F.S., relating to accountability procedures; conforming cross-references; amending s. 1012.27, F.S.; requiring the district school superintendent to contact the previous employer, and verify the employment history against certain databases, of persons seeking employment in certain positions; creating s. 1012.315, F.S.; specifying offenses that disqualify instructional personnel and school administrations from employment in certain positions that require direct contact with students; amending s. 1012.32, F.S.; requiring specified personnel or administrators who committed certain crimes to be disqualified from employment in certain positions in a district school system or charter school under specified conditions; amending s. 1012.33, F.S.; providing that just cause for terminating instructional staff includes immorality or commission of certain crimes; amending s. 1012.34, F.S., relating to assessment procedures; conforming a cross-reference; amending s. 1012.56, F.S., relating to certification requirements for educators; revising requirements for conducting state and national ~~federal~~ criminal records checks of persons seeking certification; requiring a person who committed certain crimes to be ineligible for certification under specified conditions; providing for the Department of Education to maintain educator records in an electronic database; amending s. 1012.79, F.S.; providing for additional members to be appointed to the Education Practices Commission; revising the composition of panels appointed to review complaints against teachers and administrators; amending s. 1012.795, F.S.; providing for the suspension of the educator certificate of a person who knowingly fails to report child abuse or misconduct by specified personnel or administrators; clarifying authority of the commission to discipline educators who commit certain crimes; amending s. 1012.796, F.S.; requiring the Department of Education to investigate each complaint involving misconduct by certificated personnel; clarifying what constitutes a legally sufficient complaint; providing requirements for school board policies and procedures relating to standards of ethical conduct; providing that the district school superintendent is accountable for training of instructional personnel and school administrators on the standards, policies, and procedures; requiring employers of certificated personnel to report misconduct by such personnel to the Department of Education; requiring that instructional personnel or school administrators be immediately suspended and reassigned under certain circumstances; amending ss. 1012.98 and 1013.03, F.S., relating to the School Community Professional Development Act and functions of the Department of Education and Board of Governors; conforming cross-references; providing an appropriation and authorizing additional positions;

MOTION

On motion by Senator Deutch, the rules were waived to allow the following amendments to be considered:

Senator Deutch moved the following amendments to **Amendment 1** which were adopted:

Amendment 1H (313098)(with title amendment)—Between line(s) 1142 and 1143 insert:

Section 24. Paragraph (a) of subsection (3) of section 1012.34, Florida Statutes, is amended to read:

1012.34 Assessment procedures and criteria.—

(3) The assessment procedure for instructional personnel and school administrators must be primarily based on the performance of students assigned to their classrooms or schools, as appropriate. ~~Pursuant to this section, a school district's performance assessment is not limited to basing unsatisfactory performance of instructional personnel and school administrators upon student performance, but may include other criteria approved to assess instructional personnel and school administrators' performance, or any combination of student performance and other approved criteria.~~ The procedures must comply with, but are not limited to, the following requirements:

(a) An assessment must be conducted for each employee at least once a year. The assessment must be based upon sound educational principles and contemporary research in effective educational practices. The assessment must primarily use data and indicators of improvement in student performance assessed annually as specified in s. 1008.22 and may consider results of peer reviews in evaluating the employee's performance. Student performance must be measured by state assessments required under s. 1008.22 and by local assessments for subjects and grade levels not measured by the state assessment program. The assessment criteria must include, but are not limited to, indicators that relate to the following:

1. Performance of students.

2. Ability to maintain appropriate discipline.

3. Knowledge of subject matter. The district school board shall make special provisions for evaluating teachers who are assigned to teach out-of-field.

4. Ability to plan and deliver instruction and the use of technology in the classroom.

5. Ability to evaluate instructional needs.

6. Ability to establish and maintain a positive collaborative relationship with students' families to increase student achievement.

7. Other professional competencies, responsibilities, and requirements as established by rules of the State Board of Education and policies of the district school board.

Pursuant to this section, a school district may determine that the performance of instructional personnel and school administrators is unsatisfactory based upon student performance and other criteria approved to assess instructional personnel and school administrators' performance or any combination thereof.

And the title is amended as follows:

On line(s) 1415, after the first semicolon (;) insert: amending s. 1012.34, F.S.; revising provisions relating to assessment procedures and criteria for instructional personnel and school administrators; authorizing a school district to determine that the performance of instructional personnel and school administrators is unsatisfactory based on student performance and certain approved criteria;

Amendment 1I (299398)(with title amendment)—Between lines 1295 and 1296 insert:

Section 29. *(1) School districts are encouraged to enter into partnerships with local businesses for purposes of mentorship opportunities, the development of employment options and additional funding sources, and other mutual benefits.*

(2) As a pilot program through June 30, 2011, the Palm Beach County school district may recognize its business partners by publicly displaying such business partners' names on school district property in the unincorporated areas. "Project Graduation" and athletic sponsorships are examples of appropriate recognition. The district shall make every effort to display its business partners' names in a manner that is

consistent with the county standards for uniformity in size, color, and placement of signs. If the provisions of this section are inconsistent with the county ordinances or regulations relating to signs in the unincorporated areas or inconsistent with chapter 125, chapter 166, or chapter 479, Florida Statutes, the provisions of this section prevail.

And the title is amended as follows:

On line 1431, after the semicolon (;) insert: encouraging school districts to enter into partnerships with local businesses for certain purposes; authorizing the Palm Beach County school district to recognize its business partners by displaying such business partners' names on school district property in unincorporated areas if displayed in a manner consistent with certain standards;

Amendment 1 as amended was adopted.

Pursuant to Rule 4.19, **CS for HB 7045** as amended was placed on the calendar of Bills on Third Reading.

Consideration of **CS for CS for SB 1962** and **CS for CS for CS for SB 1978** was deferred.

On motion by Senator Oelrich, by two-thirds vote **CS for HB 173** was withdrawn from the Committees on Criminal Justice; and Judiciary.

On motion by Senator Oelrich—

CS for HB 173—A bill to be entitled An act relating to controlled substances; amending s. 893.02, F.S.; defining the term "cultivating" for specified purposes; amending s. 893.1351, F.S.; prohibiting a person from owning or actually or constructively possessing a place, structure, trailer, or other described place with knowledge that the place will be used to manufacture, sell, or traffic in a controlled substance; providing that possession of a specified number or more of cannabis plants constitutes prima facie evidence of intent to sell or distribute; providing that a person with actual or constructive possession of a place, structure, trailer, or conveyance being used to manufacture a controlled substance for sale and distribution commits a felony of the first degree if a minor is present or resides in the place, structure, trailer, or conveyance; providing criminal penalties; amending s. 893.10, F.S.; providing that equipment used in the manufacture of controlled substances may be photographed or video recorded and the photograph or video recording used as evidence for later use at trial; providing for the destruction of the equipment; amending s. 921.0022, F.S.; ranking specified offenses in the offense severity ranking chart of the Criminal Punishment Code; amending ss. 465.016, 465.023, and 893.135, F.S.; conforming cross-references; providing an effective date.

—a companion measure, was substituted for **CS for SB 390** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 173** was placed on the calendar of Bills on Third Reading.

By Senator Lynn—

CS for CS for SB 652—A bill to be entitled An act relating to workplace safety; creating the Florida Public Task Force on Workplace Safety within the Safety Florida Consultation Program at the University of South Florida; providing purpose of the task force; providing for membership; requiring that the task force address certain issues concerning workplace safety in the public and private sectors; providing for staffing; providing for members to serve without compensation but to be reimbursed for per diem and travel expenses; authorizing the task force to procure information or assistance from any officer or agency of the state; requiring that such officers or agencies provide information and assistance to the task force; requiring that the task force submit a report and recommendations to the Governor, the Chief Financial Officer, and the Legislature by a specified date; requiring that the report include certain information; providing for dissolution of the task force; providing an appropriation; providing an effective date.

—was read the second time by title.

MOTION

On motion by Senator Lynn, the rules were waived to allow the following amendment to be considered:

Senator Lynn moved the following amendment which was adopted:

Amendment 1 (346678)—Delete line(s) 32-34 and insert: *1993, with the exception of standards pertaining to firefighters and fire departments.*

Pursuant to Rule 4.19, **CS for CS for SB 652** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Aronberg, by two-thirds vote **CS for HB 225** was withdrawn from the Committees on Commerce; and Criminal Justice.

On motion by Senator Aronberg—

CS for HB 225—A bill to be entitled An act relating to telephone caller identification; providing a short title; creating s. 817.487, F.S.; prohibiting entering or causing to be entered false information into a telephone caller identification system with the intent to deceive, defraud, or mislead; prohibiting placing a call knowing that false information was entered into the telephone caller identification system; providing definitions; providing exceptions; providing penalties; providing that a violation is an unlawful trade practice under specified provisions; providing for enhancement of penalties when a violation is committed during the commission of a criminal offense or when a violation facilitates a criminal offense; providing an effective date.

—a companion measure, was substituted for **CS for SB 694** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 225** was placed on the calendar of Bills on Third Reading.

On motion by Senator Baker, by two-thirds vote **HB 669** was withdrawn from the Committees on Education Pre-K - 12; and Criminal Justice.

On motion by Senator Baker—

HB 669—A bill to be entitled An act relating to school safety; creating s. 1006.147, F.S.; providing a short title; prohibiting bullying and harassment of any student or employee of a public K-12 educational institution; providing definitions; requiring each school district to adopt a policy prohibiting such bullying and harassment; providing minimum requirements for the contents of the policy; requiring the Department of Education to develop a model policy; providing immunity; providing restrictions with respect to defense of an action and application of the section; requiring department approval of a school district's policy and school district compliance with reporting procedures as prerequisites to receipt of safe schools funds; requiring a report on implementation; providing for construction; providing for severability; providing an effective date.

—a companion measure, was substituted for **CS for SB 790** and read the second time by title. On motion by Senator Baker, by two-thirds vote **HB 669** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Dawson	Hill
Alexander	Dean	Jones
Aronberg	Deutch	Joyner
Atwater	Diaz de la Portilla	Justice
Baker	Dockery	King
Bennett	Fasano	Lawson
Bullard	Gaetz	Lynn
Carlton	Garcia	Margolis
Constantine	Geller	Oelrich
Crist	Haridopolos	Peaden

Posey	Siplin	Webster
Rich	Storms	Wilson
Ring	Villalobos	Wise
Saunders		

Nays—None

On motion by Senator Fasano, by two-thirds vote **CS for HB 643** was withdrawn from the Committees on Banking and Insurance; and Judiciary.

On motion by Senator Fasano—

CS for HB 643—A bill to be entitled An act relating to foreclosure fraud; creating s. 501.1377, F.S.; providing legislative findings and intent with respect to the need to protect homeowners who enter into agreements designed to save their homes from foreclosure; providing definitions; prohibiting a foreclosure-rescue consultant from engaging in certain acts or failing to perform contracted services; requiring that all agreements for foreclosure-related rescue services and foreclosure-rescue transactions be in writing; specifying information that must be in the written agreement; requiring that certain statements in the written agreement be in uppercase letters and of a specified size; providing that the homeowner has a right to cancel the agreement for a specified period and the right may not be waived; providing that the homeowner has a specified period during which to cure a default under certain circumstances; requiring equity purchasers to assume or discharge certain liens; requiring that an equity purchaser verify the homeowner's ability to make payments under a repurchase agreement; providing price limitations for repurchase transactions; providing for a rebuttable presumption of certain transactions being unconscionable under certain circumstances; providing for limited application of the presumption; providing an exclusion; providing that a foreclosure-rescue transaction involving a lease option or other repurchase agreement creates a rebuttable presumption that the transaction is a loan transaction and the conveyance from the homeowner to the equity purchaser is a mortgage; providing limited application of the presumption; providing an exclusion; providing that a person who violates certain provisions commits an unfair and deceptive trade practice as defined in part II of ch. 501, F.S.; providing penalties; repealing s. 501.2078, F.S., relating to violations involving individual homeowners during the course of residential foreclosure proceedings; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 992** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 643** was placed on the calendar of Bills on Third Reading.

On motion by Senator Peaden, by two-thirds vote **HB 461** was withdrawn from the Committees on Banking and Insurance; and Health and Human Services Appropriations.

On motion by Senator Peaden—

HB 461—A bill to be entitled An act relating to health flex plans; amending s. 408.909, F.S.; revising eligibility for enrollment in a health flex plan; extending the expiration date of the health flex plan program; providing an effective date.

—a companion measure, was substituted for **SB 1022** and read the second time by title.

Pursuant to Rule 4.19, **HB 461** was placed on the calendar of Bills on Third Reading.

On motion by Senator Fasano, by two-thirds vote **CS for HB 559** was withdrawn from the Committees on Criminal Justice; Commerce; and Judiciary.

On motion by Senator Fasano—

CS for HB 559—A bill to be entitled An act relating to material harmful to minors; amending s. 847.001, F.S.; redefining the term "harmful to minors"; amending s. 847.011, F.S.; providing that it is a third-degree felony for any person to sell, distribute, transmit, advertise, or possess with the intent to sell, distribute, transmit, or advertise certain materials to minors; providing that ignorance of a minor's age or the minor's consent is not a defense in a prosecution for such a violation; providing penalties; amending s. 847.012, F.S.; prohibiting a person from knowingly using a minor in the production of certain materials, regardless of whether those materials are intended for distribution to minors or actually distributed to minors; providing a penalty; providing that ignorance of a minor's age or the minor's consent is not a defense in a prosecution for specified violations; amending s. 847.013, F.S.; providing that ignorance of a minor's age or the minor's consent is not a defense in a prosecution for specified violations; revising legislative intent concerning the enforcement of such laws with respect to minors; amending s. 847.0133, F.S.; revising terminology; amending s. 921.0022, F.S., relating to the offense severity ranking chart of the Criminal Punishment Code; establishing offense levels to conform to changes made by the act; providing an exemption to sections amended by this act for providers of communications services and providers of information services in certain circumstances; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 1128** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 559** was placed on the calendar of Bills on Third Reading.

CS for CS for SB 1208—A bill to be entitled An act relating to water pollution control; amending s. 403.067, F.S.; providing requirements for basin management action plans; allowing such plans to take into account the benefits of pollutant load reduction achieved by point or nonpoint sources, where appropriate; requiring that the Department of Environmental Protection adopt all or part of any such plan, or any amendment thereto, by secretarial order as provided by state law; providing that the provisions of the department's rule relating to the equitable abatement of pollutants into surface waters may not be applied to water bodies or water body segments for which a basin management plan that takes into account future or new expanded activities or discharges has been adopted; authorizing water quality protection programs to include the trading of water quality credits; authorizing the department to adopt rules related to the trading of water quality credits; requiring that such rulemaking include certain provisions; specifying that a water quality credit trading pilot project be limited to the Lower St. Johns River Basin as a pilot project; requiring that the department provide the Legislature with an annual report regarding the effectiveness of the pilot project; providing report requirements; providing that the department may authorize and establish specific requirements for water quality credit trading as part of the Lower St. Johns River Basin adopted basin management action plan; correcting cross-references to conform to changes made by the act; amending s. 403.088, F.S.; authorizing the department to revise a water pollution operation permit under certain circumstances; authorizing the department to issue, renew, or reissue such a permit if a water quality credit trade meets the requirements of 403.067, F.S.; requiring that revised permits be accompanied by an order establishing a schedule for achieving compliance with all permit conditions; providing an effective date.

—was read the second time by title.

An amendment was considered and adopted to conform **CS for CS for SB 1208** to **CS for HB 547**.

Pending further consideration of **CS for CS for SB 1208** as amended, on motion by Senator Gaetz, by two-thirds vote **CS for HB 547** was withdrawn from the Committees on Environmental Preservation and Conservation; and Community Affairs.

On motion by Senator Gaetz—

CS for HB 547—A bill to be entitled An act relating to water pollution control; amending s. 403.067, F.S.; providing requirements for basin management action plans; allowing such plans to take into account the benefits of pollutant load reduction achieved by point or nonpoint sources, where appropriate; requiring that the Department of Environmental Protection adopt all or part of any such plan, or any amendment thereto, by secretarial order as provided by state law; providing that the provisions of the department's rule relating to the equitable abatement of pollutants into surface waters may not be applied to water bodies or

water body segments for which a basin management plan that takes into account future or new expanded activities or discharges has been adopted; authorizing water quality protection programs to include the trading of water quality credits; authorizing the department to adopt rules related to the trading of water quality credits; requiring that such rulemaking include certain provisions; specifying that a water quality credit trading pilot project be limited to the Lower St. Johns River Basin as a pilot project; requiring that the department provide the Legislature with an annual report regarding the effectiveness of the pilot project; providing report requirements; providing that the department may authorize and establish specific requirements for water quality credit trading as part of the Lower St. Johns River Basin adopted basin management action plan; correcting cross-references to conform to changes made by the act; amending s. 403.088, F.S.; authorizing the department to revise a water pollution operation permit under certain circumstances; authorizing the department to issue, renew, or reissue such a permit if a water quality credit trade meets the requirements of 403.067, F.S.; requiring that revised permits be accompanied by an order establishing a schedule for achieving compliance with all permit conditions; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 1208** as amended and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 547** was placed on the calendar of Bills on Third Reading.

CS for CS for SB 1310—A bill to be entitled An act relating to sellers of travel; amending s. 559.927, F.S.; revising the definition of "prearranged travel, tourist-related services, or tour-guide services"; defining "certifying party" and "terrorist state"; amending s. 559.928, F.S.; revising provisions relating to registration as a seller of travel; revising registration fees; creating s. 559.9285, F.S.; requiring a seller of travel to annually certify to the Department of Agriculture and Consumer Services the scope of its business activities by filing a disclosure statement; categorizing certifying parties; providing requirements of a certifying party that changes its scope of business; requiring that such certifying party provide to the department an appropriate bond; requiring the department to specify by rule the form of certification; specifying required certification information; amending s. 559.929, F.S.; revising requirements with respect to the performance bond that must accompany registration or an application for registration as a seller of travel; specifying amounts of bonds for certification categories; eliminating alternative means of satisfying security requirements; providing for priority of payment with respect to such bonds; revising conditions under which the department may annually waive the bond; precluding specified certification categories from waiver of bond; amending s. 559.9335, F.S.; providing that it is a violation of the Florida Sellers of Travel Act to offer to sell, at wholesale or retail, prearranged travel, tourist-related services, or tour-guide services for individuals or groups directly to any terrorist state which originate in Florida without disclosing such business activities in a certification filed with the department and to violate any state or federal law restricting or prohibiting commerce with terrorist states; amending s. 559.935, F.S.; revising provisions that exempt certain sellers of travel and affiliates thereof from specified registration, security, disclosure, and recordkeeping requirements; amending s. 559.9355, F.S.; imposing an administrative fine for each act or omission in violation of the prohibited offer to sell, at wholesale or retail, prearranged travel, tourist-related services, or tour-guide services for individuals or groups directly to any terrorist state which originate in Florida without disclosing such business activities in a certification or in violation of any state or federal law restricting or prohibiting commerce with terrorist states; amending s. 559.936, F.S.; authorizing the department to seek a specified civil penalty for each act or omission in violation of the prohibited offer to sell, at wholesale or retail, prearranged travel, tourist-related services, or tour-guide services for individuals or groups directly to any terrorist state which originate in Florida without disclosing such business activities in a certification or in violation of any state or federal law restricting or prohibiting commerce with terrorist states; amending s. 559.937, F.S.; providing a criminal penalty for a violation of the Florida Sellers of Travel Act which directly or indirectly pertains to an offer to sell, at wholesale or retail, prearranged travel, tourist-related services, or tour-guide services for individuals or groups directly to any terrorist state which originate in Florida; providing an effective date.

—was read the second time by title. On motion by Senator Baker, by two-thirds vote **CS for CS for SB 1310** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Diaz de la Portilla	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Ring
Bennett	Haridopolos	Saunders
Carlton	Hill	Siplin
Constantine	Jones	Storms
Crist	Justice	Villalobos
Dawson	King	Webster
Dean	Lawson	Wilson
Deutch	Lynn	Wise

Nays—2

Dockery	Rich

Vote after roll call:

Yea—Joyner

By Senator Wise—

SB 1554—A bill to be entitled An act relating to firesafety; creating s. 633.027, F.S.; requiring owners of certain structures to post certain signs or symbols on the structures; requiring the State Fire Marshal to adopt rules governing such signs or symbols; providing for enforcement; providing penalties; providing an effective date.

—was read the second time by title.

The Committee on Banking and Insurance recommended the following amendment which was moved by Senator Wise and failed:

Amendment 1 (422400)—Delete line(s) 32 and insert:

(3) The State Fire Marshal and local fire officials, in accordance with s. 633.121, shall enforce the provisions

The Committee on Community Affairs recommended the following amendment which was moved by Senator Wise and adopted:

Amendment 2 (914312)(with title amendment)—Delete everything after the enacting clause and insert:

Section 1. *This act may be cited as the "Aldridge/Benge Firefighter Safety Act."*

Section 2. Section 633.027, Florida Statutes, is created to read:

633.027 Structures built with light-frame truss-type construction; notice requirements; enforcement.—

(1) The owner of any commercial or industrial structure, or any multiunit residential structure of three units or more, that uses light-frame truss-type construction shall mark the structure with a sign or symbol approved by the State Fire Marshal in a manner sufficient to warn persons conducting fire control and other emergency operations of the existence of light-frame truss-type construction in the structure.

(2) The State Fire Marshal shall adopt rules pursuant to ss. 120.536(1) and 120.54 to implement the provisions of this section, including, but not limited to:

(a) The dimensions and color of such sign or symbol.

(b) The time within which commercial, industrial, and multiunit residential structures that use light-frame truss-type construction shall be marked as required by this section.

(c) The location on each commercial, industrial, and multiunit residential structure that uses light-frame truss-type construction where such sign or symbol must be posted.

(3) The State Fire Marshal, and local fire officials in accordance with s. 633.121, shall enforce the provisions of this section. Any owner who

fails to comply with the requirements of this section is subject to penalties as provided in s. 633.161.

Section 3. Subsection (12) is added to section 633.0215, Florida Statutes, to read:

633.0215 Florida Fire Prevention Code.—

(12) Notwithstanding other provisions of this section, the State Fire Marshal must study the use of managed, facilities-based voice over Internet protocol telephone service for monitoring fire alarm signals. If the study determines that voice over Internet protocol telephone service technology provides a level of protection equivalent to that required by NFPA 72: National Fire Alarm Code, the State Fire Marshal must initiate rulemaking pursuant to ss. 120.536(1) and 120.54 by December 1, 2008, to allow the use of this technology as an additional method of monitoring fire alarm systems.

Section 4. Paragraph (b) of subsection (1) and paragraph (a) of subsection (4) of section 633.022, Florida Statutes, are amended to read:

633.022 Uniform firesafety standards.—The Legislature hereby determines that to protect the public health, safety, and welfare it is necessary to provide for firesafety standards governing the construction and utilization of certain buildings and structures. The Legislature further determines that certain buildings or structures, due to their specialized use or to the special characteristics of the person utilizing or occupying these buildings or structures, should be subject to firesafety standards reflecting these special needs as may be appropriate.

(1) The department shall establish uniform firesafety standards that apply to:

(b) All new, existing, and proposed hospitals, nursing homes, assisted living facilities, adult family-care homes, correctional facilities, public schools, transient public lodging establishments, public food service establishments, elevators, migrant labor camps, mobile home parks, lodging parks, recreational vehicle parks, recreational camps, residential and nonresidential child care facilities, facilities for the developmentally disabled, motion picture and television special effects productions, *tunnels,* and self-service gasoline stations, of which standards the State Fire Marshal is the final administrative interpreting authority.

If ~~In the event~~ there is a dispute between the owners of the buildings specified in paragraph (b) and a local authority requiring a more stringent uniform firesafety standard for sprinkler systems, the State Fire Marshal shall be the final administrative interpreting authority and the State Fire Marshal's interpretation regarding the uniform firesafety standards shall be considered final agency action.

(4)(a) Notwithstanding any provision of law to the contrary, each nursing home licensed under part II of chapter 400 shall be protected *throughout* by an approved, supervised automatic sprinkler system in accordance with s. 9 of National Fire Protection Association, Inc., Life Safety Code~~, in accordance with the following schedule:~~

~~1. Each hazardous area of each nursing home shall be protected by an approved, supervised automatic sprinkler system by no later than December 31, 2008.~~

~~2. Each entire nursing home shall be protected by an approved, supervised automatic sprinkler system~~ by no later than December 31, 2010. *A nursing home licensee shall submit complete sprinkler construction documents to the Agency for Health Care Administration for review by December 31, 2008, and the licensee must gain final approval to start construction from the agency by June 30, 2009. The agency shall grant a 6-month extension to a nursing home licensee if the completion and submission of the sprinkler construction documents are contingent upon the approval of the application for the loan guarantee program authorized under s. 633.0245. In such case, the agency may extend the deadline for final approval to begin construction beyond June 30, 2009, but the deadline may not be extended beyond December 31, 2009.*

Section 5. Subsection (9) of section 633.0245, Florida Statutes, is amended to read:

633.0245 State Fire Marshal Nursing Home Fire Protection Loan Guarantee Program.—

(9) *An* ~~No~~ application for participation in the State Fire Marshal Nursing Home Fire Protection Loan Guarantee Program may *not* be accepted by the State Fire Marshal after *July 1, 2009* ~~June 30, 2006~~.

Section 6. This act shall take effect July 1, 2008.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to firesafety; providing a short title; creating s. 633.027, F.S., requiring owners of certain structures with light-frame truss-type construction to mark such structures with signs or symbols; requiring the State Fire Marshal to adopt rules governing the size, color and placement of such signs and symbols; providing for enforcement; providing penalties; amending s. 663.0215, F.S., requiring the State Fire Marshal to conduct a study on the use of voice over Internet protocol telephone service for monitoring fire alarm systems; requiring rulemaking under certain conditions; amending s. 633.022, F.S.; revising provisions relating to uniform firesafety standards to include application to tunnels; revising requirements pertaining to supervised automatic sprinkler systems within nursing homes; requiring a nursing home licensee to submit complete sprinkler construction documents to the Agency for Health Care Administration by a specified date; requiring such licensee to gain final approval from the agency to start construction by a specified date; authorizing the agency to extend the deadline under certain circumstances; amending s. 633.0245, F.S.; changing the application deadline for participation in the State Fire Marshal Nursing Home Loan Guarantee Program; providing an effective date.

Pursuant to Rule 4.19, **SB 1554** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Alexander, by two-thirds vote **CS for HB 197** was withdrawn from the Committees on Agriculture; Governmental Operations; and Judiciary.

On motion by Senator Alexander—

CS for HB 197—A bill to be entitled An act relating to pest control; creating s. 570.345, F.S., the Pest Control Compact; providing for enactment of the compact; requiring the Commissioner of Agriculture to administer the compact; requiring that an application for assistance under the compact be made by the commissioner; providing for crediting of funds to appropriate accounts of a state treasury under certain circumstances; providing findings with respect to the need for all states to cooperate in pest-eradication and control programs; providing definitions; providing for the establishment of the Pest Control Insurance Fund for the purpose of financing pest-control operations under the compact; specifying sources of funds deposited into the Pest Control Insurance Fund and any conditions that may be placed on such funds; providing for the Pest Control Insurance Fund to be administered by a Governing Board and Executive Committee; providing for the internal operations and management of the Governing Board; requiring an annual report to the Governor and Legislature of each state that is a party to the compact; providing for the administration of the compact and the Pest Control Insurance Fund; providing procedures for applying for an expenditure from the fund; providing for a determination with respect to expenditures from the fund and for the review thereof; authorizing the Governing Board to establish advisory and technical committees; providing for an application for assistance from the fund on behalf of a nonparty state; providing requirements for the fund with respect to preparing budgets and maintaining financial assets; prohibiting a pledge of the assets of a state that is a party to the compact; providing for the compact to enter into force upon its enactment by five or more states; providing a procedure for a state to withdraw from the compact; providing for construction and severability; providing an effective date.

—a companion measure, was substituted for **SB 1638** and read the second time by title.

Pursuant to Rule 4.19, **CS for HB 197** was placed on the calendar of Bills on Third Reading.

On motion by Senator Posey, by two-thirds vote **HB 7033** was withdrawn from the Committees on Judiciary; and Community Affairs.

On motion by Senator Posey—

HB 7033—A bill to be entitled An act relating to public records; renumbering and amending s. 119.0711(1), F.S.; transferring provisions which provide a public records exemption for complaints and other records in the custody of any agency in the executive branch of state government which relate to a complaint of discrimination; expanding the exemption to provide for applicability to any agency rather than any agency in the executive branch of state government; amending s. 119.071, F.S.; reorganizing provisions; providing for review and repeal of the exemption; providing a statement of public necessity; amending s. 338.223, F.S.; conforming a cross-reference; providing an effective date.

—a companion measure, was substituted for **CS for SB 2484** and read the second time by title.

Pursuant to Rule 4.19, **HB 7033** was placed on the calendar of Bills on Third Reading.

On motion by Senator Storms, by two-thirds vote **CS for HB 1429** was withdrawn from the Committees on Children, Families, and Elder Affairs; Governmental Operations; and Health and Human Services Appropriations.

On motion by Senator Storms, the rules were waived and—

CS for HB 1429—A bill to be entitled An act relating to mental health and substance abuse services; amending s. 394.9082, F.S.; providing legislative findings and intent; providing definitions; providing service delivery strategies; providing for data sharing agreements; establishing a process for the Department of Children and Family Services to contract with community-based managing entities; specifying criteria for contracts between the department and managing entities for the provision of behavioral health services; establishing goals for service delivery ; creating community-based systems of care; authorizing the implementation of managing entities by the department; specifying responsibilities of managing entities; specifying roles and responsibilities of the department; specifying management information system requirements; providing for evaluations and reports; providing for a monitoring process; providing rulemaking authority; providing an effective date.

—a companion measure, was substituted for **CS for CS for CS for SB 2626** and read the second time by title.

Senator Storms moved the following amendment:

Amendment 1 (232320)(with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Section 394.9082, Florida Statutes, is amended to read:

(Substantial rewording of section. See s. 394.9082, F.S., for present text.)

394.9082 Behavioral health managing entities.—

(1) LEGISLATIVE FINDINGS AND INTENT.—The Legislature finds that untreated behavioral health disorders constitute major health problems for residents of this state, are a major economic burden to the citizens of this state, and substantially increase demands on the state's juvenile and adult criminal justice systems, the child welfare system, and health care systems. The Legislature finds that behavioral health disorders respond to appropriate treatment, rehabilitation, and supportive intervention. The Legislature finds that it has made a substantial long-term investment in the funding of the community-based behavioral health prevention and treatment service systems and facilities in order to provide critical emergency, acute care, residential, outpatient, and rehabilitative and recovery-based services. The Legislature finds that local communities have also made substantial investments in behavioral health services, contracting with safety net providers who by mandate and mission provide specialized services to vulnerable and hard-to-serve populations and have strong ties to local public health and public safety agencies. The Legislature finds that a management structure that places the responsibility for publicly financed behavioral health treatment and prevention services within a single private, nonprofit entity at the local level will promote improved access to care, promote service continuity, and provide for more efficient and effective delivery of substance abuse and mental health services. The Legislature finds that streamlining administrative processes will create cost efficiencies and provide flexibility to better match available services to consumers' identified needs.

(2) DEFINITIONS.—As used in this section, the term:

(a) "Behavioral health services" means mental health services and substance abuse prevention and treatment services as defined in this chapter and chapter 397 which are provided using state and federal funds.

(b) "Decisionmaking model" means a comprehensive management information system needed to answer the following management questions at the federal, state, regional, circuit, and local provider levels: who receives what services from which providers with what outcomes and at what costs?

(c) "Geographic area" means a county, circuit, regional, or multiregional area in this state.

(d) "Managing entity" means a corporation that is organized in this state, is designated or filed as a nonprofit organization under s. 501(c)3) of the Internal Revenue Service, and is under contract to the department to manage the day-to-day operational delivery of behavioral health services through an organized system of care.

(e) "Provider networks" mean the direct service agencies that are under contract with a managing entity and that together constitute a comprehensive array of emergency, acute care, residential, outpatient, recovery support, and consumer support services.

(3) SERVICE DELIVERY STRATEGIES.—The department may work through managing entities to develop service delivery strategies that will improve the coordination, integration, and management of the delivery of behavioral health services to people who have mental or substance use disorders. It is the intent of the Legislature that a well-managed service delivery system will increase access for those in need of care, improve the coordination and continuity of care for vulnerable and high-risk populations, and redirect service dollars from restrictive care settings to community-based recovery services.

(4) CONTRACT FOR SERVICES.—

(a) The department may contract for the purchase and management of behavioral health services with community-based managing entities. The department may require a managing entity to contract for specialized services that are not currently part of the managing entity's network if the department determines that to do so is in the best interests of consumers of services. The secretary shall determine the schedule for phasing in contracts with managing entities. The managing entities shall, at a minimum, be accountable for the operational oversight of the delivery of behavioral health services funded by the department and for the collection and submission of the required data pertaining to these contracted services. A managing entity shall serve a geographic area designated by the department. The geographic area must be of sufficient size in population and have enough public funds for behavioral health services to allow for flexibility and maximum efficiency.

(b) The operating costs of the managing entity contract shall be funded through funds from the department and any savings and efficiencies achieved through the implementation of managing entities when realized by their participating provider network agencies. The department recognizes that managing entities will have infrastructure development costs during start-up so that any efficiencies to be realized by providers from consolidation of management functions, and the resulting savings, will not be achieved during the early years of operation. The department shall negotiate a reasonable and appropriate administrative cost rate with the managing entity. The Legislature intends that reduced local and state contract management and other administrative duties passed on to the managing entity allows funds previously allocated for these purposes to be proportionately reduced and the savings used to purchase the administrative functions of the managing entity. Policies and procedures of the department for monitoring contracts with managing entities shall include provisions for eliminating duplication of the department's and the managing entities' contract management and other administrative activities in order to achieve the goals of cost-effectiveness and regulatory relief. To the maximum extent possible, provider-monitoring activities shall be assigned to the managing entity.

(c) Contracting and payment mechanisms for services must promote clinical and financial flexibility and responsiveness and must allow different categorical funds to be integrated at the point of service. The contracted service array must be determined by using public input, needs assessment, and evidence-based and promising best-practice models. The department may employ care-management methodologies, prepaid capitation, and case rate or other methods of payment which promote flexibility, efficiency, and accountability.

(5) GOALS.—The goal of the service delivery strategies is to provide a design for an effective coordination, integration, and management approach for delivering effective behavioral health services to persons who are experiencing a mental health or substance abuse crisis, who have a disabling mental illness or a substance use or co-occurring disorder, and require extended services in order to recover from their illness, or who need brief treatment or longer-term supportive interventions to avoid a crisis or disability. Other goals include:

(a) Improving accountability for a local system of behavioral health care services to meet performance outcomes and standards through the use of reliable and timely data.

(b) Enhancing the continuity of care for all children, adolescents, and adults who enter the publicly funded behavioral health service system.

(c) Preserving the "safety net" of publicly funded behavioral health services and providers, and recognizing and ensuring continued local contributions to these services, by establishing locally designed and community-monitored systems of care.

(d) Providing early diagnosis and treatment interventions to enhance recovery and prevent hospitalization.

(e) Improving the assessment of local needs for behavioral health services.

(f) Improving the overall quality of behavioral health services through the use of evidence-based, best-practice, and promising-practice models.

(g) Demonstrating improved service integration between behavioral health programs and other programs, such as vocational rehabilitation, education, child welfare, primary health care, emergency services, juvenile justice, and criminal justice.

(h) Providing for additional testing of creative and flexible strategies for financing behavioral health services to enhance individualized treatment and support services.

(i) Promoting cost-effective quality care.

(j) Working with the state to coordinate admissions and discharges from state civil and forensic hospitals and coordinating admissions and discharges from residential treatment centers.

(k) Improving the integration, accessibility, and dissemination of behavioral health data for planning and monitoring purposes.

(l) Promoting specialized behavioral health services to residents of assisted living facilities.

(m) Working with the state and other stakeholders to reduce the admissions and the length of stay for dependent children in residential treatment centers.

(n) Providing services to adults and children with co-occurring disorders of mental illnesses and substance abuse problems.

(o) Providing services to elder adults in crisis or at-risk for placement in a more restrictive setting due to a serious mental illness or substance abuse.

(6) ESSENTIAL ELEMENTS.—It is the intent of the Legislature that the department may plan for and enter into contracts with managing entities to manage care in geographical areas throughout the state.

(a) The managing entity must demonstrate the ability of its network of providers to comply with the pertinent provisions of this chapter and chapter 397 and to ensure the provision of comprehensive behavioral health services. The network of providers must include, but need not be limited to, community mental health agencies, substance abuse treatment providers, and best-practice consumer services providers.

(b) The department shall terminate its mental health or substance abuse provider contracts for services to be provided by the managing entity at the same time it contracts with the managing entity.

(c) The managing entity shall ensure that its provider network is broadly conceived. All mental health or substance abuse treatment providers currently under contract with the department shall be offered a contract by the managing entity.

(d) The department may contract with managing entities to provide the following core functions:

1. Financial accountability.

2. Allocation of funds to network providers in a manner that reflects the department's strategic direction and plans.

3. Provider monitoring to ensure compliance with federal and state laws, rules, and regulations.

4. Data collection, reporting, and analysis.

5. Operational plans to implement objectives of the department's strategic plan.

6. Contract compliance.

7. Performance management.

8. Collaboration with community stakeholders, including local government.

9. System of care through network development.

10. Consumer care coordination.

11. Continuous quality improvement.

12. Timely access to appropriate services.

13. Cost-effectiveness and system improvements.

14. Assistance in the development of the department's strategic plan.

15. Participation in community, circuit, regional, and state planning.

16. Resource management and maximization, including pursuit of third-party payments and grant applications.

17. Incentives for providers to improve quality and access;

18. Liaison with consumers.

19. Community needs assessment.

20. Securing local matching funds.

(e) The managing entity shall ensure that written cooperative agreements are developed and implemented among the criminal and juvenile justice systems, the local community-based care network, and the local behavioral health providers in the geographic area which define strategies and alternatives for diverting people who have mental illness and substance abuse problems from the criminal justice system to the community. These agreements must also address the provision of appropriate services to persons who have behavioral health problems and leave the criminal justice system.

(f) Managing entities must collect and submit data to the department regarding persons served, outcomes of persons served, and the costs of services provided through the department's contract. The department shall evaluate managing entity services based on consumer-centered outcome measures that reflect national standards that can dependably be measured. The department shall work with managing entities to establish performance standards related to:

1. The extent to which individuals in the community receive services.

2. The improvement of quality of care for individuals served.

3. The success of strategies to divert jail, prison, and forensic facility admissions.

4. Consumer and family satisfaction.

5. The satisfaction of key community constituents such as law enforcement agencies, juvenile justice agencies, the courts, the schools, local government entities, hospitals, and others as appropriate for the geographical area of the managing entity.

(g) The Agency for Health Care Administration may establish a certified match program, which must be voluntary. Under a certified match program, reimbursement is limited to the federal Medicaid share to Medicaid-enrolled strategy participants. The agency may take no action to implement a certified match program unless the consultation provisions of chapter 216 have been met. The agency may seek federal waivers that are necessary to implement the behavioral health service delivery strategies.

(7) MANAGING ENTITY REQUIREMENTS.—The department may adopt rules and standards and a process for the qualification and operation of managing entities which are based, in part, on the following criteria:

(a) A managing entity's governance structure shall be representative and shall, at a minimum, include consumers and family members, appropriate community stakeholders and organizations, and providers of substance abuse and mental health services as defined in this chapter and chapter 397.

(b) A managing entity that was originally formed primarily by substance abuse or mental health providers must present and demonstrate a detailed, consensus approach to expanding its provider network and governance to include both substance abuse and mental health providers.

(c) A managing entity must submit a network management plan and budget in a form and manner determined by the department. The plan must detail the means for implementing the duties to be contracted to the managing entity and the efficiencies to be anticipated by the department as a result of executing the contract. The department may require modifications to the plan and must approve the plan before contracting with a managing entity. The department may contract with a managing entity that demonstrates readiness to assume core functions, and may continue to add functions and responsibilities to the managing entity's contract over time as additional competencies are developed as identified in paragraph (g). Notwithstanding other provisions of this section, the department may continue and expand managing entity contracts if the department determines that the managing entity meets the requirements specified in this section.

(d) Notwithstanding paragraphs (b) and (c), a managing entity that is currently a fully integrated system providing mental health and substance abuse services, Medicaid, and child welfare services is permitted to continue operating under its current governance structure as long as the managing entity can demonstrate to the department that consumers, other stakeholders, and network providers are included in the planning process.

(e) Managing entities shall operate in a transparent manner, providing public access to information, notice of meetings, and opportunities for broad public participation in decisionmaking. The managing entity's network management plan must detail policies and procedures that ensure transparency.

(f) Before contracting with a managing entity, the department must perform an on-site readiness review of a managing entity to determine its operational capacity to satisfactorily perform the duties to be contracted.

(g) The department shall engage community stakeholders, including providers and managing entities under contract with the department, in the development of objective standards to measure the competencies of managing entities and their readiness to assume the responsibilities described in this section, and the outcomes to hold them accountable.

(8) DEPARTMENT RESPONSIBILITIES.—With the introduction of managing entities to monitor department-contracted providers' day-to-day operations, the department and its regional and circuit offices will have increased ability to focus on broad systemic substance abuse and mental health issues. After the department enters into a managing entity contract in a geographic area, the regional and circuit offices of the department in that area shall direct their efforts primarily to monitoring the managing entity contract, including negotiation of system quality improvement goals each contract year, and review of the managing entity's plans to execute department strategic plans; carrying out statutorily mandated licensure functions; conducting community and regional substance abuse and mental health planning; communicating to the department the local needs assessed by the managing entity; preparing department strategic plans; coordinating with other state and local agencies; assisting the department in assessing local trends and issues and advising departmental headquarters on local priorities; and providing leadership in disaster planning and preparation.

(9) REPORTING.—Reports of the department's activities, progress, and needs in achieving the goal of contracting with managing entities in each circuit and region statewide must be submitted to the appropriate substantive and appropriations committees in the Senate and the House of Representatives on January 1 and July 1 of each year until the full transition to managing entities has been accomplished statewide.

(10) RULES.—The department shall adopt rules to administer this section and, as necessary, to further specify requirements of managing entities.

Section 2. This act shall take effect July 1, 2008.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to mental health and substance abuse services; amending s. 394.9082, F.S.; providing legislative findings and intent; establishing goals; specifying roles and responsibilities of the Department of Children and Family Services; creating community-based systems of care; authorizing the implementation of managing entities by the Department of Children and Family Services; establishing a process for contracting with managing entities; specifying qualifying criteria for managing entities; specifying responsibilities of managing entities; specifying responsibilities of the department; providing for evaluations and reports; providing for a monitoring process; providing an effective date.

Senator Storms moved the following amendment to **Amendment 1** which was adopted:

Amendment 1A (505932)—On line(s) 267, after the period (.) insert: *If there are one or more private-receiving facilities in the geographic coverage area of a managing entity, the managing entity shall have one representative for the private-receiving facilities as an ex officio member of its board of directors.*

Amendment 1 as amended was adopted.

Pursuant to Rule 4.19, **CS for HB 1429** as amended was placed on the calendar of Bills on Third Reading.

The Senate resumed consideration of—

CS for CS for SB 1962—A bill to be entitled An act relating to the tax exemption for nonprofit cooperative hospital laundries; amending s. 212.08, F.S.; requiring a member of a nonprofit cooperative to immediately divest itself of participation in the cooperative if it loses its nonprofit status; providing that the provision of emergency services to a nonmember business does not invalidate the certificate of tax exemption; providing an effective date.

—which was previously considered and amended April 29 with pending **Amendment 2 (930694)** by Senator Haridopolos and pending point of order.

POINT OF ORDER DISPOSITION

Amendment 2 was withdrawn and the pending point of order by Senator Rich was withdrawn.

An amendment was considered and failed and amendments were considered and adopted to conform **CS for CS for SB 1962** to **CS for HB 1059**.

Pending further consideration of **CS for CS for SB 1962** as amended, on motion by Senator Rich, by two-thirds vote **CS for HB 1059** was withdrawn from the Committees on Health Regulation; and Finance and Tax.

On motion by Senator Rich—

CS for HB 1059—A bill to be entitled An act relating to exemptions from the tax on sales, use, and other transactions; amending s. 212.08, F.S.; revising the exemption provided to nonprofit cooperative hospital laundries; requiring a member of a nonprofit cooperative to immediately divest itself of participation in the cooperative under certain circumstances; providing that provision of certain supplies and services pursuant to a declaration of emergency and a written emergency plan of operation does not invalidate a certificate of exemption or cause such a certificate to be denied; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 1962** as amended and read the second time by title.

MOTION

On motion by Senator Haridopolos, the rules were waived to allow the following amendments to be considered:

Senator Haridopolos moved the following amendments which were adopted:

Amendment 1 (430878)(with title amendment)—Between line(s) 57 and 58 insert:

Section 2. Paragraph (a) of subsection (2) of section 212.04, Florida Statutes, is amended to read:

212.04 Admissions tax; rate, procedure, enforcement.—

(2)(a)1. No tax shall be levied on admissions to athletic or other events sponsored by elementary schools, junior high schools, middle schools, high schools, community colleges, public or private colleges and universities, deaf and blind schools, facilities of the youth services programs of the Department of Children and Family Services, and state correctional institutions when only student, faculty, or inmate talent is used. However, this exemption shall not apply to admission to athletic events sponsored by a state university, and the proceeds of the tax collected on such admissions shall be retained and used by each institution to support women's athletics as provided in s. 1006.71(2)(c).

2.a. No tax shall be levied on dues, membership fees, and admission charges imposed by not-for-profit sponsoring organizations. To receive this exemption, the sponsoring organization must qualify as a not-for-profit entity under the provisions of s. 501(c)(3) of the Internal Revenue Code of 1954, as amended.

b. No tax shall be levied on admission charges to an event sponsored by a governmental entity, sports authority, or sports commission when held in a convention hall, exhibition hall, auditorium, stadium, theater, arena, civic center, performing arts center, or publicly owned recreational facility and when 100 percent of the risk of success or failure lies with the sponsor of the event and 100 percent of the funds at risk for the event belong to the sponsor, and student or faculty talent is not exclusively used. As used in this sub-subparagraph, the terms "sports authority" and "sports commission" mean a nonprofit organization that is exempt from federal income tax under s. 501(c)(3) of the Internal Revenue Code and that contracts with a county or municipal government for the purpose of promoting and attracting sports-tourism events to the community with which it contracts. This sub-subparagraph is repealed July 1, 2009.

3. No tax shall be levied on an admission paid by a student, or on the student's behalf, to any required place of sport or recreation if the student's participation in the sport or recreational activity is required as a part of a program or activity sponsored by, and under the jurisdiction of, the student's educational institution, provided his or her attendance is as a participant and not as a spectator.

~~4. No tax shall be levied on admissions to the National Football League championship game, on admissions to any semifinal game or championship game of a national collegiate tournament, or on admissions to a Major League Baseball all-star game.~~

4.~~5.~~ A participation fee or sponsorship fee imposed by a governmental entity as described in s. 212.08(6) for an athletic or recreational program is exempt when the governmental entity by itself, or in conjunction with an organization exempt under s. 501(c)(3) of the Internal Revenue Code of 1954, as amended, sponsors, administers, plans, supervises, directs, and controls the athletic or recreational program.

5.~~6.~~ Also exempt from the tax imposed by this section to the extent provided in this subparagraph are admissions to live theater, live opera, or live ballet productions in this state which are sponsored by an organization that has received a determination from the Internal Revenue Service that the organization is exempt from federal income tax under s. 501(c)(3) of the Internal Revenue Code of 1954, as amended, if the organization actively participates in planning and conducting the event, is responsible for the safety and success of the event, is organized for the purpose of sponsoring live theater, live opera, or live ballet productions in this state, has more than 10,000 subscribing members and has among the stated purposes in its charter the promotion of arts education in the communities which it serves, and will receive at least 20 percent of the net profits, if any, of the events which the organization sponsors and will bear the risk of at least 20 percent of the losses, if any, from the events which it sponsors if the organization employs other persons as agents to provide services in connection with a sponsored event. Prior to March 1 of each year, such organization may apply to the department for a certificate of exemption for admissions to such events sponsored in this state by the organization during the immediately following state fiscal year. The application shall state the total dollar amount of admissions receipts collected by the organization or its agents from such events in this state sponsored by the organization or its agents in the year immediately preceding the year in which the organization applies for the exemption. Such organization shall receive the exemption only to the extent of $1.5 million multiplied by the ratio that such receipts bear to the total of such receipts of all organizations applying for the exemption in such year; however, in no event shall such exemption granted to any organization exceed 6 percent of such admissions receipts collected by the organization or its agents in the year immediately preceding the year in which the organization applies for the exemption. Each organization receiving the exemption shall report each month to the department the total admissions receipts collected from such events sponsored by the organization during the preceding month and shall remit to the department an amount equal to 6 percent of such receipts reduced by any amount remaining under the exemption. Tickets for such events sold by such organizations shall not reflect the tax otherwise imposed under this section.

6.~~7.~~ Also exempt from the tax imposed by this section are entry fees for participation in freshwater fishing tournaments.

7.~~8.~~ Also exempt from the tax imposed by this section are participation or entry fees charged to participants in a game, race, or other sport or recreational event if spectators are charged a taxable admission to such event.

8.~~9.~~ No tax shall be levied on admissions to any postseason collegiate football game sanctioned by the National Collegiate Athletic Association.

And the title is amended as follows:

On line(s) 11, after the semicolon (;) insert: amending s. 212.04, F.S.; deleting the sales tax exemption on admissions to certain sport championship games;

Amendment 2 (896096)(with title amendment)—Between line(s) 57 and 58 insert:

Section 2. Paragraph (d) of subsection (1) of section 202.12, Florida Statutes, is amended to read:

202.12 Sales of communications services.—The Legislature finds that every person who engages in the business of selling communications services at retail in this state is exercising a taxable privilege. It is the intent of the Legislature that the tax imposed by chapter 203 be administered as provided in this chapter.

(1) For the exercise of such privilege, a tax is levied on each taxable transaction, and the tax is due and payable as follows:

(d) At the rate set forth in paragraph (a) applied to the sales price of all mobile communications services deemed to be provided to a cus-

tomer by a home service provider pursuant to s. 117(a) of the Mobile Telecommunications Sourcing Act, Pub. L. No. 106-252, if such customer's service address is located within this state. *Effective January 1, 2009, the rate shall be reduced by the percentage necessary to reduce the total estimated collections in 2009 under this paragraph by the amount of any estimated increase in state sales and use tax collections during 2009 resulting from the repeal of sales tax exemptions provided under chapter 212 during the 2008 legislative session, unless otherwise provided by law. The estimated amounts shall be determined by reference to the 2008 Florida Tax Handbook.*

And the title is amended as follows:

On line(s) 11, after the semicolon (;) insert: amending s. 202.12, F.S.; reducing the tax rate on the same of mobile phone communications services based on the repeal of tax exemptions;

On motion by Senator Rich, by two-thirds vote **CS for HB 1059** as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Aronberg	Gaetz	Posey
Atwater	Garcia	Rich
Baker	Geller	Ring
Bennett	Haridopolos	Saunders
Bullard	Hill	Siplin
Carlton	Jones	Storms
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dean	King	Wilson
Deutch	Lawson	Wise
Diaz de la Portilla	Lynn	

Nays—None

By direction of the President, the rules were waived and the Senate reverted to—

BILLS ON THIRD READING

The Senate resumed consideration of—

CS for CS for SB 2080—A bill to be entitled An act relating to value adjustment boards; amending s. 194.011, F.S.; requiring that the Department of Revenue develop a uniform policies and procedures manual for use in proceedings before value adjustment boards; specifying availability requirements for such manual; amending s. 194.015, F.S.; revising the membership of value adjustment boards; providing for citizen members; revising criteria related to appointment to such boards; revising quorum requirements; deleting provisions authorizing county attorneys to act as counsel for value adjustment boards; amending s. 194.035, F.S.; providing that a requirement that value adjustment boards appoint special magistrates for certain purposes applies to all counties; requiring value adjustment boards to verify the qualifications of special magistrates prior to appointment; providing selection criteria; requiring that the department provide training for special magistrates; providing training requirements; requiring that the department charge tuition for such training; requiring that the department deposit fees collected from such tuition into the Certification Program Trust Fund; amending s. 194.037, F.S.; revising information required to be provided on the disclosure of tax impact form to include certain additional information; amending s. 195.002, F.S.; conforming provisions to changes made by the act; providing an effective date.

—which was previously considered this day. Pending **Amendment 1 (102928)** by Senator Haridopolos was adopted by two-thirds vote.

Amendments were considered and adopted to conform **CS for CS for SB 2080** to **CS for HB 909**.

Pending further consideration of **CS for CS for SB 2080** as amended, on motion by Senator Haridopolos, by two-thirds vote **CS for HB 909** was withdrawn from the Committees on Finance and Tax; Community Affairs; and General Government Appropriations.

On motion by Senator Haridopolos, the rules were waived and by two-thirds vote—

CS for HB 909—A bill to be entitled An act relating to ad valorem taxation; amending s. 193.155, F.S.; revising the assessment of homestead property damaged or destroyed by misfortune or calamity; amending s. 193.461, F.S.; revising criteria for classifying agricultural lands; amending s. 194.011, F.S.; requiring the Department of Revenue to develop a uniform policies and procedures manual for use in proceedings before value adjustment boards; specifying availability requirements for such manual; amending s. 194.035, F.S.; requiring certain persons in certain counties to attend special magistrate training under certain circumstances; providing a fee exemption; requiring value adjustment boards to verify the qualifications of special magistrates prior to appointment; providing selection criteria; requiring the department to provide and conduct training for special magistrates; providing training requirements; requiring the department to charge tuition fees; providing for deposit of such fees; creating s. 194.0355, F.S.; providing application; providing requirements for motions asserting violations of law or rules governing hearing petitions; providing for appeal to the board of county commissioners; providing requirements for appeal; providing requirements for boards of county commissioners in hearing such appeals; requiring the board to issue instructions to the value adjustment board under certain circumstances; prohibiting value adjustment boards from rendering decisions until certain procedures are exhausted; amending s. 194.037, F.S.; revising information required to be provided on the disclosure of tax impact form; providing legislative intent; specifying that taxpayers are precluded from having certain burdens of proof; amending s. 195.052, F.S.; specifying requirements for data to be published by the Department of Revenue; extending the publication period; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 2080** as amended and by two-thirds vote read the second time by title.

MOTION

On motion by Senator Haridopolos, the rules were waived to allow the following amendments to be considered:

Senator Haridopolos moved the following amendments which were adopted:

Amendment 1 (817552)(with title amendment)—Delete line(s) 238-277 and redesignate subsequent sections.

And the title is amended as follows:

Delete line(s) 19-29 and insert: for deposit of such fees; amending s. 194.037, F.S.; revising information

Amendment 2 (465958)(with title amendment)—Between line(s) 359 and 360 insert:

Section 1. Section 695.22, Florida Statutes, is amended to read:

695.22 Daily schedule of deeds and conveyances filed for record to be furnished property appraiser.—After October 1, 1945, the several clerks of the circuit courts shall keep and furnish to the respective county property appraisers in the counties where such instruments are recorded a daily schedule of the aforesaid deeds and conveyances so filed for recordation, in which schedule shall be set forth the name of the grantor or grantors, the names and addresses of each grantee*, the actual purchase price or other valuable consideration paid for the property conveyed,* and a description of the land as specified in each instrument so filed.

Section 11. Paragraph (g) is added to subsection (1) of section 695.26, Florida Statutes, to read:

695.26 Requirements for recording instruments affecting real property.—

(1) No instrument by which the title to real property or any interest therein is conveyed, assigned, encumbered, or otherwise disposed of shall be recorded by the clerk of the circuit court unless:

(g) The actual purchase price or other valuable consideration paid for the real property or interest conveyed, assigned, encumbered, or otherwise disposed is legible printed, typewritten, or stamped upon the instrument.

And the title is amended as follows:

On line(s) 35, after the semicolon (;) insert: amending s. 695.22. F.S.; requiring the actual purchase price to be included on deeds and conveyances filed for record; amending s. 695.26, F.S.; requiring the actual purchase price to be shown on the instrument by which the title to real property or any interest therein is conveyed;

Amendment 3 (373736)(with title amendment)—Delete line(s) 40-62 and insert:

Section 1. Section 193.011, Florida Statutes, is amended to read:

193.011 Factors to consider in deriving just valuation.—In arriving at just valuation as required under s. 4, Art. VII of the State Constitution, the property appraiser shall take into consideration the following factors:

(1) The present cash value of the property, which is the amount a willing purchaser would pay a willing seller, exclusive of reasonable fees and costs of purchase, in cash or the immediate equivalent thereof in a transaction at arm's length;

(2) The highest and best use to which the property can be expected to be put in the immediate future and the present use of the property, taking into consideration *the legally permissible use of the property, including* any applicable judicial limitation, local or state land use regulation, or historic preservation ordinance, *and any zoning changes, concurrency requirements, and permits necessary to achieve the highest and best use,* and considering any moratorium imposed by executive order, law, ordinance, regulation, resolution, or proclamation adopted by any governmental body or agency or the Governor when the moratorium or judicial limitation prohibits or restricts the development or improvement of property as otherwise authorized by applicable law. The applicable governmental body or agency or the Governor shall notify the property appraiser in writing of any executive order, ordinance, regulation, resolution, or proclamation it adopts imposing any such limitation, regulation, or moratorium;

(3) The location of said property;

(4) The quantity or size of said property;

(5) The cost of said property and the present replacement value of any improvements thereon;

(6) The condition of said property;

(7) The income from said property; and

(8) The net proceeds of the sale of the property, as received by the seller, after deduction of all of the usual and reasonable fees and costs of the sale, including the costs and expenses of financing, and allowance for unconventional or atypical terms of financing arrangements. When the net proceeds of the sale of any property are utilized, directly or indirectly, in the determination of just valuation of realty of the sold parcel or any other parcel under the provisions of this section, the property appraiser, for the purposes of such determination, shall exclude any portion of such net proceeds attributable to payments for household furnishings or other items of personal property.

And the title is amended as follows:

Delete line(s) 3 and 4 and insert: 193.011, F.S.; clarifying factors that a property appraiser must consider in deriving just valuation;

Amendment 4 (440972)(with title amendment)—Between line(s) 336 and 337 insert:

Section 9. Subsection (2) of section 195.002, Florida Statutes, is amended to read:

195.002 Supervision by Department of Revenue.—

(2) In furtherance of its duty to conduct schools to upgrade assessment skills and collection skills, the department may establish by rule committees on admissions and certification. ~~Additionally,~~ The department may *also* incur reasonable expenses for hiring instructors, travel, office operations, certificates of completion, badges or awards, and food service incidental to conducting such schools and for administering any certification program under s. 145.10*,* ~~or~~ s. 145.11*, or s. 194.035*. The department may charge a tuition fee and an examination fee to any person who attends such a school and may charge a fee to certify or recertify any person under such a program. The department shall deposit such fees into the Certification Program Trust Fund which is created in the State Treasury. There shall be separate school accounts and program accounts in the trust fund for property appraisers*,* ~~and for~~ tax collectors*, and special magistrates*. The department shall use money in the fund to pay such expenses.

And the title is amended as follows:

On line 33 after "proof;" insert: amending s. 195.002, F.S.; conforming provisions to changes made by the act;

MOTION

On motion by Senator Dean, the rules were waived to allow the following amendment to be considered:

Senator Dean moved the following amendment which was adopted:

Amendment 5 (627392)—Delete line(s) 182 and insert: *petitions before the value adjustment board or the attorney appointed to advise the value adjustment board shall attend the*

RECONSIDERATION OF AMENDMENT

On motion by Senator Haridopolos, the Senate reconsidered the vote by which **Amendment 2 (465958)** was adopted. **Amendment 2** was withdrawn.

On motion by Senator Haridopolos, by two-thirds vote **CS for HB 909** as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Carlton	Hill	Saunders
Constantine	Jones	Siplin
Crist	Joyner	Storms
Dawson	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

Nays—None

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Atwater, by two-thirds vote **CS for CS for SB's 2086 and 2498** and **CS for SB 2864** were withdrawn from the Committee on General Government Appropriations; **CS for SB 2374** was withdrawn from the Committee on Criminal and Civil Justice Appropriations; **CS for SB 2374** and **CS for SB 2504** were withdrawn from the Committee on Judiciary; and **SB 1626** was withdrawn from the Committee on Transportation and Economic Development Appropriations.

On motion by Senator Constantine, by two-thirds vote **CS for SB 1376** was withdrawn from the Committee on Rules.

MOTIONS

On motion by Senator King, a deadline of one hour after the availability of engrossed bills was set for filing amendments to Bills on Third Reading to be considered Thursday, May 1.

On motion by Senator King, by two-thirds vote all bills remaining on the Special Order Calendar this day were placed on the Special Order Calendar for Thursday, May 1.

REPORTS OF COMMITTEES

Pursuant to Rule 4.17(2), the President Pro Tempore, the Majority Leader, and the Minority Leader submit the following bills to be placed on the Special Order Calendar for Wednesday, April 30, 2008: CS for SB 390, CS for CS for SB 652, CS for SB 694, CS for SB 790, CS for CS for SB 992, SB 1022, CS for CS for SB 1128, CS for CS for SB 1208, CS for CS for SB 1310, SB 1554, SB 1638, CS for SB 2484, CS for CS for CS for SB 2626

Respectfully submitted,
Lisa Carlton, President Pro Tempore
Daniel Webster, Majority Leader
Steven A. Geller, Minority Leader

The Committee on Rules submits the following bills to be placed on the Local Bill Calendar for Wednesday, April 30, 2008: HB 487, HB 507, CS for HB 791, HB 889, HB 933, CS for HB 935, CS for HB 973, HB 999, HB 1031, HB 1033, HB 1063, HB 1065, HB 1067, HB 1069, CS for HB 1071, HB 1073, HB 1077, CS for HB 1085, CS for HB 1087, HB 1089, HB 1145, HB 1211, CS for HB 1225, HB 1263, CS for HB 1365, HB 1445, CS for HB 1515, CS for HB 1543, HB 1545, CS for HB 1547, CS for HB 1231

Respectfully submitted,
James E. "Jim" King, Jr., Chair

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

FIRST READING

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has passed CS for HB 697, CS for CS for CS for HB 893, CS for HB 909; has passed as amended CS for CS for HB 1399, HB 7091, HB 7103, HB 7135 and requests the concurrence of the Senate.

William S. Pittman III, Chief Clerk

By the Economic Expansion and Infrastructure Council; and Representative Aubuchon and others—

CS for HB 697—A bill to be entitled An act relating to building standards; amending s. 489.105, F.S.; revising the definition of the term "roofing contractor"; creating s. 489.1138, F.S.; providing definitions; requiring a tower crane to be certified in order to be operated; requiring a person to be certified in order to operate a tower crane on construction projects; providing applicable standards; specifying duties of contractors; providing penalties; authorizing persons in training for certification to operate tower cranes under direct supervision of a certified tower crane operator; creating s. 489.1139, F.S.; preempting the regulation of tower cranes and tower crane operators to the state; amending s. 553.36, F.S.; revising the definition of the term "manufactured building" to include modular buildings and factory-built buildings; amending s. 553.37, F.S.; revising requirements that the Florida Building Commission adopt requirements for construction or modification of manufactured buildings; requiring the Department of Community Affairs to adopt certain rules relating to manufactured buildings; transferring certain responsibilities from the commission to the department; requiring the department to develop an insignia to be affixed to newly constructed manufactured buildings; authorizing the department to charge a fee for the insignia; providing requirements for the insignia; requiring the department to develop minimum criteria for a manufacturer's data plate; amending s. 553.381, F.S.; revising the department's authority to conform; authorizing the department to establish certain fees by rule; amending s. 553.415, F.S.; requiring the department to require that an insignia and manufacturer's data plate be affixed to certain school buildings; providing requirements for the data plate; requiring under certain circumstances manufacturers or the department to affix the insignia and data plate; amending s. 553.71, F.S.; providing a definition of the term "temporary;" amending s. 553.73, F.S.; expanding the list of required codes to be included in the Florida Building Code as foundation codes; expanding authority of the commission to approve amendments to the Florida Building Code; amending s. 553.74., F.S.; specifying entities encouraged to recommend candidate lists for consideration as members of the commission; increasing membership of the commission; deleting obsolete provisions; amending s. 553.75, F.S.; authorizing the commission to use communications media technology in conducting certain meetings; providing for requirements for public comment at commission meetings; amending s. 553.775, F.S.; authorizing the commission to render certain accessibility declaratory statements; amending s. 553.80, F.S.; revising enforcement requirements for construction regulations for certain facilities; amending s. 553.844, F.S.; revising requirements for criteria for mitigation techniques adopted by the commission; specifying certain roof retrofitting requirements; amending s. 553.885, F.S.; requiring the installation of carbon monoxide detectors in certain new hospitals, hospice facilities, and nursing homes; amending s. 627.351, F.S.; specifying that certain buildings or structures must meet certain coastal construction line setbacks to be eligible for Citizens Property Insurance coverage; repealing s. 553.731 F.S., relating to wind-borne debris protection requirements; providing for construction and interpretation of the repeal; providing effective dates.

—was referred to the Committees on Community Affairs; Regulated Industries; Environmental Preservation and Conservation; and Transportation and Economic Development Appropriations.

By the Policy and Budget Council; Policy and Budget Council; Schools and Learning Council; and Representative Coley and others—

CS for CS for CS for HB 893—A bill to be entitled An act relating to the tax on sales, use, and other transactions; specifying a period during which the sale of clothing and school supplies are exempt from the tax; providing definitions; providing exceptions; authorizing the Department of Revenue to adopt rules; providing an appropriation; providing an effective date.

—was referred to the Committee on Finance and Tax.

By the Government Efficiency and Accountability Council; and Representative Nehr and others—

CS for HB 909—A bill to be entitled An act relating to ad valorem taxation; amending s. 193.155, F.S.; revising the assessment of homestead property damaged or destroyed by misfortune or calamity; amending s. 193.461, F.S.; revising criteria for classifying agricultural lands; amending s. 194.011, F.S.; requiring the Department of Revenue to develop a uniform policies and procedures manual for use in proceedings before value adjustment boards; specifying availability requirements for such manual; amending s. 194.035, F.S.; requiring certain persons in certain counties to attend special magistrate training under certain circumstances; providing a fee exemption; requiring value adjustment boards to verify the qualifications of special magistrates prior to appointment; providing selection criteria; requiring the department to provide and conduct training for special magistrates; providing training requirements; requiring the department to charge tuition fees; providing for deposit of such fees; creating s. 194.0355, F.S.; providing application; providing requirements for motions asserting violations of law or rules governing hearing petitions; providing for appeal to the board of county commissioners; providing requirements for appeal; providing requirements for boards of county commissioners in hearing such appeals; requiring the board to issue instructions to the value adjustment board under certain circumstances; prohibiting value adjustment boards from rendering decisions until certain procedures are exhausted; amending s. 194.037, F.S.; revising information required to be provided on the disclosure of tax impact form; providing legislative intent; specifying that taxpayers are precluded from having certain burdens of proof; amending s. 195.052, F.S.; specifying requirements for data to be published by the Department of Revenue; extending the publication period; providing an effective date.

—was referred to the Committees on Finance and Tax; Community Affairs; and General Government Appropriations.

By the Policy and Budget Council; Economic Expansion and Infrastructure Council; and Representative Aubuchon and others—

CS for CS for HB 1399—A bill to be entitled An act relating to the Department of Transportation; amending s. 20.23, F.S.; providing for the salary and benefits of the executive director of the Florida Transportation Commission to be set in accordance with the Senior Management Service; amending s. 125.42, F.S.; providing for counties to incur certain costs related to relocation or removal of certain utility facilities under specified circumstances; amending s. 163.3177, F.S.; revising requirements for comprehensive plans; providing a timeframe for submission of certain information to the state land planning agency; providing for airports, land adjacent to airports, and certain interlocal agreements relating thereto in certain elements of the plan; amending s. 163.3178, F.S.; providing that certain port-related facilities are not developments of regional impact under certain circumstances; amending s. 163.3182, F.S., relating to transportation concurrency backlog authorities; providing legislative findings and declarations; expanding the power of authorities to borrow money to include issuing certain debt obligations; providing a maximum maturity date for certain debt incurred to finance or refinance certain transportation concurrency backlog projects; authorizing authorities to continue operations and administer certain trust funds for the period of the remaining outstanding debt; requiring local transportation concurrency backlog trust funds to continue to be funded for certain purposes; providing for increased ad valorem tax increment funding for such trust funds under certain circumstances; revising provisions for dissolution of an authority; amending s. 287.055, F.S.; conforming a cross-reference; amending s. 316.0741, F.S.; redefining the term "hybrid vehicle"; authorizing the driving of a hybrid, low-emission, or energy-efficient vehicle in a high-occupancy-vehicle lane regardless of occupancy; requiring certain vehicles to comply with specified federal standards to be driven in an HOV lane regardless of occupancy; revising provisions for issuance of a decal and certificate; providing for the Department of Highway Safety and Motor Vehicles to limit or discontinue issuance of decals for the use of HOV facilities by hybrid and low-emission and energy-efficient vehicles under certain circumstances; directing the department to review a specified federal rule and make a report to the Legislature; exempting certain vehicles from the payment of certain tolls; amending s. 316.193, F.S.; revising the prohibition against driving under the influence of alcohol; revising the blood-alcohol or breath-alcohol level at which certain penalties apply; revising requirement for placement of an ignition interlock device; amending s. 316.302, F.S.; revising references to rules, regulations, and criteria governing commercial motor vehicles engaged in intrastate commerce; providing that the department performs duties assigned to the Field Administrator of the Federal Motor Carrier Safety Administration under the federal rules and may enforce those rules; amending ss. 316.613 and 316.614, F.S.; revising the definition of "motor vehicle" for purposes of child restraint and safety belt usage requirements; amending s. 316.656, F.S.; revising the prohibition against a judge accepting a plea to a lesser offense from a person charged under certain DUI provisions; revising the blood-alcohol or breath-alcohol level at which the prohibition applies; amending s. 322.64, F.S.; providing that refusal to submit to a breath, urine, or blood test disqualifies a person from operating a commercial motor vehicle; providing a period of disqualification if a person has an unlawful blood-alcohol or breath-alcohol level; providing for issuance of a notice of disqualification; revising the requirements for a formal review hearing following a person's disqualification from operating a commercial motor vehicle; providing that a county, municipality, or special district may not own or operate an asphalt plant or a portable or stationary concrete batch plant having an independent mixer; provides exemptions; amending s. 337.0261, F.S.; revising the sunset date for the Strategic Aggregate Review Task Force; amending s. 337.11, F.S.; establishing a goal for the procurement of design-build contracts; amending ss. 337.14 and 337.16, F.S.; conforming cross-references; amending s. 337.18, F.S.; requiring the contractor to maintain a copy of the required payment and performance bond at certain locations and provide a copy upon request; providing that a copy may be obtained directly from the department; removing a provision requiring a copy be recorded in the public records of the county; amending s. 337.185, F.S.; providing for the State Arbitration Board to arbitrate certain claims relating to maintenance contracts; providing for a member of the board to be elected by maintenance companies as well as construction companies; amending s. 337.403, F.S.; providing for the department or local governmental entity to pay certain costs of removal or relocation of a utility facility that is found to be interfering with the use, maintenance, improvement, extension, or expansion of a public road or publicly owned rail corridor under described circumstances; amending s. 337.408, F.S.; providing for public pay telephones and advertising thereon to be installed within the right-of-way limits of any municipal, county, or state road; amending s. 338.01, F.S.; requiring new and replacement electronic toll collection systems to be interoperable with the department's system; amending s. 338.165, F.S.; providing that provisions requiring the continuation of tolls following the discharge of bond indebtedness does not apply to high-occupancy toll lanes or express lanes; creating s. 338.166, F.S.; authorizing the department to request that bonds be issued which are secured by toll revenues from high-occupancy toll or express lanes in a specified location; providing for the department to continue to collect tolls after discharge of indebtedness; authorizing the use of excess toll revenues for improvements to the State Highway System; authorizing the implementation of variable rate tolls on high-occupancy toll lanes or express lanes; amending s. 338.2216, F.S.; directing the Florida Turnpike Enterprise to implement new technologies and processes in its operations and collection of tolls and other amounts; providing contract bid requirements for fuel and food on the turnpike system; amending s. 338.223, F.S.; conforming a cross-reference; amending s. 338.231, F.S.; revising provisions for establishing and collecting tolls; authorizing collection of amounts to cover costs of toll collection and payment methods; requiring public notice and hearing; amending s. 339.12, F.S.; revising requirements for aid and contributions by governmental entities for transportation projects; revising limits under which the department may enter into an agreement with a county for a project or project phase not in the adopted work program; authorizing the department to enter into certain long-term repayment agreements; amending s. 339.135, F.S.; revising certain notice provisions that require the Department of Transportation to notify local governments regarding amendments to an adopted 5-year work program; amending s. 339.155, F.S.; revising provisions for development of the Florida Transportation Plan; amending s. 339.2816, F.S., relating to the small county road assistance program; providing for resumption of certain funding for the program; revising the criteria for counties eligible to participate in the program; amending ss. 339.2819 and 339.285, F.S.; conforming cross-references; amending s. 341.301, F.S.; providing definitions relating to commuter rail service, rail corridors, and railroad operation for purposes of the rail program within the department; amending s. 341.302, F.S.; authorizing the department to purchase specified property for the purpose of implementing commuter rail service; authorizing the department to assume certain liability on a rail corridor; authorizing the department to indemnify and hold harmless a railroad company when the department acquires a rail corridor from the company; providing allocation of risk; providing a specific cap on the amount of the contractual duty for such indemnification; authorizing the department to purchase and provide insurance in relation to rail corridors; authorizing marketing and promotional expenses; extending provisions to other governmental entities providing commuter rail service on public right-of-way; creating s. 341.3023, F.S.; requiring the department to review and study commuter rail programs and intercity rail transportation systems; requiring a report to the Governor and the Legislature; repealing part III of ch. 343 F.S.; abolishing the Tampa Bay Commuter Transit Authority; amending s. 348.0003, F.S.; providing for financial disclosure for expressway, transportation, bridge, and toll authorities; amending s. 348.0004, F.S.; providing for certain expressway authorities to index toll rate increases; amending s. 479.01, F.S.; revising provisions for outdoor advertising; revising the definition of the term "automatic changeable facing"; amending s. 479.07, F.S.; revising a prohibition against signs on the State Highway System; revising requirements for display of the sign permit tag; directing the department to establish by rule a fee for furnishing a replacement permit tag; revising the pilot project for permitted signs to include Hillsborough County and areas within the boundaries of the City of Miami; amending s. 479.08, F.S.; revising provisions for denial or revocation of a sign permit; amending s. 479.156, F.S.; revising provisions for a municipality or county to permit and regulate wall murals;amending s. 479.261, F.S.; revising requirements for the logo sign program of the interstate highway system; deleting provisions providing for permits to be awarded to the highest bidders; requiring the department to implement a rotation-based logo program; requiring the department to adopt rules that set reasonable rates based on certain factors for annual permit fees; requiring that such fees not exceed a certain amount for sign locations inside and outside an urban area; creating a business partnership pilot program; authorizing the Palm Beach County School District to display names of business partners on district property in unincorporated areas; exempting the program from specified provisions; amending s. 768.28, F.S.; expanding the list of entities considered agents of the state; providing for construction in relation to certain federal laws; requiring the department to ensure certain providers of railroad related services meet certain requirements; requiring the department to conduct a study of

transportation alternatives for the Interstate 95 corridor; requiring a report to the Governor and the Legislature; authorizing the expenditure of public funds for certain alterations of Old Cutler Road in the Village of Palmetto Bay; requiring the official approval of the Department of State before any alterations may begin; reenacting ss. 316.066(3)(a), 316.072(4)(b), 316.1932(3), 316.1933(4), 316.1937(1) and (2)(d), 316.1939(1)(b), 316.656(1), 318.143(4) and (5), 318.17(3), 320.055(1)(c), 322.03(2), 322.0602(2)(a), 322.21(8), 322.25(5), 322.26(1)(a), 322.2615(14)(a) and (16), 322.2616(15) and (19), 322.264(1)(b), 322.271(2)(a), (c) and (4), 322.2715(2), (3)(a), (c), and (4), 322.28(2), 322.282(2)(a), 322.291(1)(a), 322.34(9)(a), 322.62(3), 322.63(2)(d) and (6), 322.64(1), (2), (7)(a), (8)(b), (14), and (15), 323.001(4)(f), 324.023, 324.131, 327.35(6), 337.195(1), 440.02(17)(c), 440.09(7)(b), 493.6106(1)(d), 627.7275(2)(a), 627.758(4), 790.06(2)(f) and (10)(f), 903.36(2), and 907.041(4)(c), F.S., relating to written reports of crashes, obedience to and effect of traffic laws, tests for alcohol, chemical substances, or controlled substances, implied consent, refusal, blood test for impairment or intoxication in cases of death or serious bodily injury, right to use reasonable force, ignition interlock devices, requiring, unlawful acts, refusal to submit to testing, penalties, mandatory adjudication, prohibition against accepting plea to lesser included offense, sanctions for infractions by minors, offenses excepted, registration periods, renewal periods, drivers must be licensed, penalties, youthful drunk driver visitation program, license fees, procedure for handling and collecting fees, when court to forward license to department and report convictions, temporary reinstatement of driving privileges, mandatory revocation of license by department, suspension of license, right to review, suspension of license, persons under 21 years of age, right to review, "habitual traffic offender" defined, authority to modify revocation, cancellation, or suspension order, ignition interlock device, period of suspension or revocation, procedure when court revokes or suspends license or driving privilege and orders reinstatement, driver improvement schools or dui programs, required in certain suspension and revocation cases, driving while license suspended, revoked, canceled, or disqualified, driving under the influence, commercial motor vehicle operators, alcohol or drug testing, commercial motor vehicle operators, holder of commercial driver's license, driving with unlawful blood-alcohol level, refusal to submit to breath, urine, or blood test, wrecker operator storage facilities, vehicle holds, financial responsibility for bodily injury or death, period of suspension, boating under the influence, penalties, "designated drivers," limits on liability, definitions, coverage, license requirements, posting, motor vehicle liability, surety on auto club traffic arrest bond, conditions, limit, bail bond, license to carry concealed weapon or firearm, guaranteed arrest bond certificates as cash bail, and pretrial detention and release, to incorporate references in changes made by the act; amending s. 120.52, F.S.; revising a definition; providing effective dates.

—was referred to the Committees on Transportation; Finance and Tax; and Transportation and Economic Development Appropriations.

By the Environment and Natural Resources Council; and Representative Mayfield and others—

HB 7091—A bill to be entitled An act relating to fish and wildlife conservation; consolidating chapters 370 and 372, F.S., to create chapter 379, F.S., entitled "Fish and Wildlife Conservation"; creating part I of chapter 379, F.S., relating to general provisions; creating part II of chapter 379, F.S., relating to marine life; creating part III of chapter 379, F.S., relating to freshwater aquatic life; creating part IV of chapter 379, F.S., relating to wild animal life; creating part V of chapter 379, F.S., relating to law enforcement; creating part VI of chapter 379, F.S., relating to licenses for recreation activities; creating part VII of chapter 379, F.S., relating to nonrecreational licenses; creating part VIII of chapter 379, F.S., relating to penalties; renumbering, amending, creating, and repealing various statutory provisions to conform; renumbering and amending ss. 370.021, 370.06, 370.061, 370.063, 370.16, 370.22, 370.26, 370.028, 370.07, 370.08, 370.081, 370.11, 370.1107, 370.1121, 370.135, 370.14, 370.143, 370.1535, 370.1603, 370.31, 370.73, 372.07, 372.071, 372.0715, 372.0025, 372.023, 372.0725, 372.16, 372.26, 372.551, 372.561, 372.562, 372.65, 372.57, 372.5704, 372.5705, 372.571, 372.5711, 372.5714, 372.5717, 372.5718, 372.574, 372.58, 372.581, 372.59, 372.651, 372.653, 372.66, 372.661, 372.662, 372.663, 372.664, 372.6645, 372.665, 372.6671, 372.6672, 372.6673, 372.6674, 372.6678, 372.671, 372.673, 372.70, 372.701, 372.7015, 372.7016, 372.76, 372.761, 372.83, 372.84, 372.85, 372.86, 372.87, 372.88, 372.921, 372.922, 372.935, 372.988, 372.99, 372.9901, 372.99021, 372.99022, 372.9903, 372.9904, 372.9905, and 372.992, F.S.; correcting cross-references; conforming provisions to changes made by this act; renumbering and amending s. 370.12, F.S.; deleting an obsolete provision relating to certain annual use fees; correcting cross-references; renumbering and amending s. 370.13, F.S.; deleting an obsolete provision relating to stone crab trap tag fees; correcting cross-references; renumbering and amending s. 370.142, F.S.; deleting an obsolete provision relating to spiny lobster trap tag fees; correcting cross-references; renumbering and amending s. 370.151, F.S.; deleting legislative intent relating to shrimp beds; conforming provisions relating to shrimping license violations; renumbering and amending s. 372.5701, F.S.; deleting provisions requiring an annual legislative appropriation for specified activities and programs; correcting cross-references; creating s. 379.3711, F.S.; establishing an annual license fee for private game preserves and farms; providing for payment of such fees to the commission; requiring proceeds to be deposited in the State Game Trust Fund; creating 379.414, F.S.; providing additional civil penalties for violations of record requirements by saltwater products dealers; requiring fees collected for such violations are deposited in the Marine Resources Conservation Trust Fund; specifying the use of such funds; amending ss. 72.011, 97.05831, 125.01, 142.01, 161.053, 201.15, 212.06, 212.08, 213.053, 215.20, 290.004, 320.08058, 327.02, 327.41, 327.73, 328.66, 328.72, 328.76, 373.046, 403.41315, 403.813, 597.010, 777.04, 810.09, 921.0022, and 932.7055, F.S.; correcting cross-references to conform to changes made by this act; repealing s. 370.0821, F.S., relating to use of nets in St. Johns County to conform to changes made by this act; repealing s. 370.09, F.S., relating to industrial hazards and prohibited oil deposits discharge to conform to changes made by this act; repealing s. 370.1105, F.S., relating to saltwater finfish trap regulation to conform to changes made by this act; repealing ss. 370.15 and 370.154, F.S., relating to shrimp regulations to conform to changes made by this act; repealing s. 370.155, F.S., relating to shrimp fishing to conform to changes made by this act; repealing 372.001, F.S., relating to wildlife definitions to conform to changes made by this act; repealing s. 372.0225, F.S., relating to freshwater organisms to conform to changes made by this act; repealing s. 372.107, F.S., relating to the Fish and Wildlife Conservation Commission Federal Law Enforcement Trust Fund to conform to changes made by this act; repealing s. 372.27, F.S., relating to the prohibition of fishing in Silver Springs and Rainbow Springs to conform to changes made by this act; repealing s. 372.667, F.S., relating to the unlawful feeding or enticement of alligators or crocodiles to conform to changes made by this act; repealing s. 372.98, F.S., relating to the possession of nutria to conform to changes made by this act; repealing s. 372.981, F.S., relating to the regulation of importation of caiman to conform to changes made by this act; repealing s. 372.993, F.S., relating to land-based commercial and recreational fishing activities to conform to changes made by this act; providing an effective date.

—was referred to the Committee on Environmental Preservation and Conservation.

By the Jobs and Entrepreneurship Council; and Representative Reagan—

HB 7103—A bill to be entitled An act relating to mitigation enhancement; amending s. 215.5586, F.S.; revising eligibility criteria for qualifying as a wind certification entity for certain purposes; deleting an obsolete provision; requiring the Department of Financial Services to implement a quality assurance program; revising authority of the department to require certain improvements to be made as a condition of reimbursing a homeowner approved for a grant; deleting a provision authorizing the department to transfer certain funds to Volunteer Florida Foundation, Inc., for certain purposes; deleting a requirement that Volunteer Florida, Inc., undertake certain activities; requiring the department to implement a no-interest loan program by a certain date; providing program requirements; requiring the department to set aside certain moneys for certain purposes; authorizing the department to adopt rules; expanding authority of the department to contract with additional third parties for certain purposes; amending s. 627.062, F.S.; requiring insurers to account for county ordinances and local amendments to the Florida Building Code in certain rate filings; amending s. 627.711, F.S.; requiring insurers to accept as valid uniform mitigation verification forms certified by the department or signed by certain professionals; providing an effective date.

—was referred to the Committee on Banking and Insurance.

By the Environment and Natural Resources Council; and Representative Mayfield and others—

HB 7135—A bill to be entitled An act relating to energy; amending s. 74.051, F.S.; providing that it is the intent of the Legislature for a court, when practicable, to conduct a hearing and issue an order on a petition for a taking within a specified time; amending s. 110.171, F.S.; requiring each state agency to complete a telecommuting program by a specified date which includes a listing of the job classifications and positions that the state agency considers appropriate for telecommuting; providing requirements for the telecommuting program; requiring each state agency to post the telecommuting program on its Internet website; amending s. 163.04, F.S.; clarifying that condominium declarations may not prohibit renewable energy devices; removes three-story height restriction for installation of solar collectors on condominiums; amending s. 186.007, F.S.; authorizing the Executive Office of the Governor to include in the state comprehensive plan goals, objectives, and policies related to energy and global climate change; amending s. 187.201, F.S.; expanding the air quality, energy, and land use goals of the State Comprehensive Plan to include the development of low-carbon-emitting electric power plants, the reduction of atmospheric carbon dioxide, the promotion of the use and development of renewable energy resources, and provide for the siting of low carbon emitting electric power plants, including nuclear plants; amending ss. 196.012 and 196.175, F.S.; deleting outdated, obsolete language; removing the expiration date of the property tax exemption for real property on which a renewable energy source device is installed and revising the options for calculating the amount of the exemption; amending s. 206.43, F.S.; requiring each terminal supplier, importer, blender, and wholesaler to provide in a report to the Department of Revenue the number of gallons of blended and unblended gasoline sold; amending s. 212.08, F.S.; revising the definition of "ethanol"; specifying eligible items as limited to one refund; requiring a person who receives a refund to notify a subsequent purchaser of such refund; transferring certain duties and responsibilities from the Department of Environmental Protection to the Florida Energy and Climate Commission; requiring the Florida Energy and Climate Commission to adopt, by rule, an application form for claiming a tax exemption; amending s. 220.191, F.S.; providing that certain qualifying projects are eligible to transfer capital investment tax credits to other businesses under certain circumstances; providing limitations on the use of such transferred credits; specifying requirements for such transfers; amending s. 220.192, F.S.; defining terms related to a tax credit; allowing the tax credit to be transferred for a specified period; providing procedures and requirements; requiring the Department of Revenue to adopt rules for implementation and administration of the program; transferring certain duties and responsibilities from the Department of Environmental Protection to the Florida Energy and Climate Commission; amending s. 220.193, F.S.; defining the terms "sale" or "sold"; defining the term "taxpayer"; providing for retroactivity; providing that the use of the renewable energy production credit does not reduce the alternative minimum tax credit; amending s. 253.02, F.S.; authorizing the Board of Trustees of the Internal Improvement Trust Fund to delegate authority to grant easements across lands owned by the Board of Trustees of the Internal Improvement Trust Fund to the Secretary of Environmental Protection under certain conditions; amending s. 255.249, F.S.; requiring state agencies to annually provide telecommuting plans to the Department of Management Services; amending s. 255.251, F.S.; creating the "Florida Energy Conservation and Sustainable Buildings Act"; amending s. 255.252, F.S.; providing findings and legislative intent; providing that it is the policy of the state that buildings constructed and financed by the state be designed to meet the United States Green Building Council (USGBC) Leadership in Energy and Environmental Design (LEED) rating system, the Green Building Initiative's Green Globes rating system, the Florida Green Building Coalition standards, or a nationally recognized green building rating system as approved by the department; requiring each state agency occupying space owned or managed by the department to identify and compile a list of projects suitable for a guaranteed energy, water, and wastewater performance savings contract; amending s. 255.253, F.S.; defining terms relating to energy conservation for buildings; amending s. 255.254, F.S.; prohibiting a state agency from leasing or constructing a facility without having secured from the department a proper evaluation of life-cycle costs for the building; amending s. 255.255, F.S.; requiring the department to use sustainable building ratings for conducting a life-cycle cost analysis; amending s. 255.257, F.S.; requiring all state agencies to adopt an energy efficiency rating system as approved by the department for all new buildings and renovations to existing buildings; requiring all county, municipal, school district, water management district, state university, community college, and Florida state court buildings to meet certain energy efficiency standards for construction; providing applicability; creating a sustainable building training certification program within St. Petersburg College; specifying program components; creating s. 286.29, F.S.; requiring the Department of Management Services to develop the Florida Climate-Friendly Preferred Products List; requiring state agencies to consult the list and purchase products from the list if the price is comparable; requiring state agencies to contract for meeting and conference space with facilities having the "Green Lodging" designation; authorizing the Department of Environmental Protection to adopt rules; requiring the department to establish voluntary technical assistance programs for various businesses; requiring state agencies, state universities, community colleges, and local governments that purchase vehicles under a state purchasing plan to maintain vehicles according to minimum standards and follow certain procedures when procuring new vehicles; requiring state agencies to use ethanol and biodiesel-blended fuels when available; amending s. 287.063, F.S.; prohibiting the payment term for equipment from exceeding the useful life of the equipment unless the contract provides for the replacement or the extension of the useful life of the equipment during the term of the loan; amending s. 287.064, F.S.; authorizing an extension of the master equipment financing agreement for energy conservation equipment; requiring the guaranteed energy, water, and wastewater savings contractor to provide for the replacement or the extension of the useful life of the energy conservation equipment during the term of the contract; amending s. 287.16, F.S.; requiring the Department of Management Services to analyze specified fuel usage by the Department of Transportation; amending s. 288.1089, F.S.; defining the term "alternative and renewable energy"; revising provisions relating to innovation incentive awards to include alternative and renewable energy projects; specifying eligibility requirements for such projects; requiring Enterprise Florida, Inc., to solicit comments and recommendations from the Florida Energy and Climate Commission in evaluating such projects; amending s. 316.0741, F.S.; requiring all hybrid and other low-emission and energy-efficient vehicles that do not meet the minimum occupancy requirement and are driven in a high-occupancy-vehicle lane to comply with federally mandated minimum fuel economy standards; authorizing specified vehicles to use certain high-occupancy-vehicle lanes without payment of tolls; amending s. 337.401, F.S.; requiring the Department of Environmental Protection to adopt rules relating to the placement of and access to aerial and underground electric transmission lines having certain specifications; defining the term "base-load generating facilities"; amending s. 339.175, F.S.; requiring each metropolitan planning organization to develop a long-range transportation plan and an annual project priority list that, among other considerations, provide for sustainable growth and reduce greenhouse gas emissions; amending s. 350.01, F.S.; conforming the beginning of a Public Service Commission member's term as chair with the beginning of terms of commissioners; correcting cross-references; amending s. 350.012, F.S.; renaming the Committee on Public Service Commission Oversight, a standing joint committee of the Legislature, as the "Committee on Public Counsel Oversight"; deleting the committee's authority to recommend to the Governor nominees to fill vacancies on the Public Service Commission; amending s. 350.03, F.S.; clarifying the power of the Governor to remove and fill commission vacancies as set forth in the State Constitution; amending s. 350.031, F.S.; increasing the number of members on the council; requiring the President of the Senate and the Speaker of the House of Representatives to appoint a chair and vice chair to the council in alternating years; removing spending authority for the council to advertise vacancies; requiring the council to submit recommendations for vacancies on the Public Service Commission to the Governor; requiring the council to nominate a minimum of three persons for each vacancy; revising the date that recommendations for vacancies must be submitted; providing that a successor Governor may remove an appointee only as provided; providing for the council to fill a vacancy on the commission if the Governor fails to do so; authorizing a successor governor to recall an unconfirmed appointee under certain circumstances; amending ss. 350.061 and 350.0614, F.S., relating to the appointment, oversight, and compensation of the Public Counsel; conforming provisions to changes made by the act; amending s. 366.04, F.S.; requiring an affected municipal electric utility to conduct a referendum election of all its retail electric customers to determine whether to require the municipal electric utility to provide a proposed charter transferring the operations of the utility to an electric utility authority; amending s. 366.81, F.S.; providing legislative intent; amending s. 366.82, F.S.; defining the term "demand-side renewable energy"; requiring the Public Service Commission to adopt goals for increasing the development of demand-side renewable energy systems energy resources; providing for cost-effectiveness tests; requiring the Florida En-

ergy and Climate Commission to be a party in the proceedings to adopt goals; providing for an appropriations; providing for cost recovery; authorizing the commission to provide financial rewards and penalties; authorizing the commission to allow an investor-owned utility to earn an additional return on equity for exceeding energy efficiency and conservation goals; amending s. 366.8255, F.S.; redefining the term "environmental compliance costs" to include costs or expenses prudently incurred for scientific research and geological assessments of carbon capture and storage for the purpose of reducing an electric utility's greenhouse gas emissions; amending s. 366.91, F.S.; clarifying the definition of "biomass" to include waste and byproducts; requiring each public utility, and each municipal electric utility and rural electric utility cooperative that sells electricity at retail, to develop a standardized interconnection and net metering program for customer-owned renewable generation; authorizing net metering to be available when a utility purchases power generated from biogas produced by anaerobic digestion under certain conditions; amending s. 366.92, F.S.; directing the Public Service Commission to adopt a renewable portfolio standard; providing definitions; providing for renewable energy credits; providing for cost recovery; prohibiting the renewable portfolio standard rule from taking effect until ratified by the Legislature; amending s. 366.93, F.S.; revising the definitions of "cost" and "preconstruction"; requiring the Public Service Commission to establish rules relating to cost recovery for the construction of new, expanded, or relocated electrical transmission lines and facilities for a nuclear power plant; amending s. 377.601, F.S.; revising legislative intent with respect to the need to implement alternative energy technologies; providing for the transfer of the Florida Energy Commission in the Office of Legislative Services to the Florida Energy and Climate Commission in the Executive Office of the Governor; creating s. 377.6015, F.S.; providing for the membership, meetings, duties, and responsibilities of the Florida Energy and Climate Commission; providing rulemaking authority; amending s. 377.602, F.S.; revising the definition of "energy resources"; providing for conforming changes; providing for the type two transfer of the state energy program in the Department of Environmental Protection to the Florida Energy and Climate Commission in the Executive Office of the Governor; amending ss. 377.603, 377.604, 377.605, 377.606, 377.608, 377.701, 377.703, and 377.705, F.S.; providing for conforming changes; amending s. 377.801, F.S.; providing a short title; amending s. 377.802, F.S.; providing the purpose of the Florida Energy and Climate Protection Act; amending s. 377.803, F.S.; revising definitions; clarifying the definition of "renewable energy" to include biomass, as defined in s. 366.91, F.S.; amending s. 377.804, F.S., relating to the Renewable Energy and Energy-Efficient Technologies Grants Program; providing for the program to include matching grants for technologies that increase the energy efficiency of vehicles and commercial buildings; providing for the solicitation of expertise of other entities; providing application requirements; amending s. 377.806, F.S.; conforming provisions relating to the Solar Energy System Incentives Program, to changes made by this act; requiring all eligible systems under the program to comply with the Florida Building Code; revising rebate eligibility requirements for solar thermal systems to include the installation of certain products by roofing contractors; creating s. 377.808, F.S.; establishing the "Florida Green Government Grants Act"; providing for grants to be awarded to local governments in the development of programs that achieve green standards; amending ss. 380.23 and 403.031, F.S.; conforming cross-references; creating s. 403.44, F.S.; creating the Florida Climate Protection Act; defining terms; requiring the Department of Environmental Protection to establish the methodologies, reporting periods, and reporting systems that must be used when major emitters report to The Climate Registry; authorizing the department to adopt rules for a cap-and-trade regulatory program to reduce greenhouse gas emissions from major emitters; providing for the content of the rule; prohibiting the rules from being adopted until after January 1, 2010, and from becoming effective until ratified by the Legislature; amending s. 403.502, F.S.; providing legislative intent; amending s. 403.503, F.S.; defining the term "alternate corridor" and redefining the term "corridor" for purposes of the Florida Electrical Power Plant Siting Act; amending s. 403.504, F.S.; requiring the Department of Environmental Protection to determine whether a proposed alternate corridor is acceptable; amending s. 403.506, F.S.; exempting an electric utility from obtaining certification under the Florida Electrical Power Plant Siting Act before constructing facilities for a power plant using nuclear materials as fuel; providing that a utility may obtain separate licenses, permits, and approvals for such construction under certain circumstances; exempting such provisions from review under ch. 120, F.S.; amending s. 403.5064, F.S.; requiring an applicant to submit a statement to the department if such applicant opts for consideration of alternate corridors; amending s. 403.5065, F.S.; providing for conforming changes; amending s. 403.50663, F.S.; providing for notice of meeting to the general public; amending s. 403.50665, F.S.; requiring an application to include a statement on the consistency of directly associated facilities constituting a "development"; requiring the Department of Environmental Protection to address at the certification hearing the issue of compliance with land use plans and zoning ordinances for a proposed substation located in or along an alternate corridor; amending s. 403.507, F.S.; providing for reports to be submitted to the department no later than 100 days after certification application has been determined complete; amending s. 403.508, F.S.; providing for land use and certification hearings; amending s. 403.509, F.S.; requiring the Governor and Cabinet sitting as the siting board to certify the corridor having the least adverse impact; authorizing the board to deny certification or allow a party to amend its proposal; amending s. 403.511, F.S.; providing for conforming changes; amending s. 403.5112, F.S.; providing for filing of notice; amending s. 403.5113, F.S.; providing for postcertification amendments and postcertification review; amending s. 403.5115, F.S.; requiring the applicant proposing the alternate corridor to publish all notices relating to the application; requiring that such notices comply with certain requirements; requiring that notices be published at least 45 days before the rescheduled certification hearing; requiring applicants to make specified efforts to provide notice to certain landowners and to file a list of such notification with the Department of Environmental Protection's Siting Coordination Office; amending ss. 403.516, 403.517, and 403.5175, F.S.; providing conforming changes and cross-references; amending s. 403.518, F.S.; authorizing the Department of Environmental Protection to charge an application fee for an alternate corridor; amending ss. 403.519, 403.5252, 403.526, 403.527, 403.5271, 403.5272, 403.5312, 403.5363, 403.5365, and 403.814, F.S., relating to determinations of need, public notice requirements, and general permits; conforming provisions to changes made by the act; creating s. 403.7055, F.S.; encouraging counties in the state to form regional solutions to the capture and reuse or sale of methane gas from landfills and wastewater treatment facilities; requiring the Department of Environmental Protection to provide guidelines and assistance; amending s. 489.145, F.S.; creating s. 403.7032, F.S.; providing legislative findings regarding recycling; providing for a long-term goal of reducing the amount of solid waste disposed of in the state by a certain percentage; requiring the Department of Environmental Protection to develop a comprehensive recycling program and submit such program to the Legislature by a specified date; requiring the Legislature's approval before implementing such program; requiring that such program be developed in coordination with other state and local entities, private businesses, and the public; requiring that the program contain certain components; creating s. 403.7033, F.S., requiring a departmental analysis of particular recyclable materials; requiring a submission of a report; amending s. 403.706, F.S., requiring every county to implement a composting plan to attain certain goals by a date certain; provides for goal modifications upon demonstrated need to the department; amending s. 489.145, F.S.; revising provisions of the Guaranteed Energy, Water, and Wastewater Performance Savings Contracting Act; requiring that each proposed contract or lease contain certain agreements concerning operational cost-saving measures; requiring the Office of the Chief Financial Officer to review contract proposals; redefining terms; requiring that certain baseline information, supporting information, and documentation be included in contracts; requiring the Office of the Chief Financial Officer to review contract proposals; providing audit requirements; requiring contract approval by the Chief Financial Officer; amending s. 526.06, F.S.; revising provisions for the sale of gasoline blended with ethanol; providing specifications for transitioning to ethanol-blended fuels; creating s. 526.201, F.S.; creating the "Florida Renewable Fuel Standard Act"; creating s. 526.202, F.S.; establishing legislative findings for the act; creating s. 526.203, F.S.; providing definitions, fuel standard, exemptions, and reporting; creating s. 526.204, F.S.; providing for waivers; providing for suspension of standard requirement during declared emergencies; creating s. 526.205, F.S.; providing for enforcement of the act; providing for extensions; creating s. 526.206, F.S.; providing for rulemaking authority by the Department of Revenue and the Department of Agriculture and Consumer Services; creating s. 526.207, F.S.; requiring studies and reports by the Florida Energy and Climate Commission; amending s. 553.73, F.S.; requiring that the Florida Building Commission select the most recent International Energy Conservation Code as a foundation code; providing for modification of the International Energy Conservation Code by the commission under certain circumstances; creating s. 553.9061, F.S.; requiring the Florida Building Commission to establish a schedule of increases in the energy performance of buildings subject to the Florida Energy Efficiency Code for Building Construction; providing energy-efficiency performance options and elements for achieving performance

goals; requiring the commission to adopt rules and implement a cost-effectiveness test; amending s. 553.909, F.S.; requiring the Florida Energy Efficiency Code for Building Construction to set minimum requirements for certain commercial or residential appliances; requiring the Agency for Enterprise Information Technology to define specified objective standards and conduct evaluations relating to energy efficiency; requiring the agency to submit a report; providing report requirements; requiring the agency to submit specified recommendations; providing for the inclusion of specifications in certain plans and processes; creating s. 1004.648, F.S.; establishing the Florida Energy Systems Consortium consisting of all the state universities; providing for membership and duties of the consortium; providing for a director, an oversight board, and a steering committee; requiring the consortium to submit an annual report; requiring an economic impact analysis on the effects of granting financial incentives to energy producers who use woody biomass as fuel; providing that certain vehicle emission standards are subject to ratification by the Legislature prior to implementation or modification by the Department of Environmental Protection; requiring the Department of Education and the Department of Environmental Protection to develop an awards or recognition program for outstanding efforts in conservation, energy and water use reduction, environmental enhancement, and conservation-related educational curriculum development; encouraging the departments to seek private sector funding for the program; repealing s. 377.901, F.S., relating to the Florida Energy Commission; requiring the Public Service Commission to provide a report to the Governor and the Legislature on utility revenue decoupling; providing effective dates.

—was referred to the Committees on Environmental Preservation and Conservation; Communications and Public Utilities; and General Government Appropriations.

RETURNING MESSAGES—FINAL ACTION

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has passed SB 38, SB 40, SB 50, SB 56, SB 60, CS for SB 68, SB 78, CS for SB 82, SB 154, SB 186, SB 458, CS for CS for SB 542, CS for CS for SB 564, CS for SB 622, CS for CS for SB 696, CS for SB 734, CS for SB 856, CS for SB 988, CS for CS for SB 1076, CS for CS for SB's 1094 and 326, CS for CS for SB 1302, CS for CS for SB 1310, CS for SB 1318, CS for SB 1502, CS for SB 1706, CS for CS for SB 1946, SB 1986, CS for SB 2052, CS for CS for SB 2264, SB 2516 and CS for CS for SB 2676; and passed CS for CS for SB 766, CS for SB 1042, SB 1046, CS for SB 1618, CS for SB 1630 and CS for SB 2224 by the required constitutional two-thirds vote of the membership of the House.

William S. Pittman III, Chief Clerk

The bills contained in the foregoing messages were ordered enrolled.

CORRECTION AND APPROVAL OF JOURNAL

The Journal of April 29 was corrected and approved.

CO-INTRODUCERS

Senators Bullard—CS for CS for SB 1962; Joyner—CS for CS for SB 1962; Lynn—CS for SB 800, CS for SB 1752, CS for CS for SB 1962; Margolis—CS for CS for SB 1962

RECESS

On motion by Senator King, the Senate recessed at 5:49 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 9:30 a.m., Thursday, May 1 or upon call of the President.

Journal of the Senate

Number 21—Regular Session **Thursday, May 1, 2008**

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CALL TO ORDER

The Senate was called to order by President Pruitt at 9:30 a.m. A quorum present—39:

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

PRAYER

The following prayer was offered by the Rev. Robert W. Jakoby, Director, Pastoral Care Services, Baptist Health South Florida, Miami:

Our heavenly Father, as we come to you today, a day that has been set aside as a day of prayer all across our nation, we ask for your forgiveness. We confess to you that we, as a nation, have often compromised our morals and principles for temporary, short-term pleasures and gains. We have turned our backs toward you causing you great hurt and sorrow. Thank you for not turning your back on us; for continuing to love and to protect us from further terrorist attacks in our homeland.

Help us, from the depth of our soul, to say with David, in the book of Psalms, "Teach me your way, O Lord; and I will walk in your truth; give me an undivided heart that I may reverence your name." (Psalms 86:11) Truly "The Lord is my strength and shield; my heart trusted in him and I am helped." (Psalms 28:7)

Dear God, we are a troubled people, living in troubled times in every area of life, and desperately need you. Most merciful God, you have promised in your holy word, "If my people, which are called by my name, humble themselves, and shall pray, and seek my face and turn from their wicked ways; then I will hear from Heaven, forgive their sin and heal their land." (II Chronicles 7:14) Heavenly Father, help us to claim this promise individually and as a nation.

Lord, I also come to your throne of grace today, lifting up to you each Senator and his or her family. I ask you to grant them a special blessing of good health. Give each Senator wisdom when making difficult decisions that affect so many people across this great state. Lord God, you know the struggles they go through; guide them, please. Gift them with knowledge and insight of your love and your grace. Gracious Father, grant to them courage to "Do the right thing," honoring you and the people they represent, even when it may not be politically advantageous. Bless them this day with your grace and your peace. In your holy name, I pray. Amen.

PLEDGE

Kindergarten students from Holy Comforter Episcopal School of Tallahassee, accompanied by their teacher, Shelley Brimacombe and her assistant, Bethany McLaughlin, signed and led the Senate in the pledge of allegiance to the flag of the United States of America.

SPECIAL PERFORMANCE

The kindergarten students from Holy Comforter Episcopal School sang and signed "God Bless America." The students included Mary Avrett Brown, Anna Cureton, Hayden Foster, Grace Glennon, Abi Hatcher, Sarah-Brett Heath, Brecht Heuchan, Genevieve Kynoch, daughter of Cindy Kynoch, Legislative Analyst with the Committee on General Government Appropriations, McKenzie Landrum, Jake Moore, Gabrielle Powell, Zachary Pullam, Mallory Ragsdale, Henry Regalado, Hunter Shiver, nephew of Jamie DeLoach, Staff Director of the Committee on General Government Appropriations, Allison Thacker, Sasha Viouchkov and Murray Wadsworth.

DOCTOR OF THE DAY

The President recognized Dr. Dennis Saver of Vero Beach, sponsored by Senator Haridopolos, as doctor of the day. Dr. Saver specializes in Family Medicine.

ADOPTION OF RESOLUTIONS

At the request of Senator Haridopolos—

By Senator Haridopolos—

SR 3008—A resolution supporting the decision of the United States Air Force concerning the KC-45 Tanker Contract.

WHEREAS, after an extensive evaluation process, the United States Air Force awarded a 35-billion-dollar jet tanker contract to Northrop Grumman Corporation, and

WHEREAS, engineering and program management for the production of these vital military aircraft will be in Melbourne, Florida, creating more than 1,500 direct and indirect new jobs in our state, and

WHEREAS, efforts to overturn the decision of the United States Air Force concerning its detailed analysis of this project and contract could prove detrimental to our national security, and it is imperative that elected officials support the decisionmakers whom they entrust with these important determinations, and

WHEREAS, Florida workers are ready, able, and eager to begin constructing this aircraft that the U.S. Air Force has rated as superior in five out of five categories, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That the Senate supports the decision of the United States Air Force concerning the awarding of the KC-45 jet tanker contract and looks forward to the talented workers of the great State of Florida beginning work on this critically important project.

—**SR 3008** was introduced, read and adopted by publication.

At the request of Senator Jones—

By Senator Jones—

SR 3014—A resolution recognizing Douglas Donn for his vision and expertise in thoroughbred track development and his leadership in many public service organizations in Florida.

WHEREAS, Douglas Donn's vision and expertise propelled Gulfstream Park to one of the world's leading thoroughbred tracks in the United States during his tenure as President and later as Chairman of Gulfstream from 1978 until 2004, and

WHEREAS, Douglas Donn was the youngest chief executive officer of a major thoroughbred track when at age 31 he assumed the post at the Hallandale, Florida, track following the untimely death of his father, Jimmy Donn, Jr., and

WHEREAS, under Douglas Donn's leadership, Gulfstream Park attained exceptional gains in attendance, handle, and purse distribution in an industry experiencing nationwide declines, and

WHEREAS, among the milestones achieved under Douglas Donn's leadership were the emergence of Gulfstream as one of the world's foremost racing centers and the winter home of choice for most Triple Crown aspirants; the hosting of The Breeders' Cup, the World Championship of Racing, in Florida for the first time at Gulfstream in 1989, with repeat performances in 1992 and 1999; and the establishment of the richest racing purse structure in Florida's history, which attracted many of the nation's leading owners, trainers, jockeys, and thoroughbreds to Gulfstream, and

WHEREAS, Douglas Donn also established the lowest take-out rate in the State of Florida, ensuring larger payoffs for track patrons; actively implemented aggressive and innovative marketing, public relations, customer services, better incentive programs, and entertainment at Gulfstream; created "Family Days" every weekend which headlined nationally featured bands, singers, comedians, and specialty acts for children, resulting in thousands of additional patrons to Gulfstream; guided Gulfstream to state pari-mutuel handle records in every category; instituted full-card simulcasting; developed a precedent-setting agreement with the Florida Horsemen's Benevolent and Protective Association to share pari-mutuels in Florida; and negotiated the annual telecast of the Florida Derby, nationally recognized as a preview to the Triple Crown, on ABC's Wide World of Sports, making Gulfstream the first thoroughbred race track to gain that distinction, and

WHEREAS, Douglas Donn has been honored for his outstanding contributions to the industry by the Florida Horseman's Benevolent and Protective Association; has been named "Horseman of the Year" by the Florida Turf Writers Association and "Man of the Year" by the Jockey Agents Benevolent Association; and was also named "Businessman of the Year" in 1984 by the United Cerebral Palsy Foundation, and

WHEREAS, Douglas Donn has provided a wide variety of public service, including his roles as Member of the Board of Directors of the Florida Chamber of Commerce, Past Chairman of the Hollywood Chamber of Commerce, Past Chairman of the Broward Forum, Past Director of the Broward Economic Development Board, Past Chairman of the Downtown Hollywood Redevelopment Agency, Past Chairman of the South Area United Way, Past Chairman of the Hallandale Police Athletic League, and Board Member of the Hallandale Chamber of Commerce, and

WHEREAS, Douglas Donn graduated from Florida State University with a degree in Marketing and served a tour of active duty in the Marine Corps Reserves before beginning his Gulfstream career, and, with his wife, Alice, is a resident of Ft. Lauderdale, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That the Senate recognizes the many great contributions Douglas Donn has made to the progress of thoroughbred racing in Florida and to the support of essential public service organizations that have significantly benefited Florida communities and residents.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to Douglas Donn as a tangible token of the sentiments of the Florida Senate.

—**SR 3014** was introduced, read and adopted by publication.

At the request of Senator Gaetz—

By Senator Gaetz—

SR 3020—A resolution recognizing Sergeant Major Frank O. Moore of Santa Rosa Beach, Florida, on his induction into the Army Ranger Hall of Fame.

WHEREAS, Sergeant Major Frank O. Moore has had a distinguished military career, beginning in the Marine Corps and continuing through 15 years in the Army, and

WHEREAS, his career in the Army developed from his service in the Rangers in Vietnam through several reconnaissance units and Ranger Battalions to Special Forces A Teams, and

WHEREAS, Sergeant Major Moore was one of the first members of the HALO (High Altitude - Low Opening) jump team and he logged thousands of jumps while in military service, and

WHEREAS, he received more than 21 awards and decorations during his outstanding career, including the Silver Star, the Legion of Merit, the Bronze Star, and the Air Medal, and

WHEREAS, following his stalwart military service to his country, Sergeant Major Moore retired with his wife, Leone, to Santa Rosa Beach, Florida, where he continues an active life with other retired Rangers and their families, and

WHEREAS, the Army Ranger Hall of Fame was formed to honor and preserve the contributions of the most extraordinary U.S. Rangers in American history, and its Selection Board takes particular care to ensure that only the most extraordinary Rangers are inducted, and

WHEREAS, Sergeant Major Frank O. Moore will be inducted into the Army Ranger Hall of Fame at Fort Benning, Georgia, on June 11, 2008, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That the Senate recognizes and honors the outstanding career accomplishments and dedicated military service of Sergeant Major Frank O. Moore, and congratulates him heartily on his well-earned induction into the Army Ranger Hall of Fame.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to Sergeant Major Frank O. Moore as a tangible token of the esteem of the Florida Senate.

—**SR 3020** was introduced, read and adopted by publication.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has passed CS for SB 2610, with 1 amendment(s), and requests the concurrence of the Senate.

William S. Pittman III, Chief Clerk

CS for SB 2610—A bill to be entitled An act relating to public records; creating s. 765.5155, F.S.; providing an exemption from public-records requirements for information in the organ and tissue donor registry

which would identify a donor; providing an exception; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing a contingent effective date.

House Amendment 1 (341185)(with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Section 765.51551, Florida Statutes, is created to read:

765.51551 Organ and tissue donor registry; public records exemption.—

(1) Information held in the organ and tissue donor registry which identifies a donor is confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

(2) Such information may be disclosed to the following:

(a) Organ, tissue, and eye procurement organizations that have been certified by the Agency for Health Care Administration for the purpose of ascertaining or effectuating the existence of a gift under s. 765.522.

(b) Persons engaged in bona fide research if the person agrees to:

1. Submit a research plan to the agency that specifies the exact nature of the information requested and the intended use of the information;

2. Maintain the confidentiality of the records or information if personal identifying information is made available to the researcher;

3. Destroy any confidential records or information obtained after the research is concluded; and

4. Not directly or indirectly contact, for any purpose, any donor or donee.

(3) This section is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2013, unless reviewed and saved from repeal through reenactment by the Legislature.

Section 2. *The Legislature finds that it is a public necessity to make confidential and exempt from disclosure information held in the organ and tissue donor registry which would identify a donor. Such personal identifying information, if publicly available, could be used to invade the personal privacy of the donor identified in the registry. The decision to make or revoke an anatomical gift is a private matter of personal choice. Furthermore, the disclosure of such information could hinder the effective and efficient administration of the organ and tissue donation program. Access to such information could reduce donations and the availability of potentially life-saving organs, tissues, or other body parts. Finally, access to such information could be used to solicit, harass, stalk, or intimidate organ and tissue donors. Thus, the Legislature finds that information held in the organ and tissue donor registry which would identify a donor should be confidential and exempt from public records requirements.*

Section 3. This act shall take effect on the same date that House Bill 1485, or similar legislation takes effect, if such legislation is adopted in the same legislative session or an extension thereof and becomes law.

And the title is amended as follows:

Remove the entire title and insert: A bill to be entitled An act relating to public records; creating s. 765.51551, F.S.; providing an exemption from public records requirements for information in the organ and tissue donor registry which would identify a donor; providing exceptions; providing for future legislative review and repeal of the exemption under the Open Government Sunset Review Act; providing a statement of public necessity; providing a contingent effective date.

On motion by Senator Oelrich, the Senate concurred in the House amendment.

CS for SB 2610 passed as amended by the required constitutional two-thirds vote of the members present, and was ordered engrossed and then enrolled. The action of the Senate was certified to the House. The vote on passage was:

Yeas—37

Mr. President	Fasano	Oelrich
Alexander	Gaetz	Peaden
Aronberg	Garcia	Posey
Atwater	Geller	Rich
Baker	Haridopolos	Ring
Bennett	Hill	Saunders
Bullard	Jones	Siplin
Carlton	Joyner	Villalobos
Constantine	Justice	Webster
Crist	King	Wilson
Dean	Lawson	Wise
Deutch	Lynn	
Dockery	Margolis	

Nays—None

Vote after roll call:

Yea—Diaz de la Portilla, Storms

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has passed CS for CS for SB 2630, with 3 amendment(s), and requests the concurrence of the Senate.

William S. Pittman III, Chief Clerk

CS for CS for SB 2630—A bill to be entitled An act relating to organ and tissue donation; amending s. 765.203, F.S.; deleting a provision in the form that designates a health care surrogate that provides an exception for anatomical gifts; amending s. 765.512, F.S.; revising provisions for making an organ donation; adding additional persons to the list of persons who may donate a decedent's body; removing the provision prohibiting a spouse from making a donation if the decedent's adult son or daughter objects; amending s. 765.514, F.S.; providing additional mechanisms for making an anatomical gift including registering with the organ and tissue donor registry; revising the uniform donor card to specify the type of donation; deleting a statement of public policy that prohibits restrictions on who may receive an anatomical gift, a provision specifying who can accept a gift, and a provision designating a physician to carry out appropriate procedures; amending s. 765.515, F.S.; requiring the Department of Highway Safety and Motor Vehicles to inform the donor registry of instances of making an anatomical gift and of withdrawal of an anatomical gift; deleting a provision requiring the Agency for Health Care Administration and the department to maintain a donor registry; creating s. 765.5155, F.S.; providing legislative intent with respect to establishing an online organ and tissue donor registry; requiring administration of the donor registry to be procured by competitive solicitation; specifying the duties of the contractor including the operation of the registry, a continuing public education program about organ donation, and the preparation of an annual report; authorizing the agency to adopt rules relating to providing research access to the registry; providing for funding and for voluntary contributions to the registry; designating the donor registry as the "Joshua Abbott Organ and Tissue Donor Registry"; amending s. 765.516, F.S.; authorizing revocation of an anatomical gift by a donor through removal of his or her name from the registry; amending s. 765.517, F.S.; revising provisions relating to verification of a donor's consent at death; amending s. 765.521, F.S.; conforming a cross-reference; amending s. 765.522, F.S.; revising duties of hospital administrators with respect to reporting suitable donor candidates at or near the time of death; updating references to organ procurement organizations; repealing s. 765.5215, F.S., relating to an education program relating to anatomical gifts; repealing s. 765.5216, F.S., relating to the organ and tissue donor education panel; providing an effective date.

House Amendment 1 (320025)—Remove lines 366-370 and insert:

2. The contractor shall coordinate with the head of a state agency or other political subdivision of the state, or his or her designee, to establish convenient times, dates, and locations for educating that entity's employees.

House Amendment 2 (578137)(with title amendment)—Remove lines 386-407 and insert:

(4) Costs for the organ and tissue donor registry and education program shall be paid by the Agency for Health Care Administration from the funds deposited into the Health Care Trust Fund pursuant to ss. 320.08047 and 322.08, which are designated for maintaining the organ and tissue donor registry and education program. In addition, the contractor may receive and use voluntary contributions to help support the registry and provide education.

(5) The organ and tissue donor registry established by this

And the title is amended as follows:

Remove lines 31-33 and insert: and the preparation of an annual report; providing for funding and for

House Amendment 3 (502229)—Remove line 402 and insert: *Trust Fund pursuant to ss. 320.08047 and 322.08, which are*

On motion by Senator Oelrich, the Senate concurred in the House amendments.

CS for CS for SB 2630 passed as amended and was ordered engrossed and then enrolled. The action of the Senate was certified to the House. The vote on passage was:

Yeas—36

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Geller	Posey
Baker	Haridopolos	Rich
Bennett	Hill	Ring
Bullard	Jones	Saunders
Carlton	Joyner	Siplin
Constantine	Justice	Storms
Crist	King	Webster
Dean	Lawson	Wilson
Deutch	Lynn	Wise

Nays—None

Vote after roll call:

Yea—Diaz de la Portilla, Villalobos

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has passed CS for CS for SB 686, with amendment(s), and requests the concurrence of the Senate.

William S. Pittman III, Chief Clerk

CS for CS for SB 686—A bill to be entitled An act relating to nursing facilities; amending s. 400.141, F.S.; authorizing certain licensed nursing facilities to develop a plan to provide certain training for nursing assistants; providing for rules relating to agency approval of training programs; amending s. 400.147, F.S.; redefining the term "adverse incident"; deleting the requirement that a nursing facility notify the agency of an adverse incident; deleting notification requirements; requiring that a risk manager determine if an incident was an adverse incident; providing that federal reporting requirements are not affected; amending s. 400.19, F.S.; providing that the most recent survey is a licensure survey under certain conditions for purposes of future survey scheduling; amending s. 400.195, F.S., relating to agency reporting requirements; conforming a cross-reference; amending s. 400.23, F.S.; deleting provisions requiring agency approval in order for a nursing home to use licensed nurses to perform certain duties; providing an effective date.

House Amendment 1 (811521)—Remove line 340 and insert: *regarding a resident, other than a request for transportation.*

On motion by Senator Bennett, the Senate concurred in the House amendment.

CS for CS for SB 686 passed as amended and was ordered engrossed and then enrolled. The action of the Senate was certified to the House. The vote on passage was:

Yeas—38

Mr. President	Fasano	Oelrich
Alexander	Gaetz	Peaden
Aronberg	Garcia	Posey
Atwater	Geller	Rich
Baker	Haridopolos	Ring
Bennett	Hill	Saunders
Bullard	Jones	Siplin
Carlton	Joyner	Storms
Constantine	Justice	Villalobos
Crist	King	Webster
Dean	Lawson	Wilson
Deutch	Lynn	Wise
Dockery	Margolis	

Nays—None

Vote after roll call:

Yea—Diaz de la Portilla

BILLS ON THIRD READING

Consideration of **CS for CS for SB 2212**, **CS for CS for SB 482**, **CS for CS for SB 1430**, **CS for CS for CS for HB 653** was deferred.

CS for HB 7045—A bill to be entitled An act relating to public school curricular standards; amending s. 1003.41, F.S.; requiring the State Board of Education to review the Sunshine State Standards and replace them with enhanced curricular standards; establishing requirements for the standards; providing requirements for the adoption, review, and revision of the standards; requiring evaluation of proposed standards; authorizing the adoption of rules; amending s. 220.187, F.S.; revising requirements for the selection of norm-referenced tests administered by private schools for purposes of the Corporate Income Tax Credit Scholarship Program; amending s. 1000.21, F.S.; revising the systemwide definition of "Sunshine State Standards"; amending s. 1001.03, F.S.; requiring the state board to review and revise the Sunshine State Standards; conforming provisions; amending s. 1001.41, F.S.; conforming provisions relating to district school board adoption of standards and policies; amending s. 1001.42, F.S.; prohibiting school district expenditure of legislative appropriations for purposes of Florida Comprehensive Assessment Test (FCAT) preparation; providing penalties for unlawful expenditures; amending ss. 1003.428, 1003.429, 1003.43, 1003.433, 1003.63, 1006.28, and 1006.31, F.S.; conforming provisions and cross-references; amending s. 1006.34, F.S.; specifying additional criteria for evaluating instructional materials; conforming provisions; amending s. 1006.38, F.S.; conforming provisions; amending s. 1006.40, F.S.; requiring instructional materials to align to the Sunshine State Standards; prohibiting school district expenditure of the instructional materials allocation for purposes of FCAT preparation; requiring notification to manufacturers and publishers; providing a penalty; authorizing purchases of specified content or devices; amending s. 1008.22, F.S.; revising requirements and conforming provisions relating to the statewide assessment program; revising powers and duties of the Commissioner of Education; requiring the FCAT to assess students in social studies by a certain time; providing for end-of-course assessments; requiring the content knowledge and skills assessed by the FCAT and end-of-course assessments to align to the Sunshine State Standards; authorizing the commissioner to select certain nationally developed examinations as end-of-course assessments under specified conditions; deleting provisions relating to documentation of certain testing procedures; providing restrictions on the development or publication of test-preparation materials; deleting requirements for norm-referenced tests; revising requirements for assessments of writing; establishing requirements for FCAT testing and reporting schedules; prohibiting practice testing and FCAT-preparation activities under certain conditions; authorizing certain test-preparation activities; requiring public schools to comply with statewide assessment and reporting schedules; establishing requirements for calculating student scores on revised statewide assessments; authorizing the administration of former assessments to be discontinued under certain circumstances; requiring the state board to adopt rules establishing

passing scores on revised assessments required for a standard high school diploma; clarifying determination of concordant scores for the FCAT; revising requirements for an annual report on student performance; amending s. 1008.25, F.S.; requiring each district school board's student progression program to include performance in social studies; requiring assessment, remediation, and reporting related thereto; amending s. 1008.34, F.S.; exempting certain schools from receiving school grades; revising the definition of "home school" for purposes of calculating school grades for alternative schools; requiring annual collaboration among school principals concerning the school assignment of students attending an alternative school; conforming provisions; amending s. 1008.341, F.S.; exempting certain alternative schools from receiving school improvement ratings; conforming provisions; amending s. 1008.345, F.S.; conforming provisions; amending s. 1008.36, F.S.; revising criteria for financial awards under the Florida School Recognition Program; providing an effective date.

—as amended April 30 was read the third time by title.

On motion by Senator Gaetz, **CS for HB 7045** as amended was passed and certified to the House. The vote on passage was:

Yeas—31

Mr. President	Fasano	Peaden
Alexander	Gaetz	Posey
Aronberg	Garcia	Ring
Atwater	Geller	Saunders
Baker	Haridopolos	Siplin
Bennett	Jones	Storms
Carlton	King	Villalobos
Constantine	Lawson	Webster
Crist	Lynn	Wise
Dean	Margolis	
Dockery	Oelrich	

Nays—6

Bullard	Hill	Justice
Deutch	Joyner	Rich

Vote after roll call:

Yea—Diaz de la Portilla

Nay—Wilson

CS for HB 173—A bill to be entitled An act relating to controlled substances; amending s. 893.02, F.S.; defining the term "cultivating" for specified purposes; amending s. 893.1351, F.S.; prohibiting a person from owning or actually or constructively possessing a place, structure, trailer, or other described place with knowledge that the place will be used to manufacture, sell, or traffic in a controlled substance; providing that possession of a specified number or more of cannabis plants constitutes prima facie evidence of intent to sell or distribute; providing that a person with actual or constructive possession of a place, structure, trailer, or conveyance being used to manufacture a controlled substance for sale and distribution commits a felony of the first degree if a minor is present or resides in the place, structure, trailer, or conveyance; providing criminal penalties; amending s. 893.10, F.S.; providing that equipment used in the manufacture of controlled substances may be photographed or video recorded and the photograph or video recording used as evidence for later use at trial; providing for the destruction of the equipment; amending s. 921.0022, F.S.; ranking specified offenses in the offense severity ranking chart of the Criminal Punishment Code; amending ss. 465.016, 465.023, and 893.135, F.S.; conforming cross-references; providing an effective date.

—was read the third time by title.

On motion by Senator Oelrich, **CS for HB 173** was passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Atwater	Bullard
Alexander	Baker	Carlton
Aronberg	Bennett	Constantine
Crist	Hill	Peaden
Dean	Jones	Posey
Deutch	Joyner	Rich
Dockery	Justice	Ring
Fasano	King	Saunders
Gaetz	Lawson	Storms
Garcia	Lynn	Villalobos
Geller	Margolis	Webster
Haridopolos	Oelrich	Wise

Nays—None

Vote after roll call:

Yea—Diaz de la Portilla, Siplin

On motion by Senator Lynn, by two-thirds vote **CS for CS for HB 967** was withdrawn from the Committees on Governmental Operations; Banking and Insurance; and General Government Appropriations.

On motion by Senator Lynn, by two-thirds vote—

CS for CS for HB 967—A bill to be entitled An act relating to workplace safety; creating the Florida Public Task Force on Workplace Safety within the Safety Florida Consultation Program at the University of South Florida; providing the purpose of the task force; providing for membership; requiring that the task force address certain issues concerning workplace safety in the public and private sectors; providing for staffing; providing for members to serve without compensation but to be reimbursed for per diem and travel expenses; authorizing the task force to procure information or assistance from any officer or agency of the state; requiring that such officers or agencies provide information and assistance to the task force; requiring that the task force submit a report and recommendations to the Governor, the Chief Financial Officer, and the Legislature by a specified date; requiring that the report include certain information; providing for dissolution of the task force; providing an appropriation; providing an effective date.

—a companion measure, was substituted for **CS for CS for SB 652** as amended and by two-thirds vote read the second time by title. On motion by Senator Lynn, by two-thirds vote **CS for CS for HB 967** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Fasano	Oelrich
Alexander	Gaetz	Peaden
Aronberg	Garcia	Posey
Atwater	Geller	Rich
Baker	Haridopolos	Ring
Bennett	Hill	Saunders
Bullard	Jones	Siplin
Carlton	Joyner	Storms
Constantine	Justice	Villalobos
Crist	King	Webster
Dean	Lawson	Wilson
Deutch	Lynn	Wise
Dockery	Margolis	

Nays—None

Vote after roll call:

Yea—Diaz de la Portilla

CS for HB 225—A bill to be entitled An act relating to telephone caller identification; providing a short title; creating s. 817.487, F.S.; prohibiting entering or causing to be entered false information into a telephone caller identification system with the intent to deceive, defraud, or mislead; prohibiting placing a call knowing that false information was entered into the telephone caller identification system; providing definitions; providing exceptions; providing penalties; providing that a violation is an unlawful trade practice under specified provisions; providing for enhancement of penalties when a violation is committed

during the commission of a criminal offense or when a violation facilitates a criminal offense; providing an effective date.

—was read the third time by title.

On motion by Senator Aronberg, **CS for HB 225** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Fasano	Oelrich
Alexander	Gaetz	Peaden
Aronberg	Garcia	Posey
Atwater	Geller	Rich
Baker	Haridopolos	Ring
Bennett	Hill	Saunders
Bullard	Jones	Siplin
Carlton	Joyner	Storms
Constantine	Justice	Villalobos
Crist	King	Webster
Dean	Lawson	Wilson
Deutch	Lynn	Wise
Dockery	Margolis	

Nays—None

Vote after roll call:

Yea—Diaz de la Portilla

CS for HB 643—A bill to be entitled An act relating to foreclosure fraud; creating s. 501.1377, F.S.; providing legislative findings and intent with respect to the need to protect homeowners who enter into agreements designed to save their homes from foreclosure; providing definitions; prohibiting a foreclosure-rescue consultant from engaging in certain acts or failing to perform contracted services; requiring that all agreements for foreclosure-related rescue services and foreclosure-rescue transactions be in writing; specifying information that must be in the written agreement; requiring that certain statements in the written agreement be in uppercase letters and of a specified size; providing that the homeowner has a right to cancel the agreement for a specified period and the right may not be waived; providing that the homeowner has a specified period during which to cure a default under certain circumstances; requiring equity purchasers to assume or discharge certain liens; requiring that an equity purchaser verify the homeowner's ability to make payments under a repurchase agreement; providing price limitations for repurchase transactions; providing for a rebuttable presumption of certain transactions being unconscionable under certain circumstances; providing for limited application of the presumption; providing an exclusion; providing that a foreclosure-rescue transaction involving a lease option or other repurchase agreement creates a rebuttable presumption that the transaction is a loan transaction and the conveyance from the homeowner to the equity purchaser is a mortgage; providing limited application of the presumption; providing an exclusion; providing that a person who violates certain provisions commits an unfair and deceptive trade practice as defined in part II of ch. 501, F.S.; providing penalties; repealing s. 501.2078, F.S., relating to violations involving individual homeowners during the course of residential foreclosure proceedings; providing an effective date.

—was read the third time by title.

On motion by Senator Fasano, **CS for HB 643** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Crist	Hill
Alexander	Dean	Jones
Aronberg	Deutch	Joyner
Atwater	Dockery	Justice
Baker	Fasano	King
Bennett	Gaetz	Lawson
Bullard	Garcia	Lynn
Carlton	Geller	Margolis
Constantine	Haridopolos	Oelrich
Peaden	Saunders	Webster
Posey	Siplin	Wilson
Rich	Storms	Wise
Ring	Villalobos	

Nays—None

Vote after roll call:

Yea—Diaz de la Portilla

HB 461—A bill to be entitled An act relating to health flex plans; amending s. 408.909, F.S.; revising eligibility for enrollment in a health flex plan; extending the expiration date of the health flex plan program; providing an effective date.

—was read the third time by title.

On motion by Senator Peaden, **HB 461** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Fasano	Oelrich
Alexander	Gaetz	Peaden
Aronberg	Garcia	Posey
Atwater	Geller	Rich
Baker	Haridopolos	Ring
Bennett	Hill	Saunders
Bullard	Jones	Siplin
Carlton	Joyner	Storms
Constantine	Justice	Villalobos
Crist	King	Webster
Dean	Lawson	Wilson
Deutch	Lynn	Wise
Dockery	Margolis	

Nays—None

Vote after roll call:

Yea—Diaz de la Portilla

CS for HB 559—A bill to be entitled An act relating to material harmful to minors; amending s. 847.001, F.S.; redefining the term "harmful to minors"; amending s. 847.011, F.S.; providing that it is a third-degree felony for any person to sell, distribute, transmit, advertise, or possess with the intent to sell, distribute, transmit, or advertise certain materials to minors; providing that ignorance of a minor's age or the minor's consent is not a defense in a prosecution for such a violation; providing penalties; amending s. 847.012, F.S.; prohibiting a person from knowingly using a minor in the production of certain materials, regardless of whether those materials are intended for distribution to minors or actually distributed to minors; providing a penalty; providing that ignorance of a minor's age or the minor's consent is not a defense in a prosecution for specified violations; amending s. 847.013, F.S.; providing that ignorance of a minor's age or the minor's consent is not a defense in a prosecution for specified violations; revising legislative intent concerning the enforcement of such laws with respect to minors; amending s. 847.0133, F.S.; revising terminology; amending s. 921.0022, F.S., relating to the offense severity ranking chart of the Criminal Punishment Code; establishing offense levels to conform to changes made by the act; providing an exemption to sections amended by this act for providers of communications services and providers of information services in certain circumstances; providing an effective date.

—was read the third time by title.

On motion by Senator Fasano, **CS for HB 559** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Atwater	Bullard
Alexander	Baker	Carlton
Aronberg	Bennett	Constantine

Crist	Jones	Rich
Dean	Joyner	Ring
Deutch	Justice	Saunders
Dockery	King	Siplin
Fasano	Lawson	Storms
Gaetz	Lynn	Villalobos
Garcia	Margolis	Webster
Geller	Oelrich	Wilson
Haridopolos	Peaden	Wise
Hill	Posey	

Nays—None

Vote after roll call:

Yea—Diaz de la Portilla

CS for HB 547—A bill to be entitled An act relating to water pollution control; amending s. 403.067, F.S.; providing requirements for basin management action plans; allowing such plans to take into account the benefits of pollutant load reduction achieved by point or nonpoint sources, where appropriate; requiring that the Department of Environmental Protection adopt all or part of any such plan, or any amendment thereto, by secretarial order as provided by state law; providing that the provisions of the department's rule relating to the equitable abatement of pollutants into surface waters may not be applied to water bodies or water body segments for which a basin management plan that takes into account future or new expanded activities or discharges has been adopted; authorizing water quality protection programs to include the trading of water quality credits; authorizing the department to adopt rules related to the trading of water quality credits; requiring that such rulemaking include certain provisions; specifying that a water quality credit trading pilot project be limited to the Lower St. Johns River Basin as a pilot project; requiring that the department provide the Legislature with an annual report regarding the effectiveness of the pilot project; providing report requirements; providing that the department may authorize and establish specific requirements for water quality credit trading as part of the Lower St. Johns River Basin adopted basin management action plan; correcting cross-references to conform to changes made by the act; amending s. 403.088, F.S.; authorizing the department to revise a water pollution operation permit under certain circumstances; authorizing the department to issue, renew, or reissue such a permit if a water quality credit trade meets the requirements of 403.067, F.S.; requiring that revised permits be accompanied by an order establishing a schedule for achieving compliance with all permit conditions; providing an effective date.

—was read the third time by title.

On motion by Senator Gaetz, **CS for HB 547** was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Fasano	Oelrich
Alexander	Gaetz	Peaden
Aronberg	Garcia	Posey
Atwater	Geller	Rich
Baker	Haridopolos	Ring
Bennett	Hill	Saunders
Bullard	Jones	Siplin
Carlton	Joyner	Storms
Constantine	Justice	Villalobos
Crist	King	Webster
Dean	Lawson	Wilson
Deutch	Lynn	Wise
Dockery	Margolis	

Nays—None

Vote after roll call:

Yea—Diaz de la Portilla

On motion by Senator Wise, by two-thirds vote **CS for HB 727** was withdrawn from the Committees on Banking and Insurance; Community Affairs; and General Government Appropriations.

On motion by Senator Wise, by two-thirds vote—

CS for HB 727—A bill to be entitled An act relating to firesafety; providing a short title; amending s. 633.022, F.S.; including application of uniform firesafety standards to tunnels; revising application of automatic sprinkler systems requirements to nursing homes; requiring a nursing home licensee to submit complete sprinkler construction documents to the Agency for Health Care Administration by a specified date; requiring such licensee to gain final approval from the agency to start construction by a specified date; authorizing the agency to extend the deadline under certain circumstances; amending s. 633.0245, F.S.; providing a new application deadline for participation in the State Fire Marshal Nursing Home Fire Protection Loan Guarantee Program; amending s. 663.0215, F.S., requiring the State Fire Marshal to conduct a study on the use of voice-over-Internet-protocol telephone service for monitoring fire alarm systems; requiring rulemaking under certain conditions; creating s. 633.027, F.S.; requiring owners of certain structures to post certain signs or symbols on the structures; requiring the State Fire Marshal to adopt rules governing such signs or symbols; providing for enforcement; providing penalties; providing an effective date.

—a companion measure, was substituted for **SB 1554** as amended and by two-thirds vote read the second time by title. On motion by Senator Wise, by two-thirds vote **CS for HB 727** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Fasano	Oelrich
Alexander	Gaetz	Peaden
Aronberg	Garcia	Posey
Atwater	Geller	Rich
Baker	Haridopolos	Ring
Bennett	Hill	Saunders
Bullard	Jones	Siplin
Carlton	Joyner	Storms
Constantine	Justice	Villalobos
Crist	King	Webster
Dean	Lawson	Wilson
Deutch	Lynn	Wise
Dockery	Margolis	

Nays—None

Vote after roll call:

Yea—Diaz de la Portilla

Consideration of **CS for HB 197** was deferred.

HB 7033—A bill to be entitled An act relating to public records; renumbering and amending s. 119.0711(1), F.S.; transferring provisions which provide a public records exemption for complaints and other records in the custody of any agency in the executive branch of state government which relate to a complaint of discrimination; expanding the exemption to provide for applicability to any agency rather than any agency in the executive branch of state government; amending s. 119.071, F.S.; reorganizing provisions; providing for review and repeal of the exemption; providing a statement of public necessity; amending s. 338.223, F.S.; conforming a cross-reference; providing an effective date.

—was read the third time by title.

On motion by Senator Posey, **HB 7033** was passed by the required constitutional two-thirds vote of the members present and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Bennett	Dean
Alexander	Bullard	Deutch
Aronberg	Carlton	Dockery
Atwater	Constantine	Fasano
Baker	Crist	Gaetz

Garcia	Lawson	Saunders
Geller	Lynn	Siplin
Haridopolos	Margolis	Storms
Hill	Oelrich	Villalobos
Jones	Peaden	Webster
Joyner	Posey	Wilson
Justice	Rich	Wise
King	Ring	

Nays—None

Vote after roll call:

Yea—Diaz de la Portilla

CS for HB 1429—A bill to be entitled An act relating to mental health and substance abuse services; amending s. 394.9082, F.S.; providing legislative findings and intent; providing definitions; providing service delivery strategies; providing for data sharing agreements; establishing a process for the Department of Children and Family Services to contract with community-based managing entities; specifying criteria for contracts between the department and managing entities for the provision of behavioral health services; establishing goals for service delivery ; creating community-based systems of care; authorizing the implementation of managing entities by the department; specifying responsibilities of managing entities; specifying roles and responsibilities of the department; specifying management information system requirements; providing for evaluations and reports; providing for a monitoring process; providing rulemaking authority; providing an effective date.

—as amended April 30 was read the third time by title.

On motion by Senator Storms, **CS for HB 1429** as amended was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Fasano	Oelrich
Alexander	Gaetz	Peaden
Aronberg	Garcia	Posey
Atwater	Geller	Rich
Baker	Haridopolos	Ring
Bennett	Hill	Saunders
Bullard	Jones	Siplin
Carlton	Joyner	Storms
Constantine	Justice	Villalobos
Crist	King	Webster
Dean	Lawson	Wilson
Deutch	Lynn	Wise
Dockery	Margolis	

Nays—None

Vote after roll call:

Yea—Diaz de la Portilla

CS for CS for SB 482—A bill to be entitled An act relating to affordable housing; amending s. 193.018, F.S.; providing for the assessment of property receiving the low-income housing tax credit; defining the term "community land trust"; providing for the assessment of structural improvements, condominium parcels, and cooperative parcels on land owned by a community land trust and used to provide affordable housing; providing for the conveyance of structural improvements, condominium parcels, and cooperative parcels subject to certain conditions; specifying the criteria to be used in arriving at just valuation of a structural improvement, condominium parcel, or cooperative parcel; amending s. 212.055, F.S.; redefining the term "infrastructure" to allow the proceeds of a local government infrastructure surtax to be used to purchase land for the construction of affordable or workforce housing units; amending s. 420.503, F.S.; defining the term "moderate rehabilitation" for purposes of the Florida Housing Finance Corporation Act; amending s. 420.5087, F.S.; revising purposes for which State Apartment Incentive Loans may be used; amending s. 420.5095, F.S.; requiring that certain funds related to the Community Workforce Housing Innovation Pilot Program be made available for workforce housing for teachers and instructional personnel; requiring that the Florida Housing Finance Corporation select projects for funding based on certain criteria; amending s. 420.9071, F.S.; defining the terms "assisted housing," "assisted housing development," and "preservation"; revising the definition of "eligible housing," "local housing incentive strategies," and "recaptured funds" for purposes of the State Housing Initiatives Partnership Act; amending s. 420.9072, F.S.; revising provisions related to the administration of certain funds in the Local Government Housing Trust Fund; amending s. 420.9073, F.S.; revising requirements for distribution of funds in the Local Government Housing Trust Fund; specifying purposes for which such withheld funds may be used; clarifying purposes for which certain local governments may expend funds from the Local Government Housing Trust Fund; amending s. 420.9075, F.S.; requiring that local housing assistance plans address the special housing needs of persons with disabilities; authorizing the Florida Housing Finance Corporation to define "high-cost counties" by rule; authorizing high-cost counties or eligible municipalities within high-cost counties to assist persons meeting specific income requirements; revising requirements to be included in the local housing assistance plan; requiring counties and certain municipalities to include certain strategies in the local housing assistance plan; revising criteria that applies to awards made for the purpose of providing affordable housing; authorizing and limiting the percentage of funds from the local housing distribution that may be used for certain manufactured housing; extending the expiration date of an exemption from certain income requirements in specified areas; authorizing the use of certain funds for preconstruction activities; providing that certain costs are a program expense; authorizing counties and certain municipalities to award grant funds under certain conditions; providing for the repayment of funds by counties or certain municipalities; amending provisions related to the administration of certain funds in the Local Government Housing Trust Fund; amending s. 420.9076, F.S.; revising appointments to a local affordable housing advisory committee; deleting cross-references to conform to changes made by the act; deleting provisions related to the administration of certain funds by the Local Government Housing Trust Fund; amending s. 420.9079, F.S.; conforming cross-references; amending s. 421.08, F.S.; limiting the authority of housing authorities in certain circumstances; amending s. 1001.43, F.S.; revising district school board powers and duties in relation to use of land for affordable housing in certain areas for certain personnel; amending s. 159.807, F.S.; revising an exemption for the Florida Housing Finance Corporation from the applicability of certain uses of the state allocation pool; repealing s. 420.9078, F.S., relating to state administration of funds remaining in the Local Government Housing Trust Fund; amending ss. 212.08, 220.03, and 220.183, F.S.; conforming cross-references to changes made by the act; amending s. 624.5105, F.S.; conforming cross-references to changes made by the act; providing an effective date.

—as amended April 29 was read the third time by title.

On motion by Senator Garcia, **CS for CS for SB 482** as amended was passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Fasano	Oelrich
Alexander	Gaetz	Peaden
Aronberg	Garcia	Posey
Atwater	Geller	Rich
Baker	Haridopolos	Ring
Bennett	Hill	Saunders
Bullard	Jones	Siplin
Carlton	Joyner	Storms
Constantine	Justice	Villalobos
Crist	King	Webster
Dean	Lawson	Wilson
Deutch	Lynn	Wise
Dockery	Margolis	

Nays—None

Vote after roll call:

Yea—Diaz de la Portilla

SPECIAL ORDER CALENDAR

Consideration of **CS for CS for SB 474** was deferred.

The Senate resumed consideration of—

CS for CS for CS for SB 1978—A bill to be entitled An act relating to the Department of Transportation; amending s. 20.23, F.S.; providing Senior Management Service status to the Executive Director of the Florida Transportation Commission; amending s. 125.42, F.S.; providing an exception to utility owners from the responsibility for relocating utilities along county roads and highways; amending s. 163.3177, F.S.; revising requirements for comprehensive plans; providing for airports, land adjacent to airports, and certain interlocal agreements relating thereto in certain elements of the plan; amending s. 163.3178, F.S.; providing that facilities determined by the Department of Community Affairs and the applicable general-purpose local government to be port-related industrial or commercial projects located within 3 miles of or in the port master plan area which rely upon the utilization of port and intermodal transportation facilities are not developments of regional impact under certain circumstances; amending s. 163.3180, F.S.; requiring the Department of Transportation to establish a transportation methodology to serve as the basis for sustainable development impact assessments; defining the terms "present value" and "backlogged transportation facility"; amending s. 163.3182, F.S., relating to transportation concurrency backlog authorities; providing legislative findings and declarations; expanding the power of authorities to borrow money to include issuing certain debt obligations; providing a maximum maturity date for certain debt incurred to finance or refinance certain transportation concurrency backlog projects; authorizing authorities to continue operations and administer certain trust funds for the period of the remaining outstanding debt; requiring local transportation concurrency backlog trust funds to continue to be funded for certain purposes; providing for increased ad valorem tax increment funding for such trust funds under certain circumstances; revising provisions for dissolution of an authority; providing legislative findings relating to investment of funds from the Lawton Chiles Endowment Fund in Florida infrastructure by the State Board of Administration; providing that such investment is the policy of the State Board of Administration; amending s. 215.44, F.S.; including infrastructure investments in annual reporting requirements of State Board of Administration; amending s. 215.47, F.S.; increasing the maximum allowable percent of any fund in alternative investments or infrastructure investments; defining infrastructure investments; amending s. 215.5601, F.S.; directing the State Board of Administration to lease Alligator Alley for up to 50 years from the Department of Transportation using funds from the Lawton Chiles Endowment; limiting the investment of funds to between 20 and 50 percent of the endowment's assets; requiring a report to the Legislature; authorizing the board to contract with other government, public, and private entities to operate and maintain the toll facility; creating s. 334.305, F.S.; providing a finding of public need for leasing transportation facilities to expedite provision of additional facilities; providing that infrastructure investment agreements may not be impaired by state or local act; authorizing a lease agreement of up to 50 years for Alligator Alley; authorizing the engagement of private consultants to develop the agreement; directing funds received by the department under such provisions to the State Transportation Trust Fund; providing requirements for the lease agreement; requiring adherence to state and federal laws and standards for the operation and maintenance of transportation facilities; requiring the regulation of toll increases; authorizing state action to remedy impairments to the lease agreement; requiring an independent cost-effectiveness analysis and traffic and revenue study; limiting the use of funds received under the act to transportation uses; requiring specifications for construction, engineering, maintenance, and law enforcement activities in lease agreements; allowing the department to submit to the Legislative Budget Commission a plan for advancing transportation projects using funds received from a lease; requiring remaining toll revenue to be used in accordance with the lease agreement and s. 338.26, F.S.; confirming the ability of the State Board of Administration to invest in government-owned infrastructure; providing legislative intent relating to road rage and aggressive careless driving; amending s. 316.003, F.S.; defining the term "road rage"; amending s. 316.083, F.S.; requiring an operator of a motor vehicle to yield the left lane when being overtaken on a multilane highway; providing exceptions; amending s. 316.1923, F.S.; revising the number of specified acts necessary to qualify as an aggressive careless driver; providing specified punishments for aggressive careless driving; specifying the allocation of moneys received from the increased fine imposed for aggressive careless driving; amending s. 318.19, F.S.; providing that a second or subsequent infraction as an aggressive careless driver requires attendance at a mandatory hearing; providing for the disposition of the increased penalties; requiring the Department of Highway Safety and Motor Vehicles to provide information about road rage and aggressive careless driving in driver's license educational materials; reenacting s. 316.650(1)(a), F.S., relating to traffic citations, to incorporate the amendments made to s. 316.1923, F.S., in a reference thereto; amending s. 316.0741, F.S.; redefining the term "hybrid vehicle"; authorizing the driving of a hybrid, low-emission, or energy-efficient vehicle in a high-occupancy-vehicle lane regardless of occupancy; authorizing the department to limit or discontinue such driving under certain circumstances; exempting such vehicles from the payment of certain tolls; amending s. 316.193, F.S.; lowering the blood-alcohol or breath-alcohol level for which enhanced penalties are imposed against a person who was accompanied in the vehicle by a minor at the time of the offense; clarifying that an ignition interlock device is installed for a continuous period; amending s. 316.302, F.S.; revising the application of certain federal rules; providing for the department to perform certain duties assigned under federal rules; updating a reference to federal provisions governing out-of-service requirements for commercial vehicles; amending ss. 316.613 and 316.614, F.S.; revising the definition of "motor vehicle" for purposes of child restraint and safety belt usage requirements; amending s. 316.656, F.S.; lowering the percentage of blood or breath alcohol content relating to the prohibition against pleading guilty to a lesser offense of driving under the influence than the offense charged; amending s. 320.03, F.S.; revising the amount of a nonrefundable fee that is charged on the initial and renewal registration for certain automobiles and trucks; amending s. 322.64, F.S.; providing that refusal to submit to a breath, urine, or blood test disqualifies a person from operating a commercial motor vehicle; providing a period of disqualification if a person has an unlawful blood-alcohol or breath-alcohol level; providing for issuance of a notice of disqualification; revising the requirements for a formal review hearing following a person's disqualification from operating a commercial motor vehicle; amending s. 336.41, F.S.; providing that a county, municipality, or special district may not own or operate an asphalt plant or a portable or stationary concrete batch plant having an independent mixer; amending s. 337.11, F.S.; establishing a goal for the procurement of design-build contracts; amending s. 337.18, F.S.; revising the recording requirements of payment and performance bonds; amending s. 337.185, F.S.; providing for maintenance contracts to be included in the types of claims settled by the State Arbitration Board; amending s. 337.403, F.S.; providing for the department or a local governmental entity to pay the costs of removing or relocating a utility that is interfering with the use of a road or rail corridor; amending s. 338.01, F.S.; requiring that newly installed electronic toll collection systems be interoperable with the department's electronic toll collection system; amending s. 338.165, F.S.; providing that provisions requiring the continuation of tolls following the discharge of bond indebtedness does not apply to high-occupancy toll lanes or express lanes; creating s. 338.166, F.S.; authorizing the department to request that bonds be issued which are secured by toll revenues from high-occupancy toll or express lanes in a specified location; providing for the department to continue to collect tolls after discharge of indebtedness; authorizing the use of excess toll revenues for improvements to the State Highway System; authorizing the implementation of variable rate tolls on high-occupancy toll lanes or express lanes; amending s. 338.2216, F.S.; directing the turnpike enterprise to develop new technologies and processes for the collection of tolls and usage fees; prohibiting the enterprise from entering into certain joint contracts for the sale of fuel and other goods; providing an exception; providing restrictions on contracts pertaining to service plazas; amending s. 338.223, F.S.; conforming a cross-reference; amending s. 338.231, F.S.; eliminating reference to uniform toll rates on the Florida Turnpike System; authorizing the department to fix by rule and collect the amounts needed to cover toll collection costs; directing the turnpike enterprise to increase tolls; amending s. 339.12, F.S.; clarifying a provision specifying a maximum total amount of project agreements for certain projects; authorizing the department to enter into certain agreements with counties having a specified maximum population; defining the term "project phase"; requiring that a project or project phase be a high priority of a governmental entity; providing for reimbursement for a project or project phase; specifying a maximum total amount for certain projects and project phases; requiring that such project be included in the local government's adopted comprehensive plan; authorizing the department to enter into long-term repayment agreements up to a specified maximum length; amending s. 339.135, F.S.; revising certain notice provisions that require the Department of Transportation to notify local governments regarding amendments to an adopted 5-year work program; amending s. 339.155, F.S.; revising provisions for development of the Florida Transportation Plan; amending s. 339.2816, F.S., relating to the small county road assistance program; providing for resumption of certain funding for the

program; revising the criteria for counties eligible to participate in the program; amending ss. 339.2819 and 339.285, F.S.; conforming cross-references; amending s. 348.0003, F.S.; providing for financial disclosure for expressway, transportation, bridge, and toll authorities; amending s. 348.0004, F.S.; providing for certain expressway authorities to index toll rate increases; repealing part III of ch. 343 F.S.; abolishing the Tampa Bay Commuter Transit Authority; requiring the department to conduct a study of transportation alternatives for the Interstate 95 corridor; amending s. 409.908, F.S.; authorizing the Agency for Health Care Administration to continue to contract for Medicaid nonemergency transportation services in a specified agency service area with managed care plans under certain conditions; amending s. 427.011, F.S.; revising definitions; defining the term "purchasing agency"; amending s. 427.012, F.S.; revising the number of members required for a quorum at a meeting of the Commission for the Transportation Disadvantaged; amending s. 427.013, F.S.; revising responsibilities of the commission; deleting a requirement that the commission establish by rule acceptable ranges of trip costs; removing a provision for functioning and oversight of the quality assurance and management review program; requiring the commission to incur expenses for promotional services and items; amending s. 427.0135, F.S.; revising and creating duties and responsibilities for agencies that purchase transportation services for the transportation disadvantaged; providing requirements for the payment of rates; requiring an agency to negotiate with the commission before procuring transportation disadvantaged services; requiring an agency to identify its allocation for transportation disadvantaged services in its legislative budget request; amending s. 427.015, F.S.; revising provisions relating to the function of the metropolitan planning organization or designated official planning agency; amending s. 427.0155, F.S.; revising duties of community transportation coordinators; amending s. 427.0157, F.S.; revising duties of coordinating boards; amending s. 427.0158, F.S.; deleting provisions requiring the school board to provide information relating to school buses to the transportation coordinator; providing for the transportation coordinator to request certain information regarding public transportation; amending s. 427.0159, F.S.; revising provisions relating to the Transportation Disadvantaged Trust Fund; providing for the deposit of funds by an agency purchasing transportation services; amending s. 427.016, F.S.; providing for construction and application of specified provisions to certain acts of a purchasing agency in lieu of the Medicaid agency; requiring that an agency identify the allocation of funds for transportation disadvantaged services in its legislative budget request; amending s. 479.01, F.S.; redefining the term "automatic changeable facing" as used in provisions governing outdoor advertising; amending s. 479.07, F.S.; revising the locations within which signs require permitting; providing requirements for the placement of permit tags; requiring the department to establish by rule a service fee and specifications for replacement tags; amending s. 479.08, F.S.; deleting a provision allowing a sign permittee to correct false information that was knowingly provided to the department; requiring the department to include certain information in the notice of violation; amending s. 479.156, F.S.; modifying local government control of the regulation of wall murals adjacent to certain federal highways; amending s. 479.261, F.S.; revising requirements for the logo sign program of the interstate highway system; deleting provisions providing for permits to be awarded to the highest bidders; requiring the department to implement a rotation-based logo program; requiring the department to adopt rules that set reasonable rates based on certain factors for annual permit fees; requiring that such fees not exceed a certain amount for sign locations inside and outside an urban area; amending s. 212.0606, F.S.; providing for the imposition by countywide referendum of an additional surcharge on the lease or rental of a motor vehicle; providing the proceeds of the surcharge to be transferred to the Local Option Fuel Tax Trust Fund and used for the construction and maintenance of commuter rail service facilities; amending s. 341.301, F.S.; providing definitions relating to commuter rail service, rail corridors, and railroad operation for purposes of the rail program within the department; amending s. 341.302, F.S.; authorizing the department to purchase specified property for the purpose of implementing commuter rail service; authorizing the department to assume certain liability on a rail corridor; authorizing the department to indemnify and hold harmless a railroad company when the department acquires a rail corridor from the company; providing allocation of risk; providing a specific cap on the amount of the contractual duty for such indemnification; authorizing the department to purchase and provide insurance in relation to rail corridors; authorizing marketing and promotional expenses; extending provisions to other governmental entities providing commuter rail service on public right-of-way; amending s. 768.28, F.S.; expanding the list of entities considered agents of the state; providing for construction in relation to certain federal laws; authorizing the expenditure of public funds for certain alterations of Old Cutler Road in the Village of Palmetto Bay; requiring the official approval of the Department of State before any alterations may begin; providing an effective date.

—which was previously considered April 30 with pending **Amendment 1 (037438)** by Senator Dockery and pending point of order by Senator Villalobos.

On motion by Senator Baker, further consideration of **CS for CS for CS for SB 1978** with pending **Amendment 1 (037438)** and pending point of order was deferred.

REPORTS OF COMMITTEES RELATING TO EXECUTIVE BUSINESS

The Honorable Ken Pruitt May 1, 2008
President, The Florida Senate

Dear Mr. President:

The following executive appointments were referred to the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7(1) of the Rules of the Florida Senate:

Office and Appointment		*For Term Ending*
Jacksonville Aviation Authority		
Appointee:	Demetree, Jack C.	09/30/2011
Board of Architecture and Interior Design		
Appointees:	Ehrig, John P.	10/31/2011
	Gustafson, Garrick A.	10/31/2010
	Hall, E. Wendell	10/31/2011
	Shore, Joyce	10/31/2010
	Solera, Lourdes	10/31/2009
Florida Building Commission		
Appointee:	Franco, Angel T.	08/11/2011
Board of Chiropractic Medicine		
Appointee:	Jones, Roderick C.	10/31/2010
Florida Communities Trust		
Appointee:	Self, Lynette	01/31/2011
Board of Trustees of Broward Community College		
Appointee:	Tanner, Paul C.	05/31/2011
Board of Trustees of Indian River Community College		
Appointee:	Roden, Gerald T.	05/31/2011
Board of Trustees of Lake City Community College		
Appointees:	Randolph, Athena	05/31/2011
	Riherd, Thomas M. II	05/31/2011
Board of Trustees of Lake-Sumter Community College		
Appointee:	Kelly, Kenneth W.	05/31/2011
Board of Trustees of Tallahassee Community College		
Appointees:	Hebrock, Bill J.	05/31/2011
	Lamb, Eugene, Jr.	05/31/2010
Board of Cosmetology		
Appointees:	Fincel, Ginny Adair	10/31/2010
	Llano, Candido Jesus	10/31/2008
State Board of Education		
Appointee:	Desai, Akshay M.	12/31/2010
Education Practices Commission		
Appointees:	Cwynar, Ann M.	09/30/2009
	Donovan, Brian T.	09/30/2011
	Gonzalez, Libia A.	09/30/2009
	Shepard, Deborah	09/30/2009
	Strauss, Mark S.	09/30/2011
	Williams, Frederick A.	09/30/2011
Electrical Contractors' Licensing Board		
Appointees:	Flaherty, Brian	10/31/2011
	Hoffmann, Kenneth	10/31/2011

Office and Appointment		*For Term Ending*
	Tibbs, Clarence Kelley	10/31/2011
Board of Professional Engineers		
Appointees:	Earle, Jonathan Franklin	10/31/2009
	Tomasino, Paul	10/31/2009
Commission on Ethics		
Appointee:	Handfield, Larry R.	06/30/2009
Higher Educational Facilities Financing Authority		
Appointee:	Rieck, David W.	01/17/2012
Citrus County Hospital Board		
Appointee:	Rao, V. Upender	07/03/2011
Board of Trustees of South Lake County Hospital District		
Appointees:	Drawdy, Rodney E.	07/05/2011
	Hari, Aashiv N.	07/05/2011
Commission for Independent Education		
Appointee:	Royse, Marvin W.	06/30/2009
Florida Inland Navigation District		
Appointee:	Kavanagh, Gail	01/09/2011
Board of Medicine		
Appointees:	Espinola, Trina E.	10/31/2011
	Levine, Bradley M.	10/31/2008
	Winchester, Gary E.	10/31/2011
National Conference of Commissioners on Uniform State Laws		
Appointee:	Romanello, Nicholas William	06/05/2011
Board of Optometry		
Appointees:	Del Moral, Rebecca	10/31/2011
	Naberhaus, Terrance W.	10/31/2010
Board of Orthotists and Prosthetists		
Appointee:	Price, Charles T.	10/31/2009
Board of Physical Therapy Practice		
Appointees:	Hellman, Madeleine	10/31/2010
	McBreen-Babb, Amy	10/31/2009
	Middleton, Marilyn J.	10/31/2011
Florida Real Estate Commission		
Appointees:	Enzor, Roger P.	10/31/2011
	Guju, Michael J.	10/31/2008
Apalachee Regional Planning Council, Region 2		
Appointees:	Chapman, Ellen Y.	10/01/2009
	Radford, Dawn E.	10/01/2009
	Wade, Kendall	10/01/2009
Withlacoochee Regional Planning Council, Region 5		
Appointee:	Abshier, R. Edward, Jr.	10/01/2010
Tampa Bay Regional Planning Council, Region 8		
Appointee:	Vance, Kim Hernandez	10/01/2009
Southwest Florida Regional Planning Council, Region 9		
Appointee:	LeBeau, Alan Lee, Sr.	10/01/2009
Jacksonville Port Authority		
Appointee:	Gaffney, Reginald	09/30/2011
Space Florida		
Appointee:	Walker, John H.	06/30/2011
Jacksonville Transportation Authority		
Appointee:	Burr, Edward E.	05/31/2011
Unemployment Appeals Commission		
Appointee:	Adams, John L.	06/30/2011
Board of Veterinary Medicine		
Appointee:	Hurley, Lisa M.	10/31/2008
Coastal Rivers Basin Board of the Southwest Florida Water Management District		
Appointee:	Nicolette, John M.	03/01/2009
Hillsborough River Basin Board of the Southwest Florida Water Management District		
Appointee:	Higginbotham, Devon B.	03/01/2010
Peace River Basin Board of the Southwest Florida Water Management District		
Appointee:	Crisman, Patricia C.	03/01/2010
Withlacoochee River Basin Board of the Southwest Florida Water Management District		
Appointee:	Nathe, Patricia M.	03/01/2009

The following executive appointments were referred to the Senate Committee on Commerce and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7(1) of the Rules of the Florida Senate:

Office and Appointment		*For Term Ending*
Florida Black Business Investment Board, Inc.		
Appointee:	Nembhard, Mortlake	06/30/2010
Board of Directors, Enterprise Florida, Inc.		
Appointees:	Campbell, Ronald J.	07/01/2010
	Falconetti, John	07/01/2011
	McCarty, Kevin	07/01/2011

The following executive appointments were referred to the Senate Committee on Criminal Justice and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7(1) of the Rules of the Florida Senate:

Office and Appointment		*For Term Ending*
Secretary of Corrections		
Appointee:	McNeil, Walter A.	Pleasure of Governor
Criminal Conflict and Civil Regional Counsel - First District Court of Appeal		
Appointee:	Lewis, Jeffrey E.	07/01/2011
Criminal Conflict and Civil Regional Counsel - Second District Court of Appeal		
Appointee:	Flyte, Jackson S.	07/01/2011
Criminal Conflict and Civil Regional Counsel - Third District Court of Appeal		
Appointee:	George, Joseph P., Jr.	07/01/2011
Criminal Conflict and Civil Regional Counsel - Fourth District Court of Appeal		
Appointee:	Massa, Philip J.	07/01/2011
Criminal Conflict and Civil Regional Counsel - Fifth District Court of Appeal		
Appointee:	Deen, Jeffrey D.	07/01/2011
Secretary of Juvenile Justice		
Appointee:	Peterman, Frank W., Jr.	Pleasure of Governor
Board of Directors, Prison Rehabilitative Industries and Diversified Enterprises, Inc.		
Appointees:	Dresser, William	09/30/2010
	Reeves, James J.	09/30/2011

The following executive appointments were referred to the Senate Committee on Environmental Preservation and Conservation and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7(1) of the Rules of the Florida Senate:

Office and Appointment		*For Term Ending*
Fish and Wildlife Conservation Commission		
Appointees:	Bergeron, Ronald M.	08/01/2012
	Corbett, Richard A.	01/06/2013
	Jossim, Kathy Barco	08/01/2012
	Stephenson, Dwight	01/06/2012
	Wright, Kenneth W.	08/01/2012
Governing Board of the Northwest Florida Water Management District		
Appointees:	Antonacci, Peter	03/01/2012
	McMillan, Philip K.	03/01/2011
Executive Director of Northwest Florida Water Management District		
Appointee:	Barr, Douglas E.	Pleasure of The Board
Governing Board of the St. Johns River Water Management District		
Appointees:	Ertel, Michael C.	03/01/2011
	Huffman, Hersey A.	03/01/2011
	Jumper, Arlen N.	03/01/2011
Executive Director of St. Johns River Water Management District		
Appointee:	Green, Kirby B. III	Pleasure of The Board
Governing Board of the South Florida Water Management District		
Appointees:	Huck, Paul C., Jr.	03/01/2012
	Montgomery, Robert G.	03/01/2012
Executive Director of South Florida Water Management District		
Appointee:	Wehle, Carol Ann	Pleasure of The Board
Governing Board of the Southwest Florida Water Management District		
Appointees:	Joerger, Albert G.	03/01/2011
Governing Board of the Suwannee River Water Management District		
Appointee:	Davidson, Charles Linden	03/01/2011
Executive Director of Suwannee River Water Management District		
Appointee:	Still, David	Pleasure of The Board

The following executive appointments were referred to the Senate Committee on Governmental Operations and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7(1) of the Rules of the Florida Senate:

Office and Appointment		*For Term Ending*
Investment Advisory Council		
Appointees:	Hill, John H., Jr.	12/12/2011
	Jaeb, John R.	12/12/2011
	Konrad, Robert L.	12/12/2010
	McCague, Beth Ayers	12/12/2010

The following executive appointment was referred to the Senate Committee on Health Policy and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7(1) of the Rules of the Florida Senate:

Office and Appointment		*For Term Ending*
Secretary of Health Care Administration		
Appointee:	Benson, Anna Holliday	Pleasure of Governor

The following executive appointments were referred to the Senate Committee on Higher Education and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7(1) of the Rules of the Florida Senate:

Office and Appointment		*For Term Ending*
Board of Trustees, Florida A & M University		
Appointees:	Badger, Solomon L. III	01/06/2010
	Brown, Robert J.	01/06/2010
	Dent, Richard A. III	01/06/2011
	Jennings, C. W.	01/06/2013
	Langston, Charles	01/06/2013
	White, Karl E.	01/06/2011
Board of Trustees, Florida Atlantic University		
Appointees:	Plymale, Sherry	01/06/2013
	Workman, Thomas, Jr.	01/06/2013
Board of Trustees, University of Central Florida		
Appointee:	Rosen, Harris	01/06/2013
Board of Trustees, Florida State University		
Appointees:	Busch-Transou, Susan	01/06/2013
	Kinsey, James E., Jr.	01/06/2013
Board of Trustees, Florida Gulf Coast University		
Appointees:	Lutgert, Scott F.	01/06/2013
	St. Cerny, Douglas R.	01/06/2013
Board of Trustees, Florida International University		
Appointees:	Arrizurieta, Jorge L.	01/06/2013
	Maury, Albert	01/06/2011
Board of Trustees, New College of Florida		
Appointee:	Peterson, John Robert	01/06/2013
Board of Trustees, University of Florida		
Appointees:	Scott, Steven M.	01/06/2013
	Warrington, Alfred C. IV	01/06/2013
Board of Trustees, University of North Florida		
Appointees:	Greene, A. Hugh	01/06/2010
	Korman, Joy G.	01/06/2013
	Twomey, Kevin M.	01/06/2013
Board of Trustees, University of South Florida		
Appointees:	Engle, Walter E. "Gene"	01/06/2013
	Law, Rhea F.	01/06/2013
Board of Trustees, University of West Florida		
Appointees:	Horner, Charles A.	01/06/2013
	Merrill, J. Collier	01/06/2013

The following executive appointments were referred to the Senate Committee on Transportation and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7(1) of the Rules of the Florida Senate:

Office and Appointment		*For Term Ending*
Tampa-Hillsborough County Expressway Authority		
Appointee:	Diaco, Stephen C.	07/01/2010
Florida Transportation Commission		
Appointees:	Criser, Marshall M. III	09/30/2011
	Pullum, Bart R.	09/30/2010

The following executive appointment was referred to the Senate Committee on Transportation and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7(1) of the Rules of the Florida Senate. The Senate Committee on Transportation did not consider the following appointment during the 2008 Regular Session. The Senate Committee on Ethics and Elections considered and recommended the executive appointment for action pursuant to Rule 12.7(1) of the Rules of the Florida Senate.

Office and Appointment	*For Term Ending*
Tampa-Hillsborough County Expressway Authority	
Appointee:	
Phillips, Donald E.	07/01/2008

The following executive appointment was referred to the Senate Committee on Higher Education and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7(1) of the Rules of the Florida Senate.

The Senate Committee on Ethics and Elections conducted an inquiry concerning the qualifications of the appointee, however, please be advised that the Committee on Higher Education and the Committee on Ethics and Elections did not hold a public hearing for this appointee during the 2008 Regular Session of the Florida Legislature.

Office and Appointment	*For Term Ending*
Board of Trustees, University of Florida	
Appointee: Ponce, S. Daniel	01/06/2011

As required by Rule 12.7(1), the committees held a public hearing at which members of the public were invited to attend and offer evidence concerning the qualifications, experience, and general suitability of the appointees.

After due consideration of the findings of such inquiry and the evidence presented at the public hearing, the Committee on Ethics and Elections and other referenced committees respectfully advise and recommend pursuant to the authority granted in Article IV, Section 6 (a), Florida Constitution, and in accordance with Section 114.05(1), Florida Statutes:

(1) the executive appointments of the above-named appointees, to the office and for the term indicated, be confirmed by the Senate;

(2) Senate action on said appointments be taken prior to the adjournment of the 2008 Regular Session; and

(3) there is no necessity known to the committee for the deliberations on said appointments to be held in executive session.

Respectfully Submitted,
Lee Constantine, Chair

On motion by Senator Constantine, the report was adopted and the Senate confirmed the appointments identified in the foregoing report of the committee to the offices and for the terms indicated in accordance with the recommendation of the committee. The vote was:

Yeas—39

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

Nays—None

DISCLOSURE

I wish to disclose that Item #4 on today's Report by the Committee on Ethics and Elections relates to the confirmation of my son, Roderick C. Jones' appointment to the Board of Chiropractic Medicine.

This appointment does not provide any special private gain for me, and I have been advised disclosure is not required under these specific circumstances. However, in an abundance of caution and to avoid even a perception of impropriety, I am requesting you include this letter in the permanent journal of the Senate pursuant to Rule 1.39.

Sincerely,
Dennis L. Jones, D.C.,
13th District

DISCLOSURE

I wish to disclose that Item #68 on today's Report by the Committee on Ethics and Elections relates to the confirmation of Jorge L. Arrizurieta, on the Board of Trustees, Florida International University.

I wish to abstain from voting on his appointment as he is a member of my law firm.

J. Alex Villalobos,
38th District

VOTES RECORDED

Senators Garcia and Villalobos were recorded as voting "nay" on the appointment of Marshall M. Criser III to the Florida Transportation Commission.

By direction of the President, the rules were waived and the Senate reverted to—

BILLS ON THIRD READING

CS for HB 197—A bill to be entitled An act relating to pest control; creating s. 570.345, F.S., the Pest Control Compact; providing for enactment of the compact; requiring the Commissioner of Agriculture to administer the compact; requiring that an application for assistance under the compact be made by the commissioner; providing for crediting of funds to appropriate accounts of a state treasury under certain circumstances; providing findings with respect to the need for all states to cooperate in pest-eradication and control programs; providing definitions; providing for the establishment of the Pest Control Insurance Fund for the purpose of financing pest-control operations under the compact; specifying sources of funds deposited into the Pest Control Insurance Fund and any conditions that may be placed on such funds; providing for the Pest Control Insurance Fund to be administered by a Governing Board and Executive Committee; providing for the internal operations and management of the Governing Board; requiring an annual report to the Governor and Legislature of each state that is a party to the compact; providing for the administration of the compact and the Pest Control Insurance Fund; providing procedures for applying for an expenditure from the fund; providing for a determination with respect to expenditures from the fund and for the review thereof; authorizing the Governing Board to establish advisory and technical committees; providing for an application for assistance from the fund on behalf of a nonparty state; providing requirements for the fund with respect to preparing budgets and maintaining financial assets; prohibiting a pledge of the assets of a state that is a party to the compact; providing for the compact to enter into force upon its enactment by five or more states; providing a procedure for a state to withdraw from the compact; providing for construction and severability; providing an effective date.

—was read the third time by title.

MOTION

On motion by Senator Dean, the rules were waived to allow the following amendments to be considered:

Senators Dean and Alexander offered the following amendments which were moved by Senator Dean and adopted by two-thirds vote:

Amendment 1 (809092)(with title amendment)—Delete line(s) 474 and insert:

Section 2. Section 823.145, Florida Statutes, is amended to read:

823.145 Disposal by open burning of *materials* ~~mulch plastic~~ used in agricultural operations.—Polyethylene *agricultural* ~~mulch~~ plastic*; damaged, nonsalvageable, untreated wood pallets; and packing material that cannot feasibly be recycled, that are* used in *connection with* agricultural

operations *related to the growing, harvesting, or maintenance of crops,* may be disposed of by open burning provided that no public nuisance or any condition *that adversely affects the environment or* ~~affecting~~ the public health is created ~~thereby~~ and that state or federal national ambient air quality standards are not violated.

Section 3. This act shall take effect July 1, 2008.

And the title is amended as follows:

Delete line(s) 2-35 and insert: An act relating to agriculture; creating s. 570.345, F.S.; establishing the Pest Control Compact; providing for enactment of the compact; requiring the Commissioner of Agriculture to administer the compact; requiring that an application for assistance under the compact be made by the commissioner; providing for crediting of funds to appropriate accounts of a state treasury under certain circumstances; providing findings with respect to the need for all states to cooperate in pest-eradication and control programs; providing definitions; providing for the establishment of the Pest Control Insurance Fund for the purpose of financing pest-control operations under the compact; specifying sources of funds deposited into the Pest Control Insurance Fund and any conditions that may be placed on such funds; providing for the Pest Control Insurance Fund to be administered by a Governing Board and Executive Committee; providing for the internal operations and management of the Governing Board; requiring an annual report to the Governor and Legislature of each state that is a party to the compact; providing for the administration of the compact and the Pest Control Insurance Fund; providing procedures for applying for an expenditure from the fund; providing for a determination with respect to expenditures from the fund and for the review thereof; authorizing the Governing Board to establish advisory and technical committees; providing for an application for assistance from the fund on behalf of a nonparty state; providing requirements for the fund with respect to preparing budgets and maintaining financial assets; prohibiting a pledge of the assets of a state that is a party to the compact; providing for the compact to enter into force upon its enactment by five or more states; providing a procedure for a state to withdraw from the compact; providing for construction and severability; amending s. 823.145, F.S.; revising the kinds of materials used in agricultural operations which can be openly burned; providing limitations;

Amendment 2 (235658)(with title amendment)—Delete line(s) 474 and insert:

Section 2. Section 500.70, Florida Statutes, is created to read:

500.70 Food safety practices relating to tomatoes.—A tomato farmer, packer, repacker, or handler that implements applicable good agricultural practices and best-management practices in accordance with rules adopted by the department is considered to have acted in good faith, with reasonable care, and in compliance with state food safety microbial standards or guidelines unless a violation of, or noncompliance with, such measures can be shown through inspections.

Section 3. Subsection (10) of section 570.07, Florida Statutes, is amended to read:

570.07 Department of Agriculture and Consumer Services; functions, powers, and duties.—The department shall have and exercise the following functions, powers, and duties:

(10) To act as adviser to producers and distributors, when requested, and to assist them in the economical and efficient distribution of their agricultural products and to encourage cooperative effort among producers to gain economical and efficient production of agricultural products. *The department may adopt by rule, pursuant to s. 120.536(1) and s. 120.54, comprehensive best-management practices for agricultural production and food safety.*

Section 4. This act shall take effect July 1, 2008.

And the title is amended as follows:

Delete line(s) 2-35 and insert: An act relating to agriculture; creating s. 570.345, F.S.; establishing the Pest Control Compact; providing for enactment of the compact; requiring the Commissioner of Agriculture to administer the compact; requiring that an application for assistance under the compact be made by the commissioner; providing for crediting of funds to appropriate accounts of a state treasury under certain circumstances; providing findings with respect to the need for all states to cooperate in pest-eradication and control programs; providing definitions; providing for the establishment of the Pest Control Insurance Fund for the purpose of financing pest-control operations under the compact; specifying sources of funds deposited into the Pest Control Insurance Fund and any conditions that may be placed on such funds; providing for the Pest Control Insurance Fund to be administered by a Governing Board and Executive Committee; providing for the internal operations and management of the Governing Board; requiring an annual report to the Governor and Legislature of each state that is a party to the compact; providing for the administration of the compact and the Pest Control Insurance Fund; providing procedures for applying for an expenditure from the fund; providing for a determination with respect to expenditures from the fund and for the review thereof; authorizing the Governing Board to establish advisory and technical committees; providing for an application for assistance from the fund on behalf of a nonparty state; providing requirements for the fund with respect to preparing budgets and maintaining financial assets; prohibiting a pledge of the assets of a state that is a party to the compact; providing for the compact to enter into force upon its enactment by five or more states; providing a procedure for a state to withdraw from the compact; providing for construction and severability; creating s. 500.70, F.S.; providing that a tomato farmer, packer, repacker, or handler that implements certain practices is considered to be acting in good faith; amending s. 570.07, F.S.; authorizing the Department of Agriculture and Consumer Services to adopt rules relating to best-management practices for agricultural production and food safety;

Amendment 3 (251906)(with title amendment)—Delete line(s) 474 and insert:

Section 2. Subsection (1) of section 604.15, Florida Statutes, is amended to read:

604.15 Dealers in agricultural products; definitions.—For the purpose of ss. 604.15-604.34, the following words and terms, when used, shall be construed to mean:

(1) "Agricultural products" means the natural products of the farm, nursery, grove, orchard, vineyard, garden, and apiary (raw or manufactured); sod; ~~tropical foliage;~~ horticulture; hay; livestock; milk and milk products; poultry and poultry products; the fruit of the saw palmetto (meaning the fruit of the Serenoa repens); limes (meaning the fruit Citrus aurantifolia, variety Persian, Tahiti, Bearss, or Florida Key limes); and any other nonexempt agricultural products produced in the state, except tobacco, sugarcane, *tropical foliage,* timber and timber byproducts, forest products as defined in s. 591.17, and citrus other than limes.

Section 3. This act shall take effect July 1, 2008.

And the title is amended as follows:

Delete line(s) 2-35 and insert: An act relating to agriculture; creating s. 570.345, F.S.; establishing the Pest Control Compact; providing for enactment of the compact; requiring the Commissioner of Agriculture to administer the compact; requiring that an application for assistance under the compact be made by the commissioner; providing for crediting of funds to appropriate accounts of a state treasury under certain circumstances; providing findings with respect to the need for all states to cooperate in pest-eradication and control programs; providing definitions; providing for the establishment of the Pest Control Insurance Fund for the purpose of financing pest-control operations under the compact; specifying sources of funds deposited into the Pest Control Insurance Fund and any conditions that may be placed on such funds; providing for the Pest Control Insurance Fund to be administered by a Governing Board and Executive Committee; providing for the internal operations and management of the Governing Board; requiring an annual report to the Governor and Legislature of each state that is a party to the compact; providing for the administration of the compact and the Pest Control Insurance Fund; providing procedures for applying for an expenditure from the fund; providing for a determination with respect to expenditures from the fund and for the review thereof; authorizing the Governing Board to establish advisory and technical committees; providing for an application for assistance from the fund on behalf of a nonparty state; providing requirements for the fund with respect to preparing budgets and maintaining financial assets; prohibiting a pledge of the assets of a state that is a party to the compact; providing for the compact to enter into force upon its enactment by five or more states; providing a procedure for a state to withdraw from the compact; providing for

construction and severability; amending s. 604.15, F.S.; revising the term "agricultural products" to delete tropical foliage;

MOTION

On motion by Senator Alexander, the rules were waived to allow the following amendment to be considered:

Senator Alexander moved the following amendment which was adopted by two-thirds vote:

Amendment 4 (559082)(with title amendment)—Delete line(s) 474 and insert:

Section 2. Subsection (4) is added to section 525.037, Florida Statutes, to read:

525.037 Petroleum fuel standards.—

(4) A terminal supplier that offers for sale or distribution blended gasoline must offer for sale or distribution unblended gasoline with a minimum octane rating of 87 for exempt uses pursuant to s. 526.203(3).

Section 3. This act shall take effect July 1, 2008.

And the title is amended as follows:

Delete line(s) 2-35 and insert: An act relating to agriculture; creating s. 570.345, F.S.; establishing the Pest Control Compact; providing for enactment of the compact; requiring the Commissioner of Agriculture to administer the compact; requiring that an application for assistance under the compact be made by the commissioner; providing for crediting of funds to appropriate accounts of a state treasury under certain circumstances; providing findings with respect to the need for all states to cooperate in pest-eradication and control programs; providing definitions; providing for the establishment of the Pest Control Insurance Fund for the purpose of financing pest-control operations under the compact; specifying sources of funds deposited into the Pest Control Insurance Fund and any conditions that may be placed on such funds; providing for the Pest Control Insurance Fund to be administered by a Governing Board and Executive Committee; providing for the internal operations and management of the Governing Board; requiring an annual report to the Governor and Legislature of each state that is a party to the compact; providing for the administration of the compact and the Pest Control Insurance Fund; providing procedures for applying for an expenditure from the fund; providing for a determination with respect to expenditures from the fund and for the review thereof; authorizing the Governing Board to establish advisory and technical committees; providing for an application for assistance from the fund on behalf of a nonparty state; providing requirements for the fund with respect to preparing budgets and maintaining financial assets; prohibiting a pledge of the assets of a state that is a party to the compact; providing for the compact to enter into force upon its enactment by five or more states; providing a procedure for a state to withdraw from the compact; providing for construction and severability; amending s. 525.037, F.S.; revising petroleum fuel standards to require terminal suppliers to provide unblended gasoline for certain purposes;

On motion by Senator Alexander, **CS for HB 197** as amended was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

Nays—None

RECOGNITION OF THE PRESIDENT PRO TEMPORE

President Pruitt: Senators, as you can imagine, today's farewell tribute to our Co-Prez, Lisa Carlton, isn't going to be easy.

So much time, discussion, and thought went into this presentation. I have to say, it has been difficult to try and capture all that she means, all that she's given, all that she's accomplished during her service in the Florida Legislature. But I am going to try to do my best.

I thought I would begin with a few small and simple words that carry with them strength in their meanings. Descriptions that are small, but strong, are fitting for her, don't you agree? Trusted, determined, loyal, even-handed and selfless.

In my office, on a shelf, sits a small piece of marble with an etched quote attributed to former President Ronald Reagan. It reads: "There's no limit to what a person can do, or where they can go, if they don't mind who gets the credit."

Senators, that quote perfectly describes the way Senator Carlton has gone about her work in the Legislature. She has been at the forefront of nearly every major issue over the last decade, but that is not something she wears on her sleeve.

Many people may not remember, but the very first bill which passed the House under Speaker Daniel Webster and the newly elected Republican majority was sponsored by none other than Lisa Carlton. She was the "go-to" person back then, and she's been the "go-to" person for almost all of the presiding officers since.

From Medicaid reform to the post-presidential recount elections package, from voluntary pre-K to our education reform amendment this year, Lisa Carlton has been the tenacious and trusted sponsor shepherding complex issues through the legislative process. Yet, as impressive as this list may be, none of these issues were selected as her "marquee bill."

The legislation that we picked for her doesn't have a particular backstory or notable defining moment. No, Senators, it's not the words that tell the story, but rather the visual that you get when you understand what is in this frame.

Senators, before you is the first page of every budget that passed under Appropriations Chair Lisa Carlton: 2002, 2005, 2006, 2007 and 2008. When you total up all of these budgets, it amounts to $325 billion. I'm told that is about half the size of her shoe budget, but I haven't verified it.

It's significant that she has been at the helm of the ship during some of the most prosperous budgets, and some of the very leanest. When there's lots of money there can be as many challenges as when there's very little money, yet Lisa Carlton has handled them all very, very well.

Senators, the Appropriations Chair, whether it is on the local, state or federal level, is vested with tremendous authority. It is a rare thing to find someone who has so much influence and yet who has never, ever wielded it for themselves. Senator Carlton doesn't operate from a seat of power, but rather from a position of strength.

Senators, Lisa Carlton calls 'em like she sees 'em, which is why her even-handed, unpretentious, firewall-protected perspective is so valuable.

I guess the best way for me to sum it all up would be this: Every legislature needs a "Lisa Carlton." I cannot adequately express how truly blessed I am to have had her as my trusted friend, wise advisor, and cherished Co-Prez.

Lisa, thank you for your service to the State of Florida. We are truly going to miss you.

Senator Webster: Do you see that smile up there? Just before that she mouthed "No" to somebody. Have you ever had that happen? She says it in such a gracious way. One time, I told her "No." I have been sorry for it ever since. She was an aide to Jim Lombard and wanted to be in the House of Representatives. I was the designated Leader and she came to me and said she would be running. I had this policy, that I still have today, that I don't re-win seats that we already own. That means

she was running in a primary against one of our incumbents. She came in, and politely told me what she was doing. I said, "I have this policy. However, if you get here, you will benefit from it." Then I told her what it was and said, "I can't support you." She walked out. She was very gracious about it, and went home and wrote me. I still have it. A very nice note—"Thank you for what you did." And she signed it "See you soon." It worked. She got here and has been here ever since.

Lisa has been a fantastic member of the House and Senate. She is a person, just as the President described, who goes about her business and gets a very difficult job done. I am so privileged just to say I know Lisa Carlton. It's been a privilege, Lisa, just to know you and to serve with you. You're an awesome person.

I am able today to settle a dispute in your family. I can't settle all of your disputes, but I can settle one with this gift we have gotten for you. I want you to open it up and you'll understand why it settles a dispute between you and Rob.

She has been begging her husband to buy the Senate china. He wouldn't buy them because the President told him not to, because we were buying them! We have settled, today, that dispute in Lisa's life. Lisa, please stand and show them to everyone; it's a beautiful set of china. The rest of the set is where they have always been, in the closet that Kathy would never let you look in, in the President's office where he keeps all his little things that he is giving out.

Senator Carlton, thank you for your service. This gift is just a small token of appreciation from every one of the members here. We wanted to give you something visible, tangible and also something that would settle a dispute in your family. God bless you and your family. May those dishes be a constant reminder of every one of the members in this Legislature.

Senator Saunders: It is truly an honor to be able to say a few words about my good friend and colleague, Co-President, Senator Lisa Carlton. I met Lisa Carlton during the 1994 Organization Session of the Florida House, as we both started our political careers. I was fortunate to sit next to her in the House chamber for the next two years.

My twin sons were born one month before that first session, and Lisa Carlton seemed to be pregnant for the next four years. So, we had a lot in common, we were new to the Legislature and we were new to parenthood. I not only learned from her which bills were good and which ones were not, but also received valuable child rearing assistance.

Lisa's decision to run for the Senate in 1998, left me with no alternative but to do the same. But, she did it the right way! I will always be envious of her ability to keep all opponents off the ballot - and to walk into the Senate with no opposition. The fact that she had no opposition is a testament to her popularity in her district! No one could possibly successfully challenge her. She had no opposition because she is beloved in her district; and, she serves her community very well and ably.

Senator Carlton's capabilities were immediately recognized by Senate leadership. She was tapped to be Chair of Appropriations and has served in that capacity for five years. That must be a record!

Lisa, as Chair of Appropriations, your true capabilities and leadership skills have been evident. No one could have done a better job, especially during these last two challenging budget cycles. Saying "No" to members looking for money is never easy, but you were able to hold the line on spending, say "No" when appropriate, and do it in such a way that no one felt they were being treated unfairly.

I remember one event that illustrates your intelligence, leadership skill, and ability to get the job done. It was during the debate between the Senate and former Governor Jeb Bush concerning the effort to move all of our Medicaid patients into HMOs. Lieutenant Governor Toni Jennings presented a detailed plan to a small group of us negotiating on behalf of the Senate. You were the lead negotiator for the Senate. You had done your homework. You knew all of the facts and policy implications. The Governor's plan was to roll out managed care across the state for all Medicaid patients, a plan that could have put Medicaid recipients at risk.

After the lengthy explanation by Lieutenant Governor Jennings, you simply said, and I quote, "Nope, we can't do that." You left no room for the Governor, and, the Lieutenant Governor folded like a house of cards. Now, that was Toni Jennings, and we all know she is no shrinking violet. The Senate position for a modest pilot project prevailed.

You were able to accomplish that smoothly and quickly because of the high esteem to which you are held by everyone involved in this process, including former Governor Bush and Lieutenant Governor Jennings. They knew that you were fully supported by the entire Senate.

You have always been forceful and effective, but in a way that is never offensive. I compared you to Margaret Thatcher on Tuesday because of your Iron Will and competence, but you are much prettier than she!

President Pruitt recognized your talents and put you to work, not only as Chair of Appropriations, but as our President Pro Tempore, our Co-President! These last two years you have done an outstanding job under very difficult circumstances. But, you have always done an outstanding job!

You will be missed in the Senate. But, I will be looking forward to watching you. I know you are not finished with politics. You have too much to offer; and Florida needs you.

I hope to be one of your biggest supporters when you run for Governor. Senator Carlton, we all love you and wish you the best!

Senator Rich: Lisa, I have such tremendous respect for you on a lot of counts. Nobody has mentioned something that I think that is incredibly important and that is that you have done an amazing job of balancing work and family. It is very hard, as Senator Geller and Senator Webster said yesterday. They have their wives at home who were really raising the children. A woman always has it harder that way and we discussed this. You are very fortunate with your husband, and I know, your mother. I know that it takes a toll to be away from your children. You have done this with such grace. I have such great respect for you because of that.

I have respect for you for another reason. My four years in this body have been made very special because of you; not only your friendship, but your leadership. Senator Saunders just mentioned Medicaid reform. As a freshman Senator coming over here from a very partisan House, I was amazed, actually, that I mattered; that my opinion mattered; that my ideas mattered and Medicaid reform was a perfect example of that. We went over amendments again and again and then again. It didn't matter if the amendment was sponsored by a Democrat or a Republican. If it was a good amendment, if it was a good idea, you accepted it. So that is very important to me. It has made my time very special here.

Last year when we realized that the budget was closed out without funding our aging resource centers, you went right to bat after I came to see you. I know that you have been accessible and available to me and, I imagine, to everybody on this floor. I know I have bothered you on weekends and evenings on your cell phone, but you have always been willing to talk about things and to try to work things out. It is a very special quality that you have. I can tell you that I'm going to miss you so terribly in this body. I think everybody else will miss you too. I just wish you the very best in whatever it is you do. I, for one, will be there to support you. Thank you.

Senator Haridopolos: Lisa, I never liked someone so much who, every single time, told me "No." I'm not a big appropriations guy, as most people know. I like tax cuts, and for the last two years every time I came in, the answer was "No." But I knew I had made it in this body because now, she waits an hour to tell me "No."

On a more real note, I had the great opportunity as did the President, to travel with Lisa. We spent a lot of time on the plane together talking about our families, as I'm a father learning how to do his job. She talked about the challenges she faces, reminding me of my wife.

She spent time with some of us in the Class of 2000. We're losing a real superstar today. I know Senator Webster and Senator Geller and others are leaving. Those of us in the Class of 2000 hope to have the opportunity to serve in this body longer. We really learned a lot from Lisa; and not by getting a haircut or the idea of telling me not to carry a backpack anymore. But the idea that the tradition of the Senate is important in the future, and that we need to take our blinders off. Senator King and I talked about it last summer. We need to make sure we understand this is really the Rock, and that the Senate is strong and really the future. This means a lot.

We're really going to miss you. In the future we are going to need that statement, as this state faces some uncertain times. Lisa, thanks for saying that, and thanks for teaching this young person a lot about the process, because we need your help in the future. Thank you, Lisa.

Senator Lawson: Sometimes, I feel like crying when I think about Senator Carlton leaving the Senate. We first met when I was in the doghouse with the Democrats. My punishment was for a new member to be put in the same office unit with me. When she came in, with me being very tall, and her looking much younger and bouncing around, I thought, "Here comes another cheerleader." We became real good friends. I learned right away about her intellect and her leadership ability. My punishment led me to many, many years of knowing a person who I have a lot of respect for. It was during that time that she gave me the name "Too Tall."

I followed her and came to the Senate. She is still a person I will always go to and a person who always works. She has kicked me out of the appropriations suite on many occasions while I was trying to get something done at the last minute. I would always be around here on the weekends because I knew Lisa would be here. I would go in and peek through the door to see if she was having lunch, so she would be there for at least five minutes and I could ask her for another project.

I adopted her as a little sister. She will always be like a little sister to me. She is a wonderful, wonderful person, and a lady with a tremendous intellect. I said long ago, when I was in the House, that I didn't know of any other female that I admired as much as Gwen Margolis. I followed her, though she didn't know it. But then along came Lisa to fit in that same category, in my opinion, of legendary status. She has helped so many people throughout the State of Florida. I'm thankful, that, way back, she allowed me to be her friend. She is like a part of my family. She will truly be missed. You are just a wonderful person, Lisa. Thank you and Godspeed.

Senator Carlton: Saying "So long" is never easy but with a few steps down memory lane, I would like to reminisce about some good times, lessons learned and to say thank you to those whom I met along the way.

While other things may change us, we start and end with family. I started this journey with a husband and I end it with the same husband and three children. I have the ideal husband. Our three precious children have an awesome dad. Rob has supported me in every endeavor I have undertaken. He has sacrificed so that I can be here. Senator King always says that my husband has been given automatic sainthood status because he is married to me. Thanks, Senator King.

My family extends beyond those who are related to me. For I have three ladies in my life—Linda Mineer, my Chief Legislative Aide, has been with me for 14 years. Linda Spivey has been with me for 8 years. Rita Faulkner, holding down the fort at home, has been with us for 10 years. They are the best examples of public servants dedicated to the constituents of Senate District 23. They truly are a part of my family.

I have more extended family. Sixteen years ago when I went to work in the House Republican (minority) office, I got to know a group of people that I came to respect. They were my family. Even now my family has continued to grow with the staff of this Senate. Though I will not be able to name you all, you have a very special place in my heart. You are my family. In fact the truth of the matter is I would rather be back in the staff war room talking with them than debating on the floor.

Now that you have met my family, I want to say a few words about some other special people in my life. It is the 39 people who sit on this floor. To me, this Senate is a treasure chest. The outside looks pretty plain, but when you open it up and look on the inside it is filled with very precious jewels. Let me describe them to you.

There is Senator Al Lawson. Every time I think of my first session, I will think of you, you were my best suite mate. There is Senator Garcia. Every time I hear the word "Hialeah" I am going to think of you. I am grateful that I finally had a chance to visit you in your beloved hometown. Senator Gwen Margolis, you had no idea that a 28-year old girl was watching you on a television from her desk in the House Republican (minority) office with stars in her eyes. It is because of women like you and Senator Evelyn Lynn that women of my generation have greater opportunities to serve.

There is a book called "Daddies Are For Catching Butterflies." When I remember the book, I think of Senator Villalobos and all his stories over the years about his daughter, Katie. When I begin to feel comfortable with the status quo, I think of Senator Rich, who challenges me to step outside my comfort zone. Senator Constantine sat close by on the House floor during two of my pregnancies. He got me water, and punched my button when I could no longer reach it. Near the end of one particularly long day (during a special session) he leaned over and said "Carlton, you don't look so good. Whatever you do, don't go into labor." Lee was my first Council chair, and he taught me how to be a good chairman. For that I am thankful. When I think of hats, I will remember Senator Wilson. Senator Siplin, you remind me daily that if you have just a little faith, you can move mountains. Whenever I walk up a flight of stairs I am going to think of Senator B. Saunders. When I go to the beach, I will always think of Senator Jones and how he let a rookie member be a part of his plan for beach renourishment in this state.

Senators Alexander, Wise, Peaden, Crist, and Fasano, every time I think of or read about Florida's budget, I will fondly recall the six of us working as a team over the last several years tackling the fiscal challenges of this state.

When I think of the title "Mr. Speaker," I will always think of my speaker, Senator Webster. I remember gathering the nerve to call Speaker Webster several weeks after the elections, when I found out Republicans would be in charge of the House of Representatives, to lobby for a Chairmanship. As I recall the conversation went something like this: "Well Speaker, I am not sure what position I would like but everybody is telling me I am supposed to ask for something important." What he said back to me essentially was: A title may make you important but it is through your actions that you make a difference.

A few days later I found this at the grocery store. It's a magnet. It says "Bloom where you're planted." It has been on my refrigerator for 14 years. Every time I look at it, I think of Speaker Webster.

Speaker Webster did give me a position. He made me the Chairman of Ethics and Elections. He also appointed a Vice Chair, Senator Diaz de la Portilla. Now that was a problem for me. Representative DLP was a member of my class and I had gotten to know him over the previous two years. Quite frankly, we did not get along well. I suggested to him many times, in my motherly way, that he should not stay out late, that he needed to be in session on time and so on and so on. He normally walked away mumbling something under his breath in Spanish.

The Ethics and Elections Committee suite also had two member offices, one slightly larger than the other. We had agreed on a plan to meet one morning to walk through the office and decide who was going to get which office. However, in the dark cover of night Representative Diaz de la Portilla moved his furniture to the larger office. Imagine my shock when I arrived at the office the next day. I was dismayed at being stuck in the "smaller" office. What the Representative didn't know was that I am a farm girl. So I arrive quite early to the Capitol. By the time he got there, our furniture was switched, and I had taken my rightful place in the bigger office. He only spoke to me in Spanish for the next two years, but things have changed. I've been watching the Senator from the Thirty-sixth. Now I view him in a different way. I view him with admiration. I have sought his advice on numerous occasions. I admire his articulate style of debate.

The jewels in this Senate treasure chest also contain the fearlessness of Senator Posey, the compassion of Senator Dawson, the advocacy of Senator Dockery, the joyful nature of Senator Baker, the passion of Senator Haridopolos, the wit of Senator Aronberg, the class of Senator Hill, and the intelligence of Senator Geller. Our crowning jewel is the incredible Senator Bullard.

Then there is my seat mate Senator King. He is a word artist. The Pablo Picasso of speechmaking. When he stands and speaks, one thing for sure is he will have turned simple words into a masterpiece.

The newest addition to the treasure chest, our freshman class has three lawyers, Senator Deutch, Senator Joyner, and Senator Storms; two sheriffs, Senator Oelrich and Senator Dean; and Senator Justice, who like me, began as a legislative aide. There is also a former superintendent, Senator Gaetz, and a businessman who played a part in the start up of some little Internet company, Senator Ring. So when I think of the future, I think of these Senators. I know you all will be in good

hands under the leadership of one who is clothed with humility, gentleness and patience. Senator Atwater, you are the perfect man for the job.

My favorite place to be is my home, and when I think of home, I think of Senator Bennett and Dee. We have traveled back and forth from Sarasota to Tallahassee more times than I can count. Thank you, Senator, for always making sure that I had a ride home.

Senator Pruitt, some call you President, I refer to you as the Co-President. By the way, if this is a Co-Presidency is there going to be a co-portrait? Although it has been an honor to be your Pro Tempore, there was even a greater honor.

You did not ask me to be your pro tem to serve you, instead you said, "Don't walk in front of me, I may not follow; don't walk behind me, I may not lead, walk beside me and be my friend."

President Pruitt, it has been a great honor to be your Co-President, but the greatest honor is being your friend.

The last 14 years have been a journey. When you come to the end of a long journey, lots of people ask where you are going next. Although none of us knows what the future holds, I do believe the Proverb that says "In his heart a man plans his course, but the Lord determines his steps." When I take those next steps, wherever they may lead, one thing for sure, is I will take with me the wonderful treasures of your friendships.

SENATOR WEBSTER PRESIDING

RECOGNITION OF THE PRESIDENT

UNVEILING OF PORTRAIT

At the request of the President, Secretary Blanton read the following:

Artist: Phi Van Mai is with Leon Loard Portraits. Originally from South Vietnam, Phi Mai's career in art is a result of much hard work and overcoming many personal trials. Upon graduating from the Architecture University in Siagon, he went on to complete a Master's Degree in Architecture. Phi worked as a designer, using his artistic abilities combined with his skill of architecture to build several impressive complexes. However, as successful as he was, Phi felt called to move to America to escape oppression and to provide his family with a better life. Escaping communism, imprisonment, refugee camps, and physical cruelty, Phi persevered—arriving in the United States of America in 1989.

Phi has worked as an oil portraitist for Leon Loard Portraits for 15 years.

His talents are already displayed on the wall of the chamber. He painted the portraits of Senate Presidents Toni Jennings, Jim King and Tom Lee.

Senator Carlton: Senators, it is my honor to say a few words about the First Lady of the Florida Senate, Mrs. Aileen Pruitt.

Senators, have you ever noticed that some of the happiest people are the ones that give a lot? For the last many years, Mrs. Pruitt has held down the Pruitt fort while Representative, then Senator, now President Pruitt has been in office. This was a fort full of children. As I was thinking of what I would say today about this special woman, a book came to mind. Over the years, it was a favorite for bedtime stories in our home. It is called "The Giving Tree." It is a story about the relationship between a tree and a boy. Through the years the tree provided apples to nourish the boy, branches for the boy to swing on, and shade when the boy was tired. The selfless tree loved that boy.

This reminds me of how it probably was in the Pruitt home, all these many years. It was her love that made it possible for President Pruitt to serve in the Legislature all these years. She has given her all for her family. She attended concerts, plays, track meets, and family celebrations, all without President Pruitt. She has mended wounded knees, refereed sibling rivalries, packed lunches, and served as a chauffeur. I might add she did it all while maintaining her position as a bank executive.

Mrs. Pruitt, thank you for being our "Giving Tree," and for letting us borrow President Pruitt for a time.

Now, in the end of this book the boy grows up to be a man and returns to the tree. We promise, Mrs. Pruitt, we will give Ken back to you in two years. We know that although you have given up a lot for President Pruitt to serve in this chamber, that when you finally do get him back, like the tree, you will be happy.

Senator King: This flag pole is presented to Senate President Ken Pruitt by all of the Senators serving during 110th Regular Session of the Florida Legislature since Statehood.

It is inscribed with these words: "Chosen for you in recognition of your love for this country, your love for this State, and your deep respect for the office that you occupied for these 2 years."

We give you this lasting token of our friendship—something that will withstand the test of time, any storms that may come (we are told it will withstand a Category 4 Hurricane), and that will hold the beautiful colors of the United States of America and the State of Florida. With the flagpole from us, come two additional gifts.

First, a Florida flag. I don't have it with me today because it will fly over the State Capitol tomorrow, in honor of the last day of Regular Session during your Senate Presidency. It is given to you, with gratitude, by your dedicated district staff. They have been planning this, and keeping it a secret from you (which is really hard) for the past two years. They didn't know that we would choose the flagpole as a gift for you—but, just like your entire Senate Presidency—it was a plan that all came together perfectly. But wait, there is more.

There is an American Flag. Two years ago, unbeknownst to the Senators, or your district staff, the Senate Professional Staff made arrangements to secure the American Flag that flew over the Capitol on November 16, 2006—the first day of Organization Session—YOUR first day as Senate President.

Again, perfect coordination, perfect timing, and a fitting expression of gratefulness, loyalty, and love for a Senate President who has been a true friend to all of us. Thank you, Mr. President. I would now like to read the proclamation to you, Mr. President.

Senator King read the following proclamation:

This is the official flag of the United States of America.

It was proudly flown over the Florida State Capitol on November 21, 2006, the first day that Senator Ken Pruitt presided over the Florida Senate.

The flag is presented in recognition of Senate President Pruitt's honorable service, fervent patriotism, and commitment to a better future for all Floridians.

Let it be known that the flag was given to Senate President Ken Pruitt by the grateful and loyal Professional Staff of the Florida Senate who hold Senator Pruitt in highest esteem and who were honored to serve under his leadership.

Governor Crist: I am honored to be here. As the Senate President knows, I was never the Senate President. I am humbled by the opportunity to stand at this rostrum and honor you, my friend. This is a wonderful day for you and for your family. Aileen, it's a pleasure to see you. I always tell the President how beautiful his wife's eyes are, because they are. There's just a sparkle that is reflected in your husband. I know how much he cherishes and loves you. Please give this wonderful First Lady of the Florida Senate a round of applause.

The Senate President is a really neat guy. We have a wonderful relationship. I'm blessed for that, Senator Webster. I am truly blessed for that. I can't tell you, Mr. President, how you have lifted me along the way as a first-term Governor. We've had a lot of conversations, Senator King, on the phone, for the record. As the former Attorney General, I've got to be careful about all that stuff. It's been a real special relationship and it will continue to be that.

Many times, we'll talk and talk about different issues and he will say, "You're in your ascension and I'm descending." I say, "No, you are not. You are ascending." It's important that what Senator King said is true. While you may not be Senate President after November, your public service is clearly not done for many other things in life, as long as you want to, because the people understand and see your heart.

Just like these Senators who love you as much as they do, so do the people of Florida, Mr. President. You have fought for them. You have been true to them. You care about them. In our talks on the phone just about every weekend, I get a chance to see it up close, just as these wonderful members of the Florida Senate have. It is a special thing to have a public servant of your level of integrity, heart, caring and compassion.

I could go on and on but the bottom line is that you are a good man. You are a good, decent man. You care deeply about people. You and your family have been through a lot. It's enough to be Senate President, Senator Atwater, as you will find. But our friend, Ken, and his beautiful bride have been through a lot. Through all of that, he has persevered. Just to watch how he has comported himself and handled himself in the face of difficult challenges. I don't mean the budget. I mean real challenges, the real stuff. I am in awe. I am absolutely in awe. I know that you are guided by our God. That's where it comes from. It is divine intervention, Senator King. He has determined that this man is a great leader because he is one of you. So thank you for giving me the chance to say a few words. I am honored and surprised by it but I'm privileged to have the opportunity to honor my dear friend. God bless you, Ken Pruitt.

Senator Gaetz: Leadership is a term that is used, abused and overused. There are more books written about leadership than there are real leaders. Some people believe that leadership is the accumulation of and the relentless abuse of power. There have been people like that who have resided in legislative chambers. Senator Pruitt is such a different kind of leader because he taught us, even some of us who came here with many experiences in life, that real power comes in sharing responsibility for results. He has shown us that it creates teammates; it creates partners; and Mr. President, it creates trust. And you, sir, are trusted. You are loved and you are a real leader.

I, from time to time, like to quote Winston Churchill when he said, "It is a terrible waste to be a great man in small times. But to be the one called to stand in the breach when all that you have known and cared for hangs in the balance, now that, is a gift from God." You have been that person for us, called in a troubled time to stand in the breach. The way you have done that has been so remarkable.

So many of these people here today have served with you for so long. Seven of us have only served with you for two years. But the way you have treated the freshman class, all of us—Democrats and Republicans—coming from different places and walks of life, you didn't treat us as though we were people that would be put in some dark corner. You have given us all responsibilities. You have made us rise, each in our own way, to the tasks that you have given us. That is why you are such a powerful, trusted, great leader. I am proud to have you be the face of the Senate in which I serve, because you are the strength, a real strength, an inner strength for the Senate. You, sir, are the heart and the soul of the place. Your warmth, your character, your willingness to listen, and your great compassion with which you lead. Who in this chamber has not received a note from that man at a time when you did something you thought was good; or at a time when you most needed to be lifted up? It is your heart; it is your warmth; it is your soul; it is your strength, Mr. President.

Senator Lawson: I'm not here today to speak about President Pruitt's leadership ability. All of us recognize his leadership ability over the years. I'm here to honor him as a true friend. About 14 years ago, and all of us go through very difficult situations in this process, I was probably at a very low moment. I didn't know where to turn and didn't even think that I would run for reelection. I had this Republican friend of mine that gave me encouragement. He did a whole lot of things for me to give me the strength to carry on. That's what I call a true friend.

In this process over these last 26 years, there have been two individuals who have been very, very close to me and my family. One was the late Doug Jamerson, a great individual. The other person is Ken Pruitt. I don't know of any person who has been so gracious with all the late night conversations over the years to encourage me other than Ken Pruitt. Ken and his family have been through some difficult times. Through his faith and the love of many of you, he has been able to rise up. In the process of him being a leader, I've always compared him to Rocky Marciano. He said, "Winning takes a complete commitment of mind and body. Once you don't make that commitment, they don't call you Champ any more." Ken has been a person who makes that kind of commitment. I don't know of any hour of the night or any time of day that he couldn't call on me and I wouldn't respond.

When it comes down to families and pulling families together, and the hurt that you go through and the pain that you receive because you're not there, it means more than words for a person who is willing to stand with you. We've been around a long time and things don't always go the way you want them to go. I can tell you about a committed person. We grew up the same way, poor. Working early in life and working hard to rise up to where we are today. Thank God he always taught me that it's too bad that too many people who are looking to be successful, think of work as being a dirty word. There is only one way to make it, that's spelled "W O R K." If you know Ken Pruitt and you know where Ken Pruitt started from in life, all of you would celebrate that day. Truly, he deserves that American dream and he deserves to have his portrait up here because he didn't start with a silver spoon in his mouth. It was the same way a lot of us started. For the kids out there, they need to know, that if you have a dream and you're willing to work for it, the sky is the limit. It's true for all of us. I just want to thank Ken Pruitt and his family for their friendship. I look forward to the next two years with you. Thanks very much, Ken.

Senator Jones: I'm going to try not to repeat what's already been said; but when I think of Ken Pruitt, I can remember back in the House when it was real simple to have a friend be a friend. What a friend you have been of mine, President Pruitt. There are only a few of us who have experienced the loss of a child in this process while we serve. You still have to go on. So I like to leave my remarks basically of the courage it takes and what you've done to change this institution. I can't tell you, Mr. President, how many employees have come up to me and told me, "You wouldn't believe what happened. President Pruitt walked into my office and I thought I was going to get fired. He said, Happy Birthday." It didn't matter whether it was a janitor or a staff person. I was having ice cream and he walked into the entire Regulated Industries Committee and I thought,"Oh boy, this isn't going to be good." He said, "Happy Birthday." He sat with us a little while. He does it on and on and on.

You have changed the attitude of this institution and of the employees who work with all of us. You have no idea what an impact that has made. I've served here since 1978, Senator Webster, and when you had all those people up here, you were presiding and you couldn't see all those smiles and happy faces. You have definitely changed this institution. You have changed this state. I never could have done the beaches without your help. The bill should have your name on it, rather than mine.

When you brought that little bus to Pinellas County, I didn't know who taught you how to drive, but when you came around that parking lot, it was the craziest thing. But it worked, and because of your efforts, we now have community colleges offering four-year degrees. I can't tell you how successful that is. My county thanks you every single day for students being able to get their degree without having to leave the county.

So my friend, all I can say to you and your wife and family, I hope the future shines its brightest light on you because you all deserve it. Thank you for being with us and being my friend.

Senator Siplin: I would be remiss if I didn't get up and say a few kind words about my good friend, Ken Pruitt and his very lovely wife, Aileen Pruitt. When I first came to the Florida House, I was excited about being over there because having grown up in the projects and not knowing anything about the Florida House, I was now a part of the process. Then I saw the Florida Senate. Seeing how the Republicans and Democrats got along, my view of the Senate was that they cared about the general welfare of the State of Florida.

When I got a chance to run for the Senate in 2000, I was very happy that I was able to do that. The Lord blessed me with this seat to represent my hometown. All of you know that Ken is your friend; but I can certainly attest that he is my friend and Victoria's friend. As you all know, we had an experience with the justice system. Ken demonstrated that this body is about the institution, and not just a person. It stands for justice and righteousness for the Senate as a whole, notwithstanding any kink in the process. I think what happened to me and the way you conducted yourself in this institution is commendable and to be reflected not only across this state but across the country and the world. When the press was asking you to request that I vacate, you stood firm. Even the public was asking you to request that I vacate. You stood firm, because you knew Gary Siplin. You knew that I was a good, honest person and

that which I was accused of was not true. You allowed the criminal justice system to work and it did work. Theoretically, an appellate court granted an acquittal. People think that I was exonerated and vindicated when it did that. But in fact, the President of the Senate, because of his faith in the American criminal justice system, Ken Pruitt, you were exonerated and vindicated to stand beside Gary Siplin and Victoria Siplin. So we will be forever grateful to you.

Members, there have been a lot of good things said about Ken Pruitt. If you recall, about two years ago, we were up here for a special session on a Monday night. I was sitting over there where the President was sitting. My wife, Victoria, was sitting next to me. The Governor sat beside me. My picture was displayed, sitting next to the Governor, back in Orlando. We went back home on Thanksgiving eve. I was on television in my district and, of course, I was under certain circumstances at that time. On Thanksgiving eve, they came and detained me. The President heard about it. This reflects the kind of heart he has. He called my wife. My two little boys were with my sister-in-law in Boynton Beach. Of course, my wife was with me when they detained me. She was left alone. So this man, our President, my friend, called my wife and said "Victoria, relax. Everything is going to be OK. God is on his side. Now I know you are upset and you all were planning to come down that Wednesday night, Thanksgiving eve, and spend the Thanksgiving holidays with your family in Boynton Beach. Victoria, relax. I will get into my car and go pick up your two little boys and bring them to you." He left his beautiful children over there and his lovely wife to go get my two little boys and take them back to my wife in Orlando. He was away from his family on Thanksgiving eve.

That's what kind of man God has put in our lives. We talk about divine intervention. I can attest to you that he is in his office by the grace of God to do the things that he has done over the duration as President; to recognize people who have never been recognized; to stand firm for a little black boy from the projects who was attacked. A Republican, he could have very easily gotten an extra seat. That's not his aim. He stands for what's right. He stands for justice. I want you to know, Ken Pruitt, just like David and Jonathan, you've got some children over there. And you are my Jonathan. As long as there is a Siplin, your children will always be all right. I love you, brother. God bless you, your family, your children and your children's children.

Senator Geller: I have known Ken Pruitt since he was elected. I was in the Class of 1988 and he was the Class of 1990. We really began working closely together about two years ago. I was worried. Everyone was warning me about what life would be like under the Ken Pruitt presidency. I was told, "This guy is terrible; this guy is a right-wing ideologue. He's going to crush the Democrats under his heels. It doesn't matter what he says he's going to do, once he's in the presidency, you guys are finished." I have heard a lot of mistaken statements in my life, but those remarks are among the most mistaken statements I have ever heard. Although President Pruitt has a strong core set of beliefs, and has stayed very true to that set of beliefs, he has also recognized that there are other beliefs in this chamber.

I have never seen a president go as far to accommodate every member as President Pruitt has. He has granted unprecedented access to the Minority Party. He has authorized us to appoint the vice chairs of the committees. I'm not aware of that having been done before. He let me appoint the Democratic members to the committees, which, again, I have never heard of happening before. The famed, "Council of Cardinals," the "Group of Three," the Special Order Group, to give the Minority party access, is another creation of the Senate President. It is a true, open door policy. When I say open door policy, I mean I have never seen the doors to your office closed. It really is an open door policy.

Normally, when you get a message, "The President wants to see you," it's like being told the principal wants to see you. You wonder what you have done this time and head upstairs for your appropriate statements or punishments. Senator King, you recall, you sent for me frequently. When you go up to see the President, in prior presidencies, you rarely could get in to see him or her. There were always dozens of lobbyists around or the doors were closed and he was always in meetings. You would try and schedule the appointment, "We can see you late tomorrow or late this afternoon but we can only give you five minutes." Now you go in; you ask to see the President; you walk in; he says, "What can I do to help you?" Not just for the Democrats or the Republicans, but for every member of the Senate, there has been unlimited access to the Senate President.

Mr. President, on behalf of the Senate Democrats, I want to thank you for that. That policy has sometimes led to some issues. I have had a lot of people complain to me. Mr. President, I know they have complained to you. We have had this discussion. I have had Democrats, both in the Legislature and at home, complaining, "Why haven't you been more confrontational?" Mr. President, I know that your Republicans have been complaining to you, "Why aren't you doing more to grind down those Democrats?" I have had to ask my people, "What exactly do you want me to be confrontational about when they are treating us this fairly? If they weren't treating us fairly, we would go to war." You have never done everything we asked. When there are more Republican votes on one side than Democrat votes, you guys win. You have always done it fairly. I've never had a reason to go in complaining because of the way you have treated us.

Mr. President, you used a word once to describe to the press what our relationship was. It was "frienemy." You were commenting that, even though we were leaders of different parties, we were really frienemies. It really hasn't worked out that way. It's just been plain, simple friends. I've never seen where the frienemy part comes in. It's just been friendship, the way you have treated me and the way you have treated my caucus.

I think everybody knows Ken Pruitt is a man of humble beginnings who ascended to the highest pinnacle of power in the State of Florida. He's done this just through sheer hard work, determination, and force of will. Mr. President, I think you mentioned to Senator Carlton that rock in your office that says, "There is no limit to what a man can accomplish as long as he doesn't care who takes the credit." If there is anybody that should apply to, it's you. That belongs in your office because what has impressed us all the most is how humble you are today.

How many times have I raised my hand at one of the pre-session meetings when you said, "I would like to thank Leader Geller and Leader Webster for doing this and for doing that?" Senator Webster and I say thank you and we do our best. But it's not what we have been able to accomplish. We are carrying out the direction that you have set. So if Leader Webster and I have been able to work things out, it has been because of the example and direction that you have set. You repeatedly fail to take enough credit for all the things that you do. Since you won't take the credit for that yourself, we are here today to give that to you.

One thing you and I have worked on together for decades is the Bright Futures issue. Somebody made reference to the school bus. I have done my best to keep that program but I am in the minority party. I don't know how many school children in the State of Florida today realize what a great debt they owe to you, specifically, and your dogged determination to keep people from eliminating the Bright Futures scholarships or dramatically cutting back the Bright Futures scholarships. You have had my help in the past. I'm gone, you're the last one left. I hope the school children realize the job you have done for them.

Mr. President, you have heard me say that I am a little nervous as to what the future will hold for the Florida Senate. We have had this discussion, as well. The last two years our budget has been terrible. In normal circumstances that would lead to chaos but the firm hand that you have shown, along with Co-President Carlton, has led to what I consider to be the Golden Age in the Florida Senate. This is something that future decades of Senators or future Senates will look back on and comment, "Well, gee, why can't we get along like they did under the Pruitt presidency?" You have set what I believe would be a model that Congress and other states in America should follow. You have done a tremendous job, Mr. President. All of us owe you a great debt, particularly the Senate Democrats, for your even-handed fashion. We appreciate everything you have done. God bless you, sir.

[Video]

Senator Webster: Mr. President, it has been an awesome two years. I am glad to be a part of it. You have been a servant leader and you've done it well. There have been high times and some pretty dark days, yet through all of that you have been such an unbelievable encouragement, not only to me but to your family and to this body. Thank you for doing what you do. Thank you for serving. Thank you for being our President. We love you and we love your family. May God bless you.

President Pruitt: Let me begin by thanking the artist. There's a lot of air brushing there, I know that. I know a little bit about artists. It's

not something you learn. You learn some of the techniques in the classroom. My daughter, Ashley, is an artist. It truly is a God given talent. I am very thankful to Phi Van Mai for his work.

I wish you would indulge me for just a moment. I want to say a few words about the President whose portrait is leaving this chamber. I thought it would be appropriate to comment about President Hudson, with the help of research by John Phelps, Historian and Curator and former Clerk of the House. Frederick Hudson was the 39th President of the Florida Senate. I happen to be the 78th President. He was born February 2, 1871, in Pine Bluff, Arkansas. He graduated from Washington and Lee University in 1892 at the age of 21. At 26, he married his bride, Nora Bell Andrews. They had three children. For health reasons, President Hudson moved in 1900 from Arkansas. Charlie, he moved to Indian River County to plant pineapples. In his freshman year, he passed a very important law for St. Lucie County. St. Lucie County, prior to that, had been incorporated and gobbled up by Brevard County but seven years later, he sponsored the bill to create St. Lucie County. In 1905, Senator Hudson moved to Dade County, where I was born and raised, to practice law. He was elected President in 1909. He was the first Dade County person to hold that position. Senator Atwater, he went on to introduce bills that created Palm Beach County and Broward County. He also passed legislation that established Florida's first child-labor law and juvenile court program. After serving in the Legislature, President Hudson returned to Miami where he worked as an attorney. He practiced law in Miami, Senator Villalobos, for 67 years. He handled many important cases that actually helped direct the development of Miami. He also wrote a book entitled "Beginnings in Dade County." In 1965, he told a *Miami News* reporter that he found it irritating when he was asked whether he went to the office every day. He said, "I snarled at them and replied 'yes' and it might surprise you to know that I work when I get there." President Hudson had pretty much the same relationship with the media that I have. He took down his shingle at the age of 102 years old. He is believed to have been the oldest practicing attorney in history. Former President Frederick Hudson died August 5, 1974, in Miami at the age of 103 years old. Since he lived to be over 100, it appears that he made the right decision by coming to Florida. I've asked John Phelps to be here because he is taking President Hudson back to the place where he served as President of the Florida Senate—to the old Capitol. I know we're leaving him in good hands. Thank you John.

You know as President, you can pretty much do whatever you want to with your portrait. So, I had several renditions that I wanted. The first one I had was that I wanted all 40 Senators to be in the portrait. So I went home and, of course, I told that idea to Mama. That didn't last too long. She pretty much squelched that one. The second one, I was going to stand right here and the portrait would be of all our 40 names in the back of the portrait. It would take up a lot of room back there. The other three mamas in my life, Carlton, Mears and Miller, put the squash on that one. So the third one I had was that I would be holding a piece of cardboard in front of my portrait. What would it say? No, it wouldn't say "Will work for food." It was going to say "Protect Bright Futures" so all those who came after us would be able to do that. This is what we ended up with. You look at Dempsey Barron with the horse. Phil Lewis has a photograph up there. Curtis Peterson, with the roses, was a florist.

This has been a whirlwind two years for us. I have never laughed and I have never cried so much in my life. When we lost Kenneth, it was like our darkest hour. But it was soon replaced with the brightest hour because of our friends and because of the love and support that we got from each and every one of you. I want to thank you for being there for us and for lifting us up at a time when we needed it the most.

There is a little story with this. When we got the call about his passing, we were in Boston. It was 5:00 o'clock in the morning. For those of us who are parents, if you get a call at 5:00 o'clock in the morning, you know it's not good. So, of course, I needed to get back here as fast as I could. Getting to Tallahassee is so hard. So, I just got on a plane to come to Orlando. Once I got to Orlando, I had no idea how I was going to get to Tallahassee. So I flew. I was stunned, I was shocked, I was emotional on the plane. When the plane landed and I came out of the tunnel and into the gate, who's standing there but Dan Webster. After we hugged and he gave me some beautiful comforting words, I looked at him because you know, to get to a gate with a boarding pass is hard enough but to get to a gate without one? I asked him "How did you get here?" He said, "I don't know." I asked him again "How did you get here?" He said, "I don't know."

Senator Geller, it reminded me of the conversation we had when I came to your office and we were concerned because we thought you had kidney cancer and you were going for the biopsy. I told you that my thoughts and prayers were with you. You were nice but you said to me "Thanks, but no thanks. I've gotten direct access and I'm going to Dan Webster." Senator Bullard, if you remember when you had your lung cancer biopsy done, who did you go to? You went to Dan Webster. There's something about that Senator Webster. Thank you for being there when I got off that tunnel.

When we decided on the goal, there was no project here, there was nothing I had to have, nothing I wanted named. All I wanted to do was to get rid of this power pyramid that was in this Florida Senate, that seems to be all over government. I wanted a strong Senate but not a powerful Senate. There's a huge difference between strength and power. I wanted a strong Senate and so who did I turn to? After I watched him work and be the architect of removing the power pyramid in the Florida House, I turned to Dan Webster. Together, along with the Co-Prez, along with Steve Geller, we put a matrix or a framework together. Our motto was, as Senator King said yesterday, "Process over Personalities." We wanted to make sure that the process worked first. We needed all 40 Senators working together. You see there are 18 million people in the State of Florida and it requires the talent and the expertise of every single one of us to make sure that we do what's right for the people of this great State.

I've never seen anybody with a love of the institution or the process more than you, Steve Geller, because you get it. You understand the importance of maintaining the institution and the sacredness of that. It takes the talent and the expertise of every single one of us to make sure that we do what's right for the people of this great State.

But of course, after we put it together, we knew it couldn't work without a strong Rules Chair to implement it all. President King, I know there were times when you thought that I had forsaken you. There were times when you wondered "What in the world have I done?" But there was no better statesperson, no better person to implement this than you, sir. I want to thank you for being truly, not only my friend who stands by my side all the time, but an incredible Rules Chair as well. We've seen the results of that here this past week. Now, has all this worked? I'm a little too close to it. I think the ones outside the halls here will be able to judge it better. I think the people of the State of Florida will be able to judge our work here a lot better than that.

I do know it also takes an incredible professional staff to make this work as well. Majority Leader Webster, if you don't mind, I'm just going to take a couple of minutes to recognize my staff. It was mentioned the other day that they are the most professional staff in the country. It is absolutely true.

The first person I will recognize is David Coburn. David Coburn is the most incredible friend and professional all-in-one that I've ever had. We are a Triple A bond-rated state. Our pension plan is one of the strongest in the country, if not the strongest. We have $2 billion in reserves. I can remember when the Co-Prez and I decided to tap into the Lawton Chiles Endowment Fund just a little bit. You talk about swallowing hard, David Coburn, that was hard for him. So the stability that we have in this state, we could be like California with its junk bonds, we could be like Michigan. Florida is on sound footing because, for 30 years, this man has been helping to guide the ship. You know something? His photo is not in the directory. You know why? Because he knows and he understands that it's not about him. So he stays below the radar. He's like the wizard, pulling the levers back and forth. There are times when I know the lobby corps says "It's that staff, it's that staff." You know what? David Coburn lays all the information out on the table and he lets us, as the policymakers, make the decisions. It's not staff. David Coburn, our children and our families and our seniors in this state are better because of you. I cannot thank you enough. I don't know where you are going, but I'm telling you, whoever is out there listening to this, they better grab him up quick. He is the best. Thank you, David.

David put together the "Dream Team" and that's what it's called. We have what's called affectionately the "24-hour rule." Anytime we make a major decision, what do we do, Senator Webster, Senator Carlton and Senator Geller? We wait 24 hours, because in the heat of the moment, you make decisions and you make them off the hip and they are usually not good decisions. It's becoming the 24-minute rule right now. We start at 6:30 in the morning. That's our bonding time. We play a little music, every one comes in, we have our coffee, and we get the day started.

Then there's Kathy Mears. Good ol' Kathy Mears. I'm telling you, my confidante, she has more wisdom than years that I will ever know. Those of you who know me, know I don't do press conferences, I don't do press avails. To be able to represent the Senate, make certain statements to represent the Florida Senate. It's not just about you. Kathy, I apologize to you for the hardship that I have placed on you for the past two years but I'm telling you, thank you for continuing to encourage and enlighten all of us here in the Florida Senate. We love you.

Then there's Susan Miller. I affectionately refer to her as "Radar" because the minute I turn the corner and I say "Susan, can you...," the phone call has already been made or it's already on my desk. I am the 13th president that Susan Miller has served. Of course, she started when she was six years old. She has done an outstanding job and everything that is organized here, it's Susan Miller who does it. Thank you very much for the honor and privilege of serving with you here. I'm going to miss you a lot.

Of course, the rest of the dream team includes Richard Herring, Jane Hayes, Lillie Bogan, John Newman, Cynthia Kelly, Phil Twogood, Mike Peters, Debbie Brown and Elizabeth Fleming. This is the rest of the dream team from the President's office. Thank you all so much.

We all know our professional staff and there's no way that we could function without them. I've had mine forever, Carrie, Ann, Andy and Ginger. When you become the President of the Florida Senate, not only do you still have to take care of your own constituents, but you have to take on the constituents throughout the State of Florida. Thank you for stepping up and making me proud and making the State of Florida proud.

I wish the Governor was here because I wanted to express my thanks to him. This man has truly changed the paradigm in the State of Florida. You may disagree with him on one issue or two issues but when that man took office in November 2006, he knew that he had to be the catalyst to bring people together. All the ingredients for a perfect storm—he's gone from a $73 billion budget to a $66 billion budget and yet he has still led with honor and dignity. He continues to exude this incredible optimistic spirit. He is gracious, he is good and all I can ask you as I depart here is that when you forge a relationship with Charlie Crist, it is a relationship that you will have for a lifetime. He is a good, good man and he is a great friend. I'm truly going to miss him as well. He has the attitude that life is like a relay. Remember when we were kids and we had the relay race with the baton? Whenever the baton was handed off to you, you ran as hard as you could to make sure you got it to the next person so they could have a head start. That's his attitude in life. Our Governor is running as hard as he can to hand the baton off so that those who come after us have it better and easier. He really is a great man and I appreciate our Governor.

I'm going to talk about my family and I'm going to talk about my friend, Charlie Sembler. Uncle Charlie, as my kids refer to him. This is truly a gentle giant of a man. His father-in-law just passed away and look where Charlie is. He drove all night to be here and he is leaving immediately afterwards. This man has been near me every time a phone call was made, or every time something was happening with Aileen. Charlie Sembler was there with unwavering support and loyalty. Charlie, my kids have been begging me to take them fishing. I don't know how to fish. But I am looking forward to that moment when you and I are going to take that long overdue fishing trip.

Let me talk about the "the Pruitt Five." It will always be "the Pruitt Five" because Kenneth's spirit is embodied in every one of these kids. Look at the twinkle in their eyes. I want to start with Steven. The *Tallahassee Democrat* doesn't have a word about us on the front page. You know what it says? "Marines Welcomed Home from Iraq Tour." They get it. They understand what is really important in priorities. It's right here. Steven has decided to serve his country at a time when many would be turning their backs on it. Steven, you honor your country with your service and I love you, son. Ashley is the artistic genius of the family. She is starting Florida Atlantic University in the fall. Ashley, all I can ask you to do is to keep putting those God given talents to good use as you have already done. I love you, sweetie.

Michelle is on track to get her associate's degree even before she gets her high school diploma. Dr. Jones, she wants to be a chiropractor. She wants to be a doctor. She is a cross-country champion; she continually runs all the time, like Forest Gump. She is always fighting and working to reach her potential. I'll tell you Michelle, Dr. Michelle Pruitt has a very nice ring to it, doesn't it? I love you.

Mark has been arrested twice for stalking Tim Tebow. He wants to be a sports broadcaster. He knows the stats of more players in sports than any you can imagine. He actually learned to read by reading the sports page. So Mark, continue to reach for your stars, son. I love you.

My bride, Aileen. Unwavering support, unconditional love. She's going to get mad at me but I'm going to do it anyway. Most of you know but Aileen has stage IV breast cancer and she has had chemotherapy twice, lost her hair twice and had more radiation. Don Gaetz's wife has a blood clot in her leg that they just can't seem to get rid of and Don was telling me, it's like holding a hand grenade with the pin pulled out. That's what's happening. This lady, this wonderful person who is the love of my life, lives every single day to the fullest. She is a runner as well. But she gives breast cancer counsel. Anytime somebody has just been diagnosed with breast cancer in our community, they are calling Aileen. She is always out there at any type of cancer activities. She is there even though she is a full-time banker and also obviously holding the fort down at home. This month, we celebrate 26 years of marriage. Aileen, I'm looking forward to the next 26 even more so than these 26 years. I love you and thank you for being a great role model for our children and for the people of the great State of Florida. You are an incredible First Lady and wife. I love you.

So Senators, always remember that success in life when you are in this process is not judged by the number of bills we pass. I don't know if any of you sent out a campaign brochure that says "Vote for me, I'll pass more bills than anybody else." I never did. It's based on the relationships that we have when we leave here. That will be more important than anything else. Wayne Rubinas is having a birthday today. When I went by to give him his gift, I found this on Wayne's door as they were celebrating his birthday. This is perfect because I was trying to find an ending and this is it. "Life is not a journey to the grave with the intention of arriving safely in a pretty and well-preserved body, but rather to skid in broadside, thoroughly used up, totally worn out and proclaiming 'Wow, what a ride.'" Senators, wow, what a ride. Thank you. It's been an honor and a privilege Senators.

Senator Hill: Mr. President, I would like to present you with a token of appreciation. Members, I went to the President last year with an idea for an apology for slavery. Unknown to us, Senator Siplin had filed a bill. Senator Siplin yielded to us and said we would join together in the concept.

I did not realize that Senator Pruitt is a history buff. He told me the reason why the Capitol is facing Apalachee Parkway and some other stuff. He also said he had seen the movie "Amazing Grace." I had seen that movie. He said, "Go for it." So we put some stuff together.

Mr. President, I just wanted to present this to you so you could take this home, because this has been around the country. I received calls from a lot of people, but it was because of you giving us the green light that we were able to do it. We love you, brother.

RECESS

The President declared the Senate in recess at 1:05 p.m. to reconvene at 2:00 p.m.

AFTERNOON SESSION

The Senate was called to order by the President at 2:00 p.m. A quorum present—39:

Mr. President	Deutch	Justice
Alexander	Diaz de la Portilla	King
Aronberg	Dockery	Lawson
Atwater	Fasano	Lynn
Baker	Gaetz	Margolis
Bennett	Garcia	Oelrich
Bullard	Geller	Peaden
Carlton	Haridopolos	Posey
Constantine	Hill	Rich
Crist	Jones	Ring
Dean	Joyner	Saunders

Siplin	Villalobos	Wilson
Storms	Webster	Wise

By direction of the President the following Conference Committee Report was read:

CONFERENCE COMMITTEE REPORT ON CS for CS for SB 1286

The Honorable Ken Pruitt April 28, 2008
President of the Senate

The Honorable Marco Rubio
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on CS for CS for SB 1286, same being:

An act relating to **Fish and Wildlife Conservation Commission**; amending provisions relating to vessel registration and vessel registration numbers, increasing vessel registration fees for all vessels requiring registration, providing for future adjustment of the recreational hunting and fishing licenses based on the percentage change in the Consumer Pricing Index. Requiring the commission to report to the Legislature on how the increase in license and permit fees will be used, etc.;

having met, and after full and free conference, do recommend to their respective houses as follows:

1. That the House recede from House Amendment 721999;

2. That the Senate and House of Representatives adopt the Conference Committee Amendment 293944 to CS for CS for SB 1286 attached hereto, and by reference made a part of this report.

s/Lisa Carlton
Chair
s/JD Alexander
s/Carey Baker
s/Larcenia J. Bullard
s/Victor D. Crist
s/Charles Dean
s/Alex Diaz de la Portilla
s/Mike Fasano
Rudy Garcia
s/Mike Haridopolos
s/Dennis L. Jones
s/Charlie Justice
s/Alfred "Al" Lawson, Jr.
s/Gwen Margolis
s/Durell Peaden, Jr.
s/Nan H. Rich
s/Burt L. Saunders
s/Ronda Storms
s/Daniel Webster, At Large
s/Stephen R. Wise

s/Jeff Atwater
Vice Chair
s/Dave Aronberg
s/Michael S. "Mike" Bennett
s/Lee Constantine
s/M. Mandy Dawson
s/Ted Deutch
Paula Dockery
s/Don Gaetz
Steven A. Geller, At Large
s/Anthony C. "Tony" Hill, Sr.
s/Arthenia L. Joyner
s/James E. King, Jr., At Large
s/Evelyn J. Lynn
s/Steve Oelrich
s/Bill Posey
s/Jeremy Ring
s/Gary Siplin
J. Alex Villalobos
s/Frederica S. Wilson

Managers on the part of the Senate

s/Ray Sansom
Chair and At Large
s/Kevin C. Ambler
s/Gary Aubuchon
s/Aaron P. Bean
s/Ellyn Setnor Bogdanoff,
At Large
Debbie Boyd
Ronald A. Brisé
s/Dean Cannon
Charles S. "Chuck" Chestnut IV
s/Larry Cretul, At Large
Joyce Cusack, At Large
Chris Dorworth
Keith Fitzgerald
s/Bill Galvano
s/Andy Gardiner

s/Sandra "Sandy" Adams
s/Thad Altman
s/Frank Attkisson
Loranne Ausley
Dorothy Bendross-Mindingall
s/Marsha L. "Marty" Bowen,
At Large
Mary Brandenburg
Susan Bucher
s/Jennifer Carroll
s/Marti Coley
s/Faye B. Culp
s/Carl J. Domino
s/Greg Evers
s/Anitere Flores, At Large
s/Rene Garcia
Dan Gelber, At Large

Joseph A. "Joe" Gibbons
s/Hugh H. Gibson III
s/Michael J. Grant
s/Gayle B. Harrell
s/D. Alan Hays
s/Matt Hudson
s/Kurt Kelly
Martin David "Marty" Kiar
Paige Kreegel
s/John Legg
Janet C. Long
Richard A. Machek
s/Charles McBurney
Matthew J. "Matt" Meadows
s/Mitch Needelman
s/Pat Patterson
s/Juan-Carlos "J.C." Planas
s/Stephen L. Precourt
Scott Randolph
Betty Reed
s/Garrett Richter
s/Julio Robaina
Dennis A. Ross
Franklin Sands, At Large
Ron Saunders, At Large
s/Ron Schultz
John P. "Jack" Seiler, At Large
Kelly Skidmore
Priscilla Taylor
s/Nicholas R. "Nick" Thompson
s/Anthony Trey Traviesa
Shelley Vana
s/Will W. Weatherford
s/Juan C. Zapata, At Large

Audrey Gibson
s/Richard "Rich" Glorioso
Denise Grimsley
s/Adam Hasner, At Large
s/Ed Homan
s/Dorothy L. Hukill
s/Will S. Kendrick
s/Dick Kravitz
Rick Kriseman
s/Marcelo Llorente
s/Carlos Lopez-Cantera
s/Stan Mayfield
s/Seth McKeel
s/Dave Murzin
s/Jimmy T. Patronis, Jr.
s/Joe H. Pickens
s/Ralph Poppell
s/William L. "Bill" Proctor
s/Ron Reagan
Curtis B. Richardson
s/David Rivera, At Large
Yolly Roberson
Maria Lorts Sachs
Anthony P. "Tony" Sasso III
s/Robert C. "Rob" Schenck
Michael J. Scionti
s/David Simmons, At Large
Darren Soto
Geraldine F. "Geri" Thompson
Perry E. Thurston, Jr.
s/Baxter G. Troutman
James W. "Jim" Waldman
Trudi K. Williams

Managers on the part of the House

Conference Committee Amendment (293944)(with title amendment)—Delete everything after the enacting clause and insert:

Section 1. *Section 20.331, Florida Statutes, is reenacted.*

Section 2. Subsection (2) of section 328.48, Florida Statutes, is amended to read:

328.48 Vessel registration, application, certificate, number, decal, duplicate certificate.—

(2) All vessels used on the waters of the state must be registered, either commercial or recreational as defined in this chapter, except as follows:

(a) A vessel used exclusively on private lakes and ponds.

(b) A vessel owned by the United States Government.

(c) A vessel used exclusively as a ship's lifeboat.

(d) A non-motor-powered vessel *less than 16 feet in length, and any non-motor-powered canoe, kayak, racing shell, or rowing scull, regardless of length*.

Section 3. Subsection (4) of section 328.56, Florida Statutes, is amended to read:

328.56 Vessel registration number.—Each vessel that is used on the waters of the state must display a commercial or recreational Florida registration number, unless it is:

(4) A non-motor-powered vessel *less than 16 feet in length, and any non-motor-powered canoe, kayak, racing shell, or rowing scull, regardless of length*.

Section 4. Subsections (1) and (14) of section 328.72, Florida Statutes, are amended to read:

328.72 Classification; registration; fees and charges; surcharge; disposition of fees; fines; marine turtle stickers.—

(1) VESSEL REGISTRATION FEE.—

(a) Vessels that are required to be registered shall be classified for registration purposes according to the following schedule, and the registration certificate fee shall be in the following amounts:

Class A-1—Less than 12 feet in length, and all canoes to which propulsion motors have been attached, regardless of length: *$5.50* ~~$3.50~~ for each 12-month period registered.

Class A-2—12 feet or more and less than 16 feet in length: *$16.25* ~~10.50~~ for each 12-month period registered.
(To county): 2.85 for each 12-month period registered.

Class 1—16 feet or more and less than 26 feet in length: *$28.75* ~~18.50~~ for each 12-month period registered.
(To county): 8.85 for each 12-month period registered.

Class 2—26 feet or more and less than 40 feet in length: *$78.25* ~~50.50~~ for each 12-month period registered.
(To county): 32.85 for each 12-month period registered.

Class 3—40 feet or more and less than 65 feet in length: *$127.75* ~~82.50~~ for each 12-month period registered.
(To county): 56.85 for each 12-month period registered.

Class 4—65 feet or more and less than 110 feet in length: *$152.75* ~~98.50~~ for each 12-month period registered.
(To county): 68.85 for each 12-month period registered.

Class 5—110 feet or more in length: *$189.75* ~~122.50~~ for each 12-month period registered.
(To county): 86.85 for each 12-month period registered.

Dealer registration certificate: *$25.50* ~~16.50~~ for each 12-month period registered.

The county portion of the vessel registration fee is derived from recreational vessels only.

(b) In 2013 and every 5 years thereafter, vessel registration fees shall be adjusted by the percentage change in the Consumer Price Index for All Urban Consumers since the fees were last adjusted, unless otherwise provided by general law. By February 1 of each year in which an adjustment is scheduled to occur, the Fish and Wildlife Conservation Commission shall submit a report to the President of the Senate and the Speaker of the House of Representatives detailing how the increase in vessel registration fees will be used within the agency. The vessel registration fee increases shall take effect July 1 of each adjustment year.

(14) EXEMPTIONS.—*The following vessels are exempt from provisions of subsection (1):*

(a) A vessel that is ~~Vessels~~ owned and operated by Sea Explorer or Sea Scout units of the Boy Scouts of America, the Girl Scouts of America, the Florida Association of Christian Child Caring Agencies, Inc., Safe Harbor Haven, Inc., or the Associated Marine Institutes, Inc., and its affiliates~~, or which are~~

(b) An antique *vessel* ~~vessels~~ as defined in paragraph (2)(a) ~~are exempt from the provisions of subsection (1)~~.

(c) A non-motor-powered sailing vessel that is owned by a nonprofit entity and used exclusively for teaching boating safety, boat handling, or seamanship skills, including the racing of such sailing vessels.

Such vessels shall be issued certificates of registration and numbers upon application and payment of the service fee provided in subsection (7).

Section 5. Subsection (1) of section 372.57, Florida Statutes, is amended to read:

372.57 Recreational licenses, permits, and authorization numbers; fees established.—

(1) LICENSE, PERMIT, OR AUTHORIZATION NUMBER REQUIRED.—

(a) Except as provided in s. 372.562, no person shall take game, freshwater or saltwater fish, or fur-bearing animals within this state without having first obtained a license, permit, or authorization number and paid the fees set forth in this chapter. Such license, permit, or authorization number shall authorize the person to whom it is issued to take game, freshwater or saltwater fish, or fur-bearing animals, and participate in outdoor recreational activities in accordance with the laws of the state and rules of the commission.

(b) In 2013 and every 5 years thereafter, license and permit fees established in subsections (4) and (5) shall be adjusted by the percentage change in the Consumer Price Index for All Urban Consumers since the fees were last adjusted, unless otherwise provided by general law. By February 1 of each year in which an adjustment is scheduled to occur, the Fish and Wildlife Conservation Commission shall submit a report to the President of the Senate and the Speaker of the House of Representatives detailing how the increase in license and permit fees will be used within the agency. The license and permit fee increases shall take effect July 1 of each adjustment year.

Section 6. *The Office of Program Policy Analysis and Government Accountability is directed to review and compare the Fish and Wildlife Conservation Commission's public relations and outreach staffing levels in its Executive Direction and Administrative Services division to an agency of similar makeup and size in order to determine whether any efficiencies can be achieved through restructuring or downsizing. The office shall provide its findings and recommendations in the form of a report to the President of the Senate and the Speaker of the House of Representatives by January 1, 2009.*

Section 7. *The Office of Program Policy Analysis and Government Accountability is directed to review the outreach and education activities of the Fish and Wildlife Conservation Commission's Freshwater Fisheries and Marine Fisheries Management divisions in order to determine if there is any duplication of efforts with other state agencies or if efficiencies can be achieved through restructuring or combining programs. The office shall provide its findings and recommendations in the form of a report to the President of the Senate and the Speaker of the House of Representatives by January 1, 2009.*

Section 8. *The Fish and Wildlife Conservation Commission is directed to complete a 5-year "Air Station" conceptual plan, designed to improve agency aircraft operations and maintenance efficiency, and provide its finding and recommendations in a report to the President of the Senate and the Speaker of the House of Representatives by January 1, 2009.*

Section 9. *The Fish and Wildlife Conservation Commission is directed to review its current land management activities and provide recommendations for combining duplicative activities with other state agencies or for outsourcing activities in order to gain efficiencies or create cost-saving benefits. The commission shall provide its findings and recommendations in a report to the President of the Senate and the Speaker of the House of Representatives by January 1, 2009.*

Section 10. *The Fish and Wildlife Conservation Commission is directed to conduct a cost-benefit analysis of the activities of the Fish and Wildlife Research Institute (FWRI), such as, but not limited to, its geographic information system (GIS) technical support, and provide recommendations on any efficiencies or cost-savings benefits that may be gained from outsourcing those activities. The commission shall provide its findings and recommendations in a report to the President of the Senate and the Speaker of the House of Representatives by January 1, 2009.*

Section 11. *Sections 372.107, 372.5714, 372.673, and 372.992, Florida Statutes, are repealed.*

Section 12. This act shall take effect July 1, 2008.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to the Fish and Wildlife Conservation Commission; reenacting s. 20.331, F.S., relating to the establishment of the commission; amending ss. 328.48 and 328.56, F.S., relating to vessel registration and vessel registration numbers; clarifying the term "non-motor-powered vessel" for purposes of an exception from registration requirements; amending s. 328.72, F.S., relating to vessel registration fees; increasing such fees for all vessels requiring registration; providing for future adjustment of the vessel registration fees based on the percentage change in the Consumer Pricing Index; requiring the Fish and

Wildlife Conservation Commission to report to the Legislature on how the increase in fees will be used; exempting certain non-motor-powered vessels from requirements concerning vessel registration fees; amending s. 372.57, F.S., relating to recreational hunting and fishing licenses; providing for future adjustment of the recreational hunting and fishing licenses based on the percentage change in the Consumer Pricing Index; requiring the Fish and Wildlife Conservation Commission to report to the Legislature on how the increase in license and permit fees will be used; requiring the Office of Program Policy Analysis and Government Accountability to review and report on the Fish and Wildlife Conservation Commission's public relations, outreach, and education activities and staffing levels by a date certain; requiring the Fish and Wildlife Conservation Commission to review and report on specific activities within the agency by a date certain; repealing sections 372.107, 372.5714, 372.673, and 372.992, F.S., relating to the Federal Law Enforcement Trust Fund, the Waterfowl Advisory Council, the Florida Panther Technical Advisory Council, and the Nongame Wildlife Advisory Council; providing an effective date.

The Conference Committee Report was read and on motion by Senator Alexander was adopted. **CS for CS for SB 1286** passed as amended by the Conference Committee Report and was certified to the House together with the Conference Committee Report. The vote on passage was:

Yeas—35

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Atwater	Gaetz	Peaden
Baker	Garcia	Rich
Bennett	Geller	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wise
Diaz de la Portilla	Lynn	

Nays—None

Vote after roll call:

Yea—Posey

Nay—Haridopolos

By direction of the President the following Conference Committee Report was read:

CONFERENCE COMMITTEE REPORT ON CS for CS for SB 1294

The Honorable Ken Pruitt April 28, 2008
President of the Senate

The Honorable Marco Rubio
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on CS for CS for SB 1294, same being:

An act relating to **Department of Environmental Protection**; reenacting and amending a specified provision under the Florida Government Accountability Act relating to the establishment of the Department of Environmental Protection (DEP), requiring a dry-cleaning facility to display a current and valid DEP certificate of registration. Conforming the definition of the term "regulated air pollutant" to changes made in the federal Clean Air Act, etc.;

having met, and after full and free conference, do recommend to their respective houses as follows:

1. That the House recede from House Amendment 767797;

2. That the Senate and House of Representatives adopt the Conference Committee Amendment 929760 to CS for CS for SB 1294 attached hereto, and by reference made a part of this report.

s/Lisa Carlton
Chair
s/JD Alexander
s/Carey Baker
s/Larcenia J. Bullard
s/Victor D. Crist
s/Charles Dean
s/Alex Diaz de la Portilla
s/Mike Fasano
Rudy Garcia
s/Mike Haridopolos
s/Dennis L. Jones
s/Charlie Justice
s/Alfred "Al" Lawson, Jr.
s/Gwen Margolis
s/Durell Peaden, Jr.
s/Nan H. Rich
s/Burt L. Saunders
s/Ronda Storms
s/Daniel Webster, At Large
s/Stephen R. Wise

s/Jeff Atwater
Vice Chair
s/Dave Aronberg
s/Michael S. "Mike" Bennett
s/Lee Constantine
s/M. Mandy Dawson
s/Ted Deutch
Paula Dockery,
s/Don Gaetz
Steven A. Geller, At Large
s/Anthony C. "Tony" Hill, Sr.
s/Arthenia L. Joyner
s/James E. King, Jr., At Large
s/Evelyn J. Lynn
s/Steve Oelrich
s/Bill Posey
s/Jeremy Ring
s/Gary Siplin
J. Alex Villalobos
s/Frederica S. Wilson

Managers on the part of the Senate

s/Ray Sansom
Chair and At Large
s/Kevin C. Ambler
s/Gary Aubuchon
s/Aaron P. Bean
s/Ellyn Setnor Bogdanoff,
At Large
Debbie Boyd
Ronald A. Brisé
s/Dean Cannon
Charles S. "Chuck" Chestnut IV
s/Larry Cretul, At Large
Joyce Cusack, At Large
Chris Dorworth
Keith Fitzgerald
s/Bill Galvano
s/Andy Gardiner
Joseph A. "Joe" Gibbons
s/Hugh H. Gibson III
s/Michael J. Grant
s/Gayle B. Harrell
s/D. Alan Hays
s/Matt Hudson
s/Kurt Kelly
Martin David "Marty" Kiar
Paige Kreegel
s/John Legg
Janet C. Long
Richard A. Machek
s/Charles McBurney
Matthew J. "Matt" Meadows
s/Mitch Needelman
s/Pat Patterson
s/Juan-Carlos "J.C." Planas
s/Stephen L. Precourt
Scott Randolph
Betty Reed
s/Garrett Richter
s/Julio Robaina
Dennis A. Ross
Franklin Sands, At Large
Ron Saunders, At Large
s/Ron Schultz
John P. "Jack" Seiler, At Large
Kelly Skidmore
Priscilla Taylor
s/Nicholas R. "Nick" Thompson
s/Anthony Trey Traviesa
Shelley Vana
s/Will W. Weatherford
s/Juan C. Zapata, At Large

s/Sandra "Sandy" Adams
s/Thad Altman
s/Frank Attkisson
Loranne Ausley
Dorothy Bendross-Mindingall
s/Marsha L. "Marty" Bowen,
At Large
Mary Brandenburg
Susan Bucher
s/Jennifer Carroll
s/Marti Coley
s/Faye B. Culp
s/Carl J. Domino
s/Greg Evers
s/Anitere Flores, At Large
s/Rene Garcia
Dan Gelber, At Large
Audrey Gibson
s/Richard "Rich" Glorioso
Denise Grimsley
s/Adam Hasner, At Large
s/Ed Homan
s/Dorothy L. Hukill
s/Will S. Kendrick
s/Dick Kravitz
Rick Kriseman
s/Marcelo Llorente
s/Carlos Lopez-Cantera
s/Stan Mayfield
s/Seth McKeel
s/Dave Murzin
s/Jimmy T. Patronis, Jr.
s/Joe H. Pickens
s/Ralph Poppell
s/William L. "Bill" Proctor
s/Ron Reagan
Curtis B. Richardson
s/David Rivera, At Large
Yolly Roberson
Maria Lorts Sachs
Anthony P. "Tony" Sasso III
s/Robert C. "Rob" Schenck
Michael J. Scionti
s/David Simmons, At Large
Darren Soto
Geraldine F. "Geri" Thompson
Perry E. Thurston, Jr.
s/Baxter G. Troutman
James W. "Jim" Waldman
Trudi K. Williams

Managers on the part of the House

Conference Committee Amendment (929760)(with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Section 20.255, Florida Statutes, is reenacted and amended to read:

20.255 Department of Environmental Protection.—There is created a Department of Environmental Protection.

(1) The head of the Department of Environmental Protection shall be a secretary, who shall be appointed by the Governor, with the concurrence of three or more members of the Cabinet. The secretary shall be confirmed by the Florida Senate. The secretary shall serve at the pleasure of the Governor.

(2)(a) There shall be three deputy secretaries who are to be appointed by and shall serve at the pleasure of the secretary. The secretary may assign any deputy secretary the responsibility to supervise, coordinate, and formulate policy for any division, office, or district. The following special offices are established and headed by managers, each of whom is to be appointed by and serve at the pleasure of the secretary:

1. Office of Chief of Staff*;*~~,~~

2. Office of General Counsel*;*~~,~~

3. Office of Inspector General*;*~~,~~

4. Office of External Affairs*;*~~,~~

5. Office of Legislative ~~and Government~~ Affairs*;*~~, and~~

6. Office of Intergovernmental Programs; and

7.~~6.~~ Office of Greenways and Trails.

(b) There shall be six administrative districts involved in regulatory matters of waste management, water resource management, wetlands, and air resources, which shall be headed by managers, each of whom is to be appointed by and serve at the pleasure of the secretary. Divisions of the department may have one assistant or two deputy division directors, as required to facilitate effective operation.

The managers of all divisions and offices specifically named in this section and the directors of the six administrative districts are exempt from part II of chapter 110 and are included in the Senior Management Service in accordance with s. 110.205(2)(j).

(3) The following divisions of the Department of Environmental Protection are established:

(a) Division of Administrative Services.

(b) Division of Air Resource Management.

(c) Division of Water Resource Management.

(d) Division of Law Enforcement.

(e) Division of *Environmental Assessment and Restoration* ~~Resource Assessment and Management~~.

(f) Division of Waste Management.

(g) Division of Recreation and Parks.

(h) Division of State Lands, the director of which is to be appointed by the secretary of the department, subject to confirmation by the Governor and Cabinet sitting as the Board of Trustees of the Internal Improvement Trust Fund.

In order to ensure statewide and intradepartmental consistency, the department's divisions shall direct the district offices and bureaus on matters of interpretation and applicability of the department's rules and programs.

(4) Law enforcement officers of the Department of Environmental Protection who meet the provisions of s. 943.13 are constituted law enforcement officers of this state with full power to investigate and arrest for any violation of the laws of this state, and the rules of the department and the Board of Trustees of the Internal Improvement Trust Fund. The general laws applicable to investigations, searches, and arrests by peace officers of this state apply to such law enforcement officers.

(5) Records and documents of the Department of Environmental Protection shall be retained by the department as specified in record retention schedules established under the general provisions of chapters 119 and 257. Further, the department is authorized to:

(a) Destroy, or otherwise dispose of, those records and documents in conformity with the approved retention schedules.

(b) Photograph, microphotograph, or reproduce such records and documents on film, as authorized and directed by the approved retention schedules, whereby each page will be exposed in exact conformity with the original records and documents retained in compliance with the provisions of this section. Photographs or microphotographs in the form of film or print of any records, made in compliance with the provisions of this section, shall have the same force and effect as the originals thereof would have and shall be treated as originals for the purpose of their admissibility in evidence. Duly certified or authenticated reproductions of such photographs or microphotographs shall be admitted in evidence equally with the original photographs or microphotographs. The impression of the seal of the Department of Environmental Protection on a certificate made by the department and signed by the Secretary of Environmental Protection entitles the certificate to be received in all courts and in all proceedings in this state and is prima facie evidence of all factual matters set forth in the certificate. A certificate may relate to one or more records as set forth in the certificate or in a schedule attached to the certificate.

(6) The Department of Environmental Protection may require that bond be given by any employee of the department, payable to the Governor of the state and the Governor's successor in office, for the use and benefit of those whom it concerns, in such penal sums and with such good and sufficient surety or sureties as are approved by the department, conditioned upon the faithful performance of the duties of the employee.

(7) There is created as a part of the Department of Environmental Protection an Environmental Regulation Commission. The commission shall be composed of seven residents of this state appointed by the Governor, subject to confirmation by the Senate. In making appointments, the Governor shall provide reasonable representation from all sections of the state. Membership shall be representative of agriculture, the development industry, local government, the environmental community, lay citizens, and members of the scientific and technical community who have substantial expertise in the areas of the fate and transport of water pollutants, toxicology, epidemiology, geology, biology, environmental sciences, or engineering. The Governor shall appoint the chair, and the vice chair shall be elected from among the membership. All appointments shall be for 4-year terms. The Governor may at any time fill a vacancy for the unexpired term. The members of the commission shall serve without compensation, but shall be paid travel and per diem as provided in s. 112.061 while in the performance of their official duties. Administrative, personnel, and other support services necessary for the commission shall be furnished by the department. *The commission may employ independent counsel and contract for the services of outside technical consultants.*

(8) The department is the agency of state government responsible for collecting and analyzing information concerning energy resources in this state; for coordinating the energy conservation programs of state agencies; and for coordinating the development, review, and implementation of the state's energy policy.

Section 2. Section 211.3103, Florida Statutes, is amended to read:

211.3103 Levy of tax on severance of phosphate rock; rate, basis, and distribution of tax.—

(1) There is hereby levied an excise tax upon every person engaging in the business of severing phosphate rock from the soils or waters of this state for commercial use. The tax shall be collected, administered, and enforced by the department.

~~(2) Beginning July 1, 2003, the proceeds of all taxes, interest, and penalties imposed under this section shall be paid into the State Treasury as follows:~~

~~(a) The first $10 million in revenue collected from the tax during each fiscal year shall be paid to the credit of the Conservation and Recreation Lands Trust Fund.~~

~~(b) The remaining revenues collected from the tax during that fiscal year, after the required payment under paragraph (a), shall be paid into the State Treasury as follows:~~

~~1. For payment to counties in proportion to the number of tons of phosphate rock produced from a phosphate rock matrix located within such political boundary, 18.75 percent. The department shall distribute this portion of the proceeds annually based on production information reported by the producers on the annual returns for the taxable year. Any such proceeds received by a county shall be used only for phosphate-related expenses.~~

~~2. For payment to counties that have been designated a rural area of critical economic concern pursuant to s. 288.0656 in proportion to the number of tons of phosphate rock produced from a phosphate rock matrix located within such political boundary, 15 percent. The department shall distribute this portion of the proceeds annually based on production information reported by the producers on the annual returns for the taxable year.~~

~~3. To the credit of the Phosphate Research Trust Fund in the Department of Education, 11.25 percent.~~

~~4. To the credit of the Minerals Trust Fund, 11.25 percent.~~

~~5. To the credit of the Nonmandatory Land Reclamation Trust Fund, 43.75 percent.~~

(2)~~(3)~~ Beginning July 1, 2004, the proceeds of all taxes, interest, and penalties imposed under this section shall be paid into the State Treasury as follows:

(a) The first $10 million in revenue collected from the tax during each fiscal year shall be paid to the credit of the Conservation and Recreation Lands Trust Fund.

(b) The remaining revenues collected from the tax during that fiscal year, after the required payment under paragraph (a), shall be paid into the State Treasury as follows:

1. To the credit of the General Revenue Fund of the state, 40.1 percent.

2. For payment to counties in proportion to the number of tons of phosphate rock produced from a phosphate rock matrix located within such political boundary, 16.5 percent. The department shall distribute this portion of the proceeds annually based on production information reported by the producers on the annual returns for the taxable year. Any such proceeds received by a county shall be used only for phosphate-related expenses.

3. For payment to counties that have been designated a rural area of critical economic concern pursuant to s. 288.0656 in proportion to the number of tons of phosphate rock produced from a phosphate rock matrix located within such political boundary, 13 percent. The department shall distribute this portion of the proceeds annually based on production information reported by the producers on the annual returns for the taxable year. Payments under this subparagraph shall be made to the counties unless the Legislature by special act creates a local authority to promote and direct the economic development of the county. If such authority exists, payments shall be made to that authority.

4. To the credit of the Phosphate Research Trust Fund in the Division of Universities of the Department of Education, 9.3 percent.

5. To the credit of the Minerals Trust Fund, 10.7 percent.

6. To the credit of the Nonmandatory Land Reclamation Trust Fund, 10.4 percent.

(3)~~(4)~~ Beginning July 1, 2003, and annually thereafter, the Department of Environmental Protection may use up to $2 million of the funds in the Nonmandatory Land Reclamation Trust Fund to purchase a surety bond or a policy of insurance, the proceeds of which would pay the cost of restoration, reclamation, and cleanup of any phosphogypsum stack system and phosphate mining activities in the event that an operator or permittee thereof has been subject to a final order of bankruptcy and all funds available therefrom are determined to be inadequate to accomplish such restoration, reclamation, and cleanup. This section does not imply that such operator or permittee is thereby relieved of its obligations or relieved of any liabilities pursuant to any other remedies at law, administrative remedies, statutory remedies, or remedies pursuant to bankruptcy law. The department shall adopt rules to implement this subsection, including the purchase and oversight of the bond or policy.

(4)~~(5)~~ Funds distributed pursuant to subparagraphs *(2)(b)3.* ~~(2)(b)2.~~ and *(11)(e)4.* ~~(3)(b)3.~~ shall be used for:

(a) Planning, preparing, and financing of infrastructure projects for job creation and capital investment, especially those related to industrial and commercial sites. Infrastructure investments may include the following public or public-private partnership facilities: stormwater systems, telecommunications facilities, roads or other remedies to transportation impediments, nature-based tourism facilities, or other physical requirements necessary to facilitate trade and economic development activities.

(b) Maximizing the use of federal, local, and private resources, including, but not limited to, those available under the Small Cities Community Development Block Grant Program.

(c) Projects that improve inadequate infrastructure that has resulted in regulatory action that prohibits economic or community growth, if such projects are related to specific job creation or job retention opportunities.

(5)~~(6)~~ Beginning January 1, 2004, the tax rate shall be the base rate of $1.62 per ton severed.

(6)~~(7)~~ Beginning January 1, 2005, and annually thereafter, the tax rate shall be the base rate times the base rate adjustment for the tax year as calculated by the department in accordance with subsection *(8)* ~~(9)~~.

(7)~~(8)~~ The excise tax levied by this section shall apply to the total production of the producer during the taxable year, measured on the basis of bone-dry tons produced at the point of severance.

(8)~~(9)~~(a) On or before March 30, 2004, and annually thereafter, the department shall calculate the base rate adjustment, if any, for phosphate rock based on the change in the unadjusted annual producer price index for the prior calendar year in relation to the unadjusted annual producer price index for calendar year 1999.

(b) For the purposes of determining the base rate adjustment for any year, the base rate adjustment shall be a fraction, the numerator of which is the unadjusted annual producer price index for the prior calendar year and the denominator of which is the unadjusted annual producer price index for calendar year 1999.

(c) The department shall provide the base rate, the base rate adjustment, and the resulting tax rate to affected producers by written notice on or before April 15 of the current year.

(d) If the producer price index for phosphate rock is substantially revised, the department shall make appropriate adjustment in the method used to compute the base rate adjustment under this subsection which will produce results reasonably consistent with the result that would have been obtained if the producer price index for phosphate rock had not been revised. However, the tax rate shall not be less than *$1.51* ~~$1.56~~ per ton severed.

(e) If the producer price index for phosphate rock is discontinued, a comparable index shall be selected by the department and adopted by rule.

(9)~~(10)~~ The excise tax levied on the severance of phosphate rock shall be in addition to any ad valorem taxes levied upon the separately assessed mineral interest in the real property upon which the site of severance is located, or any other tax, permit, or license fee imposed by the state or its political subdivisions.

(10)~~(11)~~ The tax levied by this section shall be collected in the manner prescribed in s. 211.33.

(11)(a) Beginning July 1, 2008, there is hereby levied a surcharge of $1.38 per ton severed in addition to the excise tax levied by this section. The surcharge shall be levied until the last day of the calendar quarter in which the total revenue generated by the surcharge equals $60 million. Revenues derived from the surcharge shall be deposited into the Nonmandatory Land Reclamation Trust Fund and shall be exempt from the general revenue service charge provided in s. 215.20. Revenues derived from the surcharge shall be used to augment funds appropriated for the rehabilitation, management, and closure of the Piney Point and Mulberry sites and for approved reclamation of nonmandatory lands in accordance with chapter 378. A minimum of 75 percent of the revenues from the surcharge shall be dedicated to the Piney Point and Mulberry sites.

(b) Beginning July 1, 2008, the excise tax rate shall be $1.945 per ton severed and the base rate adjustment provided in subsection (6) shall not apply.

(c) Beginning July 1 of the fiscal year following the date on which the amount of revenues collected from the surcharge equals or exceeds $60 million, the tax rate shall be the base rate of $1.51 per ton severed and the base rate adjustment provided in subsection (6) shall not apply until the conditions of paragraph (d) are met.

(d) Beginning July 1 of the fiscal year following the date on which a taxpayer's surcharge offset equals or exceeds the total amount of surcharge remitted by such taxpayer under paragraph (a), and each year thereafter, the excise tax rate levied on such taxpayer shall be adjusted as provided in subsection (6). The surcharge offset for each taxpayer is an amount calculated by the department equal to the cumulative difference between the amount of excise tax that would have been collected under subsections (5) and (6) and the excise tax collected under paragraph (c) from such taxpayer.

(e) Beginning July 1 of the fiscal year after the revenues from the surcharge equal $60 million, the proceeds of all taxes, interest, and penalties imposed under this section shall be exempt from the general revenue service charge provided in s. 215.20, and shall be paid into the State Treasury as follows:

1. To the credit of the Conservation and Recreation Lands Trust Fund, 25.5 percent.

2. To the credit of the General Revenue Fund of the state, 37 percent.

3. For payment to counties in proportion to the number of tons of phosphate rock produced from a phosphate rock matrix located within such political boundary, 13.6 percent. The department shall distribute this portion of the proceeds annually based on production information reported by the producers on the annual returns for the taxable year. Any such proceeds received by a county shall be used only for phosphate-related expenses.

4. For payment to counties that have been designated a rural area of critical economic concern pursuant to s. 288.0656 in proportion to the number of tons of phosphate rock produced from a phosphate rock matrix located within such political boundary, 10.7 percent. The department shall distribute this portion of the proceeds annually based on production information reported by the producers on the annual returns for the taxable year. Payments under this subparagraph shall be made to the counties unless the Legislature by special act creates a local authority to promote and direct the economic development of the county. If such authority exists, payments shall be made to that authority.

5. To the credit of the Nonmandatory Land Reclamation Trust Fund, 6.6 percent.

6. To the credit of the Phosphate Research Trust Fund in the Division of Universities of the Department of Education, 6.6 percent.

(f) For purposes of this section, "phosphate-related expenses" means those expenses that provide for infrastructure or services in support of the phosphate industry, reclamation or restoration of phosphate lands, community infrastructure on such reclaimed lands, and similar expenses directly related to support of the industry.

Section 3. Subsection (1) of section 253.002, Florida Statutes, is amended to read:

253.002 Department of Environmental Protection, water management districts, and Department of Agriculture and Consumer Services; duties with respect to state lands.—

(1) The Department of Environmental Protection shall perform all staff duties and functions related to the acquisition, administration, and disposition of state lands, title to which is or will be vested in the Board of Trustees of the Internal Improvement Trust Fund. However, upon the effective date of rules adopted pursuant to s. 373.427, a water management district created under s. 373.069 shall perform the staff duties and functions related to the review of any application for authorization to use board of trustees-owned submerged lands necessary for an activity regulated under part IV of chapter 373 for which the water management district has permitting responsibility as set forth in an operating agreement adopted pursuant to s. 373.046(4); and the Department of Agriculture and Consumer Services shall perform the staff duties and functions related to the review of applications and compliance with conditions for use of board of trustees-owned submerged lands under authorizations or leases issued pursuant to ss. 253.67-253.75 and 597.010. Unless expressly prohibited by law, the board of trustees may delegate to the department any statutory duty or obligation relating to the acquisition, administration, or disposition of lands, title to which is or will be vested in the board of trustees. The board of trustees may also delegate to any water management district created under s. 373.069 the authority to take final agency action, without any action on behalf of the board, on applications for authorization to use board of trustees-owned submerged lands for any activity regulated under part IV of chapter 373 for which the water management district has permitting responsibility as set forth in an operating agreement adopted pursuant to s. 373.046(4). This water management district responsibility under this subsection shall be subject to the department's general supervisory authority pursuant to s. 373.026(7). The board of trustees may also delegate to the Department of Agriculture and Consumer Services the authority to take final agency action on behalf of the board on applications to use board of trustees-owned submerged lands for any activity for which that department has responsibility pursuant to ss. 253.67-253.75 and 597.010. However, the board of trustees shall retain the authority to take final agency action on establishing any areas for leasing, new leases, expanding existing lease areas, or changing the type of lease activity in existing leases. Upon issuance of an aquaculture lease or other real property transaction relating to aquaculture, the Department of Agriculture and Consumer Services must send a copy of the document and the accompanying survey to the Department of Environmental Protection. *The board of trustees may also delegate to the Fish and Wildlife Conservation Commission the authority to take final agency action, without any action on behalf of the board, on applications for authorization to use board of trustees-owned submerged lands for any activity regulated under s. 369.20.*

Section 4. Subsection (15) of section 373.414, Florida Statutes, is amended to read:

373.414 Additional criteria for activities in surface waters and wetlands.—

(15) Activities associated with mining operations as defined by and subject to ss. 378.201-378.212 and 378.701-378.703 and included in a conceptual reclamation plan or modification application submitted prior to July 1, 1996, shall continue to be reviewed under the rules of the department adopted pursuant to ss. 403.91-403.929, 1984 Supplement to the Florida Statutes 1983, as amended, the rules of the water management districts under this part, and interagency agreements, in effect on January 1, 1993. Such activities shall be exempt from rules adopted pursuant to subsection (9) and the statewide methodology ratified pursuant to s. 373.4211. As of January 1, 1994, such activities may be issued permits authorizing construction for the life of the mine. *Lands added to a conceptual reclamation plan subject to this subsection through a modification submitted after July 1, 1996, which are contiguous to the conceptual reclamation plan area shall be exempt from rules adopted under subsection (9), except that the total acreage of the conceptual reclamation plan may not be increased through such modification and the cumulative acreage added may not exceed 3 percent of the conceptual reclamation plan area. Lands that have been mined or disturbed by mining activities, lands subject to a conservation easement under which the grantee is a state or federal regulatory agency, and lands otherwise preserved as part of a permitting review may not be removed from the conceptual reclamation land area under this subsection.*

Section 5. Subsection (3) is added to section 378.205, Florida Statutes, to read:

378.205 Administration; powers and duties of the department; agency review responsibility.—

(3) Administrative challenges to proposed state agency actions regarding phosphate mines and reclamation pursuant to this chapter or part IV of chapter 373 are subject to the summary hearing provisions of s. 120.574, except that the summary proceeding must be conducted within 90 days after a party files a motion for summary hearing, regardless of whether the parties agree to the summary proceeding and the administrative law judge's decision is a recommended order and not a final order.

Section 6. Section 369.20, Florida Statutes, is amended to read:

369.20 Florida Aquatic Weed Control Act.—

(1) This act shall be known as the "Florida Aquatic Weed Control Act."

(2) The *Fish and Wildlife Conservation Commission* ~~Department of Environmental Protection~~ shall direct the control, eradication, and regulation of noxious aquatic weeds and direct the research and planning related to these activities, as provided in this section, ~~excluding the authority to use fish as a biological control agent,~~ so as to protect human health, safety, and recreation and, to the greatest degree practicable, prevent injury to plant and animal life and property.

(3) It shall be the duty of the *commission* ~~department~~ to guide and coordinate the activities of all public bodies, authorities, agencies, and special districts charged with the control or eradication of aquatic weeds and plants. It may delegate all or part of such functions to *any appropriate state agency, special district, unit of local or county government, commission, authority, or other public body* ~~the Fish and Wildlife Conservation Commission~~.

(4) The *commission* ~~department~~ shall also promote, develop, and support research activities directed toward the more effective and efficient control of aquatic plants. In the furtherance of this purpose, the *commission* ~~department~~ is authorized to:

(a) Accept donations and grants of funds and services from both public and private sources;

(b) Contract or enter into agreements with public or private agencies or corporations for research and development of aquatic plant control methods or for the performance of aquatic plant control activities;

(c) Construct, acquire, operate, and maintain facilities and equipment; and

(d) Enter upon, or authorize the entry upon, private property for purposes of making surveys and examinations and to engage in aquatic plant control activities; and such entry shall not be deemed a trespass.

(5) The *commission* ~~Department of Environmental Protection~~ may disburse funds to any special district or other local authority charged with the responsibility of controlling or eradicating aquatic plants, upon:

~~(a) Receipt of satisfactory proof that such district or authority has sufficient funds on hand to match the state funds herein referred to on an equal basis;~~

(a)~~(b)~~ Approval by the *commission* ~~department~~ of the control techniques to be used by the district or authority; and

(b)~~(c)~~ Review and approval of the program of the district or authority by the *commission* ~~department to be in conformance with the state control plan~~.

(6) The *commission* ~~department~~ shall adopt rules pursuant to ss. 120.536(1) and 120.54 to implement provisions of this section conferring powers or duties upon it and perform any other acts necessary for the proper administration, enforcement, or interpretation of this section, including creating general permits and exemptions and adopting rules and forms governing reports.

(7) No person or public agency shall control, eradicate, remove, or otherwise alter any aquatic weeds or plants in waters of the state unless a permit for such activity has been issued by the *commission* ~~department, or~~ unless the activity *or* ~~is in~~ waters *are* expressly exempted by *commission* ~~department~~ rule. The *commission* ~~department~~ shall develop standards by rule which shall address, at a minimum, chemical, biological, and mechanical control activities; an evaluation of the benefits of such activities to the public; specific criteria recognizing the differences between natural and artificially created waters; and the different amount and quality of littoral vegetation on various waters. Applications for a permit to engage in aquatic plant control activities*, including applications to engage in control activities on sovereign submerged lands,* shall be made to the *commission* ~~department~~. In reviewing such applications, the *commission* ~~department~~ shall consider the criteria set forth in subsection (2) *and, in accordance with applicable rules, take final agency action on permit applications for the use of aquatic plant control activities on sovereign submerged lands*.

(8) As an exemption to all permitting requirements in this section and ss. 369.22 and 369.25, in all freshwater bodies, except aquatic preserves designated under chapter 258 and Outstanding Florida Waters designated under chapter 403, a riparian owner may physically or mechanically remove herbaceous aquatic plants and semiwoody herbaceous plants, such as shrub species and willow, within an area delimited by up to 50 percent of the property owner's frontage or 50 feet, whichever is less, and by a sufficient length waterward from, and perpendicular to, the riparian owner's shoreline to create a corridor to allow access for a boat or swimmer to reach open water. All unvegetated areas shall be cumulatively considered when determining the width of the exempt corridor. Physical or mechanical removal does not include the use of any chemicals or any activity that requires a permit pursuant to part IV of chapter 373.

(9) A permit issued pursuant to this section for the application of herbicides to waters in the state for the control of aquatic plants, algae, or invasive exotic plants is exempt from the requirement to obtain a water pollution operation permit pursuant to s. 403.088.

(10) Notwithstanding s. 369.25, the commission may collect aquatic plants to be used for habitat enhancement, research, education, and for other purposes as necessary to implement the provisions of this section.

(11) The commission may quarantine or confiscate noxious aquatic plant material incidentally adhering to a boat or boat trailer.

(12) The commission may conduct a public information program, including, but not limited to, erection of road signs, in order to inform the public and interested parties of this section and its associated rules and of the dangers of noxious aquatic plant introductions.

Section 7. Section 369.22, Florida Statutes, is amended to read:

369.22 ~~Nonindigenous~~ Aquatic plant *management* ~~control~~.—

(1) This section shall be known as the "Florida ~~Nonindigenous~~ Aquatic Plant *Management* ~~Control~~ Act."

(2) For the purpose of this section, the following words and phrases shall have the following meanings:

(a) *"Commission" means the Fish and Wildlife Conservation Commission* ~~"Department" means the Department of Environmental Protection~~.

(b) "Aquatic plant" is any plant growing in, or closely associated with, the aquatic environment and includes "floating," "emersed," "submersed," and "ditch bank" species.

~~(c) "Nonindigenous aquatic plant" is any aquatic plant that is nonnative to the State of Florida and has certain characteristics, such as massive productivity, choking density, or an obstructive nature, which render it detrimental, obnoxious, or unwanted in a particular location.~~

(c)~~(d)~~ A "maintenance program" is a method for the *management* ~~control~~ of ~~nonindigenous~~ aquatic plants in which control techniques are utilized in a coordinated manner ~~on a continuous basis in order to maintain the plant population at the lowest feasible level~~ as determined by the *commission* ~~department~~.

(d)~~(e)~~ An "eradication program" is a method for the *management* ~~control~~ of ~~nonindigenous~~ aquatic plants in which control techniques are utilized in a coordinated manner in an attempt to kill all the aquatic plants on a permanent basis in a given geographical area.

(e)~~(f)~~ A "complaint spray program" is a method for the *management* ~~control~~ of ~~nonindigenous~~ aquatic plants in which weeds are allowed to grow unhindered to a given level of undesirability, at which point eradication techniques are applied in an effort to restore the area in question to a relatively low level of infestation.

(f)~~(g)~~ "Waters" means rivers, streams, lakes, navigable waters and associated tributaries, canals, meandered lakes, enclosed water systems, and any other bodies of water.

~~(h) "Intercounty waters" means any waters which lie in more than one county or form any part of the boundary between two or more counties, as determined by the department.~~

~~(i) "Intracounty waters" means any waters which lie wholly within the boundaries of one county as determined by the department.~~

(g)~~(j)~~ "Districts" means the six water management districts created by law and named, respectively, the Northwest Florida Water Management District, the Suwannee River Water Management District, the St. Johns River Water Management District, the Southwest Florida Water Management District, the Central and Southern Florida Flood Control District, and the Ridge and Lower Gulf Coast Water Management District; and on July 1, 1975, shall mean the five water management districts created by chapter 73-190, Laws of Florida, and named, respectively, the Northwest Florida Water Management District, the Suwannee River Water Management District, the St. Johns River Water Management District, the Southwest Florida Water Management District, and the South Florida Water Management District.

(3) The Legislature recognizes that the uncontrolled growth of ~~nonindigenous~~ aquatic plants in the waters of Florida poses a variety of environmental, health, safety, and economic problems. The Legislature acknowledges the responsibility of the state to cope with the uncontrolled and seemingly never-ending growth of ~~nonindigenous~~ aquatic plants in the waters throughout Florida. It is, therefore, the intent of the Legislature that the state policy for the *management* ~~control~~ of ~~nonindigenous~~ aquatic plants in waters of state responsibility be carried out under the general supervision and control of the *commission* ~~department, and that the state itself be responsible for the control of such plants in all intercounty waters; but that control of such plants in intracounty waters be the designated responsibility of the appropriate unit of local or county government, special district, authority, or other public body~~. It is the intent of the Legislature that the *management* ~~control~~ of ~~nonindigenous~~ aquatic plants be carried out primarily by means of maintenance programs, rather than eradication or complaint spray programs, for the purpose of achieving more effective *management* ~~control~~ at a lower long-range cost. It is also the intent of the Legislature that the *commission* ~~department~~ guide, review, approve, and coordinate all ~~nonindigenous~~ aquatic plant *management* ~~control~~ programs within each of the water management districts as defined in paragraph *(2)(g)* ~~(2)(j)~~. It is the intent of the Legislature to account for the costs of ~~nonindigenous~~ aquatic plant *management* ~~maintenance~~ programs by watershed for comparison ~~management~~ purposes.

(4) The *commission* ~~department~~ shall supervise and direct all *management* ~~maintenance~~ programs for ~~control of nonindigenous~~ aquatic plants, as provided in this section, ~~excluding the authority to use fish as a biological control agent,~~ so as to protect human health, safety, and recreation and, to the greatest degree practicable, prevent injury to plant, fish, and animal life and to property.

(5) When state funds are involved, or when waters of state responsibility are involved, it is the duty of the *commission* ~~department~~ to guide, review, approve, and coordinate the activities of all public bodies, authorities, state agencies, units of local or county government, commissions, districts, and special districts engaged in operations to *manage* ~~maintain, control,~~ or eradicate ~~nonindigenous~~ aquatic plants~~, except for activities involving biological control programs using fish as the control agent~~. The *commission* ~~department~~ may delegate all or part of such functions to any appropriate state agency, special district, unit of local or county government, commission, authority, or other public body. However, special attention shall be given to the keeping of accounting and cost data in order to prepare the annual fiscal report required in subsection (7).

(6) The *commission* ~~department~~ may disburse funds to any district, special district, or other local authority for the purpose of operating a ~~maintenance~~ program for *managing* ~~controlling nonindigenous~~ aquatic plants ~~and other noxious aquatic plants~~ in the waters of state responsibility upon:

~~(a) Receipt of satisfactory proof that such district or authority has sufficient funds on hand to match the state funds herein referred to on an equal basis;~~

(a)~~(b)~~ Approval by the *commission* ~~department~~ of the *management* ~~maintenance control~~ techniques to be used by the district or authority; and

(b)~~(c)~~ Review and approval of the program of the district or authority by the *commission* ~~department to be in conformance with the state maintenance control plan~~.

(7) The *commission* ~~department~~ shall *prepare* ~~submit~~ an annual report on the status of the ~~nonindigenous~~ aquatic plant *management* ~~maintenance~~ program *which shall be posted on the commission's Internet website* ~~to the President of the Senate, the Speaker of the House of Representatives, and the Governor and Cabinet by January 1 of the following year~~. ~~This report shall include a statement of the degree of maintenance control achieved by individual nonindigenous aquatic plant species in the intercounty waters of each of the water management districts for the preceding county fiscal year, together with an analysis of the costs of achieving this degree of control. This cost accounting shall include the expenditures by all governmental agencies in the waters of state responsibility. If the level of maintenance control achieved falls short of that which is deemed adequate by the department, then the report shall include an estimate of the additional funding that would have been required to achieve this level of maintenance control. All measures of maintenance program achievement and the related cost shall be presented by water management districts so that comparisons may be made among the water management districts, as well as with the state as a whole.~~

(8) The *commission* ~~department~~ shall have the authority to cooperate with the United States and to enter into such cooperative agreements or commitments as the *commission* ~~department~~ may determine necessary to carry out the ~~maintenance,~~ control~~,~~ or eradication of water hyacinths, alligator weed, and other noxious aquatic plant growths from the waters of the state and to enter into contracts with the United States obligating the state to indemnify and save harmless the United States from any and all claims and liability arising out of the initiation and prosecution of any project undertaken under this section. However, any claim or claims required to be paid under this section shall be paid from money appropriated to the ~~nonindigenous~~ aquatic plant *management* ~~control~~ program.

(9) The *commission* ~~department~~ may delegate various ~~nonindigenous~~ aquatic plant *management* ~~control and maintenance~~ functions to *any appropriate state agency, special district, unit of local or county government, commission, authority, or other public body* ~~the Fish and Wildlife Conservation Commission~~. The *recipient of such delegation* ~~commission~~ shall, in accepting commitments to engage in ~~nonindigenous~~ aquatic plant *management* ~~control and maintenance~~ activities, be subject to the rules of the *commission* ~~department, except that the commission shall regulate, control, and coordinate the use of any fish for aquatic weed control in fresh waters of the state~~. In addition, the *recipient* ~~commission~~ shall render technical and other assistance to the *commission* ~~department~~ in order to carry out most effectively the purposes of s. 369.20. ~~However, nothing herein shall diminish or impair the regulatory authority of the commission with respect to the powers granted to it by s. 9, Art. IV of the State Constitution.~~

(10) The *commission* ~~department~~ is directed to use biological agents~~, excluding fish,~~ for the *management* ~~control~~ of ~~nonindigenous~~ aquatic plants *when determined to be appropriate by the commission*.

(11) The *commission* ~~department~~ shall adopt rules pursuant to ss. 120.536(1) and 120.54 to implement the provisions of this section conferring powers or duties upon it and perform any other acts necessary for the proper administration, enforcement, or interpretation of this section, including adopting rules and forms governing reports.

(12) No person or public agency shall control, eradicate, remove, or otherwise alter any ~~nonindigenous~~ aquatic plants in waters of the state unless a permit for such activity has been issued by the *commission* ~~department~~, or unless the activity *or* ~~is in~~ waters *are* expressly exempted

by *commission* ~~department~~ rule. The *commission* ~~department~~ shall develop standards by rule which shall address, at a minimum, chemical, biological, and mechanical control activities; an evaluation of the benefits of such activities to the public; specific criteria recognizing the differences between natural and artificially created waters; and the different amount and quality of littoral vegetation on various waters. Applications for a permit to engage in aquatic plant *management* ~~control~~ activities*, including applications to engage in management activities on sovereign submerged lands,* shall be made to the *commission* ~~department~~. In reviewing such applications, the *commission* ~~department~~ shall consider the criteria set forth in subsection (4) *and, in accordance with applicable rules, shall take final agency action on permit applications for the use of aquatic plant activities on sovereign submerged lands*.

Section 8. Section 369.25, Florida Statutes, is amended to read:

369.25 Aquatic plants; definitions; permits; powers of department; penalties.—

(1) As used in this section, the term:

(a) "Aquatic plant" means any plant, including a floating, emersed, submersed, or ditch bank species, growing in, or closely associated with, an aquatic environment and includes any part or seed of such plant.

(b) "Department" means the Department of *Agriculture and Consumer Services* ~~Environmental Protection~~.

(c) "Nonnursery cultivation" means the tending of aquatic plant species for harvest in the natural environment.

(d) "Noxious aquatic plant" means any part, including, but not limited to, seeds or reproductive parts, of an aquatic plant which has the potential to hinder the growth of beneficial plants, interfere with irrigation or navigation, or adversely affect the public welfare or the natural resources of this state.

(e) "Person" includes a natural person, a public or private corporation, a governmental entity, or any other kind of entity.

(2) No person shall engage in any business involving the importation, transportation, ~~nonnursery~~ cultivation, collection, sale, or possession of any aquatic plant species without a permit issued by the department ~~or the Department of Agriculture and Consumer Services~~. No person shall import, transport, ~~nonnursery~~ cultivate, collect, sell, or possess any noxious aquatic plant listed on the prohibited aquatic plant list established by the department without a permit issued by the department ~~or the Department of Agriculture and Consumer Services~~. No permit shall be issued until the department determines that the proposed activity poses no threat or danger to the waters, wildlife, natural resources, or environment of the state.

(3) The department has the following powers:

(a) To make such rules governing the importation, transportation, nonnursery cultivation, collection, and possession of aquatic plants as may be necessary for the eradication, control, or prevention of the dissemination of noxious aquatic plants that are not inconsistent with rules of the *Fish and Wildlife Conservation Commission* ~~Department of Agriculture and Consumer Services~~.

(b) To establish by rule lists of aquatic plant species regulated under this section, including those exempted from such regulation, provided ~~the Department of Agriculture and Consumer Services and~~ the Fish and Wildlife Conservation Commission *approves* ~~approve~~ such lists prior to the lists becoming effective.

(c) To evaluate an aquatic plant species through research or other means to determine whether such species poses a threat or danger to the waters, wildlife, natural resources, or environment of the state.

(d) To declare a quarantine against aquatic plants, including the vats, pools, or other containers or bodies of water in which such plants are growing, ~~except in aquatic plant nurseries,~~ to prevent the dissemination of any noxious aquatic plant.

(e) To make rules governing the application for, issuance of, suspension of, and revocation of permits under this section.

(f) To enter into cooperative agreements with any person as necessary or desirable to carry out and enforce the provisions of this section.

(g) To purchase all necessary supplies, material, *facilities,* and equipment and accept all grants and donations useful in the implementation and enforcement of the provisions of this section.

(h) To enter upon and inspect any facility or place~~, except aquatic plant nurseries regulated by the Department of Agriculture and Consumer Services,~~ where aquatic plants are cultivated, held, packaged, shipped, stored, or sold, or any vehicle of conveyance of aquatic plants, to ascertain whether the provisions of this section and department regulations are being complied with, and to seize and destroy, without compensation, any aquatic plants imported, transported, cultivated, collected, or otherwise possessed in violation of this section or department regulations.

~~(i) To conduct a public information program, including, but not limited to, erection of road signs, in order to inform the public and interested parties of this section and its associated rules and of the dangers of noxious aquatic plant introductions.~~

(i)~~(j)~~ To adopt rules requiring the revegetation of a site on sovereignty lands where excessive collection has occurred.

(j)~~(k)~~ To enforce this chapter in the same manner and to the same extent as provided in *s. 581.211* ~~ss. 403.121, 403.131, 403.141, and 403.161~~.

(4) The department shall adopt rules *that* ~~which~~ limit the sanctions available for violations under this act to quarantine and confiscation:

(a) If the prohibited activity apparently results from natural dispersion; or

(b) If a small amount of noxious aquatic plant material incidentally adheres to a boat or boat trailer operated by a person who is not involved in any phase of the aquatic plant business and if that person is not knowingly violating this act.

(5)(a) Any person who violates the provisions of this section *commits* ~~is guilty of~~ a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

(b) All law enforcement officers of the state and its agencies with power to make arrests for violations of state law shall enforce the provisions of this section.

Section 9. Section 369.251, Florida Statutes, is amended to read:

369.251 Invasive nonnative plants; prohibitions; study; removal; rules.—

(1) A person may not sell, transport, collect, cultivate, or possess any plant, including any part or seed, of the species Melaleuca quinquenervia, Schinus terebinthifolius, Casuarina equisetifolia, Casuarina glauca, or Mimosa pigra without a permit from the Department *of Agriculture and Consumer Services*. Any person who violates this section commits a misdemeanor of the second degree, punishable by fine only, as provided in s. 775.083.

(2) The department*, in coordination with the Fish and Wildlife Conservation Commission,* shall study methods of control of plants of the species Melaleuca quinquenervia, Schinus terebinthifolius, Casuarina equisetifolia, Casuarina glauca, and Mimosa pigra. The South Florida Water Management District shall undertake programs to remove such plants from conservation area I, conservation area II, and conservation area III of the district.

(3) The department has authority to adopt rules pursuant to ss. 120.536(1) and 120.54 to implement the provisions of this section. Possession or transportation resulting from natural dispersion, mulching operations, control and disposal, or use in herbaria or other educational or research institutions, or for other reasons determined by the department to be consistent with this section and where there is neither the danger of, nor intent to, further disperse any plant species prohibited by this section, is not subject to the permit or penalty provisions of this section.

Section 10. Section 369.252, Florida Statutes, is amended to read:

369.252 Invasive ~~exotic~~ plant control on public lands.—The *Fish and Wildlife Conservation Commission* ~~department~~ shall establish a program to:

(1) Achieve eradication or maintenance control of invasive exotic plants on public lands when the scientific data indicate that they are detrimental to the state's natural environment or when the Commissioner of Agriculture finds that such plants or specific populations thereof are a threat to the agricultural productivity of the state;

(2) Assist state and local government agencies in the development and implementation of coordinated management plans for the eradication or maintenance control of invasive exotic plant species on public lands;

(3) Contract, or enter into agreements, with entities in the State University System or other governmental or private sector entities for research concerning control agents; production and growth of biological control agents; and development of workable methods for the eradication or maintenance control of invasive exotic plants on public lands; and

(4) Use funds in the Invasive Plant Control Trust Fund as authorized by the Legislature for carrying out activities under this section on public lands. *A minimum of 20* ~~Twenty~~ percent of the amount credited to the Invasive Plant Control Trust Fund pursuant to s. 201.15(6) shall be used for the purpose of controlling nonnative, upland, invasive plant species on public lands.

Section 11. Paragraph (a) of subsection (1) of section 206.606, Florida Statutes, is amended to read:

206.606 Distribution of certain proceeds.—

(1) Moneys collected pursuant to ss. 206.41(1)(g) and 206.87(1)(e) shall be deposited in the Fuel Tax Collection Trust Fund. Such moneys, after deducting the service charges imposed by s. 215.20, the refunds granted pursuant to s. 206.41, and the administrative costs incurred by the department in collecting, administering, enforcing, and distributing the tax, which administrative costs may not exceed 2 percent of collections, shall be distributed monthly to the State Transportation Trust Fund, except that:

(a) $6.30 million shall be transferred to the *Fish and Wildlife Conservation Commission* ~~Department of Environmental Protection~~ in each fiscal year and deposited in the Invasive Plant Control Trust Fund to be used for aquatic plant management, including nonchemical control of aquatic weeds, research into nonchemical controls, and enforcement activities. Beginning in fiscal year 1993-1994, the department shall allocate at least $1 million of such funds to the eradication of melaleuca.

Section 12. Paragraphs (b) and (c) of subsection (1) of section 328.76, Florida Statutes, are amended to read:

328.76 Marine Resources Conservation Trust Fund; vessel registration funds; appropriation and distribution.—

(1) Except as otherwise specified in this subsection and less $1.4 million for any administrative costs which shall be deposited in the Highway Safety Operating Trust Fund, in each fiscal year beginning on or after July 1, 2001, all funds collected from the registration of vessels through the Department of Highway Safety and Motor Vehicles and the tax collectors of the state, except for those funds designated as the county portion pursuant to s. 328.72(1), shall be deposited in the Marine Resources Conservation Trust Fund for recreational channel marking; public launching facilities; law enforcement and quality control programs; aquatic weed control; manatee protection, recovery, rescue, rehabilitation, and release; and marine mammal protection and recovery. The funds collected pursuant to s. 328.72(1) shall be transferred as follows:

(b) An amount equal to $2 from each recreational vessel registration fee, except that for class A-1 vessels, shall be transferred by the Department of Highway Safety and Motor Vehicles to the Invasive Plant Control Trust Fund in the *Fish and Wildlife Conservation Commission* ~~Department of Environmental Protection~~ for aquatic weed research and control.

(c) An amount equal to 40 percent of the registration fees from commercial vessels shall be transferred by the Department of Highway Safety and Motor Vehicles to the Invasive Plant Control Trust Fund in the *Fish and Wildlife Conservation Commission* ~~Department of Environmental Protection~~ for aquatic plant research and control.

Section 13. Section 373.228, Florida Statutes, is amended to read:

373.228 Landscape irrigation design.—

(1) The Legislature finds that multiple areas throughout the state have been identified by water management districts as water resource caution areas, which indicates that in the near future water demand in those areas will exceed the current available water supply and that conservation is one of the mechanisms by which future water demand will be met.

(2) The Legislature finds that landscape irrigation comprises a significant portion of water use and that the current typical landscape irrigation system and xeriscape designs offer significant potential water conservation benefits.

(3) It is the intent of the Legislature to improve landscape irrigation water use efficiency by ensuring that landscape irrigation systems meet or exceed minimum design criteria.

(4) The water management districts shall work with the Florida Nurserymen and Growers Association, the Florida Chapter of the American Society of Landscape Architects, the Florida Irrigation Society, the Department of Agriculture and Consumer Services, the Institute of Food and Agricultural Sciences, the Department of Environmental Protection, the Department of Transportation, the Florida League of Cities, the Florida Association of Counties, and the Florida Association of Community Developers to develop landscape irrigation and xeriscape design standards for new construction which incorporate a landscape irrigation system and develop scientifically based model guidelines for urban, commercial, and residential landscape irrigation, including drip irrigation, for plants, trees, sod, and other landscaping. The landscape and irrigation design standards shall be based on the irrigation code defined in the Florida Building Code, Plumbing Volume, Appendix F. Local governments shall use the standards and guidelines when developing landscape irrigation and xeriscape ordinances. *By January 1, 2011* ~~Every 5 years~~, the agencies and entities specified in this subsection shall review the standards and guidelines to determine whether new research findings require a change or modification of the standards and guidelines.

Section 14. Paragraph (d) of subsection (1) of section 376.303, Florida Statutes, is amended to read:

376.303 Powers and duties of the Department of Environmental Protection.—

(1) The department has the power and the duty to:

(d) Establish a registration program for drycleaning facilities and wholesale supply facilities.

1. Owners or operators of drycleaning facilities and wholesale supply facilities and real property owners shall jointly register each facility owned and in operation with the department by June 30, 1995, pay initial registration fees by December 31, 1995, and pay annual renewal registration fees by December 31, 1996, and each year thereafter, in accordance with this subsection. If the registration form cannot be jointly submitted, then the applicant shall provide notice of the registration to other interested parties. The department shall establish reasonable requirements for the registration of such facilities. The department shall use reasonable efforts to identify and notify drycleaning facilities and wholesale supply facilities of the registration requirements by certified mail, return receipt requested. The department shall provide to the Department of Revenue a copy of each applicant's registration materials, within 30 working days of the receipt of the materials. This copy may be in such electronic format as the two agencies mutually designate.

2.a. The department shall issue an invoice for annual registration fees to each registered drycleaning facility or wholesale supply facility by December 31 of each year. Owners of drycleaning facilities and wholesale supply facilities shall submit to the department an initial fee of $100 and an annual renewal registration fee of $100 for each drycleaning facility or wholesale supply facility owned and in operation. The fee shall

be paid within 30 days after receipt of billing by the department. Facilities that fail to pay their renewal fee within 30 days after receipt of billing are subject to a late fee of $75.

b. Revenues derived from registration, renewal, and late fees shall be deposited into the Water Quality Assurance Trust Fund to be used as provided in s. 376.3078.

3. Effective March 1, 2009, a registered drycleaning facility shall display in the vicinity of its drycleaning machines the original or a copy of a valid and current certificate evidencing registration with the department pursuant to this paragraph. After that date, a person may not sell or transfer any drycleaning solvents to an owner or operator of a drycleaning facility unless the owner or operator of the drycleaning facility displays the certificate issued by the department. Violators of this subparagraph are subject to the remedies available to the department pursuant to s. 376.302.

Section 15. Subsection (19) of section 403.031, Florida Statutes, is amended to read:

403.031 Definitions.—In construing this chapter, or rules and regulations adopted pursuant hereto, the following words, phrases, or terms, unless the context otherwise indicates, have the following meanings:

(19) "Regulated air pollutant" means *any pollutant regulated under the federal Clean Air Act.*~~:~~

~~(a) Nitrogen oxides or any volatile organic compound;~~

~~(b) Any pollutant regulated under 42 U.S.C. s. 7411 or s. 7412; or~~

~~(c) Any pollutant for which a national primary ambient air quality standard has been adopted.~~

Section 16. Section 403.0623, Florida Statutes, is amended to read:

403.0623 Environmental data; quality assurance.—The department must establish, by rule, appropriate quality assurance requirements for environmental data submitted to the department and the criteria by which environmental data may be rejected by the department. *The department may adopt and enforce rules to establish data quality objectives and specify requirements for training of laboratory and field staff, sample collection methodology, proficiency testing, and audits of laboratory and field sampling activities.* Such rules may be in addition to any laboratory certification provisions under ss. 403.0625 and 403.863.

Section 17. Subsection (1) of section 403.0872, Florida Statutes, is amended to read:

403.0872 Operation permits for major sources of air pollution; annual operation license fee.—Provided that program approval pursuant to 42 U.S.C. s. 7661a has been received from the United States Environmental Protection Agency, beginning January 2, 1995, each major source of air pollution, including electrical power plants certified under s. 403.511, must obtain from the department an operation permit for a major source of air pollution under this section. This operation permit is the only department operation permit for a major source of air pollution required for such source; provided, at the applicant's request, the department shall issue a separate acid rain permit for a major source of air pollution that is an affected source within the meaning of 42 U.S.C. s. 7651a(1). Operation permits for major sources of air pollution, except general permits issued pursuant to s. 403.814, must be issued in accordance with the procedures contained in this section and in accordance with chapter 120; however, to the extent that chapter 120 is inconsistent with the provisions of this section, the procedures contained in this section prevail.

(1) For purposes of this section, a major source of air pollution means a stationary source of air pollution, or any group of stationary sources within a contiguous area and under common control, which emits any regulated air pollutant and which is ~~any of the following~~:

(a) A major source within the meaning of 42 U.S.C. s. 7412(a)(1);

(b) A major stationary source or major emitting facility within the meaning of 42 U.S.C. s. 7602(j) or 42 U.S.C. subchapter I, part C or part D;

(c) An affected source within the meaning of 42 U.S.C. s. 7651a(1);

(d) An air pollution source subject to standards or regulations under 42 U.S.C. s. 7411 or s. 7412; provided that a source is not a major source solely because of its regulation under 42 U.S.C. s. 7412(r); or

(e) A stationary air pollution source belonging to a category designated as a 40 C.F.R. part 70 source by regulations adopted by the administrator of the United States Environmental Protection Agency under 42 U.S.C. ss. 7661 et seq. The department shall exempt those facilities that are subject to this section solely because they are subject to requirements under 42 U.S.C. s. 7411 *or s. 7412* or solely because they are subject to reporting requirements under 42 U.S.C. s. 7412 for as long as the exemption is available under federal law.

Section 18. Section 373.109, Florida Statutes, is amended to read:

373.109 Permit application fees.—When a water management district governing board, the department, or a local government implements a regulatory system under this chapter or one which has been delegated pursuant to chapter 403, it may establish a schedule of fees for filing applications for the required permits. Such fees shall not exceed the cost to the district, the department, or the local government for processing, monitoring, and inspecting for compliance with the permit.

(1)(a) The department shall initiate rulemaking no later than December 1, 2008, to increase each application fee authorized under part IV of this chapter and adopted by rule to ensure that such fees reflect, at a minimum, any upward adjustment in the Consumer Price Index compiled by the United States Department of Labor, or similar inflation indicator, since the original fee was established or most recently revised. The department shall establish by rule the inflation index to be used for this purpose.

(b) The department shall charge a fee of at least $250 for a noticed general permit or individual permit as established in department rules.

(c) Notwithstanding s. 120.60(2), the fee for verification that an activity is exempt from regulation under s. 403.813 or part IV of this chapter shall be at least $100 or as otherwise established by department rule, but not to exceed $500.

(d) The department shall charge a fee of at least $100 and not to exceed $500 for conducting informal wetland boundary determinations as a public service to applicants or potential applicants for permits under part IV of this chapter. An informal wetland boundary determination is not an application for a permit, is not subject to the permit review timeframes established in this chapter or chapter 120, and does not constitute final agency action.

(2) The department shall review the fees authorized under part IV of this chapter at least once every 5 years and shall adjust the fees upward, as necessary, to reflect changes in the Consumer Price Index or similar inflation indicator. In the event of deflation, the department shall consult with the Executive Office of the Governor and the Legislature to determine whether downward fee adjustments are appropriate based on the current budget and appropriation considerations.

(3)~~(1)~~ All moneys received under the provisions of this section shall be allocated for the use of the water management district, the department, or the local government, whichever processed the permit, and shall be in addition to moneys otherwise appropriated in any general appropriation act. All moneys received by the department under the provisions of this section shall be deposited in the Florida Permit Fee Trust Fund established by s. 403.0871 and shall be used by the department as provided therein. Moneys received by a water management district or the department under the provisions of this section shall be in addition to moneys otherwise appropriated in any general appropriation act.

(4)~~(2)~~ The failure of any person to pay the fees established hereunder constitutes grounds for revocation or denial of the permit.

(5) Effective July 1, 2008, the minimum fee amounts shall be the minimum fees prescribed in this section, and such fee amounts shall remain in effect until the effective date of fees adopted by rule by the department.

Section 19. Section 403.087, Florida Statutes, is amended to read:

403.087 Permits; general issuance; denial; revocation; prohibition; penalty.—

(1) A stationary installation that is reasonably expected to be a source of air or water pollution must not be operated, maintained, constructed, expanded, or modified without an appropriate and currently valid permit issued by the department, unless exempted by department rule. In no event shall a permit for a water pollution source be issued for a term of more than 10 years, nor may an operation permit issued after July 1, 1992, for a major source of air pollution have a fixed term of more than 5 years. However, upon expiration, a new permit may be issued by the department in accordance with this chapter and the rules of the department.

(2) The department shall adopt, and may amend or repeal, rules for the issuance, denial, modification, and revocation of permits under this section.

(3) A renewal of an operation permit for a domestic wastewater treatment facility other than a facility regulated under the National Pollutant Discharge Elimination System (NPDES) Program under s. 403.0885 must be issued upon request for a term of up to 10 years, for the same fee and under the same conditions as a 5-year permit, in order to provide the owner or operator with a financial incentive, if:

(a) The waters from the treatment facility are not discharged to Class I municipal injection wells or the treatment facility is not required to comply with the federal standards under the Underground Injection Control Program under chapter 62-528 of the Florida Administrative Code;

(b) The treatment facility is not operating under a temporary operating permit or a permit with an accompanying administrative order and does not have any enforcement action pending against it by the United States Environmental Protection Agency, the department, or a local program approved under s. 403.182;

(c) The treatment facility has operated under an operation permit for 5 years and, for at least the preceding 2 years, has generally operated in conformance with the limits of permitted flows and other conditions specified in the permit;

(d) The department has reviewed the discharge-monitoring reports required under department rule and is satisfied that the reports are accurate;

(e) The treatment facility has generally met water quality standards in the preceding 2 years, except for violations attributable to events beyond the control of the treatment plant or its operator, such as destruction of equipment by fire, wind, or other abnormal events that could not reasonably be expected to occur; and

(f) The department, or a local program approved under s. 403.182, has conducted, in the preceding 12 months, an inspection of the facility and has verified in writing to the operator of the facility that it is not exceeding the permitted capacity and is in substantial compliance.

The department shall keep records of the number of 10-year permits applied for and the number and duration of permits issued for longer than 5 years.

(4) The department shall issue permits on such conditions as are necessary to effect the intent and purposes of this section.

(5) The department shall issue permits to construct, operate, maintain, expand, or modify an installation which may reasonably be expected to be a source of pollution only when it determines that the installation is provided or equipped with pollution control facilities that will abate or prevent pollution to the degree that will comply with the standards or rules adopted by the department, except as provided in s. 403.088 or s. 403.0872. However, separate construction permits shall not be required for installations permitted under s. 403.0885, except that the department may require an owner or operator proposing to construct, expand, or modify such an installation to submit for department review, as part of application for permit or permit modification, engineering plans, preliminary design reports, or other information 90 days prior to commencing construction. The department may also require the engineer of record or another registered professional engineer, within 30 days after construction is complete, to certify that the construction was completed in accordance with the plans submitted to the department, noting minor deviations which were necessary because of site-specific conditions.

(6)(a) The department shall require a processing fee in an amount sufficient, to the greatest extent possible, to cover the costs of reviewing and acting upon any application for a permit or request for site-specific alternative criteria or for an exemption from water quality criteria and to cover the costs of surveillance and other field services and related support activities associated with any permit or plan approval issued pursuant to this chapter. *The department shall review the fees authorized under this chapter at least once every 5 years and shall adjust the fees upward, as necessary, within the fee caps established in this paragraph to reflect changes in the Consumer Price Index or similar inflation indicator. The department shall establish by rule the inflation index to be used for this purpose. In the event of deflation, the department shall consult with the Executive Office of the Governor and the Legislature to determine whether downward fee adjustments are appropriate based on the current budget and appropriation considerations.* However, when an application is received without the required fee, the department shall acknowledge receipt of the application and shall immediately return the unprocessed application to the applicant and shall take no further action until the application is received with the appropriate fee. The department shall adopt a schedule of fees by rule, subject to the following limitations:

1. The fee for any of the following may not exceed $32,500:

a. Hazardous waste, construction permit.

b. Hazardous waste, operation permit.

c. Hazardous waste, postclosure permit, or clean closure plan approval.

d. Hazardous waste, corrective action permit.

2. The permit fee for a drinking water construction or operation permit, not including the operation license fee required under s. 403.861(7), shall be at least $500 and may not exceed $15,000.

3.~~2.~~ The permit fee for a Class I injection well construction permit may not exceed $12,500.

4.~~3.~~ The permit fee for any of the following permits may not exceed $10,000:

a. Solid waste, construction permit.

b. Solid waste, operation permit.

c. Class I injection well, operation permit.

5.~~4.~~ The permit fee for any of the following permits may not exceed $7,500:

a. Air pollution, construction permit.

b. Solid waste, closure permit.

~~c. Drinking water, construction or operation permit.~~

c.~~d.~~ Domestic waste residuals, construction or operation permit.

d.~~e.~~ Industrial waste, operation permit.

e.~~f.~~ Industrial waste, construction permit.

6.~~5.~~ The permit fee for any of the following permits may not exceed $5,000:

a. Domestic waste, operation permit.

b. Domestic waste, construction permit.

7.~~6.~~ The permit fee for any of the following permits may not exceed $4,000:

a. Wetlands resource management—(dredge and fill *and mangrove alteration*)~~, standard form permit~~.

b. Hazardous waste, research and development permit.

c. Air pollution, operation permit, for sources not subject to s. 403.0872.

d. Class III injection well, construction, operation, or abandonment permits.

8. The permit fee for a drinking water distribution system permit, including a general permit, shall be at least $500 and may not exceed $1,000.

9.~~7.~~ The permit fee for Class V injection wells, construction, operation, and abandonment permits may not exceed $750.

10.~~8.~~ The permit fee for *domestic waste collection system permits* ~~any of the following permits~~ may not exceed $500:

~~a. Domestic waste, collection system permits.~~

~~b. Wetlands resource management (dredge and fill and mangrove alterations), short permit form.~~

~~c. Drinking water, distribution system permit.~~

11.~~9.~~ The permit fee for stormwater operation permits may not exceed $100.

12.~~10.~~ *Except as provided in subparagraph 8.,* the general permit fees for permits that require certification by a registered professional engineer or professional geologist may not exceed $500*, and*~~.~~ the general permit fee for other permit types may not exceed $100.

13.~~11.~~ The fee for a permit issued pursuant to s. 403.816 is $5,000, and the fee for any modification of such permit requested by the applicant is $1,000.

14.~~12.~~ The regulatory program and surveillance fees for facilities permitted pursuant to s. 403.088 or s. 403.0885, or for facilities permitted pursuant to s. 402 of the Clean Water Act, as amended, 33 U.S.C. ss. 1251 et seq., and for which the department has been granted administrative authority, shall be limited as follows:

a. The fees for domestic wastewater facilities shall not exceed $7,500 annually. The department shall establish a sliding scale of fees based on the permitted capacity and shall ensure smaller domestic waste dischargers do not bear an inordinate share of costs of the program.

b. The annual fees for industrial waste facilities shall not exceed $11,500. The department shall establish a sliding scale of fees based upon the volume, concentration, or nature of the industrial waste discharge and shall ensure smaller industrial waste dischargers do not bear an inordinate share of costs of the program.

c. The department may establish a fee, not to exceed the amounts in subparagraphs 4. and 5., to cover additional costs of review required for permit modification or construction engineering plans.

(b) If substantially similar air pollution sources are to be constructed or modified at the same facility, the applicant may submit a single application and permit fee for construction or modification of the sources at that facility. If substantially similar air pollution sources located at the same facility do not constitute a major source of air pollution subject to permitting under s. 403.0872, the applicant may submit a single application and permit fee for the operation of those sources. The department may develop, by rule, criteria for determining what constitutes substantially similar sources.

(c) The fee schedule shall be adopted by rule. The amount of each fee shall be reasonably related to the costs of permitting, field services, and related support activities for the particular permitting activity taking into consideration consistently applied standard cost-accounting principles and economies of scale. If the department requires, by rule or by permit condition, that a permit be renewed more frequently than once every 5 years, the permit fee shall be prorated based upon the permit fee schedule in effect at the time of permit renewal.

(d) Nothing in this subsection authorizes the construction or expansion of any stationary installation except to the extent specifically authorized by department permit or rule.

(e) For all domestic waste collection system permits and drinking water distribution system permits, the department shall adopt a fee schedule, by rule, based on a sliding scale relating to pipe diameter, length of the proposed main, or equivalent dwelling units, or any combination of these factors. The department shall require a separate permit application and fee for each noncontiguous project within the system.

(7) A permit issued pursuant to this section shall not become a vested right in the permittee. The department may revoke any permit issued by it if it finds that the permitholder:

(a) Has submitted false or inaccurate information in his or her application;

(b) Has violated law, department orders, rules, or regulations, or permit conditions;

(c) Has failed to submit operational reports or other information required by department rule or regulation; or

(d) Has refused lawful inspection under s. 403.091.

(8) The department shall not issue a permit to any person for the purpose of engaging in, or attempting to engage in, any activity relating to the extraction of solid minerals not exempt pursuant to chapter 211 within any state or national park or state or national forest when the activity will degrade the ambient quality of the waters of the state or the ambient air within those areas. In the event the Federal Government prohibits the mining or leasing of solid minerals on federal park or forest lands, then, and to the extent of such prohibition, this act shall not apply to those federal lands.

(9) A violation of this section is punishable as provided in this chapter.

(10) Effective July 1, 2008, the minimum fee amounts shall be the minimum fees prescribed in this section, and such fee amounts shall remain in effect until the effective date of fees adopted by rule by the department.

Section 20. Subsections (7) and (8) of section 403.861, Florida Statutes, are amended to read:

403.861 Department; powers and duties.—The department shall have the power and the duty to carry out the provisions and purposes of this act and, for this purpose, to:

(7) Issue permits for constructing, altering, extending, or operating a public water system, based upon the size of the system, type of treatment provided by the system, or population served by the system*, including issuance of an annual operation license*.

(a) The department may issue a permit for a public water system based upon review of a preliminary design report or plans and specifications*,* ~~and~~ a completed permit application form*,* and other required information as set forth in department rule*, including receipt of an appropriate fee. The department may*

~~(8)~~ require a fee in an amount sufficient to cover the costs of viewing and acting upon any application for the construction and operation of a public water supply system and the costs of surveillance and other field services associated with any permit issued, but the amount in no case shall exceed *$15,000* ~~$7,500~~. The fee schedule shall be adopted by rule based on a sliding scale relating to the size, type of treatment, or population served by the system that is proposed by the applicant.

(b) Each public water system that operates in this state shall submit annually to the department an operation license fee, separate from and in addition to any permit application fees required under paragraph (a), in an amount established by department rule. The amount of each fee shall be reasonably related to the size of the public water system, type of treatment, population served, amount of source water used, or any combination of these factors, but the fee may not be less than $50 or greater than $7,500. Public water systems shall pay annual operation license fees at a time and in a manner prescribed by department rule.

(8) Initiate rulemaking no later than July 1, 2008, to increase each drinking water permit application fee authorized under s. 403.087(6) and this part and adopted by rule to ensure that such fees are increased to

reflect, at a minimum, any upward adjustment in the Consumer Price Index compiled by the United States Department of Labor, or similar inflation indicator, since the original fee was established or most recently revised.

(a) The department shall establish by rule the inflation index to be used for this purpose. The department shall review the drinking water permit application fees authorized under s. 403.087(6) and this part at least once every 5 years and shall adjust the fees upward, as necessary, within the established fee caps to reflect changes in the Consumer Price Index or similar inflation indicator. In the event of deflation, the department shall consult with the Executive Office of the Governor and the Legislature to determine whether downward fee adjustments are appropriate based on the current budget and appropriation considerations. The department shall also review the drinking water operation license fees established pursuant to paragraph (7)(b) at least once every 5 years to adopt, as necessary, the same inflationary adjustments provided for in this subsection.

(b) Effective July 1, 2008, the minimum fee amount shall be the minimum fee prescribed in this section, and such fee amount shall remain in effect until the effective date of fees adopted by rule by the department.

Section 21. Section 403.873, Florida Statutes, is amended to read:

403.873 Renewal of license.—

(1) The department shall renew a license upon receipt of the renewal application*, proof of completion of department-approved continuing education units during the current biennium,* and *the renewal* fee*,* and in accordance with the other provisions of ss. 403.865-403.876.

(2) The department shall adopt rules establishing a procedure for the biennial renewal of licenses*, including the requirements for continuing education*.

Section 22. Section 403.874, Florida Statutes, is amended to read:

403.874 Inactive status.—

(1) The department shall reactivate an inactive license upon receipt of the reactivation application and fee *within the 2-year period immediately following the expiration date of the license. Any license not reactivated within this 2-year period shall be null and void and an operator seeking a license thereafter must meet the training, examination, and experience requirements for the type and class or level of license sought*.

(2) The department shall adopt rules relating to licenses that have become inactive and for the reactivation of inactive licenses*, and procedures for null and void licenses and how to obtain a new license after a license has become null and void*.

Section 23. *The Department of Environmental Protection may not issue any permit for a Class I landfill that will be located on or adjacent to a Class III landfill that was permitted on or before January 1, 2006, and that is located in the Southern Water Use Caution Area designated by rule by the Southwest Florida Water Management District. This section applies to all applications for any Class I landfill permit submitted after January 1, 2006, for which the department has not issued a final permit.*

Section 24. *Section 378.011, Florida Statutes, is repealed.*

Section 25. *Chapter 325, Florida Statutes, consisting of ss. 325.2055, 325.221, 325.222, and 325.223, Florida Statutes, is repealed.*

Section 26. *Section 403.08725, Florida Statutes, is repealed.*

Section 27. This act shall take effect upon becoming a law.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to environmental protection; reenacting and amending s. 20.255, F.S., relating to the establishment of the department; renaming the Office of Legislative and Government Affairs as the "Office of Legislative Affairs"; creating the Office of Intergovernmental Programs within the department; renaming the Division of Resource Assessment and Management as the "Division of Environmental Assessment and Restoration"; authorizing the Environmental Regulation Commission to employ independent counsel and contract for outside technical consultants; amending s. 211.3103, F.S., relating to the tax on the severance of phosphate rock; deleting obsolete provisions; providing for a surcharge to be levied per ton severed until a specified amount of revenue is generated; providing for an adjustment in the surcharge under certain conditions; providing for the distribution of all taxes, interest, and penalties collected from the severance of phosphate rock; providing for the use of such revenues by certain counties; defining the term "phosphate-related expenses" for purposes of the act; amending s. 253.002, F.S.; authorizing the Board of Trustees of the Internal Improvement Trust Fund to delegate certain duties regarding submerged lands to the Fish and Wildlife Conservation Commission; amending s. 373.414, F.S.; exempting certain lands added to a conceptual reclamation plan from rules governing activities in surface waters and wetlands; amending s. 378.205, F.S.; providing that administrative challenges to state agency action regarding phosphate mines and reclamation are subject to summary hearings; amending s. 369.20, F.S.; providing for the Fish and Wildlife Conservation Commission rather than the Department of Environmental Protection to direct the control, eradication, and regulation of noxious aquatic weeds; requiring the commission to adopt rules; authorizing the commission to collect aquatic plants, quarantine or confiscate noxious aquatic plant material, and conduct a public information program; amending s. 369.22, F.S.; revising a short title; revising definitions; providing duties of the Fish and Wildlife Conservation Commission with respect to supervising and directing all management programs for aquatic plants; authorizing the commission to delegate its authority and disburse funds; requiring the commission to post a report on its website; providing for the commission to adopt rules for issuing permits for the control, eradication, and removal of aquatic plants; amending ss. 369.25 and 369.251, F.S.; providing for the Department of Agriculture and Consumer Services rather than the Department of Environmental Protection to regulate the importation, transport, cultivation, and possession of certain aquatic plants and invasive nonnative plants; authorizing the Department of Agriculture and Consumer Services to adopt rules; providing duties of the department; amending s. 369.252, F.S.; requiring the Fish and Wildlife Conservation Commission to establish a program to control invasive plants on public lands; revising requirements for the use of funds in the Invasive Plant Control Trust Fund; amending s. 206.606, F.S.; providing for the distribution of certain proceeds from the fuel tax by the Fish and Wildlife Conservation Commission; amending s. 328.76, F.S., relating to funds transferred to the Invasive Plant Control Trust Fund; conforming provisions to changes made by the act; amending s. 373.228, F.S.; requiring that certain entities review the standards and guidelines for landscape irrigation and xeriscape ordinances by a date certain; amending s. 376.303, F.S.; requiring a drycleaning facility to display a current and valid certificate of registration issued by the Department of Environmental Protection; prohibiting the sale or transfer of drycleaning solvents after a certain date to owners or operators of drycleaning facilities unless a registration certificate is displayed; providing penalties; amending s. 403.031, F.S.; conforming the definition of the term "regulated air pollutant" to changes made in the federal Clean Air Act; amending s. 403.0623, F.S.; providing rulemaking authority for biological sampling techniques; amending s. 403.0872, F.S.; conforming the requirements for air operation permits to changes made to Title V of the Clean Air Act to delete certain minor sources from the Title V permitting requirements; amending s. 373.109, F.S.; requiring the department to initiate rulemaking by a date certain to adjust permit fees; providing for fees to be imposed for verifying that certain activities are exempt from regulation; providing for a fee for conducting informal wetland boundary determinations; specifying special conditions that apply to such determinations; amending s. 403.087, F.S.; providing minimum and maximum amounts for certain fees relating to wastewater treatment facilities; amending s. 403.861, F.S.; providing for a public water system application fee; requiring the department to adopt rules for periodically adjusting the application fee; amending s. 403.873, F.S.; providing rulemaking authority for continuing education requirements for water utility operators; amending s. 403.874, F.S.; providing for the reinstatement of certain water utility operator certifications; prohibiting the Department of Environmental Protection from issuing a permit for a Class I landfill located in a specified water use caution area designated by rule; repealing s. 378.011, F.S., relating to the Land Use Advisory Committee; repealing ch. 325, F.S., consisting of ss. 325.2055, 325.221, 325.222, and 325.223, F.S., relating to motor vehicle air conditioning refrigerants; repealing s. 403.08725, F.S., relating to citrus juice processing facilities; providing an effective date.

The Conference Committee Report was read and on motion by Senator Alexander was adopted. **CS for CS for SB 1294** passed as amended by the Conference Committee Report and was certified to the House together with the Conference Committee Report. The vote on passage was:

Yeas—36

Mr. President	Fasano	Margolis
Alexander	Gaetz	Oelrich
Atwater	Garcia	Peaden
Baker	Geller	Posey
Bennett	Haridopolos	Rich
Bullard	Hill	Ring
Carlton	Jones	Saunders
Constantine	Joyner	Siplin
Crist	Justice	Storms
Dean	King	Villalobos
Deutch	Lawson	Webster
Diaz de la Portilla	Lynn	Wise

Nays—1

Dockery

Vote after roll call:

Yea to Nay—Haridopolos

By direction of the President the following Conference Committee Report was read:

CONFERENCE COMMITTEE REPORT ON CS for CS for SB 1702

The Honorable Ken Pruitt April 28, 2008
President of the Senate

The Honorable Marco Rubio
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on CS for CS for SB 1702, same being:

An act relating to **Department of Agriculture and Consumer Services**; reenacting various provisions relating to the Division of Administration, Agricultural Environmental Services, Animal Industry, Aquaculture, Dairy Industry, Food Safety, Forestry, Fruit and Vegetables, Marketing and Development, and Plant Industry of the Department of Agriculture and Consumer Services, increasing the annual license tax imposed on wholesale and retail saltwater products dealers, etc.;

having met, and after full and free conference, do recommend to their respective houses as follows:

1. That the House recede from House Amendment 447421;

2. That the Senate and House of Representatives adopt the Conference Committee Amendment 416828 to CS for CS for SB 1702 attached hereto, and by reference made a part of this report.

s/Lisa Carlton
Chair
s/JD Alexander
s/Carey Baker
s/Larcenia J. Bullard
s/Victor D. Crist
s/Charles Dean
s/Alex Diaz de la Portilla
s/Mike Fasano
Rudy Garcia
s/Mike Haridopolos
s/Dennis L. Jones
s/Charlie Justice
s/Alfred "Al" Lawson, Jr.
s/Gwen Margolis
s/Durell Peaden, Jr.
s/Nan H. Rich
s/Burt L. Saunders
s/Ronda Storms
s/Daniel Webster, At Large
s/Stephen R. Wise

s/Jeff Atwater
Vice Chair
s/Dave Aronberg
s/Michael S. "Mike" Bennett
s/Lee Constantine
s/M. Mandy Dawson
s/Ted Deutch
s/Paula Dockery
s/Don Gaetz
Steven A. Geller, At Large
s/Anthony C. "Tony" Hill, Sr.
s/Arthenia L. Joyner
s/James E. King, Jr., At Large
s/Evelyn J. Lynn
s/Steve Oelrich
s/Bill Posey
s/Jeremy Ring
s/Gary Siplin
J. Alex Villalobos
s/Frederica S. Wilson

Managers on the part of the Senate

s/Ray Sansom
Chair and At Large
s/Kevin C. Ambler
s/Gary Aubuchon
s/Aaron P. Bean
s/Ellyn Setnor Bogdanoff,
At Large
Debbie Boyd
Ronald A. Brisé
s/Dean Cannon
Charles S. "Chuck" Chestnut IV
s/Larry Cretul, At Large
Joyce Cusack, At Large
Chris Dorworth
Keith Fitzgerald
s/Bill Galvano
s/Andy Gardiner
Joseph A. "Joe" Gibbons
s/Hugh H. Gibson III
s/Michael J. Grant
s/Gayle B. Harrell
s/D. Alan Hays
s/Matt Hudson
s/Kurt Kelly
Martin David "Marty" Kiar
Paige Kreegel
s/John Legg
Janet C. Long
Richard A. Machek
s/Charles McBurney
Matthew J. "Matt" Meadows
s/Mitch Needelman
s/Pat Patterson
s/Juan-Carlos "J.C." Planas
s/Stephen L. Precourt
Scott Randolph
Betty Reed
s/Garrett Richter
s/Julio Robaina
Dennis A. Ross
Franklin Sands, At Large
Ron Saunders, At Large
s/Ron Schultz
John P. "Jack" Seiler, At Large
Kelly Skidmore
Priscilla Taylor
s/Nicholas R. "Nick" Thompson
s/Anthony Trey Traviesa
Shelley Vana
s/Will W. Weatherford
s/Juan C. Zapata, At Large

s/Sandra "Sandy" Adams
s/Thad Altman
s/Frank Attkisson
Loranne Ausley
Dorothy Bendross-Mindingall
s/Marsha L. "Marty" Bowen,
At Large
Mary Brandenburg
Susan Bucher
s/Jennifer Carroll
s/Marti Coley
s/Faye B. Culp
s/Carl J. Domino
s/Greg Evers
s/Anitere Flores, At Large
s/Rene Garcia
Dan Gelber, At Large
Audrey Gibson
s/Richard "Rich" Glorioso
Denise Grimsley
s/Adam Hasner, At Large
s/Ed Homan
s/Dorothy L. Hukill
s/Will S. Kendrick
s/Dick Kravitz
Rick Kriseman
s/Marcelo Llorente
s/Carlos Lopez-Cantera
s/Stan Mayfield
s/Seth McKeel
s/Dave Murzin
s/Jimmy T. Patronis, Jr.
s/Joe H. Pickens
s/Ralph Poppell
s/William L. "Bill" Proctor
s/Ron Reagan
Curtis B. Richardson
s/David Rivera, At Large
Yolly Roberson
Maria Lorts Sachs
Anthony P. "Tony" Sasso III
s/Robert C. "Rob" Schenck
Michael J. Scionti
s/David Simmons, At Large
Darren Soto
Geraldine F. "Geri" Thompson
Perry E. Thurston, Jr.
s/Baxter G. Troutman
James W. "Jim" Waldman
Trudi K. Williams

Managers on the part of the House

Conference Committee Amendment (416828)(with title amendment)—Delete everything after the enacting clause and insert:

Section 1. *Subsection (2) of section 20.14, Florida Statutes, is reenacted.*

Section 2. Subsection (1) of section 125.27, Florida Statutes, is amended to read:

125.27 Countywide forest fire protection; authority of the Division of Forestry; state funding; county fire control assessments; disposition; equipment donations.—

(1) The Division of Forestry of the Department of Agriculture and Consumer Services and the board of county commissioners of each county in this state shall enter into agreements for the establishment and maintenance of countywide fire protection of all forest and wild

lands within said county, with the total cost of such fire protection being funded by state and federal funds. Each county shall, under the terms of such agreements, be assessed each fiscal year, as its share of the cost of providing such fire protection, a sum in dollars equal to the total forest and wild land acreage of the county, as determined by the Division of Forestry, multiplied by *7* ~~3~~ cents. The forest and wild lands acreage included in such agreements shall be reviewed each year by the contracting parties and the number of forest and wild land acres and the annual fire control assessment adjusted so as to reflect the current forest acreage of the county. In the event the division and the county commissioners do not agree, the Board of Trustees of the Internal Improvement Trust Fund shall make such acreage determination. All fire control assessments received by the Division of Forestry from the several counties under agreements made pursuant to this section shall be deposited *as follows:*

(a) An amount equal to the total forest land and wild land acreage of the counties, multiplied by 4 cents, shall be distributed to the Incidental Trust Fund of the Division of Forestry; and

(b) An amount equal to the total forest land and wild land acreage of the counties, multiplied by 3 cents, shall be distributed to ~~into~~ the General Revenue Fund.

Section 3. Effective October 1, 2008, subsection (2) of section 370.07, Florida Statutes, is amended to read:

370.07 Wholesale and retail saltwater products dealers; regulation.—

(2) LICENSES; AMOUNT, TRUST FUND.—

(a) A resident wholesale county seafood dealer is required to pay an annual license tax of *$400* ~~$300~~.

(b) A resident wholesale state dealer is required to pay an annual license tax of *$550* ~~$450~~.

(c) A nonresident wholesale county dealer is required to pay an annual license tax of *$600* ~~$500~~.

(d) A nonresident wholesale state dealer is required to pay an annual license tax of *$1,100* ~~$1,000~~.

(e) An alien wholesale county dealer is required to pay an annual license tax of *$1,100* ~~$1,000~~.

(f) An alien wholesale state dealer is required to pay an annual license tax of *$1,600* ~~$1,500~~.

(g) A resident retail dealer is required to pay an annual license tax of *$75* ~~$25~~; however, if such a dealer has more than one place of business, the dealer shall designate one place of business as a central place of business, shall pay an annual license tax of *$75* ~~$25~~ for such place of business, and shall pay an annual license tax of *$25* ~~$10~~ for each other place of business.

(h) A nonresident retail dealer is required to pay an annual license tax of *$250* ~~$200~~; however, if such a dealer has more than one place of business, the dealer shall designate one place of business as a central place of business, shall pay an annual license tax of *$250* ~~$200~~ for such place of business, and shall pay an annual license tax of *$40* ~~$25~~ for each other place of business.

(i) An alien retail dealer is required to pay an annual license tax of *$300* ~~$250~~; however, if such a dealer has more than one place of business, the dealer shall designate one place of business as a central place of business, shall pay an annual license tax of *$300* ~~$250~~ for such place of business, and shall pay an annual license tax of *$65* ~~$50~~ for each other place of business.

(j) License or privilege taxes, together with any other funds derived from the Federal Government or from any other source, shall be deposited in a Florida Saltwater Products Promotion Trust Fund to be administered by the Department of Agriculture and Consumer Services for the sole purpose of promoting all fish and saltwater products produced in this state, except that 4 percent of the total wholesale and retail saltwater products dealer's license fees collected shall be deposited into the Marine Resources Conservation Trust Fund administered by the Fish and Wildlife Conservation Commission for the purpose of processing wholesale and retail saltwater products dealer's licenses.

Section 4. Paragraph (b) of subsection (1) and paragraph (c) of subsection (2) of section 487.041, Florida Statutes, are amended to read:

487.041 Registration.—

(1)

(b) For the purpose of defraying expenses of the department in connection with carrying out the provisions of this part, each person shall pay an annual registration fee of *$350* ~~$250~~ for each registered brand of pesticide. The annual registration fee for each special local need label and experimental use permit is $100. All registrations expire on December 31 of each year. If the renewal of a brand of pesticide, including the special local need label and experimental use permit, is not filed by January 31 of the renewal year, an additional fee of $25 per brand of pesticide shall be assessed per month and added to the original fee. This additional fee may not exceed $250 per brand of pesticide. The additional fee must be paid by the registrant before the renewal certificate for the registration of the brand of pesticide is issued.

(2)

(c) Each registration issued by the department to a registrant for a period beginning in an odd-numbered year shall be assessed a fee of *$700* ~~$500~~ per brand of pesticide and a fee of $200 for each special local need label and experimental use permit, and the registration shall expire on December 31 of the following year. Each registration issued by the department to a registrant for a period beginning in an even-numbered year shall be assessed a fee of *$350* ~~$250~~ per brand of pesticide and fee of $100 for each special local need label and experimental use permit, and the registration shall expire on December 31 of that year.

Section 5. Paragraph (b) of subsection (1) of section 500.12, Florida Statutes, is amended to read:

500.12 Food permits; building permits.—

(1)

(b) An application for a food permit from the department must be accompanied by a fee in an amount determined by department rule, which may not exceed *$650* ~~$500~~ and shall be used solely for the recovery of costs for the services provided, except that the fee accompanying an application for a food permit for operating a bottled water plant may not exceed $1,000 and the fee accompanying an application for a food permit for operating a packaged ice plant may not exceed $250. The fee for operating a bottled water plant or a packaged ice plant shall be set by rule of the department. Food permits must be renewed annually on or before January 1. If an application for renewal of a food permit is not received by the department within 30 days after its due date, a late fee, in an amount not exceeding $100, must be paid in addition to the food permit fee before the department may issue the food permit. The moneys collected shall be deposited in the General Inspection Trust Fund.

Section 6. Subsection (3) of section 559.928, Florida Statutes, is amended to read:

559.928 Registration.—

(3) Each independent agent shall annually file an affidavit with the department prior to engaging in business in this state. This affidavit must include the independent agent's full name, legal business or trade name, mailing address, business address, telephone number, social security number, and the name or names and addresses of each seller of travel represented by the independent agent. A letter evidencing proof of filing must be issued by the department and must be prominently displayed in the independent agent's primary place of business. *Each independent agent must also submit an annual registration fee of $50. All moneys collected pursuant to the imposition of the fee shall be deposited by the Chief Financial Officer into the General Inspection Trust Fund of the Department of Agriculture and Consumer Services for the sole purpose of administrating this part.* As used in this subsection, the term "independent agent" means a person who represents a seller of travel by soliciting persons on its behalf; who has a written contract with a seller of travel which is operating in compliance with this part and any rules adopted thereunder; who does not receive a fee, commission, or other

valuable consideration directly from the purchaser for the seller of travel; who does not at any time have any unissued ticket stock or travel documents in his or her possession; and who does not have the ability to issue tickets, vacation certificates, or any other travel document. The term "independent agent" does not include an affiliate of the seller of travel, as that term is used in s. 559.935(3), or the employees of the seller of travel or of such affiliates.

Section 7. Subsection (1) of section 576.041, Florida Statutes, is amended to read:

576.041 Inspection fees; records; bond.—

(1) Every licensee shall pay to the department an inspection fee in the amount of *$1* ~~75 cents~~ per ton for fertilizer sold in the state, except raw ground phosphate rock, soft phosphate, colloidal phosphate, phosphatic clays and all other untreated phosphatic materials, gypsum, hydrated lime, limestone, and dolomite when sold or used for agricultural purposes, on which the inspection fee shall be 30 cents per ton. All fees paid to the department under this section shall be deposited into the State Treasury to be placed in the General Inspection Trust Fund to be used for the sole purpose of funding the fertilizer inspection program.

Section 8. Paragraph (b) of subsection (1) of section 580.041, Florida Statutes, is amended to read:

580.041 Master registration; fee; refusal or cancellation of registration.—

(1)

(b) The registration form shall be accompanied by a fee that shall be based on tons of feed distributed in this state during the previous year. If a distributor has been in business less than 1 year, the tonnage shall be estimated by the distributor for the first year and based on actual tonnage thereafter. These fees shall be as follows:

SALES IN TONS	FEE
Zero, up to and including 25	*$40* ~~$25~~
More than 25, up to and including 50	*$75* ~~$50~~
More than 50, up to and including 100	*$150* ~~$100~~
More than 100, up to and including 300	*$375* ~~$300~~
More than 300, up to and including 600	*$600* ~~$500~~
More than 600, up to and including 1,000	*$900* ~~$750~~
More than 1,000, up to and including 2,000	*$1,250* ~~$1,000~~
More than 2,000, up to and including 5,000	*$2,000* ~~$1,500~~
More than 5,000	*$3,500* ~~$2,500~~

Section 9. Paragraph (h) of subsection (1) of section 597.004, Florida Statutes, is amended to read:

597.004 Aquaculture certificate of registration.—

(1) CERTIFICATION.—Any person engaging in aquaculture must be certified by the department. The applicant for a certificate of registration shall submit the following to the department:

(h) *One-hundred* ~~Fifty~~ dollar annual registration fee.

Section 10. Paragraph (e) of subsection (3) of section 601.15, Florida Statutes, is amended to read:

601.15 Advertising campaign; methods of conducting; excise tax; emergency reserve fund; citrus research.—

(3)

(e) The commission, upon an affirmative vote of a majority of its members and by an order entered by it prior to *November* ~~August~~ 1 of any year, may set the tax rates up to the maximum rates specified in this subsection ~~if the commission determines that the specified tax rate will result in collection of funds, during the ensuing citrus season, which exceed projected needs, including all legal obligations~~. The tax rate shall apply only to the citrus season which *began on August 1 of the same calendar year* ~~immediately follows entry of the order setting the rate~~. Such tax rate may be applied by variety and on the basis of whether the fruit enters the primary channel of trade for use in fresh or processed form. If the commission cannot agree on a box tax rate, the tax rate for the previous year shall remain in effect until the commission approves a new rate.

Section 11. Section 570.191, Florida Statutes, is amended to read:

570.191 Agricultural Emergency Eradication Trust Fund.—There is created in the office of the commissioner the Agricultural Emergency Eradication Trust Fund. Funds in the trust fund may be made available *for the promotion, advancement, and protection of agriculture in this state, including maintaining or increasing market share and suppressing or eradicating wildfire, animal or plant disease, insect infestation, or a plant or pest that endangers or threatens agriculture* ~~upon certification by the commissioner that an agricultural emergency exists and that funds specifically appropriated for the emergency's purpose are exhausted or insufficient to eliminate the agricultural emergency~~. ~~The term "agricultural emergency" means an animal or plant disease, insect infestation, or plant or pest endangering or threatening the horticultural, aquacultural, or other agricultural interests in this state.~~

Section 12. *Section 570.1911, Florida Statutes, is repealed.*

Section 13. *Section 585.105, Florida Statutes, is repealed.*

Section 14. Except as otherwise expressly provided in this act, this act shall take effect July 1, 2008.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to agriculture; reenacting s. 20.14(2), F.S., relating to the Department of Agriculture and Consumer Services; amending s. 125.27, F.S.; increasing the annual countywide fire control assessment; requiring that certain portions of the assessment be distributed into the Incidental Trust Fund of the Division of Forestry and the General Revenue Fund; amending s. 370.07, F.S.; increasing the annual license tax imposed on wholesale and retail saltwater products dealers; amending s. 487.041, F.S.; increasing the registration fee imposed on each brand of pesticide that is distributed, sold, or offered for sale; amending s. 500.12, F.S.; increasing the maximum amount allowed for a food permit application fee; amending s. 559.928, F.S.; requiring that independent agents pay an annual registration fee; specifying an amount for such fee; providing for the deposit and use of moneys obtained from the collection of such fee; amending s. 576.041, F.S.; increasing the fertilizer inspection fee; amending s. 580.041, F.S.; increasing the master registration fees imposed on commercial feed distributors; amending s. 597.004, F.S.; increasing the registration fee for aquaculture certification; amending s. 601.15, F.S.; revising the deadline by which the Florida Citrus Commission sets the annual citrus excise tax rate; deleting a provision requiring the commission to consider certain projected collection of taxes in setting the rate; conforming provisions relating to the season upon which the tax rate applies; amending s. 570.191, F.S.; providing for money in the Agricultural Emergency Eradication Trust Fund to be made available under certain circumstances for specified additional purposes; repealing s. 570.1911, F.S., relating to notice of certification of an agricultural emergency; repealing s. 585.105, F.S., relating to the purchase, distribution, and administration of approved brucella vaccine by the department; providing effective dates.

The Conference Committee Report was read and on motion by Senator Alexander was adopted. **CS for CS for SB 1702** passed as amended by the Conference Committee Report and was certified to the House together with the Conference Committee Report. The vote on passage was:

Yeas—37

Mr. President	Carlton	Dockery
Alexander	Constantine	Fasano
Atwater	Crist	Gaetz
Baker	Dean	Garcia
Bennett	Deutch	Geller
Bullard	Diaz de la Portilla	Haridopolos

Hill
Jones
Joyner
Justice
King
Lawson
Lynn
Margolis
Oelrich
Peaden
Posey
Rich
Ring
Saunders
Siplin
Storms
Villalobos
Webster
Wise

Nays—None

By direction of the President the following Conference Committee Report was read:

CONFERENCE COMMITTEE REPORT ON CS for SB 1774

The Honorable Ken Pruitt April 28, 2008
President of the Senate

The Honorable Marco Rubio
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on CS for SB 1774, same being:

An act relating to **Postsecondary Education**; revising provisions relating to workforce education postsecondary student fees, specifying the out-of-state fee per credit hour, authorizing district school boards and community boards of trustees to adopt an out-of-state fee within a specified range, requiring that such fees be used to enhance instructional technology resources, requiring the first accredited medical school to enter into an annual agreement with a government-owned hospital meeting specified criteria;

having met, and after full and free conference, do recommend to their respective houses as follows:

1. That the House recede from House Amendment 578617;

2. That the Senate and House of Representatives adopt the Conference Committee Amendment 138116 to CS for SB 1774 attached hereto, and by reference made a part of this report.

s/Lisa Carlton
Chair
s/JD Alexander
s/Carey Baker
s/Larcenia J. Bullard
s/Victor D. Crist
s/Charles Dean
s/Alex Diaz de la Portilla
s/Mike Fasano
Rudy Garcia
s/Mike Haridopolos
s/Dennis L. Jones
s/Charlie Justice
s/Alfred "Al" Lawson, Jr.
s/Gwen Margolis
s/Durell Peaden, Jr.
s/Nan H. Rich
s/Burt L. Saunders
s/Ronda Storms
s/Daniel Webster, At Large
s/Stephen R. Wise
s/Jeff Atwater
Vice Chair
s/Dave Aronberg
s/Michael S. "Mike" Bennett
s/Lee Constantine
s/M. Mandy Dawson
s/Ted Deutch
s/Paula Dockery
s/Don Gaetz
Steven A. Geller, At Large
s/Anthony C. "Tony" Hill, Sr.
s/Arthenia L. Joyner
s/James E. King, Jr., At Large
s/Evelyn J. Lynn
s/Steve Oelrich
s/Bill Posey
s/Jeremy Ring
s/Gary Siplin
J. Alex Villalobos
s/Frederica S. Wilson

Managers on the part of the Senate

s/Ray Sansom
Chair and At Large
s/Kevin C. Ambler
s/Gary Aubuchon
s/Aaron P. Bean
s/Ellyn Setnor Bogdanoff,
At Large
Debbie Boyd
Ronald A. Brisé
s/Dean Cannon
Charles S. "Chuck" Chestnut IV
s/Larry Cretul, At Large
s/Sandra "Sandy" Adams
s/Thad Altman
s/Frank Attkisson
Loranne Ausley
Dorothy Bendross-Mindingall
s/Marsha L. "Marty" Bowen
At Large
Mary Brandenburg
Susan Bucher
s/Jennifer Carroll
s/Marti Coley
s/Faye B. Culp
Joyce Cusack, At Large
Chris Dorworth
Keith Fitzgerald
s/Bill Galvano
s/Andy Gardiner
Joseph A. "Joe" Gibbons
s/Hugh H. Gibson III
s/Michael J. Grant
s/Gayle B. Harrell
s/D. Alan Hays
s/Matt Hudson
s/Kurt Kelly
Martin David "Marty" Kiar
s/Paige Kreegel
s/John Legg
Janet C. Long
Richard A. Machek
s/Charles McBurney
Matthew J. "Matt" Meadows
s/Mitch Needelman
s/Pat Patterson
s/Juan-Carlos "J.C." Planas
s/Stephen L. Precourt
Scott Randolph
Betty Reed
s/Garrett Richter
s/Julio Robaina
Dennis A. Ross
Franklin Sands, At Large
Ron Saunders, At Large
s/Ron Schultz
John P. "Jack" Seiler, At Large
Kelly Skidmore
Priscilla Taylor
s/Nicholas R. "Nick" Thompson
s/Anthony Trey Traviesa
Shelley Vana
s/Will W. Weatherford
s/Juan C. Zapata, At Large
s/Carl J. Domino
s/Greg Evers
s/Anitere Flores, At Large
s/Rene Garcia
Dan Gelber, At Large
Audrey Gibson
s/Richard "Rich" Glorioso
Denise Grimsley
s/Adam Hasner, At Large
s/Ed Homan
s/Dorothy L. Hukill
s/Will S. Kendrick
s/Dick Kravitz
Rick Kriseman
s/Marcelo Llorente
s/Carlos Lopez-Cantera
s/Stan Mayfield
s/Seth McKeel
s/Dave Murzin
s/Jimmy T. Patronis, Jr.
s/Joe H. Pickens
s/Ralph Poppell
s/William L. "Bill" Proctor
s/Ron Reagan
Curtis B. Richardson
s/David Rivera, At Large
Yolly Roberson
Maria Lorts Sachs
Anthony P. "Tony" Sasso III
s/Robert C. "Rob" Schenck
Michael J. Scionti
s/David Simmons, At Large
Darren Soto
Geraldine F. "Geri" Thompson
Perry E. Thurston, Jr.
s/Baxter G. Troutman
James W. "Jim" Waldman
Trudi K. Williams

Managers on the part of the House

Conference Committee Amendment (138116)(with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Paragraphs (c), (d), and (e) of subsection (3) of section 1009.22, Florida Statutes, as amended by chapter 2007-329, Laws of Florida, are amended to read:

1009.22 Workforce education postsecondary student fees.—

(3)

(c) Effective January 1, 2008, standard ~~resident~~ tuition shall be $1.67 per contact hour for programs leading to a career certificate or an applied technology diploma and 83 cents for adult general education programs. *The out-of-state fee per contact hour shall be three times the standard tuition per contact hour.*

(d) Beginning with the 2008-2009 fiscal year and each year thereafter, the ~~standard resident~~ tuition *and the out-of-state fee* per contact hour shall increase at the beginning of each fall semester at a rate equal to inflation, unless otherwise provided in the General Appropriations Act. The Office of Economic and Demographic Research shall report the rate of inflation to the President of the Senate, the Speaker of the House of Representatives, the Governor, and the State Board of Education each year prior to March 1. For purposes of this paragraph, the rate of inflation shall be defined as the rate of the 12-month percentage change in the Consumer Price Index for All Urban Consumers, U.S. City Average, All Items, or successor reports as reported by the United States Department of Labor, Bureau of Labor Statistics, or its successor for December of the previous year. In the event the percentage change is negative, the ~~standard resident~~ tuition *and out-of-state fee* shall remain at the same level as the prior fiscal year.

(e) Each district school board and each community college board of trustees may adopt ~~resident~~ tuition *and out-of-state fees* that *may vary no more than* ~~is within the range of~~ 5 percent below *and* ~~to~~ 5 percent

above the *combined total of the* standard tuition *and out-of-state fees established in paragraph (c)*.

Section 2. Effective July 1, 2009, and applicable beginning with the fall term of the 2009-2010 academic year, subsection (7) of section 1009.22, Florida Statutes, as amended by chapter 2007-329, Laws of Florida, is amended to read:

1009.22 Workforce education postsecondary student fees.—

(7) Each district school board and community college board of trustees is authorized to establish a separate fee for technology, not to exceed *5 percent of tuition* ~~$1.80~~ per credit hour or credit-hour equivalent for resident students and *not to exceed 5 percent of tuition and the out-of-state fee* ~~not more than $5.40~~ per credit hour or credit-hour equivalent for nonresident students~~, or the equivalent, to be expended in accordance with technology improvement plans~~. *Revenues generated from the technology fee shall be used to enhance instructional technology resources for students and faculty and shall not be included in any award under the Florida Bright Futures Scholarship Program.* ~~The technology fee may apply only to associate degree programs and courses.~~ Fifty percent of technology fee revenues may be pledged by a community college board of trustees as a dedicated revenue source for the repayment of debt, including lease-purchase agreements, not to exceed the useful life of the asset being financed. Revenues generated from the technology fee may not be bonded.

Section 3. Paragraph (a) of subsection (3), subsection (7), and paragraphs (a) and (c) of subsection (8) of section 1009.23, Florida Statutes, as amended by chapter 2007-329, Laws of Florida, are amended to read:

1009.23 Community college student fees.—

(3)(a) Effective January 1, 2008, for advanced and professional, postsecondary vocational, college preparatory, and educator preparation institute programs, the following tuition and fee rates shall apply:

1. The sum of the standard tuition and the technology fee shall be $51.35 per credit hour for students who are residents for tuition purposes.

2. The sum of the standard tuition *and*~~,~~ the technology fee *shall be $51.35 per credit hour*~~,~~ and the out-of-state fee shall be $154.14 per credit hour for students who are nonresidents for tuition purposes.

(7) Each community college board of trustees may establish a separate activity and service fee not to exceed 10 percent of the tuition fee, according to rules of the State Board of Education. The student activity and service fee shall be collected as a component part of the tuition and fees. The student activity and service fees shall be paid into a student activity and service fund at the community college and shall be expended for lawful purposes to benefit the student body in general. These purposes include, but are not limited to, student publications and grants to duly recognized student organizations, the membership of which is open to all students at the community college without regard to race, sex, or religion. *No community college shall be required to lower any activity and service fee approved by the board of trustees of the community college and in effect prior to October 26, 2007, in order to comply with the provisions of this subsection.*

(8)(a) Each community college board of trustees is authorized to establish a separate fee for financial aid purposes in an additional amount up to, but not to exceed, 5 percent of the total student tuition or out-of-state fees collected. Each community college board of trustees may collect up to an additional 2 percent if the amount generated by the total financial aid fee is less than *$500,000* ~~$250,000~~. If the amount generated is less than *$500,000* ~~$250,000~~, a community college that charges tuition and out-of-state fees at least equal to the average fees established by rule may transfer from the general current fund to the scholarship fund an amount equal to the difference between *$500,000* ~~$250,000~~ and the amount generated by the total financial aid fee assessment. No other transfer from the general current fund to the loan, endowment, or scholarship fund, by whatever name known, is authorized.

(c) Up to 25 percent or *$600,000* ~~$300,000~~, whichever is greater, of the financial aid fees collected may be used to assist students who demonstrate academic merit; who participate in athletics, public service, cultural arts, and other extracurricular programs as determined by the institution; or who are identified as members of a targeted gender or ethnic minority population. The financial aid fee revenues allocated for athletic scholarships and fee exemptions provided pursuant to s. 1009.25(3) for athletes shall be distributed equitably as required by s. 1000.05(3)(d). A minimum of 75 percent of the balance of these funds for new awards shall be used to provide financial aid based on absolute need, and the remainder of the funds shall be used for academic merit purposes and other purposes approved by the boards of trustees. Such other purposes shall include the payment of child care fees for students with financial need. The State Board of Education shall develop criteria for making financial aid awards. Each college shall report annually to the Department of Education on the revenue collected pursuant to this paragraph, the amount carried forward, the criteria used to make awards, the amount and number of awards for each criterion, and a delineation of the distribution of such awards. The report shall include an assessment by category of the financial need of every student who receives an award, regardless of the purpose for which the award is received. Awards which are based on financial need shall be distributed in accordance with a nationally recognized system of need analysis approved by the State Board of Education. An award for academic merit shall require a minimum overall grade point average of 3.0 on a 4.0 scale or the equivalent for both initial receipt of the award and renewal of the award.

Section 4. Effective July 1, 2009, and applicable beginning with the fall term of the 2009-2010 academic year, subsections (3) and (10) of section 1009.23, Florida Statutes, as amended by chapter 2007-329, Laws of Florida, and as amended by this act, are amended to read:

1009.23 Community college student fees.—

(3)(a) Effective January 1, 2008, for advanced and professional, postsecondary vocational, college preparatory, and educator preparation institute programs, the following tuition and fee rates shall apply:

1. The ~~sum of the~~ standard tuition ~~and the technology fee~~ shall be $51.35 per credit hour for students who are residents for tuition purposes.

2. The ~~sum of the~~ standard tuition ~~and the technology fee~~ shall be $51.35 per credit hour and the out-of-state fee shall be $154.14 per credit hour for students who are nonresidents for tuition purposes.

(b) Effective January 1, 2008, for baccalaureate degree programs, the following tuition and fee rates shall apply:

1. The ~~sum of the~~ tuition ~~and the technology fee~~ shall be $65.47 per credit hour for students who are residents for tuition purposes.

2. The sum of the tuition~~, the technology fee,~~ and the out-of-state fee per credit hour for students who are nonresidents for tuition purposes shall be no more than 85 percent of the sum of the tuition and the out-of-state fee at the state university nearest the community college.

(c) Beginning with the 2008-2009 fiscal year and each year thereafter, the tuition and *the out-of-state fee* ~~fees specified in paragraphs (a) and (b)~~ shall increase at the beginning of each fall semester at a rate equal to inflation, unless otherwise provided in the General Appropriations Act. The Office of Economic and Demographic Research shall report the rate of inflation to the President of the Senate, the Speaker of the House of Representatives, the Governor, and the State Board of Education each year prior to March 1. For purposes of this paragraph, the rate of inflation shall be defined as the rate of the 12-month percentage change in the Consumer Price Index for All Urban Consumers, U.S. City Average, All Items, or successor reports as reported by the United States Department of Labor, Bureau of Labor Statistics, or its successor for December of the previous year. In the event the percentage change is negative, the ~~sum of the~~ tuition and ~~the technology fee per credit hour and~~ the out-of-state fee per credit hour shall remain at the same levels as the prior fiscal year.

(10) Each community college board of trustees is authorized to establish a separate fee for technology, which may not exceed *5 percent of tuition* ~~$1.80~~ per credit hour or credit-hour equivalent for resident students and *may not exceed 5 percent of tuition and the out-of-state fee* ~~not more than $5.40~~ per credit hour or credit-hour equivalent for nonresident students~~, to be expended according to technology improvement plans~~. *Revenues generated from the technology fee shall be used to enhance instructional technology resources for students and faculty.* The technology fee may apply to both college credit and college-preparatory

instruction *and shall not be included in any award under the Florida Bright Futures Scholarship Program*. Fifty percent of technology fee revenues may be pledged by a community college board of trustees as a dedicated revenue source for the repayment of debt, including lease-purchase agreements, not to exceed the useful life of the asset being financed. Revenues generated from the technology fee may not be bonded.

Section 5. Subsection (2) of section 1011.52, Florida Statutes, is amended to read:

1011.52 Appropriation to first accredited medical school.—

(2) In order for a medical school to qualify under the provisions of this section and to be entitled to the benefits herein, such medical school:

(a) Must be primarily operated and established to offer, afford, and render a medical education to residents of the state qualifying for admission to such institution;

(b) Must be operated by a municipality or county of this state, or by a nonprofit organization heretofore or hereafter established exclusively for educational purposes;

(c) Must, upon the formation and establishment of an accredited medical school, transmit and file with the Department of Education documentary proof evidencing the facts that such institution has been certified and approved by the council on medical education and hospitals of the American Medical Association and has adequately met the requirements of that council in regard to its administrative facilities, administrative plant, clinical facilities, curriculum, and all other such requirements as may be necessary to qualify with the council as a recognized, approved, and accredited medical school;

(d) Must certify to the Department of Education the name, address, and educational history of each student approved and accepted for enrollment in such institution for the ensuing school year*; and*~~.~~

(e) Must enter into an annual operating agreement each fiscal year with a government-owned hospital that is located in the same county as the medical school and that is a statutory teaching hospital as defined in s. 408.07(45). The annual operating agreement shall provide for the medical school to maintain the same level of affiliation with the hospital, including the level of services to indigent and charity care patients served by the hospital, which was in place in the prior fiscal year. Documentation of the operating agreement shall be submitted to the Department of Education prior to the payment of moneys from the annual appropriation.

Section 6. Except as otherwise expressly provided in this act, this act shall take effect July 1, 2008.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to postsecondary education; amending s. 1009.22, F.S.; revising provisions relating to workforce education postsecondary student fees; specifying the out-of-state fee per contact hour; authorizing district school boards and community college boards of trustees to adopt an out-of-state fee within a specified range; prohibiting the fee from exceeding a certain percentage of the tuition per credit hour and the out-of-state fee per credit hour; requiring that such fees be used to enhance instructional technology resources; prohibiting the fee from being included in any award under the Florida Bright Futures Scholarship Program; amending s. 1009.23, F.S.; providing an exemption relating to establishment of the community college activity and service student fee; authorizing an increase in the amount of fees collected for financial aid purposes; increasing the amount of financial aid fees that may be used to assist students who meet specified criteria; conforming provisions relating to community college student fees to changes made by the act; amending s. 1011.52, F.S.; requiring the first accredited medical school to enter into an annual operating agreement with a government-owned hospital meeting specified criteria; providing for maintenance of the affiliation; requiring submission of documentation of the agreement to the Department of Education prior to payment from an annual appropriation; providing effective dates.

The Conference Committee Report was read and on motion by Senator Lynn was adopted. **CS for SB 1774** passed as amended by the Conference Committee Report and was certified to the House together with the Conference Committee Report. The vote on passage was:

Yeas—39

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

Nays—None

By direction of the President the following Conference Committee Report was read:

CONFERENCE COMMITTEE REPORT ON CS for SB 1788

The Honorable Ken Pruitt April 28, 2008
President of the Senate

The Honorable Marco Rubio
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on CS for SB 1788, same being:

An act relating to **Indigent Civil Defense TF/JAC**; creating the Indigent Civil Defense Trust Fund within the Justice Administrative Commission, providing for the purpose of the trust fund, providing for future review and termination or re-creation of the trust fund;

having met, and after full and free conference, do recommend to their respective houses as follows:

1. That the House recede from House Amendment 537711;

2. That the Senate and House of Representatives adopt the Conference Committee Amendment 318610 to CS for SB 1788 attached hereto, and by reference made a part of this report.

s/Lisa Carlton
Chair
s/JD Alexander
s/Carey Baker
s/Larcenia J. Bullard
s/Victor D. Crist
s/Charles Dean
s/Alex Diaz de la Portilla
s/Mike Fasano
Rudy Garcia
s/Mike Haridopolos
s/Dennis L. Jones
s/Charlie Justice
s/Alfred "Al" Lawson, Jr.
s/Gwen Margolis
s/Durell Peaden, Jr.
s/Nan H. Rich
s/Burt L. Saunders
s/Ronda Storms
s/Daniel Webster, At Large
s/Stephen R. Wise

s/Jeff Atwater
Vice Chair
s/Dave Aronberg
s/Michael S. "Mike" Bennett
s/Lee Constantine
s/M. Mandy Dawson
s/Ted Deutch
s/Paula Dockery
s/Don Gaetz
Steven A. Geller, At Large
s/Anthony C. "Tony" Hill, Sr.
s/Arthenia L. Joyner
s/James E. King, Jr., At Large
s/Evelyn J. Lynn
s/Steve Oelrich
s/Bill Posey
s/Jeremy Ring
s/Gary Siplin
J. Alex Villalobos
s/Frederica S. Wilson

Managers on the part of the Senate

s/Ray Sansom
Chair and At Large
s/Kevin C. Ambler
s/Gary Aubuchon

s/Sandra "Sandy" Adams
s/Thad Altman
s/Frank Attkisson
Loranne Ausley

s/Aaron P. Bean
s/Ellyn Setnor Bogdanoff, At Large
Debbie Boyd
Ronald A. Brisé
s/Dean Cannon
Charles S. "Chuck" Chestnut IV
s/Larry Cretul, At Large
Joyce Cusack, At Large
Chris Dorworth
Keith Fitzgerald
s/Bill Galvano
s/Andy Gardiner
Joseph A. "Joe" Gibbons
s/Hugh H. Gibson III
s/Michael J. Grant
s/Gayle B. Harrell
s/D. Alan Hays
s/Matt Hudson
s/Kurt Kelly
Martin David "Marty" Kiar
Paige Kreegel
s/John Legg
Janet C. Long
Richard A. Machek
s/Charles McBurney
Matthew J. "Matt" Meadows
s/Mitch Needelman
s/Pat Patterson
s/Juan-Carlos "J.C." Planas
s/Stephen L. Precourt
Scott Randolph
Betty Reed
s/Garrett Richter
s/Julio Robaina
Dennis A. Ross
Franklin Sands, At Large
Ron Saunders, At Large
s/Ron Schultz
John P. "Jack" Seiler, At Large
Kelly Skidmore
Priscilla Taylor
s/Nicholas R. "Nick" Thompson
s/Anthony Trey Traviesa
Shelley Vana
s/Will W. Weatherford
s/Juan C. Zapata, At Large
Dorothy Bendross-Mindingall
s/Marsha L. "Marty" Bowen, At Large
Mary Brandenburg
Susan Bucher
s/Jennifer Carroll
s/Marti Coley
s/Faye B. Culp
s/Carl J. Domino
s/Greg Evers
s/Anitere Flores, At Large
s/Rene Garcia
Dan Gelber, At Large
Audrey Gibson
s/Richard "Rich" Glorioso
Denise Grimsley
s/Adam Hasner, At Large
s/Ed Homan
s/Dorothy L. Hukill
s/Will S. Kendrick
s/Dick Kravitz
Rick Kriseman
s/Marcelo Llorente
s/Carlos Lopez-Cantera
s/Stan Mayfield
s/Seth McKeel
s/Dave Murzin
s/Jimmy T. Patronis, Jr.
s/Joe H. Pickens
s/Ralph Poppell
s/William L. "Bill" Proctor
s/Ron Reagan
Curtis B. Richardson
s/David Rivera, At Large
Yolly Roberson
Maria Lorts Sachs
Anthony P. "Tony" Sasso III
s/Robert C. "Rob" Schenck
Michael J. Scionti
s/David Simmons, At Large
Darren Soto
Geraldine F. "Geri" Thompson
Perry E. Thurston, Jr.
s/Baxter G. Troutman
James W. "Jim" Waldman
Trudi K. Williams

Managers on the part of the House

Conference Committee Amendment (318610)(with title amendment)—Delete everything after the enacting clause and insert:

Section 1. *Indigent Civil Defense Trust Fund.—*

(1) The Indigent Civil Defense Trust Fund is created within the Justice Administrative Commission. Moneys credited to the trust fund shall be used for the purpose of funding the activities of the offices of criminal conflict and civil regional counsel as provided in s. 27.511, Florida Statutes.

(2) In accordance with s. 19(f)(2), Art. III of the State Constitution, the Indigent Civil Defense Trust Fund shall, unless terminated sooner, be terminated on July 1, 2012. Before its scheduled termination, the trust fund shall be reviewed as provided in s. 215.3206(1) and (2), Florida Statutes.

Section 2. This act shall take effect July 1, 2008.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to trust funds; creating the Indigent Civil Defense Trust Fund within the Justice Administrative Commission; providing for the purpose of the trust fund; providing for future review and termination or re-creation of the trust fund; providing an effective date.

The Conference Committee Report was read and on motion by Senator Crist was adopted. **CS for SB 1788** passed as amended by the Conference Committee Report and was certified to the House together with the Conference Committee Report. The vote on passage was:

Yeas—39

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

Nays—None

By direction of the President the following Conference Committee Report was read:

CONFERENCE COMMITTEE REPORT ON CS for SB 1790

The Honorable Ken Pruitt April 28, 2008
President of the Senate

The Honorable Marco Rubio
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on CS for SB 1790, same being:

An act relating to **State Judicial System**; prescribes the types of civil proceedings in which part-time assistant criminal conflict and civil regional counsel may not otherwise engage. Increases the application fee for determining indigent status for the purpose of receiving criminal representation by state-funded counsel. Increases charges for services rendered by the clerk of the circuit court in recording documents and instruments and performing other duties, etc.;

having met, and after full and free conference, do recommend to their respective houses as follows:

1. That the House recede from House Amendment 753307;

2. That the Senate and House of Representatives adopt the Conference Committee Amendment 668868 to CS for SB 1790 attached hereto, and by reference made a part of this report.

s/Lisa Carlton
Chair
s/JD Alexander
s/Carey Baker
s/Larcenia J. Bullard
s/Victor D. Crist
s/Charles Dean
s/Alex Diaz de la Portilla
s/Mike Fasano
Rudy Garcia
s/Mike Haridopolos
s/Dennis L. Jones
s/Charlie Justice
s/Alfred "Al" Lawson, Jr.
s/Gwen Margolis
s/Durell Peaden, Jr.
s/Nan H. Rich
s/Burt L. Saunders
s/Ronda Storms
s/Daniel Webster, At Large
s/Stephen R. Wise
s/Jeff Atwater
Vice Chair
s/Dave Aronberg
s/Michael S. "Mike" Bennett
s/Lee Constantine
s/M. Mandy Dawson
s/Ted Deutch
Paula Dockery
s/Don Gaetz
Steven A. Geller, At Large
s/Anthony C. "Tony" Hill, Sr.
s/Arthenia L. Joyner
s/James E. King, Jr., At Large
s/Evelyn J. Lynn
s/Steve Oelrich
s/Bill Posey
s/Jeremy Ring
s/Gary Siplin
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Chris Dorworth
Keith Fitzgerald
s/Bill Galvano
s/Andy Gardiner
Joseph A. "Joe" Gibbons
s/Hugh H. Gibson III
s/Michael J. Grant
s/Gayle B. Harrell
s/D. Alan Hays
s/Matt Hudson
s/Kurt Kelly
Martin David "Marty" Kiar
s/Paige Kreegel
s/John Legg
Janet C. Long
Richard A. Machek
s/Charles McBurney
Matthew J. "Matt" Meadows
s/Mitch Needelman
s/Pat Patterson
s/Juan-Carlos "J.C." Planas
s/Stephen L. Precourt
Scott Randolph
Betty Reed
s/Garrett Richter
s/Julio Robaina
Dennis A. Ross
Franklin Sands, At Large
Ron Saunders, At Large
s/Ron Schultz
John P. "Jack" Seiler, At Large
Kelly Skidmore
Priscilla Taylor
s/Nicholas R. "Nick" Thompson
s/Anthony Trey Traviesa
Shelley Vana
s/Will W. Weatherford
s/Juan C. Zapata, At Large
s/Sandra "Sandy" Adams
s/Thad Altman
s/Frank Attkisson
Loranne Ausley
Dorothy Bendross-Mindingall
s/Marsha L. "Marty" Bowen, At Large
Mary Brandenburg
Susan Bucher
s/Jennifer Carroll
s/Marti Coley
s/Faye B. Culp
s/Carl J. Domino
s/Greg Evers
s/Anitere Flores, At Large
s/Rene Garcia
Dan Gelber, At Large
Audrey Gibson
s/Richard "Rich" Glorioso
Denise Grimsley
s/Adam Hasner, At Large
s/Ed Homan
s/Dorothy L. Hukill
s/Will S. Kendrick
s/Dick Kravitz
Rick Kriseman
s/Marcelo Llorente
s/Carlos Lopez-Cantera
s/Stan Mayfield
s/Seth McKeel
s/Dave Murzin
s/Jimmy T. Patronis, Jr.
s/Joe H. Pickens
s/Ralph Poppell
s/William L. "Bill" Proctor
s/Ron Reagan
Curtis B. Richardson
s/David Rivera, At Large
Yolly Roberson
Maria Lorts Sachs
Anthony P. "Tony" Sasso III
s/Robert C. "Rob" Schenck
Michael J. Scionti
s/David Simmons, At Large
Darren Soto
Geraldine F. "Geri" Thompson
Perry E. Thurston, Jr.
s/Baxter G. Troutman
James W. "Jim" Waldman
Trudi K. Williams

Managers on the part of the House

Conference Committee Amendment (668868)(with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Subsection (3) of section 25.241, Florida Statutes, is amended to read:

25.241 Clerk of Supreme Court; compensation; assistants; filing fees, etc.—

(3)*(a)* The Clerk of the Supreme Court is hereby required to collect, upon the filing of a certified copy of a notice of appeal or petition, $300 for each case docketed, and for copying, certifying, or furnishing opinions, records, papers, or other instruments, except as otherwise herein provided, the same fees that are allowed clerks of the circuit court; however, no fee shall be less than $1. The State of Florida or its agencies, when appearing as appellant or petitioner, is exempt from the filing fees required in this subsection. From each attorney appearing pro hac vice, the Clerk of the Supreme Court shall collect an additional fee of $100 to be deposited into the General Revenue Fund.

(b) Upon the filing of a notice of cross-appeal, or a notice of joinder or motion to intervene as an appellant, cross-appellant, or petitioner, the Clerk of the Supreme Court shall charge and collect a filing fee of $295. The clerk shall remit the fee to the Department of Revenue for deposit into the General Revenue Fund. The state and its agencies are exempt from the filing fee required in this paragraph.

Section 2. Section 26.57, Florida Statutes, is amended to read:

26.57 Temporary designation of county court judge to preside over circuit court cases.—In each county where there is no resident circuit judge and the county court judge has been a member of the bar for at least 5 years and is qualified to be a circuit judge, the county court judge may be designated on a temporary basis to preside over circuit court cases by the Chief Justice of the Supreme Court upon recommendation of the chief judge of the circuit~~, and the judge so designated shall receive the same salary as a duly elected circuit judge for the time periods that the county judge is actually presiding over circuit court cases~~. He or she may be assigned to exercise all county and circuit court jurisdiction in the county, except appeals from the county court. In addition, he or she may be required to perform the duties of circuit judge in other counties of the circuit as time may permit and as the need arises, as determined by the chief judge of the circuit.

Section 3. Subsections (4) and (8) of section 27.511, Florida Statutes, are amended to read:

27.511 Offices of criminal conflict and civil regional counsel; legislative intent; qualifications; appointment; duties.—

(4)*(a)* Each regional counsel shall serve on a full-time basis and may not engage in the private practice of law while holding office. Assistant regional counsel shall give priority and preference to their duties as assistant regional counsel and may not otherwise engage in the practice of criminal law. *Assistant regional counsel may not engage* ~~or~~ in civil proceedings for which the state compensates attorneys *under s. 27.5304* ~~for representation~~.

(b) Notwithstanding paragraph (a), part-time assistant regional counsel may practice criminal law for private payment so long as the representation does not result in a legal or ethical conflict of interest with a case for which the office of criminal conflict and civil regional council is providing representation. Assistant regional counsel may not accept criminal cases for reimbursement by the state under s. 27.5304. This paragraph expires June 30, 2010.

(8) The *public defender for the judicial circuit specified in s. 27.51(4)* ~~office of criminal conflict and civil regional counsel~~ shall*, after the record on appeal is transmitted to the appellate court by the office of criminal conflict and civil regional counsel which handled the trial and if requested by the regional counsel for the indicated appellate district,* handle all circuit court appeals *authorized pursuant to paragraph (5)(f)* within the state courts system and any authorized appeals to the federal courts ~~which are~~ required *of the official making the request* ~~in cases in which the office of criminal conflict and civil regional counsel is appointed under this section~~. *If the public defender certifies to the court that the public defender has a conflict consistent with the criteria prescribed in s. 27.5303 and moves to withdraw, the regional counsel shall handle the appeal, unless the regional counsel has a conflict, in which case the court shall appoint private counsel pursuant to s. 27.40.*

Section 4. Paragraphs (b) and (c) of subsection (1) of section 27.52, Florida Statutes, are amended to read:

27.52 Determination of indigent status.—

(1) APPLICATION TO THE CLERK.—A person seeking appointment of a public defender under s. 27.51 based upon an inability to pay must apply to the clerk of the court for a determination of indigent status using an application form developed by the Florida Clerks of Court Operations Corporation with final approval by the Supreme Court.

(b) An applicant shall pay a *$50* ~~$40~~ application fee to the clerk for each application for court-appointed counsel filed. The applicant shall pay the fee within 7 days after submitting the application. If the applicant does not pay the fee prior to the disposition of the case, the clerk shall notify the court, and the court shall:

1. Assess the application fee as part of the sentence or as a condition of probation; or

2. Assess the application fee pursuant to s. 938.29.

(c) Notwithstanding any provision of law, court rule, or administrative order, the clerk shall assign the first *$50* ~~$40~~ of any fees or costs paid by an indigent person as payment of the application fee. A person found to be indigent may not be refused counsel or other required due process services for failure to pay the fee.

Section 5. Section 27.562, Florida Statutes, is amended to read:

27.562 Disposition of funds.—The first *$50* ~~$40~~ of all funds collected pursuant to s. 938.29 shall be deposited into the Indigent Criminal Defense Trust Fund pursuant to s. 27.525 *in satisfaction of the application fee for a determination of indigent status under s. 27.52 if the fee was not paid*. The remaining funds collected pursuant to s. 938.29 shall be distributed as follows:

(1) Twenty-five percent shall be remitted to the Department of Revenue for deposit into the Justice Administrative Commission's Indigent Criminal Defense Trust Fund.

(2) Seventy-five percent shall be remitted to the Department of Revenue for deposit into the General Revenue Fund.

The Justice Administrative Commission shall account for funds deposited into the Indigent Criminal Defense Trust Fund by circuit. Appropriations from the fund shall be proportional to each circuit's collections. All judgments entered pursuant to this part shall be in the name of the state.

Section 6. Section 28.24, Florida Statutes, is amended to read:

28.24 Service charges by clerk of the circuit court.—The clerk of the circuit court shall charge for services rendered by the clerk's office in recording documents and instruments and in performing the duties enumerated in amounts not to exceed those specified in this section. Notwithstanding any other provision of this section, the clerk of the circuit court shall provide without charge to the state attorney, public defender, guardian ad litem, public guardian, attorney ad litem, criminal conflict and civil regional counsel, and private court-appointed counsel paid by the state, and to the authorized staff acting on behalf of each, access to and a copy of any public record, if the requesting party is entitled by law to view the exempt or confidential record, as maintained by and in the custody of the clerk of the circuit court as provided in general law and the Florida Rules of Judicial Administration. The clerk of the circuit court may provide the requested public record in an electronic format in lieu of a paper format when capable of being accessed by the requesting entity.

Charges

(1) For examining, comparing, correcting, verifying, and certifying transcripts of record in appellate proceedings, prepared by attorney for appellant or someone else other than clerk, per page . . . . . *5.00* ~~4.50~~

(2) For preparing, numbering, and indexing an original record of appellate proceedings, per instrument . . . . . *3.50* ~~3.00~~

(3) For certifying copies of any instrument in the public records . . . . . *2.00* ~~1.50~~

(4) For verifying any instrument presented for certification prepared by someone other than clerk, per page . . . . . *3.50* ~~3.00~~

(5)(a) For making copies by photographic process of any instrument in the public records consisting of pages of not more than 14 inches by 8 1/2 inches, per page 1.00

(b) For making copies by photographic process of any instrument in the public records of more than 14 inches by 8 1/2 inches, per page 5.00

(6) For making microfilm copies of any public records:

(a) 16 mm 100' microfilm roll . . . . . *42.00* ~~37.50~~

(b) 35 mm 100' microfilm roll . . . . . *60.00* ~~52.50~~

(c) Microfiche, per fiche . . . . . *3.50* ~~3.00~~

(7) For copying any instrument in the public records by other than photographic process, per page 6.00

(8) For writing any paper other than herein specifically mentioned, same as for copying, including signing and sealing . . . . . *7.00* ~~6.00~~

(9) For indexing each entry not recorded 1.00

(10) For receiving money into the registry of court:

(a)1. First $500, percent 3

2. Each subsequent $100, percent 1.5

(b) Eminent domain actions, per deposit . . . . . *170.00* ~~150.00~~

(11) For examining, certifying, and recording plats and for recording condominium exhibits larger than 14 inches by 8 1/2 inches:

(a) First page 30.00

(b) Each additional page 15.00

(12) For recording, indexing, and filing any instrument not more than 14 inches by 8 1/2 inches, including required notice to property appraiser where applicable:

(a) First page or fraction thereof 5.00

(b) Each additional page or fraction thereof 4.00

(c) For indexing instruments recorded in the official records which contain more than four names, per additional name 1.00

(d) An additional service charge shall be paid to the clerk of the circuit court to be deposited in the Public Records Modernization Trust Fund for each instrument listed in s. 28.222, except judgments received from the courts and notices of lis pendens, recorded in the official records:

1. First page 1.00

2. Each additional page 0.50

Said fund shall be held in trust by the clerk and used exclusively for equipment and maintenance of equipment, personnel training, and technical assistance in modernizing the public records system of the office. In a county where the duty of maintaining official records exists in an office other than the office of the clerk of the circuit court, the clerk of the circuit court is entitled to 25 percent of the moneys deposited into the trust fund for equipment, maintenance of equipment, training, and technical assistance in modernizing the system for storing records in the office of the clerk of the circuit court. The fund may not be used for the payment of travel expenses, membership dues, bank charges, staff-recruitment costs, salaries or benefits of employees, construction costs, general operating expenses, or other costs not directly related to obtaining and maintaining equipment for public records systems or for the purchase of furniture or office supplies and equipment not related to the storage of records. On or before December 1, 1995, and on or before December 1 of each year immediately preceding each year during which the trust fund is scheduled for legislative review under s. 19(f)(2), Art. III of the State Constitution, each clerk of the circuit court shall file a report on the Public Records Modernization Trust Fund with the President of the Senate and the Speaker of the House of Representatives. The report must itemize each expenditure made from the trust fund since the last report was filed; each obligation payable from the trust fund on that date; and the percentage of funds expended for each of the following: equipment, maintenance of equipment, personnel training, and technical assistance. The report must indicate the nature of the system each clerk uses to store, maintain, and retrieve public records and the degree to which the system has been upgraded since the creation of the trust fund.

(e) An additional service charge of $4 per page shall be paid to the clerk of the circuit court for each instrument listed in s. 28.222, except judgments received from the courts and notices of lis pendens, recorded in the official records. From the additional $4 service charge collected:

1. If the counties maintain legal responsibility for the costs of the court-related technology needs as defined in s. 29.008(1)(f)2. and (h), 10 cents shall be distributed to the Florida Association of Court Clerks and Comptroller, Inc., for the cost of development, implementation, operation, and maintenance of the clerks' Comprehensive Case Information

System, in which system all clerks shall participate on or before January 1, 2006; $1.90 shall be retained by the clerk to be deposited in the Public Records Modernization Trust Fund and used exclusively for funding court-related technology needs of the clerk as defined in s. 29.008(1)(f)2. and (h); and $2 shall be distributed to the board of county commissioners to be used exclusively to fund court-related technology, and court technology needs as defined in s. 29.008(1)(f)2. and (h) for the state trial courts, state attorney, public defender, and criminal conflict and civil regional counsel in that county. If the counties maintain legal responsibility for the costs of the court-related technology needs as defined in s. 29.008(1)(f)2. and (h), notwithstanding any other provision of law, the county is not required to provide additional funding beyond that provided herein for the court-related technology needs of the clerk as defined in s. 29.008(1)(f)2. and (h). All court records and official records are the property of the State of Florida, including any records generated as part of the Comprehensive Case Information System funded pursuant to this paragraph and the clerk of court is designated as the custodian of such records, except in a county where the duty of maintaining official records exists in a county office other than the clerk of court or comptroller, such county office is designated the custodian of all official records, and the clerk of court is designated the custodian of all court records. The clerk of court or any entity acting on behalf of the clerk of court, including an association, shall not charge a fee to any agency as defined in s. 119.011, the Legislature, or the State Court System for copies of records generated by the Comprehensive Case Information System or held by the clerk of court or any entity acting on behalf of the clerk of court, including an association.

2. If the state becomes legally responsible for the costs of court-related technology needs as defined in s. 29.008(1)(f)2. and (h), whether by operation of general law or by court order, $4 shall be remitted to the Department of Revenue for deposit into the General Revenue Fund.

(13) Oath, administering, attesting, and sealing, not otherwise provided for herein . . . . . *3.50* ~~3.00~~

(14) For validating certificates, any authorized bonds, each . . . . . *3.50* ~~3.00~~

(15) For preparing affidavit of domicile 5.00

(16) For exemplified certificates, including signing and sealing . . . . . *7.00* ~~6.00~~

(17) For authenticated certificates, including signing and sealing . . . . . *7.00* ~~6.00~~

(18)(a) For issuing and filing a subpoena for a witness, not otherwise provided for herein (includes writing, preparing, signing, and sealing) . . . . . *7.00* ~~6.00~~

(b) For signing and sealing only . . . . . *2.00* ~~1.50~~

(19) For approving bond . . . . . *8.50* ~~7.50~~

(20) For searching of records, for each year's search . . . . *2.00* ~~1.50~~

(21) For processing an application for a tax deed sale (includes application, sale, issuance, and preparation of tax deed, and disbursement of proceeds of sale), other than excess proceeds 60.00

(22) For disbursement of excess proceeds of tax deed sale, first $100 or fraction thereof 10.00

(23) Upon receipt of an application for a marriage license, for preparing and administering of oath; issuing, sealing, and recording of the marriage license; and providing a certified copy 30.00

(24) For solemnizing matrimony 30.00

(25) For sealing any court file or expungement of any record . . . . . *42.00* ~~37.50~~

(26)(a) For receiving and disbursing all restitution payments, per payment . . . . . *3.50* ~~3.00~~

(b) For receiving and disbursing all partial payments, other than restitution payments, for which an administrative processing service charge is not imposed pursuant to s. 28.246, per month 5.00

(c) For setting up a payment plan, a one-time administrative processing charge in lieu of a per month charge under paragraph (b) 25.00

(27) Postal charges incurred by the clerk of the circuit court in any mailing by certified or registered mail shall be paid by the party at whose instance the mailing is made.

(28) For furnishing an electronic copy of information contained in a computer database: a fee as provided for in chapter 119.

Section 7. Subsection (1) of section 28.2401, Florida Statutes, is amended to read:

28.2401 Service charges in probate matters.—

(1) Except when otherwise provided, the clerk may impose service charges for the following services, not to exceed the following amounts:

(a) For the opening of any estate of one document or more, including, but not limited to, petitions and orders to approve settlement of minor's claims; to open a safe-deposit box; to enter rooms and places; for the determination of heirs, if not formal administration; and for a foreign guardian to manage property of a nonresident; but not to include issuance of letters or order of summary administration . . . . . *$115* ~~$100~~

(b) Caveat . . . . . *$40* ~~$35~~

(c) Petition and order to admit foreign wills, authenticated copies, exemplified copies, or transcript to record . . . . . *$115* ~~$100~~

(d) For disposition of personal property without administration . . . . . *$115* ~~$100~~

(e) Summary administration—estates valued at $1,000 or more . . . . . *$225* ~~$200~~

(f) Summary administration—estates valued at less than $1,000 . . . . . *$115* ~~$100~~

(g) Formal administration, guardianship, ancillary, curatorship, or conservatorship proceedings . . . . . *$280* ~~$250~~

(h) Guardianship proceedings of person only . . . . . *$115* ~~$100~~

(i) Veterans' guardianship pursuant to chapter 744 . . . . *$115* ~~$100~~

(j) Exemplified certificates . . . . . *$7* ~~$6~~

(k) Petition for determination of incompetency . . . . . *$115* ~~$100~~

Section 8. Subsections (1) and (2) of section 28.241, Florida Statutes, are amended to read:

28.241 Filing fees for trial and appellate proceedings.—

(1)(a) The party instituting any civil action, suit, or proceeding in the circuit court shall pay to the clerk of that court a filing fee of up to *$295* ~~$250~~ in all cases in which there are not more than five defendants and an additional filing fee of up to *$2.50* ~~$2~~ for each defendant in excess of five. Of the first *$85* ~~$55~~ in filing fees, *$80* ~~$50~~ must be remitted by the clerk to the Department of Revenue for deposit into the General Revenue Fund, and $5 must be remitted to the Department of Revenue for deposit into the Department of Financial Services' Administrative Trust Fund to fund the contract with the Florida Clerks of Court Operations Corporation created in s. 28.35. *The next $15 of the filing fee collected shall be deposited in the state courts' Mediation and Arbitration Trust Fund.* One-third of any filing fees collected by the clerk of the circuit court in excess of *$100* ~~$55~~ shall be remitted to the Department of Revenue for deposit into the Department of Revenue Clerks of the Court Trust Fund. An additional filing fee of $4 shall be paid to the clerk. The clerk shall remit $3.50 to the Department of Revenue for deposit into the Court Education Trust Fund and shall remit 50 cents to the Department of Revenue for deposit into the Department of Financial Services Administrative Trust Fund to fund clerk education. An additional filing fee of up to *$18* ~~$15~~ shall be paid by the party seeking each severance that is granted. The clerk may impose an additional filing fee of up to *$85* ~~$75~~ for all proceedings of garnishment, attachment, replevin, and distress. Postal charges incurred by the clerk of the circuit court in making service by certified or registered mail on defendants or other parties shall

be paid by the party at whose instance service is made. No additional fees, charges, or costs shall be added to the filing fees imposed under this section, except as authorized herein or by general law.

(b) A party reopening any civil action, suit, or proceeding in the circuit court shall pay to the clerk of court a filing fee set by the clerk in an amount not to exceed $50. For purposes of this section, a case is reopened when a case previously reported as disposed of is resubmitted to a court and includes petitions for modification of a final judgment of dissolution. A party is exempt from paying the fee for any of the following:

1. A writ of garnishment;

2. A writ of replevin;

3. A distress writ;

4. A writ of attachment;

5. A motion for rehearing filed within 10 days;

6. A motion for attorney's fees filed within 30 days after entry of a judgment or final order;

7. A motion for dismissal filed after a mediation agreement has been filed;

8. A disposition of personal property without administration;

9. Any probate case prior to the discharge of a personal representative;

10. Any guardianship pleading prior to discharge;

11. Any mental health pleading;

12. Motions to withdraw by attorneys;

13. Motions exclusively for the enforcement of child support orders;

14. A petition for credit of child support;

15. A Notice of Intent to Relocate and any order issuing as a result of an uncontested relocation;

16. Stipulations;

17. Responsive pleadings; or

18. Cases in which there is no initial filing fee.

(c) Any party other than a party described in paragraph (a) who files a pleading in an original civil action in circuit court for affirmative relief by cross-claim, counterclaim, or third-party complaint shall pay the clerk of court a fee of $295. The clerk shall remit the fee to the Department of Revenue for deposit into the General Revenue Fund.

(d) The clerk of court shall collect a service charge of $10 for issuing a summons. The clerk shall assess the fee against the party seeking to have the summons issued.

(2) Upon the institution of any appellate proceeding from any lower court to the circuit court of any such county, including appeals filed by a county or municipality as provided in s. 34.041(5), or from the circuit court to an appellate court of the state, the clerk shall charge and collect from the party or parties instituting such appellate proceedings a filing fee not to exceed *$280* ~~$250~~ for filing a notice of appeal from the county court to the circuit court and, in addition to the filing fee required under s. 25.241 or s. 35.22, *$100* ~~$50~~ for filing a notice of appeal from the circuit court to the district court of appeal or to the Supreme Court. If the party is determined to be indigent, the clerk shall defer payment of the fee. The clerk shall remit the first *$80* ~~$50~~ to the Department of Revenue for deposit into the General Revenue Fund. One-third of the fee collected by the clerk in excess of *$80* ~~$50~~ also shall be remitted to the Department of Revenue for deposit into the Clerks of the Court Trust Fund.

Section 9. Subsections (2) and (4) of section 28.35, Florida Statutes, are amended to read:

28.35 Florida Clerks of Court Operations Corporation.—

(2) The duties of the corporation shall include the following:

(a) Adopting a plan of operation.

(b) Conducting the election of directors as required in paragraph (1)(a).

(c) Recommending to the Legislature changes in the various court-related fines, fees, service charges, and court costs established by law to ensure reasonable and adequate funding of the clerks of the court in the performance of their court-related functions.

(d) Pursuant to contract with the Chief Financial Officer, establishing a process for the review and certification of proposed court-related budgets submitted by clerks of the court for completeness and compliance with this section and ss. 28.36 and 28.37. This process shall be designed and be of sufficient detail to permit independent verification and validation of the budget certification. The contract shall specify the process to be used in determining compliance by the corporation with this section and ss. 28.36 and 28.37.

(e) Developing and certifying a uniform system of performance measures and applicable performance standards for the functions specified in paragraph (4)(a) and clerk performance in meeting the performance standards. These measures and standards shall be designed to facilitate an objective determination of the performance of each clerk in accordance with minimum standards for fiscal management, operational efficiency, and effective collection of fines, fees, service charges, and court costs. When the corporation finds a clerk has not met the performance standards, the corporation shall identify the nature of each deficiency and any corrective action recommended and taken by the affected clerk of the court.

(f) Reviewing and certifying proposed budgets submitted by clerks of the court utilizing the process approved by the Chief Financial Officer pursuant to paragraph (d) for the purpose of making the certification in paragraph (3)(a). As part of this process, the corporation shall:

1. Calculate the maximum authorized annual budget pursuant to the requirements of s. 28.36.

2. Identify those proposed budgets exceeding the maximum annual budget pursuant to s. 28.36(5) for the standard list of court-related functions *specified in paragraph (4)(a)*.

3. Identify those proposed budgets containing funding for items not included on the standard list of court-related functions *specified in* ~~developed pursuant to~~ paragraph *(4)(a)* ~~(3)(a)~~.

4. Identify those clerks projected to have court-related revenues insufficient to fund their anticipated court-related expenditures.

(g) Developing and conducting clerk education programs.

(h) Publishing a uniform schedule of actual fees, service charges, and costs charged by a clerk of the court for court-related functions pursuant to general law.

(4)(a) The list of court-related functions clerks may fund from filing fees, service charges, court costs, and fines shall be limited to those functions expressly authorized by law or court rule. Those functions must include the following: case maintenance; records management; court preparation and attendance; processing the assignment, reopening, and reassignment of cases; processing of appeals; collection and distribution of fines, fees, service charges, and court costs; processing of bond forfeiture payments; payment of jurors and witnesses; *payment of expenses for meals or lodging provided to jurors;* data collection and reporting; processing of jurors; determinations of indigent status; and reasonable administrative support costs to enable the clerk of the court to carry out these court-related functions.

(b) The list of functions clerks may not fund from filing fees, service charges, court costs, and fines shall include:

1. Those functions not specified within paragraph (a).

2. Functions assigned by administrative orders which are not required for the clerk to perform the functions in paragraph (a).

3. Enhanced levels of service which are not required for the clerk to perform the functions in paragraph (a).

4. Functions identified as local requirements in law or local optional programs.

~~(c) Publishing a uniform schedule of actual fees, service charges, and costs charged by a clerk of the court for court-related functions pursuant to general law.~~

Section 10. For the purpose of incorporating the amendment made by this act to section 28.35, Florida Statutes, in references thereto, subsections (1) and (2), paragraph (a) of subsection (3), and subsections (4) and (5) of section 28.36, Florida Statutes, are reenacted to read:

28.36 Budget procedure.—There is hereby established a budget procedure for the court-related functions of the clerks of the court.

(1) Only those functions on the standard list developed pursuant to s. 28.35(4)(a) may be funded from fees, service charges, court costs, and fines retained by the clerks of the court. No clerk may use fees, service charges, court costs, and fines in excess of the maximum budget amounts as established in subsection (5).

(2) For the period July 1, 2004, through September 30, 2004, and for each county fiscal year ending September 30 thereafter, each clerk of the court shall prepare a budget relating solely to the performance of the standard list of court-related functions pursuant to s. 28.35(4)(a).

(3) Each proposed budget shall further conform to the following requirements:

(a) On or before August 15 for each fiscal year thereafter, the proposed budget shall be prepared, summarized, and submitted by the clerk in each county to the Clerks of Court Operations Corporation in the manner and form prescribed by the corporation. The proposed budget must provide detailed information on the anticipated revenues available and expenditures necessary for the performance of the standard list of court-related functions of the clerk's office developed pursuant to s. 28.35(4)(a) for the county fiscal year beginning the following October 1.

(4) If a clerk of the court estimates that available funds plus projected revenues from fines, fees, service charges, and costs for court-related services are insufficient to meet the anticipated expenditures for the standard list of court-related functions in s. 28.35(4)(a) performed by his or her office, the clerk must report the revenue deficit to the Clerks of Court Operations Corporation in the manner and form prescribed by the corporation pursuant to contract with the Chief Financial Officer. The corporation shall verify that the proposed budget is limited to the standard list of court-related functions in s. 28.35(4)(a).

(a) If the corporation verifies that the proposed budget is limited to the standard list of court-related functions in s. 28.35(4)(a) and a revenue deficit is projected, a clerk seeking to retain revenues pursuant to this subsection shall increase all fees, service charges, and any other court-related clerk fees and charges to the maximum amounts specified by law or the amount necessary to resolve the deficit, whichever is less. If, after increasing fees, service charges, and any other court-related clerk fees and charges to the maximum amounts specified by law, a revenue deficit is still projected, the corporation shall, pursuant to the terms of the contract with the Chief Financial Officer, certify a revenue deficit and notify the Department of Revenue that the clerk is authorized to retain revenues, in an amount necessary to fully fund the projected revenue deficit, which he or she would otherwise be required to remit to the Department of Revenue for deposit into the Department of Revenue Clerks of the Court Trust Fund pursuant to s. 28.37. If a revenue deficit is projected for that clerk after retaining all of the projected collections from the court-related fines, fees, service charges, and costs, the Department of Revenue shall certify the amount of the revenue deficit amount to the Executive Office of the Governor and request release authority for funds appropriated for this purpose from the Department of Revenue Clerks of the Court Trust Fund. Notwithstanding provisions of s. 216.192 related to the release of funds, the Executive Office of the Governor may approve the release of funds appropriated to resolve projected revenue deficits in accordance with the notice, review, and objection procedures set forth in s. 216.177 and shall provide notice to the Chief Financial Officer. The Department of Revenue is directed to request monthly distributions from the Chief Financial Officer in equal amounts to each clerk certified to have a revenue deficit, in accordance with the releases approved by the Governor.

(b) If the Chief Financial Officer finds the court-related budget proposed by a clerk includes functions not included in the standard list of court-related functions in s. 28.35(4)(a), the Chief Financial Officer shall notify the clerk of the amount of the proposed budget not eligible to be funded from fees, service charges, costs, and fines for court-related functions and shall identify appropriate corrective measures to ensure budget integrity. The clerk shall then immediately discontinue all ineligible expenditures of court-related funds for this purpose and reimburse the Clerks of the Court Trust Fund for any previously ineligible expenditures made for non-court-related functions, and shall implement any corrective actions identified by the Chief Financial Officer.

(5)(a) For the county fiscal year October 1, 2004, through September 30, 2005, the maximum annual budget amount for the standard list of court-related functions of the clerks of court in s. 28.35(4)(a) that may be funded from fees, service charges, court costs, and fines retained by the clerks of the court shall not exceed:

1. One hundred and three percent of the clerk's estimated expenditures for the prior county fiscal year; or

2. One hundred and five percent of the clerk's estimated expenditures for the prior county fiscal year for those clerks in counties that for calendar years 1998-2002 experienced an average annual increase of at least 5 percent in both population and case filings for all case types as reported through the Summary Reporting System used by the state courts system.

(b) For the county fiscal year 2005-2006, the maximum budget amount for the standard list of court-related functions of the clerks of court in s. 28.35(4)(a) that may be funded from fees, service charges, court costs, and fines retained by the clerks of the court shall be the approved budget for county fiscal year 2004-2005 adjusted by the projected percentage change in revenue between the county fiscal years 2004-2005 and 2005-2006.

(c) For the county fiscal years 2006-2007 and thereafter, the maximum budget amount for the standard list of court-related functions of the clerks of court in s. 28.35(4)(a) that may be funded from fees, service charges, court costs, and fines retained by the clerks of the court shall be established by first rebasing the prior fiscal year budget to reflect the actual percentage change in the prior fiscal year revenue and then adjusting the rebased prior fiscal year budget by the projected percentage change in revenue for the proposed budget year. The rebasing calculations and maximum annual budget calculations shall be as follows:

1. For county fiscal year 2006-2007, the approved budget for county fiscal year 2004-2005 shall be adjusted for the actual percentage change in revenue between the two 12-month periods ending June 30, 2005, and June 30, 2006. This result is the rebased budget for the county fiscal year 2005-2006. Then the rebased budget for the county fiscal year 2005-2006 shall be adjusted by the projected percentage change in revenue between the county fiscal years 2005-2006 and 2006-2007. This result shall be the maximum annual budget amount for the standard list of court-related functions of the clerks of court in s. 28.35(4)(a) that may be funded from fees, service charges, court costs, and fines retained by the clerks of the court for each clerk for the county fiscal year 2006-2007.

2. For county fiscal year 2007-2008, the rebased budget for county fiscal year 2005-2006 shall be adjusted for the actual percentage change in revenue between the two 12-month periods ending June 30, 2006, and June 30, 2007. This result is the rebased budget for the county fiscal year 2006-2007. The rebased budget for county fiscal year 2006-2007 shall be adjusted by the projected percentage change in revenue between the county fiscal years 2006-2007 and 2007-2008. This result shall be the maximum annual budget amount for the standard list of court-related functions of the clerks of court in s. 28.35(4)(a) that may be funded from fees, service charges, court costs, and fines retained by the clerks of the court for county fiscal year 2007-2008.

3. For county fiscal years 2008-2009 and thereafter, the maximum budget amount for the standard list of court-related functions of the clerks of court in s. 28.35(4)(a) that may be funded from fees, service charges, court costs, and fines retained by the clerks of the court shall be calculated as the rebased budget for the prior county fiscal year adjusted by the projected percentage change in revenues between the

prior county fiscal year and the county fiscal year for which the maximum budget amount is being authorized. The rebased budget for the prior county fiscal year shall always be calculated by adjusting the rebased budget for the year preceding the prior county fiscal year by the actual percentage change in revenues between the 12-month period ending June 30 of the year preceding the prior county fiscal year and the 12-month period ending June 30 of the prior county fiscal year.

Section 11. Subsection (1) of section 34.041, Florida Statutes, is amended to read:

34.041 Filing fees.—

(1)(a) Upon the institution of any civil action, suit, or proceeding in county court, the party shall pay the following filing fee, not to exceed:

1. For all claims less than $100 . . . . . $50.

2. For all claims of $100 or more but not more than $500 . . . $75.

3. For all claims of more than $500 but not more than $2,500 . . . . . *$170* ~~$150~~.

4. For all claims of more than $2,500 . . . . . *$295* ~~$250~~.

5. In addition, for all proceedings of garnishment, attachment, replevin, and distress . . . . . *$85* ~~$75~~.

6. For removal of tenant action . . . . . *$265* ~~$75~~.

(b) The first *$80* ~~$50~~ of the filing fee collected under subparagraph (a)4. shall be remitted to the Department of Revenue for deposit into the General Revenue Fund. *The next $15 of the filing fee collected under subparagraph (a)4., and the first $15 of each filing fee collected under subparagraph (a)6., shall be deposited in the state courts' Mediation and Arbitration Trust Fund.* One-third of any filing fees collected by the clerk under this section in excess of the first *$95* ~~$50~~ collected under subparagraph (a)4. shall be remitted to the Department of Revenue for deposit into the Department of Revenue Clerks of the Court Trust Fund. An additional filing fee of $4 shall be paid to the clerk. The clerk shall transfer $3.50 to the Department of Revenue for deposit into the Court Education Trust Fund and shall transfer 50 cents to the Department of Revenue for deposit into the Department of Financial Services' Administrative Trust Fund to fund clerk education. Postal charges incurred by the clerk of the county court in making service by mail on defendants or other parties shall be paid by the party at whose instance service is made. Except as provided herein, filing fees and service charges for performing duties of the clerk relating to the county court shall be as provided in ss. 28.24 and 28.241. Except as otherwise provided herein, all filing fees shall be retained as fee income of the office of the clerk of circuit court. Filing fees imposed by this section may not be added to any penalty imposed by chapter 316 or chapter 318.

(c) Any party other than a party described in paragraph (a) who files a pleading in an original civil action in the county court for affirmative relief by cross-claim, counterclaim, or third-party complaint, or who files a notice of cross-appeal or notice of joinder or motion to intervene as an appellant, cross-appellant, or petitioner, shall pay the clerk of court a fee of $295 if the relief sought by the party under this paragraph exceeds $2,500. This fee shall not apply where the cross-claim, counterclaim, or third-party complaint requires transfer of the case from county to circuit court. The clerk shall remit the fee to the Department of Revenue for deposit into the General Revenue Fund.

(d) The clerk of court shall collect a service charge of $10 for issuing a summons. The clerk shall assess the fee against the party seeking to have the summons issued.

Section 12. Section 35.06, Florida Statutes, is amended to read:

35.06 Organization of district courts of appeal.—A district court of appeal shall be organized in each of the five appellate districts to be named District Court of Appeal, ... District. The number of judges of each district court of appeal shall be as follows:

(1) In the first district there shall be 15 judges.

(2) In the second district there shall be 14 judges.

(3) In the third district there shall be *10* ~~11~~ judges.

(4) In the fourth district there shall be 12 judges.

(5) In the fifth district there shall be 10 judges.

Section 13. Subsection (3) of section 35.22, Florida Statutes, is amended to read:

35.22 Clerk of district court; appointment; compensation; assistants; filing fees; teleconferencing.—

(3)*(a)* The clerk, upon the filing of a certified copy of a notice of appeal or petition, shall charge and collect a filing fee of $300 for each case docketed, and service charges as provided in s. 28.24 for copying, certifying or furnishing opinions, records, papers or other instruments and for other services. The State of Florida or its agencies, when appearing as appellant or petitioner, is exempt from the filing fee required in this subsection. From each attorney appearance pro hac vice, the clerk shall collect a fee of $100 for deposit as provided in this section.

(b) Upon the filing of a notice of cross-appeal, or a notice of joinder or motion to intervene as an appellant, cross-appellant, or petitioner, the clerk shall charge and collect a filing fee of $295. The clerk shall remit the fee to the Department of Revenue for deposit into the General Revenue Fund. The state and its agencies are exempt from the filing fee required by this paragraph.

Section 14. Subsections (3), (4), and (5) of section 40.24, Florida Statutes, are amended to read:

40.24 Compensation and reimbursement policy.—

(3)(a) Jurors who are regularly employed and who continue to receive regular wages while serving as a juror are not entitled to receive compensation from the *clerk of the circuit court* ~~state~~ for the first 3 days of juror service.

(b) Jurors who are not regularly employed or who do not continue to receive regular wages while serving as a juror are entitled to receive $15 per day for the first 3 days of juror service.

(4) Each juror who serves more than 3 days is entitled to be paid by the *clerk of the circuit court* ~~state~~ for the fourth day of service and each day thereafter at the rate of $30 per day of service.

(5) Jurors are not entitled to additional reimbursement by the *clerk of the circuit court* ~~state~~ for travel or other out-of-pocket expenses.

Section 15. Section 40.26, Florida Statutes, is amended to read:

40.26 Meals and lodging for jurors.—The sheriff, when required by order of the court, shall provide juries with meals and lodging, the expense to be ~~taxed against and~~ paid by the *clerk of the circuit court* ~~state~~.

Section 16. Section 40.29, Florida Statutes, is amended to read:

40.29 Payment of due-process costs.—

(1)~~(a)~~ Each clerk of the circuit court, on behalf of ~~the courts,~~ the state attorney, *private* court-appointed counsel, ~~and~~ the public defender*, and the criminal conflict and civil regional counsel*, shall forward to the Justice Administrative Commission, by county, a quarterly estimate of funds necessary to pay for ordinary witnesses, including, but not limited to, witnesses in civil traffic cases and witnesses of the state attorney, *the* public defender, *criminal conflict and civil regional counsel, private* court-appointed counsel, and persons determined to be indigent for costs. Each quarter of the state fiscal year, the commission, based upon the estimates, shall advance funds to each clerk to pay for these ordinary witnesses from state funds specifically appropriated for the payment of ordinary witnesses.

~~(b) Each clerk of the circuit court shall forward to the Office of the State Courts Administrator, by county, a quarterly estimate of funds necessary to pay juror compensation.~~

(2) Upon receipt of an estimate pursuant to subsection (1), the Justice Administrative Commission ~~or Office of State Courts Administrator, as applicable,~~ shall endorse the amount deemed necessary for payment

by the clerk of the court during the quarterly fiscal period and shall submit a request for payment to the Chief Financial Officer.

(3) Upon receipt of the funds from the Chief Financial Officer, the clerk of the court shall pay all invoices approved and submitted by the state attorney, *the* public defender, *criminal conflict and civil regional counsel,* and *private court-appointed counsel* ~~circuit court administrator~~ for the items enumerated in *subsection* ~~paragraphs~~ (1)~~(a) and (b)~~.

(4) After review for compliance with applicable rates and requirements, the Justice Administrative Commission shall pay all due process service related invoices, except those enumerated in *subsection* ~~paragraphs~~ (1)~~(a) and (b)~~, approved and submitted by the state attorney, *the* public defender, *criminal conflict and civil regional counsel,* or *private* court-appointed counsel in accordance with the applicable requirements of ss. 29.005, 29.006, and 29.007.

Section 17. Section 40.31, Florida Statutes, is amended to read:

40.31 *Justice Administrative Commission* ~~State Courts Administrator~~ may apportion appropriation.—If the *Justice Administrative Commission has* ~~State Courts Administrator shall have~~ reason to believe that the amount appropriated by the Legislature is insufficient to meet the expenses of ~~jurors and~~ witnesses during the remaining part of the state fiscal year, *the commission* ~~he or she~~ may apportion the money in the treasury for that purpose among the several counties, basing such apportionment upon the amount expended for the payment of ~~jurors and~~ witnesses in each county during the prior fiscal year. In such case, each county shall be paid by warrant, issued by the Chief Financial Officer, only the amount so apportioned to each county, and, when the amount so apportioned is insufficient to pay in full all the ~~jurors and~~ witnesses during a quarterly fiscal period, the clerk of the court shall apportion the money received pro rata among the ~~jurors and~~ witnesses entitled to pay and shall give to each ~~juror or~~ witness a certificate of the amount of compensation still due, which certificate shall be held by the *commission* ~~State Courts Administrator~~ as other demands against the state.

Section 18. Section 40.32, Florida Statutes, is amended to read:

40.32 Clerks to disburse money*; payments to jurors and witnesses*.—

(1) All moneys drawn from the treasury under the provisions of this chapter by the clerk of the court shall be disbursed by the clerk of the court as far as needed in payment of ~~jurors and~~ witnesses, except for expert witnesses paid *under* ~~pursuant to~~ a contract or other professional services agreement pursuant to ss. 29.004, 29.005, 29.006, and 29.007, for the legal compensation for service during the quarterly fiscal period for which *the* ~~said~~ moneys were drawn and for no other purposes.

(2) The payment of jurors and the payment of expenses for meals and lodging for jurors under the provisions of this chapter are court-related functions that the clerk of the court shall fund from filing fees, service charges, court costs, and fines as part of the maximum annual budget under ss. 28.35 and 28.36.

(3) Jurors and witnesses shall be paid by the clerk of the court either in cash or by warrant within 20 days after completion of jury service or of completion of service as a witness.

(a) Whenever the clerk of the court pays a juror or witness by cash, *the* ~~said~~ juror or witness shall sign the payroll in the presence of the clerk, a deputy clerk, or some other person designated by the clerk.

(b) Whenever the clerk pays a juror or witness by warrant, he or she shall endorse on the payroll opposite the juror's or witness's name the words "Paid by warrant," giving the number and date of the warrant.

Section 19. Section 40.33, Florida Statutes, is amended to read:

40.33 Deficiency.—If the funds required for payment of the items enumerated in s. 40.29(1)~~(a) or (b)~~ in any county during a quarterly fiscal period exceeds the amount of the funds provided pursuant to s. 40.29(3), the state attorney*,* ~~or~~ public defender, *or criminal conflict and civil regional counsel,* as applicable, shall make a further request upon the Justice Administrative Commission for the items enumerated in *s. 40.29(1)* ~~s. 40.29(1)(a) or the clerk of court shall make a further request upon the Office of the State Courts Administrator for items enumerated in s. 40.29(1)(b)~~ for the amount necessary to allow for full payment.

Section 20. Section 40.34, Florida Statutes, is amended to read:

40.34 Clerks to make triplicate payroll.—

(1) The clerk of the court shall make out a payroll in triplicate for the payment of ~~jurors and~~ witnesses, which payroll shall contain:

(a) The name of each ~~juror and~~ witness entitled to be paid with state funds;

(b) The number of days for which *the* ~~such jurors and~~ witnesses are entitled to be paid;

(c) The number of miles traveled by each; and

(d) The total compensation each ~~such juror or~~ witness is entitled to receive.

(2) The form of such payroll shall be prescribed by the Chief Financial Officer.

(3) Compensation paid a witness ~~or juror~~ shall be attested as provided in s. 40.32. The payroll shall be approved by the signature of the clerk, or his or her deputy, except for the payroll as to witnesses appearing before the state attorney, which payroll shall be approved by the signature of the state attorney or an assistant state attorney.

(4) The clerks of the courts shall forward two copies of such payrolls to the *Justice Administrative Commission* ~~State Courts Administrator~~, within 2 weeks after the last day of the quarterly fiscal period, and the *commission* ~~State Courts Administrator~~ shall audit such payrolls.

Section 21. *Section 40.35, Florida Statutes, is repealed.*

Section 22. Section 40.355, Florida Statutes, is amended to read:

40.355 Accounting and payment ~~to public defenders and state attorneys~~.—The clerk of the court shall, within 2 weeks after the last day of the state's quarterly fiscal period, render to the state attorney*,* ~~and~~ the public defender*, and the criminal conflict and civil regional counsel* in each circuit a full statement of accounts for *state* moneys received and disbursed under this chapter *for the payment of witnesses*.

Section 23. Section 40.361, Florida Statutes, is amended to read:

40.361 Applicability of laws regarding state budgeting and finances.—The requirements contained within chapter 216, including the provisions of s. 216.192 related to release of funds, chapter 29, including ss. 29.015 and 29.016 related to use of contingency funds for due process services, and all other laws of this state relating to state budgeting and financing shall apply to all processes authorized or required under this chapter for the payment of the items enumerated in s. 40.29(1)~~(a) and (b)~~.

Section 24. Section 44.108, Florida Statutes, is amended to read:

44.108 Funding of mediation and arbitration.—

(1) Mediation and arbitration should be accessible to all parties regardless of financial status. A filing fee of $1 is levied on all proceedings in the circuit or county courts to fund mediation and arbitration services which are the responsibility of the Supreme Court pursuant to the provisions of s. 44.106. The clerk of the court shall forward the moneys collected to the Department of Revenue for deposit in the state courts' Mediation and Arbitration Trust Fund.

(2) When court-ordered mediation services are provided by a circuit court's mediation program, the following fees, unless otherwise established in the General Appropriations Act, shall be collected by the clerk of court:

(a) *One-hundred twenty* ~~Eighty~~ dollars per person per scheduled session in family mediation when the parties' combined income is greater than $50,000, but less than $100,000 per year;

(b) *Sixty* ~~Forty~~ dollars per person per scheduled session in family mediation when the parties' combined income is less than $50,000; or

(c) *Sixty* ~~Forty~~ dollars per person per scheduled session in county court cases.

No mediation fees shall be assessed under this subsection in residential eviction cases, against a party found to be indigent, or for any small claims action. Fees collected by the clerk of court pursuant to this section shall be remitted to the Department of Revenue for deposit into the state courts' Mediation and Arbitration Trust Fund to fund court-ordered mediation. The clerk of court may deduct $1 per fee assessment for processing this fee. The clerk of the court shall submit to the chief judge of the circuit *and to the Office of the State Courts Administrator*, no later than 30 days after the end of each quarter *of the fiscal year, beginning July 1, 2008*, a report specifying the amount of funds collected *and remitted to the state courts' Mediation and Arbitration Trust Fund* under this *section and any other* section during *the previous* ~~each~~ quarter of the fiscal year. *In addition to identifying the total aggregate collections and remissions from all statutory sources, the report must identify collections and remissions by each statutory source.*

Section 25. Section 45.035, Florida Statutes, is amended to read:

45.035 Clerk's fees.—In addition to other fees or service charges authorized by law, the clerk shall receive service charges related to the judicial sales procedure set forth in ss. 45.031-45.034 and this section:

(1) The clerk shall receive a service charge of *$70* ~~$60~~ for services in making, recording, and certifying the sale and title, which service charge shall be assessed as costs and shall be advanced by the plaintiff before the sale.

(2) If there is a surplus resulting from the sale, the clerk may receive the following service charges, which shall be deducted from the surplus:

(a) The clerk may withhold the sum of *$28* ~~$25~~ from the surplus which may only be used for purposes of educating the public as to the rights of homeowners regarding foreclosure proceedings.

(b) The clerk is entitled to a service charge of *$15* ~~$10~~ for notifying a surplus trustee of his or her appointment.

(c) The clerk is entitled to a service charge of *$15* ~~$10~~ for each disbursement of surplus proceeds.

(d) The clerk is entitled to a service charge of *$15* ~~$10~~ for appointing a surplus trustee, furnishing the surplus trustee with a copy of the final judgment and the certificate of disbursements, and disbursing to the surplus trustee the trustee's cost advance.

Section 26. Subsection (3) of section 55.505, Florida Statutes, is amended to read:

55.505 Notice of recording; prerequisite to enforcement.—

(3) No execution or other process for enforcement of a foreign judgment recorded hereunder shall issue until 30 days after the mailing of notice by the clerk and payment of a service charge of up to *$42* ~~$37.50~~ to the clerk. When an action authorized in s. 55.509(1) is filed, it acts as an automatic stay of the effect of this section.

Section 27. Subsection (1) of section 57.082, Florida Statutes, is amended to read:

57.082 Determination of civil indigent status.—

(1) APPLICATION TO THE CLERK.—A person seeking appointment of an attorney in a civil case eligible for court-appointed counsel, or seeking relief from prepayment of fees and costs under s. 57.081, based upon an inability to pay must apply to the clerk of the court for a determination of civil indigent status using an application form developed by the Florida Clerks of Court Operations Corporation with final approval by the Supreme Court.

(a) The application must include, at a minimum, the following financial information:

1. Net income, consisting of total salary and wages, minus deductions required by law, including court-ordered support payments.

2. Other income, including, but not limited to, social security benefits, union funds, veterans' benefits, workers' compensation, other regular support from absent family members, public or private employee pensions, unemployment compensation, dividends, interest, rent, trusts, and gifts.

3. Assets, including, but not limited to, cash, savings accounts, bank accounts, stocks, bonds, certificates of deposit, equity in real estate, and equity in a boat or a motor vehicle or in other tangible property.

4. All liabilities and debts.

The application must include a signature by the applicant which attests to the truthfulness of the information provided. The application form developed by the corporation must include notice that the applicant may seek court review of a clerk's determination that the applicant is not indigent, as provided in this section.

(b) The clerk shall assist a person who appears before the clerk and requests assistance in completing the application, and the clerk shall notify the court if a person is unable to complete the application after the clerk has provided assistance.

(c) The clerk shall accept an application that is signed by the applicant and submitted on his or her behalf by a private attorney who is representing the applicant in the applicable matter.

(d) A person who seeks appointment of an attorney in a case under chapter 39, at the trial or appellate level, for which an indigent person is eligible for court-appointed representation, shall pay a $50 application fee to the clerk for each application filed. The applicant shall pay the fee within 7 days after submitting the application. The clerk shall transfer monthly all application fees collected under this paragraph to the Department of Revenue for deposit into the Indigent Civil Defense Trust Fund, to be used as appropriated by the Legislature. The clerk may retain 10 percent of application fees collected monthly for administrative costs prior to remitting the remainder to the Department of Revenue. A person found to be indigent may not be refused counsel. If the person cannot pay the application fee, the clerk shall enroll the person in a payment plan pursuant to s. 28.246.

Section 28. Subsection (6) of section 61.14, Florida Statutes, is amended to read:

61.14 Enforcement and modification of support, maintenance, or alimony agreements or orders.—

(6)(a)1. When support payments are made through the local depository or through the State Disbursement Unit, any payment or installment of support which becomes due and is unpaid under any support order is delinquent; and this unpaid payment or installment, and all other costs and fees herein provided for, become, after notice to the obligor and the time for response as set forth in this subsection, a final judgment by operation of law, which has the full force, effect, and attributes of a judgment entered by a court in this state for which execution may issue. No deduction shall be made by the local depository from any payment made for costs and fees accrued in the judgment by operation of law process under paragraph (b) until the total amount of support payments due the obligee under the judgment has been paid.

2. A certified statement by the local depository evidencing a delinquency in support payments constitute evidence of the final judgment under this paragraph.

3. The judgment under this paragraph is a final judgment as to any unpaid payment or installment of support which has accrued up to the time either party files a motion with the court to alter or modify the support order, and such judgment may not be modified by the court. The court may modify such judgment as to any unpaid payment or installment of support which accrues after the date of the filing of the motion to alter or modify the support order. This subparagraph does not prohibit the court from providing relief from the judgment pursuant to Rule 1.540, Florida Rules of Civil Procedure.

(b)1. When an obligor is 15 days delinquent in making a payment or installment of support and the amount of the delinquency is greater than the periodic payment amount ordered by the court, the local depository shall serve notice on the obligor informing him or her of:

a. The delinquency and its amount.

b. An impending judgment by operation of law against him or her in the amount of the delinquency and all other amounts which thereafter become due and are unpaid, together with costs and a service charge of up to *$25* ~~$7.50~~, for failure to pay the amount of the delinquency.

c. The obligor's right to contest the impending judgment and the ground upon which such contest can be made.

d. The local depository's authority to release information regarding the delinquency to one or more credit reporting agencies.

2. The local depository shall serve the notice by mailing it by first class mail to the obligor at his or her last address of record with the local depository. If the obligor has no address of record with the local depository, service shall be by publication as provided in chapter 49.

3. When service of the notice is made by mail, service is complete on the date of mailing.

(c) Within 15 days after service of the notice is complete, the obligor may file with the court that issued the support order, or with the court in the circuit where the local depository which served the notice is located, a motion to contest the impending judgment. An obligor may contest the impending judgment only on the ground of a mistake of fact regarding an error in whether a delinquency exists, in the amount of the delinquency, or in the identity of the obligor.

(d) The court shall hear the obligor's motion to contest the impending judgment within 15 days after the date of the filing of the motion. Upon the court's denial of the obligor's motion, the amount of the delinquency and all other amounts which thereafter become due, together with costs and a service charge of up to *$25* ~~$7.50~~, become a final judgment by operation of law against the obligor. The depository shall charge interest at the rate established in s. 55.03 on all judgments for support.

(e) If the obligor fails to file a motion to contest the impending judgment within the time limit prescribed in paragraph (c) and fails to pay the amount of the delinquency and all other amounts which thereafter become due, together with costs and a service charge of up to *$25* ~~$7.50~~, such amounts become a final judgment by operation of law against the obligor at the expiration of the time for filing a motion to contest the impending judgment.

(f)1. Upon request of any person, the local depository shall issue, upon payment of a service charge of up to *$25* ~~$7.50~~, a payoff statement of the total amount due under the judgment at the time of the request. The statement may be relied upon by the person for up to 30 days from the time it is issued unless proof of satisfaction of the judgment is provided.

2. When the depository records show that the obligor's account is current, the depository shall record a satisfaction of the judgment upon request of any interested person and upon receipt of the appropriate recording fee. Any person shall be entitled to rely upon the recording of the satisfaction.

3. The local depository, at the direction of the department, or the obligee in a non-IV-D case, may partially release the judgment as to specific real property, and the depository shall record a partial release upon receipt of the appropriate recording fee.

4. The local depository is not liable for errors in its recordkeeping, except when an error is a result of unlawful activity or gross negligence by the clerk or his or her employees.

(g) The local depository shall send the department monthly by electronic means a list of all Title IV-D and non-Title IV-D cases in which a judgment by operation of law has been recorded during the month for which the data is provided. At a minimum, the depository shall provide the names of the obligor and obligee, social security numbers of the obligor and obligee, if available, and depository number.

Section 29. Subsections (2) and (4) of section 316.193, Florida Statutes, are amended to read:

316.193 Driving under the influence; penalties.—

(2)(a) Except as provided in paragraph (b), subsection (3), or subsection (4), any person who is convicted of a violation of subsection (1) shall be punished:

1. By a fine of:

a. Not less than *$500* ~~$250~~ or more than *$1,000* ~~$500~~ for a first conviction.

b. Not less than *$1,000* ~~$500~~ or more than *$2,000* ~~$1,000~~ for a second conviction; and

2. By imprisonment for:

a. Not more than 6 months for a first conviction.

b. Not more than 9 months for a second conviction.

3. For a second conviction, by mandatory placement for a period of at least 1 year, at the convicted person's sole expense, of an ignition interlock device approved by the department in accordance with s. 316.1938 upon all vehicles that are individually or jointly leased or owned and routinely operated by the convicted person, when the convicted person qualifies for a permanent or restricted license. The installation of such device may not occur before July 1, 2003.

(b)1. Any person who is convicted of a third violation of this section for an offense that occurs within 10 years after a prior conviction for a violation of this section commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. In addition, the court shall order the mandatory placement for a period of not less than 2 years, at the convicted person's sole expense, of an ignition interlock device approved by the department in accordance with s. 316.1938 upon all vehicles that are individually or jointly leased or owned and routinely operated by the convicted person, when the convicted person qualifies for a permanent or restricted license. The installation of such device may not occur before July 1, 2003.

2. Any person who is convicted of a third violation of this section for an offense that occurs more than 10 years after the date of a prior conviction for a violation of this section shall be punished by a fine of not less than *$2,000* ~~$1,000~~ or more than *$5,000* ~~$2,500~~ and by imprisonment for not more than 12 months. In addition, the court shall order the mandatory placement for a period of at least 2 years, at the convicted person's sole expense, of an ignition interlock device approved by the department in accordance with s. 316.1938 upon all vehicles that are individually or jointly leased or owned and routinely operated by the convicted person, when the convicted person qualifies for a permanent or restricted license. The installation of such device may not occur before July 1, 2003.

3. Any person who is convicted of a fourth or subsequent violation of this section, regardless of when any prior conviction for a violation of this section occurred, commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. However, the fine imposed for such fourth or subsequent violation may be not less than *$2,000* ~~$1,000~~.

(4) Any person who is convicted of a violation of subsection (1) and who has a blood-alcohol level or breath-alcohol level of 0.20 or higher, or any person who is convicted of a violation of subsection (1) and who at the time of the offense was accompanied in the vehicle by a person under the age of 18 years, shall be punished:

(a) By a fine of:

1. Not less than *$1,000* ~~$500~~ or more than *$2,000* ~~$1,000~~ for a first conviction.

2. Not less than *$2,000* ~~$1,000~~ or more than *$4,000* ~~$2,000~~ for a second conviction.

3. Not less than *$4,000* ~~$2,000~~ for a third or subsequent conviction.

(b) By imprisonment for:

1. Not more than 9 months for a first conviction.

2. Not more than 12 months for a second conviction.

For the purposes of this subsection, only the instant offense is required to be a violation of subsection (1) by a person who has a blood-alcohol level or breath-alcohol level of 0.20 or higher.

(c) In addition to the penalties in paragraphs (a) and (b), the court shall order the mandatory placement, at the convicted person's sole expense, of an ignition interlock device approved by the department in accordance with s. 316.1938 upon all vehicles that are individually or jointly leased or owned and routinely operated by the convicted person

for up to 6 months for the first offense and for at least 2 years for a second offense, when the convicted person qualifies for a permanent or restricted license. The installation of such device may not occur before July 1, 2003.

Section 30. Section 318.121, Florida Statutes, is amended to read:

318.121 Preemption of additional fees, fines, surcharges, and costs.—Notwithstanding any general or special law, or municipal or county ordinance, additional fees, fines, surcharges, or costs other than the court costs and surcharges assessed under s. 318.18(11)*,* ~~and~~ (13)*, and (18)* may not be added to the civil traffic penalties assessed in this chapter.

Section 31. Subsection (10) of section 318.14, Florida Statutes, is amended to read:

318.14 Noncriminal traffic infractions; exception; procedures.—

(10)(a) Any person who does not hold a commercial driver's license and who is cited for an offense listed under this subsection may, in lieu of payment of fine or court appearance, elect to enter a plea of nolo contendere and provide proof of compliance to the clerk of the court or authorized operator of a traffic violations bureau. In such case, adjudication shall be withheld; however, no election shall be made under this subsection if such person has made an election under this subsection in the 12 months preceding election hereunder. No person may make more than three elections under this subsection. This subsection applies to the following offenses:

1. Operating a motor vehicle without a valid driver's license in violation of the provisions of s. 322.03, s. 322.065, or s. 322.15(1), or operating a motor vehicle with a license which has been suspended for failure to appear, failure to pay civil penalty, or failure to attend a driver improvement course pursuant to s. 322.291.

2. Operating a motor vehicle without a valid registration in violation of s. 320.0605, s. 320.07, or s. 320.131.

3. Operating a motor vehicle in violation of s. 316.646.

(b) Any person cited for an offense listed in this subsection shall present proof of compliance prior to the scheduled court appearance date. For the purposes of this subsection, proof of compliance shall consist of a valid, renewed, or reinstated driver's license or registration certificate and proper proof of maintenance of security as required by s. 316.646. Notwithstanding waiver of fine, any person establishing proof of compliance shall be assessed court costs of *$25* ~~$22~~, except that a person charged with violation of s. 316.646(1)-(3) may be assessed court costs of *$8* ~~$7~~. One dollar of such costs shall be remitted to the Department of Revenue for deposit into the Child Welfare Training Trust Fund of the Department of Children and Family Services. One dollar of such costs shall be distributed to the Department of Juvenile Justice for deposit into the Juvenile Justice Training Trust Fund. *Fourteen* ~~Twelve~~ dollars of such costs shall be distributed to the municipality and *$9* ~~$8~~ shall be deposited by the clerk of the court into the fine and forfeiture fund established pursuant to s. 142.01, if the offense was committed within the municipality. If the offense was committed in an unincorporated area of a county or if the citation was for a violation of s. 316.646(1)-(3), the entire amount shall be deposited by the clerk of the court into the fine and forfeiture fund established pursuant to s. 142.01, except for the moneys to be deposited into the Child Welfare Training Trust Fund and the Juvenile Justice Training Trust Fund. This subsection shall not be construed to authorize the operation of a vehicle without a valid driver's license, without a valid vehicle tag and registration, or without the maintenance of required security.

Section 32. Subsection (1) of section 318.15, Florida Statutes, is amended to read:

318.15 Failure to comply with civil penalty or to appear; penalty.—

(1)(a) If a person fails to comply with the civil penalties provided in s. 318.18 within the time period specified in s. 318.14(4), fails to attend driver improvement school, or fails to appear at a scheduled hearing, the clerk of the court shall notify the Division of Driver Licenses of the Department of Highway Safety and Motor Vehicles of such failure within 10 days after such failure. Upon receipt of such notice, the department shall immediately issue an order suspending the driver's license and privilege to drive of such person effective 20 days after the date the order of suspension is mailed in accordance with s. 322.251(1), (2), and (6). Any such suspension of the driving privilege which has not been reinstated, including a similar suspension imposed outside Florida, shall remain on the records of the department for a period of 7 years from the date imposed and shall be removed from the records after the expiration of 7 years from the date it is imposed.

(b) However, a person who elects to attend driver improvement school and has paid the civil penalty as provided in s. 318.14(9), but who subsequently fails to attend the driver improvement school within the time specified by the court shall be deemed to have admitted the infraction and shall be adjudicated guilty. In such case the person must pay the clerk of the court the 18 percent deducted pursuant to s. 318.14(9), and a processing fee of up to *$18* ~~$15~~, after which no additional penalties, court costs, or surcharges shall be imposed for the violation. The clerk of the court shall notify the department of the person's failure to attend driver improvement school and points shall be assessed pursuant to s. 322.27.

Section 33. Subsection (2) and paragraph (a) of subsection (11) of section 318.18, Florida Statutes, are amended, and subsection (18) is added to that section, to read:

318.18 Amount of penalties.—The penalties required for a noncriminal disposition pursuant to s. 318.14 or a criminal offense listed in s. 318.17 are as follows:

(2) Thirty dollars for all nonmoving traffic violations and:

(a) For all violations of s. 322.19.

(b) For all violations of ss. 320.0605, 320.07(1), 322.065, and 322.15(1). Any person who is cited for a violation of s. 320.07(1) shall be charged a delinquent fee pursuant to s. 320.07(4).

1. If a person who is cited for a violation of s. 320.0605 or s. 320.07 can show proof of having a valid registration at the time of arrest, the clerk of the court may dismiss the case and may assess a dismissal fee of up to *$10* ~~$7.50~~. A person who finds it impossible or impractical to obtain a valid registration certificate must submit an affidavit detailing the reasons for the impossibility or impracticality. The reasons may include, but are not limited to, the fact that the vehicle was sold, stolen, or destroyed; that the state in which the vehicle is registered does not issue a certificate of registration; or that the vehicle is owned by another person.

2. If a person who is cited for a violation of s. 322.03, s. 322.065, or s. 322.15 can show a driver's license issued to him or her and valid at the time of arrest, the clerk of the court may dismiss the case and may assess a dismissal fee of up to *$10* ~~$7.50~~.

3. If a person who is cited for a violation of s. 316.646 can show proof of security as required by s. 627.733, issued to the person and valid at the time of arrest, the clerk of the court may dismiss the case and may assess a dismissal fee of up to *$10* ~~$7.50~~. A person who finds it impossible or impractical to obtain proof of security must submit an affidavit detailing the reasons for the impracticality. The reasons may include, but are not limited to, the fact that the vehicle has since been sold, stolen, or destroyed; that the owner or registrant of the vehicle is not required by s. 627.733 to maintain personal injury protection insurance; or that the vehicle is owned by another person.

(c) For all violations of ss. 316.2935 and 316.610. However, for a violation of s. 316.2935 or s. 316.610, if the person committing the violation corrects the defect and obtains proof of such timely repair by an affidavit of compliance executed by the law enforcement agency within 30 days from the date upon which the traffic citation was issued, and pays $4 to the law enforcement agency, thereby completing the affidavit of compliance, then upon presentation of said affidavit by the defendant to the clerk within the 30-day time period set forth under s. 318.14(4), the fine must be reduced to *$10* ~~$7.50~~, which the clerk of the court shall retain.

(d) For all violations of s. 316.126(1)(b), unless otherwise specified.

(11)(a) In addition to the stated fine, court costs must be paid in the following amounts and shall be deposited by the clerk into the fine and forfeiture fund established pursuant to s. 142.01:

For pedestrian infractions . . . . . *$4* ~~$ 3~~.

For nonmoving traffic infractions . . . . . *$18* ~~$ 16~~.

For moving traffic infractions . . . . . *$35* ~~$ 30~~.

(18) In addition to any penalties imposed, an administrative fee of $12.50 must be paid for all noncriminal moving and nonmoving traffic violations under chapter 316. Revenue from the administrative fee shall be deposited by the clerk of court into the fine and forfeiture fund established pursuant to s. 142.01.

Section 34. Subsections (1) and (2) of section 322.245, Florida Statutes, are amended to read:

322.245 Suspension of license upon failure of person charged with specified offense under chapter 316, chapter 320, or this chapter to comply with directives ordered by traffic court or upon failure to pay child support in non-IV-D cases as provided in chapter 61 or failure to pay any financial obligation in any other criminal case.—

(1) If a person charged with a violation of any of the criminal offenses enumerated in s. 318.17 or with the commission of any offense constituting a misdemeanor under chapter 320 or this chapter fails to comply with all of the directives of the court within the time allotted by the court, the clerk of the traffic court shall mail to the person, at the address specified on the uniform traffic citation, a notice of such failure, notifying him or her that, if he or she does not comply with the directives of the court within 30 days after the date of the notice and pay a delinquency fee of up to *$25* ~~$15~~ to the clerk, his or her driver's license will be suspended. The notice shall be mailed no later than 5 days after such failure. The delinquency fee may be retained by the office of the clerk to defray the operating costs of the office.

(2) In non-IV-D cases, if a person fails to pay child support under chapter 61 and the obligee so requests, the depository or the clerk of the court shall mail in accordance with s. 61.13016 the notice specified in that section, notifying him or her that if he or she does not comply with the requirements of that section and pay a delinquency fee of *$25* ~~$10~~ to the depository or the clerk, his or her driver's license and motor vehicle registration will be suspended. The delinquency fee may be retained by the depository or the office of the clerk to defray the operating costs of the office.

Section 35. Subsections (2) and (4) of section 327.35, Florida Statutes, are amended to read:

327.35 Boating under the influence; penalties; "designated drivers".—

(2)(a) Except as provided in paragraph (b), subsection (3), or subsection (4), any person who is convicted of a violation of subsection (1) shall be punished:

1. By a fine of:

a. Not less than *$500* ~~$250~~ or more than *$1,000* ~~$500~~ for a first conviction.

b. Not less than *$1,000* ~~$500~~ or more than *$2,000* ~~$1,000~~ for a second conviction; and

2. By imprisonment for:

a. Not more than 6 months for a first conviction.

b. Not more than 9 months for a second conviction.

(b)1. Any person who is convicted of a third violation of this section for an offense that occurs within 10 years after a prior conviction for a violation of this section commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

2. Any person who is convicted of a third violation of this section for an offense that occurs more than 10 years after the date of a prior conviction for a violation of this section shall be punished by a fine of not less than *$2,000* ~~$1,000~~ or more than *$5,000* ~~$2,500~~ and by imprisonment for not more than 12 months.

3. Any person who is convicted of a fourth or subsequent violation of this section, regardless of when any prior conviction for a violation of this section occurred, commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

However, the fine imposed for such fourth or subsequent violation may not be less than *$2,000* ~~$1,000~~.

(4) Any person who is convicted of a violation of subsection (1) and who has a blood-alcohol level or breath-alcohol level of 0.20 or higher, or any person who is convicted of a violation of subsection (1) and who at the time of the offense was accompanied in the vessel by a person under the age of 18 years, shall be punished:

(a) By a fine of:

1. Not less than *$1,000* ~~$500~~ or more than *$2,000* ~~$1,000~~ for a first conviction.

2. Not less than *$2,000* ~~$1,000~~ or more than *$4,000* ~~$2,000~~ for a second conviction.

3. Not less than *$4,000* ~~$2,000~~ for a third or subsequent conviction.

(b) By imprisonment for:

1. Not more than 9 months for a first conviction.

2. Not more than 12 months for a second conviction.

For the purposes of this subsection, only the instant offense is required to be a violation of subsection (1) by a person who has a blood-alcohol level or breath-alcohol level of 0.20 or higher.

Section 36. Subsection (4), paragraph (a) of subsection (9), and subsection (11) of section 327.73, Florida Statutes, are amended to read:

327.73 Noncriminal infractions.—

(4) Any person charged with a noncriminal infraction under this section may:

(a) Pay the civil penalty, either by mail or in person, within 30 days of the date of receiving the citation; or,

(b) If he or she has posted bond, forfeit bond by not appearing at the designated time and location.

If the person cited follows either of the above procedures, he or she shall be deemed to have admitted the noncriminal infraction and to have waived the right to a hearing on the issue of commission of the infraction. Such admission shall not be used as evidence in any other proceedings. If a person who is cited for a violation of s. 327.395 can show a boating safety identification card issued to that person and valid at the time of the citation, the clerk of the court may dismiss the case and may assess a dismissal fee of up to *$10* ~~$7.50~~. If a person who is cited for a violation of s. 328.72(13) can show proof of having a registration for that vessel which was valid at the time of the citation, the clerk may dismiss the case and may assess the dismissal fee.

(9)(a) Any person who fails to comply with the court's requirements or who fails to pay the civil penalties specified in this section within the 30-day period provided for in s. 327.72 must pay an additional court cost of up to *$20* ~~$18~~, which shall be used by the clerks of the courts to defray the costs of tracking unpaid uniform boating citations.

(11)(a) Court costs that are to be in addition to the stated civil penalty shall be imposed by the court in an amount not less than the following:

1. For swimming or diving infractions, *$4* ~~$3~~.

2. For nonmoving boating infractions, *$18* ~~$6~~.

3. For boating infractions listed in s. 327.731(1), *$35* ~~$10~~.

(b) In addition to the court cost assessed under paragraph (a), the court shall impose a $3 court cost for each noncriminal infraction, to be distributed as provided in s. 938.01, and a $2 court cost as provided in s. 938.15 when assessed by a municipality or county.

Court costs imposed under this subsection may not exceed *$45* ~~$30~~. A criminal justice selection center or both local criminal justice access and assessment centers may be funded from these court costs.

Section 37. Paragraph (i) of subsection (1) of section 372.83, Florida Statutes, is amended to read:

372.83 Penalties and violations; civil penalties for noncriminal infractions; criminal penalties; suspension and forfeiture of licenses and permits.—

(1)

(i) A person cited for violating the requirements of s. 372.57 relating to personal possession of a license or permit may not be convicted if, prior to or at the time of a county court hearing, the person produces the required license or permit for verification by the hearing officer or the court clerk. The license or permit must have been valid at the time the person was cited. The clerk or hearing officer may assess a *$10* ~~$5~~ fee for costs under this paragraph.

Section 38. Subsection (1) of section 713.24, Florida Statutes, is amended to read:

713.24 Transfer of liens to security.—

(1) Any lien claimed under this part may be transferred, by any person having an interest in the real property upon which the lien is imposed or the contract under which the lien is claimed, from such real property to other security by either:

(a) Depositing in the clerk's office a sum of money, or

(b) Filing in the clerk's office a bond executed as surety by a surety insurer licensed to do business in this state,

either to be in an amount equal to the amount demanded in such claim of lien, plus interest thereon at the legal rate for 3 years, plus $1,000 or 25 percent of the amount demanded in the claim of lien, whichever is greater, to apply on any attorney's fees and court costs that may be taxed in any proceeding to enforce said lien. Such deposit or bond shall be conditioned to pay any judgment or decree which may be rendered for the satisfaction of the lien for which such claim of lien was recorded. Upon making such deposit or filing such bond, the clerk shall make and record a certificate showing the transfer of the lien from the real property to the security and shall mail a copy thereof by registered or certified mail to the lienor named in the claim of lien so transferred, at the address stated therein. Upon filing the certificate of transfer, the real property shall thereupon be released from the lien claimed, and such lien shall be transferred to said security. In the absence of allegations of privity between the lienor and the owner, and subject to any order of the court increasing the amount required for the lien transfer deposit or bond, no other judgment or decree to pay money may be entered by the court against the owner. The clerk shall be entitled to a service charge for making and serving the certificate, in the amount of up to *$20* ~~$15~~. If the transaction involves the transfer of multiple liens, an additional charge of up to *$10* ~~$7.50~~ for each additional lien shall be charged. For recording the certificate and approving the bond, the clerk shall receive her or his usual statutory service charges as prescribed in s. 28.24. Any number of liens may be transferred to one such security.

Section 39. Subsection (3) of section 721.83, Florida Statutes, is amended to read:

721.83 Consolidation of foreclosure actions.—

(3) A consolidated timeshare foreclosure action shall be considered a single action, suit, or proceeding for the payment of filing fees and service charges pursuant to general law. In addition to the payment of such filing fees and service charges, an additional filing fee of up to *$10* ~~$5~~ for each timeshare estate joined in that action shall be paid to the clerk of court.

Section 40. Subsection (6) of section 744.365, Florida Statutes, is amended to read:

744.365 Verified inventory.—

(6) AUDIT FEE.—

(a) Where the value of the ward's property exceeds $25,000, a guardian shall pay from the ward's property to the clerk of the circuit court a fee of up to *$85* ~~$75~~, upon the filing of the verified inventory, for the auditing of the inventory. Upon petition by the guardian, the court may waive the auditing fee upon a showing of insufficient funds in the ward's estate. Any guardian unable to pay the auditing fee may petition the court for waiver of the fee. The court may waive the fee after it has reviewed the documentation filed by the guardian in support of the waiver.

(b) An audit fee may not be charged to any ward whose property has a value of less than $25,000.

Section 41. Subsection (4) of section 744.3678, Florida Statutes, is amended to read:

744.3678 Annual accounting.—

(4) The guardian shall pay from the ward's estate to the clerk of the circuit court a fee based upon the following graduated fee schedule, upon the filing of the annual financial return, for the auditing of the return:

(a) For estates with a value of $25,000 or less the clerk of the court may charge a fee of up to *$20* ~~$15~~.

(b) For estates with a value of more than $25,000 up to and including $100,000 the clerk of the court may charge a fee of up to *$85* ~~$75~~.

(c) For estates with a value of more than $100,000 up to and including $500,000 the clerk of the court may charge a fee of up to *$170* ~~$150~~.

(d) For estates with a value in excess of $500,000 the clerk of the court may charge a fee of up to *$250* ~~$225~~.

Upon petition by the guardian, the court may waive the auditing fee upon a showing of insufficient funds in the ward's estate. Any guardian unable to pay the auditing fee may petition the court for a waiver of the fee. The court may waive the fee after it has reviewed the documentation filed by the guardian in support of the waiver.

Section 42. Subsection (2) of section 766.104, Florida Statutes, is amended to read:

766.104 Pleading in medical negligence cases; claim for punitive damages; authorization for release of records for investigation.—

(2) Upon petition to the clerk of the court where the suit will be filed and payment to the clerk of a filing fee, not to exceed *$42* ~~$37.50~~, an automatic 90-day extension of the statute of limitations shall be granted to allow the reasonable investigation required by subsection (1). This period shall be in addition to other tolling periods. No court order is required for the extension to be effective. The provisions of this subsection shall not be deemed to revive a cause of action on which the statute of limitations has run.

Section 43. Subsection (1) of section 938.05, Florida Statutes, is amended to read:

938.05 Additional court costs for felonies, misdemeanors, and criminal traffic offenses.—

(1) Any person pleading nolo contendere to a misdemeanor or criminal traffic offense under s. 318.14(10)(a) or pleading guilty or nolo contendere to, or being found guilty of, any felony, misdemeanor, or criminal traffic offense under the laws of this state or the violation of any municipal or county ordinance which adopts by reference any misdemeanor under state law, shall pay as a cost in the case, in addition to any other cost required to be imposed by law, a sum in accordance with the following schedule:

(a) Felonies . . . . . *$225* ~~$200~~

(b) Misdemeanors . . . . . *$60* ~~$50~~

(c) Criminal traffic offenses . . . . . *$60* ~~$50~~

Section 44. Subsections (1), (2), and (8) of section 938.27, Florida Statutes, are amended to read:

938.27 Judgment for costs on conviction.—

(1) In all criminal *and violation-of-probation or community-control* cases, convicted persons are liable for payment of the ~~documented~~ costs of prosecution, including investigative costs incurred by law enforcement agencies, by fire departments for arson investigations, and by

investigations of the Department of Financial Services or the Office of Financial Regulation of the Financial Services Commission, if requested by such agencies. *The court shall include* these costs *in every* ~~shall be included and entered in the~~ judgment rendered against the convicted person. *For purposes of this section, "convicted" means a determination of guilt, or of violation of probation or community control, which is a result of a plea, trial, or violation proceeding, regardless of whether adjudication is withheld.*

(2)(a) *The court shall impose the costs of prosecution and investigation notwithstanding the defendant's present ability to pay.* The court shall require the defendant to pay the costs within a specified period or in specified installments.

(b) The end of such period or the last such installment shall not be later than:

1. The end of the period of probation or community control, if probation or community control is ordered;

2. Five years after the end of the term of imprisonment imposed, if the court does not order probation or community control; or

3. Five years after the date of sentencing in any other case.

However, in no event shall the obligation to pay any unpaid amounts expire if not paid in full within the period specified in this paragraph.

(c) If not otherwise provided by the court under this section, costs shall be paid immediately.

(8) *Costs for the state attorney shall be set in all cases at no less than $50 per case when a misdemeanor or criminal traffic offense is charged and no less than $100 per case when a felony offense is charged, including a proceeding in which the underlying offense is a violation of probation or community control. The court may set a higher amount upon a showing of sufficient proof of higher costs incurred.* Costs *recovered on behalf of* ~~that are collected by~~ the state attorney under this section shall be deposited into the state attorney's grants and donations trust fund to be used during the fiscal year in which the funds are collected, or in any subsequent fiscal year, for actual expenses incurred in investigating and prosecuting criminal cases, which may include the salaries of permanent employees*, or for any other purpose authorized by the Legislature*.

Section 45. Subsection (1) of section 938.29, Florida Statutes, is amended to read:

938.29 Legal assistance; lien for payment of attorney's fees or costs.—

(1)(a) A defendant *who is convicted* ~~determined to be guilty~~ of a criminal act *or a violation-of-probation or community-control* ~~by a court or jury or through a plea of guilty or nolo contendere~~ and who has received the assistance of the public defender's office, a special assistant public defender, the office of criminal conflict and civil regional counsel, or a private conflict attorney, or who has received due process services after being found indigent for costs under s. 27.52, shall be liable for payment of *the assessed application fee under s. 27.52 and* attorney's fees and costs. *Attorney's fees and costs shall be set in all cases at no less than $50 per case when a misdemeanor or criminal traffic offense is charged and no less than $100 per case when a felony offense is charged, including a proceeding in which the underlying offense is a violation of probation or community control. The court may set a higher amount upon a showing of sufficient proof of higher fees or costs incurred. For purposes of this section, "convicted" means a determination of guilt, or of violation of probation or community control, which is a result of a plea, trial, or violation proceeding, regardless of whether adjudication is withheld.* The court shall *include these fees and costs in every judgment rendered against the convicted person* ~~determine the amount of the obligation~~. ~~Such costs shall include, but not be limited to, the cost of depositions; cost of transcripts of depositions, including the cost of defendant's copy, which transcripts are certified by the defendant's attorney as having served a useful purpose in the disposition of the case; investigative costs; witness fees; the cost of psychiatric examinations; or other reasonable costs specially incurred by the state and the clerk of court for the defense of the defendant in criminal prosecutions. Costs shall not include expenses inherent in providing a constitutionally guaranteed jury trial or expenditures in connection with the maintenance and operation of government agencies that must be made by the public irrespective of specific violations of law. Any costs assessed pursuant to this paragraph shall be reduced by any amount assessed against a defendant pursuant to s. 938.05.~~

(b) Upon entering a judgment of conviction, the defendant shall be liable to pay the *attorney's fees and* costs in full after the judgment of conviction becomes final. *The court shall impose the attorney's fees and costs notwithstanding the defendant's present ability to pay.*

(c) The defendant shall pay the application fee under s. 27.52(1)(b) and attorney's fees and costs in full or in installments, at the time or times specified. The court may order payment of the assessed application fee and attorney's fees and costs as a condition of probation, of suspension of sentence, or of withholding the imposition of sentence. ~~The first $40 from attorney's fees and costs collected under this section shall be transferred monthly by the clerk to the Department of Revenue for deposit into the Indigent Criminal Defense Trust Fund.~~ All *funds* ~~remaining attorney's fees and costs~~ collected under this section shall be *distributed as provided in s. 27.562* ~~deposited into the General Revenue Fund~~.

Section 46. Section 984.08, Florida Statutes, is amended to read:

984.08 Attorney's fees.—

~~(1)~~ The court may appoint an attorney to represent a parent or legal guardian under this chapter only upon a finding that the parent or legal guardian is indigent *pursuant to s. 57.082. If an attorney is appointed, the parent or legal guardian shall be enrolled in a payment plan pursuant to s. 28.246.*

~~(a) The finding of indigence of any parent or legal guardian may be made by the court at any stage of the proceedings. Any parent or legal guardian claiming indigence shall file with the court an affidavit containing the factual information required in paragraphs (c) and (d).~~

~~(b) A parent or legal guardian who is unable to pay for the services of an attorney without substantial hardship to self or family is indigent for the purposes of this chapter.~~

~~(c) Before finding that a parent or legal guardian is indigent, the court shall determine whether any of the following facts exist, and the existence of any such fact creates a presumption that the parent or legal guardian is not indigent:~~

~~1. The parent or legal guardian has no dependents and has a gross income exceeding $250 per week; or, the parent or legal guardian has dependents and has a gross income exceeding $250 per week plus $100 per week for each dependent.~~

~~2. The parent or legal guardian owns cash in excess of $1,000.~~

~~3. The parent or legal guardian has an interest exceeding $1,000 in value in a single motor vehicle as defined in s. 320.01.~~

~~(d) The court shall also consider the following circumstances before finding that a parent or legal guardian is indigent:~~

~~1. The probable expense of being represented in the case.~~

~~2. The parent's or legal guardian's ownership of, or equity in, any intangible or tangible personal property or real property or expectancy of an interest in any such property.~~

~~3. The amount of debts the parent or legal guardian owes or might incur because of illness or other misfortunes within the family.~~

~~(2) If, after the appointment of counsel for an indigent parent or legal guardian, it is determined that the parent or legal guardian is not indigent, the court has continuing jurisdiction to assess attorney's fees and costs against the parent or legal guardian, and order the payment thereof. When payment of attorney's fees or costs has been assessed and ordered by the court, there is hereby created a lien in the name of the county in which the legal assistance was rendered, enforceable as provided in subsection (3), upon all the property, both real and personal, of the parent or legal guardian who received the court-ordered appointed counsel under this chapter. The lien constitutes a claim against the parent or legal guardian and the parent's or legal guardian's estate in an amount to be determined by the court in which the legal assistance was rendered.~~

~~(3)(a) The lien created for court-ordered payment of attorney's fees or costs under subsection (2) is enforceable upon all the property, both real and personal, of the parent or legal guardian who is being, or has been, represented by legal counsel appointed by the court in proceedings under this chapter. The lien constitutes a claim against the person and the estate of the parent or legal guardian, enforceable according to law, in an amount to be determined by the court in which the legal assistance was rendered.~~

~~(b) Immediately after the issuance of an order for the payment of attorney's fees or costs, a judgment showing the name, the residential address, the date of birth, and either a physical description or the social security number of the parent or legal guardian must be filed for record in the office of the clerk of the circuit court in the county where the parent or legal guardian resides and in each county in which the parent or legal guardian then owns or later acquires any property. The judgment is enforceable on behalf of the county by the board of county commissioners of the county in which the legal assistance was rendered.~~

~~(c) Instead of the procedure described in paragraphs (a) and (b), the court is authorized to require that the parent or legal guardian who has been represented by legal counsel appointed by the court in proceedings under this chapter execute a lien upon his or her real or personal property, presently owned or after-acquired, as security for the debt created by the court's order requiring payment of attorney's fees or costs. The lien must be recorded in the public records of the county at no charge by the clerk of the circuit court and is enforceable in the same manner as a mortgage.~~

~~(d) The board of county commissioners of the county where the parent received the services of an appointed private legal counsel is authorized to enforce, satisfy, compromise, settle, subordinate, release, or otherwise dispose of any debt or lien imposed under this section. A parent, who has been ordered to pay attorney's fees or costs and who is not in willful default in the payment thereof, may, at any time, petition the court which entered the order for remission of the payment of attorney's fees or costs or of any unpaid portion thereof. If the court determines that payment of the amount due will impose manifest hardship on the parent or immediate family, the court may remit all or part of the amount due in attorney's fees or costs or may modify the method of payment.~~

~~(e) The board of county commissioners of the county claiming the lien is authorized to contract with a collection agency for collection of such debts or liens, provided the fee for collection is on a contingent basis not to exceed 50 percent of the recovery. However, no fee may be paid to any collection agency by reason of foreclosure proceedings against real property or from the proceeds from the sale or other disposition of real property.~~

Section 47. *Notwithstanding s. 28.36, Florida Statutes, the Florida Clerks of Court Operations Corporation may not approve increases to the clerks' budgets based on increased revenue generated under this act. The corporation may increase the clerks' budgets in the aggregate by $1,188,184 for the period from July 1, 2008, through September 30, 2008, and $3,564,551 for the period from October 1, 2008, through June 30, 2009, for the increased duties related to paying jurors and juror meals and lodging expenses as provided in this act. These budget increases shall be considered as part of the recurring base budget of the clerks for future budgets approved pursuant to s. 28.36, Florida Statutes.*

Section 48. This act shall take effect July 1, 2008.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to the state judicial system; amending s. 25.241, F.S.; requiring a fee for filing a notice of cross-appeal or certain joinder notices or intervenor motions with the Supreme Court; amending s. 26.57, F.S.; eliminating additional compensation for county judges presiding over circuit court cases; amending s. 27.511, F.S.; prescribing the types of civil proceedings in which assistant criminal conflict and civil regional counsel may not otherwise engage; authorizing part-time assistant regional counsel to practice criminal law with specified limitations; providing for the public defender to handle criminal appeals in certain cases for which trial representation was provided by the office of criminal conflict and civil regional counsel; providing an exception when the public defender has a conflict; amending s. 27.52, F.S.; increasing the application fee for determining indigent status for the purpose of receiving criminal representation by state-funded counsel; conforming provisions to changes made by the act; amending s. 27.562, F.S.; specifying that certain assessments collected from a defendant are in satisfaction of the application fee for a determination of indigent status; amending s. 28.24, F.S.; increasing charges for services rendered by the clerk of the circuit court in recording documents and instruments and performing other duties; amending s. 28.2401, F.S.; increasing services charges that the clerk of court is authorized to charge in probate matters; amending s. 28.241, F.S.; increasing filing fees for civil actions in circuit court; conforming provisions governing the remission of a portion of the fees to the General Revenue Fund; providing for a portion of the fees to be deposited in a designated trust fund in support of mediation activities; requiring a fee for filing cross-claims, counterclaims, and third-party pleadings; requiring a service charge for issuing a summons; increasing filing fees for instituting certain appellate proceedings; amending s. 28.35, F.S.; including the provision of meals and lodging for jurors within the court-related functions that the clerk of court may fund through fees, service charges, court costs, and fines; revising provisions to conform; clarifying duties of the Florida Clerks of Court Operations Corporation; reenacting s. 28.36(1), (2), (3)(a), (4), and (5), F.S., relating to budget procedures of the clerks of court, to incorporate the amendment to s. 28.35, F.S., in references thereto; amending s. 34.041, F.S.; increasing filing fees for civil actions in county court; conforming provisions governing the remission of a portion of the fees to the General Revenue Fund; providing for a portion of the fees to be deposited in a designated trust fund in support of mediation activities; requiring a fee for filing certain cross-claims, counterclaims, third-party pleadings, and certain appellate notices and motions; requiring a service charge for issuing a summons; amending s. 35.06, F.S.; reducing the number of judges in the Third District Court of Appeal; amending s. 35.22, F.S.; requiring a fee for filing a notice of cross-appeal or certain joinder notices or intervenor motions with a district court of appeal; amending s. 40.24, F.S.; providing for jurors to be compensated by the clerk of the court rather than the state; amending s. 40.26, F.S.; providing for certain meals and lodging expenses for jurors to be paid by the clerk of the court; amending s. 40.29, F.S.; revising requirements for the clerk of the court relating to payment of ordinary witnesses; including the criminal conflict and regional civil counsel among the persons on whose behalf the clerk of the court estimates funds for payment of witnesses; eliminating a requirement that the clerk of the court provide an estimate of certain juror expenses; revising provisions to conform; amending s. 40.31, F.S.; revising provisions to conform to the payment of juror compensation from funds retained by the clerk of the court; authorizing the Justice Administrative Commission rather than the State Courts Administrator to apportion certain funds for payment of witnesses by the clerk of the court; amending s. 40.32, F.S.; requiring that certain juror expenses be paid by the clerk of the court from fees, service charges, court costs, and fines; amending s. 40.33, F.S.; revising procedures related to a deficiency in funds for the payment of witnesses; revising provisions to conform; amending s. 40.34, F.S.; eliminating requirements that the clerk of the court prepare a juror payroll and provide copies to the State Courts Administrator; requiring the clerk to submit a witness payroll to the Justice Administrative Commission; repealing s. 40.35, F.S., relating to an accounting by the clerk of the court to the State Courts Administrator for funds for juror and witness payments; amending s. 40.355, F.S.; revising requirements for the clerk of the court to account for certain funds, to conform to changes made by the act; amending s. 40.361, F.S., relating to the applicability of certain state budgeting laws; conforming a cross-reference; amending s. 44.108, F.S.; increasing fees for court-ordered mediation services; requiring the clerk of the court to report the fees collected and deposited into the Mediation and Arbitration Trust Fund; amending s. 45.035, F.S.; increasing service charges related to judicial sales procedures; amending s. 55.505, F.S.; increasing a service charge for issuing execution or process for enforcement of a foreign judgment; amending s. 57.082, F.S.; creating an application fee for a determination of indigent status and appointment of an attorney in certain proceedings relating to children; providing for fees collected to be deposited into the Indigent Civil Defense Trust Fund; authorizing the clerk of the court to retain a portion of the fees collected; providing for a person who cannot pay the fee to be enrolled in a payment plan; amending s. 61.14, F.S.; increasing service charges related to enforcement and modification of support, maintenance, or alimony agreements or orders; amending s. 316.193, F.S.; increasing fines for driving under the influence; amending s. 318.121, F.S.; specifying that a new administrative fee for civil traffic violations is not preempted; amending s. 318.14, F.S.; increasing the court costs that are assessed in certain

noncriminal traffic cases; amending s. 318.15, F.S.; increasing the processing fee when a person is adjudicated guilty after failing to attend driver improvement school; amending s. 318.18, F.S.; increasing fees and court costs related to certain traffic infractions; creating an administrative fee for noncriminal moving and nonmoving traffic violations; amending s. 322.245, F.S.; increasing delinquency fees that are imposed for failing to comply with traffic court directives and that must be paid to avoid suspension of a driver's license; amending s. 327.35, F.S.; increasing fines for boating under the influence; amending s. 327.73, F.S.; increasing dismissal fees and court costs related to certain noncriminal vessel safety infractions; increasing the maximum amount of court costs that may be imposed; amending s. 372.83, F.S.; increasing the costs assessed by the clerk or a hearing officer for verifying that a person possesses a certain wildlife license or permit; amending s. 713.24, F.S.; increasing the fees charged by the clerk for making and serving a certificate showing transfer of a lien from real property to certain security; amending s. 721.83, F.S.; increasing the additional filing fee for joining a timeshare estate in a consolidated foreclosure action; amending s. 744.365, F.S.; increasing the fee paid by a guardian from the ward's property upon the filing of a verified inventory of the ward's property; amending s. 744.3678, F.S.; increasing the fees paid by a guardian from the ward's estate as part of an annual accounting; amending s. 766.104, F.S.; increasing the filing fee for securing an automatic extension of the statute of limitations to allow for investigation in medical negligence cases; amending s. 938.05, F.S.; increasing the additional costs that a person must pay in felony, misdemeanor, or criminal traffic offenses; amending s. 938.27, F.S.; defining the term "convicted" for purposes of paying the costs of prosecution; providing for the payment of costs in violation-of-probation or community-control cases; providing for the imposition of such costs notwithstanding a defendant's present ability to pay; prescribing minimum costs of prosecution; authorizing the court to establish higher costs of prosecution; amending s. 938.29, F.S.; providing for the payment of attorney's fees and costs in violation-of-probation or community-control cases; providing that certain defendants are liable for the application fee to determine indigent status for purposes of appointing counsel; prescribing minimum attorney's fees and costs related to representation in criminal cases; authorizing the court to establish higher fees and costs; defining the term "convicted" for purposes of paying attorney's fees and costs related to such representation; providing for distribution of funds collected from a defendant for the application fee, attorney's fees, and costs; amending s. 984.08, F.S.; eliminating authority for counties to collect on liens to pay costs related to court-appointed counsel in certain cases involving children and families in need of services; providing for parents or legal guardians to be enrolled in payment plans; prohibiting the Florida Clerks of Court Operations Corporation from increasing the clerks' budgets based on increased revenues under the act; authorizing the corporation to increase budgets in the aggregate for increased clerk duties related to the payment of juror expenses; providing an effective date.

The Conference Committee Report was read and on motion by Senator Crist was adopted. **CS for SB 1790** passed as amended by the Conference Committee Report and was certified to the House together with the Conference Committee Report. The vote on passage was:

Yeas—39

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Atwater	Gaetz	Peaden
Aronberg	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

Nays—None

By direction of the President the following Conference Committee Report was read:

CONFERENCE COMMITTEE REPORT ON CS for SB 1792

The Honorable Ken Pruitt April 28, 2008
President of the Senate

The Honorable Marco Rubio
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on CS for SB 1792, same being:

An act relating to **Criminal Justice Information**; deleting provisions requiring fees collected from private sector or noncriminal justice agencies for criminal history information be applied to offset the cost of producing the information; eliminating authorization of executive director of the Department of Law Enforcement to waive such fee, increasing the amount of the fee charged per record for criminal history information;

having met, and after full and free conference, do recommend to their respective houses as follows:

1. That the House recede from House Amendment 126781;

2. That the Senate and House of Representatives adopt the Conference Committee Amendment 690948 to CS for SB 1792 attached hereto, and by reference made a part of this report.

s/Lisa Carlton
Chair
s/JD Alexander
s/Carey Baker
s/Larcenia J. Bullard
s/Victor D. Crist
s/Charles Dean
s/Alex Diaz de la Portilla
s/Mike Fasano
Rudy Garcia
s/Mike Haridopolos
s/Dennis L. Jones
s/Charlie Justice
s/Alfred "Al" Lawson, Jr.
s/Gwen Margolis
s/Durell Peaden, Jr.
s/Nan H. Rich
s/Burt L. Saunders
s/Ronda Storms
s/Daniel Webster, At Large
s/Stephen R. Wise

s/Jeff Atwater
Vice Chair
s/Dave Aronberg
s/Michael S. "Mike" Bennett
s/Lee Constantine
s/M. Mandy Dawson
s/Ted Deutch
s/Paula Dockery
s/Don Gaetz
Steven A. Geller, At Large
s/Anthony C. "Tony" Hill, Sr.
s/Arthenia L. Joyner
s/James E. King, Jr., At Large
s/Evelyn J. Lynn
s/Steve Oelrich
s/Bill Posey
s/Jeremy Ring
s/Gary Siplin
J. Alex Villalobos
s/Frederica S. Wilson

Managers on the part of the Senate

s/Ray Sansom
Chair and At Large
s/Kevin C. Ambler
s/Gary Aubuchon
s/Aaron P. Bean
s/Ellyn Setnor Bogdanoff,
At Large
Debbie Boyd
Ronald A. Brisé
s/Dean Cannon
Charles S. "Chuck" Chestnut IV
s/Larry Cretul, At Large
Joyce Cusack, At Large
Chris Dorworth
Keith Fitzgerald
s/Bill Galvano
s/Andy Gardiner
Joseph A. "Joe" Gibbons
s/Hugh H. Gibson III
s/Michael J. Grant
s/Gayle B. Harrell
s/D. Alan Hays
s/Matt Hudson
s/Kurt Kelly
Martin David "Marty" Kiar
s/Paige Kreegel
s/John Legg
Janet C. Long

s/Sandra "Sandy" Adams
s/Thad Altman
s/Frank Attkisson
Loranne Ausley
Dorothy Bendross-Mindingall
s/Marsha L. "Marty" Bowen,
At Large
Mary Brandenburg
Susan Bucher
s/Jennifer Carroll
s/Marti Coley
s/Faye B. Culp
s/Carl J. Domino
s/Greg Evers
s/Anitere Flores, At Large
s/Rene Garcia
Dan Gelber, At Large
Audrey Gibson
s/Richard "Rich" Glorioso
Denise Grimsley
s/Adam Hasner, At Large
s/Ed Homan
s/Dorothy L. Hukill
s/Will S. Kendrick
s/Dick Kravitz
Rick Kriseman
s/Marcelo Llorente
s/Carlos Lopez-Cantera

Richard A. Machek
s/Charles McBurney
Matthew J. "Matt" Meadows
s/Mitch Needelman
s/Pat Patterson
s/Juan-Carlos "J.C." Planas
s/Stephen L. Precourt
Scott Randolph
Betty Reed
s/Garrett Richter
s/Julio Robaina
Dennis A. Ross
Franklin Sands, At Large
Ron Saunders, At Large
s/Ron Schultz
John P. "Jack" Seiler, At Large
Kelly Skidmore
Priscilla Taylor
s/Nicholas R. "Nick" Thompson
s/Anthony Trey Traviesa
Shelley Vana
s/Will W. Weatherford
s/Juan C. Zapata, At Large
s/Stan Mayfield
s/Seth McKeel
s/Dave Murzin
s/Jimmy T. Patronis, Jr.
s/Joe H. Pickens
s/Ralph Poppell
s/William L. "Bill" Proctor
s/Ron Reagan
Curtis B. Richardson
s/David Rivera, At Large
Yolly Roberson
Maria Lorts Sachs
Anthony P. "Tony" Sasso III
s/Robert C. "Rob" Schenck
Michael J. Scionti
s/David Simmons, At Large
Darren Soto
Geraldine F. "Geri" Thompson
Perry E. Thurston, Jr.
s/Baxter G. Troutman
James W. "Jim" Waldman
Trudi K. Williams

Managers on the part of the House

Conference Committee Amendment (690948)(with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Subsection (3) of section 943.053, Florida Statutes, is amended to read:

943.053 Dissemination of criminal justice information; fees.—

(3)(a) Criminal history information, including information relating to minors, compiled by the Criminal Justice Information Program from intrastate sources shall be available on a priority basis to criminal justice agencies for criminal justice purposes free of charge. After providing the program with all known identifying information, persons in the private sector and noncriminal justice agencies may be provided criminal history information upon tender of fees as established in this subsection and in the manner prescribed by rule of the Department of Law Enforcement. ~~Such fees are to offset the cost of producing the record information, including the total cost of creating, storing, maintaining, updating, retrieving, improving, and providing criminal history information in a centralized, automated database, including personnel, technology, and infrastructure expenses.~~ Any access to criminal history information by the private sector or noncriminal justice agencies as provided in this subsection shall be assessed without regard to the quantity or category of criminal history record information requested. ~~Fees may be waived or reduced by the executive director of the Department of Law Enforcement for good cause shown.~~

(b) The fee per record for criminal history information provided pursuant to this subsection is *$24* ~~$23~~ per name submitted, except that the fee for vendors of the Department of Children and Family Services, the Department of Juvenile Justice, and the Department of Elderly Affairs shall be $8 for each name submitted; the fee for a state criminal history provided for application processing as required by law to be performed by the Department of Agriculture and Consumer Services shall be $15 for each name submitted; and the fee for requests under the National Child Protection Act shall be $18 for each volunteer name submitted. The state offices of the Public Defender shall not be assessed a fee for Florida criminal history information or wanted person information.

Section 2. *Subsection (3) of section 741.316, Florida Statutes, is repealed.*

Section 3. This act shall take effect July 1, 2008.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to criminal justice information; amending s. 943.053, F.S.; deleting provisions requiring that fees collected from the private sector or noncriminal justice agencies for criminal history information be applied to offset the cost of producing the information; eliminating authorization for the executive director of the Department of Law Enforcement to waive such fees; increasing the amount of the fee charged per record for criminal history information; repealing s. 741.316(3), F.S., relating to provisions requiring that local domestic violence fatality review teams collect data concerning incidents of domestic violence and provisions requiring that the Department of Law Enforcement prepare an annual report using such date; providing an effective date.

The Conference Committee Report was read and on motion by Senator Crist was adopted. **CS for SB 1792** passed as amended by the Conference Committee Report and was certified to the House together with the Conference Committee Report. The vote on passage was:

Yeas—39

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

Nays—None

By direction of the President the following Conference Committee Report was read:

CONFERENCE COMMITTEE REPORT ON CS for SB 1864

The Honorable Ken Pruitt April 28, 2008
President of the Senate

The Honorable Marco Rubio
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on CS for SB 1864, same being:

An act relating to **Medical Research**; repealing the annual appropriations for the Johnnie B. Byrd, Sr., Alzheimer's Center and Research Institute;

having met, and after full and free conference, do recommend to their respective houses as follows:

1. That the House recede from House Amendment 594597;

2. That the Senate and House of Representatives adopt the Conference Committee Amendment 781734 to CS for SB 1864 attached hereto, and by reference made a part of this report.

s/Lisa Carlton
Chair
s/JD Alexander
s/Carey Baker
s/Larcenia J. Bullard
s/Victor D. Crist
s/Charles Dean
s/Alex Diaz de la Portilla
s/Mike Fasano
Rudy Garcia
s/Mike Haridopolos
s/Dennis L. Jones
s/Charlie Justice
s/Alfred "Al" Lawson, Jr.
s/Gwen Margolis
s/Durell Peaden, Jr.
s/Nan H. Rich
s/Burt L. Saunders
s/Ronda Storms
s/Daniel Webster, At Large
s/Stephen R. Wise
s/Jeff Atwater
Vice Chair
s/Dave Aronberg
s/Michael S. "Mike" Bennett
s/Lee Constantine
s/M. Mandy Dawson
s/Ted Deutch
s/Paula Dockery
s/Don Gaetz
Steven A. Geller, At Large
s/Anthony C. "Tony" Hill, Sr.
s/Arthenia L. Joyner
s/James E. King, Jr., At Large
s/Evelyn J. Lynn
s/Steve Oelrich
s/Bill Posey
s/Jeremy Ring
s/Gary Siplin
J. Alex Villalobos
s/Frederica S. Wilson

Managers on the part of the Senate

s/Ray Sansom
Chair and At Large
s/Kevin C. Ambler
s/Gary Aubuchon
s/Aaron P. Bean
s/Ellyn Setnor Bogdanoff,
At Large
Debbie Boyd
Ronald A. Brisé
s/Dean Cannon
Charles S. "Chuck" Chestnut IV
s/Larry Cretul, At Large
Joyce Cusack, At Large
Chris Dorworth
Keith Fitzgerald
s/Bill Galvano
s/Andy Gardiner
Joseph A. "Joe" Gibbons
s/Hugh H. Gibson III
s/Michael J. Grant
s/Gayle B. Harrell
s/D. Alan Hays
s/Matt Hudson
s/Kurt Kelly
Martin David "Marty" Kiar
Paige Kreegel
s/John Legg
Janet C. Long
Richard A. Machek
s/Charles McBurney
Matthew J. "Matt" Meadows
s/Mitch Needelman
s/Pat Patterson
s/Juan-Carlos "J.C." Planas
s/Stephen L. Precourt
Scott Randolph
Betty Reed
s/Garrett Richter
s/Julio Robaina
Dennis A. Ross
Franklin Sands, At Large
Ron Saunders, At Large
s/Ron Schultz
John P. "Jack" Seiler, At Large
Kelly Skidmore
Priscilla Taylor
s/Nicholas R. "Nick" Thompson
s/Anthony Trey Traviesa
Shelley Vana
s/Will W. Weatherford
s/Juan C. Zapata, At Large
s/Sandra "Sandy" Adams
s/Thad Altman
s/Frank Attkisson
Loranne Ausley
Dorothy Bendross-Mindingall
s/Marsha L. "Marty" Bowen,
At Large
Mary Brandenburg
Susan Bucher
s/Jennifer Carroll
s/Marti Coley
s/Faye B. Culp
s/Carl J. Domino
s/Greg Evers
s/Anitere Flores, At Large
s/Rene Garcia
Dan Gelber, At Large
Audrey Gibson
s/Richard "Rich" Glorioso
Denise Grimsley
s/Adam Hasner, At Large
s/Ed Homan
s/Dorothy L. Hukill
s/Will S. Kendrick
s/Dick Kravitz
Rick Kriseman
s/Marcelo Llorente
s/Carlos Lopez-Cantera
s/Stan Mayfield
s/Seth McKeel
s/Dave Murzin
s/Jimmy T. Patronis, Jr.
s/Joe H. Pickens
s/Ralph Poppell
s/William L. "Bill" Proctor
s/Ron Reagan
Curtis B. Richardson
s/David Rivera, At Large
Yolly Roberson
Maria Lorts Sachs
Anthony P. "Tony" Sasso III
s/Robert C. "Rob" Schenck
Michael J. Scionti
s/David Simmons, At Large
Darren Soto
Geraldine F. "Geri" Thompson
Perry E. Thurston, Jr.
s/Baxter G. Troutman
James W. "Jim" Waldman
Trudi K. Williams

Managers on the part of the House

Conference Committee Amendment (781734)(with title amendment)—Delete everything after the enacting clause and insert:

Section 1. *Subsection (12) of section 1004.445, Florida Statutes, is repealed.*

Section 2. This act shall take effect July 1, 2008.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to medical research; repealing s. 1004.445(12), F.S., relating to the Johnnie B. Byrd, Sr., Alzheimer's Center and Research Institute; eliminating the annual appropriation for the institute; providing an effective date.

The Conference Committee Report was read and on motion by Senator Peaden was adopted. **CS for SB 1864** passed as amended by the Conference Committee Report and was certified to the House together with the Conference Committee Report. The vote on passage was:

Yeas—37

Mr. President	Dockery	Peaden
Alexander	Fasano	Posey
Aronberg	Gaetz	Rich
Atwater	Garcia	Ring
Baker	Geller	Saunders
Bennett	Haridopolos	Siplin
Bullard	Hill	Storms
Carlton	Jones	Villalobos
Constantine	King	Webster
Crist	Lawson	Wilson
Dean	Lynn	Wise
Deutch	Margolis	
Diaz de la Portilla	Oelrich	

Nays—2

Joyner	Justice

By direction of the President the following Conference Committee Report was read:

CONFERENCE COMMITTEE REPORT ON CS for SB 1882

The Honorable Ken Pruitt April 28, 2008
President of the Senate

The Honorable Marco Rubio
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on CS for SB 1882, same being:

An act relating to **Distribution of Excise Taxes**; revising provisions relating to the distribution of the excise tax on documents; revising the amount of moneys distributed to certain trust funds for certain purposes; revising provisions relating to the elimination or reduction of the service charge on the local option fuel tax and the amount deposited in the State Transportation Trust; revising provision for funding the University Concurrency Trust Fund within the Department of Education, conforming cross-references, etc.;

having met, and after full and free conference, do recommend to their respective houses as follows:

1. That the House recede from House Amendment 760043;

2. That the Senate and House of Representatives adopt the Conference Committee Amendment 230882 to CS for SB 1882 attached hereto, and by reference made a part of this report.

s/Lisa Carlton
Chair
s/JD Alexander
s/Carey Baker
s/Larcenia J. Bullard
s/Victor D. Crist
s/Charles Dean
s/Alex Diaz de la Portilla
s/Mike Fasano
Rudy Garcia
s/Mike Haridopolos
s/Dennis L. Jones
s/Charlie Justice
s/Alfred "Al" Lawson, Jr.
s/Gwen Margolis
s/Durell Peaden, Jr.
s/Nan H. Rich
s/Burt L. Saunders
s/Ronda Storms
s/Daniel Webster, At Large
s/Stephen R. Wise
s/Jeff Atwater
Vice Chair
s/Dave Aronberg
s/Michael S. "Mike" Bennett
s/Lee Constantine
s/M. Mandy Dawson
s/Ted Deutch
s/Paula Dockery
s/Don Gaetz
Steven A. Geller, At Large
s/Anthony C. "Tony" Hill, Sr.
s/Arthenia L. Joyner
s/James E. King, Jr., At Large
s/Evelyn J. Lynn
s/Steve Oelrich
s/Bill Posey
s/Jeremy Ring
s/Gary Siplin
J. Alex Villalobos
s/Frederica S. Wilson

Managers on the part of the Senate

s/Ray Sansom
Chair and At Large
s/Sandra "Sandy" Adams
s/Thad Altman

s/Kevin C. Ambler
s/Gary Aubuchon
s/Aaron P. Bean
s/Ellyn Setnor Bogdanoff, At Large
Debbie Boyd
Ronald A. Brisé
s/Dean Cannon
Charles S. "Chuck" Chestnut IV
s/Larry Cretul, At Large
Joyce Cusack, At Large
Chris Dorworth
Keith Fitzgerald
s/Bill Galvano
s/Andy Gardiner
Joseph A. "Joe" Gibbons
s/Hugh H. Gibson III
s/Michael J. Grant
s/Gayle B. Harrell
s/D. Alan Hays
s/Matt Hudson
s/Kurt Kelly
Martin David "Marty" Kiar
Paige Kreegel
s/John Legg
Janet C. Long
Richard A. Machek
s/Charles McBurney
Matthew J. "Matt" Meadows
s/Mitch Needelman
s/Pat Patterson
s/Juan-Carlos "J.C." Planas
s/Stephen L. Precourt
Scott Randolph
Betty Reed
s/Garrett Richter
s/Julio Robaina
Dennis A. Ross
Franklin Sands, At Large
Ron Saunders, At Large
s/Ron Schultz
John P. "Jack" Seiler, At Large
Kelly Skidmore
Priscilla Taylor
s/Nicholas R. "Nick" Thompson
s/Anthony Trey Traviesa
Shelley Vana
s/Will W. Weatherford
s/Juan C. Zapata, At Large
s/Frank Attkisson
Loranne Ausley
Dorothy Bendross-Mindingall
s/Marsha L. "Marty" Bowen, At Large
Mary Brandenburg
Susan Bucher
s/Jennifer Carroll
s/Marti Coley
s/Faye B. Culp
s/Carl J. Domino
s/Greg Evers
s/Anitere Flores, At Large
s/Rene Garcia
Dan Gelber, At Large
Audrey Gibson
s/Richard "Rich" Glorioso
Denise Grimsley
s/Adam Hasner, At Large
s/Ed Homan
s/Dorothy L. Hukill
s/Will S. Kendrick
s/Dick Kravitz
Rick Kriseman
s/Marcelo Llorente
s/Carlos Lopez-Cantera
s/Stan Mayfield
s/Seth McKeel
s/Dave Murzin
s/Jimmy T. Patronis, Jr.
s/Joe H. Pickens
s/Ralph Poppell
s/William L. "Bill" Proctor
s/Ron Reagan
Curtis B. Richardson
s/David Rivera, At Large
Yolly Roberson
Maria Lorts Sachs
Anthony P. "Tony" Sasso III
s/Robert C. "Rob" Schenck
Michael J. Scionti
s/David Simmons, At Large
Darren Soto
Geraldine F. "Geri" Thompson
Perry E. Thurston, Jr.
s/Baxter G. Troutman
James W. "Jim" Waldman
Trudi K. Williams

Managers on the part of the House

Conference Committee Amendment (230822)(with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Subsection (1) of section 161.05301, Florida Statutes, is amended to read:

161.05301 Beach erosion control project staffing.—

(1) There are hereby appropriated to the Department of Environmental Protection six positions and $449,918 for fiscal year 1998-1999 from the Ecosystem Management and Restoration Trust Fund from revenues provided ~~by this act~~ pursuant to s. *201.15* ~~201.15(11)~~. These positions and funding are provided to assist local project sponsors, and shall be used to facilitate and promote enhanced beach erosion control project administration. Such staffing resources shall be directed toward more efficient contract development and oversight, promoting cost-sharing strategies and regional coordination or projects among local governments, providing assistance to local governments to ensure timely permit review, and improving billing review and disbursement processes.

Section 2. Subsection (3) of section 161.091, Florida Statutes, is amended to read:

161.091 Beach management; funding; repair and maintenance strategy.—

(3) In accordance with the intent expressed in s. 161.088 and the legislative finding that erosion of the beaches of this state is detrimental to tourism, the state's major industry, further exposes the state's highly developed coastline to severe storm damage, and threatens beach-related jobs, which, if not stopped, *may* ~~could~~ significantly reduce state sales tax revenues, funds deposited into the State Treasury to the credit of the Ecosystem Management and Restoration Trust Fund, in the annual amounts provided in s. *201.15* ~~201.15(11)~~, shall be used, for a period of not less than 15 years, to fund the development, implementation, and administration of the state's beach management plan, as provided in ss. 161.091-161.212, prior to the use of such funds deposited pursuant to s. *201.15* ~~201.15(11)~~ in that trust fund for any other purpose.

Section 3. Section 201.15, Florida Statutes, as amended by section 43 of chapter 2007-73 and section 1 of chapter 2007-335, Laws of Florida, is amended to read:

201.15 Distribution of taxes collected.—All taxes collected under this chapter *are* ~~shall be distributed as follows and shall be~~ subject to the service charge imposed in s. 215.20(1). *Prior to distribution under this section, the Department of Revenue shall deduct amounts necessary to pay the costs of the collection and enforcement of the tax levied by this chapter.* ~~, except that~~ Such *costs and the* service charge *may* ~~shall~~ not be levied against any portion of taxes pledged to debt service on bonds to the extent that the *costs and* ~~amount of the~~ service charge *are* ~~is~~ required to pay any amounts relating to the bonds. *All taxes remaining after deduction of costs and the service charge shall be distributed as follows*:

(1) *Sixty-three and thirty-one* ~~Sixty-two and sixty-three~~ hundredths percent of the remaining taxes collected under this chapter shall be used for the following purposes:

(a) Amounts ~~as shall be~~ necessary to pay the debt service on, or fund debt service reserve funds, rebate obligations, or other amounts payable with respect to Preservation 2000 bonds issued pursuant to s. 375.051 and Florida Forever bonds issued pursuant to s. 215.618, shall be paid into the State Treasury to the credit of the Land Acquisition Trust Fund to be used for such purposes. The amount transferred to the Land Acquisition Trust Fund *may* ~~shall~~ not exceed $300 million in fiscal year 1999-2000 and thereafter for Preservation 2000 bonds and bonds issued to refund Preservation 2000 bonds, and $300 million in fiscal year 2000-2001 and thereafter for Florida Forever bonds. The annual amount transferred to the Land Acquisition Trust Fund for Florida Forever bonds *may* ~~shall~~ not exceed $30 million in the first fiscal year in which bonds are issued. The limitation on the amount transferred shall be increased by an additional $30 million in each subsequent fiscal year, but *may* ~~shall~~ not exceed a total of $300 million in any fiscal year for all bonds issued. It is the intent of the Legislature that all bonds issued to fund the Florida Forever Act be retired by December 31, 2030. Except for bonds issued to refund previously issued bonds, no series of bonds may be issued pursuant to this paragraph unless such bonds are approved and the debt service for the remainder of the fiscal year in which the bonds are issued is specifically appropriated in the General Appropriations Act. For purposes of refunding Preservation 2000 bonds, amounts designated within this section for Preservation 2000 and Florida Forever bonds may be transferred between the two programs to the extent provided for in the documents authorizing the issuance of the bonds. The Preservation 2000 bonds and Florida Forever bonds shall be equally and ratably secured by moneys distributable to the Land Acquisition Trust Fund pursuant to this section, except to the extent specifically provided otherwise by the documents authorizing the issuance of the bonds. No moneys transferred to the Land Acquisition Trust Fund pursuant to this paragraph, or earnings thereon, shall be used or made available to pay debt service on the Save Our Coast revenue bonds.

(b) Moneys shall be paid into the State Treasury to the credit of the Save Our Everglades Trust Fund in amounts necessary to pay debt service, provide reserves, and pay rebate obligations and other amounts due with respect to bonds issued under s. 215.619. Taxes distributed under paragraph (a) and this paragraph must be collectively distributed on a pro rata basis when the available moneys under this subsection are not sufficient to cover the amounts required under paragraph (a) and this paragraph.

~~(c) The remainder of the moneys distributed under this subsection, after the required payments under paragraphs (a) and (b), shall be paid into the State Treasury to the credit of the Land Acquisition Trust Fund and may be used for any purpose for which funds deposited in the Land~~

~~Acquisition Trust Fund may lawfully be used. Payments made under this paragraph shall continue until the cumulative amount credited to the Land Acquisition Trust Fund for the fiscal year under this paragraph and paragraph (2)(b) equals 70 percent of the current official forecast for distributions of taxes collected under this chapter pursuant to subsection (2). As used in this paragraph, the term "current official forecast" means the most recent forecast as determined by the Revenue Estimating Conference. If the current official forecast for a fiscal year changes after payments under this paragraph have ended during that fiscal year, no further payments are required during the fiscal year.~~

(c)~~(d)~~ The remainder of the moneys distributed under this subsection, after the required payments under paragraphs (a) *and*~~,~~ (b)~~, and (c)~~, shall be paid into the State Treasury to the credit of:

1. The State Transportation Trust Fund in the Department of Transportation in the amount of *the lesser of 38.2 percent of the remainder or* $541.75 million in each fiscal year, to be ~~paid in quarterly installments and~~ used for the following specified purposes, notwithstanding any other law to the contrary:

a. For the purposes of capital funding for the New Starts Transit Program, authorized by Title 49, U.S.C. s. 5309 and specified in s. 341.051, 10 percent of these funds;

b. For the purposes of the Small County Outreach Program specified in s. 339.2818, 5 percent of these funds;

c. For the purposes of the Strategic Intermodal System specified in ss. 339.61, 339.62, 339.63, and 339.64, 75 percent of these funds after allocating for the New Starts Transit Program described in sub-subparagraph a. and the Small County Outreach Program described in sub-subparagraph b.; and

d. For the purposes of the Transportation Regional Incentive Program specified in s. 339.2819, 25 percent of these funds after allocating for the New Starts Transit Program described in sub-subparagraph a. and the Small County Outreach Program described in sub-subparagraph b.

2. ~~For the 2007-2008 fiscal year and each fiscal year thereafter,~~ The Water Protection and Sustainability Program Trust Fund in the Department of Environmental Protection in the amount of *the lesser of 5.64 percent of the remainder or* $80 million in each fiscal year, to be ~~paid in quarterly installments and~~ used as required by s. 403.890.

3. The Grants and Donations Trust Fund in the Department of Community Affairs in the amount of *the lesser of .23 percent of the remainder or* $3.25 million in each fiscal year ~~to be paid in monthly installments~~, with *92 percent* ~~$3 million~~ to be used to fund technical assistance to local governments and school boards on the requirements and implementation of this act and ~~$250,000~~ *the remaining amount* to be used to fund the Century Commission established in s. 163.3247.

4. The Ecosystem Management and Restoration Trust Fund in the amount of the lesser of 2.12 percent of the remainder or $30 million in each fiscal year, to be used for the preservation and repair of the state's beaches as provided in ss. 161.091-161.212.

5. The Marine Resources Conservation Trust Fund in the amount of the lesser of .14 percent of the remainder or $2 million in each fiscal year, to be used for marine mammal care as provided in s. 370.0603(3).

6. General Inspection Trust Fund in the amount of the lesser of .02 percent of the remainder or $300,000 in each fiscal year to be used to fund oyster management and restoration programs as provided in s. 370.07(3).

Moneys distributed pursuant to this paragraph may not be pledged for debt service unless such pledge is approved by referendum of the voters.

(d)~~(e)~~ The remainder of the moneys distributed under this subsection, after the required payments under paragraphs (a), (b), *and* (c), ~~and (d)~~ shall be paid into the State Treasury to the credit of the General Revenue Fund to be used and expended for the purposes for which the General Revenue Fund was created and exists by law ~~or to the Ecosystem Management and Restoration Trust Fund, the Marine Resources Conservation Trust Fund, or the General Inspection Trust Fund as provided in subsection (11)~~.

(2) The lesser of *7.56* ~~seven and fifty-six hundredths~~ percent of the remaining taxes collected under this chapter or $84.9 million in each fiscal year shall be ~~used for the following purposes:~~

~~(a) Beginning in the month following the final payment for a fiscal year under paragraph (1)(c), available moneys shall be paid into the State Treasury to the credit of the General Revenue Fund to be used and expended for the purposes for which the General Revenue Fund was created and exists by law or to the Ecosystem Management and Restoration Trust Fund, the Marine Resources Conservation Trust Fund, or the General Inspection Trust Fund as provided in subsection (11). Payments made under this paragraph shall continue until the cumulative amount credited to the General Revenue Fund for the fiscal year under this paragraph equals the cumulative payments made under paragraph (1)(c) for the same fiscal year.~~

~~(b) The remainder of the moneys distributed under this subsection shall be~~ paid into the State Treasury to the credit of the Land Acquisition Trust Fund. Sums deposited in the fund pursuant to this subsection may be used for any purpose for which funds deposited in the Land Acquisition Trust Fund may lawfully be used.

(3) The lesser of *1.94* ~~one and ninety-four hundredths~~ percent of the remaining taxes collected under this chapter or $26 million in each fiscal year shall be paid into the State Treasury to the credit of the Land Acquisition Trust Fund. Moneys deposited in the trust fund pursuant to this section shall be used to acquire coastal lands or to pay debt service on bonds issued to acquire coastal lands and to develop and manage lands acquired with moneys from the Land Acquisition Trust Fund.

(4) The lesser of *4.2* ~~four and two-tenths~~ percent of the remaining taxes collected under this chapter or $60.5 million in each fiscal year shall be paid into the State Treasury to the credit of the Water Management Lands Trust Fund. Sums deposited in that fund may be used for any purpose authorized in s. 373.59.

(5)(a) For the 2007-2008 fiscal year, 3.96 percent of the remaining taxes collected under this chapter shall be paid into the State Treasury to the credit of the Conservation and Recreation Lands Trust Fund to carry out the purposes set forth in s. 259.032. Ten and five-hundredths percent of the amount credited to the Conservation and Recreation Lands Trust Fund pursuant to this subsection shall be transferred to the State Game Trust Fund and used for land management activities.

(b) Beginning July 1, 2008, 3.52 percent of the remaining taxes collected under this chapter shall be paid into the State Treasury to the credit of the Conservation and Recreation Lands Trust Fund to carry out the purposes set forth in s. 259.032. Eleven and fifteen hundredths percent of the amount credited to the Conservation and Recreation Lands Trust Fund pursuant to this subsection shall be transferred to the State Game Trust Fund and used for land management activities.

(6) The lesser of *2.28* ~~two and twenty-eight hundredths~~ percent of the remaining taxes collected under this chapter or $34.1 million in each fiscal year shall be paid into the State Treasury to the credit of the Invasive Plant Control Trust Fund to carry out the purposes set forth in ss. 369.22 and 369.252.

(7) The lesser of *.5* ~~one-half of one~~ percent of the remaining taxes collected under this chapter or $9.3 million in each fiscal year shall be paid into the State Treasury to the credit of the State Game Trust Fund to be used exclusively for the purpose of implementing the Lake Restoration 2020 Program.

(8) One-half of one percent of the remaining taxes collected under this chapter shall be paid into the State Treasury and divided equally to the credit of the Department of Environmental Protection Water Quality Assurance Trust Fund to address water quality impacts associated with nonagricultural nonpoint sources and to the credit of the Department of Agriculture and Consumer Services General Inspection Trust Fund to address water quality impacts associated with agricultural nonpoint sources, respectively. These funds shall be used for research, development, demonstration, and implementation of suitable best management practices or other measures used to achieve water quality standards in surface waters and water segments identified pursuant to ss. 303(d) of the Clean Water Act, Pub. L. No. 92-500, 33 U.S.C. ss. 1251 et seq. Implementation of best management practices and other measures may include cost-share grants, technical assistance, implementation tracking, and conservation leases or other agreements for

water quality improvement. The Department of Environmental Protection and the Department of Agriculture and Consumer Services may adopt rules governing the distribution of funds for implementation of best management practices. The unobligated balance of funds received from the distribution of taxes collected under this chapter to address water quality impacts associated with nonagricultural nonpoint sources will be excluded when calculating the unobligated balance of the Water Quality Assurance Trust Fund as it relates to the determination of the applicable excise tax rate.

(9) The lesser of *7.53* ~~seven and fifty-three hundredths~~ percent of the remaining taxes collected under this chapter or $107 million in each fiscal year shall be paid into the State Treasury to the credit of the State Housing Trust Fund and shall be used as follows:

(a) Half of that amount shall be used for the purposes for which the State Housing Trust Fund was created and exists by law.

(b) Half of that amount shall be paid into the State Treasury to the credit of the Local Government Housing Trust Fund and shall be used for the purposes for which the Local Government Housing Trust Fund was created and exists by law.

(10) The lesser of *8.66* ~~eight and sixty-six hundredths~~ percent of the remaining taxes collected under this chapter or $136 million in each fiscal year shall be paid into the State Treasury to the credit of the State Housing Trust Fund and shall be used as follows:

(a) Twelve and one-half percent of that amount shall be deposited into the State Housing Trust Fund and be expended by the Department of Community Affairs and by the Florida Housing Finance Corporation for the purposes for which the State Housing Trust Fund was created and exists by law.

(b) Eighty-seven and one-half percent of that amount shall be distributed to the Local Government Housing Trust Fund and shall be used for the purposes for which the Local Government Housing Trust Fund was created and exists by law. Funds from this category may also be used to provide for state and local services to assist the homeless.

~~(11) From the moneys specified in paragraphs (1)(c) and (2)(a) and prior to deposit of any moneys into the General Revenue Fund, $30 million shall be paid into the State Treasury to the credit of the Ecosystem Management and Restoration Trust Fund in fiscal year 2000-2001 and each fiscal year thereafter, to be used for the preservation and repair of the state's beaches as provided in ss. 161.091-161.212, $2 million shall be paid into the State Treasury to the credit of the Marine Resources Conservation Trust Fund to be used for marine mammal care as provided in s. 370.0603(3), and $300,000 shall be paid into the State Treasury to the credit of the General Inspection Trust Fund in fiscal year 2006-2007 and each fiscal year thereafter, to be used to fund oyster management and restoration programs as provided in s. 370.07(3).~~

~~(12) The Department of Revenue may use the payments credited to trust funds pursuant to paragraphs (1)(c) and (2)(b) and subsections (3), (4), (5), (6), (7), (8), (9), and (10) to pay the costs of the collection and enforcement of the tax levied by this chapter. The percentage of such costs which may be assessed against a trust fund is a ratio, the numerator of which is payments credited to that trust fund under this section and the denominator of which is the sum of payments made under paragraphs (1)(c) and (2)(b) and subsections (3), (4), (5), (6), (7), (8), (9), and (10).~~

(11)~~(13)~~ The distribution of proceeds deposited into the Water Management Lands Trust Fund and the Conservation and Recreation Lands Trust Fund, pursuant to subsections (4) and (5), *may* ~~shall~~ not be used for land acquisition but may be used for preacquisition costs associated with land purchases. The Legislature intends that the Florida Forever program supplant the acquisition programs formerly authorized under ss. 259.032 and 373.59.

(12)~~(14)~~ Amounts distributed pursuant to subsections (5), (6), (7), and (8) are subject to the payment of debt service on outstanding Conservation and Recreation Lands revenue bonds.

(13)~~(15)~~ Beginning July 1, 2008, in each fiscal year that the remaining taxes collected under this chapter exceed ~~such~~ collections in the prior fiscal year, the stated maximum dollar amounts provided in subsections (2), (4), (6), (7), (9), and (10) shall each be increased by an amount equal to 10 percent of the increase in the remaining taxes collected under this chapter multiplied by the applicable percentage provided in those subsections.

(14)~~(16)~~ If the payment requirements in any year for bonds outstanding on July 1, 2007, or bonds issued to refund such bonds, exceed the limitations of this section, distributions to the trust fund from which the bond payments are made shall be increased to the lesser of the amount needed to pay bond obligations or the limit of the applicable percentage distribution provided in subsections *(1)-(10)* ~~(1)-(12)~~.

(15)~~(17)~~ Distributions to the State Housing Trust Fund pursuant to subsections (9) and (10) shall be sufficient to cover amounts required to be transferred to the Florida Affordable Housing Guarantee Program's annual debt service reserve and guarantee fund pursuant to s. 420.5092(6)(a) and (b) up to but not exceeding the amount required to be transferred to such reserve and fund based on the percentage distribution of documentary stamp tax revenues to the State Housing Trust Fund which is in effect in the 2004-2005 fiscal year.

(16)~~(18)~~ The remaining taxes collected under this chapter, after the distributions provided in the preceding subsections, shall be paid into the State Treasury to the credit of the General Revenue Fund.

Section 4. Section 215.211, Florida Statutes, is amended to read:

215.211 Service charge; elimination or reduction for specified proceeds.—

(1) Notwithstanding the provisions of s. 215.20(1) and (3), the service charge provided in s. 215.20(1) and (3), which is deducted from the proceeds of the taxes distributed under ss. 206.606(1), 207.026, 212.0501(6), and 319.32(5), shall be eliminated beginning July 1, 2000.

(2) Notwithstanding the provisions of s. 215.20(1) and (3), the service charge provided in s. 215.20(1) and (3), which is deducted from the proceeds of the taxes distributed under ss. 206.608 and 320.072(4), shall be eliminated beginning July 1, 2001.

(3) Notwithstanding the provisions of s. 215.20(1), the service charge provided in s. 215.20(1) *may not*~~, which is deducted from the proceeds of the local option fuel tax distributed under s. 336.025, shall be reduced as follows:~~

~~(a) For the period July 1, 2005, through June 30, 2006, the rate of the service charge shall be 3.5 percent.~~

~~(b) Beginning July 1, 2006, and thereafter, no service charge shall~~ be deducted from the proceeds of the local option fuel tax distributed under s. 336.025*(1)(a)*.

(4) From the revenues derived from s. 336.025(1)(a), an amount equal to 7 percent of those revenues ~~The increased revenues derived from this subsection~~ shall be deposited in the State Transportation Trust Fund and used to fund the County Incentive Grant Program and the Small County Outreach Program. Up to 20 percent of such funds shall be used for the purpose of implementing the Small County Outreach Program as provided in this act. Notwithstanding any other laws to the contrary, the requirements of ss. 339.135, 339.155, and 339.175 shall not apply to these funds and programs.

Section 5. Subsection (6) of section 339.2818, Florida Statutes, is amended to read:

339.2818 Small County Outreach Program.—

(6) Funds paid into the State Transportation Trust Fund pursuant to s. *201.15* ~~201.15(1)(d)~~ for the purposes of the Small County Outreach Program are hereby annually appropriated for expenditure to support the Small County Outreach Program.

Section 6. Subsection (5) of section 339.2819, Florida Statutes, is amended to read:

339.2819 Transportation Regional Incentive Program.—

(5) Funds paid into the State Transportation Trust Fund pursuant to s. *201.15* ~~201.15(1)(d)~~ for the purposes of the Transportation Regional Incentive Program are hereby annually appropriated for expenditure to support that program.

Section 7. Subsection (10) of section 339.55, Florida Statutes, is amended to read:

339.55 State-funded infrastructure bank.—

(10) Funds paid into the State Transportation Trust Fund pursuant to s. *201.15(1)(c)* ~~201.15(1)(d)~~ for the purposes of the State Infrastructure Bank are hereby annually appropriated for expenditure to support that program.

Section 8. Subsection (3) of section 339.61, Florida Statutes, is amended to read:

339.61 Florida Strategic Intermodal System; legislative findings, declaration, and intent.—

(3) Funds paid into the State Transportation Trust Fund pursuant to s. *201.15* ~~201.15(1)(d)~~ for the purposes of the Florida Strategic Intermodal System are hereby annually appropriated for expenditure to support that program.

Section 9. Subsection (6) of section 341.051, Florida Statutes, is amended to read:

341.051 Administration and financing of public transit and intercity bus service programs and projects.—

(6) ANNUAL APPROPRIATION.—Funds paid into the State Transportation Trust Fund pursuant to s. *201.15* ~~201.15(1)(d)~~ for the New Starts Transit Program are hereby annually appropriated for expenditure to support the New Starts Transit Program.

For purposes of this section, the term "net operating costs" means all operating costs of a project less any federal funds, fares, or other sources of income to the project.

Section 10. Subsection (3) of section 370.0603, Florida Statutes, is amended to read:

370.0603 Marine Resources Conservation Trust Fund; purposes.—

(3) Funds provided to the Marine Resources Conservation Trust Fund from taxes distributed under s. *201.15* ~~201.15(11)~~ shall be used for the following purposes:

(a) To reimburse the cost of activities authorized pursuant to the Fish and Wildlife Service of the United States Department of the Interior. *The* ~~Such~~ facilities must be involved in the actual rescue and full-time acute care veterinarian-based rehabilitation of manatees. The cost of activities includes, but is not limited to, costs associated with expansion, capital outlay, repair, maintenance, and operation related to the rescue, treatment, stabilization, maintenance, release, and monitoring of manatees. Moneys distributed through the contractual agreement to each facility for manatee rehabilitation must be proportionate to the number of manatees under acute care rehabilitation; the number of maintenance days medically necessary in the facility; and the number released during the previous fiscal year. The commission may set a cap on the total amount reimbursed per manatee per year.

(b) For training on the care, treatment, and rehabilitation of marine mammals at the Whitney Laboratory and the College of Veterinary Medicine at the University of Florida.

(c) For program administration costs of the agency.

(d) Funds not distributed in any 1 fiscal year must be carried over for distribution in subsequent years.

Section 11. Subsection (3) of section 370.07, Florida Statutes, is amended to read:

370.07 Wholesale and retail saltwater products dealers; regulation.—

(3) OYSTER MANAGEMENT AND RESTORATION PROGRAMS.—The Department of Agriculture and Consumer Services shall use or distribute funds paid into the State Treasury to the credit of the General Inspection Trust Fund pursuant to s. *201.15* ~~201.15(11)~~, less reasonable costs of administration, to fund the following oyster management and restoration programs in Apalachicola Bay and other oyster harvest areas in the state:

(a) The relaying and transplanting of live oysters.

(b) Shell planting to construct or rehabilitate oyster bars.

(c) Education programs for licensed oyster harvesters on oyster biology, aquaculture, boating and water safety, sanitation, resource conservation, small business management, and other relevant subjects.

(d) Research directed toward the enhancement of oyster production in the bay and the water management needs of the bay.

Section 12. Subsection (1) of section 403.890, Florida Statutes, as amended by section 2 of chapter 2007-335, Laws of Florida, is amended to read:

403.890 Water Protection and Sustainability Program; intent; goals; purposes.—

(1) Effective July 1, 2006, revenues transferred from the Department of Revenue pursuant to s. *201.15(1)(c)2.* ~~201.15(1)(d)2.~~ shall be deposited into the Water Protection and Sustainability Program Trust Fund in the Department of Environmental Protection. These revenues and any other additional revenues deposited into or appropriated to the Water Protection and Sustainability Program Trust Fund shall be distributed by the Department of Environmental Protection in the following manner:

(a) Sixty percent to the Department of Environmental Protection for the implementation of an alternative water supply program as provided in s. 373.1961.

(b) Twenty percent for the implementation of best management practices and capital project expenditures necessary for the implementation of the goals of the total maximum daily load program established in s. 403.067. Of these funds, 85 percent shall be transferred to the credit of the Department of Environmental Protection Water Quality Assurance Trust Fund to address water quality impacts associated with nonagricultural nonpoint sources. Fifteen percent of these funds shall be transferred to the Department of Agriculture and Consumer Services General Inspection Trust Fund to address water quality impacts associated with agricultural nonpoint sources. These funds shall be used for research, development, demonstration, and implementation of the total maximum daily load program under s. 403.067, suitable best management practices or other measures used to achieve water quality standards in surface waters and water segments identified pursuant to s. 303(d) of the Clean Water Act, Pub. L. No. 92-500, 33 U.S.C. ss. 1251 et seq. Implementation of best management practices and other measures may include cost-share grants, technical assistance, implementation tracking, and conservation leases or other agreements for water quality improvement. The Department of Environmental Protection and the Department of Agriculture and Consumer Services may adopt rules governing the distribution of funds for implementation of capital projects, best management practices, and other measures. These funds shall not be used to abrogate the financial responsibility of those point and nonpoint sources that have contributed to the degradation of water or land areas. Increased priority shall be given by the department and the water management district governing boards to those projects that have secured a cost-sharing agreement allocating responsibility for the cleanup of point and nonpoint sources.

(c) Ten percent shall be disbursed for the purposes of funding projects pursuant to ss. 373.451-373.459 or surface water restoration activities in water-management-district-designated priority water bodies. The Secretary of Environmental Protection shall ensure that each water management district receives the following percentage of funds annually:

1. Thirty-five percent to the South Florida Water Management District;

2. Twenty-five percent to the Southwest Florida Water Management District;

3. Twenty-five percent to the St. Johns River Water Management District;

4. Seven and one-half percent to the Suwannee River Water Management District; and

5. Seven and one-half percent to the Northwest Florida Water Management District.

(d) Ten percent to the Department of Environmental Protection for the Disadvantaged Small Community Wastewater Grant Program as provided in s. 403.1838.

Section 13. Subsection (1) of section 403.891, Florida Statutes, is amended to read:

403.891 Water Protection and Sustainability Program Trust Fund of the Department of Environmental Protection.—

(1) The Water Protection and Sustainability Program Trust Fund is created within the Department of Environmental Protection. The purpose of the trust fund is to receive funds pursuant to s. *201.15(1)(c)2.* ~~201.15(1)(d)2.~~, funds from other sources provided for in law and the General Appropriations Act, and funds received by the department in order to implement the provisions of the Water Sustainability and Protection Program created in s. 403.890.

Section 14. Subsection (1) of section 403.8911, Florida Statutes, is amended to read:

403.8911 Annual appropriation from the Water Protection and Sustainability Trust Fund.—

(1) Funds paid into the Water Protection and Sustainability Trust Fund pursuant to s. *201.15* ~~201.15(1)(d)~~ are hereby annually appropriated for expenditure for the purposes for which the Water Protection and Sustainability Trust Fund is established.

Section 15. Subsections (1) and (2) of section 1013.63, Florida Statutes, are amended to read:

1013.63 University Concurrency Trust Fund.—

(1) The University Concurrency Trust Fund is created within the Department of Education.

(2) *The trust fund may be funded each fiscal year as provided in the General Appropriations Act.* ~~Notwithstanding any other provision of law, the general revenue service charge deducted pursuant to s. 215.20 on revenues raised by any local option motor fuel tax levied pursuant to s. 336.025(1)(b), as created by chapter 93-206, Laws of Florida, shall be deposited in the University Concurrency Trust Fund, which is administered by the State Board of Education.~~ Moneys in such trust fund shall be for the purpose of funding university offsite improvements required to meet concurrency standards adopted under part II of chapter 163. In addition, in any year in which campus master plans are updated pursuant to s. 1013.30, but no more frequently than once every 5 years, up to 25 percent of the balance in the trust fund for that year may be used to defray the costs incurred in updating those campus master plans.

Section 16. This act shall take effect July 1, 2008.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to the distribution of excise taxes; amending s. 201.15, F.S.; revising provisions relating to the distribution of the excise tax on documents; authorizing the Department of Revenue to retain amounts necessary to pay certain costs; revising the amount of moneys distributed to certain trust funds for certain purposes; amending s. 215.211, F.S.; revising provisions relating to the elimination or reduction of the service charge on the local option fuel tax and the amount of deposited in the State Transportation Trust Fund; amending s. 1013.63, F.S.; revising provisions for funding the University Concurrency Trust Fund within the Department of Education; amending ss. 161.05301, 161.091, 339.2818, 339.2819, 339.55, 339.61, 341.051, 370.0603, 370.07, 403.890, 403.891, and 403.8911, F.S.; conforming cross-references; providing an effective date.

The Conference Committee Report was read and on motion by Senator Fasano was adopted. **CS for SB 1882** passed as amended by the Conference Committee Report and was certified to the House together with the Conference Committee Report. The vote on passage was:

Yeas—39

Mr. President	Atwater	Bullard
Alexander	Baker	Carlton
Aronberg	Bennett	Constantine
Crist	Hill	Posey
Dean	Jones	Rich
Deutch	Joyner	Ring
Diaz de la Portilla	Justice	Saunders
Dockery	King	Siplin
Fasano	Lawson	Storms
Gaetz	Lynn	Villalobos
Garcia	Margolis	Webster
Geller	Oelrich	Wilson
Haridopolos	Peaden	Wise

Nays—None

By direction of the President the following Conference Committee Report was read:

CONFERENCE COMMITTEE REPORT ON CS for SB 1888

The Honorable Ken Pruitt April 28, 2008
President of the Senate

The Honorable Marco Rubio
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on CS for SB 1888, same being:

An act relating to **State Employment**; providing for the resolution of certain collective bargaining issues at impasse between the State of Florida and certified bargaining units of state employees; providing for other mandatory collective bargaining issues that are at impasse and that are not addressed by the act or the General Appropriations Act to be resolved consistent with personnel rules or by otherwise maintaining the statue quo, providing an effective date;

having met, and after full and free conference, do recommend to their respective houses as follows:

1. That the House recede from House Amendment 627385;

2. That the Senate and House of Representatives adopt the Conference Committee Amendment 696562 to CS for SB 1888 attached hereto, and by reference made a part of this report.

s/Lisa Carlton
Chair
s/JD Alexander
s/Carey Baker
s/Larcenia J. Bullard
s/Victor D. Crist
s/Charles Dean
s/Alex Diaz de la Portilla
s/Mike Fasano
Rudy Garcia
s/Mike Haridopolos
s/Dennis L. Jones
s/Charlie Justice
s/Alfred "Al" Lawson, Jr.
s/Gwen Margolis
s/Durell Peaden, Jr.
s/Nan H. Rich
s/Burt L. Saunders
s/Ronda Storms
s/Daniel Webster, At Large
s/Stephen R. Wise

s/Jeff Atwater
Vice Chair
s/Dave Aronberg
s/Michael S. "Mike" Bennett
s/Lee Constantine
s/M. Mandy Dawson
s/Ted Deutch
s/Paula Dockery
s/Don Gaetz
Steven A. Geller, At Large
s/Anthony C. "Tony" Hill, Sr.
s/Arthenia L. Joyner
s/James E. King, Jr., At Large
s/Evelyn J. Lynn
s/Steve Oelrich
s/Bill Posey
s/Jeremy Ring
s/Gary Siplin
J. Alex Villalobos
s/Frederica S. Wilson

Managers on the part of the Senate

s/Ray Sansom
Chair and At Large
s/Kevin C. Ambler
s/Gary Aubuchon
s/Aaron P. Bean
s/Ellyn Setnor Bogdanoff,
At Large
Debbie Boyd
Ronald A. Brisé
s/Dean Cannon

s/Sandra "Sandy" Adams
s/Thad Altman
s/Frank Attkisson
Loranne Ausley
Dorothy Bendross-Mindingall
s/Marsha L. "Marty" Bowen,
At Large
Mary Brandenburg
Susan Bucher
s/Jennifer Carroll

Charles S. "Chuck" Chestnut IV
s/Larry Cretul, At Large
Joyce Cusack, At Large
Chris Dorworth
Keith Fitzgerald
s/Bill Galvano
s/Andy Gardiner
Joseph A. "Joe" Gibbons
s/Hugh H. Gibson III
s/Michael J. Grant
s/Gayle B. Harrell
s/D. Alan Hays
s/Matt Hudson
s/Kurt Kelly
Martin David "Marty" Kiar
Paige Kreegel
s/John Legg
Janet C. Long
Richard A. Machek
s/Charles McBurney
Matthew J. "Matt" Meadows
s/Mitch Needelman
s/Pat Patterson
s/Juan-Carlos "J.C." Planas
s/Stephen L. Precourt
Scott Randolph
Betty Reed
s/Garrett Richter
s/Julio Robaina
Dennis A. Ross
Franklin Sands, At Large
Ron Saunders, At Large
s/Ron Schultz
John P. "Jack" Seiler, At Large
Kelly Skidmore
Priscilla Taylor
s/Nicholas R. "Nick" Thompson
s/Anthony Trey Traviesa
Shelley Vana
s/Will W. Weatherford
s/Juan C. Zapata, At Large
s/Marti Coley
s/Faye B. Culp
s/Carl J. Domino
s/Greg Evers
s/Anitere Flores, At Large
s/Rene Garcia
Dan Gelber, At Large
Audrey Gibson
s/Richard "Rich" Glorioso
Denise Grimsley
s/Adam Hasner, At Large
s/Ed Homan
s/Dorothy L. Hukill
s/Will S. Kendrick
s/Dick Kravitz
Rick Kriseman
s/Marcelo Llorente
s/Carlos Lopez-Cantera
s/Stan Mayfield
s/Seth McKeel
s/Dave Murzin
s/Jimmy T. Patronis, Jr.
s/Joe H. Pickens
s/Ralph Poppell
s/William L. "Bill" Proctor
s/Ron Reagan
Curtis B. Richardson
s/David Rivera, At Large
Yolly Roberson
Maria Lorts Sachs
Anthony P. "Tony" Sasso III
s/Robert C. "Rob" Schenck
Michael J. Scionti
s/David Simmons, At Large
Darren Soto
Geraldine F. "Geri" Thompson
Perry E. Thurston, Jr.
s/Baxter G. Troutman
James W. "Jim" Waldman
Trudi K. Williams

Managers on the part of the House

Conference Committee Amendment (696562)(with title amendment)—Delete everything after the enacting clause and insert:

Section 1. *All collective bargaining issues at impasse for the 2008-2009 fiscal year between the State of Florida and the legal representatives of the certified bargaining units for state employees shall be resolved as follows:*

(1) Collective bargaining issues at impasse between the State of Florida and the Florida State Fire Service Association regarding Article 24 "On Call, Assignment, Call Back and Residency" shall be resolved by maintaining the status quo under the language of the current collective bargaining agreement.

(2) Collective bargaining issues at impasse between the State of Florida and the American Federation of State, County and Municipal Employees, Florida Council 79, regarding Article 5 "Union Activities and Employee Representation," Article 6 "Grievance Procedure," Article 8 "Workforce Reduction," Article 9 "Vacant" (proposed by AFSCME as "Reassignment, Transfer and Change in Duty Station"), Article 10 "Vacant" (proposed by AFSCME as "Promotion"), Article 15 "Length of Service Preference," Article 18 "Leaves of Absence, Hours of Work, Disability Leave," Article 24 "On Call, Assignment and Call Back," AFSCME Proposed New Article "Evaluation of Supervisory Employees," AFSCME Proposed New Article "Special Risk Retirement," AFSCME Proposed New Article "Flexible Spending Plan," and AFSCME Proposed New Article "Workload Quota" shall be resolved by maintaining the status quo under the language of the current collective bargaining agreement.

(3) Collective bargaining issues at impasse between the State of Florida and the Police Benevolent Association - Highway Patrol Unit regarding Article 7 "Internal Investigations," Article 10 "Disciplinary Action," Article 15 "Seniority," and Article 18 "Hours of Work, Leave, and Job-connected Disability" shall be resolved by maintaining the status quo under the language of the current collective bargaining agreement.

(4) Collective bargaining issues at impasse between the State of Florida and the Police Benevolent Association - Law Enforcement Unit regarding Article 10 "Disciplinary Action" and Article 18 "Hours of Work, Leave, and Job-connected Disability" shall be resolved by maintaining the status quo under the language of the current collective bargaining agreement.

(5) Collective bargaining issues at impasse between the State of Florida and the Police Benevolent Association - Special Agents Unit regarding Article 18 "Leave" and Article 23 "Workday, Workweek and Overtime" shall be resolved by maintaining the status quo under the language of the current collective bargaining agreement.

(6) Collective bargaining issues at impasse between the State of Florida and the Federation of Physicians and Dentists - Physicians Unit regarding Article 4 "No Discrimination" shall be resolved by maintaining the status quo under the language of the current collective bargaining agreement.

(7) Collective bargaining issues at impasse between the State of Florida and the Federation of Physicians and Dentists - State Employees Attorneys Guild regarding Article 7 "Employee Standards of Conduct and Performance" and Article 16 "Hours of Work and Employee Leave" shall be resolved by maintaining the status quo under the language of the current collective bargaining agreement.

(8) Collective bargaining issues at impasse between the State of Florida and the Florida Nurses Association - Professional Health Care Unit regarding Article 26 "Differential Pay" shall be resolved by maintaining the status quo under the language of the current collective bargaining agreement.

All other mandatory collective bargaining issues at impasse for the 2008-2009 fiscal year which are not addressed by this act or the General Appropriations Act for the 2008-2009 fiscal year shall be resolved consistent with the personnel rules in effect on May 2, 2008, and by otherwise maintaining the status quo under the language of the current collective bargaining agreements.

Section 2. This act shall take effect July 1, 2008.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to state employment; providing for the resolution of certain collective bargaining issues at impasse between the State of Florida and certified bargaining units of state employees; providing for all other mandatory collective bargaining issues that are at impasse and that are not addressed by the act or the General Appropriations Act to be resolved consistent with personnel rules or by otherwise maintaining the status quo; providing an effective date.

The Conference Committee Report was read and on motion by Senator Carlton was adopted. **CS for SB 1888** passed as amended by the Conference Committee Report and was certified to the House together with the Conference Committee Report. The vote on passage was:

Yeas—39

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

Nays—None

By direction of the President the following Conference Committee Report was read:

CONFERENCE COMMITTEE REPORT ON CS for SB 1892

The Honorable Ken Pruitt April 28, 2008
President of the Senate

The Honorable Marco Rubio
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on CS for SB 1892, same being:

An act relating to **State Data Center System**; amending the duties and responsibilities of the Agency for Enterprise Information Technology, authorizing the agency to adopt rules, requiring the agency to review an agency's request to accept credit, charge, or debit cards in payment of goods and services and make recommendations to the Chief Financial Officer, establishing a state data center system, establishing the Northwood Shared Resource Center;

having met, and after full and free conference, do recommend to their respective houses as follows:

1. That the House recede from House Amendment 040161;

2. That the Senate and House of Representatives adopt the Conference Committee Amendment 686356 to CS for SB 1892 attached hereto, and by reference made a part of this report.

s/Lisa Carlton
Chair
s/JD Alexander
s/Carey Baker
s/Larcenia J. Bullard
s/Victor D. Crist
s/Charles Dean
s/Alex Diaz de la Portilla
s/Mike Fasano
Rudy Garcia
s/Mike Haridopolos
s/Dennis L. Jones
s/Charlie Justice
s/Alfred "Al" Lawson, Jr.
s/Gwen Margolis
s/Durell Peaden, Jr.
s/Nan H. Rich
s/Burt L. Saunders
s/Ronda Storms
s/Daniel Webster, At Large
s/Stephen R. Wise
s/Jeff Atwater
Vice Chair
s/Dave Aronberg
s/Michael S. "Mike" Bennett
s/Lee Constantine
s/M. Mandy Dawson
s/Ted Deutch
Paula Dockery
s/Don Gaetz
Steven A. Geller, At Large
s/Anthony C. "Tony" Hill, Sr.
s/Arthenia L. Joyner
s/James E. King, Jr., At Large
s/Evelyn J. Lynn
s/Steve Oelrich
s/Bill Posey
s/Jeremy Ring
s/Gary Siplin
J. Alex Villalobos
s/Frederica S. Wilson

Managers on the part of the Senate

s/Ray Sansom
Chair and At Large
s/Kevin C. Ambler
s/Gary Aubuchon
s/Aaron P. Bean
s/Ellyn Setnor Bogdanoff,
At Large
Debbie Boyd
Ronald A. Brisé
s/Dean Cannon
Charles S. "Chuck" Chestnut IV
s/Larry Cretul, At Large
Joyce Cusack, At Large
Chris Dorworth
Keith Fitzgerald
s/Bill Galvano
s/Andy Gardiner
Joseph A. "Joe" Gibbons
s/Hugh H. Gibson III
s/Michael J. Grant
s/Gayle B. Harrell
s/D. Alan Hays
s/Matt Hudson
s/Kurt Kelly
Martin David "Marty" Kiar
Paige Kreegel
s/John Legg
s/Sandra "Sandy" Adams
s/Thad Altman
s/Frank Attkisson
Loranne Ausley
Dorothy Bendross-Mindingall
s/Marsha L. "Marty" Bowen,
At Large
Mary Brandenburg
Susan Bucher
s/Jennifer Carroll
s/Marti Coley
s/Faye B. Culp
s/Carl J. Domino
s/Greg Evers
s/Anitere Flores, At Large
s/Rene Garcia
Dan Gelber, At Large
Audrey Gibson
s/Richard "Rich" Glorioso
Denise Grimsley
s/Adam Hasner, At Large
s/Ed Homan
s/Dorothy L. Hukill
s/Will S. Kendrick
s/Dick Kravitz
Rick Kriseman
s/Marcelo Llorente
Janet C. Long
Richard A. Machek
s/Charles McBurney
Matthew J. "Matt" Meadows
s/Mitch Needelman
s/Pat Patterson
s/Juan-Carlos "J.C." Planas
s/Stephen L. Precourt
Scott Randolph
Betty Reed
s/Garrett Richter
s/Julio Robaina
Dennis A. Ross
Franklin Sands, At Large
Ron Saunders, At Large
s/Ron Schultz
John P. "Jack" Seiler, At Large
Kelly Skidmore
Priscilla Taylor
s/Nicholas R. "Nick" Thompson
s/Anthony Trey Traviesa
Shelley Vana
s/Will W. Weatherford
s/Juan C. Zapata, At Large
s/Carlos Lopez-Cantera
s/Stan Mayfield
s/Seth McKeel
s/Dave Murzin
s/Jimmy T. Patronis, Jr.
s/Joe H. Pickens
s/Ralph Poppell
s/William L. "Bill" Proctor
s/Ron Reagan
Curtis B. Richardson
s/David Rivera, At Large
Yolly Roberson
Maria Lorts Sachs
Anthony P. "Tony" Sasso III
s/Robert C. "Rob" Schenck
Michael J. Scionti
s/David Simmons, At Large
Darren Soto
Geraldine F. "Geri" Thompson
Perry E. Thurston, Jr.
s/Baxter G. Troutman
James W. "Jim" Waldman
Trudi K. Williams

Managers on the part of the House

Conference Committee Amendment (686356)(with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Section 14.204, Florida Statutes, is amended to read:

14.204 Agency for Enterprise Information Technology.—The Agency for Enterprise Information Technology is created within the Executive Office of the Governor.

(1) The head of the agency shall be the Governor and Cabinet~~, which shall take action by majority vote consisting of at least three affirmative votes with the Governor on the prevailing side~~.

(2) The agency shall be a separate budget entity that is not subject to control, supervision, or direction by the Executive Office of the Governor in any manner, including, but not limited to, purchasing, transactions involving real or personal property, personnel, or budgetary matters.

(3)~~(1)~~ The *agency shall have an* executive director *who must:* ~~of the agency shall~~

(a) Have a degree from an accredited postsecondary institution;

(b) Have at least 7 years of executive-level experience in managing information technology organizations;

(c) Be appointed by the Governor and *confirmed by the* Cabinet, ~~is~~ subject to confirmation by the Senate, and ~~shall~~ serve at the pleasure of the Governor and Cabinet*; and*~~. The executive director shall~~

(d) Be the chief information officer of the state ~~and the executive sponsor for all enterprise information technology projects. The executive director must have a degree from an accredited postsecondary institution, and at least 7 years of executive-level experience in managing information technology organizations.~~

(4)~~(2)~~ The agency shall have the following duties and responsibilities:

(a) Develop ~~and implement~~ strategies for the design, delivery, and management of the enterprise information technology services established in law.

(b) Monitor the delivery and management of the enterprise information technology services as established in law.

(c) Make recommendations to the agency head and the Legislature concerning other information technology services that should be designed, delivered, and managed *as* ~~at the~~ enterprise *information technology services* ~~level~~ as defined in s. *282.0041* ~~282.0041(8)~~.

(d) Plan and establish policies for managing proposed statutorily authorized enterprise information technology services, which includes*:*

1. Developing business cases that, when applicable, include the components identified in s. 287.0574;

2. Establishing and coordinating project-management teams;

3. Establishing formal risk-assessment and mitigation processes; and

4. Providing for independent monitoring of projects for recommended corrective actions.

(e) ~~Not earlier than July 1, 2008,~~ Define the architecture standards for enterprise information technology *services* and develop implementation approaches for statewide migration to those standards.

(f) Develop and publish a strategic enterprise information technology plan that identifies and recommends strategies for how enterprise information technology *services* will deliver effective and efficient government services to state residents and improve the operations of state agencies.

(g) Perform duties related to the state data center system as provided in s. 282.201.

(h) Coordinate procurement negotiations for hardware and software acquisition necessary to consolidate data center or computer facilities infrastructure.

(i) In consultation with the Division of Purchasing in the Department of Management Services, coordinate procurement negotiations for software that will be used by multiple agencies.

(j) In coordination with, and through the services of, the Division of Purchasing in the Department of Management Services, develop best practices for technology procurements.

(5)~~(3)~~ The agency shall operate in ~~such~~ a manner *that ensures the* ~~as to ensure~~ participation and representation of state agencies and the Agency Chief Information Officers Council established in s. 282.315.

(6) The agency may adopt rules pursuant to ss. 120.536(1) and 120.54 to carry out its statutory duties.

Section 2. Subsection (2) of section 215.322, Florida Statutes, is amended to read:

215.322 Acceptance of credit cards, charge cards, or debit cards by state agencies, units of local government, and the judicial branch.—

(2) A state agency as defined in s. 216.011, or the judicial branch, may accept credit cards, charge cards, or debit cards in payment for goods and services with the prior approval of the Chief Financial Officer. *If* ~~When~~ the Internet or other related electronic methods are to be used as the collection medium, the *Agency for Enterprise Information Technology* ~~State Technology Office~~ shall review and recommend to the Chief Financial Officer whether to approve the request with regard to the process or procedure to be used.

Section 3. Paragraph (c) of subsection (4) and subsection (6) of section 216.235, Florida Statutes, are amended to read:

216.235 Innovation Investment Program.—

(4) There is hereby created the State Innovation Committee, which shall have final approval authority as to which innovative investment projects submitted under this section shall be funded. Such committee shall be comprised of seven members. Appointed members shall serve terms of 1 year and may be reappointed. The committee shall include:

(c) The *executive director of* ~~Chief Information Officer in~~ the *Agency for Enterprise Information Technology* ~~State Technology Office~~.

(6) Any agency developing an innovative investment project proposal that involves information technology resources may consult with and seek technical assistance from the *Agency for Enterprise Information Technology* ~~State Technology Office~~. The office shall consult with the *Agency for Enterprise Information Technology concerning* ~~State Technology Office for~~ any project proposal that involves *enterprise* information ~~resource~~ technology *resources*. The *Agency for Enterprise Information Technology shall evaluate the project and advise* ~~State Technology Office is responsible for evaluating these projects and for advising~~ the committee and review board of the technical feasibility and any transferable benefits of the proposed technology. In addition to the requirements of subsection (5), the agencies shall provide to the *Agency for Enterprise Information Technology* ~~State Technology Office~~ any information requested by the *Agency for Enterprise Information Technology* ~~State Technology Office~~ to aid in determining *whether* ~~that~~ the proposed technology is appropriate for the project's success.

Section 4. Section 282.003, Florida Statutes, is amended to read:

282.003 Short title.—This part may be cited as the "Information *Technology* Resources Management Act ~~of 1997~~."

Section 5. Section 282.0041, Florida Statutes, is amended to read:

282.0041 Definitions.—For the purposes of this part, the term:

(1) "Agency" means those entities described in s. 216.011(1)(qq).

(2) "Agency Chief Information Officer" means the person appointed by the agency head to coordinate and manage the information technology functions and responsibilities applicable to that agency and to participate and represent *the* ~~his or her~~ agency in developing strategies for implementing enterprise information technology services identified in law and developing recommendations for enterprise information technology policy.

(3) "Agency Chief Information Officers Council" means the council created in s. 282.315.

(4) "Agency for Enterprise Information Technology" means the agency created in s. 14.204.

(5) "Agency information technology service" means a service that directly helps *an* ~~the~~ agency fulfill its statutory or constitutional responsibilities and policy objectives and is usually associated with the agency's primary or core business functions.

(6) "Annual budget meeting" means a meeting of the board of trustees of a primary data center to review data center usage to determine the apportionment of board members for the following fiscal year, review rates for each service provided, and determine any other required changes.

(7) "Business continuity plan" means a plan for disaster recovery which provides for the continued functioning of a primary data center during and after a disaster.

(8) "Computing facility" means agency space containing fewer than 10 servers, any of which supports a strategic or nonstrategic information technology service, as described in budget instructions developed pursuant to s. 216.023, but excluding single-server installations that exclusively perform a utility function such as file and print servers.

(9) "Customer entity" means an entity that obtains services from a primary data center.

(10) "Data center" means agency space containing 10 or more servers any of which supports a strategic or nonstrategic information technology service, as described in budget instructions developed pursuant to s. 216.023.

~~(6) "Customer relationship management" or "CRM" means the business processes, software, and Internet capabilities that can help state agencies manage customer relationships of the organization at the enterprise level.~~

(11)~~(7)~~ "Enterprise level" means all executive branch agencies created or authorized in statute to perform legislatively delegated functions.

(12)~~(8)~~ "Enterprise information technology service" means an information technology service that is used in all agencies or a subset of agencies and is established in law to be designed, delivered, and managed at the enterprise level.

(13)~~(9)~~ "E-mail, messaging, and calendaring service" means the enterprise information technology service that enables users to send, receive, file, store, manage, and retrieve electronic messages, attachments, appointments, and addresses.

(14) "Information-system utility" means a full-service information-processing facility offering hardware, software, operations, integration, networking, and consulting services.

(15)~~(10)~~ "Information technology" means equipment, hardware, software, firmware, programs, systems, networks, infrastructure, media, and related material used to automatically, electronically, and wirelessly collect, receive, access, transmit, display, store, record, retrieve, analyze, evaluate, process, classify, manipulate, manage, assimilate, control, communicate, exchange, convert, converge, interface, switch, or disseminate information of any kind or form.

(16)~~(11)~~ "Information technology policy" means statements that describe clear choices for how information technology will deliver effective and efficient government services to residents and improve state agency operations. ~~Such~~ A policy may relate to investments, business applications, architecture, or infrastructure. A policy describes its rationale, implications of compliance or noncompliance, the timeline for implementation, metrics for determining compliance, and the accountable structure responsible for its implementation.

(17) "Performance metrics" means the measures of an organization's activities and performance.

(18) "Primary data center" means a state or nonstate agency data center that is a recipient entity for consolidation of nonprimary data centers and computing facilities. A primary data center may be authorized in law or designated by the Agency for Enterprise Information Technology pursuant to s. 282.201.

(19)~~(12)~~ "Project" means an endeavor that has a defined start and end point; is undertaken to create or modify a unique product, service, or result; and has specific objectives that, when attained, signify completion.

(20) "Service level" means the key performance indicators (KPI) of an organization or service which must be regularly performed, monitored, and achieved.

(21) "Service-level agreement" means a written contract between a data center and a customer entity which specifies the scope of services provided, service level, the duration of the agreement, the responsible parties, and service costs. A service-level agreement is not a rule pursuant to chapter 120.

(22)~~(13)~~ "Standards" means the use of current, open, nonproprietary, or non-vendor-specific technologies.

(23)~~(14)~~ "Total cost" means all costs associated with information technology projects or initiatives, including, but not limited to, value of hardware, software, service, maintenance, incremental personnel, and facilities. Total cost of a loan or gift of information technology resources to an agency includes the fair market value of the resources*; however*, ~~except that~~ the total cost of loans or gifts of information technology to state universities to be used in instruction or research does not include fair market value.

(24) "Usage" means the billing amount charged by the primary data center, less any pass-through charges, to the customer entity.

(25) "Usage rate" means a customer entity's usage or billing amount as a percentage of total usage.

Section 6. Section 282.0055, Florida Statutes, is amended to read:

282.0055 Assignment of information technology.—In order to ensure the most effective and efficient use of the state's information technology and information technology resources and notwithstanding other provisions of law to the contrary, policies for the design, planning, project management, and implementation of ~~the~~ enterprise information technology services ~~defined in s. 282.0041(8)~~ shall be the responsibility of the Agency for Enterprise Information Technology for executive branch agencies created or authorized in statute to perform legislatively delegated functions. The supervision, design, delivery, and management of agency information technology ~~defined in s. 282.0041(5)~~ shall remain within the responsibility and control of the individual state agency.

Section 7. Section 282.0056, Florida Statutes, are amended to read:

282.0056 Development of work plan; development of implementation plans; and policy recommendations.—

(1) For *the* purposes of carrying out its responsibilities *under* ~~set forth in~~ s. 282.0055, the Agency for Enterprise Information Technology shall develop *an annual* ~~a~~ work plan *within 60 days after the beginning of the fiscal year* describing the activities that the agency intends to undertake *for that year, including* ~~and the~~ proposed outcomes *and completion timeframes. The work plan must be presented at a public hearing that includes the Agency Chief Information Officers Council, which may review and comment on the plan.* The work plan must *thereafter* be approved by the Governor and Cabinet and submitted to the President of the Senate and the Speaker of the House of Representatives. The work plan may be amended as needed*, subject to approval by the Governor and Cabinet* ~~to ensure that the enterprise information technology services will be provided in an efficient, effective, and accountable manner~~. ~~For the 2007-2008 fiscal year, the agency's work plan shall include the development of recommended enterprise information technology policies, as defined in s. 282.0041(11).~~

(2) *By December 31, 2009,* ~~For the fiscal year beginning in 2008-2009~~, the agency shall develop*, and submit to the President of the Senate and the Speaker of the House of Representatives,* implementation plans for *at least one* ~~up to three~~ of the following proposed enterprise information technology services to be established in law:

~~(a) Consolidation of the deployment, management, and operation of state-owned or state-operated computer rooms and data centers.~~

(a)~~(b)~~ A shared or consolidated enterprise information technology service delivery and support model for the e-mail, messaging, and calendaring service ~~defined in s. 282.0041(9)~~.

(b)~~(c)~~ Information security.

~~(d) A shared customer relationship management system that consolidates agency requirements for receiving, managing, responding to, tracking, and reporting on telephone, e-mail, personnel, and other communications received from citizens.~~

(c)~~(e)~~ Consideration of a planned replacement cycle for computer equipment.

(3) In developing policy recommendations and implementation plans for established and proposed enterprise information technology services, the agency shall describe the scope of operation, conduct costs and requirements analyses, conduct an inventory of all existing information technology resources that are associated with each service, and develop strategies and timeframes for statewide migration. For purposes of consolidating state-owned or state-operated computer rooms and data centers, the agency ~~for Enterprise Information Technology~~ shall develop a migration plan *for* ~~prior to initiating~~ any consolidation effort.

(4) For the purpose of completing its work activities, each state agency shall provide to the agency ~~for Enterprise Information Technology~~ all requested information, including, but not limited to, the *state* agency's costs, service requirements, and equipment inventories.

(5) Within 60 days after the end of each fiscal year, the agency shall report to the Governor and Cabinet, the President of the Senate, and the Speaker of the House of Representatives on what was achieved or not achieved in the prior year's work plan.

Section 8. Section 282.201, Florida Statutes, is created to read:

282.201 State data center system; agency duties and limitations.—A state data center system that includes all primary data centers, other nonprimary data centers, and computing facilities, and that provides an enterprise information technology service as defined in s. 282.0041, is established.

(1) INTENT.—The legislature finds that the most efficient and effective means of providing quality utility data processing services to state agencies requires that computing resources be concentrated in quality

facilities that provide the proper security, infrastructure, and staff resources to ensure that the state's data is maintained reliably, safely, and is recoverable in the event of a disaster. Efficiencies resulting from such consolidation include the increased ability to leverage technological expertise, hardware and software capabilities; increased savings through consolidated purchasing decisions; and the enhanced ability to deploy technology improvements and implement new policies consistently throughout the consolidated organization. Therefore it is the intent of the Legislature that agency data centers and computing facilities be consolidated into primary data centers to the maximum extent possible by 2019.

(2) AGENCY FOR ENTERPRISE INFORMATION TECHNOLOGY DUTIES.—The Agency for Enterprise Information Technology shall:

(a) Collect and maintain information necessary for developing policies relating to the data center system, including, but not limited to, an inventory of facilities.

(b) Annually approve cost-recovery mechanisms and rate structures for primary data centers which recover costs through charges to customer entities.

(c) By December 31 of each year beginning in 2009, submit to the Legislature recommendations to improve the efficiency and effectiveness of computing services provided by state data center system facilities. Such recommendations may include, but need not be limited to:

1. Policies for improving the cost-effectiveness and efficiency of the state data center system.

2. Infrastructure improvements supporting the consolidation of facilities or preempting the need to create additional data center facilities or computing facilities.

3. Standards for an objective, credible energy performance rating system that data center boards of trustees can use to measure state data center energy consumption and efficiency on a biannual basis.

4. Uniform disaster recovery standards.

5. Standards for providing transparent financial data to user agencies.

6. Consolidation of contract practices or coordination of software, hardware, or other technology-related procurements.

7. Improvements to data center governance structures.

(d) By December 31 of each year beginning in 2009, identify at least two nonprimary data centers or computing facilities for consolidation into a primary data center or nonprimary data center facility. The consolidation proposal must provide a transition plan, including estimated transition costs, timeframes for the transition, proposed budgetary savings, and substantive legislative changes necessary to implement the transition.

1. Recommendations shall be based on the goal of maximizing current and future cost savings. The agency shall consider the following criteria in selecting consolidations that maximize efficiencies by providing the ability to:

a. Consolidate purchase decisions;

b. Leverage expertise and other resources to gain economies of scale;

c. Implement state information technology policies more effectively;

d. Maintain or improve the level of service provision to customer entities; and

e. Make progress towards the state's goal of consolidating data centers and computing facilities into primary data centers.

2. The agency shall establish workgroups as necessary to ensure participation by affected agencies in the development of recommendations related to consolidations.

3. By December 31, 2010, the agency shall develop and submit to the Legislature an overall consolidation plan for state data centers and computing facilities. The plan shall indicate a timeframe for the consolidation of all remaining facilities into primary data centers, including existing and proposed data centers, by 2019.

4. This paragraph expires July 1, 2017.

(e) Develop and establish policies by rule relating to the operation of the state data center system which must comply with applicable federal regulations, including 2 C.F.R. part 225 and 45 C.F.R. The policies may address:

1. Ensuring that financial information is captured and reported consistently and accurately.

2. Requiring the establishment of service-level agreements executed between a data center and its customer entities for services provided.

3. Requiring annual full cost recovery on an equitable rational basis. The cost-recovery methodology must ensure that no service is subsidizing another service and may include adjusting the subsequent year's rates as a means to recover deficits or refund surpluses from a prior year.

4. Requiring that any special assessment imposed to fund expansion is based on a methodology that apportions the assessment according to the proportional benefit to each customer entity.

5. Requiring that rebates be given when revenues have exceeded costs, that rebates be applied to offset charges to those customer entities that have subsidized the costs of other customer entities, and that such rebates may be in the form of credits against future billings.

6. Requiring that all service-level agreements have a contract term of up to 3 years, but may include an option to renew for up to 3 additional years contingent on approval by the board, and require at least a 180-day notice of termination.

7. Designating any nonstate data centers as primary data centers if the center:

a. Has an established governance structure that represents customer entities proportionally.

b. Maintains an appropriate cost-allocation methodology that accurately bills a customer entity based on the actual direct and indirect costs to the customer entity and prohibits the subsidization of one customer entity's costs by another entity.

c. Has sufficient raised floor space, cooling, redundant power capacity, including uninterruptible power supply and backup power generation, to accommodate the computer processing platforms and support necessary to host the computing requirements of additional customer entities.

(3) STATE AGENCY DUTIES.—

(a) For the purpose of completing its work activities as described in subsection (1), each state agency shall provide to the Agency for Enterprise Information Technology all requested information and any other information relevant to the agency's ability to effectively transition its computer services into a primary data center. The agency shall also participate as required in workgroups relating to specific consolidation planning and implementation tasks as assigned by the Agency for Enterprise Information Technology and determined necessary to accomplish consolidation goals.

(b) Each state agency shall submit to the Agency for Enterprise Information Technology information relating to its data centers and computing facilities as required in instructions issued by July 1 of each year by the Agency for Enterprise Information Technology. The information required may include:

1. The amount of floor space used and available.

2. The numbers and capacities of mainframes and servers.

3. Storage and network capacity.

4. Amount of power used and the available capacity.

5. Estimated expenditures by service area, including hardware and software, numbers of full-time equivalent positions, personnel turnover, and position reclassifications.

6. A list of contracts in effect for the fiscal year, including, but not limited to, contracts for hardware, software and maintenance, including the expiration date, the contract parties, and the cost of the contract.

7. Service-level agreements by customer entity.

(c) The Chief Information Officer of each state agency shall assist the Agency for Enterprise Information Technology as required by the agency.

(4) AGENCY LIMITATIONS.—

(a) Unless authorized by the Legislature or as provided in paragraph (b), a state agency may not:

1. Create a new computing facility or data center, or expand the capability to support additional computer equipment in an existing computing facility or nonprimary data center;

2. Transfer existing computer services to a nonprimary data center or computing facility;

3. Terminate services with a primary data center or transfer services between primary data centers without giving written notice of intent to terminate or transfer services 180 days before such termination or transfer; or

4. Initiate a new computer service if it does not currently have an internal data center except with a primary data center.

(b) Exceptions to the limitations in paragraph (a) may be granted by the agency head of the Agency for Enterprise Information Technology if there is insufficient capacity in a primary data center to absorb the workload associated with agency computing services.

(5) RULES.—The Agency for Enterprise Information Technology is authorized to adopt rules pursuant to ss. 120.536(1) and 120.54 to administer the provisions of this part relating to the state data center system including the primary data centers.

Section 9. Section 282.203, Florida Statutes, is created to read:

282.203 Primary data centers.—

(1) DATA CENTER DUTIES.—Each primary data center shall:

(a) Serve customer entities as an information-system utility.

(b) Cooperate with customer entities to offer, develop, and support the services and applications as defined and provided by the center's board of trustees and customer entities.

(c) Comply with rules adopted by the Agency for Enterprise Information Technology, pursuant to this section, and coordinate with the agency in the consolidation of data centers.

(d) Provide transparent financial statements to customer entities and the Agency for Enterprise Information Technology.

(e) Maintain the performance of the facility, which includes ensuring proper data backup, data backup recovery, an effective disaster recovery plan, and appropriate security, power, cooling and fire suppression, and capacity.

(f) Develop a business continuity plan and conduct a live exercise of the plan at least annually. The plan must be approved by the board and the Agency for Enterprise Information Technology.

(g) Enter into a service-level agreement with each customer entity to provide services as defined and approved by the board in compliance with rules of the Agency for Enterprise Information Technology. A service-level agreement may not have a term exceeding 3 years but may include an option to renew for up to 3 years contingent on approval by the board.

1. A service-level agreement, at a minimum, must:

a. Identify the parties and their roles, duties, and responsibilities under the agreement;

b. Identify the legal authority under which the service-level agreement was negotiated and entered into by the parties;

c. State the duration of the contractual term and specify the conditions for contract renewal;

d. Prohibit the transfer of computing services between primary data center facilities without at least 180 days' notice of service cancellation;

e. Identify the scope of work;

f. Identify the products or services to be delivered with sufficient specificity to permit an external financial or performance audit;

g. Establish the services to be provided, the business standards that must be met for each service, the cost of each service, and the process by which the business standards for each service are to be objectively measured and reported;

h. Identify applicable funds and funding streams for the services or products under contract;

i. Provide a timely billing methodology for recovering the cost of services provided to the customer entity;

j. Provide a procedure for modifying the service-level agreement to address changes in projected costs of service;

k. Provide that a service-level agreement may be terminated by either party for cause only after giving the other party and the Agency for Enterprise Information Technology notice in writing of the cause for termination and an opportunity for the other party to resolve the identified cause within a reasonable period; and

l. Provide for mediation of disputes by the Division of Administrative Hearings pursuant to s. 120.573.

2. A service-level agreement may include:

a. A dispute resolution mechanism, including alternatives to administrative or judicial proceedings;

b. The setting of a surety or performance bond for service-level agreements entered into with nonstate agency primary data centers, which may be designated by the Agency for Enterprise Information Technology; or

c. Additional terms and conditions as determined advisable by the parties if such additional terms and conditions do not conflict with the requirements of this section or rules adopted by the Agency for Enterprise Information Technology.

3. The failure to execute a service-level agreement within 60 days after service commencement shall, in the case of an existing customer entity, result in a continuation of the terms of the service-level agreement from the prior fiscal year, including any amendments that were formally proposed to the customer entity by the primary data center within the 3 months before service commencement, and a revised cost-of-service estimate. If a new customer entity fails to execute an agreement within 60 days after service commencement, the data center may cease services.

(h) Plan, design, establish pilot projects for, and conduct experiments with information technology resources, and implement enhancements in services if such implementation is cost-effective and approved by the board.

(i) Enter into a memorandum of understanding with the agency where the data center is administratively located which establishes the services to be provided by that agency to the data center and the cost of such services.

(2) BOARD OF TRUSTEES.—Each primary data center shall be headed by a board of trustees as defined in s. 20.03.

(a) The members of the board shall be appointed by the agency head or chief executive officer of the representative customer entities of the primary data center and shall serve at the pleasure of the appointing customer entity. The initial appointments of members shall be made as soon as practicable, but not later than July 1, 2008.

1. For each of the first two fiscal years that a center is in operation, membership shall be apportioned as provided in subparagraph 3. based

on projected customer entity usage rates for the fiscal operating year of the primary data center. However, at a minimum:

a. During the Southwood Shared Resource Center's first 2 operating years, the Department of Transportation, the Department of Highway Safety and Motor Vehicles, the Department of Health, and the Department of Revenue must each have at least one trustee.

b. During the Northwood Shared Resource Center's first operating year, the Department of State and the Department of Education must each have at least one trustee.

2. After the second full year of operation, membership shall be apportioned as provided in subparagraph 3. based on the most recent estimate of customer entity usage rates for the prior year and a projection of usage rates for the first 9 months of the next fiscal year. Such calculation must be completed before the annual budget meeting held before the beginning of the next fiscal year so that any decision to add or remove board members can be voted on at the budget meeting and become effective on July 1 of the subsequent fiscal year.

3. Membership shall be apportioned using the following criteria:

a. Customer entities of a primary data center whose usage rate represents 4 to 14 percent of total usage shall have one trustee.

b. Customer entities of a primary data center whose usage rate represents 15 to 29 percent of total usage shall have two trustees.

c. Customer entities of a primary data center whose usage rate represents 30 to 49 percent of total usage shall have three trustees.

d. A customer entity of a primary data center whose usage rate represents 50 percent or more of total usage shall have four trustees.

e. A single trustee shall represent those customer entities that represent less than 4 percent of the total usage. The trustee shall be selected by a process determined by the board.

f. The executive director of the Agency for Enterprise Information Technology shall serve as a voting member of the board.

(b) Before July 1 of each year, each board of trustees of a primary data center shall elect a chair and a vice chair to a term of 1 year or until a successor is elected. The vice chair shall serve in the absence of the chair. The vice chair may not be from the same customer entity as the chair. The chair may be elected to serve one additional successive term.

(c) Members of the board representing customer entities who fail to timely pay for data center services do not have voting rights.

(d) The board shall take action by majority vote. If there is a tie, the chair shall be on the prevailing side.

(3) BOARD DUTIES.—Each board of trustees of a primary data center shall:

(a) Employ an executive director, pursuant to s. 20.05, who serves at the pleasure of the board. The executive director is responsible for the daily operation of the primary data center, ensuring compliance with all laws and rules regulating the primary data center, managing primary data center employees, and the performance of the primary data center.

(b) Establish procedures for the primary data center to ensure that budgeting and accounting procedures, cost-recovery methodologies, and operating procedures are in compliance with laws governing the state data center system, rules adopted by the Agency for Enterprise Information Technology, and applicable federal regulations, including 2 C.F.R. part 225 and 45 C.F.R.

(c) Monitor the operation of the primary data center to ensure compliance by the executive director and employees with laws and rules governing the primary data center, and ensure that staff members are accountable for the performance of the primary data center.

(d) Provide each customer entity with full disclosure concerning plans for new, additional, or reduced service requirements, including expected achievable service levels and performance metrics.

(e) Ensure the sufficiency and transparency of the primary data center financial information by:

1. Establishing policies that ensure that cost-recovery methodologies, billings, receivables, expenditure, budgeting, and accounting data are captured and reported timely, consistently, accurately, and transparently and, upon adoption of rules by the Agency for Enterprise Information Technology, are in compliance with such rules.

2. Requiring execution of service-level agreements by the data center and each customer entity for services provided by the data center to the customer entity.

3. Requiring cost recovery for the full cost of services, including direct and indirect costs. The cost-recovery methodology must ensure that no service is subsidizing another service without an affirmative vote of approval by the customer entity providing the subsidy.

4. Establishing special assessments to fund expansions based on a methodology that apportions the assessment according to the proportional benefit to each customer entity.

5. Providing rebates to customer entities when revenues exceed costs and offsetting charges to those who have subsidized other customer entity costs based on actual prior year final expenditures. Rebates may be credited against future billings.

6. Approving all expenditures committing over $50,000 in a fiscal year.

7. Projecting costs and revenues at the beginning of the third quarter of each fiscal year through the end of the fiscal year. If in any given fiscal year the primary data center is projected to earn revenues that are below costs for that fiscal year after first reducing operating costs where possible, the board shall implement any combination of the following remedies to cover the shortfall:

a. The board may direct the primary data center to adjust current year chargeback rates through the end of the fiscal year to cover the shortfall. The rate adjustments shall be implemented using actual usage rate and billing data from the first three quarters of the fiscal year and the same principles used to set rates for the fiscal year.

b. The board may direct the primary data center to levy one-time charges on all customers entities to cover the shortfall. The one-time charges shall be implemented using actual usage rate and billing data from the first three quarters of the fiscal year and the same principles used to set rates for the fiscal year.

c. The customer entities represented by each board member may provide payments to cover the shortfall in proportion to the amounts each entity paid in the prior fiscal year.

(f) Meet as often as necessary, but not less than once per quarter, and hold the annual budget meeting between April 1 and June 30 of each year.

(g) Approve the portfolio of services offered by the data center.

(h) By July 1 of each year, submit to the Agency for Enterprise Information Technology, proposed cost-recovery mechanisms and rate structures for all customer entities for the fiscal year including the cost-allocation methodology for administrative expenditures and the calculation of administrative expenditures as a percent of total costs.

(i) Consider energy-efficient products and their total cost of ownership when replacing, upgrading, or expanding:

1. Data center facilities, including, but not limited to, environmental, power, and control systems; and

2. Data center network, storage, and computer equipment. If the total cost of ownership, including initial acquisition cost, is estimated to be equal to or lower than existing infrastructure, technical specifications for energy-efficient products should be incorporated into the replacement, upgrade, or expansion planning and acquisition process.

Section 10. Section 282.204, Florida Statutes, is created to read:

282.204 Northwood Shared Resource Center.—

(1) Beginning July 1, 2008, a workgroup shall be established within the Department of Children and Family Services for the purpose of developing a plan for converting its data center to a primary data center. The workgroup shall be chaired by a member appointed by the secretary of the department. Workgroup members may include other state agencies who will be customers of the data center during the 2009-2010 fiscal year. The workgroup shall include staff members who have appropriate financial and technical skills as determined by the chair of the workgroup. The conversion plan shall address organizational changes, personnel changes, cost-allocation plan changes, and any other changes necessary to effectively convert to a primary state data center capable of providing computer services as required by s. 282.201. The workgroup shall submit recommendations for facilitating the conversion to the Governor and Cabinet, the President of the Senate, and the Speaker of the House of Representatives by December 31, 2008.

(2) Effective July 1, 2009, the Northwood Shared Resource Center is established within the Department of Children and Family Services for administrative purposes only. The center is designated as a primary data center and shall be a separate budget entity that is not subject to control, supervision, or direction of the department in any manner, including, but not limited to, purchasing, transactions involving real or personal property, personnel, or budgetary matters.

(3) The center shall be headed by a board of trustees as provided in s. 282.203, who shall comply with all requirements of that section related to the operation of the center and with the policies of the Agency for Enterprise Information Technology related to the design and delivery of enterprise information technology services.

Section 11. Section 282.205, Florida Statutes, is created to read:

282.205 Southwood Shared Resource Center.—

(1) Effective July 1, 2008, the Southwood Shared Resource Center is established within the Department of Management Services for administrative purposes only. The center is designated as a primary data center and shall be a separate budget entity that is not subject to control, supervision, or direction of the department in any manner, including, but not limited to, purchasing, transactions involving real or personal property, personnel, or budgetary matters.

(2) The Department of Management Services and the center shall identify resources associated with information technology functions which are not related to the support, management, and operation of the data center but which currently exist within the same budget entity as the data center. By October 1, 2008, the center shall submit a budget amendment to transfer resources associated with these functions to the Department of Management Services.

(3) The center shall be headed by a board of trustees as provided in s. 282.203, who shall comply with all requirements of that section related to the operation of the center and with the policies of the Agency for Enterprise Information Technology related to the design and delivery of enterprise information technology services.

Section 12. Paragraph (c) of subsection (1) of section 282.315, Florida Statutes, is amended to read:

282.315 Agency Chief Information Officers Council; creation.—The Legislature finds that enhancing communication, consensus building, coordination, and facilitation with respect to issues concerning enterprise information technology resources are essential to improving the management of such resources.

(1) There is created an Agency Chief Information Officers Council to:

(c) Identify efficiency opportunities among state agencies and make recommendations for action to the Agency for Enterprise Information Technology. *This includes recommendations relating to the consolidation of agency data center and computing facilities, including operational policies, procedures and standards for the consolidated facilities, and procedures and standards for planning the migration to consolidated facilities.*

Section 13. Subsection (23) of section 287.057, Florida Statutes, is amended to read:

287.057 Procurement of commodities or contractual services.—

(23)~~(a)~~ The department, in consultation with the *Agency for Enterprise Information Technology* ~~State Technology Office~~ and the Comptroller, shall develop a program for online procurement of commodities and contractual services. To enable the state to promote open competition and to leverage its buying power, agencies shall participate in the online procurement program, and eligible users may participate in the program. Only vendors prequalified as meeting mandatory requirements and qualifications criteria *may* ~~shall be permitted to~~ participate in online procurement.

(a) The department, in consultation with the *agency* ~~State Technology Office~~, may contract for equipment and services necessary to develop and implement online procurement.

(b) The department, in consultation with the *agency* ~~State Technology Office~~, shall adopt rules, pursuant to ss. 120.536(1) and 120.54, to administer the program for online procurement. The rules shall include, but not be limited to:

1. Determining the requirements and qualification criteria for prequalifying vendors.

2. Establishing the procedures for conducting online procurement.

3. Establishing the criteria for eligible commodities and contractual services.

4. Establishing the procedures for providing access to online procurement.

5. Determining the criteria warranting any exceptions to participation in the online procurement program.

(c)~~1.~~ The department may impose and shall collect all fees for the use of the online procurement systems.

1. The fees may be imposed on an individual transaction basis or as a fixed percentage of the cost savings generated. At a minimum, the fees must be set in an amount sufficient to cover the projected costs of the services, including administrative and project service costs in accordance with the policies of the department. ~~All fees and surcharges collected under this paragraph shall be deposited in the Operating Trust Fund as provided by law.~~

2. If the department contracts with a provider for online procurement, the department, pursuant to appropriation, shall compensate the provider from the fees after the department has satisfied all ongoing costs. The provider shall report transaction data to the department each month so that the department may determine the amount due and payable to the department from each vendor.

3. All fees that are due and payable to the state on a transactional basis or as a fixed percentage of the cost savings generated are subject to s. 215.31 and must be remitted within 40 days after receipt of payment for which the fees are due. For ~~any~~ fees that are not remitted within 40 days, the vendor shall pay interest at the rate established under s. 55.03(1) on the unpaid balance from the expiration of the 40-day period until the fees are remitted.

4. All fees and surcharges collected under this paragraph shall be deposited in the Operating Trust Fund as provided by law.

Section 14. Subsection (4) of section 445.011, Florida Statutes, is amended to read:

445.011 Workforce information systems.—

(4) Workforce Florida, Inc., shall coordinate development and implementation of workforce information systems with the *executive director of the Agency for Enterprise Information Technology* ~~state's Chief Information Officer in the State Technology Office~~ to ensure compatibility with the state's information system strategy and enterprise architecture.

Section 15. Subsection (2) and paragraphs (a) and (b) of subsection (4) of section 445.045, Florida Statutes, are amended to read:

445.045 Development of an Internet-based system for information technology industry promotion and workforce recruitment.—

(2) Workforce Florida, Inc., shall coordinate with the *Agency for Enterprise Information Technology* ~~State Technology Office~~ and the Agency for Workforce Innovation to ensure links, where feasible and appropriate, to existing job information websites maintained by the state and state agencies and to ensure that information technology positions offered by the state and state agencies are posted on the information technology website.

(4)(a) Workforce Florida, Inc., shall coordinate development and maintenance of the website under this section with the *executive director of the Agency for Enterprise Information Technology* ~~state's Chief Information Officer in the State Technology Office~~ to ensure compatibility with the state's information system strategy and enterprise architecture.

(b) Workforce Florida, Inc., may enter into an agreement with the *Agency for Enterprise Information Technology* ~~State Technology Office~~, the Agency for Workforce Innovation, or any other public agency with the requisite information technology expertise for the provision of design, operating, or other technological services necessary to develop and maintain the website.

Section 16. Paragraph (b) of subsection (18) of section 668.50, Florida Statutes, is amended to read:

668.50 Uniform Electronic Transaction Act.—

(18) ACCEPTANCE AND DISTRIBUTION OF ELECTRONIC RECORDS BY GOVERNMENTAL AGENCIES.—

(b) To the extent that a governmental agency uses electronic records and electronic signatures under paragraph (a), the *Agency for Enterprise Information Technology* ~~state technology office~~, in consultation with the governmental agency, giving due consideration to security, may specify:

1. The manner and format in which the electronic records must be created, generated, sent, communicated, received, and stored and the systems established for those purposes.

2. If electronic records must be signed by electronic means, the type of electronic signature required, the manner and format in which the electronic signature must be affixed to the electronic record, and the identity of, or criteria that must be met by, any third party used by a person filing a document to facilitate the process.

3. Control processes and procedures as appropriate to ensure adequate preservation, disposition, integrity, security, confidentiality, and auditability of electronic records.

4. Any other required attributes for electronic records which are specified for corresponding nonelectronic records or reasonably necessary under the circumstances.

Section 17. *All data center functions performed, managed, operated, or supported by state agencies with resources and equipment currently located in a state primary data center created by this act, excluding application development, shall be transferred to the primary data center and that agency shall become a full-service customer entity by July 1, 2010. All resources and equipment located in the primary data center shall be operated, managed, and controlled by the primary data center. Data center functions include, but are not limited to, all data center hardware, software, staff, contracted services, and facility resources performing data center management and operations, security, production control, backup and recovery, disaster recovery, system administration, database administration, system programming, job control, production control, print, storage, technical support, help desk, and managed services.*

(1) To accomplish the transition, each state agency that is a customer entity of a primary data center shall:

(a) By October 1, 2009, submit a plan to the board of trustees of the appropriate primary data center describing costs and resources currently used to manage and maintain hardware and operating and support software housed at the primary data center, and a plan for transferring all resources allocated to data center functions to the primary data center. The plan shall:

1. Include the itemized expenditures for all of the related equipment and software in the previous 5 fiscal years.

2. Propose averages or weighted averages for transferring spending authority related to equipment and software based upon spending in the previous 5 fiscal years and projected needs for the upcoming 2 fiscal years.

(b) Submit with its 2010-2011 legislative budget request budget adjustments necessary to accomplish the transfers. These adjustments shall include budget requests to replace existing spending authority in the appropriations categories used to manage, maintain, and upgrade hardware, operating software, and support software with an amount in a single appropriation category to pay for the services of the primary data center.

(2) The board of trustees of each primary data center shall:

(a) Be responsible for the efficient transfer of resources in user agencies relating to the provision of full services and shall coordinate the legislative budget requests of the affected agencies.

(b) Include in its 2010-2011 legislative budget request additional budget authority to accommodate the transferred functions.

(c) Develop proposed cost-recovery plans for its customer entities at its annual budget meeting held before July 1, 2010, using the principles established in s. 282.203, Florida Statutes.

Section 18. *(1) The computing requirements currently provided by the mainframe resources of the Department of Transportation and the Department of Highway Safety and Motor Vehicles, each hereafter referred to as a mainframe agency, at the Suwannee and Kirkman Data Centers, respectively, and the Southwood Shared Resource Center, shall, by the first weekend after July 1, 2009, be consolidated within the Southwood Shared Resource Center.*

(a) Mainframe consolidation may be achieved through any combination of strategies that leverage the primary data center's economies of scale and negotiating strengths as the single provider of mainframe services to achieve savings for the state.

(b) The Agency for Enterprise Information Technology in coordination with the Southwood Shared Resource Center shall negotiate with vendors providing mainframe hardware, operating and support software, mainframe peripherals, and related services.

(2) For the purposes of this section, the term:

(a) "Application software" means software that directly collects and processes data, directly automates government business processes, or directly renders government data into information.

(b) "Mainframe peripherals" means devices that store data processed by a mainframe, devices exclusively used to facilitate communication with mainframes, printers that print mainframe jobs, and any device directly connected to a mainframe.

(c) "Operating software" means software used to manage and facilitate the use of hardware and other software.

(d) "Support software" means software that is not operating software or application software.

(3) By September 1, 2008, the Southwood Shared Resource Center and each mainframe agency shall establish a service-level agreement for the mainframe transition period. The service-level agreement shall, at a minimum, include:

(a) An estimate of the type and quantity of services that the mainframe agency expects to use for the applicable period, including commitments and any related impending changes.

(b) A process both parties shall use for notifying each other of any change to the scope, quantity, or conditions of the services provided.

(c) Quality of service commitments from the Southwood Shared Resource Center to the mainframe agency.

(4) On September 1, 2008, each mainframe agency, in conjunction with the Southwood Shared Resource Center, shall implement the following regarding the mainframes used by the agency:

(a) Identification of staff, including vendors, responsible for managing, operating, and supporting each mainframe and mainframe peripherals who shall report to and be supervised by managers of the Southwood Shared Resource Center.

(b) Identification of mainframe hardware, mainframe operating and support software, and mainframe peripherals owned by the mainframe agency which shall become the property of the Southwood Shared Resource Center.

(c) Decisions regarding usage, replacement, extensions, and upgrades shall be made by the Southwood Shared Resource Center.

(5) By October 1, 2008, each mainframe agency shall provide the Southwood Shared Resource Center with the following:

(a) Comprehensive itemized inventories of mainframe hardware, support software, and peripherals.

(b) A comprehensive itemized list and description of all contracts, including a copy of each contract, for mainframe hardware, operating and support software, peripherals, and services.

(6) By December 31, 2008, after relevant vendor negotiations have been completed, the Southwood Shared Resource Center shall submit a plan for implementing mainframe consolidation to the center's board of trustees, the Agency for Enterprise Information Technology, the Governor and Cabinet, the President of the Senate, and the Speaker of the House of Representatives. The plan must include:

(a) A description of the work effort, time, agency budget adjustments for the 2009-2010 fiscal year, and expenditures necessary to complete the consolidation.

(b) An estimate of the long-term savings resulting from consolidation.

(c) Any short-term costs or savings from consolidation.

(7) By April 30, 2009, the following shall occur:

(a) The Southwood Shared Resource Center shall implement a cost-allocation plan for the purpose of establishing prices and total estimated costs for the remainder of the current fiscal year and the first full year the mainframe services will be provided to the mainframe agency.

(b) The Southwood Shared Resource Center and the mainframe agencies shall establish service-level agreements.

(8) In order to establish the appropriate budget authority to implement the consolidation of mainframe services within the Southwood Shared Resource Center:

(a) As part of their 2009-2010 legislative budget request, each mainframe agency shall decrease full-time equivalent positions and transfer spending authority in the existing appropriation categories which would have been used to maintain and operate mainframe services to the appropriation category necessary to pay for mainframe services at the Southwood Shared Resource Center.

(b) As part of its 2009-2010 legislative budget request, the Southwood Shared Resource Center shall request full-time equivalent positions, not to exceed the number of positions deleted in the mainframe agencies, and spending authority necessary to deliver mainframe services to each mainframe agency.

Section 19. *Section 282.20, Florida Statutes, is repealed.*

Section 20. *Subsection (2) of section 282.322, Florida Statutes, is repealed.*

Section 21. This act shall take effect upon becoming a law.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to the state data center system; amending s. 14.204, F.S.; revising the duties and responsibilities of the Agency for Enterprise Information Technology; authorizing the agency to adopt rules; amending s. 215.322, F.S.; requiring the Agency for Enterprise Information Technology to review an agency's request to accept credit, charge, or debit cards in payment of goods and services and make recommendations to the Chief Financial Officer; amending s. 216.235, F.S.; including the executive director of the Agency for Enterprise Information Technology on the State Innovation Committee; requiring the agency to evaluate innovative investment projects that involve information technology; amending s. 282.003, F.S.; revising a short title; amending s. 282.0041, F.S.; defining terms relating to information resource management; amending s. 282.0055, F.S.; conforming cross-references; amending s. 282.0056, F.S.; revising provisions relating to the Agency for Enterprise Information Technology's work plan; requiring an annual plan; requiring a public hearing on the plan; requiring the agency to annually report its achievements to the Governor and Cabinet and the Legislature; creating s. 282.201, F.S.; establishing a state data center system; providing legislative intent; providing the duties of the Agency for Enterprise Information Technology with respect to the system; providing responsibilities; providing state agency duties and limitations; authorizing the Agency for Enterprise Information Technology to adopt rules; creating s. 282.203, F.S.; establishing primary data centers; providing the duties of the center; providing that each center shall be headed by a board of trustees; providing for the membership of the board; providing for the duties of the board; creating s. 282.204, F.S.; providing for a workgroup to transition the Department of Children and Family Services into a primary data center; establishing the Northwood Shared Resource Center as a separate budget entity housed in the department for administrative purposes only by a certain date; providing for the center to be headed by a board of trustees; creating s. 282.205, F.S.; establishing the Southwood Shared Resource Center as a separate budget entity housed for administrative purposes only in the Department of Management Services; requiring the department and the center to identify information technology resources not related to the operation of the center; providing for the center to be headed by a board of trustees; amending s. 282.315, F.S.; revising the duties of the Agency Chief Information Officers Council with respect to the consolidation of computer services; amending s. 287.057, F.S.; requiring the Department of Management Services to consult with the Agency for Enterprise Information Technology with respect to procuring information technology commodities and contractual services; amending ss. 445.011, 445.045, and 668.50, F.S., relating to workforce information systems and the Uniform Electronic Transaction Act; clarifying the duties of the Agency for Enterprise Information Technology and the Department of Management Services; providing for the transfer of state agency data center resources to a primary data center; requiring the board of trustees of the primary data center to submit a plan relating to costs and resources; requiring user agencies to submit budget requests to accomplish the transfers; specifying the duties of the board of trustees of the data center; providing for the transfer of mainframe resources of the Department of Transportation and the Department of Highway Safety and Motor Vehicles to the Southwood Shared Resource Center; providing a timeframe for the transfer; requiring a service-level agreement for the transition and a plan; providing for the supervision of staff and ownership of resources; requiring budget amendments to redistribute resources between the state entities; repealing s. 282.20, F.S., relating to the Technology Resource Center; repealing s. 282.322(2), F.S., relating to a report concerning the special monitoring process for designated information resources management projects; providing an effective date.

The Conference Committee Report was read and on motion by Senator Carlton was adopted. **CS for SB 1892** passed as amended by the Conference Committee Report and was certified to the House together with the Conference Committee Report. The vote on passage was:

Yeas—39

Mr. President	Dean	Jones
Alexander	Deutch	Joyner
Aronberg	Diaz de la Portilla	Justice
Atwater	Dockery	King
Baker	Fasano	Lawson
Bennett	Gaetz	Lynn
Bullard	Garcia	Margolis
Carlton	Geller	Oelrich
Constantine	Haridopolos	Peaden
Crist	Hill	Posey

Rich	Siplin	Webster
Ring	Storms	Wilson
Saunders	Villalobos	Wise

Nays—None

By direction of the President the following Conference Committee Report was read:

CONFERENCE COMMITTEE REPORT ON CS for SB 1988

The Honorable Ken Pruitt April 28, 2008
President of the Senate

The Honorable Marco Rubio
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on CS for SB 1988, same being:

An act relating to **Drivers' Licenses/Suspended, Revoked, or Canceled**; provides that a person commits a second-degree misdemeanor upon a first conviction and a first-degree misdemeanor upon a second or subsequent conviction of the same offense if the person's drivers' license or driving privilege is canceled, suspended, or revoked for offenses including but not limited to, failure to pay child support, failure to comply with a civil penalty, and designation as a habitual traffic offender, etc.;

having met, and after full and free conference, do recommend to their respective houses as follows:

1. That the House recede from House Amendment 759941;

2. That the Senate and House of Representatives adopt the Conference Committee Amendment 122336 to CS for SB 1988 attached hereto, and by reference made a part of this report.

s/Lisa Carlton
Chair
s/JD Alexander
s/Carey Baker
s/Larcenia J. Bullard
s/Victor D. Crist
s/Charles Dean
s/Alex Diaz de la Portilla
s/Mike Fasano
Rudy Garcia
s/Mike Haridopolos
s/Dennis L. Jones
s/Charlie Justice
s/Alfred "Al" Lawson, Jr.
s/Gwen Margolis
s/Durell Peaden, Jr.
s/Nan H. Rich
s/Burt L. Saunders
s/Ronda Storms
s/Daniel Webster, At Large
s/Stephen R. Wise

s/Jeff Atwater
Vice Chair
s/Dave Aronberg
s/Michael S. "Mike" Bennett
s/Lee Constantine
s/M. Mandy Dawson
s/Ted Deutch
s/Paula Dockery
s/Don Gaetz
Steven A. Geller, At Large
s/Anthony C. "Tony" Hill, Sr.
s/Arthenia L. Joyner
s/James E. King, Jr., At Large
s/Evelyn J. Lynn
s/Steve Oelrich
s/Bill Posey
s/Jeremy Ring
s/Gary Siplin
J. Alex Villalobos
s/Frederica S. Wilson

Managers on the part of the Senate

s/Ray Sansom
Chair and At Large
s/Kevin C. Ambler
s/Gary Aubuchon
s/Aaron P. Bean
s/Ellyn Setnor Bogdanoff,
At Large
Debbie Boyd
Ronald A. Brisé
s/Dean Cannon
Charles S. "Chuck" Chestnut IV
s/Larry Cretul, At Large
Joyce Cusack, At Large
Chris Dorworth
Keith Fitzgerald
s/Bill Galvano
s/Andy Gardiner

s/Sandra "Sandy" Adams
s/Thad Altman
s/Frank Attkisson
Loranne Ausley
Dorothy Bendross-Mindingall
s/Marsha L. "Marty" Bowen,
At Large
Mary Brandenburg
Susan Bucher
s/Jennifer Carroll
s/Marti Coley
s/Faye B. Culp
s/Carl J. Domino
s/Greg Evers
s/Anitere Flores, At Large
s/Rene Garcia
Dan Gelber, At Large

Joseph A. "Joe" Gibbons
s/Hugh H. Gibson III
s/Michael J. Grant
s/Gayle B. Harrell
s/D. Alan Hays
s/Matt Hudson
s/Kurt Kelly
Martin David "Marty" Kiar
s/Paige Kreegel
s/John Legg
Janet C. Long
Richard A. Machek
s/Charles McBurney
Matthew J. "Matt" Meadows
s/Mitch Needelman
s/Pat Patterson
s/Juan-Carlos "J.C." Planas
s/Stephen L. Precourt
Scott Randolph
Betty Reed
s/Garrett Richter
s/Julio Robaina
Dennis A. Ross
Franklin Sands, At Large
Ron Saunders, At Large
s/Ron Schultz
John P. "Jack" Seiler, At Large
Kelly Skidmore
Priscilla Taylor
s/Nicholas R. "Nick" Thompson
s/Anthony Trey Traviesa
Shelley Vana
s/Will W. Weatherford
s/Juan C. Zapata, At Large

Audrey Gibson
s/Richard "Rich" Glorioso
Denise Grimsley
s/Adam Hasner, At Large
s/Ed Homan
s/Dorothy L. Hukill
s/Will S. Kendrick
s/Dick Kravitz
Rick Kriseman
s/Marcelo Llorente
s/Carlos Lopez-Cantera
s/Stan Mayfield
s/Seth McKeel
s/Dave Murzin
s/Jimmy T. Patronis, Jr.
s/Joe H. Pickens
s/Ralph Poppell
s/William L. "Bill" Proctor
s/Ron Reagan
Curtis B. Richardson
s/David Rivera, At Large
Yolly Roberson
Maria Lorts Sachs
Anthony P. "Tony" Sasso III
s/Robert C. "Rob" Schenck
Michael J. Scionti
s/David Simmons, At Large
Darren Soto
Geraldine F. "Geri" Thompson
Perry E. Thurston, Jr.
s/Baxter G. Troutman
James W. "Jim" Waldman
Trudi K. Williams

Managers on the part of the House

Conference Committee Amendment (122336)(with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Subsection (10) is added to section 322.34, Florida Statutes, to read:

322.34 Driving while license suspended, revoked, canceled, or disqualified.—

(10)(a) Notwithstanding any other provision of this section, if a person does not have a prior forcible felony conviction as defined in s. 776.08, the penalties provided in paragraph (b) apply if a person's driver's license or driving privilege is canceled, suspended, or revoked for:

1. Failing to pay child support as provided in s. 322.245 or s. 61.13016;

2. Failing to pay any other financial obligation as provided in s. 322.245 other than those specified in s. 322.245(1);

3. Failing to comply with a civil penalty required in s. 318.15;

4. Failing to maintain vehicular financial responsibility as required by chapter 324;

5. Failing to comply with attendance or other requirements for minors as set forth in s. 322.091; or

6. Having been designated a habitual traffic offender under s. 322.264(1)(d) as a result of suspensions of his or her driver's license or driver privilege for any underlying violation listed in subparagraphs 1.-5.

(b)1. Upon a first conviction for knowingly driving while his or her license is suspended, revoked, or canceled for any of the underlying violations listed in subparagraphs (a)1.-6., a person commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

2. Upon a second or subsequent conviction for the same offense of knowingly driving while his or her license is suspended, revoked, or canceled for any of the underlying violations listed in subparagraphs (a)1.-6., a person commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

Section 2. *The Department of Highway Safety and Motor Vehicles shall conduct a study of the effectiveness of suspending a person's driver's license for any of the underlying violations as provided in section 1 of this act. The department, in consultation with the Office of Program Policy Analysis and Government Accountability and other affected entities, shall prepare a report that includes recommendations and describes the success of using alternative methods that are designed to increase compliance with these types of underlying violations. The department shall submit its findings and recommendations to the Governor and the Legislature by January 2, 2009.*

Section 3. This act shall take effect July 1, 2008.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to driving with a license that is suspended, revoked, or canceled; amending s. 322.34, F.S.; providing that a person commits a second-degree misdemeanor upon a first conviction and a first-degree misdemeanor upon a second or subsequent conviction of the same offense if the person commits certain specified violations of law; requiring the Department of Highway Safety and Motor Vehicles to study the effectiveness of suspending a person's driver's license for certain specified violations of law; requiring that the department, in consultation with the Office of Program Policy Analysis and Government Accountability and other affected entities, prepare a report and submit its findings and recommendations to the Governor and the Legislature by a specified date; providing an effective date.

The Conference Committee Report was read and on motion by Senator Crist was adopted. **CS for SB 1988** passed as amended by the Conference Committee Report and was certified to the House together with the Conference Committee Report. The vote on passage was:

Yeas—36

Mr. President	Diaz de la Portilla	Margolis
Alexander	Dockery	Oelrich
Aronberg	Fasano	Peaden
Atwater	Gaetz	Posey
Baker	Geller	Rich
Bennett	Hill	Ring
Bullard	Jones	Saunders
Carlton	Joyner	Siplin
Constantine	Justice	Storms
Crist	King	Webster
Dean	Lawson	Wilson
Deutch	Lynn	Wise

Nays—3

Garcia	Haridopolos	Villalobos

By direction of the President the following Conference Committee Report was read:

CONFERENCE COMMITTEE REPORT ON CS for CS for SB 2000

The Honorable Ken Pruitt April 28, 2008
President of the Senate

The Honorable Marco Rubio
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on CS for CS for SB 2000, same being:

An act relating to **Correctional Policies**; creating the Sentencing Policy Advisory Council within the Legislature and Justice Reinvestment Subcommittee within the council, requiring the council to evaluate sentencing policy, sentencing practices, correctional policies, justice reinvestment initiatives, and laws affecting or applicable to sentencing or punishment, requiring that recommendations be consistent with specified goals;

having met, and after full and free conference, do recommend to their respective houses as follows:

1. That the House recede from House Amendment 453157;

2. That the Senate and House of Representatives adopt the Conference Committee Amendment 779638 to CS for CS for SB 2000 attached hereto, and by reference made a part of this report.

s/Lisa Carlton
Chair
s/JD Alexander
s/Carey Baker
s/Larcenia J. Bullard
s/Victor D. Crist
s/Charles Dean
s/Alex Diaz de la Portilla
s/Mike Fasano
Rudy Garcia
s/Mike Haridopolos
s/Dennis L. Jones
s/Charlie Justice
s/Alfred "Al" Lawson, Jr.
s/Gwen Margolis
s/Durell Peaden, Jr.
s/Nan H. Rich
s/Burt L. Saunders
s/Ronda Storms
s/Daniel Webster, At Large
s/Stephen R. Wise

s/Jeff Atwater
Vice Chair
s/Dave Aronberg
s/Michael S. "Mike" Bennett
s/Lee Constantine
s/M. Mandy Dawson
s/Ted Deutch
s/Paula Dockery
s/Don Gaetz
Steven A. Geller, At Large
s/Anthony C. "Tony" Hill, Sr.
s/Arthenia L. Joyner
s/James E. King, Jr., At Large
s/Evelyn J. Lynn
s/Steve Oelrich
s/Bill Posey
s/Jeremy Ring
s/Gary Siplin
J. Alex Villalobos
s/Frederica S. Wilson

Managers on the part of the Senate

s/Ray Sansom
Chair and At Large
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s/Gary Aubuchon
s/Aaron P. Bean
s/Ellyn Setnor Bogdanoff,
At Large
Debbie Boyd
Ronald A. Brisé
s/Dean Cannon
Charles S. "Chuck" Chestnut IV
s/Larry Cretul, At Large
Joyce Cusack, At Large
Chris Dorworth
Keith Fitzgerald
s/Bill Galvano
s/Andy Gardiner
Joseph A. "Joe" Gibbons
s/Hugh H. Gibson III
s/Michael J. Grant
s/Gayle B. Harrell
s/D. Alan Hays
s/Matt Hudson
s/Kurt Kelly
Martin David "Marty" Kiar
s/Paige Kreegel
s/John Legg
Janet C. Long
Richard A. Machek
s/Charles McBurney
Matthew J. "Matt" Meadows
s/Mitch Needelman
s/Pat Patterson
s/Juan-Carlos "J.C." Planas
s/Stephen L. Precourt
Scott Randolph
Betty Reed
s/Garrett Richter
s/Julio Robaina
Dennis A. Ross
Franklin Sands, At Large
Ron Saunders, At Large
s/Ron Schultz
John P. "Jack" Seiler, At Large
Kelly Skidmore
Priscilla Taylor
s/Nicholas R. "Nick" Thompson
s/Anthony Trey Traviesa

s/Sandra "Sandy" Adams
s/Thad Altman
s/Frank Attkisson
Loranne Ausley
Dorothy Bendross-Mindingall
s/Marsha L. "Marty" Bowen,
At Large
Mary Brandenburg
Susan Bucher
s/Jennifer Carroll
s/Marti Coley
s/Faye B. Culp
s/Carl J. Domino
s/Greg Evers
s/Anitere Flores, At Large
s/Rene Garcia
Dan Gelber, At Large
Audrey Gibson
s/Richard "Rich" Glorioso
Denise Grimsley
s/Adam Hasner, At Large
s/Ed Homan
s/Dorothy L. Hukill
s/Will S. Kendrick
s/Dick Kravitz
Rick Kriseman
s/Marcelo Llorente
s/Carlos Lopez-Cantera
s/Stan Mayfield
s/Seth McKeel
s/Dave Murzin
s/Jimmy T. Patronis, Jr.
s/Joe H. Pickens
s/Ralph Poppell
s/William L. "Bill" Proctor
s/Ron Reagan
Curtis B. Richardson
s/David Rivera, At Large
Yolly Roberson
Maria Lorts Sachs
Anthony P. "Tony" Sasso III
s/Robert C. "Rob" Schenck
Michael J. Scionti
s/David Simmons, At Large
Darren Soto
Geraldine F. "Geri" Thompson
Perry E. Thurston, Jr.
s/Baxter G. Troutman

Shelley Vana
s/Will W. Weatherford
s/Juan C. Zapata, At Large
James W. "Jim" Waldman
Trudi K. Williams

Managers on the part of the House

Conference Committee Amendment (779638)(with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Section 921.0019, Florida Statutes, is created to read:

921.0019 Correctional Policy Advisory Council.—

(1) The Correctional Policy Advisory Council is created within the Legislature for the purpose of evaluating correctional policies, justice reinvestment initiatives, and laws affecting or applicable to corrections, and for the purpose of making findings and recommendations on changes to such policy, reinvestment initiatives, and laws. The council shall serve in an advisory capacity to the Legislature and the Governor.

(2) A Justice Reinvestment Subcommittee within the Correctional Policy Advisory Council is created to review the availability of alternative sanctions for low-level drug and property offenders; the effectiveness of mental health and substance abuse diversion programs; the effectiveness of prison reentry practices; the feasibility of implementing a progressive sanctions system for probationers; the impact of jail overcrowding on the effectiveness of local alternative programs and sanctions; the effectiveness of supervision strategies; and the delivery of supervision and programs in neighborhoods that have a high proportion of supervised offenders.

(3) Any recommended change to correctional policies, justice reinvestment initiatives, or laws affecting or applicable to corrections must be consistent with the following goals:

(a) Protecting public safety, including, but not limited to, ensuring the incarceration of violent criminal offenders and nonviolent criminal offenders who commit repeated acts of criminal behavior and who have demonstrated an inability to comply with less restrictive penalties previously imposed for nonviolent criminal acts; and

(b) Providing for the most cost-effective and efficient use of correctional resources to the extent that such use is not in conflict with paragraph (a).

(4)(a) The council shall be composed of 10 members, consisting of two members of the Senate appointed by the President of the Senate; two members of the House of Representatives appointed by the Speaker of the House of Representatives; one representative of the victim advocacy profession, appointed by the Attorney General; the Attorney General or her or his designee; and the Secretary of Corrections or her or his designee. The following members shall be appointed by the Governor: one state attorney from a list of three nominees recommended by the Florida Prosecuting Attorneys Association; one public defender from a list of three nominees recommended by the Public Defenders Association; and one private attorney from a list of three nominees recommended by the President of The Florida Bar. The chair of the council shall be selected by the members for a term of 1 year.

(b) The chair of the council shall appoint members of the council to serve in a Justice Reinvestment Subcommittee to carry out the duties provided in subsection (2) and designate ex officio members from state or local agencies to serve as technical assistance advisors to the subcommittee.

(c) The council shall meet at least quarterly and other meetings may be called by the chair upon giving 7 days' notice to the public. The council may take public testimony.

(d) Members of the council shall serve without compensation, but are entitled to reimbursement for per diem and travel expenses, which shall be paid by the appointing entity.

(e) The Office of Legislative Services shall provide administrative staff support for the council. The Legislature's Office of Economic and Demographic Research shall provide technical and substantive staff support. The council staff members shall consist of an executive director and any other staff member determined to be necessary to the completion of the council's duties, subject to appropriations. Upon request of the chair of the council or the executive director, the Office of Program Policy Analysis and Government Accountability, the Department of Corrections and any other state agency or department, and the Office of the State Courts Administrator shall assist the council in providing necessary data collection, analysis, and research.

(f) The chair of the council shall develop a technical assistance agreement with the Justice Center of the Council of State Governments to work with the Justice Reinvestment Subcommittee to accomplish the review of the effectiveness of correctional policies as provided in subsection (2). The agreement shall include, but not be limited to, procedures for the Justice Center of the Council of State Governments to access the data collection, analysis, and research capabilities of the agencies and offices listed in paragraph (e).

(5) On or before January 15 of each year, the council shall provide a report of its findings and recommendations to the Governor, the President of the Senate, and the Speaker of the House of Representatives. The council may provide the Legislature and the Governor with additional reports of findings and recommendations at any time it deems appropriate. The council may integrate the recommendations of the Justice Reinvestment Subcommittee in its report or may issue a separate report reflecting the findings of the subcommittee.

(6) The President of the Senate or the Speaker of the House may also direct the council to report by a certain date the council's findings and recommendations regarding an issue pertinent to correctional policies, justice reinvestment initiatives, or laws affecting or applicable to corrections.

Section 2. *The Correctional Policy Advisory Council shall be abolished on July 1, 2011.*

Section 3. This act shall take effect July 1, 2008.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to correctional policies; creating s. 921.0019, F.S.; creating the Correctional Policy Advisory Council within the Legislature and a Justice Reinvestment Subcommittee within the Correctional Policy Advisory Council; requiring the council to evaluate correctional policies, justice reinvestment initiatives, and laws affecting or applicable to corrections; requiring the subcommittee to review the effectiveness of correctional policies, including sanctioning programs for low-level drug and property offenders, mental health and substance abuse interventions, and reinvestment strategies to enhance the long-term effectiveness of correctional policies by reducing cost without negatively impacting public safety; requiring that recommendations be consistent with specified goals; providing membership of the council; providing for selection of the chair of the council; providing for an executive director and additional staff for the council, subject to appropriations; providing that members of the council serve without compensation, but are entitled to be reimbursed for per diem and travel expenses; requiring meetings and reports of findings and recommendations to the Governor and the Legislature; requiring the council's abolition by a specific date; providing an effective date.

The Conference Committee Report was read and on motion by Senator Crist was adopted. **CS for CS for SB 2000** passed as amended by the Conference Committee Report and was certified to the House together with the Conference Committee Report. The vote on passage was:

Yeas—39

Mr. President	Deutch	Justice
Alexander	Diaz de la Portilla	King
Aronberg	Dockery	Lawson
Atwater	Fasano	Lynn
Baker	Gaetz	Margolis
Bennett	Garcia	Oelrich
Bullard	Geller	Peaden
Carlton	Haridopolos	Posey
Constantine	Hill	Rich
Crist	Jones	Ring
Dean	Joyner	Saunders

Siplin	Villalobos	Wilson
Storms	Webster	Wise

Nays—None

By direction of the President the following Conference Committee Report was read:

CONFERENCE COMMITTEE REPORT ON SB 2820

The Honorable Ken Pruitt April 28, 2008
President of the Senate

The Honorable Marco Rubio
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on SB 2820, same being:

An act relating to **Juvenile Offenders/Residential Facilities**; expressing legislative intent that residential facilities have no more than 165 beds, providing an exception for campus-style settings that have more than one level of restrictiveness and other conditions, redefining "restrictiveness level" to require that residential facilities for juvenile offenders in low-risk, moderate-risk, and high-risk offender programs have no more than 165 residential beds each, etc.;

having met, and after full and free conference, do recommend to their respective houses as follows:

1. That the House recede from House Amendment 838227;

2. That the Senate and House of Representatives adopt the Conference Committee Amendment 761296 to SB 2820 attached hereto, and by reference made a part of this report.

s/Lisa Carlton
Chair
s/JD Alexander
s/Carey Baker
s/Larcenia J. Bullard
s/Victor D. Crist
s/Charles Dean
s/Alex Diaz de la Portilla
s/Mike Fasano
Rudy Garcia
s/Mike Haridopolos
s/Dennis L. Jones
s/Charlie Justice
s/Alfred "Al" Lawson, Jr.
s/Gwen Margolis
s/Durell Peaden, Jr.
s/Nan H. Rich
s/Burt L. Saunders
s/Ronda Storms
s/Daniel Webster, At Large
s/Stephen R. Wise

s/Jeff Atwater
Vice Chair
s/Dave Aronberg
s/Michael S. "Mike" Bennett
s/Lee Constantine
s/M. Mandy Dawson
s/Ted Deutch
Paula Dockery
s/Don Gaetz
Steven A. Geller, At Large
s/Anthony C. "Tony" Hill, Sr.
s/Arthenia L. Joyner
s/James E. King, Jr., At Large
s/Evelyn J. Lynn
s/Steve Oelrich
s/Bill Posey
s/Jeremy Ring
s/Gary Siplin
J. Alex Villalobos
s/Frederica S. Wilson

Managers on the part of the Senate

s/Ray Sansom
Chair and At Large
s/Kevin C. Ambler
s/Gary Aubuchon
s/Aaron P. Bean
s/Ellyn Setnor Bogdanoff,
At Large
Debbie Boyd
Ronald A. Brisé
s/Dean Cannon
Charles S. "Chuck" Chestnut IV
s/Larry Cretul, At Large
Joyce Cusack, At Large
Chris Dorworth
Keith Fitzgerald
s/Bill Galvano
s/Andy Gardiner
Joseph A. "Joe" Gibbons

s/Sandra "Sandy" Adams
s/Thad Altman
s/Frank Attkisson
Loranne Ausley
Dorothy Bendross-Mindingall
s/Marsha L. "Marty" Bowen,
At Large
Mary Brandenburg
Susan Bucher
s/Jennifer Carroll
s/Marti Coley
s/Faye B. Culp
s/Carl J. Domino
s/Greg Evers
s/Anitere Flores, At Large
s/Rene Garcia
Dan Gelber, At Large
Audrey Gibson

s/Hugh H. Gibson III
s/Michael J. Grant
s/Gayle B. Harrell
s/D. Alan Hays
s/Matt Hudson
s/Kurt Kelly
Martin David "Marty" Kiar
s/Paige Kreegel
s/John Legg
Janet C. Long
Richard A. Machek
s/Charles McBurney
Matthew J. "Matt" Meadows
s/Mitch Needelman
s/Pat Patterson
s/Juan-Carlos "J.C." Planas
s/Stephen L. Precourt
Scott Randolph
Betty Reed
s/Garrett Richter
s/Julio Robaina
Dennis A. Ross
Franklin Sands, At Large
Ron Saunders, At Large
s/Ron Schultz
John P. "Jack" Seiler, At Large
Kelly Skidmore
Priscilla Taylor
s/Nicholas R. "Nick" Thompson
s/Anthony Trey Traviesa
Shelley Vana
s/Will W. Weatherford
s/Juan C. Zapata, At Large

s/Richard "Rich" Glorioso
Denise Grimsley
s/Adam Hasner, At Large
s/Ed Homan
s/Dorothy L. Hukill
s/Will S. Kendrick
s/Dick Kravitz
Rick Kriseman
s/Marcelo Llorente
s/Carlos Lopez-Cantera
s/Stan Mayfield
s/Seth McKeel
s/Dave Murzin
s/Jimmy T. Patronis, Jr.
s/Joe H. Pickens
s/Ralph Poppell
s/William L. "Bill" Proctor
s/Ron Reagan
Curtis B. Richardson
s/David Rivera, At Large
Yolly Roberson
Maria Lorts Sachs
Anthony P. "Tony" Sasso III
s/Robert C. "Rob" Schenck
Michael J. Scionti
s/David Simmons, At Large
Darren Soto
Geraldine F. "Geri" Thompson
Perry E. Thurston, Jr.
s/Baxter G. Troutman
James W. "Jim" Waldman
Trudi K. Williams

Managers on the part of the House

Conference Committee Amendment (761296)(with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Subsection (6) of section 985.02, Florida Statutes, is amended to read:

985.02 Legislative intent for the juvenile justice system.—

(6) SITING OF FACILITIES.—

(a) The Legislature finds that timely siting and development of needed residential facilities for juvenile offenders is critical to the public safety of the citizens of this state and to the effective rehabilitation of juvenile offenders.

(b) It is the purpose of the Legislature to guarantee that such facilities are sited and developed within reasonable timeframes after they are legislatively authorized and appropriated.

(c) The Legislature further finds that such facilities must be located in areas of the state close to the home communities of the children they house in order to ensure the most effective rehabilitation efforts and the most intensive postrelease supervision and case management. *Residential facilities shall have no more than 165 beds each, including campus-style programs, unless those campus-style programs include more than one level of restrictiveness, provide multilevel education and treatment programs using different treatment protocols, and have facilities that coexist separately in distinct locations on the same property.*

(d) It is the intent of the Legislature that all other departments and agencies of the state shall cooperate fully with the Department of Juvenile Justice to accomplish the siting of facilities for juvenile offenders.

The supervision, counseling, rehabilitative treatment, and punitive efforts of the juvenile justice system should avoid the inappropriate use of correctional programs and large institutions. The Legislature finds that detention services should exceed the primary goal of providing safe and secure custody pending adjudication and disposition.

Section 2. Subsection (44) of section 985.03, Florida Statutes, is amended to read:

985.03 Definitions.—As used in this chapter, the term:

(44) "Restrictiveness level" means the level of programming and security provided by programs that service the supervision, custody, care, and treatment needs of committed children. Sections 985.601(10) and 985.721 apply to children placed in programs at any residential commitment level. The restrictiveness levels of commitment are as follows:

(a) Minimum-risk nonresidential.—Programs or program models at this commitment level work with youth who remain in the community and participate at least 5 days per week in a day treatment program. Youth assessed and classified for programs at this commitment level represent a minimum risk to themselves and public safety and do not require placement and services in residential settings. Youth in this level have full access to, and reside in, the community. Youth who have been found to have committed delinquent acts that involve firearms, that are sexual offenses, or that would be life felonies or first degree felonies if committed by an adult may not be committed to a program at this level.

(b) Low-risk residential.—Programs or program models at this commitment level are residential but may allow youth to have unsupervised access to the community. *Residential facilities shall have no more than 165 beds each, including campus-style programs, unless those campus-style programs include more than one level of restrictiveness, provide multilevel education and treatment programs using different treatment protocols, and have facilities that co-exist separately in distinct locations on the same property.* Youth assessed and classified for placement in programs at this commitment level represent a low risk to themselves and public safety but do require placement and services in residential settings. Children who have been found to have committed delinquent acts that involve firearms, delinquent acts that are sexual offenses, or delinquent acts that would be life felonies or first degree felonies if committed by an adult shall not be committed to a program at this level.

(c) Moderate-risk residential.—Programs or program models at this commitment level are residential but may allow youth to have supervised access to the community. Facilities are either environmentally secure, staff secure, or are hardware-secure with walls, fencing, or locking doors. *Residential facilities shall have no more than 165 beds each, including campus-style programs, unless those campus-style programs include more than one level of restrictiveness, provide multilevel education and treatment programs using different treatment protocols, and have facilities that co-exist separately in distinct locations on the same property.* Facilities shall provide 24-hour awake supervision, custody, care, and treatment of residents. Youth assessed and classified for placement in programs at this commitment level represent a moderate risk to public safety and require close supervision. The staff at a facility at this commitment level may seclude a child who is a physical threat to himself or herself or others. Mechanical restraint may also be used when necessary.

(d) High-risk residential.—Programs or program models at this commitment level are residential and do not allow youth to have access to the community, except that temporary release providing community access for up to 72 continuous hours may be approved by a court for a youth who has made successful progress in his or her program in order for the youth to attend a family emergency or, during the final 60 days of his or her placement, to visit his or her home, enroll in school or a vocational program, complete a job interview, or participate in a community service project. High-risk residential facilities are hardware-secure with perimeter fencing and locking doors. *Residential facilities shall have no more than 165 beds each, including campus-style programs, unless those campus-style programs include more than one level of restrictiveness, provide multilevel education and treatment programs using different treatment protocols, and have facilities that co-exist separately in distinct locations on the same property.* Facilities shall provide 24-hour awake supervision, custody, care, and treatment of residents. Youth assessed and classified for this level of placement require close supervision in a structured residential setting. Placement in programs at this level is prompted by a concern for public safety that outweighs placement in programs at lower commitment levels. The staff at a facility at this commitment level may seclude a child who is a physical threat to himself or herself or others. Mechanical restraint may also be used when necessary. The facility may provide for single cell occupancy.

(e) Maximum-risk residential.—Programs or program models at this commitment level include juvenile correctional facilities and juvenile prisons. The programs are long-term residential and do not allow youth to have access to the community. Facilities are maximum-custody, hardware-secure with perimeter security fencing and locking doors. *Residential facilities shall have no more than 165 beds each, including campus-style programs, unless those campus-style programs include more than one level of restrictiveness, provide multilevel education and treatment programs using different treatment protocols, and have facilities that co-exist separately in distinct locations on the same property.* Facilities shall provide 24-hour awake supervision, custody, care, and treatment of residents. The staff at a facility at this commitment level may seclude a child who is a physical threat to himself or herself or others. Mechanical restraint may also be used when necessary. The facility shall provide for single cell occupancy, except that youth may be housed together during prerelease transition. Youth assessed and classified for this level of placement require close supervision in a maximum security residential setting. Placement in a program at this level is prompted by a demonstrated need to protect the public.

Section 3. This act shall take effect July 1, 2008.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to residential facilities for juvenile offenders; amending s. 985.02, F.S.; expressing the legislative intent that residential facilities for juvenile offenders have no more than 165 beds; providing an exception for campus-style settings that have more than one level of restrictiveness and other conditions; amending s. 985.03, F.S.; redefining the term "restrictiveness level" to require that residential facilities for juvenile offenders in low-risk, moderate-risk, and high-risk offender programs have no more than 165 residential beds each; providing an exception for campus-style settings that have more than one level of restrictiveness and other conditions; providing an effective date.

The Conference Committee Report was read and on motion by Senator Crist was adopted. **SB 2820** passed as amended by the Conference Committee Report and was certified to the House together with the Conference Committee Report. The vote on passage was:

Yeas—39

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

Nays—None

SENATOR CARLTON PRESIDING

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has passed CS for CS for SB 526, with 1 amendment(s), and requests the concurrence of the Senate.

William S. Pittman III, Chief Clerk

CS for CS for SB 526—A bill to be entitled An act relating to interscholastic sports; providing a short title; amending s. 1006.15, F.S.; revising the criteria under which a charter school student may participate in interscholastic extracurricular activities of a public school; providing for certain private school students to participate in interscholastic sports at a public school under certain conditions; providing criteria; providing for a public school student to participate in interscholastic sports at another public school; providing criteria; providing an effective date.

House Amendment 1 (003247)(with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Subsection (8) is added to section 1006.15, Florida Statutes, to read:

1006.15 Student standards for participation in interscholastic *and intrascholastic* extracurricular student activities; regulation.—

(8)(a) The Florida High School Athletic Association (FHSAA), in cooperation with the district school boards of Bradford County, Duval County, and Nassau County, shall facilitate a 2-year pilot program during the 2008-2009 and 2009-2010 academic years in which a middle school or high school student who attends a private school shall be eligible to participate in an interscholastic or intrascholastic sport at a public high school, a public middle school, or a 6-12 public school that is zoned for the physical address at which the student resides if:

1. The private school in which the student is enrolled is not a member of the FHSAA and does not offer an interscholastic or intrascholastic athletic program.

2. The private school student meets the guidelines for the conduct of the pilot program established by the FHSAA's board of directors and the participating district school boards. At a minimum, such guidelines shall provide:

a. A deadline for each sport by which the private school student's parents must register with the public school in writing their intent for their child to participate at that school in the sport.

b. Requirements for a private school student to participate, including, but not limited to, meeting the same standards of eligibility, acceptance, behavior, educational progress, and performance that apply to other students participating in interscholastic or intrascholastic sports at a public school or FHSAA member private school.

(b) The parents of a private school student participating in a public school sport under this subsection are responsible for transporting their child to and from the public school at which the student participates. The private school the student attends, the public school at which the student participates in a sport, the district school board, and the FHSSA are exempt from civil liability arising from any injury that occurs to the student during such transportation.

(c) For each academic year, a private school student may only participate at the public school in which the student is first registered under sub-subparagraph (a)2.a. or makes himself or herself a candidate for an athletic team by engaging in a practice.

(d) The FHSAA and participating district school boards shall submit to the Governor, the President of the Senate, and the Speaker of the House of Representatives:

1. A copy of the guidelines established under subparagraph (a)2. for the pilot program no later than August 1, 2008.

2. A report on the progress of the pilot program no later than January 1, 2010. The report shall include the number of students registered under sub-subparagraph (a)2.a., the number of students found eligible to participate in the pilot program, the number of students who transfer to the public schools at which the students participated under the pilot program, implementation issues experienced with the pilot program, and recommendations on how the pilot program may be improved and expanded to include other counties.

(e) This subsection shall stand repealed on June 30, 2010, unless reviewed and reenacted by the Legislature.

Section 2. This act shall take effect upon becoming a law.

And the title is amended as follows:

Remove the entire title and insert: A bill to be entitled An act relating to interscholastic and intrascholastic sports; amending s. 1006.15, F.S.; requiring the Florida High School Athletic Association, in cooperation with specified district school boards, to facilitate a pilot program in which a middle school student or a high school student in a private school may participate in athletics at a public school; providing conditions for such participation; requiring the association's board of directors and the district school boards to establish guidelines for conducting the pilot program; specifying requirements and restrictions; requiring the association and district school boards to submit to the Governor and Legislature a copy of established guidelines and a report on the progress of the pilot program; providing for repeal of the pilot program unless reviewed and reenacted by the Legislature; providing an effective date.

On motion by Senator Wise, the Senate concurred in the House amendment.

CS for CS for SB 526 passed as amended and was ordered engrossed and then enrolled. The action of the Senate was certified to the House. The vote on passage was:

Yeas—38

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wise
Diaz de la Portilla	Lynn	

Nays—1

Wilson

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has passed CS for SB 1414, with 1 amendment, and requests the concurrence of the Senate.

William S. Pittman III, Chief Clerk

CS for SB 1414—A bill to be entitled An act relating to supplemental educational services; amending s. 1008.331, F.S.; requiring the Department of Education to annually evaluate and grade supplemental educational services providers; specifying evaluation criteria; providing reporting requirements; providing an effective date.

House Amendment 1 (549469)(with title amendment)—Remove line 52 and insert: these sites for supplemental educational services. *A school district with a student population in excess of 300,000 may only charge a state-approved supplemental educational services provider facility rental fees for the actual hours that the classrooms are used for tutoring by the provider.*

And the title is amended as follows:

Remove line 3 and insert: amending s. 1008.331, F.S.; providing restrictions on charges by specified school districts for facility rental fees paid by a state-approved supplemental educational services provider; requiring the Department of

On motion by Senator Diaz de la Portilla, the Senate concurred in the House amendment.

CS for SB 1414 passed as amended and was ordered engrossed and then enrolled. The action of the Senate was certified to the House. The vote on passage was:

Yeas—32

Mr. President	Bullard	Diaz de la Portilla
Alexander	Carlton	Dockery
Aronberg	Constantine	Fasano
Atwater	Crist	Gaetz
Baker	Dean	Geller
Bennett	Deutch	Haridopolos

Hill	Lynn	Saunders
Jones	Oelrich	Siplin
Justice	Peaden	Storms
King	Posey	Wise
Lawson	Ring	

Nays—5

Garcia	Rich	Wilson
Margolis	Villalobos	

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has passed CS for CS for CS for SB 2158, with 1 amendment(s), and requests the concurrence of the Senate.

William S. Pittman III, Chief Clerk

CS for CS for CS for SB 2158—A bill to be entitled An act relating to money services businesses; changing the name of money transmitters to money services businesses; requiring licensure rather than registration; amending s. 560.103, F.S.; revising definitions; defining the terms "affiliated party," "branch office," "cashing," "compliance officer," "electronic instrument," "financial audit report," "foreign affiliate," "licensee," "location," "monetary value," "net worth," "outstanding money transmission," and "stored value"; amending s. 560.104, F.S.; revising provision providing exemptions from ch. 560, F.S.; amending s. 560.105, F.S.; revising provisions relating to the powers of the Office of Financial Regulation and the Financial Services Commission; amending s. 560.109, F.S.; revising provisions relating to examinations and investigations conducted by the office; requiring that the office periodically examine each licensee and each new licensee within 6 months after issuing a license; requiring the office to report certain violations to a criminal investigatory agency; requiring that the office annually report to the Legislature information concerning investigations and examinations and the total amount of fines assessed and collected; requiring records in a language other than English to be translated; creating s. 560.1091, F.S.; authorizing the office to contract with third parties to conduct examinations; authorizing the commission to adopt rules relating to who can conduct examinations and the rates charged; creating s. 560.1092, F.S.; requiring persons examined to pay the expenses of examination as set by rule of the commission; providing for the deposit of funds collected from licensees; requiring payment for travel expenses and living expenses and compensation for persons making the examinations from such funds or from funds budgeted for such purposes; creating s. 560.110, F.S.; providing for record retention by licensees; amending s. 560.111, F.S.; revising the list of prohibited acts by a money services business; amending s. 560.113, F.S.; providing for the establishment of a receivership or the payment of restitution by a person found to have violated ch. 560, F.S.; amending s. 560.114, F.S.; revising grounds for the disciplinary actions; creating s. 560.1141, F.S.; authorizing the commission to adopt disciplinary guidelines for imposing penalties for violations; providing for mitigating and aggravating circumstances; amending s. 560.115, F.S.; revising provisions relating to the voluntary surrender of a license; amending s. 560.116, F.S.; revising provisions relating to the granting of immunity for providing information about alleged violations of ch. 560, F.S.; amending s. 560.118, F.S.; revising provisions relating to required reports; deleting an exemption from the requirement to file an annual financial report; transferring, renumbering, and amending s. 560.119, F.S.; revising provisions providing for the deposit of fees and assessments; amending s. 560.121, F.S.; revising restriction on access to records held by a court or the Legislature; amending s. 560.123, F.S.; revising provisions relating to the Florida Control of Money Laundering in Money Services Business; creating s. 560.1235, F.S.; requiring a licensee to comply with state and federal anti-money laundering laws and rules; amending s. 560.124, F.S.; revising provisions relating to sharing reported information; amending s. 560.125, F.S.; revising provisions relating to unlicensed activity; amending s. 560.126, F.S.; revising provisions relating to certain notice requirements by a licensee; amending s. 560.127, F.S.; revising provisions relating to the control of a money services business; amending s. 560.128, F.S.; revising provisions relating to customer contacts and license display; amending s. 560.129, F.S.; revising provisions relating to the confidentiality of certain records; creating s. 560.140, F.S.; providing licensing standards for a money services business; creating s. 560.141, F.S.; providing for a license application; creating s. 560.142, F.S.; providing for license renewal; creating s. 560.143, F.S.; providing for license fees; amending s. 560.203, F.S.; revising the exemption from licensure for authorized vendors of a money services business; amending s. 560.204, F.S.; revising provisions relating to the requirement for licensure of money transmitters or sellers of payment instruments under part II of ch. 560, F.S.; amending s. 560.205, F.S.; providing additional requirements for a license application; amending s. 560.208, F.S.; revising provisions relating to the conduct of a licensee; creating s. 560.2085, F.S.; providing requirements for authorized vendors; amending s. 560.209, F.S.; revising provisions relating to a licensee's net worth and the filing of a corporate surety bond; requiring a financial audit report; increasing the upper limit of the bond; deleting the option of waiving the bond; amending s. 560.210, F.S.; revising provisions relating to permissible investments; amending s. 560.211, F.S.; revising provisions relating to required recordkeeping under part II of ch. 560, F.S.; amending s. 560.212, F.S.; revising provisions relating to licensee liability; amending s. 560.213, F.S.; revising provisions relating information that must be printed on a payment instrument; amending s. 560.303, F.S.; revising provisions relating to the licensure of check cashers under part II of ch. 560, F.S.; amending s. 560.304, F.S.; revising provisions relating to exemptions from licensure; limiting the exemption for the payment of instruments below a certain value and incidental to certain retail sales; amending s. 560.309, F.S.; revising provisions relating to the conduct of check cashers; providing additional requirements; amending s. 560.310, F.S.; revising requirements for licensee records; specifying the maintenance of identification records for certain customers; amending s. 560.402, F.S.; revising definitions relating to deferred presentment providers; amending s. 560.403, F.S.; revising provisions relating to the licensing requirements for deferred presentment providers; amending s. 560.404, F.S.; revising provisions relating to deferred presentment transactions; amending s. 560.405, F.S.; revising provisions relating to the redemption or deposit of a deferred presentment transaction; amending s. 560.406, F.S.; revising provisions relating to worthless checks; amending ss. 499.005, 499.0691, 501.95, 538.03, 896.101, 896.104, and 921.0022, F.S.; conforming cross-references; repealing s. 560.101, F.S., relating to a short title; repealing s. 560.102, F.S., relating to purpose and application; repealing s. 560.106, F.S., relating to chapter constructions; repealing s. 560.1073, F.S., relating to false or misleading statements or documents; repealing s. 560.108, F.S., relating to administrative enforcement guidelines; repealing s. 560.112, F.S., relating to disciplinary action procedures; repealing s. 560.117, F.S., relating to administrative fines; repealing s. 560.200, F.S., relating to a short title; repealing s. 560.202, F.S., relating to definitions; repealing s. 560.206, F.S., relating to the investigation of applicants; repealing s. 560.207, F.S., relating to registration; repealing s. 560.301, F.S., relating to a short title; repealing s. 560.302, F.S., relating to definitions; repealing s. 560.305, F.S., relating to application for registration; repealing s. 560.306, F.S., relating to standards; repealing s. 560.307, F.S., relating to fees; repealing s. 560.308, F.S., relating to registration; repealing s. 560.401, F.S., relating to a short title; repealing s. 560.407, F.S., relating to required records; providing an effective date.

House Amendment 3 (711755)—Between lines 1736 and 1737, insert:

(g) License application fees for branch offices and authorized vendors are limited to $20,000 when such fees are assessed as a result of a change in controlling interest as defined in s. 560.127.

On motion by Senator Storms, the Senate concurred in the House amendment.

CS for CS for CS for SB 2158 passed as amended and was ordered engrossed and then enrolled. The action of the Senate was certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dean	Jones
Alexander	Deutch	Joyner
Aronberg	Diaz de la Portilla	Justice
Atwater	Dockery	King
Baker	Fasano	Lawson
Bennett	Gaetz	Lynn
Bullard	Garcia	Margolis
Carlton	Geller	Oelrich
Constantine	Haridopolos	Peaden
Crist	Hill	Posey

Rich	Siplin	Webster
Ring	Storms	Wilson
Saunders	Villalobos	Wise

Nays—None

THE PRESIDENT PRESIDING

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has passed CS for CS for SB's 2860 and 1196, with 1 amendment(s), and requests the concurrence of the Senate.

William S. Pittman III, Chief Clerk

CS for CS for SB's 2860 and 1196—A bill to be entitled An act relating to insurance; amending s. 215.5595, F.S.; revising legislative findings with respect to the Insurance Capital Build-Up Incentive Program and the appropriation of state funds for surplus notes issued by residential property insurers; revising the conditions and requirements for providing funds to insurers under the program; requiring a commitment by the insurer to meet minimum premium-to-surplus writing ratios for residential property insurance, for taking policies out of Citizens Property Insurance Corporation, and for maintaining certain surplus and reinsurance; establishing deadlines for insurers to apply for funds; authorizing the State Board of Administration to charge a late fee for payment of remittances; requiring the board to submit semiannual reports to the Legislature regarding the program; providing that amendments made by the act do not affect the terms of surplus notes approved prior to a specified date, but authorizing the board and an insurer to renegotiate such terms consistent with such amendments; requiring the board to transfer to Citizens Property Insurance Corporation any funds that have not been reserved for insurers approved to receive such funds under the program, from the funds that were appropriated from Citizens; requiring the board to transfer to Citizens interest and principal payments to Citizens Property Insurance Corporation for surplus note funded from appropriations from Citizens; requiring Citizens to deposit such funds into accounts from which appropriations were made; amending s. 542.20, F.S.; subjecting the business of insurance to the Florida Antitrust Act; limiting enforcement to actions by the Attorney General or a state attorney; providing exceptions; amending s. 624.3161, F.S.; authorizing the Office of Insurance Regulation to require an insurer to file its claims handling practices and procedures as a public record based on findings of a market conduct examination; amending s. 624.4211, F.S.; increasing the maximum amounts of administrative fines that may be imposed upon an insurer by the Office of Insurance Regulation for nonwillful and willful violations of an order or rule of the office or any provision of the Florida Insurance Code; authorizing the office to impose a fine for each day of noncompliance up to a maximum amount; providing factors to consider when determining the amount of the fine; creating s. 624.4213, F.S.; specifying requirements for submission of a document or information to the Office of Insurance Regulation or the Department of Financial Services in order for a person to claim that the document is a trade secret; requiring each page or portion to be labeled as a trade secret and be separated from non-trade secret material; requiring the submitting party to include an affidavit certifying certain information about the documents claimed to be trade secrets; requiring the office or department to notify persons who submit trade secret documents of any public-records request and the opportunity to file a court action to bar disclosure; specifying conditions for the office to retain or release such documents; requiring an award of attorney's fees against a person who certified a document as trade secret if a court or administrative tribunal finds that the document is not a trade secret; creating s. 624.4305, F.S.; requiring that an insurer planning to nonrenew more than a specified number of residential property insurance polices notify the Office of Insurance Regulation and obtain approval for such nonrenewals; specifying procedures for issuance of such notice; prohibiting the office from approving a nonrenewal plan unless it determines that the insurer has met certain conditions; prohibiting the office from requiring certain actions; limiting the ability of the office to disapprove or restrict nonrenewal of certain policies under certain conditions; amending s. 626.9521, F.S.; increasing the maximum fines that may be imposed by the office or department for nonwillful and willful violations of state law regarding unfair methods of competition and unfair or deceptive acts or practices related to insurance; amending s. 626.9541, F.S.; prohibiting an insurer from considering certain factors when evaluating or adjusting a property insurance claim; prohibiting an insurer from failing to pay undisputed amounts of benefits owed under a property insurance policy within a certain period; amending s. 627.062, F.S.; requiring that an insurer seeking a rate for property insurance that is greater than the rate most recently approved by the Office of Insurance Regulation make a "file and use" filing for all such rate filings made after a specified date; revising the factors the office must consider in reviewing a rate filing; prohibiting the Office of Insurance Regulation from disapproving as excessive a rate solely because the insurer obtained reinsurance covering a specified probably maximum loss; allowing the office to disapprove a rate as excessive within 1 year after the rate has been approved under certain conditions related to nonrenewal of policies by the insurer; requiring the Division of Administrative Hearings to expedite a hearing request by an insurer and for the administrative law judge to commence the hearing within a specified time; establishing time limits for entry of a recommended order, for parties to submit written exceptions, and for the office to enter a final order, subject to waiver by all parties; authorizing an insurer to request an expedited appellate review pursuant to the Florida Rules of Appellate Procedure; expressing legislative intent for an expedited appellate review; requiring an administrative law judge in a hearing on an insurance rate to grant a continuance if requested by a party due to receiving additional information that was not previously available; deleting provisions relating to the submission of a disputed rate filing, other than a rate filing for medical malpractice insurance, to an arbitration panel in lieu of an administrative hearing if the rate is filed before a specified date; requiring certain officers and the chief actuary of a property insurer to certify certain information as part of a rate filing, subject to the penalty of perjury; amending s. 627.0613, F.S.; deleting cross-references to conform to changes made by the act; amending s. 627.0628, F.S.; requiring that with respect to rate filings, insurers must use actuarial methods or models found to be accurate or reliable by the Florida Commission on Hurricane Loss Projection Methodology; deleting the requirement for the Office of Insurance Regulation and the Consumer Advocate to have access to all assumptions of a hurricane loss model in order for a model that has been found to be accurate and reliable by the Florida Commission on Hurricane Loss Projection Methodology to be admissible in a rate proceeding; deleting cross-references to conform to changes made by the act; amending s. 627.0629, F.S.; requiring that the Office of Insurance Regulation develop and make publicly available before a specified deadline a proposed method for insurers to establish windstorm mitigation premium discounts that correlate to the uniform home rating scale; requiring that the Financial Services Commission adopt rules before a specified deadline; requiring insurers to make rate filings pursuant to such method; authorizing the commission to make changes by rule to the uniform home grading scale and specify by rule the minimum required discounts, credits, or other rate differentials; requiring that such rate differentials be consistent with generally accepted actuarial principles and wind loss mitigation studies; amending s. 627.351, F.S., relating to Citizens Property Insurance Corporation; deleting a provision to conform to changes made in the act; deleting provisions defining the terms "homestead property" and "nonhomestead property"; deleting a provision providing for the classification of certain dwellings as "nonhomestead property"; deleting provisions making dwellings and condominium units that have a replacement cost above a specified value ineligible for coverage after a specified date; deleting requirements for certain properties to meeting building code plus requirements as a condition of eligibility for coverage by the corporation; requiring certain structures to have opening protections as a condition of eligibility for coverage after a specified date; requiring that the corporation cease issuance of new wind-only coverage beginning on a specified date; deleting outdated provisions requiring the corporation to submit a report for approval of offering multiperil coverage; revising threshold amounts of deficits incurred in a calendar year on which the decision to levy assessments and the types of such assessments are based; revising the formula used to calculate shares of assessments owed by certain assessable insureds; requiring that the board of governors make certain determinations before levying emergency assessments; providing the board of governors with discretion to set the amount of an emergency assessment within specified limits; requiring the board of governors to levy a Citizens policyholder surcharge under certain conditions; deleting a provision requiring the levy of an immediate assessment against certain policyholders under such conditions; requiring that funds collected from the levy of such surcharges be used for certain purposes; providing that such surcharges are not considered premium and are not subject to commissions, fees, or premium taxes; requiring that the failure to pay such surcharges be treated as failure to pay premium; requiring that the amount of any assessment or surcharge which exceeds the amount of deficits be remitted to and used by the

corporation for specified purposes; deleting provisions requiring that the plan of operation of the corporation provide for the levy of a Citizens policyholder surcharge if regular deficit assessments are levied as a result of deficits in certain accounts; deleting provisions related to the calculation, classification, and nonpayment of such surcharge; requiring that the corporation make an annual filing for each personal or commercial line of business it writes, beginning on a specified date; limiting the overall average statewide premium increase and the increase for an individual policyholder to a specified amount for rates established for certain policies during a specified period; deleting a provision requiring an insurer to purchase bonds that remain unsold; requiring the corporation to make its database of policies available to prospective take-out insurers under certain conditions; requiring the corporation to require agents to accept or decline appointment for any policy selected; requiring the corporation to notify the policyholder of certain information if an insurer selected his or her policy for a take-out offer but the policyholder's agent refused to be appointed; deleting provisions requiring the corporation to make certain confidential underwriting and claims files available to agents to conform to changes made by the act relating to ineligibility of certain dwellings; clarifying the right of certain parties to discover underwriting and claims file records; authorizing the corporation to release such records as it deems necessary; amending s. 627.4133, F.S.; increasing the required time period for an insurer to notify a policyholder of cancellation or nonrenewal of a personal lines or commercial residential property insurance policy; making conforming changes; creating s. 627.714, F.S.; requiring that personal lines residential policies be guaranteed renewable for a specified period if the dwelling meets certain requirements for wind-borne debris protection; creating s. 689.262, F.S.; requiring a purchaser of residential property to be presented with the windstorm mitigation rating of the structure; authorizing the Financial Services Commission to adopt rules; amending s. 817.2341, F.S.; providing for criminal penalties to be imposed under certain conditions against any person who willfully files a materially false or misleading rate filing; requiring Citizens Property Insurance Corporation to transfer funds to the General Revenue Fund if the losses due to a hurricane do not exceed a specified amount; requiring the board of governors of Citizens Property Insurance Corporation to make a reasonable estimate of such losses by a certain date; making nonrecurring appropriations for purposes of the Insurance Capital Build-Up Incentive Program established pursuant to s. 215.5595, F.S., as amended by the act; authorizing costs and fees to be paid from funds appropriated, subject to specified limitations; providing effective dates.

House Amendment 1 (625745) (with title amendment)—Remove everything after the enacting clause and insert:

Section 1. *This act may be cited as the "Homeowner's Bill of Rights Act."*

Section 2. Section 215.5595, Florida Statutes, is amended to read:

215.5595 Insurance Capital Build-Up Incentive Program.—

(1) Upon entering the *2008* ~~2006~~ hurricane season, the Legislature finds that:

(a) The losses in *this state* ~~Florida~~ from eight hurricanes in 2004 and 2005 have seriously strained the resources of both the voluntary insurance market and the public sector mechanisms of Citizens Property Insurance Corporation and the Florida Hurricane Catastrophe Fund.

~~(b) Private reinsurance is much less available and at a significantly greater cost to residential property insurers as compared to 1 year ago, particularly for amounts below the insurer's retention or retained losses that must be paid before reimbursement is provided by the Florida Hurricane Catastrophe Fund.~~

~~(c) The Office of Insurance Regulation has reported that the insolvency of certain insurers may be imminent.~~

~~(d) Hurricane forecast experts predict that the 2006 hurricane season will be an active hurricane season and that the Atlantic and Gulf Coast regions face an active hurricane cycle of 10 to 20 years or longer.~~

(b)~~(e)~~ *Citizens Property Insurance Corporation has over 1.2 million policies in force, has the largest market share of any insurer writing residential property insurer in the state, and faces the threat of a catastrophic loss that* ~~The number of cancellations or nonrenewals of residential property insurance policies is expected to increase and the number of new residential policies written in the voluntary market are likely to decrease, causing increased policy growth and exposure to the state insurer of last resort, Citizens Property Insurance Corporation, and threatening to increase the deficit of the corporation, currently estimated to be over $1.7 billion. This deficit~~ must be funded by assessments against insurers and policyholders, unless otherwise funded by the state. *The program has a substantial positive effect on the depopulation efforts of Citizens Property Insurance Corporation since companies participating in the program have removed over 199,000 policies from the corporation. Companies participating in the program have issued a significant number of new policies, thereby keeping an estimated 480,000 new policies out of the corporation.*

(c)~~(f)~~ Policyholders are subject to *high* ~~increased~~ premiums and assessments that are increasingly making such coverage unaffordable and that may force policyholders to sell their homes and even leave the state.

(d)~~(g)~~ The increased risk to the public sector and private sector *continues to pose* ~~poses~~ a serious threat to the economy of this state, particularly the building and financing of residential structures, and existing mortgages may be placed in default.

~~(h) The losses from 2004 and 2005, combined with the expectation that the increase in hurricane activity will continue for the foreseeable future, have caused both insurers and reinsurers to limit the capital they are willing to commit to covering the hurricane risk in Florida; attracting new capital to the Florida market is a critical priority; and providing a low-cost source of capital would enable insurers to write additional residential property insurance coverage and act to mitigate premium increases.~~

(e)~~(i)~~ Appropriating state funds to be *exchanged for* ~~used as~~ surplus notes *issued by* ~~for~~ residential property insurers, under conditions requiring the insurer to contribute additional private sector capital and to write a minimum level of premiums for residential hurricane coverage, is a valid and important public purpose.

(f) Extending the Insurance Capital Build-up Incentive Program will provide an incentive for investors to commit additional capital to Florida's residential insurance market.

(2) The purpose of this section is to provide *funds in exchange for* surplus notes *to be issued by* ~~to~~ new or existing authorized residential property insurers under the Insurance Capital Build-Up Incentive Program administered by the State Board of Administration, under the following conditions:

(a) The amount of *state funds provided in exchange for a* ~~the~~ surplus note *to* ~~for~~ any insurer ~~or insurer group~~, other than an insurer writing only manufactured housing policies, may not exceed $25 million or 20 percent of the total amount of funds *appropriated for* ~~available under~~ the program, whichever is greater. The amount of the surplus note for any insurer or insurer group writing residential property insurance covering only manufactured housing may not exceed $7 million.

(b) *On or after April 1, 2008,* the insurer must contribute an amount of new capital to its surplus which is at least equal to the amount of the surplus note and must apply to the board by *September 1, 2008* ~~July 1, 2006~~. If an insurer applies after *September 1, 2008* ~~July 1, 2006~~, but before June 1, *2009* ~~2007~~, the amount of the surplus note is limited to one-half of the new capital that the insurer contributes to its surplus, except that an insurer writing only manufactured housing policies is eligible to receive a surplus note of up to $7 million. For purposes of this section, new capital must be in the form of cash or cash equivalents as specified in s. 625.012(1).

(c) The insurer's surplus, new capital, and the surplus note must total at least $50 million, except for insurers writing residential property insurance covering only manufactured housing. The insurer's surplus, new capital, and the surplus note must total at least $14 million for insurers writing only residential property insurance covering manufactured housing policies as provided in paragraph (a).

(d) The insurer must commit to *increase its writings of residential property insurance, including the peril of wind, and to meet* ~~meeting~~ a minimum writing ratio of net written premium to surplus of at least *1:1 for the first calendar year after receiving the state funds or renegotiation of the surplus note, 1.5:1 for the second calendar year, and* 2:1 for the *remaining* term of the surplus note . *Alternatively, the insurer must meet*

a minimum writing ratio of gross written premium to surplus of at least 3:1 for the first calendar year after receiving the state funds or renegotiation of the surplus note, 4.5:1 for the second calendar year, and 6:1 for the remaining term of the surplus note. The writing ratios~~, which~~ shall be determined by the Office of Insurance Regulation and certified quarterly to the board. For this purpose, the term *"premium"* ~~"net written premium"~~ means ~~net written~~ premium for residential property insurance in *this state* ~~Florida~~, including the peril of wind, and "surplus" *means the new capital and surplus note* ~~refers to the entire surplus~~ of the insurer. *An insurer that makes an initial application after July 1, 2008, must also commit to writing at least 15 percent of its net or gross written premium for new policies, not including renewal premiums, for policies taken out of Citizens Property Insurance Corporation, during each of the first 3 years after receiving the state funds in exchange for the surplus note, which shall be determined by the Office of Insurance Regulation and certified annually to the board. The insurer must also commit to maintaining a level of surplus and reinsurance sufficient to cover in excess of its 1-in-100 year probable maximum loss, as determined by a hurricane loss model accepted by the Florida Commission on Hurricane Loss Projection Methodology, which shall be determined by the Office of Insurance Regulation and certified annually to the board.* If the *board determines that the insurer has failed to meet any of the requirements of this paragraph* ~~required ratio is not maintained~~ during the term of the surplus note, the board may increase the interest rate, accelerate the repayment of interest and principal, or shorten the term of the surplus note, subject to approval by the Commissioner of Insurance of payments by the insurer of principal and interest as provided in paragraph (f).

(e) If the requirements of this section are met, the board may approve an application by an insurer for *funds in exchange for issuance of* a surplus note, unless the board determines that the financial condition of the insurer and its business plan for writing residential property insurance in Florida places an unreasonably high level of financial risk to the state of nonpayment in full of the interest and principal. The board shall consult with the Office of Insurance Regulation and may contract with independent financial and insurance consultants in making this determination.

(f) The surplus note must be repayable to the state with a term of 20 years. The surplus note shall accrue interest on the unpaid principal balance at a rate equivalent to the 10-year U.S. Treasury Bond rate, require the payment only of interest during the first 3 years, and include such other terms as approved by the board. *The board may charge late fees up to 5 percent for late payments or other late remittances.* Payment of principal*,* ~~or~~ interest*, or late fees* by the insurer on the surplus note must be approved by the Commissioner of Insurance, who shall approve such payment unless the commissioner determines that such payment will substantially impair the financial condition of the insurer. If such a determination is made, the commissioner shall approve such payment that will not substantially impair the financial condition of the insurer.

(g) The total amount of funds available for the program is limited to the amount appropriated by the Legislature for this purpose. If the amount of surplus notes requested by insurers exceeds the amount of funds available, the board may prioritize insurers that are eligible and approved, with priority for funding given to insurers writing only manufactured housing policies, regardless of the date of application, based on the financial strength of the insurer, the viability of its proposed business plan for writing additional residential property insurance in the state, and the effect on competition in the residential property insurance market. Between insurers writing residential property insurance covering manufactured housing, priority shall be given to the insurer writing the highest percentage of its policies covering manufactured housing.

~~(h) The board may allocate portions of the funds available for the program and establish dates for insurers to apply for surplus notes from such allocation which are earlier than the dates established in paragraph (b).~~

(h)~~(i)~~ Notwithstanding paragraph (d), a newly formed manufactured housing insurer that is eligible for a surplus note under this section shall meet the premium to surplus ratio provisions of s. 624.4095.

(i)~~(j)~~ As used in this section, "an insurer writing only manufactured housing policies" includes:

1. A Florida domiciled insurer that begins writing personal lines residential manufactured housing policies in Florida after March 1, 2007, and that removes a minimum of 50,000 policies from Citizens Property Insurance Corporation without accepting a bonus, provided at least 25 percent of its policies cover manufactured housing. Such an insurer may count any funds above the minimum capital and surplus requirement that were contributed into the insurer after March 1, 2007, as new capital under this section.

2. A Florida domiciled insurer that writes at least 40 percent of its policies covering manufactured housing in Florida.

(3) As used in this section, the term:

(a) "Board" means the State Board of Administration.

(b) "Program" means the Insurance Capital Build-Up Incentive Program established by this section.

(4) *The state funds provided to the insurer in exchange for the* ~~A~~ surplus note ~~provided to an insurer~~ pursuant to this section *are* ~~is~~ considered *borrowed surplus* ~~an asset~~ of the insurer pursuant to *s. 628.401* ~~s. 625.012~~.

(5) If an insurer that receives *funds in exchange for issuance of* a surplus note pursuant to this section is rendered insolvent, the state is a ~~class 3~~ creditor pursuant to s. 631.271 for the unpaid principal and interest on the surplus note.

(6) The board shall adopt rules prescribing the procedures, administration, and criteria for approving the *applications of insurers to receive funds in exchange for* issuance of surplus notes pursuant to this section, which may be adopted pursuant to the procedures for emergency rules of chapter 120. Otherwise, actions and determinations by the board pursuant to this section are exempt from chapter 120.

(7) The board shall invest and reinvest the funds appropriated for the program in accordance with s. 215.47 and consistent with board policy.

(8) Costs and fees incurred by the board in administering this program, including fees for investment services, shall be paid from funds appropriated by the Legislature for this program, but are limited to 1 percent of the amount appropriated.

(9) The board shall submit a report to the President of the Senate and the Speaker of the House of Representatives by February 1 of each year as to the results of the program and each insurer's compliance with the terms of its surplus note.

(10) The amendments to this section enacted in 2008 do not affect the terms or conditions of the surplus notes that were approved prior to January 1, 2008. However, the board may renegotiate the terms of any surplus note issued by an insurer prior to January 2008 under this program upon the agreement of the insurer and the board and consistent with the requirements of this section as amended in 2008.

(11) On January 15, 2009, the State Board of Administration shall transfer to Citizens Property Insurance Corporation any funds that have not been committed or reserved for insurers approved to receive such funds under the program, from the funds that were transferred from Citizens Property Insurance Corporation in 2008-2009 for such purposes.

Section 3. Subsection (6) is added to section, 624.3161, Florida Statutes, to read:

624.3161 Market conduct examinations.—

(6) Based on the findings of a market conduct examination that an insurer has exhibited a pattern or practice of willful violations of an unfair insurance trade practice related to claims-handling which caused harm to policyholders, as prohibited by s. 626.9541(1)(i), the office may order an insurer pursuant to chapter 120 to file its claims-handling practices and procedures related to that line of insurance with the office for review and inspection, to be held by the office for the following 36-month period. Such claims-handling practices and procedures are public records and are not trade secrets or otherwise exempt from the provisions of s. 119.07(1). As used in this section, "claims-handling practices and procedures" are any policies, guidelines, rules, protocols, standard operating procedures, instructions, or directives that govern or guide how and the manner in which an insured's claims for benefits under any policy will be processed.

Section 4. Subsections (2) and (3) of section 624.4211, Florida Statutes, are amended to read:

624.4211 Administrative fine in lieu of suspension or revocation.—

(2) With respect to any nonwillful violation, such fine *may* ~~shall~~ not exceed *$5,000* ~~$2,500~~ per violation. In no event shall such fine exceed an aggregate amount of *$20,000* ~~$10,000~~ for all nonwillful violations arising out of the same action. *If* ~~When~~ an insurer discovers a nonwillful violation, the insurer shall correct the violation and, if restitution is due, make restitution to all affected persons. Such restitution shall include interest at 12 percent per year from either the date of the violation or the date of inception of the affected person's policy, at the insurer's option. The restitution may be a credit against future premiums due provided that ~~the~~ interest *accumulates* ~~shall accumulate~~ until the premiums are due. If the amount of restitution due to any person is $50 or more and the insurer wishes to credit it against future premiums, it shall notify such person that she or he may receive a check instead of a credit. If the credit is on a policy *that* ~~which~~ is not renewed, the insurer shall pay the restitution to the person to whom it is due.

(3) With respect to any knowing and willful violation of a lawful order or rule of the office or commission or a provision of this code, the office may impose a fine upon the insurer in an amount not to exceed *$40,000* ~~$20,000~~ for each such violation. In no event shall such fine exceed an aggregate amount of *$200,000* ~~$100,000~~ for all knowing and willful violations arising out of the same action. In addition to such fines, *the* ~~such~~ insurer shall make restitution when due in accordance with ~~the provisions of~~ subsection (2).

Section 5. Section 624.4213, Florida Statutes, is created to read:

624.4213 Trade secret documents.—

(1) If any person who is required to submit documents or other information to the office or department pursuant to the Insurance Code or by rule or order of the office, department, or commission claims that such submission contains a trade secret, such person may file with the office or department a notice of trade secret as provided in this section. Failure to do so constitutes a waiver of any claim by such person that the document or information is a trade secret.

(a) Each page of such document or specific portion of a document claimed to be a trade secret must be clearly marked as "trade secret."

(b) All material marked as a trade secret must be separated from all non-trade secret material, such as being submitted in a separate envelope clearly marked as "trade secret."

(c) In submitting a notice of trade secret to the office or department, the submitting party must include an affidavit certifying under oath to the truth of the following statements concerning all documents or information that are claimed to be trade secrets:

1. [I consider/My company considers] this information a trade secret that has value and provides an advantage or an opportunity to obtain an advantage over those who do not know or use it.

2. [I have/My company has] taken measures to prevent the disclosure of the information to anyone other that those who have been selected to have access for limited purposes, and [I intend/my company intends] to continue to take such measures.

3. The information is not, and has not been, reasonably obtainable without [my/our] consent by other persons by use of legitimate means.

4. The information is not publicly available elsewhere.

(2) If the office or department receives a public-records request for a document or information that is marked and certified as a trade secret, the office or department shall promptly notify the person that certified the document as a trade secret. The notice shall inform such person that he or she or his or her company has 30 days following receipt of such notice to file an action in circuit court seeking a determination whether the document in question contains trade secrets and an order barring public disclosure of the document. If that person or company files an action within 30 days after receipt of notice of the public-records request, the office or department may not release the documents pending the outcome of the legal action. The failure to file an action within 30 days constitutes a waiver of any claim of confidentiality and the office or department shall release the document as requested.

(3) The office or department may disclose a trade secret, together with the claim that it is a trade secret, to an officer or employee of another governmental agency whose use of the trade secret is within the scope of his or her employment.

Section 6. Section 624.4305, Florida Statutes, is created to read:

624.4305 Nonrenewal of residential property insurance policies.—Any insurer planning to nonrenew more than 10,000 residential property insurance policies in this state within a 12-month period shall give notice in writing to the Office of Insurance Regulation for informational purposes 90 days before the issuance of any notices of nonrenewal. The notice provided to the office must set forth the insurer's reasons for such action, the effective dates of nonrenewal, and any arrangements made for other insurers to offer coverage to affected policyholders.

Section 7. Subsection (2) of section 626.9521, Florida Statutes, is amended to read:

626.9521 Unfair methods of competition and unfair or deceptive acts or practices prohibited; penalties.—

(2) Any person who violates any provision of this part shall be subject to a fine in an amount not greater than *$5,000* ~~$2,500~~ for each nonwillful violation and not greater than *$40,000* ~~$20,000~~ for each willful violation. Fines under this subsection *imposed against an insurer* may not exceed an aggregate amount of *$20,000* ~~$10,000~~ for all nonwillful violations arising out of the same action or an aggregate amount of *$200,000* ~~$100,000~~ for all willful violations arising out of the same action. The fines authorized by this subsection may be imposed in addition to any other applicable penalty.

Section 8. Paragraph (i) of subsection (1) of section 626.9541, Florida Statutes, is amended to read:

626.9541 Unfair methods of competition and unfair or deceptive acts or practices defined.—

(1) UNFAIR METHODS OF COMPETITION AND UNFAIR OR DECEPTIVE ACTS.—The following are defined as unfair methods of competition and unfair or deceptive acts or practices:

(i) Unfair claim settlement practices.—

1. Attempting to settle claims on the basis of an application, when serving as a binder or intended to become a part of the policy, or any other material document which was altered without notice to, or knowledge or consent of, the insured;

2. A material misrepresentation made to an insured or any other person having an interest in the proceeds payable under such contract or policy, for the purpose and with the intent of effecting settlement of such claims, loss, or damage under such contract or policy on less favorable terms than those provided in, and contemplated by, such contract or policy; or

3. Committing or performing with such frequency as to indicate a general business practice any of the following:

a. Failing to adopt and implement standards for the proper investigation of claims;

b. Misrepresenting pertinent facts or insurance policy provisions relating to coverages at issue;

c. Failing to acknowledge and act promptly upon communications with respect to claims;

d. Denying claims without conducting reasonable investigations based upon available information;

e. Failing to affirm or deny full or partial coverage of claims, and, as to partial coverage, the dollar amount or extent of coverage, or failing to provide a written statement that the claim is being investigated, upon the written request of the insured within 30 days after proof-of-loss statements have been completed;

f. Failing to promptly provide a reasonable explanation in writing to the insured of the basis in the insurance policy, in relation to the facts or applicable law, for denial of a claim or for the offer of a compromise settlement;

g. Failing to promptly notify the insured of any additional information necessary for the processing of a claim; or

h. Failing to clearly explain the nature of the requested information and the reasons why such information is necessary.

4. Failing to pay undisputed amounts of partial or full benefits owed under first-party property insurance policies within 90 days after an insurer receives notice of a residential property insurance claim, determines the amounts of partial or full benefits, and agrees to coverage, unless payment of the undisputed benefits is prevented by an act of God, prevented by the impossibility of performance, or due to actions by the insured or claimant that constitute fraud, lack of cooperation, or intentional misrepresentation regarding the claim for which benefits are owed.

Section 9. Section 627.0612, Florida Statutes, is amended to read:

627.0612 Administrative proceedings in rating determinations.—

(1) In any proceeding to determine whether rates, rating plans, or other matters governed by this part comply with the law, the appellate court shall set aside a final order of the office if the office has violated s. 120.57(1)(k) by substituting its findings of fact for findings of an administrative law judge which were supported by competent substantial evidence.

(2) In an administrative hearing to determine whether an insurer's rates, rating schedules, rating manuals, premium credits, discount schedules, surcharge schedules, or changes thereto, for property insurance comply with the law, in addition to any other findings of fact, findings on the following matters shall be considered findings of fact:

(a) Whether a factor or factors used in a rate filing or applied by the office is consistent with standard actuarial techniques or practices or are otherwise based on reasonable actuarial judgment.

(b) Whether a factor for underwriting profit and contingencies is reasonable or excessive.

(c) Whether the cost of reinsurance is reasonable or excessive.

(3) In an administrative hearing to determine whether an insurer's rates, rating schedules, rating manuals, premium credits, discount schedules, surcharge schedules, or changes thereto, for property insurance comply with the law, a recommended order may be entered that approves, modifies, or rejects the requested change. A recommended order modifying the requested rate change shall recommend such change as is supported by the record in the case.

Section 10. Paragraphs (a), (b), and (g) of subsection (2), subsection (6), and paragraph (a) of subsection (9) of section 627.062, Florida Statutes, are amended to read:

627.062 Rate standards.—

(2) As to all such classes of insurance:

(a) Insurers or rating organizations shall establish and use rates, rating schedules, or rating manuals to allow the insurer a reasonable rate of return on such classes of insurance written in this state. A copy of rates, rating schedules, rating manuals, premium credits or discount schedules, and surcharge schedules, and changes thereto, shall be filed with the office under one of the following procedures except as provided in subparagraph 3.:

1. If the filing is made at least 90 days before the proposed effective date and the filing is not implemented during the office's review of the filing and any proceeding and judicial review, then such filing shall be considered a "file and use" filing. In such case, the office shall finalize its review by issuance of a notice of intent to approve or a notice of intent to disapprove within 90 days after receipt of the filing. The notice of intent to approve and the notice of intent to disapprove constitute agency action for purposes of the Administrative Procedure Act. Requests for supporting information, requests for mathematical or mechanical corrections, or notification to the insurer by the office of its preliminary findings shall not toll the 90-day period during any such proceedings and subsequent judicial review. The rate shall be deemed approved if the office does not issue a notice of intent to approve or a notice of intent to disapprove within 90 days after receipt of the filing.

2. If the filing is not made in accordance with the provisions of subparagraph 1., such filing shall be made as soon as practicable, but no later than 30 days after the effective date, and shall be considered a "use and file" filing. An insurer making a "use and file" filing is potentially subject to an order by the office to return to policyholders portions of rates found to be excessive, as provided in paragraph (h).

3. For all *property insurance* filings made or submitted after January 25, 2007, but before December 31, *2009* ~~2008~~, an insurer seeking a rate that is greater than the rate most recently approved by the office shall make a "file and use" filing. ~~This subparagraph applies to property insurance only.~~ For purposes of this subparagraph, motor vehicle collision and comprehensive coverages are not considered to be property coverages.

(b) Upon receiving a rate filing, the office shall review the rate filing to determine if a rate is excessive, inadequate, or unfairly discriminatory. In making that determination, the office shall, in accordance with generally accepted and reasonable actuarial techniques, consider the following factors:

1. Past and prospective loss experience within and without this state.

2. Past and prospective expenses.

3. The degree of competition among insurers for the risk insured.

4. Investment income reasonably expected by the insurer, consistent with the insurer's investment practices, from investable premiums anticipated in the filing, plus any other expected income from currently invested assets representing the amount expected on unearned premium reserves and loss reserves. The commission may adopt rules *using* ~~utilizing~~ reasonable techniques of actuarial science and economics to specify the manner in which insurers shall calculate investment income attributable to such classes of insurance written in this state and the manner in which such investment income shall be used *to calculate* ~~in the calculation of~~ insurance rates. Such manner shall contemplate allowances for an underwriting profit factor and full consideration of investment income which produce a reasonable rate of return; however, investment income from invested surplus *may* ~~shall~~ not be considered.

5. The reasonableness of the judgment reflected in the filing.

6. Dividends, savings, or unabsorbed premium deposits allowed or returned to Florida policyholders, members, or subscribers.

7. The adequacy of loss reserves.

8. The cost of reinsurance. *The office shall not disapprove a rate as excessive solely due to the insurer having obtained catastrophic reinsurance to cover the insurer's estimated 250-year probable maximum loss or any lower level of loss.*

9. Trend factors, including trends in actual losses per insured unit for the insurer making the filing.

10. Conflagration and catastrophe hazards, if applicable.

11. Projected hurricane losses, if applicable, which must be estimated using a model or method found to be acceptable or reliable by the Florida Commission on Hurricane Loss Projection Methodology, and as further provided in s. 627.0628.

12.~~11.~~ A reasonable margin for underwriting profit and contingencies. ~~For that portion of the rate covering the risk of hurricanes and other catastrophic losses for which the insurer has not purchased reinsurance and has exposed its capital and surplus to such risk, the office must approve a rating factor that provides the insurer a reasonable rate of return that is commensurate with such risk.~~

13.~~12.~~ The cost of medical services, if applicable.

14.~~13.~~ Other relevant factors which impact upon the frequency or severity of claims or upon expenses.

(g) The office may at any time review a rate, rating schedule, rating manual, or rate change; the pertinent records of the insurer; and market conditions. If the office finds on a preliminary basis that a rate may be excessive, inadequate, or unfairly discriminatory, the office shall initiate proceedings to disapprove the rate and shall so notify the insurer. However, the office may not disapprove as excessive any rate for which it has given final approval or which has been deemed approved for a period of 1 year after the effective date of the filing unless the office finds that a material misrepresentation or material error was made by the insurer or was contained in the filing. Upon being so notified, the insurer or rating organization shall, within 60 days, file with the office all information which, in the belief of the insurer or organization, proves the reasonableness, adequacy, and fairness of the rate or rate change. The office shall issue a notice of intent to approve or a notice of intent to disapprove pursuant to the procedures of paragraph (a) within 90 days after receipt of the insurer's initial response. In such instances and in any administrative proceeding relating to the legality of the rate, the insurer or rating organization shall carry the burden of proof by a preponderance of the evidence to show that the rate is not excessive, inadequate, or unfairly discriminatory. After the office notifies an insurer that a rate may be excessive, inadequate, or unfairly discriminatory, unless the office withdraws the notification, the insurer shall not alter the rate except to conform with the office's notice until the earlier of 120 days after the date the notification was provided or 180 days after the date of the implementation of the rate. The office may, subject to chapter 120, disapprove without the 60-day notification any rate increase filed by an insurer within the prohibited time period or during the time that the legality of the increased rate is being contested.

The provisions of this subsection shall not apply to workers' compensation and employer's liability insurance and to motor vehicle insurance.

(6)*(a) If an insurer requests an administrative hearing pursuant to s. 120.57 related to a rate filing under this section, the director of the Division of Administrative Hearings shall expedite the hearing and assign an administrative law judge who shall commence the hearing within 30 days after the receipt of the formal request and shall enter a recommended order within 30 days after the hearing or within 30 days after receipt of the hearing transcript by the administrative law judge, whichever is later. Each party shall be allowed 10 days in which to submit written exceptions to the recommended order. The office shall enter a final order within 30 days after the entry of the recommended order. The provisions of this paragraph may be waived upon stipulation of all parties.*

(b) Upon entry of a final order, the insurer may request a expedited appellate review pursuant to the Florida Rules of Appellate Procedure. It is the intent of the Legislature that the First District Court of Appeal grant an insurer's request for an expedited appellate review.

~~(a) After any action with respect to a rate filing that constitutes agency action for purposes of the Administrative Procedure Act, except for a rate filing for medical malpractice, an insurer may, in lieu of demanding a hearing under s. 120.57, require arbitration of the rate filing. However, the arbitration option provision in this subsection does not apply to a rate filing that is made on or after the effective date of this act until January 1, 2009. Arbitration shall be conducted by a board of arbitrators consisting of an arbitrator selected by the office, an arbitrator selected by the insurer, and an arbitrator selected jointly by the other two arbitrators. Each arbitrator must be certified by the American Arbitration Association. A decision is valid only upon the affirmative vote of at least two of the arbitrators. No arbitrator may be an employee of any insurance regulator or regulatory body or of any insurer, regardless of whether or not the employing insurer does business in this state. The office and the insurer must treat the decision of the arbitrators as the final approval of a rate filing. Costs of arbitration shall be paid by the insurer.~~

~~(b) Arbitration under this subsection shall be conducted pursuant to the procedures specified in ss. 682.06-682.10. Either party may apply to the circuit court to vacate or modify the decision pursuant to s. 682.13 or s. 682.14. The commission shall adopt rules for arbitration under this subsection, which rules may not be inconsistent with the arbitration rules of the American Arbitration Association as of January 1, 1996.~~

~~(c) Upon initiation of the arbitration process, the insurer waives all rights to challenge the action of the office under the Administrative Procedure Act or any other provision of law; however, such rights are restored to the insurer if the arbitrators fail to render a decision within 90 days after initiation of the arbitration process.~~

(9)(a) ~~Effective March 1, 2007,~~ The chief executive officer or chief financial officer of a property insurer and the chief actuary of a property insurer must certify under oath and subject to the penalty of perjury, on a form approved by the commission, the following information, which must accompany a rate filing:

1. The signing officer and actuary have reviewed the rate filing;

2. Based on the signing officer's and actuary's knowledge, the rate filing does not contain any untrue statement of a material fact or omit to state a material fact necessary in order to make the statements made, in light of the circumstances under which such statements were made, not misleading;

3. Based on the signing officer's and actuary's knowledge, the information and other factors described in paragraph (2)(b), including, but not limited to, investment income, fairly present in all material respects the basis of the rate filing for the periods presented in the filing; and

4. Based on the signing officer's and actuary's knowledge, the rate filing reflects all premium savings that are reasonably expected to result from legislative enactments and are in accordance with generally accepted and reasonable actuarial techniques.

Section 11. Paragraph (c) of subsection (1) and subsection (3) of section 627.0628, Florida Statutes, are amended, and paragraph (e) is added to subsection (1) of that section, to read:

627.0628 Florida Commission on Hurricane Loss Projection Methodology; public records exemption; public meetings exemption.—

(1) LEGISLATIVE FINDINGS AND INTENT.—

(c) It is the intent of the Legislature to create the Florida Commission on Hurricane Loss Projection Methodology as a panel of experts to provide the most actuarially sophisticated guidelines and standards for projection of hurricane losses possible, given the current state of actuarial science. It is the further intent of the Legislature that such standards and guidelines must be used by the State Board of Administration in developing reimbursement premium rates for the Florida Hurricane Catastrophe Fund, and, subject to paragraph (3)(c), *must* ~~may~~ be used by insurers in rate filings under s. 627.062 unless the way in which such standards and guidelines were applied by the insurer was erroneous, as shown by a preponderance of the evidence.

(e) The Legislature finds that the authority to take final agency action with respect to insurance ratemaking is vested in the Office of Insurance Regulation and the Financial Services Commission, and that the processes, standards, and guidelines of the Florida Commission on Hurricane Loss Projection Methodology do not constitute final agency action or statements of general applicability that implement, interpret, or prescribe law or policy; accordingly, chapter 120 does not apply to the processes, standards, and guidelines of the Florida Commission on Hurricane Loss Projection Methodology.

(3) ADOPTION AND EFFECT OF STANDARDS AND GUIDELINES.—

(a) The commission shall consider any actuarial methods, principles, standards, models, or output ranges that have the potential for improving the accuracy of or reliability of the hurricane loss projections used in residential property insurance rate filings. The commission shall, from time to time, adopt findings as to the accuracy or reliability of particular methods, principles, standards, models, or output ranges.

(b) The commission shall consider any actuarial methods, principles, standards, or models that have the potential for improving the accuracy of or reliability of projecting probable maximum loss levels. The commission shall adopt findings as to the accuracy or reliability of particular methods, principles, standards, or models related to probable maximum loss calculations.

(c)~~(b)~~ In establishing reimbursement premiums for the Florida Hurricane Catastrophe Fund, the State Board of Administration must, to the extent feasible, employ actuarial methods, principles, standards, models, or output ranges found by the commission to be accurate or reliable.

(d)~~(c)~~ With respect to a rate filing under s. 627.062, an insurer *shall* ~~may~~ employ *and may not modify or adjust* actuarial methods, principles, standards, models, or output ranges found by the commission to be accurate or reliable *in determining* ~~to determine~~ hurricane loss factors for use in a rate filing under s. 627.062. *An insurer shall employ and may not modify or adjust models found by the commission to be accurate or reliable in determining probable maximum loss levels pursuant to paragraph (b) with respect to a rate filing under s. 627.062 made more than 60 days after the commission has made such findings.* ~~Such findings and factors are admissible and relevant in consideration of a rate filing by the office or in any arbitration or administrative or judicial review only if the office and the consumer advocate appointed pursuant to s. 627.0613 have access to all of the assumptions and factors that were used in developing the actuarial methods, principles, standards, models, or output ranges, and are not precluded from disclosing such information in a rate proceeding. In any rate hearing under s. 120.57 or in any arbitration proceeding under s. 627.062(6), the hearing officer, judge, or arbitration panel may determine whether the office and the consumer advocate were provided with access to all of the assumptions and factors that were used in developing the actuarial methods, principles, standards, models, or output ranges and to determine their admissibility.~~

(e)~~(d)~~ The commission shall adopt revisions to previously adopted actuarial methods, principles, standards, models, or output ranges at least annually.

(f)~~(e)~~1. A trade secret, as defined in s. 812.081, that is used in designing and constructing a hurricane loss model and that is provided pursuant to this section, by a private company, to the commission, office, or consumer advocate appointed pursuant to s. 627.0613, is confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

2. That portion of a meeting of the commission or of a rate proceeding on an insurer's rate filing at which a trade secret made confidential and exempt by this paragraph is discussed is exempt from s. 286.011 and s. 24(b), Art. I of the State Constitution.

3. This paragraph is subject to the Open Government Sunset Review Act of 1995 in accordance with s. 119.15, and shall stand repealed on October 2, 2010, unless reviewed and saved from repeal through reenactment by the Legislature.

Section 12. Subsection (1) of section 627.0629, Florida Statutes, is amended to read:

627.0629 Residential property insurance; rate filings.—

(1)*(a)* It is the intent of the Legislature that insurers must provide savings to consumers who install or implement windstorm damage mitigation techniques, alterations, or solutions to their properties to prevent windstorm losses. A rate filing for residential property insurance must include actuarially reasonable discounts, credits, or other rate differentials, or appropriate reductions in deductibles, for properties on which fixtures or construction techniques demonstrated to reduce the amount of loss in a windstorm have been installed or implemented. The fixtures or construction techniques shall include, but not be limited to, fixtures or construction techniques which enhance roof strength, roof covering performance, roof-to-wall strength, wall-to-floor-to-foundation strength, opening protection, and window, door, and skylight strength. Credits, discounts, or other rate differentials, or appropriate reductions in deductibles, for fixtures and construction techniques which meet the minimum requirements of the Florida Building Code must be included in the rate filing. All insurance companies must make a rate filing which includes the credits, discounts, or other rate differentials or reductions in deductibles by February 28, 2003. By July 1, 2007, the office shall reevaluate the discounts, credits, other rate differentials, and appropriate reductions in deductibles for fixtures and construction techniques that meet the minimum requirements of the Florida Building Code, based upon actual experience or any other loss relativity studies available to the office. The office shall determine the discounts, credits, other rate differentials, and appropriate reductions in deductibles that reflect the full actuarial value of such revaluation, which may be used by insurers in rate filings.

(b) By February 1, 2011, the Office of Insurance Regulation, in consultation with the Department of Financial Services and the Department of Community Affairs, shall develop and make publicly available a proposed method for insurers to establish discounts, credits, or other rate differentials for hurricane mitigation measures which directly correlate to the numerical rating assigned to a structure pursuant to the uniform home grading scale adopted by the Financial Services Commission pursuant to s. 215.55865, including any proposed changes to the uniform home grading scale. By October 1, 2011, the commission shall adopt rules requiring insurers to make rate filings for residential property insurance which revise insurers' discounts, credits, or other rate differentials for hurricane mitigation measures so that such rate differentials correlate directly to the uniform home grading scale. The rules may include such changes to the uniform home grading scale as the commission determines are necessary, and may specify the minimum required discounts, credits, or other rate differentials. Such rate differentials must be consistent with generally accepted actuarial principles and wind-loss mitigation studies. The rules shall allow a period of at least 2 years after the effective date of the revised mitigation discounts, credits, or other rate differentials for a property owner to obtain an inspection or otherwise qualify for the revised credit, during which time the insurer shall continue to apply the mitigation credit that was applied immediately prior to the effective date of the revised credit.

Section 13. Subsection (2) and paragraphs (a), (b), (c), (m), (p), (w), (dd), (ee), and (ff) of subsection (6) of section 627.351, Florida Statutes, are amended to read:

627.351 Insurance risk apportionment plans.—

(2) WINDSTORM INSURANCE RISK APPORTIONMENT.—

(b) The department shall require all insurers holding a certificate of authority to transact property insurance on a direct basis in this state, other than joint underwriting associations and other entities formed pursuant to this section, to provide windstorm coverage to applicants from areas determined to be eligible pursuant to paragraph (c) who in good faith are entitled to, but are unable to procure, such coverage through ordinary means; or it shall adopt a reasonable plan or plans for the equitable apportionment or sharing among such insurers of windstorm coverage, which may include formation of an association for this purpose. As used in this subsection, the term "property insurance" means insurance on real or personal property, as defined in s. 624.604, including insurance for fire, industrial fire, allied lines, farmowners multiperil, homeowners' multiperil, commercial multiperil, and mobile homes, and including liability coverages on all such insurance, but excluding inland marine as defined in s. 624.607(3) and excluding vehicle insurance as defined in s. 624.605(1)(a) other than insurance on mobile homes used as permanent dwellings. The department shall adopt rules that provide a formula for the recovery and repayment of any deferred assessments.

1. For the purpose of this section, properties eligible for such windstorm coverage are defined as dwellings, buildings, and other structures, including mobile homes which are used as dwellings and which are tied down in compliance with mobile home tie-down requirements prescribed by the Department of Highway Safety and Motor Vehicles pursuant to s. 320.8325, and the contents of all such properties. An applicant or policyholder is eligible for coverage only if an offer of coverage cannot be obtained by or for the applicant or policyholder from an admitted insurer at approved rates.

2.a.(I) All insurers required to be members of such association shall participate in its writings, expenses, and losses. Surplus of the association shall be retained for the payment of claims and shall not be distributed to the member insurers. Such participation by member insurers shall be in the proportion that the net direct premiums of each member insurer written for property insurance in this state during the preceding calendar year bear to the aggregate net direct premiums for property insurance of all member insurers, as reduced by any credits for voluntary writings, in this state during the preceding calendar year. For the purposes of this subsection, the term "net direct premiums" means direct written premiums for property insurance, reduced by premium for liability coverage and for the following if included in allied lines: rain and hail on growing crops; livestock; association direct premiums booked; National Flood Insurance Program direct premiums; and similar deductions specifically authorized by the plan of operation and approved by the department. A member's participation shall begin on the first day of the calendar year following the year in which it is issued a certificate of authority to transact property insurance in the state and shall terminate 1 year after the end of the calendar year during which it no longer holds a certificate of authority to transact property insurance in the state. The

commissioner, after review of annual statements, other reports, and any other statistics that the commissioner deems necessary, shall certify to the association the aggregate direct premiums written for property insurance in this state by all member insurers.

(II) Effective July 1, 2002, the association shall operate subject to the supervision and approval of a board of governors who are the same individuals that have been appointed by the Treasurer to serve on the board of governors of the Citizens Property Insurance Corporation.

(III) The plan of operation shall provide a formula whereby a company voluntarily providing windstorm coverage in affected areas will be relieved wholly or partially from apportionment of a regular assessment pursuant to sub-sub-subparagraph d.(I) or sub-sub-subparagraph d.(II).

(IV) A company which is a member of a group of companies under common management may elect to have its credits applied on a group basis, and any company or group may elect to have its credits applied to any other company or group.

(V) There shall be no credits or relief from apportionment to a company for emergency assessments collected from its policyholders under sub-sub-subparagraph d.(III).

(VI) The plan of operation may also provide for the award of credits, for a period not to exceed 3 years, from a regular assessment pursuant to sub-sub-subparagraph d.(I) or sub-sub-subparagraph d.(II) as an incentive for taking policies out of the Residential Property and Casualty Joint Underwriting Association. In order to qualify for the exemption under this sub-sub-subparagraph, the take-out plan must provide that at least 40 percent of the policies removed from the Residential Property and Casualty Joint Underwriting Association cover risks located in Dade, Broward, and Palm Beach Counties or at least 30 percent of the policies so removed cover risks located in Dade, Broward, and Palm Beach Counties and an additional 50 percent of the policies so removed cover risks located in other coastal counties, and must also provide that no more than 15 percent of the policies so removed may exclude windstorm coverage. With the approval of the department, the association may waive these geographic criteria for a take-out plan that removes at least the lesser of 100,000 Residential Property and Casualty Joint Underwriting Association policies or 15 percent of the total number of Residential Property and Casualty Joint Underwriting Association policies, provided the governing board of the Residential Property and Casualty Joint Underwriting Association certifies that the take-out plan will materially reduce the Residential Property and Casualty Joint Underwriting Association's 100-year probable maximum loss from hurricanes. With the approval of the department, the board may extend such credits for an additional year if the insurer guarantees an additional year of renewability for all policies removed from the Residential Property and Casualty Joint Underwriting Association, or for 2 additional years if the insurer guarantees 2 additional years of renewability for all policies removed from the Residential Property and Casualty Joint Underwriting Association.

b. Assessments to pay deficits in the association under this subparagraph shall be included as an appropriate factor in the making of rates as provided in s. 627.3512.

c. The Legislature finds that the potential for unlimited deficit assessments under this subparagraph may induce insurers to attempt to reduce their writings in the voluntary market, and that such actions would worsen the availability problems that the association was created to remedy. It is the intent of the Legislature that insurers remain fully responsible for paying regular assessments and collecting emergency assessments for any deficits of the association; however, it is also the intent of the Legislature to provide a means by which assessment liabilities may be amortized over a period of years.

d.(I) When the deficit incurred in a particular calendar year is 10 percent or less of the aggregate statewide direct written premium for property insurance for the prior calendar year for all member insurers, the association shall levy an assessment on member insurers in an amount equal to the deficit.

(II) When the deficit incurred in a particular calendar year exceeds 10 percent of the aggregate statewide direct written premium for property insurance for the prior calendar year for all member insurers, the association shall levy an assessment on member insurers in an amount equal to the greater of 10 percent of the deficit or 10 percent of the aggregate statewide direct written premium for property insurance for the prior calendar year for member insurers. Any remaining deficit shall be recovered through emergency assessments under sub-sub-subparagraph (III).

(III) Upon a determination by the board of directors that a deficit exceeds the amount that will be recovered through regular assessments on member insurers, pursuant to sub-sub-subparagraph (I) or sub-sub-subparagraph (II), the board shall levy, after verification by the department, emergency assessments to be collected by member insurers and by underwriting associations created pursuant to this section which write property insurance, upon issuance or renewal of property insurance policies other than National Flood Insurance policies in the year or years following levy of the regular assessments. The amount of the emergency assessment collected in a particular year shall be a uniform percentage of that year's direct written premium for property insurance for all member insurers and underwriting associations, excluding National Flood Insurance policy premiums, as annually determined by the board and verified by the department. The department shall verify the arithmetic calculations involved in the board's determination within 30 days after receipt of the information on which the determination was based. Notwithstanding any other provision of law, each member insurer and each underwriting association created pursuant to this section shall collect emergency assessments from its policyholders without such obligation being affected by any credit, limitation, exemption, or deferment. The emergency assessments so collected shall be transferred directly to the association on a periodic basis as determined by the association. The aggregate amount of emergency assessments levied under this sub-sub-subparagraph in any calendar year may not exceed the greater of 10 percent of the amount needed to cover the original deficit, plus interest, fees, commissions, required reserves, and other costs associated with financing of the original deficit, or 10 percent of the aggregate statewide direct written premium for property insurance written by member insurers and underwriting associations for the prior year, plus interest, fees, commissions, required reserves, and other costs associated with financing the original deficit. The board may pledge the proceeds of the emergency assessments under this sub-sub-subparagraph as the source of revenue for bonds, to retire any other debt incurred as a result of the deficit or events giving rise to the deficit, or in any other way that the board determines will efficiently recover the deficit. The emergency assessments under this sub-sub-subparagraph shall continue as long as any bonds issued or other indebtedness incurred with respect to a deficit for which the assessment was imposed remain outstanding, unless adequate provision has been made for the payment of such bonds or other indebtedness pursuant to the document governing such bonds or other indebtedness. Emergency assessments collected under this sub-sub-subparagraph are not part of an insurer's rates, are not premium, and are not subject to premium tax, fees, or commissions; however, failure to pay the emergency assessment shall be treated as failure to pay premium.

(IV) Each member insurer's share of the total regular assessments under sub-sub-subparagraph (I) or sub-sub-subparagraph (II) shall be in the proportion that the insurer's net direct premium for property insurance in this state, for the year preceding the assessment bears to the aggregate statewide net direct premium for property insurance of all member insurers, as reduced by any credits for voluntary writings for that year.

(V) If regular deficit assessments are made under sub-sub-subparagraph (I) or sub-sub-subparagraph (II), or by the Residential Property and Casualty Joint Underwriting Association under sub-subparagraph (6)(b)3.a. or sub-subparagraph (6)(b)3.b., the association shall levy upon the association's policyholders, as part of its next rate filing, or by a separate rate filing solely for this purpose, a market equalization surcharge in a percentage equal to the total amount of such regular assessments divided by the aggregate statewide direct written premium for property insurance for member insurers for the prior calendar year. Market equalization surcharges under this sub-sub-subparagraph are not considered premium and are not subject to commissions, fees, or premium taxes; however, failure to pay a market equalization surcharge shall be treated as failure to pay premium.

e. The governing body of any unit of local government, any residents of which are insured under the plan, may issue bonds as defined in s. 125.013 or s. 166.101 to fund an assistance program, in conjunction with the association, for the purpose of defraying deficits of the association. In order to avoid needless and indiscriminate proliferation, duplication,

and fragmentation of such assistance programs, any unit of local government, any residents of which are insured by the association, may provide for the payment of losses, regardless of whether or not the losses occurred within or outside of the territorial jurisdiction of the local government. Revenue bonds may not be issued until validated pursuant to chapter 75, unless a state of emergency is declared by executive order or proclamation of the Governor pursuant to s. 252.36 making such findings as are necessary to determine that it is in the best interests of, and necessary for, the protection of the public health, safety, and general welfare of residents of this state and the protection and preservation of the economic stability of insurers operating in this state, and declaring it an essential public purpose to permit certain municipalities or counties to issue bonds as will provide relief to claimants and policyholders of the association and insurers responsible for apportionment of plan losses. Any such unit of local government may enter into such contracts with the association and with any other entity created pursuant to this subsection as are necessary to carry out this paragraph. Any bonds issued under this sub-subparagraph shall be payable from and secured by moneys received by the association from assessments under this subparagraph, and assigned and pledged to or on behalf of the unit of local government for the benefit of the holders of such bonds. The funds, credit, property, and taxing power of the state or of the unit of local government shall not be pledged for the payment of such bonds. If any of the bonds remain unsold 60 days after issuance, the department shall require all insurers subject to assessment to purchase the bonds, which shall be treated as admitted assets; each insurer shall be required to purchase that percentage of the unsold portion of the bond issue that equals the insurer's relative share of assessment liability under this subsection. An insurer shall not be required to purchase the bonds to the extent that the department determines that the purchase would endanger or impair the solvency of the insurer. The authority granted by this sub-subparagraph is additional to any bonding authority granted by subparagraph 6.

3. The plan shall also provide that any member with a surplus as to policyholders of $20 million or less writing 25 percent or more of its total countrywide property insurance premiums in this state may petition the department, within the first 90 days of each calendar year, to qualify as a limited apportionment company. The apportionment of such a member company in any calendar year for which it is qualified shall not exceed its gross participation, which shall not be affected by the formula for voluntary writings. In no event shall a limited apportionment company be required to participate in any apportionment of losses pursuant to sub-sub-subparagraph 2.d.(I) or sub-sub-subparagraph 2.d.(II) in the aggregate which exceeds $50 million after payment of available plan funds in any calendar year. However, a limited apportionment company shall collect from its policyholders any emergency assessment imposed under sub-sub-subparagraph 2.d.(III). The plan shall provide that, if the department determines that any regular assessment will result in an impairment of the surplus of a limited apportionment company, the department may direct that all or part of such assessment be deferred. However, there shall be no limitation or deferment of an emergency assessment to be collected from policyholders under sub-sub-subparagraph 2.d.(III).

4. The plan shall provide for the deferment, in whole or in part, of a regular assessment of a member insurer under sub-sub-subparagraph 2.d.(I) or sub-sub-subparagraph 2.d.(II), but not for an emergency assessment collected from policyholders under sub-sub-subparagraph 2.d.(III), if, in the opinion of the commissioner, payment of such regular assessment would endanger or impair the solvency of the member insurer. In the event a regular assessment against a member insurer is deferred in whole or in part, the amount by which such assessment is deferred may be assessed against the other member insurers in a manner consistent with the basis for assessments set forth in sub-sub-subparagraph 2.d.(I) or sub-sub-subparagraph 2.d.(II).

5.a. The plan of operation may include deductibles and rules for classification of risks and rate modifications consistent with the objective of providing and maintaining funds sufficient to pay catastrophe losses.

b. ~~The association may require arbitration of a rate filing under s. 627.062(6).~~ It is the intent of the Legislature that the rates for coverage provided by the association be actuarially sound and not competitive with approved rates charged in the admitted voluntary market such that the association functions as a residual market mechanism to provide insurance only when the insurance cannot be procured in the voluntary market. The plan of operation shall provide a mechanism to assure that, beginning no later than January 1, 1999, the rates charged by the association for each line of business are reflective of approved rates in the voluntary market for hurricane coverage for each line of business in the various areas eligible for association coverage.

c. The association shall provide for windstorm coverage on residential properties in limits up to $10 million for commercial lines residential risks and up to $1 million for personal lines residential risks. If coverage with the association is sought for a residential risk valued in excess of these limits, coverage shall be available to the risk up to the replacement cost or actual cash value of the property, at the option of the insured, if coverage for the risk cannot be located in the authorized market. The association must accept a commercial lines residential risk with limits above $10 million or a personal lines residential risk with limits above $1 million if coverage is not available in the authorized market. The association may write coverage above the limits specified in this subparagraph with or without facultative or other reinsurance coverage, as the association determines appropriate.

d. The plan of operation must provide objective criteria and procedures, approved by the department, to be uniformly applied for all applicants in determining whether an individual risk is so hazardous as to be uninsurable. In making this determination and in establishing the criteria and procedures, the following shall be considered:

(I) Whether the likelihood of a loss for the individual risk is substantially higher than for other risks of the same class; and

(II) Whether the uncertainty associated with the individual risk is such that an appropriate premium cannot be determined.

The acceptance or rejection of a risk by the association pursuant to such criteria and procedures must be construed as the private placement of insurance, and the provisions of chapter 120 do not apply.

e. If the risk accepts an offer of coverage through the market assistance program or through a mechanism established by the association, either before the policy is issued by the association or during the first 30 days of coverage by the association, and the producing agent who submitted the application to the association is not currently appointed by the insurer, the insurer shall:

(I) Pay to the producing agent of record of the policy, for the first year, an amount that is the greater of the insurer's usual and customary commission for the type of policy written or a fee equal to the usual and customary commission of the association; or

(II) Offer to allow the producing agent of record of the policy to continue servicing the policy for a period of not less than 1 year and offer to pay the agent the greater of the insurer's or the association's usual and customary commission for the type of policy written.

If the producing agent is unwilling or unable to accept appointment, the new insurer shall pay the agent in accordance with sub-sub-subparagraph (I). Subject to the provisions of s. 627.3517, the policies issued by the association must provide that if the association obtains an offer from an authorized insurer to cover the risk at its approved rates under either a standard policy including wind coverage or, if consistent with the insurer's underwriting rules as filed with the department, a basic policy including wind coverage, the risk is no longer eligible for coverage through the association. Upon termination of eligibility, the association shall provide written notice to the policyholder and agent of record stating that the association policy must be canceled as of 60 days after the date of the notice because of the offer of coverage from an authorized insurer. Other provisions of the insurance code relating to cancellation and notice of cancellation do not apply to actions under this sub-subparagraph.

f. When the association enters into a contractual agreement for a take-out plan, the producing agent of record of the association policy is entitled to retain any unearned commission on the policy, and the insurer shall:

(I) Pay to the producing agent of record of the association policy, for the first year, an amount that is the greater of the insurer's usual and customary commission for the type of policy written or a fee equal to the usual and customary commission of the association; or

(II) Offer to allow the producing agent of record of the association policy to continue servicing the policy for a period of not less than 1 year and offer to pay the agent the greater of the insurer's or the association's usual and customary commission for the type of policy written.

If the producing agent is unwilling or unable to accept appointment, the new insurer shall pay the agent in accordance with sub-sub-subparagraph (I).

6.a. The plan of operation may authorize the formation of a private nonprofit corporation, a private nonprofit unincorporated association, a partnership, a trust, a limited liability company, or a nonprofit mutual company which may be empowered, among other things, to borrow money by issuing bonds or by incurring other indebtedness and to accumulate reserves or funds to be used for the payment of insured catastrophe losses. The plan may authorize all actions necessary to facilitate the issuance of bonds, including the pledging of assessments or other revenues.

b. Any entity created under this subsection, or any entity formed for the purposes of this subsection, may sue and be sued, may borrow money; issue bonds, notes, or debt instruments; pledge or sell assessments, market equalization surcharges and other surcharges, rights, premiums, contractual rights, projected recoveries from the Florida Hurricane Catastrophe Fund, other reinsurance recoverables, and other assets as security for such bonds, notes, or debt instruments; enter into any contracts or agreements necessary or proper to accomplish such borrowings; and take other actions necessary to carry out the purposes of this subsection. The association may issue bonds or incur other indebtedness, or have bonds issued on its behalf by a unit of local government pursuant to subparagraph (6)(p)2., in the absence of a hurricane or other weather-related event, upon a determination by the association subject to approval by the department that such action would enable it to efficiently meet the financial obligations of the association and that such financings are reasonably necessary to effectuate the requirements of this subsection. Any such entity may accumulate reserves and retain surpluses as of the end of any association year to provide for the payment of losses incurred by the association during that year or any future year. The association shall incorporate and continue the plan of operation and articles of agreement in effect on the effective date of chapter 76-96, Laws of Florida, to the extent that it is not inconsistent with chapter 76-96, and as subsequently modified consistent with chapter 76-96. The board of directors and officers currently serving shall continue to serve until their successors are duly qualified as provided under the plan. The assets and obligations of the plan in effect immediately prior to the effective date of chapter 76-96 shall be construed to be the assets and obligations of the successor plan created herein.

c. In recognition of s. 10, Art. I of the State Constitution, prohibiting the impairment of obligations of contracts, it is the intent of the Legislature that no action be taken whose purpose is to impair any bond indenture or financing agreement or any revenue source committed by contract to such bond or other indebtedness issued or incurred by the association or any other entity created under this subsection.

7. On such coverage, an agent's remuneration shall be that amount of money payable to the agent by the terms of his or her contract with the company with which the business is placed. However, no commission will be paid on that portion of the premium which is in excess of the standard premium of that company.

8. Subject to approval by the department, the association may establish different eligibility requirements and operational procedures for any line or type of coverage for any specified eligible area or portion of an eligible area if the board determines that such changes to the eligibility requirements and operational procedures are justified due to the voluntary market being sufficiently stable and competitive in such area or for such line or type of coverage and that consumers who, in good faith, are unable to obtain insurance through the voluntary market through ordinary methods would continue to have access to coverage from the association. When coverage is sought in connection with a real property transfer, such requirements and procedures shall not provide for an effective date of coverage later than the date of the closing of the transfer as established by the transferor, the transferee, and, if applicable, the lender.

9. Notwithstanding any other provision of law:

a. The pledge or sale of, the lien upon, and the security interest in any rights, revenues, or other assets of the association created or purported to be created pursuant to any financing documents to secure any bonds or other indebtedness of the association shall be and remain valid and enforceable, notwithstanding the commencement of and during the continuation of, and after, any rehabilitation, insolvency, liquidation, bankruptcy, receivership, conservatorship, reorganization, or similar proceeding against the association under the laws of this state or any other applicable laws.

b. No such proceeding shall relieve the association of its obligation, or otherwise affect its ability to perform its obligation, to continue to collect, or levy and collect, assessments, market equalization or other surcharges, projected recoveries from the Florida Hurricane Catastrophe Fund, reinsurance recoverables, or any other rights, revenues, or other assets of the association pledged.

c. Each such pledge or sale of, lien upon, and security interest in, including the priority of such pledge, lien, or security interest, any such assessments, emergency assessments, market equalization or renewal surcharges, projected recoveries from the Florida Hurricane Catastrophe Fund, reinsurance recoverables, or other rights, revenues, or other assets which are collected, or levied and collected, after the commencement of and during the pendency of or after any such proceeding shall continue unaffected by such proceeding.

d. As used in this subsection, the term "financing documents" means any agreement, instrument, or other document now existing or hereafter created evidencing any bonds or other indebtedness of the association or pursuant to which any such bonds or other indebtedness has been or may be issued and pursuant to which any rights, revenues, or other assets of the association are pledged or sold to secure the repayment of such bonds or indebtedness, together with the payment of interest on such bonds or such indebtedness, or the payment of any other obligation of the association related to such bonds or indebtedness.

e. Any such pledge or sale of assessments, revenues, contract rights or other rights or assets of the association shall constitute a lien and security interest, or sale, as the case may be, that is immediately effective and attaches to such assessments, revenues, contract, or other rights or assets, whether or not imposed or collected at the time the pledge or sale is made. Any such pledge or sale is effective, valid, binding, and enforceable against the association or other entity making such pledge or sale, and valid and binding against and superior to any competing claims or obligations owed to any other person or entity, including policyholders in this state, asserting rights in any such assessments, revenues, contract, or other rights or assets to the extent set forth in and in accordance with the terms of the pledge or sale contained in the applicable financing documents, whether or not any such person or entity has notice of such pledge or sale and without the need for any physical delivery, recordation, filing, or other action.

f. There shall be no liability on the part of, and no cause of action of any nature shall arise against, any member insurer or its agents or employees, agents or employees of the association, members of the board of directors of the association, or the department or its representatives, for any action taken by them in the performance of their duties or responsibilities under this subsection. Such immunity does not apply to actions for breach of any contract or agreement pertaining to insurance, or any willful tort.

(6) CITIZENS PROPERTY INSURANCE CORPORATION.—

(a)1. It is the public purpose of this subsection to ensure the existence of an orderly market for property insurance for Floridians and Florida businesses. The Legislature finds that private insurers are unwilling or unable to provide affordable property insurance coverage in this state to the extent sought and needed. The absence of affordable property insurance threatens the public health, safety, and welfare and likewise threatens the economic health of the state. The state therefore has a compelling public interest and a public purpose to assist in assuring that property in the state is insured and that it is insured at affordable rates so as to facilitate the remediation, reconstruction, and replacement of damaged or destroyed property in order to reduce or avoid the negative effects otherwise resulting to the public health, safety, and welfare, to the economy of the state, and to the revenues of the state and local governments which are needed to provide for the public welfare. It is necessary, therefore, to provide affordable property insurance to applicants who are in good faith entitled to procure insurance through the

voluntary market but are unable to do so. The Legislature intends by this subsection that affordable property insurance be provided and that it continue to be provided, as long as necessary, through Citizens Property Insurance Corporation, a government entity that is an integral part of the state, and that is not a private insurance company. To that end, Citizens Property Insurance Corporation shall strive to increase the availability of affordable property insurance in this state, while achieving efficiencies and economies, and while providing service to policyholders, applicants, and agents which is no less than the quality generally provided in the voluntary market, for the achievement of the foregoing public purposes. Because it is essential for this government entity to have the maximum financial resources to pay claims following a catastrophic hurricane, it is the intent of the Legislature that Citizens Property Insurance Corporation continue to be an integral part of the state and that the income of the corporation be exempt from federal income taxation and that interest on the debt obligations issued by the corporation be exempt from federal income taxation.

2. The Residential Property and Casualty Joint Underwriting Association originally created by this statute shall be known, as of July 1, 2002, as the Citizens Property Insurance Corporation. The corporation shall provide insurance for residential and commercial property, for applicants who are in good faith entitled, but are unable, to procure insurance through the voluntary market. The corporation shall operate pursuant to a plan of operation approved by order of the Financial Services Commission. The plan is subject to continuous review by the commission. The commission may, by order, withdraw approval of all or part of a plan if the commission determines that conditions have changed since approval was granted and that the purposes of the plan require changes in the plan. The corporation shall continue to operate pursuant to the plan of operation approved by the Office of Insurance Regulation until October 1, 2006. For the purposes of this subsection, residential coverage includes both personal lines residential coverage, which consists of the type of coverage provided by homeowner's, mobile home owner's, dwelling, tenant's, condominium unit owner's, and similar policies, and commercial lines residential coverage, which consists of the type of coverage provided by condominium association, apartment building, and similar policies.

~~3. For the purposes of this subsection, the term "homestead property" means:~~

~~a. Property that has been granted a homestead exemption under chapter 196;~~

~~b. Property for which the owner has a current, written lease with a renter for a term of at least 7 months and for which the dwelling is insured by the corporation for $200,000 or less;~~

~~c. An owner-occupied mobile home or manufactured home, as defined in s. 320.01, which is permanently affixed to real property, is owned by a Florida resident, and has been granted a homestead exemption under chapter 196 or, if the owner does not own the real property, the owner certifies that the mobile home or manufactured home is his or her principal place of residence;~~

~~d. Tenant's coverage;~~

~~e. Commercial lines residential property; or~~

~~f. Any county, district, or municipal hospital; a hospital licensed by any not-for-profit corporation qualified under s. 501(c)(3) of the United States Internal Revenue Code; or a continuing care retirement community that is certified under chapter 651 and that receives an exemption from ad valorem taxes under chapter 196.~~

~~4. For the purposes of this subsection, the term "nonhomestead property" means property that is not homestead property.~~

3.~~5.~~ Effective January 1, 2009, a personal lines residential structure that has a dwelling replacement cost of *$2* ~~$1~~ million or more, or a single condominium unit that has a combined dwelling and content replacement cost of *$2* ~~$1~~ million or more is not eligible for coverage by the corporation. Such dwellings insured by the corporation on December 31, 2008, may continue to be covered by the corporation until the end of the policy term. However, such dwellings that are insured by the corporation and become ineligible for coverage due to the provisions of this subparagraph may reapply and obtain coverage ~~in the high-risk account and be considered "nonhomestead property"~~ if the property owner provides the corporation with a sworn affidavit from one or more insurance agents, on a form provided by the corporation, stating that the agents have made their best efforts to obtain coverage and that the property has been rejected for coverage by at least one authorized insurer and at least three surplus lines insurers. If such conditions are met, the dwelling may be insured by the corporation for up to 3 years, after which time the dwelling is ineligible for coverage. The office shall approve the method used by the corporation for valuing the dwelling replacement cost for the purposes of this subparagraph. If a policyholder is insured by the corporation prior to being determined to be ineligible pursuant to this subparagraph and such policyholder files a lawsuit challenging the determination, the policyholder may remain insured by the corporation until the conclusion of the litigation.

~~6. For properties constructed on or after January 1, 2009, the corporation may not insure any property located within 2,500 feet landward of the coastal construction control line created pursuant to s. 161.053 unless the property meets the requirements of the code plus building standards developed by the Florida Building Commission.~~

4.~~7.~~ It is the intent of the Legislature that policyholders, applicants, and agents of the corporation receive service and treatment of the highest possible level but never less than that generally provided in the voluntary market. It also is intended that the corporation be held to service standards no less than those applied to insurers in the voluntary market by the office with respect to responsiveness, timeliness, customer courtesy, and overall dealings with policyholders, applicants, or agents of the corporation.

5.~~8.~~ Effective January 1, 2009, a personal lines residential structure that is located in the "wind-borne debris region," as defined in s. 1609.2, International Building Code (2006), and that has an insured value on the structure of $750,000 or more is not eligible for coverage by the corporation unless the structure has opening protections as required under the Florida Building Code for a newly constructed residential structure in that area. A residential structure shall be deemed to comply with the requirements of this subparagraph if it has shutters or opening protections on all openings and if such opening protections complied with the Florida Building Code at the time they were installed. *Effective January 1, 2010, for personal lines residential property insured by the corporation that is located in the wind-borne debris region and has an insured value on the structure of $500,000 or more, a prospective purchaser of any such residential property must be provided by the seller a written disclosure that contains the structure's windstorm mitigation rating based on the uniform home grading scale adopted under s. 215.55865. Such rating shall be provided to the purchaser at or before the time the purchaser executes a contract for sale and purchase.*

(b)1. All insurers authorized to write one or more subject lines of business in this state are subject to assessment by the corporation and, for the purposes of this subsection, are referred to collectively as "assessable insurers." Insurers writing one or more subject lines of business in this state pursuant to part VIII of chapter 626 are not assessable insurers, but insureds who procure one or more subject lines of business in this state pursuant to part VIII of chapter 626 are subject to assessment by the corporation and are referred to collectively as "assessable insureds." An authorized insurer's assessment liability shall begin on the first day of the calendar year following the year in which the insurer was issued a certificate of authority to transact insurance for subject lines of business in this state and shall terminate 1 year after the end of the first calendar year during which the insurer no longer holds a certificate of authority to transact insurance for subject lines of business in this state.

2.a. All revenues, assets, liabilities, losses, and expenses of the corporation shall be divided into three separate accounts as follows:

(I) A personal lines account for personal residential policies issued by the corporation or issued by the Residential Property and Casualty Joint Underwriting Association and renewed by the corporation that provide comprehensive, multiperil coverage on risks that are not located in areas eligible for coverage in the Florida Windstorm Underwriting Association as those areas were defined on January 1, 2002, and for such policies that do not provide coverage for the peril of wind on risks that are located in such areas;

(II) A commercial lines account for commercial residential and commercial nonresidential policies issued by the corporation or issued by the Residential Property and Casualty Joint Underwriting Association and

renewed by the corporation that provide coverage for basic property perils on risks that are not located in areas eligible for coverage in the Florida Windstorm Underwriting Association as those areas were defined on January 1, 2002, and for such policies that do not provide coverage for the peril of wind on risks that are located in such areas; and

(III) A high-risk account for personal residential policies and commercial residential and commercial nonresidential property policies issued by the corporation or transferred to the corporation that provide coverage for the peril of wind on risks that are located in areas eligible for coverage in the Florida Windstorm Underwriting Association as those areas were defined on January 1, 2002. ~~Subject to the approval of a business plan by the Financial Services Commission and Legislative Budget Commission as provided in this sub-sub-subparagraph, but no earlier than March 31, 2007,~~ The corporation may offer policies that provide multiperil coverage and the corporation shall continue to offer policies that provide coverage only for the peril of wind for risks located in areas eligible for coverage in the high-risk account. In issuing multiperil coverage, the corporation may use its approved policy forms and rates for the personal lines account. An applicant or insured who is eligible to purchase a multiperil policy from the corporation may purchase a multiperil policy from an authorized insurer without prejudice to the applicant's or insured's eligibility to prospectively purchase a policy that provides coverage only for the peril of wind from the corporation. An applicant or insured who is eligible for a corporation policy that provides coverage only for the peril of wind may elect to purchase or retain such policy and also purchase or retain coverage excluding wind from an authorized insurer without prejudice to the applicant's or insured's eligibility to prospectively purchase a policy that provides multiperil coverage from the corporation. It is the goal of the Legislature that there would be an overall average savings of 10 percent or more for a policyholder who currently has a wind-only policy with the corporation, and an ex-wind policy with a voluntary insurer or the corporation, and who then obtains a multiperil policy from the corporation. It is the intent of the Legislature that the offer of multiperil coverage in the high-risk account be made and implemented in a manner that does not adversely affect the tax-exempt status of the corporation or creditworthiness of or security for currently outstanding financing obligations or credit facilities of the high-risk account, the personal lines account, or the commercial lines account. ~~By March 1, 2007, the corporation shall prepare and submit for approval by the Financial Services Commission and Legislative Budget Commission a report detailing the corporation's business plan for issuing multiperil coverage in the high-risk account. The business plan shall be approved or disapproved within 30 days after receipt, as submitted or modified and resubmitted by the corporation. The business plan must include: the impact of such multiperil coverage on the corporation's financial resources, the impact of such multiperil coverage on the corporation's tax-exempt status, the manner in which the corporation plans to implement the processing of applications and policy forms for new and existing policyholders, the impact of such multiperil coverage on the corporation's ability to deliver customer service at the high level required by this subsection, the ability of the corporation to process claims, the ability of the corporation to quote and issue policies, the impact of such multiperil coverage on the corporation's agents, the impact of such multiperil coverage on the corporation's existing policyholders, and the impact of such multiperil coverage on rates and premium.~~ The high-risk account must also include quota share primary insurance under subparagraph (c)2. The area eligible for coverage under the high-risk account also includes the area within Port Canaveral, which is bordered on the south by the City of Cape Canaveral, bordered on the west by the Banana River, and bordered on the north by Federal Government property.

b. The three separate accounts must be maintained as long as financing obligations entered into by the Florida Windstorm Underwriting Association or Residential Property and Casualty Joint Underwriting Association are outstanding, in accordance with the terms of the corresponding financing documents. When the financing obligations are no longer outstanding, in accordance with the terms of the corresponding financing documents, the corporation may use a single account for all revenues, assets, liabilities, losses, and expenses of the corporation. Consistent with the requirement of this subparagraph and prudent investment policies that minimize the cost of carrying debt, the board shall exercise its best efforts to retire existing debt or to obtain approval of necessary parties to amend the terms of existing debt, so as to structure the most efficient plan to consolidate the three separate accounts into a single account. By February 1, 2007, the board shall submit a report to the Financial Services Commission, the President of the Senate, and the Speaker of the House of Representatives which includes an analysis of consolidating the accounts, the actions the board has taken to minimize the cost of carrying debt, and its recommendations for executing the most efficient plan.

c. Creditors of the Residential Property and Casualty Joint Underwriting Association and of the accounts specified in sub-sub-subparagraphs a.(I) and (II) may have a claim against, and recourse to, the accounts referred to in sub-sub-subparagraphs a.(I) and (II) and shall have no claim against, or recourse to, the account referred to in sub-sub-subparagraph a.(III). Creditors of the Florida Windstorm Underwriting Association shall have a claim against, and recourse to, the account referred to in sub-sub-subparagraph a.(III) and shall have no claim against, or recourse to, the accounts referred to in sub-sub-subparagraphs a.(I) and (II).

d. Revenues, assets, liabilities, losses, and expenses not attributable to particular accounts shall be prorated among the accounts.

e. The Legislature finds that the revenues of the corporation are revenues that are necessary to meet the requirements set forth in documents authorizing the issuance of bonds under this subsection.

f. No part of the income of the corporation may inure to the benefit of any private person.

3. With respect to a deficit in an account:

a. *After accounting for the Citizens policyholder surcharge imposed under sub-subparagraph i.,* when the *remaining projected* deficit incurred in a particular calendar year is not greater than *6* ~~10~~ percent of the aggregate statewide direct written premium for the subject lines of business for the prior calendar year, the entire deficit shall be recovered through regular assessments of assessable insurers under paragraph (p) and assessable insureds.

b. *After accounting for the Citizens policyholder surcharge imposed under sub-subparagraph i.,* when the *remaining projected* deficit incurred in a particular calendar year exceeds *6* ~~10~~ percent of the aggregate statewide direct written premium for the subject lines of business for the prior calendar year, the corporation shall levy regular assessments on assessable insurers under paragraph (p) and on assessable insureds in an amount equal to the greater of *6* ~~10~~ percent of the deficit or *6* ~~10~~ percent of the aggregate statewide direct written premium for the subject lines of business for the prior calendar year. Any remaining deficit shall be recovered through emergency assessments under sub-subparagraph d.

c. Each assessable insurer's share of the amount being assessed under sub-subparagraph a. or sub-subparagraph b. shall be in the proportion that the assessable insurer's direct written premium for the subject lines of business for the year preceding the assessment bears to the aggregate statewide direct written premium for the subject lines of business for that year. The assessment percentage applicable to each assessable insured is the ratio of the amount being assessed under sub-subparagraph a. or sub-subparagraph b. to the aggregate statewide direct written premium for the subject lines of business for the prior year. Assessments levied by the corporation on assessable insurers under sub-subparagraphs a. and b. shall be paid as required by the corporation's plan of operation and paragraph (p). ~~notwithstanding any other provision of this subsection, the aggregate amount of a regular assessment for a deficit incurred in a particular calendar year shall be reduced by the estimated amount to be received by the corporation from the Citizens policyholder surcharge under subparagraph (e)10. and the amount collected or estimated to be collected from the assessment on Citizens policyholders pursuant to sub-subparagraph i.~~ Assessments levied by the corporation on assessable insureds under sub-subparagraphs a. and b. shall be collected by the surplus lines agent at the time the surplus lines agent collects the surplus lines tax required by s. 626.932 and shall be paid to the Florida Surplus Lines Service Office at the time the surplus lines agent pays the surplus lines tax to the Florida Surplus Lines Service Office. Upon receipt of regular assessments from surplus lines agents, the Florida Surplus Lines Service Office shall transfer the assessments directly to the corporation as determined by the corporation.

d. Upon a determination by the board of governors that a deficit in an account exceeds the amount that will be recovered through regular assessments under sub-subparagraph a. or sub-subparagraph b., *plus*

the amount that is expected to be recovered through surcharges under sub-subparagraph i., as to the remaining projected deficit the board shall levy, after verification by the office, emergency assessments, for as many years as necessary to cover the deficits, to be collected by assessable insurers and the corporation and collected from assessable insureds upon issuance or renewal of policies for subject lines of business, excluding National Flood Insurance policies. The amount of the emergency assessment collected in a particular year shall be a uniform percentage of that year's direct written premium for subject lines of business and all accounts of the corporation, excluding National Flood Insurance Program policy premiums, as annually determined by the board and verified by the office. The office shall verify the arithmetic calculations involved in the board's determination within 30 days after receipt of the information on which the determination was based. Notwithstanding any other provision of law, the corporation and each assessable insurer that writes subject lines of business shall collect emergency assessments from its policyholders without such obligation being affected by any credit, limitation, exemption, or deferment. Emergency assessments levied by the corporation on assessable insureds shall be collected by the surplus lines agent at the time the surplus lines agent collects the surplus lines tax required by s. 626.932 and shall be paid to the Florida Surplus Lines Service Office at the time the surplus lines agent pays the surplus lines tax to the Florida Surplus Lines Service Office. The emergency assessments so collected shall be transferred directly to the corporation on a periodic basis as determined by the corporation and shall be held by the corporation solely in the applicable account. The aggregate amount of emergency assessments levied for an account under this sub-subparagraph in any calendar year may*, at the discretion of the board of governors, be less than but may* not exceed the greater of 10 percent of the amount needed to cover the ~~original~~ deficit, plus interest, fees, commissions, required reserves, and other costs associated with financing of the original deficit, or 10 percent of the aggregate statewide direct written premium for subject lines of business and for all accounts of the corporation for the prior year, plus interest, fees, commissions, required reserves, and other costs associated with financing the ~~original~~ deficit.

e. The corporation may pledge the proceeds of assessments, projected recoveries from the Florida Hurricane Catastrophe Fund, other insurance and reinsurance recoverables, policyholder surcharges and other surcharges, and other funds available to the corporation as the source of revenue for and to secure bonds issued under paragraph (p), bonds or other indebtedness issued under subparagraph (c)3., or lines of credit or other financing mechanisms issued or created under this subsection, or to retire any other debt incurred as a result of deficits or events giving rise to deficits, or in any other way that the board determines will efficiently recover such deficits. The purpose of the lines of credit or other financing mechanisms is to provide additional resources to assist the corporation in covering claims and expenses attributable to a catastrophe. As used in this subsection, the term "assessments" includes regular assessments under sub-subparagraph a., sub-subparagraph b., or subparagraph (p)1. and emergency assessments under sub-subparagraph d. Emergency assessments collected under sub-subparagraph d. are not part of an insurer's rates, are not premium, and are not subject to premium tax, fees, or commissions; however, failure to pay the emergency assessment shall be treated as failure to pay premium. The emergency assessments under sub-subparagraph d. shall continue as long as any bonds issued or other indebtedness incurred with respect to a deficit for which the assessment was imposed remain outstanding, unless adequate provision has been made for the payment of such bonds or other indebtedness pursuant to the documents governing such bonds or other indebtedness.

f. As used in this subsection for purposes of any deficit incurred on or after January 25, 2007, the term "subject lines of business" means insurance written by assessable insurers or procured by assessable insureds for all property and casualty lines of business in this state, but not including workers' compensation or medical malpractice. As used in the sub-subparagraph, the term "property and casualty lines of business" includes all lines of business identified on Form 2, Exhibit of Premiums and Losses, in the annual statement required of authorized insurers by s. 624.424 and any rule adopted under this section, except for those lines identified as accident and health insurance and except for policies written under the National Flood Insurance Program or the Federal Crop Insurance Program. For purposes of this sub-subparagraph, the term "workers' compensation" includes both workers' compensation insurance and excess workers' compensation insurance.

g. The Florida Surplus Lines Service Office shall determine annually the aggregate statewide written premium in subject lines of business procured by assessable insureds and shall report that information to the corporation in a form and at a time the corporation specifies to ensure that the corporation can meet the requirements of this subsection and the corporation's financing obligations.

h. The Florida Surplus Lines Service Office shall verify the proper application by surplus lines agents of assessment percentages for regular assessments and emergency assessments levied under this subparagraph on assessable insureds and shall assist the corporation in ensuring the accurate, timely collection and payment of assessments by surplus lines agents as required by the corporation.

i. If a deficit is incurred in any account in 2008 or thereafter, the board of governors shall levy *a Citizens policyholder surcharge* ~~an immediate assessment against the premium of each nonhomestead property policyholder in all accounts of the corporation, as a uniform percentage of the premium of the policy of up to 10 percent of such premium, which funds shall be used to offset the deficit. If this assessment is insufficient to eliminate the deficit, the board of governors shall levy an additional assessment~~ against all policyholders of the corporation *for a 12-month period*, which shall be collected at the time of issuance or renewal of a policy, as a uniform percentage of the premium for the policy of up to *15* ~~10~~ percent of such premium, which funds shall be used to ~~further~~ offset the deficit. *Citizens policyholder surcharges under this sub-subparagraph are not considered premium and are not subject to commissions, fees, or premium taxes. However, failure to pay such surcharges shall be treated as failure to pay premium* .

j. *If the amount of any assessments or surcharges collected from corporation policyholders, assessable insurers or their policyholders, or assessable insureds exceeds the amount of the deficits, such excess amounts shall be remitted to and retained by the corporation in a reserve to be used by the corporation, as determined by the board of governors and approved by the office, to pay claims or reduce any past, present, or future plan-year deficits or to reduce outstanding debt.* ~~The board of governors shall maintain separate accounting records that consolidate data for nonhomestead properties, including, but not limited to, number of policies, insured values, premiums written, and losses. The board of governors shall annually report to the office and the Legislature a summary of such data.~~

(c) The plan of operation of the corporation:

1. Must provide for adoption of residential property and casualty insurance policy forms and commercial residential and nonresidential property insurance forms, which forms must be approved by the office prior to use. The corporation shall adopt the following policy forms:

a. Standard personal lines policy forms that are comprehensive multiperil policies providing full coverage of a residential property equivalent to the coverage provided in the private insurance market under an HO-3, HO-4, or HO-6 policy.

b. Basic personal lines policy forms that are policies similar to an HO-8 policy or a dwelling fire policy that provide coverage meeting the requirements of the secondary mortgage market, but which coverage is more limited than the coverage under a standard policy.

c. Commercial lines residential and nonresidential policy forms that are generally similar to the basic perils of full coverage obtainable for commercial residential structures and commercial nonresidential structures in the admitted voluntary market.

d. Personal lines and commercial lines residential property insurance forms that cover the peril of wind only. The forms are applicable only to residential properties located in areas eligible for coverage under the high-risk account referred to in sub-subparagraph (b)2.a.

e. Commercial lines nonresidential property insurance forms that cover the peril of wind only. The forms are applicable only to nonresidential properties located in areas eligible for coverage under the high-risk account referred to in sub-subparagraph (b)2.a.

f. The corporation may adopt variations of the policy forms listed in sub-subparagraphs a.-e. that contain more restrictive coverage.

2.a. Must provide that the corporation adopt a program in which the corporation and authorized insurers enter into quota share primary insurance agreements for hurricane coverage, as defined in s. 627.4025(2)(a), for eligible risks, and adopt property insurance forms for

eligible risks which cover the peril of wind only. As used in this subsection, the term:

(I) "Quota share primary insurance" means an arrangement in which the primary hurricane coverage of an eligible risk is provided in specified percentages by the corporation and an authorized insurer. The corporation and authorized insurer are each solely responsible for a specified percentage of hurricane coverage of an eligible risk as set forth in a quota share primary insurance agreement between the corporation and an authorized insurer and the insurance contract. The responsibility of the corporation or authorized insurer to pay its specified percentage of hurricane losses of an eligible risk, as set forth in the quota share primary insurance agreement, may not be altered by the inability of the other party to the agreement to pay its specified percentage of hurricane losses. Eligible risks that are provided hurricane coverage through a quota share primary insurance arrangement must be provided policy forms that set forth the obligations of the corporation and authorized insurer under the arrangement, clearly specify the percentages of quota share primary insurance provided by the corporation and authorized insurer, and conspicuously and clearly state that neither the authorized insurer nor the corporation may be held responsible beyond its specified percentage of coverage of hurricane losses.

(II) "Eligible risks" means personal lines residential and commercial lines residential risks that meet the underwriting criteria of the corporation and are located in areas that were eligible for coverage by the Florida Windstorm Underwriting Association on January 1, 2002.

b. The corporation may enter into quota share primary insurance agreements with authorized insurers at corporation coverage levels of 90 percent and 50 percent.

c. If the corporation determines that additional coverage levels are necessary to maximize participation in quota share primary insurance agreements by authorized insurers, the corporation may establish additional coverage levels. However, the corporation's quota share primary insurance coverage level may not exceed 90 percent.

d. Any quota share primary insurance agreement entered into between an authorized insurer and the corporation must provide for a uniform specified percentage of coverage of hurricane losses, by county or territory as set forth by the corporation board, for all eligible risks of the authorized insurer covered under the quota share primary insurance agreement.

e. Any quota share primary insurance agreement entered into between an authorized insurer and the corporation is subject to review and approval by the office. However, such agreement shall be authorized only as to insurance contracts entered into between an authorized insurer and an insured who is already insured by the corporation for wind coverage.

f. For all eligible risks covered under quota share primary insurance agreements, the exposure and coverage levels for both the corporation and authorized insurers shall be reported by the corporation to the Florida Hurricane Catastrophe Fund. For all policies of eligible risks covered under quota share primary insurance agreements, the corporation and the authorized insurer shall maintain complete and accurate records for the purpose of exposure and loss reimbursement audits as required by Florida Hurricane Catastrophe Fund rules. The corporation and the authorized insurer shall each maintain duplicate copies of policy declaration pages and supporting claims documents.

g. The corporation board shall establish in its plan of operation standards for quota share agreements which ensure that there is no discriminatory application among insurers as to the terms of quota share agreements, pricing of quota share agreements, incentive provisions if any, and consideration paid for servicing policies or adjusting claims.

h. The quota share primary insurance agreement between the corporation and an authorized insurer must set forth the specific terms under which coverage is provided, including, but not limited to, the sale and servicing of policies issued under the agreement by the insurance agent of the authorized insurer producing the business, the reporting of information concerning eligible risks, the payment of premium to the corporation, and arrangements for the adjustment and payment of hurricane claims incurred on eligible risks by the claims adjuster and personnel of the authorized insurer. Entering into a quota sharing insurance agreement between the corporation and an authorized insurer shall be voluntary and at the discretion of the authorized insurer.

3. May provide that the corporation may employ or otherwise contract with individuals or other entities to provide administrative or professional services that may be appropriate to effectuate the plan. The corporation shall have the power to borrow funds, by issuing bonds or by incurring other indebtedness, and shall have other powers reasonably necessary to effectuate the requirements of this subsection, including, without limitation, the power to issue bonds and incur other indebtedness in order to refinance outstanding bonds or other indebtedness. The corporation may, but is not required to, seek judicial validation of its bonds or other indebtedness under chapter 75. The corporation may issue bonds or incur other indebtedness, or have bonds issued on its behalf by a unit of local government pursuant to subparagraph (p)2., in the absence of a hurricane or other weather-related event, upon a determination by the corporation, subject to approval by the office, that such action would enable it to efficiently meet the financial obligations of the corporation and that such financings are reasonably necessary to effectuate the requirements of this subsection. The corporation is authorized to take all actions needed to facilitate tax-free status for any such bonds or indebtedness, including formation of trusts or other affiliated entities. The corporation shall have the authority to pledge assessments, projected recoveries from the Florida Hurricane Catastrophe Fund, other reinsurance recoverables, market equalization and other surcharges, and other funds available to the corporation as security for bonds or other indebtedness. In recognition of s. 10, Art. I of the State Constitution, prohibiting the impairment of obligations of contracts, it is the intent of the Legislature that no action be taken whose purpose is to impair any bond indenture or financing agreement or any revenue source committed by contract to such bond or other indebtedness.

4.a. Must require that the corporation operate subject to the supervision and approval of a board of governors consisting of eight individuals who are residents of this state, from different geographical areas of this state. The Governor, the Chief Financial Officer, the President of the Senate, and the Speaker of the House of Representatives shall each appoint two members of the board. At least one of the two members appointed by each appointing officer must have demonstrated expertise in insurance. The Chief Financial Officer shall designate one of the appointees as chair. All board members serve at the pleasure of the appointing officer. All members of the board of governors are subject to removal at will by the officers who appointed them. All board members, including the chair, must be appointed to serve for 3-year terms beginning annually on a date designated by the plan. Any board vacancy shall be filled for the unexpired term by the appointing officer. The Chief Financial Officer shall appoint a technical advisory group to provide information and advice to the board of governors in connection with the board's duties under this subsection. The executive director and senior managers of the corporation shall be engaged by the board and serve at the pleasure of the board. Any executive director appointed on or after July 1, 2006, is subject to confirmation by the Senate. The executive director is responsible for employing other staff as the corporation may require, subject to review and concurrence by the board.

b. The board shall create a Market Accountability Advisory Committee to assist the corporation in developing awareness of its rates and its customer and agent service levels in relationship to the voluntary market insurers writing similar coverage. The members of the advisory committee shall consist of the following 11 persons, one of whom must be elected chair by the members of the committee: four representatives, one appointed by the Florida Association of Insurance Agents, one by the Florida Association of Insurance and Financial Advisors, one by the Professional Insurance Agents of Florida, and one by the Latin American Association of Insurance Agencies; three representatives appointed by the insurers with the three highest voluntary market share of residential property insurance business in the state; one representative from the Office of Insurance Regulation; one consumer appointed by the board who is insured by the corporation at the time of appointment to the committee; one representative appointed by the Florida Association of Realtors; and one representative appointed by the Florida Bankers Association. All members must serve for 3-year terms and may serve for consecutive terms. The committee shall report to the corporation at each board meeting on insurance market issues which may include rates and rate competition with the voluntary market; service, including policy issuance, claims processing, and general responsiveness to policyholders, applicants, and agents; and matters relating to depopulation.

5. Must provide a procedure for determining the eligibility of a risk for coverage, as follows:

a. Subject to the provisions of s. 627.3517, with respect to personal lines residential risks, if the risk is offered coverage from an authorized insurer at the insurer's approved rate under either a standard policy including wind coverage or, if consistent with the insurer's underwriting rules as filed with the office, a basic policy including wind coverage, for a new application to the corporation for coverage, the risk is not eligible for any policy issued by the corporation unless the premium for coverage from the authorized insurer is more than 15 percent greater than the premium for comparable coverage from the corporation. If the risk is not able to obtain any such offer, the risk is eligible for either a standard policy including wind coverage or a basic policy including wind coverage issued by the corporation; however, if the risk could not be insured under a standard policy including wind coverage regardless of market conditions, the risk shall be eligible for a basic policy including wind coverage unless rejected under subparagraph 9. However, with regard to a policyholder of the corporation or a policyholder removed from the corporation through an assumption agreement until the end of the assumption period, the policyholder remains eligible for coverage from the corporation regardless of any offer of coverage from an authorized insurer or surplus lines insurer. The corporation shall determine the type of policy to be provided on the basis of objective standards specified in the underwriting manual and based on generally accepted underwriting practices.

(I) If the risk accepts an offer of coverage through the market assistance plan or an offer of coverage through a mechanism established by the corporation before a policy is issued to the risk by the corporation or during the first 30 days of coverage by the corporation, and the producing agent who submitted the application to the plan or to the corporation is not currently appointed by the insurer, the insurer shall:

(A) Pay to the producing agent of record of the policy, for the first year, an amount that is the greater of the insurer's usual and customary commission for the type of policy written or a fee equal to the usual and customary commission of the corporation; or

(B) Offer to allow the producing agent of record of the policy to continue servicing the policy for a period of not less than 1 year and offer to pay the agent the greater of the insurer's or the corporation's usual and customary commission for the type of policy written.

If the producing agent is unwilling or unable to accept appointment, the new insurer shall pay the agent in accordance with sub-sub-sub-subparagraph (A).

(II) When the corporation enters into a contractual agreement for a take-out plan, the producing agent of record of the corporation policy is entitled to retain any unearned commission on the policy, and the insurer shall:

(A) Pay to the producing agent of record of the corporation policy, for the first year, an amount that is the greater of the insurer's usual and customary commission for the type of policy written or a fee equal to the usual and customary commission of the corporation; or

(B) Offer to allow the producing agent of record of the corporation policy to continue servicing the policy for a period of not less than 1 year and offer to pay the agent the greater of the insurer's or the corporation's usual and customary commission for the type of policy written.

If the producing agent is unwilling or unable to accept appointment, the new insurer shall pay the agent in accordance with sub-sub-sub-subparagraph (A).

b. With respect to commercial lines residential risks, for a new application to the corporation for coverage, if the risk is offered coverage under a policy including wind coverage from an authorized insurer at its approved rate, the risk is not eligible for any policy issued by the corporation unless the premium for coverage from the authorized insurer is more than 15 percent greater than the premium for comparable coverage from the corporation. If the risk is not able to obtain any such offer, the risk is eligible for a policy including wind coverage issued by the corporation. However, with regard to a policyholder of the corporation or a policyholder removed from the corporation through an assumption agreement until the end of the assumption period, the policyholder remains eligible for coverage from the corporation regardless of any offer of coverage from an authorized insurer or surplus lines insurer.

(I) If the risk accepts an offer of coverage through the market assistance plan or an offer of coverage through a mechanism established by the corporation before a policy is issued to the risk by the corporation or during the first 30 days of coverage by the corporation, and the producing agent who submitted the application to the plan or the corporation is not currently appointed by the insurer, the insurer shall:

(A) Pay to the producing agent of record of the policy, for the first year, an amount that is the greater of the insurer's usual and customary commission for the type of policy written or a fee equal to the usual and customary commission of the corporation; or

(B) Offer to allow the producing agent of record of the policy to continue servicing the policy for a period of not less than 1 year and offer to pay the agent the greater of the insurer's or the corporation's usual and customary commission for the type of policy written.

If the producing agent is unwilling or unable to accept appointment, the new insurer shall pay the agent in accordance with sub-sub-sub-subparagraph (A).

(II) When the corporation enters into a contractual agreement for a take-out plan, the producing agent of record of the corporation policy is entitled to retain any unearned commission on the policy, and the insurer shall:

(A) Pay to the producing agent of record of the corporation policy, for the first year, an amount that is the greater of the insurer's usual and customary commission for the type of policy written or a fee equal to the usual and customary commission of the corporation; or

(B) Offer to allow the producing agent of record of the corporation policy to continue servicing the policy for a period of not less than 1 year and offer to pay the agent the greater of the insurer's or the corporation's usual and customary commission for the type of policy written.

If the producing agent is unwilling or unable to accept appointment, the new insurer shall pay the agent in accordance with sub-sub-sub-subparagraph (A).

c. For purposes of determining comparable coverage under sub-subparagraphs a. and b., the comparison shall be based on those forms and coverages that are reasonably comparable. The corporation may rely on a determination of comparable coverage and premium made by the producing agent who submits the application to the corporation, made in the agent's capacity as the corporation's agent. A comparison may be made solely of the premium with respect to the main building or structure only on the following basis: the same coverage A or other building limits; the same percentage hurricane deductible that applies on an annual basis or that applies to each hurricane for commercial residential property; the same percentage of ordinance and law coverage, if the same limit is offered by both the corporation and the authorized insurer; the same mitigation credits, to the extent the same types of credits are offered both by the corporation and the authorized insurer; the same method for loss payment, such as replacement cost or actual cash value, if the same method is offered both by the corporation and the authorized insurer in accordance with underwriting rules; and any other form or coverage that is reasonably comparable as determined by the board. If an application is submitted to the corporation for wind-only coverage in the high-risk account, the premium for the corporation's wind-only policy plus the premium for the ex-wind policy that is offered by an authorized insurer to the applicant shall be compared to the premium for multiperil coverage offered by an authorized insurer, subject to the standards for comparison specified in this subparagraph. If the corporation or the applicant requests from the authorized insurer a breakdown of the premium of the offer by types of coverage so that a comparison may be made by the corporation or its agent and the authorized insurer refuses or is unable to provide such information, the corporation may treat the offer as not being an offer of coverage from an authorized insurer at the insurer's approved rate.

6. Must include rules for classifications of risks and rates therefor.

7. Must provide that if premium and investment income for an account attributable to a particular calendar year are in excess of projected losses and expenses for the account attributable to that year, such excess shall be held in surplus in the account. Such surplus shall be available to defray deficits in that account as to future years and shall be used for that purpose prior to assessing assessable insurers and assessable insureds as to any calendar year.

8. Must provide objective criteria and procedures to be uniformly applied for all applicants in determining whether an individual risk is so hazardous as to be uninsurable. In making this determination and in establishing the criteria and procedures, the following shall be considered:

a. Whether the likelihood of a loss for the individual risk is substantially higher than for other risks of the same class; and

b. Whether the uncertainty associated with the individual risk is such that an appropriate premium cannot be determined.

The acceptance or rejection of a risk by the corporation shall be construed as the private placement of insurance, and the provisions of chapter 120 shall not apply.

9. Must provide that the corporation shall make its best efforts to procure catastrophe reinsurance at reasonable rates, to cover its projected 100-year probable maximum loss as determined by the board of governors.

~~10. Must provide that in the event of regular deficit assessments under sub-subparagraph (b)3.a. or sub-subparagraph (b)3.b., in the personal lines account, the commercial lines residential account, or the high-risk account, the corporation shall levy upon corporation policyholders in its next rate filing, or by a separate rate filing solely for this purpose, a Citizens policyholder surcharge arising from a regular assessment in such account in a percentage equal to the total amount of such regular assessments divided by the aggregate statewide direct written premium for subject lines of business for the prior calendar year. For purposes of calculating the Citizens policyholder surcharge to be levied under this subparagraph, the total amount of the regular assessment to which this surcharge is related shall be determined as set forth in subparagraph (b)3., without deducting the estimated Citizens policyholder surcharge. Citizens policyholder surcharges under this subparagraph are not considered premium and are not subject to commissions, fees, or premium taxes; however, failure to pay a market equalization surcharge shall be treated as failure to pay premium.~~

10.~~11.~~ The policies issued by the corporation must provide that, if the corporation or the market assistance plan obtains an offer from an authorized insurer to cover the risk at its approved rates, the risk is no longer eligible for renewal through the corporation, except as otherwise provided in this subsection.

11.~~12.~~ Corporation policies and applications must include a notice that the corporation policy could, under this section, be replaced with a policy issued by an authorized insurer that does not provide coverage identical to the coverage provided by the corporation. The notice shall also specify that acceptance of corporation coverage creates a conclusive presumption that the applicant or policyholder is aware of this potential.

12.~~13.~~ May establish, subject to approval by the office, different eligibility requirements and operational procedures for any line or type of coverage for any specified county or area if the board determines that such changes to the eligibility requirements and operational procedures are justified due to the voluntary market being sufficiently stable and competitive in such area or for such line or type of coverage and that consumers who, in good faith, are unable to obtain insurance through the voluntary market through ordinary methods would continue to have access to coverage from the corporation. When coverage is sought in connection with a real property transfer, such requirements and procedures shall not provide for an effective date of coverage later than the date of the closing of the transfer as established by the transferor, the transferee, and, if applicable, the lender.

13.~~14.~~ Must provide that, with respect to the high-risk account, any assessable insurer with a surplus as to policyholders of $25 million or less writing 25 percent or more of its total countrywide property insurance premiums in this state may petition the office, within the first 90 days of each calendar year, to qualify as a limited apportionment company. A regular assessment levied by the corporation on a limited apportionment company for a deficit incurred by the corporation for the high-risk account in 2006 or thereafter may be paid to the corporation on a monthly basis as the assessments are collected by the limited apportionment company from its insureds pursuant to s. 627.3512, but the regular assessment must be paid in full within 12 months after being levied by the corporation. A limited apportionment company shall collect from its policyholders any emergency assessment imposed under sub-subparagraph (b)3.d. The plan shall provide that, if the office determines that any regular assessment will result in an impairment of the surplus of a limited apportionment company, the office may direct that all or part of such assessment be deferred as provided in subparagraph (p)4. However, there shall be no limitation or deferment of an emergency assessment to be collected from policyholders under sub-subparagraph (b)3.d.

14.~~15.~~ Must provide that the corporation appoint as its licensed agents only those agents who also hold an appointment as defined in s. 626.015(3) with an insurer who at the time of the agent's initial appointment by the corporation is authorized to write and is actually writing personal lines residential property coverage, commercial residential property coverage, or commercial nonresidential property coverage within the state.

15.~~16.~~ Must provide, by July 1, 2007, a premium payment plan option to its policyholders which allows at a minimum for quarterly and semiannual payment of premiums. A monthly payment plan may, but is not required to, be offered.

16.~~17.~~ Must limit coverage on mobile homes or manufactured homes built prior to 1994 to actual cash value of the dwelling rather than replacement costs of the dwelling.

17.~~18.~~ May provide such limits of coverage as the board determines, consistent with the requirements of this subsection.

18.~~19.~~ May require commercial property to meet specified hurricane mitigation construction features as a condition of eligibility for coverage.

(m)1. Rates for coverage provided by the corporation shall be actuarially sound and subject to the requirements of s. 627.062, except as otherwise provided in this paragraph. The corporation shall file its recommended rates with the office at least annually. The corporation shall provide any additional information regarding the rates which the office requires. The office shall consider the recommendations of the board and issue a final order establishing the rates for the corporation within 45 days after the recommended rates are filed. The corporation may not pursue an administrative challenge or judicial review of the final order of the office.

2. In addition to the rates otherwise determined pursuant to this paragraph, the corporation shall impose and collect an amount equal to the premium tax provided for in s. 624.509 to augment the financial resources of the corporation.

3. After the public hurricane loss-projection model under s. 627.06281 has been found to be accurate and reliable by the Florida Commission on Hurricane Loss Projection Methodology, that model shall serve as the minimum benchmark for determining the windstorm portion of the corporation's rates. This subparagraph does not require or allow the corporation to adopt rates lower than the rates otherwise required or allowed by this paragraph.

4. The rate filings for the corporation which were approved by the office and which took effect January 1, 2007, are rescinded, except for those rates that were lowered. As soon as possible, the corporation shall begin using the lower rates that were in effect on December 31, 2006, and shall provide refunds to policyholders who have paid higher rates as a result of that rate filing. The rates in effect on December 31, 2006, shall remain in effect for the 2007 and 2008 calendar years except for any rate change that results in a lower rate. The next rate change that may increase rates shall take effect ~~January 1, 2009,~~ pursuant to a new rate filing recommended by the corporation and established by the office, subject to the requirements of this paragraph.

5. Beginning on July 15, 2009, and each year thereafter, the corporation must make a recommended actuarially sound rate filing for each personal and commercial line of business it writes, to be effective no earlier than January 1, 2010.

(p)1. The corporation shall certify to the office its needs for annual assessments as to a particular calendar year, and for any interim assessments that it deems to be necessary to sustain operations as to a particular year pending the receipt of annual assessments. Upon verification, the office shall approve such certification, and the corporation shall levy such annual or interim assessments. Such assessments shall be prorated as provided in paragraph (b). The corporation shall take all reasonable and prudent steps necessary to collect the amount of assessment due from each assessable insurer, including, if prudent, filing suit to

collect such assessment. If the corporation is unable to collect an assessment from any assessable insurer, the uncollected assessments shall be levied as an additional assessment against the assessable insurers and any assessable insurer required to pay an additional assessment as a result of such failure to pay shall have a cause of action against such nonpaying assessable insurer. Assessments shall be included as an appropriate factor in the making of rates. The failure of a surplus lines agent to collect and remit any regular or emergency assessment levied by the corporation is considered to be a violation of s. 626.936 and subjects the surplus lines agent to the penalties provided in that section.

2. The governing body of any unit of local government, any residents of which are insured by the corporation, may issue bonds as defined in s. 125.013 or s. 166.101 from time to time to fund an assistance program, in conjunction with the corporation, for the purpose of defraying deficits of the corporation. In order to avoid needless and indiscriminate proliferation, duplication, and fragmentation of such assistance programs, any unit of local government, any residents of which are insured by the corporation, may provide for the payment of losses, regardless of whether or not the losses occurred within or outside of the territorial jurisdiction of the local government. Revenue bonds under this subparagraph may not be issued until validated pursuant to chapter 75, unless a state of emergency is declared by executive order or proclamation of the Governor pursuant to s. 252.36 making such findings as are necessary to determine that it is in the best interests of, and necessary for, the protection of the public health, safety, and general welfare of residents of this state and declaring it an essential public purpose to permit certain municipalities or counties to issue such bonds as will permit relief to claimants and policyholders of the corporation. Any such unit of local government may enter into such contracts with the corporation and with any other entity created pursuant to this subsection as are necessary to carry out this paragraph. Any bonds issued under this subparagraph shall be payable from and secured by moneys received by the corporation from emergency assessments under sub-subparagraph (b)3.d., and assigned and pledged to or on behalf of the unit of local government for the benefit of the holders of such bonds. The funds, credit, property, and taxing power of the state or of the unit of local government shall not be pledged for the payment of such bonds. ~~If any of the bonds remain unsold 60 days after issuance, the office shall require all insurers subject to assessment to purchase the bonds, which shall be treated as admitted assets; each insurer shall be required to purchase that percentage of the unsold portion of the bond issue that equals the insurer's relative share of assessment liability under this subsection. An insurer shall not be required to purchase the bonds to the extent that the office determines that the purchase would endanger or impair the solvency of the insurer.~~

3.a. The corporation shall adopt one or more programs subject to approval by the office for the reduction of both new and renewal writings in the corporation. Beginning January 1, 2008, any program the corporation adopts for the payment of bonuses to an insurer for each risk the insurer removes from the corporation shall comply with s. 627.3511(2) and may not exceed the amount referenced in s. 627.3511(2) for each risk removed. The corporation may consider any prudent and not unfairly discriminatory approach to reducing corporation writings, and may adopt a credit against assessment liability or other liability that provides an incentive for insurers to take risks out of the corporation and to keep risks out of the corporation by maintaining or increasing voluntary writings in counties or areas in which corporation risks are highly concentrated and a program to provide a formula under which an insurer voluntarily taking risks out of the corporation by maintaining or increasing voluntary writings will be relieved wholly or partially from assessments under sub-subparagraphs (b)3.a. and b. However, any "take-out bonus" or payment to an insurer must be conditioned on the property being insured for at least 5 years by the insurer, unless canceled or nonrenewed by the policyholder. If the policy is canceled or nonrenewed by the policyholder before the end of the 5-year period, the amount of the take-out bonus must be prorated for the time period the policy was insured. When the corporation enters into a contractual agreement for a take-out plan, the producing agent of record of the corporation policy is entitled to retain any unearned commission on such policy, and the insurer shall either:

(I) Pay to the producing agent of record of the policy, for the first year, an amount which is the greater of the insurer's usual and customary commission for the type of policy written or a policy fee equal to the usual and customary commission of the corporation; or

(II) Offer to allow the producing agent of record of the policy to continue servicing the policy for a period of not less than 1 year and offer to pay the agent the insurer's usual and customary commission for the type of policy written. If the producing agent is unwilling or unable to accept appointment by the new insurer, the new insurer shall pay the agent in accordance with sub-sub-subparagraph (I).

b. Any credit or exemption from regular assessments adopted under this subparagraph shall last no longer than the 3 years following the cancellation or expiration of the policy by the corporation. With the approval of the office, the board may extend such credits for an additional year if the insurer guarantees an additional year of renewability for all policies removed from the corporation, or for 2 additional years if the insurer guarantees 2 additional years of renewability for all policies so removed.

c. There shall be no credit, limitation, exemption, or deferment from emergency assessments to be collected from policyholders pursuant to sub-subparagraph (b)3.d.

4. The plan shall provide for the deferment, in whole or in part, of the assessment of an assessable insurer, other than an emergency assessment collected from policyholders pursuant to sub-subparagraph (b)3.d., if the office finds that payment of the assessment would endanger or impair the solvency of the insurer. In the event an assessment against an assessable insurer is deferred in whole or in part, the amount by which such assessment is deferred may be assessed against the other assessable insurers in a manner consistent with the basis for assessments set forth in paragraph (b).

5. Effective July 1, 2007, in order to evaluate the costs and benefits of approved take-out plans, if the corporation pays a bonus or other payment to an insurer for an approved take-out plan, it shall maintain a record of the address or such other identifying information on the property or risk removed in order to track if and when the property or risk is later insured by the corporation.

6. Any policy taken out, assumed, or removed from the corporation is, as of the effective date of the take-out, assumption, or removal, direct insurance issued by the insurer and not by the corporation, even if the corporation continues to service the policies. This subparagraph applies to policies of the corporation and not policies taken out, assumed, or removed from any other entity.

(w)1. The following records of the corporation are confidential and exempt from the provisions of s. 119.07(1) and s. 24(a), Art. I of the State Constitution:

a. Underwriting files, except that a policyholder or an applicant shall have access to his or her own underwriting files. *Confidential and exempt underwriting file records may also be released to other governmental agencies upon written request and demonstration of need; such records held by the receiving agency remain confidential and exempt as provided herein.*

b. Claims files, until termination of all litigation and settlement of all claims arising out of the same incident, although portions of the claims files may remain exempt, as otherwise provided by law. Confidential and exempt claims file records may be released to other governmental agencies upon written request and demonstration of need; such records held by the receiving agency remain confidential and exempt as provided ~~for~~ herein.

c. Records obtained or generated by an internal auditor pursuant to a routine audit, until the audit is completed, or if the audit is conducted as part of an investigation, until the investigation is closed or ceases to be active. An investigation is considered "active" while the investigation is being conducted with a reasonable, good faith belief that it could lead to the filing of administrative, civil, or criminal proceedings.

d. Matters reasonably encompassed in privileged attorney-client communications.

e. Proprietary information licensed to the corporation under contract and the contract provides for the confidentiality of such proprietary information.

f. All information relating to the medical condition or medical status of a corporation employee which is not relevant to the employee's capacity to perform his or her duties, except as otherwise provided in this paragraph. Information *that* ~~which~~ is exempt shall include, but is not

limited to, information relating to workers' compensation, insurance benefits, and retirement or disability benefits.

g. Upon an employee's entrance into the employee assistance program, a program to assist any employee who has a behavioral or medical disorder, substance abuse problem, or emotional difficulty which affects the employee's job performance, all records relative to that participation shall be confidential and exempt from the provisions of s. 119.07(1) and s. 24(a), Art. I of the State Constitution, except as otherwise provided in s. 112.0455(11).

h. Information relating to negotiations for financing, reinsurance, depopulation, or contractual services, until the conclusion of the negotiations.

i. Minutes of closed meetings regarding underwriting files, and minutes of closed meetings regarding an open claims file until termination of all litigation and settlement of all claims with regard to that claim, except that information otherwise confidential or exempt by law *shall* ~~will~~ be redacted.

2. If ~~When~~ an authorized insurer is considering underwriting a risk insured by the corporation, relevant underwriting files and confidential claims files may be released to the insurer provided the insurer agrees in writing, notarized and under oath, to maintain the confidentiality of such files. *If* ~~When~~ a file is transferred to an insurer that file is no longer a public record because it is not held by an agency subject to the provisions of the public records law. Underwriting files and confidential claims files may also be released to staff ~~of~~ and the board of governors of the market assistance plan established pursuant to s. 627.3515, who must retain the confidentiality of such files, except such files may be released to authorized insurers that are considering assuming the risks to which the files apply, provided the insurer agrees in writing, notarized and under oath, to maintain the confidentiality of such files. Finally, the corporation or the board or staff of the market assistance plan may make the following information obtained from underwriting files and confidential claims files available to licensed general lines insurance agents: name, address, and telephone number of the residential property owner or insured; location of the risk; rating information; loss history; and policy type. The receiving licensed general lines insurance agent must retain the confidentiality of the information received.

3. A policyholder who has filed suit against the corporation has the right to discover the contents of his or her own claims file to the same extent that discovery of such contents would be available from a private insurer in litigation as provided by the Florida Rules of Civil Procedure, the Florida Evidence Code, and other applicable law. Pursuant to subpoena, a third party has the right to discover the contents of an insured's or applicant's underwriting or claims file to the same extent that discovery of such contents would be available from a private insurer by subpoena as provided by the Florida Rules of Civil Procedure, the Florida Evidence Code, and other applicable law, and subject to any confidentiality protections requested by the corporation and agreed to by the seeking party or ordered by the court. The corporation may release confidential underwriting and claims file contents and information as it deems necessary and appropriate to underwrite or service insurance policies and claims, subject to any confidentiality protections deemed necessary and appropriate by the corporation.

4.~~2.~~ Portions of meetings of the corporation are exempt from the provisions of s. 286.011 and s. 24(b), Art. I of the State Constitution wherein confidential underwriting files or confidential open claims files are discussed. All portions of corporation meetings which are closed to the public shall be recorded by a court reporter. The court reporter shall record the times of commencement and termination of the meeting, all discussion and proceedings, the names of all persons present at any time, and the names of all persons speaking. No portion of any closed meeting shall be off the record. Subject to the provisions hereof and s. 119.07(1)(e)-(g), the court reporter's notes of any closed meeting shall be retained by the corporation for a minimum of 5 years. A copy of the transcript, less any exempt matters, of any closed meeting wherein claims are discussed shall become public as to individual claims after settlement of the claim.

~~(dd)1. For policies subject to nonrenewal as a result of the risk being no longer eligible for coverage due to being valued at $1 million or more, the corporation shall, directly or through the market assistance plan, make information from confidential underwriting and claims files of policyholders available only to licensed general lines agents who register with the corporation to receive such information according to the following procedures:~~

~~2. By August 1, 2006, the corporation shall provide such policyholders who are not eligible for renewal the opportunity to request in writing, within 30 days after the notification is sent, that information from their confidential underwriting and claims files not be released to licensed general lines agents registered pursuant to this paragraph.~~

~~3. By August 1, 2006, the corporation shall make available to licensed general lines agents the registration procedures to be used to obtain confidential information from underwriting and claims files for such policies not eligible for renewal. As a condition of registration, the corporation shall require the licensed general lines agent to attest that the agent has the experience and relationships with authorized or surplus lines carriers to attempt to offer replacement coverage for such policies.~~

~~4. By September 1, 2006, the corporation shall make available through a secured website to licensed general lines agents registered pursuant to this paragraph application, rating, loss history, mitigation, and policy type information relating to such policies not eligible for renewal and for which the policyholder has not requested the corporation withhold such information. The registered licensed general lines agent may use such information to contact and assist the policyholder in securing replacement policies, and the agent may disclose to the policyholder that such information was obtained from the corporation.~~

(dd)~~(ee)~~ The assets of the corporation may be invested and managed by the State Board of Administration.

(ee)~~(ff)~~ The office may establish a pilot program to offer optional sinkhole coverage in one or more counties or other territories of the corporation for the purpose of implementing s. 627.706, as amended by s. 30, chapter 2007-1, Laws of Florida. Under the pilot program, the corporation is not required to issue a notice of nonrenewal to exclude sinkhole coverage upon the renewal of existing policies, but may exclude such coverage using a notice of coverage change.

Section 14. Paragraph (b) of subsection (2) of section 627.4133, Florida Statutes, is amended to read:

627.4133 Notice of cancellation, nonrenewal, or renewal premium.—

(2) With respect to any personal lines or commercial residential property insurance policy, including, but not limited to, any homeowner's, mobile home owner's, farmowner's, condominium association, condominium unit owner's, apartment building, or other policy covering a residential structure or its contents:

(b) The insurer shall give the named insured written notice of nonrenewal, cancellation, or termination at least 100 days prior to the effective date of the nonrenewal, cancellation, or termination. However, the insurer shall give at least 100 days' written notice, or written notice by June 1, whichever is earlier, for any nonrenewal, cancellation, or termination that would be effective between June 1 and November 30. The notice must include the reason or reasons for the nonrenewal, cancellation, or termination, except that:

1. The insurer shall give the named insured written notice of nonrenewal, cancellation, or termination at least 180 days prior to the effective date of the nonrenewal, cancellation, or termination for a named insured whose residential structure has been insured by that insurer or an affiliated insurer for at least a 5-year period immediately prior to date of the written notice.

2.~~1.~~ When cancellation is for nonpayment of premium, at least 10 days' written notice of cancellation accompanied by the reason therefor shall be given. As used in this subparagraph, the term "nonpayment of premium" means failure of the named insured to discharge when due any of her or his obligations in connection with the payment of premiums on a policy or any installment of such premium, whether the premium is payable directly to the insurer or its agent or indirectly under any premium finance plan or extension of credit, or failure to maintain membership in an organization if such membership is a condition precedent to insurance coverage. "Nonpayment of premium" also means the failure of a financial institution to honor an insurance applicant's check after delivery to a licensed agent for payment of a premium, even if the agent

has previously delivered or transferred the premium to the insurer. If a dishonored check represents the initial premium payment, the contract and all contractual obligations shall be void ab initio unless the nonpayment is cured within the earlier of 5 days after actual notice by certified mail is received by the applicant or 15 days after notice is sent to the applicant by certified mail or registered mail, and if the contract is void, any premium received by the insurer from a third party shall be refunded to that party in full.

3.~~2.~~ When such cancellation or termination occurs during the first 90 days during which the insurance is in force and the insurance is canceled or terminated for reasons other than nonpayment of premium, at least 20 days' written notice of cancellation or termination accompanied by the reason therefor shall be given except where there has been a material misstatement or misrepresentation or failure to comply with the underwriting requirements established by the insurer.

4.~~3.~~ The requirement for providing written notice of nonrenewal by June 1 of any nonrenewal that would be effective between June 1 and November 30 does not apply to the following situations, but the insurer remains subject to the requirement to provide such notice at least 100 days prior to the effective date of nonrenewal:

a. A policy that is nonrenewed due to a revision in the coverage for sinkhole losses and catastrophic ground cover collapse pursuant to s. 627.730, as amended by s. 30, chapter 2007-1, Laws of Florida.

b. A policy that is nonrenewed by Citizens Property Insurance Corporation, pursuant to s. 627.351(6), for a policy that has been assumed by an authorized insurer offering replacement or renewal coverage to the policyholder.

After the policy has been in effect for 90 days, the policy shall not be canceled by the insurer except when there has been a material misstatement, a nonpayment of premium, a failure to comply with underwriting requirements established by the insurer within 90 days of the date of effectuation of coverage, or a substantial change in the risk covered by the policy or when the cancellation is for all insureds under such policies for a given class of insureds. This paragraph does not apply to individually rated risks having a policy term of less than 90 days.

Section 15. Effective January 1, 2011, section 689.262, Florida Statutes, is created to read:

689.262 Sale of residential property; disclosure of windstorm mitigation rating.—A purchaser of residential property that is located in the wind-borne debris region, as defined in s. 1609.2 of the International Building Code(2006), must be informed of the windstorm mitigation rating of the structure, based on the uniform home grading scale adopted pursuant to s. 215.55865. The rating must be included in the contract for sale or as a separate document attached to the contract for sale. The Financial Services Commission may adopt rules, consistent with other state laws, to administer this section, including the form of the disclosure and the requirements for the windstorm mitigation inspection or report that is required for purposes of determining the rating.

Section 16. *(1) By December 15, 2008, Citizens Property Insurance Corporation shall transfer $250 million to the General Revenue Fund, from the personal lines account and the commercial lines account only, if the combined surplus of the personal lines account and commercial lines account as defined in s. 627.351(6), Florida Statutes, exceeds $1 billion. The board of governors of Citizens Property Insurance Corporation must make a reasonable estimate of such surplus on or after December 1, 2008, and no later than December 14, 2008, using generally accepted actuarial and accounting practices, recognizing that audited financial statements will not yet be available.*

(2) Beginning July 1, 2009, the board shall make quarterly transfers of any interest earned prior to the issuance of any surplus notes, interest paid, and principal repaid to the state for any surplus notes issued by the program after December 1, 2008, to Citizens Property Insurance Corporation, provided such surplus notes were funded exclusively by an appropriation to the program by the Legislature for the 2008-2009 fiscal year. The corporation shall credit each account as defined in s. 627.351(6) in a pro rata manner for the funds removed from each account to make the transfer required by subsection (1).

(3) On July 1, 2009, the State Board of Administration shall transfer to Citizens Property Insurance Corporation any funds that have not been committed or reserved for insurers approved to receive such funds under the program from the funds that were appropriated from the corporation in 2008-2009 for such purposes.

Section 17. *Citizens Property Insurance Corporation may not use any amendments made to s. 215.5595, Florida Statutes, by this act or any transfer of funds authorized by this act as justification or cause in seeking any rate or assessment increase.*

Section 18. Subsection (3) is added to section 627.06281, Florida Statutes, to read:

627.06281 Public hurricane loss projection model; reporting of data by insurers.—

(3)(a) A residential property insurer may have access to and use the public hurricane loss projection model, including all assumptions and factors and all detailed loss results, for the purpose of calculating rate indications in a rate filing and for analytical purposes, including any analysis or evaluation of the model required under actuarial standards of practice.

(b) By January 1, 2009, the office shall establish by rule a fee schedule for access to and the use of the model. The fee schedule must be reasonably calculated to cover only the actual costs of providing access to and the use of the model.

Section 19. Section 627.0655, Florida Statutes, is amended to read:

627.0655 Policyholder loss or expense-related premium discounts.—An insurer or person authorized to engage in the business of insurance in this state may include, in the premium charged an insured for any policy, contract, or certificate of insurance, a discount based on the fact that another policy, contract, or certificate of any type has been purchased by the insured from the same insurer or insurer group*, the Citizens Property Insurance Corporation created under s. 627.351(6) if the same insurance agent is servicing both policies, or an insurer that has removed the policy from the Citizens Property Insurance Corporation if the same insurance agent is servicing both policies*.

Section 20. *(1) The Citizens Property Insurance Corporation Mission Review Task Force is created to analyze and compile available data and to develop a report setting forth the statutory and operational changes needed to return Citizens Property Insurance Corporation to its former role as a state-created, noncompetitive residual market mechanism that provides property insurance coverage to risks that are otherwise entitled but unable to obtain such coverage in the private insurance market. The task force shall submit a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives by January 31, 2009. At a minimum, the task force shall analyze and evaluate relevant and applicable information and data and develop recommendations concerning:*

(a) The nature of Citizens Property Insurance Corporation's role in providing property insurance coverage only if such coverage is not available from private insurers.

(b) The ability of the admitted market to offer policies to those consumers formerly insured through Citizens Property Insurance Corporation. This consideration shall include, but not be limited to, the availability of private market reinsurance and coverage through the Florida Hurricane Catastrophe Fund and the capacity of the industry to offer policies to former Citizens Property Insurance Corporation policyholders within existing writing ratio limitations.

(c) The relationship of rates charged by Citizens Property Insurance Corporation to rates charged by private insurers, with due consideration for the corporation's role as a noncompetitive residual market mechanism.

(d) The relationships between the exposure of Citizens Property Insurance Corporation to catastrophic hurricane losses, the corporation's history of purchasing any reinsurance coverage, and the corporation's capital capacity to meet its potential claim obligations without incurring large deficits.

(e) The projected assessments on all policies required to offset the lack of capitol to pay claims.

(f) The projections under paragraph (e) shall be specific to losses of $3 billion, $12 billion, and $23 billion caused by a storm or a group of storms in any given year.

(g) The operational implications of the variation in the number of policies in force over time in Citizens Property Insurance Corporation and the merits of outsourcing some or all of its operational responsibilities.

(h) Changes in the mission and operations of Citizens Property Insurance Corporation to reduce or eliminate any adverse effect such mission and operations may be having on the promotion of sound and economic growth and development of the coastal areas of this state.

(i) Appropriate and consistent geographic boundaries of the high-risk account.

(j) The rankings, by county, of the average approved rates in Citizens Property Insurance Corporation and any savings associated with policyholder choice in selecting Citizens.

(2) The task force shall be composed of 11 members as follows:

(a) Two members appointed by the Speaker of the House of Representatives.

1. One member representing a property and casualty residential insurer that provides at least 150,000 homeowner's insurance policies in this state at the time of the creation of the task force.

2. One member representing a surplus lines insurance company.

(b) Two members appointed by the President of the Senate.

1. One member representing a property and casualty commercial non-residential insurer.

2. One member representing a property and casualty residential insurer with fewer than 150,000 homeowner's policies in this state at the time of the creation of the task force.

(c) Three members appointed by the Governor who are not employed by or professionally affiliated with an insurance company or a subsidiary of an insurance company, at least one of whom must be consumer advocates or members of a consumer advocacy organization or agency.

(d) Two members appointed by the Chief Financial Officer representing insurance agents in this state.

(e) One member representing Citizens Property Insurance Corporation selected by Citizens Chairman of the Board.

(f) The Commissioner of Insurance Regulation or his or her designee.

(3) The task force shall conduct research, hold public meetings, receive testimony, employ consultants and administrative staff, and undertake other activities determined by its members to be necessary to complete its responsibilities. Citizens Property Insurance Corporation shall have appropriate senior staff attend task force meetings, shall respond to requests for testimony and data by the task force, shall otherwise cooperate with the task force, and shall provide funding for the necessary costs of implementing the provisions of this section.

(4) A member of the task force may not delegate his or her attendance or voting power to a designee.

(5) Members of the task force shall serve without compensation but are entitled to receive reimbursement for travel and per diem as provided in s. 112.061, Florida Statutes.

(6) The appointments to the task force must be completed within 30 calendar days after the effective date of this act, and the task force must hold its initial meeting within 1 month after appointment of all members. The task force shall expire no later than 60 calendar days after submission of the report required in subsection (1).

Section 21. *The Chief Financial Officer shall provide a report on the economic impact on the state of a 1-in-100-year hurricane to the Governor, the President of the Senate, and the Speaker of the House of Representatives by March 1 of each year. The report shall include an estimate of the short-term and long-term fiscal impacts of such a storm on Citizens Property Insurance Corporation, the Florida Hurricane Catastrophe Fund, the private insurance and reinsurance markets, the state economy, and the state debt. The report shall also include an analysis of the average premium increase to fund a 1-in-100-year hurricane event and list the average cost, in both a percentage and dollar amount, impact to consumers on a county-level basis. The report may also include recommendations by the Chief Financial Officer for preparing for such a hurricane and reducing the economic impact of such a hurricane on the state. In preparing the analysis, the Chief Financial Officer shall coordinate with and obtain data from the Office of Insurance Regulation, Citizens Property Insurance Corporation, the Florida Hurricane Catastrophe Fund, the Florida Commission on Hurricane Loss Projection Methodology, the State Board of Administration, the Office of Economic and Demographic Research, and other state agencies.*

Section 22. Section 627.0621, Florida Statutes, is created to read:

627.0621 Transparency in rate regulation.—

(1) DEFINITIONS.—As used in this section, the term:

(a) "Rate filing" means any original or amended rate residential property insurance filing.

(b) "Recommendation" means any proposed, preliminary, or final recommendation from an office actuary reviewing a rate filing with respect to the issue of approval or disapproval of the rate filing or with respect to rate indications that the office would consider acceptable.

(2) WEBSITE FOR PUBLIC ACCESS TO RATE FILING INFORMATION.—With respect to any rate filing made on after July 1, 2008, the office shall provide the following information on a publicly accessible Internet website:

(a) The overall rate change requested by the insurer.

(b) All assumptions made by the office's actuaries.

(c) A statement describing any assumptions or methods that deviate from the actuarial standards of practice of the Casualty Actuarial Society or the American Academy of Actuaries, including an explanation of the nature, rationale, and effect of the deviation.

(d) All recommendations made by any office actuary who reviewed the rate filing.

(e) Certification by the office's actuary that, based on the actuary's knowledge, his or her recommendations are consistent with accepted actuarial principles.

(f) The overall rate change approved by the office.

(3) ATTORNEY-CLIENT PRIVILEGE; WORK PRODUCT.—It is the intent of the Legislature that the principles of the public records and open meetings laws apply to the assertion of attorney-client privilege and work product confidentiality by the office in connection with a challenge to its actions on a rate filing. Therefore, in any administrative or judicial proceeding relating to a rate filing, attorney-client privilege and work product exemptions from disclosure do not apply to communications with office attorneys or records prepared by or at the direction of an office attorney, except when the conditions of paragraphs (a) and (b) have been met:

(a) The communication or record reflects a mental impression, conclusion, litigation strategy, or legal theory of the attorney or office that was prepared exclusively for civil or criminal litigation or adversarial administrative proceedings.

(b) The communication occurred or the record was prepared after the initiation of an action in a court of competent jurisdiction, after the issuance of a notice of intent to deny a rate filing, or after the filing of a request for a proceeding under ss. 120.569 and 120.57.

Section 23. Paragraph (b) of subsection (4) of section 215.555, Florida Statutes, is amended to read:

215.555 Florida Hurricane Catastrophe Fund.—

(4) REIMBURSEMENT CONTRACTS.—

(b)1. The contract shall contain a promise by the board to reimburse the insurer for 45 percent, 75 percent, or 90 percent of its losses from each covered event in excess of the insurer's retention, plus 5 percent of the reimbursed losses to cover loss adjustment expenses.

2. The insurer must elect one of the percentage coverage levels specified in this paragraph and may, upon renewal of a reimbursement contract, elect a lower percentage coverage level if no revenue bonds issued under subsection (6) after a covered event are outstanding, or elect a higher percentage coverage level, regardless of whether or not revenue bonds are outstanding. All members of an insurer group must elect the same percentage coverage level. Any joint underwriting association, risk apportionment plan, or other entity created under s. 627.351 must elect the 90-percent coverage level.

3. The contract shall provide that reimbursement amounts shall not be reduced by reinsurance paid or payable to the insurer from other sources.

4. Notwithstanding any other provision contained in this section, the board shall make available to insurers that purchased coverage provided by this subparagraph in *2007* ~~2006~~, insurers qualifying as limited apportionment companies under s. 627.351(6)(c), and insurers that *have been* ~~were~~ approved to participate in ~~2006 or that are approved in 2007 for~~ the Insurance Capital Build-Up Incentive Program pursuant to s. 215.5595~~,~~ a contract or contract addendum that provides an additional amount of reimbursement coverage of up to $10 million. The premium to be charged for this additional reimbursement coverage shall be 50 percent of the additional reimbursement coverage provided, which shall include one prepaid reinstatement. The minimum retention level that an eligible participating insurer must retain associated with this additional coverage layer is 30 percent of the insurer's surplus as of December 31, *2007* ~~2006~~. This coverage shall be in addition to all other coverage that may be provided under this section. The coverage provided by the fund under this subparagraph shall be in addition to the claims-paying capacity as defined in subparagraph (c)1., but only with respect to those insurers that select the additional coverage option and meet the requirements of this subparagraph. The claims-paying capacity with respect to all other participating insurers and limited apportionment companies that do not select the additional coverage option shall be limited to their reimbursement premium's proportionate share of the actual claims-paying capacity otherwise defined in subparagraph (c)1. and as provided for under the terms of the reimbursement contract. Coverage provided in the reimbursement contract *shall* ~~will~~ not be affected by the additional premiums paid by participating insurers exercising the additional coverage option allowed in this subparagraph. This subparagraph expires on May 31, *2009* ~~2008~~.

Section 24. Subsection (1) of section 627.0613, Florida Statutes, is amended to read:

627.0613 Consumer advocate.—The Chief Financial Officer must appoint a consumer advocate who must represent the general public of the state before the department and the office. The consumer advocate must report directly to the Chief Financial Officer, but is not otherwise under the authority of the department or of any employee of the department. The consumer advocate has such powers as are necessary to carry out the duties of the office of consumer advocate, including, but not limited to, the powers to:

(1) Recommend to the department or office, by petition, the commencement of any proceeding or action; appear in any proceeding or action before the department or office; or appear in any proceeding before the Division of Administrative Hearings ~~or arbitration panel specified in s. 627.062(6)~~ relating to subject matter under the jurisdiction of the department or office.

Section 25. Subsections (1) and (2) of section 627.712, Florida Statutes, are amended to read:

627.712 Residential windstorm coverage required; availability of exclusions for windstorm or contents.—

(1) An insurer issuing a residential property insurance policy must provide windstorm coverage. *Except as provided in paragraph (2)(c),* this *section* ~~subsection~~ does not apply with respect to risks that are eligible for wind-only coverage from Citizens Property Insurance Corporation under s. 627.351(6).

(2) A property insurer must make available, at the option of the policyholder, an exclusion of windstorm coverage.

(a) The coverage may be excluded only if:

~~(a)~~1. When the policyholder is a natural person, the policyholder personally writes and provides to the insurer the following statement in his or her own handwriting and signs his or her name, which must also be signed by every other named insured on the policy, and dated: "I do not want the insurance on my (home/mobile home/condominium unit) to pay for damage from windstorms. I will pay those costs. My insurance will not."

2. When the policyholder is other than a natural person, the policyholder provides to the insurer on the policyholder's letterhead the following statement that must be signed by the policyholder's authorized representative and dated: " (Name of entity) does not want the insurance on its (type of structure) to pay for damage from windstorms. (Name of entity) will be responsible for these costs. (Name of entity's) insurance will not."

(b) If the structure insured by the policy is subject to a mortgage or lien, the policyholder must provide the insurer with a written statement from the mortgageholder or lienholder indicating that the mortgageholder or lienholder approves the policyholder electing to exclude windstorm coverage or hurricane coverage from his or her or its property insurance policy.

(c) If the residential structure is eligible for wind-only coverage from Citizens Property Insurance Corporation, an insurer nonrenewing a policy and issuing a replacement policy, or issuing a new policy, that does not provide wind coverage shall provide a notice to the mortgageholder or lienholder indicating the policyholder has elected coverage that does not cover wind.

Section 26. *The provisions of this act shall supersede and control over any conflicting provisions adopted in House Bill 5057, 2008 Regular Session, to the extent of such conflict, if that bill becomes a law.*

Section 27. Except as otherwise expressly provided in this act, this act shall take effect July 1, 2008.

And the title is amended as follows:

Remove the entire title and insert: A bill to be entitled An act relating to insurance; providing a short title; amending s. 215.5595, F.S.; revising legislative findings; providing for an appropriation of state funds in exchange for surplus notes issued by residential property insurers under the program; revising the conditions and requirements for providing funds to insurers under the program; requiring a commitment by the insurer to meet minimum premium-to-surplus writing ratios for residential property insurance and for taking policies out of Citizens Property Insurance Corporation; requiring insurers to commit to maintaining certain levels of surplus and reinsurance; authorizing the State Board of Administration to charge a fee for late payments; providing for payment of costs and fees incurred by the board in administering the program from funds appropriated to the program, subject to a specified limit; requiring the board to submit an annual report to the Legislature on the program and insurer compliance with certain requirements; providing that amendments made by the act do not affect the terms of surplus notes approved prior to a specified date; authorizing the State Board of Administration and an insurer to renegotiate such terms consistent with such amendments; requiring the State Board of Administration to transfer to Citizens Property Insurance Corporation certain uncommitted or unreserved funds; amending s. 624.3161, F.S.; authorizing the Office of Insurance Regulation to require an insurer to file its claims handling practices and procedures as a public record based on findings of a market conduct examination; amending s. 624.4211, F.S.; increasing the maximum amounts of administrative fines that may be imposed upon an insurer by the Office of Insurance Regulation for nonwillful and willful violations of an order or rule of the office or any provision of the Florida Insurance Code; creating s. 624.4213, F.S.; specifying requirements for submission of a document or information to the Office of Insurance Regulation or the Department of Financial Services in order for a person to claim that the document is a trade secret; requiring each page or portion to be labeled as a trade secret and be separated from non-trade secret material; requiring the submitting party to include an affidavit certifying certain information about the documents claimed to be trade secrets; requiring the office or depart-

ment to notify persons who submit trade secret documents of any public-records request and the opportunity to file a court action to bar disclosure; specifying conditions for the office to retain or release such documents; creating s. 624.4305, F.S.; requiring that an insurer planning to nonrenew more than a specified number of residential property insurance policies notify the Office of Insurance Regulation and obtain approval for such nonrenewals; specifying procedures for issuance of such notice; amending s. 626.9521, F.S.; increasing the maximum fines that may be imposed by the office or department for nonwillful and willful violations of state law regarding unfair methods of competition and unfair or deceptive acts or practices related to insurance; amending s. 626.9541, F.S.; specifying an additional unfair claims settlement practice; amending s. 627.0612, F.S.; providing criteria for administrative hearings to determine whether an insurer's property insurance rates, rating manuals, premium credits, discount schedules, and surcharge schedules comply with the law; providing for entry of certain orders; amending s. 627.062, F.S.; requiring that an insurer seeking a rate for property insurance that is greater than the rate most recently approved by the Office of Insurance Regulation make a "file and use" filing for all such rate filings made after a specified date; revising the factors the office must consider in reviewing a rate filing; prohibiting the Office of Insurance Regulation from disapproving as excessive a rate solely because the insurer obtained reinsurance covering a specified probably maximum loss; allowing the office to disapprove a rate as excessive within 1 year after the rate has been approved under certain conditions related to nonrenewal of policies by the insurer; requiring the Division of Administrative Hearings to expedite a hearing request by an insurer and for the administrative law judge to commence the hearing within a specified time; authorizing an insurer to request an expedited appellate review pursuant to the Florida Rules of Appellate Procedure; expressing legislative intent for an expedited appellate review; revising provisions relating to the submission of a disputed rate filing, other than a rate filing for medical malpractice insurance, to an arbitration panel in lieu of an administrative hearing if the rate is filed before a specified date; deleting provisions relating to mandatory arbitration in lieu of certain hearings; amending s. 627.0628, F.S.; providing legislative findings relating to final agency action for insurance ratemaking; requiring the Financial Services Commission to consider and adopt findings relating to certain actuarial models, principles, standards, or models for certain maximum loss level calculations; requiring that with respect to rate filings, insurers must use actuarial methods or models found to be accurate or reliable by the Florida Commission on Hurricane Loss Projection Methodology; deleting the requirement for the Office of Insurance Regulation and the Consumer Advocate to have access to all assumptions of a hurricane loss model in order for a model that has been found to be accurate and reliable by the Florida Commission on Hurricane Loss Projection Methodology to be admissible in a rate proceeding; deleting cross-references to conform to changes made by the act; amending s. 627.0629, F.S.; requiring that the Office of Insurance Regulation develop and make publicly available before a specified deadline a proposed method for insurers to establish windstorm mitigation premium discounts that correlate to the uniform home rating scale; requiring that the Financial Services Commission adopt rules before a specified deadline; requiring insurers to make rate filings pursuant to such method; authorizing the commission to make changes by rule to the uniform home grading scale and specify by rule the minimum required discounts, credits, or other rate differentials; requiring that such rate differentials be consistent with generally accepted actuarial principles and wind loss mitigation studies; amending s. 627.351, F.S., relating to Citizens Property Insurance Corporation; deleting a provision to conform to changes made in the act; deleting provisions defining the terms "homestead property" and "nonhomestead property"; increasing threshold replacement costs of certain structures for eligibility for coverage by the corporation; deleting requirements for certain properties to meeting building code plus requirements as a condition of eligibility for coverage by the corporation; decreasing the value at which certain structures are eligible for coverage; requiring written disclosure of windstorm mitigation ratings for certain structures; deleting outdated provisions requiring the corporation to submit a report for approval of offering multiperil coverage; revising threshold amounts of deficits incurred in a calendar year on which the decision to levy assessments and the types of such assessments are based; revising the formula used to calculate shares of assessments owed by certain assessable insureds; requiring that the board of governors make certain determinations before levying emergency assessments; providing the board of governors with discretion to set the amount of an emergency assessment within specified limits; requiring the board of governors to levy a Citizens policyholder surcharge under certain conditions; increasing the amount of the surcharge; deleting a provision requiring the levy of an immediate assessment against certain policyholders under such conditions; requiring that funds collected from the levy of such surcharges be used for certain purposes; providing that such surcharges are not considered premium and are not subject to commissions, fees, or premium taxes; requiring that the failure to pay such surcharges be treated as failure to pay premium; requiring that the amount of any assessment or surcharge which exceeds the amount of deficits be remitted to and used by the corporation for specified purposes; deleting provisions requiring that the plan of operation of the corporation provide for the levy of a Citizens policyholder surcharge if regular deficit assessments are levied as a result of deficits in certain accounts; deleting provisions related to the calculation, classification, and nonpayment of such surcharge; requiring that the corporation make an annual filing for each personal or commercial line of business it writes, beginning on a specified date; deleting a provision requiring an insurer to purchase bonds that remain unsold; deleting provisions requiring the corporation to make certain confidential underwriting and claims files available to agents to conform to changes made by the act relating to ineligibility of certain dwellings; clarifying the right of certain parties to discover underwriting and claims file records; authorizing the corporation to release such records as it deems necessary; amending s. 627.4133, F.S.; requiring insurers to provide written notice of certain cancellations, nonrenewals, or terminations; creating s. 689.262, F.S.; requiring a purchaser of residential property in wind-borne debris regions to be presented with the windstorm mitigation rating of the structure; authorizing the Financial Services Commission to adopt rules; requiring Citizens Property Insurance Corporation to transfer funds to the General Revenue Fund if the losses due to a hurricane do not exceed a specified amount; requiring the board of governors of Citizens Property Insurance Corporation to make a reasonable estimate of such losses by a certain date; requiring the board to make quarterly transfers of funds to the corporation under certain circumstances; requiring the corporation to credit certain accounts for funds removed to make certain transfers; requiring the State Board of Administration to transfer to Citizens Property Insurance Corporation certain uncommitted or unreserved funds under certain circumstances; prohibiting Citizens Property Insurance Corporation from using certain statutory changes or authorized transfers of funds as justification or cause to seek any rate or assessment increase; amending s. 627.06281, F.S.; providing for residential property insurers to have access to and use a public hurricane loss projection model; requiring the office to establish a fee schedule for such model access and use; amending s. 627.0655, F.S.; expanding application of policyholder loss or expense-related premium discounts; creating the Citizens Property Insurance Corporation Mission Review Task Force; providing purposes; requiring a report; providing report requirements; providing for appointment of members; providing responsibilities; specifying service without compensation; providing for reimbursement of per diem and travel expenses; providing meeting requirements; requiring the corporation to assist the task force; providing for the expiration of the task force; requiring the Chief Financial Officer to provide a report on the economic impact on the state of certain hurricanes; providing report requirements; creating s. 627.0621, F.S.; providing requirements for transparency in rate regulation; providing definitions; providing for a website for public access to rate filing information; providing requirements; providing for application of public meeting requirements; specifying nonapplication of attorney-client or work-product privileges to certain communications in certain administrative or judicial proceedings under certain circumstances; specifying criteria; amending s. 215.555, F.S.; extending for an additional year the offer of reimbursement coverage for specified insurers; revising the qualifying criteria for such insurers; revising provisions to conform; amending s. 627.0613, F.S.; deleting cross-references to conform to changes made by the act; amending s. 627.712, F.S.; requiring insurers to provide notice to mortgageholders or lienholders of certain policies not providing wind coverage for certain structures; providing for provisions of the act to supersede and control over conflicting provisions of House Bill 5057; providing effective dates.

On motion by Senator Atwater, the Senate concurred in the House amendment.

CS for CS for SB's 2860 and 1196 passed as amended and was ordered engrossed and then enrolled. The action of the Senate was certified to the House. The vote on passage was:

Yeas—33

Mr. President	Aronberg	Baker
Alexander	Atwater	Bennett

Bullard	Garcia	Peaden
Carlton	Geller	Posey
Constantine	Haridopolos	Rich
Crist	Jones	Saunders
Dean	Joyner	Storms
Deutch	Justice	Villalobos
Dockery	King	Webster
Fasano	Lynn	Wilson
Gaetz	Margolis	Wise

Nays—5

Hill	Oelrich	Siplin
Lawson	Ring	

Vote after roll call:

Yea—Diaz de la Portilla

MOTION

On motion by Senator Alexander, the House was requested to return **CS for HB 197**.

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has passed CS for CS for SB 866, with 1 amendment, and requests the concurrence of the Senate.

William S. Pittman III, Chief Clerk

CS for CS for SB 866—A bill to be entitled An act relating to elections; amending s. 97.012, F.S.; revising provisions relating to the investigative duties of the Secretary of State; amending s. 97.041, F.S.; revising requirements for voter preregistration of minors; amending s. 97.053, F.S.; revising provisions relating to verification of certain information on voter registration applications; amending s. 97.0535, F.S.; revising forms of acceptable identification for certain voter registration applicants; amending s. 97.055, F.S.; providing for change of party affiliation after the closing of the registration books to apply to an upcoming election under certain circumstances; amending s. 98.065, F.S.; revising registration list maintenance provisions; creating s. 98.0655, F.S.; requiring the Department of State to prescribe registration list maintenance forms; providing criteria for such forms; amending s. 98.0981, F.S.; reducing the time by which supervisors of elections must electronically transmit certain voter history information to the department; requiring the department to prepare a detailed report containing specified voter information to legislative officers after a general election; requiring supervisors of elections to collect and submit data to the department after certain elections; defining the phrase "all ballots cast"; requiring the department to compile precinct-level statistical data for counties before certain elections; amending s. 99.012, F.S.; providing restrictions on individuals qualifying for public office; removing an exception from such restrictions for persons seeking any federal public office; amending s. 99.021, F.S.; deleting a resignation statement from the qualifying oath for candidates for federal office; amending s. 99.095, F.S.; providing requirements for candidate qualifying petitions; amending s. 100.221, F.S.; providing circumstances under which early voting is not required; amending s. 100.361, F.S.; revising provisions relating to the recall of municipal or charter county officers, recall committees, recall petitions, recall defense, and offenses related thereto; amending s. 100.371, F.S.; providing that a petition form circulated for signatures may not be bundled with other petitions; deleting requirements relating to the recording and determination of signature forms; providing that an elector may complete and submit a standard petition-revocation form directly to the supervisor of elections under certain circumstances; requiring that the division adopt petition-revocation forms by rule; amending s. 101.041, F.S.; deleting a requirement for the printing and distribution of official ballots; amending s. 101.045, F.S.; authorizing the use of a voter registration application for a name or address change; amending s. 101.111, F.S.; revising methods by which a person's right to vote may be challenged; amending s. 101.23, F.S.; deleting provisions requiring an election inspector to prevent certain persons from voting; amending s. 101.51, F.S.; deleting provisions specifying certain responsibilities of election officials before allowing electors to enter a booth or compartment to vote; amending s. 101.5608, F.S.; revising certain procedures relating to the deposit of ballots; repealing s. 101.573, F.S., relating to the reporting of precinct-level election results; amending s. 101.6923, F.S.; revising forms of acceptable identification for certain absentee voters; amending s. 101.75, F.S.; authorizing municipalities to set by ordinance election dates to coincide with statewide or countywide elections; amending s. 102.014, F.S.; revising provisions relating to the training of poll workers; amending s. 102.031, F.S.; including the term "solicitation" as an equivalent of the term "solicit" as it relates to the unlawful solicitation of voters; providing that such terms do not prohibit exit polling; amending s. 102.112, F.S.; revising the county canvassing board's certification requirements for election returns; amending s. 103.101, F.S.; deleting provisions related to the placement on the ballot of presidential candidates whose names do not appear on the list submitted to the Secretary of State; amending s. 106.021, F.S.; removing a campaign finance filing requirement for certain candidates; amending s. 106.07, F.S.; clarifying that political subdivisions may impose electronic filing requirements on certain candidates, and that expenditures for such filing system serve a valid public purpose; repealing s. 106.082, F.S., relating to campaign contribution limitations for candidates for the office of Commissioner of Agriculture; amending s. 106.147, F.S.; requiring a disclosure statement for certain telephone calls and communications; revising provisions requiring authorization from the candidate or sponsor for certain telephone calls; amending s. 106.24, F.S.; providing that the Florida Elections Commission is its own agency head rather than the director of the commission; amending s. 190.006, F.S.; deleting certain fee and assessment provisions for candidates seeking election to the board of supervisors of a community redevelopment district; amending s. 105.041, F.S.; providing procedure for determining ballot position of candidates for the office of circuit judge; providing effective dates.

Substitute House Amendment 2 (553517)(with title amendment)—Between lines 1440 and 1441, insert:

Section 30. Section 106.071, Florida Statutes, is amended to read:

106.071 Independent expenditures; electioneering communications; reports; disclaimers.—

(1) Each person who makes an independent expenditure with respect to any candidate or issue, and each individual who makes an expenditure for an electioneering communication which is not otherwise reported pursuant to this chapter, which expenditure, in the aggregate, is in the amount of $100 or more, shall file periodic reports of such expenditures in the same manner, at the same time, subject to the same penalties, and with the same officer as a political committee supporting or opposing such candidate or issue. The report shall contain the full name and address of the person making the expenditure; the full name and address of each person to whom and for whom each such expenditure has been made; the amount, date, and purpose of each such expenditure; a description of the services or goods obtained by each such expenditure; the issue to which the expenditure relates; and the name and address of, and office sought by, each candidate on whose behalf such expenditure was made.

(2) Any political advertisement paid for by an independent expenditure shall prominently state "Paid political advertisement paid for by (Name and address of person paying for advertisement) independently of any (candidate or committee)."

(3) Subsection (2) does not apply to novelty items having a retail value of $10 or less which support, but do not oppose, a candidate or issue.

~~(4) Any person who fails to include the disclaimer prescribed in subsection (2) in any political advertisement that is required to contain such disclaimer commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.~~

Section 31. Section 106.1439, Florida Statutes, is amended to read:

106.1439 Electioneering communications; disclaimers.—

~~(1)~~ Any electioneering communication shall prominently state: "Paid electioneering communication paid for by (Name and address of person paying for the communication)."

~~(2) Any person who fails to include the disclaimer prescribed in this section in any electioneering communication that is required to contain such disclaimer commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.~~

And the title is amended as follows:

Between lines 81 and 82, insert: amending s. 106.071, F.S.; deleting the penalty provision for failing to provide a disclaimer in a political advertisement paid for by an independent expenditure; amending s. 106.1439, F.S.; deleting the penalty provision for failing to provide a disclaimer in an electioneering communication;

On motion by Senator Constantine, the Senate refused to concur in the House amendment to **CS for CS for SB 866** and the House was requested to recede. The action of the Senate was certified to the House.

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has passed CS for CS for CS for SB 2216, with 1 amendment, and requests the concurrence of the Senate.

William S. Pittman III, Chief Clerk

CS for CS for CS for SB 2216—A bill to be entitled An act relating to adult protection and care; amending s. 322.142, F.S.; authorizing the Department of Children and Family Services to obtain copies of driver's license files maintained by the Department of Highway Safety and Motor Vehicles for the purpose of conducting protective investigations; amending s. 400.141, F.S.; requiring a search of the Department of Law Enforcement's sexual offender database to be conducted on all nursing home residents; amending s. 400.19, F.S.; revising provisions relating to unannounced inspections; amending s. 400.215, F.S.; requiring contracted workers employed in a nursing home to submit to background screening; prohibiting employees and contracted workers who do not meet background screening requirements from being employed in a nursing home; providing certain exceptions; deleting an obsolete provision; amending s. 408.809, F.S.; requiring the agency to establish a fee schedule to cover the cost of a level 1 or level 2 screening and giving the agency rulemaking authority; amending s. 408.810, F.S.; requiring health care facilities regulated by the Agency for Health Care Administration to post certain information in the facility; authorizing the agency to charge a fee to cover production and distribution unless the information is downloaded from the agency's website; amending s. 408.811, F.S.; providing that agency employees who provide advance notice of unannounced agency inspections are subject to suspension; providing a timeline and process for correction of deficiencies; providing that the agency may provide electronic access to documents; amending s. 415.103, F.S.; requiring certain reports to the central abuse hotline relating to vulnerable adults to be immediately transferred to the county sheriff's office; amending s. 415.1051, F.S.; authorizing the Department of Children and Family Services to file the petition to determine incapacity in adult protection proceedings; prohibiting the department from serving as the guardian or providing legal counsel to the guardian; amending s. 415.112, F.S.; specifying rules to be adopted by the Department of Children and Family Services relating to adult protective services under ch. 415, F.S.; amending s. 429.02, F.S.; revising the definition of "service plan" to remove the limitation that plans are required only in assisted living facilities that have an extended congregate care license; requiring that the agency develop a service plan form; amending s. 429.07, F.S.; providing that license requirements for specialty licenses apply to current licensees as well as applicants for an extended congregate care and limited nursing license; conforming a cross-reference; amending s. 429.174, F.S.; requiring certain employees and contracted workers in assisted living facilities to submit to background screening; prohibiting employees and contracted workers who do not meet background screening requirements from being employed in an assisted living facility; providing certain exceptions; requiring the person being screened to pay for the cost of screening; amending s. 429.255, F.S.; providing that the owner or administrator of an assisted living facility is responsible for the services provided in the facility; amending s. 429.26, F.S.; clarifying a prohibition on moving a resident; providing for the development of a service plan for all residents; requiring a search of the Department of Law Enforcement's sexual offender database to be conducted on all residents of an assisted living facility; requiring residents to be periodically assessed for competency to handle personal affairs; amending s. 429.27, F.S.; prohibiting assisted living facility personnel from making certain decisions for a resident or acting as the resident's representative or surrogate; amending s. 429.28, F.S.; requiring that notice of a resident's relocation or termination of residency be in writing and a copy sent to specified persons; requiring the State Long-Term Ombudsman Program include information within their annual report to the Governor and the Legislature; requiring facilities to have a written grievance procedure that includes certain information; requiring that grievances reported to the local ombudsman council be included in a statewide reporting system; revising provisions relating to agency surveys to determine compliance with resident rights in assisted living facilities; amending s. 429.294, F.S.; deleting a cross-reference; amending s. 429.34, F.S.; providing for unannounced inspections; providing for additional 6-month inspections for certain violations; providing for an additional fine for 6-month inspections; amending s. 429.41, F.S.; requiring all residents of assisted living facilities to have a service plan; amending s. 429.65, F.S.; providing a definition of the term "reside"; amending s. 429.67, F.S.; expanding the list of persons who must have a background screening in adult family-care homes; amending s. 429.69, F.S.; providing that the failure of a adult family-care home provider to live in the home is grounds for the denial, revocation, or suspension of a license; amending s. 429.73, F.S.; requiring adult family-care home residents to be periodically assessed for competency to handle personal affairs; amending ss. 435.03 and 435.04, F.S.; providing additional criminal offenses for screening certain health care facility personnel; repealing s. 400.141(13), F.S., relating to a requirement to post certain information in nursing homes; repealing s. 408.809(3), F.S., relating to the granting of a provisional license while awaiting the results of a background screening; repealing s. 429.08(2), F.S., deleting a provision relating to local workgroups of field offices of the Agency for Health Care Administration; repealing s. 429.41(5), F.S., relating to agency inspections; amending ss. 430.80 and 651.118, F.S.; conforming cross-references; providing an appropriation and authorizing additional positions; providing an effective date.

House Amendment 1 (820601)(with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Subsection (4) of section 322.142, Florida Statutes, is amended to read:

322.142 Color photographic or digital imaged licenses.—

(4) The department may maintain a film negative or print file. The department shall maintain a record of the digital image and signature of the licensees, together with other data required by the department for identification and retrieval. Reproductions from the file or digital record *are exempt from the provisions of s. 119.07(1) and* shall be made and issued only for departmental administrative purposes; for the issuance of duplicate licenses; in response to law enforcement agency requests; to the Department of State pursuant to an interagency agreement to facilitate determinations of eligibility of voter registration applicants and registered voters in accordance with ss. 98.045 and 98.075; to the Department of Revenue pursuant to an interagency agreement for use in establishing paternity and establishing, modifying, or enforcing support obligations in Title IV-D cases; *to the Department of Children and Family Services pursuant to an interagency agreement to conduct protective investigations under chapter 415;* or to the Department of Financial Services pursuant to an interagency agreement to facilitate the location of owners of unclaimed property, the validation of unclaimed property claims, and the identification of fraudulent or false claims~~, and are exempt from the provisions of s. 119.07(1)~~.

Section 2. Subsection (2) of section 415.103, Florida Statutes, is amended to read:

415.103 Central abuse hotline.—

(2) Upon receiving an oral or written report of known or suspected abuse, neglect, or exploitation of a vulnerable adult, the central abuse hotline *shall* ~~must~~ determine if the report requires an immediate onsite protective investigation.

(a) For reports requiring an immediate onsite protective investigation, the central abuse hotline must immediately notify the department's designated protective investigative district staff responsible for protective investigations to ensure prompt initiation of an onsite investigation.

(b) For reports not requiring an immediate onsite protective investigation, the central abuse hotline must notify the department's designated protective investigative district staff responsible for protective investigations in sufficient time to allow for an investigation to be commenced within 24 hours. At the time of notification ~~of district staff with respect to the report~~, the central abuse hotline must also provide any ~~known information on any~~ previous *reports* ~~report~~ concerning *the* ~~a~~ subject of the present report or any pertinent information relative to the present report or any noted earlier reports.

(c) If the report is of known or suspected abuse of a vulnerable adult by someone other than a relative, caregiver, or household member, the report shall be immediately transferred to the appropriate county sheriff's office.

Section 3. Paragraph (e) of subsection (1) and paragraph (g) of subsection (2) of section 415.1051, Florida Statutes, are amended to read:

415.1051 Protective services interventions when capacity to consent is lacking; nonemergencies; emergencies; orders; limitations.—

(1) NONEMERGENCY PROTECTIVE SERVICES INTERVENTIONS.—If the department has reasonable cause to believe that a vulnerable adult or a vulnerable adult in need of services is being abused, neglected, or exploited and is in need of protective services but lacks the capacity to consent to protective services, the department shall petition the court for an order authorizing the provision of protective services.

(e) Continued protective services.—

1. *Within* ~~No more than~~ 60 days after the date of the order authorizing the provision of protective services, the department shall petition the court to determine whether:

a. Protective services *are to* ~~will~~ be continued with the consent of the vulnerable adult pursuant to this subsection;

b. Protective services *are to* ~~will~~ be continued for the vulnerable adult who lacks capacity;

c. Protective services *are to* ~~will~~ be discontinued; or

d. A petition for guardianship *shall* ~~should~~ be filed pursuant to chapter 744.

2. If the court determines that a petition for guardianship *shall* ~~should~~ be filed pursuant to chapter 744, the court, for good cause shown, may order continued protective services until it makes a determination regarding capacity.

3. If the department has a good faith belief that the vulnerable adult lacks capacity, the petition to determine incapacity under s. 744.3201 may be filed by the department. Once the petition is filed, the department may not be appointed guardian and may not provide legal counsel for the guardian.

(2) EMERGENCY PROTECTIVE SERVICES INTERVENTION.—If the department has reasonable cause to believe that a vulnerable adult is suffering from abuse or neglect that presents a risk of death or serious physical injury to the vulnerable adult and that the vulnerable adult lacks the capacity to consent to emergency protective services, the department may take action under this subsection. If the vulnerable adult has the capacity to consent and refuses consent to emergency protective services, emergency protective services may not be provided.

(g) Continued emergency protective services.—

1. *Within* ~~Not more than~~ 60 days after the date of the order authorizing the provision of emergency protective services, the department shall petition the court to determine whether:

a. Emergency protective services *are to* ~~will~~ be continued with the consent of the vulnerable adult;

b. Emergency protective services *are to* ~~will~~ be continued for the vulnerable adult who lacks capacity;

c. Emergency protective services *are to* ~~will~~ be discontinued; or

d. A petition *shall* ~~should~~ be filed under chapter 744.

2. If it is decided to file a petition under chapter 744, for good cause shown, the court may order continued emergency protective services until a determination is made by the court.

3. If the department has a good faith belief that the vulnerable adult lacks capacity, the petition to determine incapacity under s. 744.3201 may be filed by the department. Once the petition is filed, the department may not be appointed guardian and may not provide legal counsel for the guardian.

Section 4. Section 415.112, Florida Statutes, is amended to read:

415.112 *Specific rulemaking authority* ~~Rules for implementation of ss. 415.101-415.113.~~—The department shall *adopt* ~~promulgate~~ rules *to administer this chapter, including, but not limited to:* ~~for the implementation of ss. 415.101-415.113.~~

(1) Background screening of department employees and applicants for employment, which shall include a criminal records check and drug testing of adult protective investigators and adult protective investigator supervisors.

(2) Reporting of adult abuse, neglect, and exploitation; reporting of a vulnerable adult in need of services; false reporting; and adult protective investigations.

(3) Confidentiality and retention of department records, access to records, and record requests.

(4) Injunctions and other protective orders.

(5) The provision of emergency and nonemergency protective services intervention.

(6) Agreements with law enforcement and other state agencies.

(7) Legal and casework procedures, including, but not limited to, diligent search, petitions, emergency removals, capacity to consent, and adult protection teams.

(8) Legal and casework management of cases involving protective supervision, protective orders, judicial reviews, administrative reviews, case plans, and documentation requirements.

(9) The coordination of casework with the following agencies as appropriate to the individual situation: the Agency for Health Care Administration, the Department of Elderly Affairs, the area agency on aging, the Nursing Home Diversion or Medicaid waiver program provider, the Florida Senior Care provider, and other relevant agencies or organizations, to develop a plan that improves the prospects for safety of affected residents and, if necessary, identifies alternative living arrangements such as facilities licensed under part II of chapter 400 or chapter 429.

Section 5. Paragraphs (k) and (l) of subsection (1), subsection (2), and paragraph (b) of subsection (3) of section 429.28, Florida Statutes, are amended to read:

429.28 Resident bill of rights.—

(1) No resident of a facility shall be deprived of any civil or legal rights, benefits, or privileges guaranteed by law, the Constitution of the State of Florida, or the Constitution of the United States as a resident of a facility. Every resident of a facility shall have the right to:

(k) *Receive* at least 45 days' *written* notice of relocation or termination of residency from the *licensee as provided in s. 429.285, unless the relocation or termination of residency is initiated by the resident or the resident designee;* ~~facility unless,~~ for medical reasons, the resident is certified by a physician to require an emergency relocation to a facility providing a more skilled level of care*;* or the resident engages in a pattern of conduct that is harmful or offensive to other residents. ~~In the case of a resident who has been adjudicated mentally incapacitated, the guardian shall be given at least 45 days' notice of a nonemergency relocation or residency termination. Reasons for relocation shall be set forth in writing.~~ In order for a *licensee* ~~facility~~ to terminate the residency of an individual without notice as provided *in this paragraph* ~~herein~~, the *licensee* ~~facility~~ shall show good cause in a court of competent jurisdiction. *Admission to a facility licensed under this part may not be condi-*

tioned upon a waiver of such right, and any document or provision in a document that purports to waive or preclude such right is void and unenforceable.

(l) Present grievances and recommend changes in policies, procedures, and services to the staff of the facility, governing officials, or any other person without restraint, interference, coercion, discrimination, or reprisal. Each *licensee* ~~facility~~ shall establish a *written* grievance procedure to facilitate the residents' exercise of this right. This right includes access to ombudsman volunteers and advocates and the right to be a member of, to be active in, and to associate with advocacy or special interest groups. *Each licensee shall maintain a written log of grievances that shall be available for inspection and shall be maintained for at least 2 years. Residents may provide verbal or written grievances.*

(2) The administrator of a facility shall ensure that a written notice of the rights, obligations, and prohibitions set forth in this part is posted in a prominent place in each facility and read or explained to residents who cannot read. This notice shall include the name, address, and telephone numbers of the local ombudsman council and central abuse hotline and, when applicable, the Advocacy Center for Persons with Disabilities, Inc., and the Florida local advocacy council, where complaints may be lodged. The *licensee* ~~facility~~ must ensure a resident's access to a telephone to call the local ombudsman council, central abuse hotline, Advocacy Center for Persons with Disabilities, Inc., and the Florida local advocacy council.

(3)

(b) In order to determine whether the *licensee* ~~facility~~ is adequately protecting residents' rights, the biennial survey shall include private informal conversations with a sample of residents and consultation with the ombudsman council in the planning and service area in which the facility is located to discuss residents' experiences within the facility.

Section 6. Section 429.285, Florida Statutes, is created to read:

429.285 Resident relocation or termination of residency; requirements and procedures.—

(1) A facility licensed under this part must permit a resident to remain in the facility. Relocation or termination of residency of a resident may not occur unless:

(a) The relocation or termination of residency is necessary for the resident's welfare and the resident's needs cannot be met in the facility;

(b) The relocation or termination of residency is appropriate because the resident's health has improved sufficiently so that the resident no longer needs the services provided by the facility;

(c) The health and safety of other residents or facility employees would be endangered;

(d) The resident has failed, after at least 30 days' notice, to provide payment for his or her stay in the facility;

(e) The facility ceases to operate;

(f) There is a documented pattern of harmful and offensive behavior by the resident; or

(g) The contract provided for under s. 429.24(1) between the licensee and the resident expires on its own terms.

(2) When a relocation or termination of residency is initiated by the licensee, the administrator that is relocating the resident or terminating residency, or an individual employed by the facility who is designated by the administrator to act on behalf of the administration, must sign the notice of relocation or termination of residency. Any notice indicating a medical reason for relocation or termination of residency must be signed by the resident's physician or include an attached physician's written order for the relocation or termination of residency.

(3) At least 45 days prior to a proposed relocation or termination of residency, a licensee must provide by certified mail advance written notice of the proposed relocation or termination of residency to the resident and, if known, to a family member or the resident's legal guardian or representative.

(4) The notice must be in writing and contain all information required by state and federal laws, rules, and regulations. A copy of the notice must be placed in the resident's file. The agency shall develop a standard form to be used by all facilities licensed under this part for purposes of notifying residents of a relocation or termination of residency. In addition to any other pertinent information included, the form shall:

(a) Specify the reason allowed under state law justifying the relocation or termination of the residency, with an explanation to support this action.

(b) State the effective date of the relocation or termination of residency and the location to which the resident is being relocated.

(c) Include the right and means to request the local long-term care ombudsman council to review the notice of relocation or termination of residency.

(5) A relocation or termination of residency notice initiated by a licensee must be reported to the Office of State Long-Term Care Ombudsman by mail, electronic mail, or facsimile within 5 business days after a resident's receipt of a notice to relocate or terminate residency. The Office of State Long-Term Care Ombudsman shall compile and publish the information collected from such notices in the annual report required by s. 400.0065(2)(i). A resident may request that the local long-term care ombudsman council review any notice of relocation or termination of residency given to the resident. When requested by a resident to review such notice, the local long-term care ombudsman council shall do so within 5 business days after receipt of the request.

(6) In the event of an emergency relocation or termination of residency, as provided under s. 429.28(1)(k), notice shall be provided to the resident, the resident's legal guardian or representative, and the local long-term care ombudsman council by telephone or in person. The written notice shall be given before the relocation or termination of residency, if possible, and no later than 5 business days after the relocation or termination of residency. A local long-term care ombudsman council conducting a review under this section shall do so within 2 business days after receipt of the request. The resident's file must include documentation indicating who was contacted, whether the contact was by telephone or in person, and the date and time of the contact.

(7) After receipt of a notice required under this section, the local long-term care ombudsman council may request a private informal conversation with a resident to whom the notice is directed, and, if known, a family member or the resident's legal guardian or representative, to ensure that the licensee is proceeding with the relocation or termination of residency in accordance with the requirements of this section.

(8) The agency may adopt rules pursuant to ss. 120.536(1) and 120.54 to administer this section.

Section 7. Paragraphs (b) and (c) of subsection (3) of section 429.07, Florida Statutes, are amended to read:

429.07 License required; fee.—

(3) In addition to the requirements of s. 408.806, each license granted by the agency must state the type of care for which the license is granted. Licenses shall be issued for one or more of the following categories of care: standard, extended congregate care, limited nursing services, or limited mental health.

(b) An extended congregate care license shall be issued to facilities providing, directly or through contract, services beyond those authorized in paragraph (a), including acts performed pursuant to part I of chapter 464 by persons licensed thereunder, and supportive services defined by rule to persons who otherwise would be disqualified from continued residence in a facility licensed under this part.

1. In order for extended congregate care services to be provided in a facility licensed under this part, the agency must first determine that all requirements established in law and rule are met and must specifically designate, on the facility's license, that such services may be provided and whether the designation applies to all or part of a facility. Such designation may be made at the time of initial licensure or relicensure, or upon request in writing by a licensee under this part and part II of chapter 408. Notification of approval or denial of such request shall be made in accordance with part II of chapter 408. Existing facilities quali-

fying to provide extended congregate care services must have maintained a standard license and may not have been subject to administrative sanctions during the previous 2 years, or since initial licensure if the facility has been licensed for less than 2 years, for any of the following reasons:

a. A class I or class II violation;

b. Three or more repeat or recurring class III violations of identical or similar resident care standards as specified in rule from which a pattern of noncompliance is found by the agency;

c. Three or more class III violations that were not corrected in accordance with the corrective action plan approved by the agency;

d. Violation of resident care standards resulting in a requirement to employ the services of a consultant pharmacist or consultant dietitian;

e. Denial, suspension, or revocation of a license for another facility under this part in which the applicant for an extended congregate care license has at least 25 percent ownership interest; or

f. Imposition of a moratorium pursuant to this part or part II of chapter 408 or initiation of injunctive proceedings.

2. Facilities that are licensed to provide extended congregate care services shall maintain a written progress report on each person who receives such services, which report describes the type, amount, duration, scope, and outcome of services that are rendered and the general status of the resident's health. A registered nurse, or appropriate designee, representing the agency shall visit such facilities at least quarterly to monitor residents who are receiving extended congregate care services and to determine if the facility is in compliance with this part, part II of chapter 408, and rules that relate to extended congregate care. One of these visits may be in conjunction with the regular survey. The monitoring visits may be provided through contractual arrangements with appropriate community agencies. A registered nurse shall serve as part of the team that inspects such facility. The agency may waive one of the required yearly monitoring visits for a facility that has been licensed for at least 24 months to provide extended congregate care services, if, during the inspection, the registered nurse determines that extended congregate care services are being provided appropriately, and if the facility has no class I or class II violations and no uncorrected class III violations. Before such decision is made, the agency shall consult with the long-term care ombudsman council for the area in which the facility is located to determine if any complaints have been made and substantiated about the quality of services or care. The agency may not waive one of the required yearly monitoring visits if complaints have been made and substantiated.

3. Facilities that are licensed to provide extended congregate care services shall:

a. Demonstrate the capability to meet unanticipated resident service needs.

b. Offer a physical environment that promotes a homelike setting, provides for resident privacy, promotes resident independence, and allows sufficient congregate space as defined by rule.

c. Have sufficient staff available, taking into account the physical plant and firesafety features of the building, to assist with the evacuation of residents in an emergency, as necessary.

d. Adopt and follow policies and procedures that maximize resident independence, dignity, choice, and decisionmaking to permit residents to age in place to the extent possible, so that moves due to changes in functional status are minimized or avoided.

e. Allow residents or, if applicable, a resident's representative, designee, surrogate, guardian, or attorney in fact to make a variety of personal choices, participate in developing service plans, and share responsibility in decisionmaking.

f. Implement the concept of managed risk.

g. Provide, either directly or through contract, the services of a person licensed pursuant to part I of chapter 464.

h. In addition to the training mandated in s. 429.52, provide specialized training as defined by rule for facility staff.

4. Facilities licensed to provide extended congregate care services are exempt from the criteria for continued residency as set forth in rules adopted under s. 429.41. Facilities so licensed shall adopt their own requirements within guidelines for continued residency set forth by rule. However, such facilities may not serve residents who require 24-hour nursing supervision. Facilities licensed to provide extended congregate care services shall provide each resident with a written copy of facility policies governing admission and retention.

5. The primary purpose of extended congregate care services is to allow residents, as they become more impaired, the option of remaining in a familiar setting from which they would otherwise be disqualified for continued residency. A facility licensed to provide extended congregate care services may also admit an individual who exceeds the admission criteria for a facility with a standard license, if the individual is determined appropriate for admission to the extended congregate care facility.

6. Before admission of an individual to a facility licensed to provide extended congregate care services, the individual must undergo a medical examination as provided in s. 429.26(4) and the facility must develop a preliminary service plan for the individual.

7. When a facility can no longer provide or arrange for services in accordance with the resident's service plan and needs and the facility's policy, the facility shall make arrangements for relocating the person in accordance with s. *429.285* ~~429.28(1)(k)~~.

8. Failure to provide extended congregate care services may result in denial of extended congregate care license renewal.

9. No later than January 1 of each year, the department, in consultation with the agency, shall prepare and submit to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the chairs of appropriate legislative committees, a report on the status of, and recommendations related to, extended congregate care services. The status report must include, but need not be limited to, the following information:

a. A description of the facilities licensed to provide such services, including total number of beds licensed under this part.

b. The number and characteristics of residents receiving such services.

c. The types of services rendered that could not be provided through a standard license.

d. An analysis of deficiencies cited during licensure inspections.

e. The number of residents who required extended congregate care services at admission and the source of admission.

f. Recommendations for statutory or regulatory changes.

g. The availability of extended congregate care to state clients residing in facilities licensed under this part and in need of additional services, and recommendations for appropriations to subsidize extended congregate care services for such persons.

h. Such other information as the department considers appropriate.

(c) A limited nursing services license shall be issued to a facility that provides services beyond those authorized in paragraph (a) and as specified in this paragraph.

1. In order for limited nursing services to be provided in a facility licensed under this part, the agency must first determine that all requirements established in law and rule are met and must specifically designate, on the facility's license, that such services may be provided. Such designation may be made at the time of initial licensure or relicensure, or upon request in writing by a licensee under this part and part II of chapter 408. Notification of approval or denial of such request shall be made in accordance with part II of chapter 408. Existing facilities qualifying to provide limited nursing services shall have maintained a standard license and may not have been subject to administrative sanctions that affect the health, safety, and welfare of residents for the

previous 2 years or since initial licensure if the facility has been licensed for less than 2 years.

2. Facilities that are licensed to provide limited nursing services shall maintain a written progress report on each person who receives such nursing services, which report describes the type, amount, duration, scope, and outcome of services that are rendered and the general status of the resident's health. A registered nurse representing the agency shall visit such facilities at least twice a year to monitor residents who are receiving limited nursing services and to determine if the facility is in compliance with applicable provisions of this part, part II of chapter 408, and related rules. The monitoring visits may be provided through contractual arrangements with appropriate community agencies. A registered nurse shall also serve as part of the team that inspects such facility.

3. A person who receives limited nursing services under this part must meet the admission criteria established by the agency for assisted living facilities. When a resident no longer meets the admission criteria for a facility licensed under this part, arrangements for relocating the person shall be made in accordance with s. *429.285* ~~429.28(1)(k)~~ , unless the facility is licensed to provide extended congregate care services.

Section 8. Subsection (1) of section 429.31, Florida Statutes, is amended to read:

429.31 Closing of facility; notice; penalty.—

(1) In addition to the requirements of part II of chapter 408, the facility shall inform each resident or the next of kin, legal representative, or agency acting on each resident's behalf, of the fact and the proposed time of discontinuance of operation, following the notification requirements provided in s. *429.285* ~~429.28(1)(k)~~. In the event a resident has no person to represent him or her, the facility shall be responsible for referral to an appropriate social service agency for placement.

Section 9. This act shall take effect October 1, 2008.

And the title is amended as follows:

Remove the entire title and insert: A bill to be entitled An act relating to adult protection and care; amending s. 322.142, F.S.; authorizing the Department of Children and Family Services to obtain copies of driver's license files maintained by the Department of Highway Safety and Motor Vehicles for the purpose of conducting protective investigations; amending s. 415.103, F.S.; requiring that reports to the central abuse hotline relating to vulnerable adults be transferred to the county sheriff's office under certain circumstances; amending s. 415.1051, F.S.; authorizing the Department of Children and Family Services to file a petition within 60 days to determine incapacity in adult protection proceedings; prohibiting the department from serving as the guardian or providing legal counsel to the guardian under certain circumstances; amending s. 415.112, F.S.; providing authority and requirements for department rules; amending s. 429.28, F.S.; revising and specifying certain conditions in an assisted living facility's resident bill of rights for a resident's relocation or termination of residency; creating s. 429.285, F.S.; prohibiting resident relocation or termination of residency in the absence of certain specified conditions; requiring the administrator or employee of a facility to sign a notice of relocation or termination of residency and requiring a physician's signature under certain circumstances; requiring a licensee to provide advance written notice to the resident and other specified persons regarding relocation or termination of residency; providing that the notice contain certain information; providing for the creation of a form to submit relocation or termination of residency information and specifying information to be included therein; requiring a licensee to report relocation or termination of residency to the Office of State Long-term Care Ombudsman within a certain timeframe; permitting residents to seek the assistance of the local long-term care ombudsmen council in reviewing a notice of relocation or termination of residency; providing for emergency relocation and termination of residency; permitting the local long-term care ombudsmen council to request private informal contact with a resident upon receipt of a notice of relocation or termination of residency; authorizing the agency to adopt rules; amending ss. 429.07 and 429.31, F.S.; conforming cross-references; providing an effective date.

Senator Storms moved the following amendment:

Senate Amendment 1 (806500) (with title amendment) to House Amendment 1—Delete line(s) 5-521 and insert:

Section 1. Subsection (4) of section 322.142, Florida Statutes, is amended to read:

322.142 Color photographic or digital imaged licenses.—

(4) The department may maintain a film negative or print file. The department shall maintain a record of the digital image and signature of the licensees, together with other data required by the department for identification and retrieval. Reproductions from the file or digital record *are exempt from the provisions of s. 119.07(1) and* shall be made and issued only for departmental administrative purposes; for the issuance of duplicate licenses; in response to law enforcement agency requests; to the Department of State pursuant to an interagency agreement to facilitate determinations of eligibility of voter registration applicants and registered voters in accordance with ss. 98.045 and 98.075; to the Department of Revenue pursuant to an interagency agreement for use in establishing paternity and establishing, modifying, or enforcing support obligations in Title IV-D cases; *to the Department of Children and Family Services pursuant to an interagency agreement to conduct protective investigations under chapter 415;* or to the Department of Financial Services pursuant to an interagency agreement to facilitate the location of owners of unclaimed property, the validation of unclaimed property claims, and the identification of fraudulent or false claims~~, and are exempt from the provisions of s. 119.07(1)~~.

Section 2. Effective April 1, 2009, subsection (25) is added to section 400.141, Florida Statutes, to read:

400.141 Administration and management of nursing home facilities.—Every licensed facility shall comply with all applicable standards and rules of the agency and shall:

(25) Conduct a search of the Department of Law Enforcement's sexual offender database for each prospective resident before admission or immediately after admission. A facility must maintain verification that all residents have been screened. The information obtained may be used by the facility to assess the needs of the resident and to provide adequate and appropriate health care and protective and support services in accordance with this part. The information obtained may be disclosed to other residents. The facility does not have to rescreen a resident who is away from a facility for no more than 45 days.

Facilities that have been awarded a Gold Seal under the program established in s. 400.235 may develop a plan to provide certified nursing assistant training as prescribed by federal regulations and state rules and may apply to the agency for approval of their program.

Section 3. Subsection (3) of section 400.19, Florida Statutes, is amended to read:

400.19 Right of entry and inspection.—

(3) The agency shall every 15 months conduct at least one unannounced inspection to determine compliance by the licensee with statutes~~,~~ and *related* ~~with~~ rules ~~promulgated under the provisions of those statutes,~~ governing minimum standards of construction, quality and adequacy of care, and rights of residents. The survey shall be conducted every 6 months for the next 2-year period if the facility has been cited for a class I deficiency, has been cited for two or more class II deficiencies arising from separate surveys or investigations within a 60-day period, or has had three or more substantiated complaints within a 6-month period, each resulting in at least one class I or class II deficiency. In addition to any other fees or fines in this part, the agency shall assess a fine for each facility that is subject to the 6-month survey cycle. The fine for the 2-year period shall be $6,000, one-half to be paid at the completion of each survey. The agency may adjust this fine by the change in the Consumer Price Index, based on the 12 months immediately preceding the *change* ~~increase~~, to cover the cost of the additional surveys. The agency shall verify through subsequent inspection that any deficiency identified during inspection is corrected. However, the agency may verify the correction of a class III or class IV deficiency unrelated to resident rights or resident care without reinspecting the facility if adequate written documentation has been received from the facility, which provides assurance that the deficiency has been corrected. ~~The giving or causing to be given of advance notice of such unannounced inspections by an employee of the agency to any unauthorized person~~

~~shall constitute cause for suspension of not fewer than 5 working days according to the provisions of chapter 110.~~

Section 4. Effective April 1, 2009, section 400.215, Florida Statutes, is amended to read:

400.215 *Background* ~~Personnel~~ screening ~~requirement~~.—

(1) ~~The agency shall require~~ Background screening as provided in chapter 435 *is required* for all *nursing home facility* employees ~~or prospective employees of facilities licensed under this part~~ who are expected to, or whose responsibilities may require them to:

(a) Provide personal care or services to residents;

(b) Have access to resident living areas; or

(c) Have access to resident funds or other personal property.

(2) Background screening as provided in chapter 435 is required for all nursing home facility contracted workers who are expected to, or whose responsibilities may require them to, provide personal care or services to residents. The facility shall maintain verification that such contracted workers have been screened pursuant to this section. The facility may either obtain a copy of the qualifying screening results from the entity or receive an affidavit from the entity which specifies that a background screen has been performed on all contracted workers sent to the facility. Contracted workers who do not provide personal care or services to residents are not required to be screened pursuant to this section but must sign in at the reception desk or nurses' station upon entering the facility, wear an identification badge while on the premises, and sign out before leaving the facility. The nursing facility shall maintain a log containing the information collected.

(3)~~(2)~~ Employers*,* ~~and~~ employees*, contractors, and contracted workers* shall comply with the requirements of s. 435.05.

(a) Notwithstanding ~~the provisions of~~ s. 435.05(1), facilities must have in their possession evidence that level 1 screening *under s. 435.03* has been completed before allowing an employee *or contracted worker* to begin *employment in the facility* ~~working with patients~~ as provided in subsection (1). All information necessary for conducting *level 1* ~~background~~ screening ~~using level 1 standards as specified in s. 435.03~~ shall be submitted by the nursing facility to the agency. Results of the background screening shall be provided by the agency to the requesting nursing facility.

(b) Employees *and contracted workers* qualified under ~~the provisions of~~ paragraph (a) who have not maintained continuous residency within the state for the 5 years immediately preceding the date of request for background screening must complete level 2 screening, as provided in *s. 435.04* ~~chapter 435~~. ~~Such~~ Employees may work in a conditional status *for* up to 180 days pending the receipt of written findings evidencing the completion of level 2 screening. *Contracted workers who are awaiting the completion of level 2 screening may work only under the direct and visual supervision of persons who have met the screening requirements of this section.* Level 2 screening *is* ~~shall~~ not ~~be~~ required *for* ~~of~~ employees*,* ~~or~~ prospective employees*, or contracted workers* who attest in writing under penalty of perjury that they meet the residency requirement. *To complete* ~~Completion of~~ level 2 screening*:* ~~shall require~~

1. The employee or *contracted worker shall* ~~prospective employee to~~ furnish to the nursing facility a full set of fingerprints *for conducting a federal criminal records check* ~~to enable a criminal background investigation to be conducted~~.

2. The nursing facility shall submit the completed fingerprint card to the agency.

3. The agency shall establish a record of the request in the database provided for in paragraph (c) and forward the request to the Department of Law Enforcement, which is authorized to submit the fingerprints to the Federal Bureau of Investigation for a national criminal history records check.

4. The results of the national criminal history records check shall be returned to the agency, which shall maintain the results in the database provided for in paragraph (c).

5. The agency shall notify the administrator of the requesting nursing facility or the administrator of any other *requesting* facility licensed under chapter 393, chapter 394, chapter 395, chapter 397, chapter 429, or this chapter~~, as requested by such facility,~~ as to whether ~~or not~~ the employee has qualified under level 1 or level 2 screening.

An employee or *contracted worker* ~~prospective employee~~ who has qualified under level 2 screening and has maintained ~~such~~ continuous residency within the state *is* ~~shall~~ not ~~be~~ required to complete a subsequent level 2 screening as a condition of employment at another facility.

(c) The agency shall establish and maintain a database *that includes* ~~of background screening information which shall include~~ the results of *all* ~~both~~ level 1 and level 2 screening. The Department of Law Enforcement shall timely provide to the agency, electronically, the results of each statewide screening for incorporation into the database. The agency shall, upon request from any facility, agency, or program required by or authorized by law to screen its employees or *contracted workers* ~~applicants~~, notify the administrator of the facility, agency, or program of the qualifying or disqualifying status of the *person* ~~employee or applicant~~ named in the request.

(d) ~~Applicants and~~ Employees*, prospective employees, and contracted workers* shall be excluded from employment pursuant to s. 435.06*, and may not be employed or resume employment until exempted or all appeals have been resolved in favor of the person screened. However, an employee of a nursing facility, employed prior to October 1, 1998, who is determined to have a disqualifying offense occurring after October 1, 1998, may continue employment pending the outcome of an exemption request if such request is made within 30 days of receipt of the results of the background screening. An employee of a nursing facility, employed before October 1, 1998, who is determined to have a disqualifying offense before October 1, 1998, but does not have a disqualifying offense after that date, is not required to submit an exemption request pursuant to s. 435.07 and may continue his or her employment.*

Notwithstanding chapter 435, the agency may not provide to the employer the results of background screening for offenses occurring prior to October 1, 1998, for persons employed before October 1, 1998, except for an absolute disqualifying offense. For the purposes of this section, the term "absolute disqualifying offense" means a felony offense pursuant to s. 787.01(3)(a); s. 787.02(3)(a); s. 787.025, s. 796.03; s. 796.035; s. 800.04, except for crimes identified in ss. 800.04(7)(c) and (d); s. 825.1025; s. 827.071; s. 847.0133; s. 847.0135(2) and (3); s. 847.0137(2) and (3); and s. 847.0138(2) and (3); s. 847.0145; s. 796.045; or chapter 794. Notwithstanding s. 435.07, a person who has been convicted of, or entered a plea of guilty or nolo contendere, regardless of adjudication, to an absolute disqualifying offense may not be granted an exemption from disqualification from employment. Neither the agency nor an employer is required to rescreen or reevaluate qualifications for employment of a person who was screened by that employer and continuously employed before April 1, 2009.

(4)~~(3)~~ The *person being screened* ~~applicant~~ is responsible for paying the fees associated with obtaining the required screening. Payment for the screening shall be submitted to the agency. The agency shall establish a schedule of fees to cover the costs of level 1 and level 2 screening. Facilities may *pay* ~~reimburse employees~~ for these costs. The Department of Law Enforcement shall charge the agency for a level 1 or level 2 screening a rate sufficient to cover the costs of ~~such~~ screening pursuant to s. 943.053(3). The agency shall, as allowable, reimburse nursing facilities for the cost of conducting background screening as required by this section. This reimbursement *is* ~~will~~ not ~~be~~ subject to any rate ceilings or payment targets in the Medicaid Reimbursement plan.

(5)~~(4)(a)~~ As provided in s. 435.07*:*~~,~~

(a) The agency may grant an exemption from disqualification to an employee*,* ~~or~~ prospective employee*, or contracted worker* who is subject to this section and who has not received a professional license or certification from the Department of Health.

(b) ~~As provided in s. 435.07,~~ The appropriate regulatory board within the Department of Health, or that department itself when there is no board, may grant an exemption from disqualification to an employee*,* ~~or~~ prospective employee*, or contracted worker* who is subject to this section and who has received a professional license or certification from the Department of Health or a regulatory board within that department.

(6)~~(5)~~ ~~Any provision of law to the contrary notwithstanding,~~ Persons who have been screened and qualified as required by this section*,* ~~and~~ who have not been unemployed for more than 180 days ~~thereafter~~, and who*,* under penalty of perjury*,* attest to not having been convicted of a disqualifying offense since the completion of such screening *are*~~, shall~~ not ~~be~~ required to be rescreened. An employer may obtain, pursuant to s. 435.10, written verification of qualifying screening results from the previous employer*, contractor,* or other entity *that* ~~which~~ caused *the* ~~such~~ screening to be performed.

(7)~~(6)~~ The agency and the Department of Health *may* ~~shall have authority to~~ adopt rules *to administer* ~~pursuant to the Administrative Procedure Act to implement~~ this section.

~~(7) All employees shall comply with the requirements of this section by October 1, 1998. No current employee of a nursing facility as of the effective date of this act shall be required to submit to rescreening if the nursing facility has in its possession written evidence that the person has been screened and qualified according to level 1 standards as specified in s. 435.03(1). Any current employee who meets the level 1 requirement but does not meet the 5-year residency requirement as specified in this section must provide to the employing nursing facility written attestation under penalty of perjury that the employee has not been convicted of a disqualifying offense in another state or jurisdiction. All applicants hired on or after October 1, 1998, shall comply with the requirements of this section.~~

(8) There is no monetary or unemployment liability on the part of, and *a* ~~no~~ cause of action for damages *does not arise* ~~arising~~ against*,* an employer that, upon notice of a disqualifying offense listed under chapter 435 or an act of domestic violence, terminates the employee against whom the report was issued, whether or not the employee has filed for an exemption with the Department of Health or the agency ~~for Health Care Administration~~.

Section 5. Subsection (6) is added to section 408.809, Florida Statutes, to read:

408.809 Background screening; prohibited offenses.—

(6) The agency shall establish a schedule of fees to cover the costs of any level 1 or level 2 screening required pursuant to this part or other authorizing statutes and may adopt rules to carry out these screenings and for the schedule of fees.

Section 6. Subsection (5) of section 408.810, Florida Statutes, is amended to read:

408.810 Minimum licensure requirements.—In addition to the licensure requirements specified in this part, authorizing statutes, and applicable rules, each applicant and licensee must comply with the requirements of this section in order to obtain and maintain a license.

(5) *Each licensee must:*

(a) On or before the first day services are provided to a client, ~~a licensee must~~ inform the client and his or her immediate family or representative, if appropriate, of the right to report:

1. Complaints. The statewide toll-free telephone number for reporting complaints to the agency must be provided to clients in a manner that is clearly legible and must include the words: "To report a complaint regarding the services you receive, please call toll-free (phone number)."

2. Abusive, neglectful, or exploitative practices. The statewide toll-free telephone number for the central abuse hotline must be provided to clients in a manner that is clearly legible and must include the words: "To report abuse, neglect, or exploitation, please call toll-free (phone number)." The agency shall publish a minimum of a 90-day advance notice of a change in the toll-free telephone numbers.

(b) ~~Each licensee shall~~ Establish appropriate policies and procedures for providing such notice to clients.

(c) Publicly display a poster approved by the agency containing the names, addresses, and telephone numbers for the state's central abuse hotline, the State Long-Term Care Ombudsman, the agency's consumer hotline, the Advocacy Center for Persons with Disabilities, the Florida Statewide Advocacy Council, and the Medicaid Fraud Control Unit, along with a clear description of the assistance to be expected from each. The Statewide Public Guardianship Office and its website shall also be listed. The agency shall make the poster available on the Internet. Providers may download the poster, at no charge, from the agency's website.

Section 7. Section 408.811, Florida Statutes, is amended to read:

408.811 Right of inspection; copies; inspection reports.—

(1) An authorized officer or employee of the agency may make or cause to be made any inspection or investigation deemed necessary by the agency to determine the state of compliance with this part, authorizing statutes, and applicable rules. The right of inspection extends to any business that the agency has reason to believe is being operated as a provider without a license, but inspection of any business suspected of being operated without the appropriate license may not be made without the permission of the owner or person in charge unless a warrant is first obtained from a circuit court. Any application for a license issued under this part, authorizing statutes, or applicable rules constitutes permission for an appropriate inspection to verify the information submitted on or in connection with the application.

(a) All inspections shall be unannounced, except as specified in s. 408.806. *The giving or causing to be given of advance notice of the unannounced inspection by an agency employee to any unauthorized person shall, in accordance with chapter 110, constitute cause for suspension of the employee for at least 5 working days.*

(b) Inspections for relicensure shall be conducted biennially unless otherwise specified by authorizing statutes or applicable rules.

(c) Deficiencies found during an inspection or investigation must be corrected within 30 days unless an alternative timeframe is required or approved by the agency.

(d) The agency may require an applicant or licensee to submit a plan of correction for deficiencies. If required, the plan of correction must be filed with the agency within 10 days unless an alternative timeframe is required.

(2) Inspections conducted in conjunction with certification may be accepted in lieu of a complete licensure inspection. However, a licensure inspection may also be conducted to review any licensure requirements that are not also requirements for certification.

(3) The agency shall have access to and the licensee shall provide copies of all provider records required during an inspection at no cost to the agency.

(4)(a) Each licensee shall maintain as public information, available upon request, records of all inspection reports pertaining to that provider that have been filed by the agency unless those reports are exempt from or contain information that is exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution or is otherwise made confidential by law. Effective October 1, 2006, copies of such reports shall be retained in the records of the provider for at least 3 years following the date the reports are filed and issued, regardless of a change of ownership.

(b) A licensee shall, upon the request of any person who has completed a written application with intent to be admitted by such provider, any person who is a client of such provider, or any relative, spouse, or guardian of any such person, furnish to the requester a copy of the last inspection report pertaining to the licensed provider that was issued by the agency or by an accrediting organization if such report is used in lieu of a licensure inspection.

(c) As an alternative to sending reports required by this part or authorizing statutes, the agency may provide electronic access to information or documents.

Section 8. Subsection (2) of section 415.103, Florida Statutes, is amended to read:

415.103 Central abuse hotline.—

(2) Upon receiving an oral or written report of known or suspected abuse, neglect, or exploitation of a vulnerable adult, the central abuse hotline *shall* ~~must~~ determine if the report requires an immediate onsite protective investigation.

(a) For reports requiring an immediate onsite protective investigation, the central abuse hotline must immediately notify the department's designated protective investigative district staff responsible for protective investigations to ensure prompt initiation of an onsite investigation.

(b) For reports not requiring an immediate onsite protective investigation, the central abuse hotline must notify the department's designated protective investigative district staff responsible for protective investigations in sufficient time to allow for an investigation to be commenced within 24 hours. At the time of notification ~~of district staff with respect to the report~~, the central abuse hotline must also provide any ~~known information on any~~ previous *reports* ~~report~~ concerning *the* ~~a~~ subject of the present report or any pertinent information relative to the present report or any noted earlier reports.

(c) If the report is of known or suspected abuse of a vulnerable adult by someone other than a relative, caregiver, or household member, the call shall be immediately transferred to the appropriate county sheriff's office.

Section 9. Paragraph (e) of subsection (1) and paragraph (g) of subsection (2) of section 415.1051, Florida Statutes, are amended to read:

415.1051 Protective services interventions when capacity to consent is lacking; nonemergencies; emergencies; orders; limitations.—

(1) NONEMERGENCY PROTECTIVE SERVICES INTERVENTIONS.—If the department has reasonable cause to believe that a vulnerable adult or a vulnerable adult in need of services is being abused, neglected, or exploited and is in need of protective services but lacks the capacity to consent to protective services, the department shall petition the court for an order authorizing the provision of protective services.

(e) Continued protective services.—

1. *Within* ~~No more than~~ 60 days after the date of the order authorizing the provision of protective services, the department shall petition the court to determine whether:

a. Protective services *are to* ~~will~~ be continued with the consent of the vulnerable adult pursuant to this subsection;

b. Protective services *are to* ~~will~~ be continued for the vulnerable adult who lacks capacity;

c. Protective services *are to* ~~will~~ be discontinued; or

d. A petition for guardianship *shall* ~~should~~ be filed pursuant to chapter 744.

2. If the court determines that a petition for guardianship *shall* ~~should~~ be filed pursuant to chapter 744, the court, for good cause shown, may order continued protective services until it makes a determination regarding capacity.

3. If the department has a good faith belief that the vulnerable adult lacks capacity, the petition to determine incapacity under s. 744.3201 may be filed by the department. Once the petition is filed, the department may not be appointed guardian and may not provide legal counsel for the guardian.

(2) EMERGENCY PROTECTIVE SERVICES INTERVENTION.—If the department has reasonable cause to believe that a vulnerable adult is suffering from abuse or neglect that presents a risk of death or serious physical injury to the vulnerable adult and that the vulnerable adult lacks the capacity to consent to emergency protective services, the department may take action under this subsection. If the vulnerable adult has the capacity to consent and refuses consent to emergency protective services, emergency protective services may not be provided.

(g) Continued emergency protective services.—

1. *Within* ~~Not more than~~ 60 days after the date of the order authorizing the provision of emergency protective services, the department shall petition the court to determine whether:

a. Emergency protective services *are to* ~~will~~ be continued with the consent of the vulnerable adult;

b. Emergency protective services *are to* ~~will~~ be continued for the vulnerable adult who lacks capacity;

c. Emergency protective services *are to* ~~will~~ be discontinued; or

d. A petition *shall* ~~should~~ be filed under chapter 744.

2. If it is decided to file a petition under chapter 744, for good cause shown, the court may order continued emergency protective services until a determination is made by the court.

3. If the department has a good faith belief that the vulnerable adult lacks capacity, the petition to determine incapacity under s. 744.3201 may be filed by the department. Once the petition is filed, the department may not be appointed guardian and may not provide legal counsel for the guardian.

Section 10. Section 415.112, Florida Statutes, is amended to read:

415.112 Rules ~~for implementation of ss. 415.101-415.113~~.—The department shall *adopt* ~~promulgate~~ rules *to administer this chapter including, but not limited to:* ~~for the implementation of ss. 415.101-415.113.~~

(1) Background screening of department employees and employee applicants which includes a criminal records check and drug testing of adult protective investigators and adult protective investigator supervisors.

(2) The reporting of adult abuse, neglect, exploitation, a vulnerable adult in need of services, false reporting, and adult protective investigations.

(3) Confidentiality and retention of department records, access to records, and record requests.

(4) Injunctions and other protective orders.

(5) The provision of emergency and nonemergency protective services intervention.

(6) Agreements with law enforcement and other state agencies.

(7) Legal and casework procedures, including, but not limited to, diligent search, petitions, emergency removals, capacity to consent, and adult protection teams.

(8) The legal and casework management of cases involving protective supervision, protective orders, judicial reviews, administrative reviews, case plans, and documentation requirements.

Section 11. Paragraphs (b) and (c) of subsection (3) of section 429.07, Florida Statutes, are amended to read:

429.07 License required; fee.—

(3) In addition to the requirements of s. 408.806, each license granted by the agency must state the type of care for which the license is granted. Licenses shall be issued for one or more of the following categories of care: standard, extended congregate care, limited nursing services, or limited mental health.

(b) An extended congregate care license shall be issued to facilities providing, directly or through contract, services beyond those authorized in paragraph (a), including *services performed by persons licensed under* ~~acts performed pursuant to~~ part I of chapter 464 ~~by persons licensed thereunder~~, and supportive services*, as* defined by rule*,* to persons who *would* otherwise ~~would~~ be disqualified from continued residence in a facility licensed under this part.

1. *To obtain an* ~~In order for~~ extended congregate care *license* ~~services to be provided in a facility licensed under this part~~, the agency must first determine that all requirements established in law and rule are met and must specifically designate, on the facility's license, that such services may be provided and whether the designation applies to all or part of *the* ~~a~~ facility. Such designation may be made at the time of initial licensure or relicensure, or upon request in writing by a licensee under this part and part II of chapter 408. Notification of approval or denial of *the* ~~such~~ request shall be made in accordance with part II of chapter 408. ~~Existing~~

2. Facilities *applying for, and facilities currently licensed* ~~qualifying~~ to provide*,* extended congregate care services must have ~~maintained~~ a standard license and may not have been subject to administrative sanctions during the previous 2 years, or since initial licensure if the facility has been licensed for less than 2 years, for any of the following reasons:

a. A class I or class II violation;

b. Three or more repeat or recurring class III violations of identical or similar resident care standards as specified in rule from which a pattern of noncompliance is found by the agency;

c. Three or more class III violations that were not corrected in accordance with the corrective action plan approved by the agency;

d. Violation of resident care standards *which result in requiring the facility* ~~resulting in a requirement~~ to employ the services of a consultant pharmacist or consultant dietitian;

e. Denial, suspension, or revocation of a license for another facility *licensed* under this part in which the applicant for an extended congregate care license has at least 25 percent ownership interest; or

f. Imposition of a moratorium pursuant to this part or part II of chapter 408 or initiation of injunctive proceedings.

3.~~2.~~ *A facility that is* ~~Facilities that are~~ licensed to provide extended congregate care services *must* ~~shall~~ maintain a written progress report on each person who receives ~~such~~ services, which report describes the type, amount, duration, scope, and outcome of services that are rendered and the general status of the resident's health. A registered nurse, or appropriate designee, representing the agency shall visit *the facility* ~~such facilities~~ at least quarterly to monitor residents who are receiving extended congregate care services and to determine if the facility is in compliance with this part, part II of chapter 408, and rules that relate to extended congregate care. One of these visits may be in conjunction with the regular survey. The monitoring visits may be provided through contractual arrangements with appropriate community agencies. A registered nurse shall serve as part of the team that inspects *the* ~~such~~ facility. The agency may waive one of the required yearly monitoring visits for a facility that has been licensed for at least 24 months to provide extended congregate care services, if, during the inspection, the registered nurse determines that extended congregate care services are being provided appropriately, and if the facility has no class I or class II violations and no uncorrected class III violations. ~~Before such decision is made,~~ The agency *must first* ~~shall~~ consult with the long-term care ombudsman council for the area in which the facility is located to determine if any complaints have been made and substantiated about the quality of services or care. The agency may not waive one of the required yearly monitoring visits if complaints have been made and substantiated.

4.~~3.~~ Facilities that are licensed to provide extended congregate care services *must* ~~shall~~:

a. Demonstrate the capability to meet unanticipated resident service needs.

b. Offer a physical environment that promotes a homelike setting, provides for resident privacy, promotes resident independence, and allows sufficient congregate space as defined by rule.

c. Have sufficient staff available, taking into account the physical plant and firesafety features of the building, to assist with the evacuation of residents in an emergency~~, as necessary~~.

d. Adopt and follow policies and procedures that maximize resident independence, dignity, choice, and decisionmaking to permit residents to age in place ~~to the extent possible~~, so that moves due to changes in functional status are minimized or avoided.

e. Allow residents or, if applicable, a resident's representative, designee, surrogate, guardian, or attorney in fact to make a variety of personal choices, participate in developing service plans, and share responsibility in decisionmaking.

f. Implement the concept of managed risk.

g. Provide, ~~either~~ directly or through contract, the services of a person licensed pursuant to part I of chapter 464.

h. In addition to the training mandated in s. 429.52, provide specialized training as defined by rule for facility staff.

5.~~4.~~ Facilities licensed to provide extended congregate care services are exempt from the criteria for continued residency ~~as~~ set forth in rules adopted under s. 429.41. Facilities so licensed *must* ~~shall~~ adopt their own requirements within guidelines for continued residency set forth by rule. However, such facilities may not serve residents who require 24-hour nursing supervision. Facilities licensed to provide extended congregate care services *must* ~~shall~~ provide each resident with a written copy of facility policies governing admission and retention.

6.~~5.~~ The primary purpose of extended congregate care services is to allow residents, as they become more impaired, the option of remaining in a familiar setting from which they would otherwise be disqualified for continued residency. A facility licensed to provide extended congregate care services may also admit an individual who exceeds the admission criteria for a facility with a standard license, if the individual is determined appropriate for admission to the extended congregate care facility.

7.~~6.~~ Before admission of an individual to a facility licensed to provide extended congregate care services, the individual must undergo a medical examination ~~as provided in s. 429.26(4)~~ and the facility must develop a preliminary service plan for the individual *as provided in s. 429.26*.

8.~~7.~~ When a facility can no longer provide or arrange for services in accordance with the resident's service plan and needs and the facility's policy, the facility shall make arrangements for relocating the person in accordance with s. 429.28(1)(k).

9.~~8.~~ Failure to provide extended congregate care services may result in denial of extended congregate care license renewal.

~~9. No later than January 1 of each year, the department, in consultation with the agency, shall prepare and submit to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the chairs of appropriate legislative committees, a report on the status of, and recommendations related to, extended congregate care services. The status report must include, but need not be limited to, the following information:~~

~~a. A description of the facilities licensed to provide such services, including total number of beds licensed under this part.~~

~~b. The number and characteristics of residents receiving such services.~~

~~c. The types of services rendered that could not be provided through a standard license.~~

~~d. An analysis of deficiencies cited during licensure inspections.~~

~~e. The number of residents who required extended congregate care services at admission and the source of admission.~~

~~f. Recommendations for statutory or regulatory changes.~~

~~g. The availability of extended congregate care to state clients residing in facilities licensed under this part and in need of additional services, and recommendations for appropriations to subsidize extended congregate care services for such persons.~~

~~h. Such other information as the department considers appropriate.~~

(c) A limited nursing services license shall be issued to a facility that provides services beyond those authorized in paragraph (a) and as specified in this paragraph.

1. *To obtain a* ~~In order for~~ limited nursing services *license* ~~to be provided in a facility licensed under this part~~, the agency must first determine that all requirements established in law and rule are met and must specifically designate, on the facility's license, that such services may be provided. Such designation may be made at the time of initial licensure or relicensure, or upon request in writing by a licensee under this part and part II of chapter 408. Notification of approval or denial of such request shall be made in accordance with part II of chapter 408. ~~Existing~~

2. Facilities *applying for, and facilities currently licensed* ~~qualifying~~ to provide*,* limited nursing services *must* ~~shall~~ have ~~maintained~~ a standard license and may not have been subject to administrative sanctions that affect the health, safety, and welfare of residents for the previous 2 years or since initial licensure if the facility has been licensed for less than 2 years.

3.~~2.~~ Facilities that are licensed to provide limited nursing services shall maintain a written progress report on each person who receives ~~such~~ nursing services, which report describes the type, amount, duration, scope, and outcome of services that are rendered and the general status of the resident's health. A registered nurse representing the agency shall visit such facilities at least twice a year to monitor residents who are receiving limited nursing services and to determine if the facility is in compliance with applicable provisions of this part, part II of chapter 408, and related rules. The monitoring visits may be provided through contractual arrangements with appropriate community agencies. A registered nurse shall also serve as part of the team that inspects *the* ~~such~~ facility.

4.~~3.~~ A person who receives limited nursing services ~~under this part~~ must meet the admission criteria established by the agency for assisted living facilities. *If* ~~When~~ a resident no longer meets the admission criteria for a facility licensed under this part, arrangements for relocating the person shall be made in accordance with s. 429.28(1)(k), unless the facility is *also* licensed to provide extended congregate care services.

Section 12. Effective April 1, 2009, section 429.174, Florida Statutes, is amended to read:

429.174 Background screening; exemptions.—

(1) The owner or administrator of an assisted living facility must conduct level 1 ~~background~~ screening, as set forth in chapter 435, on all employees ~~hired on or after October 1, 1998,~~ who perform personal services *or who have access to resident living areas* ~~as defined in s. 429.02(16)~~. The agency may exempt an individual from ~~employment~~ disqualification as set forth in *s. 435.07* ~~chapter 435~~. *However, such person may not be employed or resume employment pending the granting of an exemption or until all appeals have been resolved in favor of the person screened. A person employed before October 1, 1998, who is determined to have a disqualifying offense occurring after October 1, 1998, may continue employment pending the outcome of an exemption request if such request is made within 30 days of receipt of the results of the background screening. A person employed before October 1, 1998, who is determined to have a disqualifying offense before October 1, 1998, but does not have a disqualifying offense after that date, is not required to submit an exemption request pursuant to s. 435.07 and may continue his or her employment. Employees* ~~Such persons~~ shall be considered as having met *the screening requirements* ~~this requirement~~ if:

(a)~~(1)~~ Proof of compliance with level 1 screening ~~requirements~~ obtained to meet ~~any~~ professional license requirements in this state is provided and accompanied, under penalty of perjury, by a copy of the person's current professional license and an affidavit of current compliance with the background screening requirements.

(b)~~(2)~~ The person required to be screened has been continuously employed in the same type of occupation for which the person is seeking employment without a breach in service which exceeds 180 days, and proof of compliance with the level 1 screening requirement which is no more than 2 years old is provided. Proof of compliance shall be provided directly from one employer or contractor to another, and not from the person screened. Upon request, a copy of screening results shall be provided by the employer retaining documentation of the screening to the person screened.

(c)~~(3)~~ The person required to be screened is employed by a corporation or business entity or related corporation or business entity that owns, operates, or manages more than one facility or agency licensed under this chapter, and for whom a level 1 screening was conducted by the corporation or business entity as a condition of initial or continued employment.

Notwithstanding chapter 435, the agency may not provide to the employer the results of background screening for offenses occurring prior to October 1, 1998, for persons employed before October 1, 1998, except for an absolute disqualifying offense. For the purposes of this section, the term "absolute disqualifying offense" means a felony offense pursuant to s. 787.01(3)(a); s. 787.02(3)(a); s. 787.025, s. 796.03; s. 796.035; s. 800.04, except for crimes identified in ss. 800.04(7)(c) and (d); s. 825.1025; s. 827.071; s. 847.0133; s. 847.0135(2) and (3); s. 847.0137(2) and (3); and s. 847.0138(2) and (3); s. 847.0145; s. 796.045; or chapter 794. Notwithstanding s. 435.07, a person who has been convicted of, or entered a plea of guilty or nolo contendere, regardless of adjudication, to an absolute disqualifying offense may not be granted an exemption from disqualification from employment. The agency or an employer is not required to rescreen or reevaluate qualifications for employment of a person who was screened by that employer and continuously employed before April 1, 2009.

(2) Level 1 screening as provided in chapter 435 is required for all contracted workers who are expected to, or whose responsibilities may require them to, provide personal services to residents. The facility shall maintain verification that such contracted workers have been screened pursuant to this section. The facility may either obtain a copy of the qualifying screening results from the entity or receive an affidavit from the entity which specifies that a background screen has been performed on all contracted workers sent to the facility. A contracted worker who does not provide personal services to residents is not required to be screened pursuant to this section but must sign in at the reception desk upon entering the facility, wear an identification badge while on the premises, and sign out before leaving the facility. The facility shall maintain a log containing the information collected.

(3) The person being screened is responsible for paying the fees associated with obtaining the required screening. Payment for the screening shall be submitted to the agency. The agency shall establish a schedule of fees to cover the costs of level 1 and level 2 screening. Facilities may reimburse employees or contracted workers for these costs. The Department of Law Enforcement shall charge the agency for a level 1 or level 2 screening a rate sufficient to cover the costs of screening pursuant to s. 943.053(3).

Section 13. Subsection (1) of section 429.255, Florida Statutes, is amended to read:

429.255 Use of personnel; emergency care.—

(1)(a) *Facility staff, including* persons under contract to the facility, facility *employees* ~~staff~~, or volunteers, who are licensed according to part I of chapter 464, or those persons exempt under s. 464.022(1), and others as defined by rule, may administer medications to residents, take residents' vital signs, manage individual weekly pill organizers for residents who self-administer medication, give prepackaged enemas ordered by a physician, observe residents, document observations on the appropriate resident's record, report observations to the resident's physician, and contract or allow residents or a resident's representative, designee, surrogate, guardian, or attorney in fact to contract with a third party, provided residents meet the criteria for appropriate placement as defined in s. 429.26. Nursing assistants certified pursuant to part II of chapter 464 may take residents' vital signs as directed by a licensed nurse or physician.

(b) *Facility* ~~All~~ staff*, including persons under contract to the facility and facility employees* ~~in facilities licensed under this part~~ shall exercise their professional responsibility to observe residents, to document observations on the appropriate resident's record, ~~and~~ to report the observations to the resident's physician*, and to provide needed services competently*. However, the owner or administrator of the facility *is* ~~shall be~~ responsible for determining that the resident receiving services is appropriate for residence in the facility *and for the provision of and quality of care and services provided to the resident*.

(c) In an emergency situation, licensed personnel may carry out their professional duties pursuant to part I of chapter 464 until emergency medical personnel assume responsibility for care.

Section 14. Present subsections (8) through (12) of section 429.26, Florida Statutes, are renumbered as sections (6) through (10), respectively, and present subsections (1) through (7) of that section, are amended to read:

429.26 Appropriateness of placements; examinations of residents.—

(1) The owner or administrator of a facility is responsible for determining the appropriateness of admission of an individual to the facility and for determining the continued appropriateness of residence of an

individual in the facility. A determination shall be based upon an assessment of the strengths, needs, and preferences of the resident, the care and services offered or arranged for by the facility in accordance with facility policy, and any limitations in law or rule related to admission criteria or continued residency for the type of license held by the facility under this part. *Except as provided in s. 429.28(1)(k),* a resident may not be moved from one facility to another without consultation with and agreement from the resident or, if applicable, the resident's representative or designee or the resident's family, guardian, surrogate, or attorney in fact. *If* ~~In the case of~~ a resident ~~who~~ has been placed by the department or the Department of Children and Family Services, the administrator must notify the appropriate contact person in the applicable department.

~~(2) A physician, physician assistant, or nurse practitioner who is employed by an assisted living facility to provide an initial examination for admission purposes may not have financial interest in the facility.~~

~~(3) Persons licensed under part I of chapter 464 who are employed by or under contract with a facility shall, on a routine basis or at least monthly, perform a nursing assessment of the residents for whom they are providing nursing services ordered by a physician, except administration of medication, and shall document such assessment, including any substantial changes in a resident's status which may necessitate relocation to a nursing home, hospital, or specialized health care facility. Such records shall be maintained in the facility for inspection by the agency and shall be forwarded to the resident's case manager, if applicable.~~

(2)~~(4)~~ If possible, each resident shall have been examined by a licensed physician, a licensed physician assistant, or a licensed nurse practitioner within 60 days before admission to the facility. *The person conducting an examination under this subsection may not have financial interest in the facility.* The signed and completed medical examination report shall be submitted to the owner or administrator of the facility who shall use the information contained *in the report* ~~therein~~ to assist in *determining* ~~the determination of~~ the appropriateness of the resident's admission and continued stay in the facility *and to develop a plan for the provision of services for the resident. The plan must be reviewed and updated annually; however, for a resident receiving nursing services ordered by a physician, except administration of medication, the plan must be reviewed and updated quarterly and whenever a resident experiences a significant change in condition.* The medical examination report *and plan for services* shall *be reported on a single form provided by the agency or a community supported-living plan for mental health residents. The plan shall* become a permanent part of the record of the resident at the facility and shall be made available to the agency during inspection or upon request. An assessment that has been completed through the Comprehensive Assessment and Review for Long-Term Care Services (CARES) Program fulfills the requirements for a medical examination under this subsection ~~and s. 429.07(3)(b)6~~.

(a)~~(5)~~ Except as provided in s. 429.07, if a medical examination has not been completed within 60 days before the admission of the resident to the facility, *medical personnel* ~~a licensed physician, licensed physician assistant, or licensed nurse practitioner~~ shall examine the resident and complete a medical examination form provided by the agency within 30 days following ~~the~~ admission to the facility ~~to enable the facility owner or administrator to determine the appropriateness of the admission~~. ~~The medical examination form shall become a permanent part of the record of the resident at the facility and shall be made available to the agency during inspection by the agency or upon request.~~

(b)~~(6)~~ Any resident accepted in a facility and placed by the department or the Department of Children and Family Services *must be* ~~shall have been~~ examined by medical personnel within 30 days before placement in the facility *and recorded on a medical examination form provided by the agency*. The examination shall include an assessment of the appropriateness of placement in a facility. ~~The findings of this examination shall be recorded on the examination form provided by the agency. The completed form shall accompany the resident and shall be submitted to the facility owner or administrator.~~ *For* ~~Additionally, in the case of~~ a mental health resident, the Department of Children and Family Services must provide documentation that the individual has been assessed by a psychiatrist, clinical psychologist, clinical social worker, or psychiatric nurse, or an individual who is supervised by one of these professionals, and determined to be appropriate to reside in an assisted living facility. The documentation must be in the facility within 30 days after the mental health resident has been admitted to the facility. An evaluation completed upon discharge from a state mental hospital meets the requirements of this subsection related to appropriateness for placement as a mental health resident providing it was completed within 90 days prior to admission to the facility. The applicable department shall provide to the facility administrator any information about the resident that would help the administrator meet his or her responsibilities under *this section* ~~subsection (1)~~. Further, department personnel shall explain to the facility operator any special needs of the resident and advise the operator whom to call should problems arise. The applicable department shall advise and assist the facility administrator where the special needs of residents who are recipients of optional state supplementation require such assistance.

(3) Effective April 1, 2009, a search of the Department of Law Enforcement's sexual offender database for each prospective resident must be conducted by the facility before admission or immediately after admission. The facility must maintain verification that all residents have been screened. The information obtained may be used by the facility to assess the needs of the resident and the care and services offered or arranged by the facility in accordance with this section. The information obtained may be disclosed to other residents. The facility does not have to rescreen a resident who is away from a facility for not more than 45 days.

(4) Persons licensed under part I of chapter 464 who are employed by or under contract with a facility shall, at least monthly, perform a nursing assessment of residents for whom they are providing nursing services ordered by a physician, except administration of medication, and shall document such assessment, including any substantial change in a resident's status which may necessitate relocation to a nursing home, hospital, or specialized health care facility. The records must be maintained in the facility for inspection by the agency and shall be forwarded to the resident's case manager, if applicable.

(5)~~(7)~~ *Residents shall be periodically assessed to determine if the resident is capable of handling his or her personal and financial affairs and, if not, whether a responsible person such as a resident representative or designee, guardian, surrogate, or attorney in fact is available to make decisions on behalf of the resident. If a resident is having difficulty handling his or her personal or financial affairs because of a decline in health or cognitive abilities, the owner or administrator shall contact the resident's representative or designee, guardian, surrogate, or attorney in fact. If a resident does not have family or a legal representative to make decisions on his or her behalf, the owner or administrator must contact the Florida Abuse Hotline.* The facility must notify a licensed physician when a resident exhibits signs of dementia or cognitive impairment or has a change of condition in order to rule out the presence of an underlying physiological condition that may be contributing to such dementia or impairment. The notification must occur within 30 days after the acknowledgment of such signs by facility staff. If an underlying condition is determined to exist, the facility shall arrange, with the appropriate health care provider, the necessary care and services to treat the condition.

Section 15. Subsections (3) through (8) of section 429.27, Florida Statutes, are renumbered as subsections (6) through (11), respectively, and subsections (1) and (2) of that section, are amended to read:

429.27 Property and personal affairs of residents.—

(1)~~(a)~~ A resident shall be given the option of using his or her own belongings, as space permits; choosing his or her roommate; and, whenever possible, unless the resident is adjudicated incompetent or incapacitated under state law, managing his or her own affairs.

(2)~~(b)~~ The admission of a resident to a facility *does* ~~and his or her presence therein shall~~ not confer on the facility or its owner, administrator, *staff* ~~employees~~, or representatives any authority to manage, use, or dispose of any property of the resident *or to make financial or health care decisions on behalf of the resident*~~; nor shall such admission or presence confer on any of such persons any authority or responsibility for the personal affairs of the resident~~, except *if* ~~that which may be~~ necessary for the safe management of the facility or for the safety of the resident.

(3)~~(2)~~ A facility, or an owner, administrator, *staff* ~~employee~~, or representative thereof, may not act as the *resident's representative or designee,* guardian, *health care surrogate,* trustee, or conservator for *a* ~~any~~ resident ~~of the assisted living facility~~ or any of *the* ~~such~~ resident's property *unless the person is a relative of the resident*.

(4) A facility ~~An~~ owner, administrator, or staff member, or representative thereof, may not act as a competent resident's payee for social security, veteran's, or railroad benefits without the consent of the resident. Any facility ~~whose~~ owner, administrator, or staff, or representative thereof *who*~~,~~ serves as representative payee for *a* ~~any~~ resident *must* ~~of the facility shall~~ file a surety bond with the agency in an amount equal to twice the average monthly aggregate income or personal funds due to residents, or expendable for *his or her* ~~their~~ account, which are received by a facility.

(5) Any facility ~~whose~~ owner, administrator, or staff, or ~~a~~ representative thereof *who*~~,~~ is granted power of attorney for *a* ~~any~~ resident *must* ~~of the facility shall~~ file a surety bond with the agency for each resident for whom such power of attorney is granted. The surety bond *must* ~~shall~~ be in an amount equal to twice the average monthly income of the resident, plus the value of any resident's property under the control of the attorney in fact. The bond *must* ~~shall~~ be executed by the facility as principal and a licensed surety company. The bond shall be conditioned upon the faithful compliance of the facility with this section and shall run to the agency for the benefit of any resident who suffers a financial loss as a result of the misuse or misappropriation ~~by a facility~~ of funds held pursuant to this subsection. Any surety company that cancels or does not renew the bond of any licensee shall notify the agency in writing not less than 30 days in advance of such action, giving the reason for the cancellation or nonrenewal. Any facility owner, administrator, or staff, or representative thereof, who is granted power of attorney for *a* ~~any~~ resident ~~of the facility~~ shall, on a monthly basis, ~~be required to~~ provide the resident *with* a written statement of any transaction made on behalf of the resident pursuant to this subsection, and a copy of such statement ~~given to the resident~~ shall be retained in each resident's file and available for agency inspection.

Section 16. Paragraphs (k) and (l) of subsection (1), subsection (2), and paragraph (b) of subsection (3) of section 429.28, Florida Statutes, are amended to read:

429.28 Resident bill of rights.—

(1) No resident of a facility shall be deprived of any civil or legal rights, benefits, or privileges guaranteed by law, the Constitution of the State of Florida, or the Constitution of the United States as a resident of a facility. Every resident of a facility shall have the right to:

(k) *Receive* at least 45 days' *written* notice of relocation or termination of residency from the *licensee as provided in s. 429.285, unless the relocation or termination of residency is initiated by the resident or the resident designee;* ~~facility unless,~~ for medical reasons, the resident is certified by a physician to require an emergency relocation to a facility providing a more skilled level of care*;* or the resident engages in a pattern of conduct that is harmful or offensive to other residents. ~~In the case of a resident who has been adjudicated mentally incapacitated, the guardian shall be given at least 45 days' notice of a nonemergency relocation or residency termination. Reasons for relocation shall be set forth in writing.~~ In order for a *licensee* ~~facility~~ to terminate the residency of an individual without notice as provided *in this paragraph* ~~herein~~, the *licensee* ~~facility~~ shall show good cause in a court of competent jurisdiction. *Admission to a facility licensed under this part may not be conditioned upon a waiver of such right, and any document or provision in a document that purports to waive or preclude such right is void and unenforceable.*

(l) Present grievances and recommend changes in policies, procedures, and services to the staff of the facility, governing officials, or any other person without restraint, interference, coercion, discrimination, or reprisal. Each *licensee* ~~facility~~ shall establish a *written* grievance procedure to facilitate the residents' exercise of this right. This right includes access to ombudsman volunteers and advocates and the right to be a member of, to be active in, and to associate with advocacy or special interest groups. *Each licensee shall maintain a written log of grievances that shall be available for inspection and shall be maintained for at least 2 years. Residents may provide verbal or written grievances.*

(2) The administrator of a facility shall ensure that a written notice of the rights, obligations, and prohibitions set forth in this part is posted in a prominent place in each facility and read or explained to residents who cannot read. This notice shall include the name, address, and telephone numbers of the local ombudsman council and central abuse hotline and, when applicable, the Advocacy Center for Persons with Disabilities, Inc., and the Florida local advocacy council, where complaints may be lodged. The *licensee* ~~facility~~ must ensure a resident's access to a telephone to call the local ombudsman council, central abuse hotline, Advocacy Center for Persons with Disabilities, Inc., and the Florida local advocacy council.

(3)

(b) In order to determine whether the *licensee* ~~facility~~ is adequately protecting residents' rights, the biennial survey shall include private informal conversations with a sample of residents and consultation with the ombudsman council in the planning and service area in which the facility is located to discuss residents' experiences within the facility.

Section 17. Section 429.285, Florida Statutes, is created to read:

429.285 Resident relocation or termination of residency; requirements and procedures.—

(1) A facility licensed under this part must permit a resident to remain in the facility. Relocation or termination of residency of a resident may not occur unless:

(a) The relocation or termination of residency is necessary for the resident's welfare and the resident's needs cannot be met in the facility;

(b) The relocation or termination of residency is appropriate because the resident's health has improved sufficiently so that the resident no longer needs the services provided by the facility;

(c) The health and safety of other residents or facility employees would be endangered;

(d) The resident has failed, after at least 30 days' notice, to provide payment for his or her stay in the facility;

(e) The facility ceases to operate;

(f) There is a documented pattern of harmful and offensive behavior by the resident; or

(g) The contract provided for under s. 429.24(1) between the licensee and the resident expires on its own terms.

(2) When a relocation or termination of residency is initiated by the licensee, the administrator that is relocating the resident or terminating residency, or an individual employed by the facility who is designated by the administrator to act on behalf of the administration, must sign the notice of relocation or termination of residency. Any notice indicating a medical reason for relocation or termination of residency must be signed by the resident's physician or include an attached physician's written order for the relocation or termination of residency.

(3) At least 45 days prior to a proposed relocation or termination of residency, a licensee must provide by certified mail advance written notice of the proposed relocation or termination of residency to the resident and, if known, to a family member or the resident's legal guardian or representative.

(4) The notice must be in writing and contain all information required by state and federal laws, rules, and regulations. A copy of the notice must be placed in the resident's file. The agency shall develop a standard form to be used by all facilities licensed under this part for purposes of notifying residents of a relocation or termination of residency. In addition to any other pertinent information included, the form shall:

(a) Specify the reason allowed under state law justifying the relocation or termination of the residency, with an explanation to support this action.

(b) State the effective date of the relocation or termination of residency and the location to which the resident is being relocated.

(c) Include the right and means to request the local long-term care ombudsman council to review the notice of relocation or termination of residency.

(5) A relocation or termination of residency notice initiated by a licensee must be reported to the Office of State Long-Term Care Ombudsman by mail, electronic mail, or facsimile within 5 business days after a resident's receipt of a notice to relocate or terminate residency. The

Office of State Long-Term Care Ombudsman shall compile and publish the information collected from such notices in the annual report required by s. 400.0065(2)(i). A resident may request that the local long-term care ombudsman council review any notice of relocation or termination of residency given to the resident. When requested by a resident to review such notice, the local long-term care ombudsman council shall do so within 5 business days after receipt of the request.

(6) In the event of an emergency relocation or termination of residency, as provided under s. 429.28(1)(k), notice shall be provided to the resident, the resident's legal guardian or representative, and the local long-term care ombudsman council by telephone or in person. The written notice shall be given before the relocation or termination of residency, if possible, and no later than 5 business days after the relocation or termination of residency. A local long-term care ombudsman council conducting a review under this section shall do so within 2 business days after receipt of the request. The resident's file must include documentation indicating who was contacted, whether the contact was by telephone or in person, and the date and time of the contact.

(7) After receipt of a notice required under this section, the local long-term care ombudsman council may request a private informal conversation with a resident to whom the notice is directed, and, if known, a family member or the resident's legal guardian or representative, to ensure that the licensee is proceeding with the relocation or termination of residency in accordance with the requirements of this section.

(8) The agency may adopt rules pursuant to ss. 120.536(1) and 120.54 to administer this section.

Section 18. Subsection (1) of section 429.294, Florida Statutes, is amended to read:

429.294 Availability of facility records for investigation of resident's rights violations and defenses; penalty.—

(1) Failure to provide complete copies of a resident's records, including, but not limited to, all medical records and the resident's chart, within the control or possession of the facility within 10 days~~, in accordance with the provisions of s. 400.145,~~ shall constitute evidence of failure of that party to comply with good faith discovery requirements and shall waive the good faith certificate and presuit notice requirements under this part by the requesting party.

Section 19. Section 429.34, Florida Statutes, is amended to read:

429.34 Right of entry and inspection.—In addition to the requirements of s. 408.811:~~,~~

(1) Any duly designated officer or employee of the department, the Department of Children and Family Services, the Medicaid Fraud Control Unit of the Office of the Attorney General, the state or local fire marshal, or a member of the state or local long-term care ombudsman council shall have the right to enter unannounced upon and into the premises of any facility licensed pursuant to this part in order to determine the state of compliance with the provisions of this part, part II of chapter 408, and applicable rules. Data collected by the state or local long-term care ombudsman councils or the state or local advocacy councils may be used by the agency in investigations involving violations of regulatory standards.

(2) Every 24 months the agency shall conduct at least one unannounced inspection to determine compliance with this chapter and related rules, including minimum standards of quality and adequacy of care and the rights of residents. Two additional surveys shall be conducted every 6 months for the next year if the facility has been cited for a class I deficiency or two or more class II deficiencies arising from separate surveys or investigations within a 60-day period. In addition to any fines imposed on a facility under s. 429.19, the agency shall assess a fine of $69 per bed for each of the additional two surveys, not to exceed $12,000 each. The agency shall adjust this fine by the change in the Consumer Price Index, based on the 12 months immediately preceding the change, to cover the cost of the additional two surveys. The agency shall verify through subsequent inspections that any deficiency identified during an inspection is corrected. However, the agency may verify the correction of a class III or class IV deficiency unrelated to resident rights or resident care without reinspecting the facility if adequate written documentation has been received from the facility which provides assurance that the deficiency has been corrected.

Section 20. Present subsection (14) of section 429.65, Florida Statutes, is renumbered as subsection (15), and a new subsection (14) is added to that section, to read:

429.65 Definitions.—As used in this part, the term:

(14) "Reside" means the licensee or applicant lives in the adult family care home as a primary residence. For purposes of this part, any two of the following documents that include the adult family care home address and the name of the licensee or applicant may be accepted by the agency as proof that the licensee or applicant resides in the adult family care home:

(a) Homestead exemption documentation;

(b) Lease or rental agreement accompanied by a corresponding utility bill; or

(c) Personal identification issued by a state or federal agency.

Section 21. Subsection (4) of section 429.67, Florida Statutes, is amended to read:

429.67 Licensure.—

(4) Upon receipt of a completed license application or license renewal, and the fee, the agency shall initiate a level 1 background screening as provided under chapter 435 on the adult family-care home provider, the designated relief person, all adult household members, ~~and~~ all staff members*, and any other person who provides personal services to residents or who have routine access to the adult family-care home*.

(a) Proof of compliance with level 1 screening standards which has been submitted within the previous 5 years to meet any facility or professional licensure requirements of the agency or the Department of Health satisfies the requirements of this subsection. Such proof must be accompanied, under penalty of perjury, by a copy of the person's current professional license and an affidavit of current compliance with the background screening requirements.

(b) The person required to be screened must have been continuously employed in the same type of occupation for which the person is seeking employment without a breach in service that exceeds 180 days, and proof of compliance with the level 1 screening requirement which is no more than 2 years old must be provided. Proof of compliance shall be provided directly from one employer or contractor to another, and not from the person screened. Upon request, a copy of screening results shall be provided to the person screened by the employer retaining documentation of the screening.

Section 22. Subsection (3) is added to section 429.69, Florida Statutes, to read:

429.69 Denial, revocation, and suspension of a license.—In addition to the requirements of part II of chapter 408, the agency may deny, suspend, and revoke a license for any of the following reasons:

(3) Failure of the adult family-care home provider who owns or rents the home to live in the home.

Section 23. Paragraph (b) of subsection (1) of section 429.73, Florida Statutes, is amended to read:

429.73 Rules and standards relating to adult family-care homes.—

(1) The agency, in consultation with the department, may adopt rules to administer the requirements of part II of chapter 408. The department, in consultation with the Department of Health, the Department of Children and Family Services, and the agency shall, by rule, establish minimum standards to ensure the health, safety, and well-being of each resident in the adult family-care home pursuant to this part. The rules must address:

(b) Services that must be provided to all residents of an adult family-care home and standards for such services, which must include, but need not be limited to:

1. Room and board.

2. Assistance necessary to perform the activities of daily living.

3. Assistance necessary to administer medication.

4. Supervision of residents.

5. Health monitoring*, including periodic assessments to determine if the resident is competent to handle his or her personal and financial affairs and, if not, whether a responsible person such as a guardian, surrogate, or attorney in fact is available to make decisions on behalf of the resident*.

6. Social and leisure activities.

Section 24. Effective April 1, 2009, subsections (2) and (3) of section 435.03, Florida Statutes, are amended to read:

435.03 Level 1 screening standards.—

(2) Any person for whom employment screening is required by statute must not have been *convicted of* ~~found guilty of, regardless of adjudication~~, or entered a plea of *guilty or* nolo contendere ~~or guilty to~~, *regardless of adjudication, to* any offense prohibited under any of the following ~~provisions of the Florida~~ statutes or under any similar statute of another jurisdiction:

(a) Section 393.135, relating to sexual misconduct with certain developmentally disabled clients and reporting of such sexual misconduct.

(b) Section 394.4593, relating to sexual misconduct with certain mental health patients and reporting of such sexual misconduct.

(c) Section 415.111, relating to abuse, neglect, or exploitation of a vulnerable adult.

(d) Section 782.04, relating to murder.

(e) Section 782.07, relating to manslaughter, aggravated manslaughter of an elderly person or disabled adult, or aggravated manslaughter of a child.

(f) Section 782.071, relating to vehicular homicide.

(g) Section 782.09, relating to killing of an unborn quick child by injury to the mother.

(h) Section 784.011, relating to assault, if the victim of the offense was a minor.

(i) Section 784.021, relating to aggravated assault.

(j) Section 784.03, relating to battery, if the victim of the offense was a minor.

(k) Section 784.045, relating to aggravated battery.

(l) Section 787.01, relating to kidnapping.

(m) Section 787.02, relating to false imprisonment.

(n) Section 794.011, relating to sexual battery.

(o) Former s. 794.041, relating to prohibited acts of persons in familial or custodial authority.

(p) Chapter 796, relating to prostitution.

(q) Section 798.02, relating to lewd and lascivious behavior.

(r) Chapter 800, relating to lewdness and indecent exposure.

(s) Section 806.01, relating to arson.

(t) Chapter 812, relating to theft, robbery, and related crimes, if the offense was a felony.

(u) Section 817.563, relating to fraudulent sale of controlled substances, only if the offense was a felony.

(v) Section 825.102, relating to abuse, aggravated abuse, or neglect of an elderly person or disabled adult.

(w) Section 825.1025, relating to lewd or lascivious offenses committed upon or in the presence of an elderly person or disabled adult.

(x) Section 825.103, relating to exploitation of an elderly person or disabled adult, if the offense was a felony.

(y) Section 826.04, relating to incest.

(z) Section 827.03, relating to child abuse, aggravated child abuse, or neglect of a child.

(aa) Section 827.04, relating to contributing to the delinquency or dependency of a child.

(bb) Former s. 827.05, relating to negligent treatment of children.

(cc) Section 827.071, relating to sexual performance by a child.

(dd) Chapter 847, relating to obscene literature.

(ee) Chapter 893, relating to drug abuse prevention and control, only if the offense was a felony or if any other person involved in the offense was a minor.

(ff) Section 916.1075, relating to sexual misconduct with certain forensic clients and reporting of such sexual misconduct.

(3) Standards must also ensure that the person:

(a) *Has not been convicted of, or entered a plea of guilty or nolo contendere to, regardless of adjudication, offenses prohibited under any of the following statutes or under any similar statute of another jurisdiction, if he or she is an employee or employer* ~~For employees and employers~~ licensed or registered pursuant to *chapter 393,* chapter 400*, part II of chapter 408,* or chapter 429*, or an employee or employer at a* ~~and for employees and employers of developmental disabilities institutions as defined in s. 393.063, intermediate care facilities for the developmentally disabled as defined in s. 400.960, and~~ mental health treatment *facility* ~~facilities~~ as defined in s. 394.455~~, meets the requirements of this chapter~~.

1. Sections 409.920 and 409.9201, relating to Medicaid fraud.

2. Chapter 429, relating to assisted care communities.

3. Chapter 784, relating to assault, battery, and culpable negligence, if the offense is a felony.

4. Section 810.02, relating to burglary, if the offense is a felony.

5. Section 817.034, relating to communications fraud.

6. Section 817.234, relating to fraudulent insurance claims.

7. Section 817.505, relating to patient brokering.

8. Section 817.568, relating to identification theft.

9. Sections 817.60 and 817.61, relating to credit cards, if the offense is a felony.

10. Sections 831.01, 831.02, 831.07, 831.09, 831.30, and 831.31 relating to forgery, uttering, and counterfeiting.

(b) Has not committed an act that constitutes domestic violence as defined in s. 741.28.

Section 25. Effective April 1, 2009, subsections (2) and (4) of section 435.04, Florida Statutes, are amended to read:

435.04 Level 2 screening standards.—

(2) The security background investigations under this section must ensure that no persons subject to ~~the provisions of~~ this section have been *convicted* ~~found guilty~~ of, ~~regardless of adjudication,~~ or entered a plea of *guilty or* nolo contendere ~~or guilty to~~, *regardless of adjudication, to* any offense prohibited under any of the following ~~provisions of the Florida~~ statutes or under any similar statute of another jurisdiction:

(a) Section 393.135, relating to sexual misconduct with certain developmentally disabled clients and reporting of such sexual misconduct.

(b) Section 394.4593, relating to sexual misconduct with certain mental health patients and reporting of such sexual misconduct.

(c) Section 415.111, relating to adult abuse, neglect, or exploitation of aged persons or disabled adults.

(d) Section 782.04, relating to murder.

(e) Section 782.07, relating to manslaughter, aggravated manslaughter of an elderly person or disabled adult, or aggravated manslaughter of a child.

(f) Section 782.071, relating to vehicular homicide.

(g) Section 782.09, relating to killing of an unborn quick child by injury to the mother.

(h) Section 784.011, relating to assault, if the victim of the offense was a minor.

(i) Section 784.021, relating to aggravated assault.

(j) Section 784.03, relating to battery, if the victim of the offense was a minor.

(k) Section 784.045, relating to aggravated battery.

(l) Section 784.075, relating to battery on a detention or commitment facility staff.

(m) Section 787.01, relating to kidnapping.

(n) Section 787.02, relating to false imprisonment.

(o) Section 787.04(2), relating to taking, enticing, or removing a child beyond the state limits with criminal intent pending custody proceedings.

(p) Section 787.04(3), relating to carrying a child beyond the state lines with criminal intent to avoid producing a child at a custody hearing or delivering the child to the designated person.

(q) Section 790.115(1), relating to exhibiting firearms or weapons within 1,000 feet of a school.

(r) Section 790.115(2)(b), relating to possessing an electric weapon or device, destructive device, or other weapon on school property.

(s) Section 794.011, relating to sexual battery.

(t) Former s. 794.041, relating to prohibited acts of persons in familial or custodial authority.

(u) Chapter 796, relating to prostitution.

(v) Section 798.02, relating to lewd and lascivious behavior.

(w) Chapter 800, relating to lewdness and indecent exposure.

(x) Section 806.01, relating to arson.

(y) Chapter 812, relating to theft, robbery, and related crimes, if the offense is a felony.

(z) Section 817.563, relating to fraudulent sale of controlled substances, only if the offense was a felony.

(aa) Section 825.102, relating to abuse, aggravated abuse, or neglect of an elderly person or disabled adult.

(bb) Section 825.1025, relating to lewd or lascivious offenses committed upon or in the presence of an elderly person or disabled adult.

(cc) Section 825.103, relating to exploitation of an elderly person or disabled adult, if the offense was a felony.

(dd) Section 826.04, relating to incest.

(ee) Section 827.03, relating to child abuse, aggravated child abuse, or neglect of a child.

(ff) Section 827.04, relating to contributing to the delinquency or dependency of a child.

(gg) Former s. 827.05, relating to negligent treatment of children.

(hh) Section 827.071, relating to sexual performance by a child.

(ii) Section 843.01, relating to resisting arrest with violence.

(jj) Section 843.025, relating to depriving a law enforcement, correctional, or correctional probation officer means of protection or communication.

(kk) Section 843.12, relating to aiding in an escape.

(ll) Section 843.13, relating to aiding in the escape of juvenile inmates in correctional institutions.

(mm) Chapter 847, relating to obscene literature.

(nn) Section 874.05(1), relating to encouraging or recruiting another to join a criminal gang.

(oo) Chapter 893, relating to drug abuse prevention and control, only if the offense was a felony or if any other person involved in the offense was a minor.

(pp) Section 916.1075, relating to sexual misconduct with certain forensic clients and reporting of such sexual misconduct.

(qq) Section 944.35(3), relating to inflicting cruel or inhuman treatment on an inmate resulting in great bodily harm.

(rr) Section 944.46, relating to harboring, concealing, or aiding an escaped prisoner.

(ss) Section 944.47, relating to introduction of contraband into a correctional facility.

(tt) Section 985.701, relating to sexual misconduct in juvenile justice programs.

(uu) Section 985.711, relating to contraband introduced into detention facilities.

(4) Standards must also ensure that the person:

(a) *Has not been convicted of, or entered a plea of guilty or nolo contendere to, regardless of adjudication, offenses prohibited under any of the following statutes or under any similar statute of another jurisdiction, if he or she is an employee or employer* ~~For employees or employers~~ licensed or registered pursuant to *chapter 393,* chapter 400*, part II of chapter 408,* or chapter 429, *or an employee or employer at a mental health treatment facility as defined in s. 394.455* ~~does not have a confirmed report of abuse, neglect, or exploitation as defined in s. 415.102(6), which has been uncontested or upheld under s. 415.103~~.

1. Sections 409.920 and 409.9201, relating to Medicaid fraud.

2. Chapter 429, relating to assisted care communities.

3. Chapter 784, relating to assault, battery, and culpable negligence, if the offense is a felony.

4. Section 810.02, relating to burglary, if the offense is a felony.

5. Section 817.034, relating to communications fraud.

6. Section 817.234, relating to fraudulent insurance claims.

7. Section 817.505, relating to patient brokering.

8. Section 817.568, relating to identification theft.

9. Sections 817.60 and 817.61, relating to credit cards, if the offense is a felony.

10. Sections 831.01, 831.02, 831.07, 831.09, 831.30, and 831.31 relating to forgery, uttering, and counterfeiting.

(b) Has not committed an act that constitutes domestic violence as defined in *s. 741.28* ~~s. 741.30~~.

(c) Does not have a confirmed report of abuse, neglect, or exploitation which has been uncontested or upheld under s. 415.103, if the person is an employee of a developmental disabilities institution as defined in s. 393.063.

Section 26. *Subsection (13) of section 400.141, subsection (3) of section 408.809, subsection (2) of section 429.08, and subsection (5) of section 429.41, Florida Statutes, are repealed.*

Section 27. Paragraph (h) of subsection (3) of section 430.80, Florida Statutes, is amended to read:

430.80 Implementation of a teaching nursing home pilot project.—

(3) To be designated as a teaching nursing home, a nursing home licensee must, at a minimum:

(h) Maintain insurance coverage pursuant to *s. 400.141(19)* ~~s. 400.141(20)~~ or proof of financial responsibility in a minimum amount of $750,000. ~~Such~~ Proof of financial responsibility may include:

1. Maintaining an escrow account consisting of cash or assets eligible for deposit in accordance with s. 625.52; or

2. Obtaining and maintaining, pursuant to chapter 675, an unexpired, irrevocable, nontransferable and nonassignable letter of credit issued by *a* ~~any~~ bank or savings association organized and existing under the laws of this state or *a* ~~any~~ bank or savings association organized under the laws of the United States that has its principal place of business in this state or has a branch office which is authorized to receive deposits in this state. The letter of credit shall be used to satisfy the obligation of the facility to the claimant upon presentment of a final judgment indicating liability and awarding damages to be paid by the facility or upon presentment of a settlement agreement signed by all parties *if the* ~~to the agreement when such~~ final judgment or settlement is a result of a liability claim against the facility.

Section 28. Subsection (13) of section 651.118, Florida Statutes, is amended to read:

651.118 Agency for Health Care Administration; certificates of need; sheltered beds; community beds.—

(13) Residents~~, as defined in this chapter,~~ are not considered new admissions for the purpose of *s. 400.141(14)(d)* ~~s. 400.141(15)(d)~~.

Section 29. *The sum of $241,274 is appropriated to the Agency for Health Care Administration from the Health Care Trust Fund for the 2008-2009 fiscal year, and 8.5 full-time equivalent positions along with an associated salary rate of 298,721 are authorized for the purpose of implementing the provisions of this act.*

Section 30. Except as otherwise expressly provided in this act, this act shall take effect October 1, 2008.

And the title is amended as follows:

Delete line(s) 527-571 and insert: A bill to be entitled An act relating to adult protection and care; amending s. 322.142, F.S.; authorizing the Department of Children and Family Services to obtain copies of driver's license files maintained by the Department of Highway Safety and Motor Vehicles for the purpose of conducting protective investigations; amending s. 400.141, F.S.; requiring a search of the Department of Law Enforcement's sexual offender database to be conducted on all nursing home residents; amending s. 400.19, F.S.; revising provisions relating to unannounced inspections; amending s. 400.215, F.S.; requiring contracted workers employed in a nursing home to submit to background screening; prohibiting employees and contracted workers who do not meet background screening requirements from being employed in a nursing home; providing certain exceptions; deleting an obsolete provision; amending s. 408.809, F.S.; requiring the agency to establish a fee schedule to cover the cost of a level 1 or level 2 screening and giving the agency rulemaking authority; amending s. 408.810, F.S.; requiring health care facilities regulated by the Agency for Health Care Administration to post certain information in the facility; requiring the agency to have the information available on its website; amending s. 408.811, F.S.; providing that agency employees who provide advance notice of unannounced agency inspections are subject to suspension; providing a timeline and process for correction of deficiencies; providing that the agency may provide electronic access to documents; amending s. 415.103, F.S.; requiring certain reports to the central abuse hotline relating to vulnerable adults to be immediately transferred to the county sheriff's office; amending s. 415.1051, F.S.; authorizing the Department of Children and Family Services to file the petition to determine incapacity in adult protection proceedings; prohibiting the department from serving as the guardian or providing legal counsel to the guardian; amending s. 415.112, F.S.; specifying rules to be adopted by the Department of Children and Family Services relating to adult protective services under ch. 415, F.S.; amending s. 429.07, F.S.; providing that license requirements for specialty licenses apply to current licensees as well as applicants for an extended congregate care and limited nursing license; conforming a cross-reference; amending s. 429.174, F.S.; requiring certain employees and contracted workers in assisted living facilities to submit to background screening; prohibiting employees and contracted workers who do not meet background screening requirements from being employed in an assisted living facility; providing certain exceptions; requiring the person being screened to pay for the cost of screening; amending s. 429.255, F.S.; providing that the owner or administrator of an assisted living facility is responsible for the services provided in the facility; amending s. 429.26, F.S.; clarifying a prohibition on moving a resident; providing for the development of a plan for services for all residents; requiring that the plan be updated and reviewed periodically; requiring a search of the Department of Law Enforcement's sexual offender database to be conducted on all residents of an assisted living facility; requiring residents to be periodically assessed for competency to handle personal affairs; amending s. 429.27, F.S.; prohibiting assisted living facility personnel from making certain decisions for a resident or acting as the resident's representative or surrogate; amending s. 429.28, F.S.; revising and specifying certain conditions in an assisted living facility's resident bill of rights for a resident's relocation or termination of residency; creating s. 429.285, F.S.; prohibiting resident relocation or termination of residency in the absence of certain specified conditions; requiring the administrator or employee of a facility to sign a notice of relocation or termination of residency and requiring a physician's signature under certain circumstances; requiring a licensee to provide advance written notice to the resident and other specified persons regarding relocation or termination of residency; providing that the notice contain certain information; providing for the creation of a form to submit relocation or termination of residency information and specifying information to be included therein; requiring a licensee to report relocation or termination of residency to the Office of State Long-term Care Ombudsman within a certain timeframe; permitting residents to seek the assistance of the local long-term care ombudsmen council in reviewing a notice of relocation or termination of residency; providing for emergency relocation and termination of residency; permitting the local long-term care ombudsmen council to request private informal contact with a resident upon receipt of a notice of relocation or termination of residency; authorizing the agency to adopt rules; amending s. 429.294, F.S.; deleting a cross-reference; amending s. 429.34, F.S.; providing for unannounced inspections; providing for additional 6-month inspections for certain violations; providing for an additional fine for 6-month inspections; amending s. 429.65, F.S.; providing a definition of the term "reside"; amending s. 429.67, F.S.; expanding the list of persons who must have a background screening in adult family-care homes; amending s. 429.69, F.S.; providing that the failure of a adult family-care home provider to live in the home is grounds for the denial, revocation, or suspension of a license; amending s. 429.73, F.S.; requiring adult family-care home residents to be periodically assessed for competency to handle personal affairs; amending ss. 435.03 and 435.04, F.S.; providing additional criminal offenses for screening certain health care facility personnel; repealing s. 400.141(13), F.S., relating to a requirement to post certain information in nursing homes; repealing s. 408.809(3), F.S., relating to the granting of a provisional license while awaiting the results of a background screening; repealing s. 429.08(2), F.S., deleting a provision relating to local workgroups of field offices of the Agency for Health Care Administration; repealing s. 429.41(5), F.S., relating to agency inspections; amending ss. 430.80 and 651.118, F.S.; conforming cross-references; providing an appropriation and authorizing additional positions; providing effective dates.

Senator Hill moved the following substitute amendment which failed:

Senate Amendment 2 (720682) (with title amendment) to House Amendment 1—Delete line(s) 5-521 and insert:

Section 1. Subsection (4) of section 322.142, Florida Statutes, is amended to read:

322.142 Color photographic or digital imaged licenses.—

(4) The department may maintain a film negative or print file. The department shall maintain a record of the digital image and signature of the licensees, together with other data required by the department for identification and retrieval. Reproductions from the file or digital record *are exempt from the provisions of s. 119.07(1) and* shall be made and issued only for departmental administrative purposes; for the issuance of duplicate licenses; in response to law enforcement agency requests; to the Department of State pursuant to an interagency agreement to facilitate determinations of eligibility of voter registration applicants and registered voters in accordance with ss. 98.045 and 98.075; to the Department of Revenue pursuant to an interagency agreement for use in establishing paternity and establishing, modifying, or enforcing support obligations in Title IV-D cases; *to the Department of Children and Family Services pursuant to an interagency agreement to conduct protective investigations under chapter 415;* or to the Department of Financial Services pursuant to an interagency agreement to facilitate the location of owners of unclaimed property, the validation of unclaimed property claims, and the identification of fraudulent or false claims~~, and are exempt from the provisions of s. 119.07(1)~~.

Section 2. Effective April 1, 2009, paragraph (g) is added to subsection (15) and subsection (25) is added to section 400.141, Florida Statutes, to read:

400.141 Administration and management of nursing home facilities.—Every licensed facility shall comply with all applicable standards and rules of the agency and shall:

(15) Submit semiannually to the agency, or more frequently if requested by the agency, information regarding facility staff-to-resident ratios, staff turnover, and staff stability, including information regarding certified nursing assistants, licensed nurses, the director of nursing, and the facility administrator. For purposes of this reporting:

(g) The agency shall impose sanctions against a nursing home for failure to meet the staffing ratios in s. 400.23(3) and for failure to impose a moratorium on new admissions pursuant to this section.

Nothing in this section shall limit the agency's ability to impose a deficiency or take other actions if a facility does not have enough staff to meet the residents' needs.

(25) Conduct a search of the Department of Law Enforcement's sexual offender database for each prospective resident before admission or immediately after admission. A facility must maintain verification that all residents have been screened. The information obtained may be used by the facility to assess the needs of the resident and to provide adequate and appropriate health care and protective and support services in accordance with this part. The information obtained may be disclosed to other residents. The facility does not have to rescreen a resident who is away from a facility for no more than 45 days.

Facilities that have been awarded a Gold Seal under the program established in s. 400.235 may develop a plan to provide certified nursing assistant training as prescribed by federal regulations and state rules and may apply to the agency for approval of their program.

Section 3. Subsection (3) of section 400.19, Florida Statutes, is amended to read:

400.19 Right of entry and inspection.—

(3) The agency shall every 15 months conduct at least one unannounced inspection to determine compliance by the licensee with statutes~~,~~ and *related* ~~with~~ rules ~~promulgated under the provisions of those statutes,~~ governing minimum standards of construction, quality and adequacy of care, and rights of residents. The survey shall be conducted every 6 months for the next 2-year period if the facility has been cited for a class I deficiency, has been cited for two or more class II deficiencies arising from separate surveys or investigations within a 60-day period, or has had three or more substantiated complaints within a 6-month period, each resulting in at least one class I or class II deficiency. In addition to any other fees or fines in this part, the agency shall assess a fine for each facility that is subject to the 6-month survey cycle. The fine for the 2-year period shall be $6,000, one-half to be paid at the completion of each survey. The agency may adjust this fine by the change in the Consumer Price Index, based on the 12 months immediately preceding the *change* ~~increase~~, to cover the cost of the additional surveys. The agency shall verify through subsequent inspection that any deficiency identified during inspection is corrected. However, the agency may verify the correction of a class III or class IV deficiency unrelated to resident rights or resident care without reinspecting the facility if adequate written documentation has been received from the facility, which provides assurance that the deficiency has been corrected. ~~The giving or causing to be given of advance notice of such unannounced inspections by an employee of the agency to any unauthorized person shall constitute cause for suspension of not fewer than 5 working days according to the provisions of chapter 110.~~

Section 4. Effective April 1, 2009, section 400.215, Florida Statutes, is amended to read:

400.215 *Background* ~~Personnel~~ screening ~~requirement~~.—

(1) ~~The agency shall require~~ Background screening as provided in chapter 435 *is required* for all *nursing home facility* employees ~~or prospective employees of facilities licensed under this part~~ who are expected to, or whose responsibilities may require them to:

(a) Provide personal care or services to residents;

(b) Have access to resident living areas; or

(c) Have access to resident funds or other personal property.

(2) Background screening as provided in chapter 435 is required for all nursing home facility contracted workers who are expected to, or whose responsibilities may require them to, provide personal care or services to residents. The facility shall maintain verification that such contracted workers have been screened pursuant to this section. The facility may either obtain a copy of the qualifying screening results from the entity or receive an affidavit from the entity which specifies that a background screen has been performed on all contracted workers sent to the facility. Contracted workers who do not provide personal care or services to residents are not required to be screened pursuant to this section but must sign in at the reception desk or nurses' station upon entering the facility, wear an identification badge while on the premises, and sign out before leaving the facility. The nursing facility shall maintain a log containing the information collected.

(3)~~(2)~~ Employers, ~~and~~ employees*, contractors, and contracted workers* shall comply with the requirements of s. 435.05.

(a) Notwithstanding ~~the provisions of~~ s. 435.05(1), facilities must have in their possession evidence that level 1 screening *under s. 435.03* has been completed before allowing an employee *or contracted worker* to begin *employment in the facility* ~~working with patients~~ as provided in subsection (1). All information necessary for conducting *level 1* ~~background~~ screening ~~using level 1 standards as specified in s. 435.03~~ shall be submitted by the nursing facility to the agency. Results of the background screening shall be provided by the agency to the requesting nursing facility.

(b) Employees *and contracted workers* qualified under ~~the provisions of~~ paragraph (a) who have not maintained continuous residency within the state for the 5 years immediately preceding the date of request for background screening must complete level 2 screening, as provided in *s. 435.04* ~~chapter 435~~. ~~Such~~ Employees may work in a conditional status *for* up to 180 days pending the receipt of written findings evidencing the completion of level 2 screening. *Contracted workers who are awaiting the completion of level 2 screening may work only under the direct and visual supervision of persons who have met the screening requirements of this section.* Level 2 screening *is* ~~shall~~ not ~~be~~ required *for* ~~of~~ employees*,* ~~or~~ prospective employees*, or contracted workers* who attest in writing under penalty of perjury that they meet the residency requirement. *To complete* ~~Completion of~~ level 2 screening*:* ~~shall require~~

1. The employee or *contracted worker shall* ~~prospective employee to~~ furnish to the nursing facility a full set of fingerprints *for conducting a federal criminal records check* ~~to enable a criminal background investigation to be conducted~~.

2. The nursing facility shall submit the completed fingerprint card to the agency.

3. The agency shall establish a record of the request in the database provided for in paragraph (c) and forward the request to the Department of Law Enforcement, which is authorized to submit the fingerprints to the Federal Bureau of Investigation for a national criminal history records check.

4. The results of the national criminal history records check shall be returned to the agency, which shall maintain the results in the database provided for in paragraph (c).

5. The agency shall notify the administrator of the requesting nursing facility or the administrator of any other *requesting* facility licensed under chapter 393, chapter 394, chapter 395, chapter 397, chapter 429, or this chapter~~, as requested by such facility,~~ as to whether ~~or not~~ the employee has qualified under level 1 or level 2 screening.

An employee or *contracted worker* ~~prospective employee~~ who has qualified under level 2 screening and has maintained ~~such~~ continuous residency within the state *is* ~~shall~~ not ~~be~~ required to complete a subsequent level 2 screening as a condition of employment at another facility.

(c) The agency shall establish and maintain a database *that includes* ~~of background screening information which shall include~~ the results of *all* ~~both~~ level 1 and level 2 screening. The Department of Law Enforcement shall timely provide to the agency, electronically, the results of each statewide screening for incorporation into the database. The agency shall, upon request from any facility, agency, or program required by or authorized by law to screen its employees or *contracted workers* ~~applicants~~, notify the administrator of the facility, agency, or program of the qualifying or disqualifying status of the *person* ~~employee or applicant~~ named in the request.

(d) ~~Applicants and~~ Employees*, prospective employees, and contracted workers* shall be excluded from employment pursuant to s. 435.06*, and may not be employed or resume employment until exempted or all appeals have been resolved in favor of the person screened. However, an employee of a nursing facility, employed prior to October 1, 1998, who is determined to have a disqualifying offense occurring after October 1, 1998, may continue employment pending the outcome of an exemption request if such request is made within 30 days of receipt of the results of the background screening. An employee of a nursing facility, employed before October 1, 1998, who is determined to have a disqualifying offense before October 1, 1998, but does not have a disqualifying offense after that date, is not required to submit an exemption request pursuant to s. 435.07 and may continue his or her employment.*

Notwithstanding chapter 435, the agency may not provide to the employer the results of background screening for offenses occurring prior to October 1, 1998, for persons employed before October 1, 1998, except for an absolute disqualifying offense. For the purposes of this section, the term "absolute disqualifying offense" means a felony offense pursuant to s. 787.01(3)(a); s. 787.02(3)(a); s. 787.025, s. 796.03; s. 796.035; s. 800.04, except for crimes identified in ss. 800.04(7)(c) and (d); s. 825.1025; s. 827.071; s. 847.0133; s. 847.0135(2) and (3); s. 847.0137(2) and (3); and s. 847.0138(2) and (3); s. 847.0145; s. 796.045; or chapter 794. Notwithstanding s. 435.07, a person who has been convicted of, or entered a plea of guilty or nolo contendere, regardless of adjudication, to an absolute disqualifying offense may not be granted an exemption from disqualification from employment. Neither the agency nor an employer is required to rescreen or reevaluate qualifications for employment of a person who was screened by that employer and continuously employed before April 1, 2009.

(4)~~(3)~~ The *person being screened* ~~applicant~~ is responsible for paying the fees associated with obtaining the required screening. Payment for the screening shall be submitted to the agency. The agency shall establish a schedule of fees to cover the costs of level 1 and level 2 screening. Facilities may *pay* ~~reimburse employees~~ for these costs. The Department of Law Enforcement shall charge the agency for a level 1 or level 2 screening a rate sufficient to cover the costs of ~~such~~ screening pursuant to s. 943.053(3). The agency shall, as allowable, reimburse nursing facilities for the cost of conducting background screening as required by this section. This reimbursement *is* ~~will~~ not ~~be~~ subject to any rate ceilings or payment targets in the Medicaid Reimbursement plan.

(5)~~(4)(a)~~ As provided in s. 435.07:~~,~~

(a) The agency may grant an exemption from disqualification to an employee*,* ~~or~~ prospective employee*, or contracted worker* who is subject to this section and who has not received a professional license or certification from the Department of Health.

(b) ~~As provided in s. 435.07,~~ The appropriate regulatory board within the Department of Health, or that department itself when there is no board, may grant an exemption from disqualification to an employee*,* ~~or~~ prospective employee*, or contracted worker* who is subject to this section and who has received a professional license or certification from the Department of Health or a regulatory board within that department.

(6)~~(5)~~ ~~Any provision of law to the contrary notwithstanding,~~ Persons who have been screened and qualified as required by this section*,* ~~and~~ who have not been unemployed for more than 180 days ~~thereafter~~, and who*,* under penalty of perjury*,* attest to not having been convicted of a disqualifying offense since the completion of such screening *are*~~, shall~~ not ~~be~~ required to be rescreened. An employer may obtain, pursuant to s. 435.10, written verification of qualifying screening results from the previous employer*, contractor,* or other entity *that* ~~which~~ caused *the* ~~such~~ screening to be performed.

(7)~~(6)~~ The agency and the Department of Health *may* ~~shall have authority to~~ adopt rules *to administer* ~~pursuant to the Administrative Procedure Act to implement~~ this section.

~~(7) All employees shall comply with the requirements of this section by October 1, 1998. No current employee of a nursing facility as of the effective date of this act shall be required to submit to rescreening if the nursing facility has in its possession written evidence that the person has been screened and qualified according to level 1 standards as specified in s. 435.03(1). Any current employee who meets the level 1 requirement but does not meet the 5-year residency requirement as specified in this section must provide to the employing nursing facility written attestation under penalty of perjury that the employee has not been convicted of a disqualifying offense in another state or jurisdiction. All applicants hired on or after October 1, 1998, shall comply with the requirements of this section.~~

(8) There is no monetary or unemployment liability on the part of, and *a* ~~no~~ cause of action for damages *does not arise* ~~arising~~ against*,* an employer that, upon notice of a disqualifying offense listed under chapter 435 or an act of domestic violence, terminates the employee against whom the report was issued, whether or not the employee has filed for an exemption with the Department of Health or the agency ~~for Health Care Administration~~.

Section 5. Subsection (6) is added to section 408.809, Florida Statutes, to read:

408.809 Background screening; prohibited offenses.—

(6) The agency shall establish a schedule of fees to cover the costs of any level 1 or level 2 screening required pursuant to this part or other authorizing statutes and may adopt rules to carry out these screenings and for the schedule of fees.

Section 6. Subsection (5) of section 408.810, Florida Statutes, is amended to read:

408.810 Minimum licensure requirements.—In addition to the licensure requirements specified in this part, authorizing statutes, and applicable rules, each applicant and licensee must comply with the requirements of this section in order to obtain and maintain a license.

(5) *Each licensee must:*

(a) On or before the first day services are provided to a client, ~~a licensee must~~ inform the client and his or her immediate family or representative, if appropriate, of the right to report:

1. Complaints. The statewide toll-free telephone number for reporting complaints to the agency must be provided to clients in a manner that is clearly legible and must include the words: "To report a complaint regarding the services you receive, please call toll-free (phone number)."

2. Abusive, neglectful, or exploitative practices. The statewide toll-free telephone number for the central abuse hotline must be provided to clients in a manner that is clearly legible and must include the words: "To report abuse, neglect, or exploitation, please call toll-free (phone number)." The agency shall publish a minimum of a 90-day advance notice of a change in the toll-free telephone numbers.

(b) ~~Each licensee shall~~ Establish appropriate policies and procedures for providing such notice to clients.

(c) Publicly display a poster approved by the agency containing the names, addresses, and telephone numbers for the state's central abuse hotline, the State Long-Term Care Ombudsman, the agency's consumer hotline, the Advocacy Center for Persons with Disabilities, the Florida Statewide Advocacy Council, and the Medicaid Fraud Control Unit, along with a clear description of the assistance to be expected from each. The Statewide Public Guardianship Office and its website shall also be listed. The agency shall make the poster available on the Internet. Providers may download the poster, at no charge, from the agency's website.

Section 7. Section 408.811, Florida Statutes, is amended to read:

408.811 Right of inspection; copies; inspection reports.—

(1) An authorized officer or employee of the agency may make or cause to be made any inspection or investigation deemed necessary by the agency to determine the state of compliance with this part, authorizing statutes, and applicable rules. The right of inspection extends to any business that the agency has reason to believe is being operated as a provider without a license, but inspection of any business suspected of being operated without the appropriate license may not be made without the permission of the owner or person in charge unless a warrant is first obtained from a circuit court. Any application for a license issued under this part, authorizing statutes, or applicable rules constitutes permission for an appropriate inspection to verify the information submitted on or in connection with the application.

(a) All inspections shall be unannounced, except as specified in s. 408.806. *The giving or causing to be given of advance notice of the unannounced inspection by an agency employee to any unauthorized person shall, in accordance with chapter 110, constitute cause for suspension of the employee for at least 5 working days.*

(b) Inspections for relicensure shall be conducted biennially unless otherwise specified by authorizing statutes or applicable rules.

(c) Deficiencies found during an inspection or investigation must be corrected within 30 days unless an alternative timeframe is required or approved by the agency.

(d) The agency may require an applicant or licensee to submit a plan of correction for deficiencies. If required, the plan of correction must be filed with the agency within 10 days unless an alternative timeframe is required.

(2) Inspections conducted in conjunction with certification may be accepted in lieu of a complete licensure inspection. However, a licensure inspection may also be conducted to review any licensure requirements that are not also requirements for certification.

(3) The agency shall have access to and the licensee shall provide copies of all provider records required during an inspection at no cost to the agency.

(4)(a) Each licensee shall maintain as public information, available upon request, records of all inspection reports pertaining to that provider that have been filed by the agency unless those reports are exempt from or contain information that is exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution or is otherwise made confidential by law. Effective October 1, 2006, copies of such reports shall be retained in the records of the provider for at least 3 years following the date the reports are filed and issued, regardless of a change of ownership.

(b) A licensee shall, upon the request of any person who has completed a written application with intent to be admitted by such provider, any person who is a client of such provider, or any relative, spouse, or guardian of any such person, furnish to the requester a copy of the last inspection report pertaining to the licensed provider that was issued by the agency or by an accrediting organization if such report is used in lieu of a licensure inspection.

(c) As an alternative to sending reports required by this part or authorizing statutes, the agency may provide electronic access to information or documents.

Section 8. Subsection (2) of section 415.103, Florida Statutes, is amended to read:

415.103 Central abuse hotline.—

(2) Upon receiving an oral or written report of known or suspected abuse, neglect, or exploitation of a vulnerable adult, the central abuse hotline *shall* ~~must~~ determine if the report requires an immediate onsite protective investigation.

(a) For reports requiring an immediate onsite protective investigation, the central abuse hotline must immediately notify the department's designated protective investigative district staff responsible for protective investigations to ensure prompt initiation of an onsite investigation.

(b) For reports not requiring an immediate onsite protective investigation, the central abuse hotline must notify the department's designated protective investigative district staff responsible for protective investigations in sufficient time to allow for an investigation to be commenced within 24 hours. At the time of notification ~~of district staff with respect to the report~~, the central abuse hotline must also provide any ~~known information on any~~ previous *reports* ~~report~~ concerning *the* ~~a~~ subject of the present report or any pertinent information relative to the present report or any noted earlier reports.

(c) If the report is of known or suspected abuse of a vulnerable adult by someone other than a relative, caregiver, or household member, the call shall be immediately transferred to the appropriate county sheriff's office.

Section 9. Paragraph (e) of subsection (1) and paragraph (g) of subsection (2) of section 415.1051, Florida Statutes, are amended to read:

415.1051 Protective services interventions when capacity to consent is lacking; nonemergencies; emergencies; orders; limitations.—

(1) NONEMERGENCY PROTECTIVE SERVICES INTERVENTIONS.—If the department has reasonable cause to believe that a vulnerable adult or a vulnerable adult in need of services is being abused, neglected, or exploited and is in need of protective services but lacks the capacity to consent to protective services, the department shall petition the court for an order authorizing the provision of protective services.

(e) Continued protective services.—

1. *Within* ~~No more than~~ 60 days after the date of the order authorizing the provision of protective services, the department shall petition the court to determine whether:

a. Protective services *are to* ~~will~~ be continued with the consent of the vulnerable adult pursuant to this subsection;

b. Protective services *are to* ~~will~~ be continued for the vulnerable adult who lacks capacity;

c. Protective services *are to* ~~will~~ be discontinued; or

d. A petition for guardianship *shall* ~~should~~ be filed pursuant to chapter 744.

2. If the court determines that a petition for guardianship *shall* ~~should~~ be filed pursuant to chapter 744, the court, for good cause shown, may order continued protective services until it makes a determination regarding capacity.

3. If the department has a good faith belief that the vulnerable adult lacks capacity, the petition to determine incapacity under s. 744.3201 may be filed by the department. Once the petition is filed, the department may not be appointed guardian and may not provide legal counsel for the guardian.

(2) EMERGENCY PROTECTIVE SERVICES INTERVENTION.—If the department has reasonable cause to believe that a vulnerable adult is suffering from abuse or neglect that presents a risk of death or serious physical injury to the vulnerable adult and that the vulnerable adult lacks the capacity to consent to emergency protective services, the department may take action under this subsection. If the vulnerable adult has the capacity to consent and refuses consent to emergency protective services, emergency protective services may not be provided.

(g) Continued emergency protective services.—

1. *Within* ~~Not more than~~ 60 days after the date of the order authorizing the provision of emergency protective services, the department shall petition the court to determine whether:

a. Emergency protective services *are to* ~~will~~ be continued with the consent of the vulnerable adult;

b. Emergency protective services *are to* ~~will~~ be continued for the vulnerable adult who lacks capacity;

c. Emergency protective services *are to* ~~will~~ be discontinued; or

d. A petition *shall* ~~should~~ be filed under chapter 744.

2. If it is decided to file a petition under chapter 744, for good cause shown, the court may order continued emergency protective services until a determination is made by the court.

3. If the department has a good faith belief that the vulnerable adult lacks capacity, the petition to determine incapacity under s. 744.3201 may be filed by the department. Once the petition is filed, the department may not be appointed guardian and may not provide legal counsel for the guardian.

Section 10. Section 415.112, Florida Statutes, is amended to read:

415.112 Rules ~~for implementation of ss. 415.101-415.113~~.—The department shall *adopt* ~~promulgate~~ rules *to administer this chapter including, but not limited to:* ~~for the implementation of ss. 415.101-415.113.~~

(1) Background screening of department employees and employee applicants which includes a criminal records check and drug testing of adult protective investigators and adult protective investigator supervisors.

(2) The reporting of adult abuse, neglect, exploitation, a vulnerable adult in need of services, false reporting, and adult protective investigations.

(3) Confidentiality and retention of department records, access to records, and record requests.

(4) Injunctions and other protective orders.

(5) The provision of emergency and nonemergency protective services intervention.

(6) Agreements with law enforcement and other state agencies.

(7) Legal and casework procedures, including, but not limited to, diligent search, petitions, emergency removals, capacity to consent, and adult protection teams.

(8) The legal and casework management of cases involving protective supervision, protective orders, judicial reviews, administrative reviews, case plans, and documentation requirements.

Section 11. Paragraphs (b) and (c) of subsection (3) of section 429.07, Florida Statutes, are amended to read:

429.07 License required; fee.—

(3) In addition to the requirements of s. 408.806, each license granted by the agency must state the type of care for which the license is granted. Licenses shall be issued for one or more of the following categories of care: standard, extended congregate care, limited nursing services, or limited mental health.

(b) An extended congregate care license shall be issued to facilities providing, directly or through contract, services beyond those authorized in paragraph (a), including *services performed by persons licensed under* ~~acts performed pursuant to~~ part I of chapter 464 ~~by persons licensed thereunder~~, and supportive services*, as* defined by rule*,* to persons who *would* otherwise ~~would~~ be disqualified from continued residence in a facility licensed under this part.

1. *To obtain an* ~~In order for~~ extended congregate care *license* ~~services to be provided in a facility licensed under this part~~, the agency must first determine that all requirements established in law and rule are met and must specifically designate, on the facility's license, that such services may be provided and whether the designation applies to all or part of *the* ~~a~~ facility. Such designation may be made at the time of initial licensure or relicensure, or upon request in writing by a licensee under this part and part II of chapter 408. Notification of approval or denial of *the* ~~such~~ request shall be made in accordance with part II of chapter 408. ~~Existing~~

2. Facilities *applying for, and facilities currently licensed* ~~qualifying~~ to provide*,* extended congregate care services must have ~~maintained~~ a standard license and may not have been subject to administrative sanctions during the previous 2 years, or since initial licensure if the facility has been licensed for less than 2 years, for any of the following reasons:

a. A class I or class II violation;

b. Three or more repeat or recurring class III violations of identical or similar resident care standards as specified in rule from which a pattern of noncompliance is found by the agency;

c. Three or more class III violations that were not corrected in accordance with the corrective action plan approved by the agency;

d. Violation of resident care standards *which result in requiring the facility* ~~resulting in a requirement~~ to employ the services of a consultant pharmacist or consultant dietitian;

e. Denial, suspension, or revocation of a license for another facility *licensed* under this part in which the applicant for an extended congregate care license has at least 25 percent ownership interest; or

f. Imposition of a moratorium pursuant to this part or part II of chapter 408 or initiation of injunctive proceedings.

3.~~2.~~ *A facility that is* ~~Facilities that are~~ licensed to provide extended congregate care services *must* ~~shall~~ maintain a written progress report on each person who receives ~~such~~ services, which report describes the type, amount, duration, scope, and outcome of services that are rendered and the general status of the resident's health. A registered nurse, or appropriate designee, representing the agency shall visit *the facility* ~~such facilities~~ at least quarterly to monitor residents who are receiving extended congregate care services and to determine if the facility is in compliance with this part, part II of chapter 408, and rules that relate to extended congregate care. One of these visits may be in conjunction with the regular survey. The monitoring visits may be provided through contractual arrangements with appropriate community agencies. A registered nurse shall serve as part of the team that inspects *the* ~~such~~ facility. The agency may waive one of the required yearly monitoring visits for a facility that has been licensed for at least 24 months to provide extended congregate care services, if, during the inspection, the registered nurse determines that extended congregate care services are being provided appropriately, and if the facility has no class I or class II violations and no uncorrected class III violations. ~~Before such decision is made,~~ The agency *must first* ~~shall~~ consult with the long-term care ombudsman council for the area in which the facility is located to determine if any complaints have been made and substantiated about the quality of services or care. The agency may not waive one of the required yearly monitoring visits if complaints have been made and substantiated.

4.~~3.~~ Facilities that are licensed to provide extended congregate care services *must* ~~shall~~:

a. Demonstrate the capability to meet unanticipated resident service needs.

b. Offer a physical environment that promotes a homelike setting, provides for resident privacy, promotes resident independence, and allows sufficient congregate space as defined by rule.

c. Have sufficient staff available, taking into account the physical plant and firesafety features of the building, to assist with the evacuation of residents in an emergency~~, as necessary~~.

d. Adopt and follow policies and procedures that maximize resident independence, dignity, choice, and decisionmaking to permit residents to age in place ~~to the extent possible~~, so that moves due to changes in functional status are minimized or avoided.

e. Allow residents or, if applicable, a resident's representative, designee, surrogate, guardian, or attorney in fact to make a variety of per-

sonal choices, participate in developing service plans, and share responsibility in decisionmaking.

f. Implement the concept of managed risk.

g. Provide, ~~either~~ directly or through contract, the services of a person licensed pursuant to part I of chapter 464.

h. In addition to the training mandated in s. 429.52, provide specialized training as defined by rule for facility staff.

5.~~4.~~ Facilities licensed to provide extended congregate care services are exempt from the criteria for continued residency ~~as~~ set forth in rules adopted under s. 429.41. Facilities so licensed *must* ~~shall~~ adopt their own requirements within guidelines for continued residency set forth by rule. However, such facilities may not serve residents who require 24-hour nursing supervision. Facilities licensed to provide extended congregate care services *must* ~~shall~~ provide each resident with a written copy of facility policies governing admission and retention.

6.~~5.~~ The primary purpose of extended congregate care services is to allow residents, as they become more impaired, the option of remaining in a familiar setting from which they would otherwise be disqualified for continued residency. A facility licensed to provide extended congregate care services may also admit an individual who exceeds the admission criteria for a facility with a standard license, if the individual is determined appropriate for admission to the extended congregate care facility.

7.~~6.~~ Before admission of an individual to a facility licensed to provide extended congregate care services, the individual must undergo a medical examination ~~as provided in s. 429.26(4)~~ and the facility must develop a preliminary service plan for the individual *as provided in s. 429.26*.

8.~~7.~~ When a facility can no longer provide or arrange for services in accordance with the resident's service plan and needs and the facility's policy, the facility shall make arrangements for relocating the person in accordance with s. 429.28(1)(k).

9.~~8.~~ Failure to provide extended congregate care services may result in denial of extended congregate care license renewal.

~~9. No later than January 1 of each year, the department, in consultation with the agency, shall prepare and submit to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the chairs of appropriate legislative committees, a report on the status of, and recommendations related to, extended congregate care services. The status report must include, but need not be limited to, the following information:~~

~~a. A description of the facilities licensed to provide such services, including total number of beds licensed under this part.~~

~~b. The number and characteristics of residents receiving such services.~~

~~c. The types of services rendered that could not be provided through a standard license.~~

~~d. An analysis of deficiencies cited during licensure inspections.~~

~~e. The number of residents who required extended congregate care services at admission and the source of admission.~~

~~f. Recommendations for statutory or regulatory changes.~~

~~g. The availability of extended congregate care to state clients residing in facilities licensed under this part and in need of additional services, and recommendations for appropriations to subsidize extended congregate care services for such persons.~~

~~h. Such other information as the department considers appropriate.~~

(c) A limited nursing services license shall be issued to a facility that provides services beyond those authorized in paragraph (a) and as specified in this paragraph.

1. *To obtain a* ~~In order for~~ limited nursing services *license* ~~to be provided in a facility licensed under this part~~, the agency must first determine that all requirements established in law and rule are met and must specifically designate, on the facility's license, that such services may be provided. Such designation may be made at the time of initial licensure or relicensure, or upon request in writing by a licensee under this part and part II of chapter 408. Notification of approval or denial of such request shall be made in accordance with part II of chapter 408. ~~Existing~~

2. Facilities *applying for, and facilities currently licensed* ~~qualifying~~ to provide*,* limited nursing services *must* ~~shall~~ have ~~maintained~~ a standard license and may not have been subject to administrative sanctions that affect the health, safety, and welfare of residents for the previous 2 years or since initial licensure if the facility has been licensed for less than 2 years.

3.~~2.~~ Facilities that are licensed to provide limited nursing services shall maintain a written progress report on each person who receives ~~such~~ nursing services, which report describes the type, amount, duration, scope, and outcome of services that are rendered and the general status of the resident's health. A registered nurse representing the agency shall visit such facilities at least twice a year to monitor residents who are receiving limited nursing services and to determine if the facility is in compliance with applicable provisions of this part, part II of chapter 408, and related rules. The monitoring visits may be provided through contractual arrangements with appropriate community agencies. A registered nurse shall also serve as part of the team that inspects *the* ~~such~~ facility.

4.~~3.~~ A person who receives limited nursing services ~~under this part~~ must meet the admission criteria established by the agency for assisted living facilities. *If* ~~When~~ a resident no longer meets the admission criteria for a facility licensed under this part, arrangements for relocating the person shall be made in accordance with s. 429.28(1)(k), unless the facility is *also* licensed to provide extended congregate care services.

Section 12. Effective April 1, 2009, section 429.174, Florida Statutes, is amended to read:

429.174 Background screening; exemptions.—

(1) The owner or administrator of an assisted living facility must conduct level 1 ~~background~~ screening, as set forth in chapter 435, on all employees ~~hired on or after October 1, 1998,~~ who perform personal services *or who have access to resident living areas* ~~as defined in s. 429.02(16)~~. The agency may exempt an individual from ~~employment~~ disqualification as set forth in *s. 435.07* ~~chapter 435~~. *However, such person may not be employed or resume employment pending the granting of an exemption or until all appeals have been resolved in favor of the person screened. A person employed before October 1, 1998, who is determined to have a disqualifying offense occurring after October 1, 1998, may continue employment pending the outcome of an exemption request if such request is made within 30 days of receipt of the results of the background screening. A person employed before October 1, 1998, who is determined to have a disqualifying offense before October 1, 1998, but does not have a disqualifying offense after that date, is not required to submit an exemption request pursuant to s. 435.07 and may continue his or her employment. Employees* ~~Such persons~~ shall be considered as having met *the screening requirements* ~~this requirement~~ if:

(a)~~(1)~~ Proof of compliance with level 1 screening ~~requirements~~ obtained to meet ~~any~~ professional license requirements in this state is provided and accompanied, under penalty of perjury, by a copy of the person's current professional license and an affidavit of current compliance with the background screening requirements.

(b)~~(2)~~ The person required to be screened has been continuously employed in the same type of occupation for which the person is seeking employment without a breach in service which exceeds 180 days, and proof of compliance with the level 1 screening requirement which is no more than 2 years old is provided. Proof of compliance shall be provided directly from one employer or contractor to another, and not from the person screened. Upon request, a copy of screening results shall be provided by the employer retaining documentation of the screening to the person screened.

(c)~~(3)~~ The person required to be screened is employed by a corporation or business entity or related corporation or business entity that owns, operates, or manages more than one facility or agency licensed under this chapter, and for whom a level 1 screening was conducted by

the corporation or business entity as a condition of initial or continued employment.

Notwithstanding chapter 435, the agency may not provide to the employer the results of background screening for offenses occurring prior to October 1, 1998, for persons employed before October 1, 1998, except for an absolute disqualifying offense. For the purposes of this section, the term "absolute disqualifying offense" means a felony offense pursuant to s. 787.01(3)(a); s. 787.02(3)(a); s. 787.025, s. 796.03; s. 796.035; s. 800.04, except for crimes identified in ss. 800.04(7)(c) and (d); s. 825.1025; s. 827.071; s. 847.0133; s. 847.0135(2) and (3); s. 847.0137(2) and (3); and s. 847.0138(2) and (3); s. 847.0145; s. 796.045; or chapter 794. Notwithstanding s. 435.07, a person who has been convicted of, or entered a plea of guilty or nolo contendere, regardless of adjudication, to an absolute disqualifying offense may not be granted an exemption from disqualification from employment. The agency or an employer is not required to rescreen or reevaluate qualifications for employment of a person who was screened by that employer and continuously employed before April 1, 2009.

(2) Level 1 screening as provided in chapter 435 is required for all contracted workers who are expected to, or whose responsibilities may require them to, provide personal services to residents. The facility shall maintain verification that such contracted workers have been screened pursuant to this section. The facility may either obtain a copy of the qualifying screening results from the entity or receive an affidavit from the entity which specifies that a background screen has been performed on all contracted workers sent to the facility. A contracted worker who does not provide personal services to residents is not required to be screened pursuant to this section but must sign in at the reception desk upon entering the facility, wear an identification badge while on the premises, and sign out before leaving the facility. The facility shall maintain a log containing the information collected.

(3) The person being screened is responsible for paying the fees associated with obtaining the required screening. Payment for the screening shall be submitted to the agency. The agency shall establish a schedule of fees to cover the costs of level 1 and level 2 screening. Facilities may reimburse employees or contracted workers for these costs. The Department of Law Enforcement shall charge the agency for a level 1 or level 2 screening a rate sufficient to cover the costs of screening pursuant to s. 943.053(3).

Section 13. Subsection (1) of section 429.255, Florida Statutes, is amended to read:

429.255 Use of personnel; emergency care.—

(1)(a) *Facility staff, including* persons under contract to the facility, facility *employees* ~~staff~~, or volunteers, who are licensed according to part I of chapter 464, or those persons exempt under s. 464.022(1), and others as defined by rule, may administer medications to residents, take residents' vital signs, manage individual weekly pill organizers for residents who self-administer medication, give prepackaged enemas ordered by a physician, observe residents, document observations on the appropriate resident's record, report observations to the resident's physician, and contract or allow residents or a resident's representative, designee, surrogate, guardian, or attorney in fact to contract with a third party, provided residents meet the criteria for appropriate placement as defined in s. 429.26. Nursing assistants certified pursuant to part II of chapter 464 may take residents' vital signs as directed by a licensed nurse or physician.

(b) *Facility* ~~All~~ staff*, including persons under contract to the facility and facility employees* ~~in facilities licensed under this part~~ shall exercise their professional responsibility to observe residents, to document observations on the appropriate resident's record, ~~and~~ to report the observations to the resident's physician*, and to provide needed services competently*. However, the owner or administrator of the facility *is* ~~shall be~~ responsible for determining that the resident receiving services is appropriate for residence in the facility *and for the provision of and quality of care and services provided to the resident*.

(c) In an emergency situation, licensed personnel may carry out their professional duties pursuant to part I of chapter 464 until emergency medical personnel assume responsibility for care.

Section 14. Present subsections (8) through (12) of section 429.26, Florida Statutes, are renumbered as sections (6) through (10), respectively, and present subsections (1) through (7) of that section, are amended to read:

429.26 Appropriateness of placements; examinations of residents.—

(1) The owner or administrator of a facility is responsible for determining the appropriateness of admission of an individual to the facility and for determining the continued appropriateness of residence of an individual in the facility. A determination shall be based upon an assessment of the strengths, needs, and preferences of the resident, the care and services offered or arranged for by the facility in accordance with facility policy, and any limitations in law or rule related to admission criteria or continued residency for the type of license held by the facility under this part. *Except as provided in s. 429.28(1)(k),* a resident may not be moved from one facility to another without consultation with and agreement from the resident or, if applicable, the resident's representative or designee or the resident's family, guardian, surrogate, or attorney in fact. *If* ~~In the case of~~ a resident ~~who~~ has been placed by the department or the Department of Children and Family Services, the administrator must notify the appropriate contact person in the applicable department.

~~(2) A physician, physician assistant, or nurse practitioner who is employed by an assisted living facility to provide an initial examination for admission purposes may not have financial interest in the facility.~~

~~(3) Persons licensed under part I of chapter 464 who are employed by or under contract with a facility shall, on a routine basis or at least monthly, perform a nursing assessment of the residents for whom they are providing nursing services ordered by a physician, except administration of medication, and shall document such assessment, including any substantial changes in a resident's status which may necessitate relocation to a nursing home, hospital, or specialized health care facility. Such records shall be maintained in the facility for inspection by the agency and shall be forwarded to the resident's case manager, if applicable.~~

(2)~~(4)~~ If possible, each resident shall have been examined by a licensed physician, a licensed physician assistant, or a licensed nurse practitioner within 60 days before admission to the facility. *The person conducting an examination under this subsection may not have financial interest in the facility.* The signed and completed medical examination report shall be submitted to the owner or administrator of the facility who shall use the information contained *in the report* ~~therein~~ to assist in *determining* ~~the determination of~~ the appropriateness of the resident's admission and continued stay in the facility *and to develop a plan for the provision of services for the resident. The plan must be reviewed and updated annually; however, for a resident receiving nursing services ordered by a physician, except administration of medication, the plan must be reviewed and updated quarterly and whenever a resident experiences a significant change in condition.* The medical examination report *and plan for services* shall *be reported on a single form provided by the agency or a community supported-living plan for mental health residents. The plan shall* become a permanent part of the record of the resident at the facility and shall be made available to the agency during inspection or upon request. An assessment that has been completed through the Comprehensive Assessment and Review for Long-Term Care Services (CARES) Program fulfills the requirements for a medical examination under this subsection ~~and s. 429.07(3)(b)6~~.

(a)~~(5)~~ Except as provided in s. 429.07, if a medical examination has not been completed within 60 days before the admission of the resident to the facility, *medical personnel* ~~a licensed physician, licensed physician assistant, or licensed nurse practitioner~~ shall examine the resident and complete a medical examination form provided by the agency within 30 days following ~~the~~ admission to the facility ~~to enable the facility owner or administrator to determine the appropriateness of the admission. The medical examination form shall become a permanent part of the record of the resident at the facility and shall be made available to the agency during inspection by the agency or upon request.~~

(b)~~(6)~~ Any resident accepted in a facility and placed by the department or the Department of Children and Family Services *must be* ~~shall have been~~ examined by medical personnel within 30 days before placement in the facility *and recorded on a medical examination form provided by the agency*. The examination shall include an assessment of the appropriateness of placement in a facility. ~~The findings of this examination shall be recorded on the examination form provided by the agency.~~

~~The completed form shall accompany the resident and shall be submitted to the facility owner or administrator.~~ *For* ~~Additionally, in the case of~~ a mental health resident, the Department of Children and Family Services must provide documentation that the individual has been assessed by a psychiatrist, clinical psychologist, clinical social worker, or psychiatric nurse, or an individual who is supervised by one of these professionals, and determined to be appropriate to reside in an assisted living facility. The documentation must be in the facility within 30 days after the mental health resident has been admitted to the facility. An evaluation completed upon discharge from a state mental hospital meets the requirements of this subsection related to appropriateness for placement as a mental health resident providing it was completed within 90 days prior to admission to the facility. The applicable department shall provide to the facility administrator any information about the resident that would help the administrator meet his or her responsibilities under *this section* ~~subsection (1)~~. Further, department personnel shall explain to the facility operator any special needs of the resident and advise the operator whom to call should problems arise. The applicable department shall advise and assist the facility administrator where the special needs of residents who are recipients of optional state supplementation require such assistance.

(3) Effective April 1, 2009, a search of the Department of Law Enforcement's sexual offender database for each prospective resident must be conducted by the facility before admission or immediately after admission. The facility must maintain verification that all residents have been screened. The information obtained may be used by the facility to assess the needs of the resident and the care and services offered or arranged by the facility in accordance with this section. The information obtained may be disclosed to other residents. The facility does not have to rescreen a resident who is away from a facility for not more than 45 days.

(4) Persons licensed under part I of chapter 464 who are employed by or under contract with a facility shall, at least monthly, perform a nursing assessment of residents for whom they are providing nursing services ordered by a physician, except administration of medication, and shall document such assessment, including any substantial change in a resident's status which may necessitate relocation to a nursing home, hospital, or specialized health care facility. The records must be maintained in the facility for inspection by the agency and shall be forwarded to the resident's case manager, if applicable.

(5)~~(7)~~ *Residents shall be periodically assessed to determine if the resident is capable of handling his or her personal and financial affairs and, if not, whether a responsible person such as a resident representative or designee, guardian, surrogate, or attorney in fact is available to make decisions on behalf of the resident. If a resident is having difficulty handling his or her personal or financial affairs because of a decline in health or cognitive abilities, the owner or administrator shall contact the resident's representative or designee, guardian, surrogate, or attorney in fact. If a resident does not have family or a legal representative to make decisions on his or her behalf, the owner or administrator must contact the Florida Abuse Hotline.* The facility must notify a licensed physician when a resident exhibits signs of dementia or cognitive impairment or has a change of condition in order to rule out the presence of an underlying physiological condition that may be contributing to such dementia or impairment. The notification must occur within 30 days after the acknowledgment of such signs by facility staff. If an underlying condition is determined to exist, the facility shall arrange, with the appropriate health care provider, the necessary care and services to treat the condition.

Section 15. Subsections (3) through (8) of section 429.27, Florida Statutes, are renumbered as subsections (6) through (11), respectively, and subsections (1) and (2) of that section, are amended to read:

429.27 Property and personal affairs of residents.—

(1)~~(a)~~ A resident shall be given the option of using his or her own belongings, as space permits; choosing his or her roommate; and, whenever possible, unless the resident is adjudicated incompetent or incapacitated under state law, managing his or her own affairs.

(2)~~(b)~~ The admission of a resident to a facility *does* ~~and his or her presence therein shall~~ not confer on the facility or its owner, administrator, *staff* ~~employees~~, or representatives any authority to manage, use, or dispose of any property of the resident *or to make financial or health care decisions on behalf of the resident*~~; nor shall such admission or presence confer on any of such persons any authority or responsibility for the personal affairs of the resident~~, except *if* ~~that which may be~~ necessary for the safe management of the facility or for the safety of the resident.

(3)~~(2)~~ A facility, or an owner, administrator, *staff* ~~employee~~, or representative thereof, may not act as the *resident's representative or designee,* guardian, *health care surrogate,* trustee, or conservator for *a* ~~any~~ resident ~~of the assisted living facility~~ or any of *the* ~~such~~ resident's property *unless the person is a relative of the resident*.

(4) A facility ~~An~~ owner, administrator, or staff member, or representative thereof, may not act as a competent resident's payee for social security, veteran's, or railroad benefits without the consent of the resident. Any facility ~~whose~~ owner, administrator, or staff, or representative thereof *who*~~,~~ serves as representative payee for *a* ~~any~~ resident *must* ~~of the facility shall~~ file a surety bond with the agency in an amount equal to twice the average monthly aggregate income or personal funds due to residents, or expendable for *his or her* ~~their~~ account, which are received by a facility.

(5) Any facility ~~whose~~ owner, administrator, or staff, or ~~a~~ representative thereof *who*~~,~~ is granted power of attorney for *a* ~~any~~ resident *must* ~~of the facility shall~~ file a surety bond with the agency for each resident for whom such power of attorney is granted. The surety bond *must* ~~shall~~ be in an amount equal to twice the average monthly income of the resident, plus the value of any resident's property under the control of the attorney in fact. The bond *must* ~~shall~~ be executed by the facility as principal and a licensed surety company. The bond shall be conditioned upon the faithful compliance of the facility with this section and shall run to the agency for the benefit of any resident who suffers a financial loss as a result of the misuse or misappropriation ~~by a facility~~ of funds held pursuant to this subsection. Any surety company that cancels or does not renew the bond of any licensee shall notify the agency in writing not less than 30 days in advance of such action, giving the reason for the cancellation or nonrenewal. Any facility owner, administrator, or staff, or representative thereof, who is granted power of attorney for *a* ~~any~~ resident ~~of the facility~~ shall, on a monthly basis, ~~be required to~~ provide the resident *with* a written statement of any transaction made on behalf of the resident pursuant to this subsection, and a copy of such statement ~~given to the resident~~ shall be retained in each resident's file and available for agency inspection.

Section 16. Paragraphs (k) and (l) of subsection (1), subsection (2), and paragraph (b) of subsection (3) of section 429.28, Florida Statutes, are amended to read:

429.28 Resident bill of rights.—

(1) No resident of a facility shall be deprived of any civil or legal rights, benefits, or privileges guaranteed by law, the Constitution of the State of Florida, or the Constitution of the United States as a resident of a facility. Every resident of a facility shall have the right to:

(k) *Receive* at least 45 days' *written* notice of relocation or termination of residency from the *licensee as provided in s. 429.285, unless the relocation or termination of residency is initiated by the resident or the resident designee;* ~~facility unless,~~ for medical reasons, the resident is certified by a physician to require an emergency relocation to a facility providing a more skilled level of care*;* or the resident engages in a pattern of conduct that is harmful or offensive to other residents. ~~In the case of a resident who has been adjudicated mentally incapacitated, the guardian shall be given at least 45 days' notice of a nonemergency relocation or residency termination. Reasons for relocation shall be set forth in writing.~~ In order for a *licensee* ~~facility~~ to terminate the residency of an individual without notice as provided *in this paragraph* ~~herein~~, the *licensee* ~~facility~~ shall show good cause in a court of competent jurisdiction. *Admission to a facility licensed under this part may not be conditioned upon a waiver of such right, and any document or provision in a document that purports to waive or preclude such right is void and unenforceable.*

(l) Present grievances and recommend changes in policies, procedures, and services to the staff of the facility, governing officials, or any other person without restraint, interference, coercion, discrimination, or reprisal. Each *licensee* ~~facility~~ shall establish a *written* grievance procedure to facilitate the residents' exercise of this right. This right includes access to ombudsman volunteers and advocates and the right to be a member of, to be active in, and to associate with advocacy or special interest groups. *Each licensee shall maintain a written log of grievances*

that shall be available for inspection and shall be maintained for at least 2 years. Residents may provide verbal or written grievances.

(2) The administrator of a facility shall ensure that a written notice of the rights, obligations, and prohibitions set forth in this part is posted in a prominent place in each facility and read or explained to residents who cannot read. This notice shall include the name, address, and telephone numbers of the local ombudsman council and central abuse hotline and, when applicable, the Advocacy Center for Persons with Disabilities, Inc., and the Florida local advocacy council, where complaints may be lodged. The *licensee* ~~facility~~ must ensure a resident's access to a telephone to call the local ombudsman council, central abuse hotline, Advocacy Center for Persons with Disabilities, Inc., and the Florida local advocacy council.

(3)

(b) In order to determine whether the *licensee* ~~facility~~ is adequately protecting residents' rights, the biennial survey shall include private informal conversations with a sample of residents and consultation with the ombudsman council in the planning and service area in which the facility is located to discuss residents' experiences within the facility.

Section 17. Section 429.285, Florida Statutes, is created to read:

429.285 Resident relocation or termination of residency; requirements and procedures.—

(1) A facility licensed under this part must permit a resident to remain in the facility. Relocation or termination of residency of a resident may not occur unless:

(a) The relocation or termination of residency is necessary for the resident's welfare and the resident's needs cannot be met in the facility;

(b) The relocation or termination of residency is appropriate because the resident's health has improved sufficiently so that the resident no longer needs the services provided by the facility;

(c) The health and safety of other residents or facility employees would be endangered;

(d) The resident has failed, after at least 30 days' notice, to provide payment for his or her stay in the facility;

(e) The facility ceases to operate;

(f) There is a documented pattern of harmful and offensive behavior by the resident; or

(g) The contract provided for under s. 429.24(1) between the licensee and the resident expires on its own terms.

(2) When a relocation or termination of residency is initiated by the licensee, the administrator that is relocating the resident or terminating residency, or an individual employed by the facility who is designated by the administrator to act on behalf of the administration, must sign the notice of relocation or termination of residency. Any notice indicating a medical reason for relocation or termination of residency must be signed by the resident's physician or include an attached physician's written order for the relocation or termination of residency.

(3) At least 45 days prior to a proposed relocation or termination of residency, a licensee must provide by certified mail advance written notice of the proposed relocation or termination of residency to the resident and, if known, to a family member or the resident's legal guardian or representative.

(4) The notice must be in writing and contain all information required by state and federal laws, rules, and regulations. A copy of the notice must be placed in the resident's file. The agency shall develop a standard form to be used by all facilities licensed under this part for purposes of notifying residents of a relocation or termination of residency. In addition to any other pertinent information included, the form shall:

(a) Specify the reason allowed under state law justifying the relocation or termination of the residency, with an explanation to support this action.

(b) State the effective date of the relocation or termination of residency and the location to which the resident is being relocated.

(c) Include the right and means to request the local long-term care ombudsman council to review the notice of relocation or termination of residency.

(5) A relocation or termination of residency notice initiated by a licensee must be reported to the Office of State Long-Term Care Ombudsman by mail, electronic mail, or facsimile within 5 business days after a resident's receipt of a notice to relocate or terminate residency. The Office of State Long-Term Care Ombudsman shall compile and publish the information collected from such notices in the annual report required by s. 400.0065(2)(i). A resident may request that the local long-term care ombudsman council review any notice of relocation or termination of residency given to the resident. When requested by a resident to review such notice, the local long-term care ombudsman council shall do so within 5 business days after receipt of the request.

(6) In the event of an emergency relocation or termination of residency, as provided under s. 429.28(1)(k), notice shall be provided to the resident, the resident's legal guardian or representative, and the local long-term care ombudsman council by telephone or in person. The written notice shall be given before the relocation or termination of residency, if possible, and no later than 5 business days after the relocation or termination of residency. A local long-term care ombudsman council conducting a review under this section shall do so within 2 business days after receipt of the request. The resident's file must include documentation indicating who was contacted, whether the contact was by telephone or in person, and the date and time of the contact.

(7) After receipt of a notice required under this section, the local long-term care ombudsman council may request a private informal conversation with a resident to whom the notice is directed, and, if known, a family member or the resident's legal guardian or representative, to ensure that the licensee is proceeding with the relocation or termination of residency in accordance with the requirements of this section.

(8) The agency may adopt rules pursuant to ss. 120.536(1) and 120.54 to administer this section.

Section 18. Subsection (1) of section 429.294, Florida Statutes, is amended to read:

429.294 Availability of facility records for investigation of resident's rights violations and defenses; penalty.—

(1) Failure to provide complete copies of a resident's records, including, but not limited to, all medical records and the resident's chart, within the control or possession of the facility within 10 days~~, in accordance with the provisions of s. 400.145,~~ shall constitute evidence of failure of that party to comply with good faith discovery requirements and shall waive the good faith certificate and presuit notice requirements under this part by the requesting party.

Section 19. Section 429.34, Florida Statutes, is amended to read:

429.34 Right of entry and inspection.—In addition to the requirements of s. 408.811:~~,~~

(1) Any duly designated officer or employee of the department, the Department of Children and Family Services, the Medicaid Fraud Control Unit of the Office of the Attorney General, the state or local fire marshal, or a member of the state or local long-term care ombudsman council shall have the right to enter unannounced upon and into the premises of any facility licensed pursuant to this part in order to determine the state of compliance with the provisions of this part, part II of chapter 408, and applicable rules. Data collected by the state or local long-term care ombudsman councils or the state or local advocacy councils may be used by the agency in investigations involving violations of regulatory standards.

(2) Every 24 months the agency shall conduct at least one unannounced inspection to determine compliance with this chapter and related rules, including minimum standards of quality and adequacy of care and the rights of residents. Two additional surveys shall be conducted every 6 months for the next year if the facility has been cited for a class I deficiency or two or more class II deficiencies arising from separate surveys or investigations within a 60-day period. In addition to

any fines imposed on a facility under s. 429.19, the agency shall assess a fine of $69 per bed for each of the additional two surveys, not to exceed $12,000 each. The agency shall adjust this fine by the change in the Consumer Price Index, based on the 12 months immediately preceding the change, to cover the cost of the additional two surveys. The agency shall verify through subsequent inspections that any deficiency identified during an inspection is corrected. However, the agency may verify the correction of a class III or class IV deficiency unrelated to resident rights or resident care without reinspecting the facility if adequate written documentation has been received from the facility which provides assurance that the deficiency has been corrected.

Section 20. Present subsection (14) of section 429.65, Florida Statutes, is renumbered as subsection (15), and a new subsection (14) is added to that section, to read:

429.65 Definitions.—As used in this part, the term:

(14) "Reside" means the licensee or applicant lives in the adult family care home as a primary residence. For purposes of this part, any two of the following documents that include the adult family care home address and the name of the licensee or applicant may be accepted by the agency as proof that the licensee or applicant resides in the adult family care home:

(a) Homestead exemption documentation;

(b) Lease or rental agreement accompanied by a corresponding utility bill; or

(c) Personal identification issued by a state or federal agency.

Section 21. Subsection (4) of section 429.67, Florida Statutes, is amended to read:

429.67 Licensure.—

(4) Upon receipt of a completed license application or license renewal, and the fee, the agency shall initiate a level 1 background screening as provided under chapter 435 on the adult family-care home provider, the designated relief person, all adult household members, ~~and~~ all staff members*, and any other person who provides personal services to residents or who have routine access to the adult family-care home*.

(a) Proof of compliance with level 1 screening standards which has been submitted within the previous 5 years to meet any facility or professional licensure requirements of the agency or the Department of Health satisfies the requirements of this subsection. Such proof must be accompanied, under penalty of perjury, by a copy of the person's current professional license and an affidavit of current compliance with the background screening requirements.

(b) The person required to be screened must have been continuously employed in the same type of occupation for which the person is seeking employment without a breach in service that exceeds 180 days, and proof of compliance with the level 1 screening requirement which is no more than 2 years old must be provided. Proof of compliance shall be provided directly from one employer or contractor to another, and not from the person screened. Upon request, a copy of screening results shall be provided to the person screened by the employer retaining documentation of the screening.

Section 22. Subsection (3) is added to section 429.69, Florida Statutes, to read:

429.69 Denial, revocation, and suspension of a license.—In addition to the requirements of part II of chapter 408, the agency may deny, suspend, and revoke a license for any of the following reasons:

(3) Failure of the adult family-care home provider who owns or rents the home to live in the home.

Section 23. Paragraph (b) of subsection (1) of section 429.73, Florida Statutes, is amended to read:

429.73 Rules and standards relating to adult family-care homes.—

(1) The agency, in consultation with the department, may adopt rules to administer the requirements of part II of chapter 408. The department, in consultation with the Department of Health, the Department of Children and Family Services, and the agency shall, by rule, establish minimum standards to ensure the health, safety, and well-being of each resident in the adult family-care home pursuant to this part. The rules must address:

(b) Services that must be provided to all residents of an adult family-care home and standards for such services, which must include, but need not be limited to:

1. Room and board.

2. Assistance necessary to perform the activities of daily living.

3. Assistance necessary to administer medication.

4. Supervision of residents.

5. Health monitoring*, including periodic assessments to determine if the resident is competent to handle his or her personal and financial affairs and, if not, whether a responsible person such as a guardian, surrogate, or attorney in fact is available to make decisions on behalf of the resident*.

6. Social and leisure activities.

Section 24. Effective April 1, 2009, subsections (2) and (3) of section 435.03, Florida Statutes, are amended to read:

435.03 Level 1 screening standards.—

(2) Any person for whom employment screening is required by statute must not have been *convicted of* ~~found guilty of, regardless of adjudication~~, or entered a plea of *guilty or* nolo contendere ~~or guilty to~~*, regardless of adjudication, to* any offense prohibited under any of the following ~~provisions of the Florida~~ statutes or under any similar statute of another jurisdiction:

(a) Section 393.135, relating to sexual misconduct with certain developmentally disabled clients and reporting of such sexual misconduct.

(b) Section 394.4593, relating to sexual misconduct with certain mental health patients and reporting of such sexual misconduct.

(c) Section 415.111, relating to abuse, neglect, or exploitation of a vulnerable adult.

(d) Section 782.04, relating to murder.

(e) Section 782.07, relating to manslaughter, aggravated manslaughter of an elderly person or disabled adult, or aggravated manslaughter of a child.

(f) Section 782.071, relating to vehicular homicide.

(g) Section 782.09, relating to killing of an unborn quick child by injury to the mother.

(h) Section 784.011, relating to assault, if the victim of the offense was a minor.

(i) Section 784.021, relating to aggravated assault.

(j) Section 784.03, relating to battery, if the victim of the offense was a minor.

(k) Section 784.045, relating to aggravated battery.

(l) Section 787.01, relating to kidnapping.

(m) Section 787.02, relating to false imprisonment.

(n) Section 794.011, relating to sexual battery.

(o) Former s. 794.041, relating to prohibited acts of persons in familial or custodial authority.

(p) Chapter 796, relating to prostitution.

(q) Section 798.02, relating to lewd and lascivious behavior.

(r) Chapter 800, relating to lewdness and indecent exposure.

(s) Section 806.01, relating to arson.

(t) Chapter 812, relating to theft, robbery, and related crimes, if the offense was a felony.

(u) Section 817.563, relating to fraudulent sale of controlled substances, only if the offense was a felony.

(v) Section 825.102, relating to abuse, aggravated abuse, or neglect of an elderly person or disabled adult.

(w) Section 825.1025, relating to lewd or lascivious offenses committed upon or in the presence of an elderly person or disabled adult.

(x) Section 825.103, relating to exploitation of an elderly person or disabled adult, if the offense was a felony.

(y) Section 826.04, relating to incest.

(z) Section 827.03, relating to child abuse, aggravated child abuse, or neglect of a child.

(aa) Section 827.04, relating to contributing to the delinquency or dependency of a child.

(bb) Former s. 827.05, relating to negligent treatment of children.

(cc) Section 827.071, relating to sexual performance by a child.

(dd) Chapter 847, relating to obscene literature.

(ee) Chapter 893, relating to drug abuse prevention and control, only if the offense was a felony or if any other person involved in the offense was a minor.

(ff) Section 916.1075, relating to sexual misconduct with certain forensic clients and reporting of such sexual misconduct.

(3) Standards must also ensure that the person:

(a) *Has not been convicted of, or entered a plea of guilty or nolo contendere to, regardless of adjudication, offenses prohibited under any of the following statutes or under any similar statute of another jurisdiction, if he or she is an employee or employer* ~~For employees and employers~~ licensed or registered pursuant to *chapter 393,* chapter 400*, part II of chapter 408,* or chapter 429*, or an employee or employer at a* ~~and for employees and employers of developmental disabilities institutions as defined in s. 393.063, intermediate care facilities for the developmentally disabled as defined in s. 400.960, and~~ mental health treatment *facility* ~~facilities~~ as defined in s. 394.455~~, meets the requirements of this chapter~~.

1. Sections 409.920 and 409.9201, relating to Medicaid fraud.

2. Chapter 429, relating to assisted care communities.

3. Chapter 784, relating to assault, battery, and culpable negligence, if the offense is a felony.

4. Section 810.02, relating to burglary, if the offense is a felony.

5. Section 817.034, relating to communications fraud.

6. Section 817.234, relating to fraudulent insurance claims.

7. Section 817.505, relating to patient brokering.

8. Section 817.568, relating to identification theft.

9. Sections 817.60 and 817.61, relating to credit cards, if the offense is a felony.

10. Sections 831.01, 831.02, 831.07, 831.09, 831.30, and 831.31 relating to forgery, uttering, and counterfeiting.

(b) Has not committed an act that constitutes domestic violence as defined in s. 741.28.

Section 25. Effective April 1, 2009, subsections (2) and (4) of section 435.04, Florida Statutes, are amended to read:

435.04 Level 2 screening standards.—

(2) The security background investigations under this section must ensure that no persons subject to ~~the provisions of~~ this section have been *convicted* ~~found guilty~~ of, ~~regardless of adjudication,~~ or entered a plea of *guilty or* nolo contendere ~~or guilty to~~*, regardless of adjudication, to* any offense prohibited under any of the following ~~provisions of the Florida~~ statutes or under any similar statute of another jurisdiction:

(a) Section 393.135, relating to sexual misconduct with certain developmentally disabled clients and reporting of such sexual misconduct.

(b) Section 394.4593, relating to sexual misconduct with certain mental health patients and reporting of such sexual misconduct.

(c) Section 415.111, relating to adult abuse, neglect, or exploitation of aged persons or disabled adults.

(d) Section 782.04, relating to murder.

(e) Section 782.07, relating to manslaughter, aggravated manslaughter of an elderly person or disabled adult, or aggravated manslaughter of a child.

(f) Section 782.071, relating to vehicular homicide.

(g) Section 782.09, relating to killing of an unborn quick child by injury to the mother.

(h) Section 784.011, relating to assault, if the victim of the offense was a minor.

(i) Section 784.021, relating to aggravated assault.

(j) Section 784.03, relating to battery, if the victim of the offense was a minor.

(k) Section 784.045, relating to aggravated battery.

(l) Section 784.075, relating to battery on a detention or commitment facility staff.

(m) Section 787.01, relating to kidnapping.

(n) Section 787.02, relating to false imprisonment.

(o) Section 787.04(2), relating to taking, enticing, or removing a child beyond the state limits with criminal intent pending custody proceedings.

(p) Section 787.04(3), relating to carrying a child beyond the state lines with criminal intent to avoid producing a child at a custody hearing or delivering the child to the designated person.

(q) Section 790.115(1), relating to exhibiting firearms or weapons within 1,000 feet of a school.

(r) Section 790.115(2)(b), relating to possessing an electric weapon or device, destructive device, or other weapon on school property.

(s) Section 794.011, relating to sexual battery.

(t) Former s. 794.041, relating to prohibited acts of persons in familial or custodial authority.

(u) Chapter 796, relating to prostitution.

(v) Section 798.02, relating to lewd and lascivious behavior.

(w) Chapter 800, relating to lewdness and indecent exposure.

(x) Section 806.01, relating to arson.

(y) Chapter 812, relating to theft, robbery, and related crimes, if the offense is a felony.

(z) Section 817.563, relating to fraudulent sale of controlled substances, only if the offense was a felony.

(aa) Section 825.102, relating to abuse, aggravated abuse, or neglect of an elderly person or disabled adult.

(bb) Section 825.1025, relating to lewd or lascivious offenses committed upon or in the presence of an elderly person or disabled adult.

(cc) Section 825.103, relating to exploitation of an elderly person or disabled adult, if the offense was a felony.

(dd) Section 826.04, relating to incest.

(ee) Section 827.03, relating to child abuse, aggravated child abuse, or neglect of a child.

(ff) Section 827.04, relating to contributing to the delinquency or dependency of a child.

(gg) Former s. 827.05, relating to negligent treatment of children.

(hh) Section 827.071, relating to sexual performance by a child.

(ii) Section 843.01, relating to resisting arrest with violence.

(jj) Section 843.025, relating to depriving a law enforcement, correctional, or correctional probation officer means of protection or communication.

(kk) Section 843.12, relating to aiding in an escape.

(ll) Section 843.13, relating to aiding in the escape of juvenile inmates in correctional institutions.

(mm) Chapter 847, relating to obscene literature.

(nn) Section 874.05(1), relating to encouraging or recruiting another to join a criminal gang.

(oo) Chapter 893, relating to drug abuse prevention and control, only if the offense was a felony or if any other person involved in the offense was a minor.

(pp) Section 916.1075, relating to sexual misconduct with certain forensic clients and reporting of such sexual misconduct.

(qq) Section 944.35(3), relating to inflicting cruel or inhuman treatment on an inmate resulting in great bodily harm.

(rr) Section 944.46, relating to harboring, concealing, or aiding an escaped prisoner.

(ss) Section 944.47, relating to introduction of contraband into a correctional facility.

(tt) Section 985.701, relating to sexual misconduct in juvenile justice programs.

(uu) Section 985.711, relating to contraband introduced into detention facilities.

(4) Standards must also ensure that the person:

(a) *Has not been convicted of, or entered a plea of guilty or nolo contendere to, regardless of adjudication, offenses prohibited under any of the following statutes or under any similar statute of another jurisdiction, if he or she is an employee or employer* ~~For employees or employers~~ licensed or registered pursuant to *chapter 393,* chapter 400*, part II of chapter 408,* or chapter 429*, or an employee or employer at a mental health treatment facility as defined in s. 394.455* ~~does not have a confirmed report of abuse, neglect, or exploitation as defined in s. 415.102(6), which has been uncontested or upheld under s. 415.103~~.

1. Sections 409.920 and 409.9201, relating to Medicaid fraud.

2. Chapter 429, relating to assisted care communities.

3. Chapter 784, relating to assault, battery, and culpable negligence, if the offense is a felony.

4. Section 810.02, relating to burglary, if the offense is a felony.

5. Section 817.034, relating to communications fraud.

6. Section 817.234, relating to fraudulent insurance claims.

7. Section 817.505, relating to patient brokering.

8. Section 817.568, relating to identification theft.

9. Sections 817.60 and 817.61, relating to credit cards, if the offense is a felony.

10. Sections 831.01, 831.02, 831.07, 831.09, 831.30, and 831.31 relating to forgery, uttering, and counterfeiting.

(b) Has not committed an act that constitutes domestic violence as defined in *s. 741.28* ~~s. 741.30~~.

(c) Does not have a confirmed report of abuse, neglect, or exploitation which has been uncontested or upheld under s. 415.103, if the person is an employee of a developmental disabilities institution as defined in s. 393.063.

Section 26. *Subsection (13) of section 400.141, subsection (3) of section 408.809, subsection (2) of section 429.08, and subsection (5) of section 429.41, Florida Statutes, are repealed.*

Section 27. Paragraph (h) of subsection (3) of section 430.80, Florida Statutes, is amended to read:

430.80 Implementation of a teaching nursing home pilot project.—

(3) To be designated as a teaching nursing home, a nursing home licensee must, at a minimum:

(h) Maintain insurance coverage pursuant to *s. 400.141(19)* ~~s. 400.141(20)~~ or proof of financial responsibility in a minimum amount of $750,000. ~~Such~~ Proof of financial responsibility may include:

1. Maintaining an escrow account consisting of cash or assets eligible for deposit in accordance with s. 625.52; or

2. Obtaining and maintaining*,* pursuant to chapter 675*,* an unexpired, irrevocable, nontransferable and nonassignable letter of credit issued by *a* ~~any~~ bank or savings association organized and existing under the laws of this state or *a* ~~any~~ bank or savings association organized under the laws of the United States that has its principal place of business in this state or has a branch office which is authorized to receive deposits in this state. The letter of credit shall be used to satisfy the obligation of the facility to the claimant upon presentment of a final judgment indicating liability and awarding damages to be paid by the facility or upon presentment of a settlement agreement signed by all parties *if the* ~~to the agreement when such~~ final judgment or settlement is a result of a liability claim against the facility.

Section 28. Subsection (13) of section 651.118, Florida Statutes, is amended to read:

651.118 Agency for Health Care Administration; certificates of need; sheltered beds; community beds.—

(13) Residents~~, as defined in this chapter,~~ are not considered new admissions for the purpose of *s. 400.141(14)(d)* ~~s. 400.141(15)(d)~~.

Section 29. *The sum of $241,274 is appropriated to the Agency for Health Care Administration from the Health Care Trust Fund for the 2008-2009 fiscal year, and 8.5 full-time equivalent positions along with an associated salary rate of 298,721 are authorized for the purpose of implementing the provisions of this act.*

Section 30. Except as otherwise expressly provided in this act, this act shall take effect October 1, 2008.

And the title is amended as follows:

Delete line(s) 527-571 and insert: An act relating to adult protection and care; amending s. 322.142, F.S.; authorizing the Department of Children and Family Services to obtain copies of driver's license files maintained by the Department of Highway Safety and Motor Vehicles for the purpose of conducting protective investigations; amending s. 400.141, F.S.; requiring the agency to impose sanctions against a nursing home for failure to meet certain requirements and for failure to

impose a moratorium on new admissions; requiring a search of the Department of Law Enforcement's sexual offender database to be conducted on all nursing home residents; amending s. 400.19, F.S.; revising provisions relating to unannounced inspections; amending s. 400.215, F.S.; requiring contracted workers employed in a nursing home to submit to background screening; prohibiting employees and contracted workers who do not meet background screening requirements from being employed in a nursing home; providing certain exceptions; deleting an obsolete provision; amending s. 408.809, F.S.; requiring the agency to establish a fee schedule to cover the cost of a level 1 or level 2 screening and giving the agency rulemaking authority; amending s. 408.810, F.S.; requiring health care facilities regulated by the Agency for Health Care Administration to post certain information in the facility; requiring the agency to have the information available on its website; amending s. 408.811, F.S.; providing that agency employees who provide advance notice of unannounced agency inspections are subject to suspension; providing a timeline and process for correction of deficiencies; providing that the agency may provide electronic access to documents; amending s. 415.103, F.S.; requiring certain reports to the central abuse hotline relating to vulnerable adults to be immediately transferred to the county sheriff's office; amending s. 415.1051, F.S.; authorizing the Department of Children and Family Services to file the petition to determine incapacity in adult protection proceedings; prohibiting the department from serving as the guardian or providing legal counsel to the guardian; amending s. 415.112, F.S.; specifying rules to be adopted by the Department of Children and Family Services relating to adult protective services under ch. 415, F.S.; amending s. 429.07, F.S.; providing that license requirements for specialty licenses apply to current licensees as well as applicants for an extended congregate care and limited nursing license; conforming a cross-reference; amending s. 429.174, F.S.; requiring certain employees and contracted workers in assisted living facilities to submit to background screening; prohibiting employees and contracted workers who do not meet background screening requirements from being employed in an assisted living facility; providing certain exceptions; requiring the person being screened to pay for the cost of screening; amending s. 429.255, F.S.; providing that the owner or administrator of an assisted living facility is responsible for the services provided in the facility; amending s. 429.26, F.S.; clarifying a prohibition on moving a resident; providing for the development of a plan for services for all residents; requiring that the plan be updated and reviewed periodically; requiring a search of the Department of Law Enforcement's sexual offender database to be conducted on all residents of an assisted living facility; requiring residents to be periodically assessed for competency to handle personal affairs; amending s. 429.27, F.S.; prohibiting assisted living facility personnel from making certain decisions for a resident or acting as the resident's representative or surrogate; amending s. 429.28, F.S.; revising and specifying certain conditions in an assisted living facility's resident bill of rights for a resident's relocation or termination of residency; creating s. 429.285, F.S.; prohibiting resident relocation or termination of residency in the absence of certain specified conditions; requiring the administrator or employee of a facility to sign a notice of relocation or termination of residency and requiring a physician's signature under certain circumstances; requiring a licensee to provide advance written notice to the resident and other specified persons regarding relocation or termination of residency; providing that the notice contain certain information; providing for the creation of a form to submit relocation or termination of residency information and specifying information to be included therein; requiring a licensee to report relocation or termination of residency to the Office of State Long-term Care Ombudsman within a certain timeframe; permitting residents to seek the assistance of the local long-term care ombudsmen council in reviewing a notice of relocation or termination of residency; providing for emergency relocation and termination of residency; permitting the local long-term care ombudsmen council to request private informal contact with a resident upon receipt of a notice of relocation or termination of residency; authorizing the agency to adopt rules; amending s. 429.294, F.S.; deleting a cross-reference; amending s. 429.34, F.S.; providing for unannounced inspections; providing for additional 6-month inspections for certain violations; providing for an additional fine for 6-month inspections; amending s. 429.65, F.S.; providing a definition of the term "reside"; amending s. 429.67, F.S.; expanding the list of persons who must have a background screening in adult family-care homes; amending s. 429.69, F.S.; providing that the failure of a adult family-care home provider to live in the home is grounds for the denial, revocation, or suspension of a license; amending s. 429.73, F.S.; requiring adult family-care home residents to be periodically assessed for competency to handle personal affairs; amending ss. 435.03 and 435.04, F.S.; providing additional criminal offenses for screening certain health care facility personnel; repealing s. 400.141(13), F.S., relating to a requirement to post certain information in nursing homes; repealing s. 408.809(3), F.S., relating to the granting of a provisional license while awaiting the results of a background screening; repealing s. 429.08(2), F.S., deleting a provision relating to local workgroups of field offices of the Agency for Health Care Administration; repealing s. 429.41(5), F.S., relating to agency inspections; amending ss. 430.80 and 651.118, F.S.; conforming cross-references; providing an appropriation and authorizing additional positions; providing effective dates.

The question recurred on **Senate Amendment 1 (806500) to House Amendment 1** which was adopted.

On motion by Senator Storms, the Senate concurred in **House Amendment 1** as amended and requested the House to concur in the Senate amendment to the House amendment.

CS for CS for CS for SB 2216 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

Nays—None

Vote after roll call:

Yea to Nay—Bullard

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has passed CS for SB 2692, with 1 amendment, and requests the concurrence of the Senate.

William S. Pittman III, Chief Clerk

CS for SB 2692—A bill to be entitled An act relating to the teaching of chemical and biological evolution; providing a short title; providing legislative intent; defining the term "scientific information"; providing public school teachers with a right to present scientific information relevant to the full range of views on biological and chemical evolution; prohibiting a teacher from being discriminated against for presenting such information; prohibiting students from being penalized for subscribing to a particular position on evolution; clarifying that the act does not require any change in state curriculum standards or promote any religious position; providing an effective date.

House Amendment 1 (432103)(with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Paragraph (u) is added to subsection (2) of section 1003.42, Florida Statutes, to read:

1003.42 Required instruction.—

(2) Members of the instructional staff of the public schools, subject to the rules of the State Board of Education and the district school board, shall teach efficiently and faithfully, using the books and materials required that meet the highest standards for professionalism and historic accuracy, following the prescribed courses of study, and employing approved methods of instruction, the following:

(u) A thorough presentation and scientific critical analysis of the scientific theory of evolution.

The State Board of Education is encouraged to adopt standards and pursue assessment of the requirements of this subsection.

Section 2. This act shall take effect October 1, 2008.

And the title is amended as follows:

Remove the entire title and insert: A bill to be entitled An act relating to evolutionary theory; amending s. 1003.42, F.S.; requiring public school instruction in, and the scientific critical analysis of, the scientific theory of evolution; providing an effective date.

On motion by Senator Storms, the Senate refused to concur in the House amendment to **CS for SB 2692** and the House was requested to recede. The action of the Senate was certified to the House.

SPECIAL ORDER CALENDAR, continued

CS for CS for SB 474—A bill to be entitled An act relating to growth management; amending s. 70.51, F.S.; deleting an exemption from the limitation on the frequency of amendments of comprehensive plans; transferring, renumbering, and amending s. 125.379, F.S.; requiring counties to certify that they have prepared a list of county-owned property appropriate for affordable housing before obtaining certain funding; amending s. 163.3174, F.S.; prohibiting the members of the local governing body from serving on the local planning agency; providing an exception; amending s. 163.3177, F.S.; extending the date for local governments to adopt plan amendments to implement a financially feasible capital improvements element; extending the date for prohibiting future land use map amendments if a local government does not adopt and transmit its annual update to the capital improvements element; revising standards for the future land use plan in a local comprehensive plan; including a provision encouraging rural counties to adopt a rural subelement as part of their future land use plan; revising standards for the housing element of a local comprehensive plan; requiring certain counties to certify that they have adopted a plan for ensuring affordable workforce housing before obtaining certain funding; authorizing the state land planning agency to amend administrative rules relating to planning criteria to allow for varying local conditions; deleting exemptions from the limitation on the frequency of plan amendments; extending the deadline for local governments to adopt a public school facilities element and interlocal agreement; providing legislative findings concerning the need to preserve agricultural land and protect rural agricultural communities from adverse changes in the agricultural economy; defining the term "rural agricultural industrial center"; authorizing a landowner within a rural agricultural industrial center to apply for an amendment to the comprehensive plan to expand an existing center; providing requirements for such an application; providing a rebuttable presumption that such an amendment is consistent with state rule; providing certain exceptions to the approval of such an amendment; deleting provisions encouraging local governments to develop a community vision and to designate an urban service boundary; amending s. 163.31771, F.S.; requiring a local government to amend its comprehensive plan to allow accessory dwelling units in an area zoned for single-family residential use; prohibiting such units from being treated as new units if there is a land use restriction agreement that restricts use to affordable housing; prohibiting accessory dwelling units from being located on certain land; amending s. 163.3178, F.S.; revising provisions relating to coastal management and coastal high-hazard areas; providing factors for demonstrating the compliance of a comprehensive plan amendment with rule provisions relating to coastal areas; amending s. 163.3180, F.S.; revising concurrency requirements; specifying municipal areas for transportation concurrency exception areas; revising provisions relating to the Strategic Intermodal System; deleting a requirement for local governments to annually submit a summary of de minimus records; increasing the percentage of transportation impacts that must be reserved for urban redevelopment; requiring concurrency management systems to be coordinated with the appropriate metropolitan planning organization; revising regional impact proportionate share provisions to allow for improvements outside the jurisdiction in certain circumstances; providing for the determination of mitigation to include credit for certain mitigation provided under an earlier phase, calculated at present value; defining the terms "present value" and "backlogged transportation facility"; revising the calculation of school capacity to include relocatables used by a school district; providing a minimum state availability standard for school concurrency; providing that a developer may not be required to reduce or eliminate backlog or address class size reduction; requiring charter schools to be considered as a mitigation option under certain circumstances; requiring school districts to include relocatables in their calculation of school capacity in certain circumstances; providing for an Urban Placemaking Initiative Pilot Project Program; providing for designating certain local governments as urban placemaking initiative pilot projects; providing purposes, requirements, criteria, procedures, and limitations for such local governments, the pilot projects, and the program; authorizing a methodology based on vehicle and miles traveled for calculating proportionate fair-share methodology; providing transportation concurrency incentives for private developers; providing for recommendations for the establishment of a uniform mobility fee methodology to replace the current transportation concurrency management system; amending s. 163.31801, F.S.; requiring the provision of notice before the imposition of an increased impact fee; providing that the provision of notice is not required before decreasing or eliminating an impact fee; amending s. 163.3184, F.S.; requiring that potential applicants for a future land use map amendment applying to 50 or more acres conduct two meetings to present, discuss, and solicit public comment on the proposed amendment; requiring that one such meeting be conducted before the application is filed and the second meeting be conducted before adoption of the plan amendment; providing notice and procedure requirements for such meetings; requiring that applicants for a plan amendment applying to more than 11 acres but less than 50 acres conduct a meeting before the application is filed and encouraging a second meeting within a specified period before the local government's scheduled adoption hearing; providing for notice of such meeting; requiring that an applicant file with the local government a written certification attesting to certain information; exempting small-scale amendments from requirements related to meetings; revising a time period for comments on plan amendments; revising a time period for requesting state planning agency review of plan amendments; revising a time period for the state land planning agency to identify written comments on plan amendments for local governments; providing that an amendment is deemed abandoned under certain circumstances; authorizing the state land planning agency to grant extensions; requiring that a comprehensive plan or amendment to be adopted be available to the public; prohibiting certain types of changes to a plan amendment during a specified period before the hearing thereupon; requiring that the local government certify certain information to the state land planning agency; deleting exemptions from the limitation on the frequency of amendments of comprehensive plans; deleting provisions relating to community vision and urban boundary amendments to conform to changes made by the act; amending s. 163.3187, F.S.; limiting the adoption of certain plan amendments to twice per calendar year; limiting the adoption of certain plan amendments to once per calendar year; authorizing local governments to adopt certain plan amendments at any time during a calendar year without regard for restrictions on frequency; deleting certain types of amendments from the list of amendments eligible for adoption at any time during a calendar year; deleting exemptions from frequency limitations; providing circumstances under which small-scale amendments become effective; amending s. 163.3245, F.S.; revising provisions relating to optional sector plans; authorizing all local government to adopt optional sector plans into their comprehensive plan; increasing the size of the area to which sector plans apply; deleting certain restrictions on a local government upon entering into sector plans; deleting an annual monitoring report submitted by a host local government that has adopted a sector plan and a status report submitted by the department on optional sector plans; amending s. 163.3246, F.S.; discontinuing the Local Government Comprehensive Planning Certification Program except for currently certified local governments; retaining an exemption from DRI review for a certified community in certain circumstances; amending s. 163.32465, F.S.; revising provisions relating to the state review of comprehensive plans; providing additional types of amendments to which the alternative state review applies; providing a 30-day period for agency comments begins when the state land planning agency notifies the local government that the plan amendment package is complete; requiring adoption of a plan amendment within 120 days of receipt of agency comments or the plan amendment is deemed abandoned; revising the effective date of adopted plan amendments; providing procedural rulemaking authority to the state land planning agency; amending s. 163.340, F.S.; defining the term "blighted area" to include land previously used as a military facility; renumbering and amending s. 166.0451, F.S.; requiring municipalities to certify that they have prepared a list of county-owned property appropriate for affordable housing before obtaining certain funding; amending s. 253.034, F.S.; requiring that a manager of conservation lands report to the Board of Trustees of the Internal Improvement Trust Fund at specified intervals regarding those lands not being used for the purpose for which they

were originally leased; requiring that the Division of State Lands annually submit to the President of the Senate and the Speaker of the House of Representatives a copy of the state inventory identifying all nonconservation lands; requiring the division to publish a copy of the annual inventory on its website and notify by electronic mail the executive head of the governing body of each local government having lands in the inventory within its jurisdiction; amending s. 288.975, F.S.; deleting exemptions from the frequency limitations on comprehensive plan amendments; amending s. 380.06, F.S.; providing a 3-year extension for the buildout, commencement, and expiration dates of developments of regional impact and Florida Quality Developments, including associated local permits; providing an exception from development-of-regional-impact review; amending s. 380.0651, F.S.; providing an exemption from development-of-regional impact review; amending s. 1002.33, F.S.; restricting facilities from providing space to charter schools unless such use is consistent with the local comprehensive plan; prohibiting the expansion of certain facilities to accommodate for a charter school unless such use is consistent with the local comprehensive plan; creating s. 1011.775, F.S.; requiring that each district school board prepare an inventory list of certain real property on or before a specified date and at specified intervals thereafter; requiring that such list include certain information; requiring that the district school board review the list at a public meeting and make certain determinations; requiring that the board state its intended use for certain property; authorizing the board to revise the list at the conclusion of the public meeting; requiring that the board adopt a resolution; authorizing the board to offer certain properties for sale and use the proceeds for specified purposes; authorizing the board to make the property available for the production and preservation of permanent affordable housing; defining the term "affordable" for specified purposes; repealing s. 339.282, F.S., relating to transportation concurrency incentives; amending s. 1013.372, F.S.; requiring that certain charter schools serve as public shelters at the request of the local emergency management agency; amending ss. 163.3217, 163.3182, and 171.203, F.S.; deleting exemptions from the limitation on the frequency of amendments of comprehensive plans; providing an effective date.

—was read the second time by title.

MOTION

On motion by Senator Garcia, the rules were waived to allow the following amendment to be considered:

Senator Garcia moved the following amendment:

Amendment 1 (842906)(with title amendment)—Delete line(s) 223-1114 and insert:

Section 1. Section 125.379, Florida Statutes, is transferred, renumbered as section 163.32431, Florida Statutes, and amended to read:

163.32431 ~~125.379~~ Disposition of county property for affordable housing.—

(1) By July 1, 2007, and every 3 years thereafter, each county shall prepare an inventory list of all real property within its jurisdiction to which the county holds fee simple title that is appropriate for use as affordable housing. The inventory list must include the address and legal description of each ~~such~~ real property and specify whether the property is vacant or improved. The governing body of the county must review the inventory list at a public hearing and may revise it at the conclusion of the public hearing. The governing body of the county shall adopt a resolution that includes an inventory list of *the* ~~such~~ property following the public hearing.

(2) The properties identified as appropriate for use as affordable housing on the inventory list adopted by the county may be offered for sale and the proceeds used to purchase land for the development of affordable housing or to increase the local government fund earmarked for affordable housing, or may be sold with a restriction that requires the development of the property as permanent affordable housing, or may be donated to a nonprofit housing organization for the construction of permanent affordable housing. Alternatively, the county may otherwise make the property available for use for the production and preservation of permanent affordable housing. For purposes of this section, the term "affordable" has the same meaning as in s. 420.0004(3).

(3) As a precondition to receiving any state affordable housing funding or allocation for any project or program within a county's jurisdiction, a county must, by July 1 of each year, provide certification that the inventory and any update required by this section are complete.

Section 2. Subsection (1) of section 163.3174, Florida Statutes, is amended to read:

163.3174 Local planning agency.—

(1) The governing body of each local government, individually or in combination as provided in s. 163.3171, shall designate and by ordinance establish a "local planning agency," unless the agency is otherwise established by law. Notwithstanding any special act to the contrary, all local planning agencies or equivalent agencies that first review rezoning and comprehensive plan amendments in each municipality and county shall include a representative of the school district appointed by the school board as a nonvoting member ~~of the local planning agency or equivalent agency~~ to attend those meetings at which the agency considers comprehensive plan amendments and rezonings that would, if approved, increase residential density on the property that is the subject of the application. However, this subsection does not prevent the ~~governing body of the~~ local government from granting voting status to the school board member. *Members of* the *local* governing body may *not serve on* ~~designate itself as~~ the local planning agency pursuant to this subsection*, except in a municipality having a population of 10,000 or fewer* ~~with the addition of a nonvoting school board representative~~. The *local* governing body shall notify the state land planning agency of the establishment of its local planning agency. All local planning agencies shall provide opportunities for involvement by applicable community college boards, which may be accomplished by formal representation, membership on technical advisory committees, or other appropriate means. The local planning agency shall prepare the comprehensive plan or plan amendment after hearings to be held after public notice and shall make recommendations to the *local* governing body regarding the adoption or amendment of the plan. The *local planning* agency may be a local planning commission, the planning department of the local government, or other instrumentality, including a countywide planning entity established by special act or a council of local government officials created pursuant to s. 163.02, provided the composition of the council is fairly representative of all the governing bodies in the county or planning area; however:

(a) If a joint planning entity is in existence on the effective date of this act which authorizes the governing bodies to adopt and enforce a land use plan effective throughout the joint planning area, that entity shall be the agency for those local governments until such time as the authority of the joint planning entity is modified by law.

(b) In the case of chartered counties, the planning responsibility between the county and the several municipalities therein shall be as stipulated in the charter.

Section 3. Paragraph (b) of subsection (3), paragraph (a) of subsection (4), paragraphs (a), (c), (f), (g), and (h) of subsection (6), paragraph (i) of subsection (10), paragraph (i) of subsection (12), and subsections (13) and (14) of section 163.3177, Florida Statutes, are amended to read:

163.3177 Required and optional elements of comprehensive plan; studies and surveys.—

(3)

(b)1. The capital improvements element must be reviewed on an annual basis and modified as necessary in accordance with s. 163.3187 or s. 163.3189 in order to maintain a financially feasible 5-year schedule of capital improvements. Corrections and modifications concerning costs; revenue sources; or acceptance of facilities pursuant to dedications which are consistent with the plan may be accomplished by ordinance and shall not be deemed to be amendments to the local comprehensive plan. A copy of the ordinance shall be transmitted to the state land planning agency. An amendment to the comprehensive plan is required to update the schedule on an annual basis or to eliminate, defer, or delay the construction for any facility listed in the 5-year schedule. All public facilities must be consistent with the capital improvements element. Amendments to implement this section must be adopted and transmitted no later than December 1, *2009* ~~2008~~. Thereafter, a local government may not amend its future land use map, except for plan amendments to meet new requirements under this part and emergency amendments

pursuant to s. 163.3187(1)(a), after December 1, *2009* ~~2008~~, and every year thereafter, unless and until the local government has adopted the annual update and it has been transmitted to the state land planning agency.

2. Capital improvements element amendments adopted after the effective date of this act shall require only a single public hearing before the governing board which shall be an adoption hearing as described in s. 163.3184(7). Such amendments are not subject to the requirements of s. 163.3184(3)-(6).

(4)(a) Coordination of the local comprehensive plan with the comprehensive plans of adjacent municipalities, the county, adjacent counties, or the region; with the appropriate water management district's regional water supply plans approved pursuant to s. 373.0361; with adopted rules pertaining to designated areas of critical state concern; and with the state comprehensive plan shall be a major objective of the local comprehensive planning process. To that end, in the preparation of a comprehensive plan or element thereof, and in the comprehensive plan or element as adopted, the governing body shall include a specific policy statement indicating the relationship of the proposed development of the area to the comprehensive plans of adjacent municipalities, the county, adjacent counties, or the region and to the state comprehensive plan, as the case may require and as such adopted plans or plans in preparation may exist.

(6) In addition to the requirements of subsections (1)-(5) and (12), the comprehensive plan shall include the following elements:

(a) A future land use plan element designating proposed future general distribution, location, and extent of the uses of land for residential uses, commercial uses, industry, agriculture, recreation, conservation, education, public buildings and grounds, other public facilities, and other categories of the public and private uses of land. Counties are encouraged to designate rural land stewardship areas, pursuant to ~~the provisions of~~ paragraph (11)(d), as overlays on the future land use map.

1. Each future land use category must be defined in terms of uses included, and must include standards *for* ~~to be followed in~~ the control and distribution of population densities and building and structure intensities. The proposed distribution, location, and extent of the various categories of land use shall be shown on a land use map or map series which shall be supplemented by goals, policies, and measurable objectives.

2. The future land use plan shall be based upon surveys, studies, and data regarding the area, including the amount of land required to accommodate anticipated growth; the projected population of the area; the character of undeveloped land; the availability of water supplies, public facilities, and services; the need for redevelopment, including the renewal of blighted areas and the elimination of nonconforming uses which are inconsistent with the character of the community; the compatibility of uses on lands adjacent to or closely proximate to military installations; *the discouragement of urban sprawl; energy-efficient land use patterns that reduce vehicle miles traveled;* and, in rural communities, the need for job creation, capital investment, and economic development that will strengthen and diversify the community's economy.

3. The future land use plan may designate areas for future planned development use involving combinations of types of uses for which special regulations may be necessary to ensure development in accord with the principles and standards of the comprehensive plan and this act.

4. The future land use plan element shall include criteria ~~to be used~~ to achieve the compatibility of adjacent or closely proximate lands with military installations.

5. Counties are encouraged to adopt a rural sub-element as a part of the future land use plan. The sub-element shall apply to all lands classified in the future land use plan as predominantly agricultural, rural, open, open-rural, or a substantively equivalent land use. The rural sub-element shall include goals, objectives, and policies that enhance rural economies, promote the viability of agriculture, provide for appropriate economic development, discourage urban sprawl, and ensure the protection of natural resources. The rural sub-element shall generally identify anticipated areas of rural, agricultural, and conservation and areas that may be considered for conversion to urban land use and appropriate sites for affordable housing. The rural sub-element shall also generally identify areas that may be considered for rural land stewardship areas, sector planning, or new communities or towns in accordance with subsection (11) and s. 163.3245(2). ~~In addition,~~ For rural communities, the amount of land designated for future planned industrial use shall be based upon surveys and studies that reflect the need for job creation, capital investment, and the necessity to strengthen and diversify the local economies, and *may* ~~shall~~ not be limited solely by the projected population of the rural community.

6. The future land use plan of a county may also designate areas for possible future municipal incorporation.

7. The land use maps or map series shall generally identify and depict historic district boundaries and ~~shall~~ designate historically significant properties meriting protection.

8. For coastal counties, the future land use element must include, without limitation, regulatory incentives and criteria that encourage the preservation of recreational and commercial working waterfronts as defined in s. 342.07.

9. The future land use element must clearly identify the land use categories in which public schools are an allowable use. When delineating *such* ~~the~~ land use categories ~~in which public schools are an allowable use~~, a local government shall include in the categories sufficient land proximate to residential development to meet the projected needs for schools in coordination with public school boards and may establish differing criteria for schools of different type or size. Each local government shall include lands contiguous to existing school sites, to the maximum extent possible, within the land use categories in which public schools are an allowable use. ~~The failure by a local government to comply with these school siting requirements will result in the prohibition of~~ The local *government may not* ~~government's ability to~~ amend the local comprehensive plan, except for plan amendments described in s. 163.3187(1)(b), until the school siting requirements are met. ~~Amendments proposed by a local government for purposes of identifying the land use categories in which public schools are an allowable use are exempt from the limitation on the frequency of plan amendments contained in s. 163.3187.~~ The future land use element shall include criteria that encourage the location of schools proximate to urban residential areas to the extent possible and shall require that the local government seek to collocate public facilities, such as parks, libraries, and community centers, with schools to the extent possible and to encourage the use of elementary schools as focal points for neighborhoods. For schools serving predominantly rural counties, defined as a county *having* ~~with~~ a population of 100,000 or fewer, an agricultural land use category shall be eligible for the location of public school facilities if the local comprehensive plan contains school siting criteria and the location is consistent with such criteria. Local governments required to update or amend their comprehensive plan to include criteria and address compatibility of adjacent or closely proximate lands with existing military installations in their future land use plan element shall transmit the update or amendment to the department by June 30, 2006.

(c) A general sanitary sewer, solid waste, drainage, potable water, and natural groundwater aquifer recharge element correlated to principles and guidelines for future land use, indicating ways to provide for future potable water, drainage, sanitary sewer, solid waste, and aquifer recharge protection requirements for the area. The element may be a detailed engineering plan including a topographic map depicting areas of prime groundwater recharge. The element shall describe the problems and needs and the general facilities that will be required for solution of the problems and needs. The element shall also include a topographic map depicting any areas adopted by a regional water management district as prime groundwater recharge areas for the Floridan or Biscayne aquifers. These areas shall be given special consideration when the local government is engaged in zoning or considering future land use for said designated areas. For areas served by septic tanks, soil surveys shall be provided which indicate the suitability of soils for septic tanks. Within 18 months after the governing board approves an updated regional water supply plan, the element must incorporate the alternative water supply project or projects selected by the local government from those identified in the regional water supply plan pursuant to s. 373.0361(2)(a) or proposed by the local government under s. 373.0361(7)(b). If a local government is located within two water management districts, the local government shall adopt its comprehensive plan amendment within 18 months after the later updated regional water supply plan. The element must identify such alternative water supply projects and traditional water supply projects and conservation and reuse necessary to meet the

water needs identified in s. 373.0361(2)(a) within the local government's jurisdiction and include a work plan, covering at least a 10 year planning period, for building public, private, and regional water supply facilities, including development of alternative water supplies, which are identified in the element as necessary to serve existing and new development. The work plan shall be updated, at a minimum, every 5 years within 18 months after the governing board of a water management district approves an updated regional water supply plan. ~~Amendments to incorporate the work plan do not count toward the limitation on the frequency of adoption of amendments to the comprehensive plan.~~ Local governments, public and private utilities, regional water supply authorities, special districts, and water management districts are encouraged to cooperatively plan for the development of multijurisdictional water supply facilities that are sufficient to meet projected demands for established planning periods, including the development of alternative water sources to supplement traditional sources of groundwater and surface water supplies.

(f)1. A housing element consisting of standards, plans, and principles to be followed in:

a. The provision of housing for all current and anticipated future residents of the jurisdiction.

b. The elimination of substandard dwelling conditions.

c. The structural and aesthetic improvement of existing housing.

d. The provision of adequate sites for future housing, including affordable workforce housing as defined in s. 380.0651(3)(j), housing for low-income, very low-income, and moderate-income families, mobile homes, *senior affordable housing,* and group home facilities and foster care facilities, with supporting infrastructure and public facilities. *This includes compliance with the applicable public lands provision under s. 163.32431 or s. 163.32432.*

e. Provision for relocation housing and identification of historically significant and other housing for purposes of conservation, rehabilitation, or replacement.

f. The formulation of housing implementation programs.

g. The creation or preservation of affordable housing to minimize the need for additional local services and avoid the concentration of affordable housing units only in specific areas of the jurisdiction.

(I)~~h.~~ By July 1, 2008, each county in which the gap between the buying power of a family of four and the median county home sale price exceeds $170,000, as determined by the Florida Housing Finance Corporation, and which is not designated as an area of critical state concern shall adopt a plan for ensuring affordable workforce housing. At a minimum, the plan shall identify adequate sites for such housing. For purposes of this sub-subparagraph, the term "workforce housing" means housing that is affordable to natural persons or families whose total household income does not exceed 140 percent of the area median income, adjusted for household size.

(II)~~i.~~ *As a precondition to receiving any state affordable housing funding or allocation for any project or program within the jurisdiction of a county that is subject to sub-sub-subparagraph (I), a county must, by July 1 of each year, provide certification that the county has complied with the requirements of sub-sub-subparagraph (I).* ~~Failure by a local government to comply with the requirement in sub-subparagraph h. will result in the local government being ineligible to receive any state housing assistance grants until the requirement of sub-subparagraph h. is met.~~

2. The goals, objectives, and policies of the housing element must be based on the data and analysis prepared on housing needs, including the affordable housing needs assessment. State and federal housing plans prepared on behalf of the local government must be consistent with the goals, objectives, and policies of the housing element. Local governments are encouraged to *use* ~~utilize~~ job training, job creation, and economic solutions to address a portion of their affordable housing concerns.

3.~~2.~~ To assist local governments in housing data collection and analysis and assure uniform and consistent information regarding the state's housing needs, the state land planning agency shall conduct an affordable housing needs assessment for all local jurisdictions on a schedule that coordinates the implementation of the needs assessment with the evaluation and appraisal reports required by s. 163.3191. Each local government shall *use* ~~utilize~~ the data and analysis from the needs assessment as one basis for the housing element of its local comprehensive plan. The agency shall allow a local government ~~the option~~ to perform its own needs assessment~~,~~ if it uses the methodology established by the agency by rule.

(g)1. For those units of local government identified in s. 380.24, a coastal management element, appropriately related to the particular requirements of paragraphs (d) and (e) and meeting the requirements of s. 163.3178(2) and (3). The coastal management element shall set forth the policies that shall guide the local government's decisions and program implementation with respect to the following objectives:

a. Maintenance, restoration, and enhancement of the overall quality of the coastal zone environment, including, but not limited to, its amenities and aesthetic values.

b. Continued existence of viable populations of all species of wildlife and marine life.

c. The orderly and balanced utilization and preservation, consistent with sound conservation principles, of all living and nonliving coastal zone resources.

d. Avoidance of irreversible and irretrievable loss of coastal zone resources.

e. Ecological planning principles and assumptions to be used in the determination of suitability and extent of permitted development.

f. Proposed management and regulatory techniques.

g. Limitation of public expenditures that subsidize development in high-hazard coastal areas.

h. Protection of human life against the effects of natural disasters.

i. The orderly development, maintenance, and use of ports identified in s. 403.021(9) to facilitate deepwater commercial navigation and other related activities.

j. Preservation, including sensitive adaptive use of historic and archaeological resources.

2. As part of this element, a local government that has a coastal management element in its comprehensive plan is encouraged to adopt recreational surface water use policies that include applicable criteria for and consider such factors as natural resources, manatee protection needs, protection of working waterfronts and public access to the water, and recreation and economic demands. Criteria for manatee protection in the recreational surface water use policies should reflect applicable guidance outlined in the Boat Facility Siting Guide prepared by the Fish and Wildlife Conservation Commission. ~~If the local government elects to adopt recreational surface water use policies by comprehensive plan amendment, such comprehensive plan amendment is exempt from the provisions of s. 163.3187(1).~~ Local governments that wish to adopt recreational surface water use policies may be eligible for assistance with the development of such policies through the Florida Coastal Management Program. The Office of Program Policy Analysis and Government Accountability shall submit a report on the adoption of recreational surface water use policies under this subparagraph to the President of the Senate, the Speaker of the House of Representatives, and the majority and minority leaders of the Senate and the House of Representatives no later than December 1, 2010.

(h)1. An intergovernmental coordination element showing relationships and stating principles and guidelines to be used in the accomplishment of coordination of the adopted comprehensive plan with the plans of school boards, regional water supply authorities, and other units of local government providing services but not having regulatory authority over the use of land, with the comprehensive plans of adjacent municipalities, the county, adjacent counties, or the region, with the state comprehensive plan and with the applicable regional water supply plan approved pursuant to s. 373.0361, as the case may require and as such adopted plans or plans in preparation may exist. This element of the local comprehensive plan shall demonstrate consideration of the particular effects of the local plan, when adopted, upon the development of

adjacent municipalities, the county, adjacent counties, or the region, or upon the state comprehensive plan, as the case may require.

a. The intergovernmental coordination element shall provide for procedures to identify and implement joint planning areas, especially for the purpose of annexation, municipal incorporation, and joint infrastructure service areas.

b. The intergovernmental coordination element shall provide for recognition of campus master plans prepared pursuant to s. 1013.30.

c. The intergovernmental coordination element may provide for a voluntary dispute resolution process as established pursuant to s. 186.509 for bringing to closure in a timely manner intergovernmental disputes. A local government may develop and use an alternative local dispute resolution process for this purpose.

2. The intergovernmental coordination element shall further state principles and guidelines to be used in the accomplishment of coordination of the adopted comprehensive plan with the plans of school boards and other units of local government providing facilities and services but not having regulatory authority over the use of land. In addition, the intergovernmental coordination element shall describe joint processes for collaborative planning and decisionmaking on population projections and public school siting, the location and extension of public facilities subject to concurrency, and siting facilities with countywide significance, including locally unwanted land uses whose nature and identity are established in an agreement. Within 1 year of adopting their intergovernmental coordination elements, each county, all the municipalities within that county, the district school board, and any unit of local government service providers in that county shall establish by interlocal or other formal agreement executed by all affected entities, the joint processes described in this subparagraph consistent with their adopted intergovernmental coordination elements.

3. To foster coordination between special districts and local general-purpose governments as local general-purpose governments implement local comprehensive plans, each independent special district must submit a public facilities report to the appropriate local government as required by s. 189.415.

4.~~a.~~ Local governments must execute an interlocal agreement with the district school board, the county, and nonexempt municipalities pursuant to s. 163.31777. The local government shall amend the intergovernmental coordination element to provide that coordination between the local government and school board is pursuant to the agreement and shall state the obligations of the local government under the agreement.

~~b. Plan amendments that comply with this subparagraph are exempt from the provisions of s. 163.3187(1).~~

5. The state land planning agency shall establish a schedule for phased completion and transmittal of plan amendments to implement subparagraphs 1., 2., and 3. from all jurisdictions so as to accomplish their adoption by December 31, 1999. A local government may complete and transmit its plan amendments to carry out these provisions prior to the scheduled date established by the state land planning agency. The plan amendments are exempt from the provisions of s. 163.3187(1).

6. By January 1, 2004, any county having a population greater than 100,000, and the municipalities and special districts within that county, shall submit a report to the Department of Community Affairs which:

a. Identifies all existing or proposed interlocal service delivery agreements regarding the following: education; sanitary sewer; public safety; solid waste; drainage; potable water; parks and recreation; and transportation facilities.

b. Identifies any deficits or duplication in the provision of services within its jurisdiction, whether capital or operational. Upon request, the Department of Community Affairs shall provide technical assistance to the local governments in identifying deficits or duplication.

7. Within 6 months after submission of the report, the Department of Community Affairs shall, through the appropriate regional planning council, coordinate a meeting of all local governments within the regional planning area to discuss the reports and potential strategies to remedy any identified deficiencies or duplications.

8. Each local government shall update its intergovernmental coordination element based upon the findings in the report submitted pursuant to subparagraph 6. The report may be used as supporting data and analysis for the intergovernmental coordination element.

(10) The Legislature recognizes the importance and significance of chapter 9J-5, Florida Administrative Code, the Minimum Criteria for Review of Local Government Comprehensive Plans and Determination of Compliance of the Department of Community Affairs that will be used to determine compliance of local comprehensive plans. The Legislature reserved unto itself the right to review chapter 9J-5, Florida Administrative Code, and to reject, modify, or take no action relative to this rule. Therefore, pursuant to subsection (9), the Legislature hereby has reviewed chapter 9J-5, Florida Administrative Code, and expresses the following legislative intent:

(i) *The Legislature recognizes that due to varying local conditions, local governments have different planning needs that cannot be addressed by one uniform set of minimum planning criteria. Therefore, the state land planning agency may amend chapter 9J-5, Florida Administrative Code, to establish different minimum criteria that are applicable to local governments based on the following factors:*

1. Current and projected population.

2. Size of the local jurisdiction.

3. Amount and nature of undeveloped land.

4. The scale of public services provided by the local government.

The *state land planning agency* ~~department~~ shall take into account the factors delineated in rule 9J-5.002(2), Florida Administrative Code, as it provides assistance to local governments and applies the rule in specific situations with regard to the detail of the data and analysis required.

(12) A public school facilities element adopted to implement a school concurrency program shall meet the requirements of this subsection. Each county and each municipality within the county, unless exempt or subject to a waiver, must adopt a public school facilities element that is consistent with those adopted by the other local governments within the county and enter the interlocal agreement pursuant to s. 163.31777.

(i) The state land planning agency shall establish a phased schedule for adoption of the public school facilities element and the required updates to the public schools interlocal agreement pursuant to s. 163.31777. The schedule shall provide for each county and local government within the county to adopt the element and update to the agreement no later than December 1, *2009* ~~2008~~. Plan amendments to adopt a public school facilities element are exempt from the provisions of s. 163.3187(1).

(13)*(a) The Legislature recognizes and finds that:*

1. There are a number of rural agricultural industrial centers in the state which process, produce, or aid in the production or distribution of a variety of agriculturally based products, such as fruits, vegetables, timber, and other crops, as well as juices, paper, and building materials. These rural agricultural industrial centers may have a significant amount of existing associated infrastructure that is used for the processing, production, or distribution of agricultural products.

2. Such rural agricultural industrial centers often are located within or near communities in which the economy is largely dependent upon agriculture and agriculturally based products. These centers significantly enhance the economy of such communities. However, these agriculturally based communities often are socioeconomically challenged and many such communities have been designated as rural areas of critical economic concern. If these existing rural agricultural industrial centers are lost and or not replaced with other job-creating enterprises, these agriculturally based communities may lose a substantial amount of their economies.

3. The state has a compelling interest in preserving the viability of agriculture and protecting rural agricultural communities and the state from the economic upheaval that could result from short-term or long-term adverse changes in the agricultural economy. To protect such communities and promote viable agriculture for the long term, it is essential

to encourage and permit diversification of existing rural agricultural industrial centers by providing for jobs that are not solely dependent upon but are compatible with and complement existing agricultural industrial operations and to encourage the creation and expansion of industries that use agricultural products in innovative or new ways. However, the expansion and diversification of these existing centers must be accomplished in a manner that does not promote urban sprawl into surrounding agricultural and rural areas.

(b) As used in this subsection, the term "rural agricultural industrial center" means a developed parcel of land in an unincorporated area on which there exists an operating agricultural industrial facility or facilities that employ at least 200 full-time employees in the aggregate and that are used for processing and preparing for transport a farm product, as defined in s. 163.3162, or any biomass material that could be used, directly or indirectly, for the production of fuel, renewable energy, bioenergy, or alternative fuel as defined by state law. The center may also include land contiguous to the facility site which is not used for the cultivation of crops, but on which other existing activities essential to the operation of such facility or facilities are located or conducted. The parcel of land must be located within or in reasonable proximity, not to exceed 10 miles, to a rural area of critical economic concern.

(c) A landowner within a rural agricultural industrial center may apply for an amendment to the local government comprehensive plan for the purpose of designating and expanding the existing agricultural industrial uses or facilities located in the center or expanding the existing center to include industrial uses or facilities that are not dependent upon but are compatible with agriculture and the existing uses and facilities. An application for a comprehensive plan amendment under this paragraph:

1. May not increase the physical area of the original existing rural agricultural industrial center by more than 50 percent or 200 acres, whichever is greater;

2. Must propose a project that would create, upon completion, at least 50 new full-time jobs;

3. Must demonstrate that infrastructure capacity exists or will be provided to support the expanded center at level-of-service standards adopted in the local government comprehensive plan;

4. Must contain goals, objectives, and policies that will prevent urban sprawl in the areas surrounding the expanded center, or demonstrate that the local government comprehensive plan contains such provisions; and

5. Must contain goals, objectives, and policies that will ensure that any adverse environmental impacts of the expanded center will be adequately addressed and mitigated, or demonstrate that the local government comprehensive plan contains such provisions.

An amendment that meets the requirements of this subsection is presumed to be consistent with rule 9J-5.006(5), Florida Administrative Code. This presumption may be rebutted by a preponderance of the evidence.

(d) This subsection does not apply to an optional sector plan adopted pursuant to s. 163.3245 or to a rural land stewardship area designated pursuant to subsection (11). ~~Local governments are encouraged to develop a community vision that provides for sustainable growth, recognizes its fiscal constraints, and protects its natural resources. At the request of a local government, the applicable regional planning council shall provide assistance in the development of a community vision.~~

~~(a) As part of the process of developing a community vision under this section, the local government must hold two public meetings with at least one of those meetings before the local planning agency. Before those public meetings, the local government must hold at least one public workshop with stakeholder groups such as neighborhood associations, community organizations, businesses, private property owners, housing and development interests, and environmental organizations.~~

~~(b) The local government must, at a minimum, discuss five of the following topics as part of the workshops and public meetings required under paragraph (a):~~

~~1. Future growth in the area using population forecasts from the Bureau of Economic and Business Research;~~

~~2. Priorities for economic development;~~

~~3. Preservation of open space, environmentally sensitive lands, and agricultural lands;~~

~~4. Appropriate areas and standards for mixed-use development;~~

~~5. Appropriate areas and standards for high-density commercial and residential development;~~

~~6. Appropriate areas and standards for economic development opportunities and employment centers;~~

~~7. Provisions for adequate workforce housing;~~

~~8. An efficient, interconnected multimodal transportation system; and~~

~~9. Opportunities to create land use patterns that accommodate the issues listed in subparagraphs 1.-8.~~

~~(c) As part of the workshops and public meetings, the local government must discuss strategies for addressing the topics discussed under paragraph (b), including:~~

~~1. Strategies to preserve open space and environmentally sensitive lands, and to encourage a healthy agricultural economy, including innovative planning and development strategies, such as the transfer of development rights;~~

~~2. Incentives for mixed-use development, including increased height and intensity standards for buildings that provide residential use in combination with office or commercial space;~~

~~3. Incentives for workforce housing;~~

~~4. Designation of an urban service boundary pursuant to subsection (2); and~~

~~5. Strategies to provide mobility within the community and to protect the Strategic Intermodal System, including the development of a transportation corridor management plan under s. 337.273.~~

~~(d) The community vision must reflect the community's shared concept for growth and development of the community, including visual representations depicting the desired land use patterns and character of the community during a 10-year planning timeframe. The community vision must also take into consideration economic viability of the vision and private property interests.~~

~~(e) After the workshops and public meetings required under paragraph (a) are held, the local government may amend its comprehensive plan to include the community vision as a component in the plan. This plan amendment must be transmitted and adopted pursuant to the procedures in ss. 163.3184 and 163.3189 at public hearings of the governing body other than those identified in paragraph (a).~~

~~(f) Amendments submitted under this subsection are exempt from the limitation on the frequency of plan amendments in s. 163.3187.~~

~~(g) A local government that has developed a community vision or completed a visioning process after July 1, 2000, and before July 1, 2005, which substantially accomplishes the goals set forth in this subsection and the appropriate goals, policies, or objectives have been adopted as part of the comprehensive plan or reflected in subsequently adopted land development regulations and the plan amendment incorporating the community vision as a component has been found in compliance is eligible for the incentives in s. 163.3184(17).~~

~~(14) Local governments are also encouraged to designate an urban service boundary. This area must be appropriate for compact, contiguous urban development within a 10-year planning timeframe. The urban service area boundary must be identified on the future land use map or map series. The local government shall demonstrate that the land included within the urban service boundary is served or is planned to be served with adequate public facilities and services based on the local government's adopted level-of-service standards by adopting a 10-year facilities plan in the capital improvements element which is financially feasible. The local government shall demonstrate that the amount of land within the urban service boundary does not exceed the amount of~~

~~land needed to accommodate the projected population growth at densities consistent with the adopted comprehensive plan within the 10-year planning timeframe.~~

~~(a) As part of the process of establishing an urban service boundary, the local government must hold two public meetings with at least one of those meetings before the local planning agency. Before those public meetings, the local government must hold at least one public workshop with stakeholder groups such as neighborhood associations, community organizations, businesses, private property owners, housing and development interests, and environmental organizations.~~

~~(b)1. After the workshops and public meetings required under paragraph (a) are held, the local government may amend its comprehensive plan to include the urban service boundary. This plan amendment must be transmitted and adopted pursuant to the procedures in ss. 163.3184 and 163.3189 at meetings of the governing body other than those required under paragraph (a).~~

~~2. This subsection does not prohibit new development outside an urban service boundary. However, a local government that establishes an urban service boundary under this subsection is encouraged to require a full-cost-accounting analysis for any new development outside the boundary and to consider the results of that analysis when adopting a plan amendment for property outside the established urban service boundary.~~

~~(c) Amendments submitted under this subsection are exempt from the limitation on the frequency of plan amendments in s. 163.3187.~~

~~(d) A local government that has adopted an urban service boundary before July 1, 2005, which substantially accomplishes the goals set forth in this subsection is not required to comply with paragraph (a) or subparagraph 1. of paragraph (b) in order to be eligible for the incentives under s. 163.3184(17). In order to satisfy the provisions of this paragraph, the local government must secure a determination from the state land planning agency that the urban service boundary adopted before July 1, 2005, substantially complies with the criteria of this subsection, based on data and analysis submitted by the local government to support this determination. The determination by the state land planning agency is not subject to administrative challenge.~~

Section 4. Subsections (3), (4), (5), and (6) of section 163.31771, Florida Statutes, are amended to read:

163.31771 Accessory dwelling units.—

(3) Upon a finding by a local government that there is a shortage of affordable rentals within its jurisdiction, the local government may *amend its comprehensive plan* ~~adopt an ordinance~~ to allow accessory dwelling units in any area zoned for single-family residential use.

(4) If the local government *amends its comprehensive plan pursuant to* ~~adopts an ordinance under~~ this section, an application for a building permit to construct an accessory dwelling unit must include an affidavit from the applicant which attests that the unit will be rented at an affordable rate to an extremely-low-income, very-low-income, low-income, or moderate-income person or persons.

(5) Each accessory dwelling unit allowed by *the comprehensive plan* ~~an ordinance adopted under this section~~ shall apply toward satisfying the affordable housing component of the housing element in the local government's comprehensive plan under s. 163.3177(6)(f)*, and if such unit is subject to a recorded land use restriction agreement restricting its use to affordable housing, the unit may not be treated as a new unit for purposes of transportation concurrency or impact fees. Accessory dwelling units may not be located on land within a coastal high-hazard area or on lands identified as environmentally sensitive in the local comprehensive plan.*

~~(6) The Department of Community Affairs shall evaluate the effectiveness of using accessory dwelling units to address a local government's shortage of affordable housing and report to the Legislature by January 1, 2007. The report must specify the number of ordinances adopted by a local government under this section and the number of accessory dwelling units that were created under these ordinances.~~

Section 5. Paragraph (h) of subsection (2) and subsection (9) of section 163.3178, Florida Statutes, are amended to read:

163.3178 Coastal management.—

(2) Each coastal management element required by s. 163.3177(6)(g) shall be based on studies, surveys, and data; be consistent with coastal resource plans prepared and adopted pursuant to general or special law; and contain:

(h) Designation of coastal high-hazard areas and the criteria for mitigation for a comprehensive plan amendment in a coastal high-hazard area as *provided* ~~defined~~ in subsection (9). The coastal high-hazard area is the area *seaward of* ~~below~~ the elevation of the category 1 storm surge line as established by a Sea, Lake, and Overland Surges from Hurricanes (SLOSH) computerized storm surge model. *Except as demonstrated by site-specific, reliable data and analysis, the coastal high-hazard area includes all lands within the area from the mean low-water line to the inland extent of the category 1 storm surge area. Such area is depicted by, but not limited to, the areas illustrated in the most current SLOSH Storm Surge Atlas.* Application of mitigation and the application of development and redevelopment policies, pursuant to s. 380.27(2), and any rules adopted thereunder, shall be at the discretion of *the* local government.

(9)~~(a)~~ Local governments may elect to comply with *state coastal high-hazard provisions pursuant to* rule 9J-5.012(3)(b)6. and 7., Florida Administrative Code, through the process provided in this section.

(a) A proposed comprehensive plan amendment shall be found in compliance ~~with state coastal high-hazard provisions pursuant to rule 9J-5.012(3)(b)6. and 7., Florida Administrative Code,~~ if:

1. *The area subject to the amendment is not:*

a. Within a designated area of critical state concern;

b. Inclusive of areas within the FEMA velocity zones;

c. Subject to coastal erosion;

d. Seaward of the coastal construction control line; or

e. Subject to repetitive damage from coastal storms and floods.

2. The local government has adopted the following as a part of its comprehensive plan:

a. Hazard mitigation strategies that reduce, replace, or eliminate unsafe structures and properties subject to repetitive losses from coastal storms or floods.

b. Measures that reduce exposure to hazards including:

(I) Relocation;

(II) Structural modifications of threatened infrastructure;

(III) Provisions for operational or capacity improvements to maintain hurricane evacuation clearance times within established limits; and

(IV) Prohibiting public expenditures for capital improvements that subsidize increased densities and intensities of development within the coastal high-hazard area.

c. A postdisaster redevelopment plan.

3.a. The adopted level of service for out-of-county hurricane evacuation *clearance time* is maintained for a category 5 storm event as measured on the Saffir-Simpson scale *if the adopted out-of-county hurricane evacuation clearance time does not exceed 16 hours and is based upon the time necessary to reach shelter space*;

b.~~2.~~ A 12-hour evacuation time to shelter is maintained for a category 5 storm event as measured on the Saffir-Simpson scale and shelter space reasonably expected to accommodate the residents of the development contemplated by a proposed comprehensive plan amendment is available; or

c.~~3.~~ Appropriate mitigation is provided *to ensure* that *the requirements of sub-subparagraph a. or sub-subparagraph b. are achieved.* ~~will satisfy the provisions of subparagraph 1. or subparagraph 2.~~ Appropriate mitigation shall include, without limitation, payment of money, con-

tribution of land, and construction of hurricane shelters and transportation facilities. Required mitigation *may* ~~shall~~ not exceed the amount required for a developer to accommodate impacts reasonably attributable to development. A local government and a developer shall enter into a binding agreement to *establish* ~~memorialize~~ the mitigation plan. *The executed agreement must be submitted along with the adopted plan amendment.*

(b) For those local governments that have not established a level of service for out-of-county hurricane evacuation by July 1, *2009* ~~2008~~, but elect to comply ~~with rule 9J-5.012(3)(b)6. and 7., Florida Administrative Code,~~ by following the process in paragraph (a), the level of service *may not exceed* ~~shall be no greater than~~ 16 hours for a category 5 storm event as measured on the Saffir-Simpson scale *based upon the time necessary to reach shelter space*.

(c) This subsection *applies* ~~shall become effective immediately and shall apply~~ to all local governments. *By* ~~No later than~~ July 1, *2009* ~~2008~~, local governments shall amend their future land use map and coastal management element to include the ~~new~~ definition of coastal high-hazard area *provided in paragraph (2)(h)* and to depict the coastal high-hazard area on the future land use map.

Section 6. Section 163.3180, Florida Statutes, is amended to read:

163.3180 Concurrency.—

(1) *APPLICABILITY OF CONCURRENCY REQUIREMENT.*—

(a) *Public facility types.*—Sanitary sewer, solid waste, drainage, potable water, parks and recreation, schools, and transportation facilities, including mass transit, where applicable, are the only public facilities and services subject to the concurrency requirement on a statewide basis. Additional public facilities and services may not be made subject to concurrency on a statewide basis without appropriate study and approval by the Legislature; however, any local government may extend the concurrency requirement ~~so that it applies~~ to *apply to* additional public facilities within its jurisdiction.

(b) *Transportation methodologies.*—Local governments shall use professionally accepted techniques for measuring level of service for automobiles, bicycles, pedestrians, transit, and trucks. These techniques may be used to evaluate increased accessibility by multiple modes and reductions in vehicle miles of travel in an area or zone. The *state land planning agency and the* Department of Transportation shall develop methodologies to assist local governments in implementing this multimodal level-of-service analysis *and*~~. The Department of Community Affairs and the Department of Transportation~~ shall provide technical assistance to local governments in applying *the* ~~these~~ methodologies.

(2) *PUBLIC FACILITY AVAILABILITY STANDARDS.*—

(a) *Sanitary sewer, solid waste, drainage, adequate water supply, and potable water facilities.*—Consistent with public health and safety, sanitary sewer, solid waste, drainage, adequate water supplies, and potable water facilities shall be in place and available to serve new development no later than the issuance by the local government of a certificate of occupancy or its functional equivalent. Prior to approval of a building permit or its functional equivalent, the local government shall consult with the applicable water supplier to determine whether adequate water supplies to serve the new development will be available *by* ~~no later than~~ the anticipated date of issuance ~~by the local government~~ of *the* ~~a~~ certificate of occupancy or its functional equivalent. A local government may meet the concurrency requirement for sanitary sewer through the use of onsite sewage treatment and disposal systems approved by the Department of Health to serve new development.

(b) *Parks and recreation facilities.*—Consistent with the public welfare, and except as otherwise provided in this section, parks and recreation facilities to serve new development shall be in place or under actual construction *within* ~~no later than~~ 1 year after issuance by the local government of a certificate of occupancy or its functional equivalent. However, the acreage for such facilities *must* ~~shall~~ be dedicated or be acquired by the local government prior to issuance ~~by the local government~~ of *the* ~~a~~ certificate of occupancy or its functional equivalent, or funds in the amount of the developer's fair share shall be committed no later than the local government's approval to commence construction.

(c) *Transportation facilities.*—Consistent with the public welfare, and except as otherwise provided in this section, transportation facilities needed to serve new development *must* ~~shall~~ be in place or under actual construction within 3 years after the local government approves a building permit or its functional equivalent that results in traffic generation.

(3) *ESTABLISHING LEVEL-OF-SERVICE STANDARDS.*—Governmental entities that are not responsible for providing, financing, operating, or regulating public facilities needed to serve development may not establish binding level-of-service standards on governmental entities that do bear those responsibilities. This subsection does not limit the authority of any agency to recommend or make objections, recommendations, comments, or determinations during reviews conducted under s. 163.3184.

(4) *APPLICATION OF CONCURRENCY TO PUBLIC FACILITIES.*—

(a) *State and other public facilities.*—The concurrency requirement as implemented in local comprehensive plans applies to state and other public facilities and development to the same extent that it applies to all other facilities and development, as provided by law.

(b) *Public transit facilities.*—The concurrency requirement as implemented in local comprehensive plans does not apply to public transit facilities. For the purposes of this paragraph, public transit facilities include transit stations and terminals; transit station parking; park-and-ride lots; intermodal public transit connection or transfer facilities; fixed bus, guideway, and rail stations; and airport passenger terminals and concourses, air cargo facilities, and hangars for the maintenance or storage of aircraft. As used in this paragraph, the terms "terminals" and "transit facilities" do not include seaports or commercial or residential development constructed in conjunction with a public transit facility.

(c) *Infill and redevelopment areas.*—The concurrency requirement, except as it relates to transportation facilities and public schools, as implemented in local government comprehensive plans, may be waived by a local government for urban infill and redevelopment areas designated pursuant to s. 163.2517 if such ~~a~~ waiver does not endanger public health or safety as defined by the local government in its local government comprehensive plan. The waiver *must* ~~shall~~ be adopted as a plan amendment *using* ~~pursuant to~~ the process ~~set forth~~ in s. 163.3187(3)(a). A local government may grant a concurrency exception pursuant to subsection (5) for transportation facilities located within ~~these~~ urban infill and redevelopment areas.

(5) *TRANSPORTATION CONCURRENCY EXCEPTION AREAS.*—

(a) *Countervailing planning and public policy goals.*—The Legislature finds that under limited circumstances ~~dealing with transportation facilities~~, countervailing planning and public policy goals may come into conflict with the requirement that adequate public *transportation* facilities and services be available concurrent with the impacts of such development. The Legislature further finds that ~~often~~ the unintended result of the concurrency requirement for transportation facilities is *often* the discouragement of urban infill development and redevelopment. Such unintended results directly conflict with the goals and policies of the state comprehensive plan and the intent of this part. *The Legislature also finds that in urban centers transportation cannot be effectively managed and mobility cannot be improved solely through the expansion of roadway capacity, that the expansion of roadway capacity is not always physically or financially possible, and that a range of transportation alternatives are essential to satisfy mobility needs, reduce congestion, and achieve healthy, vibrant centers.* Therefore, exceptions from the concurrency requirement for transportation facilities may be granted as provided by this subsection.

(b) *Geographic applicability.*—

1. Within municipalities, transportation concurrency exception areas are established for geographic areas identified in the adopted portion of the comprehensive plan as of July 1, 2008, for:

a. Urban infill development;

b. Urban redevelopment;

c. Downtown revitalization; or

d. Urban infill and redevelopment under s. 163.2517.

2. In other portions of the state, including municipalities and unincorporated areas of counties, a local government may *adopt a comprehensive plan amendment establishing a transportation concurrency exception area* ~~grant an exception from the concurrency requirement for transportation facilities if the proposed development is otherwise consistent with the adopted local government comprehensive plan and is a project that promotes public transportation or is located~~ within an area designated in the comprehensive plan for:

a.~~1.~~ Urban infill development;

b.~~2.~~ Urban redevelopment;

c.~~3.~~ Downtown revitalization;

d.~~4.~~ Urban infill and redevelopment under s. 163.2517; or

e.~~5.~~ An urban service area *consisting of* ~~specifically designated as a transportation concurrency exception area which includes~~ lands appropriate for compact~~,~~ contiguous urban development, which does not exceed the amount of land needed to accommodate the projected population growth at densities consistent with the adopted comprehensive plan within the 10-year planning period, and which is served or is planned to be served with public facilities and services as provided by the capital improvements element.

(c) *Projects having special part-time demands.*—The Legislature also finds that developments located within urban infill, urban redevelopment, existing urban service, or downtown revitalization areas or areas designated as urban infill and redevelopment areas under s. 163.2517 which pose only special part-time demands on the transportation system should be excepted from the concurrency requirement for transportation facilities. A special part-time demand is one that does not have more than 200 scheduled events during any calendar year and does not affect the 100 highest traffic volume hours.

(d) *Long-term strategies within transportation concurrency exception areas.—Except for transportation concurrency exception areas established pursuant to subparagraph (b)1., the following requirements apply:* ~~A local government shall establish guidelines in the comprehensive plan for granting the exceptions authorized in paragraphs (b) and (c) and subsections (7) and (15) which must be consistent with and support a comprehensive strategy adopted in the plan to promote the purpose of the exceptions.~~

1.~~(e)~~ The local government shall adopt into the plan and implement long-term strategies to support and fund mobility within the designated exception area, including alternative modes of transportation. The plan amendment must ~~also~~ demonstrate how strategies will support the purpose of the exception and how mobility within the designated exception area will be provided.

2. ~~In addition,~~ The strategies must address urban design; appropriate land use mixes, including intensity and density; and network connectivity plans needed to promote urban infill, redevelopment, or downtown revitalization. The comprehensive plan amendment designating the ~~concurrency~~ exception area must be accompanied by data and analysis justifying the size of the area.

(e)~~(f)~~ *Strategic Intermodal System.*—Prior to the designation of a concurrency exception area *pursuant to subparagraph (b)2.*, the state land planning agency and the Department of Transportation shall be consulted by the local government to assess the impact that the proposed exception area is expected to have on the adopted level-of-service standards established for Strategic Intermodal System facilities~~, as defined in s. 339.64,~~ and roadway facilities funded in accordance with s. 339.2819 *and to provide for mitigation of the impacts*. Further, *as a part of the comprehensive plan amendment establishing the exception area,* the local government shall *provide for mitigation of impacts*~~, in consultation with the state land planning agency and the Department of Transportation, develop a plan to mitigate any impacts~~ to the Strategic Intermodal System, including, if appropriate, *access management, parallel reliever roads, transportation demand management, or other measures* ~~the development of a long-term concurrency management system pursuant to subsection (9) and s. 163.3177(3)(d). The exceptions may be available only within the specific geographic area of the jurisdiction designated in the plan. Pursuant to s. 163.3184, any affected person may challenge a plan amendment establishing these guidelines and the areas within which an exception could be granted.~~

~~(g) Transportation concurrency exception areas existing prior to July 1, 2005, must, at a minimum, meet the provisions of this section by July 1, 2006, or at the time of the comprehensive plan update pursuant to the evaluation and appraisal report, whichever occurs last.~~

(6) *DE MINIMIS IMPACT.*—The Legislature finds that a de minimis impact is consistent with this part. A de minimis impact is an impact that *does* ~~would~~ not affect more than 1 percent of the maximum volume at the adopted level of service of the affected transportation facility as determined by the local government. *An* ~~No~~ impact *is not* ~~will be~~ de minimis if the sum of existing roadway volumes and the projected volumes from approved projects on a transportation facility *exceeds* ~~would exceed~~ 110 percent of the maximum volume at the adopted level of service of the affected transportation facility; ~~provided~~ however, *the* ~~that an~~ impact of a single family home on an existing lot *is* ~~will constitute~~ a de minimis impact on all roadways regardless of the level of the deficiency of the roadway. Further, *an* ~~no~~ impact *is not* ~~will be~~ de minimis if it *exceeds* ~~would exceed~~ the adopted level-of-service standard of any affected designated hurricane evacuation routes. Each local government shall maintain sufficient records to ensure that the 110-percent criterion is not exceeded. ~~Each local government shall submit annually, with its updated capital improvements element, a summary of the de minimis records. If the state land planning agency determines that the 110-percent criterion has been exceeded, the state land planning agency shall notify the local government of the exceedance and that no further de minimis exceptions for the applicable roadway may be granted until such time as the volume is reduced below the 110 percent. The local government shall provide proof of this reduction to the state land planning agency before issuing further de minimis exceptions.~~

(7) *CONCURRENCY MANAGEMENT AREAS.*—In order to promote infill development and redevelopment, one or more transportation concurrency management areas may be designated in a local government comprehensive plan. A transportation concurrency management area must be a compact geographic area *that has* ~~with~~ an existing network of roads where multiple, viable alternative travel paths or modes are available for common trips. A local government may establish an areawide level-of-service standard for ~~such~~ a transportation concurrency management area based upon an analysis that provides for a justification for the areawide level of service, how urban infill development or redevelopment will be promoted, and how mobility will be accomplished within the transportation concurrency management area. Prior to the designation of a concurrency management area, *the local government shall consult with the state land planning agency and* the Department of Transportation ~~shall be consulted by the local government~~ to assess the impact that the proposed concurrency management area is expected to have on the adopted level-of-service standards established for Strategic Intermodal System facilities~~, as defined in s. 339.64,~~ and roadway facilities funded in accordance with s. 339.2819. Further, the local government shall, in cooperation with the *state land planning agency and the* Department of Transportation, develop a plan to mitigate any impacts to the Strategic Intermodal System, including, if appropriate, the development of a long-term concurrency management system pursuant to subsection (9) and s. 163.3177(3)(d). ~~Transportation concurrency management areas existing prior to July 1, 2005, shall meet, at a minimum, the provisions of this section by July 1, 2006, or at the time of the comprehensive plan update pursuant to the evaluation and appraisal report, whichever occurs last.~~ The state land planning agency shall amend chapter 9J-5, Florida Administrative Code, to be consistent with this subsection.

(8) *URBAN REDEVELOPMENT.*—When assessing the transportation impacts of proposed urban redevelopment within an established existing urban service area, *150* ~~110~~ percent of the actual transportation impact caused by the previously existing development must be reserved for the redevelopment, even if the previously existing development has a lesser or nonexisting impact pursuant to the calculations of the local government. Redevelopment requiring less than *150* ~~110~~ percent of the previously existing capacity *may* ~~shall~~ not be prohibited due to the reduction of transportation levels of service below the adopted standards. This does not preclude the appropriate assessment of fees or accounting for the impacts within the concurrency management system and capital improvements program of the affected local government. This paragraph does not affect local government requirements for appropriate development permits.

(9) *LONG-TERM CONCURRENCY MANAGEMENT.*—

(a) Each local government may adopt, as a part of its plan, long-term transportation and school concurrency management systems *that have* ~~with~~ a planning period of up to 10 years for specially designated districts or areas where significant backlogs exist. The plan may include interim level-of-service standards on certain facilities and shall rely on the local government's schedule of capital improvements for up to 10 years as a basis for issuing development orders that authorize commencement of construction in these designated districts or areas. The concurrency management system must be designed to correct existing deficiencies and set priorities for addressing backlogged facilities *and be coordinated with the appropriate metropolitan planning organization*. The concurrency management system must be financially feasible and consistent with other portions of the adopted local plan, including the future land use map.

(b) If a local government has a transportation or school facility backlog for existing development which cannot be adequately addressed in a 10-year plan, the state land planning agency may allow it to develop a plan and long-term schedule of capital improvements covering up to 15 years for good and sufficient cause, based on a general comparison between *the* ~~that~~ local government and all other similarly situated local jurisdictions, using the following factors:

1. The extent of the backlog.

2. For roads, whether the backlog is on local or state roads.

3. The cost of eliminating the backlog.

4. The local government's tax and other revenue-raising efforts.

(c) The local government may issue approvals to commence construction notwithstanding this section, consistent with and in areas that are subject to a long-term concurrency management system.

(d) If the local government adopts a long-term concurrency management system, it must evaluate the system periodically. At a minimum, the local government must assess its progress toward improving levels of service within the long-term concurrency management district or area in the evaluation and appraisal report and determine any changes that are necessary to accelerate progress in meeting acceptable levels of service.

(e) The Department of Transportation shall develop a transportation methodology to determine the internal capture rate of a development of regional impact when fully developed. The transportation methodology must use a regional transportation model that incorporates professionally accepted modeling techniques applicable to such developments. The methodology review must be completed by March 1, 2009.

(10) *TRANSPORTATION LEVEL-OF-SERVICE STANDARDS.*—With regard to roadway facilities on the Strategic Intermodal System designated in accordance with *s.* ~~ss. 339.61, 339.62,~~ 339.63, ~~and 339.64,~~ the Florida Intrastate Highway System ~~as defined in s. 338.001~~, and roadway facilities funded in accordance with s. 339.2819, local governments shall adopt the level-of-service standard established by the Department of Transportation by rule. For all other roads on the State Highway System, local governments shall establish an adequate level-of-service standard that need not be consistent with any level-of-service standard established by the Department of Transportation. In establishing adequate level-of-service standards for any arterial roads, or collector roads as appropriate, which traverse multiple jurisdictions, local governments shall consider compatibility with the roadway facility's adopted level-of-service standards in adjacent jurisdictions. Each local government within a county shall use a professionally accepted methodology for measuring impacts on transportation facilities for the purposes of implementing its concurrency management system. Counties are encouraged to coordinate with adjacent counties, and local governments within a county are encouraged to coordinate, for the purpose of using common methodologies for measuring impacts on transportation facilities for the purpose of implementing their concurrency management systems.

(11) *LIMITATION OF LIABILITY.*—In order to limit the liability of local governments, a local government may allow a landowner to proceed with development of a specific parcel of land notwithstanding a failure of the development to satisfy transportation concurrency, *if* ~~when~~ all the following factors ~~are shown to~~ exist:

(a) The local government *that has* ~~with~~ jurisdiction over the property has adopted a local comprehensive plan that is in compliance.

(b) The proposed development *is* ~~would be~~ consistent with the future land use designation for the specific property and with pertinent portions of the adopted local plan, as determined by the local government.

(c) The local plan includes a financially feasible capital improvements element that provides for transportation facilities adequate to serve the proposed development, and the local government has not implemented that element.

(d) The local government has provided a means *for assessing* ~~by which~~ the landowner *for* ~~will be assessed~~ a fair share of the cost of providing the transportation facilities necessary to serve the proposed development.

(e) The landowner has made a binding commitment to the local government to pay the fair share of the cost of providing the transportation facilities to serve the proposed development.

(12) *REGIONAL IMPACT PROPORTIONATE SHARE.*—

(a) A development of regional impact may satisfy the transportation concurrency requirements of the local comprehensive plan, the local government's concurrency management system, and s. 380.06 by payment of a proportionate-share contribution for local and regionally significant traffic impacts, if:

1.~~(a)~~ The development of regional impact which, based on its location or mix of land uses, is designed to encourage pedestrian or other nonautomotive modes of transportation;

2.~~(b)~~ The proportionate-share contribution for local and regionally significant traffic impacts is sufficient to pay for one or more required mobility improvements that will benefit *the network of* ~~a~~ regionally significant transportation *facilities. The state land planning agency may appeal the development order pursuant to s.380.07 if the development order directs transportation mobility improvements under this subsection to one or more local governments in a manner that is substantially disproportionate to the extrajurisdictional impacts of the development of regional impact on significantly affected local governments after taking into consideration the overall benefit to the regional transportation network* ~~facility~~;

3.~~(c)~~ The owner and developer of the development of regional impact pays or assures payment of the proportionate-share contribution; and

4.~~(d)~~ ~~If~~ The regionally significant transportation facility to be constructed or improved is under the maintenance authority of a governmental entity, as defined by s. *334.03* ~~334.03(12)~~, other than the local government *that has* ~~with~~ jurisdiction over the development of regional impact, the developer *must* ~~is required to~~ enter into a binding and legally enforceable commitment to transfer funds to the governmental entity having maintenance authority or to otherwise assure construction or improvement of the facility.

(b) The proportionate-share contribution may be applied to any transportation facility to satisfy the provisions of this subsection and the local comprehensive plan. ~~, but,~~ For the purposes of this subsection, the amount of the proportionate-share contribution shall be calculated based upon the cumulative number of trips from the proposed development expected to reach roadways during the peak hour from the complete buildout of a stage or phase being approved, divided by the change in the peak hour maximum service volume of roadways resulting from construction of an improvement necessary to maintain the adopted level of service, multiplied by the construction cost, at the time of developer payment, of the improvement necessary to maintain the adopted level of service. *The determination of mitigation for a subsequent phase or stage of development shall account for any mitigation required by the development order and provided by the developer for any earlier phase or stage, calculated at present value. For purposes of this subsection, the term:*

1. "Backlogged transportation facility" means a facility on which the adopted level-of-service standard is exceeded by the existing trips plus

committed trips. A developer may not be required to fund or construct proportionate-share mitigation for any backlogged transportation facility which is more extensive than mitigation necessary to offset the impact of the development project in question.

2. ~~For purposes of this subsection,~~ "Construction cost" includes all associated costs of the improvement. *The proportionate-share contribution shall include the costs associated with accommodating a transit facility within the development of regional impact which is in a county's or the Department of Transportation's long-range plan and shall be credited against a development of regional impact's proportionate-share contribution.* Proportionate-share mitigation shall be limited to ensure that a development of regional impact meeting the requirements of this subsection mitigates its impact on the transportation system but is not responsible for the additional cost of reducing or eliminating backlogs.

3. "Present value" means the fair market value of right-of-way at the time of contribution or the actual dollar value of the construction improvements contribution adjusted by the Consumer Price Index.

This subsection also applies to Florida Quality Developments pursuant to s. 380.061 and to detailed specific area plans implementing optional sector plans pursuant to s. 163.3245.

(13) *SCHOOL CONCURRENCY.*—School concurrency shall be established on a districtwide basis and ~~shall~~ include all public schools in the district and all portions of the district, whether located in a municipality or an unincorporated area unless exempt from the public school facilities element pursuant to s. 163.3177(12). The application of school concurrency to development shall be based upon the adopted comprehensive plan, as amended. All local governments within a county, except as provided in paragraph (f), shall adopt and transmit to the state land planning agency the necessary plan amendments, along with the interlocal agreement, for a compliance review pursuant to s. 163.3184(7) and (8). The minimum requirements for school concurrency are the following:

(a) Public school facilities element.—A local government shall adopt and transmit to the state land planning agency a plan or plan amendment which includes a public school facilities element which is consistent with the requirements of s. 163.3177(12) and which is determined to be in compliance as defined in s. 163.3184(1)(b). All local government public school facilities plan elements within a county must be consistent with each other as well as the requirements of this part.

(b) Level-of-service standards.—The Legislature recognizes that an essential requirement for a concurrency management system is the level of service at which a public facility is expected to operate.

1. Local governments and school boards imposing school concurrency shall exercise authority in conjunction with each other to establish jointly adequate level-of-service standards, as defined in chapter 9J-5, Florida Administrative Code, necessary to implement the adopted local government comprehensive plan, based on data and analysis.

2. Public school level-of-service standards shall be included and adopted into the capital improvements element of the local comprehensive plan and shall apply districtwide to all schools of the same type. Types of schools may include elementary, middle, and high schools as well as special purpose facilities such as magnet schools.

3. Local governments and school boards *may use* ~~shall have the option to utilize~~ tiered level-of-service standards to allow time to achieve an adequate and desirable level of service as circumstances warrant.

4. For purposes of determining whether levels of service have been achieved, a school district that includes relocatables in its inventory of student stations shall include the capacity of such relocatables as provided in s. 1013.35(2)(b)2.f.

(c) Service areas.—The Legislature recognizes that an essential requirement for a concurrency system is a designation of the area within which the level of service will be measured when an application for a residential development permit is reviewed for school concurrency purposes. This delineation is also important for ~~purposes of~~ determining whether the local government has a financially feasible public school capital facilities program *for* ~~that will provide~~ schools which will achieve and maintain the adopted level-of-service standards.

1. In order to balance competing interests, preserve the constitutional concept of uniformity, and avoid disruption of existing educational and growth management processes, local governments are encouraged to initially apply school concurrency to development only on a districtwide basis so that a concurrency determination for a specific development *is* ~~will be~~ based upon the availability of school capacity districtwide. To ensure that development is coordinated with schools having available capacity, within 5 years after adoption of school concurrency, local governments shall apply school concurrency on a less than districtwide basis, such as using school attendance zones or concurrency service areas, as provided in subparagraph 2.

2. For local governments applying school concurrency on a less than districtwide basis, such as utilizing school attendance zones or larger school concurrency service areas, local governments and school boards shall have the burden *of demonstrating* ~~to demonstrate~~ that the utilization of school capacity is maximized to the greatest extent possible in the comprehensive plan and amendment, taking into account transportation costs and court-approved desegregation plans, as well as other factors. In addition, in order to achieve concurrency within the service area boundaries selected by local governments and school boards, the service area boundaries, together with the standards for establishing those boundaries, shall be identified and included as supporting data and analysis for the comprehensive plan.

3. Where school capacity is available on a districtwide basis but school concurrency is applied on a less than districtwide basis in the form of concurrency service areas, if the adopted level-of-service standard cannot be met in a particular service area as applied to an application for a development permit and if the needed capacity for the particular service area is available in one or more contiguous service areas, as adopted by the local government, ~~then~~ the local government may not deny an application for site plan or final subdivision approval or the functional equivalent for a development or phase of a development on the basis of school concurrency, and if issued, development impacts shall be shifted to contiguous service areas with schools having available capacity.

(d) Financial feasibility.—The Legislature recognizes that financial feasibility is an important issue because the premise of concurrency is that ~~the~~ public facilities will be provided in order to achieve and maintain the adopted level-of-service standard. This part and chapter 9J-5, Florida Administrative Code, contain specific standards *for determining* ~~to determine~~ the financial feasibility of capital programs. These standards were adopted to make concurrency more predictable and local governments more accountable.

1. A comprehensive plan amendment seeking to impose school concurrency *must* ~~shall~~ contain appropriate amendments to the capital improvements element of the comprehensive plan, consistent with ~~the requirements of~~ s. 163.3177(3) and rule 9J-5.016, Florida Administrative Code. The capital improvements element *must* ~~shall~~ set forth a financially feasible public school capital facilities program, established in conjunction with the school board, that demonstrates that the adopted level-of-service standards will be achieved and maintained.

2. Such amendments *to the capital improvements element must* ~~shall~~ demonstrate that the public school capital facilities program meets all of the financial feasibility standards of this part and chapter 9J-5, Florida Administrative Code, that apply to capital programs which provide the basis for mandatory concurrency on other public facilities and services.

3. *If* ~~When~~ the financial feasibility of a public school capital facilities program is evaluated by the state land planning agency for purposes of a compliance determination, the evaluation *must* ~~shall~~ be based upon the service areas selected by the local governments and school board.

(e) Availability standard.—Consistent with the public welfare, *and except as otherwise provided in this subsection, public school facilities needed to serve new residential development shall be in place or under actual construction within 3 years after the issuance of final subdivision or site plan approval, or the functional equivalent.* A local government may not deny an application for site plan, final subdivision approval, or the functional equivalent for a development or phase of a development authorizing residential development for failure to achieve and maintain the level-of-service standard for public school capacity in a local school concurrency management system where adequate school facilities will

be in place or under actual construction within 3 years after the issuance of final subdivision or site plan approval, or the functional equivalent. *Any mitigation required of a developer shall be limited to ensure that a development mitigates its own impact on public school facilities, but is not responsible for the additional cost of reducing or eliminating backlogs or addressing class size reduction.* School concurrency is satisfied if the developer executes a legally binding commitment to provide mitigation proportionate to the demand for public school facilities to be created by actual development of the property, including, but not limited to, the options described in subparagraph 1. Options for proportionate-share mitigation of impacts on public school facilities must be established in the public school facilities element and the interlocal agreement pursuant to s. 163.31777.

1. Appropriate mitigation options include the contribution of land; the construction, expansion, or payment for land acquisition or construction of a public school facility; *the construction of a charter school that complies with the requirements of s. 1002.33(18)(f);* or the creation of mitigation banking based on the construction of a public school facility in exchange for the right to sell capacity credits. Such options must include execution by the applicant and the local government of a development agreement that constitutes a legally binding commitment to pay proportionate-share mitigation for the additional residential units approved by the local government in a development order and actually developed on the property, taking into account residential density allowed on the property prior to the plan amendment that increased the overall residential density. The district school board must be a party to such an agreement. As a condition of its entry into such a development agreement, the local government may require the landowner to agree to continuing renewal of the agreement upon its expiration.

2. If the education facilities plan and the public educational facilities element authorize a contribution of land; the construction, expansion, or payment for land acquisition; or the construction or expansion of a public school facility, or a portion thereof, *or the construction of a charter school that complies with the requirements of s. 1002.33(18)(f),* as proportionate-share mitigation, the local government shall credit such ~~a~~ contribution, construction, expansion, or payment toward any other impact fee or exaction imposed by local ordinance for the same need, on a dollar-for-dollar basis at fair market value. *For proportionate-share calculations, the percentage of relocatables, as provided in s. 1013.35(2)(b)2.f., which are used by a school district shall be considered in determining the average cost of a student station.*

4.~~3.~~ Any proportionate-share mitigation must be directed by the school board toward a school capacity improvement identified in a financially feasible 5-year district work plan that satisfies the demands created by the development in accordance with a binding developer's agreement.

5.~~4.~~ If a development is precluded from commencing because there is inadequate classroom capacity to mitigate the impacts of the development, the development may nevertheless commence if there are accelerated facilities in an approved capital improvement element scheduled for construction in year four or later of such plan which, when built, will mitigate the proposed development, or if such accelerated facilities will be in the next annual update of the capital facilities element, the developer enters into a binding, financially guaranteed agreement with the school district to construct an accelerated facility within the first 3 years of an approved capital improvement plan, and the cost of the school facility is equal to or greater than the development's proportionate share. When the completed school facility is conveyed to the school district, the developer shall receive impact fee credits usable within the zone where the facility is constructed or any attendance zone contiguous with or adjacent to the zone where the facility is constructed.

6.~~5.~~ This paragraph does not limit the authority of a local government to deny a development permit or its functional equivalent pursuant to its home rule regulatory powers, except as provided in this part.

(f) Intergovernmental coordination.—

1. When establishing concurrency requirements for public schools, a local government shall satisfy the requirements for intergovernmental coordination set forth in s. 163.3177(6)(h)1. and 2., except that a municipality is not required to be a signatory to the interlocal agreement required by ss. 163.3177(6)(h)2. and 163.31777(6), as a prerequisite for imposition of school concurrency, and as a nonsignatory, *may* ~~shall~~ not participate in the adopted local school concurrency system~~,~~ if the municipality meets all of the following criteria for *not* having *a* ~~no~~ significant impact on school attendance:

a. The municipality has issued development orders for fewer than 50 residential dwelling units during the preceding 5 years, or the municipality has generated fewer than 25 additional public school students during the preceding 5 years.

b. The municipality has not annexed new land during the preceding 5 years in land use categories which permit residential uses that will affect school attendance rates.

c. The municipality has no public schools located within its boundaries.

d. At least 80 percent of the developable land within the boundaries of the municipality has been built upon.

2. A municipality *that* ~~which~~ qualifies as *not* having *a* ~~no~~ significant impact on school attendance pursuant to ~~the criteria of~~ subparagraph 1. must review and determine at the time of its evaluation and appraisal report pursuant to s. 163.3191 whether it continues to meet the criteria pursuant to s. 163.31777(6). If the municipality determines that it no longer meets the criteria, it must adopt appropriate school concurrency goals, objectives, and policies in its plan amendments based on the evaluation and appraisal report, and enter into the existing interlocal agreement required by ss. 163.3177(6)(h)2. and 163.31777, in order to fully participate in the school concurrency system. If such a municipality fails to do so, it *is* ~~will be~~ subject to the enforcement provisions of s. 163.3191.

(g) Interlocal agreement for school concurrency.—When establishing concurrency requirements for public schools, a local government must enter into an interlocal agreement that satisfies the requirements in ss. 163.3177(6)(h)1. and 2. and 163.31777 and the requirements of this subsection. The interlocal agreement *must* ~~shall~~ acknowledge both the school board's constitutional and statutory obligations to provide a uniform system of free public schools on a countywide basis, and the land use authority of local governments, including their authority to approve or deny comprehensive plan amendments and development orders. The interlocal agreement shall be submitted to the state land planning agency by the local government as a part of the compliance review, along with the other necessary amendments to the comprehensive plan required by this part. In addition to the requirements of ss. 163.3177(6)(h) and 163.31777, the interlocal agreement *must* ~~shall~~ meet the following requirements:

1. Establish ~~the~~ mechanisms for coordinating the development, adoption, and amendment of each local government's public school facilities element with each other and the plans of the school board to ensure a uniform districtwide school concurrency system.

2. Establish a process for *developing* ~~the development of~~ siting criteria *that* ~~which~~ encourages the location of public schools proximate to urban residential areas to the extent possible and seeks to collocate schools with other public facilities such as parks, libraries, and community centers to the extent possible.

3. Specify uniform, districtwide level-of-service standards for public schools of the same type and the process for modifying the adopted level-of-service standards.

4. Establish a process for the preparation, amendment, and joint approval by each local government and the school board of a public school capital facilities program *that* ~~which~~ is financially feasible, and a process and schedule for incorporation of the public school capital facilities program into the local government comprehensive plans on an annual basis.

5. Define the geographic application of school concurrency. If school concurrency is to be applied on a less than districtwide basis in the form of concurrency service areas, the agreement *must* ~~shall~~ establish criteria and standards for the establishment and modification of school concurrency service areas. The agreement *must* ~~shall~~ also establish a process and schedule for the mandatory incorporation of the school concurrency service areas and the criteria and standards for establishment of the service areas into the local government comprehensive plans. The agreement *must* ~~shall~~ ensure maximum utilization of school capacity, taking

into account transportation costs and court-approved desegregation plans, as well as other factors. The agreement *must* ~~shall~~ also ensure the achievement and maintenance of the adopted level-of-service standards for the geographic area of application throughout the 5 years covered by the public school capital facilities plan and thereafter by adding a new fifth year during the annual update.

6. Establish a uniform districtwide procedure for implementing school concurrency which provides for:

a. The evaluation of development applications for compliance with school concurrency requirements, including information provided by the school board on affected schools, impact on levels of service, ~~and~~ programmed improvements for affected schools*,* and any options to provide sufficient capacity;

b. An opportunity for the school board to review and comment on the effect of comprehensive plan amendments and rezonings on the public school facilities plan; and

c. The monitoring and evaluation of the school concurrency system.

7. Include provisions relating to amendment of the agreement.

8. A process and uniform methodology for determining proportionate-share mitigation pursuant to subparagraph (e)1.

(h) Local government authority.—This subsection does not limit the authority of a local government to grant or deny a development permit or its functional equivalent prior to the implementation of school concurrency.

(14) *RULEMAKING AUTHORITY.*—The state land planning agency shall, by October 1, 1998, adopt by rule minimum criteria for the review and determination of compliance of a public school facilities element adopted by a local government for purposes of imposition of school concurrency.

(15) *MULTIMODAL DISTRICTS.*—

(a) Multimodal transportation districts may be established under a local government comprehensive plan in areas delineated on the future land use map for which the local comprehensive plan assigns secondary priority to vehicle mobility and primary priority to assuring a safe, comfortable, and attractive pedestrian environment, with convenient interconnection to transit. Such districts must incorporate community design features that will reduce the number of automobile trips or vehicle miles of travel and will support an integrated, multimodal transportation system. Prior to the designation of multimodal transportation districts, the Department of Transportation shall be consulted by the local government to assess the impact that the proposed multimodal district area is expected to have on the adopted level-of-service standards established for Strategic Intermodal System facilities, as *designated in s. 339.63* ~~defined in s. 339.64~~, and roadway facilities funded in accordance with s. 339.2819. Further, the local government shall, in cooperation with the Department of Transportation, develop a plan to mitigate any impacts to the Strategic Intermodal System, including the development of a long-term concurrency management system pursuant to subsection (9) and s. 163.3177(3)(d). ~~Multimodal transportation districts existing prior to July 1, 2005, shall meet, at a minimum, the provisions of this section by July 1, 2006, or at the time of the comprehensive plan update pursuant to the evaluation and appraisal report, whichever occurs last.~~

(b) Community design elements of ~~such~~ a *multimodal transportation* district include: a complementary mix and range of land uses, including educational, recreational, and cultural uses; interconnected networks of streets designed to encourage walking and bicycling, with traffic-calming where desirable; appropriate densities and intensities of use within walking distance of transit stops; daily activities within walking distance of residences, allowing independence to persons who do not drive; public uses, streets, and squares that are safe, comfortable, and attractive for the pedestrian, with adjoining buildings open to the street and with parking not interfering with pedestrian, transit, automobile, and truck travel modes.

(c) Local governments may establish multimodal level-of-service standards that rely primarily on nonvehicular modes of transportation within the district, *if* ~~when~~ justified by an analysis demonstrating that the existing and planned community design will provide an adequate level of mobility within the district based upon professionally accepted multimodal level-of-service methodologies. The analysis must also demonstrate that the capital improvements required to promote community design are financially feasible over the development or redevelopment timeframe for the district and that community design features within the district provide convenient interconnection for a multimodal transportation system. Local governments may issue development permits in reliance upon all planned community design capital improvements that are financially feasible over the development or redevelopment timeframe for the district, without regard to the period of time between development or redevelopment and the scheduled construction of the capital improvements. A determination of financial feasibility shall be based upon currently available funding or funding sources that could reasonably be expected to become available over the planning period.

(d) Local governments may reduce impact fees or local access fees for development within multimodal transportation districts based on the reduction of vehicle trips per household or vehicle miles of travel expected from the development pattern planned for the district.

(e) By December 1, 2007, the Department of Transportation, in consultation with the state land planning agency and interested local governments, may designate a study area for conducting a pilot project to determine the benefits of and barriers to establishing a regional multimodal transportation concurrency district that extends over more than one local government jurisdiction. If designated:

1. The study area must be in a county that has a population of at least 1,000 persons per square mile, be within an urban service area, and have the consent of the local governments within the study area. The Department of Transportation and the state land planning agency shall provide technical assistance.

2. The local governments within the study area and the Department of Transportation, in consultation with the state land planning agency, shall cooperatively create a multimodal transportation plan that meets the requirements of this section. The multimodal transportation plan must include viable local funding options and incorporate community design features, including a range of mixed land uses and densities and intensities, which will reduce the number of automobile trips or vehicle miles of travel while supporting an integrated, multimodal transportation system.

3. To effectuate the multimodal transportation concurrency district, participating local governments may adopt appropriate comprehensive plan amendments.

4. The Department of Transportation, in consultation with the state land planning agency, shall submit a report by March 1, 2009, to the Governor, the President of the Senate, and the Speaker of the House of Representatives on the status of the pilot project. The report must identify any factors that support or limit the creation and success of a regional multimodal transportation district including intergovernmental coordination.

(f) The state land planning agency may designate up to five local governments as Urban Placemaking Initiative Pilot Projects. The purpose of the pilot project program is to assist local communities with redevelopment of primarily single-use suburban areas that surround strategic corridors and crossroads, and to create livable, sustainable communities that have a sense of place. Pilot communities must have a county population of at least 350,000, be able to demonstrate an ability to administer the pilot project, and have appropriate potential redevelopment areas suitable for the pilot project. Recognizing that both the form of existing development patterns and strict application of transportation concurrency requirements create obstacles to such redevelopment, the pilot project program shall further the ability of such communities to cultivate mixed-use and form-based communities that integrate all modes of transportation. The pilot project program shall provide an alternative regulatory framework that allows for the creation of a multimodal concurrency district that over the planning time period allows pilot project communities to incrementally realize the goals of the redevelopment area by guiding redevelopment of parcels and cultivating multimodal development in targeted transitional suburban areas. The Department of Transportation shall provide technical support to the state land planning agency and the department and the agency shall provide technical assistance to the local governments in the implementation of the pilot projects.

1. Each pilot project community shall adopt criteria for designation of specific urban placemaking redevelopment areas and general location maps in the future land use element of its comprehensive plan. Such redevelopment areas must be within an urban service area that meets the requirements of sub-subparagraph (5)(b)2.e. Each pilot project community shall also adopt comprehensive plan amendments that set forth criteria for the development of the urban placemaking areas and that contain land use and transportation strategies, including, but not limited to, the community design elements set forth in paragraph (b). A pilot project community shall undertake a process of public engagement to coordinate community vision, citizen interest, and development goals for developments within the urban placemaking redevelopment areas.

2. Each pilot project community may assign transportation concurrency or trip generation credits and impact fee exemptions or reductions and establish concurrency exceptions for developments that meet the adopted comprehensive plan criteria for urban placemaking redevelopment areas.

(16) *FAIR-SHARE MITIGATION.*—It is the intent of the Legislature to provide a method by which the impacts of development on transportation facilities can be mitigated by the cooperative efforts of the public and private sectors. The methodology used to calculate proportionate fair-share mitigation under this section shall be as provided for in subsection (12).

(a) By December 1, 2006, each local government shall adopt by ordinance a methodology for assessing proportionate fair-share mitigation options. By December 1, 2005, the Department of Transportation shall develop a model transportation concurrency management ordinance *that has* ~~with~~ methodologies for assessing proportionate fair-share mitigation options.

(b)~~1.~~ In its transportation concurrency management system, a local government shall~~, by December 1, 2006,~~ include methodologies *to be applied in calculating* ~~that will be applied to calculate~~ proportionate fair-share mitigation.

1. A developer may choose to satisfy all transportation concurrency requirements by contributing or paying proportionate fair-share mitigation if transportation facilities or facility segments identified as mitigation for traffic impacts are specifically identified for funding in the 5-year schedule of capital improvements in the capital improvements element of the local plan or the long-term concurrency management system or if such contributions or payments to such facilities or segments are reflected in the 5-year schedule of capital improvements in the next regularly scheduled update of the capital improvements element. Updates to the 5-year capital improvements element which reflect proportionate fair-share contributions may not be found not in compliance based on ss. 163.3164(32) and 163.3177(3) if additional contributions, payments or funding sources are reasonably anticipated during a period not to exceed 10 years to fully mitigate impacts on the transportation facilities.

2. Proportionate fair-share mitigation shall be applied as a credit against impact fees to the extent that all or a portion of the proportionate fair-share mitigation is used to address the same capital infrastructure improvements contemplated by the local government's impact fee ordinance.

(c) Proportionate fair-share mitigation includes, without limitation, separately or collectively, private funds, contributions of land, and construction and contribution of facilities and may include public funds as determined by the local government. Proportionate fair-share mitigation may be directed toward one or more specific transportation improvements reasonably related to the mobility demands created by the development and such improvements may address one or more modes of travel. The fair market value of the proportionate fair-share mitigation *may* ~~shall~~ not differ based on the form of mitigation. A local government may not require a development to pay more than its proportionate fair-share contribution regardless of the method of mitigation. Proportionate fair-share mitigation shall be limited to ensure that a development meeting the requirements of this section mitigates its impact on the transportation system but is not responsible for the additional cost of reducing or eliminating backlogs. *For purposes of this subsection, the term "backlogged transportation facility" means a facility on which the adopted level-of-service standard is exceeded by the existing trips plus committed trips. A developer may not be required to fund or construct proportionate-share mitigation for any backlogged transportation facility that is more extensive than mitigation necessary to offset the impact of the development project in question.*

(d) This subsection does not require a local government to approve a development that is not otherwise qualified for approval pursuant to the applicable local comprehensive plan and land development regulations.

(e) Mitigation for development impacts to facilities on the Strategic Intermodal System made pursuant to this subsection requires the concurrence of the Department of Transportation.

(f) If the funds in an adopted 5-year capital improvements element are insufficient to fully fund construction of a transportation improvement required by the local government's concurrency management system, a local government and a developer may still enter into a binding proportionate-share agreement authorizing the developer to construct that amount of development on which the proportionate share is calculated if the proportionate-share amount in *the* ~~such~~ agreement is sufficient to pay for one or more improvements which will, in the opinion of the governmental entity or entities maintaining the transportation facilities, significantly benefit the impacted transportation system. The improvements funded by the proportionate-share component must be adopted into the 5-year capital improvements schedule of the comprehensive plan at the next annual capital improvements element update. The funding of any improvements that significantly benefit the impacted transportation system satisfies concurrency requirements as a mitigation of the development's impact upon the overall transportation system even if there remains a failure of concurrency on other impacted facilities.

(g) Except as provided in subparagraph (b)1., this section *does* ~~may~~ not prohibit the *state land planning agency* ~~Department of Community Affairs~~ from finding other portions of the capital improvements element amendments not in compliance as provided in this chapter.

(h) ~~The provisions of~~ This subsection *does* ~~do~~ not apply to a development of regional impact satisfying the requirements of subsection (12).

(i) The determination of mitigation for a subsequent phase or stage of development shall account for any mitigation required by the development order and provided by the developer for any earlier phase or stage, calculated at present value. For purposes of this subsection, the term "present value" means the fair market value of right-of-way at the time of contribution or the actual dollar value of the construction improvements contribution adjusted by the Consumer Price Index.

(17) TRANSPORTATION MOBILITY FEE.—The Legislature finds that the existing transportation concurrency system has not adequately addressed the state's transportation needs in an effective, predictable, and equitable manner and is not producing a sustainable transportation system for the state. The current system is complex, lacks uniformity among jurisdictions, is too focused on roadways to the detriment of desired land use patterns and transportation alternatives, and frequently prevents the attainment of important growth management goals. The state, therefore, should consider a different transportation concurrency approach that uses a mobility fee based on vehicle and people miles traveled. Therefore, the Legislature directs the state land planning agency to study and develop a methodology for a mobility fee system as follows:

(a) The state land planning agency, in consultation with the Department of Transportation, shall convene a study group that includes representatives from the Department of Transportation, regional planning councils, local governments, the development community, land use and transportation professionals, and the Legislature to develop a uniform mobility fee methodology for statewide application to replace the existing transportation concurrency management system. The methodology shall be based on the amount, distribution, and timing of the vehicle and people miles traveled, professionally accepted standards and practices in the fields of land use and transportation planning, and the requirements of constitutional and statutory law. The mobility fee shall be designed to provide for mobility needs, ensure that development provides mitigation for its impacts on the transportation system, and promote compact, mixed-use, and energy-efficient development. The mobility fee shall be used to fund improvements to the transportation system.

(b) By February 15, 2009, the state land planning agency shall provide a report to the Legislature containing recommendations concerning an appropriate uniform mobility fee methodology and whether a mobility fee system should be applied statewide or to more limited geographic areas, a schedule to amend comprehensive plans and land development rules to incorporate the mobility fee, a system for collecting and allocating mobility fees among state and local transportation facilities, and whether and how mobility fees should replace, revise, or supplement transportation impact fees.

(18)~~(17)~~ A local government and the developer of affordable workforce housing units developed in accordance with s. 380.06(19) or s. 380.0651(3) may identify an employment center or centers in close proximity to the affordable workforce housing units. If at least 50 percent of the units are occupied by an employee or employees of an identified employment center or centers, all of the affordable workforce housing units are exempt from transportation concurrency requirements, and the local government may not reduce any transportation trip-generation entitlements of an approved development-of-regional-impact development order. As used in this subsection, the term "close proximity" means 5 miles from the nearest point of the development of regional impact to the nearest point of the employment center, and the term "employment center" means a place of employment that employs at least 25 or more full-time employees.

And the title is amended as follows:

Delete line(s) 2-92 and insert: An act relating to growth management; transferring, renumbering, and amending s. 125.379, F.S.; requiring counties to certify that they have prepared a list of county-owned property appropriate for affordable housing before obtaining certain funding; amending s. 163.3174, F.S.; prohibiting the members of the local governing body from serving on the local planning agency; providing an exception; amending s. 163.3177, F.S.; extending the date for local governments to adopt plan amendments to implement a financially feasible capital improvements element; extending the date for prohibiting future land use map amendments if a local government does not adopt and transmit its annual update to the capital improvements element; revising standards for the future land use plan in a local comprehensive plan; including a provision encouraging rural counties to adopt a rural sub-element as part of their future land use plan; revising standards for the housing element of a local comprehensive plan; requiring certain counties to certify that they have adopted a plan for ensuring affordable workforce housing before obtaining certain funding; authorizing the state land planning agency to amend administrative rules relating to planning criteria to allow for varying local conditions; deleting exemptions from the limitation on the frequency of plan amendments; extending the deadline for local governments to adopt a public school facilities element and interlocal agreement; providing legislative findings concerning the need to preserve agricultural land and protect rural agricultural communities from adverse changes in the agricultural economy; defining the term "rural agricultural industrial center"; authorizing a landowner within a rural agricultural industrial center to apply for an amendment to the comprehensive plan to expand an existing center; providing requirements for such an application; providing a rebuttable presumption that such an amendment is consistent with state rule; providing certain exceptions to the approval of such an amendment; deleting provisions encouraging local governments to develop a community vision and to designate an urban service boundary; amending s. 163.31771, F.S.; requiring a local government to amend its comprehensive plan to allow accessory dwelling units in an area zoned for single-family residential use; prohibiting such units from being treated as new units if there is a land use restriction agreement that restricts use to affordable housing; prohibiting accessory dwelling units from being located on certain land; amending s. 163.3178, F.S.; revising provisions relating to coastal management and coastal high-hazard areas; providing factors for demonstrating the compliance of a comprehensive plan amendment with rule provisions relating to coastal areas; amending s. 163.3180, F.S.; revising concurrency requirements; specifying municipal areas for transportation concurrency exception areas; revising provisions relating to the Strategic Intermodal System; deleting a requirement for local governments to annually submit a summary of de minimus records; increasing the percentage of transportation impacts that must be reserved for urban redevelopment; requiring concurrency management systems to be coordinated with the appropriate metropolitan planning organization; revising regional impact proportionate share provisions to allow for improvements outside the jurisdiction in certain circumstances; requiring the Department of Transportation to establish a transportation methodology to serve as the basis for sustainable development impact assessments; providing for the determination of mitigation to include credit for certain mitigation provided under an earlier phase, calculated at present value; defining the terms "present value" and "backlogged transportation facility"; redefining the term "construction cost"; revising the calculation of school capacity to include relocatables used by a school district; providing a minimum state availability standard for school concurrency; providing that a developer may not be required to reduce or eliminate backlog or address class size reduction; requiring charter schools to be considered as a mitigation option under certain circumstances; requiring school districts to include relocatables in their calculation of school capacity in certain circumstances; providing for an Urban Placemaking Initiative Pilot Project Program; providing for designating certain local governments as urban placemaking initiative pilot projects; providing purposes, requirements, criteria, procedures, and limitations for such local governments, the pilot projects, and the program; providing for recommendations for the establishment of a uniform mobility fee methodology to replace the current transportation concurrency management system; amending s. 163.31801, F.S.; requiring the

On motion by Senator Garcia, further consideration of **CS for CS for SB 474** with pending **Amendment 1 (842906)** was deferred.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has passed CS for CS for CS for SB 1992, with 1 amendment(s), and requests the concurrence of the Senate.

William S. Pittman III, Chief Clerk

CS for CS for CS for SB 1992—A bill to be entitled An act relating to the Department of Highway Safety and Motor Vehicles; amending s. 316.0741, F.S.; redefining the term "hybrid vehicle"; authorizing the driving of a hybrid, low-emission, or energy-efficient vehicle in a high-occupancy-vehicle lane regardless of occupancy; authorizing the department to limit or discontinue such driving under certain circumstances; exempting such vehicles from the payment of certain tolls; amending s. 316.1575, F.S.; requiring a person walking or driving a vehicle to stop at a railroad crossing upon the signal of a law enforcement officer; amending s. 316.1895, F.S.; requiring the placement of signs in certain school zones stating that speeding fines are doubled within the zone; amending s. 316.191, F.S.; revising provisions prohibiting certain speed competitions and exhibitions; revising the definition of the terms "conviction," "drag race," and "race"; defining the terms "exhibition of acceleration," "exhibition of speed," and "spectator"; prohibiting driving in any race, drag race, exhibition of speed, or exhibition of acceleration; prohibiting certain acts in association with a race, drag race, exhibition of speed, or exhibition of acceleration; prohibiting being a spectator at any such race, drag race, or exhibition; providing criminal and noncriminal penalties; providing for revocation of the offender's driver's license upon conviction; providing for disposition of citation for being a spectator; providing penalties for a second or subsequent offense; providing that a violation that causes or contributes to causing serious bodily injury to another is a felony of the third degree; providing that a violation that causes or contributes to causing the death of any human being or unborn quick child is the crime of manslaughter resulting from the operation of a motor vehicle; providing penalties; providing for a determination of the definition of the term "unborn quick child"; requiring that the driving record of a person charged be provided to the court; providing criteria for arrest; providing procedures for impoundment or immobilization of a motor vehicle under a court order; providing for release from impoundment under specified exceptions; requiring that costs and fees of impoundment to be paid by the owner or lessee of the motor vehicle; providing procedures for an arresting officer to immediately impound a motor vehicle used in a violation; providing for the period of impoundment; removing a requirement for impoundment that the person being arrested is the registered owner or coowner of the motor vehicle; providing for satisfaction of the element of negligent entrustment; providing for severability; providing noncriminal penalties for the display of images or devices on a motor vehicle; creating s. 316.1926, F.S.; creating additional offenses regarding the operation of a motor vehicle; amending s. 316.193, F.S.; lowering the blood-alcohol or breath-alcohol level for which enhanced penalties are imposed against a person

who was accompanied in the vehicle by a minor at the time of the offense; clarifying that an ignition interlock device is installed for a continuous period; amending s. 316.1937, F.S.; revising the conditions under which the court may require the use of an ignition interlock device; amending s. 316.2085, F.S.; requiring an operator of a motorcycle or moped to maintain both wheels on the ground at all times; requiring that the license tag of a motorcycle or moped be affixed horizontally; amending s. 316.2397, F.S.; authorizing specified agencies to display blue lights when responding to emergencies; amending s. 316.251, F.S.; conforming a cross-reference; amending s. 316.29545, F.S.; exempting certain investigative vehicles from the prohibition against installing window sunscreening on a vehicle; amending s. 316.302, F.S.; revising the application of certain federal rules; providing for the department to perform certain duties assigned under federal rules; updating a reference to federal provisions governing out-of-service requirements for commercial vehicles; amending s. 316.3045, F.S.; providing enhanced penalties upon multiple convictions for violating prohibitions against the use of excessively loud soundmaking equipment in a motor vehicle; amending s. 316.613, F.S.; redefining the term "motor vehicle" to exclude certain trucks from the requirement to use a child restraint; amending s. 316.645, F.S.; authorizing a police officer to make an arrest upon probable cause of a violation of laws governing motor vehicle licenses; amending s. 316.650, F.S.; revising requirements for traffic citation forms; providing for the electronic transmission of citation data; amending s. 316.656, F.S.; lowering the percentage of blood or breath alcohol content relating to the prohibition against pleading guilty to a lesser offense of driving under the influence than the offense charged; amending s. 318.14, F.S.; prohibiting a person from electing more than five times within 10 years to attend a basic driver improvement course approved by the Department of Highway Safety and Motor Vehicles in lieu of making a court appearance; providing additional penalties for certain offenses involving the operation of a motorcycle or excessive speed; providing for revocation of an offender's privilege to operate a motor vehicle; creating s. 318.195, F.S.; providing enhanced penalties for moving violations that cause injury or death to a person on a motorcycle; amending s. 319.001, F.S.; defining the term "certificate of title" to include information stored electronically in the department's database; amending s. 320.0706, F.S.; providing that a violation of requirements for displaying a truck license plate is a moving violation; amending s. 320.0715, F.S.; requiring the department to withhold issuing or to suspend a registration and license plate for a commercial motor vehicle if the federal identifying number is not provided or if the motor carrier or vehicle owner has been prohibited from operating; amending s. 320.01, F.S.; redefining the term "motorcycle" to exclude a vehicle where the operator is enclosed by a cabin; amending s. 320.02, F.S., as amended; deleting the requirement for a motorcycle endorsement at the time of original registration of a motorcycle, motor-driven cycle, or moped; repealing s. 320.02(13), F.S., relating to a motor vehicle registration voluntary contribution for the Election Campaign Financing Trust Fund; repealing s. 320.08053(3), F.S., relating to provisions requiring that the department adopt rules providing certain specifications for the design of specialty license plates; amending s. 320.0894, F.S.; providing for the issuance of Gold Star license plates to certain family members; amending s. 320.27, F.S.; revising the insurance requirements for persons applying for a motor vehicle dealer license; amending s. 320.69, F.S.; authorizing the Department of Highway Safety and Motor Vehicles to adopt rules, including definitions as necessary; creating s. 321.26, F.S.; designating the Joseph P. Bertrand Building in Fort Myers; amending s. 322.01, F.S.; defining the term "convenience service"; redefining the terms "conviction," "hazardous materials," and "out-of-service order"; amending s. 322.0255, F.S.; revising eligibility for reimbursement for organizations that conduct motorcycle safety courses; amending s. 322.03, F.S.; deleting provisions exempting certain persons from the requirement to surrender a license issued by another jurisdiction; providing certain exceptions for part-time residents; amending ss. 322.051 and 322.08, F.S.; requiring that an applicant for an identification card or driver's license provide additional information; authorizing use of additional documents to prove identity; revising the fee requirements; revising provisions providing for the expiration of an identification card issued by the department; deleting provisions authorizing a voluntary contribution; amending s. 322.14, F.S.; requiring that an applicant for a driver's license provide a residence address; amending s. 322.15, F.S.; authorizing a law enforcement officer or authorized representative of the department to collect a person's fingerprints electronically; amending s. 322.17, F.S.; revising the requirements for obtaining a replacement license or permit; deleting provisions authorizing the department to issue address stickers; amending s. 322.18, F.S.; revising provisions providing for the expiration of driver's licenses; providing for the renewal of certain licenses every 8 years and for the renewal of licenses for persons older than a specified age every 6 years; providing for the renewal of licenses using a convenience service; requiring the department to issue new licenses rather than extension stickers; conforming cross-references; repealing s. 322.181(4), F.S., relating to the Florida At-Risk Driver Council; amending s. 322.19, F.S.; deleting provisions authorizing the use of a change-of-address sticker on a driver's license; conforming cross-references; amending s. 322.21, F.S.; increasing the fees charged for obtaining a new or renewal driver's license or identification card; specifying that a portion of the fees be deposited for use by the department; amending s. 322.2715, F.S.; clarifying that an ignition interlock device is installed for a continuous period; amending s. 322.291, F.S.; imposing additional sanctions against a person who violates requirements with respect to an ignition interlock device; amending s. 322.36, F.S.; requiring the suspension for a specified period of the driver's license of a person who loans a vehicle to a person whose driver's license is suspended if that vehicle is involved in an accident resulting in bodily injury or death; repealing s. 322.60, F.S., relating to a prohibition against possessing more than one driver's license under certain circumstances; amending s. 322.61, F.S.; clarifying provisions disqualifying a person from operating a commercial motor vehicle following certain traffic violations; providing for permanent disqualification following conviction of a felony involving the manufacture, distribution, or dispensing of a controlled substance; amending s. 322.64, F.S.; providing that refusal to submit to a breath, urine, or blood test disqualifies a person from operating a commercial motor vehicle; providing a period of disqualification if a person has an unlawful blood-alcohol or breath-alcohol level; providing for issuance of a notice of disqualification; revising the requirements for a formal review hearing following a person's disqualification from operating a commercial motor vehicle; amending s. 324.021, F.S.; clarifying that a judgment becomes final by expiration of the time for appeal; amending 501.976, F.S.; conforming a cross-reference; creating the Automobile Lenders Industry Task Force within the Department of Highway Safety and Motor Vehicles; providing duties of the task force; providing for membership and the election of officers; providing for meetings; providing for reimbursement for travel and per diem expenses for public-sector members; requiring the department to provide administrative support and assistance to the task force; prohibiting the Department of Highway Safety and Motor Vehicles from issuing any new specialty license plates for a specified period; providing an exception; providing an effective date.

House Amendment 1 (031427)(with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Section 316.0741, Florida Statutes, is amended to read:

316.0741 *High-occupancy-vehicle* ~~High occupancy vehicle~~ lanes.—

(1) *As used in this section, the term:*

(a) "*High-occupancy-vehicle* ~~High occupancy vehicle~~ lane" or "HOV lane" means a lane of a public roadway designated for use by vehicles in which there is more than one occupant unless otherwise authorized by federal law.

(b) "Hybrid vehicle" means a motor vehicle:

1. That draws propulsion energy from onboard sources of stored energy which are both an internal combustion or heat engine using combustible fuel and a rechargeable energy-storage system; and

2. That, in the case of a passenger automobile or light truck, has received a certificate of conformity under the Clean Air Act, 42 U.S.C. ss. 7401 et seq., and meets or exceeds the equivalent qualifying California standards for a low-emission vehicle.

(2) The number of persons that must be in a vehicle to qualify for legal use of the HOV lane and the hours during which the lane will serve as an HOV lane, if it is not designated as such on a full-time basis, must also be indicated on a traffic control device.

(3) *Except as provided in subsection (4),* a vehicle may not be driven in an HOV lane if the vehicle is occupied by fewer than the number of occupants indicated by a traffic control device. A driver who violates this section shall be cited for a moving violation, punishable as provided in chapter 318.

(4)*(a)* Notwithstanding any other provision of this section, an inherently low-emission vehicle (ILEV) that is certified and labeled in accordance with federal regulations may be driven in an HOV lane at any time, regardless of its occupancy. In addition, upon the state's receipt of written notice from the proper federal regulatory agency authorizing such use, a vehicle defined as a hybrid vehicle under this section may be driven in an HOV lane at any time, regardless of its occupancy.

(b) All eligible hybrid and all eligible other low-emission and energy-efficient vehicles driven in an HOV lane must comply with the minimum fuel economy standards in 23 U.S.C. s. 166(f)(3)(B).

(c) Upon issuance of the applicable United States Environmental Protection Agency final rule pursuant to 23 U.S.C. s. 166(e), relating to the eligibility of hybrid and other low-emission and energy-efficient vehicles for operation in an HOV lane, regardless of occupancy, the Department of Transportation shall review the rule and recommend to the Legislature any statutory changes necessary for compliance with the federal rule. The department shall provide its recommendations no later than 30 days following issuance of the final rule.

(5) The department shall issue a decal and registration certificate, to be renewed annually, reflecting the HOV lane designation on ~~such~~ vehicles *meeting the criteria in subsection (4)* authorizing *driving in an HOV lane at any time* ~~such use~~. The department may charge a fee for a decal, not to exceed the costs of designing, producing, and distributing each decal, or $5, whichever is less. The proceeds from sale of the decals shall be deposited in the Highway Safety Operating Trust Fund. *The department may, for reasons of operation and management of HOV facilities, limit or discontinue issuance of decals for the use of HOV facilities by hybrid and low-emission and energy-efficient vehicles, regardless of occupancy, if it has been determined by the Department of Transportation that the facilities are degraded as defined by 23 U.S.C. s. 166(d)(2).*

(6) Vehicles having decals by virtue of compliance with the minimum fuel economy standards under 23 U.S.C. s. 166(f)(3)(B), and which are registered for use in high-occupancy toll lanes or express lanes in accordance with Department of Transportation rule, shall be allowed to use any HOV lanes redesignated as high-occupancy toll lanes or express lanes without payment of a toll.

~~(5) As used in this section, the term "hybrid vehicle" means a motor vehicle:~~

~~(a) That draws propulsion energy from onboard sources of stored energy which are both:~~

~~1. An internal combustion or heat engine using combustible fuel; and~~

~~2. A rechargeable energy storage system; and~~

~~(b) That, in the case of a passenger automobile or light truck:~~

~~1. Has received a certificate of conformity under the Clean Air Act, 42 U.S.C. ss. 7401 et seq.; and~~

~~2. Meets or exceeds the equivalent qualifying California standards for a low-emission vehicle.~~

(7)~~(6)~~ The department may adopt rules necessary to administer this section.

Section 2. Paragraph (b) of subsection (1) of section 316.1575, Florida Statutes, is amended to read:

316.1575 Obedience to traffic control devices at railroad-highway grade crossings.—

(1) Any person walking or driving a vehicle and approaching a railroad-highway grade crossing under any of the circumstances stated in this section shall stop within 50 feet but not less than 15 feet from the nearest rail of such railroad and shall not proceed until he or she can do so safely. The foregoing requirements apply when:

(b) A crossing gate is lowered *or a law enforcement officer* or a human flagger gives or continues to give a signal of the approach or passage of a railroad train;

Section 3. Effective July 1, 2008, subsection (6) of section 316.1895, Florida Statutes, is amended to read:

316.1895 Establishment of school speed zones, enforcement; designation.—

(6) Permanent signs designating school zones and school zone speed limits shall be uniform in size and color, and shall have the times during which the restrictive speed limit is enforced clearly designated thereon. Flashing beacons activated by a time clock, or other automatic device, or manually activated may be used as an alternative to posting the times during which the restrictive school speed limit is enforced. *Beginning July 1, 2008, for any newly established school zone or any school zone in which the signing has been replaced, a sign stating "Speeding Fines Doubled" shall be installed within the school zone.* The Department of Transportation shall establish adequate standards for the signs and flashing beacons.

Section 4. Paragraph (d) is added to subsection (1) of section 316.191, Florida Statutes, subsections (3), (4), and (5) of that section are renumbered as subsections (4), (5), and (6), respectively, and a new subsection (3) is added to that section, to read:

316.191 Racing on highways.—

(1) As used in this section, the term:

(d) "Spectator" means any person who is knowingly present at and views a drag race, when such presence is the result of an affirmative choice to attend or participate in the race. For purposes of determining whether or not an individual is a spectator, finders of fact shall consider the relationship between the racer and the individual, evidence of gambling or betting on the outcome of the race, and any other factor that would tend to show knowing attendance or participation.

(3)(a) A person may not be a spectator at any drag race prohibited under subsection (2).

(b) A person who violates the provisions of paragraph (a) commits a noncriminal traffic infraction, punishable as a moving violation as provided in chapter 318.

Section 5. Subsection (4) of section 316.193, Florida Statutes, is amended to read:

316.193 Driving under the influence; penalties.—

(4) Any person who is convicted of a violation of subsection (1) and who has a blood-alcohol level or breath-alcohol level of *0.15* ~~0.20~~ or higher, or any person who is convicted of a violation of subsection (1) and who at the time of the offense was accompanied in the vehicle by a person under the age of 18 years, shall be punished:

(a) By a fine of:

1. Not less than $500 or more than $1,000 for a first conviction.

2. Not less than $1,000 or more than $2,000 for a second conviction.

3. Not less than $2,000 for a third or subsequent conviction.

(b) By imprisonment for:

1. Not more than 9 months for a first conviction.

2. Not more than 12 months for a second conviction.

For the purposes of this subsection, only the instant offense is required to be a violation of subsection (1) by a person who has a blood-alcohol level or breath-alcohol level of *0.15* ~~0.20~~ or higher.

(c) In addition to the penalties in paragraphs (a) and (b), the court shall order the mandatory placement, at the convicted person's sole expense, of an ignition interlock device approved by the department in accordance with s. 316.1938 upon all vehicles that are individually or jointly leased or owned and routinely operated by the convicted person for *not less than* ~~up to~~ 6 *continuous* months for the first offense and for *not less than* ~~at least~~ 2 *continuous* years for a second offense, when the convicted person qualifies for a permanent or restricted license. ~~The installation of such device may not occur before July 1, 2003.~~

Section 6. Subsection (1) of section 316.1937, Florida Statutes, is amended to read:

316.1937 Ignition interlock devices, requiring; unlawful acts.—

(1) In addition to any other authorized penalties, the court may require that any person who is convicted of driving under the influence in violation of s. 316.193 shall not operate a motor vehicle unless that vehicle is equipped with a functioning ignition interlock device certified by the department as provided in s. 316.1938, and installed in such a manner that the vehicle will not start if the operator's blood alcohol level is in excess of 0.05 percent or as otherwise specified by the court. The court may require the use of an approved ignition interlock device for a period of not less than 6 *continuous* months, if the person is permitted to operate a motor vehicle, whether or not the privilege to operate a motor vehicle is restricted, as determined by the court. The court, however, shall order placement of an ignition interlock device in those circumstances required by s. 316.193.

Section 7. Subsection (2) of section 316.251, Florida Statutes, is amended to read:

316.251 Maximum bumper heights.—

(2) "New motor vehicles" as defined in s. 319.001*(9)*~~(8)~~, "antique automobiles" as defined in s. 320.08, "horseless carriages" as defined in s. 320.086, and "street rods" as defined in s. 320.0863 shall be excluded from the requirements of this section.

Section 8. Paragraph (b) of subsection (1) and subsections (6) and (8) of section 316.302, Florida Statutes, are amended to read:

316.302 Commercial motor vehicles; safety regulations; transporters and shippers of hazardous materials; enforcement.—

(1)

(b) Except as otherwise provided in this section, all owners or drivers of commercial motor vehicles that are engaged in intrastate commerce are subject to the rules and regulations contained in 49 C.F.R. parts 382, 385, and 390-397, with the exception of 49 C.F.R. s. 390.5 as it relates to the definition of bus, as such rules and regulations existed on October 1, *2007* ~~2005~~.

(6) The state Department of Transportation shall perform the duties that are assigned to the *Field Administrator, Federal Motor Carrier Safety Administration* ~~Regional Federal Highway Administrator~~ under the federal rules, and an agent of that department, as described in s. 316.545(9), may enforce those rules.

(8) For the purpose of enforcing this section, any law enforcement officer of the Department of Transportation or duly appointed agent who holds a current safety inspector certification from the Commercial Vehicle Safety Alliance may require the driver of any commercial vehicle operated on the highways of this state to stop and submit to an inspection of the vehicle or the driver's records. If the vehicle or driver is found to be operating in an unsafe condition, or if any required part or equipment is not present or is not in proper repair or adjustment, and the continued operation would present an unduly hazardous operating condition, the officer may require the vehicle or the driver to be removed from service pursuant to the North American *Standard* ~~Uniform~~ Out-of-Service Criteria, until corrected. However, if continuous operation would not present an unduly hazardous operating condition, the officer may give written notice requiring correction of the condition within 14 days.

(a) Any member of the Florida Highway Patrol or any law enforcement officer employed by a sheriff's office or municipal police department authorized to enforce the traffic laws of this state pursuant to s. 316.640 who has reason to believe that a vehicle or driver is operating in an unsafe condition may, as provided in subsection (10), enforce the provisions of this section.

(b) Any person who fails to comply with an officer's request to submit to an inspection under this subsection commits a violation of s. 843.02 if the person resists the officer without violence or a violation of s. 843.01 if the person resists the officer with violence.

Section 9. Subsection (2) of section 316.613, Florida Statutes, is amended to read:

316.613 Child restraint requirements.—

(2) As used in this section, the term "motor vehicle" means a motor vehicle as defined in s. 316.003 that is operated on the roadways, streets, and highways of the state. The term does not include:

(a) A school bus as defined in s. 316.003(45).

(b) A bus used for the transportation of persons for compensation, other than a bus regularly used to transport children to or from school, as defined in s. 316.615(1) (b), or in conjunction with school activities.

(c) A farm tractor or implement of husbandry.

(d) A truck *having a gross vehicle weight rating of more than 26,000* ~~of net weight of more than 5,000~~ pounds.

(e) A motorcycle, moped, or bicycle.

Section 10. Paragraph (a) of subsection (3) of section 316.614, Florida Statutes, is amended to read:

316.614 Safety belt usage.—

(3) As used in this section:

(a) "Motor vehicle" means a motor vehicle as defined in s. 316.003 *which* ~~that~~ is operated on the roadways, streets, and highways of this state. The term does not include:

1. A school bus.

2. A bus used for the transportation of persons for compensation.

3. A farm tractor or implement of husbandry.

4. A truck *having a gross vehicle weight rating of more than 26,000* ~~of a net weight of more than 5,000~~ pounds.

5. A motorcycle, moped, or bicycle.

Section 11. Section 316.645, Florida Statutes, is amended to read:

316.645 Arrest authority of officer at scene of a traffic crash.—A police officer who makes an investigation at the scene of a traffic crash may arrest any driver of a vehicle involved in the crash when, based upon personal investigation, the officer has reasonable and probable grounds to believe that the person has committed any offense under the provisions of this chapter*, chapter 320,* or chapter 322 in connection with the crash.

Section 12. Subsections (1), (3), (4), (5), (6), and (7) of section 316.650, Florida Statutes, are amended to read:

316.650 Traffic citations.—

(1)(a) The department shall prepare~~,~~ and supply to every traffic enforcement agency in this state~~,~~ an appropriate form traffic citation *that contains* ~~containing~~ a notice to appear*, is* ~~(which shall be~~ issued in prenumbered books*, meets* ~~with citations in quintuplicate) and meeting~~ the requirements of this chapter or any laws of this state regulating traffic, *and is* ~~which form shall be~~ consistent with the state traffic court rules and the procedures established by the department. The form shall include a box *that* ~~which~~ is to be checked by the law enforcement officer when the officer believes that the traffic violation or crash was due to aggressive careless driving as defined in s. 316.1923. The form shall also include a box *that* ~~which~~ is to be checked by the law enforcement officer when the officer writes a uniform traffic citation for a violation of s. 316.074(1) or s. 316.075(1)(c)1. as a result of the driver failing to stop at a traffic signal.

(b) The department shall prepare, and supply to every traffic enforcement agency in the state, an appropriate affidavit-of-compliance form *that* ~~which~~ shall be issued along with the form traffic citation for any violation of s. 316.610 and *that indicates* ~~which shall indicate~~ the specific defect *needing* ~~which needs~~ to be corrected. However, such affidavit of compliance shall not be issued in the case of a violation of s. 316.610 by a commercial motor vehicle as defined in s. 316.003(66). Such affidavit-of-compliance form shall be distributed in the same manner and to the same parties as is the form traffic citation.

(c) Notwithstanding paragraphs (a) and (b), a traffic enforcement agency may produce uniform traffic citations by electronic means. Such

citations must be consistent with the state traffic court rules and the procedures established by the department *and*~~;~~ must be appropriately numbered and inventoried~~; and may have fewer copies than the quintuplicate form~~. Affidavit-of-compliance forms may also be produced by electronic means.

(d) The department must distribute to every traffic enforcement agency and to any others who request it, a traffic infraction reference guide describing the class of the traffic infraction, the penalty for the infraction, the points to be assessed on a driver's *record* ~~license~~, and any other information necessary to describe a violation and the penalties therefor.

(3)(a) Except for a traffic citation issued pursuant to s. 316.1001, each traffic enforcement officer, upon issuing a traffic citation to an alleged violator of any provision of the motor vehicle laws of this state or of any traffic ordinance of any *municipality* ~~city~~ or town, shall deposit the original ~~and one copy of such~~ traffic citation or, in the case of a traffic enforcement agency *that* ~~which~~ has an automated citation issuance system, *the chief administrative officer* shall provide *by* an electronic *transmission a replica of the citation data to* ~~facsimile with~~ a court having jurisdiction over the alleged offense or with its traffic violations bureau within 5 days after issuance to the violator.

(b) If a traffic citation is issued pursuant to s. 316.1001, a traffic enforcement officer may deposit the original ~~and one copy of such~~ traffic citation or, in the case of a traffic enforcement agency that has an automated citation system, may provide *by* an electronic *transmission a replica of the citation data to* ~~facsimile with~~ a court having jurisdiction over the alleged offense or with its traffic violations bureau within 45 days after the date of issuance of the citation to the violator. If the person cited for the violation of s. 316.1001 makes the election provided by s. 318.14(12) and pays the $25 fine, or such other amount as imposed by the governmental entity owning the applicable toll facility, plus the amount of the unpaid toll that is shown on the traffic citation directly to the governmental entity that issued the citation, or on whose behalf the citation was issued, in accordance with s. 318.14(12), the traffic citation will not be submitted to the court, the disposition will be reported to the department by the governmental entity that issued the citation, or on whose behalf the citation was issued, and no points will be assessed against the person's driver's license.

(4) The chief administrative officer of every traffic enforcement agency shall require the return to him or her ~~of~~ the *officer-agency* ~~department record~~ copy of every traffic citation issued by an officer under the chief administrative officer's supervision to an alleged violator of any traffic law or ordinance and ~~of~~ all copies of every traffic citation *that* ~~which~~ has been spoiled or upon which any entry has been made and not issued to an alleged violator. In the case of a traffic enforcement agency *that* ~~which~~ has an automated citation issuance system, the chief administrative officer shall require the return of all electronic traffic citation records.

(5) Upon the deposit of the original ~~and one copy of such~~ traffic citation or upon ~~deposit of~~ an electronic *transmission of a replica of citation data* ~~facsimile~~ of the traffic citation with respect to traffic enforcement agencies *that* ~~which~~ have an automated citation issuance system with a court having jurisdiction over the alleged offense or with its traffic violations bureau ~~as aforesaid~~, the original *citation*, *the electronic citation containing a replica of citation data* ~~facsimile~~, or *a* copy of such traffic citation may be disposed of only by trial in the court or other official action by a judge of the court, including forfeiture of the bail, or by the deposit of sufficient bail with, or payment of a fine to, the traffic violations bureau by the person to whom such traffic citation has been issued by the traffic enforcement officer.

(6) The chief administrative officer shall transmit, on a form approved by the department, ~~the department record copy of the uniform traffic citation to the department~~ within 5 days after submission of the original*, groups of issued citations* ~~and one copy to the court, or citation~~ and transmittal data *to the court. Batches of electronic citations containing a replica of citation data* may be transmitted to the *court* ~~department~~ in an *electronic* ~~automated~~ fashion, in a *format* ~~form~~ prescribed by the department *within 5 days after issuance to the violator*. ~~A copy of such transmittal shall also be provided to the court having jurisdiction for accountability purposes.~~

(7) The chief administrative officer shall also maintain or cause to be maintained in connection with every traffic citation issued by an officer under his or her supervision a record of the disposition of the charge by the court or its traffic violations bureau in which the original or copy of the traffic citation *or electronic citation* was deposited.

Section 13. Paragraph (a) of subsection (2) of section 316.656, Florida Statutes, is amended to read:

316.656 Mandatory adjudication; prohibition against accepting plea to lesser included offense.—

(2)(a) No trial judge may accept a plea of guilty to a lesser offense from a person charged under the provisions of this act who has been given a breath or blood test to determine blood or breath alcohol content, the results of which show a blood or breath alcohol content by weight of *0.15* ~~0.20~~ percent or more.

Section 14. Subsection (9) of section 318.14, Florida Statutes, is amended to read:

318.14 Noncriminal traffic infractions; exception; procedures.—

(9) Any person who does not hold a commercial driver's license and who is cited for an infraction under this section other than a violation of s. 316.183(2), s. 316.187, or s. 316.189 when the driver exceeds the posted limit by 30 miles per hour or more, s. 320.0605, s. 320.07(3)(a) or (b), s. 322.065, s. 322.15(1), s. 322.61, or s. 322.62 may, in lieu of a court appearance, elect to attend in the location of his or her choice within this state a basic driver improvement course approved by the Department of Highway Safety and Motor Vehicles. In such a case, adjudication must be withheld; points, as provided by s. 322.27, may not be assessed; and the civil penalty that is imposed by s. 318.18(3) must be reduced by 18 percent; however, a person may not make an election under this subsection if the person has made an election under this subsection in the preceding 12 months. A person may make no more than five elections *within 10 years* under this subsection. The requirement for community service under s. 318.18(8) is not waived by a plea of nolo contendere or by the withholding of adjudication of guilt by a court.

Section 15. Subsections (1) through (11) of section 319.001, Florida Statutes, are renumbered as subsections (2) through (12), respectively, and a new subsection (1) is added to that section to read:

319.001 Definitions.—As used in this chapter, the term:

(1) "Certificate of title" means the record that is evidence of ownership of a vehicle, whether a paper certificate authorized by the department or a certificate consisting of information that is stored in an electronic form in the department's database.

Section 16. Subsection (27) of section 320.01, Florida Statutes, is amended to read:

320.01 Definitions, general.—As used in the Florida Statutes, except as otherwise provided, the term:

(27) "Motorcycle" means any motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground, but excluding a tractor*,* ~~or~~ a moped*, or a vehicle in which the operator is enclosed by a cabin*.

Section 17. Effective July 1, 2008, subsection (1) of section 320.02, Florida Statutes, as amended by section 28 of chapter 2006-290, Laws of Florida, is amended to read:

320.02 Registration required; application for registration; forms.—

(1) Except as otherwise provided in this chapter, every owner or person in charge of a motor vehicle that is operated or driven on the roads of this state shall register the vehicle in this state. The owner or person in charge shall apply to the department or to its authorized agent for registration of each such vehicle on a form prescribed by the department. ~~Prior to the original registration of a motorcycle, motor-driven cycle, or moped, the owner, if a natural person, must present proof that he or she has a valid motorcycle endorsement as required in chapter 322.~~ A registration is not required for any motor vehicle that is not operated on the roads of this state during the registration period.

Section 18. *Subsection (13) of section 320.02, Florida Statutes, is repealed.*

Section 19. Section 320.0706, Florida Statutes, is amended to read:

320.0706 Display of license plates on trucks.—The owner of any commercial truck of gross vehicle weight of 26,001 pounds or more shall display the registration license plate on both the front and rear of the truck in conformance with all the requirements of s. 316.605 that do not conflict with this section. The owner of a dump truck may place the rear license plate on the gate no higher than 60 inches to allow for better visibility. However, the owner of a truck tractor shall be required to display the registration license plate only on the front of such vehicle. *A violation of this section is a noncriminal traffic infraction, punishable as a moving violation as provided in chapter 318.*

Section 20. Subsection (4) of section 320.0715, Florida Statutes, is amended to read:

320.0715 International Registration Plan; motor carrier services; permits; retention of records.—

(4) Each motor carrier registered under the International Registration Plan shall maintain and keep, for a period of 4 years, pertinent records and papers as may be required by the department for the reasonable administration of this chapter.

(a) The department shall withhold registrations and license plates for commercial motor vehicles unless the identifying number issued by the federal agency responsible for motor carrier safety is provided for the motor carrier and the entity responsible for motor carrier safety for each motor vehicle as part of the application process.

(b) The department may not issue a commercial motor vehicle registration or license plate to, and may not transfer the commercial motor vehicle registration or license plate for, a motor carrier or vehicle owner who has been prohibited from operating by a federal or state agency responsible for motor carrier safety.

(c) The department, with notice, shall suspend any commercial motor vehicle registration and license plate issued to a motor carrier or vehicle owner who has been prohibited from operating by a federal or state agency responsible for motor carrier safety.

Section 21. Subsection (3) of section 320.08053, Florida Statutes, is amended to read:

320.08053 Requirements for requests to establish specialty license plates.—

~~(3) The department shall adopt rules providing viewpoint-neutral specifications for the design of specialty license plates that promote or enhance the readability of all specialty license plates and that discourage counterfeiting. The rules shall provide uniform specifications requiring inclusion of the word "Florida" in the same location on each specialty license plate, in such a size and location that is clearly identifiable on the specialty license plate when mounted on a vehicle, and shall provide specifications for the size and location of any words or logos appearing on a specialty license plate.~~

Section 22. Paragraph (a) of subsection (4) of section 320.0894, Florida Statutes, is amended to read:

320.0894 Motor vehicle license plates to Gold Star family members.—The department shall develop a special license plate honoring the family members of servicemembers who have been killed while serving in the Armed Forces of the United States. The license plate shall be officially designated as the Gold Star license plate and shall be developed and issued as provided in this section.

(4)(a)1.*a.* The Gold Star license plate shall be issued only to family members of a servicemember who resided in Florida at the time of the death of the servicemember.

b. Any family member, as defined in subparagraph 2., of a servicemember killed while serving may be issued a Gold Star license plate upon payment of the license tax and appropriate fees as provided in paragraph (3)(a) without regard to the state of residence of the servicemember.

2. To qualify for issuance of a Gold Star license plate, the applicant must be directly related to a fallen servicemember as spouse, legal mother or father, or stepparent who is currently married to the mother or father of the fallen servicemember.

3. A servicemember is deemed to have been killed while in service as listed by the United States Department of Defense and may be verified from documentation directly from the Department of Defense or from its subordinate agencies, such as the Coast Guard, Reserve, or National Guard.

Section 23. Effective upon this act becoming a law, subsections (4) and (8) of section 320.131, Florida Statutes, are amended, and subsection (9) is added to that section, to read:

320.131 Temporary tags.—

(4)*(a)* Temporary tags shall be conspicuously displayed in the rear license plate bracket or*,* ~~attached to the inside of the rear window in an upright position so as to be clearly visible from the rear of the vehicle.~~ on vehicles requiring front display of license plates, ~~temporary tags shall be displayed~~ on the front of the vehicle in the location where the metal license plate would normally be displayed.

(b) The department shall designate specifications for the media upon which the temporary tag is printed. Such media shall be either nonpermeable or subject to weatherproofing so that it maintains its structural integrity, including graphic and data adhesion, in all weather conditions after being placed on a vehicle.

(8) The department *shall* ~~may~~ administer an electronic system for licensed motor vehicle dealers to use *for* ~~in~~ issuing temporary *tags* ~~license plates~~. ~~Upon issuing a temporary license plate, the dealer shall access the electronic system and enter the appropriate vehicle and owner information within the timeframe specified by department rule.~~ If a dealer fails to comply with the department's requirements for issuing temporary *tags* ~~license plates~~ using the electronic system, the department may deny, suspend, or revoke a license under s. 320.27(9)(b)16. upon proof that the licensee has failed to comply with the department's requirements. The department may adopt rules to administer this section.

(9)(a) The department shall implement a secure print-on-demand electronic temporary tag registration, record retention, and issue system required for use by every department-authorized issuer of temporary tags by the end of the 2007-2008 fiscal year. Such system shall enable the department to issue, on demand, a temporary tag number in response to a request from the issuer by way of a secure electronic exchange of data and enable the issuer to print the temporary tag that has all required information. A motor vehicle dealer licensed under this chapter may charge a fee to comply with this subsection.

(b) To ensure the continuation of operations for issuers if a system outage occurs, the department shall allow the limited use of a backup manual issuance method during an outage which requires recordkeeping of information as determined by the department and requires the timely electronic reporting of this information to the department.

(c) The department may adopt rules necessary to administer this subsection. Such rules may include exemptions from the requirements of this subsection as required to administer the program, as well as exemptions for issuers who do not require a dealer license under this chapter because of the type or size of vehicle being sold.

Section 24. Subsection (3) and paragraph (b) of subsection (9) of section 320.27, Florida Statutes, is amended to read:

320.27 Motor vehicle dealers.—

(3) APPLICATION AND FEE.—The application for the license shall be in such form as may be prescribed by the department and shall be subject to such rules with respect thereto as may be so prescribed by it. Such application shall be verified by oath or affirmation and shall contain a full statement of the name and birth date of the person or persons applying therefor; the name of the firm or copartnership, with the names and places of residence of all members thereof, if such applicant is a firm or copartnership; the names and places of residence of the principal officers, if the applicant is a body corporate or other artificial body; the name of the state under whose laws the corporation is organized; the present and former place or places of residence of the applicant; and prior business in which the applicant has been engaged and the location

thereof. Such application shall describe the exact location of the place of business and shall state whether the place of business is owned by the applicant and when acquired, or, if leased, a true copy of the lease shall be attached to the application. The applicant shall certify that the location provides an adequately equipped office and is not a residence; that the location affords sufficient unoccupied space upon and within which adequately to store all motor vehicles offered and displayed for sale; and that the location is a suitable place where the applicant can in good faith carry on such business and keep and maintain books, records, and files necessary to conduct such business, which will be available at all reasonable hours to inspection by the department or any of its inspectors or other employees. The applicant shall certify that the business of a motor vehicle dealer is the principal business which shall be conducted at that location. Such application shall contain a statement that the applicant is either franchised by a manufacturer of motor vehicles, in which case the name of each motor vehicle that the applicant is franchised to sell shall be included, or an independent (nonfranchised) motor vehicle dealer. Such application shall contain such other relevant information as may be required by the department, including evidence that the applicant is insured under a garage liability insurance policy *or a general liability insurance policy coupled with a business automobile policy*, which shall include, at a minimum, $25,000 combined single-limit liability coverage including bodily injury and property damage protection and $10,000 personal injury protection. *Franchise dealers must submit a garage liability insurance policy, and all other dealers must submit a garage liability insurance policy or a general liability insurance policy coupled with a business automobile policy.* Such policy shall be for the license period, and evidence of a new or continued policy shall be delivered to the department at the beginning of each license period. Upon making ~~such~~ initial application, the *applicant* ~~person applying therefor~~ shall pay to the department a fee of $300 in addition to any other fees now required by law; upon making a subsequent renewal application, the *applicant* ~~person applying therefor~~ shall pay to the department a fee of $75 in addition to any other fees now required by law. Upon making an application for a change of location, the person shall pay a fee of $50 in addition to any other fees now required by law. The department shall, in the case of every application for initial licensure, verify whether certain facts set forth in the application are true. Each applicant, general partner in the case of a partnership, or corporate officer and director in the case of a corporate applicant, must file a set of fingerprints with the department for the purpose of determining any prior criminal record or any outstanding warrants. The department shall submit the fingerprints to the Department of Law Enforcement for state processing and forwarding to the Federal Bureau of Investigation for federal processing. The actual cost of ~~such~~ state and federal processing shall be borne by the applicant and is ~~to be~~ in addition to the fee for licensure. The department may issue a license to an applicant pending the results of the fingerprint investigation, which license is fully revocable if the department subsequently determines that any facts set forth in the application are not true or correctly represented.

(9) DENIAL, SUSPENSION, OR REVOCATION.—

(b) The department may deny, suspend, or revoke any license issued hereunder or under the provisions of s. 320.77 or s. 320.771 upon proof that a licensee has committed, with sufficient frequency so as to establish a pattern of wrongdoing on the part of a licensee, violations of one or more of the following activities:

1. Representation that a demonstrator is a new motor vehicle, or the attempt to sell or the sale of a demonstrator as a new motor vehicle without written notice to the purchaser that the vehicle is a demonstrator. For the purposes of this section, a "demonstrator," a "new motor vehicle," and a "used motor vehicle" shall be defined as under s. 320.60.

2. Unjustifiable refusal to comply with a licensee's responsibility under the terms of the new motor vehicle warranty issued by its respective manufacturer, distributor, or importer. However, if such refusal is at the direction of the manufacturer, distributor, or importer, such refusal shall not be a ground under this section.

3. Misrepresentation or false, deceptive, or misleading statements with regard to the sale or financing of motor vehicles which any motor vehicle dealer has, or causes to have, advertised, printed, displayed, published, distributed, broadcast, televised, or made in any manner with regard to the sale or financing of motor vehicles.

4. Failure by any motor vehicle dealer to provide a customer or purchaser with an odometer disclosure statement and a copy of any bona fide written, executed sales contract or agreement of purchase connected with the purchase of the motor vehicle purchased by the customer or purchaser.

5. Failure of any motor vehicle dealer to comply with the terms of any bona fide written, executed agreement, pursuant to the sale of a motor vehicle.

6. Failure to apply for transfer of a title as prescribed in s. 319.23(6).

7. Use of the dealer license identification number by any person other than the licensed dealer or his or her designee.

8. Failure to continually meet the requirements of the licensure law.

9. Representation to a customer or any advertisement to the public representing or suggesting that a motor vehicle is a new motor vehicle if such vehicle lawfully cannot be titled in the name of the customer or other member of the public by the seller using a manufacturer's statement of origin as permitted in s. 319.23(1).

10. Requirement by any motor vehicle dealer that a customer or purchaser accept equipment on his or her motor vehicle which was not ordered by the customer or purchaser.

11. Requirement by any motor vehicle dealer that any customer or purchaser finance a motor vehicle with a specific financial institution or company.

12. Requirement by any motor vehicle dealer that the purchaser of a motor vehicle contract with the dealer for physical damage insurance.

13. Perpetration of a fraud upon any person as a result of dealing in motor vehicles, including, without limitation, the misrepresentation to any person by the licensee of the licensee's relationship to any manufacturer, importer, or distributor.

14. Violation of any of the provisions of s. 319.35 by any motor vehicle dealer.

15. Sale by a motor vehicle dealer of a vehicle offered in trade by a customer prior to consummation of the sale, exchange, or transfer of a newly acquired vehicle to the customer, unless the customer provides written authorization for the sale of the trade-in vehicle prior to delivery of the newly acquired vehicle.

16. Willful failure to comply with any administrative rule adopted by the department or the provisions of s. 320.131(8).

17. Violation of chapter 319, this chapter, or ss. 559.901-559.9221, which has to do with dealing in or repairing motor vehicles or mobile homes. Additionally, in the case of used motor vehicles, the willful violation of the federal law and rule in 15 U.S.C. s. 2304, 16 C.F.R. part 455, pertaining to the consumer sales window form.

18. Failure to maintain evidence of notification to the owner or coowner of a vehicle regarding registration or titling fees owed as required in s. 320.02*(16)*~~(17)~~.

19. Failure to register a mobile home salesperson with the department as required by this section.

Section 25. *Section 320.96, Florida Statutes, is repealed.*

Section 26. Subsections (10) through (44) of section 322.01, Florida Statutes, are renumbered as subsections (11) through (45), respectively, present subsections (10), (23), and (29) are amended, and a new subsection (10) is added to that section, to read:

322.01 Definitions.—As used in this chapter:

(10) "Convenience service" means any means whereby an individual conducts a transaction with the department other than in person.

(11)~~(10)~~(a) "Conviction" means a conviction of an offense relating to the operation of motor vehicles on highways which is a violation of this chapter or any other such law of this state or any other state, including an admission or determination of a noncriminal traffic infraction pursuant to s. 318.14, or a judicial disposition of an offense committed under

any federal law substantially conforming to the aforesaid state statutory provisions.

(b) Notwithstanding any other provisions of this chapter, the definition of "conviction" provided in 49 C.F.R. part 383.5 applies to offenses committed in a commercial motor vehicle *or by a person holding a commercial driver's license*.

(24)~~(23)~~ "Hazardous materials" *means any material that has been designated as hazardous under 49 U.S.C. s. 5103 and is required to be placarded under subpart F of 49 C.F.R. part 172 or any quantity of a material listed as a select agent or toxin in 42 C.F.R. part 73* ~~has the meaning such term has under s. 103 of the Hazardous Materials Transportation Act~~.

(30)~~(29)~~ "Out-of-service order" means a prohibition issued by an authorized local, state, or Federal Government official which precludes a person from driving a commercial motor vehicle ~~for a period of 72 hours or less~~.

Section 27. Subsections (1) and (2) of section 322.051, Florida Statutes, are amended to read:

322.051 Identification cards.—

(1) Any person who is 5 years of age or older, or any person who has a disability, regardless of age, who applies for a disabled parking permit under s. 320.0848, may be issued an identification card by the department upon completion of an application and payment of an application fee.

(a) Each such application shall include the following information regarding the applicant:

1. Full name (first, middle or maiden, and last), gender, *proof of* social security card number *satisfactory to the department*, county of residence*,* ~~and~~ mailing address, *proof of residential address satisfactory to the department,* country of birth, and a brief description.

2. Proof of birth date satisfactory to the department.

3. Proof of identity satisfactory to the department. Such proof must include one of the following documents issued to the applicant:

a. A driver's license record or identification card record from another jurisdiction that required the applicant to submit a document for identification which is substantially similar to a document required under sub-subparagraph b., sub-subparagraph c., sub-subparagraph d., sub-subparagraph e., sub-subparagraph f., ~~or~~ sub-subparagraph g.*, or sub-subparagraph h.*;

b. A certified copy of a United States birth certificate;

c. A *valid, unexpired* United States passport;

d. A naturalization certificate issued by the United States Department of Homeland Security;

e. *A valid, unexpired* ~~An~~ alien registration receipt card (green card);

f. A Consular Report of Birth Abroad provided by the United States Department of State;

g.~~f.~~ An *unexpired* employment authorization card issued by the United States Department of Homeland Security; or

h.~~g.~~ Proof of nonimmigrant classification provided by the United States Department of Homeland Security, for an original identification card. In order to prove such nonimmigrant classification, applicants may produce but are not limited to the following documents:

(I) A notice of hearing from an immigration court scheduling a hearing on any proceeding.

(II) A notice from the Board of Immigration Appeals acknowledging pendency of an appeal.

(III) Notice of the approval of an application for adjustment of status issued by the United States Bureau of Citizenship and Immigration Services.

(IV) Any official documentation confirming the filing of a petition for asylum or refugee status or any other relief issued by the United States Bureau of Citizenship and Immigration Services.

(V) Notice of action transferring any pending matter from another jurisdiction to Florida, issued by the United States Bureau of Citizenship and Immigration Services.

(VI) Order of an immigration judge or immigration officer granting any relief that authorizes the alien to live and work in the United States including, but not limited to asylum.

(VII) Evidence that an application is pending for adjustment of status to that of an alien lawfully admitted for permanent residence in the United States or conditional permanent resident status in the United States, if a visa number is available having a current priority date for processing by the United States Bureau of Citizenship and Immigration Services.

(VIII) On or after January 1, 2010, an unexpired foreign passport with an unexpired United States Visa affixed, accompanied by an approved I-94, documenting the most recent admittance into the United States.

Presentation of any of the documents described in sub-subparagraph *g.* ~~f.~~ or sub-subparagraph *h.* ~~g.~~ entitles the applicant to an identification card for a period not to exceed the expiration date of the document presented or 1 year, whichever first occurs.

(b) An application for an identification card must be signed and verified by the applicant in a format designated by the department before a person authorized to administer oaths *and payment of the applicable fee pursuant to s. 322.21.* ~~The fee for an identification card is $3, including payment for the color photograph or digital image of the applicant.~~

(c) Each such applicant may include fingerprints and any other unique biometric means of identity.

(2)(a) Every identification card*:*

1. Issued to a person 5 years of age to 14 years of age shall expire, unless canceled earlier, on the fourth birthday of the applicant following the date of original issue.

2. Issued to a person 15 years of age and older shall expire, unless canceled earlier, on the eighth birthday of the applicant following the date of original issue.

Renewal of an identification card shall be made for the applicable term enumerated in this paragraph. ~~However, if an individual is 60 years of age or older, and has an identification card issued under this section, the card shall not expire unless done so by cancellation by the department or by the death of the cardholder. Renewal of any identification card shall be made for a term which shall expire on the fourth birthday of the applicant following expiration of the identification card renewed, unless surrendered earlier.~~ Any application for renewal received later than 90 days after expiration of the identification card shall be considered the same as an application for an original identification card. ~~The renewal fee for an identification card shall be $10, of which $4 shall be deposited into the General Revenue Fund and $6 into the Highway Safety Operating Trust Fund. The department shall, at the end of 4 years and 6 months after the issuance or renewal of an identification card, destroy any record of the card if it has expired and has not been renewed, unless the cardholder is 60 years of age or older.~~

(b) Notwithstanding any other provision of this chapter, if an applicant establishes his or her identity for an identification card using a document authorized under sub-subparagraph (1)(a)3.e., the identification card shall expire on the *eighth* ~~fourth~~ birthday of the applicant following the date of original issue or upon first renewal or duplicate issued after implementation of this section. After an initial showing of such documentation, he or she is exempted from having to renew or obtain a duplicate in person.

(c) Notwithstanding any other provisions of this chapter, if an applicant establishes his or her identity for an identification card using an identification document authorized under sub-subparagraph *(1)(a)3.g.* ~~(1)(a)3.f.~~ or sub-subparagraph *(1)(a)3.h.* ~~(1)(a)3.g.~~, the identification card

shall expire *1 year* ~~2 years~~ after the date of issuance or upon the expiration date cited on the United States Department of Homeland Security documents, whichever date first occurs, and may not be renewed or obtain a duplicate except in person.

Section 28. Subsections (1), (2), and (6) of section 322.08, Florida Statutes, are amended to read:

322.08 Application for license.—

(1) Each application for a driver's license shall be made in a format designated by the department and sworn to or affirmed by the applicant as to the truth of the statements made in the application.

(2) Each such application shall include the following information regarding the applicant:

(a) Full name (first, middle or maiden, and last), gender, *proof of* social security card number *satisfactory to the department*, county of residence*,* ~~and~~ mailing address, *proof of residential address satisfactory to the department,* country of birth, and a brief description.

(b) Proof of birth date satisfactory to the department.

(c) Proof of identity satisfactory to the department. Such proof must include one of the following documents issued to the applicant:

1. A driver's license record or identification card record from another jurisdiction that required the applicant to submit a document for identification which is substantially similar to a document required under subparagraph 2., subparagraph 3., subparagraph 4., subparagraph 5., subparagraph 6., ~~or~~ subparagraph 7.*, or subparagraph 8.*;

2. A certified copy of a United States birth certificate;

3. A *valid, unexpired* United States passport;

4. A naturalization certificate issued by the United States Department of Homeland Security;

5. *A valid, unexpired* ~~An~~ alien registration receipt card (green card);

6. A Consular Report of Birth Abroad provided by the United States Department of State;

7.~~6.~~ An *unexpired* employment authorization card issued by the United States Department of Homeland Security; or

8.~~7.~~ Proof of nonimmigrant classification provided by the United States Department of Homeland Security, for an original driver's license. In order to prove nonimmigrant classification, an applicant may produce the following documents, including, but not limited to:

a. A notice of hearing from an immigration court scheduling a hearing on any proceeding.

b. A notice from the Board of Immigration Appeals acknowledging pendency of an appeal.

c. A notice of the approval of an application for adjustment of status issued by the United States Bureau of Citizenship and Immigration Services.

d. Any official documentation confirming the filing of a petition for asylum or refugee status or any other relief issued by the United States Bureau of Citizenship and Immigration Services.

e. A notice of action transferring any pending matter from another jurisdiction to this state issued by the United States Bureau of Citizenship and Immigration Services.

f. An order of an immigration judge or immigration officer granting any relief that authorizes the alien to live and work in the United States, including, but not limited to, asylum.

g. Evidence that an application is pending for adjustment of status to that of an alien lawfully admitted for permanent residence in the United States or conditional permanent resident status in the United States, if a visa number is available having a current priority date for processing by the United States Bureau of Citizenship and Immigration Services.

h. On or after January 1, 2010, an unexpired foreign passport with an unexpired United States Visa affixed, accompanied by an approved I-94, documenting the most recent admittance into the United States.

Presentation of any of the documents in subparagraph *7.* ~~6.~~ or subparagraph *8.* ~~7.~~ entitles the applicant to a driver's license or temporary permit for a period not to exceed the expiration date of the document presented or 1 year, whichever occurs first.

(d) Whether the applicant has previously been licensed to drive, and, if so, when and by what state, and whether any such license or driving privilege has ever been disqualified, revoked, or suspended, or whether an application has ever been refused, and, if so, the date of and reason for such disqualification, suspension, revocation, or refusal.

(e) Each such application may include fingerprints and other unique biometric means of identity.

(6) The application form for a driver's license or duplicate thereof shall include language permitting the following:

~~(a) A voluntary contribution of $5 per applicant, which contribution shall be transferred into the Election Campaign Financing Trust Fund.~~

(a)~~(b)~~ A voluntary contribution of $1 per applicant, which contribution shall be deposited into the Florida Organ and Tissue Donor Education and Procurement Trust Fund for organ and tissue donor education and for maintaining the organ and tissue donor registry.

(b)~~(c)~~ A voluntary contribution of $1 per applicant, which contribution shall be distributed to the Florida Council of the Blind.

(c)~~(d)~~ A voluntary contribution of $2 per applicant, which shall be distributed to the Hearing Research Institute, Incorporated.

(d)~~(e)~~ A voluntary contribution of $1 per applicant, which shall be distributed to the Juvenile Diabetes Foundation International.

(e)~~(f)~~ A voluntary contribution of $1 per applicant, which shall be distributed to the Children's Hearing Help Fund.

A statement providing an explanation of the purpose of the trust funds shall also be included. For the purpose of applying the service charge provided in s. 215.20, contributions received under paragraphs *(b), (c), (d), and (e)* ~~(c), (d), (e), and (f)~~ and under s. 322.18(9)(a) are not income of a revenue nature.

Section 29. Paragraph (a) of subsection (1) of section 322.14, Florida Statutes, is amended to read:

322.14 Licenses issued to drivers.—

(1)(a) The department shall, upon successful completion of all required examinations and payment of the required fee, issue to every applicant qualifying therefor, a driver's license as applied for, which license shall bear thereon a color photograph or digital image of the licensee; the name of the state; a distinguishing number assigned to the licensee; and the licensee's full name, date of birth, and *residence* ~~mailing~~ address; a brief description of the licensee, including, but not limited to, the licensee's gender and height; and the dates of issuance and expiration of the license. A space shall be provided upon which the licensee shall affix his or her usual signature. No license shall be valid until it has been so signed by the licensee except that the signature of said licensee shall not be required if it appears thereon in facsimile or if the licensee is not present within the state at the time of issuance. Applicants qualifying to receive a Class A, Class B, or Class C driver's license must appear in person within the state for issuance of a color photographic or digital imaged driver's license pursuant to s. 322.142.

Section 30. Section 322.15, Florida Statutes, is amended to read:

322.15 License to be carried and exhibited on demand; fingerprint to be imprinted upon a citation.—

(1) Every licensee shall have his or her driver's license, which must be fully legible with no portion of such license faded, altered, mutilated, or defaced, in his or her immediate possession at all times when operating a motor vehicle and shall display the same upon the demand of a law enforcement officer or an authorized representative of the department.

(2) Upon the failure of any person to display a driver's license as required by subsection (1), the law enforcement officer or authorized representative of the department stopping the person shall require the person to imprint his or her *fingerprints* ~~fingerprint~~ upon any citation issued by the officer or authorized representative*, or the officer or authorized representative shall collect the fingerprints electronically*.

(3) In relation to violations of subsection (1) or s. 322.03(5), persons who cannot supply proof of a valid driver's license for the reason that the license was suspended for failure to comply with that citation shall be issued a suspension clearance by the clerk of the court for that citation upon payment of the applicable penalty and fee for that citation. If proof of a valid driver's license is not provided to the clerk of the court within 30 days, the person's driver's license shall again be suspended for failure to comply.

(4) A violation of subsection (1) is a noncriminal traffic infraction, punishable as a nonmoving violation as provided in chapter 318.

Section 31. Section 322.17, Florida Statutes, is amended to read:

322.17 *Replacement licenses and permits* ~~Duplicate and replacement certificates.—~~

(1)(a) In the event that an instruction permit or driver's license issued under the provisions of this chapter is lost or destroyed, the person to whom the same was issued may, upon payment of *the appropriate fee pursuant to s. 322.21* ~~$10~~, obtain a *replacement* ~~duplicate, or substitute thereof,~~ upon furnishing proof satisfactory to the department that such permit or license has been lost or destroyed, and further furnishing the full name, date of birth, sex, residence and mailing address, proof of birth satisfactory to the department, and proof of identity satisfactory to the department. ~~Five dollars of the fee levied in this paragraph shall go to the Highway Safety Operating Trust Fund of the department.~~

(b) In the event that an instruction permit or driver's license issued under the provisions of this chapter is stolen, the person to whom the same was issued may, at no charge, obtain a *replacement* ~~duplicate, or substitute thereof,~~ upon furnishing proof satisfactory to the department that such permit or license was stolen and further furnishing the full name, date of birth, sex, residence and mailing address, proof of birth satisfactory to the department, and proof of identity satisfactory to the department.

(2) Upon the surrender of the original license and the payment of *the appropriate fees pursuant to s. 322.21* ~~a $10 replacement fee~~, the department shall issue a replacement license to make a change in name, address, or restrictions. ~~Upon written request by the licensee and notification of a change in address, and the payment of a $10 fee, the department shall issue an address sticker which shall be affixed to the back of the license by the licensee. Nine dollars of the fee levied in this subsection shall go to the Highway Safety Operating Trust Fund of the department.~~

(3) Notwithstanding any other provisions of this chapter, if a licensee establishes his or her identity for a driver's license using an identification document authorized under s. 322.08(2)(c)*7.*~~6.~~ or *8.*~~7.~~, the licensee may not obtain a duplicate or replacement instruction permit or driver's license except in person and upon submission of an identification document authorized under s. 322.08(2)(c)*7.*~~6.~~ or *8.*~~7.~~

Section 32. Subsections (2), (4), (5), (8), and (9) of section 322.18, Florida Statutes, are amended to read:

322.18 Original applications, licenses, and renewals; expiration of licenses; delinquent licenses.—

(2) Each applicant who is entitled to the issuance of a driver's license, as provided in this section, shall be issued a driver's license, as follows:

(a) An applicant *who has not attained 80 years of age* applying for an original issuance shall be issued a driver's license *that* ~~which~~ expires at midnight on the licensee's birthday which next occurs on or after the *eighth* ~~sixth~~ anniversary of the date of issue. *An applicant who is at least 80 years of age applying for an original issuance shall be issued a driver's license that expires at midnight on the licensee's birthday that next occurs on or after the sixth anniversary of the date of issue.*

(b) An applicant *who has not attained 80 years of age* applying for a renewal issuance ~~or renewal extension~~ shall be issued a driver's license *that* ~~or renewal extension sticker which~~ expires at midnight on the licensee's birthday *that* ~~which~~ next occurs *8* 4 years after the month of expiration of the license being renewed . *An applicant who is at least 80 years of age applying for a renewal issuance shall be issued a driver's license that*~~, except that a driver whose driving record reflects no convictions for the preceding 3 years shall be issued a driver's license or renewal extension sticker which~~ expires at midnight on the licensee's birthday *that* ~~which~~ next occurs 6 years after the month of expiration of the license being renewed.

(c) Notwithstanding any other provision of this chapter, if an applicant establishes his or her identity for a driver's license using a document authorized under s. 322.08(2)(c)5., the driver's license shall expire in accordance with paragraph (b). After an initial showing of such documentation, he or she is exempted from having to renew or obtain a duplicate in person.

(d) Notwithstanding any other provision of this chapter, if an applicant establishes his or her identity for a driver's license using a document authorized in s. 322.08(2)(c)*7.*~~6.~~ or *8.*~~7.~~, the driver's license shall expire *1 year* ~~2 years~~ after the date of issuance or upon the expiration date cited on the United States Department of Homeland Security documents, whichever date first occurs.

(e) Notwithstanding any other provision of this chapter, an applicant applying for an original or renewal issuance of a commercial driver's license as defined in s. 322.01(7), with a hazardous-materials endorsement, pursuant to s. 322.57(1)(e), shall be issued a driver's license that expires at midnight on the licensee's birthday that next occurs 4 years after the month of expiration of the license being issued or renewed.

(4)(a) Except as otherwise provided in this chapter, all licenses shall be renewable every *8* 4 years ~~or 6 years, depending upon the terms of issuance~~ and shall be issued or *renewed* ~~extended~~ upon application, payment of the fees required by s. 322.21, and successful passage of any required examination, unless the department has reason to believe that the licensee is no longer qualified to receive a license.

(b) Notwithstanding any other provision of this chapter, if an applicant establishes his or her identity for a driver's license using a document authorized under s. 322.08(2)(c)5., the license, upon an initial showing of such documentation, is exempted from having to renew or obtain a duplicate in person, unless the renewal or duplication coincides with the periodic reexamination of a driver as required pursuant to s. 322.121.

(c) Notwithstanding any other provision of this chapter, if a licensee establishes his or her identity for a driver's license using an identification document authorized under s. 322.08(2)(c)*7.*~~6.~~ or *8.*~~7.~~, the licensee may not renew the driver's license except in person and upon submission of an identification document authorized under s. 322.08(2)(c)*7.*~~6.~~ or *8.*~~7.~~ A driver's license renewed under this paragraph expires *1 year* ~~4 years~~ after the date of issuance or upon the expiration date cited on the United States Department of Homeland Security documents, whichever date first occurs.

(5) All renewal driver's licenses may be issued after the applicant licensee has been determined to be eligible by the department.

(a) A licensee who is otherwise eligible for renewal and who is *at least 80* ~~over 79~~ years of age:

1. Must submit to and pass a vision test administered at any driver's license office; or

2. If the licensee applies for *a renewal using a convenience service* ~~an extension by mail~~ as provided in subsection (8), *he or she* must submit to a vision test administered by a physician licensed under chapter 458 or chapter 459, or an optometrist licensed under chapter 463, must send the results of that test to the department on a form obtained from the department and signed by such health care practitioner, and must meet vision standards that are equivalent to the standards for passing the departmental vision test. The physician or optometrist may submit the results of a vision test by a department-approved electronic means.

(b) A licensee who is *at least 80* ~~over 79~~ years of age may not submit an application for *renewal* ~~extension~~ under subsection (8) by *a convenience service* ~~electronic or telephonic means,~~ unless the results of a vision

test have been electronically submitted in advance by the physician or optometrist.

(8) The department shall issue *8-year renewals using a convenience service* ~~4-year and 6-year license extensions by mail, electronic, or telephonic means~~ without reexamination *to drivers who have not attained 80 years of age. The department shall issue 6-year renewals using a convenience service when the applicant has satisfied the requirements of subsection (5).*

(a) If the department determines from its records that the holder of a license about to expire is eligible for renewal, the department shall mail a renewal notice to the licensee at his or her last known address, not less than 30 days prior to the licensee's birthday. The renewal notice shall direct the licensee to appear at a driver license office for in-person renewal or to transmit the completed renewal notice and the fees required by s. 322.21 to the department *using a convenience service* ~~by mail, electronically, or telephonically within the 30 days preceding the licensee's birthday for a license extension. License extensions shall not be available to drivers directed to appear for in-person renewal.~~

(b) Upon receipt of a properly completed renewal notice, payment of the required fees, and upon determining that the licensee is still eligible for renewal, the department shall send a *new* license ~~extension sticker~~ to the licensee ~~to affix to the expiring license~~ as evidence that the license term has been extended.

(c) The department shall issue *one renewal using a convenience service* ~~license extensions for two consecutive license expirations only. Upon expiration of two consecutive license extension periods, in-person renewal with reexamination as provided in s. 322.121 shall be required~~ . A person who is out of this state when his or her license expires may be issued a 90-day temporary driving permit without reexamination. At the end of the 90-day period, the person must either return to this state or apply for a license where the person is located, except for a member of the Armed Forces as provided in s. 322.121(6).

~~(d) In-person renewal at a driver license office shall not be available to drivers whose records indicate they were directed to apply for a license extension.~~

(d)~~(e)~~ Any person who knowingly possesses any forged, stolen, fictitious, counterfeit, or unlawfully issued license extension sticker, unless possession by such person has been duly authorized by the department, commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

(e)~~(f)~~ The department shall develop a plan for the equitable distribution of license ~~extensions and~~ renewals and the orderly implementation of this section.

(9)(a) The application form for a renewal issuance ~~or renewal extension~~ shall include language permitting a voluntary contribution of $1 per applicant, to be quarterly distributed by the department to Prevent Blindness Florida, a not-for-profit organization, to prevent blindness and preserve the sight of the residents of this state. A statement providing an explanation of the purpose of the funds shall be included with the application form.

(b) Prior to the department distributing the funds collected pursuant to paragraph (a), Prevent Blindness Florida must submit a report to the department that identifies how such funds were used during the preceding year.

Section 33. *Subsection (4) of section 322.181, Florida Statutes, is repealed.*

Section 34. Subsections (2) and (4) of section 322.19, Florida Statutes, are amended to read:

322.19 Change of address or name.—

(2) Whenever any person, after applying for or receiving a driver's license, changes the residence or mailing address in the application or license, the person must, within 10 calendar days, ~~either~~ obtain a replacement license that reflects the change ~~or request in writing a change-of-address sticker~~. *A* ~~The~~ written request to the department must include the old and new addresses and the driver's license number.

(4) Notwithstanding any other provision of this chapter, if a licensee established his or her identity for a driver's license using an identification document authorized under s. 322.08(2)(c)*7.*~~6.~~ or *8.*~~7.~~, the licensee may not change his or her name or address except in person and upon submission of an identification document authorized under s. 322.08(2)(c)*7.*~~6.~~ or *8.*~~7.~~

Section 35. Subsection (1) of section 322.21, Florida Statutes, is amended to read:

322.21 License fees; procedure for handling and collecting fees.—

(1) Except as otherwise provided herein, the fee for:

(a) An original or renewal commercial driver's license is *$67* ~~$50~~, which shall include the fee for driver education provided by s. 1003.48; however, if an applicant has completed training and is applying for employment or is currently employed in a public or nonpublic school system that requires the commercial license, the fee shall be the same as for a Class E driver's license. A delinquent fee of $1 shall be added for a renewal made not more than 12 months after the license expiration date.

(b) An original Class E driver's license is *$27* ~~$20~~, which shall include the fee for driver's education provided by s. 1003.48; however, if an applicant has completed training and is applying for employment or is currently employed in a public or nonpublic school system that requires a commercial driver license, the fee shall be the same as for a Class E license.

(c) The renewal or extension of a Class E driver's license or of a license restricted to motorcycle use only is *$20* ~~$15~~, except that a delinquent fee of $1 shall be added for a renewal or extension made not more than 12 months after the license expiration date. The fee provided in this paragraph shall include the fee for driver's education provided by s. 1003.48.

(d) An original driver's license restricted to motorcycle use only is *$27* ~~$20~~, which shall include the fee for driver's education provided by s. 1003.48.

(e) A replacement driver's license issued pursuant to s. 322.17 is $10. Of this amount $7 shall be deposited into the Highway Safety Operating Trust Fund and $3 shall be deposited into the General Revenue Fund.

(f) An original, renewal, or replacement identification card issued pursuant to s. 322.051 is $10. Funds collected from these fees shall be distributed as follows:

1. For an original identification card issued pursuant to s. 322.051 the fee shall be $10. This amount shall be deposited into the General Revenue Fund.

2. For a renewal identification card issued pursuant to s. 322.051 the fee shall be $10. Of this amount, $6 shall be deposited into the Highway Safety Operating Trust Fund and $4 shall be deposited into the General Revenue Fund.

3. For a replacement identification card issued pursuant to s. 322.051 the fee shall be $10. Of this amount, $9 shall be deposited into the Highway Safety Operating Trust Fund and $1 shall be deposited into the General Revenue Fund.

(g)~~(e)~~ Each endorsement required by s. 322.57 is *$7* ~~$5~~.

(h)~~(f)~~ A hazardous-materials endorsement, as required by s. 322.57(1)(d), shall be set by the department by rule and shall reflect the cost of the required criminal history check, including the cost of the state and federal fingerprint check, and the cost to the department of providing and issuing the license. The fee shall not exceed $100. This fee shall be deposited in the Highway Safety Operating Trust Fund. The department may adopt rules to administer this section.

Section 36. Subsection (3) of section 322.2715, Florida Statutes is amended to read:

322.2715 Ignition interlock device.—

(3) If the person is convicted of:

(a) A first offense of driving under the influence under s. 316.193 and has an unlawful blood-alcohol level or breath-alcohol level as specified in s. 316.193(4), or if a person is convicted of a violation of s. 316.193 and was at the time of the offense accompanied in the vehicle by a person younger than 18 years of age, the person shall have the ignition interlock device installed for *not less than* 6 *continuous* months for the first offense and for *not less than* ~~at least~~ 2 *continuous* years for a second offense.

(b) A second offense of driving under the influence, the ignition interlock device shall be installed for a period of not less than 1 *continuous* year.

(c) A third offense of driving under the influence which occurs within 10 years after a prior conviction for a violation of s.316.193, the ignition interlock device shall be installed for a period of not less than 2 *continuous* years.

(d) A third offense of driving under the influence which occurs more than 10 years after the date of a prior conviction, the ignition interlock device shall be installed for a period of not less than 2 *continuous* years.

Section 37. Section 322.291, Florida Statutes is amended to read:

322.291 Driver improvement schools or DUI programs; required in certain suspension and revocation cases.—Except as provided in s. 322.03(2), any person:

(1) Whose driving privilege has been revoked:

(a) Upon conviction for:

1. Driving, or being in actual physical control of, any vehicle while under the influence of alcoholic beverages, any chemical substance set forth in s. 877.111, or any substance controlled under chapter 893, in violation of s. 316.193;

2. Driving with an unlawful blood- or breath-alcohol level;

3. Manslaughter resulting from the operation of a motor vehicle;

4. Failure to stop and render aid as required under the laws of this state in the event of a motor vehicle crash resulting in the death or personal injury of another;

5. Reckless driving; or

(b) As *a* ~~an~~ habitual offender;

(c) Upon direction of the court, if the court feels that the seriousness of the offense and the circumstances surrounding the conviction warrant the revocation of the licensee's driving privilege; or

(2) Whose license was suspended under the point system, was suspended for driving with an unlawful blood-alcohol level of 0.10 percent or higher before January 1, 1994, was suspended for driving with an unlawful blood-alcohol level of 0.08 percent or higher after December 31, 1993, was suspended for a violation of s. 316.193(1), or was suspended for refusing to submit to a lawful breath, blood, or urine test as provided in s. 322.2615

shall, before the driving privilege may be reinstated, present to the department proof of enrollment in a department-approved advanced driver improvement course operating pursuant to s. 318.1451 or a substance abuse education course conducted by a DUI program licensed pursuant to s. 322.292, which shall include a psychosocial evaluation and treatment, if referred. *Additionally, for a third or subsequent violation of requirements for installation of an ignition interlock device, a person must complete treatment as determined by a licensed treatment agency following a referral by a DUI program and have the duration of the ignition interlock device requirement extended by at least 1 month up to the time period required to complete treatment.* If the person fails to complete such course or evaluation within 90 days after reinstatement, or subsequently fails to complete treatment, if referred, the DUI program shall notify the department of the failure. Upon receipt of the notice, the department shall cancel the offender's driving privilege, notwithstanding the expiration of the suspension or revocation of the driving privilege. The department may temporarily reinstate the driving privilege upon verification from the DUI program that the offender has completed the education course and evaluation requirement and has reentered and is currently participating in treatment. If the DUI program notifies the department of the second failure to complete treatment, the department shall reinstate the driving privilege only after notice of completion of treatment from the DUI program.

Section 38. Section 322.36, Florida Statutes, is amended to read:

322.36 Permitting unauthorized operator to drive.—*A* ~~No~~ person *may not* ~~shall~~ authorize or knowingly permit a motor vehicle owned by him or her or under his or her dominion or control to be operated upon any highway or public street except by *a person who is* ~~persons~~ duly authorized to operate *a* motor *vehicle* ~~vehicles~~ under ~~the provisions of~~ this chapter. Any person *who violates* ~~violating~~ this *section commits* ~~provision is guilty of~~ a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083. *If a person violates this section by knowingly loaning a vehicle to a person whose driver's license is suspended and if that vehicle is involved in an accident resulting in bodily injury or death, the driver's license of the person violating this section shall be suspended for 1 year.*

Section 39. *Section 322.60, Florida Statutes, is repealed.*

Section 40. Subsections (1) through (6) of section 322.61, Florida Statutes, are amended to read:

322.61 Disqualification from operating a commercial motor vehicle.—

(1) A person who, for offenses occurring within a 3-year period, is convicted of two of the following serious traffic violations or any combination thereof, arising in separate incidents committed in a commercial motor vehicle shall, in addition to any other applicable penalties, be disqualified from operating a commercial motor vehicle for a period of 60 days. A *holder of a commercial driver's license* ~~person~~ who, for offenses occurring within a 3-year period, is convicted of two of the following serious traffic violations, or any combination thereof, arising in separate incidents committed in a noncommercial motor vehicle shall, in addition to any other applicable penalties, be disqualified from operating a commercial motor vehicle for a period of 60 days if such convictions result in the suspension, revocation, or cancellation of the licenseholder's driving privilege:

(a) A violation of any state or local law relating to motor vehicle traffic control, other than a parking violation, a weight violation, or a vehicle equipment violation, arising in connection with a crash resulting in death or personal injury to any person;

(b) Reckless driving, as defined in s. 316.192;

(c) Careless driving, as defined in s. 316.1925;

(d) Fleeing or attempting to elude a law enforcement officer, as defined in s. 316.1935;

(e) Unlawful speed of 15 miles per hour or more above the posted speed limit;

(f) Driving a commercial motor vehicle, owned by such person, which is not properly insured;

(g) Improper lane change, as defined in s. 316.085;

(h) Following too closely, as defined in s. 316.0895;

(i) Driving a commercial vehicle without obtaining a commercial driver's license;

(j) Driving a commercial vehicle without the proper class of commercial driver's license or without the proper endorsement; or

(k) Driving a commercial vehicle without a commercial driver's license in possession, as required by s. 322.03. Any individual who provides proof to the clerk of the court or designated official in the jurisdiction where the citation was issued, by the date the individual must appear in court or pay any fine for such a violation, that the individual held a valid commercial driver's license on the date the citation was issued is not guilty of this offense.

(2)(a) Any person who, for offenses occurring within a 3-year period, is convicted of three serious traffic violations specified in subsection (1)

or any combination thereof, arising in separate incidents committed in a commercial motor vehicle shall, in addition to any other applicable penalties, including but not limited to the penalty provided in subsection (1), be disqualified from operating a commercial motor vehicle for a period of 120 days.

(b) A *holder of a commercial driver's license* ~~person~~ who, for offenses occurring within a 3-year period, is convicted of three serious traffic violations specified in subsection (1) or any combination thereof arising in separate incidents committed in a noncommercial motor vehicle shall, in addition to any other applicable penalties, including, but not limited to, the penalty provided in subsection (1), be disqualified from operating a commercial motor vehicle for a period of 120 days if such convictions result in the suspension, revocation, or cancellation of the licenseholder's driving privilege.

(3)*(a)* Except as provided in subsection (4), any person who is convicted of one of the ~~following~~ offenses *listed in paragraph (b) while operating a commercial motor vehicle* shall, in addition to any other applicable penalties, be disqualified from operating a commercial motor vehicle for a period of 1 year:

(b) Except as provided in subsection (4), any holder of a commercial driver's license who is convicted of one of the offenses listed in this paragraph while operating a noncommercial motor vehicle shall, in addition to any other applicable penalties, be disqualified from operating a commercial motor vehicle for a period of 1 year:

1.~~(a)~~ Driving a ~~commercial~~ motor vehicle while he or she is under the influence of alcohol or a controlled substance;

2.~~(b)~~ Driving a commercial motor vehicle while the alcohol concentration of his or her blood, breath, or urine is .04 percent or higher;

3.~~(c)~~ Leaving the scene of a crash involving a ~~commercial~~ motor vehicle driven by such person;

4.~~(d)~~ Using a ~~commercial~~ motor vehicle in the commission of a felony;

5.~~(e)~~ Driving a commercial motor vehicle while in possession of a controlled substance;

6.~~(f)~~ Refusing to submit to a test to determine his or her alcohol concentration while driving a ~~commercial~~ motor vehicle;

7.~~(g)~~ Driving a commercial vehicle while the licenseholder's commercial driver's license is suspended, revoked, or canceled or while the licenseholder is disqualified from driving a commercial vehicle; or

8.~~(h)~~ Causing a fatality through the negligent operation of a commercial motor vehicle.

(4) Any person who is transporting hazardous materials *as defined in s. 322.01(24)* ~~in a vehicle that is required to be placarded in accordance with Title 49 C.F.R. part 172, subpart F~~ shall, upon conviction of an offense specified in subsection (3), be disqualified from operating a commercial motor vehicle for a period of 3 years. The penalty provided in this subsection shall be in addition to any other applicable penalty.

(5) Any person who is convicted of two violations specified in subsection (3) *which were committed while operating a commercial motor vehicle*, or any combination thereof, arising in separate incidents shall be permanently disqualified from operating a commercial motor vehicle. *Any holder of a commercial driver's license who is convicted of two violations specified in subsection (3) which were committed while operating a noncommercial motor vehicle, or any combination thereof, arising in separate incidents shall be permanently disqualified from operating a commercial motor vehicle.* The penalty provided in this subsection *is* ~~shall be~~ in addition to any other applicable penalty.

(6) Notwithstanding subsections (3), (4), and (5), any person who uses a commercial motor vehicle in the commission of any felony involving the manufacture, distribution, or dispensing of a controlled substance, including possession with intent to manufacture, distribute, or dispense a controlled substance, shall, upon conviction of such felony, be permanently disqualified from operating a commercial motor vehicle. *Notwithstanding subsections (3), (4), and (5), any holder of a commercial driver's license who uses a noncommercial motor vehicle in the commission of any felony involving the manufacture, distribution, or dispensing of a controlled substance, including possession with intent to manufacture, distribute, or dispense a controlled substance, shall, upon conviction of such felony, be permanently disqualified from operating a commercial motor vehicle.* The penalty provided in this subsection *is* ~~shall be~~ in addition to any other applicable penalty.

Section 41. Section 322.64, Florida Statutes, is amended to read:

322.64 Holder of commercial driver's license; *persons operating a commercial motor vehicle;* driving with unlawful blood-alcohol level; refusal to submit to breath, urine, or blood test.—

(1)(a) A law enforcement officer or correctional officer shall, on behalf of the department, disqualify from operating any commercial motor vehicle a person who while operating or in actual physical control of a commercial motor vehicle is arrested for a violation of s. 316.193, relating to unlawful blood-alcohol level or breath-alcohol level, or a person who has refused to submit to a breath, urine, or blood test authorized by s. 322.63 arising out of the operation or actual physical control of a commercial motor vehicle. *A law enforcement officer or correctional officer shall, on behalf of the department, disqualify the holder of a commercial driver's license from operating any commercial motor vehicle if the licenseholder, while operating or in actual physical control of a motor vehicle, is arrested for a violation of s. 316.193, relating to unlawful blood-alcohol level or breath-alcohol level, or refused to submit to a breath, urine, or blood test authorized by s. 322.63.* Upon disqualification of the person, the officer shall take the person's driver's license and issue the person a 10-day temporary permit for the operation of noncommercial vehicles only if the person is otherwise eligible for the driving privilege and shall issue the person a notice of disqualification. If the person has been given a blood, breath, or urine test, the results of which are not available to the officer at the time of the arrest, the agency employing the officer shall transmit such results to the department within 5 days after receipt of the results. If the department then determines that the person ~~was arrested for a violation of s. 316.193 and that the person~~ had a blood-alcohol level or breath-alcohol level of 0.08 or higher, the department shall disqualify the person from operating a commercial motor vehicle pursuant to subsection (3).

(b) The disqualification under paragraph (a) shall be pursuant to, and the notice of disqualification shall inform the driver of, the following:

1.a. The driver refused to submit to a lawful breath, blood, or urine test and he or she is disqualified from operating a commercial motor vehicle for a period of 1 year, for a first refusal, or permanently, if he or she has previously been disqualified as a result of a refusal to submit to such a test; or

b. The driver *was driving or in actual physical control of a commercial motor vehicle, or any motor vehicle if the driver holds a commercial driver's license, had an unlawful blood-alcohol level or breath-alcohol level of 0.08 or higher, and his or her driving privilege shall be disqualified for a period of 1 year for a first offense or permanently disqualified if his or her driving privilege has been previously disqualified under this section.* ~~violated s. 316.193 by driving with an unlawful blood-alcohol level and he or she is disqualified from operating a commercial motor vehicle for a period of 6 months for a first offense or for a period of 1 year if he or she has previously been disqualified, or his or her driving privilege has been previously suspended, for a violation of s. 316.193.~~

2. The disqualification period for operating commercial vehicles shall commence on the date of ~~arrest or~~ issuance of *the* notice of disqualification~~, whichever is later~~.

3. The driver may request a formal or informal review of the disqualification by the department within 10 days after the date of ~~arrest or~~ issuance of *the* notice of disqualification~~, whichever is later~~.

4. The temporary permit issued at the time of ~~arrest or~~ disqualification *expires* ~~will expire~~ at midnight of the 10th day following the date of disqualification.

5. The driver may submit to the department any materials relevant to the *disqualification* ~~arrest~~.

(2) Except as provided in paragraph (1)(a), the law enforcement officer shall forward to the department, within 5 days after the date of the ~~arrest or the~~ issuance of the notice of disqualification, ~~whichever is later,~~ a copy of the notice of disqualification, the driver's license of the person

disqualified ~~arrested~~, and ~~a report of the arrest, including, if applicable,~~ an affidavit stating the officer's grounds for belief that the person *disqualified* ~~arrested~~ was *operating or in actual physical control of a commercial motor vehicle, or holds a commercial driver's license, and had an unlawful blood-alcohol or breath-alcohol level* ~~in violation of s. 316.193~~; the results of any breath or blood *or urine* test or an affidavit stating that a breath, blood, or urine test was requested by a law enforcement officer or correctional officer and that the person arrested refused to submit; a copy of the *notice of disqualification* ~~citation~~ issued to the person ~~arrested~~; and the officer's description of the person's field sobriety test, if any. The failure of the officer to submit materials within the 5-day period specified in this subsection or subsection (1) *does* ~~shall~~ not affect the department's ability to consider any evidence submitted at or prior to the hearing. The officer may also submit a copy of a videotape of the field sobriety test or the attempt to administer such test *and a copy of the crash report, if any*.

(3) If the department determines that the person arrested should be disqualified from operating a commercial motor vehicle pursuant to this section and if the notice of disqualification has not already been served upon the person by a law enforcement officer or correctional officer as provided in subsection (1), the department shall issue a notice of disqualification and, unless the notice is mailed pursuant to s. 322.251, a temporary permit which expires 10 days after the date of issuance if the driver is otherwise eligible.

(4) If the person *disqualified* ~~arrested~~ requests an informal review pursuant to subparagraph (1)(b)3., the department shall conduct the informal review by a hearing officer employed by the department. Such informal review hearing shall consist solely of an examination by the department of the materials submitted by a law enforcement officer or correctional officer and by the person *disqualified* ~~arrested~~, and the presence of an officer or witness is not required.

(5) After completion of the informal review, notice of the department's decision sustaining, amending, or invalidating the disqualification must be provided to the person. Such notice must be mailed to the person at the last known address shown on the department's records, and to the address provided in the law enforcement officer's report if such address differs from the address of record, within 21 days after the expiration of the temporary permit issued pursuant to subsection (1) or subsection (3).

(6)(a) If the person *disqualified* ~~arrested~~ requests a formal review, the department must schedule a hearing to be held within 30 days after such request is received by the department and must notify the person of the date, time, and place of the hearing.

(b) Such formal review hearing shall be held before a hearing officer employed by the department, and the hearing officer shall be authorized to administer oaths, examine witnesses and take testimony, receive relevant evidence, issue subpoenas *for the officers and witnesses identified in documents as provided in subsection (2)*, regulate the course and conduct of the hearing, and make a ruling on the disqualification. The department and the person *disqualified* ~~arrested~~ may subpoena witnesses, and the party requesting the presence of a witness shall be responsible for the payment of any witness fees. If the person who requests a formal review hearing fails to appear and the hearing officer finds such failure to be without just cause, the right to a formal hearing is waived ~~and the department shall conduct an informal review of the disqualification under subsection (4)~~.

(c) A party may seek enforcement of a subpoena under paragraph (b) by filing a petition for enforcement in the circuit court of the judicial circuit in which the person failing to comply with the subpoena resides. A failure to comply with an order of the court shall result in a finding of contempt of court. However, a person shall not be in contempt while a subpoena is being challenged.

(d) The department must, within 7 days after a formal review hearing, send notice to the person of the hearing officer's decision as to whether sufficient cause exists to sustain, amend, or invalidate the disqualification.

(7) In a formal review hearing under subsection (6) or an informal review hearing under subsection (4), the hearing officer shall determine by a preponderance of the evidence whether sufficient cause exists to sustain, amend, or invalidate the disqualification. The scope of the review shall be limited to the following issues:

(a) If the person was disqualified from operating a commercial motor vehicle for driving with an unlawful blood-alcohol level ~~in violation of s. 316.193~~:

1. Whether the arresting law enforcement officer had probable cause to believe that the person was driving or in actual physical control of a commercial motor vehicle*, or any motor vehicle if the driver holds a commercial driver's license,* in this state while he or she had any alcohol, chemical substances, or controlled substances in his or her body.

~~2. Whether the person was placed under lawful arrest for a violation of s. 316.193.~~

2.~~3.~~ Whether the person had an unlawful blood-alcohol level *or breath-alcohol level of 0.08 or higher* ~~as provided in s. 316.193~~.

(b) If the person was disqualified from operating a commercial motor vehicle for refusal to submit to a breath, blood, or urine test:

1. Whether the law enforcement officer had probable cause to believe that the person was driving or in actual physical control of a commercial motor vehicle*, or any motor vehicle if the driver holds a commercial driver's license,* in this state while he or she had any alcohol, chemical substances, or controlled substances in his or her body.

2. Whether the person refused to submit to the test after being requested to do so by a law enforcement officer or correctional officer.

3. Whether the person was told that if he or she refused to submit to such test he or she would be disqualified from operating a commercial motor vehicle for a period of 1 year or, in the case of a second refusal, permanently.

(8) Based on the determination of the hearing officer pursuant to subsection (7) for both informal hearings under subsection (4) and formal hearings under subsection (6), the department shall:

(a) Sustain the disqualification for a period of 1 year for a first refusal, or permanently if such person has been previously disqualified from operating a commercial motor vehicle as a result of a refusal to submit to such tests. The disqualification period commences on the date of the arrest or issuance of the notice of disqualification, whichever is later.

(b) Sustain the disqualification*:*

1. For a period of *1 year if the person was driving or in actual physical control of a commercial motor vehicle, or any motor vehicle if the driver holds a commercial driver's license, and had an unlawful blood-alcohol level or breath-alcohol level of 0.08 or higher; or* ~~6 months for a violation of s. 316.193 or for a period of 1 year~~

2. Permanently if the person has been previously disqualified from operating a commercial motor vehicle or his or her driving privilege has been previously suspended *for driving or being in actual physical control of a commercial motor vehicle, or any motor vehicle if the driver holds a commercial driver's license, and had an unlawful blood-alcohol level or breath-alcohol level of 0.08 or higher* ~~as a result of a violation of s. 316.193~~.

The disqualification period commences on the date of the arrest or issuance of the notice of disqualification~~, whichever is later~~.

(9) A request for a formal review hearing or an informal review hearing shall not stay the disqualification. If the department fails to schedule the formal review hearing to be held within 30 days after receipt of the request therefor, the department shall invalidate the disqualification. If the scheduled hearing is continued at the department's initiative, the department shall issue a temporary driving permit *limited to noncommercial vehicles* which *is* ~~shall be~~ valid until the hearing is conducted if the person is otherwise eligible for the driving privilege. Such permit shall not be issued to a person who sought and obtained a continuance of the hearing. The permit issued under this subsection shall authorize driving for business *purposes* ~~or employment use~~ only.

(10) A person who is disqualified from operating a commercial motor vehicle under subsection (1) or subsection (3) is eligible for issuance of a license for business or employment purposes only under s. 322.271 if the person is otherwise eligible for the driving privilege. However, such

business or employment purposes license shall not authorize the driver to operate a commercial motor vehicle.

(11) The formal review hearing may be conducted upon a review of the reports of a law enforcement officer or a correctional officer, including documents relating to the administration of a breath test or blood test or the refusal to take either test. However, as provided in subsection (6), the driver may subpoena the officer or any person who administered or analyzed a breath or blood test.

(12) The formal review hearing and the informal review hearing are exempt from the provisions of chapter 120. The department is authorized to adopt rules for the conduct of reviews under this section.

(13) A person may appeal any decision of the department sustaining the disqualification from operating a commercial motor vehicle by a petition for writ of certiorari to the circuit court in the county wherein such person resides or wherein a formal or informal review was conducted pursuant to s. 322.31. However, an appeal shall not stay the disqualification. This subsection shall not be construed to provide for a de novo appeal.

(14) The decision of the department under this section shall not be considered in any trial for a violation of s. 316.193, s. 322.61, or s. 322.62, nor shall any written statement submitted by a person in his or her request for departmental review under this section be admissible into evidence against him or her in any such trial. The disposition of any related criminal proceedings shall not affect a disqualification imposed pursuant to this section.

(15) This section does not preclude the suspension of the driving privilege pursuant to s. 322.2615. The driving privilege of a person who has been disqualified from operating a commercial motor vehicle also may be suspended for a violation of s. 316.193.

Section 42. Subsection (10) of section 324.021, Florida Statutes, is amended to read:

324.021 Definitions; minimum insurance required.—The following words and phrases when used in this chapter shall, for the purpose of this chapter, have the meanings respectively ascribed to them in this section, except in those instances where the context clearly indicates a different meaning:

(10) JUDGMENT.—Any judgment *becoming* ~~which shall have become~~ final by expiration without appeal of the time within which an appeal might have been perfected, or by final affirmation on appeal, rendered by a court of competent jurisdiction of any state or of the United States upon a cause of action arising out of the ownership, maintenance, or use of any motor vehicle for damages, including damages for care and loss of services because of bodily injury to or death of any person, or for damages because of injury to or destruction of property, including the loss of use thereof, or upon a cause of action on an agreement of settlement for such damage.

Section 43. Subsection (19) of section 501.976, Florida Statutes, is amended to read:

501.976 Actionable, unfair, or deceptive acts or practices.—It is an unfair or deceptive act or practice, actionable under the Florida Deceptive and Unfair Trade Practices Act, for a dealer to:

(19) Fail to disclose damage to a new motor vehicle, as defined in s. 319.001*(9)*~~(8)~~, of which the dealer had actual knowledge, if the dealer's actual cost of repairs exceeds the threshold amount, excluding replacement items.

In any civil litigation resulting from a violation of this section, when evaluating the reasonableness of an award of attorney's fees to a private person, the trial court shall consider the amount of actual damages in relation to the time spent.

Section 44. *(1) The Automobile Lenders Industry Task Force is created within the Department of Highway Safety and Motor Vehicles. The task force shall make recommendations on proposed legislation and proposed department rules, shall present issues concerning the motor vehicle lending industry to the department for its consideration, shall consider any matters relating to the motor vehicle lending industry which are presented to it by the department, and shall submit a final report, including legislative proposals to the Governor, the President of the Senate, the Speaker of the House of Representatives, and appropriate committees within the Legislature by June 30, 2009, when the task force shall cease to exist.*

(2) The task force shall be composed of 12 members appointed by each of the following organizations: one representative of the Department of Highway Safety and Motor Vehicles; one representative of the independent motor vehicle industry, appointed by the Florida Independent Automobile Dealers Association; one representative of the franchise motor vehicle industry, appointed by the Florida Automobile Dealers Association; one representative of credit unions, appointed by the Florida Credit Union League; one representative of the banking industry, appointed by the Florida Bankers Association; one representative of the insurance industry, appointed by the Florida Insurance Council; one state attorney, appointed by the Florida State Attorneys Association; one representative of the Office of Financial Regulation of the Department of Financial Services; one representative of a law enforcement agency, appointed by the Florida Auto Theft Intelligence Unit; one representative of the auto repair industry, appointed by the Florida Automotive Services Association; one representative of the towing industry, appointed by the Professional Wrecker Operators of Florida; and one representative of independent motor vehicle finance companies, appointed by the Florida Financial Services Association.

(3)(a) The task force shall elect a chair and vice chair at its initial meeting, which shall be held by October 1, 2008.

(b) The task force shall meet at least four times in different areas of the state, including one meeting in Tallahassee. Meetings may be called by the chair or by a simple majority of the members. The task force shall conduct all meetings pursuant to general law and shall keep minutes of its meetings. Meetings may be held in locations around the state in department facilities or in other appropriate locations. The department shall provide administrative support to the task force.

(4) Members from the private sector are not entitled to per diem or reimbursement for travel expenses. However, members from the public sector are entitled to reimbursement, if any, from their respective agency. The task force may request assistance from the Department of Highway Safety and Motor Vehicles as necessary.

Section 45. *Except for a specialty license plate proposal which has submitted a letter of intent to the Department of Highway Safety and Motor Vehicles prior to May 2, 2008, and which has submitted a valid survey, marketing strategy, and application fee as required by s. 320.08053, Florida Statutes, prior to the effective date of this act, or which was included in a bill filed during the 2008 Legislative Session, the Department of Highway Safety and Motor Vehicles may not issue any new specialty license plates pursuant to ss. 320.08056 and 320.08058, Florida Statutes, between July 1, 2008, and July 1, 2011.*

Section 46. *Joseph P. Bertrand Building designated; Department of Highway Safety and Motor Vehicles to erect suitable markers.—*

(1) The Regional Transportation Management Center in the City of Fort Myers in Lee County is designated the "Joseph P. Bertrand Building."

(2) The Department of Highway Safety and Motor Vehicles is directed to erect suitable markers designating the "Joseph P. Bertrand Building" as described in subsection (1).

Section 47. Except as otherwise expressly provided in this act and except for this section, which shall take effect upon this act becoming a law, this act shall take effect October 1, 2008.

And the title is amended as follows:

Remove the entire title and insert: A bill to be entitled An act relating to the Department of Highway Safety and Motor Vehicles; amending s. 316.0741, F.S.; redefining the term "hybrid vehicle"; authorizing the driving of a hybrid, low-emission, or energy-efficient vehicle in a high-occupancy-vehicle lane regardless of occupancy; authorizing the department to limit or discontinue such driving under certain circumstances; directing the Department of Transportation to review a specified federal rule and make a report to the Legislature; exempting certain vehicles from the payment of certain tolls; amending s. 316.1575, F.S.; requiring a person walking or driving a vehicle to stop at a railroad crossing upon the signal of a law enforcement officer; amending s. 316.1895, F.S.;

requiring the placement of signs in certain school zones stating that speeding fines are doubled within the zone; amending s. 316.191, F.S.; providing a definition of the term "spectator"; prohibiting a person from being a spectator at an illegal drag race; providing noncriminal penalties; amending s. 316.193, F.S.; lowering the blood-alcohol or breath-alcohol level for which enhanced penalties are imposed against a person convicted of driving under the influence; clarifying that an ignition interlock device is installed for a continuous period; amending s. 316.1937, F.S.; revising the conditions under which the court may require the use of an ignition interlock device; amending s. 316.251, F.S.; conforming a cross-reference; amending s. 316.302, F.S.; revising references to rules, regulations, and criteria governing commercial motor vehicles engaged in intrastate commerce; providing that the Department of Transportation performs duties assigned to the Field Administrator of the Federal Motor Carrier Safety Administration under the federal rules and may enforce those rules; amending ss. 316.613 and 316.614, F.S.; revising the definition of "motor vehicle" for purposes of child restraint and safety belt usage requirements; amending s. 316.645, F.S.; authorizing a police officer to make an arrest upon probable cause of a violation of laws governing motor vehicle licenses; amending s. 316.650, F.S.; revising requirements for traffic citation forms; providing for the electronic transmission of citation data; amending s. 316.656, F.S.; lowering the percentage of blood or breath alcohol content relating to the prohibition against pleading guilty to a lesser offense of driving under the influence than the offense charged; amending s. 318.14, F.S.; prohibiting a person from electing more than five times within 10 years to attend a basic driver improvement course approved by the Department of Highway Safety and Motor Vehicles in lieu of making a court appearance; amending s. 319.001, F.S.; defining the term "certificate of title" to include information stored electronically in the department's database; amending s. 320.01, F.S.; revising the definition of the term "motorcycle" to exclude a vehicle in which the operator is enclosed by a cabin; amending s. 320.02, F.S.; deleting the requirement for a motorcycle endorsement at the time of original registration of a motorcycle, motor-driven cycle, or moped; repealing s. 320.02(13), F.S., relating to a motor vehicle registration voluntary contribution for the Election Campaign Financing Trust Fund; amending s. 320.0706, F.S.; providing that a violation of requirements for displaying a truck license plate is a moving violation; amending s. 320.0715, F.S.; requiring the department to withhold issuing or to suspend a registration and license plate for a commercial motor vehicle if the federal identifying number is not provided or if the motor carrier or vehicle owner has been prohibited from operating; amending s. 320.08053, F.S.; removing a requirement that the department create certain specifications by rule for specialty license plates; amending s. 320.0894, F.S.; providing for issuance of Gold Star license plates to certain family members; amending s. 320.131, F.S.; requiring motor vehicle temporary tags to be affixed on the exterior of the vehicle; revising the requirement that the department specify media for motor vehicle temporary tags; revising the requirement that the department implement a print-on-demand electronic system for temporary tag issuance; providing for limited use of a backup manual issuance method during an outage; providing for rulemaking and certain exemptions; amending s. 320.27, F.S.; revising the insurance requirements for persons applying for a motor vehicle dealer license; conforming a cross-reference; repealing s. 320.96, F.S., relating to a print-on-demand electronic temporary license plate system; amending s. 322.01, F.S.; defining the term "convenience service" for purposes of transactions with the department; revising the definition of the term "conviction" to provide for application to offenses committed by a person holding a commercial driver's license; revising the definition of the terms "hazardous materials" and "out-of-service order"; amending s. 322.051, F.S.; revising requirements for application for issuance or renewal of an identification card; revising provisions providing for the expiration of an identification card issued by the department; amending s. 322.08, F.S.; revising requirements for application for a driver's license; removing a provision requiring the application form to include language permitting a voluntary contribution for the Election Campaign Financing Trust Fund; amending s. 322.14, F.S.; revising provisions for content of a driver's license; requiring the license to contain the licensee's residence address; removing a requirement that the license contain the licensee's mailing address; amending s. 322.15, F.S.; authorizing a law enforcement officer or authorized representative of the department to collect a person's fingerprints electronically; amending s. 322.17, F.S.; revising provisions for replacement of an instruction permit or driver license; removing fee amounts; requiring payment of specified fee amounts; removing a provision for a change of address sticker; conforming cross-references; amending s. 322.18, F.S.; revising provisions providing for the expiration and renewal of driver's licenses; providing for the renewal of certain licenses every 8 years; conforming cross-references; providing for the renewal of licenses using a convenience service; requiring the department to issue new licenses rather than extension stickers; repealing s. 322.181(4), F.S., relating to the Florida At-Risk Driver Council; amending s. 322.19, F.S.; revising provisions for a licensee changing address; removing a provision for the licensee to request a change-of-address sticker; conforming cross-references; amending s. 322.21, F.S.; revising fees for issuance of original, renewal, and replacement driver's licenses and identification cards; revising fees for specified endorsements; providing for distribution of revised fees; amending s. 322.2715, F.S.; providing that the required installation period of an ignition interlock device for certain DUI offenses be continuous; amending s. 322.291, F.S.; providing additional requirements for a third or subsequent violation of requirements for installation of an ignition interlock device; requiring treatment and extension of the duration of the ignition interlock requirement; amending s. 322.36, F.S.; requiring the suspension for a specified period of the driver's license of a person who loans a vehicle to a person whose driver's license is suspended if that vehicle is involved in an accident resulting in bodily injury or death; repealing s. 322.60, F.S., relating to the prohibition on commercial motor vehicle drivers possessing more than one license; amending s. 322.61, F.S.; clarifying provisions disqualifying a person from operating a commercial motor vehicle following certain traffic violations; providing for permanent disqualification following conviction of a felony involving the manufacture, distribution, or dispensing of a controlled substance; amending s. 322.64, F.S.; providing that a person's privilege to drive a commercial motor vehicle is disqualified if the person was driving or in actual physical control of a commercial motor vehicle, or any motor vehicle if the person holds a commercial driver's license, with an unlawful blood-alcohol level or breath-alcohol level or refuses to submit to a breath, urine, or blood test; providing for the period of disqualification; providing procedures; providing for issuance of a notice of disqualification; revising the requirements for a formal review hearing following a person's disqualification from operating a commercial motor vehicle; amending s. 324.021, F.S.; clarifying that a judgment becomes final by expiration of the time for appeal; amending s. 501.976, F.S.; conforming a cross-reference; creating the Automobile Lenders Industry Task Force within the Department of Highway Safety and Motor Vehicles; providing duties of the task force; providing for membership and the election of officers; providing for meetings; providing for reimbursement for travel and per diem expenses for public-sector members; requiring the department to provide administrative support and assistance to the task force; prohibiting the Department of Highway Safety and Motor Vehicles from issuing any new specialty license plates for a specified period; designating the Joseph P. Bertrand Building in Lee County; providing effective dates.

On motion by Senator Baker, the Senate concurred in the House amendment.

CS for CS for CS for SB 1992 passed as amended and was ordered engrossed and then enrolled. The action of the Senate was certified to the House. The vote on passage was:

Yeas—38

Mr. President	Fasano	Oelrich
Alexander	Gaetz	Peaden
Aronberg	Garcia	Posey
Atwater	Geller	Rich
Baker	Haridopolos	Ring
Bennett	Hill	Saunders
Bullard	Jones	Siplin
Carlton	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise
Dockery	Margolis	

Nays—None

Vote after roll call:

Yea—Constantine

MOTIONS

On motions by Senator Carlton, by two-thirds vote **CS for SB 838**, **SB 1626**, **CS for CS for SB's 2086 and 2498**, **CS for SB 2272**, **CS for SB**

2374, **CS for SB 2494**, **CS for SB 2504** and **CS for CS for SB 2528** were placed on the Special Order Calendar.

On motion by Senator Carlton, the deadline for filing amendments to the following bills was set for 7:30 p.m. this day: **CS for SB 838**, **SB 1626**, **CS for CS for SB's 2086 and 2498**, **CS for SB 2272**, **CS for SB 2374**, **CS for SB 2494**, **CS for SB 2504** and **CS for CS for SB 2528**.

On motion by Senator King, by two-thirds vote all bills remaining on the Special Order Calendar this day were placed on the Special Order Calendar for Friday, May 2.

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Atwater, by two-thirds vote **CS for CS for SB 2528** was withdrawn from the Committee on General Government Appropriations.

On motion by Senator Atwater, by two-thirds vote **CS for SB 2494** was withdrawn from the Committee on Judiciary.

On motion by Senator Dockery, by two-thirds vote **CS for SB 838** was withdrawn from the Committee on Criminal and Civil Justice Appropriations.

On motion by Senator Saunders, by two-thirds vote **SB 2750** was withdrawn from the Committee on Judiciary.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

FIRST READING

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has passed CS for CS for HB 967, CS for HB 1037, CS for HB 1417; has passed as amended CS for CS for HB 601, CS for CS for HB 679, CS for HB 727, CS for HB 1105, HB 7113; has passed by the required Constitutional three-fifths vote of the membership CS for HB 7097 and requests the concurrence of the Senate.

William S. Pittman III, Chief Clerk

By the Policy and Budget Council; Government Efficiency and Accountability Council; and Representative A. Gibson and others—

CS for CS for HB 967—A bill to be entitled An act relating to workplace safety; creating the Florida Public Task Force on Workplace Safety within the Safety Florida Consultation Program at the University of South Florida; providing the purpose of the task force; providing for membership; requiring that the task force address certain issues concerning workplace safety in the public and private sectors; providing for staffing; providing for members to serve without compensation but to be reimbursed for per diem and travel expenses; authorizing the task force to procure information or assistance from any officer or agency of the state; requiring that such officers or agencies provide information and assistance to the task force; requiring that the task force submit a report and recommendations to the Governor, the Chief Financial Officer, and the Legislature by a specified date; requiring that the report include certain information; providing for dissolution of the task force; providing an appropriation; providing an effective date.

—was referred to the Committees on Governmental Operations; Banking and Insurance; and General Government Appropriations.

By the Jobs and Entrepreneurship Council; and Representative Poppell and others—

CS for HB 1037—A bill to be entitled An act relating to escrow agents; creating s. 877.101, F.S.; prohibiting unauthorized persons from transacting business using the term "escrow" in a name or a title under certain circumstances; providing for nonapplication to certain persons or entities; authorizing certain persons to bring an action for declaratory relief for certain purposes; providing for recovery by injured persons of actual damages plus attorney fees and court costs in certain actions; providing criminal penalties; providing an effective date.

—was referred to the Committee on Banking and Insurance.

By the Safety and Security Council; and Representative Gardiner—

CS for HB 1417—A bill to be entitled An act relating to counterfeit goods; amending s. 831.03, F.S.; creating and revising definitions; creating s. 831.031, F.S.; providing that possession of more than a specified number of counterfeit items, unless satisfactorily explained, allows an inference that such property is possessed with intent to offer it for sale or distribution in certain circumstances; providing that a state or federal certificate of registration of trademark shall be prima facie evidence of the facts stated therein; creating s. 831.032, F.S.; prohibiting specified offenses concerning involving forging or counterfeiting private labels; providing penalties; providing for reclassification of specified offenses; providing for fines based on the retail value of goods in certain circumstances; providing for restitution; providing applicability of certain defenses and limitations on remedies to prosecutions under the section; creating s. 831.033, F.S.; providing for destruction or forfeiture of goods to which the forged or counterfeit trademarks or service marks were attached; providing for forfeiture of property constituting or derived from any proceeds of a counterfeiting offense; permitting alternative disposure of forfeited items bearing or consisting of a counterfeit trademark with the written consent of the trademark owners; providing for the costs of such alternative disposition; creating s. 831.034, F.S.; providing that prosecution under specified provisions does not preclude the applicability of any other provision of the law that applies or may in the future apply to any transaction which violates specified provisions, unless such provision is inconsistent with the terms of those provisions; repealing s. 831.05, F.S., relating to vending goods or services with counterfeit trademarks or service marks; providing an effective date.

—was referred to the Committees on Commerce; and Criminal Justice.

By the Policy and Budget Council; Jobs and Entrepreneurship Council; and Representative Hudson and others—

CS for CS for HB 601—A bill to be entitled An act relating to the Department of Business and Professional Regulation; amending s. 718.111, F.S.; requiring that hazard insurance be based upon the replacement cost of the property to be insured as determined by an independent insurance appraisal or update of a prior appraisal; requiring that the full insurable value be determined at specified intervals; providing a means by which an association may provide adequate hazard insurance; authorizing an association to consider certain information when determining coverage amounts; providing for coverage by developer-controlled associations; providing that policies may include deductibles as determined by the association's board of directors; providing requirements and guidelines for the establishment of such deductibles; requiring that the amounts of deductibles be set at a meeting of the board; providing requirements for such meeting; requiring that an association controlled by unit owners operating as a residential condominium use its best efforts to obtain and maintain adequate insurance to protect the association and property under its supervision or control; providing that a declaration of condominium may provide that condominium property consisting of freestanding buildings comprised of no more than one building in or on such unit need not be insured by the association if the declaration requires the unit owner to obtain adequate insurance for the condominium property; authorizing an association to obtain and maintain liability insurance for directors and officers, insurance for the benefit of association employees, and flood insurance for common elements, association property, and units; requiring that every hazard insurance policy issued or renewed on or after a specified date for the purpose of protecting the condominium provide certain coverage; requiring that such policies contain certain provisions; providing that such policies issued to individual unit owners do not provide rights of subrogation against the condominium association; providing for the insurance of improvements or additions benefiting fewer than all unit owners; requiring that an association require each owner to provide

evidence of a current policy of hazard and liability insurance upon request; limiting the frequency with which an association may make such a request; authorizing an association to purchase coverage on behalf of an owner under certain circumstances; providing for the collection of the costs of such a policy; providing responsibilities of the unit owner and association with regard to reconstruction work and associated costs after a casualty loss; authorizing a multicondominium association to operate such condominiums as a single condominium for certain purposes by majority vote of the members of all applicable condominiums; providing that such election constitutes an amendment to the declaration of all applicable condominiums; requiring that an association maintain insurance or fidelity bonding for all persons who control or disburse association funds; requiring that such insurance policy or fidelity bond cover the maximum funds in the custody of the association or its management agent at any one time; defining the term "persons who control or disburse funds of the association"; authorizing an association to amend the declaration of condominium without regard to any requirement for approval by mortgagees of amendments affecting insurance requirements for the purpose of conforming the declaration of condominium to certain coverage requirements; providing that any portion of the condominium property required to be insured by the association against casualty loss which is damaged be reconstructed, repaired, or replaced as necessary by the association as a common expense; providing that all hazard insurance deductibles, uninsured losses, and other damages in excess of hazard insurance coverage under the hazard insurance policies maintained by the association are a common expense of the condominium; providing exceptions; allocating responsibility for certain costs of repair or reconstruction; authorizing an association to opt out of certain requirements related to such allocation of responsibility by majority vote; providing a procedure by which a multicondominium association that has not consolidated its financial operations may opt out of such allocation of responsibility; requiring that a decision to opt out be recorded; providing that such decision takes effect on the date on which it is recorded; authorizing the reversal of such decision; providing a procedure for reversal; providing that an association is not obligated to pay for any reconstruction or repair expenses for improvements made by an owner or the development if an improvement benefits only the unit for which it was installed; amending s. 718.115, F.S.; requiring that certain expenses be designated as common expenses; amending s. 718.116, F.S.; authorizing the designee of a unit owner or mortgagee to request a certificate of assessment; requiring that the fee for preparation of such certificate be stated on the certificate; providing for the establishment of such fees; providing for payment of the fee; requiring that the fee be refunded if a planned sale or mortgage does not occur; providing that any such refund is the obligation of the unit owner and is collectable in the same manner as an assessment; amending s. 718.117, F.S.; prohibiting the distribution of proceeds from the sale of a condominium unit to a lienholder from exceeding a unit owner's share of the proceeds; creating s. 720.30851, F.S.; requiring that the association provide a certificate signed by an officer or agent of the association stating all assessments and other moneys owed to the association by the parcel owner or mortgagee with respect to the parcel within a specified period after the association's receipt of a request for an estoppel certificate by an owner or mortgagee; providing that any person other than a parcel owner who relies upon a certificate receives the benefits and protection thereof; providing that a summary proceeding may be brought to compel the association to comply with the requirement to provide a certificate; providing that the prevailing party is entitled to recover reasonable attorney's fees; requiring that the fee for preparation of such certificate be stated on the certificate; providing for the establishment of such fees; providing for payment of the fee; requiring that the fee be refunded if a planned sale or mortgage does not occur; providing that any such refund is the obligation of the parcel owner and is collectable in the same manner as an assessment; amending s. 489.1425, F.S.; providing an exemption from the written notice requirement; amending s. 20.165, F.S.; changing the name of the Division of Florida Land Sales, Condominiums, and Mobile Homes to the Division of Florida Condominiums, Timeshares, and Mobile Homes and the Division of Technology, Licensure, and Testing to the Division of Technology; amending s. 215.20, F.S.; conforming the name of the division's trust fund to correspond to the name change of the division; amending s. 450.33, F.S.; removing the requirement for a farm labor contractor to file a set of fingerprints with the department; amending s. 455.203, F.S.; authorizing the department to close and terminate deficient license applications and to approve professional license applications meeting certain criteria; amending s. 455.217, F.S.; conforming terminology to changes made by the act; amending s. 455.2273, F.S.; authorizing the section to apply to disciplinary guidelines adopted by all boards and divisions; amending s. 468.841, F.S.; clarifying exemption provisions for license provisions governing mold-related services; amending s. 475.17, F.S.; revising requirements for licensure as a real estate broker; amending s. 475.451, F.S.; deleting requirements relating to the submission of certain real estate course rosters to the department; amending s. 477.019, F.S., relating to cosmetologists; allowing a student to apply for licensure examination prior to graduation and to practice prior to licensure; amending s. 489.105, F.S.; clarifying that individuals and business entities that sell manufactured and factory-built buildings can legally enter into contracts for those sales; amending s. 489.511, F.S.; revising requirements for taking the electrical or alarm system contractor certification examination; providing requirements for certification; amending s. 489.515, F.S.; revising requirements for certification as a certified contractor by the Electrical Contractors' Licensing Board to reflect changes made to s. 489.511, F.S., by this act; renumbering s. 498.009, F.S., relating to the location of the division's offices; amending and renumbering s. 498.011, F.S., relating to payment of per diem, mileage, and other expenses for division employees; providing for reimbursement of expenses for on-site review; deleting the expense reimbursement for inspection of subdivided lands; renumbering s. 498.013, F.S., relating to the authentication of records; amending and renumbering s. 498.057, F.S., relating to service of process; deleting provision that service may be made by delivering a copy of the process to the division director; providing that the division can be the petitioner or the plaintiff; repealing ss. 498.001, 498.003, 498.005, 498.007, 498.017, 498.021, 498.022, 498.023, 498.024, 498.025, 498.027, 498.028, 498.029, 498.031, 498.033, 498.035, 498.037, 498.039, 498.041, 498.047, 498.049, 498.051, 498.053, 498.059, 498.061, and 498.063, F.S., relating to regulation of land sales practices; amending s. 548.0065, F.S.; including amateur mixed martial arts in a provision relating to the authority of the Florida State Boxing Commission to suspend amateur matches for violation of certain health and safety standards; amending s. 548.008, F.S.; removing prohibition against holding amateur mixed martial arts matches in this state; amending s. 548.041, F.S.; providing additional licensure requirements for boxing participants; amending s. 718.501, F.S.; providing additional powers and duties of the division; providing for additional enforcement proceedings for carrying out the purposes of ch. 718, F.S.; deleting the payment of money by a developer to a condominium association as a permissible affirmative action; providing for actions of conservator or receiver; providing for application to circuit court for an order of restitution; providing for imposition of civil penalties and award of court costs, attorney's fees, and costs of investigation under certain circumstances; providing for contracting for investigative services; providing for acceptance of grants-in-aid; requiring the cooperation with similar agencies on establishment of certain procedures, standards, and forms; providing what constitutes completeness of notice; authorizing the division to issue a notice to show cause; providing conforming changes; amending s. 718.509, F.S., and transferring, renumbering, and amending s. 498.019, F.S.; consolidating and revising provisions relating to the creation, purposes, and sources of funds of the Division of Florida Condominiums, Timeshares, and Mobile Homes Trust Fund; revising provisions to conform to the change in division name; providing for the deposit of moneys resulting from an administrative final order; amending s. 721.03, F.S.; clarifying that timeshare plan includes a nonspecific multisite timeshare plan; amending ss. 73.073, 190.009, 192.037, 213.053, 326.002, 326.006, 380.05, 380.06, 380.0651, 381.0065, 455.116, 475.455, 494.008, 509.512, 517.301, 559.935, 718.103, 718.105, 718.1255, 718.5011, 718.502, 718.504, 718.508, 718.608, 719.103, 719.1255, 719.501, 719.502, 719.504, 719.508, 719.608, 720.301, 720.401, 721.05, 721.07, 721.08, 721.26, 721.28, 721.301, 721.50, 723.003, 723.006, 723.009, and 723.0611, F.S., to conform; providing effective dates.

—was referred to the Committees on Regulated Industries; Banking and Insurance; and Judiciary.

By the Policy and Budget Council; Safety and Security Council; and Representative Gardiner and others—

CS for CS for HB 679—A bill to be entitled An act relating to residential properties; amending s. 34.01, F.S.; conforming a cross-reference; amending s. 514.011, F.S.; providing definitions; amending s. 514.0115, F.S.; providing specified supervision and regulation exemptions for homeowners' association swimming pools; amending s. 515.25, F.S.; conforming a cross-reference; creating s. 515.295, F.S.; providing definitions; requiring residential pools and spas built after a specified date to have certain features; amending s. 720.302, F.S.; conforming a cross-

reference; providing legislative intent; amending s. 720.303, F.S.; revising provisions relating to homeowners' association board meetings, inspection and copying of records, and reserve accounts of budgets; prohibiting salary or compensation of certain association personnel for certain duties; providing exceptions; amending s. 720.305, F.S.; revising a lien restriction; amending s. 720.306, F.S.; providing absentee ballot voting requirements; requiring newly elected members of a board of directors to make certain certifications in writing to the association; providing for disqualification for failure to make such certifications; requiring an association to retain such certifications for a certain time; repealing s. 720.311, F.S., relating to dispute resolution; providing that dispute resolution proceedings that are pending as of the date of repeal shall continue under the repealed provisions; amending s. 720.401, F.S.; revising certain prospective parcel owner disclosure summary requirements; creating part IV of ch. 720, F.S.; creating s. 720.501, F.S.; providing a short title; creating s. 720.502, F.S.; providing legislative findings; creating s. 720.503, F.S.; providing applicability; providing for mediation and arbitration of homeowners' association disputes; providing exceptions; authorizing the filing of a motion for temporary injunctive relief; providing for the tolling of applicable statutes of limitations; creating s. 720.504, F.S.; providing notification requirements; creating s. 720.505, F.S.; providing a statutory notice form for referral to mediation; providing requirements for the service of such notice; requiring parties to share costs of presuit mediation equally; providing response requirements; providing scheduling requirements; providing for impasse under certain conditions; prohibiting certain parties from recovering attorney's fees and costs in subsequent litigation proceedings; creating s. 720.506, F.S.; authorizing certain persons to opt out of presuit mediation; providing requirements for a person to opt out of such mediation; creating s. 720.507, F.S.; providing a statutory notice form for referral to arbitration; providing requirements for the service of such notice; requiring parties to share costs of arbitration equally; providing scheduling requirements; providing for impasse under certain conditions; prohibiting certain parties from recovering attorney's fees and costs in subsequent litigation proceedings; creating s. 720.508, F.S.; providing rules of procedure for presuit mediation and presuit arbitration proceedings; providing for confidentiality; creating s. 720.509, F.S.; providing qualifications for mediators and arbitrators; creating s. 720.510, F.S.; providing for enforcement of mediation settlement agreements and arbitration awards; requiring the department to apply for and implement a federal grant for enforcing swimming pool safety standards; requiring the Department of Health, the Department of Community Affairs, and the Florida Building Commission to assess state statutes and the Florida Building Code to determine if changes are needed to comply with federal standards pertaining to swimming pool and spa safety; requiring the Department of Health to present the assessment to the Legislature by a specified date; providing effective dates.

—was referred to the Committee on Regulated Industries.

By the Jobs and Entrepreneurship Council; and Representative H. Gibson and others—

CS for HB 727—A bill to be entitled An act relating to firesafety; providing a short title; amending s. 633.022, F.S.; including application of uniform firesafety standards to tunnels; revising application of automatic sprinkler systems requirements to nursing homes; requiring a nursing home licensee to submit complete sprinkler construction documents to the Agency for Health Care Administration by a specified date; requiring such licensee to gain final approval from the agency to start construction by a specified date; authorizing the agency to extend the deadline under certain circumstances; amending s. 633.0245, F.S.; providing a new application deadline for participation in the State Fire Marshal Nursing Home Fire Protection Loan Guarantee Program; amending s. 663.0215, F.S., requiring the State Fire Marshal to conduct a study on the use of voice-over-Internet-protocol telephone service for monitoring fire alarm systems; requiring rulemaking under certain conditions; creating s. 633.027, F.S.; requiring owners of certain structures to post certain signs or symbols on the structures; requiring the State Fire Marshal to adopt rules governing such signs or symbols; providing for enforcement; providing penalties; providing an effective date.

—was referred to the Committees on Banking and Insurance; and Community Affairs.

By the Safety and Security Council; and Representative Rivera—

CS for HB 1105—A bill to be entitled An act relating to community associations; amending s. 718.1124, F.S., and creating ss. 719.1124 and 720.3053, F.S.; providing for notification of a unit owner's or member's intent to petition for the appointment of a receiver if an association's governing board fails to fill vacancies sufficient to constitute a quorum; providing for written notice to unit owners or members of any such appointment; requiring the salary of the receiver and certain costs and fees to be paid by the association; providing powers, duties, and term of service of the receiver; amending s. 718.117, F.S., and creating ss. 718.127, 719.127, and 720.313, F.S.; specifying receivership notification requirements with respect to condominium associations, cooperative associations, and homeowners' associations; amending s. 718.121, F.S.; providing requirements and restrictions for liens filed by the association against a condominium unit; providing for notice and delivery thereof; amending s. 719.108, F.S.; prohibiting a lien from being filed against a condominium unit or cooperative parcel until 30 days after service of a notice of intent to file the lien; amending s. 720.305, F.S.; deleting notification requirements for the appointment of a receiver under specified circumstances for matters relating to homeowners' associations; providing an effective date.

—was referred to the Committees on Regulated Industries; and Community Affairs.

By the Safety and Security Council; and Representative Adams—

HB 7113—A bill to be entitled An act relating to the Department of Law Enforcement; amending s. 943.05, F.S.; providing that if fingerprints submitted to the Department of Law Enforcement for background screening are identified with the fingerprints of a person having a criminal history record, the department may make the fingerprints available for all purposes and uses authorized for arrest fingerprint cards; amending s. 943.053, F.S.; clarifying provisions relating to the fees charged for requests for criminal history information; amending s. 943.0542, F.S.; authorizing a qualified entity requesting screening information concerning an employee or volunteer, or a person applying to be an employee or volunteer, to submit the request electronically; requiring the qualified entity to maintain a signed waiver allowing the release of the state and national criminal history record information to the qualified entity; revising provisions relating to the fees for such screenings; amending s. 943.0581, F.S.; revising the information to be included in an application for an administrative expunction of any nonjudicial record of an arrest of a minor or an adult made contrary to law or by mistake; permitting specified officials to make an application for an administrative expunction; amending s. 943.0585, F.S.; providing additional circumstances in which a person may not lawfully deny or fail to acknowledge the arrests covered by an expunged criminal history record; amending s. 943.059, F.S.; providing that sealed criminal history records may be available to judges in the state courts system for specified purposes; providing additional circumstances in which a person may not lawfully deny or fail to acknowledge the arrests covered by a sealed criminal history record; amending s. 943.06, F.S.; adding the Secretary of Children and Family Services, or the secretary's designated assistant, to the Criminal and Juvenile Justice Information Systems Council; amending s. 943.08, F.S.; revising the duties of the Criminal and Juvenile Justice Information Systems Council; amending s. 943.081, F.S.; specifying and clarifying the principles adopted by the Criminal and Juvenile Justice Information Systems Council as the guiding principles for the management of public safety system information technology resources; authorizing creation of a citizen support organization for Florida Missing Children's Day by the Department of Law Enforcement to provide assistance, funding, and promotional support for activities authorized for that day; providing for duties and functions of the support organization; authorizing the department to fix and collect charges for the rental of facilities and properties managed by the department and providing for deposit and use of moneys collected; providing that the support organization is not a lobbyist; providing for the use and management of department property; providing for an annual audit; providing an effective date.

—was referred to the Committee on Criminal Justice.

By the Policy and Budget Council; Government Efficiency and Accountability Council; and Representative Domino—

CS for HB 7097—A bill to be entitled An act relating to trust funds; creating s. 218.417, F.S.; creating the Fund B Surplus Funds Trust Fund within the State Board of Administration; providing for source of funds; providing for transfer of certain funds to the trust fund; providing for annual carryforward of funds; providing for termination of the trust fund upon self-liquidation; providing an effective date.

—was referred to the Committees on Governmental Operations; and General Government Appropriations.

RETURNING MESSAGES—FINAL ACTION

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has passed CS for SB 92, CS for CS for SB 428, CS for SB 630, CS for SB 948, CS for CS for SB 1360, SB 1456, CS for SB 1474, CS for SB 1552, SB 1558, CS for SB 1616, CS for SB 1694, CS for CS for CS for SB 2016 and CS for CS for SB 2532.

William S. Pittman III, Chief Clerk

The bills contained in the foregoing messages were ordered enrolled.

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has accepted the Conference Committee Reports in their entirety and passed CS for CS for SB 1286, CS for CS for SB 1294, CS for CS for SB 1702, CS for SB 1774, CS for SB 1788, CS for SB 1790, CS for SB 1792, CS for SB 1864, CS for SB 1882, CS for SB 1888, CS for SB 1892, CS for SB 1988, CS for CS for SB 2000 and SB 2820 as amended by the Conference Committee Reports.

William S. Pittman III, Chief Clerk

The bills contained in the foregoing messages were ordered engrossed and then enrolled.

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate Amendment(s) and passed CS for HB 3, CS for CS for HB 43, CS for HB 165, CS for HB 623, CS for HB 803, HB 879, CS for CS for HB 1175, CS for HB 1313, HB 5065, HB 7049, HB 7075, CS for HB 7083 and HB 7103 as amended.

William S. Pittman III, Chief Clerk

CORRECTION AND APPROVAL OF JOURNAL

The Journal of April 30 was corrected and approved.

CO-INTRODUCERS

Senators Aronberg—CS for CS for CS for SB 996, CS for CS for SB 1062; Crist—CS for CS for SB 76, CS for SB 82, SB 86, SB 88, SB 90, CS for SB 390, SB 424, CS for SB 472, SB 496, CS for SB 502, CS for SB 622, CS for CS for SB's 1094 and 326, SB 1524, SB 1564, CS for SB 2350, CS for SB 2574; Fasano—CS for CS for SB 2012; Joyner—CS for SB 644; Lynn—SB 432, CS for CS for SB 526, CS for CS for SB 696, CS for SB 948, CS for CS for SB 992, CS for CS for CS for SB 996, SB 1554; Wilson—CS for SB 276, CS for SB 646, CS for SB 732, CS for CS for CS for SB 756, CS for CS for SB 766, CS for CS for SB 858, CS for SB 1116, CS for SB 1474, SR 2090, CS for SB 2660, CS for CS for SB 2848, CS for CS for SB's 2860 and 1196, SR 2922

RECESS

On motion by Senator King, the Senate recessed at 5:51 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 10:00 a.m., Friday, May 2 or upon call of the President.

Journal of the Senate

Number 22—Regular Session **Friday, May 2, 2008**

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CALL TO ORDER

The Senate was called to order by President Pruitt at 10:00 a.m. A quorum present—40:

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Aronberg	Gaetz	Posey
Atwater	Garcia	Rich
Baker	Geller	Ring
Bennett	Haridopolos	Saunders
Bullard	Hill	Siplin
Carlton	Jones	Storms
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dawson	King	Wilson
Dean	Lawson	Wise
Deutch	Lynn	
Diaz de la Portilla	Margolis	

PRAYER

The following prayer was offered by the Rev. Mercidieu Phillips, Senior Pastor of Agape Christian Fellowship, Lehigh Acres:

Eternal God, creator and sustainer of all that exists, lover of humanity, and unfailing protector of life; recognizing our limited abilities and futile wisdom, we turn to you in search of guidance and direction. We ask for your forgiveness in seeking after our own interests, rather than your face and favor, O God. Heal our hearts and heal our land.

Today, as these gifted and chosen men and women of the Senate embark on the noble and daunting task of making sound decisions for the future of our ever-growing state, O Lord, we ask that you empower them with uncompromised wisdom, selfless understanding and a creative unity drawn from our rich diversity.

Further, my Lord, as our nation and military forge ahead, providing global leadership in an ever-changing world, we pray that you continually shower these United States of America with blessings from on high. While we recognize that we are unworthy, we appeal to your loving kindness and mercy.

As you have heard and graciously answered the earnest prayers of so many before us, we humbly ask that you would find the words of our mouth and the meditation of our hearts acceptable in your sight, O Lord, our strength and our redeemer.

We make these requests with a genuine trust in your ability to honor them according to your sovereign purpose and plan. Hear our prayers and grant us thy favor. Amen.

PLEDGE

Senate Pages Ethan C. Bell of Groveland; Alex "Sasha" Ciupalo of Tallahassee; Perla B. Fernandez of Miami; Lindsey Sanders of Tallahassee; and Katie Householder of Winter Garden, granddaughter of Senator Posey, led the Senate in the pledge of allegiance to the flag of the United States of America.

ADOPTION OF RESOLUTIONS

On motion by Senator Lawson—

By The Senate of the State of Florida; and Senators Pruitt, Alexander, Aronberg, Atwater, Baker, Bennett, Bullard, Carlton, Constantine, Crist, Dawson, Dean, Deutch, Diaz de la Portilla, Dockery, Fasano, Gaetz, Garcia, Geller, Haridopolos, Hill, Jones, Joyner, Justice, King, Lawson, Lynn, Margolis, Oelrich, Peaden, Posey, Rich, Ring, Saunders, Siplin, Storms, Villalobos, Webster, Wilson and Wise—

SR 3024—A resolution recognizing and honoring Faye W. Blanton, Secretary of the Florida Senate, on the occasion of her retirement following an outstanding career in government service to the State of Florida.

WHEREAS, Faye Blanton was elected Secretary of the Florida Senate in November 1996, the first woman to be elected to this office for a full 2-year term, and she has since been unanimously reelected to that office, and

WHEREAS, Secretary Blanton's great gifts and talents as an administrator and manager, and her deep knowledge and experience with the Florida legislative process since 1970, have kept the Senate running smoothly as the legislative workload has grown and technological complexity in the legislative process and product has increased, and

WHEREAS, Secretary Blanton served as Assistant to the Secretary of the Senate for 10 years beginning in 1974, and as Assistant Secretary from 1984 until her election as Secretary in 1996, and

WHEREAS, Secretary Blanton played an important role on the staff of the 1977-1978 Florida Constitution Revision Commission, and was Secretary and Parliamentarian of the 1997-1998 Florida Constitution Revision Commission, and

WHEREAS, Secretary Blanton has also served as a member of the Board of Directors of the Legislative Research Center and Museum, has lectured on the legislative process, and has managed many mock legislative sessions for civic, student, international, and private groups, and

WHEREAS, among her additional public service activities, she has been an adviser and counselor for Girls State, Boys State, the YMCA Youth Legislature, and the Silver-Haired Legislature, introducing many thousands of Florida residents to the legislative process, and

WHEREAS, throughout the years of her leadership in the administration of the Senate's work process, Faye Blanton has consistently earned the admiration and love of her colleagues and employees through her personal vibrancy, professionalism, kindness, compassion, and graciousness, and

WHEREAS, among Secretary Blanton's proudest accomplishments have been balancing a long and rewarding career with the Florida Senate along with a fulfilling family life; helping Senators and Senate staff on a daily basis with procedural and other issues regarding the welfare of the Senate; working with the many Senate professional staff who have traditionally been known as "the Senate Family"; and creating the Senate Kids Web Page and the Senate Kids Handbook, and

WHEREAS, Secretary Blanton has earned the high respect and gratitude of the members of the Florida Senate throughout her 38-year career, and she will be missed more than words can say by the entire Senate Family, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That the Florida Senate recognizes and commends Secretary Faye Blanton for her long and distinguished service to the Florida Senate and to the people of Florida, and offers her its congratulations and best wishes for a long and enjoyable retirement with her husband, Edwin F. Blanton, and their children and grandchildren.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to Faye W. Blanton as a tangible token of the admiration and gratitude of the Florida Senate.

—was introduced out of order and read by title. On motion by Senator Lawson, **SR 3024** was read the second time in full and adopted.

RECOGNITION OF THE SECRETARY

SPECIAL GUESTS

Senator Lawson introduced the Secretary's husband, Ed Blanton; her sons, Wade and Doug McDaniel and Doug's wife, Julie; her daughter, Laurel McDaniel; her sons, Garrett and Travis Blanton; her brother, Gerald Wester; and her niece, Elizabeth Wester who were all present in the gallery.

REMARKS

On motion by Senator Lawson, the following remarks were ordered spread upon the Journal:

Senator Lawson: Members, this young lady who plans to retire is a young lady who has given 38 years to state government. She is a young lady who I've always admired. I have always sought her counsel. I don't know of any other individual who epitomizes what service is all about.

Many years ago, Faye Blanton taught me that it's not how much you receive in this process or in life; it's what you give. Truly, she has given to so many members. Her intellect, over the years, has helped so many of us, especially when we were out of order and didn't know what to do. She has trained many of our presiding officers, and she has trained them well. You know what is even more important than that? You don't even realize that hundreds of thousands of students come to this chamber and Faye Blanton takes her personal time to educate them on the process of what goes on in this chamber and to give them an opportunity to be exposed to it. They are our future leaders.

We have something in common. She has a great love for growing things, like flowers, just like myself. We've had the opportunity to talk about it. In fact, the other day when she was talking to me, she asked me if I had ever considered getting a greenhouse. I told her "Well, I might need to do that because I'm having some problems." I didn't tell her, but I've been in conversation with Senator Alexander about organic farming. I am a country boy. I've always liked to see things grow. I know that Faye Blanton epitomizes all of this because she enjoys it. It's a great, relaxing experience for some of you who are in the fast lane.

Throughout her career I have known about her; even 26 years ago, when I was in the House. Many of my colleagues can tell you the same thing. I never really understood her true professionalism and leadership abilities until eight years ago. She has made a major impact on my life. I know that she has made the same kind of impact on your life.

What do you do after 38 years? Well, right now, she still looks as if she's 25. I don't know whether we will look that way after 38 years. Faye, I don't know what the future holds for you, but I do know that God's blessings will always be with you for all that you have given to the State of Florida. Young people will always remember you. I know that all of us will remember you. I don't think that anybody can ever take your place. As the Senate President said, "You are a wonderful delight."

Senator Carlton: Faye and I have gotten to know each other over the past few years; and especially over the last four to six years, rather well. I actually first got to know Faye as an employee of the Senate when I was an aide back in either 1992 or 1993. I learned Faye was someone who could give you advice in a very nice, but very direct way. She would let you know how to get things done, where you should go, who you should talk to, and how you should approach the subject matter. I grew to really depend on her as a checkpoint on many things.

Through the years we would gather in her office, sit at her table, and talk about many different things—family, children, the woes of the world. We would ponder them and, of course, resolve them in that same conversation. Then the next time we would move on to another subject, ponder that, and resolve that, as well. I have enjoyed our chats over the years. I have enjoyed getting to know her.

Secretary Blanton is someone who learned this process, literally, from the ground up. That's a really, important thing for someone to know. She doesn't just leave this office. She knows everything that goes on and she never lets on about that. She has a hand in making sure that our jobs flow smoothly out here, that there are no kinks or bumps in the road. For all of that, Faye, we are so grateful.

Over 38 years there has been a lot of transition in the way we conduct business on this floor. Many times, people get in positions and like the status quo. Faye was a real innovative person, a person willing to change with the times. When she first started, the amendments were piled up on our desks about this high and you had to read through them. Senators Webster, Geller, King, and Jones—you remember when the amendments would all come in and would be thrown on your desk. You had a little sign that said "Amendments" and they would be literally up to here by the end of session and thrown all over the floor. It takes someone who has respect for the institution and the process, yet, is willing to change. Now, you see these fancy little computers with the Committee and Chamber Automation System, bill filing and all of that. Faye had a hand in all of it. Really, Faye, most of us will never know how much you have contributed to this institution because you have done it in your quiet way, in your reserved way. You have pushed us along and made the process better. For that we say thank you.

Faye, after 38 years, we know that it's going to be a transition in your life. I think that your staff has a word for some things you do around the office—"FBIs," otherwise known as, "Faye's Bright Ideas." I'm sure that you have some "FBIs" for your family, your children, and grandchildren. I'm sure that you have been thinking of and keeping a list of "FBIs" that you can do once you leave us. Godspeed and God bless.

President Pruitt: Madam Secretary, on behalf of a grateful and thankful Florida Senate, we want to present to you a framed copy of the Senate Resolution as well as a beautiful photo of Secretary Blanton.

As a freshman Senator, the first person I came to introduce myself to was Faye Blanton. I asked her "After being in the House for ten years, how do I become a Senator?" Faye Blanton would sit down with you and share the history and decorum of the Senate. Faye, thank you for carrying on those traditions of the Florida Senate with dignity and honor. We are thankful for you and your service.

SPECIAL PRESENTATION

By the direction of the President, the Sergeant at Arms escorted Secretary Blanton to the rostrum where the President presented her with a framed copy of the resolution.

Secretary Blanton: President Pruitt, Madam Co-President Carlton, President King, President Margolis, Majority Leader Webster, Minority Leader Geller, and Senator Lawson. Thank you, to all of you, Senators. It has been an honor to serve you, the presidents and hundreds of Senators before you; and to serve with the hundreds of dedicated and professional staff of the Senate for all these years.

I was in awe the first day I walked into the Florida Senate. I was in the Holland Building, and I remain in awe of this institution. I am proud to have had the opportunity to be here, ever so briefly, in the history of

the Senate, and to play a small part as its traditions have withstood the test of time.

I would like to publicly thank President Toni Jennings for giving me the first opportunity to serve as Secretary of this Senate. I would like to thank my family for their support, patience, and understanding when I was not there for them. I appreciate that all of my children, my husband, my brother, and my niece are here in the gallery today. The seven grandchildren they have given me could not be here because of more pressing matters—they are not here because they are napping or in school. They are the joy of my life and God has truly blessed me with these precious little ones.

You have already recognized the professional staff of the Secretary's Office but what I really want you to know is that they are the Dream Team. My approach, as long as I have worked here, has always been that we are a team. I am so indebted to them for all that they do, have done, and will do for the Senate. Senators, I leave you with a talented staff that is committed to this institution.

Finally Senators, I would like to apologize for my annoying "Quorum calls" which you will no longer have to listen to. I just want you to know that the President made me do it!

Thank you, Senators. All of you, and the Senate, will forever be in my heart. I love you all. Thank you for the honor to have served you.

On motion by Senator Webster—

By Senator Webster—

SR 3026—A resolution recognizing the first day of Hurricane Season, June 1, 2008, as a day of prayer.

WHEREAS, throughout our history, our Nation has turned to prayer for strength and guidance in times of challenge and uncertainty, and

WHEREAS, past presidents, including President George Washington, President Abraham Lincoln, and others, have called for a day of prayer at times of crisis and disaster, and

WHEREAS, our first President wrote in 1790, "May the father of all mercies scatter light and not darkness in our paths," and

WHEREAS, as we face the challenges of our own times, God's purpose continues to guide us, and we continue to trust in the goodness of His plans, and

WHEREAS, we have been warned by leading forecasters to expect several major storms this season, and

WHEREAS, our preparations can protect against hurricanes but cannot influence the strength or frequency with which they occur, and

WHEREAS, in addition to these preparations, the residents of this state are in need of protection, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That, in recognition of the first day of Hurricane Season, June 1, 2008, the Senate calls upon the residents of this state to pray that God will have mercy on our state and protect us from harm.

—was introduced out of order and read by title. On motion by Senator Webster, **SR 3026** was read the second time in full and adopted.

At the request of Senator Bullard—

By Senator Bullard—

SR 1366—A resolution recognizing Eugene C. Badger for his lifetime accomplishments in agricultural leadership and service to the residents of Florida.

WHEREAS, Eugene C. Badger was born July 30, 1928, in rural St. Johns County near Hastings and was raised sharing responsibilities on his family's potato farm while attending St. Johns County public schools, and

WHEREAS, his leadership qualities emerged early when he became an officer of the Hastings Chapter of Future Farmers of America, and he showed FFA Grand Champion steers in the southeast in 1944 and 1945, and

WHEREAS, working summers as a migrant farm worker in four states during the farm labor shortage during World War II, Mr. Badger graduated from Hastings High School in 1946 and then earned his B.S.A. degree in Agricultural Economics and Education at the University of Florida in 1949, then working as a teacher of vocational agriculture in Palatka, Florida, from 1949 to 1951, and

WHEREAS, Mr. Badger then entered military service and graduated from the U.S. Marine Corps's Special Basic School in 1952, served in Japan and Korea, and received an Honorable Discharge as Captain, and

WHEREAS, in 1955 he married the former Irma McCollum and their marriage produced four daughters, all of whom have gone on to study at the University of Florida and all of whom have attained postgraduate degrees in various fields, and

WHEREAS, Mr. Badger's career has been marked by personal success in the area of farm bureau insurance and by significant service to farmers and the farm industry in Florida through regional and statewide organizations, and

WHEREAS, his many leadership roles include directing the Putnam-St. Johns Farm Bureau and serving on its property rights committee as it worked with Florida legislators; serving as Director of the Florida Poultry Association; serving on committees working to improve federal crop insurance for sweet corn and other crops; and serving as State Executive Director of the Agricultural Stabilization and Conservation Service, and

WHEREAS, Eugene Badger also serves on the Everglades Research Center Advisory Committee, the Board of Directors of the Florida Agricultural Hall of Fame, and the Board of Directors of Alpha Gamma Rho Educational Foundation, in addition to his participation in numerous civic and professional associations, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That the Florida Senate recognizes and honors the accomplishments and service of Eugene C. Badger in the vital fields of agriculture, agribusiness, and governmental relations with Florida's farmers and farm industry.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to Eugene C. Badger as a tangible token of the sentiments of the Florida Senate.

—**SR 1366** was introduced, read and adopted by publication.

At the request of Senator Bullard—

By Senator Bullard—

SR 1740—A resolution expressing affection for and gratitude to all fathers.

WHEREAS, in 1909 Sonora Smart Dodd of Spokane, Washington, first had the idea of a "father's day" while listening to a Mother's Day sermon, and

WHEREAS, Sonora Dodd realized the strength, courage, and selflessness her father had shown in raising his children as a single parent, and thus chose to hold the first Father's Day celebration in Spokane, Washington, on the 19th of June, 1910, and

WHEREAS, in early times, wearing flowers was a traditional way of celebrating Father's Day, and

WHEREAS, in 1924, President Calvin Coolidge recognized Father's Day as a national event to "establish more intimate relations between fathers and their children and to impress upon fathers the full measure of their obligations," and

WHEREAS, in 1926, a National Father's Day Committee was formed in New York City, resulting in a Joint Resolution of Congress in 1956

recognizing Father's Day, and President Richard Nixon signed the law that finally made Father's Day a permanent holiday in 1972, and

WHEREAS, Sunday, June 15, 2008, has been designated as Father's Day in the United States, and

WHEREAS, the American tradition of a productive society and a secure home has depended in great part on the hard work and sacrifice of fathers who tirelessly seek for their children a better life and greater opportunity than they themselves have known, and

WHEREAS, fulfilling the demanding roles of fatherhood, as provider, teacher, role model, comforter, and protector, is an act of true heroism in today's world, and

WHEREAS, each new generation looks to its fathers for courage, strength, and understanding, and

WHEREAS, the enduring affection between fathers and their families is recognized and appreciated as one of the most positive elements upon which our future as a nation depends, and

WHEREAS, it is fitting and appropriate that the members and staff of the Florida Senate recognize the immeasurable debt of gratitude owed to fathers for their strength, guidance, understanding, and love, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That the members of the Senate do hereby express to their own fathers and to all fathers, on behalf of the people of the State of Florida, personal affection and heartfelt gratitude.

BE IT FURTHER RESOLVED that this resolution be spread upon the Journal of the Senate as a tangible token of the love and respect that the members hold for all fathers.

—**SR 1740** was introduced, read and adopted by publication.

At the request of Senator Bullard—

By Senator Bullard—

SR 1960—A resolution expressing gratitude and affection to all mothers.

WHEREAS, Anne Jarvis, a young Appalachian homemaker, organized women throughout the Civil War to work for better sanitation conditions, and in 1868 continued her efforts by designating "Mothers' Work Days" for improving sanitation, and

WHEREAS, Social Activist Julia Ward Howe, Boston poet, pacifist, suffragist, and author of the lyrics to the "Battle Hymn of the Republic," influenced by Anne Jarvis's sanitation initiative, conceived the idea during the Civil War of calling all women to unite against the war, organized a day encouraging mothers to rally for peace, and wrote a Mother's Day proclamation in 1870 calling for peace and disarmament, and

WHEREAS, Julia Ward Howe failed to get formal recognition of a Mother's Day for Peace, and after Anne Jarvis's passing on May 9, 1905, her daughter Anna Jarvis took up the efforts to establish a day recognizing mothers, and

WHEREAS, as a result of Anna Jarvis's crusade, the first Mother's Day was celebrated in Grafton, West Virginia, on May 10, 1908, to commemorate the anniversary of her mother's passing, and

WHEREAS, the Mother's Day custom eventually spread to 45 other states, and President Woodrow Wilson declared the first national Mother's Day on May 14, 1914, and

WHEREAS, the highest ideals and noblest principles of humanity find their most exemplary expression in the sacrifice and devotion of mothers, and no sincere human being can deny the importance of a mother in the life of a child, and

WHEREAS, mothers exemplify enduring courage and conviction, are characterized by unconditional love for their children, and serve as the anchors that bond families, and

WHEREAS, a mother is a gift bestowed on man, never more dear than when bringing forth life in the form of a child, and

WHEREAS, it is proper that the members and staff of the Florida Senate recognize the great debt of gratitude owed to all mothers for their strength, guidance, understanding, and love, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That the members of the Senate do hereby express to their own mothers and to all mothers, on behalf of the people of the State of Florida, personal affection and heartfelt gratitude.

BE IT FURTHER RESOLVED that this resolution be spread upon the Journal of the Senate as a tangible token of the love and respect that the members hold for all mothers.

—**SR 1960** was introduced, read and adopted by publication.

At the request of Senator Bullard—

By Senator Bullard—

SR 2958—A resolution recognizing Paul Polizzotto, renowned environmentalist.

WHEREAS, Paul Polizzotto developed a love of water as a surfer in Manhattan Beach, California, and, troubled by the polluted water that made him and fellow surfers sick, launched his first green business, Property Prep, in 1989, after graduating from the University of California, Los Angeles, and

WHEREAS, Property Prep provided environmental cleaning services to assist industries in complying with stormwater laws by using a Zero Discharge process, a ground-breaking method developed to reduce the flow of pollutants into stormwater drain systems that feed into lakes, rivers, and the ocean, and

WHEREAS, Paul Polizzotto's state and local activism in environmental issues led him to create Adopt-a-Waterway (formerly Adopt-a-Stormdrain), after discovering that local governments were aware of which pollution mitigation systems were required to clean up their waterways but lacked adequate funding to implement them, and

WHEREAS, Adopt-a-Waterway provides funding and resources to clean the world's waters, the earth's most precious natural resource and, due to this great innovation and pioneering achievement, Paul Polizzotto earned recognition from the United States Environmental Protection Agency as an "Environmental Hero," and

WHEREAS, building on his earlier successes, Paul Polizzotto founded EcoMedia, the world's premier environmental media company, which uses corporate advertising dollars to fund local environmental programs, and through EcoZone, EcoMedia's flagship program, provides funding for fiscally constrained local governments to help them meet federal and state regulations mandating clean air, water, and energy, and

WHEREAS, EcoZone has joined with the City of Miami to launch EcoZone Miami, a public-private environmental partnership that will fund and support the "Greening of Miami" projects and initiatives of Miami Mayor Manny Diaz, including the City Hall Energy Efficiency Project, the Miami Green Lab, the Miami Baywash Program, the GlobeTech Catch Basin Insert Filter Installation project, and the Miami Tree Canopy Initiative, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That the Florida Senate recognizes and commends the outstanding leadership and support to environmental rebuilding demonstrated by Paul Polizzotto.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to Paul Polizzotto as a tangible token of the sentiments of the Florida Senate.

—**SR 2958** was introduced, read and adopted by publication.

At the request of Senator Joyner—

By Senator Joyner—

SR 2968—A resolution recognizing October 2008 as "Breast Cancer Awareness Month" in Florida.

WHEREAS, breast cancer is the third most frequently diagnosed cancer and is ranked third among cancer deaths in women in the United States, and

WHEREAS, Florida ranks second in the nation for total number of breast cancer deaths and fourth in the nation for total number of new breast cancer cases, and

WHEREAS, all women are at risk for breast cancer and the single most important risk factor is age, such that breast cancers predominantly occur in women age 50 and older, and the risk increases with age until age 80, and

WHEREAS, the American Cancer Society estimates that more than 11,850 new cases of invasive breast cancer in Florida will be diagnosed, and approximately 2,760 women will die of the disease, during the year 2008, and

WHEREAS, a woman living in Florida has a one-in-eight chance of developing breast cancer, and

WHEREAS, breast cancer is the second most common cause of cancer death in white, African American, Asian American, and American Indian women, and the first most common among Hispanic women living in the United States, and

WHEREAS, early detection, through routine clinical exams and mammography screening beginning at age 40 in compliance with the American Cancer Society recommended guidelines, is the key to detecting breast cancer at its earliest stages, and

WHEREAS, the 5-year survival rate for breast cancer, if the disease is found in its earliest stages, is 98 percent, but drops down to 26.7 percent if the cancer is detected late, in a stage of metastases, and

WHEREAS, in conjunction with the promotion of October as "Breast Cancer Awareness Month," breast cancer awareness programs, such as the American Cancer Society's Reach to Recovery program, will promote early breast cancer detection through regular screening, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That the Florida Senate recognizes the month of October 2008 as "Breast Cancer Awareness Month" in Florida and urges all women to understand the risks associated with breast cancer, to take preventive steps to minimize those risks, and to undergo early detection procedures such as mammography and compliance with the American Cancer Society's recommended breast cancer screening guidelines.

—**SR 2968** was introduced, read and adopted by publication.

At the request of Senator Aronberg—

By Senator Aronberg—

SR 2970—A resolution recognizing the important purpose and goals of the American Veterans Disabled for Life Memorial.

WHEREAS, the mission of the Disabled Veterans' LIFE Memorial Foundation, Inc., is to raise the funds necessary to design and construct a memorial dedicated to American servicemen and servicewomen who have returned from war with life-altering disabilities, and

WHEREAS, the Disabled Veterans' LIFE Memorial Foundation, Inc., was established in 1998 through the combined efforts of philanthropist Lois Pope, Foundation Chairman; Mr. Arthur Wilson, National Adjutant of the Disabled American Veterans organization and Foundation President; and the late Jesse Brown, former Secretary of Veterans Affairs and the Foundation's first Executive Director, and

WHEREAS, the U.S. Congress approved this national memorial to be built in Washington D.C. with the passage of Public Law 106-348, an act sponsored by Senators John McCain and Max Cleland and by Representatives Sam Johnson and Jack Murtha, and

WHEREAS, the American Veterans Disabled for Life Memorial will command an impressive 2-acre site within full view of the U.S. Capitol and will be constructed of marble and glass, conveying an interplay of strength and vulnerability, loss and renewal, and

WHEREAS, at this sacred spot, all of us - parents, sons and daughters, wives, husbands, friends, and citizens - can bear witness to the courage, sacrifice, tenacity, loyalty, and honor demonstrated by our soldiers permanently injured in battle, and

WHEREAS, the Memorial will hold a special place in the hearts of all Americans, and will serve as a never-ending reminder to all of the cost of human conflict, and will be dedicated to both living and deceased veterans who have been disabled for life in military service, and

WHEREAS, the American Veterans Disabled for Life Memorial will express America's lasting gratitude to the men and women whose lives have been forever changed in service to our country and to their families and friends, transcending individual wars and conflicts, service branches, and generations, and share in their struggles to face lives harshly compromised by war, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That the Disabled Veterans' LIFE Memorial Foundation, Inc., is commended for its vision in seeking to build this important memorial - the American Veterans Disabled for Life Memorial - and encourage and support efforts to raise funds for its construction.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to the Disabled Veterans' LIFE Memorial Foundation, Inc., as a tangible token of the sentiments of the Florida Senate.

—**SR 2970** was introduced, read and adopted by publication.

At the request of Senator Bullard—

By Senator Bullard—

SR 3000—A resolution honoring Florida author Alex Flinn.

WHEREAS, Alex Flinn is the author of seven novels for young people which have been widely acclaimed by reviewers across the United States, and

WHEREAS, many of her books have made the American Library Association's "Best Books for Young Adults" list, as well as "Quick Picks for Reluctant Young Adult Readers," intended for teens who might not be eager to read, and

WHEREAS, three of Alex Flinn's books - "Breathing Underwater," "Nothing to Lose," and "Fade to Black" - have received such teen-selected honors as being named to the International Reading Association's Young Adult Choices list, and

WHEREAS, Alex Flinn's books have also been nominated for state awards, "Breathing Underwater" won the Maryland Black-Eyed Susan Award in 2004, and "Beastly" is nominated for the 2009 Lone Star State (Texas) Award, and

WHEREAS, Alex Flinn's novels, in hardcover and paperback, have sold hundreds of thousands of copies throughout North America, and her books have been translated into many foreign languages and sold internationally, and

WHEREAS, few writers for young people have captured so well the images of contemporary Florida, both the Florida of dreams and the reality of its cosmopolitan population, and her newest novel, "A Kiss in Time," set in the glamorous Florida of today, will be published nationally by Harper Collins in 2009, and

WHEREAS, Alex Flinn's profound concern for today's young people and the often torturous choices they must make to meet society's de-

mands are unique in the publishing industry, and her ability to address the role of the arts in young people's lives is part of her passionate message, and

WHEREAS, Alex Flinn's novels appeal to teens who are not already avid readers and thus open up the world of reading to innumerable young Floridians, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That the Senate honors and commends the literary accomplishments of Alex Flinn and applauds in particular her ability to reach young people through novels that confront and help them meet the issues and challenges in their lives.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to Alex Flinn as a tangible token of the sentiments of the Florida Senate.

—**SR 3000** was introduced, read and adopted by publication.

At the request of Senator Bullard—

By Senator Bullard—

SR 3002—A resolution honoring Dr. Bradford E. Brown, civil rights activist, trailblazer, and community leader.

WHEREAS, Dr. Bradford E. Brown received his Bachelor of Science degree from Cornell University, his Master of Science degree from Auburn University, and his Ph.D from Oklahoma State University, developing his research expertise in statistics and quantitative assessments of the effects of fishing on marine resources, and

WHEREAS, Dr. Brown has worked extensively in an effort to increase the diversity of the fisheries profession, was awarded the mentorship award by the Equal Opportunity Section of the American Fisheries Society, and has received significant recognition for his work with Historically Black Colleges and Universities in expanding opportunities in marine science, and

WHEREAS, Dr. Brown is currently under contract with the National Oceanic and Atmospheric Administration to provide technical assistance to the United Nations Development Program-World Bank Global Environmental Facility Large Marine Ecosystem projects in Africa and the Caribbean, and

WHEREAS, with a 43-year track record of civil rights activism, Dr. Brown served as Vice President of the New England State Conference of Branches of the National Association for the Advancement of Colored People (NAACP); served two terms as President of the Miami-Dade NAACP; and is currently the First Vice President of, and served on three different State Advisory Committees to, the United States Civil Rights Commission, chairing both the Massachusetts and Florida committees, and

WHEREAS, Dr. Brown is a past chair of the Miami-Dade Community Relations Board and currently co-chairs its Police-Community Working Group; was a Board member of the Metro Miami Action Plan Trust (MMAP) and served as its Vice Chair; is a member of the Board of Directors for HOPE, Inc., Miami-Dade's fair housing organization; served on the Bi-Tri Committee, advising the Federal Judge on Dade School desegregation; and is now on the School Board committee on Diversity, Equity, and Excellence, and

WHEREAS, Dr. Brown is a member and Deacon of the Church of the Open Door in Liberty City, is a 23-year resident of the South Dade community, and is a member of the King of Clubs of Greater Miami, the oldest African-American based service club in Miami-Dade County, and

WHEREAS, Dr. Brown and his wife, Mable Brown, have one son, Jabari Brown, a graduate of Miami-Dade Public Schools and now a student at Tufts University, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That the Florida Senate recognizes the achievements, dedication, and leadership of Dr. Bradford E. Brown in his scientific profession and as a civil rights activist, trailblazer, and community leader.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to Dr. Bradford E. Brown as a tangible token of the sentiments of the Florida Senate.

—**SR 3002** was introduced, read and adopted by publication.

At the request of Senator Bullard—

By Senator Bullard—

SR 3018—A resolution commending Representative Edward B. Bullard for his longstanding public service and many valuable contributions to this state.

WHEREAS, State of Florida Representative Edward B. Bullard was born on November 28, 1943, on the island of Nassau in the Bahamas to Mr. and Mrs. Cyril and Violet Bullard, and

WHEREAS, the Bullard family migrated in 1954 to historic Richmond Heights, Florida, a community that cultivated his interests and where he still resides, and

WHEREAS, during his early years Representative Bullard served as a paper boy and, as he delivered the paper daily, enjoyed talking to the community's elders and leaders, many of whom he continues to mingle and talk with today, and

WHEREAS, upon graduating from Mays High School, Representative Bullard entered the United States Army in which he served until 1969 and then enrolled at Florida Agricultural and Mechanical University where he graduated with a Bachelor's of Science degree in Education and later earned a Master's of Science degree from Florida Agricultural and Mechanical University and Nova University respectively, and

WHEREAS, he then returned to Richmond Heights as a probation and parole officer and later to teach in the Miami-Dade County public school system, where he was honored as the "Teacher of the Year," and served for approximately 34 years as a teacher and school administrator, fighting for educational initiatives and instructing many of the children and grandchildren of the community elders with whom he grew up and tossed papers to, and

WHEREAS, in 1983 he married Larcenia Dunbar and has enjoyed 25 years of marital bliss and is the proud father of Vincent, Deneen, Dwight, and Edwinalynn, accepting the title of Mr. Mom while his wife, then Representative Larcenia Bullard, served in the Florida House of Representatives, and

WHEREAS, wanting to make a difference in the state, Representative Bullard succeeded his wife's lead and ran for her vacated seat in the House of Representatives, and

WHEREAS, Representative Bullard served for 2 years until his wife was elected as State Senator for District 39, making them the first previously married couple to serve in the Florida Legislature at the same time, appear on the same ballot, and serve in the same legislature body for 3 consecutive years in the United States and possibly the world, and be honored by the Tallahassee Democrat on Valentine's Day in 2004 with a feature article titled "Two Houses One Home," and

WHEREAS, Representative Bullard is a proud member of the 5000 Role Models of Excellence, American Legion Post 182, Collegian Club, Community Partnership for the Homeless, Democratic Power, Elks Lodge 1078, FAMU Alumni Association, Florida Association of Alternative School Educators, Friends of Florida Park System, Homestead-Florida City Democratic Club, King of Clubs, Miami-Dade County Democratic Club, and the NAACP; a past Keeper of Records of the Kappa Alpha Psi Fraternity Inc.; a life member of the Richmond Heights Crime Watch, Richmond Heights Homeowners Association, and American Federation of School Administrators; a past Vestry member of the Church of Ascension and Community Concert Association; and a past Board Member of the Zoological Society, and

WHEREAS, after serving four consecutive terms, Representative Bullard will soon depart his office due to term limits, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That this body commends Representative Bullard for his longstanding public service and appreciates his many valuable contributions to the residents of this state.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to Representative Bullard as a tangible token of the sentiments of the Florida Senate.

—**SR 3018** was introduced, read and adopted by publication.

At the request of Senator Gaetz—

By Senator Gaetz—

SR 3022—A resolution recognizing John B. Rogers, Jr., on the occasion of his retirement as Superintendent of the Santa Rosa County School District.

WHEREAS, John B. Rogers, Jr. will retire this year as Superintendent of the Santa Rosa County School District after a distinguished and progressive career spanning 33 years as a teacher, coach, principal, district administrator, and school superintendent, and

WHEREAS, during his 8-year tenure as superintendent from 2000 to 2008, Santa Rosa schools continued a decades-long tradition of excellence and achieved historic and unsurpassed academic accomplishments, and

WHEREAS, during Superintendent Rogers' terms in office, Santa Rosa students became the highest performing readers in Florida history, breaking every record for progress and proficiency, and

WHEREAS, under Mr. Rogers' leadership, the Santa Rosa County School District has been an "A" district every year and has consistently ranked among the top four districts in the state, with 85 percent of Santa Rosa's graded schools earning an "A" and the remaining 15 percent scoring a "B" or a "C" in 2007, the best overall quality ratings in the school district's history, and

WHEREAS, while Superintendent of Schools, Mr. Rogers has developed innovative and progressive academic programs including an on-line high school, virtual learning academies for on-line professional development, and high school academies for carpentry, automotives, and information technology, and

WHEREAS, Mr. Rogers' financial stewardship of the public's resources has been exemplary as well, earning the confidence and support of the public for continuing by referendum a half-cent sales tax for schools, building three new schools and more than 100 new classrooms and ancillary facilities, and dramatically reducing dependence on portable buildings, and

WHEREAS, Superintendent Rogers' superlative management resulted in the Harvard University School of Education's designation of the Santa Rosa schools as an exemplary national case study in learning successes and administrative leadership, NOW, THEREFORE,

Be It Resolved by the Senate of the State of Florida:

That the Senate extends heartfelt appreciation to John B. Rogers, Jr., for a lifetime of service to the people of Santa Rosa County and to their children and commends him for his professional achievements in public education.

BE IT FURTHER RESOLVED that a copy of this resolution, with the Seal of the Senate affixed, be presented to John B. Rogers, Jr., as a tangible token of the esteem of the Florida Senate.

—**SR 3022** was introduced, read and adopted by publication.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has passed CS for CS for SB 2534, with amendment(s), and requests the concurrence of the Senate.

William S. Pittman III, Chief Clerk

CS for CS for SB 2534—A bill to be entitled An act relating to health insurance; amending s. 112.363, F.S.; specifying that coverage provided through the Cover Florida Health Care Access Program is considered health insurance coverage for the purposes of determining eligibility for the state retiree health insurance subsidy; amending s. 408.909, F.S.; revising eligibility for enrollment in a health flex plan; revising the expiration date of the health flex plan program; creating s. 408.9091, F.S.; creating the Cover Florida Health Care Access Program; providing a short title; providing legislative intent; providing definitions; requiring the Agency for Health Care Administration and the Office of Insurance Regulation of the Financial Services Commission within the Department of Financial Services to jointly administer the program; providing program requirements; requiring the development of guidelines to meet minimum standards for quality care and access to care; requiring the agency to ensure that the Cover Florida plans follow standardized grievance procedures; requiring the Executive Office of the Governor, the agency, and the office to develop a public awareness program; authorizing public and private entities to design or extend incentives for participation in the Cover Florida Access Program; requiring the agency and the office to announce an invitation to negotiate for Cover Florida plan entities to design a coverage proposal; requiring the agency and the office to approve one plan entity; authorizing the agency and the office to approve one regional network plan in each existing Medicaid area; requiring the invitation to negotiate to include certain guidelines; providing certain conditions in which plans are disapproved or withdrawn; authorizing the agency and the office to announce an invitation to negotiate for companies that offer supplemental insurance or discount medical plans; providing that certain licensing requirements or ch. 641, F.S., are not applicable to a Cover Florida plan; providing that Cover Florida plans are considered insurance under certain conditions; excluding Cover Florida plans from the Florida Life and Health Insurance Guaranty Association and the Health Maintenance Organization Consumer Assistance Plan; providing requirements for eligibility in a Cover Florida plan; requiring each Cover Florida plan to maintain and provide certain records; providing that coverage under a Cover Florida plan is not an entitlement and does not give rise to a cause of action; requiring the agency and the office to evaluate the Cover Florida program and submit an annual report to the Governor and the Legislature; requiring the agency and the Financial Services Commission to adopt rules; amending s. 624.91, F.S.; revising the duties of the Florida Healthy Kids Corporation; amending s. 409.814, F.S.; revising the eligibility requirements for participation in the Medikids program or the Florida Healthy Kids program; deleting certain limitations; amending s. 627.6562, F.S.; requiring insurance policies that provide dependent coverage to provide the policyholder with the option of insuring a child until the age of 30 under certain circumstances; amending s. 627.6699, F.S.; redefining the term "small employer" for purposes of the Employee Health Care Access Act; providing an effective date.

House Amendment 1 (364545)(with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Paragraph (d) of subsection (2) of section 112.363, Florida Statutes, is amended to read:

112.363 Retiree health insurance subsidy.—

(2) ELIGIBILITY FOR RETIREE HEALTH INSURANCE SUBSIDY.—

(d) Payment of the retiree health insurance subsidy shall be made only after coverage for health insurance for the retiree or beneficiary has been certified in writing to the Department of Management Services. Participation in a former employer's group health insurance program is not a requirement for eligibility under this section. *Coverage issued pursuant to s. 408.9091 is considered health insurance for the purposes of this section.*

Section 2. Subsections (5) and (10) of section 408.909, Florida Statutes, are amended to read:

408.909 Health flex plans.—

(5) ELIGIBILITY.—Eligibility to enroll in an approved health flex plan is limited to residents of this state who:

(a)*1.* Are 64 years of age or younger;

2.~~(b)~~ Have a family income equal to or less than *300* ~~200~~ percent of the federal poverty level;

~~(c) Are eligible under a federally approved Medicaid demonstration waiver and reside in Palm Beach County or Miami-Dade County;~~

3. ~~(d)~~ Are not covered by a private insurance policy and are not eligible for coverage through a public health insurance program, such as Medicare or Medicaid, ~~unless specifically authorized under paragraph (e),~~ or another public health care program, such as Kidcare, and have not been covered at any time during the past 6 months*, except that:*

a. A person who was covered under an individual health maintenance contract issued by a health maintenance organization licensed under part I of chapter 641 that also was an approved health flex plan on October 1, 2008, may apply for coverage in the same health maintenance organization's health flex plan without a lapse in coverage if all other eligibility requirements are met; or

b. A person who was covered under Medicaid or Kidcare and lost eligibility for the Medicaid or Kidcare subsidy due to income restrictions within 90 days prior to applying for health care coverage through an approved health flex plan may apply for coverage in a health flex plan without a lapse in coverage if all other eligibility requirements are met; and

4.~~(e)~~ Have applied for health care coverage *as an individual* through an approved health flex plan and have agreed to make any payments required for participation, including periodic payments or payments due at the time health care services are provided*; or*

(b) Are part of an employer group at least 75 percent of the employees of which have a family income equal to or less than 300 percent of the federal poverty level and which employee group is not covered by a private health insurance policy and has not been covered at any time during the past 6 months. If the health flex plan entity is a health insurer, health plan, or health maintenance organization licensed under Florida law, only 50 percent of the employees must meet the income requirements for the purpose of this paragraph.

(10) EXPIRATION.—This section expires July 1, *2013* ~~2008~~.

Section 3. Section 408.9091, Florida Statutes, is created to read:

408.9091 Cover Florida Health Care Access Program.—

(1) SHORT TITLE.—This section may be cited as the "Cover Florida Health Care Access Program Act."

(2) LEGISLATIVE INTENT.—The Legislature finds that a significant number of state residents are unable to obtain affordable health insurance coverage. The Legislature also finds that existing health flex plan coverage has had limited participation due in part to narrow eligibility restrictions as well as minimal benefit options for catastrophic and emergency care coverage. Therefore, it is the intent of the Legislature to expand the availability of health care options for uninsured residents by developing an affordable health care product that emphasizes coverage for basic and preventive health care services; provides inpatient hospital, urgent, and emergency care services; and is offered statewide by approved health insurers, health maintenance organizations, health-care-provider-sponsored organizations, or health care districts.

(3) DEFINITIONS.—As used in this section, the term:

(a) "Agency" means the Agency for Health Care Administration.

(b) "Cover Florida plan" means a consumer choice benefit plan approved under this section that guarantees payment or coverage for specified benefits provided to an enrollee.

(c) "Cover Florida plan coverage" means health care services that are covered as benefits under a Cover Florida plan.

(d) "Cover Florida plan entity" means a health insurer, health maintenance organization, health-care-provider-sponsored organization, or health care district that develops and implements a Cover Florida plan and is responsible for administering the plan and paying all claims for Cover Florida plan coverage by enrollees.

(e) "Cover Florida Plus" means a supplemental insurance product, such as for additional catastrophic coverage or dental, vision, or cancer coverage, approved under this section and offered to all enrollees.

(f) "Enrollee" means an individual who has been determined to be eligible for and is receiving health insurance coverage under a Cover Florida plan.

(g) "Office" means the Office of Insurance Regulation of the Financial Services Commission.

(4) PROGRAM.—The agency and the office shall jointly establish and administer the Cover Florida Health Care Access Program.

(a) General Cover Florida plan components must require that:

1. Plans are offered on a guaranteed-issue basis to enrollees, subject to exclusions for preexisting conditions approved by the office and the agency.

2. Plans are portable such that the enrollee remains covered regardless of employment status or the cost-sharing of premiums.

3. Plans provide for cost containment through limits on the number of services, caps on benefit payments, and copayments for services.

4. A Cover Florida plan entity makes all benefit plan and marketing materials available in English and Spanish.

5. In order to provide for consumer choice, Cover Florida plan entities develop two alternative benefit option plans having different cost and benefit levels, including at least one plan that provides catastrophic coverage.

6. Plans without catastrophic coverage provide coverage options for services including, but not limited to:

a. Preventive health services, including immunizations, annual health assessments, well-woman and well-care services, and preventive screenings such as mammograms, cervical cancer screenings, and noninvasive colorectal or prostate screenings.

b. Incentives for routine preventive care.

c. Office visits for the diagnosis and treatment of illness or injury.

d. Office surgery, including anesthesia.

e. Behavioral health services.

f. Durable medical equipment and prosthetics.

g. Diabetic supplies.

7. Plans providing catastrophic coverage, at a minimum, provide coverage options for all of the services listed under subparagraph 6.; however, such plans may include, but are not limited to, coverage options for:

a. Inpatient hospital stays.

b. Hospital emergency care services.

c. Urgent care services.

d. Outpatient facility services, outpatient surgery, and outpatient diagnostic services.

8. All plans offer prescription drug benefit coverage or use a prescription drug manager such as the Florida Discount Drug Card Program.

9. Plan enrollment materials provide information in plain language on policy benefit coverage, benefit limits, cost-sharing requirements, and exclusions and a clear representation of what is not covered in the plan. The Cover Florida Health Care Access Program shall require the following disclosure to be reviewed and executed by all consumers purchasing program options or insurance coverage through the program: "In connection with the Cover Florida Health Care Access Program authorized by s. 408.9091, Florida Statutes, agents and entities offering products and services under the program shall inform the named insured, applicant, or subscriber, on a form approved by the Office of Insurance Regulation of the Financial Services Commission, that the program is not an insurance program or, if it is an insurance program, that benefits under the coverage are limited under s. 408.9091, Florida Statutes, and that such coverage is an alternative to coverage without such limitations.

10. Plans offered through a qualified employer meet the requirements of s. 125 of the Internal Revenue Code.

(b) Guidelines shall be developed to ensure that Cover Florida plans meet minimum standards for quality of care and access to care. The agency shall ensure that the Cover Florida plans follow standardized grievance procedures.

(c) Changes in Cover Florida plan benefits, premiums, and policy forms are subject to regulatory oversight by the office and the agency as provided under rules adopted by the Financial Services Commission and the agency.

(d) The agency, the office, and the Executive Office of the Governor shall develop a public awareness program to be implemented throughout the state for the promotion of the Cover Florida Health Care Access Program.

(e) Public or private entities may design programs to encourage Floridians to participate in the Cover Florida Health Care Access Program or to encourage employers to cosponsor some share of Cover Florida plan premiums for employees.

(5) PLAN PROPOSALS.—The agency and the office shall announce, no later than July 1, 2008, an invitation to negotiate for Cover Florida plan entities to design a Cover Florida plan proposal in which benefits and premiums are specified.

(a) The invitation to negotiate shall include guidelines for the review of Cover Florida plan applications, policy forms, and all associated forms and provide regulatory oversight of Cover Florida plan advertisement and marketing procedures. A plan shall be disapproved or withdrawn if the plan:

1. Contains any ambiguous, inconsistent, or misleading provisions or any exceptions or conditions that deceptively affect or limit the benefits purported to be assumed in the general coverage provided by the plan;

2. Provides benefits that are unreasonable in relation to the premium charged or contains provisions that are unfair or inequitable, that are contrary to the public policy of this state, that encourage misrepresentation, or that result in unfair discrimination in sales practices;

3. Cannot demonstrate that the plan is financially sound and that the applicant is able to underwrite or finance the health care coverage provided;

4. Cannot demonstrate that the applicant and its management are in compliance with the standards required under s. 624.404(3); or

5. Does not guarantee that enrollees may participate in the Cover Florida plan entity's comprehensive network of providers, as determined by the office, the agency, and the contract.

(b) The agency and the office may announce an invitation to negotiate for the design of Cover Florida Plus products to companies that offer supplemental insurance, discount medical plan organizations licensed under part II of chapter 636, or prepaid health clinics licensed under part II of chapter 641.

(c) The agency and office shall approve at least one Cover Florida plan entity having an existing statewide network of providers and may approve at least one regional network plan in each existing Medicaid area.

(6) LICENSE NOT REQUIRED.—

(a) The licensing requirements of the Florida Insurance Code and chapter 641 relating to health maintenance organizations do not apply to a Cover Florida plan approved under this section unless expressly made applicable. However, for the purpose of prohibiting unfair trade practices, Cover Florida plans are considered to be insurance subject to the applicable provisions of part IX of chapter 626 except as otherwise provided in this section.

(b) Cover Florida plans are not covered by the Florida Life and Health Insurance Guaranty Association under part III of chapter 631 or by the Health Maintenance Organization Consumer Assistance Plan under part IV of chapter 631.

(7) ELIGIBILITY.—Eligibility to enroll in a Cover Florida plan is limited to residents of this state who meet all of the following requirements:

(a) Are between 19 and 64 years of age, inclusive.

(b) Are not covered by a private insurance policy and are not eligible for coverage through a public health insurance program, such as Medicare, Medicaid, or Kidcare, unless eligibility for coverage lapses due to no longer meeting income or categorical requirements.

(c) Have not been covered by any health insurance program at any time during the past 6 months, unless coverage under a health insurance program was terminated within the previous 6 months due to:

1. Loss of a job that provided an employer-sponsored health benefit plan;

2. Exhaustion of coverage that was continued under COBRA or continuation-of-coverage requirements under s. 627.6692;

3. Reaching the limiting age under the policy; or

4. Death of, or divorce from, a spouse who was provided an employer-sponsored health benefit plan.

(d) Have applied for health care coverage through a Cover Florida plan and have agreed to make any payments required for participation, including periodic payments or payments due at the time health care services are provided.

(8) RECORDS.—Each Cover Florida plan must maintain enrollment data and provide network data and reasonable records to enable the office and the agency to monitor plans and to determine the financial viability of the Cover Florida plan, as necessary.

(9) NONENTITLEMENT.—Coverage under a Cover Florida plan is not an entitlement, and a cause of action does not arise against the state, a local government entity, any other political subdivision of the state, or the agency or the office for failure to make coverage available to eligible persons under this section.

(10) PROGRAM EVALUATION.—The agency and the office shall:

(a) Evaluate the Cover Florida Health Care Access Program and its effect on the entities that seek approval as Cover Florida plans, on the number of enrollees, and on the scope of the health care coverage offered under a Cover Florida plan.

(b) Provide an assessment of the Cover Florida plans and their potential applicability in other settings.

(c) Use Cover Florida plans to gather more information to evaluate low-income, consumer-driven benefit packages.

(d) Jointly submit by March 1, 2009, and annually thereafter, a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives that provides the information specified in paragraphs (a)-(c) and recommendations relating to the successful implementation and administration of the program.

(11) RULEMAKING AUTHORITY.—The agency and the Financial Services Commission may adopt rules pursuant to ss. 120.536(1) and 120.54 as needed to administer this section.

Section 4. Section 408.910, Florida Statutes, is created to read:

408.910 Florida Health Choices Program.—

(1) LEGISLATIVE INTENT.—The Legislature finds that a significant number of the residents of this state do not have adequate access to affordable, quality health care. The Legislature further finds that increasing access to affordable, quality health care will be best accomplished by establishing a competitive market for purchasing health insurance and health services. It is therefore the intent of the Legislature to create the Florida Health Choices Program to:

(a) Expand opportunities for Floridians to purchase affordable health insurance and health services.

(b) Preserve the benefits of employment-sponsored insurance while easing the administrative burden for employers who offer these benefits.

(c) Enable individual choice in both the manner and amount of health care purchased.

(d) Provide for the purchase of individual, portable health care coverage.

(e) Disseminate information to consumers on the price and quality of health services.

(f) Sponsor a competitive market that stimulates product innovation, quality improvement, and efficiency in the production and delivery of health services.

(2) DEFINITIONS.—As used in this section:

(a) "Corporation" means the Florida Health Choices, Inc., established under this section.

(b) "Health insurance agent" means an agent licensed under part IV of chapter 626.

(c) "Insurer" means an entity licensed under chapter 624 that offers an individual health insurance policy or a group health insurance policy, a preferred provider organization as defined in s. 627.6471, or an exclusive provider organization as defined in s. 627.6472.

(d) "Program" means the Florida Health Choices Program established by this section.

(3) PROGRAM PURPOSE AND COMPONENTS.—The Florida Health Choices Program is created as a single, centralized market for the sale and purchase of various products that enable individuals to pay for health care. These products include, but are not limited to, health insurance plans, health maintenance organization plans, prepaid services, service contracts, and flexible spending accounts. The components of the program include:

(a) Enrollment of employers.

(b) Administrative services for participating employers, including:

1. Assistance in seeking federal approval of cafeteria plans.

2. Collection of premiums and other payments.

3. Management of individual benefit accounts.

4. Distribution of premiums to insurers and payments to other eligible vendors.

5. Assistance for participants in complying with reporting requirements.

(c) Services to individual participants, including:

1. Information about available products and participating vendors.

2. Assistance to participating individuals for assessing the benefits and limits of each product, including information necessary to distinguish between policies offering creditable coverage and other products available through the program.

3. Account information to assist individual participants to manage available resources.

4. Services that promote healthy behaviors.

(d) Recruitment of vendors, including insurers, health maintenance organizations, prepaid clinic service providers, provider service networks, and other providers.

(e) Certification of vendors to ensure capability, reliability, and validity of offerings.

(f) Collection of data, monitoring, assessment, and reporting of vendor performance.

(g) Information services for individuals and employers.

(h) Program evaluation.

(4) ELIGIBILITY AND PARTICIPATION.—Participation in the program is voluntary and shall be available to employers, individuals, vendors, and health insurance agents as specified in this subsection.

(a) Employers eligible to enroll in the program include:

1. Employers with 1 to 50 employees.

2. Fiscally constrained counties described in s. 218.67.

3. Municipalities with populations of fewer than 50,000 residents.

4. School districts in fiscally constrained counties.

(b) Individuals eligible to participate in the program include:

1. Individual employees of enrolled employers.

2. State employees not eligible for state employee health benefits.

3. State retirees.

4. Medicaid reform participants who select the opt-out provision of reform.

5. Statutory rural hospitals.

(c) Employers who choose to participate in the program may enroll by complying with the procedures established by the corporation. These procedures shall include, but not be limited to, the following:

1. Submission of required information.

2. Compliance with federal tax requirements for the establishment of a cafeteria plan, pursuant to s. 125 of the Internal Revenue Code, including designation of the employer's plan as a premium payment plan, a salary reduction plan with flexible spending arrangements, or a salary reduction plan with a premium payment and flexible spending arrangements.

3. Determination of the employer's contribution, if any, per employee, provided that such contribution is equal for each eligible employee.

4. Establishment of payroll deduction procedures, subject to the agreement of each individual employee who voluntarily participates in the program.

5. Designation of the corporation as the third-party administrator for the employer's health benefit plan.

6. Identification of eligible employees.

7. Arrangement for periodic payments.

(d) Eligible vendors and the products and services that they are permitted to sell are as follows:

1. Insurers licensed under chapter 624 may sell health insurance policies, limited benefit policies, other risk-bearing coverage, and other products or services.

2. Health maintenance organizations licensed under part I of chapter 641 may sell health insurance policies, limited benefit policies, other risk-bearing products, and other products or services.

3. Prepaid health clinic service providers licensed under part II of chapter 641 may sell prepaid service contracts and other arrangements for a specified amount and type of health services or treatments.

4. Health care providers, including hospitals and other licensed health facilities, health care clinics, licensed health professionals, pharmacies, and other licensed health care providers, may sell service contracts and arrangements for a specified amount and type of health services or treatments.

5. Provider organizations, including service networks, group practices, professional associations, and other incorporated organizations of providers, may sell service contracts and arrangements for a specified amount and type of health services or treatments.

6. Corporate entities providing specific health services in accordance with applicable state law may sell service contracts and arrangements for a specified amount and type of health services or treatments.

A vendor described in subparagraphs 3.-6. may not sell products that provide risk-bearing coverage unless that vendor is authorized under a certificate of authority issued by the Office of Insurance Regulation under the provisions of the Florida Insurance Code. Otherwise eligible vendors may be excluded from participating in the program for deceptive or predatory practices, financial insolvency, or failure to comply with the terms of the participation agreement or other standards set by the corporation.

(e) Eligible individuals may voluntarily continue participation in the program regardless of subsequent changes in job status or Medicaid eligibility. Individuals who join the program may participate by complying with the procedures established by the corporation. These procedures shall include, but are not limited to:

1. Submission of required information.

2. Authorization for payroll deduction.

3. Compliance with federal tax requirements.

4. Arrangements for payment in the event of job changes.

5. Selection of products and services.

(f) Vendors who choose to participate in the program may enroll by complying with the procedures established by the corporation. These procedures shall include, but are not limited to:

1. Submission of required information, including a complete description of the coverage, services, provider network, payment restrictions, and other requirements of each product offered through the program.

2. Execution of an agreement to make all products offered through the program available to all individual participants.

3. Establishment of product prices based on age, gender, and location of the individual participant.

4. Arrangements for receiving payment for enrolled participants.

5. Participation in ongoing reporting processes established by the corporation.

6. Compliance with grievance procedures established by the corporation.

(g) Health insurance agents licensed under part IV of chapter 626 are eligible to voluntarily participate as buyers' representatives. A buyer's representative acts on behalf of an individual purchasing health insurance and health services through the program by providing information about products and services available through the program and assisting the individual with both the decision and the procedure of selecting specific products. Serving as a buyer's representative does not constitute a conflict of interest with continuing responsibilities as a health insurance agent provided the relationship between each agent and any participating vendor is disclosed prior to advising an individual participant about the products and services available through the program. In order to participate, a health insurance agent shall comply with the procedures established by the corporation, including:

1. Completion of training requirements.

2. Execution of a participation agreement specifying the terms and conditions of participation.

3. Disclosure of any appointments to solicit insurance or procure applications for vendors participating in the program.

4. Arrangements to receive payment from the corporation for services as a buyer's representative.

(5) PRODUCTS.—

(a) The products that may be made available for purchase through the program include, but are not limited to:

1. Health insurance policies.

2. Limited benefit plans.

3. Prepaid clinic services.

4. Service contracts.

5. Arrangements for purchase of specific amounts and types of health services and treatments.

6. Flexible spending accounts.

(b) Health insurance policies, limited benefit plans, prepaid service contracts, and other contracts for services must ensure the availability of covered services and benefits to participating individuals for at least 1 full enrollment year.

(c) Products may be offered for multiyear periods provided the price of the product is specified for the entire period or for each separately priced segment of the policy or contract.

(d) The corporation shall require the following disclosure to be reviewed and executed by all consumers purchasing program options or insurance coverage through the corporation: "In connection with the Florida Health Choices Program authorized by s. 408.910, Florida Statutes, agents and entities offering products and services under the program shall inform the named insured, applicant, or subscriber, on a form approved by the Office of Insurance Regulation of the Financial Services Commission, that the products and services are not insurance or, if they are insurance, that benefits under the coverage are limited under s. 408.910, Florida Statutes, and that such coverage is an alternative to coverage without such limitations. If the form is signed by a named insured, applicant, or subscriber, it shall be presumed that there was an informed, knowing acceptance of such limitations."

(6) PRICING.—Prices for the products sold through the program shall be transparent to participants and established by the vendors based on age, gender, and location of participants. The corporation shall develop a methodology to evaluate the actuarial soundness of products offered through the program. The methodology shall be reviewed by the Office of Insurance Regulation prior to use by the corporation. Prior to making the product available to individual participants, the corporation shall use the methodology to compare the expected health care costs for the covered services and benefits to the vendor's price for that coverage. The results shall be reported to individuals participating in the program. Once established, the price set by the vendor must remain in force for at least 1 year and may only be redetermined by the vendor at the next annual enrollment period. The corporation shall annually assess a surcharge for each premium or price set by a participating vendor. This surcharge may not be more than 2.5 percent of the price and shall be used to generate funding for administrative services provided by the corporation and payments to buyers' representatives.

(7) EXCHANGE PROCESS.—The program shall provide a single, centralized market for purchase of health insurance and health services. Purchases may be made by participating individuals over the Internet or through the services of a participating health insurance agent. Information about each product and service available through the program shall be made available through printed material and an interactive Internet

website. A participant needing personal assistance to select products and services shall be referred to a participating agent in his or her area.

(a) Participation in the program may begin at any time during a year when the employer completes enrollment and meets the requirements specified by the corporation pursuant to paragraph (4)(c).

(b) Initial selection of products and services must be made by an individual participant within 60 days after the date on which the individual's employer qualified for participation. An individual who fails to enroll in products and services by the end of this period shall be limited to participation in flexible spending account services until the next annual enrollment period.

(c) Initial enrollment periods for each product selected by an individual participant must last a minimum of 12 months, unless the individual participant specifically agrees to a different enrollment period.

(d) When an individual has selected one or more products and enrolled in those products for at least 12 months or any other period specifically agreed to by the individual participant, changes in selected products and services may only be made during the annual enrollment period established by the corporation.

(e) The limits established in paragraphs (b)-(d) apply to any risk-bearing product that promises future payment or coverage for a variable amount of benefits or services. The limits do not apply to initiation of flexible spending plans when those plans are not associated with specific high-deductible insurance policies or to the use of spending accounts for any products offering individual participants specific amounts and types of health services and treatments at a contracted price.

(8) RISK POOLING.—The program shall utilize methods for pooling the risk of individual participants and preventing selection bias. These methods shall include, but not be limited to, a postenrollment risk adjustment of the premium payments to the vendors. The corporation shall establish a methodology for assessing the risk of enrolled individual participants based on data reported by the vendors about their enrollees. Monthly distributions of payments to the vendors shall be adjusted based on the assessed relative risk profile of the enrollees in each risk-bearing product for the most recent period for which data is available.

(9) EXEMPTIONS.—

(a) Policies sold as part of the program are not subject to the licensing requirements of the Florida Insurance Code, chapter 641, or the mandated offerings or coverages established in part VI of chapter 627 and chapter 641.

(b) The corporation is authorized to act as an administrator as defined in s. 626.88. However, the corporation is not subject to the licensing requirements of part VII of chapter 626.

(10) LIQUIDATION OR DISSOLUTION.—The Department of Financial Services shall supervise any liquidation or dissolution of the corporation and shall have, with respect to such liquidation or dissolution, all power granted to it pursuant to the Florida Insurance Code.

(11) CORPORATION.—There is created the Florida Health Choices, Inc., which shall be registered, incorporated, organized, and operated in compliance with chapter 617. The purpose of the corporation is to administer the program created in this section and to conduct such other business as may further the administration of the program.

(a) The corporation shall be governed by a board of directors consisting of 15 individuals appointed in the following manner:

1. Five members appointed by and serving at the pleasure of the Governor, consisting of:

a. The Secretary of Health Care Administration or a designee with expertise in health care services.

b. The Secretary of Management Services or a designee with expertise in state employee benefits.

c. The Commissioner of the Office of Insurance Regulation or a designee with expertise in insurance regulation.

d. Two representatives of eligible public employers.

2. Five members appointed by and serving at the pleasure of the President of the Senate, consisting of representatives of employers, insurers, health care providers, health insurance agents, and individual participants.

3. Five members appointed by and serving at the pleasure of the Speaker of the House of Representatives, consisting of representatives of employers, insurers, health care providers, health insurance agents, and individual participants.

(b) Members shall be appointed for terms of up to 3 years. Any member is eligible for reappointment. A vacancy on the board shall be filled for the unexpired portion of the term in the same manner as the original appointment.

(c) The board shall select a chief executive officer for the corporation who shall be responsible for the selection of such other staff as may be authorized by the corporation's operating budget as adopted by the board.

(d) Board members are entitled to receive, from funds of the corporation, reimbursement for per diem and travel expenses as provided by s. 112.061. No other compensation is authorized.

(e) There shall be no liability on the part of, and no cause of action shall arise against, any member of the board or its employees or agents for any action taken by them in the performance of their powers and duties under this section.

(f) The board shall develop and adopt bylaws and other corporate procedures as necessary for the operation of the corporation and carrying out the purposes of this section. The bylaws shall:

1. Specify procedures for selection of officers and qualifications for reappointment, provided that no board member shall serve more than 9 consecutive years.

2. Require an annual membership meeting that provides an opportunity for input and interaction with individual participants in the program.

3. Specify policies and procedures regarding conflicts of interest, including prohibiting a member from participating in any decision that would inure to the benefit of the member or the organization that employs the member. The policies and procedures shall also require public disclosure of the interest that prevents the member from participating in a decision on a particular matter.

(g) The corporation may exercise all powers granted to it under chapter 617 necessary to carry out the purposes of this section, including, but not limited to, the power to receive and accept grants, loans, or advances of funds from any public or private agency and to receive and accept from any source contributions of money, property, labor, or any other thing of value to be held, used, and applied for the purposes of this section.

(h) The corporation shall:

1. Determine eligibility of employers, vendors, individuals, and agents in accordance with subsection (4).

2. Establish procedures necessary for the operation of the program, including, but not limited to, procedures for application, enrollment, risk assessment, risk adjustment, plan administration, performance monitoring, and consumer education.

3. Arrange for collection of contributions from participating employers and individuals.

4. Arrange for payment of premiums and other appropriate disbursements based on the selections of products and services by the individual participants.

5. Establish criteria for disenrollment of participating individuals based on failure to pay the individual's share of any contribution required to maintain enrollment in selected products.

6. Establish criteria for exclusion of vendors pursuant to paragraph (4)(d).

7. Develop and implement a plan for promoting public awareness of and participation in the program.

8. Secure staff and consultant services necessary to the operation of the program.

9. Establish policies and procedures regarding participation in the program for individuals, vendors, health insurance agents, and employers.

10. Develop a plan, in coordination with the Department of Revenue, to establish tax credits or refunds for employers that participate in the program. The corporation shall submit the plan to the Governor, the President of the Senate, and the Speaker of the House of Representatives no later than January 1, 2009.

11. Beginning in fiscal year 2009-2010, submit by February 1 an annual report to the Governor, the President of the Senate, and the Speaker of the House of Representatives documenting the corporation's activities in compliance with the duties delineated in this section.

(i) To ensure program integrity and to safeguard the financial transactions made under the auspices of the program, the corporation is authorized to establish qualifying criteria and certification procedures for vendors, require performance bonds or other guarantees of ability to complete contractual obligations, monitor the performance of vendors, and enforce the agreements of the program through financial penalty or disqualification from the program.

Section 5. Subsection (22) of section 409.811, Florida Statutes, is amended to read:

409.811 Definitions relating to Florida Kidcare Act.—As used in ss. 409.810-409.820, the term:

(22) "Premium assistance payment" means the monthly consideration paid by the agency per enrollee in the Florida Kidcare program towards health insurance premiums *and may include the direct payment of the premium for a qualifying child to be covered as a dependent under an employer-sponsored group family plan when such payment does not exceed the payment required for an enrollee in the Florida Kidcare program* .

Section 6. Section 624.1265, Florida Statutes, is created to read:

624.1265 Nonprofit religious organization exemption; authority; notice.—

(1) Any nonprofit religious organization that qualifies under Title 26, s. 501 of the Internal Revenue Code of 1986, as amended; that limits its participants to members of the same religion; that acts as an organizational clearinghouse for information between participants who have financial, physical, or medical needs and participants with the ability to pay for the benefit of those participants with financial, physical, or medical needs; that provides for the financial or medical needs of a participant through payments directly from one participant to another; and that suggests amounts that participants may voluntarily give with no assumption of risk or promise to pay either among the participants or between the participants and the organization are not subject to any requirements of the Florida Insurance Code.

(2) Nothing in this section prevents the organization described in subsection (1) from establishing qualifications of participation relating to the health of a prospective participant, prevents a participant from limiting the financial or medical needs that may be eligible for payment, or prevents the organization from canceling the membership of a participant when such participant indicates his or her unwillingness to participate by failing to make a payment to another participant for a period in excess of 60 days.

(3) The organization described in subsection (1) shall provide each prospective participant in the organizational clearinghouse written notice that the organization is not an insurance company, that membership is not offered through an insurance company, and that the organization is not subject to the regulatory requirements or consumer protections of the Florida Insurance Code.

Section 7. Section 627.6562, Florida Statutes, is amended to read:

627.6562 Dependent coverage.—

(1) If an insurer offers coverage that insures dependent children of the policyholder or certificateholder, the policy must insure a dependent child of the policyholder or certificateholder at least until the end of the calendar year in which the child reaches the age of 25, if the child meets all of the following:

(a) The child is dependent upon the policyholder or certificateholder for support.

(b) The child is living in the household of the policyholder or certificateholder, or the child is a full-time or part-time student.

(2) A policy that is subject to the requirements of subsection (1) must also offer the policyholder or certificateholder the option to insure a child of the policyholder or certificateholder at least until the end of the calendar year in which the child reaches the age of 30, if the child:

(a) Is unmarried and does not have a dependent of his or her own;

(b) Is a resident of this state or a full-time or part-time student; and

(c) Is not provided coverage as a named subscriber, insured, enrollee, or covered person under any other group, blanket, or franchise health insurance policy or individual health benefits plan, or entitled to benefits under Title XVIII of the Social Security Act.

(3) If, pursuant to subsection (2), a child is provided coverage under the parent's policy after the end of the calendar year in which the child reaches age 25, and coverage for the child is subsequently terminated, the child is not eligible to be covered under the parent's policy unless the child was continuously covered by other creditable coverage without a gap in coverage of more than 63 days. For the purposes of this subsection, the term "creditable coverage" has the same meaning as defined in s. 627.6561(5).

(4)~~(2)~~ ~~Nothing in~~ This section *does not affect or preempt* ~~affects or preempts~~ an insurer's right to medically underwrite or charge the appropriate premium.

(b) Require coverage for services provided to a dependent before October 1, 2008.

(c) Require an employer to pay all or part of the cost of coverage provided for a dependent under this section.

(d) Prohibit an insurer or health maintenance organization from increasing the limiting age for dependent coverage to age 30 in policies or contracts issued or renewed prior to the effective date of this act.

(5) Until April 1, 2009, a dependent child who qualifies for coverage under subsection (1) but whose coverage as a dependent child under a covered person's plan terminated under the terms of the plan before October 1, 2008, may make a written election to reinstate coverage, without proof of insurability, under that plan as a dependent child pursuant to this section. All other dependent children who qualify for coverage under subsection (1) shall be automatically covered at least until the end of the calendar year in which the child reaches the age of 30, unless the covered person provides the group policyholder with written evidence the dependent child is married, is not a resident of the state, is covered under a separate comprehensive health insurance policy or a health benefit plan, is entitled to benefits under Title XVIII of the Social Security Act, Pub. L. No. 89-97, 42 U.S.C. ss. 1935 et seq., or is eligible for coverage as an employee under an employer-sponsored health plan.

(6) The covered person's plan may require the payment of a premium by the covered person or dependent child, as appropriate, subject to the approval of the Office of Insurance Regulation, for any period of coverage relating to a dependent's written election for coverage pursuant to subsection (3).

(7) Notice regarding the reinstatement of coverage for a dependent child as provided under this section must be provided to a covered person in the certificate of coverage prepared for covered persons by the insurer or by the covered person's employer. The notice shall be given as soon as practicable after July 1, 2008, and such notice may be given through the group policyholder.

(8) This section does not apply to accident only, specified disease, disability income, Medicare supplement, or long-term care insurance policies.

(9) This section applies to all group, blanket, and franchise health insurance policies covering residents of this state, including, but not limited to, policies in which the carrier has reserved the right to change the premium. This section applies to all individual, group, blanket, and franchise health insurance policies and health maintenance contracts issued, renewed, or amended after October 1, 2008.

Section 8. Subsections (1), (4), and (6) of section 641.402, Florida Statutes, are amended to read:

641.402 Definitions.—As used in this part, the term:

(1) "Basic services" includes any of the following: *limited hospital inpatient services, which may include hospital inpatient physician services, up to a maximum of coverage benefit of 5 days and a maximum dollar amount of coverage of $15,000 per calendar year;* emergency care*;*~~,~~ physician care other than hospital inpatient physician services*;*~~,~~ ambulatory diagnostic treatment*;*~~,~~ and preventive health care services.

(4) "Prepaid health clinic" means any organization authorized under this part which provides, either directly or through arrangements with other persons, basic services to persons enrolled with such organization, on a prepaid per capita or prepaid aggregate fixed-sum basis, including those basic services *described in this part* which subscribers might reasonably require to maintain good health. ~~However, no clinic that provides or contracts for, either directly or indirectly, inpatient hospital services, hospital inpatient physician services, or indemnity against the cost of such services shall be a prepaid health clinic.~~

(6) "Provider" means any physician or person ~~other than a hospital~~ that furnishes health care services *under this part* and is licensed or authorized to practice in this state.

Section 9. This act shall take effect upon becoming a law.

And the title is amended as follows:

Remove the entire title and insert:

A bill to be entitled An act relating to affordable health coverage; amending s. 112.363, F.S.; specifying that coverage provided through the Cover Florida Health Care Access Program is considered health insurance coverage for the purposes of determining eligibility for the state retiree health insurance subsidy; amending s. 408.909, F.S.; revising eligibility requirements; providing cetain exemptions from the 6-month lapse in coverage requirement; extending the expiration date of the health flex plan; creating s. 408.9091, F.S.; creating the Cover Florida Health Care Access Program; providing a short title; providing legislative intent; providing definitions; requiring the agency and the Office of Insurance Regulation of the Financial Services Commission within the Department of Financial Services to jointly administer the program; providing program requirements; requiring the development of guidelines to meet minimum standards for quality of care and access to care; requiring the agency to ensure that the Cover Florida plans follow standardized grievance procedures; requiring the office and the agency to oversee changes to plan benefits; requiring the Executive Office of the Governor, the agency, and the office to develop a public awareness program; authorizing public and private entities to design programs to encourage or extend incentives for participation in the Cover Florida Health Care Access Program; requiring the agency and the office to announce an invitation to negotiate for Cover Florida plan entities to design a coverage proposal; requiring the invitation to negotiate to include certain guidelines; providing certain conditions under which plans are disapproved or withdrawn; authorizing the agency and the office to announce an invitation to negotiate for companies that offer supplemental insurance or discount medical plans; requiring the agency and the office to approve at least one plan entity; authorizing the agency and the office to approve one regional network plan in each existing Medicaid area; providing that certain licensing requirements are not applicable to a Cover Florida plan; providing that Cover Florida plans are considered insurance under certain conditions; excluding Cover Florida plans from the Florida Life and Health Insurance Guaranty Association and the Health Maintenance Organization Consumer Assistance Plan; providing requirements for eligibility for a Cover Florida plan; requiring each Cover Florida plan to maintain and provide certain records; providing that coverage under a Cover Florida plan is not an entitlement and does not give rise to a cause of action; requiring the agency and the office to evaluate the program and submit an annual report to the Governor and the Legislature; authorizing the agency and the Financial Services Commission to adopt rules; creating s. 408.910, F.S.; establishing the Florida Health Choices Program; providing legislative intent; providing definitions; providing program purpose and components; providing employer eligibility criteria; providing individual eligibility criteria; providing employer enrollment criteria; providing vendor, product, and service eligibility criteria; providing for individual participation regardless of subsequent job status or Medicaid eligibility; providing individual enrollment criteria; providing vendor enrollment criteria; providing for participation by health insurance agents; providing criteria for products available for purchase; providing criteria for product pricing; providing for an administrative surcharge; providing for an exchange process; providing for enrollment periods and changes in selected products; providing methods for the pooling of risk; providing for exemptions from certain statutory provisions, mandated offerings and coverages, and licensing requirements; creating the Florida Health Choices, Inc.; requiring the department to supervise any liquidation or dissolution of the corporation; providing for corporate governance and board membership and terms; providing for reimbursement for per diem and travel expenses; providing for powers and duties of the corporation; requiring the corporation to coordinate with the Department of Revenue to develop a plan by January 1, 2009, for creating tax exemptions or refunds for participating in the program; requiring the corporation to submit an annual report to the Governor and Legislature; authorizing the corporation to establish and enforce certain program integrity measures; amending s. 409.811, F.S.; revising the definition of the term "premium assistance payment"; creating s. 624.1265, F.S.; exempting certain nonprofit religious organizations from requirements of the Florida Insurance Code; preserving certain authority of such organizations; requiring such organizations to provide certain notice to prospective participants; providing notice requirements; amending s. 627.6562, F.S.; requiring insurance policies that provide dependent coverage to provide the policyholder with the option of insuring a child until the age of 30 under certain circumstances; amending s. 627.6699, F.S.; requiring participation of employees in health maintenance contracts or policies issued or renewed after a specified date; providing conditions for employers and employees to opt out of such coverage; amending s. 641.402, F.S.; revising the definition of the term "basic services" to include certain hospital inpatient services; revising the definitions of the terms "prepaid health clinic" and "provider"; providing an effective date.

Senator Peaden moved the following amendment which was adopted:

Senate Amendment 1 (700952) (with title amendment) to House Amendment 1—Delete line(s) 5-872 and insert:

Section 1. Paragraph (d) of subsection (2) of section 112.363, Florida Statutes, is amended to read:

112.363 Retiree health insurance subsidy.—

(2) ELIGIBILITY FOR RETIREE HEALTH INSURANCE SUBSIDY.—

(d) Payment of the retiree health insurance subsidy shall be made only after coverage for health insurance for the retiree or beneficiary has been certified in writing to the Department of Management Services. Participation in a former employer's group health insurance program is not a requirement for eligibility under this section. *Coverage issued pursuant to s. 408.9091 is considered health insurance for the purposes of this section.*

Section 2. Subsections (5) and (10) of section 408.909, Florida Statutes, are amended to read:

408.909 Health flex plans.—

(5) ELIGIBILITY.—Eligibility to enroll in an approved health flex plan is limited to residents of this state who:

(a)*1.* Are 64 years of age or younger;

2.~~(b)~~ Have a family income equal to or less than *300* ~~200~~ percent of the federal poverty level;

~~(c) Are eligible under a federally approved Medicaid demonstration waiver and reside in Palm Beach County or Miami-Dade County;~~

3.~~(d)~~ Are not covered by a private insurance policy and are not eligible for coverage through a public health insurance program, such as Medicare or Medicaid, ~~unless specifically authorized under paragraph (e),~~ or another public health care program, such as Kidcare, and have not been covered at any time during the past 6 months*, except that:*

a. A person who was covered under an individual health maintenance contract issued by a health maintenance organization licensed under part I of chapter 641 which was also an approved health flex plan on October 1, 2008, may apply for coverage in the same health maintenance organization's health flex plan without a lapse in coverage if all other eligibility requirements are met; or

b. A person who was covered under Medicaid or Kidcare and lost eligibility for the Medicaid or Kidcare subsidy due to income restrictions within 90 days prior to applying for health care coverage through an approved health flex plan may apply for coverage in a health flex plan without a lapse in coverage if all other eligibility requirements are met; and

4.~~(e)~~ Have applied for health care coverage *as an individual* through an approved health flex plan and have agreed to make any payments required for participation, including periodic payments or payments due at the time health care services are provided*; or*

(b) Are part of an employer group of which at least 75 percent of the employees have a family income equal to or less than 300 percent of the federal poverty level and the employer group is not covered by a private health insurance policy and has not been covered at any time during the past 6 months. If the health flex plan entity is a health insurer, health plan, or health maintenance organization licensed under Florida law, only 50 percent of the employees must meet the income requirements for the purpose of this paragraph.

(10) EXPIRATION.—This section expires July 1, *2013* ~~2008~~.

Section 3. Section 408.9091, Florida Statutes, is created to read:

408.9091 Cover Florida Health Care Access Program.—

(1) SHORT TITLE.—This section may be cited as the "Cover Florida Health Care Access Program Act."

(2) LEGISLATIVE INTENT.—The Legislature finds that a significant number of state residents are unable to obtain affordable health insurance coverage. The Legislature also finds that existing health flex plan coverage has had limited participation due in part to narrow eligibility restrictions as well as minimal benefit options for catastrophic and emergency care coverage. Therefore, it is the intent of the Legislature to expand the availability of health care options for uninsured residents by developing an affordable health care product that emphasizes coverage for basic and preventive health care services; provides inpatient hospital, urgent, and emergency care services; and is offered statewide by approved health insurers, health maintenance organizations, health-care-provider-sponsored organizations, or health care districts.

(3) DEFINITIONS.—As used in this section, the term:

(a) "Agency" means the Agency for Health Care Administration.

(b) "Cover Florida plan" means a consumer choice benefit plan approved under this section which guarantees payment or coverage for specified benefits provided to an enrollee.

(c) "Cover Florida plan coverage" means health care services that are covered as benefits under a Cover Florida plan.

(d) "Cover Florida plan entity" means a health insurer, health maintenance organization, health-care-provider-sponsored organization, or health care district that develops and implements a Cover Florida plan and is responsible for administering the plan and paying all claims for Cover Florida plan coverage by enrollees.

(e) "Cover Florida Plus" means a supplemental insurance product, such as for additional catastrophic coverage or dental, vision, or cancer coverage, approved under this section and offered to all enrollees.

(f) "Enrollee" means an individual who has been determined to be eligible for and is receiving health insurance coverage under a Cover Florida plan.

(g) "Office" means the Office of Insurance Regulation of the Financial Services Commission.

(4) PROGRAM.—The agency and the office shall jointly establish and administer the Cover Florida Health Care Access Program.

(a) General Cover Florida plan components must require that:

1. Plans are offered on a guaranteed-issue basis to enrollees, subject to exclusions for preexisting conditions approved by the office and the agency.

2. Plans are portable such that the enrollee remains covered regardless of employment status or the cost-sharing of premiums.

3. Plans provide for cost containment through limits on the number of services, caps on benefit payments, and copayments for services.

4. A Cover Florida plan entity makes all benefit plan and marketing materials available in English and Spanish.

5. In order to provide for consumer choice, Cover Florida plan entities develop two alternative benefit option plans having different cost and benefit levels, including at least one plan that provides catastrophic coverage.

6. Plans without catastrophic coverage provide coverage options for services including, but not limited to:

a. Preventive health services, including immunizations, annual health assessments, well-woman and well-care services, and preventive screenings such as mammograms, cervical cancer screenings, and noninvasive colorectal or prostate screenings.

b. Incentives for routine preventive care.

c. Office visits for the diagnosis and treatment of illness or injury.

d. Office surgery, including anesthesia.

e. Behavioral health services.

f. Durable medical equipment and prosthetics.

g. Diabetic supplies.

7. Plans providing catastrophic coverage, at a minimum, provide coverage options for all of the services listed under subparagraph 6.; however, such plans may include, but are not limited to, coverage options for:

a. Inpatient hospital stays.

b. Hospital emergency care services.

c. Urgent care services.

d. Outpatient facility services, outpatient surgery, and outpatient diagnostic services.

8. All plans offer prescription drug benefit coverage, use a prescription drug manager, or offer a discount drug card.

9. Plan enrollment materials provide information in plain language on policy benefit coverage, benefit limits, cost-sharing requirements, and exclusions and a clear representation of what is not covered in the plan. Such enrollment materials must include a standard disclosure form adopted by rule by the Financial Services Commission, to be reviewed and executed by all consumers purchasing Cover Florida plan coverage.

10. Plans offered through a qualified employer meet the requirements of s. 125 of the Internal Revenue Code.

(b) Guidelines shall be developed to ensure that Cover Florida plans meet minimum standards for quality of care and access to care. The agency shall ensure that the Cover Florida plans follow standardized grievance procedures.

(c) Changes in Cover Florida plan benefits, premiums, and policy forms are subject to regulatory oversight by the office and the agency as

provided under rules adopted by the Financial Services Commission and the agency.

(d) The agency, the office, and the Executive Office of the Governor shall develop a public awareness program to be implemented throughout the state for the promotion of the Cover Florida Health Care Access Program.

(e) Public or private entities may design programs to encourage Floridians to participate in the Cover Florida Health Care Access Program or to encourage employers to cosponsor some share of Cover Florida plan premiums for employees.

(5) PLAN PROPOSALS.—The agency and the office shall announce, no later than July 1, 2008, an invitation to negotiate for Cover Florida plan entities to design a Cover Florida plan proposal in which benefits and premiums are specified.

(a) The invitation to negotiate shall include guidelines for the review of Cover Florida plan applications, policy forms, and all associated forms and provide regulatory oversight of Cover Florida plan advertisement and marketing procedures. A plan shall be disapproved or withdrawn if the plan:

1. Contains any ambiguous, inconsistent, or misleading provisions or any exceptions or conditions that deceptively affect or limit the benefits purported to be assumed in the general coverage provided by the plan;

2. Provides benefits that are unreasonable in relation to the premium charged or contains provisions that are unfair or inequitable, that are contrary to the public policy of this state, that encourage misrepresentation, or that result in unfair discrimination in sales practices;

3. Cannot demonstrate that the plan is financially sound and that the applicant is able to underwrite or finance the health care coverage provided;

4. Cannot demonstrate that the applicant and its management are in compliance with the standards required under s. 624.404(3); or

5. Does not guarantee that enrollees may participate in the Cover Florida plan entity's comprehensive network of providers, as determined by the office, the agency, and the contract.

(b) The agency and the office may announce an invitation to negotiate for the design of Cover Florida Plus products to companies that offer supplemental insurance, discount medical plan organizations licensed under part II of chapter 636, or prepaid health clinics licensed under part II of chapter 641.

(c) The agency and office shall approve at least one Cover Florida plan entity having an existing statewide network of providers and may approve at least one regional network plan in each existing Medicaid area.

(6) LICENSE NOT REQUIRED.—

(a) The licensing requirements of the Florida Insurance Code and chapter 641 relating to health maintenance organizations do not apply to a Cover Florida plan approved under this section unless expressly made applicable. However, for the purpose of prohibiting unfair trade practices, Cover Florida plans are considered to be insurance subject to the applicable provisions of part IX of chapter 626 except as otherwise provided in this section.

(b) Cover Florida plans are not covered by the Florida Life and Health Insurance Guaranty Association under part III of chapter 631 or by the Health Maintenance Organization Consumer Assistance Plan under part IV of chapter 631.

(7) ELIGIBILITY.—Eligibility to enroll in a Cover Florida plan is limited to residents of this state who meet all of the following requirements:

(a) Are between 19 and 64 years of age, inclusive.

(b) Are not covered by a private insurance policy and are not eligible for coverage through a public health insurance program, such as Medicare, Medicaid, or Kidcare, unless eligibility for coverage lapses due to no longer meeting income or categorical requirements.

(c) Have not been covered by any health insurance program at any time during the past 6 months, unless coverage under a health insurance program was terminated within the previous 6 months due to:

1. Loss of a job that provided an employer-sponsored health benefit plan;

2. Exhaustion of coverage that was continued under COBRA or continuation-of-coverage requirements under s. 627.6692;

3. Reaching the limiting age under the policy; or

4. Death of, or divorce from, a spouse who was provided an employer-sponsored health benefit plan.

(d) Have applied for health care coverage through a Cover Florida plan and have agreed to make any payments required for participation, including periodic payments or payments due at the time health care services are provided.

(8) RECORDS.—Each Cover Florida plan must maintain enrollment data and provide network data and reasonable records to enable the office and the agency to monitor plans and to determine the financial viability of the Cover Florida plan, as necessary.

(9) NONENTITLEMENT.—Coverage under a Cover Florida plan is not an entitlement, and a cause of action does not arise against the state, a local government entity, any other political subdivision of the state, or the agency or the office for failure to make coverage available to eligible persons under this section.

(10) PROGRAM EVALUATION.—The agency and the office shall:

(a) Evaluate the Cover Florida Health Care Access Program and its effect on the entities that seek approval as Cover Florida plans, on the number of enrollees, and on the scope of the health care coverage offered under a Cover Florida plan.

(b) Provide an assessment of the Cover Florida plans and their potential applicability in other settings.

(c) Use Cover Florida plans to gather more information to evaluate low-income, consumer-driven benefit packages.

(d) Jointly submit by March 1, 2009, and annually thereafter, a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives which provides the information specified in paragraphs (a)-(c) and recommendations relating to the successful implementation and administration of the program.

(11) RULEMAKING AUTHORITY.—The agency and the Financial Services Commission may adopt rules pursuant to ss. 120.536(1) and 120.54 as needed to administer this section.

Section 4. Section 408.910, Florida Statutes, is created to read:

408.910 Florida Health Choices Program.—

(1) LEGISLATIVE INTENT.—The Legislature finds that a significant number of the residents of this state do not have adequate access to affordable, quality health care. The Legislature further finds that increasing access to affordable, quality health care can be best accomplished by establishing a competitive market for purchasing health insurance and health services. It is therefore the intent of the Legislature to create the Florida Health Choices Program to:

(a) Expand opportunities for Floridians to purchase affordable health insurance and health services.

(b) Preserve the benefits of employment-sponsored insurance while easing the administrative burden for employers who offer these benefits.

(c) Enable individual choice in both the manner and amount of health care purchased.

(d) Provide for the purchase of individual, portable health care coverage.

(e) Disseminate information to consumers on the price and quality of health services.

(f) Sponsor a competitive market that stimulates product innovation, quality improvement, and efficiency in the production and delivery of health services.

(2) DEFINITIONS.—As used in this section, the term:

(a) "Corporation" means the Florida Health Choices, Inc., established under this section.

(b) "Health insurance agent" means an agent licensed under part IV of chapter 626.

(c) "Insurer" means an entity licensed under chapter 624 which offers an individual health insurance policy or a group health insurance policy, a preferred provider organization as defined in s. 627.6471, or an exclusive provider organization as defined in s. 627.6472.

(d) "Program" means the Florida Health Choices Program established by this section.

(3) PROGRAM PURPOSE AND COMPONENTS.—The Florida Health Choices Program is created as a single, centralized market for the sale and purchase of various products that enable individuals to pay for health care. These products include, but are not limited to, health insurance plans, health maintenance organization plans, prepaid services, service contracts, and flexible spending accounts. The components of the program include:

(a) Enrollment of employers.

(b) Administrative services for participating employers, including:

1. Assistance in seeking federal approval of cafeteria plans.

2. Collection of premiums and other payments.

3. Management of individual benefit accounts.

4. Distribution of premiums to insurers and payments to other eligible vendors.

5. Assistance for participants in complying with reporting requirements.

(c) Services to individual participants, including:

1. Information about available products and participating vendors.

2. Assistance with assessing the benefits and limits of each product, including information necessary to distinguish between policies offering creditable coverage and other products available through the program.

3. Account information to assist individual participants with managing available resources.

4. Services that promote healthy behaviors.

(d) Recruitment of vendors, including insurers, health maintenance organizations, prepaid clinic service providers, provider service networks, and other providers.

(e) Certification of vendors to ensure capability, reliability, and validity of offerings.

(f) Collection of data, monitoring, assessment, and reporting of vendor performance.

(g) Information services for individuals and employers.

(h) Program evaluation.

(4) ELIGIBILITY AND PARTICIPATION.—Participation in the program is voluntary and shall be available to employers, individuals, vendors, and health insurance agents as specified in this subsection.

(a) Employers eligible to enroll in the program include:

1. Employers that have 1 to 50 employees.

2. Fiscally constrained counties described in s. 218.67.

3. Municipalities having populations of fewer than 50,000 residents.

4. School districts in fiscally constrained counties.

(b) Individuals eligible to participate in the program include:

1. Individual employees of enrolled employers.

2. State employees not eligible for state employee health benefits.

3. State retirees.

4. Medicaid reform participants who select the opt-out provision of reform.

5. Statutory rural hospitals.

(c) Employers who choose to participate in the program may enroll by complying with the procedures established by the corporation. The procedures must include, but are not limited to:

1. Submission of required information.

2. Compliance with federal tax requirements for the establishment of a cafeteria plan, pursuant to s. 125 of the Internal Revenue Code, including designation of the employer's plan as a premium payment plan, a salary reduction plan that has flexible spending arrangements, or a salary reduction plan that has a premium payment and flexible spending arrangements.

3. Determination of the employer's contribution, if any, per employee, provided that such contribution is equal for each eligible employee.

4. Establishment of payroll deduction procedures, subject to the agreement of each individual employee who voluntarily participates in the program.

5. Designation of the corporation as the third-party administrator for the employer's health benefit plan.

6. Identification of eligible employees.

7. Arrangement for periodic payments.

8. Employer notification to employees of the intent to transfer from an existing employee health plan to the program at least 90 days before the transition.

(d) Eligible vendors and the products and services that the vendors are permitted to sell are as follows:

1. Insurers licensed under chapter 624 may sell health insurance policies, limited benefit policies, other risk-bearing coverage, and other products or services.

2. Health maintenance organizations licensed under part I of chapter 641 may sell health insurance policies, limited benefit policies, other risk-bearing products, and other products or services.

3. Prepaid health clinic service providers licensed under part II of chapter 641 may sell prepaid service contracts and other arrangements for a specified amount and type of health services or treatments.

4. Health care providers, including hospitals and other licensed health facilities, health care clinics, licensed health professionals, pharmacies, and other licensed health care providers, may sell service contracts and arrangements for a specified amount and type of health services or treatments.

5. Provider organizations, including service networks, group practices, professional associations, and other incorporated organizations of providers, may sell service contracts and arrangements for a specified amount and type of health services or treatments.

6. Corporate entities providing specific health services in accordance with applicable state law may sell service contracts and arrangements for a specified amount and type of health services or treatments.

A vendor described in subparagraphs 3.-6. may not sell products that provide risk-bearing coverage unless that vendor is authorized under a certificate of authority issued by the Office of Insurance Regulation under

the provisions of the Florida Insurance Code. Otherwise eligible vendors may be excluded from participating in the program for deceptive or predatory practices, financial insolvency, or failure to comply with the terms of the participation agreement or other standards set by the corporation.

(e) Eligible individuals may voluntarily continue participation in the program regardless of subsequent changes in job status or Medicaid eligibility. Individuals who join the program may participate by complying with the procedures established by the corporation. These procedures must include, but are not limited to:

1. Submission of required information.

2. Authorization for payroll deduction.

3. Compliance with federal tax requirements.

4. Arrangements for payment in the event of job changes.

5. Selection of products and services.

(f) Vendors who choose to participate in the program may enroll by complying with the procedures established by the corporation. These procedures must include, but are not limited to:

1. Submission of required information, including a complete description of the coverage, services, provider network, payment restrictions, and other requirements of each product offered through the program.

2. Execution of an agreement to make all risk-bearing products offered through the program guaranteed-issue policies, subject to preexisting-condition exclusions established by the corporation.

3. Execution of an agreement that prohibits refusal to sell any offered non-risk-bearing product to a participant who elects to buy it.

4. Establishment of product prices based on age, gender, and location of the individual participant.

5. Arrangements for receiving payment for enrolled participants.

6. Participation in ongoing reporting processes established by the corporation.

7. Compliance with grievance procedures established by the corporation.

(g) Health insurance agents licensed under part IV of chapter 626 are eligible to voluntarily participate as buyers' representatives. A buyer's representative acts on behalf of an individual purchasing health insurance and health services through the program by providing information about products and services available through the program and assisting the individual with both the decision and the procedure of selecting specific products. Serving as a buyer's representative does not constitute a conflict of interest with continuing responsibilities as a health insurance agent if the relationship between each agent and any participating vendor is disclosed before advising an individual participant about the products and services available through the program. In order to participate, a health insurance agent shall comply with the procedures established by the corporation, including:

1. Completion of training requirements.

2. Execution of a participation agreement specifying the terms and conditions of participation.

3. Disclosure of any appointments to solicit insurance or procure applications for vendors participating in the program.

4. Arrangements to receive payment from the corporation for services as a buyer's representative.

(5) PRODUCTS.—

(a) The products that may be made available for purchase through the program include, but are not limited to:

1. Health insurance policies.

2. Limited benefit plans.

3. Prepaid clinic services.

4. Service contracts.

5. Arrangements for purchase of specific amounts and types of health services and treatments.

6. Flexible spending accounts.

(b) Health insurance policies, limited benefit plans, prepaid service contracts, and other contracts for services must ensure the availability of covered services and benefits to participating individuals for at least 1 full enrollment year.

(c) Products may be offered for multiyear periods provided the price of the product is specified for the entire period or for each separately priced segment of the policy or contract.

(d) The corporation shall provide a disclosure form for consumers to acknowledge their understanding of the nature of, and any limitations to, the benefits provided by the products and services being purchased by the consumer.

(6) PRICING.—Prices for the products sold through the program must be transparent to participants and established by the vendors based on age, gender, and location of participants. The corporation shall develop a methodology for evaluating the actuarial soundness of products offered through the program. The methodology shall be reviewed by the Office of Insurance Regulation prior to use by the corporation. Before making the product available to individual participants, the corporation shall use the methodology to compare the expected health care costs for the covered services and benefits to the vendor's price for that coverage. The results shall be reported to individuals participating in the program. Once established, the price set by the vendor must remain in force for at least 1 year and may only be redetermined by the vendor at the next annual enrollment period. The corporation shall annually assess a surcharge for each premium or price set by a participating vendor. The surcharge may not be more than 2.5 percent of the price and shall be used to generate funding for administrative services provided by the corporation and payments to buyers' representatives.

(7) EXCHANGE PROCESS.—The program shall provide a single, centralized market for purchase of health insurance and health services. Purchases may be made by participating individuals over the Internet or through the services of a participating health insurance agent. Information about each product and service available through the program shall be made available through printed material and an interactive Internet website. A participant needing personal assistance to select products and services shall be referred to a participating agent in his or her area.

(a) Participation in the program may begin at any time during a year after the employer completes enrollment and meets the requirements specified by the corporation pursuant to paragraph (4)(c).

(b) Initial selection of products and services must be made by an individual participant within 60 days after the date the individual's employer qualified for participation. An individual who fails to enroll in products and services by the end of this period is limited to participation in flexible spending account services until the next annual enrollment period.

(c) Initial enrollment periods for each product selected by an individual participant must last at least 12 months, unless the individual participant specifically agrees to a different enrollment period.

(d) If an individual has selected one or more products and enrolled in those products for at least 12 months or any other period specifically agreed to by the individual participant, changes in selected products and services may only be made during the annual enrollment period established by the corporation.

(e) The limits established in paragraphs (b)-(d) apply to any risk-bearing product that promises future payment or coverage for a variable amount of benefits or services. The limits do not apply to initiation of flexible spending plans if those plans are not associated with specific high-deductible insurance policies or the use of spending accounts for any products offering individual participants specific amounts and types of health services and treatments at a contracted price.

(8) CONSUMER INFORMATION.—The corporation shall establish a secure website to facilitate the purchase of products and services by participating individuals. The website must provide information about each product or service available through the program.

(a) Prior to making a risk-bearing product available through the program, the corporation shall provide information regarding the product to the Office of Insurance Regulation. The office shall review the product information and provide consumer information and a recommendation on the risk-bearing product to the corporation within 30 days after receiving the product information.

1. Upon receiving a recommendation that a risk-bearing product should be made available in the marketplace, the corporation may include the product on its website. If the consumer information and recommendation is not received within 30 days, the corporation may make the risk-bearing product available on the website without consumer information from the office.

2. Upon receiving a recommendation that a risk-bearing product should not be made available in the marketplace, the risk-bearing product may be included as an eligible product in the marketplace and on its website only if a majority of the board of directors vote to include the product.

(b) If a risk-bearing product is made available on the website, the corporation shall make the consumer information and office recommendation available on the website and in print format. The corporation shall make late-submitted and ongoing updates to consumer information available on the website and in print format.

(9) RISK POOLING.—The program shall utilize methods for pooling the risk of individual participants and preventing selection bias. These methods shall include, but are not limited to, a postenrollment risk adjustment of the premium payments to the vendors. The corporation shall establish a methodology for assessing the risk of enrolled individual participants based on data reported by the vendors about their enrollees. Monthly distributions of payments to the vendors shall be adjusted based on the assessed relative risk profile of the enrollees in each risk-bearing product for the most recent period for which data is available.

(10) EXEMPTIONS.—

(a) Policies sold as part of the program are not subject to the licensing requirements of the Florida Insurance Code, chapter 641, or the mandated offerings or coverages established in part VI of chapter 627 and chapter 641.

(b) The corporation may act as an administrator as defined in s. 626.88 but is not required to be certified pursuant to part VII of chapter 626. However, a third party administrator used by the corporation must be certified under part VII of chapter 626.

(11) CORPORATION.—There is created the Florida Health Choices, Inc., which shall be registered, incorporated, organized, and operated in compliance with part III of chapter 112, chapter 119, chapter 286 and chapter 617. The purpose of the corporation is to administer the program created in this section and to conduct such other business as may further the administration of the program.

(a) The corporation shall be governed by a 15-member board of directors consisting of:

1. Three ex officio, nonvoting members to include:

a. The Secretary of Health Care Administration or a designee with expertise in health care services.

b. The Secretary of Management Services or a designee with expertise in state employee benefits.

c. The Commissioner of the Office of Insurance Regulation or a designee with expertise in insurance regulation.

2. Four members appointed by and serving at the pleasure of the Governor.

3. Four members appointed by and serving at the pleasure of the President of the Senate.

4. Four members appointed by and serving at the pleasure of the Speaker of the House of Representatives.

5. Board members may not include insurers, health insurance agents or brokers, health care providers, health maintenance organizations, prepaid service providers, or any other entity, affiliate or subsidiary of eligible vendors.

(b) Members shall be appointed for terms of up to 3 years. Any member is eligible for reappointment. A vacancy on the board shall be filled for the unexpired portion of the term in the same manner as the original appointment.

(c) The board shall select a chief executive officer for the corporation who shall be responsible for the selection of such other staff as may be authorized by the corporation's operating budget as adopted by the board.

(d) Board members are entitled to receive, from funds of the corporation, reimbursement for per diem and travel expenses as provided by s. 112.061. No other compensation is authorized.

(e) There is no liability on the part of, and no cause of action shall arise against, any member of the board or its employees or agents for any action taken by them in the performance of their powers and duties under this section.

(f) The board shall develop and adopt bylaws and other corporate procedures as necessary for the operation of the corporation and carrying out the purposes of this section. The bylaws shall:

1. Specify procedures for selection of officers and qualifications for reappointment, provided that no board member shall serve more than 9 consecutive years.

2. Require an annual membership meeting that provides an opportunity for input and interaction with individual participants in the program.

3. Specify policies and procedures regarding conflicts of interest, including the provisions of part III of chapter 112, which prohibit a member from participating in any decision that would inure to the benefit of the member or the organization that employs the member. The policies and procedures shall also require public disclosure of the interest that prevents the member from participating in a decision on a particular matter.

(g) The corporation may exercise all powers granted to it under chapter 617 necessary to carry out the purposes of this section, including, but not limited to, the power to receive and accept grants, loans, or advances of funds from any public or private agency and to receive and accept from any source contributions of money, property, labor, or any other thing of value to be held, used, and applied for the purposes of this section.

(h) The corporation may establish technical advisory panels consisting of interested parties, including consumers, health care providers, individuals with expertise in insurance regulation, and insurers.

(i) The corporation shall:

1. Determine eligibility of employers, vendors, individuals, and agents in accordance with subsection (4).

2. Establish procedures necessary for the operation of the program, including, but not limited to, procedures for application, enrollment, risk assessment, risk adjustment, plan administration, performance monitoring, and consumer education.

3. Arrange for collection of contributions from participating employers and individuals.

4. Arrange for payment of premiums and other appropriate disbursements based on the selections of products and services by the individual participants.

5. Establish criteria for disenrollment of participating individuals based on failure to pay the individual's share of any contribution required to maintain enrollment in selected products.

6. Establish criteria for exclusion of vendors pursuant to paragraph (4)(d).

7. Develop and implement a plan for promoting public awareness of and participation in the program.

8. Secure staff and consultant services necessary to the operation of the program.

9. Establish policies and procedures regarding participation in the program for individuals, vendors, health insurance agents, and employers.

10. Develop a plan, in coordination with the Department of Revenue, to establish tax credits or refunds for employers that participate in the program. The corporation shall submit the plan to the Governor, the President of the Senate, and the Speaker of the House of Representatives by January 1, 2009.

(12) REPORT.—Beginning in the 2009-2010 fiscal year, submit by February 1 an annual report to the Governor, the President of the Senate, and the Speaker of the House of Representatives documenting the corporation's activities in compliance with the duties delineated in this section.

(13) PROGRAM INTEGRITY.—To ensure program integrity and to safeguard the financial transactions made under the auspices of the program, the corporation is authorized to establish qualifying criteria and certification procedures for vendors, require performance bonds or other guarantees of ability to complete contractual obligations, monitor the performance of vendors, and enforce the agreements of the program through financial penalty or disqualification from the program.

Section 5. Subsection (5) of section 409.814, Florida Statutes, is amended to read:

409.814 Eligibility.—A child who has not reached 19 years of age whose family income is equal to or below 200 percent of the federal poverty level is eligible for the Florida Kidcare program as provided in this section. For enrollment in the Children's Medical Services Network, a complete application includes the medical or behavioral health screening. If, subsequently, an individual is determined to be ineligible for coverage, he or she must immediately be disenrolled from the respective Florida Kidcare program component.

(5) A child whose family income is above 200 percent of the federal poverty level or a child who is excluded under the provisions of subsection (4) may participate in the Medikids program as provided in s. 409.8132 or, if the child is ineligible for Medikids by reason of age, in the Florida Healthy Kids program, subject to the following provisions:

(a) The family is not eligible for premium assistance payments and must pay the full cost of the premium, including any administrative costs.

~~(b) The agency is authorized to place limits on enrollment in Medikids by these children in order to avoid adverse selection. The number of children participating in Medikids whose family income exceeds 200 percent of the federal poverty level must not exceed 10 percent of total enrollees in the Medikids program.~~

(b)~~(c)~~ The board of directors of the Florida Healthy Kids Corporation *may* ~~is authorized to place limits on enrollment of these children in order to avoid adverse selection. In addition, the board is authorized to~~ offer a reduced benefit package to these children in order to limit program costs for such families. ~~The number of children participating in the Florida Healthy Kids program whose family income exceeds 200 percent of the federal poverty level must not exceed 10 percent of total enrollees in the Florida Healthy Kids program.~~

Section 6. Section 624.1265, Florida Statutes, is created to read:

624.1265 Nonprofit religious organization exemption; authority; notice.—

(1) A nonprofit religious organization is not subject to the requirements of the Florida Insurance Code if the nonprofit religious organization qualifies under Title 26, s. 501 of the Internal Revenue Code of 1986, as amended; limits its participants to members of the same religion; acts as an organizational clearinghouse for information between participants who have financial, physical, or medical needs and participants who have the ability to pay for the benefit of those participants who have financial, physical, or medical needs; provides for the financial or medical needs of a participant through payments directly from one participant to another participant; and suggests amounts that participants may voluntarily give with no assumption of risk or promise to pay among the participants or between the participants.

(2) This section does not prevent the organization described in subsection (1) from establishing qualifications of participation relating to the health of a prospective participant, does not prevent a participant from limiting the financial or medical needs that may be eligible for payment, and does not prevent the organization from canceling the membership of a participant when such participant indicates his or her unwillingness to participate by failing to make a payment to another participant for a period in excess of 60 days.

(3) The religious organization described in subsection (1) shall provide each prospective participant in the organizational clearinghouse written notice that the organization is not an insurance company, that membership is not offered through an insurance company, and that the organization is not subject to the regulatory requirements or consumer protections of the Florida Insurance Code.

Section 7. Paragraph (b) of subsection (5) of section 624.91, Florida Statutes, is amended to read:

624.91 The Florida Healthy Kids Corporation Act.—

(5) CORPORATION AUTHORIZATION, DUTIES, POWERS.—

(b) The Florida Healthy Kids Corporation shall:

1. Arrange for the collection of any family, local contributions, or employer payment or premium, in an amount to be determined by the board of directors, to provide for payment of premiums for comprehensive insurance coverage and for the actual or estimated administrative expenses.

2. Arrange for the collection of any voluntary contributions to provide for payment of premiums for children who are not eligible for medical assistance under Title XXI of the Social Security Act.

3. Subject to the provisions of s. 409.8134, accept voluntary supplemental local match contributions that comply with the requirements of Title XXI of the Social Security Act for the purpose of providing additional coverage in contributing counties under Title XXI.

4. Establish the administrative and accounting procedures for the operation of the corporation.

5. Establish, with consultation from appropriate professional organizations, standards for preventive health services and providers and comprehensive insurance benefits appropriate to children, provided that such standards for rural areas shall not limit primary care providers to board-certified pediatricians.

6. Determine eligibility for children seeking to participate in the Title XXI-funded components of the Florida Kidcare program consistent with the requirements specified in s. 409.814, as well as the non-Title-XXI-eligible children as provided in subsection (3).

7. Establish procedures under which providers of local match to, applicants to and participants in the program may have grievances reviewed by an impartial body and reported to the board of directors of the corporation.

8. Establish participation criteria and, if appropriate, contract with an authorized insurer, health maintenance organization, or third-party administrator to provide administrative services to the corporation.

9. Establish enrollment criteria which shall include penalties or waiting periods of not fewer than 60 days for reinstatement of coverage upon voluntary cancellation for nonpayment of family premiums.

10. Contract with authorized insurers or any provider of health care services, meeting standards established by the corporation, for the provision of comprehensive insurance coverage to participants. Such standards shall include criteria under which the corporation may contract with more than one provider of health care services in program sites. Health plans shall be selected through a competitive bid process. The Florida Healthy Kids Corporation shall purchase goods and services in the most cost-effective manner consistent with the delivery of quality

medical care. The maximum administrative cost for a Florida Healthy Kids Corporation contract shall be 15 percent. For health care contracts, the minimum medical loss ratio for a Florida Healthy Kids Corporation contract shall be 85 percent. For dental contracts, the remaining compensation to be paid to the authorized insurer or provider under a Florida Healthy Kids Corporation contract shall be no less than an amount which is 85 percent of premium; to the extent any contract provision does not provide for this minimum compensation, this section shall prevail. The health plan selection criteria and scoring system, and the scoring results, shall be available upon request for inspection after the bids have been awarded.

11. Establish disenrollment criteria in the event local matching funds are insufficient to cover enrollments.

12. Develop and implement a plan to publicize the Florida Healthy Kids Corporation, the eligibility requirements of the program, and the procedures for enrollment in the program and to maintain public awareness of the corporation and the program.

13. Secure staff necessary to properly administer the corporation. Staff costs shall be funded from state and local matching funds and such other private or public funds as become available. The board of directors shall determine the number of staff members necessary to administer the corporation.

14. Provide a report annually to the Governor, Chief Financial Officer, Commissioner of Education, Senate President, Speaker of the House of Representatives, and Minority Leaders of the Senate and the House of Representatives.

15. Provide information on a quarterly basis to the Legislature and the Governor which compares the costs and utilization of the full-pay enrolled population and the Title XXI-subsidized enrolled population in the Florida Kidcare program. The information, at a minimum, must include:

a. The monthly enrollment and expenditure for full-pay enrollees in the Medikids and Florida Healthy Kids programs compared to the Title XXI-subsidized enrolled population; and

b. The costs and utilization by service of the full-pay enrollees in the Medikids and Florida Healthy Kids programs and the Title XXI-subsidized enrolled population.

By February 1, 2009, the Florida Healthy Kids Corporation shall provide a study to the Legislature and the Governor on premium impacts to the subsidized portion of the program from the inclusion of the full-pay program, which shall include recommendations on how to eliminate or mitigate possible impacts to the subsidized premiums.

16.~~15.~~ Establish benefit packages which conform to the provisions of the Florida Kidcare program, as created in ss. 409.810-409.820.

Section 8. Effective upon this act becoming a law and applicable to policies issued or renewed on or after October 1, 2008, paragraph (c) of subsection (1) of section 627.602, Florida Statutes, is amended to read:

627.602 Scope, format of policy.—

(1) Each health insurance policy delivered or issued for delivery to any person in this state must comply with all applicable provisions of this code and all of the following requirements:

(c) The policy may purport to insure only one person, except that upon the application of an adult member of a family, who is deemed to be the policyholder, a policy may insure, either originally or by subsequent amendment, any eligible members of that family, including husband, wife, any children or any person dependent upon the policyholder. *If an insurer offers coverage for dependent children of the policyholder, such policy must comply with the provisions of s. 627.6562.*

Section 9. Effective upon this act becoming a law and applicable to policies issued or renewed on or after October 1, 2008, section 627.6562, Florida Statutes, is amended to read:

627.6562 Dependent coverage.—

(1) If an insurer offers coverage *under a group, blanket, or franchise health insurance policy* that insures dependent children of the policyholder or certificateholder, the policy must insure a dependent child of the policyholder or certificateholder at least until the end of the calendar year in which the child reaches the age of 25, if the child meets all of the following:

(a) The child is dependent upon the policyholder or certificateholder for support.

(b) The child is living in the household of the policyholder or certificateholder, or the child is a full-time or part-time student.

(2) A policy that is subject to the requirements of subsection (1) must also offer the policyholder or certificateholder the option to insure a child of the policyholder or certificateholder at least until the end of the calendar year in which the child reaches the age of 30, if the child:

(a) Is unmarried and does not have a dependent of his or her own;

(b) Is a resident of this state or a full-time or part-time student; and

(c) Is not provided coverage as a named subscriber, insured, enrollee, or covered person under any other group, blanket, or franchise health insurance policy or individual health benefits plan, or is not entitled to benefits under Title XVIII of the Social Security Act.

(3) If, pursuant to subsection (2), a child is provided coverage under the parent's policy after the end of the calendar year in which the child reaches age 25 and coverage for the child is subsequently terminated, the child is not eligible to be covered under the parent's policy unless the child was continuously covered by other creditable coverage without a gap in coverage of more than 63 days. For the purposes of this subsection, the term "creditable coverage" has the same meaning as provided in s. 627.6561(5).

(4)~~(2)~~ ~~Nothing in~~ This section *does not:*

(a) Affect or preempt ~~affects or preempts~~ an insurer's right to medically underwrite or charge the appropriate premium*;*

(b) Require coverage for services provided to a dependent before October 1, 2008;

(c) Require an employer to pay all or part of the cost of coverage provided for a dependent under this section; or

(d) Prohibit an insurer or health maintenance organization from increasing the limiting age for dependent coverage to age 30 in policies or contracts issued or renewed prior to the effective date of this act.

(5)(a) Until April 1, 2009, the parent of a child who qualifies for coverage under subsection (2) but whose coverage as a dependent child under the parent's plan terminated under the terms of the plan before October 1, 2008, may make a written election to reinstate coverage, without proof of insurability, under that plan as a dependent child pursuant to this section.

(b) The covered person's plan may require the payment of a premium by the covered person or dependent child, as appropriate, subject to the approval of the Office of Insurance Regulation, for any period of coverage relating to a dependent's written election for coverage pursuant to paragraph (a).

(c) Notice regarding the reinstatement of coverage for a dependent child as provided under this subsection must be provided to a covered person in the certificate of coverage prepared for covered persons by the insurer or by the covered person's employer. Such notice may be given through the group policyholder.

(6) This section does not apply to accident only, specified disease, disability income, Medicare supplement, or long-term care insurance policies.

Section 10. Effective upon this act becoming a law and applicable to contracts issued or renewed on or after October 1, 2008, subsection (41) is added to section 641.31, Florida Statutes, to read:

641.31 Health maintenance contracts.—

(41) All health maintenance contracts providing coverage for a member of the subscriber's family must comply with the provisions of s. 627.6562.

Section 11. *For the 2008-2009 fiscal year, the following is appropriated from the General Revenue Fund to the Agency for Health Care Administration to fund the Florida Health Choices Program:*

(1) The sum of $325,000 in nonrecurring funds for the salaries and benefits of the chief executive office and staff of Florida Health Choices, Inc., for the 2008-2009 fiscal year.

(2) The sum of $825,000 in nonrecurring funds for costs related to the general administration, marketing, consulting, and other duties of the Florida Health Choices, Inc., for the 2008-2009 fiscal year.

(3) The sum of $350,000 in nonrecurring funds for the third-party administrator functions of Florida Health Choices Inc., during the 2008-2009 fiscal year.

Section 12. This act shall take effect upon becoming a law.

And the title is amended as follows:

Delete line(s) 881-981 and insert: An act relating to health insurance; amending s. 112.363, F.S.; specifying that coverage provided through the Cover Florida Health Care Access Program is considered health insurance coverage for the purposes of determining eligibility for the state retiree health insurance subsidy; amending s. 408.909, F.S.; revising eligibility for enrollment in a health flex plan; revising the expiration date of the health flex plan program; creating s. 408.9091, F.S.; creating the Cover Florida Health Care Access Program; providing a short title; providing legislative intent; providing definitions; requiring the Agency for Health Care Administration and the Office of Insurance Regulation of the Financial Services Commission within the Department of Financial Services to jointly administer the program; providing program requirements; requiring the development of guidelines to meet minimum standards for quality of care and access to care; requiring the agency to ensure that the Cover Florida plans follow standardized grievance procedures; requiring the Executive Office of the Governor, the agency, and the office to develop a public awareness program; authorizing public and private entities to design or extend incentives for participation in the Cover Florida Access Program; requiring the agency and the office to announce an invitation to negotiate for Cover Florida plan entities to design a coverage proposal; requiring the agency and the office to approve one plan entity; authorizing the agency and the office to approve one regional network plan in each existing Medicaid area; requiring the invitation to negotiate to include certain guidelines; providing certain conditions in which plans are disapproved or withdrawn; authorizing the agency and the office to announce an invitation to negotiate for companies that offer supplemental insurance or discount medical plans; providing that certain licensing requirements or ch. 641, F.S., are not applicable to a Cover Florida plan; providing that Cover Florida plans are considered insurance under certain conditions; excluding Cover Florida plans from the Florida Life and Health Insurance Guaranty Association and the Health Maintenance Organization Consumer Assistance Plan; providing requirements for eligibility in a Cover Florida plan; requiring each Cover Florida plan to maintain and provide certain records; providing that coverage under a Cover Florida plan is not an entitlement and does not give rise to a cause of action; requiring the agency and the office to evaluate the Cover Florida program and submit an annual report to the Governor and the Legislature; requiring the agency and the Financial Services Commission to adopt rules; creating s. 408.910, F.S.; establishing the Florida Health Choices Program; providing legislative intent; providing definitions; providing program purpose and components; providing employer eligibility criteria; providing individual eligibility criteria; providing employer enrollment criteria; providing vendor, product, and service eligibility criteria; providing for individual participation regardless of subsequent job status or Medicaid eligibility; providing vendor enrollment criteria; providing for participation by health insurance agents; providing criteria for products available for purchase; providing criteria for product pricing; providing for an administrative surcharge; providing for an exchange process; providing for enrollment periods and changes in selected products; requiring the corporation to establish a website to provide information about products and services; providing methods for the pooling of risk; providing for exemptions from certain statutory provisions, mandated offerings and coverages, and licensing requirements; providing for administrators; creating the Florida Health Choices, Inc.; requiring the department to supervise any liquidation or dissolution of the corporation; providing for corporate governance and board membership and terms; providing for reimbursement for per diem and travel expenses; providing for powers and duties of the corporation; requiring the corporation to coordinate with the Department of Revenue to develop a plan by January 1, 2009, for creating tax exemptions or refunds for participating in the program; requiring the corporation to submit an annual report to the Governor and Legislature; authorizing the corporation to establish and enforce certain program integrity measures; amending s. 409.814, F.S.; revising the eligibility requirements for participation in the Medikids program or the Florida Healthy Kids program; deleting certain limitations; creating s. 624.1265, F.S.; exempting certain nonprofit religious organizations from requirements of the Florida Insurance Code; preserving certain authority of such organizations; requiring such organizations to provide certain notice to prospective participants; providing notice requirements; amending s. 624.91, F.S.; revising the duties of the Florida Healthy Kids Corporation; amending s. 627.602, F.S.; requiring that individual health insurance policies insuring dependent children of a policyholder comply with certain provisions of state law; amending s. 627.6562, F.S.; requiring group health insurance policies that provide dependent coverage to provide the policyholder with the option of insuring a child until the age of 30 under certain circumstances; amending s. 641.31, F.S.; requiring that health maintenance organization contracts providing coverage for a member of the subscriber's family to comply with certain provisions of state law; providing an appropriation; providing an effective date.

On motion by Senator Peaden, the Senate concurred in **House Amendment 1 (364545)** as amended and requested the House to concur in the Senate amendment to the House amendment.

CS for CS for SB 2534 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—40

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Aronberg	Gaetz	Posey
Atwater	Garcia	Rich
Baker	Geller	Ring
Bennett	Haridopolos	Saunders
Bullard	Hill	Siplin
Carlton	Jones	Storms
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dawson	King	Wilson
Dean	Lawson	Wise
Deutch	Lynn	
Diaz de la Portilla	Margolis	

Nays—None

By direction of the President the following Conference Committee Report was read:

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has accepted the Conference Committee Report as an entirety and passed HB 5001, as amended by the Conference Committee Report and requests concurrence of the Senate.

William S. Pittman III, Chief Clerk

CONFERENCE COMMITTEE REPORT ON HB 5001

The Honorable Ken Pruitt April 29, 2008
President of the Senate

The Honorable Marco Rubio
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on HB 5001, same being:

An act relating to **Appropriations**; provides moneys for annual period beginning July 1, 2008, and ending July 1, 2009, to pay salaries, and other expenses, capital outlay - building, and other

improvements, and for other specified purposes of various agencies of state government;

having met, and after full and free conference, do recommend to their respective houses as follows:

1. That the Senate recede from its Amendment 1.

2. That the Senate and House of Representatives adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

s/Lisa Carlton
Chair
s/JD Alexander
s/Carey Baker
s/Larcenia J. Bullard
s/Victor D. Crist
s/Charles Dean
s/Alex Diaz de la Portilla
s/Mike Fasano
Rudy Garcia
s/Mike Haridopolos
s/Dennis L. Jones
s/Charlie Justice
s/Alfred "Al" Lawson, Jr.
s/Gwen Margolis
s/Durell Peaden, Jr.
s/Nan H. Rich
s/Burt L. Saunders
s/Ronda Storms
s/Daniel Webster, At Large
s/Stephen R. Wise

s/Jeff Atwater
Vice Chair
s/Dave Aronberg
s/Michael S. "Mike" Bennett
s/Lee Constantine
s/M. Mandy Dawson
s/Ted Deutch
s/Paula Dockery
s/Don Gaetz
Steven A. Geller, At Large
s/Anthony C. "Tony" Hill, Sr.
s/Arthenia L. Joyner
s/James E. King, Jr., At Large
s/Evelyn J. Lynn
s/Steve Oelrich
s/Bill Posey
s/Jeremy Ring
s/Gary Siplin
J. Alex Villalobos
s/Frederica S. Wilson

Managers on the part of the Senate

s/Ray Sansom
Chair and At Large
s/Kevin C. Ambler
s/Gary Aubuchon
s/Aaron P. Bean
s/Ellyn Setnor Bogdanoff,
At Large
Debbie Boyd
Ronald A. Brisé
s/Dean Cannon
Charles S. "Chuck" Chestnut IV
s/Larry Cretul, At Large
Joyce Cusack, At Large
Chris Dorworth
Keith Fitzgerald
s/Bill Galvano
s/Andy Gardiner
Joseph A. "Joe" Gibbons
s/Hugh H. Gibson III
s/Michael J. Grant
s/Gayle B. Harrell
s/D. Alan Hays
s/Matt Hudson
s/Kurt Kelly
Martin David "Marty" Kiar
Paige Kreegel
s/John Legg
Janet C. Long
Richard A. Machek
s/Charles McBurney
Matthew J. "Matt" Meadows
s/Mitch Needelman
s/Pat Patterson
s/Juan-Carlos "J.C." Planas
s/Stephen L. Precourt
Scott Randolph
Betty Reed
s/Garrett Richter
s/Julio Robaina
Dennis A. Ross
Franklin Sands, At Large
Ron Saunders, At Large
s/Ron Schultz
John P. "Jack" Seiler, At Large

s/Sandra "Sandy" Adams
s/Thad Altman
s/Frank Attkisson
Loranne Ausley
Dorothy Bendross-Mindingall
s/Marsha L. "Marty" Bowen,
At Large
Mary Brandenburg
Susan Bucher
s/Jennifer Carroll
s/Marti Coley
s/Faye B. Culp
s/Carl J. Domino
s/Greg Evers
s/Anitere Flores, At Large
s/Rene Garcia
Dan Gelber, At Large
Audrey Gibson
s/Richard "Rich" Glorioso
Denise Grimsley
s/Adam Hasner, At Large
s/Ed Homan
s/Dorothy L. Hukill
s/Will S. Kendrick
s/Dick Kravitz
Rick Kriseman
s/Marcelo Llorente
s/Carlos Lopez-Cantera
s/Stan Mayfield
s/Seth McKeel
s/Dave Murzin
s/Jimmy T. Patronis, Jr.
s/Joe H. Pickens
s/Ralph Poppell
s/William L. "Bill" Proctor
s/Ron Reagan
Curtis B. Richardson
s/David Rivera, At Large
Yolly Roberson
Maria Lorts Sachs
Anthony P. "Tony" Sasso III
s/Robert C. "Rob" Schenck
Michael J. Scionti
s/David Simmons, At Large

Kelly Skidmore
Priscilla Taylor
s/Nicholas R. "Nick" Thompson
s/Anthony Trey Traviesa
Shelley Vana
s/Will W. Weatherford
s/Juan C. Zapata, At Large

Darren Soto
Geraldine F. "Geri" Thompson
Perry E. Thurston, Jr.
s/Baxter G. Troutman
James W. "Jim" Waldman
Trudi K. Williams

Managers on the part of the House

Conference Committee Amendment (137461)(with title amendment)—Remove everything after the enacting clause and insert:

A bill to be entitled

An act making appropriations; providing moneys for the annual period beginning July 1, 2008, and ending June 30, 2009, to pay salaries, and other expenses, capital outlay - buildings, and other improvements, and for other specified purposes of the various agencies of State government; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

The moneys contained herein are appropriated from the named funds for Fiscal Year 2008-2009 to the State agency indicated, as the amounts to be used to pay the salaries, other operational expenditures, and fixed capital outlay of the named agencies, and are in lieu of all moneys appropriated for these purposes in other sections of the Florida Statutes.

SECTION 1 - EDUCATION ENHANCEMENT "LOTTERY" TRUST FUND

The moneys contained herein are appropriated from the Education Enhancement "Lottery" Trust Fund to the state agencies indicated.

EDUCATION, DEPARTMENT OF

Funds provided in sections 1 and 2 of this act as Grants and Aids-Special Categories or as Grants and Aids-Aid to Local Governments may be advanced quarterly throughout the fiscal year based on projects, grants, contracts and allocation conference documents. Of the funds provided in Specific Appropriations 3, 4, 5, 62, 67, 70 through 76, and 158 for student financial assistance, 60 percent shall be released at the beginning of the first quarter and the balance at the beginning of the third quarter.

From the funds provided in sections 1 and 2 of this act, the Commissioner of Education shall identify up to $10,145,148 in expenditures to meet the Temporary Assistance for Needy Families (TANF) Block Grant maintenance of effort requirements. The Commissioner of Education shall certify that controls are in place to ensure that such funds are expended in accordance with the requirements and limitations of federal law and that reporting requirements of federal law are met. It shall be the responsibility of any entity to which such funds are appropriated to obtain the required certification prior to any expenditure of funds. The Governor's Office of Policy and Budget shall be responsible for ensuring that the necessary maintenance of effort reports are timely submitted to the Department of Children and Family Services, and shall report any delinquencies to the Legislative Budget Commission.

PROGRAM: EDUCATION - FIXED CAPITAL OUTLAY

1 FIXED CAPITAL OUTLAY
CLASSROOMS FIRST AND 1997 SCHOOL CAPITAL
OUTLAY BOND PROGRAMS - OPERATING FUNDS AND
DEBT SERVICE
FROM EDUCATIONAL ENHANCEMENT TRUST FUND . 166,934,217

Funds in Specific Appropriation 1 are for the cash and debt service requirements of the Classrooms First and 1997 School Capital Outlay Bond programs established in chapter 97-384, Laws of Florida.

Funds provided in Specific Appropriation 1 shall be transferred using nonoperating budget authority to the Lottery Capital Outlay and

SECTION 1
SPECIFIC
APPROPRIATION

Debt Service Trust Fund, pursuant to section 1013.71, Florida Statutes, for the payment of debt service and projects. There is appropriated from the Lottery Capital Outlay and Debt Service Trust Fund, an amount sufficient to enable the payment of debt service resulting from these transfers.

2 FIXED CAPITAL OUTLAY
DEBT SERVICE - CLASS SIZE REDUCTION
LOTTERY CAPITAL OUTLAY PROGRAM
FROM EDUCATIONAL ENHANCEMENT TRUST FUND . 155,000,000

Funds provided in Specific Appropriation 2 shall be transferred using nonoperating budget authority to the Lottery Capital Outlay and Debt Service Trust Fund, pursuant to section 1013.71, Florida Statutes, for the payment of debt service. There is appropriated from the Lottery Capital Outlay and Debt Service Trust Fund, an amount sufficient to enable the payment of debt service resulting from these transfers.

Funds provided in Specific Appropriation 2 are for Fiscal Year 2008-2009 debt service on all bonds authorized pursuant to section 1013.737, Florida Statutes, including any other continuing payments necessary or incidental to the repayment of the bonds. These funds may be used to refinance any or all bond series if it is in the best interest of the state as determined by the Division of Bond Finance.

TOTAL: PROGRAM: EDUCATION - FIXED CAPITAL OUTLAY
FROM TRUST FUNDS 321,934,217

TOTAL ALL FUNDS 321,934,217

OFFICE OF STUDENT FINANCIAL ASSISTANCE

PROGRAM: STUDENT FINANCIAL AID PROGRAM - STATE

3 SPECIAL CATEGORIES
GRANTS AND AIDS - FLORIDA'S BRIGHT FUTURES
SCHOLARSHIP PROGRAM
FROM EDUCATIONAL ENHANCEMENT TRUST FUND . 436,175,538

Funds in Specific Appropriation 3 include an annual amount of $375 for college-related expenses for Florida Academic Scholars to be divided equally between the Fall and Spring terms.

4 SPECIAL CATEGORIES
FIRST GENERATION IN COLLEGE MATCHING GRANT
PROGRAM
FROM EDUCATIONAL ENHANCEMENT TRUST FUND . 7,997,650

From the funds provided in Specific Appropriation 4, $2,000,000 shall be allocated to First Generation in College Matching Grant Programs at community colleges. If required matching funds are not raised by participating community colleges by December 1, 2008, the remaining funds shall be reallocated to First Generation in College Matching Grant Programs at state universities which have remaining unmatched private contributions.

5 FINANCIAL ASSISTANCE PAYMENTS
STUDENT FINANCIAL AID
FROM EDUCATIONAL ENHANCEMENT TRUST FUND . 30,869,664

The funds in Specific Appropriation 5 are provided for the Florida Student Assistance Grant (FSAG) public full-time and part-time program and are allocated in Specific Appropriation 74.

TOTAL: PROGRAM: STUDENT FINANCIAL AID PROGRAM - STATE
FROM TRUST FUNDS 475,042,852

TOTAL ALL FUNDS 475,042,852

PUBLIC SCHOOLS, DIVISION OF

PROGRAM: STATE GRANTS/K-12 PROGRAM - FEFP

6 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - CLASS SIZE REDUCTION

SECTION 1
SPECIFIC
APPROPRIATION
FROM EDUCATIONAL ENHANCEMENT TRUST FUND . 184,923,641

Funds in Specific Appropriations 6 and 82 are provided to implement the requirements of sections 1003.03 and 1011.685, Florida Statutes. The class size reduction allocation factor for grades pre-kindergarten to grade 3 shall be $1,160.46, for grades 4 to 8 shall be $923.33, and for grades 9 to 12 shall be $925.56. The class size reduction allocation shall be recalculated based on enrollment through the October 2008 FTE survey. If the total class size reduction allocation is greater than the appropriation in Specific Appropriations 6 and 82, funds shall be prorated to the level of the appropriation based on each district's calculated amount.

Funds in Specific Appropriations 6 and 82 shall be distributed to school districts that have provided sufficient information for the Commissioner of Education to set annual district class size reduction goals. The Commissioner of Education may withhold disbursement of these funds until a district is in compliance with reporting information required for class size reduction implementation.

7 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - DISTRICT LOTTERY AND
SCHOOL RECOGNITION PROGRAM
FROM EDUCATIONAL ENHANCEMENT TRUST FUND . 217,406,176

Funds provided in Specific Appropriation 7 are enhancement funds for school districts and shall be allocated as follows:

(a) to provide financial awards pursuant to provisions of section 1008.36, Florida Statutes, relating to the Florida School Recognition Program. Funds for the Florida School Recognition Program shall be awarded by the Commissioner of Education in the amount of $85 per student in each qualifying school, and

(b) funds remaining after the obligations in paragraph (a) have been fully met shall be allocated to all school districts by prorating the amount of the appropriation on each district's K-12 base funding. From the portion of funds allocated pursuant to this paragraph, school boards must allocate, not later than October 1, 2008, at least $5 per unweighted FTE student to be used at the discretion of the school advisory council pursuant to sections 24.121(5) and 1001.452, Florida Statutes. Council funds must be accounted for and are subject to an annual audit.

TOTAL: PROGRAM: STATE GRANTS/K-12 PROGRAM - FEFP
FROM TRUST FUNDS 402,329,817

TOTAL ALL FUNDS 402,329,817

PROGRAM: STATE GRANTS/K-12 PROGRAM - NON FEFP

8 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - EXCELLENT TEACHING
FROM EDUCATIONAL ENHANCEMENT TRUST FUND . 3,000,000

PROGRAM: WORKFORCE EDUCATION

9A AID TO LOCAL GOVERNMENTS
WORKFORCE DEVELOPMENT
FROM EDUCATIONAL ENHANCEMENT TRUST FUND . 7,167,471

Funds in Specific Appropriation 9A are provided for school district workforce education programs as defined in section 1004.02 (26), Florida Statutes, and are allocated in Specific Appropriation 120.

COMMUNITY COLLEGES, DIVISION OF

PROGRAM: COMMUNITY COLLEGE PROGRAMS

10 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - COMMUNITY COLLEGE
LOTTERY FUNDS
FROM EDUCATIONAL ENHANCEMENT TRUST FUND . 129,969,062

SECTION 1
SPECIFIC
APPROPRIATION

Funds provided in Specific Appropriation 10 shall be allocated as follows:

Brevard Community College	4,968,876
Broward Community College	9,367,483
Central Florida Community College	2,589,866
Chipola College	1,156,773
Daytona Beach Community College	6,036,391
Edison College	3,115,065
Florida Community College at Jacksonville	9,427,015
Florida Keys Community College	706,976
Gulf Coast Community College	2,303,194
Hillsborough Community College	6,317,973
Indian River Community College	5,523,606
Lake City Community College	1,547,346
Lake-Sumter Community College	1,254,955
Manatee Community College	2,797,011
Miami-Dade College	21,172,553
North Florida Community College	764,819
Okaloosa-Walton College	2,234,678
Palm Beach Community College	6,459,027
Pasco-Hernando Community College	2,337,962
Pensacola Junior College	4,318,702
Polk Community College	2,183,366
St. Johns River Community College	3,336,318
St. Petersburg College	7,404,533
Santa Fe Community College	4,528,123
Seminole Community College	4,449,930
South Florida Community College	1,823,997
Tallahassee Community College	3,757,569
Valencia Community College	8,084,955

UNIVERSITIES, DIVISION OF

PROGRAM: EDUCATIONAL AND GENERAL ACTIVITIES

Funds in Specific Appropriations 11 through 15 shall be expended in accordance with operating budgets which must be approved by each university's board of trustees.

11 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - EDUCATION AND GENERAL ACTIVITIES
FROM EDUCATIONAL ENHANCEMENT TRUST FUND . 204,384,992

Funds in Specific Appropriation 11 shall be allocated as follows:

University of Florida	36,451,775
Florida State University	31,298,699
Florida A&M University	11,991,929
University of South Florida	28,903,121
University of South Florida, St. Petersburg	1,257,468
University of South Florida, Sarasota/Manatee	1,077,548
Florida Atlantic University	16,632,794
University of West Florida	6,552,055
University of Central Florida	28,700,235
Florida International University	24,540,024
University of North Florida	10,373,831
Florida Gulf Coast University	5,771,049
New College of Florida	834,464

12 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - IFAS (INSTITUTE OF FOOD AND AGRICULTURAL SCIENCE)
FROM EDUCATIONAL ENHANCEMENT TRUST FUND . 11,838,821

13 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - UNIVERSITY OF SOUTH FLORIDA MEDICAL CENTER
FROM EDUCATIONAL ENHANCEMENT TRUST FUND . 4,241,041

14 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - UNIVERSITY OF FLORIDA HEALTH CENTER
FROM EDUCATIONAL ENHANCEMENT TRUST FUND . 7,026,684

SECTION 1
SPECIFIC
APPROPRIATION

15 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - FLORIDA STATE UNIVERSITY MEDICAL SCHOOL
FROM EDUCATIONAL ENHANCEMENT TRUST FUND . 1,022,947

TOTAL: PROGRAM: EDUCATIONAL AND GENERAL ACTIVITIES
FROM TRUST FUNDS 228,514,485

TOTAL ALL FUNDS 228,514,485

TOTAL OF SECTION 1

FROM TRUST FUNDS 1567,957,904

TOTAL ALL FUNDS 1567,957,904

SECTION 2 - EDUCATION (ALL OTHER FUNDS)

The moneys contained herein are appropriated from the named funds to the Department of Education as the amounts to be used to pay the salaries, other operational expenditures and fixed capital outlay.

EDUCATION, DEPARTMENT OF

PROGRAM: EDUCATION - FIXED CAPITAL OUTLAY

The Legislature hereby finds and determines that the items and sums designated in Specific Appropriations 15A through 28A shall constitute authorized capital outlay projects within the meaning and as required by section 9(a)(2), Article XII of the State Constitution, as amended, and any other law. In accordance therewith, the moneys in the following items are authorized to be expended for the enumerated authorized capital outlay projects.

The sum designated for each project is the maximum sum to be expended for each specified phase of the project from funds accruing under section 9(a)(2), Article XII of the State Constitution. The scope of each project shall be planned so that the amounts specified shall not be exceeded, or any excess in costs shall be funded by sources other than this appropriation. Such excess costs may be funded from the Public Education Capital Outlay and Debt Service Trust Fund only as a result of fund transfers pursuant to section 216.292 (4)(c), Florida Statutes. Each project shall be constructed on the site specified. If existing facilities and acquisition of new sites are a part of these projects, each such building and site must be certified to be free of contamination, asbestos, and other hazardous materials before the facility or site may be acquired. The provisions of section 216.301 (2), Florida Statutes, shall apply to all capital outlay funds appropriated to the Public Education Capital Outlay and Debt Service Trust Fund for the Fiscal Year 2008-2009 appropriation, and shall also apply to the funds appropriated in Specific Appropriations 15A through 28A.

The Governor's Office of Policy and Budget shall establish Fixed Capital Outlay budget authority within appropriate accounts to enable expenditure of funds appropriated for the state universities, the Florida School for the Deaf and the Blind, public school districts, community colleges, public broadcasting, and the Division of Blind Services.

15A FIXED CAPITAL OUTLAY
STATE UNIVERSITY SYSTEM CAPITAL IMPROVEMENT FEE PROJECTS
FROM CAPITAL IMPROVEMENTS FEE TRUST FUND . 122,000,000

Funds are provided in Specific Appropriation 15A for the following State University System Capital Improvement Fee Projects:

UF	Southwest Recreational Center Expansion	16,284,523
UF	Reitz Union Rio Ballroom and 2nd Floor Restroom Ren	1,480,000
UF	Campus Security System Enhancement	500,000
UF	Flavet Field Bandshell renovation	450,000
UF	Stephen C. O'Connell Weight Room renovation	68,000

SECTION 2
SPECIFIC
APPROPRIATION

FSU Barron Building Remodeling - Panama City	207,000
FSU Allan Bense Atrium Remodeling - Panama City	25,000
FSU Phase II Rec SportsPlex - Main	3,000,000
FSU Student Success Building - Main	13,000,000
FSU Repay Housing Aux Loan for Rec SportsPlex Phl Main	4,000,000
FAMU Recreation Building Phase II - Sports Fields	5,100,000
USF Student Wellness and Nutrition Center - Tampa	14,876,702
USF Student Center - Lakeland	393,264
USF Student Courtyard Enhancements - Sarasota	544,691
USF Rec Facilities & Program Expan Maint & Repair-St Pete	798,198
USF Multi-Purpose Center - St. Pete	580,359
FAU Campus Rec & Wellness - Phase I Advance - Boca Raton	4,000,000
FAU Campus Recreation & Wellness - Phase II - Boca Raton	4,433,359
FAU Student Union and Wellness Center Improvements - Davie	350,000
FAU Student Union Renovation - Jupiter	75,000
FAU Renovation to Student Life Building - Treasure Coast	1,038,817
UWF Student Health, Counseling & Wellness Center	4,600,000
UWF Building 54, Athletic & Sports Booster Room	160,000
UWF Building 54 Renovation, Women's Sports Area	400,000
UCF Recreation and Wellness Center Expansion (Indoor)	10,150,000
UCF Recreation and Wellness Center (Outdoor including Lake Claire)	4,000,000
UCF Health Services - Dental Clinic	550,000
UCF Student Union Boardwalk Replacement	500,000
UCF Foundation Statue Project	50,000
UCF Career Services & Experimental Learning Center	6,800,000
UCF SGA and OSI Expansion	600,000
UCF Student Union Master Planning & Minor Projects	347,156
FIU Exp & Ren of East Wing/Lobby, Reception, Rstrms-PharmEd.	5,000,000
FIU Biscayne Bay Impr./ Wolfe Univ. Ctr, play flds, courts.	1,500,000
FIU Graham Center Expansion	703,456
FIU Stadium/Student Meeting Rooms	5,500,000
UNF Student Union	500,000
UNF Campus Recr./Sports Perf. Ctr (New Const.)	4,500,000
FGCU Student Union Addition	3,734,475
FGCU Soccer Field Improvements	400,000
FGCU South Housing recreation fields	300,000
NC Hamilton Ctr (roofing, infras, st. off., cap. equip.)	500,000

16 FIXED CAPITAL OUTLAY
STATE UNIVERSITY SYSTEM CONSTRUCTION
PROJECTS
FROM ANCILLARY FACILITIES CONSTRUCTION
TRUST FUND 141,000,000

17 FIXED CAPITAL OUTLAY
VOCATIONAL-TECHNICAL FACILITIES
FROM PUBLIC EDUCATION CAPITAL OUTLAY AND
DEBT SERVICE TRUST FUND 4,500,000

Funds in Specific Appropriation 17 are for the Manatee County Technical Institute.

18 FIXED CAPITAL OUTLAY
MAINTENANCE, REPAIR, RENOVATION, AND
REMODELING
FROM PUBLIC EDUCATION CAPITAL OUTLAY AND
DEBT SERVICE TRUST FUND 220,435,891

Funds in Specific Appropriation 18 shall be allocated in accordance with section 1013.64(1), Florida Statutes, as follows:

Public Schools	119,129,763
Community Colleges	17,088,020
State University System	29,151,900
Charter Schools	55,066,208

Funds in Specific Appropriation 18 for Charter Schools shall be distributed pursuant to section 1013.62, Florida Statutes.

19 FIXED CAPITAL OUTLAY
SURVEY RECOMMENDED NEEDS - PUBLIC SCHOOLS
FROM PUBLIC EDUCATION CAPITAL OUTLAY AND
DEBT SERVICE TRUST FUND 150,798,151

SECTION 2
SPECIFIC
APPROPRIATION

From the funds in Specific Appropriation 19, $5,164,974 shall be distributed to developmental research schools and allocated in accordance with section 1002.32(9)(e), Florida Statutes. The remaining funds shall be allocated to school districts and developmental research schools in accordance with section 1013.64(3), Florida Statutes.

20 FIXED CAPITAL OUTLAY
COMMUNITY COLLEGE PROJECTS
FROM PUBLIC EDUCATION CAPITAL OUTLAY AND
DEBT SERVICE TRUST FUND 365,610,508

Funds in Specific Appropriation 20 shall be allocated as follows:

BREVARD COMMUNITY COLLEGE	
Gen ren/rem, Fac 7 Melb,14&16 Cocoa,infrastr & site imprv	4,997,951
BROWARD COMMUNITY COLLEGE	
Gen ren/rem, HVAC,fire sys,ADA,roofs,Bldgs 3-31,site imprv.	6,541,845
Rem/ren Public Safety Bldgs 22 & 6 w/add - Central part	5,106,716
Health Science Simulation Lab Fac - Central part (spce)	4,960,550
CENTRAL FLORIDA COMMUNITY COLLEGE	
Gen ren/rem, HVAC,mech/elec,ADA,roofs,EMS,site imprv	2,179,243
Clsrms/Labs Instruc Ctr Ph 2,Rem/ren w/match-Citrus (ce)	6,175,429
CHIPOLA COLLEGE	
Gen ren/rem, telcom sys,util,site imprv, Bldgs 1 & 410	1,285,429
Rem/ren Student Center Facility - Main	2,437,656
Replace/Perf Arts Bldg 600-life safe&struc-Main comp (ce)	4,662,315
Replace WF Dev Bldg-life safe&struc-Main comp (spce)	3,759,500
DAYTONA BEACH COMMUNITY COLLEGE	
Gen ren/rem, undergrd util,site imprv, therm storage Fac	2,820,712
Major Ren/Rem, Brick Facia-Bldg 200-life safety-Main comp	1,000,000
Land & facilities acquisition - Collegewide (spc)	500,000
EDISON COLLEGE	
Health Sciences Annex addition - Main complete (ce)	14,064,200
Gen ren/rem, energy mgt,Bldg sys renewal,util,site imprv	2,207,947
Rem/ren Clsrms/Labs Bldgs & LRC (5) - Lee & Collier	3,311,234
Allied Health Sci & Clsrms Bldg w/mat-Collier part (spce)	1,300,000
Childcare Ctr & Rem Clsrm w/loc&UF mat-Collier comp (pce)	455,000
FLORIDA COMMUNITY COLLEGE AT JACKSONVILLE	
Gen ren/rem, ADA,HVAC,lights,util,roofs,floors,site imprv	6,186,790
Rem/ren New space w/backfill replacement - Deerwood	4,066,504
Rem/ren Clsrms/Labs Bldgs N,P,Q,R,U & Wlw/addn-South	5,085,278
Fire Trg Burn Ship w/match - South complete (spce)	3,046,875
FLORIDA KEYS COMMUNITY COLLEGE	
Gen ren/rem, chiller Bldg,EMS,telecom,HVAC,site imprv	533,280
Rem/ren Lib,Multimedia & Marine Propul Bldgs - Main part	1,662,201
Repl Jt-Use Ctr Bldg w/loc school match-Marathon (ce) comp.	139,085
GULF COAST COMMUNITY COLLEGE	
Gen ren/rem, HVAC,Health Sci Labs,sec sys, site imprv	1,225,439
Pub Safe/Emerg Op Ctr w/mat(Fed & State)-North Bay comp	2,610,000
Corporate & Tech Training Ctr w/loc match - Main part (ce).	2,900,000
Land & facilities acquisition - Collegewide (spc)	299,953
HILLSBOROUGH COMMUNITY COLLEGE	
Student Services Bldgs - Ybor City complete (ce)	1,851,761
Gen ren/rem, HVAC,ADA,util,comm&security sys,site imprv	2,383,079
Rem/ren Clsrms/Labs Bldg 601,602,606 - Brandon	7,221,025
Land & facilities acquisition - Collegewide partial (spc)	250,000
INDIAN RIVER COMMUNITY COLLEGE	
Gen ren/rem, roofs,ADA,HVAC,utilities,alarms,site imprv	2,163,290
Maj Ren/Rem, Emerg repl-Brick-Bldgs 18 & 19-Main complete	2,100,000
Rem/ren Clsrms/Labs Bldgs 1w/addition,3,6 - Main	1,500,000
Land & facilities acquisition - Collegewide partial (spc)	500,000
Science, Technology, Engineer., Math Ctr - St Lucie West	18,500,000
LAKE CITY COMMUNITY COLLEGE	
Library/Audio-Visual Facility - Main partial (ce)	8,567,391
Gen ren/rem, HVAC,roofs,fire&sec sys,util,road,site imprv	1,142,783
LAKE-SUMTER COMMUNITY COLLEGE	
Gen ren/rem, ADA,HVAC,comm sys,roofs,site imprv	839,138
Maj Ren/Rem, Telecom, Util, Infrastr-Collegewide part	500,000
MANATEE COMMUNITY COLLEGE	
Gen ren/rem,util,HVAC,roofs,soffits,ADA,site imprv	2,243,349
Clsrm/Lab MedTech Bldg w/mat-Lakewd Rch Main complete (ce).	7,988,961
Rem/ren Library Bldg - Main Partial	4,668,793
MIAMI DADE COLLEGE	
Clsrms/Labs,Child Dev&Sup Svcs Fac - Wolfson partial (ce)	13,050,000

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Gen ren/rem - collegewide	12,475,180
Rem/ren New space/Clsrms/Labs/Sup Svcs - West partial	4,500,000
Rem/ren Clsrms/Labs/Sup Svcs w/addition - Wolfson	3,800,000
Rem/ren Clsrms/Labs/Sup Svcs Bldgs 1,2,3,5,7&13-North part.	3,231,505
NORTH FLORIDA COMMUNITY COLLEGE	
Gen ren/rem, HVAC,site imp,roofing,handicap access,ADA	518,041
Rem/ren Sci Bldg,Annex/AV-Dev Ed/Math/InstTech-Conf/PE add.	2,617,758
OKALOOSA-WALTON COLLEGE	
Classrm Bldg - South Walton County Center complete (ce)	3,899,914
Gen ren/rem,util,energy mgt,parking,site imprv,safety,elec.	1,762,341
Rem/ren Student Svcs w/addition - Main (w/3rd floor LI)	25,500,000
PALM BEACH COMMUNITY COLLEGE	
Gen ren/rem, EMS,roofs,parkg,utilities,HVAC,lights,rds	4,217,076
Rem/ren Clsrms/Labs LRC Bldg 104 2nd Fl - Palm Bch Gardens.	2,643,658
Rem/ren Clsrms/Labs - 110,111,115,205&230-Lk Worth part	3,080,550
Pub Safe Trg Ctr w/local match -NW Special Purp Ctr part	3,000,000
PASCO-HERNANDO COMMUNITY COLLEGE	
Clsrms/Labs/Sup Svcs - Spring Hill partial (ce)	14,970,294
Clsrms/Labs/Sup Svcs - Wesley Chapel Center partial (ce)	5,053,330
Gen ren/rem, Bldg 2 E,roofs,util,fire safety,HVAC, ADA	3,267,440
PENSACOLA JUNIOR COLLEGE	
Gen ren/rem,HVAC,LRC Bldg,roofs,site imprv,lights	3,591,520
POLK COMMUNITY COLLEGE	
Gen ren/rem, roofs,comm sys,ADA,chiller,HVAC,EMS	1,686,473
Rem/ren LRC & Fine Arts Bldgs - Main partial	1,393,891
Land & facilities acquisition - Collegewide part (spc)	500,000
ST. JOHNS RIVER COMMUNITY COLLEGE	
Gen ren/rem, HVAC,roofs,ADA,fire&sec sys,util, site imprv	1,263,790
Major Ren/Rem, Environmental Permit - St. Augustine part	640,000
Rem/ren Science/Tech & Nursing/Health Bldgs - Palatka	1,131,392
Health/Sci Prototype Bldg St. Augustine part (spc)	7,997,000
Rem/ren locker rooms St Johns River complex	200,000
ST. PETERSBURG COLLEGE	
Gen ren/rem,roofs,HVAC,ADA,utilities,site improvements	4,784,793
Major Ren/Rem, Em repl Chill water loop, infrastr-CL part	500,000
Rem/ren Library to Stu Svcs w/addition - SP/G	4,712,576
Rem/ren Clsrms/Labs/Inst Supp Site Dev Ph 2 w/addn-DT part.	3,826,454
Rem/ren Soc Sci Bldg,Nat Sci w/addn & Bus Tech-CL part	746,114
Math/Sci Education Bldg w/Bond match-CL complete (pce)	2,044,741
Adj land & facilities acq - Collegewide partial (spc)	250,000
SANTA FE COMMUNITY COLLEGE	
Gen ren/rem, Bldg B,drainage,panels,HVAC,util sys,roofs	2,421,947
Rem/ren Clsrms/Labs Bldg W - Main	1,479,622
Construction Trades Lab Bldg - Main complete (ce)	1,329,616
SEMINOLE COMMUNITY COLLEGE	
Gen ren/rem,EMS,driving pad,util,comm sys,parking,site dev.	2,174,240
Rem/ren Bldg K Voc Labs to Teaching Labs w/connect- Main	6,687,330
Rem/ren Bldgs L & F to Clsrms/Labs/Offices - Main	3,505,890
Jt-Use Clsrms/Labs/Stu Svcs w/UCF - Sanford partial (ce)	2,000,000
SOUTH FLORIDA COMMUNITY COLLEGE	
Gen ren/rem, roofing,util,drainage,ADA,site improvement	1,051,372
Rem/ren Admin,Nursing,Fine Arts & Sci Bldgs w/addn - Main	4,068,944
TALLAHASSEE COMMUNITY COLLEGE	
Gen ren/rem,roof,infrastr,util,comm sys,HVAC,ADA,site imp	2,084,836
Allied Health Education Ctr w/match - Main (ce)	1,453,608
Land & facilities acquisition - Collegewide partial (spc)	250,000
VALENCIA COMMUNITY COLLEGE	
Allied Health Bldg 10 - West complete (ce)	15,502,371
Gen ren/rem, parking,elev,clsrms/labs int fin,telecom sys	3,519,815
Maj Ren/Rem,Emg repl-Chill w/loop,infrastr-East (pc) part	604,107
Rem/ren Clsrms/Labs Bldgs 1,3,4 - West	3,864,000
Jt-Use Clsrms/Labs/Stu Svcs w/UCF - West complete (ce)	11,250,000
Library & High Tech Bldg 4 - Osceola partial (spc)	1,066,277
Land acquisition - Southeast Campus partial (spc)	500,000

21 FIXED CAPITAL OUTLAY
STATE UNIVERSITY SYSTEM PROJECTS
FROM PUBLIC EDUCATION CAPITAL OUTLAY AND
DEBT SERVICE TRUST FUND 425,234,450

Funds in Specific Appropriation 21 shall be allocated as follows:

UNIVERSITY OF FLORIDA	
Utilities/Infrastructure/Capital Renewal/Roofs (P,C,E)	15,000,000
Biomedical Sciences Building (C,E)	14,443,490
Veterinary Education and Clinical Research Center (C,E)	22,382,149
Chemistry/Chemical Biology Building (P,C)	7,608,204
Research & Conference Facility at Lake Nona (P,C)	6,000,000
FLORIDA STATE UNIVERSITY	
Utilities/Infrastructure/Capital Renewal/Roofs (P,C,E)	8,500,000
College of Education Building Expansion (C,E)	3,000,000
Ruby Diamond Renovation (C,E)	10,000,000
Johnston Building Remodeling (C,E)	29,200,000
Nursing / Health Facility	10,000,000
FLORIDA AGRICULTURAL AND MECHANICAL UNIVERSITY	
University Commons Renovation (C,E)	2,960,430
Utilities/Infrastructure/Capital Renewal/Roofs (P,C,E)(P,C,E)(P,C,E)	5,000,000
Multi-Purpose Center Teaching Gymnasium (C,E)	2,950,000
Tucker Hall Remodeling (C,E)	7,000,000
Rural Diversity Healthcare - Crestview	2,500,000
Pharmacy Building Phase II (P,C,E)	2,000,000
UNIVERSITY OF SOUTH FLORIDA	
Utilities/Infrastructure/Capital Renewal/Roofs (P,C,E)	10,000,000
Sarasota/Manatee Utilities/Infrastructure/Capital Renewal/Roofs (P,C,E)	1,500,000
USF St. Pete. Utilities/Infrastructure/Capital Renewal/Roofs (P,C,E)	800,000
Visual & Performing Arts Teaching Facility (C,E)	19,564,997
Interdisciplinary Science Teaching & Research Facility (C,E)(C,E)	3,000,000
USF Lakeland New Campus Phase I (P,C,E)	15,000,000
FLORIDA ATLANTIC UNIVERSITY	
Utilities/Infrastructure/Capital Renewal/Roofs (P,C,E)	7,865,000
FAU/UF Joint Use Facility - Davie (C,E)	17,447,500
General Classroom/Engineering Building (C,E)	17,952,000
General Classroom Facility (C,E)	8,246,000
UNIVERSITY OF WEST FLORIDA	
Utilities/Infrastructure/Capital Renewal/Roofs (P,C,E)	5,000,000
College of Business Education Center, ph I of III (P,C,E)	4,000,000
Natatorium Renovation (P,C,E)	4,126,000
UNIVERSITY OF CENTRAL FLORIDA	
Utilities/Infrastructure/Capital Renewal/Roofs (P,C,E)	12,500,000
VCC-UCF Joint Use Facility (C,E)	1,125,000
Arts Complex II-Performance (P,C,E)	7,428,749
Physical Sciences Building Phase II (P,C,E)	25,773,704
Partnership III Building (P,C,E)	20,000,000
FLORIDA INTERNATIONAL UNIVERSITY	
Utilities/Infrastructure/Capital Renewal/Roofs (P,C,E)	10,500,000
Science/Classroom Complex - UP (C,E)	12,000,000
Satellite Chiller Plant - UP (C,E)	6,000,000
Health Science Laboratory Clinic - UP (C,E)	7,000,000
Student Academic Support Center - UP (P,C)	2,500,000
UNIVERSITY OF NORTH FLORIDA	
Utilities/Infrastructure/Capital Renewal/Roofs (P,C,E)	6,000,000
Science & Humanities Building Ph. II (P,C,E)	24,000,000
FLORIDA GULF COAST UNIVERSITY	
Utilities/Infrastructure/Capital Renewal/Roofs (P,C,E)	5,000,000
Hospitality Management Building - Phase 2 (P,C,E)	5,000,000
Classrooms/Offices/Labs Academic 8 (P,C)	8,000,016
NEW COLLEGE	
Academic Facility (E)	961,211
Utilities/Infrastructure/Capital Renewal/Roofs (P,C,E)	4,400,000
Hamilton Center/Hamilton Classroom Remodeling (P,C,E)	1,500,000
Sea Wall Infrastructure Replacement (P,C,E)	2,500,000

22 FIXED CAPITAL OUTLAY
SPECIAL FACILITY CONSTRUCTION ACCOUNT

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FROM PUBLIC EDUCATION CAPITAL OUTLAY AND DEBT SERVICE TRUST FUND 14,946,948

Funds in Specific Appropriation 22 shall be allocated in accordance with section 1013.64(2), Florida Statutes, to the following project:

Hosford Elementary School - Liberty County..... 14,946,948

23 FIXED CAPITAL OUTLAY
DEBT SERVICE
FROM CAPITAL IMPROVEMENTS FEE TRUST FUND . 28,500,000
FROM PUBLIC EDUCATION CAPITAL OUTLAY AND DEBT SERVICE TRUST FUND 980,020,000
FROM SCHOOL DISTRICT AND COMMUNITY COLLEGE DISTRICT CAPITAL OUTLAY AND DEBT SERVICE TRUST FUND 105,973,317

Funds provided in Specific Appropriation 23 from the School District and Community College District Capital Outlay and Debt Service Trust Fund are for Fiscal Year 2008-2009 debt service on bonds authorized pursuant to the School Capital Outlay Amendment, subsection (d), section 9, Article XII of the Constitution of Florida, and any other continuing payments necessary or incidental to the repayment of the bonds. These funds may be used to refinance any or all series if it is in the best interest of the state as determined by the Division of Bond Finance. If the debt service appropriated for this program in Specific Appropriation 23 is insufficient due to interest rate changes, issuance timing, or other circumstances, the amount of the insufficiency is appropriated from the School District and Community College District Capital Outlay and Debt Service Trust Fund.

24 FIXED CAPITAL OUTLAY
GRANTS AND AIDS - SCHOOL DISTRICT AND COMMUNITY COLLEGE
FROM SCHOOL DISTRICT AND COMMUNITY COLLEGE DISTRICT CAPITAL OUTLAY AND DEBT SERVICE TRUST FUND 28,000,000

24A FIXED CAPITAL OUTLAY
GRANTS AND AIDS - COMMUNITY COLLEGES FACILITIES MATCHING PROGRAM
FROM GENERAL REVENUE FUND 8,810,309

Funds in Specific Appropriation 24A shall be provided to the following projects:

INDIAN RIVER COMMUNITY COLLEGE
Homeland Security/Public Service Bldg/Ft. Pierce MainCamp. 2,300,000
IRCC/FSU Medical Facility..... 25,000
MANATEE COMMUNITY COLLEGE
Enhance Rem/Ren Music Education - Bradenton Campus..... 531,377
Enhance Medical Tech Building - Lakewood Ranch Ctr..... 229,052
MIAMI DADE COLLEGE
Land and Facilities Acquisition/Construction/Collegewide.. 5,391,546
PALM BEACH COMMUNITY COLLEGE
Additional Funding for Humanities Technology Bldg - South. 333,334

25 FIXED CAPITAL OUTLAY
FLORIDA SCHOOL FOR THE DEAF AND BLIND - CAPITAL PROJECTS
FROM PUBLIC EDUCATION CAPITAL OUTLAY AND DEBT SERVICE TRUST FUND 13,399,103

Funds in Specific Appropriation 25 are for the following projects:

Major Renovations..... 9,545,000
Building Maintenance..... 1,654,410
Campus-wide Systems Maintenance..... 1,760,828
Campus Safety and Code Compliance..... 431,865
Facilities Master Plan..... 7,000

26 FIXED CAPITAL OUTLAY
DIVISION OF BLIND SERVICES - CAPITAL PROJECTS
FROM PUBLIC EDUCATION CAPITAL OUTLAY AND DEBT SERVICE TRUST FUND 3,967,100

Funds in Specific Appropriation 26 are provided to construct a technology training building with classrooms and replace roofs for two buildings at the Daytona Beach Rehabilitation Center.

27 FIXED CAPITAL OUTLAY
JOINT-USE FACILITIES PROJECTS
FROM PUBLIC EDUCATION CAPITAL OUTLAY AND DEBT SERVICE TRUST FUND 14,795,618

Funds in Specific Appropriation 27 are provided for the following joint-use facilities:

Pensacola Junior College and Santa Rosa School District..... 11,045,618
Valencia Community College and University of Central Florida..... 3,750,000

28 FIXED CAPITAL OUTLAY
PUBLIC BROADCASTING PROJECTS
FROM PUBLIC EDUCATION CAPITAL OUTLAY AND DEBT SERVICE TRUST FUND 2,412,231

Funds in Specific Appropriation 28 are for the following projects:

Emergency Services Facility Upgrade..... 598,096
Satellite Antenna Relocation..... 61,904
Satellite Operations Storm Hardened Transmitter Building.... 103,960
Public Broadcasting Facilities..... 1,648,271

28A FIXED CAPITAL OUTLAY
STATE UNIVERSITY SYSTEM FACILITY ENHANCEMENT CHALLENGE GRANTS
FROM ALEC P COURTELIS CAPITAL FACILITIES MATCHING TRUST FUND 4,889,691

Funds in Specific Appropriation 28A shall be provided to the following projects:

UF Harn Museum Fine Arts (P,C,E)..... 150,000
UF Recec Cattle Research Facility, Ona (P,C,E)..... 10,000
FSU Ringling Circus Museum (P,C,E)..... 3,406,237
FSU Ringling Museum Library Improvements (P,C,E)..... 25,000
FIU Patricia and Phillip Frost Art Museum (C,E)..... 433,000
FIU Graduate School of Business Phase II (P,C,E)..... 573,154
FIU Intl. Hur. Ctr. Wall of Wind Test Fac, Ph II (P,C,E)... 82,300
FIU Engineering Center Lab (P,C,E)..... 10,000
FIU College of Nursing & Health Sciences Laboratory (E).... 200,000

TOTAL: PROGRAM: EDUCATION - FIXED CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 8,810,309
FROM TRUST FUNDS 2626,483,008

TOTAL ALL FUNDS 2635,293,317

VOCATIONAL REHABILITATION

APPROVED SALARY RATE 35,963,106

31 SALARIES AND BENEFITS POSITIONS 1,007.00
FROM GENERAL REVENUE FUND 9,123,903
FROM ADMINISTRATIVE TRUST FUND 193,608
FROM FEDERAL REHABILITATION TRUST FUND . . 35,337,428
FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND 4,196,405

For funds in Specific Appropriations 31 through 44 for the Vocational Rehabilitation Program, the Department of Education is the designated state agency for purposes of compliance with the Federal Rehabilitation Act of 1973, as amended.

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If the department identifies additional resources that may be used to maximize federal matching funds for the Vocational Rehabilitation Program, the department shall submit a budget amendment prior to the expenditure of the funds, in accordance with the provisions of chapter 216, Florida Statutes.

32	OTHER PERSONAL SERVICES	
	FROM FEDERAL REHABILITATION TRUST FUND . .	819,103
	FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND	125,742
33	EXPENSES	
	FROM FEDERAL REHABILITATION TRUST FUND . .	9,995,222
	FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND	941,142
34	AID TO LOCAL GOVERNMENTS	
	GRANTS AND AIDS - ADULTS WITH DISABILITIES FUNDS	
	FROM GENERAL REVENUE FUND	16,203,126

Funds provided in Specific Appropriation 34 shall be distributed to community colleges and school districts for programs serving adults with disabilities. Programs that were funded in Fiscal Year 2007-2008 will be eligible for continuation funding if the program has made satisfactory progress and the application reflects effective use of resources as defined by the Department of Education. The department has the authority to redistribute any funds due to unsatisfactory progress, ineffective use of resources, or discontinued programs.

From the funds in Specific Appropriation 34, provided that satisfactory progress was made during the 2007-2008 fiscal year, $14,991,259 is provided for school district adult handicapped programs and shall be allocated as follows:

Alachua	43,029
Baker	188,945
Bay	168,869
Bradford	61,307
Brevard	525,867
Broward	1,600,188
Charlotte	60,890
Citrus	131,467
Collier	45,337
Columbia	45,191
De Soto	281,302
Escambia	256,738
Flagler	930,666
Gadsden	472,459
Gulf	36,975
Hardee	52,370
Hernando	88,018
Hillsborough	498,221
Jackson	1,770,093
Jefferson	66,891
Lake	31,126
Leon	999,474
Martin	358,410
Miami-Dade	1,954,114
Monroe	90,764
Orange	485,483
Osceola	38,306
Palm Beach	1,320,703
Pasco	16,298
Pinellas	650,098
Polk	284,134
St. Johns	118,522
Santa Rosa	42,988
Sarasota	760,464
Sumter	15,082
Suwannee	82,980
Taylor	82,038
Union	90,367
Wakulla	39,902
Washington	205,183

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From the funds provided in Specific Appropriation 34, provided that satisfactory progress was made during the 2007-2008 fiscal year, $1,211,867 is provided for community college adult handicapped programs and shall be allocated as follows:

Central Florida Community College	34,234
Daytona Beach Community College	291,762
Florida Community College at Jacksonville	252,275
Indian River Community College	133,593
Pensacola Junior College	36,975
St. Johns River Community College	44,369
Santa Fe Community College	72,718
Seminole Community College	64,091
South Florida Community College	241,978
Tallahassee Community College	39,872

35	AID TO LOCAL GOVERNMENTS		
	GRANTS AND AIDS - FLORIDA ENDOWMENT FOUNDATION FOR VOCATIONAL REHABILITATION		
	FROM GENERAL REVENUE FUND	328,292	
36	OPERATING CAPITAL OUTLAY		
	FROM FEDERAL REHABILITATION TRUST FUND . .		480,986
	FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND		49,601
37	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	472,936	
	FROM FEDERAL REHABILITATION TRUST FUND . .		6,916,039
	FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND		3,213,708
38	SPECIAL CATEGORIES		
	INDEPENDENT LIVING SERVICES		
	FROM GENERAL REVENUE FUND	1,365,696	
	FROM FEDERAL REHABILITATION TRUST FUND . .		4,500,000

Funds provided in Specific Appropriation 38 shall be allocated to the Centers for Independent Living and shall be distributed according to the formula in the State Plan for Independent Living. From the Federal Rehabilitation Trust Fund allocation, $3,300,000 shall be funded from Social Security reimbursements (program income) provided that the Social Security reimbursements are available.

39	SPECIAL CATEGORIES		
	PURCHASED CLIENT SERVICES		
	FROM GENERAL REVENUE FUND	25,956,101	
	FROM FEDERAL REHABILITATION TRUST FUND . .		81,737,733
40	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM FEDERAL REHABILITATION TRUST FUND . .		386,922
	FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND		34,330
41	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	74,883	
	FROM FEDERAL REHABILITATION TRUST FUND . .		281,690
	FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND		33,259
42	DATA PROCESSING SERVICES		
	OTHER DATA PROCESSING SERVICES		
	FROM GENERAL REVENUE FUND	216,845	
	FROM FEDERAL REHABILITATION TRUST FUND . .		765,876
43	DATA PROCESSING SERVICES		
	STATE TECHNOLOGY OFFICE		
	FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND		515,903

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44 DATA PROCESSING SERVICES
EDUCATION TECHNOLOGY AND INFORMATION SERVICES
FROM FEDERAL REHABILITATION TRUST FUND . . 280,062
FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND 364

TOTAL: VOCATIONAL REHABILITATION
FROM GENERAL REVENUE FUND 53,741,782
FROM TRUST FUNDS 150,805,123

TOTAL POSITIONS 1,007.00
TOTAL ALL FUNDS 204,546,905

BLIND SERVICES, DIVISION OF

APPROVED SALARY RATE 10,135,115

45 SALARIES AND BENEFITS POSITIONS 303.00
FROM GENERAL REVENUE FUND 4,097,082
FROM ADMINISTRATIVE TRUST FUND 350,122
FROM FEDERAL REHABILITATION TRUST FUND . . 8,928,214

46 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 156,076
FROM FEDERAL REHABILITATION TRUST FUND . . 290,354
FROM GRANTS AND DONATIONS TRUST FUND . . . 10,047

47 EXPENSES
FROM GENERAL REVENUE FUND 440,457
FROM ADMINISTRATIVE TRUST FUND 16,091
FROM FEDERAL REHABILITATION TRUST FUND . . 2,672,588
FROM GRANTS AND DONATIONS TRUST FUND . . . 44,395

48 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - COMMUNITY REHABILITATION FACILITIES
FROM GENERAL REVENUE FUND 846,220
FROM FEDERAL REHABILITATION TRUST FUND . . 4,522,207

49 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 56,832
FROM FEDERAL REHABILITATION TRUST FUND . . 235,198

50 FOOD PRODUCTS
FROM FEDERAL REHABILITATION TRUST FUND . . 200,000

51 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM FEDERAL REHABILITATION TRUST FUND . . 100,000

52 SPECIAL CATEGORIES
GRANTS AND AIDS - CLIENT SERVICES
FROM GENERAL REVENUE FUND 8,559,186
FROM FEDERAL REHABILITATION TRUST FUND . . 16,451,694
FROM GRANTS AND DONATIONS TRUST FUND . . . 252,746

53 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 69,840
FROM FEDERAL REHABILITATION TRUST FUND . . 375,000

54 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 7,228
FROM FEDERAL REHABILITATION TRUST FUND . . 282,940

55 SPECIAL CATEGORIES
LIBRARY SERVICES
FROM GENERAL REVENUE FUND 97,000
FROM GRANTS AND DONATIONS TRUST FUND . . . 100,000

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From the funds in Specific Appropriation 55, $48,500 from the General Revenue Fund is provided for the Braille and Talking Book Library.

56 SPECIAL CATEGORIES
VENDING STANDS - EQUIPMENT AND SUPPLIES
FROM FEDERAL REHABILITATION TRUST FUND . . 1,500,000
FROM GRANTS AND DONATIONS TRUST FUND . . . 595,000

57 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 4,336
FROM ADMINISTRATIVE TRUST FUND 3,364
FROM FEDERAL REHABILITATION TRUST FUND . . 110,000

58 DATA PROCESSING SERVICES
OTHER DATA PROCESSING SERVICES
FROM FEDERAL REHABILITATION TRUST FUND . . 923,280

59 DATA PROCESSING SERVICES
REGIONAL DATA CENTERS - STATE UNIVERSITY SYSTEM
FROM GENERAL REVENUE FUND 1,127
FROM FEDERAL REHABILITATION TRUST FUND . . 15,838

60 DATA PROCESSING SERVICES
EDUCATION TECHNOLOGY AND INFORMATION SERVICES
FROM FEDERAL REHABILITATION TRUST FUND . . 206,343

TOTAL: BLIND SERVICES, DIVISION OF
FROM GENERAL REVENUE FUND 14,335,384
FROM TRUST FUNDS 38,185,421

TOTAL POSITIONS 303.00
TOTAL ALL FUNDS 52,520,805

PROGRAM: PRIVATE COLLEGES AND UNIVERSITIES

Prior to the disbursement of funds in Specific Appropriations 61, 63 through 66, and 68 through 69, each institution shall submit a proposed expenditure plan to the Department of Education. The department shall determine the content and format of the information to be submitted and shall review and approve submitted plans for compliance prior to the disbursement of funds.

61 SPECIAL CATEGORIES
GRANTS AND AIDS - MEDICAL TRAINING AND SIMULATION LABORATORY
FROM GENERAL REVENUE FUND 2,776,922

62 SPECIAL CATEGORIES
ABLE GRANTS (ACCESS TO BETTER LEARNING AND EDUCATION)
FROM GENERAL REVENUE FUND 4,439,592

Funds in Specific Appropriation 62 are provided to support 3,756 students at $1,182 per student and shall be administered pursuant to section 1009.891, Florida Statutes. The Office of Student Financial Assistance may prorate the award and provide a lesser amount in the second term if the funds appropriated are insufficient to provide a full award to all eligible students.

63 SPECIAL CATEGORIES
HISTORICALLY BLACK PRIVATE COLLEGES
FROM GENERAL REVENUE FUND 11,510,493

Funds in Specific Appropriation 63 shall be allocated as follows:

Bethune-Cookman University..... 4,294,266
Edward Waters College..... 3,337,859

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Florida Memorial University..... 3,718,513
Library Resources..... 159,855

Funds provided in Specific Appropriation 63 shall not be expended on promotional materials or on staff development. Each institution shall provide an exact accounting of expenditures to the Department of Education.

Funds in Specific Appropriation 63 for Library Resources shall be used for the purchase of books and other related library materials pursuant to section 1006.59, Florida Statutes. Funds shall be allocated equally to Bethune-Cookman University, Edward Waters College, and Florida Memorial University.

64 SPECIAL CATEGORIES
GRANTS AND AIDS - FIRST ACCREDITED MEDICAL SCHOOL UNIVERSITY OF MIAMI
FROM GENERAL REVENUE FUND 8,352,309

Funds in Specific Appropriation 64 shall be allocated as follows:

Cancer Research..... 1,739,929
PhD Program in Biomedical Science..... 998,567
College of Medicine..... 5,613,813

Funds provided in Specific Appropriation 64 for the University of Miami, College of Medicine are to support a minimum of 500 Florida residents enrolled in the College of Medicine. The university shall submit enrollment information to the Department of Education prior to January 1, 2009.

Pursuant to section 1011.52(2)(e), Florida Statutes, funds provided in Specific Appropriation 64 are contingent upon the University of Miami maintaining its current level of affiliation with Jackson Memorial Hospital, including maintaining its current level of services to indigent and charity care patients served by the hospital. The Department of Education shall not disburse funds to the University of Miami until documentation of an annual operating agreement between the University of Miami and Jackson Memorial Hospital for Fiscal Year 2008-2009 is submitted to the Department of Education. Upon receipt of such documentation, the Department of Education shall disburse the funds in accordance with section 1011.52, Florida Statutes.

65 SPECIAL CATEGORIES
ACADEMIC PROGRAM CONTRACTS
FROM GENERAL REVENUE FUND 978,513

Funds in Specific Appropriation 65 shall be allocated by the Department of Education to the following private colleges and universities:

University of Miami - Rosenstiel Marine Science..... 182,438
University of Miami - BS and MFA in Motion Pictures..... 317,824
Florida Institute of Technology - BS Engineering and Science Education..... 258,875
Barry University - BS Nursing and MSW Social Work..... 140,533
Nova/Southeastern University - MS Speech Pathology..... 78,843

Each institution shall submit enrollment information, by program, to the Department of Education prior to January 1, 2009.

66 SPECIAL CATEGORIES
GRANTS AND AIDS - REGIONAL DIABETES CENTER - UNIVERSITY OF MIAMI
FROM GENERAL REVENUE FUND 521,509

67 SPECIAL CATEGORIES
FLORIDA RESIDENT ACCESS GRANT
FROM GENERAL REVENUE FUND 97,042,395

Funds in Specific Appropriation 67 shall be used for tuition assistance for qualified Florida residents. Funds are provided to support 34,195 students at $2,837 per student. The Office of Student Financial Assistance may prorate the award and provide a lesser amount in the second term if the funds appropriated are insufficient to provide a full award to all eligible students.

68 SPECIAL CATEGORIES
NOVA SOUTHEASTERN UNIVERSITY - HEALTH PROGRAMS
FROM GENERAL REVENUE FUND 5,853,583

From the funds provided in Specific Appropriation 68, $5,744,224 is to support Florida residents enrolled in the Osteopathic Medicine, Optometry, Pharmacy, or Nursing programs. The university shall submit student enrollment information, by program, to the Department of Education prior to January 1, 2009. The amount of $109,359 is to support rural and unmet needs in these programs.

68A SPECIAL CATEGORIES
GRANTS AND AIDS - PRIVATE COLLEGES AND UNIVERSITIES
FROM GENERAL REVENUE FUND 800,000

Funds in Specific Appropriation 68A are provided for the Activity-Based Total Accountability Institute at the Florida Institute of Technology.

69 SPECIAL CATEGORIES
LECOM / FLORIDA - HEALTH PROGRAMS
FROM GENERAL REVENUE FUND 1,325,745

Funds in Specific Appropriation 69 shall be used to support Florida residents who are enrolled in the Osteopathic Medicine or Pharmacy Program at the Lake Erie College of Osteopathic Medicine/Bradenton. The college shall submit enrollment information for Florida residents to the Department of Education prior to January 1, 2009.

TOTAL: PROGRAM: PRIVATE COLLEGES AND UNIVERSITIES
FROM GENERAL REVENUE FUND 133,601,061

TOTAL ALL FUNDS 133,601,061

OFFICE OF STUDENT FINANCIAL ASSISTANCE

PROGRAM: STUDENT FINANCIAL AID PROGRAM - STATE

70 SPECIAL CATEGORIES
PREPAID TUITION SCHOLARSHIPS
FROM GENERAL REVENUE FUND 5,044,000
FROM STUDENT LOAN OPERATING TRUST FUND . . 775,000

71 SPECIAL CATEGORIES
GRANTS AND AIDS - MINORITY TEACHER SCHOLARSHIP PROGRAM
FROM GENERAL REVENUE FUND 3,002,988

72 SPECIAL CATEGORIES
ETHICS IN BUSINESS SCHOLARSHIPS
FROM STATE STUDENT FINANCIAL ASSISTANCE TRUST FUND 500,000

73 FINANCIAL ASSISTANCE PAYMENTS
MARY MCLEOD BETHUNE SCHOLARSHIP
FROM GENERAL REVENUE FUND 438,011
FROM STATE STUDENT FINANCIAL ASSISTANCE TRUST FUND 226,442

74 FINANCIAL ASSISTANCE PAYMENTS
STUDENT FINANCIAL AID
FROM GENERAL REVENUE FUND 86,648,890
FROM STUDENT LOAN OPERATING TRUST FUND . . 16,279,806

The funds in Specific Appropriations 5 and 74 are provided pursuant to the following guidelines:

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Florida Student Assistance Grant - Public Full & Part Time.	98,546,590
Florida Student Assistance Grant - Private	15,875,417
Florida Student Assistance Grant - Postsecondary	11,066,226
Florida Student Assistance Grant - Career Education	2,152,840
Children/Spouses of Deceased/Disabled Veterans	1,997,365
Florida Work Experience	1,569,922
Critical Teacher Shortage Program	2,500,000
Rosewood Family Scholarships	90,000

From the funds provided in Specific Appropriations 5 and 74 the maximum grant to any student from the Florida Public, Private, Career Education, and Postsecondary Assistance Grant Programs shall be $1,916.

75 FINANCIAL ASSISTANCE PAYMENTS JOSE MARTI SCHOLARSHIP CHALLENGE GRANT FROM GENERAL REVENUE FUND	172,272	
FROM STATE STUDENT FINANCIAL ASSISTANCE TRUST FUND		98,667
76 FINANCIAL ASSISTANCE PAYMENTS TRANSFER TO THE FLORIDA EDUCATION FUND FROM GENERAL REVENUE FUND	2,069,980	
TOTAL: PROGRAM: STUDENT FINANCIAL AID PROGRAM - STATE FROM GENERAL REVENUE FUND	97,376,141	
FROM TRUST FUNDS		17,879,915
TOTAL ALL FUNDS		115,256,056

PROGRAM: STUDENT FINANCIAL AID PROGRAM - FEDERAL

77 FINANCIAL ASSISTANCE PAYMENTS STUDENT FINANCIAL AID FROM FEDERAL GRANTS TRUST FUND		2,563,089
77A FINANCIAL ASSISTANCE PAYMENTS TRANSFER DEFAULT FEES TO THE STUDENT LOAN GUARANTY RESERVE TRUST FUND FROM STUDENT LOAN OPERATING TRUST FUND		6,080,000
78 FINANCIAL ASSISTANCE PAYMENTS ROBERT C. BYRD HONORS SCHOLARSHIP FROM FEDERAL GRANTS TRUST FUND		2,391,530
TOTAL: PROGRAM: STUDENT FINANCIAL AID PROGRAM - FEDERAL FROM TRUST FUNDS		11,034,619
TOTAL ALL FUNDS		11,034,619

EARLY LEARNING

PREKINDERGARTEN EDUCATION

79 SPECIAL CATEGORIES TRANSFER VOLUNTARY PREKINDERGARTEN FUNDS TO AGENCY FOR WORKFORCE INNOVATION FROM GENERAL REVENUE FUND	354,349,575	

Funds in Specific Appropriation 79 are provided for transfer to the Agency for Workforce Innovation to implement the Voluntary Prekindergarten Education Program as provided in sections 1002.51 through 1002.79, Florida Statutes, and shall be initially allocated to Early Learning Coalitions as indicated below. Pursuant to the provisions of section 1002.71 (3) (a), Florida Statutes, the base student allocation per full-time equivalent student in the program for Fiscal Year 2008-2009 shall be $2,628. The allocation includes 5 percent in addition to the base student allocation to fund administrative and other program costs of the Early Learning Coalitions relating to the voluntary prekindergarten education program.

The funds in Specific Appropriation 79 shall be allocated as follows:

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Alachua	4,002,754
Bay, Calhoun, Gulf, Franklin, Washington, Holmes, Jackson	4,796,728
Brevard	10,018,463
Broward	36,396,554
Charlotte, DeSoto, Highlands, Hardee	5,011,806
Clay, Nassau, Baker, Bradford	6,651,190
Columbia, Hamilton, Lafayette, Union, Suwannee	2,721,753
Dade, Monroe	51,234,870
Dixie, Gilchrist, Levy, Citrus, Sumter	4,158,710
Duval	22,174,199
Escambia	5,718,638
Hendry, Glades, Collier, Lee	17,792,287
Hillsborough	25,076,752
Lake	5,715,312
Leon, Gadsden, Jefferson, Liberty, Madison, Wakulla, Taylor.	7,628,671
Manatee	5,883,410
Marion	5,611,878
Martin, Okeechobee, Indian River	5,143,483
Okaloosa, Walton	4,364,896
Orange	24,118,035
Osceola	6,163,055
Palm Beach	22,896,625
Pasco, Hernando	11,437,663
Pinellas	15,226,234
Polk	8,680,013
Putnam, St. Johns	4,386,843
St. Lucie	5,482,867
Santa Rosa	1,994,470
Sarasota	4,907,655
Seminole	9,000,994
Volusia, Flagler	9,952,767

80 SPECIAL CATEGORIES GRANTS AND AIDS- EARLY LEARNING STANDARDS AND ACCOUNTABILITY FROM GENERAL REVENUE FUND	1,704,135	
TOTAL: PREKINDERGARTEN EDUCATION FROM GENERAL REVENUE FUND	356,053,710	
TOTAL ALL FUNDS		356,053,710

PUBLIC SCHOOLS, DIVISION OF

PROGRAM: STATE GRANTS/K-12 PROGRAM - FEFP

The calculations of the Florida Education Finance Program (FEFP) for the 2008-2009 fiscal year are incorporated by reference in the act implementing the 2008-2009 General Appropriations Act. The calculations are the basis for the appropriations made in the General Appropriations Act.

81 AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - FLORIDA EDUCATIONAL FINANCE PROGRAM FROM GENERAL REVENUE FUND	5145,428,488	
FROM PRINCIPAL STATE SCHOOL TRUST FUND		67,985,190

Funds provided in Specific Appropriation 81 shall be allocated using a base student allocation of $3,971.74 for the FEFP.

Funds provided in Specific Appropriation 81 for the supplemental allocation for juvenile justice education programs shall be allocated pursuant to the formula provided in section 1011.62(10), Florida Statutes. The allocation factor shall be $925.58.

From the funds provided in Specific Appropriation 81, juvenile justice education programs shall receive the basic allocation assigned to a juvenile justice student, including ESE special education funding when appropriate. If a school district provides incentive funding for teachers to work in a failing school, then an equal incentive bonus must be provided to teachers teaching in juvenile justice facilities.

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The district cost differential (DCD) for each district shall be calculated pursuant to the provisions of section 1011.62(2), Florida Statutes.

From the funds provided in Specific Appropriation 81, $39,191,698 is provided for the Sparsity Supplement as defined in section 1011.62(7), Florida Statutes, for school districts of 20,000 and fewer FTE in 2008-2009.

Total Required Local Effort for Fiscal Year 2008-2009 shall be $8,267,476,367. The total amount shall include adjustments made for the calculation required in sections 1011.62(4)(a) and (c), Florida Statutes.

The maximum nonvoted discretionary millage which may be levied pursuant to the provisions of section 1011.71(1), Florida Statutes, by district school boards in Fiscal Year 2008-2009 shall be:

1. 0.498 mills

If a 0.498 mill levy in any school district generates an amount of funds per unweighted FTE that is less than the state average amount per unweighted FTE, the school district shall receive from the funds provided in Specific Appropriation 81, a discretionary millage compression supplement that, when added to the funds generated by the district's 0.498 mill levy, shall be equal to the state average as provided in section 1011.62(5), Florida Statutes.

2. 0.25 mills

An additional levy is authorized not to exceed 0.25 mills, that will raise an amount not to exceed $100 per FTE. District school boards that levy the entire additional 0.25 mills and raise less than $100 per K-12 FTE shall receive, from the funds provided in Specific Appropriation 81, an amount that, when combined with funds raised by the 0.25 mills, will provide $100 per K-12 FTE. To be eligible for state funds provided in this paragraph, a district must levy the full 0.25 mills and the full 0.498 mills.

Funds provided in Specific Appropriation 81 are based upon program cost factors for Fiscal Year 2008-2009 as follows:

1. Basic Programs
   A. K-3 Basic.....1.066
   B. 4-8 Basic.....1.000
   C. 9-12 Basic.....1.052

2. Programs for Exceptional Students
   A. Support Level 4.....3.570
   B. Support Level 5.....4.970

3. English for Speakers of Other
   Languages 1.119

4. Programs for Grades 9-12
   Career Education.....1.077

From the funds in Specific Appropriation 81, $1,079,945,286 is provided to school districts as an Exceptional Student Education (ESE) Guaranteed Allocation as authorized by law to provide educational programs and services for exceptional students. The ESE Guaranteed Allocation funds are provided in addition to the funds for each exceptional student in the per FTE student calculation. Each district's ESE Guaranteed Allocation for the 2008-2009 appropriation shall not be recalculated during the school year. School districts that provided educational services in 2007-2008 for exceptional students who are residents of other districts shall not discontinue providing such services without the prior approval of the Department of Education. Expenditure requirements for the ESE Guaranteed Allocation shall be as prescribed in section 1010.20(3), Florida Statutes, for programs for exceptional students.

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From the funds provided in Specific Appropriation 81, the value of 43.35 weighted FTE students is provided to supplement the funding for severely handicapped students served in ESE programs 254 and 255 when a school district has less than 10,000 FTE student enrollment and less than 3 FTE eligible students per program. The Commissioner of Education shall allocate the value of the supplemental FTE based on documented evidence of the difference in the cost of the service and the amount of funds received in the district's FEFP allocations for the students being served. The supplemental value shall not exceed 3 FTE.

A student in cooperative education or other types of programs incorporating on-the-job training shall not be counted for more than twenty-five (25) hours per week of membership in all programs when calculating full-time student membership, as provided in section 1011.61, Florida Statutes, for funding pursuant to section 1011.62, Florida Statutes.

The Declining Enrollment Supplement shall be calculated based on 48.67 percent of the decline between prior year and current year unweighted FTE students.

From the funds in Specific Appropriation 81, $73,587,827 is provided for Safe Schools activities and shall be allocated as follows: $71,538 shall be distributed to each district, and the remaining balance shall be allocated as follows: two-thirds based on the latest official Florida Crime Index provided by the Department of Law Enforcement and one-third based on each district's share of the state's total unweighted student enrollment. Safe Schools activities include: (1) after school programs for middle school students; (2) other improvements to enhance the learning environment, including implementation of conflict resolution strategies; (3) alternative school programs for adjudicated youth; (4) suicide prevention programs; and (5) other improvements to make the school a safe place to learn. Each district shall determine, based on a review of its existing programs and priorities, how much of its total allocation to use for each authorized Safe Schools activity.

From the funds in Specific Appropriation 81, $702,182,550 is for Supplemental Academic Instruction to be provided throughout the school year pursuant to section 1011.62(1)(f), Florida Statutes. First priority for use of these funds shall be the provision of supplemental intensive instruction, consistent with the Sunshine State Standards, including summer school and intensive English immersion instruction, for students in grades 3 and 10 who scored FCAT Level I in FCAT reading or math. Each district's Supplemental Academic Instruction allocation for the 2008-2009 appropriation shall not be recalculated during the school year.

From the funds in Specific Appropriation 81, $111,511,321 is provided for a K-12 comprehensive, district-wide system of research-based reading instruction. The amount of $95,383 shall be allocated to each district and the remaining balance shall be allocated based on each district's proportion of the state total K-12 base funding.

From the funds in Specific Appropriation 81, $32,072,461 is provided for the Merit Award Program in section 1012.225, Florida Statutes.

Districts may charge a fee for grades K-12 voluntary, non-credit summer school enrollment in basic program courses. The amount of any student's fee shall be based on the student's ability to pay and the student's financial need as determined by district school board policy.

Unless otherwise provided by law, no funds are provided in Specific Appropriation 81 for charter school FTE student enrollment for on-line instruction received by students principally in their own homes. However, charter schools may serve students who are temporarily homebound or who receive a portion of their instruction on-line.

82 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - CLASS SIZE REDUCTION
FROM GENERAL REVENUE FUND 2577,794,315
FROM PRINCIPAL STATE SCHOOL TRUST FUND . . 46,361,098

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Funds in Specific Appropriations 6 and 82 are provided to implement the requirements of section 1003.03 and section 1011.685, Florida Statutes. The class size reduction allocation factor for grades prekindergarten to grade 3 shall be $1,160.46, for grades 4 to 8 shall be $923.33, and for grades 9 to 12 shall be $925.56. The class size reduction allocation shall be recalculated based on enrollment through the October 2008 FTE survey. If the total class size reduction allocation is greater than the appropriation in Specific Appropriations 6 and 82, funds shall be prorated to the level of the appropriation based on each district's calculated amount.

Funds in Specific Appropriations 6 and 82 shall be distributed to school districts that have provided sufficient information for the Commissioner of Education to set annual district class size reduction goals. The Commissioner of Education may withhold disbursement of these funds until a district is in compliance with reporting information required for class size reduction implementation.

82A AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - INSTRUCTIONAL MATERIALS
FROM GENERAL REVENUE FUND 259,551,440

From the funds provided in Specific Appropriation 82A, the growth allocation per FTE shall be $356.60 for Fiscal Year 2008-2009.

From the funds provided in Specific Appropriation 82A, school districts shall pay for instructional materials used for the instruction of public high school students who are earning credit toward high school graduation under the dual enrollment program as provided in section 1011.62(1)(i), Florida Statutes.

From the funds provided in Specific Appropriation 82A, $14,307,419 is provided for Library Media Materials, and $3,910,695 is provided for purchase of science lab materials and supplies.

82B AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - STUDENT TRANSPORTATION
FROM GENERAL REVENUE FUND 471,078,862

Funds provided in Specific Appropriation 82B shall be used to transport students as provided in section 1011.68, Florida Statutes.

83 AID TO LOCAL GOVERNMENTS
FLORIDA TEACHERS LEAD PROGRAM
FROM GENERAL REVENUE FUND 36,756,829

Funds provided in Specific Appropriation 83 shall be given to teachers pursuant to section 1012.71, Florida Statutes, and shall not be recalculated during the school year.

TOTAL: PROGRAM: STATE GRANTS/K-12 PROGRAM - FEFP
FROM GENERAL REVENUE FUND 8490,609,934
FROM TRUST FUNDS 114,346,288

TOTAL ALL FUNDS 8604,956,222

PROGRAM: STATE GRANTS/K-12 PROGRAM - NON FEFP

Of the funds provided for regional education consortium programs and school district matching grants in Specific Appropriations 85, 101, and 112, 60 percent shall be released to the Department of Education at the beginning of the first quarter and the balance at the beginning of the third quarter. The Department of Education shall disburse the funds to eligible entities within 30 days of release.

85 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - INSTRUCTIONAL MATERIALS
FROM GENERAL REVENUE FUND 2,764,596

The funds provided in Specific Appropriation 85 shall be allocated as follows:

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Instructional Materials for Partially Sighted Pupils.....	182,208
Sunlink Uniform Library Database.....	800,111
Learning Through Listening.....	911,040
Panhandle Area Educational Consortium (PAEC) for Distance Learning Teacher Training.....	625,000
Instructional Materials Management.....	96,237
Heartland Educational Consortium.....	150,000

86 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - EXCELLENT TEACHING
FROM GENERAL REVENUE FUND 52,253,390

87 AID TO LOCAL GOVERNMENTS
PROFESSIONAL PRACTICES - SUBSTITUTES
FROM GENERAL REVENUE FUND 63,324

Funds provided in Specific Appropriation 87 shall only be used to reimburse members of the Education Practices Commission for travel expenses and per diem and to reimburse school districts for the cost of substitute teachers required to replace commission members when they are carrying out their official duties.

88 SPECIAL CATEGORIES
GRANTS AND AIDS - GRANTS TO PUBLIC SCHOOLS
FOR READING PROGRAMS
FROM GENERAL REVENUE FUND 12,500,000
FROM FEDERAL GRANTS TRUST FUND 58,043,873

The funds in Specific Appropriation 88 are provided to continue "Just Read, Florida" to achieve Florida's reading goal for all students to be reading on grade level or higher by 2012.

89 SPECIAL CATEGORIES
EDUCATION INNOVATION INITIATIVES
FROM GENERAL REVENUE FUND 6,000,000

90 SPECIAL CATEGORIES
GRANTS AND AIDS - ASSISTANCE TO LOW
PERFORMING SCHOOLS
FROM GENERAL REVENUE FUND 5,130,346

Funds in Specific Appropriation 90 may be used to contract for the operation of the Florida Partnership for Minority and Underrepresented Student Achievement and to achieve the partnership's mission as provided in section 1007.35, Florida Statutes.

91 SPECIAL CATEGORIES
GRANTS AND AIDS - MENTORING/STUDENT
ASSISTANCE INITIATIVES
FROM GENERAL REVENUE FUND 12,862,216

Funds provided in Specific Appropriation 91 shall be allocated as follows:

Best Buddies.....	772,986
Take Stock in Children.....	3,360,811
Project to Advance School Success (PASS).....	954,470
Big Brothers, Big Sisters.....	1,915,662
Learning for Life.....	1,747,622
Girl Scouts of Florida.....	537,730
Black Male Explorers.....	403,297
Boys and Girls Clubs.....	1,747,622
Governor's Mentoring Initiative.....	413,772
YMCA State Alliance.....	1,008,244

Funds provided in Specific Appropriation 91 for the Learning for Life program are eligible to be used in any public school.

93 SPECIAL CATEGORIES
KINDERGARTEN THROUGH GRADE EIGHT VIRTUAL
EDUCATION
FROM GENERAL REVENUE FUND 6,559,488

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The K-8 virtual schools shall be funded with grants of up to $4,800 per student not to exceed $6,559,488 total funding.

Contingent upon HB 7067 or similar legislation becoming law, each of the K-8 virtual schools that received funds during the 2007-2008 fiscal year from the funds appropriated in Specific Appropriation 99B of chapter 2007-72, Laws of Florida, and are eligible to receive funds from Specific Appropriation 93 of the 2008-2009 General Appropriations Act shall provide to the Department of Education the name and address of each student who was enrolled and served during the 2007-2008 fiscal year and who is re-enrolled and is eligible to be served during the 2008-2009 fiscal year. The department shall verify the report and determine whether the number of such students is greater than 1,366. If the number of students is greater than 1,366 the department shall take actions necessary for the K-8 virtual schools to continue to serve each such student during the 2008-2009 fiscal year and to receive funding at the same rate per student. These actions shall include, but are not limited to, authorizing the school district in which the student is a resident to enroll and report the specifically named student in the school district's FTE for the 2008-2009 school year using the definition of K-8 virtual FTE pursuant to section 1011.61, Florida Statutes, as amended by HB 7067, and assisting the school district with executing an appropriate contract with the approved K-8 virtual school for payment for providing virtual instruction for each such student. The maximum number of students to be funded pursuant to this provision is the number being served in 2008-2009 that were also served in 2007-2008 that is greater than 1,366.

94 SPECIAL CATEGORIES
GRANTS AND AIDS - COLLEGE REACH OUT PROGRAM
FROM GENERAL REVENUE FUND 2,915,319

96 SPECIAL CATEGORIES
GRANTS AND AIDS - FLORIDA DIAGNOSTIC AND LEARNING RESOURCES CENTERS
FROM GENERAL REVENUE FUND 2,903,500

Funds provided in Specific Appropriation 96 shall be allocated to the Multidisciplinary Educational Services Centers as follows:

University of Florida	577,001
University of Miami	543,327
Florida State University	541,666
University of South Florida	566,336
University of Florida Health Science Center at Jacksonville	675,170

Each center shall provide a report to the Department of Education by September 1, 2008, for the 2007-2008 fiscal year that shall include the following: 1) the number of children served, 2) the number of parents served, 3) the number of persons participating in in-service education activities, 4) the number of districts served, and 5) specific services provided.

None of the funds provided in Specific Appropriation 96 for the Florida Diagnostic and Learning Resource Centers shall be used to pay indirect cost.

97 SPECIAL CATEGORIES
GRANTS AND AIDS - NEW WORLD SCHOOL OF THE ARTS
FROM GENERAL REVENUE FUND 1,028,058

98 SPECIAL CATEGORIES
GRANTS AND AIDS - SCHOOL DISTRICT MATCHING GRANTS PROGRAM
FROM GENERAL REVENUE FUND 1,822,080

The funds in Specific Appropriation 98 are provided as challenge grants to public school district education foundations for programs that serve low-performing students, teacher recruitment and retention efforts, technical career education, and/or literacy initiatives. The amount of each grant shall be equal to the private contribution made to a qualifying public school district education foundation. In-kind contributions shall not be considered for matching purposes. Administrative costs for the program shall not exceed five percent.

Before any funds provided in Specific Appropriation 98 may be disbursed to any public school district education foundation, the public school district foundation must certify to the Commissioner of Education that the private cash has actually been received by the public school education foundation seeking matching funds. The Consortium of Florida Education Foundations shall be the fiscal agent for this program.

99 SPECIAL CATEGORIES
TEACHER AND SCHOOL ADMINISTRATOR DEATH BENEFITS
FROM GENERAL REVENUE FUND 61,685

100 SPECIAL CATEGORIES
GRANTS AND AIDS - AUTISM PROGRAM
FROM GENERAL REVENUE FUND 6,849,194

Funds provided in Specific Appropriation 100 shall be allocated as follows:

University of South Florida/Florida Mental Health Institute.	1,201,265
University of Florida (College of Medicine)	833,023
University of Central Florida	1,028,715
University of Miami (Department of Pediatrics) including $270,806 for activities in Broward County through Nova Southeastern University	1,302,030
Florida Atlantic University	651,484
University of Florida (Jacksonville)	868,099
Florida State University (College of Communications)	964,578

Summaries of achievements for the prior fiscal year shall be submitted to the Department of Education by September 1, 2008.

None of the funds provided in Specific Appropriation 100 for the Autism Program shall be used to pay indirect cost.

101 SPECIAL CATEGORIES
GRANTS AND AIDS - REGIONAL EDUCATION CONSORTIUM SERVICES
FROM GENERAL REVENUE FUND 1,660,750

From the funds provided in Specific Appropriation 101, each regional consortium service organization is eligible to receive, through the Department of Education, an incentive grant for each school district and each eligible member to be used for the delivery of services within the participating school districts, as provided in section 1001.451, Florida Statutes.

102 SPECIAL CATEGORIES
TEACHER PROFESSIONAL DEVELOPMENT
FROM GENERAL REVENUE FUND 376,944
FROM FEDERAL GRANTS TRUST FUND 134,580,906

Funds provided in Specific Appropriation 102 from the General Revenue Fund shall be allocated as follows:

Florida Association of District School Superintendents Training	273,312
Principal of the Year	56,120
Teacher of the Year	35,721
School Related Personnel of the Year	11,791

103 SPECIAL CATEGORIES
GRANTS AND AIDS - SCHOOL AND INSTRUCTIONAL ENHANCEMENTS
FROM GENERAL REVENUE FUND 510,183

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Funds in Specific Appropriation 103 shall be allocated as follows:

State Science Fair	54,663
Academic Tourney	91,104
Arts for a Complete Education	182,208
Florida Holocaust Museum	182,208

104 SPECIAL CATEGORIES		
GRANTS AND AIDS - EXCEPTIONAL EDUCATION		
FROM GENERAL REVENUE FUND	2,408,429	
FROM FEDERAL GRANTS TRUST FUND		2,333,354
105 SPECIAL CATEGORIES		
FLORIDA SCHOOL FOR THE DEAF AND THE BLIND		
FROM GENERAL REVENUE FUND	40,945,113	
FROM FEDERAL GRANTS TRUST FUND		2,565,197
FROM GRANTS AND DONATIONS TRUST FUND		1,733,414

From the funds in Specific Appropriation 105, $600,000 is provided to contract with the University of Florida for health, medical, pharmaceutical and dental screening services for students. The school shall develop a collaborative service agreement for medical services and shall maximize the recovery of all legally available funds from Medicaid and private insurance coverage. The school shall report to the Legislature by June 30, 2009, information describing the agreement, services provided, budget and expenditures, including the amounts and sources of all funding used for the collaborative medical program and any other student health services during the 2008-2009 fiscal year.

106 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	26,173	
FROM FEDERAL GRANTS TRUST FUND		1,694
FROM GRANTS AND DONATIONS TRUST FUND		1,167
TOTAL: PROGRAM: STATE GRANTS/K-12 PROGRAM - NON FEFP		
FROM GENERAL REVENUE FUND	159,640,788	
FROM TRUST FUNDS		199,259,605
TOTAL ALL FUNDS		358,900,393

PROGRAM: FEDERAL GRANTS K/12 PROGRAM

107 AID TO LOCAL GOVERNMENTS		
GRANTS AND AIDS - PROJECTS, CONTRACTS AND GRANTS		
FROM GRANTS AND DONATIONS TRUST FUND		4,099,420
108 AID TO LOCAL GOVERNMENTS		
GRANTS AND AIDS - FEDERAL GRANTS AND AIDS		
FROM ADMINISTRATIVE TRUST FUND		553,962
FROM FEDERAL GRANTS TRUST FUND		1512,358,793
109 AID TO LOCAL GOVERNMENTS		
GRANTS AND AIDS - SCHOOL LUNCH PROGRAM		
FROM FOOD AND NUTRITION SERVICES TRUST FUND		615,817,265
110 AID TO LOCAL GOVERNMENTS		
GRANTS AND AIDS - SCHOOL LUNCH PROGRAM - STATE MATCH		
FROM GENERAL REVENUE FUND	16,886,046	

Funds provided in Specific Appropriation 110 for the School Breakfast Program shall be allocated as provided in section 1006.06, Florida Statutes.

TOTAL: PROGRAM: FEDERAL GRANTS K/12 PROGRAM		
FROM GENERAL REVENUE FUND	16,886,046	
FROM TRUST FUNDS		2132,829,440

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TOTAL ALL FUNDS		2149,715,486

PROGRAM: EDUCATIONAL MEDIA & TECHNOLOGY SERVICES

111 SPECIAL CATEGORIES		
CAPITOL TECHNICAL CENTER		
FROM GENERAL REVENUE FUND	265,910	
112 SPECIAL CATEGORIES		
GRANTS AND AIDS - INSTRUCTIONAL TECHNOLOGY		
FROM GENERAL REVENUE FUND	2,853,346	

Funds provided in Specific Appropriation 112 shall be allocated as follows:

Web-Based Instruction Program - NEFEC	836,040
On-line Support for Sunshine State Standards/FCAT Explorer	1,822,080
Statewide Licensing of Video Instructional Programming	195,226

113 SPECIAL CATEGORIES		
FEDERAL EQUIPMENT MATCHING GRANT		
FROM GENERAL REVENUE FUND	176,412	
114 SPECIAL CATEGORIES		
GRANTS AND AIDS - FLORIDA INFORMATION RESOURCE NETWORK		
FROM GENERAL REVENUE FUND	4,219,349	
FROM FEDERAL GRANTS TRUST FUND		14,373,628

The funds provided in Specific Appropriation 114 shall be used to continue the Florida Information Resource Network (FIRN) and shall be used for no other purpose. If funds are insufficient to serve all the bandwidth needs of the current FIRN customers, the Department of Education shall prorate reductions among all FIRN customers. The Department of Management Services shall not charge administrative fees in excess of the actual cost to provide necessary services and administration of the current contract. FIRN services for Internet connectivity to the community colleges and other customers not eligible for E-rate may be provided through MyFlorida.Net.

115 SPECIAL CATEGORIES		
GRANTS AND AIDS - PUBLIC BROADCASTING		
FROM GENERAL REVENUE FUND	10,568,859	

The funds provided in Specific Appropriation 115 shall be allocated as follows:

Statewide Governmental and Cultural Affairs Programming	611,900
Florida Channel Closed Captioning	419,226
Florida Channel Year Round Coverage	1,607,075
Public Television and Radio Stations	7,930,658

From the funds provided in Specific Appropriation 115, "Governmental Affairs for Public Television" shall be produced by the same contractor selected by the Legislature to produce "The Florida Channel".

Funds provided in Specific Appropriation 115 for public television and radio stations shall be allocated in the amount of $508,064 for public television stations and $101,986 each for public radio stations recommended by the Commissioner of Education.

116 SPECIAL CATEGORIES		
FETPIP/WORKFORCE DEVELOPMENT MANAGEMENT INFORMATION SYSTEMS		
FROM GENERAL REVENUE FUND	173,098	
117 SPECIAL CATEGORIES		
GRANTS AND AIDS - RADIO READING SERVICES FOR THE BLIND		
FROM GENERAL REVENUE FUND	371,626	
TOTAL: PROGRAM: EDUCATIONAL MEDIA & TECHNOLOGY SERVICES		
FROM GENERAL REVENUE FUND	18,628,600	
FROM TRUST FUNDS		14,373,628

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TOTAL ALL FUNDS 33,002,228

PROGRAM: WORKFORCE EDUCATION

118 AID TO LOCAL GOVERNMENTS
PERFORMANCE BASED INCENTIVES
FROM GENERAL REVENUE FUND 5,986,007

The funds provided in Specific Appropriation 118 shall be allocated as follows:

Alachua	13,838
Baker	3,494
Bay	52,256
Bradford	24,111
Brevard	75,475
Broward	927,612
Calhoun	1,687
Charlotte	62,834
Citrus	70,857
Clay	28,834
Collier	105,885
Columbia	13,745
Miami-Dade	1,093,969
De Soto	14,210
Dixie	3,439
Escambia	85,069
Flagler	35,050
Franklin	35
Gadsden	8,450
Gulf	862
Hamilton	1,791
Hardee	1,984
Hendry	9,146
Hernando	23,769
Hillsborough	513,884
Indian River	26,430
Jackson	5,267
Jefferson	1,952
Lafayette	1,467
Lake	107,060
Lee	200,814
Leon	106,048
Liberty	3,157
Manatee	132,630
Marion	104,791
Martin	33,916
Monroe	9,836
Nassau	7,951
Okaloosa	18,122
Orange	526,033
Osceola	85,468
Palm Beach	278,857
Pasco	91,984
Pinellas	443,153
Polk	183,703
Putnam	13,312
St. Johns	106,275
Santa Rosa	40,182
Sarasota	140,666
Sumter	3,727
Suwannee	28,988
Taylor	30,076
Union	2,673
Wakulla	5,278
Walton	7,011
Washington	66,894

119 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - ADULT BASIC EDUCATION
FEDERAL FLOW-THROUGH FUNDS
FROM FEDERAL GRANTS TRUST FUND 41,552,472

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120 AID TO LOCAL GOVERNMENTS
WORKFORCE DEVELOPMENT
FROM GENERAL REVENUE FUND 376,797,992

Funds in Specific Appropriations 9A and 120 are provided for school district workforce education programs as defined in section 1004.02 (26), Florida Statutes, and are allocated as follows:

Alachua	1,334,760
Baker	187,292
Bay	3,342,151
Bradford	928,562
Brevard	3,057,824
Broward	66,748,539
Calhoun	173,544
Charlotte	2,818,638
Citrus	2,731,638
Clay	964,115
Collier	6,972,142
Columbia	322,736
Miami-Dade	95,587,705
DeSoto	866,996
Dixie	68,485
Escambia	5,041,903
Flagler	2,527,377
Franklin	55,678
Gadsden	702,892
Glades	7,099
Gulf	161,701
Hamilton	76,136
Hardee	281,009
Hendry	405,446
Hernando	511,174
Hillsborough	31,898,445
Indian River	953,012
Jackson	520,617
Jefferson	182,802
Lafayette	46,100
Lake	4,482,793
Lee	10,338,989
Leon	5,666,416
Liberty	37,815
Manatee	6,835,621
Marion	3,150,909
Martin	2,320,518
Monroe	866,375
Nassau	189,661
Okaloosa	2,375,092
Orange	33,122,192
Osceola	4,566,436
Palm Beach	15,888,063
Pasco	3,494,090
Pinellas	25,442,996
Polk	10,815,483
Putnam	487,743
Saint Johns	5,959,666
Santa Rosa	1,749,447
Sarasota	10,173,413
Sumter	263,416
Suwannee	992,343
Taylor	1,392,700
Union	163,796
Wakulla	274,179
Walton	164,775
Washington	3,241,816
Washington Special	32,202

From the funds in Specific Appropriations 9A and 120, school district workforce education programs shall strive to maintain and expand apprenticeship programs to the extent possible.

Tuition and fee rates are established for the 2008-2009 fiscal year as follows:

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For programs leading to a career certificate or an applied technology diploma, the standard tuition shall be $1.77 per contact hour for residents. The standard tuition shall be $1.77 per contact hour and the out-of-state fee shall be $5.31 per contact hour for nonresidents.

For adult general education programs, the standard tuition shall be 87 cents per contact hour for residents. The standard tuition shall be 87 cents per contact hour and the out-of-state fee shall be $2.61 per contact hour for nonresidents.

Consistent with section 1009.22(3)(d), Florida Statutes, if the tuition and out-of-state fee increases provided herein become law, the statutory increase for inflation will not be made.

Pursuant to the provisions of section 1009.26 (1), Florida Statutes, school districts may grant fee waivers for programs funded through Workforce Development Education appropriations for up to 8 percent of the fee revenues that would otherwise be collected.

The funds provided in Specific Appropriations 9A and 120 are not to be used to support K-12 programs or the district K-12 administrative indirect costs. The Auditor General shall verify compliance with this requirement during scheduled audits of these institutions.

From the funds provided in Specific Appropriations 9A and 120, each school district shall report enrollment for adult general education programs identified in section 1004.02, Florida Statutes, in accordance with the Department of Education instructional hours reporting procedures. The Auditor General shall verify compliance with this requirement during scheduled operational audits of the school districts.

121 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - VOCATIONAL FORMULA FUNDS
FROM FEDERAL GRANTS TRUST FUND 77,144,852

122 SPECIAL CATEGORIES
GRANTS AND AIDS - BUSINESS PARTNERSHIPS/
SKILL ASSESSMENT AND TRAINING
FROM GENERAL REVENUE FUND 7,000,000

Funds in Specific Appropriation 122 are provided to continue statewide implementation of the Florida Ready to Work program created in section 1004.99, Florida Statutes. The Ready to Work program may be conducted in public schools, regional education consortia, community colleges, area technical centers, one-stop career centers, vocational rehabilitation centers, correctional programs, Department of Juvenile Justice programs, state agencies, and businesses/employers operating in Florida.

From the funds provided in Specific Appropriation 122, $60,000 is provided to the Department of Education for statewide coordination, support, and data collection activities.

From the funds provided in Specific Appropriation 122, $375,000 is provided to the Department of Education to contract with Workforce Florida, Inc. for up to four pilot projects with regional workforce boards, community colleges, universities or other economic development partners to provide business outreach and to profile skills associated with occupations included in the initiative; to provide technical assistance, and other assistance as appropriate to business and education organizations and to students.

From the funds provided in Specific Appropriation 122, $855,000 is provided to the Department of Education to contract with the current Ready to Work provider, selected by competitive procurement in the 2006-2007 fiscal year, for the implementation of a statewide public awareness communications/media campaign.

From the funds in Specific Appropriation 122, $1,710,000 is provided to the Department of Education for the purchase of a bank of assessments from the current Ready to Work provider, selected by competitive procurement in the 2006-2007 fiscal year, and for other activities to ensure appropriate progress is made toward statewide implementation.

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The balance of funds provided in Specific Appropriation 122 is provided to the Department of Education to contract with the current Ready to Work provider, selected by competitive procurement in the 2006-2007 fiscal year, for a statewide unlimited usage license for curriculum, a soft-skills assessment component and implementation services.

122A SPECIAL CATEGORIES
GRANTS AND AIDS - SCHOOL AND INSTRUCTIONAL
ENHANCEMENTS
FROM GENERAL REVENUE FUND 360,000

Funds provided in Specific Appropriation 122A shall be used by the department to support school-to-career transition programs for high school students available through one or more non-profit statewide organizations in the lodging and food service industry. Such programs shall be designed to prepare students for progressive careers in the lodging and food service industry. In making its selection from among competitive sealed proposals, the department shall consider, among other factors, the provider's experience in representing the lodging and food service industry, the provider's experience in providing and supporting training for lodging and food service careers for high school students, and the provider's ability to provide a statewide program with broad industry support and participation.

TOTAL: PROGRAM: WORKFORCE EDUCATION
FROM GENERAL REVENUE FUND 390,143,999
FROM TRUST FUNDS 118,697,324

TOTAL ALL FUNDS 508,841,323

COMMUNITY COLLEGES, DIVISION OF

PROGRAM: COMMUNITY COLLEGE PROGRAMS

124 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - COMMUNITY COLLEGES
PROGRAM FUND
FROM GENERAL REVENUE FUND 959,963,185

From the funds provided in Specific Appropriation 124, $957,463,185 is provided for operating funds, including performance incentives, and shall be allocated as follows:

Brevard Community College	35,192,364
Broward Community College	67,049,353
Central Florida Community College	18,435,693
Chipola College	8,754,136
Daytona Beach Community College	45,117,452
Edison College	21,780,924
Florida Community College at Jacksonville	69,963,094
Florida Keys Community College	5,482,319
Gulf Coast Community College	16,567,936
Hillsborough Community College	45,544,246
Indian River Community College	41,235,745
Lake City Community College	11,759,756
Lake-Sumter Community College	9,886,765
Manatee Community College	19,758,836
Miami Dade College	156,031,738
North Florida Community College	5,986,596
Okaloosa-Walton College	16,714,253
Palm Beach Community College	48,037,907
Pasco-Hernando Community College	17,694,007
Pensacola Junior College	31,755,235
Polk Community College	17,671,615
St. Johns River Community College	14,394,840
St. Petersburg College	54,877,829
Santa Fe Community College	32,652,568
Seminole Community College	32,706,652
South Florida Community College	14,823,648
Tallahassee Community College	27,322,544
Valencia Community College	56,986,074
College Center for Library Automation	13,279,060

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Beginning with the Fall 2008 semester, tuition and fee rates are established for the 2008-2009 fiscal year as follows:

For advanced and professional, postsecondary vocational, college preparatory, and educator preparation institute programs, the sum of the standard tuition and the technology fee shall be $54.43 per credit hour for residents. The sum of the standard tuition and the technology fee shall be $54.43 per credit hour and the out-of-state fee shall be $163.39 per credit hour for nonresidents.

For programs leading to a career certificate or an applied technology diploma, the standard tuition shall be $1.77 per contact hour for residents. The standard tuition shall be $1.77 per contact hour and the out-of-state fee shall be $5.31 per contact hour for nonresidents.

For adult general education programs, the standard tuition shall be 87 cents per contact hour for residents. The standard tuition shall be 87 cents per contact hour and the out-of-state fee shall be $2.61 per contact hour for nonresidents.

Consistent with sections 1009.22(3)(d) and 1009.23(3)(c), Florida Statutes, if the tuition and out-of-state fee increases provided herein become law, the statutory increase for inflation will not be made.

Pursuant to the provisions of section 1009.26(1), Florida Statutes, community colleges may grant fee waivers for programs funded through Workforce Development Education appropriations for up to 8 percent of the fee revenues that would otherwise be collected.

No funds in Specific Appropriation 124 are provided for instruction of state or federal inmates.

In compliance with section 1011.84(1)(f), Florida Statutes, from the funds appropriated in Specific Appropriation 124, community colleges shall not report any full-time equivalent (FTE) enrollment for the instruction of students funded in the state grant and aid program for Adults with Disabilities in Specific Appropriation 34.

From the funds in Specific Appropriation 124, $2,500,000 is provided to the St. Petersburg College Foundation for the Government Institute.

From the funds in Specific Appropriation 124 for the College Center for Library Automation, $1,462,113 shall be released at the beginning of the first quarter in addition to the normal release and $2,516,300 shall be released at the beginning of the second quarter in addition to the normal release. The additional release is provided to maximize cost savings through centralized purchase of subscription-based e-resources. The remaining appropriated funds for the Center shall be distributed in accordance with the normal release plan.

From the funds in Specific Appropriation 124, each community college shall report enrollment for adult general education programs identified in section 1004.02, Florida Statutes, in accordance with the Department of Education instructional hours reporting procedures. The Auditor General shall verify compliance with this requirement during scheduled operational audits of the community colleges.

From the funds in Specific Appropriation 124, community colleges shall strive to maintain and expand apprenticeship programs to the extent possible.

Each community college board of trustees is given flexibility to make necessary adjustments to its operating budget. If any board reduces individual programs or projects within the community college by more than 10 percent during the 2008-2009 fiscal year, written notification shall be made to the Executive Office of the Governor, the President of the Senate, the Speaker of the House of Representatives, and the Department of Education.

125 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - COMMUNITY COLLEGE
BACCALAUREATE PROGRAMS
FROM GENERAL REVENUE FUND 10,432,501

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The funds provided in Specific Appropriation 125 shall be allocated to the following:

Broward Community College	75,000
Chipola College	643,223
Daytona Beach Community College	633,235
Edison College	193,487
Florida Community College at Jacksonville	88,398
Indian River Community College	445,054
Miami Dade College	1,202,262
Okaloosa-Walton College	981,703
Palm Beach Community College	15,000
St. Petersburg College	6,140,139
State College Task Force	15,000

The funds in Specific Appropriation 125 are provided to support baccalaureate programs approved by the State Board of Education on or before March 28, 2008.

Beginning with the Fall 2008 semester, the sum of the tuition and the technology fee for baccalaureate degree programs is established for the 2008-2009 fiscal year at $69.40 per credit hour for students who are residents. Consistent with section 1009.23(3)(c), Florida Statutes, if the tuition increase provided herein becomes law, the statutory increase for inflation will not be made.

Prior to the disbursement of funds in Specific Appropriation 125, colleges shall submit an operating budget for the expenditure of these funds as provided in section 1011.30, Florida Statutes.

The funds appropriated in Specific Appropriation 125 shall not be expended to support lower division courses and instruction. Lower division college credit courses in community colleges shall be funded and supported in the Community Colleges Program Fund.

127 SPECIAL CATEGORIES
COMMISSION ON COMMUNITY SERVICE
FROM GENERAL REVENUE FUND 627,495

128 SPECIAL CATEGORIES
GRANTS AND AIDS - DISTANCE LEARNING
FROM GENERAL REVENUE FUND 345,391

TOTAL: PROGRAM: COMMUNITY COLLEGE PROGRAMS
FROM GENERAL REVENUE FUND 971,368,572

TOTAL ALL FUNDS 971,368,572

STATE BOARD OF EDUCATION

Funds provided in Specific Appropriations 129 through 148 for the Working Capital Trust Fund shall be cost-recovered from funds used to pay data processing services rendered in accordance with section 216.272, Florida Statutes.

From the funds provided in Specific Appropriations 129 through 148, the Commissioner of Education shall prepare and provide to the chair of the Senate Fiscal Policy and Calendar Committee, the chair of the House Policy and Budget Council, and the Executive Office of the Governor on or before October 1, 2008, a report containing the following: the federal indirect cost rate(s) approved to be used for the 12 month period of the 2008-2009 fiscal year and the data on which the rate(s) was established; the estimated amount of funds the approved rate(s) will generate; the proposed expenditure plan for the amount generated; and the June 30, 2008, balance of all unexpended federal indirect cost funds.

From the funds in Specific Appropriations 129 though 148, the Commissioner of Education shall prepare and provide to the chairs of the Senate Fiscal Policy and Calendar Committee and the House Policy and Budget Council, and the Executive Office of the Governor on or before September 15, 2008, a report that provides recommendations and options for the continued operation of the Florida Information Resource Network

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(FIRN). For each option, the report shall, at a minimum, address the following: 1) the total direct and indirect costs for providing bundled and unbundled services, 2) a plan for maximizing the use of federal E-rate funds, 3) a description of how the service needs of current FIRN customers can be achieved, and 4) alternative funding models or sources that can help to reduce or eliminate the need for state funds. In preparing the report, the Commissioner of Education shall collaborate with the Department of Management Services and the Technology Review Workgroup.

APPROVED SALARY RATE 57,314,877

129	SALARIES AND BENEFITS POSITIONS	1,228.00	
	FROM GENERAL REVENUE FUND	23,738,995	
	FROM ADMINISTRATIVE TRUST FUND		7,843,639
	FROM EDUCATIONAL CERTIFICATION AND SERVICE TRUST FUND		3,914,749
	FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND .		2,880,824
	FROM FEDERAL GRANTS TRUST FUND		13,840,777
	FROM FOOD AND NUTRITION SERVICES TRUST FUND		3,277,883
	FROM INSTITUTIONAL ASSESSMENT TRUST FUND .		1,166,049
	FROM STUDENT LOAN OPERATING TRUST FUND . .		9,992,964
	FROM OPERATING TRUST FUND		653,783
	FROM WORKING CAPITAL TRUST FUND		6,491,052
130	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	519,606	
	FROM ADMINISTRATIVE TRUST FUND		135,012
	FROM EDUCATIONAL CERTIFICATION AND SERVICE TRUST FUND		149,999
	FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND .		40,000
	FROM FEDERAL GRANTS TRUST FUND		1,134,714
	FROM FOOD AND NUTRITION SERVICES TRUST FUND		127,020
	FROM INSTITUTIONAL ASSESSMENT TRUST FUND .		32,000
	FROM STUDENT LOAN OPERATING TRUST FUND . .		250,000
	FROM OPERATING TRUST FUND		120,101
	FROM WORKING CAPITAL TRUST FUND		40,000
131	EXPENSES		
	FROM GENERAL REVENUE FUND	4,848,071	
	FROM ADMINISTRATIVE TRUST FUND		1,652,095
	FROM EDUCATIONAL CERTIFICATION AND SERVICE TRUST FUND		959,659
	FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND .		973,391
	FROM FEDERAL GRANTS TRUST FUND		9,485,581
	FROM FOOD AND NUTRITION SERVICES TRUST FUND		814,700
	FROM INSTITUTIONAL ASSESSMENT TRUST FUND .		891,856
	FROM STUDENT LOAN OPERATING TRUST FUND . .		2,938,493
	FROM OPERATING TRUST FUND		817,556
	FROM WORKING CAPITAL TRUST FUND		1,758,476
132	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	336,622	
	FROM ADMINISTRATIVE TRUST FUND		190,094
	FROM EDUCATIONAL CERTIFICATION AND SERVICE TRUST FUND		143,440
	FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND .		15,000
	FROM FEDERAL GRANTS TRUST FUND		778,834
	FROM FOOD AND NUTRITION SERVICES TRUST FUND		82,438
	FROM INSTITUTIONAL ASSESSMENT TRUST FUND .		16,375
	FROM STUDENT LOAN OPERATING TRUST FUND . .		518,200
	FROM WORKING CAPITAL TRUST FUND		47,921
133	SPECIAL CATEGORIES		
	ASSESSMENT AND EVALUATION		
	FROM GENERAL REVENUE FUND	33,392,137	
	FROM ADMINISTRATIVE TRUST FUND		2,096,131
	FROM FEDERAL GRANTS TRUST FUND		30,938,610
	FROM SOPHOMORE LEVEL TEST TRUST FUND . . .		116,920
	FROM TEACHER CERTIFICATION EXAMINATION TRUST FUND		5,655,301

From the funds in Specific Appropriation 133, $700,000 from the General Revenue Fund shall be provided to the Department of Education to purchase or develop assessments to evaluate the college readiness of eleventh grade students who may be at risk of needing remediation in reading and mathematics prior to enrollment in postsecondary institutions. The department shall work with school districts to implement the assessments during the 2008-2009 school year. To the maximum extent possible, a school district shall provide twelfth grade students who need remediation and who indicate an interest in postsecondary education with access to appropriate remediation courses to mitigate remediation at the postsecondary level.

134	SPECIAL CATEGORIES		
	COMMISSION FOR INDEPENDENT EDUCATION		
	FROM INSTITUTIONAL ASSESSMENT TRUST FUND .		1,188,178
135	SPECIAL CATEGORIES		
	TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS		
	FROM GENERAL REVENUE FUND	177,647	
136	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	1,781,385	
	FROM ADMINISTRATIVE TRUST FUND		468,008
	FROM EDUCATIONAL CERTIFICATION AND SERVICE TRUST FUND		891,591
	FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND .		271,017
	FROM FEDERAL GRANTS TRUST FUND		1,244,925
	FROM FOOD AND NUTRITION SERVICES TRUST FUND		546,535
	FROM INSTITUTIONAL ASSESSMENT TRUST FUND .		164,134
	FROM STUDENT LOAN OPERATING TRUST FUND . .		14,058,767
	FROM OPERATING TRUST FUND		2,000
	FROM WORKING CAPITAL TRUST FUND		154,981

From the funds in Specific Appropriation 136, $500,000 from the General Revenue Fund is provided for the administrative responsibilities of the Florida Schools of Excellence Commission. These funds may be used for professional training for charter school teachers and administrators.

137	SPECIAL CATEGORIES		
	GRANTS AND AIDS - CHOICES PRODUCT SALES		
	FROM EDUCATIONAL MEDIA AND TECHNOLOGY TRUST FUND		400,000
138	SPECIAL CATEGORIES		
	TRANSFER TO GRANTS AND DONATIONS TRUST FUND FOR THE FLORIDA ACADEMIC COUNSELING AND TRACKING SYSTEM FOR STUDENTS (FACTS)		
	FROM GENERAL REVENUE FUND	585,932	
139	SPECIAL CATEGORIES		
	LITIGATION EXPENSES		
	FROM GENERAL REVENUE FUND	41,538	
140	SPECIAL CATEGORIES		
	EDUCATIONAL FACILITIES RESEARCH AND DEVELOPMENT PROJECTS		
	FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND .		200,000
142	SPECIAL CATEGORIES		
	STUDENT FINANCIAL ASSISTANCE MANAGEMENT INFORMATION SYSTEM		
	FROM STUDENT LOAN OPERATING TRUST FUND . .		484,993

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143 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE

FROM GENERAL REVENUE FUND	530,140	
FROM ADMINISTRATIVE TRUST FUND		16,651
FROM EDUCATIONAL CERTIFICATION AND SERVICE TRUST FUND		37,911
FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND		18,786
FROM FEDERAL GRANTS TRUST FUND		92,500
FROM FOOD AND NUTRITION SERVICES TRUST FUND		10,365
FROM INSTITUTIONAL ASSESSMENT TRUST FUND		12,113
FROM STUDENT LOAN OPERATING TRUST FUND		73,598
FROM OPERATING TRUST FUND		1,689
FROM WORKING CAPITAL TRUST FUND		38,198

144 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT

FROM GENERAL REVENUE FUND	178,042	
FROM ADMINISTRATIVE TRUST FUND		32,569
FROM EDUCATIONAL CERTIFICATION AND SERVICE TRUST FUND		26,254
FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND		17,817
FROM FEDERAL GRANTS TRUST FUND		112,097
FROM FOOD AND NUTRITION SERVICES TRUST FUND		22,030
FROM INSTITUTIONAL ASSESSMENT TRUST FUND		7,839
FROM STUDENT LOAN OPERATING TRUST FUND		67,187
FROM OPERATING TRUST FUND		4,394
FROM WORKING CAPITAL TRUST FUND		43,643

145 SPECIAL CATEGORIES
CENTRALIZED TECHNOLOGY RESOURCES

FROM WORKING CAPITAL TRUST FUND		650,900

146 SPECIAL CATEGORIES
EDUCATION DATA WAREHOUSE

FROM GENERAL REVENUE FUND	830,768	

147 DATA PROCESSING SERVICES
REGIONAL DATA CENTERS - STATE UNIVERSITY SYSTEM

FROM GENERAL REVENUE FUND	1,382,551	
FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND		2,669
FROM FEDERAL GRANTS TRUST FUND		139,537
FROM FOOD AND NUTRITION SERVICES TRUST FUND		2,183
FROM STUDENT LOAN OPERATING TRUST FUND		1,287,698

From funds in Specific Appropriation 147, the Department of Education shall pay for data center services based on the actual direct and indirect costs to the Department of Education. These funds shall not be used to subsidize another entity's costs.

148 DATA PROCESSING SERVICES
EDUCATION TECHNOLOGY AND INFORMATION SERVICES

FROM GENERAL REVENUE FUND	3,122,898	
FROM ADMINISTRATIVE TRUST FUND		799,486
FROM EDUCATIONAL CERTIFICATION AND SERVICE TRUST FUND		928,555
FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND		322,351
FROM FEDERAL GRANTS TRUST FUND		1,520,305
FROM FOOD AND NUTRITION SERVICES TRUST FUND		273,729
FROM INSTITUTIONAL ASSESSMENT TRUST FUND		89,281
FROM STUDENT LOAN OPERATING TRUST FUND		421,929
FROM OPERATING TRUST FUND		56,264

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TOTAL: STATE BOARD OF EDUCATION

FROM GENERAL REVENUE FUND	71,466,332	
FROM TRUST FUNDS		140,187,294
TOTAL POSITIONS	1,228.00	
TOTAL ALL FUNDS		211,653,626

UNIVERSITIES, DIVISION OF

PROGRAM: EDUCATIONAL AND GENERAL ACTIVITIES

Funds in Specific Appropriations 11 through 15, and 151 through 158 are provided as grants and aids to support the operation of state universities. Funds provided to each university are contingent upon that university following the provisions of chapters 1000 through 1013, Florida Statutes, which relate to state universities. Any withholding of funds pursuant to this provision shall be subject to the approval of the Legislative Budget Commission.

150 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - MOFFITT CANCER CENTER AND RESEARCH INSTITUTE

FROM GENERAL REVENUE FUND	11,718,645	

Funds in Specific Appropriation 150 are provided to continue funding to the H. Lee Moffitt Cancer Center and Research Institute. These funds may be used as state matching funds for Moffitt's participation in the Low Income Pool, which provides payments to hospitals providing enhanced services to low-income individuals. In the event that enhanced Medicaid funding is not implemented by the Agency for Health Care Administration, these funds shall remain appropriated to the H. Lee Moffitt Cancer Center and Research Institute to continue the original purpose of providing research in cancer center operations.

151 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - EDUCATION AND GENERAL ACTIVITIES

FROM GENERAL REVENUE FUND	1768,821,787	
FROM EDUCATION AND GENERAL STUDENT AND OTHER FEES TRUST FUND		971,802,867
FROM PHOSPHATE RESEARCH TRUST FUND		7,281,147

The appropriations provided in Specific Appropriations 151 and 153 through 155 from the Education and General Student and Other Fees Trust Fund are the only budget authority provided in this act for the 2008-2009 fiscal year to the named universities to expend tuition and fees that are collected during the 2008-2009 fiscal year and carried forward from the prior fiscal year and that are appropriated into local accounts pursuant to section 1011.4106, Florida Statutes. The expenditure of tuition and fee revenues from local accounts by each university shall not exceed the authority provided by these specific appropriations, unless approved pursuant to the provisions of chapter 216, Florida Statutes. If a court of competent jurisdiction finds that the restriction above is invalid, the appropriation made by section 1011.4106, Florida Statutes, is hereby repealed for the 2008-2009 fiscal year and the moneys described in that section shall be deposited in the state treasury for expenditure only pursuant to appropriations made by law.

General revenue funds provided in Specific Appropriations 151 through 157 to each of the named universities are contingent upon each university complying with the tuition and fee policies established in the proviso language attached to Specific Appropriation 151, and with the tuition and fee policies for state universities included in Part II of chapter 1009, Florida Statutes. However, the funds appropriated to a specific university shall not be affected by the failure of another university to comply with this provision.

Funds in Specific Appropriations 11 through 15 and 151 through 158 shall be expended in accordance with operating budgets which must be approved by each university's board of trustees.

Funds in Specific Appropriation 151 from the General Revenue Fund shall be allocated as follows:

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University of Florida	345,417,044
Florida State University	280,174,697
Florida A&M University	104,266,822
University of South Florida	210,244,225
University of South Florida, St. Petersburg	26,100,746
University of South Florida, Sarasota/Manatee	13,508,540
Florida Atlantic University	159,902,071
University of West Florida	59,887,054
University of Central Florida	239,860,389
Florida International University	189,482,186
University of North Florida	76,300,158
Florida Gulf Coast University	47,327,939
New College of Florida	16,349,916

From the general revenue funds provided in Specific Appropriation 151 to the University of Florida, $300,000 is provided for the purpose of developing a long-range master plan to ensure long-term preservation and interpretation of state-owned historic properties in St. Augustine while facilitating an educational program at the University of Florida as specified in section 267.1735, Florida Statutes. This plan shall be submitted to the Governor, the Speaker of the House Representatives, the President of the Senate, and the Board of Governors prior to February 1, 2009.

From the general revenue funds provided in Specific Appropriation 151 to the University of South Florida, $200,000 is provided to the USF Joint Military Leadership Center to support training programs for ROTC cadets and midshipmen enrolled in Florida public and private colleges and universities.

Funds in Specific Appropriation 151 from the Education and General Student and Other Fees Trust Fund shall be allocated as follows:

University of Florida	201,901,130
Florida State University	136,170,108
Florida A&M University	52,778,244
University of South Florida	111,948,712
University of South Florida, St. Petersburg	8,042,988
University of South Florida, Sarasota/Manatee	4,451,197
Florida Atlantic University	76,094,024
University of West Florida	28,504,036
University of Central Florida	143,657,275
Florida International University	127,190,299
University of North Florida	47,247,624
Florida Gulf Coast University	29,356,128
New College of Florida	4,461,102

Beginning with the Fall 2008 semester, undergraduate tuition is established at $82.03 per credit hour for the 2008-2009 fiscal year. Consistent with section 1009.24(4)(b), Florida Statutes, if the tuition increase provided herein becomes law, the statutory increase for inflation will not be made.

Tuition for graduate and professional programs and out-of-state fees for all programs shall be established pursuant to section 1009.24, Florida Statutes.

Funds in Specific Appropriation 151 from the Phosphate Research Trust Fund are provided for the University of South Florida.

Funds in Specific Appropriation 151 are based upon the following full-time equivalent (FTE) enrollment:

Resident Lower Level	64,088
Resident Upper Level	85,651
Resident Graduate	26,285
Nonresident (all levels)	14,897
Total	190,921

Funding for each university is based upon the following full-time equivalent (FTE) enrollment:

University of Florida;

Resident Lower Level	10,863
Resident Upper Level	12,707
Resident Graduate	6,695
Nonresident (all levels)	4,049
Total	34,314

Florida State University;

Resident Lower Level	9,327
Resident Upper Level	10,713
Resident Graduate	4,279
Nonresident (all levels)	2,483
Total	26,802

Florida Agricultural & Mechanical University;

Resident Lower Level	3,601
Resident Upper Level	2,868
Resident Graduate	1,244
Nonresident (all levels)	1,116
Total	8,829

University of South Florida;

Resident Lower Level	9,275
Resident Upper Level	12,777
Resident Graduate	3,807
Nonresident (all levels)	1,302
Total	27,161

Florida Atlantic University;

Resident Lower Level	4,372
Resident Upper Level	7,827
Resident Graduate	1,911
Nonresident (all levels)	1,129
Total	15,239

University of West Florida;

Resident Lower Level	1,886
Resident Upper Level	3,232
Resident Graduate	653
Nonresident (all levels)	444
Total	6,215

University of Central Florida;

Resident Lower Level	10,306
Resident Upper Level	16,000
Resident Graduate	3,006
Nonresident (all levels)	1,528
Total	30,840

Florida International University;

Resident Lower Level	8,160
Resident Upper Level	11,682
Resident Graduate	3,273
Nonresident (all levels)	2,136
Total	25,251

University of North Florida;

Resident Lower Level	3,950
Resident Upper Level	5,107
Resident Graduate	897
Nonresident (all levels)	287
Total	10,241

Florida Gulf Coast University;

Resident Lower Level	2,224
Resident Upper Level	2,319
Resident Graduate	520
Nonresident (all levels)	310
Total	5,373

New College of Florida;

Resident Lower Level	124
Resident Upper Level	419
Nonresident (all levels)	113
Total	656

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From the funds provided in Specific Appropriations 11, 13, 151, and 153, each university may shift enrollment by level in a manner which is revenue neutral; however, no university, with the exception of New College of Florida, shall increase the number of lower level FTEs. For planning and enrollment shifting purposes, the University of South Florida may combine lower, upper, and graduate FTE identified in Specific Appropriations 151 and 153.

The Chancellor of the State University System shall submit a revised 3-year state university enrollment plan by lower, upper, graduate I and graduate II levels, by university, to the Board of Governors by September 1, 2008. This revised 3-year enrollment plan must be developed with input from each state university.

The enrollment policy adopted by the Legislature does not limit the number of students admitted from out-of-state under the profile admissions policy; however, no state university may receive general revenue funding associated with the enrollment of out-of-state students admitted under this policy. For the purposes of implementing this policy, the Chancellor shall segregate these FTEs and not count them toward the 2008-2009 enrollment plan for the State University System.

Funds provided in Specific Appropriation 151 for the University of Florida include no more than that amount which the State Board of Education and the City of Gainesville agree represents the cost of service for water provided by the city to the University of Florida. The amount charged shall reflect a cost-based rate only and shall be determined through a cost of service study completed annually by the city and reviewed by the university. The costs of any General Fund transfer to the City of Gainesville from Gainesville Regional Utilities or any profit to the city or utility shall be specifically excluded as costs allocable to the university. The cost-based rate shall include charges for only those water services actually provided by the city to the university and shall not include charges for services furnished by the university.

Each university board of trustees is given flexibility to make necessary adjustments to its operating budget. If any board reduces individual programs or projects within the university by more than 10 percent during the 2008-2009 fiscal year, written notification shall be made to the Executive Office of the Governor, the President of the Senate, the Speaker of the House of Representatives, and the Board of Governors.

Reductions to academic programs related to the Institute of Food and Agricultural Sciences at the University of Florida shall not be greater than reductions to other academic programs.

152 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - IFAS (INSTITUTE OF FOOD AND AGRICULTURAL SCIENCE)
FROM GENERAL REVENUE FUND 122,452,555

From the funds in Specific Appropriation 152 and any other funds available to the State University System, there shall be no expenditures made pursuant to the consent order, effective April 15, 1986, and amended on June 8, 1987, and as subsequently amended by the joint plan submitted by the Chancellor and the Secretary of the Department of Environmental Protection on October 1, 1993, between the Institute of Food and Agricultural Sciences and the Department of Environmental Protection; provided; however, that funds from the Water Quality Assurance Trust Fund provided specifically for site investigation and clean-up activities may continue to be spent for that purpose.

Funds in Specific Appropriations 12 and 152 are provided for the research and extension services of the Institute of Food and Agricultural Sciences (IFAS) and shall not be transferred or used for any other purpose. The university board of trustees is given flexibility to make necessary adjustments to the budget for IFAS; however, the reductions to appropriations for IFAS made by this act shall be applied toward any other reductions made by the university board of trustees.

153 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - UNIVERSITY OF SOUTH

SECTION 2
SPECIFIC
APPROPRIATION

FLORIDA MEDICAL CENTER
FROM GENERAL REVENUE FUND 60,004,789
FROM EDUCATION AND GENERAL STUDENT AND OTHER FEES TRUST FUND 21,102,386

Funds in Specific Appropriation 153 are based upon the following full-time equivalent enrollment:

Resident Lower Level	103
Resident Upper Level	584
Resident Graduate	727
Resident M.D.	480
Nonresident (all levels)	98

154 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - UNIVERSITY OF FLORIDA HEALTH CENTER
FROM GENERAL REVENUE FUND 93,125,717
FROM EDUCATION AND GENERAL STUDENT AND OTHER FEES TRUST FUND 23,206,140

Funds in Specific Appropriation 154 are based upon the following full-time equivalent enrollment:

Resident Dentistry	321
Resident Veterinary Medicine	332
Resident M.D.	509
Nonresident (all levels)	23

155 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - FLORIDA STATE UNIVERSITY MEDICAL SCHOOL
FROM GENERAL REVENUE FUND 40,278,706
FROM EDUCATION AND GENERAL STUDENT AND OTHER FEES TRUST FUND 6,031,813

Funds in Specific Appropriation 155 are based upon the following full-time equivalent enrollment:

Resident M.D.	420

156 AID TO LOCAL GOVERNMENTS
UNIVERSITY OF CENTRAL FLORIDA MEDICAL SCHOOL
FROM GENERAL REVENUE FUND 9,173,004

157 AID TO LOCAL GOVERNMENTS
FLORIDA INTERNATIONAL UNIVERSITY MEDICAL SCHOOL
FROM GENERAL REVENUE FUND 11,459,863

158 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - STUDENT FINANCIAL ASSISTANCE
FROM GENERAL REVENUE FUND 18,917,104

A minimum of 75 percent of the funds provided in Specific Appropriation 158 shall be allocated for need-based financial aid.

Funds in Specific Appropriation 158 shall be allocated as follows:

University of Florida	4,602,866
Florida State University	3,888,310
Florida A&M University	1,654,278
University of South Florida	2,255,542
Florida Atlantic University	1,058,819
University of West Florida	417,972
University of Central Florida	2,274,186
Florida International University	1,432,392
University of North Florida	531,371
Florida Gulf Coast University	259,827
New College of Florida	541,541

SECTION 2
SPECIFIC
APPROPRIATION

159	AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - INSTITUTE FOR HUMAN AND MACHINE COGNITION FROM GENERAL REVENUE FUND	1,600,000	
161	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	15,634,197	
	FROM PHOSPHATE RESEARCH TRUST FUND		4,155
161A	SPECIAL CATEGORIES GRANTS AND AIDS - DISTANCE LEARNING FROM GENERAL REVENUE FUND	334,026	
TOTAL:	PROGRAM: EDUCATIONAL AND GENERAL ACTIVITIES FROM GENERAL REVENUE FUND	2153,520,393	
	FROM TRUST FUNDS		1029,428,508
	TOTAL ALL FUNDS		3182,948,901

BOARD OF GOVERNORS

APPROVED SALARY RATE 3,801,263

162	SALARIES AND BENEFITS POSITIONS	56.00	
	FROM GENERAL REVENUE FUND	4,447,739	
	FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND .		650,242

The positions included in Specific Appropriation 162 shall report to the Board of Governors.

163	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND	25,451	
	FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND .		15,000
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		5,000
164	EXPENSES FROM GENERAL REVENUE FUND	695,624	
	FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND .		264,799
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		12,000
165	OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND	8,076	
	FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND .		950
166	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND	338,130	
	FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND .		20,000
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		3,000
167	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND	22,025	
	FROM DIVISION OF UNIVERSITIES FACILITY CONSTRUCTION ADMINISTRATIVE TRUST FUND .		2,990
TOTAL:	BOARD OF GOVERNORS FROM GENERAL REVENUE FUND	5,537,045	
	FROM TRUST FUNDS		973,981
	TOTAL POSITIONS	56.00	
	TOTAL ALL FUNDS		6,511,026

SECTION 2
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TOTAL OF SECTION 2 POSITIONS	2,594.00	
FROM GENERAL REVENUE FUND	12941,720,096	
FROM TRUST FUNDS		6594,484,154
TOTAL ALL FUNDS		19536,204,250

SECTION 3 - HUMAN SERVICES

The moneys contained herein are appropriated from the named funds to the Agency for Health Care Administration, Agency for Persons with Disabilities, Department of Children and Families, Department of Elder Affairs, Department of Health, and the Department of Veterans' Affairs as the amounts to be used to pay the salaries, other operational expenditures and fixed capital outlay of the named agencies.

AGENCY FOR HEALTH CARE ADMINISTRATION

PROGRAM: ADMINISTRATION AND SUPPORT

APPROVED SALARY RATE 14,653,117

168	SALARIES AND BENEFITS POSITIONS	309.00	
	FROM GENERAL REVENUE FUND	4,151,280	
	FROM ADMINISTRATIVE TRUST FUND		15,012,499
169	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND	200,830	
	FROM ADMINISTRATIVE TRUST FUND		862,837
170	EXPENSES FROM GENERAL REVENUE FUND	459,204	
	FROM ADMINISTRATIVE TRUST FUND		3,611,899
171	OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND	229,961	
	FROM ADMINISTRATIVE TRUST FUND		655,710
172	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND	842,453	
	FROM ADMINISTRATIVE TRUST FUND		2,517,985
172A	SPECIAL CATEGORIES GRANTS AND AIDS - CONTRACTED SERVICES FROM GENERAL REVENUE FUND	100,000	

From the funds in Specific Appropriation 172A, $100,000 in non-recurring general revenue funds is provided for grants to health-related institutions and organizations seeking assistance to deploy outpatient clinic information technology emphasizing case management. Applicants shall be key stakeholders in health care, including municipal or county governments, information technology providers, health plans, hospitals, outpatient clinics, or other interested parties. These applicants must demonstrate a plan to capture patient information at the point of care for patient management, provide real-time access to information, ensure that electronic health records are accessible to all participants, and standardize procedures and reporting. A stated goal of each applicant shall be to reduce health care costs, lower the number of visits to area emergency rooms for non-emergency cases, and promote outpatient clinic use for non-emergency care. Applicants should demonstrate that the recommended technology has a record of proven success in case management and health care cost reduction resulting from operating in outpatient clinics. Applicants may also include a proposed model to deploy the solution to other clinics in Florida.

173	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	33,827	
	FROM ADMINISTRATIVE TRUST FUND		225,029

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174 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 28,766
FROM ADMINISTRATIVE TRUST FUND 100,882

175 DATA PROCESSING SERVICES
TECHNOLOGY RESOURCE CENTER - DEPARTMENT OF MANAGEMENT SERVICES
FROM ADMINISTRATIVE TRUST FUND 664,443

TOTAL: PROGRAM: ADMINISTRATION AND SUPPORT
FROM GENERAL REVENUE FUND 6,046,321
FROM TRUST FUNDS 23,651,284

TOTAL POSITIONS 309.00
TOTAL ALL FUNDS 29,697,605

PROGRAM: HEALTH CARE SERVICES

CHILDREN'S SPECIAL HEALTH CARE

Funds in Specific Appropriations 176 through 181 are provided to operate the Florida KidCare Program. The Executive Office of the Governor may authorize transfer of these resources between programs or agencies pursuant to chapter 216, Florida Statutes, based on projections from the Social Services Estimating Conference.

176 SPECIAL CATEGORIES
GRANTS AND AIDS - FLORIDA HEALTHY KIDS CORPORATION
FROM GENERAL REVENUE FUND 15,616,296
FROM TOBACCO SETTLEMENT TRUST FUND 60,171,104
FROM MEDICAL CARE TRUST FUND 168,837,377

Funds in Specific Appropriations 176 and 179 are provided to contract with the Florida Healthy Kids Corporation to provide comprehensive health insurance coverage, including dental services, to Title XXI children eligible under the Florida KidCare Program and pursuant to section 624.91, Florida Statutes. The corporation shall use local funds to serve non-Title XXI children that are eligible for the program pursuant to section 624.91(3)(b), Florida Statutes. The corporation shall return unspent local funds collected in Fiscal Year 2007-2008 to provide premium assistance for non-Title XXI eligible children based on a formula developed by the corporation.

Funds in Specific Appropriation 176 reflect a reduction of $4,840,546 from the General Revenue Fund and $10,664,086 from the Medical Care Trust Fund as a result of freezing reimbursement rates to the rates in effect on September 30, 2008 for health plans contracting with the Florida Healthy Kids Corporation serving Title XXI eligible children. The corporation shall amend its contracts, effective October 1, 2008 to achieve the reduction.

177 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 1,212,499
FROM TOBACCO SETTLEMENT TRUST FUND 704,548
FROM GRANTS AND DONATIONS TRUST FUND . . . 409,693
FROM MEDICAL CARE TRUST FUND 4,223,397

Funds in Specific Appropriation 177 reflect a reduction of $100,897 from the General Revenue Fund and $222,284 from the Medical Care Trust Fund to reduce administrative expenditures in the KidCare program. The agency shall amend its contract with the Florida Healthy Kids Corporation to achieve this reduction, effective July 1, 2008.

178 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED SERVICES - FLORIDA HEALTHY KIDS ADMINISTRATION
FROM GENERAL REVENUE FUND 2,306,951
FROM TOBACCO SETTLEMENT TRUST FUND 3,946,147
FROM MEDICAL CARE TRUST FUND 13,930,462

SECTION 3
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Funds in Specific Appropriation 178 reflect a reduction of $368,186 from the General Revenue Fund and $820,280 from the Medical Care Trust Fund to reduce administrative expenditures in the KidCare program. The agency shall amend its contract with the Florida Healthy Kids Corporation to achieve this reduction, effective July 1, 2008.

179 SPECIAL CATEGORIES
GRANTS AND AIDS - FLORIDA HEALTHY KIDS CORPORATION DENTAL SERVICES
FROM GENERAL REVENUE FUND 9,103,284
FROM MEDICAL CARE TRUST FUND 20,280,082

Funds in Specific Appropriation 179 are provided for Florida Healthy Kids dental services to be paid a monthly premium of no more than $12 per member per month.

180 SPECIAL CATEGORIES
MEDIKIDS
FROM GENERAL REVENUE FUND 8,609,576
FROM TOBACCO SETTLEMENT TRUST FUND 7,155,438
FROM GRANTS AND DONATIONS TRUST FUND . . . 10,729,895
FROM MEDICAL CARE TRUST FUND 35,096,176

181 SPECIAL CATEGORIES
CHILDREN'S MEDICAL SERVICES NETWORK
FROM GENERAL REVENUE FUND 17,818,114
FROM TOBACCO SETTLEMENT TRUST FUND 15,619,174
FROM GRANTS AND DONATIONS TRUST FUND . . . 1,705,063
FROM MEDICAL CARE TRUST FUND 74,470,581

TOTAL: CHILDREN'S SPECIAL HEALTH CARE
FROM GENERAL REVENUE FUND 54,666,720
FROM TRUST FUNDS 417,279,137

TOTAL ALL FUNDS 471,945,857

EXECUTIVE DIRECTION AND SUPPORT SERVICES

Any requests pursuant to chapter 216, Florida Statutes, by the Agency for Health Care Administration to increase budget authority to expand existing programs using increased federal reimbursement through Low Income Pool (LIP) provisions and exemptions to hospital Medicaid rate ceilings shall be contingent upon the availability of state match from existing state funds or local sources that do not increase the current requirement for state general revenue or tobacco settlement funds. The agency is authorized to seek federal Medicaid waivers as necessary to implement this provision.

APPROVED SALARY RATE 31,604,955

182 SALARIES AND BENEFITS POSITIONS 743.50
FROM GENERAL REVENUE FUND 14,324,499
FROM MEDICAL CARE TRUST FUND 27,523,226

183 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 1,851,647
FROM MEDICAL CARE TRUST FUND 23,989,020

184 EXPENSES
FROM GENERAL REVENUE FUND 1,198,078
FROM MEDICAL CARE TRUST FUND 6,780,376

185 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 45,391
FROM MEDICAL CARE TRUST FUND 221,266

186 SPECIAL CATEGORIES
PHARMACEUTICAL EXPENSE ASSISTANCE
FROM GENERAL REVENUE FUND 700,000

Funds in Specific Appropriation 186 reflect a reduction of $152,135 from the General Revenue Fund and represent the unused appropriation amount for the Pharmaceutical Expense Assistance Program based on current participation rates.

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APPROPRIATION

187 SPECIAL CATEGORIES
TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS

FROM GENERAL REVENUE FUND	147,739	
FROM MEDICAL CARE TRUST FUND		147,738

188 SPECIAL CATEGORIES
CONTRACT NURSING HOME AUDIT PROGRAM

FROM GENERAL REVENUE FUND	827,653	
FROM MEDICAL CARE TRUST FUND		1,129,095

189 SPECIAL CATEGORIES
CONTRACTED SERVICES

FROM GENERAL REVENUE FUND	15,310,017	
FROM GRANTS AND DONATIONS TRUST FUND		711,861
FROM MEDICAL CARE TRUST FUND		42,789,887

Funds in Specific Appropriation 189 reflect a reduction of $100,000 from the General Revenue Fund and $100,000 from the Medical Care Trust Fund to eliminate funding for the agency contribution towards the Family Cafe program.

Funds in Specific Appropriation 189 reflect a reduction of $450,000 from the General Revenue Fund as a result of eliminating the contract with the University of Florida, Center for Orphan Auto Immune Disorders.

From the funds in Specific Appropriation 189, $187,500 from the General Revenue Fund and $562,500 from the Medical Care Trust Fund are provided for the agency to contract with a provider to implement a prior authorization process for elective cesarean sections in the Medicaid program.

From the funds in Specific Appropriation 189, the agency may continue to contract with the existing provider for the Medicaid wireless handheld drug information database program.

190 SPECIAL CATEGORIES
MEDICAID FISCAL CONTRACT

FROM GENERAL REVENUE FUND	21,034,206	
FROM MEDICAL CARE TRUST FUND		50,441,554
FROM REFUGEE ASSISTANCE TRUST FUND		107,738

191 SPECIAL CATEGORIES
MEDICAID PEER REVIEW

FROM GENERAL REVENUE FUND	1,093,903	
FROM MEDICAL CARE TRUST FUND		4,403,348

192 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE

FROM GENERAL REVENUE FUND	310,133	
FROM MEDICAL CARE TRUST FUND		313,193

193 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT

FROM GENERAL REVENUE FUND	105,063	
FROM MEDICAL CARE TRUST FUND		201,082

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES

FROM GENERAL REVENUE FUND	56,948,329	
FROM TRUST FUNDS		158,759,384
TOTAL POSITIONS	743.50	
TOTAL ALL FUNDS		215,707,713

MEDICAID SERVICES TO INDIVIDUALS

194 SPECIAL CATEGORIES
ADULT VISION AND HEARING SERVICES

FROM GENERAL REVENUE FUND	5,343,101	
FROM TOBACCO SETTLEMENT TRUST FUND		501,997
FROM MEDICAL CARE TRUST FUND		7,278,157
FROM REFUGEE ASSISTANCE TRUST FUND		272,828

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Funds in Specific Appropriations 194-198, 200, 202, 204-206, 209, 211-213, 215-226, 228, 229, 231, and 241 reflect reductions of $152,743,977 from the General Revenue Fund, $15,724,690 from the Grants and Donations Trust Fund, and $187,174,466 from the Medical Care Trust Fund as a result of eliminating recurring funding for the MEDS AD program, effective July 1, 2008.

From the Funds in Specific Appropriations 194-198, 200, 202, 204-206, 209, 211-213, 215-226, 228, 229, 231, and 241, $152,743,977 in non-recurring tobacco settlement trust funds, $15,724,690 in non-recurring grants and donations trust funds, and $187,174,466 in non-recurring medical care trust funds are provided to restore the MEDS AD program on a non-recurring basis through June 30, 2009.

Funds in Specific Appropriations 194, 195, 197, 198, 202, 204-206, 209-211, 213-217, 220-222, 224, 227 and 229 reflect a reduction of $148,116,811 from the General Revenue Fund, $22,787,406 from the Grants and Donations Trust Fund, and $178,632,923 from the Medical Care Trust Fund as a result of eliminating recurring funding for the Medically Needy program except for pregnant women and children, effective July 1, 2008.

From the funds in Specific Appropriations 194, 195, 197, 198, 202, 204-206, 209-211, 213-217, 220-222, 224, 227 and 229, $148,116,811 in non-recurring tobacco settlement trust funds, $22,787,406 in non-recurring grants and donations trust funds, and $178,632,923 in non-recurring medical care trust funds are provided to restore the Medically Needy program except for pregnant women and children on a non-recurring basis through June 30, 2009.

195 SPECIAL CATEGORIES
CASE MANAGEMENT

FROM GENERAL REVENUE FUND	46,359,525	
FROM TOBACCO SETTLEMENT TRUST FUND		536,312
FROM MEDICAL CARE TRUST FUND		58,393,423
FROM REFUGEE ASSISTANCE TRUST FUND		296

196 SPECIAL CATEGORIES
THERAPEUTIC SERVICES FOR CHILDREN

FROM GENERAL REVENUE FUND	32,772,626	
FROM TOBACCO SETTLEMENT TRUST FUND		9,497
FROM MEDICAL CARE TRUST FUND		40,819,410
FROM REFUGEE ASSISTANCE TRUST FUND		1,799

197 SPECIAL CATEGORIES
COMMUNITY MENTAL HEALTH SERVICES

FROM GENERAL REVENUE FUND	13,648,237	
FROM TOBACCO SETTLEMENT TRUST FUND		2,082,657
FROM MEDICAL CARE TRUST FUND		22,495,998
FROM REFUGEE ASSISTANCE TRUST FUND		1,462

The agency is authorized to amend the Medicaid State Plan to include the following specialized substance abuse services: community based substance abuse intervention services, and comprehensive community support services for substance abuse.

The agency is authorized to work with the Department of Children and Family Services and Florida county governments to develop a local match program to fund these Medicaid specialized substance abuse services using local county funds. The public revenue funds required to match the Medicaid funds for these specialized substance abuse services are limited to those funds that are local public tax revenues and are made available to the state for this purpose. As required by Medicaid policy, participating counties shall make these services available to any qualified Florida Medicaid recipient regardless of county of residence. Payment for these services is contingent upon the local matching funds being provided by participating counties.

198 SPECIAL CATEGORIES
ADULT DENTAL SERVICES

FROM GENERAL REVENUE FUND	6,061,954	
FROM TOBACCO SETTLEMENT TRUST FUND		525,161
FROM MEDICAL CARE TRUST FUND		8,202,099
FROM REFUGEE ASSISTANCE TRUST FUND		137,013

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199 SPECIAL CATEGORIES
DEVELOPMENTAL EVALUATION AND INTERVENTION/
PART C
FROM MEDICAL CARE TRUST FUND 4,774,095

Funds in Specific Appropriation 199 shall be contingent on the availability of state match being provided in Specific Appropriation 626.

200 SPECIAL CATEGORIES
EARLY AND PERIODIC SCREENING OF CHILDREN
FROM GENERAL REVENUE FUND 47,395,701
FROM TOBACCO SETTLEMENT TRUST FUND 5,898
FROM MEDICAL CARE TRUST FUND 59,056,803
FROM REFUGEE ASSISTANCE TRUST FUND 121,030

201 SPECIAL CATEGORIES
GRANTS AND AIDS - RURAL HOSPITAL FINANCIAL
ASSISTANCE PROGRAM
FROM GENERAL REVENUE FUND 1,220,185
FROM GRANTS AND DONATIONS TRUST FUND . . . 5,284,077
FROM MEDICAL CARE TRUST FUND 6,526,504

Funds in Specific Appropriation 201 are provided for a federally matched Rural Hospital Disproportionate Share program and a state-funded Rural Hospital Financial Assistance program as provided in section 409.9116, Florida Statutes.

202 SPECIAL CATEGORIES
FAMILY PLANNING
FROM GENERAL REVENUE FUND 718,386
FROM TOBACCO SETTLEMENT TRUST FUND 16,221
FROM MEDICAL CARE TRUST FUND 6,611,482
FROM REFUGEE ASSISTANCE TRUST FUND 14,188

203 SPECIAL CATEGORIES
HEALTHY START SERVICES
FROM MEDICAL CARE TRUST FUND 19,384,718

204 SPECIAL CATEGORIES
HOME HEALTH SERVICES
FROM GENERAL REVENUE FUND 79,618,810
FROM TOBACCO SETTLEMENT TRUST FUND 2,831,319
FROM MEDICAL CARE TRUST FUND 102,670,943
FROM REFUGEE ASSISTANCE TRUST FUND 135,324

From the funds in Specific Appropriation 204, the agency may implement accreditation requirements for Durable Medical Equipment and Consumable Medical Supply providers.

The Agency for Health Care Administration (AHCA) is authorized to develop Requests for Proposals or Invitations to Negotiate for State of Florida Medicaid recipients residing in AHCA Areas 5-11 for the provision of urological and ostomy items. The contract for these services must be awarded by December 1, 2008. The pilot program shall be for a period of 36 months. The agency is authorized to seek any federal Medicaid waivers necessary to implement this provision.

205 SPECIAL CATEGORIES
HOSPICE SERVICES
FROM GENERAL REVENUE FUND 135,966,350
FROM TOBACCO SETTLEMENT TRUST FUND 5,290,327
FROM MEDICAL CARE TRUST FUND 175,888,984
FROM REFUGEE ASSISTANCE TRUST FUND 35,135

Funds in Specific Appropriation 205 reflect a reduction of $6,768,565 from the General Revenue Fund, $8,428,033 from the Medical Care Trust Fund, and $1,684 from the Refugee Assistance Trust Fund as a result of adjusting nursing home rates.

206 SPECIAL CATEGORIES
HOSPITAL INPATIENT SERVICES
FROM GENERAL REVENUE FUND 37,792,293

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FROM TOBACCO SETTLEMENT TRUST FUND 132,872,660
FROM GRANTS AND DONATIONS TRUST FUND . . . 339,707,854
FROM MEDICAL CARE TRUST FUND 1206,493,489
FROM PUBLIC MEDICAL ASSISTANCE TRUST
FUND 431,570,000
FROM REFUGEE ASSISTANCE TRUST FUND 1,938,539

From the funds in Specific Appropriation 206, $61,382,891 from the Medical Care Trust Fund is provided to the Agency for Health Care Administration to fund services for children in the Statewide Inpatient Psychiatric Program. The program shall be designed to permit limits on services, prior authorization of services, and selective provider enrollment. The program must also include monitoring and quality assurance, as well as discharge planning and continuing stay reviews, of all children admitted to the program. The funding is contingent upon the availability of state matching funds in the Department of Children and Family Services in Specific Appropriations 350 and 390.

From the funds in Specific Appropriation 206, $168,300 from the General Revenue Fund is provided to Lee Memorial Hospital for the Regional Perinatal Intensive Care Center (RPICC) Program.

Funds in Specific Appropriation 206 reflect a reduction of $894,813 from the General Revenue Fund and $1,111,495 from the Medical Care Trust Fund based on a policy to expand prior authorization to elective cesarean section services, effective January 1, 2009.

Funds in Specific Appropriation 206 reflect a reduction of $96,179 from the General Revenue Fund and $119,468 from the Medical Care Trust Fund as a result of eliminating payment for preventable hospital errors, effective July 1, 2008. The agency is authorized to seek the necessary waivers or Medicaid state plan amendments to implement this provision.

Funds in Specific Appropriations 206, 211, 215, 220, 221, and 226 include reductions of $36,602,466 from the General Revenue Fund, $44,477,613 from the Medical Care Trust Fund, and $258,737 from the Refugee Assistance Trust Fund, as a result of expanding managed care enrollment by requiring Medipass recipients, in counties with two or more managed care plans, upon open enrollment, to enroll into a managed care plan if the recipient fails to make a choice of plans during the open enrollment choice period, effective October 1, 2008.

Funds in Specific Appropriation 206 reflect a reduction of $68,632,809 from the General Revenue Fund and $85,700,626 from the Medical Care Trust Fund as a result of modifying the reimbursement for inpatient hospital rates. The agency shall implement a recurring methodology in the Title XIX Inpatient Hospital Reimbursement Plan to achieve this reduction. In establishing rates through the normal process, prior to including this reduction, if the unit cost is equal to or less than the unit cost used in establishing the budget, then no additional reduction in rates is necessary. In establishing rates through the normal process, prior to including this reduction, if the unit cost is greater than the unit cost used in establishing the budget, then rates shall be reduced by an amount required to achieve this reduction, but shall not be reduced below the unit cost used in establishing the budget.

From the funds in Specific Appropriation 206, $1,000,000 in non-recurring general revenue funds, $200,000 in non-recurring tobacco settlement trust funds, and $1,494,207 in non-recurring Medical Care Trust Funds are provided to exempt any hospital from the inpatient targets and ceilings if that hospital was identified by the Agency for Health Care Administration as qualifying for the exemption pursuant to section 409.905 (5) (c), Florida Statutes in Fiscal Year 2007-08 and that hospital did not receive funding in the final General Appropriations Act for Fiscal Year 2007-08. Any hospital that was exempt under section 409.905 (5) (c), Florida Statutes, in State Fiscal Year 2007-08 is not eligible to receive funds under this section of proviso.

From the funds in Specific Appropriation 206, $46,339,212 from the Grants and Donations Trust Fund and $57,700,329 from the Medical Care Trust Fund are provided to eliminate the inpatient reimbursement

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ceilings for hospitals whose charity care and Medicaid days, as a percentage of total adjusted hospital days, equal or exceed 11 percent. For any public hospital that does not qualify for the elimination of the inpatient ceilings under this section of proviso or any other proviso listed, the public hospital shall be exempt from the inpatient reimbursement ceilings contingent on the public hospital or local governmental entity providing the required state match. The agency shall use the average of the 2002, 2003 and 2004 audited DSH data available as of March 1, 2008. In the event the agency does not have the prescribed three years of audited DSH data for a hospital, the agency shall use the average of the audited DSH data for 2002, 2003 and 2004 that are available. For those hospitals qualifying using audited DSH data received between January 30, 2008 and March 1, 2008 and who were excluded from the LIP Council recommendations may be exempt from the inpatient ceilings contingent on the non-federal share being provided through grants and donations from state, county or other governmental funds.

From the funds in Specific Appropriation 206, $2,442,391 from the Grants and Donation Trust Fund and $3,041,198 from the Medical Care Trust Fund are provided to eliminate the inpatient reimbursement ceilings for hospitals that have a minimum of ten licensed Level II Neonatal Intensive Care Beds and are located in Trauma Services Area 2.

From the funds in Specific Appropriation 206, $51,864,174 from the Grants and Donations Trust Fund and $64,579,863 from the Medical Care Trust Fund are provided to eliminate the inpatient hospital reimbursement ceilings for hospitals whose Medicaid days as a percentage of total hospital days exceed 7.3 percent, and are designated or provisional trauma centers. This provision shall apply to all hospitals that are designated or provisional trauma centers on July 1, 2008 and any hospitals that becomes a designated or provisional trauma center during State Fiscal Year 2008-2009. Included in these funds are the annualized amounts to offset the reductions taken against certified trauma centers as identified in Section 12, chapter 2007-326, Laws of Florida. The agency shall use the average of the 2002, 2003 and 2004 audited DSH data available as of March 1, 2008. In the event the agency does not have the prescribed three years of audited DSH data for a hospital, the agency shall use the average of the audited DSH data for 2002, 2003 and 2004 that are available.

Funds in Specific Appropriation 206 are contingent upon the state share being provided through grants and donations from state, county or other governmental funds. In the event the state share provided through grants and donations is not available to fund the removal of inpatient ceilings for hospitals, the Agency for Health Care Administration shall submit a revised hospital reimbursement plan to the Legislative Budget Commission for approval.

From the funds in Specific Appropriation 206, $4,423,713 from the Grants and Donations Trust Fund and $5,508,287 from the Medical Care Trust Fund are provided to make Medicaid payments to hospitals. These payments shall be used to pay approved liver transplant facilities a global fee for providing transplant services to Medicaid recipients.

From the funds in Specific Appropriation 206, $160,084,271 from the Grants and Donations Trust Fund and $199,332,592 from the Medical Care Trust Fund are provided to eliminate the inpatient reimbursement ceilings for teaching, specialty, Community Hospital Education Program hospitals and Level III Neonatal Intensive Care Units that have a minimum of three of the following designated tertiary services as regulated under the Certificate of Need Program: pediatric bone marrow transplantation, pediatric open heart surgery, pediatric cardiac catheterization and pediatric heart transplantation. Included in these funds are the annualized amounts to offset the reductions taken against hospitals defined in section 408.07 (45), Florida Statutes, that are not certified trauma centers, as identified in Section 12, chapter 2007-326, Laws of Florida.

From the funds in Specific Appropriation 206, $20,150,282 in non-recurring funds from the Grants and Donations Trust Fund, $4,806,048 in recurring funds from the Grants and Donations Trust Fund, $25,090,584 in non-recurring funds from the Medical Care Trust Fund, and $5,984,361 in recurring funds from the Medical Care Trust Fund are provided to buy back the Medicaid trend adjustment that is being applied against the Medicaid inpatient rates for the following three categories of hospitals. Of these funds $34,484,976 is provided to the first category of hospitals, which are those hospitals that are part of a system that operates a provider service network in the following manner: $20,000,000 is for Jackson Memorial Hospital; $3,968,662 is for hospitals in Broward Health; $2,376,638 is for hospitals in the Memorial Healthcare System; and $3,428,386 is for Shands Jacksonville and $4,711,290 is for Shands Gainesville. In the event that the above amounts exceed the amount of the Medicaid trend adjustment applied to each hospital, then the excess funds will be used to buy back other Medicaid reductions in the inpatient rate. Of the above funds, $18,125,729 shall be used for the second category to buy back the Medicaid trend adjustment that is being applied against the Medicaid inpatient rates for those hospitals that are licensed as a children's specialty hospital and whose Medicaid days plus charity care days divided by total adjusted patient days equals or exceeds 30 percent. In the event that the funds under this category exceed the amount of the Medicaid trend adjustment, then any excess funds will be used to buy back other Medicaid reductions in the inpatient rate for those individual hospitals. Of the above funds, $3,420,570 shall be used for the third category to buy back the additional Medicaid trend adjustment that is being applied to rural hospitals under Specific Appropriation 206 for Fiscal Year 2008-2009. In the event that the funds under this category exceed the amount of the Medicaid trend adjustment, then any excess funds will be used to buy back other Medicaid reductions in the inpatient rate for those individual hospitals. For this section of proviso the agency shall use the 2002, 2003 and 2004 audited DSH data available as of March 1, 2008. In the event the agency does not have the prescribed three years of audited DSH data for a hospital, the agency shall use the average of the audited DSH data for 2002, 2003 and 2004 that are available.

From the funds in Specific Appropriation 206, $49,597,763 from the Grants and Donations Trust Fund and $61,757,790 from the Medical Care Trust Fund are provided for public hospitals, teaching hospitals as defined in section 408.07 (45) or 395.805, Florida Statutes, which have seventy or more full-time equivalent resident physicians and those hospitals whose Medicaid and charity care days divided by total adjusted days exceeds 25 percent to buy back the Medicaid inpatient trend adjustment applied to their individual hospital rates and other Medicaid reductions to their inpatient rates up to actual Medicaid inpatient cost. The payments under this proviso are contingent on the state share being provided through grants and donations from state, county or other governmental funds. For this section of proviso the agency shall use the average of 2002, 2003 and 2004 audited DSH data available as of March 1, 2008. In the event the agency does not have the prescribed three years of audited DSH data for a hospital, the agency shall use the average of the audited DSH data for 2002, 2003 and 2004 that are available.

207 SPECIAL CATEGORIES
REGULAR DISPROPORTIONATE SHARE
FROM GRANTS AND DONATIONS TRUST FUND . . . 97,501,510
FROM MEDICAL CARE TRUST FUND 121,111,741

Funds in Specific Appropriation 207 shall be used for a Disproportionate Share Hospital Program as provided in section 409.911 and 409.9113, Florida Statutes, and is contingent on the state share being provided through grants and donations from state, county, or other government entities.

From the funds in Specific Appropriation 207, $66,178,407 from the Grants and Donations Trust Fund and $82,203,672 from the Medical Care Trust Fund are provided for payments to public hospitals.

From the funds in Specific Appropriation 207, $25,971,103 from the Grants and Donations Trust Fund and $32,260,069 from the Medical Care Trust Fund are provided for payments to defined statutory teaching hospitals. Prior to the distribution of these funds to the statutorily defined teaching hospitals, $6,487,220 shall be allocated to Shands Jacksonville Hospital, $2,660,440 shall be distributed to Tampa General Hospital, and $1,083,512 shall be distributed to Shands Teaching Hospital.

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From the funds in Specific Appropriation 207, $5,352,000 from the Grants and Donations Trust Fund and $6,648,000 from the Medical Care Trust Fund are provided for payments to family practice teaching hospitals.

208	SPECIAL CATEGORIES		
	LOW INCOME POOL		
	FROM GENERAL REVENUE FUND	250,000	
	FROM TOBACCO SETTLEMENT TRUST FUND		535,200
	FROM GRANTS AND DONATIONS TRUST FUND . . .		446,000,000
	FROM MEDICAL CARE TRUST FUND		554,664,800

From the funds in Specific Appropriation 208, $11,380,758 from the Grants and Donations Trust Fund and $14,136,636 from the Medical Care Trust Fund are provided for Medicaid low-income pool payments to hospitals providing primary care to low-income individuals, hospitals operating as designated or provisional trauma centers, and rural hospitals. Hospitals providing primary care to low-income individuals and participating in the Primary Care DSH program in Fiscal Year 2003-2004 shall be paid $9,518,238 distributed in the same proportion as the Primary Care DSH payments for State Fiscal Year 2003-2004, excluding Imperial Point Hospital and Memorial Regional Hospital who will receive individual amounts equal to $536,489 and $1,620,659, respectively. Hospitals that are designated or provisional trauma centers shall be paid $9,683,542. Of that amount, $4,237,710 shall be distributed equally among hospitals that are a Level I trauma center; $3,475,563 shall be distributed equally among hospitals that are either a Level II or pediatric trauma center; and $1,970,269 shall be distributed equally among hospitals that are both a Level II and pediatric trauma center. Rural hospitals participating in the Rural Hospital DSH Program shall be paid $6,315,614 distributed in the same proportion as the DSH payments.

From the funds in Specific Appropriation 208, $389,222,032 from the Grants and Donations Trust Fund and $483,473,107 from the Medical Care Trust Fund are provided for Medicaid low-income pool payments to hospitals provider access systems. The funding shall be distributed in a two-step allocation process. The first phase of the allocation process will distribute payments to qualified hospitals based on the amount of local government funding provided for the uninsured and underinsured. Payments to qualified hospitals will be capped at 117.4 percent of the amount of local government funding it would have received for the uninsured and underinsured without the Low Income Pool program. The second phase of the allocation process is to distribute the remaining funds based on a hospital's Medicaid days, charity care days, and 50 percent of bad debt days to the total Medicaid days, charity care days, and 50 percent of bad debt days of all qualifying hospitals. To receive funds in this distribution, the hospital's Medicaid days, charity care days and 50 percent of bad debt days divided by the hospital's total days must equal or exceed 10 percent. Of the funds allocated in the second phase $2,419,573 shall be allocated to the rural hospitals and the remaining funds allocated to the remaining hospitals that qualify for a distribution. All hospitals with accepted 2006 FHURS data are eligible for the second phase of the allocation process.

From the funds in Specific Appropriation 208, $705,996 from the Grants and Donations Trust Fund and $876,956 from the Medical Care Trust Fund are for Medicaid low-income pool payments to specialty pediatric facilities. To qualify for a Medicaid low-income pool payment under this section, a hospital must be licensed as a children's specialty hospital and its combined Medicaid managed care and fee-for-service days as a percentage to total inpatient days must equal or exceed 30 percent. The agency shall use the 2003 Financial Hospital Uniform Reporting System (FHURS) data to determine the combined Medicaid managed care and fee-for-service days. The total Medicaid low-income pool payments made shall be distributed equally to the qualifying hospitals.

From the funds in Specific Appropriation 208, $250,000 from the General Revenue Fund, $33,541,214 from the Grants and Donations Trust Fund and $41,663,301 from the Medical Care Trust Fund is provided to make Medicaid low-income pool payments to hospitals that serve as a safety net in providing emergency, specialized pediatric trauma services and inpatient hospital care to low-income individuals. These amounts shall be paid to the following:

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Jackson Memorial Hospital	2,388,887
Shands Jacksonville Hospital	32,766,305
All Children's Hospital	4,945,075
Shands Teaching Hospital	4,796,704
Tampa General Hospital	12,990,914
Orlando Regional Medical Center	4,159,665
Lee Memorial Hospital/CMS	886,896
St. Mary's Hospital	195,801
Miami Children's Hospital	4,013,059
Broward General Medical Center	144,898
Tallahassee Memorial Healthcare	40,983
St. Joseph's Hospital	15,852
Florida Hospital	41,488
Baptist Hospital of Pensacola	321,894
Mt. Sinai Medical Center	6,834,326
Bayfront Medical Center	145,594
Sacred Heart Hospital	327,840
Naples Community Hospital	188,334
Baptist Medical Center - Jacksonville	250,000

From the funds in Specific Appropriation 208, $6,813,210 from the Grants and Donations Trust Fund and $8,463,046 from the Medical Care Trust Fund are provided to make Medicaid low-income pool payments to Federally Qualified Health Centers. These payments may be used, in collaboration with the Department of Health, to provide funding for Federally Qualified Health Centers supporting primary care services in medically underserved areas.

From the funds in Specific Appropriation 208, $2,921,719 from the Grants and Donations Trust Fund and $3,629,220 from the Medical Care Trust Fund are provided for county health initiatives emphasizing the expansion of primary care services, and rural health networks. The Department of Health will develop the funding criteria processes, which include assessing statewide benefits, sustainability, access to primary care improvements, ER diversion potential, and health care innovations that are replicable and with a three-year limit on LIP funding. The total low-income pool payments provided in this proviso are contingent on the state share being provided through grants and donations from state, county or other governmental funds.

From the funds in Specific Appropriation 208, $1,415,071 from the Grants and Donations Trust Fund and $1,757,734 from the Medical Care Trust Fund are provided to make Medicaid low-income pool payments to hospitals. These payments shall be used, in collaboration with the Department of Health to provide funding for hospitals providing poison control programs.

From the funds in Specific Appropriation 208, $535,200 in non-recurring tobacco settlement trust funds and $664,800 in non-recurring medical care trust funds are provided to continue the primary care and emergency room diversion program in Manatee, Sarasota and DeSoto counties.

The agency may make low-income pool Medicaid payments to hospitals in an accelerated manner that is more frequent than on a quarterly basis, subject to the availability of state, local and federal funds.

The agency is authorized to transfer a hospital's low-income pool payments between the various low-income programs listed in this specific appropriation if it is required to obtain approval of the low-income pool payment methodology from the Centers for Medicare and Medicaid Services. Any transfer of funds, however, is contingent on the hospital's net low-income pool payments under the low-income pool plan remaining unchanged.

In the event that the amount of approved non-federal share of matching funds is not provided by local governmental entities, the agency may re-allocate low-income pool funds between programs described within this specific appropriation as necessary to ensure sufficient non-federal matching funds. No re-allocation, under this provision, of low-income pool funds may occur if the level of program increase for any provider access system exceeds the amount of the additional increases in the local non-federal share match that their local governments transfer to the state Medicaid program, and for which the provider access system would have otherwise received.

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Funds provided in Specific Appropriation 208 are contingent upon the non-federal share being provided through grants and donations from state, county or other governmental funds. In the event the non-federal share provided through grants and donations is not available to fund the Medicaid low-income payments for eligible Medicaid providers, known as provider access systems, the agency shall submit a revised low-income pool plan to the Legislative Budget Commission for approval.

Distribution of such funds provided in Specific Appropriation 208 are contingent upon approval from the Centers for Medicare and Medicaid.

209	SPECIAL CATEGORIES		
	FREESTANDING DIALYSIS CENTERS		
	FROM GENERAL REVENUE FUND	5,425,731	
	FROM TOBACCO SETTLEMENT TRUST FUND		664,969
	FROM MEDICAL CARE TRUST FUND		7,583,975
	FROM REFUGEE ASSISTANCE TRUST FUND		25,651

Funds in Specific Appropriation 209 are for the inclusion of freestanding dialysis clinics in the Medicaid program. The agency shall limit payment to $95.00 per visit for each dialysis treatment.

Freestanding dialysis facilities may obtain, administer and submit claims directly to the Medicaid program for End-Stage Renal Disease pharmaceuticals subject to coverage and limitations policy. All pharmaceutical claims for this purpose must include National Drug Codes (NDC) to permit the invoicing for federal and/or state supplemental rebates from manufacturers. Claims for drug products that do not include National Drug Code information are not payable by Florida Medicaid unless the drug product is exempt from federal rebate requirements.

Funds in Specific Appropriation 209 reflect a reduction of $865,130 from the General Revenue Fund, $1,077,236 from the Medical Care Trst fund, and $3,644 from the Refugee Assistance Trust Fund as a result of decreasing the payment to Medicaid freestanding dialysis clinics in the Medicaid program from $125 to $95 per visit for each dialysis treatment.

210	SPECIAL CATEGORIES		
	HOSPITAL INSURANCE BENEFITS		
	FROM GENERAL REVENUE FUND	59,285,858	
	FROM TOBACCO SETTLEMENT TRUST FUND		5,090,369
	FROM MEDICAL CARE TRUST FUND		80,159,535

211	SPECIAL CATEGORIES		
	HOSPITAL OUTPATIENT SERVICES		
	FROM GENERAL REVENUE FUND	91,211,922	
	FROM TOBACCO SETTLEMENT TRUST FUND		25,329,039
	FROM GRANTS AND DONATIONS TRUST FUND . . .		71,309,086
	FROM MEDICAL CARE TRUST FUND		327,404,515
	FROM PUBLIC MEDICAL ASSISTANCE TRUST FUND		75,000,000
	FROM REFUGEE ASSISTANCE TRUST FUND		1,130,101

From the funds in Specific Appropriation 211, $6,681,000 from the Grants and Donations Trust Fund and $8,319,000 from the Medical Care Trust Fund are appropriated so that the agency may amend its current facility fees and physician services to allow for payments to public hospitals for the cost of providing health care services to Medicaid recipients, when the public hospital assumed the fiscal and operating responsibilities for one or more primary care centers previously operated by the Florida Department of Health or the local county government. Any payments made to public hospitals because of this change shall be contingent on the state share being provided through grants and donations from counties, local governments, or taxing districts.

Funds in Specific Appropriation 211 reflect a reduction of $16,152,663 from the General Revenue Fund, $20,176,790 from the Medical Care Trust Fund, and $73,998 from the Refugee Assistance Trust Fund as a result of implementing a reduction in outpatient hospital reimbursement rates. The agency shall implement a recurring methodology in the Title XIX Outpatient Hospital Reimbursement Plan to achieve this reduction. In establishing rates through the normal process, prior to including this reduction, if the unit cost is equal to or less than the unit cost used in establishing the budget, then no additional reduction in rates is necessary. In establishing rates through the normal process, prior to including this reduction, if the unit cost is greater than the unit cost used in establishing the budget, then rates shall be reduced by an amount required to achieve this reduction, but shall not be reduced below the unit cost used in establishing the budget.

From the funds in Specific Appropriation 211, $23,576,976 from the Grants and Donations Trust Fund and $29,357,412 from the Medical Care Trust Fund are provided to increase the outpatient cap for adults from $1,000 to $1,500 per year and to eliminate the outpatient reimbursement ceilings for teaching, specialty, Community Health Education Program hospitals and Level III Neonatal Intensive Care Units that have a minimum of three of the following designated tertiary services as regulated under the certificate of need program: pediatric bone marrow transplantation, pediatric open heart surgery, pediatric cardiac catheterization and pediatric heart transplantation. Included in these funds are the annualized amounts to offset the reductions taken against hospitals defined in section 408.07 (45), Florida Statutes, that are not certified trauma centers, as identified in Section 13, chapter 2007-326, Laws of Florida.

From the funds in Specific Appropriation 211, $4,943,712 from the Grants and Donations Trust Fund and $6,155,777 from the Medical Care Trust Fund are provided to eliminate the outpatient reimbursement ceilings for hospitals whose charity care and Medicaid days as a percentage of total adjusted hospital days equals or exceeds 11 percent. For any public hospital that does not qualify for the elimination of the outpatient ceilings under this provision of proviso or any other proviso listed, the public hospital shall be exempt from the outpatient reimbursement ceilings contingent on the public hospital or local governmental entity providing the required state match. The agency shall use the average of the 2002, 2003 and 2004 audited DSH data available as of March 1, 2008. In the event the agency does not have the prescribed three years of audited DSH data for a hospital, the agency shall use the average of the audited DSH data for 2002, 2003 and 2004 that are available. For those hospitals qualifying using audited DSH data received between January 30, 2008 and March 1, 2008 and who were excluded from the Low Income Pool Council recommendations may be exempt from the outpatient ceilings contingent on the non-federal share being provided through grants and donations from state, county or other governmental funds.

From the funds in Specific Appropriation 211, $210,409 from the Grants and Donation Trust Fund and $261,995 from the Medical Care Trust Fund are provided to eliminate the outpatient reimbursement ceilings for hospitals that have a minimum of ten licensed Level II Neonatal Intensive Care Beds and are located in Trauma Services Area 2.

From the funds in Specific Appropriation 211, $6,596,153 from the Grants and Donations Trust Fund and $8,213,350 from the Medical Care Trust Fund are provided to eliminate the outpatient reimbursement ceilings for hospitals whose Medicaid days, as a percentage of total hospital days, exceed 7.3 percent, and are designated or provisional trauma centers. This provision shall apply to all hospitals that are designated or provisional trauma centers on July 1, 2008 or become a designated or provisional trauma center during Fiscal Year 2008-2009. Included in these funds are the annualized amounts to offset the reductions taken against certified trauma centers as identified in section 13, chapter 2007-326, Laws of Florida. The agency shall use the average of the 2002, 2003 and 2004 audited DSH data available as of March 1, 2008. In the event the agency does not have the prescribed three years of audited DSH data for a hospital, the agency shall use the average of the audited DSH data for 2002, 2003 and 2004 that are available.

Funds provided for the elimination of hospital outpatient ceilings in Specific Appropriation 211 are contingent upon the state share being provided through grants and donations from state, county or other governmental funds. The agency shall submit a revised hospital outpatient reimbursement plan to the Legislative Budget Commission for approval if the state share is not available to fund the removal of hospital outpatient ceilings or if the Centers for Medicare and Medicaid

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Services does not approve amendments to the Medicaid Hospital Outpatient Reimbursement Plan to eliminate the reimbursement ceilings for certain hospitals.

From the funds in Specific Appropriation 211, $4,849,717 in non-recurring funds from the Grants and Donations Trust Fund and $6,038,736 in non-recurring funds from the Medical Care Trust Fund are provided to buy back the Medicaid trend adjustment that is being applied against the Medicaid outpatient rates for the following three categories of hospitals. Of these funds $3,515,024 is provided to the first category of hospitals, which are those hospitals that are part of a system that operate a provider service network in the following manner: $831,338 is for hospitals in Broward Health; $823,362 is for hospitals in the Memorial Healthcare System; and $601,863 to Shands Jacksonville and $1,258,461 to Shands Gainesville. In the event that the above amounts exceed the amount of the Medicaid trend adjustment applied to each hospital, then the excess funds will be used to buy back other Medicaid reductions in the outpatient rate. Of the above funds, $5,203,232 shall be used for the second category to buy back the Medicaid trend adjustment that is being applied against the Medicaid outpatient rates for those hospitals that are licensed as a children's specialty hospital and whose Medicaid days plus charity care days divided by total adjusted patient days equals or exceeds 30 percent. In the event that the above amounts exceed the amount of the Medicaid trend adjustment applied to each hospital, then the excess funds will be used to buy back other Medicaid reductions in the inpatient rate. Of the above funds, $2,170,197 shall be used for the third category to buy back the additional Medicaid trend adjustment that is being applied to rural hospitals under Specific Appropriation 211 for Fiscal Year 2008-2009. In the event that the funds under this category exceed the amount of the Medicaid trend adjustment, then any excess funds will be used to buy back other Medicaid reductions in the outpatient rate for those individual hospitals. For this section of proviso the agency shall use the average of 2002, 2003 and 2004 audited DSH data available as of March 1, 2008. In the event the agency does not have the prescribed three years of audited DSH data for a hospital, the agency shall use the average of the audited DSH data for 2002, 2003 and 2004 that are available.

From the funds in Specific Appropriation 211, $8,866,178 from the Grants and Donations Trust Fund and $11,039,925 from the Medical Care Trust Fund are provided for public hospitals, teaching hospitals as defined in s.408.07 (45) or 395.805, Florida Statutes, which have seventy or more full-time equivalent resident physicians and those hospitals whose Medicaid and charity care days divided by total adjusted days exceeds twenty five percent to buy back the Medicaid outpatient trend adjustment applied to their individual hospital rates and other Medicaid reductions to their outpatient rates up to actual Medicaid outpatient cost. The payments under this proviso are contingent on the state share being provided through grants and donations from state, county or other governmental funds. For this section of proviso the agency shall use the 2002, 2003 and 2004 audited DSH data available as of March 1, 2008. In the event the agency does not have the prescribed three years of audited DSH data for a hospital, the agency shall use the average of the audited DSH data for 2002, 2003 and 2004 that are available.

212 SPECIAL CATEGORIES
RESPIRATORY THERAPY SERVICES

FROM GENERAL REVENUE FUND	1,803,650	
FROM TOBACCO SETTLEMENT TRUST FUND		294
FROM MEDICAL CARE TRUST FUND		2,246,515

213 SPECIAL CATEGORIES
NURSE PRACTITIONER SERVICES

FROM GENERAL REVENUE FUND	8,535,219	
FROM TOBACCO SETTLEMENT TRUST FUND		597,460
FROM MEDICAL CARE TRUST FUND		11,373,326
FROM REFUGEE ASSISTANCE TRUST FUND		13,370

214 SPECIAL CATEGORIES
BIRTHING CENTER SERVICES

FROM GENERAL REVENUE FUND	598,827	
FROM TOBACCO SETTLEMENT TRUST FUND		3,363
FROM MEDICAL CARE TRUST FUND		749,831

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215 SPECIAL CATEGORIES
OTHER LAB AND X-RAY SERVICES

FROM GENERAL REVENUE FUND	24,830,244	
FROM TOBACCO SETTLEMENT TRUST FUND		819,878
FROM MEDICAL CARE TRUST FUND		31,951,644
FROM REFUGEE ASSISTANCE TRUST FUND		504,175

From the funds in Specific Appropriation 215, the agency shall continue a program to assess HIV drug resistance for cost-effective management of anti-retroviral drug therapy.

From the funds in Specific Appropriation 215, the agency is authorized to implement a utilization management program for outpatient diagnostic imaging services.

216 SPECIAL CATEGORIES
PATIENT TRANSPORTATION

FROM GENERAL REVENUE FUND	51,016,549	
FROM TOBACCO SETTLEMENT TRUST FUND		2,642,812
FROM MEDICAL CARE TRUST FUND		66,815,181
FROM REFUGEE ASSISTANCE TRUST FUND		30,000

Funds in Specific Appropriation 216 reflect a reduction of $1,308,095 from the General Revenue Fund and $1,628,805 from the Medical Care Trust Fund as a result of reducing Medicaid non-emergency transportation.

217 SPECIAL CATEGORIES
PHYSICIAN ASSISTANT SERVICES

FROM GENERAL REVENUE FUND	944,643	
FROM TOBACCO SETTLEMENT TRUST FUND		67,043
FROM MEDICAL CARE TRUST FUND		1,260,534
FROM REFUGEE ASSISTANCE TRUST FUND		8,166

218 SPECIAL CATEGORIES
PERSONAL CARE SERVICES

FROM GENERAL REVENUE FUND	30,825,674	
FROM TOBACCO SETTLEMENT TRUST FUND		43,985
FROM MEDICAL CARE TRUST FUND		38,448,685

Funds in Specific Appropriation 218 reflect a transfer of $9,100,292 from the General Revenue Fund and $11,331,437 from the Medical Care Trust Fund from the Agency for Persons with Disabilities to provide personal care services for children under age 21 through the Medicaid State Plan rather than the Home and Community Based Waiver, effective July 1, 2008.

From the funds in Specific Appropriation 218, $2,748,342 from the General Revenue Fund and $3,422,161 from the Medical Care Trust Fund are provided to increase the rate for personal care assistance to $15 per hour, effective July 1, 2008.

219 SPECIAL CATEGORIES
PHYSICAL REHABILITATION THERAPY

FROM GENERAL REVENUE FUND	8,392,428	
FROM TOBACCO SETTLEMENT TRUST FUND		2,427
FROM MEDICAL CARE TRUST FUND		10,456,673
FROM REFUGEE ASSISTANCE TRUST FUND		762

220 SPECIAL CATEGORIES
PHYSICIAN SERVICES

FROM GENERAL REVENUE FUND	179,642,630	
FROM TOBACCO SETTLEMENT TRUST FUND		110,355,517
FROM MEDICAL CARE TRUST FUND		405,377,333
FROM REFUGEE ASSISTANCE TRUST FUND		2,579,223

From the funds in Specific Appropriation 220, the agency is authorized to continue the physician lock-in program for recipients who participate in the pharmacy lock-in program.

220A SPECIAL CATEGORIES
PREPAID HEALTH PLANS

FROM GENERAL REVENUE FUND	1007,320,524	
FROM TOBACCO SETTLEMENT TRUST FUND		53,823,236
FROM MEDICAL CARE TRUST FUND		1320,285,994
FROM REFUGEE ASSISTANCE TRUST FUND		16,438,179

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Funds in Specific Appropriation 220A reflect a reduction of $4,249,132 from the General Revenue Fund and $5,290,903 from the Medical Care Trust Fund as a result of reducing the capitation rates for Medicaid prepaid behavioral health plans, effective September 1, 2008. In establishing prepaid behavioral rates through the normal process, prior to including this reduction, if the unit cost is equal to or less than the unit cost used in establishing the budget, then no additional reduction in rates is necessary. In establishing rates through the normal process, prior to including this reduction, if the unit cost is greater than the unit cost used in establishing the budget, then rates shall be reduced by an amount required to achieve this the reduction, but shall not be reduced below the unit cost used in establishing the budget.

Funds in Specific Appropriation 220A include reductions of $28,943,770 from the General Revenue Fund, $36,047,594 from the Medical Care Trust Fund and $454,663 from the Refugee Assistance Trust Fund to HMO capitation payments as a result of reducing the reimbursement of inpatient and outpatient hospital rates.

Funds in Specific Appropriation 220A include reductions of $827,990 from the General Revenue Fund, $1,031,207 from the Medical Care Trust Fund, and $13,006 from the Refugee Assistance Trust Fund to HMO capitation payments as a result of reducing the Medicaid reimbursement rates for clinic services.

Funds in Specific Appropriation 220A reflect a reduction of $23,950,676 from the General Revenue Fund, $30,102,411 from the Medical Care Trust Fund, and $540,543 from the Refugee Assistance Trust Fund as a result of reducing manage care plan capitation rates, effective September 1, 2008. In establishing HMO rates through the normal process, prior to including this reduction and the reductions in the paragraphs above relating to inpatient, outpatient, and clinic services, if the unit cost is equal to or less than the unit cost used in establishing the budget, then no additional reduction in rates is necessary. In establishing HMO rates through the normal process, prior to including this reduction and the reductions in the paragraphs above relating to inpatient, outpatient, and clinic services, if the unit cost is greater than the unit cost used in establishing the budget, then rates shall be reduced by an amount required to achieve the reductions, but shall not be reduced below the unit cost used in establishing the budget.

Funds in Specific Appropriation 220A reflect a reduction of $10,339,538 from the General Revenue Fund and $12,874,512 from the Medical Care Trust Fund as a result of excluding retroactive eligibility payments from HMO capitation payments, effective September 1, 2008.

From the funds in Specific Appropriation 220A, $34,026,867 from the General Revenue Fund, $41,347,864 from the Medical Care Trust Fund, and $240,532 from the Refugee Assistance Trust Fund are provided to expand managed care enrollment by requiring MediPass recipients, in counties with two or more managed care plans, upon open enrollment, to enroll into a managed care plan if the recipient fails to make a choice of plans during the open enrollment choice period, effective October 1, 2008.

221	SPECIAL CATEGORIES		
	PRESCRIBED MEDICINE/DRUGS		
	FROM GENERAL REVENUE FUND	240,945,133	
	FROM TOBACCO SETTLEMENT TRUST FUND		21,011,648
	FROM GRANTS AND DONATIONS TRUST FUND . . .		490,346,552
	FROM MEDICAL CARE TRUST FUND		326,507,309
	FROM REFUGEE ASSISTANCE TRUST FUND		2,336,938

Funds in Specific Appropriation 221, reflect a reduction of $4,343,431 from the General Revenue Fund and $5,395,197 from the Medical Care Trust Fund as a result of reducing pharmacy ingredient price reimbursement, effective July 1, 2008.

222	SPECIAL CATEGORIES		
	MEDICARE PART D PAYMENT		
	FROM GENERAL REVENUE FUND	403,748,151	
	FROM TOBACCO SETTLEMENT TRUST FUND		11,298,991

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223	SPECIAL CATEGORIES		
	PRIVATE DUTY NURSING SERVICES		
	FROM GENERAL REVENUE FUND	54,914,701	
	FROM TOBACCO SETTLEMENT TRUST FUND		140,411
	FROM MEDICAL CARE TRUST FUND		68,553,132
224	SPECIAL CATEGORIES		
	RURAL HEALTH SERVICES		
	FROM GENERAL REVENUE FUND	35,475,590	
	FROM TOBACCO SETTLEMENT TRUST FUND		1,040,574
	FROM MEDICAL CARE TRUST FUND		45,494,693
	FROM REFUGEE ASSISTANCE TRUST FUND		109,783
225	SPECIAL CATEGORIES		
	SPEECH THERAPY SERVICES		
	FROM GENERAL REVENUE FUND	17,726,382	
	FROM TOBACCO SETTLEMENT TRUST FUND		5,160
	FROM MEDICAL CARE TRUST FUND		22,080,555
	FROM REFUGEE ASSISTANCE TRUST FUND		1,569
226	SPECIAL CATEGORIES		
	MEDIPASS SERVICES		
	FROM GENERAL REVENUE FUND	7,107,769	
	FROM TOBACCO SETTLEMENT TRUST FUND		129,150
	FROM MEDICAL CARE TRUST FUND		9,027,435
	FROM REFUGEE ASSISTANCE TRUST FUND		57,743

Funds in Specific Appropriation 226 reflect a reduction of $2,957,808 from the General Revenue Fund, $3,683,986 from the Medical Care Trust Fund and $23,441 from the Refugee Assistance Trust Fund as a result of reducing the Medipass case management payment to $2.00, effective September 1, 2008. The agency is authorized to amend the Medicaid state plan or federal waivers to implement this reduction.

227	SPECIAL CATEGORIES		
	SUPPLEMENTAL MEDICAL INSURANCE		
	FROM GENERAL REVENUE FUND	432,797,099	
	FROM TOBACCO SETTLEMENT TRUST FUND		4,287,629
	FROM MEDICAL CARE TRUST FUND		509,969,315
228	SPECIAL CATEGORIES		
	OCCUPATIONAL THERAPY SERVICES		
	FROM GENERAL REVENUE FUND	11,663,853	
	FROM TOBACCO SETTLEMENT TRUST FUND		7,113
	FROM MEDICAL CARE TRUST FUND		14,533,420
	FROM REFUGEE ASSISTANCE TRUST FUND		562
229	SPECIAL CATEGORIES		
	CLINIC SERVICES		
	FROM GENERAL REVENUE FUND	46,612,289	
	FROM TOBACCO SETTLEMENT TRUST FUND		603,373
	FROM MEDICAL CARE TRUST FUND		58,791,661
	FROM REFUGEE ASSISTANCE TRUST FUND		827,373

Funds in Specific Appropriation 229 reflect a reduction of $3,276,687 from the General Revenue Fund, $4,092,577 from the Medical Care Trust Fund, and $57,516 from the Refugee Assistance Trust Fund as a result of modifying the reimbursement for county health department rates. The agency shall implement a recurring methodology in the Title XIX County Health Department Reimbursement Plan to achieve this reduction. In establishing rates through the normal process, prior to including this reduction, if the unit cost is equal to or less than the unit cost used in establishing the budget, then no additional reduction in rates is necessary. In establishing rates through the normal process, prior to including this reduction, if the unit cost is greater than the unit cost used in establishing the budget, then rates shall be reduced by an amount required to achieve this reduction, but shall not be reduced below the unit cost used in establishing the budget.

230	SPECIAL CATEGORIES		
	MEDICAID SCHOOL REFINANCING		
	FROM MEDICAL CARE TRUST FUND		80,000,000

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TOTAL: MEDICAID SERVICES TO INDIVIDUALS
FROM GENERAL REVENUE FUND 3127,972,034
FROM TRUST FUNDS 8200,055,885

TOTAL ALL FUNDS 11328,027,919

MEDICAID LONG TERM CARE

231 SPECIAL CATEGORIES
ASSISTIVE CARE SERVICES
FROM MEDICAL CARE TRUST FUND 32,871,249

Funds in Specific Appropriation 231 are provided to implement Medicaid coverage for Assistive Care Services and are contingent on the availability of state match being provided in Specific Appropriation 446.

232 SPECIAL CATEGORIES
HOME AND COMMUNITY BASED SERVICES
FROM GENERAL REVENUE FUND 17,959,392
FROM MEDICAL CARE TRUST FUND 898,996,196

Funds in Specific Appropriation 232 and 241 for the Developmental Services Waiver, the Aged and Disabled Waiver, the Project AIDS Care Waiver, and the Nursing Home Diversion Waiver may be used for reimbursement for services provided through agencies licensed pursuant to section 400.506, Florida Statutes.

233 SPECIAL CATEGORIES
ASSISTED LIVING FACILITY WAIVER
FROM MEDICAL CARE TRUST FUND 35,165,610

234 SPECIAL CATEGORIES
INTERMEDIATE CARE FACILITIES/MENTALLY
RETARDED - SUNLAND CENTER
FROM MEDICAL CARE TRUST FUND 96,991,013

235 SPECIAL CATEGORIES
INTERMEDIATE CARE FACILITIES/
DEVELOPMENTALLY DISABLED COMMUNITY
FROM GENERAL REVENUE FUND 106,955,235
FROM MEDICAL CARE TRUST FUND 133,177,758

Funds in Specific Appropriation 235 reflect a reduction of $2,743,778 from the General Revenue Fund and $3,416,478 from the Medical Care Trust Fund as a result of modifying the reimbursement for intermediate care facilities for the developmentally disabled, effective October 1, 2008. The agency shall implement a recurring methodology in the Title XIX Intermediate Care Facility for the Mentally Retarded and Developmentally Disabled for Community Owned and Operated Facilities Reimbursement Plan to achieve this reduction. In establishing rates through the normal process, prior to including this reduction, if the unit cost is equal to or less than the unit cost used in establishing the budget, then no additional reduction in rates is necessary. In establishing rates through the normal process, prior to including this reduction, if the unit cost is greater than the unit cost used in establishing the budget, then rates shall be reduced by an amount required to achieve this reduction, but shall not be reduced below the unit cost used in establishing the budget.

236 SPECIAL CATEGORIES
NURSING HOME CARE
FROM GENERAL REVENUE FUND 999,422,144
FROM GRANTS AND DONATIONS TRUST FUND . . . 6,604,135
FROM MEDICAL CARE TRUST FUND 1282,986,471

From the funds in Specific Appropriation 236, $4,822,535 from the Grants and Donations Trust Fund and $5,990,324 from the Medical Care Trust Fund are provided for the purpose of maximizing federal revenues through the continuation of the Special Medicaid Payment Program for governmentally funded nursing homes. Any requests pursuant to chapter 216, Florida Statutes, by the Agency for Health Care Administration to increase budget authority to expand existing programs using increased federal reimbursement through these provisions, shall be contingent upon the availability of state match from existing state funds or local sources that do not increase the current requirement for state general revenue. The agency is authorized to seek federal Medicaid waivers as necessary to implement this provision.

Funds in Specific Appropriation 236 include a reduction of $39,443,778 from the General Revenue Fund and $49,114,322 from the Medical Care Trust Fund as a result of expanding the Nursing Home Diversion Program, effective July 1, 2008.

Funds in Specific Appropriation 236 reflect a reduction of $72,896,366 from the General Revenue Fund and $90,768,579 from the Medical Care Trust Fund as a result of modifying the reimbursement for nursing home rates. The agency shall implement a recurring methodology in the Title XIX Nursing Home Reimbursement Plan to reduce nursing home rates to achieve this reduction. In establishing rates through the normal process, prior to including this reduction, if the unit cost is equal to or less than the unit cost used in establishing the budget, then no additional reduction in rates is necessary. In establishing rates through the normal process, prior to including this reduction, if the unit cost is greater than the unit cost used in establishing the budget, then rates shall be reduced by an amount required to achieve this reduction, but shall not be reduced below the unit cost used in establishing the budget.

237 SPECIAL CATEGORIES
STATE MENTAL HEALTH HOSPITAL PROGRAM
FROM MEDICAL CARE TRUST FUND 9,093,492

238 SPECIAL CATEGORIES
MENTAL HEALTH HOSPITAL DISPROPORTIONATE
SHARE
FROM MEDICAL CARE TRUST FUND 62,290,337

239 SPECIAL CATEGORIES
T.B. HOSPITAL DISPROPORTIONATE SHARE
FROM MEDICAL CARE TRUST FUND 2,444,444

240 SPECIAL CATEGORIES
COMMUNITY SUPPORTED LIVING WAIVER
FROM MEDICAL CARE TRUST FUND 74,557,478

241 SPECIAL CATEGORIES
CAPITATED NURSING HOME DIVERSION WAIVER
FROM GENERAL REVENUE FUND 135,608,375
FROM TOBACCO SETTLEMENT TRUST FUND 991,995
FROM MEDICAL CARE TRUST FUND 169,772,831

From the funds in Specific Appropriation 241, $27,549,389 from the General Revenue Fund and $34,303,751 from the Medical Care Trust Fund are provided to expand the current Nursing Home Diversion Program by an additional 4,000 slots, effective July 1, 2008. The agency is authorized to seek the necessary federal waivers to implement this provision.

From the funds in Specific Appropriation 241, the 150 unused PACE slots shall be re-allocated as follows: 50 slots each to Miami-Dade County, Lee County, and Pinellas County.

TOTAL: MEDICAID LONG TERM CARE
FROM GENERAL REVENUE FUND 1259,945,146
FROM TRUST FUNDS 2805,943,009

TOTAL ALL FUNDS 4065,888,155

PROGRAM: HEALTH CARE REGULATION

HEALTH CARE REGULATION

APPROVED SALARY RATE 27,462,108

244 SALARIES AND BENEFITS POSITIONS 632.00
FROM GENERAL REVENUE FUND 1,863,604

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FROM HEALTH CARE TRUST FUND		34,253,147
245 OTHER PERSONAL SERVICES		
FROM HEALTH CARE TRUST FUND		114,276
246 EXPENSES		
FROM GENERAL REVENUE FUND	705,937	
FROM HEALTH CARE TRUST FUND		7,195,334
247 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	24,511	
FROM HEALTH CARE TRUST FUND		62,543
248 SPECIAL CATEGORIES		
TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS		
FROM HEALTH CARE TRUST FUND		959,065
249 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	34,692	
FROM HEALTH CARE TRUST FUND		2,358,904
FROM QUALITY OF LONG-TERM CARE FACILITY IMPROVEMENT TRUST FUND		1,000,000

Funds in Specific Appropriation 249 reflect a reduction of $750,000 from the General Revenue Fund as a result of eliminating the contract with the patient safety corporation, effective July 1, 2008.

From the funds in Specific Appropriation 249, $342,000 in non-recurring funds from the Health Care Trust Fund is provided for the operation of an organ and tissue donor registry and education program required in Senate Bill 2630 or similar legislation. This funding is contingent upon Senate Bill 2630 or similar legislation becoming law.

251 SPECIAL CATEGORIES		
EMERGENCY ALTERNATIVE PLACEMENT		
FROM HEALTH CARE TRUST FUND		1,276,720
252 SPECIAL CATEGORIES		
MEDICAID SURVEILLANCE		
FROM HEALTH CARE TRUST FUND		111,820
253 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	17,088	
FROM HEALTH CARE TRUST FUND		457,193
254 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	13,071	
FROM HEALTH CARE TRUST FUND		240,115
TOTAL: HEALTH CARE REGULATION		
FROM GENERAL REVENUE FUND	2,658,903	
FROM TRUST FUNDS		48,029,117
TOTAL POSITIONS	632.00	
TOTAL ALL FUNDS		50,688,020

AGENCY FOR PERSONS WITH DISABILITIES

PROGRAM: SERVICES TO PERSONS WITH DISABILITIES

HOME AND COMMUNITY SERVICES

APPROVED SALARY RATE	11,565,153	
255 SALARIES AND BENEFITS POSITIONS	338.00	
FROM GENERAL REVENUE FUND	8,582,590	

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FROM OPERATIONS AND MAINTENANCE TRUST FUND		6,396,387
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		173,382
256 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	2,591,541	
FROM OPERATIONS AND MAINTENANCE TRUST FUND		2,058,170
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		480,150
257 EXPENSES		
FROM GENERAL REVENUE FUND	1,035,585	
FROM OPERATIONS AND MAINTENANCE TRUST FUND		1,123,840
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		193,061
258 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	26,866	
FROM OPERATIONS AND MAINTENANCE TRUST FUND		26,334
259 SPECIAL CATEGORIES		
GRANT AND AID INDIVIDUAL AND FAMILY SUPPORTS		
FROM GENERAL REVENUE FUND	980,000	
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		16,856,771

Funds from Specific Appropriation 259 expended for developmental training programs shall require a 12.5 percent match from local sources. In-kind match is acceptable provided there is no reduction in the number of persons served or level of services provided.

260 SPECIAL CATEGORIES		
ROOM AND BOARD PAYMENTS FOR DEVELOPMENTALLY DISABLED		
FROM GENERAL REVENUE FUND	4,000,000	
261 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	148,684	
FROM OPERATIONS AND MAINTENANCE TRUST FUND		23,875
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		36,717
262 SPECIAL CATEGORIES		
GRANTS AND AIDS - CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	1,397,500	
FROM OPERATIONS AND MAINTENANCE TRUST FUND		500,000

In addition to existing recurring projects, the following projects in Specific Appropriation 262 are funded from non-recurring operations and maintenance trust funds:

Applied Behavioral Analysis Therapy - Broward, Miami-Dade Palm Beach.....	200,000
Hillsborough Association for Retarded Citizens-Hillsborough.	300,000

From the funds in Specific Appropriation 262, the following projects are funded from non-recurring general revenue funds:

Dream Oaks Camp for Special Needs - Manatee.....	50,000
Family Cafe - Statewide.....	50,000

263 SPECIAL CATEGORIES		
HOME AND COMMUNITY BASED SERVICES WAIVER		
FROM GENERAL REVENUE FUND	335,649,443	
FROM TOBACCO SETTLEMENT TRUST FUND		4,264,800

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FROM OPERATIONS AND MAINTENANCE TRUST FUND 423,461,729

Funds from Specific Appropriation 263 and 266 shall not be used for administrative costs.

Funds in Specific Appropriation 263 for developmental training programs shall require a 12.5 percent match from local sources. In-kind match is acceptable provided there is no reduction in the number of persons served or level of services provided.

From the funds in Specific Appropriation 263, the agency shall only serve additional clients on the Home and Community Based Services Waiver if they are in crisis and sufficient funding is made available through attrition.

Funds in Specific Appropriation 263 reflect a transfer of $9,100,292 from the General Revenue Fund and $11,331,437 from the Operations and Maintenance Trust Fund to the Agency for Health Care Administration as result of providing personal care services for children under age 21 through the Medicaid State Plan rather than the Home and Community Based Waiver, effective July 1,2008.

Funds in Specific Appropriations 263 and 266 reflect a reduction of $19,394,742 from the General Revenue Fund and $24,149,807 from the Operations and Maintenance Trust Fund as a result of reducing provider rates, effective July 1,2008. Personal Care Assistance is specifically excluded from this reduction target. The agency shall amend provider contracts, cost plans and rules as necessary to achieve this recurring reduction.

Funds in Specific Appropriation 263, reflect a reduction of $5,525,522 from the General Revenue Fund and $6,880,230 from the Operations and Maintenance Trust Fund as a result of reducing the hourly rate for personal care assistance to $15 per hour effective July 1, 2008. The agency shall amend provider contracts, cost plans and rules as necessary in order to achieve this recurring reduction.

From the funds in Specific Appropriation 263, $4,264,800 in non-recurring funds from the Tobacco Settlement Trust Fund, and $5,310,413 in non-recurring funds from the Operations and Maintenance Trust Fund are provided to continue providing services in the Home and Community Based Services Waiver. Release of these funds is contingent upon the agency submitting a spending plan to the Legislative Budget Commission for approval.

264	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	288,661	
266	SPECIAL CATEGORIES COMMUNITY SUPPORTED LIVING WAIVER FROM GENERAL REVENUE FUND	31,246,501	
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		38,907,297
267	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND	6,366	
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		4,914
TOTAL: HOME AND COMMUNITY SERVICES			
	FROM GENERAL REVENUE FUND	385,953,737	
	FROM TRUST FUNDS		494,507,427
	TOTAL POSITIONS	338.00	
	TOTAL ALL FUNDS		880,461,164

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PROGRAM MANAGEMENT AND COMPLIANCE

APPROVED SALARY RATE 14,127,356

268	SALARIES AND BENEFITS POSITIONS 320.50		
	FROM GENERAL REVENUE FUND	11,129,769	
	FROM ADMINISTRATIVE TRUST FUND		182,143
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		7,117,477
269	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND	1,912	
	FROM FEDERAL GRANTS TRUST FUND		447,000
270	EXPENSES FROM GENERAL REVENUE FUND	1,430,526	
	FROM ADMINISTRATIVE TRUST FUND		284
	FROM FEDERAL GRANTS TRUST FUND		95,181
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		1,403,792
271	OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND	42,600	
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		3,800
272	SPECIAL CATEGORIES TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS FROM GENERAL REVENUE FUND	670,519	
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		15,551
273	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND	236,392	
	FROM ADMINISTRATIVE TRUST FUND		812
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		65,203
274	SPECIAL CATEGORIES GRANTS AND AIDS - CONTRACTED SERVICES FROM GENERAL REVENUE FUND	499,402	
	FROM FEDERAL GRANTS TRUST FUND		429,000
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		337,884
275	SPECIAL CATEGORIES GRANTS AND AIDS - CONTRACTED PROFESSIONAL SERVICES FROM GENERAL REVENUE FUND	112,000	
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		844,842
277	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	238,807	
278	SPECIAL CATEGORIES HOME AND COMMUNITY SERVICES ADMINISTRATION FROM GENERAL REVENUE FUND	3,515,100	
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		7,862,828

From the funds in Specific Appropriation 278, $3,135,802 in non-recurring funds from the Operations and Maintenance Trust Fund are provided to complete assessments using the Questionnaire for Situational Information for all clients receiving services through the Home and Community Based Services Waivers during the 2008-2009 fiscal year. Any unused funds shall be used to assess individuals on the waitlist for waiver services.

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The agency shall provide information on the assessment process, the demonstrated reliability and validity of the assessment tool, the scoring of the assessments, the number of assessments conducted, the plans for using the data collected through the assessments, and the cost of the assessments. A report shall be submitted to the chair of the Senate Fiscal Policy and Calendar Committee and the chair of the House Policy and Budget Council by October 1, 2009.

279	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	873,757	
	FROM ADMINISTRATIVE TRUST FUND		2,204
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		708,788
280	DATA PROCESSING SERVICES CHILDREN AND FAMILIES DATA CENTER		
	FROM GENERAL REVENUE FUND	921,292	
TOTAL:	PROGRAM MANAGEMENT AND COMPLIANCE		
	FROM GENERAL REVENUE FUND	19,672,076	
	FROM TRUST FUNDS		19,516,789
	TOTAL POSITIONS	320.50	
	TOTAL ALL FUNDS		39,188,865

DEVELOPMENTAL DISABILITIES PUBLIC FACILITIES

APPROVED SALARY RATE 91,421,091

281	SALARIES AND BENEFITS POSITIONS	3,057.50	
	FROM GENERAL REVENUE FUND	60,283,355	
	FROM ADMINISTRATIVE TRUST FUND		40,297
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		53,833,724
282	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	1,098,359	
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		1,856,526
283	EXPENSES		
	FROM GENERAL REVENUE FUND	4,509,818	
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		4,798,554
284	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	188,147	
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		444,195
285	FOOD PRODUCTS		
	FROM GENERAL REVENUE FUND	1,272,706	
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		1,411,462
286	SPECIAL CATEGORIES CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	1,780,825	
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		840,903
287	SPECIAL CATEGORIES GRANTS AND AIDS - CONTRACTED PROFESSIONAL SERVICES		
	FROM GENERAL REVENUE FUND	2,774,967	
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		4,929,060
288	SPECIAL CATEGORIES PRESCRIBED MEDICINE/DRUGS		
	FROM GENERAL REVENUE FUND	191,401	

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289	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	2,340,061	
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		1,535,093
289A	SPECIAL CATEGORIES SALARY INCENTIVE PAYMENTS		
	FROM GENERAL REVENUE FUND	25,000	
TOTAL:	DEVELOPMENTAL DISABILITIES PUBLIC FACILITIES		
	FROM GENERAL REVENUE FUND	74,464,639	
	FROM TRUST FUNDS		69,689,814
	TOTAL POSITIONS	3,057.50	
	TOTAL ALL FUNDS		144,154,453

CHILDREN AND FAMILY SERVICES, DEPARTMENT OF

From the funds in Specific Appropriations 290 through 469, any expenditures from the Temporary Assistance for Needy Families (TANF) Block Grant must be expended in accordance with the requirements and limitations of Part A of Title IV of the Social Security Act, as amended, or any other applicable federal requirement or limitation. Before any funds are released by the Department of Children and Family Services, each provider shall identify the number of clients to be served and certify their eligibility under Part A of Title IV of the Social Security Act. Funds may not be released for services to any clients except those so identified and certified.

The agency head shall certify that controls are in place to ensure that such funds are expended in accordance with the requirements and limitations of federal law and that reporting requirements of federal law are met. It shall be the responsibility of any entity to which such funds are appropriated to obtain the required certification prior to any expenditure of funds.

The Governor's Office of Policy and Budget shall be responsible for ensuring that the necessary maintenance of effort reports are timely submitted to the Department of Children and Family Services, and shall report any delinquencies to the Legislative Budget Commission.

In order to implement Specific Appropriations 290 through 469, the Department of Children and Family Services is authorized to submit a budget amendment in accordance with chapter 216, Florida Statutes, that allows the appropriate transfers of funds and provides sufficient budget authority to expend available fund balance in the Administrative Trust Fund to pay costs associated with leave payouts and unemployment compensation related to position reductions contained in the Fiscal Year 2008-2009 General Appropriations Act.

ADMINISTRATION

PROGRAM: EXECUTIVE LEADERSHIP

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 6,004,489

290	SALARIES AND BENEFITS POSITIONS	107.00	
	FROM GENERAL REVENUE FUND	6,916,926	
	FROM ADMINISTRATIVE TRUST FUND		524,453
	FROM FEDERAL GRANTS TRUST FUND		448,732
	FROM WELFARE TRANSITION TRUST FUND		201,498
291	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	107,457	
	FROM FEDERAL GRANTS TRUST FUND		16,072
	FROM WELFARE TRANSITION TRUST FUND		14,502
292	EXPENSES		
	FROM GENERAL REVENUE FUND	840,512	
	FROM ADMINISTRATIVE TRUST FUND		68,743

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FROM FEDERAL GRANTS TRUST FUND		86,180
FROM WELFARE TRANSITION TRUST FUND		23,110
293 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	1,462	
FROM ADMINISTRATIVE TRUST FUND		1,500
FROM WELFARE TRANSITION TRUST FUND		333
294 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	38,312	
FROM ADMINISTRATIVE TRUST FUND		7,079
FROM FEDERAL GRANTS TRUST FUND		5,260
FROM WELFARE TRANSITION TRUST FUND		1,248
295 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	40,370	
TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES		
FROM GENERAL REVENUE FUND	7,945,039	
FROM TRUST FUNDS		1,398,710
TOTAL POSITIONS	107.00	
TOTAL ALL FUNDS		9,343,749
PROGRAM: SUPPORT SERVICES		
INFORMATION TECHNOLOGY		
APPROVED SALARY RATE 13,764,253		
296 SALARIES AND BENEFITS POSITIONS	259.00	
FROM WORKING CAPITAL TRUST FUND		16,477,401
297 OTHER PERSONAL SERVICES		
FROM WORKING CAPITAL TRUST FUND		661,904
298 EXPENSES		
FROM WORKING CAPITAL TRUST FUND		4,229,903
299 OPERATING CAPITAL OUTLAY		
FROM WORKING CAPITAL TRUST FUND		72,982
300 SPECIAL CATEGORIES		
COMPUTER RELATED EXPENSES		
FROM WORKING CAPITAL TRUST FUND		36,381,527
301 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM WORKING CAPITAL TRUST FUND		143,749
302 QUALIFIED EXPENDITURE CATEGORY		
QUALIFIED EXPENDITURE - FLORIDA SACWIS SOLUTIONS		
FROM WORKING CAPITAL TRUST FUND		6,870,915
TOTAL: INFORMATION TECHNOLOGY		
FROM TRUST FUNDS		64,838,381
TOTAL POSITIONS	259.00	
TOTAL ALL FUNDS		64,838,381
ASSISTANT SECRETARY FOR ADMINISTRATION		
APPROVED SALARY RATE 10,842,579		
303 SALARIES AND BENEFITS POSITIONS	270.00	
FROM GENERAL REVENUE FUND	11,766,034	
FROM ADMINISTRATIVE TRUST FUND		3,107,797

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FROM FEDERAL GRANTS TRUST FUND		267,256
FROM WELFARE TRANSITION TRUST FUND		80,359
304 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	263,470	
FROM ADMINISTRATIVE TRUST FUND		49,878
305 EXPENSES		
FROM GENERAL REVENUE FUND	2,173,305	
FROM ADMINISTRATIVE TRUST FUND		75,144
FROM FEDERAL GRANTS TRUST FUND		62,991
FROM WELFARE TRANSITION TRUST FUND		17,839
306 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	31,360	
FROM ADMINISTRATIVE TRUST FUND		21,896
307 SPECIAL CATEGORIES		
ACQUISITION OF MOTOR VEHICLES		
FROM ADMINISTRATIVE TRUST FUND		20,000
308 SPECIAL CATEGORIES		
TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS		
FROM GENERAL REVENUE FUND	499,915	
309 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	393,767	
FROM ADMINISTRATIVE TRUST FUND		82,402
FROM FEDERAL GRANTS TRUST FUND		8,214
FROM WELFARE TRANSITION TRUST FUND		1,021
311 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	78,028	
312 SPECIAL CATEGORIES		
STATE INSTITUTIONAL CLAIMS		
FROM GENERAL REVENUE FUND	40,498	
313 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	4,893,197	
FROM FEDERAL GRANTS TRUST FUND		545,113
314 QUALIFIED EXPENDITURE CATEGORY		
QUALIFIED EXPENDITURE - FLORIDA SACWIS SOLUTIONS		
FROM ADMINISTRATIVE TRUST FUND		810,182
FROM FEDERAL GRANTS TRUST FUND		3,704,380
FROM OPERATIONS AND MAINTENANCE TRUST FUND		2,356,353
315 DATA PROCESSING SERVICES		
CHILDREN AND FAMILIES DATA CENTER		
FROM GENERAL REVENUE FUND	22,222,750	
FROM ADMINISTRATIVE TRUST FUND		4,839,585
FROM FEDERAL GRANTS TRUST FUND		9,619,821
FROM WELFARE TRANSITION TRUST FUND		163,611
FROM OPERATIONS AND MAINTENANCE TRUST FUND		22,940
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		72,754
316 PAYMENTS FOR CLAIMS BILLS AND RELIEF ACTS		
RELIEF/KIMBERLY GODWIN		
FROM ADMINISTRATIVE TRUST FUND		760,000
317 FIXED CAPITAL OUTLAY		
DEPARTMENT OF CHILDREN AND FAMILY SERVICES		

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FIXED CAPITAL NEEDS FOR CENTRALLY MANAGED FACILITIES
FROM TOBACCO SETTLEMENT TRUST FUND 8,160,766

The non-recurring tobacco settlement trust funds in Specific Appropriation 317 shall be used by the department for capital improvements to state owned facilities. The funds shall be allocated as follows:

Florida State Hospital..... 4,905,574
Northeast Florida State Hospital..... 2,344,896
North Florida Evaluation and Treatment Center..... 778,730
West Florida Community Care Center..... 131,566

TOTAL: ASSISTANT SECRETARY FOR ADMINISTRATION

FROM GENERAL REVENUE FUND 42,362,324
FROM TRUST FUNDS 34,850,302

TOTAL POSITIONS 270.00
TOTAL ALL FUNDS 77,212,626

DISTRICT ADMINISTRATION

APPROVED SALARY RATE 27,889,236

318 SALARIES AND BENEFITS POSITIONS 552.50
FROM GENERAL REVENUE FUND 12,623,312
FROM ADMINISTRATIVE TRUST FUND 24,547,415
FROM OPERATIONS AND MAINTENANCE TRUST FUND 235,969

318A OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 1,000
FROM ADMINISTRATIVE TRUST FUND 1,000

319 EXPENSES
FROM GENERAL REVENUE FUND 3,049,110
FROM ADMINISTRATIVE TRUST FUND 1,021,901
FROM OPERATIONS AND MAINTENANCE TRUST FUND 78,191

320 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 4,128
FROM ADMINISTRATIVE TRUST FUND 99,212

321 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 198,141
FROM ADMINISTRATIVE TRUST FUND 240,071

323 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 3,020,410

TOTAL: DISTRICT ADMINISTRATION

FROM GENERAL REVENUE FUND 18,896,101
FROM TRUST FUNDS 26,223,759

TOTAL POSITIONS 552.50
TOTAL ALL FUNDS 45,119,860

SERVICES

PROGRAM: FAMILY SAFETY PROGRAM

CHILD CARE REGULATION AND INFORMATION

APPROVED SALARY RATE 5,318,609

324 SALARIES AND BENEFITS POSITIONS 127.50
FROM GENERAL REVENUE FUND 1,443,768

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FROM FEDERAL GRANTS TRUST FUND 3,719,084
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND 1,816,974

325 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 98,493
FROM FEDERAL GRANTS TRUST FUND 705,941
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND 275,298

326 EXPENSES
FROM GENERAL REVENUE FUND 272,547
FROM FEDERAL GRANTS TRUST FUND 926,670
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND 377,217

327 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 36,316
FROM FEDERAL GRANTS TRUST FUND 57,036
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND 13,984

328 SPECIAL CATEGORIES
GRANTS AND AIDS - CHILD PROTECTION
FROM GENERAL REVENUE FUND 650,745
FROM FEDERAL GRANTS TRUST FUND 4,664,125
FROM OPERATIONS AND MAINTENANCE TRUST FUND 541,496
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND 1,818,884

329 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 80,897

TOTAL: CHILD CARE REGULATION AND INFORMATION

FROM GENERAL REVENUE FUND 2,582,766
FROM TRUST FUNDS 14,916,709

TOTAL POSITIONS 127.50
TOTAL ALL FUNDS 17,499,475

ADULT PROTECTION

APPROVED SALARY RATE 24,478,651

330 SALARIES AND BENEFITS POSITIONS 637.50
FROM GENERAL REVENUE FUND 20,558,362
FROM DOMESTIC VIOLENCE TRUST FUND 161,514
FROM FEDERAL GRANTS TRUST FUND 7,877,192
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND 3,849,483

331 EXPENSES
FROM GENERAL REVENUE FUND 3,442,043
FROM DOMESTIC VIOLENCE TRUST FUND 46,020
FROM FEDERAL GRANTS TRUST FUND 1,479,441
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND 759,560

332 OPERATING CAPITAL OUTLAY
FROM FEDERAL GRANTS TRUST FUND 384
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND 10,333

333 SPECIAL CATEGORIES
HOME CARE FOR DISABLED ADULTS
FROM GENERAL REVENUE FUND 2,219,860

334 SPECIAL CATEGORIES
GRANTS AND AIDS - COMMUNITY CARE FOR

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DISABLED ADULTS
FROM GENERAL REVENUE FUND 2,041,955

335 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 117,620
FROM DOMESTIC VIOLENCE TRUST FUND 11,975
FROM FEDERAL GRANTS TRUST FUND 51,374
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND 28,133

336 SPECIAL CATEGORIES
GRANTS AND AIDS - DOMESTIC VIOLENCE PROGRAM
FROM GENERAL REVENUE FUND 255,431
FROM DOMESTIC VIOLENCE TRUST FUND 10,366,004
FROM FEDERAL GRANTS TRUST FUND 9,279,218
FROM WELFARE TRANSITION TRUST FUND 7,750,000
FROM OPERATIONS AND MAINTENANCE TRUST FUND 90,000

From the funds in Specific Appropriation 336, $150,000 in non-recurring general revenue funds is provided for the Florida Coalition Against Domestic Violence to conduct statewide planning, pilot children's programs, training and technical assistance, and shelter operations.

337 SPECIAL CATEGORIES
HOME AND COMMUNITY BASED SERVICES WAIVER
FROM GENERAL REVENUE FUND 5,563,943
FROM FEDERAL GRANTS TRUST FUND 6,928,071

338 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 373,882

339 SPECIAL CATEGORIES
TEMPORARY EMERGENCY SHELTER SERVICES
FROM GENERAL REVENUE FUND 203,527

340 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
EMERGENCY SHELTER AND TRANSITIONAL HOUSING
FROM TOBACCO SETTLEMENT TRUST FUND 3,000,000

The non-recurring tobacco settlement trust funds in Specific Appropriation 340 shall be used by the department for capital improvement grants to certified domestic violence centers in accordance with section 39.9055, Florida Statutes.

TOTAL: ADULT PROTECTION

FROM GENERAL REVENUE FUND 34,776,623
FROM TRUST FUNDS 51,688,702

TOTAL POSITIONS 637.50
TOTAL ALL FUNDS 86,465,325

CHILD PROTECTION AND PERMANENCY

APPROVED SALARY RATE 81,374,096

341 SALARIES AND BENEFITS POSITIONS 2,054.00
FROM GENERAL REVENUE FUND 37,259,435
FROM FEDERAL GRANTS TRUST FUND 11,165,614
FROM WELFARE TRANSITION TRUST FUND 46,877,967
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND 17,015,570

342 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 761,525
FROM FEDERAL GRANTS TRUST FUND 344,390
FROM WELFARE TRANSITION TRUST FUND 323,491

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FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND 42,984

343 EXPENSES
FROM GENERAL REVENUE FUND 3,569,380
FROM FEDERAL GRANTS TRUST FUND 2,195,482
FROM WELFARE TRANSITION TRUST FUND 8,111,325
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND 2,858,159

344 LUMP SUM
SHARED RISK FUND FOR COMMUNITY BASED PROVIDERS OF CHILD WELFARE SERVICES
FROM FEDERAL GRANTS TRUST FUND 7,500,000

345 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 1,061,507
FROM FEDERAL GRANTS TRUST FUND 343,511
FROM WELFARE TRANSITION TRUST FUND 417,942
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND 247,788

345A SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 3,600,000

From the funds in Specific Appropriation 345A, $3,600,000 in non-recurring general revenue funds is provided for the Magic City Children's Zone in Miami. These funds are to establish a comprehensive, community-based, coordinated, and targeted system of strategies and services to revitalize communities, to support parents, and to provide comprehensive care for all children within the zones. The Ounce of Prevention is designated as the agent to develop a business plan and for the evaluation, fiscal management, and oversight of the pilot program. These funds are intended to be used as a grant over a three-year period to carry out activities in the zones.

346 SPECIAL CATEGORIES
GRANTS AND AIDS - GRANTS TO SHERIFFS FOR PROTECTIVE INVESTIGATIONS
FROM GENERAL REVENUE FUND 24,067,150
FROM TOBACCO SETTLEMENT TRUST FUND 7,523,631
FROM WELFARE TRANSITION TRUST FUND 8,903,461
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND 6,996,915

The funds in Specific Appropriation 346 shall be used by the Department of Children and Family Services to award grants to the sheriffs of Manatee, Pasco, Pinellas, Broward, Seminole, Hillsborough and Citrus counties to conduct child protective investigations as mandated in section 39.3065, Florida Statutes. The appropriation shall be allocated as follows:

Manatee County Sheriff..... 3,410,532
Pasco County Sheriff..... 3,947,463
Pinellas County Sheriff..... 10,040,024
Broward County Sheriff..... 12,565,623
Hillsborough County Sheriff..... 12,334,498
Seminole County Sheriff..... 3,323,114
Citrus County Sheriff..... 1,869,903

The sheriffs receiving grants from the funds appropriated in Specific Appropriation 346 shall submit detailed expenditure reports to the Department of Children and Family Services for the fiscal year ending June 30, 2008, by July 31, 2008. The Department of Children and Family Services shall assemble the information reported by the sheriffs and submit the collection of reports to the Executive Office of the Governor, the chair of the Senate Fiscal Policy and Calendar Committee and the chair of the House Policy and Budget Council by September 1, 2008.

347 SPECIAL CATEGORIES
GRANTS AND AIDS - CHILD ABUSE PREVENTION

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AND INTERVENTION		
FROM GENERAL REVENUE FUND	21,601,839	
FROM WELFARE TRANSITION TRUST FUND		6,424,798
348 SPECIAL CATEGORIES		
GRANTS AND AIDS - CHILD PROTECTION		
FROM GENERAL REVENUE FUND	5,606,851	
FROM CHILD WELFARE TRAINING TRUST FUND . .		1,107,166
FROM TOBACCO SETTLEMENT TRUST FUND		5,041,374
FROM FEDERAL GRANTS TRUST FUND		17,596,114
FROM GRANTS AND DONATIONS TRUST FUND . . .		130,000
FROM WELFARE TRANSITION TRUST FUND		1,654,837
FROM OPERATIONS AND MAINTENANCE TRUST FUND		899,944
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		1,158,537
349 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	2,957,161	
350 SPECIAL CATEGORIES		
GRANTS AND AIDS - FAMILY FOSTER CARE		
FROM GENERAL REVENUE FUND	4,000,000	

The department shall transfer $4,000,000 from the General Revenue Fund to the Agency for Health Care Administration to provide Medicaid coverage for children in Statewide Inpatient Psychiatric Program (SIPP) and Residential Group Care beds.

351 SPECIAL CATEGORIES		
GRANTS AND AIDS - RESIDENTIAL GROUP CARE		
FROM GENERAL REVENUE FUND	67,616	
FROM TOBACCO SETTLEMENT TRUST FUND		1,145,294
FROM OPERATIONS AND MAINTENANCE TRUST FUND		115,836
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		319,360
352 SPECIAL CATEGORIES		
GRANTS AND AIDS - EMERGENCY SHELTER CARE		
FROM GENERAL REVENUE FUND	68,924	
FROM TOBACCO SETTLEMENT TRUST FUND		400,009
FROM WELFARE TRANSITION TRUST FUND		193,905
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		376,065
353 SPECIAL CATEGORIES		
SPECIAL NEEDS ADOPTION INCENTIVES		
FROM GENERAL REVENUE FUND	1,835,957	
354 SPECIAL CATEGORIES		
GRANTS AND AIDS - COMMUNITY BASED CARE FUNDS FOR PROVIDERS OF CHILD WELFARE SERVICES		
FROM GENERAL REVENUE FUND	245,844,318	
FROM CHILD WELFARE TRAINING TRUST FUND . .		3,126,809
FROM TOBACCO SETTLEMENT TRUST FUND		108,836,038
FROM FEDERAL GRANTS TRUST FUND		229,330,328
FROM GRANTS AND DONATIONS TRUST FUND . . .		506,163
FROM WELFARE TRANSITION TRUST FUND		59,851,172
FROM OPERATIONS AND MAINTENANCE TRUST FUND		8,979,209
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		40,966,796

Funds in Specific Appropriation 354 shall be allocated to community based care lead agency providers based on each lead agency provider's pro-rata share of the total base budget for the 2007-2008 fiscal year.

TOTAL: CHILD PROTECTION AND PERMANENCY

FROM GENERAL REVENUE FUND	352,301,663	
FROM TRUST FUNDS		609,027,984
TOTAL POSITIONS	2,054.00	
TOTAL ALL FUNDS		961,329,647

FLORIDA ABUSE HOTLINE

APPROVED SALARY RATE	8,706,834		
355 SALARIES AND BENEFITS	POSITIONS	233.00	
FROM GENERAL REVENUE FUND		3,105,812	
FROM FEDERAL GRANTS TRUST FUND			11,217
FROM WELFARE TRANSITION TRUST FUND			5,400,533
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND			3,108,504
356 OTHER PERSONAL SERVICES			
FROM GENERAL REVENUE FUND		173,192	
FROM WELFARE TRANSITION TRUST FUND			528,081
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND			147,440
357 EXPENSES			
FROM GENERAL REVENUE FUND		354,032	
FROM WELFARE TRANSITION TRUST FUND			1,049,139
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND			640,362
358 OPERATING CAPITAL OUTLAY			
FROM GENERAL REVENUE FUND		4,924	
FROM WELFARE TRANSITION TRUST FUND			12,433
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND			8,366
359 SPECIAL CATEGORIES			
CONTRACTED SERVICES			
FROM GENERAL REVENUE FUND		146,255	
FROM WELFARE TRANSITION TRUST FUND			397,705
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND			206,040
360 SPECIAL CATEGORIES			
RISK MANAGEMENT INSURANCE			
FROM GENERAL REVENUE FUND		200,610	

TOTAL: FLORIDA ABUSE HOTLINE

FROM GENERAL REVENUE FUND	3,984,825	
FROM TRUST FUNDS		11,509,820
TOTAL POSITIONS	233.00	
TOTAL ALL FUNDS		15,494,645

PROGRAM MANAGEMENT AND COMPLIANCE

APPROVED SALARY RATE	14,218,872		
361 SALARIES AND BENEFITS	POSITIONS	287.50	
FROM GENERAL REVENUE FUND		10,926,070	
FROM DOMESTIC VIOLENCE TRUST FUND			257,359
FROM FEDERAL GRANTS TRUST FUND			2,754,257
FROM WELFARE TRANSITION TRUST FUND			3,544,209
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND			1,244,683
362 OTHER PERSONAL SERVICES			
FROM GENERAL REVENUE FUND		212,752	
FROM FEDERAL GRANTS TRUST FUND			5,843
FROM WELFARE TRANSITION TRUST FUND			358
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND			3,357
363 EXPENSES			
FROM GENERAL REVENUE FUND		2,333,997	
FROM DOMESTIC VIOLENCE TRUST FUND			16,972

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FROM FEDERAL GRANTS TRUST FUND		1,305,803
FROM WELFARE TRANSITION TRUST FUND		1,097,515
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		33,444
364 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	7,433	
FROM FEDERAL GRANTS TRUST FUND		5,557
365 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	610,692	
FROM DOMESTIC VIOLENCE TRUST FUND		481
FROM FEDERAL GRANTS TRUST FUND		225,701
FROM WELFARE TRANSITION TRUST FUND		292,546
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		119,017
366 SPECIAL CATEGORIES		
GRANTS AND AIDS - CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	17,100	
FROM FEDERAL GRANTS TRUST FUND		17,100
367 SPECIAL CATEGORIES		
GRANTS AND AIDS - CHILD PROTECTION		
FROM GENERAL REVENUE FUND	2,507,542	
FROM CHILD WELFARE TRAINING TRUST FUND . .		96,527
FROM FEDERAL GRANTS TRUST FUND		1,790,640
FROM WELFARE TRANSITION TRUST FUND		870,699
FROM OPERATIONS AND MAINTENANCE TRUST FUND		1,436,739
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		503,258
368 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	1,755,552	
FROM FEDERAL GRANTS TRUST FUND		11,528
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		4,447
TOTAL: PROGRAM MANAGEMENT AND COMPLIANCE		
FROM GENERAL REVENUE FUND	18,371,138	
FROM TRUST FUNDS		15,638,040
TOTAL POSITIONS	287.50	
TOTAL ALL FUNDS		34,009,178

PROGRAM: MENTAL HEALTH PROGRAM

VIOLENT SEXUAL PREDATOR PROGRAM

APPROVED SALARY RATE 663,736		
369 SALARIES AND BENEFITS POSITIONS	11.00	
FROM GENERAL REVENUE FUND	828,268	
370 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	78,542	
371 EXPENSES		
FROM GENERAL REVENUE FUND	193,394	
372 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	1,345	
373 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	44,407	
374 SPECIAL CATEGORIES		
GRANTS AND AIDS - CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	24,543,432	
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375 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	51,146	
TOTAL: VIOLENT SEXUAL PREDATOR PROGRAM		
FROM GENERAL REVENUE FUND	25,740,534	
TOTAL POSITIONS	11.00	
TOTAL ALL FUNDS		25,740,534
ADULT COMMUNITY MENTAL HEALTH SERVICES		
376 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	1,105,568	
FROM FEDERAL GRANTS TRUST FUND		12,500
FROM WELFARE TRANSITION TRUST FUND		258,710
377 EXPENSES		
FROM GENERAL REVENUE FUND	28,719	
FROM WELFARE TRANSITION TRUST FUND		63,085
378 SPECIAL CATEGORIES		
GRANTS AND AIDS - PUBLIC SAFETY, MENTAL HEALTH, AND SUBSTANCE ABUSE LOCAL MATCHING GRANT PROGRAM		
FROM GENERAL REVENUE FUND	2,000,000	
FROM GRANTS AND DONATIONS TRUST FUND . . .		1,000,000
379 SPECIAL CATEGORIES		
GRANTS AND AIDS - COMMUNITY MENTAL HEALTH SERVICES		
FROM GENERAL REVENUE FUND	155,489,191	
FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND		16,469,402
FROM TOBACCO SETTLEMENT TRUST FUND		14,990,092
FROM FEDERAL GRANTS TRUST FUND		18,718,319
FROM WELFARE TRANSITION TRUST FUND		7,358,585
FROM OPERATIONS AND MAINTENANCE TRUST FUND		7,023,102

From the funds in Specific Appropriation 379, $800,000 in recurring general revenue is for AGAPE Family Ministries in Miami-Dade County to provide community forensic services for indigent adults, including psychiatric evaluations, counseling, medication, follow-up, and case management.

In addition to existing projects, the following projects in Specific Appropriation 379 are funded from non-recurring general revenue funds:

Short-Term Residential Facility - Bay, Calhoun, Franklin, Gadsden, Gulf, Holmes, Jackson, Jefferson, Leon, Liberty, Madison, Taylor, Wakulla.....	550,000
Family Emergency Treatment Center - Indian River, Martin, Okeechobee, St. Lucie.....	220,690
Orange County Central Receiving Center - Orange.....	500,000
New Horizon's Children and Family Center - Miami-Dade.....	50,000
Juvenile Co-Occurring Addictions Receiving Facility - Miami-Dade, Broward, Monroe.....	50,000
Camillus Behavioral Health Treatment Services - Miami-Dade..	50,000

380 SPECIAL CATEGORIES		
GRANTS AND AIDS - BAKER ACT SERVICES		
FROM GENERAL REVENUE FUND	62,333,949	
380A SPECIAL CATEGORIES		
GRANTS AND AIDS - OUTPATIENT BAKER ACT PILOT PROGRAM		
FROM GENERAL REVENUE FUND	550,000	

From the funds in Specific Appropriation 380A, $550,000 in non-recurring general revenue funds is provided for the Outpatient Baker

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Act Pilot Program to serve Escambia, Santa Rosa, Okaloosa, and Walton counties.

381 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 1,295

382 SPECIAL CATEGORIES
GRANTS AND AIDS - INDIGENT PSYCHIATRIC MEDICATION PROGRAM
FROM GENERAL REVENUE FUND 6,780,276

383 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 4,241

TOTAL: ADULT COMMUNITY MENTAL HEALTH SERVICES

FROM GENERAL REVENUE FUND 228,293,239
FROM TRUST FUNDS 65,893,795

TOTAL ALL FUNDS 294,187,034

CHILDREN'S MENTAL HEALTH SERVICES

384 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 792,072
FROM FEDERAL GRANTS TRUST FUND 238,676

385 EXPENSES
FROM GENERAL REVENUE FUND 21,674
FROM FEDERAL GRANTS TRUST FUND 8,401

386 SPECIAL CATEGORIES
GRANTS AND AIDS - CHILDREN'S MENTAL HEALTH SERVICES
FROM GENERAL REVENUE FUND 23,562,220
FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND 8,464,303
FROM TOBACCO SETTLEMENT TRUST FUND 612,772
FROM FEDERAL GRANTS TRUST FUND 8,736,000
FROM OPERATIONS AND MAINTENANCE TRUST FUND 2,109,718

In addition to existing projects, the following projects in Specific Appropriation 386 are funded from non-recurring general revenue funds:

Manatee Children's Community Action Team (CAT Team) - Manatee..... 200,000
Emergency 30 Bed Children's Crisis Unit - Indian River, Martin, Okeechobee, St. Lucie..... 90,000

388 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 124
FROM FEDERAL GRANTS TRUST FUND 69

389 SPECIAL CATEGORIES
PURCHASE OF THERAPEUTIC SERVICES FOR CHILDREN
FROM GENERAL REVENUE FUND 8,911,958

390 SPECIAL CATEGORIES
GRANTS AND AIDS - PURCHASED RESIDENTIAL TREATMENT SERVICES FOR EMOTIONALLY DISTURBED CHILDREN AND YOUTH
FROM GENERAL REVENUE FUND 25,652,872

The department shall transfer $23,339,940 from the General Revenue Fund to the Agency for Health Care Administration to provide Medicaid coverage for children in Statewide Inpatient Psychiatric Program (SIPP) and Residential Group Care beds. The remaining funds shall be used to provide residential services to non-Medicaid eligible children.

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391 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 3,599

392 SPECIAL CATEGORIES
GRANTS AND AIDS - CHILDREN'S BAKER ACT SERVICES
FROM GENERAL REVENUE FUND 14,221,460

From the funds in Specific Appropriation 392, $200,000 is provided for Children's Emergency Baker Act Services serving Henando and Pasco counties.

TOTAL: CHILDREN'S MENTAL HEALTH SERVICES

FROM GENERAL REVENUE FUND 73,165,979
FROM TRUST FUNDS 20,169,939

TOTAL ALL FUNDS 93,335,918

PROGRAM MANAGEMENT AND COMPLIANCE

APPROVED SALARY RATE 5,419,308

393 SALARIES AND BENEFITS POSITIONS 102.00
FROM GENERAL REVENUE FUND 5,484,675
FROM ADMINISTRATIVE TRUST FUND 9,783
FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND 247,453
FROM FEDERAL GRANTS TRUST FUND 1,214,621
FROM WELFARE TRANSITION TRUST FUND 79,141

394 OTHER PERSONAL SERVICES
FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND 16,000
FROM FEDERAL GRANTS TRUST FUND 158,201

395 EXPENSES
FROM GENERAL REVENUE FUND 550,883
FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND 397,965
FROM FEDERAL GRANTS TRUST FUND 279,853
FROM WELFARE TRANSITION TRUST FUND 9,473

395A OPERATING CAPITAL OUTLAY
FROM FEDERAL GRANTS TRUST FUND 1,000

396 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 42,602
FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND 53,229
FROM FEDERAL GRANTS TRUST FUND 137,262

397 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED SERVICES
FROM FEDERAL GRANTS TRUST FUND 29,619,045

From the funds in Specific Appropriation 397, the department shall allocate the non-recurring sum of $21,058,696 and the recurring sum of $8,560,349 from the federal grants trust funds to community mental health and substance abuse providers who participate in the Medicaid Administrative Claiming program in the same proportion as they contributed to these additional federal earnings.

398 SPECIAL CATEGORIES
FLORIDA SUBSTANCE ABUSE AND MENTAL HEALTH CORPORATION
FROM GENERAL REVENUE FUND 240,000
FROM FEDERAL GRANTS TRUST FUND 75,000

399 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 461,335

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399A	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM FEDERAL GRANTS TRUST FUND		398
TOTAL: PROGRAM MANAGEMENT AND COMPLIANCE			
	FROM GENERAL REVENUE FUND	6,779,495	
	FROM TRUST FUNDS		32,298,424
	TOTAL POSITIONS	102.00	
	TOTAL ALL FUNDS		39,077,919
PROGRAM: SUBSTANCE ABUSE PROGRAM			
PROGRAM MANAGEMENT AND COMPLIANCE			
	APPROVED SALARY RATE 3,066,504		
400	SALARIES AND BENEFITS POSITIONS	66.00	
	FROM GENERAL REVENUE FUND	2,239,236	
	FROM ADMINISTRATIVE TRUST FUND		7,383
	FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND		1,025,728
	FROM FEDERAL GRANTS TRUST FUND		585,971
	FROM GRANTS AND DONATIONS TRUST FUND . . .		11,493
	FROM WELFARE TRANSITION TRUST FUND		174,016
401	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	29,610	
	FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND		505,845
	FROM FEDERAL GRANTS TRUST FUND		624,938
	FROM GRANTS AND DONATIONS TRUST FUND . . .		67,281
402	EXPENSES		
	FROM GENERAL REVENUE FUND	236,057	
	FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND		325,311
	FROM FEDERAL GRANTS TRUST FUND		335,070
	FROM GRANTS AND DONATIONS TRUST FUND . . .		11,778
	FROM WELFARE TRANSITION TRUST FUND		28,420
403	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	22,692	
	FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND		32,021
	FROM FEDERAL GRANTS TRUST FUND		17,599
404	SPECIAL CATEGORIES		
	GRANTS AND AIDS - CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	71,620	
	FROM FEDERAL GRANTS TRUST FUND		3,726,414
	FROM GRANTS AND DONATIONS TRUST FUND . . .		89,528
405	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	79,679	
TOTAL: PROGRAM MANAGEMENT AND COMPLIANCE			
	FROM GENERAL REVENUE FUND	2,678,894	
	FROM TRUST FUNDS		7,568,796
	TOTAL POSITIONS	66.00	
	TOTAL ALL FUNDS		10,247,690
CHILD SUBSTANCE ABUSE PREVENTION, EVALUATION AND TREATMENT SERVICES			

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406	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	360,881	
	FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND		50,590
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		4,221
407	EXPENSES		
	FROM GENERAL REVENUE FUND	12,434	
	FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND		3,499
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		106
408	SPECIAL CATEGORIES		
	GRANTS AND AIDS - CHILDREN AND ADOLESCENT SUBSTANCE ABUSE SERVICES		
	FROM GENERAL REVENUE FUND	38,724,778	
	FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND		28,905,569
	FROM TOBACCO SETTLEMENT TRUST FUND		2,860,907
	FROM FEDERAL GRANTS TRUST FUND		211,066
	FROM WELFARE TRANSITION TRUST FUND		640,000
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		2,324,773
409	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND		100
410	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	1,285	
TOTAL: CHILD SUBSTANCE ABUSE PREVENTION, EVALUATION AND TREATMENT SERVICES			
	FROM GENERAL REVENUE FUND	39,099,378	
	FROM TRUST FUNDS		35,000,831
	TOTAL ALL FUNDS		74,100,209
ADULT SUBSTANCE ABUSE PREVENTION, EVALUATION AND TREATMENT SERVICES			
411	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	372,367	
	FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND		634,139
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		44,068
412	EXPENSES		
	FROM GENERAL REVENUE FUND	16,071	
	FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND		25,490
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		2,054
413	SPECIAL CATEGORIES		
	GRANTS AND AIDS - COMMUNITY SUBSTANCE ABUSE SERVICES		
	FROM GENERAL REVENUE FUND	36,363,893	
	FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND		63,160,154
	FROM TOBACCO SETTLEMENT TRUST FUND		6,241,766
	FROM FEDERAL GRANTS TRUST FUND		7,893,874
	FROM WELFARE TRANSITION TRUST FUND		6,771,170
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		4,615,098
414	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		

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FROM GENERAL REVENUE FUND	2,426	
FROM ALCOHOL, DRUG ABUSE AND MENTAL HEALTH TRUST FUND		175
FROM OPERATIONS AND MAINTENANCE TRUST FUND		313
415 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	3,342	
TOTAL: ADULT SUBSTANCE ABUSE PREVENTION, EVALUATION AND TREATMENT SERVICES		
FROM GENERAL REVENUE FUND	36,758,099	
FROM TRUST FUNDS		89,388,301
TOTAL ALL FUNDS		126,146,400

PROGRAM: ECONOMIC SELF SUFFICIENCY PROGRAM

COMPREHENSIVE ELIGIBILITY SERVICES

APPROVED SALARY RATE 141,568,128		
416 SALARIES AND BENEFITS POSITIONS	4,109.00	
FROM GENERAL REVENUE FUND	99,430,240	
FROM FEDERAL GRANTS TRUST FUND		65,011,800
FROM GRANTS AND DONATIONS TRUST FUND		78,656
FROM WELFARE TRANSITION TRUST FUND		4,499,098
417 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	1,347,452	
FROM FEDERAL GRANTS TRUST FUND		1,275,349
FROM GRANTS AND DONATIONS TRUST FUND		33,600
FROM WELFARE TRANSITION TRUST FUND		71,708
418 EXPENSES		
FROM GENERAL REVENUE FUND	17,736,150	
FROM FEDERAL GRANTS TRUST FUND		17,174,326
FROM WELFARE TRANSITION TRUST FUND		1,044,023
419 OPERATING CAPITAL OUTLAY		
FROM WELFARE TRANSITION TRUST FUND		4,254
420 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	2,133,639	
FROM FEDERAL GRANTS TRUST FUND		2,005,732
FROM WELFARE TRANSITION TRUST FUND		126,646
421 SPECIAL CATEGORIES		
GRANTS AND AIDS - CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	502,748	
FROM FEDERAL GRANTS TRUST FUND		471,506
FROM WELFARE TRANSITION TRUST FUND		251,939
422 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	533,565	
FROM FEDERAL GRANTS TRUST FUND		387,800
FROM WELFARE TRANSITION TRUST FUND		40,044
TOTAL: COMPREHENSIVE ELIGIBILITY SERVICES		
FROM GENERAL REVENUE FUND	121,683,794	
FROM TRUST FUNDS		92,476,481
TOTAL POSITIONS	4,109.00	
TOTAL ALL FUNDS		214,160,275

PROGRAM MANAGEMENT AND COMPLIANCE

APPROVED SALARY RATE 9,649,070		
424 SALARIES AND BENEFITS POSITIONS	197.00	
FROM GENERAL REVENUE FUND	6,437,372	
FROM FEDERAL GRANTS TRUST FUND		4,910,830
FROM WELFARE TRANSITION TRUST FUND		819,943
425 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	144,597	
FROM FEDERAL GRANTS TRUST FUND		96,053
FROM WELFARE TRANSITION TRUST FUND		14,011
426 EXPENSES		
FROM GENERAL REVENUE FUND	3,169,109	
FROM FEDERAL GRANTS TRUST FUND		2,746,442
FROM WELFARE TRANSITION TRUST FUND		263,082
427 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	1,114	
FROM FEDERAL GRANTS TRUST FUND		1,084
FROM WELFARE TRANSITION TRUST FUND		746
428 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	10,008,744	
FROM FEDERAL GRANTS TRUST FUND		8,880,560
FROM WELFARE TRANSITION TRUST FUND		1,013,863
429 SPECIAL CATEGORIES		
GRANTS AND AIDS - CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	480,910	
FROM FEDERAL GRANTS TRUST FUND		2,464,907
FROM WELFARE TRANSITION TRUST FUND		318,473
FROM OPERATIONS AND MAINTENANCE TRUST FUND		530,000
430 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	880,149	
FROM FEDERAL GRANTS TRUST FUND		658,538
FROM WELFARE TRANSITION TRUST FUND		77,599
TOTAL: PROGRAM MANAGEMENT AND COMPLIANCE		
FROM GENERAL REVENUE FUND	21,121,995	
FROM TRUST FUNDS		22,796,131
TOTAL POSITIONS	197.00	
TOTAL ALL FUNDS		43,918,126

FRAUD PREVENTION AND BENEFIT RECOVERY

APPROVED SALARY RATE 6,323,952		
431 SALARIES AND BENEFITS POSITIONS	200.50	
FROM GENERAL REVENUE FUND	2,017,819	
FROM FEDERAL GRANTS TRUST FUND		5,060,124
FROM WELFARE TRANSITION TRUST FUND		1,480,683
432 EXPENSES		
FROM GENERAL REVENUE FUND	491,344	
FROM FEDERAL GRANTS TRUST FUND		1,205,105
FROM WELFARE TRANSITION TRUST FUND		328,234
433 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	68,317	
FROM FEDERAL GRANTS TRUST FUND		498,432
FROM WELFARE TRANSITION TRUST FUND		52,953
434 SPECIAL CATEGORIES		
PUBLIC ASSISTANCE FRAUD CONTRACT		
FROM GENERAL REVENUE FUND	47,752	
FROM FEDERAL GRANTS TRUST FUND		3,340,786
FROM WELFARE TRANSITION TRUST FUND		1,106,966

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435 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 24,227
FROM FEDERAL GRANTS TRUST FUND 32,364

TOTAL: FRAUD PREVENTION AND BENEFIT RECOVERY

FROM GENERAL REVENUE FUND 2,649,459
FROM TRUST FUNDS 13,105,647

TOTAL POSITIONS 200.50
TOTAL ALL FUNDS 15,755,106

SPECIAL ASSISTANCE PAYMENTS

APPROVED SALARY RATE 199,825

436 SALARIES AND BENEFITS POSITIONS 3.00
FROM GENERAL REVENUE FUND 180,543
FROM FEDERAL GRANTS TRUST FUND 78,523

437 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 58,200
FROM GRANTS AND DONATIONS TRUST FUND . . . 84,097
FROM WELFARE TRANSITION TRUST FUND 84,095

438 EXPENSES
FROM GENERAL REVENUE FUND 189,667
FROM FEDERAL GRANTS TRUST FUND 42,032
FROM GRANTS AND DONATIONS TRUST FUND . . . 27,962
FROM WELFARE TRANSITION TRUST FUND 27,951

439 SPECIAL CATEGORIES
GRANTS AND AIDS - CHALLENGE GRANTS
FROM GENERAL REVENUE FUND 2,116,025

440 SPECIAL CATEGORIES
GRANTS AND AIDS - FEDERAL EMERGENCY
SHELTER GRANT PROGRAM
FROM GENERAL REVENUE FUND 1,185,990
FROM FEDERAL GRANTS TRUST FUND 3,034,474
FROM GRANTS AND DONATIONS TRUST FUND . . . 787,953
FROM WELFARE TRANSITION TRUST FUND 787,953

441 SPECIAL CATEGORIES
GRANTS AND AIDS - HOMELESS HOUSING
ASSISTANCE GRANTS
FROM GRANTS AND DONATIONS TRUST FUND . . . 5,000,000

442 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 22,409
FROM FEDERAL GRANTS TRUST FUND 641

443 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 880,981

From the funds in Specific Appropriation 443, $500,000 in non-recurring general revenue funds is provided for the One-Stop Community Resource Center serving Manatee County.

444 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 900

445 FINANCIAL ASSISTANCE PAYMENTS
CASH ASSISTANCE
FROM GENERAL REVENUE FUND 125,131,827
FROM WELFARE TRANSITION TRUST FUND 45,486,195

446 FINANCIAL ASSISTANCE PAYMENTS
OPTIONAL STATE SUPPLEMENTATION PROGRAM
FROM GENERAL REVENUE FUND 18,693,602

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447 FINANCIAL ASSISTANCE PAYMENTS
PERSONAL CARE ALLOWANCE
FROM GENERAL REVENUE FUND 344,456

TOTAL: SPECIAL ASSISTANCE PAYMENTS

FROM GENERAL REVENUE FUND 148,804,600
FROM TRUST FUNDS 55,441,876

TOTAL POSITIONS 3.00
TOTAL ALL FUNDS 204,246,476

REFUGEES

APPROVED SALARY RATE 1,795,803

448 SALARIES AND BENEFITS POSITIONS 40.00
FROM FEDERAL GRANTS TRUST FUND 2,312,331

449 OTHER PERSONAL SERVICES
FROM FEDERAL GRANTS TRUST FUND 363,451

450 EXPENSES
FROM FEDERAL GRANTS TRUST FUND 570,564

451 OPERATING CAPITAL OUTLAY
FROM FEDERAL GRANTS TRUST FUND 22,125

452 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM FEDERAL GRANTS TRUST FUND 46,701

453 SPECIAL CATEGORIES
GRANTS AND AIDS - LOCAL SERVICES PROGRAM
FROM FEDERAL GRANTS TRUST FUND 56,604,968

454 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM FEDERAL GRANTS TRUST FUND 7,499

455 SPECIAL CATEGORIES
SERVICES TO REPATRIATED AMERICANS
FROM FEDERAL GRANTS TRUST FUND 40,380

456 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM FEDERAL GRANTS TRUST FUND 785

457 FINANCIAL ASSISTANCE PAYMENTS
REFUGEE/ENTRANT ASSISTANCE
FROM FEDERAL GRANTS TRUST FUND 15,231,735

TOTAL: REFUGEES

FROM TRUST FUNDS 75,200,539

TOTAL POSITIONS 40.00
TOTAL ALL FUNDS 75,200,539

PROGRAM: INSTITUTIONAL FACILITIES

ADULT MENTAL HEALTH TREATMENT FACILITIES

APPROVED SALARY RATE 143,546,839

458 SALARIES AND BENEFITS POSITIONS 3,998.50
FROM GENERAL REVENUE FUND 133,705,282
FROM FEDERAL GRANTS TRUST FUND 47,638,804
FROM OPERATIONS AND MAINTENANCE TRUST
FUND 6,652,042

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459	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	827,662	
460	EXPENSES		
	FROM GENERAL REVENUE FUND	12,699,010	
	FROM FEDERAL GRANTS TRUST FUND		725,030
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		416,364
461	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	214,379	
	FROM FEDERAL GRANTS TRUST FUND		549,377
462	FOOD PRODUCTS		
	FROM GENERAL REVENUE FUND	3,366,140	
463	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	4,073,265	
464	SPECIAL CATEGORIES		
	GRANTS AND AIDS - CONTRACTED PROFESSIONAL SERVICES		
	FROM GENERAL REVENUE FUND	93,575,276	
	FROM FEDERAL GRANTS TRUST FUND		13,295,722

Funds in Specific Appropriation 464 reflect a reduction of $3,960,000 from the General Revenue Fund to close down the 100-bed South Florida Evaluation and Treatment Center Annex forensic facility on September 30, 2008, and transfer 25 beds to the South Florida Evaluation and Treatment Center and 48 beds to Treasure Coast Forensic Treatment Center on October 1, 2008.

465	SPECIAL CATEGORIES		
	GRANTS AND AIDS - INDIGENT PSYCHIATRIC MEDICATION PROGRAM		
	FROM GENERAL REVENUE FUND	2,171,223	
466	SPECIAL CATEGORIES		
	PRESCRIBED MEDICINE/DRUGS		
	FROM GENERAL REVENUE FUND	9,170,850	
	FROM FEDERAL GRANTS TRUST FUND		1,900,961
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		876,992
467	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	4,841,829	
468	SPECIAL CATEGORIES		
	SALARY INCENTIVE PAYMENTS		
	FROM GENERAL REVENUE FUND	90,969	
468A	SPECIAL CATEGORIES		
	DEFERRED-PAYMENT COMMODITY CONTRACTS		
	FROM GENERAL REVENUE FUND	295,619	
469	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	32,656	

TOTAL: ADULT MENTAL HEALTH TREATMENT FACILITIES

FROM GENERAL REVENUE FUND	265,064,160	
FROM TRUST FUNDS		72,055,292
TOTAL POSITIONS	3,998.50	
TOTAL ALL FUNDS		337,119,452

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APPROPRIATION
ELDER AFFAIRS, DEPARTMENT OF

PROGRAM: SERVICES TO ELDERS PROGRAM

COMPREHENSIVE ELIGIBILITY SERVICES

APPROVED SALARY RATE 9,411,468

470	SALARIES AND BENEFITS	POSITIONS	255.00	
	FROM GENERAL REVENUE FUND		3,192,063	
	FROM OPERATIONS AND MAINTENANCE TRUST FUND			9,367,763
471	OTHER PERSONAL SERVICES			
	FROM GENERAL REVENUE FUND		140,887	
	FROM OPERATIONS AND MAINTENANCE TRUST FUND			830,376
472	EXPENSES			
	FROM GENERAL REVENUE FUND		508,316	
	FROM OPERATIONS AND MAINTENANCE TRUST FUND			1,684,145
473	OPERATING CAPITAL OUTLAY			
	FROM GENERAL REVENUE FUND		8,755	
	FROM OPERATIONS AND MAINTENANCE TRUST FUND			35,228
474	SPECIAL CATEGORIES			
	CONTRACTED SERVICES			
	FROM GENERAL REVENUE FUND		100,000	
	FROM OPERATIONS AND MAINTENANCE TRUST FUND			150,000
475	SPECIAL CATEGORIES			
	GRANTS AND AIDS - CONTRACTED SERVICES			
	FROM GENERAL REVENUE FUND		100	
476	SPECIAL CATEGORIES			
	RISK MANAGEMENT INSURANCE			
	FROM GENERAL REVENUE FUND		127,770	
	FROM OPERATIONS AND MAINTENANCE TRUST FUND			16,811
477	SPECIAL CATEGORIES			
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT			
	FROM GENERAL REVENUE FUND		27,059	
	FROM OPERATIONS AND MAINTENANCE TRUST FUND			79,934

TOTAL: COMPREHENSIVE ELIGIBILITY SERVICES

FROM GENERAL REVENUE FUND	4,104,950	
FROM TRUST FUNDS		12,164,257
TOTAL POSITIONS	255.00	
TOTAL ALL FUNDS		16,269,207

HOME AND COMMUNITY SERVICES

APPROVED SALARY RATE 2,735,237

478	SALARIES AND BENEFITS	POSITIONS	58.00	
	FROM GENERAL REVENUE FUND		1,649,463	
	FROM FEDERAL GRANTS TRUST FUND			1,584,700
	FROM OPERATIONS AND MAINTENANCE TRUST FUND			774,547
479	OTHER PERSONAL SERVICES			
	FROM GENERAL REVENUE FUND		262,206	
	FROM ADMINISTRATIVE TRUST FUND			55,000

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FROM FEDERAL GRANTS TRUST FUND		847,905
FROM OPERATIONS AND MAINTENANCE TRUST FUND		205,507
480 EXPENSES		
FROM GENERAL REVENUE FUND	742,519	
FROM ADMINISTRATIVE TRUST FUND		8,049
FROM FEDERAL GRANTS TRUST FUND		866,557
FROM OPERATIONS AND MAINTENANCE TRUST FUND		465,422
481 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	10,000	
FROM FEDERAL GRANTS TRUST FUND		5,000
FROM OPERATIONS AND MAINTENANCE TRUST FUND		5,000
482 SPECIAL CATEGORIES		
AGING AND ADULT SERVICES TRAINING AND EDUCATION		
FROM FEDERAL GRANTS TRUST FUND		119,493
483 SPECIAL CATEGORIES		
GRANTS AND AIDS - ALZHEIMER'S DISEASE PROJECTS/SERVICES		
FROM GENERAL REVENUE FUND	6,351,710	

In addition to existing recurring projects in Specific Appropriation 483, $340,000 in non-recurring general revenue funds is provided for the following projects:

Community-Based Dementia Specific Day Care - Palm Beach and St. Lucie Counties.....	250,000
Alzheimer's Mobile Services for Rural Areas, Minority and Underserved Communities.....	90,000

484 SPECIAL CATEGORIES		
GRANTS AND AIDS - ALZHEIMERS DISEASE RESPITE SERVICES		
FROM GENERAL REVENUE FUND	7,026,454	
485 SPECIAL CATEGORIES		
GRANTS AND AIDS - COMMUNITY CARE FOR THE ELDERLY		
FROM GENERAL REVENUE FUND	40,116,274	
FROM TOBACCO SETTLEMENT TRUST FUND		11,770,633
FROM FEDERAL GRANTS TRUST FUND		277,928
FROM OPERATIONS AND MAINTENANCE TRUST FUND		2,388,969
486 SPECIAL CATEGORIES		
GRANTS AND AIDS - HOME ENERGY ASSISTANCE		
FROM FEDERAL GRANTS TRUST FUND		2,971,761
487 SPECIAL CATEGORIES		
GRANTS AND AIDS - OLDER AMERICANS ACT PROGRAM		
FROM GENERAL REVENUE FUND	346,998	
FROM FEDERAL GRANTS TRUST FUND		96,743,728
488 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	77,900	
FROM ADMINISTRATIVE TRUST FUND		53,131
FROM FEDERAL GRANTS TRUST FUND		280,128
FROM GRANTS AND DONATIONS TRUST FUND . . .		22,700
FROM OPERATIONS AND MAINTENANCE TRUST FUND		16,064
489 SPECIAL CATEGORIES		
GRANTS AND AIDS - CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	3,166,964	
FROM ADMINISTRATIVE TRUST FUND		31,397
FROM FEDERAL GRANTS TRUST FUND		7,317,099
FROM OPERATIONS AND MAINTENANCE TRUST FUND		796,511
491 SPECIAL CATEGORIES		
HOME AND COMMUNITY BASED SERVICES WAIVER		
FROM GENERAL REVENUE FUND	30,837,691	
FROM TOBACCO SETTLEMENT TRUST FUND		8,000,000
FROM OPERATIONS AND MAINTENANCE TRUST FUND		46,647,642
492 SPECIAL CATEGORIES		
ASSISTED LIVING FACILITY WAIVER		
FROM GENERAL REVENUE FUND	10,662,762	
FROM TOBACCO SETTLEMENT TRUST FUND		5,000,000
FROM OPERATIONS AND MAINTENANCE TRUST FUND		17,467,117
493 SPECIAL CATEGORIES		
ALZHEIMER'S DEMENTIA SPECIFIC MEDICAID WAIVER		
FROM GENERAL REVENUE FUND	2,236,001	
FROM OPERATIONS AND MAINTENANCE TRUST FUND		2,821,408
494 SPECIAL CATEGORIES		
GRANTS AND AIDS - LOCAL SERVICES PROGRAMS		
FROM GENERAL REVENUE FUND	7,032,833	

In addition to the existing recurring projects in Specific Appropriation 494, $540,000 in non-recurring general revenue funds is provided for the following projects:

Baker County Senior Center.....	90,000
City of Hialeah - Hot Lunch Program.....	100,000
South Florida Holocaust Survivors Assistance - Broward, Miami-Dade and Palm Beach.....	350,000

495 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	14,599	
FROM FEDERAL GRANTS TRUST FUND		2,319
496 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	9,653	
FROM FEDERAL GRANTS TRUST FUND		12,598
FROM OPERATIONS AND MAINTENANCE TRUST FUND		4,707
496A GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY		
GRANTS AND AIDS - SENIOR CITIZEN CENTERS		
FROM TOBACCO SETTLEMENT TRUST FUND		10,000,000

Funds in Specific Appropriation 496A are provided for the following projects:

Bradford County Senior Center.....	500,000
Nassau County Senior Center.....	500,000

The remaining funds in Specific Appropriation 496A are provided for grants to construct, repair and maintain Florida's Senior Centers. The Department of Elderly Affairs shall establish criteria for grant awards that shall include a minimum 25 percent local match requirement.

TOTAL: HOME AND COMMUNITY SERVICES		
FROM GENERAL REVENUE FUND	110,544,027	
FROM TRUST FUNDS		217,563,020

SECTION 3
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TOTAL POSITIONS	58.00	
TOTAL ALL FUNDS		328,107,047

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 3,964,794

497	SALARIES AND BENEFITS POSITIONS	78.00	
	FROM GENERAL REVENUE FUND	1,990,017	
	FROM FEDERAL GRANTS TRUST FUND		2,738,513
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		684,923
498	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	106,151	
	FROM FEDERAL GRANTS TRUST FUND		605,047
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		380,828
499	EXPENSES		
	FROM GENERAL REVENUE FUND	281,432	
	FROM ADMINISTRATIVE TRUST FUND		5,929
	FROM FEDERAL GRANTS TRUST FUND		1,571,342
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		20,982
500	OPERATING CAPITAL OUTLAY		
	FROM FEDERAL GRANTS TRUST FUND		2,000
501	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	5,485	
	FROM ADMINISTRATIVE TRUST FUND		27,400
	FROM FEDERAL GRANTS TRUST FUND		456,564
502	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	113,538	
	FROM FEDERAL GRANTS TRUST FUND		16,663
503	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	12,998	
	FROM FEDERAL GRANTS TRUST FUND		16,817
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		4,019
504	DATA PROCESSING SERVICES		
	TECHNOLOGY RESOURCE CENTER - DEPARTMENT OF MANAGEMENT SERVICES		
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		5,288
TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES			
	FROM GENERAL REVENUE FUND	2,509,621	
	FROM TRUST FUNDS		6,536,315
	TOTAL POSITIONS	78.00	
	TOTAL ALL FUNDS		9,045,936

CONSUMER ADVOCATE SERVICES

APPROVED SALARY RATE 1,476,169

505	SALARIES AND BENEFITS POSITIONS	36.50	
	FROM GENERAL REVENUE FUND	553,673	
	FROM FEDERAL GRANTS TRUST FUND		1,441,785
506	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	100	
	FROM FEDERAL GRANTS TRUST FUND		405,633

SECTION 3
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APPROPRIATION

507	EXPENSES		
	FROM GENERAL REVENUE FUND	156,863	
	FROM FEDERAL GRANTS TRUST FUND		162,268
508	OPERATING CAPITAL OUTLAY		
	FROM FEDERAL GRANTS TRUST FUND		16,000
509	SPECIAL CATEGORIES		
	PUBLIC GUARDIANSHIP CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	1,927,527	
	FROM ADMINISTRATIVE TRUST FUND		154,816
510	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	8,000	
511	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	94,244	
	FROM FEDERAL GRANTS TRUST FUND		11,591
512	SPECIAL CATEGORIES		
	LONG TERM CARE OMBUDSMAN COUNCIL		
	FROM GENERAL REVENUE FUND	981,985	
	FROM FEDERAL GRANTS TRUST FUND		1,026,020
513	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	5,689	
	FROM FEDERAL GRANTS TRUST FUND		11,101
TOTAL: CONSUMER ADVOCATE SERVICES			
	FROM GENERAL REVENUE FUND	3,728,081	
	FROM TRUST FUNDS		3,229,214
	TOTAL POSITIONS	36.50	
	TOTAL ALL FUNDS		6,957,295

HEALTH, DEPARTMENT OF

PROGRAM: EXECUTIVE DIRECTION AND SUPPORT

ADMINISTRATIVE SUPPORT

APPROVED SALARY RATE 12,920,163

514	SALARIES AND BENEFITS POSITIONS	276.50	
	FROM GENERAL REVENUE FUND	3,791,694	
	FROM ADMINISTRATIVE TRUST FUND		12,309,246
	FROM FEDERAL GRANTS TRUST FUND		108,554
	FROM PREVENTIVE HEALTH SERVICES BLOCK GRANT TRUST FUND		59,533
515	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	504,883	
	FROM ADMINISTRATIVE TRUST FUND		1,088,963
	FROM FEDERAL GRANTS TRUST FUND		119,000
516	EXPENSES		
	FROM GENERAL REVENUE FUND	1,738,199	
	FROM ADMINISTRATIVE TRUST FUND		2,904,831
	FROM FEDERAL GRANTS TRUST FUND		190,100
	FROM PREVENTIVE HEALTH SERVICES BLOCK GRANT TRUST FUND		62,097
517	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	157,395	
	FROM ADMINISTRATIVE TRUST FUND		5,300
	FROM FEDERAL GRANTS TRUST FUND		31,500

SECTION 3 SPECIFIC APPROPRIATION		
518 SPECIAL CATEGORIES		
TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS		
FROM ADMINISTRATIVE TRUST FUND		50,936
519 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	220,502	
FROM ADMINISTRATIVE TRUST FUND		1,736,109
FROM FEDERAL GRANTS TRUST FUND		118,208
520 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	216,173	
521 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	30,858	
FROM ADMINISTRATIVE TRUST FUND		83,328
FROM FEDERAL GRANTS TRUST FUND		1,464
FROM PREVENTIVE HEALTH SERVICES BLOCK GRANT TRUST FUND		430
TOTAL: ADMINISTRATIVE SUPPORT		
FROM GENERAL REVENUE FUND	6,659,704	
FROM TRUST FUNDS		18,869,599
TOTAL POSITIONS	276.50	
TOTAL ALL FUNDS		25,529,303

INFORMATION TECHNOLOGY

APPROVED SALARY RATE 4,549,631

522 SALARIES AND BENEFITS POSITIONS	88.00	
FROM GENERAL REVENUE FUND	2,439,904	
FROM ADMINISTRATIVE TRUST FUND		3,058,016
FROM FEDERAL GRANTS TRUST FUND		138,633
523 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	40,313	
FROM ADMINISTRATIVE TRUST FUND		231,000
FROM FEDERAL GRANTS TRUST FUND		15,000
524 EXPENSES		
FROM GENERAL REVENUE FUND	6,495,708	
FROM ADMINISTRATIVE TRUST FUND		2,813,611
FROM FEDERAL GRANTS TRUST FUND		15,000
525 OPERATING CAPITAL OUTLAY		
FROM ADMINISTRATIVE TRUST FUND		380,000
FROM FEDERAL GRANTS TRUST FUND		3,500
526 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	2,584,601	
FROM ADMINISTRATIVE TRUST FUND		1,969,807
527 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	28,745	
528 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	16,004	
FROM ADMINISTRATIVE TRUST FUND		18,140
FROM FEDERAL GRANTS TRUST FUND		941

SECTION 3 SPECIFIC APPROPRIATION		
529 DATA PROCESSING SERVICES		
CHILDREN AND FAMILIES DATA CENTER		
FROM ADMINISTRATIVE TRUST FUND		3,801,305
TOTAL: INFORMATION TECHNOLOGY		
FROM GENERAL REVENUE FUND	11,605,275	
FROM TRUST FUNDS		12,444,953
TOTAL POSITIONS	88.00	
TOTAL ALL FUNDS		24,050,228

PROGRAM: COMMUNITY PUBLIC HEALTH

FAMILY HEALTH OUTPATIENT AND NUTRITION SERVICES

APPROVED SALARY RATE 6,982,711

530 SALARIES AND BENEFITS POSITIONS	153.00	
FROM GENERAL REVENUE FUND	1,952,847	
FROM ADMINISTRATIVE TRUST FUND		155
FROM EPILEPSY SERVICES TRUST FUND		63,652
FROM FEDERAL GRANTS TRUST FUND		6,201,042
FROM GRANTS AND DONATIONS TRUST FUND . . .		2,501
FROM MATERNAL AND CHILD HEALTH BLOCK GRANT TRUST FUND		126,632
FROM PREVENTIVE HEALTH SERVICES BLOCK GRANT TRUST FUND		744,993
531 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	53,842	
FROM FEDERAL GRANTS TRUST FUND		230,708
FROM GRANTS AND DONATIONS TRUST FUND . . .		43,060
FROM MATERNAL AND CHILD HEALTH BLOCK GRANT TRUST FUND		132,326
FROM PREVENTIVE HEALTH SERVICES BLOCK GRANT TRUST FUND		61,332
532 EXPENSES		
FROM GENERAL REVENUE FUND	412,445	
FROM ADMINISTRATIVE TRUST FUND		10,237
FROM RAPE CRISIS PROGRAM TRUST FUND . . .		24,492
FROM TOBACCO SETTLEMENT TRUST FUND		97
FROM EPILEPSY SERVICES TRUST FUND		31,044
FROM FEDERAL GRANTS TRUST FUND		2,858,940
FROM GRANTS AND DONATIONS TRUST FUND . . .		9,213
FROM MATERNAL AND CHILD HEALTH BLOCK GRANT TRUST FUND		140,752
FROM PREVENTIVE HEALTH SERVICES BLOCK GRANT TRUST FUND		294,030
533 AID TO LOCAL GOVERNMENTS		
GRANTS AND AIDS - FAMILY PLANNING SERVICES		
FROM GENERAL REVENUE FUND	5,610,782	
FROM FEDERAL GRANTS TRUST FUND		1,094,283
534 AID TO LOCAL GOVERNMENTS		
GRANTS AND AIDS - EPILEPSY SERVICES		
FROM GENERAL REVENUE FUND	2,194,983	
535 AID TO LOCAL GOVERNMENTS		
GRANTS AND AIDS - EPILEPSY PREVENTION AND EDUCATION ACTIVITIES		
FROM EPILEPSY SERVICES TRUST FUND		1,340,000
536 AID TO LOCAL GOVERNMENTS		
CONTRIBUTION TO COUNTY HEALTH UNITS		
FROM GENERAL REVENUE FUND	5,363,005	
537 AID TO LOCAL GOVERNMENTS		
GRANTS AND AIDS - PRIMARY CARE PROGRAM		
FROM GENERAL REVENUE FUND	22,218,219	

SECTION 3 SPECIFIC APPROPRIATION		
538 AID TO LOCAL GOVERNMENTS		
GRANTS AND AIDS - FLUORIDATION PROJECT		
FROM PREVENTIVE HEALTH SERVICES BLOCK GRANT TRUST FUND		150,000
539 AID TO LOCAL GOVERNMENTS		
SCHOOL HEALTH SERVICES		
FROM GENERAL REVENUE FUND	3,718,956	
FROM TOBACCO SETTLEMENT TRUST FUND		9,902,925
FROM FEDERAL GRANTS TRUST FUND		7,000,000
540 OPERATING CAPITAL OUTLAY		
FROM FEDERAL GRANTS TRUST FUND		37,000
542 SPECIAL CATEGORIES		
GRANTS AND AIDS - OUNCE OF PREVENTION		
FROM WELFARE TRANSITION TRUST FUND		1,900,000
543 SPECIAL CATEGORIES		
GRANTS AND AIDS - CRISIS COUNSELING		
FROM GENERAL REVENUE FUND	2,000,000	
544 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	224,640	
FROM RAPE CRISIS PROGRAM TRUST FUND . . .		57,000
FROM FEDERAL GRANTS TRUST FUND		825,792
FROM GRANTS AND DONATIONS TRUST FUND . . .		3,000
FROM PREVENTIVE HEALTH SERVICES BLOCK GRANT TRUST FUND		305,500
545 SPECIAL CATEGORIES		
GRANTS AND AIDS - CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	2,327,921	
FROM ADMINISTRATIVE TRUST FUND		100,000
FROM RAPE CRISIS PROGRAM TRUST FUND . . .		1,982,925
FROM FEDERAL GRANTS TRUST FUND		6,171,020
FROM PREVENTIVE HEALTH SERVICES BLOCK GRANT TRUST FUND		119,630

In addition to the existing projects in Specific Appropriation 545, the following project is funded from non-recurring general revenue funds:

Islet Cell Transplantation to Cure Diabetes, Diabetes Research Foundation - Broward.....		90,000
546 SPECIAL CATEGORIES		
GRANTS AND AIDS - HEALTHY START COALITIONS		
FROM GENERAL REVENUE FUND	27,424,134	
FROM FEDERAL GRANTS TRUST FUND		5,929,432
FROM MATERNAL AND CHILD HEALTH BLOCK GRANT TRUST FUND		6,832,389
547 SPECIAL CATEGORIES		
HEALTH EDUCATION RISK REDUCTION PROJECT		
FROM PREVENTIVE HEALTH SERVICES BLOCK GRANT TRUST FUND		12,686
547A SPECIAL CATEGORIES		
HEALTHY START COORDINATED CARE SYSTEM WAIVER		
FROM GENERAL REVENUE FUND	15,171,241	
FROM FEDERAL GRANTS TRUST FUND		18,890,817
548 SPECIAL CATEGORIES		
GRANTS AND AIDS - FEDERAL NUTRITION PROGRAMS		
FROM FEDERAL GRANTS TRUST FUND		413,019,364
549 SPECIAL CATEGORIES		
FULL SERVICE SCHOOLS - INTERAGENCY COOPERATION		
FROM TOBACCO SETTLEMENT TRUST FUND		8,500,000

SECTION 3 SPECIFIC APPROPRIATION		
550 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	68,591	
551 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	13,977	
FROM ADMINISTRATIVE TRUST FUND		1
FROM FEDERAL GRANTS TRUST FUND		43,237
FROM GRANTS AND DONATIONS TRUST FUND . . .		19
FROM MATERNAL AND CHILD HEALTH BLOCK GRANT TRUST FUND		887
FROM PREVENTIVE HEALTH SERVICES BLOCK GRANT TRUST FUND		5,306
TOTAL: FAMILY HEALTH OUTPATIENT AND NUTRITION SERVICES		
FROM GENERAL REVENUE FUND	88,755,583	
FROM TRUST FUNDS		495,198,419
TOTAL POSITIONS	153.00	
TOTAL ALL FUNDS		583,954,002

INFECTIOUS DISEASE CONTROL

APPROVED SALARY RATE	14,415,715		
552 SALARIES AND BENEFITS	POSITIONS	367.00	
FROM GENERAL REVENUE FUND		6,135,386	
FROM FEDERAL GRANTS TRUST FUND			8,515,180
FROM OPERATIONS AND MAINTENANCE TRUST FUND			4,422,380
FROM PREVENTIVE HEALTH SERVICES BLOCK GRANT TRUST FUND			66,335
553 OTHER PERSONAL SERVICES			
FROM GENERAL REVENUE FUND		38,313	
FROM FEDERAL GRANTS TRUST FUND			596,922
FROM OPERATIONS AND MAINTENANCE TRUST FUND			51,211
554 EXPENSES			
FROM GENERAL REVENUE FUND		2,026,804	
FROM FEDERAL GRANTS TRUST FUND			5,988,250
FROM GRANTS AND DONATIONS TRUST FUND . . .			173,537
FROM OPERATIONS AND MAINTENANCE TRUST FUND			648,564
FROM PREVENTIVE HEALTH SERVICES BLOCK GRANT TRUST FUND			158,774
555 AID TO LOCAL GOVERNMENTS			
GRANTS AND AIDS - AIDS PATIENT CARE			
FROM GENERAL REVENUE FUND		12,728,792	
FROM FEDERAL GRANTS TRUST FUND			7,133,137
556 AID TO LOCAL GOVERNMENTS			
GRANTS AND AIDS - RYAN WHITE CONSORTIA			
FROM GENERAL REVENUE FUND		500,000	
FROM FEDERAL GRANTS TRUST FUND			20,754,358

Funds in Specific Appropriation 556 from the Federal Grants Trust Fund are contingent upon sufficient state matching funds being identified to qualify for the federal Ryan White grant award. The Department of Health and the Department of Corrections shall collaborate in determining the amount of general revenue funds expended by the Department of Corrections for AIDS-related activities and services that qualify as state matching funds for the Ryan White grant.

557 AID TO LOCAL GOVERNMENTS		
GRANTS AND AIDS - STATEWIDE ACQUIRED IMMUNE DEFICIENCY SYNDROME (AIDS) NETWORKS		
FROM GENERAL REVENUE FUND	11,122,458	

SECTION 3 SPECIFIC APPROPRIATION		
558 AID TO LOCAL GOVERNMENTS		
CONTRIBUTION TO COUNTY HEALTH UNITS		
FROM GENERAL REVENUE FUND	13,470,926	
FROM TOBACCO SETTLEMENT TRUST FUND		2,601,849
559 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	34,465	
FROM FEDERAL GRANTS TRUST FUND		178,326
560 FOOD PRODUCTS		
FROM GENERAL REVENUE FUND	224,570	
FROM OPERATIONS AND MAINTENANCE TRUST FUND		58,213
561 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	1,060,256	
FROM FEDERAL GRANTS TRUST FUND		5,646,194
FROM GRANTS AND DONATIONS TRUST FUND . . .		12,000
FROM OPERATIONS AND MAINTENANCE TRUST FUND		70,000
562 SPECIAL CATEGORIES		
GRANTS AND AIDS - CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	1,530,876	
FROM FEDERAL GRANTS TRUST FUND		8,971,599
563 SPECIAL CATEGORIES		
GRANTS AND AIDS - CONTRACTED PROFESSIONAL SERVICES		
FROM GENERAL REVENUE FUND	233,587	
564 SPECIAL CATEGORIES		
GRANTS AND AIDS - ACQUIRED IMMUNE DEFICIENCY SYNDROME (AIDS) INSURANCE CONTINUATION PROGRAM		
FROM GENERAL REVENUE FUND	6,794,685	
FROM FEDERAL GRANTS TRUST FUND		4,891,498
566 SPECIAL CATEGORIES		
PURCHASED CLIENT SERVICES		
FROM GENERAL REVENUE FUND	142,575	
567 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	187,110	
568 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	50,956	
FROM FEDERAL GRANTS TRUST FUND		66,513
FROM OPERATIONS AND MAINTENANCE TRUST FUND		34,395
FROM PREVENTIVE HEALTH SERVICES BLOCK GRANT TRUST FUND		1,408
569 SPECIAL CATEGORIES		
OUTREACH FOR PREGNANT WOMEN		
FROM GENERAL REVENUE FUND	500,000	
TOTAL: INFECTIOUS DISEASE CONTROL		
FROM GENERAL REVENUE FUND	56,781,759	
FROM TRUST FUNDS		71,040,643
TOTAL POSITIONS	367.00	
TOTAL ALL FUNDS		127,822,402

ENVIRONMENTAL HEALTH SERVICES

APPROVED SALARY RATE	8,991,368		
570 SALARIES AND BENEFITS	POSITIONS	200.50	
FROM GENERAL REVENUE FUND		1,893,403	
FROM ADMINISTRATIVE TRUST FUND			3,364,591
FROM FEDERAL GRANTS TRUST FUND			674,741
FROM GRANTS AND DONATIONS TRUST FUND . . .			207,276
FROM RADIATION PROTECTION TRUST FUND . . .			6,076,752
571 OTHER PERSONAL SERVICES			
FROM ADMINISTRATIVE TRUST FUND			71,060
FROM FEDERAL GRANTS TRUST FUND			131,791
FROM GRANTS AND DONATIONS TRUST FUND . . .			130,415
FROM RADIATION PROTECTION TRUST FUND . . .			33,393
572 EXPENSES			
FROM GENERAL REVENUE FUND		444,065	
FROM ADMINISTRATIVE TRUST FUND			1,021,195
FROM FEDERAL GRANTS TRUST FUND			290,198
FROM GRANTS AND DONATIONS TRUST FUND . . .			202,896
FROM PREVENTIVE HEALTH SERVICES BLOCK GRANT TRUST FUND			3,354
FROM RADIATION PROTECTION TRUST FUND . . .			1,736,996
573 AID TO LOCAL GOVERNMENTS			
CONTRIBUTION TO COUNTY HEALTH UNITS			
FROM GENERAL REVENUE FUND		4,021,395	
FROM ADMINISTRATIVE TRUST FUND			1,922,436
FROM GRANTS AND DONATIONS TRUST FUND . . .			1,004,571
574 OPERATING CAPITAL OUTLAY			
FROM ADMINISTRATIVE TRUST FUND			15,000
FROM FEDERAL GRANTS TRUST FUND			46,698
FROM RADIATION PROTECTION TRUST FUND . . .			100,000
575 SPECIAL CATEGORIES			
ACQUISITION OF MOTOR VEHICLES			
FROM ADMINISTRATIVE TRUST FUND			80,000
FROM RADIATION PROTECTION TRUST FUND . . .			130,856
576 SPECIAL CATEGORIES			
CONTRACTED SERVICES			
FROM GENERAL REVENUE FUND		327,110	
FROM ADMINISTRATIVE TRUST FUND			340,000
FROM FEDERAL GRANTS TRUST FUND			1,017,547
FROM GRANTS AND DONATIONS TRUST FUND . . .			131,203
FROM RADIATION PROTECTION TRUST FUND . . .			150,000
577 SPECIAL CATEGORIES			
GRANTS AND AIDS - CONTRACTED SERVICES			
FROM FEDERAL GRANTS TRUST FUND			750,000
578 SPECIAL CATEGORIES			
RISK MANAGEMENT INSURANCE			
FROM GENERAL REVENUE FUND		67,993	
FROM RADIATION PROTECTION TRUST FUND . . .			14,575
579 SPECIAL CATEGORIES			
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT			
FROM GENERAL REVENUE FUND		12,630	
FROM ADMINISTRATIVE TRUST FUND			22,435
FROM FEDERAL GRANTS TRUST FUND			4,499
FROM GRANTS AND DONATIONS TRUST FUND . . .			1,382
FROM RADIATION PROTECTION TRUST FUND . . .			40,522
580 SPECIAL CATEGORIES			
STATE UNDERGROUND PETROLEUM ENVIRONMENTAL RESPONSE (SUPER) ACT REIMBURSEMENT			
FROM ADMINISTRATIVE TRUST FUND			434,775
TOTAL: ENVIRONMENTAL HEALTH SERVICES			
FROM GENERAL REVENUE FUND		6,766,596	
FROM TRUST FUNDS			20,151,157
TOTAL POSITIONS		200.50	
TOTAL ALL FUNDS			26,917,753

SECTION 3
SPECIFIC
APPROPRIATION
COUNTY HEALTH DEPARTMENTS LOCAL HEALTH NEEDS

581 SALARIES AND BENEFITS
FROM COUNTY HEALTH DEPARTMENT TRUST FUND . 644,061,049

The department shall transfer $7,000,000 from the Donations Trust Fund to support a portion of the County Health Department Trust Fund in Specific Appropriation 581 for school health services in lieu of Title XXI funding.

582 OTHER PERSONAL SERVICES
FROM COUNTY HEALTH DEPARTMENT TRUST FUND . 36,697,185

583 EXPENSES
FROM COUNTY HEALTH DEPARTMENT TRUST FUND . 118,159,486

584 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - FAMILY PLANNING SERVICES
FROM COUNTY HEALTH DEPARTMENT TRUST FUND . 2,723,230

585 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - AIDS PATIENT CARE
FROM COUNTY HEALTH DEPARTMENT TRUST FUND . 3,544,893

587 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - MINORITY HEALTH INITIATIVES
FROM GENERAL REVENUE FUND 5,185,011

588 AID TO LOCAL GOVERNMENTS
CONTRIBUTION TO COUNTY HEALTH UNITS
FROM GENERAL REVENUE FUND 192,144,452
FROM TOBACCO SETTLEMENT TRUST FUND 3,919,999

589 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - PRIMARY CARE PROGRAM
FROM COUNTY HEALTH DEPARTMENT TRUST FUND . 14,096,380

590 AID TO LOCAL GOVERNMENTS
COMMUNITY HEALTH INITIATIVES
FROM COUNTY HEALTH DEPARTMENT TRUST FUND . 500,000

591 OPERATING CAPITAL OUTLAY
FROM COUNTY HEALTH DEPARTMENT TRUST FUND . 11,235,802

592 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM COUNTY HEALTH DEPARTMENT TRUST FUND . 2,809,253

593 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM COUNTY HEALTH DEPARTMENT TRUST FUND . 49,960,898

594 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 3,634,040
FROM COUNTY HEALTH DEPARTMENT TRUST FUND . 27,500

In addition to existing recurring projects in Specific Appropriation 594, $830,000 in non-recurring general revenue funds is provided for the following projects:

Rural Dental Service Program - Escambia, Okaloosa, Santa Rosa, Walton..... 550,000
New Parent Information Kit Pilot Project - Leon, Martin, Manatee..... 90,000
Willa Carson HRC Health Care Project - Pinellas..... 50,000
Miami Beach Community Health Center at the Center for Haitian Studies - Miami-Dade..... 50,000
Darrell Gwynn Foundation's Spinal Cord Injury, Wheelchair Donation Program - Broward..... 90,000

SECTION 3
SPECIFIC
APPROPRIATION

595 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM COUNTY HEALTH DEPARTMENT TRUST FUND . 875,903

596 SPECIAL CATEGORIES
DEFERRED-PAYMENT COMMODITY CONTRACTS
FROM COUNTY HEALTH DEPARTMENT TRUST FUND . 288,347

597 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM COUNTY HEALTH DEPARTMENT TRUST FUND . 3,818,815

598 FIXED CAPITAL OUTLAY
CONSTRUCTION, RENOVATION, AND EQUIPMENT - COUNTY HEALTH DEPARTMENTS
FROM TOBACCO SETTLEMENT TRUST FUND 31,434,100
FROM COUNTY HEALTH DEPARTMENT TRUST FUND . 25,296,600

From the funds in Specific Appropriation 598, $25,296,600 in non-recurring county health department trust funds is provided for the following projects:

Broward County Health Department..... 3,630,000
Flagler County Health Department..... 197,900
Hillsborough County Health Department..... 4,462,700
Lee County Health Department..... 3,000,000
Palm Beach County Health Department..... 4,006,000
Pinellas County Health Department..... 10,000,000

From the funds in Specific Appropriation 598, $31,434,100 in non-recurring tobacco settlement trust funds is provided for the following projects:

Miami-Dade County Health Department..... 6,412,600
Hernando County Health Department..... 14,229,200
Jackson County Health Department..... 10,792,300

598A GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
MAINTENANCE AND REPAIR OF COUNTY HEALTH DEPARTMENTS
FROM COUNTY HEALTH DEPARTMENT TRUST FUND . 7,533,960

TOTAL: COUNTY HEALTH DEPARTMENTS LOCAL HEALTH NEEDS
FROM GENERAL REVENUE FUND 200,963,503
FROM TRUST FUNDS 956,983,400

TOTAL ALL FUNDS 1157,946,903

STATEWIDE PUBLIC HEALTH SUPPORT SERVICES

APPROVED SALARY RATE 20,802,303

599 SALARIES AND BENEFITS POSITIONS 567.50
FROM GENERAL REVENUE FUND 11,156,807
FROM ADMINISTRATIVE TRUST FUND 673,622
FROM EMERGENCY MEDICAL SERVICES TRUST FUND 2,810,783
FROM FEDERAL GRANTS TRUST FUND 3,894,933
FROM GRANTS AND DONATIONS TRUST FUND . . . 136,847
FROM NURSING STUDENT LOAN FORGIVENESS TRUST FUND 151,527
FROM PLANNING AND EVALUATION TRUST FUND . 9,172,818
FROM PREVENTIVE HEALTH SERVICES BLOCK GRANT TRUST FUND 215,696

600 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 6,721
FROM EMERGENCY MEDICAL SERVICES TRUST FUND 149,583
FROM FEDERAL GRANTS TRUST FUND 214,561
FROM PLANNING AND EVALUATION TRUST FUND . 689,100

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601 EXPENSES		
FROM GENERAL REVENUE FUND	1,320,274	
FROM ADMINISTRATIVE TRUST FUND		233,144
FROM EMERGENCY MEDICAL SERVICES TRUST FUND		825,468
FROM BIOMEDICAL RESEARCH TRUST FUND . . .		2,047
FROM FEDERAL GRANTS TRUST FUND		4,021,798
FROM FLORIDA CENTER FOR NURSING		1,000
FROM GRANTS AND DONATIONS TRUST FUND . . .		168,414
FROM NURSING STUDENT LOAN FORGIVENESS TRUST FUND		39,050
FROM PLANNING AND EVALUATION TRUST FUND .		11,524,322
FROM PREVENTIVE HEALTH SERVICES BLOCK GRANT TRUST FUND		27,002

From the funds provided in Specific Appropriation 601, $250,000 in recurring general revenue funds shall be used to support the Statewide Council on Deafness.

602 AID TO LOCAL GOVERNMENTS		
GRANTS AND AIDS - EMERGENCY MEDICAL SERVICES COUNTY GRANTS		
FROM EMERGENCY MEDICAL SERVICES TRUST FUND		6,211,675
603 AID TO LOCAL GOVERNMENTS		
GRANTS AND AIDS - EMERGENCY MEDICAL SERVICES MATCHING GRANTS		
FROM EMERGENCY MEDICAL SERVICES TRUST FUND		4,681,461
604 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	100,000	
FROM ADMINISTRATIVE TRUST FUND		2,600
FROM EMERGENCY MEDICAL SERVICES TRUST FUND		1,932
FROM FEDERAL GRANTS TRUST FUND		361,466
FROM NURSING STUDENT LOAN FORGIVENESS TRUST FUND		6,000
FROM PLANNING AND EVALUATION TRUST FUND .		128,302
605 SPECIAL CATEGORIES		
GRANTS AND AIDS - STRENGTHENING DOMESTIC SECURITY - BIOTERRORISM ENHANCEMENTS - HEALTH AND HOSPITALS		
FROM FEDERAL GRANTS TRUST FUND		66,184,180
606 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	430,000	
FROM ADMINISTRATIVE TRUST FUND		255,000
FROM EMERGENCY MEDICAL SERVICES TRUST FUND		919,958
FROM FEDERAL GRANTS TRUST FUND		507,500
FROM FLORIDA CENTER FOR NURSING		22,946
FROM GRANTS AND DONATIONS TRUST FUND . . .		65,000
FROM NURSING STUDENT LOAN FORGIVENESS TRUST FUND		41,188
FROM PLANNING AND EVALUATION TRUST FUND .		5,694,980
607 SPECIAL CATEGORIES		
GRANTS AND AIDS - CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	950,000	

From the funds in Specific Appropriation 607, $500,000 in non-recurring general revenue funds shall be allocated to the Braman Family Breast Cancer Institute developmental grants program to provide one-year grants to initiate new breast cancer research projects and to allow investigators to gather initial data that enables subsequent successful competition for federal NCI/NIH grant funding. For early career investigators, these grants provide manpower and materials required to initiate a project. For the mid-career investigators, funding allows pursuit of innovative developments in breast cancer research.

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608 SPECIAL CATEGORIES		
DRUGS, VACCINES AND OTHER BIOLOGICALS		
FROM GENERAL REVENUE FUND	13,381,841	
FROM TOBACCO SETTLEMENT TRUST FUND		11,702,062
FROM FEDERAL GRANTS TRUST FUND		91,631,606

Funds in Specific Appropriation 608 from the Federal Grants Trust Fund are contingent upon sufficient state matching funds being identified to qualify for the federal Ryan White grant award. The Department of Health and the Department of Corrections shall collaborate in determining the amount of state general revenue funds expended by the Department of Corrections for AIDS-related activities and services that qualify as state matching funds for the Ryan White grant.

609 SPECIAL CATEGORIES		
TRANSFER TO BIOMEDICAL RESEARCH TRUST FUND		
FROM GENERAL REVENUE FUND	15,000,000	
610 SPECIAL CATEGORIES		
JAMES AND ESTHER KING BIOMEDICAL RESEARCH PROGRAM		
FROM BIOMEDICAL RESEARCH TRUST FUND . . .		9,900,000

From the funds in Specific Appropriation 610, up to $50,000 shall be used for collaborative biomedical research projects within the state's historically black colleges and universities.

611 SPECIAL CATEGORIES		
WILLIAM G. "BILL" BANKHEAD, JR., AND DAVID COLEY CANCER RESEARCH PROGRAM		
FROM BIOMEDICAL RESEARCH TRUST FUND . . .		9,000,000
612 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	7,754,023	
613 SPECIAL CATEGORIES		
GRANTS AND AIDS - STATE AND FEDERAL DISASTER RELIEF OPERATIONS		
FROM FEDERAL GRANTS TRUST FUND		1,000,000
614 SPECIAL CATEGORIES		
GRANTS AND AIDS - TRAUMA CARE		
FROM ADMINISTRATIVE TRUST FUND		7,500,000
FROM EMERGENCY MEDICAL SERVICES TRUST FUND		93,747
615 SPECIAL CATEGORIES		
GRANTS AND AID - NURSING STUDENT LOAN REIMBURSEMENT/ SCHOLARSHIPS		
FROM NURSING STUDENT LOAN FORGIVENESS TRUST FUND		1,629,006
616 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	95,596	
FROM ADMINISTRATIVE TRUST FUND		4,355
FROM EMERGENCY MEDICAL SERVICES TRUST FUND		23,883
FROM FEDERAL GRANTS TRUST FUND		35,902
FROM GRANTS AND DONATIONS TRUST FUND . . .		1,966
FROM NURSING STUDENT LOAN FORGIVENESS TRUST FUND		1,260
FROM PLANNING AND EVALUATION TRUST FUND .		73,087
FROM PREVENTIVE HEALTH SERVICES BLOCK GRANT TRUST FUND		2,230
TOTAL: STATEWIDE PUBLIC HEALTH SUPPORT SERVICES		
FROM GENERAL REVENUE FUND	50,195,262	
FROM TRUST FUNDS		252,635,007

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TOTAL POSITIONS	567.50	
TOTAL ALL FUNDS		302,830,269

PROGRAM: CHILDREN'S MEDICAL SERVICES

CHILDREN'S SPECIAL HEALTH CARE

APPROVED SALARY RATE 30,685,666

617	SALARIES AND BENEFITS POSITIONS	750.50	
	FROM GENERAL REVENUE FUND	20,304,875	
	FROM DONATIONS TRUST FUND		14,409,599
	FROM FEDERAL GRANTS TRUST FUND		5,456,460
618	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	2,004,361	
	FROM DONATIONS TRUST FUND		89,063
	FROM FEDERAL GRANTS TRUST FUND		388,687
619	EXPENSES		
	FROM GENERAL REVENUE FUND	2,574,948	
	FROM DONATIONS TRUST FUND		2,920,273
	FROM FEDERAL GRANTS TRUST FUND		2,555,461
620	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	46,970	
	FROM FEDERAL GRANTS TRUST FUND		106,825
621	SPECIAL CATEGORIES		
	GRANTS AND AIDS - CHILDREN'S MEDICAL SERVICES NETWORK		
	FROM GENERAL REVENUE FUND	24,784,275	
	FROM TOBACCO SETTLEMENT TRUST FUND		11,790,196
	FROM DONATIONS TRUST FUND		112,844,207
	FROM FEDERAL GRANTS TRUST FUND		866,624
	FROM MATERNAL AND CHILD HEALTH BLOCK GRANT TRUST FUND		9,337,728
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		1,613,263

In addition to existing recurring projects in Specific Appropriation 621, $390,690 in non-recurring general revenue funds is provided for the following projects:

System of Care for Children with Fetal Alcohol Spectrum Disorder - Sarasota.....	240,690
JaxHats Transition Program - Baker, Clay, Duval, Nassau, St. Johns.....	100,000
Fragile X - Newborn Screening Pilot Program - Miami-Dade, Statewide.....	50,000

From the funds in Specific Appropriation 621, $1,325,153 of recurring general revenue funds and $350,000 of non-recurring general revenue funds shall be allocated to the four crainiofacial centers.

622	SPECIAL CATEGORIES		
	GRANTS AND AIDS - MEDICAL SERVICES FOR ABUSED/NEGLECTED CHILDREN		
	FROM GENERAL REVENUE FUND	11,869,019	
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		5,763,295
624	SPECIAL CATEGORIES		
	POISON CONTROL CENTER		
	FROM GENERAL REVENUE FUND	3,106,534	

From the funds in Specific Appropriation 624, $1,415,071 from the General Revenue Fund shall be primarily designated for transfer to the Agency for Health Care Administration for use in the Medicaid or Low Income Pool program. Should the Agency for Health Care Administration be unable to use the full amount of these designated funds, remaining funds may be used secondarily for payments to poison control centers.

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625	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	490,002	
626	SPECIAL CATEGORIES		
	GRANTS AND AIDS - DEVELOPMENTAL EVALUATION AND INTERVENTION SERVICES/PART C		
	FROM GENERAL REVENUE FUND	16,769,052	
	FROM TOBACCO SETTLEMENT TRUST FUND		3,817,556
	FROM FEDERAL GRANTS TRUST FUND		25,133,290
	FROM WELFARE TRANSITION TRUST FUND		3,600,000

From the general revenue funds in Specific Appropriation 626, $1,234,850 is provided as the state match for Medicaid reimbursable early intervention services in Specific Appropriation 199.

From the funds in Specific Appropriation 626, $450,000 from the General Revenue Fund shall be primarily designated for transfer to the Agency for Health Care Administration for use in the Medicaid or Low Income Pool programs. Should the Agency for Health Care Administration be unable to use the full amount of these designated funds, the remaining funds may be used secondarily for payments to identified teaching or specialty hospitals.

627	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	161,870	
	FROM DONATIONS TRUST FUND		114,361
	FROM FEDERAL GRANTS TRUST FUND		43,261
627A	FIXED CAPITAL OUTLAY		
	CONSTRUCTION, RENOVATION, EQUIPMENT - CHILDREN'S MEDICAL SERVICES FACILITIES		
	FROM TOBACCO SETTLEMENT TRUST FUND		982,200

From the funds in Specific Appropriation 627A, the following project is funded from non-recurring tobacco settlement trust funds:

Children's Medical Services Facility - Brevard..... 982,200

TOTAL: CHILDREN'S SPECIAL HEALTH CARE		
FROM GENERAL REVENUE FUND	82,111,906	
FROM TRUST FUNDS		201,832,349
TOTAL POSITIONS	750.50	
TOTAL ALL FUNDS		283,944,255

PROGRAM: HEALTH CARE PRACTITIONER AND ACCESS

MEDICAL QUALITY ASSURANCE

The Department of Health shall direct a study of the Pharmacy Practice Act requirements for drug substitution, the effectiveness of safety controls for the patient, the clinical efficacy of the interchange of prescription drugs, the appropriate control of substitution by the prescriber, the importance of prescriber notification, and outcomes of treatment success when substitution occurs. The department shall convene a panel to conduct the study comprised of one member appointed by the Board of Medicine, one member appointed by the Board of Pharmacy, one member appointed by the Florida Academy of Family Physicians, one member appointed by the Florida Kidney Foundation and one member by the Florida Epilepsy Foundation. The study shall be completed by December 31, 2009, and a report of the findings shall be submitted to the chair of the Senate Fiscal Policy and Calendar Committee and the chair of the House Policy and Budget Council.

APPROVED SALARY RATE 23,779,648

628	SALARIES AND BENEFITS POSITIONS	631.50	
	FROM DRUGS, DEVICES AND COSMETIC TRUST FUND		2,269,763

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FROM MEDICAL QUALITY ASSURANCE TRUST FUND 29,851,733

629 OTHER PERSONAL SERVICES
FROM DRUGS, DEVICES AND COSMETIC TRUST FUND 6,704
FROM MEDICAL QUALITY ASSURANCE TRUST FUND 4,225,239

630 EXPENSES
FROM DRUGS, DEVICES AND COSMETIC TRUST FUND 504,956
FROM MEDICAL QUALITY ASSURANCE TRUST FUND 6,918,166

631 OPERATING CAPITAL OUTLAY
FROM MEDICAL QUALITY ASSURANCE TRUST FUND 57,604

632 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM DRUGS, DEVICES AND COSMETIC TRUST FUND 46,200
FROM MEDICAL QUALITY ASSURANCE TRUST FUND 105,400

633 SPECIAL CATEGORIES
EXAMINATION TESTING SERVICES FOR PROFESSIONAL REGULATION
FROM MEDICAL QUALITY ASSURANCE TRUST FUND 2,331,163

634 SPECIAL CATEGORIES
UNLICENSED ACTIVITIES
FROM MEDICAL QUALITY ASSURANCE TRUST FUND 1,231,856

635 SPECIAL CATEGORIES
TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS
FROM MEDICAL QUALITY ASSURANCE TRUST FUND 421,456

636 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM DRUGS, DEVICES AND COSMETIC TRUST FUND 78,000
FROM MEDICAL QUALITY ASSURANCE TRUST FUND 13,615,645

637 SPECIAL CATEGORIES
DEPARTMENTAL STAFF DEVELOPMENT AND TRAINING
FROM MEDICAL QUALITY ASSURANCE TRUST FUND 52,600

638 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM DRUGS, DEVICES AND COSMETIC TRUST FUND 3,487
FROM MEDICAL QUALITY ASSURANCE TRUST FUND 361,544

639 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM DRUGS, DEVICES AND COSMETIC TRUST FUND 16,780
FROM MEDICAL QUALITY ASSURANCE TRUST FUND 252,355

TOTAL: MEDICAL QUALITY ASSURANCE
FROM TRUST FUNDS 62,350,651

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TOTAL POSITIONS 631.50
TOTAL ALL FUNDS 62,350,651

COMMUNITY HEALTH RESOURCES

APPROVED SALARY RATE 3,856,968

640 SALARIES AND BENEFITS POSITIONS 98.50
FROM GENERAL REVENUE FUND 921,943
FROM ADMINISTRATIVE TRUST FUND 375,431
FROM TOBACCO SETTLEMENT TRUST FUND 175,746
FROM FEDERAL GRANTS TRUST FUND 693,594
FROM BRAIN AND SPINAL CORD INJURY REHABILITATION TRUST FUND 2,981,324

From the funds in Specific Appropriation 640, $175,746 and two positions are provided to implement the Comprehensive Statewide Tobacco Education and Use Prevention Program in accordance with section 27, Article X of the State Constitution.

641 OTHER PERSONAL SERVICES
FROM ADMINISTRATIVE TRUST FUND 10,000
FROM FEDERAL GRANTS TRUST FUND 109,770
FROM BRAIN AND SPINAL CORD INJURY REHABILITATION TRUST FUND 24,000

642 EXPENSES
FROM GENERAL REVENUE FUND 141,898
FROM ADMINISTRATIVE TRUST FUND 133,178
FROM TOBACCO SETTLEMENT TRUST FUND 1,127
FROM FEDERAL GRANTS TRUST FUND 655,127
FROM GRANTS AND DONATIONS TRUST FUND . . . 29,729
FROM BRAIN AND SPINAL CORD INJURY REHABILITATION TRUST FUND 777,059

643 AID TO LOCAL GOVERNMENTS
CONTRIBUTION TO COUNTY HEALTH UNITS
FROM GENERAL REVENUE FUND 91,393

644 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - COMMUNITY HEALTH CENTERS
FROM GENERAL REVENUE FUND 1,622,605
FROM FEDERAL GRANTS TRUST FUND 4,106,085
FROM GRANTS AND DONATIONS TRUST FUND . . . 1,622,605

The funds in Specific Appropriation 644 shall be contracted through a competitive bid process to federally qualified community health centers in rural and medically underserved areas. The federally qualified community health centers shall be required to provide local matching funds in an amount equal to the state amount.

From the funds in Specific Appropriation 644, $1,622,605 from the General Revenue Fund and $1,622,605 from the Grants and Donations Trust Fund shall be primarily designated for transfer to the Agency for Health Care Administration for use in the Medicaid or Low Income Pool program. Should the Agency for Health Care Administration be unable to use the full amount of these designated funds, remaining funds may be used secondarily for payments as described above.

645 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - LOCAL HEALTH COUNCILS
FROM GRANTS AND DONATIONS TRUST FUND . . . 906,000

646 OPERATING CAPITAL OUTLAY
FROM FEDERAL GRANTS TRUST FUND 12,850
FROM BRAIN AND SPINAL CORD INJURY REHABILITATION TRUST FUND 9,000

647 SPECIAL CATEGORIES
AREA HEALTH EDUCATION CENTERS
FROM GENERAL REVENUE FUND 10,628,019

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648 SPECIAL CATEGORIES
COMMUNITY HOSPITAL EDUCATION PROGRAM
FROM GENERAL REVENUE FUND 14,500,000

From the funds in Specific Appropriation 648, $14,500,000 from the General Revenue Fund shall be primarily designated for transfer to the Agency for Health Care Administration for use in the Medicaid or Low Income Pool programs. Should the Agency for Health Care Administration be unable to use the full amount of these designated funds, remaining funds may be used secondarily for payments to Community Health Education Programs or payments to identified family practice teaching or specialty hospitals.

649 SPECIAL CATEGORIES
CONTRACTED SERVICES

FROM GENERAL REVENUE FUND	28,620	
FROM ADMINISTRATIVE TRUST FUND		5,623
FROM FEDERAL GRANTS TRUST FUND		485,471
FROM GRANTS AND DONATIONS TRUST FUND . . .		3,581
FROM BRAIN AND SPINAL CORD INJURY REHABILITATION TRUST FUND		391,923

650 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED SERVICES

FROM GENERAL REVENUE FUND	1,615,925	
FROM FEDERAL GRANTS TRUST FUND		437,153
FROM BRAIN AND SPINAL CORD INJURY REHABILITATION TRUST FUND		500,000

From the funds in Specific Appropriation 650, $250,000 in non-recurring general revenue funds is provided to Nova Southeastern University for assistance to students enrolled in undergraduate and graduate nursing programs. Funds shall be prioritized by the university to graduate nursing students. The university shall report to the Department of Health the allocation of funds and the number of students enrolled in undergraduate and graduate programs.

From the funds in Specific Appropriation 650, $300,000 in recurring general revenue funds is provided to Community Smiles to partner with Miami Children's Hospital to implement a Pediatric Dental Residency program.

In addition to existing recurring projects in Specific Appropriation 650, $180,000 in non-recurring general revenue funds is provided for the following projects:

Community Medical Care Center - ER Diversion Program - Lake, Sumter.....	90,000
Saint John Bosco Clinic - Miami-Dade.....	90,000

651 SPECIAL CATEGORIES
GRANTS AND AIDS - RURAL HEALTH NETWORK GRANTS

FROM GENERAL REVENUE FUND	500,000	
FROM FEDERAL GRANTS TRUST FUND		574,305

652 SPECIAL CATEGORIES
GRANTS AND AIDS - SHANDS TEACHING HOSPITAL
FROM GENERAL REVENUE FUND 14,673,569

From the funds in Specific Appropriation 652, $9,673,569 from the General Revenue Fund shall be primarily designated for transfer to the Agency for Health Care Administration for use in the Medicaid or Low Income Pool programs. Should the Agency for Health Care Administration be unable to use the full amount of these designated funds, remaining funds may be used secondarily for payments to Shands Teaching Hospital to continue the original purpose of providing health care services to indigent patients through Shands Healthcare System.

From the funds in Specific Appropriation 652, $5,000,000 in non-recurring funds from the General Revenue Fund is provided for the benefit of Shands Healthcare System for the purpose of reimbursing the cost incurred for serving individuals in the Medicaid program and providing care to the uninsured and underinsured. These funds shall be used as state matching funds by the Agency for Health Care Administration for Fiscal Year 2008-2009 for the purpose of the Low Income Pool and increasing the Medicaid inpatient and outpatient rates. Should the Agency for Health Care Administration be unable to use the full amount of these designated funds, remaining funds may be used secondarily for payments to Shands Healthcare System to continue the original purpose of providing health care services to indigent patients through Shands Healthcare System.

652A SPECIAL CATEGORIES
GRANTS AND AIDS - JACKSON MEMORIAL HOSPITAL
FROM GENERAL REVENUE FUND 20,000,000

From the funds in Specific Appropriation 652A $20,000,000 in non-recurring funds from the General Revenue Fund is provided for the benefit of Jackson Memorial Hospital for the purpose of reimbursing the cost incurred for serving individuals in the Medicaid program and providing care to the uninsured and underinsured. These funds shall be used as state matching funds by the Agency for Health Care Administration for Fiscal Year 2008-2009 for the purpose of the Low Income Pool and increasing the Medicaid inpatient and outpatient rates. Should the Agency for Health Care Administration be unable to use the full amount of these designated funds, remaining funds may be used secondarily for payments to Jackson Memorial Hospital to continue the original purpose of providing health care services to indigent patients through Jackson Memorial Hospital.

652B SPECIAL CATEGORIES
BRAIN AND SPINAL CORD HOME AND COMMUNITY BASED SERVICES WAIVER

FROM GENERAL REVENUE FUND	885,744	
FROM BRAIN AND SPINAL CORD INJURY REHABILITATION TRUST FUND		10,811,599

652C SPECIAL CATEGORIES
CYSTIC FIBROSIS HOME AND COMMUNITY BASED SERVICES WAIVER

FROM GENERAL REVENUE FUND	761,576	
FROM FEDERAL GRANTS TRUST FUND		948,294

653 SPECIAL CATEGORIES
PURCHASED CLIENT SERVICES
FROM BRAIN AND SPINAL CORD INJURY REHABILITATION TRUST FUND 7,752,879

654 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM BRAIN AND SPINAL CORD INJURY REHABILITATION TRUST FUND 58,620

655 SPECIAL CATEGORIES
GRANTS AND AIDS - SPINAL CORD RESEARCH
FROM BRAIN AND SPINAL CORD INJURY REHABILITATION TRUST FUND 1,000,000

656 SPECIAL CATEGORIES
COMPREHENSIVE STATEWIDE TOBACCO PREVENTION AND EDUCATION PROGRAM
FROM TOBACCO SETTLEMENT TRUST FUND 54,344,208

Funds in Specific Appropriations 656 and 658A shall be used to implement the Comprehensive Statewide Tobacco Education and Prevention Program in accordance with section 27, Article X of the State Constitution. The appropriation shall be allocated as follows:

State & Community Interventions.....	11,200,943
State & Community Interventions - AHEC.....	6,000,000
Health Communications Interventions.....	19,838,001
Cessation Interventions	4,553,017
Cessation Interventions - AHEC.....	4,000,000
Surveillance & Evaluation	5,951,995
Administration & Management.....	2,800,252

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657 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 7,793
FROM ADMINISTRATIVE TRUST FUND 2,496
FROM FEDERAL GRANTS TRUST FUND 5,540
FROM BRAIN AND SPINAL CORD INJURY
REHABILITATION TRUST FUND 23,815

658 SPECIAL CATEGORIES
MEDICALLY FRAGILE ENHANCEMENT PAYMENT
FROM GENERAL REVENUE FUND 610,020

658A FIXED CAPITAL OUTLAY
STATEWIDE TOBACCO PREVENTION AND EDUCATION
FROM TOBACCO SETTLEMENT TRUST FUND 5,000,000

From the funds in Specific Appropriation 658A, $5,000,000 of non-recurring tobacco settlement trust funds shall be used to improve the infrastructure of the county health departments to implement the Comprehensive Statewide Tobacco Education and Prevention Program.

658B GRANTS AND AIDS TO LOCAL GOVERNMENTS AND
NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
RURAL HOSPITALS
FROM ADMINISTRATIVE TRUST FUND 3,000,000

From the funds in Specific Appropriation 658B, $3,000,000 in non-recurring administrative trust funds are provided for the Rural Hospital Capital Improvement Grant Program and shall be allocated in accordance with the grant process in section 395.6061, Florida Statutes.

TOTAL: COMMUNITY HEALTH RESOURCES
FROM GENERAL REVENUE FUND 66,989,105
FROM TRUST FUNDS 97,968,132

TOTAL POSITIONS 98.50
TOTAL ALL FUNDS 164,957,237

PROGRAM: DISABILITY DETERMINATIONS

DISABILITY BENEFITS DETERMINATION

APPROVED SALARY RATE 840,454

659 SALARIES AND BENEFITS POSITIONS 24.00
FROM GENERAL REVENUE FUND 680,267
FROM FEDERAL GRANTS TRUST FUND 658,994
FROM U.S. TRUST FUND 47,966,882

660 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 27,500
FROM FEDERAL GRANTS TRUST FUND 27,500
FROM U.S. TRUST FUND 10,645,515

661 EXPENSES
FROM GENERAL REVENUE FUND 160,071
FROM FEDERAL GRANTS TRUST FUND 166,071
FROM U.S. TRUST FUND 14,747,739

662 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 5,000
FROM FEDERAL GRANTS TRUST FUND 5,000
FROM U.S. TRUST FUND 150,000

663 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 192,771
FROM FEDERAL GRANTS TRUST FUND 192,771
FROM U.S. TRUST FUND 25,654,436

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664 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 2,125
FROM FEDERAL GRANTS TRUST FUND 2,125
FROM U.S. TRUST FUND 373,013

665 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 4,615
FROM FEDERAL GRANTS TRUST FUND 4,436
FROM U.S. TRUST FUND 381,433

TOTAL: DISABILITY BENEFITS DETERMINATION
FROM GENERAL REVENUE FUND 1,072,349
FROM TRUST FUNDS 100,975,915

TOTAL POSITIONS 24.00
TOTAL ALL FUNDS 102,048,264

VETERANS' AFFAIRS, DEPARTMENT OF

PROGRAM: SERVICES TO VETERANS' PROGRAM

VETERANS' HOMES

APPROVED SALARY RATE 21,530,993

666 SALARIES AND BENEFITS POSITIONS 806.50
FROM GENERAL REVENUE FUND 5,917,275
FROM OPERATIONS AND MAINTENANCE TRUST
FUND 25,271,102

667 OTHER PERSONAL SERVICES
FROM OPERATIONS AND MAINTENANCE TRUST
FUND 871,819

668 EXPENSES
FROM GENERAL REVENUE FUND 8,990
FROM OPERATIONS AND MAINTENANCE TRUST
FUND 5,366,947

669 OPERATING CAPITAL OUTLAY
FROM GRANTS AND DONATIONS TRUST FUND . . . 130,700
FROM OPERATIONS AND MAINTENANCE TRUST
FUND 87,794

670 FOOD PRODUCTS
FROM OPERATIONS AND MAINTENANCE TRUST
FUND 2,013,669

671 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM OPERATIONS AND MAINTENANCE TRUST
FUND 9,612,315

672 SPECIAL CATEGORIES
RECREATIONAL EQUIPMENT AND SUPPLIES
FROM GRANTS AND DONATIONS TRUST FUND . . . 62,000

673 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 127,030
FROM OPERATIONS AND MAINTENANCE TRUST
FUND 549,874

674 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 54,371
FROM OPERATIONS AND MAINTENANCE TRUST
FUND 275,112

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675	FIXED CAPITAL OUTLAY MAINTENANCE AND REPAIR OF STATE-OWNED RESIDENTIAL FACILITIES FOR VETERANS FROM STATE HOMES FOR VETERANS TRUST FUND .		1,245,256

TOTAL: VETERANS' HOMES

FROM GENERAL REVENUE FUND	6,107,666	
FROM TRUST FUNDS		45,486,588
TOTAL POSITIONS	806.50	
TOTAL ALL FUNDS		51,594,254

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 1,716,519

676	SALARIES AND BENEFITS POSITIONS	29.00	
	FROM GENERAL REVENUE FUND	2,321,596	
677	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND	19,765	
678	EXPENSES FROM GENERAL REVENUE FUND	724,284	
	FROM OPERATIONS AND MAINTENANCE TRUST FUND		100,458
679	OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND	120,512	
680	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND	124,538	
681	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	12,486	
682	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND	10,528	

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES

FROM GENERAL REVENUE FUND	3,333,709	
FROM TRUST FUNDS		100,458
TOTAL POSITIONS	29.00	
TOTAL ALL FUNDS		3,434,167

VETERANS' BENEFITS AND ASSISTANCE

APPROVED SALARY RATE 3,317,903

683	SALARIES AND BENEFITS POSITIONS	79.00	
	FROM GENERAL REVENUE FUND	3,712,152	
	FROM FEDERAL GRANTS TRUST FUND		533,735
684	EXPENSES FROM GENERAL REVENUE FUND	229,708	
	FROM FEDERAL GRANTS TRUST FUND		101,603
686	SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND	2,569	
687	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	10,036	
	FROM FEDERAL GRANTS TRUST FUND		374

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688	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND	28,429	
	FROM FEDERAL GRANTS TRUST FUND		3,914

TOTAL: VETERANS' BENEFITS AND ASSISTANCE

FROM GENERAL REVENUE FUND	3,982,894	
FROM TRUST FUNDS		639,626
TOTAL POSITIONS	79.00	
TOTAL ALL FUNDS		4,622,520

TOTAL OF SECTION 3 POSITIONS	23,154.50	
FROM GENERAL REVENUE FUND	7147,600,000	
FROM TRUST FUNDS		16225,090,008
TOTAL ALL FUNDS		23372,690,008

SECTION 4 - CRIMINAL JUSTICE AND CORRECTIONS

The moneys contained herein are appropriated from the named funds to the Department of Corrections, Justice Administration, Department of Juvenile Justice, Florida Department of Law Enforcement, Department of Legal Affairs/Attorney General, and the Parole Commission as the amounts to be used to pay the salaries, other operational expenditures and fixed capital outlay of the named agencies.

CORRECTIONS, DEPARTMENT OF

From the funds in Specific Appropriations 688A through 806A, each provider contracting with the Department of Corrections must provide the department with a proposal prior to the release of funds that details the services that will be delivered, the expected results, and recommended performance measures. The department and each provider must execute a contract before the release of any funds, and the contract documents must include mutually agreed upon performance measures. Each provider must provide quarterly performance reports to the department. Funds shall only be released to providers whose performance reports indicate successful compliance with the performance measures described in the contract.

The Department of Corrections shall develop and use a uniform format and uniform methodologies for the purpose of reporting annually to the Legislature on the state prison system. Such reports shall include a comprehensive plan for current facility use and any departures from planned facility use, including opening new facilities, renovating or closing existing facilities, and advancing or delaying the opening of new or renovated facilities. The report shall include the maximum capacity of currently operating facilities and the potential maximum capacity of facilities that the department could make operational within the fiscal year. The report shall also identify appropriate sites for future facilities and provide information to support specified locations, such as availability of personnel in local labor markets. Reports should include updated infrastructure needs for existing or future facilities. Each report should reconcile capacity figures to the immediately preceding report. For the purpose of this paragraph, maximum capacity shall be calculated and displayed pursuant to section 944.023(1)(b), Florida Statutes. The department may provide additional analysis of current and future bed needs based on such factors as deemed necessary by the Secretary. The next report shall be due January 1, 2009.

Funds in Specific Appropriations 688A through 806A shall not be used to pay for unoccupied space currently being leased by the Department of Corrections in the event the leases are vacant on or after July 1, 2008, and for which it has been determined by the Secretary of the department that there is no longer a need.

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In the event the Invitation to Negotiate (ITN) for 600 privately operated work release beds to be constructed on existing Department of Corrections work release sites as authorized in Specific Appropriations 786 through 795 of chapter 2007-72, Laws of Florida, fails to conclude, and a contract is not awarded by July 1, 2008, the ITN shall be cancelled and the project design, building and operation of 600 beds shall be granted to the Department of Corrections. The Department of Corrections is authorized to determine the type of beds needed.

In the event the Invitation to Negotiate (ITN) for 1,296 privately operated workcamp beds as authorized in section 9, chapter 2008-1, Laws of Florida, fails to conclude, and a contract is not awarded by September 30, 2008, the ITN shall be cancelled and the project design, building and operation of 1,296 beds shall be granted to the Department of Corrections.

The Department of Corrections may, subject to all applicable provisions of chapter 216, Florida Statutes, transfer funds and positions and salary rate among budget entities and programs within Specific Appropriations 688A through 806A if necessary, to ensure public safety and avoid adversely affecting current employees due to the elimination of vacant positions and other approved reductions.

PROGRAM: DEPARTMENT ADMINISTRATION

BUSINESS SERVICE CENTERS

	APPROVED SALARY RATE 11,122,881		
688A	SALARIES AND BENEFITS POSITIONS	289.00	
	FROM GENERAL REVENUE FUND	14,119,762	
	FROM ADMINISTRATIVE TRUST FUND		2,070,009
688B	EXPENSES		
	FROM GENERAL REVENUE FUND	44,052	
	FROM ADMINISTRATIVE TRUST FUND		133,494
688C	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	48,446	
688D	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	326,064	
TOTAL:	BUSINESS SERVICE CENTERS		
	FROM GENERAL REVENUE FUND	14,538,324	
	FROM TRUST FUNDS		2,203,503
	TOTAL POSITIONS	289.00	
	TOTAL ALL FUNDS		16,741,827

EXECUTIVE DIRECTION AND SUPPORT SERVICES

	APPROVED SALARY RATE 13,992,683		
689	SALARIES AND BENEFITS POSITIONS	304.00	
	FROM GENERAL REVENUE FUND	12,786,233	
	FROM ADMINISTRATIVE TRUST FUND		2,934,677
	FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		80,924
690	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	22,090	
	FROM ADMINISTRATIVE TRUST FUND		42,906
691	EXPENSES		
	FROM GENERAL REVENUE FUND	1,441,885	
	FROM ADMINISTRATIVE TRUST FUND		491,826
	FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		1,083,200

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692	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	20,227	
	FROM ADMINISTRATIVE TRUST FUND		30,160
	FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		240,600
	FROM FEDERAL GRANTS TRUST FUND		101,840
693	SPECIAL CATEGORIES		
	TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS		
	FROM GENERAL REVENUE FUND	27,022	
694	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	295,334	
	FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		200,000
	FROM FEDERAL GRANTS TRUST FUND		347,650
695	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF CHILDREN AND FAMILIES FOR MENTAL HEALTH AND SUBSTANCE ABUSE MATCHING GRANTS		
	FROM GENERAL REVENUE FUND	1,000,000	

Funds provided in Specific Appropriation 695 shall be transferred to the Department of Children and Family Services for the purpose of providing planning and implementation grants to counties to improve services provided to individuals who have a serious mental illness and/or substance abuse disorder who are involved or at substantial risk of involvement with the criminal justice system. Counties must have or establish a cross system planning committee that includes judges, law enforcement, public defenders, state attorneys, corrections professionals, behavioral healthcare providers, consumers, families, and other key stakeholders involved in providing services to people with mental illnesses and/or substance abuse disorders in order to be eligible for a grant. The committee may be an existing Public Safety Coordinating Council or another established committee with similar membership. Counties must provide a match equal to the amount of the grant award, or such amount as otherwise provided by law. The match may be provided through in-kind services. Planning grants will be used to examine current services and processes related to the interaction of the criminal justice and mental health service delivery systems, identify systemic changes that will allow for the utilization of existing resources more effectively and efficiently, identify service and system deficiencies, and identify strategies to divert individuals with serious mental illness and/or substance abuse disorders from jail into treatment programs when appropriate. Implementation grants will be used to expand or add new services that divert individuals with a serious mental illness and/or substance abuse disorder who are involved with the criminal justice system or at substantial risk of entering the criminal justice system.

696	SPECIAL CATEGORIES		
	TRANSFER TO GENERAL REVENUE FUND		
	FROM FEDERAL GRANTS TRUST FUND		18,000,000

Funds in Specific Appropriation 696 are from reimbursements from the United States federal government for incarcerating aliens in Florida's prisons. If total reimbursements exceed $18,000,000, the Department of Corrections shall submit a budget amendment in accordance with all applicable provisions of chapter 216, Florida Statutes, requesting additional budget authority to transfer the balance to the General Revenue Fund.

698	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	11,429,627	
	FROM ADMINISTRATIVE TRUST FUND		84,230
	FROM CORRECTIONAL WORK PROGRAM TRUST FUND		171,049

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TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES		
FROM GENERAL REVENUE FUND	27,022,418	
FROM TRUST FUNDS		23,809,062
TOTAL POSITIONS	304.00	
TOTAL ALL FUNDS		50,831,480

INFORMATION TECHNOLOGY

APPROVED SALARY RATE	6,192,668		
699 SALARIES AND BENEFITS	POSITIONS	133.00	
FROM GENERAL REVENUE FUND		6,596,534	
FROM ADMINISTRATIVE TRUST FUND			939,470
701 EXPENSES			
FROM GENERAL REVENUE FUND		52,300	
FROM ADMINISTRATIVE TRUST FUND			2,718
702 OPERATING CAPITAL OUTLAY			
FROM GENERAL REVENUE FUND		3,000	
703 SPECIAL CATEGORIES			
CONTRACTED SERVICES			
FROM GENERAL REVENUE FUND		398	
704 SPECIAL CATEGORIES			
RISK MANAGEMENT INSURANCE			
FROM GENERAL REVENUE FUND		50,309	
TOTAL: INFORMATION TECHNOLOGY			
FROM GENERAL REVENUE FUND		6,702,541	
FROM TRUST FUNDS			942,188
TOTAL POSITIONS		133.00	
TOTAL ALL FUNDS			7,644,729

PROGRAM: SECURITY AND INSTITUTIONAL OPERATIONS

From the funds provided in Specific Appropriations 721K, 721Y and 721AJ, a total of $1,074,362 is provided as payment in lieu of ad valorem taxation for distribution to local government taxing authorities. Funding is provided as follows: $269,324 for the Bay Correctional Facility, $339,242 for the Moore Haven Correctional Facility, $275,560 for the South Bay Correctional Facility, $100,000 for the Gadsden Correctional Facility and $90,236 for the Lake City Correctional Facility. These funds may not be distributed if there are outstanding claims for ad valorem taxes due on the property at issue and may not be distributed until the property is reclassified on the real property and tangible personal property rolls as Government State property back to the date the finance corporation or other state entity acquired the title thereto. These distributions shall be adjusted, with the respect to any facility, to reimburse the Department of Management Services, and any predecessor agency, for the total amounts expended by the state in resisting the imposition of such ad valorem tax claims, including all attorneys' fees and costs actually incurred by the state's agencies.

The funds in Specific Appropriations 721A through 746, reflect a reduction of $9,250,000 in contracted food services. This reduction shall be achieved through negotiated contract amendments with the applicable vendors to adjust the current contractual requirements related to the preparation and delivery of food services, and shall be effective no later than July 1, 2008. The Department of Corrections shall reduce the per diem paid on food contracts, revise the Inmate Master Menu, and make other considerations as necessary within accepted national and industry standards of practice including nutritional, dietetic, and staffing requirements to adjust its preparation and delivery of food services.

The funds provided in Specific Appropriations 721K, 721Y, and 721AJ reflect a reduction of $3,629,085 for private prison contracts. The Department of Management Services is directed to execute private prison contract amendments to each operations and management contract for each

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correctional facility currently under its supervision in order to assist private prison contractors achieve the reduction. Such contract amendments shall expire June 30, 2009. The Department of Management Services and the private prison operators may amend the provisions of the private prison operating contracts limiting correctional officer overtime and part-time hours to be consistent with the overtime and part-time use as permitted by the Department of Corrections and the American Correctional Association standards, and eliminating deductions for vacant positions as long as the services associated with the position are being provided through the use of overtime or part-time staff. The Department of Management Services shall amend the private prison operating contracts to provide for the payment of costs associated with all inmate academic, vocational, and behavioral programs from funds in the Privately Operated Institutions Inmate Welfare Trust Fund. Such contract amendments may not negatively affect the Department of Corrections.

At the discretion of the Department of Corrections, the department is authorized to contract through a request for proposal for innovative and cost effective approaches to the financing, construction and operation of private correctional beds and services which can include any and all operations defined and requested by the department, including but not limited to financing, operations, housing, staffing, security, meals, medical care, transportation, education and substance abuse treatment services. The department may consult with other state agencies on the development of this request for proposal. Any resulting contract shall be funded through existing appropriations, and at a minimum provide for per diem costs at a cost of at least seven percent below what the department can incarcerate similar inmates. The department shall not implement this section in a manner that reduces participation in existing reentry programs.

ADULT MALE CUSTODY OPERATIONS

Funds and positions in Specific Appropriations 721A through 806A, include: an increase of 916 full-time equivalent positions and $66,228,759 from the General Revenue Fund to support the state-wide inmate population increase; an increase of 135 full-time equivalent positions and $5,698,100 from the General Revenue Fund to support additional dorms; an increase of 50 full-time equivalent positions and $1,197,944 from the General Revenue Fund to support the Suwannee Work Camp; an increase of 139 full-time equivalent positions and $1,917,259 from the General Revenue Fund to support the Suwannee Correctional Institution; and 155 full-time equivalent positions and $8,150,135 to support the Polk and Sago Palm facilities. These funds and positions are sufficient to provide housing and security for 107,204 inmates when fully annualized. Variable expenses, maintenance, and health services funds are provided for an average daily population of 102,374 inmates.

Funds and positions in Specific Appropriations 721A through 806A are provided to address security needs for the additional prison populations expected in Fiscal Year 2008-2009 as projected by the Criminal Justice Estimating Conference.

APPROVED SALARY RATE	378,748,818		
721A SALARIES AND BENEFITS	POSITIONS	10,672.00	
FROM GENERAL REVENUE FUND		507,669,243	
FROM FEDERAL GRANTS TRUST FUND			344,601
721B OTHER PERSONAL SERVICES			
FROM GRANTS AND DONATIONS TRUST FUND . . .			91,000
721C EXPENSES			
FROM GENERAL REVENUE FUND		39,030,553	
FROM FEDERAL GRANTS TRUST FUND			216,949
FROM GRANTS AND DONATIONS TRUST FUND . . .			240,389

From the funds in Specific Appropriation 721C, the Department of Corrections may spend up to $400,000 from the General Revenue Fund for a public awareness campaign describing penalties for "10-20-Life" offenses and other criminal offenses.

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From the funds in Specific Appropriation 721C, $142,900 from recurring general revenue is provided to the City of Pahokee as a payment of lieu of taxes for the Sago Palm facility formerly owned by the Department of Juvenile Justice.

721D OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	2,359,072	
FROM FEDERAL GRANTS TRUST FUND		750,000
FROM GRANTS AND DONATIONS TRUST FUND . . .		250,000
721E FOOD PRODUCTS		
FROM GENERAL REVENUE FUND	52,014,579	
FROM FEDERAL GRANTS TRUST FUND		83,421
721F SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	1,346,401	
FROM FEDERAL GRANTS TRUST FUND		273,617
721G SPECIAL CATEGORIES		
FOOD SERVICE AND PRODUCTION		
FROM GENERAL REVENUE FUND	3,342,624	
FROM FEDERAL GRANTS TRUST FUND		118,172
721H SPECIAL CATEGORIES		
OVERTIME		
FROM GENERAL REVENUE FUND	1,274,259	
721I SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	13,618,841	
FROM SALE OF GOODS AND SERVICES CLEARING TRUST FUND		626,826
721J SPECIAL CATEGORIES		
SALARY INCENTIVE PAYMENTS		
FROM GENERAL REVENUE FUND	7,209,565	
721K SPECIAL CATEGORIES		
PRIVATE PRISON OPERATIONS		
FROM GENERAL REVENUE FUND	85,480,125	
FROM PRIVATELY OPERATED INSTITUTIONS INMATE WELFARE TRUST FUND		1,428,586

From the funds in Specific Appropriation 721K, the Department of Management Services shall issue an Invitation to Negotiate and shall contract under the master lease-purchase agreement previously executed by the department for a 2,000 bed private correctional facility which will house medium and close custody inmates. Any such Invitation to Negotiate shall be for design, financing, acquisition, leasing, construction, equipping and operation of the additional beds. The Invitation to Negotiate shall be issued no later than July 1, 2008 and the procurement should be completed by December 1, 2008 in order to allow sufficient time for new beds to become operational by July 1, 2010. The department is authorized to enter into an amendment to the master lease-purchase agreement to finance the construction of the additional 2,000 beds authorized by this paragraph. Payments under such agreement may begin prior to the completion of the facilities.

721L SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	6,799	
721M FIXED CAPITAL OUTLAY		
CORRECTIONAL FACILITIES - LEASE PURCHASE		
FROM GENERAL REVENUE FUND	2,876,241	

Funds in Specific Appropriation 721M are provided for payments required under the master lease purchase agreement used to secure the certificates of participation issued to finance or refinance the following correctional facilities:

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Polk.....	1,394,416
Sago Palm.....	1,481,825

721N FIXED CAPITAL OUTLAY		
CONTRACTED CORRECTIONAL INSTITUTIONS - LEASE PURCHASE		
FROM GENERAL REVENUE FUND	3,456,623	
721O FIXED CAPITAL OUTLAY		
PRIVATE PRISON OPERATIONS - LEASE PURCHASE		
FROM GENERAL REVENUE FUND	24,669,063	

Funds in Specific Appropriation 721O are provided for payments required under the master lease purchase agreement used to secure the certificates of participation issued to finance or refinance the following correctional facilities, including payments provided prior to completion of the facilities:

Bay Correctional Facility (Bay County)	3,427,290
Moore Haven Correctional Facility (Glades County).....	3,072,602
South Bay Correctional Facility (Palm Beach County).....	5,056,430
Graceville Correctional Facility (Jackson County).....	7,592,223

From funds in Specific Appropriation 721O, the sum of $2,020,518 is appropriated for payments to be determined by the State Board of Administration, Division of Bond Finance, for work release centers and work camp payments required under the master lease purchase agreement used to secure the certificates of participation issued to finance or refinance these correctional facilities, including payments provided prior to completion of the facilities.

From funds in Specific Appropriation 721O, $3,500,000 is provided for payments required under the master lease purchase agreement used to secure the certificates of participation issued to finance or refinance a 2000-bed correctional facility as authorized in Specific Appropriation 721K of this act.

TOTAL: ADULT MALE CUSTODY OPERATIONS		
FROM GENERAL REVENUE FUND	744,353,988	
FROM TRUST FUNDS		4,423,561
TOTAL POSITIONS	10,672.00	
TOTAL ALL FUNDS		748,777,549

ADULT AND YOUTHFUL OFFENDER FEMALE CUSTODY
OPERATIONS

APPROVED SALARY RATE	43,595,909		
721P SALARIES AND BENEFITS	POSITIONS	1,221.00	
FROM GENERAL REVENUE FUND		58,698,370	
FROM GRANTS AND DONATIONS TRUST FUND . . .			121,515
721Q OTHER PERSONAL SERVICES			
FROM GRANTS AND DONATIONS TRUST FUND . . .			32,884
721R EXPENSES			
FROM GENERAL REVENUE FUND		2,735,048	
FROM GRANTS AND DONATIONS TRUST FUND . . .			50,703
721S FOOD PRODUCTS			
FROM GENERAL REVENUE FUND		3,111,467	
FROM GRANTS AND DONATIONS TRUST FUND . . .			15,841
721T SPECIAL CATEGORIES			
CONTRACTED SERVICES			
FROM GENERAL REVENUE FUND		651,369	
721U SPECIAL CATEGORIES			
FOOD SERVICE AND PRODUCTION			
FROM GENERAL REVENUE FUND		187,659	
FROM GRANTS AND DONATIONS TRUST FUND . . .			22,509

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721V SPECIAL CATEGORIES
OVERTIME
FROM GENERAL REVENUE FUND 905,529

721W SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 1,049,899

721X SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 401,874

721Y SPECIAL CATEGORIES
PRIVATE PRISON OPERATIONS
FROM GENERAL REVENUE FUND 27,682,625
FROM PRIVATELY OPERATED INSTITUTIONS
INMATE WELFARE TRUST FUND 597,359

721Z FIXED CAPITAL OUTLAY
PRIVATE PRISON OPERATIONS - LEASE PURCHASE
FROM GENERAL REVENUE FUND 3,058,970

Funds in Specific Appropriation 721Z are provided for payments required under the master lease purchase agreement used to secure the certificates of participation issued to finance or refinance the Gadsden Correctional Facility, including payments provided prior to completion of the facility.

TOTAL: ADULT AND YOUTHFUL OFFENDER FEMALE CUSTODY OPERATIONS
FROM GENERAL REVENUE FUND 98,482,810
FROM TRUST FUNDS 840,811

TOTAL POSITIONS 1,221.00
TOTAL ALL FUNDS 99,323,621

MALE YOUTHFUL OFFENDER CUSTODY OPERATIONS

APPROVED SALARY RATE 24,238,315

721AA SALARIES AND BENEFITS POSITIONS 625.00
FROM GENERAL REVENUE FUND 41,244,766
FROM FEDERAL GRANTS TRUST FUND 378,953

721AB EXPENSES
FROM GENERAL REVENUE FUND 1,384,558

721AC OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 20,185
FROM FEDERAL GRANTS TRUST FUND 500,000

721AD FOOD PRODUCTS
FROM GENERAL REVENUE FUND 1,775,741
FROM FEDERAL GRANTS TRUST FUND 483,667

721AE SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 30,833

721AF SPECIAL CATEGORIES
FOOD SERVICE AND PRODUCTION
FROM GENERAL REVENUE FUND 217,664
FROM FEDERAL GRANTS TRUST FUND 191,046

721AG SPECIAL CATEGORIES
OVERTIME
FROM GENERAL REVENUE FUND 923,948

721AH SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 1,053,810

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721AI SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 172,939

721AJ SPECIAL CATEGORIES
PRIVATE PRISON OPERATIONS
FROM GENERAL REVENUE FUND 17,546,016
FROM PRIVATELY OPERATED INSTITUTIONS
INMATE WELFARE TRUST FUND 195,403

721AK FIXED CAPITAL OUTLAY
PRIVATE PRISON OPERATIONS - LEASE PURCHASE
FROM GENERAL REVENUE FUND 2,626,088

Funds in Specific Appropriation 721AK are provided for payments required under the master lease purchase agreement used to secure the certificates of participation issued to finance or refinance the Lake City Correctional Facility (Columbia County).

TOTAL: MALE YOUTHFUL OFFENDER CUSTODY OPERATIONS
FROM GENERAL REVENUE FUND 66,996,548
FROM TRUST FUNDS 1,749,069

TOTAL POSITIONS 625.00
TOTAL ALL FUNDS 68,745,617

SPECIALTY CORRECTIONAL INSTITUTION OPERATIONS

APPROVED SALARY RATE 179,638,908

721AL SALARIES AND BENEFITS POSITIONS 5,027.00
FROM GENERAL REVENUE FUND 247,236,637

721AM EXPENSES
FROM GENERAL REVENUE FUND 4,557,058

721AN FOOD PRODUCTS
FROM GENERAL REVENUE FUND 12,830,511

721AO SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 1,836,091

721AP SPECIAL CATEGORIES
FOOD SERVICE AND PRODUCTION
FROM GENERAL REVENUE FUND 1,175,477

721AQ SPECIAL CATEGORIES
OVERTIME
FROM GENERAL REVENUE FUND 1,462,805

721AR SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 7,675,581

721AS SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 1,605,849

TOTAL: SPECIALTY CORRECTIONAL INSTITUTION OPERATIONS
FROM GENERAL REVENUE FUND 278,380,009

TOTAL POSITIONS 5,027.00
TOTAL ALL FUNDS 278,380,009

RECEPTION CENTER OPERATIONS

APPROVED SALARY RATE 70,647,646

722 SALARIES AND BENEFITS POSITIONS 2,002.00
FROM GENERAL REVENUE FUND 99,001,942
FROM FEDERAL GRANTS TRUST FUND 8,394

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723 EXPENSES
FROM GENERAL REVENUE FUND 4,406,512
FROM FEDERAL GRANTS TRUST FUND 31,090

724 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 20,792
FROM FEDERAL GRANTS TRUST FUND 250,000

725 FOOD PRODUCTS
FROM GENERAL REVENUE FUND 4,736,168
FROM FEDERAL GRANTS TRUST FUND 32,449

726 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 90,758

727 SPECIAL CATEGORIES
FOOD SERVICE AND PRODUCTION
FROM GENERAL REVENUE FUND 370,703
FROM FEDERAL GRANTS TRUST FUND 46,893

728 SPECIAL CATEGORIES
OVERTIME
FROM GENERAL REVENUE FUND 676,721

729 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 2,228,298

730 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 714,567

TOTAL: RECEPTION CENTER OPERATIONS
FROM GENERAL REVENUE FUND 112,246,461
FROM TRUST FUNDS 368,826

TOTAL POSITIONS 2,002.00
TOTAL ALL FUNDS 112,615,287

PUBLIC SERVICE WORKSQUADS AND WORK RELEASE
TRANSITION

APPROVED SALARY RATE 36,478,289

731 SALARIES AND BENEFITS POSITIONS 1,003.00
FROM GENERAL REVENUE FUND 35,362,268
FROM CORRECTIONAL WORK PROGRAM TRUST
FUND 19,616,815
FROM GRANTS AND DONATIONS TRUST FUND . . . 49,263

732 EXPENSES
FROM GENERAL REVENUE FUND 609,518
FROM CORRECTIONAL WORK PROGRAM TRUST
FUND 624,202
FROM GRANTS AND DONATIONS TRUST FUND . . . 32,776

733 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 113,907
FROM CORRECTIONAL WORK PROGRAM TRUST
FUND 27,195

734 FOOD PRODUCTS
FROM GENERAL REVENUE FUND 2,039,815

735 LUMP SUM
CORRECTIONAL WORK PROGRAMS
POSITIONS 5.00
FROM CORRECTIONAL WORK PROGRAM TRUST
FUND 520,059

Funds and positions in Specific Appropriation 735 from the Correctional Work Program Trust Fund are provided for interagency contracted services funded by state agencies or local governments. These positions and funds shall be released as needed upon execution of interagency community service squad contract(s).

736 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 12,566,249
FROM CORRECTIONAL WORK PROGRAM TRUST
FUND 284,315

737 SPECIAL CATEGORIES
FOOD SERVICE AND PRODUCTION
FROM GENERAL REVENUE FUND 204,143

738 SPECIAL CATEGORIES
OVERTIME
FROM GENERAL REVENUE FUND 193,751

739 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 363,968

740 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 300,130
FROM CORRECTIONAL WORK PROGRAM TRUST
FUND 149,295

TOTAL: PUBLIC SERVICE WORKSQUADS AND WORK RELEASE
TRANSITION
FROM GENERAL REVENUE FUND 51,753,749
FROM TRUST FUNDS 21,303,920

TOTAL POSITIONS 1,008.00
TOTAL ALL FUNDS 73,057,669

ROAD PRISON OPERATIONS

APPROVED SALARY RATE 3,761,165

741 SALARIES AND BENEFITS POSITIONS 95.00
FROM GENERAL REVENUE FUND 352
FROM CORRECTIONAL WORK PROGRAM TRUST
FUND 5,485,196

742 EXPENSES
FROM CORRECTIONAL WORK PROGRAM TRUST
FUND 507,513

743 FOOD PRODUCTS
FROM CORRECTIONAL WORK PROGRAM TRUST
FUND 352,549

744 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM CORRECTIONAL WORK PROGRAM TRUST
FUND 11,284

745 SPECIAL CATEGORIES
FOOD SERVICE AND PRODUCTION
FROM CORRECTIONAL WORK PROGRAM TRUST
FUND 53,567

746 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM CORRECTIONAL WORK PROGRAM TRUST
FUND 24,666

TOTAL: ROAD PRISON OPERATIONS
FROM GENERAL REVENUE FUND 352
FROM TRUST FUNDS 6,434,775

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TOTAL POSITIONS	95.00	
TOTAL ALL FUNDS		6,435,127

OFFENDER MANAGEMENT AND CONTROL

APPROVED SALARY RATE 46,522,031

747 SALARIES AND BENEFITS POSITIONS	1,367.00	
FROM GENERAL REVENUE FUND	62,536,487	
FROM CORRECTIONAL WORK PROGRAM TRUST FUND		63,899
748 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	287,257	
749 EXPENSES		
FROM GENERAL REVENUE FUND	3,258,756	
FROM CORRECTIONAL WORK PROGRAM TRUST FUND		1,959
750 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	88,578	
751 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	32,972	
752 SPECIAL CATEGORIES		
SALARY INCENTIVE PAYMENTS		
FROM GENERAL REVENUE FUND	67,566	
FROM CORRECTIONAL WORK PROGRAM TRUST FUND		1,655
752A SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	166	
TOTAL: OFFENDER MANAGEMENT AND CONTROL		
FROM GENERAL REVENUE FUND	66,271,782	
FROM TRUST FUNDS		67,513
TOTAL POSITIONS	1,367.00	
TOTAL ALL FUNDS		66,339,295

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 10,361,999

752B SALARIES AND BENEFITS POSITIONS	207.00	
FROM GENERAL REVENUE FUND	13,988,559	
752C OTHER PERSONAL SERVICES		
FROM GRANTS AND DONATIONS TRUST FUND . . .		75,000
752D EXPENSES		
FROM GENERAL REVENUE FUND	2,182,519	
FROM GRANTS AND DONATIONS TRUST FUND . . .		226,785
FROM SALE OF GOODS AND SERVICES CLEARING TRUST FUND		2,678,250
752E OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	269,423	
752F SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	1,361,587	

From the funds in Specific Appropriation 752F, $1,000,000 in recurring general revenue is provided to continue the victim notification system (VINE).

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752G SPECIAL CATEGORIES		
SALARY INCENTIVE PAYMENTS		
FROM GENERAL REVENUE FUND	102,097	
TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES		
FROM GENERAL REVENUE FUND	17,904,185	
FROM TRUST FUNDS		2,980,035
TOTAL POSITIONS	207.00	
TOTAL ALL FUNDS		20,884,220

CORRECTIONAL FACILITIES MAINTENANCE AND REPAIR

APPROVED SALARY RATE 18,184,505

753 SALARIES AND BENEFITS POSITIONS	568.00	
FROM GENERAL REVENUE FUND	24,012,667	
754 EXPENSES		
FROM GENERAL REVENUE FUND	70,984,811	
755 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	200,270	
756 SPECIAL CATEGORIES		
ACQUISITION OF MOTOR VEHICLES		
FROM GENERAL REVENUE FUND	4,653	
757 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	5,008,546	
758 SPECIAL CATEGORIES		
DEFERRED-PAYMENT COMMODITY CONTRACTS		
FROM GENERAL REVENUE FUND	3,515,149	
758A SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	332	
760 FIXED CAPITAL OUTLAY		
FACILITIES PROVIDING ADDITIONAL CAPACITY		
FROM GENERAL REVENUE FUND	305,137,551	

From the funds in Specific Appropriation 760, $279,637,551 in non-recurring general revenue is appropriated for construction, renovation and equipping of correctional facilities and additional correctional capacity as follows: $66,280,000 to complete a 1,335 bed annex at the Mayo Correctional Institution; $78,590,000 to construct a 1,335 bed annex at the Suwannee Correctional Institution; $26,500,000 to begin construction of a 1,335 bed institution to be known as the Lowell Reception Center; $9,820,000 to complete construction of a 432 bed work camp at the Liberty Correctional Institution; $9,560,000 to complete construction of a 288 bed work camp at the Franklin Correctional Institution; $9,820,000 for the construction of a 432 bed work camp at the Cross City Correctional Institution; $9,260,000 to complete construction of a 288 bed work camp at the Santa Rosa Correctional Institution; $14,830,000 to complete construction of a 432 bed work camp at the Okeechobee Correctional Institution; $6,410,000 to complete construction of two open bay dormitories for a total of 322 beds at the Columbia Annex; $16,910,000 to complete construction of one secure housing unit of 228 beds at the Lancaster Correctional Institution; $6,460,000 to complete construction of three open bay dormitories for a total of 396 beds at the Mayo Correctional Institution; $6,200,000 to complete construction of 1,200 additional beds at existing correctional institutions; $16,000,000 to complete construction of eight open bay temporary or quick construction dormitories for a total of 1,152 beds at existing correctional institutions; $1,463,035 for renovation of the Sago Palm facility in Palm Beach County, formerly owned by the Department of Juvenile Justice, to enable the housing of 384 inmates; and $1,534,516 for renovation of the Polk County facility, formerly

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owned by the Department of Juvenile Justice, to enable the housing of 384 inmates.

In addition, $7,500,000 is appropriated from Specific Appropriation 760 in non-recurring general revenue for land acquisition, planning, development and permitting of future prison sites.

From the funds in Specific Appropriation 760, $11,000,000 in non-recurring general revenue is appropriated for facilities providing additional capacity as provided in Specific Appropriation 821 of chapter 2007-72, Laws of Florida. These funds are to replace the funds reverted and re-appropriated in section 11 of chapter 2008-1, Laws of Florida.

From the funds in Specific Appropriation 760, $7,000,000 in non-recurring general revenue is appropriated to correct environmental and water deficiencies at the Martin Correctional institution.

TOTAL: CORRECTIONAL FACILITIES MAINTENANCE AND REPAIR
FROM GENERAL REVENUE FUND 408,863,979

TOTAL POSITIONS 568.00
TOTAL ALL FUNDS 408,863,979

INFORMATION TECHNOLOGY

APPROVED SALARY RATE 1,319,950

760A SALARIES AND BENEFITS POSITIONS 24.00
FROM GENERAL REVENUE FUND 1,706,656

760B OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 13,500

760C EXPENSES
FROM GENERAL REVENUE FUND 1,430,164

760D OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 200,889

760E SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 4,389,267

760F SPECIAL CATEGORIES
DEFERRED-PAYMENT COMMODITY CONTRACTS
FROM GENERAL REVENUE FUND 295,329

760G DATA PROCESSING SERVICES
TECHNOLOGY RESOURCE CENTER - DEPARTMENT OF MANAGEMENT SERVICES
FROM GENERAL REVENUE FUND 226,334

760H DATA PROCESSING SERVICES
OTHER DATA PROCESSING SERVICES
FROM GENERAL REVENUE FUND 801,091

TOTAL: INFORMATION TECHNOLOGY
FROM GENERAL REVENUE FUND 9,063,230

TOTAL POSITIONS 24.00
TOTAL ALL FUNDS 9,063,230

PROGRAM: COMMUNITY CORRECTIONS

PROBATION SUPERVISION

APPROVED SALARY RATE 80,335,978

775A SALARIES AND BENEFITS POSITIONS 2,154.00
FROM GENERAL REVENUE FUND 109,596,790
FROM FEDERAL GRANTS TRUST FUND 27,184

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775B OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 42,455

775C EXPENSES
FROM GENERAL REVENUE FUND 12,123,747
FROM FEDERAL GRANTS TRUST FUND 14,108

775D OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 316,385

775E SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 83,919

775F SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 2,696,757

775G SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 300,704

TOTAL: PROBATION SUPERVISION
FROM GENERAL REVENUE FUND 125,160,757
FROM TRUST FUNDS 41,292

TOTAL POSITIONS 2,154.00
TOTAL ALL FUNDS 125,202,049

DRUG OFFENDER PROBATION SUPERVISION

APPROVED SALARY RATE 13,256,446

775H SALARIES AND BENEFITS POSITIONS 304.00
FROM GENERAL REVENUE FUND 19,259,405

775I EXPENSES
FROM GENERAL REVENUE FUND 1,162,933

From the funds in Specific Appropriation 775I, $65,000 in non-recurring general revenue is provided to the Leland Family Ministries to establish a methamphetamine awareness program in Polk County for individuals sentenced for drug related felony offenses who have been court ordered to participate in this program as a special condition of their probationary requirements. The Department of Corrections shall monitor and evaluate the methamphetamine awareness program during Fiscal Year 2008-2009 and make recommendations to the Governor and the Legislature on whether this program should be implemented statewide.

775J OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 17,310

775K SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 9,357

775L SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 57,537

TOTAL: DRUG OFFENDER PROBATION SUPERVISION
FROM GENERAL REVENUE FUND 20,506,542

TOTAL POSITIONS 304.00
TOTAL ALL FUNDS 20,506,542

PRE TRIAL INTERVENTION SUPERVISION

APPROVED SALARY RATE 2,801,542

775M SALARIES AND BENEFITS POSITIONS 72.00
FROM GENERAL REVENUE FUND 4,067,432

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775N EXPENSES
FROM GENERAL REVENUE FUND 293,940

775O SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 1,565

775P SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 18,467

TOTAL: PRE TRIAL INTERVENTION SUPERVISION
FROM GENERAL REVENUE FUND 4,381,404

TOTAL POSITIONS 72.00
TOTAL ALL FUNDS 4,381,404

COMMUNITY CONTROL SUPERVISION

APPROVED SALARY RATE 17,450,369

775Q SALARIES AND BENEFITS POSITIONS 403.00
FROM GENERAL REVENUE FUND 25,793,503
FROM FEDERAL GRANTS TRUST FUND 128,383

775R EXPENSES
FROM GENERAL REVENUE FUND 1,882,918
FROM FEDERAL GRANTS TRUST FUND 50,609

775S SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 13,711

775T SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 120,503

775U SPECIAL CATEGORIES
ELECTRONIC MONITORING
FROM GENERAL REVENUE FUND 6,276,469

TOTAL: COMMUNITY CONTROL SUPERVISION
FROM GENERAL REVENUE FUND 34,087,104
FROM TRUST FUNDS 178,992

TOTAL POSITIONS 403.00
TOTAL ALL FUNDS 34,266,096

POST PRISON RELEASE SUPERVISION

APPROVED SALARY RATE 15,939,169

775V SALARIES AND BENEFITS POSITIONS 326.00
FROM GENERAL REVENUE FUND 22,910,160
FROM FEDERAL GRANTS TRUST FUND 24,478

775W EXPENSES
FROM GENERAL REVENUE FUND 1,415,246
FROM FEDERAL GRANTS TRUST FUND 212,243

775X SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 5,488

775Y SPECIAL CATEGORIES
LOCAL COMMUNITY CORRECTIONS PROJECT
FROM GENERAL REVENUE FUND 400,000

From funds in Specific Appropriation 775Y, $400,000 in non-recurring general revenue is provided for the Operation New Hope Re-Entry Initiative Program.

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775Z SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 68,203
FROM FEDERAL GRANTS TRUST FUND 30,030

TOTAL: POST PRISON RELEASE SUPERVISION
FROM GENERAL REVENUE FUND 24,799,097
FROM TRUST FUNDS 266,751

TOTAL POSITIONS 326.00
TOTAL ALL FUNDS 25,065,848

ADULT SUBSTANCE ABUSE PREVENTION, EVALUATION AND TREATMENT SERVICES

775AA EXPENSES
FROM GENERAL REVENUE FUND 300,000

775AB SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 4,963,104

775AC SPECIAL CATEGORIES
LOCAL COMMUNITY CORRECTIONS PROJECT
FROM GENERAL REVENUE FUND 226,004

775AD SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED DRUG
TREATMENT/REHABILITATION PROGRAMS
FROM GENERAL REVENUE FUND 22,922,443
FROM FEDERAL GRANTS TRUST FUND 550,000

From the funds in Specific Appropriation 775AD, $600,000 in recurring general revenue is provided for the Drug Abuse Comprehensive Coordinating Office, Inc. (DACCO) in Hillsborough County.

TOTAL: ADULT SUBSTANCE ABUSE PREVENTION, EVALUATION AND TREATMENT SERVICES
FROM GENERAL REVENUE FUND 28,411,551
FROM TRUST FUNDS 550,000

TOTAL ALL FUNDS 28,961,551

OFFENDER MANAGEMENT AND CONTROL

APPROVED SALARY RATE 1,429,690

775AE SALARIES AND BENEFITS POSITIONS 41.00
FROM GENERAL REVENUE FUND 2,313,983

775AF OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 18,490

775AG EXPENSES
FROM GENERAL REVENUE FUND 113,019

775AH SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 26,284

TOTAL: OFFENDER MANAGEMENT AND CONTROL
FROM GENERAL REVENUE FUND 2,471,776

TOTAL POSITIONS 41.00
TOTAL ALL FUNDS 2,471,776

INFORMATION TECHNOLOGY

APPROVED SALARY RATE 712,197

775AI SALARIES AND BENEFITS POSITIONS 17.00
FROM GENERAL REVENUE FUND 1,119,518

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775AJ EXPENSES
FROM GENERAL REVENUE FUND 2,527,021

775AK SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 307,274

775AL DATA PROCESSING SERVICES
OTHER DATA PROCESSING SERVICES
FROM GENERAL REVENUE FUND 341,875

TOTAL: INFORMATION TECHNOLOGY
FROM GENERAL REVENUE FUND 4,295,688

TOTAL POSITIONS 17.00
TOTAL ALL FUNDS 4,295,688

COMMUNITY FACILITY OPERATIONS

775AM SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 2,933,920

PROGRAM: HEALTH SERVICES

The Office of Program Policy and Government Accountability (OPPAGA) shall review the Department of Corrections' health services cost containment and contracting practices. As part of this review, at a minimum OPPAGA shall identify: (1) factors that should be considered when deciding whether to contract for aspects of health services, and (2) best practices, including those used by other states, for creating, administering, monitoring, and enforcing health services contracts. The report shall be submitted to the chair of the Senate Fiscal Policy and Calendar Committee, and the chair of the House Policy and Budget Council by January 30, 2009.

In order to identify and realize potential cost savings for inmate health services, the Department of Corrections shall competitively procure, as defined in section 287.057, Florida Statutes, for pharmaceutical prescription filling services for correctional facilities on a statewide basis and shall award a contract consistent with Florida law only if such contract would, at a minimum, provide for drug pricing, including dispensing, administration and other fees at a cost of at least three percent below what the department can purchase and administer the program through participating in the Minnesota Multi-State Contracting Alliance for Pharmacy (MMCAP) drug purchasing consortium in which Florida is currently a participating member. The savings shall be calculated based on fiscal year 2007-2008 pricing for the purchase of prescription drugs and the pertinent costs of: dispensing, administration, repackaging and other fees related to such contract.

Upon notice of intent to award any such contract, the Department of Corrections shall give notice to terminate all existing repackaging contracts.

INMATE HEALTH SERVICES

APPROVED SALARY RATE 82,976,513

780 SALARIES AND BENEFITS POSITIONS 1,894.00
FROM GENERAL REVENUE FUND 111,719,783

781 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 11,689,571

782 EXPENSES
FROM GENERAL REVENUE FUND 10,559,642

783 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 284,229

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783A LUMP SUM
OPERATIONAL DEFICIT
FROM GENERAL REVENUE FUND 30,000,000

784 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 807,140

785 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 693,664

786 SPECIAL CATEGORIES
INMATE HEALTH SERVICES
FROM GENERAL REVENUE FUND 188,313,952

In order to implement Specific Appropriation 786, the Department of Corrections shall comply with the following reimbursement limitations: (1) If no contract exists between the Department of Corrections and a hospital licensed under chapter 395, Florida Statutes, or a health care provider providing services at a hospital licensed under chapter 395, Florida Statutes regarding services, payments shall not exceed 110 percent of the Medicare allowable rate; (2) If a contract has been executed between the Department of Corrections and a hospital licensed under chapter 395, Florida Statutes, or a health care provider providing services at a hospital licensed under chapter 395, Florida Statutes, payments shall continue at the currently contracted rates through the current term of the contract; however, if the contract expires or is subject to renewal during this fiscal year, the payments shall not exceed 110 percent of Medicare allowable rate; (3) If the Department of Corrections enters into a new contract with a hospital licensed under chapter 395, Florida Statutes, or a health care provider providing services at a hospital licensed under chapter 395, Florida Statutes, the payments shall not exceed 110 percent of the Medicare allowable rate. (4) Notwithstanding the limitations of subsections (1), (2), and (3) to the contrary, the department may pay up to 125% of the Medicare allowable rate for hospitals licensed under chapter 395, Florida Statutes, that reported to the Agency for Health Care Administration, through hospital audited financial data, a negative operating margin for the previous year. The department shall not negotiate contracts for medical services at hospitals licensed under chapter 395, Florida Statutes, for rates other than rates based on a percentage of the Medicare allowable rate.

From the funds in Specific Appropriation 786, $100,000 is provided for Hepatitis B vaccinations for inmates.

787 SPECIAL CATEGORIES
TREATMENT OF INMATES - GENERAL DRUGS
FROM GENERAL REVENUE FUND 21,992,885

788 SPECIAL CATEGORIES
TREATMENT OF INMATES - PSYCHOTROPIC DRUGS
FROM GENERAL REVENUE FUND 15,269,704

789A SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 1,194

TOTAL: INMATE HEALTH SERVICES
FROM GENERAL REVENUE FUND 391,331,764

TOTAL POSITIONS 1,894.00
TOTAL ALL FUNDS 391,331,764

TREATMENT OF INMATES WITH INFECTIOUS DISEASES

APPROVED SALARY RATE 530,706

789B SALARIES AND BENEFITS POSITIONS 11.50
FROM GENERAL REVENUE FUND 102,857
FROM FEDERAL GRANTS TRUST FUND 509,708

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789C OTHER PERSONAL SERVICES		
FROM FEDERAL GRANTS TRUST FUND		184,207
789D EXPENSES		
FROM GENERAL REVENUE FUND	179,547	
FROM FEDERAL GRANTS TRUST FUND		721,494
789E OPERATING CAPITAL OUTLAY		
FROM FEDERAL GRANTS TRUST FUND		27,019
789F SPECIAL CATEGORIES		
INMATE HEALTH SERVICES		
FROM GENERAL REVENUE FUND	5,704,554	
789G SPECIAL CATEGORIES		
TREATMENT OF INMATES - INFECTIOUS DISEASE DRUGS		
FROM GENERAL REVENUE FUND	28,320,587	
TOTAL: TREATMENT OF INMATES WITH INFECTIOUS DISEASES		
FROM GENERAL REVENUE FUND	34,307,545	
FROM TRUST FUNDS		1,442,428
TOTAL POSITIONS	11.50	
TOTAL ALL FUNDS		35,749,973

PROGRAM: EDUCATION AND PROGRAMS

ADULT SUBSTANCE ABUSE PREVENTION, EVALUATION AND TREATMENT SERVICES

APPROVED SALARY RATE 1,749,135

790 SALARIES AND BENEFITS POSITIONS	40.00	
FROM GENERAL REVENUE FUND	1,297,413	
FROM FEDERAL GRANTS TRUST FUND		774,528
791 OTHER PERSONAL SERVICES		
FROM FEDERAL GRANTS TRUST FUND		4,809
792 EXPENSES		
FROM GENERAL REVENUE FUND	78,324	
FROM FEDERAL GRANTS TRUST FUND		622,865
793 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	2,000	
FROM FEDERAL GRANTS TRUST FUND		73,600
794 SPECIAL CATEGORIES		
CONTRACT DRUG ABUSE SERVICES		
FROM GENERAL REVENUE FUND	1,727,614	
FROM FEDERAL GRANTS TRUST FUND		3,072,341
TOTAL: ADULT SUBSTANCE ABUSE PREVENTION, EVALUATION AND TREATMENT SERVICES		
FROM GENERAL REVENUE FUND	3,105,351	
FROM TRUST FUNDS		4,548,143
TOTAL POSITIONS	40.00	
TOTAL ALL FUNDS		7,653,494

BASIC EDUCATION SKILLS

APPROVED SALARY RATE 14,930,714

795 SALARIES AND BENEFITS POSITIONS	360.00	
FROM GENERAL REVENUE FUND	14,467,195	
FROM FEDERAL GRANTS TRUST FUND		2,747,908
796 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	497,186	
FROM FEDERAL GRANTS TRUST FUND		666,172

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797 EXPENSES		
FROM GENERAL REVENUE FUND	1,338,240	
FROM FEDERAL GRANTS TRUST FUND		392,275
798 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	26,000	
FROM FEDERAL GRANTS TRUST FUND		472,386
799 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	39,226	
FROM FEDERAL GRANTS TRUST FUND		1,757,078
800 SPECIAL CATEGORIES		
GRANTS AND AIDS - EVEN START FAMILY LITERACY PROJECT		
FROM FEDERAL GRANTS TRUST FUND		494,974
801 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	100,721	
801A SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	199	
TOTAL: BASIC EDUCATION SKILLS		
FROM GENERAL REVENUE FUND	16,468,767	
FROM TRUST FUNDS		6,530,793
TOTAL POSITIONS	360.00	
TOTAL ALL FUNDS		22,999,560

ADULT OFFENDER TRANSITION, REHABILITATION AND SUPPORT

APPROVED SALARY RATE 3,552,679

802 SALARIES AND BENEFITS POSITIONS	60.00	
FROM GENERAL REVENUE FUND	4,481,358	
FROM FEDERAL GRANTS TRUST FUND		443,092
803 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	120,274	
804 EXPENSES		
FROM GENERAL REVENUE FUND	368,994	
FROM FEDERAL GRANTS TRUST FUND		119,152
805 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	4,000	
FROM FEDERAL GRANTS TRUST FUND		3,000
806 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	2,830,057	
FROM FEDERAL GRANTS TRUST FUND		324,848
806A SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	100	
TOTAL: ADULT OFFENDER TRANSITION, REHABILITATION AND SUPPORT		
FROM GENERAL REVENUE FUND	7,804,783	
FROM TRUST FUNDS		890,092
TOTAL POSITIONS	60.00	
TOTAL ALL FUNDS		8,694,875

SECTION 4
SPECIFIC
APPROPRIATION
JUSTICE ADMINISTRATION

PROGRAM: JUSTICE ADMINISTRATIVE COMMISSION

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 3,647,358

807 SALARIES AND BENEFITS POSITIONS 93.00
FROM GENERAL REVENUE FUND 4,944,563
FROM GRANTS AND DONATIONS TRUST FUND . . . 35,168

808 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 20,600

809 EXPENSES
FROM GENERAL REVENUE FUND 823,051
FROM GRANTS AND DONATIONS TRUST FUND . . . 94,825

810 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 61,629

811 LUMP SUM
STATE ATTORNEY, PUBLIC DEFENDER CONTRACT/
GRANT POSITIONS
POSITIONS 2.50

The positions in Specific Appropriation 811 are provided for State Attorneys and Public Defenders to utilize for workload associated with grants received during Fiscal Year 2008-2009 that will recur for a minimum of two years. The Justice Administrative Commission may request the transfer of these positions to the offices of the State Attorneys and Public Defenders as needed. Such transfers are contingent upon the commission notifying and providing documentation of the grant received to the chair of the Senate Fiscal Policy and Calendar Committee, the chair of the House Policy and Budget Council and the Governor's Office of Policy and Budget. Transfer of positions from Specific Appropriation 811 is subject to the notice, review and objection provisions of chapter 216, Florida Statutes. Rate may be established for these positions consistent with the salaries provided for in the grant.

812 LUMP SUM
WORKLOAD FOR COUNTY OR MUNICIPAL CONTRACTS
POSITIONS 15.00

The positions in Specific Appropriation 812 are provided for State Attorneys and Public Defenders to use for grants received from counties during Fiscal Year 2008-2009 for the purpose of prosecution of local ordinance violations pursuant to section 27.34, Florida Statutes, or defense of persons accused of violating local ordinances pursuant to section 27.54, Florida Statutes. Such transfers are contingent upon the Justice Administrative Commission notifying the chair of the Senate Fiscal Policy and Calendar Committee and the chair of the House Policy and Budget Council and the Governor's Office of Policy and Budget. Such notification is subject to the legislative objection provisions of chapter 216, Florida Statutes. Rate may be established for these positions consistent with the salaries provided for in the grant.

813 SPECIAL CATEGORIES
GRANTS AND AIDS - FOSTER CARE CITIZEN
REVIEW PANEL
FROM GENERAL REVENUE FUND 96,000
FROM GRANTS AND DONATIONS TRUST FUND . . . 300,000

814 SPECIAL CATEGORIES
SEXUAL PREDATOR CIVIL COMMITMENT
LITIGATION COSTS
FROM GENERAL REVENUE FUND 4,029,194

Funds in Specific Appropriation 814 are provided for attorney fees and case-related expenses associated with prosecuting and defending sexual predator civil commitment cases. Case-related expenses are limited to expert witness fees, clinical evaluations, court reporter costs, and foreign language interpreters. The Justice Administrative Commission is authorized to pay up to $5,000 per case for case-related expenses incurred by the State Attorney, the Public Defender, or the criminal conflict and civil regional counsel, or court appointed counsel where there is an ethical conflict, for a combined maximum of $10,000 for case-related expenses per case, unless the court orders payment of a greater amount. The Justice Administrative Commission shall submit quarterly reports to the chair of the Senate Fiscal Policy and Calendar Committee and the chair of the House Policy and Budget Council describing, by judicial circuit: requests for payments of case-related expenses received; court orders received directing payment of such expenses; and actual encumbrances and disbursements from this special appropriations category.

816 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 90,125

817 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF FINANCIAL
SERVICES - AUDITS OF CLERK BUDGETS
FROM GENERAL REVENUE FUND 66,796

818 SPECIAL CATEGORIES
PUBLIC DEFENDER DUE PROCESS COSTS
FROM GENERAL REVENUE FUND 19,645,299

Funds in Specific Appropriation 818 are provided for the Public Defenders' due process costs as specified in section 29.006, Florida Statutes. Funds shall initially be credited for the use of each circuit in the amounts listed below, and may be adjusted pursuant to the provisions of section 29.015, Florida Statutes.

1st Judicial Circuit	728,129
2nd Judicial Circuit	682,082
3rd Judicial Circuit	256,904
4th Judicial Circuit	1,579,968
5th Judicial Circuit	737,095
6th Judicial Circuit	1,312,267
7th Judicial Circuit	667,227
8th Judicial Circuit	522,709
9th Judicial Circuit	888,267
10th Judicial Circuit	879,819
11th Judicial Circuit	3,368,189
12th Judicial Circuit	673,364
13th Judicial Circuit	1,670,374
14th Judicial Circuit	384,441
15th Judicial Circuit	858,127
16th Judicial Circuit	185,446
17th Judicial Circuit	2,060,698
18th Judicial Circuit	604,775
19th Judicial Circuit	757,512
20th Judicial Circuit	827,906

From the funds credited for use in the following circuits, the amounts specified below shall be transferred in quarterly increments within 10 days after the beginning of each quarter to the Office of State Court Administrator on behalf of the circuit courts operating shared court reporting or interpreter services:

1st Judicial Circuit	190,611
2nd Judicial Circuit	323,698
3rd Judicial Circuit	52,251
6th Judicial Circuit	103,493
7th Judicial Circuit	37,310
8th Judicial Circuit	83,798
9th Judicial Circuit	481,878
10th Judicial Circuit	68,975
11th Judicial Circuit	121,996
12th Judicial Circuit	153,205
13th Judicial Circuit	784,106
14th Judicial Circuit	134,089
15th Judicial Circuit	93,646
16th Judicial Circuit	74,983
17th Judicial Circuit	60,851

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SPECIFIC
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819 SPECIAL CATEGORIES
CHILD DEPENDENCY AND CIVIL CONFLICT CASE
FROM GENERAL REVENUE FUND 5,551,694

Funds in Specific Appropriation 819 are provided for case fees and expenses of court-appointed counsel in civil conflict cases and child dependency cases. The Justice Administrative Commission shall submit quarterly reports of these case payments to the chair of the Senate Fiscal Policy and Calendar Committee and the chair of the House Policy and Budget Council, by judicial circuit, which shall include, but not be limited to: information on requests for payments received; court orders received directing payment; and actual encumbrances and disbursements and performance measures for court appointed counsel including: average time to complete cases by case type; number of bar complaints for state paid cases; percent of initial invoices to the Justice Administrative Commission that are rejected; percent of initial invoices filed with the Justice Administrative Commission within 90 days after closure of the case; number of cases by type; and total cost per case by type from this special appropriations category.

The maximum flat fee to be paid by the Justice Administrative Commission for attorney fees for the following dependency and civil cases is set as follows:

ADMISSION OF INMATE TO MENTAL HEALTH FACILITY	300
ADULT PROTECTIVE SERVICES ACT - Ch. 415, F.S.	500
BAKER ACT/MENTAL HEALTH - Ch. 394, F.S.	400
CINS/FINS - Ch. 984, F.S.	750
CIVIL APPEALS	400
DEPENDENCY - Up to 1 Year	800
DEPENDENCY - Each Year after 1st Year	200
DEPENDENCY APPEALS	2,000
DEVELOPMENTALLY DISABLED ADULT - Ch. 393, F.S.	400
EMANCIPATION - Section 743.015, F.S.	400
GUARDIANSHIP - EMERGENCY - Ch. 744, F.S.	400
GUARDIANSHIP - Ch. 744, F.S.	400
MARCHMAN ACT/SUBSTANCE ABUSE - Ch. 397, F.S.	300
MEDICAL PROCEDURES - Section 394.459(3), F.S.	400
PARENTAL NOTIFICATION OF ABORTION ACT	400
TERMINATION OF PARENTAL RIGHTS - Ch. 39, F.S. - Up to 1 Year	1,000
TERMINATION OF PARENTAL RIGHTS - Ch. 39, F.S. - Each Year after 1st Year	200
TERMINATION OF PARENTAL RIGHTS - Ch. 63, F.S. - Up to 1 year	1,000
TERMINATION OF PARENTAL RIGHTS - Ch. 63, F.S. - Each Year after 1st Year	200
TERMINATION OF PARENTAL RIGHTS APPEALS	2,000
TUBERCULOSIS - Ch. 392, F.S.	300

820 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 63,189

821 SPECIAL CATEGORIES
CRIMINAL CONFLICT CASE COSTS
FROM GENERAL REVENUE FUND 8,676,095

Funds in Specific Appropriation 821 are provided for case fees as specified in section 27.5304, Florida Statutes, and expenses as specified in section 29.007, Florida Statutes, of court-appointed counsel for indigent criminal defendants and for due process costs for those individuals the court finds indigent for costs. The Justice Administrative Commission shall submit quarterly reports of criminal conflict case payments and performance measures for court-appointed counsel including: average time to complete cases by case type, number of bar complaints for state paid cases, percent of initial invoices to the Justice Administrative Commission that are rejected; percent of initial invoices filed with the Justice Administrative Commission within 90 days after closure of the case; number of cases by type; and total cost per case by type to the chair of the Senate Fiscal Policy and Calendar Committee and the chair of the House Policy and Budget Council by judicial circuit.

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From the funds in Specific Appropriation 821, a total of $216,934 shall be transferred in quarterly increments within 10 days after the beginning of each quarter to the Office of State Courts Administrator on behalf of the circuit courts operating shared court reporting and interpreter services.

The maximum flat fee to be paid by the Justice Administrative Commission for attorney fees for criminal conflict cases is set as follows:

POSTCONVICTION - Sections 3.850 and 3.800, F.S.	1,000
CAPITAL - 1ST DEGREE MURDER (LEAD COUNSEL)	15,000
CAPITAL - 1ST DEGREE MURDER (CO-COUNSEL)	15,000
CAPITAL SEXUAL BATTERY	2,000
CAPITAL APPEALS	2,000
CONTEMPT PROCEEDINGS	400
CRIMINAL TRAFFIC	400
EXTRADITION	500
FELONY - LIFE	2,500
FELONY - PUNISHABLE BY LIFE	2,000
FELONY 1ST DEGREE	1,500
FELONY 2ND DEGREE	1,000
FELONY 3RD DEGREE	750
FELONY APPEALS	1,500
JUVENILE DELINQUENCY - 1ST DEGREE FELONY	600
JUVENILE DELINQUENCY - 2ND DEGREE	400
JUVENILE DELINQUENCY - 3RD DEGREE	300
JUVENILE DELINQUENCY - FELONY LIFE	700
JUVENILE DELINQUENCY - MISDEMEANOR	300
JUVENILE DELINQUENCY APPEALS	1,000
MISDEMEANOR	400
MISDEMEANOR APPEALS	750
VIOLATION OF PROBATION - FELONY (INCLUDES VOCC)	500
VIOLATION OF PROBATION - MISDEMEANOR (INCLUDES VOCC)	300
VIOLATION OF PROBATION VOCC JUVENILE DELINQUENCY	300

The maximum amount to be paid by the Justice Administrative Commission for non-attorney due process services shall not exceed the rates in effect for the 2007-2008 fiscal year.

822 SPECIAL CATEGORIES
STATE ATTORNEY DUE PROCESS COSTS
FROM GENERAL REVENUE FUND 11,280,680

Funds in Specific Appropriation 822 are provided for the State Attorneys' due process costs as specified in section 29.005, Florida Statutes. Funds shall initially be credited for the use of each circuit in the amounts listed below, and may be adjusted pursuant to the provisions of section 29.015, Florida Statutes.

1st Judicial Circuit	667,530
2nd Judicial Circuit	354,970
3rd Judicial Circuit	132,010
4th Judicial Circuit	487,570
5th Judicial Circuit	366,735
6th Judicial Circuit	660,495
7th Judicial Circuit	497,000
8th Judicial Circuit	249,950
9th Judicial Circuit	523,430
10th Judicial Circuit	325,710
11th Judicial Circuit	2,332,530
12th Judicial Circuit	294,375
13th Judicial Circuit	627,925
14th Judicial Circuit	124,410
15th Judicial Circuit	782,030
16th Judicial Circuit	96,650
17th Judicial Circuit	1,394,540
18th Judicial Circuit	397,925
19th Judicial Circuit	285,480
20th Judicial Circuit	679,415

From the funds credited for the use in the following circuits, the amounts specified below shall be transferred in quarterly increments within 10 days after the beginning of each quarter to the Office of State Court Administrator on behalf of the circuit courts operating shared court reporting or interpreter services:

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1st Judicial Circuit	18,232
2nd Judicial Circuit	16,650
3rd Judicial Circuit	10,456
6th Judicial Circuit	25,443
7th Judicial Circuit	12,818
8th Judicial Circuit	21,937
9th Judicial Circuit	26,007
10th Judicial Circuit	3,980
11th Judicial Circuit	426,986
12th Judicial Circuit	19,650
13th Judicial Circuit	45,716
15th Judicial Circuit	61,252
16th Judicial Circuit	4,315
17th Judicial Circuit	20,081

823 SPECIAL CATEGORIES
CRIMINAL CONFLICT AND DEPENDENCY COUNSEL
LIABILITY
FROM GENERAL REVENUE FUND 20,811,388

Funds in Specific Appropriation 823 are provided to pay for criminal conflict, dependency and other civil cases where appointment was made during Fiscal Years 2004-2005, 2005-2006, and 2006-2007.

824 SPECIAL CATEGORIES
STATE ATTORNEY AND PUBLIC DEFENDER
TRAINING
FROM GENERAL REVENUE FUND 34,926
FROM GRANTS AND DONATIONS TRUST FUND . . . 262,803

825 SPECIAL CATEGORIES
DUE PROCESS CONTINGENCY FUND
FROM GENERAL REVENUE FUND 952,054

826 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 2,759,966
FROM CHILD SUPPORT TRUST FUND 84,459
FROM GRANTS AND DONATIONS TRUST FUND . . . 88,520
FROM INDIGENT CRIMINAL DEFENSE TRUST
FUND 25,853

From the funds provided in Specific Appropriation 826, the State Attorneys and Public Defenders shall transfer cash from their Grants and Donations Trust Fund, Child Support Enforcement Trust Fund, and Indigent Criminal Defense Trust Fund in proportion to their positions funded from these sources to the Justice Administrative Commission to pay the Human Resources Services contract in the Department of Management Services.

827 SPECIAL CATEGORIES
TRANSFER TO THE DEPARTMENT OF FINANCIAL
SERVICES FOR THE POSTCONVICTION CAPITAL
COLLATERAL CASES - REGISTRY ATTORNEYS
FROM GENERAL REVENUE FUND 2,125,000

828 DATA PROCESSING SERVICES
OTHER DATA PROCESSING SERVICES
FROM GENERAL REVENUE FUND 10,000

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM GENERAL REVENUE FUND 82,042,249
FROM TRUST FUNDS 891,628

TOTAL POSITIONS 110.50
TOTAL ALL FUNDS 82,933,877

SECTION 4
SPECIFIC
APPROPRIATION
PROGRAM: STATEWIDE GUARDIAN AD LITEM OFFICE

APPROVED SALARY RATE 21,502,461

829 SALARIES AND BENEFITS POSITIONS 596.00
FROM GENERAL REVENUE FUND 27,602,727

Funds and positions in Specific Appropriations 829 through 835, shall first be used to represent children involved in dependency proceedings. Once all children in dependency proceedings are represented, the funds may be used to represent children in other proceedings as authorized by law.

830 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 500,000
FROM GRANTS AND DONATIONS TRUST FUND . . . 150,000

831 EXPENSES
FROM GENERAL REVENUE FUND 1,861,235
FROM GRANTS AND DONATIONS TRUST FUND . . . 50,249

832 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 40,000
FROM GRANTS AND DONATIONS TRUST FUND . . . 10,000

833 SPECIAL CATEGORIES
GRANTS AND AIDS - COURT SYSTEM SERVICES
FOR CHILDREN AND YOUTH
FROM GENERAL REVENUE FUND 892,656

834 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 1,723,393
FROM GRANTS AND DONATIONS TRUST FUND . . . 110,000

835 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 270,270

TOTAL: PROGRAM: STATEWIDE GUARDIAN AD LITEM OFFICE
FROM GENERAL REVENUE FUND 32,890,281
FROM TRUST FUNDS 320,249

TOTAL POSITIONS 596.00
TOTAL ALL FUNDS 33,210,530

STATE ATTORNEYS

The Prosecution Coordination Office's budgeting, training, and education needs may be funded by each State Attorney's office within the funds provided in Specific Appropriations 836 through 938. Funding for this office shall not exceed $400,000.

PROGRAM: STATE ATTORNEYS - FIRST JUDICIAL CIRCUIT

APPROVED SALARY RATE 10,245,720

836 SALARIES AND BENEFITS POSITIONS 234.00
FROM GENERAL REVENUE FUND 11,817,751
FROM GRANTS AND DONATIONS TRUST FUND . . . 1,677,232

837 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 30,797
FROM GRANTS AND DONATIONS TRUST FUND . . . 100,000

838 SPECIAL CATEGORIES
STATE ATTORNEY OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 897,524
FROM FORFEITURE AND INVESTIGATIVE
SUPPORT TRUST FUND 9,047
FROM GRANTS AND DONATIONS TRUST FUND . . . 121,100

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839 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 44,223

840 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 9,998

TOTAL: PROGRAM: STATE ATTORNEYS - FIRST JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 12,800,293
FROM TRUST FUNDS 1,907,379

TOTAL POSITIONS 234.00
TOTAL ALL FUNDS 14,707,672

PROGRAM: STATE ATTORNEYS - SECOND JUDICIAL CIRCUIT

APPROVED SALARY RATE 5,798,095

841 SALARIES AND BENEFITS POSITIONS 118.00
FROM GENERAL REVENUE FUND 6,828,161
FROM GRANTS AND DONATIONS TRUST FUND . . . 509,141

842 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 25,700
FROM GRANTS AND DONATIONS TRUST FUND . . . 141,480

843 SPECIAL CATEGORIES
STATE ATTORNEY OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 367,140
FROM GRANTS AND DONATIONS TRUST FUND . . . 219,617

844 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 31,775

845 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 8,195

TOTAL: PROGRAM: STATE ATTORNEYS - SECOND JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 7,260,971
FROM TRUST FUNDS 870,238

TOTAL POSITIONS 118.00
TOTAL ALL FUNDS 8,131,209

PROGRAM: STATE ATTORNEYS - THIRD JUDICIAL CIRCUIT

APPROVED SALARY RATE 3,438,492

846 SALARIES AND BENEFITS POSITIONS 71.00
FROM GENERAL REVENUE FUND 3,965,131
FROM GRANTS AND DONATIONS TRUST FUND . . . 362,294

847 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 7,956
FROM GRANTS AND DONATIONS TRUST FUND . . . 11,440

848 SPECIAL CATEGORIES
STATE ATTORNEY OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 225,910
FROM GRANTS AND DONATIONS TRUST FUND . . . 98,311

849 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 15,249

850 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 6,110

SECTION 4
SPECIFIC
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TOTAL: PROGRAM: STATE ATTORNEYS - THIRD JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 4,220,356
FROM TRUST FUNDS 472,045

TOTAL POSITIONS 71.00
TOTAL ALL FUNDS 4,692,401

PROGRAM: STATE ATTORNEYS - FOURTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 16,960,647

851 SALARIES AND BENEFITS POSITIONS 369.00
FROM GENERAL REVENUE FUND 19,445,411
FROM GRANTS AND DONATIONS TRUST FUND . . . 1,995,495

From the positions and funds provided in Specific Appropriation 851, two full-time equivalent positions with associated rate of 94,274 and $136,686 from the Grants and Donations Trust Fund are provided for prosecution of insurance fraud.

852 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 141,600
FROM FORFEITURE AND INVESTIGATIVE
SUPPORT TRUST FUND 80,000
FROM GRANTS AND DONATIONS TRUST FUND . . . 485,340

853 SPECIAL CATEGORIES
STATE ATTORNEY OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 307,037
FROM FORFEITURE AND INVESTIGATIVE
SUPPORT TRUST FUND 210,800
FROM GRANTS AND DONATIONS TRUST FUND . . . 770,305

854 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 96,959

855 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 11,547

TOTAL: PROGRAM: STATE ATTORNEYS - FOURTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 20,002,554
FROM TRUST FUNDS 3,541,940

TOTAL POSITIONS 369.00
TOTAL ALL FUNDS 23,544,494

PROGRAM: STATE ATTORNEYS - FIFTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 10,540,178

856 SALARIES AND BENEFITS POSITIONS 228.00
FROM GENERAL REVENUE FUND 13,085,558
FROM GRANTS AND DONATIONS TRUST FUND . . . 546,210

857 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 10,732
FROM GRANTS AND DONATIONS TRUST FUND . . . 79,194

858 SPECIAL CATEGORIES
STATE ATTORNEY OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 553,029
FROM GRANTS AND DONATIONS TRUST FUND . . . 26,274

859 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 63,541

860 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 15,938

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TOTAL: PROGRAM: STATE ATTORNEYS - FIFTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 13,728,798
FROM TRUST FUNDS 651,678

TOTAL POSITIONS 228.00
TOTAL ALL FUNDS 14,380,476

PROGRAM: STATE ATTORNEYS - SIXTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 22,720,947

861 SALARIES AND BENEFITS POSITIONS 483.00
FROM GENERAL REVENUE FUND 24,603,777
FROM GRANTS AND DONATIONS TRUST FUND . . . 4,839,829

862 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 147,960
FROM GRANTS AND DONATIONS TRUST FUND . . . 86,662

863 SPECIAL CATEGORIES
STATE ATTORNEY OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 517,204
FROM GRANTS AND DONATIONS TRUST FUND . . . 752,366

864 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 99,731

865 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 23,009

TOTAL: PROGRAM: STATE ATTORNEYS - SIXTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 25,391,681
FROM TRUST FUNDS 5,678,857

TOTAL POSITIONS 483.00
TOTAL ALL FUNDS 31,070,538

PROGRAM: STATE ATTORNEYS - SEVENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 11,357,858

866 SALARIES AND BENEFITS POSITIONS 245.00
FROM GENERAL REVENUE FUND 12,958,837
FROM GRANTS AND DONATIONS TRUST FUND . . . 1,664,265

867 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 39,767
FROM GRANTS AND DONATIONS TRUST FUND . . . 83,867

868 SPECIAL CATEGORIES
STATE ATTORNEY OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 644,606
FROM GRANTS AND DONATIONS TRUST FUND . . . 485,213

869 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 49,280

870 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 6,171
FROM GRANTS AND DONATIONS TRUST FUND . . . 20,000

TOTAL: PROGRAM: STATE ATTORNEYS - SEVENTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 13,698,661
FROM TRUST FUNDS 2,253,345

TOTAL POSITIONS 245.00
TOTAL ALL FUNDS 15,952,006

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PROGRAM: STATE ATTORNEYS - EIGHTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 6,362,021

871 SALARIES AND BENEFITS POSITIONS 141.00
FROM GENERAL REVENUE FUND 7,580,985
FROM GRANTS AND DONATIONS TRUST FUND . . . 674,058

872 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 8,640
FROM GRANTS AND DONATIONS TRUST FUND . . . 88,934

873 SPECIAL CATEGORIES
STATE ATTORNEY OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 304,047
FROM GRANTS AND DONATIONS TRUST FUND . . . 19,315

874 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 40,278

875 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 13,676

TOTAL: PROGRAM: STATE ATTORNEYS - EIGHTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 7,947,626
FROM TRUST FUNDS 782,307

TOTAL POSITIONS 141.00
TOTAL ALL FUNDS 8,729,933

PROGRAM: STATE ATTORNEYS - NINTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 15,511,614

876 SALARIES AND BENEFITS POSITIONS 332.00
FROM GENERAL REVENUE FUND 18,863,939
FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND 155,391
FROM GRANTS AND DONATIONS TRUST FUND . . . 671,334

From the positions and funds provided in Specific Appropriation 876, two full-time equivalent positions with associated salary rate of 94,000 and $136,000 from the Grants and Donations Trust Fund are provided for prosecution of insurance fraud.

877 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 96,533
FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND 63,000
FROM GRANTS AND DONATIONS TRUST FUND . . . 1,000

878 SPECIAL CATEGORIES
STATE ATTORNEY OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 1,013,231
FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND 35,225
FROM GRANTS AND DONATIONS TRUST FUND . . . 184,453

879 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 71,109

880 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 26,819

TOTAL: PROGRAM: STATE ATTORNEYS - NINTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 20,071,631
FROM TRUST FUNDS 1,110,403

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TOTAL POSITIONS	332.00	
TOTAL ALL FUNDS		21,182,034

PROGRAM: STATE ATTORNEYS - TENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 9,753,772

881	SALARIES AND BENEFITS POSITIONS	219.00	
	FROM GENERAL REVENUE FUND	11,540,643	
	FROM GRANTS AND DONATIONS TRUST FUND . . .		1,170,212
882	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	31,581	
	FROM GRANTS AND DONATIONS TRUST FUND . . .		121,659
883	SPECIAL CATEGORIES		
	STATE ATTORNEY OPERATING EXPENDITURES		
	FROM GENERAL REVENUE FUND	240,208	
	FROM GRANTS AND DONATIONS TRUST FUND . . .		347,826
884	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	44,005	
885	SPECIAL CATEGORIES		
	SALARY INCENTIVE PAYMENTS		
	FROM GENERAL REVENUE FUND	14,545	
TOTAL: PROGRAM: STATE ATTORNEYS - TENTH JUDICIAL CIRCUIT			
	FROM GENERAL REVENUE FUND	11,870,982	
	FROM TRUST FUNDS		1,639,697
	TOTAL POSITIONS	219.00	
	TOTAL ALL FUNDS		13,510,679

PROGRAM: STATE ATTORNEYS - ELEVENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 53,603,873

886	SALARIES AND BENEFITS POSITIONS	1,272.00	
	FROM GENERAL REVENUE FUND	45,527,597	
	FROM CHILD SUPPORT TRUST FUND		18,080,008
	FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND		203,700
	FROM GRANTS AND DONATIONS TRUST FUND . . .		4,564,471

From the positions and funds provided in Specific Appropriation 886, two full-time equivalent positions with associated salary rate of 94,000 and $136,000 from the Grants and Donations Trust Fund are provided for prosecution of insurance fraud.

887	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	302,006	
	FROM CHILD SUPPORT TRUST FUND		868,300
	FROM GRANTS AND DONATIONS TRUST FUND . . .		286,053
888	SPECIAL CATEGORIES		
	STATE ATTORNEY OPERATING EXPENDITURES		
	FROM GENERAL REVENUE FUND	845,828	
	FROM CHILD SUPPORT TRUST FUND		3,894,263
	FROM CIVIL RICO TRUST FUND		200,020
	FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND		203,700
	FROM GRANTS AND DONATIONS TRUST FUND . . .		1,585,751
889	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	470,381	
	FROM CHILD SUPPORT TRUST FUND		27,412
890	SPECIAL CATEGORIES		
	SALARY INCENTIVE PAYMENTS		
	FROM GENERAL REVENUE FUND	22,500	

SECTION 4
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TOTAL: PROGRAM: STATE ATTORNEYS - ELEVENTH JUDICIAL CIRCUIT		
FROM GENERAL REVENUE FUND	47,168,312	
FROM TRUST FUNDS		29,913,678
TOTAL POSITIONS	1,272.00	
TOTAL ALL FUNDS		77,081,990

PROGRAM: STATE ATTORNEYS - TWELFTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 8,549,634

891	SALARIES AND BENEFITS POSITIONS	184.00	
	FROM GENERAL REVENUE FUND	10,670,281	
	FROM GRANTS AND DONATIONS TRUST FUND . . .		175,000
892	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	23,502	
893	SPECIAL CATEGORIES		
	STATE ATTORNEY OPERATING EXPENDITURES		
	FROM GENERAL REVENUE FUND	428,086	
	FROM GRANTS AND DONATIONS TRUST FUND . . .		75,891
894	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	54,983	
895	SPECIAL CATEGORIES		
	SALARY INCENTIVE PAYMENTS		
	FROM GENERAL REVENUE FUND	9,580	
TOTAL: PROGRAM: STATE ATTORNEYS - TWELFTH JUDICIAL CIRCUIT			
	FROM GENERAL REVENUE FUND	11,186,432	
	FROM TRUST FUNDS		250,891
	TOTAL POSITIONS	184.00	
	TOTAL ALL FUNDS		11,437,323

PROGRAM: STATE ATTORNEYS - THIRTEENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 16,705,891

896	SALARIES AND BENEFITS POSITIONS	355.00	
	FROM GENERAL REVENUE FUND	19,292,587	
	FROM GRANTS AND DONATIONS TRUST FUND . . .		1,551,103

From the positions and funds provided in Specific Appropriation 896, two full-time equivalent positions with associated salary rate of 94,000 and $136,000 from the Grants and Donations Trust Fund are provided for prosecution of insurance fraud.

897	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	180,725	
	FROM GRANTS AND DONATIONS TRUST FUND . . .		18,877
898	SPECIAL CATEGORIES		
	STATE ATTORNEY OPERATING EXPENDITURES		
	FROM GENERAL REVENUE FUND	684,475	
	FROM GRANTS AND DONATIONS TRUST FUND . . .		234,408
899	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	90,428	
900	SPECIAL CATEGORIES		
	SALARY INCENTIVE PAYMENTS		
	FROM GENERAL REVENUE FUND	6,913	

SECTION 4
SPECIFIC
APPROPRIATION

TOTAL: PROGRAM: STATE ATTORNEYS - THIRTEENTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 20,255,128
FROM TRUST FUNDS 1,804,388

TOTAL POSITIONS 355.00
TOTAL ALL FUNDS 22,059,516

PROGRAM: STATE ATTORNEYS - FOURTEENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 5,562,599

901 SALARIES AND BENEFITS POSITIONS 125.00
FROM GENERAL REVENUE FUND 7,065,022
FROM GRANTS AND DONATIONS TRUST FUND . . . 413,207

902 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 9,899
FROM GRANTS AND DONATIONS TRUST FUND . . . 29,900

903 SPECIAL CATEGORIES
STATE ATTORNEY OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 250,396
FROM GRANTS AND DONATIONS TRUST FUND . . . 39,588

904 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 28,847

905 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 7,794

TOTAL: PROGRAM: STATE ATTORNEYS - FOURTEENTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 7,361,958
FROM TRUST FUNDS 482,695

TOTAL POSITIONS 125.00
TOTAL ALL FUNDS 7,844,653

PROGRAM: STATE ATTORNEYS - FIFTEENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 16,069,366

906 SALARIES AND BENEFITS POSITIONS 336.00
FROM GENERAL REVENUE FUND 18,805,652
FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND 81,341
FROM GRANTS AND DONATIONS TRUST FUND . . . 1,908,185

From the positions and funds provided in Specific Appropriation 906, two full-time equivalent positions with associated rate of 94,274 and $136,686 from the Grants and Donations Trust Fund are provided for prosecution of insurance fraud.

907 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 75,299
FROM GRANTS AND DONATIONS TRUST FUND . . . 90,178

908 SPECIAL CATEGORIES
STATE ATTORNEY OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 643,382
FROM CIVIL RICO TRUST FUND 31,959
FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND 64,200
FROM GRANTS AND DONATIONS TRUST FUND . . . 152,259

909 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 54,779

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910 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 10,702
FROM GRANTS AND DONATIONS TRUST FUND . . . 1,000

TOTAL: PROGRAM: STATE ATTORNEYS - FIFTEENTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 19,589,814
FROM TRUST FUNDS 2,329,122

TOTAL POSITIONS 336.00
TOTAL ALL FUNDS 21,918,936

PROGRAM: STATE ATTORNEYS - SIXTEENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 3,088,374

911 SALARIES AND BENEFITS POSITIONS 62.00
FROM GENERAL REVENUE FUND 3,635,663
FROM GRANTS AND DONATIONS TRUST FUND . . . 375,139

912 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 15,684
FROM GRANTS AND DONATIONS TRUST FUND . . . 76,054

913 SPECIAL CATEGORIES
STATE ATTORNEY OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 144,058
FROM GRANTS AND DONATIONS TRUST FUND . . . 157,415

914 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 23,890

915 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 7,129

TOTAL: PROGRAM: STATE ATTORNEYS - SIXTEENTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 3,826,424
FROM TRUST FUNDS 608,608

TOTAL POSITIONS 62.00
TOTAL ALL FUNDS 4,435,032

PROGRAM: STATE ATTORNEYS - SEVENTEENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 24,035,116

916 SALARIES AND BENEFITS POSITIONS 516.00
FROM GENERAL REVENUE FUND 28,987,986
FROM GRANTS AND DONATIONS TRUST FUND . . . 2,209,602

From the positions and funds provided in Specific Appropriation 916, two full-time equivalent positions with associated rate of 94,274 and $136,686 from the Grants and Donations Trust Fund are provided for prosecution of insurance fraud.

917 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 116,435
FROM GRANTS AND DONATIONS TRUST FUND . . . 122,864

918 SPECIAL CATEGORIES
STATE ATTORNEY OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 1,218,565
FROM GRANTS AND DONATIONS TRUST FUND . . . 157,787

919 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 370,228

SECTION 4
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APPROPRIATION

920 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 23,786

921 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GRANTS AND DONATIONS TRUST FUND . . . 293

TOTAL: PROGRAM: STATE ATTORNEYS - SEVENTEENTH JUDICIAL
CIRCUIT
FROM GENERAL REVENUE FUND 30,717,000
FROM TRUST FUNDS 2,490,546

TOTAL POSITIONS 516.00
TOTAL ALL FUNDS 33,207,546

PROGRAM: STATE ATTORNEYS - EIGHTEENTH JUDICIAL
CIRCUIT

APPROVED SALARY RATE 13,495,708

922 SALARIES AND BENEFITS POSITIONS 298.00
FROM GENERAL REVENUE FUND 16,097,094
FROM GRANTS AND DONATIONS TRUST FUND . . . 1,195,095

923 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 25,415
FROM GRANTS AND DONATIONS TRUST FUND . . . 32,500

924 SPECIAL CATEGORIES
STATE ATTORNEY OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 648,467
FROM GRANTS AND DONATIONS TRUST FUND . . . 30,290

925 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 52,967

926 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 9,707

TOTAL: PROGRAM: STATE ATTORNEYS - EIGHTEENTH JUDICIAL
CIRCUIT
FROM GENERAL REVENUE FUND 16,833,650
FROM TRUST FUNDS 1,257,885

TOTAL POSITIONS 298.00
TOTAL ALL FUNDS 18,091,535

PROGRAM: STATE ATTORNEYS - NINETEENTH JUDICIAL
CIRCUIT

APPROVED SALARY RATE 7,810,267

927 SALARIES AND BENEFITS POSITIONS 168.00
FROM GENERAL REVENUE FUND 8,654,187
FROM GRANTS AND DONATIONS TRUST FUND . . . 1,326,400

928 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 19,658
FROM GRANTS AND DONATIONS TRUST FUND . . . 76,678

929 SPECIAL CATEGORIES
STATE ATTORNEY OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 538,453

930 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 53,323

SECTION 4
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931 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 8,874

932 SPECIAL CATEGORIES
LEAVE LIABILITY
FROM GRANTS AND DONATIONS TRUST FUND . . . 200,335

TOTAL: PROGRAM: STATE ATTORNEYS - NINETEENTH JUDICIAL
CIRCUIT
FROM GENERAL REVENUE FUND 9,274,495
FROM TRUST FUNDS 1,603,413

TOTAL POSITIONS 168.00
TOTAL ALL FUNDS 10,877,908

PROGRAM: STATE ATTORNEYS - TWENTIETH JUDICIAL
CIRCUIT

APPROVED SALARY RATE 13,686,232

933 SALARIES AND BENEFITS POSITIONS 302.00
FROM GENERAL REVENUE FUND 15,256,843
FROM CIVIL RICO TRUST FUND 312,077
FROM GRANTS AND DONATIONS TRUST FUND . . . 1,776,408

934 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 32,503
FROM GRANTS AND DONATIONS TRUST FUND . . . 93,417

935 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM CIVIL RICO TRUST FUND 20,000

936 SPECIAL CATEGORIES
STATE ATTORNEY OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 847,521
FROM CIVIL RICO TRUST FUND 57,102
FROM GRANTS AND DONATIONS TRUST FUND . . . 102,800

937 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 73,178

938 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 21,288
FROM GRANTS AND DONATIONS TRUST FUND . . . 480

TOTAL: PROGRAM: STATE ATTORNEYS - TWENTIETH JUDICIAL
CIRCUIT
FROM GENERAL REVENUE FUND 16,231,333
FROM TRUST FUNDS 2,362,284

TOTAL POSITIONS 302.00
TOTAL ALL FUNDS 18,593,617

PUBLIC DEFENDERS

The Public Defenders Coordination Office's budgeting needs may be funded by each Public Defender's office within the funds provided in Specific Appropriations 939 through 1035. The total funding for this office shall not exceed $400,000.

PROGRAM: PUBLIC DEFENDERS - FIRST JUDICIAL CIRCUIT

APPROVED SALARY RATE 5,630,680

939 SALARIES AND BENEFITS POSITIONS 121.00
FROM GENERAL REVENUE FUND 6,995,655
FROM GRANTS AND DONATIONS TRUST FUND . . . 78,289
FROM INDIGENT CRIMINAL DEFENSE TRUST
FUND 325,834

SECTION 4
SPECIFIC
APPROPRIATION

940 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 22,888
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 28,000

941 SPECIAL CATEGORIES
PUBLIC DEFENDER OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 217,625
FROM GRANTS AND DONATIONS TRUST FUND . . . 5,000
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 173,179

942 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 24,777

TOTAL: PROGRAM: PUBLIC DEFENDERS - FIRST JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 7,260,945
FROM TRUST FUNDS 610,302

TOTAL POSITIONS 121.00
TOTAL ALL FUNDS 7,871,247

PROGRAM: PUBLIC DEFENDERS - SECOND JUDICIAL CIRCUIT

APPROVED SALARY RATE 3,831,015

943 SALARIES AND BENEFITS POSITIONS 84.00
FROM GENERAL REVENUE FUND 4,846,540
FROM GRANTS AND DONATIONS TRUST FUND . . . 35,200
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 144,414

944 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 20,744
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 57,572

945 SPECIAL CATEGORIES
PUBLIC DEFENDER OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 182,896
FROM GRANTS AND DONATIONS TRUST FUND . . . 1,677
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 71,173

946 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 15,853

TOTAL: PROGRAM: PUBLIC DEFENDERS - SECOND JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 5,066,033
FROM TRUST FUNDS 310,036

TOTAL POSITIONS 84.00
TOTAL ALL FUNDS 5,376,069

PROGRAM: PUBLIC DEFENDERS - THIRD JUDICIAL CIRCUIT

APPROVED SALARY RATE 1,809,270

947 SALARIES AND BENEFITS POSITIONS 30.00
FROM GENERAL REVENUE FUND 2,265,988
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 87,475

948 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 251
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 34,216

SECTION 4
SPECIFIC
APPROPRIATION

948A SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 19,000

949 SPECIAL CATEGORIES
PUBLIC DEFENDER OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 103,539
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 16,231

950 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 7,694

TOTAL: PROGRAM: PUBLIC DEFENDERS - THIRD JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 2,377,472
FROM TRUST FUNDS 156,922

TOTAL POSITIONS 30.00
TOTAL ALL FUNDS 2,534,394

PROGRAM: PUBLIC DEFENDERS - FOURTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 7,870,982

951 SALARIES AND BENEFITS POSITIONS 146.00
FROM GENERAL REVENUE FUND 9,486,210
FROM GRANTS AND DONATIONS TRUST FUND . . . 198,600
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 263,006

952 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 22,277
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 132,308

952A SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 32,000

953 SPECIAL CATEGORIES
PUBLIC DEFENDER OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 288,434
FROM GRANTS AND DONATIONS TRUST FUND . . . 50,000
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 127,276

954 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 42,396

TOTAL: PROGRAM: PUBLIC DEFENDERS - FOURTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 9,839,317
FROM TRUST FUNDS 803,190

TOTAL POSITIONS 146.00
TOTAL ALL FUNDS 10,642,507

PROGRAM: PUBLIC DEFENDERS - FIFTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 4,544,515

955 SALARIES AND BENEFITS POSITIONS 102.00
FROM GENERAL REVENUE FUND 5,862,689
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 180,134

956 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 22,000

SECTION 4
SPECIFIC
APPROPRIATION

FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		408,139
957 SPECIAL CATEGORIES		
PUBLIC DEFENDER OPERATING EXPENDITURES		
FROM GENERAL REVENUE FUND	129,445	
FROM GRANTS AND DONATIONS TRUST FUND		8,000
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		173,550
958 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	23,541	
TOTAL: PROGRAM: PUBLIC DEFENDERS - FIFTH JUDICIAL CIRCUIT		
FROM GENERAL REVENUE FUND	6,037,675	
FROM TRUST FUNDS		769,823
TOTAL POSITIONS	102.00	
TOTAL ALL FUNDS		6,807,498

PROGRAM: PUBLIC DEFENDERS - SIXTH JUDICIAL CIRCUIT

APPROVED SALARY RATE	10,797,361	
959 SALARIES AND BENEFITS POSITIONS	225.00	
FROM GENERAL REVENUE FUND	12,789,948	
FROM GRANTS AND DONATIONS TRUST FUND		218,621
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		745,260
960 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	79,552	
FROM GRANTS AND DONATIONS TRUST FUND		4,836
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		111,956
961 SPECIAL CATEGORIES		
PUBLIC DEFENDER OPERATING EXPENDITURES		
FROM GENERAL REVENUE FUND	541,126	
FROM GRANTS AND DONATIONS TRUST FUND		8,000
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		279,482
962 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	69,456	
TOTAL: PROGRAM: PUBLIC DEFENDERS - SIXTH JUDICIAL CIRCUIT		
FROM GENERAL REVENUE FUND	13,480,082	
FROM TRUST FUNDS		1,368,155
TOTAL POSITIONS	225.00	
TOTAL ALL FUNDS		14,848,237

PROGRAM: PUBLIC DEFENDERS - SEVENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE	5,445,616	
963 SALARIES AND BENEFITS POSITIONS	117.00	
FROM GENERAL REVENUE FUND	6,914,618	
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		175,085
964 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	30	
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		3,230
965 SPECIAL CATEGORIES		
PUBLIC DEFENDER OPERATING EXPENDITURES		
FROM GENERAL REVENUE FUND	161,632	
FROM GRANTS AND DONATIONS TRUST FUND		6,000
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		99,760
966 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	41,360	
TOTAL: PROGRAM: PUBLIC DEFENDERS - SEVENTH JUDICIAL CIRCUIT		
FROM GENERAL REVENUE FUND	7,117,640	
FROM TRUST FUNDS		284,075
TOTAL POSITIONS	117.00	
TOTAL ALL FUNDS		7,401,715

PROGRAM: PUBLIC DEFENDERS - EIGHTH JUDICIAL CIRCUIT

APPROVED SALARY RATE	3,556,593	
967 SALARIES AND BENEFITS POSITIONS	74.00	
FROM GENERAL REVENUE FUND	4,583,044	
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		102,230
968 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	12,919	
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		66,600
969 SPECIAL CATEGORIES		
PUBLIC DEFENDER OPERATING EXPENDITURES		
FROM GENERAL REVENUE FUND	117,926	
FROM GRANTS AND DONATIONS TRUST FUND		5,000
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		41,400
970 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	16,455	
TOTAL: PROGRAM: PUBLIC DEFENDERS - EIGHTH JUDICIAL CIRCUIT		
FROM GENERAL REVENUE FUND	4,730,344	
FROM TRUST FUNDS		215,230
TOTAL POSITIONS	74.00	
TOTAL ALL FUNDS		4,945,574

PROGRAM: PUBLIC DEFENDERS - NINTH JUDICIAL CIRCUIT

APPROVED SALARY RATE	9,261,831	
971 SALARIES AND BENEFITS POSITIONS	208.00	
FROM GENERAL REVENUE FUND	9,173,674	
FROM GRANTS AND DONATIONS TRUST FUND		1,339,740
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		1,765,834
972 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	25,000	
FROM GRANTS AND DONATIONS TRUST FUND		7,500
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		141,520
973 SPECIAL CATEGORIES		
PUBLIC DEFENDER OPERATING EXPENDITURES		
FROM GENERAL REVENUE FUND	759,420	
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		959,690

SECTION 4
SPECIFIC
APPROPRIATION

974	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	35,233	
TOTAL: PROGRAM: PUBLIC DEFENDERS - NINTH JUDICIAL CIRCUIT FROM GENERAL REVENUE FUND		9,993,327	
FROM TRUST FUNDS			4,214,284
TOTAL POSITIONS		208.00	
TOTAL ALL FUNDS			14,207,611

PROGRAM: PUBLIC DEFENDERS - TENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 5,417,359

975	SALARIES AND BENEFITS POSITIONS	115.00	
	FROM GENERAL REVENUE FUND	6,465,207	
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		560,485
976	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND	12,580	
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		57,430
977	SPECIAL CATEGORIES PUBLIC DEFENDER OPERATING EXPENDITURES FROM GENERAL REVENUE FUND	197,896	
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		149,694
978	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	47,247	
TOTAL: PROGRAM: PUBLIC DEFENDERS - TENTH JUDICIAL CIRCUIT FROM GENERAL REVENUE FUND		6,722,930	
FROM TRUST FUNDS			767,609
TOTAL POSITIONS		115.00	
TOTAL ALL FUNDS			7,490,539

PROGRAM: PUBLIC DEFENDERS - ELEVENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 20,089,892

979	SALARIES AND BENEFITS POSITIONS	390.00	
	FROM GENERAL REVENUE FUND	23,987,982	
	FROM GRANTS AND DONATIONS TRUST FUND . . .		1,007,722
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		385,271
980	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND	59,101	
	FROM GRANTS AND DONATIONS TRUST FUND . . .		10,000
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		5,000
981	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM GENERAL REVENUE FUND	92,054	
982	SPECIAL CATEGORIES PUBLIC DEFENDER OPERATING EXPENDITURES FROM GENERAL REVENUE FUND	422,838	
	FROM GRANTS AND DONATIONS TRUST FUND . . .		10,000
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		5,000
983	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	179,654	

SECTION 4
SPECIFIC
APPROPRIATION

TOTAL: PROGRAM: PUBLIC DEFENDERS - ELEVENTH JUDICIAL CIRCUIT FROM GENERAL REVENUE FUND	24,741,629	
FROM TRUST FUNDS		1,422,993
TOTAL POSITIONS	390.00	
TOTAL ALL FUNDS		26,164,622

PROGRAM: PUBLIC DEFENDERS - TWELFTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 4,666,957

984	SALARIES AND BENEFITS POSITIONS	96.50	
	FROM GENERAL REVENUE FUND	5,415,630	
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		345,699
985	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND	20,085	
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		20,000
986	SPECIAL CATEGORIES PUBLIC DEFENDER OPERATING EXPENDITURES FROM GENERAL REVENUE FUND	243,727	
	FROM GRANTS AND DONATIONS TRUST FUND . . .		58,400
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		10,000
987	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	14,712	
TOTAL: PROGRAM: PUBLIC DEFENDERS - TWELFTH JUDICIAL CIRCUIT FROM GENERAL REVENUE FUND		5,694,154	
FROM TRUST FUNDS			434,099
TOTAL POSITIONS		96.50	
TOTAL ALL FUNDS			6,128,253

PROGRAM: PUBLIC DEFENDERS - THIRTEENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 11,313,817

988	SALARIES AND BENEFITS POSITIONS	225.75	
	FROM GENERAL REVENUE FUND	11,774,293	
	FROM GRANTS AND DONATIONS TRUST FUND . . .		1,128,906
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		1,570,141
989	OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND	46,996	
	FROM GRANTS AND DONATIONS TRUST FUND . . .		100,000
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		11,201
990	SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		44,000
991	SPECIAL CATEGORIES PUBLIC DEFENDER OPERATING EXPENDITURES FROM GENERAL REVENUE FUND	553,519	
	FROM GRANTS AND DONATIONS TRUST FUND . . .		107,844
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		86,223
992	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	32,004	

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SPECIFIC
APPROPRIATION

TOTAL: PROGRAM: PUBLIC DEFENDERS - THIRTEENTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 12,406,812
FROM TRUST FUNDS 3,048,315

TOTAL POSITIONS 225.75
TOTAL ALL FUNDS 15,455,127

PROGRAM: PUBLIC DEFENDERS - FOURTEENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 3,111,225

993 SALARIES AND BENEFITS POSITIONS 61.00
FROM GENERAL REVENUE FUND 3,799,539
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 101,458

994 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 7,101
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 140,706

995 SPECIAL CATEGORIES
PUBLIC DEFENDER OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 146,637
FROM GRANTS AND DONATIONS TRUST FUND . . . 15,000
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 127,036

996 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 63,227

TOTAL: PROGRAM: PUBLIC DEFENDERS - FOURTEENTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 4,016,504
FROM TRUST FUNDS 384,200

TOTAL POSITIONS 61.00
TOTAL ALL FUNDS 4,400,704

PROGRAM: PUBLIC DEFENDERS - FIFTEENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 9,269,484

997 SALARIES AND BENEFITS POSITIONS 197.00
FROM GENERAL REVENUE FUND 11,186,899
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 606,526

998 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 48,199
FROM GRANTS AND DONATIONS TRUST FUND . . . 107,666
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 27,708

999 SPECIAL CATEGORIES
PUBLIC DEFENDER OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 174,213
FROM GRANTS AND DONATIONS TRUST FUND . . . 78,670
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 553,794

1000 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 80,675

TOTAL: PROGRAM: PUBLIC DEFENDERS - FIFTEENTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 11,489,986
FROM TRUST FUNDS 1,374,364

SECTION 4
SPECIFIC
APPROPRIATION

TOTAL POSITIONS 197.00
TOTAL ALL FUNDS 12,864,350

PROGRAM: PUBLIC DEFENDERS - SIXTEENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 2,079,695

1001 SALARIES AND BENEFITS POSITIONS 43.00
FROM GENERAL REVENUE FUND 2,566,204
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 60,427

1002 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 6,968
FROM GRANTS AND DONATIONS TRUST FUND . . . 5,000
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 1,347

1003 SPECIAL CATEGORIES
PUBLIC DEFENDER OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 83,599
FROM GRANTS AND DONATIONS TRUST FUND . . . 10,000
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 1,300

1004 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 16,773

TOTAL: PROGRAM: PUBLIC DEFENDERS - SIXTEENTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 2,673,544
FROM TRUST FUNDS 78,074

TOTAL POSITIONS 43.00
TOTAL ALL FUNDS 2,751,618

PROGRAM: PUBLIC DEFENDERS - SEVENTEENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 12,358,336

1005 SALARIES AND BENEFITS POSITIONS 226.00
FROM GENERAL REVENUE FUND 13,860,246
FROM GRANTS AND DONATIONS TRUST FUND . . . 380,000
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 1,054,340

1006 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 83,287
FROM GRANTS AND DONATIONS TRUST FUND . . . 640,708
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 84,000

1007 SPECIAL CATEGORIES
PUBLIC DEFENDER OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 456,931
FROM INDIGENT CRIMINAL DEFENSE TRUST FUND 265,305

1008 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 33,350

TOTAL: PROGRAM: PUBLIC DEFENDERS - SEVENTEENTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 14,433,814
FROM TRUST FUNDS 2,424,353

TOTAL POSITIONS 226.00
TOTAL ALL FUNDS 16,858,167

SECTION 4
SPECIFIC
APPROPRIATION

PROGRAM: PUBLIC DEFENDERS - EIGHTEENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 6,022,384

1009	SALARIES AND BENEFITS POSITIONS 120.00		
	FROM GENERAL REVENUE FUND	6,107,157	
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		1,422,305
1010	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	12,953	
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		28,160
1010A	SPECIAL CATEGORIES		
	ACQUISITION OF MOTOR VEHICLES		
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		38,100
1011	SPECIAL CATEGORIES		
	PUBLIC DEFENDER OPERATING EXPENDITURES		
	FROM GENERAL REVENUE FUND	360,779	
	FROM GRANTS AND DONATIONS TRUST FUND		5,000
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		438,193
1012	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	43,111	
TOTAL:	PROGRAM: PUBLIC DEFENDERS - EIGHTEENTH JUDICIAL CIRCUIT		
	FROM GENERAL REVENUE FUND	6,524,000	
	FROM TRUST FUNDS		1,931,758
	TOTAL POSITIONS	120.00	
	TOTAL ALL FUNDS		8,455,758

PROGRAM: PUBLIC DEFENDERS - NINETEENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 3,788,345

1013	SALARIES AND BENEFITS POSITIONS 78.00		
	FROM GENERAL REVENUE FUND	4,330,957	
	FROM GRANTS AND DONATIONS TRUST FUND		254,000
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		323,258
1014	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	20,143	
	FROM GRANTS AND DONATIONS TRUST FUND		12,000
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		135,550
1015	SPECIAL CATEGORIES		
	PUBLIC DEFENDER OPERATING EXPENDITURES		
	FROM GENERAL REVENUE FUND	124,421	
	FROM GRANTS AND DONATIONS TRUST FUND		250,000
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		178,640
1016	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	30,535	
TOTAL:	PROGRAM: PUBLIC DEFENDERS - NINETEENTH JUDICIAL CIRCUIT		
	FROM GENERAL REVENUE FUND	4,506,056	
	FROM TRUST FUNDS		1,153,448
	TOTAL POSITIONS	78.00	
	TOTAL ALL FUNDS		5,659,504

PROGRAM: PUBLIC DEFENDERS - TWENTIETH JUDICIAL CIRCUIT

APPROVED SALARY RATE 6,241,860

1017	SALARIES AND BENEFITS POSITIONS 130.00		
	FROM GENERAL REVENUE FUND	6,785,748	
	FROM GRANTS AND DONATIONS TRUST FUND		691,205
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		688,234
1018	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	15,287	
	FROM GRANTS AND DONATIONS TRUST FUND		20,000
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		165,353
1019	SPECIAL CATEGORIES		
	PUBLIC DEFENDER OPERATING EXPENDITURES		
	FROM GENERAL REVENUE FUND	365,071	
	FROM GRANTS AND DONATIONS TRUST FUND		432,125
	FROM INDIGENT CRIMINAL DEFENSE TRUST FUND		405,182
1020	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	30,766	
TOTAL:	PROGRAM: PUBLIC DEFENDERS - TWENTIETH JUDICIAL CIRCUIT		
	FROM GENERAL REVENUE FUND	7,196,872	
	FROM TRUST FUNDS		2,402,099
	TOTAL POSITIONS	130.00	
	TOTAL ALL FUNDS		9,598,971

PUBLIC DEFENDERS APPELLATE DIVISION

PROGRAM: PUBLIC DEFENDERS APPELLATE - SECOND JUDICIAL CIRCUIT

APPROVED SALARY RATE 1,810,830

1021	SALARIES AND BENEFITS POSITIONS 34.00		
	FROM GENERAL REVENUE FUND	2,206,735	
1022	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	1,114	
1023	SPECIAL CATEGORIES		
	PUBLIC DEFENDER OPERATING EXPENDITURES		
	FROM GENERAL REVENUE FUND	145,763	
TOTAL:	PROGRAM: PUBLIC DEFENDERS APPELLATE - SECOND JUDICIAL CIRCUIT		
	FROM GENERAL REVENUE FUND	2,353,612	
	TOTAL POSITIONS	34.00	
	TOTAL ALL FUNDS		2,353,612

PROGRAM: PUBLIC DEFENDERS APPELLATE - SEVENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 1,786,080

1024	SALARIES AND BENEFITS POSITIONS 33.00		
	FROM GENERAL REVENUE FUND	2,133,840	
1025	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	2,400	

SECTION 4
SPECIFIC
APPROPRIATION

1026 SPECIAL CATEGORIES
PUBLIC DEFENDER OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 139,786

TOTAL: PROGRAM: PUBLIC DEFENDERS APPELLATE - SEVENTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 2,276,026

TOTAL POSITIONS 33.00
TOTAL ALL FUNDS 2,276,026

PROGRAM: PUBLIC DEFENDERS APPELLATE - TENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 2,502,924

1027 SALARIES AND BENEFITS POSITIONS 50.00
FROM GENERAL REVENUE FUND 3,040,045

1028 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 736,523

1029 SPECIAL CATEGORIES
PUBLIC DEFENDER OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 141,613

TOTAL: PROGRAM: PUBLIC DEFENDERS APPELLATE - TENTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 3,918,181

TOTAL POSITIONS 50.00
TOTAL ALL FUNDS 3,918,181

PROGRAM: PUBLIC DEFENDERS APPELLATE - ELEVENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 1,597,104

1030 SALARIES AND BENEFITS POSITIONS 24.00
FROM GENERAL REVENUE FUND 1,888,511

1031 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 3,778

1032 SPECIAL CATEGORIES
PUBLIC DEFENDER OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 93,318

TOTAL: PROGRAM: PUBLIC DEFENDERS APPELLATE - ELEVENTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 1,985,607

TOTAL POSITIONS 24.00
TOTAL ALL FUNDS 1,985,607

PROGRAM: PUBLIC DEFENDERS APPELLATE - FIFTEENTH JUDICIAL CIRCUIT

APPROVED SALARY RATE 2,554,079

1033 SALARIES AND BENEFITS POSITIONS 37.00
FROM GENERAL REVENUE FUND 3,058,065

1035 SPECIAL CATEGORIES
PUBLIC DEFENDER OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 40,524

TOTAL: PROGRAM: PUBLIC DEFENDERS APPELLATE - FIFTEENTH JUDICIAL CIRCUIT
FROM GENERAL REVENUE FUND 3,098,589

SECTION 4
SPECIFIC
APPROPRIATION

TOTAL POSITIONS 37.00
TOTAL ALL FUNDS 3,098,589

CAPITAL COLLATERAL REGIONAL COUNSELS

PROGRAM: MIDDLE REGIONAL COUNSEL

PROVIDE STATE REQUIRED POST CONVICTION LEGAL REPRESENTATION TO DEATH-ROW INMATES

APPROVED SALARY RATE 2,278,893

1036 SALARIES AND BENEFITS POSITIONS 41.00
FROM GENERAL REVENUE FUND 2,947,328

1037 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 33,911

1038 SPECIAL CATEGORIES
CASE RELATED COSTS
FROM GENERAL REVENUE FUND 508,004

1039 SPECIAL CATEGORIES
OVERTIME
FROM GENERAL REVENUE FUND 2,010

1040 SPECIAL CATEGORIES
OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 451,259

1041 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 7,350

TOTAL: PROVIDE STATE REQUIRED POST CONVICTION LEGAL REPRESENTATION TO DEATH-ROW INMATES
FROM GENERAL REVENUE FUND 3,949,862

TOTAL POSITIONS 41.00
TOTAL ALL FUNDS 3,949,862

PROGRAM: SOUTHERN REGIONAL COUNSEL

PROVIDE STATE REQUIRED POST CONVICTION LEGAL REPRESENTATION TO DEATH-ROW INMATES

APPROVED SALARY RATE 1,805,947

1042 SALARIES AND BENEFITS POSITIONS 32.00
FROM GENERAL REVENUE FUND 2,289,228

1043 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 6,808

1044 SPECIAL CATEGORIES
CASE RELATED COSTS
FROM GENERAL REVENUE FUND 613,367

1045 SPECIAL CATEGORIES
OVERTIME
FROM GENERAL REVENUE FUND 1,000

1046 SPECIAL CATEGORIES
OPERATING EXPENDITURES
FROM GENERAL REVENUE FUND 401,805

1047 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 7,657

TOTAL: PROVIDE STATE REQUIRED POST CONVICTION LEGAL REPRESENTATION TO DEATH-ROW INMATES
FROM GENERAL REVENUE FUND 3,319,865

SECTION 4
SPECIFIC
APPROPRIATION

TOTAL POSITIONS	32.00	
TOTAL ALL FUNDS		3,319,865

CRIMINAL CONFLICT AND CIVIL REGIONAL COUNSELS

PROGRAM: REGIONAL CONFLICT COUNSEL - FIRST

APPROVED SALARY RATE 5,267,025

1048	SALARIES AND BENEFITS POSITIONS	108.00	
	FROM GENERAL REVENUE FUND	7,245,376	
1049	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	342,770	
1050	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	1,044,390	
	FROM INDIGENT CIVIL DEFENSE TRUST FUND . .		233,446
1051	SPECIAL CATEGORIES		
	REGIONAL CONFLICT COUNCIL OPERATIONS		
	FROM GENERAL REVENUE FUND	81,410	
1052	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	29,569	
TOTAL: PROGRAM: REGIONAL CONFLICT COUNSEL - FIRST			
	FROM GENERAL REVENUE FUND	8,743,515	
	FROM TRUST FUNDS		233,446
	TOTAL POSITIONS	108.00	
	TOTAL ALL FUNDS		8,976,961

PROGRAM: REGIONAL CONFLICT COUNSEL - SECOND

APPROVED SALARY RATE 4,675,609

1053	SALARIES AND BENEFITS POSITIONS	99.00	
	FROM GENERAL REVENUE FUND	6,449,411	
1054	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	284,581	
1055	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	1,116,734	
	FROM INDIGENT CIVIL DEFENSE TRUST FUND . .		234,488
1056	SPECIAL CATEGORIES		
	REGIONAL CONFLICT COUNCIL OPERATIONS		
	FROM GENERAL REVENUE FUND	71,844	
1057	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	28,710	
TOTAL: PROGRAM: REGIONAL CONFLICT COUNSEL - SECOND			
	FROM GENERAL REVENUE FUND	7,951,280	
	FROM TRUST FUNDS		234,488
	TOTAL POSITIONS	99.00	
	TOTAL ALL FUNDS		8,185,768

SECTION 4
SPECIFIC
APPROPRIATION
PROGRAM: REGIONAL CONFLICT COUNSEL - THIRD

APPROVED SALARY RATE 2,290,031

1058	SALARIES AND BENEFITS POSITIONS	47.00	
	FROM GENERAL REVENUE FUND	3,137,140	
1059	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	156,474	
1060	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	1,479,611	
	FROM INDIGENT CIVIL DEFENSE TRUST FUND . .		86,956
1061	SPECIAL CATEGORIES		
	REGIONAL CONFLICT COUNCIL OPERATIONS		
	FROM GENERAL REVENUE FUND	34,955	
1062	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	13,769	
TOTAL: PROGRAM: REGIONAL CONFLICT COUNSEL - THIRD			
	FROM GENERAL REVENUE FUND	4,821,949	
	FROM TRUST FUNDS		86,956
	TOTAL POSITIONS	47.00	
	TOTAL ALL FUNDS		4,908,905

PROGRAM: REGIONAL CONFLICT COUNSEL - FOURTH

APPROVED SALARY RATE 3,042,588

1063	SALARIES AND BENEFITS POSITIONS	63.00	
	FROM GENERAL REVENUE FUND	4,179,047	
1064	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	213,771	
1065	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	2,546,193	
	FROM INDIGENT CIVIL DEFENSE TRUST FUND . .		121,892
1066	SPECIAL CATEGORIES		
	REGIONAL CONFLICT COUNCIL OPERATIONS		
	FROM GENERAL REVENUE FUND	47,521	
1067	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	18,457	
TOTAL: PROGRAM: REGIONAL CONFLICT COUNSEL - FOURTH			
	FROM GENERAL REVENUE FUND	7,004,989	
	FROM TRUST FUNDS		121,892
	TOTAL POSITIONS	63.00	
	TOTAL ALL FUNDS		7,126,881

PROGRAM: REGIONAL CONFLICT COUNSEL - FIFTH

APPROVED SALARY RATE 3,074,456

1068	SALARIES AND BENEFITS POSITIONS	67.00	
	FROM GENERAL REVENUE FUND	4,259,952	
1069	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	208,569	

SECTION 4
SPECIFIC
APPROPRIATION

1070 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 1,302,793
FROM INDIGENT CIVIL DEFENSE TRUST FUND . . 195,193

1071 SPECIAL CATEGORIES
REGIONAL CONFLICT COUNCIL OPERATIONS
FROM GENERAL REVENUE FUND 50,288

1072 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 19,628

TOTAL: PROGRAM: REGIONAL CONFLICT COUNSEL - FIFTH
FROM GENERAL REVENUE FUND 5,841,230
FROM TRUST FUNDS 195,193

TOTAL POSITIONS 67.00
TOTAL ALL FUNDS 6,036,423

JUVENILE JUSTICE, DEPARTMENT OF

From the funds in Specific Appropriations 1073 through 1158, each provider who contracts with the Department of Juvenile Justice shall provide the department with a proposal prior to the release of funds that details the services that will be delivered, the expected results, and recommended performance measures. The department and each provider must execute a contract before the release of any funds, and the contract documents shall include mutually agreed upon performance measures. Each provider must provide quarterly performance reports to the department. Funds shall only be released to providers whose performance reports indicate successful compliance with the performance measures described in the contract.

From the funds in Specific Appropriations 1073 through 1158, the Department of Juvenile Justice shall establish a performance accountability system for each provider who contracts with the department for the delivery of services to children at-risk of future involvement in the criminal justice system, as determined by the department. The contract shall include both output measures, such as the number of children served, and outcome measures, such as program completion. The contractor shall report performance results annually to the department. The department's inspector general shall summarize performance results from all contracts and report the information annually to the Legislature.

From the funds in Specific Appropriations 1073 through 1158, the Department of Juvenile Justice is directed to withhold funds from contract payments to any provider if that provider failed to comply with contract requirements that it maintain property insurance and if the failure to do so resulted in uninsured losses. The amount withheld shall not exceed the amount of the uninsured loss and may be reduced by other remedial actions agreed upon by the department and the provider.

From the funds in Specific Appropriations 1073 through 1158, the Department of Juvenile Justice must before implementing any departmental reorganization plans, submit its proposal to the Governor's Office of Policy and Budget and to the Legislative Budget Commission for approval.

PROGRAM: JUVENILE DETENTION PROGRAM

DETENTION CENTERS

APPROVED SALARY RATE 64,380,718

1073 SALARIES AND BENEFITS POSITIONS 2,026.50
FROM GENERAL REVENUE FUND 14,023,402
FROM FEDERAL GRANTS TRUST FUND 2,412
FROM GRANTS AND DONATIONS TRUST FUND . . . 234,001
FROM SHARED COUNTY/STATE JUVENILE DETENTION TRUST FUND 76,617,510

SECTION 4
SPECIFIC
APPROPRIATION

1074 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 314,747
FROM GRANTS AND DONATIONS TRUST FUND . . . 306,204
FROM SHARED COUNTY/STATE JUVENILE DETENTION TRUST FUND 2,138,539

1075 EXPENSES
FROM GENERAL REVENUE FUND 1,773,419
FROM FEDERAL GRANTS TRUST FUND 712,905
FROM GRANTS AND DONATIONS TRUST FUND . . . 655,591
FROM SHARED COUNTY/STATE JUVENILE DETENTION TRUST FUND 5,306,283

1076 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 10,771
FROM FEDERAL GRANTS TRUST FUND 7,293
FROM SHARED COUNTY/STATE JUVENILE DETENTION TRUST FUND 219,973

1077 SPECIAL CATEGORIES
LEGISLATIVE INITIATIVES TO REDUCE AND PREVENT JUVENILE CRIME
FROM GENERAL REVENUE FUND 179,110

1078 SPECIAL CATEGORIES
GRANTS AND AIDS - GRANTS TO FISCALLY CONSTRAINED COUNTIES FOR DETENTION CENTER COSTS
FROM GENERAL REVENUE FUND 6,463,176

1079 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 615,150
FROM SHARED COUNTY/STATE JUVENILE DETENTION TRUST FUND 1,908,237

1080 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 5,948,782
FROM FEDERAL GRANTS TRUST FUND 1,656,880
FROM GRANTS AND DONATIONS TRUST FUND . . . 253,128
FROM SHARED COUNTY/STATE JUVENILE DETENTION TRUST FUND 8,689,757

1081 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 597,100
FROM SHARED COUNTY/STATE JUVENILE DETENTION TRUST FUND 3,989,880

1082 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 134,877
FROM FEDERAL GRANTS TRUST FUND 541
FROM SHARED COUNTY/STATE JUVENILE DETENTION TRUST FUND 713,675

1083 FIXED CAPITAL OUTLAY
DEPARTMENT OF JUVENILE JUSTICE MAINTENANCE AND REPAIR - STATE OWNED BUILDINGS
FROM GENERAL REVENUE FUND 250,000

TOTAL: DETENTION CENTERS
FROM GENERAL REVENUE FUND 30,310,534
FROM TRUST FUNDS 103,412,809

TOTAL POSITIONS 2,026.50
TOTAL ALL FUNDS 133,723,343

PROGRAM: PROBATION AND COMMUNITY CORRECTIONS PROGRAM

SECTION 4
SPECIFIC
APPROPRIATION
AFTERCARE SERVICES - CONDITIONAL RELEASE

APPROVED SALARY RATE 839,932

1084	SALARIES AND BENEFITS POSITIONS	25.00	
	FROM GENERAL REVENUE FUND	1,103,485	
	FROM GRANTS AND DONATIONS TRUST FUND . . .		2,675
1085	EXPENSES		
	FROM GENERAL REVENUE FUND	126,235	
1086	SPECIAL CATEGORIES		
	LEGISLATIVE INITIATIVES TO REDUCE AND PREVENT JUVENILE CRIME		
	FROM GENERAL REVENUE FUND	1,487,128	
1087	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	1,714	
1088	SPECIAL CATEGORIES		
	GRANTS AND AIDS - CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	28,686,978	
	FROM GRANTS AND DONATIONS TRUST FUND . . .		1,519,035
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		992
1089	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	9,785	
	FROM GRANTS AND DONATIONS TRUST FUND . . .		24
TOTAL: AFTERCARE SERVICES - CONDITIONAL RELEASE			
	FROM GENERAL REVENUE FUND	31,415,325	
	FROM TRUST FUNDS		1,522,726
	TOTAL POSITIONS	25.00	
	TOTAL ALL FUNDS		32,938,051

JUVENILE PROBATION

APPROVED SALARY RATE 52,976,019

1090	SALARIES AND BENEFITS POSITIONS	1,522.50	
	FROM GENERAL REVENUE FUND	61,952,309	
	FROM FEDERAL GRANTS TRUST FUND		30,672
	FROM GRANTS AND DONATIONS TRUST FUND . . .		64,404
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		7,645,060
1091	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	902,879	
	FROM FEDERAL GRANTS TRUST FUND		88,064
	FROM GRANTS AND DONATIONS TRUST FUND . . .		117,555
1092	EXPENSES		
	FROM GENERAL REVENUE FUND	8,909,728	
	FROM FEDERAL GRANTS TRUST FUND		50,479
	FROM GRANTS AND DONATIONS TRUST FUND . . .		7,407
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		494,362
1093	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	71,550	
1094	SPECIAL CATEGORIES		
	JUVENILE REDIRECTIONS PROGRAM		
	FROM GENERAL REVENUE FUND	9,755,177	

Funds in Specific Appropriation 1094 are provided for the redirection program subject to the requirements and limitations in effect during Fiscal Year 2007-2008. The program may serve youth who are before the court for a non-violent 3rd degree felony and who the judge determines would otherwise require residential commitment. Treatment services shall be evidenced-based family therapy for youth for whom these services are appropriate. Youth at risk of commitment are eligible for evidenced-based family therapy services. These services are to be provided as an alternative to commitment. No child may be served by the redirections program that has ever been adjudicated delinquent, or had adjudication withheld, of any violent crime, except for females adjudicated delinquent for domestic violence, any 1st degree felony or any felony direct-filed in adult court. The department and each participating court shall jointly develop criteria to identify youth appropriate for diversion into this program pursuant to the expanded eligibility criteria provided herein.

The department, in consultation with the Office of Program Policy Analysis and Governmental Accountability (OPPAGA), shall gather and maintain the data necessary to allow OPPAGA to continue the longitudinal evaluation of the program, including program expansions, which shall include a comparison of the effectiveness of the various components of the program.

1095	SPECIAL CATEGORIES		
	LEGISLATIVE INITIATIVES TO REDUCE AND PREVENT JUVENILE CRIME		
	FROM GENERAL REVENUE FUND	297,595	
1096	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	1,037,372	
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		70,346
1097	SPECIAL CATEGORIES		
	GRANTS AND AIDS - CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	10,691,360	
	FROM FEDERAL GRANTS TRUST FUND		396,195
	FROM GRANTS AND DONATIONS TRUST FUND . . .		14,813
1098	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	481,484	
1099	SPECIAL CATEGORIES		
	SALARY INCENTIVE PAYMENTS		
	FROM GENERAL REVENUE FUND	12,960	
1100	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	532,790	
	FROM FEDERAL GRANTS TRUST FUND		44,345
	FROM GRANTS AND DONATIONS TRUST FUND . . .		29,699
TOTAL: JUVENILE PROBATION			
	FROM GENERAL REVENUE FUND	94,645,204	
	FROM TRUST FUNDS		9,053,401
	TOTAL POSITIONS	1,522.50	
	TOTAL ALL FUNDS		103,698,605

NON-RESIDENTIAL DELINQUENCY REHABILITATION

1102	SPECIAL CATEGORIES		
	LEGISLATIVE INITIATIVES TO REDUCE AND PREVENT JUVENILE CRIME		
	FROM GENERAL REVENUE FUND	192,000	
1103	SPECIAL CATEGORIES		
	GRANTS AND AIDS - CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	19,356,154	
	FROM GRANTS AND DONATIONS TRUST FUND . . .		18,462
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		81,003

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TOTAL: NON-RESIDENTIAL DELINQUENCY REHABILITATION
FROM GENERAL REVENUE FUND 19,548,154
FROM TRUST FUNDS 99,465

TOTAL ALL FUNDS 19,647,619

PROGRAM: OFFICE OF THE SECRETARY/ASSISTANT SECRETARY FOR ADMINISTRATIVE SERVICES

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 9,839,216

1104 SALARIES AND BENEFITS POSITIONS 232.50
FROM GENERAL REVENUE FUND 12,719,486
FROM FEDERAL GRANTS TRUST FUND 95,969
FROM GRANTS AND DONATIONS TRUST FUND . . . 288,468

1105 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 685,886
FROM ADMINISTRATIVE TRUST FUND 72,341
FROM JUVENILE JUSTICE TRAINING TRUST FUND 11,712

1106 EXPENSES
FROM GENERAL REVENUE FUND 2,642,842
FROM ADMINISTRATIVE TRUST FUND 683,335
FROM FEDERAL GRANTS TRUST FUND 14,396
FROM GRANTS AND DONATIONS TRUST FUND . . . 149,305
FROM JUVENILE JUSTICE TRAINING TRUST FUND 759,326

1107 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 34,210

1108 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM GENERAL REVENUE FUND 432,000

1109 SPECIAL CATEGORIES
TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS
FROM GENERAL REVENUE FUND 17,014

1110 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 581,518
FROM GRANTS AND DONATIONS TRUST FUND . . . 208,537

1111 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 251,221
FROM JUVENILE JUSTICE TRAINING TRUST FUND 1,989,189

1112 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 115,638

1113 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 98,375
FROM FEDERAL GRANTS TRUST FUND 743
FROM GRANTS AND DONATIONS TRUST FUND . . . 2,238

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM GENERAL REVENUE FUND 17,578,190
FROM TRUST FUNDS 4,275,559

TOTAL POSITIONS 232.50
TOTAL ALL FUNDS 21,853,749

SECTION 4
SPECIFIC
APPROPRIATION
INFORMATION TECHNOLOGY

APPROVED SALARY RATE 2,929,225

1114 SALARIES AND BENEFITS POSITIONS 64.50
FROM GENERAL REVENUE FUND 3,674,848

1115 EXPENSES
FROM GENERAL REVENUE FUND 2,196,321
FROM ADMINISTRATIVE TRUST FUND 47,820

1116 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 87,841

1117 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 653,122

1118 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 15,390

1119 SPECIAL CATEGORIES
DEFERRED-PAYMENT COMMODITY CONTRACTS
FROM GENERAL REVENUE FUND 26,633

1120 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 25,308

TOTAL: INFORMATION TECHNOLOGY
FROM GENERAL REVENUE FUND 6,679,463
FROM TRUST FUNDS 47,820

TOTAL POSITIONS 64.50
TOTAL ALL FUNDS 6,727,283

PROGRAM: RESIDENTIAL CORRECTIONS PROGRAM

From the funds in Specific Appropriations 1121 through 1146 , the department shall provide a weekly residential resource utilization report that identifies operating capacity, current placements, vacant placements, number of youth waiting placement and the percent of use for all residential commitment beds. The department may increase or decrease beds or overlay services provided that the change will better serve taxpayers and the youth under its care. Notification and justification of changes will be provided to the Governor's Office of Policy and Budget, the chair of the Senate Fiscal Policy and Calendar Committee, and the chair of the House Policy and Budget Council prior to implementing any change.

From the funds in Specific Appropriations 1121 through 1146, for determining the most appropriate bed reductions in each level of residential commitments, the department may consider those residential commitment programs, which have scored below 72 on the overall program score represented in the Comprehensive Accountability Report, in determining which level of residential beds should be reduced. Prior to any change authorized herein, notification and justification must be provided to the Governor's Office of Policy and Budget, the chair of the Senate Fiscal Policy and Calendar Committee, and the chair of the House Policy and Budget Council.

NON-SECURE RESIDENTIAL COMMITMENT

APPROVED SALARY RATE 9,086,623

1121 SALARIES AND BENEFITS POSITIONS 295.00
FROM GENERAL REVENUE FUND 9,912,711
FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND 2,921,248

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1122	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	107,583	
	FROM FEDERAL GRANTS TRUST FUND		134,909
	FROM GRANTS AND DONATIONS TRUST FUND . . .		31,862
1123	EXPENSES		
	FROM GENERAL REVENUE FUND	1,374,153	
	FROM FEDERAL GRANTS TRUST FUND		397,274
	FROM GRANTS AND DONATIONS TRUST FUND . . .		21,226
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		264,925
1124	OPERATING CAPITAL OUTLAY		
	FROM GRANTS AND DONATIONS TRUST FUND . . .		21,231
1125	FOOD PRODUCTS		
	FROM GENERAL REVENUE FUND	458,209	
	FROM FEDERAL GRANTS TRUST FUND		138,468
1126	SPECIAL CATEGORIES		
	ACQUISITION OF MOTOR VEHICLES		
	FROM GENERAL REVENUE FUND	46,429	
1127	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	552,418	
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		186,402
1128	SPECIAL CATEGORIES		
	GRANTS AND AIDS - CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	122,453,606	
	FROM FEDERAL GRANTS TRUST FUND		159,900
	FROM GRANTS AND DONATIONS TRUST FUND . . .		541,744
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		2,132,034
1129	SPECIAL CATEGORIES		
	SHERIFFS' TRAINING AND RESPECT (STAR) ACADEMIES - RESIDENTIAL AND AFTERCARE SERVICES		
	FROM GENERAL REVENUE FUND	1,241,985	

Funds in Specific Appropriation 1129 are provided for Sheriffs' Training and Respect (STAR) programs as authorized by section 985.4891, Florida Statutes. No funds from Specific Appropriations 1073 through 1158 shall be expended for boot camp programs previously authorized by section 985.309, Florida Statutes.

1130	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	1,285,240	
	FROM GRANTS AND DONATIONS TRUST FUND . . .		65,503
1131	SPECIAL CATEGORIES		
	GRANTS AND AIDS - WILDERNESS THERAPEUTIC SERVICES		
	FROM GENERAL REVENUE FUND	5,467,000	
1132	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	116,417	
TOTAL:	NON-SECURE RESIDENTIAL COMMITMENT		
	FROM GENERAL REVENUE FUND	143,015,751	
	FROM TRUST FUNDS		7,016,726
	TOTAL POSITIONS	295.00	
	TOTAL ALL FUNDS		150,032,477

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SECURE RESIDENTIAL COMMITMENT

	APPROVED SALARY RATE 26,280,682		
1134	SALARIES AND BENEFITS POSITIONS 745.00		
	FROM GENERAL REVENUE FUND	33,623,302	
	FROM FEDERAL GRANTS TRUST FUND		93,671
	FROM GRANTS AND DONATIONS TRUST FUND . . .		238,001
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		2,277,013
1135	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	859,426	
	FROM FEDERAL GRANTS TRUST FUND		176,109
	FROM GRANTS AND DONATIONS TRUST FUND . . .		67,000
1136	EXPENSES		
	FROM GENERAL REVENUE FUND	3,050,384	
	FROM FEDERAL GRANTS TRUST FUND		227,748
1137	OPERATING CAPITAL OUTLAY		
	FROM GRANTS AND DONATIONS TRUST FUND . . .		33,861
1138	FOOD PRODUCTS		
	FROM GENERAL REVENUE FUND	457,973	
	FROM FEDERAL GRANTS TRUST FUND		57,637
1139	SPECIAL CATEGORIES		
	GRANTS AND AIDS - CONTRACTUAL SERVICES-DOZIER TRAINING SCHOOL		
	FROM GENERAL REVENUE FUND	429,875	
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		105,187
1140	SPECIAL CATEGORIES		
	GRANTS AND AIDS - CONTRACTUAL SERVICES-OKEECHOBEE TRAINING SCHOOL		
	FROM GENERAL REVENUE FUND	6,652,143	
	FROM GRANTS AND DONATIONS TRUST FUND . . .		32,088
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		2,546,273
1141	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	1,534,707	
1142	SPECIAL CATEGORIES		
	GRANTS AND AIDS - CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	26,706,239	
	FROM FEDERAL GRANTS TRUST FUND		1,396,290
	FROM GRANTS AND DONATIONS TRUST FUND . . .		703,189
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		30,808,311
1143	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	985,780	
1144	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	275,040	
	FROM FEDERAL GRANTS TRUST FUND		6,365
	FROM GRANTS AND DONATIONS TRUST FUND . . .		16,172
1146	FIXED CAPITAL OUTLAY		
	JUVENILE FACILITIES - LEASE PURCHASE		
	FROM GENERAL REVENUE FUND	1,806,244	
TOTAL:	SECURE RESIDENTIAL COMMITMENT		
	FROM GENERAL REVENUE FUND	76,381,113	
	FROM TRUST FUNDS		38,784,915

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TOTAL POSITIONS	745.00	
TOTAL ALL FUNDS		115,166,028

PROGRAM: PREVENTION AND VICTIM SERVICES

DELINQUENCY PREVENTION AND DIVERSION

APPROVED SALARY RATE 849,996

1147	SALARIES AND BENEFITS POSITIONS	17.00	
	FROM GENERAL REVENUE FUND	469,774	
	FROM FEDERAL GRANTS TRUST FUND		51,411
	FROM GRANTS AND DONATIONS TRUST FUND . . .		456,390
1148	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	299,163	
	FROM FEDERAL GRANTS TRUST FUND		100,034
	FROM GRANTS AND DONATIONS TRUST FUND . . .		141,126
1149	EXPENSES		
	FROM GENERAL REVENUE FUND	266,247	
	FROM FEDERAL GRANTS TRUST FUND		69,500
	FROM GRANTS AND DONATIONS TRUST FUND . . .		282,180
1150	AID TO LOCAL GOVERNMENTS		
	GRANTS AND AIDS - INVEST IN CHILDREN		
	FROM JUVENILE CRIME PREVENTION AND EARLY INTERVENTION TRUST FUND		519,338
1151	OPERATING CAPITAL OUTLAY		
	FROM FEDERAL GRANTS TRUST FUND		12,450
	FROM GRANTS AND DONATIONS TRUST FUND . . .		12,450
1152	SPECIAL CATEGORIES		
	PACE CENTERS		
	FROM GENERAL REVENUE FUND	10,110,117	
	FROM GRANTS AND DONATIONS TRUST FUND . . .		805,714

Funds provided in Specific Appropriations 1152 and 1157 shall be directed to those programs that prevent, intervene early and divert youth from the juvenile justice and the child welfare systems. Programs funded with these appropriations must be outcome based with outcomes tied to the populations served. The Office of Program Policy and Government Accountability shall evaluate the effectiveness of funds from these specific appropriations used to contract with the Florida Network of Youth and Family Services and its providers, and PACE Centers for Girls to determine the following:

(a) the continuing need for a single gatekeeper to implement the CINS/FINS contracts;

(b) the effectiveness of the screening and assessment tools in identifying the targeted populations;

(c) the development and implementation of evidenced-based programs and services to meet the needs of the targeted population;

(d) the effectiveness of monitoring tools used by the department, the Network and providers; and

(e) the use of output and outcome measures to determine program costs and effectiveness.

The Office of Program Policy and Government Accountability shall develop a report to the Legislature that summarizes the above information and provides recommendations for policy and contractual changes that will maximize funding, improve program performance and provide successful outcomes for at risk youth. The report shall be submitted on or before January 1, 2009, to the Governor, the President of the Senate and the Speaker of the House.

1153	SPECIAL CATEGORIES		
	LEGISLATIVE INITIATIVES TO REDUCE AND PREVENT JUVENILE CRIME		
	FROM GENERAL REVENUE FUND	981,040	

From the funds in Specific Appropriation 1153, $678,209 from recurring general revenue is provided to the PAR Adolescent Intervention Center (PAIC) Pasco.

1154	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	35,126	
	FROM FEDERAL GRANTS TRUST FUND		50,000
1155	SPECIAL CATEGORIES		
	GRANTS AND AIDS - CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	792,948	
	FROM FEDERAL GRANTS TRUST FUND		5,325,799
	FROM GRANTS AND DONATIONS TRUST FUND . . .		7,570,115
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		2,639
1156	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	4,139	
1157	SPECIAL CATEGORIES		
	GRANTS AND AIDS - CHILDREN/FAMILIES IN NEED OF SERVICES		
	FROM GENERAL REVENUE FUND	25,110,356	
	FROM FEDERAL GRANTS TRUST FUND		1,000,000
	FROM GRANTS AND DONATIONS TRUST FUND . . .		4,194,286
	FROM SOCIAL SERVICES BLOCK GRANT TRUST FUND		383,858

From the funds in Specific Appropriation 1157, the Department of Juvenile Justice shall not expend more than $150,000 in recurring general revenue for physically secure placements for youths being served by the Children-In-Need of Services/Families-In-Need of Services (CINS/FINS) program.

Additionally, the CINS/FINS provider shall demonstrate that it has considered local, non-traditional, non-residential delinquency prevention service providers including, but not limited to, grassroots organizations, community, and faith- based organizations, to subcontract and deliver non-residential CINS/FINS services to eligible youth as defined in chapters 984 and 1003.27, F.S., to include areas with high ratios of juvenile arrests per youth ages 10 to 17. Such services shall be offered throughout the judicial circuit served by the CINS/FINS provider.

1158	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	3,503	
	FROM FEDERAL GRANTS TRUST FUND		419
	FROM GRANTS AND DONATIONS TRUST FUND . . .		3,365
TOTAL: DELINQUENCY PREVENTION AND DIVERSION			
	FROM GENERAL REVENUE FUND	38,072,413	
	FROM TRUST FUNDS		20,981,074
	TOTAL POSITIONS	17.00	
	TOTAL ALL FUNDS		59,053,487

LAW ENFORCEMENT, DEPARTMENT OF

PROGRAM: EXECUTIVE DIRECTION AND SUPPORT

PROVIDE EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 6,317,701

1159	SALARIES AND BENEFITS POSITIONS	124.00	
	FROM GENERAL REVENUE FUND	3,539,109	

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FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		513,467
FROM FEDERAL GRANTS TRUST FUND		503,199
FROM OPERATING TRUST FUND		2,828,057
1160 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	7,838	
FROM ADMINISTRATIVE TRUST FUND		5,000
FROM FEDERAL GRANTS TRUST FUND		198,602
FROM OPERATING TRUST FUND		56,138
1161 EXPENSES		
FROM GENERAL REVENUE FUND	894,619	
FROM ADMINISTRATIVE TRUST FUND		64,548
FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		40,557
FROM FEDERAL GRANTS TRUST FUND		169,956
FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND		286,666
FROM OPERATING TRUST FUND		546,467
FROM REVOLVING TRUST FUND		1,000,000
1162 AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - NATIONAL CRIMINAL HISTORY IMPROVEMENT PROGRAM (NCHIP) - STATE AGENCIES		
FROM FEDERAL GRANTS TRUST FUND		2,683,102
1163 AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - NATIONAL CRIMINAL HISTORY IMPROVEMENT PROGRAM (NCHIP) - LOCAL GOVERNMENTS		
FROM FEDERAL GRANTS TRUST FUND		1,529,434
1164 AID TO LOCAL GOVERNMENTS GRANTS AND AIDS - PROJECT SAFE NEIGHBORHOODS		
FROM FEDERAL GRANTS TRUST FUND		1,263,483
1165 AID TO LOCAL GOVERNMENTS BYRNE MEMORIAL LOCAL LAW ENFORCEMENT ASSISTANCE PROGRAM		
FROM FEDERAL GRANTS TRUST FUND		19,118,106
1166 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	24,616	
FROM FEDERAL GRANTS TRUST FUND		4,000
FROM OPERATING TRUST FUND		337
1167 SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES		
FROM GENERAL REVENUE FUND	9,650	
FROM OPERATING TRUST FUND		402
1168 SPECIAL CATEGORIES GRANTS AND AIDS - COMMUNITY AND STATEWIDE DRUG ABUSE PREVENTION PROGRAM		
FROM FEDERAL GRANTS TRUST FUND		4,497,908
1169 SPECIAL CATEGORIES CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	25,480	
FROM ADMINISTRATIVE TRUST FUND		15,000
FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		3,203
FROM FEDERAL GRANTS TRUST FUND		218,573
FROM OPERATING TRUST FUND		152,372
1170 SPECIAL CATEGORIES DOMESTIC SECURITY		
FROM OPERATING TRUST FUND		400,000
1171 SPECIAL CATEGORIES OVERTIME		

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FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND		748
1172 SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	13,395	
FROM ADMINISTRATIVE TRUST FUND		1,864
FROM FEDERAL GRANTS TRUST FUND		12,125
FROM OPERATING TRUST FUND		15,295
1173 SPECIAL CATEGORIES SALARY INCENTIVE PAYMENTS		
FROM GENERAL REVENUE FUND	19,667	
1174 SPECIAL CATEGORIES BYRNE MEMORIAL STATE LAW ENFORCEMENT ASSISTANCE PROGRAM		
FROM FEDERAL GRANTS TRUST FUND		10,412,678
1175 SPECIAL CATEGORIES GRANTS AND AID - RESIDENTIAL SUBSTANCE ABUSE TREATMENT PROGRAM - LOCAL UNITS OF GOVERNMENT		
FROM FEDERAL GRANTS TRUST FUND		1,247,724
1176 SPECIAL CATEGORIES GRANTS AND AID - RESIDENTIAL SUBSTANCE ABUSE TREATMENT PROGRAM - STATE AGENCY		
FROM FEDERAL GRANTS TRUST FUND		3,675,511
1177 SPECIAL CATEGORIES GRANTS AND AID - LOCAL LAW ENFORCEMENT BLOCK GRANT - LOCAL UNITS OF GOVERNMENT		
FROM FEDERAL GRANTS TRUST FUND		768,522
1178 SPECIAL CATEGORIES GRANTS AND AID - VIOLENT OFFENDER INCARCERATIONS AND TRUTH-IN- SENTENCING INCENTIVE PROGRAM - STATE AGENCY		
FROM FEDERAL GRANTS TRUST FUND		5,854,137
1179 SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	26,180	
FROM ADMINISTRATIVE TRUST FUND		3,629
FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		3,579
FROM OPERATING TRUST FUND		19,105
TOTAL: PROVIDE EXECUTIVE DIRECTION AND SUPPORT SERVICES		
FROM GENERAL REVENUE FUND	4,560,554	
FROM TRUST FUNDS		58,113,494
TOTAL POSITIONS	124.00	
TOTAL ALL FUNDS		62,674,048

PROGRAM: FLORIDA CAPITOL POLICE PROGRAM

CAPITOL POLICE SERVICES

APPROVED SALARY RATE	3,505,867		
1181 SALARIES AND BENEFITS	POSITIONS	88.00	
FROM GENERAL REVENUE FUND		2,167	
FROM OPERATING TRUST FUND			4,977,559
1182 OTHER PERSONAL SERVICES			
FROM OPERATING TRUST FUND			3,778
1183 EXPENSES			
FROM OPERATING TRUST FUND			601,842

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1184	OPERATING CAPITAL OUTLAY		
	FROM OPERATING TRUST FUND		85,369
1185	SPECIAL CATEGORIES		
	ACQUISITION OF MOTOR VEHICLES		
	FROM OPERATING TRUST FUND		30,500
1186	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM OPERATING TRUST FUND		70,084
1187	SPECIAL CATEGORIES		
	CAPITOL COMPLEX SECURITY		
	FROM GENERAL REVENUE FUND	7,360	
	FROM OPERATING TRUST FUND		20,000
1188	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM OPERATING TRUST FUND		152,581
1189	SPECIAL CATEGORIES		
	SALARY INCENTIVE PAYMENTS		
	FROM OPERATING TRUST FUND		38,064
1190	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	433	
	FROM OPERATING TRUST FUND		34,773
1191	DATA PROCESSING SERVICES		
	TECHNOLOGY RESOURCE CENTER - DEPARTMENT OF MANAGEMENT SERVICES		
	FROM OPERATING TRUST FUND		6,969
TOTAL:	CAPITOL POLICE SERVICES		
	FROM GENERAL REVENUE FUND	9,960	
	FROM TRUST FUNDS		6,021,519
	TOTAL POSITIONS	88.00	
	TOTAL ALL FUNDS		6,031,479

PROGRAM: INVESTIGATIONS AND FORENSIC SCIENCE PROGRAM

PROVIDE CRIME LAB SERVICES

APPROVED SALARY RATE 19,745,607

1192	SALARIES AND BENEFITS POSITIONS	415.00	
	FROM GENERAL REVENUE FUND	27,642,802	
	FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		40,153
	FROM FEDERAL GRANTS TRUST FUND		14,922
	FROM OPERATING TRUST FUND		209,995
1193	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	7,211	
	FROM FEDERAL GRANTS TRUST FUND		15,000
1194	EXPENSES		
	FROM GENERAL REVENUE FUND	5,949,827	
	FROM FEDERAL GRANTS TRUST FUND		1,240,181
	FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND		510,531
	FROM OPERATING TRUST FUND		391,362

From the funds in Specific Appropriation 1194, the Department of Law Enforcement is authorized to distribute 10,000 rape kits to local law enforcement agencies and rape crisis centers statewide at no cost. In addition, the department is authorized to use additional federal funds and any other available funds contained in Specific Appropriation 1194

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for the purpose of processing rape kits, including the backlog of non-suspect rape cases.

1195	AID TO LOCAL GOVERNMENTS		
	CRIMINAL INVESTIGATIONS		
	FROM FEDERAL GRANTS TRUST FUND		1,811,474
	FROM OPERATING TRUST FUND		2,379,702
1196	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	364,099	
	FROM ADMINISTRATIVE TRUST FUND		5,000
	FROM FEDERAL GRANTS TRUST FUND		2,293,028
1197	SPECIAL CATEGORIES		
	ACQUISITION OF MOTOR VEHICLES		
	FROM GENERAL REVENUE FUND	168,960	
1198	SPECIAL CATEGORIES		
	PERFORMANCE ADJUSTMENTS		
	FROM GENERAL REVENUE FUND	401,900	
1199	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	548,628	
	FROM FEDERAL GRANTS TRUST FUND		1,407,918
1200	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM OPERATING TRUST FUND		92,036
1201	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	165,394	
	FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		240
	FROM FEDERAL GRANTS TRUST FUND		2,273
TOTAL:	PROVIDE CRIME LAB SERVICES		
	FROM GENERAL REVENUE FUND	35,248,821	
	FROM TRUST FUNDS		10,413,815
	TOTAL POSITIONS	415.00	
	TOTAL ALL FUNDS		45,662,636

PROVIDE INVESTIGATIVE SERVICES

APPROVED SALARY RATE 38,977,589

1202	SALARIES AND BENEFITS POSITIONS	705.00	
	FROM GENERAL REVENUE FUND	42,862,312	
	FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		1,157,813
	FROM FEDERAL GRANTS TRUST FUND		643,345
	FROM GRANTS AND DONATIONS TRUST FUND . . .		4,980
	FROM OPERATING TRUST FUND		9,583,140
1203	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	293,593	
	FROM ADMINISTRATIVE TRUST FUND		25,276
	FROM FEDERAL GRANTS TRUST FUND		194,832
	FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND		42,360
	FROM GRANTS AND DONATIONS TRUST FUND . . .		1,342
	FROM OPERATING TRUST FUND		88,070
1204	EXPENSES		
	FROM GENERAL REVENUE FUND	8,195,168	
	FROM ADMINISTRATIVE TRUST FUND		132,670
	FROM FEDERAL GRANTS TRUST FUND		297,647
	FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND		843,875
	FROM OPERATING TRUST FUND		3,380,435

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From the funds provided in Specific Appropriation 1204 from the Forfeiture and Investigative Support Trust Fund, up to $25,000 per case, but not exceeding $150,000 in total for all cases, may be expended for rewards leading to the capture of fugitives, if such funds are available.

1205	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	54,144	
	FROM ADMINISTRATIVE TRUST FUND		5,000
	FROM FEDERAL GRANTS TRUST FUND		59,509
	FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND		190,574
1206	SPECIAL CATEGORIES		
	ACQUISITION OF MOTOR VEHICLES		
	FROM GENERAL REVENUE FUND	491,854	
	FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND		580,000
1207	SPECIAL CATEGORIES		
	FLORIDA SEAPORT SECURITY IMPROVEMENTS		
	FROM GENERAL REVENUE FUND	288,597	
1208	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	580,902	
	FROM ADMINISTRATIVE TRUST FUND		5,000
	FROM FEDERAL GRANTS TRUST FUND		147,441
	FROM FORFEITURE AND INVESTIGATIVE SUPPORT TRUST FUND		34,624
	FROM OPERATING TRUST FUND		175,817
1209	SPECIAL CATEGORIES		
	DOMESTIC SECURITY		
	FROM GENERAL REVENUE FUND	1,350,267	
	FROM FEDERAL GRANTS TRUST FUND		1,522,672
1210	SPECIAL CATEGORIES		
	GRANTS AND AIDS - SPECIAL PROJECTS		
	FROM GENERAL REVENUE FUND	232,461	
	FROM GRANTS AND DONATIONS TRUST FUND . . .		100,000
1211	SPECIAL CATEGORIES		
	OVERTIME		
	FROM ADMINISTRATIVE TRUST FUND		3,013
	FROM FEDERAL GRANTS TRUST FUND		314,125
	FROM GRANTS AND DONATIONS TRUST FUND . . .		60,085
	FROM FEDERAL LAW ENFORCEMENT TRUST FUND .		1,018,486
1212	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	369,689	
	FROM OPERATING TRUST FUND		108,661
1213	SPECIAL CATEGORIES		
	SALARY INCENTIVE PAYMENTS		
	FROM GENERAL REVENUE FUND	483,991	
	FROM OPERATING TRUST FUND		32,760
1214	SPECIAL CATEGORIES		
	DEFERRED-PAYMENT COMMODITY CONTRACTS		
	FROM GENERAL REVENUE FUND	108,664	
1215	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	265,515	
	FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		1,436
	FROM FEDERAL GRANTS TRUST FUND		4,386
	FROM OPERATING TRUST FUND		17,592

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1216	FIXED CAPITAL OUTLAY		
	MINOR REPAIRS AND RENOVATIONS AT REGIONAL OPERATING FACILITIES		
	FROM OPERATING TRUST FUND		500,000
TOTAL:	PROVIDE INVESTIGATIVE SERVICES		
	FROM GENERAL REVENUE FUND	55,577,157	
	FROM TRUST FUNDS		21,276,966
	TOTAL POSITIONS	705.00	
	TOTAL ALL FUNDS		76,854,123

MUTUAL AID AND PREVENTION SERVICES

APPROVED SALARY RATE 1,189,822

1217	SALARIES AND BENEFITS POSITIONS	20.00	
	FROM GENERAL REVENUE FUND	1,563,986	
	FROM OPERATING TRUST FUND		31,663
1218	EXPENSES		
	FROM GENERAL REVENUE FUND	131,246	
1219	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	9,441	
1220	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	3,108	
1221	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	8,202	
	FROM OPERATING TRUST FUND		166
TOTAL:	MUTUAL AID AND PREVENTION SERVICES		
	FROM GENERAL REVENUE FUND	1,715,983	
	FROM TRUST FUNDS		31,829
	TOTAL POSITIONS	20.00	
	TOTAL ALL FUNDS		1,747,812

PUBLIC ASSISTANCE FRAUD INVESTIGATIONS

APPROVED SALARY RATE 4,266,272

1222	SALARIES AND BENEFITS POSITIONS	79.00	
	FROM GENERAL REVENUE FUND	2,065,469	
	FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		32,363
	FROM FEDERAL GRANTS TRUST FUND		3,643,093
	FROM GRANTS AND DONATIONS TRUST FUND . . .		50,527
1223	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	1,406	
	FROM ADMINISTRATIVE TRUST FUND		50
	FROM FEDERAL GRANTS TRUST FUND		74
	FROM GRANTS AND DONATIONS TRUST FUND . . .		20
1224	EXPENSES		
	FROM GENERAL REVENUE FUND	491,104	
	FROM ADMINISTRATIVE TRUST FUND		26,391
	FROM FEDERAL GRANTS TRUST FUND		443,089
	FROM GRANTS AND DONATIONS TRUST FUND . . .		6,389
1225	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	73,058	
1226	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		

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FROM GENERAL REVENUE FUND	21,529	
FROM ADMINISTRATIVE TRUST FUND		50
FROM FEDERAL GRANTS TRUST FUND		350
FROM GRANTS AND DONATIONS TRUST FUND		127
1227 SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND	16,438	
1228 SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND	18,141	
FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		220
FROM FEDERAL GRANTS TRUST FUND		19,714
FROM GRANTS AND DONATIONS TRUST FUND		4,958
1229 DATA PROCESSING SERVICES OTHER DATA PROCESSING SERVICES FROM GENERAL REVENUE FUND	34,204	
FROM FEDERAL GRANTS TRUST FUND		109,722
TOTAL: PUBLIC ASSISTANCE FRAUD INVESTIGATIONS FROM GENERAL REVENUE FUND	2,721,349	
FROM TRUST FUNDS		4,337,137
TOTAL POSITIONS	79.00	
TOTAL ALL FUNDS		7,058,486

PROGRAM: CRIMINAL JUSTICE INFORMATION PROGRAM

PROVIDE INFORMATION NETWORK SERVICES TO THE LAW ENFORCEMENT COMMUNITY

APPROVED SALARY RATE 6,678,731

1230 SALARIES AND BENEFITS POSITIONS 128.00 FROM GENERAL REVENUE FUND	120,547	
FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		140,418
FROM FEDERAL GRANTS TRUST FUND		62,966
FROM OPERATING TRUST FUND		7,384,883
1231 OTHER PERSONAL SERVICES FROM ADMINISTRATIVE TRUST FUND		5,838
FROM FEDERAL GRANTS TRUST FUND		276,919
FROM OPERATING TRUST FUND		225,604
1232 EXPENSES FROM GENERAL REVENUE FUND	34,944	
FROM ADMINISTRATIVE TRUST FUND		2,202
FROM FEDERAL GRANTS TRUST FUND		33,107
FROM OPERATING TRUST FUND		8,075,145
1233 OPERATING CAPITAL OUTLAY FROM ADMINISTRATIVE TRUST FUND		5,000
FROM FEDERAL GRANTS TRUST FUND		452,399
FROM OPERATING TRUST FUND		3,051,713
1234 SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND	599	
FROM ADMINISTRATIVE TRUST FUND		113,100
FROM FEDERAL GRANTS TRUST FUND		444,978
FROM OPERATING TRUST FUND		6,791,004
1235 SPECIAL CATEGORIES OVERTIME FROM OPERATING TRUST FUND		46,200

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1236 SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM OPERATING TRUST FUND		19,310
1237 SPECIAL CATEGORIES DEFERRED-PAYMENT COMMODITY CONTRACTS FROM OPERATING TRUST FUND		1,067,110
1238 SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND	8,290	
FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		1,902
FROM FEDERAL GRANTS TRUST FUND		428
FROM OPERATING TRUST FUND		42,338
1238A QUALIFIED EXPENDITURE CATEGORY INTEGRATED CRIMINAL HISTORY SYSTEM - FALCON FROM OPERATING TRUST FUND		4,315,866
1239 DATA PROCESSING SERVICES TECHNOLOGY RESOURCE CENTER - DEPARTMENT OF MANAGEMENT SERVICES FROM OPERATING TRUST FUND		26,740
TOTAL: PROVIDE INFORMATION NETWORK SERVICES TO THE LAW ENFORCEMENT COMMUNITY FROM GENERAL REVENUE FUND	164,380	
FROM TRUST FUNDS		32,585,170
TOTAL POSITIONS	128.00	
TOTAL ALL FUNDS		32,749,550

PROVIDE PREVENTION AND CRIME INFORMATION SERVICES

APPROVED SALARY RATE 10,350,899

1240 SALARIES AND BENEFITS POSITIONS 293.00 FROM GENERAL REVENUE FUND	373,386	
FROM CRIMINAL JUSTICE STANDARDS AND TRAINING TRUST FUND		206,441
FROM FEDERAL GRANTS TRUST FUND		459,146
FROM OPERATING TRUST FUND		12,527,695
1241 OTHER PERSONAL SERVICES FROM GENERAL REVENUE FUND	10,000	
FROM ADMINISTRATIVE TRUST FUND		5,000
FROM FEDERAL GRANTS TRUST FUND		348,129
FROM OPERATING TRUST FUND		436,394
1242 EXPENSES FROM GENERAL REVENUE FUND	172,721	
FROM ADMINISTRATIVE TRUST FUND		85,781
FROM FEDERAL GRANTS TRUST FUND		320,085
FROM OPERATING TRUST FUND		2,024,694
1243 OPERATING CAPITAL OUTLAY FROM GENERAL REVENUE FUND	2,600	
FROM OPERATING TRUST FUND		311,792
1244 SPECIAL CATEGORIES ACQUISITION OF MOTOR VEHICLES FROM GENERAL REVENUE FUND	402	
FROM OPERATING TRUST FUND		93,168
1245 SPECIAL CATEGORIES CONTRACTED SERVICES FROM GENERAL REVENUE FUND	202,478	
FROM ADMINISTRATIVE TRUST FUND		2,000
FROM FEDERAL GRANTS TRUST FUND		19,715
FROM OPERATING TRUST FUND		704,038

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1246 SPECIAL CATEGORIES
OVERTIME
FROM OPERATING TRUST FUND 218,946

1247 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM OPERATING TRUST FUND 68,937

1248 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM OPERATING TRUST FUND 5,160

1249 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 7,111
FROM CRIMINAL JUSTICE STANDARDS AND
TRAINING TRUST FUND 1,732
FROM FEDERAL GRANTS TRUST FUND 3,948
FROM OPERATING TRUST FUND 109,593

TOTAL: PROVIDE PREVENTION AND CRIME INFORMATION SERVICES
FROM GENERAL REVENUE FUND 768,698
FROM TRUST FUNDS 17,952,394

TOTAL POSITIONS 293.00
TOTAL ALL FUNDS 18,721,092

PROGRAM: CRIMINAL JUSTICE PROFESSIONALISM

LAW ENFORCEMENT STANDARDS COMPLIANCE

APPROVED SALARY RATE 2,701,276

1250 SALARIES AND BENEFITS POSITIONS 55.00
FROM GENERAL REVENUE FUND 39,487
FROM CRIMINAL JUSTICE STANDARDS AND
TRAINING TRUST FUND 3,227,323

1251 OTHER PERSONAL SERVICES
FROM CRIMINAL JUSTICE STANDARDS AND
TRAINING TRUST FUND 205,380

1252 EXPENSES
FROM CRIMINAL JUSTICE STANDARDS AND
TRAINING TRUST FUND 432,265

1253 SPECIAL CATEGORIES
TRANSFER TO DIVISION OF ADMINISTRATIVE
HEARINGS
FROM CRIMINAL JUSTICE STANDARDS AND
TRAINING TRUST FUND 96,580

1254 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM OPERATING TRUST FUND 100,000

1255 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM CRIMINAL JUSTICE STANDARDS AND
TRAINING TRUST FUND 10,432

1256 SPECIAL CATEGORIES
GRANTS AND AIDS - SPECIAL EDUCATION AND
TECHNICAL TRAINING
FROM CRIMINAL JUSTICE STANDARDS AND
TRAINING TRUST FUND 6,001,252

1257 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT

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FROM GENERAL REVENUE FUND 246
FROM CRIMINAL JUSTICE STANDARDS AND
TRAINING TRUST FUND 22,759

TOTAL: LAW ENFORCEMENT STANDARDS COMPLIANCE
FROM GENERAL REVENUE FUND 39,733
FROM TRUST FUNDS 10,095,991

TOTAL POSITIONS 55.00
TOTAL ALL FUNDS 10,135,724

LAW ENFORCEMENT TRAINING AND CERTIFICATION
SERVICES

APPROVED SALARY RATE 2,816,009

1258 SALARIES AND BENEFITS POSITIONS 56.00
FROM GENERAL REVENUE FUND 341,134
FROM CRIMINAL JUSTICE STANDARDS AND
TRAINING TRUST FUND 3,128,799
FROM OPERATING TRUST FUND 213,528

1259 OTHER PERSONAL SERVICES
FROM CRIMINAL JUSTICE STANDARDS AND
TRAINING TRUST FUND 660,798
FROM OPERATING TRUST FUND 3,000

1260 EXPENSES
FROM GENERAL REVENUE FUND 20,368
FROM CRIMINAL JUSTICE STANDARDS AND
TRAINING TRUST FUND 1,800,393
FROM OPERATING TRUST FUND 61,178

1261 OPERATING CAPITAL OUTLAY
FROM CRIMINAL JUSTICE STANDARDS AND
TRAINING TRUST FUND 203,819

1262 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 1,000
FROM CRIMINAL JUSTICE STANDARDS AND
TRAINING TRUST FUND 393,943
FROM OPERATING TRUST FUND 36,579

1263 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM CRIMINAL JUSTICE STANDARDS AND
TRAINING TRUST FUND 8,951

1264 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 4,290
FROM CRIMINAL JUSTICE STANDARDS AND
TRAINING TRUST FUND 5,070

1265 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 2,229
FROM CRIMINAL JUSTICE STANDARDS AND
TRAINING TRUST FUND 20,308
FROM OPERATING TRUST FUND 1,405

TOTAL: LAW ENFORCEMENT TRAINING AND CERTIFICATION
SERVICES
FROM GENERAL REVENUE FUND 369,021
FROM TRUST FUNDS 6,537,771

TOTAL POSITIONS 56.00
TOTAL ALL FUNDS 6,906,792

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APPROPRIATION
LEGAL AFFAIRS, DEPARTMENT OF, AND ATTORNEY GENERAL

PROGRAM: OFFICE OF ATTORNEY GENERAL

CIVIL ENFORCEMENT

APPROVED SALARY RATE 28,088,585

1266	SALARIES AND BENEFITS POSITIONS	625.00	
	FROM GENERAL REVENUE FUND	6,172,759	
	FROM CRIMES COMPENSATION TRUST FUND . . .		240,636
	FROM FEDERAL GRANTS TRUST FUND		11,901,569
	FROM LEGAL SERVICES TRUST FUND		10,553,796
	FROM LEGAL AFFAIRS REVOLVING TRUST FUND .		6,548,691
	FROM MOTOR VEHICLE WARRANTY TRUST FUND . .		1,444,175
	FROM OPERATING TRUST FUND		500,000
1267	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	94,464	
	FROM FEDERAL GRANTS TRUST FUND		125,709
	FROM LEGAL SERVICES TRUST FUND		210,834
	FROM MOTOR VEHICLE WARRANTY TRUST FUND . .		85,512
1268	EXPENSES		
	FROM GENERAL REVENUE FUND	925,669	
	FROM CRIMES COMPENSATION TRUST FUND . . .		29,466
	FROM FEDERAL GRANTS TRUST FUND		1,829,788
	FROM LEGAL SERVICES TRUST FUND		1,485,200
	FROM LEGAL AFFAIRS REVOLVING TRUST FUND .		5,539
	FROM MOTOR VEHICLE WARRANTY TRUST FUND . .		427,384
	FROM OPERATING TRUST FUND		7,830
1269	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	117,222	
	FROM FEDERAL GRANTS TRUST FUND		305,816
	FROM LEGAL SERVICES TRUST FUND		520,700
	FROM LEGAL AFFAIRS REVOLVING TRUST FUND .		51,938
	FROM MOTOR VEHICLE WARRANTY TRUST FUND . .		44,114
1270	SPECIAL CATEGORIES		
	ACQUISITION OF MOTOR VEHICLES		
	FROM GENERAL REVENUE FUND	56,175	
	FROM FEDERAL GRANTS TRUST FUND		203,551
1271	SPECIAL CATEGORIES		
	ANTITRUST INVESTIGATIONS		
	FROM LEGAL AFFAIRS REVOLVING TRUST FUND .		1,479,256
1272	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	74,979	
	FROM FEDERAL GRANTS TRUST FUND		144,731
	FROM LEGAL SERVICES TRUST FUND		719,580
	FROM MOTOR VEHICLE WARRANTY TRUST FUND . .		74,281
1273	SPECIAL CATEGORIES		
	ECONOMIC CRIME LITIGATION		
	FROM LEGAL AFFAIRS REVOLVING TRUST FUND .		5,062,841
1274	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	46,343	
	FROM FEDERAL GRANTS TRUST FUND		101,080
	FROM LEGAL SERVICES TRUST FUND		138,708
	FROM LEGAL AFFAIRS REVOLVING TRUST FUND .		87,335
	FROM MOTOR VEHICLE WARRANTY TRUST FUND . .		9,740
1275	SPECIAL CATEGORIES		
	SALARY INCENTIVE PAYMENTS		
	FROM GENERAL REVENUE FUND	72,631	
	FROM CRIMES COMPENSATION TRUST FUND . . .		5,920
	FROM FEDERAL GRANTS TRUST FUND		97,661

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1276	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	58,230	
	FROM FEDERAL GRANTS TRUST FUND		79,855
	FROM GRANTS AND DONATIONS TRUST FUND . . .		1,663
	FROM LEGAL SERVICES TRUST FUND		71,343
	FROM LEGAL AFFAIRS REVOLVING TRUST FUND .		36,078
	FROM MOTOR VEHICLE WARRANTY TRUST FUND . .		9,762
1277	DATA PROCESSING SERVICES		
	TECHNOLOGY RESOURCE CENTER - DEPARTMENT OF MANAGEMENT SERVICES		
	FROM LEGAL AFFAIRS REVOLVING TRUST FUND .		7,448
1278	DATA PROCESSING SERVICES		
	OTHER DATA PROCESSING SERVICES		
	FROM GENERAL REVENUE FUND	12,483	
	FROM FEDERAL GRANTS TRUST FUND		35,000
	FROM LEGAL SERVICES TRUST FUND		192,081
TOTAL:	CIVIL ENFORCEMENT		
	FROM GENERAL REVENUE FUND	7,630,955	
	FROM TRUST FUNDS		44,876,611
	TOTAL POSITIONS	625.00	
	TOTAL ALL FUNDS		52,507,566

CONSTITUTIONAL LEGAL SERVICES

APPROVED SALARY RATE 1,587,465

1279	SALARIES AND BENEFITS POSITIONS	24.50	
	FROM GENERAL REVENUE FUND	1,936,844	
	FROM CRIMES COMPENSATION TRUST FUND . . .		69,075
	FROM OPERATING TRUST FUND		96,438
1280	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	15,529	
	FROM CRIMES COMPENSATION TRUST FUND . . .		6,225
1281	EXPENSES		
	FROM GENERAL REVENUE FUND	174,301	
	FROM CRIMES COMPENSATION TRUST FUND . . .		5,443
1282	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	17,862	
	FROM CRIMES COMPENSATION TRUST FUND . . .		6,300
1283	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	5,920	
1284	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	13,585	
1285	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	6,999	
	FROM CRIMES COMPENSATION TRUST FUND . . .		2,260
	FROM GRANTS AND DONATIONS TRUST FUND . . .		9
	FROM OPERATING TRUST FUND		463
TOTAL:	CONSTITUTIONAL LEGAL SERVICES		
	FROM GENERAL REVENUE FUND	2,171,040	
	FROM TRUST FUNDS		186,213
	TOTAL POSITIONS	24.50	
	TOTAL ALL FUNDS		2,357,253

SECTION 4
SPECIFIC
APPROPRIATION
CRIMINAL AND CIVIL LITIGATION DEFENSE

APPROVED SALARY RATE 19,355,946

1286 SALARIES AND BENEFITS POSITIONS 366.50
FROM GENERAL REVENUE FUND 9,910,232
FROM CRIMES COMPENSATION TRUST FUND . . . 429,448
FROM LEGAL SERVICES TRUST FUND 11,650,820
FROM OPERATING TRUST FUND 2,874,000

1287 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 47,977
FROM LEGAL SERVICES TRUST FUND 1,436,161

1288 EXPENSES
FROM GENERAL REVENUE FUND 1,402,845
FROM CRIMES COMPENSATION TRUST FUND . . . 44,508
FROM LEGAL SERVICES TRUST FUND 2,315,081
FROM OPERATING TRUST FUND 40,055

1289 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 195,190
FROM LEGAL SERVICES TRUST FUND 362,691

1290 LUMP SUM
ATTORNEY GENERAL RESERVE POSITIONS FOR
AGENCY CONTRACTS
POSITIONS 50.00

The positions in Specific Appropriation 1290 shall be released as necessary to allow the Office of the Attorney General to contract with state agencies to provide legal representation.

1291 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 108,717
FROM LEGAL SERVICES TRUST FUND 673,819

1292 SPECIAL CATEGORIES
LITIGATION EXPENSES
FROM LEGAL SERVICES TRUST FUND 46,500

1293 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 96,483
FROM LEGAL SERVICES TRUST FUND 79,675

1294 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 77,137
FROM LEGAL SERVICES TRUST FUND 69,408

1295 DATA PROCESSING SERVICES
OTHER DATA PROCESSING SERVICES
FROM LEGAL SERVICES TRUST FUND 30,972

TOTAL: CRIMINAL AND CIVIL LITIGATION DEFENSE
FROM GENERAL REVENUE FUND 11,838,581
FROM TRUST FUNDS 20,053,138

TOTAL POSITIONS 416.50
TOTAL ALL FUNDS 31,891,719

VICTIM SERVICES

APPROVED SALARY RATE 3,820,521

1296 SALARIES AND BENEFITS POSITIONS 89.00
FROM GENERAL REVENUE FUND 314
FROM CRIMES COMPENSATION TRUST FUND . . . 4,662,233

SECTION 4
SPECIFIC
APPROPRIATION
FROM CRIME STOPPERS TRUST FUND 87,658
FROM FLORIDA CRIME PREVENTION TRAINING
INSTITUTE REVOLVING TRUST FUND 316,074

1297 OTHER PERSONAL SERVICES
FROM CRIMES COMPENSATION TRUST FUND . . . 55,060
FROM CRIME STOPPERS TRUST FUND 5,100
FROM FLORIDA CRIME PREVENTION TRAINING
INSTITUTE REVOLVING TRUST FUND 155,796

1298 EXPENSES
FROM CRIMES COMPENSATION TRUST FUND . . . 783,053
FROM CRIME STOPPERS TRUST FUND 63,415
FROM FEDERAL GRANTS TRUST FUND 75,000
FROM FLORIDA CRIME PREVENTION TRAINING
INSTITUTE REVOLVING TRUST FUND 99,596

1299 OPERATING CAPITAL OUTLAY
FROM CRIMES COMPENSATION TRUST FUND . . . 123,407
FROM CRIME STOPPERS TRUST FUND 2,380
FROM FLORIDA CRIME PREVENTION TRAINING
INSTITUTE REVOLVING TRUST FUND 7,695

1300 SPECIAL CATEGORIES
AWARDS TO CLAIMANTS
FROM CRIMES COMPENSATION TRUST FUND . . . 24,792,082
FROM FEDERAL GRANTS TRUST FUND 4,866,000

From the funds in Specific Appropriation 1300, the Attorney General is directed to give priority to the payment of claims for forensic examinations for victims of sexual assault.

1301 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 1,959,604
FROM CRIMES COMPENSATION TRUST FUND . . . 506,834
FROM FEDERAL GRANTS TRUST FUND 30,000
FROM FLORIDA CRIME PREVENTION TRAINING
INSTITUTE REVOLVING TRUST FUND 108,408

From the funds in Specific Appropriation 1301, the non-recurring sum of $400,000 from the Crimes Compensation Trust Fund is provided to the Florida Council Against Sexual Violence for distribution to certified rape crisis centers to provide increased services statewide for victims of sexual assault.

1302 SPECIAL CATEGORIES
GRANTS AND AIDS - MINORITY COMMUNITIES
CRIME PREVENTION PROGRAMS
FROM GENERAL REVENUE FUND 4,572,000

1303 SPECIAL CATEGORIES
GRANTS AND AIDS - CRIME STOPPERS
FROM CRIME STOPPERS TRUST FUND 4,500,000

1304 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM CRIMES COMPENSATION TRUST FUND . . . 45,625
FROM CRIME STOPPERS TRUST FUND 1,025
FROM FLORIDA CRIME PREVENTION TRAINING
INSTITUTE REVOLVING TRUST FUND 1,538

1305 SPECIAL CATEGORIES
GRANTS AND AIDS - VICTIM ASSISTANCE
SERVICES
FROM FEDERAL GRANTS TRUST FUND 25,000,000

1306 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM CRIMES COMPENSATION TRUST FUND . . . 33,094
FROM CRIME STOPPERS TRUST FUND 294
FROM FLORIDA CRIME PREVENTION TRAINING
INSTITUTE REVOLVING TRUST FUND 2,243

SECTION 4
SPECIFIC
APPROPRIATION

TOTAL: VICTIM SERVICES
FROM GENERAL REVENUE FUND 6,531,918
FROM TRUST FUNDS 66,323,610

TOTAL POSITIONS 89.00
TOTAL ALL FUNDS 72,855,528

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 6,644,226

1307 SALARIES AND BENEFITS POSITIONS 139.00
FROM GENERAL REVENUE FUND 5,346,199
FROM ADMINISTRATIVE TRUST FUND 3,421,621
FROM CRIMES COMPENSATION TRUST FUND . . . 199,587
FROM LEGAL SERVICES TRUST FUND 50,000

1308 OTHER PERSONAL SERVICES
FROM ADMINISTRATIVE TRUST FUND 140,826

1309 EXPENSES
FROM GENERAL REVENUE FUND 306,157
FROM ADMINISTRATIVE TRUST FUND 958,004
FROM CRIMES COMPENSATION TRUST FUND . . . 11,217

1310 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 94,232
FROM ADMINISTRATIVE TRUST FUND 472,801

1311 SPECIAL CATEGORIES
ATTORNEY GENERAL'S LAW LIBRARY
FROM GENERAL REVENUE FUND 294,459

1312 SPECIAL CATEGORIES
COMMISSION ON THE STATUS OF WOMEN
FROM GENERAL REVENUE FUND 110,238

1313 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 130,763
FROM ADMINISTRATIVE TRUST FUND 55,268
FROM CRIMES COMPENSATION TRUST FUND . . . 50,000

From the funds in Specific Appropriation 1313, $50,000 from the Crimes Compensation Trust Fund is provided for the Cuban American Bar Association Pro Bono Project.

1314 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 54,460
FROM ADMINISTRATIVE TRUST FUND 28,195

1315 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 41,321
FROM ADMINISTRATIVE TRUST FUND 15,357

1316 DATA PROCESSING SERVICES
OTHER DATA PROCESSING SERVICES
FROM GENERAL REVENUE FUND 141,086
FROM ADMINISTRATIVE TRUST FUND 157,876

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM GENERAL REVENUE FUND 6,518,915
FROM TRUST FUNDS 5,560,752

TOTAL POSITIONS 139.00
TOTAL ALL FUNDS 12,079,667

SECTION 4
SPECIFIC
APPROPRIATION

PROGRAM: OFFICE OF STATEWIDE PROSECUTION

PROSECUTION OF MULTI-CIRCUIT ORGANIZED CRIME

APPROVED SALARY RATE 4,379,141

1317 SALARIES AND BENEFITS POSITIONS 69.50
FROM GENERAL REVENUE FUND 4,352,192
FROM CRIMES COMPENSATION TRUST FUND . . . 176,511
FROM FEDERAL GRANTS TRUST FUND 299,771
FROM OPERATING TRUST FUND 750,137

1318 SPECIAL CATEGORIES
STATEWIDE PROSECUTION
FROM GENERAL REVENUE FUND 854,061
FROM CRIMES COMPENSATION TRUST FUND . . . 26,415
FROM FEDERAL GRANTS TRUST FUND 39,602
FROM OPERATING TRUST FUND 367,371

1319 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 36,404
FROM FEDERAL GRANTS TRUST FUND 1,538
FROM OPERATING TRUST FUND 1,025

1320 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 19,653
FROM CRIMES COMPENSATION TRUST FUND . . . 6,600
FROM GRANTS AND DONATIONS TRUST FUND . . . 47
FROM OPERATING TRUST FUND 2,280

TOTAL: PROSECUTION OF MULTI-CIRCUIT ORGANIZED CRIME
FROM GENERAL REVENUE FUND 5,262,310
FROM TRUST FUNDS 1,671,297

TOTAL POSITIONS 69.50
TOTAL ALL FUNDS 6,933,607

PROGRAM: FLORIDA ELECTIONS COMMISSION

CAMPAIGN FINANCE AND ELECTION FRAUD ENFORCEMENT

APPROVED SALARY RATE 710,318

1321 SALARIES AND BENEFITS POSITIONS 14.00
FROM ELECTIONS COMMISSION TRUST FUND . . . 943,131

1322 OTHER PERSONAL SERVICES
FROM ELECTIONS COMMISSION TRUST FUND . . . 76,354

1323 EXPENSES
FROM ELECTIONS COMMISSION TRUST FUND . . . 232,821

1324 OPERATING CAPITAL OUTLAY
FROM ELECTIONS COMMISSION TRUST FUND . . . 10,000

1325 SPECIAL CATEGORIES
TRANSFER TO DIVISION OF ADMINISTRATIVE
HEARINGS
FROM ELECTIONS COMMISSION TRUST FUND . . . 22,519

1326 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM ELECTIONS COMMISSION TRUST FUND . . . 13,348

1327 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM ELECTIONS COMMISSION TRUST FUND . . . 7,690

SECTION 4
SPECIFIC
APPROPRIATION

1328 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM ELECTIONS COMMISSION TRUST FUND . . . 6,349

TOTAL: CAMPAIGN FINANCE AND ELECTION FRAUD ENFORCEMENT
FROM TRUST FUNDS 1,312,212

TOTAL POSITIONS 14.00
TOTAL ALL FUNDS 1,312,212

PAROLE COMMISSION

PROGRAM: POST-INCARCERATION ENFORCEMENT AND
VICTIMS RIGHTS

APPROVED SALARY RATE 5,483,470

1329 SALARIES AND BENEFITS POSITIONS 131.00
FROM GENERAL REVENUE FUND 6,995,824

1330 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 77,514

1331 EXPENSES
FROM GENERAL REVENUE FUND 879,935

From the funds in Specific Appropriation 1331, the Parole Commission shall conduct a study and provide the following to the Governor's Office of Policy and Budget, the President of the Senate and the Speaker of the House of Representatives by October 1, 2008:

1. A valid determination of the exact number of pending Restoration of Civil Rights (RCR) cases existing on July 1, 2008, along with a full explanation of the methodology used to determine the pending number of cases. Data must include total cases received for each of the past five years, the total number of cases processed for each of the past five years, and the total number of cases received or pending but not processed for each of the past five years;

2. A continuation plan including measures that continue to simplify application forms and processes by using readily available data from existing automated systems;

3. Identification of all existing resources, workload, job descriptions, and internal business procedures for clemency activities. This information must be reported in a manner that allows for isolation of resources allocated to the RCR process. The information must also be sufficient to account for each step in the process to complete the review of RCR without a hearing; and

4. Proposed criteria, developed by case type, to use in defining and classifying case backlogs which shall be based upon a reasonable length of time for the normal processing of cases.

1332 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 16,771

1333 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 65,431

1334 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 61,175

1335 DATA PROCESSING SERVICES
OTHER DATA PROCESSING SERVICES
FROM GENERAL REVENUE FUND 47,924

SECTION 4
SPECIFIC
APPROPRIATION

TOTAL: PROGRAM: POST-INCARCERATION ENFORCEMENT AND
VICTIMS RIGHTS
FROM GENERAL REVENUE FUND 8,144,574

TOTAL POSITIONS 131.00
TOTAL ALL FUNDS 8,144,574

TOTAL OF SECTION 4 POSITIONS 47,812.75

FROM GENERAL REVENUE FUND 3865,510,991

FROM TRUST FUNDS 660,364,748

TOTAL ALL FUNDS 4525,875,739

SECTION 5 - NATURAL RESOURCES/ENVIRONMENT/GROWTH MANAGEMENT/TRANSPORTATION

The moneys contained herein are appropriated from the named funds to the Department of Agriculture and Consumer Services, Department of Community Affairs, Department of Environmental Protection, Fish and Wildlife Conservation Commission and the Department of Transportation as the amounts to be used to pay the salaries, other operational expenditures and fixed capital outlay of the named agencies.

AGRICULTURE AND CONSUMER SERVICES, DEPARTMENT OF,
AND COMMISSIONER OF AGRICULTURE

PROGRAM: OFFICE OF THE COMMISSIONER AND
ADMINISTRATION

AGRICULTURAL LAW ENFORCEMENT

APPROVED SALARY RATE 2,297,181

1336 SALARIES AND BENEFITS POSITIONS 40.50
FROM GENERAL REVENUE FUND 2,877,727
FROM CITRUS INSPECTION TRUST FUND 305,551
FROM GENERAL INSPECTION TRUST FUND 62,013

1337 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 15,000

1338 EXPENSES
FROM GENERAL REVENUE FUND 483,736
FROM FEDERAL GRANTS TRUST FUND 60,000
FROM GENERAL INSPECTION TRUST FUND 27,868

1339 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 8,028
FROM FEDERAL GRANTS TRUST FUND 340,000

1340 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 105,822

1341 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 32,932
FROM AGRICULTURAL LAW ENFORCEMENT TRUST
FUND 4,607
FROM GENERAL INSPECTION TRUST FUND 881

1342 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 13,289
FROM CITRUS INSPECTION TRUST FUND 1,411
FROM GENERAL INSPECTION TRUST FUND 285

TOTAL: AGRICULTURAL LAW ENFORCEMENT
FROM GENERAL REVENUE FUND 3,536,534
FROM TRUST FUNDS 802,616

SECTION 5
SPECIFIC
APPROPRIATION

TOTAL POSITIONS	40.50	
TOTAL ALL FUNDS		4,339,150

AGRICULTURAL WATER POLICY COORDINATION

APPROVED SALARY RATE 2,006,174

1343	SALARIES AND BENEFITS POSITIONS	37.00	
	FROM GENERAL INSPECTION TRUST FUND		2,458,140
1344	EXPENSES		
	FROM GENERAL INSPECTION TRUST FUND		399,234
1345	AID TO LOCAL GOVERNMENTS		
	GRANTS AND AIDS - SOIL AND WATER COST SHARING PROGRAM		
	FROM GENERAL INSPECTION TRUST FUND		500,000
1346	SPECIAL CATEGORIES		
	ANIMAL WASTE MANAGEMENT		
	FROM GENERAL INSPECTION TRUST FUND		200,000
1347	SPECIAL CATEGORIES		
	NITRATE RESEARCH AND REMEDIATION		
	FROM GENERAL INSPECTION TRUST FUND		930,000
1348	SPECIAL CATEGORIES		
	BEST MANAGEMENT PRACTICES - COST SHARE		
	FROM GENERAL REVENUE FUND	2,000,000	
	FROM GENERAL INSPECTION TRUST FUND		9,266,392

From the funds in Specific Appropriation 1348, $2,000,000 from non-recurring general revenue funds is provided for the Florida Water Quality Compliance and Improvement Best Management Practices pilot project to evaluate a real-time radio frequency identification network using self contained, high resolution remote capabilities to monitor weather, hydrologic, and water quality parameters at locations designated by the Department of Agriculture and Consumer Services within priority watersheds. The pilot project shall evaluate the use of this technology to augment and improve existing efforts that monitor weather, hydrologic, and water quality parameters that support implementation, performance, evaluation, or development of new or improved agricultural best management practices. Data collected from this project will be evaluated and compared to traditionally collected data sets for accuracy, transferability, storage, and retrieval.

1349	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL INSPECTION TRUST FUND		13,642
TOTAL:	AGRICULTURAL WATER POLICY COORDINATION		
	FROM GENERAL REVENUE FUND	2,000,000	
	FROM TRUST FUNDS		13,767,408
	TOTAL POSITIONS	37.00	
	TOTAL ALL FUNDS		15,767,408

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 9,756,031

1350	SALARIES AND BENEFITS POSITIONS	188.75	
	FROM GENERAL REVENUE FUND	7,890,721	
	FROM ADMINISTRATIVE TRUST FUND		4,582,435
	FROM FEDERAL GRANTS TRUST FUND		3,499
	FROM GENERAL INSPECTION TRUST FUND		59,306
	FROM AGRICULTURAL EMERGENCY ERADICATION TRUST FUND		254,400
1351	OTHER PERSONAL SERVICES		
	FROM GENERAL REVENUE FUND	73,463	
	FROM ADMINISTRATIVE TRUST FUND		10,352
1352	EXPENSES		
	FROM GENERAL REVENUE FUND	477,665	
	FROM ADMINISTRATIVE TRUST FUND		1,435,508
	FROM GENERAL INSPECTION TRUST FUND		158,231
	FROM AGRICULTURAL EMERGENCY ERADICATION TRUST FUND		30,650
1353	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	14,458	
1355	SPECIAL CATEGORIES		
	TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS		
	FROM GENERAL REVENUE FUND	19,881	
	FROM ADMINISTRATIVE TRUST FUND		50,178
1356	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	1,000	
	FROM ADMINISTRATIVE TRUST FUND		618,000
1357	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	78,006	
	FROM ADMINISTRATIVE TRUST FUND		32,206
1358	SPECIAL CATEGORIES		
	SALARY INCENTIVE PAYMENTS		
	FROM GENERAL REVENUE FUND	4,000	
1359	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	45,657	
	FROM ADMINISTRATIVE TRUST FUND		25,183
	FROM FEDERAL GRANTS TRUST FUND		21
	FROM AGRICULTURAL EMERGENCY ERADICATION TRUST FUND		750
TOTAL:	EXECUTIVE DIRECTION AND SUPPORT SERVICES		
	FROM GENERAL REVENUE FUND	8,604,851	
	FROM TRUST FUNDS		7,260,719
	TOTAL POSITIONS	188.75	
	TOTAL ALL FUNDS		15,865,570

DIVISION OF LICENSING

APPROVED SALARY RATE 5,144,179

1360	SALARIES AND BENEFITS POSITIONS	142.00	
	FROM DIVISION OF LICENSING TRUST FUND . .		6,855,462
1361	OTHER PERSONAL SERVICES		
	FROM DIVISION OF LICENSING TRUST FUND . .		292,232
1362	EXPENSES		
	FROM DIVISION OF LICENSING TRUST FUND . .		2,668,879
1363	OPERATING CAPITAL OUTLAY		
	FROM DIVISION OF LICENSING TRUST FUND . .		396,918
1364	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM DIVISION OF LICENSING TRUST FUND . .		3,168,357
1365	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM DIVISION OF LICENSING TRUST FUND . .		61,865
1366	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT		

SECTION 5
SPECIFIC
APPROPRIATION

SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM DIVISION OF LICENSING TRUST FUND . . 53,862

TOTAL: DIVISION OF LICENSING
FROM TRUST FUNDS 13,497,575

TOTAL POSITIONS 142.00
TOTAL ALL FUNDS 13,497,575

PROGRAM: FOREST AND RESOURCE PROTECTION

LAND MANAGEMENT

APPROVED SALARY RATE 18,505,543

1367 SALARIES AND BENEFITS POSITIONS 519.00
FROM GENERAL REVENUE FUND 8,326,842
FROM FEDERAL GRANTS TRUST FUND 1,067,436
FROM GENERAL INSPECTION TRUST FUND 200,000
FROM INCIDENTAL TRUST FUND 3,338,300
FROM CONSERVATION AND RECREATION LANDS
PROGRAM TRUST FUND 11,502,513

1368 OTHER PERSONAL SERVICES
FROM FEDERAL GRANTS TRUST FUND 643,654
FROM INCIDENTAL TRUST FUND 375,769
FROM CONSERVATION AND RECREATION LANDS
PROGRAM TRUST FUND 800,000

1369 EXPENSES
FROM FEDERAL GRANTS TRUST FUND 1,397,560
FROM INCIDENTAL TRUST FUND 2,685,435
FROM RELOCATION AND CONSTRUCTION TRUST
FUND 10,000
FROM CONSERVATION AND RECREATION LANDS
PROGRAM TRUST FUND 5,094,105

1370 AID TO LOCAL GOVERNMENTS
AMERICA THE BEAUTIFUL PROGRAM
FROM FEDERAL GRANTS TRUST FUND 1,747,538

1371 AID TO LOCAL GOVERNMENTS
STATE FOREST RECEIPT DISTRIBUTION
FROM INCIDENTAL TRUST FUND 995,000

1372 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 13,825
FROM FEDERAL GRANTS TRUST FUND 159,150
FROM CONSERVATION AND RECREATION LANDS
PROGRAM TRUST FUND 286,000

1373 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM CONSERVATION AND RECREATION LANDS
PROGRAM TRUST FUND 300,000

1374 SPECIAL CATEGORIES
PRIVATE LAND OWNER COST SHARE ASSISTANCE
PROGRAM
FROM FEDERAL GRANTS TRUST FUND 600,000

1375 SPECIAL CATEGORIES
OFF-HIGHWAY VEHICLE RECREATION PROGRAM
FROM INCIDENTAL TRUST FUND 700,000

1376 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM FEDERAL GRANTS TRUST FUND 806,825
FROM INCIDENTAL TRUST FUND 313,351
FROM RELOCATION AND CONSTRUCTION TRUST
FUND 140,000
FROM CONSERVATION AND RECREATION LANDS
PROGRAM TRUST FUND 1,935,972

SECTION 5
SPECIFIC
APPROPRIATION

1377 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 100,619
FROM INCIDENTAL TRUST FUND 28,268
FROM CONSERVATION AND RECREATION LANDS
PROGRAM TRUST FUND 150,000

1378 SPECIAL CATEGORIES
INTERIM LAND MANAGEMENT OF CONSERVATION
AND RECREATION LANDS PROGRAM
FROM CONSERVATION AND RECREATION LANDS
PROGRAM TRUST FUND 1,354,064

1379 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 87,730
FROM FEDERAL GRANTS TRUST FUND 8,635
FROM INCIDENTAL TRUST FUND 14,989
FROM CONSERVATION AND RECREATION LANDS
PROGRAM TRUST FUND 89,647

1380 FIXED CAPITAL OUTLAY
LAND ACQUISITION
FROM FLORIDA FOREVER PROGRAM TRUST FUND . 4,500,000

1380A FIXED CAPITAL OUTLAY
LAND ACQUISITION AND DEVELOPMENT - OFF-
HIGHWAY VEHICLE PROGRAM
FROM INCIDENTAL TRUST FUND 1,400,000

1381 FIXED CAPITAL OUTLAY
MAINTENANCE, REPAIRS AND CONSTRUCTION -
STATEWIDE
FROM CONSERVATION AND RECREATION LANDS
PROGRAM TRUST FUND 600,000

TOTAL: LAND MANAGEMENT
FROM GENERAL REVENUE FUND 8,529,016
FROM TRUST FUNDS 43,244,211

TOTAL POSITIONS 519.00
TOTAL ALL FUNDS 51,773,227

WILDFIRE PREVENTION AND MANAGEMENT

APPROVED SALARY RATE 25,547,053

1382 SALARIES AND BENEFITS POSITIONS 737.50
FROM GENERAL REVENUE FUND 35,145,163
FROM FEDERAL GRANTS TRUST FUND 1,299,860
FROM INCIDENTAL TRUST FUND 1,236,959

Of the funds in Specific Appropriation 1382, $871,257 from the Incidental Trust Fund is contingent upon Senate Bill 1702 or similar legislation, relating to the annual countywide fire control assessment, becoming a law.

1383 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 576,742
FROM FEDERAL GRANTS TRUST FUND 277,349
FROM INCIDENTAL TRUST FUND 25,000

1384 EXPENSES
FROM GENERAL REVENUE FUND 3,342,649
FROM FEDERAL GRANTS TRUST FUND 2,192,800
FROM INCIDENTAL TRUST FUND 2,281,418
FROM CONSERVATION AND RECREATION LANDS
PROGRAM TRUST FUND 1,006,707

1385 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - VOLUNTEER FIRE

SECTION 5
SPECIFIC
APPROPRIATION

ASSISTANCE		
FROM FEDERAL GRANTS TRUST FUND		215,763
1386 AID TO LOCAL GOVERNMENTS		
GRANTS AND AIDS - RURAL COMMUNITY FIRE PROTECTION		
FROM FEDERAL GRANTS TRUST FUND		72,589
1387 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	74,425	
FROM FEDERAL GRANTS TRUST FUND		1,443,182
1388 SPECIAL CATEGORIES		
ACQUISITION OF MOTOR VEHICLES		
FROM FEDERAL GRANTS TRUST FUND		125,000
1389 SPECIAL CATEGORIES		
FORESTRY WILDFIRE PROTECTION/SUPPRESSION EQUIPMENT		
FROM GENERAL REVENUE FUND	2,000,000	
FROM FEDERAL GRANTS TRUST FUND		400,000
FROM AGRICULTURAL EMERGENCY ERADICATION TRUST FUND		2,946,134
FROM INCIDENTAL TRUST FUND		3,101,541

Of the funds in Specific Appropriation 1389, $946,134 from the Agricultural Emergency Eradication Trust Fund is contingent upon Senate Bill 1702 or similar legislation, relating to expanding the use of funds in the Agricultural Emergency Eradication Trust Fund, becoming a law.

1390 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	133,794	
FROM FEDERAL GRANTS TRUST FUND		2,207,078
FROM INCIDENTAL TRUST FUND		123,756
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND		34,468
1391 SPECIAL CATEGORIES		
ON-CALL FEES		
FROM GENERAL REVENUE FUND	333,296	
FROM INCIDENTAL TRUST FUND		10,000
1392 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	905,557	
FROM INCIDENTAL TRUST FUND		104,416
1393 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	267,009	
FROM FEDERAL GRANTS TRUST FUND		8,958
FROM INCIDENTAL TRUST FUND		14,386
1393A FIXED CAPITAL OUTLAY		
REPLACE FORESTRY STATIONS - STATEWIDE		
FROM RELOCATION AND CONSTRUCTION TRUST FUND		1,200,000
TOTAL: WILDFIRE PREVENTION AND MANAGEMENT		
FROM GENERAL REVENUE FUND	42,778,635	
FROM TRUST FUNDS		20,327,364
TOTAL POSITIONS	737.50	
TOTAL ALL FUNDS		63,105,999

SECTION 5
SPECIFIC
APPROPRIATION
PROGRAM: AGRICULTURE MANAGEMENT INFORMATION CENTER

INFORMATION TECHNOLOGY

APPROVED SALARY RATE	2,316,801		
1394 SALARIES AND BENEFITS	POSITIONS	45.00	
FROM GENERAL REVENUE FUND		1,240,527	
FROM GENERAL INSPECTION TRUST FUND			1,731,430
1395 OTHER PERSONAL SERVICES			
FROM GENERAL REVENUE FUND		137,348	
1396 EXPENSES			
FROM GENERAL REVENUE FUND		826,490	
FROM DIVISION OF LICENSING TRUST FUND . .			116,125
FROM GENERAL INSPECTION TRUST FUND			2,166,225
1397 OPERATING CAPITAL OUTLAY			
FROM GENERAL INSPECTION TRUST FUND			157,850
1398 SPECIAL CATEGORIES			
CONTRACTED SERVICES			
FROM GENERAL REVENUE FUND		497,334	
FROM GENERAL INSPECTION TRUST FUND			372,815
1399 SPECIAL CATEGORIES			
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT			
FROM GENERAL REVENUE FUND		7,190	
FROM GENERAL INSPECTION TRUST FUND			10,035
TOTAL: INFORMATION TECHNOLOGY			
FROM GENERAL REVENUE FUND		2,708,889	
FROM TRUST FUNDS			4,554,480
TOTAL POSITIONS		45.00	
TOTAL ALL FUNDS			7,263,369

PROGRAM: FOOD SAFETY AND QUALITY

DAIRY FACILITIES COMPLIANCE AND ENFORCEMENT

APPROVED SALARY RATE	1,012,573		
1400 SALARIES AND BENEFITS	POSITIONS	25.00	
FROM GENERAL REVENUE FUND		1,411,774	
1401 EXPENSES			
FROM GENERAL REVENUE FUND		230,133	
FROM GENERAL INSPECTION TRUST FUND			24,141
1402 OPERATING CAPITAL OUTLAY			
FROM GENERAL REVENUE FUND		10,500	
1403 SPECIAL CATEGORIES			
CONTRACTED SERVICES			
FROM GENERAL REVENUE FUND		26,000	
1404 SPECIAL CATEGORIES			
RISK MANAGEMENT INSURANCE			
FROM GENERAL REVENUE FUND		6,012	
1405 SPECIAL CATEGORIES			
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT			
FROM GENERAL REVENUE FUND		9,217	
TOTAL: DAIRY FACILITIES COMPLIANCE AND ENFORCEMENT			
FROM GENERAL REVENUE FUND		1,693,636	
FROM TRUST FUNDS			24,141

SECTION 5
SPECIFIC
APPROPRIATION

TOTAL POSITIONS	25.00	
TOTAL ALL FUNDS		1,717,777

FOOD SAFETY INSPECTION AND ENFORCEMENT

APPROVED SALARY RATE 11,511,837

1406 SALARIES AND BENEFITS POSITIONS	293.00	
FROM GENERAL REVENUE FUND	1,156,296	
FROM FEDERAL GRANTS TRUST FUND		1,208,063
FROM GENERAL INSPECTION TRUST FUND		12,980,588

Of the funds in Specific Appropriation 1406, $400,000 from the General Inspection Trust Fund is contingent upon Senate Bill 1702 or similar legislation, relating to the food permit application fee, becoming a law.

1407 OTHER PERSONAL SERVICES		
FROM FEDERAL GRANTS TRUST FUND		128,441
FROM GENERAL INSPECTION TRUST FUND		213,000
1408 EXPENSES		
FROM GENERAL REVENUE FUND	257,724	
FROM FEDERAL GRANTS TRUST FUND		457,851
FROM GENERAL INSPECTION TRUST FUND		1,575,725
1409 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	30,888	
FROM FEDERAL GRANTS TRUST FUND		193,875
FROM GENERAL INSPECTION TRUST FUND		60,813
1410 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	122,500	
FROM FEDERAL GRANTS TRUST FUND		175,000
FROM GENERAL INSPECTION TRUST FUND		237,500
1411 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	43,605	
FROM FEDERAL GRANTS TRUST FUND		2,940
FROM GENERAL INSPECTION TRUST FUND		66,399
1412 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	11,219	
FROM FEDERAL GRANTS TRUST FUND		4,740
FROM GENERAL INSPECTION TRUST FUND		93,185
TOTAL: FOOD SAFETY INSPECTION AND ENFORCEMENT		
FROM GENERAL REVENUE FUND	1,622,232	
FROM TRUST FUNDS		17,398,120
TOTAL POSITIONS	293.00	
TOTAL ALL FUNDS		19,020,352

PROGRAM: CONSUMER PROTECTION

AGRICULTURAL ENVIRONMENTAL SERVICES

APPROVED SALARY RATE 8,467,745

1413 SALARIES AND BENEFITS POSITIONS	211.00	
FROM GENERAL REVENUE FUND	2,012,463	
FROM FEDERAL GRANTS TRUST FUND		312,504
FROM GENERAL INSPECTION TRUST FUND		6,298,435
FROM PEST CONTROL TRUST FUND		2,855,302

Of the funds in Specific Appropriation 1413, $800,000 from the General Inspection Trust Fund is contingent upon Senate Bill 1702 or similar legislation, relating to fees for registration of pesticides, fertilizer inspections, or registration of commercial feed distributors, becoming a law.

1414 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	100	
FROM FEDERAL GRANTS TRUST FUND		70,000
FROM PEST CONTROL TRUST FUND		21,530
1415 EXPENSES		
FROM GENERAL REVENUE FUND	734,606	
FROM FEDERAL GRANTS TRUST FUND		282,295
FROM GENERAL INSPECTION TRUST FUND		578,096
FROM PEST CONTROL TRUST FUND		376,076
1416 AID TO LOCAL GOVERNMENTS		
MOSQUITO CONTROL PROGRAM		
FROM GENERAL INSPECTION TRUST FUND		2,166,168

From the funds provided in Specific Appropriation 1416, $250,000 from the General Inspection Trust Fund shall be used for research into practical methods of control to be used by local mosquito control agencies. The research shall be conducted by the Institute of Food and Agricultural Sciences (IFAS)/Florida Medical Entomology Laboratory and the Florida Agriculture and Mechanical University (FAMU)/Mulrennan Research Laboratory.

1417 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	6,052	
FROM FEDERAL GRANTS TRUST FUND		51,000
1418 SPECIAL CATEGORIES		
PESTICIDE COLLECTIONS		
FROM GENERAL INSPECTION TRUST FUND		100,000
1419 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	111,851	
FROM FEDERAL GRANTS TRUST FUND		338,890
FROM GENERAL INSPECTION TRUST FUND		125,124
FROM PEST CONTROL TRUST FUND		106,425

From the funds in Specific Appropriation 1419, the Department of Agriculture and Consumer Services in conjunction with the Office of Insurance Regulation may establish a statewide internet portal and consumer call line to provide the general public transparent data on the value of their insurance assets.

1420 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	93,968	
1421 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	22,873	
FROM FEDERAL GRANTS TRUST FUND		2,132
FROM GENERAL INSPECTION TRUST FUND		38,477
FROM PEST CONTROL TRUST FUND		18,985
TOTAL: AGRICULTURAL ENVIRONMENTAL SERVICES		
FROM GENERAL REVENUE FUND	2,981,913	
FROM TRUST FUNDS		13,741,439
TOTAL POSITIONS	211.00	
TOTAL ALL FUNDS		16,723,352

CONSUMER PROTECTION

APPROVED SALARY RATE 4,633,374

1422 SALARIES AND BENEFITS POSITIONS	130.00	
FROM GENERAL REVENUE FUND	78,962	

SECTION 5
SPECIFIC
APPROPRIATION
FROM GENERAL INSPECTION TRUST FUND 5,951,809

Of the funds in Specific Appropriation 1422, $203,446 from the General Inspection Trust Fund is contingent upon Senate Bill 1702 or similar legislation, relating to the registration fee for independent travel agents, becoming a law.

1423 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 12,216
FROM GENERAL INSPECTION TRUST FUND 38,513

1424 EXPENSES
FROM GENERAL REVENUE FUND 97,177
FROM FEDERAL GRANTS TRUST FUND 8,518
FROM GENERAL INSPECTION TRUST FUND 1,122,878

1425 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 12,142
FROM GENERAL INSPECTION TRUST FUND 20,500

1426 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 15,264
FROM GENERAL INSPECTION TRUST FUND 91,500

Of the funds in Specific Appropriation 1426, $91,500 from the General Inspection Trust Fund is contingent upon Senate Bill 1702 or similar legislation, relating to the registration fee for independent travel agents, becoming a law.

1427 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL INSPECTION TRUST FUND 48,681

Of the funds in Specific Appropriation 1427, $5,054 from the General Inspection Trust Fund is contingent upon Senate Bill 1702 or similar legislation, relating to the registration fee for independent travel agents, becoming a law.

TOTAL: CONSUMER PROTECTION
FROM GENERAL REVENUE FUND 215,761
FROM TRUST FUNDS 7,282,399

TOTAL POSITIONS 130.00
TOTAL ALL FUNDS 7,498,160

STANDARDS AND PETROLEUM QUALITY INSPECTION

APPROVED SALARY RATE 6,542,405

1428 SALARIES AND BENEFITS POSITIONS 185.00
FROM GENERAL REVENUE FUND 1,692,707
FROM GENERAL INSPECTION TRUST FUND 7,219,532

1429 OTHER PERSONAL SERVICES
FROM GENERAL INSPECTION TRUST FUND 59,572

1430 EXPENSES
FROM GENERAL REVENUE FUND 277,986
FROM GENERAL INSPECTION TRUST FUND 1,552,928

1431 OPERATING CAPITAL OUTLAY
FROM GENERAL INSPECTION TRUST FUND 1,750

1432 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 15,000
FROM GENERAL INSPECTION TRUST FUND 575,000

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SPECIFIC
APPROPRIATION
1433 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 13,077
FROM GENERAL INSPECTION TRUST FUND 123,587

1434 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 14,525
FROM GENERAL INSPECTION TRUST FUND 55,255

TOTAL: STANDARDS AND PETROLEUM QUALITY INSPECTION
FROM GENERAL REVENUE FUND 2,013,295
FROM TRUST FUNDS 9,587,624

TOTAL POSITIONS 185.00
TOTAL ALL FUNDS 11,600,919

PROGRAM: AGRICULTURAL ECONOMIC DEVELOPMENT

FRUITS AND VEGETABLES INSPECTION AND ENFORCEMENT

APPROVED SALARY RATE 6,879,472

1435 SALARIES AND BENEFITS POSITIONS 201.00
FROM CITRUS INSPECTION TRUST FUND 6,811,535
FROM GENERAL INSPECTION TRUST FUND 2,698,937

1436 OTHER PERSONAL SERVICES
FROM CITRUS INSPECTION TRUST FUND 678,425
FROM GENERAL INSPECTION TRUST FUND 500,000

1437 EXPENSES
FROM CITRUS INSPECTION TRUST FUND 1,124,913
FROM GENERAL INSPECTION TRUST FUND 522,171

1438 OPERATING CAPITAL OUTLAY
FROM CITRUS INSPECTION TRUST FUND 33,710

1439 SPECIAL CATEGORIES
AUTOMATED TESTING EQUIPMENT
FROM CITRUS INSPECTION TRUST FUND 216,041

1440 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM CITRUS INSPECTION TRUST FUND 98,428
FROM GENERAL INSPECTION TRUST FUND 39,462

1441 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM CITRUS INSPECTION TRUST FUND 359,809
FROM GENERAL INSPECTION TRUST FUND 41,657

1442 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM CITRUS INSPECTION TRUST FUND 82,350
FROM GENERAL INSPECTION TRUST FUND 25,313

TOTAL: FRUITS AND VEGETABLES INSPECTION AND ENFORCEMENT
FROM TRUST FUNDS 13,232,751

TOTAL POSITIONS 201.00
TOTAL ALL FUNDS 13,232,751

AGRICULTURAL PRODUCTS MARKETING

APPROVED SALARY RATE 6,917,376

1443 SALARIES AND BENEFITS POSITIONS 191.00
FROM GENERAL REVENUE FUND 2,668,627

SECTION 5
SPECIFIC
APPROPRIATION

FROM CITRUS INSPECTION TRUST FUND		1,330,286
FROM FEDERAL GRANTS TRUST FUND		396,011
FROM GENERAL INSPECTION TRUST FUND		1,733,803
FROM MARKET IMPROVEMENTS WORKING CAPITAL TRUST FUND		2,484,917
FROM SALTWATER PRODUCTS PROMOTION TRUST FUND		773,638
FROM FLORIDA AGRICULTURAL PROMOTION CAMPAIGN TRUST FUND		42,259

Of the funds in Specific Appropriation 1443, $312,925 from the General Inspection Trust Fund is contingent upon Senate Bill 1702 or similar legislation, relating to the annual license tax imposed on wholesale and retail saltwater products dealers, becoming a law.

1444 OTHER PERSONAL SERVICES

FROM GENERAL REVENUE FUND	15,000	
FROM CITRUS INSPECTION TRUST FUND		222,672
FROM AGRICULTURAL EMERGENCY ERADICATION TRUST FUND		160,000
FROM MARKET IMPROVEMENTS WORKING CAPITAL TRUST FUND		27,500

1445 EXPENSES

FROM GENERAL REVENUE FUND	384,733	
FROM CITRUS INSPECTION TRUST FUND		323,828
FROM FEDERAL GRANTS TRUST FUND		1,780,450
FROM GENERAL INSPECTION TRUST FUND		883,479
FROM MARKET TRADE SHOW TRUST FUND		105,836
FROM MARKET IMPROVEMENTS WORKING CAPITAL TRUST FUND		884,079
FROM SALTWATER PRODUCTS PROMOTION TRUST FUND		339,611
FROM VITICULTURE TRUST FUND		9,580
FROM FLORIDA AGRICULTURAL PROMOTION CAMPAIGN TRUST FUND		126,691

1446 OPERATING CAPITAL OUTLAY

FROM MARKET IMPROVEMENTS WORKING CAPITAL TRUST FUND		10,500

1447 SPECIAL CATEGORIES
GRANTS AND AIDS - VITICULTURE PROGRAM

FROM VITICULTURE TRUST FUND		500,000

1448 SPECIAL CATEGORIES
FLORIDA AGRICULTURE PROMOTION CAMPAIGN

FROM GENERAL REVENUE FUND	1,740,000	
FROM AGRICULTURAL EMERGENCY ERADICATION TRUST FUND		2,100,000

Of the funds in Specific Appropriation 1448, $2,100,000 from the Agricultural Emergency Eradication Trust Fund is contingent upon Senate Bill 1702 or similar legislation, relating to expanding the use of funds in the Agricultural Emergency Eradication Trust Fund, becoming a law.

1449 SPECIAL CATEGORIES
FEDERAL SUPPORT FOR FLORIDA AGRICULTURE PROMOTIONS

FROM FEDERAL GRANTS TRUST FUND		1,000,000

1449A SPECIAL CATEGORIES
SUPPORT FOR FOOD BANK

FROM GENERAL INSPECTION TRUST FUND		200,000

Funds in Specific Appropriation 1449A are provided for the Florida Association of Food Banks.

1450 SPECIAL CATEGORIES
CONTRACTED SERVICES

FROM GENERAL REVENUE FUND	15,219	
FROM CITRUS INSPECTION TRUST FUND		25,000
FROM FEDERAL GRANTS TRUST FUND		154,400

SECTION 5
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APPROPRIATION

FROM GENERAL INSPECTION TRUST FUND		175,600
FROM MARKET TRADE SHOW TRUST FUND		75,000
FROM MARKET IMPROVEMENTS WORKING CAPITAL TRUST FUND		28,600
FROM SALTWATER PRODUCTS PROMOTION TRUST FUND		25,000

1451 SPECIAL CATEGORIES
GRANTS AND AIDS - MARKETING ORDERS

FROM CITRUS INSPECTION TRUST FUND		2,383,077
FROM GENERAL INSPECTION TRUST FUND		475,082

1451A SPECIAL CATEGORIES
AGRICULTURAL RESEARCH

FROM GENERAL REVENUE FUND	2,000,000	

Funds in Specific Appropriation 1451A shall be used by the Department of Agriculture and Consumer Services to conduct or cause to be conducted those research projects on citrus disease that are recommended by the Florida Citrus Production Research Advisory Council. Distribution of such funds for a particular research project is contingent upon one and a half dollar for dollar cash match from federal or private funds or from citrus box tax revenues. At no time shall the funds appropriated in Specific Appropriation 1451A allocated to a particular project exceed the private, federal, and citrus box tax funds provided for that project.

1451B SPECIAL CATEGORIES
FARM SHARE PROGRAM

FROM GENERAL INSPECTION TRUST FUND		200,000

1452 SPECIAL CATEGORIES
GRANTS AND AIDS - PROMOTIONAL AWARDS

FROM GENERAL INSPECTION TRUST FUND		300,000

1453 SPECIAL CATEGORIES
GRANTS AND AIDS - EMERGENCY FEEDING ORGANIZATIONS

FROM FEDERAL GRANTS TRUST FUND		2,834,237

1454 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE

FROM GENERAL REVENUE FUND	25,018	
FROM CITRUS INSPECTION TRUST FUND		8,028
FROM FEDERAL GRANTS TRUST FUND		6,538
FROM GENERAL INSPECTION TRUST FUND		13,893
FROM MARKET IMPROVEMENTS WORKING CAPITAL TRUST FUND		29,652
FROM SALTWATER PRODUCTS PROMOTION TRUST FUND		8,225

1455 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT

FROM GENERAL REVENUE FUND	23,345	
FROM CITRUS INSPECTION TRUST FUND		10,054
FROM FEDERAL GRANTS TRUST FUND		2,994
FROM GENERAL INSPECTION TRUST FUND		10,748
FROM MARKET IMPROVEMENTS WORKING CAPITAL TRUST FUND		18,782
FROM SALTWATER PRODUCTS PROMOTION TRUST FUND		6,356
FROM FLORIDA AGRICULTURAL PROMOTION CAMPAIGN TRUST FUND		319

1456A FIXED CAPITAL OUTLAY
MAINTENANCE AND REPAIRS STATE FARMERS' MARKETS - STATEWIDE

FROM GENERAL INSPECTION TRUST FUND		220,500

1456B FIXED CAPITAL OUTLAY
CODE AND LIFE SAFETY - STATE FARMERS' MARKETS - STATEWIDE

FROM GENERAL INSPECTION TRUST FUND		206,700

SECTION 5
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APPROPRIATION

TOTAL: AGRICULTURAL PRODUCTS MARKETING
FROM GENERAL REVENUE FUND 6,871,942
FROM TRUST FUNDS 22,653,925

TOTAL POSITIONS 191.00
TOTAL ALL FUNDS 29,525,867

AQUACULTURE

APPROVED SALARY RATE 2,110,256

1458 SALARIES AND BENEFITS POSITIONS 52.50
FROM GENERAL REVENUE FUND 2,201,104
FROM GENERAL INSPECTION TRUST FUND 678,634

Of the funds in Specific Appropriation 1458, $49,000 from the General Inspection Trust Fund is contingent upon Senate Bill 1702 or similar legislation, relating to the registration fee for aquaculture certification, becoming a law.

1459 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 30,000
FROM FEDERAL GRANTS TRUST FUND 16,700
FROM GENERAL INSPECTION TRUST FUND 30,532

1460 EXPENSES
FROM GENERAL REVENUE FUND 502,156
FROM FEDERAL GRANTS TRUST FUND 9,000
FROM GENERAL INSPECTION TRUST FUND 285,966

1461 OPERATING CAPITAL OUTLAY
FROM GENERAL INSPECTION TRUST FUND 50,400

1462 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL INSPECTION TRUST FUND 85,000

1463 SPECIAL CATEGORIES
OYSTER PLANTING
FROM GENERAL REVENUE FUND 850,201
FROM FEDERAL GRANTS TRUST FUND 950,000

1464 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 12,563
FROM GENERAL INSPECTION TRUST FUND 1,845

1464A SPECIAL CATEGORIES
AQUACULTURE DEVELOPMENT
FROM GENERAL REVENUE FUND 3,667,407

1465 SPECIAL CATEGORIES
AQUACULTURE PROGRAM GRANTS
FROM FEDERAL GRANTS TRUST FUND 350,000

1466 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 15,645
FROM GENERAL INSPECTION TRUST FUND 4,377

1467 SPECIAL CATEGORIES
GRANTS AND AIDS - 2004 HURRICANES - STATE
OPERATIONS
FROM FEDERAL GRANTS TRUST FUND 330,000

TOTAL: AQUACULTURE
FROM GENERAL REVENUE FUND 7,279,076
FROM TRUST FUNDS 2,792,454

TOTAL POSITIONS 52.50
TOTAL ALL FUNDS 10,071,530

SECTION 5
SPECIFIC
APPROPRIATION

AGRICULTURAL INTERDICTION STATIONS

APPROVED SALARY RATE 9,724,026

1468 SALARIES AND BENEFITS POSITIONS 236.00
FROM GENERAL REVENUE FUND 13,236,073
FROM GENERAL INSPECTION TRUST FUND 124,486
FROM AGRICULTURAL EMERGENCY ERADICATION
TRUST FUND 300,000

Of the funds in Specific Appropriation 1468, $300,000 from the Agricultural Emergency Eradication Trust Fund is contingent upon Senate Bill 1702 or similar legislation, relating to expanding the use of funds in the Agricultural Emergency Eradication Trust Fund, becoming a law.

1469 EXPENSES
FROM GENERAL REVENUE FUND 717,862
FROM CITRUS INSPECTION TRUST FUND 36,718
FROM GENERAL INSPECTION TRUST FUND 49,022

1470 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 22,990

1471 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 123,380

1472 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 156,473

1473 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 78,015
FROM AGRICULTURAL LAW ENFORCEMENT TRUST
FUND 18,428

1474 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 87,595
FROM GENERAL INSPECTION TRUST FUND 532

TOTAL: AGRICULTURAL INTERDICTION STATIONS
FROM GENERAL REVENUE FUND 14,422,388
FROM TRUST FUNDS 529,186

TOTAL POSITIONS 236.00
TOTAL ALL FUNDS 14,951,574

ANIMAL PEST AND DISEASE CONTROL

APPROVED SALARY RATE 5,875,910

1475 SALARIES AND BENEFITS POSITIONS 144.50
FROM GENERAL REVENUE FUND 6,393,588
FROM FEDERAL GRANTS TRUST FUND 383,394
FROM GENERAL INSPECTION TRUST FUND 492,490
FROM AGRICULTURAL EMERGENCY ERADICATION
TRUST FUND 418,458

Of the funds in Specific Appropriation 1475, $418,458 from the Agricultural Emergency Eradication Trust Fund is contingent upon Senate Bill 1702 or similar legislation, relating to expanding the use of funds in the Agricultural Emergency Eradication Trust Fund, becoming a law.

1476 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 11,866
FROM FEDERAL GRANTS TRUST FUND 395,703
FROM GENERAL INSPECTION TRUST FUND 61,642

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APPROPRIATION

1477 EXPENSES
FROM GENERAL REVENUE FUND 417,773
FROM FEDERAL GRANTS TRUST FUND 967,670
FROM GENERAL INSPECTION TRUST FUND 373,018

1478 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 203,797

1479 SPECIAL CATEGORIES
ANIMAL PEST AND DISEASE CONTROL
FROM FEDERAL GRANTS TRUST FUND 1,000,000

1480 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL INSPECTION TRUST FUND 300,373

1481 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 115,048
FROM FEDERAL GRANTS TRUST FUND 45

1482 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 50,462
FROM FEDERAL GRANTS TRUST FUND 2,689
FROM GENERAL INSPECTION TRUST FUND 3,456

1483 FIXED CAPITAL OUTLAY
CONSTRUCTION - ADDITIONS KISSIMMEE
DIAGNOSTIC LAB
FROM AGRICULTURAL EMERGENCY ERADICATION
TRUST FUND 3,388,150

TOTAL: ANIMAL PEST AND DISEASE CONTROL
FROM GENERAL REVENUE FUND 7,192,534
FROM TRUST FUNDS 7,787,088

TOTAL POSITIONS 144.50
TOTAL ALL FUNDS 14,979,622

PLANT PEST AND DISEASE CONTROL

APPROVED SALARY RATE 13,542,890

1484 SALARIES AND BENEFITS POSITIONS 375.00
FROM GENERAL REVENUE FUND 9,962,961
FROM CITRUS INSPECTION TRUST FUND 829,006
FROM FEDERAL GRANTS TRUST FUND 3,249,185
FROM AGRICULTURAL EMERGENCY ERADICATION
TRUST FUND 1,743,296
FROM PLANT INDUSTRY TRUST FUND 2,731,957

Of the funds in Specific Appropriation 1484, $1,743,296 from the Agricultural Emergency Eradication Trust Fund is contingent upon Senate Bill 1702 or similar legislation, relating to expanding the use of funds in the Agricultural Emergency Eradication Trust Fund, becoming a law.

1485 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 47,200
FROM CITRUS INSPECTION TRUST FUND 1,000
FROM FEDERAL GRANTS TRUST FUND 419,808
FROM AGRICULTURAL EMERGENCY ERADICATION
TRUST FUND 19,817
FROM PLANT INDUSTRY TRUST FUND 808,560

Of the funds in Specific Appropriation 1485, $19,817 from the Agricultural Emergency Eradication Trust Fund is contingent upon Senate Bill 1702 or similar legislation, relating to expanding the use of funds in the Agricultural Emergency Eradication Trust Fund, becoming a law.

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1486 EXPENSES
FROM GENERAL REVENUE FUND 894,890
FROM CITRUS INSPECTION TRUST FUND 79,898
FROM FEDERAL GRANTS TRUST FUND 437,167
FROM AGRICULTURAL EMERGENCY ERADICATION
TRUST FUND 23,962
FROM PLANT INDUSTRY TRUST FUND 724,866

1487 OPERATING CAPITAL OUTLAY
FROM FEDERAL GRANTS TRUST FUND 66,195
FROM PLANT INDUSTRY TRUST FUND 51,525

1488 SPECIAL CATEGORIES
AGRICULTURAL EMERGENCIES (MEDFLY PROGRAM)
FROM AGRICULTURAL EMERGENCY ERADICATION
TRUST FUND 1,002,374

1489 SPECIAL CATEGORIES
GRANTS AND AIDS - BOLL WEEVIL ERADICATION
FROM PLANT INDUSTRY TRUST FUND 560,000

1490 SPECIAL CATEGORIES
APIARIAN INDEMNITIES
FROM GENERAL REVENUE FUND 36,000

1490A SPECIAL CATEGORIES
ENDANGERED PLANT SPECIES
FROM PLANT INDUSTRY TRUST FUND 250,000

1491 SPECIAL CATEGORIES
CITRUS HEALTH RESPONSE PROGRAM
FROM FEDERAL GRANTS TRUST FUND 5,885,038
FROM AGRICULTURAL EMERGENCY ERADICATION
TRUST FUND 2,522,159

1492 SPECIAL CATEGORIES
PLANT PEST AND DISEASE CONTROL
FROM FEDERAL GRANTS TRUST FUND 1,000,000

1493 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 104,481
FROM CITRUS INSPECTION TRUST FUND 7,144
FROM FEDERAL GRANTS TRUST FUND 12,538
FROM AGRICULTURAL EMERGENCY ERADICATION
TRUST FUND 350,000
FROM PLANT INDUSTRY TRUST FUND 118,049

1494 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 882,957
FROM FEDERAL GRANTS TRUST FUND 262,374

1495 SPECIAL CATEGORIES
TRANSFER TO UNIVERSITY OF FLORIDA/
INSTITUTE OF FOOD AND AGRICULTURAL
SCIENCES FOR INVASIVE EXOTICS QUARANTINE
FACILITY
FROM PLANT INDUSTRY TRUST FUND 750,000

1496 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 171,471
FROM CITRUS INSPECTION TRUST FUND 11,713
FROM FEDERAL GRANTS TRUST FUND 45,921
FROM PLANT INDUSTRY TRUST FUND 39,616

TOTAL: PLANT PEST AND DISEASE CONTROL
FROM GENERAL REVENUE FUND 12,099,960
FROM TRUST FUNDS 24,003,168

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TOTAL POSITIONS	375.00	
TOTAL ALL FUNDS		36,103,128

COMMUNITY AFFAIRS, DEPARTMENT OF

PROGRAM: OFFICE OF THE SECRETARY

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 3,733,530

1497 SALARIES AND BENEFITS POSITIONS	78.00	
FROM GENERAL REVENUE FUND	1,259,315	
FROM ADMINISTRATIVE TRUST FUND		3,696,871
FROM GRANTS AND DONATIONS TRUST FUND . . .		154,821
1498 OTHER PERSONAL SERVICES		
FROM ADMINISTRATIVE TRUST FUND		414,768
1499 EXPENSES		
FROM GENERAL REVENUE FUND	76,457	
FROM ADMINISTRATIVE TRUST FUND		1,202,935
FROM GRANTS AND DONATIONS TRUST FUND . . .		18,392
1500 OPERATING CAPITAL OUTLAY		
FROM ADMINISTRATIVE TRUST FUND		89,864
1501 SPECIAL CATEGORIES		
TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS		
FROM GENERAL REVENUE FUND	279,732	
1502 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM ADMINISTRATIVE TRUST FUND		34,379
1503 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	38,674	
FROM ADMINISTRATIVE TRUST FUND		77,797
FROM GRANTS AND DONATIONS TRUST FUND . . .		194
1504 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	15,284	
FROM ADMINISTRATIVE TRUST FUND		19,819
FROM GRANTS AND DONATIONS TRUST FUND . . .		1,041
TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES		
FROM GENERAL REVENUE FUND	1,669,462	
FROM TRUST FUNDS		5,710,881
TOTAL POSITIONS	78.00	
TOTAL ALL FUNDS		7,380,343

PROGRAM: COMMUNITY PLANNING

COMMUNITY PLANNING

APPROVED SALARY RATE 2,803,200

1505 SALARIES AND BENEFITS POSITIONS	61.00	
FROM GENERAL REVENUE FUND	3,296,902	
FROM GRANTS AND DONATIONS TRUST FUND . . .		328,896
1506 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	17,903	
FROM GRANTS AND DONATIONS TRUST FUND . . .		264,388
FROM OPERATING TRUST FUND		129,730

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1507 EXPENSES		
FROM GENERAL REVENUE FUND	388,570	
FROM GRANTS AND DONATIONS TRUST FUND . . .		65,500
1508 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	1,500	
FROM GRANTS AND DONATIONS TRUST FUND . . .		500
1509 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	167,001	
FROM OPERATING TRUST FUND		232,383
1510 SPECIAL CATEGORIES		
CENTURY COMMISSION		
FROM GRANTS AND DONATIONS TRUST FUND . . .		250,000

From the funds in Specific Appropriation 1510, $250,000 in recurring funds in the Grants and Donations Trust Fund are provided for the Century Commission for a Sustainable Florida. These funds are contingent upon and limited to the availability of funds in the Grants and Donations Trust Fund that are specifically transferred into the trust fund by law for the Century Commission.

1511 SPECIAL CATEGORIES		
GRANTS AND AIDS - REGIONAL PLANNING COUNCILS		
FROM GRANTS AND DONATIONS TRUST FUND . . .		2,420,000

Funds in Specific Appropriation 1511 are provided to the Regional Planning Councils, 70 percent of which must be divided equally among the councils and 30 percent of which must be allocated according to population. The funds shall be used to prepare and implement strategic regional policy plans, perform regional review and comment functions, and assist local governments in addressing problems of greater-than-local significance.

1512 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	5,297	
FROM GRANTS AND DONATIONS TRUST FUND . . .		6,921
1513 SPECIAL CATEGORIES		
GRANTS AND AIDS - COASTAL MANAGEMENT REQUIREMENTS		
FROM GRANTS AND DONATIONS TRUST FUND . . .		75,000
1514 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	26,886	
1515 SPECIAL CATEGORIES		
GRANTS AND AIDS - TECHNICAL AND PLANNING ASSISTANCE		
FROM GRANTS AND DONATIONS TRUST FUND . . .		1,079,994

From the funds in Specific Appropriation 1515, the department shall provide technical assistance to the City of North Port in developing a comprehensive plan to address the issues created by the large number of antiquated or platted lots within and adjacent to the city's borders. The plan should address, among other things, ways to implement appropriate growth management strategies in the future development of the lots and methods to alleviate any negative environmental impact potentially caused by lack of sewage lines.

TOTAL: COMMUNITY PLANNING		
FROM GENERAL REVENUE FUND	3,904,059	
FROM TRUST FUNDS		4,853,312
TOTAL POSITIONS	61.00	
TOTAL ALL FUNDS		8,757,371

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PROGRAM: EMERGENCY MANAGEMENT

PRE-DISASTER MITIGATION

Funds in Specific Appropriations 1516 through 1579 for the Division of Emergency Management (DEM) shall be used in a manner to reduce expenditures for travel and meetings to the greatest extent possible. The division is directed to achieve operational efficiencies by decreasing the number of meetings held; decreasing the number of division staff participating in meetings; and by utilizing alternative meeting methods. The alternative methods may include such things as video teleconferencing, telephone conferencing, and utilization of established centralized government conference facilities. The Division of Emergency Management shall provide quarterly reports to the Executive Office of the Governor, the chairs of the Senate Fiscal Policy and Calendar Committee, the House Policy and Budget Council and the House Economic Expansion and Infrastructure Council detailing the operational efficiencies achieved.

APPROVED SALARY RATE 432,215

1516 SALARIES AND BENEFITS POSITIONS 9.00
FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND 138,629
FROM GRANTS AND DONATIONS TRUST FUND . . . 5,648
FROM OPERATING TRUST FUND 3,938
FROM FEDERAL EMERGENCY MANAGEMENT PROGRAMS SUPPORT TRUST FUND 423,740

1517 OTHER PERSONAL SERVICES
FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND 4,332

1518 EXPENSES
FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND 12,512
FROM GRANTS AND DONATIONS TRUST FUND . . . 7,367
FROM OPERATING TRUST FUND 4,718
FROM FEDERAL EMERGENCY MANAGEMENT PROGRAMS SUPPORT TRUST FUND 49,435

1519 SPECIAL CATEGORIES
GRANTS AND AID - REPETITIVE FLOOD CLAIMS PROGRAM
FROM FEDERAL EMERGENCY MANAGEMENT PROGRAMS SUPPORT TRUST FUND 3,000,000

1520 SPECIAL CATEGORIES
GRANTS AND AIDS - SEVERE REPETITIVE LOSS PILOT PROGRAM
FROM FEDERAL EMERGENCY MANAGEMENT PROGRAMS SUPPORT TRUST FUND 8,000,000

1521 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND 4,593
FROM OPERATING TRUST FUND 271
FROM FEDERAL EMERGENCY MANAGEMENT PROGRAMS SUPPORT TRUST FUND 4,322

1522 SPECIAL CATEGORIES
GRANTS AND AIDS - PREDISASTER MITIGATION
FROM FEDERAL EMERGENCY MANAGEMENT PROGRAMS SUPPORT TRUST FUND 3,950,000

Funds in Specific Appropriation 1522 are provided for the pre-disaster mitigation program. The 25 percent match requirement for the federal funds shall be provided by local governments.

1523 SPECIAL CATEGORIES
FLOOD MITIGATION ASSISTANCE PROGRAM
FROM FEDERAL EMERGENCY MANAGEMENT PROGRAMS SUPPORT TRUST FUND 3,600,000

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1524 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND 918
FROM GRANTS AND DONATIONS TRUST FUND . . . 37
FROM OPERATING TRUST FUND 27
FROM FEDERAL EMERGENCY MANAGEMENT PROGRAMS SUPPORT TRUST FUND 2,805

TOTAL: PRE-DISASTER MITIGATION
FROM TRUST FUNDS 19,213,292

TOTAL POSITIONS 9.00
TOTAL ALL FUNDS 19,213,292

EMERGENCY PLANNING

APPROVED SALARY RATE 2,062,410

1525 SALARIES AND BENEFITS POSITIONS 51.00
FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND 1,116,281
FROM GRANTS AND DONATIONS TRUST FUND . . . 708,601
FROM OPERATING TRUST FUND 119,547
FROM FEDERAL EMERGENCY MANAGEMENT PROGRAMS SUPPORT TRUST FUND 727,670

1526 OTHER PERSONAL SERVICES
FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND 282,717
FROM GRANTS AND DONATIONS TRUST FUND . . . 362,400
FROM FEDERAL EMERGENCY MANAGEMENT PROGRAMS SUPPORT TRUST FUND 645,000

1527 EXPENSES
FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND 572,042
FROM GRANTS AND DONATIONS TRUST FUND . . . 284,645
FROM OPERATING TRUST FUND 2,737
FROM FEDERAL EMERGENCY MANAGEMENT PROGRAMS SUPPORT TRUST FUND 333,030

1528 AID TO LOCAL GOVERNMENTS
DISASTER PREPAREDNESS PLANNING AND ADMINISTRATION
FROM FEDERAL EMERGENCY MANAGEMENT PROGRAMS SUPPORT TRUST FUND 2,389,944

1529 OPERATING CAPITAL OUTLAY
FROM GRANTS AND DONATIONS TRUST FUND . . . 37,600

1529A LUMP SUM
EMERGENCY MANAGEMENT PERFORMANCE GRANT
FROM FEDERAL EMERGENCY MANAGEMENT PROGRAMS SUPPORT TRUST FUND 9,183,531

Funds in Specific Appropriation 1529A are provided for the Emergency Management Performance Grants funded by United States Department of Homeland Security. The Division of Emergency Management shall submit the Emergency Management Performance Grant Work Plan to the Executive Office of the Governor, the chairs of the Senate Fiscal Policy and Calendar Committee, the House Policy and Budget Council and the House Economic Expansion and Infrastructure Council for review prior to submission to the Federal Emergency Management Agency. Upon approval of the work plan by the Federal Emergency Management Agency, the Division of Emergency Management may submit a budget amendment for the release of the lump sum appropriation pursuant to chapter 216, Florida Statutes.

From the funds in Specific Appropriation 1529A, $250,000 in non-recurring funds from the Federal Emergency Management Programs Support Trust Fund is provided for the Center for Disaster Risk Policy

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at the Florida State University to establish a pilot program to coordinate and conduct emergency exercises on university campuses. The exercise objectives shall be designed to evaluate campus security and campus emergency coordination with local emergency managers and responders.

From funds in Specific Appropriation 1529A, $250,000 shall be used for a statewide public education program campaign on television and radio to promote hurricane preparedness. Such funds shall be provided to a not-for-profit corporation, and must be matched on a 3 to 1 basis.

1530 SPECIAL CATEGORIES
GRANTS AND AIDS - PAYMENT FLORIDA WING/ CIVIL AIR PATROL
FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND 49,500

1531 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GRANTS AND DONATIONS TRUST FUND . . . 1,103,000

1532 SPECIAL CATEGORIES
GRANTS AND AIDS - EMERGENCY MANAGEMENT PROGRAMS
FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND 7,089,061

1533 SPECIAL CATEGORIES
GRANTS AND AIDS - STATE DOMESTIC PREPAREDNESS PROGRAM
FROM GRANTS AND DONATIONS TRUST FUND . . . 25,500,000

1535 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND 14,872
FROM FEDERAL EMERGENCY MANAGEMENT PROGRAMS SUPPORT TRUST FUND 15,994

1537 SPECIAL CATEGORIES
STATEWIDE HURRICANE PREPAREDNESS AND PLANNING
FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND 1,485,541
FROM GRANTS AND DONATIONS TRUST FUND . . . 194,700
FROM FEDERAL EMERGENCY MANAGEMENT PROGRAMS SUPPORT TRUST FUND 50,000
FROM U.S. CONTRIBUTIONS TRUST FUND 7,502,857

1538 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND 10,015
FROM GRANTS AND DONATIONS TRUST FUND . . . 5,959
FROM OPERATING TRUST FUND 1,114
FROM FEDERAL EMERGENCY MANAGEMENT PROGRAMS SUPPORT TRUST FUND 6,780

1539 SPECIAL CATEGORIES
HAZARDOUS MATERIALS EMERGENCY PLANNING GRANT
FROM GRANTS AND DONATIONS TRUST FUND . . . 500,000

1540A GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
LOCAL EMERGENCY MANAGEMENT FACILITIES
FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND 5,070,000

Non-recurring funds in the Emergency Management Preparedness and Assistance Trust Fund in Specific Appropriation 1540A shall be allocated as follows:

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Regional Hurricane Shelter / Community Health Center - Pasco County..... 2,000,000
Regional Shelter for Developmentally Disabled - Hernando County..... 1,140,000
Place of Hope Seven Stars Emergency Shelter Expansion - Palm Beach County..... 700,000
Emergency Operations Center - Village of Biscayne Park, Miami-Dade County..... 60,000
Post Disaster Relief Control Center-City of Homestead..... 500,000
Emergency Center City of Miami Springs..... 250,000

Non-recurring funds in the amount of $420,000 in the Emergency Management Preparedness and Assistance Trust Fund in Specific Appropriation 1540A are provided for a pilot program in Brevard, Pasco, Polk, and Orange counties for the purpose of deploying unlimited complete, time-sensitive notices quickly and easily to citizens, local emergency management entities, and state and regional entities to warn against disasters and provide community outreach and education notifications. The deployed service shall be able to send targeted broadcast alerts with text and optional radio audio activation to FM/RBDS receiving devices. The FM/RBDS service shall also be able to retrieve and forward 600 character text messages composed in the Common Alerting Protocol 1.1 (CAP), from the National Weather Service (NOAA) and others, to the RBDS receiving devices.

1541 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
EMERGENCY MANAGEMENT CRITICAL FACILITY NEEDS
FROM GRANTS AND DONATIONS TRUST FUND . . . 44,804,632
FROM U.S. CONTRIBUTIONS TRUST FUND 5,195,368

Funds in Specific Appropriation 1541 from the Grants and Donations Trust Fund reflect the transfer of $6,421,764 of mitigation funds from the Florida Hurricane Catastrophe Fund pursuant to section 215.557(7)(c), Florida Statutes.

During the 2008-2009 fiscal year, any unobligated cash in the division that is not restricted by federal laws or federal guidelines shall be transferred to the Grants and Donations Trust Fund and shall be used for the installation of generators at designated special needs shelter sites pursuant to chapter 2006-71, Laws of Florida.

The Division of Emergency Management shall immediately notify local emergency management officials of the availability of funds and assist local officials as needed to accomplish installation of emergency power generators. The division, in coordination with the local governments and school boards, shall explore methods to reduce installation costs. This may include cancelling existing contracts, or other contractual obligations held by the state or any of its agencies and entities associated with the installation of the generators and make funds available to local governments and school boards. The division shall report quarterly to the chairs of the Senate Fiscal Policy and Calendar Committee, the House Policy and Budget Council and the House Economic Expansion and Infrastructure Council on implementation progress.

TOTAL: EMERGENCY PLANNING
FROM TRUST FUNDS 115,365,138

TOTAL POSITIONS 51.00
TOTAL ALL FUNDS 115,365,138

EMERGENCY RECOVERY

The division shall submit quarterly status reports on the outstanding obligations for each open federally declared disaster event to the chairs of the Senate Fiscal Policy and Calendar Committee, the House Policy and Budget Council and the House Economic Expansion and Infrastructure Council.

APPROVED SALARY RATE 1,698,886

1542 SALARIES AND BENEFITS POSITIONS 39.00
FROM EMERGENCY MANAGEMENT PREPAREDNESS

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AND ASSISTANCE TRUST FUND 502,209
FROM GRANTS AND DONATIONS TRUST FUND . . . 266,454
FROM OPERATING TRUST FUND 3,924
FROM FEDERAL EMERGENCY MANAGEMENT
PROGRAMS SUPPORT TRUST FUND 371,393
FROM U.S. CONTRIBUTIONS TRUST FUND 1,050,403

1543 OTHER PERSONAL SERVICES
FROM EMERGENCY MANAGEMENT PREPAREDNESS
AND ASSISTANCE TRUST FUND 4,331
FROM GRANTS AND DONATIONS TRUST FUND . . . 1,100

1544 EXPENSES
FROM EMERGENCY MANAGEMENT PREPAREDNESS
AND ASSISTANCE TRUST FUND 21,323
FROM GRANTS AND DONATIONS TRUST FUND . . . 131,348
FROM OPERATING TRUST FUND 4,670
FROM FEDERAL EMERGENCY MANAGEMENT
PROGRAMS SUPPORT TRUST FUND 41,119
FROM U.S. CONTRIBUTIONS TRUST FUND 199,878

1545 SPECIAL CATEGORIES
PUBLIC ASSISTANCE FOR 2004 HURRICANES -
STATE OPERATIONS
FROM GRANTS AND DONATIONS TRUST FUND . . . 1,133,851
FROM U.S. CONTRIBUTIONS TRUST FUND 18,510,036

1546 SPECIAL CATEGORIES
HAZARD MITIGATION FOR 2004 HURRICANES -
STATE OPERATIONS
FROM GRANTS AND DONATIONS TRUST FUND . . . 708,958
FROM U.S. CONTRIBUTIONS TRUST FUND 4,260,150

1547 SPECIAL CATEGORIES
PUBLIC ASSISTANCE FOR 2004 HURRICANES -
PASS THROUGH
FROM GRANTS AND DONATIONS TRUST FUND . . . 11,354,853
FROM U.S. CONTRIBUTIONS TRUST FUND 185,247,550

1548 SPECIAL CATEGORIES
HAZARD MITIGATION FOR 2004 HURRICANES -
PASS THROUGH
FROM U.S. CONTRIBUTIONS TRUST FUND 42,665,534

1549 SPECIAL CATEGORIES
PUBLIC ASSISTANCE - STATE OPERATIONS
FROM GRANTS AND DONATIONS TRUST FUND . . . 343,097
FROM U.S. CONTRIBUTIONS TRUST FUND 2,061,293

1550 SPECIAL CATEGORIES
HAZARD MITIGATION - STATE OPERATIONS
FROM GRANTS AND DONATIONS TRUST FUND . . . 252,316
FROM U.S. CONTRIBUTIONS TRUST FUND 1,515,607

1551 SPECIAL CATEGORIES
PUBLIC ASSISTANCE - PASS THROUGH
FROM GRANTS AND DONATIONS TRUST FUND . . . 3,440,425
FROM U.S. CONTRIBUTIONS TRUST FUND 20,641,274

1552 SPECIAL CATEGORIES
HAZARD MITIGATION - PASS THROUGH
FROM GRANTS AND DONATIONS TRUST FUND . . . 674
FROM U.S. CONTRIBUTIONS TRUST FUND 15,177,028

Funds in Specific Appropriations 1549 through 1552 from the Grants and Donations Trust Fund are provided to meet the state's portion of the match requirements for federally declared disasters that occurred prior to 2004. Funds shall be utilized for Public Assistance and Hazard Mitigation programs as specified in section 252.37, Florida Statutes.

1553 SPECIAL CATEGORIES
HAZARD MITIGATION FOR 2005 HURRICANES -
STATE OPERATIONS
FROM GRANTS AND DONATIONS TRUST FUND . . . 668,560
FROM U.S. CONTRIBUTIONS TRUST FUND 4,013,612

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1554 SPECIAL CATEGORIES
HAZARD MITIGATION FOR 2005 HURRICANES -
PASS THROUGH
FROM U.S. CONTRIBUTIONS TRUST FUND 40,158,628

1555 SPECIAL CATEGORIES
HAZARD MITIGATION FOR 2006-07 HAZARDOUS
WEATHER - STATE OPERATIONS
FROM GRANTS AND DONATIONS TRUST FUND . . . 22,039
FROM U.S. CONTRIBUTIONS TRUST FUND 132,234

1556 SPECIAL CATEGORIES
HAZARD MITIGATION FOR 2006-07 HAZARDOUS
WEATHER MAJOR DISASTERS - PASS THROUGH
FROM U.S. CONTRIBUTIONS TRUST FUND 1,322,340

Funds in Specific Appropriations 1548, 1552, 1554, and 1556 are provided for local mitigation projects that are included in local mitigation strategy plans and have been approved by the Federal Emergency Management Agency for federal mitigation funding.

1557 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM EMERGENCY MANAGEMENT PREPAREDNESS
AND ASSISTANCE TRUST FUND 70,173
FROM OPERATING TRUST FUND 4,140
FROM FEDERAL EMERGENCY MANAGEMENT
PROGRAMS SUPPORT TRUST FUND 66,032

1559 SPECIAL CATEGORIES
GRANTS AND AIDS - HURRICANE LOSS
MITIGATION
FROM GRANTS AND DONATIONS TRUST FUND . . . 3,500,000

Funds in Specific Appropriation 1542 in the amount of $61,609; Specific Appropriation 1543 in the amount of $1,100; Specific Appropriation 1544 in the amount of $15,527; and Specific Appropriation 1559 in the amount of $3,500,000, provided from the Grants and Donations Trust Fund, reflect the transfer of $3,578,236 of mitigation funds from the Florida Hurricane Catastrophe Fund pursuant to section 215.555(7)(c), Florida Statutes.

From the funds in Specific Appropriation 1559, $2,800,000 shall be distributed directly to Tallahassee Community College for the uses set forth in section 215.559(3)(a), Florida Statutes, and $700,000 shall be used for Hurricane and Mitigation Research at Florida International University in section 215.559(4), Florida Statutes.

1560 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM EMERGENCY MANAGEMENT PREPAREDNESS
AND ASSISTANCE TRUST FUND 9,657
FROM GRANTS AND DONATIONS TRUST FUND . . . 1,396
FROM OPERATING TRUST FUND 61
FROM FEDERAL EMERGENCY MANAGEMENT
PROGRAMS SUPPORT TRUST FUND 5,870
FROM U.S. CONTRIBUTIONS TRUST FUND 12,547

1561 SPECIAL CATEGORIES
NON-FEDERAL REIMBURSEABLE DISASTER
ACTIVITIES
FROM GRANTS AND DONATIONS TRUST FUND . . . 64,025

1562 SPECIAL CATEGORIES
GRANTS AND AIDS - 2005 HURRICANES - STATE
OPERATIONS
FROM GRANTS AND DONATIONS TRUST FUND . . . 34,305
FROM U.S. CONTRIBUTIONS TRUST FUND 23,072,598

1563 SPECIAL CATEGORIES
GRANTS AND AIDS - 2005 HURRICANES - PASS

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THROUGH OF STATE AND FEDERAL FUNDS TO
LOCAL GOVERNMENTS
FROM GRANTS AND DONATIONS TRUST FUND . . . 227,625
FROM U.S. CONTRIBUTIONS TRUST FUND 230,379,687

1564 SPECIAL CATEGORIES
GRANTS AND AIDS - MAJOR DISASTER 2006-07 -
HAZARDOUS WEATHER - STATE OPERATIONS
FROM GRANTS AND DONATIONS TRUST FUND . . . 24,000
FROM U.S. CONTRIBUTIONS TRUST FUND 100,000

1565 SPECIAL CATEGORIES
GRANTS AND AIDS - MAJOR DISASTER 2006-07 -
HAZARDOUS WEATHER - PASS THROUGH
FROM GRANTS AND DONATIONS TRUST FUND . . . 240,000
FROM U.S. CONTRIBUTIONS TRUST FUND 1,000,000

1566 SPECIAL CATEGORIES
GRANTS AND AIDS - MAJOR DISASTER 2007 -
FLORIDA WILDFIRES - PASS THROUGH
FROM GRANTS AND DONATIONS TRUST FUND . . . 2,916,667
FROM U.S. CONTRIBUTIONS TRUST FUND 8,750,000

TOTAL: EMERGENCY RECOVERY
FROM TRUST FUNDS 626,706,994

TOTAL POSITIONS 39.00
TOTAL ALL FUNDS 626,706,994

EMERGENCY RESPONSE

APPROVED SALARY RATE 687,051

1567 SALARIES AND BENEFITS POSITIONS 18.00
FROM EMERGENCY MANAGEMENT PREPAREDNESS
AND ASSISTANCE TRUST FUND 548,117
FROM GRANTS AND DONATIONS TRUST FUND . . . 90,495
FROM OPERATING TRUST FUND 81,147
FROM FEDERAL EMERGENCY MANAGEMENT
PROGRAMS SUPPORT TRUST FUND 311,330

1568 OTHER PERSONAL SERVICES
FROM EMERGENCY MANAGEMENT PREPAREDNESS
AND ASSISTANCE TRUST FUND 4,331

1569 EXPENSES
FROM EMERGENCY MANAGEMENT PREPAREDNESS
AND ASSISTANCE TRUST FUND 14,567
FROM GRANTS AND DONATIONS TRUST FUND . . . 46,302
FROM OPERATING TRUST FUND 13,975
FROM FEDERAL EMERGENCY MANAGEMENT
PROGRAMS SUPPORT TRUST FUND 228,996

1570 OPERATING CAPITAL OUTLAY
FROM EMERGENCY MANAGEMENT PREPAREDNESS
AND ASSISTANCE TRUST FUND 1,872
FROM GRANTS AND DONATIONS TRUST FUND . . . 3,196
FROM FEDERAL EMERGENCY MANAGEMENT
PROGRAMS SUPPORT TRUST FUND 6,352

1572 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM EMERGENCY MANAGEMENT PREPAREDNESS
AND ASSISTANCE TRUST FUND 9,569
FROM FEDERAL EMERGENCY MANAGEMENT
PROGRAMS SUPPORT TRUST FUND 9,519

1573 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM EMERGENCY MANAGEMENT PREPAREDNESS
AND ASSISTANCE TRUST FUND 4,051

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FROM GRANTS AND DONATIONS TRUST FUND . . . 606
FROM OPERATING TRUST FUND 544
FROM FEDERAL EMERGENCY MANAGEMENT
PROGRAMS SUPPORT TRUST FUND 2,083

TOTAL: EMERGENCY RESPONSE
FROM TRUST FUNDS 1,377,052

TOTAL POSITIONS 18.00
TOTAL ALL FUNDS 1,377,052

HAZARDOUS MATERIALS COMPLIANCE PLANNING

APPROVED SALARY RATE 906,914

1574 SALARIES AND BENEFITS POSITIONS 21.00
FROM EMERGENCY MANAGEMENT PREPAREDNESS
AND ASSISTANCE TRUST FUND 141,251
FROM GRANTS AND DONATIONS TRUST FUND . . . 7,523
FROM OPERATING TRUST FUND 946,503
FROM FEDERAL EMERGENCY MANAGEMENT
PROGRAMS SUPPORT TRUST FUND 56,078

1575 OTHER PERSONAL SERVICES
FROM EMERGENCY MANAGEMENT PREPAREDNESS
AND ASSISTANCE TRUST FUND 28,559

1576 EXPENSES
FROM EMERGENCY MANAGEMENT PREPAREDNESS
AND ASSISTANCE TRUST FUND 21,992
FROM GRANTS AND DONATIONS TRUST FUND . . . 15,645
FROM OPERATING TRUST FUND 166,513
FROM FEDERAL EMERGENCY MANAGEMENT
PROGRAMS SUPPORT TRUST FUND 19,841

1577 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM EMERGENCY MANAGEMENT PREPAREDNESS
AND ASSISTANCE TRUST FUND 750
FROM OPERATING TRUST FUND 2,840

1578 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM EMERGENCY MANAGEMENT PREPAREDNESS
AND ASSISTANCE TRUST FUND 492
FROM GRANTS AND DONATIONS TRUST FUND . . . 57
FROM OPERATING TRUST FUND 6,924
FROM FEDERAL EMERGENCY MANAGEMENT
PROGRAMS SUPPORT TRUST FUND 409

1579 SPECIAL CATEGORIES
FLORIDA HAZARDOUS MATERIALS PLANNING
PROGRAM
FROM OPERATING TRUST FUND 966,597

TOTAL: HAZARDOUS MATERIALS COMPLIANCE PLANNING
FROM TRUST FUNDS 2,381,974

TOTAL POSITIONS 21.00
TOTAL ALL FUNDS 2,381,974

PROGRAM: HOUSING AND COMMUNITY DEVELOPMENT

AFFORDABLE HOUSING AND NEIGHBORHOOD REDEVELOPMENT

APPROVED SALARY RATE 1,311,965

1580 SALARIES AND BENEFITS POSITIONS 29.00
FROM GENERAL REVENUE FUND 641,652
FROM FLORIDA SMALL CITIES COMMUNITY
DEVELOPMENT BLOCK GRANT PROGRAM FUND . . 791,320

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FROM COMMUNITY SERVICES BLOCK GRANT TRUST FUND		93,827
FROM ENERGY CONSUMPTION TRUST FUND		23,095
FROM FLORIDA COMMUNITIES TRUST FUND		6,379
FROM LOW INCOME HOME ENERGY ASSISTANCE PROGRAM BLOCK GRANT TRUST FUND		45,654
FROM OPERATING TRUST FUND		150,520
1581 OTHER PERSONAL SERVICES		
FROM FLORIDA SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FUND		543,206
1582 EXPENSES		
FROM GENERAL REVENUE FUND	77,357	
FROM FLORIDA SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FUND		377,464
FROM OPERATING TRUST FUND		27,312
1583 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	1,000	
FROM FLORIDA SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FUND		2,000
1584 SPECIAL CATEGORIES CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	500	
FROM OPERATING TRUST FUND		500
1585 SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	2,527	
FROM FLORIDA SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FUND		2,523
1586 SPECIAL CATEGORIES FRONT PORCH FLORIDA		
FROM GRANTS AND DONATIONS TRUST FUND		1,750,000
1587 SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	5,123	
FROM FLORIDA SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FUND		3,750
FROM COMMUNITY SERVICES BLOCK GRANT TRUST FUND		641
FROM ENERGY CONSUMPTION TRUST FUND		158
FROM FLORIDA COMMUNITIES TRUST FUND		42
FROM LOW INCOME HOME ENERGY ASSISTANCE PROGRAM BLOCK GRANT TRUST FUND		312
FROM OPERATING TRUST FUND		1,029
1588 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY GRANTS AND AIDS - SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANTS		
FROM FLORIDA SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FUND		35,000,000
TOTAL: AFFORDABLE HOUSING AND NEIGHBORHOOD REDEVELOPMENT		
FROM GENERAL REVENUE FUND	728,159	
FROM TRUST FUNDS		38,819,732
TOTAL POSITIONS	29.00	
TOTAL ALL FUNDS		39,547,891

BUILDING CODE COMPLIANCE AND HAZARD MITIGATION

APPROVED SALARY RATE 763,896

1589 SALARIES AND BENEFITS POSITIONS 17.00		
FROM OPERATING TRUST FUND		1,044,278
1590 OTHER PERSONAL SERVICES		
FROM GRANTS AND DONATIONS TRUST FUND		140,000
FROM OPERATING TRUST FUND		1,501,255
1591 EXPENSES		
FROM OPERATING TRUST FUND		339,133
1592 OPERATING CAPITAL OUTLAY		
FROM OPERATING TRUST FUND		2,000
1593 SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF HEALTH		
FROM OPERATING TRUST FUND		282,637

In the event that the Building Permit Surcharge revenue collections are insufficient to fund the level of appropriation in Specific Appropriation 1593, this transfer shall be reduced to reflect the amount actually collected.

1594 SPECIAL CATEGORIES CONTRACTED SERVICES		
FROM OPERATING TRUST FUND		12,165
1595 SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE		
FROM OPERATING TRUST FUND		29,908
1596 SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM OPERATING TRUST FUND		7,137
TOTAL: BUILDING CODE COMPLIANCE AND HAZARD MITIGATION		
FROM TRUST FUNDS		3,358,513
TOTAL POSITIONS	17.00	
TOTAL ALL FUNDS		3,358,513

PUBLIC SERVICE AND ENERGY INITIATIVES

APPROVED SALARY RATE 543,983

1597 SALARIES AND BENEFITS POSITIONS 13.00		
FROM COMMUNITY SERVICES BLOCK GRANT TRUST FUND		437,357
FROM ENERGY CONSUMPTION TRUST FUND		185,000
FROM LOW INCOME HOME ENERGY ASSISTANCE PROGRAM BLOCK GRANT TRUST FUND		199,284
1598 OTHER PERSONAL SERVICES		
FROM COMMUNITY SERVICES BLOCK GRANT TRUST FUND		338,247
FROM ENERGY CONSUMPTION TRUST FUND		263
FROM LOW INCOME HOME ENERGY ASSISTANCE PROGRAM BLOCK GRANT TRUST FUND		46,148
1599 EXPENSES		
FROM FLORIDA SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FUND		3,056
FROM COMMUNITY SERVICES BLOCK GRANT TRUST FUND		163,611
FROM ENERGY CONSUMPTION TRUST FUND		70,000
FROM LOW INCOME HOME ENERGY ASSISTANCE PROGRAM BLOCK GRANT TRUST FUND		99,582
1600 OPERATING CAPITAL OUTLAY		
FROM COMMUNITY SERVICES BLOCK GRANT TRUST FUND		1,550
FROM LOW INCOME HOME ENERGY ASSISTANCE PROGRAM BLOCK GRANT TRUST FUND		1,000

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1601 SPECIAL CATEGORIES
GRANTS AND AIDS - COMMUNITY SERVICES BLOCK GRANTS
FROM COMMUNITY SERVICES BLOCK GRANT TRUST FUND 17,876,599

1602 SPECIAL CATEGORIES
GRANTS AND AIDS - HOME ENERGY ASSISTANCE
FROM LOW INCOME HOME ENERGY ASSISTANCE PROGRAM BLOCK GRANT TRUST FUND 25,864,000

1603 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM ENERGY CONSUMPTION TRUST FUND 500

1604 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM COMMUNITY SERVICES BLOCK GRANT TRUST FUND 2,340

1605 SPECIAL CATEGORIES
COMMISSION ON COMMUNITY SERVICE
FROM EMERGENCY MANAGEMENT PREPAREDNESS AND ASSISTANCE TRUST FUND 300,000

1606 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM COMMUNITY SERVICES BLOCK GRANT TRUST FUND 2,678
FROM ENERGY CONSUMPTION TRUST FUND 1,464
FROM LOW INCOME HOME ENERGY ASSISTANCE PROGRAM BLOCK GRANT TRUST FUND 1,219

1606A SPECIAL CATEGORIES
CIVIL LEGAL ASSISTANCE
FROM GRANTS AND DONATIONS TRUST FUND . . . 1,000,000

Funds in Specific Appropriation 1606A are provided for the programs established pursuant to sections 68.094 through 68.105, Florida Statutes.

1607 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
GRANTS AND AIDS - WEATHERIZATION GRANTS
FROM GRANTS AND DONATIONS TRUST FUND . . . 2,400,000
FROM LOW INCOME HOME ENERGY ASSISTANCE PROGRAM BLOCK GRANT TRUST FUND 3,900,000

TOTAL: PUBLIC SERVICE AND ENERGY INITIATIVES
FROM TRUST FUNDS 52,893,898

TOTAL POSITIONS 13.00
TOTAL ALL FUNDS 52,893,898

LAND ACQUISITION AND ADMINISTRATION

APPROVED SALARY RATE 736,149

1609 SALARIES AND BENEFITS POSITIONS 16.00
FROM FLORIDA COMMUNITIES TRUST FUND . . . 988,252

1610 OTHER PERSONAL SERVICES
FROM FLORIDA COMMUNITIES TRUST FUND . . . 48,000

1611 EXPENSES
FROM FLORIDA COMMUNITIES TRUST FUND . . . 220,186

1612 OPERATING CAPITAL OUTLAY
FROM FLORIDA COMMUNITIES TRUST FUND . . . 2,000

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1613 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM FLORIDA COMMUNITIES TRUST FUND . . . 2,313

1614 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM FLORIDA COMMUNITIES TRUST FUND . . . 6,879

1615 FIXED CAPITAL OUTLAY
LAND ACQUISITION, ENVIRONMENTALLY ENDANGERED, UNIQUE/ IRREPLACEABLE LANDS, STATEWIDE
FROM FLORIDA FOREVER PROGRAM TRUST FUND . 66,000,000

TOTAL: LAND ACQUISITION AND ADMINISTRATION
FROM TRUST FUNDS 67,267,630

TOTAL POSITIONS 16.00
TOTAL ALL FUNDS 67,267,630

PROGRAM: FLORIDA HOUSING FINANCE CORPORATION

The Florida Housing Finance Corporation is authorized to negotiate any necessary changes to project criteria with any of the housing projects awarded funding under section 420.5095, Florida Statutes, that will improve project viability and expedite project completion. Florida Housing Finance Corporation shall ensure that the project retains, at a minimum, a comparable number of affordable housing units, resident income qualification levels, rent levels or home prices, and workforce housing standards.

AFFORDABLE HOUSING FINANCING

1615A SPECIAL CATEGORIES
TRANSFER TO GENERAL REVENUE FUND
FROM STATE HOUSING TRUST FUND 2,500,000

From the funds in Specific Appropriation 1615A, $2,500,000 from the State Housing Trust Fund shall be transferred to the General Revenue Fund in order to increase the amount of funds available for the Community Contribution Tax Credit Program authorized in sections 212.08, 220.183, and 624.5105, Florida Statutes.

1616 SPECIAL CATEGORIES
GRANTS AND AIDS - HOUSING FINANCE CORPORATION (HFC) - AFFORDABLE HOUSING PROGRAMS
FROM LOCAL GOVERNMENT HOUSING TRUST FUND . 32,500,000
FROM STATE HOUSING TRUST FUND 95,500,000

From the funds in Specific Appropriation 1616, $50,000,000 in recurring funds in the State Housing Trust Fund is provided for the State Apartment Incentive Loan Program.

From the funds in Specific Appropriation 1616, $5,000,000 from non-recurring funds in the State Housing Trust Fund shall be used to assist in the production of housing units for extremely-low-income persons, as defined in section 420.0004(8), Florida Statutes.

From the funds in Specific Appropriation 1616, $10,000,000 in non-recurring funds in the Local Government Housing Trust Fund is provided for a preservation rehabilitation pilot program in Pasco, Palm Beach, and Orange counties targeting rental housing that receives or has received funding from any federal or state housing funding program. To the maximum extent feasible, these moneys shall be leveraged by intermediaries at least 4:1.

From the funds in Specific Appropriation 1616, $20,000,000 in non-recurring funds in the State Housing Trust Fund shall be used for homeownership assistance in counties and municipalities in the state which have reduced impact fees within the 12 months prior to the

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effective date of this act, or reduce impact fees subsequent to the effective date of this act, by a minimum of 25% for a period not less than 18 months, or which impose no impact fees entirely for homeownership purposes.

From the funds in Specific Appropriation 1616, $22,500,000 in non-recurring funds in the Local Government Housing Trust Fund is provided for the State Apartment Incentive Loan program.

From the funds in Specific Appropriation 1616, Florida Housing Finance Corporation shall give preference to military personnel including active duty, reserves, National Guard, Coast Guard, Coast Guard reserves, and personnel honorably discharged who have their home of record as Florida, and were deployed as part of the Global War on Terrorism in support of Operation Iraqi Freedom, Operation Enduring Freedom, or any future combat operation. Combat service shall be verified through the submission of the DD-214 form by the veteran, or other documentation provided by the Florida Department of Military Affairs.

1617 SPECIAL CATEGORIES
GRANTS AND AIDS - HOUSING FINANCE CORPORATION (HFC) - STATE HOUSING INITIATIVES PARTNERSHIP (SHIP) PROGRAM
FROM LOCAL GOVERNMENT HOUSING TRUST FUND . . . 166,183,500

1618 SPECIAL CATEGORIES
HOUSING FINANCE CORPORATION (HFC) - STATE HOUSING INITIATIVES PARTNERSHIP (SHIP) PROGRAM - MONITORING
FROM LOCAL GOVERNMENT HOUSING TRUST FUND . . . 416,500

1619 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF CHILDREN AND FAMILIES (DCF) - HOMELESS PROGRAMS
FROM LOCAL GOVERNMENT HOUSING TRUST FUND . . . 5,900,000

TOTAL: AFFORDABLE HOUSING FINANCING
FROM TRUST FUNDS 303,000,000

TOTAL ALL FUNDS 303,000,000

ENVIRONMENTAL PROTECTION, DEPARTMENT OF

PROGRAM: ADMINISTRATIVE SERVICES

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 16,062,176

1621 SALARIES AND BENEFITS POSITIONS 321.50
FROM GENERAL REVENUE FUND 3,345,851
FROM ADMINISTRATIVE TRUST FUND 16,770,288
FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND 70,939
FROM INLAND PROTECTION TRUST FUND 207,754
FROM FEDERAL GRANTS TRUST FUND 705,770

1622 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 76,320
FROM ADMINISTRATIVE TRUST FUND 652,814
FROM FEDERAL GRANTS TRUST FUND 381,879

1623 EXPENSES
FROM GENERAL REVENUE FUND 70,920
FROM ADMINISTRATIVE TRUST FUND 3,334,910
FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND 28,809
FROM INLAND PROTECTION TRUST FUND 59,471
FROM FEDERAL GRANTS TRUST FUND 910,283

1624 OPERATING CAPITAL OUTLAY
FROM ADMINISTRATIVE TRUST FUND 65,102
FROM FEDERAL GRANTS TRUST FUND 1,399

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1625 SPECIAL CATEGORIES
TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS
FROM ADMINISTRATIVE TRUST FUND 388,322

1626 SPECIAL CATEGORIES
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PROGRAM
FROM ADMINISTRATIVE TRUST FUND 22,906

1627 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM ADMINISTRATIVE TRUST FUND 184,000

1627A SPECIAL CATEGORIES
POLLUTION RESTORATION CONTRACTS
FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND 199,880

1628 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM ADMINISTRATIVE TRUST FUND 86,889

1629 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM ADMINISTRATIVE TRUST FUND 9,910

1630 SPECIAL CATEGORIES
UNDERGROUND STORAGE TANK CLEANUP
FROM INLAND PROTECTION TRUST FUND 357,407

1631 SPECIAL CATEGORIES
PETROLEUM CLEANUP AUDITS
FROM INLAND PROTECTION TRUST FUND 430,980

1632 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 22,571
FROM ADMINISTRATIVE TRUST FUND 112,253
FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND 460
FROM INLAND PROTECTION TRUST FUND 1,347
FROM FEDERAL GRANTS TRUST FUND 4,573

1633 QUALIFIED EXPENDITURE CATEGORY
APALACHICOLA-CHATTAHOOCHEE-FLINT RIVER BASIN CASE LITIGATION COSTS
FROM INTERNAL IMPROVEMENT TRUST FUND . . . 3,387,500

From the funds in Specific Appropriation 1633, the Department of Environmental Protection shall submit to the chair of the Senate Fiscal Policy and Calendar Committee, the chair of the House Policy and Budget Council, and the Executive Office of the Governor a quarterly status report on the Apalachicola, Chattahoochee, and Flint rivers water allocation compact litigation. The report shall also provide quarterly expenditures and budget projections for the remainder of the fiscal year.

1634 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
FLORIDA COASTAL ZONE MANAGEMENT PROGRAM
FROM FEDERAL GRANTS TRUST FUND 2,200,000

1634A GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
CLEAN MARINA
FROM FEDERAL GRANTS TRUST FUND 2,639,438

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM GENERAL REVENUE FUND 3,515,662
FROM TRUST FUNDS 33,215,283

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TOTAL POSITIONS	321.50	
TOTAL ALL FUNDS		36,730,945

FLORIDA GEOLOGICAL SURVEY

APPROVED SALARY RATE 1,337,946

1634B SALARIES AND BENEFITS POSITIONS	29.50	
FROM MINERALS TRUST FUND		1,406,966
FROM WATER QUALITY ASSURANCE TRUST FUND .		400,259
1634C OTHER PERSONAL SERVICES		
FROM FEDERAL GRANTS TRUST FUND		166,082
FROM GRANTS AND DONATIONS TRUST FUND . . .		176,147
FROM INTERNAL IMPROVEMENT TRUST FUND . . .		65,529
FROM WATER QUALITY ASSURANCE TRUST FUND .		50,000
1634D EXPENSES		
FROM FEDERAL GRANTS TRUST FUND		27,727
FROM GRANTS AND DONATIONS TRUST FUND . . .		110,905
FROM WATER QUALITY ASSURANCE TRUST FUND .		401,250
1634E OPERATING CAPITAL OUTLAY		
FROM GRANTS AND DONATIONS TRUST FUND . . .		46,000
FROM MINERALS TRUST FUND		48,868
FROM WATER QUALITY ASSURANCE TRUST FUND .		79,351
1634F SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM FEDERAL GRANTS TRUST FUND		68,965
FROM GRANTS AND DONATIONS TRUST FUND . . .		128,077
FROM INTERNAL IMPROVEMENT TRUST FUND . . .		102,000
FROM MINERALS TRUST FUND		5,700
FROM WATER QUALITY ASSURANCE TRUST FUND .		120,000
1634G SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM MINERALS TRUST FUND		6,049
1634H SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM MINERALS TRUST FUND		12,939
FROM WATER QUALITY ASSURANCE TRUST FUND .		1,076
TOTAL: FLORIDA GEOLOGICAL SURVEY		
FROM TRUST FUNDS		3,423,890
TOTAL POSITIONS	29.50	
TOTAL ALL FUNDS		3,423,890

TECHNOLOGY AND INFORMATION SERVICES

APPROVED SALARY RATE 3,115,010

1634I SALARIES AND BENEFITS POSITIONS	67.00	
FROM WORKING CAPITAL TRUST FUND		4,079,687
1634J OTHER PERSONAL SERVICES		
FROM WORKING CAPITAL TRUST FUND		400,000
1634K EXPENSES		
FROM WORKING CAPITAL TRUST FUND		1,949,343
1634L OPERATING CAPITAL OUTLAY		
FROM WORKING CAPITAL TRUST FUND		82,500
1634M SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM WORKING CAPITAL TRUST FUND		1,200,000

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1634N SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM WORKING CAPITAL TRUST FUND		28,957
1634O DATA PROCESSING SERVICES		
OTHER DATA PROCESSING SERVICES		
FROM WORKING CAPITAL TRUST FUND		2,165,655
TOTAL: TECHNOLOGY AND INFORMATION SERVICES		
FROM TRUST FUNDS		9,906,142
TOTAL POSITIONS	67.00	
TOTAL ALL FUNDS		9,906,142

PROGRAM: STATE LANDS

INVASIVE PLANT CONTROL

APPROVED SALARY RATE 1,303,669

1635 SALARIES AND BENEFITS POSITIONS	29.50	
FROM INVASIVE PLANT CONTROL TRUST FUND . .		1,741,918
1636 OTHER PERSONAL SERVICES		
FROM INVASIVE PLANT CONTROL TRUST FUND . .		457,080
1637 EXPENSES		
FROM INVASIVE PLANT CONTROL TRUST FUND . .		822,437
1638 OPERATING CAPITAL OUTLAY		
FROM INVASIVE PLANT CONTROL TRUST FUND . .		16,782
1639 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM INVASIVE PLANT CONTROL TRUST FUND . .		215,000
1640 SPECIAL CATEGORIES		
CONTROL OF INVASIVE EXOTICS		
FROM INVASIVE PLANT CONTROL TRUST FUND . .		39,434,647
FROM FEDERAL GRANTS TRUST FUND		800,000
1641 SPECIAL CATEGORIES		
TRANSFER TO FISH AND WILDLIFE CONSERVATION COMMISSION FOR ADMINISTRATIVE OVERHEAD		
FROM INVASIVE PLANT CONTROL TRUST FUND . .		880,000
1642 SPECIAL CATEGORIES		
TRANSFER TO THE UNIVERSITY OF FLORIDA - COOPERATIVE AQUATIC PLANT EDUCATION PROGRAM		
FROM INVASIVE PLANT CONTROL TRUST FUND . .		25,000
1643 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES/ IFAS/INVASIVE EXOTIC PLANT RESEARCH		
FROM INVASIVE PLANT CONTROL TRUST FUND . .		874,171
1644 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM INVASIVE PLANT CONTROL TRUST FUND . .		13,005
TOTAL: INVASIVE PLANT CONTROL		
FROM TRUST FUNDS		45,280,040
TOTAL POSITIONS	29.50	
TOTAL ALL FUNDS		45,280,040

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LAND ADMINISTRATION

APPROVED SALARY RATE 2,013,137

1645 SALARIES AND BENEFITS POSITIONS 44.00
FROM INTERNAL IMPROVEMENT TRUST FUND . . . 2,527,915
FROM LAND ACQUISITION TRUST FUND 217,356
FROM WATER MANAGEMENT LANDS TRUST FUND . . 60,472

1646 OTHER PERSONAL SERVICES
FROM CONSERVATION AND RECREATION LANDS TRUST FUND 120,000
FROM INTERNAL IMPROVEMENT TRUST FUND . . . 514,921
FROM LAND ACQUISITION TRUST FUND 4,000

1647 EXPENSES
FROM CONSERVATION AND RECREATION LANDS TRUST FUND 229,278
FROM INTERNAL IMPROVEMENT TRUST FUND . . . 637,833
FROM LAND ACQUISITION TRUST FUND 18,394
FROM WATER MANAGEMENT LANDS TRUST FUND . . 6,648

1648 OPERATING CAPITAL OUTLAY
FROM CONSERVATION AND RECREATION LANDS TRUST FUND 28,737
FROM INTERNAL IMPROVEMENT TRUST FUND . . . 42,550

1650 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM CONSERVATION AND RECREATION LANDS TRUST FUND 199,994

1651 SPECIAL CATEGORIES
NATURAL AREAS INVENTORY
FROM CONSERVATION AND RECREATION LANDS TRUST FUND 445,895

1652 SPECIAL CATEGORIES
PAYMENT IN LIEU OF TAXES
FROM CONSERVATION AND RECREATION LANDS TRUST FUND 1,360,000

1653 SPECIAL CATEGORIES
FLORIDA FOREVER
FROM CONSERVATION AND RECREATION LANDS TRUST FUND 150,000

1654 SPECIAL CATEGORIES
TRANSFER TO SAVE OUR EVERGLADES TRUST FUND
FROM GENERAL REVENUE FUND 50,000,000

1655 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GRANTS AND DONATIONS TRUST FUND . . . 3
FROM INTERNAL IMPROVEMENT TRUST FUND . . . 20,071
FROM LAND ACQUISITION TRUST FUND 1,597
FROM WATER MANAGEMENT LANDS TRUST FUND . . 446

1656 FIXED CAPITAL OUTLAY
DEBT SERVICE - FLORIDA FOREVER BONDS - NEW SERIES
FROM LAND ACQUISITION TRUST FUND 7,974,167

1656A FIXED CAPITAL OUTLAY
LAND ACQUISITION
FROM GENERAL REVENUE FUND 3,229,000
FROM FLORIDA FOREVER TRUST FUND 18,000,000

1657 FIXED CAPITAL OUTLAY
LAND ACQUISITION, ENVIRONMENTALLY ENDANGERED, UNIQUE/ IRREPLACEABLE LANDS, STATEWIDE
FROM FLORIDA FOREVER TRUST FUND 105,000,000

1658 FIXED CAPITAL OUTLAY
DEBT SERVICE
FROM LAND ACQUISITION TRUST FUND 397,442,153

Funds provided in Specific Appropriation 1658 are for Fiscal Year 2008-2009 debt service on outstanding bonds authorized prior to July 1, 2008. These funds may be used to refinance any or all series if it is in the best interest of the state as determined by the Division of Bond Finance. If the debt service varies due to a change in the interest rate, timing of issuance, or other circumstances, there is hereby appropriated from the Land Acquisition Trust Fund an amount sufficient to pay such debt service.

1659 FIXED CAPITAL OUTLAY
DEBT SERVICE - SAVE OUR EVERGLADES BONDS
FROM SAVE OUR EVERGLADES TRUST FUND . . . 17,641,979

Funds provided in Specific Appropriation 1659 are for Fiscal Year 2008-2009 debt service on bonds authorized pursuant to section 215.619, Florida Statutes, including any other continuing payments necessary or incidental to the repayment of the bonds, such as remarketing agent fees, tender agent fees, liquidity facility provider fees and similar fees and expenses. These funds may be used to refinance any or all series if it is in the best interest of the state as determined by the Division of Bond Finance. If the debt service varies due to a change in the interest rate, timing of issuance, or other circumstances, there is hereby appropriated from the Save Our Everglades Trust Fund an amount sufficient to pay such debt service.

1661 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
AID TO WATER MANAGEMENT DISTRICTS-LAND ACQUISITION
FROM FLORIDA FOREVER TRUST FUND 105,000,000
FROM WATER MANAGEMENT LANDS TRUST FUND . . 59,000,000

Funds provided in Specific Appropriation 1661 from the Water Management Lands Trust Fund shall be allocated in accordance with the provisions of section 373.59(8), Florida Statutes. First priority for the use of these funds shall be to meet outstanding debt service obligations, to meet statutory requirements for payments in lieu of taxes, and to provide management of water management lands as authorized in section 373.59(9), Florida Statutes. Management may include the control and removal of non-indigenous vegetation.

After meeting the requirements in the above paragraph, the governing board of a water management district may request, and the secretary of the department shall release upon such request, funds provided in Specific Appropriation 1661 from the Water Management Lands Trust Fund for the purpose of carrying out the provisions of sections 373.451-373.4595, Florida Statutes.

1662 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
EVERGLADES RESTORATION
FROM SAVE OUR EVERGLADES TRUST FUND . . . 50,000,000

Funds in Specific Appropriation 1662 are provided for one or more of the following: implementation of projects identified in phase I of the Lake Okeechobee Protection Plan identified in section 373.4595(3)(b), Florida Statutes; for land acquisition, the design and construction of Comprehensive Everglades Restoration Plan project components submitted for approval to the Department of Environmental Protection pursuant to section 373.026(8)(b), Florida Statutes; for the implementation of a water quality feasibility study as defined in the Comprehensive Everglades Restoration Plan; for project components which benefit the hydrology, water quality, and aquatic habitats of the Caloosahatchee and St. Lucie watersheds, including project components in the Lake Okeechobee watershed; for the planning, design and engineering of a stormwater treatment area in the C-43 basin; for the development of the

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Caloosahatchee and St. Lucie Watershed Protection Plans identified in sections 373.4595(4)(a) and 373.4595(4)(b), Florida Statutes; for implementation of pilot projects that are cost-effective, biologically based, hybrid wetland/chemical and other innovative nutrient control technologies pursuant to sections 373.4595(3)(c), 373.4595(4)(a) and 373.4595(4)(b), Florida Statutes; and for the acquisition of lands needed for restoration.

From the funds in Specific Appropriation 1662, $3,000,000 is provided to the Department of Agriculture and Consumer Services to be deposited in the General Inspection Trust Fund for the purpose of implementing agricultural nonpoint source controls in the Okeechobee, Caloosahatchee River and St. Lucie River watersheds as identified in sections 373.4595(3)(c), 373.4595(4)(a), and 373.4595(4)(b), Florida Statutes.

TOTAL: LAND ADMINISTRATION		
FROM GENERAL REVENUE FUND	53,229,000	
FROM TRUST FUNDS		766,644,409
TOTAL POSITIONS	44.00	
TOTAL ALL FUNDS		819,873,409

LAND MANAGEMENT

APPROVED SALARY RATE	4,402,546	
1663 SALARIES AND BENEFITS POSITIONS	102.00	
FROM CONSERVATION AND RECREATION LANDS TRUST FUND		841,156
FROM INTERNAL IMPROVEMENT TRUST FUND . . .		5,004,614
1664 OTHER PERSONAL SERVICES		
FROM CONSERVATION AND RECREATION LANDS TRUST FUND		784,659
FROM GRANTS AND DONATIONS TRUST FUND . . .		874,024
FROM INTERNAL IMPROVEMENT TRUST FUND . . .		426,519
1665 EXPENSES		
FROM CONSERVATION AND RECREATION LANDS TRUST FUND		184,844
FROM GRANTS AND DONATIONS TRUST FUND . . .		494,788
FROM INTERNAL IMPROVEMENT TRUST FUND . . .		989,128
1666 OPERATING CAPITAL OUTLAY		
FROM CONSERVATION AND RECREATION LANDS TRUST FUND		33,111
FROM GRANTS AND DONATIONS TRUST FUND . . .		150,000
FROM INTERNAL IMPROVEMENT TRUST FUND . . .		67,363
1666A SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF AGRICULTURE PLANT INDUSTRY TRUST FUND		
FROM CONSERVATION AND RECREATION LANDS TRUST FUND		250,000
1667 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM CONSERVATION AND RECREATION LANDS TRUST FUND		20,000
FROM INTERNAL IMPROVEMENT TRUST FUND . . .		484,020
1668 SPECIAL CATEGORIES		
STATE LANDS STEWARDSHIP		
FROM CONSERVATION AND RECREATION LANDS TRUST FUND		375,000
FROM INTERNAL IMPROVEMENT TRUST FUND . . .		200,000
1669 SPECIAL CATEGORIES		
NATIONAL OCEAN SURVEY		
FROM INTERNAL IMPROVEMENT TRUST FUND . . .		84,000
1670 SPECIAL CATEGORIES		
RICO ACT- DISTRIBUTION OF PROCEEDS FROM PROPERTY SALES		
FROM INTERNAL IMPROVEMENT TRUST FUND . . .		716,932
1671 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM INTERNAL IMPROVEMENT TRUST FUND . . .		99,591
1672 SPECIAL CATEGORIES		
TOPOGRAPHIC MAPPING		
FROM INTERNAL IMPROVEMENT TRUST FUND . . .		200,000
1674 SPECIAL CATEGORIES		
TRANSFER - DIVISION OF FORESTRY INCIDENTAL TRUST FUND		
FROM CONSERVATION AND RECREATION LANDS TRUST FUND		21,733,338
1675 SPECIAL CATEGORIES		
TRANSFER TO FISH AND WILDLIFE CONSERVATION COMMISSION FOR MANAGEMENT OF CARL LANDS		
FROM CONSERVATION AND RECREATION LANDS TRUST FUND		18,787,994
1676 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF STATE FOR GRANTS AND DONATIONS TRUST FUND		
FROM CONSERVATION AND RECREATION LANDS TRUST FUND		7,842,753
1677 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM CONSERVATION AND RECREATION LANDS TRUST FUND		6,559
FROM INTERNAL IMPROVEMENT TRUST FUND . . .		38,517
TOTAL: LAND MANAGEMENT		
FROM TRUST FUNDS		60,688,910
TOTAL POSITIONS	102.00	
TOTAL ALL FUNDS		60,688,910

PROGRAM: DISTRICT OFFICES

WATER RESOURCE PROTECTION AND RESTORATION

APPROVED SALARY RATE	19,292,811	
1678 SALARIES AND BENEFITS POSITIONS	463.00	
FROM GENERAL REVENUE FUND	10,022,264	
FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND		3,852,255
FROM FEDERAL GRANTS TRUST FUND		828,960
FROM LAND ACQUISITION TRUST FUND		1,299,159
FROM PERMIT FEE TRUST FUND		9,662,178

Of the funds in Specific Appropriation 1678, $3,814,050 from the Permit Fee Trust Fund for the Drinking Water and Environmental Permitting Program is contingent upon Senate Bill 1294 or similar legislation, relating to permit fees, becoming a law.

1679 OTHER PERSONAL SERVICES		
FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND		294,303
1680 EXPENSES		
FROM GENERAL REVENUE FUND	152,112	
FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND		1,633,735
FROM FEDERAL GRANTS TRUST FUND		36,826
FROM LAND ACQUISITION TRUST FUND		217,399
FROM PERMIT FEE TRUST FUND		354,937

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1681 SPECIAL CATEGORIES
WATER QUALITY MANAGEMENT/PLANNING GRANTS
FROM FEDERAL GRANTS TRUST FUND 2,904,072
FROM GRANTS AND DONATIONS TRUST FUND . . . 288,000

1682 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 8,225
FROM ECOSYSTEM MANAGEMENT AND
RESTORATION TRUST FUND 6,750
FROM FEDERAL GRANTS TRUST FUND 30
FROM LAND ACQUISITION TRUST FUND 1,100
FROM PERMIT FEE TRUST FUND 5,370
FROM WATER PROTECTION AND SUSTAINABILITY
PROGRAM TRUST FUND 1,000,000

From the funds in Specific Appropriation 1682 , $1 million from the Water Protection and Sustainability Program Trust Fund shall be transferred to the Department of Health to further develop cost-effective nitrogen reduction strategies. The Department of Health shall contract, by request for proposal, for Phase I of an anticipated 3-year project to develop passive strategies for nitrogen reduction that complement use of conventional onsite wastewater treatment systems. The project shall be controlled by the Department of Health's research review and advisory committee and shall include the following components: 1) comprehensive review of existing or ongoing studies on passive technologies; 2) field-testing of nitrogen reducing technologies at actual home sites for comparison of conventional, passive technologies and performance-based treatment systems to determine nitrogen reduction performance; 3) documentation of all capital, energy and life-cycle costs of various technologies for nitrogen reduction; 4) evaluation of nitrogen reduction provided by soils and the shallow groundwater below and down gradient of various systems; and 5) development of a simple model for predicting nitrogen fate and transport from onsite wastewater systems. A progress report shall be presented to the Executive Office of the Governor, the President of the Senate and the Speaker of the House of Representatives on February 1, 2009, including recommendations for funding additional phases of the study.

The Department of Health shall also submit a report to the Executive Office of the Governor, the President of the Senate and the Speaker of the House of Representatives by no later than October 1, 2008, which identifies the range of costs to implement a mandatory statewide 5-year septic tank inspection program to be phased in over 10 years pursuant to the Department of Health's procedure for voluntary inspection, including use of fees to offset costs.

From the research fees collected pursuant to section 381.0066, Florida Statutes, $150,000 shall be used by the Department of Health to provide a statewide inventory of onsite treatment and disposal systems.

1683 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM ECOSYSTEM MANAGEMENT AND
RESTORATION TRUST FUND 44,296
FROM FEDERAL GRANTS TRUST FUND 3,045
FROM PERMIT FEE TRUST FUND 8,766

1684 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 101,080
FROM ECOSYSTEM MANAGEMENT AND
RESTORATION TRUST FUND 28,045
FROM FEDERAL GRANTS TRUST FUND 5,201
FROM LAND ACQUISITION TRUST FUND 9,458
FROM PERMIT FEE TRUST FUND 43,340

TOTAL: WATER RESOURCE PROTECTION AND RESTORATION
FROM GENERAL REVENUE FUND 10,283,681
FROM TRUST FUNDS 22,527,225

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TOTAL POSITIONS 463.00
TOTAL ALL FUNDS 32,810,906

AIR ASSESSMENT

APPROVED SALARY RATE 661,094

1685 SALARIES AND BENEFITS POSITIONS 16.00
FROM AIR POLLUTION CONTROL TRUST FUND . . 885,185
FROM GRANTS AND DONATIONS TRUST FUND . . . 100,830

1686 OTHER PERSONAL SERVICES
FROM AIR POLLUTION CONTROL TRUST FUND . . 28,445
FROM GRANTS AND DONATIONS TRUST FUND . . . 60,000

1687 EXPENSES
FROM AIR POLLUTION CONTROL TRUST FUND . . 86,341

1688 OPERATING CAPITAL OUTLAY
FROM AIR POLLUTION CONTROL TRUST FUND . . 9,572

1689 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM AIR POLLUTION CONTROL TRUST FUND . . 5,300

1690 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM AIR POLLUTION CONTROL TRUST FUND . . 5,811
FROM GRANTS AND DONATIONS TRUST FUND . . . 1,110

TOTAL: AIR ASSESSMENT
FROM TRUST FUNDS 1,182,594

TOTAL POSITIONS 16.00
TOTAL ALL FUNDS 1,182,594

AIR POLLUTION PREVENTION

APPROVED SALARY RATE 3,645,806

1691 SALARIES AND BENEFITS POSITIONS 79.00
FROM AIR POLLUTION CONTROL TRUST FUND . . 4,610,970

1692 OTHER PERSONAL SERVICES
FROM AIR POLLUTION CONTROL TRUST FUND . . 174,156

1693 EXPENSES
FROM AIR POLLUTION CONTROL TRUST FUND . . 525,863

1694 OPERATING CAPITAL OUTLAY
FROM AIR POLLUTION CONTROL TRUST FUND . . 88,735

1695 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM AIR POLLUTION CONTROL TRUST FUND . . 259,750

From the funds in Specific Appropriation 1695, $250,000 from the Air Pollution Control Trust Fund is provided for contract services for the development of rules associated with a cap-and-trade regulatory program designed to reduce greenhouse gas emissions from major emitters. These funds are contingent upon House Bill 7135 or similar legislation becoming law.

1696 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM AIR POLLUTION CONTROL TRUST FUND . . 19,860

1697 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM AIR POLLUTION CONTROL TRUST FUND . . 32,607

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TOTAL: AIR POLLUTION PREVENTION			
FROM TRUST FUNDS			5,711,941
TOTAL POSITIONS		79.00	
TOTAL ALL FUNDS			5,711,941

WASTE CONTROL

APPROVED SALARY RATE 6,998,946

1698 SALARIES AND BENEFITS	POSITIONS	162.00	
FROM INLAND PROTECTION TRUST FUND			2,639,799
FROM FEDERAL GRANTS TRUST FUND			1,223,738
FROM PERMIT FEE TRUST FUND			667,964
FROM SOLID WASTE MANAGEMENT TRUST FUND . .			1,579,013
FROM WATER QUALITY ASSURANCE TRUST FUND .			3,098,995
1699 OTHER PERSONAL SERVICES			
FROM INLAND PROTECTION TRUST FUND			110,000
1700 EXPENSES			
FROM INLAND PROTECTION TRUST FUND			591,982
FROM FEDERAL GRANTS TRUST FUND			109,016
FROM PERMIT FEE TRUST FUND			40,204
FROM SOLID WASTE MANAGEMENT TRUST FUND . .			149,759
FROM WATER QUALITY ASSURANCE TRUST FUND .			314,784
1701 OPERATING CAPITAL OUTLAY			
FROM SOLID WASTE MANAGEMENT TRUST FUND . .			60,919
1702 SPECIAL CATEGORIES			
CONTRACTED SERVICES			
FROM INLAND PROTECTION TRUST FUND			1,860
FROM FEDERAL GRANTS TRUST FUND			550
FROM SOLID WASTE MANAGEMENT TRUST FUND . .			6,550
FROM WATER QUALITY ASSURANCE TRUST FUND .			16,145
1703 SPECIAL CATEGORIES			
HAZARDOUS WASTE CLEANUP			
FROM WATER QUALITY ASSURANCE TRUST FUND .			120,594
1704 SPECIAL CATEGORIES			
RISK MANAGEMENT INSURANCE			
FROM INLAND PROTECTION TRUST FUND			119,294
FROM FEDERAL GRANTS TRUST FUND			5,757
FROM SOLID WASTE MANAGEMENT TRUST FUND . .			9,056
1705 SPECIAL CATEGORIES			
RESEARCH, DEVELOPMENT AND TECHNICAL			
ASSISTANCE - WASTE TIRE ABATEMENT PROGRAM			
FROM SOLID WASTE MANAGEMENT TRUST FUND . .			14,000
1706 SPECIAL CATEGORIES			
TRANSFER TO DEPARTMENT OF MANAGEMENT			
SERVICES - HUMAN RESOURCES SERVICES			
PURCHASED PER STATEWIDE CONTRACT			
FROM INLAND PROTECTION TRUST FUND			18,904
FROM FEDERAL GRANTS TRUST FUND			8,763
FROM PERMIT FEE TRUST FUND			5,316
FROM SOLID WASTE MANAGEMENT TRUST FUND . .			11,307
FROM WATER QUALITY ASSURANCE TRUST FUND .			22,192
TOTAL: WASTE CONTROL			
FROM TRUST FUNDS			10,946,461
TOTAL POSITIONS		162.00	
TOTAL ALL FUNDS			10,946,461

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 4,312,524

1707 SALARIES AND BENEFITS	POSITIONS	92.00	
FROM GENERAL REVENUE FUND		1,665,551	
FROM ADMINISTRATIVE TRUST FUND			2,675,978
FROM AIR POLLUTION CONTROL TRUST FUND . .			1,051,153
FROM SOLID WASTE MANAGEMENT TRUST FUND . .			305,617
1708 OTHER PERSONAL SERVICES			
FROM ADMINISTRATIVE TRUST FUND			127,564
FROM ECOSYSTEM MANAGEMENT AND			
RESTORATION TRUST FUND			18,621
1709 EXPENSES			
FROM GENERAL REVENUE FUND		945,116	
FROM ADMINISTRATIVE TRUST FUND			720,601
FROM AIR POLLUTION CONTROL TRUST FUND . .			286,560
FROM ECOSYSTEM MANAGEMENT AND			
RESTORATION TRUST FUND			21,337
FROM LAND ACQUISITION TRUST FUND			27,923
FROM SOLID WASTE MANAGEMENT TRUST FUND . .			58,316
1710 OPERATING CAPITAL OUTLAY			
FROM ADMINISTRATIVE TRUST FUND			13,804
1711 SPECIAL CATEGORIES			
CONTRACTED SERVICES			
FROM GENERAL REVENUE FUND		44,795	
FROM ADMINISTRATIVE TRUST FUND			90,085
FROM AIR POLLUTION CONTROL TRUST FUND . .			8,894
1712 SPECIAL CATEGORIES			
RISK MANAGEMENT INSURANCE			
FROM GENERAL REVENUE FUND		123,109	
FROM ADMINISTRATIVE TRUST FUND			59,709
1713 SPECIAL CATEGORIES			
TRANSFER TO DEPARTMENT OF MANAGEMENT			
SERVICES - HUMAN RESOURCES SERVICES			
PURCHASED PER STATEWIDE CONTRACT			
FROM GENERAL REVENUE FUND		16,931	
FROM ADMINISTRATIVE TRUST FUND			12,193
FROM AIR POLLUTION CONTROL TRUST FUND . .			7,178
FROM SOLID WASTE MANAGEMENT TRUST FUND . .			2,086
TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES			
FROM GENERAL REVENUE FUND		2,795,502	
FROM TRUST FUNDS			5,487,619
TOTAL POSITIONS		92.00	
TOTAL ALL FUNDS			8,283,121

WASTE CLEANUP

APPROVED SALARY RATE 44,154

1714 SALARIES AND BENEFITS	POSITIONS	1.00	
FROM WATER QUALITY ASSURANCE TRUST FUND .			103,646
1715 SPECIAL CATEGORIES			
HAZARDOUS WASTE CLEANUP			
FROM WATER QUALITY ASSURANCE TRUST FUND .			69,941
1716 SPECIAL CATEGORIES			
TRANSFER TO DEPARTMENT OF MANAGEMENT			
SERVICES - HUMAN RESOURCES SERVICES			
PURCHASED PER STATEWIDE CONTRACT			
FROM WATER QUALITY ASSURANCE TRUST FUND .			401
TOTAL: WASTE CLEANUP			
FROM TRUST FUNDS			173,988
TOTAL POSITIONS		1.00	
TOTAL ALL FUNDS			173,988

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PROGRAM: ENVIRONMENTAL ASSESSMENT AND RESTORATION

WATER SCIENCE AND LABORATORY SERVICES

APPROVED SALARY RATE 8,135,419

1742A	SALARIES AND BENEFITS POSITIONS	184.00	
	FROM GENERAL REVENUE FUND	1,430,448	
	FROM ENVIRONMENTAL LABORATORY TRUST FUND .		4,758,948
	FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND		429,117
	FROM FEDERAL GRANTS TRUST FUND		1,897,562
	FROM GRANTS AND DONATIONS TRUST FUND . . .		77,409
	FROM LAND ACQUISITION TRUST FUND		64,738
	FROM PERMIT FEE TRUST FUND		53,109
	FROM WATER QUALITY ASSURANCE TRUST FUND .		2,231,338
1742B	OTHER PERSONAL SERVICES		
	FROM ENVIRONMENTAL LABORATORY TRUST FUND .		535,969
	FROM FEDERAL GRANTS TRUST FUND		60,039
	FROM LAND ACQUISITION TRUST FUND		2,454,271
	FROM WATER QUALITY ASSURANCE TRUST FUND .		70,950
1742C	EXPENSES		
	FROM GENERAL REVENUE FUND	32,201	
	FROM ENVIRONMENTAL LABORATORY TRUST FUND .		1,378,497
	FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND		164,960
	FROM FEDERAL GRANTS TRUST FUND		10,000
	FROM GRANTS AND DONATIONS TRUST FUND . . .		1,339
	FROM PERMIT FEE TRUST FUND		96,923
	FROM WATER QUALITY ASSURANCE TRUST FUND .		272,602
1742D	OPERATING CAPITAL OUTLAY		
	FROM ENVIRONMENTAL LABORATORY TRUST FUND .		271,500
	FROM FEDERAL GRANTS TRUST FUND		13,002
1742E	SPECIAL CATEGORIES		
	GROUND WATER QUALITY MONITORING NETWORK		
	FROM ENVIRONMENTAL LABORATORY TRUST FUND .		125,000
	FROM WATER QUALITY ASSURANCE TRUST FUND .		1,798,745
1742F	SPECIAL CATEGORIES		
	WATER MANAGEMENT DISTRICTS LABORATORY SUPPORT		
	FROM ENVIRONMENTAL LABORATORY TRUST FUND .		476,425
1742G	SPECIAL CATEGORIES		
	EVERGLADES LAB SUPPORT		
	FROM ENVIRONMENTAL LABORATORY TRUST FUND .		469,471
1742H	SPECIAL CATEGORIES		
	WATER QUALITY MANAGEMENT/PLANNING GRANTS		
	FROM FEDERAL GRANTS TRUST FUND		1,750,000
1742I	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM ENVIRONMENTAL LABORATORY TRUST FUND .		436,559
	FROM FEDERAL GRANTS TRUST FUND		50,000
1742J	SPECIAL CATEGORIES		
	HAZARDOUS WASTE CLEANUP		
	FROM ENVIRONMENTAL LABORATORY TRUST FUND .		339,150
1742K	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM ADMINISTRATIVE TRUST FUND		5,452
	FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND		10,696
1742L	SPECIAL CATEGORIES		
	U.S. GEOLOGIC SURVEY COOPERATIVE AGREEMENT		
	FROM FEDERAL GRANTS TRUST FUND		78,500
	FROM WATER QUALITY ASSURANCE TRUST FUND .		214,897

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1742M	SPECIAL CATEGORIES		
	TRANSFER TO INSTITUTE OF FOOD AND AGRICULTURE SCIENCES (IFAS) - LAKEWATCH		
	FROM WATER QUALITY ASSURANCE TRUST FUND .		450,000
1742N	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM ENVIRONMENTAL LABORATORY TRUST FUND .		37,126
	FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND		2,617
	FROM FEDERAL GRANTS TRUST FUND		23,063
	FROM GRANTS AND DONATIONS TRUST FUND . . .		472
	FROM WATER QUALITY ASSURANCE TRUST FUND .		25,070
1742O	FIXED CAPITAL OUTLAY		
	REPAIRS AND RENOVATIONS - LABORATORY COMPLEX - LEON COUNTY		
	FROM FEDERAL GRANTS TRUST FUND		2,450,000
1742P	FIXED CAPITAL OUTLAY		
	TOTAL MAXIMUM DAILY LOADS		
	FROM WATER QUALITY ASSURANCE TRUST FUND .		17,429,490
1742Q	GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY		
	GRANTS AND AID - NON-POINT SOURCE (NPS) MANAGEMENT PLANNING GRANTS		
	FROM FEDERAL GRANTS TRUST FUND		10,000,000
	FROM WATER QUALITY ASSURANCE TRUST FUND .		4,900,000
TOTAL:	WATER SCIENCE AND LABORATORY SERVICES		
	FROM GENERAL REVENUE FUND	1,462,649	
	FROM TRUST FUNDS		55,915,006
	TOTAL POSITIONS	184.00	
	TOTAL ALL FUNDS		57,377,655

PROGRAM: WATER RESOURCE MANAGEMENT

BEACH MANAGEMENT

APPROVED SALARY RATE 3,302,270

1743	SALARIES AND BENEFITS POSITIONS	78.00	
	FROM GENERAL REVENUE FUND	220,449	
	FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND		3,547,110
	FROM PERMIT FEE TRUST FUND		666,971
1744	OTHER PERSONAL SERVICES		
	FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND		497,857
1745	EXPENSES		
	FROM GENERAL REVENUE FUND	77,684	
	FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND		533,111
	FROM PERMIT FEE TRUST FUND		307,101
1746	OPERATING CAPITAL OUTLAY		
	FROM PERMIT FEE TRUST FUND		18,389
1747	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	3,144	
	FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND		26,233
	FROM PERMIT FEE TRUST FUND		3,045

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1748 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
BEACH PROJECTS - STATEWIDE
FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND 21,935,695

Funds in Specific Appropriation 1748 are provided to fund, in accordance with section 161.101, Florida Statutes, the Department of Environmental Protection Beach Management Funding Assistance Program according to the Priority Projects List and Alternate Projects List, dated February 12, 2008, with the following clarifications and modifications:

$2,062,573 shall be used for Post-Construction Monitoring. Additional monitoring costs may be included as part of individual project contracts;

$1,065,000 shall be used for Statewide Beach Management Project Support for the Beaches and Shores Resource Center, Coastal Construction Line Restudy, and Inventory of Identified Offshore Sand Resources;

$492,830 shall be used for Gasparilla Island Beach Nourishment;

$2,000,000 shall be used for Estero Island Beach Restoration;

$1,656,025 shall be used for New Projects/Feasibility Design for all feasibility studies and Inlet Management Plan design studies. The remaining funds may be used for ready-to-proceed restoration project design studies;

No funds are provided for Regional Monitoring and Regional Sand Search.

$3,000,000 shall be used to fund any projects on the Department's Alternate Projects List for the 2008-2009 fiscal year that received appropriations from section 33 of chapter 2007-72, Laws of Florida.

With oversight and organizational support from the Executive Office of the Secretary of the Department of Environmental Protection, a working group for the following purposes shall be formed to review the effectiveness of Florida's statewide beach management program, pursuant to chapter 161, Florida Statutes. The review shall include, but is not limited to, the following:(1) the responsiveness and timeliness of the permitting process associated with beach and dune nourishment projects; (2) beach management project selection and funding procedures, contract management, and expenditure accountability associated with all beach management projects pursuant to section 161.101, Florida Statutes; (3) current post-construction project monitoring requirements for beach projects in terms of consistent monitoring protocol, justification, required frequency, usefulness of data, and elimination of duplication; and (4) the pursuit of regional mitigation plans with a pilot plan in southeast Florida, and a balanced mitigation strategy for projects declared to be in the public interest.

Representation on the working group shall include: the Secretary of the Department of Environmental Protection or designee, representatives from the city and county general government associations, a beach governmental-based association representative, a university coastal processes expert, a biological expert, a coastal-engineering professional, a local coastal government representative, a multi-program contact manager, and an environmental/coastal stakeholder.

This group shall submit a report to the President of the Senate, the Speaker of the House, and the Executive Office of the Governor, by January 15, 2009, with recommendations regarding statewide and regional beach management planning improvements, possible changes to chapter 161, Florida Statutes, associated rules to enhance program efficiency, and a formalized project review mechanism with external review team.

TOTAL: BEACH MANAGEMENT
FROM GENERAL REVENUE FUND 301,277
FROM TRUST FUNDS 27,535,512

SECTION 5
SPECIFIC
APPROPRIATION

TOTAL POSITIONS 78.00
TOTAL ALL FUNDS 27,836,789

WATER RESOURCE PROTECTION AND RESTORATION

APPROVED SALARY RATE 10,140,294

1749 SALARIES AND BENEFITS POSITIONS 209.50
FROM GENERAL REVENUE FUND 826,857
FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND 334,920
FROM FEDERAL GRANTS TRUST FUND 5,505,263
FROM LAND ACQUISITION TRUST FUND 575,870
FROM MINERALS TRUST FUND 2,255,901
FROM NON-MANDATORY LAND RECLAMATION TRUST FUND 1,344,603
FROM PERMIT FEE TRUST FUND 1,092,711
FROM WATER QUALITY ASSURANCE TRUST FUND . 1,379,662

1750 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 20,154
FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND 358,779
FROM MINERALS TRUST FUND 105,648
FROM NON-MANDATORY LAND RECLAMATION TRUST FUND 59,938
FROM WATER QUALITY ASSURANCE TRUST FUND . 225,168

1751 EXPENSES
FROM LAND ACQUISITION TRUST FUND 97,750
FROM NON-MANDATORY LAND RECLAMATION TRUST FUND 495,041
FROM PERMIT FEE TRUST FUND 463,870
FROM WATER QUALITY ASSURANCE TRUST FUND . 209,928

1752 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - SUWANNEE RIVER WATER MANAGEMENT DISTRICT - ENVIRONMENTAL RESOURCE PERMITTING
FROM WATER MANAGEMENT LANDS TRUST FUND . . 453,000

1753 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - WATER MANAGEMENT DISTRICT PERMITTING ASSISTANCE
FROM WATER MANAGEMENT LANDS TRUST FUND . . 250,000

1754 OPERATING CAPITAL OUTLAY
FROM MINERALS TRUST FUND 1,132
FROM NON-MANDATORY LAND RECLAMATION TRUST FUND 40,125

1757 SPECIAL CATEGORIES
WATER QUALITY MANAGEMENT/PLANNING GRANTS
FROM FEDERAL GRANTS TRUST FUND 3,996,190
FROM GRANTS AND DONATIONS TRUST FUND . . . 500,000

1758 SPECIAL CATEGORIES
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PROGRAM
FROM PERMIT FEE TRUST FUND 3,000,000

1759 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM MINERALS TRUST FUND 20,000

1760 SPECIAL CATEGORIES
HAZARDOUS WASTE CLEANUP
FROM WATER QUALITY ASSURANCE TRUST FUND . 2,549,943

1761 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 86,927
FROM ECOSYSTEM MANAGEMENT AND

SECTION 5
SPECIFIC
APPROPRIATION

RESTORATION TRUST FUND		11,782
FROM MINERALS TRUST FUND		3,561
FROM PERMIT FEE TRUST FUND		11,782

1762 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF HEALTH FOR STATE UNDERGROUND PETROLEUM ENVIRONMENTAL RESPONSE ACT
FROM INLAND PROTECTION TRUST FUND 1,285,197

1763 SPECIAL CATEGORIES
HABITAT RESTORATION
FROM NON-MANDATORY LAND RECLAMATION TRUST FUND 200,000

1765 SPECIAL CATEGORIES
UNDERGROUND STORAGE TANK CLEANUP
FROM INLAND PROTECTION TRUST FUND 300,000

1766 SPECIAL CATEGORIES
WATER WELL CLEANUP
FROM WATER QUALITY ASSURANCE TRUST FUND . 1,581,061

1767 SPECIAL CATEGORIES
TRANSFER TO ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND

FROM GENERAL REVENUE FUND	4,024,853	
FROM LAND ACQUISITION TRUST FUND		2,000,000
FROM WATER PROTECTION AND SUSTAINABILITY PROGRAM TRUST FUND		8,700,000

1768 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT

FROM GENERAL REVENUE FUND	19,014	
FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND		3,302
FROM FEDERAL GRANTS TRUST FUND		29,078
FROM LAND ACQUISITION TRUST FUND		4,842
FROM MINERALS TRUST FUND		17,092
FROM NON-MANDATORY LAND RECLAMATION TRUST FUND		10,163
FROM PERMIT FEE TRUST FUND		9,088
FROM WATER QUALITY ASSURANCE TRUST FUND .		532

1769 SPECIAL CATEGORIES
WETLANDS PROTECTION
FROM FEDERAL GRANTS TRUST FUND 284,459

1770 FIXED CAPITAL OUTLAY
HAZARDOUS SITES CLEANUP - PHOSPHATE/ MULBERRY/PINEY POINT
FROM NON-MANDATORY LAND RECLAMATION TRUST FUND 21,700,000

Funds in Specific Appropriation 1770 are contingent upon Senate Bill 1294 or similar legislation, relating to the phosphate severance tax, becoming a law.

1770A FIXED CAPITAL OUTLAY
NON-MANDATORY LAND RECLAMATION PROJECTS
FROM NON-MANDATORY LAND RECLAMATION TRUST FUND 7,200,000

Funds in Specific Appropriation 1770A are contingent upon Senate Bill 1294 or similar legislation, relating to the phosphate severance tax, becoming a law.

1772A GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
GRANTS AND AIDS - TOTAL MAXIMUM DAILY LOADS
FROM GENERAL REVENUE FUND 1,500,000

SECTION 5
SPECIFIC
APPROPRIATION

The funds in Specific Appropriation 1772A shall be used to address Total Maximum Daily Loads in the St. Johns River.

1772B GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
GRANTS AND AIDS - ENVIRONMENT RESTORATION AND WATER SUSTAINABILITY
FROM GENERAL REVENUE FUND 15,000,000

Funds in Specific Appropriation 1772B are provided to the Southwest Florida Water Management District to implement environmental restoration and water resource sustainability projects and programs as described in the: Southern Water Use Caution Area Recovery Strategy final report; and projects that are consistent with the current Regional Water Supply Plan. Funds are contingent upon matching dollars as follows: a) one-third of the project cost from the Southwest Florida Water Management District; and b) one-third of the project cost from project partners.

1772C GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
GRANTS AND AIDS - WATER PROJECTS
FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND 66,500,000

Local governments receiving funds in Specific Appropriation 1772C shall provide matching dollars as follows: a) 25 percent for wastewater projects; b) 50 percent for stormwater and surface water restoration projects; and c) 50 percent for drinking water projects. Financially disadvantaged small local governments, as defined in section 403.885(3), Florida Statutes, shall be exempt from the match provision of this section. Local governmental entities that have been declared in a state of financial emergency pursuant to section 218.503, Florida Statutes, shall be exempt from the match provision.

Funds in Specific Appropriation 1772C from the Ecosystem Management and Restoration Trust Fund shall be used for the following water projects:

Altha Sewer System	350,000
Aventura NE 190 Street Drainage Improvements	155,000
Bay Harbor Islands Installation of Automated Water Meters	200,000
Belleview Wastewater System Improvement Program	325,000
Big Bend Water Authority Wastewater Treatment Plant Expansion	300,000
Biscayne Park Stormwater Project Phase III	200,000
Boca Raton Intracoastal Parallel Force Main	125,000
Bonita Springs Silt Removal From Imperial River and Oak Creek	250,000
Brooksville Water System Improvement Project	190,000
Broward County Initiative	100,000
Callahan New Well Site	800,000
Chattahoochee Rosedale Water	550,000
Citrus County Chassahowitzka Area Drinking Water System	300,000
Citrus County Homosassa Wastewater Collection System - Phase 4 (Chassahowitzka Phase 1)	250,000
Coral Gables City 2 Sanitary Sewer Pump Station Rehabilitation	250,000
Coral Gables City 3 Sanitary Sewer Pump Station Rehabilitation	500,000
Coral Gables Old Cutler Sanitary Sewer Force Main Replacement	500,000
Cutler Bay Stormwater Improvements	250,000
DeLand Spring Hill Community Infrastructure Improvements - Phase V	350,000
East Putnam County Regional Wastewater Project	250,000
El Portal Stormwater Drainage Improvement Project Phase III	100,000
Escambia Bay PCB Remediation	200,000
Estero Bay Watershed Initiative	300,000
Florida City Protection of Municipal Water System Supply	300,000
Florida Keys Water Resource Initiative	100,000
Fort Lauderdale River Oaks Stormwater Park	2,250,000
Fort Meade Water Plant Improvements	200,000
Fort Myers East Reclamation Facility	500,000
Fort Myers Northern 10 Mile Canal Treatment System	300,000

SECTION 5
SPECIFIC
APPROPRIATION

Fort Walton Beach Reuse Water System Expansion	200,000
Fort Walton Beach Stormwater Improvement Project	200,000
Frostproof Wastewater System Improvements	300,000
Gadsden County Water/Wastewater Infrastructure	700,000
Gainesville Paynes Prairie Sheetflow Restoration	500,000
Glades County Pearce Canal Navigational Improvements Conceptual Design and Permitting Feasibility Contract	250,000
Golden Beach Stormwater Improvements - Portion of Phases 2 & 3	350,000
Golden Beach Water Distribution System	200,000
Grand Ridge Wastewater Improvements	300,000
Gretna Inflow/Infiltration	500,000
Hardee County Wauchula Hills Wastewater Service Area	740,000
Harris Chain of Lakes Restoration	300,000
Havana North Water Main Loop Connection	100,000
Hendry County Airport Sears Stormwater Implementation	200,000
Hendry County Central County Water Control Flood Protection Project	100,000
Highlands County Istokpoga Residential Canal Maintenance Project	800,000
Hillsborough County Duck Pond Area Drainage Improvements	400,000
Hillsborough County E. Morgan St. at Parsons Ave. Drainage Improvements	100,000
Hillsborough County Lake Meade Drainage Improvements	100,000
Hillsborough County Trapnell at Ray Ann/Nesmith Drainage Improvements	100,000
Hillsborough County Stormwater Utility Pilot	400,000
Homestead Flood Control Improvement Project	500,000
Howell Branch Lakes Stormwater Retrofit	350,000
Indian River Lagoon Initiative	3,600,000
Indian River Lagoon Issues Team	1,400,000
Jacksonville Lincoln Villas Septic Tank Phase Out Project Phase II	300,000
Jacksonville Lower Eastside Drainage Improvement Phase III	100,000
Jacksonville Williamson Creek Restoration	250,000
Key Biscayne Sanitary Sewer Project	100,000
Lake Park Stormwater Improvements - Lake Shore Drive	100,000
Lake Placid Water Treatment Plant and Distribution Lines	500,000
Lantana Western Wellfield	350,000
Lauderdale Lakes Stormwater Improvement Project Phase 3	300,000
Laurel Hill Drinking Water System Upgrade	300,000
Lee County Integrated Alternative Resources Expansion of the Olga Water Plant	400,000
Lee County Southwest Lehigh Structures PD&E	90,000
Lower St. Johns River Basin Initiative	3,700,000
Loxahatchee River Preservation Initiative	1,300,000
Macclenny Water Conservation	250,000
Mangonia Park Drainage Improvements	500,000
Marathon Wastewater Treatment	100,000
Marion County Silver Springs Water Quality Improvement	100,000
Miami Beach Stormwater Infrastructure Improvement Project	500,000
Miami Gardens NW 167th-175th Street/NW 11th-17th Avenue Drainage Improvements	100,000
Miami Lakes Bull Run Roadway and Drainage Improvement	200,000
Miami North Bayshore Drive Rebuild	100,000
Miami Springs Stormwater Improvements	250,000
Miami Stormwater Master Plan Implementation	1,000,000
Miami-Dade County C-103 Canal Outfalls Retrofit	100,000
Middle St. Johns River Basin Initiative	1,800,000
Moore Haven Stormwater Project	300,000
Mount Dora Lake John Stormwater Improvement	350,000
Myakka River Watershed Initiative	1,000,000
Newberry WWTP Expansion	400,000
North Bay Village Wastewater Forcemain & Pump Replacement	100,000
North Merritt Island Chase Hammock Improvement Plan	150,000
North Miami Beach NE 172 Street Drainage Improvements	250,000
North Miami Sanitary Sewer Force Main Improvements	100,000
North Palm Beach Earman River Water Pipe Line Replacement	85,000
North Port Stormwater Improvements, Phase 4	250,000
North Tampa Closed Basins Water Management	300,000
Oakland Park Floranada C-14 Canal Project	300,000
Okaloosa County Blackmon Community Water System	300,000
Okeechobee County Wastewater Expansion and Improvements	1,000,000
Opa Locka 143rd Street Stormwater Drainage and Street Improvements	100,000
Opa Locka Cairo Lane Stormwater Drainage and Street Improvements	100,000
Orange County Little Wekiva River Water Quality Improvement Initiative	1,000,000
Osceola County Osceola Parkway Water Main Replacement	100,000
Pahokee Water Main Improvements	100,000
Palatka Wastewater Plant	200,000
Palm Bay Basin 9 Stormwater Improvements	200,000
Palm Bay Wyoming/Tharp Stormwater Improvements	125,000
Palm Beach County Central Everglades Water Quality Improvement	250,000
Palm Beach County Chain of Lakes Restoration	200,000
Palm Beach County Lake Region Water Treatment Plant	400,000
Palm Beach County Lake Worth Lagoon Restoration	500,000
Palmetto Bay Stormwater System Improvements	800,000
Palmetto Collection System Rehabilitation Program	500,000
Pasco County Duck Slough BMP Implementation	250,000
Penney Farms Wastewater Treatment Facility	250,000
Pinecrest Potable County Water and Fire Protection Improvement Project	1,000,000
Plant City Eastside Canal Stormwater Management Master Plan	500,000
Polk City Wastewater Treatment System	200,000
Pompano Beach Chlorine System Conversion	125,000
Port Orange B-23 Canal/Rose Bay Restoration	300,000
Sanford Lake Monroe Surface Water Quality Improvements	100,000
Santa Rosa County Moor Creek/Mt. Carmel Water Improvement	250,000
Sarasota County Phillippi Creek Septic System Replacement Program	1,500,000
Sarasota Indian Beach Sapphire Shores Stormwater Retrofit Pilot Project Engineering Plan	100,000
Sarasota Whitaker Bayou Greenway Park and Watershed Restoration Conceptual Plan	150,000
Sneads Wastewater Transmission System and WWTP	300,000
South Daytona Palm Grove Stormwater Project Final Phase	200,000
South Daytona Reuse Water Lines	200,000
South Miami Citywide Drainage Improvements	550,000
Southwest Ranches Public Safety Facility Drainage	39,867
St. Johns County Sixteen Mile Creek Stormwater Treatment Facility	100,000
St. Lucie River Issues Team	1,300,000
Starke Wastewater System Restoration	200,000
Sunny Isles Beach Central Island Stormwater	250,000
Surfside Sewer Rehab Phase I	100,000
Suwannee River Partnership Water Quality Based Best Management Practices Planning Implementation & Monitoring	500,000
Suwannee River Surface Water Improvement Initiative	2,350,000
Tallahassee Advanced Wastewater Treatment Improvements	500,000
Tamarac SCADA Radio Communication Project	200,000
Tamarac Stormwater Improvement Project	300,000
Tampa - Drew Park Drainage Improvements	100,000
Tampa Bay Restoration	1,000,000
Tavares Wastewater Reclamation and Recharge Project	175,000
Umatilla Implement Reuse Water and Expansion to Wastewater Plant, Sewer Line Repair or Replacement, Sewer Line to Snake Island	500,000
Unincorporated Monroe County Wastewater Projects	100,000
Upper Ocklawaha River Basin (including Lake Apopka) Initiative	2,500,000
Upper St. Johns River Basin Initiative	400,000
Virginia Gardens Stormwater Master Plan III	250,000
Wakulla County Wakulla Gardens Sewer Expansion	300,000
Walton County Phase II, Regional Water Supply	1,000,000
Watson Bayou Stormwater Expansion Project, Phase II	200,000
West Miami Phase III Stormwater Improvements	500,000
West Palm Beach Water Quality Improvement Project at the Historic City of West Palm Beach	500,000
West Park SR 7/US 441 Stormwater Improvements	250,000
Weston Stormwater Management	100,000
Wewahitchka Wastewater System Improvements	825,000
Winter Park Lake Berry Stormwater Treatment Project	400,000
Zolfo Springs WWTP & Sprayfield Expansion	200,000

SECTION 5
SPECIFIC
APPROPRIATION

From the funds appropriated for the Suwannee River Surface Water Improvement Initiative in Specific Appropriation 1772C, funds may be used for land acquisition that will benefit the Suwannee River.

From the funds appropriated in Specific Appropriation 1772C for the Indian River Lagoon Initiative, $1.5 million is for the Egret Marsh project. If all permits are not obtained and construction initiated by December 31, 2008, said funds shall be used to implement the Indian River Lagoon Initiative.

Funds provided to the Lower and Middle St. Johns River basin initiatives shall be applied to projects to achieve the most immediate nutrient inflow reductions.

1774 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY GRANTS AND AID - NON-POINT SOURCE (NPS) MANAGEMENT PLANNING GRANTS
FROM FEDERAL GRANTS TRUST FUND 4,500,000
FROM GRANTS AND DONATIONS TRUST FUND . . . 500,000

1775 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY DRINKING WATER FACILITY CONSTRUCTION - STATE REVOLVING LOAN
FROM DRINKING WATER REVOLVING LOAN TRUST FUND 57,290,000
FROM INTERNAL IMPROVEMENT TRUST FUND . . . 7,400,000

1776 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY WASTEWATER TREATMENT FACILITY CONSTRUCTION
FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND 7,200,000
FROM WASTEWATER TREATMENT AND STORMWATER MANAGEMENT REVOLVING LOAN TRUST FUND . . 110,570,000

1777 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY SMALL COUNTY WASTEWATER TREATMENT GRANTS
FROM FEDERAL GRANTS TRUST FUND 10,300,000
FROM WATER PROTECTION AND SUSTAINABILITY PROGRAM TRUST FUND 10,000,000

From the funds in Specific Appropriation 1777 from the Water Protection and Sustainability Program Trust Fund, $2 million shall be used for financial incentives for the development by local governments of the due diligence necessary to secure construction financing from a commercial lender for projects on the contingency portion of the Water Pollution Control State Revolving Fund (SRF) Priority List adopted by the Department of Environmental Protection pursuant to section 403.1835, Florida Statutes. Such incentives are intended to accelerate the construction of critical environmental infrastructure and as an economic stimulus for the State of Florida. The Department of Environmental Protection shall make payment from these funds, on a first-come-first-served basis, to local governments, in an amount not to exceed $135,000 each, upon receipt of the following from the local government: 1) documentation that the local government has entered into a binding loan agreement with a commercial lender; 2) invoices for costs incurred in support of preparing the due diligence to secure the commercial loan that have not already been paid by the department; and 3) certification that the loan will finance construction of a specific project on the contingency portion of the Water Pollution Control SRF Priority List. Any funds not disbursed by March 31, 2009, and for which complete documentation from a local government warranting disbursement has not been received, shall remain available in the Water Protection and Sustainability Program Trust Fund for the purposes of the Small Community Sewer Construction Assistance Act authorized under section 403.1838, Florida Statutes.

1778 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY GRANTS AND AID WATER MANAGEMENT DISTRICT

SECTION 5
SPECIFIC
APPROPRIATION

ALTERNATIVE WATER SUPPLY
FROM WATER PROTECTION AND SUSTAINABILITY PROGRAM TRUST FUND 7,700,000

Funds in Specific Appropriation 1778 from the Water Protection and Sustainability Program Trust Fund shall be provided for the following:

Doral JC Bermudez Park Reclaimed: Graywater Irrigation Project..... 1,000,000
Haines City Aquifer Recovery..... 500,000
North Miami Winson Water Plant..... 250,000
Plant City Sydney Road Reclaimed Water Distribution System, Phase I..... 250,000
South Florida Water Management District..... 3,000,000

TOTAL: WATER RESOURCE PROTECTION AND RESTORATION
FROM GENERAL REVENUE FUND 21,477,805
FROM TRUST FUNDS 350,627,381

TOTAL POSITIONS 209.50
TOTAL ALL FUNDS 372,105,186

WATER SUPPLY

APPROVED SALARY RATE 385,276

1779 SALARIES AND BENEFITS POSITIONS 7.00
FROM GENERAL REVENUE FUND 477,931

1780 EXPENSES
FROM GENERAL REVENUE FUND 177,008

1781 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - NORTHWEST FLORIDA WATER MANAGEMENT DISTRICT ENVIRONMENTAL RESOURCE PERMITTING PROGRAM
FROM GENERAL REVENUE FUND 3,840,000

1782 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - NW FLORIDA WATER MANAGEMENT DISTRICT OPERATIONS
FROM WATER MANAGEMENT LANDS TRUST FUND . . 1,044,926

1783 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - WATER MANAGEMENT DISTRICTS - WETLANDS PROTECTION
FROM WATER MANAGEMENT LANDS TRUST FUND . . 547,000

1784 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 5,138

TOTAL: WATER SUPPLY
FROM GENERAL REVENUE FUND 4,500,077
FROM TRUST FUNDS 1,591,926

TOTAL POSITIONS 7.00
TOTAL ALL FUNDS 6,092,003

PROGRAM: WASTE MANAGEMENT

WASTE CLEANUP

APPROVED SALARY RATE 4,306,141

1785 SALARIES AND BENEFITS POSITIONS 97.00
FROM INLAND PROTECTION TRUST FUND 3,980,722
FROM SOLID WASTE MANAGEMENT TRUST FUND . . 20
FROM WATER QUALITY ASSURANCE TRUST FUND . 1,723,930

SECTION 5
SPECIFIC
APPROPRIATION

1786 EXPENSES
FROM INLAND PROTECTION TRUST FUND 581,842
FROM FEDERAL GRANTS TRUST FUND 149
FROM SOLID WASTE MANAGEMENT TRUST FUND . . 117
FROM WATER QUALITY ASSURANCE TRUST FUND . 198,562

1787 OPERATING CAPITAL OUTLAY
FROM INLAND PROTECTION TRUST FUND 29,787
FROM WATER QUALITY ASSURANCE TRUST FUND . 11,032

1788 SPECIAL CATEGORIES
TRANSFER TO DOT - KEEP AMERICA BEAUTIFUL AFFILIATES OF FLORIDA
FROM SOLID WASTE MANAGEMENT TRUST FUND . . 500,000

1789 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM INLAND PROTECTION TRUST FUND 2,545
FROM WATER QUALITY ASSURANCE TRUST FUND . 1,200

1790 SPECIAL CATEGORIES
HAZARDOUS WASTE CLEANUP
FROM WATER QUALITY ASSURANCE TRUST FUND . 2,167,417

1791 SPECIAL CATEGORIES
DRYCLEANING CONTAMINATION CLEANUP
FROM WATER QUALITY ASSURANCE TRUST FUND . 100,000

1792 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM INLAND PROTECTION TRUST FUND 12,155
FROM WATER QUALITY ASSURANCE TRUST FUND . 5,212

1793 SPECIAL CATEGORIES
TRANSFER TO OTHER AGENCIES FOR IMPLEMENTATION OF HOUSE BILL 1671
FROM WATER QUALITY ASSURANCE TRUST FUND . 231,092

1794 SPECIAL CATEGORIES
UNDERGROUND STORAGE TANK CLEANUP
FROM INLAND PROTECTION TRUST FUND 11,197,668

1795 SPECIAL CATEGORIES
LOCAL GOVERNMENT CLEANUP CONTRACTING
FROM INLAND PROTECTION TRUST FUND 12,000,000

1796 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM INLAND PROTECTION TRUST FUND 29,762
FROM WATER QUALITY ASSURANCE TRUST FUND . 12,889

1797 FIXED CAPITAL OUTLAY
DRY CLEANING SOLVENT CONTAMINATED SITE CLEANUP
FROM WATER QUALITY ASSURANCE TRUST FUND . 10,149,548

1798 FIXED CAPITAL OUTLAY
CLEANUP OF STATE OWNED LANDS
FROM INLAND PROTECTION TRUST FUND 2,000,000

1798A FIXED CAPITAL OUTLAY
WASTE TIRE ABATEMENT
FROM SOLID WASTE MANAGEMENT TRUST FUND . . 50,000

1799 FIXED CAPITAL OUTLAY
PETROLEUM TANKS CLEANUP - PREAPPROVALS
FROM INLAND PROTECTION TRUST FUND 153,000,000

1800 FIXED CAPITAL OUTLAY
HAZARDOUS WASTE CONTAMINATED SITE CLEANUP
FROM WATER QUALITY ASSURANCE TRUST FUND . 4,200,000

SECTION 5
SPECIFIC
APPROPRIATION

TOTAL: WASTE CLEANUP
FROM TRUST FUNDS 202,185,649

TOTAL POSITIONS 97.00
TOTAL ALL FUNDS 202,185,649

WASTE CONTROL

APPROVED SALARY RATE 6,548,571

1801 SALARIES AND BENEFITS POSITIONS 146.00
FROM INLAND PROTECTION TRUST FUND 1,545,162
FROM FEDERAL GRANTS TRUST FUND 2,159,262
FROM PERMIT FEE TRUST FUND 50,096
FROM SOLID WASTE MANAGEMENT TRUST FUND . . 2,295,723
FROM WATER QUALITY ASSURANCE TRUST FUND . 2,667,910

1802 OTHER PERSONAL SERVICES
FROM INLAND PROTECTION TRUST FUND 23,780
FROM FEDERAL GRANTS TRUST FUND 266,193
FROM SOLID WASTE MANAGEMENT TRUST FUND . . 142,552
FROM WATER QUALITY ASSURANCE TRUST FUND . 12,000

1803 EXPENSES
FROM ECOSYSTEM MANAGEMENT AND RESTORATION TRUST FUND 4,438
FROM INLAND PROTECTION TRUST FUND 212,393
FROM FEDERAL GRANTS TRUST FUND 636,909
FROM PERMIT FEE TRUST FUND 7,065
FROM SOLID WASTE MANAGEMENT TRUST FUND . . 374,602
FROM WATER QUALITY ASSURANCE TRUST FUND . 260,992

1804 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - SOUTHERN WASTE INFORMATION EXCHANGE CLEARING HOUSE
FROM SOLID WASTE MANAGEMENT TRUST FUND . . 300,000

1805 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - LOCAL HAZARDOUS WASTE COLLECTION
FROM WATER QUALITY ASSURANCE TRUST FUND . 509,994

1806 OPERATING CAPITAL OUTLAY
FROM INLAND PROTECTION TRUST FUND 9,928
FROM SOLID WASTE MANAGEMENT TRUST FUND . . 44,094
FROM WATER QUALITY ASSURANCE TRUST FUND . 33,061

1807 SPECIAL CATEGORIES
STORAGE TANK COMPLIANCE VERIFICATION
FROM INLAND PROTECTION TRUST FUND 10,000,000

1808 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF HEALTH FOR BIOMEDICAL WASTE REGULATION
FROM SOLID WASTE MANAGEMENT TRUST FUND . . 880,000

1809 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM INLAND PROTECTION TRUST FUND 6,500
FROM FEDERAL GRANTS TRUST FUND 4,200
FROM SOLID WASTE MANAGEMENT TRUST FUND . . 2,500
FROM WATER QUALITY ASSURANCE TRUST FUND . 900

1810 SPECIAL CATEGORIES
FEDERAL WASTE PLANNING GRANTS
FROM FEDERAL GRANTS TRUST FUND 743,050

1811 SPECIAL CATEGORIES
HAZARDOUS WASTE SITES RESTORATION
FROM FEDERAL GRANTS TRUST FUND 1,999,847

1812 SPECIAL CATEGORIES
HAZARDOUS WASTE COMPLIANCE ASSISTANCE AND

SECTION 5
SPECIFIC
APPROPRIATION
EDUCATION
FROM SOLID WASTE MANAGEMENT TRUST FUND . . 200,000

1814 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES - MOSQUITO CONTROL PROGRAM
FROM SOLID WASTE MANAGEMENT TRUST FUND . . 2,160,000

1815 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM INLAND PROTECTION TRUST FUND 4,133
FROM SOLID WASTE MANAGEMENT TRUST FUND . . 8,153
FROM WATER QUALITY ASSURANCE TRUST FUND . 10,736

1816 SPECIAL CATEGORIES
TRANSFER TO UNIVERSITY OF FLORIDA - RESEARCH AND TESTING
FROM SOLID WASTE MANAGEMENT TRUST FUND . . 700,000

1817 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM INLAND PROTECTION TRUST FUND 10,481
FROM FEDERAL GRANTS TRUST FUND 14,647
FROM PERMIT FEE TRUST FUND 340
FROM SOLID WASTE MANAGEMENT TRUST FUND . . 14,784
FROM WATER QUALITY ASSURANCE TRUST FUND . 17,633

1818 SPECIAL CATEGORIES
TRANSFER TO THE DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES - OPERATION CLEAN SWEEP
FROM SOLID WASTE MANAGEMENT TRUST FUND . . 100,000

1819 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
SOLID WASTE MANAGEMENT
FROM SOLID WASTE MANAGEMENT TRUST FUND . . 14,839,054

From the funds in Specific Appropriation 1819, $9,428,773 shall be used for consolidated Solid Waste Management Grants in counties with a population less than 100,000 to support waste tire, litter prevention, recycling and education, and general solid waste management programs; $290,000 shall be used for Homestead Recycling Initiative; $100,000 shall be used for Cutler Bay Recycling/Waste Management program; $100,000 shall be used for the Village of Palmetto Bay Recycling/Waste Management program; $127,500 shall be used for the Belle Glade Recycling/Waste Management program; $100,000 shall be used for the Labelle Recycling/Solid Waste Management program; $250,000 shall be used for the Agriculture Film Collection and Processing Project; $245,000 shall be used for the Ammunition Roundup project; $250,000 shall be used for the Polyethylene Container Collection; $1,000,000 shall be used for the Florida Green Carbon-Offset; $281,000 shall be used for the Florida Organics Recycling Center of Excellence: A Continuation of Excellence project; $300,000 shall be used for the Statewide Individual-sized Polyethylene Terephthalate Container Collection and Densification Initiative; $116,000 shall be used for the Greenville Landfill monitoring; $250,000 shall be used for the Statewide Expanded Polystyrene Collection and Densification Project; and $2,000,781 shall be used for Innovative Grants.

TOTAL: WASTE CONTROL
FROM TRUST FUNDS 43,273,112

TOTAL POSITIONS 146.00
TOTAL ALL FUNDS 43,273,112

SECTION 5
SPECIFIC
APPROPRIATION
PROGRAM: RECREATION AND PARKS

LAND MANAGEMENT

APPROVED SALARY RATE 1,874,986

1820 SALARIES AND BENEFITS POSITIONS 48.00
FROM CONSERVATION AND RECREATION LANDS TRUST FUND 40,905
FROM LAND ACQUISITION TRUST FUND 2,410,480

1821 OTHER PERSONAL SERVICES
FROM LAND ACQUISITION TRUST FUND 804,408

1822 EXPENSES
FROM CONSERVATION AND RECREATION LANDS TRUST FUND 43,689
FROM LAND ACQUISITION TRUST FUND 594,102

1823 OPERATING CAPITAL OUTLAY
FROM LAND ACQUISITION TRUST FUND 18,750

1824 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 500,000
FROM CONSERVATION AND RECREATION LANDS TRUST FUND 4,500,000
FROM INTERNAL IMPROVEMENT TRUST FUND . . . 1,000,000
FROM LAND ACQUISITION TRUST FUND 100,000

From the Conservation and Recreation Lands Trust Fund in Specific Appropriation 1824 , the Department of Environmental Protection in consultation with the Fish and Wildlife Conservation Commission and the Department of Agriculture and Consumer Services shall issue a Request for Proposals for a public-private land management demonstration pilot project for a period of 5 years. The pilot project area shall consist of approximately 200,000 acres and shall consist of existing State Forests, State Wildlife Management Areas, state park lands not used for recreation, submerged lands, or properties formerly managed as Coastal Buffer Preserves. To the maximum extent practicable, the project area shall be proportionately distributed across lands currently managed by the Department of Environmental Protection, the Fish and Wildlife Conservation Commission and the Department of Agriculture and Consumer Services and shall be located within reasonable proximity to each other. The Request for Proposals shall be awarded no later than December 31, 2008. Proposals shall not exceed an average management cost of $25 per acre per year. Once awarded, the contractor shall prepare a land management plan consistent with the duties and responsibilities of the agencies and the certification standard of the Forest Stewardship Council, and submit this plan to the Acquisition and Restoration Council for approval. The contractor shall be responsible for all land management activities except for law enforcement. The effectiveness of this project shall be reviewed, compared to other state land management results, and certified by a Forest Stewardship Council third party certified auditor. The auditor shall submit its report to the Executive Office of the Governor, the President of the Senate, the Speaker of the House of Representatives and the Acquisition and Restoration Council.

1825 SPECIAL CATEGORIES
MANAGEMENT OF WATER CONTROL STRUCTURES
FROM LAND ACQUISITION TRUST FUND 549,414

1826 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM CONSERVATION AND RECREATION LANDS TRUST FUND 15,824
FROM LAND ACQUISITION TRUST FUND 85,166

1827 SPECIAL CATEGORIES
GREENWAYS CARL MANAGEMENT FUNDING
FROM CONSERVATION AND RECREATION LANDS TRUST FUND 2,130,392

SECTION 5
SPECIFIC
APPROPRIATION

1829 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM CONSERVATION AND RECREATION LANDS TRUST FUND 425
FROM LAND ACQUISITION TRUST FUND 23,328

1830 FIXED CAPITAL OUTLAY
ACQUISITION OF RAILROAD RIGHTS OF WAY
FROM FLORIDA FOREVER TRUST FUND 4,500,000

1830A FIXED CAPITAL OUTLAY
LAKE OKEECHOBEE SCENIC TRAIL
FROM LAND ACQUISITION TRUST FUND 1,000,000

Funds in Specific Appropriation 1830A shall not be used for construction of Lake Okeechobee Scenic Trail segments of the Herbert Hoover Dike system undergoing restoration or being proposed for restoration.

1830B FIXED CAPITAL OUTLAY
CONSTRUCTION AND IMPROVEMENTS - INGLIS LOCK
FROM LAND ACQUISITION TRUST FUND 4,000,000

1831 FIXED CAPITAL OUTLAY
MAINTENANCE, REPAIRS AND CONSTRUCTION - STATEWIDE
FROM LAND ACQUISITION TRUST FUND 5,000,000

1832 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
NATIONAL RECREATIONAL TRAIL GRANTS
FROM FEDERAL GRANTS TRUST FUND 1,900,000

TOTAL: LAND MANAGEMENT
FROM GENERAL REVENUE FUND 500,000
FROM TRUST FUNDS 28,716,883

TOTAL POSITIONS 48.00
TOTAL ALL FUNDS 29,216,883

RECREATIONAL ASSISTANCE TO LOCAL GOVERNMENTS

APPROVED SALARY RATE 339,557

1833 SALARIES AND BENEFITS POSITIONS 7.00
FROM LAND ACQUISITION TRUST FUND 412,843

1834 OTHER PERSONAL SERVICES
FROM LAND ACQUISITION TRUST FUND 2,391

1835 EXPENSES
FROM LAND ACQUISITION TRUST FUND 34,548

1836 SPECIAL CATEGORIES
TRANSFER TO THE DEPARTMENT OF COMMUNITY AFFAIRS - FLORIDA COMMUNITIES TRUST
FROM LAND ACQUISITION TRUST FUND 1,210,682

1837 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM LAND ACQUISITION TRUST FUND 3,071

1838 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
FEDERAL LAND AND WATER CONSERVATION FUND GRANTS
FROM FEDERAL GRANTS TRUST FUND 1,200,000

SECTION 5
SPECIFIC
APPROPRIATION

1839 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
FLORIDA RECREATION DEVELOPMENT ASSISTANCE GRANTS
FROM FLORIDA FOREVER TRUST FUND 6,000,000
FROM LAND ACQUISITION TRUST FUND 18,474,875

Funds in Specific Appropriation 1839 are provided for Florida Recreational Development Assistance Program projects. The department shall equitably prorate funds to each project on the recommended list.

1839A GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
LOCAL PARKS
FROM LAND ACQUISITION TRUST FUND 3,628,000

Funds in Specific Appropriation 1839A are provided for the following:

Brevard Zoo	500,000
Thalatta Park Development	200,000
Saga Bay Park Improvements	200,000
Gateway Park Acquisition	200,000
ARM Loxahatchee Wildlife Refuge	300,000
Braden River Ecosystem Preserve	500,000
Parramore Central Park - Orlando	200,000
Hope IV Park - Orlando	200,000
Pine Hills Park - Orlando	200,000
Kissimmee Park	200,000
Miami Zoological Invasive Species Exhibit	478,000
Western Everglades Restoration: Evaluation of Restoration Effects Upon Selective Fauna	200,000
Franklin Co. Seafood Landing Park	150,000
Vrooman Park--EastPoint	100,000

TOTAL: RECREATIONAL ASSISTANCE TO LOCAL GOVERNMENTS
FROM TRUST FUNDS 30,966,410

TOTAL POSITIONS 7.00
TOTAL ALL FUNDS 30,966,410

STATE PARK OPERATIONS

APPROVED SALARY RATE 33,158,326

1840 SALARIES AND BENEFITS POSITIONS 1,058.00
FROM CONSERVATION AND RECREATION LANDS TRUST FUND 1,218,130
FROM STATE PARK TRUST FUND 45,170,942

1841 OTHER PERSONAL SERVICES
FROM STATE PARK TRUST FUND 3,729,868

1842 EXPENSES
FROM CONSERVATION AND RECREATION LANDS TRUST FUND 40,861
FROM STATE PARK TRUST FUND 11,857,905

1843 OPERATING CAPITAL OUTLAY
FROM STATE PARK TRUST FUND 305,614

1844 SPECIAL CATEGORIES
OPERATIONAL INCENTIVES PROGRAM
FROM STATE PARK TRUST FUND 100,000

1845 SPECIAL CATEGORIES
DISTRIBUTION OF SURCHARGE FEES
FROM STATE PARK TRUST FUND 700,000

1846 SPECIAL CATEGORIES
DISBURSE DONATIONS
FROM FEDERAL GRANTS TRUST FUND 60,000
FROM GRANTS AND DONATIONS TRUST FUND . . . 250,000
FROM STATE PARK TRUST FUND 250,000

SECTION 5
SPECIFIC
APPROPRIATION

1847 SPECIAL CATEGORIES
LAND MANAGEMENT
FROM CONSERVATION AND RECREATION LANDS
TRUST FUND 1,593,307

1848 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM STATE PARK TRUST FUND 28,007

1849 SPECIAL CATEGORIES
AMERICORPS PROGRAM
FROM FEDERAL GRANTS TRUST FUND 850,000

1850 SPECIAL CATEGORIES
OUTSOURCING/PRIVATIZATION
FROM STATE PARK TRUST FUND 4,771,903

1851 SPECIAL CATEGORIES
CONTROL OF INVASIVE EXOTICS
FROM STATE PARK TRUST FUND 300,000

1852 SPECIAL CATEGORIES
PURCHASES FOR RESALE
FROM STATE PARK TRUST FUND 1,456,420

1853 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM CONSERVATION AND RECREATION LANDS
TRUST FUND 641,350
FROM STATE PARK TRUST FUND 2,467,283

1855 SPECIAL CATEGORIES
LAND USE PROCEEDS DISBURSEMENTS
FROM STATE PARK TRUST FUND 75,000

1856 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM CONSERVATION AND RECREATION LANDS
TRUST FUND 12,902
FROM STATE PARK TRUST FUND 477,447

1857 FIXED CAPITAL OUTLAY
HISTORIC STRUCTURE RENOVATIONS
FROM CONSERVATION AND RECREATION LANDS
TRUST FUND 1,000,000

1858 FIXED CAPITAL OUTLAY
RESOURCE RESTORATION
FROM CONSERVATION AND RECREATION LANDS
TRUST FUND 1,000,000

1859 FIXED CAPITAL OUTLAY
PARK DEVELOPMENT
FROM CONSERVATION AND RECREATION LANDS
TRUST FUND 1,500,000

1860 FIXED CAPITAL OUTLAY
FACILITIES REPAIRS AND MAINTENANCE
FROM CONSERVATION AND RECREATION LANDS
TRUST FUND 5,000,000

1861 FIXED CAPITAL OUTLAY
LAND ACQUISITION
FROM FLORIDA FOREVER TRUST FUND 4,500,000

1862 FIXED CAPITAL OUTLAY
DISASTER RELATED REPAIRS
FROM FEDERAL GRANTS TRUST FUND 4,500,000
FROM GRANTS AND DONATIONS TRUST FUND . . . 500,000

SECTION 5
SPECIFIC
APPROPRIATION

1863 FIXED CAPITAL OUTLAY
REMOVE ACCESSIBILITY BARRIERS - STATEWIDE
FROM CONSERVATION AND RECREATION LANDS
TRUST FUND 2,000,000

1864 FIXED CAPITAL OUTLAY
GRANTS AND DONATIONS SPENDING AUTHORITY
FROM FEDERAL GRANTS TRUST FUND 1,132,500
FROM GRANTS AND DONATIONS TRUST FUND . . . 1,317,500

1865 FIXED CAPITAL OUTLAY
FACILITY REPAIR NEEDS - STATEWIDE
FROM CONSERVATION AND RECREATION LANDS
TRUST FUND 15,000,000

1866 FIXED CAPITAL OUTLAY
RENOVATIONS/REPLACEMENT - SEWAGE SYSTEM -
STATEWIDE
FROM CONSERVATION AND RECREATION LANDS
TRUST FUND 3,000,000

1867 FIXED CAPITAL OUTLAY
DEBT SERVICE
FROM LAND ACQUISITION TRUST FUND 18,612,875

TOTAL: STATE PARK OPERATIONS
FROM TRUST FUNDS 135,419,814

TOTAL POSITIONS 1,058.00
TOTAL ALL FUNDS 135,419,814

COASTAL AND AQUATIC MANAGED AREAS

APPROVED SALARY RATE 4,548,599

1868 SALARIES AND BENEFITS POSITIONS 112.00
FROM GENERAL REVENUE FUND 75,638
FROM CONSERVATION AND RECREATION LANDS
TRUST FUND 441,376
FROM FEDERAL GRANTS TRUST FUND 1,624,143
FROM LAND ACQUISITION TRUST FUND 3,938,694

1869 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 80,040
FROM CONSERVATION AND RECREATION LANDS
TRUST FUND 176,608
FROM LAND ACQUISITION TRUST FUND 401,704

1870 EXPENSES
FROM GENERAL REVENUE FUND 21,999
FROM CONSERVATION AND RECREATION LANDS
TRUST FUND 184,858
FROM LAND ACQUISITION TRUST FUND 907,932

1871 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 2,600
FROM CONSERVATION AND RECREATION LANDS
TRUST FUND 37,169
FROM LAND ACQUISITION TRUST FUND 146,750

1872 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM FEDERAL GRANTS TRUST FUND 141,135

1873 SPECIAL CATEGORIES
SUBMERGED RESOURCE DAMAGED RESTORATIONS
FROM ECOSYSTEM MANAGEMENT AND
RESTORATION TRUST FUND 57,834

1874 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM CONSERVATION AND RECREATION LANDS
TRUST FUND 100,000
FROM LAND ACQUISITION TRUST FUND 67,303

SECTION 5
SPECIFIC
APPROPRIATION

1875 SPECIAL CATEGORIES
LITTLE PINE ISLAND MITIGATION BANK
FROM LAND ACQUISITION TRUST FUND 200,000

1876 SPECIAL CATEGORIES
MARINE RESEARCH GRANTS
FROM FEDERAL GRANTS TRUST FUND 4,037,883
FROM GRANTS AND DONATIONS TRUST FUND . . . 300,000
FROM LAND ACQUISITION TRUST FUND 303,389

1877 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM CONSERVATION AND RECREATION LANDS TRUST FUND 29,840
FROM FEDERAL GRANTS TRUST FUND 2,223
FROM LAND ACQUISITION TRUST FUND 57,750

1878 SPECIAL CATEGORIES
COASTAL AND AQUATIC MANAGED AREAS (CAMA) - CARL MANAGEMENT FUNDS
FROM CONSERVATION AND RECREATION LANDS TRUST FUND 458,579

1880 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 400
FROM CONSERVATION AND RECREATION LANDS TRUST FUND 3,966
FROM FEDERAL GRANTS TRUST FUND 11,706
FROM LAND ACQUISITION TRUST FUND 35,467

1881 FIXED CAPITAL OUTLAY
MAINTENANCE, REPAIRS AND CONSTRUCTION - STATEWIDE
FROM LAND ACQUISITION TRUST FUND 500,000

1882 FIXED CAPITAL OUTLAY
PARTNERSHIP IN COASTAL AQUATIC MANAGED AREAS (CAMA)
FROM LAND ACQUISITION TRUST FUND 250,000

TOTAL: COASTAL AND AQUATIC MANAGED AREAS
FROM GENERAL REVENUE FUND 180,677
FROM TRUST FUNDS 14,416,309

TOTAL POSITIONS 112.00
TOTAL ALL FUNDS 14,596,986

PROGRAM: AIR RESOURCES MANAGEMENT

AIR ASSESSMENT

APPROVED SALARY RATE 1,669,920

1883 SALARIES AND BENEFITS POSITIONS 34.00
FROM AIR POLLUTION CONTROL TRUST FUND . . 2,157,188

1884 OTHER PERSONAL SERVICES
FROM AIR POLLUTION CONTROL TRUST FUND . . 1,780,806

1885 EXPENSES
FROM AIR POLLUTION CONTROL TRUST FUND . . 923,383

1886 OPERATING CAPITAL OUTLAY
FROM AIR POLLUTION CONTROL TRUST FUND . . 313,743

1887 SPECIAL CATEGORIES
DISTRIBUTION TO COUNTIES - MOTOR VEHICLE REGISTRATION PROCEEDS
FROM AIR POLLUTION CONTROL TRUST FUND . . 3,662,968

SECTION 5
SPECIFIC
APPROPRIATION

1888 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM AIR POLLUTION CONTROL TRUST FUND . . 15,000

1889 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM AIR POLLUTION CONTROL TRUST FUND . . 9,544

1890 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM AIR POLLUTION CONTROL TRUST FUND . . 13,966

TOTAL: AIR ASSESSMENT
FROM TRUST FUNDS 8,876,598

TOTAL POSITIONS 34.00
TOTAL ALL FUNDS 8,876,598

AIR POLLUTION PREVENTION

APPROVED SALARY RATE 2,486,281

1891 SALARIES AND BENEFITS POSITIONS 50.00
FROM AIR POLLUTION CONTROL TRUST FUND . . 3,228,380

1892 OTHER PERSONAL SERVICES
FROM AIR POLLUTION CONTROL TRUST FUND . . 3,657,810

1893 EXPENSES
FROM AIR POLLUTION CONTROL TRUST FUND . . 523,333

1894 OPERATING CAPITAL OUTLAY
FROM AIR POLLUTION CONTROL TRUST FUND . . 73,937

1895 SPECIAL CATEGORIES
DISTRIBUTION TO COUNTIES - MOTOR VEHICLE REGISTRATION PROCEEDS
FROM AIR POLLUTION CONTROL TRUST FUND . . 3,662,968

1896 SPECIAL CATEGORIES
ASBESTOS REMOVAL PROGRAM FEES
FROM AIR POLLUTION CONTROL TRUST FUND . . 150,000

1897 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM AIR POLLUTION CONTROL TRUST FUND . . 7,000

1898 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM AIR POLLUTION CONTROL TRUST FUND . . 9,504

1899 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM AIR POLLUTION CONTROL TRUST FUND . . 20,766

TOTAL: AIR POLLUTION PREVENTION
FROM TRUST FUNDS 11,333,698

TOTAL POSITIONS 50.00
TOTAL ALL FUNDS 11,333,698

UTILITIES SITING AND COORDINATION

APPROVED SALARY RATE 697,439

1900 SALARIES AND BENEFITS POSITIONS 13.00
FROM FEDERAL GRANTS TRUST FUND 555,610
FROM PERMIT FEE TRUST FUND 399,728

SECTION 5
SPECIFIC
APPROPRIATION

1901 OTHER PERSONAL SERVICES
FROM FEDERAL GRANTS TRUST FUND 250,340

1902 EXPENSES
FROM INLAND PROTECTION TRUST FUND 47,212
FROM FEDERAL GRANTS TRUST FUND 153,542
FROM PERMIT FEE TRUST FUND 48,246

1904 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM FEDERAL GRANTS TRUST FUND 1,000
FROM PERMIT FEE TRUST FUND 1,000

1906 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM FEDERAL GRANTS TRUST FUND 1,808
FROM GRANTS AND DONATIONS TRUST FUND . . . 30

1907 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM FEDERAL GRANTS TRUST FUND 2,852
FROM PERMIT FEE TRUST FUND 2,413

1909 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND
NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
UNITED STATES DEPARTMENT OF ENERGY SPECIAL
PROJECTS
FROM FEDERAL GRANTS TRUST FUND 847,000

TOTAL: UTILITIES SITING AND COORDINATION
FROM TRUST FUNDS 2,310,781

TOTAL POSITIONS 13.00
TOTAL ALL FUNDS 2,310,781

PROGRAM: LAW ENFORCEMENT

ENVIRONMENTAL INVESTIGATION

APPROVED SALARY RATE 3,169,159

1911 SALARIES AND BENEFITS POSITIONS 62.50
FROM GENERAL REVENUE FUND 1,489,164
FROM COASTAL PROTECTION TRUST FUND 675,113
FROM INLAND PROTECTION TRUST FUND 793,447
FROM SOLID WASTE MANAGEMENT TRUST FUND . . 1,400,000

1912 OTHER PERSONAL SERVICES
FROM COASTAL PROTECTION TRUST FUND 120,000

1913 EXPENSES
FROM COASTAL PROTECTION TRUST FUND 170,344
FROM INLAND PROTECTION TRUST FUND 861,421

1914 OPERATING CAPITAL OUTLAY
FROM COASTAL PROTECTION TRUST FUND 67,178

1915 SPECIAL CATEGORIES
ACQUISITION AND REPLACEMENT OF PATROL
VEHICLES
FROM COASTAL PROTECTION TRUST FUND 201,350

1916 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM INLAND PROTECTION TRUST FUND 50,000

1917 SPECIAL CATEGORIES
OPERATION AND MAINTENANCE OF PATROL
VEHICLES
FROM COASTAL PROTECTION TRUST FUND 17,558
FROM INLAND PROTECTION TRUST FUND 247,846

SECTION 5
SPECIFIC
APPROPRIATION

1918 SPECIAL CATEGORIES
OVERTIME
FROM COASTAL PROTECTION TRUST FUND 50,400
FROM INLAND PROTECTION TRUST FUND 50,400

1919 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM INLAND PROTECTION TRUST FUND 130,134

1920 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM COASTAL PROTECTION TRUST FUND 21,465
FROM INLAND PROTECTION TRUST FUND 31,490

1921 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 20,181
FROM COASTAL PROTECTION TRUST FUND 3,558
FROM INLAND PROTECTION TRUST FUND 2,931

TOTAL: ENVIRONMENTAL INVESTIGATION
FROM GENERAL REVENUE FUND 1,509,345
FROM TRUST FUNDS 4,894,635

TOTAL POSITIONS 62.50
TOTAL ALL FUNDS 6,403,980

PATROL ON STATE LANDS

APPROVED SALARY RATE 3,918,484

1923 SALARIES AND BENEFITS POSITIONS 93.00
FROM LAND ACQUISITION TRUST FUND 5,748,794

1924 OTHER PERSONAL SERVICES
FROM LAND ACQUISITION TRUST FUND 42,639

1925 EXPENSES
FROM LAND ACQUISITION TRUST FUND 266,853

1926 OPERATING CAPITAL OUTLAY
FROM LAND ACQUISITION TRUST FUND 137,350

1927 SPECIAL CATEGORIES
ACQUISITION AND REPLACEMENT OF PATROL
VEHICLES
FROM LAND ACQUISITION TRUST FUND 347,901

1928 SPECIAL CATEGORIES
OPERATION AND MAINTENANCE OF PATROL
VEHICLES
FROM FEDERAL GRANTS TRUST FUND 300,000
FROM LAND ACQUISITION TRUST FUND 361,218

1929 SPECIAL CATEGORIES
OVERTIME
FROM LAND ACQUISITION TRUST FUND 115,550

1930 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM CONSERVATION AND RECREATION LANDS
TRUST FUND 70,568
FROM LAND ACQUISITION TRUST FUND 132,092

1931 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM LAND ACQUISITION TRUST FUND 95,462

1932 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT

SECTION 5
SPECIFIC
APPROPRIATION

SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM LAND ACQUISITION TRUST FUND 41,384

TOTAL: PATROL ON STATE LANDS
FROM TRUST FUNDS 7,659,811

TOTAL POSITIONS 93.00
TOTAL ALL FUNDS 7,659,811

EMERGENCY RESPONSE

APPROVED SALARY RATE 1,474,883

1933 SALARIES AND BENEFITS POSITIONS 28.00
FROM COASTAL PROTECTION TRUST FUND 1,325,211
FROM INLAND PROTECTION TRUST FUND 524,628

1934 OTHER PERSONAL SERVICES
FROM COASTAL PROTECTION TRUST FUND 205,411

1935 EXPENSES
FROM COASTAL PROTECTION TRUST FUND 164,815
FROM INLAND PROTECTION TRUST FUND 67,190

1936 OPERATING CAPITAL OUTLAY
FROM COASTAL PROTECTION TRUST FUND 7,818

1937 SPECIAL CATEGORIES
ACQUISITION AND REPLACEMENT OF PATROL VEHICLES
FROM COASTAL PROTECTION TRUST FUND 88,594

1938 SPECIAL CATEGORIES
HAZARDOUS WASTE CLEANUP
FROM COASTAL PROTECTION TRUST FUND 1,071,027

1939 SPECIAL CATEGORIES
ON-CALL FEES
FROM COASTAL PROTECTION TRUST FUND 98,902

1940 SPECIAL CATEGORIES
PAYMENTS FOR RESTORATION AND DAMAGE
FROM COASTAL PROTECTION TRUST FUND 50,000

1941 SPECIAL CATEGORIES
ABANDONED DRUM REMOVAL AND DISPOSAL
FROM COASTAL PROTECTION TRUST FUND 150,000

1942 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM INLAND PROTECTION TRUST FUND 130,876

1943 SPECIAL CATEGORIES
UNDERGROUND STORAGE TANK CLEANUP
FROM INLAND PROTECTION TRUST FUND 284,759

1944 SPECIAL CATEGORIES
TRANSFER TO MARINE RESOURCES CONSERVATION TRUST FUND IN THE FISH AND WILDLIFE CONSERVATION COMMISSION
FROM COASTAL PROTECTION TRUST FUND 11,697,242

1945 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM COASTAL PROTECTION TRUST FUND 8,585
FROM INLAND PROTECTION TRUST FUND 3,397

TOTAL: EMERGENCY RESPONSE
FROM TRUST FUNDS 15,878,455

SECTION 5
SPECIFIC
APPROPRIATION

TOTAL POSITIONS 28.00
TOTAL ALL FUNDS 15,878,455

FISH AND WILDLIFE CONSERVATION COMMISSION

PROGRAM: EXECUTIVE DIRECTION AND ADMINISTRATIVE SERVICES

OFFICE OF EXECUTIVE DIRECTION AND ADMINISTRATIVE SUPPORT SERVICES

APPROVED SALARY RATE 9,276,640

1946 SALARIES AND BENEFITS POSITIONS 213.50
FROM ADMINISTRATIVE TRUST FUND 9,472,133
FROM MARINE RESOURCES CONSERVATION TRUST FUND 611,756
FROM NON-GAME WILDLIFE TRUST FUND 547,968
FROM STATE GAME TRUST FUND 1,130,994
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND 361,824

1947 OTHER PERSONAL SERVICES
FROM ADMINISTRATIVE TRUST FUND 269,527
FROM MARINE RESOURCES CONSERVATION TRUST FUND 209,000
FROM NON-GAME WILDLIFE TRUST FUND 11,171
FROM STATE GAME TRUST FUND 1,705,533

1948 EXPENSES
FROM ADMINISTRATIVE TRUST FUND 1,393,605
FROM FLORIDA PANTHER RESEARCH AND MANAGEMENT TRUST FUND 20,000
FROM MARINE RESOURCES CONSERVATION TRUST FUND 569,296
FROM NON-GAME WILDLIFE TRUST FUND 76,040
FROM SAVE THE MANATEE TRUST FUND 20,000
FROM STATE GAME TRUST FUND 638,196
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND 121

1949 OPERATING CAPITAL OUTLAY
FROM ADMINISTRATIVE TRUST FUND 189,182
FROM NON-GAME WILDLIFE TRUST FUND 9,927
FROM STATE GAME TRUST FUND 26,492

1950 SPECIAL CATEGORIES
TRANSFER TO GRANT TRUST FUNDS - CASH FLOW LOANS
FROM STATE GAME TRUST FUND 12,500,000

1951 SPECIAL CATEGORIES
ENHANCED WILDLIFE MANAGEMENT
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND 536,514

1952 SPECIAL CATEGORIES
NON-CARL WILDLIFE MANAGEMENT
FROM STATE GAME TRUST FUND 123,205

1953 SPECIAL CATEGORIES
TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS
FROM ADMINISTRATIVE TRUST FUND 22,018

1954 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM ADMINISTRATIVE TRUST FUND 475,274
FROM MARINE RESOURCES CONSERVATION TRUST FUND 21,149
FROM NON-GAME WILDLIFE TRUST FUND 18,548
FROM STATE GAME TRUST FUND 218,900

SECTION 5
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1955 SPECIAL CATEGORIES
PAYMENT OF REWARDS
FROM ADMINISTRATIVE TRUST FUND 5,000

1956 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM ADMINISTRATIVE TRUST FUND 58,114
FROM MARINE RESOURCES CONSERVATION TRUST FUND 1,241
FROM NON-GAME WILDLIFE TRUST FUND 2,262
FROM STATE GAME TRUST FUND 2,991
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND 4,468

1957 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM ADMINISTRATIVE TRUST FUND 3,120

1958 SPECIAL CATEGORIES
INFORMATION TECHNOLOGY SERVICES - FISH AND WILDLIFE CONSERVATION COMMISSION
FROM ADMINISTRATIVE TRUST FUND 2,177,974
FROM MARINE RESOURCES CONSERVATION TRUST FUND 360,022

1959 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM ADMINISTRATIVE TRUST FUND 73,982
FROM MARINE RESOURCES CONSERVATION TRUST FUND 5,931
FROM NON-GAME WILDLIFE TRUST FUND 5,485
FROM STATE GAME TRUST FUND 4,165
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND 2,829

1960 SPECIAL CATEGORIES
CONTRACT AND GRANT REIMBURSED ACTIVITIES
FROM ADMINISTRATIVE TRUST FUND 1,157,000
FROM FEDERAL GRANTS TRUST FUND 390,000
FROM GRANTS AND DONATIONS TRUST FUND . . . 150,000

1961 DATA PROCESSING SERVICES
STATE TECHNOLOGY OFFICE
FROM ADMINISTRATIVE TRUST FUND 2,000

TOTAL: OFFICE OF EXECUTIVE DIRECTION AND ADMINISTRATIVE SUPPORT SERVICES
FROM TRUST FUNDS 35,584,957

TOTAL POSITIONS 213.50
TOTAL ALL FUNDS 35,584,957

PROGRAM: LAW ENFORCEMENT

FISH, WILDLIFE AND BOATING LAW ENFORCEMENT

APPROVED SALARY RATE 39,189,583

1962 SALARIES AND BENEFITS POSITIONS 901.50
FROM GENERAL REVENUE FUND 31,030,161
FROM FEDERAL GRANTS TRUST FUND 1,341,035
FROM MARINE RESOURCES CONSERVATION TRUST FUND 19,515,096
FROM STATE GAME TRUST FUND 1,945,124
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND 2,007,247

1963 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 104,210
FROM FEDERAL GRANTS TRUST FUND 58,000
FROM MARINE RESOURCES CONSERVATION TRUST FUND 236,348
FROM STATE GAME TRUST FUND 56,677

1964 EXPENSES
FROM GENERAL REVENUE FUND 1,648,910
FROM FEDERAL GRANTS TRUST FUND 6,463,721
FROM MARINE RESOURCES CONSERVATION TRUST FUND 3,727,251
FROM STATE GAME TRUST FUND 525,536
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND 313,415

Of the funds in Specific Appropriations 1962 and 1964, $3,900,000 from the Marine Resources Conservation Trust Fund is contingent upon Senate Bill 1286 or similar legislation, relating to vessel registration fees, becoming a law.

1965 OPERATING CAPITAL OUTLAY
FROM FEDERAL GRANTS TRUST FUND 228,750
FROM MARINE RESOURCES CONSERVATION TRUST FUND 200,155
FROM STATE GAME TRUST FUND 1,290
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND 100,000

1966 SPECIAL CATEGORIES
ACQUISITION AND REPLACEMENT OF PATROL VEHICLES
FROM MARINE RESOURCES CONSERVATION TRUST FUND 1,924,939

1967 SPECIAL CATEGORIES
ACQUISITION AND REPLACEMENT OF BOATS, MOTORS, AND TRAILERS
FROM MARINE RESOURCES CONSERVATION TRUST FUND 1,954,831

1968 SPECIAL CATEGORIES
ENHANCED WILDLIFE MANAGEMENT
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND 272,166

1969 SPECIAL CATEGORIES
800 MHZ RADIO LAW ENFORCEMENT SYSTEM EQUIPMENT AND MAINTENANCE
FROM GENERAL REVENUE FUND 110,675
FROM MARINE RESOURCES CONSERVATION TRUST FUND 44,760

1970 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 451,582
FROM MARINE RESOURCES CONSERVATION TRUST FUND 629,327
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND 1,500

1971 SPECIAL CATEGORIES
BOAT RAMP MAINTENANCE CATEGORY
FROM FEDERAL GRANTS TRUST FUND 431,250
FROM MARINE RESOURCES CONSERVATION TRUST FUND 331,878
FROM STATE GAME TRUST FUND 143,750

1972 SPECIAL CATEGORIES
OVERTIME
FROM GENERAL REVENUE FUND 1,015,000
FROM MARINE RESOURCES CONSERVATION TRUST FUND 2,065,885
FROM STATE GAME TRUST FUND 128,447

1973 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE

SECTION 5
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FROM GENERAL REVENUE FUND	874,152	
FROM MARINE RESOURCES CONSERVATION TRUST FUND		291,506
FROM STATE GAME TRUST FUND		112,903

1974 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS

FROM GENERAL REVENUE FUND	346,603	
FROM MARINE RESOURCES CONSERVATION TRUST FUND		209,753
FROM STATE GAME TRUST FUND		59,100
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND		20,160

1976 SPECIAL CATEGORIES
BOATING AND WATERWAYS ACTIVITIES

FROM MARINE RESOURCES CONSERVATION TRUST FUND		2,051,025

1976A SPECIAL CATEGORIES
BOATING AND WATERWAYS GRANTS

FROM MARINE RESOURCES CONSERVATION TRUST FUND		200,000

1976B SPECIAL CATEGORIES
DERELICT VESSEL REMOVAL PROGRAM

FROM MARINE RESOURCES CONSERVATION TRUST FUND		1,550,000

The funds in Specific Appropriation 1976B are contingent upon Senate Bill 1286 or similar legislation, relating to vessel registration fees, becoming a law.

1977 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT

FROM GENERAL REVENUE FUND	254,182	
FROM FEDERAL GRANTS TRUST FUND		796
FROM MARINE RESOURCES CONSERVATION TRUST FUND		93,855
FROM STATE GAME TRUST FUND		13,904
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND		13,587

1978 SPECIAL CATEGORIES
CONTRACT AND GRANT REIMBURSED ACTIVITIES

FROM FEDERAL GRANTS TRUST FUND		1,471,853
FROM MARINE RESOURCES CONSERVATION TRUST FUND		4,277,132
FROM STATE GAME TRUST FUND		1,008,746

1979 SPECIAL CATEGORIES
BOATING SAFETY EDUCATION PROGRAM

FROM MARINE RESOURCES CONSERVATION TRUST FUND		550,650

1980 FIXED CAPITAL OUTLAY
BOATING INFRASTRUCTURE

FROM FEDERAL GRANTS TRUST FUND		1,812,772

1981 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
FLORIDA BOATING IMPROVEMENT PROGRAM

FROM MARINE RESOURCES CONSERVATION TRUST FUND		5,350,000
FROM STATE GAME TRUST FUND		1,250,000

TOTAL: FISH, WILDLIFE AND BOATING LAW ENFORCEMENT

FROM GENERAL REVENUE FUND	35,835,475	
FROM TRUST FUNDS		64,986,120
TOTAL POSITIONS	901.50	
TOTAL ALL FUNDS		100,821,595

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APPROPRIATION
PROGRAM: WILDLIFE

HUNTING AND GAME MANAGEMENT

APPROVED SALARY RATE 1,899,601

1982 SALARIES AND BENEFITS POSITIONS 45.00

FROM FEDERAL GRANTS TRUST FUND		622,297
FROM STATE GAME TRUST FUND		1,548,330
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND		465,217

1983 OTHER PERSONAL SERVICES

FROM STATE GAME TRUST FUND		272,303

From the funds in Specific Appropriation 1983, $210,000 is provided to compensate trappers for the removal of nuisance alligators. This amount shall be divided equally between the agency's five regions and each regional share shall be used exclusively to compensate trappers who are assigned to that region.

1984 EXPENSES

FROM STATE GAME TRUST FUND		567,331
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND		1,852

1985 OPERATING CAPITAL OUTLAY

FROM STATE GAME TRUST FUND		15,260

1986 SPECIAL CATEGORIES
ENHANCED WILDLIFE MANAGEMENT

FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND		48,015

1987 SPECIAL CATEGORIES
NON-CARL WILDLIFE MANAGEMENT

FROM STATE GAME TRUST FUND		115,618

1988 SPECIAL CATEGORIES
CONTRACTED SERVICES

FROM STATE GAME TRUST FUND		321,800

1988A SPECIAL CATEGORIES
TRANSFER DEPARTMENT OF AGRICULTURE - ALLIGATOR MARKETING AND EDUCATION

FROM STATE GAME TRUST FUND		160,000

1989 SPECIAL CATEGORIES
PUBLIC DOVE FIELD DEVELOPMENT

FROM STATE GAME TRUST FUND		49,000

1990 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE

FROM STATE GAME TRUST FUND		41,473
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND		2,245

1991 SPECIAL CATEGORIES
WILDLIFE MANAGEMENT AREA USER PAY

FROM STATE GAME TRUST FUND		638,266

1992 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT

FROM STATE GAME TRUST FUND		16,119
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND		3,470

1993 SPECIAL CATEGORIES
CONTRACT AND GRANT REIMBURSED ACTIVITIES

FROM FEDERAL GRANTS TRUST FUND		752,029
FROM GRANTS AND DONATIONS TRUST FUND		129,450
FROM STATE GAME TRUST FUND		30,000

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1994 SPECIAL CATEGORIES
WILD TURKEY PROJECTS
FROM STATE GAME TRUST FUND 300,000

1994A FIXED CAPITAL OUTLAY
NEW AND EXPANDED MAINTENANCE AND STORAGE FACILITIES
FROM FEDERAL GRANTS TRUST FUND 51,717

TOTAL: HUNTING AND GAME MANAGEMENT
FROM TRUST FUNDS 6,151,792

TOTAL POSITIONS 45.00
TOTAL ALL FUNDS 6,151,792

PROGRAM: HABITAT AND SPECIES CONSERVATION

HABITAT AND SPECIES CONSERVATION

APPROVED SALARY RATE 13,189,395

1995 SALARIES AND BENEFITS POSITIONS 325.50
FROM FEDERAL GRANTS TRUST FUND 2,508,111
FROM FLORIDA PANTHER RESEARCH AND MANAGEMENT TRUST FUND 218,499
FROM LAND ACQUISITION TRUST FUND 382,622
FROM MARINE RESOURCES CONSERVATION TRUST FUND 544,543
FROM NON-GAME WILDLIFE TRUST FUND 1,798,186
FROM SAVE THE MANATEE TRUST FUND 812,784
FROM STATE GAME TRUST FUND 5,723,788
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND 5,311,195

1996 OTHER PERSONAL SERVICES
FROM FLORIDA PANTHER RESEARCH AND MANAGEMENT TRUST FUND 138,094
FROM LAND ACQUISITION TRUST FUND 121,350
FROM MARINE RESOURCES CONSERVATION TRUST FUND 150,759
FROM NON-GAME WILDLIFE TRUST FUND 198,903
FROM SAVE THE MANATEE TRUST FUND 176,047
FROM STATE GAME TRUST FUND 240,143
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND 79,496

1997 EXPENSES
FROM FLORIDA PANTHER RESEARCH AND MANAGEMENT TRUST FUND 179,912
FROM LAND ACQUISITION TRUST FUND 89,831
FROM MARINE RESOURCES CONSERVATION TRUST FUND 112,490
FROM NON-GAME WILDLIFE TRUST FUND 568,750
FROM SAVE THE MANATEE TRUST FUND 293,072
FROM STATE GAME TRUST FUND 1,152,989
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND 1,197,637

1998 AID TO LOCAL GOVERNMENTS
MANATEE PROTECTION PLANNING GRANTS
FROM SAVE THE MANATEE TRUST FUND 68,185

1999 OPERATING CAPITAL OUTLAY
FROM FLORIDA PANTHER RESEARCH AND MANAGEMENT TRUST FUND 2,500
FROM MARINE RESOURCES CONSERVATION TRUST FUND 12,000
FROM NON-GAME WILDLIFE TRUST FUND 29,246
FROM SAVE THE MANATEE TRUST FUND 13,800
FROM STATE GAME TRUST FUND 95,074
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND 17,000

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2000 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM MARINE RESOURCES CONSERVATION TRUST FUND 24,733

2001 SPECIAL CATEGORIES
ACQUISITION AND REPLACEMENT OF BOATS, MOTORS, AND TRAILERS
FROM STATE GAME TRUST FUND 37,300

2002 SPECIAL CATEGORIES
ENHANCED WILDLIFE MANAGEMENT
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND 5,102,519

2003 SPECIAL CATEGORIES
NON-CARL WILDLIFE MANAGEMENT
FROM STATE GAME TRUST FUND 6,398,292

2004 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM FLORIDA PANTHER RESEARCH AND MANAGEMENT TRUST FUND 22,013
FROM LAND ACQUISITION TRUST FUND 37,731
FROM NON-GAME WILDLIFE TRUST FUND 42,116
FROM SAVE THE MANATEE TRUST FUND 21,864
FROM STATE GAME TRUST FUND 49,334
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND 68,626

2005 SPECIAL CATEGORIES
LAKE RESTORATION
FROM STATE GAME TRUST FUND 8,540,291

2006 SPECIAL CATEGORIES
GRANTS AND AIDS - FEDERAL ENDANGERED SPECIES - SECTION 6
FROM FEDERAL GRANTS TRUST FUND 1,291,701

2007 SPECIAL CATEGORIES
LAND MANAGEMENT/SAVE OUR RIVERS
FROM STATE GAME TRUST FUND 298,412

2008 SPECIAL CATEGORIES
MARINE RESEARCH GRANTS
FROM FEDERAL GRANTS TRUST FUND 27,500

2009 SPECIAL CATEGORIES
DUCKS UNLIMITED MARSH PROJECT
FROM STATE GAME TRUST FUND 106,792

2010 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM FLORIDA PANTHER RESEARCH AND MANAGEMENT TRUST FUND 2,311
FROM LAND ACQUISITION TRUST FUND 2,425
FROM MARINE RESOURCES CONSERVATION TRUST FUND 1,290
FROM NON-GAME WILDLIFE TRUST FUND 19,512
FROM SAVE THE MANATEE TRUST FUND 5,361
FROM STATE GAME TRUST FUND 93,698
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND 47,325

2011 SPECIAL CATEGORIES
INTERIM LAND MANAGEMENT OF CONSERVATION AND RECREATION LANDS PROGRAM
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND 2,280,122

2012 SPECIAL CATEGORIES
HABITAT RESTORATION
FROM LAND ACQUISITION TRUST FUND 4,428,383

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2013 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM FLORIDA PANTHER RESEARCH AND MANAGEMENT TRUST FUND 1,912
FROM LAND ACQUISITION TRUST FUND 3,171
FROM MARINE RESOURCES CONSERVATION TRUST FUND 2,058
FROM NON-GAME WILDLIFE TRUST FUND 17,418
FROM SAVE THE MANATEE TRUST FUND 6,999
FROM STATE GAME TRUST FUND 68,770
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND 45,150

2014 SPECIAL CATEGORIES
HABITAT CONSERVATION PLAN LANDS ACQUISITION PROGRAM
FROM FEDERAL GRANTS TRUST FUND 2,500,000

2015 SPECIAL CATEGORIES
GRANTS AND AIDS - 2005 HURRICANES - STATE OPERATIONS
FROM STATE GAME TRUST FUND 556,000

2016 SPECIAL CATEGORIES
CONTRACT AND GRANT REIMBURSED ACTIVITIES
FROM FEDERAL GRANTS TRUST FUND 7,695,553
FROM GRANTS AND DONATIONS TRUST FUND . . . 562,361
FROM NON-GAME WILDLIFE TRUST FUND 91,652
FROM STATE GAME TRUST FUND 165,201

2017 FIXED CAPITAL OUTLAY
LAKE RESTORATION
FROM STATE GAME TRUST FUND 2,000,000

2018 FIXED CAPITAL OUTLAY
LAND ACQUISITION, ENVIRONMENTALLY ENDANGERED, UNIQUE/ IRREPLACEABLE LANDS, STATEWIDE
FROM FLORIDA FOREVER PROGRAM TRUST FUND . 4,500,000

2019 FIXED CAPITAL OUTLAY
MITIGATION PARK LAND ACQUISITION
FROM LAND ACQUISITION TRUST FUND 10,000,000

2020 FIXED CAPITAL OUTLAY
WILDLIFE MANAGEMENT AREA LAND IMPROVEMENTS
FROM STATE GAME TRUST FUND 1,785,000

TOTAL: HABITAT AND SPECIES CONSERVATION
FROM TRUST FUNDS 81,187,902

TOTAL POSITIONS 325.50
TOTAL ALL FUNDS 81,187,902

PROGRAM: FRESHWATER FISHERIES

FRESHWATER FISHERIES MANAGEMENT

APPROVED SALARY RATE 2,777,082

2021 SALARIES AND BENEFITS POSITIONS 69.50
FROM FEDERAL GRANTS TRUST FUND 1,979,577
FROM STATE GAME TRUST FUND 1,600,286
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND 127,932

2022 OTHER PERSONAL SERVICES
FROM FEDERAL GRANTS TRUST FUND 40,134
FROM STATE GAME TRUST FUND 26,035

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2023 EXPENSES
FROM FEDERAL GRANTS TRUST FUND 405,760
FROM STATE GAME TRUST FUND 304,903
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND 20,000

2024 OPERATING CAPITAL OUTLAY
FROM FEDERAL GRANTS TRUST FUND 15,000
FROM STATE GAME TRUST FUND 32,822
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND 25,000

2025 SPECIAL CATEGORIES
ACQUISITION AND REPLACEMENT OF BOATS, MOTORS, AND TRAILERS
FROM FEDERAL GRANTS TRUST FUND 33,425
FROM STATE GAME TRUST FUND 11,142

2026 SPECIAL CATEGORIES
ENHANCED WILDLIFE MANAGEMENT
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND 60,819

2027 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM FEDERAL GRANTS TRUST FUND 31,056
FROM STATE GAME TRUST FUND 40,048

2028 SPECIAL CATEGORIES
LAKE RESTORATION
FROM STATE GAME TRUST FUND 695,000

2029 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM STATE GAME TRUST FUND 90,808
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND 5,087

2030 SPECIAL CATEGORIES
LAND USE PROCEEDS DISBURSEMENTS
FROM STATE GAME TRUST FUND 350,000

2031 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM STATE GAME TRUST FUND 28,406
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND 1,023

2032 SPECIAL CATEGORIES
CONTRACT AND GRANT REIMBURSED ACTIVITIES
FROM FEDERAL GRANTS TRUST FUND 1,045,500

TOTAL: FRESHWATER FISHERIES MANAGEMENT
FROM TRUST FUNDS 6,969,763

TOTAL POSITIONS 69.50
TOTAL ALL FUNDS 6,969,763

PROGRAM: MARINE FISHERIES

MARINE FISHERIES MANAGEMENT

APPROVED SALARY RATE 1,409,791

2033 SALARIES AND BENEFITS POSITIONS 30.00
FROM FEDERAL GRANTS TRUST FUND 515,429
FROM MARINE RESOURCES CONSERVATION TRUST FUND 1,311,276

2034 OTHER PERSONAL SERVICES
FROM MARINE RESOURCES CONSERVATION TRUST FUND 179,629

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2035 EXPENSES
FROM MARINE RESOURCES CONSERVATION TRUST FUND 428,344

2036 OPERATING CAPITAL OUTLAY
FROM MARINE RESOURCES CONSERVATION TRUST FUND 846

2037 SPECIAL CATEGORIES
AQUATIC RESOURCES EDUCATION
FROM MARINE RESOURCES CONSERVATION TRUST FUND 327,935

2038 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM MARINE RESOURCES CONSERVATION TRUST FUND 40,640

2039 SPECIAL CATEGORIES
GULF STATES MARINE FISHERIES
FROM MARINE RESOURCES CONSERVATION TRUST FUND 22,500

2040 SPECIAL CATEGORIES
MARINE RESEARCH GRANTS
FROM FEDERAL GRANTS TRUST FUND 575,313

2041 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 467
FROM MARINE RESOURCES CONSERVATION TRUST FUND 19,252

2042 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM FEDERAL GRANTS TRUST FUND 1,198
FROM MARINE RESOURCES CONSERVATION TRUST FUND 10,915

2043 SPECIAL CATEGORIES
CONTRACT AND GRANT REIMBURSED ACTIVITIES
FROM FEDERAL GRANTS TRUST FUND 1,037,470
FROM GRANTS AND DONATIONS TRUST FUND . . . 12,530

2044 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
ARTIFICIAL FISHING REEF CONSTRUCTION PROGRAM
FROM GENERAL REVENUE FUND 1,000,000
FROM FEDERAL GRANTS TRUST FUND 400,000
FROM MARINE RESOURCES CONSERVATION TRUST FUND 300,000

From the funds in Specific Appropriation 2044, $1,000,000 from non-recurring general revenue funds is provided for the Vandenburg artificial reef program off the Florida Keys.

TOTAL: MARINE FISHERIES MANAGEMENT
FROM GENERAL REVENUE FUND 1,000,467
FROM TRUST FUNDS 5,183,277

TOTAL POSITIONS 30.00
TOTAL ALL FUNDS 6,183,744

PROGRAM: RESEARCH

FISH AND WILDLIFE RESEARCH INSTITUTE

APPROVED SALARY RATE 14,318,428

2045 SALARIES AND BENEFITS POSITIONS 331.50
FROM GENERAL REVENUE FUND 3,711,358

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FROM FEDERAL GRANTS TRUST FUND 2,256,566
FROM FLORIDA PANTHER RESEARCH AND MANAGEMENT TRUST FUND 185,176
FROM GRANTS AND DONATIONS TRUST FUND . . . 531
FROM MARINE RESOURCES CONSERVATION TRUST FUND 6,464,642
FROM NON-GAME WILDLIFE TRUST FUND 1,066,027
FROM SAVE THE MANATEE TRUST FUND 913,939
FROM STATE GAME TRUST FUND 3,147,624
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND 157,712

2046 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 856,000
FROM FLORIDA PANTHER RESEARCH AND MANAGEMENT TRUST FUND 60,867
FROM MARINE RESOURCES CONSERVATION TRUST FUND 4,393,475
FROM NON-GAME WILDLIFE TRUST FUND 562,491
FROM SAVE THE MANATEE TRUST FUND 735,000
FROM STATE GAME TRUST FUND 108,693

Of the funds in Specific Appropriation 2046, $1,150,000 from the Marine Resources Conservation Trust Fund for the rescue and rehabilitation of manatees as authorized in section 370.0603(3)(a), Florida Statutes, is contingent upon passage of Senate Bill 1286 or similar legislation, relating to vessel registration fees, becoming a law.

2047 EXPENSES
FROM GENERAL REVENUE FUND 574,169
FROM FLORIDA PANTHER RESEARCH AND MANAGEMENT TRUST FUND 86,245
FROM MARINE RESOURCES CONSERVATION TRUST FUND 2,991,872
FROM NON-GAME WILDLIFE TRUST FUND 413,459
FROM SAVE THE MANATEE TRUST FUND 431,088
FROM STATE GAME TRUST FUND 497,745
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND 3,952

2048 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 29,740
FROM MARINE RESOURCES CONSERVATION TRUST FUND 255,566
FROM NON-GAME WILDLIFE TRUST FUND 11,736
FROM SAVE THE MANATEE TRUST FUND 13,000
FROM STATE GAME TRUST FUND 57,068

2049 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM MARINE RESOURCES CONSERVATION TRUST FUND 25,000

2050 SPECIAL CATEGORIES
ACQUISITION AND REPLACEMENT OF BOATS, MOTORS, AND TRAILERS
FROM MARINE RESOURCES CONSERVATION TRUST FUND 84,434
FROM SAVE THE MANATEE TRUST FUND 7,000
FROM STATE GAME TRUST FUND 34,283

2051 SPECIAL CATEGORIES
ENHANCED WILDLIFE MANAGEMENT
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND 89,435

2052 SPECIAL CATEGORIES
MANATEE RESEARCH - MANATEE AVOIDANCE TECHNOLOGY
FROM MARINE RESOURCES CONSERVATION TRUST FUND 84,000

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2052A SPECIAL CATEGORIES
REEF GROUNDING SETTLEMENT
FROM MARINE RESOURCES CONSERVATION TRUST FUND 912

2053 SPECIAL CATEGORIES
MARINE RESEARCH GRANTS
FROM FEDERAL GRANTS TRUST FUND 5,969,255
FROM GRANTS AND DONATIONS TRUST FUND . . . 534,941
FROM MARINE RESOURCES CONSERVATION TRUST FUND 6,515,122

2054 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 38,726
FROM FLORIDA PANTHER RESEARCH AND MANAGEMENT TRUST FUND 1,502
FROM MARINE RESOURCES CONSERVATION TRUST FUND 107,971
FROM NON-GAME WILDLIFE TRUST FUND 17,883
FROM SAVE THE MANATEE TRUST FUND 9,486
FROM STATE GAME TRUST FUND 36,527
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND 1,448

2055 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 33,228
FROM FLORIDA PANTHER RESEARCH AND MANAGEMENT TRUST FUND 1,658
FROM MARINE RESOURCES CONSERVATION TRUST FUND 78,248
FROM NON-GAME WILDLIFE TRUST FUND 9,892
FROM SAVE THE MANATEE TRUST FUND 8,180
FROM STATE GAME TRUST FUND 25,810
FROM CONSERVATION AND RECREATION LANDS PROGRAM TRUST FUND 1,411

2056 SPECIAL CATEGORIES
RED TIDE RESEARCH
FROM GENERAL REVENUE FUND 4,014,499

2057 SPECIAL CATEGORIES
GRANTS AND AIDS - 2005 HURRICANES - STATE OPERATIONS
FROM STATE GAME TRUST FUND 1,259,000

2058 SPECIAL CATEGORIES
CONTRACT AND GRANT REIMBURSED ACTIVITIES
FROM FEDERAL GRANTS TRUST FUND 400,000
FROM GRANTS AND DONATIONS TRUST FUND . . . 125,000
FROM NON-GAME WILDLIFE TRUST FUND 115,112
FROM STATE GAME TRUST FUND 500,000

2058A FIXED CAPITAL OUTLAY
CONSTRUCT/REPAIR MARINE FISH HATCHERIES
FROM GENERAL REVENUE FUND 500,000

TOTAL: FISH AND WILDLIFE RESEARCH INSTITUTE
FROM GENERAL REVENUE FUND 9,757,720
FROM TRUST FUNDS 40,857,984

TOTAL POSITIONS 331.50
TOTAL ALL FUNDS 50,615,704

TRANSPORTATION, DEPARTMENT OF

Funds in Specific Appropriations 2070 through 2082, 2098, 2099, 2100, 2102 through 2107, 2109 through 2119, and 2159 through 2169 are provided from the named funds to the department to fund the five year Work Program developed pursuant to provisions of section 339.135, Florida Statutes. Those appropriations used by the department for grants and aids may be advanced in part or in total.

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SPECIFIC
APPROPRIATION
TRANSPORTATION SYSTEMS DEVELOPMENT

PROGRAM: TRANSPORTATION SYSTEMS DEVELOPMENT

APPROVED SALARY RATE 102,010,256

2059 SALARIES AND BENEFITS POSITIONS 1,803.00
FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND 131,929,268
FROM TRANSPORTATION DISADVANTAGED TRUST FUND 880,972

2060 OTHER PERSONAL SERVICES
FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND 699,246
FROM TRANSPORTATION DISADVANTAGED TRUST FUND 40,000

2061 EXPENSES
FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND 8,166,410
FROM TRANSPORTATION DISADVANTAGED TRUST FUND 358,155

2062 OPERATING CAPITAL OUTLAY
FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND 1,183,314
FROM TRANSPORTATION DISADVANTAGED TRUST FUND 10,000

2063 SPECIAL CATEGORIES
CONSULTANT FEES
FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND 10,653,334

From the funds in Specific Appropriation 2063, $75,000 in non-recurring funds is provided to fund the development of a mechanism for tracking the implementation of an adopted regional growth vision that integrates transportation and land use planning.

2064 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND 3,313,568
FROM TRANSPORTATION DISADVANTAGED TRUST FUND 308,000

2065 SPECIAL CATEGORIES
HUMAN RESOURCES DEVELOPMENT
FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND 1,201,969

2066 SPECIAL CATEGORIES
OVERTIME
FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND 126,249

2067 SPECIAL CATEGORIES
DEFERRED-PAYMENT COMMODITY CONTRACTS
FROM STATE TRANSPORTATION (PRIMARY) TRUST FUND 25,795

2068 SPECIAL CATEGORIES
GRANTS AND AIDS - TRANSPORTATION DISADVANTAGED
FROM TRANSPORTATION DISADVANTAGED TRUST FUND 40,395,709

2069 SPECIAL CATEGORIES
GRANTS AND AIDS - TRANSPORTATION DISADVANTAGED - MEDICAID SERVICES
FROM TRANSPORTATION DISADVANTAGED TRUST FUND 72,939,505

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APPROPRIATION

2070 FIXED CAPITAL OUTLAY
TRANSPORTATION PLANNING CONSULTANTS
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 51,177,144

2071 FIXED CAPITAL OUTLAY
AVIATION DEVELOPMENT/GRANTS
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 216,016,689

From funds in Specific Appropriation 2071, $4,500,000 in non-recurring funds is provided for airport operational infrastructure improvements for airports within a plan established pursuant to section 163.3245, Florida Statutes.

2072 FIXED CAPITAL OUTLAY
PUBLIC TRANSIT DEVELOPMENT/GRANTS
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 296,668,405

2073 FIXED CAPITAL OUTLAY
RIGHT-OF-WAY LAND ACQUISITION
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 538,282,666
FROM RIGHT-OF-WAY ACQUISITION AND BRIDGE
CONSTRUCTION TRUST FUND 108,896,024

2074 FIXED CAPITAL OUTLAY
SEAPORT - ECONOMIC DEVELOPMENT
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 15,000,000

The Department of Transportation and the Port of Palm Beach are authorized to enter into a public-private partnership by October 1, 2008, which may result in the issuance of private activity bonds in an amount not to exceed the revenues generated by the private development. It is the Legislature's intent that the partnership shall fund improvements that achieve a public purpose by maximizing the use of the Strategic Intermodal Highway System to relieve traffic congestion and promote economic development.

2075 FIXED CAPITAL OUTLAY
SEAPORTS ACCESS PROGRAM
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 10,000,000

2076 FIXED CAPITAL OUTLAY
SEAPORT GRANTS
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 31,877,045

2077 FIXED CAPITAL OUTLAY
RAIL DEVELOPMENT/GRANTS
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 265,343,649

From the funds in Specific Appropriation 2077, $700,000 in non-recurring funds is provided for a study to determine the feasibility of a rail corridor along U.S. Highway 27 extending from western Miami-Dade to the City of South Bay and a study to determine the feasibility of a rail corridor in the Tampa Bay area, including Pasco, Pinellas, Hillsborough, Manatee, and Sarasota counties.

2078 FIXED CAPITAL OUTLAY
INTERMODAL DEVELOPMENT/GRANTS
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 17,329,270

2079 FIXED CAPITAL OUTLAY
PRELIMINARY ENGINEERING CONSULTANTS
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 439,909,752
FROM RIGHT-OF-WAY ACQUISITION AND BRIDGE
CONSTRUCTION TRUST FUND 1,790,400

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APPROPRIATION

From the funds in Specific Appropriation 2079, $750,000 in non-recurring funds from the State Transportation Trust Fund is provided for a preliminary development and environmental study for replacing the Veterans Bridge in Volusia County.

From the funds in Specific Appropriation 2079, $7,500,000 in non-recurring funds from the State Transportation Trust Fund is provided for the development of a connector road from County Road 388 to State Road 77.

2080 FIXED CAPITAL OUTLAY
RIGHT-OF-WAY SUPPORT
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 45,076,952
FROM RIGHT-OF-WAY ACQUISITION AND BRIDGE
CONSTRUCTION TRUST FUND 594,131

2081 FIXED CAPITAL OUTLAY
TRANSPORTATION PLANNING GRANTS
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 28,339,377

2082 FIXED CAPITAL OUTLAY
DEBT SERVICE
FROM RIGHT-OF-WAY ACQUISITION AND BRIDGE
CONSTRUCTION TRUST FUND 142,115,943

TOTAL: PROGRAM: TRANSPORTATION SYSTEMS DEVELOPMENT
FROM TRUST FUNDS 2480,648,941

TOTAL POSITIONS 1,803.00
TOTAL ALL FUNDS 2480,648,941

TRANSPORTATION SYSTEMS OPERATIONS

PROGRAM: HIGHWAY OPERATIONS

APPROVED SALARY RATE 174,746,473

2083 SALARIES AND BENEFITS POSITIONS 4,070.00
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 231,066,529

2084 OTHER PERSONAL SERVICES
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 1,641,552

2085 EXPENSES
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 27,150,956

2086 OPERATING CAPITAL OUTLAY
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 4,354,870

2087 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 9,136,489

2088 SPECIAL CATEGORIES
FAIRBANKS HAZARDOUS WASTE SITE
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 180,600

2089 SPECIAL CATEGORIES
CONSULTANT FEES
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 2,953,905

2090 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 9,102,965

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APPROPRIATION

2091 SPECIAL CATEGORIES
HUMAN RESOURCES DEVELOPMENT
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 2,592,491

2092 SPECIAL CATEGORIES
OVERTIME
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 4,903,493

2093 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 218,240

2094 SPECIAL CATEGORIES
TRANSPORTATION MATERIALS AND EQUIPMENT
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 30,989,811

2095 SPECIAL CATEGORIES
HIGHWAY BEAUTIFICATION GRANTS
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 500,000

2096 SPECIAL CATEGORIES
TRANSFER FOR CONTRACTED DISPATCH SERVICES
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 818,831

2097 FIXED CAPITAL OUTLAY
MINOR RENOVATIONS, REPAIRS, AND
IMPROVEMENTS - STATEWIDE
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 3,869,179

2098 FIXED CAPITAL OUTLAY
STATE INFRASTRUCTURE BANK LOAN REPAYMENTS
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 3,940,146

2099 FIXED CAPITAL OUTLAY
SMALL COUNTY RESURFACE ASSISTANCE PROGRAM
(SCRAP)
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 25,000,248

2100 FIXED CAPITAL OUTLAY
SMALL COUNTY OUTREACH PROGRAM (SCOP)
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 43,076,249

2102 FIXED CAPITAL OUTLAY
COUNTY TRANSPORTATION PROGRAMS
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 43,531,206

From the funds in Specific Appropriation 2102, $10,000,000 in non-recurring funds in the State Transportation Trust Fund is provided for an infrastructure pilot program to assist counties and school districts with infrastructure issues. Counties that have at least a 3.75 percent average enrollment growth for the last 5 years in school are eligible to participate in this pilot program. Counties that receive funds under this pilot program shall submit a report, by the end of the fiscal year or upon completion of the project, to the Department of Transportation and the Department of Community Affairs describing in detail the infrastructure issues addressed through this pilot program. The departments of Transportation and Community Affairs shall review the reports from the counties and submit their findings and recommendations to the Legislature regarding the effectiveness of this infrastructure pilot program.

2103 FIXED CAPITAL OUTLAY
BOND GUARANTEE

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FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 500,000

2104 FIXED CAPITAL OUTLAY
TRANSPORTATION HIGHWAY MAINTENANCE
CONTRACTS
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 288,088,463

From funds in Specific Appropriation 2104, an amount not to exceed $8,440,000 may be used for the Road Ranger program.

From the funds in Specific Appropriation 2104, the Department of Transportation may contract with non-profit youth organizations in Florida to perform work on the state highway system. All non-profit youth organizations providing services under contract with the Department of Transportation must certify to the department that all participating youth are Florida residents. In order to maintain continuity and quality, the department shall give preference to those youth organizations with which it has previously contracted for such services.

The department is specifically limited to an expenditure level of $2,000,000 for any contract with a single youth organization or for any group of contracts with two or more youth organizations that have the same registered agent or substantially similar officers and directors. The department shall not supplement these funds from any source in the absence of expressed legislative authority.

2105 FIXED CAPITAL OUTLAY
INTRASTATE HIGHWAY CONSTRUCTION
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 986,848,223

No funds from Specific Appropriation 2105 are provided for the purpose of funding roadside beautification programs.

2106 FIXED CAPITAL OUTLAY
ARTERIAL HIGHWAY CONSTRUCTION
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 707,369,363

From the funds in Specific Appropriation 2106, $2,800,000 in non-recurring funds is provided for Phase II of the widening of Tenth Street from Edgewater to New Smyrna Beach.

From the funds in Specific Appropriation 2106, the department shall fully fund the costs associated with the southbound turning lane improvements at the intersection of U.S. Highway 27 and Lake June Road in Lake Placid.

No funds from Specific Appropriation 2106 are provided for the purpose of funding roadside beautification programs.

2107 FIXED CAPITAL OUTLAY
CONSTRUCTION INSPECTION CONSULTANTS
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 252,973,149
FROM RIGHT-OF-WAY ACQUISITION AND BRIDGE
CONSTRUCTION TRUST FUND 3,508,778

2108 FIXED CAPITAL OUTLAY
ENVIRONMENTAL SITE RESTORATION
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 1,490,000

2109 FIXED CAPITAL OUTLAY
HIGHWAY SAFETY CONSTRUCTION/GRANTS
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 100,379,969

From funds in Specific Appropriation 2109, $1,200,000 in non-recurring funds is provided for electrical undergrounding and bicycle, pedestrian,

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and vehicular safety improvements along State Road 426 in Orange County. This funding shall be matched with 50 percent from non-state funds.

2110 FIXED CAPITAL OUTLAY
RESURFACING
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 955,143,023

2111 FIXED CAPITAL OUTLAY
BRIDGE CONSTRUCTION
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 269,239,880
FROM RIGHT-OF-WAY ACQUISITION AND BRIDGE
CONSTRUCTION TRUST FUND 51,770,511

2112 FIXED CAPITAL OUTLAY
CONTRACT MAINTENANCE WITH THE DEPARTMENT
OF CORRECTIONS
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 17,521,000

2113 FIXED CAPITAL OUTLAY
GRANTS AND AIDS - TRANSPORTATION
EXPRESSWAY AUTHORITIES
FROM TOLL FACILITIES REVOLVING TRUST
FUND 42,830,000

2114 FIXED CAPITAL OUTLAY
MATERIALS AND RESEARCH
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 14,741,252

2115 FIXED CAPITAL OUTLAY
TRANSFER TO EXEC OFFICE OF THE GOVERNOR,
OFFICE OF TOURISM, TRADE & ECONOMIC
DEVELOPMENT FOR TRANSPORTATION PROJECTS
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 36,750,000

From the funds in Specific Appropriation 2115, $300,000 may be used by the Office of Tourism, Trade, and Economic Development for contract development and monitoring related to the Economic Development Transportation Program. The remaining funds in Specific Appropriation 2115 shall not be transferred to the Economic Development Transportation Trust Fund until the Office of Tourism, Trade, and Economic Development certifies that the transfer of funds is required to fulfill project commitments. The Department of Transportation may utilize any interest and temporarily use any balance of such funds for ongoing Department of Transportation expenditures until the transfer of funds is necessary.

2116 FIXED CAPITAL OUTLAY
BRIDGE INSPECTION
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 11,629,000

From the funds in Specific Appropriation 2116, $500,000 in non-recurring funds is provided to fund a pilot program for bridge monitoring by remote sensor.

2117 FIXED CAPITAL OUTLAY
TRAFFIC ENGINEERING CONSULTANTS
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 49,917,972

2118 FIXED CAPITAL OUTLAY
LOCAL GOVERNMENT REIMBURSEMENT
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 70,770,705

2119 FIXED CAPITAL OUTLAY
DEBT SERVICE
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 5,259,849

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TOTAL: PROGRAM: HIGHWAY OPERATIONS
FROM TRUST FUNDS 4311,758,897

TOTAL POSITIONS 4,070.00
TOTAL ALL FUNDS 4311,758,897

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 41,332,807

2120 SALARIES AND BENEFITS POSITIONS 800.00
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 54,126,131

From the funds in Specific Appropriation 2120, $137,112 and one existing vacant position shall be provided to the Florida Transportation Commission to provide staff support for the Commission's oversight of transportation authorities as required by section 20.23, Florida Statutes.

2121 OTHER PERSONAL SERVICES
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 2,057,190

2122 EXPENSES
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 7,970,800

2123 OPERATING CAPITAL OUTLAY
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 308,931

2124 SPECIAL CATEGORIES
TRANSFER TO DIVISION OF ADMINISTRATIVE
HEARINGS
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 360,800

2125 SPECIAL CATEGORIES
CONSULTANT FEES
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 1,372,430

2126 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 4,696,278

2127 SPECIAL CATEGORIES
HUMAN RESOURCES DEVELOPMENT
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 215,852

2128 SPECIAL CATEGORIES
OVERTIME
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 101,820

2129 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 8,865,189

2130 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE - OTHER
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 2,188,903

2131 SPECIAL CATEGORIES
TRANSFER TO SOUTH FLORIDA WATER MANAGEMENT
DISTRICT FOR EVERGLADES RESTORATION
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 2,000,000

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2132 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF REVENUE FOR
HIGHWAY TAX COMPLIANCE
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 200,000

2133 SPECIAL CATEGORIES
DEFERRED-PAYMENT COMMODITY CONTRACTS
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 445,100

2134 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 3,015,202
FROM TRANSPORTATION DISADVANTAGED TRUST
FUND 5,742

2135 FIXED CAPITAL OUTLAY
MINOR RENOVATIONS, REPAIRS, AND
IMPROVEMENTS - STATEWIDE
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 2,248,989

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM TRUST FUNDS 90,179,357

TOTAL POSITIONS 800.00
TOTAL ALL FUNDS 90,179,357

INFORMATION TECHNOLOGY

APPROVED SALARY RATE 13,119,817

2137 SALARIES AND BENEFITS POSITIONS 283.00
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 17,444,822

2138 OTHER PERSONAL SERVICES
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 100,000

2139 EXPENSES
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 10,352,025

2140 OPERATING CAPITAL OUTLAY
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 1,992,972

2140A LUMP SUM
MAINFRAME CONSOLIDATION
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 194,000

2141 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 9,545,382

2142 SPECIAL CATEGORIES
HUMAN RESOURCES DEVELOPMENT
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 69,003

2143 SPECIAL CATEGORIES
OVERTIME
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 76,480

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2144 SPECIAL CATEGORIES
DEFERRED-PAYMENT COMMODITY CONTRACTS
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 582,972

TOTAL: INFORMATION TECHNOLOGY
FROM TRUST FUNDS 40,357,656

TOTAL POSITIONS 283.00
TOTAL ALL FUNDS 40,357,656

FLORIDA'S TURNPIKE SYSTEMS

FLORIDA'S TURNPIKE ENTERPRISE

APPROVED SALARY RATE 22,372,759

2145 SALARIES AND BENEFITS POSITIONS 492.00
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 29,489,621

2146 OTHER PERSONAL SERVICES
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 1,239,952

2147 EXPENSES
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 25,739,199

2148 OPERATING CAPITAL OUTLAY
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 813,804

2149 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 89,800

2150 SPECIAL CATEGORIES
CONSULTANT FEES
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 1,344,028

2151 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 21,896,772

2152 SPECIAL CATEGORIES
TOLL OPERATION CONTRACTS
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 77,774,257

2153 SPECIAL CATEGORIES
PAYMENT TO EXPRESSWAY AUTHORITIES
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 12,652,281

From the funds in Specific Appropriation 2153, $2,000,000 in non-recurring funds from the State Transportation Trust Fund is provided for the Tampa Bay Area Regional Transportation Authority.

2154 SPECIAL CATEGORIES
FLORIDA HIGHWAY PATROL SERVICES
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 19,117,511

2155 SPECIAL CATEGORIES
HUMAN RESOURCES DEVELOPMENT
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 250,245

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2156 SPECIAL CATEGORIES
OVERTIME
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 200,000

2157 SPECIAL CATEGORIES
TRANSPORTATION MATERIALS AND EQUIPMENT
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 4,487,987

2158 FIXED CAPITAL OUTLAY
MINOR RENOVATIONS, REPAIRS, AND
IMPROVEMENTS - STATEWIDE
FROM TURNPIKE GENERAL RESERVE TRUST FUND . 327,532

2159 FIXED CAPITAL OUTLAY
TRANSPORTATION HIGHWAY MAINTENANCE
CONTRACTS
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 40,844,008

From funds in Specific Appropriation 2159, an amount not to exceed $2,560,000 may be used for the Road Ranger program.

2160 FIXED CAPITAL OUTLAY
INTRASTATE HIGHWAY CONSTRUCTION
FROM TURNPIKE RENEWAL AND REPLACEMENT
TRUST FUND 13,533,348
FROM TURNPIKE GENERAL RESERVE TRUST FUND . 511,454,544
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 4,255,625

2161 FIXED CAPITAL OUTLAY
ARTERIAL HIGHWAY CONSTRUCTION
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 2,037,950

2162 FIXED CAPITAL OUTLAY
CONSTRUCTION INSPECTION CONSULTANTS
FROM TURNPIKE RENEWAL AND REPLACEMENT
TRUST FUND 1,034,400
FROM TURNPIKE GENERAL RESERVE TRUST FUND . 66,942,165
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 901,051

2163 FIXED CAPITAL OUTLAY
RIGHT-OF-WAY LAND ACQUISITION
FROM TURNPIKE GENERAL RESERVE TRUST FUND . 87,844,831

2164 FIXED CAPITAL OUTLAY
RESURFACING
FROM TURNPIKE RENEWAL AND REPLACEMENT
TRUST FUND 55,119,475

2165 FIXED CAPITAL OUTLAY
BRIDGE CONSTRUCTION
FROM TURNPIKE RENEWAL AND REPLACEMENT
TRUST FUND 2,179,887
FROM TURNPIKE GENERAL RESERVE TRUST FUND . 7,000

2166 FIXED CAPITAL OUTLAY
PRELIMINARY ENGINEERING CONSULTANTS
FROM TURNPIKE RENEWAL AND REPLACEMENT
TRUST FUND 9,078,794
FROM TURNPIKE GENERAL RESERVE TRUST FUND . 101,768,957
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 21,080,705

2167 FIXED CAPITAL OUTLAY
RIGHT-OF-WAY SUPPORT
FROM TURNPIKE GENERAL RESERVE TRUST FUND . 9,140,622

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2168 FIXED CAPITAL OUTLAY
TURNPIKE SYSTEM EQUIPMENT AND DEVELOPMENT
FROM TURNPIKE GENERAL RESERVE TRUST FUND . 123,081,751

Funds from Specific Appropriation 2168 are appropriated with the contingency that the Florida Turnpike Enterprise shall not under any circumstances contract with any vendor for the retail sale of fuel along the Florida Turnpike if such contract is negotiated or bid together with any other contract, including, but not limited to, the retail sale of food, maintenance services, or construction, with the exception that any contract for the retail sale of fuel along the Florida Turnpike shall be bid and contracted together with the retail sale of food at any convenience store attached to the fuel station.

All contracts related to service plazas including, but not limited to, the sale of fuel, the retail sale of food, maintenance services, or construction, except for services provided as defined in section 287.055(2)(a), Florida Statutes, awarded by the Florida Turnpike Enterprise, shall be procured through individual competitive solicitation and awarded to the most cost-effective responder. This language does not prohibit the award of more than one individual contract to a single vendor if he or she submits the most cost-effective response.

2169 FIXED CAPITAL OUTLAY
TOLLS SYSTEM EQUIPMENT AND DEVELOPMENT
FROM STATE TRANSPORTATION (PRIMARY)
TRUST FUND 34,943,468

TOTAL: FLORIDA'S TURNPIKE ENTERPRISE
FROM TRUST FUNDS 1280,671,570

TOTAL POSITIONS 492.00
TOTAL ALL FUNDS 1280,671,570

TOTAL OF SECTION 5 POSITIONS 17,103.75

FROM GENERAL REVENUE FUND 277,201,679

FROM TRUST FUNDS 11814,763,782

TOTAL ALL FUNDS 12091,965,461

SECTION 6 - GENERAL GOVERNMENT

The moneys contained herein are appropriated from the named funds to Administered Funds, Agency for Workforce Innovation, Department of Business and Professional Regulation, Department of Citrus, Department of Financial Services, Executive Office of the Governor, Department of Highway Safety and Motor Vehicles, Legislative Branch, Department of the Lottery, Department of Management Services, Department of Military Affairs, Public Service Commission, Department of Revenue and the Department of State as the amounts to be used to pay the salaries, other operational expenditures and fixed capital outlay of the named agencies.

PROGRAM: ADMINISTERED FUNDS

2169A LUMP SUM
EXECUTIVE AIRCRAFT POOL RATE SUPPLEMENT
FROM GENERAL REVENUE FUND 1,050,864
FROM TRUST FUNDS 300,000

The funds in Specific Appropriation 2169A are to be proportionally distributed to state agencies based upon their prior year usage of the executive aircraft pool, to offset the cost of their use of executive aircraft.

2169B LUMP SUM
CASUALTY INSURANCE PREMIUM DEFICIT
FROM GENERAL REVENUE FUND 4,000,000
FROM TRUST FUNDS 2,000,000

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The distribution of funds in Specific Appropriation 2169B to agencies for additional billings is contingent upon the Division of Risk Management demonstrating a cash deficit will occur in the Risk Management Trust Fund in Fiscal Year 2008-2009.

2173 LUMP SUM
REAL ESTATE CONSULTANT AND TENANT BROKER TRANSACTION FEES
FROM TRUST FUNDS 3,500,000

2174 LUMP SUM
HUMAN RESOURCES OUTSOURCING CONTINGENCY
FROM GENERAL REVENUE FUND 300,000

2174A LUMP SUM
STRENGTHENING DOMESTIC SECURITY
FROM TRUST FUNDS 186,739,442

Funds provided in Specific Appropriation 2174A are contingent on federal grants being awarded. Should the amount awarded for each federal grant be less than the amount appropriated, funds shall be awarded in priority order for the individual projects as indicated in the Fiscal Year 2008-2009 Domestic Security Funding Request of the Domestic Security Oversight Board. Once federal funding is received and projects are funded in priority order, the Board may transfer funding between any of the funded projects. Funds may be allocated to projects not listed below with the approval of the Legislative Budget Commission.

Agency for Enterprise Information Technology
Information Security Planning Sessions-sustainment..... 111,300
Sustainment Costs for Monitoring Center and Security Tools 67,000
Department of Agriculture and Consumer Services
Sustainment of Training for Incident Management Teams, Urban Search and Rescue Task Forces, and Hazardous Materials Teams..... 81,600
FDACS Laboratory Equipment..(maint)..... 215,984
State Agriculture Response Team (SART) Sustainment..... 344,432
Maintenance of Mobile VACIS..... 490,000
Time Lapse Video Monitoring Equipment - Containers..... 106,170
Food and Agriculture Emergency Response Team Development.. 283,662
Department of Education
K-12 Education - Communications..... 1,409,890
Exercises to Validate School District Safety Plans exercise Nims..... 160,000
Build-Out of Emergency Alert/Communications..... 899,190
K-12 Target Hardening and Access Control..... 4,046,644
Department of Environmental Protection
CBRNE Capable Regional Forensics Response Team..... 102,500
Department of Financial Services, Division of State Fire Marshal
USAR and HazMat Sustainment..... 2,982,726
MARC Unit Sustainment and Maintenance..... 616,810
USAR and HazMat Specialized Training..... 1,874,877
Critical Equipment Needs for USAR and HazMat..... 1,607,830
Basic Search and Rescue Training..... 257,500
Sustainment Training for Type II Technician Extrication Rescue Teams..... 544,631
Florida Fish and Wildlife Conservation Commission
Statewide Waterborne Response Teams/Equip Buildout..... 820,328
Department of Health
EMS Chemical Antidote Cache Sustainment..... 561,972
Expanding Hospital Surge Capacity..... 616,974
Hospital Hazard Vulnerability Assessment Project..... 527,360
Drinking Water Security Planning Sessions and Exercises... 103,000
Radiological Detection Instruments..... 98,790
Radiological Instrument Calibration Resource..... 80,000
Hospital Perimeter Security and Facility Lockdown..... 1,030,000
Department of Highway Safety and Motor Vehicles
Fingerprint Scanners - portable..... 2,550,000
Department of Law Enforcement
Sustain RDSTF Planners..... 625,000
Forensic Response Team - Gap..... 1,011,756
SWAT and EOD Sustainment and enhancement..... 3,833,698

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Regional Security Team - Sustainment..... 976,805
Technology for Aviation Equipment - Response & Support.... 1,580,024
Public Information Planning Session(s)..... 64,780
TAC PAKs..... 120,971
Maintain ThreatNet Module Within InSite..... 100,000
Statewide Connectivity/Regional Data Sharing Projects..... 1,268,167
Maintain ThreatCom..... 50,000
Software Maintenance Fees..... 35,000
8 Meta Data Managers/Regional Data Sharing Projects..... 1,497,218
Maintain and Enhance/Query Application..... 1,141,156
FLEX Architecture..... 919,000
Law Enforcement /Computer/Analytical Training..... 125,000
Law Enforcement Analyst Academies..... 256,905
Browser based FCIC/NCIC Validation Software..... 26,250
RDSTF LE Investigative & Intelligence Planning..... 175,000
Maintain and Enhance ISYS..... 4,600
Central FL Intelligence Exchange Contractual Services..... 225,000
Utilize Critical Infrastructure Planners..... 600,000
Capitol Complex Under Vehicle Surveillance Maintenance.... 10,500
Region 3 Intelligence Fusion Center - NE Florida..... 632,024
FAST - Future Analytical Strategies Today..... 100,000
Region 1 Fusion Center..... 304,000
Computer Forensic Equipment..... 195,287
Area Maritime Security Support - Blue Force - Automated Identification System..... 592,000
BusinesSafe Alert Messaging..... 8,631
Critical Infrastructure/Key Resource System Sustainment (Site Profiler)..... 187,470
Cyber Incident Response..... 150,000
Florida Fusion Center..... 167,400
Florida RDSTF Region 5 (Orlando) Data Integration Project FINDER..... 730,000
Homeland Security Intelligence Response Platform..... 1,500,000
LInX Regional Information Sharing Project - Gap & sustainment..... 510,000
Operation Liberty Shield..... 300,000
Region 1 Analysts Notebook..... 4,830
Region 1 Fla Law Enforcement eXchange (FLEX) Sustainment.. 251,000
Region 2 Data Fusion Analysts..... 200,000
Southeast Florida Virtual Fusion Center..... 820,000
Southwest Florida Fusion Center..... 500,000
Surveillance Equipment for Task Force Agents Assigned to Regional Domestic Security Task Force Investigations and Intelligence Cases..... 168,000
Tampa Bay Security Network..... 416,340
Tampa Bay Regional Operations Center Portable Radiation Detection Equipment..... 257,500
Domestic Security Public Information Officer Joint Information Center Workshop/Drill..... 153,750
Management & Administration Cost - LETPP Projects..... 467,440
Department of Management Services
Florida Interoperability Network (FIN)-Operate/Maintain... 3,968,936
Department of Transportation
Video Maintenance/Weigh Stations..... 164,850
Mobile Radiological/Nuclear Detection System..... 400,000
Portable Radiation Detection Equipment..... 380,000
Department of Community Affairs
Urban Security Initiative - Tampa..... 33,300,000
Urban Security Initiative - Miami..... 23,960,000
Urban Security Initiative - Orlando..... 24,261,726
Urban Security Initiative - Jacksonville..... 31,465,769
Urban Security Initiative - Ft Lauderdale..... 13,160,011
Citizen Corps (CC)..... 635,164
Metropolitan Medical Response System..... 2,248,547
Department of Community Affairs, Division of Emergency Management
Sustain RDSTF Planners (shared with FDLE)..... 625,000
Sustain Planning, Training and Exercises - Local..... 3,404,750
Maintenance and Sustainment of EDICS Units..... 608,400
Sustain Planning, Training and Exercises - State..... 1,180,000
SAA Sustainment..... 1,122,617

Funds in Specific Appropriations 2174A for the Florida Interoperability Network shall be held in reserve and release is contingent upon the

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execution of agreements by the Department of Management Services with each recipient county specifying that ongoing system administration, operations and maintenance will be the responsibility of the county upon discontinuation of Federal funding.

Funds in Specific Appropriation 2174A for the Florida Law Enforcement Exchange (FLEX) shall be distributed to the recipient agency in a qualified expenditure category.

2175	LUMP SUM EMPLOYEE COMPENSATION AND BENEFITS FROM GENERAL REVENUE FUND	15,532,842	
	FROM TRUST FUNDS		11,755,057
2175A	LUMP SUM STATE MATCH FOR FEDERAL FEMA FUNDING FROM GENERAL REVENUE FUND	20,000,000	
2176	SPECIAL CATEGORIES ASSOCIATION DUES FROM GENERAL REVENUE FUND	215,170	
2177	SPECIAL CATEGORIES DEFICIENCY FROM GENERAL REVENUE FUND	400,000	
2178	SPECIAL CATEGORIES EMERGENCY FROM GENERAL REVENUE FUND	250,000	
2179	SPECIAL CATEGORIES FLORIDA LAND AND WATER ADJUDICATORY COMMISSION - ADMINISTRATIVE APPEALS FROM GENERAL REVENUE FUND	4,756	
2180	SPECIAL CATEGORIES TRANSFER TO PLANNING AND BUDGETING SYSTEM TRUST FUND FROM GENERAL REVENUE FUND	5,330,656	
TOTAL:	PROGRAM: ADMINISTERED FUNDS FROM GENERAL REVENUE FUND	47,084,288	
	FROM TRUST FUNDS		204,294,499
	TOTAL ALL FUNDS		251,378,787

AGENCY FOR WORKFORCE INNOVATION

From the funds in Specific Appropriations 2181 through 2239, any expenditure from the Temporary Assistance for Needy Families (TANF) Block Grant must be expended in accordance with the requirements and limitations of Part A of Title IV of the Social Security Act, as amended, or any other applicable federal requirement or limitation. Before any funds are released by the Department of Children and Family Services, each provider shall identify the number of clients to be served and certify their eligibility under Part A of Title IV of the Social Security Act. Funds may not be released for services to any clients except those so identified and certified.

The agency head or a designee shall certify that controls are in place to ensure that such funds are expended in accordance with the requirements and limitations of federal law and that reporting requirements of federal law are met. It shall be the responsibility of any entity to which such funds are appropriated to obtain the required certification prior to any expenditure of funds.

No federal or state funds shall be used to pay for space being leased by a Regional Workforce Board, Workforce Florida, Inc., or the Agency for Workforce Innovation if it has been determined by whichever entity is the lessee that there is no longer a need for the leased space. All leases, and performance and obligations under the leases, are subject to and contingent upon an annual appropriation by the Florida Legislature. In the event that such annual appropriation does not occur, or in the alternative, there is either a reduction in funding from the prior annual appropriation or the entity which is the lessee determines that the annual appropriation is insufficient to meet the requirements of the leases, then the lessee has the right to terminate the lease upon written notice by the lessee and the lessee shall have no further obligations under the contracts.

EXECUTIVE DIRECTION AND SUPPORT SERVICES

EXECUTIVE LEADERSHIP

APPROVED SALARY RATE 2,330,866

2181	SALARIES AND BENEFITS	POSITIONS	34.00	
	FROM GENERAL REVENUE FUND		269,444	
	FROM ADMINISTRATIVE TRUST FUND			3,018,981
	FROM CHILD CARE AND DEVELOPMENT BLOCK GRANT TRUST FUND			179,703
2182	OTHER PERSONAL SERVICES FROM ADMINISTRATIVE TRUST FUND			20,000
2183	EXPENSES FROM GENERAL REVENUE FUND		16,358	
	FROM ADMINISTRATIVE TRUST FUND			825,191
	FROM CHILD CARE AND DEVELOPMENT BLOCK GRANT TRUST FUND			55,071
2184	OPERATING CAPITAL OUTLAY FROM ADMINISTRATIVE TRUST FUND			23,463
2185	SPECIAL CATEGORIES GRANTS AND AIDS - CONTRACTED SERVICES FROM GENERAL REVENUE FUND		5,000	
	FROM ADMINISTRATIVE TRUST FUND			30,000
	FROM SPECIAL EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND			120,000
2186	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE FROM GENERAL REVENUE FUND		99	
	FROM ADMINISTRATIVE TRUST FUND			7,207
	FROM CHILD CARE AND DEVELOPMENT BLOCK GRANT TRUST FUND			391
2187	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT FROM GENERAL REVENUE FUND		564	
	FROM ADMINISTRATIVE TRUST FUND			9,761
	FROM CHILD CARE AND DEVELOPMENT BLOCK GRANT TRUST FUND			707
TOTAL:	EXECUTIVE LEADERSHIP FROM GENERAL REVENUE FUND		291,465	
	FROM TRUST FUNDS			4,290,475
	TOTAL POSITIONS		34.00	
	TOTAL ALL FUNDS			4,581,940

AGENCY SUPPORT SERVICES

APPROVED SALARY RATE 8,330,419

2188	SALARIES AND BENEFITS	POSITIONS	149.50	
	FROM GENERAL REVENUE FUND		373,283	
	FROM ADMINISTRATIVE TRUST FUND			9,518,839
	FROM CHILD CARE AND DEVELOPMENT BLOCK GRANT TRUST FUND			501,938
	FROM REVOLVING TRUST FUND			883,756

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2189	OTHER PERSONAL SERVICES		
	FROM ADMINISTRATIVE TRUST FUND		356,444
	FROM REVOLVING TRUST FUND		50,000
2190	EXPENSES		
	FROM GENERAL REVENUE FUND	411,208	
	FROM ADMINISTRATIVE TRUST FUND		2,195,683
	FROM CHILD CARE AND DEVELOPMENT BLOCK GRANT TRUST FUND		90,141
	FROM REVOLVING TRUST FUND		1,510,076
2191	OPERATING CAPITAL OUTLAY		
	FROM GENERAL REVENUE FUND	2,600	
	FROM ADMINISTRATIVE TRUST FUND		493,499
2192	SPECIAL CATEGORIES		
	GRANTS AND AIDS - CONTRACTED SERVICES		
	FROM GENERAL REVENUE FUND	205,692	
	FROM ADMINISTRATIVE TRUST FUND		1,785,210
	FROM CHILD CARE AND DEVELOPMENT BLOCK GRANT TRUST FUND		300,000
	FROM REVOLVING TRUST FUND		946,300
2193	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	168	
	FROM ADMINISTRATIVE TRUST FUND		30,144
	FROM CHILD CARE AND DEVELOPMENT BLOCK GRANT TRUST FUND		926
	FROM REVOLVING TRUST FUND		5,549
2194	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	1,688	
	FROM ADMINISTRATIVE TRUST FUND		43,935
	FROM CHILD CARE AND DEVELOPMENT BLOCK GRANT TRUST FUND		1,371
	FROM REVOLVING TRUST FUND		5,369
2195	DATA PROCESSING SERVICES		
	STATE TECHNOLOGY OFFICE		
	FROM ADMINISTRATIVE TRUST FUND		72,484
TOTAL:	AGENCY SUPPORT SERVICES		
	FROM GENERAL REVENUE FUND	994,639	
	FROM TRUST FUNDS		18,791,664
	TOTAL POSITIONS	149.50	
	TOTAL ALL FUNDS		19,786,303

PROGRAM: WORKFORCE SERVICES

PROGRAM SUPPORT

It is the intent of the Legislature that the administration and delivery of workforce services and programs that are currently provided by agency employees working in One Stop Career Centers operated by the Regional Workforce Boards may be transferred from the Agency for Workforce Innovation to the Regional Workforce Boards. Such transfers shall only occur if the agency determines that the Regional Workforce Boards would more effectively and efficiently deliver services and if such transfers comply with applicable federal regulations. For all transfers made, the agency shall submit budget amendments pursuant to chapter 216, Florida Statutes, to move positions to the Executive Office of the Governor's reserve and realign the budget into the appropriate operating budget appropriation categories to implement the transfer of programs and service delivery to the Regional Workforce Boards.

From the funds in Specific Appropriations 2196 through 2239, the Agency for Workforce Innovation shall determine whether any funds provided for specific workforce programs, projects or initiatives are not an allowable use of federal funds. If the agency finds that any project or initiative for which funds are specifically appropriated in this act is not an allowable use of federal funds, the agency shall notify the Executive Office of the Governor, the chair of the Senate Fiscal Policy and Calendar Committee and the chairs of the House Policy and Budget Council and House Economic Expansion and Infrastructure Council.

From the funds provided in Specific Appropriation 2196 through 2199 and 2202 from the Employment Security Administration Trust Fund, up to $20,000,000 in federal Reed Act distributions may be provided to support the administration and operation of the state's public employment service offices through the statewide network of one-stop centers operated by regional workforce boards.

APPROVED SALARY RATE 23,915,132

2196	SALARIES AND BENEFITS POSITIONS 632.50		
	FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND		32,171,277
	FROM WELFARE TRANSITION TRUST FUND		1,199,927
	FROM SPECIAL EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND		590,080
2197	OTHER PERSONAL SERVICES		
	FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND		5,476,885
	FROM WELFARE TRANSITION TRUST FUND		65,313
2198	EXPENSES		
	FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND		9,413,348
	FROM WELFARE TRANSITION TRUST FUND		1,105,389
	FROM SPECIAL EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND		62,078
2199	OPERATING CAPITAL OUTLAY		
	FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND		112,914
	FROM WELFARE TRANSITION TRUST FUND		26,424
	FROM SPECIAL EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND		408,844
2199A	SPECIAL CATEGORIES		
	GRANTS AND AIDS - WORKFORCE PROJECTS		
	FROM SPECIAL EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND		100,000

Funds in Specific Appropriation 2199A are provided for the Connections Job Development Program.

2200	SPECIAL CATEGORIES		
	NON CUSTODIAL PARENT PROGRAM		
	FROM WELFARE TRANSITION TRUST FUND		1,416,000

From the funds provided in Specific Appropriation 2200, $750,000 from the Welfare Transition Trust Fund is provided for the Noncustodial Parent Program in Pinellas, Pasco and Hillsborough counties. The Pinellas Workforce Board (WorkNet) shall administer the funds, which shall be maintained as a single project for the three counties.

From the funds in Specific Appropriation 2200, $666,000 from the Welfare Transition Trust Fund is provided to continue Gulf Coast Community Care's current Noncustodial Parent Program in Miami-Dade County, which shall be administered by the South Florida Workforce Board.

2201	SPECIAL CATEGORIES		
	GRANTS AND AIDS - CONTRACTED SERVICES		
	FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND		21,418,161
	FROM WELFARE TRANSITION TRUST FUND		575,000
	FROM SPECIAL EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND		3,146,483

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From the funds in Specific Appropriation 2201, $1,500,000 in non-recurring funding from the Special Employment Security Administration Trust Fund is provided to continue existing Banner Centers.

2202 SPECIAL CATEGORIES
GRANTS AND AIDS - REGIONAL WORKFORCE BOARDS
FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 150,947,000
FROM WELFARE TRANSITION TRUST FUND 81,012,178
FROM SPECIAL EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 1,250,000

Funds provided in Specific Appropriation 2202 from the Welfare Transition Trust Fund shall be allocated for workforce services based on a plan approved by Workforce Florida, Inc. The plan shall identify funds provided for state-level and discretionary initiatives, and shall maximize funds distributed directly to the Regional Workforce Boards. The plan shall provide for equitable distribution of funds to the boards based on anticipated client caseload and the achievement of performance standards. Copies of the proposed allocation shall be provided to the chair of the Senate Fiscal Policy and Calendar Committee and the chairs of the House Policy and Budget Council and House Economic Expansion and Infrastructure Council.

From the Welfare Transition Trust Fund in Specific Appropriation 2202, $2,000,000 is provided to continue the Passport to Economic Progress programs in Hillsborough, Manatee, and Sarasota counties. Other funds provided to the Regional Workforce Boards in Specific Appropriation 2202 may be used for Passport to Economic Progress programs in other counties.

Funds in Specific Appropriation 2202 from the Special Employment Security Administration Trust Fund shall be used to provide services focused on retention and retraining of skilled talent in the space industry and shall include workforce skills analysis, training, and placement services, and may include communications efforts. Workforce Florida, Inc. shall develop a plan to implement this program. The plan shall be provided to the chair of the Senate Fiscal Policy and Calendar Committee and the chairs of the House Policy and Budget Council and the House Economic Expansion and Infrastructure Council.

2203 SPECIAL CATEGORIES
GRANTS AND AIDS - WORKFORCE SERVICES
FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 30,789,856
FROM SPECIAL EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 700,000

2204 SPECIAL CATEGORIES
GRANTS AND AIDS - DISPLACED HOMEMAKERS
FROM DISPLACED HOMEMAKER TRUST FUND . . . 2,566,758

2206 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 398,076
FROM WELFARE TRANSITION TRUST FUND 13,092
FROM SPECIAL EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 35

2207 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 278,234
FROM WELFARE TRANSITION TRUST FUND 6,627
FROM SPECIAL EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 581

2208 DATA PROCESSING SERVICES
STATE TECHNOLOGY OFFICE

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FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 615,998
FROM WELFARE TRANSITION TRUST FUND 200,000

TOTAL: PROGRAM SUPPORT
FROM TRUST FUNDS 346,066,558

TOTAL POSITIONS 632.50
TOTAL ALL FUNDS 346,066,558

UNEMPLOYMENT COMPENSATION

From the funds provided in Specific Appropriations 2209 through 2216 from the Employment Security Administration Trust Fund, up to $7,085,322 in federal Reed Act distributions may be provided for the purpose of meeting the additional costs of administration and operation of the Unemployment Compensation Program resulting from the increase in demand.

APPROVED SALARY RATE 16,799,615

2209 SALARIES AND BENEFITS POSITIONS 437.00
FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 23,654,019

2210 OTHER PERSONAL SERVICES
FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 5,500,000

2211 EXPENSES
FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 6,805,689

2212 OPERATING CAPITAL OUTLAY
FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 314,258

2213 SPECIAL CATEGORIES
GRANTS AND AIDS - CONTRACTED SERVICES
FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 30,842,426

2214 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 146,548

2215 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 189,676

2216 DATA PROCESSING SERVICES
STATE TECHNOLOGY OFFICE
FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 3,963,005

From the funds provided in Specific Appropriation 2216, up to $1,900,000 may be funded through the use of federal Reed Act distributions for the purpose of paying additional service level agreements for the Unemployment Compensation Benefits System due to the transfer of the Unemployment Compensation Tax System to the SunTax System at the Department of Revenue.

TOTAL: UNEMPLOYMENT COMPENSATION
FROM TRUST FUNDS 71,415,621

TOTAL POSITIONS 437.00
TOTAL ALL FUNDS 71,415,621

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WORKFORCE FLORIDA, INC.

APPROVED SALARY RATE 733,773

2217 SALARIES AND BENEFITS POSITIONS 9.00
FROM ADMINISTRATIVE TRUST FUND 923,174

2218 SPECIAL CATEGORIES
WORKFORCE FLORIDA INC. OPERATIONS
FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 1,370,902
FROM WELFARE TRANSITION TRUST FUND 1,036,711
FROM SPECIAL EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 536,092

2219 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 538
FROM WELFARE TRANSITION TRUST FUND 406
FROM SPECIAL EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 213

2220 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM ADMINISTRATIVE TRUST FUND 2,451

2221 SPECIAL CATEGORIES
QUICK RESPONSE TRAINING
FROM SPECIAL EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 5,000,000

2222 SPECIAL CATEGORIES
INCUMBENT WORKER TRAINING PROGRAM
FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 2,000,000

TOTAL: WORKFORCE FLORIDA, INC.
FROM TRUST FUNDS 10,870,487

TOTAL POSITIONS 9.00
TOTAL ALL FUNDS 10,870,487

UNEMPLOYMENT APPEALS COMMISSION

APPROVED SALARY RATE 1,962,636

2223 SALARIES AND BENEFITS POSITIONS 30.00
FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 2,476,092

2224 SPECIAL CATEGORIES
UNEMPLOYMENT APPEALS COMMISSION OPERATIONS
FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 417,405

2225 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 14,972

2226 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 12,124

TOTAL: UNEMPLOYMENT APPEALS COMMISSION
FROM TRUST FUNDS 2,920,593

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TOTAL POSITIONS 30.00
TOTAL ALL FUNDS 2,920,593

EARLY LEARNING

EARLY LEARNING SERVICES

APPROVED SALARY RATE 4,722,455

2227 SALARIES AND BENEFITS POSITIONS 86.00
FROM GENERAL REVENUE FUND 3,283,495
FROM CHILD CARE AND DEVELOPMENT BLOCK GRANT TRUST FUND 2,953,228

2228 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 10,000
FROM CHILD CARE AND DEVELOPMENT BLOCK GRANT TRUST FUND 87,000

2229 EXPENSES
FROM GENERAL REVENUE FUND 376,829
FROM CHILD CARE AND DEVELOPMENT BLOCK GRANT TRUST FUND 926,329
FROM WELFARE TRANSITION TRUST FUND 189,751

2230 AID TO LOCAL GOVERNMENTS
GRANTS AND AIDS - PROJECTS, CONTRACTS AND GRANTS
FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 1,000,000

2231 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 23,140
FROM CHILD CARE AND DEVELOPMENT BLOCK GRANT TRUST FUND 15,000

2233 SPECIAL CATEGORIES
GRANTS AND AIDS - SCHOOL READINESS SERVICES
FROM GENERAL REVENUE FUND 145,452,904
FROM CHILD CARE AND DEVELOPMENT BLOCK GRANT TRUST FUND 365,814,592
FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 500,000
FROM WELFARE TRANSITION TRUST FUND 124,353,182
FROM SPECIAL EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 7,500,000

From the Child Care and Development Block Grant Trust Fund in Specific Appropriation 2233, a minimum of $3,000,000 shall be used to enhance the quality of child care through the Teacher Education and Compensation Helps Program (T.E.A.C.H.).

From the funds in Specific Appropriation 2233 in the Welfare Transition Trust Fund, $1,400,000 from recurring funds is provided for the Home Instruction Program for Pre-School Youngsters (HIPPY).

Funds in Specific Appropriation 2233 from the Child Care and Development Block Grant Trust Fund may be used to provide a rate differential or stipend to programs which reach the Gold Seal Quality Care designation. The rate differential shall not exceed twenty percent of the reimbursement rate.

Funds in Specific Appropriation 2233 require a match from local sources for working poor eligible participants of six percent on child care slots. In-kind match is allowable provided there is not a reduction in the number of slots or level of services from the provision of in-kind match. The Agency for Workforce Innovation may adopt a policy to grant a waiver of the six percent match requirement to a rural county that demonstrates a significant hardship in meeting the match requirement.

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From the funds in Specific Appropriation 2233, the Agency for Workforce Innovation shall designate an amount to be used for the Child Care Executive Partnership Program, as defined in section 409.178, Florida Statutes, as match to expand the provision of services to low income families at or below 200 percent of the federal poverty level. Funds for this program may be used to match funds for statewide contracts.

2234 SPECIAL CATEGORIES
GRANTS AND AIDS - DATA SYSTEMS FOR SCHOOL READINESS
FROM GENERAL REVENUE FUND 275,489
FROM CHILD CARE AND DEVELOPMENT BLOCK GRANT TRUST FUND 2,056,925

2235 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 6,854
FROM CHILD CARE AND DEVELOPMENT BLOCK GRANT TRUST FUND 17,350

2236 SPECIAL CATEGORIES
GRANTS AND AIDS - VOLUNTARY PREKINDERGARTEN PROGRAM
FROM EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 354,349,575

Funds in Specific Appropriation 2236 shall be allocated and distributed in accordance with the proviso associated with Specific Appropriation 79 in this act.

2237 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 14,616
FROM CHILD CARE AND DEVELOPMENT BLOCK GRANT TRUST FUND 6,481

2238 QUALIFIED EXPENDITURE CATEGORY
EARLY LEARNING INFO SYSTEM DEVELOPMENT (ELIS)
FROM SPECIAL EMPLOYMENT SECURITY ADMINISTRATION TRUST FUND 500,000

Funds provided in Specific Appropriation 2238 shall be used only (1) to specify and document the minimum requirements for an Internet-based Early Learning Information System (ELIS) that replaces the functionality of the Enhanced Fields System, enhances attendance tracking, and improves provider payment processing and related financial management capabilities, (2) to develop a business case describing, at a minimum, how existing coalition and agency processes for attendance, provider payments, and funds management can be streamlined using electronic means of tracking and reporting to reduce paperwork and workload, and (3) to calculate a cost-benefit analysis that quantifies operational cost reductions and other tangible benefits that can be objectively realized to justify the cost of the ELIS project. The requirements specifications must clearly and unambiguously define all business rules, interfaces, and known customer and system needs at a level sufficient to enable system design and development.

2239 DATA PROCESSING SERVICES
STATE TECHNOLOGY OFFICE
FROM CHILD CARE AND DEVELOPMENT BLOCK GRANT TRUST FUND 7,715

TOTAL: EARLY LEARNING SERVICES
FROM GENERAL REVENUE FUND 149,443,327
FROM TRUST FUNDS 860,277,128

TOTAL POSITIONS 86.00
TOTAL ALL FUNDS 1009,720,455

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SPECIFIC
APPROPRIATION
BUSINESS AND PROFESSIONAL REGULATION, DEPARTMENT OF

PROGRAM: OFFICE OF THE SECRETARY AND ADMINISTRATION

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 8,412,176

2240 SALARIES AND BENEFITS POSITIONS 169.50
FROM ADMINISTRATIVE TRUST FUND 11,089,424

2241 OTHER PERSONAL SERVICES
FROM ADMINISTRATIVE TRUST FUND 797,920

2242 EXPENSES
FROM ADMINISTRATIVE TRUST FUND 2,117,456

2243 OPERATING CAPITAL OUTLAY
FROM ADMINISTRATIVE TRUST FUND 77,346

2244 SPECIAL CATEGORIES
TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS
FROM ADMINISTRATIVE TRUST FUND 380,816

2245 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM ADMINISTRATIVE TRUST FUND 272,780

2246 SPECIAL CATEGORIES
OPERATION OF MOTOR VEHICLES
FROM ADMINISTRATIVE TRUST FUND 4,000

2247 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM ADMINISTRATIVE TRUST FUND 76,508

2248 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM ADMINISTRATIVE TRUST FUND 2,060

2249 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM ADMINISTRATIVE TRUST FUND 71,509

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM TRUST FUNDS 14,889,819

TOTAL POSITIONS 169.50
TOTAL ALL FUNDS 14,889,819

INFORMATION TECHNOLOGY

APPROVED SALARY RATE 3,019,389

2250 SALARIES AND BENEFITS POSITIONS 56.00
FROM ADMINISTRATIVE TRUST FUND 3,888,256

2251 OTHER PERSONAL SERVICES
FROM ADMINISTRATIVE TRUST FUND 94,096

2252 EXPENSES
FROM ADMINISTRATIVE TRUST FUND 1,609,948

2253 OPERATING CAPITAL OUTLAY
FROM ADMINISTRATIVE TRUST FUND 112,000

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2254 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM ADMINISTRATIVE TRUST FUND 2,346,674

2255 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM ADMINISTRATIVE TRUST FUND 16,285

2256 SPECIAL CATEGORIES
DEPARTMENT WIDE DOCUMENT MANAGEMENT SYSTEM
FROM ADMINISTRATIVE TRUST FUND 2,547,884

2257 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM ADMINISTRATIVE TRUST FUND 22,530

2258 SPECIAL CATEGORIES
MAINTENANCE AND SUPPORT CONTRACT FOR
SINGLE LICENSING SYSTEM
FROM ADMINISTRATIVE TRUST FUND 2,770,380

2259 DATA PROCESSING SERVICES
TECHNOLOGY RESOURCE CENTER - DEPARTMENT OF
MANAGEMENT SERVICES
FROM ADMINISTRATIVE TRUST FUND 100,000

TOTAL: INFORMATION TECHNOLOGY
FROM TRUST FUNDS 13,508,053

TOTAL POSITIONS 56.00
TOTAL ALL FUNDS 13,508,053

PROGRAM: SERVICE OPERATION

CUSTOMER CONTACT CENTER

APPROVED SALARY RATE 2,835,460

2260 SALARIES AND BENEFITS POSITIONS 89.00
FROM ADMINISTRATIVE TRUST FUND 3,883,583

2261 OTHER PERSONAL SERVICES
FROM ADMINISTRATIVE TRUST FUND 225,000

2262 EXPENSES
FROM ADMINISTRATIVE TRUST FUND 516,193

2263 OPERATING CAPITAL OUTLAY
FROM ADMINISTRATIVE TRUST FUND 3,000

2264 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM ADMINISTRATIVE TRUST FUND 20,794

2265 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM ADMINISTRATIVE TRUST FUND 36,483

TOTAL: CUSTOMER CONTACT CENTER
FROM TRUST FUNDS 4,685,053

TOTAL POSITIONS 89.00
TOTAL ALL FUNDS 4,685,053

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SPECIFIC
APPROPRIATION
CENTRAL INTAKE

APPROVED SALARY RATE 3,602,571

2266 SALARIES AND BENEFITS POSITIONS 110.50
FROM ADMINISTRATIVE TRUST FUND 4,984,312

2267 OTHER PERSONAL SERVICES
FROM ADMINISTRATIVE TRUST FUND 372,954

2268 EXPENSES
FROM ADMINISTRATIVE TRUST FUND 672,595

2269 OPERATING CAPITAL OUTLAY
FROM ADMINISTRATIVE TRUST FUND 3,000

2270 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM ADMINISTRATIVE TRUST FUND 800,000

2271 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM ADMINISTRATIVE TRUST FUND 26,503

2272 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM ADMINISTRATIVE TRUST FUND 50,574

TOTAL: CENTRAL INTAKE
FROM TRUST FUNDS 6,909,938

TOTAL POSITIONS 110.50
TOTAL ALL FUNDS 6,909,938

TESTING AND CONTINUING EDUCATION

APPROVED SALARY RATE 1,601,429

2273 SALARIES AND BENEFITS POSITIONS 46.00
FROM PROFESSIONAL REGULATION TRUST FUND . 2,180,055

2274 EXPENSES
FROM PROFESSIONAL REGULATION TRUST FUND . 394,441

2275 OPERATING CAPITAL OUTLAY
FROM PROFESSIONAL REGULATION TRUST FUND . 3,000

2276 SPECIAL CATEGORIES
EXAMINATION TESTING SERVICES FOR
PROFESSIONAL REGULATION
FROM PROFESSIONAL REGULATION TRUST FUND . 1,278,895

2277 SPECIAL CATEGORIES
OPERATION OF MOTOR VEHICLES
FROM PROFESSIONAL REGULATION TRUST FUND . 1,000

2278 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM PROFESSIONAL REGULATION TRUST FUND . 5,912

2279 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM PROFESSIONAL REGULATION TRUST FUND . 19,130

TOTAL: TESTING AND CONTINUING EDUCATION
FROM TRUST FUNDS 3,882,433

TOTAL POSITIONS 46.00
TOTAL ALL FUNDS 3,882,433

SECTION 6
SPECIFIC
APPROPRIATION
PROGRAM: PROFESSIONAL REGULATION

COMPLIANCE AND ENFORCEMENT

From the funds in Specific Appropriations 2280, 2282, 2283, 2289, and 2292, the Department of Business and Professional Regulation shall submit reports on a quarterly basis to the Executive Office of the Governor, the chair of the Senate Fiscal Policy and Calendar Committee, the chair of the House Policy and Budget Council, the chair of the Senate General Government Appropriations Committee, and the chair of the House Jobs and Entrepreneurship Council related to its responsibilities defined in section 455.225, Florida Statutes. At a minimum, the reports shall contain the following data related to the protection of the public and the integrity of the regulated professions: the number of determinations of legal sufficiency and the number of investigations of legally sufficient complaints pursuant to section 455.225, Florida Statutes. The department shall also include in its reports the number of all complaints received and investigated, findings of probable cause and no probable cause, administrative complaints filed, disposition of administrative complaints, disciplinary actions, and the amounts of fines assessed and collected for each profession.

APPROVED SALARY RATE 7,413,369

2280 SALARIES AND BENEFITS POSITIONS 191.00
FROM PROFESSIONAL REGULATION TRUST FUND . 10,185,552

2281 OTHER PERSONAL SERVICES
FROM PROFESSIONAL REGULATION TRUST FUND . 18,750

2282 EXPENSES
FROM PROFESSIONAL REGULATION TRUST FUND . 1,709,637

2283 OPERATING CAPITAL OUTLAY
FROM PROFESSIONAL REGULATION TRUST FUND . 15,340

2284 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM PROFESSIONAL REGULATION TRUST FUND . 297,900

2285 SPECIAL CATEGORIES
UNLICENSED ACTIVITIES
FROM PROFESSIONAL REGULATION TRUST FUND . 1,280,050

From the funds in Specific Appropriation 2285, up to $400,000 from the Professional Regulation Trust Fund is provided to the Department of Business and Professional Regulation to prevent, combat, and publicize the dangers of unlicensed real estate activity in Florida. The department shall develop, implement, and maintain an unlicensed activity campaign in consultation with a corporation that is registered under chapter 617, Florida Statutes, as a not-for-profit corporation and qualified under the Internal Revenue Service Code as a 501(c)(6) corporation, and that represents the largest number of licensed Florida real estate professionals. The campaign shall encompass media production, advertising, and other techniques that the department may wish to utilize after first consulting with the not-for-profit corporation. Special emphasis shall be placed on the investigation and prosecution of unlicensed real estate activities. To further the purpose of the unlicensed activity campaign, the department shall be authorized to accept in-kind contributions of services, media production, or advertising materials from the not-for-profit corporation. Any advertising, media, or materials produced as a result of contributions shall carry acknowledgements of joint production and sponsorship. The department may not allocate overhead charges to these unlicensed activity campaign funds.

From the funds in Specific Appropriation 2285, up to $200,000 from the Professional Regulation Trust Fund is provided to the Department of Business and Professional Regulation to institute an unlicensed activity campaign for the purpose of informing and educating the public: (1) that public accounting is a regulated profession with requirements of licensure pursuant to chapter 473, Florida Statutes; (2) that some services provided by unlicensed individuals, although legal, are regulated when provided by a licensed Florida Certified Public Accountant; and (3) that certain services may only be performed by a licensed Florida Certified Public Accountant. The department shall develop the campaign in consultation with a corporation that is registered under chapter 617, Florida Statutes, as a not-for-profit corporation and qualified under the Internal Revenue Service Code as a 501(c)(6) corporation, and that represents the largest number of licensed Florida Certified Public Accountants. Any advertising, media, or materials produced as a result of contributions shall carry acknowledgements of joint production and sponsorship. The department may not allocate overhead charges to these unlicensed activity campaign funds.

From the funds in Specific Appropriation 2285, the Department of Business and Professional Regulation shall submit a report to the chair of the Senate Fiscal Policy and Calendar Committee, the chair of the House Policy and Budget Council, the chair of the Senate General Government Appropriations Committee, and the chair of the House Jobs and Entrepreneurship Council by December 15, 2008, detailing the unlicensed activity functions performed by the department during Fiscal Year 2007-2008. The report shall contain a detailed breakout of activities, revenues, and expenditures by board and/or profession, and include any relevant information to indicate the department's compliance with section 455.2281, Florida Statutes.

2286 SPECIAL CATEGORIES
CLAIMS PAYMENTS FROM CONSTRUCTION RECOVERY FUND
FROM PROFESSIONAL REGULATION TRUST FUND . 1,800,000

2287 SPECIAL CATEGORIES
CLAIMS PAYMENT/AUCTIONEER RECOVERY FUND
FROM PROFESSIONAL REGULATION TRUST FUND . 100,000

2288 SPECIAL CATEGORIES
TRANSFER ARCHITECT & INTERIOR DESIGN ACTIVITIES CH. 2002-274
FROM PROFESSIONAL REGULATION TRUST FUND . 425,239

2289 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM PROFESSIONAL REGULATION TRUST FUND . 79,590

2290 SPECIAL CATEGORIES
OPERATION OF MOTOR VEHICLES
FROM PROFESSIONAL REGULATION TRUST FUND . 209,136

2291 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM PROFESSIONAL REGULATION TRUST FUND . 133,633

2292 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM PROFESSIONAL REGULATION TRUST FUND . 81,138

2293 FINANCIAL ASSISTANCE PAYMENTS
SCHOLARSHIPS AND REAL ESTATE RECOVERY FUND
FROM PROFESSIONAL REGULATION TRUST FUND . 450,000

TOTAL: COMPLIANCE AND ENFORCEMENT
FROM TRUST FUNDS 16,785,965

TOTAL POSITIONS 191.00
TOTAL ALL FUNDS 16,785,965

STANDARDS AND LICENSURE

From the funds in Specific Appropriations 2294, 2295, 2296, 2297, 2301, 2302, and 2303, the Board of Accountancy shall prepare a report identifying potential cost savings and efficiencies related to licensure requirements, administrative rules, investigations, and the staffing needs of the Division of Certified Public Accounting.

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The board shall submit the report, along with draft legislation to implement its proposed recommendations, to the Secretary of the Department of Business and Professional Regulation, the chair of the Senate Fiscal Policy and Calendar Committee, the chair of the House Policy and Budget Council, the chair of the Senate General Government Appropriations Committee, and the chair of the House Jobs and Entrepreneurship Council by February 1, 2009.

APPROVED SALARY RATE 2,298,625

2294 SALARIES AND BENEFITS POSITIONS 51.00
FROM PROFESSIONAL REGULATION TRUST FUND . 3,068,630

2295 OTHER PERSONAL SERVICES
FROM PROFESSIONAL REGULATION TRUST FUND . 520,177

2296 EXPENSES
FROM PROFESSIONAL REGULATION TRUST FUND . 1,894,923

2297 OPERATING CAPITAL OUTLAY
FROM PROFESSIONAL REGULATION TRUST FUND . 14,660

2298 SPECIAL CATEGORIES
LEGAL SERVICES CONTRACT
FROM PROFESSIONAL REGULATION TRUST FUND . 737,788

2299 SPECIAL CATEGORIES
CONTINUING EDUCATION
FROM PROFESSIONAL REGULATION TRUST FUND . 1,500

2300 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM PROFESSIONAL REGULATION TRUST FUND . 33,000

2301 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM PROFESSIONAL REGULATION TRUST FUND . 13,948

2302 SPECIAL CATEGORIES
MINORITY SCHOLARSHIPS - CERTIFIED PUBLIC ACCOUNTING
FROM PROFESSIONAL REGULATION TRUST FUND . 100,000

2303 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM PROFESSIONAL REGULATION TRUST FUND . 27,112

2304 SPECIAL CATEGORIES
GRANTS AND AIDS - FLORIDA ENGINEERING MANAGEMENT CORPORATION (FEMC) CONTRACTED SERVICES
FROM PROFESSIONAL REGULATION TRUST FUND . 2,070,000

TOTAL: STANDARDS AND LICENSURE
FROM TRUST FUNDS 8,481,738

TOTAL POSITIONS 51.00
TOTAL ALL FUNDS 8,481,738

FLORIDA BOXING COMMISSION

APPROVED SALARY RATE 225,884

2305 SALARIES AND BENEFITS POSITIONS 4.00
FROM PROFESSIONAL REGULATION TRUST FUND . 298,676

2306 OTHER PERSONAL SERVICES
FROM PROFESSIONAL REGULATION TRUST FUND . 82,551

2307 EXPENSES
FROM PROFESSIONAL REGULATION TRUST FUND . 170,214

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2308 OPERATING CAPITAL OUTLAY
FROM PROFESSIONAL REGULATION TRUST FUND . 1,000

2309 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM PROFESSIONAL REGULATION TRUST FUND . 2,000

2310 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM PROFESSIONAL REGULATION TRUST FUND . 537

2311 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM PROFESSIONAL REGULATION TRUST FUND . 4,690

TOTAL: FLORIDA BOXING COMMISSION
FROM TRUST FUNDS 559,668

TOTAL POSITIONS 4.00
TOTAL ALL FUNDS 559,668

PROGRAM: PARI-MUTUEL WAGERING

PARI-MUTUEL WAGERING

APPROVED SALARY RATE 2,807,497

2312 SALARIES AND BENEFITS POSITIONS 67.00
FROM PARI-MUTUEL WAGERING TRUST FUND . . . 3,776,021

2313 OTHER PERSONAL SERVICES
FROM PARI-MUTUEL WAGERING TRUST FUND . . . 1,491,166

2314 EXPENSES
FROM PARI-MUTUEL WAGERING TRUST FUND . . . 704,759

2315 OPERATING CAPITAL OUTLAY
FROM PARI-MUTUEL WAGERING TRUST FUND . . . 13,032

2316 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM PARI-MUTUEL WAGERING TRUST FUND . . . 24,802

2317 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM PARI-MUTUEL WAGERING TRUST FUND . . . 119,817

From the funds in Specific Appropriation 2317, $112,500 from the Pari-Mutuel Wagering Trust Fund is provided for research that will provide specific recommendations regarding the elimination of performance altering drugs in pari-mutuel industries.

2318 SPECIAL CATEGORIES
OPERATION OF MOTOR VEHICLES
FROM PARI-MUTUEL WAGERING TRUST FUND . . . 22,000

2319 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM PARI-MUTUEL WAGERING TRUST FUND . . . 271,963

2320 SPECIAL CATEGORIES
TAX COLLECTION (EQUALIZATION)
FROM PARI-MUTUEL WAGERING TRUST FUND . . . 60,725

2321 SPECIAL CATEGORIES
PARI-MUTUEL LABORATORY CONTRACTED SERVICES
FROM PARI-MUTUEL WAGERING TRUST FUND . . . 2,266,000

2322 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT

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SPECIFIC
APPROPRIATION
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM PARI-MUTUEL WAGERING TRUST FUND . . . 43,124

2323 SPECIAL CATEGORIES
CONTRACT FOR PARI-MUTUEL WAGERING
COMPLIANCE AND AUDIT SYSTEM
FROM PARI-MUTUEL WAGERING TRUST FUND . . . 296,476

TOTAL: PARI-MUTUEL WAGERING
FROM TRUST FUNDS 9,089,885

TOTAL POSITIONS 67.00
TOTAL ALL FUNDS 9,089,885

SLOT MACHINE REGULATION

APPROVED SALARY RATE 1,612,990

2324 SALARIES AND BENEFITS POSITIONS 39.00
FROM PARI-MUTUEL WAGERING TRUST FUND . . . 2,249,928

2325 OTHER PERSONAL SERVICES
FROM PARI-MUTUEL WAGERING TRUST FUND . . . 10,000

2326 EXPENSES
FROM PARI-MUTUEL WAGERING TRUST FUND . . . 302,611

2327 OPERATING CAPITAL OUTLAY
FROM PARI-MUTUEL WAGERING TRUST FUND . . . 14,700

2328 SPECIAL CATEGORIES
TRANSFER TO THE FLORIDA DEPARTMENT OF LAW
ENFORCEMENT - SLOT INVESTIGATIONS
FROM PARI-MUTUEL WAGERING TRUST FUND . . . 3,238,400

2329 SPECIAL CATEGORIES
TRANSFER TO THE OFFICE OF THE STATE
ATTORNEY - SLOT INVESTIGATIONS AND
PROSECUTIONS
FROM PARI-MUTUEL WAGERING TRUST FUND . . . 187,707

2330 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM PARI-MUTUEL WAGERING TRUST FUND . . . 1,090,000

From the funds in Specific Appropriation 2330, the Department of Business and Professional Regulation is authorized to utilize up to $750,000 for the purpose of contracting with an appropriate Florida organization to conduct a compulsive or addictive gambling prevention program, pursuant to section 551.118, Florida Statutes.

2331 SPECIAL CATEGORIES
OPERATION OF MOTOR VEHICLES
FROM PARI-MUTUEL WAGERING TRUST FUND . . . 13,000

2332 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM PARI-MUTUEL WAGERING TRUST FUND . . . 5,772

2333 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM PARI-MUTUEL WAGERING TRUST FUND . . . 15,160

TOTAL: SLOT MACHINE REGULATION
FROM TRUST FUNDS 7,127,278

TOTAL POSITIONS 39.00
TOTAL ALL FUNDS 7,127,278

SECTION 6
SPECIFIC
APPROPRIATION
PROGRAM: HOTELS AND RESTAURANTS

COMPLIANCE AND ENFORCEMENT

APPROVED SALARY RATE 11,357,593

2334 SALARIES AND BENEFITS POSITIONS 302.00
FROM HOTEL AND RESTAURANT TRUST FUND . . . 15,392,565

2335 OTHER PERSONAL SERVICES
FROM HOTEL AND RESTAURANT TRUST FUND . . . 9,500

2336 EXPENSES
FROM HOTEL AND RESTAURANT TRUST FUND . . . 2,015,829

2337 OPERATING CAPITAL OUTLAY
FROM HOTEL AND RESTAURANT TRUST FUND . . . 14,500

2338 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM HOTEL AND RESTAURANT TRUST FUND . . . 75,000

2339 SPECIAL CATEGORIES
TRANSFERS TO DEPARTMENT OF HEALTH FOR
EPIDEMIOLOGICAL SERVICES
FROM HOTEL AND RESTAURANT TRUST FUND . . . 607,149

2339A SPECIAL CATEGORIES
GRANTS AND AIDS - SCHOOL-TO-CAREER
FROM HOTEL AND RESTAURANT TRUST FUND . . . 250,000

2340 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM HOTEL AND RESTAURANT TRUST FUND . . . 93,000

2341 SPECIAL CATEGORIES
OPERATION OF MOTOR VEHICLES
FROM HOTEL AND RESTAURANT TRUST FUND . . . 338,000

2342 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM HOTEL AND RESTAURANT TRUST FUND . . . 224,669

2343 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM HOTEL AND RESTAURANT TRUST FUND . . . 120,180

TOTAL: COMPLIANCE AND ENFORCEMENT
FROM TRUST FUNDS 19,140,392

TOTAL POSITIONS 302.00
TOTAL ALL FUNDS 19,140,392

PROGRAM: ALCOHOLIC BEVERAGES AND TOBACCO

COMPLIANCE AND ENFORCEMENT

APPROVED SALARY RATE 9,408,909

2344 SALARIES AND BENEFITS POSITIONS 202.75
FROM ALCOHOLIC BEVERAGE AND TOBACCO
TRUST FUND 12,599,085

2345 OTHER PERSONAL SERVICES
FROM ALCOHOLIC BEVERAGE AND TOBACCO
TRUST FUND 7,075

2346 EXPENSES
FROM ALCOHOLIC BEVERAGE AND TOBACCO
TRUST FUND 1,647,393
FROM FEDERAL LAW ENFORCEMENT TRUST FUND . 60,000

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2346A OPERATING CAPITAL OUTLAY
FROM FEDERAL LAW ENFORCEMENT TRUST FUND . 40,000

2347 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM ALCOHOLIC BEVERAGE AND TOBACCO
TRUST FUND 315,644

2348 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM ALCOHOLIC BEVERAGE AND TOBACCO
TRUST FUND 30,231

2349 SPECIAL CATEGORIES
OPERATION AND MAINTENANCE OF PATROL
VEHICLES
FROM ALCOHOLIC BEVERAGE AND TOBACCO
TRUST FUND 783,675

2350 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM ALCOHOLIC BEVERAGE AND TOBACCO
TRUST FUND 801,795

2351 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM ALCOHOLIC BEVERAGE AND TOBACCO
TRUST FUND 234,676

2352 SPECIAL CATEGORIES
TRANSFER FOR CONTRACTED DISPATCH SERVICES
FROM ALCOHOLIC BEVERAGE AND TOBACCO
TRUST FUND 140,000

2353 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM ALCOHOLIC BEVERAGE AND TOBACCO
TRUST FUND 80,448

TOTAL: COMPLIANCE AND ENFORCEMENT
FROM TRUST FUNDS 16,740,022

TOTAL POSITIONS 202.75
TOTAL ALL FUNDS 16,740,022

STANDARDS AND LICENSURE

APPROVED SALARY RATE 2,393,402

2354 SALARIES AND BENEFITS POSITIONS 61.00
FROM ALCOHOLIC BEVERAGE AND TOBACCO
TRUST FUND 3,365,874

2355 OTHER PERSONAL SERVICES
FROM ALCOHOLIC BEVERAGE AND TOBACCO
TRUST FUND 800

2356 EXPENSES
FROM ALCOHOLIC BEVERAGE AND TOBACCO
TRUST FUND 544,918

2357 OPERATING CAPITAL OUTLAY
FROM ALCOHOLIC BEVERAGE AND TOBACCO
TRUST FUND 5,000

2358 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM ALCOHOLIC BEVERAGE AND TOBACCO
TRUST FUND 17,733

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2359 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM ALCOHOLIC BEVERAGE AND TOBACCO
TRUST FUND 15,997

2360 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM ALCOHOLIC BEVERAGE AND TOBACCO
TRUST FUND 24,301

TOTAL: STANDARDS AND LICENSURE
FROM TRUST FUNDS 3,974,623

TOTAL POSITIONS 61.00
TOTAL ALL FUNDS 3,974,623

TAX COLLECTION

APPROVED SALARY RATE 3,354,085

2361 SALARIES AND BENEFITS POSITIONS 88.00
FROM ALCOHOLIC BEVERAGE AND TOBACCO
TRUST FUND 4,589,898

2362 EXPENSES
FROM ALCOHOLIC BEVERAGE AND TOBACCO
TRUST FUND 729,741

2363 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM ALCOHOLIC BEVERAGE AND TOBACCO
TRUST FUND 21,180

2364 SPECIAL CATEGORIES
CIGARETTE TAX STAMPS
FROM ALCOHOLIC BEVERAGE AND TOBACCO
TRUST FUND 976,505

2365 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM ALCOHOLIC BEVERAGE AND TOBACCO
TRUST FUND 13,575

2366 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM ALCOHOLIC BEVERAGE AND TOBACCO
TRUST FUND 34,899

TOTAL: TAX COLLECTION
FROM TRUST FUNDS 6,365,798

TOTAL POSITIONS 88.00
TOTAL ALL FUNDS 6,365,798

PROGRAM: FLORIDA LAND SALES, CONDOMINIUMS AND MOBILE HOMES

COMPLIANCE AND ENFORCEMENT

APPROVED SALARY RATE 3,493,728

2367 SALARIES AND BENEFITS POSITIONS 88.00
FROM DIVISION OF FLORIDA LAND SALES,
CONDOMINIUMS, AND MOBILE HOMES TRUST
FUND 4,650,756

2368 OTHER PERSONAL SERVICES
FROM DIVISION OF FLORIDA LAND SALES,
CONDOMINIUMS, AND MOBILE HOMES TRUST
FUND 50,099

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2369 EXPENSES
FROM DIVISION OF FLORIDA LAND SALES, CONDOMINIUMS, AND MOBILE HOMES TRUST FUND 844,279

2370 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM DIVISION OF FLORIDA LAND SALES, CONDOMINIUMS, AND MOBILE HOMES TRUST FUND 12,000

2371 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM DIVISION OF FLORIDA LAND SALES, CONDOMINIUMS, AND MOBILE HOMES TRUST FUND 22,947

2372 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM DIVISION OF FLORIDA LAND SALES, CONDOMINIUMS, AND MOBILE HOMES TRUST FUND 34,729

2373 SPECIAL CATEGORIES
GRANTS AND AIDS - CONDOMINIUM/COOPERATIVE ASSOCIATION MANAGEMENT EDUCATION
FROM DIVISION OF FLORIDA LAND SALES, CONDOMINIUMS, AND MOBILE HOMES TRUST FUND 250,000

TOTAL: COMPLIANCE AND ENFORCEMENT
FROM TRUST FUNDS 5,864,810

TOTAL POSITIONS 88.00
TOTAL ALL FUNDS 5,864,810

STANDARDS AND LICENSURE

APPROVED SALARY RATE 1,140,833

2374 SALARIES AND BENEFITS POSITIONS 31.00
FROM DIVISION OF FLORIDA LAND SALES, CONDOMINIUMS, AND MOBILE HOMES TRUST FUND 1,600,829

2375 OTHER PERSONAL SERVICES
FROM DIVISION OF FLORIDA LAND SALES, CONDOMINIUMS, AND MOBILE HOMES TRUST FUND 15,131

2376 EXPENSES
FROM DIVISION OF FLORIDA LAND SALES, CONDOMINIUMS, AND MOBILE HOMES TRUST FUND 251,159

2377 OPERATING CAPITAL OUTLAY
FROM DIVISION OF FLORIDA LAND SALES, CONDOMINIUMS, AND MOBILE HOMES TRUST FUND 1,298

2378 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM DIVISION OF FLORIDA LAND SALES, CONDOMINIUMS, AND MOBILE HOMES TRUST FUND 5,500

2379 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM DIVISION OF FLORIDA LAND SALES, CONDOMINIUMS, AND MOBILE HOMES TRUST FUND 6,614

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2380 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM DIVISION OF FLORIDA LAND SALES, CONDOMINIUMS, AND MOBILE HOMES TRUST FUND 12,344

TOTAL: STANDARDS AND LICENSURE
FROM TRUST FUNDS 1,892,875

TOTAL POSITIONS 31.00
TOTAL ALL FUNDS 1,892,875

PROGRAM: CITRUS, DEPARTMENT OF

CITRUS RESEARCH

APPROVED SALARY RATE 1,596,074

2381 SALARIES AND BENEFITS POSITIONS 25.00
FROM CITRUS ADVERTISING TRUST FUND 2,021,857

2382 OTHER PERSONAL SERVICES
FROM CITRUS ADVERTISING TRUST FUND 78,000

2383 EXPENSES
FROM CITRUS ADVERTISING TRUST FUND 1,011,896

2384 OPERATING CAPITAL OUTLAY
FROM CITRUS ADVERTISING TRUST FUND 251,000

2385 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM CITRUS ADVERTISING TRUST FUND 9,920,494

2386 SPECIAL CATEGORIES
PAID ADVERTISING AND PROMOTION
FROM CITRUS ADVERTISING TRUST FUND 182,000

2387 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM CITRUS ADVERTISING TRUST FUND 9,283

TOTAL: CITRUS RESEARCH
FROM TRUST FUNDS 13,474,530

TOTAL POSITIONS 25.00
TOTAL ALL FUNDS 13,474,530

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 1,738,648

2388 SALARIES AND BENEFITS POSITIONS 32.00
FROM CITRUS ADVERTISING TRUST FUND 2,448,770

2389 OTHER PERSONAL SERVICES
FROM CITRUS ADVERTISING TRUST FUND 78,000

2390 EXPENSES
FROM CITRUS ADVERTISING TRUST FUND 1,221,931

2391 OPERATING CAPITAL OUTLAY
FROM CITRUS ADVERTISING TRUST FUND 66,400

2392 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM CITRUS ADVERTISING TRUST FUND 810,000

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2393 SPECIAL CATEGORIES
PAID ADVERTISING AND PROMOTION
FROM CITRUS ADVERTISING TRUST FUND 75,000

2394 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM CITRUS ADVERTISING TRUST FUND 32,237

2395 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM CITRUS ADVERTISING TRUST FUND 14,186

2396 DATA PROCESSING SERVICES
REGIONAL DATA CENTERS - STATE UNIVERSITY SYSTEM
FROM CITRUS ADVERTISING TRUST FUND 8,000

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM TRUST FUNDS 4,754,524

TOTAL POSITIONS 32.00
TOTAL ALL FUNDS 4,754,524

AGRICULTURAL PRODUCTS MARKETING

APPROVED SALARY RATE 1,448,289

2397 SALARIES AND BENEFITS POSITIONS 19.00
FROM CITRUS ADVERTISING TRUST FUND 2,016,697

2398 OTHER PERSONAL SERVICES
FROM CITRUS ADVERTISING TRUST FUND 17,000

2399 EXPENSES
FROM CITRUS ADVERTISING TRUST FUND 1,161,331

From the funds provided in Specific Appropriation 2399, the Department of Citrus may contract to reimburse the Florida Commission on Tourism/Florida Tourism Industry Marketing Corporation for an amount not to exceed $240,000 for the cost of citrus juice dispensed at the Florida Welcome Stations.

2400 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM CITRUS ADVERTISING TRUST FUND 100,000

2401 SPECIAL CATEGORIES
PAID ADVERTISING AND PROMOTION
FROM CITRUS ADVERTISING TRUST FUND 45,695,526

2402 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM CITRUS ADVERTISING TRUST FUND 8,306

TOTAL: AGRICULTURAL PRODUCTS MARKETING
FROM TRUST FUNDS 48,998,860

TOTAL POSITIONS 19.00
TOTAL ALL FUNDS 48,998,860

FINANCIAL SERVICES, DEPARTMENT OF

PROGRAM: OFFICE OF CHIEF FINANCIAL OFFICER AND ADMINISTRATION

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 6,897,328

2403 SALARIES AND BENEFITS POSITIONS 156.50
FROM ADMINISTRATIVE TRUST FUND 1,590,625

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FROM INSURANCE REGULATORY TRUST FUND . . . 8,074,956
FROM REGULATORY TRUST FUND 325,104
FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND 214,469

From the funds provided in Specific Appropriations 2403, 2405, 2406, and 2409, three positions with associated salary rate of 196,303 and $337,958 from the Administrative Trust Fund are contingent upon House Bill 5043 or similar legislation, relating to the establishment of a Strategic Markets Research and Assessment Unit within the Department of Financial Services, becoming law. The unit is required to report quarterly on key issues, trends, and threats impacting Florida's financial services markets as authorized in section 20.121, Florida Statutes.

2404 OTHER PERSONAL SERVICES
FROM ADMINISTRATIVE TRUST FUND 9,980
FROM INSURANCE REGULATORY TRUST FUND . . . 101,221

2405 EXPENSES
FROM ADMINISTRATIVE TRUST FUND 703,195
FROM INSURANCE REGULATORY TRUST FUND . . . 1,154,277
FROM REGULATORY TRUST FUND 35,696
FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND 29,143

2406 OPERATING CAPITAL OUTLAY
FROM ADMINISTRATIVE TRUST FUND 13,819
FROM INSURANCE REGULATORY TRUST FUND . . . 19,247

2407 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM ADMINISTRATIVE TRUST FUND 45,338
FROM ANTI-FRAUD TRUST FUND 19,100
FROM INSURANCE REGULATORY TRUST FUND . . . 413,159

2408 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM ADMINISTRATIVE TRUST FUND 5,323
FROM INSURANCE REGULATORY TRUST FUND . . . 81,089

2409 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM ADMINISTRATIVE TRUST FUND 10,306
FROM INSURANCE REGULATORY TRUST FUND . . . 51,068
FROM REGULATORY TRUST FUND 2,017
FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND 1,621

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM TRUST FUNDS 12,900,753

TOTAL POSITIONS 156.50
TOTAL ALL FUNDS 12,900,753

LEGAL SERVICES

APPROVED SALARY RATE 4,447,546

2410 SALARIES AND BENEFITS POSITIONS 87.50
FROM ADMINISTRATIVE TRUST FUND 955,854
FROM INSURANCE REGULATORY TRUST FUND . . . 3,640,257
FROM REGULATORY TRUST FUND 77,931
FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND 809,085
FROM WORKERS' COMPENSATION SPECIAL DISABILITY TRUST FUND 321,703

2411 OTHER PERSONAL SERVICES
FROM INSURANCE REGULATORY TRUST FUND . . . 169,388

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2412 EXPENSES
FROM ADMINISTRATIVE TRUST FUND 66,843
FROM INSURANCE REGULATORY TRUST FUND . . . 784,379
FROM REGULATORY TRUST FUND 6,513
FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND 47,121
FROM WORKERS' COMPENSATION SPECIAL DISABILITY TRUST FUND 39,577

2413 OPERATING CAPITAL OUTLAY
FROM INSURANCE REGULATORY TRUST FUND . . . 3,639

2414 SPECIAL CATEGORIES
TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS
FROM ADMINISTRATIVE TRUST FUND 126,230
FROM INSURANCE REGULATORY TRUST FUND . . . 378,689

2415 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM ADMINISTRATIVE TRUST FUND 2,737
FROM INSURANCE REGULATORY TRUST FUND . . . 141,594
FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND 18,975

2416 SPECIAL CATEGORIES
HOLOCAUST VICTIMS ASSISTANCE ADMINISTRATION
FROM INSURANCE REGULATORY TRUST FUND . . . 308,007

2417 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM INSURANCE REGULATORY TRUST FUND . . . 13,379

2418 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM ADMINISTRATIVE TRUST FUND 6,268
FROM INSURANCE REGULATORY TRUST FUND . . . 22,639
FROM REGULATORY TRUST FUND 484
FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND 4,925
FROM WORKERS' COMPENSATION SPECIAL DISABILITY TRUST FUND 2,001

TOTAL: LEGAL SERVICES
FROM TRUST FUNDS 7,948,218

TOTAL POSITIONS 87.50
TOTAL ALL FUNDS 7,948,218

INFORMATION TECHNOLOGY

APPROVED SALARY RATE 6,815,992

2419 SALARIES AND BENEFITS POSITIONS 141.00
FROM GENERAL REVENUE FUND 46,886
FROM UNCLAIMED PROPERTY TRUST FUND 291,409
FROM ADMINISTRATIVE TRUST FUND 514,287
FROM FINANCIAL INSTITUTIONS REGULATORY TRUST FUND 49,637
FROM INSURANCE REGULATORY TRUST FUND . . . 5,722,418
FROM REGULATORY TRUST FUND 760,177
FROM TREASURY ADMINISTRATIVE AND INVESTMENT TRUST FUND 403,279
FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND 1,081,504

2420 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 1,559
FROM UNCLAIMED PROPERTY TRUST FUND 5,170
FROM ADMINISTRATIVE TRUST FUND 5,000

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FROM FINANCIAL INSTITUTIONS REGULATORY TRUST FUND 6,303
FROM INSURANCE REGULATORY TRUST FUND . . . 60,000
FROM REGULATORY TRUST FUND 20,802

2421 EXPENSES
FROM GENERAL REVENUE FUND 52,997
FROM UNCLAIMED PROPERTY TRUST FUND 17,165
FROM ADMINISTRATIVE TRUST FUND 146,854
FROM FINANCIAL INSTITUTIONS REGULATORY TRUST FUND 2,303
FROM INSURANCE REGULATORY TRUST FUND . . . 2,750,283
FROM REGULATORY TRUST FUND 70,547
FROM TREASURY ADMINISTRATIVE AND INVESTMENT TRUST FUND 33,991
FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND 306,460

2422 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 13,930
FROM UNCLAIMED PROPERTY TRUST FUND 89,912
FROM ADMINISTRATIVE TRUST FUND 119,961
FROM FINANCIAL INSTITUTIONS REGULATORY TRUST FUND 15,206
FROM INSURANCE REGULATORY TRUST FUND . . . 687,690
FROM REGULATORY TRUST FUND 101,497

2423 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 51,592
FROM UNCLAIMED PROPERTY TRUST FUND 181,349
FROM ADMINISTRATIVE TRUST FUND 767,107
FROM FINANCIAL INSTITUTIONS REGULATORY TRUST FUND 32,524
FROM INSURANCE REGULATORY TRUST FUND . . . 3,474,110
FROM REGULATORY TRUST FUND 224,350
FROM TREASURY ADMINISTRATIVE AND INVESTMENT TRUST FUND 12,322
FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND 432,160

From the funds in Specific Appropriation 2423, $550,000 from the Administrative Trust Fund shall be used to replace the Uninterruptible Power Supply (UPS), a medium voltage switch and associated switchgear in the Department of Financial Services Data Center.

2424 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 1,208
FROM UNCLAIMED PROPERTY TRUST FUND 1,175
FROM ADMINISTRATIVE TRUST FUND 1,940
FROM FINANCIAL INSTITUTIONS REGULATORY TRUST FUND 246
FROM INSURANCE REGULATORY TRUST FUND . . . 23,033
FROM REGULATORY TRUST FUND 1,642

2425 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 8,990
FROM UNCLAIMED PROPERTY TRUST FUND 1,904
FROM ADMINISTRATIVE TRUST FUND 2,558
FROM FINANCIAL INSTITUTIONS REGULATORY TRUST FUND 323
FROM INSURANCE REGULATORY TRUST FUND . . . 29,508
FROM REGULATORY TRUST FUND 4,966
FROM TREASURY ADMINISTRATIVE AND INVESTMENT TRUST FUND 2,769
FROM WORKERS' COMPENSATION ADMINISTRATION TRUST FUND 7,065

TOTAL: INFORMATION TECHNOLOGY
FROM GENERAL REVENUE FUND 177,162
FROM TRUST FUNDS 18,462,906

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TOTAL POSITIONS	141.00	
TOTAL ALL FUNDS		18,640,068

CONSUMER ADVOCATE

APPROVED SALARY RATE 747,288

2426 SALARIES AND BENEFITS	POSITIONS	10.00	
FROM INSURANCE REGULATORY TRUST FUND . . .			955,046
2427 OTHER PERSONAL SERVICES			
FROM INSURANCE REGULATORY TRUST FUND . . .			119,224
2428 EXPENSES			
FROM INSURANCE REGULATORY TRUST FUND . . .			79,965
2429 SPECIAL CATEGORIES			
CONTRACTED SERVICES			
FROM INSURANCE REGULATORY TRUST FUND . . .			250,000
2430 SPECIAL CATEGORIES			
RISK MANAGEMENT INSURANCE			
FROM INSURANCE REGULATORY TRUST FUND . . .			1,285
2431 SPECIAL CATEGORIES			
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT			
FROM INSURANCE REGULATORY TRUST FUND . . .			3,980
TOTAL: CONSUMER ADVOCATE			
FROM TRUST FUNDS			1,409,500
TOTAL POSITIONS		10.00	
TOTAL ALL FUNDS			1,409,500

INFORMATION TECHNOLOGY - FLAIR INFRASTRUCTURE

APPROVED SALARY RATE 4,985,210

2431A SALARIES AND BENEFITS	POSITIONS	111.00	
FROM GENERAL REVENUE FUND		6,694,475	
2431B OTHER PERSONAL SERVICES			
FROM GENERAL REVENUE FUND		5,000	
2431C EXPENSES			
FROM GENERAL REVENUE FUND		1,988,613	
2431D OPERATING CAPITAL OUTLAY			
FROM GENERAL REVENUE FUND		215,794	
2431E SPECIAL CATEGORIES			
CONTRACTED SERVICES			
FROM GENERAL REVENUE FUND		3,100,316	
2431F SPECIAL CATEGORIES			
RISK MANAGEMENT INSURANCE			
FROM GENERAL REVENUE FUND		15,319	
2431G SPECIAL CATEGORIES			
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT			
FROM GENERAL REVENUE FUND		43,179	
TOTAL: INFORMATION TECHNOLOGY - FLAIR INFRASTRUCTURE			
FROM GENERAL REVENUE FUND		12,062,696	
TOTAL POSITIONS		111.00	
TOTAL ALL FUNDS			12,062,696

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PROGRAM: TREASURY

DEPOSIT SECURITY

APPROVED SALARY RATE 1,208,194

2432 SALARIES AND BENEFITS	POSITIONS	29.50	
FROM TREASURY ADMINISTRATIVE AND INVESTMENT TRUST FUND			1,546,463
2433 OTHER PERSONAL SERVICES			
FROM TREASURY ADMINISTRATIVE AND INVESTMENT TRUST FUND			1,500
2434 EXPENSES			
FROM TREASURY ADMINISTRATIVE AND INVESTMENT TRUST FUND			293,081
2435 OPERATING CAPITAL OUTLAY			
FROM TREASURY ADMINISTRATIVE AND INVESTMENT TRUST FUND			1,783
2436 SPECIAL CATEGORIES			
CONTRACTED SERVICES			
FROM TREASURY ADMINISTRATIVE AND INVESTMENT TRUST FUND			80,205
2437 SPECIAL CATEGORIES			
RISK MANAGEMENT INSURANCE			
FROM TREASURY ADMINISTRATIVE AND INVESTMENT TRUST FUND			68,548
2438 SPECIAL CATEGORIES			
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT			
FROM TREASURY ADMINISTRATIVE AND INVESTMENT TRUST FUND			11,890
TOTAL: DEPOSIT SECURITY			
FROM TRUST FUNDS			2,003,470
TOTAL POSITIONS		29.50	
TOTAL ALL FUNDS			2,003,470

STATE FUNDS MANAGEMENT AND INVESTMENT

APPROVED SALARY RATE 1,043,536

2439 SALARIES AND BENEFITS	POSITIONS	25.50	
FROM TREASURY ADMINISTRATIVE AND INVESTMENT TRUST FUND			1,425,061
2440 OTHER PERSONAL SERVICES			
FROM TREASURY ADMINISTRATIVE AND INVESTMENT TRUST FUND			17,500
2441 EXPENSES			
FROM TREASURY ADMINISTRATIVE AND INVESTMENT TRUST FUND			427,619
2442 SPECIAL CATEGORIES			
CONTRACTED SERVICES			
FROM TREASURY ADMINISTRATIVE AND INVESTMENT TRUST FUND			913,785
2443 SPECIAL CATEGORIES			
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT			
FROM TREASURY ADMINISTRATIVE AND INVESTMENT TRUST FUND			10,313

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TOTAL: STATE FUNDS MANAGEMENT AND INVESTMENT
FROM TRUST FUNDS 2,794,278

TOTAL POSITIONS 25.50
TOTAL ALL FUNDS 2,794,278

SUPPLEMENTAL RETIREMENT PLAN

APPROVED SALARY RATE 440,079

2444 SALARIES AND BENEFITS POSITIONS 12.50
FROM TREASURY ADMINISTRATIVE AND
INVESTMENT TRUST FUND 633,025

2445 OTHER PERSONAL SERVICES
FROM TREASURY ADMINISTRATIVE AND
INVESTMENT TRUST FUND 100

2446 EXPENSES
FROM TREASURY ADMINISTRATIVE AND
INVESTMENT TRUST FUND 120,786

2447 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM TREASURY ADMINISTRATIVE AND
INVESTMENT TRUST FUND 252

2448 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM TREASURY ADMINISTRATIVE AND
INVESTMENT TRUST FUND 4,689

TOTAL: SUPPLEMENTAL RETIREMENT PLAN
FROM TRUST FUNDS 758,852

TOTAL POSITIONS 12.50
TOTAL ALL FUNDS 758,852

PROGRAM: FINANCIAL ACCOUNTABILITY FOR PUBLIC FUNDS

STATE FINANCIAL INFORMATION AND STATE AGENCY
ACCOUNTING

APPROVED SALARY RATE 7,742,065

2449 SALARIES AND BENEFITS POSITIONS 164.00
FROM GENERAL REVENUE FUND 9,434,683
FROM ADMINISTRATIVE TRUST FUND 723,872

From the funds provided in Specific Appropriations 2449, 2451, 2452, and 2459, three positions with associated salary rate of 185,269 and $300,000 from the Administrative Trust Fund are provided to staff the task force established in section 17.0315, Florida Statutes. These funds are contingent upon House Bill 5043 or similar legislation, relating to a successor financial and cash management system, becoming law.

2450 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 22,994

2451 EXPENSES
FROM GENERAL REVENUE FUND 1,222,587
FROM ADMINISTRATIVE TRUST FUND 225,554

2452 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 10,000
FROM ADMINISTRATIVE TRUST FUND 3,000

2454 SPECIAL CATEGORIES
POSTCONVICTION CAPITAL COLLATERAL CASES -
REGISTRY ATTORNEYS
FROM ADMINISTRATIVE TRUST FUND 2,075,388

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2455 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 405,949

From the funds in Specific Appropriation 2455, up to $50,000 shall be used to contract for the independent verification of tobacco settlement receipts received by the state.

2456 SPECIAL CATEGORIES
DEBT SERVICE - FLAIR ACCOUNTING AND CASH
MANAGEMENT SYSTEM REPLACEMENT
FROM INSURANCE REGULATORY TRUST FUND . . . 12,852,600

2457 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 40,796

2458 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 700

2459 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 61,586
FROM ADMINISTRATIVE TRUST FUND 4,401

2460 SPECIAL CATEGORIES
TRANSFER TO THE PRISON INDUSTRY
ENHANCEMENT (PIE) PROGRAM
FROM PRISON INDUSTRIES TRUST FUND 750,000

Funds in Specific Appropriation 2460 are provided for transfer to the Prison Industries Enhancement Program. Funds in the Prison Industries Trust Fund may be expended by the corporation for allowable expenditures under sections 946.522 and 946.523, Florida Statutes. Such funds may be paid by warrants drawn by the Chief Financial Officer upon receipt of a corporate resolution that has been duly authorized by the board of directors of the corporation, authorized under part II of chapter 946, Florida Statutes.

2461 SPECIAL CATEGORIES
FLORIDA CLERKS OF COURT OPERATIONS
CORPORATION
FROM ADMINISTRATIVE TRUST FUND 1,700,000

TOTAL: STATE FINANCIAL INFORMATION AND STATE AGENCY
ACCOUNTING
FROM GENERAL REVENUE FUND 11,199,295
FROM TRUST FUNDS 18,334,815

TOTAL POSITIONS 164.00
TOTAL ALL FUNDS 29,534,110

RECOVERY AND RETURN OF UNCLAIMED PROPERTY

APPROVED SALARY RATE 2,343,631

2462 SALARIES AND BENEFITS POSITIONS 60.00
FROM UNCLAIMED PROPERTY TRUST FUND 2,859,138

2463 OTHER PERSONAL SERVICES
FROM UNCLAIMED PROPERTY TRUST FUND 180,000

2464 EXPENSES
FROM UNCLAIMED PROPERTY TRUST FUND 766,657

2465 OPERATING CAPITAL OUTLAY
FROM UNCLAIMED PROPERTY TRUST FUND 7,500

2466 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM UNCLAIMED PROPERTY TRUST FUND 176,794

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2467 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM UNCLAIMED PROPERTY TRUST FUND 7,711

2468 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM UNCLAIMED PROPERTY TRUST FUND 24,823

TOTAL: RECOVERY AND RETURN OF UNCLAIMED PROPERTY
FROM TRUST FUNDS 4,022,623

TOTAL POSITIONS 60.00
TOTAL ALL FUNDS 4,022,623

PROGRAM: FIRE MARSHAL

COMPLIANCE AND ENFORCEMENT

APPROVED SALARY RATE 2,760,845

2469 SALARIES AND BENEFITS POSITIONS 71.50
FROM INSURANCE REGULATORY TRUST FUND . . . 3,639,016

2470 OTHER PERSONAL SERVICES
FROM INSURANCE REGULATORY TRUST FUND . . . 15,339

2471 EXPENSES
FROM INSURANCE REGULATORY TRUST FUND . . . 619,855

2472 OPERATING CAPITAL OUTLAY
FROM INSURANCE REGULATORY TRUST FUND . . . 9,144

2473 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM INSURANCE REGULATORY TRUST FUND . . . 68,000

2474 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM INSURANCE REGULATORY TRUST FUND . . . 18,405

2475 SPECIAL CATEGORIES
SUPPLEMENTAL FIREFIGHTERS COMPENSATION
FROM INSURANCE REGULATORY TRUST FUND . . . 8,000

2476 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM INSURANCE REGULATORY TRUST FUND . . . 28,374

TOTAL: COMPLIANCE AND ENFORCEMENT
FROM TRUST FUNDS 4,406,133

TOTAL POSITIONS 71.50
TOTAL ALL FUNDS 4,406,133

FIRE AND ARSON INVESTIGATIONS

APPROVED SALARY RATE 6,147,578

2477 SALARIES AND BENEFITS POSITIONS 130.00
FROM INSURANCE REGULATORY TRUST FUND . . . 8,590,097

2478 OTHER PERSONAL SERVICES
FROM INSURANCE REGULATORY TRUST FUND . . . 33,391

2479 EXPENSES
FROM INSURANCE REGULATORY TRUST FUND . . . 1,707,720

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2480 OPERATING CAPITAL OUTLAY
FROM INSURANCE REGULATORY TRUST FUND . . . 91,565

2481 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM INSURANCE REGULATORY TRUST FUND . . . 405,000

2482 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM INSURANCE REGULATORY TRUST FUND . . . 155,374

2483 SPECIAL CATEGORIES
ON-CALL FEES
FROM INSURANCE REGULATORY TRUST FUND . . . 250,000

2484 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM INSURANCE REGULATORY TRUST FUND . . . 144,174

2485 SPECIAL CATEGORIES
SUPPLEMENTAL FIREFIGHTERS COMPENSATION
FROM INSURANCE REGULATORY TRUST FUND . . . 5,000

2486 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM INSURANCE REGULATORY TRUST FUND . . . 51,722

TOTAL: FIRE AND ARSON INVESTIGATIONS
FROM TRUST FUNDS 11,434,043

TOTAL POSITIONS 130.00
TOTAL ALL FUNDS 11,434,043

PROFESSIONAL TRAINING AND STANDARDS

APPROVED SALARY RATE 1,191,096

2487 SALARIES AND BENEFITS POSITIONS 31.00
FROM INSURANCE REGULATORY TRUST FUND . . . 1,679,955

2488 OTHER PERSONAL SERVICES
FROM INSURANCE REGULATORY TRUST FUND . . . 250,000

2489 EXPENSES
FROM INSURANCE REGULATORY TRUST FUND . . . 655,487

2490 OPERATING CAPITAL OUTLAY
FROM INSURANCE REGULATORY TRUST FUND . . . 23,294

2491 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM INSURANCE REGULATORY TRUST FUND . . . 140,101

2492 SPECIAL CATEGORIES
DOMESTIC SECURITY
FROM INSURANCE REGULATORY TRUST FUND . . . 400,000

2493 SPECIAL CATEGORIES
SUPPLEMENTAL FIREFIGHTERS COMPENSATION
FROM INSURANCE REGULATORY TRUST FUND . . . 17,500

2494 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM INSURANCE REGULATORY TRUST FUND . . . 15,745

TOTAL: PROFESSIONAL TRAINING AND STANDARDS
FROM TRUST FUNDS 3,182,082

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TOTAL POSITIONS 31.00
TOTAL ALL FUNDS 3,182,082

FIRE MARSHAL ADMINISTRATIVE AND SUPPORT SERVICES

APPROVED SALARY RATE 908,852

2495 SALARIES AND BENEFITS POSITIONS 21.00
FROM INSURANCE REGULATORY TRUST FUND . . . 1,273,788

2496 OTHER PERSONAL SERVICES
FROM INSURANCE REGULATORY TRUST FUND . . . 9,102

2497 EXPENSES
FROM INSURANCE REGULATORY TRUST FUND . . . 414,860

2498 OPERATING CAPITAL OUTLAY
FROM INSURANCE REGULATORY TRUST FUND . . . 12,000

2499 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM INSURANCE REGULATORY TRUST FUND . . . 128,909

2500 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM INSURANCE REGULATORY TRUST FUND . . . 171,084

2501 SPECIAL CATEGORIES
SUPPLEMENTAL FIREFIGHTERS COMPENSATION
FROM INSURANCE REGULATORY TRUST FUND . . . 7,500

2502 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM INSURANCE REGULATORY TRUST FUND . . . 8,972

TOTAL: FIRE MARSHAL ADMINISTRATIVE AND SUPPORT SERVICES
FROM TRUST FUNDS 2,026,215

TOTAL POSITIONS 21.00
TOTAL ALL FUNDS 2,026,215

PROGRAM: STATE PROPERTY AND CASUALTY CLAIMS

STATE SELF-INSURED CLAIMS ADJUSTMENT

The Division of Risk Management within the Department of Financial Services shall conduct a comprehensive review of and provide a report on the risk management programs of those agencies with the highest annual claims expense or frequency of claims. The report shall include: an examination of claims information to determine areas representing the most expensive and most frequently reported workers' compensation, civil rights, and general liability and automobile liability claims; a determination of how the agency claims data can be used for loss prevention and mitigation efforts; and specific recommendations for targeting loss prevention and developing minimum standards for agency loss prevention programs. The report shall be submitted to the Executive Office of the Governor, the chair of the Senate Fiscal Policy and Calendar Committee, and the chair of the House Policy and Budget Council by January 1, 2009.

The division is directed to review and provide a report on payment of loss expenditures. The report shall include, but is not limited to, an analysis of all allocated and non-allocated costs such as medical case management client services, lost time wage payments, legal and medical costs, and the methodology by which costs are allocated. The data for the report shall include actual expenditures for the 2007-2008 fiscal year and a projection of 2008-2009 fiscal year expenditures. The report shall be submitted to the Executive Office of the Governor, the chair of the Senate Fiscal Policy and Calendar Committee, and the chair of the House Policy and Budget Council by no later than October 1, 2008.

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APPROVED SALARY RATE 3,743,804

2503 SALARIES AND BENEFITS POSITIONS 101.00
STATE RISK MANAGEMENT TRUST FUND 5,116,431

2504 OTHER PERSONAL SERVICES
STATE RISK MANAGEMENT TRUST FUND 105,000

2505 EXPENSES
STATE RISK MANAGEMENT TRUST FUND 934,863

2506 OPERATING CAPITAL OUTLAY
STATE RISK MANAGEMENT TRUST FUND 1,805

2507 SPECIAL CATEGORIES
CONTRACTED SERVICES
STATE RISK MANAGEMENT TRUST FUND 271,970

2508 SPECIAL CATEGORIES
EXCESS INSURANCE AND CLAIM SERVICE
STATE RISK MANAGEMENT TRUST FUND 10,871,000

2509 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
STATE RISK MANAGEMENT TRUST FUND 85,600

2510 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
STATE RISK MANAGEMENT TRUST FUND 40,725

TOTAL: STATE SELF-INSURED CLAIMS ADJUSTMENT
FROM TRUST FUNDS 17,427,394

TOTAL POSITIONS 101.00
TOTAL ALL FUNDS 17,427,394

PROGRAM: LICENSING AND CONSUMER PROTECTION

INSURANCE COMPANY REHABILITATION AND LIQUIDATION

APPROVED SALARY RATE 512,685

2511 SALARIES AND BENEFITS POSITIONS 9.00
FROM INSURANCE REGULATORY TRUST FUND . . . 830,233

2512 OTHER PERSONAL SERVICES
FROM INSURANCE REGULATORY TRUST FUND . . . 45,691

2513 EXPENSES
FROM INSURANCE REGULATORY TRUST FUND . . . 112,031

2514 OPERATING CAPITAL OUTLAY
FROM INSURANCE REGULATORY TRUST FUND . . . 1,120

2515 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM INSURANCE REGULATORY TRUST FUND . . . 258,352

2516 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM INSURANCE REGULATORY TRUST FUND . . . 2,837

2517 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM INSURANCE REGULATORY TRUST FUND . . . 3,567

TOTAL: INSURANCE COMPANY REHABILITATION AND LIQUIDATION
FROM TRUST FUNDS 1,253,831

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TOTAL POSITIONS 9.00
TOTAL ALL FUNDS 1,253,831

LICENSURE, SALES APPOINTMENT AND OVERSIGHT

APPROVED SALARY RATE 6,134,411

2518 SALARIES AND BENEFITS POSITIONS 166.00
FROM INSURANCE REGULATORY TRUST FUND . . . 7,980,900

2519 OTHER PERSONAL SERVICES
FROM INSURANCE REGULATORY TRUST FUND . . . 103,938

2520 EXPENSES
FROM INSURANCE REGULATORY TRUST FUND . . . 1,410,324

2521 OPERATING CAPITAL OUTLAY
FROM INSURANCE REGULATORY TRUST FUND . . . 2,500

2522 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM INSURANCE REGULATORY TRUST FUND . . . 46,750

2523 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM INSURANCE REGULATORY TRUST FUND . . . 3,478,011

2524 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM INSURANCE REGULATORY TRUST FUND . . . 72,682

2525 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM INSURANCE REGULATORY TRUST FUND . . . 66,016

TOTAL: LICENSURE, SALES APPOINTMENT AND OVERSIGHT
FROM TRUST FUNDS 13,161,121

TOTAL POSITIONS 166.00
TOTAL ALL FUNDS 13,161,121

INSURANCE FRAUD

APPROVED SALARY RATE 9,550,027

2526 SALARIES AND BENEFITS POSITIONS 195.00
FROM INSURANCE REGULATORY TRUST FUND . . . 12,692,593

2527 OTHER PERSONAL SERVICES
FROM INSURANCE REGULATORY TRUST FUND . . . 45,000

2528 EXPENSES
FROM INSURANCE REGULATORY TRUST FUND . . . 2,192,515

2529 OPERATING CAPITAL OUTLAY
FROM INSURANCE REGULATORY TRUST FUND . . . 1,700

2530 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM INSURANCE REGULATORY TRUST FUND . . . 297,000

2531 SPECIAL CATEGORIES
TRANSFER TO JUSTICE ADMINISTRATION
COMMISSION FOR PROSECUTION OF PIP FRAUD
FROM INSURANCE REGULATORY TRUST FUND . . . 1,002,519

From the funds provided in Specific Appropriation 2531, $410,058 from the Insurance Regulatory Trust Fund is provided for transfer to the Justice Administration Commission for the prosecution of insurance fraud in Broward, Palm Beach, and Duval counties.

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2532 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM INSURANCE REGULATORY TRUST FUND . . . 223,559

2533 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM INSURANCE REGULATORY TRUST FUND . . . 357,848

2534 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM INSURANCE REGULATORY TRUST FUND . . . 246,100

2535 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM INSURANCE REGULATORY TRUST FUND . . . 77,825

TOTAL: INSURANCE FRAUD
FROM TRUST FUNDS 17,136,659

TOTAL POSITIONS 195.00
TOTAL ALL FUNDS 17,136,659

CONSUMER ASSISTANCE

APPROVED SALARY RATE 6,921,629

2536 SALARIES AND BENEFITS POSITIONS 183.50
FROM ADMINISTRATIVE TRUST FUND 30,907
FROM FINANCIAL INSTITUTIONS REGULATORY
TRUST FUND 33,211
FROM INSURANCE REGULATORY TRUST FUND . . . 8,772,677
FROM REGULATORY TRUST FUND 298,666

2537 OTHER PERSONAL SERVICES
FROM INSURANCE REGULATORY TRUST FUND . . . 194,243

2538 EXPENSES
FROM ADMINISTRATIVE TRUST FUND 16,463
FROM INSURANCE REGULATORY TRUST FUND . . . 1,912,140
FROM REGULATORY TRUST FUND 23,655

2539 OPERATING CAPITAL OUTLAY
FROM INSURANCE REGULATORY TRUST FUND . . . 2,200

2539A SPECIAL CATEGORIES
TRANSFER TO FLORIDA CATASTROPHIC STORM
RISK MANAGEMENT CENTER AT FLORIDA STATE
UNIVERSITY
FROM INSURANCE REGULATORY TRUST FUND . . . 3,000,000

Funds in Specific Appropriation 2539A, are provided to meet the requirements set forth in section 1004.647, Florida Statutes.

2540 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM ADMINISTRATIVE TRUST FUND 120
FROM FINANCIAL INSTITUTIONS REGULATORY
TRUST FUND 355
FROM INSURANCE REGULATORY TRUST FUND . . . 846,985
FROM REGULATORY TRUST FUND 2,766

2541 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM INSURANCE REGULATORY TRUST FUND . . . 60,978

2542 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM ADMINISTRATIVE TRUST FUND 525
FROM FINANCIAL INSTITUTIONS REGULATORY

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TRUST FUND 350
FROM INSURANCE REGULATORY TRUST FUND . . . 71,178
FROM REGULATORY TRUST FUND 2,719

TOTAL: CONSUMER ASSISTANCE
FROM TRUST FUNDS 15,270,138

TOTAL POSITIONS 183.50
TOTAL ALL FUNDS 15,270,138

FUNERAL AND CEMETERY SERVICES

APPROVED SALARY RATE 1,360,177

2543 SALARIES AND BENEFITS POSITIONS 32.00
FROM REGULATORY TRUST FUND 1,834,443

2544 OTHER PERSONAL SERVICES
FROM REGULATORY TRUST FUND 25,000

2545 EXPENSES
FROM REGULATORY TRUST FUND 435,730

2546 OPERATING CAPITAL OUTLAY
FROM REGULATORY TRUST FUND 9,500

2547 LUMP SUM
FUNERAL AND CEMETERIES REGULATION
POSITIONS 2.00
FROM REGULATORY TRUST FUND 284,860

2548 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM REGULATORY TRUST FUND 149,425

2549 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM REGULATORY TRUST FUND 4,382

2550 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM REGULATORY TRUST FUND 15,387

TOTAL: FUNERAL AND CEMETERY SERVICES
FROM TRUST FUNDS 2,758,727

TOTAL POSITIONS 34.00
TOTAL ALL FUNDS 2,758,727

PROGRAM: WORKERS' COMPENSATION

WORKERS' COMPENSATION

APPROVED SALARY RATE 13,671,271

2551 SALARIES AND BENEFITS POSITIONS 364.00
FROM WORKERS' COMPENSATION
ADMINISTRATION TRUST FUND 17,319,642
FROM WORKERS' COMPENSATION SPECIAL
DISABILITY TRUST FUND 944,301

2552 OTHER PERSONAL SERVICES
FROM WORKERS' COMPENSATION
ADMINISTRATION TRUST FUND 237,570
FROM WORKERS' COMPENSATION SPECIAL
DISABILITY TRUST FUND 17,550

2553 EXPENSES
FROM WORKERS' COMPENSATION
ADMINISTRATION TRUST FUND 4,033,747
FROM WORKERS' COMPENSATION SPECIAL
DISABILITY TRUST FUND 131,882

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2554 OPERATING CAPITAL OUTLAY
FROM WORKERS' COMPENSATION
ADMINISTRATION TRUST FUND 200,021
FROM WORKERS' COMPENSATION SPECIAL
DISABILITY TRUST FUND 16,851

2554A SPECIAL CATEGORIES
TRANSFER TO DISTRICT COURTS OF APPEAL -
WORKERS' COMPENSATION APPEALS
FROM WORKERS' COMPENSATION
ADMINISTRATION TRUST FUND 1,981,688

Funds in Specific Appropriation 2554A are provided for transfer to the First District Court of Appeal for workload associated with workers' compensation appeals and to implement a new workers' compensation appeals unit.

2554B SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES FOR THE FIRST DISTRICT COURT OF
APPEAL COURTHOUSE
FROM WORKERS' COMPENSATION
ADMINISTRATION TRUST FUND 5,500,000

2555 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM WORKERS' COMPENSATION
ADMINISTRATION TRUST FUND 4,072,499
FROM WORKERS' COMPENSATION SPECIAL
DISABILITY TRUST FUND 186,360

2556 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM WORKERS' COMPENSATION
ADMINISTRATION TRUST FUND 243,357

2557 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM WORKERS' COMPENSATION
ADMINISTRATION TRUST FUND 142,593
FROM WORKERS' COMPENSATION SPECIAL
DISABILITY TRUST FUND 8,359

TOTAL: WORKERS' COMPENSATION
FROM TRUST FUNDS 35,036,420

TOTAL POSITIONS 364.00
TOTAL ALL FUNDS 35,036,420

PROGRAM: FINANCIAL SERVICES COMMISSION

OFFICE OF INSURANCE REGULATION

COMPLIANCE AND ENFORCEMENT - INSURANCE

APPROVED SALARY RATE 12,893,691

2558 SALARIES AND BENEFITS POSITIONS 277.00
FROM INSURANCE REGULATORY TRUST FUND . . . 16,897,976

2560 EXPENSES
FROM INSURANCE REGULATORY TRUST FUND . . . 3,169,133

2561 OPERATING CAPITAL OUTLAY
FROM INSURANCE REGULATORY TRUST FUND . . . 2,000

2561A SPECIAL CATEGORIES
FLORIDA PUBLIC HURRICANE LOSS MODEL -
OFFICE OF INSURANCE REGULATION
FROM INSURANCE REGULATORY TRUST FUND . . . 623,512

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2562 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM INSURANCE REGULATORY TRUST FUND . . . 903,016

2563 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM INSURANCE REGULATORY TRUST FUND . . . 173,368

2564 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM INSURANCE REGULATORY TRUST FUND . . . 110,555

TOTAL: COMPLIANCE AND ENFORCEMENT - INSURANCE

FROM TRUST FUNDS 21,879,560

TOTAL POSITIONS 277.00
TOTAL ALL FUNDS 21,879,560

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 2,159,595

2565 SALARIES AND BENEFITS POSITIONS 37.00
FROM INSURANCE REGULATORY TRUST FUND . . . 2,733,408

2566 EXPENSES
FROM INSURANCE REGULATORY TRUST FUND . . . 220,824

2567 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM INSURANCE REGULATORY TRUST FUND . . . 117,710

2568 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM INSURANCE REGULATORY TRUST FUND . . . 15,449

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES

FROM TRUST FUNDS 3,087,391

TOTAL POSITIONS 37.00
TOTAL ALL FUNDS 3,087,391

OFFICE OF FINANCIAL REGULATION

SAFETY AND SOUNDNESS OF STATE BANKING SYSTEM

APPROVED SALARY RATE 6,238,714

2569 SALARIES AND BENEFITS POSITIONS 124.00
FROM FINANCIAL INSTITUTIONS REGULATORY
TRUST FUND 8,057,520

2570 OTHER PERSONAL SERVICES
FROM FINANCIAL INSTITUTIONS REGULATORY
TRUST FUND 800,000

2571 EXPENSES
FROM FINANCIAL INSTITUTIONS REGULATORY
TRUST FUND 1,536,846

2572 OPERATING CAPITAL OUTLAY
FROM FINANCIAL INSTITUTIONS REGULATORY
TRUST FUND 6,986

2573 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM FINANCIAL INSTITUTIONS REGULATORY
TRUST FUND 367,012

2574 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM FINANCIAL INSTITUTIONS REGULATORY
TRUST FUND 22,482

2575 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM FINANCIAL INSTITUTIONS REGULATORY
TRUST FUND 49,343

TOTAL: SAFETY AND SOUNDNESS OF STATE BANKING SYSTEM

FROM TRUST FUNDS 10,840,189

TOTAL POSITIONS 124.00
TOTAL ALL FUNDS 10,840,189

FINANCIAL INVESTIGATIONS

From the funds in Specific Appropriations 2576, 2578, 2580, 2581, and 2582, $1,929,382 from the Regulatory Trust Fund is contingent upon House Bill 5043 or similar legislation, relating to securities regulation fees, becoming law.

APPROVED SALARY RATE 3,026,492

2576 SALARIES AND BENEFITS POSITIONS 64.00
FROM ADMINISTRATIVE TRUST FUND 1,962,357
FROM REGULATORY TRUST FUND 1,686,892

2577 OTHER PERSONAL SERVICES
FROM ADMINISTRATIVE TRUST FUND 5,321

2578 EXPENSES
FROM ADMINISTRATIVE TRUST FUND 387,736
FROM REGULATORY TRUST FUND 329,936
FROM FEDERAL LAW ENFORCEMENT TRUST FUND . 51,758

2579 OPERATING CAPITAL OUTLAY
FROM ADMINISTRATIVE TRUST FUND 10,600

2580 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM ADMINISTRATIVE TRUST FUND 10,418
FROM REGULATORY TRUST FUND 5,936

2581 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM ADMINISTRATIVE TRUST FUND 8,868
FROM REGULATORY TRUST FUND 3,325

2582 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM ADMINISTRATIVE TRUST FUND 14,486
FROM REGULATORY TRUST FUND 10,880

TOTAL: FINANCIAL INVESTIGATIONS

FROM TRUST FUNDS 4,488,513

TOTAL POSITIONS 64.00
TOTAL ALL FUNDS 4,488,513

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EXECUTIVE DIRECTION AND SUPPORT SERVICES

From the funds in Specific Appropriations 2583, 2584, 2585, and 2587, $947,443 from the Regulatory Trust Fund is contingent upon House Bill 5043 or similar legislation, relating to securities regulation fees, becoming law.

APPROVED SALARY RATE 2,833,313

2583	SALARIES AND BENEFITS	POSITIONS 49.00	
	FROM ADMINISTRATIVE TRUST FUND		2,119,628
	FROM REGULATORY TRUST FUND		1,399,848
2584	EXPENSES		
	FROM ADMINISTRATIVE TRUST FUND		242,862
	FROM REGULATORY TRUST FUND		186,300
2585	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM ADMINISTRATIVE TRUST FUND		4,134
	FROM REGULATORY TRUST FUND		6,914
2586	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM ADMINISTRATIVE TRUST FUND		8,766
	FROM REGULATORY TRUST FUND		569
2587	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM ADMINISTRATIVE TRUST FUND		11,639
	FROM REGULATORY TRUST FUND		7,785

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES

FROM TRUST FUNDS		3,988,445
TOTAL POSITIONS	49.00	
TOTAL ALL FUNDS		3,988,445

FINANCE REGULATION

APPROVED SALARY RATE 5,586,818

2588	SALARIES AND BENEFITS	POSITIONS 122.00	
	FROM REGULATORY TRUST FUND		7,209,600
2589	OTHER PERSONAL SERVICES		
	FROM REGULATORY TRUST FUND		300,000
2590	EXPENSES		
	FROM REGULATORY TRUST FUND		1,300,910
2591	OPERATING CAPITAL OUTLAY		
	FROM REGULATORY TRUST FUND		6,631
2591A	SPECIAL CATEGORIES		
	MORTGAGE BROKER EXAMAINATIONS - OFFICE OF FINANCIAL REGULATION		
	FROM REGULATORY TRUST FUND		1,401,030
2592	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM REGULATORY TRUST FUND		3,141,565
2592A	SPECIAL CATEGORIES		
	MONEY SERVICES BUSINESS EXAMINATIONS		
	FROM REGULATORY TRUST FUND		500,000
2593	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM REGULATORY TRUST FUND		21,338

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2594	SPECIAL CATEGORIES	
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT	
	FROM REGULATORY TRUST FUND	48,124
2595	DATA PROCESSING SERVICES	
	REGULATORY ENFORCEMENT AND LICENSING SYSTEM - OFFICE OF FINANCIAL REGULATION	
	FROM REGULATORY TRUST FUND	3,963,984

From the funds in Specific Appropriation 2595, $1,981,992 shall be held in reserve. The Office of Financial Regulation may submit budget amendments in accordance with chapter 216, Florida Statutes, requesting release of the funds upon submission of an updated operational work plan and spending plan.

TOTAL: FINANCE REGULATION

FROM TRUST FUNDS		17,893,182
TOTAL POSITIONS	122.00	
TOTAL ALL FUNDS		17,893,182

SECURITIES REGULATION

From the funds in Specific Appropriations 2596 through 2601, $5,956,498 from the Regulatory Trust Fund is contingent upon House Bill 5043 or similar legislation, relating to securities regulation fees, becoming law.

APPROVED SALARY RATE 4,253,960

2596	SALARIES AND BENEFITS	POSITIONS 94.00	
	FROM REGULATORY TRUST FUND		5,682,906
2597	OTHER PERSONAL SERVICES		
	FROM ANTI-FRAUD TRUST FUND		61,730
	FROM REGULATORY TRUST FUND		4,466
2598	EXPENSES		
	FROM ANTI-FRAUD TRUST FUND		137,885
	FROM REGULATORY TRUST FUND		775,128
2599	OPERATING CAPITAL OUTLAY		
	FROM ANTI-FRAUD TRUST FUND		31,802
	FROM REGULATORY TRUST FUND		8,566
2599A	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM ANTI-FRAUD TRUST FUND		52,549
	FROM REGULATORY TRUST FUND		4,500
2600	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM REGULATORY TRUST FUND		16,956
2601	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM REGULATORY TRUST FUND		39,318

TOTAL: SECURITIES REGULATION

FROM TRUST FUNDS		6,815,806
TOTAL POSITIONS	94.00	
TOTAL ALL FUNDS		6,815,806

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GOVERNOR, EXECUTIVE OFFICE OF THE

PROGRAM: GENERAL OFFICE

EXECUTIVE DIRECTION AND SUPPORT SERVICES

2602	SALARIES AND BENEFITS POSITIONS	116.00	
	FROM GENERAL REVENUE FUND	8,193,114	
	FROM GRANTS AND DONATIONS TRUST FUND . . .		211,458
2604	LUMP SUM EXECUTIVE OFFICE OF THE GOVERNOR - EXECUTIVE/ADMINISTRATION		
	FROM GENERAL REVENUE FUND	2,473,476	
	FROM GRANTS AND DONATIONS TRUST FUND . . .		488,236
2605	LUMP SUM EXECUTIVE OFFICE OF THE GOVERNOR - WASHINGTON OFFICE		
	FROM GENERAL REVENUE FUND	124,874	
2606	SPECIAL CATEGORIES TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS		
	FROM GENERAL REVENUE FUND	7,855	
2607	SPECIAL CATEGORIES CONTINGENT - DISCRETIONARY		
	FROM GENERAL REVENUE FUND	30,000	
2608	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	36,951	
	FROM GRANTS AND DONATIONS TRUST FUND . . .		6,359
2609	SPECIAL CATEGORIES CHILD ABUSE PREVENTION		
	FROM GENERAL REVENUE FUND	228,180	
2610	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	51,904	
	FROM GRANTS AND DONATIONS TRUST FUND . . .		1,314
TOTAL:	EXECUTIVE DIRECTION AND SUPPORT SERVICES		
	FROM GENERAL REVENUE FUND	11,146,354	
	FROM TRUST FUNDS		707,367
	TOTAL POSITIONS	116.00	
	TOTAL ALL FUNDS		11,853,721

DRUG CONTROL COORDINATION

2611	SALARIES AND BENEFITS POSITIONS	7.00	
	FROM GENERAL REVENUE FUND	500,399	
2612	LUMP SUM EXECUTIVE OFFICE OF THE GOVERNOR - EXECUTIVE/ADMINISTRATION		
	FROM GENERAL REVENUE FUND	108,726	
2613	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	1,053	
2614	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF JUVENILE JUSTICE		
	FROM GRANTS AND DONATIONS TRUST FUND . . .		1,000,000
2615	SPECIAL CATEGORIES GRANTS AND AIDS - COMMUNITY TRIALS INITIATIVE GRANTS		
	FROM GRANTS AND DONATIONS TRUST FUND . . .		360,611
2616	SPECIAL CATEGORIES ENFORCING UNDERAGE DRINKING LAWS - BLOCK GRANT		
	FROM GRANTS AND DONATIONS TRUST FUND . . .		439,062
2617	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	2,441	
TOTAL:	DRUG CONTROL COORDINATION		
	FROM GENERAL REVENUE FUND	612,619	
	FROM TRUST FUNDS		1,799,673
	TOTAL POSITIONS	7.00	
	TOTAL ALL FUNDS		2,412,292

LEGISLATIVE APPROPRIATIONS SYSTEM/PLANNING AND BUDGETING SUBSYSTEM

2618	SALARIES AND BENEFITS POSITIONS	48.00	
	FROM PLANNING AND BUDGETING SYSTEM TRUST FUND		4,432,070
2619	LUMP SUM LEGISLATIVE APPROPRIATION SYSTEM/PLANNING AND BUDGETING SUBSYSTEM		
	FROM PLANNING AND BUDGETING SYSTEM TRUST FUND		1,303,753
2620	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE		
	FROM PLANNING AND BUDGETING SYSTEM TRUST FUND		16,398
2621	SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM PLANNING AND BUDGETING SYSTEM TRUST FUND		17,886
TOTAL:	LEGISLATIVE APPROPRIATIONS SYSTEM/PLANNING AND BUDGETING SUBSYSTEM		
	FROM TRUST FUNDS		5,770,107
	TOTAL POSITIONS	48.00	
	TOTAL ALL FUNDS		5,770,107

EXECUTIVE PLANNING AND BUDGETING

2622	SALARIES AND BENEFITS POSITIONS	105.00	
	FROM GENERAL REVENUE FUND	9,034,392	
2623	LUMP SUM EXECUTIVE OFFICE OF THE GOVERNOR - OFFICE OF PLANNING AND BUDGETING		
	FROM GENERAL REVENUE FUND	1,193,290	
2624	SPECIAL CATEGORIES TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS		
	FROM GENERAL REVENUE FUND	6,657	
2625	SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	32,512	

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2626 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 43,572

TOTAL: EXECUTIVE PLANNING AND BUDGETING
FROM GENERAL REVENUE FUND 10,310,423

TOTAL POSITIONS 105.00
TOTAL ALL FUNDS 10,310,423

PROGRAM: OFFICE OF TOURISM, TRADE AND ECONOMIC DEVELOPMENT

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 1,302,735

2627 SALARIES AND BENEFITS POSITIONS 21.00
FROM GENERAL REVENUE FUND 708,447
FROM FLORIDA INTERNATIONAL TRADE AND PROMOTION TRUST FUND 479,168
FROM GRANTS AND DONATIONS TRUST FUND . . . 37
FROM TOURISM PROMOTION TRUST FUND 450,294

2628 LUMP SUM
EXECUTIVE OFFICE OF THE GOVERNOR - OFFICE OF TOURISM, TRADE AND ECONOMIC DEVELOPMENT
FROM GENERAL REVENUE FUND 1,280,254
FROM ECONOMIC DEVELOPMENT TRANSPORTATION TRUST FUND 300,000
FROM FLORIDA INTERNATIONAL TRADE AND PROMOTION TRUST FUND 105,428
FROM GRANTS AND DONATIONS TRUST FUND . . . 750
FROM TOURISM PROMOTION TRUST FUND 115,145

2629 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 1,759
FROM FLORIDA INTERNATIONAL TRADE AND PROMOTION TRUST FUND 981
FROM TOURISM PROMOTION TRUST FUND 2,344

2630 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 4,068
FROM FLORIDA INTERNATIONAL TRADE AND PROMOTION TRUST FUND 2,733
FROM TOURISM PROMOTION TRUST FUND 2,566

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM GENERAL REVENUE FUND 1,994,528
FROM TRUST FUNDS 1,459,446

TOTAL POSITIONS 21.00
TOTAL ALL FUNDS 3,453,974

ECONOMIC DEVELOPMENT PROGRAMS AND PROJECTS

2631 LUMP SUM
ECONOMIC DEVELOPMENT TOOLS
FROM GENERAL REVENUE FUND 17,410,000
FROM ECONOMIC DEVELOPMENT TRUST FUND . . . 4,227,500

Funds in Specific Appropriation 2631 shall be allocated as follows:

From non-recurring general revenue:
Economic Development Tools..... 16,910,000

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From non-recurring trust funds:
Economic Development Tools - Local Match..... 4,227,500

Funds provided in Specific Appropriation 2631 for Economic Development Tools include funding for Qualified Targeted Industries, Qualified Defense Contractors and High Impact Performance Incentives. These funds shall not be released for any other purpose and shall only be disbursed when projects meet the contracted performance requirements.

Funds from the Economic Development Trust Fund in Specific Appropriation 2631 represent local match funds.

From the funds in Specific Appropriation 2631, $500,000 in non-recurring general revenue shall be provided to the Florida Manufacturing Extension Partnership for the purpose of leveraging federal and private resources for the support and delivery of services to the manufacturing community, which will provide economic stimulus through job creation and retention and assist Florida manufacturers to become more efficient and globally competitive.

2633 SPECIAL CATEGORIES
GRANTS AND AIDS - BLACK BUSINESS INVESTMENT BOARD
FROM GENERAL REVENUE FUND 2,750,000

From the funds in Specific Appropriation 2633, $250,000 is provided to the Black Business Investment Board for operations and administration of the board, $50,000 is provided to the Office of Tourism, Trade and Economic Development for the administration of the Black Business Loan Program, and $2,450,000 is provided for the Black Business Loan Program.

2634 SPECIAL CATEGORIES
HISPANIC BUSINESS INITIATIVE FUND OUTREACH PROGRAM
FROM GENERAL REVENUE FUND 200,000

2635 SPECIAL CATEGORIES
QUICK ACTION CLOSING FUND
FROM GENERAL REVENUE FUND 26,460,000

From funds provided in Specific Appropriation 2635, $5,000,000 shall be used for an economic development project in Pasco County, which must contribute a 50 percent match from non-state sources. The project must meet the requirements specified in section 288.1088 (2), Florida Statutes, including those for average wage and payback ratio.

2636 SPECIAL CATEGORIES
GRANTS AND AIDS - ADVOCATING INTERNATIONAL RELATIONSHIPS
FROM GENERAL REVENUE FUND 900,000

Funds provided in Specific Appropriation 2636 shall be allocated as follows:

Florida Association of Volunteer Action/Caribbean & Americas (FAVACA)..... 350,000
Southeast US/Japan & FLOR/KOR..... 250,000
Gateway Florida..... 300,000

2636A SPECIAL CATEGORIES
ECONOMIC DEVELOPMENT PROJECTS
FROM GENERAL REVENUE FUND 2,090,000

Funds provided in Specific Appropriation 2636A shall be allocated as follows:

Exponica International..... 840,000
Florida Goodwill Association..... 500,000
CAMACOL/Film Initiative..... 150,000
Florida Small Business Development Center Network..... 250,000
Haitian Heritage Museum..... 75,000
Florida Holocaust Museum..... 125,000
Harry T. and Harriet V. Moore Center..... 150,000

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2637 SPECIAL CATEGORIES
SUNSHINE STATE GAMES
FROM GENERAL REVENUE FUND 200,000

2638 SPECIAL CATEGORIES
GRANTS AND AIDS - FLORIDA SPORTS FOUNDATION
FROM PROFESSIONAL SPORTS DEVELOPMENT TRUST FUND 2,750,000

2639 SPECIAL CATEGORIES
GRANTS AND AIDS - ENTERPRISE FLORIDA PROGRAM
FROM GENERAL REVENUE FUND 4,550,000
FROM FLORIDA INTERNATIONAL TRADE AND PROMOTION TRUST FUND 7,350,000

From the funds in Specific Appropriation 2639, $300,000 in non-recurring general revenue shall be provided to the Florida Trade and Exhibition Center.

From the funds in Specific Appropriation 2639, as a part of the annual report required under section 288.906, Florida Statutes, Enterprise Florida, Inc. shall provide information including, but not limited to:

(1) A description of efforts to support the growth of recreational marine businesses presently operating in the state.

(2) A description of the recruitment of boat manufacturers and service sectors of the marine industry to establish operations in the state and retention of boat manufacturers and marine accessory manufacturers currently operating in the state.

(3) A description of any loss or gain of marina and boatyard facilities in the state and any loss or gain in recreational marine businesses to other states.

2640 SPECIAL CATEGORIES
GRANTS AND AIDS - MILITARY BASE PROTECTION
FROM GENERAL REVENUE FUND 1,000,000

Funds in Specific Appropriation 2640 shall be allocated as follows:

Military Base Protection..... 250,000
Defense Reinvestment..... 750,000

2641 SPECIAL CATEGORIES
ECONOMIC RECOVERY ASSISTANCE PROGRAM
FROM GENERAL REVENUE FUND 322,600

2642 SPECIAL CATEGORIES
GRANTS AND AIDS - FLORIDA COMMISSION ON TOURISM
FROM GENERAL REVENUE FUND 10,650,000
FROM TOURISM PROMOTION TRUST FUND 24,899,209

2643 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 410

2644 SPECIAL CATEGORIES
FILM AND ENTERTAINMENT
FROM GENERAL REVENUE FUND 5,000,000

2645 SPECIAL CATEGORIES
GRANTS AND AIDS - BROWNFIELDS REDEVELOPMENT PROJECT
FROM GENERAL REVENUE FUND 1,348,320
FROM ECONOMIC DEVELOPMENT TRUST FUND . . . 337,080

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2646 SPECIAL CATEGORIES
GRANTS AND AIDS - SPACE FLORIDA
FROM GENERAL REVENUE FUND 4,000,000

2647 SPECIAL CATEGORIES
RURAL COMMUNITY DEVELOPMENT
FROM GENERAL REVENUE FUND 400,000
FROM ECONOMIC DEVELOPMENT TRUST FUND . . . 900,000

From funds in Specific Appropriation 2647, up to $200,000 shall be used by the Rural Economic Development Initiative to assist local governments in rural areas of critical economic concern with planning and technical assistance.

2648 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
SPACE, DEFENSE, AND RURAL INFRASTRUCTURE
FROM GENERAL REVENUE FUND 15,300,000

Funds provided in Specific Appropriation 2648 shall be allocated as follows:

Defense Infrastructure..... 10,600,000
Rural Infrastructure..... 4,700,000

From the funds in Specific Appropriation 2648 for Defense Infrastructure, $9,100,000 shall be provided to the Orange County Research and Development Authority to enhance force protection and military base protection requirements for the Department of Defense simulation and modeling activities in the Central Florida Research Park.

2649 GRANTS AND AIDS TO LOCAL GOVERNMENTS AND NONSTATE ENTITIES - FIXED CAPITAL OUTLAY
ECONOMIC DEVELOPMENT TRANSPORTATION PROJECTS
FROM ECONOMIC DEVELOPMENT TRANSPORTATION TRUST FUND 36,750,000

A portion of the funds provided in Specific Appropriation 2649 shall be allocated as follows:

City of Dunedin for the Gateway Redevelopment project..... 1,300,000
Fresh Ministries Beaver Street Enterprise..... 300,000
City of Tampa for the Florida Communities Assessment and Economic Development project..... 75,000
National Black Caucus of State Legislatures..... 75,000
Florida Sub-Orbital Commercial Research & Training Center at the Florida Institute of Technology..... 500,000

From the funds provided in Specific Appropriation 2649, $14,500,000 shall be used for Space and Aerospace Infrastructure to make improvements to Launch Complex 36 on the 45th Space Wing property in order to attract new space vehicle testing and launch business to the state.

TOTAL: ECONOMIC DEVELOPMENT PROGRAMS AND PROJECTS
FROM GENERAL REVENUE FUND 92,581,330
FROM TRUST FUNDS 77,213,789

TOTAL ALL FUNDS 169,795,119

PROGRAM: AGENCY FOR ENTERPRISE INFORMATION TECHNOLOGY

AGENCY FOR ENTERPRISE INFORMATION TECHNOLOGY

APPROVED SALARY RATE 397,577

2650 SALARIES AND BENEFITS POSITIONS 6.00
FROM GENERAL REVENUE FUND 515,742

2651 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 1,000

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2652 EXPENSES
FROM GENERAL REVENUE FUND 141,140

2653 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 9,000

2654 LUMP SUM
EXECUTIVE OFFICE OF THE GOVERNOR - AGENCY
FOR ENTERPRISE INFORMATION TECHNOLOGY
POSITIONS 8.00
FROM GENERAL REVENUE FUND 857,941

2655 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 1,928

2656 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 2,068

TOTAL: AGENCY FOR ENTERPRISE INFORMATION TECHNOLOGY
FROM GENERAL REVENUE FUND 1,528,819

TOTAL POSITIONS 14.00
TOTAL ALL FUNDS 1,528,819

HIGHWAY SAFETY AND MOTOR VEHICLES, DEPARTMENT OF

PROGRAM: ADMINISTRATIVE SERVICES

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 10,359,766

2657 SALARIES AND BENEFITS POSITIONS 292.00
FROM GENERAL REVENUE FUND 5,321
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 13,896,373
FROM FEDERAL GRANTS TRUST FUND 198,102
FROM LAW ENFORCEMENT TRUST FUND 141,486

2658 OTHER PERSONAL SERVICES
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 92,914
FROM FEDERAL GRANTS TRUST FUND 50,000

2659 EXPENSES
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 991,730
FROM FEDERAL GRANTS TRUST FUND 51,863
FROM LAW ENFORCEMENT TRUST FUND 7,516

2660 OPERATING CAPITAL OUTLAY
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 170,709

2661 SPECIAL CATEGORIES
TRANSFER TO DIVISION OF ADMINISTRATIVE
HEARINGS
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 135,112

2662 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 324,293

2663 SPECIAL CATEGORIES
PAYMENT TO OUTSIDE CONTRACTOR
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 375,723

2664 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 275,529

2665 SPECIAL CATEGORIES
DEFERRED-PAYMENT COMMODITY CONTRACTS
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 84,169

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2666 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 936,865
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 1,034,672

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM GENERAL REVENUE FUND 942,186
FROM TRUST FUNDS 17,830,191

TOTAL POSITIONS 292.00
TOTAL ALL FUNDS 18,772,377

PROGRAM: FLORIDA HIGHWAY PATROL

HIGHWAY SAFETY

APPROVED SALARY RATE 97,787,946

2667 SALARIES AND BENEFITS POSITIONS 2,222.00
FROM GENERAL REVENUE FUND 105,474,380
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 38,758,577
FROM FEDERAL GRANTS TRUST FUND 447,329
FROM GAS TAX COLLECTION TRUST FUND 258,474
FROM LAW ENFORCEMENT TRUST FUND 366,015

2668 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 22,500
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 11,401,404
FROM FEDERAL GRANTS TRUST FUND 553,000
FROM LAW ENFORCEMENT TRUST FUND 345,000

2669 EXPENSES
FROM GENERAL REVENUE FUND 636,060
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 7,380,474
FROM FEDERAL GRANTS TRUST FUND 793,726
FROM LAW ENFORCEMENT TRUST FUND 68,203
FROM FEDERAL LAW ENFORCEMENT TRUST FUND . 193,673

2670 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 145,495
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 426,570
FROM FEDERAL GRANTS TRUST FUND 951,805
FROM LAW ENFORCEMENT TRUST FUND 500,000
FROM FEDERAL LAW ENFORCEMENT TRUST FUND . 263,100

2671 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM GENERAL REVENUE FUND 1,540,698
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 4,409,574

2672 SPECIAL CATEGORIES
FLORIDA HIGHWAY PATROL COMMUNICATION
SYSTEMS
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 1,500,000

2673 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 144,997
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 883,750
FROM FEDERAL GRANTS TRUST FUND 10,000
FROM LAW ENFORCEMENT TRUST FUND 50,000

2674 SPECIAL CATEGORIES
OPERATION OF MOTOR VEHICLES
FROM GENERAL REVENUE FUND 2,398,379
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 10,616,138
FROM FEDERAL GRANTS TRUST FUND 20,250
FROM LAW ENFORCEMENT TRUST FUND 1,456,801

2675 SPECIAL CATEGORIES
AUXILLIARY UNIFORMS AND EQUIPMENT
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 144,000

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2676 SPECIAL CATEGORIES
PAYMENT OF DEATH AND DISMEMBERMENT CLAIMS
FROM HIGHWAY PATROL INSURANCE TRUST FUND . 325,995

2677 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 3,233,525
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 973,980

2678 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 744,817
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 710,775
FROM FEDERAL GRANTS TRUST FUND 15,600

2679 SPECIAL CATEGORIES
TRANSFER TO HIGHWAY PATROL INSURANCE TRUST FUND
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 325,995

2680 SPECIAL CATEGORIES
DEFERRED-PAYMENT COMMODITY CONTRACTS
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 2,134,767

2681 SPECIAL CATEGORIES
MOBILE DATA TERMINAL SYSTEM
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 2,446,297

TOTAL: HIGHWAY SAFETY
FROM GENERAL REVENUE FUND 114,340,851
FROM TRUST FUNDS 88,731,272

TOTAL POSITIONS 2,222.00
TOTAL ALL FUNDS 203,072,123

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 1,805,138

2682 SALARIES AND BENEFITS POSITIONS 27.00
FROM GENERAL REVENUE FUND 2,365,219
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 109,198

2683 EXPENSES
FROM GENERAL REVENUE FUND 184,418
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 94,382

2684 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 8,000

2685 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM GENERAL REVENUE FUND 19,838

2686 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 4,135

2687 SPECIAL CATEGORIES
OPERATION OF MOTOR VEHICLES
FROM GENERAL REVENUE FUND 2,790
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 5,000

2688 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 37,958
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 11,434

2689 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM GENERAL REVENUE FUND 20,315

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TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM GENERAL REVENUE FUND 2,642,673
FROM TRUST FUNDS 220,014

TOTAL POSITIONS 27.00
TOTAL ALL FUNDS 2,862,687

PROGRAM: LICENSES, TITLES AND REGULATIONS

DRIVER LICENSURE

No funds are provided in Specific Appropriations 2690 through 2703 for Fiscal Year 2008-2009 with regard to any existing contracts, leases or other contractual obligations held by the state or any of its agencies and entities associated with the following Driver's License Offices: Jacksonville - Pablo Station #E05, East Point #B02, Bonifay #A09, Madison #D12, Trenton #D07, Clearwater - ICOT Office Center #J01, Fort Myers, #N01, Venice #M05, Wildwood #G08, and Chipley #B08.

No funds are provided in Specific Appropriations 2690 through 2703 for Fiscal Year 2008-2009 to make payments for the use of the properties after January 1, 2009, on any existing contracts, leases or other contractual obligations held by the state or any of its agencies and entities associated with the following Driver's License Offices: Inverness #L08, Merritt Island #H03, and Flagler Beach #F04.

APPROVED SALARY RATE 36,254,331

2690 SALARIES AND BENEFITS POSITIONS 1,270.00
FROM GENERAL REVENUE FUND 348,928
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 50,946,180
FROM FEDERAL GRANTS TRUST FUND 6,423

2691 OTHER PERSONAL SERVICES
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 659,770
FROM FEDERAL GRANTS TRUST FUND 59,850

2692 EXPENSES
FROM GENERAL REVENUE FUND 47,119
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 10,557,582
FROM FEDERAL GRANTS TRUST FUND 56,610

From the funds in Specific Appropriation 2692, $326,155 from the Highway Safety Operating Trust Fund is provided for the implementation and planning requirements of the Federal REAL ID Act and is contingent upon House Bill 5067 or similar legislation becoming law.

2693 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 53,491
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 59,747
FROM FEDERAL GRANTS TRUST FUND 106,856

2695 SPECIAL CATEGORIES
DISTRIBUTION OF VOLUNTARY CONTRIBUTIONS OF DRIVER LICENSE APPLICATIONS AND MOTOR VEHICLE REGISTRATIONS TO STATE AGENCIES
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 218,900

2696 SPECIAL CATEGORIES
DISTRIBUTIONS OF VOLUNTARY CONTRIBUTIONS OF DRIVER LICENSE APPLICATIONS AND MOTOR VEHICLE REGISTRATIONS TO NON-PROFIT AGY
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 950,000

2697 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 1,253,278
FROM FEDERAL GRANTS TRUST FUND 1,063,868

From the funds in Specific Appropriation 2697, $200,000 from the Highway Safety Operating Trust Fund is provided for the implementation and planning requirements of the Federal REAL ID Act and is contingent upon House Bill 5067 or similar legislation becoming law.

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2697A SPECIAL CATEGORIES
DOMESTIC SECURITY
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 2,967,163

2698 SPECIAL CATEGORIES
AUTOMATED UNIFORM TRAFFIC ACCOUNTING SYSTEM
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 951,999

2699 SPECIAL CATEGORIES
PAYMENT TO OUTSIDE CONTRACTOR
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 2,752,015

2700 SPECIAL CATEGORIES
PURCHASE OF DRIVER LICENSES
FROM GENERAL REVENUE FUND 588,065
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 10,652,779

From the funds in Specific Appropriation 2700, $500,000 from the Highway Safety Operating Trust Fund is provided for the implementation and planning requirements of the Federal REAL ID Act and is contingent upon House Bill 5067 or similar legislation becoming law.

2701 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 1,353,662

2702 SPECIAL CATEGORIES
DEFERRED-PAYMENT COMMODITY CONTRACTS
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 99,483

2703 SPECIAL CATEGORIES
TRANSFER TO TRANSPORTATION SECURITY ADMINISTRATION AND FLORIDA DEPARTMENT OF LAW ENFORCEMENT FOR BACKGROUND CHECKS
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 6,057,233

From the funds in Specific Appropriation 2703, $86,233 from the Highway Safety Operating Trust Fund is provided for the implementation and planning requirements of the Federal REAL ID Act and is contingent upon House Bill 5067 or similar legislation becoming law.

TOTAL: DRIVER LICENSURE
FROM GENERAL REVENUE FUND 1,037,603
FROM TRUST FUNDS 90,773,398

TOTAL POSITIONS 1,270.00
TOTAL ALL FUNDS 91,811,001

MOTORIST FINANCIAL RESPONSIBILITY COMPLIANCE

APPROVED SALARY RATE 1,349,404

2704 SALARIES AND BENEFITS POSITIONS 51.00
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 1,976,268

2705 EXPENSES
FROM GENERAL REVENUE FUND 2,367
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 270,737

2706 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 5,150

2707 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 57,603

TOTAL: MOTORIST FINANCIAL RESPONSIBILITY COMPLIANCE
FROM GENERAL REVENUE FUND 2,367
FROM TRUST FUNDS 2,309,758

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TOTAL POSITIONS 51.00
TOTAL ALL FUNDS 2,312,125

IDENTIFICATION AND CONTROL OF PROBLEM DRIVERS

APPROVED SALARY RATE 6,608,898

2708 SALARIES AND BENEFITS POSITIONS 205.00
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 9,186,156
FROM FEDERAL GRANTS TRUST FUND 5,766

2709 OTHER PERSONAL SERVICES
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 505,292
FROM FEDERAL GRANTS TRUST FUND 700,917

2710 EXPENSES
FROM GENERAL REVENUE FUND 30,218
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 705,535
FROM FEDERAL GRANTS TRUST FUND 1,039,862

2711 OPERATING CAPITAL OUTLAY
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 17,680
FROM FEDERAL GRANTS TRUST FUND 405,428

2713 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 184,259

2714 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 223,210

TOTAL: IDENTIFICATION AND CONTROL OF PROBLEM DRIVERS
FROM GENERAL REVENUE FUND 30,218
FROM TRUST FUNDS 12,974,105

TOTAL POSITIONS 205.00
TOTAL ALL FUNDS 13,004,323

MOBILE HOME COMPLIANCE AND ENFORCEMENT

APPROVED SALARY RATE 1,019,115

2715 SALARIES AND BENEFITS POSITIONS 29.00
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 1,378,908

2716 EXPENSES
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 145,444

2717 OPERATING CAPITAL OUTLAY
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 10,000

2719 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 2,403

2720 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 19,891

TOTAL: MOBILE HOME COMPLIANCE AND ENFORCEMENT
FROM TRUST FUNDS 1,556,646

TOTAL POSITIONS 29.00
TOTAL ALL FUNDS 1,556,646

VEHICLE AND VESSEL TITLE AND REGISTRATION SERVICES

APPROVED SALARY RATE 12,343,081

2721 SALARIES AND BENEFITS POSITIONS 400.00
FROM GENERAL REVENUE FUND 90,777

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FROM HIGHWAY SAFETY OPERATING TRUST FUND .		13,876,825
FROM GAS TAX COLLECTION TRUST FUND		3,026,218
2722 OTHER PERSONAL SERVICES		
FROM HIGHWAY SAFETY OPERATING TRUST FUND .		153,863
FROM FEDERAL GRANTS TRUST FUND		40,000
FROM GAS TAX COLLECTION TRUST FUND		11,438
2723 EXPENSES		
FROM GENERAL REVENUE FUND	11,672	
FROM HIGHWAY SAFETY OPERATING TRUST FUND .		2,936,139
FROM FEDERAL GRANTS TRUST FUND		170,000
FROM GAS TAX COLLECTION TRUST FUND		558,948
2724 AID TO LOCAL GOVERNMENTS DISTRIBUTION TO SCHOOLS - MOBILE HOME DECAL REVENUE		
FROM LICENSE TAX COLLECTION TRUST FUND . .		10,500,000
2725 AID TO LOCAL GOVERNMENTS DISTRIBUTION TO COUNTIES - MOBILE HOME DECAL REVENUE		
FROM LICENSE TAX COLLECTION TRUST FUND . .		6,120,000
2726 AID TO LOCAL GOVERNMENTS DISTRIBUTION TO CITIES - MOBILE HOME DECAL REVENUE		
FROM LICENSE TAX COLLECTION TRUST FUND . .		4,880,000
2727 OPERATING CAPITAL OUTLAY		
FROM HIGHWAY SAFETY OPERATING TRUST FUND .		88,957
FROM FEDERAL GRANTS TRUST FUND		80,000
FROM GAS TAX COLLECTION TRUST FUND		5,001
2727A LUMP SUM PAYMENTS OF JUDGEMENT		
FROM HIGHWAY SAFETY OPERATING TRUST FUND .		1,125,000
2729 SPECIAL CATEGORIES DISTRIBUTION OF VOLUNTARY CONTRIBUTIONS OF DRIVER LICENSE APPLICATIONS AND MOTOR VEHICLE REGISTRATIONS TO STATE AGENCIES		
FROM HIGHWAY SAFETY OPERATING TRUST FUND .		255,000
2730 SPECIAL CATEGORIES DISTRIBUTIONS OF VOLUNTARY CONTRIBUTIONS OF DRIVER LICENSE APPLICATIONS AND MOTOR VEHICLE REGISTRATIONS TO NON-PROFIT AGY		
FROM HIGHWAY SAFETY OPERATING TRUST FUND .		455,000
2731 SPECIAL CATEGORIES CONTRACTED SERVICES		
FROM HIGHWAY SAFETY OPERATING TRUST FUND .		765,068
FROM GAS TAX COLLECTION TRUST FUND		3,040
2732 SPECIAL CATEGORIES PAYMENT TO OUTSIDE CONTRACTOR		
FROM HIGHWAY SAFETY OPERATING TRUST FUND .		2,109,750
2733 SPECIAL CATEGORIES GRANTS AND AIDS - PURCHASE OF LICENSE PLATES		
FROM HIGHWAY SAFETY OPERATING TRUST FUND .		12,718,891
2734 SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE		
FROM HIGHWAY SAFETY OPERATING TRUST FUND .		180,753
FROM GAS TAX COLLECTION TRUST FUND		35,429
2735 SPECIAL CATEGORIES DEFERRED-PAYMENT COMMODITY CONTRACTS		
FROM HIGHWAY SAFETY OPERATING TRUST FUND .		86,311

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2736 SPECIAL CATEGORIES TRANSFER TO TRANSPORTATION SECURITY ADMINISTRATION AND FLORIDA DEPARTMENT OF LAW ENFORCEMENT FOR BACKGROUND CHECKS		
FROM HIGHWAY SAFETY OPERATING TRUST FUND .		161,656
TOTAL: VEHICLE AND VESSEL TITLE AND REGISTRATION SERVICES		
FROM GENERAL REVENUE FUND	102,449	
FROM TRUST FUNDS		60,343,287
TOTAL POSITIONS	400.00	
TOTAL ALL FUNDS		60,445,736

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 2,098,794

2737 SALARIES AND BENEFITS POSITIONS 36.00		
FROM GENERAL REVENUE FUND	153,017	
FROM HIGHWAY SAFETY OPERATING TRUST FUND .		2,640,060
2738 OTHER PERSONAL SERVICES		
FROM HIGHWAY SAFETY OPERATING TRUST FUND .		38,400
2739 EXPENSES		
FROM GENERAL REVENUE FUND	2,667	
FROM HIGHWAY SAFETY OPERATING TRUST FUND .		172,560
2740 OPERATING CAPITAL OUTLAY		
FROM HIGHWAY SAFETY OPERATING TRUST FUND .		72,310
2741 SPECIAL CATEGORIES CONTRACTED SERVICES		
FROM HIGHWAY SAFETY OPERATING TRUST FUND .		4,659
2742 SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE		
FROM HIGHWAY SAFETY OPERATING TRUST FUND .		33,062
TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES		
FROM GENERAL REVENUE FUND	155,684	
FROM TRUST FUNDS		2,961,051
TOTAL POSITIONS	36.00	
TOTAL ALL FUNDS		3,116,735

PROGRAM: KIRKMAN DATA CENTER

INFORMATION TECHNOLOGY

APPROVED SALARY RATE 8,316,007

2743 SALARIES AND BENEFITS POSITIONS 193.00		
FROM HIGHWAY SAFETY OPERATING TRUST FUND .		10,919,766
FROM FEDERAL GRANTS TRUST FUND		825
2744 OTHER PERSONAL SERVICES		
FROM HIGHWAY SAFETY OPERATING TRUST FUND .		744,219
FROM FEDERAL GRANTS TRUST FUND		8,830

From the funds in Specific Appropriation 2744, $447,700 from the Highway Safety Operating Trust Fund is provided for the implementation and planning requirements of the Federal REAL ID Act and is contingent upon House Bill 5067 or similar legislation becoming law.

2745 EXPENSES		
FROM GENERAL REVENUE FUND	1,294,471	
FROM HIGHWAY SAFETY OPERATING TRUST FUND .		5,746,336
FROM GAS TAX COLLECTION TRUST FUND		213,265
FROM LAW ENFORCEMENT TRUST FUND		3,752

From the funds in Specific Appropriation 2745, $202,844 from the Highway Safety Operating Trust Fund is provided for the implementation

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and planning requirements of the Federal REAL ID Act and is contingent upon House Bill 5067 or similar legislation becoming law.

2746 OPERATING CAPITAL OUTLAY
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 234,307

From the funds in Specific Appropriation 2746, $109,307 from the Highway Safety Operating Trust Fund is provided for the implementation and planning requirements of the Federal REAL ID Act and is contingent upon House Bill 5067 or similar legislation becoming law.

2746A LUMP SUM
MAINFRAME CONSOLIDATION
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 124,000

2747 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 172,362
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 1,712,007
FROM GAS TAX COLLECTION TRUST FUND 17,333

From the funds in Specific Appropriation 2747, $528,467 from the Highway Safety Operating Trust Fund is provided for the implementation and planning requirements of the Federal REAL ID Act and is contingent upon House Bill 5067 or similar legislation becoming law.

2748 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 32,916

2749 SPECIAL CATEGORIES
TAX COLLECTOR NETWORK - COUNTY SYSTEMS
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 6,385,729

From the funds in Specific Appropriation 2749, $820,440 from the Highway Safety Operating Trust Fund is provided for the implementation and planning requirements of the Federal REAL ID Act and is contingent upon House Bill 5067 or similar legislation becoming a law.

2750 SPECIAL CATEGORIES
DEFERRED-PAYMENT COMMODITY CONTRACTS
FROM HIGHWAY SAFETY OPERATING TRUST FUND . 3,729,492

From the funds in Specific Appropriation 2750, $504,064 from the Highway Safety Operating Trust Fund is provided for the implementation and planning requirements of the Federal REAL ID Act and is contingent upon House Bill 5067 or similar legislation becoming a law.

TOTAL: INFORMATION TECHNOLOGY
FROM GENERAL REVENUE FUND 1,466,833
FROM TRUST FUNDS 29,872,777

TOTAL POSITIONS 193.00
TOTAL ALL FUNDS 31,339,610

LEGISLATIVE BRANCH

SENATE

2751 LUMP SUM
SENATE
FROM GENERAL REVENUE FUND 36,222,587

HOUSE OF REPRESENTATIVES

2752 LUMP SUM
HOUSE
FROM GENERAL REVENUE FUND 56,566,011

LEGISLATIVE SUPPORT SERVICES

2753 LUMP SUM
FLORIDA ENERGY COMMISSION
FROM GENERAL REVENUE FUND 585,091

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2753A LUMP SUM
JOINT LEGISLATIVE SUNSET COMMITTEE
FROM GENERAL REVENUE FUND 574,603

2754 LUMP SUM
LEGISLATIVE SUPPORT SERVICES - SENATE
FROM GENERAL REVENUE FUND 22,467,350
FROM GRANTS AND DONATIONS TRUST FUND . . . 962,163
FROM LEGISLATIVE LOBBYIST REGISTRATION TRUST FUND 145,032

2755 LUMP SUM
LEGISLATIVE SUPPORT SERVICES - HOUSE
FROM GENERAL REVENUE FUND 22,357,041
FROM GRANTS AND DONATIONS TRUST FUND . . . 950,883
FROM LEGISLATIVE LOBBYIST REGISTRATION TRUST FUND 143,295

2756 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 262,474
FROM LEGISLATIVE LOBBYIST REGISTRATION TRUST FUND 341

TOTAL: LEGISLATIVE SUPPORT SERVICES
FROM GENERAL REVENUE FUND 46,246,559
FROM TRUST FUNDS 2,201,714

TOTAL ALL FUNDS 48,448,273

ADMINISTRATIVE PROCEDURES COMMITTEE

2757 LUMP SUM
ADMINISTRATIVE PROCEDURES
FROM GENERAL REVENUE FUND 1,279,023

2758 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 1,671

TOTAL: ADMINISTRATIVE PROCEDURES COMMITTEE
FROM GENERAL REVENUE FUND 1,280,694

TOTAL ALL FUNDS 1,280,694

INTERGOVERNMENTAL RELATIONS, LEGISLATIVE COMMITTEE ON

2759 LUMP SUM
LEGISLATIVE COMMITTEE ON INTERGOVERNMENTAL RELATIONS
FROM GENERAL REVENUE FUND 837,652

2760 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 1,040

TOTAL: INTERGOVERNMENTAL RELATIONS, LEGISLATIVE COMMITTEE ON
FROM GENERAL REVENUE FUND 838,692

TOTAL ALL FUNDS 838,692

OFFICE OF PUBLIC COUNSEL

2761 LUMP SUM
PUBLIC COUNSEL
FROM GENERAL REVENUE FUND 2,895,991

2762 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 24,955

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TOTAL: OFFICE OF PUBLIC COUNSEL
FROM GENERAL REVENUE FUND 2,920,946

TOTAL ALL FUNDS 2,920,946

ETHICS, COMMISSION ON

2763 LUMP SUM
LOBBY REGISTRATION
FROM EXECUTIVE BRANCH LOBBY REGISTRATION
TRUST FUND 136,445

2764 LUMP SUM
ETHICS COMMISSION
FROM GENERAL REVENUE FUND 2,387,158

2765 SPECIAL CATEGORIES
TRANSFER TO DIVISION OF ADMINISTRATIVE
HEARINGS
FROM GENERAL REVENUE FUND 60,050

2766 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 2,861
FROM EXECUTIVE BRANCH LOBBY REGISTRATION
TRUST FUND 247

TOTAL: ETHICS, COMMISSION ON
FROM GENERAL REVENUE FUND 2,450,069
FROM TRUST FUNDS 136,692

TOTAL ALL FUNDS 2,586,761

NATIONAL CONFERENCE OF COMMISSIONERS ON UNIFORM
STATE LAWS

2767 EXPENSES
FROM GENERAL REVENUE FUND 75,253

PROGRAM POLICY ANALYSIS AND GOVERNMENT
ACCOUNTABILITY, OFFICE OF

2768 LUMP SUM
PROGRAM POLICY ANALYSIS AND GOVERNMENT
ACCOUNTABILITY
FROM GENERAL REVENUE FUND 9,065,876

2769 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 11,439

TOTAL: PROGRAM POLICY ANALYSIS AND GOVERNMENT
ACCOUNTABILITY, OFFICE OF
FROM GENERAL REVENUE FUND 9,077,315

TOTAL ALL FUNDS 9,077,315

AUDITOR GENERAL

2770 LUMP SUM
AUDITOR GENERAL
FROM GENERAL REVENUE FUND 40,194,794

2771 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 71,151

TOTAL: AUDITOR GENERAL
FROM GENERAL REVENUE FUND 40,265,945

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TOTAL ALL FUNDS 40,265,945

AUDITING COMMITTEE

2772 LUMP SUM
AUDITING COMMITTEE
FROM GENERAL REVENUE FUND 385,094

2773 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 514

TOTAL: AUDITING COMMITTEE
FROM GENERAL REVENUE FUND 385,608

TOTAL ALL FUNDS 385,608

LOTTERY, DEPARTMENT OF THE

PROGRAM: LOTTERY OPERATIONS

APPROVED SALARY RATE 18,416,250

2774 SALARIES AND BENEFITS POSITIONS 440.00
FROM OPERATING TRUST FUND 26,037,103

2775 OTHER PERSONAL SERVICES
FROM OPERATING TRUST FUND 484,796

2776 EXPENSES
FROM OPERATING TRUST FUND 6,579,559

From the funds provided in Specific Appropriation 2776, the Department of the Lottery is directed to continue to develop a plan to consolidate its lease of office space where economical and sublet excess office and warehouse space to suitable tenants. In addition, the department shall continue to report its progress, at least annually, to the President of the Senate, the Speaker of the House of Representatives, the Office of Program Policy Analysis and Government Accountability, and the Joint Legislative Auditing Committee.

2777 OPERATING CAPITAL OUTLAY
FROM OPERATING TRUST FUND 427,045

2778 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM OPERATING TRUST FUND 250,000

2779 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM OPERATING TRUST FUND 3,226,100

2780 SPECIAL CATEGORIES
INSTANT TICKET PURCHASE
FROM OPERATING TRUST FUND 56,000,000

The Department of the Lottery is authorized to submit budget amendments in accordance with chapter 216, Florida Statutes, to increase Specific Appropriation 2780 in the event instant ticket sales are greater than the projected sales used to calculate the amount appropriated.

2781 SPECIAL CATEGORIES
PAID ADVERTISING AND PROMOTION
FROM OPERATING TRUST FUND 34,869,453

From the funds in Specific Appropriation 2781, the Department of the Lottery shall expend no more than $3,486,945 for any advertising agency or consultant for strategic planning, marketing communications, public relations, account management and services, media planning, media negotiation and placement, and sales promotions.

From the funds in Specific Appropriation 2781, the Department of the Lottery shall not expend in excess of $200,000 for the development,

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publication and distribution of any report by the department for the purpose of carrying out the provisions of section 24.1215, Florida Statutes.

From the funds in Specific Appropriation 2781, the Department of Lottery shall competitively solicit for advertising contracts pursuant to section 287.057, Florida Statutes. The department may not extend or renew the current contracts and shall initiate any competitive solicitations prior to the termination of all current advertising contracts.

From the funds in Specific Appropriation 2781, the Department of the Lottery is authorized to utilize up to $1,300,000 for the purpose of contracting with an appropriate Florida organization to conduct a compulsive gambling program.

2782 SPECIAL CATEGORIES
ONLINE GAMES CONTRACT
FROM OPERATING TRUST FUND 30,340,321

The Department of the Lottery is authorized to submit budget amendments in accordance with chapter 216, Florida Statutes, to increase Specific Appropriation 2782 in the event on-line sales are greater than the projected sales used to calculate the amount appropriated.

The Department of the Lottery is authorized to submit budget amendments in accordance with chapter 216, Florida Statutes, to increase Specific Appropriation 2782 to acquire up to 500 additional ticket terminals. Prior to the submission of any budget amendment that increases the size of the lottery retailer network, the Revenue Estimating Conference shall determine if sales will increase sufficiently to cover the cost of the machines, offset any losses to the existing network, and generate additional revenue that benefits the state. The budget amendments will be contingent upon the agency's submission of a plan that includes not only a positive Revenue Estimating Conference impact analysis but also identifies the specific terminal needs and a plan for distribution of the additional terminals.

2784 SPECIAL CATEGORIES
RETAILER INCENTIVES
FROM OPERATING TRUST FUND 2,500,000

2785 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM OPERATING TRUST FUND 319,768

2786 SPECIAL CATEGORIES
SALARY INCENTIVE PAYMENTS
FROM OPERATING TRUST FUND 21,060

2786A SPECIAL CATEGORIES
TRANSFER TO EDUCATIONAL ENHANCEMENT TRUST FUND
FROM OPERATING TRUST FUND 2,000,000

Funds in Specific Appropriation 2786A are provided to transfer unencumbered funds remaining in the Operating Trust Fund at the end of Fiscal Year 2007-2008. In accordance with section 24.121(4), Florida Statutes, and upon the completion of the annual financial statement audit for the period ending June 30, 2008, the Department of the Lottery shall transfer the unencumbered cash balance in the Operating Trust Fund to the Educational Enhancement Trust Fund. If the unencumbered cash balance is less than $2,000,000, the remaining budget authority shall revert to the Operating Trust Fund. In the event the June 30, 2008, unencumbered cash balance exceeds $2,000,000, the department shall submit a budget amendment in accordance with chapter 216, Florida Statutes, and upon approval, transfer the remaining balance.

2787 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM OPERATING TRUST FUND 175,249

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TOTAL: PROGRAM: LOTTERY OPERATIONS
FROM TRUST FUNDS 163,230,454

TOTAL POSITIONS 440.00
TOTAL ALL FUNDS 163,230,454

MANAGEMENT SERVICES, DEPARTMENT OF

PROGRAM: ADMINISTRATION PROGRAM

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 4,700,912

2788 SALARIES AND BENEFITS POSITIONS 82.50
FROM ADMINISTRATIVE TRUST FUND 6,356,417

2789 OTHER PERSONAL SERVICES
FROM ADMINISTRATIVE TRUST FUND 8,700

2790 EXPENSES
FROM ADMINISTRATIVE TRUST FUND 862,552

2791 OPERATING CAPITAL OUTLAY
FROM ADMINISTRATIVE TRUST FUND 24,688

2792 SPECIAL CATEGORIES
TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS
FROM ADMINISTRATIVE TRUST FUND 22,519

2793 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM ADMINISTRATIVE TRUST FUND 1,000

2794 SPECIAL CATEGORIES
MAIL SERVICES
FROM ADMINISTRATIVE TRUST FUND 200,016

2795 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM ADMINISTRATIVE TRUST FUND 33,914

2796 SPECIAL CATEGORIES
DEFERRED-PAYMENT COMMODITY CONTRACTS
FROM ADMINISTRATIVE TRUST FUND 45,470

2797 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM ADMINISTRATIVE TRUST FUND 34,557

2798 DATA PROCESSING SERVICES
STATE TECHNOLOGY OFFICE
FROM ADMINISTRATIVE TRUST FUND 437,486

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM TRUST FUNDS 8,027,319

TOTAL POSITIONS 82.50
TOTAL ALL FUNDS 8,027,319

STATE EMPLOYEE LEASING

APPROVED SALARY RATE 300,208

2799 SALARIES AND BENEFITS POSITIONS 5.00
FROM ADMINISTRATIVE TRUST FUND 480,021

2800 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT

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SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM ADMINISTRATIVE TRUST FUND 1,907

TOTAL: STATE EMPLOYEE LEASING
FROM TRUST FUNDS 481,928

TOTAL POSITIONS 5.00
TOTAL ALL FUNDS 481,928

PROGRAM: FACILITIES PROGRAM

FACILITIES MANAGEMENT

APPROVED SALARY RATE 10,116,754

2801 SALARIES AND BENEFITS POSITIONS 308.50
FROM SUPERVISION TRUST FUND 13,702,187

From the funds in Specific Appropriations 2801 and 2803, the Department of Management Services shall identify two full-time equivalent positions, 140,000 in rate and $245,000 for the purpose of assisting state agencies in the review and analysis of guaranteed energy performance savings contracts.

2802 OTHER PERSONAL SERVICES
FROM SUPERVISION TRUST FUND 17,000

2803 EXPENSES
FROM SUPERVISION TRUST FUND 4,808,809

2803A AID TO LOCAL GOVERNMENTS
GRANT AND AIDS - DEBT SERVICE PAYMENT
FROM GENERAL REVENUE FUND 3,000,000

2804 OPERATING CAPITAL OUTLAY
FROM SUPERVISION TRUST FUND 76,800

2805 SPECIAL CATEGORIES
TRANSFER TO THE FLORIDA DEPARTMENT OF LAW
ENFORCEMENT - CAPITOL POLICE
FROM SUPERVISION TRUST FUND 5,895,913

2806 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM SUPERVISION TRUST FUND 9,012,457

2807 SPECIAL CATEGORIES
DEPARTMENT OF MANAGEMENT SERVICES
PROVISIONS FOR FACILITIES SECURITY
FROM SUPERVISION TRUST FUND 1,196,254

2808 SPECIAL CATEGORIES
INTERIOR REFURBISHMENT - LEASE SPACE
FROM SUPERVISION TRUST FUND 1,346,849

2809 SPECIAL CATEGORIES
MASTER LEASE SPACE TENANT IMPROVEMENT
FUNDS
FROM OPERATING TRUST FUND 929,367

Funds provided in Specific Appropriation 2809 shall be placed in reserve until the department submits to the Legislature an updated project plan that includes, but is not limited to, all expenditures related to the proposed projects and the associated funding sources. The plan shall also include: a prioritization of all outstanding requests by agencies for improvement projects in spaces leased under the Tallahassee area private sector master leases; identify all out-year projects required to improve and maintain the leased space for the duration of the 15-year leases; and provide an explanation of why improvements are required or not required for each fiscal year. No earlier than 14 days after submission of the plan to the legislature, the department may request the release of the funds pursuant to the provisions of chapter 216, Florida Statutes.

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2810 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM SUPERVISION TRUST FUND 234,011

2811 SPECIAL CATEGORIES
STATE UTILITY PAYMENTS
FROM SUPERVISION TRUST FUND 22,144,359

2812 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM SUPERVISION TRUST FUND 118,666

2813 SPECIAL CATEGORIES
STATE CAPITOL - MAINTENANCE AND REPAIRS
FROM SUPERVISION TRUST FUND 50,000

2814 DATA PROCESSING SERVICES
STATE TECHNOLOGY OFFICE
FROM SUPERVISION TRUST FUND 397,798

2814A FIXED CAPITAL OUTLAY
PLANNING/DESIGN/CONSTRUCTION - CAPITAL
CIRCLE OFFICE COMPLEX - 1ST DISTRICT COURT
OF APPEAL - LEON COUNTY - DMS MGD
FROM FLORIDA FACILITIES POOL WORKING
CAPITAL TRUST FUND 5,500,000

Funds in Specific Appropriation 2814A are provided to the Department of Management Services for the construction of the First District Court of Appeals building and are to be used in conjunction with bond proceeds authorized by the Legislature in chapter 2007-196, Laws of Florida, section 64.

2815 FIXED CAPITAL OUTLAY
LIFE SAFETY CODE COMPLIANCE PROJECTS
STATEWIDE - DMS MGD
FROM SUPERVISION TRUST FUND 465,275

2817 FIXED CAPITAL OUTLAY
ENVIRONMENTAL PROJECTS - DMS MGD
FROM SUPERVISION TRUST FUND 250,000

2818 FIXED CAPITAL OUTLAY
STATEWIDE CAPITAL DEPRECIATION - GENERAL -
DMS MGD
FROM PUBLIC FACILITIES FINANCING TRUST
FUND 1,200,000
FROM SUPERVISION TRUST FUND 2,084,725

2819 FIXED CAPITAL OUTLAY
DEBT SERVICE
FROM GENERAL REVENUE FUND 7,305,123
FROM FLORIDA FACILITIES POOL CLEARING
TRUST FUND 29,880,237

TOTAL: FACILITIES MANAGEMENT
FROM GENERAL REVENUE FUND 10,305,123
FROM TRUST FUNDS 99,310,707

TOTAL POSITIONS 308.50
TOTAL ALL FUNDS 109,615,830

BUILDING CONSTRUCTION

Funds in Specific Appropriations 2820 through 2825 from the Architects Incidental Trust Fund are based on an assessment against each fixed capital outlay appropriation in which the Department of Management Services serves as the owner-representative on behalf of the state. The assessments for appropriations made for the 2008-2009 fiscal year shall be calculated in accordance with the formula submitted by the department to the Executive Office of the Governor on October 7, 1991, as required by chapter 91-193, Laws of Florida.

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SPECIFIC
APPROPRIATION

APPROVED SALARY RATE 563,721

2820 SALARIES AND BENEFITS POSITIONS 11.00
FROM ARCHITECTS INCIDENTAL TRUST FUND . . 862,991

2821 EXPENSES
FROM ARCHITECTS INCIDENTAL TRUST FUND . . 232,236

2822 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM ARCHITECTS INCIDENTAL TRUST FUND . . 48,273

2823 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM ARCHITECTS INCIDENTAL TRUST FUND . . 19,194

2824 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM ARCHITECTS INCIDENTAL TRUST FUND . . 4,228

2825 DATA PROCESSING SERVICES
STATE TECHNOLOGY OFFICE
FROM ARCHITECTS INCIDENTAL TRUST FUND . . 32,593

2825A FIXED CAPITAL OUTLAY
SUPPLEMENTAL CONTRACTS - PROJECTS LESS
THAN $100,000 STATEWIDE - DMS MGD
FROM ARCHITECTS INCIDENTAL TRUST FUND . . 700,000

TOTAL: BUILDING CONSTRUCTION
FROM TRUST FUNDS 1,899,515

TOTAL POSITIONS 11.00
TOTAL ALL FUNDS 1,899,515

PROGRAM: SUPPORT PROGRAM

AIRCRAFT MANAGEMENT

The Office of Program Policy Analysis and Government Accountability (OPPAGA) shall conduct a study of passenger flight services for Second and Third scheduling priority users of the State Executive Aircraft Pool, as defined in 60B-4.006 Florida Administrative Code. The study shall include a comparative analysis of the cost effectiveness of other alternatives for providing such services, including procuring services from the private sector. The study shall be submitted to the Executive Office of the Governor, the chair of the Senate Fiscal Policy and Calendar Committee, and the chair of the House Policy and Budget Council no later than October 1, 2008. The department shall implement any operational efficiencies recommended by OPPAGA. The department shall submit a report to the Executive Office of the Governor, the chair of the Senate Fiscal Policy and Calendar Committee, and the chair of the House Policy and Budget Council no later than December 31, 2008 outlining all efforts taken to comply with these recommendations. If the study finds and OPPAGA recommends that air travel can be furnished in a more cost effective manner through procuring services from the private sector, the department shall pursue outsourcing the executive aircraft pool in accordance with chapter 2006-224, Laws of Florida, within 90 days of receipt of the final report.

Beginning July 1, 2008, the Department shall report quarterly the year-to-date flight hours by department, by priority, by plane and the amount to be billed. The report shall be submitted to the Executive Office of the Governor, the chair of the Senate Fiscal Policy and Calendar Committee, and the chair of the House Policy and Budget Council.

APPROVED SALARY RATE 765,084

2826 SALARIES AND BENEFITS POSITIONS 15.00
FROM BUREAU OF AIRCRAFT TRUST FUND 991,510

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APPROPRIATION

2827 OTHER PERSONAL SERVICES
FROM BUREAU OF AIRCRAFT TRUST FUND 39,420

2828 EXPENSES
FROM BUREAU OF AIRCRAFT TRUST FUND 1,303,077

2830 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM BUREAU OF AIRCRAFT TRUST FUND 12,910

2831 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM BUREAU OF AIRCRAFT TRUST FUND 1,963

2831A SPECIAL CATEGORIES
TRANSFER TO BUREAU OF AIRCRAFT TRUST FUND
FROM GENERAL REVENUE FUND 430,000

2832 SPECIAL CATEGORIES
SPECIAL CATEGORIES- AIRCRAFT MAINTENANCE
AND REPAIRS
FROM BUREAU OF AIRCRAFT TRUST FUND 211,500

2833 SPECIAL CATEGORIES
DEFERRED-PAYMENT COMMODITY CONTRACTS
FROM BUREAU OF AIRCRAFT TRUST FUND 531,750

2834 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM BUREAU OF AIRCRAFT TRUST FUND 5,765

2835 DATA PROCESSING SERVICES
STATE TECHNOLOGY OFFICE
FROM BUREAU OF AIRCRAFT TRUST FUND 16,229

TOTAL: AIRCRAFT MANAGEMENT
FROM GENERAL REVENUE FUND 430,000
FROM TRUST FUNDS 3,114,124

TOTAL POSITIONS 15.00
TOTAL ALL FUNDS 3,544,124

FEDERAL PROPERTY ASSISTANCE

APPROVED SALARY RATE 172,201

2836 SALARIES AND BENEFITS POSITIONS 5.00
FROM SURPLUS PROPERTY REVOLVING TRUST
FUND 235,085

2837 EXPENSES
FROM SURPLUS PROPERTY REVOLVING TRUST
FUND 63,679

2838 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM SURPLUS PROPERTY REVOLVING TRUST
FUND 6,379

2839 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM SURPLUS PROPERTY REVOLVING TRUST
FUND 1,157

2840 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM SURPLUS PROPERTY REVOLVING TRUST
FUND 1,921

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2841 DATA PROCESSING SERVICES
STATE TECHNOLOGY OFFICE
FROM SURPLUS PROPERTY REVOLVING TRUST FUND 16,141

TOTAL: FEDERAL PROPERTY ASSISTANCE
FROM TRUST FUNDS 324,362

TOTAL POSITIONS 5.00
TOTAL ALL FUNDS 324,362

MOTOR VEHICLE AND WATERCRAFT MANAGEMENT

APPROVED SALARY RATE 423,322

2842 SALARIES AND BENEFITS POSITIONS 8.00
FROM OPERATING TRUST FUND 677,845

2843 EXPENSES
FROM OPERATING TRUST FUND 141,419

2844 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM OPERATING TRUST FUND 232

2845 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM OPERATING TRUST FUND 1,028

2846 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM OPERATING TRUST FUND 3,460

2847 SPECIAL CATEGORIES
PAYMENT OF EXPENSES FROM SALE OF AGENCY VEHICLES
FROM OPERATING TRUST FUND 650,000

2848 DATA PROCESSING SERVICES
STATE TECHNOLOGY OFFICE
FROM OPERATING TRUST FUND 252,000

TOTAL: MOTOR VEHICLE AND WATERCRAFT MANAGEMENT
FROM TRUST FUNDS 1,725,984

TOTAL POSITIONS 8.00
TOTAL ALL FUNDS 1,725,984

PURCHASING OVERSIGHT

APPROVED SALARY RATE 3,307,567

2849 SALARIES AND BENEFITS POSITIONS 64.00
FROM GENERAL REVENUE FUND 973,514
FROM OPERATING TRUST FUND 3,415,994

2850 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 15,200
FROM OPERATING TRUST FUND 53,720

2851 EXPENSES
FROM GENERAL REVENUE FUND 186,925
FROM OPERATING TRUST FUND 492,185

2852 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 2,690
FROM OPERATING TRUST FUND 29,859

2853 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 23,056
FROM OPERATING TRUST FUND 341,267

SECTION 6
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APPROPRIATION

From the funds in Specific Appropriation 2853, up to $250,000 shall be transferred to the Office of Program Policy Analysis and Government Accountability (OPPAGA) to conduct an independent study of the state's eProcurement system, MyFloridaMarketPlace. The study shall include, but not be limited to, an examination of the system's cost effectiveness, efficiency, staffing needs, maintenance requirements, functionality, security, and ability to meet the state's business needs. The study shall also include alternative solutions for service delivery, with a timeline for implementation. OPPAGA may contract with a private entity to conduct or assist with the study. The study and its recommendations shall be provided to the Executive Office of the Governor, the chair of the Senate Fiscal Policy and Calendar Committee, and the chair of the House Policy and Budget Council no later than February 1, 2009.

2854 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 2,253
FROM OPERATING TRUST FUND 6,101

2855 SPECIAL CATEGORIES
CONTRACTED LEGAL SERVICES
FROM GENERAL REVENUE FUND 116,136
FROM OPERATING TRUST FUND 120,000

2856 SPECIAL CATEGORIES
WEB-BASED E-PROCUREMENT SYSTEM
FROM OPERATING TRUST FUND 15,457,000

The Department of Management Services is authorized to submit budget amendments in accordance with chapter 216, Florida Statutes, to increase Specific Appropriation 2856 in the event revenues available for payment under the MyFloridaMarketPlace contract exceed the amount of budget authority appropriated.

2857 SPECIAL CATEGORIES
PURCHASING BILLING AND COLLECTION CONTRACT
FROM OPERATING TRUST FUND 537,050

2858 SPECIAL CATEGORIES
PROJECT MANAGEMENT PROFESSIONAL - TRAINING
FROM OPERATING TRUST FUND 250,000

2859 SPECIAL CATEGORIES
ADMINISTRATIVE OVERHEAD
FROM GENERAL REVENUE FUND 103,673

2860 SPECIAL CATEGORIES
PRIVATE PRISONS - MAINTENANCE AND REPAIR REIMBURSEMENT
FROM OPERATING TRUST FUND 459,588

2861 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 6,070
FROM OPERATING TRUST FUND 18,839

2862 DATA PROCESSING SERVICES
STATE TECHNOLOGY OFFICE
FROM GENERAL REVENUE FUND 40,026
FROM OPERATING TRUST FUND 1,519,959

TOTAL: PURCHASING OVERSIGHT
FROM GENERAL REVENUE FUND 1,469,543
FROM TRUST FUNDS 22,701,562

TOTAL POSITIONS 64.00
TOTAL ALL FUNDS 24,171,105

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APPROPRIATION
OFFICE OF SUPPLIER DIVERSITY

APPROVED SALARY RATE 487,468

2863 SALARIES AND BENEFITS POSITIONS 11.00
FROM OPERATING TRUST FUND 681,080

2864 OTHER PERSONAL SERVICES
FROM OPERATING TRUST FUND 4,000

2865 EXPENSES
FROM OPERATING TRUST FUND 111,621

2866 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM OPERATING TRUST FUND 56,428

2867 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM OPERATING TRUST FUND 4,117

2868 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM OPERATING TRUST FUND 4,125

2869 DATA PROCESSING SERVICES
STATE TECHNOLOGY OFFICE
FROM OPERATING TRUST FUND 51,688

TOTAL: OFFICE OF SUPPLIER DIVERSITY
FROM TRUST FUNDS 913,059

TOTAL POSITIONS 11.00
TOTAL ALL FUNDS 913,059

WORKFORCE PROGRAMS

PROGRAM: HUMAN RESOURCE MANAGEMENT

APPROVED SALARY RATE 2,571,234

2870 SALARIES AND BENEFITS POSITIONS 44.00
FROM GENERAL REVENUE FUND 388,981
FROM STATE PERSONNEL SYSTEM TRUST FUND . . 3,061,689

Funds in Specific Appropriations 2870 through 2882 from the State Personnel System Trust Fund are based upon a human resources services assessment to state entities at the following rates:

FTE	$400.93
OPS	$131.66
Justice Administrative Commission	$287.48
State Court System	$248.85
County Health Department	$287.48

2871 OTHER PERSONAL SERVICES
FROM STATE PERSONNEL SYSTEM TRUST FUND . . 10,000

2872 EXPENSES
FROM GENERAL REVENUE FUND 151,526
FROM OPERATING TRUST FUND 107,426
FROM STATE PERSONNEL SYSTEM TRUST FUND . . 332,268

2873 OPERATING CAPITAL OUTLAY
FROM STATE PERSONNEL SYSTEM TRUST FUND . . 5,000

2874 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 91,508
FROM STATE PERSONNEL SYSTEM TRUST FUND . . 297,032

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APPROPRIATION

From the funds in Specific Appropriation 2874, up to $250,000 shall be transferred to the Office of Program Policy Analysis and Government Accountability (OPPAGA) to conduct an independent study of the human resource management system, PeopleFirst. The study shall include, but not be limited to, an examination of the system's cost effectiveness, efficiency, staffing needs, maintenance requirements, functionality, security, and ability to meet the state's business needs. The study shall also include alternative solutions for service delivery, with a timeline for implementation. OPPAGA may contract with a private entity to conduct or assist with the study. The study and its recommendations shall be provided to the Executive Office of the Governor, the chair of the Senate Fiscal Policy and Calendar Committee, and the chair of the House Policy and Budget Council no later than February 1, 2009.

2875 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 4,850
FROM STATE PERSONNEL SYSTEM TRUST FUND . . 26,987

2876 SPECIAL CATEGORIES
CONTRACTED LEGAL SERVICES
FROM STATE PERSONNEL SYSTEM TRUST FUND . . 196,000

2877 SPECIAL CATEGORIES
ADMINISTRATIVE OVERHEAD
FROM GENERAL REVENUE FUND 55,145

2878 SPECIAL CATEGORIES
DEFERRED-PAYMENT COMMODITY CONTRACTS
FROM STATE PERSONNEL SYSTEM TRUST FUND . . 6,283

2879 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 2,125
FROM STATE PERSONNEL SYSTEM TRUST FUND . . 14,794

2880 SPECIAL CATEGORIES
HUMAN RESOURCES SERVICES / STATEWIDE
CONTRACT
FROM STATE PERSONNEL SYSTEM TRUST FUND . . 44,153,424

2881 SPECIAL CATEGORIES
STATE EMPLOYEE'S CHARITABLE CAMPAIGN
FROM GENERAL REVENUE FUND 17,000

2882 DATA PROCESSING SERVICES
STATE TECHNOLOGY OFFICE
FROM GENERAL REVENUE FUND 27,889
FROM STATE PERSONNEL SYSTEM TRUST FUND . . 141,014

TOTAL: PROGRAM: HUMAN RESOURCE MANAGEMENT
FROM GENERAL REVENUE FUND 739,024
FROM TRUST FUNDS 48,351,917

TOTAL POSITIONS 44.00
TOTAL ALL FUNDS 49,090,941

PROGRAM: INSURANCE BENEFITS ADMINISTRATION

APPROVED SALARY RATE 1,786,101

2883 SALARIES AND BENEFITS POSITIONS 30.00
FROM PRETAX BENEFITS TRUST FUND 505,376
FROM STATE EMPLOYEES LIFE INSURANCE
TRUST FUND 20,647
FROM STATE EMPLOYEES HEALTH INSURANCE
TRUST FUND 1,780,722
FROM STATE EMPLOYEES DISABILITY
INSURANCE TRUST FUND 27,027

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SPECIFIC
APPROPRIATION

2884 OTHER PERSONAL SERVICES
FROM PRETAX BENEFITS TRUST FUND 2,500
FROM STATE EMPLOYEES HEALTH INSURANCE TRUST FUND 2,500

2885 EXPENSES
FROM PRETAX BENEFITS TRUST FUND 84,548
FROM STATE EMPLOYEES LIFE INSURANCE TRUST FUND 3,484
FROM STATE EMPLOYEES HEALTH INSURANCE TRUST FUND 495,376
FROM STATE EMPLOYEES DISABILITY INSURANCE TRUST FUND 5,375

2886 OPERATING CAPITAL OUTLAY
FROM PRETAX BENEFITS TRUST FUND 10,000
FROM STATE EMPLOYEES HEALTH INSURANCE TRUST FUND 10,000

2887 SPECIAL CATEGORIES
TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS
FROM STATE EMPLOYEES HEALTH INSURANCE TRUST FUND 24,520

2888 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM PRETAX BENEFITS TRUST FUND 363,031
FROM STATE EMPLOYEES HEALTH INSURANCE TRUST FUND 553,321

2889 SPECIAL CATEGORIES
ADMINISTRATIVE SERVICES ONLY CONTRACT FOR HEALTH INSURANCE
FROM STATE EMPLOYEES HEALTH INSURANCE TRUST FUND 22,500,000

2890 SPECIAL CATEGORIES
PRESCRIPTION DRUG CLAIMS ADMINISTRATION
FROM STATE EMPLOYEES HEALTH INSURANCE TRUST FUND 73,864

2891 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM PRETAX BENEFITS TRUST FUND 7,124
FROM STATE EMPLOYEES LIFE INSURANCE TRUST FUND 1,239
FROM STATE EMPLOYEES HEALTH INSURANCE TRUST FUND 21,992
FROM STATE EMPLOYEES DISABILITY INSURANCE TRUST FUND 619

2892 SPECIAL CATEGORIES
CONTRACTED LEGAL SERVICES
FROM STATE EMPLOYEES HEALTH INSURANCE TRUST FUND 25,000

2893 SPECIAL CATEGORIES
PAYMENT OF EMPLOYER CONTRIBUTIONS TO HEALTH SAVINGS ACCOUNT CUSTODIAN
FROM STATE EMPLOYEES HEALTH INSURANCE TRUST FUND 786,443

2894 SPECIAL CATEGORIES
DEFERRED-PAYMENT COMMODITY CONTRACTS
FROM STATE EMPLOYEES HEALTH INSURANCE TRUST FUND 4,174

2895 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM PRETAX BENEFITS TRUST FUND 4,984

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FROM STATE EMPLOYEES LIFE INSURANCE TRUST FUND 348
FROM STATE EMPLOYEES HEALTH INSURANCE TRUST FUND 14,823
FROM STATE EMPLOYEES DISABILITY INSURANCE TRUST FUND 166

2896 DATA PROCESSING SERVICES
STATE TECHNOLOGY OFFICE
FROM PRETAX BENEFITS TRUST FUND 40,000
FROM STATE EMPLOYEES LIFE INSURANCE TRUST FUND 8,099
FROM STATE EMPLOYEES HEALTH INSURANCE TRUST FUND 162,172
FROM STATE EMPLOYEES DISABILITY INSURANCE TRUST FUND 15,006

TOTAL: PROGRAM: INSURANCE BENEFITS ADMINISTRATION
FROM TRUST FUNDS 27,554,480

TOTAL POSITIONS 30.00
TOTAL ALL FUNDS 27,554,480

PROGRAM: RETIREMENT BENEFITS ADMINISTRATION

APPROVED SALARY RATE 7,743,983

2897 SALARIES AND BENEFITS POSITIONS 194.00
FROM OPERATING TRUST FUND 9,583,594
FROM OPTIONAL RETIREMENT PROGRAM TRUST FUND 136,347
FROM POLICE AND FIREFIGHTER'S PREMIUM TAX TRUST FUND 767,958
FROM RETIREE HEALTH INSURANCE SUBSIDY TRUST FUND 40,132

Funds in Specific Appropriations 2897 through 2906 from the Optional Retirement Program Trust Fund are based on an assessment of .01 percent of the participants' salaries and shall be used only for administration of the Optional Retirement Program.

2898 OTHER PERSONAL SERVICES
FROM OPERATING TRUST FUND 6,029
FROM POLICE AND FIREFIGHTER'S PREMIUM TAX TRUST FUND 100

2899 EXPENSES
FROM OPERATING TRUST FUND 3,224,317
FROM OPTIONAL RETIREMENT PROGRAM TRUST FUND 14,133
FROM POLICE AND FIREFIGHTER'S PREMIUM TAX TRUST FUND 68,939
FROM RETIREE HEALTH INSURANCE SUBSIDY TRUST FUND 11,370

2900 OPERATING CAPITAL OUTLAY
FROM OPERATING TRUST FUND 222,509
FROM OPTIONAL RETIREMENT PROGRAM TRUST FUND 4,000
FROM POLICE AND FIREFIGHTER'S PREMIUM TAX TRUST FUND 3,500

2901 SPECIAL CATEGORIES
TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS
FROM OPERATING TRUST FUND 44,537

2902 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 37,000
FROM OPERATING TRUST FUND 3,865,468
FROM POLICE AND FIREFIGHTER'S PREMIUM TAX TRUST FUND 79,100
FROM RETIREE HEALTH INSURANCE SUBSIDY TRUST FUND 30,000

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2903 SPECIAL CATEGORIES
OVERTIME
FROM OPERATING TRUST FUND 127,680

2904 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM OPERATING TRUST FUND 61,265

2905 SPECIAL CATEGORIES
CONTRACTED LEGAL SERVICES
FROM OPERATING TRUST FUND 166,536
FROM POLICE AND FIREFIGHTER'S PREMIUM
TAX TRUST FUND 100

2906 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM OPERATING TRUST FUND 68,887
FROM OPTIONAL RETIREMENT PROGRAM TRUST
FUND 712
FROM POLICE AND FIREFIGHTER'S PREMIUM
TAX TRUST FUND 5,085
FROM RETIREE HEALTH INSURANCE SUBSIDY
TRUST FUND 283

2907 DATA PROCESSING SERVICES
STATE TECHNOLOGY OFFICE
FROM OPERATING TRUST FUND 183,603

2908 PENSIONS AND BENEFITS
DISABILITY BENEFITS TO JUSTICES AND JUDGES
FROM GENERAL REVENUE FUND 743,000

2909 PENSIONS AND BENEFITS
FLORIDA NATIONAL GUARD
FROM GENERAL REVENUE FUND 12,260,000

2911 PENSIONS AND BENEFITS
STATE OFFICERS AND EMPLOYEES (NON-
CONTRIBUTORY)
FROM GENERAL REVENUE FUND 1,171,768

2912 PENSIONS AND BENEFITS
TEACHER'S SPECIAL PENSIONS
FROM GENERAL REVENUE FUND 2,600

TOTAL: PROGRAM: RETIREMENT BENEFITS ADMINISTRATION
FROM GENERAL REVENUE FUND 14,214,368
FROM TRUST FUNDS 18,716,184

TOTAL POSITIONS 194.00
TOTAL ALL FUNDS 32,930,552

PROGRAM: TECHNOLOGY PROGRAM

TELECOMMUNICATIONS SERVICES

APPROVED SALARY RATE 4,064,445

2913 SALARIES AND BENEFITS POSITIONS 77.50
FROM COMMUNICATIONS WORKING CAPITAL
TRUST FUND 5,036,754
FROM EMERGENCY COMMUNICATIONS NUMBER
E911 SYSTEM TRUST 457,603

2914 OTHER PERSONAL SERVICES
FROM COMMUNICATIONS WORKING CAPITAL
TRUST FUND 30,715

2915 EXPENSES
FROM COMMUNICATIONS WORKING CAPITAL
TRUST FUND 906,490

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APPROPRIATION
FROM EMERGENCY COMMUNICATIONS NUMBER
E911 SYSTEM TRUST 777,620

2916 AID TO LOCAL GOVERNMENTS
DISTRIBUTIONS TO COUNTIES - WIRELESS 911
TELEPHONE SYSTEMS
FROM EMERGENCY COMMUNICATIONS NUMBER
E911 SYSTEM TRUST 57,403,884

2917 AID TO LOCAL GOVERNMENTS
DISTRIBUTIONS TO SERVICE PROVIDERS -
WIRELESS 911 TELEPHONE SYSTEMS
FROM EMERGENCY COMMUNICATIONS NUMBER
E911 SYSTEM TRUST 22,930,000

2918 AID TO LOCAL GOVERNMENTS
DISTRIBUTIONS TO COUNTIES - NON-WIRELESS
E911
FROM EMERGENCY COMMUNICATIONS NUMBER
E911 SYSTEM TRUST 59,013,416

2918A AID TO LOCAL GOVERNMENTS
DISTRIBUTIONS TO COUNTIES - E911 GRANT
PROGRAM
FROM EMERGENCY COMMUNICATIONS NUMBER
E911 SYSTEM TRUST 25,000,000

2919 OPERATING CAPITAL OUTLAY
FROM COMMUNICATIONS WORKING CAPITAL
TRUST FUND 96,000

2920 SPECIAL CATEGORIES
CENTREX AND SUNCOM PAYMENTS
FROM COMMUNICATIONS WORKING CAPITAL
TRUST FUND 127,549,588

2921 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM COMMUNICATIONS WORKING CAPITAL
TRUST FUND 2,106,533
FROM EMERGENCY COMMUNICATIONS NUMBER
E911 SYSTEM TRUST 161,649

2922 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM COMMUNICATIONS WORKING CAPITAL
TRUST FUND 9,635
FROM EMERGENCY COMMUNICATIONS NUMBER
E911 SYSTEM TRUST 401

2923 SPECIAL CATEGORIES
CONTRACTED LEGAL SERVICES
FROM EMERGENCY COMMUNICATIONS NUMBER
E911 SYSTEM TRUST 96,000

2924 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM COMMUNICATIONS WORKING CAPITAL
TRUST FUND 29,098
FROM EMERGENCY COMMUNICATIONS NUMBER
E911 SYSTEM TRUST 971

2925 DATA PROCESSING SERVICES
STATE TECHNOLOGY OFFICE
FROM COMMUNICATIONS WORKING CAPITAL
TRUST FUND 1,303,288
FROM EMERGENCY COMMUNICATIONS NUMBER
E911 SYSTEM TRUST 4,140

TOTAL: TELECOMMUNICATIONS SERVICES
FROM TRUST FUNDS 302,913,785

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TOTAL POSITIONS	77.50	
TOTAL ALL FUNDS		302,913,785

WIRELESS SERVICES

APPROVED SALARY RATE 980,969

2926	SALARIES AND BENEFITS POSITIONS	14.00	
	FROM COMMUNICATIONS WORKING CAPITAL TRUST FUND		191,709
	FROM LAW ENFORCEMENT RADIO SYSTEM TRUST FUND		1,104,715
2927	EXPENSES		
	FROM COMMUNICATIONS WORKING CAPITAL TRUST FUND		14,513
	FROM LAW ENFORCEMENT RADIO SYSTEM TRUST FUND		431,413
2928	OPERATING CAPITAL OUTLAY		
	FROM LAW ENFORCEMENT RADIO SYSTEM TRUST FUND		22,000
2929	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM LAW ENFORCEMENT RADIO SYSTEM TRUST FUND		6,768,000
2930	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	651	
	FROM COMMUNICATIONS WORKING CAPITAL TRUST FUND		537
	FROM EMERGENCY COMMUNICATIONS NUMBER E911 SYSTEM TRUST		407
	FROM LAW ENFORCEMENT RADIO SYSTEM TRUST FUND		683
2931	SPECIAL CATEGORIES		
	CONTRACTED LEGAL SERVICES		
	FROM LAW ENFORCEMENT RADIO SYSTEM TRUST FUND		20,000
2932	SPECIAL CATEGORIES		
	STATEWIDE LAW ENFORCEMENT RADIO SYSTEM CONTRACT PAYMENT		
	FROM LAW ENFORCEMENT RADIO SYSTEM TRUST FUND		18,220,000
2933	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	580	
	FROM COMMUNICATIONS WORKING CAPITAL TRUST FUND		872
	FROM LAW ENFORCEMENT RADIO SYSTEM TRUST FUND		4,008
2934	DATA PROCESSING SERVICES		
	STATE TECHNOLOGY OFFICE		
	FROM LAW ENFORCEMENT RADIO SYSTEM TRUST FUND		17,217
TOTAL:	WIRELESS SERVICES		
	FROM GENERAL REVENUE FUND	1,231	
	FROM TRUST FUNDS		26,796,074
	TOTAL POSITIONS	14.00	
	TOTAL ALL FUNDS		26,797,305

SECTION 6
SPECIFIC
APPROPRIATION
INFORMATION SERVICES

APPROVED SALARY RATE 2,226,035

2935	SALARIES AND BENEFITS POSITIONS	40.00	
	FROM GENERAL REVENUE FUND	163,848	
	FROM WORKING CAPITAL TRUST FUND		2,847,852
2936	OTHER PERSONAL SERVICES		
	FROM WORKING CAPITAL TRUST FUND		485,620

The Department of Management Services is authorized to submit budget amendments in accordance with chapter 216, Florida Statutes, to increase Specific Appropriations 2936, 2937, 2939, 2942 and 2943 from the Working Capital Trust Fund, in order to provide services to user agencies. Budget amendment requests must be justified with signed service level agreements with the user agencies.

2937	EXPENSES		
	FROM GENERAL REVENUE FUND	15,696	
	FROM WORKING CAPITAL TRUST FUND		2,116,162
2938	OPERATING CAPITAL OUTLAY		
	FROM WORKING CAPITAL TRUST FUND		228,564
2939	SPECIAL CATEGORIES		
	CONTRACTED SERVICES		
	FROM WORKING CAPITAL TRUST FUND		4,097,703
2940	SPECIAL CATEGORIES		
	STATE PORTAL DEVELOPMENT		
	FROM GENERAL REVENUE FUND	163,000	
2941	SPECIAL CATEGORIES		
	RISK MANAGEMENT INSURANCE		
	FROM GENERAL REVENUE FUND	98	
	FROM WORKING CAPITAL TRUST FUND		7,862
2942	SPECIAL CATEGORIES		
	APPLICATIONS MANAGEMENT CONTRACT FOR DATA CENTER		
	FROM WORKING CAPITAL TRUST FUND		480,000
2943	SPECIAL CATEGORIES		
	DATA PROCESSING CONTRACTS FOR DATA CENTER		
	FROM WORKING CAPITAL TRUST FUND		1,662,457
2944	SPECIAL CATEGORIES		
	DEFERRED-PAYMENT COMMODITY CONTRACTS		
	FROM WORKING CAPITAL TRUST FUND		314,479
2945	SPECIAL CATEGORIES		
	TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
	FROM GENERAL REVENUE FUND	922	
	FROM WORKING CAPITAL TRUST FUND		17,658
2946	DATA PROCESSING SERVICES		
	STATE TECHNOLOGY OFFICE		
	FROM WORKING CAPITAL TRUST FUND		1,000
TOTAL:	INFORMATION SERVICES		
	FROM GENERAL REVENUE FUND	343,564	
	FROM TRUST FUNDS		12,259,357
	TOTAL POSITIONS	40.00	
	TOTAL ALL FUNDS		12,602,921

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PROGRAM: PUBLIC EMPLOYEES RELATIONS COMMISSION

PUBLIC EMPLOYEES RELATIONS

APPROVED SALARY RATE	2,053,249		
2947 SALARIES AND BENEFITS	POSITIONS	30.00	
FROM GENERAL REVENUE FUND		1,406,293	
FROM PUBLIC EMPLOYEES RELATIONS COMMISSION TRUST FUND			1,277,671
2948 OTHER PERSONAL SERVICES			
FROM GENERAL REVENUE FUND		9,277	
FROM PUBLIC EMPLOYEES RELATIONS COMMISSION TRUST FUND			55,863
2949 EXPENSES			
FROM GENERAL REVENUE FUND		33,587	
FROM PUBLIC EMPLOYEES RELATIONS COMMISSION TRUST FUND			391,452
2950 OPERATING CAPITAL OUTLAY			
FROM GENERAL REVENUE FUND		7,399	
FROM PUBLIC EMPLOYEES RELATIONS COMMISSION TRUST FUND			5,721
2951 SPECIAL CATEGORIES CONTRACTED SERVICES			
FROM GENERAL REVENUE FUND		35,070	
2952 SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE			
FROM GENERAL REVENUE FUND		14,952	
FROM PUBLIC EMPLOYEES RELATIONS COMMISSION TRUST FUND			14,952
2953 SPECIAL CATEGORIES ADMINISTRATIVE OVERHEAD			
FROM GENERAL REVENUE FUND		51,314	
2954 SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT			
FROM GENERAL REVENUE FUND		6,987	
FROM PUBLIC EMPLOYEES RELATIONS COMMISSION TRUST FUND			6,024
2955 DATA PROCESSING SERVICES STATE TECHNOLOGY OFFICE			
FROM GENERAL REVENUE FUND		14,719	
FROM PUBLIC EMPLOYEES RELATIONS COMMISSION TRUST FUND			17,498
TOTAL: PUBLIC EMPLOYEES RELATIONS			
FROM GENERAL REVENUE FUND		1,579,598	
FROM TRUST FUNDS			1,769,181
TOTAL POSITIONS		30.00	
TOTAL ALL FUNDS			3,348,779

PROGRAM: COMMISSION ON HUMAN RELATIONS

HUMAN RELATIONS

APPROVED SALARY RATE	2,598,945		
2956 SALARIES AND BENEFITS	POSITIONS	64.00	
FROM GENERAL REVENUE FUND		2,765,872	
FROM OPERATING TRUST FUND			845,987
2957 OTHER PERSONAL SERVICES			
FROM GENERAL REVENUE FUND		37,800	
FROM OPERATING TRUST FUND			77,040

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2958 EXPENSES		
FROM GENERAL REVENUE FUND	317,612	
FROM OPERATING TRUST FUND		134,184
2959 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	1,736	
2960 SPECIAL CATEGORIES TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS		
FROM GENERAL REVENUE FUND	483,685	
FROM OPERATING TRUST FUND		220,399
2961 SPECIAL CATEGORIES CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	28,506	
FROM OPERATING TRUST FUND		36,000
2962 SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	26,263	
FROM OPERATING TRUST FUND		6,339
2963 SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	20,126	
FROM OPERATING TRUST FUND		5,574
2964 DATA PROCESSING SERVICES STATE TECHNOLOGY OFFICE		
FROM OPERATING TRUST FUND		143,896
TOTAL: HUMAN RELATIONS		
FROM GENERAL REVENUE FUND	3,681,600	
FROM TRUST FUNDS		1,469,419
TOTAL POSITIONS	64.00	
TOTAL ALL FUNDS		5,151,019

ADMINISTRATIVE HEARINGS

PROGRAM: ADJUDICATION OF DISPUTES

APPROVED SALARY RATE	5,671,742		
2965 SALARIES AND BENEFITS	POSITIONS	69.00	
FROM OPERATING TRUST FUND			7,206,714
2966 OTHER PERSONAL SERVICES			
FROM OPERATING TRUST FUND			36,391
2967 EXPENSES			
FROM OPERATING TRUST FUND			1,152,635
2968 OPERATING CAPITAL OUTLAY			
FROM OPERATING TRUST FUND			65,000
2969 SPECIAL CATEGORIES CONTRACTED SERVICES			
FROM OPERATING TRUST FUND			195,475
2970 SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE			
FROM OPERATING TRUST FUND			51,305
2971 SPECIAL CATEGORIES TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT			
FROM OPERATING TRUST FUND			27,482

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TOTAL: PROGRAM: ADJUDICATION OF DISPUTES
FROM TRUST FUNDS 8,735,002

TOTAL POSITIONS 69.00
TOTAL ALL FUNDS 8,735,002

PROGRAM: WORKERS' COMPENSATION APPEALS - JUDGES OF COMPENSATION CLAIMS

APPROVED SALARY RATE 10,218,142

2972 SALARIES AND BENEFITS POSITIONS 198.00
FROM OPERATING TRUST FUND 13,410,455

2973 OTHER PERSONAL SERVICES
FROM OPERATING TRUST FUND 230,000

2974 EXPENSES
FROM OPERATING TRUST FUND 3,270,218

2975 OPERATING CAPITAL OUTLAY
FROM OPERATING TRUST FUND 28,796

2976 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM OPERATING TRUST FUND 1,136,549

2977 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM OPERATING TRUST FUND 66,758

2978 SPECIAL CATEGORIES
CONTRACTED LEGAL SERVICES
FROM OPERATING TRUST FUND 2,500

2979 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM OPERATING TRUST FUND 80,066

TOTAL: PROGRAM: WORKERS' COMPENSATION APPEALS - JUDGES OF COMPENSATION CLAIMS
FROM TRUST FUNDS 18,225,342

TOTAL POSITIONS 198.00
TOTAL ALL FUNDS 18,225,342

MILITARY AFFAIRS, DEPARTMENT OF

From the funds in Specific Appropriation 3017, any expenditures from the Temporary Assistance for Needy Families (TANF) Block Grant must be expended in accordance with the requirements and limitations of Part A of Title IV of the Social Security Act, as amended, or any other applicable federal requirement or limitation. Before any funds are released by the Department of Children and Family Services, each provider shall identify the number of clients to be served and certify their eligibility under Part A of Title IV of the Social Security Act. Funds may not be released for services to any clients except those so identified and certified.

The agency head or a designee shall certify that controls are in place to ensure that such funds are expended in accordance with the requirements and limitations of federal law and that any reporting requirements of federal law are met. It shall be the responsibility of any entity to which such funds are appropriated to obtain the required certification prior to any expenditure of funds.

PROGRAM: READINESS AND RESPONSE

DRUG INTERDICTION AND PREVENTION

2981 EXPENSES
FROM FEDERAL GRANTS TRUST FUND 75,000

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FROM FEDERAL LAW ENFORCEMENT TRUST FUND . 345,000

2982 OPERATING CAPITAL OUTLAY
FROM FEDERAL LAW ENFORCEMENT TRUST FUND . 100,000

2983 SPECIAL CATEGORIES
ACCOUNTING SERVICES
FROM FEDERAL LAW ENFORCEMENT TRUST FUND . 10,000

2984 SPECIAL CATEGORIES
PROJECTS, CONTRACTS AND GRANTS
FROM FEDERAL GRANTS TRUST FUND 6,600,000

2985 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM FEDERAL LAW ENFORCEMENT TRUST FUND . 50,000

2986 SPECIAL CATEGORIES
MAINTENANCE AND OPERATIONS CONTRACTS
FROM FEDERAL LAW ENFORCEMENT TRUST FUND . 20,000

TOTAL: DRUG INTERDICTION AND PREVENTION
FROM TRUST FUNDS 7,200,000

TOTAL ALL FUNDS 7,200,000

MILITARY READINESS AND RESPONSE

APPROVED SALARY RATE 3,204,556

2987 SALARIES AND BENEFITS POSITIONS 92.00
FROM GENERAL REVENUE FUND 3,156,254
FROM CAMP BLANDING MANAGEMENT TRUST FUND . 1,068,075

2988 OTHER PERSONAL SERVICES
FROM CAMP BLANDING MANAGEMENT TRUST FUND . 18,172

2989 EXPENSES
FROM GENERAL REVENUE FUND 4,815,585
FROM CAMP BLANDING MANAGEMENT TRUST FUND . 90,000

2990 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 188,930

2991 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM GENERAL REVENUE FUND 106,869
FROM CAMP BLANDING MANAGEMENT TRUST FUND . 113,678

2992 SPECIAL CATEGORIES
NATIONAL GUARD TUITION ASSISTANCE
FROM GENERAL REVENUE FUND 1,781,900

2993 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 372,000
FROM CAMP BLANDING MANAGEMENT TRUST FUND . 25,000

2994 SPECIAL CATEGORIES
MAINTENANCE AND OPERATIONS CONTRACTS
FROM GENERAL REVENUE FUND 190,000
FROM CAMP BLANDING MANAGEMENT TRUST FUND . 25,000

2995 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM CAMP BLANDING MANAGEMENT TRUST FUND . 89,895

2996 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 27,523
FROM CAMP BLANDING MANAGEMENT TRUST FUND . 9,330

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2997 FIXED CAPITAL OUTLAY
FLORIDA READINESS CENTERS REVITALIZATION
PLAN - STATEWIDE
FROM GENERAL REVENUE FUND 3,145,372

From the funds provided in Specific Appropriation 2997, the Department of Military Affairs may coordinate with the Department of Management Services on the feasibility of establishing guaranteed energy performance savings contracting, as specified in section 489.145, Florida Statutes, as part of its energy conservation initiatives for the Fixed Capital Improvement Program for Armory Revitalization.

TOTAL: MILITARY READINESS AND RESPONSE
FROM GENERAL REVENUE FUND 13,784,433
FROM TRUST FUNDS 1,439,150

TOTAL POSITIONS 92.00
TOTAL ALL FUNDS 15,223,583

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 2,871,111

2998 SALARIES AND BENEFITS POSITIONS 52.00
FROM GENERAL REVENUE FUND 3,727,228
FROM FEDERAL GRANTS TRUST FUND 316,277

2999 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 70,744

3000 EXPENSES
FROM GENERAL REVENUE FUND 829,409
FROM CAMP BLANDING MANAGEMENT TRUST FUND . 48,952
FROM FEDERAL GRANTS TRUST FUND 54,001

3001 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 43,074
FROM CAMP BLANDING MANAGEMENT TRUST FUND . 74,500
FROM FEDERAL GRANTS TRUST FUND 49,000

3002 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM GENERAL REVENUE FUND 43,939

3003 SPECIAL CATEGORIES
INFORMATION TECHNOLOGY
FROM GENERAL REVENUE FUND 77,000

3004 SPECIAL CATEGORIES
LEGAL SERVICES CONTRACT
FROM GENERAL REVENUE FUND 55,000

3005 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 35,000

3006 SPECIAL CATEGORIES
MAINTENANCE AND OPERATIONS CONTRACTS
FROM GENERAL REVENUE FUND 30,000

3007 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 202,351

3007A SPECIAL CATEGORIES
WORKER'S COMPENSATION FOR STATE ACTIVE
DUTY - FLORIDA NATIONAL GUARD
FROM GENERAL REVENUE FUND 509,628

3008 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 19,275
FROM FEDERAL GRANTS TRUST FUND 1,757

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM GENERAL REVENUE FUND 5,642,648
FROM TRUST FUNDS 544,487

TOTAL POSITIONS 52.00
TOTAL ALL FUNDS 6,187,135

FEDERAL/STATE COOPERATIVE AGREEMENTS

APPROVED SALARY RATE 6,395,101

3009 SALARIES AND BENEFITS POSITIONS 190.00
FROM GENERAL REVENUE FUND 8,229
FROM FEDERAL GRANTS TRUST FUND 8,347,569

3010 OTHER PERSONAL SERVICES
FROM FEDERAL GRANTS TRUST FUND 87,000

3011 EXPENSES
FROM GENERAL REVENUE FUND 221,540
FROM FEDERAL GRANTS TRUST FUND 10,879,230

3012 OPERATING CAPITAL OUTLAY
FROM FEDERAL GRANTS TRUST FUND 415,000

3013 FOOD PRODUCTS
FROM FEDERAL GRANTS TRUST FUND 250,000

3014 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM FEDERAL GRANTS TRUST FUND 744,500

3015 SPECIAL CATEGORIES
LABORATORY SERVICES
FROM FEDERAL GRANTS TRUST FUND 70,000

3016 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 443,150
FROM FEDERAL GRANTS TRUST FUND 8,480,000

3017 SPECIAL CATEGORIES
GRANTS AND AIDS - WAGES CONTRACTING WITH
MILITARY AFFAIRS
FROM WELFARE TRANSITION TRUST FUND 2,000,000

3018 SPECIAL CATEGORIES
ENGINEERING CONSULTANTS
FROM FEDERAL GRANTS TRUST FUND 30,000

3019 SPECIAL CATEGORIES
MAINTENANCE AND OPERATIONS CONTRACTS
FROM FEDERAL GRANTS TRUST FUND 620,000

3020 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM FEDERAL GRANTS TRUST FUND 82,195

3021 FIXED CAPITAL OUTLAY
CONSTRUCTION AMMUNITION STORAGE POINT -
CAMP BLANDING, JOINT TRAINING CENTER,
FLORIDA
FROM FEDERAL GRANTS TRUST FUND 12,249,000

3022 FIXED CAPITAL OUTLAY
CONSTRUCTION - REGIONAL TRAINING INSTITUTE
- CAMP BLANDING TRAINING SITE
FROM FEDERAL GRANTS TRUST FUND 20,000,000

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3023 FIXED CAPITAL OUTLAY
CONSTRUCTION - DATA CENTER - SAINT AUGUSTINE, FLORIDA
FROM FEDERAL GRANTS TRUST FUND 1,500,000

TOTAL: FEDERAL/STATE COOPERATIVE AGREEMENTS
FROM GENERAL REVENUE FUND 672,919
FROM TRUST FUNDS 65,754,494

TOTAL POSITIONS 190.00
TOTAL ALL FUNDS 66,427,413

PUBLIC SERVICE COMMISSION

PROGRAM: UTILITIES REGULATION/CONSUMER ASSISTANCE

APPROVED SALARY RATE 16,960,149

3024 SALARIES AND BENEFITS POSITIONS 331.00
FROM REGULATORY TRUST FUND 22,225,352

3025 OTHER PERSONAL SERVICES
FROM REGULATORY TRUST FUND 200,588

3026 EXPENSES
FROM REGULATORY TRUST FUND 4,280,019

From the funds in Specific Appropriation 3026, up to $150,000 may be used by the Florida Public Service Commission to promote the Lifeline Assistance Program, with an emphasis on rural areas of the state and low-income areas of the state, for the purpose of increasing public awareness and understanding of the program. If the commission procures any services to achieve this purpose, the services shall be procured through a competitive request for proposals.

3027 OPERATING CAPITAL OUTLAY
FROM REGULATORY TRUST FUND 387,546

3028 SPECIAL CATEGORIES
ACQUISITION OF MOTOR VEHICLES
FROM REGULATORY TRUST FUND 72,055

3029 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM REGULATORY TRUST FUND 479,706

From the funds in Specific Appropriation 3029, $250,000 from the Regulatory Trust Fund is appropriated contingent upon House Bill 7135 or similar legislation becoming law.

3030 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM REGULATORY TRUST FUND 87,433

3031 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM REGULATORY TRUST FUND 132,588

3032 DATA PROCESSING SERVICES
OTHER DATA PROCESSING SERVICES
FROM REGULATORY TRUST FUND 76,708

TOTAL: PROGRAM: UTILITIES REGULATION/CONSUMER ASSISTANCE
FROM TRUST FUNDS 27,941,995

TOTAL POSITIONS 331.00
TOTAL ALL FUNDS 27,941,995

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REVENUE, DEPARTMENT OF

PROGRAM: ADMINISTRATIVE SERVICES PROGRAM

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 14,426,518

3033 SALARIES AND BENEFITS POSITIONS 285.00
FROM GENERAL REVENUE FUND 11,704,654
FROM FEDERAL GRANTS TRUST FUND 4,607,879
FROM OPERATING TRUST FUND 2,497,163

3034 OTHER PERSONAL SERVICES
FROM OPERATING TRUST FUND 73,740

3035 EXPENSES
FROM GENERAL REVENUE FUND 514,201
FROM FEDERAL GRANTS TRUST FUND 461,726
FROM OPERATING TRUST FUND 1,346,164

3036 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 106,929
FROM OPERATING TRUST FUND 117,985

3037 SPECIAL CATEGORIES
TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS
FROM FEDERAL GRANTS TRUST FUND 1,151,971
FROM OPERATING TRUST FUND 614,996

3038 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 356,383
FROM FEDERAL GRANTS TRUST FUND 281,028
FROM OPERATING TRUST FUND 1,053,170

3039 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 117,260
FROM FEDERAL GRANTS TRUST FUND 6,514
FROM OPERATING TRUST FUND 93,374

3040 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 1,678,543
FROM FEDERAL GRANTS TRUST FUND 172,234
FROM OPERATING TRUST FUND 288,499

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM GENERAL REVENUE FUND 14,477,970
FROM TRUST FUNDS 12,766,443

TOTAL POSITIONS 285.00
TOTAL ALL FUNDS 27,244,413

PROGRAM: PROPERTY TAX OVERSIGHT PROGRAM

COMPLIANCE DETERMINATION

APPROVED SALARY RATE 5,078,597

3041 SALARIES AND BENEFITS POSITIONS 111.00
FROM GENERAL REVENUE FUND 6,497,869
FROM CERTIFICATION PROGRAM TRUST FUND . . 50,000

3042 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 12,455

3043 EXPENSES
FROM GENERAL REVENUE FUND 1,355,253

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From the funds in Specific Appropriation 3043, no more than $19,000 may be used to make payments for the use of property leased pursuant to Lease Number 730:0165, relating to 3670 "B" North L Street, Pensacola, Florida. It is the intent of the Legislature that the Department of Revenue renegotiate such lease to occupy no more than 33,519 square feet at that location. No other funds in Specific Appropriation 3043 may be used to make payments pursuant to this lease.

From the funds in Specific Appropriation 3043, no more than $12,000 may be used to make payments for the use of property leased pursuant to Lease Number 730:0248, relating to 1415 South Fourteenth Street, Suite 1, Leesburg, Florida. It is the intent of the Legislature that the Department of Revenue renegotiate such lease to occupy no more than 16,945 square feet at that location. No other funds in Specific Appropriation 3043 may be used to make payments pursuant to this lease.

3044 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	16,012	
3045 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	601,393	
3046 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	72,982	
TOTAL: COMPLIANCE DETERMINATION		
FROM GENERAL REVENUE FUND	8,555,964	
FROM TRUST FUNDS		50,000
TOTAL POSITIONS	111.00	
TOTAL ALL FUNDS		8,605,964

COMPLIANCE ASSISTANCE

APPROVED SALARY RATE 2,683,234

3047 SALARIES AND BENEFITS POSITIONS	63.00	
FROM GENERAL REVENUE FUND	3,610,128	
FROM CERTIFICATION PROGRAM TRUST FUND . .		150,000
3048 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	9,715	
3049 EXPENSES		
FROM GENERAL REVENUE FUND	132,459	
3050 AID TO LOCAL GOVERNMENTS		
AERIAL PHOTOGRAPHY AND MAPPING		
FROM GENERAL REVENUE FUND	450,000	
FROM CERTIFICATION PROGRAM TRUST FUND . .		876,266
3051 AID TO LOCAL GOVERNMENTS		
GEOGRAPHICAL INFORMATION SYSTEM MAPPING GRANT PROGRAM		
FROM GENERAL REVENUE FUND	75,000	
3052 AID TO LOCAL GOVERNMENTS		
COUNTY TAX FORMS		
FROM GENERAL REVENUE FUND	105,000	
3054 SPECIAL CATEGORIES		
PROPERTY APPRAISER AND TAX COLLECTOR CERTIFICATION PROGRAM		
FROM CERTIFICATION PROGRAM TRUST FUND . .		485,000
3055 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	572,600	

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3056 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	33,776	
3056A SPECIAL CATEGORIES		
FISCALLY CONSTRAINED COUNTIES		
FROM GENERAL REVENUE FUND	10,000,000	
TOTAL: COMPLIANCE ASSISTANCE		
FROM GENERAL REVENUE FUND	14,988,678	
FROM TRUST FUNDS		1,511,266
TOTAL POSITIONS	63.00	
TOTAL ALL FUNDS		16,499,944

PROGRAM: CHILD SUPPORT ENFORCEMENT PROGRAM

CASE PROCESSING

APPROVED SALARY RATE 30,207,978

3057 SALARIES AND BENEFITS POSITIONS	1,043.00	
FROM GENERAL REVENUE FUND	12,621,054	
FROM CHILD SUPPORT ENFORCEMENT APPLICATION AND PROGRAM REVENUE TRUST FUND		701,808
FROM FEDERAL GRANTS TRUST FUND		26,615,556
3058 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	59,699	
FROM CHILD SUPPORT ENFORCEMENT APPLICATION AND PROGRAM REVENUE TRUST FUND		84,936
FROM FEDERAL GRANTS TRUST FUND		280,762
3059 EXPENSES		
FROM GENERAL REVENUE FUND	3,371,885	
FROM CHILD SUPPORT INCENTIVE TRUST FUND .		290,436
FROM CHILD SUPPORT ENFORCEMENT APPLICATION AND PROGRAM REVENUE TRUST FUND		7,014
FROM FEDERAL GRANTS TRUST FUND		7,133,420

No funds in Specific Appropriations 3059, 3067, 3076, and 3083 may be used to make payments for the use of properties pursuant to Lease Number 730:0286, relating to 125 North Main Street, Suite 201, Belle Glade, Florida, and Lease Number 730:0273, relating to 190 Williams Avenue, Port Saint Joe, Florida.

3060 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	65,998	
FROM CHILD SUPPORT INCENTIVE TRUST FUND .		1,734
FROM FEDERAL GRANTS TRUST FUND		131,476
3061 SPECIAL CATEGORIES		
CHILD SUPPORT ENFORCEMENT ANNUAL FEE		
FROM GENERAL REVENUE FUND	1,980,000	
3062 SPECIAL CATEGORIES		
PURCHASE OF SERVICES - CHILD SUPPORT ENFORCEMENT		
FROM GENERAL REVENUE FUND	4,497,116	
FROM CHILD SUPPORT INCENTIVE TRUST FUND .		13,022,774
FROM FEDERAL GRANTS TRUST FUND		33,610,360
3063 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	156,418	
FROM FEDERAL GRANTS TRUST FUND		303,635
3064 DATA PROCESSING SERVICES		
CHILDREN AND FAMILIES DATA CENTER		
FROM GENERAL REVENUE FUND	2,246,592	

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FROM CHILD SUPPORT INCENTIVE TRUST FUND .		55,745
FROM FEDERAL GRANTS TRUST FUND		4,469,239
TOTAL: CASE PROCESSING		
FROM GENERAL REVENUE FUND	24,998,762	
FROM TRUST FUNDS		86,708,895
TOTAL POSITIONS	1,043.00	
TOTAL ALL FUNDS		111,707,657

REMITTANCE AND DISTRIBUTION

APPROVED SALARY RATE 1,896,498

3065 SALARIES AND BENEFITS POSITIONS	64.00	
FROM GENERAL REVENUE FUND	982,588	
FROM CHILD SUPPORT ENFORCEMENT APPLICATION AND PROGRAM REVENUE TRUST FUND		27,351
FROM FEDERAL GRANTS TRUST FUND		1,960,787
3066 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	8,298	
FROM CHILD SUPPORT ENFORCEMENT APPLICATION AND PROGRAM REVENUE TRUST FUND		2,161
FROM FEDERAL GRANTS TRUST FUND		20,304
3067 EXPENSES		
FROM GENERAL REVENUE FUND	154,043	
FROM CHILD SUPPORT INCENTIVE TRUST FUND .		281,893
FROM CHILD SUPPORT ENFORCEMENT APPLICATION AND PROGRAM REVENUE TRUST FUND		786
FROM FEDERAL GRANTS TRUST FUND		847,754
3068 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	4,862	
FROM CHILD SUPPORT INCENTIVE TRUST FUND .		1,683
FROM FEDERAL GRANTS TRUST FUND		12,706
3069 SPECIAL CATEGORIES TRANSFER GENERAL REVENUE TO CHILD SUPPORT ENFORCEMENT		
FROM GENERAL REVENUE FUND	2,241,987	
3070 SPECIAL CATEGORIES PURCHASE OF SERVICES - CHILD SUPPORT ENFORCEMENT		
FROM GENERAL REVENUE FUND	4,576,547	
FROM CHILD SUPPORT INCENTIVE TRUST FUND .		12,239,853
FROM CLERK OF THE COURT CHILD SUPPORT ENFORCEMENT COLLECTION SYSTEM TRUST FUND		1,800,000
FROM FEDERAL GRANTS TRUST FUND		34,214,138
3071 SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	9,648	
FROM FEDERAL GRANTS TRUST FUND		18,729
3072 FINANCIAL ASSISTANCE PAYMENTS CHILD SUPPORT INCENTIVE PAYMENTS - POLITICAL SUBDIVISIONS		
FROM CHILD SUPPORT INCENTIVE TRUST FUND .		750,000
3073 DATA PROCESSING SERVICES CHILDREN AND FAMILIES DATA CENTER		
FROM GENERAL REVENUE FUND	2,139,625	
FROM CLERK OF THE COURT CHILD SUPPORT ENFORCEMENT COLLECTION SYSTEM TRUST FUND		10,022
FROM FEDERAL GRANTS TRUST FUND		4,153,389

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TOTAL: REMITTANCE AND DISTRIBUTION		
FROM GENERAL REVENUE FUND	10,117,598	
FROM TRUST FUNDS		56,341,556
TOTAL POSITIONS	64.00	
TOTAL ALL FUNDS		66,459,154

ESTABLISHMENT

APPROVED SALARY RATE 19,966,356

3074 SALARIES AND BENEFITS POSITIONS	576.00	
FROM GENERAL REVENUE FUND	8,895,404	
FROM CHILD SUPPORT ENFORCEMENT APPLICATION AND PROGRAM REVENUE TRUST FUND		220,059
FROM FEDERAL GRANTS TRUST FUND		17,698,579
3075 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	17,162	
FROM CHILD SUPPORT ENFORCEMENT APPLICATION AND PROGRAM REVENUE TRUST FUND		69,158
FROM FEDERAL GRANTS TRUST FUND		167,561
3076 EXPENSES		
FROM GENERAL REVENUE FUND	2,452,332	
FROM CHILD SUPPORT INCENTIVE TRUST FUND .		281,893
FROM CHILD SUPPORT ENFORCEMENT APPLICATION AND PROGRAM REVENUE TRUST FUND		2,411
FROM FEDERAL GRANTS TRUST FUND		5,312,292
3077 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	31,638	
FROM CHILD SUPPORT INCENTIVE TRUST FUND .		11,239
FROM FEDERAL GRANTS TRUST FUND		83,233
3078 SPECIAL CATEGORIES PURCHASE OF SERVICES - CHILD SUPPORT ENFORCEMENT		
FROM GENERAL REVENUE FUND	4,919,390	
FROM CHILD SUPPORT INCENTIVE TRUST FUND .		13,221,336
FROM CHILD SUPPORT ENFORCEMENT APPLICATION AND PROGRAM REVENUE TRUST FUND		710,773
FROM FEDERAL GRANTS TRUST FUND		29,276,327
3079 SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	85,827	
FROM FEDERAL GRANTS TRUST FUND		166,605
3080 DATA PROCESSING SERVICES CHILDREN AND FAMILIES DATA CENTER		
FROM GENERAL REVENUE FUND	1,898,144	
FROM FEDERAL GRANTS TRUST FUND		3,684,632
TOTAL: ESTABLISHMENT		
FROM GENERAL REVENUE FUND	18,299,897	
FROM TRUST FUNDS		70,906,098
TOTAL POSITIONS	576.00	
TOTAL ALL FUNDS		89,205,995

COMPLIANCE

APPROVED SALARY RATE 20,706,704

3081 SALARIES AND BENEFITS POSITIONS	637.00	
FROM GENERAL REVENUE FUND	9,987,267	
FROM CHILD SUPPORT ENFORCEMENT APPLICATION AND PROGRAM REVENUE TRUST		

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FUND		228,584
FROM FEDERAL GRANTS TRUST FUND		19,075,979
3082 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	16,841	
FROM CHILD SUPPORT ENFORCEMENT APPLICATION AND PROGRAM REVENUE TRUST FUND		47,745
FROM FEDERAL GRANTS TRUST FUND		125,373
3083 EXPENSES		
FROM GENERAL REVENUE FUND	2,393,553	
FROM CHILD SUPPORT ENFORCEMENT APPLICATION AND PROGRAM REVENUE TRUST FUND		3,125
FROM FEDERAL GRANTS TRUST FUND		4,652,375
3084 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	29,531	
FROM CHILD SUPPORT INCENTIVE TRUST FUND		15,496
FROM FEDERAL GRANTS TRUST FUND		87,404
3085 SPECIAL CATEGORIES PURCHASE OF SERVICES - CHILD SUPPORT ENFORCEMENT		
FROM GENERAL REVENUE FUND	4,132,624	
FROM CHILD SUPPORT INCENTIVE TRUST FUND		6,498,022
FROM CHILD SUPPORT ENFORCEMENT APPLICATION AND PROGRAM REVENUE TRUST FUND		371,449
FROM FEDERAL GRANTS TRUST FUND		13,634,454
3086 SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	95,162	
FROM FEDERAL GRANTS TRUST FUND		184,728
TOTAL: COMPLIANCE		
FROM GENERAL REVENUE FUND	16,654,978	
FROM TRUST FUNDS		44,924,734
TOTAL POSITIONS	637.00	
TOTAL ALL FUNDS		61,579,712

PROGRAM: GENERAL TAX ADMINISTRATION PROGRAM

TAX PROCESSING

APPROVED SALARY RATE 13,686,902		
3087 SALARIES AND BENEFITS POSITIONS 447.00		
FROM GENERAL REVENUE FUND	16,786,048	
FROM FEDERAL GRANTS TRUST FUND		2,967,537
FROM OPERATING TRUST FUND		3,048,629
3088 OTHER PERSONAL SERVICES		
FROM FEDERAL GRANTS TRUST FUND		35,263
FROM OPERATING TRUST FUND		22,157
3089 EXPENSES		
FROM GENERAL REVENUE FUND	2,067,991	
FROM FEDERAL GRANTS TRUST FUND		788,991
FROM OPERATING TRUST FUND		1,733,172
3090 AID TO LOCAL GOVERNMENTS GRANTS AND AID TO LOCAL GOVERNMENT/ DISTRIBUTION TO CLERKS OF COURT FROM THE DEPARTMENT OF REVENUE CLERKS OF THE COURT TRUST FUND		31,500,000
3091 AID TO LOCAL GOVERNMENTS EMERGENCY DISTRIBUTIONS FROM LOCAL GOVERNMENT HALF-CENT SALES TAX CLEARING TRUST FUND		18,221,042

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3092 AID TO LOCAL GOVERNMENTS INMATE SUPPLEMENTAL DISTRIBUTION FROM LOCAL GOVERNMENT HALF-CENT SALES TAX CLEARING TRUST FUND		592,958
3093 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	240,988	
FROM FEDERAL GRANTS TRUST FUND		5,377
FROM OPERATING TRUST FUND		190,466
3094 SPECIAL CATEGORIES CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	769,584	
FROM FEDERAL GRANTS TRUST FUND		268,642
FROM OPERATING TRUST FUND		722,581
3095 SPECIAL CATEGORIES PURCHASE OF SERVICES - COLLECTION AGENCIES FROM OPERATING TRUST FUND		97,049
3096 SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	131,425	
FROM OPERATING TRUST FUND		50,120
TOTAL: TAX PROCESSING		
FROM GENERAL REVENUE FUND	19,996,036	
FROM TRUST FUNDS		60,243,984
TOTAL POSITIONS	447.00	
TOTAL ALL FUNDS		80,240,020

TAXPAYER AID

APPROVED SALARY RATE 5,950,959		
3097 SALARIES AND BENEFITS POSITIONS 148.00		
FROM GENERAL REVENUE FUND	7,613,088	
FROM FEDERAL GRANTS TRUST FUND		143,082
FROM OPERATING TRUST FUND		380,183
3098 OTHER PERSONAL SERVICES		
FROM FEDERAL GRANTS TRUST FUND		14,195
FROM OPERATING TRUST FUND		5,042
3099 EXPENSES		
FROM GENERAL REVENUE FUND	985,571	
FROM FEDERAL GRANTS TRUST FUND		298,627
FROM OPERATING TRUST FUND		681,889
3100 OPERATING CAPITAL OUTLAY		
FROM FEDERAL GRANTS TRUST FUND		2,161
FROM OPERATING TRUST FUND		54,485
3101 SPECIAL CATEGORIES CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	320,938	
FROM FEDERAL GRANTS TRUST FUND		126,315
FROM OPERATING TRUST FUND		138,216
3102 SPECIAL CATEGORIES PURCHASE OF SERVICES - COLLECTION AGENCIES FROM OPERATING TRUST FUND		39,000
3103 SPECIAL CATEGORIES RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	52,812	
FROM OPERATING TRUST FUND		20,142
TOTAL: TAXPAYER AID		
FROM GENERAL REVENUE FUND	8,972,409	
FROM TRUST FUNDS		1,903,337

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TOTAL POSITIONS	148.00	
TOTAL ALL FUNDS		10,875,746

COMPLIANCE DETERMINATION

APPROVED SALARY RATE 49,291,619

3104 SALARIES AND BENEFITS POSITIONS	1,116.50	
FROM GENERAL REVENUE FUND	38,166,491	
FROM FEDERAL GRANTS TRUST FUND		7,342,645
FROM OPERATING TRUST FUND		12,915,774
3105 OTHER PERSONAL SERVICES		
FROM FEDERAL GRANTS TRUST FUND		90,767
FROM OPERATING TRUST FUND		46,147
3106 EXPENSES		
FROM GENERAL REVENUE FUND	1,827,438	
FROM FEDERAL GRANTS TRUST FUND		2,070,982
FROM OPERATING TRUST FUND		8,103,828

No funds in Specific Appropriation 3106 may be used to make payments for the use of properties leased pursuant to Lease Number 730:0275, relating to 8118 Corporate Way, Suite 140m, Mason, Ohio and Lease Number 730:0224, relating to 215 West Church Road, Suite 299, King of Prussia, Pennsylvania.

3107 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	1,350	
FROM FEDERAL GRANTS TRUST FUND		13,845
FROM OPERATING TRUST FUND		318,788
3108 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	1,796,983	
FROM FEDERAL GRANTS TRUST FUND		652,281
FROM OPERATING TRUST FUND		919,838
3109 SPECIAL CATEGORIES		
PURCHASE OF SERVICES - COLLECTION AGENCIES		
FROM OPERATING TRUST FUND		249,900
3110 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	338,413	
FROM OPERATING TRUST FUND		129,058
TOTAL: COMPLIANCE DETERMINATION		
FROM GENERAL REVENUE FUND	42,130,675	
FROM TRUST FUNDS		32,853,853
TOTAL POSITIONS	1,116.50	
TOTAL ALL FUNDS		74,984,528

COMPLIANCE RESOLUTION

APPROVED SALARY RATE 20,636,920

3111 SALARIES AND BENEFITS POSITIONS	566.50	
FROM GENERAL REVENUE FUND	21,280,569	
FROM FEDERAL GRANTS TRUST FUND		3,896,344
FROM OPERATING TRUST FUND		5,102,333
3112 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	6,292	
FROM FEDERAL GRANTS TRUST FUND		41,347
FROM OPERATING TRUST FUND		39,606
3113 EXPENSES		
FROM GENERAL REVENUE FUND	2,791,814	
FROM FEDERAL GRANTS TRUST FUND		932,694
FROM OPERATING TRUST FUND		1,970,688

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3114 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	22,218	
FROM FEDERAL GRANTS TRUST FUND		6,318
FROM OPERATING TRUST FUND		109,342
3115 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	929,314	
FROM FEDERAL GRANTS TRUST FUND		310,497
FROM OPERATING TRUST FUND		433,371
3116 SPECIAL CATEGORIES		
PURCHASE OF SERVICES - COLLECTION AGENCIES		
FROM OPERATING TRUST FUND		114,051
3117 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	154,445	
FROM OPERATING TRUST FUND		58,903
TOTAL: COMPLIANCE RESOLUTION		
FROM GENERAL REVENUE FUND	25,184,652	
FROM TRUST FUNDS		13,015,494
TOTAL POSITIONS	566.50	
TOTAL ALL FUNDS		38,200,146

PROGRAM: INFORMATION SERVICES PROGRAM

INFORMATION TECHNOLOGY

APPROVED SALARY RATE 8,380,366

3118 SALARIES AND BENEFITS POSITIONS	200.00	
FROM GENERAL REVENUE FUND	8,015,537	
FROM FEDERAL GRANTS TRUST FUND		604,946
FROM OPERATING TRUST FUND		2,613,467
3119 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	172,260	
FROM OPERATING TRUST FUND		29,252
3120 EXPENSES		
FROM GENERAL REVENUE FUND	230,125	
FROM FEDERAL GRANTS TRUST FUND		212,063
FROM OPERATING TRUST FUND		2,313,234
3121 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	152,233	
FROM FEDERAL GRANTS TRUST FUND		34,094
FROM OPERATING TRUST FUND		1,469,809
3122 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	688	
FROM FEDERAL GRANTS TRUST FUND		784,476
FROM OPERATING TRUST FUND		3,435,729
3123 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	44,165	
FROM OPERATING TRUST FUND		29,699
3123A SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	5,970	
3124 DATA PROCESSING SERVICES		
OTHER DATA PROCESSING SERVICES		
FROM GENERAL REVENUE FUND	74,714	
FROM OPERATING TRUST FUND		309,286

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3125 DATA PROCESSING SERVICES
STATE TECHNOLOGY OFFICE
FROM GENERAL REVENUE FUND 167,761
FROM OPERATING TRUST FUND 186,812

TOTAL: INFORMATION TECHNOLOGY
FROM GENERAL REVENUE FUND 8,863,453
FROM TRUST FUNDS 12,022,867

TOTAL POSITIONS 200.00
TOTAL ALL FUNDS 20,886,320

STATE, DEPARTMENT OF

PROGRAM: OFFICE OF THE SECRETARY AND ADMINISTRATIVE SERVICES

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 2,650,480

3126 SALARIES AND BENEFITS POSITIONS 49.00
FROM GENERAL REVENUE FUND 3,291,034
FROM GRANTS AND DONATIONS TRUST FUND . . . 91,068

3127 EXPENSES
FROM GENERAL REVENUE FUND 474,892

3128 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 5,000

3129 SPECIAL CATEGORIES
TRANSFER TO DIVISION OF ADMINISTRATIVE HEARINGS
FROM GENERAL REVENUE FUND 6,005

3130 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 69,000

3131 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 12,413

3132 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 21,743
FROM GRANTS AND DONATIONS TRUST FUND . . . 541

3133 DATA PROCESSING SERVICES
OTHER DATA PROCESSING SERVICES
FROM GENERAL REVENUE FUND 31,807

TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM GENERAL REVENUE FUND 3,911,894
FROM TRUST FUNDS 91,609

TOTAL POSITIONS 49.00
TOTAL ALL FUNDS 4,003,503

PROGRAM: ELECTIONS

ELECTIONS

APPROVED SALARY RATE 2,888,247

3134 SALARIES AND BENEFITS POSITIONS 69.00
FROM GENERAL REVENUE FUND 1,638,405
FROM GRANTS AND DONATIONS TRUST FUND . . . 2,269,714

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3135 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 87,150
FROM GRANTS AND DONATIONS TRUST FUND . . . 225,000

3136 EXPENSES
FROM GENERAL REVENUE FUND 844,947
FROM GRANTS AND DONATIONS TRUST FUND . . . 637,882

3138 AID TO LOCAL GOVERNMENTS
SPECIAL ELECTIONS
FROM GENERAL REVENUE FUND 838,085

3139 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 73,086
FROM GRANTS AND DONATIONS TRUST FUND . . . 12,500

3140 SPECIAL CATEGORIES
ADVERTISING OF PROPOSED AMENDMENTS TO THE CONSTITUTION
FROM GENERAL REVENUE FUND 226,734

3142 SPECIAL CATEGORIES
VOTING SYSTEMS ASSISTANCE
FROM GRANTS AND DONATIONS TRUST FUND . . . 525,000

3143 SPECIAL CATEGORIES
STATEWIDE VOTER REGISTRATION SYSTEM - HELP AMERICA VOTE ACT (HAVA)
FROM GRANTS AND DONATIONS TRUST FUND . . . 3,077,347

3144 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 285,319
FROM GRANTS AND DONATIONS TRUST FUND . . . 300,058

3145 SPECIAL CATEGORIES
ASSISTANCE FOR INDIVIDUALS WITH DISABILITIES
FROM GRANTS AND DONATIONS TRUST FUND . . . 800,000

3147 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 55,886

3147A SPECIAL CATEGORIES
TRANSFER TO GRANTS AND DONATIONS TRUST FUND
FROM GENERAL REVENUE FUND 340,925

Funds provided in Specific Appropriation 3147A are contingent upon the receipt of $6,477,573 in additional federal funds from the Help America Vote Act of 2002 (HAVA). Upon the receipt of federal funds, the department is authorized to submit a budget amendment for the release of funds pursuant to chapter 216, Florida Statutes.

3148 SPECIAL CATEGORIES
ELECTION FRAUD PREVENTION
FROM GENERAL REVENUE FUND 600,000

3149 SPECIAL CATEGORIES
GRANTS AND AIDS - FEDERAL ELECTION ACTIVITIES (HELP AMERICA VOTE ACT)
FROM GRANTS AND DONATIONS TRUST FUND . . . 3,000,000

Funds in Specific Appropriation 3149 shall be distributed to county supervisors of elections to be used for election administration activities such as voter education; pollworker recruitment and training; revisions to the statewide pollworker curriculum; standardizing elections results reporting; or other federal election administrative activities as approved by the Department of State.

No supervisor of elections shall receive any funds until the county supervisor of elections provides to the Department of State a detailed

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description of the programs that will be implemented. Funds distributed to county supervisors of elections for voter education or pollworker recruitment and training will require a certification from the county that matching funds will be provided in an amount equal to fifteen percent of the amount to be received from the state.

To be eligible, a county must segregate federal funds and required county matching dollars in a separate account established to hold only such funds. Funds in this account must be used only for the activities for which the funds were received. Funds shall remain in the account to be used for the same purposes for subsequent years or until such funds are expended. Supervisors of elections shall report to the Department of State any unspent funds remaining at June 30, 2009.

3150 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	12,425	
FROM GRANTS AND DONATIONS TRUST FUND . . .		13,043
TOTAL: ELECTIONS		
FROM GENERAL REVENUE FUND	5,002,962	
FROM TRUST FUNDS		10,860,544
TOTAL POSITIONS	69.00	
TOTAL ALL FUNDS		15,863,506

PROGRAM: HISTORICAL RESOURCES

HISTORICAL RESOURCES PRESERVATION AND EXHIBITION

APPROVED SALARY RATE 2,983,753

3151 SALARIES AND BENEFITS POSITIONS	83.00	
FROM GENERAL REVENUE FUND	1,989,543	
FROM GRANTS AND DONATIONS TRUST FUND . . .		1,937,419
FROM OPERATING TRUST FUND		319,933
3152 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	38,945	
FROM GRANTS AND DONATIONS TRUST FUND . . .		2,483,858
FROM OPERATING TRUST FUND		506,051
3153 EXPENSES		
FROM GENERAL REVENUE FUND	706,223	
FROM GRANTS AND DONATIONS TRUST FUND . . .		1,037,326
FROM OPERATING TRUST FUND		331,442
3154 OPERATING CAPITAL OUTLAY		
FROM GRANTS AND DONATIONS TRUST FUND . . .		150,000
FROM OPERATING TRUST FUND		22,500
3154A SPECIAL CATEGORIES		
GRANTS AND AIDS - HISTORIC MUSEUM GRANTS		
FROM GENERAL REVENUE FUND	500,000	
3155 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	197,471	
FROM GRANTS AND DONATIONS TRUST FUND . . .		143,655
FROM OPERATING TRUST FUND		189,307
3156 SPECIAL CATEGORIES		
GRANTS AND AIDS - HISTORIC PRESERVATION GRANTS		
FROM GENERAL REVENUE FUND	600,000	
FROM OPERATING TRUST FUND		85,870
3157 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	27,212	
FROM OPERATING TRUST FUND		19,531

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3158 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	26,732	
FROM GRANTS AND DONATIONS TRUST FUND . . .		11,661
FROM OPERATING TRUST FUND		2,979
3159 DATA PROCESSING SERVICES		
OTHER DATA PROCESSING SERVICES		
FROM GRANTS AND DONATIONS TRUST FUND . . .		34,746
3160 FIXED CAPITAL OUTLAY		
MIAMI CIRCLE SEAWALL CONSTRUCTION AND CLEANUP - DMS MGD		
FROM GRANTS AND DONATIONS TRUST FUND . . .		2,200,000
TOTAL: HISTORICAL RESOURCES PRESERVATION AND EXHIBITION		
FROM GENERAL REVENUE FUND	4,086,126	
FROM TRUST FUNDS		9,476,278
TOTAL POSITIONS	83.00	
TOTAL ALL FUNDS		13,562,404

PROGRAM: CORPORATIONS

COMMERCIAL RECORDINGS AND REGISTRATIONS

APPROVED SALARY RATE 5,112,771

3161 SALARIES AND BENEFITS POSITIONS	141.00	
FROM GENERAL REVENUE FUND	7,080,360	
3162 EXPENSES		
FROM GENERAL REVENUE FUND	3,072,715	
3163 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	27,000	
3164 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	881,663	
3165 SPECIAL CATEGORIES		
RICO ACT - ALIEN CORPORATIONS		
FROM GENERAL REVENUE FUND	180,000	
3166 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	36,847	
3167 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	64,635	
3168 DATA PROCESSING SERVICES		
OTHER DATA PROCESSING SERVICES		
FROM GENERAL REVENUE FUND	224,425	
TOTAL: COMMERCIAL RECORDINGS AND REGISTRATIONS		
FROM GENERAL REVENUE FUND	11,567,645	
TOTAL POSITIONS	141.00	
TOTAL ALL FUNDS		11,567,645

PROGRAM: LIBRARY AND INFORMATION SERVICES

LIBRARY, ARCHIVES AND INFORMATION SERVICES

APPROVED SALARY RATE 3,809,605

3169 SALARIES AND BENEFITS POSITIONS	101.00	
FROM GENERAL REVENUE FUND	2,370,314	

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FROM LIBRARY SERVICES TRUST FUND		1,403,255
FROM RECORDS MANAGEMENT TRUST FUND		1,350,581
3170 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	163,119	
FROM LIBRARY SERVICES TRUST FUND		267,075
FROM RECORDS MANAGEMENT TRUST FUND		52,412
3171 EXPENSES		
FROM GENERAL REVENUE FUND	1,849,574	
FROM LIBRARY SERVICES TRUST FUND		365,445
FROM RECORDS MANAGEMENT TRUST FUND		785,866
3173 AID TO LOCAL GOVERNMENTS		
GRANTS AND AIDS - LIBRARY COOPERATIVES		
FROM GENERAL REVENUE FUND	1,500,000	
3174 AID TO LOCAL GOVERNMENTS		
GRANTS AND AIDS - LIBRARY GRANTS		
FROM GENERAL REVENUE FUND	26,719,200	
FROM LIBRARY SERVICES TRUST FUND		2,754,639
3175 AID TO LOCAL GOVERNMENTS		
GRANTS AND AIDS COMMUNITY LIBRARIES IN CARING		
FROM GENERAL REVENUE FUND	100,000	
3176 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	24,960	
FROM LIBRARY SERVICES TRUST FUND		7,522
FROM RECORDS MANAGEMENT TRUST FUND		14,959
3177 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	135,845	
FROM LIBRARY SERVICES TRUST FUND		480,450
FROM RECORDS MANAGEMENT TRUST FUND		37,059
3178 SPECIAL CATEGORIES		
LIBRARY RESOURCES		
FROM GENERAL REVENUE FUND	554,476	
FROM LIBRARY SERVICES TRUST FUND		3,043,270
3179 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	72,329	
3180 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	24,329	
FROM LIBRARY SERVICES TRUST FUND		12,430
FROM RECORDS MANAGEMENT TRUST FUND		11,963
TOTAL: LIBRARY, ARCHIVES AND INFORMATION SERVICES		
FROM GENERAL REVENUE FUND	33,514,146	
FROM TRUST FUNDS		10,586,926
TOTAL POSITIONS	101.00	
TOTAL ALL FUNDS		44,101,072

PROGRAM: CULTURAL AFFAIRS

EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 746,796

3181 SALARIES AND BENEFITS POSITIONS	18.00	
FROM GENERAL REVENUE FUND	629,834	
FROM FINE ARTS COUNCIL TRUST FUND		316,343

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3182 OTHER PERSONAL SERVICES		
FROM GENERAL REVENUE FUND	53,775	
FROM FINE ARTS COUNCIL TRUST FUND		20,600
3183 EXPENSES		
FROM GENERAL REVENUE FUND	237,918	
FROM FINE ARTS COUNCIL TRUST FUND		163,330
3184 OPERATING CAPITAL OUTLAY		
FROM GENERAL REVENUE FUND	2,700	
3185 SPECIAL CATEGORIES		
CONTRACTED SERVICES		
FROM GENERAL REVENUE FUND	22,500	
FROM FINE ARTS COUNCIL TRUST FUND		40,000
3186 SPECIAL CATEGORIES		
RISK MANAGEMENT INSURANCE		
FROM GENERAL REVENUE FUND	5,925	
3187 SPECIAL CATEGORIES		
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT		
FROM GENERAL REVENUE FUND	5,443	
FROM FINE ARTS COUNCIL TRUST FUND		2,614
TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES		
FROM GENERAL REVENUE FUND	958,095	
FROM TRUST FUNDS		542,887
TOTAL POSITIONS	18.00	
TOTAL ALL FUNDS		1,500,982

CULTURAL SUPPORT AND DEVELOPMENT GRANTS

3188 AID TO LOCAL GOVERNMENTS		
GRANTS AND AIDS - ARTS GRANTS		
FROM GENERAL REVENUE FUND	1,585,205	
FROM FINE ARTS COUNCIL TRUST FUND		297,200
3189 AID TO LOCAL GOVERNMENTS		
GRANTS AND AIDS - SCIENCES GRANTS		
FROM GENERAL REVENUE FUND	435,931	
3190 AID TO LOCAL GOVERNMENTS		
GRANTS AND AIDS - ARTS IN EDUCATION GRANTS		
FROM GENERAL REVENUE FUND	435,931	
3191 AID TO LOCAL GOVERNMENTS		
GRANTS AND AIDS - LOCAL ARTS AGENCIES/ STATE SERVICE ORGANIZATIONS		
FROM GENERAL REVENUE FUND	317,041	
3192 AID TO LOCAL GOVERNMENTS		
GRANTS AND AIDS - YOUTH AND CHILDREN'S MUSEUMS GRANTS		
FROM GENERAL REVENUE FUND	214,003	
3193 SPECIAL CATEGORIES		
GRANTS AND AIDS - CULTURAL INSTITUTIONS		
FROM GENERAL REVENUE FUND	2,474,108	
3194 SPECIAL CATEGORIES		
GRANTS AND AIDS - FLORIDA ENDOWMENT FOR THE HUMANITIES		
FROM GENERAL REVENUE FUND	300,000	
3195 SPECIAL CATEGORIES		
GRANTS AND AIDS - STATE TOURING PROGRAM		
FROM GENERAL REVENUE FUND	237,781	

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TOTAL: CULTURAL SUPPORT AND DEVELOPMENT GRANTS
FROM GENERAL REVENUE FUND 6,000,000
FROM TRUST FUNDS 297,200

TOTAL ALL FUNDS 6,297,200

TOTAL OF SECTION 6 POSITIONS 19,049.75

FROM GENERAL REVENUE FUND 987,623,479

FROM TRUST FUNDS 3680,139,692

TOTAL ALL FUNDS 4667,763,171

SECTION 7 - JUDICIAL BRANCH

The moneys contained herein are appropriated from the named funds to the State Courts System as the amounts to be used to pay salaries, other operational expenditures and fixed capital outlay.

STATE COURT SYSTEM

PROGRAM: SUPREME COURT

COURT OPERATIONS - SUPREME COURT

APPROVED SALARY RATE 5,984,872

3203 SALARIES AND BENEFITS POSITIONS 98.00
FROM GENERAL REVENUE FUND 7,632,311

3204 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 93,810

3205 EXPENSES
FROM GENERAL REVENUE FUND 832,950

3206 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 20,178

3207 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 484,041

3208 SPECIAL CATEGORIES
DISCRETIONARY FUNDS OF THE CHIEF JUSTICE
FROM GENERAL REVENUE FUND 15,000

Funds in Specific Appropriation 3208 may be spent at the discretion of the Chief Justice to carry out the official duties of the court. These funds shall be disbursed by the Chief Financial Officer upon receipt of vouchers authorized by the Chief Justice.

3209 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 37,124

3210 SPECIAL CATEGORIES
SUPREME COURT LAW LIBRARY
FROM GENERAL REVENUE FUND 303,632

3211 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 26,145

TOTAL: COURT OPERATIONS - SUPREME COURT
FROM GENERAL REVENUE FUND 9,445,191

TOTAL POSITIONS 98.00
TOTAL ALL FUNDS 9,445,191

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EXECUTIVE DIRECTION AND SUPPORT SERVICES

APPROVED SALARY RATE 8,549,572

3212 SALARIES AND BENEFITS POSITIONS 174.50
FROM GENERAL REVENUE FUND 7,807,232
FROM COURT EDUCATION TRUST FUND 1,169,104
FROM MEDIATION AND ARBITRATION TRUST
FUND 648,940
FROM FEDERAL GRANTS TRUST FUND 1,203,008
FROM OPERATING TRUST FUND 146,326

3213 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 89,940
FROM COURT EDUCATION TRUST FUND 105,540
FROM MEDIATION AND ARBITRATION TRUST
FUND 165,000
FROM FEDERAL GRANTS TRUST FUND 66,560
FROM OPERATING TRUST FUND 115,104

3214 EXPENSES
FROM GENERAL REVENUE FUND 1,358,341
FROM COURT EDUCATION TRUST FUND 1,863,355
FROM MEDIATION AND ARBITRATION TRUST
FUND 315,824
FROM FEDERAL GRANTS TRUST FUND 462,170
FROM GRANTS AND DONATIONS TRUST FUND . . . 89,493
FROM OPERATING TRUST FUND 187,688

3215 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 508,155
FROM COURT EDUCATION TRUST FUND 10,000
FROM MEDIATION AND ARBITRATION TRUST
FUND 1,500
FROM FEDERAL GRANTS TRUST FUND 111,376

3216 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 117,584
FROM COURT EDUCATION TRUST FUND 158,448
FROM MEDIATION AND ARBITRATION TRUST
FUND 125,000
FROM FEDERAL GRANTS TRUST FUND 124,018
FROM GRANTS AND DONATIONS TRUST FUND . . . 10,000
FROM OPERATING TRUST FUND 10,000

3217 SPECIAL CATEGORIES
FLORIDA CASES SOUTHERN 2ND REPORTER
FROM GENERAL REVENUE FUND 614,135

3218 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 46,860

3219 SPECIAL CATEGORIES
COMPUTER SUBSCRIPTION SERVICES
FROM GENERAL REVENUE FUND 189,010

3220 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 35,646
FROM COURT EDUCATION TRUST FUND 4,608
FROM MEDIATION AND ARBITRATION TRUST
FUND 1,633
FROM FEDERAL GRANTS TRUST FUND 4,707
FROM OPERATING TRUST FUND 246

3221 DATA PROCESSING SERVICES
OTHER DATA PROCESSING SERVICES
FROM GENERAL REVENUE FUND 1,055,611
FROM FEDERAL GRANTS TRUST FUND 80,000
FROM OPERATING TRUST FUND 338,000

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TOTAL: EXECUTIVE DIRECTION AND SUPPORT SERVICES
FROM GENERAL REVENUE FUND 11,822,514
FROM TRUST FUNDS 7,517,648

TOTAL POSITIONS 174.50
TOTAL ALL FUNDS 19,340,162

ADMINISTERED FUNDS - JUDICIAL

COURT OPERATIONS - ADMINISTERED FUNDS

3222 SPECIAL CATEGORIES
DUE PROCESS CONTINGENCY FUND
POSITIONS 22.00

The positions authorized in Specific Appropriation 3222 shall be held in reserve as a contingency in the event the state courts determine that some portion of Article V due process services needs to be shifted from a contractual basis to an employee model in one or more judicial circuits. The Chief Justice of the Supreme Court may request transfer of these positions to the salaries and benefits appropriation category within any of the state courts budget entities, consistent with requests for transfers of funds into those same budget entities. Such transfers are subject to the notice, review, and objection provisions of section 216.177, Florida Statutes.

PROGRAM: DISTRICT COURTS OF APPEAL

COURT OPERATIONS - APPELLATE COURTS

The Operating Trust Funds appropriated in Specific Appropriations 3223, 3225, 3226, and 3231, are provided to the First District Court of Appeals to implement a workers' compensation appeals unit to improve the processing of workers' compensation appeals. From the Operating Trust Funds in Specific Appropriation 3223, $857,010, 10 FTE and associated rate are provided for this purpose.

APPROVED SALARY RATE 28,387,112

3223 SALARIES AND BENEFITS POSITIONS 436.00
FROM GENERAL REVENUE FUND 34,198,652
FROM OPERATING TRUST FUND 1,857,010

3224 OTHER PERSONAL SERVICES
FROM GENERAL REVENUE FUND 122,419

3225 EXPENSES
FROM GENERAL REVENUE FUND 2,049,122
FROM OPERATING TRUST FUND 95,198

3226 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 59,703
FROM OPERATING TRUST FUND 27,000

3227 SPECIAL CATEGORIES
COMPENSATION TO RETIRED JUDGES
FROM GENERAL REVENUE FUND 74,373

3228 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 798,228

3229 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 106,019

3230 SPECIAL CATEGORIES
DISTRICT COURT OF APPEAL LAW LIBRARY
FROM GENERAL REVENUE FUND 322,738

3231 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT
SERVICES - HUMAN RESOURCES SERVICES
PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 110,757
FROM OPERATING TRUST FUND 2,480

3232 DATA PROCESSING SERVICES
OTHER DATA PROCESSING SERVICES
FROM GENERAL REVENUE FUND 176,782

TOTAL: COURT OPERATIONS - APPELLATE COURTS
FROM GENERAL REVENUE FUND 38,018,793
FROM TRUST FUNDS 1,981,688

TOTAL POSITIONS 436.00
TOTAL ALL FUNDS 40,000,481

PROGRAM: TRIAL COURTS

COURT OPERATIONS - CIRCUIT COURTS

APPROVED SALARY RATE 194,550,835

3234 SALARIES AND BENEFITS POSITIONS 2,979.00
FROM GENERAL REVENUE FUND 228,621,973
FROM MEDIATION AND ARBITRATION TRUST FUND 8,151,654
FROM FEDERAL GRANTS TRUST FUND 6,110,761
FROM OPERATING TRUST FUND 6,068,368

In order to implement Specific Appropriation 3234, the Office of Program Policy Analysis and Government Accountability shall conduct a study of workload management by the circuit and county court judges and provide a written report to the Chief Justice of the Supreme Court, the chair of the Senate Fiscal Policy and Calendar Committee and the chair of the House Policy and Budget Council by January 1, 2009.

3235 OTHER PERSONAL SERVICES
FROM FEDERAL GRANTS TRUST FUND 151,018

3236 EXPENSES
FROM GENERAL REVENUE FUND 8,677,100
FROM MEDIATION AND ARBITRATION TRUST FUND 111,294
FROM FEDERAL GRANTS TRUST FUND 144,216
FROM OPERATING TRUST FUND 61,959

3237 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 694,150

3238 SPECIAL CATEGORIES
CIVIL TRAFFIC INFRACTION HEARING OFFICERS
FROM GENERAL REVENUE FUND 1,339,864

3239 SPECIAL CATEGORIES
GRANTS AND AIDS - CHILD ADVOCACY CENTERS
FROM GENERAL REVENUE FUND 144,000

3240 SPECIAL CATEGORIES
COMPENSATION TO RETIRED JUDGES
FROM GENERAL REVENUE FUND 2,466,243

3241 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 1,491,765

3244 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 1,248,264

3245 SPECIAL CATEGORIES
STATEWIDE GRAND JURY - EXPENSES
FROM GENERAL REVENUE FUND 149,281

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3246 SPECIAL CATEGORIES
MEDIATION/ARBITRATION SERVICES
FROM GENERAL REVENUE FUND 1,062,040
FROM MEDIATION AND ARBITRATION TRUST FUND 3,163,332

3247 SPECIAL CATEGORIES
STATE COURTS DUE PROCESS COSTS
FROM GENERAL REVENUE FUND 21,274,196
FROM OPERATING TRUST FUND 504,930

3248 SPECIAL CATEGORIES
STATE-FUNDED SERVICES COST RECOVERY
FROM OPERATING TRUST FUND 600,000

3249 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 729,691
FROM MEDIATION AND ARBITRATION TRUST FUND 498
FROM FEDERAL GRANTS TRUST FUND 36,621

3250 DATA PROCESSING SERVICES
OTHER DATA PROCESSING SERVICES
FROM GENERAL REVENUE FUND 108,500

TOTAL: COURT OPERATIONS - CIRCUIT COURTS
FROM GENERAL REVENUE FUND 268,007,067
FROM TRUST FUNDS 25,104,651

TOTAL POSITIONS 2,979.00
TOTAL ALL FUNDS 293,111,718

COURT OPERATIONS - COUNTY COURTS

APPROVED SALARY RATE 54,723,855

3251 SALARIES AND BENEFITS POSITIONS 632.00
FROM GENERAL REVENUE FUND 71,110,458

3252 EXPENSES
FROM GENERAL REVENUE FUND 3,846,486

3253 SPECIAL CATEGORIES
ADDITIONAL COMPENSATION FOR COUNTY JUDGES
FROM GENERAL REVENUE FUND 5,000

3254 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 212,500

3255 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 87,763

3256 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 161,268

TOTAL: COURT OPERATIONS - COUNTY COURTS
FROM GENERAL REVENUE FUND 75,423,475

TOTAL POSITIONS 632.00
TOTAL ALL FUNDS 75,423,475

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PROGRAM: JUDICIAL QUALIFICATIONS COMMISSION

JUDICIAL QUALIFICATIONS COMMISSION OPERATIONS

APPROVED SALARY RATE 310,936

3257 SALARIES AND BENEFITS POSITIONS 5.00
FROM GENERAL REVENUE FUND 390,459

3258 EXPENSES
FROM GENERAL REVENUE FUND 154,890

3259 OPERATING CAPITAL OUTLAY
FROM GENERAL REVENUE FUND 1,706

3260 SPECIAL CATEGORIES
CONTRACTED SERVICES
FROM GENERAL REVENUE FUND 196,424

3261 SPECIAL CATEGORIES
RISK MANAGEMENT INSURANCE
FROM GENERAL REVENUE FUND 13,031

3262 SPECIAL CATEGORIES
LITIGATION EXPENSES
FROM GENERAL REVENUE FUND 190,835

Funds in Specific Appropriation 3262 are to be used only for case expenditures associated with the filing and prosecution of formal charges. These costs shall consist of attorney's fees, court reporting fees, investigators' fees, and similar charges associated with the adjudicatory process.

3263 SPECIAL CATEGORIES
TRANSFER TO DEPARTMENT OF MANAGEMENT SERVICES - HUMAN RESOURCES SERVICES PURCHASED PER STATEWIDE CONTRACT
FROM GENERAL REVENUE FUND 1,247

TOTAL: JUDICIAL QUALIFICATIONS COMMISSION OPERATIONS
FROM GENERAL REVENUE FUND 948,592

TOTAL POSITIONS 5.00
TOTAL ALL FUNDS 948,592

TOTAL OF SECTION 7 POSITIONS 4,346.50

FROM GENERAL REVENUE FUND 403,665,632

FROM TRUST FUNDS 34,603,987

TOTAL ALL FUNDS 438,269,619

SECTION 8. EMPLOYEE COMPENSATION AND BENEFITS - FISCAL YEAR 2008-2009

This section provides instructions for implementing the Fiscal Year 2008-2009 salary and benefit increases provided in Specific Appropriation 2175. All allocations, distributions and uses of these funds are to be made in strict accordance with the provisions of this act.

References to "eligible" employees refer to employees who are, at a minimum, meeting their required performance standards. If an ineligible employee achieves performance standards subsequent to the salary increase implementation date but on or before the end of the fiscal year, the employee may receive an increase; however, such increase shall be effective on the date the employee becomes eligible but not retroactively.

Pay Grade Adjustments

It is the intent of the Legislature that the minimums for each pay grade and pay band shall not be adjusted during the 2008-2009 fiscal year and

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that the maximums for each pay grade and pay band of employees specified in subsection (1)(a) shall be adjusted upward by 5 percent, effective October 1, 2008. If, after the adjustment of the maximums for the pay grades and pay bands, an employee's base rate of pay is equal to or greater than the adjusted maximum of the employee's pay grade or pay band, the employee will be granted a one-time, lump-sum payment in lieu of an increase to the employee's base rate of pay. When an employee's base rate of pay is less than the adjusted maximum of the employee's pay grade or pay band and the increase to the base rate of pay will be greater than the adjusted maximum, the employee's salary will be increased to the adjusted maximum and the portion of the increase that exceeds the adjusted maximum shall be granted instead in a one-time, lump-sum payment.

(1) EMPLOYEE AND OFFICER COMPENSATION

(a) Effective October 1, 2008, funds are provided in Specific Appropriation 2175 to grant each eligible law enforcement employee of the Florida Highway Patrol a competitive pay adjustment of 5 percent on each employee's September 30, 2008, base rate of pay. For purposes of this subsection, employees granted a competitive pay adjustment shall be limited to those employees employed by the Department of Highway Safety and Motor Vehicles in the following class codes: 8515 (law enforcement officer), 8519 (law enforcement sergeant), 8532 (law enforcement airplane pilot I), 8534 (law enforcement airplane pilot II), 8540 (law enforcement investigator I), 8541 (law enforcement investigator II), 8522 (law enforcement lieutenant), 8525 (law enforcement captain), 8626 (law enforcement major - FHP), 7650 (law enforcement troop commander -FHP), 7955 (chief of investigations - FHP), 7980 (chief of emergency operations/domestic security - FHP), 8945 (law enforcement inspection administrator - FHP), 7932 (deputy director of south and east command), and 9762 (Director of Florida Highway Patrol - HSMV).

(b) The elected officers, full-time members of commissions and designated employees shall be paid at the annual rate shown below for the period indicated; however, these salaries may be reduced on a voluntary basis.

	7/1/08
Governor	$ 132,932
Lieutenant Governor	127,399
Chief Financial Officer	131,604
Attorney General	131,604
Agriculture, Commissioner of	131,604
Supreme Court Justice	161,200
Judges-District Courts of Appeal	153,140
Judges-Circuit Courts	145,080
Judges-County Courts	137,020
State Attorneys	153,140
Public Defenders	153,140
Commissioner-Public Service Commission	132,690
Public Employees Relations Commission Chair	97,744
Public Employees Relations Commission Commissioners	92,575
Commissioner - Parole and Probation	92,575
Criminal Conflict and Civil Regional Counsels	100,000

None of the officers, commission members, or employees whose salaries have been fixed in this section shall receive any supplemental salary or benefits from any county or municipality.

(2) BENEFITS: HEALTH, LIFE, AND DISABILITY INSURANCE

(a) STATE LIFE INSURANCE AND STATE DISABILITY INSURANCE

1. Funds are provided in each agency's budget to continue paying the state share of life and disability insurance premiums. A reduction in funds is included in Specific Appropriation 2175 to reduce each agency's budget pursuant to the reduction in the state premium required by subparagraph 2., effective January 1, 2009.

2. Effective January 1, 2009, the state share of the life insurance premium shall decrease from $.1728 per $1,000 of employee calculated benefit per month to $.1208 per $1,000 of employee calculated benefit per month on behalf of employees not exempt from making contributions, and from $.2160 per $1,000 of employee calculated benefit per month to $.1570 per $1,000 of employee calculated benefit per month on behalf of employees exempt from making contributions. Effective January 1, 2009, the employer contribution rates for disability insurance premiums shall decrease from $.07 per $100 of employee regular rate of pay per month to $.04 per $100 of employee regular rate of pay per month.

(b) STATE HEALTH INSURANCE PLANS AND BENEFITS FOR THE PERIOD JULY 1, 2008, THROUGH JUNE 30, 2009

For the period July 1, 2008, through June 30, 2009, all benefits as provided in the current State Employees' PPO Plan Group Health Insurance Plan Booklet and Benefit Document, current Health Maintenance Organization contracts, and other such health insurance benefits as approved by the Legislature shall remain in effect. No reductions to the level of benefits may be implemented unless specifically authorized by the Legislature.

(c) STATE HEALTH INSURANCE PREMIUMS FOR THE PERIOD JULY 1, 2008, THROUGH JUNE 30, 2009

1. State Paid Premiums

a. For the coverage period July 1, 2008, through May 31, 2009, the state share of the State Group Health Insurance Program premiums to the executive, legislative and judicial branch agencies shall continue at $399.26 per month for individual coverage and $835.98 per month for family coverage.

b. For the coverage period beginning June 1, 2009, the state share of the State Group Health Insurance Program premiums to the executive, legislative and judicial branch agencies shall increase, effective May 1, 2009, from $399.26 to $448.68 per month for individual coverage and from $835.98 to $947.74 per month for family coverage.

c. Funds are provided in each agency's budget to continue paying the State Group Health Insurance Program premiums for the fiscal year. Funds are provided in Specific Appropriation 2175 for distribution to agencies to pay the incremental cost of the premium increase, effective May 1, 2009.

2. Premiums Paid by Employees

a. For the coverage period July 1, 2008, through June 30, 2009, the employee share of the health insurance premiums for the standard plans shall continue at $50 per month for individual coverage and $180 per month for family coverage.

b. For the coverage period July 1, 2008, through June 30, 2009, the employee share of the health insurance premiums for the high deductible health plans shall continue at $15 per month for individual coverage and $64.30 per month for family coverage.

3. Premiums Paid by Medicare Participants

a. For the coverage period July 1, 2008, through May 31, 2009, the monthly premiums for Medicare participants participating in the State Group Health Insurance Standard Plan shall continue to be $238.54 for "one eligible", $687.80 for "one under/one over", and $477.08 for "both eligible."

b. For the coverage period beginning June 1, 2009, the monthly premiums for Medicare participants participating in the State Group Health Insurance Standard Plan shall increase, effective May 1, 2009, from $238.54 to $264.78 for "one eligible", from $687.80 to $763.46 for "one under/one over", and from $477.08 to $529.56 for "both eligible."

c. For the coverage period July 1, 2008, through December 31, 2008, the monthly premiums for Medicare participants enrolled in a state-contracted Health Maintenance Organization Standard Plan or a State-contracted Health Maintenance Organization High Deductible Health

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Plan shall continue at the current rates. For the coverage period January 1, 2009, through June 30, 2009, it is the intent of the Legislature that the premiums for Medicare participants participating in the Health Maintenance Organization Standard Plan and the Health Maintenance Organization High Deductible Plan may increase, effective December 1, 2008, by no more than 11 percent over the 2008 plan year premiums for the selected state-contracted health maintenance organization. If the Department of Management Services is not able to limit such increases to less than 11 percent, the Secretary of the Department of Management Services shall notify the presiding officers of the Legislature and the Executive Office of the Governor in writing of the circumstances.

d. For the coverage period July 1, 2008, through May 31, 2009, the monthly premiums for Medicare participants participating in the State Group Health Insurance High Deductible Plan shall continue to be $179.80 for "one eligible", $594.06 for "one under/one over", and $359.60 for "both eligible."

e. For the coverage period beginning June 1, 2009, the monthly premiums for Medicare participants participating in the State Group Health Insurance High Deductible Plan shall increase, effective May 1, 2009, from $179.80 to $199.58 for "one eligible", from $594.06 to $659.40 for "one under/one over", and from $359.60 to $399.16 for "both eligible."

4. Premiums Paid by "Early Retirees"

a. For the coverage period July 1, 2008, through June 30, 2009, an "early retiree" participant participating in a standard plan shall pay a monthly premium equal to 100 percent of the total premium charged (state and employee contributions) for an active employee participating in the standard plan.

b. For the coverage period July 1, 2008, through May 31, 2009, an "early retiree" participant participating in a high deductible plan shall pay a monthly premium equal to $372.60 for single coverage and $816.95 for family coverage.

c. For the coverage period beginning June 1, 2009, the monthly premium for an "early retiree" participant participating in a high deductible plan shall increase, effective May 1, 2009, from $372.60 to $422.02 for single coverage and $816.95 to $928.72 for family coverage.

5. Premiums Paid by COBRA Participants

a. For the coverage period July 1, 2008, through June 30, 2009, a COBRA participant participating in a standard plan shall continue to pay a monthly premium equal to 102 percent of the total premium charged (state and employee contributions) for an active employee participating in the standard plan.

b. For the coverage period July 1, 2008, through May 31, 2009, the monthly premium for a COBRA participant participating in a high deductible plan shall continue to be $380.05 for single coverage and $833.29 for family coverage.

c. For the coverage period beginning June 1, 2009, the monthly premium for a COBRA participant participating in a high deductible plan shall increase, effective May 1, 2009, from $380.05 to $430.45 for single coverage and from $833.29 to $947.28 for family coverage.

6. The State Group Health Insurance High Deductible Plan and the state-contracted Health Maintenance Organization High Deductible Plan shall include a health savings account feature. Such plans and accounts shall be administered in accordance with the requirements and limitations of federal provisions relating to the Medicare Prescription Drug, Improvement, and Modernization Act of 2003. The state shall make a monthly contribution to an employee's health savings account as authorized in section 110.123(12), Florida Statutes.

(d) STATE EMPLOYEES' PRESCRIPTION DRUG PROGRAM

Under the State Employees' Prescription Drug Program, the following shall apply:

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1. Supply limits shall continue as provided in section 110.12315, Florida Statutes.

2. Co-payments and coinsurance shall be charged as provided in section 110.12315(7), Florida Statutes.

3. The Department of Management Services shall maintain the preferred brand name drug list to be used in the administration of the State Employees' Prescription Drug Program.

(3) OTHER PROVISIONS

(a) The following items shall be implemented in accordance with the provisions of this act and with the applicable negotiated collective bargaining agreements:

1. The state shall provide up to six (6) credit hours of tuition-free courses per term at a state university or community college to full-time employees on a space available basis as authorized by law.

2. The state shall continue to reimburse, at current levels, for replacement of personal property.

3. The state shall continue to provide, at current levels, clothing allowances and uniform maintenance and shoe allowances.

4. Each state agency, at the discretion of the agency head, may expend funds provided in this act for bar dues and for legal education courses for attorneys employed by the state as legal staff. Each state agency shall report the amounts expended for these purposes to the legislature by March 1, 2009.

(b) All state branches, departments and agencies which have established or approved personnel policies for employees related to the payment of accumulated and unused annual leave, shall not provide payment which exceeds a maximum of 480 hours of actual payment to each employee for accumulated and unused annual leave.

(c) Upon termination of employees in the Senior Management Service, Selected Exempt, or positions with comparable benefits, payments for unused annual leave credits accrued on the member's last anniversary date shall be prorated at 1/12th of the last annual amount credited for each month, or portion thereof, worked subsequent to the member's last anniversary date.

(4) PAY ADDITIVES AND OTHER INCENTIVE PROGRAMS

The following pay additives and other incentive programs are authorized for the 2008-09 fiscal year from existing agency resources consistent with the provisions of sections 110.2035 and 216.251, Florida Statutes, the applicable administrative rules promulgated by the Department of Management Services, and negotiated collective bargaining agreements:

(a) Each agency is authorized to continue to pay, at the levels in effect on June 30, 2007, on-call fees and shift differentials as necessary to perform normal operations of the agency.

(b) Each agency that had a training program in existence on June 30, 2006, which included granting pay additives to participating employees, is authorized to continue such training program for the 2008-09 fiscal year. Such additives shall be granted under the provisions of the law, administrative rules, and collective bargaining agreements.

(c) The Department of Corrections may continue to grant hazardous duty pay additives, as necessary, to those employees assigned to the Department of Corrections institutions' Rapid Response Teams (including the baton, shotgun, and chemical agent teams) and the Correctional Emergency Response Teams.

(d) The Fish and Wildlife Conservation Commission may continue to grant temporary special duty pay additives to law enforcement officers who perform additional duties as K-9 handlers, as regional recruiters/media coordinators and as breath test operators/inspectors.

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(e) The Fish and Wildlife Conservation Commission and the Department of Highway Safety and Motor Vehicles are authorized to grant critical market pay additives to employees residing in and assigned to Lee County, Collier County, or Monroe County, at the levels that the employing agency granted salary increases for similar purposes prior to July 1, 2006. These pay additives shall be granted only during the time in which the employee resides in, and is assigned to duties within, those counties. In no instance may the employee receive an adjustment to the employee's base rate of pay and a critical market pay additive based on the employee residing in and being assigned in the specified counties.

(f) The Department of Transportation is authorized to continue its training program for employees in the field of transportation engineering under the same guidelines established for the training program prior to June 30, 2006.

(g) The Department of Transportation is authorized to continue its training program for employees in the areas of right-of-way acquisition, relocation benefits administration, right-of-way property management, real estate appraisal, and business valuation under the same guidelines established for the training program prior to June 30, 2006.

(h) The Department of Transportation is authorized to continue to grant a pay additive of $75 per pay period for law enforcement officers assigned to the Office of Motor Carrier Compliance who maintain certification by the Commercial Vehicle Safety Alliance.

(i) Each agency is authorized to continue to grant temporary special duties pay additives to employees assigned additional duties as a result of another employee being absent from work pursuant to the Family Medical Leave Act or authorized military leave.

(j) Each agency is authorized to grant merit increases to the employees based on the employee's exemplary performance.

(5) COLLECTIVE BARGAINING ISSUES AT IMPASSE:

(a) All collective bargaining issues at impasse between the State of Florida and AFSCME Council 79, the Federation of Public Employees, the Federation of Physicians and Dentists, the Florida State Fire Service Association, the Police Benevolent Association, and Florida Nurses Association relating to wages or other economic issues shall be resolved herein pursuant to the instructions provided under Item "(1) EMPLOYEE AND OFFICER COMPENSATION", Item "(3) OTHER PROVISIONS" and Item "(4) PAY ADDITIVES AND OTHER INCENTIVE PROGRAMS".

(b) All collective bargaining issues at impasse between the State of Florida and AFSCME Council 79, the Federation of Public Employees, the Federation of Physicians and Dentists, the Florida State Fire Service Association, the Police Benevolent Association, and Florida Nurses Association relating to insurance shall be resolved herein pursuant to the instructions provided under Item "(2) BENEFITS: HEALTH, LIFE, AND DISABILITY INSURANCE" and the relevant provisions of any legislation enacted to implement this act.

SECTION 9. The unexpended balance from Specific Appropriation 26 of chapter 2007-72, Laws of Florida, provided to Lake-Sumter Community College for Classrooms/Health/Science Consortia Prototype Building complete (ce) for $1,235,702, shall revert immediately and is appropriated for temporary lab facilities, infrastructure and parking improvements at the South Lake Center.

SECTION 10. The unexpended balance from Specific Appropriation 26 of chapter 2007-72, Laws of Florida, provided to South Florida Community College for Classrooms/Health/Science Consortia Prototype Building complete (ce) for $1,391,902, shall revert immediately and is appropriated for the Remodeling/Renovation of the Administration, Nursing, Fine Arts and Science Buildings with addition - Main partial project.

SECTION 11. The unexpended balance from Specific Appropriation 30 of chapter 2006-25, Laws of Florida, provided to Hillsborough Community College for Remodeling/Renovation of the Administration, Science and Student Services Buildings -Plant City for $3,198,464, shall revert immediately and is appropriated for upgrading the College's District-wide telecommunication system for an emergency notification and response alert system.

SECTION 12. The unexpended balance from Specific Appropriation 30 of chapter 2006-25, Laws of Florida, provided to Seminole Community College for Workforce/Classrooms, Technology Labs with land - I-4 Heathrow Special Purpose Center complete (ce) for $5,259,322, shall revert immediately and is appropriated for Classrooms, Labs, Student Services Building with Land - Phase I at Altamonte Center.

SECTION 13. The unexpended balance from Specific Appropriation 30 of chapter 2006-25, Laws of Florida, provided to St. Petersburg College for Remodeling/Renovation of the Social Science and Arts Buildings to Vet Tech - Clearwater partial for $1,008,744, shall revert immediately and is appropriated for construction of the new Veterinary Technology Program Building in cooperation with the Pinellas County School Board at the new Veterinary Technology Center in Seminole.

SECTION 14. The unexpended balance from Specific Appropriation 3 of chapter 2006-25, Laws of Florida, provided to St. Petersburg College to Construct Classrooms, Academic and Support Space - Clearwater for $575,898, shall revert immediately and is appropriated along with the private donor match of the same amount for construction of the new Veterinary Technology Program Building in cooperation with the Pinellas County School Board at the new Veterinary Technology Center in Seminole.

SECTION 15. The unexpended balance from Specific Appropriation 26 of chapter 2007-72, Laws of Florida, provided to St. Petersburg College to Construct Classrooms, Academic and Support Space - Clearwater for $6,884,999, shall revert immediately and is appropriated for construction of the new Veterinary Technology Program Building in cooperation with the Pinellas County School Board at the new Veterinary Technology Center in Seminole.

SECTION 16. The unexpended balance from Specific Appropriation 26 of chapter 2007-72, Laws of Florida, provided to Tallahassee Community College to Remodeling/Renovation of the old Residence to an Executive Leadership Training Building at the Pat Thomas Law Enforcement Academy for $2,595,423, shall revert immediately and is appropriated for construction of Multipurpose Building for classrooms and large meeting rooms at the same site.

SECTION 17. The unexpended balance from Specific Appropriation 26 of chapter 2007-72, Laws of Florida, provided to Indian River Community College to Remodeling/Renovation Classrooms/Labs Buildings 9 and 21 - Main for $2,257,280, shall revert immediately and is appropriated for Remodeling/Renovation Classrooms/Labs Buildings 9, 21, 38 and 39 - Main.

SECTION 18. The unexpended balance from Specific Appropriation 26 of chapter 2007-72, Laws of Florida, provided to Florida Keys Community College to Remodeling/Renovation Library Computer and Multimedia Labs - Main for $485,000, shall revert immediately and is appropriated for the construction of a Marine Propulsion Building.

SECTION 19. Pursuant to section 1013.40, Florida Statutes, the specified community colleges are authorized to acquire or construct the following facilities from non-PECO sources, which could require general revenue funds for operation and maintenance. If existing facilities are part of these projects, each such building or site must be certified to be free of asbestos or other hazardous materials before the stated community college may acquire or expend construction funds on the facility. If the property to be acquired is not adjacent to an existing approved center or campus, then all necessary approvals from the State Board of Education must be received before any funds may be expended to acquire the property.

1. Seminole Community College - Acquire land/facilities and/or construct/remodel/renovate facilities of classrooms, labs, offices, support facilities and parking for the State Board of Education approved Sanford/Lake Mary Campus.

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2. Seminole Community College - Acquire land/facilities and/or construct/remodel/renovate facilities of classrooms, labs, offices, support facilities and parking for the State Board of Education approved Altamonte Center.

3. Hillsborough Community College - Acquire by donation land/facilities consisting of two existing facilities totaling 4,150 gross square feet and tennis courts to be used in conjunction with courses currently offered at the Dale Mabry Campus.

4. Hillsborough Community College - Acquire land/facilities and/or construct/remodel/renovate facilities of classrooms, labs, offices, support facilities and parking for a Special Purpose Center for workforce development training in the Riverview area.

5. Polk Community College - Acquire land/facilities and/or construct/remodel/renovate facilities of classrooms, labs, offices, support facilities and parking for the Advance Manufacturing Technologies Center at the State Board of Education approved Clear Springs Special Purpose Center in Bartow.

6. Polk Community College - Acquire land/facilities and/or construct/remodel/renovate facilities for classrooms, labs, offices, support facilities and parking to house new and existing public safety programs in Winter Haven.

7. Daytona Beach Community College - Acquire up to seventeen (17) relocatables for classrooms and labs to handle enrollment increases at the Flagler and Deltona Centers.

SECTION 20. The unexpended balance from Specific Appropriation 19 of chapter 2005-70, Laws of Florida, provided to Gulf Coast Community College for Remodeling/Renovation of the Technology Building with Tech Lab additions - Main partial for $420,000, shall revert immediately and is appropriated for the construction of Corporate Training and Technology Center on the Main Campus in Panama City.

SECTION 21. The unexpended balance from Specific Appropriation 30 of chapter 2006-25, Laws of Florida, provided to Gulf Coast Community College for Remodeling/Renovation of the Technology Building with Tech Lab additions - Main partial for $3,754,369, shall revert immediately and is appropriated for the construction of Corporate Training and Technology Center on the Main Campus in Panama City.

SECTION 22. The unexpended balance from Specific Appropriation 26 of chapter 2007-72, Laws of Florida, provided to Gulf Coast Community College for Remodeling/Renovation of the Technology Building with Tech Lab additions - Main partial for $3,445,631, shall revert immediately and is appropriated for the construction of Corporate Training and Technology Center on the Main Campus in Panama City.

SECTION 23. Pursuant to sections 1013.74 and 1013.78, Florida Statutes, the following facilities may be constructed or acquired from non-appropriated sources, which upon completion will require general revenue funds for operation.

1. UF - Central Laundry Facility
2. UF - Bryant Space Center
3. UF - Infirmary
4. UF - UF Foundation Building #2
5. UF - UF Foundation Garage
6. UF - East Campus Office Building
7. UF/IFAS - Everglades Research & Education Center - Belle Glade
8. UF/IFAS - SW Florida Research & Education Center -Immokalee
9. FSU - College of Medicine, Immokalee Clinic.
10. USF - USF-Health Major Ren/Remo/Addition Research and Clsrm Space
11. USF - USF-Health Medical Faculty Office Building
12. USF - Joint Use Track Facility
13. USF - Sun Dome Expansion, Academic Excellence Room
14. USF - Joint Military Science Leadership Center-Phase IIB
15. USF - Magnolia Hall
16. FAU - Aristotle Center
17. FAU - Pine Jog Educational Facility

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18. UCF - Physical Sciences Building
19. UCF - University Tower
20. UCF - Bio-Molecular Annex
21. UCF - Career Services & Experiential Learning
22. UCF - Bio-Medical Enhancement
23. UCF - Laboratory Instruction Building
24. UCF - Green House
25. UCF - Bennett Building
26. UCF - Visitor Information Building
27. UCF - Medical Library
28. UCF - Honors Living and Learning Center
29. UCF - Bio-Medical Science Center
30. UCF - Research Pavilion
31. UCF - University Tech Center (Suites 300, 360, 390, and 200)
32. UCF - Orlando Tech Center
33. UCF - Academic Center
34. FIU - Department of Health/FIU Public Health Building
35. UNF - The Auchter Building
36. FAMU - University Transitional Facility

SECTION 24. Pursuant to section 1010.62, Florida Statutes, and section 11(d) and (f), Art. VII of the State Constitution, the following fixed capital outlay projects may be constructed, acquired, and financed by a university or university direct support organization. Financing mechanisms include any form of approved debt or bonds authorized by the Board of Governors.

FAMU Bragg Stadium Renovation
USF Athletic District - Sun Dome
USF Athletic District
FAU Innovation Village Stadium
UF East Campus Office Building
FIU Department of Health/FIU Public Health Building

SECTION 25. The unexpended balance of funds provided to the Department of Management Services in Specific Appropriation 2288A of chapter 2007-72, Laws of Florida, and subsequently transferred to the Agency for Enterprise Information Technology by budget amendment EOG #0014, shall immediately revert and is appropriated to the Agency for Enterprise Information Technology for sustainment of monitoring center and security tools and information security planning sessions.

SECTION 26. From the unexpended balance of funds appropriated in Specific Appropriation 127, chapter 2007-72, Laws of Florida, for the Ready to Work Initiative, the lesser of the unexpended balance or $4,000,000 shall revert immediately and is appropriated for the 2008-2009 fiscal year to the Department of Education to contract with the current Ready to Work provider selected by competitive procurement in 2006-2007 for a statewide unlimited usage license for curriculum, a soft-skills assessment component and implementation services. The remaining unexpended balance of funds appropriated in Specific Appropriation 127, chapter 2007-72, Laws of Florida, for the Ready to Work Initiative shall revert at the end of the 2007-2008 fiscal year and is appropriated to the Department of Education to continue support for the Ready to Work Initiative. This section shall take effect upon becoming law.

SECTION 27. The unexpended balance of funds appropriated in Specific Appropriation 117 of chapter 2007-72, Laws of Florida, provided to the Department of Education for the Governor's School for Space Science & Technology Planning shall revert immediately and is appropriated for the 2008-2009 fiscal year to the Department of Education for the original purpose.

SECTION 28. The non-recurring sum of $7,500,000 from the General Revenue Fund is appropriated for the 2008-2009 fiscal year to the Department of Education for distribution to the Miami-Dade County Public School District.

SECTION 29. From the unexpended balance of funds appropriated in Specific Appropriation 154A of chapter 2007-72, Laws of Florida, the sum of $87,354,000 shall revert immediately, and the following amounts are appropriated from the General Revenue Fund:

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(a) The sum of $50,000,000 is appropriated for the Florida Energy Systems Consortium. This non-recurring appropriation is provided in the Aid to Local Governments - Grants and Aids - Education and General Activities appropriation category and is allocated as follows:

University of Florida	15,000,000
Florida State University	8,750,000
University of South Florida	8,750,000
University of Central Florida	8,750,000
Florida Atlantic University	8,750,000

The allocation to the University of Florida includes $3,250,000 for Consortium administration, $2,500,000 for education and outreach, and $500,000 for technology transfer.

(b) The sum of $8,500,000 is appropriated for the Florida Gulf Coast University Solar Field Installation.

(c) The sum of $10,006,955 is appropriated for the Florida International University Center of Excellence for Hurricane Damage Mitigation and Product Development.

(d) The sum of $14,570,225 is appropriated for the Florida State University Center of Excellence for Advanced Aero-Propulsion.

SECTION 30. Contingent upon HB 7135 or similar legislation becoming law, the sum of $5,000,000 in non-recurring funds is appropriated from the General Revenue Fund to the Energy and Climate Commission in the Executive Office of the Governor for the purpose of funding the Solar Energy System Incentives Program pursuant to section 377.806, Florida Statutes.

SECTION 31. Contingent upon HB 7135 or similar legislation becoming law, the sum of $7,000,000 in non-recurring funds is appropriated from the General Revenue Fund to the Energy and Climate Commission in the Executive Office of the Governor for the purpose of funding the Renewable Energy and Energy Efficient Technologies Grants Program pursuant to section 377.804, Florida Statutes.

SECTION 32. Contingent upon HB 7135 or similar legislation becoming law, the sum of $8,000,000 in non-recurring funds is appropriated from the General Revenue Fund to the Energy and Climate Commission in the Executive Office of the Governor for the purpose of funding the Bioenergy Projects for Renewable Technology pursuant to section 377.804(6), Florida Statutes. These grants shall be awarded in consultation with the Department of Agriculture and Consumer Affairs.

SECTION 33. The Agency for Health Care Administration is authorized to transfer up to $3,093,148 from the unreserved cash balance of the Medical Care Trust Fund to satisfy outstanding obligations as of June 30, 2008, to the Agency for Health Care Administration for Gadsden Community Hospital, Weems Hospital and Calhoun-Liberty Hospital.

SECTION 34. The unexpended balance of non-recurring general revenue funds appropriated to the Department of Elderly Affairs in chapter 2007-114, Laws of Florida, related to caregivers for adults, shall revert immediately and is appropriated for the 2008-2009 fiscal year for the purpose of the original appropriation.

SECTION 35. The unexpended balance of non-recurring general revenue funds appropriated to the Agency for Health Care Administration in chapter 2007-102, Laws of Florida, related to the Primary Care Access Network, shall revert immediately and is appropriated for the 2008-2009 fiscal year for the purpose of the original appropriation.

SECTION 36. The unexpended balance from Specific Appropriations 311 and 321 of chapter 2007-72, Laws of Florida, provided to the Department of Children and Family Services for Florida SACWIS Solutions shall revert immediately and is appropriated for the 2008-2009 fiscal year for the same purpose.

SECTION 37. The non-recurring sum of $354,437,854 from the Lawton Chiles Endowment Fund shall be transferred to the Department of

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Financial Services Tobacco Settlement Clearing Trust Fund and disbursed into each department's respective Tobacco Settlement Trust Fund to provide necessary funding for Specific Appropriations 194, 195, 196, 197, 198, 200, 202, 204, 205, 206, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 241, 220A, 317, 340, 496A, 598, and 627A.

SECTION 38. The sum of $15,000,000 from unexpended funds in Specific Appropriation 1702 of chapter 2006-25, Laws of Florida, provided to the Department of Environmental Protection to acquire land to mitigate flowage concerns from the Biscayne Bay and C-111 projects shall revert immediately and is appropriated to the department for the Miami River Dredging Project and the design and construction of Comprehensive Everglades Restoration Plan C-111 Spreader Canal Project upon approval pursuant to section 373.026(8)(b), Florida Statutes.

SECTION 39. The unexpended balance of funds appropriated in Specific Appropriation 1769 of chapter 2002-394, Laws of Florida, for the Airport Industrial Park Wastewater - St. Lucie project provided to the Department of Environmental Protection, shall revert immediately and is appropriated for the 2008-2009 fiscal year for purpose of continuing the St. Lucie Airport West Commerce Park Project, including costs incurred prior to July 1, 2008.

SECTION 40. The sum of $666,000 from unexpended funds in Specific Appropriation 1742 of chapter 2002-394, Laws of Florida, provided to the Department of Environmental Protection for statewide beach projects shall revert immediately.

SECTION 41. The sum of $71,000 from unexpended funds in Specific Appropriation 1676 of chapter 2004-268, Laws of Florida, provided to the Department of Environmental Protection for statewide beach projects shall revert immediately.

SECTION 42. The sum of $2,744,866 from unexpended funds in chapter 2004-475, Laws of Florida, provided to the Department of Environmental Protection for statewide beach projects shall revert immediately and is appropriated as a transfer to the Ecosystem Restoration and Management Trust Fund in the Department of Environmental Protection.

SECTION 43. The sum of $310,508 from unexpended funds in Specific Appropriation 1696 of chapter 2005-71, Laws of Florida, provided to the Department of Environmental Protection for statewide beach projects shall revert immediately.

SECTION 44. The sum of $536,401 from unexpended funds in Specific Appropriation 1696 of chapter 2005-71, Laws of Florida, provided to the Department of Environmental Protection for statewide beach projects shall revert immediately and is appropriated as a transfer to the Ecosystems Management and Restoration Trust Fund in the Department of Environmental Protection.

SECTION 45. The sum of $1,798,075 from unexpended funds in Specific Appropriation 1834 of chapter 2007-72, Laws of Florida, provided to the Department of Environmental Protection for Ponce de Leon IMP Implementation in the Beach Management Funding Assistance Program for the 2007-2008 fiscal year shall revert immediately.

SECTION 46. The sum of $2,000,000 from unexpended funds in Specific Appropriation 1834 of chapter 2007-72, Laws of Florida, provided to the Department of Environmental Protection for post-construction monitoring in the Beach Management Funding Assistance Program for the 2007-2008 fiscal year shall revert immediately.

SECTION 47. The sum of $2,375,000 from unexpended funds in Specific Appropriation 1834 of chapter 2007-72, Laws of Florida, provided to the Department of Environmental Protection for statewide beach projects shall revert immediately.

SECTION 48. The sum of $1,051,925 from unexpended funds in Specific Appropriation 1834 of chapter 2007-72, Laws of Florida, provided to the Department of Environmental Protection for statewide beach management project support in the Beach Management Funding Assistance Program for the 2007-2008 fiscal year shall revert immediately.

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SECTION 49. The sum of $750,000 from unexpended funds in Specific Appropriation 1834 of chapter 2007-72, Laws of Florida, provided to the Department of Environmental Protection for regional monitoring in the Beach Management Funding Assistance Program for the 2007-2008 fiscal year shall revert immediately.

SECTION 50. Contingent upon the Weeki Wachee Springs attraction becoming a part of the State Park System, the Department of Environmental Protection may submit budget amendments in accordance with chapter 216, Florida Statutes, requesting increased trust fund budget authority up to the amount of revenue estimated to be received by the department during the 2008-2009 fiscal year for the operations and maintenance of the attraction. The request shall be accompanied by a detailed business plan for operation of the attraction and include financial documents itemizing estimated revenues, operational expenditures, and maintenance and repair capital depreciation amounts.

SECTION 51. The sum of $200,000 from unexpended funds in Specific Appropriation 1834 of chapter 2007-72, Laws of Florida, provided to the Department of Environmental Protection for regional sand search in the Beach Management Funding Assistance Program for the 2007-2008 fiscal year shall revert immediately.

SECTION 52. The sum of $750,000 from unexpended funds in Specific Appropriation 1834 of chapter 2007-72, Laws of Florida, provided to the Department of Environmental Protection for new projects - feasibility and design in the Beach Management Funding Assistance Program for the 2007-2008 fiscal year shall revert immediately.

SECTION 53. The sum of $300,000 from unexpended funds in Specific Appropriation 1834 of chapter 2007-72, Laws of Florida, provided to the Department of Environmental Protection for inlet sand transfer/demonstration projects in the Beach Management Funding Assistance Program for the 2007-2008 fiscal year shall revert immediately.

SECTION 54. The sum of $1,400,000 from unexpended funds in Specific Appropriation 1834 of chapter 2007-72, Laws of Florida, provided to the Department of Environmental Protection for Alligator Point Beach Restoration for the 2007-2008 fiscal year shall revert immediately.

SECTION 55. The sum of $1,480,710 from unexpended funds in Specific Appropriation 1834 of chapter 2007-72, Laws of Florida, provided to the Department of Environmental Protection for Estero Island Beach Restoration for the 2007-2008 fiscal year shall revert immediately.

SECTION 56. The sum of $841,210 from unexpended funds in Specific Appropriation 1834 of chapter 2007-72, Laws of Florida, provided to the Department of Environmental Protection for St. Andrews IMP Implementation in the Beach Management Funding Assistance Program for the 2007-2008 fiscal year shall revert immediately.

SECTION 57. The sum of $1,660,000 from unexpended funds in Specific Appropriation 1834 of chapter 2007-72, Laws of Florida, provided to the Department of Environmental Protection for Avalon State Park Dune Restoration in the Beach Management Funding Assistance Program for the 2007-2008 fiscal year shall revert immediately.

SECTION 58. The sum of $55,000,000 in non-recurring funds is appropriated from the General Revenue Fund for Fiscal Year 2007-2008 to the Department of Corrections for the purpose of funding Fiscal Year 2007-2008 operational deficits. This section shall take effect upon becoming law.

SECTION 59. The sum of $10,000,000 in non-recurring funds is appropriated from the General Revenue Fund for Fiscal Year 2007-2008 to the Justice Administrative Commission for the purpose of alleviating a projected deficit in appropriations provided for private court-appointed counsel and associated due process expenses for cases appointed prior to the effective date of chapter No. 2007-62, Laws of Florida. This section shall take effect upon becoming law.

SECTION 60. The sum of $2,750,000 in non-recurring funds is appropriated from the Crimes Compensation Trust Fund for Fiscal Year 2007-2008 to the

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Department of Legal Affairs in the Awards to Claimants appropriation category to pay claims projected for the remainder of the fiscal year. This section shall take effect upon becoming law.

SECTION 61. The unexpended balance of $1,068,335 provided to the Department of Law Enforcement for the Integrated Criminal History System (FALCON) in the Qualified Expenditure Category in Specific Appropriation 1325A of chapter 2007-72, Laws of Florida, shall revert immediately and is appropriated for the 2008-2009 fiscal year for its original purpose.

SECTION 62. The unexpended balance of funds appropriated in Specific Appropriation 2288A of chapter 2007-72, Laws of Florida, provided to the Department of Management Services, shall revert immediately and is appropriated for the 2008-2009 fiscal year for the Florida Interoperability Network. Funds for the Florida Interoperability Network shall be held in reserve and release is contingent upon the execution of agreements by the Department with each recipient county specifying that ongoing system administration, operations and maintenance will be the responsibility of the county upon discontinuation of federal funding.

SECTION 63. From the funds appropriated in Specific Appropriation 729 of chapter 2007-72, Laws of Florida, to the Department of Corrections related to the Offender Based Information System (OBIS), the unexpended balance of $500,000 in non-recurring general revenue funds shall revert immediately and is appropriated for the 2008-2009 fiscal year to the Department of Corrections for the original purpose.

SECTION 64. The unexpended balance of non-recurring funds appropriated in section 35 of chapter 2007-72, Laws of Florida, for the Department of Military Affairs Family Readiness Program shall revert immediately and $400,000 is appropriated for 2008-2009 fiscal year to provide need-based assistance to the family members eligible under section 250.5206, Florida Statutes. The department may use $55,000 of the appropriation for Other Personal Services staff in support of the program.

SECTION 65. The unexpended balance of funds from Specific Appropriation 3186 of chapter 2007-72, Laws of Florida, shall revert immediately and is appropriated for the 2008-2009 fiscal year for the same purpose. From the funds provided for this purpose, the Department of Revenue shall reimburse the Office of Economic and Demographic Research for contractual costs incurred to conduct the review of the child support guidelines schedule in accordance with the federal Family Support Act of 1988, to ensure appropriate determination of child support award amounts, and submit a final report to the Governor, the President of the Senate, and the Speaker of the House of Representatives by November 14, 2008. The Office of Economic and Demographic Research may contract with a state university or a nationally recognized organization for the purpose of collecting and analyzing the economic data necessary for the review for a period of time ending no later than June 30, 2009.

SECTION 66. The unexpended balance of funds appropriated in section 28 of chapter 2007-72, Laws of Florida, to the Department of Management Services shall revert immediately and is appropriated for the 2008-2009 fiscal year for the original purpose.

SECTION 67. The unexpended balance of funds appropriated in Specific Appropriation 3024 of chapter 2007-72, Laws of Florida, provided to the Department of Management Services, for the Florida National Guard Pensions and Benefits program, shall revert immediately and is appropriated for 2008-2009 fiscal year for the original purpose.

SECTION 68. The unexpended funds provided to the Department of Community Affairs for domestic security issues in Specific Appropriation 2288A of chapter 2007-72, Laws of Florida, and subsequently distributed to the Department of Community Affairs pursuant to budget amendments EOG# B2008-0014 and EOG# B2008-0365, and section 45 of chapter 2007-72, Laws of Florida, shall revert immediately and are appropriated for the 2008-2009 fiscal year to the Department of Community Affairs for the purpose of the original appropriations or reallocations between any of the funded projects approved by the Domestic Security Oversight Board.

SECTION 69. There is appropriated for transfer to the Grants and Donations Trust Fund in the Department of Community Affairs $4,331,377

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from the following trust funds in the amounts specified:
Department of Community Affairs:
Operating Trust Fund..... $ 3,800,000
Energy Consumption Trust Fund..... $ 264,938
State Housing Trust Fund.....$ 20,000
Florida Communities Trust Fund.....$ 246,439

SECTION 70. The entire unexpended balance of the funds appropriated in Specific Appropriation 1621W of chapter 2007-72, Laws of Florida, to the Department of Community Affairs related to the pilot program in Brevard, Pasco, Polk, and Orange counties for the purpose of deploying unlimited complete, time-sensitive notices to warn against disasters shall revert immediately and is appropriated for the 2008-2009 fiscal year to the Department of Community Affairs to extend the procurement under Request for Proposal Number DEM 6/07-10, "Emergency Notification System Pilot Program", and to allow the ability for the Division of Emergency Management and the Executive Office of the Governor to communicate by voice and text messages with state employees, county emergency management directors and staff, university and community college emergency management directors and staff, mayors, and county commissioners. Upon completion of the pilot program, the Division of Emergency Management shall report to the Governor, the Speaker of the House of Representatives, and the President of the Senate on the success of the program, the benefits of such a program to the state's system of emergency management, preparedness and response, and options to implement such a program statewide, including implementation costs and potential funding sources. The report shall be submitted within 30 days of completion of the pilot program.

SECTION 71. From the funds appropriated in Specific Appropriation 2756 of chapter 2007-72, Laws of Florida, and subsequently transferred to the High-Impact Performance Incentive appropriation category by budget amendment EOG #0035, $1,575,000 from non-recurring authority in the General Revenue Fund shall revert immediately and is appropriated for the 2008-2009 fiscal year to the Office of Tourism, Trade and Economic Development for the High-Impact Performance Incentive.

SECTION 72. The unexpended balance of funds provided in section 36 of chapter 2007-72, Laws of Florida, shall revert immediately and is appropriated for the 2008-2009 fiscal year for the purpose of the original appropriation within the Department of Highway Safety and Motor Vehicles.

SECTION 73. Notwithstanding disaster relief funding agreements and other related provisions executed between the Division of Emergency Management (DEM) and the state agencies in Florida relating to grants awarded by the Federal Emergency Management Agency (FEMA) for Disaster Declarations 1539-DR-FL, 1545-DR-FL, 1551-DR-FL, 1561-DR-FL, 1595-DR-FL, 1602-DR-FL, 1609-DR-FL, 3220-EM-FL, and 3259-EM-FL, any reimbursements received from FEMA for state agencies through June 30, 2009, shall be retained by the DEM. Upon receipt of the reimbursement, DEM shall first reimburse any applicable outstanding loans due to the Budget Stabilization Fund from the specific reimbursement. DEM shall work in consultation with the originating state agency, the Division of Risk Management and the Executive Office of the Governor to determine the appropriate amount due to the Budget Stabilization Fund. Any remaining funds shall be used for the installation of generators at designated special needs shelter sites pursuant to chapter 2006-71, Laws of Florida.

SECTION 74. If the provisions of Senate Bill 2778, or similar legislation, appropriating general revenue funds to the Building Florida's Future Revolving Trust Fund within the Office of Tourism, Trade, and Economic Development, for the 2008-2009 fiscal year do not become law, the sum of $20,000,000, in non-recurring general revenue is appropriated from the General Revenue Fund to the Office of Tourism, Trade, and Economic Development for the Quick Action Closing Fund.

SECTION 75. The funds in Specific Appropriation 2727A shall be transferred by a non-operating transfer from the State Transportation Trust Fund to the Highway Safety Operating Trust Fund to pay claims related to the settlement agreement in the case of the Department of Highway Safety and Motor Vehicles vs. Rendon.

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APPROPRIATION
SECTION 76. The unexpended balance of funds appropriated in section 31 chapter 2007-72, Laws of Florida, provided to the Department of Financial Services, shall revert immediately and is appropriated for the 2008-2009 fiscal year for strengthening Domestic Security support by the State Fire Marshal. Additionally, the unexpended balance of funds provided in Specific Appropriation 2288A of chapter 2007-72, Laws of Florida, and budget amendment EOG# B2008-0014, provided to the Department of Financial Services shall revert immediately and is appropriated for the 2008-2009 fiscal year for the original purpose.

SECTION 77. (1) Consistent with the provisions of section 216.221, Florida Statutes, relating to legislative direction in the General Appropriations Act regarding the use of state funds to offset General Revenue Fund deficits, and the provisions of section 216.222, Florida Statutes, relating to the transfer of funds from the Budget Stabilization Fund to the General Revenue Fund to offset deficits in the General Revenue Fund, in the event a deficit in the General Revenue Fund is certified pursuant to s. 216.221, Florida Statutes, for the 2007-2008 fiscal year or the 2008-2009 fiscal year, the following transfers are authorized, subject to approval by the Legislative Budget Commission:

(a) Funds from the Budget Stabilization Fund to the General Revenue Fund to address a deficit before any other action is taken pursuant to section 216.221, Florida Statutes. Such transfer or transfers, in the aggregate, shall not exceed the lesser of the amount of the deficit or deficits or one half of the cash balance of the Budget Stabilization Fund on May 1, 2008; and

(b) If the transfers authorized under paragraph (a) are insufficient to address a deficit in the General Revenue Fund, funds from the Lawton Chiles Endowment Fund to the General Revenue Fund to address a deficit in lieu of any other actions taken pursuant to sections 216.221 and 216.222, Florida Statutes. Such transfer or transfers shall not exceed the lesser of the amount of the deficit remaining after the transfers authorized by paragraph (a) or $1,000,000,000.

(2) This section shall take effect upon becoming a law.

SECTION 78. The sum of $250,000,000 is appropriated from General Revenue Fund on a non-recurring basis to the State Board of Administration for purposes of the Insurance Capital Build-Up Incentive Program established pursuant to s. 215.5595, Florida Statutes. This appropriation is contingent upon Citizens Property Insurance Corporation transferring $250,000,000 to General Revenue Fund for this purpose as provided by law. Costs and fees incurred by the State Board of Administration in administering this program, including fees for investment services, shall be paid from the funds appropriated by this section.

SECTION 79. Pursuant to section 215.32(2)(b)4.a., Florida Statutes, $448,110,309 from unobligated cash balance amounts specified from the following trust funds shall be transferred to General Revenue Fund for Fiscal Year 2008-2009:

DEPARTMENT OF FINANCIAL SERVICES
Financial Institutions' Regulatory Trust Fund..... 2,500,000
DEPARTMENT OF BUSINESS REGULATION
Division of Florida Land Sales, Condominiums, and Mobile Homes Trust Fund..... 10,000,000
Hotel and Restaurant Trust Fund..... 11,000,000
Professional Regulation Trust Fund..... 5,500,000
PUBLIC SERVICE COMMISSION
Florida Public Service Regulatory Trust Fund..... 5,000,000
DEPARTMENT OF ENVIRONMENTAL PROTECTION
Invasive Plant Control Trust Fund..... 112,800,000
DEPARTMENT OF COMMUNITY AFFAIRS
Local Government Housing Trust Fund..... 235,000,000
State Housing Trust Fund..... 15,000,000
DEPARTMENT OF LEGAL AFFAIRS
Crimes Compensation Trust Fund..... 10,000,000
Crime Stoppers Trust Fund..... 2,500,000
DEPARTMENT OF EDUCATION
University Concurrency Trust Fund..... 30,000,000
Alec P. Courtelis Capital Facilities Matching Trust Fund.... 8,810,309

SECTION 79
SPECIFIC
APPROPRIATION
Funds specified above from each trust fund shall be transferred in four equal installments on a quarterly basis during the fiscal year.

SECTION 80. Any section of this act, or any appropriation herein contained, if found to be invalid shall in no way affect other sections or specific appropriations contained in this act.

SECTION 81. Except as otherwise provided herein, this act shall take effect July 1, 2008, or upon becoming law, whichever occurs later; however, if this act becomes law after July 1, 2008, then it shall operate retroactively to July 1, 2008.

TOTAL THIS GENERAL APPROPRIATION ACT POSITIONS 114,061.25

FROM GENERAL REVENUE FUND 25623,321,877

FROM TRUST FUNDS 40577,404,275

TOTAL ALL FUNDS 66200,726,152

TOTAL APPROVED SALARY RATE 4649,802,683

The Conference Committee Report was read and on motion by Senator Carlton was adopted. **HB 5001** passed as recommended and was certified to the House together with the Conference Committee Report. The vote on passage was:

Yeas—32

Mr. President	Diaz de la Portilla	Oelrich
Alexander	Dockery	Peaden
Atwater	Fasano	Posey
Baker	Gaetz	Saunders
Bennett	Garcia	Siplin
Bullard	Haridopolos	Storms
Carlton	Jones	Villalobos
Constantine	King	Webster
Crist	Lawson	Wilson
Dawson	Lynn	Wise
Dean	Margolis	

Nays—8

Aronberg	Hill	Rich
Deutch	Joyner	Ring
Geller	Justice	

By direction of the President the following Conference Committee Report was read:

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has accepted the Conference Committee Report as an entirety and passed HB 5003, as amended by the Conference Committee Report and requests concurrence of the Senate.

William S. Pittman III, Chief Clerk

CONFERENCE COMMITTEE REPORT ON HB 5003

The Honorable Ken Pruitt April 29, 2008
President of the Senate

The Honorable Marco Rubio
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on HB 5003, same being:

An act relating to **Implementing the 2008-2009 Appropriations Act**; implements 2008-2009 General Appropriations Act; revises provisions relating to education, health & human services, criminal justice & corrections, juvenile justice, judicial administration, insurance, emergency management, environmental restoration, & general government;

having met, and after full and free conference, do recommend to their respective houses as follows:

1. That the Senate recede from its Amendment 1.

2. That the Senate and House of Representatives adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

s/Lisa Carlton
Chair
s/JD Alexander
s/Carey Baker
s/Larcenia J. Bullard
s/Victor D. Crist
s/Charles Dean
s/Alex Diaz de la Portilla
s/Mike Fasano
Rudy Garcia
s/Mike Haridopolos
s/Dennis L. Jones
s/Charlie Justice
s/Alfred "Al" Lawson, Jr.
s/Gwen Margolis
s/Durell Peaden, Jr.
Nan H. Rich
s/Burt L. Saunders
s/Ronda Storms
s/Daniel Webster, At Large
s/Stephen R. Wise

s/Jeff Atwater
Vice Chair
s/Dave Aronberg
s/Michael S. "Mike" Bennett
s/Lee Constantine
s/M. Mandy Dawson
s/Ted Deutch
Paula Dockery
s/Don Gaetz
Steven A. Geller, At Large
s/Anthony C. "Tony" Hill, Sr.
s/Arthenia L. Joyner
s/James E. King, Jr., At Large
s/Evelyn J. Lynn
s/Steve Oelrich
s/Bill Posey
s/Jeremy Ring
s/Gary Siplin
J. Alex Villalobos
s/Frederica S. Wilson

Managers on the part of the Senate

s/Ray Sansom
Chair and At Large
s/Kevin C. Ambler
s/Gary Aubuchon
s/Aaron P. Bean
s/Ellyn Setnor Bogdanoff,
At Large
Debbie Boyd
Ronald A. Brisé
s/Dean Cannon
Charles S. "Chuck" Chestnut IV
s/Larry Cretul, At Large
Joyce Cusack, At Large
Chris Dorworth
Keith Fitzgerald
s/Bill Galvano
s/Andy Gardiner
Joseph A. "Joe" Gibbons
s/Hugh H. Gibson III
s/Michael J. Grant
s/Gayle B. Harrell
s/D. Alan Hays
s/Matt Hudson
s/Kurt Kelly
Martin David "Marty" Kiar
Paige Kreegel
s/John Legg
Janet C. Long
Richard A. Machek
s/Charles McBurney
Matthew J. "Matt" Meadows
s/Mitch Needelman
s/Pat Patterson
s/Juan-Carlos "J.C." Planas
s/Stephen L. Precourt
Scott Randolph
Betty Reed
s/Garrett Richter
s/Julio Robaina
Dennis A. Ross
Franklin Sands, At Large
Ron Saunders, At Large
s/Ron Schultz

s/Sandra "Sandy" Adams
s/Thad Altman
s/Frank Attkisson
Loranne Ausley
Dorothy Bendross-Mindingall
s/Marsha L. "Marty" Bowen,
At Large
Mary Brandenburg
Susan Bucher
s/Jennifer Carroll
s/Marti Coley
s/Faye B. Culp
s/Carl J. Domino
s/Greg Evers
s/Anitere Flores, At Large
s/Rene Garcia
Dan Gelber, At Large
Audrey Gibson
s/Richard "Rich" Glorioso
Denise Grimsley
s/Adam Hasner, At Large
s/Ed Homan
s/Dorothy L. Hukill
s/Will S. Kendrick
s/Dick Kravitz
Rick Kriseman
s/Marcelo Llorente
s/Carlos Lopez-Cantera
s/Stan Mayfield
s/Seth McKeel
s/Dave Murzin
s/Jimmy T. Patronis, Jr.
s/Joe H. Pickens
s/Ralph Poppell
s/William L. "Bill" Proctor
s/Ron Reagan
Curtis B. Richardson
s/David Rivera, At Large
Yolly Roberson
Maria Lorts Sachs
Anthony P. "Tony" Sasso III
s/Robert C. "Rob" Schenck
Michael J. Scionti

John P. "Jack" Seiler, At Large
Kelly Skidmore
Priscilla Taylor
s/Nicholas R. "Nick" Thompson
s/Anthony Trey Traviesa
Shelley Vana
s/Will W. Weatherford
s/Juan C. Zapata, At Large
s/David Simmons, At Large
Darren Soto
Geraldine F. "Geri" Thompson
Perry E. Thurston, Jr.
s/Baxter G. Troutman
James W. "Jim" Waldman
Trudi K. Williams

Managers on the part of the House

Conference Committee Amendment (179107)(with title amendment)—Remove everything after the enacting clause and insert:

Section 1. *It is the intent of the Legislature that the implementing and administering provisions of this act apply to the General Appropriations Act for the 2008-2009 fiscal year.*

Section 2. *In order to implement Specific Appropriations 6, 7, and 81 through 83 of the 2008-2009 General Appropriations Act, the calculations of the Florida Education Finance Program for the 2008-2009 fiscal year in the document entitled "Public School Funding - The Florida Education Finance Program" dated April 28, 2008, and filed with the Clerk of the House of Representatives are incorporated by reference for the purpose of displaying the calculations used by the Legislature, consistent with the requirements of the Florida Statutes, in making appropriations for the Florida Education Finance Program.*

Section 3. In order to implement Specific Appropriations 376 through 415 of the 2008-2009 General Appropriations Act, subsection (3) of section 394.908, Florida Statutes, is amended to read:

394.908 Substance abuse and mental health funding equity; distribution of appropriations.—In recognition of the historical inequity in the funding of substance abuse and mental health services for the department's districts and regions and to rectify this inequity and provide for equitable funding in the future throughout the state, the following funding process shall be used:

(3)*(a)* Any additional funding beyond the 2005-2006 fiscal year base appropriation for alcohol, drug abuse, and mental health services shall be allocated to districts for substance abuse and mental health services based on:

1.~~(a)~~ Epidemiological estimates of disabilities that apply to the respective target populations.

2.~~(b)~~ A pro rata share distribution that ensures districts below the statewide average funding level per person in each target population of "persons in need" receive funding necessary to achieve equity.

(b) Notwithstanding paragraph (a) and for the 2008-2009 fiscal year only, funds appropriated for forensic mental health treatment services shall be allocated to the areas of the state having the greatest demand for services and treatment capacity. This paragraph expires July 1, 2009.

(c) Notwithstanding paragraph (a) and for the 2008-2009 fiscal year only, additional funds appropriated for mental health services from funds available through the Community-Based Medicaid Administrative Claiming Program shall be allocated as provided in the 2008-2009 General Appropriations Act and in proportion to contributed provider earnings. Where these mental health funds are used in lieu of funds from the General Revenue Fund, the allocation of funds shall be unchanged from the allocation for those funds for the 2007-2008 fiscal year. This paragraph expires July 1, 2009.

Section 4. *In order to implement Specific Appropriations 302 and 314 of the 2008-2009 General Appropriations Act, the Department of Children and Family Services shall ensure that all public and private agencies and institutions participating in child welfare cases enter information specified by rule of the department into the Florida Safe Families Network in order to maintain the accuracy and usefulness of the system. The Florida Safe Families Network is intended to be the department's automated child welfare case-management system designed to provide child welfare workers with a mechanism for managing child welfare cases more efficiently and tracking children and families more effectively. The department shall coordinate with the Office of the State Courts Administrator and the Statewide Guardian Ad Litem Office for the purpose of providing any judge or magistrate and any guardian ad litem assigned to a dependency court case with access to information in the Florida Safe Families Network relating to a child welfare case which is required to be filed with the court pursuant to chapter 39, Florida Statutes, by the date of the network's release during the 2008-2009 fiscal year. The department shall report to the Governor, the President of the Senate, and the Speaker of the House of Representatives by February 1, 2009, with respect to progress on providing access to the Florida Safe Families Network as provided in this section. This section expires July 1, 2009.*

Section 5. Effective upon this act becoming a law, in order to implement Specific Appropriations 552, 554, 560, 562, and 563 of the 2008-2009 General Appropriations Act, paragraph (c) is added to subsection (14) of section 287.057, Florida Statutes, to read:

287.057 Procurement of commodities or contractual services.—

(14)

(c) The Department of Health shall enter into an agreement, not to exceed 20 years, with a private contractor to finance, design, and construct a hospital, of no more than 50 beds, for the treatment of patients with active tuberculosis and to operate all aspects of daily operations within the facility. The contractor may sponsor the issuance of tax-exempt certificates of participation or other securities to finance the project, and the state may enter into a lease-purchase agreement for the facility. The department shall begin the implementation of this initiative by July 1, 2008. This paragraph expires July 1, 2009.

Section 6. *In order to implement Specific Appropriation 236 of the 2008-2009 General Appropriations Act, the Agency for Health Care Administration shall study the effects of the minimum nursing home staffing ratios found in s. 400.23(3), Florida Statutes, and the relationship to Medicaid reimbursement and the quality of care provided to residents. The agency shall report its findings to the Governor, the President of the Senate, and the Speaker of the House of Representatives by February 1, 2009. Until July 1, 2009, the agency shall not impose sanctions against a nursing home for failure to meet the staffing ratios in s. 400.23(3), Florida Statutes, or failure to impose a moratorium on new admissions pursuant to s. 400.141(15)(d), Florida Statutes, as long as the certified nursing assistant ratio is not below 2.6 hours per resident per day and the licensed nurse ratio is not below 1.0 hours per resident per day. This section expires July 1, 2009.*

Section 7. *In order to fulfill legislative intent regarding the use of funds contained in Specific Appropriations 721K, 721Y, 721AJ, and 1146 of the 2008-2009 General Appropriations Act, the Department of Corrections and the Department of Juvenile Justice may expend appropriated funds to assist in defraying the costs of impacts that are incurred by a municipality or county and associated with opening or operating a facility under the authority of the respective department which is located within that municipality or county. The amount that is to be paid under this section for any facility may not exceed 1 percent of the facility construction cost, less building impact fees imposed by the municipality or by the county if the facility is located in the unincorporated portion of the county. This section expires July 1, 2009.*

Section 8. In order to implement Specific Appropriations 721A through 760H and 780 through 806A of the 2008-2009 General Appropriations Act, subsection (4) of section 216.262, Florida Statutes, is amended to read:

216.262 Authorized positions.—

(4) Notwithstanding the provisions of this chapter on increasing the number of authorized positions, and for the *2008-2009* ~~2007-2008~~ fiscal year only, if the actual inmate population of the Department of Corrections exceeds the inmate population projections of the *February 15, 2008* ~~February 16, 2007~~, Criminal Justice Estimating Conference by 1 percent for 2 consecutive months or 2 percent for any month, the Executive Office of the Governor, with the approval of the Legislative Budget Commission, shall immediately notify the Criminal Justice Estimating Conference, which shall convene as soon as possible to revise the estimates. The Department of Corrections may then submit a budget amendment requesting the establishment of positions in excess of the number authorized by the Legislature and additional appropriations from unallocated general revenue sufficient to provide for essential staff, fixed capital improvements, and other resources to provide classification, security, food services, health services, and other variable expenses within the institutions to accommodate the estimated increase in the

inmate population. All actions taken pursuant to the authority granted in this subsection shall be subject to review and approval by the Legislative Budget Commission. This subsection expires July 1, *2009* ~~2008~~.

Section 9. *In order to implement Specific Appropriations 1301 and 1302 of the 2008-2009 General Appropriations Act, the Department of Legal Affairs is authorized to expend appropriated funds in those specific appropriations on the same programs that were funded by the department pursuant to specific appropriations made in general appropriations acts in prior years. This section expires July 1, 2009.*

Section 10. In order to implement Specific Appropriation 1210 of the 2008-2009 General Appropriations Act, subsection (4) of section 932.7055, Florida Statutes, is amended to read:

932.7055 Disposition of liens and forfeited property.—

(4) The proceeds from the sale of forfeited property shall be disbursed in the following priority:

(a) Payment of the balance due on any lien preserved by the court in the forfeiture proceedings.

(b) Payment of the cost incurred by the seizing agency in connection with the storage, maintenance, security, and forfeiture of such property.

(c) Payment of court costs incurred in the forfeiture proceeding.

(d) Notwithstanding any other provision of this subsection, and for the *2008-2009* ~~2007-2008~~ fiscal year only, the funds in a special law enforcement trust fund established by the governing body of a municipality may be expended to reimburse the general fund of the municipality for moneys advanced from the general fund to the special law enforcement trust fund prior to October 1, 2001. This paragraph expires July 1, *2009* ~~2008~~.

Section 11. *In order to implement Specific Appropriation 786 of the 2008-2009 General Appropriations Act, the Department of Corrections shall comply with the following reimbursement limitations:*

(1) If no contract exists between the Department of Corrections and a hospital licensed under chapter 395 or a health care provider providing services at a hospital licensed under chapter 395 regarding services, payments may not exceed 110 percent of the Medicare allowable rate.

(2) If a contract has been executed between the Department of Corrections and a hospital licensed under chapter 395 or a health care provider providing services at a hospital licensed under chapter 395, payments shall continue at the currently contracted rates through the current term of the contract; however, if the contract expires or is subject to renewal during the 2007-2008 fiscal year, the payments may not exceed 110 percent of Medicare allowable rate.

(3) If the Department of Corrections enters into a new contract with a hospital licensed under chapter 395 or a health care provider providing services at a hospital licensed under chapter 395, the payments may not exceed 110 percent of the Medicare allowable rate.

(4) Notwithstanding the limitations of subsections (1), (2), and (3) to the contrary, the Department of Corrections may pay up to 125 percent of the Medicare allowable rate for hospitals licensed under chapter 395 that reported to the Agency for Health Care Administration, through hospital audited financial data, a negative operating margin for the previous year.

(5) This section shall not be applicable to charges for medical services provided at any hospital operated by the Department of Corrections.

The Department of Corrections may not negotiate contracts for medical services at hospitals licensed under chapter 395 for rates other than rates based on a percentage of the Medicare allowable rate. This section expires July 1, 2009.

Section 12. *In order to implement Specific Appropriations 1266, 1286, 1307, and 1317 of the 2008-2009 General Appropriations Act, the Department of Legal Affairs is authorized to transfer cash remaining after required disbursements from Attorney General case numbers L01-6-1004, L03-6-1002, and L01-6-1009 from FLAIR account 41-74-2-601001-41100100-00-181076-00 to the Operating Trust fund to pay salaries and benefits. This section expires July 1, 2009.*

Section 13. In order to implement Specific Appropriation 3205 of the 2008-2009 General Appropriations Act, subsection (16) is added to section 112.061, Florida Statutes, to read:

112.061 Per diem and travel expenses of public officers, employees, and authorized persons.—

(16) SUPREME COURT JUSTICES.—Notwithstanding any provision of this section to the contrary, the Chief Justice of the Supreme Court is authorized to reimburse justices of the Supreme Court for travel expenses, including travel, per diem, and subsistence allowances, associated with travel to Tallahassee on official business for the state from the county in which the justice resides for no more than 36 trips per justice, provided that reimbursement may not be made for travel to Tallahassee if the justice resides within 50 miles of the headquarters of the Supreme Court. This subsection expires July 1, 2009.

Section 14. In order to implement Specific Appropriations for salaries and benefits in the 2008-2009 General Appropriations Act, paragraph (b) of subsection (3) of section 112.24, Florida Statutes, is amended to read:

112.24 Intergovernmental interchange of public employees.—To encourage economical and effective utilization of public employees in this state, the temporary assignment of employees among agencies of government, both state and local, and including school districts and public institutions of higher education is authorized under terms and conditions set forth in this section. State agencies, municipalities, and political subdivisions are authorized to enter into employee interchange agreements with other state agencies, the Federal Government, another state, a municipality, or a political subdivision including a school district, or with a public institution of higher education. State agencies are also authorized to enter into employee interchange agreements with private institutions of higher education and other nonprofit organizations under the terms and conditions provided in this section. In addition, the Governor or the Governor and Cabinet may enter into employee interchange agreements with a state agency, the Federal Government, another state, a municipality, or a political subdivision including a school district, or with a public institution of higher learning to fill, subject to the requirements of chapter 20, appointive offices which are within the executive branch of government and which are filled by appointment by the Governor or the Governor and Cabinet. Under no circumstances shall employee interchange agreements be utilized for the purpose of assigning individuals to participate in political campaigns. Duties and responsibilities of interchange employees shall be limited to the mission and goals of the agencies of government.

(3) Salary, leave, travel and transportation, and reimbursements for an employee of a sending party that is participating in an interchange program shall be handled as follows:

(b)*1.* The assignment of an employee of a state agency either on detail or on leave of absence may be made without reimbursement by the receiving party for the travel and transportation expenses to or from the place of the assignment or for the pay and benefits, or a part thereof, of the employee during the assignment.

2. For the 2008-2009 fiscal year only, the assignment of an employee of a state agency as provided in subparagraph 1. may be made if recommended by the Governor or Chief Justice, as appropriate, and approved by the chairs of the Senate Fiscal Policy and Calendar Committee and the House Policy and Budget Council. Such actions shall be deemed approved if neither chair provides written notice of objection within 14 days after the chair's receiving notice of the action pursuant to s. 216.177. This subparagraph expires July 1, 2009.

Section 15. *In order to implement the appropriation of funds in Special Categories-Risk Management Insurance of the 2008-2009 General Appropriations Act, and pursuant to the notice, review, and objection procedures of s. 216.177, Florida Statutes, the Executive Office of the Governor is authorized to transfer funds appropriated in the appropriation category "Special Categories-Risk Management Insurance" of the 2008-2009 General Appropriations Act between departments in order to align the budget authority granted with the premiums paid by each department for risk management insurance. This section expires July 1, 2009.*

Section 16. *In order to implement the appropriation of funds in Special Categories-Transfer to Department of Management Services-Human*

Resources Services Purchased Per Statewide Contract of the 2008-2009 General Appropriations Act, and pursuant to the notice, review, and objection procedures of s. 216.177, Florida Statutes, the Executive Office of the Governor is authorized to transfer funds appropriated in the appropriation category "Special Categories-Transfer to Department of Management Services-Human Resources Services Purchased Per Statewide Contract" of the 2008-2009 General Appropriations Act between departments in order to align the budget authority granted with the assessments that must be paid by each agency to the Department of Management Services for human resource management services. This section expires July 1, 2009.

Section 17. In order to implement specific appropriations for salaries and benefits in the 2008-2009 General Appropriations Act, paragraph (a) of subsection (12) of section 110.123, Florida Statutes, is amended to read:

110.123 State group insurance program.—

(12) HEALTH SAVINGS ACCOUNTS.—The department is authorized to establish health savings accounts for full-time and part-time state employees in association with a health insurance plan option authorized by the Legislature and conforming to the requirements and limitations of federal provisions relating to the Medicare Prescription Drug, Improvement, and Modernization Act of 2003.

(a)1. A member participating in this health insurance plan option shall be eligible to receive an employer contribution into the employee's health savings account from the State Employees Health Insurance Trust Fund in an amount to be determined by the Legislature. A member is not eligible for an employer contribution upon termination of employment. For the *2008-2009* ~~2007-2008~~ fiscal year, the state's monthly contribution for employees having individual coverage shall be $41.66 and the monthly contribution for employees having family coverage shall be $83.33.

2. A member participating in this health insurance plan option shall be eligible to deposit the member's own funds into a health savings account.

Section 18. In order to implement Specific Appropriations 2801 through 2814 of the 2008-2009 General Appropriations Act, subsection (7) of section 255.503, Florida Statutes, is amended to read:

255.503 Powers of the Department of Management Services.—The Department of Management Services shall have all the authority necessary to carry out and effectuate the purposes and provisions of this act, including, but not limited to, the authority to:

(7)(a) Sell, lease, release, or otherwise dispose of facilities in the pool in accordance with applicable law.

(b) No later than the date upon which the department recommends to the Division of State Lands of the Department of Environmental Protection the disposition of any facility within the Florida Facilities Pool, the department shall provide to the President of the Senate, the Speaker of the House of Representatives, the Executive Office of the Governor, and the Division of Bond Finance of the State Board of Administration an analysis that includes:

1. The cost benefit of the proposed facility disposition, including the facility's current operating expenses, condition, and market value, and viable alternatives for work space for impacted state employees.

2. The effect of the proposed facility disposition on the financial status of the Florida Facilities Pool, including the effect on rental rates and coverage requirement for the bonds.

This paragraph expires July 1, *2009* ~~2008~~.

Section 19. In order to implement Specific Appropriations 2826 through 2835 of the 2008-2009 General Appropriations Act, paragraph (a) of subsection (3) and subsection (6) of section 287.17, Florida Statutes, are reenacted to read:

287.17 Limitation on use of motor vehicles and aircraft.—

(3)(a) The term "official state business" may not be construed to permit the use of a motor vehicle for commuting purposes, unless special assignment of a motor vehicle is authorized as a perquisite by the Department of Management Services, required by an employee after normal duty hours to perform duties of the position to which assigned, or authorized for an employee whose home is the official base of operation.

(6) It is the intention of the Legislature that persons traveling on state aircraft for purposes consistent with, but not necessarily constituting, official state business may travel only when accompanying persons who are traveling on official state business and that such persons shall pay the state for all costs associated with such travel. Notwithstanding paragraph (3)(a), a person traveling on state aircraft for purposes other than official state business shall pay for any trip not exclusively for state business by paying a prorated share of all fixed and variable expenses related to the ownership, operation, and use of such aircraft.

Section 20. *The amendment of s. 287.17, Florida Statutes, as carried forward by this act from chapters 2005-71, 2006-26, and 2007-73, Laws of Florida, shall expire July 1, 2009, and the text of that section shall revert to that in existence on June 30, 2005, except that any amendments to such text enacted other than by chapters 2005-71, 2006-26, and 2007-73, Laws of Florida, shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of such text which expire pursuant to this section.*

Section 21. In order to implement Specific Appropriation 3070 of the 2008-2009 General Appropriations Act, paragraph (d) of subsection (3) of section 61.1824, Florida Statutes, is amended to read:

61.1824 State Disbursement Unit.—

(3) The State Disbursement Unit shall perform the following functions:

(d) To the extent feasible, use automated procedures for the collection and disbursement of support payments, including, but not limited to, having procedures for:

1. Receipt of payments from obligors, employers, other states and jurisdictions, and other entities.

2. Timely disbursement of payments to obligees, the department, and other state Title IV-D agencies.

3. Accurate identification of payment source and amount.

4. Furnishing any parent, upon request, timely information on the current status of support payments under an order requiring payments to be made by or to the parent, except that in cases described in paragraph (1)(b), prior to the date the State Disbursement Unit becomes fully operational, the State Disbursement Unit shall not be required to convert and maintain in automated form records of payments kept pursuant to s. 61.181.

5. Electronic disbursement of support payments to obligees. The State Disbursement Unit shall notify obligees of electronic disbursement options ~~and encourage their use through promotional material~~. *Any payments made to the State Disbursement Unit that are owed to the obligee shall be disbursed electronically. The obligee may designate a personal account for deposit of payments. If the obligee does not designate a personal account, the State Disbursement Unit shall deposit any payments into a stored-value account that can be accessed by the obligee.*

Section 22. *The amendment of s. 61.1824(3)(d), Florida Statutes, made by this act shall expire July 1, 2009, and the text of that paragraph shall revert to that in existence on June 30, 2008, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of such text which expire pursuant to this section.*

Section 23. In order to implement Specific Appropriation 3070 of the 2008-2009 General Appropriations Act, subsections (2) through (8) of section 409.2558, Florida Statutes, are renumbered as subsections (3) through (9), respectively, and a new subsection (2) is added to that section, to read:

409.2558 Support distribution and disbursement.—

(2) ELECTRONIC DISBURSEMENT OF PAYMENTS.—Any payments made to the State Disbursement Unit that are owed to the obligee

in a Title IV-D case shall be disbursed electronically. The obligee may designate a personal account for deposit of payments. If the obligee does not designate a personal account, the State Disbursement Unit shall deposit any payments into a stored-value account that can be accessed by the obligee. This subsection expires July 1, 2009.

Section 24. *In order to implement Specific Appropriation 3070 of the 2008-2009 General Appropriations Act, notwithstanding ss. 61.1826(4)(a) and 287.057, Florida Statutes, relating to contract extensions and renewals, the Department of Revenue shall extend for 66 months contract C3636 entered into pursuant to s. 61.1826, Florida Statutes. This section expires July 1, 2009.*

Section 25. *(1) In order to implement Specific Appropriation 3056A of the 2008-2009 General Appropriations Act and notwithstanding the provisions of Section 9 of chapter 2007-339, Laws of Florida, the moneys provided in Specific Appropriation 3056A are appropriated to offset the reductions in ad valorem tax revenue experienced by fiscally constrained counties, as defined in s. 218.67(1), Florida Statutes, which occur as a direct result of the implementation of revisions of Article VII of the State Constitution approved in the special election held on January 29, 2008. The moneys appropriated for this purpose shall be distributed in January of 2009 among the fiscally constrained counties based on each county's proportion of the total reduction in ad valorem tax revenue resulting from the implementation of the revision.*

(2) On or before November 15, 2008, each fiscally constrained county shall apply to the Department of Revenue to participate in the distribution of the appropriation and provide documentation supporting the county's estimated reduction in ad valorem tax revenue in the form and manner prescribed by the Department of Revenue. The documentation must include an estimate of the reduction in taxable value directly attributable to revisions of Article VII of the State Constitution for all county taxing jurisdictions within the county and shall be prepared by the property appraiser in each fiscally constrained county. The documentation must also include the county millage rates applicable in all such jurisdictions for both the current year and the prior year; rolled-back rates, determined as provided in s. 200.065, Florida Statutes, for each county taxing jurisdiction; and maximum millage rates that could have been levied by majority vote pursuant to s. 200.185, Florida Statutes. For purposes of this section, each fiscally constrained county's reduction in ad valorem tax revenue shall be calculated as 95 percent of the estimated reduction in taxable value times the 2007 applicable millage rate.

(3) This section expires July 1, 2009, and shall be superseded if similar provisions contained in Senate Bill 1588, 2008 Regular Session, become law.

Section 26. In order to implement Specific Appropriation 2819 of the 2008-2009 General Appropriations Act, paragraph (b) of subsection (1) of section 255.518, Florida Statutes, is amended to read:

255.518 Obligations; purpose, terms, approval, limitations.—

(1)

(b) Payment of debt service charges ~~and any reserves~~ on obligations during the construction of any facility financed by such obligations shall be made from funds other than proceeds of obligations.

Section 27. *The amendment to s. 255.518(1)(b), Florida Statutes, by this act shall expire July 1, 2009, and the text of that paragraph shall revert to that in existence on June 30, 2008, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of such text which expire pursuant to this section.*

Section 28. *In order to implement Specific Appropriations 2536, 2537, 2538, and 2542 of the 2008-2009 General Appropriations Act, for the 2008-2009 fiscal year only and notwithstanding any conflicting requirements of section 4 of chapter 2006-12, Laws of Florida, the Department of Financial Services may expend $998,820 of the funds appropriated by section 4 of chapter 2006-12, Laws of Florida, for salaries and related expenses. This section expires July 1, 2009.*

Section 29. In order to implement Specific Appropriation 1541 of the 2008-2009 General Appropriations Act, subsection (8) of section 215.559, Florida Statutes, is renumbered as subsection (9), respectively, and a new subsection (8) is added to that section to read:

215.559 Hurricane Loss Mitigation Program.—

(8)(a) Notwithstanding any other provision of this section and for the 2008-2009 fiscal year only, the $10 million appropriation provided for in section (1) shall be allocated as follows:

1. The sum of $2.8 million shall be used to inspect and improve tie-downs for mobile homes for the same purpose as specified in paragraph (3)(a).

2. The sum of $700,000 shall be allocated to the Florida International University for the same purpose as specified in subsection (4).

3. The sum of $6,421,764 shall be used to install emergency power generators in special-needs hurricane evacuation shelters as provided in section 1 of chapter 2006-71, Laws of Florida, except that such funds may not be used for administrative purposes.

4. The sum of $78,236 shall be allocated for operational purposes of the department as specified in the 2008-2009 General Appropriations Act.

(b) This subsection expires July 1, 2009.

Section 30. In order to implement Section 61 of the 2008-2009 General Appropriations Act, subsection (13) of section 253.034, Florida Statutes, is amended to read:

253.034 State-owned lands; uses.—

(13) Notwithstanding the provisions of this section, funds from the sale of property by the Department of Highway Safety and Motor Vehicles located in Palm Beach County are authorized to be deposited into the Highway Safety Operating Trust Fund to facilitate the exchange as provided in the General Appropriations Act, provided that at the conclusion of both exchanges the values are equalized. This subsection expires July 1, *2009* ~~2008~~.

Section 31. In order to implement Specific Appropriations 2063, 2070 through 2082, 2098, 2099, 2100, 2102 through 2107, 2109 through 2119, and 2159 through 2169 of the 2008-2009 General Appropriations Act, subsection (5) of section 339.135, Florida Statutes, is amended to read:

339.135 Work program; legislative budget request; definitions; preparation, adoption, execution, and amendment.—

(5)(a) ADOPTION OF THE WORK PROGRAM.—The original approved budget for operational and fixed capital expenditures for the department shall be the Governor's budget recommendation and the first year of the tentative work program, as both are amended by the General Appropriations Act and any other act containing appropriations. In accordance with the appropriations act, the department shall, prior to the beginning of the fiscal year, adopt a final work program which shall only include the original approved budget for the department for the ensuing fiscal year together with any roll forwards approved pursuant to paragraph (6)(c) and the portion of the tentative work program for the following 4 fiscal years revised in accordance with the original approved budget for the department for the ensuing fiscal year together with said roll forwards. The adopted work program may include only those projects submitted as part of the tentative work program developed under the provisions of subsection (4) plus any projects which are separately identified by specific appropriation in the General Appropriations Act and any roll forwards approved pursuant to paragraph (6)(c). However, any transportation project of the department which is identified by specific appropriation in the General Appropriations Act shall be deducted from the funds annually distributed to the respective district pursuant to paragraph (4)(a). In addition, the department shall not in any year include any project or allocate funds to a program in the adopted work program that is contrary to existing law for that particular year. Projects shall not be undertaken unless they are listed in the adopted work program.

(b) Notwithstanding paragraph (a), and for the *2008-2009* ~~2007-2008~~ fiscal year only, the Department of Transportation shall transfer funds to the Office of Tourism, Trade, and Economic Development in an amount equal to *$36,750,000* ~~$25,400,000~~ for the purpose of funding *transportation-related needs of* economic development ~~transportation~~ projects*, space and aerospace infrastructure, and other economic development projects*. This transfer shall not reduce, delete, or defer any

existing projects funded, as of July 1, *2008* ~~2007~~, in the Department of Transportation's 5-year work program. This paragraph expires July 1, *2009* ~~2008~~.

(c) Notwithstanding paragraph (a) *or subparagraph (4)(a)1.*, and for the *2008-2009* ~~2007-2008~~ fiscal year only, the Department of Transportation shall *fund projects in Specific Appropriations 2063, 2071, 2077, 2079, 2102, 2106, 2109, and 2116 of the 2008-2009 General Appropriations Act. Funding for these specific appropriations shall be from projects or phases thereof within the department's fiscal year 2008-2009 work program not programmed for contract letting as identified with a work program contract class code 8 and the box code RV. This funding shall not negatively impact safety, preservation, maintenance, or project contingency levels as of July 1, 2008* ~~provide funds for the Seaport Strategic Planning and Financing Task Force in an amount not to exceed $75,000; the preliminary engineering and environmental plans and activities for the construction of an interchange on Suncoast Parkway and Lutz Fern Road in an amount not to exceed $975,000; the Rehabilitation of Local Bridges in an amount not to exceed $300,000; and the East Winterberry Bridge Replacement in an amount not to exceed $500,000. To fund these specific appropriations, the Department of Transportation shall not reduce, delete, or defer any existing projects funded as of July 1, 2007, in the 5-year work program~~. This paragraph expires July 1, *2009* ~~2008~~.

Section 32. In order to implement Specific Appropriations 1511, 1586, and 1606A and section 69 of the 2008-2009 General Appropriations Act, section 553.721, Florida Statutes, is amended to read:

553.721 Surcharge.—

(1) In order for the Department of Community Affairs to administer and carry out the purposes of this part and related activities, there is hereby created a surcharge, to be assessed at the rate of one-half cent per square foot under-roof floor space permitted pursuant to s. 125.56(4) or s. 166.201. However, for additions, alterations, or renovations to existing buildings, the surcharge shall be computed on the basis of the square footage being added, altered, or renovated. The unit of government responsible for collecting a permit fee pursuant to s. 125.56(4) or s. 166.201 shall collect such surcharge and remit the funds collected to the department on a quarterly calendar basis, and such unit of government may retain an amount up to 5 percent of the surcharge collected to cover costs associated with the collection and remittance of such surcharge. All funds remitted to the department pursuant to this subsection shall be deposited in the Operating Trust Fund. Funds collected from such surcharge shall not be used to fund research on techniques for mitigation of radon in existing buildings. Funds used by the department as well as funds to be transferred to the Department of Health shall be as prescribed in the annual General Appropriations Act. The department shall adopt rules governing the collection and remittance of surcharges in accordance with chapter 120.

(2) Notwithstanding subsection (1), and for the 2008-2009 fiscal year only, the amount transferred from the Operating Trust Fund to the Grants and Donations Trust Fund of the Department of Community Affairs pursuant to the General Appropriations Act for the 2008-2009 fiscal year shall be used for the regional planning councils, civil legal assistance, and the Front Porch Florida Initiative.

Section 33. In order to implement Specific Appropriation 2153 of the 2008-2009 General Appropriations Act, subsection (1) of section 339.08, Florida Statutes, is amended to read:

339.08 Use of moneys in State Transportation Trust Fund.—

(1) The department shall expend moneys in the State Transportation Trust Fund accruing to the department, in accordance with its annual budget. The use of such moneys shall be restricted to the following purposes:

(a) To pay administrative expenses of the department, including administrative expenses incurred by the several state transportation districts, but excluding administrative expenses of commuter rail authorities that do not operate rail service.

(b) To pay the cost of construction of the State Highway System.

(c) To pay the cost of maintaining the State Highway System.

(d) To pay the cost of public transportation projects in accordance with chapter 341 and ss. 332.003-332.007.

(e) To reimburse counties or municipalities for expenditures made on projects in the State Highway System as authorized by s. 339.12(4) upon legislative approval.

(f) To pay the cost of economic development transportation projects in accordance with s. 288.063.

(g) To lend or pay a portion of the operating, maintenance, and capital costs of a revenue-producing transportation project that is located on the State Highway System or that is demonstrated to relieve traffic congestion on the State Highway System.

(h) To match any federal-aid funds allocated for any other transportation purpose, including funds allocated to projects not located in the State Highway System.

(i) To pay the cost of county road projects selected in accordance with the Small County Road Assistance Program created in s. 339.2816.

(j) To pay the cost of county or municipal road projects selected in accordance with the County Incentive Grant Program created in s. 339.2817, the Small County Outreach Program created in s. 339.2818, and the Enhanced Bridge Program for Sustainable Transportation created in s. 339.285.

(k) To provide loans and credit enhancements for use in constructing and improving highway transportation facilities selected in accordance with the state-funded infrastructure bank created in s. 339.55.

(l) To pay the cost of projects on the Florida Strategic Intermodal System created in s. 339.61.

(m) To pay the cost of transportation projects selected in accordance with the Transportation Regional Incentive Program created in s. 339.2819.

(n) To pay administrative expenses incurred in accordance with applicable laws for a multicounty transportation or expressway authority created under chapter 343 or chapter 348, where jurisdiction for the authority includes a portion of the State Highway System and the administrative expenses are in furtherance of the duties and responsibilities of the authority in the development of improvements to the State Highway System. This paragraph expires July 1, 2009.

(o)~~(n)~~ To pay other lawful expenditures of the department.

Section 34. In order to implement Specific Appropriation 1775 of the 2008-2009 General Appropriations Act, subsection (3) of section 253.01, Florida Statutes, is amended to read:

253.01 Internal Improvement Trust Fund established.—

(3) In addition to the uses allowed in subsection (2) for the *2008-2009* ~~2007-2008~~ fiscal year, moneys in the Internal Improvement Trust Fund are authorized ~~to be transferred to the Ecosystem Management and Restoration Trust Fund~~ for grants and aids to local governments for *the drinking water facility construction state revolving loan program,* ~~water projects~~ as provided in the General Appropriations Act. This subsection expires July 1, *2009* ~~2008~~.

Section 35. In order to implement Specific Appropriation 1615A of the 2008-2009 General Appropriations Act, subsection (1) of section 220.183, Florida Statutes, is amended to read:

220.183 Community contribution tax credit.—

(1) AUTHORIZATION TO GRANT COMMUNITY CONTRIBUTION TAX CREDITS; LIMITATIONS ON INDIVIDUAL CREDITS AND PROGRAM SPENDING.—

(a) There shall be allowed a credit of 50 percent of a community contribution against any tax due for a taxable year under this chapter.

(b) No business firm shall receive more than $200,000 in annual tax credits for all approved community contributions made in any one year.

(c) The total amount of tax credit which may be granted for all programs approved under this section, s. 212.08(5)(p), and s. 624.5105 is $10.5 million annually for projects that provide homeownership opportu-

nities for low-income or very-low-income households as defined in s. 420.9071(19) and (28) and $3.5 million annually for all other projects.

(d) All proposals for the granting of the tax credit shall require the prior approval of the Office of Tourism, Trade, and Economic Development.

(e) If the credit granted pursuant to this section is not fully used in any one year because of insufficient tax liability on the part of the business firm, the unused amount may be carried forward for a period not to exceed 5 years. The carryover credit may be used in a subsequent year when the tax imposed by this chapter for such year exceeds the credit for such year under this section after applying the other credits and unused credit carryovers in the order provided in s. 220.02(8).

(f) A taxpayer who files a Florida consolidated return as a member of an affiliated group pursuant to s. 220.131(1) may be allowed the credit on a consolidated return basis.

(g) A taxpayer who is eligible to receive the credit provided for in s. 624.5105 is not eligible to receive the credit provided by this section.

(h) Notwithstanding paragraph (c), and for the 2008-2009 fiscal year only, the total amount of tax credit which may be granted for all programs approved under this section, s. 212.08(5)(p), and s. 624.5105 is $13 million annually for projects that provide homeownership opportunities for low-income or very-low-income households as defined in s. 420.9071(19) and (28) and $3.5 million annually for all other projects. This paragraph expires June 30, 2009.

Section 36. In order to implement Specific Appropriation 1615A of the 2008-2009 General Appropriations Act, Section 624.5105, Florida Statutes, is amended to read:

624.5105 Community contribution tax credit; authorization; limitations; eligibility and application requirements; administration; definitions; expiration.—

(1) AUTHORIZATION TO GRANT TAX CREDITS; LIMITATIONS.—

(a) There shall be allowed a credit of 50 percent of a community contribution against any tax due for a calendar year under s. 624.509 or s. 624.510.

(b) No insurer shall receive more than $200,000 in annual tax credits for all approved community contributions made in any one year.

(c) The total amount of tax credit which may be granted for all programs approved under this section and ss. 212.08(5)(p) and 220.183 is $10.5 million annually for projects that provide homeownership opportunities for low-income or very-low-income households as defined in s. 420.9071(19) and (28) and $3.5 million annually for all other projects.

(d) Each proposal for the granting of such tax credit requires the prior approval of the director.

(e) If the credit granted pursuant to this section is not fully used in any one year because of insufficient tax liability on the part of the insurer, the unused amount may be carried forward for a period not to exceed 5 years. The carryover credit may be used in a subsequent year when the tax imposed by s. 624.509 or s. 624.510 for such year exceeds the credit under this section for such year.

(f) An insurer that claims a credit against premium-tax liability earned by making a community contribution under this section need not pay any additional retaliatory tax levied under s. 624.5091 as a result of claiming such a credit. Section 624.5091 does not limit such a credit in any manner.

(2) ELIGIBILITY REQUIREMENTS.—

(a) Each community contribution by an insurer must be in a form specified in subsection (5).

(b) Each community contribution must be reserved exclusively for use in a project as defined in s. 220.03(1)(t).

(c) The project must be undertaken by an "eligible sponsor," as defined in s. 220.183(2)(c). In no event shall a contributing insurer have a financial interest in the eligible sponsor.

(d) The project shall be located in an area designated as an enterprise zone or a Front Porch Community pursuant to s. 20.18(6). Any project designed to construct or rehabilitate housing for low-income or very-low-income households as defined in s. 420.9071(19) and (28) is exempt from the area requirement of this paragraph.

(e)1. If, during the first 10 business days of the state fiscal year, eligible tax credit applications for projects that provide homeownership opportunities for low-income or very-low-income households as defined in s. 420.9071(19) and (28) are received for less than the annual tax credits available for those projects, the Office of Tourism, Trade, and Economic Development shall grant tax credits for those applications and shall grant remaining tax credits on a first-come, first-served basis for any subsequent eligible applications received before the end of the state fiscal year. If, during the first 10 business days of the state fiscal year, eligible tax credit applications for projects that provide homeownership opportunities for low-income or very-low-income households as defined in s. 420.9071(19) and (28) are received for more than the annual tax credits available for those projects, the office shall grant the tax credits for those applications as follows:

a. If tax credit applications submitted for approved projects of an eligible sponsor do not exceed $200,000 in total, the credits shall be granted in full if the tax credit applications are approved.

b. If tax credit applications submitted for approved projects of an eligible sponsor exceed $200,000 in total, the amount of tax credits granted under sub-subparagraph a. shall be subtracted from the amount of available tax credits, and the remaining credits shall be granted to each approved tax credit application on a pro rata basis.

2. If, during the first 10 business days of the state fiscal year, eligible tax credit applications for projects other than those that provide homeownership opportunities for low-income or very-low-income households as defined in s. 420.9071(19) and (28) are received for less than the annual tax credits available for those projects, the office shall grant tax credits for those applications and shall grant remaining tax credits on a first-come, first-served basis for any subsequent eligible applications received before the end of the state fiscal year. If, during the first 10 business days of the state fiscal year, eligible tax credit applications for projects other than those that provide homeownership opportunities for low-income or very-low-income households as defined in s. 420.9071(19) and (28) are received for more than the annual tax credits available for those projects, the office shall grant the tax credits for those applications on a pro rata basis.

(3) APPLICATION REQUIREMENTS.—

(a) Any eligible sponsor wishing to participate in this program must submit a proposal to the Office of Tourism, Trade, and Economic Development which sets forth the sponsor, the project, the area in which the project is located, and such supporting information as may be prescribed by rule. The proposal shall also contain a resolution from the local governmental unit in which the proposed project is located certifying that the project is consistent with local plans and regulations.

(b)1. Any insurer wishing to participate in this program must submit an application for tax credit to the office which sets forth the sponsor; the project; and the type, value, and purpose of the contribution. The sponsor must verify, in writing, the terms of the application and indicate its willingness to receive the contribution, which verification must accompany the application for tax credit.

2. The insurer must submit a separate application for tax credit for each individual contribution which it proposes to contribute to each individual project.

(4) ADMINISTRATION.—

(a)1. The Office of Tourism, Trade, and Economic Development is authorized to adopt all rules necessary to administer this section, including rules for the approval or disapproval of proposals by insurers.

2. The decision of the director shall be in writing, and, if approved, the proposal shall state the maximum credit allowable to the insurer. A copy of the decision shall be transmitted to the executive director of the Department of Revenue, who shall apply such credit to the tax liability of the insurer.

3. The office shall monitor all projects periodically, in a manner consistent with available resources to ensure that resources are utilized in accordance with this section; however, each project shall be reviewed no less frequently than once every 2 years.

4. The Office of Tourism, Trade, and Economic Development shall, in consultation with the Department of Community Affairs, the Florida Housing Finance Corporation, and the statewide and regional housing and financial intermediaries, market the availability of the community contribution tax credit program to community-based organizations.

(b) The Department of Revenue shall adopt any rules necessary to ensure the orderly implementation and administration of this section.

(5) DEFINITIONS.—For the purpose of this section:

(a) "Community contribution" means the grant by an insurer of any of the following items:

1. Cash or other liquid assets.

2. Real property.

3. Goods or inventory.

4. Other physical resources which are identified by the department.

(b) "Director" means the director of the Office of Tourism, Trade, and Economic Development.

(c) "Local government" means any county or incorporated municipality in the state.

(d) "Office" means the Office of Tourism, Trade, and Economic Development.

(e) "Project" means an activity as defined in s. 220.03(1)(t).

(6) CREDIT ALLOCATIONS.—Notwithstanding paragraph (1)(c), and for the 2008-2009 fiscal year only, the total amount of tax credit which may be granted for all programs approved under this section, s. 212.08(5)(p), and s. 220.183 is $13 million annually for projects that provide homeownership opportunities for low-income or very-low-income households as defined in s. 420.9071(19) and (28) and $3.5 million annually for all other projects. This subsection expires June 30, 2009.

(7)~~(6)~~ EXPIRATION.—The provisions of this section, except paragraph (1)(e), shall expire and be void on June 30, 2015.

Section 37. In order to implement Specific Appropriation 1615A of the 2008-2009 General Appropriations Act, paragraph (p) of subsection (5) of section 212.08, Florida Statutes, is amended to read:

212.08 Sales, rental, use, consumption, distribution, and storage tax; specified exemptions.—The sale at retail, the rental, the use, the consumption, the distribution, and the storage to be used or consumed in this state of the following are hereby specifically exempt from the tax imposed by this chapter.

(5) EXEMPTIONS; ACCOUNT OF USE.—

(p) Community contribution tax credit for donations.—

1. Authorization.—Persons who are registered with the department under s. 212.18 to collect or remit sales or use tax and who make donations to eligible sponsors are eligible for tax credits against their state sales and use tax liabilities as provided in this paragraph:

a. The credit shall be computed as 50 percent of the person's approved annual community contribution.

b. The credit shall be granted as a refund against state sales and use taxes reported on returns and remitted in the 12 months preceding the date of application to the department for the credit as required in sub-subparagraph 3.c. If the annual credit is not fully used through such refund because of insufficient tax payments during the applicable 12-month period, the unused amount may be included in an application for a refund made pursuant to sub-subparagraph 3.c. in subsequent years against the total tax payments made for such year. Carryover credits may be applied for a 3-year period without regard to any time limitation that would otherwise apply under s. 215.26.

c. A person may not receive more than $200,000 in annual tax credits for all approved community contributions made in any one year.

d. All proposals for the granting of the tax credit require the prior approval of the Office of Tourism, Trade, and Economic Development.

e. The total amount of tax credits which may be granted for all programs approved under this paragraph, s. 220.183, and s. 624.5105 is $10.5 million annually for projects that provide homeownership opportunities for low-income or very-low-income households as defined in s. 420.9071(19) and (28) and $3.5 million annually for all other projects.

f. A person who is eligible to receive the credit provided for in this paragraph, s. 220.183, or s. 624.5105 may receive the credit only under the one section of the person's choice.

2. Eligibility requirements.—

a. A community contribution by a person must be in the following form:

(I) Cash or other liquid assets;

(II) Real property;

(III) Goods or inventory; or

(IV) Other physical resources as identified by the Office of Tourism, Trade, and Economic Development.

b. All community contributions must be reserved exclusively for use in a project. As used in this sub-subparagraph, the term "project" means any activity undertaken by an eligible sponsor which is designed to construct, improve, or substantially rehabilitate housing that is affordable to low-income or very-low-income households as defined in s. 420.9071(19) and (28); designed to provide commercial, industrial, or public resources and facilities; or designed to improve entrepreneurial and job-development opportunities for low-income persons. A project may be the investment necessary to increase access to high-speed broadband capability in rural communities with enterprise zones, including projects that result in improvements to communications assets that are owned by a business. A project may include the provision of museum educational programs and materials that are directly related to any project approved between January 1, 1996, and December 31, 1999, and located in an enterprise zone designated pursuant to s. 290.0065. This paragraph does not preclude projects that propose to construct or rehabilitate housing for low-income or very-low-income households on scattered sites. With respect to housing, contributions may be used to pay the following eligible low-income and very-low-income housing-related activities:

(I) Project development impact and management fees for low-income or very-low-income housing projects;

(II) Down payment and closing costs for eligible persons, as defined in s. 420.9071(19) and (28);

(III) Administrative costs, including housing counseling and marketing fees, not to exceed 10 percent of the community contribution, directly related to low-income or very-low-income projects; and

(IV) Removal of liens recorded against residential property by municipal, county, or special district local governments when satisfaction of the lien is a necessary precedent to the transfer of the property to an eligible person, as defined in s. 420.9071(19) and (28), for the purpose of promoting home ownership. Contributions for lien removal must be received from a nonrelated third party.

c. The project must be undertaken by an "eligible sponsor," which includes:

(I) A community action program;

(II) A nonprofit community-based development organization whose mission is the provision of housing for low-income or very-low-income households or increasing entrepreneurial and job-development opportunities for low-income persons;

(III) A neighborhood housing services corporation;

(IV) A local housing authority created under chapter 421;

(V) A community redevelopment agency created under s. 163.356;

(VI) The Florida Industrial Development Corporation;

(VII) A historic preservation district agency or organization;

(VIII) A regional workforce board;

(IX) A direct-support organization as provided in s. 1009.983;

(X) An enterprise zone development agency created under s. 290.0056;

(XI) A community-based organization incorporated under chapter 617 which is recognized as educational, charitable, or scientific pursuant to s. 501(c)(3) of the Internal Revenue Code and whose bylaws and articles of incorporation include affordable housing, economic development, or community development as the primary mission of the corporation;

(XII) Units of local government;

(XIII) Units of state government; or

(XIV) Any other agency that the Office of Tourism, Trade, and Economic Development designates by rule.

In no event may a contributing person have a financial interest in the eligible sponsor.

d. The project must be located in an area designated an enterprise zone or a Front Porch Florida Community pursuant to s. 20.18(6), unless the project increases access to high-speed broadband capability for rural communities with enterprise zones but is physically located outside the designated rural zone boundaries. Any project designed to construct or rehabilitate housing for low-income or very-low-income households as defined in s. 420.9071(19) and (28) is exempt from the area requirement of this sub-subparagraph.

e.(I) If, during the first 10 business days of the state fiscal year, eligible tax credit applications for projects that provide homeownership opportunities for low-income or very-low-income households as defined in s. 420.9071(19) and (28) are received for less than the annual tax credits available for those projects, the Office of Tourism, Trade, and Economic Development shall grant tax credits for those applications and shall grant remaining tax credits on a first-come, first-served basis for any subsequent eligible applications received before the end of the state fiscal year. If, during the first 10 business days of the state fiscal year, eligible tax credit applications for projects that provide homeownership opportunities for low-income or very-low-income households as defined in s. 420.9071(19) and (28) are received for more than the annual tax credits available for those projects, the office shall grant the tax credits for those applications as follows:

(A) If tax credit applications submitted for approved projects of an eligible sponsor do not exceed $200,000 in total, the credits shall be granted in full if the tax credit applications are approved.

(B) If tax credit applications submitted for approved projects of an eligible sponsor exceed $200,000 in total, the amount of tax credits granted pursuant to sub-sub-sub-subparagraph (A) shall be subtracted from the amount of available tax credits, and the remaining credits shall be granted to each approved tax credit application on a pro rata basis.

(II) If, during the first 10 business days of the state fiscal year, eligible tax credit applications for projects other than those that provide homeownership opportunities for low-income or very-low-income households as defined in s. 420.9071(19) and (28) are received for less than the annual tax credits available for those projects, the office shall grant tax credits for those applications and shall grant remaining tax credits on a first-come, first-served basis for any subsequent eligible applications received before the end of the state fiscal year. If, during the first 10 business days of the state fiscal year, eligible tax credit applications for projects other than those that provide homeownership opportunities for low-income or very-low-income households as defined in s. 420.9071(19) and (28) are received for more than the annual tax credits available for those projects, the office shall grant the tax credits for those applications on a pro rata basis.

3. Application requirements.—

a. Any eligible sponsor seeking to participate in this program must submit a proposal to the Office of Tourism, Trade, and Economic Development which sets forth the name of the sponsor, a description of the project, and the area in which the project is located, together with such supporting information as is prescribed by rule. The proposal must also contain a resolution from the local governmental unit in which the project is located certifying that the project is consistent with local plans and regulations.

b. Any person seeking to participate in this program must submit an application for tax credit to the office which sets forth the name of the sponsor, a description of the project, and the type, value, and purpose of the contribution. The sponsor shall verify the terms of the application and indicate its receipt of the contribution, which verification must be in writing and accompany the application for tax credit. The person must submit a separate tax credit application to the office for each individual contribution that it makes to each individual project.

c. Any person who has received notification from the office that a tax credit has been approved must apply to the department to receive the refund. Application must be made on the form prescribed for claiming refunds of sales and use taxes and be accompanied by a copy of the notification. A person may submit only one application for refund to the department within any 12-month period.

4. Administration.—

a. The Office of Tourism, Trade, and Economic Development may adopt rules pursuant to ss. 120.536(1) and 120.54 necessary to administer this paragraph, including rules for the approval or disapproval of proposals by a person.

b. The decision of the office must be in writing, and, if approved, the notification shall state the maximum credit allowable to the person. Upon approval, the office shall transmit a copy of the decision to the Department of Revenue.

c. The office shall periodically monitor all projects in a manner consistent with available resources to ensure that resources are used in accordance with this paragraph; however, each project must be reviewed at least once every 2 years.

d. The office shall, in consultation with the Department of Community Affairs and the statewide and regional housing and financial intermediaries, market the availability of the community contribution tax credit program to community-based organizations.

5. Notwithstanding sub-subparagraph 1.e., and for the 2008-2009 fiscal year only, the total amount of tax credit which may be granted for all programs approved under this section, s. 220.183, and s. 624.5105 is $13 million annually for projects that provide homeownership opportunities for low-income or very-low-income households as defined in s. 420.9071(19) and (28) and $3.5 million annually for all other projects. This subparagraph expires June 30, 2009.

6.~~5.~~ Expiration.—This paragraph expires June 30, 2015; however, any accrued credit carryover that is unused on that date may be used until the expiration of the 3-year carryover period for such credit.

Section 38. In order to implement Specific Appropriation 1819 of the 2008-2009 General Appropriations Act, subsection (7) is added to section 403.7095, Florida Statutes, to read:

403.7095 Solid waste management grant program.—

(7)(a) Notwithstanding any provision of this section to the contrary, and for the 2008-2009 fiscal year only, the Department of Environmental Protection shall award:

1. The sum of $9,428,773 in grants equally to counties having populations of fewer than 100,000 for waste tire and litter prevention, recycling education, and general solid waste programs.

2. The sum of $2,000,781 to be used for the Innovative Grant Program.

(b) This subsection expires July 1, 2009.

Section 39. In order to implement Specific Appropriation 1336 through 1496 of the 2008-2009 General Appropriations Act, section 570.20, Florida Statutes, is amended to read:

570.20 General Inspection Trust Fund.—

(1) All donations and all inspection fees and other funds authorized and received from whatever source in the enforcement of the inspection laws administered by the department shall be paid into the General Inspection Trust Fund of Florida, which is created in the office of the Chief Financial Officer. All expenses incurred in carrying out the provisions of the inspection laws shall be paid from this fund as other funds are paid from the State Treasury. A percentage of all revenue deposited in this fund, including transfers from any subsidiary accounts, shall be deposited in the General Revenue Fund pursuant to chapter 215, except that funds collected for marketing orders shall pay at the rate of 3 percent.

(2) For the *2008-2009* ~~2007-2008~~ fiscal year only and notwithstanding any other provision of law to the contrary, in addition to the spending authorized in subsection (1), moneys in the General Inspection Trust Fund may be appropriated for programs operated by the department which are related to the programs authorized by this chapter. This subsection expires July 1, *2009* ~~2008~~.

Section 40. *In order to implement Specific Appropriations relating to the Florida Forever Act and notwithstanding chapter 216, Florida Statutes, the Executive Office of the Governor is authorized to transfer funds between fixed capital outlay categories and between departments and establish new fixed capital outlay categories contingent upon the distribution formula as specified in CS/CS/SB 542 or similar legislation, if such legislation becomes law. This section expires July 1, 2009.*

Section 41. In order to implement Specific Appropriation 1778 of the 2008-2009 General Appropriations Act, subsection (5) is added to section 373.1961, Florida Statutes, to read:

373.1961 Water production; general powers and duties; identification of needs; funding criteria; economic incentives; reuse funding.—

(5) FUNDING FOR ALTERNATIVE WATER SUPPLY.—Notwithstanding subsection (3), and for the 2008-2009 fiscal year only, $5,000,000 provided for alternative water supply shall be allocated as shown in the General Appropriations Act. This subsection expires July 1, 2009.

Section 42. In order to implement Specific Appropriations 1767 and 1772C of the 2008-2009 General Appropriations Act, subsections (3) and (4) of section 403.890, Florida Statutes, are renumbered as subsections (4) and (5), respectively, and a subsection (3) is added to that section to read:

403.890 Water Protection and Sustainability Program; intent; goals; purposes.—

(3) In addition to the uses allowed in subsection (1) for the 2008-2009 fiscal year, moneys in the Water Protection and Sustainability Program Trust Fund shall be transferred to the Ecosystem Management and Restoration Trust Fund for grants and aids to local governments for water projects as provided in the General Appropriations Act. This subsection expires July 1, 2009.

Section 43. In order to implement Specific Appropriations 1767 and 1772C of the 2008-2009 General Appropriations Act, subsection (3) of section 375.041, Florida Statutes, is amended to read:

375.041 Land Acquisition Trust Fund.—

(3)(a) Any moneys in the Land Acquisition Trust Fund which are not pledged for rentals or debt service as provided in subsection (2) may be expended from time to time to acquire land, water areas, and related resources and to construct, improve, enlarge, extend, operate, and maintain capital improvements and facilities in accordance with the plan.

(b) In addition to the uses allowed in paragraph (a), for the *2008-2009* ~~2006-2007~~ fiscal year, moneys in the Land Acquisition Trust Fund are authorized for ~~expenditure or~~ transfer to the *Ecosystem Management and Restoration Trust Fund for grants and aids to local governments for water projects as provided in the General Appropriations Act* ~~Florida Forever Trust Fund and the Save Our Everglades Trust Fund to support the programs authorized in chapters 259 and 373~~. This paragraph expires July 1, *2009* ~~2007~~.

Section 44. In order to implement Specific Appropriation 1799 of the 2008-2009 General Appropriations Act, paragraph (c) of subsection (5) of section 376.3071, Florida Statutes, is amended to read:

376.3071 Inland Protection Trust Fund; creation; purposes; funding.—

(5) SITE SELECTION AND CLEANUP CRITERIA.—

(c) The department shall require source removal, if warranted and cost-effective, at each site eligible for restoration funding from the Inland Protection Trust Fund.

1. Funding for free product recovery may be provided in advance of the order established by the priority ranking system under paragraph (a) for site cleanup activities. However, a separate prioritization for free product recovery shall be established consistent with paragraph (a). No more than $5 million shall be encumbered from the Inland Protection Trust Fund in any fiscal year for free product recovery conducted in advance of the priority order under paragraph (a) established for site cleanup activities.

2. Funding for limited interim soil-source removals for sites that will become inaccessible for future remediation due to road infrastructure and right-of-way restrictions resulting from a pending Department of Transportation road construction project or for secondary containment upgrading of underground storage tanks required under chapter 62-761, Florida Administrative Code, may be provided in advance of the order established by the priority ranking system under paragraph (a) for site cleanup activities. The department shall provide written guidance on the limited source removal information and technical evaluation necessary to justify a request for a limited source removal in advance of the priority order pursuant to paragraph (a) established for site cleanup activities. Prioritization for limited source removal projects associated with a secondary containment upgrade in any fiscal year shall be determined on a first-come, first-served basis according to the approval date issued under s. 376.30711 for the limited source removal. Funding for limited source removals associated with secondary containment upgrades shall be limited to 10 sites in each fiscal year for each facility owner and any related person. The limited source removal for secondary containment upgrades shall be completed no later than 6 months after the department issues its approval of the project, and the approval automatically expires at the end of the 6 months. Funding for Department of Transportation and secondary containment upgrade source removals may not exceed $50,000 for a single facility unless the department makes a determination that it is cost-effective and environmentally beneficial to exceed this amount, but in no event shall the department authorize costs in excess of $100,000 for a single facility. Department funding for limited interim soil-source removals associated with Department of Transportation projects and secondary containment upgrades shall be limited to supplemental soil assessment, soil screening, soil removal, backfill material, treatment or disposal of the contaminated soil, dewatering related to the contaminated soil removal in an amount of up to 10 percent of the total interim soil-source removal project costs, treatment, and disposal of the contaminated groundwater and preparation of the source removal report. No other costs associated with the facility upgrade may be paid with department funds. No more than $1 million for Department of Transportation limited source removal projects and $10 million for secondary containment upgrade limited source removal projects conducted in advance of the priority order established under paragraph (a) for site cleanup activities shall be encumbered from the Inland Protection Trust Fund in any fiscal year. This subparagraph is repealed effective June 30, *2009* ~~2008~~.

3. Once free product removal and other source removal identified in this paragraph are completed at a site, and notwithstanding the order established by the priority ranking system under paragraph (a) for site cleanup activities, the department may reevaluate the site to determine the degree of active cleanup needed to continue site rehabilitation. Further, the department shall determine if the reevaluated site qualifies for natural attenuation monitoring or no further action. If additional site rehabilitation is necessary to reach no further action status, the site rehabilitation shall be conducted in the order established by the priority ranking system under paragraph (a) and the department is encouraged

to utilize natural attenuation and monitoring where site conditions warrant.

Section 45. In order to implement section 38 of the 2008-2009 General Appropriations Act, subsection (1) of section 373.472, Florida Statutes, is amended to read:

373.472 Save Our Everglades Trust Fund.—

(1)*(a)* There is created within the Department of Environmental Protection the Save Our Everglades Trust Fund. Funds in the trust fund shall be expended to implement the comprehensive plan defined in s. 373.470(2)(a), the Lake Okeechobee Watershed Protection Plan defined in s. 373.4595(2), the Caloosahatchee River Watershed Protection Plan defined in s. 373.4595(2), and the St. Lucie River Watershed Protection Plan defined in s. 373.4595(2), and to pay debt service for Everglades restoration bonds issued pursuant to s. 215.619. The trust fund shall serve as the repository for state, local, and federal project contributions in accordance with s. 373.470(4).

(b) For the 2008-2009 fiscal year only, the uses and purposes of the trust fund specified in paragraph (a) are not applicable. This paragraph expires July 1, 2009.

Section 46. *In order to implement Specific Appropriation 1448 of the 2008-2009 General Appropriations Act, and notwithstanding section 287.057, Florida Statutes, the Department of Agriculture and Consumer Services, at its discretion, is authorized to extend, revise, and renew current contracts or agreements created or entered into, pursuant to chapter 2006-25, Laws of Florida, in order to provide consistency and continuity in agriculture promotion throughout the state. This section expires July 1, 2009.*

Section 47. *(1) The Governor may recommend to the Legislative Budget Commission, and the Legislative Budget Commission may approve, a budget amendment or amendments to transfer funds from the Budget Stabilization Fund to the General Revenue Fund.*

(2) If the transfers from the Budget Stabilization Fund authorized in subsection (1) are insufficient to address deficits in the General Revenue Fund, the Governor may recommend, and the Legislative Budget Commission may approve, a budget amendment or amendments to transfer funds from the Lawton Chiles Endowment Fund to the General Revenue Fund, notwithstanding the provisions of s. 215.5601, Florida Statutes, to the contrary. Any expenditure from the Lawton Chiles Endowment Fund made pursuant to this subsection must be restored by making five equal annual transfers from the General Revenue Fund, beginning in the third fiscal year following that in which the expenditure was made.

(3) This section is intended to implement section 77 of the 2008-2009 General Appropriations Act relating to the use of state funds to offset General Revenue Fund deficits certified pursuant to s. 216.221, Florida Statutes. Actions taken pursuant to this section shall be in lieu of any other actions taken pursuant to ss. 216.221 and 216.222, Florida Statutes, to address such deficits.

(4) This section shall take effect upon becoming a law and shall expire June 30, 2009.

Section 48. Effective upon this act becoming a law, in order to implement Specific Appropriations 640, 656, and 658A of the 2008-2009 General Appropriations Act, subsection (4) of section 215.5601, Florida Statutes, is amended to read:

215.5601 Lawton Chiles Endowment Fund.—

(4) ADMINISTRATION.—

(a) The board may invest and reinvest funds of the endowment in accordance with s. 215.47 and consistent with an investment policy statement developed by the executive director and approved by the board.

(b) The endowment shall be managed as an annuity. The investment objective shall be long-term preservation of the real value of the *net contributed* principal and a specified regular annual cash outflow for appropriation, as nonrecurring revenue. From the annual cash outflow, a pro rata share shall be used solely for biomedical research activities as provided in paragraph (3)(d), until such time as cures are found for tobacco-related cancer and heart and lung disease. Five percent of the annual cash outflow dedicated to the biomedical research portion of the endowment shall be reinvested and applied to that portion of the endowment's principal, with the remainder to be spent on biomedical research activities consistent with this section. The schedule of annual cash outflow shall be included within the investment plan adopted under paragraph (a). *Withdrawals other than specified regular cash outflow shall be considered reductions in contributed principal for the purposes of this subsection.*

(c) In accordance with s. 215.44, the board shall include separate sections on the financial status of the endowment in its annual investment report to the Legislature.

(d) Accountability for funds from the endowment which have been appropriated to a state agency and distributed by the board shall reside with the state agency. The board is not responsible for the proper expenditure of or accountability concerning funds from the endowment after distribution to a state agency.

(e) Costs and fees of the board for investment services shall be deducted from the earnings accruing to the endowment. Fees for investment services shall be no greater than fees charged to the Florida Retirement System.

Section 49. *The amendment of s. 215.5601(4), Florida Statutes, made by this act shall expire July 1, 2009, and the text of that subsection shall revert to that in existence on June 30, 2008, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of such text which expire pursuant to this section.*

Section 50. *In order to implement the issuance of new debt authorized in the 2008-2009 General Appropriations Act, and pursuant to the requirements of s. 215.98, Florida Statutes, the Legislature determines that the authorization and issuance of debt for the 2008-2009 fiscal year is in the best interest of the state and should be implemented. This section expires July 1, 2009.*

Section 51. In order to implement the transfer of moneys to the General Revenue Fund from trust funds in the 2008-2009 General Appropriations Act, paragraph (b) of subsection (2) of section 215.32, Florida Statutes, is reenacted to read:

215.32 State funds; segregation.—

(2) The source and use of each of these funds shall be as follows:

(b)1. The trust funds shall consist of moneys received by the state which under law or under trust agreement are segregated for a purpose authorized by law. The state agency or branch of state government receiving or collecting such moneys shall be responsible for their proper expenditure as provided by law. Upon the request of the state agency or branch of state government responsible for the administration of the trust fund, the Chief Financial Officer may establish accounts within the trust fund at a level considered necessary for proper accountability. Once an account is established within a trust fund, the Chief Financial Officer may authorize payment from that account only upon determining that there is sufficient cash and releases at the level of the account.

2. In addition to other trust funds created by law, to the extent possible, each agency shall use the following trust funds as described in this subparagraph for day-to-day operations:

a. Operations or operating trust fund, for use as a depository for funds to be used for program operations funded by program revenues, with the exception of administrative activities when the operations or operating trust fund is a proprietary fund.

b. Operations and maintenance trust fund, for use as a depository for client services funded by third-party payors.

c. Administrative trust fund, for use as a depository for funds to be used for management activities that are departmental in nature and funded by indirect cost earnings and assessments against trust funds. Proprietary funds are excluded from the requirement of using an administrative trust fund.

d. Grants and donations trust fund, for use as a depository for funds to be used for allowable grant or donor agreement activities funded by

restricted contractual revenue from private and public nonfederal sources.

e. Agency working capital trust fund, for use as a depository for funds to be used pursuant to s. 216.272.

f. Clearing funds trust fund, for use as a depository for funds to account for collections pending distribution to lawful recipients.

g. Federal grant trust fund, for use as a depository for funds to be used for allowable grant activities funded by restricted program revenues from federal sources.

To the extent possible, each agency must adjust its internal accounting to use existing trust funds consistent with the requirements of this subparagraph. If an agency does not have trust funds listed in this subparagraph and cannot make such adjustment, the agency must recommend the creation of the necessary trust funds to the Legislature no later than the next scheduled review of the agency's trust funds pursuant to s. 215.3206.

3. All such moneys are hereby appropriated to be expended in accordance with the law or trust agreement under which they were received, subject always to the provisions of chapter 216 relating to the appropriation of funds and to the applicable laws relating to the deposit or expenditure of moneys in the State Treasury.

4.a. Notwithstanding any provision of law restricting the use of trust funds to specific purposes, unappropriated cash balances from selected trust funds may be authorized by the Legislature for transfer to the Budget Stabilization Fund and General Revenue Fund in the General Appropriations Act.

b. This subparagraph does not apply to trust funds required by federal programs or mandates; trust funds established for bond covenants, indentures, or resolutions whose revenues are legally pledged by the state or public body to meet debt service or other financial requirements of any debt obligations of the state or any public body; the State Transportation Trust Fund; the trust fund containing the net annual proceeds from the Florida Education Lotteries; the Florida Retirement System Trust Fund; trust funds under the management of the State Board of Education or the Board of Governors of the State University System, where such trust funds are for auxiliary enterprises, self-insurance, and contracts, grants, and donations, as those terms are defined by general law; trust funds that serve as clearing funds or accounts for the Chief Financial Officer or state agencies; trust funds that account for assets held by the state in a trustee capacity as an agent or fiduciary for individuals, private organizations, or other governmental units; and other trust funds authorized by the State Constitution.

Section 52. *In order to implement Specific Appropriations 2751 and 2752 of the 2008-2009 General Appropriations Act:*

(1) Notwithstanding the provisions of section 11.13(1), Florida Statutes, relating to the annual adjustment of salaries for members of the Legislature, to the contrary, for the 2008-2009 fiscal year only, the authorized salaries of members of the Legislature in effect on June 30, 2008, shall be reduced by 5 percent.

(2) Effective June 30, 2009, the annual salaries of members of the Legislature shall be set at the amounts authorized and in effect on June 30, 2008.

(3) This section expires July 1, 2009.

Section 53. *A section of this act that implements a specific appropriation or specifically identified proviso language in the 2008-2009 General Appropriations Act is void if the specific appropriation or specifically identified proviso language is vetoed. A section of this act that implements more than one specific appropriation or more than one portion of specifically identified proviso language in the 2008-2009 General Appropriations Act is void if all the specific appropriations or portions of specifically identified proviso language are vetoed.*

Section 54. *If any other act passed in 2008 contains a provision that is substantively the same as a provision in this act, but that removes or is otherwise not subject to the future repeal applied to such provision by this act, the Legislature intends that the provision in the other act shall take precedence and shall continue to operate, notwithstanding the future repeal provided by this act.*

Section 55. *If any provision of this act or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are severable.*

Section 56. Except as otherwise expressly provided in this act and except for this section, which shall take effect upon this act becoming a law, this act shall take effect July 1, 2008; or, if this act fails to become a law until after that date, it shall take effect upon becoming a law and shall operate retroactively to July 1, 2008.

And the title is amended as follows:

Remove the entire title and insert: A bill to be entitled An act implementing the 2008-2009 General Appropriations Act; providing legislative intent; incorporating by reference certain calculations of the Florida Education Finance Program for the 2008-2009 fiscal year; amending s. 394.908, F.S.; requiring that funds appropriated for forensic mental health treatment services be allocated to the areas of the state having the greatest demand for services and treatment capacity; providing allocation requirements for specified funds appropriated for mental health services; requiring the Department of Children and Family Services to ensure information is entered into the Florida Safe Families Network; requiring coordination between the department and the Office of the State Courts Administrator and the Statewide Guardian Ad Litem Office to provide information relating to child welfare cases; requiring a report to the Governor and Legislature; amending s. 287.057, F.S.; authorizing the Department of Health to enter into an agreement with a specified private contractor to finance, design, and construct a hospital for the treatment of patients with active tuberculosis; requiring the Agency for Health Care Administration to study the effects of certain required minimum nursing home staffing ratios and report to the Governor and Legislature; prohibiting the agency from imposing sanctions related to such staffing ratios; authorizing the Department of Corrections and the Department of Juvenile Justice to make certain expenditures to defray costs incurred by a municipality or county as a result of opening or operating a facility under authority of the respective department; amending s. 216.262, F.S.; providing for additional positions to operate additional prison bed capacity under certain circumstances; authorizing the Department of Legal Affairs to expend appropriated funds on programs funded in the preceding fiscal year; amending s. 932.7055, F.S.; extending the expiration date of provisions authorizing the expenditure of funds in a special law enforcement trust fund established by the governing body of a municipality; specifying certain limitations on reimbursements to a health care provider or hospital by the Department of Corrections; providing an exception for hospitals that reported a negative operating margin for the prior year; requiring that contract rates of the Department of Corrections be based on a percentage of the Medicare allowable rate; authorizing the Department of Legal Affairs to transfer certain funds to pay salaries and benefits; amending s. 112.061, F.S.; providing for certain reimbursement for travel expenses of Supreme Court justices; amending s. 112.24, F.S.; providing conditions on the assignment of an employee of a state agency without reimbursement from the receiving agency; authorizing the Executive Office of the Governor to transfer funds between departments for purposes of aligning amounts paid for risk management premiums and for purposes of aligning amounts paid for human resource management services; amending s. 110.123, F.S.; providing for the state's monthly contribution for employees under the state group insurance program; amending s. 255.503, F.S.; delaying the expiration of provisions authorizing the Department of Management Services to sell, lease, or otherwise dispose of facilities within the Florida Facilities Pool and report to the Legislature, the Governor, and the Division of Bond Finance; reenacting s. 287.17(3)(a) and (6), F.S.; authorizing the use of state aircraft for commuting; providing for the future expiration of certain amendments to such provisions; amending s. 61.1824, F.S.; requiring electronic disbursement of certain payments made to the State Disbursement Unit; amending s. 409.2558, F.S.; requiring electronic disbursement of certain payments made to the State Disbursement Unit; authorizing the Department of Revenue to extend the length of a specified contract; offsetting reductions in ad valorem tax revenue experienced by fiscally constrained counties occurring as a direct result of the implementation of revisions of Article VII of the State Constitution approved in the special election held on January 29, 2008; amending s. 255.518, F.S.; revising provisions relating to payment of obligations during the construction of any facility financed by such obligations; authorizing the Department of Financial Services to expend certain funds for salaries and related expenses; amending s.

215.559, F.S.; providing for allocation of funds appropriated to the Hurricane Loss Mitigation Program for specified purposes; amending s. 253.034, F.S.; delaying the expiration of provisions authorizing the deposit of funds from the sale of property located in Palm Beach County into the Highway Safety Operating Trust Fund by the Department of Highway Safety and Motor Vehicles; amending s. 339.135, F.S.; delaying the expiration of provisions requiring the Department of Transportation to transfer funds to the Office of Tourism, Trade, and Economic Development for the purpose of funding transportation-related needs of economic development transportation projects, space and aerospace infrastructure, and other economic development projects; amending s. 553.721, F.S.; providing for the proceeds from the surcharge collected by the Department of Community Affairs on building additions and renovations to be used to fund regional planning councils, civil legal assistance, and the Front Porch Florida Initiative; amending s. 339.08, F.S.; providing for administrative expenses from the State Transportation Trust Fund; amending s. 253.01, F.S.; providing for moneys in the Internal Improvement Trust Fund to be used for grants and aids to local governments for the drinking water facility construction state revolving loan program; amending ss. 212.08, 220.183, and 624.5105, F.S.; providing allocations and limitations on community contribution tax credits; amending s. 403.7095, F.S.; authorizing the Department of Environmental Protection to award funds under the solid waste management grant program for certain purposes; amending s. 570.20, F.S.; delaying the expiration of provisions authorizing moneys in the General Inspection Trust Fund to be appropriated for certain programs operated by the Department of Agriculture and Consumer Services; providing fund transfer authority relating to the Florida Forever Act; amending s. 373.1961, F.S.; providing that funding for alternative water supply shall be allocated as shown in the General Appropriations Act; amending s. 403.890, F.S.; authorizing transfer of moneys in the Water Protection and Sustainability Program Trust Fund to the Ecosystem Management and Restoration Trust Fund for grants and aids to local governments for water projects as provided in the General Appropriations Act; amending s. 375.041, F.S.; authorizing transfer of moneys in the Land Acquisition Trust Fund to the Ecosystem Management and Restoration Trust Fund for grants and aids to local governments for water projects as provided in the General Appropriations Act; amending s. 376.3071, F.S.; extending use of funds in the Inland Protection Trust Fund for certain limited interim soil-source removals; providing for the authorization and issuance of new debt; amending s. 373.472, F.S.; suspending certain uses and purposes of the Save Our Everglades Trust Fund; authorizing the Department of Agriculture and Consumer Services, at its discretion, to extend, revise, and renew certain contracts or agreements in order to provide consistency and continuity in agriculture promotion throughout the state; authorizing and providing conditions for the transfer of funds from the Budget Stabilization Fund or the Lawton Chiles Endowment Fund to the General Revenue Fund; amending s. 215.5601, F.S.; revising the investment objective of the Lawton Chiles Endowment Fund and providing construction with respect thereto; providing intent with respect to the issuance of debt; reenacting s. 215.32(2)(b), F.S., relating to the source and use of certain trust funds in order to implement the transfer of moneys in the General Revenue Fund from trust funds in the 2008-2009 General Appropriations Act; providing for reduction in legislator salaries; providing for future expiration of various provisions; providing for reversion of statutory text of certain provisions; providing for the effect of a veto of one or more specific appropriations or proviso to which implementing language refers; providing for the continued operation of certain provisions notwithstanding a future repeal or expiration provided by the act; providing for severability; providing effective dates.

The Conference Committee Report was read and on motion by Senator Carlton was adopted. **HB 5003** passed as recommended and was certified to the House together with the Conference Committee Report. The vote on passage was:

Yeas—33

Mr. President	Dawson	Jones
Alexander	Dean	King
Atwater	Diaz de la Portilla	Lawson
Baker	Dockery	Lynn
Bennett	Fasano	Margolis
Bullard	Gaetz	Oelrich
Carlton	Geller	Peaden
Constantine	Haridopolos	Posey
Crist	Hill	Ring
Saunders	Storms	Wilson
Siplin	Webster	Wise

Nays—7

Aronberg	Joyner	Rich
Deutch	Justice	Villalobos
Garcia		

Vote after roll call:

Yea to Nay—Ring

By direction of the President the following Conference Committee Report was read:

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has accepted the Conference Committee Report as an entirety and passed HB 5043, as amended by the Conference Committee Report and requests concurrence of the Senate.

William S. Pittman III, Chief Clerk

CONFERENCE COMMITTEE REPORT ON HB 5043

The Honorable Ken Pruitt April 29, 2008
President of the Senate

The Honorable Marco Rubio
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on HB 5043, same being:

An act relating to **Financial Services**; establishing a task force to develop a business plan for a successor financial and cash management system; requiring the Chief Financial Officer to appoint members to and head the task force; requiring that the directors of the Agency for Enterprise Information Technology and the Office of Policy and Budget in the Executive Office of the Governor participate as members of the task force; specifying requirements for a strategic business plan; requiring that administrative services directors, finance and accounting officers, and budget directors of all branches of state government cooperate with the task force; requiring the task force to submit the business plan to the Governor and the Legislature; requiring that certain information be included in the plan; requiring the Chief Financial Officer to submit an initial report and recommended legislation by a specified date; establishing the Strategic Markets Research and Assessment Unit within the Department of Financial Services; requiring that the unit periodically report to the Cabinet and the Legislature; specifying the information be included in the report; requiring that the Chief Financial Officer submit to the Cabinet and the Legislature findings and recommendations concerning regulatory and policy changes; requiring the Office of Financial Regulation of the Financial Services Commission to transfer the entire registration assessment fee paid by associated persons and a certain percentage of the assessment fee paid by dealers and investment advisors to the Regulatory Trust Fund; revising the required percentages of funds collected pursuant to certain taxes on surplus lines premiums and related interest which are deposited into the Insurance Regulatory Trust Fund and the General Revenue Fund;

having met, and after full and free conference, do recommend to their respective houses as follows:

1. That the Senate recede from its Amendment 1.

2. That the Senate and House of Representatives adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

s/Lisa Carlton
Chair
s/JD Alexander
s/Carey Baker
s/Larcenia J. Bullard
s/Jeff Atwater
Vice Chair
s/Dave Aronberg
s/Michael S. "Mike" Bennett
s/Lee Constantine

s/Victor D. Crist
s/Charles Dean
s/Alex Diaz de la Portilla
s/Mike Fasano
Rudy Garcia
s/Mike Haridopolos
s/Dennis L. Jones
s/Charlie Justice
s/Alfred "Al" Lawson, Jr.
s/Gwen Margolis
s/Durell Peaden, Jr.
s/Nan H. Rich
s/Burt L. Saunders
s/Ronda Storms
s/Daniel Webster, At Large
s/Stephen R. Wise
s/M. Mandy Dawson
s/Ted Deutch
s/Paula Dockery
s/Don Gaetz
Steven A. Geller, At Large
s/Anthony C. "Tony" Hill, Sr.
s/Arthenia L. Joyner
s/James E. King, Jr., At Large
s/Evelyn J. Lynn
s/Steve Oelrich
s/Bill Posey
s/Jeremy Ring
s/Gary Siplin
J. Alex Villalobos
s/Frederica S. Wilson

Managers on the part of the Senate

s/Ray Sansom
Chair and At Large
s/Kevin C. Ambler
s/Gary Aubuchon
s/Aaron P. Bean
s/Ellyn Setnor Bogdanoff,
At Large
Debbie Boyd
Ronald A. Brisé
s/Dean Cannon
Charles S. "Chuck" Chestnut IV
s/Larry Cretul, At Large
Joyce Cusack, At Large
Chris Dorworth
Keith Fitzgerald
s/Bill Galvano
s/Andy Gardiner
Joseph A. "Joe" Gibbons
s/Hugh H. Gibson III
s/Michael J. Grant
s/Gayle B. Harrell
s/D. Alan Hays
s/Matt Hudson
s/Kurt Kelly
Martin David "Marty" Kiar
Paige Kreegel
s/John Legg
Janet C. Long
Richard A. Machek
s/Charles McBurney
Matthew J. "Matt" Meadows
s/Mitch Needelman
s/Pat Patterson
s/Juan-Carlos "J.C." Planas
s/Stephen L. Precourt
Scott Randolph
Betty Reed
s/Garrett Richter
s/Julio Robaina
Dennis A. Ross
Franklin Sands, At Large
Ron Saunders, At Large
s/Ron Schultz
John P. "Jack" Seiler, At Large
Kelly Skidmore
Priscilla Taylor
s/Nicholas R. "Nick" Thompson
s/Anthony Trey Traviesa
Shelley Vana
s/Will W. Weatherford
s/Juan C. Zapata, At Large
s/Sandra "Sandy" Adams
s/Thad Altman
s/Frank Attkisson
Loranne Ausley
Dorothy Bendross-Mindingall
s/Marsha L. "Marty" Bowen,
At Large
Mary Brandenburg
Susan Bucher
s/Jennifer Carroll
s/Marti Coley
s/Faye B. Culp
s/Carl J. Domino
s/Greg Evers
s/Anitere Flores, At Large
s/Rene Garcia
Dan Gelber, At Large
Audrey Gibson
s/Richard "Rich" Glorioso
Denise Grimsley
s/Adam Hasner, At Large
s/Ed Homan
s/Dorothy L. Hukill
s/Will S. Kendrick
s/Dick Kravitz
Rick Kriseman
s/Marcelo Llorente
s/Carlos Lopez-Cantera
s/Stan Mayfield
s/Seth McKeel
s/Dave Murzin
s/Jimmy T. Patronis, Jr.
s/Joe H. Pickens
s/Ralph Poppell
s/William L. "Bill" Proctor
s/Ron Reagan
Curtis B. Richardson
s/David Rivera, At Large
Yolly Roberson
Maria Lorts Sachs
Anthony P. "Tony" Sasso III
s/Robert C. "Rob" Schenck
Michael J. Scionti
s/David Simmons, At Large
Darren Soto
Geraldine F. "Geri" Thompson
Perry E. Thurston, Jr.
s/Baxter G. Troutman
James W. "Jim" Waldman
Trudi K. Williams

Managers on the part of the House

Conference Committee Amendment (347991) (with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Section 17.0315, Florida Statutes, is created to read:

17.0315 Financial and cash management system; task force.—

(1) The Chief Financial Officer, as the constitutional officer responsible for settling and approving accounts against the state and keeping all state funds pursuant to s. 4, Art. IV of the State Constitution, shall be the head of and appoint members to a task force established to develop a strategic business plan for a successor financial and cash management system. The task force shall include the executive director of the Agency for Enterprise Information Technology and the director of the Office of Policy and Budget in the Executive Office of the Governor. Any member of the task force may appoint a designee.

(2) The strategic business plan for a successor financial and cash management system must:

(a) Permit proper disbursement and auditing controls consistent with the respective constitutional duties of the Chief Financial Officer and the Legislature;

(b) Promote transparency in the accounting of public funds;

(c) Provide timely and accurate recording of financial transactions by agencies and their professional staffs;

(d) Support executive reporting and data analysis requirements;

(e) Be capable of interfacing with other systems providing human resource services, procuring goods and services, and providing other enterprise functions;

(f) Be capable of interfacing with the existing legislative appropriations, planning, and budgeting systems;

(g) Be coordinated with the information technology strategy development efforts of the Agency for Enterprise Information Technology;

(h) Be coordinated with the revenue estimating conference process as supported by the Office of Economic and Demographic Research; and

(i) Address other such issues as the Chief Financial Officer identifies.

(3) State agency administrative services directors, finance and accounting officers, and budget directors within all branches of state government shall fully cooperate with the task force in its development of the strategic plan. The task force shall submit to the Governor, the President of the Senate, and the Speaker of the House of Representatives a strategic business plan that includes, but is not limited to:

(a) Identifying problems and opportunities imposed by current law and the current administration with respect to existing state accounting and cash management systems;

(b) Providing developmental solutions to known failures, including, but not limited to, those identified by external review and audit reports;

(c) Recommending business processes, requirements, and governance structure to support a standardized statewide accounting and cash management system;

(d) Evaluating alternative funding approaches to equitably distribute common accounting infrastructure costs across all participating users; and

(e) Providing an enterprise-wide work product that can be used as the basis for a revised competitive procurement process for the implementation of a successor system.

The Chief Financial Officer shall submit the initial report, along with draft legislation recommended to implement a standardized statewide financial and cash management system, by February 1, 2009.

Section 2. Subsection (6) is added to section 20.121, Florida Statutes, to read:

20.121 Department of Financial Services.—There is created a Department of Financial Services.

(6) STRATEGIC MARKETS RESEARCH AND ASSESSMENT UNIT.—The Strategic Markets Research and Assessment Unit is established within the Department of Financial Services. The Chief Financial Officer or his or her designee shall report on September 1, 2008, and quarterly thereafter, to the Cabinet, the President of the Senate, and the

Speaker of the House of Representatives on the status of the state's financial services markets. At a minimum, the report must include a summary of issues, trends, and threats that broadly impact the condition of the financial services industries, along with the effect of such conditions on financial institutions, the securities industries, other financial entities, and the credit market. The Chief Financial Officer shall also provide findings and recommendations regarding regulatory and policy changes to the Cabinet, the President of the Senate, and the Speaker of the House of Representatives.

Section 3. Section 517.315, Florida Statutes, is amended to read:

517.315 Fees.—All fees of any nature collected by the office pursuant to this chapter shall be disbursed as follows:

(1) The office shall transfer the amount of fees required to be deposited into the Securities Guaranty Fund pursuant to s. 517.131;

(2) After the transfer required in subsection (1), the office shall transfer ~~$20 of~~ the $50 assessment fee collected from each associated person under s. 517.12(10) and (11) *and 30.44 percent of the $100 assessment fee paid by dealers and investment advisors for each office in the state under s. 517.12(10) and (11)* to the Regulatory Trust Fund; and

(3) All remaining fees shall be deposited into the General Revenue Fund.

Section 4. Subsection (5) of section 626.932, Florida Statutes, is amended to read:

626.932 Surplus lines tax.—

(5) The department shall deposit *15.74* ~~24.3~~ percent of all taxes collected under this section to the credit of the Insurance Regulatory Trust Fund. *Eighty-four and twenty-six hundredths* ~~Seventy-five and seven-tenths~~ percent of all taxes collected under this section shall be deposited into the General Revenue Fund.

Section 5. Subsection (7) of section 626.938, Florida Statutes, is amended to read:

626.938 Report and tax of independently procured coverages.—

(7) The department shall deposit *15.74* ~~24.3~~ percent of all taxes and interest collected under this section to the credit of the Insurance Regulatory Trust Fund. *Eighty-four and twenty-six hundredths* ~~Seventy-five and seven-tenths~~ percent of all taxes and interest collected under this section shall be deposited into the General Revenue Fund.

Section 6. This act shall take effect July 1, 2008.

And the title is amended as follows:

Remove the entire title and insert: A bill to be entitled An act relating to financial services; creating s. 17.0315, F.S.; establishing a task force to develop a business plan for a successor financial and cash management system; requiring the Chief Financial Officer to appoint members to and head the task force; requiring that the directors of the Agency for Enterprise Information Technology and the Office of Policy and Budget in the Executive Office of the Governor participate as members of the task force; specifying requirements for a strategic business plan; requiring that administrative services directors, finance and accounting officers, and budget directors of all branches of state government cooperate with the task force; requiring the task force to submit the business plan to the Governor and the Legislature; requiring that certain information be included in the plan; requiring the Chief Financial Officer to submit an initial report and recommended legislation by a specified date; amending s. 20.121, F.S.; establishing the Strategic Markets Research and Assessment Unit within the Department of Financial Services; requiring that the unit periodically report to the Cabinet and the Legislature; specifying the information be included in the report; requiring that the Chief Financial Officer submit to the Cabinet and the Legislature findings and recommendations concerning regulatory and policy changes; amending s. 517.315, F.S.; requiring the Office of Financial Regulation of the Financial Services Commission to transfer the entire registration assessment fee paid by associated persons and a certain percentage of the assessment fee paid by dealers and investment advisors to the Regulatory Trust Fund; amending ss. 626.932 and 626.938, F.S.; revising the required percentages of funds collected pursuant to certain taxes on surplus lines premiums and related interest which are deposited into the Insurance Regulatory Trust Fund and the General Revenue Fund; providing an effective date.

The Conference Committee Report was read and on motion by Senator Alexander was adopted. **HB 5043** passed as recommended and was certified to the House together with the Conference Committee Report. The vote on passage was:

Yeas—36

Mr. President	Deutch	Lynn
Alexander	Diaz de la Portilla	Margolis
Aronberg	Fasano	Oelrich
Atwater	Gaetz	Peaden
Baker	Geller	Posey
Bennett	Haridopolos	Rich
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Webster
Dawson	King	Wilson
Dean	Lawson	Wise

Nays—2

Garcia	Villalobos

Vote after roll call:

Yea—Dockery, Ring

By direction of the President the following Conference Committee Report was read:

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has accepted the Conference Committee Report as an entirety and passed HB 5045, as amended by the Conference Committee Report and requests concurrence of the Senate.

William S. Pittman III, Chief Clerk

CONFERENCE COMMITTEE REPORT ON HB 5045

The Honorable Ken Pruitt April 29, 2008
President of the Senate

The Honorable Marco Rubio
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on HB 5045, same being:

An act relating to **Workers' Compensation Medical Services and Supplies**; providing for a type two transfer of responsibilities with respect to the provision of workers' compensation medical services and supplies from the Agency for Health Care Administration to the Department of Financial Services; revising terminology, to conform;

having met, and after full and free conference, do recommend to their respective houses as follows:

1. That the Senate recede from its Amendment 1.

2. That the Senate and House of Representatives adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

s/Lisa Carlton	*s/Jeff Atwater*
Chair	Vice Chair
s/JD Alexander	*s/Dave Aronberg*
s/Carey Baker	*s/Michael S. "Mike" Bennett*
s/Larcenia J. Bullard	*s/Lee Constantine*
s/Victor D. Crist	*s/M. Mandy Dawson*
s/Charles Dean	*s/Ted Deutch*
s/Alex Diaz de la Portilla	Paula Dockery
s/Mike Fasano	*s/Don Gaetz*

Rudy Garcia
s/Mike Haridopolos
s/Dennis L. Jones
s/Charlie Justice
s/Alfred "Al" Lawson, Jr.
s/Gwen Margolis
s/Durell Peaden, Jr.
s/Nan H. Rich
s/Burt L. Saunders
s/Ronda Storms
s/Daniel Webster, At Large
s/Stephen R. Wise
Steven A. Geller, At Large
s/Anthony C. "Tony" Hill, Sr.
s/Arthenia L. Joyner
s/James E. King, Jr., At Large
s/Evelyn J. Lynn
s/Steve Oelrich
s/Bill Posey
s/Jeremy Ring
s/Gary Siplin
J. Alex Villalobos
s/Frederica S. Wilson

Managers on the part of the Senate

s/Ray Sansom
Chair and At Large
s/Kevin C. Ambler
s/Gary Aubuchon
s/Aaron P. Bean
s/Ellyn Setnor Bogdanoff,
At Large
Debbie Boyd
Ronald A. Brisé
s/Dean Cannon
Charles S. "Chuck" Chestnut IV
s/Larry Cretul, At Large
Joyce Cusack, At Large
Chris Dorworth
Keith Fitzgerald
s/Bill Galvano
s/Andy Gardiner
Joseph A. "Joe" Gibbons
s/Hugh H. Gibson III
s/Michael J. Grant
s/Gayle B. Harrell
s/D. Alan Hays
s/Matt Hudson
s/Kurt Kelly
Martin David "Marty" Kiar
Paige Kreegel
s/John Legg
Janet C. Long
Richard A. Machek
s/Charles McBurney
Matthew J. "Matt" Meadows
s/Mitch Needelman
s/Pat Patterson
s/Juan-Carlos "J.C." Planas
s/Stephen L. Precourt
Scott Randolph
Betty Reed
s/Garrett Richter
s/Julio Robaina
Dennis A. Ross
Franklin Sands, At Large
Ron Saunders, At Large
s/Ron Schultz
John P. "Jack" Seiler, At Large
Kelly Skidmore
Priscilla Taylor
s/Nicholas R. "Nick" Thompson
s/Anthony Trey Traviesa
Shelley Vana
s/Will W. Weatherford
s/Juan C. Zapata, At Large
s/Sandra "Sandy" Adams
s/Thad Altman
s/Frank Attkisson
Loranne Ausley
Dorothy Bendross-Mindingall
s/Marsha L. "Marty" Bowen,
At Large
Mary Brandenburg
Susan Bucher
s/Jennifer Carroll
s/Marti Coley
s/Faye B. Culp
s/Carl J. Domino
s/Greg Evers
s/Anitere Flores, At Large
s/Rene Garcia
Dan Gelber, At Large
Audrey Gibson
s/Richard "Rich" Glorioso
Denise Grimsley
s/Adam Hasner, At Large
s/Ed Homan
s/Dorothy L. Hukill
s/Will S. Kendrick
s/Dick Kravitz
Rick Kriseman
s/Marcelo Llorente
s/Carlos Lopez-Cantera
s/Stan Mayfield
s/Seth McKeel
s/Dave Murzin
s/Jimmy T. Patronis, Jr.
s/Joe H. Pickens
s/Ralph Poppell
s/William L. "Bill" Proctor
s/Ron Reagan
Curtis B. Richardson
s/David Rivera, At Large
Yolly Roberson
Maria Lorts Sachs
Anthony P. "Tony" Sasso III
s/Robert C. "Rob" Schenck
Michael J. Scionti
s/David Simmons, At Large
Darren Soto
Geraldine F. "Geri" Thompson
Perry E. Thurston, Jr.
s/Baxter G. Troutman
James W. "Jim" Waldman
Trudi K. Williams

Managers on the part of the House

Conference Committee Amendment (711627)(with title amendment)—Remove everything after the enacting clause and insert:

Section 1. *All powers, duties, functions, rules, records, personnel, property, and unexpended balances of appropriations, allocations, and other funds of the Agency for Health Care Administration with respect to the agency's responsibilities for the provision of workers' compensation medical services and supplies are transferred intact by a type two transfer, as defined in s. 20.06(2), Florida Statutes, from the Agency for Health Care Administration to the Department of Financial Services.*

Section 2. Subsections (1), (3), (6) through (9), and (11) through (13) of section 440.13, Florida Statutes, are amended to read:

440.13 Medical services and supplies; penalty for violations; limitations.—

(1) DEFINITIONS.—As used in this section, the term:

(a) "Alternate medical care" means a change in treatment or health care provider.

(b) "Attendant care" means care rendered by trained professional attendants which is beyond the scope of household duties. Family members may provide nonprofessional attendant care, but may not be compensated under this chapter for care that falls within the scope of household duties and other services normally and gratuitously provided by family members. "Family member" means a spouse, father, mother, brother, sister, child, grandchild, father-in-law, mother-in-law, aunt, or uncle.

(c) "Carrier" means, for purposes of this section, insurance carrier, self-insurance fund or individually self-insured employer, or assessable mutual insurer.

(d) "Certified health care provider" means a health care provider who has been certified by the *department* ~~agency~~ or who has entered an agreement with a licensed managed care organization to provide treatment to injured workers under this section. Certification of such health care provider must include documentation that the health care provider has read and is familiar with the portions of the statute, impairment guides, practice parameters, protocols of treatment, and rules which govern the provision of remedial treatment, care, and attendance.

(e) "Compensable" means a determination by a carrier or judge of compensation claims that a condition suffered by an employee results from an injury arising out of and in the course of employment.

(f) "Emergency services and care" means emergency services and care as defined in s. 395.002.

(g) "Health care facility" means any hospital licensed under chapter 395 and any health care institution licensed under chapter 400 or chapter 429.

(h) "Health care provider" means a physician or any recognized practitioner who provides skilled services pursuant to a prescription or under the supervision or direction of a physician and who has been certified by the *department* ~~agency~~ as a health care provider. The term "health care provider" includes a health care facility.

(i) "Independent medical examiner" means a physician selected by either an employee or a carrier to render one or more independent medical examinations in connection with a dispute arising under this chapter.

(j) "Independent medical examination" means an objective evaluation of the injured employee's medical condition, including, but not limited to, impairment or work status, performed by a physician or an expert medical advisor at the request of a party, a judge of compensation claims, or the *department* ~~agency~~ to assist in the resolution of a dispute arising under this chapter.

(k) "Instance of overutilization" means a specific inappropriate service or level of service provided to an injured employee that includes the provision of treatment in excess of established practice parameters and protocols of treatment established in accordance with this chapter.

(l) "Medically necessary" or "medical necessity" means any medical service or medical supply which is used to identify or treat an illness or injury, is appropriate to the patient's diagnosis and status of recovery, and is consistent with the location of service, the level of care provided, and applicable practice parameters. The service should be widely accepted among practicing health care providers, based on scientific criteria, and determined to be reasonably safe. The service must not be of an experimental, investigative, or research nature.

(m) "Medicine" means a drug prescribed by an authorized health care provider and includes only generic drugs or single-source patented drugs for which there is no generic equivalent, unless the authorized

health care provider writes or states that the brand-name drug as defined in s. 465.025 is medically necessary, or is a drug appearing on the schedule of drugs created pursuant to s. 465.025(6), or is available at a cost lower than its generic equivalent.

(n) "Palliative care" means noncurative medical services that mitigate the conditions, effects, or pain of an injury.

(o) "Pattern or practice of overutilization" means repetition of instances of overutilization within a specific medical case or multiple cases by a single health care provider.

(p) "Peer review" means an evaluation by two or more physicians licensed under the same authority and with the same or similar specialty as the physician under review, of the appropriateness, quality, and cost of health care and health services provided to a patient, based on medically accepted standards.

(q) "Physician" or "doctor" means a physician licensed under chapter 458, an osteopathic physician licensed under chapter 459, a chiropractic physician licensed under chapter 460, a podiatric physician licensed under chapter 461, an optometrist licensed under chapter 463, or a dentist licensed under chapter 466, each of whom must be certified by the *department* ~~agency~~ as a health care provider.

(r) "Reimbursement dispute" means any disagreement between a health care provider or health care facility and carrier concerning payment for medical treatment.

(s) "Utilization control" means a systematic process of implementing measures that assure overall management and cost containment of services delivered, including compliance with practice parameters and protocols of treatment as provided for in this chapter.

(t) "Utilization review" means the evaluation of the appropriateness of both the level and the quality of health care and health services provided to a patient, including, but not limited to, evaluation of the appropriateness of treatment, hospitalization, or office visits based on medically accepted standards. Such evaluation must be accomplished by means of a system that identifies the utilization of medical services based on practice parameters and protocols of treatment as provided for in this chapter.

(3) PROVIDER ELIGIBILITY; AUTHORIZATION.—

(a) As a condition to eligibility for payment under this chapter, a health care provider who renders services must be a certified health care provider and must receive authorization from the carrier before providing treatment. This paragraph does not apply to emergency care. The *department* ~~agency~~ shall adopt rules to implement the certification of health care providers.

(b) A health care provider who renders emergency care must notify the carrier by the close of the third business day after it has rendered such care. If the emergency care results in admission of the employee to a health care facility, the health care provider must notify the carrier by telephone within 24 hours after initial treatment. Emergency care is not compensable under this chapter unless the injury requiring emergency care arose as a result of a work-related accident. Pursuant to chapter 395, all licensed physicians and health care providers in this state shall be required to make their services available for emergency treatment of any employee eligible for workers' compensation benefits. To refuse to make such treatment available is cause for revocation of a license.

(c) A health care provider may not refer the employee to another health care provider, diagnostic facility, therapy center, or other facility without prior authorization from the carrier, except when emergency care is rendered. Any referral must be to a health care provider that has been certified by the *department* ~~agency~~, unless the referral is for emergency treatment, and the referral must be made in accordance with practice parameters and protocols of treatment as provided for in this chapter.

(d) A carrier must respond, by telephone or in writing, to a request for authorization from an authorized health care provider by the close of the third business day after receipt of the request. A carrier who fails to respond to a written request for authorization for referral for medical treatment by the close of the third business day after receipt of the request consents to the medical necessity for such treatment. All such requests must be made to the carrier. Notice to the carrier does not include notice to the employer.

(e) Carriers shall adopt procedures for receiving, reviewing, documenting, and responding to requests for authorization. Such procedures shall be for a health care provider certified under this section.

(f) By accepting payment under this chapter for treatment rendered to an injured employee, a health care provider consents to the jurisdiction of the *department* ~~agency~~ as set forth in subsection (11) and to the submission of all records and other information concerning such treatment to the *department* ~~agency~~ in connection with a reimbursement dispute, audit, or review as provided by this section. The health care provider must further agree to comply with any decision of the *department* ~~agency~~ rendered under this section.

(g) The employee is not liable for payment for medical treatment or services provided pursuant to this section except as otherwise provided in this section.

(h) The provisions of s. 456.053 are applicable to referrals among health care providers, as defined in subsection (1), treating injured workers.

(i) Notwithstanding paragraph (d), a claim for specialist consultations, surgical operations, physiotherapeutic or occupational therapy procedures, X-ray examinations, or special diagnostic laboratory tests that cost more than $1,000 and other specialty services that the *department* ~~agency~~ identifies by rule is not valid and reimbursable unless the services have been expressly authorized by the carrier, or unless the carrier has failed to respond within 10 days to a written request for authorization, or unless emergency care is required. The insurer shall authorize such consultation or procedure unless the health care provider or facility is not authorized or certified, unless such treatment is not in accordance with practice parameters and protocols of treatment established in this chapter, or unless a judge of compensation claims has determined that the consultation or procedure is not medically necessary, not in accordance with the practice parameters and protocols of treatment established in this chapter, or otherwise not compensable under this chapter. Authorization of a treatment plan does not constitute express authorization for purposes of this section, except to the extent the carrier provides otherwise in its authorization procedures. This paragraph does not limit the carrier's obligation to identify and disallow overutilization or billing errors.

(j) Notwithstanding anything in this chapter to the contrary, a sick or injured employee shall be entitled, at all times, to free, full, and absolute choice in the selection of the pharmacy or pharmacist dispensing and filling prescriptions for medicines required under this chapter. It is expressly forbidden for the *department* ~~agency~~, an employer, or a carrier, or any agent or representative of the *department* ~~agency~~, an employer, or a carrier, to select the pharmacy or pharmacist which the sick or injured employee must use; condition coverage or payment on the basis of the pharmacy or pharmacist utilized; or to otherwise interfere in the selection by the sick or injured employee of a pharmacy or pharmacist.

(6) UTILIZATION REVIEW.—Carriers shall review all bills, invoices, and other claims for payment submitted by health care providers in order to identify overutilization and billing errors, including compliance with practice parameters and protocols of treatment established in accordance with this chapter, and may hire peer review consultants or conduct independent medical evaluations. Such consultants, including peer review organizations, are immune from liability in the execution of their functions under this subsection to the extent provided in s. 766.101. If a carrier finds that overutilization of medical services or a billing error has occurred, or there is a violation of the practice parameters and protocols of treatment established in accordance with this chapter, it must disallow or adjust payment for such services or error without order of a judge of compensation claims or the *department* ~~agency~~, if the carrier, in making its determination, has complied with this section and rules adopted by the *department* ~~agency~~.

(7) UTILIZATION AND REIMBURSEMENT DISPUTES.—

(a) Any health care provider, carrier, or employer who elects to contest the disallowance or adjustment of payment by a carrier under subsection (6) must, within 30 days after receipt of notice of disallowance or adjustment of payment, petition the *department* ~~agency~~ to resolve the

dispute. The petitioner must serve a copy of the petition on the carrier and on all affected parties by certified mail. The petition must be accompanied by all documents and records that support the allegations contained in the petition. Failure of a petitioner to submit such documentation to the *department* ~~agency~~ results in dismissal of the petition.

(b) The carrier must submit to the *department* ~~agency~~ within 10 days after receipt of the petition all documentation substantiating the carrier's disallowance or adjustment. Failure of the carrier to timely submit the requested documentation to the *department* ~~agency~~ within 10 days constitutes a waiver of all objections to the petition.

(c) Within 60 days after receipt of all documentation, the *department* ~~agency~~ must provide to the petitioner, the carrier, and the affected parties a written determination of whether the carrier properly adjusted or disallowed payment. The *department* ~~agency~~ must be guided by standards and policies set forth in this chapter, including all applicable reimbursement schedules, practice parameters, and protocols of treatment, in rendering its determination.

(d) If the *department* ~~agency~~ finds an improper disallowance or improper adjustment of payment by an insurer, the insurer shall reimburse the health care provider, facility, insurer, or employer within 30 days, subject to the penalties provided in this subsection.

(e) The *department* ~~agency~~ shall adopt rules to carry out this subsection. The rules may include provisions for consolidating petitions filed by a petitioner and expanding the timetable for rendering a determination upon a consolidated petition.

(f) Any carrier that engages in a pattern or practice of arbitrarily or unreasonably disallowing or reducing payments to health care providers may be subject to one or more of the following penalties imposed by the *department* ~~agency~~:

1. Repayment of the appropriate amount to the health care provider.

2. An administrative fine assessed by the *department* ~~agency~~ in an amount not to exceed $5,000 per instance of improperly disallowing or reducing payments.

3. Award of the health care provider's costs, including a reasonable attorney's fee, for prosecuting the petition.

(8) PATTERN OR PRACTICE OF OVERUTILIZATION.—

(a) Carriers must report to the *department* ~~agency~~ all instances of overutilization including, but not limited to, all instances in which the carrier disallows or adjusts payment or a determination has been made that the provided or recommended treatment is in excess of the practice parameters and protocols of treatment established in this chapter. The *department* ~~agency~~ shall determine whether a pattern or practice of overutilization exists.

(b) If the *department* ~~agency~~ determines that a health care provider has engaged in a pattern or practice of overutilization or a violation of this chapter or rules adopted by the *department* ~~agency~~, including a pattern or practice of providing treatment in excess of the practice parameters or protocols of treatment, it may impose one or more of the following penalties:

1. An order of the *department* ~~agency~~ barring the provider from payment under this chapter;

2. Deauthorization of care under review;

3. Denial of payment for care rendered in the future;

4. Decertification of a health care provider certified as an expert medical advisor under subsection (9) or of a rehabilitation provider certified under s. 440.49;

5. An administrative fine assessed by the *department* ~~agency~~ in an amount not to exceed $5,000 per instance of overutilization or violation; and

6. Notification of and review by the appropriate licensing authority pursuant to s. 440.106(3).

(9) EXPERT MEDICAL ADVISORS.—

(a) The *department* ~~agency~~ shall certify expert medical advisors in each specialty to assist the *department* ~~agency~~ and the judges of compensation claims within the advisor's area of expertise as provided in this section. The *department* ~~agency~~ shall, in a manner prescribed by rule, in certifying, recertifying, or decertifying an expert medical advisor, consider the qualifications, training, impartiality, and commitment of the health care provider to the provision of quality medical care at a reasonable cost. As a prerequisite for certification or recertification, the *department* ~~agency~~ shall require, at a minimum, that an expert medical advisor have specialized workers' compensation training or experience under the workers' compensation system of this state and board certification or board eligibility.

(b) The *department* ~~agency~~ shall contract with one or more entities that employ, contract with, or otherwise secure expert medical advisors to provide peer review or expert medical consultation, opinions, and testimony to the *department* ~~agency~~ or to a judge of compensation claims in connection with resolving disputes relating to reimbursement, differing opinions of health care providers, and health care and physician services rendered under this chapter, including utilization issues. The *department* ~~agency~~ shall by rule establish the qualifications of expert medical advisors, including training and experience in the workers' compensation system in the state and the expert medical advisor's knowledge of and commitment to the standards of care, practice parameters, and protocols established pursuant to this chapter. Expert medical advisors contracting with the *department* ~~agency~~ shall, as a term of such contract, agree to provide consultation or services in accordance with the timetables set forth in this chapter and to abide by rules adopted by the *department* ~~agency~~, including, but not limited to, rules pertaining to procedures for review of the services rendered by health care providers and preparation of reports and testimony or recommendations for submission to the *department* ~~agency~~ or the judge of compensation claims.

(c) If there is disagreement in the opinions of the health care providers, if two health care providers disagree on medical evidence supporting the employee's complaints or the need for additional medical treatment, or if two health care providers disagree that the employee is able to return to work, the *department* ~~agency~~ may, and the judge of compensation claims shall, upon his or her own motion or within 15 days after receipt of a written request by either the injured employee, the employer, or the carrier, order the injured employee to be evaluated by an expert medical advisor. The opinion of the expert medical advisor is presumed to be correct unless there is clear and convincing evidence to the contrary as determined by the judge of compensation claims. The expert medical advisor appointed to conduct the evaluation shall have free and complete access to the medical records of the employee. An employee who fails to report to and cooperate with such evaluation forfeits entitlement to compensation during the period of failure to report or cooperate.

(d) The expert medical advisor must complete his or her evaluation and issue his or her report to the *department* ~~agency~~ or to the judge of compensation claims within 15 days after receipt of all medical records. The expert medical advisor must furnish a copy of the report to the carrier and to the employee.

(e) An expert medical advisor is not liable under any theory of recovery for evaluations performed under this section without a showing of fraud or malice. The protections of s. 766.101 apply to any officer, employee, or agent of the *department* ~~agency~~ and to any officer, employee, or agent of any entity with which the *department* ~~agency~~ has contracted under this subsection.

(f) If the *department* ~~agency~~ or a judge of compensation claims orders the services of a certified expert medical advisor to resolve a dispute under this section, the party requesting such examination must compensate the advisor for his or her time in accordance with a schedule adopted by the *department* ~~agency~~. If the employee prevails in a dispute as determined in an order by a judge of compensation claims based upon the expert medical advisor's findings, the employer or carrier shall pay for the costs of such expert medical advisor. If a judge of compensation claims, upon his or her motion, finds that an expert medical advisor is needed to resolve the dispute, the carrier must compensate the advisor for his or her time in accordance with a schedule adopted by the *department* ~~agency~~. The *department* ~~agency~~ may assess a penalty not to exceed $500 against any carrier that fails to timely compensate an advisor in accordance with this section.

(11) AUDITS.—

(a) The *department* ~~Agency for Health Care Administration~~ may investigate health care providers to determine whether providers are complying with this chapter and with rules adopted by the *department* ~~agency~~, whether the providers are engaging in overutilization, whether providers are engaging in improper billing practices, and whether providers are adhering to practice parameters and protocols established in accordance with this chapter. If the *department* ~~agency~~ finds that a health care provider has improperly billed, overutilized, or failed to comply with *department* ~~agency~~ rules or the requirements of this chapter, including, but not limited to, practice parameters and protocols established in accordance with this chapter, it must notify the provider of its findings and may determine that the health care provider may not receive payment from the carrier or may impose penalties as set forth in subsection (8) or other sections of this chapter. If the health care provider has received payment from a carrier for services that were improperly billed, that constitute overutilization, or that were outside practice parameters or protocols established in accordance with this chapter, it must return those payments to the carrier. The *department* ~~agency~~ may assess a penalty not to exceed $500 for each overpayment that is not refunded within 30 days after notification of overpayment by the *department* ~~agency~~ or carrier.

(b) The department shall monitor carriers as provided in this chapter and the Office of Insurance Regulation shall audit insurers and group self-insurance funds as provided in s. 624.3161, to determine if medical bills are paid in accordance with this section and rules of the department and Financial Services Commission, respectively. Any employer, if self-insured, or carrier found by the department or Office of Insurance Regulation not to be within 90 percent compliance as to the payment of medical bills after July 1, 1994, must be assessed a fine not to exceed 1 percent of the prior year's assessment levied against such entity under s. 440.51 for every quarter in which the entity fails to attain 90-percent compliance. The department shall fine or otherwise discipline an employer or carrier, pursuant to this chapter or rules adopted by the department, and the Office of Insurance Regulation shall fine or otherwise discipline an insurer or group self-insurance fund pursuant to the insurance code or rules adopted by the Financial Services Commission, for each late payment of compensation that is below the minimum 95-percent performance standard. Any carrier that is found to be not in compliance in subsequent consecutive quarters must implement a medical-bill review program approved by the department or office, and an insurer or group self-insurance fund is subject to disciplinary action by the Office of Insurance Regulation.

(c) The *department* ~~agency~~ has exclusive jurisdiction to decide any matters concerning reimbursement, to resolve any overutilization dispute under subsection (7), and to decide any question concerning overutilization under subsection (8), which question or dispute arises after January 1, 1994.

(d) The following *department* ~~agency~~ actions do not constitute agency action subject to review under ss. 120.569 and 120.57 and do not constitute actions subject to s. 120.56: referral by the entity responsible for utilization review; a decision by the *department* ~~agency~~ to refer a matter to a peer review committee; establishment by a health care provider or entity of procedures by which a peer review committee reviews the rendering of health care services; and the review proceedings, report, and recommendation of the peer review committee.

(12) CREATION OF THREE-MEMBER PANEL; GUIDES OF MAXIMUM REIMBURSEMENT ALLOWANCES.—

(a) A three-member panel is created, consisting of the Chief Financial Officer, or the Chief Financial Officer's designee, and two members to be appointed by the Governor, subject to confirmation by the Senate, one member who, on account of present or previous vocation, employment, or affiliation, shall be classified as a representative of employers, the other member who, on account of previous vocation, employment, or affiliation, shall be classified as a representative of employees. The panel shall determine statewide schedules of maximum reimbursement allowances for medically necessary treatment, care, and attendance provided by physicians, hospitals, ambulatory surgical centers, work-hardening programs, pain programs, and durable medical equipment. The maximum reimbursement allowances for inpatient hospital care shall be based on a schedule of per diem rates, to be approved by the three-member panel no later than March 1, 1994, to be used in conjunction with a precertification manual as determined by the department, including maximum hours in which an outpatient may remain in observation status, which shall not exceed 23 hours. All compensable charges for hospital outpatient care shall be reimbursed at 75 percent of usual and customary charges, except as otherwise provided by this subsection. Annually, the three-member panel shall adopt schedules of maximum reimbursement allowances for physicians, hospital inpatient care, hospital outpatient care, ambulatory surgical centers, work-hardening programs, and pain programs. An individual physician, hospital, ambulatory surgical center, pain program, or work-hardening program shall be reimbursed either the agreed-upon contract price or the maximum reimbursement allowance in the appropriate schedule.

(b) It is the intent of the Legislature to increase the schedule of maximum reimbursement allowances for selected physicians effective January 1, 2004, and to pay for the increases through reductions in payments to hospitals. Revisions developed pursuant to this subsection are limited to the following:

1. Payments for outpatient physical, occupational, and speech therapy provided by hospitals shall be reduced to the schedule of maximum reimbursement allowances for these services which applies to nonhospital providers.

2. Payments for scheduled outpatient nonemergency radiological and clinical laboratory services that are not provided in conjunction with a surgical procedure shall be reduced to the schedule of maximum reimbursement allowances for these services which applies to nonhospital providers.

3. Outpatient reimbursement for scheduled surgeries shall be reduced from 75 percent of charges to 60 percent of charges.

4. Maximum reimbursement for a physician licensed under chapter 458 or chapter 459 shall be increased to 110 percent of the reimbursement allowed by Medicare, using appropriate codes and modifiers or the medical reimbursement level adopted by the three-member panel as of January 1, 2003, whichever is greater.

5. Maximum reimbursement for surgical procedures shall be increased to 140 percent of the reimbursement allowed by Medicare or the medical reimbursement level adopted by the three-member panel as of January 1, 2003, whichever is greater.

(c) As to reimbursement for a prescription medication, the reimbursement amount for a prescription shall be the average wholesale price plus $4.18 for the dispensing fee, except where the carrier has contracted for a lower amount. Fees for pharmaceuticals and pharmaceutical services shall be reimbursable at the applicable fee schedule amount. Where the employer or carrier has contracted for such services and the employee elects to obtain them through a provider not a party to the contract, the carrier shall reimburse at the schedule, negotiated, or contract price, whichever is lower. No such contract shall rely on a provider that is not reasonably accessible to the employee.

(d) Reimbursement for all fees and other charges for such treatment, care, and attendance, including treatment, care, and attendance provided by any hospital or other health care provider, ambulatory surgical center, work-hardening program, or pain program, must not exceed the amounts provided by the uniform schedule of maximum reimbursement allowances as determined by the panel or as otherwise provided in this section. This subsection also applies to independent medical examinations performed by health care providers under this chapter. In determining the uniform schedule, the panel shall first approve the data which it finds representative of prevailing charges in the state for similar treatment, care, and attendance of injured persons. Each health care provider, health care facility, ambulatory surgical center, work-hardening program, or pain program receiving workers' compensation payments shall maintain records verifying their usual charges. In establishing the uniform schedule of maximum reimbursement allowances, the panel must consider:

1. The levels of reimbursement for similar treatment, care, and attendance made by other health care programs or third-party providers;

2. The impact upon cost to employers for providing a level of reimbursement for treatment, care, and attendance which will ensure the availability of treatment, care, and attendance required by injured workers;

3. The financial impact of the reimbursement allowances upon health care providers and health care facilities, including trauma centers as defined in s. 395.4001, and its effect upon their ability to make available to injured workers such medically necessary remedial treatment, care, and attendance. The uniform schedule of maximum reimbursement allowances must be reasonable, must promote health care cost containment and efficiency with respect to the workers' compensation health care delivery system, and must be sufficient to ensure availability of such medically necessary remedial treatment, care, and attendance to injured workers; and

4. The most recent average maximum allowable rate of increase for hospitals determined by the Health Care Board under chapter 408.

(e) In addition to establishing the uniform schedule of maximum reimbursement allowances, the panel shall:

1. Take testimony, receive records, and collect data to evaluate the adequacy of the workers' compensation fee schedule, nationally recognized fee schedules and alternative methods of reimbursement to certified health care providers and health care facilities for inpatient and outpatient treatment and care.

2. Survey certified health care providers and health care facilities to determine the availability and accessibility of workers' compensation health care delivery systems for injured workers.

3. Survey carriers to determine the estimated impact on carrier costs and workers' compensation premium rates by implementing changes to the carrier reimbursement schedule or implementing alternative reimbursement methods.

4. Submit recommendations on or before January 1, 2003, and biennially thereafter, to the President of the Senate and the Speaker of the House of Representatives on methods to improve the workers' compensation health care delivery system.

The ~~agency and the~~ department, as requested, shall provide data to the panel, including, but not limited to, utilization trends in the workers' compensation health care delivery system. The *department* ~~agency~~ shall provide the panel with an annual report regarding the resolution of medical reimbursement disputes and any actions pursuant to s. 440.13(8). The department shall provide administrative support and service to the panel to the extent requested by the panel.

(13) REMOVAL OF PHYSICIANS FROM LISTS OF THOSE AUTHORIZED TO RENDER MEDICAL CARE.—The *department* ~~agency~~ shall remove from the list of physicians or facilities authorized to provide remedial treatment, care, and attendance under this chapter the name of any physician or facility found after reasonable investigation to have:

(a) Engaged in professional or other misconduct or incompetency in connection with medical services rendered under this chapter;

(b) Exceeded the limits of his or her or its professional competence in rendering medical care under this chapter, or to have made materially false statements regarding his or her or its qualifications in his or her application;

(c) Failed to transmit copies of medical reports to the employer or carrier, or failed to submit full and truthful medical reports of all his or her or its findings to the employer or carrier as required under this chapter;

(d) Solicited, or employed another to solicit for himself or herself or itself or for another, professional treatment, examination, or care of an injured employee in connection with any claim under this chapter;

(e) Refused to appear before, or to answer upon request of, the *department* ~~agency~~ or any duly authorized officer of the state, any legal question, or to produce any relevant book or paper concerning his or her conduct under any authorization granted to him or her under this chapter;

(f) Self-referred in violation of this chapter or other laws of this state; or

(g) Engaged in a pattern of practice of overutilization or a violation of this chapter or rules adopted by the *department* ~~agency~~, including failure to adhere to practice parameters and protocols established in accordance with this chapter.

Section 3. This act shall take effect July 1, 2008.

And the title is amended as follows:

Remove the entire title and insert: A bill to be entitled An act relating to workers' compensation medical services and supplies; providing for a type two transfer of responsibilities with respect to the provision of workers' compensation medical services and supplies from the Agency for Health Care Administration to the Department of Financial Services; amending s. 440.13, F.S.; revising terminology, to conform; providing an effective date.

The Conference Committee Report was read and on motion by Senator Alexander was adopted. **HB 5045** passed as recommended and was certified to the House together with the Conference Committee Report. The vote on passage was:

Yeas—38

Mr. President	Diaz de la Portilla	Margolis
Alexander	Dockery	Oelrich
Aronberg	Fasano	Peaden
Atwater	Gaetz	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Webster
Dawson	King	Wilson
Dean	Lawson	Wise
Deutch	Lynn	

Nays—2

Garcia	Villalobos

By direction of the President the following Conference Committee Report was read:

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has accepted the Conference Committee Report as an entirety and passed HB 5047, as amended by the Conference Committee Report and requests concurrence of the Senate.

William S. Pittman III, Chief Clerk

CONFERENCE COMMITTEE REPORT ON HB 5047

The Honorable Ken Pruitt April 29, 2008
President of the Senate

The Honorable Marco Rubio
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on HB 5047, same being:

An act relating to the **Department of Business and Professional Regulation**; amending s. 455.32, F.S.; revising the procedures authorizing the department to contract with a nonprofit corporation to provide administrative, examination, licensing, investigative, and prosecutorial services to a regulatory board; providing for a recommendation for such authorization in the department's budget request; requiring specific authorization by general law before privatization may proceed; amending s. 481.205, F.S., relating to the Board of Architecture and Interior Design; revising the requirements for the board's annual budget request; requiring that the board submit an annual report to the Executive Office of the Governor and the Legislature concerning activities relating to unlicensed activity; prescribing requirements for the contents of the report; amending s. 509.032, F.S., relating to the Division of Hotels and

Restaurants; deleting a provision requiring that the division provide certain assistance to the State Fire Marshal; deleting a provision requiring that the division provide technical assistance to the Florida Building Commission when updating the construction standards of the Florida Fire Prevention Code; deleting a provision requiring that the division enforce certain provisions of the Florida Fire Prevention Code; revising certain reporting requirements of the division; amending s. 718.501, F.S., relating to the Division of Florida Land Sales, Condominiums, and Mobile Homes; requiring that the division report annually to the Governor and the Legislature on activities involving training programs for condominium association board members and unit owners, the investigation of complaints, and its core business processes;

having met, and after full and free conference, do recommend to their respective houses as follows:

1. That the Senate recede from its Amendment 1.

2. That the Senate and House of Representatives adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

s/Lisa Carlton
Chair
s/JD Alexander
s/Carey Baker
s/Larcenia J. Bullard
s/Victor D. Crist
s/Charles Dean
s/Alex Diaz de la Portilla
s/Mike Fasano
Rudy Garcia
s/Mike Haridopolos
s/Dennis L. Jones
s/Charlie Justice
s/Alfred "Al" Lawson, Jr.
s/Gwen Margolis
s/Durell Peaden, Jr.
s/Nan H. Rich
s/Burt L. Saunders
s/Ronda Storms
s/Daniel Webster, At Large
s/Stephen R. Wise
s/Jeff Atwater
Vice Chair
s/Dave Aronberg
s/Michael S. "Mike" Bennett
s/Lee Constantine
s/M. Mandy Dawson
s/Ted Deutch
Paula Dockery
s/Don Gaetz
Steven A. Geller, At Large
s/Anthony C. "Tony" Hill, Sr.
s/Arthenia L. Joyner
s/James E. King, Jr., At Large
s/Evelyn J. Lynn
s/Steve Oelrich
s/Bill Posey
s/Jeremy Ring
s/Gary Siplin
J. Alex Villalobos
s/Frederica S. Wilson

Managers on the part of the Senate

s/Ray Sansom
Chair and At Large
s/Kevin C. Ambler
s/Gary Aubuchon
s/Aaron P. Bean
s/Ellyn Setnor Bogdanoff,
At Large
Debbie Boyd
Ronald A. Brisé
s/Dean Cannon
Charles S. "Chuck" Chestnut IV
s/Larry Cretul, At Large
Joyce Cusack, At Large
Chris Dorworth
Keith Fitzgerald
s/Bill Galvano
s/Andy Gardiner
Joseph A. "Joe" Gibbons
s/Hugh H. Gibson III
s/Michael J. Grant
s/Gayle B. Harrell
s/D. Alan Hays
s/Matt Hudson
s/Kurt Kelly
Martin David "Marty" Kiar
Paige Kreegel
s/John Legg
Janet C. Long
Richard A. Machek
s/Charles McBurney
Matthew J. "Matt" Meadows
s/Mitch Needelman
s/Pat Patterson
s/Sandra "Sandy" Adams
s/Thad Altman
s/Frank Attkisson
Loranne Ausley
Dorothy Bendross-Mindingall
s/Marsha L. "Marty" Bowen,
At Large
Mary Brandenburg
Susan Bucher
s/Jennifer Carroll
s/Marti Coley
s/Faye B. Culp
s/Carl J. Domino
s/Greg Evers
s/Anitere Flores, At Large
s/Rene Garcia
Dan Gelber, At Large
Audrey Gibson
s/Richard "Rich" Glorioso
Denise Grimsley
s/Adam Hasner, At Large
s/Ed Homan
s/Dorothy L. Hukill
s/Will S. Kendrick
s/Dick Kravitz
Rick Kriseman
s/Marcelo Llorente
s/Carlos Lopez-Cantera
s/Stan Mayfield
s/Seth McKeel
s/Dave Murzin
s/Jimmy T. Patronis, Jr.
s/Joe H. Pickens
s/Juan-Carlos "J.C." Planas
s/Stephen L. Precourt
Scott Randolph
Betty Reed
s/Garrett Richter
s/Julio Robaina
Dennis A. Ross
Franklin Sands, At Large
Ron Saunders, At Large
s/Ron Schultz
John P. "Jack" Seiler, At Large
Kelly Skidmore
Priscilla Taylor
s/Nicholas R. "Nick" Thompson
s/Anthony Trey Traviesa
Shelley Vana
s/Will W. Weatherford
s/Juan C. Zapata, At Large
s/Ralph Poppell
s/William L. "Bill" Proctor
s/Ron Reagan
Curtis B. Richardson
s/David Rivera, At Large
Yolly Roberson
Maria Lorts Sachs
Anthony P. "Tony" Sasso III
s/Robert C. "Rob" Schenck
Michael J. Scionti
s/David Simmons, At Large
Darren Soto
Geraldine F. "Geri" Thompson
Perry E. Thurston, Jr.
s/Baxter G. Troutman
James W. "Jim" Waldman
Trudi K. Williams

Managers on the part of the House

Conference Committee Amendment (676113)(with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Subsection (4) and paragraphs (d) and (p) of subsection (6) of section 455.32, Florida Statutes, are amended to read:

455.32 Management Privatization Act.—

(4) Based upon the request of any board, the department is authorized to establish and contract with a nonprofit corporation to provide administrative, examination, licensing, investigative, and prosecutorial services to that board, in accordance with the provisions of this chapter and the applicable practice act and as specified in a contract between the department and the corporation. The privatization request must contain a business case that includes a needs assessment and financial feasibility study performed by the board or an entity commissioned by a majority vote of the board. The needs assessment must contain specific performance standards and measurable outcomes and an evaluation of the department's current and projected performance in regard to those standards. The feasibility study must include the financial status of the board for the current fiscal year and the next 2 fiscal years. A financial model for the corporation must also be developed which includes projected costs and expenses for the first 2 years of operation and specific performance standards and measurable outcomes. The business case *for privatization shall be submitted by the board to the department for inclusion in its legislative budget request to the Executive Office of the Governor and the Legislature pursuant to s. 216.023* ~~must be approved by the Executive Office of the Governor and the Legislative Budget Commission prior to the establishment of the nonprofit corporation~~. *The board shall proceed with the privatization only if such privatization is specifically authorized by general law.*

(6) Each corporation created to perform the functions provided in this section shall:

(d) Be approved by the department to operate for the benefit of the board and in the best interest of the state *and specifically authorized by the Legislature*.

(p) Meet or exceed the requirements of the business case developed by the board and approved by the Executive Office of the Governor ~~and the Legislative Budget Commission~~ .

Section 2. Subsection (3) of section 481.205, Florida Statutes, is amended to read:

481.205 Board of Architecture and Interior Design.—

(3)(a) Notwithstanding the provisions of ss. 455.225, 455.228, and 455.32, the duties and authority of the department to receive complaints and investigate and discipline persons licensed under this part, including the ability to determine legal sufficiency and probable cause; to initiate proceedings and issue final orders for summary suspension or restriction of a license pursuant to s. 120.60(6); to issue notices of noncompliance, notices to cease and desist, subpoenas, and citations; to retain legal counsel, investigators, or prosecutorial staff in connection with the licensed practice of architecture and interior design; and to investigate and deter the unlicensed practice of architecture and interior

design as provided in s. 455.228 are delegated to the board. All complaints and any information obtained pursuant to an investigation authorized by the board are confidential and exempt from s. 119.07(1) as provided in s. 455.225(2) and (10).

(b) The board shall contract with a corporation or other business entity pursuant to s. 287.057(3) to provide investigative, legal, prosecutorial, and other services necessary to perform its duties.

(c) The corporation or business entity shall comply with all the recordkeeping and reporting requirements of s. 455.32 applicable to the scope of the contract and shall report directly to the board in lieu of the department. Records of the corporation or other business entity contracting with the board shall be considered public records as specified in s. 455.32(15).

(d) Notwithstanding the provisions of s. 455.228, the board may use funds in the unlicensed activity account established under s. 455.2281 to perform its duties relating to unlicensed activity under this subsection.

(e) The board shall submit an annual budget request to the *department by October 1 of each year* ~~Legislature~~ for the purpose of funding its activities under this subsection*. The department, on behalf of the board, shall submit the budget request unchanged to the Executive Office of the Governor and*~~, which must be separate from the legislative budget request submitted by the department to~~ the Legislature pursuant to s. 216.023.

(f) The board shall issue an annual report on the activities under this subsection by October 1 of each year. The annual report shall be submitted to the Executive Office of the Governor, the President of the Senate, the Speaker of the House of Representatives, and the chairs of the legislative appropriations committees. The report shall describe all of the activities performed under this subsection for the previous fiscal year and shall include, but need not be limited to, the following:

1. The number of complaints received.

2. The number of complaints determined to be legally sufficient.

3. The number of complaints determined to be legally insufficient.

4. The number of complaints dismissed.

5. The number of complaints filed in circuit court.

6. The number of complaints determined to have probable cause.

7. The number of administrative complaints issued and the status of the complaints.

8. The number and nature of disciplinary actions taken by the board.

9. The number and the amount of fines and penalties imposed.

10. The number and the amount of fines and penalties collected.

11. Total revenues received and all expenses incurred by the contractor during the previous fiscal year.

12. Total completed investigations.

13. Total pending investigations.

14. A summary of any audits performed, including financial reports and performance audits of the contractor.

Section 3. Paragraph (d) of subsection (2) and subsection (5) of section 509.032, Florida Statutes, are amended to read:

509.032 Duties.—

(2) INSPECTION OF PREMISES.—

(d) The division shall adopt and enforce sanitation rules consistent with law to ensure the protection of the public from food-borne illness in those establishments licensed under this chapter. These rules shall provide the standards and requirements for obtaining, storing, preparing, processing, serving, or displaying food in public food service establishments, approving public food service establishment facility plans, conducting necessary public food service establishment inspections for compliance with sanitation regulations, cooperating and coordinating with the Department of Health in epidemiological investigations, and initiating enforcement actions, and for other such responsibilities deemed necessary by the division. The division may not establish by rule any regulation governing the design, construction, erection, alteration, modification, repair, or demolition of any public lodging or public food service establishment. It is the intent of the Legislature to preempt that function to the Florida Building Commission and the State Fire Marshal through adoption and maintenance of the Florida Building Code and the Florida Fire Prevention Code. The division shall provide technical assistance to the commission ~~and the State Fire Marshal~~ in updating the construction standards of the Florida Building Code ~~and the Florida Fire Prevention Code~~ which govern public lodging and public food service establishments. Further, the division shall enforce the provisions of the Florida Building Code ~~and the Florida Fire Prevention Code~~ which apply to public lodging and public food service establishments in conducting any inspections authorized by this part.

(5) REPORTS REQUIRED.—The division shall *submit annually to* ~~send~~ the Governor*, the President of the Senate, the Speaker of the House of Representatives, and the chairs of the legislative appropriations committees* a ~~written~~ report, which shall state, but *need* not be limited to, *the total number of active public lodging and public food service licenses in the state,* the total number of inspections *of these establishments* conducted by the division to ensure the enforcement of sanitary standards, the total number of inspections conducted in response to emergency or epidemiological conditions, the number of violations of each sanitary standard, *the total number of inspections conducted to meet the statutorily required number of inspections,* and any recommendations for improved inspection procedures. The division shall also keep accurate account of all expenses arising out of the performance of its duties and all fees collected under this chapter. The report shall be submitted by September 30 following the end of the fiscal year.

Section 4. Paragraph (n) is added to subsection (1) of section 718.501, Florida Statutes, to read:

718.501 Powers and duties of Division of Florida Land Sales, Condominiums, and Mobile Homes.—

(1) The Division of Florida Land Sales, Condominiums, and Mobile Homes of the Department of Business and Professional Regulation, referred to as the "division" in this part, in addition to other powers and duties prescribed by chapter 498, has the power to enforce and ensure compliance with the provisions of this chapter and rules promulgated pursuant hereto relating to the development, construction, sale, lease, ownership, operation, and management of residential condominium units. In performing its duties, the division has the following powers and duties:

(n) The division shall submit to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the chairs of the legislative appropriations committees an annual report that includes, but need not be limited to, the number of training programs provided for condominium association board members and unit owners, the number of complaints received by type, the number and percent of complaints acknowledged in writing within 30 days and the number and percent of investigations acted upon within 90 days in accordance with paragraph (m), and the number of investigations exceeding the 90-day requirement. The annual report shall also include an evaluation of the division's core business processes and make recommendations for improvements, including statutory changes. The report shall be submitted by September 30 following the end of the fiscal year.

Section 5. This act shall take effect July 1, 2008.

And the title is amended as follows:

Remove the entire title and insert: A bill to be entitled An act relating to the Department of Business and Professional Regulation; amending s. 455.32, F.S.; revising the procedures authorizing the department to contract with a nonprofit corporation to provide administrative, examination, licensing, investigative, and prosecutorial services to a regulatory board; providing for a recommendation for such authorization in the department's budget request; requiring specific authorization by general law before privatization may proceed; amending s. 481.205, F.S., relating to the Board of Architecture and Interior Design; revising the requirements for the board's annual budget request; requiring that the

board submit an annual report to the Executive Office of the Governor and the Legislature concerning activities relating to unlicensed activity; prescribing requirements for the contents of the report; amending s. 509.032, F.S., relating to the Division of Hotels and Restaurants; deleting a provision requiring that the division provide certain assistance to the State Fire Marshal; deleting a provision requiring that the division provide technical assistance to the Florida Building Commission when updating the construction standards of the Florida Fire Prevention Code; deleting a provision requiring that the division enforce certain provisions of the Florida Fire Prevention Code; revising certain reporting requirements of the division; amending s. 718.501, F.S., relating to the Division of Florida Land Sales, Condominiums, and Mobile Homes; requiring that the division report annually to the Governor and the Legislature on activities involving training programs for condominium association board members and unit owners, the investigation of complaints, and its core business processes; providing an effective date.

The Conference Committee Report was read and on motion by Senator Alexander was adopted. **HB 5047** passed as recommended and was certified to the House together with the Conference Committee Report. The vote on passage was:

Yeas—40

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Aronberg	Gaetz	Posey
Atwater	Garcia	Rich
Baker	Geller	Ring
Bennett	Haridopolos	Saunders
Bullard	Hill	Siplin
Carlton	Jones	Storms
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dawson	King	Wilson
Dean	Lawson	Wise
Deutch	Lynn	
Diaz de la Portilla	Margolis	

Nays—None

By direction of the President the following Conference Committee Report was read:

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has accepted the Conference Committee Report as an entirety and passed HB 5049, as amended by the Conference Committee Report and requests concurrence of the Senate.

William S. Pittman III, Chief Clerk

CONFERENCE COMMITTEE REPORT ON HB 5049

The Honorable Ken Pruitt April 29, 2008
President of the Senate

The Honorable Marco Rubio
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on HB 5049, same being:

An act relating to **Mortgage Broker's Licenses**; revising requirements for mortgage broker license tests; revising fee requirements; requiring applicants to bear certain costs; providing limitations;

having met, and after full and free conference, do recommend to their respective houses as follows:

1. That the Senate recede from its Amendment 1.

2. That the Senate and House of Representatives adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

s/Lisa Carlton
Chair
s/JD Alexander
s/Carey Baker
s/Larcenia J. Bullard
s/Victor D. Crist
s/Charles Dean
s/Alex Diaz de la Portilla
s/Mike Fasano
Rudy Garcia
s/Mike Haridopolos
s/Dennis L. Jones
s/Charlie Justice
s/Alfred "Al" Lawson, Jr.
s/Gwen Margolis
s/Durell Peaden, Jr.
s/Nan H. Rich
s/Burt L. Saunders
s/Ronda Storms
s/Daniel Webster, At Large
s/Stephen R. Wise
s/Jeff Atwater
Vice Chair
s/Dave Aronberg
s/Michael S. "Mike" Bennett
s/Lee Constantine
s/M. Mandy Dawson
s/Ted Deutch
Paula Dockery
s/Don Gaetz
Steven A. Geller, At Large
s/Anthony C. "Tony" Hill, Sr.
s/Arthenia L. Joyner
s/James E. King, Jr., At Large
s/Evelyn J. Lynn
s/Steve Oelrich
s/Bill Posey
s/Jeremy Ring
s/Gary Siplin
J. Alex Villalobos
s/Frederica S. Wilson

Managers on the part of the Senate

s/Ray Sansom
Chair and At Large
s/Kevin C. Ambler
s/Gary Aubuchon
s/Aaron P. Bean
s/Ellyn Setnor Bogdanoff,
At Large
Debbie Boyd
Ronald A. Brisé
s/Dean Cannon
Charles S. "Chuck" Chestnut IV
s/Larry Cretul, At Large
Joyce Cusack, At Large
Chris Dorworth
Keith Fitzgerald
s/Bill Galvano
s/Andy Gardiner
Joseph A. "Joe" Gibbons
s/Hugh H. Gibson III
s/Michael J. Grant
s/Gayle B. Harrell
s/D. Alan Hays
s/Matt Hudson
s/Kurt Kelly
Martin David "Marty" Kiar
Paige Kreegel
s/John Legg
Janet C. Long
Richard A. Machek
s/Charles McBurney
Matthew J. "Matt" Meadows
s/Mitch Needelman
s/Pat Patterson
s/Juan-Carlos "J.C." Planas
s/Stephen L. Precourt
Scott Randolph
Betty Reed
s/Garrett Richter
s/Julio Robaina
Dennis A. Ross
Franklin Sands, At Large
Ron Saunders, At Large
s/Ron Schultz
John P. "Jack" Seiler, At Large
Kelly Skidmore
Priscilla Taylor
s/Nicholas R. "Nick" Thompson
s/Anthony Trey Traviesa
Shelley Vana
s/Will W. Weatherford
s/Juan C. Zapata, At Large
s/Sandra "Sandy" Adams
s/Thad Altman
s/Frank Attkisson
Loranne Ausley
Dorothy Bendross-Mindingall
s/Marsha L. "Marty" Bowen,
At Large
Mary Brandenburg
Susan Bucher
s/Jennifer Carroll
s/Marti Coley
s/Faye B. Culp
s/Carl J. Domino
s/Greg Evers
s/Anitere Flores, At Large
s/Rene Garcia
Dan Gelber, At Large
Audrey Gibson
s/Richard "Rich" Glorioso
Denise Grimsley
s/Adam Hasner, At Large
s/Ed Homan
s/Dorothy L. Hukill
s/Will S. Kendrick
s/Dick Kravitz
Rick Kriseman
s/Marcelo Llorente
s/Carlos Lopez-Cantera
s/Stan Mayfield
s/Seth McKeel
s/Dave Murzin
s/Jimmy T. Patronis, Jr.
s/Joe H. Pickens
s/Ralph Poppell
s/William L. "Bill" Proctor
s/Ron Reagan
Curtis B. Richardson
s/David Rivera, At Large
Yolly Roberson
Maria Lorts Sachs
Anthony P. "Tony" Sasso III
s/Robert C. "Rob" Schenck
Michael J. Scionti
s/David Simmons, At Large
Darren Soto
Geraldine F. "Geri" Thompson
Perry E. Thurston, Jr.
s/Baxter G. Troutman
James W. "Jim" Waldman
Trudi K. Williams

Managers on the part of the House

Conference Committee Amendment (332537)(with title amendment)—Remove everything after the enacting clause and insert

Section 1. Paragraphs (b) and (c) of subsection (2) of section 494.0033, Florida Statutes, are amended to read:

494.0033 Mortgage broker's license.—

(2) Each initial application for a mortgage broker's license must be in the form prescribed by rule of the commission. The commission may require each applicant to provide any information reasonably necessary to make a determination of the applicant's eligibility for licensure. The office shall issue an initial license to any natural person who:

(b) Has passed a written test adopted and administered by the office, or has passed an electronic test adopted and administered by the office or a third party approved by the office, which is designed to determine competency in primary and subordinate mortgage financing transactions as well as to test knowledge of ss. 494.001-494.0077 and the rules adopted pursuant thereto. *The office shall make available an electronic version of the mortgage broker test no later than December 31, 2008. Applicants shall bear the actual cost for the electronic version of the mortgage broker test; however, the applicant's cost of the test may not exceed $75.* ~~The commission may prescribe by rule an additional fee that may not exceed $100 for the electronic version of the mortgage broker test.~~ The commission may waive by rule the examination requirement for any person who has passed a test approved by the Conference of State Bank Supervisors, the American Association of Residential Mortgage Regulators, or the United States Department of Housing and Urban Development if the test covers primary and subordinate mortgage financing transactions. ~~The commission may adopt rules prescribing an additional fee that may not exceed $50 for an applicant to review his or her completed and graded mortgage broker test.~~ The commission may adopt rules regarding the administration of the testing process, including, but not limited to, procedures relating to pretest registration, test security, scoring, content, result notification, retest procedures and fees, postexamination review, and challenge provisions. *Any applicant who wishes to review his or her completed and graded mortgage broker test shall bear only the actual cost of the review; however, the applicant's cost of the review may not exceed $35.*

(c) Has submitted a completed application and a nonrefundable application fee of *$195* ~~$200~~. An application is considered received for purposes of s. 120.60 upon receipt of a completed application form as prescribed by commission rule, a nonrefundable application fee of *$195* ~~$200~~, and any other fee prescribed by law.

The commission may require by rule information concerning any such applicant or person, including, but not limited to, his or her full name and any other names by which he or she may have been known, age, social security number, qualifications and educational and business history, and disciplinary and criminal history.

Section 2. This act shall take effect July 1, 2008.

And the title is amended as follows:

Remove the entire title and insert: A bill to be entitled An act relating to mortgage broker's licenses; amending s. 494.0033, F.S.; revising requirements for mortgage broker license tests; revising fee requirements; requiring applicants to bear certain costs; providing limitations; providing an effective date.

The Conference Committee Report was read and on motion by Senator Alexander was adopted. **HB 5049** passed as recommended and was certified to the House together with the Conference Committee Report. The vote on passage was:

Yeas—40

Mr. President	Crist	Geller
Alexander	Dawson	Haridopolos
Aronberg	Dean	Hill
Atwater	Deutch	Jones
Baker	Diaz de la Portilla	Joyner
Bennett	Dockery	Justice
Bullard	Fasano	King
Carlton	Gaetz	Lawson
Constantine	Garcia	Lynn
Margolis	Ring	Villalobos
Oelrich	Saunders	Webster
Peaden	Siplin	Wilson
Posey	Storms	Wise
Rich		

Nays—None

By direction of the President the following Conference Committee Report was read:

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has accepted the Conference Committee Report as an entirety and passed HB 5051, as amended by the Conference Committee Report and requests concurrence of the Senate.

William S. Pittman III, Chief Clerk

CONFERENCE COMMITTEE REPORT ON HB 5051

The Honorable Ken Pruitt April 29, 2008
President of the Senate

The Honorable Marco Rubio
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on HB 5051, same being:

An act relating to the **Department of Business and Professional Regulation**; revising the amount of the permit fee charged for pugilistic exhibition events;

having met, and after full and free conference, do recommend to their respective houses as follows:

1. That the Senate recede from its Amendment 1.

2. That the Senate and House of Representatives adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

s/Lisa Carlton
Chair
s/JD Alexander
s/Carey Baker
s/Larcenia J. Bullard
s/Victor D. Crist
s/Charles Dean
s/Alex Diaz de la Portilla
s/Mike Fasano
Rudy Garcia
s/Mike Haridopolos
s/Dennis L. Jones
s/Charlie Justice
s/Alfred "Al" Lawson, Jr.
s/Gwen Margolis
s/Durell Peaden, Jr.
s/Nan H. Rich
s/Burt L. Saunders
s/Ronda Storms
s/Daniel Webster, At Large
s/Stephen R. Wise
s/Jeff Atwater
Vice Chair
s/Dave Aronberg
s/Michael S. "Mike" Bennett
s/Lee Constantine
s/M. Mandy Dawson
s/Ted Deutch
Paula Dockery
s/Don Gaetz
Steven A. Geller, At Large
s/Anthony C. "Tony" Hill, Sr.
s/Arthenia L. Joyner
s/James E. King, Jr., At Large
s/Evelyn J. Lynn
s/Steve Oelrich
s/Bill Posey
s/Jeremy Ring
s/Gary Siplin
J. Alex Villalobos
s/Frederica S. Wilson

Managers on the part of the Senate

s/Ray Sansom
Chair and At Large
s/Kevin C. Ambler
s/Gary Aubuchon
s/Aaron P. Bean
s/Ellyn Setnor Bogdanoff,
At Large
Debbie Boyd
Ronald A. Brisé
s/Dean Cannon
Charles S. "Chuck" Chestnut IV
s/Sandra "Sandy" Adams
s/Thad Altman
s/Frank Attkisson
Loranne Ausley
Dorothy Bendross-Mindingall
s/Marsha L. "Marty" Bowen,
At Large
Mary Brandenburg
Susan Bucher
s/Jennifer Carroll
s/Marti Coley

s/Larry Cretul, At Large
Joyce Cusack, At Large
Chris Dorworth
Keith Fitzgerald
s/Bill Galvano
s/Andy Gardiner
Joseph A. "Joe" Gibbons
s/Hugh H. Gibson III
s/Michael J. Grant
s/Gayle B. Harrell
s/D. Alan Hays
s/Matt Hudson
s/Kurt Kelly
Martin David "Marty" Kiar
Paige Kreegel
s/John Legg
Janet C. Long
Richard A. Machek
s/Charles McBurney
Matthew J. "Matt" Meadows
s/Mitch Needelman
s/Pat Patterson
s/Juan-Carlos "J.C." Planas
s/Stephen L. Precourt
Scott Randolph
Betty Reed
s/Garrett Richter
s/Julio Robaina
Dennis A. Ross
Franklin Sands, At Large
Ron Saunders, At Large
s/Ron Schultz
John P. "Jack" Seiler, At Large
Kelly Skidmore
Priscilla Taylor
s/Nicholas R. "Nick" Thompson
s/Anthony Trey Traviesa
Shelley Vana
s/Will W. Weatherford
s/Juan C. Zapata, At Large
s/Faye B. Culp
s/Carl J. Domino
s/Greg Evers
s/Anitere Flores, At Large
s/Rene Garcia
Dan Gelber, At Large
Audrey Gibson
s/Richard "Rich" Glorioso
Denise Grimsley
s/Adam Hasner, At Large
s/Ed Homan
s/Dorothy L. Hukill
s/Will S. Kendrick
s/Dick Kravitz
Rick Kriseman
s/Marcelo Llorente
s/Carlos Lopez-Cantera
s/Stan Mayfield
s/Seth McKeel
s/Dave Murzin
s/Jimmy T. Patronis, Jr.
s/Joe H. Pickens
s/Ralph Poppell
s/William L. "Bill" Proctor
s/Ron Reagan
Curtis B. Richardson
s/David Rivera, At Large
Yolly Roberson
Maria Lorts Sachs
Anthony P. "Tony" Sasso III
s/Robert C. "Rob" Schenck
Michael J. Scionti
s/David Simmons, At Large
Darren Soto
Geraldine F. "Geri" Thompson
Perry E. Thurston, Jr.
s/Baxter G. Troutman
James W. "Jim" Waldman
Trudi K. Williams

Managers on the part of the House

Conference Committee Amendment (229817)(with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Section 548.035, Florida Statutes, is amended to read:

548.035 Permit fees.—

~~(1)~~ The commission shall set permit fees *for professional matches at $1,800 per event.* ~~based on seating capacity of the premises where the program is to be presented as follows:~~

~~(a) If the seating capacity is less than 2,000 persons, the fee shall not exceed $50.~~

~~(b) If the seating capacity is 2,000 persons or more but does not exceed 5,000 persons, the fee shall not exceed $100.~~

~~(c) If the seating capacity exceeds 5,000 persons, the fee shall not exceed $250.~~

~~(2) For mixed martial arts matches, the commission shall require a minimum fee of $5,000 per event.~~ For purposes of this section, an "event" is one or more matches comprising a show.

Section 2. This act shall take effect July 1, 2008.

And the title is amended as follows:

Remove the entire title and insert: A bill to be entitled An act relating to the Department of Business and Professional Regulation; amending s. 548.035, F.S.; revising the amount of the permit fee charged for pugilistic exhibition events; providing an effective date.

The Conference Committee Report was read and on motion by Senator Alexander was adopted. **HB 5051** passed as recommended and was certified to the House together with the Conference Committee Report. The vote on passage was:

Yeas—40

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Aronberg	Gaetz	Posey
Atwater	Garcia	Rich
Baker	Geller	Ring
Bennett	Haridopolos	Saunders
Bullard	Hill	Siplin
Carlton	Jones	Storms
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dawson	King	Wilson
Dean	Lawson	Wise
Deutch	Lynn	
Diaz de la Portilla	Margolis	

Nays—None

By direction of the President the following Conference Committee Report was read:

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has accepted the Conference Committee Report as an entirety and passed CS for HB 5057, as amended by the Conference Committee Report and requests concurrence of the Senate.

William S. Pittman III, Chief Clerk

CONFERENCE COMMITTEE REPORT ON CS for HB 5057

The Honorable Ken Pruitt April 29, 2008
President of the Senate

The Honorable Marco Rubio
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on CS for HB 5057, same being:

An act relating to **Insurance Capital Build-Up Incentive Program**; revising legislative findings; providing for an appropriation of state funds in exchange for surplus notes issued by residential property insurers under the program; revising the conditions and requirements for providing funds to insurers under the program; requiring a commitment by the insurer to meet minimum premium-to-surplus writing ratios for residential property insurance and for taking policies out of Citizens Property Insurance Corporation; requiring insurers to commit to maintaining certain levels of surplus and reinsurance; authorizing the State Board of Administration to charge a fee for late payments; providing for payment of costs and fees incurred by the board in administering the program from funds appropriated to the program, subject to a specified limit; requiring the board to submit an annual report to the Legislature on the program and insurer compliance with certain requirements; providing that amendments made by the act do not affect the terms of surplus notes approved prior to a specified date; authorizing the State Board of Administration and an insurer to renegotiate such terms consistent with such amendments; requiring Citizens Property Insurance Corporation to transfer certain funds to the General Revenue Fund if the combined surplus of certain accounts exceeds $1 billion; requiring the corporation to make certain reasonable estimates of such surplus funds; requiring the board to make quarterly transfers of funds to the corporation under certain circumstances; requiring the corporation to credit certain accounts for funds removed to make certain transfers; prohibiting Citizens Property Insurance Corporation from using certain statutory changes or authorized transfers of funds as justification or cause to seek any rate or assessment increase;

having met, and after full and free conference, do recommend to their respective houses as follows:

1. That the Senate recede from its Amendment 1.

2. That the Senate and House of Representatives adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

s/Lisa Carlton
Chair
s/JD Alexander
s/Carey Baker
s/Larcenia J. Bullard
s/Victor D. Crist
s/Charles Dean
s/Alex Diaz de la Portilla
s/Mike Fasano
Rudy Garcia
s/Mike Haridopolos
s/Dennis L. Jones
s/Charlie Justice
s/Alfred "Al" Lawson, Jr.
s/Gwen Margolis
s/Durell Peaden, Jr.
s/Nan H. Rich
s/Burt L. Saunders
s/Ronda Storms
s/Daniel Webster, At Large
s/Stephen R. Wise

s/Jeff Atwater
Vice Chair
s/Dave Aronberg
s/Michael S. "Mike" Bennett
s/Lee Constantine
s/M. Mandy Dawson
s/Ted Deutch
Paula Dockery
s/Don Gaetz
Steven A. Geller, At Large
s/Anthony C. "Tony" Hill, Sr.
s/Arthenia L. Joyner
s/James E. King, Jr., At Large
s/Evelyn J. Lynn
s/Steve Oelrich
s/Bill Posey
s/Jeremy Ring
s/Gary Siplin
J. Alex Villalobos
s/Frederica S. Wilson

Managers on the part of the Senate

s/Ray Sansom
Chair and At Large
s/Kevin C. Ambler
s/Gary Aubuchon
s/Aaron P. Bean
s/Ellyn Setnor Bogdanoff,
At Large
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Ronald A. Brisé
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Charles S. "Chuck" Chestnut IV
s/Larry Cretul, At Large
Joyce Cusack, At Large
Chris Dorworth
Keith Fitzgerald
s/Bill Galvano
s/Andy Gardiner
Joseph A. "Joe" Gibbons
s/Hugh H. Gibson III
s/Michael J. Grant
s/Gayle B. Harrell
s/D. Alan Hays
s/Matt Hudson
s/Kurt Kelly
Martin David "Marty" Kiar
Paige Kreegel
s/John Legg
Janet C. Long
Richard A. Machek
s/Charles McBurney
Matthew J. "Matt" Meadows
s/Mitch Needelman
s/Pat Patterson
s/Juan-Carlos "J.C." Planas
s/Stephen L. Precourt
Scott Randolph
Betty Reed
s/Garrett Richter
s/Julio Robaina
Dennis A. Ross
Franklin Sands, At Large
Ron Saunders, At Large
s/Ron Schultz
John P. "Jack" Seiler, At Large
Kelly Skidmore
Priscilla Taylor
s/Nicholas R. "Nick" Thompson
s/Anthony Trey Traviesa
Shelley Vana
s/Will W. Weatherford
s/Juan C. Zapata, At Large

s/Sandra "Sandy" Adams
s/Thad Altman
s/Frank Attkisson
Loranne Ausley
Dorothy Bendross-Mindingall
s/Marsha L. "Marty" Bowen,
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Susan Bucher
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s/Marti Coley
s/Faye B. Culp
s/Carl J. Domino
s/Greg Evers
s/Anitere Flores, At Large
s/Rene Garcia
Dan Gelber, At Large
Audrey Gibson
s/Richard "Rich" Glorioso
Denise Grimsley
s/Adam Hasner, At Large
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s/Will S. Kendrick
s/Dick Kravitz
Rick Kriseman
s/Marcelo Llorente
s/Carlos Lopez-Cantera
s/Stan Mayfield
s/Seth McKeel
s/Dave Murzin
s/Jimmy T. Patronis, Jr.
s/Joe H. Pickens
s/Ralph Poppell
s/William L. "Bill" Proctor
s/Ron Reagan
Curtis B. Richardson
s/David Rivera, At Large
Yolly Roberson
Maria Lorts Sachs
Anthony P. "Tony" Sasso III
s/Robert C. "Rob" Schenck
Michael J. Scionti
s/David Simmons, At Large
Darren Soto
Geraldine F. "Geri" Thompson
Perry E. Thurston, Jr.
s/Baxter G. Troutman
James W. "Jim" Waldman
Trudi K. Williams

Managers on the part of the House

Conference Committee Amendment (296355)(with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Section 215.5595, Florida Statutes, is amended to read:

215.5595 Insurance Capital Build-Up Incentive Program.—

(1) Upon entering the *2008* ~~2006~~ hurricane season, the Legislature finds that:

(a) The losses in *this state* ~~Florida~~ from eight hurricanes in 2004 and 2005 have seriously strained the resources of both the voluntary insurance market and the public sector mechanisms of Citizens Property Insurance Corporation and the Florida Hurricane Catastrophe Fund.

~~(b) Private reinsurance is much less available and at a significantly greater cost to residential property insurers as compared to 1 year ago, particularly for amounts below the insurer's retention or retained losses that must be paid before reimbursement is provided by the Florida Hurricane Catastrophe Fund.~~

~~(c) The Office of Insurance Regulation has reported that the insolvency of certain insurers may be imminent.~~

~~(d) Hurricane forecast experts predict that the 2006 hurricane season will be an active hurricane season and that the Atlantic and Gulf Coast regions face an active hurricane cycle of 10 to 20 years or longer.~~

(b)~~(e)~~ *Citizens Property Insurance Corporation has over 1.2 million policies in force and has the largest market share of any insurer writing residential property insurance in this state, and faces the threat of a catastrophic loss that* ~~The number of cancellations or nonrenewals of residential property insurance policies is expected to increase and the number of new residential policies written in the voluntary market are likely to decrease, causing increased policy growth and exposure to the state insurer of last resort, Citizens Property Insurance Corporation, and threatening to increase the deficit of the corporation, currently estimated to be over $1.7 billion. This deficit~~ must be funded by assessments against insurers and policyholders, unless otherwise funded by the state. *The program has a substantial positive effect on the depopulation efforts of Citizens Property Insurance Corporation since companies participating in the program have removed over 199,000 policies from the corporation. Companies participating in the program have issued a significant number of new policies, thereby keeping an estimated 480,000 new policies out of the corporation.*

(c)~~(f)~~ Policyholders are subject to *high* ~~increased~~ premiums and assessments that are increasingly making such coverage unaffordable and that may force policyholders to sell their homes and even leave the state.

(d)~~(g)~~ The increased risk to the public sector and private sector *continues to pose* ~~poses~~ a serious threat to the economy of this state, particularly the building and financing of residential structures, and existing mortgages may be placed in default.

~~(h) The losses from 2004 and 2005, combined with the expectation that the increase in hurricane activity will continue for the foreseeable future, have caused both insurers and reinsurers to limit the capital they are willing to commit to covering the hurricane risk in Florida; attracting new capital to the Florida market is a critical priority; and providing a low-cost source of capital would enable insurers to write additional residential property insurance coverage and act to mitigate premium increases.~~

(e)~~(i)~~ Appropriating state funds to be *exchanged for* ~~used as~~ surplus notes *issued by* ~~for~~ residential property insurers, under conditions requiring the insurer to contribute additional private sector capital and to write a minimum level of premiums for residential hurricane coverage, is a valid and important public purpose.

(f) Extending the program will provide an incentive for investors to commit additional capital to the residential insurance market in this state.

(2) The purpose of this section is to provide *funds in exchange for* surplus notes to *be issued by* new or existing authorized residential property insurers under the Insurance Capital Build-Up Incentive Pro-

gram administered by the State Board of Administration, under the following conditions:

(a) The amount of *state funds provided in exchange for a* ~~the~~ surplus note *to* ~~for~~ any insurer ~~or insurer group~~, other than an insurer writing only manufactured housing policies, may not exceed $25 million or 20 percent of the total amount of funds *appropriated for* ~~available under~~ the program, whichever is greater. The amount of the surplus note for any insurer or insurer group writing residential property insurance covering only manufactured housing may not exceed $7 million.

(b) The insurer must contribute an amount of new capital to its surplus which is at least equal to the amount of the surplus note and must apply to the board by *September 1, 2008* ~~July 1, 2006~~. If an insurer applies after *September 1, 2008* ~~July 1, 2006~~, but before June 1, *2009* ~~2007~~, the amount of the surplus note is limited to one-half of the new capital that the insurer contributes to its surplus, except that an insurer writing only manufactured housing policies is eligible to receive a surplus note of up to $7 million. For purposes of this section, new capital must be in the form of cash or cash equivalents as specified in s. 625.012(1).

(c) The insurer's surplus, new capital, and the surplus note must total at least $50 million, except for insurers writing residential property insurance covering only manufactured housing. The insurer's surplus, new capital, and the surplus note must total at least $14 million for insurers writing only residential property insurance covering manufactured housing policies as provided in paragraph (a).

(d) The insurer must commit to *increase its writings of residential property insurance, including the peril of wind, and to meet* ~~meeting~~ a minimum writing ratio of net written premium to surplus of at least *1:1 for the first calendar year after receiving the state funds or renegotiation of the surplus note, 1.5:1 for the second calendar year, and* 2:1 for the *remaining* term of the surplus note . *Alternatively, the insurer must meet a minimum writing ratio of gross written premium to surplus of at least 3:1 for the first calendar year after receiving the state funds or renegotiation of the surplus note, 4.5:1 for the second calendar year, and 6:1 for the remaining term of the surplus note. The writing ratios*~~, which~~ shall be determined by the Office of Insurance Regulation and certified quarterly to the board. For this purpose, the term "~~net written~~ premium" means ~~net written~~ premium for residential property insurance in *this state* ~~Florida~~, including the peril of wind, and "surplus" *means the new capital and surplus note* ~~refers to the entire surplus~~ of the insurer. *An insurer who makes an initial application after July 1, 2008, must also commit to writing at least 15 percent of its net or gross written premium for new policies, not including renewal premiums, for policies taken out of Citizens Property Insurance Corporation, during each of the first 3 years after receiving the state funds in exchange for the surplus note, which shall be determined by the Office of Insurance Regulation and certified annually to the board. The office may determine that an insurer meets the requirement for taking policies out of the corporation, by written notice to the board, upon a finding that the insurer made offers of coverage to policyholders of the corporation which would have resulted in meeting this requirement had the policyholders accepted the offer. The insurer must also commit to maintaining a level of surplus and reinsurance sufficient to cover in excess of its 1-in-100 years probable maximum loss, as determined by a hurricane loss model accepted by the Florida Commission on Hurricane Loss Projection Methodology, which shall be determined by the Office of Insurance Regulation and certified annually to the board. If the board determines that the insurer has failed to meet any of the requirements of this paragraph* ~~If the required ratio is not maintained~~ during the term of the surplus note, the board may increase the interest rate, accelerate the repayment of interest and principal, or shorten the term of the surplus note, subject to approval by the Commissioner of Insurance of payments by the insurer of principal and interest as provided in paragraph (f).

(e) If the requirements of this section are met, the board may approve an application by an insurer for *funds in exchange for issuance of* a surplus note, unless the board determines that the financial condition of the insurer and its business plan for writing residential property insurance in Florida places an unreasonably high level of financial risk to the state of nonpayment in full of the interest and principal. The board shall consult with the Office of Insurance Regulation and may contract with independent financial and insurance consultants in making this determination.

(f) The surplus note must be repayable to the state with a term of 20 years. The surplus note shall accrue interest on the unpaid principal balance at a rate equivalent to the 10-year U.S. Treasury Bond rate, require the payment only of interest during the first 3 years, and include such other terms as approved by the board. *The board may charge late fees up to 5 percent for late payments or other late remittances.* Payment of principal*,* ~~or~~ interest*, or late fees* by the insurer on the surplus note must be approved by the Commissioner of Insurance, who shall approve such payment unless the commissioner determines that such payment will substantially impair the financial condition of the insurer. If such a determination is made, the commissioner shall approve such payment that will not substantially impair the financial condition of the insurer.

(g) The total amount of funds available for the program is limited to the amount appropriated by the Legislature for this purpose. If the amount of surplus notes requested by insurers exceeds the amount of funds available, the board may prioritize insurers that are eligible and approved, with priority for funding given to insurers writing only manufactured housing policies, regardless of the date of application, based on the financial strength of the insurer, the viability of its proposed business plan for writing additional residential property insurance in the state, and the effect on competition in the residential property insurance market. Between insurers writing residential property insurance covering manufactured housing, priority shall be given to the insurer writing the highest percentage of its policies covering manufactured housing.

~~(h) The board may allocate portions of the funds available for the program and establish dates for insurers to apply for surplus notes from such allocation which are earlier than the dates established in paragraph (b).~~

(h)~~(i)~~ Notwithstanding paragraph (d), a newly formed manufactured housing insurer that is eligible for a surplus note under this section shall meet the premium to surplus ratio provisions of s. 624.4095.

(i)~~(j)~~ As used in this section, " an insurer writing only manufactured housing policies" includes:

1. A Florida domiciled insurer that begins writing personal lines residential manufactured housing policies in Florida after March 1, 2007, and that removes a minimum of 50,000 policies from Citizens Property Insurance Corporation without accepting a bonus, provided at least 25 percent of its policies cover manufactured housing. Such an insurer may count any funds above the minimum capital and surplus requirement that were contributed into the insurer after March 1, 2007, as new capital under this section.

2. A Florida domiciled insurer that writes at least 40 percent of its policies covering manufactured housing in Florida.

(3) As used in this section, the term:

(a) "Board" means the State Board of Administration.

(b) "Program" means the Insurance Capital Build-Up Incentive Program established by this section.

(4) *The state funds provided to the insurer in exchange for the* ~~A~~ surplus note provided to an insurer pursuant to this section *are* ~~is~~ considered *borrowed surplus* ~~an asset~~ of the insurer pursuant to s. *628.401* ~~625.012~~.

(5) If an insurer that receives *funds in exchange for the issuance of* a surplus note pursuant to this section is rendered insolvent, the state is a class 3 creditor pursuant to s. 631.271 for the unpaid principal and interest on the surplus note.

(6) The board shall adopt rules prescribing the procedures, administration, and criteria for approving the *applications of insurers to receive funds in exchange for* issuance of surplus notes pursuant to this section, which may be adopted pursuant to the procedures for emergency rules of chapter 120. Otherwise, actions and determinations by the board pursuant to this section are exempt from chapter 120.

(7) The board shall invest and reinvest the funds appropriated for the program in accordance with s. 215.47 and consistent with board policy.

(8) Costs and fees incurred by the board in administering this program, including fees for investment services, shall be paid from funds

appropriated by the Legislature for this program, but are limited to 1 percent of the amount appropriated.

(9) The board shall submit a report to the President of the Senate and the Speaker of the House of Representatives by February 1 of each year as to the results of the program and each insurer's compliance with the terms of its surplus note.

(10) The amendments to this section enacted in 2008 do not affect the terms or conditions of surplus notes that were approved prior to January 1, 2008. However, the board may renegotiate the terms of any surplus note issued by an insurer prior to January 2008 under this program, upon the agreement of the insurer and the board, consistent with the requirements of this section as amended in 2008.

(11) By December 15, 2008, Citizens Property Insurance Corporation shall transfer $250 million to the General Revenue Fund if the combined surplus of each account as defined in s. 627.351(6) exceeds $1 billion. The board of governors of the corporation shall make a reasonable estimate of such surplus on or after December 1, 2008, and no later than December 14, 2008, using generally accepted actuarial and accounting practices, recognizing that audited financial statements will not yet be available.

(12) Beginning July 1, 2009, the board shall make quarterly transfers of any interest earned prior to the issuance of any surplus notes, interest paid, and principal repaid to the state for any surplus notes issued by the program after December 1, 2008, to Citizens Property Insurance Corporation, provided such surplus notes were funded exclusively by an appropriation to the program by the Legislature for the 2008-2009 fiscal year. The corporation shall credit each account as defined in s. 627.351(6) in a pro rata manner for the funds removed from each account to make the transfer required by subsection (11).

Section 2. *Citizens Property Insurance Corporation may not use any amendments made to s. 215.5595, Florida Statutes, by this act or any transfer of funds authorized by this act as justification or cause in seeking any rate or assessment increase.*

Section 3. This act shall take effect July 1, 2008.

And the title is amended as follows:

Remove the entire title and insert: A bill to be entitled An act relating to the Insurance Capital Build-Up Incentive Program; amending s. 215.5595, F.S.; revising legislative findings; providing for an appropriation of state funds in exchange for surplus notes issued by residential property insurers under the program; revising the conditions and requirements for providing funds to insurers under the program; requiring a commitment by the insurer to meet minimum premium-to-surplus writing ratios for residential property insurance and for taking policies out of Citizens Property Insurance Corporation; requiring insurers to commit to maintaining certain levels of surplus and reinsurance; authorizing the State Board of Administration to charge a fee for late payments; providing for payment of costs and fees incurred by the board in administering the program from funds appropriated to the program, subject to a specified limit; requiring the board to submit an annual report to the Legislature on the program and insurer compliance with certain requirements; providing that amendments made by the act do not affect the terms of surplus notes approved prior to a specified date; authorizing the State Board of Administration and an insurer to renegotiate such terms consistent with such amendments; requiring Citizens Property Insurance Corporation to transfer certain funds to the General Revenue Fund if the combined surplus of certain accounts exceeds $1 billion; requiring the corporation to make certain reasonable estimates of such surplus funds; requiring the board to make quarterly transfers of funds to the corporation under certain circumstances; requiring the corporation to credit certain accounts for funds removed to make certain transfers; prohibiting Citizens Property Insurance Corporation from using certain statutory changes or authorized transfers of funds as justification or cause to seek any rate or assessment increase; providing an effective date.

The Conference Committee Report was read and on motion by Senator Alexander was adopted. **CS for HB 5057** passed as recommended and was certified to the House together with the Conference Committee Report. The vote on passage was:

Yeas—40

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Aronberg	Gaetz	Posey
Atwater	Garcia	Rich
Baker	Geller	Ring
Bennett	Haridopolos	Saunders
Bullard	Hill	Siplin
Carlton	Jones	Storms
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dawson	King	Wilson
Dean	Lawson	Wise
Deutch	Lynn	
Diaz de la Portilla	Margolis	

Nays—None

By direction of the President the following Conference Committee Report was read:

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has accepted the Conference Committee Report as an entirety and passed HB 5059, as amended by the Conference Committee Report and requests concurrence of the Senate.

William S. Pittman III, Chief Clerk

CONFERENCE COMMITTEE REPORT ON HB 5059

The Honorable Ken Pruitt April 29, 2008
President of the Senate

The Honorable Marco Rubio
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on HB 5059, same being:

An act relating to the **Disposition of Traffic Infractions**; requiring that revenue from the surcharge imposed for certain criminal traffic offenses and all noncriminal traffic violations be remitted to the Department of Revenue, deposited quarterly into the State Agency Law Enforcement Radio System Trust Fund of the Department of Management Services, and be used for certain purposes; authorizing the Department of Management Services to retain funds from such revenue to recover certain costs and expenses;

having met, and after full and free conference, do recommend to their respective houses as follows:

1. That the Senate recede from its Amendment 1.

2. That the Senate and House of Representatives adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

s/Lisa Carlton
Chair
s/JD Alexander
s/Carey Baker
s/Larcenia J. Bullard
s/Victor D. Crist
s/Charles Dean
s/Alex Diaz de la Portilla
s/Mike Fasano
Rudy Garcia
s/Mike Haridopolos
s/Dennis L. Jones
s/Charlie Justice
s/Alfred "Al" Lawson, Jr.
s/Gwen Margolis
s/Durell Peaden, Jr.
Nan H. Rich
s/Burt L. Saunders

Jeff Atwater
Vice Chair
s/Dave Aronberg
s/Michael S. "Mike" Bennett
s/Lee Constantine
s/M. Mandy Dawson
s/Ted Deutch
s/Paula Dockery
s/Don Gaetz
Steven A. Geller, At Large
s/Anthony C. "Tony" Hill, Sr.
s/Arthenia L. Joyner
s/James E. King, Jr., At Large
s/Evelyn J. Lynn
s/Steve Oelrich
s/Bill Posey
s/Jeremy Ring
s/Gary Siplin

s/Ronda Storms
Daniel Webster, At Large
s/Stephen R. Wise
J. Alex Villalobos
s/Frederica S. Wilson

Managers on the part of the Senate

s/Ray Sansom
Chair and At Large
s/Kevin C. Ambler
s/Gary Aubuchon
s/Aaron P. Bean
s/Ellyn Setnor Bogdanoff,
At Large
Debbie Boyd
Ronald A. Brisé
s/Dean Cannon
Charles S. "Chuck" Chestnut IV
s/Larry Cretul, At Large
Joyce Cusack, At Large
Chris Dorworth
Keith Fitzgerald
s/Bill Galvano
s/Andy Gardiner
Joseph A. "Joe" Gibbons
s/Hugh H. Gibson III
s/Michael J. Grant
s/Gayle B. Harrell
s/D. Alan Hays
s/Matt Hudson
s/Kurt Kelly
Martin David "Marty" Kiar
Paige Kreegel
s/John Legg
Janet C. Long
Richard A. Machek
s/Charles McBurney
Matthew J. "Matt" Meadows
s/Mitch Needelman
s/Pat Patterson
s/Juan-Carlos "J.C." Planas
s/Stephen L. Precourt
Scott Randolph
Betty Reed
s/Garrett Richter
s/Julio Robaina
Dennis A. Ross
Franklin Sands, At Large
Ron Saunders, At Large
s/Ron Schultz
John P. "Jack" Seiler, At Large
Kelly Skidmore
Priscilla Taylor
s/Nicholas R. "Nick" Thompson
s/Anthony Trey Traviesa
Shelley Vana
s/Will W. Weatherford
s/Juan C. Zapata, At Large
s/Sandra "Sandy" Adams
s/Thad Altman
s/Frank Attkisson
Loranne Ausley
Dorothy Bendross-Mindingall
s/Marsha L. "Marty" Bowen,
At Large
Mary Brandenburg
Susan Bucher
s/Jennifer Carroll
s/Marti Coley
s/Faye B. Culp
s/Carl J. Domino
s/Greg Evers
s/Anitere Flores, At Large
s/Rene Garcia
Dan Gelber, At Large
Audrey Gibson
s/Richard "Rich" Glorioso
Denise Grimsley
s/Adam Hasner, At Large
s/Ed Homan
s/Dorothy L. Hukill
s/Will S. Kendrick
s/Dick Kravitz
Rick Kriseman
s/Marcelo Llorente
s/Carlos Lopez-Cantera
s/Stan Mayfield
s/Seth McKeel
s/Dave Murzin
s/Jimmy T. Patronis, Jr.
s/Joe H. Pickens
s/Ralph Poppell
s/William L. "Bill" Proctor
s/Ron Reagan
Curtis B. Richardson
s/David Rivera, At Large
Yolly Roberson
Maria Lorts Sachs
Anthony P. "Tony" Sasso III
s/Robert C. "Rob" Schenck
Michael J. Scionti
s/David Simmons, At Large
Darren Soto
Geraldine F. "Geri" Thompson
Perry E. Thurston, Jr.
s/Baxter G. Troutman
James W. "Jim" Waldman
Trudi K. Williams

Managers on the part of the House

Conference Committee Amendment (512669)(with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Subsection (17) of section 318.18, Florida Statutes, is amended to read:

318.18 Amount of penalties.—The penalties required for a noncriminal disposition pursuant to s. 318.14 or a criminal offense listed in s. 318.17 are as follows:

(17) In addition to any penalties imposed, a surcharge of $3 must be paid for all criminal offenses listed in s. 318.17 and for all noncriminal moving traffic violations under chapter 316. Revenue from the surcharge shall be remitted to the Department of Revenue and deposited quarterly into the State Agency Law Enforcement Radio System Trust Fund of the Department of Management Services for the state agency law enforcement radio system, as described in s. 282.1095*, and to provide technical assistance to state agencies and local law enforcement agencies with their statewide systems of regional law enforcement communications, as described in s. 282.111*. This subsection expires July 1, 2012. The Department of Management Services may retain funds sufficient to recover the costs and expenses incurred for the purposes of managing, administering, and overseeing the Statewide Law Enforcement Radio System*, and providing technical assistance to state agencies and local law enforcement agencies with their statewide systems of regional law enforcement communications*. The Department of Management Services working in conjunction with the Joint Task Force on State Agency Law Enforcement Communications shall determine and direct the purposes for which these funds are used to enhance and improve the radio system.

Section 2. This act shall take effect July 1, 2008.

And the title is amended as follows:

Remove the entire title and insert: A bill to be entitled An act relating to the disposition of traffic infractions; amending s. 318.18, F.S.; requiring that revenue from the surcharge imposed for certain criminal traffic offenses and all noncriminal traffic violations be remitted to the Department of Revenue, deposited quarterly into the State Agency Law Enforcement Radio System Trust Fund of the Department of Management Services, and be used for certain purposes; authorizing the Department of Management Services to retain funds from such revenue to recover certain costs and expenses; providing an effective date.

The Conference Committee Report was read and on motion by Senator Alexander was adopted. **HB 5059** passed as recommended and was certified to the House together with the Conference Committee Report. The vote on passage was:

Yeas—40

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Aronberg	Gaetz	Posey
Atwater	Garcia	Rich
Baker	Geller	Ring
Bennett	Haridopolos	Saunders
Bullard	Hill	Siplin
Carlton	Jones	Storms
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dawson	King	Wilson
Dean	Lawson	Wise
Deutch	Lynn	
Diaz de la Portilla	Margolis	

Nays—None

By direction of the President the following Conference Committee Report was read:

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has accepted the Conference Committee Report as an entirety and passed HB 5061, as amended by the Conference Committee Report and requests concurrence of the Senate.

William S. Pittman III, Chief Clerk

CONFERENCE COMMITTEE REPORT ON HB 5061

The Honorable Ken Pruitt April 29, 2008
President of the Senate

The Honorable Marco Rubio
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on HB 5061, same being:

An act relating to **Revenue Administration**; authorizing payment of salaries and benefits for certain employees associated with certain schools; specifying requirements of the department and property appraisers for payment of expenses of furnishing photographs and maps; authorizing the department to incur certain expenses

and charge fees equal to such expenses; providing for deposit of such fees into the Certification Program Trust Fund; providing for separate accounts in the fund for certain purposes; providing for department use of such funds for certain expenses; authorizing property appraisers to pay a fee established by the department for aerial photographs and certain maps provided by the department;

having met, and after full and free conference, do recommend to their respective houses as follows:

1. That the Senate recede from its Amendment 1.

2. That the Senate and House of Representatives adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

s/Lisa Carlton
Chair
s/JD Alexander
s/Carey Baker
s/Larcenia J. Bullard
s/Victor D. Crist
Charles Dean
s/Alex Diaz de la Portilla
s/Mike Fasano
Rudy Garcia
s/Mike Haridopolos
s/Dennis L. Jones
s/Charlie Justice
s/Alfred "Al" Lawson, Jr.
Gwen Margolis
s/Durell Peaden, Jr.
s/Nan H. Rich
s/Burt L. Saunders
s/Ronda Storms
s/Daniel Webster, At Large
s/Stephen R. Wise
s/Jeff Atwater
Vice Chair
s/Dave Aronberg
s/Michael S. "Mike" Bennett
s/Lee Constantine
s/M. Mandy Dawson
s/Ted Deutch
Paula Dockery
s/Don Gaetz
Steven A. Geller, At Large
s/Anthony C. "Tony" Hill, Sr.
s/Arthenia L. Joyner
s/James E. King, Jr., At Large
s/Evelyn J. Lynn
s/Steve Oelrich
s/Bill Posey
s/Jeremy Ring
s/Gary Siplin
J. Alex Villalobos
s/Frederica S. Wilson

Managers on the part of the Senate

s/Ray Sansom
Chair and At Large
s/Kevin C. Ambler
s/Gary Aubuchon
s/Aaron P. Bean
s/Ellyn Setnor Bogdanoff,
At Large
Debbie Boyd
Ronald A. Brisé
s/Dean Cannon
Charles S. "Chuck" Chestnut IV
s/Larry Cretul, At Large
Joyce Cusack, At Large
Chris Dorworth
Keith Fitzgerald
s/Bill Galvano
s/Andy Gardiner
Joseph A. "Joe" Gibbons
s/Hugh H. Gibson III
s/Michael J. Grant
s/Gayle B. Harrell
s/D. Alan Hays
s/Matt Hudson
s/Kurt Kelly
Martin David "Marty" Kiar
Paige Kreegel
s/John Legg
Janet C. Long
Richard A. Machek
s/Charles McBurney
Matthew J. "Matt" Meadows
s/Mitch Needelman
s/Pat Patterson
s/Juan-Carlos "J.C." Planas
s/Stephen L. Precourt
Scott Randolph
Betty Reed
s/Garrett Richter
s/Julio Robaina
Dennis A. Ross
s/Sandra "Sandy" Adams
s/Thad Altman
s/Frank Attkisson
Loranne Ausley
Dorothy Bendross-Mindingall
s/Marsha L. "Marty" Bowen,
At Large
Mary Brandenburg
Susan Bucher
s/Jennifer Carroll
s/Marti Coley
s/Faye B. Culp
s/Carl J. Domino
s/Greg Evers
s/Anitere Flores, At Large
s/Rene Garcia
Dan Gelber, At Large
Audrey Gibson
s/Richard "Rich" Glorioso
Denise Grimsley
s/Adam Hasner, At Large
s/Ed Homan
s/Dorothy L. Hukill
s/Will S. Kendrick
s/Dick Kravitz
Rick Kriseman
s/Marcelo Llorente
s/Carlos Lopez-Cantera
s/Stan Mayfield
s/Seth McKeel
s/Dave Murzin
s/Jimmy T. Patronis, Jr.
s/Joe H. Pickens
s/Ralph Poppell
s/William L. "Bill" Proctor
s/Ron Reagan
Curtis B. Richardson
s/David Rivera, At Large
Yolly Roberson
Maria Lorts Sachs
Franklin Sands, At Large
Ron Saunders, At Large
s/Ron Schultz
John P. "Jack" Seiler, At Large
Kelly Skidmore
Priscilla Taylor
s/Nicholas R. "Nick" Thompson
s/Anthony Trey Traviesa
Shelley Vana
s/Will W. Weatherford
s/Juan C. Zapata, At Large
Anthony P. "Tony" Sasso III
s/Robert C. "Rob" Schenck
Michael J. Scionti
s/David Simmons, At Large
Darren Soto
Geraldine F. "Geri" Thompson
Perry E. Thurston, Jr.
s/Baxter G. Troutman
James W. "Jim" Waldman
Trudi K. Williams

Managers on the part of the House

Conference Committee Amendment (799199)(with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Subsection (2) of section 195.002, Florida Statutes, is amended to read:

195.002 Supervision by Department of Revenue.—

(2) In furtherance of its duty to conduct schools to upgrade assessment skills and collection skills, the department may establish by rule committees on admissions and certification. Additionally, the department may incur reasonable expenses for hiring instructors, travel, office operations, certificates of completion, badges or awards, ~~and~~ food service incidental to conducting such schools*, salaries and benefits of department employees whose duties are directly associated with developing and conducting such schools,* and ~~for~~ administering any certification program under s. 145.10 or s. 145.11. The department may charge a tuition fee and an examination fee to any person who attends such a school and may charge a fee to certify or recertify any person under such a program. The department shall deposit such fees into the Certification Program Trust Fund which is created in the State Treasury. There shall be separate school accounts and program accounts in the trust fund for property appraisers and for tax collectors. The department shall use money in the fund to pay such expenses.

Section 2. Section 195.022, Florida Statutes, is amended to read:

195.022 Forms to be prescribed by Department of Revenue.—The Department of Revenue shall prescribe all forms to be used by property appraisers, tax collectors, clerks of the circuit court, and value adjustment boards in administering and collecting ad valorem taxes. The department shall prescribe a form for each purpose. For counties with a population of 100,000 or fewer, the Department of Revenue shall furnish the forms. For counties with a population greater than 100,000, the county officer shall reproduce forms for distribution at the expense of his or her office. A county officer may use a form other than the form prescribed by the department upon obtaining written permission from the executive director of the department; however, no county officer shall use a form the substantive content of which is at variance with the form prescribed by the department for the same or a similar purpose. If the executive director finds good cause to grant such permission he or she may do so. The county officer may continue to use such approved form until the law which specifies the form is amended or repealed or until the officer receives written disapproval from the executive director. Otherwise, all such officers and their employees shall use the forms, and follow the instructions applicable to the forms, which are prescribed by the department. The department, upon request of any property appraiser or, in any event, at least once every 3 years, shall prescribe and furnish such aerial photographs and nonproperty ownership maps to the property appraisers as are necessary to ensure that all real property within the state is properly listed on the roll. *All photographs and maps furnished to counties with a population of 25,000 or fewer shall be paid for by the department as provided by law. For counties with a population greater than 25,000, the department shall furnish such items at the property appraiser's expense. The department may incur reasonable expenses for procuring aerial photographs and nonproperty ownership maps and may charge a fee to the respective property appraiser equal to the cost incurred. The department shall deposit such fees into the Certification Program Trust Fund, created pursuant to s. 195.002. There shall be a separate account in the trust fund for the aid and assistance activity of providing aerial photographs and nonproperty ownership maps to property appraisers. The department shall use money in the fund to pay such expenses.* All forms ~~and maps~~ furnished by the department shall be paid for by the department as provided by law. All forms and maps and

instructions relating to their use shall be substantially uniform throughout the state. An officer may employ supplemental forms and maps, at the expense of his or her office, which he or she deems expedient for the purpose of administering and collecting ad valorem taxes. The forms required in ss. 193.461(3)(a) and 196.011(1) for renewal purposes shall require sufficient information for the property appraiser to evaluate the changes in use since the prior year. If the property appraiser determines, in the case of a taxpayer, that he or she has insufficient current information upon which to approve the exemption, or if the information on the renewal form is inadequate for him or her to evaluate the taxable status of the property, he or she may require the resubmission of an original application.

Section 3. Subsection (4) of section 195.087, Florida Statutes, is amended to read:

195.087 Property appraisers and tax collectors to submit budgets to Department of Revenue.—

(4) The property appraisers and tax collectors of this state are hereby authorized to pay any fee established by the department for attendance by an employee at a school established and conducted by the department pursuant to s. 195.002. Further, the travel and per diem expenses of such employee may be paid as set forth in s. 112.061. *Property appraisers are authorized to pay a fee established by the department for the costs of aerial photographs and nonproperty ownership maps provided by the department pursuant to s. 195.022.*

Section 4. This act shall take effect July 1, 2008.

And the title is amended as follows:

Remove the entire title and insert: A bill to be entitled An act relating to revenue administration; amending s. 195.002, F.S.; authorizing payment of salaries and benefits for certain employees associated with certain schools; amending s. 195.022, F.S.; specifying requirements of the department and property appraisers for payment of expenses of furnishing photographs and maps; authorizing the department to incur certain expenses and charge fees equal to such expenses; providing for deposit of such fees into the Certification Program Trust Fund; providing for separate accounts in the fund for certain purposes; providing for department use of such funds for certain expenses; amending s. 195.087, F.S.; authorizing property appraisers to pay a fee established by the department for aerial photographs and certain maps provided by the department; providing an effective date.

The Conference Committee Report was read and on motion by Senator Alexander was adopted. **HB 5061** passed as recommended and was certified to the House together with the Conference Committee Report. The vote on passage was:

Yeas—40

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Aronberg	Gaetz	Posey
Atwater	Garcia	Rich
Baker	Geller	Ring
Bennett	Haridopolos	Saunders
Bullard	Hill	Siplin
Carlton	Jones	Storms
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dawson	King	Wilson
Dean	Lawson	Wise
Deutch	Lynn	
Diaz de la Portilla	Margolis	

Nays—None

By direction of the President the following Conference Committee Report was read:

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has accepted the Conference Committee Report as an entirety and passed HB 5063, as amended by the Conference Committee Report and requests concurrence of the Senate.

William S. Pittman III, Chief Clerk

CONFERENCE COMMITTEE REPORT ON HB 5063

The Honorable Ken Pruitt April 29, 2008
President of the Senate

The Honorable Marco Rubio
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on HB 5063, same being:

An act relating to **Retirement**; revising the definition of the term "statement value"; clarifying that the term "compensation" for purposes of the benefit retirement program or the Public Employee Optional Retirement program of the Florida Retirement System does not include fees or salary payments made from a faculty practice plan authorized by the Board of Governors of the State University System for clinical faculty at a state university having a faculty practice plan; revising requirements relating to the actuarial study of the system; requiring that a person appointed to a faculty position at a state university having a faculty practice plan participate in the operation retirement program of the State University System rather than the Florida Retirement System; providing definitions; requiring the participating employee in the optional retirement program to execute a contract, not just an annuity contract, with a designated company in order for employee contributions to be forwarded to the company and for interest to accrue; defining the "participant's gross monthly compensation" for purposes of the optional retirement program for the State University System; authorizing certain former participants in the Community College Optional Retirement Program or the State University System Optional retirement Program and present mandatory participants in the Florida Retirement System to receive a specified amount or service credit under certain conditions; revising the payroll contribution rates for the membership classes of the Florida Retirement System for the state fiscal years effective July, 2008, and July 1, 2009; providing a declaration of important state interest;

having met, and after full and free conference, do recommend to their respective houses as follows:

1. That the Senate recede from its Amendment 1.

2. That the Senate and House of Representatives adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

s/Lisa Carlton
Chair
JD Alexander
s/Carey Baker
s/Larcenia J. Bullard
s/Victor D. Crist
s/Charles Dean
s/Alex Diaz de la Portilla
s/Mike Fasano
Rudy Garcia
s/Mike Haridopolos
s/Dennis L. Jones
s/Charlie Justice
s/Alfred "Al" Lawson, Jr.
Gwen Margolis
s/Durell Peaden, Jr.
s/Nan H. Rich
s/Burt L. Saunders
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s/Stephen R. Wise

s/Jeff Atwater
Vice Chair
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Managers on the part of the Senate

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s/Andy Gardiner
Joseph A. "Joe" Gibbons
s/Hugh H. Gibson III
s/Michael J. Grant
s/Gayle B. Harrell
s/D. Alan Hays
s/Matt Hudson
s/Kurt Kelly
Martin David "Marty" Kiar
Paige Kreegel
s/John Legg
Janet C. Long
Richard A. Machek
s/Charles McBurney
Matthew J. "Matt" Meadows
s/Mitch Needelman
s/Pat Patterson
s/Juan-Carlos "J.C." Planas
s/Stephen L. Precourt
Scott Randolph
Betty Reed
s/Garrett Richter
s/Julio Robaina
Dennis A. Ross
Franklin Sands, At Large
Ron Saunders, At Large
s/Ron Schultz
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s/Marcelo Llorente
s/Carlos Lopez-Cantera
s/Stan Mayfield
s/Seth McKeel
s/Dave Murzin
s/Jimmy T. Patronis, Jr.
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s/Ralph Poppell
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s/Robert C. "Rob" Schenck
Michael J. Scionti
s/David Simmons, At Large
Darren Soto
Geraldine F. "Geri" Thompson
Perry E. Thurston, Jr.
s/Baxter G. Troutman
James W. "Jim" Waldman
Trudi K. Williams

Managers on the part of the House

Conference Committee Amendment (011303)(with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Subsection (7) of section 112.625, Florida Statutes, is amended to read:

112.625 Definitions.—As used in this act:

(7) "Statement value" means the value of assets in accordance with s. 302(c)(2) of the Employee Retirement Income Security Act of 1974 and as permitted under regulations prescribed by the Secretary of the Treasury *as amended by Pub. L. No. 100-203, as such sections are in effect on August 16, 2006*. Assets for which a fair market value is not provided shall be excluded from the assets used in the determination of annual funding cost.

Section 2. Paragraph (b) of subsection (22) of section 121.021, Florida Statutes, is amended to read:

121.021 Definitions.—The following words and phrases as used in this chapter have the respective meanings set forth unless a different meaning is plainly required by the context:

(22) "Compensation" means the monthly salary paid a member by his or her employer for work performed arising from that employment.

(b) Under no circumstances shall compensation *for a member participating in the defined benefit retirement program or the Public Employee Optional Retirement Program of the Florida Retirement System* include:

1. Fees paid professional persons for special or particular services or include salary payments made from a faculty practice plan authorized by the Board of Governors of the State University System for eligible clinical faculty at a *college in a* state university *that has* ~~with~~ a faculty practice plan; or

2. Any bonuses or other payments prohibited from inclusion in the member's average final compensation and defined in subsection (47).

Section 3. Paragraph (a) of subsection (3) of section 121.031, Florida Statutes, is amended to read:

121.031 Administration of system; appropriation; oaths; actuarial studies; public records.—

(3) The administrator shall cause an actuarial study of the system to be made at least annually and shall report the results of such study to the Legislature by December 31 prior to the next legislative session. The study shall, at a minimum, conform to the requirements of s. 112.63, with the following exceptions and additions:

(a) The valuation of plan assets shall be based on a 5-year averaging methodology such as that specified in the United States Department of Treasury Regulations, 26 C.F.R. s. 1.412(c)(2)-1 *in effect on August 16, 2006*, or a similar accepted approach designed to attenuate fluctuations in asset values.

Section 4. Paragraph (a) of subsection (1) of section 121.051, Florida Statutes, is amended to read:

121.051 Participation in the system.—

(1) COMPULSORY PARTICIPATION.—

(a) The provisions of this law shall be compulsory as to all officers and employees, except elected officers who meet the requirements of s. 121.052(3), who are employed on or after December 1, 1970, of an employer other than those referred to in paragraph (2)(b), and each officer or employee, as a condition of employment, shall become a member of the system as of his or her date of employment, except that a person who is retired from any state retirement system and is reemployed on or after December 1, 1970, *may* ~~shall~~ not ~~be permitted to~~ renew his or her membership in any state retirement system except as provided in s. 121.091(4)(h) for a person who recovers from disability, and as provided in s. 121.091(9)(b)8. for a person who is elected to public office, and, effective July 1, 1991, as provided in s. 121.122 for all other retirees. Officers and employees of the University Athletic Association, Inc., a nonprofit association connected with the University of Florida, employed on and after July 1, 1979, shall not participate in any state-supported retirement system.

1. Any person appointed on or after July 1, 1989, to a faculty position in a college at the J. Hillis Miller Health Center at the University of Florida or the Medical Center at the University of South Florida which has a faculty practice plan provided by rule adopted by the Board of Regents *may* ~~shall~~ not participate in the Florida Retirement System. *Effective July 1, 2008, any person appointed thereafter to a faculty position, including clinical faculty, in a college at a state university that has a faculty practice plan authorized by the Board of Governors may not participate in the Florida Retirement System.* A faculty member so appointed shall participate in the optional retirement program *for the State University System* ~~on the basis of his or her state-funded compensation,~~ notwithstanding the provisions of s. 121.35(2)(a).

2. For purposes of this subparagraph, the term "faculty position" is defined as a position assigned the principal responsibility of teaching, research, or public service activities or administrative responsibility directly related to the academic mission of the college. The term "clinical faculty" is defined as a faculty position appointment in conjunction with a professional position in a hospital or other clinical environment at a college. The term "faculty practice plan" includes professional services to patients, institutions, or other parties which are rendered by the clinical faculty employed by a college that has a faculty practice plan at a state university authorized by the Board of Governors.

Section 5. Paragraph (a) of subsection (4) of section 121.35, Florida Statutes, is amended, and paragraph (g) is added to that subsection, to read:

121.35 Optional retirement program for the State University System.—

(4) CONTRIBUTIONS.—

(a) Through June 30, 2001, each employer shall contribute on behalf of each participant in the optional retirement program an amount equal to the normal cost portion of the employer retirement contribution which would be required if the participant were a regular member of the Florida Retirement System defined benefit program, plus the portion of the contribution rate required in s. 112.363(8) that would otherwise be assigned to the Retiree Health Insurance Subsidy Trust Fund. Effective July 1, 2001, each employer shall contribute on behalf of each participant in the optional program an amount equal to 10.43 percent of the participant's gross monthly compensation. The department shall deduct an amount approved by the Legislature to provide for the administration of this program. The payment of the contributions to the optional program which is required by this paragraph for each participant shall be made by the employer to the department, which shall forward the contributions to the designated company or companies contracting for payment of benefits for the participant under the program. However, such contributions paid on behalf of an employee described in paragraph (3)(c) shall not be forwarded to a company and shall not begin to accrue interest until the employee has executed *a* ~~an annuity~~ contract and notified the department.

(g) Effective July 1, 2008, for purposes of paragraph (a) and notwithstanding s. 121.021(22)(b)1., the term "participant's gross monthly compensation" includes salary payments made to eligible clinical faculty from a state university using funds provided by a faculty practice plan authorized by the Board of Governors of the State University System if:

1. There is not any employer contribution from the state university to any other retirement program with respect to such salary payments; and

2. The employer contribution on behalf of the participant in the optional retirement program with respect to such salary payments is made using funds provided by the faculty practice plan.

Section 6. Section 121.355, Florida Statutes, is created to read:

121.355 Community College Optional Retirement Program and State University System Optional Retirement Program member transfer.—Effective January 1, 2009, through December 31, 2009, an employee who is a former participant in the Community College Optional Retirement Program or the State University System Optional Retirement Program and present mandatory participant in the Florida Retirement System defined benefit plan may receive service credit equal to his or her years of service under the Community College Optional Retirement Program or the State University System Optional Retirement Program under the following conditions:

(1) The cost for such credit shall be an amount representing the actuarial accrued liability for the affected period of service. The cost shall be calculated using the discount rate and other relevant actuarial assumptions that were used to value the Florida Retirement System defined benefit plan liabilities in the most recent actuarial valuation. The calculation shall include any service already maintained under the defined benefit plan in addition to the years under the Community College Optional Retirement Program or the State University System Optional Retirement Program. The actuarial accrued liability of any service already maintained under the defined benefit plan shall be applied as a credit to total cost resulting from the calculation. The division shall ensure that the transfer sum is prepared using a formula and methodology certified by an enrolled actuary.

(2) The employee must transfer from his or her Community College Optional Retirement Program account or State University System Optional Retirement Program account, subject to the terms of the applicable optional retirement program contract, and from other employee moneys as necessary, a sum representing the actuarial accrued liability immediately following the time of such movement, determined assuming that attained service equals the sum of service in the defined benefit program and service in the Community College Optional Retirement Program or State University System Optional Retirement Program.

(3) The employee may not receive service credit for a period of mandatory participation in the State University Optional Retirement Program or for a period for which a distribution was received from the Community College Optional Retirement Program or State University System Optional Retirement Program.

Section 7. Subsection (3) of section 121.71, Florida Statutes, is amended to read:

121.71 Uniform rates; process; calculations; levy.—

(3) Required employer retirement contribution rates for each membership class and subclass of the Florida Retirement System for both retirement plans are as follows:

Membership Class	Percentage of Gross Compensation, Effective July 1, *2008* ~~2007~~	Percentage of Gross Compensation, Effective July 1, *2009* ~~2008~~
Regular Class	8.69%	*9.60%* ~~9.59%~~
Special Risk Class	19.76%	*22.03%* ~~22.01%~~
Special Risk Administrative Support Class	11.39%	*11.98%* ~~11.90%~~
Elected Officers' Class— Legislators, Governor, Lt. Governor, Cabinet Officers, State Attorneys, Public Defenders	13.32%	*14.56%* ~~14.99%~~
Elected Officers' Class— Justices, Judges	18.40%	*20.37%* ~~20.46%~~
Elected Officers' Class— County Elected Officers	15.37%	*17.06%* ~~17.15%~~
Senior Management Class	11.96%	*13.36%* ~~13.35%~~
DROP	9.80%	*10.96%* ~~10.89%~~

Section 8. *The Legislature finds that a proper and legitimate state purpose is served when employees and retirees of the state and its political subdivisions, and the dependents, survivors, and beneficiaries of such employees and retirees, are extended the basic protections afforded by governmental retirement systems. These persons must be provided benefits that are fair and adequate and that are managed, administered, and funded in an actuarially sound manner, as required by Section 14, Article X of the State Constitution, and part VII of chapter 112, Florida Statutes. Therefore, the Legislature determines and declares that this act fulfills an important state interest.*

Section 9. This act shall take effect July 1, 2008.

And the title is amended as follows:

Remove the entire title and insert: A bill to be entitled An act relating to retirement; amending s. 112.625, F.S.; revising the definition of the term "statement value"; amending s. 121.021, F.S.; clarifying that the term "compensation" for purposes of the benefit retirement program or the Public Employee Optional Retirement Program of the Florida Retirement System does not include fees or salary payments made from a faculty practice plan authorized by the Board of Governors of the State University System for clinical faculty at a state university having a faculty practice plan; amending s. 121.031, F.S.; revising requirements relating to the actuarial study of the system; amending s. 121.051, F.S.; requiring that a person appointed to a faculty position at a state university having a faculty practice plan participate in the optional retirement program of the State University System rather than the Florida Retirement System; providing definitions; amending s. 121.35, F.S.; requiring the participating employee in the optional retirement program to execute a contract, not just an annuity contract, with a designated company in order for employee contributions to be forwarded to the company and for interest to accrue; defining the term "participant's gross monthly compensation" for purposes of the optional retirement program for the State University System; creating s. 121.355, F.S.; authorizing certain former participants in the Community College Optional Retirement Program or the State University System Optional Retirement Program and present mandatory participants in the Florida Retirement System to receive a specified amount of service credit under certain conditions; amending s. 121.71, F.S.; revising the payroll contribution rates for the membership classes of the Florida Retirement System for the state fiscal years effective July 1, 2008, and July 1, 2009; providing a declaration of important state interest; providing an effective date.

The Conference Committee Report was read and on motion by Senator Carlton was adopted. **HB 5063** passed as recommended and was certified to the House together with the Conference Committee Report. The vote on passage was:

Yeas—40

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Aronberg	Gaetz	Posey
Atwater	Garcia	Rich
Baker	Geller	Ring
Bennett	Haridopolos	Saunders
Bullard	Hill	Siplin
Carlton	Jones	Storms
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dawson	King	Wilson
Dean	Lawson	Wise
Deutch	Lynn	
Diaz de la Portilla	Margolis	

Nays—None

By direction of the President the following Conference Committee Report was read:

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has accepted the Conference Committee Report as an entirety and passed HB 5067, as amended by the Conference Committee Report and requests concurrence of the Senate.

William S. Pittman III, Chief Clerk

CONFERENCE COMMITTEE REPORT ON HB 5067

The Honorable Ken Pruitt April 29, 2008
President of the Senate

The Honorable Marco Rubio
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on HB 5067, same being:

An act relating to **State Infrastructure**; removing the DUI Programs Coordination Trust Fund from the list of funds invested by the Chief Financial Officer; reenacting and amending s. 20.24, F.S., relating to the establishment of the Department of Highway Safety and Motor Vehicles pursuant to the provisions of the Florida Government Accountability Act; removing a provision for the Bureau of Motor Vehicle Inspection; removing the DUI Programs Coordination Trust Fund from the list of funds subject to a specified service charge; revising provisions for a surcharge on certain insurance policies; removing a provision directing the proceeds of the surcharge be deposited into the Emergency Management, Preparedness, and Assistance Trust Fund; revising provisions for certain procurement procedures developed by the Department of Community Affairs for eligible local governments under the Florida Small Cities Community Development Block Grant Program; providing that such procurement procedures may not exceed specified federal requirements; conforming a cross-reference to changes made by the act; revising the amount of a penalty for failure to pay specified penalties for certain traffic infractions; providing for distribution of the increased amount collected; defining the term "certificate of title"; authorizing the issuance of electronic motor vehicle titles in lieu of paper motor vehicle titles; authorizing the department to collect and use e-mail addresses of motor vehicle owners and registrants as a notification method; removing a requirement for a motorcycle endorsement at the time of original registration of a motorcycle, motor-driven cycle, or moped; providing for distribution of certain moneys collected relating to registration of motor vehicles and mobile homes; revises uses of certain motorcycle and moped license tax fees; providing for disposition of certain specialty license plate processing fees; amending s. 320.203, F.S., relating to disposition of biennial license tax moneys; conforming provisions to changes made by the act; authorizing the department to collect and use e-mail addresses of motor vehicle owners and registrants as a notification method; defining the term "convenience service" for purposes of transactions with the department; revising the definition of the term "conviction" to provide for application to offenses committed by a person holding a commercial driver's license; revising the definition of the terms "hazardous materials" and "out-of-service order"; revising provisions for funding of certain driver improvement programs; eliminating requirements for motorcycle safety education course reimbursements; removing provisions for issuance of a license valid in Florida only; prohibiting a person from holding more than one driver's license; authorizing use of such licenses until next renewal; revising requirements for application for issuance or renewal of an identification card; revising provisions providing for the expiration of an identification card issued by the department; revising requirements for application for a driver's license; removing a provision requiring the application form to include language permitting a voluntary contribution for the Election Campaign Financing Trust Fund; revising provisions for content of a driver's license; requiring the license to contain the licensee's residence address; removing a requirement that the license contain the licensee's mailing address; authorizing a law enforcement officer or authorized representative of the department to collect a person's fingerprints electronically; revising the requirements for obtaining a replacement license or permit; deleting provisions authorizing the department to issue address stickers; revising provisions providing for the expiration and renewal of driver's licenses; providing for the renewal of certain licenses every 8 years; conforming cross-references; providing for the renewal of licenses using a convenience service; requiring the department to issue new licenses rather than extension stickers; repealing s. 322.181, F.S., relating to a study of effects of aging on driving ability; eliminating the Florida At-Risk Driver Council; revising provisions for a licensee changing address; removing a provision for the licensee to request a change-of-address sticker; conforming cross-references; increasing the service fees for reinstating a suspended or revoked driver's license or commercial motor vehicle license; revising provisions for distribution and use of the funds received; authorizing the department to waive the hearing process for a person whose license has been suspended, cancelled, or revoked; providing exceptions; requiring that DUI programs be administered by the department and paid for by revenues collected by such programs; providing that such revenues be deposited into the Highway Safety Operating Trust Fund; authorizing the use of electronic mail for distribution of vessel titles; authorizing the department to collect and use e-mail addresses of vessel owners and registrants as a notification method; authorizing the department to accept certain applications by electronic or telephonic means; authorizing the department to collect and use e-mail addresses of vessel owners and registrants as a notification method; revising duties of the Department of Transportation; revising certain roadside beautification provisions; providing contract bid requirements for fuel and food on the turnpike system; providing for use of transportation revenues; providing for revised funding levels for Department of Transportation projects; conforming cross-references to changes made by the act; authorizing the Building Code Commission to utilize communications media technology to conduct meetings; conforming a cross-reference;

having met, and after full and free conference, do recommend to their respective houses as follows:

1. That the Senate recede from its Amendment 1.

2. That the Senate and House of Representatives adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

s/Lisa Carlton
Chair
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s/Larcenia J. Bullard
s/Victor D. Crist
s/Charles Dean
s/Alex Diaz de la Portilla
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s/Robert C. "Rob" Schenck
Michael J. Scionti
s/David Simmons, At Large
Darren Soto
Geraldine F. "Geri" Thompson
Perry E. Thurston, Jr.
s/Baxter G. Troutman
James W. "Jim" Waldman
Trudi K. Williams

Managers on the part of the House

Conference Committee Amendment (790847)(with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Paragraph (c) of subsection (3) of section 17.61, Florida Statutes, is amended to read:

17.61 Chief Financial Officer; powers and duties in the investment of certain funds.—

(3)

(c) Except as provided in this paragraph and except for moneys described in paragraph (d), the following agencies shall not invest trust fund moneys as provided in this section, but shall retain such moneys in their respective trust funds for investment, with interest appropriated to the General Revenue Fund, pursuant to s. 17.57:

1. The Agency for Health Care Administration, except for the Tobacco Settlement Trust Fund.

2. The Agency for Persons with Disabilities, except for:

a. The Federal Grants Trust Fund.

b. The Tobacco Settlement Trust Fund.

3. The Department of Children and Family Services, except for:

a. The Alcohol, Drug Abuse, and Mental Health Trust Fund.

b. The Refugee Assistance Trust Fund.

c. The Social Services Block Grant Trust Fund.

d. The Tobacco Settlement Trust Fund.

e. The Working Capital Trust Fund.

4. The Department of Community Affairs, only for the Operating Trust Fund.

5. The Department of Corrections.

6. The Department of Elderly Affairs, except for:

a. The Federal Grants Trust Fund.

b. The Tobacco Settlement Trust Fund.

7. The Department of Health, except for:

a. The Federal Grants Trust Fund.

b. The Grants and Donations Trust Fund.

c. The Maternal and Child Health Block Grant Trust Fund.

d. The Tobacco Settlement Trust Fund.

8. The Department of Highway Safety and Motor Vehicles, only for~~:~~

~~a. The DUI Programs Coordination Trust Fund.~~

~~b.~~ the Security Deposits Trust Fund.

9. The Department of Juvenile Justice.

10. The Department of Law Enforcement.

11. The Department of Legal Affairs.

12. The Department of State, only for:

a. The Grants and Donations Trust Fund.

b. The Records Management Trust Fund.

13. The Executive Office of the Governor, only for:

a. The Economic Development Transportation Trust Fund.

b. The Economic Development Trust Fund.

14. The Florida Public Service Commission, only for the Florida Public Service Regulatory Trust Fund.

15. The Justice Administrative Commission.

16. The state courts system.

Section 2. Section 20.24, Florida Statutes, is reenacted and amended to read:

20.24 Department of Highway Safety and Motor Vehicles.—There is created a Department of Highway Safety and Motor Vehicles.

(1) The head of the Department of Highway Safety and Motor Vehicles is the Governor and Cabinet.

(2) The following divisions, and bureaus within the divisions, of the Department of Highway Safety and Motor Vehicles are established:

(a) Division of the Florida Highway Patrol.

(b) Division of Driver Licenses.

(c) Division of Motor Vehicles.

~~1. Bureau of Motor Vehicle Inspection.~~

Section 3. Paragraphs (m) through (x) of subsection (4) of section 215.20, Florida Statutes, as amended by section 3 of chapter 2007-14, Laws of Florida, are

215.20 Certain income and certain trust funds to contribute to the General Revenue Fund.—

(4) The income of a revenue nature deposited in the following described trust funds, by whatever name designated, is that from which the appropriations authorized by subsection (3) shall be made:

~~(m) Within the Department of Highway Safety and Motor Vehicles, the DUI Programs Coordination Trust Fund.~~

(m)~~(n)~~ Within the Department of Legal Affairs, the Crimes Compensation Trust Fund.

(n)~~(o)~~ Within the Department of Management Services:

1. The Administrative Trust Fund.

2. The Architects Incidental Trust Fund.

3. The Bureau of Aircraft Trust Fund.

4. The Florida Facilities Pool Working Capital Trust Fund.

5. The Grants and Donations Trust Fund.

6. The Police and Firefighters' Premium Tax Trust Fund.

7. The Public Employees Relations Commission Trust Fund.

8. The State Personnel System Trust Fund.

9. The Supervision Trust Fund.

10. The Working Capital Trust Fund.

(o)~~(p)~~ Within the Department of Revenue:

1. The Additional Court Cost Clearing Trust Fund.

2. The Administrative Trust Fund.

3. The Certification Program Trust Fund.

4. The Fuel Tax Collection Trust Fund.

5. The Local Alternative Fuel User Fee Clearing Trust Fund.

6. The Local Option Fuel Tax Trust Fund.

7. The Motor Vehicle Rental Surcharge Clearing Trust Fund.

8. The Motor Vehicle Warranty Trust Fund.

9. The Oil and Gas Tax Trust Fund.

10. The Operations Trust Fund.

11. The Severance Tax Solid Mineral Trust Fund.

12. The State Alternative Fuel User Fee Clearing Trust Fund.

13. All taxes levied on motor fuels other than gasoline levied pursuant to ~~the provisions of~~ s. 206.87(1)(a).

(p)~~(q)~~ Within the Department of State:

1. The Records Management Trust Fund.

2. The trust funds administered by the Division of Historical Resources.

(q)~~(r)~~ Within the Department of Transportation, all income derived from outdoor advertising and overweight violations which is deposited in the State Transportation Trust Fund.

(r)~~(s)~~ Within the Department of Veterans' Affairs:

1. The Grants and Donations Trust Fund.

2. The Operations and Maintenance Trust Fund.

3. The State Homes for Veterans Trust Fund.

(s)~~(t)~~ Within the Division of Administrative Hearings, the Administrative Trust Fund.

(t)~~(u)~~ Within the Fish and Wildlife Conservation Commission:

1. The Conservation and Recreation Lands Program Trust Fund.

2. The Florida Panther Research and Management Trust Fund.

3. The Land Acquisition Trust Fund.

4. The Marine Resources Conservation Trust Fund, with the exception of those fees collected for recreational saltwater fishing licenses as provided in s. 372.57.

(u)~~(v)~~ Within the Florida Public Service Commission, the Florida Public Service Regulatory Trust Fund.

(v)~~(w)~~ Within the Justice Administrative Commission, the Indigent Criminal Defense Trust Fund.

(w)~~(x)~~ Within the Office of Financial Regulation of the Financial Services Commission:

1. The Administrative Trust Fund.

2. The Anti-Fraud Trust Fund.

3. The Financial Institutions' Regulatory Trust Fund.

4. The Regulatory Trust Fund.

The enumeration of the foregoing moneys or trust funds shall not prohibit the applicability thereto of s. 215.24 should the Governor determine that for the reasons mentioned in s. 215.24 the money or trust funds should be exempt herefrom, as it is the purpose of this law to exempt income from its force and effect when, by the operation of this law, federal matching funds or contributions or private grants to any trust fund would be lost to the state.

Section 4. Section 252.372, Florida Statutes, is amended to read:

252.372 Imposition and collection of surcharge.—In order to provide funds for emergency management, preparedness, and assistance, an annual surcharge of $2 per policy shall be imposed on every homeowner's, mobile home owner's, tenant homeowner's, and condominium unit owner's policy, and an annual $4 surcharge shall be imposed on every commercial fire, commercial multiple peril, and business owner's property insurance policy, issued or renewed on or after May 1, 1993. The surcharge shall be paid by the policyholder to the insurer. The insurer shall collect the surcharge and remit it to the Department of Revenue, which shall collect, administer, audit, and enforce the surcharge pursuant to s. 624.5092. The surcharge is not to be considered premiums of the insurer; however, nonpayment of the surcharge by the insured may be a valid reason for cancellation of the policy. For those policies in which the surplus lines tax and the service fee are collected and remitted to the Surplus Lines Service Office, as created under s. 626.921, the surcharge must be remitted to the service office at the same time as the surplus lines tax is remitted. All penalties for failure to remit the surplus lines

tax and service fee are applicable for those surcharges required to be remitted to the service office. The service office shall deposit all surcharges that it collects into the Emergency Management, Preparedness, and Assistance Trust Fund at least monthly. ~~All proceeds of the surcharge shall be deposited in the Emergency Management, Preparedness, and Assistance Trust Fund and may not be used to supplant existing funding.~~

Section 5. Subsection (4) of section 290.047, Florida Statutes, is amended to read:

290.047 Establishment of grant ceilings and maximum administrative cost percentages; elimination of population bias; loans in default.—

(4) The department shall develop by rule grant administration procurement procedures for eligible local governments. *The procedures established in such rule shall not exceed the restrictions or requirements contained in 24 C.F.R. part 85.* ~~These procedures shall include, but not be limited to, the evaluation of an individual or business entity based upon past performance in the administration of community development block grants and based upon the type, number, and geographic distribution of grants to be administered.~~

Section 6. Subsection (2) of section 316.251, Florida Statutes, is amended to read:

316.251 Maximum bumper heights.—

(2) "New motor vehicles" as defined in s. 319.001*(9)*(~~8~~), "antique automobiles" as defined in s. 320.08, "horseless carriages" as defined in s. 320.086, and "street rods" as defined in s. 320.0863 shall be excluded from the requirements of this section.

Section 7. Paragraph (a) of subsection (8) of section 318.18, Florida Statutes, is amended to read:

318.18 Amount of penalties.—The penalties required for a noncriminal disposition pursuant to s. 318.14 or a criminal offense listed in s. 318.17 are as follows:

(8)(a) Any person who fails to comply with the court's requirements or who fails to pay the civil penalties specified in this section within the 30-day period provided for in s. 318.14 must pay an additional civil penalty of *$16* ~~$12~~, $2.50 of which must be remitted to the Department of Revenue for deposit in the General Revenue Fund, and *$13.50* ~~$9.50~~ of which must be remitted to the Department of Revenue for deposit in the Highway Safety Operating Trust Fund. The department shall contract with the Florida Association of Court Clerks, Inc., to design, establish, operate, upgrade, and maintain an automated statewide Uniform Traffic Citation Accounting System to be operated by the clerks of the court which shall include, but not be limited to, the accounting for traffic infractions by type, a record of the disposition of the citations, and an accounting system for the fines assessed and the subsequent fine amounts paid to the clerks of the court. On or before December 1, 2001, the clerks of the court must provide the information required by this chapter to be transmitted to the department by electronic transmission pursuant to the contract.

Section 8. Subsections (1) through (11) of section 319.001, Florida Statutes, are renumbered as subsections (2) through (12), respectively, and a new subsection (1) is added to that section to read:

319.001 Definitions.—As used in this chapter, the term:

(1) "Certificate of title" means the record that is evidence of ownership of a vehicle, whether a paper certificate authorized by the department or a certificate consisting of information that is stored in an electronic form in the department's database.

Section 9. Section 319.40, Florida Statutes, is amended to read:

319.40 Transactions by electronic or telephonic means.—

(1) The department is authorized to accept any application provided for under this chapter by electronic or telephonic means.

(2) The department may issue an electronic certificate of title in lieu of printing a paper title.

(3) The department may collect and use e-mail addresses of motor vehicle owners and registrants as a notification method in lieu of the United States Postal Service.

Section 10. Effective July 1, 2008, subsection (1) of section 320.02, Florida Statutes, as amended by section 28 of chapter 2006-290, Laws of Florida, is amended to read:

320.02 Registration required; application for registration; forms.—

(1) Except as otherwise provided in this chapter, every owner or person in charge of a motor vehicle that is operated or driven on the roads of this state shall register the vehicle in this state. The owner or person in charge shall apply to the department or to its authorized agent for registration of each such vehicle on a form prescribed by the department. ~~Prior to the original registration of a motorcycle, motor-driven cycle, or moped, the owner, if a natural person, must present proof that he or she has a valid motorcycle endorsement as required in chapter 322.~~ A registration is not required for any motor vehicle that is not operated on the roads of this state during the registration period.

Section 11. Paragraph (b) of subsection (3) of section 320.06, Florida Statutes, is amended to read:

320.06 Registration certificates, license plates, and validation stickers generally.—

(3)

(b) An additional fee of 50 cents shall be collected *and deposited into the Highway Safety Operating Trust Fund* on each motor vehicle registration or motor vehicle renewal registration issued in this state in order that all license plates and validation stickers be fully treated with retroreflective material.

Section 12. Effective upon this act becoming a law, paragraph (c) of subsection (1) of section 320.08, Florida Statutes is amended to read:

320.08 License taxes.—Except as otherwise provided herein, there are hereby levied and imposed annual license taxes for the operation of motor vehicles, mopeds, motorized bicycles as defined in s. 316.003(2), and mobile homes, as defined in s. 320.01, which shall be paid to and collected by the department or its agent upon the registration or renewal of registration of the following:

(1) MOTORCYCLES and MOPEDS.—

(c) Upon registration of any motorcycle, motor-driven cycle, or moped there shall be paid in addition to the license taxes specified in this subsection a nonrefundable motorcycle safety education fee in the amount of $2.50. The proceeds of such additional fee shall be deposited in the Highway Safety Operating Trust Fund ~~and be used exclusively~~ to fund a motorcycle driver improvement program implemented pursuant to s. 322.025 or the Florida Motorcycle Safety Education Program established in s. 322.0255 *or the general operations of the department*.

Section 13. Subsection (2) of section 320.0805, Florida Statutes, is amended to read:

320.0805 Personalized prestige license plates.—

(2) Each request for specific numbers or letters or combinations thereof shall be submitted annually to the department on an application form supplied by the department, accompanied by the following tax and fees:

(a) The license tax required for the vehicle, as set forth in s. 320.08.~~;~~

(b) A prestige plate annual use fee of $10.~~; and~~

(c) A processing fee of $2*, to be deposited into the Highway Safety Operating Trust Fund*.

Section 14. Paragraph (b) of subsection (3) of section 320.08056, Florida Statutes, is amended to read:

320.08056 Specialty license plates.—

(3) Each request must be made annually to the department, accompanied by the following tax and fees:

(b) A processing fee of $2*, to be deposited into the Highway Safety Operating Trust Fund*.

A request may be made any time during a registration period. If a request is made for a specialty license plate to replace a current valid license plate, the specialty license plate must be issued with appropriate decals attached at no tax for the plate, but all fees and service charges must be paid. When a request is made for a specialty license plate at the beginning of the registration period, the tax, together with all applicable fees and service charges, must be paid.

Section 15. Subsection (1) of section 320.203, Florida Statutes, is amended to read:

320.203 Disposition of biennial license tax moneys.—

(1) Notwithstanding ss. 320.08(1), (2), (3), (4)(a) or (b), (6), (7), (8), (9), (10), or (11), 320.08058, and 328.76 and pursuant to s. 216.351, after the provisions of s. 320.20(1), (2), (3), ~~and~~ (4)*, and (5)* are fulfilled, an amount equal to 50 percent of revenues collected from the biennial registrations created in s. 320.07 shall be retained in the Motor Vehicle License Clearing Trust Fund, authorized in s. 215.32(2)(b)2.f., until July 1. After July 1 of the subsequent fiscal year, an amount equal to 50 percent of revenues collected from the biennial registrations created in s. 320.07 shall be distributed according to ss. 320.08(1), (2), (3), (4)(a) or (b), (6), (7), (8), (9), (10), or (11), 320.08058, 328.76, and 320.20(1), (2), (3), ~~and~~ (4)*, and (5)*.

Section 16. Section 320.95, Florida Statutes, is amended to read:

320.95 Transactions by electronic or telephonic means.—

(1) The department is authorized to accept any application provided for under this chapter by electronic or telephonic means.

(2) The department may collect and use e-mail addresses of motor vehicle owners and registrants as a notification method in lieu of the United States Postal Service.

Section 17. Subsections (10) through (44) of section 322.01, Florida Statutes, are renumbered as subsections (11) through (45), respectively, present subsections (10), (23), and (29) are amended, and a new subsection (10) is added to that section, to read:

322.01 Definitions.—As used in this chapter:

(10) "Convenience service" means any means whereby an individual conducts a transaction with the department other than in person.

(11)~~(10)~~(a) "Conviction" means a conviction of an offense relating to the operation of motor vehicles on highways which is a violation of this chapter or any other such law of this state or any other state, including an admission or determination of a noncriminal traffic infraction pursuant to s. 318.14, or a judicial disposition of an offense committed under any federal law substantially conforming to the aforesaid state statutory provisions.

(b) Notwithstanding any other provisions of this chapter, the definition of "conviction" provided in 49 C.F.R. part 383.5 applies to offenses committed in a commercial motor vehicle *or by a person holding a commercial driver's license* .

(24)~~(23)~~ "Hazardous materials" *means any material that has been designated as hazardous under 49 U.S.C. s. 5103 and is required to be placarded under subpart F of 49 C.F.R. part 172 or any quantity of a material listed as a select agent or toxin in 42 C.F.R. part 73* ~~has the meaning such term has under s. 103 of the Hazardous Materials Transportation Act~~.

(30)~~(29)~~ "Out-of-service order" means a prohibition issued by an authorized local, state, or Federal Government official which precludes a person from driving a commercial motor vehicle ~~for a period of 72 hours or less~~.

Section 18. Subsection (1) of section 322.025, Florida Statutes, is amended to read:

322.025 Driver improvement.—

(1) The department may implement programs to improve the driving ability of the drivers of this state. Such programs may include, but shall not be limited to, safety awareness campaigns, driver training, and licensing improvement. Motorcycle driver improvement programs implemented pursuant to this section or s. 322.0255 *may* ~~shall~~ be funded by the motorcycle safety education fee collected pursuant to s. 320.08(1)(c), which shall be deposited in the Highway Safety Operating Trust Fund ~~of the department and appropriated for that purpose~~.

Section 19. Effective upon this act becoming a law, subsections (5), (6), (7), and (8) of section 322.0255, Florida Statutes, are amended to read:

322.0255 Florida Motorcycle Safety Education Program.—

~~(5) The department shall, subject to the availability of funds, reimburse each organization that provides an approved motorcycle safety education course for each student who begins the on-cycle portion of the course. This shall include any student not required to attend a motorcycle safety education course prior to licensure as required in s. 322.12. The amount to be reimbursed per student to each course provider shall be determined by the department. In order to facilitate such determination, each course provider shall be required to submit proof satisfactory to the department of the expected cost per student to be incurred by such course provider. In no event shall the amount to be reimbursed per student to any course provider exceed the expected cost per student. In addition to the amount of any reimbursement, each course provider that conducts such a course may charge each student a tuition fee sufficient to defray the cost of conducting the course. The department shall fund the payments required under this subsection from the motorcycle safety education fee, as provided in ss. 320.08 and 322.025.~~

(5)~~(6)~~ Each organization that provides an approved motorcycle safety course may charge a registration fee, not to exceed $20 per student. This fee must be refunded if the student completes the course. However, any student who registers for, and does not complete, the course must forfeit his or her registration fee. Forfeited fees may be retained by the organization that conducts the course.

(6)~~(7)~~ The department may adopt rules to implement this section.

(7)~~(8)~~ On and after January 1, 1989, every first-time applicant for licensure to operate a motorcycle who is under 21 years of age shall be required to complete a motorcycle education course as established pursuant to this section. Proof of completion of such education course shall be presented to the driver license examining office prior to such licensure to operate a motorcycle.

Section 20. Effective October 1, 2008, subsection (1) of section 322.03, Florida Statutes, is amended to read:

322.03 Drivers must be licensed; penalties.—

(1) Except as otherwise authorized in this chapter, a person may not drive any motor vehicle upon a highway in this state unless such person has a valid driver's license under the provisions of this chapter.

(a) A person who drives a commercial motor vehicle shall not receive a driver's license unless and until he or she surrenders to the department all driver's licenses in his or her possession issued to him or her by any other jurisdiction or makes an affidavit that he or she does not possess a driver's license. Any such person who fails to surrender such licenses or who makes a false affidavit concerning such licenses is guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(b) ~~A person who does not drive a commercial motor vehicle is not required to surrender a license issued by another jurisdiction, upon a showing to the department that such license is necessary because of employment or part-time residence. Any person who retains a driver's license because of employment or part-time residence shall, upon qualifying for a license in this state, be issued a driver's license which shall be valid within this state only.~~ All surrendered licenses may be returned by the department to the issuing jurisdiction together with information that the licensee is now licensed in a new jurisdiction or may be destroyed by the department, which shall notify the issuing jurisdiction of such destruction. A person may not have more than one valid ~~Florida~~ driver's license at any time.

(c) Part-time residents issued a license that is valid within this state only pursuant to paragraph (b) as that paragraph existed prior to October

1, 2008, may continue to hold such license until the next regularly scheduled renewal. Licenses that are identified as "Valid in Florida only" may not be issued or renewed effective July 1, 2009. This paragraph expires June 30, 2017.

Section 21. Effective October 1, 2008, subsections (1), (2), and (3) of section 322.051, Florida Statutes, are amended to read:

322.051 Identification cards.—

(1) Any person who is 5 years of age or older, or any person who has a disability, regardless of age, who applies for a disabled parking permit under s. 320.0848, may be issued an identification card by the department upon completion of an application and payment of an application fee.

(a) Each such application shall include the following information regarding the applicant:

1. Full name (first, middle or maiden, and last), gender, *proof of* social security card number *satisfactory to the department*, county of residence*,* ~~and~~ mailing address, *proof of residential address satisfactory to the department,* country of birth, and a brief description.

2. Proof of birth date satisfactory to the department.

3. Proof of identity satisfactory to the department. Such proof must include one of the following documents issued to the applicant:

a. A driver's license record or identification card record from another jurisdiction that required the applicant to submit a document for identification which is substantially similar to a document required under sub-subparagraph b., sub-subparagraph c., sub-subparagraph d., sub-subparagraph e., sub-subparagraph f., ~~or~~ sub-subparagraph g.*, or sub-subparagraph h.*;

b. A certified copy of a United States birth certificate;

c. A *valid, unexpired* United States passport;

d. A naturalization certificate issued by the United States Department of Homeland Security;

e. *A valid, unexpired* ~~An~~ alien registration receipt card (green card);

f. A Consular Report of Birth Abroad provided by the United States Department of State;

g.~~f.~~ An *unexpired* employment authorization card issued by the United States Department of Homeland Security; or

h.~~g.~~ Proof of nonimmigrant classification provided by the United States Department of Homeland Security, for an original identification card. In order to prove such nonimmigrant classification, applicants may produce but are not limited to the following documents:

(I) A notice of hearing from an immigration court scheduling a hearing on any proceeding.

(II) A notice from the Board of Immigration Appeals acknowledging pendency of an appeal.

(III) Notice of the approval of an application for adjustment of status issued by the United States Bureau of Citizenship and Immigration Services.

(IV) Any official documentation confirming the filing of a petition for asylum or refugee status or any other relief issued by the United States Bureau of Citizenship and Immigration Services.

(V) Notice of action transferring any pending matter from another jurisdiction to Florida, issued by the United States Bureau of Citizenship and Immigration Services.

(VI) Order of an immigration judge or immigration officer granting any relief that authorizes the alien to live and work in the United States including, but not limited to asylum.

(VII) Evidence that an application is pending for adjustment of status to that of an alien lawfully admitted for permanent residence in the United States or conditional permanent resident status in the United States, if a visa number is available having a current priority date for processing by the United States Bureau of Citizenship and Immigration Services.

(VIII) On or after January 1, 2010, an unexpired foreign passport with an unexpired United States Visa affixed, accompanied by an approved I-94, documenting the most recent admittance into the United States.

Presentation of any of the documents described in sub-subparagraph *g.* ~~f.~~ or sub-subparagraph *h.* ~~g.~~ entitles the applicant to an identification card for a period not to exceed the expiration date of the document presented or 1 year, whichever first occurs.

(b) An application for an identification card must be signed and verified by the applicant in a format designated by the department before a person authorized to administer oaths *and payment of the applicable fee pursuant to s. 322.21.* ~~The fee for an identification card is $3, including payment for the color photograph or digital image of the applicant.~~

(c) Each such applicant may include fingerprints and any other unique biometric means of identity.

(2)(a) Every identification card*:*

1. Issued to a person 5 years of age to 14 years of age shall expire, unless canceled earlier, on the fourth birthday of the applicant following the date of original issue.

2. Issued to a person 15 years of age and older shall expire, unless canceled earlier, on the eighth birthday of the applicant following the date of original issue.

Renewal of an identification card shall be made for the applicable term enumerated in this paragraph. ~~However, if an individual is 60 years of age or older, and has an identification card issued under this section, the card shall not expire unless done so by cancellation by the department or by the death of the cardholder. Renewal of any identification card shall be made for a term which shall expire on the fourth birthday of the applicant following expiration of the identification card renewed, unless surrendered earlier.~~ Any application for renewal received later than 90 days after expiration of the identification card shall be considered the same as an application for an original identification card. ~~The renewal fee for an identification card shall be $10, of which $4 shall be deposited into the General Revenue Fund and $6 into the Highway Safety Operating Trust Fund. The department shall, at the end of 4 years and 6 months after the issuance or renewal of an identification card, destroy any record of the card if it has expired and has not been renewed, unless the cardholder is 60 years of age or older.~~

(b) Notwithstanding any other provision of this chapter, if an applicant establishes his or her identity for an identification card using a document authorized under sub-subparagraph (1)(a)3.e., the identification card shall expire on the *eighth* ~~fourth~~ birthday of the applicant following the date of original issue or upon first renewal or duplicate issued after implementation of this section. After an initial showing of such documentation, he or she is exempted from having to renew or obtain a duplicate in person.

(c) Notwithstanding any other provisions of this chapter, if an applicant establishes his or her identity for an identification card using an identification document authorized under sub-subparagraph *(1)(a)3.g.* ~~(1)(a)3.f.~~ or sub-subparagraph *(1)(a)3.h.* ~~(1)(a)3.g.~~, the identification card shall expire *1 year* ~~2 years~~ after the date of issuance or upon the expiration date cited on the United States Department of Homeland Security documents, whichever date first occurs, and may not be renewed or obtain a duplicate except in person.

(3) If an identification card issued under this section is lost, destroyed, or mutilated or a new name is acquired, the person to whom it was issued may obtain a duplicate upon furnishing satisfactory proof of such fact to the department and upon payment of *the applicable fee pursuant to s. 322.21* ~~a fee of $10 for such duplicate, $2.50 of which shall be deposited into the General Revenue Fund and $7.50 into the Highway Safety Operating Trust Fund~~. The fee shall include payment for the color photograph or digital image of the applicant. Any person who loses an identification card and who, after obtaining a duplicate, finds the original card shall immediately surrender the original card to the depart-

ment. The same documentary evidence shall be furnished for a duplicate as for an original identification card.

Section 22. Effective October 1, 2008, subsections (1), (2), and (6) of section 322.08, Florida Statutes, are amended to read:

322.08 Application for license.—

(1) Each application for a driver's license shall be made in a format designated by the department and sworn to or affirmed by the applicant as to the truth of the statements made in the application.

(2) Each such application shall include the following information regarding the applicant:

(a) Full name (first, middle or maiden, and last), gender, *proof of* social security card number *satisfactory to the department*, county of residence*,* ~~and~~ mailing address, *proof of residential address satisfactory to the department,* country of birth, and a brief description.

(b) Proof of birth date satisfactory to the department.

(c) Proof of identity satisfactory to the department. Such proof must include one of the following documents issued to the applicant:

1. A driver's license record or identification card record from another jurisdiction that required the applicant to submit a document for identification which is substantially similar to a document required under subparagraph 2., subparagraph 3., subparagraph 4., subparagraph 5., subparagraph 6., ~~or~~ subparagraph 7*., or subparagraph 8.*;

2. A certified copy of a United States birth certificate;

3. A *valid, unexpired* United States passport;

4. A naturalization certificate issued by the United States Department of Homeland Security;

5. *A valid, unexpired* ~~An~~ alien registration receipt card (green card);

6. A Consular Report of Birth Abroad provided by the United States Department of State;

7.~~6.~~ An *unexpired* employment authorization card issued by the United States Department of Homeland Security; or

8.~~7.~~ Proof of nonimmigrant classification provided by the United States Department of Homeland Security, for an original driver's license. In order to prove nonimmigrant classification, an applicant may produce the following documents, including, but not limited to:

a. A notice of hearing from an immigration court scheduling a hearing on any proceeding.

b. A notice from the Board of Immigration Appeals acknowledging pendency of an appeal.

c. A notice of the approval of an application for adjustment of status issued by the United States Bureau of Citizenship and Immigration Services.

d. Any official documentation confirming the filing of a petition for asylum or refugee status or any other relief issued by the United States Bureau of Citizenship and Immigration Services.

e. A notice of action transferring any pending matter from another jurisdiction to this state issued by the United States Bureau of Citizenship and Immigration Services.

f. An order of an immigration judge or immigration officer granting any relief that authorizes the alien to live and work in the United States, including, but not limited to, asylum.

g. Evidence that an application is pending for adjustment of status to that of an alien lawfully admitted for permanent residence in the United States or conditional permanent resident status in the United States, if a visa number is available having a current priority date for processing by the United States Bureau of Citizenship and Immigration Services.

h. On or after January 1, 2010, an unexpired foreign passport with an unexpired United States Visa affixed, accompanied by an approved I-94, documenting the most recent admittance into the United States.

Presentation of any of the documents in subparagraph *7.* ~~6.~~ or subparagraph *8.* ~~7.~~ entitles the applicant to a driver's license or temporary permit for a period not to exceed the expiration date of the document presented or 1 year, whichever occurs first.

(d) Whether the applicant has previously been licensed to drive, and, if so, when and by what state, and whether any such license or driving privilege has ever been disqualified, revoked, or suspended, or whether an application has ever been refused, and, if so, the date of and reason for such disqualification, suspension, revocation, or refusal.

(e) Each such application may include fingerprints and other unique biometric means of identity.

(6) The application form for a driver's license or duplicate thereof shall include language permitting the following:

~~(a) A voluntary contribution of $5 per applicant, which contribution shall be transferred into the Election Campaign Financing Trust Fund.~~

(a)~~(b)~~ A voluntary contribution of $1 per applicant, which contribution shall be deposited into the Florida Organ and Tissue Donor Education and Procurement Trust Fund for organ and tissue donor education and for maintaining the organ and tissue donor registry.

(b)~~(c)~~ A voluntary contribution of $1 per applicant, which contribution shall be distributed to the Florida Council of the Blind.

(c)~~(d)~~ A voluntary contribution of $2 per applicant, which shall be distributed to the Hearing Research Institute, Incorporated.

(d)~~(e)~~ A voluntary contribution of $1 per applicant, which shall be distributed to the Juvenile Diabetes Foundation International.

(e)~~(f)~~ A voluntary contribution of $1 per applicant, which shall be distributed to the Children's Hearing Help Fund.

A statement providing an explanation of the purpose of the trust funds shall also be included. For the purpose of applying the service charge provided in s. 215.20, contributions received under paragraphs *(b), (c), (d), and (e)* ~~(c), (d), (e), and (f)~~ and under s. 322.18(9)(a) are not income of a revenue nature.

Section 23. Effective October 1, 2008, paragraph (a) of subsection (1) of section 322.14, Florida Statutes, is amended to read:

322.14 Licenses issued to drivers.—

(1)(a) The department shall, upon successful completion of all required examinations and payment of the required fee, issue to every applicant qualifying therefor, a driver's license as applied for, which license shall bear thereon a color photograph or digital image of the licensee; the name of the state; a distinguishing number assigned to the licensee; and the licensee's full name, date of birth, and *residence* ~~mailing~~ address; a brief description of the licensee, including, but not limited to, the licensee's gender and height; and the dates of issuance and expiration of the license. A space shall be provided upon which the licensee shall affix his or her usual signature. No license shall be valid until it has been so signed by the licensee except that the signature of said licensee shall not be required if it appears thereon in facsimile or if the licensee is not present within the state at the time of issuance. Applicants qualifying to receive a Class A, Class B, or Class C driver's license must appear in person within the state for issuance of a color photographic or digital imaged driver's license pursuant to s. 322.142.

Section 24. Effective October 1, 2008, section 322.15, Florida Statutes, is amended to read:

322.15 License to be carried and exhibited on demand; fingerprint to be imprinted upon a citation.—

(1) Every licensee shall have his or her driver's license, which must be fully legible with no portion of such license faded, altered, mutilated, or defaced, in his or her immediate possession at all times when operating a motor vehicle and shall display the same upon the demand of a law enforcement officer or an authorized representative of the department.

(2) Upon the failure of any person to display a driver's license as required by subsection (1), the law enforcement officer or authorized representative of the department stopping the person shall require the person to imprint his or her *fingerprints* ~~fingerprint~~ upon any citation issued by the officer or authorized representative*, or the officer or authorized representative shall collect the fingerprints electronically*.

(3) In relation to violations of subsection (1) or s. 322.03(5), persons who cannot supply proof of a valid driver's license for the reason that the license was suspended for failure to comply with that citation shall be issued a suspension clearance by the clerk of the court for that citation upon payment of the applicable penalty and fee for that citation. If proof of a valid driver's license is not provided to the clerk of the court within 30 days, the person's driver's license shall again be suspended for failure to comply.

(4) A violation of subsection (1) is a noncriminal traffic infraction, punishable as a nonmoving violation as provided in chapter 318.

Section 25. Effective October 1, 2008, section 322.17, Florida Statutes, is amended to read:

322.17 *Replacement licenses and permits* ~~Duplicate and replacement certificates.—~~

(1)(a) In the event that an instruction permit or driver's license issued under the provisions of this chapter is lost or destroyed, the person to whom the same was issued may, upon payment of *the appropriate fee pursuant to s. 322.21* ~~$10~~, obtain a *replacement* ~~duplicate, or substitute thereof,~~ upon furnishing proof satisfactory to the department that such permit or license has been lost or destroyed, and further furnishing the full name, date of birth, sex, residence and mailing address, proof of birth satisfactory to the department, and proof of identity satisfactory to the department. ~~Five dollars of the fee levied in this paragraph shall go to the Highway Safety Operating Trust Fund of the department.~~

(b) In the event that an instruction permit or driver's license issued under the provisions of this chapter is stolen, the person to whom the same was issued may, at no charge, obtain a *replacement* ~~duplicate, or substitute thereof,~~ upon furnishing proof satisfactory to the department that such permit or license was stolen and further furnishing the full name, date of birth, sex, residence and mailing address, proof of birth satisfactory to the department, and proof of identity satisfactory to the department.

(2) Upon the surrender of the original license and the payment of *the appropriate fee pursuant to s. 322.21* ~~a $10 replacement fee~~, the department shall issue a replacement license to make a change in name, address, or restrictions. ~~Upon written request by the licensee and notification of a change in address, and the payment of a $10 fee, the department shall issue an address sticker which shall be affixed to the back of the license by the licensee. Nine dollars of the fee levied in this subsection shall go to the Highway Safety Operating Trust Fund of the department.~~

(3) Notwithstanding any other provisions of this chapter, if a licensee establishes his or her identity for a driver's license using an identification document authorized under *s. 322.08(2)(c)7. or 8.* ~~s. 322.08(2)(c)6. or 7.~~ , the licensee may not obtain a duplicate or replacement instruction permit or driver's license except in person and upon submission of an identification document authorized under *s. 322.08(2)(c)7. or 8.* ~~s. 322.08(2)(c)6. or 7.~~

Section 26. Effective October 1, 2008, subsections (2), (4), (5), (8), and (9) of section 322.18, Florida Statutes, are amended to read:

322.18 Original applications, licenses, and renewals; expiration of licenses; delinquent licenses.—

(2) Each applicant who is entitled to the issuance of a driver's license, as provided in this section, shall be issued a driver's license, as follows:

(a) An applicant *who has not attained 80 years of age* applying for an original issuance shall be issued a driver's license *that* ~~which~~ expires at midnight on the licensee's birthday which next occurs on or after the *eighth* ~~sixth~~ anniversary of the date of issue. *An applicant who is at least 80 years of age applying for an original issuance shall be issued a driver's license that expires at midnight on the licensee's birthday that next occurs on or after the sixth anniversary of the date of issue.*

(b) An applicant *who has not attained 80 years of age* applying for a renewal issuance ~~or renewal extension~~ shall be issued a driver's license *that* ~~or renewal extension sticker which~~ expires at midnight on the licensee's birthday *that* ~~which~~ next occurs *8* ~~4~~ years after the month of expiration of the license being renewed . *An applicant who is at least 80 years of age applying for a renewal issuance shall be issued a driver's license that*~~, except that a driver whose driving record reflects no convictions for the preceding 3 years shall be issued a driver's license or renewal extension sticker which~~ expires at midnight on the licensee's birthday *that* ~~which~~ next occurs 6 years after the month of expiration of the license being renewed.

(c) Notwithstanding any other provision of this chapter, if an applicant establishes his or her identity for a driver's license using a document authorized under s. 322.08(2)(c)5., the driver's license shall expire in accordance with paragraph (b). After an initial showing of such documentation, he or she is exempted from having to renew or obtain a duplicate in person.

(d) Notwithstanding any other provision of this chapter, if an applicant establishes his or her identity for a driver's license using a document authorized in s. 322.08(2)(c)*7.*~~6.~~ or *8.*~~7.~~, the driver's license shall expire *1 year* ~~2 years~~ after the date of issuance or upon the expiration date cited on the United States Department of Homeland Security documents, whichever date first occurs.

(e) Notwithstanding any other provision of this chapter, an applicant applying for an original or renewal issuance of a commercial driver's license as defined in s. 322.01(7), with a hazardous-materials endorsement, pursuant to s. 322.57(1)(e), shall be issued a driver's license that expires at midnight on the licensee's birthday that next occurs 4 years after the month of expiration of the license being issued or renewed.

(4)(a) Except as otherwise provided in this chapter, all licenses shall be renewable every *8* 4 years ~~or 6 years, depending upon the terms of issuance~~ and shall be issued or *renewed* ~~extended~~ upon application, payment of the fees required by s. 322.21, and successful passage of any required examination, unless the department has reason to believe that the licensee is no longer qualified to receive a license.

(b) Notwithstanding any other provision of this chapter, if an applicant establishes his or her identity for a driver's license using a document authorized under s. 322.08(2)(c)5., the license, upon an initial showing of such documentation, is exempted from having to renew or obtain a duplicate in person, unless the renewal or duplication coincides with the periodic reexamination of a driver as required pursuant to s. 322.121.

(c) Notwithstanding any other provision of this chapter, if a licensee establishes his or her identity for a driver's license using an identification document authorized under s. 322.08(2)(c)*7.*~~6.~~ or *8.*~~7.~~, the licensee may not renew the driver's license except in person and upon submission of an identification document authorized under s. 322.08(2)(c)*7.*~~6.~~ or *8.*~~7.~~ A driver's license renewed under this paragraph expires *1 year* ~~4 years~~ after the date of issuance or upon the expiration date cited on the United States Department of Homeland Security documents, whichever date first occurs.

(5) All renewal driver's licenses may be issued after the applicant licensee has been determined to be eligible by the department.

(a) A licensee who is otherwise eligible for renewal and who is *at least 80* ~~over 79~~ years of age:

1. Must submit to and pass a vision test administered at any driver's license office; or

2. If the licensee applies for *a renewal using a convenience service* ~~an extension by mail~~ as provided in subsection (8), *he or she* must submit to a vision test administered by a physician licensed under chapter 458 or chapter 459, or an optometrist licensed under chapter 463, must send the results of that test to the department on a form obtained from the department and signed by such health care practitioner, and must meet vision standards that are equivalent to the standards for passing the departmental vision test. The physician or optometrist may submit the results of a vision test by a department-approved electronic means.

(b) A licensee who is *at least 80* ~~over 79~~ years of age may not submit an application for *renewal* ~~extension~~ under subsection (8) by *a conven-*

ience service ~~electronic or telephonic means,~~ unless the results of a vision test have been electronically submitted in advance by the physician or optometrist.

(8) The department shall issue *8-year renewals using a convenience service* ~~4-year and 6-year license extensions by mail, electronic, or telephonic means~~ without reexamination *to drivers who have not attained 80 years of age. The department shall issue 6-year renewals using a convenience service when the applicant has satisfied the requirements of subsection (5).*

(a) If the department determines from its records that the holder of a license about to expire is eligible for renewal, the department shall mail a renewal notice to the licensee at his or her last known address, not less than 30 days prior to the licensee's birthday. The renewal notice shall direct the licensee to appear at a driver license office for in-person renewal or to transmit the completed renewal notice and the fees required by s. 322.21 to the department *using a convenience service* ~~by mail, electronically, or telephonically within the 30 days preceding the licensee's birthday for a license extension~~. ~~License extensions shall not be available to drivers directed to appear for in-person renewal.~~

(b) Upon receipt of a properly completed renewal notice, payment of the required fees, and upon determining that the licensee is still eligible for renewal, the department shall send a *new* license ~~extension sticker~~ to the licensee ~~to affix to the expiring license~~ as evidence that the license term has been extended.

(c) The department shall issue *one renewal using a convenience service* ~~license extensions for two consecutive license expirations only. Upon expiration of two consecutive license extension periods, in-person renewal with reexamination as provided in s. 322.121 shall be required~~ . A person who is out of this state when his or her license expires may be issued a 90-day temporary driving permit without reexamination. At the end of the 90-day period, the person must either return to this state or apply for a license where the person is located, except for a member of the Armed Forces as provided in s. 322.121(6).

~~(d) In-person renewal at a driver license office shall not be available to drivers whose records indicate they were directed to apply for a license extension.~~

(d)~~(e)~~ Any person who knowingly possesses any forged, stolen, fictitious, counterfeit, or unlawfully issued license extension sticker, unless possession by such person has been duly authorized by the department, commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

(e)~~(f)~~ The department shall develop a plan for the equitable distribution of license ~~extensions and~~ renewals and the orderly implementation of this section.

(9)(a) The application form for a renewal issuance ~~or renewal extension~~ shall include language permitting a voluntary contribution of $1 per applicant, to be quarterly distributed by the department to Prevent Blindness Florida, a not-for-profit organization, to prevent blindness and preserve the sight of the residents of this state. A statement providing an explanation of the purpose of the funds shall be included with the application form.

(b) Prior to the department distributing the funds collected pursuant to paragraph (a), Prevent Blindness Florida must submit a report to the department that identifies how such funds were used during the preceding year.

Section 27. *Section 322.181, Florida Statutes, is repealed.*

Section 28. Effective October 1, 2008, subsections (2) and (4) of section 322.19, Florida Statutes, are amended to read:

322.19 Change of address or name.—

(2) Whenever any person, after applying for or receiving a driver's license, changes the residence or mailing address in the application or license, the person must, within 10 calendar days, ~~either~~ obtain a replacement license that reflects the change ~~or request in writing a change-of-address sticker~~. *A* ~~The~~ written request to the department must include the old and new addresses and the driver's license number.

(4) Notwithstanding any other provision of this chapter, if a licensee established his or her identity for a driver's license using an identification document authorized under s. 322.08(2)(c)*7.*~~6.~~ or *8.*~~7.~~, the licensee may not change his or her name or address except in person and upon submission of an identification document authorized under s. 322.08(2)(c)*7.*~~6.~~ or *8.*~~7.~~

Section 29. Effective October 1, 2008, subsection (1) of section 322.21, Florida Statutes, is amended to read:

322.21 License fees; procedure for handling and collecting fees.—

(1) Except as otherwise provided herein, the fee for:

(a) An original or renewal commercial driver's license is *$67* ~~$50~~, which shall include the fee for driver education provided by s. 1003.48; however, if an applicant has completed training and is applying for employment or is currently employed in a public or nonpublic school system that requires the commercial license, the fee shall be the same as for a Class E driver's license. A delinquent fee of $1 shall be added for a renewal made not more than 12 months after the license expiration date.

(b) An original Class E driver's license is *$27* ~~$20~~, which shall include the fee for driver's education provided by s. 1003.48; however, if an applicant has completed training and is applying for employment or is currently employed in a public or nonpublic school system that requires a commercial driver license, the fee shall be the same as for a Class E license.

(c) The renewal or extension of a Class E driver's license or of a license restricted to motorcycle use only is *$20* ~~$15~~, except that a delinquent fee of $1 shall be added for a renewal or extension made not more than 12 months after the license expiration date. The fee provided in this paragraph shall include the fee for driver's education provided by s. 1003.48.

(d) An original driver's license restricted to motorcycle use only is *$27* ~~$20~~, which shall include the fee for driver's education provided by s. 1003.48.

(e) A replacement driver's license issued pursuant to s. 322.17 is $10. Of this amount, $7 shall be deposited into the Highway Safety Operating Trust Fund and $3 shall be deposited into the General Revenue Fund.

(f) An original, renewal, or replacement identification card issued pursuant to s. 322.051 is $10. Funds collected from these fees shall be distributed as follows:

1. For an original identification card issued pursuant to s. 322.051 the fee shall be $10. This amount shall be deposited into the General Revenue Fund.

2. For a renewal identification card issued pursuant to s. 322.051 the fee shall be $10. Of this amount, $6 shall be deposited into the Highway Safety Operating Trust Fund and $4 shall be deposited into the General Revenue Fund.

3. For a replacement identification card issued pursuant to s. 322.051 the fee shall be $10. Of this amount, $9 shall be deposited into the Highway Safety Operating Trust Fund and $1 shall be deposited into the General Revenue Fund.

(g)~~(e)~~ Each endorsement required by s. 322.57 is *$7* ~~$5~~.

(h)~~(f)~~ A hazardous-materials endorsement, as required by s. 322.57(1)(d), shall be set by the department by rule and shall reflect the cost of the required criminal history check, including the cost of the state and federal fingerprint check, and the cost to the department of providing and issuing the license. The fee shall not exceed $100. This fee shall be deposited in the Highway Safety Operating Trust Fund. The department may adopt rules to administer this section.

Section 30. Subsection (2) of section 322.271, Florida Statutes, is amended to read:

322.271 Authority to modify revocation, cancellation, or suspension order.—

(2)~~(a)~~ *At* ~~Upon~~ such hearing, the person whose license has been suspended, canceled, or revoked may show that such suspension, cancellation, or revocation ~~of his or her license~~ causes a serious hardship and precludes the *person from* ~~person's~~ carrying out his or her normal business occupation, trade, or employment and that the use of the person's license in the normal course of his or her business is necessary to the proper support of the person or his or her family.

(a) Except as otherwise provided in this subsection, the department shall require proof of the successful completion of the applicable department-approved driver training course operating pursuant to s. 318.1451 or DUI program substance abuse education course and evaluation as provided in s. 316.193(5). Letters of recommendation from respected business persons in the community, law enforcement officers, or judicial officers may also be required to determine whether such person should be permitted to operate a motor vehicle on a restricted basis for business or employment use only and in determining whether such person can be trusted to ~~so~~ operate a motor vehicle. If a driver's license has been suspended under the point system or pursuant to s. 322.2615, the department shall require proof of enrollment in the applicable department-approved driver training course or licensed DUI program substance abuse education course, including evaluation and treatment, if referred, and may require letters of recommendation described in this *paragraph* ~~subsection~~ to determine if the driver should be reinstated on a restricted basis. If such person fails to complete the approved course within 90 days after reinstatement or subsequently fails to complete treatment, if applicable, the department shall cancel his or her driver's license until the course and treatment~~, if applicable,~~ is successfully completed, notwithstanding the terms of the court order or any suspension or revocation of the driving privilege. The department may temporarily reinstate the driving privilege on a restricted basis upon verification from the DUI program that the offender has reentered and is currently participating in treatment and has completed the DUI education course and evaluation requirement. If the DUI program notifies the department of the second failure to complete treatment, the department shall reinstate the driving privilege only after notice of completion of treatment from the DUI program. The privilege of driving on a limited or restricted basis for business or employment use *may* ~~shall~~ not be granted to a person who has been convicted of a violation of s. 316.193 until completion of the DUI program substance abuse education course and evaluations as provided in s. 316.193(5). Except as provided in paragraph (b), the privilege of driving on a limited or restricted basis for business or employment use *may* ~~shall~~ not be granted to a person whose license is revoked pursuant to s. 322.28 or suspended pursuant to s. 322.2615 and who has been convicted of a violation of s. 316.193 two or more times or whose license has been suspended two or more times for refusal to submit to a test pursuant to s. 322.2615 or former s. 322.261.

(b) The department may waive the hearing process for suspensions and revocations upon request by the driver if the driver has enrolled or completed the applicable driver training course approved pursuant to s. 318.1451 or DUI program substance abuse education course and evaluation provided in s. 316.193(5). However, the department may not waive the hearing for suspensions or revocations that involve death or serious bodily injury, multiple convictions for violations of s. 316.193 pursuant to s. 322.27(5), or a second or subsequent suspension or revocation pursuant to the same provision under this chapter. This does not preclude the department from requiring a hearing for any suspension or revocation that it determines is warranted based on the severity of the offense.

(c)~~(b)~~ A person whose license has been revoked for a period of 5 years or less pursuant to s. 322.28(2)(a) may, ~~upon the expiration of~~ 12 months after the date *the* ~~said~~ revocation was imposed, petition the department for reinstatement of his or her driving privilege on a restricted basis. A person whose license has been revoked for ~~a period of~~ more than 5 years under s. 322.28(2)(a) may, ~~upon the expiration of~~ 24 months after the date the revocation was imposed, petition the department for reinstatement of his or her driving privilege on a restricted basis. Reinstatement ~~of the driving privilege~~ pursuant to this subsection shall be restricted to business or employment purposes only. In addition, the department shall require such persons upon reinstatement to have not driven and to have been drug free for at least 12 months immediately *before* ~~prior to such~~ reinstatement, to be supervised by a DUI program licensed by the department, and to report to the program at least three times a year as required by the program for the duration of the revocation period for supervision. Such supervision *includes* ~~shall include~~ evaluation, education, referral into treatment, and other activities required by the department. Such persons shall assume reasonable costs of supervision. If *the* ~~such~~ person fails to comply with the required supervision, the program shall report the failure to the department~~,~~ and the department shall cancel *the* ~~such~~ person's driving privilege. This paragraph does not apply to any person whose driving privilege has been permanently revoked.

(d)~~(c)~~ For the purpose of this section, a previous conviction of driving under the influence, driving while intoxicated, driving with an unlawful blood-alcohol level, or any other similar alcohol-related or drug-related offense outside this state or a previous conviction of former s. 316.1931, former s. 316.028, or former s. 860.01 *is* ~~shall be~~ considered a previous conviction for violation of s. 316.193.

(e)~~(d)~~ The department, based upon review of the licensee's application for reinstatement, may require *the* use of an ignition interlock device pursuant to s. 322.2715.

Section 31. Section 322.293, Florida Statutes, is amended to read:

322.293 DUI programs ~~Coordination Trust Fund~~; assessment; disposition.—

(1) ~~The~~ DUI programs ~~Coordination Trust Fund~~ shall be administered by the department~~,~~ and the costs of administration shall be borne by *the revenue collections provided in this section* ~~the fund~~. All funds received by the *department* ~~DUI Programs Coordination Trust Fund~~ shall be used ~~solely~~ for the purposes set forth in this *chapter and for the general operation of the department* ~~section and s. 322.292~~. ~~However, if the Legislature passes legislation consolidating existing trust funds assigned to the department, all funds remaining in and deposited to the DUI Programs Coordination Trust Fund shall be transferred to the consolidated trust funds, subject to their being earmarked for use solely for the purposes set forth in this section and s. 322.292.~~

(2) Each DUI program shall assess $12 against each person enrolling in a DUI program at the time of enrollment, including persons who transfer to or from a program in another state. In addition, second and third offenders and those offenders under permanent driver's-license revocation who are evaluated for ~~eligibility for~~ license restrictions under s. *322.271(2)* ~~322.271(2)(b)~~ and (4) shall be assessed $12 upon enrollment in the program and upon each subsequent anniversary date while they are in the program, for the duration of the license period.

(3) All assessments collected under this section shall be *deposited in the Highway Safety Operating* ~~forwarded to the DUI Programs Coordination~~ Trust Fund within 30 days after the last day of the month in which the assessment was received.

Section 32. Section 328.30, Florida Statutes, is amended to read:

328.30 Transactions by electronic or telephonic means.—

(1) The department is authorized to accept any application provided for under this chapter by electronic or telephonic means.

(2) The department may issue an electronic certificate of title in lieu of printing a paper title.

(3) The department may collect and use e-mail addresses of vessel owners and registrants as a notification method in lieu of the United States Postal Service.

Section 33. Section 328.80, Florida Statutes, is amended to read:

328.80 Transactions by electronic or telephonic means.—

(1) The *department* ~~commission~~ is authorized to accept any application provided for under this chapter by electronic or telephonic means.

(2) The department may collect and use e-mail addresses of vessel owners and registrants as a notification method in lieu of the United States Postal Service.

Section 34. Subsection (26) of section 344.044, Florida Statutes, is amended to read:

334.044 Department; powers and duties.—The department shall have the following general powers and duties:

(26) To provide for the conservation of natural roadside growth and scenery and for the implementation and maintenance of roadside beauti-

fication programs, *up to* ~~and no less than~~ 1.5 percent of the amount contracted for construction projects *may* ~~shall~~ be allocated by the department to beautification programs. Except where prohibited by federal law or federal regulation and to the extent practical, a minimum of 50 percent of these funds shall be used to purchase large plant materials with the remaining funds for other plant materials. All such plant materials shall be purchased from Florida-based nurseryman stock on a uniform competitive bid basis. The department will develop grades and standards for landscaping materials purchased through this process. To accomplish these activities, the department may contract with nonprofit organizations having the primary purpose of developing youth employment opportunities.

Section 35. Paragraph (d) is added to subsection (1) of section 338.2216, Florida Statutes, to read:

338.2216 Florida Turnpike Enterprise; powers and authority.—

(1)

(d)1. The Florida Turnpike Enterprise shall not under any circumstances contract with any vendor for the retail sale of fuel along the Florida Turnpike if such contract is negotiated or bid together with any other contract, including, but not limited to, the retail sale of food, maintenance services, or construction, with the exception that any contract for the retail sale of fuel along the Florida Turnpike shall be bid and contracted together with the retail sale of food at any convenience store attached to the fuel station.

2. Except for services provided as defined in s. 287.055(2)(a), all contracts related to service plazas, including, but not limited to, the sale of fuel, the retail sale of food, maintenance services, or construction, awarded by the Florida Turnpike Enterprise shall be procured through individual competitive solicitations and awarded to the most cost-effective responder. This paragraph does not prohibit the award of more than one individual contract to a single vendor if he or she submits the most cost-effective response.

Section 36. Paragraph (a) of subsection (4) of section 339.135, Florida Statutes, is amended to read:

339.135 Work program; legislative budget request; definitions; preparation, adoption, execution, and amendment.—

(4) FUNDING AND DEVELOPING A TENTATIVE WORK PROGRAM.—

(a)1. To assure that no district or county is penalized for local efforts to improve the State Highway System, the department shall, for the purpose of developing a tentative work program, allocate funds for new construction to the districts, except for the turnpike enterprise, based on equal parts of population and motor fuel tax collections. Funds for resurfacing, bridge repair and rehabilitation, bridge fender system construction or repair, public transit projects except public transit block grants as provided in s. 341.052, and other programs with quantitative needs assessments shall be allocated based on the results of these assessments. The department may not transfer any funds allocated to a district under this paragraph to any other district except as provided in subsection (7). Funds for public transit block grants shall be allocated to the districts pursuant to s. 341.052. Funds for the intercity bus program provided for under s. 5311(f) of the federal nonurbanized area formula program shall be administered and allocated directly to eligible bus carriers as defined in s. 341.031(12) at the state level rather than the district. In order to provide state funding to support the intercity bus program provided for under provisions of the federal 5311(f) program, the department shall allocate an amount equal to the federal share of the 5311(f) program from amounts calculated pursuant to s. 206.46(3).

2. Notwithstanding the provisions of subparagraph 1., the department shall allocate at least 50 percent of any new discretionary highway capacity funds to the Florida Strategic Intermodal System created pursuant to s. 339.61. Any remaining new discretionary highway capacity funds shall be allocated to the districts for new construction as provided in subparagraph 1. For the purposes of this subparagraph, the term "new discretionary highway capacity funds" means any funds available to the department above the prior year funding level for capacity improvements, which the department has the discretion to allocate to highway projects.

3. Notwithstanding subparagraph 1. and s. 206.46(3), in fiscal years 2008-2009 through 2012-2013, the department shall reduce work program levels to balance the finance plan to the revised funding levels resulting from any reduction in the funding provided for under s. 201.15.

4. Prior to any project or phase thereof being deferred, such reductions shall be made to financial projects not programmed for contract letting as identified with a work program contract class code 8 and the box code RV. These reductions shall not negatively impact safety, preservation, maintenance, or project contingency levels as of July 1, 2008.

Section 37. Subsection (19) of section 501.976, Florida Statutes, is amended to read:

501.976 Actionable, unfair, or deceptive acts or practices.—It is an unfair or deceptive act or practice, actionable under the Florida Deceptive and Unfair Trade Practices Act, for a dealer to:

(19) Fail to disclose damage to a new motor vehicle, as defined in s. *319.001* ~~319.001(8)~~, of which the dealer had actual knowledge, if the dealer's actual cost of repairs exceeds the threshold amount, excluding replacement items.

In any civil litigation resulting from a violation of this section, when evaluating the reasonableness of an award of attorney's fees to a private person, the trial court shall consider the amount of actual damages in relation to the time spent.

Section 38. Subsection (3) of section 553.75, Florida Statutes, as amended to read:

553.75 Organization of commission; rules and regulations; meetings; staff; fiscal affairs.—

(3) The department shall be responsible for the provision of administrative and staff support services relating to the functions of the commission. With respect to matters within the jurisdiction of the commission, the department shall be responsible for the implementation and faithful discharge of all decisions of the commission made pursuant to its authority under the provisions of this part. *The department is authorized to use communications media technology to conduct any meetings of the commission or meetings held in conjunction therewith.*

Section 39. Subsection (1) of section 765.5215, Florida Statutes, is amended to read:

765.5215 Education program relating to anatomical gifts.—The Agency for Health Care Administration, subject to the concurrence of the Department of Highway Safety and Motor Vehicles, shall develop a continuing program to educate and inform medical professionals, law enforcement agencies and officers, high school children, state and local government employees, and the public regarding the laws of this state relating to anatomical gifts and the need for anatomical gifts.

(1) The program is to be implemented with the assistance of the organ and tissue donor education panel as provided in s. 765.5216 and with the funds collected under ss. 320.08047 and 322.08(6)*(a)*~~(b)~~. Existing community resources, when available, must be used to support the program, and volunteers may assist the program to the maximum extent possible. The Agency for Health Care Administration may contract for the provision of all or any portion of the program. When awarding such contract, the agency shall give priority to existing nonprofit groups that are located within the community, including within the minority communities specified in subsection (2). The program aimed at educating medical professionals may be implemented by contract with one or more medical schools located in the state.

Section 40. Subsection (1) of section 765.5216, Florida Statutes, is amended to read:

765.5216 Organ and tissue donor education panel.—

(1) The Legislature recognizes that there exists in the state a shortage of organ and tissue donors to provide the organs and tissue that could save lives or enhance the quality of life for many Floridians. The Legislature further recognizes the need to encourage the various minority populations of Florida to donate organs and tissue. It is the intent of the Legislature that the funds collected pursuant to ss. 320.08047 and 322.08(6)*(a)*~~(b)~~ be used for educational purposes aimed at increasing the number of organ and tissue donors, thus affording more Floridians who

are awaiting organ or tissue transplants the opportunity for a full and productive life.

Section 41. Except as otherwise expressly provided in this act and except for this section, which shall take effect upon this act becoming a law, this act shall take effect July 1, 2008.

And the title is amended as follows:

Remove the entire title and insert: A bill to be entitled An act relating to state infrastructure; amending s. 17.61, F.S.; removing the DUI Programs Coordination Trust Fund from the list of funds invested by the Chief Financial Officer; reenacting and amending s. 20.24, F.S., relating to the establishment of the Department of Highway Safety and Motor Vehicles pursuant to the provisions of the Florida Government Accountability Act; removing a provision for the Bureau of Motor Vehicle Inspection; amending s. 215.20, F.S.; removing the DUI Programs Coordination Trust Fund from the list of funds subject to a specified service charge; amending s. 252.372, F.S.; revising provisions for a surcharge on certain insurance policies; removing a provision directing the proceeds of the surcharge be deposited into the Emergency Management, Preparedness, and Assistance Trust Fund; amending s. 290.047, F.S.; revising provisions for certain procurement procedures developed by the Department of Community Affairs for eligible local governments under the Florida Small Cities Community Development Block Grant Program; providing that such procurement procedures may not exceed specified federal requirements; amending s. 316.251, F.S.; conforming a cross-reference to changes made by the act; amending s. 318.18, F.S.; revising the amount of a penalty for failure to pay specified penalties for certain traffic infractions; providing for distribution of the increased amount collected; amending s. 319.001, F.S.; defining the term "certificate of title"; amending s. 319.001, F.S.; defining the term "certificate of title"; amending s. 319.40, F.S.; authorizing the issuance of electronic motor vehicle titles in lieu of paper motor vehicle titles; authorizing the department to collect and use e-mail addresses of motor vehicle owners and registrants as a notification method; amending s. 320.02, F.S.; removing a requirement for a motorcycle endorsement at the time of original registration of a motorcycle, motor-driven cycle, or moped; amending s. 320.06, F.S.; providing for distribution of certain moneys collected relating to registration of motor vehicles and mobile homes; amending s. 320.08, F.S.; revises uses of certain motorcycle and moped license tax fees; amending ss. 320.0805 and 320.08056, F.S.; providing for disposition of certain specialty license plate processing fees; amending s. 320.203, F.S., relating to disposition of biennial license tax moneys; conforming provisions to changes made by the act; amending s. 320.95, F.S.; authorizing the department to collect and use e-mail addresses of motor vehicle owners and registrants as a notification method; amending s. 322.01, F.S.; defining the term "convenience service" for purposes of transactions with the department; revising the definition of the term "conviction" to provide for application to offenses committed by a person holding a commercial driver's license; revising the definition of the terms "hazardous materials" and "out-of-service order"; amending s. 322.025, F.S.; revising provisions for funding of certain driver improvement programs; amending s. 322.0255, F.S.; eliminating requirements for motorcycle safety education course reimbursements; amending s. 322.03, F.S.; removing provisions for issuance of a license valid in Florida only; prohibiting a person from holding more than one driver's license; authorizing use of such licenses until next renewal; amending s. 322.051, F.S.; revising requirements for application for issuance or renewal of an identification card; revising provisions providing for the expiration of an identification card issued by the department; amending s. 322.08, F.S.; revising requirements for application for a driver's license; removing a provision requiring the application form to include language permitting a voluntary contribution for the Election Campaign Financing Trust Fund; amending s. 322.14, F.S.; revising provisions for content of a driver's license; requiring the license to contain the licensee's residence address; removing a requirement that the license contain the licensee's mailing address; amending s. 322.15, F.S.; authorizing a law enforcement officer or authorized representative of the department to collect a person's fingerprints electronically; amending s. 322.17, F.S.; revising the requirements for obtaining a replacement license or permit; deleting provisions authorizing the department to issue address stickers; amending s. 322.18, F.S.; revising provisions providing for the expiration and renewal of driver's licenses; providing for the renewal of certain licenses every 8 years; conforming cross-references; providing for the renewal of licenses using a convenience service; requiring the department to issue new licenses rather than extension stickers; repealing s. 322.181, F.S., relating to a study of effects of aging on driving ability; eliminating the Florida At-Risk Driver Council; amending s. 322.19, F.S.; revising provisions for a licensee changing address; removing a provision for the licensee to request a change-of-address sticker; conforming cross-references; amending s. 322.21, F.S.; increasing the service fees for reinstating a suspended or revoked driver's license or commercial motor vehicle license; revising provisions for distribution and use of the funds received; amending s. 322.271, F.S.; authorizing the department to waive the hearing process for a person whose license has been suspended, cancelled, or revoked; providing exceptions; amending s. 322.293, F.S.; requiring that DUI programs be administered by the department and paid for by revenues collected by such programs; providing that such revenues be deposited into the Highway Safety Operating Trust Fund; amending s. 328.30, F.S.; authorizing the use of electronic mail for distribution of vessel titles; authorizing the department to collect and use e-mail addresses of vessel owners and registrants as a notification method; amending s. 328.80, F.S.; authorizing the department to accept certain applications by electronic or telephonic means; authorizing the department to collect and use e-mail addresses of vessel owners and registrants as a notification method; amending s. 334.044, F.S.; revising duties of the Department of Transportation; revising certain roadside beautification provisions; amending s. 338.2216, F.S.; providing contract bid requirements for fuel and food on the turnpike system; amending s. 339.135, F.S.; providing for use of transportation revenues; providing for revised funding levels for Department of Transportation projects; amending s. 501.976, F.S.; conforming cross-references to changes made by the act; amending s. 553.75, F.S.; authorizing the Building Code Commission to utilize communications media technology to conduct meetings; amending ss. 765.5215 and 765.5216, F.S.; conforming a cross-reference; providing effective dates.

The Conference Committee Report was read and on motion by Senator Fasano was adopted. **HB 5067** passed as recommended and was certified to the House together with the Conference Committee Report. The vote on passage was:

Yeas—38

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Wilson
Deutch	Lawson	Wise
Diaz de la Portilla	Lynn	

Nays—1

Webster

Vote after roll call:

Yea—Dawson

By direction of the President the following Conference Committee Report was read:

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has accepted the Conference Committee Report as an entirety and passed HB 5071, as amended by the Conference Committee Report and requests concurrence of the Senate.

William S. Pittman III, Chief Clerk

CONFERENCE COMMITTEE REPORT ON HB 5071

The Honorable Ken Pruitt April 29, 2008
President of the Senate

The Honorable Marco Rubio
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on HB 5071, same being:

An act relating to **Economic Development**; removing a timeframe restriction on the use of proceeds from the Professional Sports Development Trust Fund for operational expenses of the Florida Sports Foundation and financial support of the Sunshine State Games; revising provisions relating to the application and certification process for the Black Business Loan Program; providing requirements concerning distribution of program funding; conforming a cross-reference;

having met, and after full and free conference, do recommend to their respective houses as follows:

1. That the Senate recede from its Amendment 1.

2. That the Senate and House of Representatives adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

s/Lisa Carlton
Chair
s/JD Alexander
s/Carey Baker
s/Larcenia J. Bullard
s/Victor D. Crist
s/Charles Dean
s/Alex Diaz de la Portilla
s/Mike Fasano
Rudy Garcia
s/Mike Haridopolos
s/Dennis L. Jones
s/Charlie Justice
s/Alfred "Al" Lawson, Jr.
s/Gwen Margolis
s/Durell Peaden, Jr.
s/Nan H. Rich
s/Burt L. Saunders
s/Ronda Storms
s/Daniel Webster, At Large
s/Stephen R. Wise
s/Jeff Atwater
Vice Chair
s/Dave Aronberg
s/Michael S. "Mike" Bennett
s/Lee Constantine
s/M. Mandy Dawson
s/Ted Deutch
Paula Dockery
s/Don Gaetz
Steven A. Geller, At Large
s/Anthony C. "Tony" Hill, Sr.
s/Arthenia L. Joyner
s/James E. King, Jr., At Large
s/Evelyn J. Lynn
s/Steve Oelrich
s/Bill Posey
s/Jeremy Ring
s/Gary Siplin
J. Alex Villalobos
s/Frederica S. Wilson

Managers on the part of the Senate

s/Ray Sansom
Chair and At Large
s/Kevin C. Ambler
s/Gary Aubuchon
s/Aaron P. Bean
s/Ellyn Setnor Bogdanoff,
At Large
Debbie Boyd
Ronald A. Brisé
s/Dean Cannon
Charles S. "Chuck" Chestnut IV
s/Larry Cretul, At Large
Joyce Cusack, At Large
Chris Dorworth
Keith Fitzgerald
s/Bill Galvano
s/Andy Gardiner
Joseph A. "Joe" Gibbons
s/Hugh H. Gibson III
s/Michael J. Grant
s/Gayle B. Harrell
s/D. Alan Hays
s/Matt Hudson
s/Kurt Kelly
Martin David "Marty" Kiar
Paige Kreegel
s/John Legg
Janet C. Long
Richard A. Machek
s/Charles McBurney
Matthew J. "Matt" Meadows
s/Mitch Needelman
s/Pat Patterson
s/Juan-Carlos "J.C." Planas
s/Sandra "Sandy" Adams
s/Thad Altman
s/Frank Attkisson
Loranne Ausley
Dorothy Bendross-Mindingall
s/Marsha L. "Marty" Bowen,
At Large
Mary Brandenburg
Susan Bucher
s/Jennifer Carroll
s/Marti Coley
s/Faye B. Culp
s/Carl J. Domino
s/Greg Evers
s/Anitere Flores, At Large
s/Rene Garcia
Dan Gelber, At Large
Audrey Gibson
s/Richard "Rich" Glorioso
Denise Grimsley
s/Adam Hasner, At Large
s/Ed Homan
s/Dorothy L. Hukill
s/Will S. Kendrick
s/Dick Kravitz
Rick Kriseman
s/Marcelo Llorente
s/Carlos Lopez-Cantera
s/Stan Mayfield
s/Seth McKeel
s/Dave Murzin
s/Jimmy T. Patronis, Jr.
s/Joe H. Pickens
s/Ralph Poppell
s/Stephen L. Precourt
Scott Randolph
Betty Reed
s/Garrett Richter
s/Julio Robaina
Dennis A. Ross
Franklin Sands, At Large
Ron Saunders, At Large
s/Ron Schultz
John P. "Jack" Seiler, At Large
Kelly Skidmore
Priscilla Taylor
s/Nicholas R. "Nick" Thompson
s/Anthony Trey Traviesa
Shelley Vana
s/Will W. Weatherford
s/Juan C. Zapata, At Large
s/William L. "Bill" Proctor
s/Ron Reagan
Curtis B. Richardson
s/David Rivera, At Large
Yolly Roberson
Maria Lorts Sachs
Anthony P. "Tony" Sasso III
s/Robert C. "Rob" Schenck
Michael J. Scionti
s/David Simmons, At Large
Darren Soto
Geraldine F. "Geri" Thompson
Perry E. Thurston, Jr.
s/Baxter G. Troutman
James W. "Jim" Waldman
Trudi K. Williams

Managers on the part of the House

Conference Committee Amendment (337579)(with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Paragraph (b) of subsection (9) of section 320.08058, Florida Statutes, is amended to read:

320.08058 Specialty license plates.—

(9) FLORIDA PROFESSIONAL SPORTS TEAM LICENSE PLATES.—

(b) The license plate annual use fees are to be annually distributed as follows:

1. Fifty-five percent of the proceeds from the Florida Professional Sports Team plate must be deposited into the Professional Sports Development Trust Fund within the Office of Tourism, Trade, and Economic Development. These funds must be used solely to attract and support major sports events in this state. As used in this subparagraph, the term "major sports events" means, but is not limited to, championship or all-star contests of Major League Baseball, the National Basketball Association, the National Football League, the National Hockey League, the men's and women's National Collegiate Athletic Association Final Four basketball championship, or a horseracing or dogracing Breeders' Cup. All funds must be used to support and promote major sporting events, and the uses must be approved by the Florida Sports Foundation.

2. The remaining proceeds of the Florida Professional Sports Team license plate must be allocated to the Florida Sports Foundation, a direct-support organization of the Office of Tourism, Trade, and Economic Development. These funds must be deposited into the Professional Sports Development Trust Fund within the Office of Tourism, Trade, and Economic Development. These funds must be used by the Florida Sports Foundation to promote the economic development of the sports industry; to distribute licensing and royalty fees to participating professional sports teams; to promote education programs in Florida schools that provide an awareness of the benefits of physical activity and nutrition standards; to partner with the Department of Education and the Department of Health to develop a program that recognizes schools whose students demonstrate excellent physical fitness or fitness improvement; to institute a grant program for communities bidding on minor sporting events that create an economic impact for the state; to distribute funds to Florida-based charities designated by the Florida Sports Foundation and the participating professional sports teams; and to fulfill the sports promotion responsibilities of the Office of Tourism, Trade, and Economic Development.

3. The Florida Sports Foundation shall provide an annual financial audit in accordance with s. 215.981 of its financial accounts and records by an independent certified public accountant pursuant to the contract established by the Office of Tourism, Trade, and Economic Development as specified in s. 288.1229(5). The auditor shall submit the audit report to the Office of Tourism, Trade, and Economic Development for review and approval. If the audit report is approved, the office shall certify the audit report to the Auditor General for review.

4. ~~For the 2007-2008 fiscal year only and~~ Notwithstanding the provisions of subparagraphs 1. and 2., proceeds from the Professional Sports Development Trust Fund may also be used for operational expenses of

the Florida Sports Foundation and financial support of the Sunshine State Games. ~~This subparagraph expires July 1, 2008.~~

Section 2. Section 288.7102, Florida Statutes, is amended to read:

288.7102 Black Business Loan Program.—

(1) The Black Business Loan Program is established in the Office of Tourism, Trade, and Economic Development. Under the program, the office shall annually certify eligible recipients and subsequently disburse funds appropriated by the Legislature, through such eligible recipients, to black business enterprises that cannot obtain capital through conventional lending institutions but that could otherwise compete successfully in the private sector.

(2)~~(1)~~ The office shall establish *an* ~~a uniform, open, and competitive~~ application and annual certification process for *entities seeking* ~~eligible recipients who seek~~ funds to *participate in providing* ~~provide~~ loans, loan guarantees, or investments in black business enterprises pursuant to the Florida Black Business Investment Act. The board shall receive the applications and make recommendations for certification to the office. *The office shall processes all applications and recertifications submitted by July 1 on or before September 30.*

(3) If the Black Business Loan Program is appropriated any funding in a fiscal year, the office shall distribute an equal amount of the appropriation, calculated as the total annual appropriation divided by the total number of program recipients certified on or before September 30 of that fiscal year.

~~(2) The office, in consultation with the board, shall develop an allocation policy to ensure that services provided under ss. 288.707-288.714 for the benefit of black business enterprises are disbursed equitably throughout the state. The board shall facilitate the formation of black business investment corporations in communities that are not served by such corporations.~~

(4)~~(3)~~ To be eligible to receive funds and provide loans, loan guarantees, or investments under this section, a recipient must:

(a) Be a corporation registered in the state.

(b) Demonstrate that its board of directors includes citizens of the state experienced in the development of black business enterprises.

(c) Demonstrate that the recipient has a business plan that allows the recipient to operate in a manner consistent with ss. 288.707-288.714 and the rules of the office.

(d) Demonstrate that the recipient has the technical skills to analyze and evaluate applications by black business enterprises for loans, loan guarantees, or investments.

(e) Demonstrate that the recipient has established viable partnerships with public and private funding sources, economic development agencies, and workforce development and job referral networks.

(f) Demonstrate that the recipient can provide a private match equal to 20 percent of the amount of funds provided by the office.

(g) Agree to maintain the recipient's books and records relating to funds received by the office according to generally accepted accounting principles and in accordance with the requirements of s. 215.97(7) and to make those books and records available to the office for inspection upon reasonable notice.

(5)~~(4)~~ The board shall annually recommend to the office certification of each eligible recipient, who must meet the provisions of ss. 288.707-288.714, the terms of the contract between the recipient and the office, and any other applicable state or federal laws. An entity may not receive funds under ss. 288.707-288.714 unless the entity meets annual certification requirements.

(6)~~(5)~~ Upon approval by the office and prior to release of the funds as provided in this section, the office shall issue a letter certifying the applicant as qualified for an award. The office and the applicant shall enter into an agreement that sets forth the conditions for award of the funds. The agreement must include the total amount of funds awarded; the performance conditions that must be met once the funding has been awarded, including, but not limited to, compliance with all of the requirements of this section for eligible recipients of funds under this section; and sanctions for failure to meet performance conditions, including any provisions to recover awards.

(7)~~(6)~~(a) The office, in consultation with the board, shall adopt rules pursuant to ss. 120.536(1) and 120.54 to implement this section.

(b) The board shall adopt policies and procedures necessary to implement this section.

(8)~~(7)~~ A black business investment corporation certified by the office as an eligible recipient under this section is authorized to use funds appropriated for the Black Business Loan Program in any of the following forms:

(a) Purchases of stock, preferred or common, voting or nonvoting; however, no more than 40 percent of the funds may be used for direct investments in black business enterprises;

(b) Loans or loan guarantees, with or without recourse, in either a subordinated or priority position; or

(c) Technical support to black business enterprises, not to exceed 7 percent of the funds received, and direct administrative costs, not to exceed 10 percent of the funds received.

(9)~~(8)~~ It is the intent of the Legislature that if any one type of investment mechanism authorized in subsection *(8)* ~~(7)~~ is held to be invalid, all other valid mechanisms remain available.

(10)~~(9)~~ All loans, loan guarantees, and investments, and any income related thereto, shall be used to carry out the public purpose of ss. 288.707-288.714, which is to develop black business enterprises. This subsection does not preclude a reasonable profit for the participating black business investment corporation or for return of equity developed to the state and participating financial institutions upon any distribution of the assets or excess income of the investment corporation.

Section 3. Subsection (2) of section 288.7094, Florida Statutes, is amended to read:

288.7094 Black business investment corporations.—

(2) A black business investment corporation that meets the requirements of s. 288.7102*(4)*~~(3)~~ is eligible to participate in the Black Business Loan Program and shall receive priority consideration by the Office of Tourism, Trade, and Economic Development for participation in the program.

Section 4. This act shall take effect July 1, 2008.

And the title is amended as follows:

Remove the entire title and insert: A bill to be entitled An act relating to economic development; amending s. 320.08058, F.S.; removing a timeframe restriction on the use of proceeds from the Professional Sports Development Trust Fund for operational expenses of the Florida Sports Foundation and financial support of the Sunshine State Games; amending s. 288.7102, F.S.; revising provisions relating to the application and certification process for the Black Business Loan Program; providing requirements concerning distribution of program funding; amending s. 288.7094, F.S.; conforming a cross-reference; providing an effective date.

The Conference Committee Report was read and on motion by Senator Fasano was adopted. **HB 5071** passed as recommended and was certified to the House together with the Conference Committee Report. The vote on passage was:

Yeas—40

Mr. President	Carlton	Dockery
Alexander	Constantine	Fasano
Aronberg	Crist	Gaetz
Atwater	Dawson	Garcia
Baker	Dean	Geller
Bennett	Deutch	Haridopolos
Bullard	Diaz de la Portilla	Hill

Jones
Joyner
Justice
King
Lawson
Lynn
Margolis
Oelrich
Peaden
Posey
Rich
Ring
Saunders
Siplin
Storms
Villalobos
Webster
Wilson
Wise

Nays—None

By direction of the President the following Conference Committee Report was read:

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has accepted the Conference Committee Report as an entirety and passed HB 5073, as amended by the Conference Committee Report and requests concurrence of the Senate.

William S. Pittman III, Chief Clerk

CONFERENCE COMMITTEE REPORT ON HB 5073

The Honorable Ken Pruitt April 29, 2008
President of the Senate

The Honorable Marco Rubio
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on HB 5073, same being:

An act relating to the **Department of State**; eliminating the fee charged by the department for searching of papers or record s; eliminating the requirement for the establishment of regional offices for th e purpose of assisting the department in the delivery of historic preservation services; eliminating reference to contracting with the University of West Florida as a regional office serving a specified area, to conform; repealing s. 267 .174, F.S., relating to the Discovery of Florida Quincentennial Commemoration Commission;

having met, and after full and free conference, do recommend to their respective houses as follows:

1. That the Senate recede from its Amendment 1.

2. That the Senate and House of Representatives adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

s/Lisa Carlton
Chair
JD Alexander
s/Carey Baker
s/Larcenia J. Bullard
s/Victor D. Crist
s/Charles Dean
s/Alex Diaz de la Portilla
s/Mike Fasano
Rudy Garcia
s/Mike Haridopolos
s/Dennis L. Jones
s/Charlie Justice
s/Alfred "Al" Lawson, Jr.
s/Gwen Margolis
s/Durell Peaden, Jr.
s/Nan H. Rich
s/Burt L. Saunders
s/Ronda Storms
s/Daniel Webster, At Large
s/Stephen R. Wise

s/Jeff Atwater
Vice Chair
Dave Aronberg
s/Michael S. "Mike" Bennett
s/Lee Constantine
s/M. Mandy Dawson
s/Ted Deutch
Paula Dockery
s/Don Gaetz
Steven A. Geller, At Large
s/Anthony C. "Tony" Hill, Sr.
s/Arthenia L. Joyner
s/James E. King, Jr., At Large
s/Evelyn J. Lynn
s/Steve Oelrich
s/Bill Posey
s/Jeremy Ring
s/Gary Siplin
J. Alex Villalobos
s/Frederica S. Wilson

Managers on the part of the Senate

s/Ray Sansom
Chair and At Large
s/Kevin C. Ambler
s/Gary Aubuchon
s/Aaron P. Bean
s/Ellyn Setnor Bogdanoff,
At Large
Debbie Boyd
Ronald A. Brisé
s/Dean Cannon
Charles S. "Chuck" Chestnut IV
s/Larry Cretul, At Large
Joyce Cusack, At Large
Chris Dorworth
Keith Fitzgerald
s/Bill Galvano
s/Andy Gardiner
Joseph A. "Joe" Gibbons
s/Hugh H. Gibson III
s/Michael J. Grant
s/Gayle B. Harrell
s/D. Alan Hays
s/Matt Hudson
s/Kurt Kelly
Martin David "Marty" Kiar
Paige Kreegel
s/John Legg
Janet C. Long
Richard A. Machek
s/Charles McBurney
Matthew J. "Matt" Meadows
s/Mitch Needelman
s/Pat Patterson
s/Juan-Carlos "J.C." Planas
s/Stephen L. Precourt
Scott Randolph
Betty Reed
s/Garrett Richter
s/Julio Robaina
Dennis A. Ross
Franklin Sands, At Large
Ron Saunders, At Large
s/Ron Schultz
John P. "Jack" Seiler, At Large
Kelly Skidmore
Priscilla Taylor
s/Nicholas R. "Nick" Thompson
s/Anthony Trey Traviesa
Shelley Vana
s/Will W. Weatherford
s/Juan C. Zapata, At Large
Dorothy Bendross-Mindingall
s/Marsha L. "Marty" Bowen,
At Large
Mary Brandenburg
Susan Bucher
s/Jennifer Carroll
s/Marti Coley
s/Faye B. Culp
s/Carl J. Domino
s/Greg Evers
s/Anitere Flores, At Large
s/Rene Garcia
Dan Gelber, At Large
Audrey Gibson
s/Richard "Rich" Glorioso
Denise Grimsley
s/Adam Hasner, At Large
s/Ed Homan
s/Dorothy L. Hukill
s/Will S. Kendrick
s/Dick Kravitz
Rick Kriseman
s/Marcelo Llorente
s/Carlos Lopez-Cantera
s/Stan Mayfield
s/Seth McKeel
s/Dave Murzin
s/Jimmy T. Patronis, Jr.
s/Joe H. Pickens
s/Ralph Poppell
s/William L. "Bill" Proctor
s/Ron Reagan
Curtis B. Richardson
s/David Rivera, At Large
Yolly Roberson
Maria Lorts Sachs
Anthony P. "Tony" Sasso III
s/Robert C. "Rob" Schenck
Michael J. Scionti
s/David Simmons, At Large
Darren Soto
Geraldine F. "Geri" Thompson
Perry E. Thurston, Jr.
s/Baxter G. Troutman
James W. "Jim" Waldman
Trudi K. Williams

Managers on the part of the House

Conference Committee Amendment (458525)(with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Subsection (1) of section 15.09, Florida Statutes, is amended to read:

15.09 Fees.—

(1) The fees, except as provided by law, to be collected by the Department of State, are:

~~(a) For searching of papers or records, $3.50, except that there shall be no charge for telephone requests for general corporate information, including the corporation's status, names of officers and directors, address of principal place of business, and name and address of resident agent.~~

(a)~~(b)~~ For providing a certificate with seal, $8.75; however, no fee shall be charged for providing a certificate with seal to any officer appointed to an office requiring Senate confirmation.

(b)~~(c)~~ For furnishing statistical information and for copying any document not mentioned, $1 per page or fraction thereof.

Section 2. Paragraph (m) of subsection (5) of section 267.031, Florida Statutes, is amended, and paragraphs (n) through (p) of that subsection are redesignated as paragraphs (m) through (o), respectively, to read:

267.031 Division of Historical Resources; powers and duties.—

(5) It is the responsibility of the division to:

~~(m) Establish regional offices for the purpose of assisting the division in the delivery of historic preservation services to the counties and municipalities of the state and to the citizens of the State of Florida. Historic preservation regional offices shall be established in at least three areas of the state which the division deems appropriate. For each regional office established, the division shall establish a citizen advisory board to provide assistance, advice, and recommendations to the regional office. The members of each citizen advisory board shall be appointed by the Secretary of State.~~

Section 3. Subsection (5) of section 267.173, Florida Statutes, is amended, and subsections (6) through (8) of that section are renumbered as subsections (5) through (7), respectively, to read:

267.173 Historic preservation in West Florida; goals; contracts for historic preservation; powers and duties.—

~~(5) The Division of Historical Resources in the Department of State may contract with the University of West Florida to serve as the regional office for the West Florida region of the state from the Apalachicola River to the western boundaries of the state. In lieu of the establishment of a citizen advisory board as required by s. 267.031(5)(m), the University of West Florida may use an existing direct-support organization of the university provided that the membership of the direct-support organization is representative of the area of the state to be served and provides the needed expertise in the area of historic preservation.~~

Section 4. *Section 267.174, Florida Statutes, is repealed.*

Section 5. This act shall take effect July 1, 2008.

And the title is amended as follows:

Remove the entire title and insert: A bill to be entitled An act relating to the Department of State; amending s. 15.09, F.S.; eliminating the fee charged by the department for searching of papers or records; amending s. 267.031, F.S.; eliminating the requirement for the establishment of regional offices for the purpose of assisting the department in the delivery of historic preservation services; amending s. 267.173, F.S.; eliminating reference to contracting with the University of West Florida as a regional office serving a specified area, to conform; repealing s. 267.174, F.S., relating to the Discovery of Florida Quincentennial Commemoration Commission; providing an effective date.

The Conference Committee Report was read and on motion by Senator Fasano was adopted. **HB 5073** passed as recommended and was certified to the House together with the Conference Committee Report. The vote on passage was:

Yeas—40

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Aronberg	Gaetz	Posey
Atwater	Garcia	Rich
Baker	Geller	Ring
Bennett	Haridopolos	Saunders
Bullard	Hill	Siplin
Carlton	Jones	Storms
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dawson	King	Wilson
Dean	Lawson	Wise
Deutch	Lynn	
Diaz de la Portilla	Margolis	

Nays—None

By direction of the President the following Conference Committee Report was read:

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has accepted the Conference Committee Report as an entirety and passed HB 5083, as amended by the Conference Committee Report and requests concurrence of the Senate.

William S. Pittman III, Chief Clerk

CONFERENCE COMMITTEE REPORT ON HB 5083

The Honorable Ken Pruitt April 29, 2008
President of the Senate

The Honorable Marco Rubio
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on HB 5083, same being:

An act relating to **Education**; deleting salary supplements for National Board for Professional Teaching Standards certification from the definition of "compensation" under the Florida Retirement System; revising provisions relating to norm-referenced tests for purposes of the Corporate Income Tax Credit Scholarship Program; amending provisions relating to regional consortium service organizations; authorizing the Department of Education to appropriate a lesser amount of an incentive grant per school district and eligible member for a specified fiscal year; providing for the future expiration of such provisions; excluding charter school Merit Award Program funds from the calculation of school district administrative fees; revising provisions relating to implementation of maximum class size requirements; deleting certain dual enrollment funding provisions; deleting norm-referenced test requirements under the statewide assessment program; revising provisions relating to the calculation of full-time equivalent membership for dual enrollment instruction; decreasing the value of full-time equivalent membership calculated for students enrolled in an International Baccalaureate course, an Advanced International Certificate of Education course, or an Advanced Placement course who meet certain requirements; deleting provisions relating to the calculation of additional full-time equivalent membership based on completion of high school level algebra courses; revising provisions relating to the calculation of additional full-time equivalent membership based on certification of successful completion of industry-certified career and professional academy programs; revising provisions relating to the final calculation of district required local effort; authorizing a district school board to transfer certain categorical funds for academic classroom instruction; requiring the department to report to the Legislature the amounts transferred and the activities for which the funds were expended; requiring a district school board to submit an amendment to the department if the school board transfers funds from its research-based reading instruction allocation; revising provisions relating to the calculation of declining unweighted full-time equivalent students; including the supplemental allocation for juvenile justice education programs in the calculation for allocations to districts for current operation; providing for the future expiration of certain provisions governing the transfer of categorical funds; decreasing the maximum millage a school district may levy against the taxable value for school purposes; authorizing a school district to redirect up to a specified amount of millage if revenues are insufficient to cover payments due under a lease-purchase agreement; revising certain requirements for a school district with respect to expenditure of revenue generated by the district school tax millage; providing for future expiration of such provisions; conforming a cross-reference; providing a deadline for submission of Merit Award Program plans by certain districts; amending provisions relating to the Dale Hickam Excellent Teaching Program; providing that bonuses be provided for up to a certain period; eliminating as authorized expenditures the fee subsidy for National Board for Professional Teaching Standards certification, the portfolio preparation incentive, and the employer's share of Florida Retirement System contributions; deleting provisions to conform; revising provisions for the proration of funds; authorizing a school district to pay a certain percentage of bonuses when insufficient funds are available; requiring a district school board to reuse existing construction documents or design criteria packages if feasible and practical; requiring the use of prototype design and construction under certain circumstances; providing an effective date;

having met, and after full and free conference, do recommend to their respective houses as follows:

1. That the Senate recede from its Amendment 1.

2. That the Senate and House of Representatives adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

s/Lisa Carlton
Chair
JD Alexander
s/Carey Baker
s/Larcenia J. Bullard
s/Victor D. Crist
s/Charles Dean
s/Alex Diaz de la Portilla
s/Mike Fasano
Rudy Garcia
s/Mike Haridopolos
s/Dennis L. Jones
s/Charlie Justice
s/Alfred "Al" Lawson, Jr.
s/Gwen Margolis
s/Durell Peaden, Jr.
Nan H. Rich
s/Burt L. Saunders
s/Ronda Storms
s/Daniel Webster, At Large
s/Stephen R. Wise
s/Jeff Atwater
Vice Chair
s/Dave Aronberg
s/Michael S. "Mike" Bennett
s/Lee Constantine
s/M. Mandy Dawson
s/Ted Deutch
Paula Dockery
s/Don Gaetz
Steven A. Geller, At Large
s/Anthony C. "Tony" Hill, Sr.
s/Arthenia L. Joyner
s/James E. King, Jr., At Large
s/Evelyn J. Lynn
s/Steve Oelrich
Bill Posey
s/Jeremy Ring
s/Gary Siplin
J. Alex Villalobos
s/Frederica S. Wilson

Managers on the part of the Senate

s/Ray Sansom
Chair and At Large
s/Kevin C. Ambler
s/Gary Aubuchon
s/Aaron P. Bean
s/Ellyn Setnor Bogdanoff,
At Large
Debbie Boyd
Ronald A. Brisé
s/Dean Cannon
Charles S. "Chuck" Chestnut IV
s/Larry Cretul, At Large
Joyce Cusack, At Large
Chris Dorworth
Keith Fitzgerald
s/Bill Galvano
s/Andy Gardiner
Joseph A. "Joe" Gibbons
s/Hugh H. Gibson III
s/Michael J. Grant
s/Gayle B. Harrell
s/D. Alan Hays
s/Matt Hudson
s/Kurt Kelly
Martin David "Marty" Kiar
s/Paige Kreegel
s/John Legg
Janet C. Long
Richard A. Machek
s/Charles McBurney
Matthew J. "Matt" Meadows
s/Mitch Needelman
s/Pat Patterson
s/Juan-Carlos "J.C." Planas
s/Stephen L. Precourt
Scott Randolph
Betty Reed
s/Garrett Richter
s/Julio Robaina
Dennis A. Ross
Franklin Sands, At Large
Ron Saunders, At Large
s/Ron Schultz
John P. "Jack" Seiler, At Large
Kelly Skidmore
Priscilla Taylor
s/Nicholas R. "Nick" Thompson
s/Anthony Trey Traviesa
Shelley Vana
s/Sandra "Sandy" Adams
s/Thad Altman
s/Frank Attkisson
Loranne Ausley
Dorothy Bendross-Mindingall
s/Marsha L. "Marty" Bowen,
At Large
Mary Brandenburg
Susan Bucher
s/Jennifer Carroll
s/Marti Coley
s/Faye B. Culp
s/Carl J. Domino
s/Greg Evers
s/Anitere Flores, At Large
s/Rene Garcia
Dan Gelber, At Large
Audrey Gibson
s/Richard "Rich" Glorioso
Denise Grimsley
s/Adam Hasner, At Large
s/Ed Homan
s/Dorothy L. Hukill
s/Will S. Kendrick
s/Dick Kravitz
Rick Kriseman
s/Marcelo Llorente
s/Carlos Lopez-Cantera
s/Stan Mayfield
s/Seth McKeel
s/Dave Murzin
s/Jimmy T. Patronis, Jr.
s/Joe H. Pickens
s/Ralph Poppell
s/William L. "Bill" Proctor
s/Ron Reagan
Curtis B. Richardson
s/David Rivera, At Large
Yolly Roberson
Maria Lorts Sachs
Anthony P. "Tony" Sasso III
s/Robert C. "Rob" Schenck
Michael J. Scionti
s/David Simmons, At Large
Darren Soto
Geraldine F. "Geri" Thompson
Perry E. Thurston, Jr.
s/Baxter G. Troutman
James W. "Jim" Waldman
s/Will W. Weatherford
s/Juan C. Zapata, At Large
Trudi K. Williams

Managers on the part of the House

Conference Committee Amendment (492641)(with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Paragraph (a) of subsection (22) of section 121.021, Florida Statutes, is amended to read:

121.021 Definitions.—The following words and phrases as used in this chapter have the respective meanings set forth unless a different meaning is plainly required by the context:

(22) "Compensation" means the monthly salary paid a member by his or her employer for work performed arising from that employment.

(a) Compensation shall include:

1. Overtime payments paid from a salary fund.

2. Accumulated annual leave payments.

3. Payments in addition to the employee's base rate of pay if all the following apply:

a. The payments are paid according to a formal written policy that applies to all eligible employees equally;

b. The policy provides that payments shall commence no later than the 11th year of employment;

c. The payments are paid for as long as the employee continues his or her employment; and

d. The payments are paid at least annually.

4. Amounts withheld for tax sheltered annuities or deferred compensation programs, or any other type of salary reduction plan authorized under the Internal Revenue Code.

5. Payments made in lieu of a permanent increase in the base rate of pay, whether made annually or in 12 or 26 equal payments within a 12-month period, when the member's base pay is at the maximum of his or her pay range. When a portion of a member's annual increase raises his or her pay range and the excess is paid as a lump sum payment, such lump sum payment shall be compensation for retirement purposes.

~~6. Effective July 1, 2002, salary supplements made pursuant to s. 1012.72 requiring a valid National Board for Professional Standards certificate, notwithstanding the provisions of subparagraph 3.~~

Section 2. Paragraph (i) of subsection (9) of section 220.187, Florida Statutes is amended to read:

220.187 Credits for contributions to nonprofit scholarship-funding organizations.—

(9) DEPARTMENT OF EDUCATION OBLIGATIONS.—The Department of Education shall:

(i) *Maintain a list of* ~~In accordance with State Board of Education rule, identify and select the~~ nationally norm-referenced tests *identified for purposes of satisfying the testing requirement in subparagraph (8)(c)2. The tests must meet* ~~that are comparable to the norm-referenced provisions of the Florida Comprehensive Assessment Test (FCAT) provided that the FCAT may be one of the tests selected. However, the Department of Education may approve the use of an additional assessment by the school if the assessment meets~~ industry standards of quality *in accordance with State Board of Education rule* ~~and comparability~~.

Section 3. Paragraph (c) is added to subsection (2) of section 1001.451, Florida Statutes, to read:

1001.451 Regional consortium service organizations.—In order to provide a full range of programs to larger numbers of students, minimize duplication of services, and encourage the development of new programs and services:

(2)

(c) Notwithstanding paragraph (a), the appropriation for the 2008-2009 fiscal year may be less than $50,000 per school district and eligible member. If the amount appropriated is insufficient to provide $50,000, the funds available must be prorated among all eligible districts and members. This paragraph expires July 1, 2009.

Section 4. Paragraph (a) of subsection (20) of section 1002.33, Florida Statutes, is amended to read:

1002.33 Charter schools.—

(20) SERVICES.—

(a) A sponsor shall provide certain administrative and educational services to charter schools. These services shall include contract management services; full-time equivalent and data reporting services; exceptional student education administration services; services related to eligibility and reporting duties required to ensure that school lunch services under the federal lunch program, consistent with the needs of the charter school, are provided by the school district at the request of the charter school; test administration services, including payment of the costs of state-required or district-required student assessments; processing of teacher certificate data services; and information services, including equal access to student information systems that are used by public schools in the district in which the charter school is located. Student performance data for each student in a charter school, including, but not limited to, FCAT scores, standardized test scores, previous public school student report cards, and student performance measures, shall be provided by the sponsor to a charter school in the same manner provided to other public schools in the district. A total administrative fee for the provision of such services shall be calculated based upon up to 5 percent of the available funds defined in paragraph (17)(b) for all students. However, a sponsor may only withhold up to a 5-percent administrative fee for enrollment for up to and including 500 students. For charter schools with a population of 501 or more students, the difference between the total administrative fee calculation and the amount of the administrative fee withheld may only be used for capital outlay purposes specified in s. 1013.62(2). *Each charter school shall receive 100 percent of the funds awarded to that school pursuant to s. 1012.225.* Sponsors shall not charge charter schools any additional fees or surcharges for administrative and educational services in addition to the maximum 5-percent administrative fee withheld pursuant to this paragraph.

Section 5. Paragraph (b) of subsection (2) of section 1003.03, Florida Statutes, is amended to read:

1003.03 Maximum class size.—

(2) IMPLEMENTATION.—

(b) Determination of the number of students per classroom in paragraph (a) shall be calculated as follows:

1. For fiscal years 2003-2004 through 2005-2006, the calculation for compliance for each of the 3 grade groupings shall be the average at the district level.

2. For fiscal years 2006-2007 through *2008-2009* ~~2007-2008~~, the calculation for compliance for each of the 3 grade groupings shall be the average at the school level.

3. For fiscal *year* ~~years 2008-2009,~~ 2009-2010~~,~~ and thereafter, the calculation for compliance shall be at the individual classroom level.

4. For fiscal years 2006-2007 through 2009-2010 and thereafter, each teacher assigned to any classroom shall be included in the calculation for compliance.

Section 6. Subsection (2) of section 1007.271, Florida Statutes, is amended to read:

1007.271 Dual enrollment programs.—

(2) For the purpose of this section, an eligible secondary student is a student who is enrolled in a Florida public secondary school or in a Florida private secondary school which is in compliance with s. 1002.42(2) and conducts a secondary curriculum pursuant to s. 1003.43. Students enrolled in postsecondary instruction that is not creditable toward the high school diploma shall not be classified as dual enrollments. Students who are eligible for dual enrollment pursuant to this section shall be permitted to enroll in dual enrollment courses conducted during school hours, after school hours, and during the summer term. Instructional time for such enrollment may vary from 900 hours; however, the school district may only report the student for a maximum of 1.0 FTE, as provided in s. 1011.61(4). ~~Each semester of instruction that is eligible for high school and postsecondary credit shall be reported by school districts as 75 membership hours for purposes of FTE calculation.~~ Any student so enrolled is exempt from the payment of registration, tuition, and laboratory fees. Vocational-preparatory instruction, college-preparatory instruction*,* and other forms of precollegiate instruction, as well as physical education courses that focus on the physical execution of a skill rather than the intellectual attributes of the activity, are ineligible for inclusion in the dual enrollment program. Recreation and leisure studies courses shall be evaluated individually in the same manner as physical education courses for potential inclusion in the program.

Section 7. Paragraph (c) of subsection (3) and subsection (10) of section 1008.22, Florida Statutes, are amended to read:

1008.22 Student assessment program for public schools.—

(3) STATEWIDE ASSESSMENT PROGRAM.—The commissioner shall design and implement a statewide program of educational assessment that provides information for the improvement of the operation and management of the public schools, including schools operating for the purpose of providing educational services to youth in Department of Juvenile Justice programs. The commissioner may enter into contracts for the continued administration of the assessment, testing, and evaluation programs authorized and funded by the Legislature. Contracts may be initiated in 1 fiscal year and continue into the next and may be paid from the appropriations of either or both fiscal years. The commissioner is authorized to negotiate for the sale or lease of tests, scoring protocols, test scoring services, and related materials developed pursuant to law. Pursuant to the statewide assessment program, the commissioner shall:

(c) Develop and implement a student achievement testing program known as the Florida Comprehensive Assessment Test (FCAT) as part of the statewide assessment program to measure reading, writing, science, and mathematics. Other content areas may be included as directed by the commissioner. The assessment of reading and mathematics shall be administered annually in grades 3 through 10. The assessment of writing and science shall be administered at least once at the elementary, middle, and high school levels. The commissioner must document the procedures used to ensure that the versions of the FCAT which are taken by students retaking the grade 10 FCAT are equally as challenging and difficult as the tests taken by students in grade 10 which contain performance tasks. The testing program must be designed so that:

1. The tests measure student skills and competencies adopted by the State Board of Education as specified in paragraph (a). The tests must measure and report student proficiency levels of all students assessed in reading, writing, mathematics, and science. The commissioner shall provide for the tests to be developed or obtained, as appropriate, through contracts and project agreements with private vendors, public vendors, public agencies, postsecondary educational institutions, or school districts. The commissioner shall obtain input with respect to the design and implementation of the testing program from state educators, assistive technology experts, and the public.

2. The testing program *shall be composed* ~~will include a combination~~ of ~~norm-referenced and~~ criterion-referenced tests *that shall* ~~and include~~, to the extent determined by the commissioner, *include test items* ~~questions~~ that require the student to produce information or perform tasks in such a way that the skills and competencies he or she uses can be measured.

3. Each testing program, whether at the elementary, middle, or high school level, includes a test of writing in which students are required to produce writings that are then scored by appropriate and timely methods.

4. A score is designated for each subject area tested, below which score a student's performance is deemed inadequate. The school districts shall provide appropriate remedial instruction to students who score below these levels.

5. Except as provided in s. 1003.428(8)(b) or s. 1003.43(11)(b), students must earn a passing score on the grade 10 assessment test described in this paragraph or attain concordant scores as described in subsection (9) in reading, writing, and mathematics to qualify for a standard high school diploma. The State Board of Education shall designate a passing score for each part of the grade 10 assessment test. In establishing passing scores, the state board shall consider any possible negative impact of the test on minority students. The State Board of Education shall adopt rules which specify the passing scores for the grade 10 FCAT. Any such rules, which have the effect of raising the required passing scores, shall only apply to students taking the grade 10 FCAT for the first time after such rules are adopted by the State Board of Education.

6. Participation in the testing program is mandatory for all students attending public school, including students served in Department of Juvenile Justice programs, except as otherwise prescribed by the commissioner. If a student does not participate in the statewide assessment, the district must notify the student's parent and provide the parent with information regarding the implications of such nonparticipation. A parent must provide signed consent for a student to receive classroom instructional accommodations that would not be available or permitted on the statewide assessments and must acknowledge in writing that he or she understands the implications of such instructional accommodations. The State Board of Education shall adopt rules, based upon recommendations of the commissioner, for the provision of test accommodations for students in exceptional education programs and for students who have limited English proficiency. Accommodations that negate the validity of a statewide assessment are not allowable in the administration of the FCAT. However, instructional accommodations are allowable in the classroom if included in a student's individual education plan. Students using instructional accommodations in the classroom that are not allowable as accommodations on the FCAT may have the FCAT requirement waived pursuant to the requirements of s. 1003.428(8)(b) or s. 1003.43(11)(b).

7. A student seeking an adult high school diploma must meet the same testing requirements that a regular high school student must meet.

8. District school boards must provide instruction to prepare students to demonstrate proficiency in the skills and competencies necessary for successful grade-to-grade progression and high school graduation. If a student is provided with instructional accommodations in the classroom that are not allowable as accommodations in the statewide assessment program, as described in the test manuals, the district must inform the parent in writing and must provide the parent with information regarding the impact on the student's ability to meet expected proficiency levels in reading, writing, and math. The commissioner shall conduct studies as necessary to verify that the required skills and competencies are part of the district instructional programs.

9. District school boards must provide opportunities for students to demonstrate an acceptable level of performance on an alternative standardized assessment approved by the State Board of Education following enrollment in summer academies.

10. The Department of Education must develop, or select, and implement a common battery of assessment tools that will be used in all juvenile justice programs in the state. These tools must accurately measure the skills and competencies established in the Sunshine State Standards.

11. For students seeking a special diploma pursuant to s. 1003.438, the Department of Education must develop or select and implement an alternate assessment tool that accurately measures the skills and competencies established in the Sunshine State Standards for students with disabilities under s. 1003.438.

The commissioner may, based on collaboration and input from school districts, design and implement student testing programs, for any grade level and subject area, necessary to effectively monitor educational achievement in the state, including the measurement of educational achievement of the Sunshine State Standards for students with disabilities. Development and refinement of assessments shall include universal design principles and accessibility standards that will prevent any unintended obstacles for students with disabilities while ensuring the validity and reliability of the test. These principles should be applicable to all technology platforms and assistive devices available for the assessments. The field testing process and psychometric analyses for the statewide assessment program must include an appropriate percentage of students with disabilities and an evaluation or determination of the effect of test items on such students.

(10) REPORTS.—The Department of Education shall annually provide a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives on the following:

(a) Longitudinal performance of students in mathematics and reading.

(b) Longitudinal performance of students by grade level in mathematics and reading.

(c) Longitudinal performance regarding efforts to close the achievement gap.

~~(d) Longitudinal performance of students on the norm-referenced component of the FCAT.~~

(d)~~(e)~~ Other student performance data based on national norm-referenced and criterion-referenced tests, when available, and numbers of students who after 8th grade enroll in adult education rather than other secondary education.

Section 8. Paragraphs (i) and (l) through (v) of subsection (1), paragraph (b) of subsection (4), and subsections (6) and (8) of section 1011.62, Florida Statutes, as amended by chapter 2007-328, Laws of Florida, are amended, subsections (10) and (11) of that section are amended and renumbered as subsections (11) and (12), respectively, and a new subsection (10) is added to that section, to read:

1011.62 Funds for operation of schools.—If the annual allocation from the Florida Education Finance Program to each district for operation of schools is not determined in the annual appropriations act or the substantive bill implementing the annual appropriations act, it shall be determined as follows:

(1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR OPERATION.—The following procedure shall be followed in determining the annual allocation to each district for operation:

(i) Calculation of full-time equivalent membership with respect to dual enrollment instruction.—Students enrolled in dual enrollment instruction pursuant to s. 1007.271 may be included in calculations of full-time equivalent student memberships for basic programs for grades 9 through 12 by a district school board. *Instructional time for dual enrollment may vary from 900 hours; however, the school district may only report the student for a maximum of 1.0 full-time equivalent student membership, as provided in s. 1011.61(4). Dual enrollment full-time equivalent student membership shall be calculated in an amount equal to the hours of instruction that would be necessary to earn the full-time equivalent student membership for an equivalent course if it were taught in the school district.* ~~Each semester of instruction that is eligible for high school and postsecondary credit shall be reported by school districts as 75 membership hours for purposes of FTE calculation. Such~~ Students *in dual enrollment courses* may also be calculated as the proportional shares of full-time equivalent enrollments they generate for a community college or university conducting the dual enrollment instruction. Early admission students shall be considered dual enrollments for funding purposes. Students may be enrolled in dual enrollment instruction provided by an eligible independent college or university and may be included in calculations of full-time equivalent student memberships for basic programs for grades 9 through 12 by a district school board. However, those provisions of law which exempt dual enrolled and early admission students from payment of instructional materials and tuition and fees, including laboratory fees, shall not apply to students who select the option of enrolling in an eligible independent institution. An independent college or university which is located and chartered in Florida, is not for profit, is accredited by the Commission on Colleges of the Southern Association of Colleges and Schools or the Accrediting Council for Independent Colleges and Schools, and ~~which~~ confers degrees as defined in s. 1005.02 shall be eligible for inclusion in the dual enrollment or early admission program. Students enrolled in dual enrollment instruction shall be exempt from the payment of tuition and fees, including laboratory fees. No student enrolled in college credit mathematics or English dual enrollment instruction shall be funded as

a dual enrollment unless the student has successfully completed the relevant section of the entry-level examination required pursuant to s. 1008.30.

(l) Calculation of additional full-time equivalent membership based on international baccalaureate examination scores of students.—A value of *0.16* ~~0.24~~ full-time equivalent student membership shall be calculated for each student enrolled in an international baccalaureate course who receives a score of 4 or higher on a subject examination. A value of 0.3 full-time equivalent student membership shall be calculated for each student who receives an international baccalaureate diploma. Such value shall be added to the total full-time equivalent student membership in basic programs for grades 9 through 12 in the subsequent fiscal year. The school district shall distribute to each classroom teacher who provided international baccalaureate instruction:

1. A bonus in the amount of $50 for each student taught by the International Baccalaureate teacher in each international baccalaureate course who receives a score of 4 or higher on the international baccalaureate examination.

2. An additional bonus of $500 to each International Baccalaureate teacher in a school designated with a grade of "D" or "F" who has at least one student scoring 4 or higher on the international baccalaureate examination, regardless of the number of classes taught or of the number of students scoring a 4 or higher on the international baccalaureate examination. Bonuses awarded to a teacher according to this paragraph shall not exceed $2,000 in any given school year and shall be in addition to any regular wage or other bonus the teacher received or is scheduled to receive.

(m) Calculation of additional full-time equivalent membership based on Advanced International Certificate of Education examination scores of students.—A value of *0.16* ~~0.24~~ full-time equivalent student membership shall be calculated for each student enrolled in a full-credit Advanced International Certificate of Education course who receives a score of E or higher on a subject examination. A value of *0.08* ~~0.12~~ full-time equivalent student membership shall be calculated for each student enrolled in a half-credit Advanced International Certificate of Education course who receives a score of E or higher on a subject examination. A value of 0.3 full-time equivalent student membership shall be calculated for each student who receives an Advanced International Certificate of Education diploma. Such value shall be added to the total full-time equivalent student membership in basic programs for grades 9 through 12 in the subsequent fiscal year. The school district shall distribute to each classroom teacher who provided Advanced International Certificate of Education instruction:

1. A bonus in the amount of $50 for each student taught by the Advanced International Certificate of Education teacher in each full-credit Advanced International Certificate of Education course who receives a score of E or higher on the Advanced International Certificate of Education examination. A bonus in the amount of $25 for each student taught by the Advanced International Certificate of Education teacher in each half-credit Advanced International Certificate of Education course who receives a score of E or higher on the Advanced International Certificate of Education examination.

2. An additional bonus of $500 to each Advanced International Certificate of Education teacher in a school designated with a grade of "D" or "F" who has at least one student scoring E or higher on the full-credit Advanced International Certificate of Education examination, regardless of the number of classes taught or of the number of students scoring an E or higher on the full-credit Advanced International Certificate of Education examination.

3. Additional bonuses of $250 each to teachers of half-credit Advanced International Certificate of Education classes in a school designated with a grade of "D" or "F" which has at least one student scoring an E or higher on the half-credit Advanced International Certificate of Education examination in that class. The maximum additional bonus for a teacher awarded in accordance with this subparagraph shall not exceed $500 in any given school year. Teachers receiving an award under subparagraph 2. are not eligible for a bonus under this subparagraph.

Bonuses awarded to a teacher according to this paragraph shall not exceed $2,000 in any given school year and shall be in addition to any regular wage or other bonus the teacher received or is scheduled to receive.

(n) Calculation of additional full-time equivalent membership based on college board advanced placement scores of students.—A value of *0.16* ~~0.24~~ full-time equivalent student membership shall be calculated for each student in each advanced placement course who receives a score of 3 or higher on the College Board Advanced Placement Examination for the prior year and added to the total full-time equivalent student membership in basic programs for grades 9 through 12 in the subsequent fiscal year. Each district must allocate at least 80 percent of the funds provided to the district for advanced placement instruction, in accordance with this paragraph, to the high school that generates the funds. The school district shall distribute to each classroom teacher who provided advanced placement instruction:

1. A bonus in the amount of $50 for each student taught by the Advanced Placement teacher in each advanced placement course who receives a score of 3 or higher on the College Board Advanced Placement Examination.

2. An additional bonus of $500 to each Advanced Placement teacher in a school designated with a grade of "D" or " F" who has at least one student scoring 3 or higher on the College Board Advanced Placement Examination, regardless of the number of classes taught or of the number of students scoring a 3 or higher on the College Board Advanced Placement Examination. Bonuses awarded to a teacher according to this paragraph shall not exceed $2,000 in any given school year and shall be in addition to any regular wage or other bonus the teacher received or is scheduled to receive.

~~(o) Calculation of additional full-time equivalent membership based on completion of high school level algebra courses by students in grades 6 through 8.—A value of 0.088 full-time equivalent student membership shall be calculated for each student in grades 6 through 8 who completes a high school level algebra course and receives a grade of C or better. Such value shall be added to the total full-time equivalent student membership in basic programs for grades 6 through 8. Each district must allocate the funds provided to the district for students in grades 6 through 8 who complete a high school level algebra course and receive a grade of C or better to the school that generated the funds.~~

~~(p) Calculation of supplemental allocation for juvenile justice education programs.—Beginning with the 2007-2008 General Appropriations Act, the total K-12 weighted full-time equivalent student membership in juvenile justice education programs in each school district shall be multiplied by the amount of the state average class-size-reduction factor multiplied by the district's cost differential. An amount equal to the sum of this calculation shall be allocated in the FEFP to each school district to supplement other sources of funding for students in juvenile justice education programs.~~

(o)~~(q)~~ Calculation of additional full-time equivalent membership based on certification of successful completion of industry-certified career and professional academy programs pursuant to s. 1003.492.—A value of 0.3 full-time equivalent student membership shall be calculated for each student who completes an industry-certified career and professional academy program under s. 1003.492 and who is issued *the highest level of* ~~an~~ industry *certification and a high school diploma* ~~certificate~~. Such value shall be added to the total full-time equivalent student membership in secondary career education programs for grades 9 through 12 in the subsequent year for courses that were not funded through dual enrollment. *The additional full-time equivalent membership authorized under this paragraph may not exceed 0.3 per student.* Unless a different amount is specified in the General Appropriations Act, the appropriation for this calculation is limited to *$15* ~~$30~~ million annually. If the appropriation is insufficient to fully fund the total calculation, the appropriation shall be prorated.

(p)~~(r)~~ Calculation of additional full-time equivalent membership for the Florida Virtual School.—The total reported full-time equivalent student membership for the Florida Virtual School shall be multiplied by 0.114, and such value shall be added to the total full-time equivalent student membership.

(q)~~(s)~~ Year-round-school programs.—The Commissioner of Education is authorized to adjust student eligibility definitions, funding criteria, and reporting requirements of statutes and rules in order that year-round-school programs may achieve equivalent application of funding requirements with non-year-round-school programs.

(r)~~(t)~~ Extended-school-year program.—It is the intent of the Legislature that students be provided additional instruction by extending the school year to 210 days or more. Districts may apply to the Commissioner of Education for funds to be used in planning and implementing an extended-school-year program. The Department of Education shall recommend to the Legislature the policies necessary for full implementation of an extended school year.

(s)~~(u)~~ Determination of the basic amount for current operation.—The basic amount for current operation to be included in the Florida Education Finance Program for kindergarten through grade 12 for each district shall be the product of the following:

1. The full-time equivalent student membership in each program, multiplied by

2. The cost factor for each program, adjusted for the maximum as provided by paragraph (c), multiplied by

3. The base student allocation.

(t)~~(v)~~ Computation for funding through the Florida Education Finance Program.—The State Board of Education may adopt rules establishing programs and courses for which the student may earn credit toward high school graduation.

(4) COMPUTATION OF DISTRICT REQUIRED LOCAL EFFORT.—The Legislature shall prescribe the aggregate required local effort for all school districts collectively as an item in the General Appropriations Act for each fiscal year. The amount that each district shall provide annually toward the cost of the Florida Education Finance Program for kindergarten through grade 12 programs shall be calculated as follows:

(b) Final calculation.—

1. *The taxable value for school purposes certified by the Department of Revenue which is used in the fourth calculation with the annualized full-time student membership from the February student survey shall be the final taxable value used in the final calculation.* ~~On September 1 of each year, the Department of Revenue shall certify to the Commissioner of Education the total of the prior year final taxable value for school purposes in each school district and the total for all school districts in the state. The commissioner shall use the final taxable value certified on September 1 for school purposes for each school district in the final calculation of the annual Florida Education Finance Program allocations.~~

2. For purposes of this paragraph, the final taxable value for school purposes shall be the taxable value for school purposes on which the tax bills are computed and mailed to the taxpayers, adjusted to reflect final administrative actions of value adjustment boards and judicial decisions pursuant to chapter 194. For each county that has not submitted a revised tax roll reflecting final value adjustment board actions and final judicial decisions, the Department of Revenue shall certify the most recent revision of the taxable value for school purposes. The value certified *under subparagraph 1.* ~~on September 1~~ shall be the final taxable value for school purposes for that year, and no further adjustments shall be made, except those made pursuant to paragraph *(12)*~~(11)~~(b).

(6) CATEGORICAL FUNDS.—

(a) In addition to the basic amount for current operations for the FEFP as determined in subsection (1), the Legislature may appropriate categorical funding for specified programs, activities, or purposes.

(b) If a district school board finds and declares in a resolution adopted at a regular meeting of the school board that the funds received for any of the following categorical appropriations are urgently needed to maintain school board specified academic classroom instruction, the school board may consider and approve an amendment to the school district operating budget transferring the identified amount of the categorical funds to the appropriate account for expenditure:

1. Funds for student transportation.

2. Funds for safe schools.

3. Funds for supplemental academic instruction.

4. Funds for research-based reading instruction.

5. Funds for instructional materials if all instructional material purchases have been completed for that fiscal year, but no sooner than March 1, 2009.

(c) Each district school board shall include in its annual financial report to the Department of Education the amount of funds the school board transferred from each of the categorical funds identified in this subsection and the specific academic classroom instruction for which the transferred funds were expended. The Department of Education shall provide instructions and specify the format to be used in submitting this required information as a part of the district annual financial report. *The Department of Education shall submit a report to the Legislature that identifies by district and by categorical fund the amount transferred and the specific academic classroom activity for which the funds were expended.*

(d) If a district school board transfers funds from its research-based reading instruction allocation, the board must also submit to the Department of Education an amendment describing the changes that the district is making to its reading plan approved pursuant to paragraph (9)(d).

(8) DECLINE IN FULL-TIME EQUIVALENT STUDENTS.—In those districts where there is a decline between prior year and current year unweighted FTE students, *a percentage* ~~50 percent~~ of the decline in the unweighted FTE students *as determined by the Legislature* shall be multiplied by the prior year calculated FEFP per unweighted FTE student and shall be added to the allocation for that district. For this purpose, the calculated FEFP shall be computed by multiplying the weighted FTE students by the base student allocation and then by the district cost differential. If a district transfers a program to another institution not under the authority of the district's school board, including a charter technical career center, the decline is to be multiplied by a factor of 0.15. However, if the funds provided for the Florida Education Finance Program in the General Appropriations Act for any fiscal year are reduced by a subsequent appropriation for that fiscal year, the percent of the decline in the unweighted FTE students to be funded shall be determined by the Legislature and designated in the subsequent appropriation.

(10) CALCULATION OF SUPPLEMENTAL ALLOCATION FOR JUVENILE JUSTICE EDUCATION PROGRAMS.—The total K-12 weighted full-time equivalent student membership in juvenile justice education programs in each school district shall be multiplied by the amount of the state average class-size-reduction factor multiplied by the district's cost differential. An amount equal to the sum of this calculation shall be allocated in the FEFP to each school district to supplement other sources of funding for students in juvenile justice education programs.

(11)~~(10)~~ QUALITY ASSURANCE GUARANTEE.—The Legislature may annually in the General Appropriations Act determine a percentage increase in funds per K-12 unweighted FTE as a minimum guarantee to each school district. The guarantee shall be calculated from prior year base funding per unweighted FTE student which shall include the adjusted FTE dollars as provided in subsection *(12)* ~~(11)~~, quality guarantee funds, and actual nonvoted discretionary local effort from taxes. From the base funding per unweighted FTE, the increase shall be calculated for the current year. The current year funds from which the guarantee shall be determined shall include the adjusted FTE dollars as provided in subsection *(12)* ~~(11)~~ and potential nonvoted discretionary local effort from taxes. A comparison of current year funds per unweighted FTE to prior year funds per unweighted FTE shall be computed. For those school districts which have less than the legislatively assigned percentage increase, funds shall be provided to guarantee the assigned percentage increase in funds per unweighted FTE student. Should appropriated funds be less than the sum of this calculated amount for all districts, the commissioner shall prorate each district's allocation. This provision shall be implemented to the extent specifically funded.

(12)~~(11)~~ TOTAL ALLOCATION OF STATE FUNDS TO EACH DISTRICT FOR CURRENT OPERATION.—The total annual state allocation to each district for current operation for the FEFP shall be distributed periodically in the manner prescribed in the General Appropriations Act.

(a) The basic amount for current operation for the FEFP as determined in subsection (1), multiplied by the district cost differential factor

as determined in subsection (2), plus the amounts provided for categorical components within the FEFP, plus the discretionary millage compression supplement as determined in subsection (5), the amount for the sparsity supplement as determined in subsection (7), the decline in full-time equivalent students as determined in subsection (8), the research-based reading instruction allocation as determined in subsection (9), *the allocation for juvenile justice education programs as determined in subsection (10),* ~~and~~ the quality assurance guarantee as determined in subsection *(11)* ~~(10)~~, less the required local effort as determined in subsection (4). If the funds appropriated for the purpose of funding the total amount for current operation as provided in this paragraph are not sufficient to pay the state requirement in full, the department shall prorate the available state funds to each district in the following manner:

1. Determine the percentage of proration by dividing the sum of the total amount for current operation, as provided in this paragraph for all districts collectively, and the total district required local effort into the sum of the state funds available for current operation and the total district required local effort.

2. Multiply the percentage so determined by the sum of the total amount for current operation as provided in this paragraph and the required local effort for each individual district.

3. From the product of such multiplication, subtract the required local effort of each district; and the remainder shall be the amount of state funds allocated to the district for current operation.

(b) The amount thus obtained shall be the net annual allocation to each school district. However, if it is determined that any school district received an underallocation or overallocation for any prior year because of an arithmetical error, assessment roll change required by final judicial decision, full-time equivalent student membership error, or any allocation error revealed in an audit report, the allocation to that district shall be appropriately adjusted. Beginning with audits for the 2001-2002 fiscal year, if the adjustment is the result of an audit finding in which group 2 FTE are reclassified to the basic program and the district weighted FTE are over the weighted enrollment ceiling for group 2 programs, the adjustment shall not result in a gain of state funds to the district. If the Department of Education audit adjustment recommendation is based upon controverted findings of fact, the Commissioner of Education is authorized to establish the amount of the adjustment based on the best interests of the state.

(c) The amount thus obtained shall represent the net annual state allocation to each district; however, notwithstanding any of the provisions herein, each district shall be guaranteed a minimum level of funding in the amount and manner prescribed in the General Appropriations Act.

Section 9. *The amendments to s. 1011.62(6), Florida Statutes, made by this act shall expire July 1, 2009, and the text of that subsection shall revert to that in existence on the day before the effective date of chapter 2007-328, Laws of Florida, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of such text that expire pursuant to this section.*

Section 10. Section 1011.71, Florida Statutes, as amended by chapters 2007-328 and 2008-2, Laws of Florida, is amended to read:

1011.71 District school tax.—

(1) If the district school tax is not provided in the General Appropriations Act or the substantive bill implementing the General Appropriations Act, each district school board desiring to participate in the state allocation of funds for current operation as prescribed by s. 1011.62*(12)*~~(11)~~ shall levy on the taxable value for school purposes of the district, exclusive of millage voted under the provisions of s. 9(b) or s. 12, Art. VII of the State Constitution, a millage rate not to exceed the amount certified by the commissioner as the minimum millage rate necessary to provide the district required local effort for the current year, pursuant to s. 1011.62(4)(a)1. In addition to the required local effort millage levy, each district school board may levy a nonvoted current operating discretionary millage. The Legislature shall prescribe annually in the appropriations act the maximum amount of millage a district may levy.

(2) In addition to the maximum millage levy as provided in subsection (1), each school board may levy not more than *1.75 mills* ~~2 mills~~ against the taxable value for school purposes for district schools, including charter schools at the discretion of the school board, to fund:

(a) New construction and remodeling projects, as set forth in s. 1013.64(3)(b) and (6)(b) and included in the district's educational plant survey pursuant to s. 1013.31, without regard to prioritization, sites and site improvement or expansion to new sites, existing sites, auxiliary facilities, athletic facilities, or ancillary facilities.

(b) Maintenance, renovation, and repair of existing school plants or of leased facilities to correct deficiencies pursuant to s. 1013.15(2).

(c) The purchase, lease-purchase, or lease of school buses.

(d) The purchase, lease-purchase, or lease of new and replacement equipment.

(e) Payments for educational facilities and sites due under a lease-purchase agreement entered into by a district school board pursuant to s. 1003.02(1)(f) or s. 1013.15(2), not exceeding, in the aggregate, an amount equal to three-fourths of the proceeds from the millage levied by a district school board pursuant to this subsection.

(f) Payment of loans approved pursuant to ss. 1011.14 and 1011.15.

(g) Payment of costs directly related to complying with state and federal environmental statutes, rules, and regulations governing school facilities.

(h) Payment of costs of leasing relocatable educational facilities, of renting or leasing educational facilities and sites pursuant to s. 1013.15(2), or of renting or leasing buildings or space within existing buildings pursuant to s. 1013.15(4).

(i) Payment of the cost of school buses when a school district contracts with a private entity to provide student transportation services if the district meets the requirements of this paragraph.

1. The district's contract must require that the private entity purchase, lease-purchase, or lease, and operate and maintain, one or more school buses of a specific type and size that meet the requirements of s. 1006.25.

2. Each such school bus must be used for the daily transportation of public school students in the manner required by the school district.

3. Annual payment for each such school bus may not exceed 10 percent of the purchase price of the state pool bid.

4. The proposed expenditure of the funds for this purpose must have been included in the district school board's notice of proposed tax for school capital outlay as provided in s. 200.065(10).

(j) Payment of the cost of the opening day collection for the library media center of a new school.

(3) If the revenue from the millage authorized in subsection (2) is insufficient to make payments due under a lease-purchase agreement entered into prior to June 30, 2008, by a district school board pursuant to paragraph (2)(e), an amount up to 0.25 mills of the taxable value for school purposes within the school district shall be legally available for such payments, notwithstanding other restrictions on the use of such revenues imposed by law.

(4)~~(3)~~ A school district that has met the reduction requirements regarding class size for the *2008-2009 fiscal* ~~current~~ year pursuant to s. 1003.03 *for K-12 students for whom the school district provides the educational facilities*~~, has received an unqualified opinion on its financial statements for the preceding 3 years, has no material weaknesses or instances of material noncompliance noted in an audit for the preceding 3 years,~~ and certifies to the Commissioner of Education that *the district does not need all of its discretionary 1.75-mill capital improvement revenue for capital outlay purposes and* all of the district's instructional space needs for the next 5 years can be met from capital outlay sources that the district reasonably expects to receive during the next 5 years from local revenues and from currently appropriated state facilities funding or from alternative scheduling or construction, leasing, rezoning, or technological methodologies that exhibit sound management may

expend*, subject to the provisions of s. 200.065, up to $65 per unweighted full-time equivalent student from the* revenue generated by the *2008-2009* millage levy authorized by subsection (2) to fund, in addition to expenditures authorized in paragraphs (2)(a)-(j), *2008-2009 expenses for* the following:

(a) The purchase, lease-purchase, or lease of driver's education vehicles; motor vehicles used for the maintenance or operation of plants and equipment; security vehicles; or vehicles used in storing or distributing materials and equipment.

(b) Payment of the cost of premiums for property and casualty insurance necessary to insure school district educational and ancillary plants. Operating revenues that are made available through the payment of property and casualty insurance premiums from revenues generated under this subsection may be expended only for nonrecurring operational expenditures of the school district.

(5)~~(4)~~ Violations of the expenditure provisions in subsection (2) or subsection *(4)* ~~(3)~~ shall result in an equal dollar reduction in the Florida Education Finance Program (FEFP) funds for the violating district in the fiscal year following the audit citation.

(6)~~(5)~~ These taxes shall be certified, assessed, and collected as prescribed in s. 1011.04 and shall be expended as provided by law.

(7)~~(6)~~ Nothing in s. 1011.62(4)(a)1. shall in any way be construed to increase the maximum school millage levies as provided for in subsection (1).

(8)~~(7)~~ In addition to the maximum millage levied under this section and the General Appropriations Act, a school district may levy, by local referendum or in a general election, additional millage for school operational purposes up to an amount that, when combined with nonvoted millage levied under this section, does not exceed the 10-mill limit established in s. 9(b), Art. VII of the State Constitution. Any such levy shall be for a maximum of 4 years and shall be counted as part of the 10-mill limit established in s. 9(b), Art. VII of the State Constitution. Millage elections conducted under the authority granted pursuant to this section are subject to s. 1011.73. Funds generated by such additional millage do not become a part of the calculation of the Florida Education Finance Program total potential funds in 2001-2002 or any subsequent year and must not be incorporated in the calculation of any hold-harmless or other component of the Florida Education Finance Program formula in any year. If an increase in required local effort, when added to existing millage levied under the 10-mill limit, would result in a combined millage in excess of the 10-mill limit, any millage levied pursuant to this subsection shall be considered to be required local effort to the extent that the district millage would otherwise exceed the 10-mill limit.

Section 11. *The amendments to subsection (3) of s. 1011.71, Florida Statutes, renumbered as subsection (4) by this act, shall expire July 1, 2009, and the text of that subsection shall revert to that in existence on the day before the effective date of chapter 2007-328, Laws of Florida, except that any amendments to such text enacted other than by this act shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of such text that expire pursuant to this section.*

Section 12. Subsection (2) of section 1011.73, Florida Statutes, is amended to read:

1011.73 District millage elections.—

(2) MILLAGE AUTHORIZED NOT TO EXCEED 4 YEARS.—The district school board, pursuant to resolution adopted at a regular meeting, shall direct the county commissioners to call an election at which the electors within the school district may approve an ad valorem tax millage as authorized under s. 1011.71*(8)*~~(7)~~. Such election may be held at any time, except that not more than one such election shall be held during any 12-month period. Any millage so authorized shall be levied for a period not in excess of 4 years or until changed by another millage election, whichever is earlier. If any such election is invalidated by a court of competent jurisdiction, such invalidated election shall be considered not to have been held.

Section 13. Paragraph (e) is added to subsection (5) of section 1012.225, Florida Statutes, to read:

1012.225 Merit Award Program for Instructional Personnel and School-Based Administrators.—

(5) REVIEW OF PERFORMANCE-BASED PAY PLANS.—

(e) Districts that do not have an approved plan for the 2008-2009 school year may submit a plan for the 2008-2009 school year by October 1, 2008.

Section 14. Section 1012.72, Florida Statutes, as amended by chapter 2007-328, Laws of Florida, is amended to read:

1012.72 Dale Hickam Excellent Teaching Program.—

(1) The Legislature recognizes that teachers play a critical role in preparing students to achieve the high levels of academic performance expected by the Sunshine State Standards. The Legislature further recognizes the importance of identifying and rewarding teaching excellence and of encouraging good teachers to become excellent teachers. The Legislature finds that the National Board *for* ~~of~~ Professional Teaching Standards (NBPTS) has established high and rigorous standards for accomplished teaching and has developed a national voluntary system for assessing and certifying teachers who demonstrate teaching excellence by meeting those standards. It is therefore the Legislature's intent ~~to provide incentives for teachers to seek NBPTS certification and~~ to reward teachers who demonstrate teaching excellence by attaining NBPTS certification and sharing their expertise with other teachers.

(2) The Dale Hickam Excellent Teaching Program is created to provide categorical funding for ~~monetary incentives and~~ bonuses for teaching excellence. *The bonuses may be provided for initial certification for up to one 10-year period.* The Department of Education shall distribute to each school district ~~or to the NBPTS~~ an amount as prescribed annually by the Legislature for the Dale Hickam Excellent Teaching Program. For purposes of this section, the Florida School for the Deaf and the Blind shall be considered a school district. Unless otherwise provided in the General Appropriations Act, each distribution shall be the sum of the amounts earned for the following ~~incentives and bonuses~~:

~~(a) A fee subsidy to be paid by the Department of Education to the NBPTS on behalf of each individual who is an employee of a district school board or a public school within the school district, who is certified by the district to have demonstrated satisfactory teaching performance pursuant to s. 1012.34 and who satisfies the prerequisites for participating in the NBPTS certification program, and who agrees, in writing, to pay 10 percent of the NBPTS participation fee and to participate in the NBPTS certification program during the school year for which the fee subsidy is provided. The fee subsidy for each eligible participant shall be an amount equal to 90 percent of the fee charged for participating in the NBPTS certification program. The fee subsidy is a one-time award and may not be duplicated for any individual.~~

~~(b) A portfolio preparation incentive of $150 paid by the Department of Education to each teacher employed by a district school board or a public school within a school district who is participating in the NBPTS certification program. The portfolio preparation incentive is a one-time award paid during the school year for which the NBPTS fee subsidy is provided.~~

(a)~~(c)~~ An annual bonus equal to 10 percent of the prior fiscal year's statewide average salary for classroom teachers to be distributed to the school district to be paid to each individual who holds NBPTS certification and is employed by the district school board or by a public school within the school district. The district school board shall distribute the annual bonus to each individual who meets the requirements of this paragraph and who is certified annually by the district to have demonstrated satisfactory teaching performance pursuant to s. 1012.34. The annual bonus may be paid as a single payment or divided into not more than three payments.

(b)~~(d)~~ An annual bonus equal to 10 percent of the prior fiscal year's statewide average salary for classroom teachers to be distributed to the school district to be paid to each individual who meets the requirements of paragraph *(a)* ~~(c)~~ and agrees, in writing, to provide the equivalent of 12 workdays of mentoring and related services to public school teachers within the state who do not hold NBPTS certification. Related services must include instruction in helping teachers work more effectively with the families of their students. The district school board shall distribute the annual bonus in a single payment following the completion of all

required mentoring and related services for the year. It is not the intent of the Legislature to remove excellent teachers from their assigned classrooms; therefore, credit may not be granted by a school district or public school for mentoring or related services provided during student contact time during the 196 days of required service for the school year.

(c)~~(e)~~ The employer's share of social security and Medicare taxes ~~and Florida Retirement System contributions~~ for those teachers who ~~qualify for NBPTS certification and~~ receive bonus amounts *under paragraph (a) or paragraph (b)*.

~~A teacher for whom the state pays the certification fee and who does not complete the certification program or does not teach in a public school of this state for at least 1 year after completing the certification program must repay the amount of the certification fee to the state. However, a teacher who completes the certification program but fails to be awarded NBPTS certification is not required to repay the amount of the certification fee if the teacher meets the 1-year teaching requirement. Repayment is not required of a teacher who does not complete the certification program or fails to fulfill the teaching requirement because of the teacher's death or disability or because of other extenuating circumstances as determined by the State Board of Education.~~

~~(3)(a) In addition to any other remedy available under the law, any person who is a recipient of a certification fee subsidy paid to the NBPTS and who is an employee of the state or any of its political subdivisions is considered to have consented, as a condition of employment, to the voluntary or involuntary withholding of wages to repay to the state the amount of such a certification fee subsidy awarded under this section. Any such employee who defaults on the repayment of such a certification fee subsidy must, within 60 days after service of a notice of default by the Department of Education to the employee, establish a repayment schedule which must be agreed to by the department and the employee, for repaying the defaulted sum through payroll deductions. The department may not require the employee to pay more than 10 percent of the employee's pay per pay period under such a repayment schedule or plan. If the employee fails to establish a repayment schedule within the specified period of time or fails to meet the terms and conditions of the agreed upon or approved repayment schedule as authorized by this subsection, the employee has breached an essential condition of employment and is considered to have consented to the involuntary withholding of wages or salary for the repayment of the certification fee subsidy.~~

~~(b) A person who is employed by the state, or any of its political subdivisions, may not be dismissed for having defaulted on the repayment of the certification fee subsidy to the state.~~

~~(4) The State Board of Education may adopt rules pursuant to ss. 120.536 and 120.54 as necessary to administer the provisions for payment of the fee subsidies, incentives, and bonuses and for the repayment of defaulted certification fee subsidies under this section.~~

(3)~~(5)~~ If the funds available in any fiscal year are insufficient to pay in full the annual bonuses for certification and for providing mentoring and related services, payments for providing mentoring and related services shall be prorated among the eligible recipients. *If the mentoring and related services are prorated, school districts may pay a portion or all of the balance. If funds are insufficient to pay in full the annual bonuses for certification, payments of bonuses for certification shall be prorated among the eligible recipients.*

Section 15. Subsection (4) of section 1013.45, Florida Statutes, is amended to read:

1013.45 Educational facilities contracting and construction techniques.—

(4) Except as otherwise provided in this section and s. 481.229, the services of a registered architect must be used for the development of plans for the erection, enlargement, or alteration of any educational facility. The services of a registered architect are not required for a minor renovation project for which the construction cost is less than $50,000 or for the placement or hookup of relocatable educational facilities that conform with standards adopted under s. 1013.37. However, boards must provide compliance with building code requirements and ensure that these structures are adequately anchored for wind resistance as required by law. *A district school board shall* ~~Boards are encouraged to consider the~~ reuse ~~of~~ existing construction documents or design criteria packages *if* ~~where~~ such reuse is feasible and practical. *If a school district's 5-year educational facilities work plan includes the construction of two or more new schools for students in the same grade group and program, such as elementary, middle, or high school, the district school board shall require that prototype design and construction be used for the construction of these schools.* Notwithstanding s. 287.055, a board may purchase the architectural services for the design of educational or ancillary facilities under an existing contract agreement for professional services held by a district school board in the State of Florida, provided that the purchase is to the economic advantage of the purchasing board, the services conform to the standards prescribed by rules of the State Board of Education, and such reuse is not without notice to, and permission from, the architect of record whose plans or design criteria are being reused. Plans shall be reviewed for compliance with the state requirements for educational facilities. Rules adopted under this section must establish uniform prequalification, selection, bidding, and negotiation procedures applicable to construction management contracts and the design-build process. This section does not supersede any small, woman-owned or minority-owned business enterprise preference program adopted by a board. Except as otherwise provided in this section, the negotiation procedures applicable to construction management contracts and the design-build process must conform to the requirements of s. 287.055. A board may not modify any rules regarding construction management contracts or the design-build process.

Section 16. This act shall take effect July 1, 2008.

And the title is amended as follows:

Remove the entire title and insert: A bill to be entitled An act relating to education; amending s. 121.021, F.S.; deleting salary supplements for National Board for Professional Teaching Standards certification from the definition of "compensation" under the Florida Retirement System; amending s. 220.187, F.S.; revising provisions relating to norm-referenced tests for purposes of the Corporate Income Tax Credit Scholarship Program; amending s. 1001.451, F.S., relating to regional consortium service organizations; authorizing the Department of Education to appropriate a lesser amount of an incentive grant per school district and eligible member for a specified fiscal year; providing for the future expiration of such provisions; amending s. 1002.33, F.S.; excluding charter school Merit Award Program funds from the calculation of school district administrative fees; amending s. 1003.03, F.S.; revising provisions relating to implementation of maximum class size requirements; amending s. 1007.271, F.S.; deleting certain dual enrollment funding provisions; amending s. 1008.22, F.S.; deleting norm-referenced test requirements under the statewide assessment program; amending s. 1011.62, F.S.; revising provisions relating to the calculation of full-time equivalent membership for dual enrollment instruction; decreasing the value of full-time equivalent membership calculated for students enrolled in an International Baccalaureate course, an Advanced International Certificate of Education course, or an Advanced Placement course who meet certain requirements; deleting provisions relating to the calculation of additional full-time equivalent membership based on completion of high school level algebra courses; revising provisions relating to the calculation of additional full-time equivalent membership based on certification of successful completion of industry-certified career and professional academy programs; revising provisions relating to the final calculation of district required local effort; authorizing a district school board to transfer certain categorical funds for academic classroom instruction; requiring the department to report to the Legislature the amounts transferred and the activities for which the funds were expended; requiring a district school board to submit an amendment to the department if the school board transfers funds from its research-based reading instruction allocation; revising provisions relating to the calculation of declining unweighted full-time equivalent students; including the supplemental allocation for juvenile justice education programs in the calculation for allocations to districts for current operation; providing for the future expiration of certain provisions governing the transfer of categorical funds; amending s. 1011.71, F.S.; decreasing the maximum millage a school district may levy against the taxable value for school purposes; authorizing a school district to redirect up to a specified amount of millage if revenues are insufficient to cover payments due under a lease-purchase agreement; revising certain requirements for a school district with respect to expenditure of revenue generated by the district school tax millage; providing for future expiration of such provisions; amending s. 1011.73, F.S.; conforming a cross-reference; amending s. 1012.225, F.S.; providing a deadline for submission of Merit Award Program plans by certain districts; amending s. 1012.72, F.S., relating to the Dale Hickam Excellent Teaching Program; providing that bonuses be provided for up to a certain period; eliminating as authorized expenditures

the fee subsidy for National Board for Professional Teaching Standards certification, the portfolio preparation incentive, and the employer's share of Florida Retirement System contributions; deleting provisions to conform; revising provisions for the proration of funds; authorizing a school district to pay a certain percentage of bonuses when insufficient funds are available; amending s. 1013.45, F.S.; requiring a district school board to reuse existing construction documents or design criteria packages if feasible and practical; requiring the use of prototype design and construction under certain circumstances; providing an effective date.

The Conference Committee Report was read and on motion by Senator Wise was adopted. **HB 5083** passed as recommended and was certified to the House together with the Conference Committee Report. The vote on passage was:

Yeas—28

Mr. President	Dockery	Peaden
Atwater	Fasano	Posey
Baker	Gaetz	Saunders
Bennett	Garcia	Siplin
Bullard	Haridopolos	Storms
Carlton	Jones	Villalobos
Constantine	King	Webster
Dawson	Lawson	Wise
Dean	Lynn	
Diaz de la Portilla	Oelrich	

Nays—9

Alexander	Hill	Margolis
Aronberg	Joyner	Rich
Deutch	Justice	Ring

Vote after roll call:

Nay—Crist, Geller, Wilson

Yea to Nay—Dockery

By direction of the President the following Conference Committee Report was read:

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has accepted the Conference Committee Report as an entirety and passed HB 5085, as amended by the Conference Committee Report and requests concurrence of the Senate.

William S. Pittman III, Chief Clerk

CONFERENCE COMMITTEE REPORT ON HB 5085

The Honorable Ken Pruitt April 29, 2008
President of the Senate

The Honorable Marco Rubio
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on HB 5085, same being:

An act relating to **Health Care**; authorizing the Agency for Health Care Administration to transfer funds to the Grants and Donations Trust Fund for certain repayments; revising the short title; providing additional legislative intent; requiring the agency to develop a procurement document and procedure to claim certain federal matching funds; discontinuing optional Medicaid payments for certain persons age 65 or over or who are blind or disabled; revising certain eligibility criteria for pregnant women and children younger than age 21; authorizing payment of a specified amount for Medicaid services provided by an anesthesiologist assistant; deleting a provision prohibiting Medicaid from making any payment toward deductibles and coinsurance for services not covered by Medicaid; providing limitations on Medicaid payments for coinsurance; providing for Medicaid to pay for certain X-ray services in a nursing home; revising reimbursement rates for providers of Medicaid prescribed drugs; requiring the agency to revise reimbursement rates for hospitals, nursing homes, county health departments, and community intermediate care facilities for the developmentally disabled for 2 fiscal years; requiring the agency to apply the effect of the revised reimbursement rates to set payment rates for managed care plans and nursing home diversion programs; requiring the agency to establish workgroups to evaluate alternative reimbursement and payment methodologies for hospitals, nursing facilities, and managed care plans; requiring a report; providing for future repeal of the suspension of the use of cost data to set certain rates; revising the share data used to calculate disproportionate share payments to hospitals; revising the time period during which the agency is prohibited from distributing disproportionate share payments to regional perinatal intensive care centers; requiring the agency to distribute moneys provided in the General Appropriations Act to statutorily defined teaching hospitals and family practice teaching hospitals under the teaching hospital disproportionate share program for the 2008-2009 fiscal year; prohibiting the agency from distributing moneys under the primary care disproportionate share program for the 2008-2009 fiscal year; adding a county for participation in the Medicaid behavioral health care services specialty prepaid plan; revising reimbursement rates to pharmacies for Medicaid prescribed drugs; requiring the agency to notify the Legislature before seeking an amendment to the state plan in order to implement programs authorized by the Deficit Reduction Act of 2005; providing for proposed alternatives for health and long-term care reforms; revising enrollment requirements relating to Medicaid managed care programs and the agency's authority to assign persons to MediPass or a managed care plan; removing the limitation on the application of certain rates and rate reductions used by the agency to reimburse managed care plans; prohibiting mailing of the explanation of benefits for certain Medicaid services; repealing s. 409.9061, F.S., relating to authority for a statewide laboratory services contract; repealing s. 430.83, F.S., relating to the Sunshine for Seniors Program;

having met, and after full and free conference, do recommend to their respective houses as follows:

1. That the Senate recede from its Amendment 1.

2. That the Senate and House of Representatives adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

s/Lisa Carlton
Chair
JD Alexander
s/Carey Baker
s/Larcenia J. Bullard
s/Victor D. Crist
s/Charles Dean
s/Alex Diaz de la Portilla
s/Mike Fasano
Rudy Garcia
s/Mike Haridopolos
s/Dennis L. Jones
s/Charlie Justice
s/Alfred "Al" Lawson, Jr.
s/Gwen Margolis
s/Durell Peaden, Jr.
Nan H. Rich
s/Burt L. Saunders
s/Ronda Storms
s/Daniel Webster, At Large
s/Stephen R. Wise

s/Jeff Atwater
Vice Chair
s/Dave Aronberg
s/Michael S. "Mike" Bennett
s/Lee Constantine
s/M. Mandy Dawson
s/Ted Deutch
Paula Dockery
s/Don Gaetz
Steven A. Geller, At Large
s/Anthony C. "Tony" Hill, Sr.
s/Arthenia L. Joyner
s/James E. King, Jr., At Large
s/Evelyn J. Lynn
s/Steve Oelrich
s/Bill Posey
s/Jeremy Ring
s/Gary Siplin
J. Alex Villalobos
s/Frederica S. Wilson

Managers on the part of the Senate

s/Ray Sansom
Chair and At Large
s/Kevin C. Ambler
s/Gary Aubuchon
s/Aaron P. Bean
s/Ellyn Setnor Bogdanoff,
At Large
Debbie Boyd
Ronald A. Brisé
s/Dean Cannon

s/Sandra "Sandy" Adams
s/Thad Altman
s/Frank Attkisson
Loranne Ausley
Dorothy Bendross-Mindingall
s/Marsha L. "Marty" Bowen,
At Large
Mary Brandenburg
Susan Bucher
s/Jennifer Carroll

Charles S. "Chuck" Chestnut IV
s/Larry Cretul, At Large
Joyce Cusack, At Large
Chris Dorworth
Keith Fitzgerald
s/Bill Galvano
s/Andy Gardiner
Joseph A. "Joe" Gibbons
s/Hugh H. Gibson III
s/Michael J. Grant
s/Gayle B. Harrell
s/D. Alan Hays
s/Matt Hudson
s/Kurt Kelly
Martin David "Marty" Kiar
Paige Kreegel
s/John Legg
Janet C. Long
Richard A. Machek
s/Charles McBurney
Matthew J. "Matt" Meadows
s/Mitch Needelman
s/Pat Patterson
s/Juan-Carlos "J.C." Planas
s/Stephen L. Precourt
Scott Randolph
Betty Reed
s/Garrett Richter
s/Julio Robaina
Dennis A. Ross
Franklin Sands, At Large
Ron Saunders, At Large
s/Ron Schultz
John P. "Jack" Seiler, At Large
Kelly Skidmore
Priscilla Taylor
s/Nicholas R. "Nick" Thompson
s/Anthony Trey Traviesa
Shelley Vana
s/Will W. Weatherford
s/Juan C. Zapata, At Large
s/Marti Coley
s/Faye B. Culp
s/Carl J. Domino
s/Greg Evers
s/Anitere Flores, At Large
s/Rene Garcia
Dan Gelber, At Large
Audrey Gibson
s/Richard "Rich" Glorioso
Denise Grimsley
s/Adam Hasner, At Large
s/Ed Homan
s/Dorothy L. Hukill
s/Will S. Kendrick
s/Dick Kravitz
Rick Kriseman
s/Marcelo Llorente
s/Carlos Lopez-Cantera
s/Stan Mayfield
s/Seth McKeel
s/Dave Murzin
s/Jimmy T. Patronis, Jr.
s/Joe H. Pickens
s/Ralph Poppell
s/William L. "Bill" Proctor
s/Ron Reagan
Curtis B. Richardson
s/David Rivera, At Large
Yolly Roberson
Maria Lorts Sachs
Anthony P. "Tony" Sasso III
s/Robert C. "Rob" Schenck
Michael J. Scionti
s/David Simmons, At Large
Darren Soto
Geraldine F. "Geri" Thompson
Perry E. Thurston, Jr.
s/Baxter G. Troutman
James W. "Jim" Waldman
Trudi K. Williams

Managers on the part of the House

Conference Committee Amendment (100637)(with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Paragraph (d) of subsection (2) of section 400.179, Florida Statutes, is amended to read:

400.179 Liability for Medicaid underpayments and overpayments.—

(2) Because any transfer of a nursing facility may expose the fact that Medicaid may have underpaid or overpaid the transferor, and because in most instances, any such underpayment or overpayment can only be determined following a formal field audit, the liabilities for any such underpayments or overpayments shall be as follows:

(d) Where the transfer involves a facility that has been leased by the transferor:

1. The transferee shall, as a condition to being issued a license by the agency, acquire, maintain, and provide proof to the agency of a bond with a term of 30 months, renewable annually, in an amount not less than the total of 3 months' Medicaid payments to the facility computed on the basis of the preceding 12-month average Medicaid payments to the facility.

2. A leasehold licensee may meet the requirements of subparagraph 1. by payment of a nonrefundable fee, paid at initial licensure, paid at the time of any subsequent change of ownership, and paid annually thereafter, in the amount of 1 percent of the total of 3 months' Medicaid payments to the facility computed on the basis of the preceding 12-month average Medicaid payments to the facility. If a preceding 12-month average is not available, projected Medicaid payments may be used. The fee shall be deposited into the Health Care Trust Fund and shall be accounted for separately as a Medicaid nursing home overpayment account. These fees shall be used at the sole discretion of the agency to repay nursing home Medicaid overpayments. *The agency is authorized to transfer funds to the Grants and Donations Trust Fund for such repayments.* Payment of this fee shall not release the licensee from any liability for any Medicaid overpayments, nor shall payment bar the agency from seeking to recoup overpayments from the licensee and any other liable party. As a condition of exercising this lease bond alternative, licensees paying this fee must maintain an existing lease bond through the end of the 30-month term period of that bond. The agency is herein granted specific authority to promulgate all rules pertaining to the administration and management of this account, including withdrawals from the account, subject to federal review and approval. This provision shall take effect upon becoming law and shall apply to any leasehold license application. The financial viability of the Medicaid nursing home overpayment account shall be determined by the agency through annual review of the account balance and the amount of total outstanding, unpaid Medicaid overpayments owing from leasehold licensees to the agency as determined by final agency audits.

3. The leasehold licensee may meet the bond requirement through other arrangements acceptable to the agency. The agency is herein granted specific authority to promulgate rules pertaining to lease bond arrangements.

4. All existing nursing facility licensees, operating the facility as a leasehold, shall acquire, maintain, and provide proof to the agency of the 30-month bond required in subparagraph 1., above, on and after July 1, 1993, for each license renewal.

5. It shall be the responsibility of all nursing facility operators, operating the facility as a leasehold, to renew the 30-month bond and to provide proof of such renewal to the agency annually.

6. Any failure of the nursing facility operator to acquire, maintain, renew annually, or provide proof to the agency shall be grounds for the agency to deny, revoke, and suspend the facility license to operate such facility and to take any further action, including, but not limited to, enjoining the facility, asserting a moratorium pursuant to part II of chapter 408, or applying for a receiver, deemed necessary to ensure compliance with this section and to safeguard and protect the health, safety, and welfare of the facility's residents. A lease agreement required as a condition of bond financing or refinancing under s. 154.213 by a health facilities authority or required under s. 159.30 by a county or municipality is not a leasehold for purposes of this paragraph and is not subject to the bond requirement of this paragraph.

Section 2. Section 409.017, Florida Statutes, is amended to read:

409.017 ~~Local Funding~~ Revenue Maximization Act; legislative intent; revenue maximization program.—

(1) SHORT TITLE.—This section may be cited as the "~~Local Funding~~ Revenue Maximization Act."

(2) LEGISLATIVE INTENT.—

(a) The Legislature recognizes that state funds do not fully utilize federal funding matching opportunities for health and human services needs. It is the intent of the Legislature to authorize the use of certified local funding for federal matching programs to the fullest extent possible to maximize federal funding of local preventive services and local child development programs in this state. To that end, the Legislature expects that state agencies will take a proactive approach in implementing this legislative priority. It is the further intent of the Legislature that this act shall be revenue neutral with respect to state funds.

(b) It is the intent of the Legislature that revenue maximization opportunities using certified local funding shall occur only after available state funds have been utilized to generate matching federal funding for the state.

(c) It is the intent of the Legislature that participation in revenue maximization is to be voluntary for local political subdivisions.

(d) Except for funds expended pursuant to Title XIX of the Social Security Act, it is the intent of the Legislature that certified local funding for federal matching programs not supplant or replace state funds. Beginning July 1, 2004, any state funds supplanted or replaced with local tax revenues for Title XIX funds shall be expressly approved in the General Appropriations Act or by the Legislative Budget Commission pursuant to chapter 216.

(e) It is the intent of the Legislature that revenue maximization shall not divert existing funds from state agencies that are currently using local funds to maximize matching federal and state funds to the greatest extent possible.

(f) It is the intent of the legislature to encourage and allow any agency to engage, through a competitive procurement process, an entity with expertise in claiming justifiable and appropriate federal funds through revenue maximization efforts both retrospectively and prospectively. This claiming may include, but not be limited to, administrative and services activities that are eligible under federal matching programs.

(3) REVENUE MAXIMIZATION PROGRAM.—

(a) For purposes of this section, the term "agency" means any state agency or department that is involved in providing health, social, or human services, including, but not limited to, the Agency for Health Care Administration, the Agency for Workforce Innovation, the Department of Children and Family Services, the Department of Elderly Affairs, the Department of Juvenile Justice, *the Department of Education,* and the State Board of Education.

(b) The Agency for Health Care Administration may develop a procurement document and procedure to claim administrative federal matching funds for state provided educational services. The agency shall then competitively procure an entity with appropriate expertise and experience to retrospectively and prospectively maximize federal revenues through administrative claims for federal matching funds for state provided educational services.

(c)~~(b)~~ Each agency shall establish programs and mechanisms designed to maximize the use of local funding for federal programs in accordance with this section.

(d)~~(c)~~ The use of local matching funds under this section must be limited to public revenue funds of local political subdivisions, including, but not limited to, counties, municipalities, and special districts. To the extent permitted by federal law, funds donated to such local political subdivisions by private entities, such as, but not limited to, the United Way, community foundations or other foundations, and businesses, or by individuals are considered to be public revenue funds available for matching federal funding.

(e)~~(d)~~ Subject to paragraph *(g)* ~~(f)~~, any federal reimbursement received as a result of the certification of local matching funds must, unless specifically prohibited by federal law or state law, including the General Appropriations Act, and subject to the availability of specific appropriation and release authority, be returned within 30 days after receipt by the agency by the most expedient means possible to the local political subdivision providing such funding, and the local political subdivision must be provided an annual accounting of federal reimbursements received by the state or its agencies as a result of the certification of the local political subdivision's matching funds. The receipt by a local political subdivision of such matching funds must not in any way influence or be used as a factor in developing any agency's annual operating budget allocation methodology or formula or any subsequent budget amendment allocations or formulas. If necessary, agreements must be made between an agency and the local political subdivision to accomplish that purpose. Such an agreement may provide that the local political subdivision must: verify the eligibility of the local program or programs and the individuals served thereby to qualify for federal matching funds; shall develop and maintain the financial records necessary for documenting the appropriate use of federal funds; shall comply with all applicable state and federal laws, regulations, and rules that regulate such federal services; and shall reimburse the cost of any disallowance of federal funding previously provided to a local political subdivision resulting from the failure of that local political subdivision to comply with applicable state or federal laws, rules, or regulations.

(f)~~(e)~~ Each agency, as applicable, shall work with local political subdivisions to modify any state plans and to seek and implement any federal waivers necessary to implement this section. If such modifications or waivers require the approval of the Legislature, the agency, as applicable, shall draft such legislation and present it to the President of the Senate and the Speaker of the House of Representatives and to the respective committee chairs of the Senate and the House of Representatives by January 1, 2004, and, as applicable, annually thereafter.

(g)~~(f)~~ Each agency, as applicable, before funds generated under this section are distributed to any local political subdivision, may deduct the actual administrative cost for implementing and monitoring the local match program; however, such administrative costs may not exceed 5 percent of the total federal reimbursement funding to be provided to the local political subdivision under paragraph *(e)* ~~(d)~~. To the extent that any other provision of state law applies to the certification of local matching funds for a specific program, the provisions of that statute which relate to administrative costs apply in lieu of the provisions of this paragraph. The failure to remit reimbursement to the local political subdivision will result in the payment of interest, in addition to the amount to be reimbursed at a rate pursuant to s. 55.03(1) on the unpaid amount from the expiration of the 30-day period until payment is received.

(h)~~(g)~~ Each agency, respectively, shall annually submit to the Governor, the President of the Senate, and the Speaker of the House of Representatives, no later than January 1, a report that documents the specific activities undertaken during the previous fiscal year under this section. The report must include, but is not limited to, a statement of the total amount of federal matching funds generated by local matching funds under this section, reported by federal funding source; the total amount of block grant funds expended during the previous fiscal year, reported by federal funding source; the total amount for federal matching fund programs, including, but not limited to, Temporary Assistance for Needy Families and Child Care and Development Fund, of unobligated funds and unliquidated funds, both as of the close of the previous federal fiscal year; the amount of unliquidated funds that is in danger of being returned to the Federal Government at the end of the current federal fiscal year; and a detailed plan and timeline for spending any unobligated and unliquidated funds by the end of the current federal fiscal year.

Section 3. Subsections (1) and (2) of section 409.904, Florida Statutes, are amended to read:

409.904 Optional payments for eligible persons.—The agency may make payments for medical assistance and related services on behalf of the following persons who are determined to be eligible subject to the income, assets, and categorical eligibility tests set forth in federal and state law. Payment on behalf of these Medicaid eligible persons is subject to the availability of moneys and any limitations established by the General Appropriations Act or chapter 216.

(1)~~(a) From July 1, 2005, through December 31, 2005, a person who is age 65 or older or is determined to be disabled, whose income is at or below 88 percent of federal poverty level, and whose assets do not exceed established limitations.~~

~~(b)~~ Effective January 1, 2006, and subject to federal waiver approval, a person who is age 65 or older or is determined to be disabled, whose income is at or below 88 percent of the federal poverty level, whose assets do not exceed established limitations, and who is not eligible for Medicare or, if eligible for Medicare, is also eligible for and receiving Medicaid-covered institutional care services, hospice services, or home and community-based services. The agency shall seek federal authorization through a waiver to provide this coverage. *This subsection expires June 30, 2009.*

(2)*(a)* A family, a pregnant woman, a child under age 21, a person age 65 or over, or a blind or disabled person, who would be eligible under any group listed in s. 409.903(1), (2), or (3), except that the income or assets of such family or person exceed established limitations. For a family or person in one of these coverage groups, medical expenses are deductible from income in accordance with federal requirements in order to make a determination of eligibility. A family or person eligible under the coverage known as the "medically needy," is eligible to receive the same services as other Medicaid recipients, with the exception of services in skilled nursing facilities and intermediate care facilities for the developmentally disabled. *This subsection expires June 30, 2009.*

(b) Effective July 1, 2009, a pregnant woman or a child younger than 21 years of age who would be eligible under any group listed in s. 409.903, except that the income or assets of such group exceed established limitations. For a person in one of these coverage groups, medical expenses are deductible from income in accordance with federal requirements in order to make a determination of eligibility. A person eligible under the coverage known as the "medically needy" is eligible to receive the same services as other Medicaid recipients, with the exception of services in skilled nursing facilities and intermediate care facilities for the developmentally disabled.

Section 4. Subsection (26) is added to section 409.906, Florida Statutes, to read:

409.906 Optional Medicaid services.—Subject to specific appropriations, the agency may make payments for services which are optional to the state under Title XIX of the Social Security Act and are furnished by Medicaid providers to recipients who are determined to be eligible on the dates on which the services were provided. Any optional service that is provided shall be provided only when medically necessary and in accordance with state and federal law. Optional services rendered by providers in mobile units to Medicaid recipients may be restricted or prohibited by the agency. Nothing in this section shall be construed to prevent or limit the agency from adjusting fees, reimbursement rates, lengths of stay, number of visits, or number of services, or making any other adjustments necessary to comply with the availability of moneys and any limitations or directions provided for in the General Appropriations Act or chapter 216. If necessary to safeguard the state's systems of providing services to elderly and disabled persons and subject to the notice and review provisions of s. 216.177, the Governor may direct the Agency for Health Care Administration to amend the Medicaid state plan to delete the optional Medicaid service known as "Intermediate Care Facilities for the Developmentally Disabled." Optional services may include:

(26) ANESTHESIOLOGIST ASSISTANT SERVICES.—The agency may pay for all services provided to a recipient by an anesthesiologist assistant licensed under s. 458.3475 or s. 459.023. Reimbursement for such services must be not less than 80 percent of the reimbursement that would be paid to a physician who provided the same services.

Section 5. Subsections (13) and (14) of section 409.908, Florida Statutes, as amended by chapter 2007-331, Laws of Florida, are amended, and subsection (23) is added to that section, to read:

409.908 Reimbursement of Medicaid providers.—Subject to specific appropriations, the agency shall reimburse Medicaid providers, in accordance with state and federal law, according to methodologies set forth in the rules of the agency and in policy manuals and handbooks incorporated by reference therein. These methodologies may include fee schedules, reimbursement methods based on cost reporting, negotiated fees, competitive bidding pursuant to s. 287.057, and other mechanisms the agency considers efficient and effective for purchasing services or goods on behalf of recipients. If a provider is reimbursed based on cost reporting and submits a cost report late and that cost report would have been used to set a lower reimbursement rate for a rate semester, then the provider's rate for that semester shall be retroactively calculated using the new cost report, and full payment at the recalculated rate shall be effected retroactively. Medicare-granted extensions for filing cost reports, if applicable, shall also apply to Medicaid cost reports. Payment for Medicaid compensable services made on behalf of Medicaid eligible persons is subject to the availability of moneys and any limitations or directions provided for in the General Appropriations Act or chapter 216. Further, nothing in this section shall be construed to prevent or limit the agency from adjusting fees, reimbursement rates, lengths of stay, number of visits, or number of services, or making any other adjustments necessary to comply with the availability of moneys and any limitations or directions provided for in the General Appropriations Act, provided the adjustment is consistent with legislative intent.

(13) Medicare premiums for persons eligible for both Medicare and Medicaid coverage shall be paid at the rates established by Title XVIII of the Social Security Act. For Medicare services rendered to Medicaid-eligible persons, Medicaid shall pay Medicare deductibles and coinsurance as follows:

~~(a) Medicaid shall make no payment toward deductibles and coinsurance for any service that is not covered by Medicaid.~~

(a)~~(b)~~ Medicaid's financial obligation for deductibles and coinsurance payments shall be based on Medicare allowable fees, not on a provider's billed charges.

(b)~~(c)~~ Medicaid will pay no portion of Medicare deductibles and coinsurance when payment that Medicare has made for the service equals or exceeds what Medicaid would have paid if it had been the sole payor. The combined payment of Medicare and Medicaid shall not exceed the amount Medicaid would have paid had it been the sole payor. The Legislature finds that there has been confusion regarding the reimbursement for services rendered to dually eligible Medicare beneficiaries. Accordingly, the Legislature clarifies that it has always been the intent of the Legislature before and after 1991 that, in reimbursing in accordance with fees established by Title XVIII for premiums, deductibles, and coinsurance for Medicare services rendered by physicians to Medicaid eligible persons, physicians be reimbursed at the lesser of the amount billed by the physician or the Medicaid maximum allowable fee established by the Agency for Health Care Administration, as is permitted by federal law. It has never been the intent of the Legislature with regard to such services rendered by physicians that Medicaid be required to provide any payment for deductibles, coinsurance, or copayments for Medicare cost sharing, or any expenses incurred relating thereto, in excess of the payment amount provided for under the State Medicaid plan for such service. This payment methodology is applicable even in those situations in which the payment for Medicare cost sharing for a qualified Medicare beneficiary with respect to an item or service is reduced or eliminated. This expression of the Legislature is in clarification of existing law and shall apply to payment for, and with respect to provider agreements with respect to, items or services furnished on or after the effective date of this act. This paragraph applies to payment by Medicaid for items and services furnished before the effective date of this act if such payment is the subject of a lawsuit that is based on the provisions of this section, and that is pending as of, or is initiated after, the effective date of this act.

(c)~~(d)~~ Notwithstanding paragraphs *(a) and (b)* ~~(a)-(c)~~:

1. Medicaid payments for Nursing Home Medicare part A coinsurance *are* ~~shall be~~ limited to the Medicaid nursing home per diem rate less any amounts paid by Medicare, but only up to the amount of Medicare coinsurance. The Medicaid per diem rate shall be the rate in effect for the dates of service of the crossover claims and may not be subsequently adjusted due to subsequent per diem rate adjustments.

2. Medicaid shall pay all deductibles and coinsurance for Medicare-eligible recipients receiving freestanding end stage renal dialysis center services.

3. Medicaid payments for general *and specialty* hospital inpatient services *are* ~~shall be~~ limited to the Medicare deductible *and coinsurance* per spell of illness. *Medicaid payments for hospital Medicare Part A coinsurance shall be limited to the Medicaid hospital per diem rate less any amounts paid by Medicare, but only up to the amount of Medicare coinsurance. Medicaid payments for coinsurance shall be limited to the Medicaid per diem rate in effect for the dates of service of the crossover claims and may not be subsequently adjusted due to subsequent per diem adjustments.* ~~Medicaid shall make no payment toward coinsurance for Medicare general hospital inpatient services.~~

4. Medicaid shall pay all deductibles and coinsurance for Medicare emergency transportation services provided by ambulances licensed pursuant to chapter 401.

5. Medicaid shall pay all deductibles and coinsurance for portable X-ray Medicare Part B services provided in a nursing home.

(14) A provider of prescribed drugs shall be reimbursed the least of the amount billed by the provider, the provider's usual and customary charge, or the Medicaid maximum allowable fee established by the agency, plus a dispensing fee. The Medicaid maximum allowable fee for ingredient cost will be based on the lower of: average wholesale price (AWP) minus *16.4* ~~15.4~~ percent, wholesaler acquisition cost (WAC) plus *4.75* ~~5.75~~ percent, the federal upper limit (FUL), the state maximum allowable cost (SMAC), or the usual and customary (UAC) charge billed by the provider. Medicaid providers are required to dispense generic drugs if available at lower cost and the agency has not determined that the branded product is more cost-effective, unless the prescriber has requested and received approval to require the branded product. The agency is directed to implement a variable dispensing fee for payments for prescribed medicines while ensuring continued access for Medicaid recipients. The variable dispensing fee may be based upon, but not limited to, either or both the volume of prescriptions dispensed by a specific pharmacy provider, the volume of prescriptions dispensed to an individual recipient, and dispensing of preferred-drug-list products. The agency may increase the pharmacy dispensing fee authorized by statute and in the annual General Appropriations Act by $0.50 for the dispensing of a Medicaid preferred-drug-list product and reduce the pharmacy dispensing fee by $0.50 for the dispensing of a Medicaid product that is

not included on the preferred drug list. The agency may establish a supplemental pharmaceutical dispensing fee to be paid to providers returning unused unit-dose packaged medications to stock and crediting the Medicaid program for the ingredient cost of those medications if the ingredient costs to be credited exceed the value of the supplemental dispensing fee. The agency is authorized to limit reimbursement for prescribed medicine in order to comply with any limitations or directions provided for in the General Appropriations Act, which may include implementing a prospective or concurrent utilization review program.

(23)(a) The agency shall establish rates at a level that ensures no increase in statewide expenditures resulting from a change in unit costs for 2 fiscal years effective July 1, 2009. Reimbursement rates for the 2 fiscal years shall be as provided in the General Appropriations Act.

(b) This subsection applies to the following provider types:

1. Inpatient hospitals.

2. Outpatient hospitals.

3. Nursing homes.

4. County health departments.

5. Community intermediate care facilities for the developmentally disabled.

6. Prepaid health plans.

The agency shall apply the effect of this subsection to the reimbursement rates for nursing home diversion programs.

(c) The agency shall create a workgroup on hospital reimbursement, a workgroup on nursing facility reimbursement, and a workgroup on managed care plan payment. The workgroups shall evaluate alternative reimbursement and payment methodologies for hospitals, nursing facilities, and managed care plans, including prospective payment methodologies for hospitals and nursing facilities. The nursing facility workgroup shall also consider price-based methodologies for indirect care and acuity adjustments for direct care. The agency shall submit a report on the evaluated alternative reimbursement methodologies to the relevant committees of the Senate and the House of Representatives by November 1, 2009.

(d) This subsection expires June 30, 2011.

Section 6. Paragraph (a) of subsection (2) of section 409.911, Florida Statutes, is amended to read:

409.911 Disproportionate share program.—Subject to specific allocations established within the General Appropriations Act and any limitations established pursuant to chapter 216, the agency shall distribute, pursuant to this section, moneys to hospitals providing a disproportionate share of Medicaid or charity care services by making quarterly Medicaid payments as required. Notwithstanding the provisions of s. 409.915, counties are exempt from contributing toward the cost of this special reimbursement for hospitals serving a disproportionate share of low-income patients.

(2) The Agency for Health Care Administration shall use the following actual audited data to determine the Medicaid days and charity care to be used in calculating the disproportionate share payment:

(a) The average of the *2002, 2003, and 2004* ~~2000, 2001, and 2002~~ audited disproportionate share data to determine each hospital's Medicaid days and charity care for the *2008-2009* ~~2006-2007~~ state fiscal year.

Section 7. Section 409.9112, Florida Statutes, is amended to read:

409.9112 Disproportionate share program for regional perinatal intensive care centers.—In addition to the payments made under s. 409.911, the Agency for Health Care Administration shall design and implement a system of making disproportionate share payments to those hospitals that participate in the regional perinatal intensive care center program established pursuant to chapter 383. This system of payments shall conform with federal requirements and shall distribute funds in each fiscal year for which an appropriation is made by making quarterly Medicaid payments. Notwithstanding the provisions of s. 409.915, counties are exempt from contributing toward the cost of this special reimbursement for hospitals serving a disproportionate share of low-income patients. For the state fiscal year *2008-2009* ~~2005-2006~~, the agency shall not distribute moneys under the regional perinatal intensive care centers disproportionate share program.

(1) The following formula shall be used by the agency to calculate the total amount earned for hospitals that participate in the regional perinatal intensive care center program:

TAE = HDSP/THDSP

Where:

TAE = total amount earned by a regional perinatal intensive care center.

HDSP = the prior state fiscal year regional perinatal intensive care center disproportionate share payment to the individual hospital.

THDSP = the prior state fiscal year total regional perinatal intensive care center disproportionate share payments to all hospitals.

(2) The total additional payment for hospitals that participate in the regional perinatal intensive care center program shall be calculated by the agency as follows:

TAP = TAE x TA

Where:

TAP = total additional payment for a regional perinatal intensive care center.

TAE = total amount earned by a regional perinatal intensive care center.

TA = total appropriation for the regional perinatal intensive care center disproportionate share program.

(3) In order to receive payments under this section, a hospital must be participating in the regional perinatal intensive care center program pursuant to chapter 383 and must meet the following additional requirements:

(a) Agree to conform to all departmental and agency requirements to ensure high quality in the provision of services, including criteria adopted by departmental and agency rule concerning staffing ratios, medical records, standards of care, equipment, space, and such other standards and criteria as the department and agency deem appropriate as specified by rule.

(b) Agree to provide information to the department and agency, in a form and manner to be prescribed by rule of the department and agency, concerning the care provided to all patients in neonatal intensive care centers and high-risk maternity care.

(c) Agree to accept all patients for neonatal intensive care and high-risk maternity care, regardless of ability to pay, on a functional space-available basis.

(d) Agree to develop arrangements with other maternity and neonatal care providers in the hospital's region for the appropriate receipt and transfer of patients in need of specialized maternity and neonatal intensive care services.

(e) Agree to establish and provide a developmental evaluation and services program for certain high-risk neonates, as prescribed and defined by rule of the department.

(f) Agree to sponsor a program of continuing education in perinatal care for health care professionals within the region of the hospital, as specified by rule.

(g) Agree to provide backup and referral services to the department's county health departments and other low-income perinatal providers within the hospital's region, including the development of written agreements between these organizations and the hospital.

(h) Agree to arrange for transportation for high-risk obstetrical patients and neonates in need of transfer from the community to the hospital or from the hospital to another more appropriate facility.

(4) Hospitals which fail to comply with any of the conditions in subsection (3) or the applicable rules of the department and agency shall not receive any payments under this section until full compliance is achieved. A hospital which is not in compliance in two or more consecutive quarters shall not receive its share of the funds. Any forfeited funds shall be distributed by the remaining participating regional perinatal intensive care center program hospitals.

Section 8. Section 409.9113, Florida Statutes, is amended to read:

409.9113 Disproportionate share program for teaching hospitals.—In addition to the payments made under ss. 409.911 and 409.9112, the Agency for Health Care Administration shall make disproportionate share payments to statutorily defined teaching hospitals for their increased costs associated with medical education programs and for tertiary health care services provided to the indigent. This system of payments shall conform with federal requirements and shall distribute funds in each fiscal year for which an appropriation is made by making quarterly Medicaid payments. Notwithstanding s. 409.915, counties are exempt from contributing toward the cost of this special reimbursement for hospitals serving a disproportionate share of low-income patients. For the state fiscal year *2008-2009* ~~2006-2007~~, the agency shall distribute the moneys provided in the General Appropriations Act to statutorily defined teaching hospitals and family practice teaching hospitals under the teaching hospital disproportionate share program. The funds provided for statutorily defined teaching hospitals shall be distributed in the same proportion as the state fiscal year 2003-2004 teaching hospital disproportionate share funds were distributed *or as otherwise provided in the General Appropriations Act*. The funds provided for family practice teaching hospitals shall be distributed equally among family practice teaching hospitals.

(1) On or before September 15 of each year, the Agency for Health Care Administration shall calculate an allocation fraction to be used for distributing funds to state statutory teaching hospitals. Subsequent to the end of each quarter of the state fiscal year, the agency shall distribute to each statutory teaching hospital, as defined in s. 408.07, an amount determined by multiplying one-fourth of the funds appropriated for this purpose by the Legislature times such hospital's allocation fraction. The allocation fraction for each such hospital shall be determined by the sum of three primary factors, divided by three. The primary factors are:

(a) The number of nationally accredited graduate medical education programs offered by the hospital, including programs accredited by the Accreditation Council for Graduate Medical Education and the combined Internal Medicine and Pediatrics programs acceptable to both the American Board of Internal Medicine and the American Board of Pediatrics at the beginning of the state fiscal year preceding the date on which the allocation fraction is calculated. The numerical value of this factor is the fraction that the hospital represents of the total number of programs, where the total is computed for all state statutory teaching hospitals.

(b) The number of full-time equivalent trainees in the hospital, which comprises two components:

1. The number of trainees enrolled in nationally accredited graduate medical education programs, as defined in paragraph (a). Full-time equivalents are computed using the fraction of the year during which each trainee is primarily assigned to the given institution, over the state fiscal year preceding the date on which the allocation fraction is calculated. The numerical value of this factor is the fraction that the hospital represents of the total number of full-time equivalent trainees enrolled in accredited graduate programs, where the total is computed for all state statutory teaching hospitals.

2. The number of medical students enrolled in accredited colleges of medicine and engaged in clinical activities, including required clinical clerkships and clinical electives. Full-time equivalents are computed using the fraction of the year during which each trainee is primarily assigned to the given institution, over the course of the state fiscal year preceding the date on which the allocation fraction is calculated. The numerical value of this factor is the fraction that the given hospital represents of the total number of full-time equivalent students enrolled in accredited colleges of medicine, where the total is computed for all state statutory teaching hospitals.

The primary factor for full-time equivalent trainees is computed as the sum of these two components, divided by two.

(c) A service index that comprises three components:

1. The Agency for Health Care Administration Service Index, computed by applying the standard Service Inventory Scores established by the Agency for Health Care Administration to services offered by the given hospital, as reported on Worksheet A-2 for the last fiscal year reported to the agency before the date on which the allocation fraction is calculated. The numerical value of this factor is the fraction that the given hospital represents of the total Agency for Health Care Administration Service Index values, where the total is computed for all state statutory teaching hospitals.

2. A volume-weighted service index, computed by applying the standard Service Inventory Scores established by the Agency for Health Care Administration to the volume of each service, expressed in terms of the standard units of measure reported on Worksheet A-2 for the last fiscal year reported to the agency before the date on which the allocation factor is calculated. The numerical value of this factor is the fraction that the given hospital represents of the total volume-weighted service index values, where the total is computed for all state statutory teaching hospitals.

3. Total Medicaid payments to each hospital for direct inpatient and outpatient services during the fiscal year preceding the date on which the allocation factor is calculated. This includes payments made to each hospital for such services by Medicaid prepaid health plans, whether the plan was administered by the hospital or not. The numerical value of this factor is the fraction that each hospital represents of the total of such Medicaid payments, where the total is computed for all state statutory teaching hospitals.

The primary factor for the service index is computed as the sum of these three components, divided by three.

(2) By October 1 of each year, the agency shall use the following formula to calculate the maximum additional disproportionate share payment for statutorily defined teaching hospitals:

TAP = THAF x A

Where:

TAP = total additional payment.

THAF = teaching hospital allocation factor.

A = amount appropriated for a teaching hospital disproportionate share program.

Section 9. Section 409.9117, Florida Statutes, is amended to read:

409.9117 Primary care disproportionate share program.—For the state fiscal year *2008-2009* ~~2006-2007~~ , the agency shall not distribute moneys under the primary care disproportionate share program.

(1) If federal funds are available for disproportionate share programs in addition to those otherwise provided by law, there shall be created a primary care disproportionate share program.

(2) The following formula shall be used by the agency to calculate the total amount earned for hospitals that participate in the primary care disproportionate share program:

TAE = HDSP/THDSP

Where:

TAE = total amount earned by a hospital participating in the primary care disproportionate share program.

HDSP = the prior state fiscal year primary care disproportionate share payment to the individual hospital.

THDSP = the prior state fiscal year total primary care disproportionate share payments to all hospitals.

(3) The total additional payment for hospitals that participate in the primary care disproportionate share program shall be calculated by the agency as follows:

TAP = TAE x TA

Where:

TAP = total additional payment for a primary care hospital.

TAE = total amount earned by a primary care hospital.

TA = total appropriation for the primary care disproportionate share program.

(4) In the establishment and funding of this program, the agency shall use the following criteria in addition to those specified in s. 409.911, payments may not be made to a hospital unless the hospital agrees to:

(a) Cooperate with a Medicaid prepaid health plan, if one exists in the community.

(b) Ensure the availability of primary and specialty care physicians to Medicaid recipients who are not enrolled in a prepaid capitated arrangement and who are in need of access to such physicians.

(c) Coordinate and provide primary care services free of charge, except copayments, to all persons with incomes up to 100 percent of the federal poverty level who are not otherwise covered by Medicaid or another program administered by a governmental entity, and to provide such services based on a sliding fee scale to all persons with incomes up to 200 percent of the federal poverty level who are not otherwise covered by Medicaid or another program administered by a governmental entity, except that eligibility may be limited to persons who reside within a more limited area, as agreed to by the agency and the hospital.

(d) Contract with any federally qualified health center, if one exists within the agreed geopolitical boundaries, concerning the provision of primary care services, in order to guarantee delivery of services in a nonduplicative fashion, and to provide for referral arrangements, privileges, and admissions, as appropriate. The hospital shall agree to provide at an onsite or offsite facility primary care services within 24 hours to which all Medicaid recipients and persons eligible under this paragraph who do not require emergency room services are referred during normal daylight hours.

(e) Cooperate with the agency, the county, and other entities to ensure the provision of certain public health services, case management, referral and acceptance of patients, and sharing of epidemiological data, as the agency and the hospital find mutually necessary and desirable to promote and protect the public health within the agreed geopolitical boundaries.

(f) In cooperation with the county in which the hospital resides, develop a low-cost, outpatient, prepaid health care program to persons who are not eligible for the Medicaid program, and who reside within the area.

(g) Provide inpatient services to residents within the area who are not eligible for Medicaid or Medicare, and who do not have private health insurance, regardless of ability to pay, on the basis of available space, except that nothing shall prevent the hospital from establishing bill collection programs based on ability to pay.

(h) Work with the Florida Healthy Kids Corporation, the Florida Health Care Purchasing Cooperative, and business health coalitions, as appropriate, to develop a feasibility study and plan to provide a low-cost comprehensive health insurance plan to persons who reside within the area and who do not have access to such a plan.

(i) Work with public health officials and other experts to provide community health education and prevention activities designed to promote healthy lifestyles and appropriate use of health services.

(j) Work with the local health council to develop a plan for promoting access to affordable health care services for all persons who reside within the area, including, but not limited to, public health services, primary care services, inpatient services, and affordable health insurance generally.

Any hospital that fails to comply with any of the provisions of this subsection, or any other contractual condition, may not receive payments under this section until full compliance is achieved.

Section 10. Paragraph (b) of subsection (4) and paragraph (a) of subsection (39) of section 409.912, Florida Statutes, as amended by chapter 2007-331, Laws of Florida, are amended, and subsection (53) is added to that section, to read:

409.912 Cost-effective purchasing of health care.—The agency shall purchase goods and services for Medicaid recipients in the most cost-effective manner consistent with the delivery of quality medical care. To ensure that medical services are effectively utilized, the agency may, in any case, require a confirmation or second physician's opinion of the correct diagnosis for purposes of authorizing future services under the Medicaid program. This section does not restrict access to emergency services or poststabilization care services as defined in 42 C.F.R. part 438.114. Such confirmation or second opinion shall be rendered in a manner approved by the agency. The agency shall maximize the use of prepaid per capita and prepaid aggregate fixed-sum basis services when appropriate and other alternative service delivery and reimbursement methodologies, including competitive bidding pursuant to s. 287.057, designed to facilitate the cost-effective purchase of a case-managed continuum of care. The agency shall also require providers to minimize the exposure of recipients to the need for acute inpatient, custodial, and other institutional care and the inappropriate or unnecessary use of high-cost services. The agency shall contract with a vendor to monitor and evaluate the clinical practice patterns of providers in order to identify trends that are outside the normal practice patterns of a provider's professional peers or the national guidelines of a provider's professional association. The vendor must be able to provide information and counseling to a provider whose practice patterns are outside the norms, in consultation with the agency, to improve patient care and reduce inappropriate utilization. The agency may mandate prior authorization, drug therapy management, or disease management participation for certain populations of Medicaid beneficiaries, certain drug classes, or particular drugs to prevent fraud, abuse, overuse, and possible dangerous drug interactions. The Pharmaceutical and Therapeutics Committee shall make recommendations to the agency on drugs for which prior authorization is required. The agency shall inform the Pharmaceutical and Therapeutics Committee of its decisions regarding drugs subject to prior authorization. The agency is authorized to limit the entities it contracts with or enrolls as Medicaid providers by developing a provider network through provider credentialing. The agency may competitively bid single-source-provider contracts if procurement of goods or services results in demonstrated cost savings to the state without limiting access to care. The agency may limit its network based on the assessment of beneficiary access to care, provider availability, provider quality standards, time and distance standards for access to care, the cultural competence of the provider network, demographic characteristics of Medicaid beneficiaries, practice and provider-to-beneficiary standards, appointment wait times, beneficiary use of services, provider turnover, provider profiling, provider licensure history, previous program integrity investigations and findings, peer review, provider Medicaid policy and billing compliance records, clinical and medical record audits, and other factors. Providers shall not be entitled to enrollment in the Medicaid provider network. The agency shall determine instances in which allowing Medicaid beneficiaries to purchase durable medical equipment and other goods is less expensive to the Medicaid program than long-term rental of the equipment or goods. The agency may establish rules to facilitate purchases in lieu of long-term rentals in order to protect against fraud and abuse in the Medicaid program as defined in s. 409.913. The agency may seek federal waivers necessary to administer these policies.

(4) The agency may contract with:

(b) An entity that is providing comprehensive behavioral health care services to certain Medicaid recipients through a capitated, prepaid arrangement pursuant to the federal waiver provided for by s. 409.905(5). Such an entity must be licensed under chapter 624, chapter 636, or chapter 641 and must possess the clinical systems and operational competence to manage risk and provide comprehensive behavioral health care to Medicaid recipients. As used in this paragraph, the term "comprehensive behavioral health care services" means covered mental health and substance abuse treatment services that are available to Medicaid recipients. The secretary of the Department of Children and Family Services shall approve provisions of procurements related to children in the department's care or custody prior to enrolling such children in a prepaid behavioral health plan. Any contract awarded under this paragraph must be competitively procured. In developing the behavioral health care prepaid plan procurement document, the agency shall ensure that the procurement document requires the contractor to

develop and implement a plan to ensure compliance with s. 394.4574 related to services provided to residents of licensed assisted living facilities that hold a limited mental health license. Except as provided in subparagraph 8., and except in counties where the Medicaid managed care pilot program is authorized pursuant to s. 409.91211, the agency shall seek federal approval to contract with a single entity meeting these requirements to provide comprehensive behavioral health care services to all Medicaid recipients not enrolled in a Medicaid managed care plan authorized under s. 409.91211 or a Medicaid health maintenance organization in an AHCA area. In an AHCA area where the Medicaid managed care pilot program is authorized pursuant to s. 409.91211 in one or more counties, the agency may procure a contract with a single entity to serve the remaining counties as an AHCA area or the remaining counties may be included with an adjacent AHCA area and shall be subject to this paragraph. Each entity must offer sufficient choice of providers in its network to ensure recipient access to care and the opportunity to select a provider with whom they are satisfied. The network shall include all public mental health hospitals. To ensure unimpaired access to behavioral health care services by Medicaid recipients, all contracts issued pursuant to this paragraph shall require 80 percent of the capitation paid to the managed care plan, including health maintenance organizations, to be expended for the provision of behavioral health care services. In the event the managed care plan expends less than 80 percent of the capitation paid pursuant to this paragraph for the provision of behavioral health care services, the difference shall be returned to the agency. The agency shall provide the managed care plan with a certification letter indicating the amount of capitation paid during each calendar year for the provision of behavioral health care services pursuant to this section. The agency may reimburse for substance abuse treatment services on a fee-for-service basis until the agency finds that adequate funds are available for capitated, prepaid arrangements.

1. By January 1, 2001, the agency shall modify the contracts with the entities providing comprehensive inpatient and outpatient mental health care services to Medicaid recipients in Hillsborough, Highlands, Hardee, Manatee, and Polk Counties, to include substance abuse treatment services.

2. By July 1, 2003, the agency and the Department of Children and Family Services shall execute a written agreement that requires collaboration and joint development of all policy, budgets, procurement documents, contracts, and monitoring plans that have an impact on the state and Medicaid community mental health and targeted case management programs.

3. Except as provided in subparagraph 8., by July 1, 2006, the agency and the Department of Children and Family Services shall contract with managed care entities in each AHCA area except area 6 or arrange to provide comprehensive inpatient and outpatient mental health and substance abuse services through capitated prepaid arrangements to all Medicaid recipients who are eligible to participate in such plans under federal law and regulation. In AHCA areas where eligible individuals number less than 150,000, the agency shall contract with a single managed care plan to provide comprehensive behavioral health services to all recipients who are not enrolled in a Medicaid health maintenance organization or a Medicaid capitated managed care plan authorized under s. 409.91211. The agency may contract with more than one comprehensive behavioral health provider to provide care to recipients who are not enrolled in a Medicaid capitated managed care plan authorized under s. 409.91211 or a Medicaid health maintenance organization in AHCA areas where the eligible population exceeds 150,000. In an AHCA area where the Medicaid managed care pilot program is authorized pursuant to s. 409.91211 in one or more counties, the agency may procure a contract with a single entity to serve the remaining counties as an AHCA area or the remaining counties may be included with an adjacent AHCA area and shall be subject to this paragraph. Contracts for comprehensive behavioral health providers awarded pursuant to this section shall be competitively procured. Both for-profit and not-for-profit corporations shall be eligible to compete. Managed care plans contracting with the agency under subsection (3) shall provide and receive payment for the same comprehensive behavioral health benefits as provided in AHCA rules, including handbooks incorporated by reference. In AHCA area 11, the agency shall contract with at least two comprehensive behavioral health care providers to provide behavioral health care to recipients in that area who are enrolled in, or assigned to, the MediPass program. One of the behavioral health care contracts shall be with the existing provider service network pilot project, as described in paragraph (d), for the purpose of demonstrating the cost-effectiveness of the provision of quality mental health services through a public hospital-operated managed care model. Payment shall be at an agreed-upon capitated rate to ensure cost savings. Of the recipients in area 11 who are assigned to MediPass under the provisions of s. 409.9122(2)(k), a minimum of 50,000 of those MediPass-enrolled recipients shall be assigned to the existing provider service network in area 11 for their behavioral care.

4. By October 1, 2003, the agency and the department shall submit a plan to the Governor, the President of the Senate, and the Speaker of the House of Representatives which provides for the full implementation of capitated prepaid behavioral health care in all areas of the state.

a. Implementation shall begin in 2003 in those AHCA areas of the state where the agency is able to establish sufficient capitation rates.

b. If the agency determines that the proposed capitation rate in any area is insufficient to provide appropriate services, the agency may adjust the capitation rate to ensure that care will be available. The agency and the department may use existing general revenue to address any additional required match but may not over-obligate existing funds on an annualized basis.

c. Subject to any limitations provided for in the General Appropriations Act, the agency, in compliance with appropriate federal authorization, shall develop policies and procedures that allow for certification of local and state funds.

5. Children residing in a statewide inpatient psychiatric program, or in a Department of Juvenile Justice or a Department of Children and Family Services residential program approved as a Medicaid behavioral health overlay services provider shall not be included in a behavioral health care prepaid health plan or any other Medicaid managed care plan pursuant to this paragraph.

6. In converting to a prepaid system of delivery, the agency shall in its procurement document require an entity providing only comprehensive behavioral health care services to prevent the displacement of indigent care patients by enrollees in the Medicaid prepaid health plan providing behavioral health care services from facilities receiving state funding to provide indigent behavioral health care, to facilities licensed under chapter 395 which do not receive state funding for indigent behavioral health care, or reimburse the unsubsidized facility for the cost of behavioral health care provided to the displaced indigent care patient.

7. Traditional community mental health providers under contract with the Department of Children and Family Services pursuant to part IV of chapter 394, child welfare providers under contract with the Department of Children and Family Services in areas 1 and 6, and inpatient mental health providers licensed pursuant to chapter 395 must be offered an opportunity to accept or decline a contract to participate in any provider network for prepaid behavioral health services.

8. *All Medicaid-eligible children, except children in area 1 and children in Highlands, Hardee, Polk, or Manatee County of area 6* ~~For fiscal year 2004-2005, all Medicaid eligible children, except children in areas 1 and 6, whose cases are open for child welfare services in the HomeSafeNet system, shall be enrolled in MediPass or in Medicaid fee-for-service and all their behavioral health care services including inpatient, outpatient psychiatric, community mental health, and case management shall be reimbursed on a fee-for-service basis. Beginning July 1, 2005, such children~~, who are open for child welfare services in the HomeSafeNet system, shall receive their behavioral health care services through a specialty prepaid plan operated by community-based lead agencies either through a single agency or formal agreements among several agencies. The specialty prepaid plan must result in savings to the state comparable to savings achieved in other Medicaid managed care and prepaid programs. Such plan must provide mechanisms to maximize state and local revenues. The specialty prepaid plan shall be developed by the agency and the Department of Children and Family Services. The agency is authorized to seek any federal waivers to implement this initiative. Medicaid-eligible children whose cases are open for child welfare services in the HomeSafeNet system and who reside in AHCA area 10 are exempt from the specialty prepaid plan upon the development of a service delivery mechanism for children who reside in area 10 as specified in s. 409.91211(3)(dd).

(39)(a) The agency shall implement a Medicaid prescribed-drug spending-control program that includes the following components:

1. A Medicaid preferred drug list, which shall be a listing of cost-effective therapeutic options recommended by the Medicaid Pharmacy and Therapeutics Committee established pursuant to s. 409.91195 and adopted by the agency for each therapeutic class on the preferred drug list. At the discretion of the committee, and when feasible, the preferred drug list should include at least two products in a therapeutic class. The agency may post the preferred drug list and updates to the preferred drug list on an Internet website without following the rulemaking procedures of chapter 120. Antiretroviral agents are excluded from the preferred drug list. The agency shall also limit the amount of a prescribed drug dispensed to no more than a 34-day supply unless the drug products' smallest marketed package is greater than a 34-day supply, or the drug is determined by the agency to be a maintenance drug in which case a 100-day maximum supply may be authorized. The agency is authorized to seek any federal waivers necessary to implement these cost-control programs and to continue participation in the federal Medicaid rebate program, or alternatively to negotiate state-only manufacturer rebates. The agency may adopt rules to implement this subparagraph. The agency shall continue to provide unlimited contraceptive drugs and items. The agency must establish procedures to ensure that:

a. There *is* ~~will be~~ a response to a request for prior consultation by telephone or other telecommunication device within 24 hours after receipt of a request for prior consultation; and

b. A 72-hour supply of the drug prescribed *is* ~~will be~~ provided in an emergency or when the agency does not provide a response within 24 hours as required by sub-subparagraph a.

2. Reimbursement to pharmacies for Medicaid prescribed drugs shall be set at the lesser of: the average wholesale price (AWP) minus *16.4* ~~15.4~~ percent, the wholesaler acquisition cost (WAC) plus *4.75* ~~5.75~~ percent, the federal upper limit (FUL), the state maximum allowable cost (SMAC), or the usual and customary (UAC) charge billed by the provider.

3. The agency shall develop and implement a process for managing the drug therapies of Medicaid recipients who are using significant numbers of prescribed drugs each month. The management process may include, but is not limited to, comprehensive, physician-directed medical-record reviews, claims analyses, and case evaluations to determine the medical necessity and appropriateness of a patient's treatment plan and drug therapies. The agency may contract with a private organization to provide drug-program-management services. The Medicaid drug benefit management program shall include initiatives to manage drug therapies for HIV/AIDS patients, patients using 20 or more unique prescriptions in a 180-day period, and the top 1,000 patients in annual spending. The agency shall enroll any Medicaid recipient in the drug benefit management program if he or she meets the specifications of this provision and is not enrolled in a Medicaid health maintenance organization.

4. The agency may limit the size of its pharmacy network based on need, competitive bidding, price negotiations, credentialing, or similar criteria. The agency shall give special consideration to rural areas in determining the size and location of pharmacies included in the Medicaid pharmacy network. A pharmacy credentialing process may include criteria such as a pharmacy's full-service status, location, size, patient educational programs, patient consultation, disease management services, and other characteristics. The agency may impose a moratorium on Medicaid pharmacy enrollment when it is determined that it has a sufficient number of Medicaid-participating providers. The agency must allow dispensing practitioners to participate as a part of the Medicaid pharmacy network regardless of the practitioner's proximity to any other entity that is dispensing prescription drugs under the Medicaid program. A dispensing practitioner must meet all credentialing requirements applicable to his or her practice, as determined by the agency.

5. The agency shall develop and implement a program that requires Medicaid practitioners who prescribe drugs to use a counterfeit-proof prescription pad for Medicaid prescriptions. The agency shall require the use of standardized counterfeit-proof prescription pads by Medicaid-participating prescribers or prescribers who write prescriptions for Medicaid recipients. The agency may implement the program in targeted geographic areas or statewide.

6. The agency may enter into arrangements that require manufacturers of generic drugs prescribed to Medicaid recipients to provide rebates of at least 15.1 percent of the average manufacturer price for the manufacturer's generic products. These arrangements shall require that if a generic-drug manufacturer pays federal rebates for Medicaid-reimbursed drugs at a level below 15.1 percent, the manufacturer must provide a supplemental rebate to the state in an amount necessary to achieve a 15.1-percent rebate level.

7. The agency may establish a preferred drug list as described in this subsection, and, pursuant to the establishment of such preferred drug list, it is authorized to negotiate supplemental rebates from manufacturers that are in addition to those required by Title XIX of the Social Security Act and at no less than 14 percent of the average manufacturer price as defined in 42 U.S.C. s. 1936 on the last day of a quarter unless the federal or supplemental rebate, or both, equals or exceeds 29 percent. There is no upper limit on the supplemental rebates the agency may negotiate. The agency may determine that specific products, brand-name or generic, are competitive at lower rebate percentages. Agreement to pay the minimum supplemental rebate percentage will guarantee a manufacturer that the Medicaid Pharmaceutical and Therapeutics Committee will consider a product for inclusion on the preferred drug list. However, a pharmaceutical manufacturer is not guaranteed placement on the preferred drug list by simply paying the minimum supplemental rebate. Agency decisions will be made on the clinical efficacy of a drug and recommendations of the Medicaid Pharmaceutical and Therapeutics Committee, as well as the price of competing products minus federal and state rebates. The agency is authorized to contract with an outside agency or contractor to conduct negotiations for supplemental rebates. For the purposes of this section, the term "supplemental rebates" means cash rebates. Effective July 1, 2004, value-added programs as a substitution for supplemental rebates are prohibited. The agency is authorized to seek any federal waivers to implement this initiative.

8. The Agency for Health Care Administration shall expand home delivery of pharmacy products. To assist Medicaid patients in securing their prescriptions and reduce program costs, the agency shall expand its current mail-order-pharmacy diabetes-supply program to include all generic and brand-name drugs used by Medicaid patients with diabetes. Medicaid recipients in the current program may obtain nondiabetes drugs on a voluntary basis. This initiative is limited to the geographic area covered by the current contract. The agency may seek and implement any federal waivers necessary to implement this subparagraph.

9. The agency shall limit to one dose per month any drug prescribed to treat erectile dysfunction.

10.a. The agency may implement a Medicaid behavioral drug management system. The agency may contract with a vendor that has experience in operating behavioral drug management systems to implement this program. The agency is authorized to seek federal waivers to implement this program.

b. The agency, in conjunction with the Department of Children and Family Services, may implement the Medicaid behavioral drug management system that is designed to improve the quality of care and behavioral health prescribing practices based on best practice guidelines, improve patient adherence to medication plans, reduce clinical risk, and lower prescribed drug costs and the rate of inappropriate spending on Medicaid behavioral drugs. The program may include the following elements:

(I) Provide for the development and adoption of best practice guidelines for behavioral health-related drugs such as antipsychotics, antidepressants, and medications for treating bipolar disorders and other behavioral conditions; translate them into practice; review behavioral health prescribers and compare their prescribing patterns to a number of indicators that are based on national standards; and determine deviations from best practice guidelines.

(II) Implement processes for providing feedback to and educating prescribers using best practice educational materials and peer-to-peer consultation.

(III) Assess Medicaid beneficiaries who are outliers in their use of behavioral health drugs with regard to the numbers and types of drugs taken, drug dosages, combination drug therapies, and other indicators of improper use of behavioral health drugs.

(IV) Alert prescribers to patients who fail to refill prescriptions in a timely fashion, are prescribed multiple same-class behavioral health drugs, and may have other potential medication problems.

(V) Track spending trends for behavioral health drugs and deviation from best practice guidelines.

(VI) Use educational and technological approaches to promote best practices, educate consumers, and train prescribers in the use of practice guidelines.

(VII) Disseminate electronic and published materials.

(VIII) Hold statewide and regional conferences.

(IX) Implement a disease management program with a model quality-based medication component for severely mentally ill individuals and emotionally disturbed children who are high users of care.

11.a. The agency shall implement a Medicaid prescription drug management system. The agency may contract with a vendor that has experience in operating prescription drug management systems in order to implement this system. Any management system that is implemented in accordance with this subparagraph must rely on cooperation between physicians and pharmacists to determine appropriate practice patterns and clinical guidelines to improve the prescribing, dispensing, and use of drugs in the Medicaid program. The agency may seek federal waivers to implement this program.

b. The drug management system must be designed to improve the quality of care and prescribing practices based on best practice guidelines, improve patient adherence to medication plans, reduce clinical risk, and lower prescribed drug costs and the rate of inappropriate spending on Medicaid prescription drugs. The program must:

(I) Provide for the development and adoption of best practice guidelines for the prescribing and use of drugs in the Medicaid program, including translating best practice guidelines into practice; reviewing prescriber patterns and comparing them to indicators that are based on national standards and practice patterns of clinical peers in their community, statewide, and nationally; and determine deviations from best practice guidelines.

(II) Implement processes for providing feedback to and educating prescribers using best practice educational materials and peer-to-peer consultation.

(III) Assess Medicaid recipients who are outliers in their use of a single or multiple prescription drugs with regard to the numbers and types of drugs taken, drug dosages, combination drug therapies, and other indicators of improper use of prescription drugs.

(IV) Alert prescribers to patients who fail to refill prescriptions in a timely fashion, are prescribed multiple drugs that may be redundant or contraindicated, or may have other potential medication problems.

(V) Track spending trends for prescription drugs and deviation from best practice guidelines.

(VI) Use educational and technological approaches to promote best practices, educate consumers, and train prescribers in the use of practice guidelines.

(VII) Disseminate electronic and published materials.

(VIII) Hold statewide and regional conferences.

(IX) Implement disease management programs in cooperation with physicians and pharmacists, along with a model quality-based medication component for individuals having chronic medical conditions.

12. The agency is authorized to contract for drug rebate administration, including, but not limited to, calculating rebate amounts, invoicing manufacturers, negotiating disputes with manufacturers, and maintaining a database of rebate collections.

13. The agency may specify the preferred daily dosing form or strength for the purpose of promoting best practices with regard to the prescribing of certain drugs as specified in the General Appropriations Act and ensuring cost-effective prescribing practices.

14. The agency may require prior authorization for Medicaid-covered prescribed drugs. The agency may, but is not required to, prior-authorize the use of a product:

a. For an indication not approved in labeling;

b. To comply with certain clinical guidelines; or

c. If the product has the potential for overuse, misuse, or abuse.

The agency may require the prescribing professional to provide information about the rationale and supporting medical evidence for the use of a drug. The agency may post prior authorization criteria and protocol and updates to the list of drugs that are subject to prior authorization on an Internet website without amending its rule or engaging in additional rulemaking.

15. The agency, in conjunction with the Pharmaceutical and Therapeutics Committee, may require age-related prior authorizations for certain prescribed drugs. The agency may preauthorize the use of a drug for a recipient who may not meet the age requirement or may exceed the length of therapy for use of this product as recommended by the manufacturer and approved by the Food and Drug Administration. Prior authorization may require the prescribing professional to provide information about the rationale and supporting medical evidence for the use of a drug.

16. The agency shall implement a step-therapy prior authorization approval process for medications excluded from the preferred drug list. Medications listed on the preferred drug list must be used within the previous 12 months prior to the alternative medications that are not listed. The step-therapy prior authorization may require the prescriber to use the medications of a similar drug class or for a similar medical indication unless contraindicated in the Food and Drug Administration labeling. The trial period between the specified steps may vary according to the medical indication. The step-therapy approval process shall be developed in accordance with the committee as stated in s. 409.91195(7) and (8). A drug product may be approved without meeting the step-therapy prior authorization criteria if the prescribing physician provides the agency with additional written medical or clinical documentation that the product is medically necessary because:

a. There is not a drug on the preferred drug list to treat the disease or medical condition which is an acceptable clinical alternative;

b. The alternatives have been ineffective in the treatment of the beneficiary's disease; or

c. Based on historic evidence and known characteristics of the patient and the drug, the drug is likely to be ineffective, or the number of doses have been ineffective.

The agency shall work with the physician to determine the best alternative for the patient. The agency may adopt rules waiving the requirements for written clinical documentation for specific drugs in limited clinical situations.

17. The agency shall implement a return and reuse program for drugs dispensed by pharmacies to institutional recipients, which includes payment of a $5 restocking fee for the implementation and operation of the program. The return and reuse program shall be implemented electronically and in a manner that promotes efficiency. The program must permit a pharmacy to exclude drugs from the program if it is not practical or cost-effective for the drug to be included and must provide for the return to inventory of drugs that cannot be credited or returned in a cost-effective manner. The agency shall determine if the program has reduced the amount of Medicaid prescription drugs which are destroyed on an annual basis and if there are additional ways to ensure more prescription drugs are not destroyed which could safely be reused. The agency's conclusion and recommendations shall be reported to the Legislature by December 1, 2005.

(53) Before seeking an amendment to the state plan for purposes of implementing programs authorized by the Deficit Reduction Act of 2005, the agency shall notify the Legislature.

Section 11. Section 409.91206, Florida Statutes, is created to read:

409.91206 Alternatives for health and long-term care reforms.—The Governor, the President of the Senate, and the Speaker of the House of Representatives may convene workgroups to propose alternatives for cost-effective health and long-term care reforms, including, but not limited to, reforms for Medicaid.

Section 12. Paragraphs (c), (e), (f), and (i) of subsection (2) of section 409.9122, Florida Statutes, are amended to read:

409.9122 Mandatory Medicaid managed care enrollment; programs and procedures.—

(2)

(c) Medicaid recipients shall have a choice of managed care plans or MediPass. The Agency for Health Care Administration, the Department of Health, the Department of Children and Family Services, and the Department of Elderly Affairs shall cooperate to ensure that each Medicaid recipient receives clear and easily understandable information that meets the following requirements:

1. Explains the concept of managed care, including MediPass.

2. Provides information on the comparative performance of managed care plans and MediPass in the areas of quality, credentialing, preventive health programs, network size and availability, and patient satisfaction.

3. Explains where additional information on each managed care plan and MediPass in the recipient's area can be obtained.

4. Explains that recipients have the right to choose their ~~own~~ managed care *coverage at the time they first enroll in Medicaid and again at regular intervals set by the agency* ~~plans or MediPass~~. However, if a recipient does not choose a managed care plan or MediPass, the agency will assign the recipient to a managed care plan or MediPass according to the criteria specified in this section.

5. Explains the recipient's right to complain, file a grievance, or change managed care plans or MediPass providers if the recipient is not satisfied with the managed care plan or MediPass.

(e) Medicaid recipients who are already enrolled in a managed care plan or MediPass shall be offered the opportunity to change managed care plans or MediPass providers on a staggered basis, as defined by the agency. All Medicaid recipients shall have 30 days in which to make a choice of managed care plans or MediPass providers. *In counties that have two or more managed care plans, a recipient already enrolled in MediPass who fails to make a choice during the annual period shall be assigned to a managed care plan if he or she is eligible for enrollment in the managed care plan. The agency shall apply for a state plan amendment or federal waiver authority, if necessary, to implement the provisions of this paragraph. All newly eligible Medicaid recipients shall have 30 days in which to make a choice of managed care plans or Medipass providers.* Those Medicaid recipients who do not make a choice shall be assigned ~~to a managed care plan or MediPass~~ in accordance with paragraph (f). To facilitate continuity of care, for a Medicaid recipient who is also a recipient of Supplemental Security Income (SSI), prior to assigning the SSI recipient to a managed care plan or MediPass, the agency shall determine whether the SSI recipient has an ongoing relationship with a MediPass provider or managed care plan~~, and if so, the agency shall assign the SSI recipient to that MediPass provider or managed care plan~~ . *If the SSI recipient has an ongoing relationship with a managed care plan, the agency shall assign the recipient to that managed care plan.* Those SSI recipients who do not have such a provider relationship shall be assigned to a managed care plan or MediPass provider in accordance with paragraph (f).

(f) *If* ~~When~~ a Medicaid recipient does not choose a managed care plan or MediPass provider, the agency shall assign the Medicaid recipient to a managed care plan or MediPass provider. Medicaid recipients *eligible for managed care plan enrollment* who are subject to mandatory assignment but who fail to make a choice shall be assigned to managed care plans until an enrollment of 35 percent in MediPass and 65 percent in managed care plans, of all those eligible to choose managed care, is achieved. Once this enrollment is achieved, the assignments shall be divided in order to maintain an enrollment in MediPass and managed care plans which is in a 35 percent and 65 percent proportion, respectively. Thereafter, assignment of Medicaid recipients who fail to make a choice shall be based proportionally on the preferences of recipients who have made a choice in the previous period. Such proportions shall be revised at least quarterly to reflect an update of the preferences of Medicaid recipients. The agency shall disproportionately assign Medicaid-eligible recipients who are required to but have failed to make a choice of managed care plan or MediPass, including children, and who *would* ~~are to~~ be assigned to the MediPass program to children's networks as described in s. 409.912(4)(g), Children's Medical Services Network as defined in s. 391.021, exclusive provider organizations, provider service networks, minority physician networks, and pediatric emergency department diversion programs authorized by this chapter or the General Appropriations Act, in such manner as the agency deems appropriate, until the agency has determined that the networks and programs have sufficient numbers to be *operated* economically ~~operated~~. For purposes of this paragraph, when referring to assignment, the term "managed care plans" includes health maintenance organizations, exclusive provider organizations, provider service networks, minority physician networks, Children's Medical Services Network, and pediatric emergency department diversion programs authorized by this chapter or the General Appropriations Act. When making assignments, the agency shall take into account the following criteria:

1. A managed care plan has sufficient network capacity to meet the need of members.

2. The managed care plan or MediPass has previously enrolled the recipient as a member, or one of the managed care plan's primary care providers or MediPass providers has previously provided health care to the recipient.

3. The agency has knowledge that the member has previously expressed a preference for a particular managed care plan or MediPass provider as indicated by Medicaid fee-for-service claims data, but has failed to make a choice.

4. The managed care plan's or MediPass primary care providers are geographically accessible to the recipient's residence.

(i) After a recipient has made *his or her* ~~a~~ selection or has been enrolled in a managed care plan or MediPass, the recipient shall have 90 days *to exercise the opportunity* ~~in which~~ to voluntarily disenroll and select another managed care plan or MediPass ~~provider~~. After 90 days, no further changes may be made except for *good* cause. *Good* cause *includes* ~~shall include~~, but *is* not ~~be~~ limited to, poor quality of care, lack of access to necessary specialty services, an unreasonable delay or denial of service, or fraudulent enrollment. The agency shall develop criteria for good cause disenrollment for chronically ill and disabled populations who are assigned to managed care plans if more appropriate care is available through the MediPass program. The agency must make a determination as to whether cause exists. However, the agency may require a recipient to use the managed care plan's or MediPass grievance process prior to the agency's determination of cause, except in cases in which immediate risk of permanent damage to the recipient's health is alleged. The grievance process, when utilized, must be completed in time to permit the recipient to disenroll *by* ~~no later than~~ the first day of the second month after the month the disenrollment request was made. If the managed care plan or MediPass, as a result of the grievance process, approves an enrollee's request to disenroll, the agency is not required to make a determination in the case. The agency must make a determination and take final action on a recipient's request so that disenrollment occurs no later than the first day of the second month after the month the request was made. If the agency fails to act within the specified timeframe, the recipient's request to disenroll is deemed to be approved as of the date agency action was required. Recipients who disagree with the agency's finding that cause does not exist for disenrollment shall be advised of their right to pursue a Medicaid fair hearing to dispute the agency's finding.

Section 13. Subsection (2) of section 409.9124, Florida Statutes, is amended to read:

409.9124 Managed care reimbursement.—The agency shall develop and adopt by rule a methodology for reimbursing managed care plans.

(2) Each year prior to establishing new managed care rates, the agency shall review all prior year adjustments for changes in trend, and shall reduce or eliminate those adjustments which are not reasonable and which reflect policies or programs which are not in effect. In addition, the agency shall apply only those policy reductions applicable to the fiscal year for which the rates are being set, which can be accurately estimated and verified by an independent actuary, and which have been implemented prior to or will be implemented during the fiscal year. ~~The agency shall pay rates at per member, per month averages that do not exceed the amounts allowed for in the General Appropriations Act applicable to the fiscal year for which the rates will be in effect.~~

Section 14. Subsection (36) of section 409.913, Florida Statutes, is amended to read:

409.913 Oversight of the integrity of the Medicaid program.—The agency shall operate a program to oversee the activities of Florida Medicaid recipients, and providers and their representatives, to ensure that fraudulent and abusive behavior and neglect of recipients occur to the minimum extent possible, and to recover overpayments and impose sanctions as appropriate. Beginning January 1, 2003, and each year thereafter, the agency and the Medicaid Fraud Control Unit of the Department of Legal Affairs shall submit a joint report to the Legislature documenting the effectiveness of the state's efforts to control Medicaid fraud and abuse and to recover Medicaid overpayments during the previous fiscal year. The report must describe the number of cases opened and investigated each year; the sources of the cases opened; the disposition of the cases closed each year; the amount of overpayments alleged in preliminary and final audit letters; the number and amount of fines or penalties imposed; any reductions in overpayment amounts negotiated in settlement agreements or by other means; the amount of final agency determinations of overpayments; the amount deducted from federal claiming as a result of overpayments; the amount of overpayments recovered each year; the amount of cost of investigation recovered each year; the average length of time to collect from the time the case was opened until the overpayment is paid in full; the amount determined as uncollectible and the portion of the uncollectible amount subsequently reclaimed from the Federal Government; the number of providers, by type, that are terminated from participation in the Medicaid program as a result of fraud and abuse; and all costs associated with discovering and prosecuting cases of Medicaid overpayments and making recoveries in such cases. The report must also document actions taken to prevent overpayments and the number of providers prevented from enrolling in or reenrolling in the Medicaid program as a result of documented Medicaid fraud and abuse and must recommend changes necessary to prevent or recover overpayments.

(36) The agency shall provide to each Medicaid recipient or his or her representative an explanation of benefits in the form of a letter that is mailed to the most recent address of the recipient on the record with the Department of Children and Family Services. The explanation of benefits must include the patient's name, the name of the health care provider and the address of the location where the service was provided, a description of all services billed to Medicaid in terminology that should be understood by a reasonable person, and information on how to report inappropriate or incorrect billing to the agency or other law enforcement entities for review or investigation. *The explanation of benefits may not be mailed for Medicaid independent laboratory services as described in s. 409.905(7) or for Medicaid certified match services as described in ss. 409.9071 and 1011.70.*

Section 15. *Sections 409.9061 and 430.83, Florida Statutes, are repealed.*

Section 16. This act shall take effect July 1, 2008.

And the title is amended as follows:

Remove the entire title and insert: A bill to be entitled An act relating to health care; amending s. 400.179, F.S.; authorizing the Agency for Health Care Administration to transfer funds to the Grants and Donations Trust Fund for certain repayments; amending s. 409.017, F.S.; revising the short title; providing additional legislative intent; requiring the agency to develop a procurement document and procedure to claim certain federal matching funds; amending s. 409.904, F.S.; discontinuing optional Medicaid payments for certain persons age 65 or over or who are blind or disabled; revising certain eligibility criteria for pregnant women and children younger than age 21; amending s. 409.906, F.S.; authorizing payment of a specified amount for Medicaid services provided by an anesthesiologist assistant; amending s. 409.908, F.S.; deleting a provision prohibiting Medicaid from making any payment toward deductibles and coinsurance for services not covered by Medicaid; providing limitations on Medicaid payments for coinsurance; providing for Medicaid to pay for certain X-ray services in a nursing home; revising reimbursement rates for providers of Medicaid prescribed drugs; requiring the agency to revise reimbursement rates for hospitals, nursing homes, county health departments, and community intermediate care facilities for the developmentally disabled for 2 fiscal years; requiring the agency to apply the effect of the revised reimbursement rates to set payment rates for managed care plans and nursing home diversion programs; requiring the agency to establish workgroups to evaluate alternative reimbursement and payment methodologies for hospitals, nursing facilities, and managed care plans; requiring a report; providing for future repeal of the suspension of the use of cost data to set certain rates; amending s. 409.911, F.S.; revising the share data used to calculate disproportionate share payments to hospitals; amending s. 409.9112, F.S.; revising the time period during which the agency is prohibited from distributing disproportionate share payments to regional perinatal intensive care centers; amending s. 409.9113, F.S.; requiring the agency to distribute moneys provided in the General Appropriations Act to statutorily defined teaching hospitals and family practice teaching hospitals under the teaching hospital disproportionate share program for the 2008-2009 fiscal year; amending s. 409.9117, F.S.; prohibiting the agency from distributing moneys under the primary care disproportionate share program for the 2008-2009 fiscal year; amending s. 409.912, F.S.; adding a county for participation in the Medicaid behavioral health care services specialty prepaid plan; revising reimbursement rates to pharmacies for Medicaid prescribed drugs; requiring the agency to notify the Legislature before seeking an amendment to the state plan in order to implement programs authorized by the Deficit Reduction Act of 2005; creating s. 409.91206, F.S.; providing for proposed alternatives for health and long-term care reforms; amending s. 409.9122, F.S.; revising enrollment requirements relating to Medicaid managed care programs and the agency's authority to assign persons to MediPass or a managed care plan; amending s. 409.9124, F.S.; removing the limitation on the application of certain rates and rate reductions used by the agency to reimburse managed care plans; amending s. 409.913, F.S.; prohibiting mailing of the explanation of benefits for certain Medicaid services; repealing s. 409.9061, F.S., relating to authority for a statewide laboratory services contract; repealing s. 430.83, F.S., relating to the Sunshine for Seniors Program; providing an effective date.

The Conference Committee Report was read and on motion by Senator Peaden was adopted. **HB 5085** passed as recommended and was certified to the House together with the Conference Committee Report. The vote on passage was:

Yeas—26

Mr. President	Diaz de la Portilla	Peaden
Alexander	Fasano	Posey
Atwater	Gaetz	Saunders
Baker	Garcia	Siplin
Bennett	Haridopolos	Storms
Carlton	Jones	Villalobos
Constantine	King	Webster
Crist	Lynn	Wise
Dean	Oelrich	

Nays—13

Aronberg	Hill	Margolis
Bullard	Joyner	Rich
Dawson	Justice	Ring
Deutch	Lawson	Wilson
Dockery		

Vote after roll call:

Nay—Geller

Yea to Nay—Siplin

By direction of the President the following Conference Committee Report was read:

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has accepted the Conference Committee Report as an entirety and passed HB 5087, as amended by the Conference Committee Report and requests concurrence of the Senate.

William S. Pittman III, Chief Clerk

CONFERENCE COMMITTEE REPORT ON HB 5087

The Honorable Ken Pruitt April 29, 2008
President of the Senate

The Honorable Marco Rubio
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on HB 5087, same being:

An act relating to **Agency for Persons with Disabilities**; revising provisions relating to certain clients with developmental disabilities served under the four-tiered waiver system; providing for residential habilitation services; establishing geographic differential payments for Miami-Dade, Broward, Palm Beach, and Monroe Counties; providing effective dates for applicable payments; providing for rebasing costs plans based on actual expenditures for individuals served by home and community-based services or family and supported living waiver programs; extending the effective date for the provision of certain services; providing for future review and repeal of certain provisions; providing for deposit of client fees into the agency's Operations and Maintenance Trust Fund;

having met, and after full and free conference, do recommend to their respective houses as follows:

1. That the Senate recede from its Amendment 1.

2. That the Senate and House of Representatives adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

s/Lisa Carlton
Chair
s/JD Alexander
s/Carey Baker
s/Larcenia J. Bullard
s/Victor D. Crist
s/Charles Dean
s/Alex Diaz de la Portilla
s/Mike Fasano
Rudy Garcia
s/Mike Haridopolos
s/Dennis L. Jones
s/Charlie Justice
s/Alfred "Al" Lawson, Jr.
s/Gwen Margolis
s/Durell Peaden, Jr.
s/Nan H. Rich
s/Burt L. Saunders
s/Ronda Storms
s/Daniel Webster, At Large
s/Stephen R. Wise

s/Jeff Atwater
Vice Chair
s/Dave Aronberg
s/Michael S. "Mike" Bennett
s/Lee Constantine
s/M. Mandy Dawson
s/Ted Deutch
s/Paula Dockery
s/Don Gaetz
Steven A. Geller, At Large
s/Anthony C. "Tony" Hill, Sr.
s/Arthenia L. Joyner
s/James E. King, Jr., At Large
s/Evelyn J. Lynn
s/Steve Oelrich
s/Bill Posey
s/Jeremy Ring
s/Gary Siplin
J. Alex Villalobos
s/Frederica S. Wilson

Managers on the part of the Senate

s/Ray Sansom
Chair and At Large
s/Kevin C. Ambler
s/Gary Aubuchon
s/Aaron P. Bean
s/Ellyn Setnor Bogdanoff,
At Large
Debbie Boyd
Ronald A. Brisé
s/Dean Cannon
Charles S. "Chuck" Chestnut IV
s/Larry Cretul, At Large
Joyce Cusack, At Large
Chris Dorworth
Keith Fitzgerald
s/Bill Galvano
s/Andy Gardiner
Joseph A. "Joe" Gibbons
s/Hugh H. Gibson III
s/Michael J. Grant
s/Gayle B. Harrell
s/D. Alan Hays
s/Matt Hudson
s/Kurt Kelly
Martin David "Marty" Kiar
Paige Kreegel
s/John Legg

s/Sandra "Sandy" Adams
s/Thad Altman
s/Frank Attkisson
Loranne Ausley
Dorothy Bendross-Mindingall
s/Marsha L. "Marty" Bowen,
At Large
Mary Brandenburg
Susan Bucher
s/Jennifer Carroll
s/Marti Coley
s/Faye B. Culp
s/Carl J. Domino
s/Greg Evers
s/Anitere Flores, At Large
s/Rene Garcia
Dan Gelber, At Large
Audrey Gibson
s/Richard "Rich" Glorioso
Denise Grimsley
s/Adam Hasner, At Large
s/Ed Homan
s/Dorothy L. Hukill
s/Will S. Kendrick
s/Dick Kravitz
Rick Kriseman
s/Marcelo Llorente

Janet C. Long
Richard A. Machek
s/Charles McBurney
Matthew J. "Matt" Meadows
s/Mitch Needelman
s/Pat Patterson
s/Juan-Carlos "J.C." Planas
s/Stephen L. Precourt
Scott Randolph
Betty Reed
s/Garrett Richter
s/Julio Robaina
Dennis A. Ross
Franklin Sands, At Large
Ron Saunders, At Large
s/Ron Schultz
John P. "Jack" Seiler, At Large
Kelly Skidmore
Priscilla Taylor
s/Nicholas R. "Nick" Thompson
s/Anthony Trey Traviesa
Shelley Vana
s/Will W. Weatherford
s/Juan C. Zapata, At Large

s/Carlos Lopez-Cantera
s/Stan Mayfield
s/Seth McKeel
s/Dave Murzin
s/Jimmy T. Patronis, Jr.
s/Joe H. Pickens
s/Ralph Poppell
s/William L. "Bill" Proctor
s/Ron Reagan
Curtis B. Richardson
s/David Rivera, At Large
Yolly Roberson
Maria Lorts Sachs
Anthony P. "Tony" Sasso III
s/Robert C. "Rob" Schenck
Michael J. Scionti
s/David Simmons, At Large
Darren Soto
Geraldine F. "Geri" Thompson
Perry E. Thurston, Jr.
s/Baxter G. Troutman
James W. "Jim" Waldman
Trudi K. Williams

Managers on the part of the House

Conference Committee Amendment (903991)(with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Subsection (4) of section 393.0661, Florida Statutes, is renumbered as subsection (7), paragraphs (b) and (d) of subsection (3) are amended, present subsection (5) is renumbered as subsection (8) and amended, and new subsections (4), (5), and (6) are added to that section, to read:

393.0661 Home and community-based services delivery system; comprehensive redesign.—The Legislature finds that the home and community-based services delivery system for persons with developmental disabilities and the availability of appropriated funds are two of the critical elements in making services available. Therefore, it is the intent of the Legislature that the Agency for Persons with Disabilities shall develop and implement a comprehensive redesign of the system.

(3) The Agency for Health Care Administration, in consultation with the agency, shall seek federal approval and implement a four-tiered waiver system to serve clients with developmental disabilities in the developmental disabilities and family and supported living waivers. The agency shall assign all clients receiving services through the developmental disabilities waiver to a tier based on a valid assessment instrument, client characteristics, and other appropriate assessment methods. All services covered under the current developmental disabilities waiver shall be available to all clients in all tiers where appropriate, except as otherwise provided in this subsection or in the General Appropriations Act.

(b) Tier two shall be limited to clients whose service needs include a licensed residential facility and *who are authorized to receive a moderate level of support for standard residential habilitation services or a minimal level of support for behavior focus* ~~greater than 5 hours per day in~~ residential habilitation services or clients in supported living who receive greater than 6 hours a day of in-home support services. Total annual expenditures under tier two may not exceed $55,000 per client each year.

(d) Tier four is the family and supported living waiver. Tier four shall include, but is not limited to, clients in independent or supported living situations and clients who live in their family home. An increase to the number of services available to clients in this tier shall not take effect prior to July 1, *2009* ~~2008~~. Total annual expenditures under tier four may not exceed $14,792 per client each year.

(4) Effective July 1, 2008, the geographic differential for Miami-Dade, Broward, and Palm Beach Counties for residential habilitation services shall be 7.5 percent. Effective July 1, 2009, the geographic differential for Miami-Dade, Broward, and Palm Beach Counties for residential habilitation services shall be 4.5 percent.

(5) Effective July 1, 2008, the geographic differential for Monroe County for residential habilitation services shall be 20 percent. Effective

July 1, 2009, the geographic differential for Monroe County for residential habilitation services shall be 15 percent. Effective July 1, 2010, the geographic differential for Monroe County for residential habilitation services shall be 10 percent.

(6) Effective January 1, 2009, and except as otherwise provided in this section, an individual served by the home and community-based services waiver or the family and supported living waiver funded through the Agency for Persons with Disabilities shall have his or her cost plan adjusted to reflect the amount of expenditures for the previous state fiscal year plus 5 percent if such amount is less than the individual's existing cost plan. The Agency for Persons with Disabilities shall use actual paid claims for services provided during the previous fiscal year that are submitted by October 31 to calculate the revised cost plan amount. If an individual was not served for the entire previous state fiscal year or there was any single change in the cost plan amount of more than 5 percent during the previous state fiscal year, the agency shall set the cost plan amount at an estimated annualized expenditure amount plus 5 percent. The agency shall estimate the annualized expenditure amount by calculating the average of monthly expenditures, beginning in the fourth month after the individual enrolled or the cost plan was changed by more than 5 percent and ending with August 31, 2008, and multiplying the average by 12. In the event that at least 3 months of actual expenditure data are not available to estimate annualized expenditures, the agency may not rebase a cost plan pursuant to this subsection. This subsection expires June 30, 2009, unless reenacted by the Legislature before that date.

(8)~~(5)~~ The Agency for Persons with Disabilities shall submit quarterly status reports to the Executive Office of the Governor, the chair of the Senate Ways and Means Committee or its successor, and the chair of the House Fiscal Council or its successor regarding the financial status of home and community-based services, including the number of enrolled individuals who are receiving services through one or more programs; the number of individuals who have requested services who are not enrolled but who are receiving services through one or more programs, with a description indicating the programs from which the individual is receiving services; the number of individuals who have refused an offer of services but who choose to remain on the list of individuals waiting for services; the number of individuals who have requested services but who are receiving no services; a frequency distribution indicating the length of time individuals have been waiting for services; and information concerning the actual and projected costs compared to the amount of the appropriation available to the program and any projected surpluses or deficits. If at any time an analysis by the agency, in consultation with the Agency for Health Care Administration, indicates that the cost of services is expected to exceed the amount appropriated, the agency shall submit a plan in accordance with subsection *(7)* ~~(4)~~ to the Executive Office of the Governor, the chair of the Senate Ways and Means Committee or its successor, and the chair of the House Fiscal Council or its successor to remain within the amount appropriated. The agency shall work with the Agency for Health Care Administration to implement the plan so as to remain within the appropriation.

Section 2. Section 393.071, Florida Statutes, is amended to read:

393.071 Client fees.—The agency shall charge fees for services provided to clients in accordance with s. 402.33. *All funds collected pursuant to this section shall be deposited in the Operations and Maintenance Trust Fund.*

Section 3. This act shall take effect July 1, 2008.

And the title is amended as follows:

Remove the entire title and insert: A bill to be entitled An act relating to the Agency for Persons with Disabilities; amending s. 393.0661, F.S.; revising provisions relating to certain clients with developmental disabilities served under the four-tiered waiver system; providing for residential habilitation services; establishing geographic differential payments for Miami-Dade, Broward, Palm Beach, and Monroe Counties; providing effective dates for applicable payments; providing for rebasing cost plans based on actual expenditures for individuals served by home and community-based services or family and supported living waiver programs; extending the effective date for the provision of certain services; providing for future review and repeal of certain provisions; amending s. 393.071, F.S.; providing for deposit of client fees into the agency's Operations and Maintenance Trust Fund; providing an effective date.

The Conference Committee Report was read and on motion by Senator Peaden was adopted. **HB 5087** passed as recommended and was certified to the House together with the Conference Committee Report. The vote on passage was:

Yeas—25

Mr. President	Diaz de la Portilla	Peaden
Alexander	Fasano	Posey
Atwater	Gaetz	Saunders
Baker	Haridopolos	Siplin
Bennett	Jones	Storms
Carlton	King	Webster
Constantine	Lynn	Wise
Crist	Margolis	
Dean	Oelrich	

Nays—15

Aronberg	Garcia	Lawson
Bullard	Geller	Rich
Dawson	Hill	Ring
Deutch	Joyner	Villalobos
Dockery	Justice	Wilson

Vote after roll call:

Yea to Nay—Siplin

MOTION

On motion by Senator King, by two-thirds vote **CS for SB 2864** was placed on the Special Order Calendar this day.

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has passed CS for CS for SB 1276, with 4 amendment(s), and requests the concurrence of the Senate.

William S. Pittman III, Chief Clerk

CS for CS for SB 1276—A bill to be entitled An act relating to educational facilities construction; amending s. 1013.45, F.S.; increasing the maximum authorized amount of a day-labor contract to $280,000; providing for such amount to be adjusted annually; amending s. 1013.64, F.S.; providing duties of the Office of Educational Facilities with respect to approving school district construction projects and assisting districts in developing lists of proposed facilities; limiting total project costs except for providential causes; providing an effective date.

House Amendment 1 (511761)(with title amendment)—Between lines 14 and 15, insert:

Section 1. Subsection (3) of section 1011.71, Florida Statutes, as amended by chapters 2007-328 and 2008-2, Laws of Florida, and renumbered as subsection (4) and amended by section 10 of House Bill 5083, 2008 Regular Session, and contingent on that bill becoming a law, is amended to read:

1011.71 District school tax.—

(4) A school district that has met the reduction requirements regarding class size for the 2008-2009 fiscal year pursuant to s. 1003.03 for K-12 students for whom the school district provides the educational facilities *and governs operations* and certifies to the Commissioner of Education that the district does not need all of its discretionary 1.75-mill capital improvement revenue for capital outlay purposes and all of the district's instructional space needs for the next 5 years can be met from capital outlay sources that the district reasonably expects to receive during the next 5 years from local revenues and from currently appropriated state facilities funding or from alternative scheduling or construction, leasing, rezoning, or technological methodologies that exhibit

sound management may expend, subject to the provisions of s. 200.065, up to $65 per unweighted full-time equivalent student from the revenue generated by the 2008-2009 millage levy authorized by subsection (2) to fund, in addition to expenditures authorized in paragraphs (2)(a)-(j), 2008-2009 expenses for the following:

(a) The purchase, lease-purchase, or lease of driver's education vehicles; motor vehicles used for the maintenance or operation of plants and equipment; security vehicles; or vehicles used in storing or distributing materials and equipment.

(b) Payment of the cost of premiums for property and casualty insurance necessary to insure school district educational and ancillary plants. Operating revenues that are made available through the payment of property and casualty insurance premiums from revenues generated under this subsection may be expended only for nonrecurring operational expenditures of the school district.

Section 2. *The amendment made by this act to subsection (3) of section 1011.71, Florida Statutes, renumbered as subsection (4) by House Bill 5083, 2008 Regular Session, and contingent on that bill becoming a law, shall expire July 1, 2009, and the text of that subsection shall revert to that in existence on the day before the effective date of chapter 2007-328, Laws of Florida, except that any amendments to such text enacted other than by this act and House Bill 5083, 2008 Regular Session, shall be preserved and continue to operate to the extent that such amendments are not dependent upon the portions of such text that expire pursuant to this section.*

And the title is amended as follows:

Remove line 2 and insert: An act relating to educational facilities; amending s. 1011.71, F.S., relating to district school tax; revising provisions relating to school district expenditure of capital outlay millage under certain circumstances; providing for contingent effect and future expiration of such provisions;

House Amendment 2 (925409)(with title amendment)—Remove lines 26-130

And the title is amended as follows:

Remove lines 6-10 and insert: providing an

House Amendment 3 (965519)(with title amendment)—Between lines 130 and 131, insert:

Section 3. Subsection (4) is added to section 1013.40, Florida Statutes, to read:

1013.40 Planning and construction of community college facilities; property acquisition.—

(4) The campus of a community college within a municipality designated as an area of critical state concern, as defined in s. 380.05, and having a comprehensive plan and land development regulations containing a building permit allocation system that limits annual growth, may construct dormitories for up to 100 beds for full-time community college students. Such dormitories shall be exempt from the building permit allocation system and may be constructed up to 45 feet in height provided that they are otherwise consistent with the comprehensive plan and land development regulations, the community college has a hurricane evacuation plan that requires all dormitory occupants to be evacuated 48 hours in advance of tropical force winds, and that transportation is provided for dormitory occupants during an evacuation.

And the title is amended as follows:

Remove line 10 and insert: project costs except for providential causes; authorizing construction of dormitories on a community college campus that is within a municipality that is designated as an area of critical state concern and meets certain requirements; providing an

House Amendment 1 to House Amendment 3 (657429)—Remove lines 14-18 and insert: *up to 100 beds for community college students. Such dormitories shall be exempt from the building permit allocation system and may be constructed up to 45 feet in height provided that they are otherwise consistent with the comprehensive plan, the community college has a*

On motion by Senator Bennett, the Senate concurred in the House amendments.

CS for CS for SB 1276 passed as amended and was ordered engrossed and then enrolled. The action of the Senate was certified to the House. The vote on passage was:

Yeas—40

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Aronberg	Gaetz	Posey
Atwater	Garcia	Rich
Baker	Geller	Ring
Bennett	Haridopolos	Saunders
Bullard	Hill	Siplin
Carlton	Jones	Storms
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dawson	King	Wilson
Dean	Lawson	Wise
Deutch	Lynn	
Diaz de la Portilla	Margolis	

Nays—None

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has passed CS for CS for SB 2012, with 11 amendment(s), and requests the concurrence of the Senate.

William S. Pittman III, Chief Clerk

CS for CS for SB 2012—A bill to be entitled An act relating to insurance policies; amending s. 627.94073, F.S.; revising provisions requiring that insurers notify policyholders of the right to designate a secondary addressee to receive a notice of termination of long-term care insurance policies; requiring that a canceled long-term care policy be reinstated if the policyholder failed to pay the premium due to an extended confinement in a hospital, skilled nursing facility, or assisted living facility; providing for application; amending s. 626.9543, F.S.; extending the period within which certain insurers must permit claims from a Holocaust victim or from a beneficiary, descendent, or heir of such a victim; extending the period within which certain actions brought by such a victim, descendent, or heir seeking proceeds of certain insurance policies may not be dismissed; providing effective dates.

House Amendment 1 (613621)(with title amendment)—Between lines 20 and 21 insert:

Section 1. Section 624.443, Florida Statutes, is amended to read:

624.443 Place of business; maintenance of records.—Each arrangement shall have and maintain its principal place of business in this state and shall therein make available to the office complete records of its assets, transactions, and affairs in accordance with such methods and systems as are customary for, or suitable to, the kind or kinds of business transacted. *The office may waive this requirement if an arrangement has been operating in another state for at least 25 years, has been licensed in such state for at least 10 years, and has a minimum fund balance of $25 million at the time of licensure.*

And the title is amended as follows:

Between lines 2 and 3 insert: 624.443, F.S.; authorizing the Office of Insurance Regulation to waive the requirement that each multiple-employer welfare arrangement maintain its principal place of business in this state if the arrangement meets certain specified conditions and has a minimum specified fund balance at the time of licensure; amending s.

House Amendment 2 (003745)—Remove line(s) 61-65 and insert: designate any person to receive such notice. "Notice *of possible lapse in coverage due to nonpayment of premium* shall be given by *United States Postal Service proof of mailing or certified or registered mail to the policyholder and secondary designee at the address shown in the policy*

or the last known address provided to the insurer. ~~first-class United States mail, postage prepaid, and~~ Notice may not be given until 30 days after

House Amendment 3 (944233)(with title amendment)—Between lines 117-118 and insert:

Section 3. Paragraph (a) of subsection (5) of section 627.736, Florida Statutes, is amended to read:

627.736 Required personal injury protection benefits; exclusions; priority; claims.—

(5) CHARGES FOR TREATMENT OF INJURED PERSONS.—

(a)1. Any physician, hospital, clinic, or other person or institution lawfully rendering treatment to an injured person for a bodily injury covered by personal injury protection insurance may charge the insurer and injured party only a reasonable amount pursuant to this section for the services and supplies rendered, and the insurer providing such coverage may pay for such charges directly to such person or institution lawfully rendering such treatment, if the insured receiving such treatment or his or her guardian has countersigned the properly completed invoice, bill, or claim form approved by the office upon which such charges are to be paid for as having actually been rendered, to the best knowledge of the insured or his or her guardian. In no event, however, may such a charge be in excess of the amount the person or institution customarily charges for like services or supplies. With respect to a determination of whether a charge for a particular service, treatment, or otherwise is reasonable, consideration may be given to evidence of usual and customary charges and payments accepted by the provider involved in the dispute, and reimbursement levels in the community and various federal and state medical fee schedules applicable to automobile and other insurance coverages, and other information relevant to the reasonableness of the reimbursement for the service, treatment, or supply.

2. The insurer may limit reimbursement to 80 percent of the following schedule of maximum charges:

a. For emergency transport and treatment by providers licensed under chapter 401, 200 percent of Medicare.

b. For emergency services and care provided by a hospital licensed under chapter 395, 75 percent of the hospital's usual and customary charges.

c. For emergency services and care as defined by s. 395.002(10) provided in a facility licensed under chapter 395 rendered by a physician or dentist, and related hospital inpatient services rendered by a physician or dentist, the usual and customary charges in the community.

d. For hospital inpatient services, other than emergency services and care, 200 percent of the Medicare Part A prospective payment applicable to the specific hospital providing the inpatient services.

e. For hospital outpatient services, other than emergency services and care, 200 percent of the Medicare Part A Ambulatory Payment Classification for the specific hospital providing the outpatient services.

f. For all other medical services, supplies, and care, 200 percent of the *allowable amount under the participating physicians schedule of* ~~applicable~~ Medicare Part B ~~fee schedule~~. However, if such services, supplies, or care is not reimbursable under Medicare Part B, the insurer may limit reimbursement to 80 percent of the maximum reimbursable allowance under workers' compensation, as determined under s. 440.13 and rules adopted thereunder which are in effect at the time such services, supplies, or care is provided. Services, supplies, or care that is not reimbursable under Medicare or workers' compensation is not required to be reimbursed by the insurer.

3. For purposes of subparagraph 2., the applicable fee schedule or payment limitation under Medicare is the fee schedule or payment limitation in effect at the time the services, supplies, or care was rendered and for the area in which such services were rendered, except that it may not be less than the *allowable amount under the participating physicians schedule* ~~applicable 2007~~ Medicare Part B *for 2007* ~~fee schedule~~ for medical services, supplies, and care subject to Medicare Part B.

4. Subparagraph 2. does not allow the insurer to apply any limitation on the number of treatments or other utilization limits that apply under Medicare or workers' compensation. An insurer that applies the allowable payment limitations of subparagraph 2. must reimburse a provider who lawfully provided care or treatment under the scope of his or her license, regardless of whether such provider would be entitled to reimbursement under Medicare due to restrictions or limitations on the types or discipline of health care providers who may be reimbursed for particular procedures or procedure codes.

5. If an insurer limits payment as authorized by subparagraph 2., the person providing such services, supplies, or care may not bill or attempt to collect from the insured any amount in excess of such limits, except for amounts that are not covered by the insured's personal injury protection coverage due to the coinsurance amount or maximum policy limits.

And the title is amended as follows:

Remove line 17 and insert: dismissed; amending s. 627.736, F.S.; revising the schedule of maximum charges on which an insurer may base a limited reimbursement for certain medical services, supplies, and care for injured persons covered by personal injury protection; specifying a minimum amount for the applicable fee schedule or payment limitation under Medicare for such reimbursements; providing effective dates.

House Amendment 4 (961399)(with title amendment)—Between line(s) 20 and 21, insert:

Section 1. Subsection (1) of section 395.106, Florida Statutes, is amended, and subsection (5) is added to that section, to read:

395.106 Risk pooling by certain hospitals and hospital systems.—

(1) Notwithstanding any other provision of law, any two or more hospitals licensed in this state and located in this state may form an alliance for the purpose of pooling and spreading liabilities of its members relative to property exposure *, implementing self-insurance coverage for its members,* or securing such property insurance coverage for the benefit of its members, provided an alliance that is created:

(a) Has annual premiums in excess of $3 million.

(b) Maintains a continuing program of premium calculation and evaluation and reserve evaluation to protect the financial stability of the alliance in an amount and manner determined by consultants using catastrophic (CAT) modeling criteria or other risk-estimating methodologies, including those used by qualified and independent actuaries.

(c) Causes to be prepared annually a fiscal year-end financial statement based upon generally accepted accounting principles and audited by an independent certified public accountant within 6 months after the end of the fiscal year.

(d) Has a governing body comprised entirely of member entities whose representatives on such governing body are specified by the organizational documents of the alliance.

(5) Reinsurance companies complying with s. 624.610 may issue coverage directly to an alliance self-insuring its liabilities under this section. An alliance purchasing reinsurance shall be considered an insurer for the sole purpose of entering into such reinsurance contracts. Contracts of reinsurance issued to an alliance under this section shall receive the same tax treatment as reinsurance contracts issued to insurance companies. However, the purchase of reinsurance coverage by an alliance self-insuring pursuant to this section shall not be construed as authorizing an alliance to otherwise act as an insurer.

And the title is amended as follows:

Between line(s) 2 and 3, insert: 395.106, F.S.; expanding authority for certain hospitals to form an alliance for certain purposes; authorizing reinsurance companies to issue coverage to certain self-insuring alliances under certain circumstances; providing for considering certain alliances as insurers for certain purposes; providing for alliance reinsurance contracts to receive the same tax treatment as reinsurance contracts issued to insurance companies; providing an exception; amending s.

House Amendment 5 (988445)(with title amendment)—Between lines 20 and 21, insert:

Section 13. Paragraph (w) of subsection (6) of section 627.351, Florida Statutes, is amended to read:

627.351 Insurance risk apportionment plans.—

(6) CITIZENS PROPERTY INSURANCE CORPORATION.—

(w)1. The following records of the corporation are confidential and exempt from the provisions of s. 119.07(1) and s. 24(a), Art. I of the State Constitution:

a. Underwriting files, except that a policyholder or an applicant shall have access to his or her own underwriting files. *Confidential and exempt underwriting file records may also be released to other governmental agencies upon written request and demonstration of need; such records held by the receiving agency remain confidential and exempt as provided herein.*

b. Claims files, until termination of all litigation and settlement of all claims arising out of the same incident, although portions of the claims files may remain exempt, as otherwise provided by law. Confidential and exempt claims file records may be released to other governmental agencies upon written request and demonstration of need; such records held by the receiving agency remain confidential and exempt as provided ~~for~~ herein.

c. Records obtained or generated by an internal auditor pursuant to a routine audit, until the audit is completed, or if the audit is conducted as part of an investigation, until the investigation is closed or ceases to be active. An investigation is considered "active" while the investigation is being conducted with a reasonable, good faith belief that it could lead to the filing of administrative, civil, or criminal proceedings.

d. Matters reasonably encompassed in privileged attorney-client communications.

e. Proprietary information licensed to the corporation under contract and the contract provides for the confidentiality of such proprietary information.

f. All information relating to the medical condition or medical status of a corporation employee which is not relevant to the employee's capacity to perform his or her duties, except as otherwise provided in this paragraph. Information *that* ~~which~~ is exempt shall include, but is not limited to, information relating to workers' compensation, insurance benefits, and retirement or disability benefits.

g. Upon an employee's entrance into the employee assistance program, a program to assist any employee who has a behavioral or medical disorder, substance abuse problem, or emotional difficulty which affects the employee's job performance, all records relative to that participation shall be confidential and exempt from the provisions of s. 119.07(1) and s. 24(a), Art. I of the State Constitution, except as otherwise provided in s. 112.0455(11).

h. Information relating to negotiations for financing, reinsurance, depopulation, or contractual services, until the conclusion of the negotiations.

i. Minutes of closed meetings regarding underwriting files, and minutes of closed meetings regarding an open claims file until termination of all litigation and settlement of all claims with regard to that claim, except that information otherwise confidential or exempt by law *shall* ~~will~~ be redacted.

2. If ~~When~~ an authorized insurer is considering underwriting a risk insured by the corporation, relevant underwriting files and confidential claims files may be released to the insurer provided the insurer agrees in writing, notarized and under oath, to maintain the confidentiality of such files. *If* ~~When~~ a file is transferred to an insurer that file is no longer a public record because it is not held by an agency subject to the provisions of the public records law. Underwriting files and confidential claims files may also be released to staff ~~of~~ and the board of governors of the market assistance plan established pursuant to s. 627.3515, who must retain the confidentiality of such files, except such files may be released to authorized insurers that are considering assuming the risks to which the files apply, provided the insurer agrees in writing, notarized and under oath, to maintain the confidentiality of such files. Finally, the corporation or the board or staff of the market assistance plan may make the following information obtained from underwriting files and confidential claims files available to licensed general lines insurance agents: name, address, and telephone number of the residential property owner or insured; location of the risk; rating information; loss history; and policy type. The receiving licensed general lines insurance agent must retain the confidentiality of the information received.

3. A policyholder who has filed suit against the corporation has the right to discover the contents of his or her own claims file to the same extent that discovery of such contents would be available from a private insurer in litigation as provided by the Florida Rules of Civil Procedure, the Florida Evidence Code, and other applicable law. Pursuant to subpoena, a third party has the right to discover the contents of an insured's or applicant's underwriting or claims file to the same extent that discovery of such contents would be available from a private insurer by subpoena as provided by the Florida Rules of Civil Procedure, the Florida Evidence Code, and other applicable law, and subject to any confidentiality protections requested by the corporation and agreed to by the seeking party or ordered by the court. The corporation may release confidential underwriting and claims file contents and information as it deems necessary and appropriate to underwrite or service insurance policies and claims, subject to any confidentiality protections deemed necessary and appropriate by the corporation.

4.~~2.~~ Portions of meetings of the corporation are exempt from the provisions of s. 286.011 and s. 24(b), Art. I of the State Constitution wherein confidential underwriting files or confidential open claims files are discussed. All portions of corporation meetings which are closed to the public shall be recorded by a court reporter. The court reporter shall record the times of commencement and termination of the meeting, all discussion and proceedings, the names of all persons present at any time, and the names of all persons speaking. No portion of any closed meeting shall be off the record. Subject to the provisions hereof and s. 119.07(1)(e)-(g), the court reporter's notes of any closed meeting shall be retained by the corporation for a minimum of 5 years. A copy of the transcript, less any exempt matters, of any closed meeting wherein claims are discussed shall become public as to individual claims after settlement of the claim.

And the title is amended as follows:

Between lines 2 and 3 insert: 627.351, F.S.; clarifying the right of certain parties to discover underwriting and claims file records; authorizing the corporation to release such records as it deems necessary; amending s.

House Amendment 6 (916039)(with title amendment)—Between lines 20 and 21 insert:

Section 1. Section 624.46226, Florida Statutes, is amended to read:

624.46226 Public housing authorities self-insurance funds; exemption for taxation and assessments.—

(1) *Notwithstanding any other provision of law,* any two or more public housing authorities in the state as defined in chapter 421 may *form* ~~also create~~ a self-insurance fund for the purpose of *pooling and spreading liabilities of its members as to any one or combination of casualty risk or* ~~self-insuring~~ real or personal property *risk* of every kind and every interest in such property against loss or damage from any hazard or cause and against any loss consequential to such loss or damage, provided *the self-insurance fund that is created:* ~~all the provisions of s. 624.4622 are met.~~

(a) Has annual normal premiums in excess of $5 million.

(b) Uses a qualified actuary to determine rates using accepted actuarial principles and annually submits to the office a certification by the actuary that the rates are actuarially sound and are not inadequate, as defined in s. 627.062.

(c) Uses a qualified actuary to establish reserves for loss and loss adjustment expenses and annually submits to the office a certification by the actuary that the loss and loss adjustment expense reserves are adequate. If the actuary determines that reserves are not adequate, the fund shall file with the office a remedial plan for increasing the reserves or otherwise addressing the financial condition of the fund, subject to a determination by the office that the fund will operate on an actuarially sound basis and the fund does not pose a significant risk of insolvency.

(d) Maintains a continuing program of excess insurance coverage and reserve evaluation to protect the financial stability of the fund in an amount and manner determined by a qualified and independent actuary. At a minimum, this program must:

1. Purchase excess insurance from authorized insurance carriers or eligible surplus lines insurers.

2. Retain a per-loss occurrence that does not exceed $350,000.

(e) Submits to the office annually an audited fiscal year-end financial statement by an independent certified public accountant within 6 months after the end of the fiscal year.

(f) Has a governing body which is comprised entirely of commissioners of public housing authorities that are members of the public housing authority self-insurance fund or persons appointed by the commissioners of public housing authorities that are members of the public housing authority self-insurance fund.

(g) Uses knowledgeable persons or business entities to administer or service the fund in the areas of claims administration, claims adjusting, underwriting, risk management, loss control, policy administration, financial audit, and legal areas. Such persons must meet all applicable requirements of law for state licensure and must have at least 5 years' experience with commercial self-insurance funds formed under s. 624.462, self-insurance funds formed under s. 624.4622, or domestic insurers.

(h) Submits to the office copies of contracts used for its members that clearly establish the liability of each member for the obligations of the fund.

(i) Annually submits to the office a certification by the governing body of the fund that, to the best of its knowledge, the requirements of this section are met.

(2) As used in this section, the term "qualified actuary" means an actuary that is a member of the Casualty Actuarial Society or the American Academy of Actuaries.

(3) A public housing authority's self-insurance fund that meets the requirements of this section is not:

(a) An insurer for purposes of participation in or coverage by any insurance guaranty association established by chapter 631; or

(b) Subject to s. 624.4621 and is not required to file any report with the department under s. 440.38(2)(b) that is uniquely required of group self-insurer funds qualified under s. 624.4621.

(4) Premiums, contributions, and assessments received by a public housing authority's self-insurance fund are subject to ss. 624.509(1) and (2) and 624.5092, except that the tax rate shall be 1.6 percent of the gross amount of such premiums, contributions, and assessments.

(5) If any of the requirements of subsection (1) are not met, a public housing authority's self-insurance fund is subject to the requirements of s. 624.4621 if the fund provides only workers' compensation coverage or is subject to the requirements of ss. 624.460-624.488 if the fund provides coverage for other property, casualty, or surety risks.

(6)~~(2)~~ Any public housing authority in the state as defined in chapter 421 that is a member of a self-insurance fund pursuant to this section shall be exempt from the assessments imposed under ss. 215.555, 627.351 and 631.57.

And the title is amended as follows:

Remove line 2 and insert: An act relating to insurance; amending s. 624.46226, F.S.; revising provisions authorizing public housing authorities to form self-insurance funds; specifying requirements; providing a definition; providing construction relating to self-insurance funds; providing for application of certain provisions of law to premiums, contributions, and assessments of public authority's self-insurance funds; specifying an alternative tax rate; providing for application of certain provisions of law to public authority's self-insurance funds not meeting certain requirements; amending s.

Substitute House Amendment 7 (758247)(with title amendment)—Between lines 20 and 21 insert:

Section 1. Effective January 1, 2009, subsection (5) of section 624.501, Florida Statutes, is amended to read:

624.501 Filing, license, appointment, and miscellaneous fees.—The department, commission, or office, as appropriate, shall collect in advance, and persons so served shall pay to it in advance, fees, licenses, and miscellaneous charges as follows:

(5) All insurance representatives, application for license, *application for reinstatement of suspended license,* each filing, filing fee....$50.00

Section 2. Effective January 1, 2009, subsection (1) of section 626.015, Florida Statutes, is amended to read:

626.015 Definitions.—As used in this part:

(1) "Adjuster" means a public adjuster as defined in s. 626.854, *public adjuster apprentice as defined in s. 626.8541,* independent adjuster as defined in s. 626.855, or company employee adjuster as defined in s. 626.856.

Section 3. Effective January 1, 2009, paragraphs (c), (e), and (f) of subsection (2) of section 626.221, Florida Statutes, are amended to read:

626.221 Examination requirement; exemptions.—

(2) However, no such examination shall be necessary in any of the following cases:

(c) In the discretion of the department, an applicant for reinstatement of license or appointment as an agent, customer representative, *company employee adjuster,* or *independent* adjuster whose license has been suspended within 4 years prior to the date of application or written request for reinstatement.

(e) A person who has been licensed and appointed as *an* ~~a public adjuster,~~ independent adjuster~~,~~ or company *employee* adjuster as to all property, casualty, and surety insurances~~,~~ may be licensed and appointed as a company *employee adjuster or*~~,~~ independent~~, or public~~ adjuster, as to these kinds of insurance, without additional written examination if an application for licensure is filed with the department within 48 months following the date of cancellation or expiration of the prior appointment.

(f) A person who has been licensed as *a company employee adjuster or independent* ~~an~~ adjuster for motor vehicle, property and casualty, workers' compensation, and health insurance may be licensed as such an adjuster without additional written examination if his or her application for licensure is filed with the department within 48 months after cancellation or expiration of the prior license.

Section 4. Effective January 1, 2009, subsection (6) of section 626.241, Florida Statutes, is amended to read:

626.241 Scope of examination.—

(6) *In order to reflect the differences between adjusting claims for an insurer and adjusting claims for an insured, the department shall create an examination for applicants seeking licensure as a public adjuster and a separate examination for applicants seeking licensure as a company employee adjuster or independent adjuster.* Examinations given applicants for license as an all-lines adjuster shall cover adjusting in all lines of insurance, other than life and annuity; or, in accordance with the application for the license, the examination may be limited to adjusting in:

(a) Automobile physical damage insurance;

(b) Property and casualty insurance;

(c) Workers' compensation insurance; or

(d) Health insurance.

No examination on worker's compensation insurance or health insurance shall be required for public adjusters.

Section 5. Effective January 1, 2009, subsection (1) of section 626.641, Florida Statutes, is amended to read:

626.641 Duration of suspension or revocation.—

(1) The department shall, in its order suspending a license or appointment or in its order suspending the eligibility of a person to hold or apply for such license or appointment, specify the period during which the suspension is to be in effect; but such period shall not exceed 2 years. The license, appointment, or eligibility shall remain suspended during the period so specified, subject, however, to any rescission or modification of the order by the department, or modification or reversal thereof by the court, prior to expiration of the suspension period. A license, appointment, or eligibility *that* ~~which~~ has been suspended shall not be reinstated except upon *the filing and approval of an application for* ~~request for such~~ reinstatement and, in the case of a second suspension, completion of continuing education courses prescribed and approved by the department; but the department shall not *approve an application for* ~~grant such~~ reinstatement if it finds that the circumstance or circumstances for which the license, appointment, or eligibility was suspended still exist or are likely to recur. In addition, *an application* ~~a request~~ for reinstatement is subject to denial and subject to a waiting period prior to approval on the same grounds that apply to applications for licensure pursuant to ss. 626.207, 626.611, ~~and~~ 626.621*, and 626.8698*.

Section 6. Effective October 1, 2008, subsections (5) through (12) are added to section 626.854, Florida Statutes, to read:

626.854 "Public adjuster" defined; prohibitions.—The Legislature finds that it is necessary for the protection of the public to regulate public insurance adjusters and to prevent the unauthorized practice of law.

(5) A public adjuster may not directly or indirectly through any other person or entity solicit an insured or claimant by any means except on Monday through Saturday of each week and only between the hours of 8 a.m. and 8 p.m. on those days.

(6) A public adjuster may not directly or indirectly through any other person or entity initiate contact or engage in face-to-face or telephonic solicitation or enter into a contract with any insured or claimant under an insurance policy until at least 48 hours after the occurrence of an event that may be the subject of a claim under the insurance policy unless contact is initiated by the insured or claimant.

(7) An insured or claimant may cancel a public adjuster's contract to adjust a claim without penalty or obligation within 3 business days after the date on which the contract is executed or within 3 business days after the date on which the insured or claimant has notified the insurer of the claim, by phone or in writing, whichever is later. The public adjuster's contract shall disclose to the insured or claimant his or her right to cancel the contract and advise the insured or claimant that notice of cancellation must be submitted in writing and sent by certified mail, return receipt requested, or other form of mailing which provides proof thereof, to the public adjuster at the address specified in the contract; provided, during any state of emergency as declared by the Governor and for a period of 1 year after the date of loss, the insured or claimant shall have 5 business days after the date on which the contract is executed to cancel a public adjuster's contract.

(8) It is an unfair and deceptive insurance trade practice pursuant to s. 626.9541 for a public adjuster or any other person to circulate or disseminate any advertisement, announcement, or statement containing any assertion, representation, or statement with respect to the business of insurance which is untrue, deceptive, or misleading.

(9) A public adjuster, a public adjuster apprentice, or any person or entity acting on behalf of a public adjuster or public adjuster apprentice may not give or offer to give a monetary loan or advance to a client or prospective client.

(10) A public adjuster, public adjuster apprentice, or any individual or entity acting on behalf of a public adjuster or public adjuster apprentice may not give or offer to give, directly or indirectly, any article of merchandise having a value in excess of $25 to any individual for the purpose of advertising or as an inducement to entering into a contract with a public adjuster.

(11)(a) If a public adjuster enters into a contract with an insured or claimant to reopen a claim or to file a supplemental claim that seeks additional payments for a claim that has been previously paid in part or in full or settled by the insurer, the public adjuster may not charge, agree to, or accept any compensation, payment, commission, fee, or other thing of value based on a previous settlement or previous claim payments by the insurer for the same cause of loss. The charge, compensation, payment, commission, fee, or other thing of value may be based only on the claim payments or settlement obtained through the work of the public adjuster after entering into the contract with the insured or claimant. The contracts described in this paragraph are not subject to the limitations in paragraph (b).

(b) A public adjuster may not charge, agree to, or accept any compensation, payment, commission, fee, or other thing of value in excess of:

1. Ten percent of the amount of insurance claim payments by the insurer for claims based on events that are the subject of a declaration of a state of emergency by the Governor. This provision applies to claims made during the period of 1 year after the declaration of emergency.

2. Twenty percent of the amount of all other insurance claim payments.

(12) Each public adjuster shall provide to the claimant or insured a written estimate of the loss to assist in the submission of a proof of loss or any other claim for payment of insurance proceeds. The public adjuster shall retain such written estimate for at least 5 years and shall make such estimate available to the claimant or insured and the department upon request.

The provisions of subsections (5)-(12) apply only to residential property insurance policies and condominium association policies as defined in s. 718.111(11).

Section 7. Effective January 1, 2009, section 626.8541, Florida Statutes, is created to read:

626.8541 Public adjuster apprentice.—

(1) A "public adjuster apprentice" is any person who is not a licensed public adjuster, who is employed by or has a contract with a licensed and appointed public adjuster in good standing with the department or a public adjusting firm that employs at least one licensed and appointed public adjuster in good standing with the department to assist a public adjuster in conducting business under the license, and who satisfies the requirements of s. 626.8651.

(2) A public adjuster apprentice must work with a licensed and appointed public adjuster for a period of 12 months as set forth in this section, and who otherwise is in full compliance with this chapter, prior to being eligible for appointment as a licensed public adjuster.

Section 8. Effective January 1, 2009, paragraph (e) of subsection (1) of section 626.865, Florida Statutes, is amended, and subsection (3) is added to that section, to read:

626.865 Public adjuster's qualifications, bond.—

(1) The department shall issue a license to an applicant for a public adjuster's license upon determining that the applicant has paid the applicable fees specified in s. 624.501 and possesses the following qualifications:

(e) Has passed *the* ~~any~~ required written examination.

(3) The department may not issue a license as a public adjuster to any individual who has not passed the examination for a public adjuster's license. Any individual who is applying for reinstatement of a license after completion of a period of suspension and any individual who is applying for a new license after termination, cancellation, revocation, or expiration of a prior license as a public adjuster must pass the examination required for licensure as a public adjuster after approval of the application for reinstatement or for a new license regardless of whether the applicant passed an examination prior to issuance of the license that was suspended, terminated, canceled, revoked, or expired.

Section 9. Effective January 1, 2009, section 626.8651, Florida Statutes, is created to read:

626.8651 Public adjuster apprentice license; qualifications.—

(1) The department shall issue a license as a public adjuster apprentice to an applicant who is:

(a) A natural person at least 18 years of age.

(b) A United States citizen or legal alien who possesses work authorization from the United States Bureau of Citizenship and Immigration Services and is a resident of this state.

(c) Trustworthy and has such business reputation as would reasonably ensure that the applicant will conduct business as a public adjuster apprentice fairly and in good faith and without detriment to the public.

(2) All applicable license fees, as prescribed in s. 624.501, must be paid in full before issuance of the license.

(3) At the time of application for license as a public adjuster apprentice, the applicant shall file with the department a bond executed and issued by a surety insurer authorized to transact such business in this state in the amount of $50,000, conditioned upon the faithful performance of his or her duties as a public adjuster apprentice under the license for which the applicant has applied, and thereafter maintain the bond unimpaired throughout the existence of the license and for at least 1 year after termination of the license. The bond shall be in favor of the department and shall specifically authorize recovery by the department of the damages sustained in case the licensee commits fraud or unfair practices in connection with his or her business as a public adjuster apprentice. The aggregate liability of the surety for all such damages may not exceed the amount of the bond, and the bond may not be terminated by the issuing insurer unless written notice of at least 30 days is given to the licensee and filed with the department.

(4) A public adjuster apprentice shall complete at a minimum 100 hours of employment per month for 12 months of employment under the supervision of a licensed and appointed all-lines public adjuster in order to qualify for licensure as a public adjuster. The department may adopt rules that establish standards for such employment requirements.

(5) A supervising public adjuster shall be responsible and accountable for the acts of a public adjuster apprentice which are related to transacting business as a public adjuster apprentice.

(6) An apprentice license is effective for 18 months unless the license expires due to lack of maintaining an appointment; is surrendered by the licensee; is terminated, suspended, or revoked by the department; or is canceled by the department upon issuance of a public adjuster license. The department may not issue a public adjuster apprentice license to any individual who has held such a license in this state within 2 years after expiration, surrender, termination, revocation, or cancellation of the license.

(7) After completing the requirements for employment as a public adjuster apprentice, the licensee may file an application for a public adjuster license. The applicant and supervising public adjuster or public adjusting firm must each file a sworn affidavit, on a form prescribed by the department, verifying that the employment of the public adjuster apprentice meets the requirements of this section.

(8) In no event shall a public adjuster apprentice licensed under this section perform any of the functions for which a public adjuster's license is required after expiration of the public adjuster apprentice license without having obtained a public adjuster license.

(9) A public adjuster apprentice has the same authority as the licensed public adjuster or public adjusting firm that employs the apprentice except that an apprentice may not execute contracts for the services of a public adjuster or public adjusting firm and may not solicit contracts for the services except under the direct supervision and guidance of the supervisory public adjuster. An individual may not be, act as, or hold himself or herself out to be a public adjuster apprentice unless the individual is licensed and holds a current appointment by a licensed public all-lines adjuster or a public adjusting firm that employs a licensed all-lines public adjuster.

Section 10. Effective October 1, 2008, subsections (1) and (4) of section 626.869, Florida Statutes, are amended to read:

626.869 License, adjusters*; continuing education*.—

(1) An applicant for a license as an adjuster may qualify and his or her license when issued may cover adjusting in any one of the following classes of insurance:

(a) All lines of insurance except life and annuities.

(b) Motor vehicle physical damage insurance.

(c) Property and casualty insurance.

(d) Workers' compensation insurance.

(e) Health insurance.

No examination on worker's compensation insurance or health insurance shall be required for public adjusters.

(4)(a) Any individual holding a license *as a company employee adjuster or independent adjuster* for 24 consecutive months or longer must, beginning in his or her birth month and every 2 years thereafter, have completed 24 hours of courses, 2 hours of which relate to ethics, in subjects designed to inform the licensee regarding the current insurance laws of this state, so as to enable him or her to engage in business as an insurance adjuster fairly and without injury to the public and to adjust all claims in accordance with the policy or contract and the laws of this state.

(b) Any individual holding a license as a public adjuster for 24 consecutive months or longer, beginning in their birth month and every 2 years thereafter, must have completed 24 hours of courses, 2 hours of which relate to ethics, in subjects designed to inform the licensee regarding the current laws of this state pertaining to all lines of insurance other than life and annuities, *the current laws of this state pertaining to the duties and responsibilities of public adjusters as set forth in this part, and the current rules of the department applicable to public adjusters and standard or representative policy forms used by insurers, other than forms for life insurance and annuities,* so as to enable him or her to engage in business as an adjuster fairly and without injury to the public and to adjust all claims in accordance with the policy or contract and laws of this state. *In order to receive credit for continuing education courses, public adjusters must take courses that are specifically designed for public adjusters and approved by the department, provided, however, no continuing education course shall be required for public adjusters for worker's compensation insurance or health insurance.*

(c) The department shall adopt rules necessary to implement and administer the continuing education requirements of this subsection. For good cause shown, the department may grant an extension of time during which the requirements imposed by this section may be completed, but such extension of time may not exceed 1 year.

(d) A nonresident public adjuster must complete the continuing education requirements provided by this section; provided, a nonresident public adjuster may meet the requirements of this section if the continuing education requirements of the nonresident public adjuster's home state are determined to be substantially comparable to the requirements of this state's continuing education requirements and if the resident's state recognizes reciprocity with this state's continuing education requirements. A nonresident public adjuster whose home state does not have such continuing education requirements for adjusters, and who is not licensed as a nonresident adjuster in a state that has continuing education requirements and reciprocates with this state, must meet the continuing education requirements of this section.

Section 11. Effective October 1, 2008, section 626.8698, Florida Statutes, is amended to read:

626.8698 Disciplinary guidelines for public adjusters *and public adjuster apprentices*.—The department may deny, suspend, or revoke the license of a public adjuster *or public adjuster apprentice*, and administer a fine not to exceed $5,000 per act, for any of the following:

(1) Violating any provision of this chapter or a rule or order of the department;

(2) Receiving payment or anything of value as a result of an unfair or deceptive practice;

(3) Receiving or accepting any fee, kickback, or other thing of value pursuant to any agreement or understanding, oral or otherwise; entering into a split-fee arrangement with another person who is not a public adjuster; or being otherwise paid or accepting payment for services that have not been performed;

(4) Violating s. 316.066 or s. 817.234;

(5) Soliciting or otherwise taking advantage of a person who is vulnerable, emotional, or otherwise upset as the result of a trauma, accident, or other similar occurrence; or

(6) Violating any ethical rule of the department.

Section 12. Effective January 1, 2009, subsection (4) is added to section 626.870, Florida Statutes, to read:

626.870 Application for license.—

(4) A license, an appointment, or eligibility that has been suspended may not be reinstated except upon the filing and approval of an application for reinstatement in accordance with s. 626.641. In addition, for reinstatement of a public adjuster's license, appointment, or eligibility, the individual must pass the public adjuster licensing examination. An application for reinstatement must be accompanied by any applicable examination fee. Successful completion of the examination does not entitle the applicant to have a license reinstated. The application is subject to denial pursuant to ss. 626.207, 626.611, 626.621, and 626.8698. If the department approves an application for reinstatement, the applicant shall be notified that the license will be reinstated upon payment by the applicant of the reinstatement fee contained in s. 624.501(15).

Section 13. Effective January 1, 2009, paragraphs (b) and (e) of subsection (1) and paragraphs (b) and (c) of subsection (2) of section 626.8732, Florida Statutes, are amended, and subsection (6) is added to that section, to read:

626.8732 Nonresident public adjuster's qualifications, bond.—

(1) The department shall, upon application therefor, issue a license to an applicant for a nonresident public adjuster's license upon determining that the applicant has paid the applicable license fees required under s. 624.501 and:

(b) Has passed to the satisfaction of the department a written Florida public adjuster's examination of the scope prescribed in s. 626.241(6)~~; however, the requirement for such an examination does not apply to any of the following:~~

~~1. An applicant who is licensed as a resident public adjuster in his or her state of residence, when that state requires the passing of a written examination in order to obtain the license and a reciprocal agreement with the appropriate official of that state has been entered into by the department; or~~

~~2. An applicant who is licensed as a nonresident public adjuster in a state other than his or her state of residence when the state of licensure requires the passing of a written examination in order to obtain the license and a reciprocal agreement with the appropriate official of the state of licensure has been entered into by the department~~.

(e) Has *been licensed and employed as a public adjuster in the applicant's state of residence on a continual basis for the past 3 years, or, if the applicant's state of residence does not issue licenses to individuals who act as public adjusters, the applicant has been licensed and employed as a resident insurance company or independent adjuster, insurance agent, insurance broker, or other insurance representative in his or her state of residence or any other state on a continual basis for the past 3 years. This paragraph does not apply to individuals who are licensed to transact only life insurance and annuity business* ~~had sufficient experience, training, or instruction concerning the adjusting of damages or losses under insurance contracts, other than life and annuity contracts; is sufficiently informed as to the terms and effects of the provisions of those types of insurance contracts; and possesses adequate knowledge of the laws of this state relating to such contracts as to enable and qualify him or her to engage in the business of insurance adjuster fairly and without injury to the public or any member thereof with whom he or she may have business as a public adjuster~~.

(2) The applicant shall furnish the following with his or her application:

(b) If currently licensed as a resident public adjuster in the applicant's state of residence, a certificate or letter of authorization from the licensing authority of the applicant's state of residence, stating that the applicant holds a current or comparable license to act as a public adjuster *and has held the license continuously for the past 3 years*. The certificate or letter of authorization must be signed by the insurance commissioner or his or her deputy or the appropriate licensing official and must disclose whether the adjuster has ever had any license or eligibility to hold any license declined, denied, suspended, revoked, or placed on probation or whether an administrative fine or penalty has been levied against the adjuster and, if so, the reason for the action.

(c) If the applicant's state of residence does not require licensure as a public adjuster and the applicant has been licensed as a resident insurance adjuster, agent, broker, or other insurance representative in his or her state of residence or any other state ~~within the past 3 years~~, a certificate or letter of authorization from the licensing authority stating that the applicant holds or has held a license to act as such an insurance adjuster, agent, or other insurance representative *and has held the license continuously for the past 3 years*. The certificate or letter of authorization must be signed by the insurance commissioner or his or her deputy or the appropriate licensing official and must disclose whether or not the adjuster, agent, or other insurance representative has ever had any license or eligibility to hold any license declined, denied, suspended, revoked, or placed on probation or whether an administrative fine or penalty has been levied against the adjuster and, if so, the reason for the action.

(6) If available, the department shall verify the nonresident applicant's licensing status through the producer database maintained by the National Association of Insurance Commissioners or its affiliates or subsidiaries.

Section 14. Effective October 1, 2008, section 626.8796, Florida Statutes, is created to read:

626.8796 Public adjuster contracts; fraud statement.—All contracts for public adjuster services must be in writing and must prominently display the following statement on the contract: "Pursuant to s. 817.234, Florida Statutes, any person who, with the intent to injure, defraud, or deceive any insurer or insured, prepares, presents, or causes to be presented a proof of loss or estimate of cost or repair of damaged property in support of a claim under an insurance policy knowing that the proof of loss or estimate of claim or repairs contains any false, incomplete, or misleading information concerning any fact or thing material to the claim commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.803, or s. 775.084, Florida Statutes."

Section 15. Effective October 1, 2008, section 626.8797, Florida Statutes, is created to read:

626.8797 Proof of loss; fraud statement.—All proof of loss statements must prominently display the following statement: "Pursuant to s. 817.234, Florida Statutes, any person who, with the intent to injure, defraud, or deceive any insurer or insured, prepares, presents, or causes to be presented a proof of loss or estimate of cost or repair of damaged property in support of a claim under an insurance policy knowing that the proof of loss or estimate of claim or repairs contains any false, incomplete, or misleading information concerning any fact or thing material to the claim commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.803, or s. 775.084, Florida Statutes."

And the title is amended as follows:

Remove line 2 and insert: An act relating to insurance; amending s. 624.501, F.S.; providing for filing fees for an application for reinstatement of a suspended license; amending s. 626.015, F.S.; redefining the term "adjuster" to include a public adjuster apprentice; amending s. 626.221, F.S.; providing that certain company employee adjusters and independent adjusters seeking reinstatement of a suspended license are not required to take an examination; amending s. 626.241, F.S.; requiring that the Department of Financial Services create an examination for applicants seeking licensure as a public adjuster and a separate examination for applicants seeking licensure as a company employee adjuster or independent adjuster; providing that an examination on worker's compensation insurance or health insurance may not be required for

public adjusters; amending s. 626.641, F.S.; providing that a suspended license may not be reinstated unless the individual seeking reinstatement files an application for reinstatement which is subsequently approved by the department; prohibiting the department from approving such an application under certain circumstances; amending s. 626.854, F.S.; prohibiting a public adjuster from soliciting or entering into a contract with any insured or claimant under an insurance policy for a specified period after the occurrence of an event that may be the subject of a claim; providing an exception; providing that a public adjuster's contract to adjust a claim may be canceled by the client without penalty within a specified period after the execution of the contract; requiring that a public adjuster disclose to a client his or her right to cancel a contract by specified means; providing an exception during a state of emergency; specifying an unfair and deceptive insurance trade practice; prohibiting a public adjuster, apprentice, or his or her agent from giving or offering a monetary loan or an article in excess of a specified value to a client or prospective client; prohibiting a public adjuster from basing any charge, fee, payment, commission, or compensation relating to a supplemental claim on the corresponding previous settlement or claim payment; prohibiting a public adjuster from charging, agreeing to, or accepting a fee, payment, commission, or any compensation in excess of certain amounts; providing application; requiring public adjusters to provide claimants or insureds a written estimate of certain losses relating to claims for payment of insurance proceeds; requiring adjusters to retain estimates for a specified time and make estimates available to claimants, insureds, and the department; creating s. 626.8541, F.S.; defining the term "public adjuster apprentice"; amending s. 626.865, F.S.; providing qualifications that an applicant must possess before the issuance of a license by the department; requiring that certain persons applying for a license after the completion of a period of suspension, termination, cancellation, revocation, or expiration must pass the examination required for licensure as a public adjuster; creating s. 626.8651, F.S.; providing requirements for licensure as a public adjuster apprentice; requiring that the department approve an application under certain circumstances; requiring that all license fees be paid before the department issues a license; requiring the applicant to file a bond in a specified amount in favor of the department; providing for termination of the bond; requiring that the apprentice's work be supervised by a licensed adjuster in good standing; authorizing the department to adopt rules governing employment requirements; providing that the supervising adjuster is responsible for the acts of the apprentice; providing a period of effectiveness for an apprentice license; providing that an individual licensed as an apprentice may file an application for licensure as a public adjuster after a specified period of employment as an apprentice; requiring that a sworn affidavit containing certain information accompany such application; prohibiting an apprentice from performing any functions for which a license is required after the expiration of his or her license for apprenticeship without first obtaining a license to work as a public adjuster; limiting the authority of a public adjuster apprentice; amending s. 626.869, F.S.; providing that an examination on worker's compensation insurance or health insurance may not be required for public adjusters; providing for continuing education for company employee adjusters, independent adjusters, and public adjusters; providing for the satisfaction of continuing education requirements for nonresident adjusters; amending s. 626.8698, F.S.; providing disciplinary guidelines for public adjusters and public adjuster apprentices; amending s. 626.870, F.S.; providing requirements for the reinstatement of a suspended license, an appointment, or eligibility; providing for the notification of approval of an application for reinstatement; amending s. 626.8732, F.S.; revising requirements for licensure as a nonresident public adjuster; providing exceptions to such requirements; requiring that an applicant for licensure as a nonresident public adjuster provide certain information with his or her application; requiring that the department verify the nonresident applicant's licensing status; creating s. 626.8796, F.S.; requiring that all contracts for services by a public adjuster be in writing and contain a specified statement regarding fraud; creating s. 626.8797, F.S.; requiring that proof of loss statements contain a specified statement regarding fraud; amending s.

House Amendment 8 (824245)(with title amendment)—Between lines 117 and 118 insert:

Section 3. *The Legislature finds that the Uniform Commercial Code insurance product authorized by section 1 of Chapter 2005-153, Laws of Florida, will open new markets in this state and will result in generation of new revenue for the state. Accordingly, title insurers may petition for a rate deviation as provided by s. 627.783, Florida Statutes, for the uniform commercial code insurance product. In determining whether to approve such petition for a rate deviation for the uniform commercial code insurance product, the office shall be guided by standards for national rates for the product currently being offered in other states.*

And the title is amended as follows:

Remove line 17 and insert: dismissed; providing legislative intent relating to certain Uniform Commercial Code insurance products; authorizing title insurers to petition for a rate deviation for certain insurance products under certain circumstances; providing criteria for the Office of Insurance Regulation; providing effective dates.

House Amendment 9 (794475)(with title amendment)—Between lines 117 and 118, insert:

Section 3. Paragraph (b) of subsection (4) of section 215.555, Florida Statutes, is amended to read:

215.555 Florida Hurricane Catastrophe Fund.—

(4) REIMBURSEMENT CONTRACTS.—

(b)1. The contract shall contain a promise by the board to reimburse the insurer for 45 percent, 75 percent, or 90 percent of its losses from each covered event in excess of the insurer's retention, plus 5 percent of the reimbursed losses to cover loss adjustment expenses.

2. The insurer must elect one of the percentage coverage levels specified in this paragraph and may, upon renewal of a reimbursement contract, elect a lower percentage coverage level if no revenue bonds issued under subsection (6) after a covered event are outstanding, or elect a higher percentage coverage level, regardless of whether or not revenue bonds are outstanding. All members of an insurer group must elect the same percentage coverage level. Any joint underwriting association, risk apportionment plan, or other entity created under s. 627.351 must elect the 90-percent coverage level.

3. The contract shall provide that reimbursement amounts shall not be reduced by reinsurance paid or payable to the insurer from other sources.

4. Notwithstanding any other provision contained in this section, the board shall make available to insurers that purchased coverage provided by this subparagraph in *2007* ~~2006~~, insurers qualifying as limited apportionment companies under s. 627.351(6)(c), and insurers that *have been* ~~were~~ approved to participate in ~~2006 or that are approved in 2007 for~~ the Insurance Capital Build-Up Incentive Program pursuant to s. 215.5595~~,~~ a contract or contract addendum that provides an additional amount of reimbursement coverage of up to $10 million. The premium to be charged for this additional reimbursement coverage shall be 50 percent of the additional reimbursement coverage provided, which shall include one prepaid reinstatement. The minimum retention level that an eligible participating insurer must retain associated with this additional coverage layer is 30 percent of the insurer's surplus as of December 31, *2007* ~~2006~~. This coverage shall be in addition to all other coverage that may be provided under this section. The coverage provided by the fund under this subparagraph shall be in addition to the claims-paying capacity as defined in subparagraph (c)1., but only with respect to those insurers that select the additional coverage option and meet the requirements of this subparagraph. The claims-paying capacity with respect to all other participating insurers and limited apportionment companies that do not select the additional coverage option shall be limited to their reimbursement premium's proportionate share of the actual claims-paying capacity otherwise defined in subparagraph (c)1. and as provided for under the terms of the reimbursement contract. Coverage provided in the reimbursement contract *shall* ~~will~~ not be affected by the additional premiums paid by participating insurers exercising the additional coverage option allowed in this subparagraph. This subparagraph expires on May 31, *2009* ~~2008~~.

And the title is amended as follows:

Remove line 17 and insert: dismissed; amending s. 215.555, F.S.; extending for an additional year the offer of reimbursement coverage for specified insurers; revising the qualifying criteria for such insurers; revising provisions to conform; providing effective dates.

House Amendment 10 (320751)(with title amendment)—Between line(s) 117 and 118 insert:

Section 3. Effective January 1, 2009, paragraph (j) of subsection (2) of section 626.221, Florida Statutes, is amended to read:

626.221 Examination requirement; exemptions.—

(2) However, no such examination shall be necessary in any of the following cases:

(j) An applicant for license as a customer representative who has *earned* the designation of Accredited Advisor in Insurance (AAI) from the Insurance Institute of America, the designation of Certified Insurance Counselor (CIC) from the Society of Certified Insurance Service Counselors, the designation of Accredited Customer Service Representative (ACSR) from the Independent Insurance Agents of America, the designation of Certified Professional Service Representative (CPSR) from the National Foundation for Certified Professional Service Representatives, the designation of Certified Insurance Service Representative (CISR) from the Society of Certified Insurance Service Representatives. Also, an applicant for license as a customer representative who has *earned an associate's degree or bachelor's degree from an accredited college or university with at least 9 academic hours of property and casualty insurance curriculum, or the equivalent, or has earned* the designation of Certified Customer Service Representative (CCSR) from the Florida Association of Insurance Agents, or the designation of Registered Customer Service Representative (RCSR) from a regionally accredited postsecondary institution in this state, or the designation of Professional Customer Service Representative (PCSR) from the Professional Career Institute, whose curriculum has been approved by the department and whose curriculum includes comprehensive analysis of basic property and casualty lines of insurance and testing at least equal to that of standard department testing for the customer representative license. The department shall adopt rules establishing standards for the approval of curriculum.

Section 4. Subsection (2), paragraph (f) of subsection (3), and paragraph (j) of subsection (4) of section 626.2815, Florida Statutes, are amended to read:

626.2815 Continuing education required; application; exceptions; requirements; penalties.—

(2) *Except as otherwise provided in this section,* the provisions of this section apply to persons licensed to engage in the sale of insurance in this state for all lines of insurance for which an examination is required for licensing *and to each insurer, employer, or appointing entity, including, but not limited to, those created or existing pursuant to s. 627.351.* The provisions of this section shall not apply to any person holding a license for the sale of any line of insurance for which an examination is not required by the laws of this state, nor shall the provisions of this section apply to any limited license as the department may exempt by rule.

(3)

(f)*1. Except as provided in subparagraph 2.,* compliance with continuing education requirements is a condition precedent to the issuance, continuation, reinstatement, or renewal of any appointment subject to this section.

2.a. An appointing entity, except one that appoints individuals who are employees or exclusive independent contractors of the appointing entity, may not require, directly or indirectly, as a condition of such appointment or the continuation of such appointment, the taking of an approved course or program by any appointee or potential appointee that is not of the appointee's choosing.

b. Any entity created or existing pursuant to s. 627.351 may require employees to take training of any type relevant to their employment but may not require appointees who are not employees to take any approved course or program unless the course or program deals solely with the appointing entity's internal procedures or products or with subjects substantially unique to the appointing entity.

(4) The following courses may be completed in order to meet the continuing education course requirements:

(j) Any course, including courses relating to agency management or errors and omissions, developed or sponsored by any authorized insurer or recognized agents' association or insurance trade association or any independent study program of instruction, subject to approval by the department, qualifies for the equivalency of the number of classroom hours assigned thereto by the department. However, unless otherwise provided in this section, continuing education hours may not be credited toward meeting the requirements of this section unless the course is provided by classroom instruction or results in a monitored examination. A monitored examination is not required for*:*

1. An independent study program of instruction ~~that is~~ presented through interactive, online technology that the department determines has sufficient internal testing to validate the student's full comprehension of the materials presented*; or*

2. An independent study program of instruction presented on paper or in printed material that imposes a final closed book examination that meets the requirements of the department's rule for self-study courses. The examination may be taken without a proctor provided the student presents to the provider a sworn affidavit certifying that the student did not consult any written materials or receive outside assistance of any kind or from any person, directly or indirectly, while taking the examination. If the student is an employee of an agency or corporate entity, the student's supervisor or a manager or owner of the agency or corporate entity must also sign the sworn affidavit. If the student is self-employed, a sole proprietor, or a partner, or if the examination is administered online, the sworn affidavit must also be signed by a disinterested third party. The sworn affidavit must be received by the approved provider prior to reporting continuing education credits to the department.

Section 5. Subsections (6) and (7) of section 626.381, Florida Statutes, are renumbered as subsections (8) and (9), respectively, and new subsections (6) and (7) are added to that section to read:

626.381 Renewal, continuation, reinstatement, or termination of appointment.—

(6) An appointing entity may require an appointee to attend training and education programs of the appointing entity in order for the appointee to receive a new appointment or maintain an existing appointment. However, an appointing entity may not require, directly or indirectly, any appointee to attend any training programs that are wholly or partially approved for general continuing education credit as provided in s. 626.2815.

(7) Each appointing entity may appoint only those persons who have met the continuing education requirements of the license necessary for such appointment as provided in s. 626.2815. However, an appointing entity may not make or allow, directly or indirectly, the appointment of any appointee or potential appointee to be contingent, in whole or in part, on any appointee's attendance at any course that is approved, in whole or in part, for continuing education credit pursuant to s. 626.2815.

And the title is amended as follows:

Remove line 17 and insert: dismissed; amending s. 626.221, F.S.; expanding the list of applicants eligible for exemption from certain examination requirements; amending s. 626.2815, F.S.; expanding application of certain continuing education requirements; providing limited exceptions to compliance with continuing education requirements as a condition precedent to certain appointments; providing an exception to certain examination monitoring requirements; providing exception requirements; amending s. 626.381, F.S.; authorizing appointing entities to require appointees to attend certain training and education programs for certain purposes; providing an exception; limiting an appointing entity's appointment authority; prohibiting appointments to be contingent upon an appointee's attendance at certain courses; providing effective dates.

House Amendment 11 (389549)(with title amendment)—Between line(s) 117-118 insert:

Section 3. *Upon the request of a consumer reporting agency, as defined by the federal Fair Credit Reporting Act, 15 U.S.C. 1681 et seq., which consumer reporting agency is on compliance with the confidentiality requirements of such act, the Citizens Property Insurance Corporation shall electronically report claims data and histories to such consumer reporting agency which maintains a database of similar data for use in connection with the underwriting of insurance involving a consumer.*

And the title is amended as follows:

Remove line 17 and insert: dismissed; requiring Citizens Property Insurance Corporation to electronically report certain claims data and histories to certain consumer reporting agencies; providing effective dates.

On motion by Senator Deutch, the Senate concurred in the House amendments

CS for CS for SB 2012 passed as amended and was ordered engrossed and then enrolled. The action of the Senate was certified to the House. The vote on passage was:

Yeas—39

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bullard	Haridopolos	Ring
Carlton	Hill	Saunders
Constantine	Jones	Siplin
Crist	Joyner	Storms
Dawson	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

Nays—None

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has passed CS for SB 2310, with 2 amendment(s), and requests the concurrence of the Senate.

William S. Pittman III, Chief Clerk

CS for SB 2310—A bill to be entitled An act relating to stimulating the economy; providing legislative findings and intent; amending s. 215.44, F.S.; requiring the State Board of Administration to report on the amount and type of technology and growth investments held by each fund; amending s. 215.47, F.S.; authorizing the board to invest a certain percentage of net assets in technology and growth investments; increasing the percentage amount of alternative investments in any fund, including investments that are not publicly traded or specifically authorized; authorizing the board to offer opportunities to small state-based investment management firms; creating s. 215.474, F.S.; requiring the Office of Program Policy Analysis and Government Accountability to perform an annual review of technology and growth investments made by the board and report to the Legislature; creating the Reusable Space Vehicle Industry Prize Program within the Office of Tourism, Trade, and Economic Development of the Executive Office of the Governor; providing for a specified cash prize to be awarded to the individual or firm providing the most significant advancements within the reusable space vehicle industry during a specified period; requiring that the Lieutenant Governor serve as chair of the program and appoint a committee; requiring that the committee perform certain tasks; requiring that the office adopt certain rules; providing for the program to terminate on a specified date; providing an effective date.

House Amendment 2 (089421)(with title amendment)—Remove line 93 and insert: *sciences. For the purposes of this chapter, "life sciences" means the use of information technology, engineering, and biological and chemical sciences for the development and production of goods and services, including, but not limited to, drug development, medical implants and devices, bio-related diagnostic products, bioagriculture technologies, biosecurity, biofuels, and bio-related applications.*

And the title is amended as follows:

Remove line 8 and insert: technology and growth investments; providing definitions; increasing the

House Amendment 3 (913301)(with title amendment)—Remove lines 108-119 and insert: *investments made in Florida-based companies by the State Board of Administration and submit its findings to the State Board of Administration, the President of the Senate, and the Speaker of the House of Representatives by January 15 of each year. The office may consult with the board, the Department of Revenue, the Office of Economic and Demographic Research, and other entities as necessary to obtain and evaluate the information requested. The annual review shall include:*

(1) The dollar amount of technology and growth investments in the state made by the board during the previous year ending June 30 and the investment's percentage share of the system trust fund's net assets.

(2) A list of investments in the state identified by the board as

And the title is amended as follows:

Remove line 15 and insert: perform an annual review of certain technology and growth

On motion by Senator Ring, the Senate concurred in the House amendments.

CS for SB 2310 passed as amended and was ordered engrossed and then enrolled. The action of the Senate was certified to the House. The vote on passage was:

Yeas—40

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Aronberg	Gaetz	Posey
Atwater	Garcia	Rich
Baker	Geller	Ring
Bennett	Haridopolos	Saunders
Bullard	Hill	Siplin
Carlton	Jones	Storms
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dawson	King	Wilson
Dean	Lawson	Wise
Deutch	Lynn	
Diaz de la Portilla	Margolis	

Nays—None

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has passed CS for SB 2422, with 1 amendment, and requests the concurrence of the Senate.

William S. Pittman III, Chief Clerk

CS for SB 2422—A bill to be entitled An act relating to local government finance; amending s. 215.441, F.S.; providing that the appointment of the executive director of the State Board of Administration be confirmed by the Senate and approved by a majority vote of the trustees of the board; amending s. 215.442, F.S.; requiring the executive director of the State Board of Administration to present the trustees with additional information; providing that the executive director is a state officer and subject to financial disclosure requirements; amending s. 218.401, F.S.; clarifying purpose and intent; amending s. 218.403, F.S.; defining the terms "board" and "trustees" for purposes of the Investment of Local Government Surplus Funds Act; amending s. 218.405, F.S.; providing for the administration of the Local Government Surplus Funds Trust Fund; providing duties of Trustees of the State Board of Administration; amending s. 218.407, F.S.; requiring that the board provide a unit of local government with certain information before such unit makes a determination that it is in the best interest of the local government unit to deposit surplus funds in the trust fund; requiring the filing of a resolution upon such determination; requiring that the resolution contain certain information; requiring that the board invest the moneys in the trust fund in a certain manner; amending s. 218.409, F.S.; providing duties of the board with regard to the administration of the trust fund; providing for the establishment of a reserve account; requiring monthly allocations to the reserve account; limiting the amount of monthly allocations; requiring that the board report annually to every participant having a beneficial interest in the trust fund; providing for the preparation of the report; providing that such report is subject to independent financial audit; requiring that the board provide a monthly statement

to beneficiaries; requiring that such statement contain certain information; requiring that the Investment Advisory Council assist the board in investing moneys held in the trust fund; providing duties of the council; creating the Pool Participant Advisory Council; providing purposes for the council; providing for membership and composition of the council; requiring that the executive director of the State Board of Administration consider appropriate action and advise the trustees accordingly under certain circumstances; providing duties of the trustees under such circumstances; authorizing the trustees to perform certain actions for the purpose of ensuring the proper exercise of fiduciary responsibility; authorizing the trustees to place assets of the trust fund into a liquidating account; providing for the maintenance and administration of such liquidating accounts; providing powers and duties of trustees with regard to assets in a liquidating account; providing for distribution of cash received from income or liquidation of assets held in a liquidating account; requiring the audit of such accounts; authorizing certain reasonable expenses to be charged to a liquidating account; excluding certain information related to assets held in liquidating accounts from certain statements; requiring that separate statements be issued for such information; providing for the transfer of reserves held in a liquidating account; requiring that the status of such accounts be reported regularly to the trustees, participants in the fund, the Investment Advisory Council, and the Pool Participant Advisory Council; providing an effective date.

House Amendment 1 (495503)(with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Section 218.401, Florida Statutes, is amended to read:

218.401 Purpose.—It is the intent of this part to promote, through state assistance, the maximization of net interest earnings on invested surplus funds of local units of government, *based on the principals of investor protection, mandated transparency, and proper governance, with the goal of* ~~thereby~~ reducing the need for imposing additional taxes.

Section 2. Section 218.403, Florida Statutes, is amended to read:

218.403 Definitions.—The following words or terms, when used in this part, shall have the following meanings:

(1) "Board" means the State Board of Administration.

(2)~~(1)~~ "Chief Financial Officer" means the mayor, manager, administrator, clerk, comptroller, treasurer, director of finance, or other local government official, regardless of the title of his or her office, charged with administering the fiscal affairs of a unit of local government.

(3)~~(2)~~ "Current expenses" means expenses to meet known cash needs and anticipated cash-flow requirements for the short term.

(4) "GASB" means the Governmental Accounting Standards Board.

(5) "GFOA" means the Government Finance Officers Association.

(6)~~(3)~~ "Governing body" means the body or board in which the legislative power of a unit of local government is vested.

(7)~~(4)~~ "Short term" means a maximum of 6 months of operation.

(8)~~(5)~~ "Surplus funds" means any funds in any general or special account or fund of a unit of local government, or funds held by an independent trustee on behalf of a unit of local government, which in reasonable contemplation will not be immediately needed for the purposes intended.

(9)~~(6)~~ "Trust fund" means the pooled investment fund created by s. 218.405 and known as the Local Government Surplus Funds Trust Fund.

(10) "Trustees" mean the Trustees of the State Board of Administration.

(11)~~(7)~~ "Unit of local government" means any governmental entity within the state not part of state government and shall include, but not be limited to, the following and the officers thereof: any county, municipality, school district, special district, clerk of the circuit court, sheriff, property appraiser, tax collector, supervisor of elections, authority, board, public corporations, or any other political subdivision of the state.

Section 3. Section 218.405, Florida Statutes, is amended to read:

218.405 Local Government Surplus Funds Trust Fund; creation*; objectives; certification; interest; rulemaking*.—

(1) There is hereby created a Local Government Surplus Funds Trust Fund to be administered by the ~~State~~ board ~~of Administration~~ and to be composed of local government surplus funds deposited therein by units of local government under the procedures established in this part. *The board may contract with a professional money management firm to manage the trust fund.*

(2) The primary objectives, in priority order, of investment activities shall be safety, liquidity, and competitive returns with minimization of risks.

(3) The trustees shall annually certify to the Joint Legislative Auditing Committee that the trust fund is in compliance with the requirements of this part and that the trustees have conducted a review of the trust fund and determined that the management of the trust fund is in accord with best investment practices.

(4) The board may adopt rules to administer the provisions of this section.

Section 4. Section 218.407, Florida Statutes, is amended to read:

218.407 Local government investment authority.—

(1) Prior to any determination by the governing body that it is in the interest of the unit of local government to deposit surplus funds in the trust fund, the board or a professional money management firm must provide to the governing body enrollment materials, including a trust fund profile containing impartial educational information describing the administration and investment policy of the trust fund, including, but not limited to:

(a) All rights and conditions of participation, including potential restrictions on withdrawals.

(b) The historical performance, investment holdings, credit quality, and average maturity of the trust fund investments.

(c) The applicable administrative rules.

(d) The rate determination processes for any deposit or withdrawal.

(e) Any fees, charges, penalties, and deductions that apply to the account.

(f) The most recently published financial statements or independent audits, if available, prepared under generally accepted accounting principles.

(g) A disclosure statement for signature by the appropriate local government official.

(2)~~(1)~~ *Upon review of the enrollment materials and* upon determination by the governing body that it is in the interest of the unit of local government to deposit surplus funds in the trust fund, a resolution by the governing body *and the signed acceptance of the disclosure statement by the local government official, who may be the chief financial or administrative officer of the local government,* shall be filed with the ~~State~~ board *and, if appropriate, a copy shall be provided to a professional money management firm* ~~of Administration~~ authorizing investment of its surplus funds in the trust fund established by this part. The resolution shall name:

(a) The local government official, who may be the chief financial or administrative officer of the local government, or

(b) An independent trustee holding funds on behalf of the unit of local government,

responsible for deposit and withdrawal of such funds.

(3)~~(2)~~ The ~~State~~ board *or a professional money management firm* ~~of Administration~~ shall, upon the filing of the resolution, invest the moneys in the trust fund in the same manner and subject to the same restrictions as are set forth in s. 215.47. ~~Except when authorized by the board,~~

All units of local government *that* ~~which~~ qualify to be participants in the ~~Local Government Surplus Funds~~ trust fund *shall* ~~after January 1, 1982, will normally~~ have surplus funds deposited into a pooled investment account.

(4)~~(3)~~ The provisions of this part shall not impair the power of a unit of local government to hold funds in deposit accounts with banking or savings institutions or to invest funds as otherwise authorized by law.

Section 5. Section 218.409, Florida Statutes, is amended to read:

218.409 Administration of the trust fund*; creation of advisory council.*—

(1) Upon receipt of the *items specified in s. 218.407* ~~resolution~~ from the local governing body, the ~~State~~ board *or a professional money management firm* ~~of Administration~~ shall accept all wire transfers of funds into the trust fund. The ~~State~~ board *or a professional money management firm* ~~of Administration~~ shall also wire-transfer invested local government funds to the local government upon request of the local government official named in the resolution.

(2)*(a)* The *trustees shall ensure that the* ~~State~~ board *or a professional money management firm administers* ~~of Administration shall administer~~ the ~~investment~~ trust *fund* ~~funds~~ on behalf of the participants*. The board or a professional money management firm* ~~and~~ shall have the power to invest such funds *in accordance with a written investment policy. The investment policy shall be updated annually to conform to best investment practices. The standard of prudence to be used by investment officials shall be the fiduciary standards as set forth in s. 215.47(9), which shall be applied in the context of managing an overall portfolio. Portfolio managers acting in accordance with written procedures and an investment policy and exercising due diligence shall be relieved of personal responsibility for an individual security's credit risk or market price changes, provided deviations from expectations are reported in a timely fashion and the liquidity and the sale of securities are carried out in accordance with the terms of this part.*

(b) Officers and employees involved in the investment process shall refrain from personal business activity that could conflict with the proper execution and management of the investment program or that could impair their ability to make impartial decisions. Employees and investment officials shall disclose any material interests in financial institutions with which they conduct business on behalf of the trust fund. They shall further disclose any personal financial or investment positions that could be related to the performance of the investment portfolio. Employees and officers shall refrain from undertaking personal investment transactions with the same individual with whom business is conducted on behalf of the board.

(c) The board or a professional money management firm and all employees have an affirmative duty to immediately disclose any material impact to the trust fund to the participants. To ensure such disclosure, a system of internal controls shall be established by the board, which shall be documented in writing as part of the investment policy. The controls shall be designed to prevent the loss of public funds arising from fraud, employee error, and misrepresentation by third parties, unanticipated changes in financial markets, or imprudent actions by employees and officers of the board or a professional money management firm. The controls shall also include formal escalation reporting guidelines for all employees. The guidelines shall establish procedures to address material impacts on the trust fund that require reporting and action.

(d) The investment policy shall be reviewed and approved annually by the trustees or when market changes dictate, and in each event the investment policy shall be reviewed by the Investment Advisory Council and by the Participant Local Government Advisory Council ~~A fee may be charged on any transaction that is not in accord with the close of business as set by the board~~.

(3) The ~~State~~ board *or a professional money management firm* ~~of Administration~~ may purchase such surety or other bonds as may be necessary for its officials in order to protect the *trust* fund. A reserve fund may be established to fulfill this purpose. *However, any reserve must be a portion of the management fee and must be fully disclosed, including its purpose, in the enrollment materials at the time a unit of local government considers participation. Further, any change in the amount to be charged for a reserve must have a reasonable notice period to allow any participant to withdraw from the trust fund prior to the new reserve charge being imposed.*

(4) ~~All investments may be purchased jointly for the participants in the trust fund.~~ The board *or a professional money management firm shall* ~~may also~~ purchase investments for a pooled investment account in which all participants ~~may~~ share pro rata~~, as determined by rule of the board,~~ in the capital gain, income, or losses, subject to any penalties for early withdrawal. *Any provisions for penalties, including their purpose, must be disclosed in the enrollment materials. Any change in the amount to be charged for a penalty must have a reasonable notice period to allow any participant to withdraw from the trust fund prior to the new penalty charge being imposed* ~~The board shall determine the rate of return for the pooled investment account~~. A system *shall* ~~may~~ be developed by the board*, and disclosed in the enrollment materials, subject to annual approval by the trustees,* to keep ~~current~~ account *balances current* ~~balance information~~ and to apportion pooled investment earnings ~~back~~ to individual accounts.

(5) The ~~State~~ board ~~of Administration~~ shall keep a separate account, designated by name and number of each participating local government. A maximum number of accounts allowed for each participant may be established by the board. Individual transactions and totals of all investments, or the share belonging to each participant, shall be recorded in the accounts.

(6)*(a)* The ~~State~~ board *or a professional money management firm* ~~of Administration~~ shall *provide a* report*, at a minimum monthly* ~~semiannually~~ or upon *the occurrence of a material event,* ~~request~~ to every participant having a beneficial interest in the trust fund *, the board's executive director, the trustees, the Joint Legislative Auditing Committee, the Investment Advisory Council, and the Participant Local Government Advisory Council*. The report shall *include:*

1. Reports of any material impacts on the trust fund and any actions or escalations taken by staff to address such impacts. The trustees shall provide quarterly a report to the Joint Legislative Auditing Committee that the trustees have reviewed and approved the monthly reports and actions taken, if any, to address any impacts.

2. A management summary that provides an analysis of the status of the current investment portfolio and the individual transactions executed over the last month. This management summary shall be prepared in a manner that will allow anyone to ascertain whether investment activities during the reporting period have conformed to investment policies. Such reporting shall be in conformance with best market practices ~~show the changes in investments made during the preceding period. The report shall delineate, in a manner which is in accordance with generally accepted governmental accounting procedures, those funds on deposit, the manner in which the funds are invested, and the interest earnings thereon~~. The ~~State~~ board *or a professional money management firm* ~~of Administration~~ shall furnish upon request the details of an investment transaction to any participant*, the trustees, the Investment Advisory Council, and the Participant Local Government Advisory Council*.

(b) The market value of the portfolio shall be calculated daily. Withdrawals from the trust fund shall be based on a process that is transparent to participants and will ensure that advantages or disadvantages do not occur to parties making deposits or withdrawals on any particular day. A statement of the market value and amortized cost of the portfolio shall be issued to participants in conjunction with any deposits or withdrawals. In addition, this information shall be reported monthly with the items in paragraph (a) to participants, the trustees, the Investment Advisory Council, and the Participant Local Government Advisory Council. The review of the investment portfolio, in terms of value and price volatility, shall be performed with practices consistent with the GFOA Recommended Practice on "Mark-to-Market Practices for State and Local Government Investment Portfolios and Investment Pools." In defining market value, consideration shall be given to GASB Statement 31. Additional reporting may be made to pool participants *through regular and frequent ongoing multi-media educational materials and communications, including, but not limited to, historical performance, investment holdings, amortized cost and market value of the trust fund, credit quality, and average maturity of the trust fund investments*.

(7) Costs incurred in carrying out the provisions of this part shall be deducted from the interest earnings accruing to the trust fund. Such deductions shall be prorated among the participant local governments

in the percentage that each participant's deposits bear to the total trust fund. *The remaining interest earned shall be distributed monthly to participants according to the amount invested. Except for costs, the board or a professional money management firm may not transfer the interest or use the interest for any other purpose, including, but not limited to, making up investment losses.*

(8)(a) The principal, and any part thereof, of each and every account constituting the trust fund shall be subject to payment at any time from the moneys in the *trust* fund . *However, the executive director may, in good faith, on the occurrence of an event that has a material impact on liquidity or operations of the trust fund, for 48 hours limit contributions to or withdrawals from the trust fund to ensure that the board can invest moneys entrusted to it in exercising its fiduciary responsibility* ~~or as otherwise provided by agreement between the State Board of Administration and the investing unit~~. *Such action shall be immediately disclosed to all participants, the trustees, the Joint Legislative Auditing Committee, the Investment Advisory Council, and the Participant Local Government Advisory Council. The trustees shall convene an emergency meeting as soon as practicable from the time the executive director has instituted such measures and review the necessity of those measures. If the trustees agree with such measures, the trustees shall vote to continue the measures for up to an additional 15 days. The trustees must convene and vote to continue any such measures prior to the expiration of the time limit set, but in no case may the time limit set by the trustees exceed 15 days.*

(b) An order *to withdraw funds* ~~or warrant~~ may not be issued upon any account for a larger amount than the share of the particular account to which it applies; and if such order ~~or warrant~~ is issued, the responsible official shall be personally liable under his or her bond for the entire overdraft resulting from the payment if made.

(9) The Auditor General shall conduct an annual financial audit of the trust fund, which shall include testing for compliance with the investment policy. The completed audit shall be provided to the participants, the board, the trustees, the Investment Advisory Council, the Participant Local Government Advisory Council, and the Joint Legislative Auditing Committee. As soon as practicable, but no later than 30 days after completion of the audit, the trustees shall report to the Joint Legislative Auditing Committee that the trustees have reviewed the audit of the trust fund and shall certify that any necessary items are being addressed by a corrective action plan that includes target completion dates.

(10)(a) There is created a six-member Participant Local Government Advisory Council for the purposes of regularly reviewing the administration of the trust fund and making recommendations regarding such administration to the trustees. The members of the council shall be appointed by the board and subject to confirmation by the Senate. Members must possess special knowledge, experience, and familiarity obtained through active, long-standing, and material participation in the dealings of the trust fund. Each member shall serve a 4-year term. Any vacancy shall be filled for the remainder of the unexpired term. The council shall annually elect a chair and vice chair from within its membership. A member may not serve consecutive terms as chair or vice chair.

(b) The council shall prepare and submit a written biennial report to the board, trustees, the Investment Advisory Council, and the Joint Legislative Auditing Committee that describes the activities and recommendations of the council.

Section 6. Section 218.411, Florida Statutes, is amended to read:

218.411 Authorization for state technical and advisory assistance.—

(1) The ~~State~~ board ~~of Administration~~ is authorized, upon request, to assist local governments in investing funds that are temporarily in excess of operating needs by:

(a) Explaining investment opportunities to such local governments through publication and other appropriate means.

(b) Acquainting such local governments with the state's practice and experience in investing short-term funds.

(c) Providing, in cooperation with the Department of Community Affairs, technical assistance to local governments in investment of surplus funds.

(2) The ~~State~~ board ~~of Administration~~ may establish fees to cover the cost of such services, which shall be paid by the unit of local government requesting such service. Such fees shall be deposited to the credit of the appropriation or appropriations from which the costs of providing the services have been paid or are to be charged.

Section 7. Section 218.412, Florida Statutes, is amended to read:

218.412 Rulemaking authority.—The ~~State~~ board ~~of Administration~~ may adopt rules as it deems necessary to carry out the provisions of this part for the administration of the ~~Local Government Surplus Funds~~ trust fund.

Section 8. Section 218.418, Florida Statutes, is created to read:

218.418 Definitions.—As used in ss. 218.421-218.422, the term:

(1) "Board" means the State Board of Administration.

(2) "Surplus funds" means any funds in any general or special account or fund of a unit of local government, or funds held by an independent trustee on behalf of a unit of local government, which in reasonable contemplation will not be immediately needed for the purposes intended.

(3) "Trust fund" means the pooled investment fund known as the Fund B Surplus Funds Trust Fund.

(4) "Trustees" means the Trustees of the State Board of Administration.

(5) "Unit of local government" means any governmental entity within the state not part of state government and includes, but is not limited to, the following and the officers thereof: any county, municipality, school district, special district, clerk of the circuit court, sheriff, property appraiser, tax collector, supervisor of elections, authority, board, public corporation, or other political subdivision of the state.

Section 9. Section 218.421, Florida Statutes, is created to read:

218.421 Fund B Surplus Funds Trust Fund; purpose; rulemaking; administration; reporting.—

(1)(a) The purpose of the Fund B Surplus Funds Trust Fund is to maximize the payout of principal on invested surplus funds of units of local government formerly in Fund B of the Local Government Surplus Funds Trust Fund through a prudent work out of the trust fund with the ultimate goal of self-liquidating the trust fund through maturity and payout of the investments.

(b) The State Board of Administration may adopt rules pursuant to ss. 120.536(1) and 120.54 to administer this section.

(2)(a) The board or a professional money management firm shall administer the trust fund on behalf of the participants based on a written investment policy, approved by the trustees, and shall have the power to work out, restructure, or invest such funds. The trustees shall annually certify to the Joint Legislative Auditing Committee that the trustees have conducted a review of the trust fund and that the trust fund is in compliance with the requirements of this section. Any new investments must be made in money market or equivalent funds. The board or a professional money management firm shall keep a separate account, designated by name and number of each participating local government. Individual transactions and totals of all investments, or the share belonging to each participant, shall be recorded in the accounts. Any moneys accrued in the trust fund shall be subject to payment from the trust fund on a monthly basis to the trust fund participants according to their proportional interest in the trust fund so long as at least $100,000 is in the trust fund at the end of that month. After all securities have matured, been sold, or worked out, a final distribution shall be made to the participants in the trust fund. Participants may not conduct transactions in the trust fund.

(b) The board or a professional money management firm and all employees of the board or firm have an affirmative duty to immediately disclose any material impact to the trust fund to the participants. To ensure such disclosure, a system of internal controls shall be established by the board, which shall be documented in writing as part of the investment policy. The controls shall be designed to prevent the loss of public funds arising from fraud, employee error, and misrepresentation by third parties, unanticipated changes in financial markets, or imprudent actions by employees and officers of the board or a professional money

management firm. The controls shall also include formal escalation reporting guidelines for all employees. The guidelines shall establish procedures to address material impacts on the trust fund that require reporting and action.

(c) The investment policy shall be reviewed and approved by the trustees upon the transfer of the funds into the trust fund or when market changes dictate, and in each event, the investment policy shall be reviewed by the Investment Advisory Council and by the Participant Local Government Advisory Council.

(d) Costs incurred in carrying out the provisions of this section, which shall be prorated among the participants in the percentage that each participant's deposits bear to the total trust fund, may be deducted from any interest earned in the trust fund. The board or a professional money management firm may not transfer the interest or use the interest for any other purpose, including, but not limited to, making up investment losses.

(e) After the trust fund self-liquidates, any remaining reserve may be transferred by the trustees at their sole discretion back to the trust fund from which the assets were originally separated.

(3)(a) The board or a professional money management firm shall provide a report at a minimum, monthly, or upon the occurrence of a material event, to every participant having a beneficial interest in the trust fund, the board's executive director, the trustees, the Joint Legislative Auditing Committee, the Investment Advisory Council, and the Participant Local Government Advisory Council. The report shall include:

1. Reports of any material impacts on the trust fund, and any actions or escalations taken by staff to address such impacts. The trustees shall provide quarterly a report to the Joint legislative Auditing Committee that the trustees have reviewed and approved the monthly reports and actions taken, if any, to address any impacts.

2. A management summary that provides an analysis of the status of the current investment portfolio and the individual transactions executed over the last month. This management summary shall be prepared in a manner that will allow anyone to ascertain whether investment activities during the reporting period have conformed to investment policies. Such reporting shall be in conformance with best market practices.

3. The board or a professional money management firm shall furnish upon request the details of an investment transaction to any participant, the trustees, the Investment Advisory Council, and the Participant Local Government Advisory Council.

(b) Additional reporting may be made to participants in the trust fund through regular and frequent ongoing multi-media educational materials and communications, including, but not limited to, historical performance, investment holdings, amortized cost and market value of the trust fund, credit quality, and average maturity of the trust fund investments.

(4) The trustees shall review the board's progress in returning the principal in the trust fund to the participants at each meeting of the board until the trust fund self-liquidates or is terminated by law.

Section 10. Section 218.422, Florida Statutes, is created to read:

218.422 Fund B Surplus Funds Trust Fund; review.—Unless the Fund B Surplus Funds Trust Fund has been terminated by law or through self-liquidation, prior to the 2013 Regular Session of the Legislature, the Auditor General shall review the trust fund and the steps taken up to that time to return as much of the principal to the participants as possible and provide a summary report to the board, the trustees, the President of the Senate, the Speaker of the House of Representatives, the Investment Advisory Council, and the Participant Local Government Advisory Council.

Section 11. *Sections 218.418, 218.421, and 218.422, Florida Statutes, as created by this act, shall expire at the time the Fund B Surplus Funds Trust Fund is terminated by law or self-liquidates as determined and announced by the executive director of the State Board of Administration, whichever occurs first.*

Section 12. This act shall take effect upon becoming a law, if House Bill 7097 or similar legislation is adopted in the same legislative session or an extension thereof and becomes law.

And the title is amended as follows:

Remove the entire title and insert: A bill to be entitled An act relating to the investment of local government surplus funds; amending s. 218.401, F.S.; revising the purpose of the Investment of Local Government Surplus Funds Act; amending s. 218.403, F.S.; providing definitions; amending s. 218.405, F.S.; authorizing the State Board of Administration to contract with a professional money management firm to administer the trust fund; establishing objectives of the trust fund; providing for trustee certification; amending s. 218.407, F.S.; requiring the distribution of certain enrollment materials to potential investors; specifying the contents of the enrollment materials; requiring the signed acceptance of a disclosure statement by the authorized local government official prior to investing in the trust fund; requiring surplus funds to be invested in pooled investment accounts; amending s. 218.409, F.S.; revising administration of the trust fund; providing standards of care, including level of prudence, ethics and conflicts of interest, and internal controls; providing for annual review and approval of investment policy and controls; providing for reports; revising the use and disclosure of reserves; requiring investments to be made in pooled accounts; requiring establishment and approval of an account balance information system; providing transparency; requiring monthly reports to certain persons and groups; providing criteria of the report; requiring marking to market calculation and reporting; providing criteria; providing for additional reporting; authorizing limiting withdrawals from or contributions to the trust fund under certain circumstances; providing criteria for use of interest by board; requiring an annual financial audit; requiring the audit to be reported to certain persons and groups; requiring certification report by trustees; creating the Participant Local Government Advisory Council; providing for appointments, membership, terms, the filling of vacancies, and officers; requiring biennial reports by the council to certain persons and groups; amending ss. 218.411 and 218.412, F.S.; conforming terminology; creating s. 218.418, F.S.; providing definitions; creating s. 218.421, F.S.; providing for the purpose of the Fund B Surplus Funds Trust Fund; providing rulemaking authority; providing for administration of the trust fund; providing for annual certification by the Trustees of the State Board of Administration to the Joint Legislative Auditing Committee that the trust fund has been reviewed and is in compliance with the requirements of this section; providing restrictions on the trust fund; providing criteria for payment of accrued funds; restricting participant transactions in the trust fund; providing for investment policy criteria; providing procedures for internal controls; providing duty to disclose material impacts on the trust fund; providing for investment policy implementation; providing criteria for payment of costs and use of interest; providing authority to trustees to distribute remaining reserve upon self-liquidation; providing reporting requirements; requiring monthly reports to certain persons and groups; providing criteria of the report; providing for additional reporting; requiring trustee review; creating s. 218.422, F.S.; requiring the Auditor General to review the trust fund prior to the 2013 Regular Session and provide a summary report to certain persons and entities; providing for expiration of ss. 218.418-218.422, F.S., upon termination or self-liquidation of the trust fund; providing a contingent effective date.

On motion by Senator Alexander, the Senate concurred in the House amendment.

CS for SB 2422 passed as amended and was ordered engrossed and then enrolled. The action of the Senate was certified to the House. The vote on passage was:

Yeas—40

Mr. President	Deutch	King
Alexander	Diaz de la Portilla	Lawson
Aronberg	Dockery	Lynn
Atwater	Fasano	Margolis
Baker	Gaetz	Oelrich
Bennett	Garcia	Peaden
Bullard	Geller	Posey
Carlton	Haridopolos	Rich
Constantine	Hill	Ring
Crist	Jones	Saunders
Dawson	Joyner	Siplin
Dean	Justice	Storms

Villalobos Wilson Wise
Webster

Nays—None

CONSIDERATION OF BILL OUT OF ORDER

On motion by Senator Alexander, by two-thirds vote **CS for HB 7097** was withdrawn from the Committees on Governmental Operations; and General Government Appropriations.

On motion by Senator Alexander, by unanimous consent—

CS for HB 7097—A bill to be entitled An act relating to trust funds; creating s. 218.417, F.S.; creating the Fund B Surplus Funds Trust Fund within the State Board of Administration; providing for source of funds; providing for transfer of certain funds to the trust fund; providing for annual carryforward of funds; providing for termination of the trust fund upon self-liquidation; providing an effective date.

—was taken up out of order and read the second time by title. On motion by Senator Alexander, by two-thirds vote **CS for HB 7097** was read the third time by title, passed by the required constitutional three-fifths vote of the membership and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Diaz de la Portilla	Lynn
Alexander	Dockery	Margolis
Aronberg	Fasano	Oelrich
Atwater	Gaetz	Peaden
Baker	Garcia	Posey
Bennett	Geller	Rich
Bullard	Haridopolos	Ring
Carlton	Hill	Saunders
Constantine	Jones	Siplin
Crist	Joyner	Storms
Dawson	Justice	Webster
Dean	King	Wilson
Deutch	Lawson	Wise

Nays—1

Villalobos

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has passed CS for CS for CS for SB 2654, with amendment(s), and requests the concurrence of the Senate.

William S. Pittman III, Chief Clerk

CS for CS for CS for SB 2654—A bill to be entitled An act relating to autism spectrum disorder; providing a short title; creating s. 627.6686, F.S.; providing definitions; requiring health insurance plans to provide coverage for screening, diagnosis, intervention, and treatment of autism spectrum disorder in certain children; requiring a treatment plan; prohibiting an insurer from denying or refusing coverage or refusing to renew or reissue or terminate coverage based on a diagnosis of autism spectrum disorder; providing coverage limitations; providing treatment plan requirements; limiting the frequency of requests for updating a treatment plan; providing eligibility requirements; providing a maximum benefit limitation; providing for annual adjustments of the maximum benefit limitation; amending s. 1004.55, F.S.; relocating the regional autism center at Florida State University from the Department of Communication Disorders to the College of Medicine; providing for application of the act; providing an effective date.

House Amendment 1 (370293)(with title amendment)—Remove everything after the enacting clause and insert:

Section 1. *This act may be cited as the "Window of Opportunity Act."*

Section 2. Subsection (18) is renumbered as subsection (19) of section 391.026, Florida Statutes, and a new subsection (18) is added to that section to read:

391.026 Powers and duties of the department.—The department shall have the following powers, duties, and responsibilities:

(18) To provide services under contract to the Florida Healthy Kids Corporation for Florida Healthy Kids benefit plans. Children served under this contract are not enrollees of the Children's Medical Services program component of the Florida Kidcare program funded under Title XIX or Title XXI of the Social Security Act.

Section 3. Subsections (13) through (40) of section 393.063, Florida Statutes, are renumbered as subsections (14) through (41), respectively, subsection (9)is amended, and a new subsection (13) is added to that section, to read:

393.063 Definitions.—For the purposes of this chapter, the term:

(9) "Developmental disability" means a disorder or syndrome that is attributable to retardation, cerebral palsy, autism, spina bifida, *Down syndrome,* or Prader-Willi syndrome; that manifests before the age of 18; and that constitutes a substantial handicap that can reasonably be expected to continue indefinitely.

(13) "Down syndrome" means a genetic disorder caused by the presence of extra chromosomal material on chromosome 21. Causes of the syndrome may include Trisomy 21, Mosaicism, Robertsonian Translocation, and other duplications of a portion of chromosome 21.

Section 4. Subsections (6), (7), (8), (9), (10), (11), (12), (13), (14), (15), (16), (17), (18), (19), (20), (21), (22), (23), (24), (25), and (26) of section 409.811, Florida Statutes, are renumbered as subsections (7), (8), (9), (10), (11), (12), (13), (14), (15), (16), (17), (18), (19), (20), (21), (22), (23), (24), (25), (26), and (27), respectively, and a subsection (6) is added to that section, to read:

409.811 Definitions relating to Florida Kidcare Act.—As used in ss. 409.810-409.820, the term:

(6) "Autism spectrum disorder" means any of the following disorders as defined with most recent edition of the Diagnostic and Statistical Manual of Mental Disorders of the American Psychiatric Association:

1. Autistic disorder;

2. Asperger syndrome; or

3. Pervasive developmental disorder not otherwise specified.

Section 5. Subsection (7) of section 409.8132, Florida Statutes, is amended to read:

409.8132 Medikids program component.—

(7) ENROLLMENT.—Enrollment in the Medikids program component may occur at any time throughout the year. A child may not receive services under the Medikids program until the child is enrolled in a managed care plan or MediPass. Once determined eligible, an applicant may receive choice counseling and select a managed care plan or MediPass. The agency may initiate mandatory assignment for a Medikids applicant who has not chosen a managed care plan or MediPass provider after the applicant's voluntary choice period ends*; however, the agency shall ensure that family members are assigned to the same managed care plan or the same MediPass provider to the greatest extent possible, including situations in which some family members are enrolled in Medicaid and other family members are enrolled in a Title XXI-funded component of the Florida Kidcare program*. An applicant may select MediPass under the Medikids program component only in counties that have fewer than two managed care plans available to serve Medicaid recipients and only if the federal Health Care Financing Administration determines that MediPass constitutes "health insurance coverage" as defined in Title XXI of the Social Security Act.

Section 6. Subsection (2) of section 409.8134, Florida Statutes, is amended, and subsection (5) is added to that section, to read:

409.8134 Program expenditure ceiling.—

(2) *Open enrollment periods shall consist of:*

(a) Enrollment for premium assistance.—The Florida Kidcare program may conduct enrollment at any time throughout the year for the purpose of enrolling children eligible for all program components listed in s. 409.813 except Medicaid. The four Florida Kidcare administrators shall work together to ensure that the year-round enrollment period is announced statewide. Eligible children *for premium assistance* shall be enrolled on a first-come, first-served basis using the date the enrollment application is received. Enrollment shall immediately cease when the expenditure ceiling is reached. Year-round enrollment *for premium assistance* shall only be held if the Social Services Estimating Conference determines that sufficient federal and state funds will be available to finance the increased enrollment ~~through federal fiscal year 2007~~ . Any individual who is not enrolled must reapply by submitting a new application. The application for the Florida Kidcare program shall be valid for a period of 120 days after the date it was received. At the end of the 120-day period, if the applicant has not been enrolled in the program, the application shall be invalid and the applicant shall be notified of the action. The applicant may *reactivate* ~~resubmit~~ the application after notification of the action taken by the program. Except for the Medicaid program, whenever the Social Services Estimating Conference determines that there are presently, or will be by the end of the current fiscal year, insufficient funds to finance the current or projected enrollment in the Florida Kidcare program, all additional enrollment must cease and additional enrollment may not resume until sufficient funds are available to finance such enrollment.

(b) Open enrollment without premium assistance, effective July 1, 2009.—

1. Effective July 1, 2009, an open enrollment period for the Florida Healthy Kids program for those enrollees not eligible for premium assistance may be held once each fiscal year and may not exceed 30 consecutive calendar days in length. The timing and length of any open enrollment period shall be determined by the Florida Healthy Kids Corporation. Applicants shall be enrolled on a first come, first served basis, based upon the date the application was received. During the 2009-2010 fiscal year, the effective date for new enrollees without premium assistance shall be October 1, 2009. However, for a child who has had his or her coverage in an employer-sponsored or private health benefit plan voluntarily canceled in the last 90 days and who is otherwise eligible to participate without premium assistance the effective date of coverage shall be the end of the 90-day period or October 1, 2009, whichever is later.

2. The following individuals are not subject to the open enrollment period:

a. Enrollees in any Florida Kidcare program component that are determined to be no longer eligible under that component due to changes in income or age. These enrollees may transfer to the Healthy Kids program if such transfer is initiated within 30 days after the loss of such eligibility.

b. Applicants that have adopted a child in the state.

c. Applicants who have had employer-sponsored or private health insurance involuntarily canceled within 30 days prior to submission of the application.

3. Any individual who is not enrolled under this subsection must reapply by submitting a new application during the next open enrollment period. The application for the Florida Kidcare program without premium assistance shall be valid for the period of the open enrollment.

(5) Effective October 1, 2009, upon determination by the Social Service Estimating Conference, in consultation with the agency and the Florida Healthy Kids Corporation, that enrollment of children whose family income exceeds 200 percent of the federal poverty level is projected to raise overall premiums per enrollee by greater than 5_percent of current average premiums in the Florida Healthy Kids plans, the board of directors of the Florida Healthy Kids Corporation may, with the concurrence of the agency, take appropriate actions to reduce the projected cost below the projected_5 percent increase. Actions the board may take may include, but are not limited to:

(a) Reducing habilitative and behavior analysis benefits to enrollees who are receiving these services.

(b) Eliminating habilitative and or behavior analysis services as a benefit in Healthy Kids plans for enrollees and providing enrollees the opportunity to purchase these benefits separately.

(c) Increasing copayments for habilitative and behavior analysis services provided to nonpremium assistance enrollees.

(d) Reducing benefit packages to all nonpremium assistance enrollees.

Section 7. Paragraphs (c) and (f) of subsection (4) and subsections (5), (7), and (8) of section 409.814, Florida Statutes, are amended to read:

409.814 Eligibility.—A child who has not reached 19 years of age whose family income is equal to or below 200 percent of the federal poverty level is eligible for the Florida Kidcare program as provided in this section. For enrollment in the Children's Medical Services Network, a complete application includes the medical or behavioral health screening. If, subsequently, an individual is determined to be ineligible for coverage, he or she must immediately be disenrolled from the respective Florida Kidcare program component.

(4) The following children are not eligible to receive premium assistance for health benefits coverage under the Florida Kidcare program, except under Medicaid if the child would have been eligible for Medicaid under s. 409.903 or s. 409.904 as of June 1, 1997:

(c) A child who is seeking premium assistance for the Florida Kidcare program through employer-sponsored group coverage, if the child has been covered by the same employer's group coverage during the *90 days* ~~6 months~~ prior to the family's submitting an application for determination of eligibility under the program.

(f) A child who has had his or her coverage in an employer-sponsored *or private* health benefit plan voluntarily canceled in the last *90 days* ~~6 months~~, except those children who were on the waiting list prior to March 12, 2004*, or whose coverage was voluntarily canceled for good cause, including, but not limited to, the following circumstances:*

1. The cost of participation in an employer-sponsored or private health benefit plan is greater than 5 percent of the family's income;

2. The parent lost a job that provided an employer-sponsored health benefit plan for children;

3. The parent with health benefits coverage for the child is deceased;

4. The employer of the parent canceled health benefits coverage for children;

5. The child's health benefits coverage ended because the child reached the maximum lifetime coverage amount;

6. The child has exhausted coverage under a COBRA continuation provision; or

7. A situation involving domestic violence led to the loss of coverage.

(5) A child whose family income is above 200 percent of the federal poverty level or a child who is excluded under the provisions of subsection (4) may participate in the Medikids program as provided in s. 409.8132 or, if the child is ineligible for Medikids by reason of age, in the Florida Healthy Kids program *as provided in s. 624.91*, subject to the following provisions:

(a) The family is not eligible for premium assistance payments and must pay the full cost of the premium, including any administrative costs.

(b) *Effective October 1, 2009, new applicants for nonpremium assistance in the Medikids program shall enroll in the Florida Healthy Kids program component of the Florida Kidcare program.* ~~The agency is authorized to place limits on enrollment in Medikids by these children in order to avoid adverse selection. The number of children participating in Medikids whose family income exceeds 200 percent of the federal poverty level must not exceed 10 percent of total enrollees in the Medikids program.~~

(c) The board of directors of the Florida Healthy Kids Corporation ~~is authorized to place limits on enrollment of these children in order to~~

~~avoid adverse selection. In addition, the board~~ is authorized to offer a reduced benefit package to these children in order to limit program costs for such families. ~~The number of children participating in the Florida Healthy Kids program whose family income exceeds 200 percent of the federal poverty level must not exceed 10 percent of total enrollees in the Florida Healthy Kids program.~~

(7) When determining or reviewing a child's eligibility under the Florida Kidcare program, the applicant shall be provided with reasonable notice of changes in eligibility which may affect enrollment in one or more of the program components. When a transition from one program component to another is authorized, there shall be cooperation between the program components, ~~and~~ the affected family *, the child's health insurance plan, and the child's health care providers to promote* ~~which promotes~~ continuity of health care coverage. *If a child is determined ineligible for Medicaid or Medikids, the agency, in coordination with the department, shall notify that child's Medicaid managed care plan or MediPass provider of such determination before the child's eligibility is scheduled to be terminated so that the Medicaid managed care plan or MediPass provider can assist the child's family in applying for Florida Kidcare program coverage.* Any authorized transfers must be managed within the program's overall appropriated or authorized levels of funding. Each component of the program shall establish a reserve to ensure that transfers between components will be accomplished within current year appropriations. These reserves shall be reviewed by each convening of the Social Services Estimating Conference to determine the adequacy of such reserves to meet actual experience.

(8) In determining the eligibility of a child *for the Florida Kidcare program*, an assets test is not required. *The information required under this section from each applicant shall be obtained electronically to the extent possible. If such information cannot be obtained electronically, the* ~~Each~~ applicant shall provide written documentation during the application process and the redetermination process, including, but not limited to, the following:

(a) Proof of family income, which must include a copy of the applicant's most recent federal income tax return. In the absence of a federal income tax return, an applicant may submit wages and earnings statements (pay stubs), W-2 forms, or other appropriate documents.

(b) A statement from all family members that:

1. Their employer does not sponsor a health benefit plan for employees; or

2. The potential enrollee is not covered by the employer-sponsored health benefit plan because the potential enrollee is not eligible for coverage, or, if the potential enrollee is eligible but not covered, a statement of the cost to enroll the potential enrollee in the employer-sponsored health benefit plan.

An individual who applies for coverage under the Florida Kidcare program and who pays the full cost of the premium is exempt from the requirements of this subsection.

Section 8. Paragraphs (r) through (v) of subsection (2) of section 409.815, Florida Statutes, are redesignated as paragraphs (s) through (w), respectively, present paragraphs (o), (r), and (u) are amended, and a new paragraph (r) is added to that subsection, to read:

409.815 Health benefits coverage; limitations.—

(2) BENCHMARK BENEFITS.—In order for health benefits coverage to qualify for premium assistance payments for an eligible child under ss. 409.810-409.820, the health benefits coverage, except for coverage under Medicaid and Medikids, must include the following minimum benefits, as medically necessary.

(o) Therapy services.—Covered services include *habilitative and* rehabilitative services, including occupational, physical, respiratory, and speech therapies, with the following limitations:

1. Rehabilitative services are limited to:

a.~~1.~~ ~~Services must be for~~ Short-term rehabilitation *when* ~~where~~ significant improvement in the enrollee's condition will result; and

b.~~2.~~ ~~Services shall be limited to~~ Not more than 24 treatment sessions within a 60-day period per episode or injury, with the 60-day period beginning with the first treatment.

2. Effective October 1, 2009, habilitative services shall be offered and are limited to:

a. Habilitation when improvements in and maintenance of human behavior, skill acquisition, and communication will result; and

b. Enrollees that are diagnosed with a developmental disability as defined in s. 393.063 or autism spectrum disorder.

(r) Behavior analysis services.—Effective October 1, 2009, behavior analysis and behavior assistant services shall be covered for enrollees that are diagnosed with a developmental disability as defined in s. 393.063 or autism spectrum disorder. For purposes of this paragraph:

1. "Behavior analysis" means the design, implementation, and evaluation of instructional and environmental modifications to produce socially significant improvements in human behavior through skill acquisition and the reduction of problematic behavior. Applied behavior analysis shall be provided by an individual certified pursuant to s. 393.17 or an individual licensed under chapter 490 or chapter 491.

2. "Behavior assistant services" means services provided by an individual with specific training to assist in carrying out plans designed by a behavior analyst.

(s)~~(r)~~ Lifetime maximum *and limitations*.—Health benefits coverage obtained under ss. 409.810-409.820 shall pay an enrollee's covered expenses at a lifetime maximum of $1 million per covered child. *However, coverage for the combination of behavior analysis services and habilitative therapy services for recipients diagnosed with a developmental disability as defined in s. 393.063 or autism spectrum disorder shall be limited to $36,000 annually and may not exceed $108,000 in total lifetime benefits. Without prior authorization by the Florida Healthy Kids plan, not more than 12 percent of the annual maximum amount for combined habilitative therapy and behavior analysis services may be used on a monthly basis.*

(v)~~(u)~~ Enhancements to minimum requirements.—

1. This section sets the minimum benefits that must be included in any health benefits coverage, other than Medicaid or Medikids coverage, offered under ss. 409.810-409.820. Health benefits coverage may include additional benefits not included under this subsection, but may not include benefits excluded under paragraph *(t)* ~~(s)~~.

2. Health benefits coverage may extend any limitations beyond the minimum benefits described in this section.

Except for the Children's Medical Services Network, the agency may not increase the premium assistance payment for either additional benefits provided beyond the minimum benefits described in this section or the imposition of less restrictive service limitations.

Section 9. Paragraph (b) of subsection (1) of section 409.818, Florida Statutes, is amended to read:

409.818 Administration.—In order to implement ss. 409.810-409.820, the following agencies shall have the following duties:

(1) The Department of Children and Family Services shall:

(b) Establish and maintain the eligibility determination process under the program except as specified in subsection (5). The department shall directly, or through the services of a contracted third-party administrator, establish and maintain a process for determining eligibility of children for coverage under the program. The eligibility determination process must be used solely for determining eligibility of applicants for health benefits coverage under the program. The eligibility determination process must include an initial determination of eligibility for any coverage offered under the program, as well as a redetermination or reverification of eligibility each subsequent *12* ~~6~~ months. Effective January 1, 1999, a child who has not attained the age of 5 and who has been determined eligible for the Medicaid program is eligible for coverage for 12 months without a redetermination or reverification of eligibility. In conducting an eligibility determination, the department shall determine if the child has special health care needs. The department, in consultation with the Agency for Health Care Administration and the Florida Healthy Kids Corporation, shall develop procedures for redetermining eligibility which enable a family to easily update any change in circumstances which could affect eligibility. The department may accept

changes in a family's status as reported to the department by the Florida Healthy Kids Corporation without requiring a new application from the family. Redetermination of a child's eligibility for Medicaid may not be linked to a child's eligibility determination for other programs.

Section 10. Subsection (26) is added to section 409.906, Florida Statutes, to read:

409.906 Optional Medicaid services.—Subject to specific appropriations, the agency may make payments for services which are optional to the state under Title XIX of the Social Security Act and are furnished by Medicaid providers to recipients who are determined to be eligible on the dates on which the services were provided. Any optional service that is provided shall be provided only when medically necessary and in accordance with state and federal law. Optional services rendered by providers in mobile units to Medicaid recipients may be restricted or prohibited by the agency. Nothing in this section shall be construed to prevent or limit the agency from adjusting fees, reimbursement rates, lengths of stay, number of visits, or number of services, or making any other adjustments necessary to comply with the availability of moneys and any limitations or directions provided for in the General Appropriations Act or chapter 216. If necessary to safeguard the state's systems of providing services to elderly and disabled persons and subject to the notice and review provisions of s. 216.177, the Governor may direct the Agency for Health Care Administration to amend the Medicaid state plan to delete the optional Medicaid service known as "Intermediate Care Facilities for the Developmentally Disabled." Optional services may include:

(26) HOME AND COMMUNITY-BASED SERVICES FOR AUTISM SPECTRUM DISORDER AND OTHER DEVELOPMENTAL DISABILITIES.—The agency is authorized to seek federal approval through a Medicaid waiver or a state plan amendment for the provision of occupational therapy, speech therapy, physical therapy, behavior analysis, and behavior assistant services to individuals who are 5 years of age and under and have a diagnosed developmental disability as defined in s. 393.063 or autism spectrum disorder as defined in s. 409.811. Coverage for such services shall be limited to $36,000 annually and may not exceed $108,000 in total lifetime benefits. The agency shall submit an annual report beginning on January 1, 2009, to the President of the Senate, the Speaker of the House of Representatives, and the relevant committees of the Senate and the House of Representatives regarding progress on obtaining federal approval and recommendations for the implementation of these home and community-based services. The agency may not implement this subsection without prior legislative approval.

Section 11. Paragraph (e) of subsection (5) of section 411.01, Florida Statutes, is amended to read:

411.01 School readiness programs; early learning coalitions.—

(5) CREATION OF EARLY LEARNING COALITIONS.—

(e) Requests for proposals; payment schedule.—

1. Each early learning coalition must comply with s. 287.057 for the procurement of commodities or contractual services from the funds described in paragraph (9)(d). The period of a contract for purchase of these commodities or contractual services, together with any renewal of the original contract, may not exceed 3 years.

2. Each early learning coalition shall adopt a payment schedule that encompasses all programs funded by the coalition under this section. The payment schedule must take into consideration the relevant market rate, must include the projected number of children to be served, *may include quality related payments authorized by the Federal Government,* and must be submitted for approval by the Agency for Workforce Innovation. Informal child care arrangements shall be reimbursed at not more than 50 percent of the rate developed for a family day care home.

Section 12. Section 456.0291, Florida Statutes, is created to read:

456.0291 Requirement for instruction on developmental disabilities.—

(1)(a) The appropriate board shall require each person licensed or certified under part I of chapter 464, chapter 490, or chapter 491 to complete a 2-hour continuing education course, approved by the board, on developmental disabilities, as defined in s. 393.063, with the addition of autism spectrum disorder, as defined in s. 409.811, as part of every third biennial relicensure or recertification. The course shall consist of information on the diagnosis and treatment of developmental disabilities and information on counseling and education of a parent whose child is diagnosed with a developmental disability, with an emphasis on autism spectrum disorder, as defined in s. 409.811.

(b) The Board of Medicine and the Board of Osteopathic Medicine shall require each physician with a primary care specialty of pediatrics to complete a 2-hour continuing education course, approved by the appropriate board, on developmental disabilities, as defined in s. 393.063, with the addition of autism spectrum disorder, as defined in s. 409.811, as part of every third biennial relicensure. The course shall consist of information on the diagnosis and treatment of developmental disabilities and information on counseling and education of a parent whose child is diagnosed with a developmental disability, with an emphasis on autism spectrum disorder, as defined in s. 409.811.

(c) Each such licensee or certificateholder shall submit confirmation of having completed the course, on a form provided by the board, when submitting fees for every third biennial renewal.

(d) The board may approve additional equivalent courses that may be used to satisfy the requirements of paragraph (a). Each licensing board that requires a licensee to complete an educational course pursuant to this subsection may include the hours required for completion of the course in the total hours of continuing education required by law for such profession unless the continuing education requirements for such profession consist of fewer than 30 hours biennially.

(e) Any person holding two or more licenses subject to the provisions of this subsection shall be permitted to show proof of having taken one board-approved course on developmental disabilities for purposes of relicensure or recertification for additional licenses.

(f) Failure to comply with the requirements of this subsection shall constitute grounds for disciplinary action under each respective practice act and under s. 456.072(1)(k). In addition to discipline by the board, the licensee shall be required to complete such course.

(2) Each board may adopt rules pursuant to ss. 120.536(1) and 120.54 to carry out the provisions of this section.

(3) The department shall implement a plan to promote awareness of developmental disabilities, with a focus on autism spectrum disorder, as defined in s. 409.811, to physicians licensed under chapter 458 or chapter 459 and parents. The department shall develop the plan in consultation with organizations representing allopathic and osteopathic physicians, the Board of Medicine, the Board of Osteopathic Medicine, and nationally recognized organizations that promote awareness of developmental disabilities. The department's plan shall include the distribution of educational materials for parents, including a developmental assessment tool.

Section 13. Paragraph (b) of subsection (2) and paragraph (b) of subsection (5) of section 624.91, Florida Statutes, are amended to read:

624.91 The Florida Healthy Kids Corporation Act.—

(2) LEGISLATIVE INTENT.—

(b) It is the intent of the Legislature that the Florida Healthy Kids Corporation serve as one of several providers of services to children eligible for medical assistance under Title XXI of the Social Security Act. Although the corporation may serve other children, the Legislature intends the primary recipients of services provided through the corporation be ~~school-age~~ children with a family income below 200 percent of the federal poverty level, who do not qualify for Medicaid. It is also the intent of the Legislature that state and local government Florida Healthy Kids funds be used to continue coverage, subject to specific appropriations in the General Appropriations Act, to children not eligible for federal matching funds under Title XXI.

(5) CORPORATION AUTHORIZATION, DUTIES, POWERS.—

(b) The Florida Healthy Kids Corporation shall:

1. Arrange for the collection of any family, local contributions, or employer payment or premium, in an amount to be determined by the

board of directors, to provide for payment of premiums for comprehensive insurance coverage and for the actual or estimated administrative expenses.

2. Arrange for the collection of any voluntary contributions to provide for payment of premiums for children who are not eligible for medical assistance under Title XXI of the Social Security Act.

3. Subject to the provisions of s. 409.8134, accept voluntary supplemental local match contributions that comply with the requirements of Title XXI of the Social Security Act for the purpose of providing additional coverage in contributing counties under Title XXI.

4. Establish the administrative and accounting procedures for the operation of the corporation.

5. Establish, with consultation from appropriate professional organizations, standards for preventive health services and providers and comprehensive insurance benefits appropriate to children, provided that such standards for rural areas shall not limit primary care providers to board-certified pediatricians.

6. Determine eligibility for children seeking to participate in the Title XXI-funded components of the Florida Kidcare program consistent with the requirements specified in s. 409.814, as well as the non-Title-XXI-eligible children as provided in subsection (3).

7. Establish procedures under which providers of local match to, applicants to and participants in the program may have grievances reviewed by an impartial body and reported to the board of directors of the corporation.

8. Establish participation criteria and, if appropriate, contract with an authorized insurer, health maintenance organization, or third-party administrator to provide administrative services to the corporation.

9. Establish enrollment criteria which shall include penalties or waiting periods of not fewer than 60 days for reinstatement of coverage upon voluntary cancellation for nonpayment of family premiums.

10. Contract with authorized insurers or any provider of health care services, meeting standards established by the corporation, for the provision of comprehensive insurance coverage to participants. Such standards shall include criteria under which the corporation may contract with more than one provider of health care services in program sites. Health plans shall be selected through a competitive bid process. The Florida Healthy Kids Corporation shall purchase goods and services in the most cost-effective manner consistent with the delivery of quality medical care. The maximum administrative cost for a Florida Healthy Kids Corporation contract shall be 15 percent. For health care contracts, the minimum medical loss ratio for a Florida Healthy Kids Corporation contract shall be 85 percent. For dental contracts, the remaining compensation to be paid to the authorized insurer or provider under a Florida Healthy Kids Corporation contract shall be no less than an amount which is 85 percent of premium; to the extent any contract provision does not provide for this minimum compensation, this section shall prevail. The health plan selection criteria and scoring system, and the scoring results, shall be available upon request for inspection after the bids have been awarded.

11. Establish disenrollment criteria in the event local matching funds are insufficient to cover enrollments.

12. Develop and implement a plan to publicize the Florida *Kidcare program* ~~Healthy Kids Corporation~~ , the eligibility requirements of the program, and the procedures for enrollment in the program and to maintain public awareness of the corporation and the program. *Health care and dental health plans participating in the program may develop and distribute marketing and other promotional materials and participate in activities, such as health fairs and public events, as approved by the corporation. Health care and dental health plans may also contact their current and former enrollees to encourage continued participation in the program and assist the enrollee in transferring from a Title XIX-funded plan to a Title XXI-funded plan.*

13. Establish an assignment process for Florida Healthy Kids program enrollees to ensure that family members are assigned to the same managed care plan to the greatest extent possible, including situations in which some family members are enrolled in a Medicaid managed care plan and other family members are enrolled in a Florida Healthy Kids plan. The Agency for Health Care Administration shall consult with the corporation to implement this subparagraph.

14.~~13.~~ Secure staff necessary to properly administer the corporation. Staff costs shall be funded from state and local matching funds and such other private or public funds as become available. The board of directors shall determine the number of staff members necessary to administer the corporation.

15.~~14.~~ Provide a report annually to the Governor, Chief Financial Officer, Commissioner of Education, Senate President, Speaker of the House of Representatives, and Minority Leaders of the Senate and the House of Representatives.

16. Provide a report by October 31, 2008, to the Governor, the Senate, and the House of Representatives, which includes an actuarial analysis of the projected impact on premiums from the addition of habilitative and behavior analysis services in accordance with s. 409.815.

17. Provide information on a quarterly basis to the Governor, the Senate, and the House of Representatives that assesses the cost and utilization of services for the Florida Healthy Kids health benefits plans provided through the Florida Healthy Kids Corporation. The information must be specific to each eligibility component of the plan and, at a minimum, include:

a. The monthly enrollment and expenditures for enrollees.

b. The cost and utilization of specific services.

c. An analysis of the impact on premiums prior to and following implementation of the Window of Opportunity Act.

d. An analysis of trends regarding transfer of enrollees from the Florida Healthy Kids plans to the Children's Medical Services Network plan.

e. Any recommendations resulting from the analysis conducted under this subparagraph.

18.~~15.~~ Establish benefit packages which conform to the provisions of the Florida Kidcare program, as created in ss. 409.810-409.820.

Section 14. Section 624.916, Florida Statutes, is created to read:

624.916 Developmental disabilities compact.—

(1) The Office of Insurance Regulation shall convene a workgroup by August 31, 2008, for the purpose of negotiating a compact that includes a binding agreement among the participants relating to insurance and access to services for persons with developmental disabilities as defined in s. 393.063, with the addition of autism spectrum disorder, as defined in s. 409.811. The workgroup shall consist of the following:

(a) Representatives of all health insurers licensed under this chapter.

(b) Representatives of all health maintenance organizations licensed under part I of chapter 641.

(c) Representatives of employers with self-insured health benefit plans.

(d) Two designees of the Governor, one of whom must be a consumer advocate.

(e) A designee of the President of the Senate.

(f) A designee of the Speaker of the House of Representatives.

(2) The Office of Insurance Regulation shall convene a consumer advisory workgroup for the purpose of providing a forum for comment on the compact negotiated in subsection (1). The office shall convene the workgroup prior to finalization of the compact.

(3) The agreement shall include the following components:

(a) A requirement that each signatory to the agreement increase coverage for behavior analysis and behavior assistant services as defined in s. 409.815(2)(r) and speech therapy, physical therapy, and occupational therapy when medically necessary due to the presence of a developmental

disability as defined in s. 393.063 or autism spectrum disorder, as defined in s. 409.811.

(b) Procedures for clear and specific notice to policyholders identifying the amount, scope, and conditions under which coverage is provided for behavior analysis and behavior assistant services as defined in s. 409.815(2)(r) and speech therapy, physical therapy, and occupational therapy when medically necessary due to the presence of a developmental disability as defined in s. 393.063 or autism spectrum disorder, as defined in s. 409.811.

(c) Penalties for documented cases of denial of claims for medically necessary services due to the presence of a developmental disability as defined in s. 393.063 or autism spectrum disorder, as defined in s. 409.811.

(d) Proposals for new product lines that may be offered in conjunction with traditional health insurance and provide a more appropriate means of spreading risk, financing costs, and accessing favorable prices.

(4) Upon completion of the negotiations for the compact, the office shall report the results to the Governor, the President of the Senate, and the Speaker of the House of Representatives.

(5) Beginning February 15, 2009, and continuing annually thereafter, the Office of Insurance Regulation shall provide a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives regarding the implementation of the agreement negotiated under this section. The report shall include:

(a) The signatories to the agreement.

(b) An analysis of the coverage provided under the agreement in comparison to the coverage required under ss. 627.6686 and 641.31098.

(c) An analysis of the compliance with the agreement by the signatories, including documented cases of claims denied in violation of the agreement.

(6) The Office of Insurance Regulation shall continue to monitor participation, compliance, and effectiveness of the agreement and report its findings at least annually.

Section 15. Section 627.6686, Florida Statutes, is created to read:

627.6686 Coverage for individuals with developmental disabilities required; exception.—

(1) As used in this section, the term:

(a) "Developmental disability" has the same meaning as provided in s. 393.063, with the addition of autism spectrum disorder, as defined in s. 409.811.

(b) "Eligible individual" means an individual under 18 years of age or an individual 18 years of age or older who is in high school who has been diagnosed as having a developmental disability at 8 years of age or younger.

(c) "Health insurance plan" means a group health insurance policy or group health benefit plan offered by an insurer which includes the state group insurance program provided under s. 110.123. The term does not include any health insurance plan offered in the individual market, any health insurance plan that is individually underwritten, or any health insurance plan provided to a small employer.

(d) "Insurer" means an insurer providing health insurance coverage, which is licensed to engage in the business of insurance in this state and is subject to insurance regulation.

(2) A health insurance plan issued or renewed on or after July 1, 2009, shall provide coverage to an eligible individual for:

(a) Well-baby and well-child screening for diagnosing the presence of a developmental disability.

(b) Treatment of a developmental disability through speech therapy, occupational therapy, physical therapy, and behavior analysis services. Behavior analysis services shall be provided by an individual certified pursuant to s. 393.17 or an individual licensed under chapter 490 or chapter 491.

(3) The coverage required pursuant to subsection (2) is subject to the following requirements:

(a) Coverage shall be limited to treatment that is prescribed by the insured's treating physician in accordance with a treatment plan.

(b) Coverage for the services described in subsection (2) shall be limited to $36,000 annually and may not exceed $108,000 in total lifetime benefits.

(c) Coverage may not be denied on the basis that provided services are habilitative in nature.

(d) Coverage may be subject to other general exclusions and limitations of the insurer's policy or plan, including, but not limited to, coordination of benefits, participating provider requirements, restrictions on services provided by family or household members, and utilization review of health care services, including the review of medical necessity, case management, and other managed care provisions.

(4) The coverage required pursuant to subsection (2) may not be subject to dollar limits, deductibles, or coinsurance provisions that are less favorable to an insured than the dollar limits, deductibles, or coinsurance provisions that apply to physical illnesses that are generally covered under the health insurance plan, except as otherwise provided in subsection (3).

(5) An insurer may not deny or refuse to issue coverage for medically necessary services, refuse to contract with, or refuse to renew or reissue or otherwise terminate or restrict coverage for an individual because the individual is diagnosed as having a developmental disability.

(6) The treatment plan required pursuant to subsection (3) shall include all elements necessary for the health insurance plan to appropriately pay claims. These elements include, but are not limited to, a diagnosis, the proposed treatment by type, the frequency and duration of treatment, the anticipated outcomes stated as goals, the frequency with which the treatment plan will be updated, and the signature of the treating physician.

(7) Beginning January 1, 2011, the maximum benefit under paragraph (3)(b) shall be adjusted annually on January 1 of each calendar year to reflect any change from the previous year in the medical component of the then current Consumer Price Index for all urban consumers, published by the Bureau of Labor Statistics of the United States Department of Labor.

(8) This section may not be construed as limiting benefits and coverage otherwise available to an insured under a health insurance plan.

(9) The Office of Insurance Regulation may not enforce this section against an insurer that is a signatory no later than July 1, 2009, to the developmental disabilities compact established under s. 624.916. The Office of Insurance Regulation shall enforce this section against an insurer that is a signatory to the compact established under s. 624.916 if the insurer has not complied with the terms of the compact for all health insurance plans by July 1, 2010.

Section 16. Section 641.31098, Florida Statutes, is created to read:

641.31098 Coverage for individuals with developmental disabilities.—

(1) As used in this section, the term:

(a) "Developmental disability" has the same meaning as provided in s. 393.063, with the addition of autism spectrum disorder, as defined in s. 409.811.

(b) "Eligible individual" means an individual under 18 years of age or an individual 18 years of age or older who is in high school who has been diagnosed as having a developmental disability at 8 years of age or younger.

(c) "Health maintenance contract" means a group health maintenance contract offered by a health maintenance organization. This term does not include a health maintenance contract offered in the individual

market, a health maintenance contract that is individually underwritten, or a health maintenance contract provided to a small employer.

(2) A health maintenance contract issued or renewed on or after July 1, 2009, shall provide coverage to an eligible individual for:

(a) Well-baby and well-child screening for diagnosing the presence of a developmental disability.

(b) Treatment of a developmental disability through speech therapy, occupational therapy, physical therapy, and behavior analysis services. Behavior analysis services shall be provided by an individual certified pursuant to s. 393.17 or an individual licensed under chapter 490 or chapter 491.

(3) The coverage required pursuant to subsection (2) is subject to the following requirements:

(a) Coverage shall be limited to treatment that is prescribed by the subscriber's treating physician in accordance with a treatment plan.

(b) Coverage for the services described in subsection (2) shall be limited to $36,000 annually and may not exceed $108,000 in total benefits.

(c) Coverage may not be denied on the basis that provided services are habilitative in nature.

(d) Coverage may be subject to general exclusions and limitations of the subscriber's contract, including, but not limited to, coordination of benefits, participating provider requirements, and utilization review of health care services, including the review of medical necessity, case management, and other managed care provisions.

(4) The coverage required pursuant to subsection (2) may not be subject to dollar limits, deductibles, or coinsurance provisions that are less favorable to a subscriber than the dollar limits, deductibles, or coinsurance provisions that apply to physical illnesses that are generally covered under the subscriber's contract, except as otherwise provided in subsection (3).

(5) A health maintenance organization may not deny or refuse to issue coverage for medically necessary services, refuse to contract with, or refuse to renew or reissue or otherwise terminate or restrict coverage for an individual solely because the individual is diagnosed as having a developmental disability.

(6) The treatment plan required pursuant to subsection (3) shall include, but is not limited to, a diagnosis, the proposed treatment by type, the frequency and duration of treatment, the anticipated outcomes stated as goals, the frequency with which the treatment plan will be updated, and the signature of the treating physician.

(7) Beginning January 1, 2011, the maximum benefit under paragraph (3)(b) shall be adjusted annually on January 1 of each calendar year to reflect any change from the previous year in the medical component of the then current Consumer Price Index for all urban consumers, published by the Bureau of Labor Statistics of the United States Department of Labor.

(8) The Office of Insurance Regulation may not enforce this section against a health maintenance organization that is a signatory no later than July 1, 2009, to the developmental disabilities compact established under s. 624.916. The Office of Insurance Regulation shall enforce this section against a health maintenance organization that is a signatory to the compact established under s. 624.916 if the health maintenance organization has not complied with the terms of the compact for all health maintenance contracts by July 1, 2010.

Section 17. Subsections (1), (2), and (3), paragraph (a) of subsection (4), paragraph (d) of subsection (8), and paragraphs (a), (c), and (d) of subsection (10) of section 1002.39, Florida Statutes, are amended, subsections (11), (12), and (13) are renumbered as subsections (13), (14), and (15), respectively, and new subsections (11) and (12) are added to that section, to read:

1002.39 The John M. McKay Scholarships for Students with Disabilities Program.—There is established a program that is separate and distinct from the Opportunity Scholarship Program and is named the John M. McKay Scholarships for Students with Disabilities Program.

(1) THE JOHN M. MCKAY SCHOLARSHIPS FOR STUDENTS WITH DISABILITIES PROGRAM.—The John M. McKay Scholarships for Students with Disabilities Program is established to provide the option to attend a public school other than the one to which assigned, or to provide a scholarship to a private school of choice, for students with disabilities for whom an individual *educational* ~~education~~ plan has been written in accordance with rules of the State Board of Education. Students with disabilities include K-12 students who are documented as having *an intellectual disability* ~~a mental handicap, including trainable, profound, or educable~~; a speech *impairment; a* ~~or~~ language impairment; a hearing impairment, including deafness; a visual impairment, including blindness; a dual sensory impairment; *an orthopedic* ~~a physical~~ impairment *or other health impairment* ; ~~a serious emotional disturbance, including~~ an emotional *or behavioral disability* ~~handicap~~; a specific learning disability, including, but not limited to, dyslexia, dyscalculia, or developmental aphasia; a traumatic brain injury; *a developmental delay;* or autism *spectrum disorder*.

(2) JOHN M. MCKAY SCHOLARSHIP ELIGIBILITY.—The parent of a ~~public school~~ student with a disability ~~who is dissatisfied with the student's progress~~ may request and receive from the state a John M. McKay Scholarship for the child to enroll in and attend a private school in accordance with this section if:

(a) The student has *either:*

1. Received early intervention services under the Voluntary Prekindergarten Education Program pursuant to s. 1002.66 during the previous school year; or

2. Spent the prior school year in attendance at a Florida public school or the Florida School for the Deaf and the Blind. *For purposes of this subparagraph,* prior school year in attendance means that the student was~~:~~

~~1.~~ enrolled and reported by*:*

a. A school district for funding during the preceding October and February Florida Education Finance Program surveys in kindergarten through grade 12, which shall include time spent in a Department of Juvenile Justice commitment program if funded under the Florida Education Finance Program;

b.~~2.~~ ~~Enrolled and reported by~~ The Florida School for the Deaf and the Blind during the preceding October and February student membership surveys in kindergarten through grade 12; or

c.~~3.~~ ~~Enrolled and reported by~~ A school district for funding during the preceding October and February Florida Education Finance Program surveys, was at least 4 years old when so enrolled and reported, and was eligible for services under s. 1003.21(1)(e).

However, a dependent child of a member of the United States Armed Forces who transfers to a school in this state from out of state or from a foreign country pursuant to a parent's permanent change of station orders is exempt from this paragraph but must meet all other eligibility requirements to participate in the program.

(b) The parent has obtained acceptance for admission of the student to a private school that is eligible for the program under subsection (8) and has requested from the department a scholarship at least 60 days prior to the date of the first scholarship payment. The request must be through a communication directly to the department in a manner that creates a written or electronic record of the request and the date of receipt of the request. The Department of Education must notify the district of the parent's intent upon receipt of the parent's request.

(3) JOHN M. MCKAY SCHOLARSHIP PROHIBITIONS.—A student is not eligible for a John M. McKay Scholarship while he or she is:

(a) Enrolled in a school operating for the purpose of providing educational services to youth in Department of Juvenile Justice commitment programs;

(b) Receiving a corporate income tax credit scholarship under s. 220.187;

(c) Receiving an educational scholarship pursuant to this chapter;

(d) Participating in a home education program as defined in s. 1002.01(1);

(e) Participating in a private tutoring program pursuant to s. 1002.43;

(f) Participating in a virtual school, correspondence school, or distance learning program that receives state funding pursuant to the student's participation unless the participation is limited to no more than two courses per school year;

(g) Enrolled in the Florida School for the Deaf and the Blind; or

(h) Not having regular and direct contact with his or her private school teachers at the school's physical location*, except as provided in subsection (11)*.

(4) TERM OF JOHN M. MCKAY SCHOLARSHIP.—

(a) For purposes of continuity of educational choice, a John M. McKay Scholarship shall remain in force until the student *enrolls in* ~~returns to~~ a public school, graduates from high school, or reaches the age of 22, whichever occurs first.

(8) PRIVATE SCHOOL ELIGIBILITY AND OBLIGATIONS.—To be eligible to participate in the John M. McKay Scholarships for Students with Disabilities Program, a private school may be sectarian or nonsectarian and must:

(d) Maintain in this state a physical location where a scholarship student regularly attends classes *or where it provides case management services under subsection (11)*.

The inability of a private school to meet the requirements of this subsection shall constitute a basis for the ineligibility of the private school to participate in the scholarship program as determined by the department.

(10) JOHN M. MCKAY SCHOLARSHIP FUNDING AND PAYMENT.—

(a)1. The maximum scholarship granted for an eligible student with disabilities shall be a calculated amount equivalent to the base student allocation in the Florida Education Finance Program multiplied by the appropriate cost factor for the educational program that would have been provided for the student in the district school to which he or she was assigned, multiplied by the district cost differential.

2. In addition, a share of the guaranteed allocation for exceptional students shall be determined and added to the calculated amount. The calculation shall be based on the methodology and the data used to calculate the guaranteed allocation for exceptional students for each district in chapter 2000-166, Laws of Florida. Except as provided in subparagraphs 3. and 4., the calculation shall be based on the student's grade, matrix level of services, and the difference between the 2000-2001 basic program and the appropriate level of services cost factor, multiplied by the 2000-2001 base student allocation and the 2000-2001 district cost differential for the sending district. Also, the calculated amount shall include the per-student share of supplemental academic instruction funds, instructional materials funds, technology funds, and other categorical funds as provided for such purposes in the General Appropriations Act.

3. The calculated scholarship amount for a student who is eligible under *sub-subparagraph (2)(a)2.b.* ~~subparagraph (2)(a)2.~~ shall be calculated as provided in subparagraphs 1. and 2. However, the calculation shall be based on the school district in which the parent resides at the time of the scholarship request.

4. Until the school district completes the matrix required by paragraph (5)(b), the calculation shall be based on the matrix that assigns the student to support level I of service as it existed prior to the 2000-2001 school year. When the school district completes the matrix, the amount of the payment shall be adjusted as needed.

(c)1. The school district shall report all students who are attending a private school under this program. The students with disabilities attending private schools on John M. McKay Scholarships shall be reported separately from other students reported for purposes of the Florida Education Finance Program.

2. For program participants who are eligible under *sub-subparagraph (2)(a)2.b.* ~~subparagraph (2)(a)2.~~, the school district that is used as the basis for the calculation of the scholarship amount as provided in subparagraph (a)3. shall:

a. Report to the department all such students who are attending a private school under this program.

b. Be held harmless for such students from the weighted enrollment ceiling for group 2 programs in s. 1011.62(1)(d)3.a. during the first school year in which the students are reported.

(d) Following notification on July 1, September 1, December 1, or February 1 of the number of program participants, the department shall transfer, from General Revenue funds only, the amount calculated under paragraph (b) from the school district's total funding entitlement under the Florida Education Finance Program and from authorized categorical accounts to a separate account for the scholarship program for quarterly disbursement to the parents of participating students. Funds may not be transferred from any funding provided to the Florida School for the Deaf and the Blind for program participants who are eligible under *sub-subparagraph (2)(a)2.b.* ~~subparagraph (2)(a)2.~~ For a student exiting a Department of Juvenile Justice commitment program who chooses to participate in the scholarship program, the amount of the John M. McKay Scholarship calculated pursuant to paragraph (b) shall be transferred from the school district in which the student last attended a public school prior to commitment to the Department of Juvenile Justice. When a student enters the scholarship program, the department must receive all documentation required for the student's participation, including the private school's and student's fee schedules, at least 30 days before the first quarterly scholarship payment is made for the student.

(11) ALTERNATIVE SITES FOR INSTRUCTION AND SERVICES.—A student eligible for a scholarship under this section may receive regular and direct instruction and services from a private school at a site other than the school's physical location if the following criteria are met:

(a) The student's parent provides a notarized statement from the medical doctor or psychologist treating the student's disability which certifies that the student's welfare or the welfare of other students in the classroom will be jeopardized if the student is required to regularly attend class at the school's physical location. Such notarized statement must be:

1. Annually provided to the department at least 60 days prior to the date of the first scholarship payment for each school year.

2. Based on an annual review of the student's disability by the student's medical doctor or psychologist.

(b) The private school serving the student:

1. Employs or contracts with a case manager who coordinates and monitors the student's instruction and services, reviews and maintains the documentation submitted under subparagraph 2., and provides the student's parent and private school with monthly reports on the student's progress.

2. Requires private school employees or contracted personnel who provide regular and direct instruction or services to a student at a site other than the private school's physical location to submit to the case manager documentation of the instruction, services, and progress of the student.

3. Notifies the department of each student subject to this subsection.

(12) RETROACTIVE SCHOLARSHIP ELIGIBILITY.—A student who received a scholarship under this section in the 2005-2006 school year, but who was unable to receive a scholarship in the 2006-2007 school year due to the regular and direct contact requirement in paragraph (3)(h), is eligible for a scholarship in the 2008-2009 school year if the student:

(a) Demonstrates that he or she would have met the criteria of paragraph (11)(a) at the time of his or her 2006-2007 scholarship.

(b) Satisfies the requirements for a scholarship under this section other than the prior school year attendance requirement in paragraph (2)(a).

Section 18. Subsections (2) through (5) of section 1002.51, Florida Statutes, are renumbered as subsections (3) through (6), respectively, and a new subsection (2) is added to that section to read:

1002.51 Definitions.—As used in this part, the term:

(2) "Early intervention service provider" means a provider delivering early intervention services under s. 1002.66.

Section 19. Subsections (1) and (3) of section 1002.53, Florida Statutes, are amended to read:

1002.53 Voluntary Prekindergarten Education Program; eligibility and enrollment.—

(1) There is created the Voluntary Prekindergarten Education Program*, which*~~. The program shall take effect in each county at the beginning of the 2005-2006 school year and~~ shall be organized, designed, and delivered in accordance with s. 1(b) and (c), Art. IX of the State Constitution.

(3) The parent of each child eligible under subsection (2) may enroll the child in one of the following programs:

(a) A school-year prekindergarten program delivered by a private prekindergarten provider under s. 1002.55;

(b) A summer prekindergarten program delivered by a public school or private prekindergarten provider under s. 1002.61; ~~or~~

(c) A school-year prekindergarten program delivered by a public school, if offered by a school district that is eligible under s. 1002.63*; or*

(d) Beginning with the 2010-2011 school year, a prekindergarten program of early intervention services, if the child is eligible for the program under s. 1002.66.

Except as provided in s. 1002.71(4), a child may not enroll in more than one of these programs.

Section 20. Section 1002.66, Florida Statutes, is created to read:

1002.66 Prekindergarten program of early intervention services.—

(1) Beginning with the 2010-2011 school year, a child who enrolls with the early learning coalition under s. 1002.53(3)(d) is eligible for a prekindergarten program of early intervention services if:

(a) The child is eligible for the Voluntary Prekindergarten Education Program under s. 1002.53(2); and

(b) A current individual educational plan has been developed for the child in accordance with State Board of Education rule and the plan indicates the child's need for multiple and intensive services, delivered weekly or daily, to address the child's development of the following skills:

1. Social skills, including replacement of problematic behaviors with more conventional and appropriate behaviors;

2. Communication skills, including the development of a functional communication system;

3. Fine and gross motor skills;

4. Cognitive skills, including basic concepts and developmentally appropriate pre-academic skills; and

5. Independent organizational skills and other behaviors necessary for future success in the typical educational environment.

If a child's individual educational plan indicates that the child meets the eligibility requirements for a prekindergarten program of early intervention services under this paragraph, the school district shall record the child's eligibility on a form, or otherwise in the format, developed by the Department of Education in consultation with the Agency for Workforce Innovation.

(2) The parent of a child who is eligible for a prekindergarten program under this section may select one or more early intervention services that the child's individual educational plan indicates is appropriate for the child. These early intervention services may include, but are not limited to:

(a) Applied behavior analysis.

(b) Speech-language pathology.

(c) Occupational therapy.

(d) Physical therapy.

(3) The early intervention services provided for a child under this section must be delivered according to professionally accepted standards and must, in accordance with the performance standards adopted by the department under s. 1002.67, address the age-appropriate progress of the child in the development of the capabilities, capacities, and skills required under s. 1(b), Art. IX of the State Constitution.

(4) Each Center for Autism and Related Disabilities established under s. 1004.55 shall, within the center's region, approve early intervention service providers whose services meet the standards in subsection (3), maintain a list of approved providers, and notify each school district and early learning coalition in the center's region of the approved provider list. Upon the request of a child's parent, a Center for Autism and Related Disabilities may approve an early intervention service provider that is not on the approved list if the provider's services meet the standards in subsection (3) and the child's individual educational plan indicates that the services are appropriate for the child.

(5) From the funds allocated to the early learning coalition for the Voluntary Prekindergarten Education Program, the coalition shall reimburse an approved early intervention service provider for authorized services provided for an eligible child, except that the cumulative total of services reimbursed for a child may not exceed the amount of the base student allocation provided for the Voluntary Prekindergarten Education Program in the General Appropriations Act.

Section 21. Paragraph (a) of subsection (4) of section 1002.71, Florida Statutes, is amended to read:

1002.71 Funding; financial and attendance reporting.—

(4) Notwithstanding s. 1002.53(3) and subsection (2):

(a) A child who, for any of the prekindergarten programs listed in s. 1002.53(3), has not completed more than 10 percent of the hours authorized to be reported for funding under subsection (2)*, or has not expended more than 10 percent of the funds authorized for the child under s. 1002.66,* may withdraw from the program for good cause, reenroll in one of the programs, and be reported for funding purposes as a full-time equivalent student in the program for which the child is reenrolled.

A child may reenroll only once in a prekindergarten program under this section. A child who reenrolls in a prekindergarten program under this subsection may not subsequently withdraw from the program and reenroll. The Agency for Workforce Innovation shall establish criteria specifying whether a good cause exists for a child to withdraw from a program under paragraph (a), whether a child has substantially completed a program under paragraph (b), and whether an extreme hardship exists which is beyond the child's or parent's control under paragraph (b).

Section 22. Paragraph (d) of subsection (2) of section 1002.73, Florida Statutes, is redesignated as paragraph (e) and a new paragraph (d) is added to that subsection to read:

1002.73 Department of Education; powers and duties; accountability requirements.—

(2) The department shall adopt procedures for the department's:

(d) Development, in consultation with the Agency for Workforce Innovation, of the form or format for recording a child's eligibility for early intervention services under s. 1002.66(1)(b).

Section 23. Paragraphs (a) and (f) of subsection (2) of section 1002.75, Florida Statutes, are amended to read:

1002.75 Agency for Workforce Innovation; powers and duties; operational requirements.—

(2) The Agency for Workforce Innovation shall adopt procedures governing the administration of the Voluntary Prekindergarten Education Program by the early learning coalitions and school districts for:

(a) Enrolling children in and determining the eligibility of children for the Voluntary Prekindergarten Education Program under *ss. 1002.53 and 1002.66* ~~s. 1002.53~~ .

(f) Paying private prekindergarten providers*,* ~~and~~ public schools*, and early intervention service providers* under *ss. 1002.66 and 1002.71* ~~s. 1002.71~~.

Section 24. Effective upon this act becoming a law, section 1004.55, Florida Statutes, is amended to read:

1004.55 ~~Regional autism~~ Centers *for Autism and Related Disabilities*.—

(1) Seven ~~regional autism~~ Centers *for Autism and Related Disabilities* are established to provide nonresidential resource and training services for*:*

(a) Children younger than 5 years of age who have:

1. An autism spectrum disorder; a genetic or metabolic disorder; a neurological disorder; a severe attachment disorder; a hearing impairment, including deafness; a visual impairment, including blindness; or dual sensory impairment; or

2. A developmental delay in cognition; physical or motor development, including hearing or vision; communication; social or emotional development; or adaptive development.

(b) Persons 5 years of age or older who have an autism spectrum disorder or a severe communication disorder ~~persons of all ages and of all levels of intellectual functioning who have autism, as defined in s. 393.063; who have a pervasive developmental disorder that is not otherwise specified; who have an autistic-like disability; who have a dual sensory impairment; or who have a sensory impairment with other handicapping conditions~~.

(2) Each center shall be operationally and fiscally independent and shall provide services within its geographical region of the state. Service delivery shall be consistent for all centers. Each center shall coordinate services within and between state and local agencies and school districts but may not duplicate services provided by those agencies or school districts. The respective locations and service areas of the centers are:

(a) The Department of Communication Disorders at Florida State University, which serves Bay, Calhoun, Escambia, Franklin, Gadsden, Gulf, Holmes, Jackson, Jefferson, Leon, Liberty, Madison, Okaloosa, Santa Rosa, Taylor, Wakulla, Walton, and Washington Counties.

(b) The College of Medicine at the University of Florida, which serves Alachua, Bradford, Citrus, Columbia, Dixie, Gilchrist, Hamilton, Hernando, Lafayette, Levy, Marion, Putnam, Suwannee, and Union Counties.

(c) The University of Florida Health Science Center at Jacksonville, which serves Baker, Clay, Duval, Flagler, Nassau, and St. Johns Counties.

(d) The Louis de la Parte Florida Mental Health Institute at the University of South Florida, which serves Charlotte, Collier, DeSoto, Glades, Hardee, Hendry, Highlands, Hillsborough, Lee, Manatee, Pasco, Pinellas, Polk, and Sarasota Counties.

(e) The Mailman Center for Child Development and the Department of Psychology at the University of Miami, which serves Broward, Dade, and Monroe Counties.

(f) The College of Health and Public Affairs at the University of Central Florida, which serves Brevard, Lake, Orange, Osceola, Seminole, Sumter, and Volusia Counties.

(g) The Department of Exceptional Student Education at Florida Atlantic University, which serves Palm Beach, Martin, St. Lucie, Okeechobee, and Indian River Counties.

(3)~~(2)~~ There is established for each center a constituency board, which shall work collaboratively with the center. Each board shall consist of no fewer than six members, each of whom is either an individual who has *an autism spectrum disorder or another* ~~a~~ disability ~~that is~~ described in subsection (1) or is a member of a family that includes a person who has such a disability, who are selected by each university president from a list that has been developed by the Autism Society of Florida and other relevant constituency groups that represent persons who have *an autism spectrum disorder or another disability* ~~sensory impairments as~~ described in subsection (1). As representatives of the center's constituencies, these boards shall meet quarterly with the staff of each of the centers to provide advice on policies, priorities, and activities. Each board shall submit to the university president and to the Department of Education an annual report that evaluates the activities and accomplishments of its center during the year. The board for each center should raise funds equivalent to 2 percent of the total funds allocated to that center in each fiscal year.

(4)~~(3)~~ To promote statewide planning and coordination, a conference must be held annually for staff from each of the seven centers and representatives from each center's constituency board. The purpose of the conference is to facilitate coordination, networking, cross-training, and feedback among the staffs and constituency boards of the centers.

(5)~~(4)~~(a) Each center shall provide:

1. A staff that has expertise in autism *spectrum disorder* and *the other disabilities described in subsection (1)* ~~autistic-like behaviors and in sensory impairments~~.

2. Individual and direct family assistance in the home, community, and school. A center's assistance should not supplant other responsibilities of state and local agencies, and each school district is responsible for providing an appropriate education program for clients of a center who are school age.

3. Technical assistance and consultation services, including specific intervention and assistance for a client of the center, the client's family, and the school district, and any other services that are appropriate.

4. Professional training programs that include developing, providing, and evaluating preservice and inservice training in state-of-the-art practices for personnel who work with the populations served by the centers and their families.

5. Public education programs to increase awareness of the public about autism *spectrum disorder and the other disabilities described in subsection (1)*~~, autistic-related disabilities of communication and behavior, dual sensory impairments, and sensory impairments with other handicapping conditions~~.

6. Coordination of regional learning gateways established in accordance with s. 1006.80.

7. Approval of early intervention service providers for prekindergarten programs for children with disabilities in accordance with s. 1002.66.

(b) *Effective October 1, 2008, a center that is not designated a medical model for the treatment of autism spectrum disorder under s. 1006.82 may not provide* direct medical intervention or pharmaceutical intervention ~~is prohibited in any center on or after July 1, 2008~~.

(6)~~(5)~~ The State Board of Education, in cooperation with the ~~regional autism~~ Centers *for Autism and Related Disabilities*, shall adopt the necessary rules to carry out the purposes of this section.

Section 25. Effective upon this act becoming a law, subsection (1), paragraph (b) of subsection (2), and subsections (3) and (4) of section 1006.03, Florida Statutes, are amended to read:

1006.03 *Florida* Diagnostic and Learning *Resources System; regional* ~~resource~~ centers.—

(1) The department shall maintain *the Florida Diagnostic and Learning Resources System, which shall be comprised of a network of* regional diagnostic and learning *resources* ~~resource~~ centers for exceptional students*. The regional centers shall*~~, to~~ assist in the provision of medical, physiological, psychological, and educational testing and other services designed to evaluate and diagnose exceptionalities, ~~to~~ make

referrals for necessary instruction and services, and ~~to~~ facilitate the provision of instruction and services to exceptional students. The department shall cooperate with the Department of Children and Family Services *and the Centers for Autism and Related Disabilities* in identifying service needs and areas.

(2) Within its identified service area, each regional center shall:

(b) Assist in the provision of services for exceptional children, using to the maximum, but not supplanting, the existing facilities and services of each *school* district.

(3) *Regional* diagnostic and *learning resources* ~~resource~~ centers may provide testing and evaluation services to private school students and other children who are not enrolled in public schools.

(4) *Regional* diagnostic and learning *resources* ~~resource~~ centers may assist districts in providing testing and evaluation services for infants and preschool children with or at risk of developing disabilities, and may assist districts in providing interdisciplinary training and resources to parents of infants and preschool children with or at risk of developing disabilities and to *early learning* ~~school readiness~~ programs.

Section 26. *Effective upon this act becoming a law, part III of chapter 1006, Florida Statutes, shall be entitled "Learning Gateway" and shall consist of sections 1006.80 and 1006.82, Florida Statutes.*

Section 27. Effective upon this act becoming a law, section 1006.80, Florida Statutes, is created to read:

1006.80 Regional learning gateways.—The Centers for Autism and Related Disabilities established under s. 1004.55, in collaboration with the Department of Education and the Florida Diagnostic and Learning Resources System, shall establish a statewide system of learning gateways. The system must include the establishment of a learning gateway in the geographic region of each center. Each region's learning gateway shall:

(1) Establish a single point of access for referral to the appropriate agencies for the screening and assessment of children younger than 5 years of age for disabilities, conducting diagnostic evaluations for children with suspected disabilities, and referring children with disabilities for early intervention services and early learning programs.

(2) Designate a central telephone number in the center's region, and an Internet website, for parents, practitioners, and providers to obtain information about services available through the learning gateway, screenings, assessments, diagnostic evaluations, early intervention services, and early learning programs for children with disabilities.

(3) Provide followup contact for families whose children are determined ineligible for services under Part B or Part C of the federal Individuals with Disabilities Education Act.

(4) Provide interagency coordination in the center's region among the regional offices of state agencies, including offices of the Division of Children's Medical Services Network of the Department of Health; regional diagnostic and learning resources centers; diagnostic and learning resources centers at state universities; school districts; early learning coalitions; county and municipal agencies; community agencies and organizations; and public and private providers of early intervention services and early learning programs, in order to develop and implement strategies to reduce a child's waiting time for services, reduce interagency duplication, and reduce interagency differences in eligibility criteria for services and programs which cause cross-agency screenings, assessments, and diagnostic evaluations.

(5) Facilitate the integration of services, linkages among providers, and the array of services required to address the needs of children and families.

(6) Improve community awareness and education for parents and practitioners about the developmental milestones, and the warning signs or precursors of disabilities, exhibited by children younger than 5 years of age.

(7) Provide training and technical assistance for parents, practitioners, and providers.

Section 28. Effective upon this act becoming a law, section 1006.82, Florida Statutes, is created to read:

1006.82 State Learning Gateway Council.—

(1) There is created the State Learning Gateway Council, which is assigned to the Department of Education for administrative purposes. The council is composed of the following agency heads, and officers of the following organizations, or their permanent designees:

(a) Secretary of Children and Family Services.

(b) Director of the Agency for Persons with Disabilities.

(c) Director of Workforce Innovation.

(d) State Surgeon General.

(e) Secretary of Health Care Administration.

(f) Commissioner of Education.

(g) The director of a regional diagnostic and learning resources center appointed by the Commissioner of Education.

(h) The director of a diagnostic and learning resources center at a state university, selected from among the directors of the university centers.

(i) Chair of the Florida Early Learning Advisory Council.

(j) President of the Autism Society of Florida.

(k) President of the Florida Association for Behavioral Analysis.

(l) President of the Florida Pediatric Society.

(m) President of the Florida Psychological Association.

(2) The council shall select a chair from among its members. An executive director of a Center for Autism and Related Disabilities, selected from among the executive directors of the centers, shall serve as the council's executive director.

(3)(a) The council shall coordinate the statewide implementation of regional learning gateways and shall advise the Legislature, the Governor, and the agencies represented by the council's members on the system of regional learning gateways.

(b) Each Center for Autism and Related Disabilities shall submit an implementation plan to the council for the region's learning gateway by January 15, 2009. The plan must include the center's proposed expenditures for implementation of the regional learning gateway.

(c) The council may designate a Center for Autism and Related Disabilities on the main campus, or at any branch campus or center, of the University of Florida, as a medical model for the treatment of autism spectrum disorder, if the center demonstrates a unique community need for such treatment in the center's region. A center designated as a medical model shall, by October 1 of each year, submit an annual report to the council. Each annual report must summarize the center's activities related to the treatment of autism spectrum disorder, including the center's expenditures for those services, for the prior state fiscal year.

(4)(a) The agencies represented by the council's membership shall enter into an interagency agreement to provide staffing and administrative support for the council.

(b) Members of the council shall serve without compensation but are entitled to per diem and travel expenses for required attendance at council meetings in accordance with the provisions of s. 112.061. Each council member is subject to the Code of Ethics for Public Officers and Employees under part III of chapter 112.

(5)(a) The council may use any method of telecommunications to conduct meetings, including establishing a quorum through telecommunications, if the public is given proper notice of a telecommunications meeting and reasonable access to observe and, when appropriate, participate.

(b) The council appointments shall be made, and the council shall conduct its initial meeting, within 45 days after the effective date of this section.

Section 29. *Effective upon this act becoming a law, sections 411.226, 411.227, and 411.228, Florida Statutes, are repealed.*

Section 30. Except as otherwise expressly provided in this act, this act shall take effect July 1, 2008.

And the title is amended as follows:

Remove the entire title and insert: A bill to be entitled An act relating to children with disabilities; creating the "Window of Opportunity Act"; amending s. 391.026, F.S.; requiring the Department of Health to provide certain services under contract to the Florida Healthy Kids Corporation; specifying that children served under such contract are not enrollees of Children's Medical Services; amending 393.063, F.S.; revising the definition of the term "developmental disability"; providing a definition of the term "Down syndrome"; amending s. 409.811, F.S.; providing a definition of the term "autism spectrum disorder"; amending s. 409.8132, F.S.; revising provisions relating to enrollment in the Medikids program component of Florida Kidcare; providing for the Agency for Health Care Administration to assign family members to the same managed care plan or Medicaid provider, under certain circumstances; amending s. 409.8134, F.S.; providing eligibility criteria for enrollment for premium assistance; providing for enrollment without premium assistance in the Florida Kidcare program during open enrollment periods; providing limitations on year-round enrollment for premium assistance; specifying a time period for enrollees not eligible for premium assistance to enroll in the Florida Healthy Kids program; providing exceptions; providing for certain enrollees to transfer to the Healthy Kids program under certain circumstances; authorizing the board of directors of the Florida Healthy Kids Corporation to take certain actions to reduce projected costs of the program under certain circumstances; amending s. 409.814, F.S.; revising conditions for eligibility for premium assistance for the Florida Kidcare Program; providing limitations on enrollment in the Medikids program after January 1, 2009; providing for enrollment of new applicants in the Florida Healthy Kids program; revising duties of the board of directors of the Florida Healthy Kids Corporation regarding enrollment limitations; providing for notification to certain managed care plans or MediPass providers prior to termination of a child's eligibility for Florida Kidcare; providing for certain information relating to eligibility to be obtained electronically; providing an exemption from certain requirements for individuals who pay the full cost of the Florida Kidcare premium; amending s. 409.815, F.S.; revising provisions relating to health benefits coverage for specified services to include habilitative and behavior analysis services; providing definitions; limiting the lifetime maximum of health benefits coverage for certain services; amending s. 409.818, F.S.; revising timeframe for redetermination or reverification of eligibility for Florida Kidcare; amending s. 409.906, F.S.; authorizing the Agency for Health Care Administration to seek federal approval through a state plan amendment to provide home and community-based services for autism spectrum disorder and other development disabilities; specifying eligibility criteria; specifying limitations on provision of benefits; requiring reports to the Legislature; requiring legislative approval for implementation of certain provisions; amending s. 411.01, F.S.; providing for the payment schedules of early learning coalitions to include certain payments authorized by the Federal Government; creating s. 456.0291, F.S.; authorizing certain licensing boards to require special continuing education on developmental disabilities for certain licensees and certificateholders; providing penalties; providing rulemaking authority; requiring the Department of Health to develop and implement a plan to promote awareness of developmental disabilities, with a focus on autism spectrum disorder; amending s. 624.91, F.S.; revising legislative intent; requiring the Florida Healthy Kids Corporation to provide information relating to costs and utilization of full-pay and Title XXI subsidized populations enrolled in Florida Healthy Kids health benefits coverage plans; establishing an assignment process; requiring the corporation to provide a report by October 31, 2008, to the Governor and Legislature that includes an analysis of the projected impact on premiums resulting from the provision of additional services; requiring the corporation to provide a quarterly assessment of costs and utilization of services for Florida Healthy Kids benefit plans to the Governor and Legislature; creating s. 624.916, F.S.; directing the Office of Insurance Regulation to establish a workgroup to develop and execute a compact relating to coverage for insured persons with development disabilities; providing for membership of the workgroup; requiring the workgroup to convene within a specified period of time; directing the office to establish a consumer advisory workgroup and providing purpose thereof; requiring the compact to contain specified components; requiring reports to the Governor and the Legislature; creating s. 627.6686, F.S.; providing health insurance coverage for individuals with developmental disabilities; providing definitions; providing coverage for certain screening to diagnose and treat developmental disabilities; providing limitations on coverage; providing for eligibility standards for benefits and coverage; prohibiting insurers from denying coverage under certain circumstances; specifying required elements of a treatment plan; providing, beginning January 1, 2011, that the maximum benefit shall be adjusted annually; clarifying that the section may not be construed as limiting benefits and coverage otherwise available to an insured under a health insurance plan; prohibiting the Office of Insurance Regulation from enforcing certain provisions against insurers that are signatories to the developmental disabilities compact by a specified date; creating s. 641.31098, F.S.; providing coverage under a health maintenance contract for individuals with developmental disabilities; providing definitions; providing coverage for certain screening to diagnose and treat developmental disabilities; providing limitations on coverage; providing for eligibility standards for benefits and coverage; prohibiting health maintenance organizations from denying coverage under certain circumstances; specifying required elements of a treatment plan; providing, beginning January 1, 2011, that the maximum benefit shall be adjusted annually; prohibiting the Office of Insurance Regulation from enforcing certain provisions against health maintenance organizations that are signatories to the developmental disabilities compact by a specified date; amending s. 1002.39, F.S., relating to the John M. McKay Scholarships for Students with Disabilities Program; revising the terminology used to identify students with certain disabilities; authorizing students who receive certain services under the Voluntary Prekindergarten Education Program to receive a John M. McKay Scholarship; conforming cross-references; permitting students to receive scholarship services at locations other than the private school's site under specified conditions; providing retroactive eligibility for scholarships under certain circumstances; amending s. 1002.51, F.S.; revising definitions for the Voluntary Prekindergarten Education Program; amending s. 1002.53 and creating s. 1002.66, F.S.; establishing a prekindergarten program option for early intervention services; providing eligibility criteria for early intervention services; requiring the Department of Education to develop forms; providing for the approval of early intervention service providers; authorizing the expenditure of funds for early intervention services; amending s. 1002.71, F.S.; authorizing a child participating in a prekindergarten program for children with disabilities to reenroll in another program option under certain conditions; amending ss. 1002.73 and 1002.75, F.S.; revising the powers and duties of the Department of Education and Agency for Workforce Innovation for prekindergarten programs; amending s. 1004.55, F.S.; redesignating regional autism centers as Centers for Autism and Related Disabilities; revising terminology and duties of the regional autism centers; revising date that regional autism centers are prohibited from providing direct medical intervention or pharmaceutical intervention and providing an exception for a center designated a medical model by the State Learning Gateway Council; amending s. 1006.03, F.S.; requiring the Department of Education to maintain the Florida Diagnostic and Learning Resources System; revising duties of regional diagnostic and learning resources centers; creating part III of chapter 1006, F.S., relating to the Learning Gateway; creating s. 1006.80, F.S.; requiring Centers for Autism and Related Disabilities to establish a statewide system of learning gateways; specifying functions of learning gateways; creating s. 1006.82, F.S.; establishing the State Learning Gateway Council; assigning the council to the Department of Education for administrative purposes; specifying the membership of the council; providing for selection of the council's chair and executive director; prescribing the council's duties; requiring the Centers for Autism and Related Disabilities to submit an implementation plan by a specified date; authorizing the council to designate a center at the University of Florida as a medical model under certain circumstances; requiring a center designated as a medical model to submit an annual report; repealing ss. 411.226, 411.227, and 411.228, F.S., relating to the Learning Gateway, components of the Learning Gateway, and accountability; providing effective dates.

Senator Geller moved the following amendment which was adopted:

Senate Amendment 1 (697284) (with title amendment) to House Amendment 1—Delete line(s) 5-1537 and insert:

Section 1. Subsection (26) is added to section 409.906, Florida Statutes, to read:

409.906 Optional Medicaid services.—Subject to specific appropriations, the agency may make payments for services which are optional to

the state under Title XIX of the Social Security Act and are furnished by Medicaid providers to recipients who are determined to be eligible on the dates on which the services were provided. Any optional service that is provided shall be provided only when medically necessary and in accordance with state and federal law. Optional services rendered by providers in mobile units to Medicaid recipients may be restricted or prohibited by the agency. Nothing in this section shall be construed to prevent or limit the agency from adjusting fees, reimbursement rates, lengths of stay, number of visits, or number of services, or making any other adjustments necessary to comply with the availability of moneys and any limitations or directions provided for in the General Appropriations Act or chapter 216. If necessary to safeguard the state's systems of providing services to elderly and disabled persons and subject to the notice and review provisions of s. 216.177, the Governor may direct the Agency for Health Care Administration to amend the Medicaid state plan to delete the optional Medicaid service known as "Intermediate Care Facilities for the Developmentally Disabled." Optional services may include:

(26) HOME AND COMMUNITY-BASED SERVICES FOR AUTISM SPECTRUM DISORDER AND OTHER DEVELOPMENTAL DISABILITIES.—The agency is authorized to seek federal approval through a Medicaid waiver or a state plan amendment for the provision of occupational therapy, speech therapy, physical therapy, behavior analysis, and behavior assistant services to individuals who are 5 years of age and under and have a diagnosed developmental disability as defined in s. 393.063, autism spectrum disorder as defined in s. 627.6686, or Down syndrome, a genetic disorder caused by the presence of extra chromosomal material on chromosome 21. Causes of the syndrome may include Trisomy 21, Mosaicism, Robertsonian Translocation, and other duplications of a portion of chromosome 21. Coverage for such services shall be limited to $36,000 annually and may not exceed $108,000 in total lifetime benefits. The agency shall submit an annual report beginning on January 1, 2009, to the President of the Senate, the Speaker of the House of Representatives, and the relevant committees of the Senate and the House of Representatives regarding progress on obtaining federal approval and recommendations for the implementation of these home and community-based services. The agency may not implement this subsection without prior legislative approval.

Section 2. Section 624.916, Florida Statutes, is created to read:

624.916 Developmental disabilities compact.—

(1) This section may be cited as the "Window of Opportunity Act."

(2) The Office of Insurance Regulation shall convene a workgroup by August 31, 2008, for the purpose of negotiating a compact that includes a binding agreement among the participants relating to insurance and access to services for persons with developmental disabilities. The workgroup shall consist of the following:

(a) Representatives of all health insurers licensed under this chapter.

(b) Representatives of all health maintenance organizations licensed under part I of chapter 641.

(c) Representatives of employers with self-insured health benefit plans.

(d) Two designees of the Governor, one of whom must be a consumer advocate.

(e) A designee of the President of the Senate.

(f) A designee of the Speaker of the House of Representatives.

(3) The Office of Insurance Regulation shall convene a consumer advisory workgroup for the purpose of providing a forum for comment on the compact negotiated in subsection (2). The office shall convene the workgroup prior to finalization of the compact.

(4) The agreement shall include the following components:

(a) A requirement that each signatory to the agreement increase coverage for behavior analysis and behavior assistant services as defined in s. 409.815(2)(r) and speech therapy, physical therapy, and occupational therapy when medically necessary due to the presence of a developmental disability.

(b) Procedures for clear and specific notice to policyholders identifying the amount, scope, and conditions under which coverage is provided for behavior analysis and behavior assistant services as defined in s. 409.815(2)(r) and speech therapy, physical therapy, and occupational therapy when medically necessary due to the presence of a developmental disability.

(c) Penalties for documented cases of denial of claims for medically necessary services due to the presence of a developmental disability.

(d) Proposals for new product lines that may be offered in conjunction with traditional health insurance and provide a more appropriate means of spreading risk, financing costs, and accessing favorable prices.

(5) Upon completion of the negotiations for the compact, the office shall report the results to the Governor, the President of the Senate, and the Speaker of the House of Representatives.

(6) Beginning February 15, 2009, and continuing annually thereafter, the Office of Insurance Regulation shall provide a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives regarding the implementation of the agreement negotiated under this section. The report shall include:

(a) The signatories to the agreement.

(b) An analysis of the coverage provided under the agreement in comparison to the coverage required under ss. 627.6686 and 641.31098.

(c) An analysis of the compliance with the agreement by the signatories, including documented cases of claims denied in violation of the agreement.

(7) The Office of Insurance Regulation shall continue to monitor participation, compliance, and effectiveness of the agreement and report its findings at least annually.

(8) As used in this section, the term "developmental disabilities" includes:

(a) The term as defined in s. 393.063;

(b) Down syndrome, a genetic disorder caused by the presence of extra chromosomal material on chromosome 21. Causes of the syndrome may include Trisomy 21, Mosaicism, Robertsonian Translocation, and other duplications of a portion of chromosome 21; and

(c) Autism spectrum disorder, as defined in s. 627.6686.

Section 3. Section 627.6686, Florida Statutes, is created to read:

627.6686 Coverage for individuals with autism spectrum disorder required; exception.—

(1) This section and section 641.31098, may be cited as the "Steven A. Geller Autism Coverage Act."

(2) As used in this section, the term:

(a) "Applied behavior analysis" means the design, implementation, and evaluation of environmental modifications, using behavioral stimuli and consequences, to produce socially significant improvement in human behavior, including, but not limited to, the use of direct observation, measurement, and functional analysis of the relations between environment and behavior.

(b) "Autism spectrum disorder" means any of the following disorders as defined in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders of the American Psychiatric Association:

1. Autistic disorder.

2. Asperger's syndrome.

3. Pervasive developmental disorder not otherwise specified.

(c) "Eligible individual" means an individual under 18 years of age or an individual 18 years of age or older who is in high school who has been diagnosed as having a developmental disability at 8 years of age or younger.

(d) "Health insurance plan" means a group health insurance policy or group health benefit plan offered by an insurer which includes the state group insurance program provided under s. 110.123. The term does not include any health insurance plan offered in the individual market, any health insurance plan that is individually underwritten, or any health insurance plan provided to a small employer.

(e) "Insurer" means an insurer providing health insurance coverage, which is licensed to engage in the business of insurance in this state and is subject to insurance regulation.

(3) A health insurance plan issued or renewed on or after April 1, 2009, shall provide coverage to an eligible individual for:

(a) Well-baby and well-child screening for diagnosing the presence of autism spectrum disorder.

(b) Treatment of autism spectrum disorder through speech therapy, occupational therapy, physical therapy, and applied behavior analysis. Applied behavior analysis services shall be provided by an individual certified pursuant to s. 393.17 or an individual licensed under chapter 490 or chapter 491.

(4) The coverage required pursuant to subsection (3) is subject to the following requirements:

(a) Coverage shall be limited to treatment that is prescribed by the insured's treating physician in accordance with a treatment plan.

(b) Coverage for the services described in subsection (3) shall be limited to $36,000 annually and may not exceed $200,000 in total lifetime benefits.

(c) Coverage may not be denied on the basis that provided services are habilitative in nature.

(d) Coverage may be subject to other general exclusions and limitations of the insurer's policy or plan, including, but not limited to, coordination of benefits, participating provider requirements, restrictions on services provided by family or household members, and utilization review of health care services, including the review of medical necessity, case management, and other managed care provisions.

(5) The coverage required pursuant to subsection (3) may not be subject to dollar limits, deductibles, or coinsurance provisions that are less favorable to an insured than the dollar limits, deductibles, or coinsurance provisions that apply to physical illnesses that are generally covered under the health insurance plan, except as otherwise provided in subsection (4).

(6) An insurer may not deny or refuse to issue coverage for medically necessary services, refuse to contract with, or refuse to renew or reissue or otherwise terminate or restrict coverage for an individual because the individual is diagnosed as having a developmental disability.

(7) The treatment plan required pursuant to subsection (4) shall include all elements necessary for the health insurance plan to appropriately pay claims. These elements include, but are not limited to, a diagnosis, the proposed treatment by type, the frequency and duration of treatment, the anticipated outcomes stated as goals, the frequency with which the treatment plan will be updated, and the signature of the treating physician.

(8) Beginning January 1, 2011, the maximum benefit under paragraph (4)(b) shall be adjusted annually on January 1 of each calendar year to reflect any change from the previous year in the medical component of the then current Consumer Price Index for all urban consumers, published by the Bureau of Labor Statistics of the United States Department of Labor.

(9) This section may not be construed as limiting benefits and coverage otherwise available to an insured under a health insurance plan.

(10) The Office of Insurance Regulation may not enforce this section against an insurer that is a signatory no later than April 1, 2009, to the developmental disabilities compact established under s. 624.916. The Office of Insurance Regulation shall enforce this section against an insurer that is a signatory to the compact established under s. 624.916 if the insurer has not complied with the terms of the compact for all health insurance plans by April 1, 2010.

Section 4. Section 641.31098, Florida Statutes, is created to read:

641.31098 Coverage for individuals with developmental disabilities.—

(1) This section and section 627.6686, may be cited as the "Steven A. Geller Autism Coverage Act."

(2) As used in this section, the term:

(a) "Applied behavior analysis" means the design, implementation, and evaluation of environmental modifications, using behavioral stimuli and consequences, to produce socially significant improvement in human behavior, including, but not limited to, the use of direct observation, measurement, and functional analysis of the relations between environment and behavior.

(b) "Autism spectrum disorder" means any of the following disorders as defined in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders of the American Psychiatric Association:

1. Autistic disorder.

2. Asperger's syndrome.

3. Pervasive developmental disorder not otherwise specified.

(b) "Eligible individual" means an individual under 18 years of age or an individual 18 years of age or older who is in high school who has been diagnosed as having a developmental disability at 8 years of age or younger.

(c) "Health maintenance contract" means a group health maintenance contract offered by a health maintenance organization. This term does not include a health maintenance contract offered in the individual market, a health maintenance contract that is individually underwritten, or a health maintenance contract provided to a small employer.

(3) A health maintenance contract issued or renewed on or after April 1, 2009, shall provide coverage to an eligible individual for:

(a) Well-baby and well-child screening for diagnosing the presence of autism spectrum disorder.

(b) Treatment of autism spectrum disorder through speech therapy, occupational therapy, physical therapy, and applied behavior analysis services. Applied behavior analysis services shall be provided by an individual certified pursuant to s. 393.17 or an individual licensed under chapter 490 or chapter 491.

(4) The coverage required pursuant to subsection (3) is subject to the following requirements:

(a) Coverage shall be limited to treatment that is prescribed by the subscriber's treating physician in accordance with a treatment plan.

(b) Coverage for the services described in subsection (3) shall be limited to $36,000 annually and may not exceed $200,000 in total benefits.

(c) Coverage may not be denied on the basis that provided services are habilitative in nature.

(d) Coverage may be subject to general exclusions and limitations of the subscriber's contract, including, but not limited to, coordination of benefits, participating provider requirements, and utilization review of health care services, including the review of medical necessity, case management, and other managed care provisions.

(5) The coverage required pursuant to subsection (3) may not be subject to dollar limits, deductibles, or coinsurance provisions that are less favorable to a subscriber than the dollar limits, deductibles, or coinsurance provisions that apply to physical illnesses that are generally covered under the subscriber's contract, except as otherwise provided in subsection (3).

(6) A health maintenance organization may not deny or refuse to issue coverage for medically necessary services, refuse to contract with, or refuse to renew or reissue or otherwise terminate or restrict coverage for an individual solely because the individual is diagnosed as having a developmental disability.

(7) The treatment plan required pursuant to subsection (4) shall include, but is not limited to, a diagnosis, the proposed treatment by type, the frequency and duration of treatment, the anticipated outcomes stated as goals, the frequency with which the treatment plan will be updated, and the signature of the treating physician.

(8) Beginning January 1, 2011, the maximum benefit under paragraph (4)(b) shall be adjusted annually on January 1 of each calendar year to reflect any change from the previous year in the medical component of the then current Consumer Price Index for all urban consumers, published by the Bureau of Labor Statistics of the United States Department of Labor.

(9) The Office of Insurance Regulation may not enforce this section against a health maintenance organization that is a signatory no later than April 1, 2009, to the developmental disabilities compact established under s. 624.916. The Office of Insurance Regulation shall enforce this section against a health maintenance organization that is a signatory to the compact established under s. 624.916 if the health maintenance organization has not complied with the terms of the compact for all health maintenance contracts by April 1, 2010.

Section 5. This act shall take effect July 1, 2008.

And the title is amended as follows:

Delete line(s) 1545-1719 and insert: An act relating to children with disabilities; amending s. 409.906, F.S.; creating the "Window of Opportunity Act"; authorizing the Agency for Health Care Administration to seek federal approval through a state plan amendment to provide home and community-based services for autism spectrum disorder and other developmental disabilities; specifying eligibility criteria; specifying limitations on provision of benefits; requiring reports to the Legislature; requiring legislative approval for implementation of certain provisions; creating s. 624.916, F.S.; creating the "Steven A. Geller Autism Coverage Act"; directing the Office of Insurance Regulation to establish a workgroup to develop and execute a compact relating to coverage for insured persons with developmental disabilities; providing for membership of the workgroup; requiring the workgroup to convene within a specified period of time; directing the office to establish a consumer advisory workgroup and providing purpose thereof; requiring the compact to contain specified components; requiring reports to the Governor and the Legislature; creating s. 627.6686, F.S.; providing health insurance coverage for individuals with autism spectrum disorder; providing definitions; providing coverage for certain screening to diagnose and treat autism spectrum disorder; providing limitations on coverage; providing for eligibility standards for benefits and coverage; prohibiting insurers from denying coverage under certain circumstances; specifying required elements of a treatment plan; providing, beginning January 1, 2011, that the maximum benefit shall be adjusted annually; clarifying that the section may not be construed as limiting benefits and coverage otherwise available to an insured under a health insurance plan; prohibiting the Office of Insurance Regulation from enforcing certain provisions against insurers that are signatories to the developmental disabilities compact by a specified date; creating s. 641.31098, F.S.; providing coverage under a health maintenance contract for individuals with autism spectrum disorder; providing definitions; providing coverage for certain screening to diagnose and treat autism spectrum disorder; providing limitations on coverage; providing for eligibility standards for benefits and coverage; prohibiting health maintenance organizations from denying coverage under certain circumstances; specifying required elements of a treatment plan; providing, beginning January 1, 2011, that the maximum benefit shall be adjusted annually; prohibiting the Office of Insurance Regulation from enforcing certain provisions against health maintenance organizations that are signatories to the developmental disabilities compact by a specified date; providing an effective date.

On motion by Senator Geller, the Senate concurred in **House Amendment 1** as amended and requested the House to concur in the Senate amendment to the House amendment.

CS for CS for CS for SB 2654 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—40

Mr. President	Atwater	Bullard
Alexander	Baker	Carlton
Aronberg	Bennett	Constantine
Crist	Hill	Rich
Dawson	Jones	Ring
Dean	Joyner	Saunders
Deutch	Justice	Siplin
Diaz de la Portilla	King	Storms
Dockery	Lawson	Villalobos
Fasano	Lynn	Webster
Gaetz	Margolis	Wilson
Garcia	Oelrich	Wise
Geller	Peaden	
Haridopolos	Posey	

Nays—None

BILLS ON THIRD READING

Consideration of **CS for CS for SB 2212** and **CS for CS for SB 1430** was deferred.

CS for CS for CS for HB 653—A bill to be entitled An act relating to the Corporate Income Tax Credit Scholarship Program; amending s. 220.187, F.S.; providing legislative findings; revising program purposes; providing that siblings of certain students are eligible for participation in the program; revising provisions authorizing the total amount of tax credits that may be granted and deleting the reservation of a portion thereof; revising authorized uses of scholarship funds; revising provisions relating to expenditure of contributions received by a scholarship-funding organization during a state fiscal year; authorizing expenditure of contributions for specified administrative expenses by certain scholarship-funding organizations; providing for the annual return of specified eligible contributions to the State Treasury; correcting a cross-reference; revising scholarship amounts and providing for adjustments in future scholarship amounts; revising requirements relating to verification of student attendance for purposes of scholarship payment; providing for preservation of credits under certain circumstances; requiring the Office of Program Policy Analysis and Government Accountability to submit a report on funding for the scholarship program; specifying report requirements; providing an effective date.

—as amended April 29 was read the third time by title.

On motion by Senator Gaetz, **CS for CS for CS for HB 653** as amended was passed and certified to the House. The vote on passage was:

Yeas—29

Mr. President	Diaz de la Portilla	Oelrich
Alexander	Dockery	Peaden
Atwater	Fasano	Posey
Baker	Gaetz	Saunders
Bennett	Garcia	Siplin
Carlton	Haridopolos	Storms
Constantine	Jones	Villalobos
Crist	King	Webster
Dawson	Lawson	Wise
Dean	Lynn	

Nays—11

Aronberg	Hill	Rich
Bullard	Joyner	Ring
Deutch	Justice	Wilson
Geller	Margolis	

By direction of the President, the rules were waived and the Senate proceeded to—

SPECIAL ORDER CALENDAR

On motion by Senator King, by two-thirds vote **CS for HB 951** was withdrawn from the Committee on Regulated Industries.

On motion by Senator King, by unanimous consent—

CS for HB 951—A bill to be entitled An act relating to the Beverage Law; amending s. 561.42, F.S.; extending to importers and primary American sources of supply, brand owners, and brand registrants, and brokers, sales agents, and sales persons thereof, the prohibition against providing certain financial assistance to retail vendors; defining the term "brand owner"; providing an effective date.

—a companion measure, was taken up out of order and by two-thirds vote substituted for **CS for SB 2864** and by two-thirds vote read the second time by title. On motion by Senator King, by two-thirds vote **CS for HB 951** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—36

Mr. President	Diaz de la Portilla	Lawson
Alexander	Dockery	Lynn
Aronberg	Fasano	Margolis
Atwater	Gaetz	Oelrich
Baker	Garcia	Peaden
Bennett	Geller	Posey
Bullard	Haridopolos	Rich
Constantine	Hill	Ring
Crist	Jones	Saunders
Dawson	Joyner	Storms
Dean	Justice	Villalobos
Deutch	King	Wilson

Nays—2

Siplin	Wise

Vote after roll call:

Nay—Carlton, Webster

RECESS

The President declared the Senate in recess at 12:35 p.m. to reconvene at 1:45 p.m.

AFTERNOON SESSION

The Senate was called to order by the President at 1:45 p.m. A quorum present—39:

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise

SPECIAL ORDER CALENDAR, continued

The Senate resumed consideration of—

CS for CS for SB 474—A bill to be entitled An act relating to growth management; amending s. 70.51, F.S.; deleting an exemption from the limitation on the frequency of amendments of comprehensive plans; transferring, renumbering, and amending s. 125.379, F.S.; requiring counties to certify that they have prepared a list of county-owned property appropriate for affordable housing before obtaining certain funding; amending s. 163.3174, F.S.; prohibiting the members of the local governing body from serving on the local planning agency; providing an exception; amending s. 163.3177, F.S.; extending the date for local governments to adopt plan amendments to implement a financially feasible capital improvements element; extending the date for prohibiting future land use map amendments if a local government does not adopt and transmit its annual update to the capital improvements element; revising standards for the future land use plan in a local comprehensive plan; including a provision encouraging rural counties to adopt a rural sub-element as part of their future land use plan; revising standards for the housing element of a local comprehensive plan; requiring certain counties to certify that they have adopted a plan for ensuring affordable workforce housing before obtaining certain funding; authorizing the state land planning agency to amend administrative rules relating to planning criteria to allow for varying local conditions; deleting exemptions from the limitation on the frequency of plan amendments; extending the deadline for local governments to adopt a public school facilities element and interlocal agreement; providing legislative findings concerning the need to preserve agricultural land and protect rural agricultural communities from adverse changes in the agricultural economy; defining the term "rural agricultural industrial center"; authorizing a landowner within a rural agricultural industrial center to apply for an amendment to the comprehensive plan to expand an existing center; providing requirements for such an application; providing a rebuttable presumption that such an amendment is consistent with state rule; providing certain exceptions to the approval of such an amendment; deleting provisions encouraging local governments to develop a community vision and to designate an urban service boundary; amending s. 163.31771, F.S.; requiring a local government to amend its comprehensive plan to allow accessory dwelling units in an area zoned for single-family residential use; prohibiting such units from being treated as new units if there is a land use restriction agreement that restricts use to affordable housing; prohibiting accessory dwelling units from being located on certain land; amending s. 163.3178, F.S.; revising provisions relating to coastal management and coastal high-hazard areas; providing factors for demonstrating the compliance of a comprehensive plan amendment with rule provisions relating to coastal areas; amending s. 163.3180, F.S.; revising concurrency requirements; specifying municipal areas for transportation concurrency exception areas; revising provisions relating to the Strategic Intermodal System; deleting a requirement for local governments to annually submit a summary of de minimus records; increasing the percentage of transportation impacts that must be reserved for urban redevelopment; requiring concurrency management systems to be coordinated with the appropriate metropolitan planning organization; revising regional impact proportionate share provisions to allow for improvements outside the jurisdiction in certain circumstances; providing for the determination of mitigation to include credit for certain mitigation provided under an earlier phase, calculated at present value; defining the terms "present value" and "backlogged transportation facility"; revising the calculation of school capacity to include relocatables used by a school district; providing a minimum state availability standard for school concurrency; providing that a developer may not be required to reduce or eliminate backlog or address class size reduction; requiring charter schools to be considered as a mitigation option under certain circumstances; requiring school districts to include relocatables in their calculation of school capacity in certain circumstances; providing for an Urban Placemaking Initiative Pilot Project Program; providing for designating certain local governments as urban placemaking initiative pilot projects; providing purposes, requirements, criteria, procedures, and limitations for such local governments, the pilot projects, and the program; authorizing a methodology based on vehicle and miles traveled for calculating proportionate fair-share methodology; providing transportation concurrency incentives for private developers; providing for recommendations for the establishment of a uniform mobility fee methodology to replace the current transportation concurrency management system; amending s. 163.31801, F.S.; requiring the provision of notice before the imposition of an increased impact fee; providing that the provision of notice is not required before decreasing or eliminating an impact fee; amending s. 163.3184, F.S.; requiring that potential applicants for a future land use map amendment applying to 50 or more acres conduct two meetings to present, discuss, and solicit public comment on the proposed amendment; requiring that one such meeting be conducted before the application is filed and the second meeting be conducted before adoption of the plan amendment; providing notice and procedure requirements for such meetings; requiring that applicants for a plan amendment applying to more than 11 acres but less than 50 acres conduct a meeting before the application is filed and encouraging a second meeting within a specified period before the local government's scheduled adoption hearing; providing for notice of such meeting; requiring that an applicant file with the local government a written certification attesting to certain information; exempting small-scale amendments from requirements related to meetings; revising a time period for comments on plan amendments; revising a time period for requesting state planning agency review of plan amendments; revising a time period for the state land planning agency to identify written comments on plan amendments for local governments; providing that an

amendment is deemed abandoned under certain circumstances; authorizing the state land planning agency to grant extensions; requiring that a comprehensive plan or amendment to be adopted be available to the public; prohibiting certain types of changes to a plan amendment during a specified period before the hearing thereupon; requiring that the local government certify certain information to the state land planning agency; deleting exemptions from the limitation on the frequency of amendments of comprehensive plans; deleting provisions relating to community vision and urban boundary amendments to conform to changes made by the act; amending s. 163.3187, F.S.; limiting the adoption of certain plan amendments to twice per calendar year; limiting the adoption of certain plan amendments to once per calendar year; authorizing local governments to adopt certain plan amendments at any time during a calendar year without regard for restrictions on frequency; deleting certain types of amendments from the list of amendments eligible for adoption at any time during a calendar year; deleting exemptions from frequency limitations; providing circumstances under which small-scale amendments become effective; amending s. 163.3245, F.S.; revising provisions relating to optional sector plans; authorizing all local government to adopt optional sector plans into their comprehensive plan; increasing the size of the area to which sector plans apply; deleting certain restrictions on a local government upon entering into sector plans; deleting an annual monitoring report submitted by a host local government that has adopted a sector plan and a status report submitted by the department on optional sector plans; amending s. 163.3246, F.S.; discontinuing the Local Government Comprehensive Planning Certification Program except for currently certified local governments; retaining an exemption from DRI review for a certified community in certain circumstances; amending s. 163.32465, F.S.; revising provisions relating to the state review of comprehensive plans; providing additional types of amendments to which the alternative state review applies; providing a 30-day period for agency comments begins when the state land planning agency notifies the local government that the plan amendment package is complete; requiring adoption of a plan amendment within 120 days of receipt of agency comments or the plan amendment is deemed abandoned; revising the effective date of adopted plan amendments; providing procedural rulemaking authority to the state land planning agency; amending s. 163.340, F.S.; defining the term "blighted area" to include land previously used as a military facility; renumbering and amending s. 166.0451, F.S.; requiring municipalities to certify that they have prepared a list of county-owned property appropriate for affordable housing before obtaining certain funding; amending s. 253.034, F.S.; requiring that a manager of conservation lands report to the Board of Trustees of the Internal Improvement Trust Fund at specified intervals regarding those lands not being used for the purpose for which they were originally leased; requiring that the Division of State Lands annually submit to the President of the Senate and the Speaker of the House of Representatives a copy of the state inventory identifying all nonconservation lands; requiring the division to publish a copy of the annual inventory on its website and notify by electronic mail the executive head of the governing body of each local government having lands in the inventory within its jurisdiction; amending s. 288.975, F.S.; deleting exemptions from the frequency limitations on comprehensive plan amendments; amending s. 380.06, F.S.; providing a 3-year extension for the buildout, commencement, and expiration dates of developments of regional impact and Florida Quality Developments, including associated local permits; providing an exception from development-of-regional-impact review; amending s. 380.0651, F.S.; providing an exemption from development-of-regional impact review; amending s. 1002.33, F.S.; restricting facilities from providing space to charter schools unless such use is consistent with the local comprehensive plan; prohibiting the expansion of certain facilities to accommodate for a charter school unless such use is consistent with the local comprehensive plan; creating s. 1011.775, F.S.; requiring that each district school board prepare an inventory list of certain real property on or before a specified date and at specified intervals thereafter; requiring that such list include certain information; requiring that the district school board review the list at a public meeting and make certain determinations; requiring that the board state its intended use for certain property; authorizing the board to revise the list at the conclusion of the public meeting; requiring that the board adopt a resolution; authorizing the board to offer certain properties for sale and use the proceeds for specified purposes; authorizing the board to make the property available for the production and preservation of permanent affordable housing; defining the term "affordable" for specified purposes; repealing s. 339.282, F.S., relating to transportation concurrency incentives; amending s. 1013.372, F.S.; requiring that certain charter schools serve as public shelters at the request of the local emergency management agency; amending ss. 163.3217, 163.3182, and 171.203, F.S.; deleting exemptions from the limitation on the frequency of amendments of comprehensive plans; providing an effective date.

—which was previously considered May 1 with pending **Amendment 1** by Senator Garcia.

Amendment 1 (842906)(with title amendment)—Delete line(s) 223-1114 and insert:

Section 1. Section 125.379, Florida Statutes, is transferred, renumbered as section 163.32431, Florida Statutes, and amended to read:

163.32431 ~~125.379~~ Disposition of county property for affordable housing.—

(1) By July 1, 2007, and every 3 years thereafter, each county shall prepare an inventory list of all real property within its jurisdiction to which the county holds fee simple title that is appropriate for use as affordable housing. The inventory list must include the address and legal description of each ~~such~~ real property and specify whether the property is vacant or improved. The governing body of the county must review the inventory list at a public hearing and may revise it at the conclusion of the public hearing. The governing body of the county shall adopt a resolution that includes an inventory list of *the* ~~such~~ property following the public hearing.

(2) The properties identified as appropriate for use as affordable housing on the inventory list adopted by the county may be offered for sale and the proceeds used to purchase land for the development of affordable housing or to increase the local government fund earmarked for affordable housing, or may be sold with a restriction that requires the development of the property as permanent affordable housing, or may be donated to a nonprofit housing organization for the construction of permanent affordable housing. Alternatively, the county may otherwise make the property available for use for the production and preservation of permanent affordable housing. For purposes of this section, the term "affordable" has the same meaning as in s. 420.0004(3).

(3) As a precondition to receiving any state affordable housing funding or allocation for any project or program within a county's jurisdiction, a county must, by July 1 of each year, provide certification that the inventory and any update required by this section are complete.

Section 2. Subsection (1) of section 163.3174, Florida Statutes, is amended to read:

163.3174 Local planning agency.—

(1) The governing body of each local government, individually or in combination as provided in s. 163.3171, shall designate and by ordinance establish a "local planning agency," unless the agency is otherwise established by law. Notwithstanding any special act to the contrary, all local planning agencies or equivalent agencies that first review rezoning and comprehensive plan amendments in each municipality and county shall include a representative of the school district appointed by the school board as a nonvoting member ~~of the local planning agency or equivalent agency~~ to attend those meetings at which the agency considers comprehensive plan amendments and rezonings that would, if approved, increase residential density on the property that is the subject of the application. However, this subsection does not prevent the ~~governing body of the~~ local government from granting voting status to the school board member. *Members of* the *local* governing body may *not serve on* ~~designate itself as~~ the local planning agency pursuant to this subsection*, except in a municipality having a population of 10,000 or fewer* ~~with the addition of a nonvoting school board representative~~. The *local* governing body shall notify the state land planning agency of the establishment of its local planning agency. All local planning agencies shall provide opportunities for involvement by applicable community college boards, which may be accomplished by formal representation, membership on technical advisory committees, or other appropriate means. The local planning agency shall prepare the comprehensive plan or plan amendment after hearings to be held after public notice and shall make recommendations to the *local* governing body regarding the adoption or amendment of the plan. The *local planning* agency may be a local planning commission, the planning department of the local government, or other instrumentality, including a countywide planning entity established by special act or a council of local government officials created pursuant to s. 163.02, provided the composition of the council is fairly

representative of all the governing bodies in the county or planning area; however:

(a) If a joint planning entity is in existence on the effective date of this act which authorizes the governing bodies to adopt and enforce a land use plan effective throughout the joint planning area, that entity shall be the agency for those local governments until such time as the authority of the joint planning entity is modified by law.

(b) In the case of chartered counties, the planning responsibility between the county and the several municipalities therein shall be as stipulated in the charter.

Section 3. Paragraph (b) of subsection (3), paragraph (a) of subsection (4), paragraphs (a), (c), (f), (g), and (h) of subsection (6), paragraph (i) of subsection (10), paragraph (i) of subsection (12), and subsections (13) and (14) of section 163.3177, Florida Statutes, are amended to read:

163.3177 Required and optional elements of comprehensive plan; studies and surveys.—

(3)

(b)1. The capital improvements element must be reviewed on an annual basis and modified as necessary in accordance with s. 163.3187 or s. 163.3189 in order to maintain a financially feasible 5-year schedule of capital improvements. Corrections and modifications concerning costs; revenue sources; or acceptance of facilities pursuant to dedications which are consistent with the plan may be accomplished by ordinance and shall not be deemed to be amendments to the local comprehensive plan. A copy of the ordinance shall be transmitted to the state land planning agency. An amendment to the comprehensive plan is required to update the schedule on an annual basis or to eliminate, defer, or delay the construction for any facility listed in the 5-year schedule. All public facilities must be consistent with the capital improvements element. Amendments to implement this section must be adopted and transmitted no later than December 1, *2009* ~~2008~~. Thereafter, a local government may not amend its future land use map, except for plan amendments to meet new requirements under this part and emergency amendments pursuant to s. 163.3187(1)(a), after December 1, *2009* ~~2008~~, and every year thereafter, unless and until the local government has adopted the annual update and it has been transmitted to the state land planning agency.

2. Capital improvements element amendments adopted after the effective date of this act shall require only a single public hearing before the governing board which shall be an adoption hearing as described in s. 163.3184(7). Such amendments are not subject to the requirements of s. 163.3184(3)-(6).

(4)(a) Coordination of the local comprehensive plan with the comprehensive plans of adjacent municipalities, the county, adjacent counties, or the region; with the appropriate water management district's regional water supply plans approved pursuant to s. 373.0361; with adopted rules pertaining to designated areas of critical state concern; and with the state comprehensive plan shall be a major objective of the local comprehensive planning process. To that end, in the preparation of a comprehensive plan or element thereof, and in the comprehensive plan or element as adopted, the governing body shall include a specific policy statement indicating the relationship of the proposed development of the area to the comprehensive plans of adjacent municipalities, the county, adjacent counties, or the region and to the state comprehensive plan, as the case may require and as such adopted plans or plans in preparation may exist.

(6) In addition to the requirements of subsections (1)-(5) and (12), the comprehensive plan shall include the following elements:

(a) A future land use plan element designating proposed future general distribution, location, and extent of the uses of land for residential uses, commercial uses, industry, agriculture, recreation, conservation, education, public buildings and grounds, other public facilities, and other categories of the public and private uses of land. Counties are encouraged to designate rural land stewardship areas, pursuant to ~~the provisions of~~ paragraph (11)(d), as overlays on the future land use map.

1. Each future land use category must be defined in terms of uses included, and must include standards *for* ~~to be followed in~~ the control and distribution of population densities and building and structure intensities. The proposed distribution, location, and extent of the various categories of land use shall be shown on a land use map or map series which shall be supplemented by goals, policies, and measurable objectives.

2. The future land use plan shall be based upon surveys, studies, and data regarding the area, including the amount of land required to accommodate anticipated growth; the projected population of the area; the character of undeveloped land; the availability of water supplies, public facilities, and services; the need for redevelopment, including the renewal of blighted areas and the elimination of nonconforming uses which are inconsistent with the character of the community; the compatibility of uses on lands adjacent to or closely proximate to military installations; *the discouragement of urban sprawl; energy-efficient land use patterns that reduce vehicle miles traveled;* and, in rural communities, the need for job creation, capital investment, and economic development that will strengthen and diversify the community's economy.

3. The future land use plan may designate areas for future planned development use involving combinations of types of uses for which special regulations may be necessary to ensure development in accord with the principles and standards of the comprehensive plan and this act.

4. The future land use plan element shall include criteria ~~to be used~~ to achieve the compatibility of adjacent or closely proximate lands with military installations.

5. Counties are encouraged to adopt a rural sub-element as a part of the future land use plan. The sub-element shall apply to all lands classified in the future land use plan as predominantly agricultural, rural, open, open-rural, or a substantively equivalent land use. The rural sub-element shall include goals, objectives, and policies that enhance rural economies, promote the viability of agriculture, provide for appropriate economic development, discourage urban sprawl, and ensure the protection of natural resources. The rural sub-element shall generally identify anticipated areas of rural, agricultural, and conservation and areas that may be considered for conversion to urban land use and appropriate sites for affordable housing. The rural sub-element shall also generally identify areas that may be considered for rural land stewardship areas, sector planning, or new communities or towns in accordance with subsection (11) and s. 163.3245(2). ~~In addition,~~ For rural communities, the amount of land designated for future planned industrial use shall be based upon surveys and studies that reflect the need for job creation, capital investment, and the necessity to strengthen and diversify the local economies, and *may* ~~shall~~ not be limited solely by the projected population of the rural community.

6. The future land use plan of a county may also designate areas for possible future municipal incorporation.

7. The land use maps or map series shall generally identify and depict historic district boundaries and ~~shall~~ designate historically significant properties meriting protection.

8. For coastal counties, the future land use element must include, without limitation, regulatory incentives and criteria that encourage the preservation of recreational and commercial working waterfronts as defined in s. 342.07.

9. The future land use element must clearly identify the land use categories in which public schools are an allowable use. When delineating *such* ~~the~~ land use categories ~~in which public schools are an allowable use~~, a local government shall include in the categories sufficient land proximate to residential development to meet the projected needs for schools in coordination with public school boards and may establish differing criteria for schools of different type or size. Each local government shall include lands contiguous to existing school sites, to the maximum extent possible, within the land use categories in which public schools are an allowable use. ~~The failure by a local government to comply with these school siting requirements will result in the prohibition of~~ The local *government may not* ~~government's ability to~~ amend the local comprehensive plan, except for plan amendments described in s. 163.3187(1)(b), until the school siting requirements are met. ~~Amendments proposed by a local government for purposes of identifying the land use categories in which public schools are an allowable use are exempt from the limitation on the frequency of plan amendments contained in s. 163.3187.~~ The future land use element shall include criteria that encourage the location of schools proximate to urban residential

areas to the extent possible and shall require that the local government seek to collocate public facilities, such as parks, libraries, and community centers, with schools to the extent possible and to encourage the use of elementary schools as focal points for neighborhoods. For schools serving predominantly rural counties, defined as a county *having* ~~with~~ a population of 100,000 or fewer, an agricultural land use category shall be eligible for the location of public school facilities if the local comprehensive plan contains school siting criteria and the location is consistent with such criteria. Local governments required to update or amend their comprehensive plan to include criteria and address compatibility of adjacent or closely proximate lands with existing military installations in their future land use plan element shall transmit the update or amendment to the department by June 30, 2006.

(c) A general sanitary sewer, solid waste, drainage, potable water, and natural groundwater aquifer recharge element correlated to principles and guidelines for future land use, indicating ways to provide for future potable water, drainage, sanitary sewer, solid waste, and aquifer recharge protection requirements for the area. The element may be a detailed engineering plan including a topographic map depicting areas of prime groundwater recharge. The element shall describe the problems and needs and the general facilities that will be required for solution of the problems and needs. The element shall also include a topographic map depicting any areas adopted by a regional water management district as prime groundwater recharge areas for the Floridan or Biscayne aquifers. These areas shall be given special consideration when the local government is engaged in zoning or considering future land use for said designated areas. For areas served by septic tanks, soil surveys shall be provided which indicate the suitability of soils for septic tanks. Within 18 months after the governing board approves an updated regional water supply plan, the element must incorporate the alternative water supply project or projects selected by the local government from those identified in the regional water supply plan pursuant to s. 373.0361(2)(a) or proposed by the local government under s. 373.0361(7)(b). If a local government is located within two water management districts, the local government shall adopt its comprehensive plan amendment within 18 months after the later updated regional water supply plan. The element must identify such alternative water supply projects and traditional water supply projects and conservation and reuse necessary to meet the water needs identified in s. 373.0361(2)(a) within the local government's jurisdiction and include a work plan, covering at least a 10 year planning period, for building public, private, and regional water supply facilities, including development of alternative water supplies, which are identified in the element as necessary to serve existing and new development. The work plan shall be updated, at a minimum, every 5 years within 18 months after the governing board of a water management district approves an updated regional water supply plan. ~~Amendments to incorporate the work plan do not count toward the limitation on the frequency of adoption of amendments to the comprehensive plan.~~ Local governments, public and private utilities, regional water supply authorities, special districts, and water management districts are encouraged to cooperatively plan for the development of multijurisdictional water supply facilities that are sufficient to meet projected demands for established planning periods, including the development of alternative water sources to supplement traditional sources of groundwater and surface water supplies.

(f)1. A housing element consisting of standards, plans, and principles to be followed in:

a. The provision of housing for all current and anticipated future residents of the jurisdiction.

b. The elimination of substandard dwelling conditions.

c. The structural and aesthetic improvement of existing housing.

d. The provision of adequate sites for future housing, including affordable workforce housing as defined in s. 380.0651(3)(j), housing for low-income, very low-income, and moderate-income families, mobile homes, *senior affordable housing,* and group home facilities and foster care facilities, with supporting infrastructure and public facilities. *This includes compliance with the applicable public lands provision under s. 163.32431 or s. 163.32432.*

e. Provision for relocation housing and identification of historically significant and other housing for purposes of conservation, rehabilitation, or replacement.

f. The formulation of housing implementation programs.

g. The creation or preservation of affordable housing to minimize the need for additional local services and avoid the concentration of affordable housing units only in specific areas of the jurisdiction.

(I)~~h.~~ By July 1, 2008, each county in which the gap between the buying power of a family of four and the median county home sale price exceeds $170,000, as determined by the Florida Housing Finance Corporation, and which is not designated as an area of critical state concern shall adopt a plan for ensuring affordable workforce housing. At a minimum, the plan shall identify adequate sites for such housing. For purposes of this sub-subparagraph, the term "workforce housing" means housing that is affordable to natural persons or families whose total household income does not exceed 140 percent of the area median income, adjusted for household size.

(II)~~i.~~ *As a precondition to receiving any state affordable housing funding or allocation for any project or program within the jurisdiction of a county that is subject to sub-sub-subparagraph (I), a county must, by July 1 of each year, provide certification that the county has complied with the requirements of sub-sub-subparagraph (I).* ~~Failure by a local government to comply with the requirement in sub-subparagraph h. will result in the local government being ineligible to receive any state housing assistance grants until the requirement of sub-subparagraph h. is met.~~

2. The goals, objectives, and policies of the housing element must be based on the data and analysis prepared on housing needs, including the affordable housing needs assessment. State and federal housing plans prepared on behalf of the local government must be consistent with the goals, objectives, and policies of the housing element. Local governments are encouraged to *use* ~~utilize~~ job training, job creation, and economic solutions to address a portion of their affordable housing concerns.

3.~~2.~~ To assist local governments in housing data collection and analysis and assure uniform and consistent information regarding the state's housing needs, the state land planning agency shall conduct an affordable housing needs assessment for all local jurisdictions on a schedule that coordinates the implementation of the needs assessment with the evaluation and appraisal reports required by s. 163.3191. Each local government shall *use* ~~utilize~~ the data and analysis from the needs assessment as one basis for the housing element of its local comprehensive plan. The agency shall allow a local government ~~the option~~ to perform its own needs assessment~~,~~ if it uses the methodology established by the agency by rule.

(g)1. For those units of local government identified in s. 380.24, a coastal management element, appropriately related to the particular requirements of paragraphs (d) and (e) and meeting the requirements of s. 163.3178(2) and (3). The coastal management element shall set forth the policies that shall guide the local government's decisions and program implementation with respect to the following objectives:

a. Maintenance, restoration, and enhancement of the overall quality of the coastal zone environment, including, but not limited to, its amenities and aesthetic values.

b. Continued existence of viable populations of all species of wildlife and marine life.

c. The orderly and balanced utilization and preservation, consistent with sound conservation principles, of all living and nonliving coastal zone resources.

d. Avoidance of irreversible and irretrievable loss of coastal zone resources.

e. Ecological planning principles and assumptions to be used in the determination of suitability and extent of permitted development.

f. Proposed management and regulatory techniques.

g. Limitation of public expenditures that subsidize development in high-hazard coastal areas.

h. Protection of human life against the effects of natural disasters.

i. The orderly development, maintenance, and use of ports identified in s. 403.021(9) to facilitate deepwater commercial navigation and other related activities.

j. Preservation, including sensitive adaptive use of historic and archaeological resources.

2. As part of this element, a local government that has a coastal management element in its comprehensive plan is encouraged to adopt recreational surface water use policies that include applicable criteria for and consider such factors as natural resources, manatee protection needs, protection of working waterfronts and public access to the water, and recreation and economic demands. Criteria for manatee protection in the recreational surface water use policies should reflect applicable guidance outlined in the Boat Facility Siting Guide prepared by the Fish and Wildlife Conservation Commission. ~~If the local government elects to adopt recreational surface water use policies by comprehensive plan amendment, such comprehensive plan amendment is exempt from the provisions of s. 163.3187(1).~~ Local governments that wish to adopt recreational surface water use policies may be eligible for assistance with the development of such policies through the Florida Coastal Management Program. The Office of Program Policy Analysis and Government Accountability shall submit a report on the adoption of recreational surface water use policies under this subparagraph to the President of the Senate, the Speaker of the House of Representatives, and the majority and minority leaders of the Senate and the House of Representatives no later than December 1, 2010.

(h)1. An intergovernmental coordination element showing relationships and stating principles and guidelines to be used in the accomplishment of coordination of the adopted comprehensive plan with the plans of school boards, regional water supply authorities, and other units of local government providing services but not having regulatory authority over the use of land, with the comprehensive plans of adjacent municipalities, the county, adjacent counties, or the region, with the state comprehensive plan and with the applicable regional water supply plan approved pursuant to s. 373.0361, as the case may require and as such adopted plans or plans in preparation may exist. This element of the local comprehensive plan shall demonstrate consideration of the particular effects of the local plan, when adopted, upon the development of adjacent municipalities, the county, adjacent counties, or the region, or upon the state comprehensive plan, as the case may require.

a. The intergovernmental coordination element shall provide for procedures to identify and implement joint planning areas, especially for the purpose of annexation, municipal incorporation, and joint infrastructure service areas.

b. The intergovernmental coordination element shall provide for recognition of campus master plans prepared pursuant to s. 1013.30.

c. The intergovernmental coordination element may provide for a voluntary dispute resolution process as established pursuant to s. 186.509 for bringing to closure in a timely manner intergovernmental disputes. A local government may develop and use an alternative local dispute resolution process for this purpose.

2. The intergovernmental coordination element shall further state principles and guidelines to be used in the accomplishment of coordination of the adopted comprehensive plan with the plans of school boards and other units of local government providing facilities and services but not having regulatory authority over the use of land. In addition, the intergovernmental coordination element shall describe joint processes for collaborative planning and decisionmaking on population projections and public school siting, the location and extension of public facilities subject to concurrency, and siting facilities with countywide significance, including locally unwanted land uses whose nature and identity are established in an agreement. Within 1 year of adopting their intergovernmental coordination elements, each county, all the municipalities within that county, the district school board, and any unit of local government service providers in that county shall establish by interlocal or other formal agreement executed by all affected entities, the joint processes described in this subparagraph consistent with their adopted intergovernmental coordination elements.

3. To foster coordination between special districts and local general-purpose governments as local general-purpose governments implement local comprehensive plans, each independent special district must submit a public facilities report to the appropriate local government as required by s. 189.415.

4.~~a.~~ Local governments must execute an interlocal agreement with the district school board, the county, and nonexempt municipalities pursuant to s. 163.31777. The local government shall amend the intergovernmental coordination element to provide that coordination between the local government and school board is pursuant to the agreement and shall state the obligations of the local government under the agreement.

~~b. Plan amendments that comply with this subparagraph are exempt from the provisions of s. 163.3187(1).~~

5. The state land planning agency shall establish a schedule for phased completion and transmittal of plan amendments to implement subparagraphs 1., 2., and 3. from all jurisdictions so as to accomplish their adoption by December 31, 1999. A local government may complete and transmit its plan amendments to carry out these provisions prior to the scheduled date established by the state land planning agency. The plan amendments are exempt from the provisions of s. 163.3187(1).

6. By January 1, 2004, any county having a population greater than 100,000, and the municipalities and special districts within that county, shall submit a report to the Department of Community Affairs which:

a. Identifies all existing or proposed interlocal service delivery agreements regarding the following: education; sanitary sewer; public safety; solid waste; drainage; potable water; parks and recreation; and transportation facilities.

b. Identifies any deficits or duplication in the provision of services within its jurisdiction, whether capital or operational. Upon request, the Department of Community Affairs shall provide technical assistance to the local governments in identifying deficits or duplication.

7. Within 6 months after submission of the report, the Department of Community Affairs shall, through the appropriate regional planning council, coordinate a meeting of all local governments within the regional planning area to discuss the reports and potential strategies to remedy any identified deficiencies or duplications.

8. Each local government shall update its intergovernmental coordination element based upon the findings in the report submitted pursuant to subparagraph 6. The report may be used as supporting data and analysis for the intergovernmental coordination element.

(10) The Legislature recognizes the importance and significance of chapter 9J-5, Florida Administrative Code, the Minimum Criteria for Review of Local Government Comprehensive Plans and Determination of Compliance of the Department of Community Affairs that will be used to determine compliance of local comprehensive plans. The Legislature reserved unto itself the right to review chapter 9J-5, Florida Administrative Code, and to reject, modify, or take no action relative to this rule. Therefore, pursuant to subsection (9), the Legislature hereby has reviewed chapter 9J-5, Florida Administrative Code, and expresses the following legislative intent:

(i) *The Legislature recognizes that due to varying local conditions, local governments have different planning needs that cannot be addressed by one uniform set of minimum planning criteria. Therefore, the state land planning agency may amend chapter 9J-5, Florida Administrative Code, to establish different minimum criteria that are applicable to local governments based on the following factors:*

1. Current and projected population.

2. Size of the local jurisdiction.

3. Amount and nature of undeveloped land.

4. The scale of public services provided by the local government.

The *state land planning agency* ~~department~~ shall take into account the factors delineated in rule 9J-5.002(2), Florida Administrative Code, as it provides assistance to local governments and applies the rule in specific situations with regard to the detail of the data and analysis required.

(12) A public school facilities element adopted to implement a school concurrency program shall meet the requirements of this subsection. Each county and each municipality within the county, unless exempt or subject to a waiver, must adopt a public school facilities element that is consistent with those adopted by the other local governments within the county and enter the interlocal agreement pursuant to s. 163.31777.

(i) The state land planning agency shall establish a phased schedule for adoption of the public school facilities element and the required updates to the public schools interlocal agreement pursuant to s. 163.31777. The schedule shall provide for each county and local government within the county to adopt the element and update to the agreement no later than December 1, *2009* ~~2008~~. Plan amendments to adopt a public school facilities element are exempt from the provisions of s. 163.3187(1).

(13)*(a) The Legislature recognizes and finds that:*

1. There are a number of rural agricultural industrial centers in the state which process, produce, or aid in the production or distribution of a variety of agriculturally based products, such as fruits, vegetables, timber, and other crops, as well as juices, paper, and building materials. These rural agricultural industrial centers may have a significant amount of existing associated infrastructure that is used for the processing, production, or distribution of agricultural products.

2. Such rural agricultural industrial centers often are located within or near communities in which the economy is largely dependent upon agriculture and agriculturally based products. These centers significantly enhance the economy of such communities. However, these agriculturally based communities often are socioeconomically challenged and many such communities have been designated as rural areas of critical economic concern. If these existing rural agricultural industrial centers are lost and or not replaced with other job-creating enterprises, these agriculturally based communities may lose a substantial amount of their economies.

3. The state has a compelling interest in preserving the viability of agriculture and protecting rural agricultural communities and the state from the economic upheaval that could result from short-term or long-term adverse changes in the agricultural economy. To protect such communities and promote viable agriculture for the long term, it is essential to encourage and permit diversification of existing rural agricultural industrial centers by providing for jobs that are not solely dependent upon but are compatible with and complement existing agricultural industrial operations and to encourage the creation and expansion of industries that use agricultural products in innovative or new ways. However, the expansion and diversification of these existing centers must be accomplished in a manner that does not promote urban sprawl into surrounding agricultural and rural areas.

(b) As used in this subsection, the term "rural agricultural industrial center" means a developed parcel of land in an unincorporated area on which there exists an operating agricultural industrial facility or facilities that employ at least 200 full-time employees in the aggregate and that are used for processing and preparing for transport a farm product, as defined in s. 163.3162, or any biomass material that could be used, directly or indirectly, for the production of fuel, renewable energy, bioenergy, or alternative fuel as defined by state law. The center may also include land contiguous to the facility site which is not used for the cultivation of crops, but on which other existing activities essential to the operation of such facility or facilities are located or conducted. The parcel of land must be located within or in reasonable proximity, not to exceed 10 miles, to a rural area of critical economic concern.

(c) A landowner within a rural agricultural industrial center may apply for an amendment to the local government comprehensive plan for the purpose of designating and expanding the existing agricultural industrial uses or facilities located in the center or expanding the existing center to include industrial uses or facilities that are not dependent upon but are compatible with agriculture and the existing uses and facilities. An application for a comprehensive plan amendment under this paragraph:

1. May not increase the physical area of the original existing rural agricultural industrial center by more than 50 percent or 200 acres, whichever is greater;

2. Must propose a project that would create, upon completion, at least 50 new full-time jobs;

3. Must demonstrate that infrastructure capacity exists or will be provided to support the expanded center at level-of-service standards adopted in the local government comprehensive plan;

4. Must contain goals, objectives, and policies that will prevent urban sprawl in the areas surrounding the expanded center, or demonstrate that the local government comprehensive plan contains such provisions; and

5. Must contain goals, objectives, and policies that will ensure that any adverse environmental impacts of the expanded center will be adequately addressed and mitigated, or demonstrate that the local government comprehensive plan contains such provisions.

An amendment that meets the requirements of this subsection is presumed to be consistent with rule 9J-5.006(5), Florida Administrative Code. This presumption may be rebutted by a preponderance of the evidence.

(d) This subsection does not apply to an optional sector plan adopted pursuant to s. 163.3245 or to a rural land stewardship area designated pursuant to subsection (11). ~~Local governments are encouraged to develop a community vision that provides for sustainable growth, recognizes its fiscal constraints, and protects its natural resources. At the request of a local government, the applicable regional planning council shall provide assistance in the development of a community vision.~~

~~(a) As part of the process of developing a community vision under this section, the local government must hold two public meetings with at least one of those meetings before the local planning agency. Before those public meetings, the local government must hold at least one public workshop with stakeholder groups such as neighborhood associations, community organizations, businesses, private property owners, housing and development interests, and environmental organizations.~~

~~(b) The local government must, at a minimum, discuss five of the following topics as part of the workshops and public meetings required under paragraph (a):~~

~~1. Future growth in the area using population forecasts from the Bureau of Economic and Business Research;~~

~~2. Priorities for economic development;~~

~~3. Preservation of open space, environmentally sensitive lands, and agricultural lands;~~

~~4. Appropriate areas and standards for mixed-use development;~~

~~5. Appropriate areas and standards for high-density commercial and residential development;~~

~~6. Appropriate areas and standards for economic development opportunities and employment centers;~~

~~7. Provisions for adequate workforce housing;~~

~~8. An efficient, interconnected multimodal transportation system; and~~

~~9. Opportunities to create land use patterns that accommodate the issues listed in subparagraphs 1.-8.~~

~~(c) As part of the workshops and public meetings, the local government must discuss strategies for addressing the topics discussed under paragraph (b), including:~~

~~1. Strategies to preserve open space and environmentally sensitive lands, and to encourage a healthy agricultural economy, including innovative planning and development strategies, such as the transfer of development rights;~~

~~2. Incentives for mixed-use development, including increased height and intensity standards for buildings that provide residential use in combination with office or commercial space;~~

~~3. Incentives for workforce housing;~~

~~4. Designation of an urban service boundary pursuant to subsection (2); and~~

~~5. Strategies to provide mobility within the community and to protect the Strategic Intermodal System, including the development of a transportation corridor management plan under s. 337.273.~~

~~(d) The community vision must reflect the community's shared concept for growth and development of the community, including visual representations depicting the desired land use patterns and character of the community during a 10-year planning timeframe. The community vision must also take into consideration economic viability of the vision and private property interests.~~

~~(e) After the workshops and public meetings required under paragraph (a) are held, the local government may amend its comprehensive plan to include the community vision as a component in the plan. This plan amendment must be transmitted and adopted pursuant to the procedures in ss. 163.3184 and 163.3189 at public hearings of the governing body other than those identified in paragraph (a).~~

~~(f) Amendments submitted under this subsection are exempt from the limitation on the frequency of plan amendments in s. 163.3187.~~

~~(g) A local government that has developed a community vision or completed a visioning process after July 1, 2000, and before July 1, 2005, which substantially accomplishes the goals set forth in this subsection and the appropriate goals, policies, or objectives have been adopted as part of the comprehensive plan or reflected in subsequently adopted land development regulations and the plan amendment incorporating the community vision as a component has been found in compliance is eligible for the incentives in s. 163.3184(17).~~

~~(14) Local governments are also encouraged to designate an urban service boundary. This area must be appropriate for compact, contiguous urban development within a 10-year planning timeframe. The urban service area boundary must be identified on the future land use map or map series. The local government shall demonstrate that the land included within the urban service boundary is served or is planned to be served with adequate public facilities and services based on the local government's adopted level-of-service standards by adopting a 10-year facilities plan in the capital improvements element which is financially feasible. The local government shall demonstrate that the amount of land within the urban service boundary does not exceed the amount of land needed to accommodate the projected population growth at densities consistent with the adopted comprehensive plan within the 10-year planning timeframe.~~

~~(a) As part of the process of establishing an urban service boundary, the local government must hold two public meetings with at least one of those meetings before the local planning agency. Before those public meetings, the local government must hold at least one public workshop with stakeholder groups such as neighborhood associations, community organizations, businesses, private property owners, housing and development interests, and environmental organizations.~~

~~(b)1. After the workshops and public meetings required under paragraph (a) are held, the local government may amend its comprehensive plan to include the urban service boundary. This plan amendment must be transmitted and adopted pursuant to the procedures in ss. 163.3184 and 163.3189 at meetings of the governing body other than those required under paragraph (a).~~

~~2. This subsection does not prohibit new development outside an urban service boundary. However, a local government that establishes an urban service boundary under this subsection is encouraged to require a full-cost-accounting analysis for any new development outside the boundary and to consider the results of that analysis when adopting a plan amendment for property outside the established urban service boundary.~~

~~(c) Amendments submitted under this subsection are exempt from the limitation on the frequency of plan amendments in s. 163.3187.~~

~~(d) A local government that has adopted an urban service boundary before July 1, 2005, which substantially accomplishes the goals set forth in this subsection is not required to comply with paragraph (a) or subparagraph 1. of paragraph (b) in order to be eligible for the incentives under s. 163.3184(17). In order to satisfy the provisions of this paragraph, the local government must secure a determination from the state land planning agency that the urban service boundary adopted before July 1, 2005, substantially complies with the criteria of this subsection, based on data and analysis submitted by the local government to support this determination. The determination by the state land planning agency is not subject to administrative challenge.~~

Section 4. Subsections (3), (4), (5), and (6) of section 163.31771, Florida Statutes, are amended to read:

163.31771 Accessory dwelling units.—

(3) Upon a finding by a local government that there is a shortage of affordable rentals within its jurisdiction, the local government may *amend its comprehensive plan* ~~adopt an ordinance~~ to allow accessory dwelling units in any area zoned for single-family residential use.

(4) If the local government *amends its comprehensive plan pursuant to* ~~adopts an ordinance under~~ this section, an application for a building permit to construct an accessory dwelling unit must include an affidavit from the applicant which attests that the unit will be rented at an affordable rate to an extremely-low-income, very-low-income, low-income, or moderate-income person or persons.

(5) Each accessory dwelling unit allowed by *the comprehensive plan* ~~an ordinance adopted under this section~~ shall apply toward satisfying the affordable housing component of the housing element in the local government's comprehensive plan under s. 163.3177(6)(f*), and if such unit is subject to a recorded land use restriction agreement restricting its use to affordable housing, the unit may not be treated as a new unit for purposes of transportation concurrency or impact fees. Accessory dwelling units may not be located on land within a coastal high-hazard area or on lands identified as environmentally sensitive in the local comprehensive plan.*

~~(6) The Department of Community Affairs shall evaluate the effectiveness of using accessory dwelling units to address a local government's shortage of affordable housing and report to the Legislature by January 1, 2007. The report must specify the number of ordinances adopted by a local government under this section and the number of accessory dwelling units that were created under these ordinances.~~

Section 5. Paragraph (h) of subsection (2) and subsection (9) of section 163.3178, Florida Statutes, are amended to read:

163.3178 Coastal management.—

(2) Each coastal management element required by s. 163.3177(6)(g) shall be based on studies, surveys, and data; be consistent with coastal resource plans prepared and adopted pursuant to general or special law; and contain:

(h) Designation of coastal high-hazard areas and the criteria for mitigation for a comprehensive plan amendment in a coastal high-hazard area as *provided* ~~defined~~ in subsection (9). The coastal high-hazard area is the area *seaward of* ~~below~~ the elevation of the category 1 storm surge line as established by a Sea, Lake, and Overland Surges from Hurricanes (SLOSH) computerized storm surge model. *Except as demonstrated by site-specific, reliable data and analysis, the coastal high-hazard area includes all lands within the area from the mean low-water line to the inland extent of the category 1 storm surge area. Such area is depicted by, but not limited to, the areas illustrated in the most current SLOSH Storm Surge Atlas.* Application of mitigation and the application of development and redevelopment policies, pursuant to s. 380.27(2), and any rules adopted thereunder, shall be at the discretion of *the* local government.

(9)~~(a)~~ Local governments may elect to comply with *state coastal high-hazard provisions pursuant to* rule 9J-5.012(3)(b)6. and 7., Florida Administrative Code, through the process provided in this section.

(a) A proposed comprehensive plan amendment shall be found in compliance ~~with state coastal high-hazard provisions pursuant to rule 9J-5.012(3)(b)6. and 7., Florida Administrative Code,~~ if:

1. *The area subject to the amendment is not:*

a. Within a designated area of critical state concern;

b. Inclusive of areas within the FEMA velocity zones;

c. Subject to coastal erosion;

d. Seaward of the coastal construction control line; or

e. Subject to repetitive damage from coastal storms and floods.

2. The local government has adopted the following as a part of its comprehensive plan:

a. Hazard mitigation strategies that reduce, replace, or eliminate unsafe structures and properties subject to repetitive losses from coastal storms or floods.

b. Measures that reduce exposure to hazards including:

(I) Relocation;

(II) Structural modifications of threatened infrastructure;

(III) Provisions for operational or capacity improvements to maintain hurricane evacuation clearance times within established limits; and

(IV) Prohibiting public expenditures for capital improvements that subsidize increased densities and intensities of development within the coastal high-hazard area.

c. A postdisaster redevelopment plan.

3.a. The adopted level of service for out-of-county hurricane evacuation *clearance time* is maintained for a category 5 storm event as measured on the Saffir-Simpson scale *if the adopted out-of-county hurricane evacuation clearance time does not exceed 16 hours and is based upon the time necessary to reach shelter space*;

b.~~2.~~ A 12-hour evacuation time to shelter is maintained for a category 5 storm event as measured on the Saffir-Simpson scale and shelter space reasonably expected to accommodate the residents of the development contemplated by a proposed comprehensive plan amendment is available; or

c.~~3.~~ Appropriate mitigation is provided *to ensure* that *the requirements of sub-subparagraph a. or sub-subparagraph b. are achieved.* ~~will satisfy the provisions of subparagraph 1. or subparagraph 2.~~ Appropriate mitigation shall include, without limitation, payment of money, contribution of land, and construction of hurricane shelters and transportation facilities. Required mitigation *may* ~~shall~~ not exceed the amount required for a developer to accommodate impacts reasonably attributable to development. A local government and a developer shall enter into a binding agreement to *establish* ~~memorialize~~ the mitigation plan. *The executed agreement must be submitted along with the adopted plan amendment.*

(b) For those local governments that have not established a level of service for out-of-county hurricane evacuation by July 1, *2009* ~~2008~~, but elect to comply ~~with rule 9J-5.012(3)(b)6. and 7., Florida Administrative Code,~~ by following the process in paragraph (a), the level of service *may not exceed* ~~shall be no greater than~~ 16 hours for a category 5 storm event as measured on the Saffir-Simpson scale *based upon the time necessary to reach shelter space*.

(c) This subsection *applies* ~~shall become effective immediately and shall apply~~ to all local governments. *By* ~~No later than~~ July 1, *2009* ~~2008~~, local governments shall amend their future land use map and coastal management element to include the ~~new~~ definition of coastal high-hazard area *provided in paragraph (2)(h)* and to depict the coastal high-hazard area on the future land use map.

Section 6. Section 163.3180, Florida Statutes, is amended to read:

163.3180 Concurrency.—

(1) *APPLICABILITY OF CONCURRENCY REQUIREMENT.*—

(a) *Public facility types.*—Sanitary sewer, solid waste, drainage, potable water, parks and recreation, schools, and transportation facilities, including mass transit, where applicable, are the only public facilities and services subject to the concurrency requirement on a statewide basis. Additional public facilities and services may not be made subject to concurrency on a statewide basis without appropriate study and approval by the Legislature; however, any local government may extend the concurrency requirement ~~so that it applies~~ to *apply to* additional public facilities within its jurisdiction.

(b) *Transportation methodologies.*—Local governments shall use professionally accepted techniques for measuring level of service for automobiles, bicycles, pedestrians, transit, and trucks. These techniques may be used to evaluate increased accessibility by multiple modes and reductions in vehicle miles of travel in an area or zone. The *state land planning agency and the* Department of Transportation shall develop methodologies to assist local governments in implementing this multimodal level-of-service analysis *and*~~. The Department of Community Affairs and the Department of Transportation~~ shall provide technical assistance to local governments in applying *the* ~~these~~ methodologies.

(2) *PUBLIC FACILITY AVAILABILITY STANDARDS.*—

(a) *Sanitary sewer, solid waste, drainage, adequate water supply, and potable water facilities.*—Consistent with public health and safety, sanitary sewer, solid waste, drainage, adequate water supplies, and potable water facilities shall be in place and available to serve new development no later than the issuance by the local government of a certificate of occupancy or its functional equivalent. Prior to approval of a building permit or its functional equivalent, the local government shall consult with the applicable water supplier to determine whether adequate water supplies to serve the new development will be available *by* ~~no later than~~ the anticipated date of issuance ~~by the local government~~ of *the* ~~a~~ certificate of occupancy or its functional equivalent. A local government may meet the concurrency requirement for sanitary sewer through the use of onsite sewage treatment and disposal systems approved by the Department of Health to serve new development.

(b) *Parks and recreation facilities.*—Consistent with the public welfare, and except as otherwise provided in this section, parks and recreation facilities to serve new development shall be in place or under actual construction *within* ~~no later than~~ 1 year after issuance by the local government of a certificate of occupancy or its functional equivalent. However, the acreage for such facilities *must* ~~shall~~ be dedicated or be acquired by the local government prior to issuance ~~by the local government~~ of *the* ~~a~~ certificate of occupancy or its functional equivalent, or funds in the amount of the developer's fair share shall be committed no later than the local government's approval to commence construction.

(c) *Transportation facilities.*—Consistent with the public welfare, and except as otherwise provided in this section, transportation facilities needed to serve new development *must* ~~shall~~ be in place or under actual construction within 3 years after the local government approves a building permit or its functional equivalent that results in traffic generation.

(3) *ESTABLISHING LEVEL-OF-SERVICE STANDARDS.*—Governmental entities that are not responsible for providing, financing, operating, or regulating public facilities needed to serve development may not establish binding level-of-service standards on governmental entities that do bear those responsibilities. This subsection does not limit the authority of any agency to recommend or make objections, recommendations, comments, or determinations during reviews conducted under s. 163.3184.

(4) *APPLICATION OF CONCURRENCY TO PUBLIC FACILITIES.*—

(a) *State and other public facilities.*—The concurrency requirement as implemented in local comprehensive plans applies to state and other public facilities and development to the same extent that it applies to all other facilities and development, as provided by law.

(b) *Public transit facilities.*—The concurrency requirement as implemented in local comprehensive plans does not apply to public transit facilities. For the purposes of this paragraph, public transit facilities include transit stations and terminals; transit station parking; park-and-ride lots; intermodal public transit connection or transfer facilities; fixed bus, guideway, and rail stations; and airport passenger terminals and concourses, air cargo facilities, and hangars for the maintenance or storage of aircraft. As used in this paragraph, the terms "terminals" and "transit facilities" do not include seaports or commercial or residential development constructed in conjunction with a public transit facility.

(c) *Infill and redevelopment areas.*—The concurrency requirement, except as it relates to transportation facilities and public schools, as implemented in local government comprehensive plans, may be waived by a local government for urban infill and redevelopment areas designated pursuant to s. 163.2517 if such ~~a~~ waiver does not endanger public health or safety as defined by the local government in its local government comprehensive plan. The waiver *must* ~~shall~~ be adopted as a plan amendment *using* ~~pursuant to~~ the process ~~set forth~~ in s. 163.3187(3)(a). A local government may grant a concurrency exception pursuant to

subsection (5) for transportation facilities located within ~~these~~ urban infill and redevelopment areas.

(5) *TRANSPORTATION CONCURRENCY EXCEPTION AREAS.*—

(a) *Countervailing planning and public policy goals.*—The Legislature finds that under limited circumstances ~~dealing with transportation facilities~~, countervailing planning and public policy goals may come into conflict with the requirement that adequate public *transportation* facilities and services be available concurrent with the impacts of such development. The Legislature further finds that ~~often~~ the unintended result of the concurrency requirement for transportation facilities is *often* the discouragement of urban infill development and redevelopment. Such unintended results directly conflict with the goals and policies of the state comprehensive plan and the intent of this part. *The Legislature also finds that in urban centers transportation cannot be effectively managed and mobility cannot be improved solely through the expansion of roadway capacity, that the expansion of roadway capacity is not always physically or financially possible, and that a range of transportation alternatives are essential to satisfy mobility needs, reduce congestion, and achieve healthy, vibrant centers.* Therefore, exceptions from the concurrency requirement for transportation facilities may be granted as provided by this subsection.

(b) *Geographic applicability.*—

1. Within municipalities, transportation concurrency exception areas are established for geographic areas identified in the adopted portion of the comprehensive plan as of July 1, 2008, for:

a. Urban infill development;

b. Urban redevelopment;

c. Downtown revitalization; or

d. Urban infill and redevelopment under s. 163.2517.

2. In other portions of the state, including municipalities and unincorporated areas of counties, a local government may *adopt a comprehensive plan amendment establishing a transportation concurrency exception area* ~~grant an exception from the concurrency requirement for transportation facilities if the proposed development is otherwise consistent with the adopted local government comprehensive plan and is a project that promotes public transportation or is located~~ within an area designated in the comprehensive plan for:

a.~~1.~~ Urban infill development;

b.~~2.~~ Urban redevelopment;

c.~~3.~~ Downtown revitalization;

d.~~4.~~ Urban infill and redevelopment under s. 163.2517; or

e.~~5.~~ An urban service area *consisting of* ~~specifically designated as a transportation concurrency exception area which includes~~ lands appropriate for compact~~,~~ contiguous urban development, which does not exceed the amount of land needed to accommodate the projected population growth at densities consistent with the adopted comprehensive plan within the 10-year planning period, and which is served or is planned to be served with public facilities and services as provided by the capital improvements element.

(c) *Projects having special part-time demands.*—The Legislature also finds that developments located within urban infill, urban redevelopment, existing urban service, or downtown revitalization areas or areas designated as urban infill and redevelopment areas under s. 163.2517 which pose only special part-time demands on the transportation system should be excepted from the concurrency requirement for transportation facilities. A special part-time demand is one that does not have more than 200 scheduled events during any calendar year and does not affect the 100 highest traffic volume hours.

(d) *Long-term strategies within transportation concurrency exception areas.—Except for transportation concurrency exception areas established pursuant to subparagraph (b)1., the following requirements apply:* ~~A local government shall establish guidelines in the comprehensive plan for granting the exceptions authorized in paragraphs (b) and (c) and subsections (7) and (15) which must be consistent with and support a comprehensive strategy adopted in the plan to promote the purpose of the exceptions.~~

1.~~(e)~~ The local government shall adopt into the plan and implement long-term strategies to support and fund mobility within the designated exception area, including alternative modes of transportation. The plan amendment must ~~also~~ demonstrate how strategies will support the purpose of the exception and how mobility within the designated exception area will be provided.

2. ~~In addition,~~ The strategies must address urban design; appropriate land use mixes, including intensity and density; and network connectivity plans needed to promote urban infill, redevelopment, or downtown revitalization. The comprehensive plan amendment designating the ~~concurrency~~ exception area must be accompanied by data and analysis justifying the size of the area.

(e)~~(f)~~ *Strategic Intermodal System.*—Prior to the designation of a concurrency exception area *pursuant to subparagraph (b)2.*, the state land planning agency and the Department of Transportation shall be consulted by the local government to assess the impact that the proposed exception area is expected to have on the adopted level-of-service standards established for Strategic Intermodal System facilities~~, as defined in s. 339.64,~~ and roadway facilities funded in accordance with s. 339.2819 *and to provide for mitigation of the impacts*. Further, *as a part of the comprehensive plan amendment establishing the exception area,* the local government shall *provide for mitigation of impacts*~~, in consultation with the state land planning agency and the Department of Transportation, develop a plan to mitigate any impacts~~ to the Strategic Intermodal System, including, if appropriate, *access management, parallel reliever roads, transportation demand management, or other measures* ~~the development of a long-term concurrency management system pursuant to subsection (9) and s. 163.3177(3)(d). The exceptions may be available only within the specific geographic area of the jurisdiction designated in the plan. Pursuant to s. 163.3184, any affected person may challenge a plan amendment establishing these guidelines and the areas within which an exception could be granted.~~

~~(g) Transportation concurrency exception areas existing prior to July 1, 2005, must, at a minimum, meet the provisions of this section by July 1, 2006, or at the time of the comprehensive plan update pursuant to the evaluation and appraisal report, whichever occurs last.~~

(6) *DE MINIMIS IMPACT.*—The Legislature finds that a de minimis impact is consistent with this part. A de minimis impact is an impact that *does* ~~would~~ not affect more than 1 percent of the maximum volume at the adopted level of service of the affected transportation facility as determined by the local government. *An* ~~No~~ impact *is not* ~~will be~~ de minimis if the sum of existing roadway volumes and the projected volumes from approved projects on a transportation facility *exceeds* ~~would exceed~~ 110 percent of the maximum volume at the adopted level of service of the affected transportation facility; ~~provided~~ however, *the* ~~that an~~ impact of a single family home on an existing lot *is* ~~will constitute~~ a de minimis impact on all roadways regardless of the level of the deficiency of the roadway. Further, *an* ~~no~~ impact *is not* ~~will be~~ de minimis if it *exceeds* ~~would exceed~~ the adopted level-of-service standard of any affected designated hurricane evacuation routes. Each local government shall maintain sufficient records to ensure that the 110-percent criterion is not exceeded. ~~Each local government shall submit annually, with its updated capital improvements element, a summary of the de minimis records. If the state land planning agency determines that the 110-percent criterion has been exceeded, the state land planning agency shall notify the local government of the exceedance and that no further de minimis exceptions for the applicable roadway may be granted until such time as the volume is reduced below the 110 percent. The local government shall provide proof of this reduction to the state land planning agency before issuing further de minimis exceptions.~~

(7) *CONCURRENCY MANAGEMENT AREAS.*—In order to promote infill development and redevelopment, one or more transportation concurrency management areas may be designated in a local government comprehensive plan. A transportation concurrency management area must be a compact geographic area *that has* ~~with~~ an existing network of roads where multiple, viable alternative travel paths or modes are available for common trips. A local government may establish an areawide level-of-service standard for ~~such~~ a transportation concurrency

management area based upon an analysis that provides for a justification for the areawide level of service, how urban infill development or redevelopment will be promoted, and how mobility will be accomplished within the transportation concurrency management area. Prior to the designation of a concurrency management area, *the local government shall consult with the state land planning agency and* the Department of Transportation ~~shall be consulted by the local government~~ to assess the impact that the proposed concurrency management area is expected to have on the adopted level-of-service standards established for Strategic Intermodal System facilities~~, as defined in s. 339.64,~~ and roadway facilities funded in accordance with s. 339.2819. Further, the local government shall, in cooperation with the *state land planning agency and the* Department of Transportation, develop a plan to mitigate any impacts to the Strategic Intermodal System, including, if appropriate, the development of a long-term concurrency management system pursuant to subsection (9) and s. 163.3177(3)(d). ~~Transportation concurrency management areas existing prior to July 1, 2005, shall meet, at a minimum, the provisions of this section by July 1, 2006, or at the time of the comprehensive plan update pursuant to the evaluation and appraisal report, whichever occurs last.~~ The state land planning agency shall amend chapter 9J-5, Florida Administrative Code, to be consistent with this subsection.

(8) *URBAN REDEVELOPMENT.*—When assessing the transportation impacts of proposed urban redevelopment within an established existing urban service area, *150* ~~110~~ percent of the actual transportation impact caused by the previously existing development must be reserved for the redevelopment, even if the previously existing development has a lesser or nonexisting impact pursuant to the calculations of the local government. Redevelopment requiring less than *150* ~~110~~ percent of the previously existing capacity *may* ~~shall~~ not be prohibited due to the reduction of transportation levels of service below the adopted standards. This does not preclude the appropriate assessment of fees or accounting for the impacts within the concurrency management system and capital improvements program of the affected local government. This paragraph does not affect local government requirements for appropriate development permits.

(9) *LONG-TERM CONCURRENCY MANAGEMENT.*—

(a) Each local government may adopt, as a part of its plan, long-term transportation and school concurrency management systems *that have* ~~with~~ a planning period of up to 10 years for specially designated districts or areas where significant backlogs exist. The plan may include interim level-of-service standards on certain facilities and shall rely on the local government's schedule of capital improvements for up to 10 years as a basis for issuing development orders that authorize commencement of construction in these designated districts or areas. The concurrency management system must be designed to correct existing deficiencies and set priorities for addressing backlogged facilities *and be coordinated with the appropriate metropolitan planning organization*. The concurrency management system must be financially feasible and consistent with other portions of the adopted local plan, including the future land use map.

(b) If a local government has a transportation or school facility backlog for existing development which cannot be adequately addressed in a 10-year plan, the state land planning agency may allow it to develop a plan and long-term schedule of capital improvements covering up to 15 years for good and sufficient cause, based on a general comparison between *the* ~~that~~ local government and all other similarly situated local jurisdictions, using the following factors:

1. The extent of the backlog.

2. For roads, whether the backlog is on local or state roads.

3. The cost of eliminating the backlog.

4. The local government's tax and other revenue-raising efforts.

(c) The local government may issue approvals to commence construction notwithstanding this section, consistent with and in areas that are subject to a long-term concurrency management system.

(d) If the local government adopts a long-term concurrency management system, it must evaluate the system periodically. At a minimum, the local government must assess its progress toward improving levels of service within the long-term concurrency management district or area in the evaluation and appraisal report and determine any changes that are necessary to accelerate progress in meeting acceptable levels of service.

(e) The Department of Transportation shall develop a transportation methodology to determine the internal capture rate of a development of regional impact when fully developed. The transportation methodology must use a regional transportation model that incorporates professionally accepted modeling techniques applicable to such developments. The methodology review must be completed by March 1, 2009.

(10) *TRANSPORTATION LEVEL-OF-SERVICE STANDARDS.*—With regard to roadway facilities on the Strategic Intermodal System designated in accordance with *s.* ~~ss. 339.61, 339.62,~~ 339.63, ~~and 339.64,~~ the Florida Intrastate Highway System ~~as defined in s. 338.001~~, and roadway facilities funded in accordance with s. 339.2819, local governments shall adopt the level-of-service standard established by the Department of Transportation by rule. For all other roads on the State Highway System, local governments shall establish an adequate level-of-service standard that need not be consistent with any level-of-service standard established by the Department of Transportation. In establishing adequate level-of-service standards for any arterial roads, or collector roads as appropriate, which traverse multiple jurisdictions, local governments shall consider compatibility with the roadway facility's adopted level-of-service standards in adjacent jurisdictions. Each local government within a county shall use a professionally accepted methodology for measuring impacts on transportation facilities for the purposes of implementing its concurrency management system. Counties are encouraged to coordinate with adjacent counties, and local governments within a county are encouraged to coordinate, for the purpose of using common methodologies for measuring impacts on transportation facilities for the purpose of implementing their concurrency management systems.

(11) *LIMITATION OF LIABILITY.*—In order to limit the liability of local governments, a local government may allow a landowner to proceed with development of a specific parcel of land notwithstanding a failure of the development to satisfy transportation concurrency, *if* ~~when~~ all the following factors ~~are shown to~~ exist:

(a) The local government *that has* ~~with~~ jurisdiction over the property has adopted a local comprehensive plan that is in compliance.

(b) The proposed development *is* ~~would be~~ consistent with the future land use designation for the specific property and with pertinent portions of the adopted local plan, as determined by the local government.

(c) The local plan includes a financially feasible capital improvements element that provides for transportation facilities adequate to serve the proposed development, and the local government has not implemented that element.

(d) The local government has provided a means *for assessing* ~~by which~~ the landowner *for* ~~will be assessed~~ a fair share of the cost of providing the transportation facilities necessary to serve the proposed development.

(e) The landowner has made a binding commitment to the local government to pay the fair share of the cost of providing the transportation facilities to serve the proposed development.

(12) *REGIONAL IMPACT PROPORTIONATE SHARE.*—

(a) A development of regional impact may satisfy the transportation concurrency requirements of the local comprehensive plan, the local government's concurrency management system, and s. 380.06 by payment of a proportionate-share contribution for local and regionally significant traffic impacts, if:

1.~~(a)~~ The development of regional impact which, based on its location or mix of land uses, is designed to encourage pedestrian or other nonautomotive modes of transportation;

2.~~(b)~~ The proportionate-share contribution for local and regionally significant traffic impacts is sufficient to pay for one or more required mobility improvements that will benefit *the network of* ~~a~~ regionally significant transportation *facilities. The state land planning agency may appeal the development order pursuant to s.380.07 if the development order directs transportation mobility improvements under this subsection to one or more local governments in a manner that is substantially*

disproportionate to the extrajurisdictional impacts of the development of regional impact on significantly affected local governments after taking into consideration the overall benefit to the regional transportation network ~~facility~~;

3.~~(c)~~ The owner and developer of the development of regional impact pays or assures payment of the proportionate-share contribution; and

4.~~(d)~~ ~~If~~ The regionally significant transportation facility to be constructed or improved is under the maintenance authority of a governmental entity, as defined by s. *334.03* ~~334.03(12)~~, other than the local government *that has* ~~with~~ jurisdiction over the development of regional impact, the developer *must* ~~is required to~~ enter into a binding and legally enforceable commitment to transfer funds to the governmental entity having maintenance authority or to otherwise assure construction or improvement of the facility.

(b) The proportionate-share contribution may be applied to any transportation facility to satisfy the provisions of this subsection and the local comprehensive plan. ~~, but,~~ For the purposes of this subsection, the amount of the proportionate-share contribution shall be calculated based upon the cumulative number of trips from the proposed development expected to reach roadways during the peak hour from the complete buildout of a stage or phase being approved, divided by the change in the peak hour maximum service volume of roadways resulting from construction of an improvement necessary to maintain the adopted level of service, multiplied by the construction cost, at the time of developer payment, of the improvement necessary to maintain the adopted level of service. *The determination of mitigation for a subsequent phase or stage of development shall account for any mitigation required by the development order and provided by the developer for any earlier phase or stage, calculated at present value. For purposes of this subsection, the term:*

1. "Backlogged transportation facility" means a facility on which the adopted level-of-service standard is exceeded by the existing trips plus committed trips. A developer may not be required to fund or construct proportionate-share mitigation for any backlogged transportation facility which is more extensive than mitigation necessary to offset the impact of the development project in question.

2. ~~For purposes of this subsection,~~ "Construction cost" includes all associated costs of the improvement. *The proportionate-share contribution shall include the costs associated with accommodating a transit facility within the development of regional impact which is in a county's or the Department of Transportation's long-range plan and shall be credited against a development of regional impact's proportionate-share contribution.* Proportionate-share mitigation shall be limited to ensure that a development of regional impact meeting the requirements of this subsection mitigates its impact on the transportation system but is not responsible for the additional cost of reducing or eliminating backlogs.

3. "Present value" means the fair market value of right-of-way at the time of contribution or the actual dollar value of the construction improvements contribution adjusted by the Consumer Price Index.

This subsection also applies to Florida Quality Developments pursuant to s. 380.061 and to detailed specific area plans implementing optional sector plans pursuant to s. 163.3245.

(13) *SCHOOL CONCURRENCY.*—School concurrency shall be established on a districtwide basis and ~~shall~~ include all public schools in the district and all portions of the district, whether located in a municipality or an unincorporated area unless exempt from the public school facilities element pursuant to s. 163.3177(12). The application of school concurrency to development shall be based upon the adopted comprehensive plan, as amended. All local governments within a county, except as provided in paragraph (f), shall adopt and transmit to the state land planning agency the necessary plan amendments, along with the interlocal agreement, for a compliance review pursuant to s. 163.3184(7) and (8). The minimum requirements for school concurrency are the following:

(a) Public school facilities element.—A local government shall adopt and transmit to the state land planning agency a plan or plan amendment which includes a public school facilities element which is consistent with the requirements of s. 163.3177(12) and which is determined to be in compliance as defined in s. 163.3184(1)(b). All local government public school facilities plan elements within a county must be consistent with each other as well as the requirements of this part.

(b) Level-of-service standards.—The Legislature recognizes that an essential requirement for a concurrency management system is the level of service at which a public facility is expected to operate.

1. Local governments and school boards imposing school concurrency shall exercise authority in conjunction with each other to establish jointly adequate level-of-service standards, as defined in chapter 9J-5, Florida Administrative Code, necessary to implement the adopted local government comprehensive plan, based on data and analysis.

2. Public school level-of-service standards shall be included and adopted into the capital improvements element of the local comprehensive plan and shall apply districtwide to all schools of the same type. Types of schools may include elementary, middle, and high schools as well as special purpose facilities such as magnet schools.

3. Local governments and school boards *may use* ~~shall have the option to utilize~~ tiered level-of-service standards to allow time to achieve an adequate and desirable level of service as circumstances warrant.

4. For purposes of determining whether levels of service have been achieved, a school district that includes relocatables in its inventory of student stations shall include the capacity of such relocatables as provided in s. 1013.35(2)(b)2.f.

(c) Service areas.—The Legislature recognizes that an essential requirement for a concurrency system is a designation of the area within which the level of service will be measured when an application for a residential development permit is reviewed for school concurrency purposes. This delineation is also important for ~~purposes of~~ determining whether the local government has a financially feasible public school capital facilities program *for* ~~that will provide~~ schools which will achieve and maintain the adopted level-of-service standards.

1. In order to balance competing interests, preserve the constitutional concept of uniformity, and avoid disruption of existing educational and growth management processes, local governments are encouraged to initially apply school concurrency to development only on a districtwide basis so that a concurrency determination for a specific development *is* ~~will be~~ based upon the availability of school capacity districtwide. To ensure that development is coordinated with schools having available capacity, within 5 years after adoption of school concurrency, local governments shall apply school concurrency on a less than districtwide basis, such as using school attendance zones or concurrency service areas, as provided in subparagraph 2.

2. For local governments applying school concurrency on a less than districtwide basis, such as utilizing school attendance zones or larger school concurrency service areas, local governments and school boards shall have the burden *of demonstrating* ~~to demonstrate~~ that the utilization of school capacity is maximized to the greatest extent possible in the comprehensive plan and amendment, taking into account transportation costs and court-approved desegregation plans, as well as other factors. In addition, in order to achieve concurrency within the service area boundaries selected by local governments and school boards, the service area boundaries, together with the standards for establishing those boundaries, shall be identified and included as supporting data and analysis for the comprehensive plan.

3. Where school capacity is available on a districtwide basis but school concurrency is applied on a less than districtwide basis in the form of concurrency service areas, if the adopted level-of-service standard cannot be met in a particular service area as applied to an application for a development permit and if the needed capacity for the particular service area is available in one or more contiguous service areas, as adopted by the local government, ~~then~~ the local government may not deny an application for site plan or final subdivision approval or the functional equivalent for a development or phase of a development on the basis of school concurrency, and if issued, development impacts shall be shifted to contiguous service areas with schools having available capacity.

(d) Financial feasibility.—The Legislature recognizes that financial feasibility is an important issue because the premise of concurrency is that ~~the~~ public facilities will be provided in order to achieve and maintain the adopted level-of-service standard. This part and chapter 9J-5,

Florida Administrative Code, contain specific standards *for determining* ~~to determine~~ the financial feasibility of capital programs. These standards were adopted to make concurrency more predictable and local governments more accountable.

1. A comprehensive plan amendment seeking to impose school concurrency *must* ~~shall~~ contain appropriate amendments to the capital improvements element of the comprehensive plan, consistent with ~~the requirements of~~ s. 163.3177(3) and rule 9J-5.016, Florida Administrative Code. The capital improvements element *must* ~~shall~~ set forth a financially feasible public school capital facilities program, established in conjunction with the school board, that demonstrates that the adopted level-of-service standards will be achieved and maintained.

2. Such amendments *to the capital improvements element must* ~~shall~~ demonstrate that the public school capital facilities program meets all of the financial feasibility standards of this part and chapter 9J-5, Florida Administrative Code, that apply to capital programs which provide the basis for mandatory concurrency on other public facilities and services.

3. *If* ~~When~~ the financial feasibility of a public school capital facilities program is evaluated by the state land planning agency for purposes of a compliance determination, the evaluation *must* ~~shall~~ be based upon the service areas selected by the local governments and school board.

(e) Availability standard.—Consistent with the public welfare, *and except as otherwise provided in this subsection, public school facilities needed to serve new residential development shall be in place or under actual construction within 3 years after the issuance of final subdivision or site plan approval, or the functional equivalent.* A local government may not deny an application for site plan, final subdivision approval, or the functional equivalent for a development or phase of a development authorizing residential development for failure to achieve and maintain the level-of-service standard for public school capacity in a local school concurrency management system where adequate school facilities will be in place or under actual construction within 3 years after the issuance of final subdivision or site plan approval, or the functional equivalent. *Any mitigation required of a developer shall be limited to ensure that a development mitigates its own impact on public school facilities, but is not responsible for the additional cost of reducing or eliminating backlogs or addressing class size reduction.* School concurrency is satisfied if the developer executes a legally binding commitment to provide mitigation proportionate to the demand for public school facilities to be created by actual development of the property, including, but not limited to, the options described in subparagraph 1. Options for proportionate-share mitigation of impacts on public school facilities must be established in the public school facilities element and the interlocal agreement pursuant to s. 163.31777.

1. Appropriate mitigation options include the contribution of land; the construction, expansion, or payment for land acquisition or construction of a public school facility; *the construction of a charter school that complies with the requirements of s. 1002.33(18)(f);* or the creation of mitigation banking based on the construction of a public school facility in exchange for the right to sell capacity credits. Such options must include execution by the applicant and the local government of a development agreement that constitutes a legally binding commitment to pay proportionate-share mitigation for the additional residential units approved by the local government in a development order and actually developed on the property, taking into account residential density allowed on the property prior to the plan amendment that increased the overall residential density. The district school board must be a party to such an agreement. As a condition of its entry into such a development agreement, the local government may require the landowner to agree to continuing renewal of the agreement upon its expiration.

2. If the education facilities plan and the public educational facilities element authorize a contribution of land; the construction, expansion, or payment for land acquisition; or the construction or expansion of a public school facility, or a portion thereof, *or the construction of a charter school that complies with the requirements of s. 1002.33(18)(f),* as proportionate-share mitigation, the local government shall credit such ~~a~~ contribution, construction, expansion, or payment toward any other impact fee or exaction imposed by local ordinance for the same need, on a dollar-for-dollar basis at fair market value. *For proportionate-share calculations, the percentage of relocatables, as provided in s. 1013.35(2)(b)2.f., which are used by a school district shall be considered in determining the average cost of a student station.*

4.~~3.~~ Any proportionate-share mitigation must be directed by the school board toward a school capacity improvement identified in a financially feasible 5-year district work plan that satisfies the demands created by the development in accordance with a binding developer's agreement.

5.~~4.~~ If a development is precluded from commencing because there is inadequate classroom capacity to mitigate the impacts of the development, the development may nevertheless commence if there are accelerated facilities in an approved capital improvement element scheduled for construction in year four or later of such plan which, when built, will mitigate the proposed development, or if such accelerated facilities will be in the next annual update of the capital facilities element, the developer enters into a binding, financially guaranteed agreement with the school district to construct an accelerated facility within the first 3 years of an approved capital improvement plan, and the cost of the school facility is equal to or greater than the development's proportionate share. When the completed school facility is conveyed to the school district, the developer shall receive impact fee credits usable within the zone where the facility is constructed or any attendance zone contiguous with or adjacent to the zone where the facility is constructed.

6.~~5.~~ This paragraph does not limit the authority of a local government to deny a development permit or its functional equivalent pursuant to its home rule regulatory powers, except as provided in this part.

(f) Intergovernmental coordination.—

1. When establishing concurrency requirements for public schools, a local government shall satisfy the requirements for intergovernmental coordination set forth in s. 163.3177(6)(h)1. and 2., except that a municipality is not required to be a signatory to the interlocal agreement required by ss. 163.3177(6)(h)2. and 163.31777(6), as a prerequisite for imposition of school concurrency, and as a nonsignatory, *may* ~~shall~~ not participate in the adopted local school concurrency system~~,~~ if the municipality meets all of the following criteria for *not* having *a* ~~no~~ significant impact on school attendance:

a. The municipality has issued development orders for fewer than 50 residential dwelling units during the preceding 5 years, or the municipality has generated fewer than 25 additional public school students during the preceding 5 years.

b. The municipality has not annexed new land during the preceding 5 years in land use categories which permit residential uses that will affect school attendance rates.

c. The municipality has no public schools located within its boundaries.

d. At least 80 percent of the developable land within the boundaries of the municipality has been built upon.

2. A municipality *that* ~~which~~ qualifies as *not* having *a* ~~no~~ significant impact on school attendance pursuant to ~~the criteria of~~ subparagraph 1. must review and determine at the time of its evaluation and appraisal report pursuant to s. 163.3191 whether it continues to meet the criteria pursuant to s. 163.31777(6). If the municipality determines that it no longer meets the criteria, it must adopt appropriate school concurrency goals, objectives, and policies in its plan amendments based on the evaluation and appraisal report, and enter into the existing interlocal agreement required by ss. 163.3177(6)(h)2. and 163.31777, in order to fully participate in the school concurrency system. If such a municipality fails to do so, it *is* ~~will be~~ subject to the enforcement provisions of s. 163.3191.

(g) Interlocal agreement for school concurrency.—When establishing concurrency requirements for public schools, a local government must enter into an interlocal agreement that satisfies the requirements in ss. 163.3177(6)(h)1. and 2. and 163.31777 and the requirements of this subsection. The interlocal agreement *must* ~~shall~~ acknowledge both the school board's constitutional and statutory obligations to provide a uniform system of free public schools on a countywide basis, and the land use authority of local governments, including their authority to approve or deny comprehensive plan amendments and development orders. The interlocal agreement shall be submitted to the state land planning agency by the local government as a part of the compliance review, along with the other necessary amendments to the comprehensive plan required by this part. In addition to the requirements of ss. 163.3177(6)(h)

and 163.31777, the interlocal agreement *must* ~~shall~~ meet the following requirements:

1. Establish ~~the~~ mechanisms for coordinating the development, adoption, and amendment of each local government's public school facilities element with each other and the plans of the school board to ensure a uniform districtwide school concurrency system.

2. Establish a process for *developing* ~~the development of~~ siting criteria *that* ~~which~~ encourages the location of public schools proximate to urban residential areas to the extent possible and seeks to collocate schools with other public facilities such as parks, libraries, and community centers to the extent possible.

3. Specify uniform, districtwide level-of-service standards for public schools of the same type and the process for modifying the adopted level-of-service standards.

4. Establish a process for the preparation, amendment, and joint approval by each local government and the school board of a public school capital facilities program *that* ~~which~~ is financially feasible, and a process and schedule for incorporation of the public school capital facilities program into the local government comprehensive plans on an annual basis.

5. Define the geographic application of school concurrency. If school concurrency is to be applied on a less than districtwide basis in the form of concurrency service areas, the agreement *must* ~~shall~~ establish criteria and standards for the establishment and modification of school concurrency service areas. The agreement *must* ~~shall~~ also establish a process and schedule for the mandatory incorporation of the school concurrency service areas and the criteria and standards for establishment of the service areas into the local government comprehensive plans. The agreement *must* ~~shall~~ ensure maximum utilization of school capacity, taking into account transportation costs and court-approved desegregation plans, as well as other factors. The agreement *must* ~~shall~~ also ensure the achievement and maintenance of the adopted level-of-service standards for the geographic area of application throughout the 5 years covered by the public school capital facilities plan and thereafter by adding a new fifth year during the annual update.

6. Establish a uniform districtwide procedure for implementing school concurrency which provides for:

a. The evaluation of development applications for compliance with school concurrency requirements, including information provided by the school board on affected schools, impact on levels of service, ~~and~~ programmed improvements for affected schools*,* and any options to provide sufficient capacity;

b. An opportunity for the school board to review and comment on the effect of comprehensive plan amendments and rezonings on the public school facilities plan; and

c. The monitoring and evaluation of the school concurrency system.

7. Include provisions relating to amendment of the agreement.

8. A process and uniform methodology for determining proportionate-share mitigation pursuant to subparagraph (e)1.

(h) Local government authority.—This subsection does not limit the authority of a local government to grant or deny a development permit or its functional equivalent prior to the implementation of school concurrency.

(14) *RULEMAKING AUTHORITY.*—The state land planning agency shall, by October 1, 1998, adopt by rule minimum criteria for the review and determination of compliance of a public school facilities element adopted by a local government for purposes of imposition of school concurrency.

(15) *MULTIMODAL DISTRICTS.*—

(a) Multimodal transportation districts may be established under a local government comprehensive plan in areas delineated on the future land use map for which the local comprehensive plan assigns secondary priority to vehicle mobility and primary priority to assuring a safe, comfortable, and attractive pedestrian environment, with convenient interconnection to transit. Such districts must incorporate community design features that will reduce the number of automobile trips or vehicle miles of travel and will support an integrated, multimodal transportation system. Prior to the designation of multimodal transportation districts, the Department of Transportation shall be consulted by the local government to assess the impact that the proposed multimodal district area is expected to have on the adopted level-of-service standards established for Strategic Intermodal System facilities, as *designated in s. 339.63* ~~defined in s. 339.64~~, and roadway facilities funded in accordance with s. 339.2819. Further, the local government shall, in cooperation with the Department of Transportation, develop a plan to mitigate any impacts to the Strategic Intermodal System, including the development of a long-term concurrency management system pursuant to subsection (9) and s. 163.3177(3)(d). ~~Multimodal transportation districts existing prior to July 1, 2005, shall meet, at a minimum, the provisions of this section by July 1, 2006, or at the time of the comprehensive plan update pursuant to the evaluation and appraisal report, whichever occurs last.~~

(b) Community design elements of ~~such~~ a *multimodal transportation* district include: a complementary mix and range of land uses, including educational, recreational, and cultural uses; interconnected networks of streets designed to encourage walking and bicycling, with traffic-calming where desirable; appropriate densities and intensities of use within walking distance of transit stops; daily activities within walking distance of residences, allowing independence to persons who do not drive; public uses, streets, and squares that are safe, comfortable, and attractive for the pedestrian, with adjoining buildings open to the street and with parking not interfering with pedestrian, transit, automobile, and truck travel modes.

(c) Local governments may establish multimodal level-of-service standards that rely primarily on nonvehicular modes of transportation within the district, *if* ~~when~~ justified by an analysis demonstrating that the existing and planned community design will provide an adequate level of mobility within the district based upon professionally accepted multimodal level-of-service methodologies. The analysis must also demonstrate that the capital improvements required to promote community design are financially feasible over the development or redevelopment timeframe for the district and that community design features within the district provide convenient interconnection for a multimodal transportation system. Local governments may issue development permits in reliance upon all planned community design capital improvements that are financially feasible over the development or redevelopment timeframe for the district, without regard to the period of time between development or redevelopment and the scheduled construction of the capital improvements. A determination of financial feasibility shall be based upon currently available funding or funding sources that could reasonably be expected to become available over the planning period.

(d) Local governments may reduce impact fees or local access fees for development within multimodal transportation districts based on the reduction of vehicle trips per household or vehicle miles of travel expected from the development pattern planned for the district.

(e) By December 1, 2007, the Department of Transportation, in consultation with the state land planning agency and interested local governments, may designate a study area for conducting a pilot project to determine the benefits of and barriers to establishing a regional multimodal transportation concurrency district that extends over more than one local government jurisdiction. If designated:

1. The study area must be in a county that has a population of at least 1,000 persons per square mile, be within an urban service area, and have the consent of the local governments within the study area. The Department of Transportation and the state land planning agency shall provide technical assistance.

2. The local governments within the study area and the Department of Transportation, in consultation with the state land planning agency, shall cooperatively create a multimodal transportation plan that meets the requirements of this section. The multimodal transportation plan must include viable local funding options and incorporate community design features, including a range of mixed land uses and densities and intensities, which will reduce the number of automobile trips or vehicle miles of travel while supporting an integrated, multimodal transportation system.

3. To effectuate the multimodal transportation concurrency district, participating local governments may adopt appropriate comprehensive plan amendments.

4. The Department of Transportation, in consultation with the state land planning agency, shall submit a report by March 1, 2009, to the Governor, the President of the Senate, and the Speaker of the House of Representatives on the status of the pilot project. The report must identify any factors that support or limit the creation and success of a regional multimodal transportation district including intergovernmental coordination.

(f) The state land planning agency may designate up to five local governments as Urban Placemaking Initiative Pilot Projects. The purpose of the pilot project program is to assist local communities with redevelopment of primarily single-use suburban areas that surround strategic corridors and crossroads, and to create livable, sustainable communities that have a sense of place. Pilot communities must have a county population of at least 350,000, be able to demonstrate an ability to administer the pilot project, and have appropriate potential redevelopment areas suitable for the pilot project. Recognizing that both the form of existing development patterns and strict application of transportation concurrency requirements create obstacles to such redevelopment, the pilot project program shall further the ability of such communities to cultivate mixed-use and form-based communities that integrate all modes of transportation. The pilot project program shall provide an alternative regulatory framework that allows for the creation of a multimodal concurrency district that over the planning time period allows pilot project communities to incrementally realize the goals of the redevelopment area by guiding redevelopment of parcels and cultivating multimodal development in targeted transitional suburban areas. The Department of Transportation shall provide technical support to the state land planning agency and the department and the agency shall provide technical assistance to the local governments in the implementation of the pilot projects.

1. Each pilot project community shall adopt criteria for designation of specific urban placemaking redevelopment areas and general location maps in the future land use element of its comprehensive plan. Such redevelopment areas must be within an urban service area that meets the requirements of sub-subparagraph (5)(b)2.e. Each pilot project community shall also adopt comprehensive plan amendments that set forth criteria for the development of the urban placemaking areas and that contain land use and transportation strategies, including, but not limited to, the community design elements set forth in paragraph (b). A pilot project community shall undertake a process of public engagement to coordinate community vision, citizen interest, and development goals for developments within the urban placemaking redevelopment areas.

2. Each pilot project community may assign transportation concurrency or trip generation credits and impact fee exemptions or reductions and establish concurrency exceptions for developments that meet the adopted comprehensive plan criteria for urban placemaking redevelopment areas.

(16) *FAIR-SHARE MITIGATION.*—It is the intent of the Legislature to provide a method by which the impacts of development on transportation facilities can be mitigated by the cooperative efforts of the public and private sectors. The methodology used to calculate proportionate fair-share mitigation under this section shall be as provided for in subsection (12).

(a) By December 1, 2006, each local government shall adopt by ordinance a methodology for assessing proportionate fair-share mitigation options. By December 1, 2005, the Department of Transportation shall develop a model transportation concurrency management ordinance *that has* ~~with~~ methodologies for assessing proportionate fair-share mitigation options.

(b)~~1.~~ In its transportation concurrency management system, a local government shall~~, by December 1, 2006,~~ include methodologies *to be applied in calculating* ~~that will be applied to calculate~~ proportionate fair-share mitigation.

1. A developer may choose to satisfy all transportation concurrency requirements by contributing or paying proportionate fair-share mitigation if transportation facilities or facility segments identified as mitigation for traffic impacts are specifically identified for funding in the 5-year schedule of capital improvements in the capital improvements element of the local plan or the long-term concurrency management system or if such contributions or payments to such facilities or segments are reflected in the 5-year schedule of capital improvements in the next regularly scheduled update of the capital improvements element. Updates to the 5-year capital improvements element which reflect proportionate fair-share contributions may not be found not in compliance based on ss. 163.3164(32) and 163.3177(3) if additional contributions, payments or funding sources are reasonably anticipated during a period not to exceed 10 years to fully mitigate impacts on the transportation facilities.

2. Proportionate fair-share mitigation shall be applied as a credit against impact fees to the extent that all or a portion of the proportionate fair-share mitigation is used to address the same capital infrastructure improvements contemplated by the local government's impact fee ordinance.

(c) Proportionate fair-share mitigation includes, without limitation, separately or collectively, private funds, contributions of land, and construction and contribution of facilities and may include public funds as determined by the local government. Proportionate fair-share mitigation may be directed toward one or more specific transportation improvements reasonably related to the mobility demands created by the development and such improvements may address one or more modes of travel. The fair market value of the proportionate fair-share mitigation *may* ~~shall~~ not differ based on the form of mitigation. A local government may not require a development to pay more than its proportionate fair-share contribution regardless of the method of mitigation. Proportionate fair-share mitigation shall be limited to ensure that a development meeting the requirements of this section mitigates its impact on the transportation system but is not responsible for the additional cost of reducing or eliminating backlogs. *For purposes of this subsection, the term "backlogged transportation facility" means a facility on which the adopted level-of-service standard is exceeded by the existing trips plus committed trips. A developer may not be required to fund or construct proportionate-share mitigation for any backlogged transportation facility that is more extensive than mitigation necessary to offset the impact of the development project in question.*

(d) This subsection does not require a local government to approve a development that is not otherwise qualified for approval pursuant to the applicable local comprehensive plan and land development regulations.

(e) Mitigation for development impacts to facilities on the Strategic Intermodal System made pursuant to this subsection requires the concurrence of the Department of Transportation.

(f) If the funds in an adopted 5-year capital improvements element are insufficient to fully fund construction of a transportation improvement required by the local government's concurrency management system, a local government and a developer may still enter into a binding proportionate-share agreement authorizing the developer to construct that amount of development on which the proportionate share is calculated if the proportionate-share amount in *the* ~~such~~ agreement is sufficient to pay for one or more improvements which will, in the opinion of the governmental entity or entities maintaining the transportation facilities, significantly benefit the impacted transportation system. The improvements funded by the proportionate-share component must be adopted into the 5-year capital improvements schedule of the comprehensive plan at the next annual capital improvements element update. The funding of any improvements that significantly benefit the impacted transportation system satisfies concurrency requirements as a mitigation of the development's impact upon the overall transportation system even if there remains a failure of concurrency on other impacted facilities.

(g) Except as provided in subparagraph (b)1., this section *does* ~~may~~ not prohibit the *state land planning agency* ~~Department of Community Affairs~~ from finding other portions of the capital improvements element amendments not in compliance as provided in this chapter.

(h) ~~The provisions of~~ This subsection *does* ~~do~~ not apply to a development of regional impact satisfying the requirements of subsection (12).

(i) The determination of mitigation for a subsequent phase or stage of development shall account for any mitigation required by the development order and provided by the developer for any earlier phase or stage, calculated at present value. For purposes of this subsection, the term "present value" means the fair market value of right-of-way at the time

of contribution or the actual dollar value of the construction improvements contribution adjusted by the Consumer Price Index.

(17) TRANSPORTATION MOBILITY FEE.—The Legislature finds that the existing transportation concurrency system has not adequately addressed the state's transportation needs in an effective, predictable, and equitable manner and is not producing a sustainable transportation system for the state. The current system is complex, lacks uniformity among jurisdictions, is too focused on roadways to the detriment of desired land use patterns and transportation alternatives, and frequently prevents the attainment of important growth management goals. The state, therefore, should consider a different transportation concurrency approach that uses a mobility fee based on vehicle and people miles traveled. Therefore, the Legislature directs the state land planning agency to study and develop a methodology for a mobility fee system as follows:

(a) The state land planning agency, in consultation with the Department of Transportation, shall convene a study group that includes representatives from the Department of Transportation, regional planning councils, local governments, the development community, land use and transportation professionals, and the Legislature to develop a uniform mobility fee methodology for statewide application to replace the existing transportation concurrency management system. The methodology shall be based on the amount, distribution, and timing of the vehicle and people miles traveled, professionally accepted standards and practices in the fields of land use and transportation planning, and the requirements of constitutional and statutory law. The mobility fee shall be designed to provide for mobility needs, ensure that development provides mitigation for its impacts on the transportation system, and promote compact, mixed-use, and energy-efficient development. The mobility fee shall be used to fund improvements to the transportation system.

(b) By February 15, 2009, the state land planning agency shall provide a report to the Legislature containing recommendations concerning an appropriate uniform mobility fee methodology and whether a mobility fee system should be applied statewide or to more limited geographic areas, a schedule to amend comprehensive plans and land development rules to incorporate the mobility fee, a system for collecting and allocating mobility fees among state and local transportation facilities, and whether and how mobility fees should replace, revise, or supplement transportation impact fees.

(18)~~(17)~~ A local government and the developer of affordable workforce housing units developed in accordance with s. 380.06(19) or s. 380.0651(3) may identify an employment center or centers in close proximity to the affordable workforce housing units. If at least 50 percent of the units are occupied by an employee or employees of an identified employment center or centers, all of the affordable workforce housing units are exempt from transportation concurrency requirements, and the local government may not reduce any transportation trip-generation entitlements of an approved development-of-regional-impact development order. As used in this subsection, the term "close proximity" means 5 miles from the nearest point of the development of regional impact to the nearest point of the employment center, and the term "employment center" means a place of employment that employs at least 25 or more full-time employees.

And the title is amended as follows:

Delete line(s) 2-92 and insert: An act relating to growth management; transferring, renumbering, and amending s. 125.379, F.S.; requiring counties to certify that they have prepared a list of county-owned property appropriate for affordable housing before obtaining certain funding; amending s. 163.3174, F.S.; prohibiting the members of the local governing body from serving on the local planning agency; providing an exception; amending s. 163.3177, F.S.; extending the date for local governments to adopt plan amendments to implement a financially feasible capital improvements element; extending the date for prohibiting future land use map amendments if a local government does not adopt and transmit its annual update to the capital improvements element; revising standards for the future land use plan in a local comprehensive plan; including a provision encouraging rural counties to adopt a rural sub-element as part of their future land use plan; revising standards for the housing element of a local comprehensive plan; requiring certain counties to certify that they have adopted a plan for ensuring affordable workforce housing before obtaining certain funding; authorizing the state land planning agency to amend administrative rules relating to planning criteria to allow for varying local conditions; deleting exemptions from the limitation on the frequency of plan amendments; extending the deadline for local governments to adopt a public school facilities element and interlocal agreement; providing legislative findings concerning the need to preserve agricultural land and protect rural agricultural communities from adverse changes in the agricultural economy; defining the term "rural agricultural industrial center"; authorizing a landowner within a rural agricultural industrial center to apply for an amendment to the comprehensive plan to expand an existing center; providing requirements for such an application; providing a rebuttable presumption that such an amendment is consistent with state rule; providing certain exceptions to the approval of such an amendment; deleting provisions encouraging local governments to develop a community vision and to designate an urban service boundary; amending s. 163.31771, F.S.; requiring a local government to amend its comprehensive plan to allow accessory dwelling units in an area zoned for single-family residential use; prohibiting such units from being treated as new units if there is a land use restriction agreement that restricts use to affordable housing; prohibiting accessory dwelling units from being located on certain land; amending s. 163.3178, F.S.; revising provisions relating to coastal management and coastal high-hazard areas; providing factors for demonstrating the compliance of a comprehensive plan amendment with rule provisions relating to coastal areas; amending s. 163.3180, F.S.; revising concurrency requirements; specifying municipal areas for transportation concurrency exception areas; revising provisions relating to the Strategic Intermodal System; deleting a requirement for local governments to annually submit a summary of de minimus records; increasing the percentage of transportation impacts that must be reserved for urban redevelopment; requiring concurrency management systems to be coordinated with the appropriate metropolitan planning organization; revising regional impact proportionate share provisions to allow for improvements outside the jurisdiction in certain circumstances; requiring the Department of Transportation to establish a transportation methodology to serve as the basis for sustainable development impact assessments; providing for the determination of mitigation to include credit for certain mitigation provided under an earlier phase, calculated at present value; defining the terms "present value" and "backlogged transportation facility"; redefining the term "construction cost"; revising the calculation of school capacity to include relocatables used by a school district; providing a minimum state availability standard for school concurrency; providing that a developer may not be required to reduce or eliminate backlog or address class size reduction; requiring charter schools to be considered as a mitigation option under certain circumstances; requiring school districts to include relocatables in their calculation of school capacity in certain circumstances; providing for an Urban Placemaking Initiative Pilot Project Program; providing for designating certain local governments as urban placemaking initiative pilot projects; providing purposes, requirements, criteria, procedures, and limitations for such local governments, the pilot projects, and the program; providing for recommendations for the establishment of a uniform mobility fee methodology to replace the current transportation concurrency management system; amending s. 163.31801, F.S.; requiring the

Senator Garcia moved the following amendment to **Amendment 1** which was adopted:

Amendment 1A (920224)—Delete line(s) 609-628 and insert:

1. May not increase the physical area of the existing rural agricultural industrial center by more than 50 percent or 320 acres, whichever is greater;

2. Must propose a project that would create, upon completion, at least 50 new full-time jobs;

3. Must demonstrate that infrastructure capacity exists or will be provided to support the expanded center at level-of-service standards adopted in the local government comprehensive plan; and

4. Must contain goals, objectives, and policies that will ensure that any adverse environmental impacts of the expanded center will be adequately addressed and mitigated, or demonstrate that the local government comprehensive plan contains such provisions.

Within 6 months of receipt of an application under this subsection, the local government must amend the applicable sections of its comprehensive plan to include goals, objectives, and policies to provide for the expansion of rural agricultural industrial centers and to discourage

urban sprawl in the surrounding areas. Such goals, objectives, and policies shall promote and be consistent with the findings in this subsection. An amendment that meets the requirements of this subsection is

Senators Wise and Gaetz offered the following amendment to **Amendment 1** which was moved by Senator Wise and adopted:

Amendment 1B (682114)—On line(s) 1500; and on line(s) 1520, delete "*requirements*" and insert: *life safety requirements*

MOTION

On motion by Senator Garcia, the rules were waived to allow the following amendment to be considered:

Senator Garcia moved the following amendment to **Amendment 1** which was adopted:

Amendment 1C (289954)—Delete line(s) 2041-2052 and insert: methodology to serve as the basis for determining internal capture rates for developments of regional impact; providing for the determination of mitigation to include credit for certain mitigation provided under an earlier phase, calculated at present value; defining the terms "present value" and "backlogged transportation facility"; redefining the term "construction cost"; revising the calculation of school capacity to include relocatables used by a school district; providing a minimum state availability standard for school concurrency; providing that a developer may not be required to reduce or eliminate backlog or address class size reduction; providing for charter schools to be

Senators Haridopolos, Gaetz and Baker offered the following amendment to **Amendment 1** which was moved by Senator Gaetz and failed:

Amendment 1D (020158)(with title amendment)—Delete line(s) 179-194 and insert:

5. ~~In addition,~~ For rural

And the title is amended as follows:

Delete line(s) 1991-1993 and insert: in a local comprehensive plan; revising standards for

MOTION

On motion by Senator Geller, the rules were waived to allow the following amendment to be considered:

Senator Geller moved the following amendment to **Amendment 1** which was adopted:

Amendment 1E (335714)(with title amendment)—Delete line(s) 1244-1267 and insert:

(11) *LIMITATION OF LIABILITY.*—~~In order to limit the liability of local governments,~~ A *county having a population greater than 850,000, and all municipalities within such county, shall* ~~local government may~~ allow a landowner to proceed with development of a specific parcel of land notwithstanding a failure of the development to satisfy transportation concurrency, if ~~when~~ all the following factors ~~are shown to~~ exist:

(a) The local government that has ~~with~~ jurisdiction over the property has adopted a local comprehensive plan that is in compliance.

(b) The proposed development is ~~would be~~ consistent with the future land use designation for the specific property and with pertinent portions of the adopted local plan, as determined by the local government.

~~(c) The local plan includes a financially feasible capital improvements element that provides for transportation facilities adequate to serve the proposed development, and the local government has not implemented that element.~~

(c)~~(d)~~ The local government has provided a means by which the landowner will be assessed a fair share of the cost of providing the transportation facilities necessary to serve the proposed development.

(d)~~(e)~~ The landowner has made a binding commitment to the local government to pay the fair share of the cost of providing the transportation facilities to serve the proposed development.

And the title is amended as follows:

On line 2042, after the semicolon (;) insert: requiring certain local governments to allow a landowner to proceed with development that does not satisfy transportation concurrency if certain factors exist;

Amendment 1 as amended was adopted.

Senator Garcia moved the following amendment:

Amendment 2 (223482)(with title amendment)—Delete line(s) 1115-3943 and insert:

Section 7. Paragraph (d) of subsection (3) of section 163.31801, Florida Statutes, is amended to read:

163.31801 Impact fees; short title; intent; definitions; ordinances levying impact fees.—

(3) An impact fee adopted by ordinance of a county or municipality or by resolution of a special district must, at minimum:

(d) Require that notice be provided no less than 90 days before the effective date of an ordinance or resolution imposing a new or *increased* ~~amended~~ impact fee. *Notice is not required under this paragraph if an impact fee is decreased or eliminated.*

Section 8. Subsections (3) and (4), paragraphs (a) and (d) of subsection (6), paragraph (a) of subsection (7), paragraphs (b) and (c) of subsection (15), and subsections (17), (18), and (19) of section 163.3184, Florida Statutes, are amended to read:

163.3184 Process for adoption of comprehensive plan or plan amendment.—

(3) LOCAL GOVERNMENT TRANSMITTAL OF PROPOSED PLAN OR AMENDMENT.—

(a) Before filing an application for a future land use map amendment that applies to 50 acres or more, the applicant must conduct a neighborhood meeting to present, discuss, and solicit public comment on the proposed amendment. Such meeting shall be conducted at least 30 days but no more than 60 days before the application for the amendment is filed with the local government. At a minimum, the meeting shall be noticed and conducted in accordance with each of the following requirements:

1. Notice of the meeting shall be:

a. Mailed at least 10 days but no more than 14 days before the date of the meeting to all property owners owning property within 500 feet of the property subject to the proposed amendment, according to information maintained by the county tax assessor. Such information shall conclusively establish the required recipients;

b. Published in accordance with s. 125.66(4)(b)2. or s. 166.041(3)(c)2.b.;

c. Posted on the jurisdiction's website, if available; and

d. Mailed to all persons on the list of homeowners or condominium associations maintained by the jurisdiction, if any.

2. The meeting shall be conducted at an accessible and convenient location.

3. A sign-in list of all attendees at each meeting must be maintained.

An application for a future land use map amendment that is subject to this paragraph shall include a written certification or verification that the first meeting has been noticed and conducted in accordance with this section.

(b) At least 15 days but no more than 45 days before the local governing body's scheduled adoption hearing, the applicant for a future land use map amendment that applies to 50 acres or more shall conduct a second noticed community or neighborhood meeting for the purpose of presenting and discussing the map amendment application, including any changes made to the proposed amendment following the first community or neighborhood meeting. Notice by United States mail at least 10 days but no more than 14 days before the meeting is required only for

persons who signed in at the preapplication meeting and persons whose names are on the sign-in sheet from the transmittal hearing conducted pursuant to paragraph (15)(c). Otherwise, notice shall be given by newspaper advertisement in accordance with ss. 125.66(4)(b)2. and 166.041(3)(c)2.b. Before the adoption hearing, the applicant shall file with the local government a written certification or verification that the second meeting has been noticed and conducted in accordance with this section.

(c) Before filing an application for a future land use map amendment that applies to more than 10 acres but less than 50 acres, the applicant must conduct a community or neighborhood meeting in compliance with paragraph (a). An application for a future land use map amendment that is subject to this paragraph shall include a written certification or verification that the first meeting has been noticed and conducted in accordance with this section. At least 15 days but no more than 45 days before the local governing body's scheduled adoption hearing, the applicant for a future land use map amendment that applies to more than 10 but less than 50 acres is encouraged to hold a second meeting using the provisions in paragraph (b).

(d) The requirement for neighborhood meetings as provided in this section does not apply to small-scale amendments as defined in s. 163.3187(2)(d) unless a local government, by ordinance, adopts a procedure for holding a neighborhood meeting as part of the small-scale amendment process. In no event shall more than one such meeting be required.

(e)~~(a)~~ Each local governing body shall transmit the complete proposed comprehensive plan or plan amendment to the state land planning agency, the appropriate regional planning council and water management district, the Department of Environmental Protection, the Department of State, and the Department of Transportation, and, in the case of municipal plans, to the appropriate county, and, in the case of county plans, to the Fish and Wildlife Conservation Commission and the Department of Agriculture and Consumer Services, immediately following a public hearing pursuant to subsection (15) as specified in the state land planning agency's procedural rules. The local governing body shall also transmit a copy of the complete proposed comprehensive plan or plan amendment to any other unit of local government or government agency in the state that has filed a written request with the governing body for the plan or plan amendment. The local government may request a review by the state land planning agency pursuant to subsection (6) at the time of the transmittal of an amendment.

(f)~~(b)~~ A local governing body shall not transmit portions of a plan or plan amendment unless it has previously provided to all state agencies designated by the state land planning agency a complete copy of its adopted comprehensive plan pursuant to subsection (7) and as specified in the agency's procedural rules. In the case of comprehensive plan amendments, the local governing body shall transmit to the state land planning agency, the appropriate regional planning council and water management district, the Department of Environmental Protection, the Department of State, and the Department of Transportation, and, in the case of municipal plans, to the appropriate county and, in the case of county plans, to the Fish and Wildlife Conservation Commission and the Department of Agriculture and Consumer Services the materials specified in the state land planning agency's procedural rules and, in cases in which the plan amendment is a result of an evaluation and appraisal report adopted pursuant to s. 163.3191, a copy of the evaluation and appraisal report. Local governing bodies shall consolidate all proposed plan amendments into a single submission for each of the two plan amendment adoption dates during the calendar year pursuant to s. 163.3187.

(g)~~(c)~~ A local government may adopt a proposed plan amendment previously transmitted pursuant to this subsection, unless review is requested or otherwise initiated pursuant to subsection (6).

(h)~~(d)~~ In cases in which a local government transmits multiple individual amendments that can be clearly and legally separated and distinguished for the purpose of determining whether to review the proposed amendment, and the state land planning agency elects to review several or a portion of the amendments and the local government chooses to immediately adopt the remaining amendments not reviewed, the amendments immediately adopted and any reviewed amendments that the local government subsequently adopts together constitute one amendment cycle in accordance with s. 163.3187(1).

Paragraphs (a)-(d) apply to applications for a map amendment filed after January 1, 2009.

(4) INTERGOVERNMENTAL REVIEW.—The governmental agencies specified in paragraph (3)(a) shall provide comments to the state land planning agency within 30 days after receipt by the state land planning agency of the complete proposed plan amendment. If the plan or plan amendment includes or relates to the public school facilities element pursuant to s. 163.3177(12), the state land planning agency shall submit a copy to the Office of Educational Facilities of the Commissioner of Education for review and comment. The appropriate regional planning council shall also provide its written comments to the state land planning agency within *45* ~~30~~ days after receipt by the state land planning agency of the complete proposed plan amendment and shall specify any objections, recommendations for modifications, and comments of any other regional agencies to which the regional planning council may have referred the proposed plan amendment. Written comments submitted by the public within 30 days after notice of transmittal by the local government of the proposed plan amendment will be considered as if submitted by governmental agencies. All written agency and public comments must be made part of the file maintained under subsection (2).

(6) STATE LAND PLANNING AGENCY REVIEW.—

(a) The state land planning agency shall review a proposed plan amendment upon request of a regional planning council, affected person, or local government transmitting the plan amendment. The request from the regional planning council or affected person must be received within *45* ~~30~~ days after transmittal of the proposed plan amendment pursuant to subsection (3). A regional planning council or affected person requesting a review shall do so by submitting a written request to the agency with a notice of the request to the local government and any other person who has requested notice.

(d) The state land planning agency review shall identify all written communications with the agency regarding the proposed plan amendment. If the state land planning agency does not issue such a review, it shall identify in writing to the local government all written communications received *45* ~~30~~ days after transmittal. The written identification must include a list of all documents received or generated by the agency, which list must be of sufficient specificity to enable the documents to be identified and copies requested, if desired, and the name of the person to be contacted to request copies of any identified document. The list of documents must be made a part of the public records of the state land planning agency.

(7) LOCAL GOVERNMENT REVIEW OF COMMENTS; ADOPTION OF PLAN OR AMENDMENTS AND TRANSMITTAL.—

(a) The local government shall review the written comments submitted to it by the state land planning agency, and any other person, agency, or government. Any comments, recommendations, or objections and any reply to them *are* ~~shall be~~ public documents, a part of the permanent record in the matter, and admissible in any proceeding in which the comprehensive plan or plan amendment may be at issue. The local government, upon receipt of written comments from the state land planning agency, shall have 120 days to adopt*,* or adopt with changes*,* the proposed comprehensive plan or ~~s. 163.3191~~ plan amendments. ~~In the case of comprehensive plan amendments other than those proposed pursuant to s. 163.3191, the local government shall have 60 days to adopt the amendment, adopt the amendment with changes, or determine that it will not adopt the amendment.~~ The adoption of the proposed plan or plan amendment or the determination not to adopt a plan amendment~~, other than a plan amendment proposed pursuant to s. 163.3191,~~ shall be made in the course of a public hearing pursuant to subsection (15). *If a local government fails to adopt the comprehensive plan or plan amendment within the period set forth in this subsection, the plan or plan amendment shall be deemed abandoned and may not be considered until the next available amendment cycle pursuant to this section and s. 163.3187. However, if the applicant or local government, before the expiration of the period, certifies in writing to the state land planning agency that the applicant is proceeding in good faith to address the items raised in the agency report issued pursuant to paragraph (6)(f) or agency comments issued pursuant to s. 163.32465(4), and such certification specifically identifies the items being addressed, the state land planning agency may grant one or more extensions not to exceed a total of 360 days following the date of the issuance of the agency report or comments if the*

request is justified by good and sufficient cause as determined by the agency. When any such extension is pending, the applicant shall file with the local government and state land planning agency a status report every 60 days specifically identifying the items being addressed and the manner in which such items are being addressed. The local government shall transmit the complete adopted comprehensive plan or plan amendment, including the names and addresses of persons compiled pursuant to paragraph (15)(c), to the state land planning agency as specified in the agency's procedural rules within 10 working days after adoption. The local governing body shall also transmit a copy of the adopted comprehensive plan or plan amendment to the regional planning agency and to any other unit of local government or governmental agency in the state that has filed a written request with the governing body for a copy of the plan or plan amendment.

(15) PUBLIC HEARINGS.—

(b) The local governing body shall hold at least two advertised public hearings on the proposed comprehensive plan or plan amendment as follows:

1. The first public hearing shall be held at the transmittal stage pursuant to subsection (3). It shall be held on a weekday at least 7 days after the day that the first advertisement is published.

2. The second public hearing shall be held at the adoption stage pursuant to subsection (7). It shall be held on a weekday at least 5 days after the day that the second advertisement is published. *The comprehensive plan or plan amendment to be considered for adoption must be available to the public at least 5 days before the date of the hearing, and must be posted at least 5 days before the date of the hearing on the local government's website if one is maintained. The proposed comprehensive plan amendment may not be altered during the 5 days before the hearing if such alteration increases the permissible density, intensity, or height, or decreases the minimum buffers, setbacks, or open space. If the amendment is altered in this manner during the 5-day period or at the public hearing, the public hearing shall be continued to the next meeting of the local governing body. As part of the adoption package, the local government shall certify in writing to the state land planning agency that it has complied with this subsection.*

(c) The local government shall provide a sign-in form at the transmittal hearing and at the adoption hearing for persons to provide their names*,* ~~and~~ mailing *and electronic* addresses. The sign-in form must advise that any person providing the requested information will receive a courtesy informational statement concerning publications of the state land planning agency's notice of intent. The local government shall add to the sign-in form the name and address of any person who submits written comments concerning the proposed plan or plan amendment during the time period between the commencement of the transmittal hearing and the end of the adoption hearing. It is the responsibility of the person completing the form or providing written comments to accurately, completely, and legibly provide all information needed in order to receive the courtesy informational statement.

~~(17) COMMUNITY VISION AND URBAN BOUNDARY PLAN AMENDMENTS.—A local government that has adopted a community vision and urban service boundary under s. 163.3177(13) and (14) may adopt a plan amendment related to map amendments solely to property within an urban service boundary in the manner described in subsections (1), (2), (7), (14), (15), and (16) and s. 163.3187(1)(c)1.d. and e., 2., and 3., such that state and regional agency review is eliminated. The department may not issue an objections, recommendations, and comments report on proposed plan amendments or a notice of intent on adopted plan amendments; however, affected persons, as defined by paragraph (1)(a), may file a petition for administrative review pursuant to the requirements of s. 163.3187(3)(a) to challenge the compliance of an adopted plan amendment. This subsection does not apply to any amendment within an area of critical state concern, to any amendment that increases residential densities allowable in high-hazard coastal areas as defined in s. 163.3178(2)(h), or to a text change to the goals, policies, or objectives of the local government's comprehensive plan. Amendments submitted under this subsection are exempt from the limitation on the frequency of plan amendments in s. 163.3187.~~

~~(18) URBAN INFILL AND REDEVELOPMENT PLAN AMENDMENTS.—A municipality that has a designated urban infill and redevelopment area under s. 163.2517 may adopt a plan amendment related to map amendments solely to property within a designated urban infill and redevelopment area in the manner described in subsections (1), (2), (7), (14), (15), and (16) and s. 163.3187(1)(c)1.d. and e., 2., and 3., such that state and regional agency review is eliminated. The department may not issue an objections, recommendations, and comments report on proposed plan amendments or a notice of intent on adopted plan amendments; however, affected persons, as defined by paragraph (1)(a), may file a petition for administrative review pursuant to the requirements of s. 163.3187(3)(a) to challenge the compliance of an adopted plan amendment. This subsection does not apply to any amendment within an area of critical state concern, to any amendment that increases residential densities allowable in high-hazard coastal areas as defined in s. 163.3178(2)(h), or to a text change to the goals, policies, or objectives of the local government's comprehensive plan. Amendments submitted under this subsection are exempt from the limitation on the frequency of plan amendments in s. 163.3187.~~

(17)~~(19)~~ HOUSING INCENTIVE STRATEGY PLAN AMENDMENTS.—Any local government that identifies in its comprehensive plan the types of housing developments and conditions for which it will consider plan amendments that are consistent with the local housing incentive strategies identified in s. 420.9076 and authorized by the local government may expedite consideration of such plan amendments. At least 30 days *before* ~~prior to~~ adopting a plan amendment pursuant to this subsection, the local government shall notify the state land planning agency of its intent to adopt such an amendment, and the notice shall include the local government's evaluation of site suitability and availability of facilities and services. A plan amendment considered under this subsection shall require only a single public hearing before the local governing body, which shall be a plan amendment adoption hearing as described in subsection (7). The public notice of the hearing required under subparagraph (15)(b)2. must include a statement that the local government intends to use the expedited adoption process authorized under this subsection. The state land planning agency shall issue its notice of intent required under subsection (8) within 30 days after determining that the amendment package is complete. Any further proceedings shall be governed by subsections (9)-(16).

Section 9. Section 163.3187, Florida Statutes, is amended to read:

163.3187 Amendment of adopted comprehensive plan.—

(1)*(a)1. Amendments to comprehensive plans applying to lands within an area designated in the plan as an urban service area under s. 163.3180(5)(b)2.e. may be transmitted and adopted not more than two times during any calendar year. Until such time as an urban service area has been adopted into the comprehensive plan and takes effect, a local government may transmit and adopt comprehensive plan amendments only once per calendar year. A local government that has adopted an urban service area before July 1, 2008, which meets the requirements of s. 163.3180(5)(b)2.e., shall secure a determination from the state land planning agency that the urban service area meets the requirements of s. 163.3180(5)(b)2.e. based on data and analysis submitted by the local government to support this determination. The determination by the state land planning agency is not subject to administrative challenge.*

2. Amendments to comprehensive plans *applying to lands outside an area designated in the plan as an urban service area under s. 163.3180(5)(b)2.e.* ~~adopted pursuant to this part~~ may be *transmitted and adopted* ~~made~~ not more than *once* ~~two times~~ during any calendar year.~~, except:~~

(b)~~(a)~~ *The following amendments may be adopted by a local government at any time during a calendar year without regard for the frequency restrictions set forth in this subsection:*

1. Any local government comprehensive plan ~~In the case of an emergency, comprehensive plan amendments may be made more often than twice during the calendar year if the additional plan~~ amendment *enacted in case of emergency which* receives the approval of all of the members of the governing body. "Emergency" means any occurrence or threat ~~thereof~~ whether accidental or natural, caused by humankind, in war or peace, which results or may result in substantial injury or harm to the population or substantial damage to or loss of property or public funds.

2.~~(b)~~ Any local government comprehensive plan amendments directly related to a proposed development of regional impact, including changes which have been determined to be substantial deviations and including Florida Quality Developments pursuant to s. 380.061, may be

initiated by a local planning agency and considered by the local governing body at the same time as the application for development approval using the procedures provided for local plan amendment in this section and applicable local ordinances~~, without regard to statutory or local ordinance limits on the frequency of consideration of amendments to the local comprehensive plan. Nothing in this subsection shall be deemed to require favorable consideration of a plan amendment solely because it is related to a development of regional impact~~.

3.~~(e)~~ ~~Any~~ Local government comprehensive plan amendments directly related to proposed small scale development activities ~~may be approved without regard to statutory limits on the frequency of consideration of amendments to the local comprehensive plan~~. A small scale development amendment may be adopted only under the following conditions:

a.~~1.~~ The proposed amendment involves a use of 10 acres or fewer and:

(I)~~a.~~ The cumulative annual effect of the acreage for all small scale development amendments adopted by the local government shall not exceed:

(A)~~(I)~~ A maximum of 120 acres in a local government that contains areas specifically designated in the local comprehensive plan for urban infill, urban redevelopment, or downtown revitalization as defined in s. 163.3164, urban infill and redevelopment areas designated under s. 163.2517, transportation concurrency exception areas approved pursuant to s. 163.3180(5), or regional activity centers and urban central business districts approved pursuant to s. 380.06(2)(e); however, amendments under this *subparagraph* ~~paragraph~~ may be applied to no more than 60 acres annually of property outside the designated areas listed in this *sub-sub-sub-subparagraph* ~~sub-sub-subparagraph~~. ~~Amendments adopted pursuant to paragraph (k) shall not be counted toward the acreage limitations for small scale amendments under this paragraph.~~

(B)~~(II)~~ A maximum of 80 acres in a local government that does not contain any of the designated areas set forth in *sub-sub-sub-subparagraph (A)* ~~sub-sub-subparagraph (I)~~.

(C)~~(III)~~ A maximum of 120 acres in a county established pursuant to s. 9, Art. VIII of the State Constitution.

(II)~~b.~~ The proposed amendment does not involve the same property granted a change within the prior 12 months.

(III)~~c.~~ The proposed amendment does not involve the same owner's property within 200 feet of property granted a change within the prior 12 months.

(IV)~~d.~~ The proposed amendment does not involve a text change to the goals, policies, and objectives of the local government's comprehensive plan, but only proposes a land use change to the future land use map for a site-specific small scale development activity.

(V)~~e.~~ The property that is the subject of the proposed amendment is not located within an area of critical state concern, unless the project subject to the proposed amendment involves the construction of affordable housing units meeting the criteria of s. 420.0004(3), and is located within an area of critical state concern designated by s. 380.0552 or by the Administration Commission pursuant to s. 380.05(1). Such amendment is not subject to the density limitations of *sub-sub-subparagraph VI* ~~sub-subparagraph f.~~, and shall be reviewed by the state land planning agency for consistency with the principles for guiding development applicable to the area of critical state concern where the amendment is located and *is* ~~shall~~ not ~~become~~ effective until a final order is issued under s. 380.05(6).

(VI)~~f.~~ If the proposed amendment involves a residential land use, the residential land use has a density of 10 units or less per acre or the proposed future land use category allows a maximum residential density of the same or less than the maximum residential density allowable under the existing future land use category, except that this limitation does not apply to small scale amendments involving the construction of affordable housing units meeting the criteria of s. 420.0004(3) on property which will be the subject of a land use restriction agreement, or small scale amendments described in *sub-sub-sub-subparagraph (I)(A) which* ~~sub-sub-subparagraph a.(I) that~~ are designated in the local comprehensive plan for urban infill, urban redevelopment, or downtown revitalization as defined in s. 163.3164, urban infill and redevelopment areas designated under s. 163.2517, transportation concurrency exception areas approved pursuant to s. 163.3180(5), or regional activity centers and urban central business districts approved pursuant to s. 380.06(2)(e).

b.(I)~~2.a.~~ A local government that proposes to consider a plan amendment pursuant to this *subparagraph* ~~paragraph~~ is not required to comply with the procedures and public notice requirements of s. 163.3184(15)(c) for such plan amendments if the local government complies with the provisions in s. 125.66(4)(a) for a county or in s. 166.041(3)(c) for a municipality. If a request for a plan amendment under this *subparagraph* ~~paragraph~~ is initiated by other than the local government, public notice is required.

(II)~~b.~~ The local government shall send copies of the notice and amendment to the state land planning agency, the regional planning council, and any other person or entity requesting a copy. This information shall also include a statement identifying any property subject to the amendment that is located within a coastal high-hazard area as identified in the local comprehensive plan.

c.~~3.~~ Small scale development amendments adopted pursuant to this *subparagraph* ~~paragraph~~ require only one public hearing before the governing board, which shall be an adoption hearing as described in s. 163.3184(7), and are not subject to the requirements of s. 163.3184(3)-(6) unless the local government elects to have them subject to those requirements.

d.~~4.~~ If the small scale development amendment involves a site within an area that is designated by the Governor as a rural area of critical economic concern under s. 288.0656(7) for the duration of such designation, the 10-acre limit listed in *sub-subparagraph a.* ~~subparagraph 1.~~ shall be increased by 100 percent to 20 acres. The local government approving the small scale plan amendment shall certify to the Office of Tourism, Trade, and Economic Development that the plan amendment furthers the economic objectives set forth in the executive order issued under s. 288.0656(7), and the property subject to the plan amendment shall undergo public review to ensure that all concurrency requirements and federal, state, and local environmental permit requirements are met.

4.~~(d)~~ Any comprehensive plan amendment required by a compliance agreement pursuant to s. 163.3184(16) ~~may be approved without regard to statutory limits on the frequency of adoption of amendments to the comprehensive plan~~.

~~(e) A comprehensive plan amendment for location of a state correctional facility. Such an amendment may be made at any time and does not count toward the limitation on the frequency of plan amendments.~~

5.~~(f)~~ Any comprehensive plan amendment that changes the schedule in the capital improvements element, and any amendments directly related to the schedule, ~~may be made once in a calendar year on a date different from the two times provided in this subsection~~ when necessary to coincide with the adoption of the local government's budget and capital improvements program.

~~(g) Any local government comprehensive plan amendments directly related to proposed redevelopment of brownfield areas designated under s. 376.80 may be approved without regard to statutory limits on the frequency of consideration of amendments to the local comprehensive plan.~~

6.~~(h)~~ Any comprehensive plan amendments for port transportation facilities and projects that are eligible for funding by the Florida Seaport Transportation and Economic Development Council pursuant to s. 311.07.

~~(i) A comprehensive plan amendment for the purpose of designating an urban infill and redevelopment area under s. 163.2517 may be approved without regard to the statutory limits on the frequency of amendments to the comprehensive plan.~~

7.~~(j)~~ Any comprehensive plan amendment to establish public school concurrency pursuant to s. 163.3180(13), including, but not limited to, adoption of a public school facilities element *pursuant to s. 163.3177(12)* and adoption of amendments to the capital improvements element and

intergovernmental coordination element. In order to ensure the consistency of local government public school facilities elements within a county, such elements *must* ~~shall~~ be prepared and adopted on a similar time schedule.

~~(k) A local comprehensive plan amendment directly related to providing transportation improvements to enhance life safety on Controlled Access Major Arterial Highways identified in the Florida Intrastate Highway System, in counties as defined in s. 125.011, where such roadways have a high incidence of traffic accidents resulting in serious injury or death. Any such amendment shall not include any amendment modifying the designation on a comprehensive development plan land use map nor any amendment modifying the allowable densities or intensities of any land.~~

~~(l) A comprehensive plan amendment to adopt a public educational facilities element pursuant to s. 163.3177(12) and future land-use map amendments for school siting may be approved notwithstanding statutory limits on the frequency of adopting plan amendments.~~

~~(m) A comprehensive plan amendment that addresses criteria or compatibility of land uses adjacent to or in close proximity to military installations in a local government's future land use element does not count toward the limitation on the frequency of the plan amendments.~~

~~(n) Any local government comprehensive plan amendment establishing or implementing a rural land stewardship area pursuant to the provisions of s. 163.3177(11)(d).~~

~~(o) A comprehensive plan amendment that is submitted by an area designated by the Governor as a rural area of critical economic concern under s. 288.0656(7) and that meets the economic development objectives may be approved without regard to the statutory limits on the frequency of adoption of amendments to the comprehensive plan.~~

~~(p) Any local government comprehensive plan amendment that is consistent with the local housing incentive strategies identified in s. 420.9076 and authorized by the local government.~~

8. Any local government comprehensive plan amendment adopted pursuant to a final order issued by the Administration Commission or the Florida Land and Water Adjudicatory Commission.

9. A future land use map amendment within an area designated by the Governor as a rural area of critical economic concern under s. 288.0656(7) for the duration of such designation. Before the adoption of such an amendment, the local government shall obtain from the Office of Tourism, Trade, and Economic Development written certification that the plan amendment furthers the economic objectives set forth in the executive order issued under s. 288.0656(7). The property subject to the plan amendment is subject to all concurrency requirements and federal, state, and local environmental permit requirements.

10. Any local government comprehensive plan amendment establishing or implementing a rural land stewardship area pursuant to the provisions of s. 163.3177(11)(d) or a sector plan pursuant to the provisions of s. 163.3245.

(2) Comprehensive plans may only be amended in such a way as to preserve the internal consistency of the plan pursuant to s. 163.3177(2). Corrections, updates, or modifications of current costs which were set out as part of the comprehensive plan shall not, for the purposes of this act, be deemed to be amendments.

(3)(a) The state land planning agency shall not review or issue a notice of intent for small scale development amendments which satisfy the requirements of *subparagraph (1)(b)3.* ~~paragraph (1)(c).~~ Any affected person may file a petition with the Division of Administrative Hearings pursuant to ss. 120.569 and 120.57 to request a hearing to challenge the compliance of a small scale development amendment with this act within 30 days following the local government's adoption of the amendment, shall serve a copy of the petition on the local government, and shall furnish a copy to the state land planning agency. An administrative law judge shall hold a hearing in the affected jurisdiction not less than 30 days nor more than 60 days following the filing of a petition and the assignment of an administrative law judge. The parties to a hearing held pursuant to this subsection shall be the petitioner, the local government, and any intervenor. In the proceeding, the local government's determination that the small scale development amendment is in compliance is presumed to be correct. The local government's determination shall be sustained unless it is shown by a preponderance of the evidence that the amendment is not in compliance with the requirements of this act. In any proceeding initiated pursuant to this subsection, the state land planning agency may intervene.

(b)1. If the administrative law judge recommends that the small scale development amendment be found not in compliance, the administrative law judge shall submit the recommended order to the Administration Commission for final agency action. If the administrative law judge recommends that the small scale development amendment be found in compliance, the administrative law judge shall submit the recommended order to the state land planning agency.

2. If the state land planning agency determines that the plan amendment is not in compliance, the agency shall submit, within 30 days following its receipt, the recommended order to the Administration Commission for final agency action. If the state land planning agency determines that the plan amendment is in compliance, the agency shall enter a final order within 30 days following its receipt of the recommended order.

(c) Small scale development amendments shall not become effective until 31 days after adoption. If challenged within 30 days after adoption, small scale development amendments shall not become effective until the state land planning agency or the Administration Commission, respectively, issues a final order determining *that* the adopted small scale development amendment is in compliance. *However, a small-scale amendment shall not become effective until it has been rendered to the state land planning agency as required by sub-sub-subparagraph (1)(b)5.b.(I) and the state land planning agency has certified to the local government in writing that the amendment qualifies as a small-scale amendment.*

(5)~~(4)~~ Each governing body shall transmit to the state land planning agency a current copy of its comprehensive plan not later than December 1, 1985. Each governing body shall also transmit copies of any amendments it adopts to its comprehensive plan so as to continually update the plans on file with the state land planning agency.

(6)~~(5)~~ Nothing in this part is intended to prohibit or limit the authority of local governments to require that a person requesting an amendment pay some or all of the cost of public notice.

(7)~~(6)~~(a) *A* ~~No~~ local government may *not* amend its comprehensive plan after the date established by the state land planning agency for adoption of its evaluation and appraisal report unless it has submitted its report or addendum to the state land planning agency as prescribed by s. 163.3191, except for plan amendments described in *subparagraph (1)(b)2.* ~~paragraph (1)(b)~~ or *subparagraph (1)(b)6.* ~~paragraph (1)(h).~~

(b) A local government may amend its comprehensive plan after it has submitted its adopted evaluation and appraisal report and for a period of 1 year after the initial determination of sufficiency regardless of whether the report has been determined to be insufficient.

(c) A local government may not amend its comprehensive plan, except for plan amendments described in *subparagraph (1)(b)2.* ~~paragraph (1)(b)~~, if the 1-year period after the initial sufficiency determination of the report has expired and the report has not been determined to be sufficient.

(d) When the state land planning agency has determined that the report has sufficiently addressed all pertinent provisions of s. 163.3191, the local government may amend its comprehensive plan without the limitations imposed by paragraph (a) or paragraph (c).

(e) Any plan amendment which a local government attempts to adopt in violation of paragraph (a) or paragraph (c) is invalid, but such invalidity may be overcome if the local government readopts the amendment and transmits the amendment to the state land planning agency pursuant to s. 163.3184(7) after the report is determined to be sufficient.

Section 10. Section 163.3245, Florida Statutes, is amended to read:

163.3245 Optional sector plans.—

(1) In recognition of the benefits of *large-scale* ~~conceptual long-range~~ planning ~~for the buildout of an area, and detailed planning~~ for specific

areas, ~~as a demonstration project, the requirements of s. 380.06 may be addressed as identified by this section for up to five~~ local governments or combinations of local governments *may* ~~which~~ adopt into *their* ~~the~~ comprehensive *plans* ~~plan~~ an optional sector plan in accordance with this section. This section is intended to further the intent of s. 163.3177(11)~~,~~ which supports innovative and flexible planning and development strategies, ~~and~~ the purposes of this part~~,~~ and part I of chapter 380, and to avoid duplication of effort in terms of the level of data and analysis required for a development of regional impact~~,~~ while ensuring the adequate mitigation of impacts to applicable regional resources and facilities, including those within the jurisdiction of other local governments, as would otherwise be provided. Optional sector plans are intended for substantial geographic areas *that include* ~~including~~ at least *10,000 contiguous* ~~5,000~~ acres of one or more local governmental jurisdictions and ~~are~~ to emphasize urban form and protection of regionally significant resources and facilities. ~~The state land planning agency may approve optional sector plans of less than 5,000 acres based on local circumstances if it is determined that the plan would further the purposes of this part and part I of chapter 380. Preparation of an optional sector plan is authorized by agreement between the state land planning agency and the applicable local governments under s. 163.3171(4). An optional sector plan may be adopted through one or more comprehensive plan amendments under s. 163.3184. However, an optional sector plan may not be authorized in an area of critical state concern.~~

(2) ~~The state land planning agency may enter into an agreement to authorize preparation of an optional sector plan upon the request of one or more local governments based on consideration of problems and opportunities presented by existing development trends; the effectiveness of current comprehensive plan provisions; the potential to further the state comprehensive plan, applicable strategic regional policy plans, this part, and part I of chapter 380; and those factors identified by s. 163.3177(10)(i).~~ The applicable regional planning council shall conduct a scoping meeting with affected local governments and those agencies identified in s. 163.3184(4) before *the local government may consider the sector plan amendments for transmittal* ~~execution of the agreement authorized by this section~~. The purpose of this meeting is to assist the state land planning agency and the local government in *identifying* ~~the identification of~~ the relevant planning issues to be addressed and the data and resources available to assist in the preparation of *the* ~~subsequent~~ plan amendments. The regional planning council shall make written recommendations to the state land planning agency and affected local governments *relating to*~~, including whether a sustainable sector plan would be appropriate. The agreement must define~~ the geographic area to be subject to the sector plan, the planning issues that will be emphasized, requirements for intergovernmental coordination to address extrajurisdictional impacts, supporting application materials including data and analysis, and procedures for public participation. ~~An agreement may address previously adopted sector plans that are consistent with the standards in this section. Before executing an agreement under this subsection, the local government shall hold a duly noticed public workshop to review and explain to the public the optional sector planning process and the terms and conditions of the proposed agreement. The local government shall hold a duly noticed public hearing to execute the agreement.~~ All meetings between the *state land planning agency* ~~department~~ and the local government must be open to the public.

(3) Optional sector planning encompasses two levels: adoption under s. 163.3184 of a conceptual long-term *overlay plan as part of* ~~buildout overlay to~~ the comprehensive plan, ~~having no immediate effect on the issuance of development orders or the applicability of s. 380.06,~~ and ~~adoption under s. 163.3184 of~~ detailed specific area plans that implement the conceptual long-term *overlay plan* ~~buildout overlay~~ and authorize issuance of development orders, and within which s. 380.06 is waived. *Upon adoption of a conceptual long-term overlay plan, the underlying future land use designations may be used only if consistent with the plan and its implementing goals, objectives, and policies. The overlay plan may provide for all or a portion of the lands addressed by the overlay plan to be used primarily for bona fide agricultural purposes as appropriate interim uses until implementation of all or a portion of the overlay plan.* ~~Until such time as a detailed specific area plan is adopted, the underlying future land use designations apply.~~

(a) In addition to the other requirements of this chapter, a conceptual long-term *overlay plan adopted pursuant to s. 163.3184* ~~buildout overlay~~ must include *maps and text supported by data and analysis that address the following*:

1. A ~~long-range~~ conceptual *long-term overlay plan* ~~framework~~ map that, at a minimum, identifies *the maximum and minimum amounts, densities, intensities, and types of allowable development and generally depicts* ~~anticipated~~ areas of urban, agricultural, rural, and conservation land use.

2. *A general* identification of regionally significant public facilities ~~consistent with chapter 9J-2, Florida Administrative Code~~, irrespective of local governmental jurisdiction, necessary to support buildout of the anticipated future land uses*, and policies setting forth the procedures to be used to address and mitigate these impacts as part of the adoption of detailed specific area plans*.

3. *A general* identification of regionally significant natural resources *and policies ensuring the protection and conservation of these resources* ~~consistent with chapter 9J-2, Florida Administrative Code~~.

4. Principles and guidelines that address the urban form and interrelationships of anticipated future land uses, ~~and a discussion, at the applicant's option, of the extent, if any, to which the plan will address~~ restoring key ecosystems, achieving a more clean, healthy environment, limiting urban sprawl *within the sector plan and surrounding area, providing affordable and workforce housing, promoting energy-efficient land use patterns*, protecting wildlife and natural areas, advancing the efficient use of land and other resources, and creating quality communities and jobs.

5. Identification of general procedures to ensure intergovernmental coordination to address extrajurisdictional impacts from the ~~long-range~~ conceptual *long-range overlay plan* ~~framework map~~.

(b) In addition to the other requirements of this chapter, including those in paragraph (a), the detailed specific area plans must include:

1. An area of adequate size to accommodate a level of development which achieves a functional relationship between a ~~full~~ range of land uses within the area and *encompasses* ~~to encompass~~ at least 1,000 acres. ~~The state land planning agency may approve detailed specific area plans of less than 1,000 acres based on local circumstances if it is determined that the plan furthers the purposes of this part and part I of chapter 380.~~

2. Detailed identification and analysis of the *minimum and maximum amounts, densities, intensities,* distribution, extent, and location of future land uses.

3. Detailed identification of regionally significant public facilities, including public facilities outside the jurisdiction of the host local government, anticipated impacts of future land uses on those facilities, and required improvements consistent with *the policies accompanying the plan and, for transportation, with rule 9J-2.045* ~~chapter 9J-2~~, Florida Administrative Code.

4. Public facilities necessary for the short term, including developer contributions in a financially feasible 5-year capital improvement schedule of the affected local government.

5. Detailed analysis and identification of specific measures to assure the protection of regionally significant natural resources and other important resources both within and outside the host jurisdiction~~, including those regionally significant resources identified in chapter 9J-2, Florida Administrative Code~~.

6. Principles and guidelines that address the urban form and interrelationships of anticipated future land uses ~~and a discussion~~, ~~at the applicant's option, of the extent, if any, to which the plan will address~~ restoring key ecosystems, achieving a more clean, healthy environment, limiting urban sprawl, *providing affordable and workforce housing, promoting energy-efficient land use patterns,* protecting wildlife and natural areas, advancing the efficient use of land and other resources, and creating quality communities and jobs.

7. Identification of specific procedures to ensure intergovernmental coordination *and which address* ~~to address~~ extrajurisdictional impacts of the detailed specific area plan.

(c) This subsection *does* ~~may~~ not ~~be construed to~~ prevent preparation and approval of the *conceptual long-term overlay* ~~optional sector~~ plan and detailed specific area plan concurrently or in the same submission.

~~(4) The host local government shall submit a monitoring report to the state land planning agency and applicable regional planning council on an annual basis after adoption of a detailed specific area plan. The annual monitoring report must provide summarized information on development orders issued, development that has occurred, public facility improvements made, and public facility improvements anticipated over the upcoming 5 years.~~

(4)~~(5)~~ *If* ~~When~~ a plan amendment adopting a detailed specific area plan has become effective under ss. 163.3184 and 163.3189(2), the provisions of s. 380.06 do not apply to development within the geographic area of the detailed specific area plan. However, any development-of-regional-impact development order that is vested from the detailed specific area plan may be enforced under s. 380.11.

(a) The local government adopting the detailed specific area plan is primarily responsible for monitoring and enforcing the detailed specific area plan. Local governments *may* ~~shall~~ not issue any permits or approvals or provide any extensions of services to development that are not consistent with the detailed sector area plan.

(b) If the state land planning agency has reason to believe that a violation of any detailed specific area plan, or of any agreement entered into under this section, has occurred or is about to occur, it may institute an administrative or judicial proceeding to prevent, abate, or control the conditions or activity creating the violation~~,~~ using the procedures in s. 380.11.

~~(c) In instituting an administrative or judicial proceeding involving an optional sector plan or detailed specific area plan, including a proceeding pursuant to paragraph (b), the complaining party shall comply with the requirements of s. 163.3215(4), (5), (6), and (7).~~

(5) Each local government that is identified as a demonstration project and that has entered into an agreement with the state land planning agency to authorize preparation of an optional sector plan prior to July 1, 2008, is entitled to continue processing the proposed optional sector plan, and the proposed optional sector plan shall be reviewed and may be challenged under the laws and rules in effect at the time of the transmittal of a proposed plan amendment application to the state land planning agency; however, the owner of the property may elect, by giving notice to the local government and the state land planning agency, to be governed under any laws and rules effective after July 1, 2008.

~~(6) Beginning December 1, 1999, and each year thereafter, the department shall provide a status report to the Legislative Committee on Intergovernmental Relations regarding each optional sector plan authorized under this section.~~

(6)~~(7)~~ This section *does* ~~may~~ not ~~be construed to~~ abrogate the rights of any person under this chapter.

Section 11. Section 163.3246, Florida Statutes, is amended to read:

163.3246 Local Government Comprehensive Planning Certification Program.—

(1) *The Legislature finds that* ~~There is created~~ the Local Government Comprehensive Planning Certification Program *has had a low level of interest from and participation by local governments. New approaches, such as the Alternative State Review Process Pilot Program, provide a more effective approach to expediting and streamlining comprehensive plan amendment review. Therefore, the Local Government Comprehensive Planning Certification Program is discontinued and no additional local governments may be certified. The municipalities of Freeport, Lakeland, Miramar, and Orlando may continue to adopt amendments in accordance with this section and their certification agreement or certification notice.* ~~to be administered by the Department of Community Affairs. The purpose of the program is to create a certification process for local governments who identify a geographic area for certification within which they commit to directing growth and who, because of a demonstrated record of effectively adopting, implementing, and enforcing its comprehensive plan, the level of technical planning experience exhibited by the local government, and a commitment to implement exemplary planning practices, require less state and regional oversight of the comprehensive plan amendment process. The purpose of the certification area is to designate areas that are contiguous, compact, and appropriate for urban growth and development within a 10-year planning timeframe. Municipalities and counties are encouraged to jointly establish the certification area, and subsequently enter into joint certification agreement with the department.~~

~~(2) In order to be eligible for certification under the program, the local government must:~~

~~(a) Demonstrate a record of effectively adopting, implementing, and enforcing its comprehensive plan;~~

~~(b) Demonstrate technical, financial, and administrative expertise to implement the provisions of this part without state oversight;~~

~~(c) Obtain comments from the state and regional review agencies regarding the appropriateness of the proposed certification;~~

~~(d) Hold at least one public hearing soliciting public input concerning the local government's proposal for certification; and~~

~~(e) Demonstrate that it has adopted programs in its local comprehensive plan and land development regulations which:~~

~~1. Promote infill development and redevelopment, including prioritized and timely permitting processes in which applications for local development permits within the certification area are acted upon expeditiously for proposed development that is consistent with the local comprehensive plan.~~

~~2. Promote the development of housing for low-income and very low-income households or specialized housing to assist elderly and disabled persons to remain at home or in independent living arrangements.~~

~~3. Achieve effective intergovernmental coordination and address the extrajurisdictional effects of development within the certified area.~~

~~4. Promote economic diversity and growth while encouraging the retention of rural character, where rural areas exist, and the protection and restoration of the environment.~~

~~5. Provide and maintain public urban and rural open space and recreational opportunities.~~

~~6. Manage transportation and land uses to support public transit and promote opportunities for pedestrian and nonmotorized transportation.~~

~~7. Use design principles to foster individual community identity, create a sense of place, and promote pedestrian-oriented safe neighborhoods and town centers.~~

~~8. Redevelop blighted areas.~~

~~9. Adopt a local mitigation strategy and have programs to improve disaster preparedness and the ability to protect lives and property, especially in coastal high-hazard areas.~~

~~10. Encourage clustered, mixed-use development that incorporates greenspace and residential development within walking distance of commercial development.~~

~~11. Encourage urban infill at appropriate densities and intensities and separate urban and rural uses and discourage urban sprawl while preserving public open space and planning for buffer-type land uses and rural development consistent with their respective character along and outside the certification area.~~

~~12. Assure protection of key natural areas and agricultural lands that are identified using state and local inventories of natural areas. Key natural areas include, but are not limited to:~~

~~a. Wildlife corridors.~~

~~b. Lands with high native biological diversity, important areas for threatened and endangered species, species of special concern, migratory bird habitat, and intact natural communities.~~

~~c. Significant surface waters and springs, aquatic preserves, wetlands, and outstanding Florida waters.~~

~~d. Water resources suitable for preservation of natural systems and for water resource development.~~

~~e. Representative and rare native Florida natural systems.~~

~~13. Ensure the cost-efficient provision of public infrastructure and services.~~

~~(3) Portions of local governments located within areas of critical state concern cannot be included in a certification area.~~

~~(4) A local government or group of local governments seeking certification of all or part of a jurisdiction or jurisdictions must submit an application to the department which demonstrates that the area sought to be certified meets the criteria of subsections (2) and (5). The application shall include copies of the applicable local government comprehensive plan, land development regulations, interlocal agreements, and other relevant information supporting the eligibility criteria for designation. Upon receipt of a complete application, the department must provide the local government with an initial response to the application within 90 days after receipt of the application.~~

~~(5) If the local government meets the eligibility criteria of subsection (2), the department shall certify all or part of a local government by written agreement, which shall be considered final agency action subject to challenge under s. 120.569.~~

(2) The agreement *for the municipalities of Lakeland, Miramar, and Orlando* must include the following components:

(a) The basis for certification.

(b) The boundary of the certification area, which encompasses areas that are contiguous, compact, appropriate for urban growth and development, and in which public infrastructure *exists* ~~is existing~~ or *is* planned within a 10-year planning timeframe. The certification area *must* ~~is required to~~ include sufficient land to accommodate projected population growth, housing demand, including choice in housing types and affordability, job growth and employment, appropriate densities and intensities of use to be achieved in new development and redevelopment, existing or planned infrastructure, including transportation and central water and sewer facilities. The certification area must be adopted as part of the local government's comprehensive plan.

(c) A demonstration that the capital improvements plan governing the certified area is updated annually.

(d) A visioning plan or a schedule for the development of a visioning plan.

(e) A description of baseline conditions related to the evaluation criteria in paragraph (g) in the certified area.

(f) A work program setting forth specific planning strategies and projects that will be undertaken to achieve improvement in the baseline conditions as measured by the criteria identified in paragraph (g).

(g) Criteria to evaluate the effectiveness of the certification process in achieving the community-development goals for the certification area including:

1. Measuring the compactness of growth, expressed as the ratio between population growth and land consumed;

2. Increasing residential density and intensities of use;

3. Measuring and reducing vehicle miles traveled and increasing the interconnectedness of the street system, pedestrian access, and mass transit;

4. Measuring the balance between the location of jobs and housing;

5. Improving the housing mix within the certification area, including the provision of mixed-use neighborhoods, affordable housing, and the creation of an affordable housing program if ~~such~~ a program is not already in place;

6. Promoting mixed-use developments as an alternative to single-purpose centers;

7. Promoting clustered development having dedicated open space;

8. Linking commercial, educational, and recreational uses directly to residential growth;

9. Reducing per capita water and energy consumption;

10. Prioritizing environmental features to be protected and adopting measures or programs to protect identified features;

11. Reducing hurricane shelter deficits and evacuation times and implementing the adopted mitigation strategies; and

12. Improving coordination between the local government and school board.

(h) A commitment to change any land development regulations that restrict compact development and adopt alternative design codes that encourage desirable densities and intensities of use and patterns of compact development identified in the agreement.

(i) A plan for increasing public participation in comprehensive planning and land use decisionmaking which includes outreach to neighborhood and civic associations through community planning initiatives.

(j) A demonstration that the intergovernmental coordination element of the local government's comprehensive plan includes joint processes for coordination between the school board and local government pursuant to s. 163.3177(6)(h)2. and other requirements of law.

(k) A method of addressing the extrajurisdictional effects of development within the certified area, which is integrated by amendment into the intergovernmental coordination element of the local government comprehensive plan.

(l) A requirement for the annual reporting to the *state land planning agency* ~~department~~ of plan amendments adopted during the year, and the progress of the local government in meeting the terms and conditions of the certification agreement. Prior to the deadline for the annual report, the local government must hold a public hearing soliciting public input on the progress of the local government in satisfying the terms of the certification agreement.

(m) An expiration date that is *within* ~~no later than~~ 10 years after execution of the agreement.

~~(6) The department may enter up to eight new certification agreements each fiscal year. The department shall adopt procedural rules governing the application and review of local government requests for certification. Such procedural rules may establish a phased schedule for review of local government requests for certification.~~

(3) For the municipality of Freeport, the notice of certification shall include the following components:

(a) The boundary of the certification area.

(b) A report to the state land planning agency according to the schedule provided in the written notice. The monitoring report shall, at a minimum, include the number of amendments to the comprehensive plan adopted by the local government, the number of plan amendments challenged by an affected person, and the disposition of those challenges.

(4) Notwithstanding any other subsections, the municipality of Freeport shall remain certified for as long as it is designated as a rural area of critical economic concern.

(5) If the municipality of Freeport does not request that the state land planning agency review the developments of regional impact that are proposed within the certified area, an application for approval of a development order within the certified area shall be exempt from review under s. 380.06, subject to the following:

(a) Concurrent with filing an application for development approval with the local government, a developer proposing a project that would have been subject to review pursuant to s. 380.06 shall notify in writing the regional planning council that has jurisdiction.

(b) The regional planning council shall coordinate with the developer and the local government to ensure that all concurrency requirements as well as federal, state, and local environmental permit requirements are met.

(6)~~(7)~~ The *state land planning agency* ~~department~~ shall revoke the local government's certification if it determines that the local government is not substantially complying with the terms of the agreement.

(7)~~(8)~~ An affected person, as defined *in s. 163.3184(1)* ~~by s. 163.3184(1)(a)~~, may petition for *an* administrative hearing alleging that a local government is not substantially complying with the terms of the agreement, using the procedures and timeframes for notice and conditions precedent described in s. 163.3213. Such ~~a~~ petition must be filed within 30 days after the annual public hearing required by paragraph *(2)(l)* ~~(5)(l)~~.

(8)~~(9)~~(a) ~~Upon certification~~ All comprehensive plan amendments associated with the area certified must be adopted and reviewed in the manner described in ss. 163.3184(1), (2), (7), (14), (15), and (16) and 163.3187, such that state and regional agency review is eliminated. The *state land planning agency* ~~department~~ may not issue any objections, recommendations, and comments report on proposed plan amendments or a notice of intent on adopted plan amendments; however, affected persons, as defined *in s. 163.3184(1)* ~~by s. 163.3184(1)(a)~~, may file a petition for administrative review pursuant to ~~the requirements of~~ s. 163.3187(3)(a) to challenge the compliance of an adopted plan amendment.

(b) Plan amendments that change the boundaries of the certification area; propose a rural land stewardship area pursuant to s. 163.3177(11)(d); propose an optional sector plan pursuant to s. 163.3245; propose a school facilities element; update a comprehensive plan based on an evaluation and appraisal report; impact lands outside the certification boundary; implement new statutory requirements that require specific comprehensive plan amendments; or increase hurricane evacuation times or the need for shelter capacity on lands within the coastal high-hazard area shall be reviewed pursuant to ss. 163.3184 and 163.3187.

~~(10) Notwithstanding subsections (2), (4), (5), (6), and (7), any municipality designated as a rural area of critical economic concern pursuant to s. 288.0656 which is located within a county eligible to levy the Small County Surtax under s. 212.055(3) shall be considered certified during the effectiveness of the designation of rural area of critical economic concern. The state land planning agency shall provide a written notice of certification to the local government of the certified area, which shall be considered final agency action subject to challenge under s. 120.569. The notice of certification shall include the following components:~~

~~(a) The boundary of the certification area.~~

~~(b) A requirement that the local government submit either an annual or biennial monitoring report to the state land planning agency according to the schedule provided in the written notice. The monitoring report shall, at a minimum, include the number of amendments to the comprehensive plan adopted by the local government, the number of plan amendments challenged by an affected person, and the disposition of those challenges.~~

~~(11) If the local government of an area described in subsection (10) does not request that the state land planning agency review the developments of regional impact that are proposed within the certified area, an application for approval of a development order within the certified area shall be exempt from review under s. 380.06, subject to the following:~~

~~(a) Concurrent with filing an application for development approval with the local government, a developer proposing a project that would have been subject to review pursuant to s. 380.06 shall notify in writing the regional planning council with jurisdiction.~~

~~(b) The regional planning council shall coordinate with the developer and the local government to ensure that all concurrency requirements as well as federal, state, and local environmental permit requirements are met.~~

(9)~~(12)~~ A local government's certification shall be reviewed by the local government and the *state land planning agency* ~~department~~ as part of the evaluation and appraisal process pursuant to s. 163.3191. Within 1 year after the deadline for the local government to update its comprehensive plan based on the evaluation and appraisal report, the *state land planning agency* ~~department~~ shall renew or revoke the certification. The local government's failure to adopt a timely evaluation and appraisal report, ~~failure to~~ adopt an evaluation and appraisal report found to be sufficient, or ~~failure~~ to timely adopt amendments based on an evaluation and appraisal report found to be in compliance by the *state land planning agency* ~~department~~ shall be cause for revoking the certification agreement. The *state land planning agency's* ~~department's~~ decision to renew or revoke *is* ~~shall be~~ considered agency action subject to challenge under s. 120.569.

~~(13) The department shall, by July 1 of each odd-numbered year, submit to the Governor, the President of the Senate, and the Speaker of the House of Representatives a report listing certified local governments, evaluating the effectiveness of the certification, and including any recommendations for legislative actions.~~

~~(14) The Office of Program Policy Analysis and Government Accountability shall prepare a report evaluating the certification program, which shall be submitted to the Governor, the President of the Senate, and the Speaker of the House of Representatives by December 1, 2007.~~

Section 12. Paragraphs (a) and (b) of subsection (1), subsections (2) and (3), paragraph (b) of subsection (4), paragraph (a) of subsection (5), paragraph (g) of subsection (6), and subsections (7) and (8) of section 163.32465, Florida Statutes, are amended to read:

163.32465 State review of local comprehensive plans in urban areas.—

(1) LEGISLATIVE FINDINGS.—

(a) The Legislature finds that local governments in this state have a wide diversity of resources, conditions, abilities, and needs. The Legislature also finds that the needs and resources of urban areas are different from those of rural areas and that different planning and growth management approaches, strategies, and techniques are required in urban areas. The state role in overseeing growth management should reflect this diversity and should vary based on local government conditions, capabilities, needs, and *the* extent *and type* of development. *Therefore* ~~Thus~~, the Legislature recognizes ~~and finds~~ that reduced state oversight of local comprehensive planning is justified for some local governments in urban areas *and for certain types of development*.

(b) The Legislature finds and declares that *the* ~~this~~ state's urban areas require a reduced level of state oversight because of their high degree of urbanization and the planning capabilities and resources of many of their local governments. An alternative state review process that is adequate to protect issues of regional or statewide importance should be created for appropriate local governments in these areas *and for certain types of development*. Further, the Legislature finds that development, including urban infill and redevelopment, should be encouraged in these urban areas. The Legislature finds that an alternative process for amending local comprehensive plans in these areas should be established with an objective of streamlining the process and recognizing local responsibility and accountability.

(2) ALTERNATIVE STATE REVIEW PROCESS PILOT PROGRAM.—Pinellas and Broward Counties, and the municipalities within these counties, and Jacksonville, Miami, Tampa, and Hialeah shall follow *the* ~~an~~ alternative state review process provided in this section. Municipalities within the pilot counties may elect, by super majority vote of the governing body, not to participate in the pilot program. *The alternative state review process shall also apply to:*

(a) Future land use map amendments and associated special area policies within areas designated in a comprehensive plan for downtown revitalization pursuant to s. 163.3164(25), urban redevelopment pursuant to s. 163.3164(26), urban infill development pursuant to s. 163.3164(27), urban infill and redevelopment pursuant to s. 163.2517, a multimodal transportation district pursuant to s. 163.3180(15), or an urban service area pursuant to s. 163.3180(5)(b)2.e.;

(b) Future land use map amendments for a proposed development in which at least 15 percent of the residential units are affordable to individuals or families whose total annual household income does not exceed 120 percent of the area median income adjusted for household size or, if located in a county in which the median purchase price for an existing single-family home exceeds the statewide median purchase price for such home, does not exceed 140 percent of the area median income adjusted for family size. Each such residential unit shall be subject to a rental, deed, or other restriction to ensure that it meets the income limits provided in this paragraph for at least 30 years; and

(c) Future land use map amendments within an area designated by the Governor as a rural area of critical economic concern under s. 288.0656(7) for the duration of such designation. Before the adoption of such an amendment, the local government must obtain written certification from the Office of Tourism, Trade, and Economic Development that the plan amendment furthers the economic objectives set forth in the executive order issued under s. 288.0656(7).

(3) PROCESS FOR ADOPTION OF COMPREHENSIVE PLAN AMENDMENTS UNDER THE PILOT PROGRAM.—

(a) Plan amendments adopted by the pilot program jurisdictions shall follow the alternate, expedited process in subsections (4) and (5), except as set forth in paragraphs *(b)-(f)* ~~(b)-(e) of this subsection~~.

(b) Amendments that qualify as small-scale development amendments may continue to be adopted by the pilot program jurisdictions pursuant to s. *163.3187(1)(d)* ~~163.3187(1)(c)~~ and (3).

(c) Plan amendments that propose a rural land stewardship area pursuant to s. 163.3177(11)(d); propose an optional sector plan; update a comprehensive plan based on an evaluation and appraisal report; implement ~~new~~ statutory requirements *not previously incorporated into a comprehensive plan*; or new plans for newly incorporated municipalities are subject to state review as set forth in s. 163.3184.

(d) Pilot program jurisdictions *are* ~~shall be~~ subject to the frequency and timing requirements for plan amendments set forth in ss. 163.3187 and 163.3191, except *as* ~~where~~ otherwise stated in this section.

(e) The mediation and expedited hearing provisions in s. 163.3189(3) apply to all plan amendments adopted by the pilot program jurisdictions.

(f) All amendments adopted under this section must comply with ss. 163.3184(3)(a) and 163.3184(15)(b)2.

(4) INITIAL HEARING ON COMPREHENSIVE PLAN AMENDMENT FOR PILOT PROGRAM.—

(b) The agencies and local governments specified in paragraph (a) may provide comments regarding the amendment or amendments to the local government. The regional planning council review and comment shall be limited to effects on regional resources or facilities identified in the strategic regional policy plan and extrajurisdictional impacts that would be inconsistent with the comprehensive plan of the affected local government. A regional planning council *may* ~~shall~~ not review and comment on a proposed comprehensive plan amendment prepared by such council unless the plan amendment has been changed by the local government subsequent to the preparation of the plan amendment by the regional planning council. County comments on municipal comprehensive plan amendments shall be primarily in the context of the relationship and effect of the proposed plan amendments on the county plan. Municipal comments on county plan amendments shall be primarily in the context of the relationship and effect of the amendments on the municipal plan. State agency comments may include technical guidance on issues of agency jurisdiction as it relates to the requirements of this part. Such comments *must* ~~shall~~ clearly identify issues that, if not resolved, may result in an agency challenge to the plan amendment. For the purposes of this pilot program, agencies are encouraged to focus potential challenges on issues of regional or statewide importance. Agencies and local governments must transmit their comments to the affected local government*, if issued, within 30 days after* ~~such that they are received by the local government not later than thirty days from~~ the date ~~on which~~ the *state land planning agency notifies the affected local government that the plan amendment package is complete* ~~agency or government received the amendment or amendments~~. *Any comments from the agencies and local governments must also be transmitted to the state land planning agency.*

(5) ADOPTION OF COMPREHENSIVE PLAN AMENDMENT FOR PILOT AREAS.—

(a) The local government shall hold its second public hearing, which shall be a hearing on whether to adopt one or more comprehensive plan amendments, on a weekday at least 5 days after the day the second advertisement is published pursuant to ~~the requirements of~~ chapter 125 or chapter 166. Adoption of comprehensive plan amendments must be by ordinance ~~and requires an affirmative vote of a majority of the members of the governing body present at the second hearing~~. *The hearing must be conducted and the amendment adopted within 120 days after receipt of the agency comments pursuant to s. 163.3246(4)(b). If a local government fails to adopt the plan amendment within the timeframe set forth in this subsection, the plan amendment is deemed abandoned and the plan amendment may not be considered until the next available amendment cycle pursuant to s. 163.3187.*

(6) ADMINISTRATIVE CHALLENGES TO PLAN AMENDMENTS FOR PILOT PROGRAM.—

(g) An amendment adopted under the expedited provisions of this section shall not become effective until *completion of the time period available to the state land planning agency for administrative challenge under paragraph (a)* ~~31 days after adoption~~. If timely challenged, an amendment shall not become effective until the state land planning agency or the Administration Commission enters a final order determining *that* the adopted amendment *is* ~~to be~~ in compliance.

(7) APPLICABILITY OF PILOT PROGRAM IN CERTAIN LOCAL GOVERNMENTS.—Local governments and specific areas that *are* ~~have been~~ designated for alternate review process pursuant to ss. 163.3246 and 163.3184(17) ~~and (18)~~ are not subject to this section.

(8) RULEMAKING AUTHORITY FOR PILOT PROGRAM.—*The state land planning agency may adopt procedural* ~~Agencies shall not promulgate~~ rules to *administer* ~~implement~~ this *section* ~~pilot program~~.

Section 13. Subsection (8) of section 163.340, Florida Statutes, is amended to read:

163.340 Definitions.—The following terms, wherever used or referred to in this part, have the following meanings:

(8) "Blighted area" means an area in which there are a substantial number of deteriorated, or deteriorating structures, in which conditions, as indicated by government-maintained statistics or other studies, are leading to economic distress or endanger life or property, and in which two or more of the following factors are present:

(a) Predominance of defective or inadequate street layout, parking facilities, roadways, bridges, or public transportation facilities;

(b) Aggregate assessed values of real property in the area for ad valorem tax purposes have failed to show any appreciable increase over the 5 years prior to the finding of such conditions;

(c) Faulty lot layout in relation to size, adequacy, accessibility, or usefulness;

(d) Unsanitary or unsafe conditions;

(e) Deterioration of site or other improvements;

(f) Inadequate and outdated building density patterns;

(g) Falling lease rates per square foot of office, commercial, or industrial space compared to the remainder of the county or municipality;

(h) Tax or special assessment delinquency exceeding the fair value of the land;

(i) Residential and commercial vacancy rates higher in the area than in the remainder of the county or municipality;

(j) Incidence of crime in the area higher than in the remainder of the county or municipality;

(k) Fire and emergency medical service calls to the area proportionately higher than in the remainder of the county or municipality;

(l) A greater number of violations of the Florida Building Code in the area than the number of violations recorded in the remainder of the county or municipality;

(m) Diversity of ownership or defective or unusual conditions of title which prevent the free alienability of land within the deteriorated or hazardous area; or

(n) Governmentally owned property with adverse environmental conditions caused by a public or private entity.

However, the term "blighted area" also means any area in which at least one of the factors identified in paragraphs (a) through (n) are present and all taxing authorities subject to s. 163.387(2)(a) agree, either by interlocal agreement or agreements with the agency or by resolution, that the area is blighted*, or that the area was previously used as a military facility, is undeveloped, and consists of land that the Federal Government declared surplus within the preceding 20 years, not including any such area that is currently being used by the military in an active-duty, reserve, or National Guard capacity*. Such agreement or resolution shall only determine that the area is blighted. For purposes of qualifying for the tax credits authorized in chapter 220, "blighted area" means an area as defined in this subsection.

Section 14. Section 166.0451, Florida Statutes, is renumbered as section 163.32432, Florida Statutes, and amended to read:

163.32432 ~~166.0451~~ Disposition of municipal property for affordable housing.—

(1) By July 1, 2007, and every 3 years thereafter, each municipality shall prepare an inventory list of all real property within its jurisdiction to which the municipality holds fee simple title that is appropriate for use as affordable housing. The inventory list must include the address and legal description of each ~~such~~ property and specify whether the property is vacant or improved. The governing body of the municipality must review the inventory list at a public hearing and may revise it at the conclusion of the public hearing. Following the public hearing, the governing body of the municipality shall adopt a resolution that includes an inventory list of such property.

(2) The properties identified as appropriate for use as affordable housing on the inventory list adopted by the municipality may be offered for sale and the proceeds may be used to purchase land for the development of affordable housing or to increase the local government fund earmarked for affordable housing, or may be sold with a restriction that requires the development of the property as permanent affordable housing, or may be donated to a nonprofit housing organization for the construction of permanent affordable housing. Alternatively, the municipality may otherwise make the property available for use for the production and preservation of permanent affordable housing. For purposes of this section, the term "affordable" has the same meaning as in s. 420.0004(3).

(3) As a precondition to receiving any state affordable housing funding or allocation for any project or program within the municipality's jurisdiction, a municipality must, by July 1 of each year, provide certification that the inventory and any update required by this section is complete.

Section 15. Subsection (5) and paragraph (d) of subsection (12) of section 288.975, Florida Statutes, are amended to read:

288.975 Military base reuse plans.—

(5) At the discretion of the host local government, the provisions of this act may be complied with through the adoption of the military base reuse plan as a separate component of the local government comprehensive plan or through simultaneous amendments to all pertinent portions of the local government comprehensive plan. Once adopted and approved in accordance with this section, the military base reuse plan shall be considered to be part of the host local government's comprehensive plan and shall be thereafter implemented, amended, and reviewed in accordance with ~~the provisions of~~ part II of chapter 163. ~~Local government comprehensive plan amendments necessary to initially adopt the military base reuse plan shall be exempt from the limitation on the frequency of plan amendments contained in s. 163.3187(2).~~

(12) Following receipt of a petition, the petitioning party or parties and the host local government shall seek resolution of the issues in dispute. The issues in dispute shall be resolved as follows:

(d) Within 45 days after receiving the report from the state land planning agency, the Administration Commission shall take action to resolve the issues in dispute. In deciding upon a proper resolution, the Administration Commission shall consider the nature of the issues in dispute, any requests for a formal administrative hearing pursuant to chapter 120, the compliance of the parties with this section, the extent of the conflict between the parties, the comparative hardships and the public interest involved. If the Administration Commission incorporates in its final order a term or condition that requires any local government to amend its local government comprehensive plan, the local government shall amend its plan within 60 days after the issuance of the order. ~~Such amendment or amendments shall be exempt from the limitation of the frequency of plan amendments contained in s. 163.3187(2), and~~ A public hearing on such amendment or amendments pursuant to s. 163.3184(15)(b)1. *is* ~~shall~~ not ~~be~~ required. The final order of the Administration Commission is subject to appeal pursuant to s. 120.68. If the order of the Administration Commission is appealed, the time for the local government to amend its plan *is* ~~shall be~~ tolled during the pendency of any local, state, or federal administrative or judicial proceeding relating to the military base reuse plan.

Section 16. Subsection (5) is added to section 342.201, Florida Statutes, to read:

342.201 Waterfronts Florida Program.—

(5) The Department of Community Affairs may adopt rules necessary to implement the provisions of this section.

Section 17. Subsection (7), paragraph (c) of subsection (19), and paragraph (l) of subsection (24) of section 380.06, Florida Statutes, are amended, and present paragraph (u) is redesignated as paragraph (v) and a new paragraphs (u) is added to subsection (24) of that section, to read:

380.06 Developments of regional impact.—

(7) PREAPPLICATION PROCEDURES.—

(a) Before filing an application for development approval, the developer shall contact the regional planning agency with jurisdiction over the proposed development to arrange a preapplication conference. Upon the request of the developer or the regional planning agency, other affected state and regional agencies shall participate in this conference and shall identify the types of permits issued by the agencies, the level of information required, and the permit issuance procedures as applied to the proposed development. *The levels of service required in the transportation methodology shall be the same levels of service used to evaluate concurrency in accordance with s. 163.3180.* The regional planning agency shall provide the developer information about the development-of-regional-impact process and the use of preapplication conferences to identify issues, coordinate appropriate state and local agency requirements, and otherwise promote a proper and efficient review of the proposed development. If agreement is reached regarding assumptions and methodology to be used in the application for development approval, the reviewing agencies may not subsequently object to those assumptions and methodologies unless subsequent changes to the project or information obtained during the review make those assumptions and methodologies inappropriate.

(19) SUBSTANTIAL DEVIATIONS.—

(c) An extension of the date of buildout of a development, or any phase thereof, by more than 7 years is presumed to create a substantial deviation subject to further development-of-regional-impact review. An extension of the date of buildout, or any phase thereof, of more than 5 years but not more than 7 years is presumed not to create a substantial deviation. The extension of the date of buildout of an areawide development of regional impact by more than 5 years but less than 10 years is presumed not to create a substantial deviation. These presumptions may be rebutted by clear and convincing evidence at the public hearing held by the local government. An extension of 5 years or less is not a substantial deviation. For the purpose of calculating when a buildout or phase date has been exceeded, the time shall be tolled during the pendency of administrative or judicial proceedings relating to development permits. Any extension of the buildout date of a project or a phase thereof shall automatically extend the commencement date of the project, the termination date of the development order, the expiration date of the development of regional impact, and the phases thereof if applicable by a like period of time. In recognition of the 2007 real estate market conditions, all *development order* phase, buildout, *commencement,* and expiration dates *and all related local government approvals* for projects that are developments of regional impact *or Florida Quality Developments* and under active construction on July 1, 2007, *or for which a development order was adopted between January 1, 2006, and July 1,*

2007, regardless of whether or not active construction has commenced, are extended for 3 years regardless of any prior extension. The 3-year extension is not a substantial deviation, is not subject to further development-of-regional-impact review, and may not be considered when determining whether a subsequent extension is a substantial deviation under this subsection. *This extension also applies to all associated local government approvals, including, but not limited to, agreements, certificates, and permits related to the project.*

(24) STATUTORY EXEMPTIONS.—

(l) Any proposed development *or redevelopment within an area designated in the comprehensive plan as an urban redevelopment area, a downtown revitalization area, an urban infill area, or an urban infill and redevelopment area under s 163.2517 is exempt from this section.* ~~within an urban service boundary established under s. 163.3177(14) is exempt from the provisions of this section if the local government having jurisdiction over the area where the development is proposed has adopted the urban service boundary, has entered into a binding agreement with jurisdictions that would be impacted and with the Department of Transportation regarding the mitigation of impacts on state and regional transportation facilities, and has adopted a proportionate share methodology pursuant to s. 163.3180(16).~~

(u) Any development within a county having a population greater than 1.25 million which is proposed for at least two uses, one of which is for use as an office or laboratory appropriate for the research and development of medical technology, biotechnology, or life science applications, is exempt from this section if:

1. The land is located in a designated urban infill area or within 5 miles of a state-supported biotechnical research facility or if a local government having jurisdiction recognizes, by resolution, that the land is located in a compact, high-intensity, and high-density multiuse area that is appropriate for intensive growth.

2. The land is located within three-fourths of 1 mile from one or more bus or light rail transit stops.

3. The development is registered with the United States Green Building Council and there is an intent to apply for certification of each building under the Leadership in Energy and Environmental Design rating program, or the development is registered by an alternate green building rating system that a local government having jurisdiction finds appropriate, by resolution.

(v)~~(u)~~ Any development within a county with a research and education authority created by special act and that is also within a research and development park that is operated or managed by a research and development authority pursuant to part V of chapter 159 is exempt from this section.

If a use is exempt from review as a development of regional impact under paragraphs *(a)-(u)* ~~(a)-(t)~~, but will be part of a larger project that is subject to review as a development of regional impact, the impact of the exempt use must be included in the review of the larger project.

Section 18. Paragraph (f) of subsection (3) of section 380.0651, Florida Statutes, is amended to read:

380.0651 Statewide guidelines and standards.—

(3) The following statewide guidelines and standards shall be applied in the manner described in s. 380.06(2) to determine whether the following developments shall be required to undergo development-of-regional-impact review:

(f) Hotel or motel development.—

1. Any proposed hotel or motel development that is planned to create or accommodate 350 or more units; ~~or~~

2. Any proposed hotel or motel development that is planned to create or accommodate 750 or more units, in a county with a population greater than 500,000 *but not exceeding 1.5 million; or*

3. Any proposed hotel or motel development that is planned to create or accommodate 750 or more units, in a county that has a population greater than 1.5 million, and only in a geographic area specifically designated as highly suitable for increased threshold intensity in the approved local comprehensive plan and in the strategic regional policy plan.

Section 19. Paragraph (c) of subsection (18) of section 1002.33, Florida Statutes, is amended to read:

1002.33 Charter schools.—

(18) FACILITIES.—

(c) Any facility, or portion thereof, used to house a charter school whose charter has been approved by the sponsor and the governing board, pursuant to subsection (7), *is* ~~shall be~~ exempt from ad valorem taxes pursuant to s. 196.1983. Library, community service, museum, performing arts, theatre, cinema, church, community college, college, and university facilities may provide space to charter schools within their facilities *if such use is consistent with the local comprehensive plan and applicable land development regulations* ~~under their preexisting zoning and land use designations~~. *No expansion of the facilities shall be allowed to accommodate a charter school unless the expansion would be in compliance with the local comprehensive plan and applicable land development regulations.*

Section 20. Paragraph (b) of subsection (2) of section 163.3217, Florida Statutes, is amended to read:

163.3217 Municipal overlay for municipal incorporation.—

(2) PREPARATION, ADOPTION, AND AMENDMENT OF THE MUNICIPAL OVERLAY.—

(b)~~1.~~ A municipal overlay shall be adopted as an amendment to the local government comprehensive plan as prescribed by s. 163.3184.

~~2. A county may consider the adoption of a municipal overlay without regard to the provisions of s. 163.3187(1) regarding the frequency of adoption of amendments to the local comprehensive plan.~~

Section 21. Subsection (4) of section 163.3182, Florida Statutes, is amended to read:

163.3182 Transportation concurrency backlogs.—

(4) TRANSPORTATION CONCURRENCY BACKLOG PLANS.—

~~(a)~~ Each transportation concurrency backlog authority shall adopt a transportation concurrency backlog plan as a part of the local government comprehensive plan within 6 months after the creation of the authority. The plan shall:

(a)~~1.~~ Identify all transportation facilities that have been designated as deficient and require the expenditure of moneys to upgrade, modify, or mitigate the deficiency.

(b)~~2.~~ Include a priority listing of all transportation facilities that have been designated as deficient and do not satisfy concurrency requirements pursuant to s. 163.3180, and the applicable local government comprehensive plan.

(c)~~3.~~ Establish a schedule for financing and construction of transportation concurrency backlog projects that will eliminate transportation concurrency backlogs within the jurisdiction of the authority within 10 years after the transportation concurrency backlog plan adoption. The schedule shall be adopted as part of the local government comprehensive plan.

~~(b) The adoption of the transportation concurrency backlog plan shall be exempt from the provisions of s. 163.3187(1).~~

Section 22. Subsection (11) of section 171.203, Florida Statutes, is amended to read:

171.203 Interlocal service boundary agreement.—The governing body of a county and one or more municipalities or independent special districts within the county may enter into an interlocal service boundary agreement under this part. The governing bodies of a county, a municipality, or an independent special district may develop a process for reaching an interlocal service boundary agreement which provides for public participation in a manner that meets or exceeds the requirements

of subsection (13), or the governing bodies may use the process established in this section.

(11)(a) A municipality that is a party to an interlocal service boundary agreement that identifies an unincorporated area for municipal annexation under s. 171.202(11)(a) shall adopt a municipal service area as an amendment to its comprehensive plan to address future possible municipal annexation. The state land planning agency shall review the amendment for compliance with part II of chapter 163. The proposed plan amendment must contain:

1. A boundary map of the municipal service area.

2. Population projections for the area.

3. Data and analysis supporting the provision of public facilities for the area.

(b) This part does not authorize the state land planning agency to review, evaluate, determine, approve, or disapprove a municipal ordinance relating to municipal annexation or contraction.

~~(c) Any amendment required by paragraph (a) is exempt from the twice-per-year limitation under s. 163.3187.~~

Section 23. *There is appropriated to the Division of Community Planning within the Department of Community Affairs eight full-time equivalent positions and $431,299 in recurring general revenue for the 2008-2009 fiscal year.*

Section 24. This act shall take effect July 1, 2008.

And the title is amended as follows:

Delete line(s) 92-219 and insert: system; amending s. 163.31801, F.S.; requiring the provision of notice before the imposition of an increased impact fee; providing that the provision of notice is not required before decreasing or eliminating an impact fee; amending s. 163.3184, F.S.; requiring that potential applicants for a future land use map amendment applying to 50 or more acres conduct two meetings to present, discuss, and solicit public comment on the proposed amendment; requiring that one such meeting be conducted before the application is filed and the second meeting be conducted before adoption of the plan amendment; providing notice and procedure requirements for such meetings; requiring that applicants for a plan amendment applying to more than 10 acres but less than 50 acres conduct a meeting before the application is filed and encouraging a second meeting within a specified period before the local government's scheduled adoption hearing; providing for notice of such meeting; requiring that an applicant file with the local government a written certification attesting to certain information; exempting small-scale amendments from requirements related to meetings; revising a time period for comments on plan amendments; revising a time period for requesting state planning agency review of plan amendments; revising a time period for the state land planning agency to identify written comments on plan amendments for local governments; providing that an amendment is deemed abandoned under certain circumstances; authorizing the state land planning agency to grant extensions; requiring that a comprehensive plan or amendment to be adopted be available to the public; prohibiting certain types of changes to a plan amendment during a specified period before the hearing thereupon; requiring that the local government certify certain information to the state land planning agency; deleting exemptions from the limitation on the frequency of amendments of comprehensive plans; deleting provisions relating to community vision and urban boundary amendments to conform to changes made by the act; amending s. 163.3187, F.S.; limiting the adoption of certain plan amendments to twice per calendar year; limiting the adoption of certain plan amendments to once per calendar year; authorizing local governments to adopt certain plan amendments at any time during a calendar year without regard for restrictions on frequency; deleting certain types of amendments from the list of amendments eligible for adoption at any time during a calendar year; deleting exemptions from frequency limitations; providing circumstances under which small-scale amendments become effective; amending s. 163.3245, F.S.; revising provisions relating to optional sector plans; authorizing all local government to adopt optional sector plans into their comprehensive plan; increasing the size of the area to which sector plans apply; deleting certain restrictions on a local government upon entering into sector plans; deleting an annual monitoring report submitted by a host local government that has adopted a sector plan and a status report submitted by the department on optional sector plans; amending s. 163.3246, F.S.; discontinuing the Local Government Comprehensive Planning Certification Program except for currently certified local governments; retaining an exemption from DRI review for a certified community in certain circumstances; amending s. 163.32465, F.S.; revising provisions relating to the state review of comprehensive plans; providing additional types of amendments to which the alternative state review applies; providing that a 30-day period for agency comments begins when the state land planning agency notifies the local government that the plan amendment package is complete; requiring adoption of a plan amendment within 120 days after receipt of agency comments or the plan amendment is deemed abandoned; revising the effective date of adopted plan amendments; providing procedural rulemaking authority to the state land planning agency; amending s. 163.340, F.S.; defining the term "blighted area" to include land previously used as a military facility; renumbering and amending s. 166.0451, F.S.; requiring municipalities to certify that they have prepared a list of county-owned property appropriate for affordable housing before obtaining certain funding; amending s. 288.975, F.S.; deleting exemptions from the frequency limitations on comprehensive plan amendments; amending s. 342.201, F.S.; authorizing the Department of Community Affairs to adopt rules to implement the Waterfronts Florida Program; amending s. 380.06, F.S.; requiring a specified level of service for certain transportation methodologies; revising criteria for extending application of certain deadline dates and approvals for developments of regional impact; providing an additional statutory exemption for certain developments in certain counties; providing requirements and limitations; providing an additional statutory exemption for certain redevelopment; amending s. 380.0651, F.S.; expanding the criteria for determining whether certain additional hotel or motel developments are required to undergo development-of-regional impact review; amending s. 1002.33, F.S.; restricting facilities from providing space to charter schools unless such use is consistent with the local comprehensive plan; prohibiting the expansion of certain facilities to accommodate for a charter school unless such use is consistent with the local comprehensive plan; amending ss. 163.3217, 163.3182, and 171.203, F.S.; deleting exemptions from the limitation on the frequency of amendments of comprehensive plans; providing an appropriation and authorizing additional positions; providing an effective date.

Senator Lynn moved the following amendment to **Amendment 2** which failed:

Amendment 2A (674746)(with title amendment)—Between line(s) 1722 and 1723 insert:

Section 23. Section 288.0656, Florida Statutes, is amended to read:

288.0656 Rural Economic Development Initiative.—

(1)*(a) Recognizing that rural communities and regions continue to face extraordinary challenges in their efforts to achieve significant improvements to their economies, specifically in terms of personal income, job creation, average wages, and strong tax bases, it is the intent of the Legislature to encourage and facilitate the location and expansion in such rural communities of major economic development projects of significant scale.*

(b) The Rural Economic Development Initiative, known as "REDI," is created within the Office of Tourism, Trade, and Economic Development, and the participation of state and regional agencies in this initiative is authorized.

(2) As used in this section, the term:

(a) "Catalyst project" means a business locating or expanding in a rural area of critical economic concern which is likely to serve as an economic growth opportunity of regional significance for the growth of a regional target industry cluster. The project shall provide capital investment of significant scale which will affect the entire region and will facilitate the development of high-wage and high-skill jobs.

(b) "Catalyst site" means a parcel or parcels of land within a rural area of critical economic concern that has been prioritized by representatives of the jurisdictions within the rural area of critical economic concern, reviewed by REDI, and approved by the Office of Tourism, Trade, and Economic Development for purposes of locating a catalyst project.

(c)~~(a)~~ "Economic distress" means conditions affecting the fiscal and economic viability of a rural community, including such factors as low per capita income, low per capita taxable values, high unemployment,

high underemployment, low weekly earned wages compared to the state average, low housing values compared to the state average, high percentages of the population receiving public assistance, high poverty levels compared to the state average, and a lack of year-round stable employment opportunities.

(d) "Rural area of critical economic concern" means a rural community, or a region composed of rural communities, designated by the Governor, which has been adversely affected by an extraordinary economic event, severe or chronic distress, or a natural disaster or which presents a unique economic development opportunity of regional impact.

(e)~~(b)~~ "Rural community" means:

1. A county with a population of 75,000 or less.

2. A county with a population of *120,000* ~~100,000~~ or less that is contiguous to a county with a population of 75,000 or less.

3. A municipality within a county described in subparagraph 1. or subparagraph 2.

4. An unincorporated federal enterprise community or an incorporated rural city with a population of 25,000 or less and an employment base focused on traditional agricultural or resource-based industries, located in a county not defined as rural, which has at least three or more of the economic distress factors identified in paragraph (a) and verified by the Office of Tourism, Trade, and Economic Development.

For purposes of this paragraph, population shall be determined in accordance with the most recent official estimate pursuant to s. 186.901.

(3) REDI shall be responsible for coordinating and focusing the efforts and resources of state and regional agencies on the problems which affect the fiscal, economic, and community viability of Florida's economically distressed rural communities, working with local governments, community-based organizations, and private organizations that have an interest in the growth and development of these communities to find ways to balance environmental and growth management issues with local needs.

(4) REDI shall review and evaluate the impact of *laws* ~~statutes~~ and rules on rural communities and ~~shall~~ work to minimize any adverse impact *and shall undertake outreach and capacity-building efforts*.

(5) REDI shall facilitate better access to state resources by promoting direct access and referrals to appropriate state and regional agencies and statewide organizations. REDI may undertake outreach, capacity-building, and other advocacy efforts to improve conditions in rural communities. These activities may include sponsorship of conferences and achievement awards.

(6)(a) By August 1 of each year, the head of each of the following agencies and organizations shall designate a high-level staff person from within the agency or organization to serve as the REDI representative for the agency or organization:

1. The Department of Community Affairs.

2. The Department of Transportation.

3. The Department of Environmental Protection.

4. The Department of Agriculture and Consumer Services.

5. The Department of State.

6. The Department of Health.

7. The Department of Children and Family Services.

8. The Department of Corrections.

9. The Agency for Workforce Innovation.

10. The Department of Education.

11. The Department of Juvenile Justice.

12. The Fish and Wildlife Conservation Commission.

13. Each water management district.

14. Enterprise Florida, Inc.

15. Workforce Florida, Inc.

16. The Florida Commission on Tourism or VISIT Florida.

17. The Florida Regional Planning Council Association.

18. The *Agency for Health Care Administration* ~~Florida State Rural Development Council~~.

19. The Institute of Food and Agricultural Sciences (IFAS).

An alternate for each designee shall also be chosen, and the names of the designees and alternates shall be sent to the director of the Office of Tourism, Trade, and Economic Development.

(b) Each REDI representative must have comprehensive knowledge of his or her agency's functions, both regulatory and service in nature, and of the state's economic goals, policies, and programs. This person shall be the primary point of contact for his or her agency with REDI on issues and projects relating to economically distressed rural communities and with regard to expediting project review, shall ensure a prompt effective response to problems arising with regard to rural issues, and shall work closely with the other REDI representatives in the identification of opportunities for preferential awards of program funds and allowances and waiver of program requirements when necessary to encourage and facilitate long-term private capital investment and job creation.

(c) The REDI representatives shall work with REDI in the review and evaluation of statutes and rules for adverse impact on rural communities and the development of alternative proposals to mitigate that impact.

(d) Each REDI representative shall be responsible for ensuring that each district office or facility of his or her agency is informed about the Rural Economic Development Initiative and for providing assistance throughout the agency in the implementation of REDI activities.

(7)*(a)* REDI may recommend to the Governor up to three rural areas of critical economic concern. ~~A rural area of critical economic concern must be a rural community, or a region composed of such, that has been adversely affected by an extraordinary economic event or a natural disaster or that presents a unique economic development opportunity of regional impact that will create more than 1,000 jobs over a 5-year period.~~ The Governor may by executive order designate up to three rural areas of critical economic concern which will establish these areas as priority assignments for REDI as well as to allow the Governor, acting through REDI, to waive criteria, requirements, or similar provisions of any economic development incentive. Such incentives shall include, but not be limited to: the Qualified Target Industry Tax Refund Program under s. 288.106, the Quick Response Training Program under s. 288.047, the Quick Response Training Program for participants in the welfare transition program under s. 288.047(8), transportation projects under s. 288.063, the brownfield redevelopment bonus refund under s. 288.107, and the rural job tax credit program under ss. 212.098 and 220.1895.

(b) Designation as a rural area of critical economic concern under this subsection shall be contingent upon the execution of a memorandum of agreement among the Office of Tourism, Trade, and Economic Development; the governing body of the county; and the governing bodies of any municipalities to be included within a rural area of critical economic concern. Such agreement shall specify the terms and conditions of the designation, including, but not limited to, the duties and responsibilities of the county and any participating municipalities to take actions designed to facilitate the retention and expansion of existing businesses in the area, as well as the recruitment of new businesses to the area.

(c) Each rural area of critical economic concern may designate catalyst projects provided that each catalyst project is specifically recommended by REDI, identified as a catalyst project by Enterprise Florida, Inc., and confirmed as a catalyst project by the Office of Tourism, Trade, and Economic Development. All state agencies and departments shall use all available tools and resources to the extent permissible by law to promote the creation and development of each catalyst project and the development of catalyst sites.

(8) REDI shall assist local governments within rural areas of critical economic concern with comprehensive planning needs pursuant to s. 163.3184(20) and which implement the provisions of this section. Such assistance shall reflect a multidisciplinary approach among all agencies and shall include economic development and planning objectives.

(a) A local government may request assistance in the preparation of plan amendments that will stimulate economic activity.

1. The local government must contact the Office of Tourism, Trade, and Economic Development to request assistance.

2. REDI representatives shall meet with the local government within 15 days after such request to develop the scope of assistance that will be provided to assist the development, transmittal, and adoption of the proposed comprehensive plan amendment.

3. As part of the assistance provided, REDI representatives shall also identify other needed local and developer actions for approval of the project and recommend a timeline for the local government and developer which will minimize project delays.

(b) In addition, REDI shall solicit requests each year for assistance from local governments within a rural area of critical economic concern to update the future land use element and other associated elements of the local government's comprehensive plan to better position the community to respond to economic development potential within the county or municipality. REDI shall provide direct assistance to such local governments to update their comprehensive plans pursuant to this paragraph. At least one comprehensive planning technical assistance effort shall be selected each year.

(c) REDI shall develop and annually update a technical assistance manual based upon experiences learned in providing direct assistance under this subsection.

(9) As further incentive for development of jobs and advancement of health care in areas that are both a fiscally constrained county pursuant to s. 218.67 and a rural area of critical economic concern as designated by the Governor pursuant to s. 288.0656, the provisions of Rule 9J-5.006(5), Florida Administrative Code, regulating sprawl shall not be applicable to a development of regional impact governed by s. 380.06 if such development is a multiuse development containing at least three distinct uses and such development provides a hospital with a minimum of 70 beds, both of which criteria shall be met within 10 years after receipt of a final development order.

(10)~~(8)~~ REDI shall submit a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives each year on or before *September* ~~February~~ 1 on all REDI activities *for the prior fiscal year*. This report shall include a status report on all projects currently being coordinated through REDI, the number of preferential awards and allowances made pursuant to this section, the dollar amount of such awards, and the names of the recipients. The report shall also include a description of all waivers of program requirements granted. The report shall also include information as to the economic impact of the projects coordinated by REDI.

And the title is amended as follows:

On line 1834, after the semicolon (;) insert: amending s. 288.0656, F.S.; providing legislative intent; revising definitions; providing certain additional review and action requirements for REDI relating to rural communities; revising representation on REDI; deleting a limitation on characterization as a rural area of critical economic concern; authorizing rural areas of critical economic concern to designate certain catalyst projects for certain purposes; providing project requirements; requiring the initiative to assist local governments with certain comprehensive planning needs; providing procedures and requirements for such assistance; revising certain reporting requirements for REDI; providing for nonapplication of certain administrative rules to certain developments of regional impact under certain circumstances;

The vote was:

Yeas—18

Alexander	Baker	Bullard
Aronberg	Bennett	Dawson
Dean	Haridopolos	Oelrich
Diaz de la Portilla	Hill	Peaden
Fasano	Jones	Saunders
Gaetz	Lynn	Siplin

Nays—20

Mr. President	Garcia	Ring
Atwater	Geller	Storms
Carlton	Joyner	Villalobos
Constantine	Justice	Webster
Crist	King	Wilson
Deutch	Margolis	Wise
Dockery	Rich	

Vote after roll call:

Yea—Posey

MOTION

On motion by Senator Garcia, the rules were waived to allow the following amendment to be considered:

Senator Garcia moved the following amendment to **Amendment 2** which was adopted:

Amendment 2B (773760)—Delete line(s) 1511 and insert:

Section 17. Paragraph (a) of subsection (7), paragraph (c) of subsection

MOTION

On motion by Senator Wise, the rules were waived to allow the following amendment to be considered:

Senators Wise and Gaetz offered the following amendment to **Amendment 2** which was moved by Senator Wise and adopted:

Amendment 2C (933370)(with title amendment)—Delete line(s) 1645-1657 and insert:

(c) Any facility, or portion thereof, used to house a charter school whose charter has been approved by the sponsor and the governing board, pursuant to subsection (7), *is* ~~shall be~~ exempt from ad valorem taxes pursuant to s. 196.1983. Library, community service, museum, performing arts, theatre, cinema, church, community college, college, and university facilities may provide space to charter schools within their *existing* facilities under their preexisting zoning and land use designations.

And the title is amended as follows:

Delete line(s) 1827-1832 and insert: amending s. 1002.33, F.S.; clarifying that certain entities may provide space in existing facilities to charter schools; amending ss. 163.3217, 163.3182,

MOTION

On motion by Senator Garcia, the rules were waived to allow the following amendment to be considered:

Senator Garcia moved the following amendment to **Amendment 2** which was adopted:

Amendment 2D (944020)(with title amendment)—Delete line(s) 670-884

And the title is amended as follows:

Delete line(s) 1781-1790 and insert: effective; amending s. 163.3246,F.S.; discontinuing

Amendment 2 as amended was adopted.

RECONSIDERATION OF AMENDMENTS

On motion by Senator Garcia, the Senate reconsidered the vote by which **Amendment 1 (842906)** was adopted. On motion by Senator Garcia, the Senate reconsidered the vote by which **Amendment 1D**

(020158) failed. **Amendment 1D** was adopted. **Amendment 1** as amended was adopted.

On motion by Senator Garcia, further consideration of **CS for CS for SB 474** as amended was deferred.

MOTION

On motion by Senator Carlton, by two-thirds vote **CS for CS for SB 1296** was placed on the Special Order Calendar.

Consideration of **CS for CS for CS for SB 1978** was deferred.

On motion by Senator Dockery, by two-thirds vote **HB 7113** was withdrawn from the Committee on Criminal Justice.

On motion by Senator Dockery—

HB 7113—A bill to be entitled An act relating to the Department of Law Enforcement; amending s. 943.05, F.S.; providing that if fingerprints submitted to the Department of Law Enforcement for background screening are identified with the fingerprints of a person having a criminal history record, the department may make the fingerprints available for all purposes and uses authorized for arrest fingerprint cards; amending s. 943.053, F.S.; clarifying provisions relating to the fees charged for requests for criminal history information; amending s. 943.0542, F.S.; authorizing a qualified entity requesting screening information concerning an employee or volunteer, or a person applying to be an employee or volunteer, to submit the request electronically; requiring the qualified entity to maintain a signed waiver allowing the release of the state and national criminal history record information to the qualified entity; revising provisions relating to the fees for such screenings; amending s. 943.0581, F.S.; revising the information to be included in an application for an administrative expunction of any nonjudicial record of an arrest of a minor or an adult made contrary to law or by mistake; permitting specified officials to make an application for an administrative expunction; amending s. 943.0585, F.S.; providing additional circumstances in which a person may not lawfully deny or fail to acknowledge the arrests covered by an expunged criminal history record; amending s. 943.059, F.S.; providing that sealed criminal history records may be available to judges in the state courts system for specified purposes; providing additional circumstances in which a person may not lawfully deny or fail to acknowledge the arrests covered by a sealed criminal history record; amending s. 943.06, F.S.; adding the Secretary of Children and Family Services, or the secretary's designated assistant, to the Criminal and Juvenile Justice Information Systems Council; amending s. 943.08, F.S.; revising the duties of the Criminal and Juvenile Justice Information Systems Council; amending s. 943.081, F.S.; specifying and clarifying the principles adopted by the Criminal and Juvenile Justice Information Systems Council as the guiding principles for the management of public safety system information technology resources; authorizing creation of a citizen support organization for Florida Missing Children's Day by the Department of Law Enforcement to provide assistance, funding, and promotional support for activities authorized for that day; providing for duties and functions of the support organization; authorizing the department to fix and collect charges for the rental of facilities and properties managed by the department and providing for deposit and use of moneys collected; providing that the support organization is not a lobbyist; providing for the use and management of department property; providing for an annual audit; providing an effective date.

—a companion measure, was substituted for **CS for SB 838** and read the second time by title. On motion by Senator Dockery, by two-thirds vote **HB 7113** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Bennett	Dawson
Alexander	Bullard	Dean
Aronberg	Carlton	Deutch
Atwater	Constantine	Diaz de la Portilla
Baker	Crist	Dockery
Fasano	King	Saunders
Gaetz	Lawson	Siplin
Garcia	Lynn	Storms
Geller	Margolis	Villalobos
Haridopolos	Oelrich	Webster
Hill	Peaden	Wilson
Jones	Posey	Wise
Joyner	Rich	
Justice	Ring	

Nays—None

SB 1626—A bill to be entitled An act relating to the charter county transit system surtax; amending s. 212.055, F.S.; renaming the surtax; expanding the eligibility to levy the surtax to all charter counties; providing an effective date.

—was read the second time by title.

MOTION

On motion by Senator Geller, the rules were waived to allow the following amendment to be considered:

Senator Geller moved the following amendment which failed:

Amendment 1 (646496)(with title amendment)—Between lines 78 and 79 insert:

Section 2. Section 212.0606, Florida Statutes, is amended to read:

212.0606 Rental car surcharge*; discretionary local rental car surcharge*.—

(1) A surcharge of *$2* ~~$2.00~~ per day or any part of a day is imposed upon the lease or rental of a motor vehicle licensed for hire and designed to carry *fewer* ~~less~~ than nine passengers*,* regardless of whether such motor vehicle is licensed in Florida. The surcharge applies to only the first 30 days of the term of any lease or rental *and*~~. The surcharge~~ is subject to all applicable taxes imposed by this chapter.

(2)(a) Notwithstanding *s.* ~~the provisions of section~~ 212.20, and less costs of administration, 80 percent of the proceeds of *the* ~~this~~ surcharge *imposed under subsection (1)* shall be deposited in the State Transportation Trust Fund, 15.75 percent of the proceeds of this surcharge shall be deposited in the Tourism Promotional Trust Fund created in s. 288.122, and 4.25 percent of the proceeds of this surcharge shall be deposited in the Florida International Trade and Promotion Trust Fund. *As used in* ~~For the purposes of~~ this subsection, "proceeds" of the surcharge means all funds collected and received by the department under *subsection (1)* ~~this section~~, including interest and penalties on delinquent surcharges. The department shall provide the Department of Transportation rental car surcharge revenue information for the previous state fiscal year by September 1 of each year.

(b) Notwithstanding any other provision of law, in fiscal year 2007-2008 and each year thereafter, the proceeds deposited in the State Transportation Trust Fund shall be allocated on an annual basis in the Department of Transportation's work program to each department district, except the Turnpike District. The amount allocated for each district shall be based upon the amount of proceeds attributed to the counties within each respective district.

(3)(a) In addition to the surcharge imposed under subsection (1), each county containing an airport and a regional transportation authority under chapter 343 may levy a discretionary local surcharge pursuant to county ordinance and subject to approval by a majority vote of the electorate of the county voting in a referendum on the local surcharge of $2 per day, or any part of a day, upon the lease or rental of a motor vehicle licensed for hire and designed to carry fewer than nine passengers, regardless of whether such motor vehicle is licensed in this state. The surcharge may be applied to only the first 30 days of the term of the lease or rental and is subject to all applicable taxes imposed by this chapter.

(b) If the ordinance authorizing the imposition of the surcharge is approved by referendum, a certified copy of the ordinance shall be furnished by the county to the department within 10 days after such approval, but no later than November 16 prior to the effective date. The

notice must specify the time period during which the surcharge will be in effect and must include a copy of the ordinance and such other information as the department requires by rule. Failure to timely provide such notification to the department shall result in delay of the effective date for 1 year. The effective date for any county to impose the surcharge shall be January 1 following the year in which the ordinance was approved by referendum. A local surcharge may not terminate on a date other than December 31.

(c) A dealer that collects the local surcharge but fails to report surcharge collections by county, as required by paragraph (4)(b), shall have the surcharge proceeds deposited into the Solid Waste Management Trust Fund and transferred to the Local Option Fuel Tax Trust Fund, which is separate from the county surcharge collection accounts. The department shall distribute funds in this account, less the cost of administration, using a distribution factor determined for each county that levies a surcharge based on the county's latest official population as determined pursuant to s. 186.901 and multiplied by the amount of funds in the account and available for distribution.

(d) Notwithstanding s. 212.20, and less the costs of administration, the proceeds of the local surcharge imposed under paragraph (a) shall be transferred to the Local Option Fuel Tax Trust Fund and distributed monthly by the department pursuant to s. 336.025(3)(a)1. or (4)(a) and used solely for costs associated with the construction, reconstruction, operation, maintenance, and repair of facilities under a commuter rail service program provided by the state or other governmental entity. The revenue generated by the local surcharge in each county shall be redistributed to the transportation authority of that county. As used in this subsection, "proceeds" of the local surcharge means all funds collected and received by the department under this subsection, including interest and penalties on delinquent surcharges.

(4)~~(3)~~(a) Except as provided in this section, the department shall administer, collect, and enforce the surcharge *and local surcharge* as provided in this chapter.

(b) The department shall require dealers to report surcharge collections according to the county to which the surcharge *and local surcharge* was attributed. For purposes of this section, the surcharge *and local surcharge* shall be attributed to the county where the rental agreement was entered into.

(c) Dealers who collect *a* ~~the~~ rental car surcharge shall report to the department all surcharge *and local surcharge* revenues attributed to the county where the rental agreement was entered into on a timely filed return for each required reporting period. The provisions of this chapter which apply to interest and penalties on delinquent taxes shall apply to the surcharge *and local surcharge*. The surcharge *and local surcharge* shall not be included in the calculation of estimated taxes pursuant to s. 212.11. The dealer's credit provided in s. 212.12 shall not apply to any amount collected under this section.

(5)~~(4)~~ The surcharge *and any local surcharge* imposed by this section does not apply to a motor vehicle provided at no charge to a person whose motor vehicle is being repaired, adjusted, or serviced by the entity providing the replacement motor vehicle.

And the title is amended as follows:

Delete lines 2-5 and insert: An act relating to discretionary charges by counties; amending s. 212.055, F.S.; renaming the charter county transit system surtax; expanding the eligibility to levy the surtax to all charter counties; amending s. 212.0606, F.S.; providing for the imposition by countywide referendum of an additional surcharge on the lease or rental of a motor vehicle; providing the proceeds of the surcharge to be transferred to the Local Option Fuel Tax Trust Fund and used for the construction and maintenance of commuter rail service facilities; providing an effective date.

On motion by Senator Alexander, by two-thirds vote **SB 1626** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—37

Mr. President	Baker	Carlton
Alexander	Bennett	Constantine
Aronberg	Bullard	Crist
Dawson	Jones	Rich
Dean	Joyner	Ring
Deutch	Justice	Saunders
Diaz de la Portilla	King	Siplin
Dockery	Lawson	Storms
Fasano	Lynn	Villalobos
Gaetz	Margolis	Webster
Garcia	Oelrich	Wilson
Geller	Peaden	
Hill	Posey	

Nays—1

Haridopolos

Vote after roll call:

Yea—Wise

Nay—Atwater

CS for CS for SB's 2086 and 2498—A bill to be entitled An act relating to the Department of Business and Professional Regulation; amending s. 718.111, F.S.; requiring that hazard insurance be based upon the replacement cost of the property to be insured as determined by an independent insurance appraisal or update of a prior appraisal; requiring that the full insurable value be determined at specified intervals; providing a means by which an association may provide adequate hazard insurance; authorizing an association to consider certain information when determining coverage amounts; providing for coverage by developer-controlled associations; providing that policies may include deductibles as determined by the association's board of directors; providing requirements and guidelines for the establishment of such deductibles; requiring that the amounts of deductibles be set at a meeting of the board; providing requirements for such meeting; requiring that an association controlled by unit owners operating as a residential condominium use its best efforts to obtain and maintain adequate insurance to protect the association and property under its supervision or control; providing that a declaration of condominium may provide that condominium property consisting of freestanding buildings comprised of no more than one building in or on such unit need not be insured by the association if the declaration requires the unit owner to obtain adequate insurance for the condominium property; authorizing an association to obtain and maintain liability insurance for directors and officers, insurance for the benefit of association employees, and flood insurance for common elements, association property, and units; requiring that every hazard insurance policy issued or renewed on or after a specified date for the purpose of protecting the condominium provide certain coverage; requiring that such policies contain certain provisions; providing that such policies issued to individual unit owners do not provide rights of subrogation against the condominium association; providing for the insurance of improvements or additions benefiting fewer than all unit owners; requiring that an association require each owner to provide evidence of a current policy of hazard and liability insurance upon request; limiting the frequency with which an association may make such a request; authorizing an association to purchase coverage on behalf of an owner under certain circumstances; providing for the collection of the costs of such a policy; providing responsibilities of the unit owner and association with regard to reconstruction work and associated costs after a casualty loss; authorizing a multicondominium association to operate such condominiums as a single condominium for certain purposes by majority vote of the members of all applicable condominiums; providing that such election constitutes an amendment to the declaration of all applicable condominiums; requiring that an association maintain insurance or fidelity bonding for all persons who control or disburse association funds; requiring that such insurance policy or fidelity bond cover the maximum funds in the custody of the association or its management agent at any one time; defining the term "persons who control or disburse funds of the association"; authorizing an association to amend the declaration of condominium without regard to any requirement for approval by mortgagees of amendments affecting insurance requirements for the purpose of conforming the declaration of condominium to certain coverage requirements; providing that any portion of the condominium property required to be insured by the association against casualty loss which is damaged be reconstructed, repaired, or replaced as necessary by the association as a common expense; providing that all hazard insurance deductibles, uninsured losses, and other damages in excess of haz-

ard insurance coverage under the hazard insurance policies maintained by the association are a common expense of the condominium; providing exceptions; allocating responsibility for certain costs of repair or reconstruction; authorizing an association to opt out of certain requirements related to such allocation of responsibility by majority vote; providing a procedure by which a multicondominium association that has not consolidated its financial operations may opt out of such allocation of responsibility; requiring that a decision to opt out be recorded; providing that such decision takes effect on the date on which it is recorded; authorizing the reversal of such decision; providing a procedure for reversal; providing that an association is not obligated to pay for any reconstruction or repair expenses for improvements made by an owner or the development if an improvement benefits only the unit for which it was installed; amending s. 718.115, F.S.; requiring that certain expenses be designated as common expenses; amending s. 718.116, F.S.; authorizing the designee of a unit owner or mortgagee to request a certificate of assessment; requiring that the fee for preparation of such certificate be stated on the certificate; providing for the establishment of such fees; providing for payment of the fee; requiring that the fee be refunded if a planned sale or mortgage does not occur; providing that any such refund is the obligation of the unit owner and is collectable in the same manner as an assessment; amending s. 718.117, F.S.; prohibiting the distribution of proceeds from the sale of a condominium unit to a lienholder from exceeding a unit owner's share of the proceeds; creating s. 720.30851, F.S.; requiring that the association provide a certificate signed by an officer or agent of the association stating all assessments and other moneys owed to the association by the parcel owner or mortgagee with respect to the parcel within a specified period after the association's receipt of a request for an estoppel certificate by an owner or mortgagee; providing that any person other than a parcel owner who relies upon a certificate receives the benefits and protection thereof; providing that a summary proceeding may be brought to compel the association to comply with the requirement to provide a certificate; providing that the prevailing party is entitled to recover reasonable attorney's fees; requiring that the fee for preparation of such certificate be stated on the certificate; providing for the establishment of such fees; providing for payment of the fee; requiring that the fee be refunded if a planned sale or mortgage does not occur; providing that any such refund is the obligation of the unit owner and is collectable in the same manner as an assessment; amending s. 20.165, F.S.; changing the name of the Division of Florida Land Sales, Condominiums, and Mobile Homes to the Division of Florida Condominiums, Timeshares, and Mobile Homes and the Division of Technology, Licensure, and Testing to the Division of Technology; amending s. 215.20, F.S.; conforming the name of the division's trust fund to correspond to the name change of the division; amending s. 450.33, F.S.; removing the requirement for a farm labor contractor to file a set of fingerprints with the department; amending s. 455.203, F.S.; authorizing the department to close and terminate deficient license applications and to approve professional license applications meeting certain criteria; amending s. 455.217, F.S.; conforming terminology to changes made by the act; amending s. 455.2273, F.S.; authorizing the section to apply to disciplinary guidelines adopted by all boards and divisions; amending s. 468.841, F.S.; clarifying exemption provisions for license provisions governing mold-related services; amending s. 475.17, F.S.; revising requirements for licensure as a real estate broker; amending s. 475.451, F.S.; deleting requirements relating to the submission of certain real estate course rosters to the department; amending s. 489.105, F.S.; clarifying that individuals and business entities that sell manufactured and factory-built buildings can legally enter into contracts for those sales; amending s. 489.511, F.S.; revising requirements for taking the electrical or alarm system contractor certification examination; providing requirements for certification; amending s. 489.515, F.S.; revising requirements for certification as a certified contractor by the Electrical Contractors' Licensing Board to reflect changes made to s. 489.511, F.S., by this act; renumbering s. 498.009, F.S., relating to the location of the division's offices; amending and renumbering s. 498.011, F.S., relating to payment of per diem, mileage, and other expenses for division employees; providing for reimbursement of expenses for on-site review; deleting the expense reimbursement for inspection of subdivided lands; renumbering s. 498.013, F.S., relating to the authentication of records; amending and renumbering s. 498.057, F.S., relating to service of process; deleting provision that service may be made by delivering a copy of the process to the division director; providing that the division can be the petitioner or the plaintiff; repealing ss. 498.001, 498.003, 498.005, 498.007, 498.017, 498.021, 498.022, 498.023, 498.024, 498.025, 498.027, 498.028, 498.029, 498.031, 498.033, 498.035, 498.037, 498.039, 498.041, 498.047, 498.049, 498.051, 498.053, 498.059, 498.061, and 498.063, F.S., relating to regulation of land sales practices; amending s. 548.0065, F.S.; including amateur mixed martial arts in a provision relating to the authority of the Florida State Boxing Commission to suspend amateur matches for violation of certain health and safety standards; amending s. 548.008, F.S.; removing prohibition against holding amateur mixed martial arts matches in this state; amending s. 548.041, F.S.; providing additional licensure requirements for boxing participants; amending s. 718.501, F.S.; providing additional powers and duties of the division; providing for additional enforcement proceedings for carrying out the purposes of ch. 718, F.S.; deleting the payment of money by a developer to a condominium association as a permissible affirmative action; providing for actions of conservator or receiver; providing for application to circuit court for an order of restitution; providing for imposition of civil penalties and award of court costs, attorney's fees, and costs of investigation under certain circumstances; providing for contracting for investigative services; providing for acceptance of grants-in-aid; requiring the cooperation with similar agencies on establishment of certain procedures, standards, and forms; providing what constitutes completeness of notice; authorizing the division to issue a notice to show cause; providing conforming changes; amending s. 718.509, F.S., and transferring, renumbering, and amending s. 498.019, F.S.; consolidating and revising provisions relating to the creation, purposes, and sources of funds of the Division of Florida Condominiums, Timeshares, and Mobile Homes Trust Fund; revising provisions to conform to the change in division name; providing for the deposit of moneys resulting from an administrative final order; amending s. 721.03, F.S.; clarifying that timeshare plan includes a nonspecific multisite timeshare plan; amending ss. 73.073, 190.009, 192.037, 213.053, 326.002, 326.006, 380.05, 380.06, 380.0651, 381.0065, 455.116, 475.455, 494.008, 509.512, 517.301, 559.935, 718.103, 718.105, 718.1255, 718.5011, 718.502, 718.504, 718.508, 718.608, 719.103, 719.1255, 719.501, 719.502, 719.504, 719.508, 719.608, 720.301, 720.401, 721.05, 721.07, 721.08, 721.26, 721.28, 721.301, 721.50, 723.003, 723.006, 723.009, and 723.0611, F.S., to conform; amending s. 849.094, F.S.; providing that certain provisions related to game promotion in connection with the sale of consumer products or services do not apply to pari-mutuel permitholders licensed to conduct slot machine gaming; providing effective dates.

—was read the second time by title.

Amendments were considered and adopted to conform **CS for CS for SB's 2086 and 2498** to **CS for CS for HB 601**.

Pending further consideration of **CS for CS for SB's 2086 and 2498** as amended, on motion by Senator Jones, by two-thirds vote **CS for CS for HB 601** was withdrawn from the Committees on Regulated Industries; Banking and Insurance; and Judiciary.

On motion by Senator Jones—

CS for CS for HB 601—A bill to be entitled An act relating to the Department of Business and Professional Regulation; amending s. 718.111, F.S.; requiring that hazard insurance be based upon the replacement cost of the property to be insured as determined by an independent insurance appraisal or update of a prior appraisal; requiring that the full insurable value be determined at specified intervals; providing a means by which an association may provide adequate hazard insurance; authorizing an association to consider certain information when determining coverage amounts; providing for coverage by developer-controlled associations; providing that policies may include deductibles as determined by the association's board of directors; providing requirements and guidelines for the establishment of such deductibles; requiring that the amounts of deductibles be set at a meeting of the board; providing requirements for such meeting; requiring that an association controlled by unit owners operating as a residential condominium use its best efforts to obtain and maintain adequate insurance to protect the association and property under its supervision or control; providing that a declaration of condominium may provide that condominium property consisting of freestanding buildings comprised of no more than one building in or on such unit need not be insured by the association if the declaration requires the unit owner to obtain adequate insurance for the condominium property; authorizing an association to obtain and maintain liability insurance for directors and officers, insurance for the benefit of association employees, and flood insurance for common elements, association property, and units; requiring that every hazard insurance policy issued or renewed on or after a specified date for the purpose of protecting the condominium provide certain coverage; requiring that such policies contain certain provisions; providing that

such policies issued to individual unit owners do not provide rights of subrogation against the condominium association; providing for the insurance of improvements or additions benefiting fewer than all unit owners; requiring that an association require each owner to provide evidence of a current policy of hazard and liability insurance upon request; limiting the frequency with which an association may make such a request; authorizing an association to purchase coverage on behalf of an owner under certain circumstances; providing for the collection of the costs of such a policy; providing responsibilities of the unit owner and association with regard to reconstruction work and associated costs after a casualty loss; authorizing a multicondominium association to operate such condominiums as a single condominium for certain purposes by majority vote of the members of all applicable condominiums; providing that such election constitutes an amendment to the declaration of all applicable condominiums; requiring that an association maintain insurance or fidelity bonding for all persons who control or disburse association funds; requiring that such insurance policy or fidelity bond cover the maximum funds in the custody of the association or its management agent at any one time; defining the term "persons who control or disburse funds of the association"; authorizing an association to amend the declaration of condominium without regard to any requirement for approval by mortgagees of amendments affecting insurance requirements for the purpose of conforming the declaration of condominium to certain coverage requirements; providing that any portion of the condominium property required to be insured by the association against casualty loss which is damaged be reconstructed, repaired, or replaced as necessary by the association as a common expense; providing that all hazard insurance deductibles, uninsured losses, and other damages in excess of hazard insurance coverage under the hazard insurance policies maintained by the association are a common expense of the condominium; providing exceptions; allocating responsibility for certain costs of repair or reconstruction; authorizing an association to opt out of certain requirements related to such allocation of responsibility by majority vote; providing a procedure by which a multicondominium association that has not consolidated its financial operations may opt out of such allocation of responsibility; requiring that a decision to opt out be recorded; providing that such decision takes effect on the date on which it is recorded; authorizing the reversal of such decision; providing a procedure for reversal; providing that an association is not obligated to pay for any reconstruction or repair expenses for improvements made by an owner or the development if an improvement benefits only the unit for which it was installed; amending s. 718.115, F.S.; requiring that certain expenses be designated as common expenses; amending s. 718.116, F.S.; authorizing the designee of a unit owner or mortgagee to request a certificate of assessment; requiring that the fee for preparation of such certificate be stated on the certificate; providing for the establishment of such fees; providing for payment of the fee; requiring that the fee be refunded if a planned sale or mortgage does not occur; providing that any such refund is the obligation of the unit owner and is collectable in the same manner as an assessment; amending s. 718.117, F.S.; prohibiting the distribution of proceeds from the sale of a condominium unit to a lienholder from exceeding a unit owner's share of the proceeds; creating s. 720.30851, F.S.; requiring that the association provide a certificate signed by an officer or agent of the association stating all assessments and other moneys owed to the association by the parcel owner or mortgagee with respect to the parcel within a specified period after the association's receipt of a request for an estoppel certificate by an owner or mortgagee; providing that any person other than a parcel owner who relies upon a certificate receives the benefits and protection thereof; providing that a summary proceeding may be brought to compel the association to comply with the requirement to provide a certificate; providing that the prevailing party is entitled to recover reasonable attorney's fees; requiring that the fee for preparation of such certificate be stated on the certificate; providing for the establishment of such fees; providing for payment of the fee; requiring that the fee be refunded if a planned sale or mortgage does not occur; providing that any such refund is the obligation of the parcel owner and is collectable in the same manner as an assessment; amending s. 489.1425, F.S.; providing an exemption from the written notice requirement; amending s. 20.165, F.S.; changing the name of the Division of Florida Land Sales, Condominiums, and Mobile Homes to the Division of Florida Condominiums, Timeshares, and Mobile Homes and the Division of Technology, Licensure, and Testing to the Division of Technology; amending s. 215.20, F.S.; conforming the name of the division's trust fund to correspond to the name change of the division; amending s. 450.33, F.S.; removing the requirement for a farm labor contractor to file a set of fingerprints with the department; amending s. 455.203, F.S.; authorizing the department to close and terminate deficient license applications and to approve professional license applications meeting certain criteria; amending s. 455.217, F.S.; conforming terminology to changes made by the act; amending s. 455.2273, F.S.; authorizing the section to apply to disciplinary guidelines adopted by all boards and divisions; amending s. 468.841, F.S.; clarifying exemption provisions for license provisions governing mold-related services; amending s. 475.17, F.S.; revising requirements for licensure as a real estate broker; amending s. 475.451, F.S.; deleting requirements relating to the submission of certain real estate course rosters to the department; amending s. 477.019, F.S., relating to cosmetologists; allowing a student to apply for licensure examination prior to graduation and to practice prior to licensure; amending s. 489.105, F.S.; clarifying that individuals and business entities that sell manufactured and factory-built buildings can legally enter into contracts for those sales; amending s. 489.511, F.S.; revising requirements for taking the electrical or alarm system contractor certification examination; providing requirements for certification; amending s. 489.515, F.S.; revising requirements for certification as a certified contractor by the Electrical Contractors' Licensing Board to reflect changes made to s. 489.511, F.S., by this act; renumbering s. 498.009, F.S., relating to the location of the division's offices; amending and renumbering s. 498.011, F.S., relating to payment of per diem, mileage, and other expenses for division employees; providing for reimbursement of expenses for on-site review; deleting the expense reimbursement for inspection of subdivided lands; renumbering s. 498.013, F.S., relating to the authentication of records; amending and renumbering s. 498.057, F.S., relating to service of process; deleting provision that service may be made by delivering a copy of the process to the division director; providing that the division can be the petitioner or the plaintiff; repealing ss. 498.001, 498.003, 498.005, 498.007, 498.017, 498.021, 498.022, 498.023, 498.024, 498.025, 498.027, 498.028, 498.029, 498.031, 498.033, 498.035, 498.037, 498.039, 498.041, 498.047, 498.049, 498.051, 498.053, 498.059, 498.061, and 498.063, F.S., relating to regulation of land sales practices; amending s. 548.0065, F.S.; including amateur mixed martial arts in a provision relating to the authority of the Florida State Boxing Commission to suspend amateur matches for violation of certain health and safety standards; amending s. 548.008, F.S.; removing prohibition against holding amateur mixed martial arts matches in this state; amending s. 548.041, F.S.; providing additional licensure requirements for boxing participants; amending s. 718.501, F.S.; providing additional powers and duties of the division; providing for additional enforcement proceedings for carrying out the purposes of ch. 718, F.S.; deleting the payment of money by a developer to a condominium association as a permissible affirmative action; providing for actions of conservator or receiver; providing for application to circuit court for an order of restitution; providing for imposition of civil penalties and award of court costs, attorney's fees, and costs of investigation under certain circumstances; providing for contracting for investigative services; providing for acceptance of grants-in-aid; requiring the cooperation with similar agencies on establishment of certain procedures, standards, and forms; providing what constitutes completeness of notice; authorizing the division to issue a notice to show cause; providing conforming changes; amending s. 718.509, F.S., and transferring, renumbering, and amending s. 498.019, F.S.; consolidating and revising provisions relating to the creation, purposes, and sources of funds of the Division of Florida Condominiums, Timeshares, and Mobile Homes Trust Fund; revising provisions to conform to the change in division name; providing for the deposit of moneys resulting from an administrative final order; amending s. 721.03, F.S.; clarifying that timeshare plan includes a nonspecific multisite timeshare plan; amending ss. 73.073, 190.009, 192.037, 213.053, 326.002, 326.006, 380.05, 380.06, 380.0651, 381.0065, 455.116, 475.455, 494.008, 509.512, 517.301, 559.935, 718.103, 718.105, 718.1255, 718.5011, 718.502, 718.504, 718.508, 718.608, 719.103, 719.1255, 719.501, 719.502, 719.504, 719.508, 719.608, 720.301, 720.401, 721.05, 721.07, 721.08, 721.26, 721.28, 721.301, 721.50, 723.003, 723.006, 723.009, and 723.0611, F.S., to conform; providing effective dates.

—a companion measure, was substituted for **CS for CS for SB's 2086 and 2498** as amended and read the second time by title.

Senator Jones moved the following amendments which were adopted:

Amendment 1 (465352)(with title amendments)—Between line(s) 221 and 222 insert:

Section 1. Paragraph (b) of subsection (1) of section 718.111, Florida Statutes, as amended by section 6 of House Bill 995, enacted in the 2008 Regular Session, is amended to read:

718.111 The association.—

(1) CORPORATE ENTITY.—

(b) A director of the association who is present at a meeting of its board at which action on any corporate matter is taken shall be presumed to have assented to the action taken unless he or she votes against such action or abstains from voting ~~in respect thereto because of an asserted conflict of interest~~. *A director of the association who abstains from voting on any action taken on any corporate matter shall be presumed to have taken no position with regard to the action.* Directors may not vote by proxy or by secret ballot at board meetings, except that officers may be elected by secret ballot. A vote or abstention for each member present shall be recorded in the minutes.

Section 2. *The amendments to section 718.111, Florida Statutes, in this act prevail over any conflicting amendments to that section contained in HB 995 and enacted during the 2008 Regular Session.*

(Redesignate subsequent sections.)

And the title is amended as follows:

Between line(s) 3 and 4 insert: providing for an condominium association director to abstain from an association vote; providing for application;

Amendment 2 (227610)(with title amendments)—Delete line(s) 723-730 and redesignate subsequent sections.

And the title is amended as follows:

Delete line(s) 122-124 and insert: in the same manner as an assessment; amending s. 20.165, F.S.; changing the name

Amendment 3 (040578)—Delete line(s) 1332-1374 and insert:

Section 28. Subsections (4) and (5) of section 477.019, Florida Statutes, are amended, subsections (5) through (7) of that section are renumbered as subsections (6) through (8), respectively, and a new subsection (3) is added to that section, to read:

477.019 Cosmetologists; qualifications; licensure; supervised practice; license renewal; endorsement; continuing education.—

(3) An application for the licensure examination for any license under this section may be submitted for examination approval in the last 100 hours of training by a pregraduate of a licensed cosmetology school or a program within the public school system, which school or program is certified by the Department of Education with fees as required in paragraph (2)(b). Upon approval, the applicant may schedule the examination on a date when the training hours are completed. An applicant shall have 6 months from the date of approval to take the examination. After the 6 months have passed, if the applicant failed to take the examination, the applicant must reapply. The board shall establish by rule the procedures for the pregraduate application process.

(4) ~~(3)~~ Upon an applicant receiving a passing grade, as established by board rule, on the examination and paying the initial licensing fee, the department shall issue a license to practice cosmetology.

(5) ~~(4)~~ *If an applicant passes all parts of the examination for licensure as a cosmetologist, he or she may practice in the time between passing the examination and receiving a physical copy of his or her license if he or she practices under the supervision of a licensed cosmetologist in a licensed salon. An applicant who fails any part of the examination may not practice as a cosmetologist and may immediately apply for reexamination.*

~~Following the completion of the first licensing examination and pending the results of that examination and issuance of a license to practice cosmetology, graduates of licensed cosmetology schools or cosmetology programs offered in public school systems, which schools or programs are certified by the Department of Education, are eligible to practice cosmetology, provided such graduates practice under the supervision of a licensed cosmetologist in a licensed cosmetology salon. A graduate who fails the first examination may continue to practice under the supervision of a licensed cosmetologist in a licensed cosmetology salon if the graduate applies for the next available examination and until the graduate receives the results of that examination. No graduate may continue to practice under this subsection if the graduate fails the examination twice.~~

On motion by Senator Jones, by two-thirds vote **CS for CS for HB 601** as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Aronberg	Gaetz	Posey
Atwater	Garcia	Rich
Baker	Geller	Ring
Bennett	Haridopolos	Saunders
Bullard	Hill	Siplin
Carlton	Jones	Storms
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dawson	King	Wilson
Dean	Lawson	Wise
Deutch	Lynn	
Diaz de la Portilla	Margolis	

Nays—None

On motion by Senator Posey, by two-thirds vote **CS for HB 1037** was withdrawn from the Committee on Banking and Insurance.

On motion by Senator Posey—

CS for HB 1037—A bill to be entitled An act relating to escrow agents; creating s. 877.101, F.S.; prohibiting unauthorized persons from transacting business using the term "escrow" in a name or a title under certain circumstances; providing for nonapplication to certain persons or entities; authorizing certain persons to bring an action for declaratory relief for certain purposes; providing for recovery by injured persons of actual damages plus attorney fees and court costs in certain actions; providing criminal penalties; providing an effective date.

—a companion measure, was substituted for **CS for SB 2272** and read the second time by title. On motion by Senator Posey, by two-thirds vote **CS for HB 1037** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Aronberg	Gaetz	Posey
Atwater	Garcia	Rich
Baker	Geller	Ring
Bennett	Haridopolos	Saunders
Bullard	Hill	Siplin
Carlton	Jones	Storms
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dawson	King	Wilson
Dean	Lawson	Wise
Deutch	Lynn	
Diaz de la Portilla	Margolis	

Nays—None

On motion by Senator Diaz de la Portilla, by two-thirds vote **CS for HB 1417** was withdrawn from the Committees on Commerce; and Criminal Justice.

On motion by Senator Diaz de la Portilla—

CS for HB 1417—A bill to be entitled An act relating to counterfeit goods; amending s. 831.03, F.S.; creating and revising definitions; creating s. 831.031, F.S.; providing that possession of more than a specified number of counterfeit items, unless satisfactorily explained, allows an inference that such property is possessed with intent to offer it for sale

or distribution in certain circumstances; providing that a state or federal certificate of registration of trademark shall be prima facie evidence of the facts stated therein; creating s. 831.032, F.S.; prohibiting specified offenses concerning involving forging or counterfeiting private labels; providing penalties; providing for reclassification of specified offenses; providing for fines based on the retail value of goods in certain circumstances; providing for restitution; providing applicability of certain defenses and limitations on remedies to prosecutions under the section; creating s. 831.033, F.S.; providing for destruction or forfeiture of goods to which the forged or counterfeit trademarks or service marks were attached; providing for forfeiture of property constituting or derived from any proceeds of a counterfeiting offense; permitting alternative disposure of forfeited items bearing or consisting of a counterfeit trademark with the written consent of the trademark owners; providing for the costs of such alternative disposition; creating s. 831.034, F.S.; providing that prosecution under specified provisions does not preclude the applicability of any other provision of the law that applies or may in the future apply to any transaction which violates specified provisions, unless such provision is inconsistent with the terms of those provisions; repealing s. 831.05, F.S., relating to vending goods or services with counterfeit trademarks or service marks; providing an effective date.

—a companion measure, was substituted for **CS for SB 2374** and read the second time by title. On motion by Senator Diaz de la Portilla, by two-thirds vote **CS for HB 1417** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Aronberg	Gaetz	Posey
Atwater	Garcia	Rich
Baker	Geller	Ring
Bennett	Haridopolos	Saunders
Bullard	Hill	Siplin
Carlton	Jones	Storms
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dawson	King	Wilson
Dean	Lawson	Wise
Deutch	Lynn	
Diaz de la Portilla	Margolis	

Nays—None

On motion by Senator Margolis, by two-thirds vote **CS for HB 1105** was withdrawn from the Committees on Regulated Industries; and Community Affairs.

On motion by Senator Margolis—

CS for HB 1105—A bill to be entitled An act relating to community associations; amending s. 718.1124, F.S., and creating ss. 719.1124 and 720.3053, F.S.; providing for notification of a unit owner's or member's intent to petition for the appointment of a receiver if an association's governing board fails to fill vacancies sufficient to constitute a quorum; providing for written notice to unit owners or members of any such appointment; requiring the salary of the receiver and certain costs and fees to be paid by the association; providing powers, duties, and term of service of the receiver; amending s. 718.117, F.S., and creating ss. 718.127, 719.127, and 720.313, F.S.; specifying receivership notification requirements with respect to condominium associations, cooperative associations, and homeowners' associations; amending s. 718.121, F.S.; providing requirements and restrictions for liens filed by the association against a condominium unit; providing for notice and delivery thereof; amending s. 719.108, F.S.; prohibiting a lien from being filed against a condominium unit or cooperative parcel until 30 days after service of a notice of intent to file the lien; amending s. 720.305, F.S.; deleting notification requirements for the appointment of a receiver under specified circumstances for matters relating to homeowners' associations; providing an effective date.

—a companion measure, was substituted for **CS for SB 2494** and read the second time by title. On motion by Senator Margolis, by two-thirds vote **CS for HB 1105** was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Aronberg	Gaetz	Posey
Atwater	Garcia	Rich
Baker	Geller	Ring
Bennett	Haridopolos	Saunders
Bullard	Hill	Siplin
Carlton	Jones	Storms
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dawson	King	Wilson
Dean	Lawson	Wise
Deutch	Lynn	
Diaz de la Portilla	Margolis	

Nays—None

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has passed CS for SB 2618, with 1 amendment(s), and requests the concurrence of the Senate.

William S. Pittman III, Chief Clerk

CS for SB 2618—A bill to be entitled An act relating to public health; amending s. 381.006, F.S.; limiting application of the environmental health program of the Department of Health to state institutions for the mentally ill rather than all institutions used for the incarceration of prisoners and inmates; amending s. 381.86, F.S.; revising responsibilities of the Institutional Review Board; amending s. 381.98, F.S.; changing the name of the Florida Public Health Foundation, Inc., to the Florida Public Health Institute, Inc.; providing that the purpose of the institute is to advance the knowledge and practice of public health, including promoting health awareness in this state; providing for the objectives of the institute; requiring that the institute be established as a not-for-profit entity qualifying under s. 501(c)(3) of the Internal Revenue Code; providing for the duties of the institute; providing that affairs of the institute be managed by an executive director appointed by a board of directors; providing for membership on the board of directors; requiring the institute to present an annual report concerning its activities and finances to the Governor, the President of the Senate, and the Speaker of the House of Representatives; repealing s. 381.85, F.S., the Florida Biomedical and Social Research Act; repealing s. 381.895, F.S., relating to standards for compressed air used for recreational diving; providing an effective date.

House Amendment 1 (622583)(with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Subsection (6) of section 381.006, Florida Statutes, is amended to read:

381.006 Environmental health.—The department shall conduct an environmental health program as part of fulfilling the state's public health mission. The purpose of this program is to detect and prevent disease caused by natural and manmade factors in the environment. The environmental health program shall include, but not be limited to:

(6) A public facilities function, including sanitary practices relating to state, county, municipal, and private institutions serving the public; jointly with the Department of Education, publicly and privately owned schools; ~~all places used for the incarceration of prisoners and inmates of~~ state institutions for the mentally ill; toilets and washrooms in all public places and places of employment; any other condition, place, or establishment necessary for the control of disease or the protection and safety of public health.

The department may adopt rules to carry out the provisions of this section.

Section 2. Subsection (1) of section 381.86, Florida Statutes, is amended to read:

381.86 Institutional Review Board.—

(1) The Institutional Review Board is created within the Department of Health in order to satisfy federal requirements under 45 C.F.R. part 46 and 21 C.F.R. parts 50 and 56 ~~that an institutional review board review all biomedical and behavioral research on human subjects which is funded or supported in any manner by the department~~.

Section 3. Section 381.98, Florida Statutes, is amended to read:

381.98 The Florida Public Health *Institute* ~~Foundation~~, Inc.; establishment; purpose; mission; duties; board of directors.—

(1) The Florida Public Health *Institute* ~~Foundation~~, Inc., referred to in this section as "the corporation," is established for the purpose of *advancing the knowledge and practice of public health, including* ~~disseminating breakthrough findings in biomedical research and~~ promoting health awareness in this state ~~and providing services to the Department of Health~~.

~~(2) The corporation's mission includes disseminating information about innovative biomedical research and clinical trials in this state as well as making Floridians and their treatment providers aware of specified diseases and conditions and available methods of preventing, diagnosing, treating, and curing those diseases and conditions.~~

(2)~~(3)~~ The ~~purpose and~~ objective of the corporation *is* ~~shall be~~ to operate exclusively for charitable, scientific, and educational purposes; to protect and improve the health and well-being of Florida's people and environment through partnerships committed to program innovation, education, applied research, and policy development; and to engage in charitable programs dedicated to improving the health of Floridians.

(3)~~(4)~~ The corporation shall be established as a not-for-profit entity qualifying under s. 501(c)(3) of the Internal Revenue Code. The corporation may receive, hold, invest, and administer property and any moneys acquired from private, local, state, and federal sources, as well as technical and professional income generated or derived from the mission-related activities of the corporation. The corporation shall have all of the powers conferred upon corporations organized under chapter 617.

(4)~~(5)~~ The corporation's duties include procuring funds necessary for accomplishing the purpose and mission of the corporation. The corporation shall strive to complement, supplement, and enhance the missions of the various organizations, entities, and departments ~~represented on its board~~ by serving as the lead corporation in the state for promoting public health awareness.

(5)~~(6)~~ The affairs of the corporation shall be managed by an executive director appointed by a board of directors. ~~consisting of:~~

(6) The board of directors shall be elected in accordance with the bylaws of the corporation and must include, but need not be limited to:

(a) The State Surgeon General or his or her designee.

(b) A *representative of the Florida Public Health Association* ~~former member of the Senate appointed by the President of the Senate~~.

(c) *Representatives of local health departments, with at least one representative from the southern, central, and northern areas of the state* ~~A former member of the House of Representatives appointed by the Speaker of the House of Representatives~~.

(d) *Representatives from institutions of higher learning* ~~A representative of the American Heart Association~~.

(e) *Representatives from the private health care, business, or foundation community* ~~A representative of the American Cancer Society, Florida Division, Inc~~.

~~(f) A representative of the American Lung Association of Florida.~~

~~(g) A representative of the American Diabetes Association, South Coastal Region.~~

~~(h) A representative of the Alzheimer's Association.~~

~~(i) A representative of the Epilepsy Foundation.~~

~~(j) A representative of the National Parkinson Foundation.~~

~~(k) A representative of the March of Dimes, Florida Chapter.~~

~~(l) A representative of the Arthritis Foundation, Florida Chapter.~~

~~(m) A representative of the American Liver Foundation.~~

~~(n) A representative of the Florida Council for Behavioral Healthcare, Inc.~~

~~(o) A representative of the Florida Alcohol and Drug Abuse Association.~~

~~(p) A representative of Pharmaceutical Research and Manufacturers of America.~~

~~(q) A representative of the Florida Public Health Association.~~

~~(r) A representative of the Florida Association of County Health Officers.~~

~~(s) A public health academician selected by the State Health Officer.~~

~~(t) A representative of the Florida Academy of Family Physicians.~~

~~(u) Three consumers who have demonstrated an interest in protecting the public health appointed by the Florida Public Health Association.~~

~~(v) A representative of the Florida Association of Health Plans.~~

(7) The majority of board members must be nonstate employees.

~~(7) Members of the board of directors shall serve for 2-year terms and shall serve without compensation. Each organization represented on the board of directors shall cover the expenses of its representative.~~

~~(8) The corporation, in consultation with the Department of Health and the Florida Center for Universal Research to Eradicate Disease, shall facilitate communication between biomedical researchers and health care providers each month according to the health awareness schedule established by the Florida Public Health Foundation, Inc., in order to ensure ongoing dialogue between researchers, treatment providers, and the department.~~

(8)~~(9)~~ The corporation and the Department of Health shall enter into partnerships with providers of continuing education for health care practitioners, including, but not limited to, hospitals and state and local medical organizations, to ensure that practitioners are aware of the most recent and complete diagnostic and treatment tools.

(9)~~(10)~~ The corporation may provide personnel to the Department of Health for the purpose of performing duties and responsibilities outlined in private and public grants received by the Department of Health. These personnel are not state employees and are not entitled to retirement credit and other benefits provided to state employees under chapters 110 and 112. These personnel shall perform services *under* ~~pursuant to~~ an agreement between the corporation and the Department of Health.

(10)~~(11)~~ The corporation may purchase goods, services, and property for use by the Department of Health. These purchases are not subject to the provisions of chapters 253, 255, and 287, nor to the control or direction of the Department of Environmental Protection or the Department of Management Services.

(11)~~(12)~~ The corporation shall provide an annual report concerning its activities ~~and finances~~ to the ~~Florida Center for Universal Research to Eradicate Disease and shall provide copies of the annual report to the~~ Governor, the President of the Senate, and the Speaker of the House of Representatives.

Section 4. Paragraph (h) of subsection (1) of section 20.435, Florida Statutes, is amended to read:

20.435 Department of Health; trust funds.—

(1) The following trust funds are hereby created, to be administered by the Department of Health:

(h) Biomedical Research Trust Fund.

1. Funds to be credited to the trust fund shall consist of funds deposited pursuant to s. 215.5601 and any other funds appropriated by the Legislature. Funds shall be used for the purposes of the James and Esther King Biomedical Research Program and the William G. "Bill" Bankhead, Jr., and David Coley Cancer Research Program as specified in ss. 215.5602, 288.955, and 381.922. The trust fund is exempt from the service charges imposed by s. 215.20.

2. Funds deposited into the trust fund pursuant to s. 215.5601 and any other funds appropriated by the Legislature as specified in s. 215.5602(12)(a) for research related to tobacco-related diseases shall be used exclusively for the purpose of awarding grants and fellowships for research regarding the prevention, diagnosis, treatment, and cure of tobacco-related diseases by the James and Esther King Biomedical Research Program.

3. Funds deposited into the trust fund pursuant to the William G. "Bill" Bankhead, Jr., and David Coley Cancer Research Program as specified in s. 381.922 shall be used for the purpose of awarding grants for cancer research by the William G. "Bill" Bankhead, Jr., and David Coley Cancer Research Program.

4. All other funds deposited into the trust fund shall be used for the purpose of awarding grants and fellowships for biomedical research regarding the prevention, diagnosis, treatment, and cure of the most deadly and widespread nontobacco-related acute, chronic, and degenerative diseases by the James and Esther King Biomedical Research Program as specified in s. 215.5602(2)(b) and (12)(b).

5.~~2.~~ Notwithstanding the provisions of s. 216.301 and pursuant to s. 216.351, any balance in the trust fund at the end of any fiscal year shall remain in the trust fund at the end of the year and shall be available for carrying out the purposes of the trust fund. The department may invest these funds independently through the Chief Financial Officer or may negotiate a trust agreement with the State Board of Administration for the investment management of any balance in the trust fund.

6.~~3.~~ Notwithstanding s. 216.301 and pursuant to s. 216.351, any balance of any appropriation from the Biomedical Research Trust Fund which is not disbursed but which is obligated pursuant to contract or committed to be expended may be carried forward for up to *5* ~~3~~ years following the effective date of the original appropriation.

Section 5. Paragraph (e) of subsection (5) of section 215.5601, Florida Statutes, is amended to read:

215.5601 Lawton Chiles Endowment Fund.—

(5) AVAILABILITY OF FUNDS; USES.—

(e) Notwithstanding s. 216.301 and pursuant to s. 216.351, all unencumbered balances of appropriations from each department's respective Tobacco Settlement Trust Fund as of June 30 or undisbursed balances as of December 31 shall revert to the endowment's principal. Unencumbered balances in the Biomedical Research Trust Fund shall be managed as provided in s. 20.435(1)(h)*5.*~~2.~~

Section 6. Section 215.5602, Florida Statutes, is amended to read:

215.5602 James and Esther King Biomedical Research Program.—

(1) There is established within the Department of Health the James and Esther King Biomedical Research Program funded by the proceeds of the Lawton Chiles Endowment Fund pursuant to s. 215.5601. The purpose of the James and Esther King Biomedical Research Program is to provide an annual and perpetual source of funding in order to support research initiatives that address the health care problems of Floridians in the areas of tobacco-related cancer, cardiovascular disease, stroke, and pulmonary disease *and nontobacco-related acute, chronic, and degenerative diseases, including cancer, cardiovascular disease, stroke, pulmonary disease, diabetes, autoimmune and genetic disorders, and neurological disorders, including Alzheimer's disease, epilepsy, and Parkinson's disease*. The long-term goals of the program are to:

(a) Improve the health of Floridians by researching better prevention, diagnoses, treatments, and cures for *the most deadly and widespread acute, chronic, and degenerative diseases, including, but not limited to, tobacco-related diseases,* cancer, cardiovascular disease, stroke, ~~and~~ pulmonary disease*, diabetes, autoimmune and genetic disorders, and neurological disorders, including Alzheimer's disease, epilepsy, and Parkinson's disease*.

(b) Expand the foundation of biomedical knowledge relating to the prevention, diagnosis, treatment, and cure of *tobacco-related* diseases ~~related to tobacco use~~, including cancer, cardiovascular disease, stroke, and pulmonary disease.

(c) Expand the foundation of biomedical knowledge relating to the prevention, diagnosis, treatment, and cure of the most widespread acute, chronic, and degenerative diseases affecting Floridians, including, but not limited to, cancer, cardiovascular disease, stroke, pulmonary disease, diabetes, autoimmune and genetic disorders, and neurological disorders, including Alzheimer's disease, epilepsy, and Parkinson's disease.

(d) Expand the foundation of biomedical knowledge relating to the deadly and most widespread acute, chronic, and degenerative diseases and identify biomedical solutions regarding health disparities that exist in relation to these diseases.

(e)~~(c)~~ Improve the quality of the state's academic health centers by bringing the advances of biomedical research into the training of physicians and other health care providers.

(f)~~(d)~~ Increase the state's per capita funding for research by undertaking new initiatives in public health and biomedical research that will attract additional funding from outside the state.

(g)~~(e)~~ Stimulate economic activity in the state in areas related to biomedical research, such as the research and production of pharmaceuticals, biotechnology, and medical devices.

(2)*(a) Funds appropriated for the James and Esther King Biomedical Research Program pursuant to the Lawton Chiles Endowment Fund created in s. 215.5601 and additional funding provided under paragraph (12)(a) for research related to tobacco-related diseases shall be credited to the Biomedical Research Trust Fund pursuant to s. 20.435 and shall be used exclusively for the award of grants and fellowships related to the prevention, diagnosis, treatment, and cure of tobacco-related diseases, including cancer, cardiovascular disease, stroke, and pulmonary disease and for expenses incurred in the administration of this section. Priority shall be granted to research designed to prevent or cure tobacco-related diseases.*

(b) Beginning in fiscal year 2009-2010, and each fiscal year thereafter, all other funds appropriated for the James and Esther King Biomedical Research Program shall be *credited to the Biomedical Research Trust Fund pursuant to s. 20.435 and shall be* used exclusively for the award of grants and fellowships ~~as established in this section;~~ for research relating to the prevention, diagnosis, treatment, and cure of *the most deadly and widespread acute, chronic, and degenerative nontobacco-related* diseases *affecting Floridians* ~~related to tobacco use~~, including cancer, cardiovascular disease, stroke, ~~and~~ pulmonary disease*, diabetes, autoimmune and genetic disorders, and neurological disorders, including Alzheimer's disease, epilepsy, and Parkinson's disease,*~~;~~ and for expenses incurred in the administration of this section. Priority shall be granted to research designed to prevent or cure disease.

(3) There is created within the Department of Health the Biomedical Research *Commission* ~~Advisory Council~~.

(a) The *commission* ~~council~~ shall consist of *15* ~~11~~ members, including: the chief executive officer of the Florida Division of the American Cancer Society, or a designee; the chief executive officer of the *Greater Southeast* ~~Florida/Puerto Rico~~ Affiliate of the American Heart Association, or a designee; ~~and~~ the chief executive officer of the American Lung Association of Florida, or a designee*; the chief executive officer of the South Coastal Region of the American Diabetes Association, or a designee; and the president of the Florida Medical Association, or a designee*. The remaining *10* ~~8~~ members of the *commission* ~~council~~ shall be appointed as follows:

1. The Governor shall appoint four members, two members with expertise in the field of biomedical research, one member from a research university in the state, and one member representing the general population of the state.

2. The President of the Senate shall appoint *three* ~~two~~ members, one member with expertise in the field of behavioral or social research and

two members representing volunteer health organizations operating in the state that focus on Alzheimer's disease, Parkinson's disease, epilepsy, stroke, or autoimmune and genetic disorders ~~one representative from a cancer program approved by the American College of Surgeons~~.

3. The Speaker of the House of Representatives shall appoint *three* ~~two~~ members, *two members representing volunteer health organizations operating in the state that focus on Alzheimer's disease, Parkinson's disease, epilepsy, stroke, or autoimmune and genetic disorders* ~~one member from a professional medical organization~~ and one *member representing* ~~representative from~~ a cancer program approved by the American College of Surgeons.

In making these appointments, the Governor, the President of the Senate, and the Speaker of the House of Representatives shall select primarily, but not exclusively, Floridians with biomedical and lay expertise in the general areas of cancer, cardiovascular disease, stroke, ~~and~~ pulmonary disease*, diabetes, autoimmune and genetic disorders, and neurological disorders, including Alzheimer's disease, epilepsy, and Parkinson's disease*. The appointments shall be for a 3-year term and shall reflect the diversity of the state's population. An appointed member may not serve more than two consecutive terms.

(b) Except for the William G. "Bill" Bankhead, Jr., and David Coley Cancer Research Program that expires June 30, 2011, pursuant to s. 381.922, beginning in fiscal year 2009-2010, and each fiscal year thereafter, funds appropriated for the James and Esther King Biomedical Research Program shall serve as the exclusive source of awarding grants or fellowships for biomedical research in the state using state funds. This paragraph does not preclude another grant or fellowship program created by state law from awarding grants from funds received from private or federal sources if permitted by state law.

(c) The commission shall create committees to focus on disease-specific areas, including, but not limited to, tobacco-related diseases, cancer, stroke, cardiovascular disease, pulmonary disease, diabetes, autoimmune and genetic disorders, and neurological disorders, including Alzheimer's disease, epilepsy, and Parkinson's disease.

(d)~~(b)~~ The *commission* ~~council~~ shall adopt internal organizational procedures as necessary for its efficient organization*, including policies and procedures regarding the creation and composition of the committees, the submission of reports and recommendations by committees regarding the awarding of grants and fellowships, coordination between the commission and committees, and the methods for receiving input from individuals, organizations, or entities that are not members of the commission or its committees regarding the prioritization of research*.

(e)~~(c)~~ The department shall provide such staff, information, and other assistance as is reasonably necessary to assist the *commission* ~~council~~ in carrying out its responsibilities*, including those of its committees*.

(f)~~(d)~~ Members of the *commission* ~~council~~ shall serve without compensation, but may receive reimbursement as provided in s. 112.061 for travel and other necessary expenses incurred in the performance of their official duties*, including attending committee meetings*.

(4) The *commission* ~~council~~ shall*, after considering the recommendations of its committees,* advise the State Surgeon General as to the direction and scope of the biomedical research program. The responsibilities of the *commission* ~~council may~~ include, but are not limited to:

(a) *Establishing* ~~Providing advice on~~ program priorities and emphases.

(b) *Evaluating* ~~Providing advice on~~ the overall program budget *and making recommendations to the State Surgeon General and the Legislature regarding future appropriations*.

(c) Participating in periodic program evaluation.

(d) *Developing* ~~Assisting in the development of~~ guidelines to ensure fairness, neutrality, and adherence to the principles of merit and quality in the conduct of the program.

(e) *Developing* ~~Assisting in the development of~~ appropriate linkages to nonacademic entities, such as voluntary organizations, health care delivery institutions, industry, government agencies, and public officials.

(f) Developing criteria and standards for the award of research grants.

(g) Developing administrative procedures relating to solicitation, *independent peer* review, and award of research grants and fellowships, to ensure an impartial, high-quality*, science-based* peer review system.

(h) Developing and supervising ~~research~~ peer review panels.

(i) Reviewing reports of peer review panels and making recommendations for research grants and fellowships.

(j) Developing and providing oversight regarding mechanisms for the dissemination of research results.

(5)(a) Applications for biomedical research funding under the program may be submitted from any university or established research institute in the state. All qualified investigators in the state, regardless of institution affiliation, shall have equal access and opportunity to compete for the research funding.

(b) *Beginning in fiscal year 2008-2009,* grants and fellowships shall be awarded by the State Surgeon General, after consultation with the *commission* ~~council~~ , on the basis of scientific merit, as determined by an open competitive peer review process that ensures objectivity, consistency, and high quality.

(c) Beginning in fiscal year 2009-2010, and each fiscal year thereafter, the State Surgeon General shall submit to the Legislature by February 1 priority lists for the funding of both tobacco-related and nontobacco-related biomedical research by the Legislature based on the recommendations made by the commission after peer review and scoring of the applications received. Recommendations to the Legislature shall be in the form of lists submitted by the State Surgeon General of the commission's rank order of priority from the proposal with the highest priority through the proposal with the lowest priority, including the recommended dollar amount and duration for each proposal. The State Surgeon General may not reject or modify the commission's recommendations. Successful applicants shall be awarded grants or fellowships by the State Surgeon General based upon the recommendations of the commission and the final funding decision made by the Legislature. Funding for grant and fellowship applications for tobacco-related research shall be based upon funds available pursuant to paragraphs (2)(a) and (12)(a) and s. 215.5601.

(d) Beginning in fiscal year 2009-2010, and each fiscal year thereafter, the commission's overall ranking of grant and fellowship applications shall be based on the score awarded to the proposal by peer reviewers on the basis of scientific merit through an open competitive peer review process that ensures objectivity, consistency, and high quality and the commission's determination of the following:

1. The projected impact that the proposed research will have on the most deadly and widespread diseases affecting Floridians at the time the grant or fellowship is awarded;

2. The likelihood or possibility that the proposed research will result in new treatment modalities or technology during the term of the grant or fellowship; and

3. Whether the research proposed offers an efficient use of state funds in order to prevent or cure disease.

(e) The following types of applications shall be considered for funding:

1. Investigator-initiated research grants.

2. Institutional research grants.

3. Predoctoral and postdoctoral research fellowships.

(f) The State Surgeon General shall award grants or fellowships for terms of 1 to 5 years. State funds shall only be provided for research that was applied for, reviewed, and recommended in accordance with this section.

(g) Except for the William G. "Bill" Bankhead, Jr., and David Coley Cancer Research Program that expires June 30, 2011, pursuant to s. 381.922, beginning July 1, 2009, and each fiscal year thereafter, any program, board, commission, council, advisory group, agency, or entity

created by state law that awards or recommends the award of grants or fellowships for biomedical research may not award grants or fellowships that require the use of state funds and, instead, shall make any recommendation to the commission and its committees for the prioritization and award of grants and fellowships through the James and Esther King Biomedical Research Program.

(6) To ensure that all proposals for research funding are appropriate and are evaluated fairly on the basis of scientific merit, the State Surgeon General, in consultation with the *commission* ~~council~~, shall appoint a peer review panel of independent, scientifically qualified individuals to review the scientific content of each proposal and establish its scientific priority score. The priority scores shall be forwarded to the *commission and its committees* ~~council~~ and must be considered in determining which proposals shall be recommended for funding.

(7) The *commission, the committees,* ~~council~~ and the peer review panel shall establish and follow rigorous guidelines for ethical conduct and adhere to a strict policy with regard to conflict of interest. A member of the *commission, committee,* ~~council~~ or panel may not participate in any discussion or decision with respect to a research proposal by any firm, entity, or agency with which the member is associated as a member of the governing body or as an employee, or with which the member has entered into a contractual arrangement. Meetings of the *commission, committees,* ~~council~~ and ~~the~~ peer review panels shall be subject to the provisions of chapter 119, s. 286.011, and s. 24, Art. I of the State Constitution.

(8) The department may contract on a competitive-bid basis with an appropriate entity to administer the program. Administrative expenses may not exceed 15 percent of the total funds available to the program in any given year. *Effective July 1, 2009, administrative expenses may not exceed 10 percent of the total funds available to the program in any given year. Effective July 1, 2011, administrative expenses may not exceed 5 percent of the total funds available to the program in any given year.*

(9) The department, after consultation with the *commission* ~~council~~, may adopt rules *pursuant to ss. 120.536(1) and 120.54* as necessary to implement this section.

(10) *In addition to its recommendations regarding appropriations for the award of grants and fellowships to the State Surgeon General and the Legislature,* the *commission* ~~council~~ shall submit an annual progress report on the state of biomedical research in this state to the Florida Center for Universal Research to Eradicate Disease and to the Governor, the State Surgeon General, the President of the Senate, and the Speaker of the House of Representatives by February 1. The report must include:

(a) A list of *current* research projects supported by grants or fellowships awarded under the program.

(b) A list of recipients of program grants or fellowships.

(c) A list of publications in *peer-reviewed* ~~peer reviewed~~ journals involving research supported by grants or fellowships awarded under the program.

(d) The total amount of biomedical research funding currently flowing into the state.

(e) New grants for biomedical research which were funded based on research supported by grants or fellowships awarded under the program.

(f) Progress in the prevention, diagnosis, treatment, and cure of *the most deadly and widespread acute, chronic, and degenerative tobacco-related and nontobacco-related diseases affecting Floridians* ~~diseases related to tobacco use~~, including cancer, cardiovascular disease, stroke, ~~and~~ pulmonary disease*, diabetes, autoimmune and genetic disorders, and neurological disorders, including Alzheimer's disease, epilepsy, and Parkinson's disease*.

(11) The *commission* ~~council~~ shall award grants for cancer research through the William G. "Bill" Bankhead, Jr., and David Coley Cancer Research Program created in s. 381.922. *This subsection expires June 30, 2011.*

(12)*(a)* Beginning in fiscal year 2006-2007, the sum of $6 million is appropriated annually from recurring funds in the General Revenue Fund to the Biomedical Research Trust Fund within the Department of Health for purposes of the *award of grants and fellowships by the* James and Esther King Biomedical Research Program *for research relating to tobacco-related diseases* pursuant to this section. From these funds up to $250,000 shall be available for the operating costs of the Florida Center for Universal Research to Eradicate Disease.

(b) Beginning in fiscal year 2009-2010, and each fiscal year thereafter, the Legislature may appropriate funds from recurring funds in the General Revenue Fund to the Biomedical Research Trust Fund within the Department of Health for purposes of the award of grants and fellowships by the James and Esther King Biomedical Research Program for research of the most deadly and widespread nontobacco-related acute, chronic, and degenerative diseases pursuant to this section. Any research grant or fellowship awarded for Alzheimer's research pursuant to this section shall be named a "Johnnie B. Byrd, Sr. Alzheimer's Grant." Any research grant or fellowship awarded for cancer research pursuant to this section shall be named a "Bankhead-Coley Cancer Grant."

(13) This section does not apply to the 21st Century World Class Scholars, Centers of Excellence, or State University Research Commercialization Assistance Grant Programs established under s. 1004.226; to the University Major Gifts Program established under s. 1011.94; or to the use of general operating funds appropriated to universities.

(14)~~(13)~~ By June 1, *2014* ~~2009~~, the Division of Statutory Revision of the Office of Legislative Services shall certify to the President of the Senate and the Speaker of the House of Representatives the language and statutory citation of this section, which is scheduled to expire January 1, *2016* ~~2011~~ .

(15)~~(14)~~ The Legislature shall review the performance, the outcomes, and the financial management of the James and Esther King Biomedical Research Program during the *2015* ~~2010~~ Regular Session of the Legislature and shall determine the most appropriate funding source and means of funding the program based on its review.

(16)~~(15)~~ This section expires January 1, *2016* ~~2011~~, unless reviewed and reenacted by the Legislature before that date.

Section 7. Subsection (3) of section 381.79, Florida Statutes, is amended to read:

381.79 Brain and Spinal Cord Injury Program Trust Fund.—

(3) Annually, 5 percent of the revenues deposited monthly in the fund pursuant to s. 318.21(2)(d) shall be appropriated to the University of Florida and 5 percent to the University of Miami for spinal cord injury and brain injury research. The amount to be distributed to the universities shall be calculated based on the deposits into the fund for each quarter in the fiscal year, but may not exceed $500,000 per university per year. Funds distributed under this subsection shall be made in quarterly payments at the end of each quarter during the fiscal year. *This subsection expires June 30, 2009.*

Section 8. Paragraph (h) is added to subsection (4) of section 381.853, Florida Statutes, to read:

381.853 Florida Center for Brain Tumor Research.—

(4) The Florida Center for Brain Tumor Research is established within the Evelyn F. and William L. McKnight Brain Institute of the University of Florida.

(h) Beginning in fiscal year 2009-2010, and each fiscal year thereafter, if the center seeks to conduct biomedical research using state funds, the center shall apply for funding through the James and Esther King Biomedical Research Program pursuant to s. 215.5602.

Section 9. Paragraph (a) of subsection (5) of section 381.855, Florida Statutes, is amended, and paragraphs (n), (o), (p), and (q) are added to subsection (3) of that section, to read:

381.855 Florida Center for Universal Research to Eradicate Disease.—

(3) There is established within the Department of Health the Florida Center for Universal Research to Eradicate Disease, which shall be known as "CURED."

(n) The center shall identify ways to attract new research talent and attendant national grant producing researchers to research facilities in this state.

(o) If funds are specifically appropriated by the Legislature, the center shall disseminate information to Floridians and treatment providers about specified diseases and conditions and available methods of preventing, diagnosing, treating, and curing those diseases and conditions.

(p) The center shall provide information regarding research needs in the state to the Biomedical Research Commission located in the James and Esther King Biomedical Research Program.

(q) The center shall identify ways to attract students from underserved communities for roles as health professionals and researchers.

(5) There is established within the center an advisory council that shall meet at least annually.

(a) The council shall consist of one representative from a Florida not-for-profit institution engaged in basic and clinical biomedical research and education which receives more than $10 million in annual grant funding from the National Institutes of Health, to be appointed by the State Surgeon General from a different institution each term, and one representative from and appointed by each of the following entities:

1. Enterprise Florida, Inc.

2. BioFlorida.

3. The Biomedical Research *Commission* ~~Advisory Council~~.

4. The Florida Medical Foundation.

5. Pharmaceutical Research and Manufacturers of America.

~~6. The Florida Cancer Council.~~

6.~~7.~~ The American Cancer Society, Florida Division, Inc.

7.~~8.~~ The American Heart Association.

8.~~9.~~ The American Lung Association of Florida.

9.~~10.~~ The American Diabetes Association, South Coastal Region.

10.~~11.~~ The Alzheimer's Association.

11.~~12.~~ The Epilepsy Foundation.

12.~~13.~~ The National Parkinson Foundation.

~~14. The Florida Public Health Foundation, Inc.~~

13.~~15.~~ The Florida Research Consortium.

Section 10. Subsections (2), (3), and (4) of section 381.911, Florida Statutes, are amended to read:

381.911 Prostate Cancer Awareness Program.—

(2) For purposes of implementing the program, the Department of Health ~~and the Florida Public Health Foundation, Inc.,~~ may:

(a) Conduct activities directly or enter into a contract with a qualified nonprofit community education entity.

(b) Seek any available gifts, grants, or funds from the state, the Federal Government, philanthropic foundations, and industry or business groups.

(3) A prostate cancer advisory committee is created to advise and assist the Department of Health ~~and the Florida Public Health Foundation, Inc.,~~ in implementing the program.

(a) The State Surgeon General shall appoint the advisory committee members, who shall consist of:

1. Three persons from prostate cancer survivor groups or cancer-related advocacy groups.

2. Three persons who are scientists or clinicians from public universities or research organizations.

3. Three persons who are engaged in the practice of a cancer-related medical specialty from health organizations committed to cancer research and control.

(b) Members shall serve without compensation but are entitled to reimbursement, pursuant to s. 112.061, for per diem and travel expenses incurred in the performance of their official duties.

~~(4) The program shall coordinate its efforts with those of the Florida Public Health Foundation, Inc.~~

Section 11. Section 381.922, Florida Statutes, is amended to read:

381.922 William G. "Bill" Bankhead, Jr., and David Coley Cancer Research Program.—

(1) The William G. "Bill" Bankhead, Jr., and David Coley Cancer Research Program, which may be otherwise cited as the "Bankhead-Coley Program," is created within the Department of Health. The purpose of the program shall be to advance progress towards cures for cancer through grants awarded through a peer-reviewed, competitive process.

(2) The program shall provide grants for cancer research to further the search for cures for cancer.

(a) Emphasis shall be given to the goals *that* ~~enumerated in s. 381.921, as those goals~~ support the advancement of such cures.

(b) Preference may be given to grant proposals that foster collaborations among institutions, researchers, and community practitioners, as such proposals support the advancement of cures through basic or applied research, including clinical trials involving cancer patients and related networks.

(3)(a) Applications for funding for cancer research may be submitted by any university or established research institute in the state. All qualified investigators in the state, regardless of institutional affiliation, shall have equal access and opportunity to compete for the research funding. Collaborative proposals, including those that advance the program's goals enumerated in subsection (2), may be given preference.

(b) For fiscal year 2008-2009, grants shall be awarded by the State Surgeon General, after consultation with the Biomedical Research *Commission* ~~Advisory Council~~, on the basis of scientific merit *through*~~, as determined by~~ an open, competitive peer review process that ensures objectivity, consistency, and high quality.

(c) Beginning in fiscal year 2009-2010, and each fiscal year thereafter, the State Surgeon General shall submit to the Legislature by February 1 a priority list for cancer research funding by the Legislature based on the recommendations of the commission after peer review and scoring of the applications received. Recommendations to the Legislature shall be in the form of a list submitted by the State Surgeon General of the commission's rank order of priority from the proposal with the highest priority through the proposal with the lowest priority, including the recommended dollar amount and duration for each proposal. The State Surgeon General may not reject or modify the commission's recommendations. Successful applicants shall be awarded grants by the State Surgeon General based upon the recommendations of the commission and the final funding decision made by the Legislature.

(d) Beginning in fiscal year 2009-2010, and each fiscal year thereafter, the commission's overall ranking of grant applications shall be based on the score awarded to the proposal by peer reviewers on the basis of scientific merit through an open competitive peer review process that ensures objectivity, consistency, and high quality and the commission's determination of the following:

1. The projected impact that the proposed research will have on cancer research at the time the grant is awarded;

2. The likelihood or possibility that the proposed research will result in new treatment modalities or technology during the term of the grant; and

3. Whether the research proposed offers an efficient use of state funds in order to prevent or cure cancer.

(e) The following types of applications shall be considered for funding:

1. Investigator-initiated research grants.

2. Institutional research grants.

3. Collaborative research grants, including those that advance the finding of cures through basic or applied research.*(f) Beginning in fiscal year 2009-2010, and each fiscal year thereafter, state funds shall only be provided for research that was applied for, reviewed, and recommended in accordance with this section.*

(g)~~(b)~~ In order to ensure that all proposals for research funding are appropriate and are evaluated fairly on the basis of scientific merit, the State Surgeon General, in consultation with the *commission* ~~council~~ , shall appoint a peer review panel of independent, scientifically qualified individuals to review the scientific content of each proposal and establish its priority score. The priority scores shall be forwarded to the *commission and its committees* ~~council~~ and must be considered in determining which proposals shall be recommended for funding.

(h)~~(c)~~ The *commission, the committees,* ~~council~~ and the peer review panel shall establish and follow rigorous guidelines for ethical conduct and adhere to a strict policy with regard to conflicts of interest. A member of the *commission, a committee,* ~~council~~ or *the* panel may not participate in any discussion or decision with respect to a research proposal by any firm, entity, or agency with which the member is associated as a member of the governing body or as an employee or with which the member has entered into a contractual arrangement. Meetings of the *commission, the committees,* ~~council~~ and the peer review panels are subject to chapter 119, s. 286.011, and s. 24, Art. I of the State Constitution.

(4) By December 15 of each year, the Department of Health shall submit to the Governor, the President of the Senate, and the Speaker of the House of Representatives a report indicating progress towards the program's mission and making recommendations that further its purpose.

(5) Beginning in fiscal year 2006-2007, the sum of $9 million is appropriated annually from recurring funds in the General Revenue Fund to the Biomedical Research Trust Fund within the Department of Health for purposes of the William G. "Bill" Bankhead, Jr., and David Coley Cancer Research Program and shall be distributed pursuant to this section to provide grants to researchers seeking cures for cancer~~, with emphasis given to the goals enumerated in s. 381.921~~. From the total funds appropriated, an amount of up to 10 percent may be used for administrative expenses.

~~(6) By June 1, 2009, the Division of Statutory Revision of the Office of Legislative Services shall certify to the President of the Senate and the Speaker of the House of Representatives the language and statutory citation of this section, which is scheduled to expire January 1, 2011.~~

~~(7) The Legislature shall review the performance, the outcomes, and the financial management of the William G. "Bill" Bankhead, Jr., and David Coley Cancer Research Program during the 2010 Regular Session of the Legislature and shall determine the most appropriate funding source and means of funding the program based on its review.~~

(6)~~(8)~~ This section expires *June 30* ~~January 1~~, 2011, unless reviewed and reenacted by the Legislature before that date.

Section 12. Subsection (1) and paragraph (a) of subsection (2) of section 458.324, Florida Statutes, are amended to read:

458.324 Breast cancer; information on treatment alternatives.—

(1) DEFINITION.—As used in this section, the term "medically viable," as applied to treatment alternatives, means modes of treatment generally considered by the medical profession to be within the scope of current, acceptable standards~~, including treatment alternatives described in the written summary prepared by the Florida Cancer Control and Research Advisory Council in accordance with s. 1004.435(4)(m)~~.

(2) COMMUNICATION OF TREATMENT ALTERNATIVES.—Each physician treating a patient who is, or in the judgment of the physician is at high risk of being, diagnosed as having breast cancer shall inform such patient of the medically viable treatment alternatives available to such patient; shall describe such treatment alternatives; and shall explain the relative advantages, disadvantages, and risks associated with the treatment alternatives to the extent deemed necessary to allow the patient to make a prudent decision regarding such treatment options. In compliance with this subsection:

(a) The physician may, in his or her discretion:

1. Orally communicate such information directly to the patient or the patient's legal representative;

2. Provide the patient or the patient's legal representative with a copy of *a* ~~the~~ written summary ~~prepared in accordance with s. 1004.435(4)(m)~~ and express a willingness to discuss the summary with the patient or the patient's legal representative; or

3. Both communicate such information directly and provide a copy of the written summary to the patient or the patient's legal representative for further consideration and possible later discussion.

Nothing in this subsection shall reduce other provisions of law regarding informed consent.

Section 13. Subsection (1) and paragraph (a) of subsection (2) of section 459.0125, Florida Statutes, are amended to read:

459.0125 Breast cancer; information on treatment alternatives.—

(1) DEFINITION.—As used in this section, the term "medically viable," as applied to treatment alternatives, means modes of treatment generally considered by the medical profession to be within the scope of current, acceptable standards~~, including treatment alternatives described in the written summary prepared by the Florida Cancer Control and Research Advisory Council in accordance with s. 1004.435(4)(m)~~.

(2) COMMUNICATION OF TREATMENT ALTERNATIVES.—It is the obligation of every physician treating a patient who is, or in the judgment of the physician is at high risk of being, diagnosed as having breast cancer to inform such patient of the medically viable treatment alternatives available to such patient; to describe such treatment alternatives; and to explain the relative advantages, disadvantages, and risks associated with the treatment alternatives to the extent deemed necessary to allow the patient to make a prudent decision regarding such treatment options. In compliance with this subsection:

(a) The physician may, in her or his discretion:

1. Orally communicate such information directly to the patient or the patient's legal representative;

2. Provide the patient or the patient's legal representative with a copy of *a* ~~the~~ written summary ~~prepared in accordance with s. 1004.435(4)(m)~~ and express her or his willingness to discuss the summary with the patient or the patient's legal representative; or

3. Both communicate such information directly and provide a copy of the written summary to the patient or the patient's legal representative for further consideration and possible later discussion.

Nothing in this subsection shall reduce other provisions of law regarding informed consent.

Section 15. *Sections 381.0404, 381.85, 381.895, 381.912, 381.92, 381.921, and 1004.435, Florida Statutes, are repealed.*

Section 16. *If any provision of this act or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared severable.*

Section 17. This act shall take effect July 1, 2008.

And the title is amended as follows:

Remove the entire title and insert: A bill to be entitled An act relating to public health; amending s. 381.006, F.S.; limiting application of

the environmental health program of the Department of Health to state institutions for the mentally ill rather than all institutions used for the incarceration of prisoners and inmates; amending s. 381.86, F.S.; revising responsibilities of the Institutional Review Board; amending s. 381.98, F.S.; changing the name of the Florida Public Health Foundation, Inc., to the Florida Public Health Institute, Inc.; providing that the purpose of the institute is to advance the knowledge and practice of public health, including promoting health awareness in this state; providing for the objectives of the institute; requiring that the institute be established as a not-for-profit entity qualifying under s. 501(c)(3) of the Internal Revenue Code; providing for the duties of the institute; providing that affairs of the institute be managed by an executive director appointed by a board of directors; providing for membership on the board of directors; requiring the institute to present an annual report concerning its activities and finances to the Governor, the President of the Senate, and the Speaker of the House of Representatives; amending s. 20.435, F.S.; specifying use of funds deposited in the Biomedical Research Trust Fund; revising a time limit relating to certain undisbursed balances of appropriations from the trust fund; amending s. 215.5601, F.S.; conforming a cross-reference; amending s. 215.5602, F.S.; revising the purposes and long-term goals of the James and Esther King Biomedical Research Program; providing for certain funds appropriated for the program to be deposited into the Biomedical Research Trust Fund; specifying use of such funds; renaming the Biomedical Research Advisory Council the Biomedical Research Commission; revising membership of the commission; providing that the commission serves as an exclusive source of biomedical research grant and fellowship awards; requiring the commission to create committees for specified purposes; requiring the commission to adopt policies and procedures regarding the committees and to receive input from outside sources; revising responsibilities of the commission; creating a future requirement for the commission to submit priorities for funding research relating to tobacco-related and nontobacco-related diseases to the State Surgeon General; requiring the State Surgeon General to provide commission funding priorities to the Legislature; providing restrictions on the State Surgeon General; providing criteria for ranking priorities; authorizing the State Surgeon General to award grants or fellowships; providing for the award of grants or fellowships upon a specific appropriation; prohibiting the funding of research projects not in compliance with the requirements of the section; providing restrictions on the recommendation or award of grants or fellowships by other programs and entities; providing for future reductions of limits on annual administrative expenses; revising requirements relating to the commission's annual progress report; providing a future expiration date for the commission to award grants for the Bankhead-Coley Program; revising provisions relating to appropriations; providing for nonapplicability of James and Esther King Biomedical Research Program requirements to specified programs and the use of certain operating funds appropriated to universities; extending the expiration date of the program; amending s. 381.79, F.S.; providing for the expiration of a provision relating to the distribution of funds from the Brain and Spinal Cord Injury Program Trust Fund; amending s. 381.853, F.S.; providing a requirement for the Florida Center for Brain Tumor Research relating to the use of state funds for biomedical research; amending s. 381.855, F.S.; providing additional program functions for the Florida Center for Universal Research to Eradicate Disease; requiring the center to disseminate certain information if an appropriation is made; requiring the center to identify ways to attract students from underserved communities for roles as health professionals and researchers; conforming references to changes made by the act; amending s. 381.911, F.S.; conforming references to changes made by the act; amending s. 381.922, F.S., relating to the William G. "Bill" Bankhead, Jr., and David Coley Cancer Research Program; creating a future requirement for the commission to submit priorities for funding cancer research to the State Surgeon General; requiring the State Surgeon General to provide commission funding priorities to the Legislature; providing restrictions on the State Surgeon General; providing criteria for ranking priorities; authorizing the State Surgeon General to award grants; providing for the award of grants upon a specific appropriation; prohibiting the funding of research projects not in compliance with the requirements of the section; conforming references to changes made by the act; revising process and provisions relating to future peer review of grant applications to conform to the changes to the biomedical research program made by the act; deleting a provision requiring the Division of Statutory Revision within the Office of Legislative Services to certify certain language and citations related to the program; deleting a provision requiring future legislative review of the program; revising the expiration date of the program; amending ss. 458.324 and 459.0125, F.S.; conforming references to changes made by the act; repealing s. 381.0404, F.S., relating to the Center for Health Technologies; repealing s. 381.85, F.S., relating to biomedical and social research; repealing s. 381.895, F.S., relating to relating to standards for compressed air used for recreational diving; repealing s. 381.912, F.S., relating to the Cervical Cancer Elimination Task Force; repealing s. 381.92, F.S., relating to the Florida Cancer Council; repealing s. 381.921, F.S., relating to the Florida Cancer Council; repealing s. 1004.435, F.S., relating to cancer control and research; providing for severability; providing an effective date.

Senator Peaden moved the following amendment which was adopted:

Senate Amendment 1 (353396) (with title amendment) to House Amendment 1—Delete lines 164-888 and insert:

Section 4. Subsection (2) of section 408.0361, Florida Statutes, is amended to read:

408.0361 Cardiovascular services and burn unit licensure.—

(2) Each provider of adult cardiovascular services or operator of a burn unit shall comply with rules adopted by the agency that establish licensure standards that govern the provision of adult cardiovascular services or the operation of a burn unit. Such rules shall consider, at a minimum, staffing, equipment, physical plant, operating protocols, the provision of services to Medicaid and charity care patients, accreditation, licensure period and fees, and enforcement of minimum standards. The certificate-of-need rules for adult cardiovascular services and burn units in effect on June 30, 2004, are authorized pursuant to this subsection and shall remain in effect and shall be enforceable by the agency until the licensure rules are adopted. Existing providers and any provider with a notice of intent to grant a certificate of need or a final order of the agency granting a certificate of need for adult cardiovascular services or burn units shall be considered grandfathered and receive a license for their programs effective on the effective date of this act. The grandfathered licensure shall be for at least 3 years or until July 1, *2010* ~~2008~~, whichever is longer, but shall be required to meet licensure standards applicable to existing programs for every subsequent licensure period.

Section 5. *Section 381.85, Florida Statutes, is repealed.*

Section 6. *Section 381.895, Florida Statutes, is repealed.*

And the title is amended as follows:

Delete lines 919-998 and insert: amending s. 408.0361, F.S.; extending the period of validity for certain grandfathered licenses for adult cardiovascular services; repealing s. 381.85, F.S., relating to the Florida Biomedical and Social Research Act; repealing s. 381.895, F.S., relating to standards for compressed air used for recreational diving; providing an

Senator Bennett moved the following amendment which was adopted:

Senate Amendment 2 (843570) (with title amendment) to House Amendment 1—Between line(s) 882 and 883 insert:

Section 15. *(1) The Department of Health is directed to convene a workgroup of all insurers licensed under chapter 627, Florida Statutes, and all health maintenance organizations licensed under chapter 641, Florida Statutes, for the purpose of overseeing industry negotiations of a compact providing uniform minimum industry standards related to cancer clinical trials. The compact shall include:*

(a) Coverage for patients undergoing cancer clinical trials for services that would have otherwise been covered by the health insurer or health maintenance organization absent the policyholder being involved in a clinical trial.

(b) Procedures for clear and specific notice to policyholders identifying the amount, scope, and conditions under which coverage will be provided to a policyholder for covered services incidental to cancer clinical trials.

(c) Penalties for documented cases of the denial of claims for covered services provided incidental to cancer clinical trials.

(2) Upon completion of industry negotiations, the department shall submit a report on the results of such negotiations to the Governor, the

President of the Senate, and the Speaker of the House of Representatives. Upon submission of the report, the workgroup shall dissolve.

(3) "Covered services provided incidental to cancer clinical trials" means health care.

And the title is amended as follows:

On line(s) 98, after the first semicolon (;) insert: requiring the Department of Health to convene a workgroup of insurers and health maintenance organizations to oversee industry negotiations of a compact relating to insurance coverage and cancer clinical trials; requiring that the compact contain certain components; requiring a report of the results of such negotiations to the Governor and the Legislature upon completion of the negotiations; providing for dissolution of the workgroup; defining "covered services provided incidental to cancer clinical trials";

On motion by Senator Jones, the Senate concurred in **House Amendment 1** as amended and requested the House to concur in the Senate amendments to the House amendment.

CS for SB 2618 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—40

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Aronberg	Gaetz	Posey
Atwater	Garcia	Rich
Baker	Geller	Ring
Bennett	Haridopolos	Saunders
Bullard	Hill	Siplin
Carlton	Jones	Storms
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dawson	King	Wilson
Dean	Lawson	Wise
Deutch	Lynn	
Diaz de la Portilla	Margolis	

Nays—None

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has returned as requested CS for CS for SB 2082.

William S. Pittman III, Chief Clerk

CS for CS for SB 2082—A bill to be entitled An act relating to insurance; providing a short title; amending s. 626.171, F.S.; requiring that an applicant for licensure as an insurance agent, customer representative, adjuster, service representative, managing general agent, or reinsurance intermediary provide to the Department of Financial Services his or her home and office telephone numbers and e-mail address; amending s. 626.2815, F.S.; requiring persons licensed to solicit or sell life insurance to complete a specified number of hours in continuing education on the subject of suitability in annuity and life insurance transactions; amending s. 626.551, F.S.; requiring that a licensee notify the department within 60 days after a change in home or business telephone numbers or e-mail address; amending s. 626.9521, F.S.; providing enhanced penalties for offenses involving misleading representations or fraudulent comparisons or omissions, the generation of unlawful fees and commissions, or the use of fraudulent signatures; providing for other enhanced penalties to supersede the penalties provided by the act under certain conditions; amending s. 626.9541, F.S.; revising the elements of the offense known as "churning" to include direct or indirect purchases made for the purpose of earning fees or commissions; providing that the submission of certain fraudulent signatures or the misrepresentation of a licensee's qualifications constitute an unfair method of competition and an unfair or deceptive act or practice; amending s. 626.99, F.S.; revising requirements for life insurance or annuity policies to increase the period of time allowed for obtaining an unconditional refund; requiring insurers for all types of annuities to provide a buyer's guide and a policy summary to the buyer; amending s. 627.4554, F.S.; providing for the regulation of recommendations relating to the sale of life insurance products to senior consumers; redefining the term "annuity" and defining the term "life insurance contract"; requiring that an agent obtain financial and other information concerning the senior consumer before executing a purchase or exchange of an annuity or life insurance contract; requiring that the agent perform a suitability analysis relative to the investment he or she recommends and document the analysis in writing; requiring an agent to provide a comparison of current and recommended products if the transaction involves the replacement or exchange of an in-force insurance policy or annuity; requiring an agent to provide information about any surrender charges and tax consequences; authorizing the department and commission to adopt rules; amending s. 627.805, F.S.; providing for regulation of the issuance and sale of variable and indeterminate value contracts by the Department of Financial Services, the Office of Insurance Regulation, and the Office of Financial Regulation; authorizing the department and the Financial Services Commission to adopt rules; providing an effective date for such rulemaking authority; providing for applicability of such rules; providing an effective date.

RECONSIDERATION OF BILL

On motion by Senator Bennett, the Senate reconsidered the vote by which **CS for CS for SB 2082** as amended passed April 3.

Senator Bennett moved the following amendment:

Amendment 1 (593426)(with title amendment)—Delete everything after the enacting clause and insert:

Section 1. *This act may be cited as the "John and Patricia Seibel Act."*

Section 2. Paragraph (a) of subsection (2) of section 626.171, Florida Statutes, is amended to read:

626.171 Application for license as an agent, customer representative, adjuster, service representative, managing general agent, or reinsurance intermediary.—

(2) In the application, the applicant shall set forth:

(a) His or her full name, age, social security number, residence address, business address, ~~and~~ mailing address*, contact telephone numbers, including a business telephone number, and e-mail address*.

However, the application must contain a statement that an applicant is not required to disclose his or her race or ethnicity, gender, or native language, that he or she will not be penalized for not doing so, and that the department will use this information exclusively for research and statistical purposes and to improve the quality and fairness of the examinations.

Section 3. Paragraph (k) is added to subsection (3) of section 626.2815, Florida Statutes, to read:

626.2815 Continuing education required; application; exceptions; requirements; penalties.—

(3)

(k) Any person who holds a license to solicit or sell life insurance in this state must complete a minimum of 3 hours in continuing education, approved by the department, on the subject of suitability in annuity and life insurance transactions. A licensee may use the hours obtained under this paragraph to satisfy the requirement for continuing education in ethics under paragraph (a).

Section 4. Section 626.551, Florida Statutes, is amended to read:

626.551 Notice of change of address, name.—Every licensee shall notify the department in writing within 60 days after a change of name, residence address, principal business street address, ~~or~~ mailing address*, contact telephone numbers, including a business telephone number, or e-mail address*. *A* ~~Any~~ licensed agent who has moved his or her residence from this state shall have his or her license and all appointments immediately terminated by the department. Failure to notify the department within the required time period shall result in a fine not to exceed $250 for the first offense and, for subsequent offenses, a fine of *at least* ~~not less than~~ $500 or suspension or revocation of the license pursuant to s. 626.611 or s. 626.621.

Section 5. Section 626.9521, Florida Statutes, is amended to read:

626.9521 Unfair methods of competition and unfair or deceptive acts or practices prohibited; penalties.—

(1) No person shall engage in this state in any trade practice which is defined in this part as, or determined pursuant to s. 626.951 or s. 626.9561 to be, an unfair method of competition or an unfair or deceptive act or practice involving the business of insurance.

(2) *Except as provided in subsection (3),* any person who violates any provision of this part *is* ~~shall be~~ subject to a fine in an amount not greater than $2,500 for each nonwillful violation and not greater than $20,000 for each willful violation. Fines under this subsection may not exceed an aggregate amount of $10,000 for all nonwillful violations arising out of the same action or an aggregate amount of $100,000 for all willful violations arising out of the same action. The fines ~~authorized by this subsection~~ may be imposed in addition to any other applicable penalty.

(3)(a) If a person violates s. 626.9541(1)(l), the offense known as "twisting," or violates s. 626.9541(1)(aa), the offense known as "churning," the person commits a misdemeanor of the first degree, punishable as provided in s. 775.082, and an administrative fine not greater than $5,000 shall be imposed for each nonwillful violation or an administrative fine not greater than $30,000 shall be imposed for each willful violation. To impose criminal penalties under this paragraph, the practice of "churning" or "twisting" must involve fraudulent conduct.

(b) If a person violates s. 626.9541(1)(ee) by willfully submitting fraudulent signatures on an application or policy-related document, the person commits a misdemeanor of the first degree, punishable as provided in s. 775.082, and an administrative fine not greater than $5,000 shall be imposed for each nonwillful violation or an administrative fine not greater than $30,000 shall be imposed for each willful violation.

(c) Administrative fines under this subsection may not exceed an aggregate amount of $50,000 for all nonwillful violations arising out of the same action or an aggregate amount of $250,000 for all willful violations arising out of the same action.

Section 6. *Any increase in the fines imposed under s. 626.9521, Florida Statutes, which exceeds the increase provided by this act shall supersede the amendments made to that section by this act if such increase is enacted during the 2008 legislative session and becomes law, and the amendments to s. 626.9521, Florida Statutes, made by this act shall not take effect.*

Section 7. Paragraph (aa) of subsection (1) of section 626.9541, Florida Statutes, is amended, and paragraphs (ee) and (ff) are added to that subsection, to read:

626.9541 Unfair methods of competition and unfair or deceptive acts or practices defined.—

(1) UNFAIR METHODS OF COMPETITION AND UNFAIR OR DECEPTIVE ACTS.—The following are defined as unfair methods of competition and unfair or deceptive acts or practices:

(aa) Churning.—

1. Churning is the practice whereby policy values in an existing life insurance policy or annuity contract, including, but not limited to, cash, loan values, or dividend values, and in any riders to that policy or contract, are *directly or indirectly used* ~~utilized~~ to purchase another insurance policy or annuity contract with that same insurer for the purpose of earning additional premiums, fees, commissions, or other compensation:

a. Without an objectively reasonable basis for believing that the replacement or extraction will result in an actual and demonstrable benefit to the policyholder;

b. In a fashion that is fraudulent, deceptive, or otherwise misleading or that involves a deceptive omission;

c. When the applicant is not informed that the policy values including cash values, dividends, and other assets of the existing policy or contract will be reduced, forfeited, or *used* ~~utilized~~ in the purchase of the replacing or additional policy or contract, if this is the case; or

d. Without informing the applicant that the replacing or additional policy or contract will not be a paid-up policy or that additional premiums will be due, if this is the case.

Churning by an insurer or an agent is an unfair method of competition and an unfair or deceptive act or practice.

2. Each insurer shall comply with sub-subparagraphs 1.c. and 1.d. by disclosing to the applicant at the time of the offer on a form designed and adopted by rule by the commission if, how, and the extent to which the policy or contract values (including cash value, dividends, and other assets) of a previously issued policy or contract will be used to purchase a replacing or additional policy or contract with the same insurer. The form *must* ~~shall~~ include disclosure of the premium, the death benefit of the proposed replacing or additional policy, and the date when the policy values of the existing policy or contract will be insufficient to pay the premiums of the replacing or additional policy or contract.

3. Each insurer shall adopt written procedures to reasonably avoid churning of policies or contracts that it has issued, and failure to adopt written procedures sufficient to reasonably avoid churning shall be an unfair method of competition and an unfair or deceptive act or practice.

(ee) Fraudulent signatures on an application or policy-related document.—Willfully submitting to an insurer on behalf of a consumer an insurance application or policy-related document bearing a false or fraudulent signature.

(ff) Unlawful use of designations; misrepresentation of agent qualifications.—

1. A licensee may not, in any sales presentation or solicitation for insurance, use a designation or title in such a way as to falsely imply that the licensee:

a. Possesses special financial knowledge or has obtained specialized financial training; or

b. Is certified or qualified to provide specialized financial advice to senior citizens.

2. A licensee may not use terms such as "financial advisor" in such a way as to falsely imply that the licensee is licensed or qualified to discuss, sell, or recommend financial products other than insurance products.

3. A licensee may not, in any sales presentation or solicitation for insurance, falsely imply that he or she is qualified to discuss, recommend, or sell securities or other investment products in addition to insurance products.

4. A licensee who also holds a designation as a certified financial planner (CFP), chartered life underwriter (CLU), chartered financial consultant (ChFC), life underwriter training council fellow (LUTC), or the appropriate license to sell securities from the Financial Industry Regulatory Authority (FINRA) may inform the customer of those licenses or designations and make recommendations in accordance with those licenses or designations, and in so doing does not violate this paragraph.

Section 8. Paragraph (a) of subsection (4) of section 626.99, Florida Statutes, is amended to read:

626.99 Life insurance solicitation.—

(4) DISCLOSURE REQUIREMENTS.—

(a) The insurer shall provide to each prospective purchaser a buyer's guide and a policy summary prior to accepting *the* ~~any~~ applicant's initial premium or premium deposit, unless the policy for which application is made *provides* ~~contains a provision for~~ an unconditional refund for a period of at least *14* ~~10~~ days, or unless the policy summary contains an offer of such an unconditional refund, in which event the buyer's guide and policy summary must be delivered with the policy or prior to delivery of the policy. With respect to ~~fixed~~ annuities, the insurer shall provide to each prospective purchaser a buyer's guide to annuities and a contract summary as provided in the National Association of Insurance Commissioners (NAIC) Model Annuity and Deposit Fund Regulation and the policy *must provide* ~~shall contain a provision for~~ an unconditional refund for a period of at least *14* ~~10~~ days.

Section 9. Section 627.4554, Florida Statutes, is amended to read:

627.4554 Annuity investments by seniors.—

(1) PURPOSE; CONSTRUCTION.—

(a) The purpose of this section is to set forth standards and procedures for *making* recommendations to senior consumers which result in a transaction involving annuity products to appropriately address the insurance needs and financial objectives of senior consumers at the time of the transaction.

(b) *A violation of* ~~Nothing in~~ this section *does not* ~~shall be construed to~~ create or imply a private cause of action ~~for a violation of this section~~.

(c) Nothing in this section shall subject an insurer to criminal or civil liability for the acts of independent individuals not affiliated with that insurer for selling its products, when such sales are made in a way not authorized by the insurer.

(2) APPLICATION.—This section applies to any recommendation to purchase or exchange an annuity made to a senior consumer by an insurance agent, or an insurer where no agent is involved*, and which*~~,~~ ~~that~~ results in the purchase or exchange recommended.

(3) DEFINITIONS.—For purposes of this section*, the term*:

(a) "Annuity *contract*" means a fixed annuity*, equity indexed annuity, fixed equity indexed annuity,* or variable annuity that is individually solicited, whether the product is classified as an individual annuity or a group annuity.

(b) "Recommendation" means advice provided by an insurance agent, or an insurer if no insurance agent is involved, to an individual senior consumer which results in a purchase or exchange of an annuity in accordance with that advice.

(c) "Senior consumer" means a person 65 years of age or older. In the event of a joint purchase by more than one party, a purchaser is considered to be a senior consumer if any of the parties is age 65 or older.

(4) DUTIES OF INSURERS AND INSURANCE AGENTS.—

(a) In recommending to a senior consumer the purchase *or exchange* of an annuity *that* ~~or the exchange of an annuity that~~ results in another insurance transaction or series of insurance transactions, an insurance agent, or an insurer if no insurance agent is involved, *must* ~~shall~~ have *an objectively* reasonable *basis* ~~grounds~~ for believing that the recommendation is suitable for the senior consumer *based* on ~~the basis of~~ the facts disclosed by the senior consumer as to his or her investments and other insurance products and as to his or her financial situation and needs.

(b) Before executing a purchase or exchange of an annuity resulting from a recommendation to a senior consumer, an insurance agent, or an insurer if no insurance agent is involved, shall make reasonable efforts to obtain information concerning the *suitability of* ~~senior consumer's financial status, tax status, and investment objectives and such other information used or considered to be reasonable by the insurance agent, or the insurer if no agent is involved, in making~~ the recommendation. *The information shall include, at a minimum:*

1. Personal information, including the age and sex of the parties to the annuity and the ages and number of any dependents;

2. Tax status of the consumer;

3. Investment objectives of the consumer;

4. The source of the funds to be used to purchase the annuity;

5. The applicant's annual income;

6. Intended use of the annuity;

7. The applicant's existing assets, including investment holdings;

8. The applicant's liquid net worth and liquidity needs;

9. The applicant's financial situation and needs;

10. The applicant's risk tolerance; and

11. Such other information used or considered to be relevant by the insurance agent or insurer in making recommendations to the consumer regarding the purchase or exchange of an annuity contract.

This information shall be collected on a form adopted by rule by the department and completed and signed by the applicant and agent. Questions requesting this information must be presented in at least 12-point type and be sufficiently clear so as to be readily understandable by both the agent and the consumer. A true and correct executed copy of the form shall be provided by the agent to the insurer, or the third party that has contracted with such insurer pursuant to subparagraph (f)3., within 10 days after execution of the form, and shall be provided to the consumer no later than the date of delivery of the contract or contracts.

(c)1. Except as provided under subparagraph 2., an insurance agent, or an insurer if no insurance agent is involved, *has no* ~~shall not have any~~ obligation to a senior consumer under paragraph (a) related to any recommendation if the senior consumer:

a. Refuses to provide relevant information requested by the insurer or insurance agent;

b. Decides to enter into an insurance transaction that is not based on a recommendation of the insurer or insurance agent; or

c. Fails to provide complete or accurate information.

2. An insurer or insurance agent's recommendation subject to subparagraph 1. shall be *objectively* reasonable under all the circumstances actually known to the insurer or insurance agent at the time of the recommendation.

3. If the consumer refuses to provide relevant information requested by the insurance agent or insurer, before the execution of the sale the insurance agent or insurer shall obtain a signed verification from the senior consumer on a form adopted by rule by the department that he or she refuses to provide the requested information and may be limiting protections afforded by this section regarding the suitability of the sale.

(d) In addition to the information required by paragraph (b), before the execution of a replacement or exchange of an annuity contract resulting from a recommendation, the insurance agent shall also provide, on a form adopted by rule by the department, information concerning differences between each existing annuity contract and the annuity contract being recommended in order to determine the suitability of the recommendation and its benefit to the consumer. A true and correct executed copy of this form shall be provided by the agent to the insurer, or the third party that has contracted with such insurer pursuant to subparagraph (f)3., within 10 days after execution of the form, and shall be provided to the consumer no later than the date of delivery of the contract or contracts. The information shall include, at a minimum:

1. A comparison of the benefits, terms, and limitations between the annuity contracts.

2. A comparison of any fees and charges between the annuity contracts.

3. A written basis for the recommended exchange, including the overall advantages and disadvantages to the consumer if the recommendation is followed.

4. Such other information used or considered to be relevant by the insurance agent or the insurer in making recommendations to the consumer regarding the replacement or exchange of an annuity contract.

(e) Prior to the execution of a purchase or exchange of an annuity contract resulting from a recommendation, an agent shall also disclose to the consumer that such purchase or exchange may have tax consequences and that the applicant should contact his or her tax advisor for more information.

(f)~~(d)~~1. An insurer or insurance agent *must* ~~shall~~ ensure that a system to supervise recommendations*,* which is reasonably designed to achieve compliance with this section*,* is established and maintained by complying with subparagraphs 3., 4., and 5., or shall establish and maintain such a system, including, but not limited to:

a. Maintaining written procedures.

b. Conducting periodic reviews of its records that are reasonably designed to assist in detecting and preventing violations of this section.

2. A managing general agent and an insurance agency shall adopt a system established by an insurer to supervise recommendations of its insurance agents which is reasonably designed to achieve compliance with this section or shall establish and maintain such a system, including, but not limited to:

a. Maintaining written procedures.

b. Conducting periodic reviews of records that are reasonably designed to assist in detecting and preventing violations of this section.

3. An insurer may contract with a third party, including a managing general agent or an insurance agency, to establish and maintain a system of supervision as required by subparagraph 1. with respect to insurance agents under contract with or employed by the third party.

4. An insurer shall make reasonable inquiry to ensure that such third party contracting under subparagraph 3. is performing the functions required under subparagraph 1. and shall take such action as is reasonable under the circumstances to enforce the contractual obligation to perform the functions. An insurer may comply with its obligation to make reasonable inquiry by:

a. Annually obtaining a certification from a third party senior manager who has responsibility for the delegated functions that the manager has a reasonable basis to represent, and does represent, that the third party is performing the required functions.

b. Based on reasonable selection criteria, periodically selecting third parties contracting under subparagraph 3. for a review to determine whether the third parties are performing the required functions. The insurer shall perform any procedures necessary to conduct the review which are reasonable under the circumstances.

5. An insurer that contracts with a third party pursuant to subparagraph 3. and complies with the requirements specified in subparagraph 4. is deemed to have fulfilled its responsibilities under subparagraph 1.

6. An insurer, managing general agent, or insurance agency is not required by subparagraph 1. or subparagraph 2. to:

a. Review or provide for review of all transactions solicited by an insurance agent; or

b. Include in its system of supervision an insurance agent's recommendations to senior consumers of products other than the annuities offered by the insurer, managing general agent, or insurance agency.

7. A managing general agent or insurance agency contracting with an insurer pursuant to subparagraph 3. shall promptly, when requested by the insurer pursuant to subparagraph 4., provide a certification as described in subparagraph 4. or provide a clear statement that the managing general agent or insurance agency is unable to meet the certification criteria.

8. A person may not provide a certification under sub-subparagraph 4.a. unless the person is a senior manager with responsibility for the delegated functions and has a reasonable basis for making the certification.

(5) MITIGATION OF RESPONSIBILITY.—

(a) The office may order an insurer to take reasonably appropriate corrective action*, including rescission of the policy or contract and a full refund of the premiums paid or the accumulation value, whichever is greater,* for any senior consumer harmed by a violation of this section by the insurer or the insurer's insurance agent.

(b) The department may order:

1. An insurance agent to take reasonably appropriate corrective action for any senior consumer harmed by a violation of this section by the insurance agent.

2. A managing general agency or insurance agency that employs or contracts with an insurance agent to sell or solicit the sale of annuities to senior consumers to take reasonably appropriate corrective action for any senior consumer harmed by a violation of this section by the insurance agent.

(c) Any applicable penalty under the Florida Insurance Code for a violation of paragraph (4)(a), paragraph (4)(b), or subparagraph (4)(c)2. may be reduced or eliminated, according to a schedule adopted by the office or the department, as appropriate, if corrective action for the senior consumer was taken promptly after a violation was discovered.

(6) RECORDKEEPING.—

(a) Insurers, managing general agents, insurance agencies, and insurance agents shall maintain or ~~be able to~~ make available *from the entity or entities responsible for maintaining the records pursuant to paragraph (4)(f),* to the department or office, as appropriate, records of the information collected from the senior consumer and other information used in making the recommendations that were the basis for insurance transactions for 5 years after the insurance transaction is completed by the insurer. An insurer is permitted, but shall not be required, to maintain documentation on behalf of an insurance agent.

(b) Records required to be maintained by this *subsection* ~~regulation~~ may be maintained in paper, photographic, microprocess, magnetic, mechanical, or electronic media, or by any process that accurately reproduces the actual document.

(7) EXEMPTIONS.—Unless otherwise specifically included, this section does not apply to recommendations involving:

(a) Direct-response solicitations where there is no recommendation based on information collected from the senior consumer pursuant to this section.

(b) Contracts used to fund:

1. An employee pension or welfare benefit plan that is covered by the Employee Retirement and Income Security Act;

2. A plan described by s. 401(a), s. 401(k), s. 403(b), s. 408(k), or s. 408(p) of the Internal Revenue Code of 1986, as amended, if established or maintained by an employer;

3. A government or church plan defined in s. 414 of the Internal Revenue Code of 1986, as amended, a government or church welfare benefit plan, or a deferred compensation plan of a state or local government or tax-exempt organization under s. 457 of the Internal Revenue Code of 1986, as amended;

4. A nonqualified deferred compensation arrangement established or maintained by an employer or plan sponsor;

5. Settlements of or assumptions of liabilities associated with personal injury litigation or any dispute or claim resolution process; or

6. Prepaid funeral contracts.

(8) APPLICATION TO ~~VARIABLE~~ ANNUITIES.—*Any person who is registered with a member of the Financial Industry Regulatory Authority, who is required to make a suitability determination, and who makes and documents such determination is deemed to* ~~Compliance with the National Association of Securities Dealers Conduct Rules in effect on January 1, 2004, shall~~ satisfy the requirements under this section for the recommendation of ~~variable~~ annuities. This section does not limit the department's ability to enforce the provisions of this section with respect to insurance agents, insurance agencies, and managing general agents, or the office's ability to enforce the provisions of this section with respect to insurers.

(9) RULES.—The department and commission may adopt rules to administer this section.

Section 10. Effective only if Senate Bill 648, adopted during the 2008 Regular Session of the Legislature, becomes a law, paragraph (d) is added to subsection (2) of section 627.551, Florida Statutes, to read:

627.551 Group contracts and plans of self-insurance must meet group requirements.—

(2) Subsection (1) does not apply to life insurance policies or plans of self-insurance:

(a) Insuring or providing benefits only to individuals related by blood, marriage, or legal adoption.

(b) Insuring or providing benefits only to individuals who have a common interest through ownership of a business enterprise, or a substantial legal interest or equity therein, and who are actively engaged in the management of the business enterprise.

(c) Insuring or providing benefits only to individuals otherwise having an insurable interest in each other's lives.

(d) Insuring or providing benefits pursuant to s. 627.404(2)(b)8. or 9.

Section 11. Section 627.805, Florida Statutes, is amended to read:

627.805 Regulation of variable and indeterminate value contracts; rules.—The *Department of Financial Services and the Office of Insurance Regulation* ~~office, notwithstanding any other provision of law,~~ shall ~~have the sole authority to~~ regulate the issuance and sale of variable and indeterminate value contracts *pursuant to their respective authority as conferred by state law. The Office of Financial Regulation shall regulate the sale of variable and indeterminate value contracts pursuant to its authority under chapter 517. The Department of Financial Services and, when applicable, the Financial Services Commission, may*~~, and the commission has authority to~~ adopt rules pursuant to ss. 120.536(1) and 120.54 to implement ~~the provisions of~~ this part.

Section 12. *Effective upon this act becoming a law, the Department of Financial Services may adopt rules to implement this act. Section 9 of this act and such implementing rules shall take effect 60 days after the date on which the final rule is adopted or January 1, 2009, whichever is later.*

Section 13. Except as otherwise expressly provided in this act and except for this section, which shall take effect upon becoming a law, this act shall take effect January 1, 2009.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to insurance; providing a short title; amending s. 626.171, F.S.; requiring that an applicant for licensure as an insurance agent, customer representative, adjuster, service representative, managing general agent, or reinsurance intermediary provide to the Department of Financial Services his or her contact and business telephone numbers and e-mail address; amending s. 626.2815, F.S.; requiring persons licensed to solicit or sell life insurance to complete a specified number of hours in continuing education on the subject of suitability in annuity and life insurance transactions; amending s. 626.551, F.S.; requiring that a licensee notify the department within 60 days after a change in contact or business telephone numbers or e-mail address; amending s. 626.9521, F.S.; providing for administrative fines and criminal penalties for offenses involving misleading representations or fraudulent comparisons or omissions, the generation of unlawful fees and commissions, or the use of fraudulent signatures; limiting the aggregate amounts of fines; providing for other administrative fines to supersede the administrative fines and penalties provided by the act under certain conditions; amending s. 626.9541, F.S.; revising the elements of the offense known as "churning" to include direct or indirect purchases made for the purpose of earning fees or commissions; providing that the willful submission of certain fraudulent signatures or the misrepresentation of a licensee's qualifications constitute an unfair method of competition and an unfair or deceptive act or practice; amending s. 626.99, F.S.; revising requirements for life insurance or annuity policies to increase the period of time allowed for obtaining an unconditional refund; requiring insurers for all types of annuities to provide a buyer's guide and a policy summary to the buyer; amending s. 627.4554, F.S.; revising the regulation of recommendations relating to the sale of annuities to senior consumers; redefining the term "annuity"; requiring that an agent obtain financial and other information concerning the senior consumer before executing a purchase or exchange of an annuity; requiring that the agent perform a suitability analysis relative to the investment he or she recommends and document the analysis in writing; requiring an agent to provide a comparison of current and recommended products if the transaction involves the replacement or exchange of an annuity; requiring an agent to provide information about any surrender charges and tax consequences; exempting certain persons from compliance with certain separate suitability determinations under certain circumstances; authorizing the department and Financial Services Commission to adopt rules; amending s. 627.551, F.S.; expanding the list of life insurance policies and plans of self-insurance that are exempt from certain provisions of state law; providing for contingent effect; amending s. 627.805, F.S.; providing for regulation of the issuance and sale of variable and indeterminate value contracts by the department, the Office of Insurance Regulation, and the Office of Financial Regulation; authorizing the department and the commission to adopt rules; providing an effective date for such rulemaking authority; providing for applicability of such rules; providing effective dates.

Senator Bennett moved the following amendment to **Amendment 1** which was adopted by two-thirds vote:

Amendment 1A (553694)—Delete line(s) 81 and insert: *related document, the person commits a felony of the third*

Amendment 1 as amended was adopted by two-thirds vote.

On motion by Senator Bennett, **CS for CS for SB 2082** as amended was passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—40

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Aronberg	Gaetz	Posey
Atwater	Garcia	Rich
Baker	Geller	Ring
Bennett	Haridopolos	Saunders
Bullard	Hill	Siplin
Carlton	Jones	Storms
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dawson	King	Wilson
Dean	Lawson	Wise
Deutch	Lynn	
Diaz de la Portilla	Margolis	

Nays—None

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has returned as requested CS for HB 197.

William S. Pittman III, Chief Clerk

CS for HB 197—A bill to be entitled An act relating to pest control; creating s. 570.345, F.S., the Pest Control Compact; providing for enactment of the compact; requiring the Commissioner of Agriculture to administer the compact; requiring that an application for assistance under the compact be made by the commissioner; providing for crediting of funds to appropriate accounts of a state treasury under certain circumstances; providing findings with respect to the need for all states to cooperate in pest-eradication and control programs; providing definitions; providing for the establishment of the Pest Control Insurance Fund for the purpose of financing pest-control operations under the compact; specifying sources of funds deposited into the Pest Control Insurance Fund and any conditions that may be placed on such funds; providing for the Pest Control Insurance Fund to be administered by a Governing Board and Executive Committee; providing for the internal operations and management of the Governing Board; requiring an annual report to the Governor and Legislature of each state that is a party to the compact; providing for the administration of the compact and the Pest Control Insurance Fund; providing procedures for applying for an expenditure from the fund; providing for a determination with respect to expenditures from the fund and for the review thereof; authorizing the Governing Board to establish advisory and technical committees; providing for an application for assistance from the fund on behalf of a nonparty state; providing requirements for the fund with respect to preparing budgets and maintaining financial assets; prohibiting a pledge of the assets of a state that is a party to the compact; providing for the compact to enter into force upon its enactment by five or more states; providing

a procedure for a state to withdraw from the compact; providing for construction and severability; providing an effective date.

RECONSIDERATION OF BILL

On motion by Senator Dean, the Senate reconsidered the vote by which **CS for HB 197** as amended passed May 1.

Senators Dean and Alexander offered the following amendment which was moved by Senator Alexander and adopted by two-thirds vote:

Amendment 5 (148310)(with title amendment)—Delete line(s) 474 and insert:

Section 2. Subsection (4) of section 163.3162, Florida Statutes, is amended to read:

163.3162 Agricultural Lands and Practices Act.—

(4) DUPLICATION OF REGULATION.—Except as otherwise provided in this section and s. 487.051(2), and notwithstanding any other law, including any provision of chapter 125 or this chapter, a county may not exercise any of its powers to adopt any ordinance, resolution, regulation, rule, or policy to prohibit, restrict, regulate, or otherwise limit an activity of a bona fide farm operation on land classified as agricultural land pursuant to s. 193.461, if such activity is regulated through implemented best management practices, interim measures, or regulations developed by the Department of Environmental Protection, the Department of Agriculture and Consumer Services, or a water management district and adopted *by rule* ~~under chapter 120~~ as part of a statewide or regional program; or if such activity is expressly regulated by the United States Department of Agriculture, the United States Army Corps of Engineers, or the United States Environmental Protection Agency. *A county may not impose an assessment or fee for stormwater management on land classified as agricultural under s. 193.461 if the agricultural operation has an agricultural discharge permit, an environmental resource permit, or implements best management practices developed by the Department of Environmental Protection, the Department of Agriculture and Consumer Services, or a water management district and adopted by rule as part of a statewide or regional program unless the assessment or fee provides water quality treatment or flood control benefits to the agricultural land or agricultural operation and the assessment or fee provides credits for the water quality treatment and flood control benefits provided by the implementation of agricultural stormwater controls, permits, or the best management practices.*

(a) *If* ~~When~~ an activity of a farm operation takes place within a wellfield protection area as defined in any wellfield protection ordinance adopted by a county, and the implemented best management practice, regulation, or interim measure does not specifically address wellfield protection, a county may regulate that activity pursuant to such ordinance. This subsection does not limit the powers and duties provided ~~for~~ in s. 373.4592 or limit the powers and duties of any county to address an emergency as provided ~~for~~ in chapter 252.

(b) This subsection may not be construed to permit an existing farm operation to change to a more excessive farm operation with regard to traffic, noise, odor, dust, or fumes where the existing farm operation is adjacent to an established homestead or business on March 15, 1982.

(c) This subsection does not limit the powers of a predominantly urbanized county with a population greater than 1,500,000 and more than 25 municipalities, not operating under a home rule charter adopted pursuant to ss. 10, 11, and 24, Art. VIII of the Constitution of 1885, as preserved by s. 6(e), Art. VIII of the Constitution of 1968, which has a delegated pollution control program under s. 403.182 and includes drainage basins that are part of the Everglades Stormwater Program, to enact ordinances, regulations, or other measures to comply with the provisions of s. 373.4592, or which are necessary to carrying out a county's duties pursuant to the terms and conditions of any environmental program delegated to the county by agreement with a state agency.

(d) For purposes of this subsection, a county ordinance that regulates the transportation or land application of domestic wastewater residuals or other forms of sewage sludge *may* ~~shall~~ not be deemed to be duplication of regulation.

Section 3. This act shall take effect July 1, 2008.

And the title is amended as follows:

Delete line(s) 2-35 and insert: An act relating to agriculture; creating s. 570.345, F.S.; establishing the Pest Control Compact; providing for enactment of the compact; requiring the Commissioner of Agriculture to administer the compact; requiring that an application for assistance under the compact be made by the commissioner; providing for crediting of funds to appropriate accounts of a state treasury under certain circumstances; providing findings with respect to the need for all states to cooperate in pest-eradication and control programs; providing definitions; providing for the establishment of the Pest Control Insurance Fund for the purpose of financing pest-control operations under the compact; specifying sources of funds deposited into the Pest Control Insurance Fund and any conditions that may be placed on such funds; providing for the Pest Control Insurance Fund to be administered by a Governing Board and Executive Committee; providing for the internal operations and management of the Governing Board; requiring an annual report to the Governor and Legislature of each state that is a party to the compact; providing for the administration of the compact and the Pest Control Insurance Fund; providing procedures for applying for an expenditure from the fund; providing for a determination with respect to expenditures from the fund and for the review thereof; authorizing the Governing Board to establish advisory and technical committees; providing for an application for assistance from the fund on behalf of a nonparty state; providing requirements for the fund with respect to preparing budgets and maintaining financial assets; prohibiting a pledge of the assets of a state that is a party to the compact; providing for the compact to enter into force upon its enactment by five or more states; providing a procedure for a state to withdraw from the compact; providing for construction and severability; amending s. 163.3162, F.S.; prohibiting a county from imposing an assessment or fee on certain agricultural lands; providing an exception;

Senators Dean and Alexander offered the following amendment which was moved by Senator Dean and adopted by two-thirds vote:

Amendment 6 (129782)(with title amendments)—Delete line(s) 474 and insert:

Section 2. Subsection (1) of section 205.064, Florida Statutes, is amended to read:

205.064 Farm, aquacultural, grove, horticultural, floricultural, tropical piscicultural, and tropical fish farm products; certain exemptions.—

(1) A local business tax receipt is not required of any ~~natural~~ person for the privilege of engaging in the selling of farm, aquacultural, grove, horticultural, floricultural, tropical piscicultural, or tropical fish farm products, or products manufactured therefrom, except intoxicating liquors, wine, or beer, when such products were grown or produced by such ~~natural~~ person in the state.

Section 3. This act shall take effect July 1, 2008.

And the title is amended as follows:

Delete line(s) 2-35 and insert: An act relating to agriculture; creating s. 570.345, F.S., the Pest Control Compact; providing for enactment of the compact; requiring the Commissioner of Agriculture to administer the compact; requiring that an application for assistance under the compact be made by the commissioner; providing for crediting of funds to appropriate accounts of a state treasury under certain circumstances; providing findings with respect to the need for all states to cooperate in pest-eradication and control programs; providing definitions; providing for the establishment of the Pest Control Insurance Fund for the purpose of financing pest-control operations under the compact; specifying sources of funds deposited into the Pest Control Insurance Fund and any conditions that may be placed on such funds; providing for the Pest Control Insurance Fund to be administered by a Governing Board and Executive Committee; providing for the internal operations and management of the Governing Board; requiring an annual report to the Governor and Legislature of each state that is a party to the compact; providing for the administration of the compact and the Pest Control Insurance Fund; providing procedures for applying for an expenditure from the fund; providing for a determination with respect to expenditures from the fund and for the review thereof; authorizing the Governing Board to establish advisory and technical committees; providing for an application for assistance from the fund on behalf of a nonparty state; providing requirements for the fund with respect to preparing budgets

and maintaining financial assets; prohibiting a pledge of the assets of a state that is a party to the compact; providing for the compact to enter into force upon its enactment by five or more states; providing a procedure for a state to withdraw from the compact; providing for construction and severability; amending s. 205.064, F.S.; expanding the applicability of an exemption from a local business tax receipt for the privilege of selling specified products;

On motion by Senator Dean, **CS for HB 197** as amended was passed and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Diaz de la Portilla	Margolis
Alexander	Dockery	Oelrich
Aronberg	Fasano	Peaden
Atwater	Gaetz	Posey
Baker	Garcia	Rich
Bennett	Geller	Ring
Bullard	Haridopolos	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dawson	King	Webster
Dean	Lawson	Wilson
Deutch	Lynn	Wise

Nays—None

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has passed SB 302, with 1 amendment, and requests the concurrence of the Senate.

William S. Pittman III, Chief Clerk

SB 302—A bill to be entitled An act relating to the indecent wearing of below-waist underwear; prohibiting a student from exposing below-waist underwear in a specified manner while on the grounds of a public school; providing penalties; providing an effective date.

House Amendment 1 (407095)(with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Paragraph (b) of subsection (1) of section 1001.43, Florida Statutes, is amended to read:

1001.43 Supplemental powers and duties of district school board.—The district school board may exercise the following supplemental powers and duties as authorized by this code or State Board of Education rule.

(1) STUDENT MANAGEMENT.—The district school board may adopt programs and policies to ensure the safety and welfare of individuals, the student body, and school personnel, which programs and policies may:

(b) Require uniforms to be worn by the student body, or impose other dress-related requirements, if the district school board finds that those requirements are necessary for the safety or welfare of the student body or school personnel. However, students may wear sunglasses, hats, or other sun-protective wear while outdoors during school hours, such as when students are at recess. *Criteria and instructions for school uniform dress codes shall be set by a committee established by the district school board.*

Section 2. This act shall take effect July 1, 2008.

And the title is amended as follows:

Remove the entire title and insert: A bill to be entitled An act relating to management of public school students; amending s. 1001.43, F.S.; providing that criteria and instructions for school uniform dress codes shall be set by district school boards; providing an effective date.

On motion by Senator Siplin, the Senate refused to concur in the House amendment to **SB 302** and the House was requested to recede. The action of the Senate was certified to the House.

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has passed CS for CS for SB 1652, with 1 amendment(s), and requests the concurrence of the Senate.

William S. Pittman III, Chief Clerk

CS for CS for SB 1652—A bill to be entitled An act relating to charter schools; amending ss. 11.45, 218.50, and 218.501, F.S., relating to audit reports by the Auditor General; conforming provisions related to changes in the entities subject to a state of financial emergency; amending ss. 218.503 and 218.504, F.S.; providing that charter technical career centers are subject to certain requirements in the event of a financial emergency; requiring that the sponsor be notified of certain conditions; providing for the development of a financial recovery plan, which may be approved by the Commissioner of Education; amending s. 1002.33, F.S.; providing for duties of charter school sponsors and governing boards when charter schools and charter technical career centers experience a financial weakness or a financial emergency; specifying forms to be used by charter school applicants and sponsors; requiring applicant training and documentation; deleting the auditing requirements and financial emergency provisions for charter schools; requiring charters schools to disclose the identity of relatives of charter school personnel; providing that the immediate termination of a charter is exempt from requirements for an informal hearing or for a hearing under ch. 120, F.S.; providing for a limitation on funding; providing for the disclosure of the performance of charter schools that are not given a school grade or school improvement rating; revising the requirements for providing information to the public on how to form and operate a charter school; providing reporting requirements; providing restrictions for the employment of relatives by charter school personnel; providing that members of a charter school governing board are subject to certain standards of conduct specified in ss. 112.313 and 112.3143, F.S.; amending s. 1002.335, F.S.; eliminating the requirement for district school boards to annually seek continued exclusivity from the State Board of Education; providing for challenges to the exclusivity of district school boards; providing a presumption for district school boards that are granted exclusivity; providing for informal hearings; specifying additional components of cosponsor agreements; amending s. 1002.34, F.S.; providing additional duties for charter technical career centers, applicants, sponsors, and governing boards; requiring the Department of Education to offer or arrange training and assistance to applicants for a charter technical career center; requiring that an applicant participate in the training; creating s. 1002.345, F.S.; establishing criteria and requirements for charter schools and charter technical career centers that have financial weaknesses or are in a state of financial emergency; establishing requirements for charter schools, charter technical career centers, governing bodies, and sponsors; requiring financial audits of charter schools and charter technical career centers; providing for corrective action and financial recovery plans; providing for duties of auditors, the Commissioner of Education, and the Department of Education; requiring the State Board of Education to adopt rules; providing grounds for termination or nonrenewal of a charter; providing an effective date.

House Amendment 1 (784459)(with title amendment)—Remove lines 96-1316 and insert: local governmental entities, charter schools, *charter technical career centers,* and district school boards must include, but are not limited to, requirements for the reporting of information necessary to carry out the purposes of the Local Governmental Entity, Charter School, *Charter Technical Career Center,* and District School Board Financial Emergencies Act as stated in s. 218.501.

Section 2. Section 218.50, Florida Statutes, is amended to read:

218.50 Short title.—Sections 218.50-218.504 may be cited as the "Local Governmental Entity, Charter School, *Charter Technical Career Center,* and District School Board Financial Emergencies Act."

Section 3. Section 218.501, Florida Statutes, is amended to read:

218.501 Purposes.—The purposes of ss. 218.50-218.504 are:

(1) To promote the fiscal responsibility of local governmental entities, charter schools, *charter technical career centers,* and district school boards.

(2) To assist local governmental entities, charter schools, *charter technical career centers,* and district school boards in providing essential services without interruption and in meeting their financial obligations.

(3) To assist local governmental entities, charter schools, *charter technical career centers,* and district school boards through the improvement of local financial management procedures.

Section 4. Subsections (1), (2), and (4) of section 218.503, Florida Statutes, are amended to read:

218.503 Determination of financial emergency.—

(1) Local governmental entities, charter schools, *charter technical career centers,* and district school boards shall be subject to review and oversight by the Governor, *the* charter school sponsor, *the charter technical career center sponsor,* or the Commissioner of Education, as appropriate, when any one of the following conditions occurs:

(a) Failure within the same fiscal year in which due to pay short-term loans or failure to make bond debt service or other long-term debt payments when due, as a result of a lack of funds.

(b) Failure to pay uncontested claims from creditors within 90 days after the claim is presented, as a result of a lack of funds.

(c) Failure to transfer at the appropriate time, due to lack of funds:

1. Taxes withheld on the income of employees; or

2. Employer and employee contributions for:

a. Federal social security; or

b. Any pension, retirement, or benefit plan of an employee.

(d) Failure for one pay period to pay, due to lack of funds:

1. Wages and salaries owed to employees; or

2. Retirement benefits owed to former employees.

(e) An unreserved or total fund balance or retained earnings deficit, or unrestricted or total net assets deficit, as reported on the balance sheet or statement of net assets on the general purpose or fund financial statements, for which sufficient resources of the local governmental entity, as reported on the balance sheet or statement of net assets on the general purpose or fund financial statements, are not available to cover the deficit. Resources available to cover reported deficits include net assets that are not otherwise restricted by federal, state, or local laws, bond covenants, contractual agreements, or other legal constraints. Fixed or capital assets, the disposal of which would impair the ability of a local governmental entity to carry out its functions, are not considered resources available to cover reported deficits.

(2) A local governmental entity shall notify the Governor and the Legislative Auditing Committee, a charter school shall notify the charter school sponsor and the Legislative Auditing Committee, *a charter technical career center shall notify the charter technical career center sponsor and the Legislative Auditing Committee,* and a district school board shall notify the Commissioner of Education and the Legislative Auditing Committee, when one or more of the conditions specified in subsection (1) have occurred or will occur if action is not taken to assist the local governmental entity, charter school, *charter technical career center,* or district school board. In addition, any state agency must, within 30 days after a determination that one or more of the conditions specified in subsection (1) have occurred or will occur if action is not taken to assist the local governmental entity, charter school, *charter technical career center,* or district school board, notify the Governor, charter school sponsor, *charter technical career center sponsor,* or the Commissioner of Education, as appropriate, and the Legislative Auditing Committee.

(4)*(a)* Upon notification that one or more of the conditions in subsection (1) exist, the charter school sponsor or the sponsor's designee *and the Commissioner of Education* shall contact the charter school governing body to determine what actions have been taken by the charter school governing body to resolve the condition. *If one or more of the conditions in paragraphs (1)(a)-(d) exist,* the *Commissioner of Education may* ~~charter school sponsor has the authority to~~ require and approve a financial recovery plan, to be prepared by the charter school governing body, prescribing actions that will cause the charter school to no longer be subject to this section. ~~The Department of Education shall establish guidelines for developing such plans.~~

(b) Upon notification that one or more of the conditions in subsection (1) exist, the charter technical career center sponsor or the sponsor's designee and the Commissioner of Education shall contact the charter technical career center governing body to determine what actions have been taken by the charter technical career center governing body to resolve the condition. If one or more of the conditions in paragraphs (1)(a)-(d) exist, the Commissioner of Education may require and approve a financial recovery plan, to be prepared by the charter technical career center governing body, prescribing actions that will cause the charter technical career center to no longer be subject to this section.

(c) The Commissioner of Education shall determine if the charter school or charter technical career center needs a financial recovery plan to resolve a condition in paragraphs (1)(a)-(d). If the Commissioner of Education determines that a financial recovery plan is needed, the charter school or charter technical career center is considered to be in a state of financial emergency.

The Department of Education, with the involvement of sponsors, charter schools, and charter technical career centers, shall establish guidelines for developing such plans.

Section 5. Section 218.504, Florida Statutes, is amended to read:

218.504 Cessation of state action.—The Governor or the Commissioner of Education, as appropriate, has the authority to terminate all state actions pursuant to ss. 218.50-218.504. Cessation of state action must not occur until the Governor or the Commissioner of Education, as appropriate, has determined that:

(1) The local governmental entity, charter school, *charter technical career center,* or district school board:

(a) Has established and is operating an effective financial accounting and reporting system.

(b) Has resolved the conditions outlined in s. 218.503(1).

(2) None of the conditions outlined in s. 218.503(1) exists.

Section 6. Paragraph (b) of subsection (5), paragraphs (a), (b), and (d) of subsection (6), paragraphs (a) and (b) of subsection (7), paragraph (d) of subsection (8), paragraphs (g) through (q) of subsection (9), paragraphs (a) and (h) of subsection (10), paragraphs (b) and (c) of subsection (17), paragraph (e) of subsection (18), paragraph (a) of subsection (20), and subsections (21) and (23) of section 1002.33, Florida Statutes, are amended, present subsection (24) is renumbered as subsection (26), and new subsections (24) and (25) are added to that section, to read:

1002.33 Charter schools.—

(5) SPONSOR; DUTIES.—

(b) Sponsor duties.—

1.a. The sponsor shall monitor and review the charter school in its progress toward the goals established in the charter.

b. The sponsor shall monitor the revenues and expenditures of the charter school *and perform the duties provided for in s. 1002.345.*

c. The sponsor may approve a charter for a charter school before the applicant has secured space, equipment, or personnel, if the applicant indicates approval is necessary for it to raise working funds.

d. The sponsor's policies shall not apply to a charter school unless mutually agreed to by both the sponsor and the charter school.

e. The sponsor shall ensure that the charter is innovative and consistent with the state education goals established by s. 1000.03(5).

f. The sponsor shall ensure that the charter school participates in the state's education accountability system. If a charter school falls short of

performance measures included in the approved charter, the sponsor shall report such shortcomings to the Department of Education.

g. The sponsor shall not be liable for civil damages under state law for personal injury, property damage, or death resulting from an act or omission of an officer, employee, agent, or governing body of the charter school.

h. The sponsor shall not be liable for civil damages under state law for any employment actions taken by an officer, employee, agent, or governing body of the charter school.

i. The sponsor's duties to monitor the charter school shall not constitute the basis for a private cause of action.

j. The sponsor shall not impose additional reporting requirements on a charter school without providing reasonable and specific justification in writing to the charter school.

2. Immunity for the sponsor of a charter school under subparagraph 1. applies only with respect to acts or omissions not under the sponsor's direct authority as described in this section.

3. Nothing contained in this paragraph shall be considered a waiver of sovereign immunity by a district school board.

4. A community college may work with the school district or school districts in its designated service area to develop charter schools that offer secondary education. These charter schools must include an option for students to receive an associate degree upon high school graduation. District school boards shall cooperate with and assist the community college on the charter application. Community college applications for charter schools are not subject to the time deadlines outlined in subsection (6) and may be approved by the district school board at any time during the year. Community colleges shall not report FTE for any students who receive FTE funding through the Florida Education Finance Program.

(6) APPLICATION PROCESS AND REVIEW.—Charter school applications are subject to the following requirements:

(a) A person or entity wishing to open a charter school shall prepare *and submit* an application *on a form developed by the Department of Education, which* ~~that~~:

1. Demonstrates how the school will use the guiding principles and meet the statutorily defined purpose of a charter school.

2. Provides a detailed curriculum plan that illustrates how students will be provided services to attain the Sunshine State Standards.

3. Contains goals and objectives for improving student learning and measuring that improvement. These goals and objectives must indicate how much academic improvement students are expected to show each year, how success will be evaluated, and the specific results to be attained through instruction.

4. Describes the reading curriculum and differentiated strategies that will be used for students reading at grade level or higher and a separate curriculum and strategies for students who are reading below grade level. A sponsor shall deny a charter if the school does not propose a reading curriculum that is consistent with effective teaching strategies that are grounded in scientifically based reading research.

5. Contains an annual financial plan for each year requested by the charter for operation of the school for up to 5 years. This plan must contain anticipated fund balances based on revenue projections, a spending plan based on projected revenues and expenses, and a description of controls that will safeguard finances and projected enrollment trends.

(b) A sponsor shall receive and review all applications for a charter school *using an evaluation instrument developed by the Department of Education*. Beginning with the 2007-2008 school year, a sponsor shall receive and consider charter school applications received on or before August 1 of each calendar year for charter schools to be opened at the beginning of the school district's next school year, or to be opened at a time agreed to by the applicant and the sponsor. A sponsor may receive applications later than this date if it chooses. A sponsor may not charge an applicant for a charter any fee for the processing or consideration of an application, and a sponsor may not base its consideration or approval of an application upon the promise of future payment of any kind.

1. In order to facilitate an accurate budget projection process, a sponsor shall be held harmless for FTE students who are not included in the FTE projection due to approval of charter school applications after the FTE projection deadline. In a further effort to facilitate an accurate budget projection, within 15 calendar days after receipt of a charter school application, a sponsor shall report to the Department of Education the name of the applicant entity, the proposed charter school location, and its projected FTE.

2. In order to ensure fiscal responsibility, an application for a charter school shall include a full accounting of expected assets, a projection of expected sources and amounts of income, including income derived from projected student enrollments and from community support, and an expense projection that includes full accounting of the costs of operation, including start-up costs.

3. A sponsor shall by a majority vote approve or deny an application no later than 60 calendar days after the application is received, unless the sponsor and the applicant mutually agree in writing to temporarily postpone the vote to a specific date, at which time the sponsor shall by a majority vote approve or deny the application. If the sponsor fails to act on the application, an applicant may appeal to the State Board of Education as provided in paragraph (c). If an application is denied, the sponsor shall, within 10 calendar days, articulate in writing the specific reasons, based upon good cause, supporting its denial of the charter application and shall provide the letter of denial and supporting documentation to the applicant and to the Department of Education supporting those reasons.

4. For budget projection purposes, the sponsor shall report to the Department of Education the approval or denial of a charter application within 10 calendar days after such approval or denial. In the event of approval, the report to the Department of Education shall include the final projected FTE for the approved charter school.

5. Upon approval of a charter application, the initial startup shall commence with the beginning of the public school calendar for the district in which the charter is granted unless the sponsor allows a waiver of this provision for good cause.

(d) For charter school applications in school districts that have not been granted exclusive authority to sponsor charter schools pursuant to s. 1002.335(5), the right to appeal an application denial under paragraph (c) shall be contingent on the applicant having submitted the same or a substantially similar application to the *district school board and the* Florida Schools of Excellence Commission or one of its cosponsors. Any such applicant whose application is denied by the commission or one of its cosponsors *and* ~~subsequent to its denial~~ by the district school board may exercise its right to appeal the district school board's denial under paragraph (c) within 30 days after receipt of the commission's or cosponsor's denial or failure to act on the application. However, the applicant forfeits its right to appeal under paragraph (c) if it fails to submit its application to the commission or one of its cosponsors by August 1 of the school year immediately following the district school board's denial of the application.

(7) CHARTER.—The major issues involving the operation of a charter school shall be considered in advance and written into the charter. The charter shall be signed by the governing body of the charter school and the sponsor, following a public hearing to ensure community input.

(a) The charter shall address, and criteria for approval of the charter shall be based on:

1. The school's mission, the students to be served, and the ages and grades to be included.

2. The focus of the curriculum, the instructional methods to be used, any distinctive instructional techniques to be employed, and identification and acquisition of appropriate technologies needed to improve educational and administrative performance which include a means for promoting safe, ethical, and appropriate uses of technology which comply with legal and professional standards. The charter shall ensure that reading is a primary focus of the curriculum and that resources are provided to identify and provide specialized instruction for students who

are reading below grade level. The curriculum and instructional strategies for reading must be consistent with the Sunshine State Standards and grounded in scientifically based reading research.

3. The current incoming baseline standard of student academic achievement, the outcomes to be achieved, and the method of measurement that will be used. The criteria listed in this subparagraph shall include a detailed description for each of the following:

a. How the baseline student academic achievement levels and prior rates of academic progress will be established.

b. How these baseline rates will be compared to rates of academic progress achieved by these same students while attending the charter school.

c. To the extent possible, how these rates of progress will be evaluated and compared with rates of progress of other closely comparable student populations.

The district school board is required to provide academic student performance data to charter schools for each of their students coming from the district school system, as well as rates of academic progress of comparable student populations in the district school system.

4. The methods used to identify the educational strengths and needs of students and how well educational goals and performance standards are met by students attending the charter school. Included in the methods is a means for the charter school to ensure accountability to its constituents by analyzing student performance data and by evaluating the effectiveness and efficiency of its major educational programs. Students in charter schools shall, at a minimum, participate in the statewide assessment program created under s. 1008.22.

5. In secondary charter schools, a method for determining that a student has satisfied the requirements for graduation in s. 1003.43.

6. A method for resolving conflicts between the governing body of the charter school and the sponsor.

7. The admissions procedures and dismissal procedures, including the school's code of student conduct.

8. The ways by which the school will achieve a racial/ethnic balance reflective of the community it serves or within the racial/ethnic range of other public schools in the same school district.

9. The financial and administrative management of the school, including a reasonable demonstration of the professional experience or competence of those individuals or organizations applying to operate the charter school or those hired or retained to perform such professional services and the description of clearly delineated responsibilities and the policies and practices needed to effectively manage the charter school. A description of internal audit procedures and establishment of controls to ensure that financial resources are properly managed must be included. Both public sector and private sector professional experience shall be equally valid in such a consideration.

10. The asset and liability projections required in the application which are incorporated into the charter and which shall be compared with information provided in the annual report of the charter school. ~~The charter shall ensure that, if a charter school internal audit or annual financial audit reveals a state of financial emergency as defined in s. 218.503 or deficit financial position, the auditors are required to notify the charter school governing board, the sponsor, and the Department of Education. The internal auditor shall report such findings in the form of an exit interview to the principal or the principal administrator of the charter school and the chair of the governing board within 7 working days after finding the state of financial emergency or deficit position. A final report shall be provided to the entire governing board, the sponsor, and the Department of Education within 14 working days after the exit interview. When a charter school is in a state of financial emergency, the charter school shall file a detailed financial recovery plan with the sponsor. The department, with the involvement of both sponsors and charter schools, shall establish guidelines for developing such plans.~~

11. A description of procedures that identify various risks and provide for a comprehensive approach to reduce the impact of losses; plans to ensure the safety and security of students and staff; plans to identify, minimize, and protect others from violent or disruptive student behavior; and the manner in which the school will be insured, including whether or not the school will be required to have liability insurance, and, if so, the terms and conditions thereof and the amounts of coverage.

12. The term of the charter which shall provide for cancellation of the charter if insufficient progress has been made in attaining the student achievement objectives of the charter and if it is not likely that such objectives can be achieved before expiration of the charter. The initial term of a charter shall be for 4 or 5 years. In order to facilitate access to long-term financial resources for charter school construction, charter schools that are operated by a municipality or other public entity as provided by law are eligible for up to a 15-year charter, subject to approval by the district school board. A charter lab school is eligible for a charter for a term of up to 15 years. In addition, to facilitate access to long-term financial resources for charter school construction, charter schools that are operated by a private, not-for-profit, s. 501(c)(3) status corporation are eligible for up to a 15-year charter, subject to approval by the district school board. Such long-term charters remain subject to annual review and may be terminated during the term of the charter, but only according to the provisions set forth in subsection (8).

13. The facilities to be used and their location.

14. The qualifications to be required of the teachers and the potential strategies used to recruit, hire, train, and retain qualified staff to achieve best value.

15. The governance structure of the school, including the status of the charter school as a public or private employer as required in paragraph (12)(i).

16. A timetable for implementing the charter which addresses the implementation of each element thereof and the date by which the charter shall be awarded in order to meet this timetable.

17. In the case of an existing public school being converted to charter status, alternative arrangements for current students who choose not to attend the charter school and for current teachers who choose not to teach in the charter school after conversion in accordance with the existing collective bargaining agreement or district school board rule in the absence of a collective bargaining agreement. However, alternative arrangements shall not be required for current teachers who choose not to teach in a charter lab school, except as authorized by the employment policies of the state university which grants the charter to the lab school.

18. Full disclosure of the identity of all relatives employed by the charter school who are related to the charter school owner, president, chair of the governing board of directors, superintendent, governing board member, principal, assistant principal, or any other person employed by the charter school having equivalent decisionmaking authority. For the purpose of this subparagraph, the term "relative" means father, mother, son, daughter, brother, sister, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, or half sister.

(b)~~1.~~ A charter may be renewed *if* ~~provided that~~ a program review demonstrates that the criteria in paragraph (a) have been successfully accomplished and that none of the grounds for nonrenewal established by paragraph (8)(a) has been documented. In order to facilitate long-term financing for charter school construction, *a* charter *school that has operated* ~~schools operating~~ for a minimum of 3 years*, that has received a school grade of at least a "C" pursuant to s. 1008.34 during the previous 3 years,* and *that demonstrates* ~~demonstrating~~ exemplary ~~academic programming and~~ fiscal management *must be offered* ~~are eligible for~~ a 15-year charter renewal. Such long-term charter is subject to annual review and may be terminated during the term of the charter *pursuant to subsection (8)* .

~~2. The 15-year charter renewal that may be granted pursuant to subparagraph 1. shall be granted to a charter school that has received a school grade of "A" or "B" pursuant to s. 1008.34 in 3 of the past 4 years and is not in a state of financial emergency or deficit position as defined by this section. Such long-term charter is subject to annual review and may be terminated during the term of the charter pursuant to subsection (8).~~

(8) CAUSES FOR NONRENEWAL OR TERMINATION OF CHARTER.—

(d) A charter may be terminated immediately if the sponsor determines that good cause has been shown or if the health, safety, or welfare of the students is threatened. *The sponsor's determination is not subject to an informal hearing under paragraph (b) or pursuant to chapter 120.* The sponsor shall notify in writing the charter school's governing body, the charter school principal, and the department if a charter is immediately terminated. The sponsor shall clearly identify the specific issues that resulted in the immediate termination and provide evidence of prior notification of issues resulting in the immediate termination when appropriate. The school district in which the charter school is located shall assume operation of the school under these circumstances. The charter school's governing board may, within 30 days after receiving the sponsor's decision to terminate the charter, appeal the decision pursuant to the procedure established in subsection (6).

(9) CHARTER SCHOOL REQUIREMENTS.—

~~(g) A charter school shall provide for an annual financial audit in accordance with s. 218.39. Financial audits that reveal a state of financial emergency as defined in s. 218.503 and are conducted by a certified public accountant or auditor in accordance with s. 218.39 shall be provided to the governing body of the charter school within 7 working days after finding that a state of financial emergency exists. When a charter school is found to be in a state of financial emergency by a certified public accountant or auditor, the charter school must file a detailed financial recovery plan with the sponsor within 30 days after receipt of the audit.~~

(g)~~(h)~~ In order to provide financial information that is comparable to that reported for other public schools, charter schools are to maintain all financial records which constitute their accounting system:

1. In accordance with the accounts and codes prescribed in the most recent issuance of the publication titled "Financial and Program Cost Accounting and Reporting for Florida Schools"; or

2. At the discretion of the charter school governing board, a charter school may elect to follow generally accepted accounting standards for not-for-profit organizations, but must reformat this information for reporting according to this paragraph.

Charter schools shall provide annual financial report and program cost report information in the state-required formats for inclusion in district reporting in compliance with s. 1011.60(1). Charter schools that are operated by a municipality or are a component unit of a parent nonprofit organization may use the accounting system of the municipality or the parent but must reformat this information for reporting according to this paragraph. *A charter school shall provide quarterly financial statements to the sponsor, except that such statements shall be provided monthly if a charter school is subject to corrective action plan under s. 1002.345 or a financial recovery plan under s. 218.503.*

(h)~~(i)~~ The governing board of the charter school shall annually adopt and maintain an operating budget.

(i)~~(j)~~ The governing body of the charter school shall exercise continuing oversight over charter school operations.

(j)~~(k)~~ The governing body of the charter school shall be responsible for:

1. Ensuring that the charter school has retained the services of a certified public accountant or auditor for the annual financial audit, pursuant to *s. 1002.345(2)* ~~paragraph (g)~~, who shall submit the report to the governing body.

2. Reviewing and approving the audit report, including audit findings and recommendations for the financial recovery plan.

3.*a. Performing the duties provided for in s. 1002.345, including monitoring a corrective action plan.*

b. Monitoring a financial recovery plan in order to ensure compliance.

4. Participating in governance training approved by the department that must include government in the sunshine, conflicts of interest, ethics, and financial responsibility.

(k)~~(l)~~ The governing body of the charter school shall report its progress annually to its sponsor, which shall forward the report to the Commissioner of Education at the same time as other annual school accountability reports. The Department of Education shall develop a uniform, online annual accountability report *format* to be completed by charter schools. This report shall be easy to utilize and contain demographic information, student performance data, and financial accountability information. A charter school *may directly access, complete, and correct school data and information in the online accountability report. The sponsor shall review the report before final submission to* ~~shall not be required to provide information and data that is duplicative and already in the possession of~~ the department. The Department of Education shall include in its compilation a notation if a school failed to file its report by the deadline established by the department. The report shall include at least the following components:

1. Student achievement performance data, including the information required for the annual school report and the education accountability system governed by ss. 1008.31 and 1008.345. Charter schools are subject to the same accountability requirements as other public schools, including reports of student achievement information that links baseline student data to the school's performance projections identified in the charter. The charter school shall identify reasons for any difference between projected and actual student performance.

2. Financial status of the charter school which must include revenues and expenditures at a level of detail that allows for analysis of the *school's* ability to meet financial obligations and timely repayment of debt.

3. Documentation of the facilities in current use and any planned facilities for use by the charter school for instruction of students, administrative functions, or investment purposes.

4. Descriptive information about the charter school's personnel, including salary and benefit levels of charter school employees, the proportion of instructional personnel who hold professional or temporary certificates, and the proportion of instructional personnel teaching in-field or out-of-field.

(l)~~(m)~~ A charter school shall not levy taxes or issue bonds secured by tax revenues.

(m)~~(n)~~ A charter school shall provide instruction for at least the number of days required by law for other public schools, and may provide instruction for additional days.

(n)~~(o)~~ The director and a representative of the governing body of a charter school that has received a school grade of "D" under s. 1008.34(2) shall appear before the sponsor or the sponsor's staff at least once a year to present information concerning each contract component having noted deficiencies. The sponsor shall communicate at the meeting, and in writing to the director, the services provided to the school to help the school address its deficiencies.

(o)~~(p)~~ Upon notification that a charter school receives a school grade of "D" for 2 consecutive years or a school grade of "F" under s. 1008.34(2), the charter school sponsor or the sponsor's staff shall require the director and a representative of the governing body to submit to the sponsor for approval a school improvement plan to raise student achievement and to implement the plan. The sponsor has the authority to approve a school improvement plan that the charter school will implement in the following school year. The sponsor may also consider the State Board of Education's recommended action pursuant to s. 1008.33(1) as part of the school improvement plan. The Department of Education shall offer technical assistance and training to the charter school and its governing body and establish guidelines for developing, submitting, and approving such plans.

1. If the charter school fails to improve its student performance from the year immediately prior to the implementation of the school improvement plan, the sponsor shall place the charter school on probation and shall require the charter school governing body to take one of the following corrective actions:

a. Contract for the educational services of the charter school;

b. Reorganize the school at the end of the school year under a new director or principal who is authorized to hire new staff and implement a plan that addresses the causes of inadequate progress; or

c. Reconstitute the charter school.

2. A charter school that is placed on probation shall continue the corrective actions required under subparagraph 1. until the charter school improves its student performance from the year prior to the implementation of the school improvement plan.

3. Notwithstanding any provision of this paragraph, the sponsor may terminate the charter at any time pursuant to the provisions of subsection (8).

(p)~~(q)~~ The director and a representative of the governing body of a graded charter school that has submitted a school improvement plan or has been placed on probation under paragraph *(o)* ~~(p)~~ shall appear before the sponsor or the sponsor's staff at least once a year to present information regarding the corrective strategies that are being implemented by the school pursuant to the school improvement plan. The sponsor shall communicate at the meeting, and in writing to the director, the services provided to the school to help the school address its deficiencies.

(10) ELIGIBLE STUDENTS.—

(a) A charter school shall be open to any student ~~covered in an interdistrict agreement or~~ residing in the school district in which the charter school is located; however, in the case of a charter lab school, the charter lab school shall be open to any student eligible to attend the lab school as provided in s. 1002.32 or who resides in the school district in which the charter lab school is located. Any ~~eligible~~ student shall be allowed interdistrict transfer to attend a charter school when based on good cause. *Good cause shall include, but not be limited to, geographic proximity to a charter school in a neighboring school district.*

(h) The capacity of the charter school shall be determined annually by the governing board, in conjunction with the sponsor, of the charter school in consideration of the factors identified in this subsection. *The calculation under s. 1003.03 for class size compliance for charter schools shall be the average for the applicable grade grouping at the school level established at the October student membership survey of the district in which the charter school is operated.*

(17) FUNDING.—Students enrolled in a charter school, regardless of the sponsorship, shall be funded as if they are in a basic program or a special program, the same as students enrolled in other public schools in the school district. Funding for a charter lab school shall be as provided in s. 1002.32.

(b) The basis for the agreement for funding students enrolled in a charter school shall be the sum of the school district's operating funds from the Florida Education Finance Program as provided in s. 1011.62 and the General Appropriations Act, including gross state and local funds, discretionary lottery funds, and funds from the school district's current operating discretionary millage levy; divided by total funded weighted full-time equivalent students in the school district; multiplied by the weighted full-time equivalent students for the charter school. Charter schools whose students or programs meet the eligibility criteria in law shall be entitled to their proportionate share of categorical program funds included in the total funds available in the Florida Education Finance Program by the Legislature, including transportation. Total funding for each charter school shall be recalculated during the year to reflect the revised calculations under the Florida Education Finance Program by the state and the actual weighted full-time equivalent students reported by the charter school during the full-time equivalent student survey periods designated by the Commissioner of Education. *Florida Education Finance Program funds for a charter school must be distributed to the charter school by the district school board within 10 days after receipt from the state.*

(c) If the *sponsor* ~~district school board~~ is providing programs or services to students funded by federal funds, any eligible students enrolled in charter schools in the school district shall be provided federal funds for the same level of service provided students in the schools operated by the district school board. Pursuant to provisions of 20 U.S.C. 8061 s. 10306, all charter schools shall receive all federal funding for which the school is otherwise eligible, including Title I funding *and funding under the Individuals with Disabilities Education Act*, not later than 5 months after the charter school first opens and within 5 months after any subsequent expansion of enrollment.

(18) FACILITIES.—

(e)*1.* If a district school board facility or property is available because it is *surplused* ~~surplus~~, marked for disposal, or otherwise unused.~~,~~

a. It shall be provided for a charter school's use on the same basis as it is made available to other public schools in the district. A charter school receiving property from the school district *under this subparagraph* may not sell or dispose of such property without written permission of the school district.

b. It shall first be offered for purchase or lease to charter schools within the district to be used for educational purposes for a period of 45 days following a district school board's decision to sell or lease such property.

2. ~~Similarly,~~ For an existing public school converting to charter status, no rental or leasing fee for the existing facility or for the property normally inventoried to the conversion school may be charged by the district school board to the parents and teachers organizing the charter school. The charter school shall agree to reasonable maintenance provisions in order to maintain the facility in a manner similar to district school board standards. The Public Education Capital Outlay maintenance funds or any other maintenance funds generated by the facility operated as a conversion school shall remain with the conversion school.

(20) SERVICES.—

(a) A sponsor shall provide certain administrative and educational services to charter schools. These services shall include contract management services; full-time equivalent and data reporting services; exceptional student education administration services; services related to eligibility and reporting duties required to ensure that school lunch services under the federal lunch program, consistent with the needs of the charter school, are provided by the school district at the request of the charter school*, that any funds due the charter school under the federal lunch program be paid to the charter school as soon as the charter school begins serving food under the federal lunch program, and that the charter school is paid at the same time and in the same manner under the federal lunch program as other public schools serviced by the sponsor or school district*; test administration services, including payment of the costs of state-required or district-required student assessments; processing of teacher certificate data services; and information services, including equal access to student information systems that are used by public schools in the district in which the charter school is located. Student performance data for each student in a charter school, including, but not limited to, FCAT scores, standardized test scores, previous public school student report cards, and student performance measures, shall be provided by the sponsor to a charter school in the same manner provided to other public schools in the district. A total administrative fee for the provision of such services shall be calculated based upon up to 5 percent of the available funds defined in paragraph (17)(b) for all students. However, a sponsor may only withhold up to a 5-percent administrative fee for enrollment for up to and including 500 students. For charter schools with a population of 501 or more students, the difference between the total administrative fee calculation and the amount of the administrative fee withheld may only be used for capital outlay purposes specified in s. 1013.62(2). Sponsors shall not charge charter schools any additional fees or surcharges for administrative and educational services in addition to the maximum 5-percent administrative fee withheld pursuant to this paragraph.

(21) PUBLIC INFORMATION ON CHARTER SCHOOLS.—

(a) The Department of Education shall provide information to the public, directly and through sponsors, both on how to form and operate a charter school and on how to enroll in charter schools once they are created. This information shall include a standard application format, charter format, *evaluation instrument,* and charter renewal format which shall include the information specified in subsection (7) and shall be developed by consulting and negotiating with ~~both~~ school districts*, the Florida Schools of Excellence Commission,* and charter schools before implementation. These formats shall be used ~~as guidelines~~ by charter school sponsors.

(b)1. The Department of Education shall report student assessment data pursuant to s. 1008.34(3)(b) which is reported to schools that receive a school grade pursuant to s. 1008.34 or student assessment data pursuant to s. 1008.341(3) which is reported to alternative schools that receive

a school improvement rating pursuant to s. 1008.341 to each charter school that:

a. Does not receive a school grade pursuant to s. 1008.34 or a school improvement rating pursuant to s. 1008.341; and

b. Serves at least 10 students who are tested on the statewide assessment test pursuant to s. 1008.22.

2. The charter school shall report the information in subparagraph 1. to each parent of a student at the charter school, the district in which the charter school is located, and the governing board of the charter school. This paragraph does not abrogate the provisions of s. 1002.22, relating to student records, and the requirements of 20 U.S.C. s. 1232g, the Family Educational Rights and Privacy Act.

3.a. Pursuant to this paragraph, the Department of Education shall compare the charter school student performance data for each charter school in subparagraph 1. with the student performance data in traditional public schools in the district in which the charter school is located and other charter schools in the state. For charter alternative schools, the department shall compare the student performance data described in this paragraph with all alternative schools in the state. The comparative data shall be provided by the following grade groupings:

(I) Grades 3 through 5.

(II) Grades 6 through 8.

(III) Grades 9 through 11.

b. Each charter school shall make the information in this paragraph available to the public.

(23) ANALYSIS OF CHARTER SCHOOL PERFORMANCE.—Upon receipt of the annual report required by paragraph *(9)(k)* ~~(9)(l)~~, the Department of Education shall provide to the State Board of Education, the Commissioner of Education, the Governor, the President of the Senate, and the Speaker of the House of Representatives an analysis and comparison of the overall performance of charter school students, to include all students whose scores are counted as part of the statewide assessment program, versus comparable public school students in the district as determined by the statewide assessment program currently administered in the school district, and other assessments administered pursuant to s. 1008.22(3).

(24) RESTRICTION ON EMPLOYMENT OF RELATIVES.—

(a) This subsection applies to charter school personnel in a charter school operated by a private entity. Charter school personnel in schools operated by a municipality or other public entity are subject to s. 112.3135.

(b) As used in this subsection, the term:

1. "Charter school personnel" means a charter school owner, president, chair of the governing board of directors, superintendent, governing board member, principal, assistant principal, or any other person employed by the charter school having equivalent decisionmaking authority and in whom is vested the authority, or to whom the authority has been delegated, to appoint, employ, promote, or advance individuals or to recommend individuals for appointment, employment, promotion, or advancement in connection with employment in a charter school, including the authority as a member of a governing board of a charter school to vote on the appointment, employment, promotion, or advancement of individuals.

2. "Relative" means father, mother, son, daughter, brother, sister, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, or half sister.

3. "Supervise" means the appointment, employment, promotion, or advancement of an individual or recommendation of the appointment, employment, promotion, or advancement of an individual.

(c) Charter school personnel may not supervise a relative in the charter school in which the personnel serve unless the governing board requests and obtains a waiver of this requirement from the Commissioner of Education or his or her designee.

(25) STANDARDS OF CONDUCT AND FINANCIAL DISCLOSURE.—

(a) A member of a governing board of a charter school, including a charter school operated by a private entity, is subject to the provisions of ss. 112.313(2), (3), (7), (12), and (15) and 112.3143(3).

(b) A member of a governing board of a charter school operated by a municipality or other public entity is subject to the provisions of s. 112.3144, relating to the disclosure of financial interests.

Section 7. Subsection (5), paragraph (a) of subsection (7), and paragraph (a) of subsection (11) of section 1002.335, Florida Statutes, are amended to read:

1002.335 Florida Schools of Excellence Commission.—

(5) CHARTERING AUTHORITY.—

(a) A charter school applicant may submit an application to the commission only if the school district in which the FSE charter school is to be located has not retained exclusive authority to authorize charter schools as provided in paragraph (e). If a district school board has not retained exclusive authority to authorize charter schools as provided in paragraph (e), the district school board and the commission shall have concurrent authority to authorize charter schools and FSE charter schools, respectively, to be located within the geographic boundaries of the school district. The district school board shall monitor and oversee all charter schools authorized by the district school board pursuant to s. 1002.33. The commission shall monitor and oversee all FSE charter schools sponsored by the commission pursuant to subsection (4).

(b) Paragraph (e) may not be construed to eliminate the ability of a district school board to authorize charter schools pursuant to s. 1002.33. A district school board shall retain the authority to reauthorize and to oversee any charter school that it has authorized, except with respect to any charter school that is converted to an FSE charter school under this section.

(c) For fiscal year *2008-2009 and every 4 fiscal years thereafter* ~~2007-2008 and for each fiscal year thereafter~~, a district school board may seek ~~to retain~~ exclusive authority to authorize charter schools within the geographic boundaries of the school district by presenting to the State Board of Education, on or before March 1 of the fiscal year prior to that for which the exclusive authority is to apply, a written resolution adopted by the district school board indicating the intent to *seek* ~~retain~~ exclusive authority to authorize charter schools. ~~A district school board may seek to retain the exclusive authority to authorize charter schools by presenting to the state board the written resolution on or before a date 60 days after establishment of the commission.~~ The written resolution shall be accompanied by a written description addressing the elements described in paragraph (e). The district school board shall provide a complete copy of the resolution, including the description, to each charter school authorized by the district school board on or before the date it submits the resolution to the state board.

(d) A party may challenge the grant of exclusive authority made by the State Board of Education pursuant to paragraph (e) by filing with the state board a notice of challenge within 30 days after the state board grants exclusive authority. The notice shall be accompanied by a specific written description of the basis for the challenge. The challenging party, at the time of filing notice with the state board, shall provide a copy of the notice of challenge to the district school board that has been granted exclusive authority. The state board shall permit the district school board the opportunity to appear and respond in writing to the challenge. The state board shall make a determination upon the challenge within 60 days after receiving the notice of challenge.

(e) The State Board of Education shall grant to a district school board exclusive authority to authorize charter schools within the geographic boundaries of the school district if the state board determines, after adequate notice, in a public hearing, and after receiving input from any charter school authorized by the district school board, that the district school board has provided fair and equitable treatment to its charter schools during the 4 years prior to the district school board's submission of the resolution described in paragraph (c). The state board's review of the resolution shall, at a minimum, include consideration of the following:

1. Compliance with the provisions of s. 1002.33.

2. Compliance with full and accurate accounting practices and charges for central administrative overhead costs.

3. Compliance with requirements allowing a charter school, at its discretion, to purchase certain services or a combination of services at actual cost to the district.

4. The absence of a district school board moratorium regarding charter schools or the absence of any districtwide charter school enrollment limits.

5. Compliance with valid orders of the state board.

6. The provision of assistance to charter schools to meet their facilities needs by including those needs in local bond issues or otherwise providing available land and facilities that are comparable to those provided to other public school students in the same grade levels within the school district.

7. The distribution to charter schools authorized by the district school board of a pro rata share of federal and state grants received by the district school board, except for any grant received for a particular purpose which, by its express terms, is intended to benefit a student population not able to be served by, or a program not able to be offered at, a charter school that did not receive a proportionate share of such grant proceeds.

8. The provision of adequate staff and other resources to serve charter schools authorized by the district school board, which services are provided by the district school board at a cost to the charter schools that does not exceed their actual cost to the district school board.

9. The lack of a policy or practice of imposing individual charter school enrollment limits, except as otherwise provided by law.

10. The provision of an adequate number of educational choice programs to serve students exercising their rights to transfer pursuant to the "No Child Left Behind Act of 2001," Pub. L. No. 107-110, and a history of charter school approval that encourages chartering.

(f) The decision of the State Board of Education *to grant or deny exclusive authority to a district school board* pursuant to paragraph (e) *shall be effective for 4 fiscal years,* shall not be subject to the provisions of chapter 120*,* and shall be a final action subject to judicial review by the district court of appeal.

(g) For district school boards that have no discernible history of authorizing charter schools, the State Board of Education may not grant exclusive authority unless the district school board demonstrates that no approvable application has come before the district school board.

~~(h) A grant of exclusive authority by the State Board of Education shall continue so long as a district school board continues to comply with this section and has presented a written resolution to the state board as set forth in paragraph (e).~~

(h)~~(i)~~ Notwithstanding any other provision of this section to the contrary, a district school board may permit the establishment of one or more FSE charter schools within the geographic boundaries of the school district by adopting a favorable resolution and submitting the resolution to the State Board of Education. The resolution shall be effective until it is rescinded by resolution of the district school board.

(7) COSPONSOR AGREEMENT.—

(a) Upon approval of a cosponsor, the commission and the cosponsor shall enter into an agreement that defines the cosponsor's rights and obligations and includes the following:

1. An explanation of the personnel, contractual and interagency relationships, and potential revenue sources referenced in the application as required in paragraph (6)(c).

2. Incorporation of the requirements of equal access for all students, including any plans to provide food service or transportation reasonably necessary to provide access to as many students as possible.

3. Incorporation of the requirement to serve low-income, low-performing, gifted, or underserved student populations.

4. An explanation of the academic and financial goals and expected outcomes for the cosponsor's charter schools and the method and plans by which they will be measured and achieved as referenced in the application.

5. The conflict-of-interest policies referenced in the application.

6. An explanation of the disposition of facilities and assets upon termination and dissolution of a charter school approved by the cosponsor.

7*.a.* A provision requiring the cosponsor to annually appear before the commission and provide a report as to the information provided pursuant to s. 1002.33(9)*(k)*~~(l)~~ for each of its charter schools.

b. A provision requiring the cosponsor to perform the duties provided for in s. 1002.345.

c. A provision requiring the governing board to perform the duties provided for in s. 1002.345, including monitoring the corrective action plan.

8. A provision requiring that the cosponsor report the student enrollment in each of its sponsored charter schools to the district school board of the county in which the school is located.

9. A provision requiring that the cosponsor work with the commission to provide the necessary reports to the State Board of Education.

10. Any other reasonable terms deemed appropriate by the commission given the unique characteristics of the cosponsor.

(11) APPLICATION OF CHARTER SCHOOL STATUTE.—

(a) The provisions of s. 1002.33(7)-(12), (14), ~~and~~ (16)-(19*), (21)(b), (24), and (25)* ~~shall~~ apply to the commission and the cosponsors and charter schools approved pursuant to this section.

Section 8. Subsections (4) and (5), paragraphs (d) and (f) of subsection (6), subsection (8), paragraph (c) of subsection (10), and subsection (13) of section 1002.34, Florida Statutes, are amended to read:

1002.34 Charter technical career centers.—

(4) CHARTER.—A sponsor may designate centers as provided in this section. An application to establish a center may be submitted by a sponsor or another organization that is determined, by rule of the State Board of Education, to be appropriate. However, an independent school is not eligible for status as a center. The charter must be signed by the governing body of the center and the sponsor, and must be approved by the district school board and community college board of trustees in whose geographic region the facility is located. If a charter technical career center is established by the conversion to charter status of a public technical center formerly governed by a district school board, the charter status of that center takes precedence in any question of governance. The governance of the center or of any program within the center remains with its board of directors unless the board agrees to a change in governance or its charter is revoked as provided in subsection (15). Such a conversion charter technical career center is not affected by a change in the governance of public technical centers or of programs within other centers that are or have been governed by district school boards. A charter technical career center, or any program within such a center, that was governed by a district school board and transferred to a community college prior to the effective date of this act is not affected by this provision. An applicant who wishes to establish a center must submit to the district school board or community college board of trustees, or a consortium of one or more of each, an application *on a form developed by the Department of Education* that includes:

(a) The name of the proposed center.

(b) The proposed structure of the center, including a list of proposed members of the board of directors or a description of the qualifications for and method of their appointment or election.

(c) The workforce development goals of the center, the curriculum to be offered, and the outcomes and the methods of assessing the extent to which the outcomes are met.

(d) The admissions policy and criteria for evaluating the admission of students.

(e) A description of the staff responsibilities and the proposed qualifications of the teaching staff.

(f) A description of the procedures to be implemented to ensure significant involvement of representatives of business and industry in the operation of the center.

(g) A method for determining whether a student has satisfied the requirements for graduation specified in s. 1003.43 and for completion of a postsecondary certificate or degree.

(h) A method for granting secondary and postsecondary diplomas, certificates, and degrees.

(i) A description of and address for the physical facility in which the center will be located.

(j) A method of resolving conflicts between the governing body of the center and the sponsor and between consortium members, if applicable.

(k) A method for reporting student data as required by law and rule.

(l) The identity of all relatives employed by the charter technical career center who are related to the center owner, president, chair of the governing board of directors, superintendent, governing board member, principal, assistant principal, or any other person employed by the center who has equivalent decisionmaking authority. As used in this paragraph, the term "relative" means father, mother, son, daughter, brother, sister, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, or half sister.

(m)~~(l)~~ Other information required by the district school board or community college board of trustees.

Students at a center must meet the same testing and academic performance standards as those established by law and rule for students at public schools and public technical centers. The students must also meet any additional assessment indicators that are included within the charter approved by the district school board or community college board of trustees.

(5) APPLICATION.—An application to establish a center must be submitted by February 1 of the year preceding the school year in which the center will begin operation. The sponsor must review the application *using an evaluation instrument developed by the Department of Education* and make a final decision on whether to approve the application and grant the charter by March 1, and may condition the granting of a charter on the center's taking certain actions or maintaining certain conditions. Such actions and conditions must be provided to the applicant in writing. The district school board or community college board of trustees is not required to issue a charter to any person.

(6) SPONSOR.—A district school board or community college board of trustees or a consortium of one or more of each may sponsor a center in the county in which the board has jurisdiction.

(d) The Department of Education *shall offer or arrange for training and technical assistance to applicants in developing business plans and estimating costs and income. This assistance shall address estimating startup costs, projecting enrollment, and identifying the types and amounts of state and federal financial assistance the center will be eligible to receive. The training shall include instruction in accurate financial planning and good business practices* ~~may provide technical assistance to an applicant upon written request~~.

(f) The sponsor shall monitor and review the center's progress toward charter goals and shall monitor the center's revenues and expenditures. *The sponsor shall perform the duties provided for in s. 1002.345.*

(8) ELIGIBLE STUDENTS.—

(a) A center must be open to all students as space is available and may not discriminate in admissions policies or practices on the basis of an individual's physical disability or proficiency in English or on any other basis that would be unlawful if practiced by a public school or a community college. A center may establish reasonable criteria by which to evaluate prospective students, which criteria must be outlined in the charter.

(b) The calculation under s. 1003.03 for class size compliance for a center shall be the average for the applicable grade grouping at the school level established at the October student membership survey of the district in which the center is operated.

(10) EXEMPTION FROM STATUTES.—

(c) A center must comply with the antidiscrimination provisions of s. 1000.05 *and the provisions of s. 1002.33(24) relating to the employment of relatives*.

(13) BOARD OF DIRECTORS AUTHORITY.—The board of directors of a center may decide matters relating to the operation of the school, including budgeting, curriculum, and operating procedures, subject to the center's charter. *The board of directors is responsible for performing the duties provided for in s. 1002.345, including monitoring the corrective action plan. The board of directors must comply with the provisions of s. 1002.33 (25).*

Section 9. Section 1002.345, Florida Statutes, is created to read:

1002.345 Determination of financial weaknesses and financial emergencies for charter schools and charter technical career centers.—This section applies to charter schools operating pursuant to ss. 1002.33 and 1002.335, and to charter technical career centers operating pursuant to s. 1002.34.

(1) FINANCIAL WEAKNESS; REQUIREMENTS.—

(a) A charter school and a charter technical career center shall be subject to an expedited review by the sponsor when any one of the following conditions occurs:

1. An end-of-year financial deficit.

2. A substantial decline in student enrollment without a commensurate reduction in expenses.

3. Insufficient revenues to pay current operating expenses.

4. Insufficient revenues to pay long-term expenses.

5. Disproportionate administrative expenses.

6. Excessive debt.

7. Excessive expenditures.

8. Inadequate fund balances or reserves.

9. Failure to meet financial reporting requirements pursuant to s. 1002.33(9), s. 1002.335(7)(a)7., or s. 1002.34(14).

10. Weak financial controls or other adverse financial conditions identified through an annual audit conducted pursuant to s. 218.39.

11. Negative financial findings cited in reports by the Auditor General or the Office of Program Policy Analysis and Government Accountability.

(b) A sponsor shall notify the governing board within 7 working days when one or more of the conditions specified in paragraph (a) occur.

(c) The governing board and the sponsor shall develop a corrective action plan and file the plan with the Commissioner of Education within 30 working days. If the governing board and the sponsor are unable to agree on a corrective action plan, the Commissioner of Education shall determine the components of the plan. The governing board shall implement the plan.

(d) The governing board shall include the corrective action plan and the status of its implementation in the annual progress report to the sponsor that is required under s. 1002.33(9)(k), s. 1002.335(7)(a)7., or s. 1002.34(14).

(e) If the governing board fails to implement the corrective action plan within 1 year, the State Board of Education shall prescribe any steps

necessary for the charter school or the charter technical career center to comply with state requirements.

(f) The chair of the governing board shall annually appear before the State Board of Education and report on the implementation of the State Board of Education's requirements.

(2) FINANCIAL EMERGENCY; DEFICIT FUND BALANCE; DEFICIT NET ASSETS; REQUIREMENTS.—

(a) A charter school and a charter technical career center shall provide for a certified public accountant or auditor to conduct an annual financial audit in accordance with s. 218.39.

(b) The charter shall ensure that, if an annual financial audit of a charter school or charter technical career center reveals one or more of the conditions in s. 218.503(1) have occurred or will occur if action is not taken or if a charter school or charter technical career center has a deficit fund balance or deficit net assets, the auditor must notify the governing board of the charter school or charter technical career center, as appropriate, the sponsor, and the Commissioner of Education.

(c)1. When a financial audit conducted by a certified public accountant in accordance with s. 218.39 reveals that one or more of the conditions in s. 218.503(1) have occurred or will occur if action is not taken or when a deficit fund balance or deficit net assets exist, the auditor shall notify and provide the financial audit to the governing board of the charter school or charter technical career center, as appropriate, the sponsor, and the Commissioner of Education within 7 working days after the finding is made.

2. When the charter school or charter technical career center is found to be in a state of financial emergency pursuant to s. 218.503(4), the charter school or charter technical career center shall file a detailed financial recovery plan as provided for in s. 218.503 with the sponsor within 30 days after being notified by the Commissioner of Education that a financial recovery plan is needed.

(d) The sponsor shall file a copy of the financial recovery plan with the Commissioner of Education.

(e) The governing board shall include the financial recovery plan and the status of its implementation in the annual progress report to the sponsor which is required under s. 1002.33(9)(k), s. 1002.335(7)(a)7., or s. 1002.34(14).

(3) REPORT.—The Commissioner of Education shall annually report to the State Board of Education each charter school and charter technical career center that is subject to a financial recovery plan or a corrective action plan under this section.

(4) RULES.—The State Board of Education shall adopt rules pursuant to ss. 120.536(1) and 120.54 for developing financial recovery and corrective action plans and establishing the criteria for defining each of the conditions in subsection (1).

(5) TECHNICAL ASSISTANCE.—The Department of Education shall provide technical assistance to charter schools, charter technical career centers, governing boards, and sponsors in developing financial recovery and corrective action plans.

(6) FAILURE TO CORRECT DEFICIENCIES.—The sponsor may choose not to renew or may terminate a charter if the charter school or charter technical career center fails to correct the deficiencies noted in the corrective action plan within 1 year or exhibits one or more financial emergency conditions as provided in s. 218.503(1)(a)-(d) for 2 consecutive years. This subsection is not intended to affect a sponsor's authority to terminate or not renew a charter pursuant to s. 1002.33(8).

Section 10. Paragraph (f) is added to subsection (2) of section 1013.62, Florida Statutes, to read:

1013.62 Charter schools capital outlay funding.—

(2) A charter school's governing body may use charter school capital outlay funds for the following purposes:

(f) Any of the purposes set forth in s. 1011.71(2).

Conversion charter schools may use capital outlay funds received through the reduction in the administrative fee provided in s. 1002.33(20) for renovation, repair, and maintenance of school facilities that are owned by the sponsor.

And the title is amended as follows:

Remove lines 9-59 and insert: financial emergency; requiring that the sponsor and Legislative Auditing Committee be notified of certain conditions; providing that the Commissioner of Education may require a financial recovery plan if certain conditions exist for a charter school or charter technical career center; amending s. 1002.33, F.S.; providing for duties of charter school sponsors and governing boards when charter schools and charter technical career centers experience a financial weakness or a financial emergency; specifying forms and evaluation instruments to be used by charter school applicants and sponsors; revising provisions relating to appeal of a charter school application denial; deleting the auditing requirements and financial emergency provisions for charter schools; requiring charter schools to disclose the identity of relatives of charter school personnel; revising provisions relating to charter school renewal terms; providing that immediate termination of a charter is exempt from requirements for an informal hearing or a hearing under ch. 120, F.S.; requiring charter schools to provide quarterly or monthly financial statements under specified circumstances; revising provisions relating to a charter school's annual report; revising provisions relating to student eligibility to attend a charter school; revising the calculation requirements for class size compliance by charter schools; providing requirements for distribution of funds to charter schools; providing priority to charter schools for the lease or purchase of surplused, disposed, or unused public school property and facilities; requiring a sponsor to provide additional services relating to school lunches under the federal lunch program; providing for the disclosure of the performance of charter schools that are not given a school grade or school improvement rating; providing reporting requirements; providing restrictions for the employment of relatives by charter school personnel; providing that members of a charter school governing board are subject to certain standards of conduct and financial disclosure; amending s. 1002.335, F.S., relating to the Florida Schools of Excellence Commission; revising provisions relating to exclusive authority to authorize charter schools; eliminating the requirement for district school boards to annually seek continued exclusivity from the State Board of Education; providing that a grant or denial of exclusivity shall be effective for 4 fiscal years; specifying additional components of cosponsor agreements; providing for application of performance disclosure requirements for charter schools that are not graded or rated; providing for application of restrictions on the employment of relatives and certain standards of conduct and financial disclosure; amending s. 1002.34, F.S.; providing additional duties for charter technical career centers, applicants, sponsors, and governing boards; requiring the Department of Education to offer or arrange training and assistance to applicants for a charter technical career center; revising the calculation requirements for class size compliance by charter technical career centers; providing for application of restrictions on the employment of relatives and certain standards of conduct and financial disclosure; creating s. 1002.345, F.S.; establishing criteria and requirements for charter schools and charter technical career centers that have financial weaknesses or are in a state of financial emergency; establishing requirements for charter schools, charter technical career centers, governing boards, and sponsors; requiring financial audits of charter schools and charter technical career centers; providing for corrective action and financial recovery plans; providing for duties of auditors, the Commissioner of Education, and the Department of Education; requiring the State Board of Education to adopt rules; providing grounds for termination or nonrenewal of a charter; amending s. 1013.62, F.S.; authorizing additional uses for charter school capital outlay funds; providing an

On motion by Senator Gaetz, the Senate refused to concur in the House amendment to **CS for CS for SB 1652** and the House was requested to recede. The action of the Senate was certified to the House.

SPECIAL ORDER CALENDAR, continued

CS for SB 2504—A bill to be entitled An act relating to residential properties; amending s. 514.011, F.S.; defining the term "homeowners' association"; amending s. 514.0115, F.S.; providing for the regulation and exemption from regulation for homeowners' association swimming pools; amending s. 515.25, F.S.; conforming a cross-reference; amending s. 720.303, F.S.; revising provisions relating to homeowners' association

board meetings, inspection and copying of records, and reserve accounts of budgets; prohibiting a salary or compensation for certain association personnel; providing exceptions; amending s. 720.305, F.S.; authorizing fines assessed against members which exceed a certain amount to become a lien against a parcel; amending s. 720.306, F.S.; providing requirements for secret ballots; requiring newly elected members of a board of directors to make certain certifications in writing to the association; providing for disqualification for failure to make such certifications; requiring an association to retain certifications for a specified time; amending s. 720.401, F.S.; requiring that the disclosure summary to prospective parcel owners include additional provisions; amending s. 34.01, F.S.; correcting a cross-reference to conform; amending s. 720.302, F.S.; correcting a cross-reference to conform; establishing legislative intent; repealing s. 720.311, F.S., relating to a procedure for dispute resolution in homeowners' associations; providing that dispute resolution cases pending on the date of repeal will continue under the repealed provisions; creating part IV of ch. 720, F.S.; creating s. 720.501, F.S.; providing a short title; creating s. 720.502, F.S.; creating legislative findings; creating s. 720.503, F.S.; setting applicability of provisions for mediation and arbitration applicable to disputes in homeowners' associations; creating exceptions; proving applicability; tolling applicable statutes of limitations; creating s. 720.504, F.S; requiring that the notice of dispute be delivered before referral to mediation; creating s. 720.505, F.S.; creating a statutory notice form for referral to mediation; requiring delivery by certified mail or personal delivery; setting deadlines; requiring parties to share costs; requiring the selection of a mediator and times to meet; providing penalties for failure to mediate; creating s. 720.506, F.S.; creating an opt-out provision; creating s. 720.507, F.S.; creating a statutory notice form for referral to arbitration; requiring delivery by certified mail or personal delivery; setting deadlines; requiring parties to share costs; requiring the selection of an arbitrator and times to meet; providing penalties for failure to arbitrate; creating s. 720.508, F.S.; providing for rules of procedure; providing for confidentiality; creating s. 720.509, F.S.; setting qualifications for mediators and arbitrators; creating s. 720.510, F.S.; providing for enforcement of mediation agreements and arbitration awards; providing an effective date.

—was read the second time by title.

Amendments were considered and adopted to conform **CS for SB 2504** to **CS for CS for HB 679**.

Pending further consideration of **CS for SB 2504** as amended, on motion by Senator Posey, by two-thirds vote **CS for CS for HB 679** was withdrawn from the Committee on Regulated Industries.

On motion by Senator Posey—

CS for CS for HB 679—A bill to be entitled An act relating to residential properties; amending s. 34.01, F.S.; conforming a cross-reference; amending s. 514.011, F.S.; providing definitions; amending s. 514.0115, F.S.; providing specified supervision and regulation exemptions for homeowners' association swimming pools; amending s. 515.25, F.S.; conforming a cross-reference; creating s. 515.295, F.S.; providing definitions; requiring residential pools and spas built after a specified date to have certain features; amending s. 720.302, F.S.; conforming a cross-reference; providing legislative intent; amending s. 720.303, F.S.; revising provisions relating to homeowners' association board meetings, inspection and copying of records, and reserve accounts of budgets; prohibiting salary or compensation of certain association personnel for certain duties; providing exceptions; amending s. 720.305, F.S.; revising a lien restriction; amending s. 720.306, F.S.; providing absentee ballot voting requirements; requiring newly elected members of a board of directors to make certain certifications in writing to the association; providing for disqualification for failure to make such certifications; requiring an association to retain such certifications for a certain time; repealing s. 720.311, F.S., relating to dispute resolution; providing that dispute resolution proceedings that are pending as of the date of repeal shall continue under the repealed provisions; amending s. 720.401, F.S.; revising certain prospective parcel owner disclosure summary requirements; creating part IV of ch. 720, F.S.; creating s. 720.501, F.S.; providing a short title; creating s. 720.502, F.S.; providing legislative findings; creating s. 720.503, F.S.; providing applicability; providing for mediation and arbitration of homeowners' association disputes; providing exceptions; authorizing the filing of a motion for temporary injunctive relief; providing for the tolling of applicable statutes of limitations; creating s. 720.504, F.S.; providing notification requirements; creating s. 720.505, F.S.; providing a statutory notice form for referral to mediation; providing requirements for the service of such notice; requiring parties to share costs of presuit mediation equally; providing response requirements; providing scheduling requirements; providing for impasse under certain conditions; prohibiting certain parties from recovering attorney's fees and costs in subsequent litigation proceedings; creating s. 720.506, F.S.; authorizing certain persons to opt out of presuit mediation; providing requirements for a person to opt out of such mediation; creating s. 720.507, F.S.; providing a statutory notice form for referral to arbitration; providing requirements for the service of such notice; requiring parties to share costs of arbitration equally; providing scheduling requirements; providing for impasse under certain conditions; prohibiting certain parties from recovering attorney's fees and costs in subsequent litigation proceedings; creating s. 720.508, F.S.; providing rules of procedure for presuit mediation and presuit arbitration proceedings; providing for confidentiality; creating s. 720.509, F.S.; providing qualifications for mediators and arbitrators; creating s. 720.510, F.S.; providing for enforcement of mediation settlement agreements and arbitration awards; requiring the department to apply for and implement a federal grant for enforcing swimming pool safety standards; requiring the Department of Health, the Department of Community Affairs, and the Florida Building Commission to assess state statutes and the Florida Building Code to determine if changes are needed to comply with federal standards pertaining to swimming pool and spa safety; requiring the Department of Health to present the assessment to the Legislature by a specified date; providing effective dates.

—a companion measure, was substituted for **CS for SB 2504** as amended and read the second time by title.

Senator Posey moved the following amendment:

Amendment 1 (074374)(with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Section 514.011, Florida Statutes, is amended to read:

514.011 Definitions.—As used in this chapter*, the term*:

(1) "Department" means the Department of Health.

(2) "Homeowners' association" has the same meaning as in s. 720.301.

(3)~~(5)~~ "Portable pool" means a pool or spa, and related equipment systems of any kind, which is designed or intended to be movable from location to location.

(4)~~(3)~~ "Private pool" means a facility used only by an individual, family, or living unit members and their guests which does not serve any type of cooperative housing or joint tenancy of five or more living units.

(5)~~(4)~~ "Public bathing place" means a body of water, natural or modified by humans, for swimming, diving, and recreational bathing, together with adjacent shoreline or land area, buildings, equipment, and appurtenances pertaining thereto, used by consent of the owner or owners and held out to the public by any person or public body, irrespective of whether a fee is charged for the use thereof. The bathing water areas of public bathing places include, but are not limited to, lakes, ponds, rivers, streams, artificial impoundments, and waters along the coastal and intracoastal beaches and shores of the state.

(6)~~(2)~~ "Public swimming pool" or "public pool" means a watertight structure of concrete, masonry, or other approved materials*,* ~~which is~~ located ~~either~~ indoors or outdoors, used for bathing or swimming by humans, and filled with a filtered and disinfected water supply, together with buildings, appurtenances, and equipment used in connection therewith. A public swimming pool or public pool shall mean a conventional pool, spa-type pool, wading pool, special purpose pool, or water recreation attraction, to which admission may be gained with or without payment of a fee and includes, but is not limited to, pools operated by or serving camps, churches, cities, counties, day care centers, group home facilities for eight or more clients, health spas, institutions, parks, state agencies, schools, subdivisions, or the cooperative living-type projects of five or more living units, such as apartments, boardinghouses, hotels, mobile home parks, motels, recreational vehicle parks, and townhouses.

Section 2. Subsection (2) of section 514.0115, Florida Statutes, is amended to read:

514.0115 Exemptions from supervision or regulation; variances.—

(2)(a) Pools serving no more than 32 condominium or cooperative units *or 32 parcels governed by a homeowners' association* which are not operated as a public lodging establishment *are* ~~shall be~~ exempt from supervision under this chapter, except for water quality.

(b) Pools serving condominium or cooperative associations of more than 32 units *or a homeowners' association of more than 32 parcels* and whose recorded documents prohibit the rental or sublease of the units for ~~periods of~~ less than 60 days are exempt from supervision under this chapter, except that the condominium or cooperative owner or association *or homeowners' association* must file *an application* ~~applications~~ with the department and obtain construction *plan* ~~plans~~ approval and receive an initial operating permit. The department shall inspect the swimming pools ~~at such places~~ annually, at the fee set forth in s. 514.033(3), or upon request by a unit owner, to determine compliance with department rules relating to water quality and lifesaving equipment. The department may not require compliance with rules relating to swimming pool lifeguard standards.

Section 3. Subsection (9) of section 515.25, Florida Statutes, is amended to read:

515.25 Definitions.—As used in this chapter, the term:

(9) "Public swimming pool" means a swimming pool, as defined in s. *515.011* ~~514.011(2)~~, which is operated, with or without charge, for the use of the general public; however, the term does not include a swimming pool located on the grounds of a private residence.

Section 4. Paragraph (b) of subsection (2), paragraphs (a) and (c) of subsection (5), paragraphs (b), (c), (d), (f), and (g) of subsection (6) of section 720.303, Florida Statutes, are amended, and subsection (12) is added to that section, to read:

720.303 Association powers and duties; meetings of board; official records; budgets; financial reporting; association funds; recalls.—

(2) BOARD MEETINGS.—

(b) Members have the right to attend all meetings of the board and to speak on any matter placed on the agenda by petition of the voting interests for at least 3 minutes. The association may adopt written reasonable rules expanding the right of members to speak and governing the frequency, duration, and other manner of member statements, which rules must be consistent with this paragraph and may include a sign-up sheet for members wishing to speak. Notwithstanding any other law, ~~the requirement that board meetings and committee meetings be open to the members is inapplicable to~~ meetings between the board or a committee *to discuss proposed or pending litigation with* ~~and~~ the association's attorney, *or* ~~with respect to~~ meetings of the board held for the purpose of discussing personnel matters *are not required to be open to the members*.

(5) INSPECTION AND COPYING OF RECORDS.—The official records shall be maintained within the state and must be open to inspection and available for photocopying by members or their authorized agents at reasonable times and places within 10 business days after receipt of a written request for access. This subsection may be complied with by having a copy of the official records available for inspection or copying in the community. If the association has a photocopy machine available where the records are maintained, it must provide parcel owners with copies on request during the inspection if the entire request is limited to no more than 25 pages.

(a) The failure of an association to provide access to the records within 10 business days after receipt of a written request *submitted by certified mail, return receipt requested,* creates a rebuttable presumption that the association willfully failed to comply with this subsection.

(c) The association may adopt reasonable written rules governing the frequency, time, location, notice, records to be inspected, and manner of inspections, but may not *require* ~~impose a requirement that~~ a parcel owner *to* demonstrate any proper purpose for the inspection, state any reason for the inspection, or limit a parcel owner's right to inspect records to less than one 8-hour business day per month. The association may impose fees to cover the costs of providing copies of the official records, including, without limitation, the costs of copying. The association may charge up to 50 cents per page for copies made on the association's photocopier. If the association does not have a photocopy machine available where the records are kept, or if the records requested to be copied exceed 25 pages in length, the association may have copies made by an outside vendor *or association management company personnel* and may charge the actual cost of copying*, including any reasonable costs involving personnel fees and charges at an hourly rate for employee time to cover administrative costs to the association*. The association shall maintain an adequate number of copies of the recorded governing documents~~,~~ to ensure their availability to members and prospective members. Notwithstanding the provisions of this paragraph, the following records *are* ~~shall~~ not ~~be~~ accessible to members or parcel owners:

1. Any record protected by the lawyer-client privilege as described in s. 90.502 and any record protected by the work-product privilege, including, but not limited to, any record prepared by an association attorney or prepared at the attorney's express direction which reflects a mental impression, conclusion, litigation strategy, or legal theory of the attorney or the association and *which* was prepared exclusively for civil or criminal litigation or for adversarial administrative proceedings or which was prepared in anticipation of imminent civil or criminal litigation or imminent adversarial administrative proceedings until the conclusion of the litigation or ~~adversarial~~ administrative proceedings.

2. Information obtained by an association in connection with the approval of the lease, sale, or other transfer of a parcel.

3. Disciplinary, health, insurance, and personnel records of the association's employees.

4. Medical records of parcel owners or community residents.

(6) BUDGETS.—

(b) In addition to annual operating expenses, the budget may include reserve accounts for capital expenditures and deferred maintenance for which the association is responsible*. If reserve accounts are not established pursuant to paragraph (d), funding of such reserves shall be limited* to the extent that the governing documents ~~do not~~ limit increases in assessments, including reserves. If the budget of the association includes reserve accounts *established pursuant to paragraph (d)*, such reserves shall be determined, maintained, and waived in the manner provided in this subsection. Once an association provides for reserve accounts *pursuant to paragraph (d)* ~~in the budget~~, the association shall thereafter determine, maintain, and waive reserves in compliance with this subsection. *The provisions of this section do not preclude the termination of a reserve account established pursuant to this paragraph upon approval of a majority of the voting interests of the association. Upon such approval, the terminating reserve account shall be removed from the budget.*

(c)*1.* If the budget of the association does not provide for reserve accounts *pursuant to paragraph (d)* ~~governed by this subsection~~ and the association is responsible for the repair and maintenance of capital improvements that may result in a special assessment if reserves are not provided, each financial report for the preceding fiscal year required by subsection (7) shall contain the following statement in conspicuous type: THE BUDGET OF THE ASSOCIATION DOES NOT PROVIDE FOR RESERVE ACCOUNTS FOR CAPITAL EXPENDITURES AND DEFERRED MAINTENANCE THAT MAY RESULT IN SPECIAL ASSESSMENTS. OWNERS MAY ELECT TO PROVIDE FOR RESERVE ACCOUNTS PURSUANT TO THE PROVISIONS OF SECTION 720.303(6), FLORIDA STATUTES, UPON *OBTAINING* THE APPROVAL OF ~~NOT LESS THAN~~ A MAJORITY OF THE TOTAL VOTING INTERESTS OF THE ASSOCIATION *BY VOTE OF THE MEMBERS AT A MEETING OR BY WRITTEN CONSENT*.

2. If the budget of the association does provide for funding accounts for deferred expenditures, including, but not limited to, funds for capital expenditures and deferred maintenance, but such accounts are not created or established pursuant to paragraph (d), each financial report for the preceding fiscal year required under subsection (7) must also contain the following statement in conspicuous type: THE BUDGET OF THE ASSOCIATION DOES PROVIDE FOR LIMITED VOLUNTARY DEFERRED EXPENDITURE ACCOUNTS, INCLUDING CAPITAL EXPENDITURES AND DEFERRED MAINTENANCE, SUBJECT TO LIMITS ON FUNDING CONTAINED IN OUR GOVERNING DOCUMENTS. BECAUSE THE OWNERS HAVE NOT ELECTED TO PROVIDE FOR RESERVE ACCOUNTS PURSUANT TO SECTION 720.303(6), FLORIDA STATUTES, THESE FUNDS ARE NOT SUBJECT TO THE RESTRICTIONS ON USE OF SUCH FUNDS SET

FORTH IN THAT STATUTE, NOR ARE RESERVES CALCULATED IN ACCORDANCE WITH THAT STATUTE.

(d) An association shall be deemed to have provided for reserve accounts *if* ~~when~~ reserve accounts have been initially established by the developer or *if* ~~when~~ the membership of the association affirmatively elects to provide for reserves. If reserve accounts are not initially provided for by the developer, the membership of the association may elect to do so upon the affirmative approval of ~~not less than~~ a majority of the total voting interests of the association. Such approval may be *obtained* ~~attained~~ by vote of the members at a duly called meeting of the membership or *by the* ~~upon a~~ written consent *of* ~~executed by not less than~~ a majority of the total voting interests in the community. The approval action of the membership shall state that reserve accounts shall be provided for in the budget and *shall* designate the components for which the reserve accounts are to be established. Upon approval by the membership, the board of directors shall *include* ~~provide for~~ the required reserve accounts ~~for inclusion~~ in the budget in the next fiscal year following the approval and ~~in~~ each year thereafter. Once established as provided in this subsection, the reserve accounts shall be funded or maintained or shall have their funding waived in the manner provided in paragraph (f).

(f) *After one or more* ~~Once a reserve account or~~ reserve accounts are established, the membership of the association, upon a majority vote at a meeting at which a quorum is present, may provide for no reserves or less reserves than required by this section. If a meeting of the unit owners has been called to determine whether to waive or reduce the funding of reserves and no such result is achieved or a quorum is not present, the reserves as included in the budget shall go into effect. After the turnover, the developer may vote its voting interest to waive or reduce the funding of reserves. Any vote taken pursuant to this subsection to waive or reduce reserves *is* ~~shall be~~ applicable only to one budget year.

(g) Funding formulas for reserves authorized by this section shall be based on either a separate analysis of each of the required assets or a pooled analysis of two or more of the required assets.

1. If the association maintains separate reserve accounts for each of the required assets, the amount of the contribution to each reserve account *is* ~~shall be~~ the sum of the following two calculations:

a. The total amount necessary, if any, to bring a negative component balance to zero.

b. The total estimated deferred maintenance expense or estimated replacement cost of the reserve component less the estimated balance of the reserve component as of the beginning of the period ~~for which~~ the budget will be in effect. The remainder, if greater than zero, shall be divided by the estimated remaining useful life of the component.

The formula may be adjusted each year for changes in estimates and deferred maintenance performed during the year and may include factors such as inflation and earnings on invested funds.

2. If the association maintains a pooled account of two or more of the required reserve assets, the amount of the contribution to the pooled reserve account as disclosed on the proposed budget *may* ~~shall~~ not be less than that required to ensure that the balance on hand at the beginning of the period ~~for which~~ the budget will go into effect plus the projected annual cash inflows over the remaining estimated useful life of all of the assets that make up the reserve pool are equal to or greater than the projected annual cash outflows over the remaining estimated useful lives of all ~~of~~ the assets that make up the reserve pool, based on the current reserve analysis. The projected annual cash inflows may include estimated earnings from investment of principal *and accounts receivable minus the allowance for doubtful accounts*. The reserve funding formula *may* ~~shall~~ not include any type of balloon payments.

(12) COMPENSATION PROHIBITED.—A director, officer, or committee member of the association may not receive directly or indirectly any salary or compensation from the association for the performance of duties as a director, officer, or committee member and may not in any other way benefit financially from service to the association. This subsection does not preclude:

(a) Participation by such person in a financial benefit accruing to all or a significant number of members as a result of actions lawfully taken by the board or a committee of which he or she is a member, including, but not limited to, routine maintenance, repair, or replacement of community assets.

(b) Reimbursement for out-of-pocket expenses incurred by such person on behalf of the association, subject to approval in accordance with procedures established by the association's governing documents or, in the absence of such procedures, in accordance with an approval process established by the board.

(c) Any recovery of insurance proceeds derived from a policy of insurance maintained by the association for the benefit of its members.

(d) Any fee or compensation authorized in the governing documents.

(e) Any fee or compensation authorized in advance by a vote of a majority of the voting interests voting in person or by proxy at a meeting of the members.

Section 5. Subsection (2) of section 720.305, Florida Statutes, are amended to read:

720.305 Obligations of members; remedies at law or in equity; levy of fines and suspension of use rights; failure to fill sufficient number of vacancies on board of directors to constitute a quorum; appointment of receiver upon petition of any member.—

(2) If the governing documents so provide, an association may suspend, for a reasonable period of time, the rights of a member or a member's tenants, guests, or invitees, or both, to use common areas and facilities and may levy reasonable fines *of up to*~~, not to exceed~~ $100 per violation, against any member or any tenant, guest, or invitee. A fine may be levied on the basis of each day of a continuing violation, with a single notice and opportunity for hearing, except that no ~~such~~ fine *may* ~~shall~~ exceed $1,000 in the aggregate unless otherwise provided in the governing documents. A fine *of less than $1,000 may* ~~shall~~ not become a lien against a parcel. In any action to recover a fine, the prevailing party is entitled to collect its reasonable attorney's fees and costs from the nonprevailing party as determined by the court.

(a) A fine or suspension may not be imposed without ~~notice of~~ at least 14 days *notice* to the person sought to be fined or suspended and an opportunity for a hearing before a committee of at least three members appointed by the board who are not officers, directors, or employees of the association, or the spouse, parent, child, brother, or sister of an officer, director, or employee. If the committee, by majority vote, does not approve a proposed fine or suspension, it may not be imposed.

(b) The requirements of this subsection do not apply to the imposition of suspensions or fines upon any member because of the failure of the member to pay assessments or other charges when due if such action is authorized by the governing documents.

(c) Suspension of common-area-use rights *do* ~~shall~~ not impair the right of an owner or tenant of a parcel to have vehicular and pedestrian ingress to and egress from the parcel, including, but not limited to, the right to park.

Section 6. Subsections (8) and (9) of section 720.306, Florida Statutes, are amended to read:

720.306 Meetings of members; voting and election procedures; amendments.—

(8) PROXY VOTING.—The members have the right, unless otherwise provided in this subsection or in the governing documents, to vote in person or by proxy.

(a) To be valid, a proxy must be dated, must state the date, time, and place of the meeting for which it was given, and must be signed by the authorized person who executed the proxy. A proxy is effective only for the specific meeting for which it was originally given, as the meeting may lawfully be adjourned and reconvened from time to time, and automatically expires 90 days after the date of the meeting for which it was originally given. A proxy is revocable at any time at the pleasure of the person who executes it. If the proxy form expressly so provides, any proxy holder may appoint, in writing, a substitute to act in his or her place.

(b) If the governing documents permit voting by secret ballot by members who are not in attendance at a meeting of the members for the election of directors, such ballots shall be placed in an inner envelope with no identifying markings and mailed or delivered to the association in an outer envelope bearing identifying information reflecting the name of the member, the lot or parcel for which the vote is being cast, and the signature of the lot or parcel owner casting that ballot. After the eligibility of the member to vote and confirmation that no other ballot has been submitted for that lot or parcel, the inner envelope shall be removed from the outer envelope bearing the identification information, placed with the ballots which were personally cast, and opened when the ballots are counted. If more than one ballot is submitted for a lot or parcel, the ballots for that lot or parcel shall be disqualified. Any vote by ballot received after the closing of the balloting may not be considered.

(9) ELECTIONS*; BOARD MEMBER CERTIFICATION.*—

(a) Elections of directors must be conducted in accordance with the procedures set forth in the governing documents of the association. All members of the association *are* ~~shall be~~ eligible to serve on the board of directors, and a member may nominate himself or herself as a candidate for the board at a meeting where the election is to be held *or, if the election process allows voting by absentee ballot, in advance of the balloting*. Except as otherwise provided in the governing documents, boards of directors must be elected by a plurality of the votes cast by eligible voters. Any election dispute between a member and an association must be submitted to mandatory binding arbitration with the division. Such proceedings shall be conducted in the manner provided by s. 718.1255 and the procedural rules adopted by the division.

(b) Within 30 days after being elected to the board of directors, a new director shall certify in writing to the secretary of the association that he or she has read the association's declarations of covenants and restrictions, articles of incorporation, bylaws, and current written policies and that he or she will work to uphold each to the best of his or her ability and will faithfully discharge his or her fiduciary responsibility to the association's members. Failure to timely file such statement shall automatically disqualify the director from service on the association's board of directors. The secretary shall cause the association to retain a director's certification for inspection by the members for 5 years after a director's election. Failure to have such certification on file does not affect the validity of any appropriate action.

Section 7. Paragraph (a) of subsection (1) of section 720.401, Florida Statutes, is amended to read:

720.401 Prospective purchasers subject to association membership requirement; disclosure required; covenants; assessments; contract cancellation.—

(1)(a) A prospective parcel owner in a community must be presented a disclosure summary before executing the contract for sale. The disclosure summary must be in a form substantially similar to the following form:

DISCLOSURE SUMMARY
FOR
(NAME OF COMMUNITY)

1. AS A PURCHASER OF PROPERTY IN THIS COMMUNITY, YOU WILL BE OBLIGATED TO BE A MEMBER OF A HOMEOWNERS' ASSOCIATION.

2. THERE HAVE BEEN OR WILL BE RECORDED RESTRICTIVE COVENANTS GOVERNING THE USE AND OCCUPANCY OF PROPERTIES IN THIS COMMUNITY.

3. YOU WILL BE OBLIGATED TO PAY ASSESSMENTS TO THE ASSOCIATION. ASSESSMENTS MAY BE SUBJECT TO PERIODIC CHANGE. IF APPLICABLE, THE CURRENT AMOUNT IS $____ PER ____. YOU WILL ALSO BE OBLIGATED TO PAY ANY SPECIAL ASSESSMENTS IMPOSED BY THE ASSOCIATION. SUCH SPECIAL ASSESSMENTS MAY BE SUBJECT TO CHANGE. IF APPLICABLE, THE CURRENT AMOUNT IS $____ PER ____.

4. YOU MAY BE OBLIGATED TO PAY SPECIAL ASSESSMENTS TO THE RESPECTIVE MUNICIPALITY, COUNTY, OR SPECIAL DISTRICT. ALL ASSESSMENTS ARE SUBJECT TO PERIODIC CHANGE.

5. YOUR FAILURE TO PAY SPECIAL ASSESSMENTS OR ASSESSMENTS LEVIED BY A MANDATORY HOMEOWNERS' ASSOCIATION *MAY* ~~COULD~~ RESULT IN A LIEN ON YOUR PROPERTY.

6. THERE MAY BE AN OBLIGATION TO PAY RENT OR LAND USE FEES FOR RECREATIONAL OR OTHER COMMONLY USED FACILITIES AS AN OBLIGATION OF MEMBERSHIP IN THE HOMEOWNERS' ASSOCIATION. IF APPLICABLE, THE CURRENT AMOUNT IS $____ PER ____.

7. *IF THE ASSOCIATION IS STILL UNDER THE CONTROL OF THE DEVELOPER,* THE DEVELOPER MAY HAVE THE RIGHT TO AMEND THE RESTRICTIVE COVENANTS WITHOUT THE APPROVAL OF THE ASSOCIATION MEMBERSHIP OR THE APPROVAL OF THE PARCEL OWNERS.

8. THE STATEMENTS CONTAINED IN THIS DISCLOSURE FORM ARE ONLY SUMMARY IN NATURE, AND, AS A PROSPECTIVE PURCHASER, YOU SHOULD REFER TO THE COVENANTS AND THE ASSOCIATION GOVERNING DOCUMENTS BEFORE PURCHASING PROPERTY.

9. THESE DOCUMENTS ARE ~~EITHER~~ MATTERS OF PUBLIC RECORD AND CAN BE OBTAINED FROM THE RECORD OFFICE IN THE COUNTY WHERE THE PROPERTY IS LOCATED, OR*, IF* ~~ARE~~ NOT RECORDED*,* ~~AND~~ CAN BE OBTAINED FROM THE DEVELOPER.

10. THERE MAY BE AN OBLIGATION TO PAY ASSESSMENTS (TAXES OR FEES) TO A RESIDENTIAL COMMUNITY DEVELOPMENT DISTRICT FOR THE PURPOSE OF RETIRING BOND OBLIGATIONS USED TO CONSTRUCT INFRASTRUCTURE OR OTHER IMPROVEMENTS.

11. YOU ARE JOINTLY AND SEVERALLY LIABLE WITH THE PREVIOUS OWNER OF YOUR PROPERTY FOR ALL UNPAID ASSESSMENTS THAT CAME DUE UP TO THE TIME OF TRANSFER OF TITLE.

DATE: PURCHASER:

PURCHASER:

The disclosure must be supplied by the developer, or by the parcel owner if the sale is by an owner that is not the developer. Any contract or agreement for sale shall refer to and incorporate the disclosure summary and shall include, in prominent language, a statement that the potential buyer should not execute the contract or agreement until *he or she has* ~~they have~~ received and read the disclosure summary required by this section.

Section 8. Paragraph (d) of subsection (1) of section 34.01, Florida Statutes, is amended to read:

34.01 Jurisdiction of county court.—

(1) County courts shall have original jurisdiction:

(d) Of disputes occurring in the homeowners' associations as described in *part IV of chapter 720* ~~s. 720.311(2)(a)~~, which shall be concurrent with jurisdiction of the circuit courts.

Section 9. Subsection (2) of section 720.302, Florida Statutes, is amended to read:

720.302 Purposes, scope, and application.—

(2) The Legislature recognizes that it is not in the best interest of homeowners' associations or the individual association members thereof to create or impose a bureau or other agency of state government to regulate the affairs of homeowners' associations. However, in accordance with *part IV of chapter 720* ~~s. 720.311~~, the Legislature finds that homeowners' associations and their individual members will benefit from an expedited alternative process for resolution of ~~election and recall disputes and presuit mediation of other~~ disputes involving covenant enforcement *in homeowner's associations and deed restricted communities using the procedures provided in part IV of* ~~and authorizes the department to hear, administer, and determine these disputes as more fully set forth in~~ this chapter. Further, the Legislature recognizes that certain contract rights have been created for the benefit of homeowners'

associations and members thereof *as well as deed-restricted communities* before the effective date of this act and that *part IV of chapter 720 is* ~~ss. 720.301-720.407 are~~ not intended to impair such contract rights, including, but not limited to, the rights of the developer to complete the community as initially contemplated.

Section 10. *Section 720.311, Florida Statutes, is repealed.*

Section 11. Part IV of chapter 720, Florida Statutes, to be entitled "Dispute Resolution" consisting of sections 720.501, 720.502, 720.503, 720.504, 720.505, 720.506, 720.507, 720.508, 720.509, and 720.510, is created to read:

720.501 Short title.—This part may be cited as the "Home Court Advantage Dispute Resolution Act."

720.502 Legislative findings.—The Legislature finds that alternative dispute resolution has made progress in reducing court dockets and trials and in offering a more efficient, cost-effective option to litigation.

720.503 Applicability of this part.—

(1) Unless otherwise provided in this part, before a dispute described herein between a homeowners' association and a parcel owner or owners, or a dispute between parcel owners within the same homeowners' association, may be filed in court the dispute is subject to presuit mediation pursuant to s. 720.505 or presuit arbitration pursuant to s. 720.507, at the option of the aggrieved party who initiates the first formal action of alternative dispute resolution under this part. The parties may mutually agree to participate in both presuit mediation and presuit arbitration prior to suit being filed by either party.

(2) Unless otherwise provided in this part, the mediation and arbitration provisions of this part are limited to disputes between an association and a parcel owner or owners or between parcel owners regarding the use of or changes to the parcel or the common areas under the governing documents and other disputes involving violations of the recorded declaration of covenants or other governing documents, disputes arising concerning enforcement of the governing documents or any amendments thereto, and disputes involving access to the official records of the association. A dispute concerning title to any parcel or common area, interpretation or enforcement of any warranty, the levy of a fee or assessment, the collection of an assessment levied against a party, the eviction or other removal of a tenant from a parcel, alleged breaches of fiduciary duty by one or more directors, or any action to collect mortgage indebtedness or to foreclosure a mortgage shall not be subject to the provisions of this part.

(3) All disputes arising after the effective date of this part involving the election of the board of directors for an association or the recall of any member of the board or officer of the association shall not be eligible for presuit mediation under s. 720.505, but shall be subject to the provisions concerning presuit arbitration under s. 720.507.

(4) In any dispute subject to presuit mediation or presuit arbitration under this part for which emergency relief is required, a motion for temporary injunctive relief may be filed with the court without first complying with the presuit mediation or presuit arbitration requirements of this part. After any issues regarding emergency or temporary relief are resolved, the court may refer the parties to a mediation program administered by the courts or require mediation or arbitration under this part.

(5) The mailing of a statutory notice of presuit mediation or presuit arbitration as provided in this part shall toll the applicable statute of limitations during the pendency of the mediation or arbitration and for a period of 30 days following the conclusion of either proceeding. The 30-day period shall start upon the filing of the mediator's notice of impasse or the arbitrator's written arbitration award. If the parties mutually agree to participate in both presuit mediation and presuit arbitration under this part, the tolling of the applicable statute of limitations for each such alternative dispute resolution proceeding shall be consecutive.

720.504 Notice of dispute.—Prior to giving the statutory notice to proceed under presuit medication or presuit arbitration under this part, the aggrieved association or parcel owner shall first provide written notice of the dispute to the responding party in the manner provided by this section.

(1) The notice of dispute shall be delivered to the responding party by certified mail, return receipt requested, or the notice of dispute may be hand delivered and the person making delivery shall file with their notice of mediation either the proof of receipt of mailing or an affidavit stating the date and time of the delivery of the notice of dispute. If the notice is delivered by certified mail, return receipt requested, and the responding party fails or refuses to accept delivery, notice shall be considered properly delivered for purposes of this section on the date of the first attempted delivery.

(2) The notice of dispute shall state with specificity the nature of the dispute, including the date, time, and location of each event that is the subject of the dispute and the action requested to resolve the dispute. The notice shall also include the text of any provision in the governing documents, including the rules and regulations, of the association which form the basis of the dispute.

(3) Unless the parties otherwise agree in writing to a longer time period, the party receiving the notice of dispute shall have 10 days following the date of receipt of notice to resolve the dispute. If the alleged dispute has not been resolved within the 10-day period, the aggrieved party may proceed under this part at any time thereafter within the applicable statute of limitations.

(4) A copy of the notice and the text of the provision in the governing documents or the rules and regulations of the association which are the basis of the dispute, along with proof of service of the notice of dispute and a copy of any written responses received from the responding party, shall be included as an exhibit to any demand for mediation or arbitration under this part.

720.505 Presuit mediation.—

(1) Disputes between an association and a parcel owner or owners and between parcel owners must be submitted to presuit mediation before the dispute may be filed in court or, at the election of the party initiating the presuit procedures, such dispute may be submitted to presuit arbitration pursuant to s. 720.507 before the dispute may be filed in court. An aggrieved party who elects to use the presuit mediation procedure under this section shall serve on the responding party a written notice of presuit mediation in substantially the following form:

STATUTORY NOTICE OF PRESUIT MEDIATION

THE ALLEGED AGGRIEVED PARTY, _____, HEREBYDEMANDS THAT _____, AS THE RESPONDING PARTY, ENGAGE INMANDATORY PRESUIT MEDIATION IN CONNECTION WITH A DISPUTE(S) WITH YOU, WHICH BY STATUTE ARE OF A TYPE THAT ARE SUBJECT TO PRESUIT MEDIATION:

ATTACHED IS A COPY OF THE PRIOR NOTICE OF VIOLATION WHICH DETAILS THE SPECIFIC NATURE OF THE DISPUTE(S)TO BE MEDIATED AND THE AUTHORITY SUPPORTING A FINDING OF A VIOLATION AS TO EACH DISPUTE, INCLUDING, BUT NOT LIMITED TO, THE APPLICABLE PROVISIONS OF THE GOVERNING DOCUMENTS OF THE ASSOCIATION BELIEVED TO APPLY TO THE DISPUTE BETWEEN THE PARTIES, AND A COPY OF THE NOTICE YOU RECEIVED OR REFUSED AND COPIES OF ANY WRITTEN RESPONSE(S) RECEIVED FROM YOU ABOUT THIS DISPUTE.

PURSUANT TO PART IV OF CHAPTER 720, FLORIDA STATUTES, THIS DEMAND TO RESOLVE THE DISPUTE THROUGH PRESUIT MEDIATION IS REQUIRED BEFORE A LAWSUIT CAN BE FILED CONCERNING THE DISPUTE. PURSUANT TO FLORIDA STATUTES, THE PARTIES ARE REQUIRED TO ENGAGE IN PRESUIT MEDIATION WITH A NEUTRAL THIRD-PARTY MEDIATOR IN ORDER TO ATTEMPT TO RESOLVE THIS DISPUTE WITHOUT COURT ACTION, AND THE AGGRIEVED PARTY DEMANDS THAT YOU PARTICIPATE IN THIS PROCESS. UNLESS YOU RESPOND TO THIS NOTICE BY FILING WITH THE AGGRIEVED PARTY A NOTICE OF OPTING OUT AND DEMAND FOR ARBITRATION UNDER S. 720.506, FLORIDA STATUTES, YOUR FAILURE TO PARTICIPATE IN THE MEDIATION PROCESS MAY RESULT IN A LAWSUIT BEING FILED IN COURT AGAINST YOU WITHOUT FURTHER NOTICE.

THE PROCESS OF MEDIATION INVOLVES A SUPERVISED NEGOTIATION PROCESS IN WHICH A TRAINED, NEUTRAL THIRD-PARTY MEDIATOR MEETS WITH BOTH PARTIES AND

ASSISTS THEM IN EXPLORING POSSIBLE OPPORTUNITIES FOR RESOLVING PART OR ALL OF THE DISPUTE. BY AGREEING TO PARTICIPATE IN PRESUIT MEDIATION, YOU ARE NOT BOUND IN ANY WAY TO CHANGE YOUR POSITION. FURTHERMORE, THE MEDIATOR HAS NO AUTHORITY TO MAKE ANY DECISIONS IN THIS MATTER OR TO DETERMINE WHO IS RIGHT OR WRONG AND MERELY ACTS AS A FACILITATOR TO ENSURE THAT EACH PARTY UNDERSTANDS THE POSITION OF THE OTHER PARTY AND THAT ALL OPTIONS FOR REASONABLE SETTLEMENT ARE FULLY EXPLORED.

IF AN AGREEMENT IS REACHED, IT SHALL BE REDUCED TO WRITING AND BECOME A BINDING AND ENFORCEABLE CONTRACT BETWEEN THE PARTIES. A RESOLUTION OF ONE OR MORE DISPUTES IN THIS FASHION AVOIDS THE NEED TO LITIGATE THESE ISSUES IN COURT. THE FAILURE TO REACH AN AGREEMENT, OR THE FAILURE OF A PARTY TO PARTICIPATE IN THE PROCESS, RESULTS IN THE MEDIATOR DECLARING AN IMPASSE IN THE MEDIATION, AFTER WHICH THE AGGRIEVED PARTY MAY PROCEED TO FILE A LAW SUIT ON ALL OUTSTANDING, UNSETTLED DISPUTES. IF YOU HAVE FAILED OR REFUSED TO PARTICIPATE IN THE ENTIRE MEDIATION PROCESS, YOU WILL NOT BE ENTITLED TO RECOVER ATTORNEY'S FEES IF YOU PREVAIL IN A SUBSEQUENT COURT PROCEEDING INVOLVING THE SAME DISPUTE.

THE AGGRIEVED PARTY HAS SELECTED FROM A LIST OF ELIGIBLE QUALIFIED MEDIATORS AT LEAST FIVE CERTIFIED MEDIATORS WHO THE AGGRIEVED PARTY BELIEVES TO BE NEUTRAL AND QUALIFIED TO MEDIATE THE DISPUTE. YOU HAVE THE RIGHT TO SELECT ANY ONE OF THESE MEDIATORS. THE FACT THAT ONE PARTY MAY BE FAMILIAR WITH ONE OR MORE OF THE LISTED MEDIATORS DOES NOT MEAN THAT THE MEDIATOR CANNOT ACT AS A NEUTRAL AND IMPARTIAL FACILITATOR. THE NAMES OF THE MEDIATORS THAT THE AGGRIEVED PARTY HEREBY SUBMITS TO YOU FROM WHOM YOU MAY CHOOSE ONE, AND THEIR CURRENT ADDRESSES, TELEPHONE NUMBERS, AND HOURLY RATES ARE AS FOLLOWS:

(LIST THE NAMES, ADDRESSES, TELEPHONE NUMBERS, AND HOURLY RATES OF THE MEDIATORS. OTHER PERTINENT INFORMATION ABOUT THE BACKGROUND OF THE MEDIATORS MAY BE INCLUDED AS AN ATTACHMENT.)

YOU MAY CONTACT THE OFFICES OF THESE MEDIATORS TO CONFIRM THAT EACH OF THE ABOVE LISTED MEDIATORS WILL BE NEUTRAL AND WILL NOT SHOW ANY FAVORITISM TOWARD EITHER PARTY. UNLESS OTHERWISE AGREED TO BY THE PARTIES, PART IV OF CHAPTER 720, FLORIDA STATUTES, REQUIRES THAT THE PARTIES SHARE THE COSTS OF PRESUIT MEDIATION EQUALLY, INCLUDING THE FEE CHARGED BY THE MEDIATOR. AN AVERAGE MEDIATION MAY REQUIRE 3 TO 4 HOURS OF THE MEDIATOR'S TIME, INCLUDING SOME PREPARATION TIME, AND THE PARTIES WOULD NEED TO EQUALLY SHARE THE MEDIATOR'S FEES AS WELL AS BE RESPONSIBLE FOR ALL OF THEIR OWN ATTORNEY'S FEES IF THEY CHOOSE TO EMPLOY AN ATTORNEY IN CONNECTION WITH THE MEDIATION. HOWEVER, USE OF AN ATTORNEY IS NOT REQUIRED AND IS AT THE OPTION OF EACH PARTY. THE MEDIATORS MAY REQUIRE THE ADVANCE PAYMENT OF SOME OR ALL OF THE ANTICIPATED FEES. THE AGGRIEVED PARTY HEREBY AGREES TO PAY OR PREPAY ONE-HALF OF THE SELECTED MEDIATOR'S ESTIMATED FEES AND TO FORWARD THIS AMOUNT OR SUCH OTHER REASONABLE ADVANCE DEPOSITS AS THE MEDIATOR REQUIRES FOR THIS PURPOSE UPON THE SELECTION OF THE MEDIATOR. ANY FUNDS DEPOSITED WILL BE RETURNED TO YOU IF THESE FUNDS ARE IN EXCESS OF YOUR SHARE OF THE MEDIATOR FEES INCURRED.

TO BEGIN YOUR PARTICIPATION IN PRESUIT MEDIATION TO TRY TO RESOLVE THE DISPUTE WITH YOU AND AVOID FURTHER LEGAL ACTION, PLEASE SIGN BELOW AND CLEARLY INDICATE WHICH MEDIATOR IS ACCEPTABLE TO YOU FROM THE FIVE MEDIATORS LISTED BY THE AGGRIEVED PARTY ABOVE.

YOU MUST RESPOND IN WRITING TO THIS STATUTORY NOTICE OF PRESUIT MEDIATION WITHIN 20 DAYS. IN YOUR RESPONSE YOU MUST PROVIDE A LISTING OF AT LEAST THREE DATES AND TIMES IN WHICH YOU ARE AVAILABLE TO PARTICIPATE IN THE MEDIATION THAT ARE WITHIN 90 DAYS AFTER THE POSTMARKED DATE OF THE MAILING OF THIS NOTICE OF PRESUIT MEDIATION OR WITHIN 90 DAYS AFTER THE DATE YOU WERE SERVED WITH A COPY OF THIS NOTICE. THE AGGRIEVED PARTY WILL THEN ASK THE MEDIATOR TO SCHEDULE A MUTUALLY CONVENIENT TIME AND PLACE FOR THE MEDIATION CONFERENCE TO BE HELD. IF YOU DO NOT PROVIDE A LIST OF AVAILABLE DATES AND TIMES, THE MEDIATOR IS AUTHORIZED TO SCHEDULE A MEDIATION CONFERENCE WITHOUT TAKING YOUR SCHEDULE AND CONVENIENCE INTO CONSIDERATION. IN NO EVENT SHALL THE MEDIATION CONFERENCE BE LATER THAN 90 DAYS AFTER THE NOTICE OF PRESUIT MEDIATION WAS FIRST SERVED UNLESS ALL PARTIES MUTUALLY AGREE OTHERWISE. IN THE EVENT THAT YOU FAIL TO RESPOND WITHIN 20 DAYS AFTER THE DATE OF THIS NOTICE, FAIL TO PROVIDE THE MEDIATOR WITH DATES AND TIMES IN WHICH YOU ARE AVAILABLE FOR THE MEDIATION CONFERENCE, FAIL TO AGREE TO AT LEAST ONE OF THE MEDIATORS THAT THE AGGRIEVED PARTY HAS LISTED, FAIL TO PAY OR PREPAY TO THE MEDIATOR ONE-HALF OF THE COSTS INVOLVED, OR FAIL TO APPEAR AND PARTICIPATE AT THE SCHEDULED MEDIATION, THE AGGRIEVED PARTY WILL BE AUTHORIZED TO PROCEED WITH THE FILING OF A LAWSUIT AGAINST YOU WITHOUT FURTHER NOTICE. IN ANY SUBSEQUENT COURT ACTION, THE AGGRIEVED PARTY MAY SEEK AN AWARD OF REASONABLE ATTORNEY'S FEES AND COSTS INCURRED IN ATTEMPTING TO OBTAIN MEDIATION.

PLEASE GIVE THIS MATTER YOUR IMMEDIATE ATTENTION. BY LAW, YOUR RESPONSE MUST BE MAILED BY CERTIFIED, FIRST-CLASS MAIL, RETURN RECEIPT REQUESTED, TO THE AGGRIEVED PARTY LISTED ABOVE AT THE ADDRESS SHOWN ON THIS NOTICE AND POSTMARKED NO MORE THAN 20 DAYS AFTER THE DATE OF THE POSTMARKED DATE FOR THIS NOTICE OR WITHIN 20 DAYS AFTER THE DATE UPON WHICH YOU WERE SERVED WITH A COPY OF THIS NOTICE.

_____

SIGNATURE OF AGGRIEVED PARTY

_____

PRINTED NAME OF AGGRIEVED PARTY

RESPONDING PARTY: YOUR SIGNATURE BELOW INDICATES YOUR ACCEPTANCE OF THE AGREEMENT TO MEDIATE.

AGREEMENT TO MEDIATE

THE UNDERSIGNED HEREBY AGREES TO PARTICIPATE IN PRESUIT MEDIATION AND AGREES TO ATTEND A MEDIATION CONDUCTED BY THE FOLLOWING MEDIATOR(S) LISTED BELOW AS ACCEPTABLE TO MEDIATE THIS DISPUTE:

(LIST ONE ACCEPTABLE MEDIATOR FROM THOSE LISTED BY THE AGGRIEVED PARTY.)

THE UNDERSIGNED HEREBY REPRESENTS THAT HE OR SHE CAN ATTEND AND PARTICIPATE IN THE PRESUIT MEDIATION AT THE FOLLOWING DATES AND TIMES:

(LIST AT LEAST THREE AVAILABLE DATES AND TIMES WITHIN THE 90-DAY TIME LIMIT DESCRIBED ABOVE.)

I/WE FURTHER AGREE TO PAY OR PREPAY ONE-HALF OF THE MEDIATOR'S FEES AND TO FORWARD SUCH ADVANCE DEPOSITS AS THE MEDIATOR MAY REQUIRE FOR THIS PURPOSE.

_____

SIGNATURE OF RESPONDING PARTY #1

_____

TELEPHONE CONTACT INFORMATION

_____

SIGNATURE AND TELEPHONE CONTACT INFORMATION OF RESPONDING PARTY #2, IF APPLICABLE. IF THE PROPERTY IS OWNED BY MORE THAN ONE PERSON, ALL PARCEL OWNERS OR UNIT OWNERS WHO ARE SUBJECT OF THE DISPUTE MUST SIGN OR HAVE A PERSON ACTING UNDER AUTHORITY OF A POWER OF ATTORNEY SIGN.

(2)(a) Service of the notice of presuit mediation shall be effected either by personal service, as provided in chapter 48, or by certified mail, return receipt requested, in a letter in substantial conformity with the form provided in subsection (1), with an additional copy being sent by regular first-class mail, to the address of the responding party as it last appears on the books and records of the association or if not available, then as it last appears in the official records of the county property appraiser where the parcel in dispute is located. The responding party has either 20 days after the postmarked date of the mailing of the statutory notice or 20 days after the date the responding party is served with a copy of the notice to serve a written response to the aggrieved party. The response shall be served by certified mail, return receipt requested, with an additional copy being sent by regular first-class mail, to the address shown on the statutory notice. The date of the postmark on the envelope for the response shall constitute the date that the response is served. Once the parties have agreed on a mediator, the mediator may schedule or reschedule the mediation for a date and time mutually convenient to the parties within 90 days after the date of service of the statutory notice. After such 90-day period, the mediator may reschedule the mediation only upon the mutual written agreement of all the parties.

(b) The parties shall share the costs of presuit mediation equally, including the fee charged by the mediator, if any, unless the parties agree otherwise, and the mediator may require advance payment of his or her reasonable fees and costs. Each party shall be responsible for their own attorney's fees if a party chooses to be represented by an attorney at the mediation.

(c) The party responding to the aggrieved party may either provide a notice of opting out under s. 720.506, and demand arbitration, or the responding party shall sign the agreement to mediate included in the notice of presuit mediation and clearly indicate the name of the mediator who is acceptable from the five names provided by the aggrieved party, and the responding party must provide in their response a list of dates and times in which the responding party is available to participate in the mediation within 90 days after the date the responding party was served, either by process server or by certified mail, with the statutory notice of presuit mediation.

(d) The mediator who has been selected and agreed to mediate must schedule the mediation conference at a mutually convenient time and place within that 90-day period, but if the responding party does not provide a list of available dates and times, the mediator is authorized to schedule a mediation conference without taking the responding party's schedule and convenience into consideration. Within 10 days after the designation of the mediator, the mediator shall coordinate with the parties and notify the parties in writing of the date, time, and place of the mediation conference.

(e) The mediation conference must be held on the scheduled date and may be rescheduled if a rescheduled date is approved by the mediator. However, in no event shall the mediation be held later than 90 days after the notice of presuit mediation was first served, unless all parties mutually agree in writing otherwise. If the presuit mediation is not completed within the required time limits, the mediator shall declare an impasse unless the mediation date is extended by mutual written agreement by all parties and approved by the mediator.

(f) If the responding party fails to respond within 30 days after the date of service of the statutory notice of presuit mediation, fails to agree to at least one of the mediators listed by the aggrieved party in the notice, fails to pay or prepay to the mediator one-half of the costs of the mediator, or fails to appear and participate at the scheduled mediation, the aggrieved party shall be authorized to proceed with the filing of a lawsuit without further notice.

(g)1. The failure of any party to respond to the statutory notice of presuit mediation within 20 days, the failure to agree upon a mediator, the failure to provide a listing of dates and times in which the responding party is available to participate in the mediation within 90 days after the date the responding party was served with the statutory notice of presuit mediation, the failure to make payment of fees and costs within the time established by the mediator, or the failure to appear for a scheduled mediation session without the approval of the mediator, shall in each instance constitute a failure or refusal to participate in the mediation process and shall operate as an impasse in the presuit mediation by such party, entitling the other party to file a lawsuit in court and to seek an award of the costs and attorney's fees associated with the mediation.

2. Persons who fail or refuse to participate in the entire mediation process may not recover attorney's fees and costs in subsequent litigation relating to the same dispute between the same parties. If any presuit mediation session cannot be scheduled and conducted within 90 days after the offer to participate in mediation was filed, through no fault of either party, then an impasse shall be deemed to have occurred unless the parties mutually agree in writing to extend this deadline. In the event of such impasse, each party will be responsible for its own costs and attorney's fees and one-half of any mediator fees and filing fees, and either party may file a lawsuit in court regarding the dispute.

720.506 Opt-out of presuit mediation.—A party served with a notice of presuit mediation under s. 720.505, may opt out of presuit mediation and demand that the dispute proceed under nonbinding arbitration in the following manner provided in this section:

(1) In lieu of a response to the notice of presuit mediation as required under s. 720.505, the responding party may serve upon the aggrieved party in the same manner as the response to a notice for presuit mediation under s. 720.505, a notice of opting out of mediation and demand that the dispute instead proceed to presuit arbitration under s. 720.507.

(2) The aggrieved party shall be relieved from having to satisfy the requirements of s. 720.504 as a condition precedent to filing the demand for presuit arbitration.

(3) Except as otherwise provided in this part, the choice of which presuit alternative dispute resolution procedure is used shall be at the election of the aggrieved party who first initiated such proceeding after complying with the provisions of s. 720.504.

720.507 Presuit arbitration.—

(1) Disputes between an association and a parcel owner or owners and disputes between parcel owners are subject to a demand for presuit arbitration pursuant to s. 720.507, before the dispute may be filed in court. A party who elects to use the presuit arbitration procedure under this part shall serve on the responding party a written notice of presuit arbitration in substantially the following form:

STATUTORY NOTICE OF PRESUIT ARBITRATION

THE ALLEGED AGGRIEVED PARTY, _____, HEREBYDEMANDS THAT _____, AS THE RESPONDING PARTY, ENGAGE INMANDATORY PRESUIT ARBITRATION IN CONNECTION WITH THE FOLLOWING DISPUTE(S) WITH YOU, WHICH BY STATUTE ARE OF A TYPE THAT ARE SUBJECT TO PRESUIT ARBITRATION:

(LIST SPECIFIC NATURE OF THE DISPUTE OR DISPUTES TO BE ARBITRATED AND THE AUTHORITY SUPPORTING A FINDING OF A VIOLATION AS TO EACH DISPUTE, INCLUDING, BUT NOT LIMITED TO, ALL APPLICABLE PROVISIONS OF THE GOVERNING DOCUMENTS BELIEVED TO APPLY TO THE DISPUTE BETWEEN THE PARTIES.)

PURSUANT TO PART IV OF CHAPTER 720, FLORIDA STATUTES, THIS DEMAND TO RESOLVE THE DISPUTE THROUGH PRESUIT ARBITRATION IS REQUIRED BEFORE A LAWSUIT CAN BE FILED CONCERNING THE DISPUTE. PURSUANT TO FLORIDA STATUTES, THE PARTIES ARE REQUIRED TO ENGAGE IN PRESUIT ARBITRATION WITH A NEUTRAL THIRD-PARTY ARBITRATOR IN ORDER TO ATTEMPT TO RESOLVE THIS DISPUTE WITHOUT COURT ACTION, AND THE AGGRIEVED PARTY DEMANDS THAT YOU PARTICIPATE IN THIS PROCESS. IF YOU FAIL TO PARTICIPATE IN THE ARBITRATION PROCESS, A LAWSUIT MAY BE BROUGHT AGAINST YOU IN COURT WITHOUT FURTHER WARNING.

THE PROCESS OF ARBITRATION INVOLVES A NEUTRAL THIRD PERSON WHO CONSIDERS THE LAW AND FACTS PRESENTED BY THE PARTIES AND RENDERS A WRITTEN DECISION CALLED AN "ARBITRATION AWARD." PURSUANT TO S. 720.507, FLORIDA STATUTES, THE ARBITRATION AWARD SHALL BE FINAL UNLESS A LAWSUIT IS FILED IN A COURT OF COMPETENT JURISDICTION FOR THE JUDICIAL CIRCUIT IN WHICH THE PARCEL(S) GOVERNED BY THE HOMEOWNERS' ASSOCIATION IS/ARE LOCATED WITHIN 30 DAYS AFTER THE DATE THAT THE ARBITRATION AWARD.

IF A SETTLEMENT AGREEMENT IS REACHED BEFORE THE ARBITRATION AWARD, IT SHALL BE REDUCED TO WRITING AND BECOME A BINDING AND ENFORCEABLE CONTRACT OF THE PARTIES. A RESOLUTION OF ONE OR MORE DISPUTES IN THIS FASHION AVOIDS THE NEED TO ARBITRATE THESE ISSUES OR TO LITIGATE THESE ISSUES IN COURT AND SHALL BE THE SAME AS A SETTLEMENT AGREEMENT REACHED BETWEEN THE PARTIES UNDER S. 720.505, FLORIDA STATUTES. THE FAILURE OF A PARTY TO PARTICIPATE IN THE ARBITRATION PROCESS MAY RESULT IN THE ARBITRATOR ISSUING AN ARBITRATION AWARD BY DEFAULT IN THE ARBITRATION. IF YOU HAVE FAILED OR REFUSED TO PARTICIPATE IN THE ENTIRE ARBITRATION PROCESS, YOU WILL NOT BE ENTITLED TO RECOVER ATTORNEY'S FEES, EVEN IF YOU PREVAIL IN A SUBSEQUENT COURT PROCEEDING INVOLVING THE SAME DISPUTE BETWEEN THE SAME PARTIES.

THE AGGRIEVED PARTY HAS SELECTED AT LEAST FIVE ARBITRATORS WHO THE AGGRIEVED PARTY BELIEVES TO BE NEUTRAL AND QUALIFIED TO ARBITRATE THE DISPUTE. YOU HAVE THE RIGHT TO SELECT ANY ONE OF THE ARBITRATORS. THE FACT THAT ONE PARTY MAY BE FAMILIAR WITH ONE OR MORE OF THE LISTED ARBITRATORS DOES NOT MEAN THAT THE ARBITRATOR CANNOT ACT AS A NEUTRAL AND IMPARTIAL ARBITRATOR. ANY ARBITRATOR WHO CANNOT ACT IN THIS CAPACITY IS REQUIRED ETHICALLY TO DECLINE TO ACCEPT ENGAGEMENT. THE NAMES OF THE FIVE ARBITRATORS THAT THE AGGRIEVED PARTY HAS CHOSEN FROM WHICH YOU MAY SELECT ONE, AND THEIR CURRENT ADDRESSES, TELEPHONE NUMBERS, AND HOURLY RATES, ARE AS FOLLOWS:

(LIST THE NAMES, ADDRESSES, TELEPHONE NUMBERS, AND HOURLY RATES OF AT LEAST FIVE ARBITRATORS.

YOU MAY CONTACT THE OFFICES OF THESE ARBITRATORS TO CONFIRM THAT THE LISTED ARBITRATORS WILL BE NEUTRAL AND WILL NOT SHOW ANY FAVORITISM TOWARD EITHER PARTY.

UNLESS OTHERWISE AGREED TO BY THE PARTIES, PART IV OF CHAPTER 720, FLORIDA STATUTES, REQUIRES THAT THE PARTIES SHARE THE COSTS OF PRESUIT ARBITRATION EQUALLY, INCLUDING THE FEE CHARGED BY THE ARBITRATOR. THE PARTIES SHALL BE RESPONSIBLE FOR THEIR OWN ATTORNEY'S FEES IF THEY CHOOSE TO EMPLOY AN ATTORNEY IN CONNECTION WITH THE ARBITRATION. HOWEVER, USE OF AN ATTORNEY TO REPRESENT YOU FOR THE ARBITRATION IS NOT REQUIRED. THE ARBITRATOR SELECTED MAY REQUIRE THE ADVANCE PAYMENT OF SOME OR ALL OF THE ANTICIPATED FEES. THE AGGRIEVED PARTY HEREBY AGREES TO PAY OR PREPAY ONE-HALF OF THE SELECTED ARBITRATOR'S ESTIMATED FEES AND TO FORWARD THIS AMOUNT OR SUCH OTHER REASONABLE ADVANCE DEPOSITS AS THE ARBITRATOR WHO IS SELECTED REQUIRES FOR THIS PURPOSE. ANY FUNDS DEPOSITED WILL BE RETURNED TO YOU IF THESE FUNDS ARE IN EXCESS OF YOUR SHARE OF THE FEES INCURRED.

PLEASE SIGN THE AGREEMENT TO ARBITRATE BELOW AND CLEARLY INDICATE THE NAME OF THE ARBITRATOR WHO IS ACCEPTABLE TO YOU FROM THE NAMES LISTED BY THE AGGRIEVED PARTY.

YOU MUST RESPOND IN WRITING TO THIS STATUTORY NOTICE WITHIN 20 DAYS AFTER THE DATE THAT THE NOTICE OF PRESUIT ARBITRATION WAS EITHER PERSONALLY SERVED ON YOU OR 20 DAYS AFTER THE POSTMARKED DATE THAT THIS NOTICE OF PRESUIT ARBITRATION WAS SENT TO YOU BY CERTIFIED MAIL. YOU MUST ALSO PROVIDE A LIST OF AT LEAST THREE DATES AND TIMES IN WHICH YOU ARE AVAILABLE TO PARTICIPATE IN THE ARBITRATION THAT ARE WITHIN 90 DAYS AFTER EITHER THE DATE YOU WERE PERSONALLY SERVED OR 90 DAYS AFTER THE POSTMARKED DATE OF THE CERTIFIED MAILING OF THIS STATUTORY NOTICE OF PRESUIT ARBITRATION. A COPY OF THIS NOTICE AND YOUR RESPONSE WILL BE PROVIDED BY THE AGGRIEVED PARTY TO THE ARBITRATOR SELECTED AND THE ARBITRATOR WILL SCHEDULE A MUTUALLY CONVENIENT TIME AND PLACE FOR THE ARBITRATION CONFERENCE TO BE HELD. IF YOU DO NOT PROVIDE A LIST OF AVAILABLE DATES AND TIMES, THE ARBITRATOR IS AUTHORIZED TO SCHEDULE AN ARBITRATION CONFERENCE WITHOUT TAKING YOUR SCHEDULE AND CONVENIENCE INTO CONSIDERATION. THE ARBITRATION CONFERENCE MUST BE HELD ON THE SCHEDULED DATE, OR ANY RESCHEUDLED DATE APPROVED BY THE ARBITRATOR. IN NO EVENT SHALL THE ARBITRATION CONFERENCE BE LATER THAN 90 DAYS AFTER NOTICE OF THE PRESUIT ARBITRATION WAS FIRST SERVED, UNLESS ALL PARTIES MUTUALLY AGREE IN WRITING OTHERWISE. IF THE ARBITRATION IS NOT COMPLETED WITHIN THE REQUIRED TIME LIMITS, THE ARBITRATOR SHALL ISSUE AN ARBITRATION AWARD, UNLESS THE HEARING IS EXTENDED BY MUTUAL WRITTEN AGREEMENT OF THE PARTIES AND APPROVED BY THE ARBITRATOR. IN THE EVENT THAT YOU FAIL TO RESPOND WITHIN 20 DAYS AFTER THE DATE YOU WERE SERVED WITH A COPY OF THIS NOTICE, FAIL TO PROVIDE THE ARBITRATOR WITH DATES AND TIMES IN WHICH YOU ARE AVAILABLE FOR THE ARBITRATION CONFERENCE, FAIL TO AGREE EITHER TO ONE OF THE ARBITRATORS THAT THE AGGRIEVED PARTY HAS NAMED, FAIL TO PAY OR PREPAY TO THE ARBITRATOR ONE-HALF OF THE COSTS INVOLVED AS REQUIRED, OR FAIL TO APPEAR AND PARTICIPATE AT THE SCHEDULED ARBITRATION CONFERENCE, THE AGGRIEVED PARTY MAY REQUEST THE ARBITRATOR TO ISSUE AN ARBITRATION AWARD. IN THE SUBSEQUENT COURT ACTION, THE AGGRIEVED PARTY SHALL BE ENTITLED TO RECOVER AN AWARD OF REASONABLE ATTORNEY'S FEES AND COSTS, INCLUDING ANY FEES PAID TO THE ARBITRATOR, INCURRED IN OBTAINING AN ARBITRATION AWARD PURSUANT TO S. 720.507, FLORIDA STATUTES.

PLEASE GIVE THIS MATTER YOUR IMMEDIATE ATTENTION. BY LAW, YOUR RESPONSE MUST BE POSTMARKED AND MAILED BY CERTIFIED, FIRST-CLASS MAIL, RETURN RECEIPT REQUESTED, TO THE ADDRESS SHOWN ON THIS NOTICE OF PRESUIT ARBITRATION.

_____

SIGNATURE OF AGGRIEVED PARTY

_____

PRINTED NAME OF AGGRIEVED PARTY

RESPONDING PARTY: YOUR SIGNATURE BELOW INDICATES

YOUR ACCEPTANCE OF THE AGREEMENT TO ARTITRATE.

AGREEMENT TO ARBITRATE

THE UNDERSIGNED HEREBY AGREES TO PARTICIPATE IN PRESUIT ARBITRATION AND AGREES TO ATTEND AN ARBITRATION CONDUCTED BY THE FOLLOWING ARBITRATOR LISTED BELOW AS SOMEONE WHO WOULD BE ACCEPTABLE TO ARBITRATE THIS DISPUTE:

(IN YOUR RESPONSE EITHER SELECT THE NAME OF ONE ARBITRATOR THAT IS ACCEPTABLE TO YOU FROM THOSE ARBITRATORS LISTED BY THE AGGRIEVED PARTY.)

THE UNDERSIGNED HEREBY REPRESENTS THAT HE OR SHE IS AVAILABLE AND ABLE TO ATTEND AND PARTICIPATE IN THE PRESUIT ARBITRATION CONFERENCE AT THE FOLLOWING DATES AND TIMES:

(LIST ALL AVAILABLE DATES AND TIMES, OF WHICH THERE MUST BE AT LEAST THREE, WITHIN 90 DAYS AFTER THE

DATE ON WHICH YOU WERE SERVED, EITHER BY PROCESS SERVER OR BY CERTIFIED MAIL, WITH THE NOTICE OF PRESUIT ARBITRATION.)

I/WE FURTHER AGREE TO PAY OR PREPAY ONE-HALF OF THE ARBITRATOR'S FEES AND TO FORWARD SUCH ADVANCE DEPOSITS AS THE ARBITRATOR MAY REQUIRE FOR THIS PURPOSE.

_____

SIGNATURE OF RESPONDING PARTY #1

_____

TELEPHONE CONTACT INFORMATION

_____

SIGNATURE AND TELEPHONE CONTACT INFORMATION OF RESPONDING PARTY #2, IF APPLICABLE. IF THE PROPERTY IS OWNED BY MORE THAN ONE PERSON, ALL OWNERS MUST SIGN, OR A PERSON MAY SIGN WHO IS ACTING UNDER AUTHORITY OF A VALID POWER OF ATTORNEY GRANTED BY AN OWNER.

(2)(a) Service of the statutory notice of presuit arbitration shall be effected either by personal service, as provided in chapter 48, or by certified mail, return receipt requested, in a letter in substantial conformity with the form provided in subsection (1), with an additional copy being sent by regular first-class mail, to the address of the responding party as it last appears on the books and records of the association, or if not available, the last address as it appears on the official records of the county property appraiser for the county in which the property is situated that is subject to the association documents. The responding party has 20 days after the postmarked date of the certified mailing of the statutory notice of presuit arbitration or 20 days after the date the responding party is personally served with the statutory notice of presuit arbitration by to serve a written response to the aggrieved party. The response shall be served by certified mail, return receipt requested, with an additional copy being sent by regular first-class mail, to the address shown on the statutory notice of presuit arbitration. The postmarked date on the envelope of the response shall constitute the date the response was served.

(b) The parties shall share the costs of presuit arbitration equally, including the fee charged by the arbitrator, if any, unless the parties agree otherwise, and the arbitrator may require advance payment of his or her reasonable fees and costs. Each party shall be responsible for all of their own attorney's fees if a party chooses to be represented by an attorney for the arbitration proceedings.

(c)1. The party responding to the aggrieved party must sign the agreement to arbitrate included in the notice of presuit arbitration and clearly indicate the name of the arbitrator who is acceptable of those arbitrators listed by the aggrieved party. The responding party must provide a list of at least three dates and times in which the responding party is available to participate in the arbitration conference within 90 days after the date the responding party was served with the statutory notice of presuit arbitration.

2. The arbitrator must schedule the arbitration conference at a mutually convenient time and place, but if the responding party does not provide a list of available dates and times, the arbitrator is authorized to schedule an arbitration conference without taking the responding party's schedule and convenience into consideration. Within 10 days after the designation of the arbitrator, the arbitrator shall notify the parties in writing of the date, time, and place of the arbitration conference.

3. The arbitration conference must be held on the scheduled date and may be rescheduled if approved by the arbitrator. However, in no event shall the arbitration hearing be later than 90 days after the notice of presuit arbitration was first served, unless all parties mutually agree in writing otherwise. If the arbitration hearing is not completed within the required time limits, the arbitrator may issue an arbitration award unless the time for the hearing is extended as provided herein. If the responding party fails to respond within 20 days after the date of statutory notice of presuit arbitration, fails to agree to at least one of the arbitrators that have been listed by the aggrieved party in the presuit notice of arbitration, fails to pay or prepay to the arbitrator one-half of the costs involved, or fails to appear and participate at the scheduled arbitration, the aggrieved party is authorized to proceed with a request that the arbitrator issue an arbitration award.

(d)1. The failure of any party to respond to the statutory notice of presuit arbitration within 20 days, the failure to either select one of the five arbitrators listed by the aggrieved party, the failure to provide a listing of dates and times in which the responding party is available to participate in the arbitration conference within 90 days after the date of the responding party being served with the statutory notice of presuit arbitration, the failure to make payment of fees and costs as required within the time established by the arbitrator, or the failure to appear for an arbitration conference without the approval of the arbitrator, shall entitle the other party to request the arbitrator to enter an arbitration award including an award of the reasonable costs and attorney's fees associated with the arbitration.

2. Persons who fail or refuse to participate in the entire arbitration process may not recover attorney's fees and costs in any subsequent litigation proceeding relating to the same dispute involving the same parties.

(3)(a) In an arbitration proceeding, the arbitrator may not consider any unsuccessful mediation of the dispute.

(b) An arbitrator in a proceeding initiated pursuant to the provisions of this part may shorten the time for discovery or otherwise limit discovery in a manner consistent with the policy goals of this part to reduce the time and expense of litigating homeowners' association disputes initiated pursuant to this chapter and promoting an expeditious alternative dispute resolution procedure for parties to such actions.

(4) At the request of any party to the arbitration, the arbitrator may issue subpoenas for the attendance of witnesses and the production of books, records, documents, and other evidence, and any party on whose behalf a subpoena is issued may apply to the court for orders compelling such attendance and production. Subpoenas shall be served and are enforceable in the manner provided by the Florida Rules of Civil Procedure. Discovery may, at the discretion of the arbitrator, be permitted in the manner provided by the Florida Rules of Civil Procedure.

(5) The final arbitration award shall be sent to the parties in writing no later than 30 days after the date of the arbitration hearing, absent extraordinary circumstances necessitating a later filing the reasons for which shall be stated in the final award if filed more than 30 days after the date of the final session of the arbitration conference. An agreed arbitration award is final in those disputes in which the parties have mutually agreed to be bound. An arbitration award decided by the arbitrator is final unless a lawsuit seeking a trial de novo is filed in a court of competent jurisdiction within 30 days after the date of the arbitration award. The right to file for a trial de novo entitles the parties to file a complaint in the appropriate trial court for a judicial resolution of the dispute. The prevailing party in an arbitration proceeding shall be awarded the costs of the arbitration and reasonable attorney's fees in an amount determined by the arbitrator.

(6) The party filing a motion for a trial de novo shall be assessed the other party's arbitration costs, court costs, and other reasonable costs, including attorney's fees, investigation expenses, and expenses for expert or other testimony or evidence incurred after the arbitration hearing if the judgment upon the trial de novo is not more favorable than the final arbitration award.

720.508 Rules of procedure.—

(1) Presuit mediation and presuit arbitration proceedings under this part must be conducted in accordance with the applicable Florida Rules of Civil Procedure and rules governing mediations and arbitrations under chapter 44, except this part shall be controlling to the extent of any conflict with other applicable rules or statutes. The arbitrator can shorten any applicable time period and otherwise limit the scope of discovery on request of the parties or within the discretion of the arbitrator exercised consistent with the purpose and objective of reducing the expense and expeditiously concluding proceedings under this part.

(2) Presuit mediation proceedings under s. 720.505 are privileged and confidential to the same extent as court-ordered mediation under chapter 44. An arbitrator or judge may not consider any information or evidence arising from the presuit mediation proceeding except in a proceeding to impose sanctions for failure to attend a presuit mediation session or to enforce a mediated settlement agreement.

(3) Persons who are not parties to the dispute may not attend the presuit mediation conference without consent of all parties, with the

exception of counsel for the parties and a corporate representative designated by the association. Presuit mediations under this part are not a board meeting for purposes of notice and participation set forth in this chapter.

(4) Attendance at a mediation conference by the board of directors shall not require notice or participation by nonboard members as otherwise required by this chapter for meetings of the board.

(5) Settlement agreements resulting from a mediation or arbitration proceeding do not have precedential value in proceedings involving parties other than those participating in the mediation or arbitration.

(6) Arbitration awards by an arbitrator shall have precedential value in other proceedings involving the same association or with respect to the same parcel owner.

720.509 Mediators and arbitrators; qualifications and registration.—A person is authorized to conduct mediation or arbitration under this part if he or she has been certified as a circuit court civil mediator pursuant to the requirements adopted pursuant to s. 44.106, is a member in good standing with The Florida Bar, and otherwise meets all other requirements imposed by chapter 44.

720.510 Enforcement of mediation agreement or arbitration award.—

(1) A mediation settlement may be enforced through the county or circuit court, as applicable, and any costs and attorney's fees incurred in the enforcement of a settlement agreement reached at mediation shall be awarded to the prevailing party in any enforcement action.

(2) Any party to an arbitration proceeding may enforce an arbitration award by filing a petition in a court of competent jurisdiction in which the homeowners' association is located. The prevailing party in such proceeding shall be awarded reasonable attorney's fees and costs incurred in such proceeding.

(3) If a complaint is filed seeking a trial de novo, the arbitration award shall be stayed and a petition to enforce the award may not be granted. Such award, however, shall be admissible in the court proceeding seeking a trial de novo.

Section 12. This act shall take effect July 1, 2008.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to residential properties; amending s. 514.011, F.S.; defining the term "homeowners' association"; amending s. 514.0115, F.S.; providing for the regulation and exemption from regulation for homeowners' association swimming pools; amending s. 515.25, F.S.; conforming a cross-reference; amending s. 720.303, F.S.; revising provisions relating to homeowners' association board meetings, inspection and copying of records, and reserve accounts of budgets; prohibiting a salary or compensation for certain association personnel; providing exceptions; amending s. 720.305, F.S.; authorizing fines assessed against members which exceed a certain amount to become a lien against a parcel; amending s. 720.306, F.S.; providing requirements for secret ballots; requiring newly elected members of a board of directors to make certain certifications in writing to the association; providing for disqualification for failure to make such certifications; requiring an association to retain certifications for a specified time; amending s. 720.401, F.S.; requiring that the disclosure summary to prospective parcel owners include additional provisions; amending s. 34.01, F.S.; correcting a cross-reference to conform; amending s. 720.302, F.S.; correcting a cross-reference to conform; establishing legislative intent; repealing s. 720.311, F.S., relating to a procedure for dispute resolution in homeowners' associations; providing that dispute resolution cases pending on the date of repeal will continue under the repealed provisions; creating part IV of ch. 720, F.S.; creating s. 720.501, F.S.; providing a short title; creating s. 720.502, F.S.; creating legislative findings; creating s. 720.503, F.S.; setting applicability of provisions for mediation and arbitration applicable to disputes in homeowners' associations; creating exceptions; proving applicability; tolling applicable statutes of limitations; creating s. 720.504, F.S; requiring that the notice of dispute be delivered before referral to mediation; creating s. 720.505, F.S.; creating a statutory notice form for referral to mediation; requiring delivery by certified mail or personal delivery; setting deadlines; requiring parties to share costs; requiring the selection of a mediator and times to meet; providing penalties for failure to mediate; creating s. 720.506, F.S.; creating an opt-out provision; creating s. 720.507, F.S.; creating a statutory notice form for referral to arbitration; requiring delivery by certified mail or personal delivery; setting deadlines; requiring parties to share costs; requiring the selection of an arbitrator and times to meet; providing penalties for failure to arbitrate; creating s. 720.508, F.S.; providing for rules of procedure; providing for confidentiality; creating s. 720.509, F.S.; setting qualifications for mediators and arbitrators; creating s. 720.510, F.S.; providing for enforcement of mediation agreements and arbitration awards; providing an effective date.

Senator Posey moved the following amendments to **Amendment 1** which were adopted:

Amendment 1A (317014)(with directory amendment)—And the directory clauses are amended as follows:

On lines 463, 470, 493, and 494, after the period (.) insert:

Effective July 1, 2009,

Amendment 1B (281852)(with title amendment)—Between lines 77 and 78 and insert:

Section 4. Paragraph (d) of subsection (2) of section 718.112, Florida Statutes, is amended to read:

718.112 Bylaws.—

(2) REQUIRED PROVISIONS.—The bylaws shall provide for the following and, if they do not do so, shall be deemed to include the following:

(d) Unit owner meetings.—

1. There shall be an annual meeting of the unit owners *held at the location provided in the association bylaws and, if the bylaws are silent as to the location, the meeting shall be held within 45 miles of the condominium property. However, such distance requirement does not apply to an association governing a timeshare condominium*. Unless the bylaws provide otherwise, a vacancy on the board caused by the expiration of a director's term shall be filled by electing a new board member, and the election shall be by secret ballot; however, if the number of vacancies equals or exceeds the number of candidates, no election is required. ~~If there is no provision in the bylaws for terms of the members of the board,~~ The terms of all members of the board shall expire ~~upon the election of their successors~~ at the annual meeting *and such board members may stand for reelection unless otherwise permitted by the bylaws. In the event that the bylaws permit staggered terms of no more than 2 years and upon approval of a majority of the total voting interests, the association board members may serve 2-year staggered terms. If no person is interested in or demonstrates an intention to run for the position of a board member whose term has expired according to the provisions of this subparagraph, such board member whose term has expired shall be automatically reappointed to the board of administration and need not stand for reelection. In a condominium association of more than 10 units, coowners of a unit may not serve as members of the board of directors at the same time*. Any unit owner desiring to be a candidate for board membership shall comply with subparagraph 3. A person who has been *suspended or removed by the division under this chapter, or who is delinquent in the payment of any fee or assessment as provided in paragraph (n), is not eligible for board membership. A person who has been* convicted of any felony *in this state or* ~~by any court of record~~ in *a* ~~the~~ United States *District or Territorial Court, or who has been convicted of any offense in another jurisdiction that would be considered a felony if committed in this state,* ~~and who has not had his or her right to vote restored pursuant to law in the jurisdiction of his or her residence~~ is not eligible for board membership *unless such felon's civil rights have been restored for a period of no less than 5 years as of the date on which such person seeks election to the board*. The validity of an action by the board is not affected if it is later determined that a member of the board is ineligible for board membership due to having been convicted of a felony.

2. The bylaws shall provide the method of calling meetings of unit owners, including annual meetings. Written notice, which notice must include an agenda, shall be mailed, hand delivered, or electronically transmitted to each unit owner at least 14 days prior to the annual meeting and shall be posted in a conspicuous place on the condominium

property at least 14 continuous days preceding the annual meeting. Upon notice to the unit owners, the board shall by duly adopted rule designate a specific location on the condominium property or association property upon which all notices of unit owner meetings shall be posted; however, if there is no condominium property or association property upon which notices can be posted, this requirement does not apply. In lieu of or in addition to the physical posting of notice of any meeting of the unit owners on the condominium property, the association may, by reasonable rule, adopt a procedure for conspicuously posting and repeatedly broadcasting the notice and the agenda on a closed-circuit cable television system serving the condominium association. However, if broadcast notice is used in lieu of a notice posted physically on the condominium property, the notice and agenda must be broadcast at least four times every broadcast hour of each day that a posted notice is otherwise required under this section. When broadcast notice is provided, the notice and agenda must be broadcast in a manner and for a sufficient continuous length of time so as to allow an average reader to observe the notice and read and comprehend the entire content of the notice and the agenda. Unless a unit owner waives in writing the right to receive notice of the annual meeting, such notice shall be hand delivered, mailed, or electronically transmitted to each unit owner. Notice for meetings and notice for all other purposes shall be mailed to each unit owner at the address last furnished to the association by the unit owner, or hand delivered to each unit owner. However, if a unit is owned by more than one person, the association shall provide notice, for meetings and all other purposes, to that one address which the developer initially identifies for that purpose and thereafter as one or more of the owners of the unit shall so advise the association in writing, or if no address is given or the owners of the unit do not agree, to the address provided on the deed of record. An officer of the association, or the manager or other person providing notice of the association meeting, shall provide an affidavit or United States Postal Service certificate of mailing, to be included in the official records of the association affirming that the notice was mailed or hand delivered, in accordance with this provision.

3. The members of the board shall be elected by written ballot or voting machine. Proxies shall in no event be used in electing the board, either in general elections or elections to fill vacancies caused by recall, resignation, or otherwise, unless otherwise provided in this chapter. Not less than 60 days before a scheduled election, the association shall mail, deliver, or electronically transmit, whether by separate association mailing or included in another association mailing, delivery, or transmission, including regularly published newsletters, to each unit owner entitled to a vote, a first notice of the date of the election. Any unit owner or other eligible person desiring to be a candidate for the board must give written notice to the association not less than 40 days before a scheduled election. Together with the written notice and agenda as set forth in subparagraph 2., the association shall mail, deliver, or electronically transmit a second notice of the election to all unit owners entitled to vote therein, together with a ballot which shall list all candidates. Upon request of a candidate, the association shall include an information sheet, no larger than 8 ½ inches by 11 inches, which must be furnished by the candidate not less than 35 days before the election, to be included with the mailing, delivery, or transmission of the ballot, with the costs of mailing, delivery, or electronic transmission and copying to be borne by the association. The association is not liable for the contents of the information sheets prepared by the candidates. In order to reduce costs, the association may print or duplicate the information sheets on both sides of the paper. The division shall by rule establish voting procedures consistent with the provisions contained herein, including rules establishing procedures for giving notice by electronic transmission and rules providing for the secrecy of ballots. Elections shall be decided by a plurality of those ballots cast. There shall be no quorum requirement; however, at least 20 percent of the eligible voters must cast a ballot in order to have a valid election of members of the board. No unit owner shall permit any other person to vote his or her ballot, and any such ballots improperly cast shall be deemed invalid, provided any unit owner who violates this provision may be fined by the association in accordance with s. 718.303. A unit owner who needs assistance in casting the ballot for the reasons stated in s. 101.051 may obtain assistance in casting the ballot. The regular election shall occur on the date of the annual meeting. The provisions of this subparagraph shall not apply to timeshare condominium associations. Notwithstanding the provisions of this subparagraph, an election is not required unless more candidates file notices of intent to run or are nominated than board vacancies exist.

4. Any approval by unit owners called for by this chapter or the applicable declaration or bylaws, including, but not limited to, the approval requirement in s. 718.111(8), shall be made at a duly noticed meeting of unit owners and shall be subject to all requirements of this chapter or the applicable condominium documents relating to unit owner decisionmaking, except that unit owners may take action by written agreement, without meetings, on matters for which action by written agreement without meetings is expressly allowed by the applicable bylaws or declaration or any statute that provides for such action.

5. Unit owners may waive notice of specific meetings if allowed by the applicable bylaws or declaration or any statute. If authorized by the bylaws, notice of meetings of the board of administration, unit owner meetings, except unit owner meetings called to recall board members under paragraph (j), and committee meetings may be given by electronic transmission to unit owners who consent to receive notice by electronic transmission.

6. Unit owners shall have the right to participate in meetings of unit owners with reference to all designated agenda items. However, the association may adopt reasonable rules governing the frequency, duration, and manner of unit owner participation.

7. Any unit owner may tape record or videotape a meeting of the unit owners subject to reasonable rules adopted by the division.

8. Unless otherwise provided in the bylaws, any vacancy occurring on the board before the expiration of a term may be filled by the affirmative vote of the majority of the remaining directors, even if the remaining directors constitute less than a quorum, or by the sole remaining director. In the alternative, a board may hold an election to fill the vacancy, in which case the election procedures must conform to the requirements of subparagraph 3. unless the association *governs 10 units or less and* has opted out of the statutory election process, in which case the bylaws of the association control. Unless otherwise provided in the bylaws, a board member appointed or elected under this section shall fill the vacancy for the unexpired term of the seat being filled. Filling vacancies created by recall is governed by paragraph (j) and rules adopted by the division.

9. Within 30 days after being elected to the board of directors, a new director shall certify in writing to the secretary of the association that he or she has read the association's declarations of covenants and restrictions, articles of incorporation, bylaws, and current written policies, he or she will work to uphold such documents and policies to the best of his or her ability, and he or she will faithfully discharge his or her fiduciary responsibility to the association's members. Failure to timely file the statement automatically disqualifies the director from service on the association's board of directors. The secretary shall cause the association to retain a director's certification for inspection by the members for 5 years after a director's election. Failure to have such certification on file does not affect the validity of any appropriate action.

Notwithstanding subparagraphs (b)2. and (d)3., an association *of 10 or fewer units* may, by the affirmative vote of a majority of the total voting interests, provide for different voting and election procedures in its bylaws, which vote may be by a proxy specifically delineating the different voting and election procedures. The different voting and election procedures may provide for elections to be conducted by limited or general proxy.

And the title is amended as follows:

On line 1305, after the second semicolon (;) insert: amending s. 718.112, F.S.; providing requirements for the location of annual unit owner meetings; revising terms of service for board members; prohibiting certain persons from serving on the board; requiring the association to provide a certification form to unit owners for specified purposes; authorizing an association consisting of a specified maximum number of units to provide for different voting and election procedures in its bylaws by affirmative vote of a majority of the association's voting interests; revising requirements related to the annual budget; requiring proxy questions relating to reserves to contain a specified statement; providing for the removal of board members under certain circumstances; requiring that directors who are delinquent in certain payments owed in excess of certain periods of time be suspended from office or deemed to have abandoned their offices; requiring that directors charged with certain offenses involving an association's funds or property be suspended from office pending resolution of the charge; providing for the reinstatement of such officers or directors under certain circumstances; requiring each newly elected director to certify to the secretary of the association that

he or she has read the association's declarations of covenants and restrictions, articles of incorporation, bylaws, and current written policies and will work to uphold such documents and policies to the best of his or her ability; providing that a failure to timely file the statement automatically disqualifies the director from service on the association's board of directors; requiring the secretary of the association to retain a director's certification for inspection by the members for a specified period of years after a director's election;

Amendment 1C (195742)(with title amendment)—Between line(s) 1292 and 1293 insert:

Section 12. *(1) Notwithstanding any other provisions of law, any three or more condominium associations may form a self-insurance fund for the purposes of pooling and spreading the liabilities of its participant associations arising from the deductible provisions of the commercial lines residential property insurance policies of the participants applicable to hurricane losses, if:*

(a) Such fund is a not-for-profit corporation pursuant to chapter 617, Florida Statutes.

(b) The fund is implemented through contracts among the participating associations, or through contracts between the participating associations and another legal entity established for and limited to establishing and implementing the program.

(c) The liability of the fund for claims is limited to funds available for the payment of claims.

(d) The contract provided to a participating association clearly discloses the obligations of the participants in the fund and the obligations of the fund, including the limited liability of the fund as defined in paragraph (c). The contract must specify a reasonable date for the payment of claims which provides the fund with adequate time to verify and account for all claims for a given year so that claims payments can be properly calculated after consideration of the funds available. Before execution of the contract, the association or its representative must be provided a separate disclosure form specifying the limited liability of the fund and all administrative fees and estimated expenses, and provide examples of the manner in which available funds will be allocated among claimants if claims exceed the funds available for the payment thereof. Such disclosure must be signed by a representative of the participating association before or at the time of execution of the contract.

(e) The contributions charged for participating in the fund are established by the fund and calculated as a percentage of the participant's hurricane deductible dollar amount. The fund may determine the method and timing of payment of contributions.

(f) All members of the governing board of the fund must be participating associations in the fund and the governing body shall have all powers necessary to establish and administer the fund as authorized by the participants in the fund. All decisions of the fund shall be based upon a vote of the majority of the board. The board may contract with individual professionals to administer the fund.

(g) The fund uses and contracts with knowledgeable persons or business entities to administer and service the fund, including marketing, policy, contract administration, claims administration, accounting services, and legal services.

(h) The fund uses a properly licensed general lines insurance agent who is a Florida resident for solicitation of participation in the fund and does not prevent, impede, or restrict any applicant or participant in the fund from maintaining or selecting an agent of choice. The fund may not favor one or more agents over another agent. The organizational documents, the contract and notices of disclosure must be filed with the Office of Insurance Regulation not less than 45 days prior to solicitation by the fund.

(i) The fund is audited by an independent auditor no less frequently than every 2 years.

(2) The fund may accumulate funds or periodically distribute excess funds to its participants on a pro rata basis, reflecting loss experience of individual participants and proportionate contributions paid by participants.

(3) Participants in the fund must have a deductible no greater than as provided in s. 627.701(8), Florida Statutes. Self-insurance funds or pools established pursuant to this section are not subject to licensure requirements or regulation pursuant to the Florida Insurance Code except for part IX of chapter 626, Florida Statutes, which may be enforced by the Office of Insurance Regulation or the Department of Financial Services, as applicable, and are not subject to any fees, taxes, or assessments related to the writing or transaction of insurance in this state.

And the title is amended as follows:

On line(s) 1354, after the semicolon (;) insert: providing that any three or more condominium associations may form a self-insurance fund for certain purposes under certain conditions; requiring that the contract for participating in the fund disclose certain information and contain certain provisions; requiring that a disclosure be provided to an association before execution of such contract; requiring that such disclosure contain certain information; providing for the charging of contributions for participation in the fund; requiring that the majority of the governing board of the fund be participants in the fund; providing powers of the governing board; authorizing the fund to enter into certain contracts; requiring that the fund use a general lines agent meeting certain criteria when soliciting participation in the fund; prohibiting the fund from taking certain actions when selecting such agent; requiring that the fund be independently audited at specified intervals; authorizing the fund to accumulate funds or distribute excess funds to participants on a pro rata basis; providing for a deductible for participants in the fund; exempting such self-insurance funds from certain requirements, regulations, fees, taxes, and assessments;

Amendment 1D (118292)—Delete line(s) 1293 and insert:

Section 12. Except as otherwise expressly provided in this act, this act shall take effect July 1, 2008.

Amendment 1 as amended was adopted.

On motion by Senator Posey, by two-thirds vote **CS for CS for HB 679** as amended was read the third time by title, passed and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Fasano	Oelrich
Alexander	Gaetz	Peaden
Aronberg	Garcia	Posey
Atwater	Geller	Rich
Baker	Haridopolos	Ring
Bennett	Hill	Saunders
Bullard	Jones	Siplin
Carlton	Joyner	Storms
Constantine	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise
Dockery	Margolis	

Nays—None

Vote after roll call:

Yea—Crist

By direction of the President, the rules were waived and the Senate reverted to—

BILLS ON THIRD READING, continued

CS for CS for SB 1430—A bill to be entitled An act relating to public safety; amending s. 775.21, F.S.; revising provisions relating to reimbursement of specified costs by sexual predators; revising provisions relating to the residence of sexual predators; providing criminal penalties; creating s. 775.215, F.S.; specifying residency distance limitations for persons convicted of certain sexual offenses; preempting certain local ordinances and providing for repeal of such ordinances; amending s. 775.24, F.S.; revising provisions relating to the duty of the court to uphold certain laws; amending s. 794.065, F.S.; providing additional

residency restrictions for certain offenders; providing penalties; creating s. 794.0701, F.S.; providing for enhanced penalties for loitering or prowling by persons convicted of certain sex offenses; providing definitions; amending s. 947.1405, F.S.; providing additional conditional release restrictions for certain offenders; providing an exemption; amending s. 948.06, F.S.; revising provisions relating to probation or community control for sexual predators and sexual offenders; amending s. 948.30, F.S.; revising provisions relating to terms and conditions of probation or community control for certain sex offenses; providing additional restrictions for certain probationers or community controllees who committed sexual offenses against a minor younger than 16 years of age; providing an effective date.

—as amended April 29 was read the third time by title.

MOTION

On motion by Senator Aronberg, the rules were waived to allow the following amendment to be considered:

Senator Aronberg moved the following amendment which was adopted by two-thirds vote:

Amendment 1 (676634)(with title amendment)—Delete everything after the enacting clause and insert:

Section 1. Paragraph (b) of subsection (3) and paragraph (b) of subsection (10) of section 775.21, Florida Statutes, are amended to read:

775.21 The Florida Sexual Predators Act.—

(3) LEGISLATIVE FINDINGS AND PURPOSE; LEGISLATIVE INTENT.—

(b) The high level of threat that a sexual predator presents to the public safety, and the long-term effects suffered by victims of sex offenses, provide the state with sufficient justification to implement a strategy that includes:

1. Incarcerating sexual predators and maintaining adequate facilities to ensure that decisions to release sexual predators into the community are not made on the basis of inadequate space.

2. Providing for specialized supervision of sexual predators who are in the community by specially trained probation officers with low caseloads, as described in ss. 947.1405(7) and 948.30. The sexual predator is subject to specified terms and conditions implemented at sentencing or at the time of release from incarceration, with a requirement that *only* those *sexual predators found to be indigent may defer payment pursuant to s. 28.246 of all or part of the costs in accordance with the provisions of that section* ~~who are financially able must pay all or part of the costs of supervision~~.

3. Requiring the registration of sexual predators, with a requirement that complete and accurate information be maintained and accessible for use by law enforcement authorities, communities, and the public.

4. Providing for community and public notification concerning the presence of sexual predators.

5. Prohibiting sexual predators from working with children, either for compensation or as a volunteer.

(10) PENALTIES.—

(b) A sexual predator who has been convicted of or found to have committed, or has pled nolo contendere or guilty to, regardless of adjudication, any violation, or attempted violation, of s. 787.01, s. 787.02, or s. 787.025(2)(c), where the victim is a minor and the defendant is not the victim's parent or guardian; *s. 794.011(2), (3), (4), (5), or (8)* ~~s. 794.011, excluding s. 794.011(10)~~; s. 794.05; s. 796.03; s. 796.035; s. 800.04; s. 827.071; s. 847.0133; s. 847.0145; or s. 985.701(1); or a violation of a similar law of another jurisdiction when the victim of the offense was a minor, and who works, whether for compensation or as a volunteer, at any business *where children regularly congregate*, school, *child care facility* ~~day care center~~, park *as defined in s. 794.0701*, playground, or other place where children regularly congregate, commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

Section 2. Section 775.215, Florida Statutes, is created to read:

775.215 Residency distance limitations for persons convicted of certain sexual offenses; certain local ordinances preempted and repealed.—The adoption of residency distance limitations for persons convicted of sexual offenses, including, but not limited to, violations of s. 787.01, s. 787.02, s. 794.011, s. 800.04, s. 827.071, or s. 847.0145, regardless of whether adjudication has been withheld, is expressly preempted to the state. The provisions of ss. 794.065, 947.1405, and 948.30 establishing such distance limitations supersede the distance limitations included in any such municipal or county ordinances. Any such residency distance limitations adopted by a county or municipality prior to July 1, 2009, are hereby repealed and abolished as of July 1, 2009. However, after July 1, 2009, the governing body of a county or municipality, may, upon the written recommendation of the chief law enforcement officer of such county or municipality and upon a finding of public necessity by said governing body, adopt by a 2/3 vote an ordinance that increases the distance limitations contained in s. 794.065 up to a maximum distance of 2,000 feet. Any person who is subject to the residency distance limitations in s. 794.065, s. 947.1405, or s. 948.30 who changes his or her place of residence after July 1, 2009, is subject to the residency distance limitations adopted pursuant to such county or municipal ordinance.

Section 3. Subsection (2) of section 775.24, Florida Statutes, is amended to read:

775.24 Duty of the court to uphold laws governing sexual predators and sexual offenders.—

(2) If a person meets the criteria in this chapter for designation as a sexual predator or meets the criteria in s. 943.0435, s. 944.606, s. 944.607, or any other law for classification as a sexual offender, the court may not enter an order, for the purpose of approving a plea agreement or for any other reason, which:

(a) Exempts a person who meets the criteria for designation as a sexual predator or classification as a sexual offender from such designation or classification, or exempts such person from the requirements for registration or community and public notification imposed upon sexual predators and sexual offenders*, exempts such person from the residency distance limitations contained in ss. 794.065, 947.1405, and 948.30, or exempts such person from the provisions of s. 794.0701*;

(b) Restricts the compiling, reporting, or release of public records information that relates to sexual predators or sexual offenders; or

(c) Prevents any person or entity from performing its duties or operating within its statutorily conferred authority as such duty or authority relates to sexual predators or sexual offenders.

Section 4. Section 794.065, Florida Statutes, is amended to read:

794.065 Unlawful place of residence for persons convicted of certain sex offenses.—

(1)*(a)1.* It is unlawful for any person who has been convicted of a violation of s. 794.011, s. 800.04, s. 827.071, or s. 847.0145, regardless of whether adjudication has been withheld, in which the victim of the offense was less than 16 years of age, to reside within 1,000 feet of any school, *child care facility* ~~day care center~~, park *as defined in s. 794.0701*, or playground.

2. A person who violates this *subsection* ~~section~~ and whose conviction *for an offense listed in subparagraph 1.* ~~under s. 794.011, s. 800.04, s. 827.071, or s. 847.0145~~ was classified as*:*

a. A felony of the first degree or higher commits a felony of the third degree, punishable as provided in s. 775.082 or s. 775.083. ~~A person who violates this section and whose conviction under s. 794.011, s. 800.04, s. 827.071, or s. 847.0145 was classified as~~

b. A felony of the second or third degree commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(2) This section applies to any person convicted of *an offense listed in subparagraph (1)(a)1. if the offense occurred* ~~a violation of s. 794.011, s. 800.04, s. 827.071, or s. 847.0145 for offenses that occur~~ on or after October 1, 2004.

(3) The distances in this section shall be measured in a straight line from the offender's place of residence to the nearest boundary line of the school, child care facility, park as defined in s. 794.0701, or playground.

Section 5. Section 794.0701, Florida Statutes, is created to read:

794.0701 Loitering or prowling by persons convicted of certain sex offenses.—

(1) Any person who:

(a) Has been convicted of a violation of s. 787.01, s. 787.02, s. 794.011, s. 800.04, s. 827.071, or s. 847.0145, regardless of whether adjudication has been withheld, in which the victim of the offense was younger than 16 years of age; and

(b) Loiters or prowls as proscribed in s. 856.021 within 300 feet of a place where children regularly congregate, including a school, designated public school bus stop, child care facility, playground, or park as defined in s. 794.0701,

commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(2) "Child care facility" has the same meaning as provided in s. 402.302.

(3) "Park" means and includes all public and private property specifically designated as being used for park and recreational purposes and where children regularly congregate.

(4) "School" has the same meaning as provided in s. 1003.01 and includes a "private school" as defined in s. 1002.01, a "voluntary prekindergarten education program" as described in s. 1002.53(3), a "public school" as described in s. 402.3025(1), the Florida School for the Deaf and the Blind, the Florida Virtual School as established in s. 1002.37, and a K-8 Virtual School as established in s. 1002.415, excluding facilities dedicated exclusively to the education of adults.

Section 6. Subsection (2) and subsection (7) of section 947.1405, Florida Statutes, are amended to read:

947.1405 Conditional release program.—

(2)*(a)* Any inmate who:

1.~~(a)~~ Is convicted of a crime committed on or after October 1, 1988, and before January 1, 1994, ~~and any inmate who~~ is convicted of a crime committed on or after January 1, 1994, which crime is or was contained in category 1, category 2, category 3, or category 4 of Rule 3.701 and Rule 3.988, Florida Rules of Criminal Procedure (1993), and who has served at least one prior felony commitment at a state or federal correctional institution;

2.~~(b)~~ Is sentenced as a habitual or violent habitual offender or a violent career criminal pursuant to s. 775.084; or

3.~~(c)~~ Is found to be a sexual predator under s. 775.21 or former s. 775.23,

shall, upon reaching the tentative release date or provisional release date, whichever is earlier, as established by the Department of Corrections, be released under supervision subject to specified terms and conditions, including payment of the cost of supervision pursuant to s. 948.09. Such supervision shall be applicable to all sentences within the overall term of sentences if an inmate's overall term of sentences includes one or more sentences that are eligible for conditional release supervision as provided herein.

(b) Effective July 1, 1994, and applicable for offenses committed on or after that date, the commission may require, as a condition of conditional release, that the releasee make payment of the debt due and owing to a county or municipal detention facility under s. 951.032 for medical care, treatment, hospitalization, or transportation received by the releasee while in that detention facility. The commission, in determining whether to order such repayment and the amount of such repayment, shall consider the amount of the debt, whether there was any fault of the institution for the medical expenses incurred, the financial resources of the releasee, the present and potential future financial needs and earning ability of the releasee, and dependents, and other appropriate factors.

(c) If any inmate placed on conditional release supervision is also subject to probation or community control, resulting from a probationary or community control split sentence within the overall term of sentences, the Department of Corrections shall supervise such person according to the conditions imposed by the court and the commission shall defer to such supervision. If the court revokes probation or community control and resentences the offender to a term of incarceration, such revocation also constitutes a sufficient basis for the revocation of the conditional release supervision on any nonprobationary or noncommunity control sentence without further hearing by the commission. If any such supervision on any nonprobationary or noncommunity control sentence is revoked, such revocation may result in a forfeiture of all gain-time, and the commission may revoke the resulting deferred conditional release supervision or take other action it considers appropriate. If the term of conditional release supervision exceeds that of the probation or community control, then, upon expiration of the probation or community control, authority for the supervision shall revert to the commission and the supervision shall be subject to the conditions imposed by the commission.

(d) A panel of no fewer than two commissioners shall establish the terms and conditions of any such release. If the offense was a controlled substance violation, the conditions shall include a requirement that the offender submit to random substance abuse testing intermittently throughout the term of conditional release supervision, upon the direction of the correctional probation officer as defined in s. 943.10(3). The commission shall also determine whether the terms and conditions of such release have been violated and whether such violation warrants revocation of the conditional release.

(7)(a) Any inmate who is convicted of a crime committed on or after October 1, 1995, or who has been previously convicted of a crime committed on or after October 1, 1995, in violation of chapter 794, s. 800.04, s. 827.071, or s. 847.0145, and is subject to conditional release supervision, shall have, in addition to any other conditions imposed, the following special conditions imposed by the commission:

1. A mandatory curfew from 10 p.m. to 6 a.m. The commission may designate another 8-hour period if the offender's employment precludes the above specified time, and such alternative is recommended by the Department of Corrections. If the commission determines that imposing a curfew would endanger the victim, the commission may consider alternative sanctions.

2.*a.* If the victim was under the age of 18, a prohibition on living within 1,000 feet of a school, *child care facility* ~~day care center~~, park *as defined in s. 794.0701*, playground, designated public school bus stop, or other place where children regularly congregate. A releasee who is subject to this subparagraph may not relocate to a residence that is within 1,000 feet of a public school bus stop.

b. Beginning October 1, 2004, the commission or the department may not approve a residence that is located within 1,000 feet of a school, *child care facility* ~~day care center~~, park *as defined in s. 794.0701*, playground, designated school bus stop, or other place where children regularly congregate for any releasee who is subject to this subparagraph. On October 1, 2004, the department shall notify each affected school district of the location of the residence of a releasee 30 days prior to release and thereafter, if the releasee relocates to a new residence, shall notify any affected school district of the residence of the releasee within 30 days after relocation. If, on October 1, 2004, any public school bus stop is located within 1,000 feet of the existing residence of such releasee, the district school board shall relocate that school bus stop. Beginning October 1, 2004, a district school board may not establish or relocate a public school bus stop within 1,000 feet of the residence of a releasee who is subject to this subparagraph. The failure of the district school board to comply with this subparagraph shall not result in a violation of conditional release supervision.

3. Active participation in and successful completion of a sex offender treatment program with qualified practitioners specifically trained to treat sex offenders, at the releasee's own expense. If a qualified practitioner is not available within a 50-mile radius of the releasee's residence, the offender shall participate in other appropriate therapy.

4. A prohibition on any contact with the victim, directly or indirectly, including through a third person, unless approved by the victim, the offender's therapist, and the sentencing court.

5. If the victim was under the age of 18, a prohibition against contact with children under the age of 18 without review and approval by the commission. The commission may approve supervised contact with a child under the age of 18 if the approval is based upon a recommendation for contact issued by a qualified practitioner who is basing the recommendation on a risk assessment. Further, the sex offender must be currently enrolled in or have successfully completed a sex offender therapy program. The commission may not grant supervised contact with a child if the contact is not recommended by a qualified practitioner and may deny supervised contact with a child at any time. When considering whether to approve supervised contact with a child, the commission must review and consider the following:

a. A risk assessment completed by a qualified practitioner. The qualified practitioner must prepare a written report that must include the findings of the assessment and address each of the following components:

(I) The sex offender's current legal status;

(II) The sex offender's history of adult charges with apparent sexual motivation;

(III) The sex offender's history of adult charges without apparent sexual motivation;

(IV) The sex offender's history of juvenile charges, whenever available;

(V) The sex offender's offender treatment history, including a consultation from the sex offender's treating, or most recent treating, therapist;

(VI) The sex offender's current mental status;

(VII) The sex offender's mental health and substance abuse history as provided by the Department of Corrections;

(VIII) The sex offender's personal, social, educational, and work history;

(IX) The results of current psychological testing of the sex offender if determined necessary by the qualified practitioner;

(X) A description of the proposed contact, including the location, frequency, duration, and supervisory arrangement;

(XI) The child's preference and relative comfort level with the proposed contact, when age-appropriate;

(XII) The parent's or legal guardian's preference regarding the proposed contact; and

(XIII) The qualified practitioner's opinion, along with the basis for that opinion, as to whether the proposed contact would likely pose significant risk of emotional or physical harm to the child.

The written report of the assessment must be given to the commission.

b. A recommendation made as a part of the risk-assessment report as to whether supervised contact with the child should be approved;

c. A written consent signed by the child's parent or legal guardian, if the parent or legal guardian is not the sex offender, agreeing to the sex offender having supervised contact with the child after receiving full disclosure of the sex offender's present legal status, past criminal history, and the results of the risk assessment. The commission may not approve contact with the child if the parent or legal guardian refuses to give written consent for supervised contact;

d. A safety plan prepared by the qualified practitioner, who provides treatment to the offender, in collaboration with the sex offender, the child's parent or legal guardian, and the child, when age appropriate, which details the acceptable conditions of contact between the sex offender and the child. The safety plan must be reviewed and approved by the Department of Corrections before being submitted to the commission; and

e. Evidence that the child's parent or legal guardian, if the parent or legal guardian is not the sex offender, understands the need for and agrees to the safety plan and has agreed to provide, or to designate another adult to provide, constant supervision any time the child is in contact with the offender.

The commission may not appoint a person to conduct a risk assessment and may not accept a risk assessment from a person who has not demonstrated to the commission that he or she has met the requirements of a qualified practitioner as defined in this section.

6. If the victim was under age 18, a prohibition on working for pay or as a volunteer at any school, *child care facility* ~~day care center~~, park *as defined in s. 794.0701*, playground, or other place where children regularly congregate, as prescribed by the commission.

7. Unless otherwise indicated in the treatment plan provided by the sexual offender treatment program, a prohibition on viewing, owning, or possessing any obscene, pornographic, or sexually stimulating visual or auditory material, including telephone, electronic media, computer programs, or computer services that are relevant to the offender's deviant behavior pattern.

8. Effective for a releasee whose crime is committed on or after July 1, 2005, a prohibition on accessing the Internet or other computer services until the offender's sex offender treatment program, after a risk assessment is completed, approves and implements a safety plan for the offender's accessing or using the Internet or other computer services.

9. A requirement that the releasee must submit two specimens of blood to the Florida Department of Law Enforcement to be registered with the DNA database.

10. A requirement that the releasee make restitution to the victim, as determined by the sentencing court or the commission, for all necessary medical and related professional services relating to physical, psychiatric, and psychological care.

11. Submission to a warrantless search by the community control or probation officer of the probationer's or community controllee's person, residence, or vehicle.

(b) For a releasee whose crime was committed on or after October 1, 1997, in violation of chapter 794, s. 800.04, s. 827.071, or s. 847.0145, and who is subject to conditional release supervision, in addition to any other provision of this subsection, the commission shall impose the following additional conditions of conditional release supervision:

1. As part of a treatment program, participation in a minimum of one annual polygraph examination to obtain information necessary for risk management and treatment and to reduce the sex offender's denial mechanisms. The polygraph examination must be conducted by a polygrapher trained specifically in the use of the polygraph for the monitoring of sex offenders, where available, and at the expense of the sex offender. The results of the polygraph examination shall not be used as evidence in a hearing to prove that a violation of supervision has occurred.

2. Maintenance of a driving log and a prohibition against driving a motor vehicle alone without the prior approval of the supervising officer.

3. A prohibition against obtaining or using a post office box without the prior approval of the supervising officer.

4. If there was sexual contact, a submission to, at the probationer's or community controllee's expense, an HIV test with the results to be released to the victim or the victim's parent or guardian.

5. Electronic monitoring of any form when ordered by the commission.

Section 7. Subsection (4) of section 948.06, Florida Statutes, is amended to read:

948.06 Violation of probation or community control; revocation; modification; continuance; failure to pay restitution or cost of supervision.—

(4) Notwithstanding any other provision of this section, a felony probationer or an offender in community control who is arrested for violating his or her probation or community control in a material respect may be taken before the court in the county or circuit in which the probationer or offender was arrested. That court shall advise him or her of

such ~~the~~ charge of a violation and, if such charge is admitted, shall cause him or her to be brought before the court that granted the probation or community control. If *such* ~~the~~ violation is not admitted by the probationer or offender, the court may commit him or her or release him or her with or without bail to await further hearing. However, if the probationer or offender is under supervision for any criminal offense proscribed in chapter 794, s. 800.04(4), (5), (6), s. 827.071, or s. 847.0145, or is a registered sexual predator or a registered sexual offender, or is under supervision for a criminal offense for which he or she would meet the registration criteria in s. 775.21, s. 943.0435, or s. 944.607 but for the effective date of those sections, the court must make a finding that the probationer or offender *poses no* ~~is not a~~ danger to the public prior to release with or without bail. In determining *whether the offender poses no danger to the public* ~~the danger posed by the offender's or probationer's release~~, the court may consider the nature and circumstances of the violation and any new offenses charged; the offender's or probationer's past and present conduct, including convictions of crimes; any record of arrests without conviction for crimes involving violence or sexual crimes; any other evidence of allegations of unlawful sexual conduct or the use of violence by the offender or probationer; the offender's or probationer's family ties, length of residence in the community, employment history, and mental condition; his or her history and conduct during the probation or community control supervision from which the violation arises and any other previous supervisions, including disciplinary records of previous incarcerations; the likelihood that the offender or probationer will engage again in a criminal course of conduct; the weight of the evidence against the offender or probationer; and any other facts the court considers relevant. The court, as soon as is practicable, shall give the probationer or offender an opportunity to be fully heard on his or her behalf in person or by counsel. After *such* ~~the~~ hearing, the court shall make findings of fact and forward the findings to the court that granted the probation or community control and to the probationer or offender or his or her attorney. The findings of fact by the hearing court are binding on the court that granted the probation or community control. Upon the probationer or offender being brought before it, the court that granted the probation or community control may revoke, modify, or continue the probation or community control or may place the probationer into community control as provided in this section. However, the probationer or offender shall not be released and shall not be admitted to bail, but shall be brought before the court that granted the probation or community control if any violation of felony probation or community control other than a failure to pay costs or fines or make restitution payments is alleged to have been committed by:

(a) A violent felony offender of special concern, as defined in this section;

(b) A person who is on felony probation or community control for any offense committed on or after the effective date of this act and who is arrested for a qualifying offense as defined in this section; or

(c) A person who is on felony probation or community control and has previously been found by a court to be a habitual violent felony offender as defined in s. 775.084(1)(b), a three-time violent felony offender as defined in s. 775.084(1)(c), or a sexual predator under s. 775.21, and who is arrested for committing a qualifying offense as defined in this section on or after the effective date of this act.

Section 8. Paragraph (b) of subsection (1) and subsection (3) of section 948.30, Florida Statutes, are amended to read:

948.30 Additional terms and conditions of probation or community control for certain sex offenses.—Conditions imposed pursuant to this section do not require oral pronouncement at the time of sentencing and shall be considered standard conditions of probation or community control for offenders specified in this section.

(1) Effective for probationers or community controllees whose crime was committed on or after October 1, 1995, and who are placed under supervision for violation of chapter 794, s. 800.04, s. 827.071, or s. 847.0145, the court must impose the following conditions in addition to all other standard and special conditions imposed:

(b) If the victim was under the age of 18, a prohibition on living within 1,000 feet of a school, *child care facility* ~~day care center~~, park *as defined in s. 794.0701*, playground, or other place where children regularly congregate, as prescribed by the court. The 1,000-foot distance shall be measured in a straight line from the offender's place of residence to the nearest boundary line of the school, *child care facility* ~~day care center~~, park *as defined in s. 794.0701*, playground, or other place where children *regularly* congregate. The distance may not be measured by a pedestrian route or automobile route.

(3) Effective for a probationer or community controllee whose crime was committed on or after September 1, 2005, and who:

(a) Is placed on probation or community control for a violation of chapter 794, s. 800.04(4), (5), or (6), s. 827.071, or s. 847.0145 and the unlawful sexual activity involved a victim *younger than 16* ~~15~~ years of age ~~or younger~~ and the offender is 18 years of age or older;

(b) Is designated a sexual predator pursuant to s. 775.21; or

(c) Has previously been convicted of a violation of chapter 794, s. 800.04(4), (5), or (6), s. 827.071, or s. 847.0145 and the unlawful sexual activity involved a victim *younger than 16* ~~15~~ years of age ~~or younger~~ and the offender is 18 years of age or older,

the court must order, in addition to any other provision of this section, mandatory electronic monitoring as a condition of the probation or community control supervision.

Section 9. Subsection (3) is added to section 257.12, Florida Statutes, to read:

257.12 Division of Library and Information Services authorized to accept and expend federal funds.—

(3) All public libraries are encouraged to adopt an Internet safety education program, including the implementation of a computer-based educational program, that has been endorsed by a United States government-sanctioned law enforcement agency or other reputable organization and is designed for children and adults. The purpose of the Internet safety education program is to promote the use of prudent online deportment and broaden awareness of online predators. The program shall be interactive and age appropriate. Each library shall annually report to the division the annual number of users who complete the education program. By April 1, 2009, the division shall adopt rules for rewarding those libraries in the program grant application process which have had 1 percent or more of their annual number of users, based on the total number of registered borrowers from the preceding year, complete the education program adopted by the library. Users completing the program as a result of strategic partnerships or collaboration between the library and other entities shall be integrated into the library's annual report. The division shall adopt rules to, beginning with the grant application cycle for the 2010-2011 fiscal year, allocate 10 percent of the total points available in the library services and technology grant application evaluation process to public libraries that are in compliance with this section.

Section 10. This act shall take effect July 1, 2009.

And the title is amended as follows:

Delete everything before the enacting clause and insert: A bill to be entitled An act relating to public safety; amending s. 775.21, F.S.; revising provisions relating to reimbursement of specified costs by sexual predators; revising provisions relating to the residence of sexual predators; providing criminal penalties; creating s. 775.215, F.S.; specifying residency distance limitations for persons convicted of certain sexual offenses; preempting certain local ordinances and providing for repeal of such ordinances; providing that persons subject to residency distance limitations who change their place of residence are subject to residency distance limitations as adopted by county or municipal ordinance; amending s. 775.24, F.S.; revising provisions relating to the duty of the court to uphold certain laws; amending s. 794.065, F.S.; providing additional residency restrictions for certain offenders; providing penalties; creating s. 794.0701, F.S.; providing for enhanced penalties for loitering or prowling by persons convicted of certain sex offenses; providing definitions; amending s. 947.1405, F.S.; revising conditional release restrictions for certain offenders; amending s. 948.06, F.S.; revising provisions relating to probation or community control for sexual predators and sexual offenders; amending s. 948.30, F.S.; revising provisions relating to terms and conditions of probation or community control for certain sex offenses; revising restrictions for certain probationers or community controllees who committed sexual offenses against a minor younger than 16 years of age; amending s. 257.12, F.S.; encouraging all public libraries to adopt an Internet safety education program for children and adults to promote the use of prudent online deportment and broaden awareness

of online sexual predators and offenders; providing minimum requirements for the program; requiring libraries to annually report to the Division of Library and Information Services of the Department of State the number of users who complete the program; requiring that the division adopt rules to allocate additional points to grant applicants who are in compliance with such a program; providing an effective date.

On motion by Senator Aronberg, **CS for CS for SB 1430** as amended was passed, ordered engrossed and then certified to the House. The vote on passage was:

Yeas—39

Mr. President	Diaz de la Portilla	Margolis
Alexander	Dockery	Oelrich
Aronberg	Fasano	Peaden
Atwater	Gaetz	Posey
Baker	Garcia	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Crist	Justice	Villalobos
Dawson	King	Webster
Dean	Lawson	Wilson
Deutch	Lynn	Wise

Nays—None

Vote after roll call:

Yea—Geller

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has passed SB 54, with 1 amendment, and requests the concurrence of the Senate.

William S. Pittman III, Chief Clerk

SB 54—A bill to be entitled An act relating to the Orange County School Board; providing for the relief of Daniel Decembre, a minor, by and through his parents and natural guardians, Desnar and Mignone Decembre; providing for an appropriation to compensate Daniel for injuries and damages he sustained as a result of negligence by agents and employees of the school board; providing a limitation on the payment of fees and costs; providing an effective date.

House Amendment 1 (273949)(with title amendment)—Remove lines 52-58 and insert:

Section 2. *Upon court approval of the settlement in this matter, the Orange County School Board is authorized and directed to appropriate from funds of the school board not otherwise encumbered and draw a warrant in the amount of $1.8 million, payable to the court-appointed guardian of Daniel Decembre, to be placed in the guardianship account of Daniel Decembre. It is the intent of the Legislature that the funds appropriated herein are to be used exclusively for the care and benefit of Daniel Decembre.*

And the title is amended as follows:

Remove lines 4-8 and insert: and through his court-appointed guardian; providing for an appropriation to compensate Daniel Decembre for injuries and damages he sustained; providing legislative intent; providing a limitation on the payment of

On motion by Senator Joyner, the Senate concurred in the House amendment.

SB 54 passed as amended and was ordered engrossed and then enrolled. The action of the Senate was certified to the House. The vote on passage was:

Yeas—32

Mr. President	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Haridopolos	Rich
Bennett	Hill	Ring
Bullard	Jones	Saunders
Dawson	Joyner	Siplin
Dean	Justice	Storms
Deutch	Lawson	Villalobos
Diaz de la Portilla	Lynn	Wilson
Dockery	Margolis	

Nays—6

Alexander	Constantine	Webster
Carlton	King	Wise

Vote after roll call:

Yea—Geller

Yea to Nay—Oelrich

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has passed CS for SB 1588, with one amendment, and requests the concurrence of the Senate.

William S. Pittman III, Chief Clerk

CS for SB 1588—A bill to be entitled An act relating to property taxation; amending s. 193.114, F.S.; revising the requirements specifying the information that must be included on the real property assessment roll and on the tangible personal property roll; amending s. 193.1142, F.S.; authorizing the executive director of the Department of Revenue to require that additional data be provided on the assessment rolls; requiring that assessment rolls be submitted in a format specified by the executive director; authorizing a property appraiser to use an alternative format in a case of hardship; specifying additional parcel-level data that may be required; amending s. 193.155, F.S.; revising provisions governing the manner in which homestead property may be assessed at less than just value; requiring that notice of the abandonment of a homestead be in writing and delivered to the property appraiser before or at the time of filing a new application; providing procedures for the transfer of an assessment limitation from a previous homestead to a new homestead; authorizing property appraisers to share confidential tax information; authorizing a taxpayer to file an action in circuit court requiring a property appraiser to provide certain information; authorizing a taxpayer to file a petition with the value adjustment board; providing for a nonrefundable fee; authorizing a taxpayer to file for the transfer of an assessment limitation in a year subsequent to the first year following establishment of the new homestead; prohibiting a refund of taxes for previous years; providing requirements for hearings before the value adjustment board; amending ss. 193.1554 and 195.1555, F.S., relating to nonhomestead residential property and nonresidential real property; requiring that an increase in the value of property be apportioned among parcels under certain conditions; amending s. 193.1556, F.S.; requiring that a property owner notify the property appraiser of any change in ownership or control; amending s. 194.011, F.S.; providing procedures under which a taxpayer may object to an assessment of homestead property at less than just value; requiring that the value adjustment board in the previous county hear the matter if the taxpayer disagrees with the previous assessment; providing for an appeal in the taxpayer's new county under certain circumstances; requiring that the circuit court review decisions of the value adjustment boards under certain circumstances; amending s. 196.031, F.S.; specifying the order in which homestead exemptions are applied; amending s. 196.183, F.S.; clarifying the taxation of freestanding property; clarifying the meaning of the phrase "site where the owner of tangible personal property transacts business"; providing for previously assessed owners to qualify for the exemption without filing a return at the option of the property appraiser; requiring that property appraisers annually notify taxpayers of the duty to file a return if they no longer qualify for the exemption; amending s. 197.3632, F.S.; requiring that the

tax collector provide certain additional information to the Department of Revenue concerning non-ad valorem assessments; amending s. 200.065, F.S.; clarifying the calculation of maximum millage beginning in the 2009-2010 fiscal year; amending s. 200.185, F.S.; clarifying the calculation of maximum millage for the 2008-2009 fiscal year; authorizing the Department of Revenue to adopt emergency rules; delaying the date by which applications for an assessment of property under s. 193.155(8), F.S., for 2008 must be submitted; requiring the Department of Revenue to report to the Legislature by a specified date on the effect of recent changes in the law governing tax notices and the assessment limitations and maximum millage limitations; providing for the Legislature to appropriate moneys to offset the reduction in ad valorem tax revenue experienced by fiscally constrained counties; requiring that counties apply to the Department of Revenue; specifying the documentation that must be provided to the department; providing a formula for calculating the reduction in ad valorem revenue; repealing s. 9, ch. 2007-339, Laws of Florida, relating to the legislative appropriation of funds to offset the reduction in ad valorem tax revenues in fiscally constrained counties; providing for application of the act; providing effective dates.

House Amendment 1 (210103)(with title amendment)—Remove line(s) 929-1005 and insert:

Section 12. Subsections (5) and (8) of section 200.185, Florida Statutes, are amended to read:

200.185 Maximum millage rates for the 2007-2008 and 2008-2009 fiscal years.—

(5) In the 2008-2009 fiscal year, a county, municipal service taxing units of that county, and special districts dependent to that county; a municipality and special districts dependent to that municipality; and an independent special district may levy a maximum millage determined as follows:

(a)*1.* The maximum millage rate that may be levied shall be the rolled-back rate calculated pursuant to s. 200.065 and adjusted for *change* ~~growth~~ in per capita Florida personal income, except that*:*

a. Ad valorem tax revenue levied in the 2007-2008 fiscal year *and used in the calculation of the rolled-back rate* shall be reduced by any tax revenue resulting from a millage rate approved by a super majority vote of the governing board of the taxing authority in excess of the maximum rate that could have been levied by a majority vote as provided in this section.

b. The taxable value within the jurisdiction of each taxing authority used in the calculation of the rolled-back rate shall be increased by an amount equal to the reduction in taxable value occurring as a result of the amendments to the State Constitution contained in SJR 2-D (2007) providing an additional homestead exemption, providing portability of the Save-Our-Homes differential, providing an exemption from ad valorem taxation for tangible personal property, and providing a 10-percent limitation on assessment increases for certain properties.

2. For a county authorized to levy a county public hospital surtax under s. 212.055 *that did so in fiscal year 2007*, the maximum millage rate shall exclude the revenues required to be contributed to the county public general hospital *in the current fiscal year* for the purposes of making the maximum millage rate calculation~~,~~ but shall be added back to the maximum millage rate allowed after the ~~applicable percentage of the~~ rolled-back rate ~~as provided in subparagraphs (2)(a)1. through 5.~~ has been applied*, the total of which shall be considered the maximum millage rate for such a county for purposes of this subsection. The revenue required to be contributed to the county public general hospital for the upcoming fiscal year shall be calculated by multiplying 11.873 percent by the millage rate levied for countywide purposes in fiscal year 2007 and multiplying the result by 95 percent of the preliminary tax roll for the upcoming fiscal year. For a downtown development authority established before the effective date of the 1968 State Constitution which has a millage that must be approved by a municipality, the governing body of that municipality shall be considered the governing body of the downtown development authority for purposes of this subsection.*

(b) A rate *in excess of the maximum millage rate allowed under paragraph (a), but* ~~of~~ not more than 110 percent of the rate in paragraph (a) *determined without taking into account the adjustment in sub-subparagraph (a)1.b.,* may be levied if approved by a two-thirds vote of *the membership of* the governing body *of the county, municipality, or independent district*.

(c) A rate in excess of the millage rate allowed in paragraph (b) may be levied if approved by a unanimous vote of *the membership of* the governing body *of the county, municipality, or independent district* or by a three-fourths vote *of the membership of the governing body* if the governing body has nine or more members*,* or if approved by a referendum of the voters.

(8) The millage rate of a county or municipality, municipal service taxing unit of that county, and any special district dependent to that county or municipality may exceed in any year the maximum millage rate calculated pursuant to this section if the total county ad valorem taxes levied or total municipal ad valorem taxes levied, as defined in s. 200.001, do not exceed the maximum total county ad valorem taxes levied or maximum total municipal ad valorem taxes levied, as defined in s. 200.001, respectively. Voted millage, as defined in s. 200.001, and taxes levied by a municipality or independent special district that has levied ad valorem taxes for less than 5 years are not subject to the limitation on millage rates provided by this section. Total taxes levied may exceed the maximum calculated pursuant to this section as a result of an increase in taxable value above that certified in s. 200.065(1) if such increase is less than the percentage amounts contained in s. 200.065(6) *or if the administrative adjustment cannot be made because the value adjustment board is still in session at the time the tax roll is extended*; *otherwise* ~~however, if such increase in taxable value exceeds the percentage amounts contained in s. 200.065(6)~~, millage rates subject to this section *may* ~~must~~ be reduced so that total taxes levied do not exceed the maximum. Any unit of government operating under a home rule charter adopted pursuant to ss. 10, 11, and 24, Art. VIII of the State Constitution of 1885, as preserved by s. 6(e), Art. VIII of the State Constitution of 1968, which is granted the authority in the State Constitution to exercise all the powers conferred now or hereafter by general law upon municipalities and which exercises such powers in the unincorporated area shall be recognized as a municipality under this section.

And the title is amended as follows:

Remove line(s) 61 and insert: s. 200.185, F.S.; revising the calculation of maximum

On motion by Senator Haridopolos, the Senate concurred in the House amendment.

CS for SB 1588 passed as amended and was ordered engrossed and then enrolled. The action of the Senate was certified to the House. The vote on passage was:

Yeas—40

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Aronberg	Gaetz	Posey
Atwater	Garcia	Rich
Baker	Geller	Ring
Bennett	Haridopolos	Saunders
Bullard	Hill	Siplin
Carlton	Jones	Storms
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dawson	King	Wilson
Dean	Lawson	Wise
Deutch	Lynn	
Diaz de la Portilla	Margolis	

Nays—None

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has passed CS for SB 1604, with 1 amendment(s), and requests the concurrence of the Senate.

William S. Pittman III, Chief Clerk

CS for SB 1604—A bill to be entitled An act relating to designations of state facilities; designating the Major Claude A. Gnann Memorial Highway and the Deputy Wayne Koester Memorial Highway in Lake County; designating Lt. Colonel Robert T. Heagy, Jr., Memorial Highway in Marion County; designating Cutler Bay Boulevard, Palmetto Bay Boulevard, American Legion Way, Honorable Robert B. Ingram, Ph.D., Boulevard, Father Emilio Vallina Avenue, and Bishop Victor Tyrone Curry Boulevard in Miami-Dade County; designating United States Army Specialist Brandon Tyler Thorsen Memorial Highway in Levy County; designating John E. Andrews Boulevard, George Matthews Boulevard, Angela Webb Hammonds Boulevard, Willie F. Faust Boulevard, and James H. Argrett, Sr., Avenue in Duval County; designating Veteran's Memorial Parkway in Sarasota County; designating a bridge in the city of Sarasota as Gil Waters Bridge; designating Raquel Regalado Avenue in Miami-Dade County; directing the Department of Transportation to erect suitable markers; designating the Joseph P. Bertrand Building in Fort Myers; authorizing the Department of Management Services to erect suitable markers; designating Reverend Dr. C.P. Preston, Jr. Street in Miami-Dade County; authorizing the Department of Transportation to erect suitable markers; amending s. 589.19, F.S.; designating the state forest in Seminole County as the Charles H. Bronson State Forest; designating Rolando Encinosa Road, Henri Levy Boulevard, Manuel Feijoo Avenue, All-America Parkway, Katherine Fernandez Rundle Avenue, Judy Drucker Boulevard, Will James Johnson Road, Martha Flores Way, and Rabbi Barry Tabachnikoff Avenue in Miami-Dade County; directing the Department of Transportation to erect suitable markers; authorizing certain alterations of Old Cutler Road in the Village of Palmetto Bay; requiring the official approval of the Department of State before any alterations may begin; designating the Senator Daniel Webster Building in Orange County; directing the Department of Transportation to erect suitable markers; providing an effective date.

House Amendment 1 (422051)(with title amendment)—Remove lines 102-117 and insert:

Section 8. *Monsignor Emilio Vallina Avenue designated; Department of Transportation to erect suitable markers.—*

(1) The portion of West Flagler Street in Miami-Dade County between 13th Avenue and 14th Avenue is designated as "Monsignor Emilio Vallina Avenue."

(2) The Department of Transportation is directed to erect suitable markers designating Monsignor Emilio Vallina Avenue as described in subsection (1).

Section 9. *Bishop Victor Tyrone Curry Boulevard designated; Department of Transportation to erect suitable markers.—*

(1) The portion of N.W. 135th Street between 7th Avenue and 27th Avenue in Miami-Dade County is designated as "Bishop Victor Tyrone Curry Boulevard."

(2) The Department of Transportation is directed to erect suitable markers designating Bishop Victor Tyrone Curry Boulevard as described in subsection (1).

Section 10. *Richard D. Ward Way designated; Department of Transportation to erect suitable markers.—*

(1) That portion of S.W. 67th Avenue between S.W. 56th Street and S.W. 64th Street in Miami-Dade County is designated as "Richard D. Ward Way."

(2) The Department of Transportation is directed to erect suitable markers designating Richard D. Ward Way as described in subsection (1).

Section 11. *Mary Ellen Miller Way designated; Department of Transportation to erect suitable markers.—*

(1) That portion of Hialeah Drive between Okeechobee Road and Lejeune Road in Miami-Dade County is designated as "Mary Ellen Miller Way."

(2) The Department of Transportation is directed to erect suitable markers designating Mary Ellen Miller Way as described in subsection (1).

Section 12. *Jacobo Cababie Avenue designated; Department of Transportation to erect suitable markers.—*

(1) That portion of West Country Club Drive between N.E. 199th Street and N.E. 192nd Street in Miami-Dade County is designated as "Jacobo Cababie Avenue."

(2) The Department of Transportation is directed to erect suitable markers designating Jacobo Cababie Avenue as described in subsection (1).

Section 13. *Rosendo Rosell Road designated; Department of Transportation to erect suitable markers.—*

(1) That portion of State Road 934/71st Street between Bay Drive and State Road A1A/Collins Avenue in the City of Miami Beach in Miami-Dade County is designated as "Rosendo Rosell Road."

(2) The Department of Transportation is directed to erect suitable markers designating Rosendo Rosell Road as described in subsection (1).

Section 14. *Avenue of the Americas designated; Department of Transportation to erect suitable markers.—*

(1) That portion of S.E. 2nd Avenue from the Miami River south to S.E. 2nd Street in Miami-Dade County is designated as "Avenue of the Americas."

(2) The Department of Transportation is directed to erect suitable markers designating Avenue of the Americas as described in subsection (1).

Section 15. *MSgt. Benjamin Strickland Highway designated; Department of Transportation to erect suitable markers.—*

(1) That portion of State Road 836 between 97th Avenue and 137th Avenue in Miami-Dade County is designated as "MSgt. Benjamin Strickland Highway."

(2) The Department of Transportation is directed to erect suitable markers designating MSgt. Benjamin Strickland Highway as described in subsection (1).

Section 16. *Rafael Diaz-Balart Way designated; Department of Transportation to erect suitable markers.—*

(1) That portion of LeJune Road between East 65th Street and Okeechobee Road in the City of Hialeah in Miami-Dade County is designated as "Rafael Diaz-Balart Way."

(2) The Department of Transportation is directed to erect suitable markers designating Rafael Diaz-Balart Way as described in subsection (1).

Section 17. *Jose A. Marques Boulevard designated; Department of Transportation to erect suitable markers.—*

(1) That portion of 8th Street between S.W. 107th Avenue and S.W. 117th Avenue in Miami-Dade County is designated as " Jose A. Marques Boulevard."

(2) The Department of Transportation is directed to erect suitable markers designating Jose A. Marques Boulevard as described in subsection (1).

Section 18. *Willy Chirino Boulevard designated; Department of Transportation to erect suitable markers.—*

(1) That portion of W. Okeechobee Road between W. 4th Avenue and Palm Avenue in Miami-Dade County is designated as "Willy Chirino Boulevard."

(2) The Department of Transportation is directed to erect suitable markers designating Willy Chirino Boulevard as described in subsection (1).

Section 19. *Constable Arthur Fleece Crenshaw Memorial Highway designated; Department of Transportation to erect suitable markers.—*

(1) That portion of U.S. Highway 98 between U.S. Highway 301 and the Pasco-Hernando County line in Pasco County is designated as "Constable Arthur Fleece Crenshaw Memorial Highway."

(2) The Department of Transportation is directed to erect suitable markers designating Constable Arthur Fleece Crenshaw Memorial Highway as described in subsection (1).

Section 20. *Agent John Van Waters Memorial Highway designated; Department of Transportation to erect suitable markers.—*

(1) That portion of U.S. Highway 98 between U.S. Highway 301 and the Pasco-Polk County line in Pasco County is designated as "Agent John Van Waters Memorial Highway."

(2) The Department of Transportation is directed to erect suitable markers designating Agent John Van Waters Memorial Highway as described in subsection (1).

Section 21. *Roy Willis Street designated; Department of Transportation to erect suitable markers.—*

(1) That portion of Beaver Street between Myrtle Avenue and Tyler Street in Duval County is designated as "Roy Willis Street."

(2) The Department of Transportation is directed to erect suitable markers designating Roy Willis Street as described in subsection (1).

And the title is amended as follows:

Remove lines 8-10 and insert: Honorable Robert B. Ingram, Ph.D., Boulevard, Monsignor Emilio Vallina Avenue, Bishop Victor Tyrone Curry Boulevard, Richard D. Ward Way, Mary Ellen Miller Way, Jacobo Cababie Avenue, Rosendo Rosell Road, Avenue of the Americas, MSgt. Benjamin Strickland Highway, Rafael Diaz-Balart Way, Jose A. Marques Boulevard, and Willy Chirino Boulevard in Miami-Dade County; designating Roy Willis Street in Duval County; designating Agent John Van Waters Memorial Highway and Constable Arthur Fleece Crenshaw Memorial Highway in Pasco County; designating United States

On motion by Senator Baker, the Senate concurred in the House amendment.

CS for SB 1604 passed as amended and was ordered engrossed and then enrolled. The action of the Senate was certified to the House. The vote on passage was:

Yeas—38

Mr. President	Fasano	Oelrich
Alexander	Gaetz	Peaden
Aronberg	Garcia	Posey
Atwater	Geller	Rich
Baker	Haridopolos	Ring
Bennett	Hill	Saunders
Carlton	Jones	Siplin
Constantine	Joyner	Storms
Dawson	Justice	Villalobos
Dean	King	Webster
Deutch	Lawson	Wilson
Diaz de la Portilla	Lynn	Wise
Dockery	Margolis	

Nays—None

Vote after roll call:

Yea—Bullard, Crist

SPECIAL GUEST

The President introduced Attorney General Bill McCollum who was present in the chamber.

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has passed CS for CS for CS for SB 1712, with 1 amendment(s), and requests the concurrence of the Senate.

William S. Pittman III, Chief Clerk

CS for CS for CS for SB 1712—A bill to be entitled An act relating to ethics; providing a short title; amending s. 24.121, F.S., relating to public school funding; conforming cross-references; amending s. 112.3173, F.S.; specifying certain additional offenses that constitute a breach of the public trust; amending s. 121.091, F.S.; prohibiting the Division of Retirement from paying benefits to a member who has committed certain felony offenses against a minor; amending s. 402.316, F.S.; authorizing the Department of Children and Family Services to adopt minimum standards for screening child care personnel and for notification of termination of such personnel; amending s. 435.04, F.S.; providing additional criminal offenses for screening child care personnel; amending s. 1001.10, F.S.; requiring the Department of Education to assist school districts, charter schools, the Florida School for the Deaf and the Blind, and certain private schools and providers in developing policies and procedures governing educator ethics and employment; requiring the department to provide authorized staff with access to or provide verification through certain employment-screening tools; amending s. 1001.32, F.S., relating to school administration; conforming a cross-reference; amending s. 1001.42, F.S.; requiring each district school board to adopt ethical standards for all employees; prohibiting confidentiality agreements regarding terminated or dismissed employees which have the effect of concealing certain conduct; providing that a district school board official who knowingly signs or transmits a false report, fails to support policies that ensure the investigation of reports, or fails to report allegations of misconduct by instructional or administrative personnel forfeits his or her salary for a specified period; amending s. 1001.452, F.S., relating to district and school advisory councils; conforming cross-references; amending s. 1001.51, F.S.; providing that a district school superintendent or district school board member forfeits his or her salary for a specified period following failure to report allegations of misconduct by instructional or administrative personnel; amending ss. 1001.54 and 1002.32, F.S., relating to duties of principals and lab schools; conforming cross-references; amending s. 1002.33, F.S.; requiring charter schools to adopt ethical standards for all employees; prohibiting confidentiality agreements regarding terminated or dismissed employees which have the effect of concealing certain conduct; requiring the school to contact the prior employer and assess a candidate's ability to meet ethical standards; requiring the charter school sponsor to suspend the school's charter for failing to comply with these requirements; amending s. 1002.36, F.S.; requiring the Florida School for the Deaf and the Blind to meet certain requirements governing the screening of educators; amending ss. 1002.421 and 1002.55, F.S.; requiring owners of certain private schools and private prekindergarten providers to adopt ethical standards for all employees; prohibiting confidentiality agreements regarding terminated or dismissed employees which have the effect of concealing certain conduct; requiring such owners and providers to contact the previous employer of each instructional or administrative candidate for employment; amending ss. 1002.61, 1002.63, 1002.65, 1003.413, 1003.53, and 1004.92, F.S.; conforming cross-references; amending s. 1006.061, F.S.; requiring the school board, charter school, private school participating in a state school choice scholarship program, and private provider participating in the Voluntary Prekindergarten Education Program to post its policies relating to misconduct by personnel; requiring the head of such entities to act as a liaison in suspected cases of child abuse; amending ss. 1007.21, 1007.23, 1008.33, 1008.345, 1010.215, and 1011.18, F.S.; conforming cross-references; amending s. 1012.27, F.S.; requiring the district school superintendent to contact the previous employer of each instructional or administrative candidate for employment, screen the candidate, and document findings; creating s. 1012.315, F.S.; specifying offenses that disqualify instructional and administrative personnel from employment in positions involving direct contact with students; amending s. 1012.32, F.S.; providing that instructional and administrative personnel who have been convicted of certain offenses are disqualified from employment in positions having direct contact with students; amending s. 1012.33, F.S.; providing that just cause for terminating instructional staff includes immorality or the commission of a criminal act; amending s. 1012.34, F.S., relating to assessment procedures; conforming a cross-reference; amending s. 1012.56, F.S., relating to certification requirements for educators; revising the requirements for conducting state and national criminal history records checks of persons seeking certification; providing for the Department of Education to maintain personnel records on an electronic database; amending s. 1012.79, F.S.; providing for additional members to be appointed to the Education Practices Commission; revising the composition of the panel appointed to review complaints against teachers; amending s. 1012.795, F.S.; providing for suspending the educator certificate of a person who knowingly fails to report

child abuse or suspected or actual misconduct by instructional personnel; amending s. 1012.796, F.S.; requiring the Department of Education to investigate each complaint involving misconduct by certificated personnel; clarifying what constitutes a legally sufficient complaint; providing requirements for school board policies and procedures relating to ethical standards; providing that the district school superintendent is accountable for communicating standards, policies, and procedures to district employees; requiring that an employee be immediately suspended and reassigned upon an allegation of misconduct affecting the health, safety, or welfare of a student; requiring employers of certified personnel to file complaints in writing to the Department of Education; amending ss. 1012.98 and 1013.03, F.S., relating to the School Community Professional Development Act and functions of the department and Board of Governors; conforming cross-references; providing an appropriation and authorizing additional positions; providing an effective date.

Substitute House Amendment 1 (562471)(with title amendment)—Remove everything after the enacting clause and insert:

Section 1. *This act may be cited as the "Ethics in Education Act."*

Section 2. Paragraphs (c) and (d) of subsection (5) of section 24.121, Florida Statutes, are amended to read:

24.121 Allocation of revenues and expenditure of funds for public education.—

(5)

(c) A portion of such net revenues, as determined annually by the Legislature, shall be distributed to each school district and shall be made available to each public school in the district for enhancing school performance through development and implementation of a school improvement plan pursuant to *s. 1001.42(18)* ~~s. 1001.42(16)~~. A portion of these moneys, as determined annually in the General Appropriations Act, must be allocated to each school in an equal amount for each student enrolled. These moneys may be expended only on programs or projects selected by the school advisory council or by a parent advisory committee created pursuant to this paragraph. If a school does not have a school advisory council, the district advisory council must appoint a parent advisory committee composed of parents of students enrolled in that school, which ~~committee~~ is representative of the ethnic, racial, and economic community served by the school, to advise the school's principal on the programs or projects to be funded. Neither school district staff nor principals may override the recommendations of the school advisory council or the parent advisory committee. These moneys may not be used for capital improvements *or*~~, nor may they be used~~ for any project or program that has a duration of more than 1 year; however, a school advisory council or parent advisory committee may independently determine that a program or project formerly funded under this paragraph should receive funds in a subsequent year.

(d) No funds shall be released for any purpose from the Educational Enhancement Trust Fund to any school district in which one or more schools do not have an approved school improvement plan pursuant to *s. 1001.42(18)* ~~s. 1001.42(16)~~ or do not comply with school advisory council membership composition requirements pursuant to s. 1001.452(1). The Commissioner of Education shall withhold disbursements from the trust fund to any school district that fails to adopt the performance-based salary schedule required by s. 1012.22(1).

Section 3. Paragraph (e) of subsection (2) of section 112.3173, Florida Statutes, is amended to read:

112.3173 Felonies involving breach of public trust and other specified offenses by public officers and employees; forfeiture of retirement benefits.—

(2) DEFINITIONS.—As used in this section, unless the context otherwise requires, the term:

(e) "Specified offense" means:

1. The committing, aiding, or abetting of an embezzlement of public funds;

2. The committing, aiding, or abetting of any theft by a public officer or employee from his or her employer;

3. Bribery in connection with the employment of a public officer or employee;

4. Any felony specified in chapter 838, except ss. 838.15 and 838.16;

5. The committing of an impeachable offense; ~~or~~

6. The committing of any felony by a public officer or employee who, willfully and with intent to defraud the public or the public agency for which the public officer or employee acts or in which he or she is employed of the right to receive the faithful performance of his or her duty as a public officer or employee, realizes or obtains, or attempts to realize or obtain, a profit, gain, or advantage for himself or herself or for some other person through the use or attempted use of the power, rights, privileges, duties, or position of his or her public office or employment position*; or*~~.~~

7. The committing on or after October 1, 2008, of any felony defined in s. 800.04 against a victim younger than 16 years of age, or any felony defined in chapter 794 against a victim younger than 18 years of age, by a public officer or employee through the use or attempted use of power, rights, privileges, duties, or position of his or her public office or employment position.

Section 4. Paragraph (i) of subsection (5) of section 121.091, Florida Statutes, is redesignated as paragraph (j), present paragraph (j) is redesignated as paragraph (k) and amended, and a new paragraph (i) is added to that subsection, to read:

121.091 Benefits payable under the system.—Benefits may not be paid under this section unless the member has terminated employment as provided in s. 121.021(39)(a) or begun participation in the Deferred Retirement Option Program as provided in subsection (13), and a proper application has been filed in the manner prescribed by the department. The department may cancel an application for retirement benefits when the member or beneficiary fails to timely provide the information and documents required by this chapter and the department's rules. The department shall adopt rules establishing procedures for application for retirement benefits and for the cancellation of such application when the required information or documents are not received.

(5) TERMINATION BENEFITS.—A member whose employment is terminated prior to retirement retains membership rights to previously earned member-noncontributory service credit, and to member-contributory service credit, if the member leaves the member contributions on deposit in his or her retirement account. If a terminated member receives a refund of member contributions, such member may reinstate membership rights to the previously earned service credit represented by the refund by completing 1 year of creditable service and repaying the refunded member contributions, plus interest.

(i) The division may not pay benefits to any member convicted of a felony committed on or after October 1, 2008, defined in s. 800.04 against a victim younger than 16 years of age, or defined in chapter 794 against a victim younger than 18 years of age, through the use or attempted use of power, rights, privileges, duties, or position of the member's public office or employment position. However, the division shall return the member's accumulated contributions, if any, that the member accumulated as of the date of conviction.

(k)~~(j)~~ Benefits shall not be paid by the division pending final resolution of such charges against a member or beneficiary if the resolution of such charges could require the forfeiture of benefits as provided in paragraph (f), paragraph (g), paragraph (h), ~~or~~ paragraph (i) *, or paragraph (j)*.

Section 5. Section 794.09, Florida Statutes, is created to read:

794.09 Forfeiture of retirement benefits.—The retirement benefits of a person convicted of a felony committed on or after October 1, 2008, under this chapter are subject to forfeiture in accordance with s. 112.3173 or s. 121.091 if the person is a public officer or employee when the offense occurs; the person commits the offense through the use or attempted use of power, rights, privileges, duties, or position of the person's public office or employment position; and the victim is younger than 18 years of age when the offense occurs.

Section 6. Section 800.05, Florida Statutes, is created to:

800.05 Forfeiture of retirement benefits for a felony defined in s. 800.04.—The retirement benefits of a person convicted of a felony committed on or after October 1, 2008, defined in s. 800.04 are subject to forfeiture in accordance with s. 112.3173 or s. 121.091 if the person is a public officer or employee when the offense occurs; the person commits the offense through the use or attempted use of power, rights, privileges, duties, or position of the person's public office or employment position; and the victim is younger than 16 years of age when the offense occurs.

Section 7. Subsection (4) of section 1001.10, Florida Statutes, is renumbered as subsection (6) and new subsections (4) and (5) are added to that section to read:

1001.10 Commissioner of Education; general powers and duties.—

(4) The Department of Education shall provide technical assistance to school districts, charter schools, the Florida School for the Deaf and the Blind, and private schools that accept scholarship students under s. 220.187 or s. 1002.39 in the development of policies, procedures, and training related to employment practices and standards of ethical conduct for instructional personnel and school administrators, as defined in s. 1012.01.

(5) The Department of Education shall provide authorized staff of school districts, charter schools, the Florida School for the Deaf and the Blind, and private schools that accept scholarship students under s. 220.187 or s. 1002.39 with access to electronic verification of information from the following employment screening tools:

(a) The Professional Practices' Database of Disciplinary Actions Against Educators; and

(b) The Department of Education's Teacher Certification Database.

This subsection does not require the department to provide these staff with unlimited access to the databases. However, the department shall provide the staff with access to the data necessary for performing employment history checks of the instructional personnel and school administrators included in the databases.

Section 8. Subsection (4) of section 1001.32, Florida Statutes, is amended to read:

1001.32 Management, control, operation, administration, and supervision.—The district school system must be managed, controlled, operated, administered, and supervised as follows:

(4) SCHOOL PRINCIPAL OR HEAD OF SCHOOL.—Responsibility for the administration of any school or schools at a given school center, for the supervision of instruction therein, and for providing leadership in the development or revision and implementation of a school improvement plan required *by s. 1001.42(18)* ~~pursuant to s. 1001.42(16)~~ shall be delegated to the school principal or head of the school or schools in accordance with rules established by the district school board.

Section 9. Subsections (6) through (23) of section 1001.42, Florida Statutes, are renumbered as subsections (8) through (25), respectively, and new subsections (6) and (7) are added to that section to read:

1001.42 Powers and duties of district school board.—The district school board, acting as a board, shall exercise all powers and perform all duties listed below:

(6) STANDARDS OF ETHICAL CONDUCT FOR INSTRUCTIONAL PERSONNEL AND SCHOOL ADMINISTRATORS.—Adopt policies establishing standards of ethical conduct for instructional personnel and school administrators. The policies must require all instructional personnel and school administrators, as defined in s. 1012.01, to complete training on the standards; establish the duty of instructional personnel and school administrators to report, and procedures for reporting, alleged misconduct by other instructional personnel and school administrators which affects the health, safety, or welfare of a student; and include an explanation of the liability protections provided under ss. 39.203 and 768.095. A district school board, or any of its employees, may not enter into a confidentiality agreement regarding terminated or dismissed instructional personnel or school administrators, or personnel or administrators who resign in lieu of termination, based in whole or in part on misconduct that affects the health, safety, or welfare of a student, and may not provide instructional personnel or school administrators with employment references or discuss the personnel's or administrators' performance with prospective employers in another educational setting, without disclosing the personnel's or administrators' misconduct. Any part of an agreement or contract that has the purpose or effect of concealing misconduct by instructional personnel or school administrators which affects the health, safety, or welfare of a student is void, is contrary to public policy, and may not be enforced.

(7) DISQUALIFICATION FROM EMPLOYMENT.—Disqualify instructional personnel and school administrators, as defined in s. 1012.01, from employment in any position that requires direct contact with students if the personnel or administrators are ineligible for such employment under s. 1012.315. An elected or appointed school board official forfeits his or her salary for 1 year if:

(a) The school board official knowingly signs and transmits to any state official a report of alleged misconduct by instructional personnel or school administrators which affects the health, safety, or welfare of a student and the school board official knows the report to be false or incorrect; or

(b) The school board official knowingly fails to adopt policies that require instructional personnel and school administrators to report alleged misconduct by other instructional personnel and school administrators, or that require the investigation of all reports of alleged misconduct by instructional personnel and school administrators, if the misconduct affects the health, safety, or welfare of a student.

Section 10. Paragraphs (a) and (c) of subsection (1) and subsection (2) of section 1001.452, Florida Statutes, are amended to read:

1001.452 District and school advisory councils.—

(1) ESTABLISHMENT.—

(a) The district school board shall establish an advisory council for each school in the district and shall develop procedures for the election and appointment of advisory council members. Each school advisory council shall include in its name the words "school advisory council." The school advisory council shall be the sole body responsible for final decisionmaking at the school relating to implementation of *ss. 1001.42(18)* ~~the provisions of ss. 1001.42(16)~~ and 1008.345. A majority of the members of each school advisory council must be persons who are not employed by the school. Each advisory council shall be composed of the principal and an appropriately balanced number of teachers, education support employees, students, parents, and other business and community citizens who are representative of the ethnic, racial, and economic community served by the school. Career center and high school advisory councils shall include students, and middle and junior high school advisory councils may include students. School advisory councils of career centers and adult education centers are not required to include parents as members. Council members representing teachers, education support employees, students, and parents shall be elected by their respective peer groups at the school in a fair and equitable manner as follows:

1. Teachers shall be elected by teachers.

2. Education support employees shall be elected by education support employees.

3. Students shall be elected by students.

4. Parents shall be elected by parents.

The district school board shall establish procedures *to be used* ~~for use~~ by schools in selecting business and community members that include means of ensuring wide notice of vacancies and of taking input on possible members from local business, chambers of commerce, community and civic organizations and groups, and the public at large. The district school board shall review the membership composition of each advisory council. If the district school board determines that the membership elected by the school is not representative of the ethnic, racial, and economic community served by the school, the district school board shall appoint additional members to achieve proper representation. The commissioner shall determine if schools have maximized their efforts to include on their advisory councils minority persons and persons of lower socioeconomic status. Although schools are strongly encouraged to establish school advisory councils, the district school board of any school district that has a student population of 10,000 or fewer may establish

a district advisory council which *includes* ~~shall include~~ at least one duly elected teacher from each school in the district. For the purposes of school advisory councils and district advisory councils, the term "teacher" *includes* ~~shall include~~ classroom teachers, certified student services personnel, and media specialists. For purposes of this paragraph, "education support employee" means any person employed by a school who is not defined as instructional or administrative personnel pursuant to s. 1012.01 and whose duties require 20 or more hours in each normal working week.

(c) For those schools operating for the purpose of providing educational services to youth in Department of Juvenile Justice programs, district school boards may establish a district advisory council with appropriate representatives for the purpose of developing and monitoring a district school improvement plan that encompasses all such schools in the district, pursuant to *s. 1001.42(18)(a)* ~~s. 1001.42(16)(a)~~.

(2) DUTIES.—Each advisory council shall perform ~~such~~ functions ~~as are~~ prescribed by regulations of the district school board; however, no advisory council shall have any of the powers and duties now reserved by law to the district school board. Each school advisory council shall assist in the preparation and evaluation of the school improvement plan required pursuant to *s. 1001.42(18)* ~~s. 1001.42(16)~~. With technical assistance from the Department of Education, each school advisory council shall assist in the preparation of the school's annual budget and plan as required by s. 1008.385(1). A portion of funds provided in the annual General Appropriations Act for use by school advisory councils must be used for implementing the school improvement plan.

Section 11. Subsection (12) of section 1001.51, Florida Statutes, is amended to read:

1001.51 Duties and responsibilities of district school superintendent.—The district school superintendent shall exercise all powers and perform all duties listed below and elsewhere in the law, provided that, in so doing, he or she shall advise and counsel with the district school board. The district school superintendent shall perform all tasks necessary to make sound recommendations, nominations, proposals, and reports required by law to be acted upon by the district school board. All such recommendations, nominations, proposals, and reports by the district school superintendent shall be either recorded in the minutes or shall be made in writing, noted in the minutes, and filed in the public records of the district school board. It shall be presumed that, in the absence of the record required in this section, the recommendations, nominations, and proposals required of the district school superintendent were not contrary to the action taken by the district school board in such matters.

(12) RECORDS AND REPORTS.—Recommend such records as should be kept in addition to those prescribed by rules of the State Board of Education; prepare forms for keeping such records as are approved by the district school board; ensure that such records are properly kept; and make all reports that are needed or required, as follows:

(a) Forms, blanks, and reports.—Require that all employees accurately keep all records and promptly make in proper form all reports required by the education code or by rules of the State Board of Education; recommend the keeping of such additional records and the making of such additional reports as may be deemed necessary to provide data essential for the operation of the school system; and prepare such forms and blanks as may be required and ensure that these records and reports are properly prepared.

(b) Reports to the department.—Prepare, for the approval of the district school board, all reports ~~that may be~~ required by law or rules of the State Board of Education to be made to the department and transmit promptly all such reports, when approved, to the department, as required by law. If any ~~such~~ reports are not transmitted at the time and in the manner prescribed by law or by State Board of Education rules, the salary of the district school superintendent must be withheld until the report has been properly submitted. Unless otherwise provided by rules of the State Board of Education, the annual report on attendance and personnel is due on or before July 1, and the annual school budget and the report on finance are due on the date prescribed by the commissioner.

Any district school superintendent who knowingly signs and transmits to any state official a ~~false or incorrect~~ report *that the superintendent knows to be false or incorrect; who knowingly fails to investigate any allegation of misconduct by instructional personnel or school administrators, as defined in s. 1012.01, which affects the health, safety, or welfare of a student; or who knowingly fails to report the alleged misconduct to the department as required in s. 1012.796, forfeits* ~~shall forfeit~~ his or her ~~right to any~~ salary for ~~the period of~~ 1 year *following the* ~~from that~~ date *of such act or failure to act*.

Section 12. Subsection (2) of section 1001.54, Florida Statutes, is amended to read:

1001.54 Duties of school principals.—

(2) Each school principal shall provide instructional leadership in the development, revision, and implementation of a school improvement plan pursuant to *s. 1001.42(18)* ~~s. 1001.42(16)~~.

Section 13. Paragraph (b) of subsection (11) of section 1002.32, Florida Statutes, is amended to read:

1002.32 Developmental research (laboratory) schools.—

(11) EXCEPTIONS TO LAW.—To encourage innovative practices and facilitate the mission of the lab schools, in addition to the exceptions to law specified in s. 1001.23(2), the following exceptions shall be permitted for lab schools:

(b) With the exception of *s. 1001.42(18)* ~~s. 1001.42(16)~~, s. 1001.42 shall be held in abeyance. Reference to district school boards in *s. 1001.42(18)* ~~s. 1001.42(16)~~ shall mean the president of the university or the president's designee.

Section 14. Paragraph (g) of subsection (12) of section 1002.33, Florida Statutes, is amended to read:

1002.33 Charter schools.—

(12) EMPLOYEES OF CHARTER SCHOOLS.—

(g)*1.* A charter school shall employ or contract with employees who have undergone background screening as provided in s. 1012.32. Members of the governing board of the charter school shall also undergo background screening in a manner similar to that provided in s. 1012.32.

2. A charter school shall disqualify instructional personnel and school administrators, as defined in s. 1012.01, from employment in any position that requires direct contact with students if the personnel or administrators are ineligible for such employment under s. 1012.315.

3. The governing board of a charter school shall adopt policies establishing standards of ethical conduct for instructional personnel and school administrators. The policies must require all instructional personnel and school administrators, as defined in s. 1012.01, to complete training on the standards; establish the duty of instructional personnel and school administrators to report, and procedures for reporting, alleged misconduct by other instructional personnel and school administrators which affects the health, safety, or welfare of a student; and include an explanation of the liability protections provided under ss. 39.203 and 768.095. A charter school, or any of its employees, may not enter into a confidentiality agreement regarding terminated or dismissed instructional personnel or school administrators, or personnel or administrators who resign in lieu of termination, based in whole or in part on misconduct that affects the health, safety, or welfare of a student, and may not provide instructional personnel or school administrators with employment references or discuss the personnel's or administrators' performance with prospective employers in another educational setting, without disclosing the personnel's or administrators' misconduct. Any part of an agreement or contract that has the purpose or effect of concealing misconduct by instructional personnel or school administrators which affects the health, safety, or welfare of a student is void, is contrary to public policy, and may not be enforced.

4. Before employing instructional personnel or school administrators in any position that requires direct contact with students, a charter school shall conduct employment history checks of each of the personnel's or administrators' previous employer, screen the instructional personnel or school administrators through use of the educator screening tools described in s. 1001.10(5), and document the findings. If unable to contact a previous employer, the charter school must document efforts to contact the employer.

5. The sponsor of a charter school that knowingly fails to comply with this paragraph shall terminate the charter under subsection (8).

Section 15. Paragraph (g) is added to subsection (7) of section 1002.36, Florida Statutes, to read:

1002.36 Florida School for the Deaf and the Blind.—

(7) PERSONNEL SCREENING.—

(g) For purposes of protecting the health, safety, or welfare of students, the Florida School for the Deaf and the Blind is considered a school district and must, except as otherwise provided in this section, comply with ss. 1001.03, 1001.42, 1001.51, 1006.061, 1012.27, 1012.315, 1012.32, 1012.33, 1012.56, 1012.795, and 1012.796.

Section 16. Subsections (4), (5), and (6) of section 1002.421, Florida Statutes, are renumbered as subsections (5), (6), and (7), respectively, and a new subsection (4) is added to that section to read:

1002.421 Accountability of private schools participating in state school choice scholarship programs.—

(4) A private school that accepts scholarship students under s. 220.187 or s. 1002.39 must:

(a) Disqualify instructional personnel and school administrators, as defined in s. 1012.01, from employment in any position that requires direct contact with students if the personnel or administrators are ineligible for such employment under s. 1012.315.

(b) Adopt policies establishing standards of ethical conduct for instructional personnel and school administrators. The policies must require all instructional personnel and school administrators, as defined in s. 1012.01, to complete training on the standards; establish the duty of instructional personnel and school administrators to report, and procedures for reporting, alleged misconduct by other instructional personnel and school administrators which affects the health, safety, or welfare of a student; and include an explanation of the liability protections provided under ss. 39.203 and 768.095. A private school, or any of its employees, may not enter into a confidentiality agreement regarding terminated or dismissed instructional personnel or school administrators, or personnel or administrators who resign in lieu of termination, based in whole or in part on misconduct that affects the health, safety, or welfare of a student, and may not provide the instructional personnel or school administrators with employment references or discuss the personnel's or administrators' performance with prospective employers in another educational setting, without disclosing the personnel's or administrators' misconduct. Any part of an agreement or contract that has the purpose or effect of concealing misconduct by instructional personnel or school administrators which affects the health, safety, or welfare of a student is void, is contrary to public policy, and may not be enforced.

(c) Before employing instructional personnel or school administrators in any position that requires direct contact with students, conduct employment history checks of each of the personnel's or administrators' previous employer, screen the personnel or administrators through use of the educator screening tools described in s. 1001.10(5), and document the findings. If unable to contact a previous employer, the private school must document efforts to contact the employer.

The department shall suspend the payment of funds under ss. 220.187 and 1002.39 to a private school that knowingly fails to comply with this subsection, and shall prohibit the school from enrolling new scholarship students, for 1 fiscal year and until the school complies.

Section 17. Subsection (2) of section 1003.413, Florida Statutes, is amended to read:

1003.413 Florida Secondary School Redesign Act.—

(2) The following guiding principles for secondary school redesign shall be used in the annual preparation of each secondary school's improvement plan required by *s. 1001.42(18)* ~~s. 1001.42(16)~~:

(a) Struggling students, especially those in failing schools, need the highest quality teachers and dramatically different, innovative approaches to teaching and learning.

(b) Every teacher must contribute to every student's reading improvement.

(c) Quality professional development provides teachers and principals with the tools they need to better serve students.

(d) Small learning communities allow teachers to personalize instruction to better address student learning styles, strengths, and weaknesses.

(e) Intensive intervention in reading and mathematics must occur early and through innovative delivery systems.

(f) Parents need access to tools they can use to monitor their child's progress in school, communicate with teachers, and act early on behalf of their child.

(g) Applied and integrated courses help students see the relationships between subjects and relevance to their futures.

(h) School is more relevant when students choose courses based on their goals, interests, and talents.

(i) Master schedules should not determine instruction and must be designed based on student needs, not adult or institutional needs.

(j) Academic and career planning engages students in developing a personally meaningful course of study so they can achieve goals they have set for themselves.

Section 18. Paragraph (b) of subsection (2) of section 1003.53, Florida Statutes, is amended to read:

1003.53 Dropout prevention and academic intervention.—

(2)

(b) Each school that establishes a dropout prevention and academic intervention program at that school site shall reflect that program in the school improvement plan as required under *s. 1001.42(18)* ~~s. 1001.42(16)~~.

Section 19. Subsections (1) and (3) of section 1004.92, Florida Statutes, are amended to read:

1004.92 Purpose and responsibilities for career education.—

(1) The purpose of career education is to enable students who complete career programs to attain and sustain employment and realize economic self-sufficiency. The purpose of this section is to identify issues related to career education for which school boards and community college boards of trustees are accountable. It is the intent of the Legislature that the standards articulated in subsection (2) be considered in the development of accountability standards for public schools pursuant to ss. 1000.03, *1001.42(18)* ~~1001.42(16)~~, and 1008.345 and for community colleges pursuant to s. 1008.45.

(3) Each career center operated by a district school board shall establish a center advisory council pursuant to s. 1001.452. The center advisory council shall assist in the preparation and evaluation of center improvement plans required pursuant to *s. 1001.42(18)* ~~s. 1001.42(16)~~ and may provide assistance, upon the request of the center director, in the preparation of the center's annual budget and plan as required by s. 1008.385(1).

Section 20. Section 1006.061, Florida Statutes, is amended to read:

1006.061 Child abuse, abandonment, and neglect policy.—Each district school board*, charter school, and private school that accepts scholarship students under s. 220.187 or s. 1002.39* shall:

(1) Post in a prominent place in each school a notice that, pursuant to chapter 39, all employees and agents of the district school board*, charter school, or private school* have an affirmative duty to report all actual or suspected cases of child abuse, abandonment, or neglect; have immunity from liability if they report such cases in good faith; and have a duty to comply with child protective investigations and all other provisions of law relating to child abuse, abandonment, and neglect. The notice shall also include the statewide toll-free telephone number of the central abuse hotline.

(2) Post in a prominent place at each school site and on each school's Internet website, if available, the policies and procedures for reporting alleged misconduct by instructional personnel or school administrators which affects the health, safety, or welfare of a student; the contact person to whom the report is made; and the penalties imposed on instructional personnel or school administrators who fail to report suspected or actual child abuse or alleged misconduct by other instructional personnel or school administrators.

(3)~~(2)~~ Require the *principal of the charter school or private school, or the* district school superintendent, or the superintendent's designee, at the request of the Department of Children and Family Services, to act as a liaison to the Department of Children and Family Services and the child protection team, as defined in s. 39.01, when in a case of suspected child abuse, abandonment, or neglect or an unlawful sexual offense involving a child the case is referred to such a team; except that this does not relieve or restrict the Department of Children and Family Services from discharging its duty and responsibility under the law to investigate and report every suspected or actual case of child abuse, abandonment, or neglect or unlawful sexual offense involving a child.

The Department of Education shall develop, and publish on the department's Internet website, sample notices suitable for posting in accordance with subsections (1) and (2).

Section 21. Subsection (4) of section 1008.33, Florida Statutes, is amended to read:

1008.33 Authority to enforce public school improvement.—It is the intent of the Legislature that all public schools be held accountable for students performing at acceptable levels. A system of school improvement and accountability that assesses student performance by school, identifies schools in which students are not making adequate progress toward state standards, institutes appropriate measures for enforcing improvement, and provides rewards and sanctions based on performance shall be the responsibility of the State Board of Education.

(4) The State Board of Education may require the Department of Education or Chief Financial Officer to withhold any transfer of state funds to the school district if, within the timeframe specified in state board action, the school district has failed to comply with the action ordered to improve the district's low-performing schools. Withholding the transfer of funds shall occur only after all other recommended actions for school improvement have failed to improve performance. The State Board of Education may impose the same penalty on any district school board that fails to develop and implement a plan for assistance and intervention for low-performing schools as specified in *s. 1001.42(18)(c)* ~~s. 1001.42(16)(c)~~.

Section 22. Paragraph (c) of subsection (6) of section 1008.345, Florida Statutes, is amended to read:

1008.345 Implementation of state system of school improvement and education accountability.—

(6)

(c) Pursuant to s. 24.121(5)(d), the department shall not release funds from the Educational Enhancement Trust Fund to any district in which a school, including schools operating for the purpose of providing educational services to youth in Department of Juvenile Justice programs, does not have an approved school improvement plan, pursuant to *s. 1001.42(18)* ~~s. 1001.42(16)~~, after 1 full school year of planning and development, or does not comply with school advisory council membership composition requirements pursuant to s. 1001.452. The department shall send a technical assistance team to each school without an approved plan to develop such school improvement plan or to each school without appropriate school advisory council membership composition to develop a strategy for corrective action. The department shall release the funds upon approval of the plan or upon establishment of a plan of corrective action. Notice shall be given to the public of the department's intervention and shall identify each school without a plan or without appropriate school advisory council membership composition.

Section 23. Subsection (5) of section 1010.215, Florida Statutes, is amended to read:

1010.215 Educational funding accountability.—

(5) The annual school public accountability report required by ss. *1001.42(18)* ~~1001.42(16)~~ and 1008.345 must include a school financial report. The purpose of the school financial report is to better inform parents and the public concerning how funds were spent to operate the school during the prior fiscal year. Each school's financial report must follow a uniform, districtwide format that is easy to read and understand.

(a) Total revenue must be reported at the school, district, and state levels. The revenue sources that must be addressed are state and local funds, other than lottery funds; lottery funds; federal funds; and private donations.

(b) Expenditures must be reported as the total expenditures per unweighted full-time equivalent student at the school level and the average expenditures per full-time equivalent student at the district and state levels in each of the following categories and subcategories:

1. Teachers, excluding substitute teachers, and education paraprofessionals who provide direct classroom instruction to students enrolled in programs classified by s. 1011.62 as:

a. Basic programs;

b. Students-at-risk programs;

c. Special programs for exceptional students;

d. Career education programs; and

e. Adult programs.

2. Substitute teachers.

3. Other instructional personnel, including school-based instructional specialists and their assistants.

4. Contracted instructional services, including training for instructional staff and other contracted instructional services.

5. School administration, including school-based administrative personnel and school-based education support personnel.

6. The following materials, supplies, and operating capital outlay:

a. Textbooks;

b. Computer hardware and software;

c. Other instructional materials;

d. Other materials and supplies; and

e. Library media materials.

7. Food services.

8. Other support services.

9. Operation and maintenance of the school plant.

(c) The school financial report must also identify the types of district-level expenditures that support the school's operations. The total amount of these district-level expenditures must be reported and expressed as total expenditures per full-time equivalent student.

Section 24. Paragraph (b) of subsection (6) of section 1011.18, Florida Statutes, is amended to read:

1011.18 School depositories; payments into and withdrawals from depositories.—

(6) EXEMPTION FOR SELF-INSURANCE PROGRAMS AND THIRD-PARTY ADMINISTERED EMPLOYEES' FRINGE BENEFIT PROGRAMS.—

(b) The district school board may contract with an insurance company or professional administrator who holds a valid certificate of authority issued by the Office of Insurance Regulation of the Financial Services Commission to provide any ~~or all~~ services that a third-party

administrator is authorized by law to perform. Pursuant to such contract, the district school board may advance or remit money to the administrator to be deposited in a designated special checking account for paying claims against the district school board under its self-insurance programs, and remitting premiums to the providers of insured benefits on behalf of the district school board and the participants in such programs, and otherwise fulfilling the obligations imposed upon the administrator by law and the contractual agreements between the district school board and the administrator. The special checking account shall be maintained in a designated district school depository. The district school board may replenish such account as often as necessary upon the presentation by the service organization of documentation for claims or premiums due paid equal to the amount of the requested reimbursement. Such replenishment shall be made by a warrant signed by the chair of the district school board and countersigned by the district school superintendent. Such replenishment may be made by electronic, telephonic, or other medium, and each transfer shall be confirmed in writing and signed by the district school superintendent or his or her designee. The provisions of strict accountability of all funds and an annual audit by an independent certified public accountant as provided in *s. 1001.42(12)(k)* ~~s. 1001.42(10)(k) shall~~ apply to this subsection.

Section 25. Subsection (6) of section 1012.27, Florida Statutes, is renumbered as subsection (7), and a new subsection (6) is added to that section to read:

1012.27 Public school personnel; powers and duties of district school superintendent.—The district school superintendent is responsible for directing the work of the personnel, subject to the requirements of this chapter, and in addition the district school superintendent shall perform the following:

(6) EMPLOYMENT HISTORY CHECKS.—Before employing instructional personnel and school administrators, as defined in s. 1012.01, in any position that requires direct contact with students, conduct employment history checks of each of the personnel's or administrators' previous employer, screen the personnel or administrators through use of the educator screening tools described in s. 1001.10(5), and document the findings. If unable to contact a previous employer, the district school superintendent shall document efforts to contact the employer.

Section 26. Section 1012.315, Florida Statutes, is created to read:

1012.315 Disqualification from employment.—A person is ineligible for educator certification, and instructional personnel and school administrators, as defined in s. 1012.01, are ineligible for employment in any position that requires direct contact with students in a district school system, charter school, or private school that accepts scholarship students under s. 220.187 or s. 1002.39, if the person, instructional personnel, or school administrator has been convicted of:

(1) Any felony offense prohibited under any of the following statutes:

(a) Section 393.135, relating to sexual misconduct with certain developmentally disabled clients and reporting of such sexual misconduct.

(b) Section 394.4593, relating to sexual misconduct with certain mental health patients and reporting of such sexual misconduct.

(c) Section 415.111, relating to adult abuse, neglect, or exploitation of aged persons or disabled adults.

(d) Section 782.04, relating to murder.

(e) Section 782.07, relating to manslaughter, aggravated manslaughter of an elderly person or disabled adult, aggravated manslaughter of a child, or aggravated manslaughter of an officer, a firefighter, an emergency medical technician, or a paramedic.

(f) Section 784.021, relating to aggravated assault.

(g) Section 784.045, relating to aggravated battery.

(h) Section 784.075, relating to battery on a detention or commitment facility staff member or a juvenile probation officer.

(i) Section 787.01, relating to kidnapping.

(j) Section 787.02, relating to false imprisonment.

(k) Section 787.025, relating to luring or enticing a child.

(l) Section 787.04(2), relating to leading, taking, enticing, or removing a minor beyond the state limits, or concealing the location of a minor, with criminal intent pending custody proceedings.

(m) Section 787.04(3), relating to leading, taking, enticing, or removing a minor beyond the state limits, or concealing the location of a minor, with criminal intent pending dependency proceedings or proceedings concerning alleged abuse or neglect of a minor.

(n) Section 790.115(1), relating to exhibiting firearms or weapons at a school-sponsored event, on school property, or within 1,000 feet of a school.

(o) Section 790.115(2)(b), relating to possessing an electric weapon or device, destructive device, or other weapon at a school-sponsored event or on school property.

(p) Section 794.011, relating to sexual battery.

(q) Former s. 794.041, relating to sexual activity with or solicitation of a child by a person in familial or custodial authority.

(r) Section 794.05, relating to unlawful sexual activity with certain minors.

(s) Section 794.08, relating to female genital mutilation.

(t) Chapter 796, relating to prostitution.

(u) Chapter 800, relating to lewdness and indecent exposure.

(v) Section 806.01, relating to arson.

(w) Section 810.14, relating to voyeurism.

(x) Section 810.145, relating to video voyeurism.

(y) Section 812.014(6), relating to coordinating the commission of theft in excess of $3,000.

(z) Section 812.0145, relating to theft from persons 65 years of age or older.

(aa) Section 812.019, relating to dealing in stolen property.

(bb) Section 812.13, relating to robbery.

(cc) Section 812.131, relating to robbery by sudden snatching.

(dd) Section 812.133, relating to carjacking.

(ee) Section 812.135, relating to home-invasion robbery.

(ff) Section 817.563, relating to fraudulent sale of controlled substances.

(gg) Section 825.102, relating to abuse, aggravated abuse, or neglect of an elderly person or disabled adult.

(hh) Section 825.103, relating to exploitation of an elderly person or disabled adult.

(ii) Section 825.1025, relating to lewd or lascivious offenses committed upon or in the presence of an elderly person or disabled person.

(jj) Section 826.04, relating to incest.

(kk) Section 827.03, relating to child abuse, aggravated child abuse, or neglect of a child.

(ll) Section 827.04, relating to contributing to the delinquency or dependency of a child.

(mm) Section 827.071, relating to sexual performance by a child.

(nn) Section 843.01, relating to resisting arrest with violence.

(oo) Chapter 847, relating to obscenity.

(pp) Section 874.05, relating to causing, encouraging, soliciting, or recruiting another to join a criminal street gang.

(qq) Chapter 893, relating to drug abuse prevention and control, if the offense was a felony of the second degree or greater severity.

(rr) Section 916.1075, relating to sexual misconduct with certain forensic clients and reporting of such sexual misconduct.

(ss) Section 944.47, relating to introduction, removal, or possession of contraband at a correctional facility.

(tt) Section 985.701, relating to sexual misconduct in juvenile justice programs.

(uu) Section 985.711, relating to introduction, removal, or possession of contraband at a juvenile detention facility or commitment program.

(2) Any misdemeanor offense prohibited under any of the following statutes:

(a) Section 784.03, relating to battery, if the victim of the offense was a minor.

(b) Section 787.025, relating to luring or enticing a child.

(3) Any criminal act committed in another state or under federal law which, if committed in this state, constitutes an offense prohibited under any statute listed in subsection (1) or subsection (2).

(4) Any delinquent act committed in this state or any delinquent or criminal act committed in another state or under federal law which, if committed in this state, qualifies an individual for inclusion on the Registered Juvenile Sex Offender List under s. 943.0435(1)(a)1.d.

Section 27. Subsections (1) and (2) and paragraph (c) of subsection (3) of section 1012.32, Florida Statutes, are amended to read:

1012.32 Qualifications of personnel.—

(1) To be eligible for appointment in any position in any district school system, a person *must* ~~shall~~ be of good moral character; *must* ~~shall~~ have attained the age of 18 years, if he or she is to be employed in an instructional capacity; *must not be ineligible for such employment under s. 1012.315;* and *must* ~~shall~~, when required by law, hold a certificate or license issued under rules of the State Board of Education or the Department of Children and Family Services, except when employed pursuant to s. 1012.55 or under the emergency provisions of s. 1012.24. Previous residence in this state shall not be required in any school of the state as a prerequisite for any person holding a valid Florida certificate or license to serve in an instructional capacity.

(2)(a) Instructional and noninstructional personnel who are hired or contracted to fill positions *that require* ~~requiring~~ direct contact with students in any district school system or university lab school *must* ~~shall~~, upon employment or engagement to provide services, undergo background screening as required under s. 1012.465 or s. 1012.56, whichever is applicable.

(b) Instructional and noninstructional personnel who are hired or contracted to fill positions in any charter school and members of the governing board of any charter school, in compliance with s. 1002.33(12)(g), *must* ~~shall~~, upon employment, engagement of services, or appointment, undergo background screening as required under s. 1012.465 or s. 1012.56, whichever is applicable, by filing with the district school board for the school district in which the charter school is located a complete set of fingerprints taken by an authorized law enforcement agency or an employee of the school or school district who is trained to take fingerprints.

(c) Instructional and noninstructional personnel who are hired or contracted to fill positions *that require* ~~requiring~~ direct contact with students in an alternative school that operates under contract with a district school system *must* ~~shall~~, upon employment or engagement to provide services, undergo background screening as required under s. 1012.465 or s. 1012.56, whichever is applicable, by filing with the district school board for the school district to which the alternative school is under contract a complete set of fingerprints taken by an authorized law enforcement agency or an employee of the school or school district who is trained to take fingerprints.

(d) Student teachers, persons participating in a field experience pursuant to s. 1004.04(6) or s. 1004.85, and persons participating in a short-term experience as a teacher assistant pursuant to s. 1004.04(10) in any district school system, lab school, or charter school *must* ~~shall~~, upon engagement to provide services, undergo background screening as required under s. 1012.56.

Fingerprints shall be submitted to the Department of Law Enforcement for *statewide criminal and juvenile records checks* ~~state processing~~ and to the Federal Bureau of Investigation for federal *criminal records checks* ~~processing~~ . *A person* ~~Persons~~ subject to this subsection *who is* found *ineligible for employment under s. 1012.315, or otherwise found* through *background screening* ~~fingerprint processing~~ to have been convicted of *any* ~~a~~ crime involving moral turpitude *as defined by rule of the State Board of Education,* shall not be employed, engaged to provide services, or serve in any position *that requires* ~~requiring~~ direct contact with students. Probationary persons subject to this subsection terminated because of their criminal record have the right to appeal such decisions. The cost of the background screening may be borne by the district school board, the charter school, the employee, the contractor, or a person subject to this subsection.

(3)

(c) Personnel whose fingerprints are not retained by the Department of Law Enforcement under paragraphs (a) and (b) *must* ~~are required to~~ be refingerprinted and *rescreened in accordance with subsection (2)* ~~must meet level 2 screening requirements as described in this section~~ upon reemployment or reengagement to provide services in order to comply with the requirements of this subsection.

Section 28. Paragraph (a) of subsection (1), paragraph (c) of subsection (4), and paragraph (b) of subsection (6) of section 1012.33, Florida Statutes, are amended to read:

1012.33 Contracts with instructional staff, supervisors, and school principals.—

(1)(a) Each person employed as a member of the instructional staff in any district school system shall be properly certified pursuant to s. 1012.56 or s. 1012.57 or employed pursuant to s. 1012.39 and shall be entitled to and shall receive a written contract as specified in this section. All such contracts, except continuing contracts as specified in subsection (4), shall contain provisions for dismissal during the term of the contract only for just cause. Just cause includes, but is not limited to, the following instances, as defined by rule of the State Board of Education: *immorality,* misconduct in office, incompetency, gross insubordination, willful neglect of duty, *or being convicted or found guilty of, or entering a plea of guilty to, regardless of adjudication of guilt, any* ~~or conviction of a~~ crime involving moral turpitude.

(4)

(c) Any member of the district administrative or supervisory staff and any member of the instructional staff, including any school principal, who is under continuing contract may be suspended or dismissed at any time during the school year; however, the charges against him or her must be based on immorality, misconduct in office, incompetency, gross insubordination, willful neglect of duty, drunkenness, or *being convicted or found guilty of, or entering a plea of guilty to, regardless of adjudication of guilt, any* ~~conviction of a~~ crime involving moral turpitude, as these terms are defined by rule of the State Board of Education. Whenever such charges are made against *an* ~~any such~~ employee of the district school board, the district school board may suspend such person without pay; but, if the charges are not sustained, he or she shall be immediately reinstated, and his or her back salary shall be paid. In cases of suspension by the district school board or by the district school superintendent, the district school board shall determine upon the evidence submitted whether the charges have been sustained and, if the charges are sustained, shall determine either to dismiss the employee or fix the terms under which he or she may be reinstated. If such charges are sustained by a majority vote of the full membership of the district school board and *the* ~~such~~ employee is discharged, his or her contract of employment shall be ~~thereby~~ canceled. Any ~~such~~ decision adverse to the employee may be appealed by the employee pursuant to s. 120.68, provided *the* ~~such~~ appeal is filed within 30 days after the decision of the district school board.

(6)

(b) Any member of the district administrative or supervisory staff, including any principal but excluding an employee specified in subsection (4), may be suspended or dismissed at any time during the term of the contract; however, the charges against him or her must be based on immorality, misconduct in office, incompetency, gross insubordination, willful neglect of duty, drunkenness, or *being convicted or found guilty of, or entering a plea of guilty, regardless of adjudication of guilt,* ~~conviction of~~ any crime involving moral turpitude, as these terms are defined by rule of the State Board of Education. Whenever such charges are made against *an* ~~any such~~ employee of the district school board, the district school board may suspend the employee without pay; but, if the charges are not sustained, he or she shall be immediately reinstated, and his or her back salary shall be paid. In cases of suspension by the district school board or by the district school superintendent, the district school board shall determine upon the evidence submitted whether the charges have been sustained and, if the charges are sustained, shall determine either to dismiss the employee or fix the terms under which he or she may be reinstated. If such charges are sustained by a majority vote of the full membership of the district school board and *the* ~~such~~ employee is discharged, his or her contract of employment shall be ~~thereby~~ canceled. Any ~~such~~ decision adverse to the employee may be appealed by him or her pursuant to s. 120.68, provided such appeal is filed within 30 days after the decision of the district school board.

Section 29. Subsection (4) of section 1012.34, Florida Statutes, is amended to read:

1012.34 Assessment procedures and criteria.—

(4) The district school superintendent shall notify the department of any instructional personnel who receive two consecutive unsatisfactory evaluations and who have been given written notice by the district that their employment is being terminated or is not being renewed or that the district school board intends to terminate, or not renew, their employment. The department shall conduct an investigation to determine whether action shall be taken against the certificateholder pursuant to *s. 1012.795(1)(c)* ~~s. 1012.795(1)(b)~~.

Section 30. Subsections (9) and (14) of section 1012.56, Florida Statutes, are amended to read:

1012.56 Educator certification requirements.—

(9) BACKGROUND SCREENING REQUIRED, INITIALLY AND PERIODICALLY.—

(a) Each person who seeks certification under this chapter must *be fingerprinted and screened* ~~meet level 2 screening requirements as described~~ in *accordance with* s. 1012.32 *and must not be ineligible for such certification under s. 1012.315. A person who has been screened in accordance with s. 1012.32* ~~unless a level 2 screening has been conducted~~ by a district school board or the Department of Education within 12 months before the date the person initially obtains certification under this chapter, the results of which are submitted to the district school board or to the Department of Education*, is not required to repeat the screening under this paragraph*.

(b) A person may not receive a certificate under this chapter until the *person's* ~~level 2~~ screening *under s. 1012.32 is* ~~has been~~ completed and the results have been submitted to the Department of Education or to the district school superintendent of the school district that employs the person. Every 5 years after obtaining initial certification, each person who is required to be certified under this chapter must *be rescreened* ~~meet level 2 screening requirements as described~~ in *accordance with* s. 1012.32, at which time the school district shall request the Department of Law Enforcement to forward the fingerprints to the Federal Bureau of Investigation for *federal criminal records checks* ~~the level 2 screening~~. If, for any reason after obtaining initial certification, the fingerprints of a person who is required to be certified under this chapter are not retained by the Department of Law Enforcement under s. 1012.32(3)(a) and (b), the person must file a complete set of fingerprints with the district school superintendent of the employing school district. Upon submission of fingerprints for this purpose, the school district shall request the Department of Law Enforcement to forward the fingerprints to the Federal Bureau of Investigation for *federal criminal records checks* ~~the level 2 screening~~, and the fingerprints shall be retained by the Department of Law Enforcement under s. 1012.32(3)(a) and (b). The cost of the state and federal criminal history *checks* ~~check~~ required by *paragraph (a) and this paragraph* ~~level 2 screening~~ may be borne by the district school board or the employee. Under penalty of perjury, each person who is certified under this chapter must agree to inform his or her employer within 48 hours if convicted of any disqualifying offense while he or she is employed in a position for which such certification is required.

(c) If it is found under s. 1012.796 that a person who is employed in a position requiring certification under this chapter *has* ~~does~~ not *been screened in accordance with s. 1012.32, or is ineligible for such certification under s. 1012.315* ~~meet the level 2 screening requirements~~, the person's certification shall be immediately revoked or suspended and he or she shall be immediately suspended from the position requiring certification.

(14) PERSONNEL RECORDS.—The Department of Education shall maintain *an electronic database that includes, but need not be limited to,* ~~a complete statement of~~ the academic preparation, professional training, and teaching experience of each person to whom a certificate is issued. The applicant or the district school superintendent shall furnish the information using a format ~~or forms~~ provided by the department.

Section 31. Subsection (1) and paragraph (a) of subsection (8) of section 1012.79, Florida Statutes, are amended to read:

1012.79 Education Practices Commission; organization.—

(1) The Education Practices Commission consists of *25* ~~17~~ members, including *8* ~~7~~ teachers*;*~~,~~ 5 administrators, *at least one of whom shall represent a private school; 7* ~~and 5~~ lay citizens*, 5* ~~(~~of whom *shall be parents of public school students and who are unrelated to public school employees and* 2 *of whom* shall be former district school board members*;*~~),~~ *and 5 sworn law enforcement officials,* appointed by the State Board of Education from nominations by the Commissioner of Education and subject to Senate confirmation. Prior to making nominations, the commissioner shall consult with ~~the~~ teaching *associations, parent organizations, law enforcement agencies,* and other involved associations in the state. In making nominations, the commissioner shall attempt to achieve equal geographical representation, as closely as possible.

(a) A teacher member, in order to be qualified for appointment:

1. Must be certified to teach in the state.

2. Must be a resident of the state.

3. Must have practiced the profession in this state for at least 5 years immediately preceding the appointment.

(b) A school administrator member, in order to be qualified for appointment:

1. Must have an endorsement on the educator certificate in the area of school administration or supervision.

2. Must be a resident of the state.

3. Must have practiced the profession as an administrator for at least 5 years immediately preceding the appointment.

(c) The lay members must be residents of the state.

(d) The law enforcement official members must have served in the profession for at least 5 years immediately preceding appointment and have background expertise in child safety.

(8)(a) The commission shall, from time to time, designate members of the commission to serve on panels for the purpose of reviewing and issuing final orders upon cases presented to the commission. A case concerning a complaint against a teacher shall be reviewed and a final order ~~thereon shall be~~ entered by a panel composed of five commission members, *at least one of whom must be a parent or a sworn law enforcement officer and at least* three of whom *must* ~~shall~~ be teachers. A case concerning a complaint against an administrator shall be reviewed and a final order ~~thereon shall be~~ entered by a panel composed of five commission members, *at least one of whom must be a parent or a sworn law enforcement officer and at least* three of whom *must* ~~shall~~ be administrators.

Section 32. Subsection (1) of section 1012.795, Florida Statutes, is amended to read:

1012.795 Education Practices Commission; authority to discipline.—

(1) The Education Practices Commission may suspend the educator certificate of any person as defined in s. 1012.01(2) or (3) for a period of time not to exceed 5 years, thereby denying that person the right to teach or otherwise be employed by a district school board or public school in any capacity requiring direct contact with students for that period of time, after which the holder may return to teaching as provided in subsection (4); may revoke the educator certificate of any person, thereby denying that person the right to teach or otherwise be employed by a district school board or public school in any capacity requiring direct contact with students for a period of time not to exceed 10 years, with reinstatement subject to the provisions of subsection (4); may revoke permanently the educator certificate of any person thereby denying that person the right to teach or otherwise be employed by a district school board or public school in any capacity requiring direct contact with students; may suspend the educator certificate, upon order of the court, of any person found to have a delinquent child support obligation; or may impose any other penalty provided by law, *if* ~~provided it can be shown that~~ the person:

(a) Obtained or attempted to obtain an educator certificate by fraudulent means.

(b) Knowingly failed to report actual or suspected child abuse as required in s. 1006.061 or report alleged misconduct by instructional personnel or school administrators which affects the health, safety, or welfare of a student as required in s. 1012.796.

(c)~~(b)~~ Has proved to be incompetent to teach or to perform duties as an employee of the public school system or to teach in or to operate a private school.

(d)~~(c)~~ Has been guilty of gross immorality or an act involving moral turpitude *as defined by rule of the State Board of Education*.

(e)~~(d)~~ Has had an educator certificate sanctioned by revocation, suspension, or surrender in another state.

(f)~~(e)~~ Has been convicted *or found guilty* of*, or entered a plea of guilty to, regardless of adjudication of guilt,* a misdemeanor, felony, or any other criminal charge, other than a minor traffic violation.

(g)~~(f)~~ Upon investigation, has been found guilty of personal conduct which seriously reduces that person's effectiveness as an employee of the district school board.

(h)~~(g)~~ Has breached a contract, as provided in s. 1012.33(2).

(i)~~(h)~~ Has been the subject of a court order directing the Education Practices Commission to suspend the certificate as a result of a delinquent child support obligation.

(j)~~(i)~~ Has violated the Principles of Professional Conduct for the Education Profession prescribed by State Board of Education rules.

(k)~~(j)~~ Has otherwise violated the provisions of law, the penalty for which is the revocation of the educator certificate.

(l)~~(k)~~ Has violated any order of the Education Practices Commission.

(m)~~(l)~~ Has been the subject of a court order or plea agreement in any jurisdiction which requires the certificateholder to surrender or otherwise relinquish his or her educator's certificate. A surrender or relinquishment shall be for permanent revocation of the certificate. A person may not surrender or otherwise relinquish his or her certificate prior to a finding of probable cause by the commissioner as provided in s. 1012.796.

(n) Has been disqualified from educator certification under s. 1012.315.

Section 33. Subsections (1), (3), and (5) of section 1012.796, Florida Statutes, are amended to read:

1012.796 Complaints against teachers and administrators; procedure; penalties.—

(1)(a) The Department of Education shall cause to be investigated expeditiously any complaint filed before it or otherwise called to its attention which, if legally sufficient, contains grounds for the revocation or suspension of a certificate or any other appropriate penalty as set forth in subsection (7). The complaint is legally sufficient if it contains the ultimate facts which show a violation has occurred as provided in s. 1012.795 *and defined by rule of the State Board of Education*. The department *shall* ~~may~~ investigate or continue to investigate and take appropriate action on a complaint even though the original complainant withdraws the complaint or otherwise indicates a desire not to cause it to be investigated or prosecuted to completion. The department may investigate or continue to investigate and take action on a complaint filed against a person whose educator certificate has expired if the act or acts *that* ~~which~~ are the basis for the complaint were allegedly committed while that person possessed an educator certificate.

(b) The department shall immediately investigate any legally sufficient complaint that involves misconduct by any certificated personnel which affects the health, safety, or welfare of a student, giving the complaint priority over other pending complaints. The department must investigate or continue to investigate and take action on such a complaint filed against a person whose educator certificate has expired if the act or acts that are the basis for the complaint were allegedly committed while that person possessed an educator certificate.

(c)~~(b)~~ When an investigation is undertaken, the department shall notify the certificateholder or applicant for certification and the district school superintendent or the university laboratory school, charter school, or private school in which the certificateholder or applicant for certification is employed or was employed at the time the alleged offense occurred. In addition, the department shall inform the certificateholder or applicant for certification of the substance of any complaint which has been filed against that certificateholder or applicant, unless the department determines that such notification would be detrimental to the investigation, in which case the department may withhold notification.

(d)~~(c)~~ Each school district shall file in writing with the department all legally sufficient complaints within 30 days after the date on which subject matter of the complaint comes to the attention of the school district. *A complaint is legally sufficient if it contains ultimate facts that show a violation has occurred as provided in s. 1012.795 and defined by rule of the State Board of Education.* The school district shall include all information relating to the complaint which is known to the school district at the time of filing. Each district school board shall develop *and adopt* policies and procedures to comply with this reporting requirement. *School board policies and procedures must include standards for screening, hiring, and terminating instructional personnel and school administrators, as defined in s. 1012.01; standards of ethical conduct for instructional personnel and school administrators; the duties of instructional personnel and school administrators for upholding the standards; detailed procedures for reporting alleged misconduct by instructional personnel and school administrators which affects the health, safety, or welfare of a student; requirements for the reassignment of instructional personnel or school administrators pending the outcome of a misconduct investigation; and penalties for failing to comply with s. 1001.51 or s. 1012.795.* The district school board policies and procedures shall include appropriate penalties for all personnel of the district school board for nonreporting and procedures for promptly informing the district school superintendent of each legally sufficient complaint. The district school superintendent is charged with knowledge of these policies and procedures *and is accountable for the training of all instructional personnel and school administrators of the school district on the standards of ethical conduct, policies, and procedures*. If the district school superintendent has knowledge of a legally sufficient complaint and does not report the complaint, or fails to enforce the policies and procedures of the district school board, and fails to comply with the requirements of this subsection, in addition to other actions against certificateholders authorized by law, the district school superintendent *is* ~~shall be~~ subject to penalties as specified in s. 1001.51(12). *If the superintendent determines that misconduct by instructional personnel or school administrators who hold an educator certificate affects the health, safety, or welfare of a student and the misconduct warrants termination, the instructional personnel or school administrators may resign or be terminated and the superintendent must report the misconduct to the department in the format prescribed by the department. The department shall maintain each report of misconduct as a public record in the instructional personnel's or school administrators' certification files.* This paragraph does not limit or restrict the power and duty of the department to investigate

complaints ~~as provided in paragraphs (a) and (b)~~, regardless of the school district's untimely filing, or failure to file, complaints and followup reports.

(e) If allegations arise against an employee who is certified under s. 1012.56 and employed in an educator- certificated position in any public school, charter school or governing board thereof, or private school that accepts scholarship students under s. 220.187 or s. 1002.39, the school shall file in writing with the department a legally sufficient complaint within 30 days after the date on which the subject matter of the complaint came to the attention of the school. A complaint is legally sufficient if it contains ultimate facts that show a violation has occurred as provided in s. 1012.795 and defined by rule of the State Board of Education. The school shall include all known information relating to the complaint with the filing of the complaint. This paragraph does not limit or restrict the power and duty of the department to investigate complaints, regardless of the school's untimely filing, or failure to file, complaints and followup reports.

(f)~~(d)~~ Notwithstanding any other law, all law enforcement agencies, state attorneys, social service agencies, district school boards, and the Division of Administrative Hearings shall fully cooperate with and, upon request, shall provide unredacted documents to the Department of Education to further investigations and prosecutions conducted pursuant to this section. Any document received ~~pursuant to this paragraph~~ may not be redisclosed except as authorized by law.

(3) The department staff shall advise the commissioner concerning the findings of the investigation. The department general counsel or members of that staff shall review the investigation and advise the commissioner concerning probable cause or lack thereof. The determination of probable cause shall be made by the commissioner. The commissioner shall provide an opportunity for a conference, if requested, prior to determining probable cause. The commissioner may enter into deferred prosecution agreements in lieu of finding probable cause *if,* ~~when~~ in his or her judgment*,* such agreements *are* ~~would be~~ in the best interests of the department, the certificateholder, and the public. Such deferred prosecution agreements shall become effective when filed with the clerk of the Education Practices Commission. However, a deferred prosecution agreement shall not be entered into *if* ~~where~~ there is probable cause to believe that a felony or an act of moral turpitude *, as defined by rule of the State Board of Education,* has occurred. Upon finding no probable cause, the commissioner shall dismiss the complaint.

(5) When *an allegation of misconduct by instructional personnel or school administrators, as defined in s. 1012.01, is received, if the alleged misconduct affects* ~~deemed necessary to protect~~ the health, safety, *or* ~~and~~ welfare of a ~~minor~~ student, the district school superintendent in consultation with the school principal*, or* ~~may, and~~ upon the request of the Commissioner of Education*, must immediately* ~~shall, temporarily~~ suspend *the instructional personnel or school administrators* ~~a certificate-holder~~ from ~~the certificateholder's~~ regularly assigned duties, with pay, and reassign the suspended *personnel or administrators* ~~certificate-holder~~ to *positions* ~~a position~~ that *do* ~~does~~ not require direct contact with students in the district school system. Such suspension shall continue until the completion of the proceedings and the determination of sanctions, if any, pursuant to this section and s. 1012.795.

Section 34. Paragraph (b) of subsection (4) of section 1012.98, Florida Statutes, is amended to read:

1012.98 School Community Professional Development Act.—

(4) The Department of Education, school districts, schools, community colleges, and state universities share the responsibilities described in this section. These responsibilities include the following:

(b) Each school district shall develop a professional development system as specified in subsection (3). The system shall be developed in consultation with teachers, teacher-educators of community colleges and state universities, business and community representatives, and local education foundations, consortia, and professional organizations. The professional development system must:

1. Be approved by the department. All substantial revisions to the system shall be submitted to the department for review for continued approval.

2. Be based on analyses of student achievement data and instructional strategies and methods that support rigorous, relevant, and challenging curricula for all students. Schools and districts, in developing and refining the professional development system, shall also review and monitor school discipline data; school environment surveys; assessments of parental satisfaction; performance appraisal data of teachers, managers, and administrative personnel; and other performance indicators to identify school and student needs that can be met by improved professional performance.

3. Provide inservice activities coupled with followup support appropriate to accomplish district-level and school-level improvement goals and standards. The inservice activities for instructional personnel shall focus on analysis of student achievement data, ongoing formal and informal assessments of student achievement, identification and use of enhanced and differentiated instructional strategies that emphasize rigor, relevance, and reading in the content areas, enhancement of subject content expertise, integrated use of classroom technology that enhances teaching and learning, classroom management, parent involvement, and school safety.

4. Include a master plan for inservice activities, pursuant to rules of the State Board of Education, for all district employees from all fund sources. The master plan shall be updated annually by September 1, must be based on input from teachers and district and school instructional leaders, and must use the latest available student achievement data and research to enhance rigor and relevance in the classroom. Each district inservice plan must be aligned to and support the school-based inservice plans and school improvement plans pursuant to *s. 1001.42(18)* ~~s. 1001.42(16)~~. District plans must be approved by the district school board annually in order to ensure compliance with subsection (1) and to allow for dissemination of research-based best practices to other districts. District school boards must submit verification of their approval to the Commissioner of Education no later than October 1, annually.

5. Require each school principal to establish and maintain an individual professional development plan for each instructional employee assigned to the school as a seamless component to the school improvement plans developed pursuant to *s. 1001.42(18)* ~~s. 1001.42(16)~~. The individual professional development plan must:

a. Be related to specific performance data for the students to whom the teacher is assigned.

b. Define the inservice objectives and specific measurable improvements expected in student performance as a result of the inservice activity.

c. Include an evaluation component that determines the effectiveness of the professional development plan.

6. Include inservice activities for school administrative personnel that address updated skills necessary for instructional leadership and effective school management pursuant to s. 1012.986.

7. Provide for systematic consultation with regional and state personnel designated to provide technical assistance and evaluation of local professional development programs.

8. Provide for delivery of professional development by distance learning and other technology-based delivery systems to reach more educators at lower costs.

9. Provide for the continuous evaluation of the quality and effectiveness of professional development programs in order to eliminate ineffective programs and strategies and to expand effective ones. Evaluations must consider the impact of such activities on the performance of participating educators and their students' achievement and behavior.

Section 35. Subsection (4) of section 1013.03, Florida Statutes, is amended to read:

1013.03 Functions of the department and the Board of Governors.—The functions of the Department of Education as it pertains to educational facilities of school districts and community colleges and of the Board of Governors as it pertains to educational facilities of state universities shall include, but not be limited to, the following:

(4) Require each board and other appropriate agencies to submit complete and accurate financial data as to the amounts of funds from all

sources that are available and spent for construction and capital improvements. The commissioner shall prescribe the format and the date for the submission of this data and any other educational facilities data. If any district does not submit the required educational facilities fiscal data by the prescribed date, the Commissioner of Education shall notify the district school board of this fact and, if appropriate action is not taken to immediately submit the required report, the district school board shall be directed to proceed pursuant to *s. 1001.42(13)(b)* ~~the provisions of s. 1001.42(11)(b)~~. If any community college or university does not submit the required educational facilities fiscal data by the prescribed date, the same policy prescribed in this subsection for school districts shall be implemented.

Section 36. *The sum of $153,872 is appropriated from the Educational Certification and Services Trust Fund to the Department of Education for the 2008-2009 fiscal year, and two additional full-time equivalent positions and associated salary rate of 90,088 are authorized, for the purpose of implementing this act.*

Section 37. This act shall take effect July 1, 2008.

And the title is amended as follows:

Remove the entire title and insert: A bill to be entitled An act relating to ethics; providing a short title; amending s. 24.121, F.S., relating to public school funding; conforming cross-references; amending s. 112.3173, F.S.; specifying certain felony offenses against a minor as additional offenses that constitute a breach of the public trust; requiring a person committing such an offense to forfeit benefits under certain public retirement systems; amending s. 121.091, F.S.; prohibiting the Division of Retirement from paying benefits to a member who commits certain felony offenses against a minor; conforming a cross-reference; creating ss. 794.09 and 800.05, F.S.; providing notice in the criminal statutes that certain retirement benefits are subject to forfeiture for committing certain felony offenses against a minor; amending s. 1001.10, F.S.; requiring the Department of Education to assist school districts, charter schools, the Florida School for the Deaf and the Blind, and private schools that accept school choice scholarship students in developing policies, procedures, and training related to employment practices and standards of ethical conduct; requiring the department to provide authorized staff with access to certain databases for employment history verification; amending s. 1001.32, F.S., relating to school administration; conforming a cross-reference; amending s. 1001.42, F.S.; requiring each district school board to adopt standards of ethical conduct and provide training for instructional personnel and school administrators; prohibiting confidentiality agreements regarding terminated or dismissed instructional personnel and school administrators which have the effect of concealing certain misconduct; prohibiting a school district from providing employment references for specified personnel and administrators except under certain circumstances; requiring a person who committed certain crimes to be disqualified from employment in certain positions in a district school system under specified conditions; providing that a district school board official who knowingly signs and transmits a false or incorrect report, or fails to adopt certain policies, forfeits his or her salary for a specified period; amending s. 1001.452, F.S., relating to district and school advisory councils; conforming cross-references; amending s. 1001.51, F.S.; providing that a district school superintendent forfeits his or her salary for a specified period following failure to investigate and report allegations of certain misconduct by specified personnel or administrators; amending ss. 1001.54 and 1002.32, F.S., relating to duties of principals and laboratory schools; conforming cross-references; amending s. 1002.33, F.S.; requiring a person who committed certain crimes to be disqualified from employment in certain positions in a charter school under specified conditions; requiring charter schools to adopt standards of ethical conduct and provide training for all instructional personnel and school administrators; prohibiting confidentiality agreements regarding terminated or dismissed instructional personnel and school administrators which have the effect of concealing certain misconduct; prohibiting a charter school from providing employment references for specified personnel and administrators except under certain circumstances; requiring a charter school to contact the previous employer, and verify the employment history against certain databases, of persons seeking employment in certain positions; requiring a charter school's sponsor to terminate the school's charter for failing to comply with these requirements; amending s. 1002.36, F.S.; requiring the Florida School for the Deaf and the Blind to meet certain requirements governing the screening of personnel; amending s. 1002.421, F.S.; requiring a person who committed certain crimes to be disqualified from employment in certain positions in a private school that accepts certain scholarship students under specified conditions; requiring certain private schools to adopt standards of ethical conduct and provide training for all instructional personnel and school administrators; prohibiting confidentiality agreements regarding terminated or dismissed instructional personnel or school administrators which have the effect of concealing certain misconduct; prohibiting a private school from providing employment references for specified personnel and administrators except under certain circumstances; requiring a private school to contact the previous employer, and verify the employment history against certain databases, of persons seeking employment in certain positions; requiring the Department of Education to suspend enrollment of new students and the payment of funds to a private school failing to comply with these requirements; amending ss. 1003.413, 1003.53, and 1004.92, F.S., relating to educational instruction and programs; conforming cross-references; amending s. 1006.061, F.S.; requiring district school boards, charter schools, and private schools that accept certain scholarship students to post policies for reporting child abuse and misconduct by specified personnel and administrators; requiring the principal of such schools to act as a liaison in suspected cases of child abuse; requiring the Department of Education to publish sample notices; amending ss. 1008.33, 1008.345, 1010.215, and 1011.18, F.S., relating to accountability procedures; conforming cross-references; amending s. 1012.27, F.S.; requiring the district school superintendent to contact the previous employer, and verify the employment history against certain databases, of persons seeking employment in certain positions; creating s. 1012.315, F.S.; specifying offenses that disqualify instructional personnel and school administrators from employment in certain positions that require direct contact with students; amending s. 1012.32, F.S.; requiring specified personnel or administrators who committed certain crimes to be disqualified from employment in certain positions in a district school system or charter school under specified conditions; amending s. 1012.33, F.S.; providing that just cause for terminating instructional staff includes immorality or commission of certain crimes; amending s. 1012.34, F.S., relating to assessment procedures; conforming a cross-reference; amending s. 1012.56, F.S., relating to certification requirements for educators; revising requirements for conducting state and federal criminal records checks of persons seeking certification; requiring a person who committed certain crimes to be ineligible for certification under specified conditions; providing for the Department of Education to maintain educator records in an electronic database; amending s. 1012.79, F.S.; providing for additional members to be appointed to the Education Practices Commission; revising the composition of panels appointed to review complaints against teachers and administrators; amending s. 1012.795, F.S.; providing for the suspension of the educator certificate of a person who knowingly fails to report child abuse or misconduct by specified personnel or administrators; clarifying authority of the commission to discipline educators who commit certain crimes; amending s. 1012.796, F.S.; requiring the Department of Education to investigate each complaint involving misconduct by certificated personnel; clarifying what constitutes a legally sufficient complaint; providing requirements for school board policies and procedures relating to standards of ethical conduct; providing that the district school superintendent is accountable for training of instructional personnel and school administrators on the standards, policies, and procedures; requiring employers of certificated personnel to report misconduct by such personnel to the Department of Education; requiring that instructional personnel or school administrators be immediately suspended and reassigned under certain circumstances; amending ss. 1012.98 and 1013.03, F.S., relating to the School Community Professional Development Act and functions of the Department of Education and Board of Governors; conforming cross-references; providing an appropriation and authorizing additional positions; providing an effective date.

On motion by Senator Gaetz, the Senate concurred in the House amendment.

CS for CS for CS for SB 1712 passed as amended and was ordered engrossed and then enrolled. The action of the Senate was certified to the House. The vote on passage was:

Yeas—40

Mr. President	Baker	Constantine
Alexander	Bennett	Crist
Aronberg	Bullard	Dawson
Atwater	Carlton	Dean

Deutch	Joyner	Ring
Diaz de la Portilla	Justice	Saunders
Dockery	King	Siplin
Fasano	Lawson	Storms
Gaetz	Lynn	Villalobos
Garcia	Margolis	Webster
Geller	Oelrich	Wilson
Haridopolos	Peaden	Wise
Hill	Posey	
Jones	Rich	

Nays—None

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has passed CS for SB 1908, with 1 amendment(s), and requests the concurrence of the Senate.

William S. Pittman III, Chief Clerk

CS for SB 1908—A bill to be entitled An act relating to the designation of high school grades; amending s. 1008.34, F.S, relating to the school grading system; providing for a revised high school grading system beginning with the 2009-2010 school year which includes the statewide standardized assessment, graduation rates, performance and participation in certain courses, postsecondary readiness as measured by certain examinations, and the change in these factors from year to year; specifying the data components to be used in determining the revised high school grading system; requiring that the criteria for school grades give added weight to the graduation rate of all eligible at-risk students; providing an effective date.

Substitute House Amendment 1 (981193)(with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Section 1003.41, Florida Statutes, is amended to read:

1003.41 Sunshine State Standards.—

(1) Public K-12 educational instruction in Florida is based on the "Sunshine State Standards." *The State Board of Education shall review the Sunshine State Standards and replace them with the Next Generation Sunshine State Standards that establish the core content of the curricula to be taught in this state and that specify the core content knowledge and skills that K-12 public school students are expected to acquire. The Next Generation Sunshine State Standards must, at a minimum:*

(a) Establish the core curricular content for language arts, science, mathematics, and social studies, as follows:

1. Language arts standards must establish specific curricular content for, at a minimum, the reading process, literary analysis, the writing process, writing applications, communication, and information and media literacy. The standards must include distinct grade-level expectations for the core content knowledge and skills that a student is expected to have acquired by each individual grade level from kindergarten through grade 8. The language arts standards for grades 9 through 12 may be organized by grade clusters of more than one grade level. The language arts standards must also identify significant literary genres and authors that encompass a comprehensive range of historical periods. The State Board of Education shall, in accordance with the expedited schedule established under subsection (2), review and replace the language arts standards adopted by the state board in 2007 with Next Generation Sunshine State Standards that comply with this subparagraph.

2. Science standards must establish specific curricular content for, at a minimum, the nature of science, earth and space science, physical science, and life science. The standards must include distinct grade-level expectations for the core content knowledge and skills that a student is expected to have acquired by each individual grade level from kindergarten through grade 8. The science standards for grades 9 through 12 may be organized by grade clusters of more than one grade level.

3. Mathematics standards must establish specific curricular content for, at a minimum, algebra, geometry, probability, statistics, calculus, discrete mathematics, financial literacy, and trigonometry. The standards must include distinct grade-level expectations for the core content knowledge and skills that a student is expected to have acquired by each individual grade level from kindergarten through grade 8. The mathematics standards for grades 9 through 12 may be organized by grade clusters of more than one grade level.

4. Social studies standards must establish specific curricular content for, at a minimum, geography, United States and world history, government, civics, economics, and humanities. The standards must include distinct grade-level expectations for the core content knowledge and skills that a student is expected to have acquired by each individual grade level from kindergarten through grade 8. The social studies standards for grades 9 through 12 may be organized by grade clusters of more than one grade level.

(b) Establish the core curricular content for visual and performing arts, physical education, health, and foreign languages. Standards for these subjects must establish specific curricular content and include distinct grade-level expectations for the core content knowledge and skills that a student is expected to have acquired by each individual grade level from kindergarten through grade 5. The standards for grades 6 through 12 may be organized by grade clusters of more than one grade level.

(c) Identify the core curricular content that a student is expected to learn for each subject at each individual grade level in order to acquire the broad background knowledge needed for reading comprehension.

(d) Be rigorous and relevant and provide for the logical, sequential progression of core curricular content that incrementally increases a student's core content knowledge and skills over time.

(e) Integrate critical-thinking and problem-solving skills; communication, reading, and writing skills; mathematics skills; collaboration skills; contextual and applied-learning skills; technology-literacy skills; information and media-literacy skills; and civic-engagement skills.

(f) Be organized according to a uniform structure and format that is consistent for each subject. The Next Generation Sunshine State Standards shall, for each subject and grade level, use the same alphanumeric coding system.

(g) Be aligned to expectations for success in postsecondary education and high-skill, high-wage employment.

(2) By December 31, 2008, the State Board of Education shall establish an expedited schedule for adoption of the Next Generation Sunshine State Standards and shall establish by rule a schedule for the periodic review and revision of the standards. The state board shall adopt the Next Generation Sunshine State Standards for each subject by December 31, 2011.

(3)(a) The Commissioner of Education shall develop and submit to the State Board of Education proposed Next Generation Sunshine State Standards, and periodically submit proposed revisions to the standards, for adoption by the state board according to the schedules established under subsection (2). The commissioner, in developing the proposed standards, shall consult with renowned experts on K-12 curricular standards and content in each subject listed in paragraphs (1)(a) and (b) and shall consider standards that are implemented by other states or nations and regarded as exceptionally rigorous by the curricular and content experts. The commissioner may also consult with curricular and content experts in other subjects.

(b) The commissioner shall submit the proposed standards for review and comment by Florida educators, school administrators, representatives of community colleges and state universities who have expertise in the content knowledge and skills necessary to prepare a student for postsecondary education, and leaders in business and industry. The commissioner, after considering any comments and making any revisions to the proposed standards, shall submit the standards for written evaluation by renowned experts on K-12 curricular standards and content.

(c) The commissioner, upon finalizing the proposed standards, shall submit the standards and evaluations by the curricular and content experts to the Governor, the President of the Senate, and the Speaker of

the House of Representatives at least 21 days before the State Board of Education considers adoption of the proposed standards.

(4) The State Board of Education may adopt rules under ss. 120.536(1) and 120.54 to administer this section. ~~These standards have been adopted by the State Board of Education and delineate the academic achievement of students, for which the state will hold schools accountable, in grades K-2, 3-5, 6-8, and 9-12 in the subjects of language arts, mathematics, science, social studies, the arts, health and physical education, and foreign languages. They include standards in reading, writing, history, government, geography, economics, and computer literacy.~~

Section 2. Paragraph (i) of subsection (9) of section 220.187, Florida Statutes, is amended to read:

220.187 Credits for contributions to nonprofit scholarship-funding organizations.—

(9) DEPARTMENT OF EDUCATION OBLIGATIONS.—The Department of Education shall:

(i) *Maintain a list of* ~~In accordance with State Board of Education rule, identify and select the~~ nationally norm-referenced tests *identified for purposes of satisfying the testing requirement in subparagraph (8)(c)2. The tests must meet* ~~that are comparable to the norm-referenced provisions of the Florida Comprehensive Assessment Test (FCAT) provided that the FCAT may be one of the tests selected. However, the Department of Education may approve the use of an additional assessment by the school if the assessment meets~~ industry standards of quality *in accordance with State Board of Education rule* ~~and comparability~~.

Section 3. Subsection (7) of section 1000.21, Florida Statutes, is amended to read:

1000.21 Systemwide definitions.—As used in the Florida K-20 Education Code:

(7) "Sunshine State Standards" *or the "Next Generation Sunshine State Standards" means the state's public K-12 curricular* ~~are~~ standards *adopted under s. 1003.41. The term includes the Sunshine State Standards that are in place for a subject until the standards for that subject are replaced under s. 1003.41 by the Next Generation Sunshine State Standards.* ~~that identify what public school students should know and be able to do. These standards delineate the academic achievement of students for which the state will hold its public schools accountable in grades K-2, 3-5, 6-8, and 9-12, in the subjects of language arts, mathematics, science, social studies, the arts, health and physical education, foreign languages, reading, writing, history, government, geography, economics, and computer literacy.~~

Section 4. Subsection (1) of section 1001.03, Florida Statutes, is amended to read:

1001.03 Specific powers of State Board of Education.—

(1) PUBLIC K-12 *CURRICULAR* ~~STUDENT PERFORMANCE~~ STANDARDS.—The State Board of Education shall *adopt and periodically review and revise* ~~approve the student performance standards known as~~ the Sunshine State Standards in *accordance with s. 1003.41* ~~key academic subject areas and grade levels~~. ~~The state board shall establish a schedule to facilitate the periodic review of the standards to ensure adequate rigor, relevance, logical student progression, and integration of reading, writing, and mathematics across all subject areas. The standards review by subject area must include participation of curriculum leaders in other content areas, including the arts, to ensure valid content area integration and to address the instructional requirements of different learning styles. The process for review and proposed revisions must include leadership and input from the state's classroom teachers, school administrators, and community colleges and universities, and from representatives from business and industry who are identified by local education foundations. A report including proposed revisions must be submitted to the Governor, the President of the Senate, and the Speaker of the House of Representatives annually to coincide with the established review schedule. The review schedule and an annual status report must be submitted to the Governor, the President of the Senate, and the Speaker of the House of Representatives annually not later than January 1.~~

Section 5. Paragraph (a) of subsection (1) of section 1001.452, Florida Statutes, is amended to read:

1001.452 District and school advisory councils.—

(1) ESTABLISHMENT.—

(a) The district school board shall establish an advisory council for each school in the district and shall develop procedures for the election and appointment of advisory council members. Each school advisory council shall include in its name the words "school advisory council." The school advisory council shall be the sole body responsible for final decisionmaking at the school relating to implementation of the provisions of ss. 1001.42(16) and 1008.345. A majority of the members of each school advisory council must be persons who are not employed by the school *district*. Each advisory council shall be composed of the principal and an appropriately balanced number of teachers, education support employees, students, parents, and other business and community citizens who are representative of the ethnic, racial, and economic community served by the school. Career center and high school advisory councils shall include students, and middle and junior high school advisory councils may include students. School advisory councils of career centers and adult education centers are not required to include parents as members. Council members representing teachers, education support employees, students, and parents shall be elected by their respective peer groups at the school in a fair and equitable manner as follows:

1. Teachers shall be elected by teachers.

2. Education support employees shall be elected by education support employees.

3. Students shall be elected by students.

4. Parents shall be elected by parents.

The district school board shall establish procedures for use by schools in selecting business and community members that include means of ensuring wide notice of vacancies and of taking input on possible members from local business, chambers of commerce, community and civic organizations and groups, and the public at large. The district school board shall review the membership composition of each advisory council. If the district school board determines that the membership elected by the school is not representative of the ethnic, racial, and economic community served by the school, the district school board shall appoint additional members to achieve proper representation. The commissioner shall determine if schools have maximized their efforts to include on their advisory councils minority persons and persons of lower socioeconomic status. Although schools are strongly encouraged to establish school advisory councils, the district school board of any school district that has a student population of 10,000 or fewer may establish a district advisory council which shall include at least one duly elected teacher from each school in the district. For the purposes of school advisory councils and district advisory councils, the term "teacher" shall include classroom teachers, certified student services personnel, and media specialists. For purposes of this paragraph, "education support employee" means any person employed by a school who is not defined as instructional or administrative personnel pursuant to s. 1012.01 and whose duties require 20 or more hours in each normal working week.

Section 6. Paragraph (i) of subsection (3) of section 1003.413, Florida Statutes, is amended to read:

1003.413 Florida Secondary School Redesign Act.—

(3) Based on these guiding principles, district school boards shall establish policies to implement the requirements of ss. 1003.4156, 1003.428, and 1003.493. The policies must address:

(i) *An annual review of each high school student's electronic personal education plan created pursuant to s. 1003.4156 and* procedures for high school students who have not prepared an electronic personal education plan pursuant to s. 1003.4156 to prepare such plan.

Section 7. Paragraph (a) of subsection (2), paragraph (b) of subsection (4), and paragraph (a) of subsection (8) of section 1003.428, Florida Statutes, are amended to read:

1003.428 General requirements for high school graduation; revised.—

(2) The 24 credits may be earned through applied, integrated, and combined courses approved by the Department of Education and shall be distributed as follows:

(a) Sixteen core curriculum credits:

1. Four credits in English, with major concentration in composition, reading for information, and literature.

2. Four credits in mathematics, one of which must be Algebra I, a series of courses equivalent to Algebra I, or a higher-level mathematics course. School districts are encouraged to set specific goals to increase enrollments in, and successful completion of, geometry and Algebra II.

3. Three credits in science, two of which must have a laboratory component.

4. Three credits in social studies as follows: one credit in American history; one credit in world history; one-half credit in economics; and one-half credit in American government.

5. One credit in fine or performing arts, ~~which may include~~ speech and debate*, or a practical arts course that incorporates artistic content and techniques of creativity, interpretation, and imagination. Eligible practical arts courses shall be identified through the Course Code Directory*.

6. One credit in physical education to include integration of health. Participation in an interscholastic sport at the junior varsity or varsity level for two full seasons shall satisfy the one-credit requirement in physical education if the student passes a competency test on personal fitness with a score of "C" or better. The competency test on personal fitness must be developed by the Department of Education. A district school board may not require that the one credit in physical education be taken during the 9th grade year. Completion of one semester with a grade of "C" or better in a marching band class, in a physical activity class that requires participation in marching band activities as an extracurricular activity, or in a dance class shall satisfy one-half credit in physical education or one-half credit in performing arts. This credit may not be used to satisfy the personal fitness requirement or the requirement for adaptive physical education under an individual education plan (IEP) or 504 plan. Completion of 2 years in a Reserve Officer Training Corps (R.O.T.C.) class, a significant component of which is drills, shall satisfy the one-credit requirement in physical education and the one-credit requirement in performing arts. This credit may not be used to satisfy the personal fitness requirement or the requirement for adaptive physical education under an individual education plan (IEP) or 504 plan.

(4) Each district school board shall establish standards for graduation from its schools, which must include:

(b) Earning passing scores on the FCAT, as defined in s. 1008.22(3)(c), or scores on a standardized test that are concordant with passing scores on the FCAT as defined in *s. 1008.22(10)* ~~s. 1008.22(9)~~.

Each district school board shall adopt policies designed to assist students in meeting the requirements of this subsection. These policies may include, but are not limited to: forgiveness policies, summer school or before or after school attendance, special counseling, volunteers or peer tutors, school-sponsored help sessions, homework hotlines, and study skills classes. Forgiveness policies for required courses shall be limited to replacing a grade of "D" or "F," or the equivalent of a grade of "D" or "F," with a grade of "C" or higher, or the equivalent of a grade of "C" or higher, earned subsequently in the same or comparable course. Forgiveness policies for elective courses shall be limited to replacing a grade of "D" or "F," or the equivalent of a grade of "D" or "F," with a grade of "C" or higher, or the equivalent of a grade of "C" or higher, earned subsequently in another course. The only exception to these forgiveness policies shall be made for a student in the middle grades who takes any high school course for high school credit and earns a grade of "C," "D," or "F" or the equivalent of a grade of "C," "D," or "F." In such case, the district forgiveness policy must allow the replacement of the grade with a grade of "C" or higher, or the equivalent of a grade of "C" or higher, earned subsequently in the same or comparable course. In all cases of grade forgiveness, only the new grade shall be used in the calculation of the student's grade point average. Any course grade not replaced according to a district school board forgiveness policy shall be included in the calculation of the cumulative grade point average required for graduation.

(8)(a) Each district school board must provide instruction to prepare students with disabilities to demonstrate proficiency in the *core content knowledge and* skills ~~and competencies~~ necessary for successful grade-to-grade progression and high school graduation.

Section 8. Section 1003.4285, Florida Statutes, is created to read:

1003.4285 Standard high school diploma designations.—By the 2008-2009 school year, each standard high school diploma shall include, as applicable:

(1) A designation of the student's major area of interest pursuant to the student's completion of credits as provided in s. 1003.428.

(2) A designation reflecting completion of four or more accelerated college credit courses if the student is eligible for college credit pursuant to s. 1007.27 or s. 1007.271 in Advanced Placement, International Baccalaureate, Advanced International Certificate of Education, or dual enrollment courses. The Commissioner of Education shall establish guidelines for successful passage of examinations or coursework in each of the accelerated college credit options for purposes of this subsection.

(3) A designation reflecting career education certification in accordance with s. 1003.431.

(4) A designation reflecting a Florida Ready to Work Credential in accordance with s. 1004.99.

Section 9. Paragraph (a) of subsection (6) of section 1003.429, Florida Statutes, is amended to read:

1003.429 Accelerated high school graduation options.—

(6) Students pursuing accelerated 3-year high school graduation options pursuant to paragraph (1)(b) or paragraph (1)(c) are required to:

(a) Earn passing scores on the FCAT as defined in s. 1008.22(3)(c) or scores on a standardized test that are concordant with passing scores on the FCAT as defined in *s. 1008.22(10)* ~~s. 1008.22(9)~~.

Weighted grades referred to in paragraphs (b), (c), and (d) shall be applied to those courses specifically listed or identified by the department as rigorous pursuant to s. 1009.531(3) or weighted by the district school board for class ranking purposes.

Section 10. Paragraph (a) of subsection (5) and paragraph (a) of subsection (11) of section 1003.43, Florida Statutes, are amended to read:

1003.43 General requirements for high school graduation.—

(5) Each district school board shall establish standards for graduation from its schools, and these standards must include:

(a) Earning passing scores on the FCAT, as defined in s. 1008.22(3)(c), or scores on a standardized test that are concordant with passing scores on the FCAT as defined in *s. 1008.22(10)* ~~s. 1008.22(9)~~.

The standards required in this subsection, and any subsequent modifications, shall be reprinted in the Florida Administrative Code even though not defined as "rules."

(11)(a) Each district school board must provide instruction to prepare students with disabilities to demonstrate proficiency in the *core content knowledge and* skills ~~and competencies~~ necessary for successful grade-to-grade progression and high school graduation.

Section 11. Subsection (1) of section 1003.433, Florida Statutes, is amended to read:

1003.433 Learning opportunities for out-of-state and out-of-country transfer students and students needing additional instruction to meet high school graduation requirements.—

(1) Students who enter a Florida public school at the eleventh or twelfth grade from out of state or from a foreign country shall not be required to spend additional time in a Florida public school in order to meet the high school course requirements if the student has met all requirements of the school district, state, or country from which he or she is transferring. Such students who are not proficient in English should receive immediate and intensive instruction in English language

acquisition. However, to receive a standard high school diploma, a transfer student must earn a 2.0 grade point average and pass the grade 10 FCAT required in s. 1008.22(3) or an alternate assessment as described in *s. 1008.22(10)* ~~s. 1008.22(9)~~.

Section 12. Paragraph (d) of subsection (6) of section 1003.63, Florida Statutes, is amended to read:

1003.63 Deregulated public schools pilot program.—

(6) ELEMENTS OF THE PROPOSAL.—The major issues involving the operation of a deregulated public school shall be considered in advance and written into the proposal.

(d) Upon receipt of the annual report required by paragraph (b), the Department of Education shall provide the State Board of Education, the Commissioner of Education, the President of the Senate, and the Speaker of the House of Representatives with a copy of each report and an analysis and comparison of the overall performance of students, to include all students in deregulated public schools whose scores are counted as part of the statewide assessment tests, versus comparable public school students in the district as determined by *statewide assessments administered under s. 1008.22(3)* ~~FCAT~~ and district assessment tests ~~and, as appropriate, the Florida Writes Assessment Test, and other assessments administered pursuant to s. 1008.22(3)~~.

Section 13. Paragraphs (c) and (d) of subsection (3) of section 1004.85, Florida Statutes, are amended to read:

1004.85 Postsecondary educator preparation institutes.—

(3) Educator preparation institutes approved pursuant to this section may offer alternative certification programs specifically designed for noneducation major baccalaureate degree holders to enable program participants to meet the educator certification requirements of s. 1012.56. Such programs shall be competency-based educator certification preparation programs that prepare educators through an alternative route. An educator preparation institute choosing to offer an alternative certification program pursuant to the provisions of this section must implement a program previously approved by the Department of Education for this purpose or a program developed by the institute and approved by the department for this purpose. Approved programs shall be available for use by other approved educator preparation institutes.

(c) Upon completion of an alternative certification program approved pursuant to this subsection, a participant shall receive a credential from the sponsoring institution signifying satisfaction of the requirements of *s. 1012.56(6)* ~~s. 1012.56(5)~~ relating to mastery of professional preparation and education competence. A participant shall be eligible for educator certification through the Department of Education upon satisfaction of all requirements for certification set forth in s. 1012.56(2), including demonstration of mastery of general knowledge, subject area knowledge, and professional preparation and education competence, through testing or other statutorily authorized means.

(d) If an institution offers an alternative certification program approved pursuant to this subsection, such program may be used by the school district or districts served by that institution in addition to the alternative certification program as required in *s. 1012.56(8)* ~~s. 1012.56(7)~~ .

Section 14. Subsection (3) of section 1004.91, Florida Statutes, is amended to read:

1004.91 Career-preparatory instruction.—

(3) An adult student with a disability may be exempted from the provisions of this section. A student who possesses a college degree at the associate in applied science level or higher is exempt from this section. A student who has completed or who is exempt from the college-level communication and computation skills examination pursuant to s. 1008.29, or who is exempt from the college entry-level examination pursuant to s. 1008.29, is exempt from the provisions of this section. Students who have passed a state, national, or industry licensure exam are exempt from this section. *An adult student who is enrolled in an apprenticeship program that is registered with the Department of Education in accordance with the provisions of chapter 446 is exempt from the provisions of this section.*

Section 15. Paragraph (d) of subsection (3) of section 1004.99, Florida Statutes, is amended, present subsection (4) of that section is renumbered as subsection (5), and a new subsection (4) is added to that section, to read:

1004.99 Florida Ready to Work Certification Program.—

(3) The Florida Ready to Work Certification Program shall be composed of:

(d) A *Florida Ready to Work Credential* ~~certificate~~ and portfolio awarded to students upon successful completion of the instruction. Each portfolio must delineate the skills demonstrated by the student as evidence of the student's preparation for employment.

(4) A Florida Ready to Work Credential shall be awarded to a student who successfully passes assessments in Reading for Information, Applied Mathematics, and Locating Information or any other assessments of comparable rigor. Each assessment shall be scored on a scale of 3 to 7. The level of the credential each student receives is based on the following:

(a) A bronze-level credential requires a minimum score of 3 or above on each of the assessments.

(b) A silver-level credential requires a minimum score of 4 or above on each of the assessments.

(c) A gold-level credential requires a minimum score of 5 or above on each of the assessments.

Section 16. Paragraph (c) of subsection (2) of section 1007.21, Florida Statutes, is amended to read:

1007.21 Readiness for postsecondary education and the workplace.—

(2)

(c) The common placement test authorized in ss. 1001.03(10) and 1008.30 or a similar test may be administered to ~~all~~ high school *students* ~~second semester sophomores~~ who have chosen one of the four destinations. The results of the placement test shall be used to target additional instructional needs in reading, writing, and mathematics prior to graduation.

Section 17. Paragraph (b) of subsection (2) of section 1007.235, Florida Statutes, is amended to read:

1007.235 District interinstitutional articulation agreements.—

(2) The district interinstitutional articulation agreement for each school year must be completed before high school registration for the fall term of the following school year. The agreement must include, but is not limited to, the following components:

(b)1. A delineation of courses and programs available to students eligible to participate in dual enrollment. This delineation must include a plan for the community college to provide guidance services to participating students on the selection of courses in the dual enrollment program. The process of community college guidance should make maximum use of the automated advisement system for community colleges. The plan must assure that each dual enrollment student is encouraged to identify a postsecondary education objective with which to guide the course selection. At a minimum, each student's plan should include a list of courses that will result in an Applied Technology Diploma, an Associate in Science degree, or an Associate in Arts degree. If the student identifies a baccalaureate degree as the objective, the plan must include courses that will meet the general education requirements and any prerequisite requirements for entrance into a selected baccalaureate degree program.

2. A delineation of the process by which students and their parents are informed about opportunities to participate in articulated acceleration programs.

3. A delineation of the process by which students and their parents exercise their option to participate in an articulated acceleration program.

4. A delineation of high school credits earned for completion of each dual enrollment course.

5. Provision for postsecondary courses that meet the criteria for inclusion in a district articulated acceleration program to be counted toward meeting the graduation requirements of s. 1003.43.

6. An identification of eligibility criteria for student participation in dual enrollment courses and programs.

7. A delineation of institutional responsibilities regarding student screening prior to enrollment and monitoring student performance subsequent to enrollment in dual enrollment courses and programs.

8. An identification of the criteria by which the quality of dual enrollment courses and programs are to be judged and a delineation of institutional responsibilities for the maintenance of instructional quality.

9. A delineation of institutional responsibilities for assuming the cost of dual enrollment courses and programs that includes such responsibilities for student instructional materials.

10. An identification of responsibility for providing student transportation if the dual enrollment instruction is conducted at a facility other than the high school campus.

11. A delineation of the process for converting college credit hours earned through dual enrollment and early admission programs to high school credit based on mastery of course outcomes as determined by the Department of Education in accordance with s. 1007.271(6).

12. An identification of the responsibility of the postsecondary educational institution for assigning letter grades for dual enrollment courses and the responsibility of school districts for posting dual enrollment course grades to the high school transcript as assigned by the postsecondary institution awarding the credit.

Section 18. Section 1008.22, Florida Statutes, is amended to read:

1008.22 Student assessment program for public schools.—

(1) PURPOSE.—The primary purposes of the student assessment program are to provide information needed to improve the public schools by enhancing the learning gains of all students and to inform parents of the educational progress of their public school children. The program must be designed to:

(a) Assess the annual learning gains of each student toward achieving the Sunshine State Standards appropriate for the student's grade level.

(b) Provide data for making decisions regarding school accountability and recognition.

(c) Identify the educational strengths and needs of students and the readiness of students to be promoted to the next grade level or to graduate from high school with a standard or special high school diploma.

(d) Assess how well educational goals and *curricular* ~~performance~~ standards are met at the school, district, and state levels.

(e) Provide information to aid in the evaluation and development of educational programs and policies.

(f) Provide information on the performance of Florida students compared with that of other students across the United States.

(2) NATIONAL EDUCATION COMPARISONS.—It is Florida's intent to participate in the measurement of national educational goals. The Commissioner of Education shall direct Florida school districts to participate in the administration of the National Assessment of Educational Progress, or a similar national assessment program, both for the national sample and for any state-by-state comparison programs which may be initiated. *The* ~~Such~~ assessments must be conducted using the data collection procedures, the student surveys, the educator surveys, and other instruments included in the National Assessment of Educational Progress or similar program being administered in Florida. The results of these assessments shall be included in the annual report of the Commissioner of Education specified in this section. The administration of the National Assessment of Educational Progress or similar program shall be in addition to and separate from the administration of the statewide assessment program.

(3) STATEWIDE ASSESSMENT PROGRAM.—The commissioner shall design and implement a statewide program of educational assessment that provides information for the improvement of the operation and management of the public schools, including schools operating for the purpose of providing educational services to youth in Department of Juvenile Justice programs. The commissioner may enter into contracts for the continued administration of the assessment, testing, and evaluation programs authorized and funded by the Legislature. Contracts may be initiated in 1 fiscal year and continue into the next and may be paid from the appropriations of either or both fiscal years. The commissioner is authorized to negotiate for the sale or lease of tests, scoring protocols, test scoring services, and related materials developed pursuant to law. Pursuant to the statewide assessment program, the commissioner shall:

(a) Submit *proposed Next Generation Sunshine State Standards* to the State Board of Education *for adoption and periodic review and revision under s. 1003.41* ~~a list that specifies student skills and competencies to which the goals for education specified in the state plan apply, including, but not limited to, reading, writing, science, and mathematics. The skills and competencies must include problem-solving and higher-order skills as appropriate and shall be known as the Sunshine State Standards as defined in s. 1000.21. The commissioner shall select such skills and competencies after receiving recommendations from educators, citizens, and members of the business community. The commissioner shall submit to the State Board of Education revisions to the list of student skills and competencies in order to maintain continuous progress toward improvements in student proficiency.~~

(b) Develop and implement a uniform system of indicators to describe the performance of public school students and the characteristics of the public school districts and the public schools. These indicators must include, without limitation, information gathered by the comprehensive management information system created pursuant to s. 1008.385 and student achievement information obtained pursuant to this section.

(c) Develop and implement a student achievement testing program known as the Florida Comprehensive Assessment Test (FCAT) as part of the statewide assessment program to measure *a student's content knowledge and skills in* reading, writing, science, and mathematics. Other content areas may be included as directed by the commissioner. *Comprehensive assessments* ~~The assessment~~ of reading and mathematics shall be administered annually in grades 3 through 10. *Comprehensive assessments* ~~The assessment~~ of writing and science shall be administered at least once at the elementary, middle, and high school levels. *End-of-course assessments for a subject may be administered in addition to the comprehensive assessments required for that subject under this paragraph. An end-of-course assessment must be rigorous, statewide, standardized, and developed or approved by the department. The content knowledge and skills assessed by comprehensive and end-of-course assessments must be aligned to the core curricular content established in the Sunshine State Standards. The commissioner may select one or more nationally developed comprehensive examinations, which may include, but need not be limited to, examinations for a College Board Advanced Placement course, International Baccalaureate course, or Advanced International Certificate of Education course or industry-approved examinations to earn national industry certifications as defined in s. 1003.492, for use as end-of-course assessments under this paragraph, if the commissioner determines that the content knowledge and skills assessed by the examinations meet or exceed the grade-level expectations for the core curricular content established for the course in the Next Generation Sunshine State Standards. The commissioner may collaborate with the American Diploma Project in the adoption or development of rigorous end-of-course assessments that are aligned to the Next Generation Sunshine State Standards* ~~The commissioner must document the procedures used to ensure that the versions of the FCAT which are taken by students retaking the grade 10 FCAT are equally as challenging and difficult as the tests taken by students in grade 10 which contain performance tasks~~. The testing program must be designed *as follows* ~~so that~~:

1. The tests *shall* measure student skills and competencies adopted by the State Board of Education as specified in paragraph (a). The tests must measure and report student proficiency levels of all students assessed in reading, writing, mathematics, and science. The commissioner shall provide for the tests to be developed or obtained, as appropriate,

through contracts and project agreements with private vendors, public vendors, public agencies, postsecondary educational institutions, or school districts. The commissioner shall obtain input with respect to the design and implementation of the testing program from state educators, assistive technology experts, and the public.

2. The testing program *shall be composed* ~~will include a combination~~ of ~~norm-referenced and~~ criterion-referenced tests *that shall* ~~and include~~, to the extent determined by the commissioner, *include test items* ~~questions~~ that require the student to produce information or perform tasks in such a way that the *core content knowledge and* skills ~~and competencies~~ he or she uses can be measured.

3. *Beginning with the 2008-2009 school year, the commissioner shall discontinue administration of the selected-response test items on the comprehensive assessments of writing. Beginning with the 2012-2013 school year, the comprehensive assessments of writing shall be composed of a combination of selected-response test items, short-response performance tasks, and extended-response performance tasks, which shall measure a student's content knowledge of writing, including, but not limited to, paragraph and sentence structure, sentence construction, grammar and usage, punctuation, capitalization, spelling, parts of speech, verb tense, irregular verbs, subject-verb agreement, and noun-pronoun agreement.* ~~Each testing program, whether at the elementary, middle, or high school level, includes a test of writing in which students are required to produce writings that are then scored by appropriate and timely methods.~~

4. A score *shall be* ~~is~~ designated for each subject area tested, below which score a student's performance is deemed inadequate. The school districts shall provide appropriate remedial instruction to students who score below these levels.

5. Except as provided in s. 1003.428(8)(b) or s. 1003.43(11)(b), students must earn a passing score on the grade 10 assessment test described in this paragraph or attain concordant scores as described in subsection (9) in reading, writing, and mathematics to qualify for a standard high school diploma. The State Board of Education shall designate a passing score for each part of the grade 10 assessment test. In establishing passing scores, the state board shall consider any possible negative impact of the test on minority students. The State Board of Education shall adopt rules which specify the passing scores for the grade 10 FCAT. Any such rules, which have the effect of raising the required passing scores, shall ~~only~~ apply *only* to students taking the grade 10 FCAT for the first time after such rules are adopted by the State Board of Education.

6. Participation in the testing program is mandatory for all students attending public school, including students served in Department of Juvenile Justice programs, except as otherwise prescribed by the commissioner. If a student does not participate in the statewide assessment, the district must notify the student's parent and provide the parent with information regarding the implications of such nonparticipation. A parent must provide signed consent for a student to receive classroom instructional accommodations that would not be available or permitted on the statewide assessments and must acknowledge in writing that he or she understands the implications of such instructional accommodations. The State Board of Education shall adopt rules, based upon recommendations of the commissioner, for the provision of test accommodations for students in exceptional education programs and for students who have limited English proficiency. Accommodations that negate the validity of a statewide assessment are not allowable in the administration of the FCAT. However, instructional accommodations are allowable in the classroom if included in a student's individual education plan. Students using instructional accommodations in the classroom that are not allowable as accommodations on the FCAT may have the FCAT requirement waived pursuant to the requirements of s. 1003.428(8)(b) or s. 1003.43(11)(b).

7. A student seeking an adult high school diploma must meet the same testing requirements that a regular high school student must meet.

8. District school boards must provide instruction to prepare students to demonstrate proficiency in the *core curricular content established in the Next Generation Sunshine State Standards adopted under s. 1003.41, including the core content knowledge and* skills ~~and competencies~~ necessary for successful grade-to-grade progression and high school graduation. If a student is provided with instructional accommodations in the classroom that are not allowable as accommodations in the statewide assessment program, as described in the test manuals, the district must inform the parent in writing and must provide the parent with information regarding the impact on the student's ability to meet expected proficiency levels in reading, writing, and *mathematics* ~~math~~. The commissioner shall conduct studies as necessary to verify that the required *core curricular content is* ~~skills and competencies are~~ part of the district instructional programs.

9. District school boards must provide opportunities for students to demonstrate an acceptable level of performance on an alternative standardized assessment approved by the State Board of Education following enrollment in summer academies.

10. The Department of Education must develop, or select, and implement a common battery of assessment tools that will be used in all juvenile justice programs in the state. These tools must accurately measure the *core curricular content* ~~skills and competencies~~ established in the Sunshine State Standards.

11. For students seeking a special diploma pursuant to s. 1003.438, the Department of Education must develop or select and implement an alternate assessment tool that accurately measures the *core curricular content* ~~skills and competencies~~ established in the Sunshine State Standards for students with disabilities under s. 1003.438.

12. The Commissioner of Education shall establish schedules for the administration of statewide assessments and the reporting of student test results. The commissioner shall, by August 1 of each year, notify each school district in writing and publish on the department's Internet website the testing and reporting schedules for, at a minimum, the school year following the upcoming school year. The testing and reporting schedules shall require that:

a. There is the latest possible administration of statewide assessments and the earliest possible reporting to the school districts of student test results which is feasible within available technology and specific appropriations; however, test results must be made available no later than the final day of the regular school year for students.

b. Beginning with the 2010-2011 school year, a comprehensive statewide assessment of writing is not administered earlier than the week of March 1 and a comprehensive statewide assessment of any other subject is not administered earlier than the week of April 15.

c. A statewide standardized end-of-course assessment is administered within the last 2 weeks of the course.

The commissioner may, based on collaboration and input from school districts, design and implement student testing programs, for any grade level and subject area, necessary to effectively monitor educational achievement in the state, including the measurement of educational achievement of the Sunshine State Standards for students with disabilities. Development and refinement of assessments shall include universal design principles and accessibility standards that will prevent any unintended obstacles for students with disabilities while ensuring the validity and reliability of the test. These principles should be applicable to all technology platforms and assistive devices available for the assessments. The field testing process and psychometric analyses for the statewide assessment program must include an appropriate percentage of students with disabilities and an evaluation or determination of the effect of test items on such students.

(d) Conduct ongoing research to develop improved methods of assessing student performance, including, without limitation, the use of technology to administer tests, score, or report the results of, the use of electronic transfer of data, the development of work-product assessments, and the development of process assessments.

(e) Conduct ongoing research and analysis of student achievement data, including, without limitation, monitoring trends in student achievement by grade level and overall student achievement, identifying school programs that are successful, and analyzing correlates of school achievement.

(f) Provide technical assistance to school districts in the implementation of state and district testing programs and the use of the data produced pursuant to such programs.

(g) Study the cost and student achievement impact of secondary end-of-course assessments, including web-based and performance formats, and report to the Legislature prior to implementation.

(4) STATEWIDE ASSESSMENT PREPARATION; PROHIBITED ACTIVITIES.—Beginning with the 2008-2009 school year, a district school board shall prohibit each public school from suspending a regular program of curricula for purposes of administering practice tests or engaging in other test-preparation activities for a statewide assessment. However, a district school board may authorize a public school to engage in the following test-preparation activities for a statewide assessment:

(a) Distributing to students the sample test books and answer keys published by the Department of Education.

(b) Providing individualized instruction in test-taking strategies, without suspending the school's regular program of curricula, for a student who scores at Level 1 or Level 2 on a prior administration of the statewide assessment.

(c) Providing individualized instruction in the content knowledge and skills assessed, without suspending the school's regular program of curricula, for a student who scores at Level 1 or Level 2 on a prior administration of the statewide assessment or a student who, through a diagnostic assessment administered by the school district, is identified as having a deficiency in the content knowledge and skills assessed.

(d) Incorporating test-taking exercises and strategies into curricula for intensive reading and mathematics intervention courses.

(e) Administering a practice test or engaging in other test-preparation activities for the statewide assessment which are determined necessary to familiarize students with the organization of the assessment, the format of the test items, and the test directions, or which are otherwise necessary for the valid and reliable administration of the assessment, as set forth in rules adopted by the State Board of Education with specific reference to this paragraph.

(5)~~(4)~~ DISTRICT TESTING PROGRAMS.—Each district school board shall periodically assess student performance and achievement within each school of the district. The assessment programs must be based *on the core curricular content established in the Next Generation Sunshine State Standards and any* ~~upon~~ local goals and objectives that are compatible with the state plan for education and that supplement the *core content knowledge and* skills *necessary for successful grade-to-grade progression and high school graduation* ~~and competencies adopted by the State Board of Education~~. All school districts must participate in the statewide assessment program designed to measure annual student learning and school performance. All district school boards shall report assessment results as required by the state management information system.

(6)~~(5)~~ SCHOOL TESTING PROGRAMS.—Each public school shall participate in the statewide assessment program *in accordance with the testing and reporting schedules published by the Commissioner of Education under subparagraph (3)(c)12.*~~,~~ unless specifically exempted by state board rule based on serving a specialized population for which standardized testing is not appropriate. Student performance data shall be analyzed and reported to parents, the community, and the state. Student performance data shall be used in developing objectives of the school improvement plan, evaluation of instructional personnel, evaluation of administrative personnel, assignment of staff, allocation of resources, acquisition of instructional materials and technology, performance-based budgeting, and promotion and assignment of students into educational programs. The analysis of student performance data also must identify strengths and needs in the educational program and trends over time. The analysis must be used in conjunction with the budgetary planning processes developed pursuant to s. 1008.385 and the development of the programs of remediation.

(7)~~(6)~~ REQUIRED ANALYSES.—The commissioner shall provide, at a minimum, for the following analyses of data produced by the student achievement testing program:

(a) The statistical system for the annual assessments shall use measures of student learning, such as the FCAT, to determine teacher, school, and school district statistical distributions, which shall be determined using available data from the FCAT, and other data collection as deemed appropriate by the Department of Education, to measure the differences in student prior year achievement compared to the current year achievement for the purposes of accountability and recognition.

(b) The statistical system shall provide the best estimates of teacher, school, and school district effects on student progress. The approach used by the department shall be approved by the commissioner before implementation.

(c) The annual testing program shall be administered to provide for valid statewide comparisons of learning gains to be made for purposes of accountability and recognition. ~~The commissioner shall establish a schedule for the administration of the statewide assessments. In establishing such schedule, the commissioner is charged with the duty to accomplish the latest possible administration of the statewide assessments and the earliest possible provision of the results to the school districts feasible within available technology and specific appropriation.~~ District school boards shall not establish school calendars that jeopardize or limit the valid testing and comparison of student learning gains.

(8)~~(7)~~ LOCAL ASSESSMENTS.—Measurement of the learning gains of students in all subjects and grade levels other than subjects and grade levels required for the state student achievement testing program is the responsibility of the school districts.

(9)~~(8)~~ APPLICABILITY OF TESTING STANDARDS.—

(a) If the Commissioner of Education revises a statewide assessment and the revisions require the State Board of Education to modify the assessment's proficiency levels or modify the passing scores required for a standard high school diploma, until the state board adopts the modifications by rule, the commissioner shall use calculations for scoring the assessment which adjust student scores on the revised assessment for statistical equivalence to student scores on the former assessment.

(b) A student must *attain* ~~meet~~ the *passing scores on the statewide assessment required* ~~testing requirements~~ for *a standard* high school *diploma which are* ~~graduation that were~~ in effect at the time the student *enters* ~~entered 9th~~ grade *9 if*~~, provided~~ the student's enrollment *is* ~~was~~ continuous.

(c) If the commissioner revises a statewide assessment and the revisions require the State Board of Education to modify the passing scores required for a standard high school diploma, the commissioner may, with approval of the state board, discontinue administration of the former assessment upon the graduation, based on normal student progression, of students participating in the final regular administration of the former assessment. The state board shall adopt by rule passing scores for the revised assessment which are statistically equivalent to passing scores on the discontinued assessment for a student required under paragraph (b) to attain passing scores on the discontinued assessment.

(10)~~(9)~~ CONCORDANT SCORES FOR THE FCAT.—

(a) The State Board of Education shall analyze the content and concordant data sets for widely used high school achievement tests, including, but not limited to, the PSAT, PLAN, SAT, ACT, and College Placement Test, to assess if concordant scores for FCAT scores can be determined for high school graduation, college placement, and scholarship awards. In cases where content alignment and concordant scores can be determined, the Commissioner of Education shall adopt those scores as meeting the graduation requirement in lieu of achieving the FCAT passing score and may adopt those scores as being sufficient to achieve additional purposes as determined by rule. Each time that test content or scoring procedures *change* ~~are changed~~ for the FCAT or *for a high school achievement test for which a concordant score is determined* ~~one of the identified tests~~, new concordant scores must be determined.

(b) In order to use a concordant subject area score pursuant to this subsection to satisfy the assessment requirement for a standard high school diploma as provided in s. 1003.429(6)(a), s. 1003.43(5)(a), or s. 1003.428, a student must take each subject area of the grade 10 FCAT a total of three times without earning a passing score. The requirements of this paragraph shall not apply to a new student who enters the Florida public school system in grade 12, who may either achieve a passing score on the FCAT or use an approved subject area concordant score to fulfill the graduation requirement.

(c) The State Board of Education may define by rule the allowable uses, other than to satisfy the high school graduation requirement, for concordant scores as described in this subsection. Such uses may include, but need not be limited to, achieving appropriate standardized

test scores required for the awarding of Florida Bright Futures Scholarships and college placement.

(11)~~(10)~~ REPORTS.—The Department of Education shall annually provide a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives on the following:

(a) Longitudinal performance of students in mathematics and reading.

(b) Longitudinal performance of students by grade level in mathematics and reading.

(c) Longitudinal performance regarding efforts to close the achievement gap.

~~(d) Longitudinal performance of students on the norm-referenced component of the FCAT.~~

(d)~~(c)~~ Other student performance data based on national norm-referenced and criterion-referenced tests, when available, and numbers of students who after 8th grade enroll in adult education rather than other secondary education.

(12)~~(11)~~ RULES.—The State Board of Education shall adopt rules pursuant to ss. 120.536(1) and 120.54 to implement the provisions of this section.

Section 19. Subsection (3) of section 1008.30, Florida Statutes, is amended to read:

1008.30 Common placement testing for public postsecondary education.—

(3) The State Board of Education shall adopt rules that ~~would~~ require high schools to *evaluate before the beginning of grade 12 the college readiness of each student who indicates an interest in postsecondary education and scores at Level 2 or Level 3 on the reading portion of the grade 10 FCAT or Level 2, Level 3, or Level 4 on the mathematics portion of the grade 10 FCAT. High schools shall perform this evaluation using results from* ~~give~~ the *corresponding component of the* common placement test prescribed in this section, or an equivalent test identified by the State Board of Education*. The Department of Education shall purchase or develop the assessments necessary to perform the evaluations required by this subsection and shall work with the school districts to administer the assessments. The State Board of Education shall establish by rule the minimum test scores a student must achieve to demonstrate readiness. Students who demonstrate readiness by achieving the minimum test scores established by the state board and enroll in a community college within 2 years of achieving such scores shall not be required to enroll in remediation courses as a condition of acceptance to any community college. The high school shall use the results of the test to advise the students of any identified deficiencies and to the maximum extent practicable provide 12th grade students access to appropriate remedial instruction prior to high school graduation. The remedial instruction provided under this subsection shall be a collaborative effort between secondary and postsecondary educational institutions. To the extent courses are available, the Florida Virtual School may be used to provided the remedial instruction required by this subsection*~~, at the beginning of the tenth grade year before enrollment in the eleventh grade year in public high school for the purpose of obtaining remedial instruction prior to entering public postsecondary education~~.

Section 20. Paragraph (c) of subsection (1) of section 1008.31, Florida Statutes, is amended to read:

1008.31 Florida's K-20 education performance accountability system; legislative intent; mission, goals, and systemwide measures; data quality improvements.—

(1) LEGISLATIVE INTENT.—It is the intent of the Legislature that:

(c) The K-20 education performance accountability system comply with the ~~accountability~~ requirements of the "No Child Left Behind Act of 2001," Pub. L. No. 107-110*, and the Individuals with Disabilities Education Act (IDEA)*.

Section 21. Subsection (3) of section 1008.34, Florida Statutes, is amended, and subsection (8) is added to that section, to read:

1008.34 School grading system; school report cards; district grade.—

(3) DESIGNATION OF SCHOOL GRADES.—

(a) Each school that has students who are tested and included in the school grading system~~, except an alternative school that receives a school improvement rating pursuant to s. 1008.341,~~ shall receive a school grade *, except as follows:*

1. A school shall not receive a school grade if the number of its students tested and included in the school grading system are fewer than the minimum sample size necessary, based on accepted professional practice, for statistical reliability and prevention of the unlawful release of personally identifiable student data under s. 1002.22 or 20 U.S.C. s. 1232g.~~.; however,~~

2. An alternative school may choose to receive a school grade under this section *or* ~~in lieu of~~ a school improvement rating *under s. 1008.341*.

3. ~~Additionally,~~ A school that serves any combination of students in kindergarten through grade 3 which does not receive a school grade because its students are not tested and included in the school grading system shall receive the school grade designation of a K-3 feeder pattern school identified by the Department of Education and verified by the school district. A school feeder pattern exists if at least 60 percent of the students in the school serving a combination of students in kindergarten through grade 3 are scheduled to be assigned to the graded school. ~~School grades itemized in subsection (2) shall be based on the following:~~

(b)1.~~(a)~~ ~~Criteria.—~~A school's grade shall be based on a combination of:

a.~~1.~~ Student achievement scores, including achievement scores for students seeking a special diploma.

b.~~2.~~ Student learning gains as measured by annual FCAT assessments in grades 3 through 10; learning gains for students seeking a special diploma, as measured by an alternate assessment tool, shall be included not later than the 2009-2010 school year.

c.~~3.~~ Improvement of the lowest 25th percentile of students in the school in reading, *mathematics* ~~math~~, or writing on the FCAT, unless these students are exhibiting satisfactory performance.

2. Beginning with the 2009-2010 school year for schools comprised of high school grades 9, 10, 11, and 12, or grades 10, 11, and 12, 50 percent of the school grade shall be based on a combination of the factors listed in sub-subparagraphs 1.a.-c. and the remaining 50 percent on the following factors:

a. The high school graduation rate of the school;

b. As valid data becomes available, the performance and participation of the school's students in College Board Advanced Placement courses, International Baccalaureate courses, dual enrollment courses, and Advanced International Certificate of Education courses; and the students' achievement of industry certification, as determined by the Agency for Workforce Innovation under s. 1003.492(2) in a career and professional academy, as described in s. 1003.493;

c. Postsecondary readiness of the school's students as measured by the SAT, ACT, or the common placement test;

d. The high school graduation rate of at-risk students who scored at Level 2 or lower on the grade 8 FCAT Reading and Mathematics examinations;

e. As valid data becomes available, the performance of the school's students on statewide standardized end-of-course assessments administered under s. 1008.22; and

f. The growth or decline in the components listed in sub-subparagraphs a.-e. from year to year.

(c)~~(b)~~ ~~Student assessment data.—~~Student assessment data used in determining school grades shall include:

1. The aggregate scores of all eligible students enrolled in the school who have been assessed on the FCAT.

2. The aggregate scores of all eligible students enrolled in the school who have been assessed on the FCAT~~, including Florida Writes,~~ and who have scored at or in the lowest 25th percentile of students in the school in reading, *mathematics* ~~math~~, or writing, unless these students are exhibiting satisfactory performance.

3. Effective with the 2005-2006 school year, the achievement scores and learning gains of eligible students attending alternative schools that provide dropout prevention and academic intervention services pursuant to s. 1003.53. The term "eligible students" in this subparagraph does not include students attending an alternative school who are subject to district school board policies for expulsion for repeated or serious offenses, who are in dropout retrieval programs serving students who have officially been designated as dropouts, or who are in programs operated or contracted by the Department of Juvenile Justice. The student performance data for eligible students identified in this subparagraph shall be included in the calculation of the home school's grade. *As used in* ~~For purposes of~~ this section and s. 1008.341, *the term* "home school" means the school *to which* the student *would be assigned if the student were not* ~~was attending when~~ assigned to an alternative school. If an alternative school chooses to be graded *under* ~~pursuant to~~ this section, student performance data for eligible students identified in this subparagraph shall not be included in the home school's grade but shall be included only in the calculation of the alternative school's grade. *A school district that fails to assign the FCAT scores of each of its students to his or her home school or to the alternative school that receives a grade shall forfeit Florida School Recognition Program funds for 1 fiscal year.* School districts must require collaboration between the home school and the alternative school in order to promote student success. *This collaboration must include an annual discussion between the principal of the alternative school and the principal of each student's home school concerning the most appropriate school assignment of the student.*

4. Beginning with the 2009-2010 school year for schools comprised of high school grades 9, 10, 11, and 12, or grades 10, 11, and 12, the data listed in subparagraphs 1.-3. and the following data as the Department of Education determines such data are valid and available:

a. The high school graduation rate of the school as calculated by the Department of Education;

b. The participation rate of all eligible students enrolled in the school and enrolled in College Board Advanced Placement courses; International Baccalaureate courses; dual enrollment courses; Advanced International Certificate of Education courses; and courses or sequence of courses leading to industry certification, as determined by the Agency for Workforce Innovation under s. 1003.492(2) in a career and professional academy, as described in s. 1003.493;

c. The aggregate scores of all eligible students enrolled in the school in College Board Advanced Placement courses, International Baccalaureate courses, and Advanced International Certificate of Education courses;

d. Earning of college credit by all eligible students enrolled in the school in dual enrollment programs under s. 1007.271;

e. Earning of an industry certification, as determined by the Agency for Workforce Innovation under s. 1003.492(2) in a career and professional academy, as described in s. 1003.493;

f. The aggregate scores of all eligible students enrolled in the school in reading, mathematics, and other subjects as measured by the SAT, the ACT, and the common placement test for postsecondary readiness;

g. The high school graduation rate of all eligible at-risk students enrolled in the school who scored at Level 2 or lower on the grade 8 FCAT Reading and Mathematics examinations;

h. The performance of the school's students on statewide standardized end-of-course assessments administered under s. 1008.22; and

i. The growth or decline in the data components listed in sub-subparagraphs a.-h. from year to year.

The State Board of Education shall adopt appropriate criteria for each school grade. The criteria must also give added weight to student achievement in reading. Schools designated with a grade of "C," making satisfactory progress, shall be required to demonstrate that adequate progress has been made by students in the school who are in the lowest 25th percentile in reading, *mathematics* ~~math~~, or writing on the FCAT~~, including Florida Writes~~, unless these students are exhibiting satisfactory performance. *Beginning with the 2009-2010 school year for schools comprised of high school grades 9, 10, 11, and 12, or grades 10, 11, and 12, the criteria for school grades must also give added weight to the graduation rate of all eligible at-risk students, as defined in this paragraph. Beginning in the 2009-2010 school year, in order for a high school to be designated as having a grade of "A," making excellent progress, the school must demonstrate that at-risk students, as defined in this paragraph, in the school are making adequate progress.*

(8) RULES.—The State Board of Education shall adopt rules under ss. 120.536(1) and 120.54 to administer this section.

Section 22. Subsection (2) and paragraph (b) of subsection (3) of section 1008.341, Florida Statutes, are amended, and subsection (6) is added to that section, to read:

1008.341 School improvement rating for alternative schools.—

(2) SCHOOL IMPROVEMENT RATING.—*An* alternative *school* ~~schools~~ that *provides* ~~provide~~ dropout prevention and academic intervention services pursuant to s. 1003.53 shall receive a school improvement rating pursuant to this section. *However, an alternative school shall not receive a school improvement rating if the number of its students for whom student performance data is available for the current year and previous year are fewer than the minimum sample size necessary, based on accepted professional practice, for statistical reliability and prevention of the unlawful release of personally identifiable student data under s. 1002.22 or 20 U.S.C. s. 1232g.* The school improvement rating shall identify *an alternative school* ~~schools~~ as having one of the following ratings defined according to rules of the State Board of Education:

(a) "Improving" means *the* ~~schools with~~ students *attending the school are* making more academic progress than when the students were served in their home schools.

(b) "Maintaining" means *the* ~~schools with~~ students *attending the school are* making progress equivalent to the progress made when the students were served in their home schools.

(c) "Declining" means *the* ~~schools with~~ students *attending the school are* making less academic progress than when the students were served in their home schools.

The school improvement rating shall be based on a comparison of student performance data for the current year and previous year. Schools that improve at least one level or maintain an "improving" rating pursuant to this section are eligible for school recognition awards pursuant to s. 1008.36.

(3) DESIGNATION OF SCHOOL IMPROVEMENT RATING.—Student data used in determining an alternative school's school improvement rating shall include:

(b) The aggregate scores of all eligible students who were assigned to and enrolled in the school during the October or February FTE count, who have been assessed on the FCAT~~, including Florida Writes,~~ and who have scored in the lowest 25th percentile of students in the state on FCAT Reading.

The assessment scores of students who are subject to district school board policies for expulsion for repeated or serious offenses, who are in dropout retrieval programs serving students who have officially been designated as dropouts, or who are in programs operated or contracted by the Department of Juvenile Justice may not be included in an alternative school's school improvement rating.

(6) RULES.—The State Board of Education shall adopt rules under ss. 120.536(1) and 120.54 to administer this section.

Section 23. Paragraph (a) of subsection (8) of section 1008.345, Florida Statutes, is amended to read:

1008.345 Implementation of state system of school improvement and education accountability.—

(8) As a part of the system of educational accountability, the Department of Education shall:

(a) Develop minimum ~~performance~~ standards for various grades and subject areas, as required in ss. 1001.03, 1008.22, and 1008.34.

Section 24. Subsection (2) of section 1008.36, Florida Statutes, is amended to read:

1008.36 Florida School Recognition Program.—

(2) The Florida School Recognition Program is created to provide financial awards to public schools that:

(a) Sustain high performance by receiving a school grade of "A," making excellent progress; or

(b) Demonstrate exemplary improvement due to innovation and effort by improving *at least one* ~~a~~ letter grade *or by improving more than one letter grade and sustaining the improvement the following school year*.

Notwithstanding statutory provisions to the contrary, incentive awards are not subject to collective bargaining.

Section 25. Subsection (4) of section 1012.56, Florida Statutes, is renumbered as subsection (5) and amended, present subsections (5) through (16) are renumbered as subsections (6) through (17), respectively, and a new subsection (4) is added to that section, to read:

1012.56 Educator certification requirements.—

(4) ALIGNMENT OF SUBJECT AREAS.—As the Sunshine State Standards are replaced by the Next Generation Sunshine State Standards under s. 1003.41, the State Board of Education shall align the subject area examinations to the Next Generation Sunshine State Standards.

(5)~~(4)~~ MASTERY OF SUBJECT AREA KNOWLEDGE.—Acceptable means of demonstrating mastery of subject area knowledge are:

(a) Achievement of passing scores on subject area examinations required by state board rule*, which may include, but need not be limited to, world languages in Arabic, Chinese, Farsi, French, German, Greek, Haitian Creole, Hebrew, Hindi, Italian, Japanese, Portuguese, Russian, and Spanish* ;

(b) Completion of a bachelor's degree or higher and verification of the attainment of an oral proficiency interview score above the intermediate level and a written proficiency score above the intermediate level on a test administered by the American Council on the Teaching of Foreign Languages for which there is no Florida-developed examination;

(c)~~(b)~~ Completion of the subject area specialization requirements specified in state board rule and verification of the attainment of the essential subject matter competencies by the district school superintendent of the employing school district or chief administrative officer of the employing state-supported or private school for a subject area for which a subject area examination has not been developed and required by state board rule;

(d)~~(c)~~ Completion of the subject area specialization requirements specified in state board rule for a subject coverage requiring a master's or higher degree and achievement of a passing score on the subject area examination specified in state board rule;

(e)~~(d)~~ A valid professional standard teaching certificate issued by another state; or

(f)~~(e)~~ A valid certificate issued by the National Board for Professional Teaching Standards or a national educator credentialing board approved by the State Board of Education.

School districts are encouraged to provide mechanisms for those middle school teachers holding only a K-6 teaching certificate to obtain a subject area coverage for middle grades through postsecondary coursework or district add-on certification.

Section 26. Subsection (1) of section 1012.57, Florida Statutes, is amended to read:

1012.57 Certification of adjunct educators.—

(1) Notwithstanding the provisions of ss. 1012.32, 1012.55, and 1012.56, or any other provision of law or rule to the contrary, district school boards shall adopt rules to allow for the issuance of an adjunct teaching certificate to any applicant who fulfills the requirements of s. 1012.56(2)(a)-(f) and *(10)* ~~(9)~~ and who has expertise in the subject area to be taught. An applicant shall be considered to have expertise in the subject area to be taught if the applicant demonstrates sufficient subject area mastery through passage of a subject area test. The adjunct teaching certificate shall be used for part-time teaching positions. The intent of this provision is to allow school districts to tap the wealth of talent and expertise represented in Florida's citizens who may wish to teach part-time in a Florida public school by permitting school districts to issue adjunct certificates to qualified applicants. Adjunct certificateholders should be used as a strategy to reduce the teacher shortage; thus, adjunct certificateholders should supplement a school's instructional staff, not supplant it. Each school principal shall assign an experienced peer mentor to assist the adjunct teaching certificateholder during the certificateholder's first year of teaching, and an adjunct certificateholder may participate in a district's new teacher training program. District school boards shall provide the adjunct teaching certificateholder an orientation in classroom management prior to assigning the certificateholder to a school. Each adjunct teaching certificate is valid for 5 school years and is renewable if the applicant has received satisfactory performance evaluations during each year of teaching under adjunct teaching certification.

Section 27. Subsection (1) of section 1012.586, Florida Statutes, is amended to read:

1012.586 Additions or changes to certificates; duplicate certificates.—A school district may process via a Department of Education website certificates for the following applications of public school employees:

(1) Addition of a subject coverage or endorsement to a valid Florida certificate on the basis of the completion of the appropriate subject area testing requirements of *s. 1012.56(5)(a)* ~~s. 1012.56(4)(a)~~ or the completion of the requirements of an approved school district program or the inservice components for an endorsement.

The employing school district shall charge the employee a fee not to exceed the amount charged by the Department of Education for such services. Each district school board shall retain a portion of the fee as defined in the rules of the State Board of Education. The portion sent to the department shall be used for maintenance of the technology system, the web application, and posting and mailing of the certificate.

Section 28. Effective upon this act becoming a law, section 1012.71, Florida Statutes, is amended to read:

(Substantial rewording of section. See s. 1012.71, F.S., for present text.)

1012.71 The Florida Teachers Lead Program.—

(1) For purposes of the Florida Teachers Lead Program, the term "classroom teacher" means a certified teacher employed by a public school district or a public charter school in that district on or before September 1 of each year whose full-time or job-share responsibility is the classroom instruction of students in prekindergarten through grade 12, including full-time media specialists and guidance counselors serving students in prekindergarten through grade 12, who are funded through the Florida Education Finance Program. A "job-share" classroom teacher is one of two teachers whose combined full-time equivalent employment for the same teaching assignment equals one full-time classroom teacher.

(2) The Legislature, in the General Appropriations Act, shall determine funding for the Florida Teachers Lead Program. The funds appropriated are for classroom teachers to purchase, on behalf of the school district or charter school, classroom materials and supplies for the public school students assigned to them and may not be used to purchase equipment. The funds appropriated shall be used to supplement the materials and supplies otherwise available to classroom teachers. From the funds appropriated for the Florida Teachers Lead Program, the Commissioner of Education shall calculate an amount for each school district based upon each school district's proportionate share of the state's total unweighted FTE student enrollment and shall disburse the funds to the school districts by July 15.

(3) From the funds allocated to each school district for the Florida Teachers Lead Program, the district school board shall calculate an

identical amount for each classroom teacher, which is that teacher's proportionate share of the total amount allocated to the district. A job-share classroom teacher may receive a prorated share of the amount provided to a full-time classroom teacher. The district school board and each charter school board shall provide each classroom teacher with his or her total proportionate share by September 30 of each year by any means determined appropriate by the district school board or charter school board, including, but not limited to, direct deposit, check, debit card, or purchasing card, notwithstanding any law to the contrary. Expenditures under the program are not subject to state or local competitive bidding requirements. Funds received by a classroom teacher do not affect wages, hours, or terms and conditions of employment and, therefore, are not subject to collective bargaining. Any classroom teacher may decline receipt of or return the funds without explanation or cause. This subsection shall apply retroactively to July 1, 2007.

(4) Each classroom teacher must sign a statement acknowledging receipt of the funds, keep receipts for no less than 4 years to show that funds expended meet the requirements of this section, and return any unused funds to the district school board at the end of the regular school year. Any unused funds that are returned to the district school board shall be deposited into the school advisory council account of the school at which the classroom teacher returning the funds was employed when that teacher received the funds or deposited into the Florida Teachers Lead Program account of the school district in which a charter school is sponsored, as applicable.

(5) The statement must be signed and dated by each classroom teacher before receipt of the Florida Teachers Lead Program funds and shall include the wording: "I, (name of teacher), am employed by the County District School Board or by the Charter School as a full-time classroom teacher. I acknowledge that Florida Teachers Lead Program funds are appropriated by the Legislature for the sole purpose of purchasing classroom materials and supplies to be used in the instruction of students assigned to me. In accepting custody of these funds, I agree to keep the receipts for all expenditures for no less than 4 years. I understand that if I do not keep the receipts, it will be my personal responsibility to pay any federal taxes due on these funds. I also agree to return any unexpended funds to the district school board at the end of the regular school year for deposit into the school advisory council account of the school where I was employed at the time I received the funds or for deposit into the Florida Teachers Lead Program account of the school district in which the charter school is sponsored, as applicable."

Section 29. Paragraphs (b) and (c) of subsection (2) of section 1013.12, Florida Statutes, are redesignated as paragraphs (c) and (d), respectively, and a new paragraph (b) is added to that subsection to read:

1013.12 Casualty, safety, sanitation, and firesafety standards and inspection of property.—

(2) PERIODIC INSPECTION OF PROPERTY BY DISTRICT SCHOOL BOARDS.—

(b) Each school cafeteria must post in a visible location and on the school website the school's semiannual sanitation certificate and a copy of its most recent sanitation inspection report.

Section 30. Except as otherwise expressly provided in this act, this act shall take effect July 1, 2008.

And the title is amended as follows:

Remove the entire title and insert: A bill to be entitled An act relating to education; amending s. 1003.41, F.S.; requiring that the State Board of Education replace the Sunshine State Standards with the Next Generation Sunshine State Standards; providing requirements for the content and organization of the standards; requiring that the standards establish core curricular content in specified areas for certain grades or grade clusters; requiring that the state board establish schedules for the adoption and revision of the Next Generation Sunshine State Standards; requiring that the state board adopt the standards by a specified date; requiring the Commissioner of Education to provide proposed Next Generation Sunshine State Standards or proposed revisions of such standards to the state board; providing requirements for the commissioner's development of the proposed standards or revisions; requiring consultation with certain experts; requiring distribution of a proposal developed by the commissioner for review and comment by certain experts; requiring a written evaluation of the proposal developed by the commissioner by certain experts; requiring provision of the commissioner's proposed standards and the written evaluation and comments to the Governor, the President of the Senate, and the Speaker of the House of Representatives; authorizing rulemaking by the State Board of Education; amending s. 220.187, F.S.; revising requirements for the selection of norm-referenced tests administered by private schools for purposes of the Corporate Income Tax Credit Scholarship Program; amending s. 1000.21, F.S.; providing and revising definitions; providing for application of the Sunshine State Standards pending adoption of the Next Generation Sunshine State Standards; amending s. 1001.03, F.S.; requiring the State Board of Education to periodically review and revise state curriculum standards; eliminating provisions requiring that the state board report proposed revisions to the Governor and the Legislature; amending s. 1001.452, F.S.; revising provisions relating to membership of school advisory councils; amending s. 1003.413, F.S.; requiring policies of each district school board to address an annual review of student education plans; amending s. 1003.428, F.S.; revising courses that are acceptable for high school graduation; conforming provisions and a cross-reference; creating s. 1003.4285, F.S.; providing for high school diploma designations; amending ss. 1003.429, 1003.43, and 1003.433, F.S.; conforming provisions and cross-references; amending s. 1003.63, F.S.; revising the type of assessment tests reported to the Governor and the Legislature relating to the deregulated public schools pilot program; amending s. 1004.85, F.S.; conforming cross-references; amending s. 1004.91, F.S.; providing an exemption relating to career-preparatory instruction; amending s. 1004.99, F.S.; providing designations of Florida Ready to Work credentials; amending s. 1007.21, F.S., relating to postsecondary placement tests for high school students; authorizing the common placement test to be administered to high school students meeting certain criteria; amending s. 1007.235, F.S.; requiring district interinstitutional articulation agreements to include responsibility for assignment of grades for dual enrollment courses; amending s. 1008.22, F.S.; revising provisions governing application of testing requirements for high school graduation; providing criteria concerning the testing and scores required for a continuously enrolled student to earn a standard high school diploma; authorizing the commissioner to administer end-of-course assessments; providing requirements for comprehensive assessments and end-of-course assessments; authorizing the commissioner to select a nationally developed comprehensive examination for use as an end-of-course assessment; revising the design of the testing program; authorizing the commissioner to collaborate with the American Diploma Project to develop end-of-course assessments; deleting requirements for norm-referenced tests; revising assessments of writing; requiring the commissioner to establish schedules for the administration of statewide assessments and the reporting of student test results; providing requirements for the testing and reporting schedules; requiring district school boards to prohibit public schools from suspending a program of curricula for the administration of practice tests or certain test-preparation activities; authorizing a district school board to permit a school to engage in certain test-preparation activities; requiring public schools to comply with statewide assessment and reporting schedules; revising the applicability of testing standards under certain conditions; establishing requirements for calculating student scores on revised statewide assessments; authorizing the commissioner to discontinue administration of an outdated assessment under certain circumstances; requiring the state board to adopt rules establishing passing scores on revised assessments required for a standard high school diploma; clarifying determination of concordant scores for the FCAT; revising the requirements contained in the annual report by the department to the Governor and the Legislature; amending s. 1008.30, F.S.; revising provisions relating to administration and use of the results of the common placement test; requiring the State Board of Education to adopt rules requiring high school evaluation of student college readiness and establishing minimum test scores for such readiness; authorizing the purchase or development of assessments; providing for remedial instruction; amending s. 1008.31, F.S.; declaring the legislative intent that the K-20 education system comply with the Individuals with Disabilities Education Act; amending s. 1008.34, F.S.; revising the exceptions for a school to receive a school grade; providing for a revised high school grading system beginning with the 2009-2010 school year which includes the statewide standardized assessment, graduation rates, performance and participation in certain courses, postsecondary readiness as measured by certain examinations, and the change in these factors from year to year; specifying the data components to be used in determining the revised high school grading system; requiring that the criteria for school grades give added weight to the graduation rate of all eligible at-risk students; revising the student assessment data used in determining school grades; requiring a school district that fails to assign

FCAT scores to students' schools to forfeit Florida School Recognition Program funds for a specified time; requiring the collaboration between a home school and alternative school to be between the principals of each school in order to promote student success; authorizing the state board to adopt rules; amending s. 1008.341, F.S.; revising provisions for a school improvement rating for an alternative school; authorizing the state board to adopt rules; amending s. 1008.345, F.S.; conforming provisions; amending s. 1008.36, F.S.; revising criteria for financial awards under the Florida School Recognition Program; amending s. 1012.56, F.S.; requiring teacher certification examinations to be aligned to the Next Generation Sunshine State Standards; revising provisions relating to the means for demonstrating mastery of subject area knowledge; specifying world languages for which subject area examinations may be required by State Board of Education rule; authorizing degree completion and attainment of foreign language proficiency on specified national tests; amending ss. 1012.57 and 1012.586, F.S.; conforming cross-reference; amending s. 1012.71, F.S., relating to the Florida Teachers Lead Program; revising requirements for use of program funds by classroom teachers; providing for disbursement of funds to school districts; specifying means for providing a classroom teacher with his or her proportionate share of program funds and providing that funds received are not subject to collective bargaining; providing for retroactive effect; providing requirements for accounting of expenditures; amending s. 1013.12, F.S.; requiring that a school cafeteria post certain information concerning its sanitation certificate and inspection; providing effective dates.

On motion by Senator Gaetz, the Senate concurred in the House amendment.

CS for SB 1908 passed as amended and was ordered engrossed and then enrolled. The action of the Senate was certified to the House. The vote on passage was:

Yeas—40

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Aronberg	Gaetz	Posey
Atwater	Garcia	Rich
Baker	Geller	Ring
Bennett	Haridopolos	Saunders
Bullard	Hill	Siplin
Carlton	Jones	Storms
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dawson	King	Wilson
Dean	Lawson	Wise
Deutch	Lynn	
Diaz de la Portilla	Margolis	

Nays—None

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has passed CS for SB 2222, with 1 amendment, and requests the concurrence of the Senate.

William S. Pittman III, Chief Clerk

CS for SB 2222—A bill to be entitled An act relating to a review of the Department of Citrus under the Florida Government Accountability Act; reenacting ss. 20.29, 601.04, and 601.05, F.S., relating to the Department of Citrus and the Florida Citrus Commission; amending s. 601.15, F.S.; revising the deadline by which the Florida Citrus Commission sets the annual citrus excise tax rate; deleting a provision requiring the commission to consider certain projected collection of taxes in setting the rate; conforming provisions relating to the season upon which the tax rate applies; repealing s. 601.154, F.S., relating to the Citrus Stabilization Act of Florida; providing an effective date.

House Amendment 1 (042301)(with title amendment)—Remove everything after the enacting clause and insert:

Section 1. Subsection (5) is added to section 581.091, Florida Statutes, to read:

581.091 Noxious weeds and infected plants or regulated articles; sale or distribution; receipt; information to department; withholding information.—

(5)(a) Notwithstanding any other provision of state law or rule, a person may obtain a special permit from the department to plant Casuarina cunninghamiana as a windbreak for a commercial citrus grove provided the plants are produced in an authorized registered nursery and certified by the department as being vegetatively propagated from male plants. A "commercial citrus grove" means a contiguous planting of 100 or more citrus trees where citrus fruit is produced for sale.

(b) For a 5-year period, special permits authorizing a person to plant Casuarina cunninghamiana shall be issued only as part of a pilot program for fresh fruit groves in areas of Indian River, St. Lucie, and Martin Counties where citrus canker is determined by the department to be widespread. The pilot program shall be reevaluated annually and a comprehensive review shall be conducted in 2013. The purpose of the annual and 5-year reviews is to determine if the use of Casuarina cunninghamiana as an agricultural pest and disease windbreak poses any adverse environmental consequences. At the end of the 5-year pilot program, if the Noxious Weed and Invasive Plant Review Committee, created by the department, and the Department of Environmental Protection, in consultation with a representative of the citrus industry who has a Casuarina cunninghamiana windbreak, determine that the potential is low for adverse environmental impacts from planting Casuarina cunninghamiana as windbreaks, the department may, by rule, allow the use of Casuarina cunninghamiana windbreaks for commercial citrus groves in other areas of the state. If it is determined at the end of the 5-year pilot program that additional time is needed to further evaluate Casuarina cunninghamiana, the department will remain the lead agency.

(c) Each application for a special permit shall be accompanied by a fee in an amount determined by the department, by rule, not to exceed $500. A special permit shall be required for each noncontiguous commercial citrus grove and shall be renewed every 5 years. The property owner is responsible for maintaining and producing for inspection the original nursery invoice with certification documentation. If ownership of the property is transferred, the seller must notify the department and provide the buyer with a copy of the special permit and copies of all invoices and certification documentation prior to the closing of the sale.

(d) Each application shall include a baseline survey of all lands within 500 feet of the proposed Casuarina cunninghamiana windbreak showing the location and identification to species of all existing Casuarina spp.

(e) Nurseries authorized to produce Casuarina cunninghamiana must obtain a special permit from the department certifying that the plants have been vegetatively propagated from sexually mature male source trees currently grown in the state. The importation of Casuarina cunninghamiana from any area outside the state to be used as a propagation source tree is prohibited. Each male source tree must be registered by the department as being a horticulturally true to type male plant and be labeled with a source tree registration number. Each nursery application for a special permit shall be accompanied by a fee in an amount determined by the department, by rule, not to exceed $200. Special permits shall be renewed annually. The department shall, by rule, set the amount of an annual fee, not to exceed $50, for each Casuarina cunninghamiana registered as a source tree. Nurseries may only sell Casuarina cunninghamiana to a person with a special permit as specified in paragraphs (a) and (b). The source tree registration numbers of the parent plants must be documented on each invoice or other certification documentation provided to the buyer.

(f) All Casuarina cunninghamiana must be destroyed by the property owner within 6 months after:

1. The property owner takes permanent action to no longer use the site for commercial citrus production;

2. The site has not been used for commercial citrus production for a period of 5 years; or

3. The department determines that the Casuarina cunninghamiana on the site has become invasive. This determination shall be based on, but not limited to, the recommendation of the Noxious Weed and Invasive Plant Review Committee and the Department of Environmental Protec-

tion and in consultation with a representative of the citrus industry who has a Casuarina cunninghamiana windbreak.

If the owner or person in charge refuses or neglects to comply, the director or her or his authorized representative may, under authority of the department, proceed to destroy the plants. The expense of the destruction shall be assessed, collected, and enforced against the owner by the department. If the owner does not pay the assessed cost, the department may record a lien against the property.

(g) The use of Casuarina cunninghamiana for windbreaks shall not preclude the department from issuing permits for the research or release of biological control agents to control Casuarina spp. in accordance with s. 581.083.

(h) The use of Casuarina cunninghamiana for windbreaks shall not restrict or interfere with any other agency or local government effort to manage or control noxious weeds or invasive plants, including Casuarina cunninghamiana, nor shall any other agency or local government remove any Casuarina cunninghamiana planted as a windbreak under special permit issued by the department.

(i) The department shall develop and implement a monitoring protocol to determine invasiveness of Casuarina cunninghamiana. The monitoring protocol shall at a minimum, require:

1. Inspection of the planting site by department inspectors within 30 days following initial planting or any subsequent planting of Casuarina cunninghamiana to ensure the criteria of the special permit have been met.

2. Annual site inspections of planting sites and all lands within 500 feet of the planted windbreak by department inspectors who have been trained to identify Casuarina spp. and to make determinations of whether Casuarina cunninghamiana has spread beyond the permitted windbreak location.

3. Any new seedlings found within 500 feet of the planted windbreak to be removed, identified to the species level, and evaluated to determine if hybridization has occurred.

4. The department to submit an annual report and a final 5-year evaluation identifying any adverse effects resulting from the planting of Casuarina cunninghamiana for windbreaks and documenting all inspections and the results of those inspections to the Noxious Weed and Invasive Plant Review Committee, the Department of Environmental Protection, and a designated representative of the citrus industry who has a Casuarina cunninghamiana windbreak.

(j) If the department determines that female flowers or cones have been produced on any Casuarina cunninghamiana that have been planted under a special permit issued by the department, the property owner shall be responsible for destroying the trees. The department shall notify the property owner of the timeframe and method of destruction.

(k) If at any time the department determines that hybridization has occurred during the pilot program between Casuarina cunninghamiana planted as a windbreak and other Casuarina spp., the department shall expeditiously initiate research to determine the invasiveness of the hybrid. The information obtained from this research shall be evaluated by the Noxious Weed and Invasive Plant Review Committee, the Department of Environmental Protection, and a designated representative of the citrus industry who has a Casuarina cunninghamiana windbreak. If the department determines that the hybrids have a high potential to become invasive, based on, but not limited to, the recommendation of the Noxious Weed and Invasive Plant Review Committee, the Department of Environmental Protection, and a designated representative of the citrus industry who has a Casuarina cunninghamiana windbreak, this pilot program shall be permanently suspended.

(l) Each application for a special permit must be accompanied by a fee as described in paragraph (c) and an agreement that the property owner will abide by all permit conditions including the removal of Casuarina cunninghamiana if invasive populations or other adverse environmental factors are determined to be present by the department as a result of the use of Casuarina cunninghamiana as windbreaks. The application must include, on a form provided by the department, the name of the applicant and the applicant's address or the address of the applicant's principal place of business; a statement of the estimated cost of removing and destroying the Casuarina cunninghamiana that is the subject of the special permit; and the basis for calculating or determining that estimate. If the applicant is a corporation, partnership, or other business entity, the applicant must also provide in the application the name and address of each officer, partner, or managing agent. The applicant shall notify the department within 30 business days of any change of address or change in the principal place of business. The department shall mail all notices to the applicant's last known address.

1. Upon obtaining a permit, the permitholder must annually maintain the Casuarina cunninghamiana authorized by a special permit as required in the permit. If the permitholder ceases to maintain the Casuarina cunninghamiana as required by the special permit, if the permit expires, or if the permitholder ceases to abide by the conditions of the special permit, the permitholder shall remove and destroy the Casuarina cunninghamiana in a timely manner as specified in the permit.

2. If the department:

a. Determines that the permitholder is no longer maintaining the Casuarina cunninghamiana subject to the special permit and has not removed and destroyed the Casuarina cunninghamiana authorized by the special permit;

b. Determines that the continued use of Casuarina cunninghamiana as windbreaks presents an imminent danger to public health, safety, or welfare; or

c. Determines that the permitholder has exceeded the conditions of the authorized special permit;

The department may issue an immediate final order, which shall be immediately appealable or enjoinable as provided by chapter 120, directing the permitholder to immediately remove and destroy the Casuarina cunninghamiana authorized to be planted under the special permit. A copy of the immediate final order shall be mailed to the permitholder.

3. If, upon issuance by the department of an immediate final order to the permitholder, the permitholder fails to remove and destroy the Casuarina cunninghamiana subject to the special permit within 60 days after issuance of the order, or such shorter period as is designated in the order as public health, safety, or welfare requires, the department may remove and destroy the Casuarina cunninghamiana that are the subject of the special permit. If the permitholder makes a written request to the department for an extension of time to remove and destroy the Casuarina cunninghamiana that demonstrates specific facts showing why the Casuarina cunninghamiana could not reasonably be removed and destroyed in the applicable timeframe, the department may extend the time for removing and destroying Casuarina cunninghamiana subject to a special permit. The reasonable costs and expenses incurred by the department for removing and destroying Casuarina cunninghamiana subject to a special permit shall be paid out of the Citrus Inspection Trust Fund and shall be reimbursed by the party to which the immediate final order is issued. If the party to which the immediate final order has been issued fails to reimburse the state within 60 days, the department may record a lien on the property. The lien shall be enforced by the department.

4. In order to carry out the purposes of this paragraph, the department or its agents may require a permitholder to provide verified statements of the planted acreage subject to the special permit and may review the permitholder's business or planting records at her or his place of business during normal business hours in order to determine the acreage planted. The failure of a permitholder to furnish such statement or to make such records available is cause for suspension of the special permit. If the department finds such failure to be willful, the special permit may be revoked.

Section 2. This act shall take effect July 1, 2008.

And the title is amended as follows:

Remove the entire title and insert: A bill to be entitled An act relating to citrus; amending s. 581.091, F.S.; providing conditions for use of Casuarina cunninghamiana as a windbreak for commercial citrus groves; defining the term "commercial citrus grove"; providing for permitting and permit fees; providing for destruction of Casuarina cunninghamiana; specifying responsibility and liability for removal and destruction of such trees; providing that use as a windbreak does not preclude research or release of agents to control Casuarina spp.; providing that the use of Casuarina cunninghamiana for windbreaks does not

interfere with or restrict efforts to manage or control noxious weeds or invasive plants; prohibiting any other agency or local government from removing Casuarina cunninghamiana planted as a windbreak under special permit; providing an effective date.

On motion by Senator Alexander, the Senate concurred in the House amendment.

CS for SB 2222 passed as amended and was ordered engrossed and then enrolled. The action of the Senate was certified to the House. The vote on passage was:

Yeas—39

Mr. President	Diaz de la Portilla	Lynn
Alexander	Dockery	Margolis
Aronberg	Fasano	Peaden
Atwater	Gaetz	Posey
Baker	Garcia	Rich
Bennett	Geller	Ring
Bullard	Haridopolos	Saunders
Carlton	Hill	Siplin
Constantine	Jones	Storms
Crist	Joyner	Villalobos
Dawson	Justice	Webster
Dean	King	Wilson
Deutch	Lawson	Wise

Nays—None

Vote after roll call:

Yea—Oelrich

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has amended Senate Amendment 1, concurred in the same as amended, and passed CS for HB 739 as further amended, and requests the concurrence of the Senate.

William S. Pittman III, Chief Clerk

CS for HB 739—A bill to be entitled An act relating to guardian advocates for persons with developmental disabilities; amending s. 393.12, F.S.; requiring the court to conduct determination of incapacity of persons with developmental disabilities and appointment of guardian advocates in separate proceedings; revising conditions relating to venue for appointment of guardian advocates; providing that the guardian advocate need not be represented by an attorney unless required by the court or the guardian advocate is delegated certain rights regarding property; limiting applicability to certain proceedings relating to appointment and supervision of guardian advocates; requiring the petition to include the relationship of the proposed guardian advocate to certain providers; modifying the persons to whom a notice of the filing of the petition must be given to include next of kin, the health care surrogate designated to execute an advance directive, and the agent under durable power of attorney; establishing a timeframe for appointment of counsel and modifying who may be appointed as counsel to a person with a developmental disability; providing conditions for the court to appoint attorneys; requiring court proceedings and orders to consider advance directives for health care and durable powers of attorney; requiring the court's order to provide the name and reasons for the selection of the guardian advocate; providing a process for restoration of rights for the person with a developmental disability; providing for the petitioner to submit evidentiary support to the court; providing for a hearing if no evidentiary support is available; amending s. 393.13, F.S.; conforming a cross-reference; providing an effective date.

House Amendment 1 (358051) to Senate Amendment 1 (939538)—Remove lines 77-98 and insert:

744, a health care surrogate designated pursuant to an advance directive under chapter 765, an agent under a durable power of attorney, and such other persons as the court may direct. *A copy of* the petition to appoint a guardian advocate *must* ~~shall~~ be served with the notice.

(b)~~2.~~ The notice *must* ~~shall~~ state that a hearing *will be held* ~~shall be set~~ to inquire into the capacity of the person with *a* developmental *disability* ~~disabilities~~ to exercise the rights enumerated in the petition. The notice *must* ~~shall~~ also state the date of the hearing on the petition.

(c)~~3.~~ The notice shall state that the *person with a developmental disability* ~~individual with developmental disabilities~~ has the right to be represented by counsel of his or her own choice and ~~that if the individual cannot afford an attorney,~~ the court shall *initially* appoint *counsel* ~~one~~ .

(5)~~(d)~~ COUNSEL.—*Within 3 days after a petition has been filed, the court shall appoint an attorney to represent a person with a developmental disability who is the subject of a petition to appoint a guardian advocate. The person with a developmental disability may substitute his or her own attorney for the attorney appointed by the court.*

(a) The court shall initially appoint a private attorney who shall be selected from the attorney registry compiled pursuant to s. 27.40. Such attorney must

On motion by Senator Crist, the Senate concurred in the House amendment to the Senate amendment.

CS for HB 739 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—40

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Aronberg	Gaetz	Posey
Atwater	Garcia	Rich
Baker	Geller	Ring
Bennett	Haridopolos	Saunders
Bullard	Hill	Siplin
Carlton	Jones	Storms
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dawson	King	Wilson
Dean	Lawson	Wise
Deutch	Lynn	
Diaz de la Portilla	Margolis	

Nays—None

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has refused to concur in Senate Amendments 1 and 2 to CS for HB 1059 and requests the Senate to recede.

William S. Pittman III, Chief Clerk

CS for HB 1059—A bill to be entitled An act relating to exemptions from the tax on sales, use, and other transactions; amending s. 212.08, F.S.; revising the exemption provided to nonprofit cooperative hospital laundries; requiring a member of a nonprofit cooperative to immediately divest itself of participation in the cooperative under certain circumstances; providing that provision of certain supplies and services pursuant to a declaration of emergency and a written emergency plan of operation does not invalidate a certificate of exemption or cause such a certificate to be denied; providing an effective date.

On motion by Senator Rich, the Senate receded from Senate Amendments 1 and 2.

CS for HB 1059 passed and the action of the Senate was certified to the House. The vote on passage was:

Yeas—35

Mr. President	Bullard	Dean
Alexander	Carlton	Deutch
Aronberg	Constantine	Diaz de la Portilla
Baker	Crist	Dockery
Bennett	Dawson	Garcia

Geller	Margolis	Siplin
Hill	Oelrich	Storms
Jones	Peaden	Villalobos
Joyner	Posey	Webster
Justice	Rich	Wilson
King	Ring	Wise
Lawson	Saunders	

Nays—4

Fasano	Haridopolos	Lynn
Gaetz		

Vote after roll call:

Yea—Atwater

RECESS

The Senate recessed at 3:42 p.m. to reconvene upon call of the President.

CALL TO ORDER

The Senate was called to order by the President at 4:59 p.m. A quorum present.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has passed CS for CS for SB 1906, with 1 amendment, and requests the concurrence of the Senate.

William S. Pittman III, Chief Clerk

CS for CS for SB 1906—A bill to be entitled An act relating to alternative credit high school courses; creating s. 1002.375, F.S.; establishing a pilot project for awarding high school credit to students enrolled in industry certification programs; requiring the Commissioner of Education to establish criteria for program participation; requiring that a school district submit a letter of interest by a specified date in order to participate in the pilot project; requiring that the Commissioner of Education submit a report to the Governor and the Legislature; providing for specified courses to be included as alternative credit courses; exempting alternative credit courses from certain requirements; authorizing the Department of Education to approve certain courses for credit by examination; requiring the Department of Education to adopt passing minimum scores on approved assessments and maintain a course directory; requiring the State Board of Education to adopt rules; amending s. 1011.61, F.S., relating to definitions for the Florida Education Finance Program; providing for an alternate method of reporting full-time equivalent membership for credit earned in alternative high school credit courses for the pilot project created under s. 1002.375, F.S.; providing an effective date.

House Amendment 1 (201987)(with title amendment)—Between lines 161 and 162, insert:

Section 3. Section 1003.215, Florida Statutes, is created to read:

1003.215 Student Preparedness Pilot Program.—

(1) The Legislature finds it to be in the public interest that all students exit from the public schools with academic skills that provide the students with the opportunity to pursue postsecondary education or with skills that lead to ready to work certification, industry certification, or skill licensure.

(2)(a) Beginning with the 2008-2009 school year, and continuing through the 2014-2015 school year, there is created the Student Preparedness Pilot Program to be piloted by school districts. Students in a school district selected to implement the pilot program pursuant to subsection (3) who attain the age of 16 years but have not reached the age of 18 years and who choose to exercise their option not to regularly attend school pursuant to s. 1003.21(1)(c) shall be subject to the attendance and completion requirements of this section.

(b) In the 2008-2009 school year, each school district selected pursuant to subsection (3) shall use its current level of funding to review, identify, and develop curricula options for the implementation of the pilot program requirements pursuant to paragraph (5)(a) for students who attain the age of 16 years but have not reached the age of 18 years whose academic goals may not include a traditional high school diploma. These options shall include, but are not limited to, nontraditional academic options and flexible attendance options and may include a phase-in of students by age or grade. Each selected school district must develop a plan to meet the student's needs and the attendance and completion requirements of this section prior to implementation of the pilot program in the 2009-2010 school year.

(3) The Department of Education shall develop an application process for all school districts to apply to participate in the pilot program. The State Board of Education shall select the pilot program districts, one of which shall be the Duval County School District.

(4) Parents of public school students enrolled in a participating pilot program district must receive accurate and timely information regarding their child's academic progress and must be informed of ways they can help their child to succeed in school.

(5)(a) A student in a participating pilot program district who attains the age of 16 years but has not reached the age of 18 years has the right to file a formal declaration of intent to terminate school enrollment if the declaration is signed by the parent. The parent has the right to be notified by the school district of the district's receipt of the student's declaration of intent to terminate school enrollment. The student's guidance counselor or other school personnel must conduct an exit interview pursuant to s. 1003.21(1)(c). Any student in a participating pilot program district who files a declaration seeking to terminate school enrollment but has not reached the age of 18 years shall be required, until completion or attainment of the age of 18 years, to continue pursuing credits toward a high school diploma, pursue a high school equivalency diploma with participation in the Florida Ready to Work Certification Program under s. 1004.99, participate in a career or job training program leading to industry certification or skill licensure that is developed by or in cooperation with the district school board, or participate in the Florida Ready to Work Certification Program under s. 1004.99.

(b) A Student Preparedness Pilot Program student subject to the attendance and completion requirements of this section is not an "eligible student" for purposes of school grading under s. 1008.34(3)(b) if the student has selected a nontraditional academic option of the pilot program.

(6) Students who become or have become married or who are pregnant and parenting have the right to attend school and receive the same or equivalent educational instruction as other students.

(7) The Office of Program Policy Analysis and Government Accountability (OPPAGA), in cooperation with the participating pilot program districts, the applicable state attorneys' offices and regional workforce boards, the Agency for Workforce Innovation, the Department of Education, and the Department of Juvenile Justice, shall conduct a study annually of the impact of the pilot program on dropout and graduation rates, on the employability of students, and on juvenile crime, using 2007-2008 data as the baseline for the research. OPPAGA shall develop criteria for collection and reporting of data with input from the cooperating entities. The results of each annual report shall be made available to participating pilot program districts, the applicable state attorneys' offices and regional workforce boards, the Agency for Workforce Education, the Department of Education, the Department of Juvenile Justice, the Governor, the President of the Senate, and the Speaker of the House of Representatives by January 1 following each school year, beginning January 1, 2012.

Section 4. Subsections (8) and (13) of section 1003.01, Florida Statutes, are amended to read:

1003.01 Definitions.—As used in this chapter, the term:

(8) "Habitual truant" means a student who*:* has 15 unexcused absences within 90 calendar days with or without the knowledge or consent of the student's parent*;*~~,~~ is subject to compulsory school attendance under s. 1003.21(1) and (2)(a) *or is subject to the Student Preparedness Pilot Program under s. 1003.215;*~~,~~ and is not exempt under s. 1003.21(3)*,* ~~or~~ s. 1003.24, or ~~by meeting the criteria for~~ any other exemption specified

by law or rules of the State Board of Education. Such a student must have been the subject of the activities specified in ss. 1003.26 and 1003.27(3), without resultant successful remediation of the truancy problem before being dealt with as a child in need of services according to the provisions of chapter 984.

(13)*(a)* "Regular school attendance" means the actual attendance of a student during the school day as defined by law and rules of the State Board of Education. Regular attendance within the intent of s. 1003.21 may be achieved by attendance in:

1.~~(a)~~ A public school supported by public funds;

2.~~(b)~~ A parochial, religious, or denominational school;

3.~~(c)~~ A private school supported in whole or in part by tuition charges or by endowments or gifts;

4.~~(d)~~ A home education program that meets the requirements of chapter 1002; or

5.~~(e)~~ A private tutoring program that meets the requirements of chapter 1002.

(b) "Regular program attendance" for a student in the Student Preparedness Pilot Program under s. 1003.215 means actual attendance by the student in traditional or nontraditional academic options as defined by law and rules of the State Board of Education. The district school superintendent shall be responsible for enforcing such attendance.

Section 5. Paragraph (c) of subsection (1) of section 1003.21, Florida Statutes, is amended to read:

1003.21 School attendance.—

(1)

(c) A student who attains the age of 16 years during the school year is not subject to compulsory school attendance beyond the date upon which he or she attains that age if the student files a formal declaration of intent to terminate school enrollment with the district school board. Public school students who have attained the age of 16 years and who have not graduated are subject to compulsory school attendance until the formal declaration of intent is filed with the district school board. The declaration must acknowledge that terminating school enrollment is likely to reduce the student's earning potential and must be signed by the student and the student's parent. The school district must notify the student's parent of receipt of the student's declaration of intent to terminate school enrollment. The student's guidance counselor or other school personnel must conduct an exit interview with the student to determine the reasons for the student's decision to terminate school enrollment and actions that could be taken to keep the student in school. The student must be informed of opportunities to continue his or her education in a different environment, including, but not limited to, adult education and GED test preparation. Additionally, the student must complete a survey in a format prescribed by the Department of Education to provide data on student reasons for terminating enrollment and actions taken by schools to keep students enrolled. *A student enrolled in a Student Preparedness Pilot Program school district must receive information regarding the program's attendance and completion requirements under s. 1003.215.*

Section 6. Paragraph (f) of subsection (1) of section 1003.26, Florida Statutes, is amended to read:

1003.26 Enforcement of school attendance.—The Legislature finds that poor academic performance is associated with nonattendance and that school districts must take an active role in promoting and enforcing attendance as a means of improving student performance. It is the policy of the state that each district school superintendent be responsible for enforcing school attendance of all students subject to the compulsory school age in the school district and supporting enforcement of school attendance by local law enforcement agencies. The responsibility includes recommending policies and procedures to the district school board that require public schools to respond in a timely manner to every unexcused absence, and every absence for which the reason is unknown, of students enrolled in the schools. District school board policies shall require the parent of a student to justify each absence of the student, and that justification will be evaluated based on adopted district school board policies that define excused and unexcused absences. The policies must provide that public schools track excused and unexcused absences and contact the home in the case of an unexcused absence from school, or an absence from school for which the reason is unknown, to prevent the development of patterns of nonattendance. The Legislature finds that early intervention in school attendance is the most effective way of producing good attendance habits that will lead to improved student learning and achievement. Each public school shall implement the following steps to promote and enforce regular school attendance:

(1) CONTACT, REFER, AND ENFORCE.—

(f)1. If the parent of a child who has been identified as exhibiting a pattern of nonattendance enrolls the child in a home education program pursuant to chapter 1002, the district school superintendent shall provide the parent a copy of s. 1002.41 and the accountability requirements of this paragraph. The district school superintendent shall also refer the parent to a home education review committee composed of the district contact for home education programs and at least two home educators selected by the parent from a district list of all home educators who have conducted a home education program for at least 3 years and who have indicated a willingness to serve on the committee. The home education review committee shall review the portfolio of the student, as defined by s. 1002.41, every 30 days during the district's regular school terms until the committee is satisfied that the home education program is in compliance with s. 1002.41(1)(b). The first portfolio review must occur within the first 30 calendar days of the establishment of the program. The provisions of subparagraph 2. do not apply once the committee determines the home education program is in compliance with s. 1002.41(1)(b).

2. If the parent fails to provide a portfolio to the committee, the committee shall notify the district school superintendent. The district school superintendent shall then terminate the home education program and require the parent to enroll the child in an attendance option that meets the definition of "regular school attendance" under s. 1003.01(13)(a)*1., 2., 3., or 5.*~~, (b), (c), or (e),~~ within 3 days. Upon termination of a home education program pursuant to this subparagraph, the parent shall not be eligible to reenroll the child in a home education program for 180 calendar days. Failure of a parent to enroll the child in an attendance option as required by this subparagraph after termination of the home education program pursuant to this subparagraph shall constitute noncompliance with the compulsory attendance requirements of s. 1003.21 and may result in criminal prosecution under s. 1003.27(2). Nothing contained herein shall restrict the ability of the district school superintendent, or the ability of his or her designee, to review the portfolio pursuant to s. 1002.41(1)(b).

Section 7. Paragraph (d) of subsection (3) of section 1004.99, Florida Statutes, is amended, subsection (4) is renumbered as subsection (5), and a new subsection (4) is added to that section, to read:

1004.99 Florida Ready to Work Certification Program.—

(3) The Florida Ready to Work Certification Program shall be composed of:

(d) A *Florida Ready to Work Credential* ~~certificate~~ and portfolio awarded to students upon successful completion of the instruction. Each portfolio must delineate the skills demonstrated by the student as evidence of the student's preparation for employment.

(4) A Florida Ready to Work Credential shall be awarded to a student who successfully passes assessments in Reading for Information, Applied Mathematics, and Locating Information or any other assessments of comparable rigor. Each assessment shall be scored on a scale of 3 to 7. The level of the credential each student receives is based on the following:

(a) A bronze-level credential requires a minimum score of 3 or above on each of the assessments.

(b) A silver-level credential requires a minimum score of 4 or above on each of the assessments.

(c) A gold-level credential requires a minimum score of 5 or above on each of the assessments.

Section 8. Paragraph (b) of subsection (2) of section 1003.428, Florida Statutes, is amended to read:

1003.428 General requirements for high school graduation; revised.—

(2) The 24 credits may be earned through applied, integrated, and combined courses approved by the Department of Education and shall be distributed as follows:

(b) Eight credits in majors, minors, or electives:

1. Four credits in a major area of interest, such as sequential courses in a career and technical program, fine and performing arts, or academic content area, selected by the student as part of the education plan required by s. 1003.4156. Students may revise major areas of interest each year as part of annual course registration processes and should update their education plan to reflect such revisions. Annually by October 1, the district school board shall approve major areas of interest and submit the list of majors to the Commissioner of Education for approval. Each major area of interest shall be deemed approved unless specifically rejected by the commissioner within 60 days. Upon approval, each district's major areas of interest shall be available for use by all school districts and shall be posted on the department's website. *Beginning with students entering grade 9 in the 2008-2009 school year, a student must earn a Florida Ready to Work Credential as created under s. 1004.99 in order to graduate with a career or technical major area of interest.*

2. Four credits in elective courses selected by the student as part of the education plan required by s. 1003.4156. These credits may be combined to allow for a second major area of interest pursuant to subparagraph 1., a minor area of interest, elective courses, or intensive reading or mathematics intervention courses as described in this subparagraph.

a. Minor areas of interest are composed of three credits selected by the student as part of the education plan required by s. 1003.4156 and approved by the district school board.

b. Elective courses are selected by the student in order to pursue a complete education program as described in s. 1001.41(3) and to meet eligibility requirements for scholarships.

c. For each year in which a student scores at Level l on FCAT Reading, the student must be enrolled in and complete an intensive reading course the following year. Placement of Level 2 readers in either an intensive reading course or a content area course in which reading strategies are delivered shall be determined by diagnosis of reading needs. The department shall provide guidance on appropriate strategies for diagnosing and meeting the varying instructional needs of students reading below grade level. Reading courses shall be designed and offered pursuant to the comprehensive reading plan required by s. 1011.62(8).

d. For each year in which a student scores at Level 1 or Level 2 on FCAT Mathematics, the student must receive remediation the following year. These courses may be taught through applied, integrated, or combined courses and are subject to approval by the department for inclusion in the Course Code Directory.

Section 9. Subsection (1) of section 1009.536, Florida Statutes, is amended to read:

1009.536 Florida Gold Seal Vocational Scholars award.—The Florida Gold Seal Vocational Scholars award is created within the Florida Bright Futures Scholarship Program to recognize and reward academic achievement and career preparation by high school students who wish to continue their education.

(1) A student is eligible for a Florida Gold Seal Vocational Scholars award if the student meets the general eligibility requirements for the Florida Bright Futures Scholarship Program and the student:

(a) Completes the secondary school portion of a sequential program of studies that requires at least three secondary school career credits taken over at least 2 academic years, and is continued in a planned, related postsecondary education program. If the student's school does not offer such a two-plus-two or tech-prep program, the student must complete a job-preparatory career education program selected by Workforce Florida, Inc., for its ability to provide high-wage employment in an occupation with high potential for employment opportunities. On-the-job training may not be substituted for any of the three required career credits.

(b) Demonstrates readiness for postsecondary education by earning a passing score on the Florida College Entry Level Placement Test or its equivalent as identified by the Department of Education.

(c) Earns a minimum cumulative weighted grade point average of 3.0, as calculated pursuant to s. 1009.531, on all subjects required for a standard high school diploma, excluding elective courses.

(d) Earns a minimum unweighted grade point average of 3.5 on a 4.0 scale for secondary career courses comprising the career program.

(e) Beginning with students entering grade 9 in the 2008-2009 school year, earns a gold-level Florida Ready to Work Credential as created under s. 1004.99.

Section 10. Paragraph (j) is added to subsection (5) of section 445.004, Florida Statutes, to read:

445.004 Workforce Florida, Inc.; creation; purpose; membership; duties and powers.—

(5) Workforce Florida, Inc., shall have all the powers and authority, not explicitly prohibited by statute, necessary or convenient to carry out and effectuate the purposes as determined by statute, Pub. L. No. 105-220, and the Governor, as well as its functions, duties, and responsibilities, including, but not limited to, the following:

(j) In partnership with the Department of Education, ensuring consistent use of the Florida Ready to Work Credential as created under s. 1004.99.

And the title is amended as follows:

Remove line(s) 2-24 and insert: An act relating to alternative high school courses and programs; creating s. 1002.375, F.S.; establishing a pilot project for awarding high school credit to students enrolled in industry certification programs; requiring the Commissioner of Education to establish criteria for program participation; requiring that a school district submit a letter of interest by a specified date in order to participate in the pilot project; requiring that the Commissioner of Education submit a report to the Governor and the Legislature; providing for specified courses to be included as alternative credit courses; exempting alternative credit courses from certain requirements; authorizing the Department of Education to approve certain courses for credit by examination; requiring the Department of Education to adopt passing minimum scores on approved assessments and maintain a course directory; requiring the State Board of Education to adopt rules; amending s. 1011.61, F.S., relating to definitions for the Florida Education Finance Program; providing for an alternate method of reporting full-time equivalent membership for credit earned in alternative high school credit courses for the pilot project created under s. 1002.375, F.S.; creating s. 1003.215, F.S.; creating the Student Preparedness Pilot Program; requiring the Duval County School District and each selected school district to review and identify curricula options for certain students; requiring students who attain the age of 16 years but have not reached the age of 18 years in pilot program districts who do not regularly attend school to be subject to specific attendance and completion requirements; providing for an application and selection process for school district participation; specifying procedures for termination of school enrollment and requirements for pilot program attendance and completion; specifying that students who select a nontraditional academic option are not eligible students for purposes of school grading; requiring an annual study and reporting by the Office of Program Policy Analysis and Government Accountability; amending s. 1003.01, F.S.; providing that habitual truancy provisions apply to students subject to pilot program requirements; defining regular program attendance in a pilot program school district; amending s. 1003.21, F.S.; requiring a student in a pilot program school district to be informed of attendance and completion requirements; amending s. 1003.26, F.S.; conforming cross-references; amending s. 1004.99, F.S., relating to the Florida Ready to Work Program; providing requirements for attaining bronze, silver, and gold credential levels; amending s. 1003.428, F.S.; requiring a student to earn the credential for high school graduation with a career or technical major area of interest; amending s. 1009.536, F.S.; requiring a student to earn the credential for receipt of a Florida Gold Seal Vocational Scholars award; amending s. 445.004, F.S.; requiring Workforce Florida, Inc., and the Department of Education to ensure consistent use of the credential; providing an effective date.

Senator Deutch moved the following amendment which was adopted:

Senate Amendment 1 (262658) (with title amendment) to House Amendment 1—Delete line(s) 5-355 and insert:

Section 3. *(1) School districts are encouraged to enter into partnerships with local businesses for purposes of mentorship opportunities, the development of employment options and additional funding sources, and other mutual benefits.*

(2) As a pilot program through June 30, 2011, the Palm Beach County school district may recognize its business partners by publicly displaying such business partners' names on school district property in the unincorporated areas. "Project Graduation" and athletic sponsorships are examples of appropriate recognition. The district shall make every effort to display its business partners' names in a manner that is consistent with the county standards for uniformity in size, color, and placement of signs. If the provisions of this section are inconsistent with the county ordinances or regulations relating to signs in the unincorporated areas or inconsistent with chapter 125, chapter 166, or chapter 479, Florida Statutes, the provisions of this section prevail.

And the title is amended as follows:

Delete line(s) 380-411 and insert: the pilot project created under s. 1002.375, F.S.; encouraging school districts to enter into partnerships with local businesses for certain purposes; authorizing the Palm Beach County school district to recognize its business partners by displaying such business partners' names on school district property in unincorporated areas if displayed in a manner consistent with certain standards; providing an effective date.

On motion by Senator Gaetz, the Senate concurred in **House Amendment 1** as amended and requested the House to concur in the Senate amendment to the House amendment.

CS for CS for SB 1906 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—38

Mr. President	Dockery	Margolis
Alexander	Fasano	Oelrich
Aronberg	Gaetz	Peaden
Atwater	Garcia	Posey
Baker	Geller	Rich
Bennett	Haridopolos	Ring
Bullard	Hill	Saunders
Carlton	Jones	Storms
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dean	King	Wilson
Deutch	Lawson	Wise
Diaz de la Portilla	Lynn	

Nays—None

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has amended Senate Amendment 1 to House Amendment 1, concurred in the same as amended, and passed CS for CS for CS for SB 2654 as amended, and requests the concurrence of the Senate.

William S. Pittman III, Chief Clerk

CS for CS for CS for SB 2654—A bill to be entitled An act relating to autism spectrum disorder; providing a short title; creating s. 627.6686, F.S.; providing definitions; requiring health insurance plans to provide coverage for screening, diagnosis, intervention, and treatment of autism spectrum disorder in certain children; requiring a treatment plan; prohibiting an insurer from denying or refusing coverage or refusing to renew or reissue or terminate coverage based on a diagnosis of autism spectrum disorder; providing coverage limitations; providing treatment plan requirements; limiting the frequency of requests for updating a treatment plan; providing eligibility requirements; providing a maximum benefit limitation; providing for annual adjustments of the maximum benefit limitation; amending s. 1004.55, F.S.; relocating the regional autism center at Florida State University from the Department of Communication Disorders to the College of Medicine; providing for application of the act; providing an effective date.

House Amendment 1 (711507) to Senate Amendment 1 to House Amendment 1—Remove lines 7-318 and insert:

Section 1. Subsection (7) of section 409.8132, Florida Statutes, is amended to read:

409.8132 Medikids program component.—

(7) ENROLLMENT.—Enrollment in the Medikids program component may occur at any time throughout the year. A child may not receive services under the Medikids program until the child is enrolled in a managed care plan or MediPass. Once determined eligible, an applicant may receive choice counseling and select a managed care plan or MediPass. The agency may initiate mandatory assignment for a Medikids applicant who has not chosen a managed care plan or MediPass provider after the applicant's voluntary choice period ends*; however, the agency shall ensure that family members are assigned to the same managed care plan or the same MediPass provider to the greatest extent possible, including situations in which some family members are enrolled in Medicaid and other family members are enrolled in a Title XXI-funded component of the Florida Kidcare program*. An applicant may select MediPass under the Medikids program component only in counties that have fewer than two managed care plans available to serve Medicaid recipients and only if the federal Health Care Financing Administration determines that MediPass constitutes "health insurance coverage" as defined in Title XXI of the Social Security Act.

Section 2. Subsection (2) of section 409.8134, Florida Statutes, is amended to read:

409.8134 Program expenditure ceiling.—

(2) The Florida Kidcare program may conduct enrollment at any time throughout the year for the purpose of enrolling children eligible for all program components listed in s. 409.813 except Medicaid. The four Florida Kidcare administrators shall work together to ensure that the year-round enrollment period is announced statewide. Eligible children shall be enrolled on a first-come, first-served basis using the date the enrollment application is received. Enrollment shall immediately cease when the expenditure ceiling is reached. Year-round enrollment shall only be held if the Social Services Estimating Conference determines that sufficient federal and state funds will be available to finance the increased enrollment ~~through federal fiscal year 2007~~. Any individual who is not enrolled must reapply by submitting a new application. The application for the Florida Kidcare program shall be valid for a period of 120 days after the date it was received. At the end of the 120-day period, if the applicant has not been enrolled in the program, the application shall be invalid and the applicant shall be notified of the action. The applicant may *reactivate* ~~resubmit~~ the application after notification of the action taken by the program. Except for the Medicaid program, whenever the Social Services Estimating Conference determines that there are presently, or will be by the end of the current fiscal year, insufficient funds to finance the current or projected enrollment in the Florida Kidcare program, all additional enrollment must cease and additional enrollment may not resume until sufficient funds are available to finance such enrollment.

Section 3. Paragraphs (c) and (f) of subsection (4) and subsections (5), (7), and (8) of section 409.814, Florida Statutes, are amended to read:

409.814 Eligibility.—A child who has not reached 19 years of age whose family income is equal to or below 200 percent of the federal poverty level is eligible for the Florida Kidcare program as provided in this section. For enrollment in the Children's Medical Services Network, a complete application includes the medical or behavioral health screening. If, subsequently, an individual is determined to be ineligible for coverage, he or she must immediately be disenrolled from the respective Florida Kidcare program component.

(4) The following children are not eligible to receive premium assistance for health benefits coverage under the Florida Kidcare program, except under Medicaid if the child would have been eligible for Medicaid under s. 409.903 or s. 409.904 as of June 1, 1997:

(c) A child who is seeking premium assistance for the Florida Kidcare program through employer-sponsored group coverage, if the child has been covered by the same employer's group coverage during the *90 days* ~~6 months~~ prior to the family's submitting an application for determination of eligibility under the program.

(f) A child who has had his or her coverage in an employer-sponsored *or private* health benefit plan voluntarily canceled in the last *90 days* ~~6 months~~, except those children who were on the waiting list prior to March 12, 2004*, or whose coverage was voluntarily canceled for good cause, including, but not limited to, the following circumstances:*

1. The cost of participation in an employer-sponsored or private health benefit plan is greater than 5 percent of the family's income;

2. The parent lost a job that provided an employer-sponsored health benefit plan for children;

3. The parent with health benefits coverage for the child is deceased;

4. The employer of the parent canceled health benefits coverage for children;

5. The child's health benefits coverage ended because the child reached the maximum lifetime coverage amount;

6. The child has exhausted coverage under a COBRA continuation provision; or

7. A situation involving domestic violence led to the loss of coverage.

(5) A child whose family income is above 200 percent of the federal poverty level or a child who is excluded under the provisions of subsection (4) may participate in the Medikids program as provided in s. 409.8132 or, if the child is ineligible for Medikids by reason of age, in the Florida Healthy Kids program *as provided in s. 624.91*, subject to the following provisions:

(a) The family is not eligible for premium assistance payments and must pay the full cost of the premium, including any administrative costs.

~~(b) The agency is authorized to place limits on enrollment in Medikids by these children in order to avoid adverse selection. The number of children participating in Medikids whose family income exceeds 200 percent of the federal poverty level must not exceed 10 percent of total enrollees in the Medikids program.~~

(b)~~(c)~~ The board of directors of the Florida Healthy Kids Corporation ~~is authorized to place limits on enrollment of these children in order to avoid adverse selection. In addition, the board~~ is authorized to offer a reduced benefit package to these children in order to limit program costs for such families. ~~The number of children participating in the Florida Healthy Kids program whose family income exceeds 200 percent of the federal poverty level must not exceed 10 percent of total enrollees in the Florida Healthy Kids program.~~

(7) When determining or reviewing a child's eligibility under the Florida Kidcare program, the applicant shall be provided with reasonable notice of changes in eligibility which may affect enrollment in one or more of the program components. When a transition from one program component to another is authorized, there shall be cooperation between the program components*,* ~~and~~ the affected family *, the child's health insurance plan, and the child's health care providers to promote* ~~which promotes~~ continuity of health care coverage. *If a child is determined ineligible for Medicaid or Medikids, the agency, in coordination with the department, shall notify that child's Medicaid managed care plan or MediPass provider of such determination before the child's eligibility is scheduled to be terminated so that the Medicaid managed care plan or MediPass provider can assist the child's family in applying for Florida Kidcare program coverage.* Any authorized transfers must be managed within the program's overall appropriated or authorized levels of funding. Each component of the program shall establish a reserve to ensure that transfers between components will be accomplished within current year appropriations. These reserves shall be reviewed by each convening of the Social Services Estimating Conference to determine the adequacy of such reserves to meet actual experience.

(8) In determining the eligibility of a child *for the Florida Kidcare program*, an assets test is not required. *The information required under this section from each applicant shall be obtained electronically to the extent possible. If such information cannot be obtained electronically, the* ~~Each~~ applicant shall provide written documentation during the application process and the redetermination process, including, but not limited to, the following:

(a) Proof of family income, which must include a copy of the applicant's most recent federal income tax return. In the absence of a federal income tax return, an applicant may submit wages and earnings statements (pay stubs), W-2 forms, or other appropriate documents.

(b) A statement from all family members that:

1. Their employer does not sponsor a health benefit plan for employees; or

2. The potential enrollee is not covered by the employer-sponsored health benefit plan because the potential enrollee is not eligible for coverage, or, if the potential enrollee is eligible but not covered, a statement of the cost to enroll the potential enrollee in the employer-sponsored health benefit plan.

An individual who applies for coverage under the Florida Kidcare program and who pays the full cost of the premium is exempt from the requirements of this subsection.

Section 4. Paragraph (b) of subsection (1) of section 409.818, Florida Statutes, is amended to read:

409.818 Administration.—In order to implement ss. 409.810-409.820, the following agencies shall have the following duties:

(1) The Department of Children and Family Services shall:

(b) Establish and maintain the eligibility determination process under the program except as specified in subsection (5). The department shall directly, or through the services of a contracted third-party administrator, establish and maintain a process for determining eligibility of children for coverage under the program. The eligibility determination process must be used solely for determining eligibility of applicants for health benefits coverage under the program. The eligibility determination process must include an initial determination of eligibility for any coverage offered under the program, as well as a redetermination or reverification of eligibility each subsequent *12* ~~6~~ months. Effective January 1, 1999, a child who has not attained the age of 5 and who has been determined eligible for the Medicaid program is eligible for coverage for 12 months without a redetermination or reverification of eligibility. In conducting an eligibility determination, the department shall determine if the child has special health care needs. The department, in consultation with the Agency for Health Care Administration and the Florida Healthy Kids Corporation, shall develop procedures for redetermining eligibility which enable a family to easily update any change in circumstances which could affect eligibility. The department may accept changes in a family's status as reported to the department by the Florida Healthy Kids Corporation without requiring a new application from the family. Redetermination of a child's eligibility for Medicaid may not be linked to a child's eligibility determination for other programs.

Section 5. Subsection (26) is added to section 409.906, Florida Statutes, to read:

409.906 Optional Medicaid services.—Subject to specific appropriations, the agency may make payments for services which are optional to the state under Title XIX of the Social Security Act and are furnished by Medicaid providers to recipients who are determined to be eligible on the dates on which the services were provided. Any optional service that is provided shall be provided only when medically necessary and in accordance with state and federal law. Optional services rendered by providers in mobile units to Medicaid recipients may be restricted or prohibited by the agency. Nothing in this section shall be construed to prevent or limit the agency from adjusting fees, reimbursement rates, lengths of stay, number of visits, or number of services, or making any other adjustments necessary to comply with the availability of moneys and any limitations or directions provided for in the General Appropriations Act or chapter 216. If necessary to safeguard the state's systems of providing services to elderly and disabled persons and subject to the notice and review provisions of s. 216.177, the Governor may direct the Agency for Health Care Administration to amend the Medicaid state plan to delete the optional Medicaid service known as "Intermediate

Care Facilities for the Developmentally Disabled." Optional services may include:

(26) HOME AND COMMUNITY-BASED SERVICES for AUTISM SPECTRUM DISORDER AND OTHER DEVELOPMENTAL DISABILITIES.—The agency is authorized to seek federal approval through a Medicaid waiver or a state plan amendment for the provision of occupational therapy, speech therapy, physical therapy, behavior analysis, and behavior assistant services to individuals who are 5 years of age and under and have a diagnosed developmental disability as defined in s. 624.916. These services shall be provided for producing and maintaining improvements in communication, human behavior, and skill acquisition, including the the reduction of problematic behavior. Coverage for such services shall be limited to $36,000 annually and may not exceed $200,000 in total lifetime benefits. The agency shall submit an annual report beginning on January 1, 2009, to the President of the Senate, the Speaker of the House of Representatives, and the relevant committees of the Senate and the House of Representatives regarding progress on obtaining federal approval and recommendations for the implementation of these home and community-based services. The agency may not implement this subsection without prior legislative approval.

Section 6. Paragraph (b) of subsection (5) of section 624.91, Florida Statutes, are amended to read:

624.91 The Florida Healthy Kids Corporation Act.—

(5) CORPORATION AUTHORIZATION, DUTIES, POWERS.—

(b) The Florida Healthy Kids Corporation shall:

1. Arrange for the collection of any family, local contributions, or employer payment or premium, in an amount to be determined by the board of directors, to provide for payment of premiums for comprehensive insurance coverage and for the actual or estimated administrative expenses.

2. Arrange for the collection of any voluntary contributions to provide for payment of premiums for children who are not eligible for medical assistance under Title XXI of the Social Security Act.

3. Subject to the provisions of s. 409.8134, accept voluntary supplemental local match contributions that comply with the requirements of Title XXI of the Social Security Act for the purpose of providing additional coverage in contributing counties under Title XXI.

4. Establish the administrative and accounting procedures for the operation of the corporation.

5. Establish, with consultation from appropriate professional organizations, standards for preventive health services and providers and comprehensive insurance benefits appropriate to children, provided that such standards for rural areas shall not limit primary care providers to board-certified pediatricians.

6. Determine eligibility for children seeking to participate in the Title XXI-funded components of the Florida Kidcare program consistent with the requirements specified in s. 409.814, as well as the non-Title-XXI-eligible children as provided in subsection (3).

7. Establish procedures under which providers of local match to, applicants to and participants in the program may have grievances reviewed by an impartial body and reported to the board of directors of the corporation.

8. Establish participation criteria and, if appropriate, contract with an authorized insurer, health maintenance organization, or third-party administrator to provide administrative services to the corporation.

9. Establish enrollment criteria which shall include penalties or waiting periods of not fewer than 60 days for reinstatement of coverage upon voluntary cancellation for nonpayment of family premiums.

10. Contract with authorized insurers or any provider of health care services, meeting standards established by the corporation, for the provision of comprehensive insurance coverage to participants. Such standards shall include criteria under which the corporation may contract with more than one provider of health care services in program sites. Health plans shall be selected through a competitive bid process. The Florida Healthy Kids Corporation shall purchase goods and services in the most cost-effective manner consistent with the delivery of quality medical care. The maximum administrative cost for a Florida Healthy Kids Corporation contract shall be 15 percent. For health care contracts, the minimum medical loss ratio for a Florida Healthy Kids Corporation contract shall be 85 percent. For dental contracts, the remaining compensation to be paid to the authorized insurer or provider under a Florida Healthy Kids Corporation contract shall be no less than an amount which is 85 percent of premium; to the extent any contract provision does not provide for this minimum compensation, this section shall prevail. The health plan selection criteria and scoring system, and the scoring results, shall be available upon request for inspection after the bids have been awarded.

11. Establish disenrollment criteria in the event local matching funds are insufficient to cover enrollments.

12. Develop and implement a plan to publicize the Florida *Kidcare program* ~~Healthy Kids Corporation~~ , the eligibility requirements of the program, and the procedures for enrollment in the program and to maintain public awareness of the corporation and the program. *Health care and dental health plans participating in the program may develop and distribute marketing and other promotional materials and participate in activities, such as health fairs and public events, as approved by the corporation. Health care and dental health plans may also contact their current and former enrollees to encourage continued participation in the program and assist the enrollee in transferring from a Title XIX-funded plan to a Title XXI-funded plan.*

13. Establish an assignment process for Florida Healthy Kids program enrollees to ensure that family members are assigned to the same managed care plan to the greatest extent possible, including situations in which some family members are enrolled in a Medicaid managed care plan and other family members are enrolled in a Florida Healthy Kids plan. The Agency for Health Care Administration shall consult with the corporation to implement this subparagraph.

14.~~13.~~ Secure staff necessary to properly administer the corporation. Staff costs shall be funded from state and local matching funds and such other private or public funds as become available. The board of directors shall determine the number of staff members necessary to administer the corporation.

15.~~14.~~ Provide a report annually to the Governor, Chief Financial Officer, Commissioner of Education, Senate President, Speaker of the House of Representatives, and Minority Leaders of the Senate and the House of Representatives.

16.~~15.~~ Establish benefit packages which conform to the provisions of the Florida Kidcare program, as created in ss. 409.810-409.820.

Section 7. Section 624.916, Florida Statutes, is created to read:

624.916 Developmental disabilities compact.—

(1) This section may be cited as the "Window of Opportunity Act."

(2) The Office of Insurance Regulation shall convene a workgroup by August 31, 2008, for the purpose of negotiating a compact that includes a binding agreement among the participants relating to insurance and access to services for persons with developmental disabilities. The workgroup shall consist of the following:

(a) Representatives of all health insurers licensed under this chapter.

(b) Representatives of all health maintenance organizations licensed under part I of chapter 641.

(c) Representatives of employers with self-insured health benefit plans.

(d) Two designees of the Governor, one of whom must be a consumer advocate.

(e) A designee of the President of the Senate.

(f) A designee of the Speaker of the House of Representatives.

(3) The Office of Insurance Regulation shall convene a consumer advisory workgroup for the purpose of providing a forum for comment on

the compact negotiated in subsection (2). The office shall convene the workgroup prior to finalization of the compact.

(4) The agreement shall include the following components:

(a) A requirement that each signatory to the agreement increase coverage for behavior analysis and behavior assistant services and speech therapy, physical therapy, and occupational therapy due to the presence of a developmental disability for producing and maintaining improvements in communication, human behavior, and skill acquisition, including the the reduction of problematic behavior.

(b) Procedures for clear and specific notice to policyholders identifying the amount, scope, and conditions under which coverage is provided for behavior analysis and behavior assistant services and speech therapy, physical therapy, and occupational therapy when medically necessary due to the presence of a developmental disability.

(c) Penalties for documented cases of denial of claims for medically necessary services due to the presence of a developmental disability.

(d) Proposals for new product lines that may be offered in conjunction with traditional health insurance and provide a more appropriate means of spreading risk, financing costs, and accessing favorable prices.

(5) Upon completion of the negotiations for the compact, the office shall report the results to the Governor, the President of the Senate, and the Speaker of the House of Representatives.

(6) Beginning February 15, 2009, and continuing annually thereafter, the Office of Insurance Regulation shall provide a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives regarding the implementation of the agreement negotiated under this section. The report shall include:

(a) The signatories to the agreement.

(b) An analysis of the coverage provided under the agreement in comparison to the coverage required under ss. 627.6686 and 641.31098.

(c) An analysis of the compliance with the agreement by the signatories, including documented cases of claims denied in violation of the agreement.

(7) The Office of Insurance Regulation shall continue to monitor participation, compliance, and effectiveness of the agreement and report its findings at least annually.

(8) As used in this section, the term "developmental disabilities" includes:

(a) The term as defined in s. 393.063;

(b) Down syndrome, a genetic disorder caused by the presence of extra chromosomal material on chromosome 21. Causes of the syndrome may include Trisomy 21, Mosaicism, Robertsonian Translocation, and other duplications of a portion of chromosome 21; and

(c) Autism spectrum disorder means any of the following disorders as defined in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders of the American Psychiatric Association:

1. Autistic disorder.

2. Asperger's syndrome.

3. Pervasive developmental disorder not otherwise specified.

Section 8. Section 627.6686, Florida Statutes, is created to read:

627.6686 Coverage for individuals with developmental disabilities required; exception.—

(1) This section and section 641.31098, may be cited as the "Steven A. Geller Developmental Disabilities Coverage Act."

(2) As used in this section, the term:

(a) "Applied behavior analysis" means the design, implementation, and evaluation of environmental modifications, using behavioral stimuli and consequences, to produce socially significant improvement in human behavior, including, but not limited to, the use of direct observation, measurement, and functional analysis of the relations between environment and behavior.

(b) "Developmental disabilities" means the term as defined in s. 624.916.

(c) "Eligible individual" means an individual under 18 years of age or an individual 18 years of age or older who is in high school who has been diagnosed as having a developmental disability at 8 years of age or younger.

(d) "Health insurance plan" means a group health insurance policy or group health benefit plan offered by an insurer which includes the state group insurance program provided under s. 110.123. The term does not include any health insurance plan offered in the individual market, any health insurance plan that is individually underwritten, or any health insurance plan provided to a small employer.

(e) "Insurer" means an insurer providing health insurance coverage, which is licensed to engage in the business of insurance in this state and is subject to insurance regulation.

(3) A health insurance plan issued or renewed on or after April 1, 2009, shall provide coverage to an eligible individual for:

(a) Well-baby and well-child screening for diagnosing the presence of a developmental disability .

(b) Treatment of a developmental disability through speech therapy, occupational therapy, physical therapy, and applied behavior analysis to produce and maintain improvements in communication, human behavior, and skill acquisition, including the the reduction of problematic behavior. Applied behavior analysis services shall be provided by an individual certified pursuant to s. 393.17 or an individual licensed under chapter 490 or chapter 491.

(4) The coverage required pursuant to subsection (3) is subject to the following requirements:

(a) Coverage shall be limited to treatment that is prescribed by the insured's treating physician in accordance with a treatment plan.

(b) Coverage for the services described in subsection (3) shall be limited to $36,000 annually and may not exceed $200,000 in total lifetime benefits.

(c) Coverage may not be denied on the basis that provided services are habilitative in nature.

(d) Coverage may be subject to other general exclusions and limitations of the insurer's policy or plan, including, but not limited to, coordination of benefits, participating provider requirements, restrictions on services provided by family or household members, and utilization review of health care services, including the review of medical necessity, case management, and other managed care provisions.

(5) The coverage required pursuant to subsection (3) may not be subject to dollar limits, deductibles, or coinsurance provisions that are less favorable to an insured than the dollar limits, deductibles, or coinsurance provisions that apply to physical illnesses that are generally covered under the health insurance plan, except as otherwise provided in subsection (4).

(6) An insurer may not deny or refuse to issue coverage for medically necessary services, refuse to contract with, or refuse to renew or reissue or otherwise terminate or restrict coverage for an individual because the individual is diagnosed as having a developmental disability.

(7) The treatment plan required pursuant to subsection (4) shall include all elements necessary for the health insurance plan to appropriately pay claims. These elements include, but are not limited to, a diagnosis, the proposed treatment by type, the frequency and duration of treatment, the anticipated outcomes stated as goals, the frequency with which the treatment plan will be updated, and the signature of the treating physician.

(8) Beginning January 1, 2011, the maximum benefit under paragraph (4)(b) shall be adjusted annually on January 1 of each calendar

year to reflect any change from the previous year in the medical component of the then current Consumer Price Index for all urban consumers, published by the Bureau of Labor Statistics of the United States Department of Labor.

(9) This section may not be construed as limiting benefits and coverage otherwise available to an insured under a health insurance plan.

(10) The Office of Insurance Regulation may not enforce this section against an insurer that is a signatory no later than April 1, 2009, to the developmental disabilities compact established under s. 624.916. The Office of Insurance Regulation shall enforce this section against an insurer that is a signatory to the compact established under s. 624.916 if the insurer has not complied with the terms of the compact for all health insurance plans by April 1, 2010.

Section 9. Section 641.31098, Florida Statutes, is created to read:

641.31098 Coverage for individuals with developmental disabilities.—

(1) This section and section 627.6686, may be cited as the "Steven A. Geller Developmental Disabilities Coverage Act."

(2) As used in this section, the term:

(a) "Applied behavior analysis" means the design, implementation, and evaluation of environmental modifications, using behavioral stimuli and consequences, to produce socially significant improvement in human behavior, including, but not limited to, the use of direct observation, measurement, and functional analysis of the relations between environment and behavior.

(b) "Developmental disabilities" means the term as defined in s. 624.916.

(c) "Eligible individual" means an individual under 18 years of age or an individual 18 years of age or older who is in high school who has been diagnosed as having a developmental disability at 8 years of age or younger.

(d) "Health maintenance contract" means a group health maintenance contract offered by a health maintenance organization. This term does not include a health maintenance contract offered in the individual market, a health maintenance contract that is individually underwritten, or a health maintenance contract provided to a small employer.

(3) A health maintenance contract issued or renewed on or after April 1, 2009, shall provide coverage to an eligible individual for:

(a) Well-baby and well-child screening for diagnosing the presence of a developmental disability .

(b) Treatment of a developmental disability through speech therapy, occupational therapy, physical therapy, and applied behavior analysis services to produce and maintain improvements in communication, human behavior, and skill acquisition, including the the reduction of problematic behavior. Applied behavior analysis services shall be provided by an individual certified pursuant to s. 393.17 or an individual licensed under chapter 490 or chapter 491.

(4) The coverage required pursuant to subsection (3) is subject to the following requirements:

(a) Coverage shall be limited to treatment that is prescribed by the subscriber's treating physician in accordance with a treatment plan.

(b) Coverage for the services described in subsection (3) shall be limited to $36,000 annually and may not exceed $200,000 in total benefits.

(c) Coverage may not be denied on the basis that provided services are habilitative in nature.

(d) Coverage may be subject to general exclusions and limitations of the subscriber's contract, including, but not limited to, coordination of benefits, participating provider requirements, and utilization review of health care services, including the review of medical necessity, case management, and other managed care provisions.

(5) The coverage required pursuant to subsection (3) may not be subject to dollar limits, deductibles, or coinsurance provisions that are less favorable to a subscriber than the dollar limits, deductibles, or coinsurance provisions that apply to physical illnesses that are generally covered under the subscriber's contract, except as otherwise provided in subsection (4).

(6) A health maintenance organization may not deny or refuse to issue coverage for medically necessary services, refuse to contract with, or refuse to renew or reissue or otherwise terminate or restrict coverage for an individual solely because the individual is diagnosed as having a developmental disability.

(7) The treatment plan required pursuant to subsection (4) shall include, but is not limited to, a diagnosis, the proposed treatment by type, the frequency and duration of treatment, the anticipated outcomes stated as goals, the frequency with which the treatment plan will be updated, and the signature of the treating physician.

(8) Beginning January 1, 2011, the maximum benefit under paragraph (4)(b) shall be adjusted annually on January 1 of each calendar year to reflect any change from the previous year in the medical component of the then current Consumer Price Index for all urban consumers, published by the Bureau of Labor Statistics of the United States Department of Labor.

(9) The Office of Insurance Regulation may not enforce this section against a health maintenance organization that is a signatory no later than April 1, 2009, to the developmental disabilities compact established under s. 624.916. The Office of Insurance Regulation shall enforce this section against a health maintenance organization that is a signatory to the compact established under s. 624.916 if the health maintenance organization has not complied with the terms of the compact for all health maintenance contracts by April 1, 2010.

Section 5. This act shall take effect July 1, 2008.

And the title is amended as follows:

Remove lines 325-374 and insert: amending s. 409.8132, F.S.; revising provisions relating to enrollment in the Medikids program component of Florida Kidcare; providing for the Agency for Health Care Administration to assign family members to the same managed care plan or Medicaid provider, under certain circumstances; amending s. 409.8134, F.S.; providing limitations on year-round enrollment for premium assistance; amending s. 409.814, F.S.; revising conditions for eligibility for premium assistance for the Florida Kidcare Program; providing limitations on enrollment in the Medikids program after January 1, 2009; providing for enrollment of new applicants in the Florida Healthy Kids program; revising duties of the board of directors of the Florida Healthy Kids Corporation regarding enrollment limitations; providing for notification to certain managed care plans or MediPass providers prior to termination of a child's eligibility for Florida Kidcare; providing for certain information relating to eligibility to be obtained electronically; providing an exemption from certain requirements for individuals who pay the full cost of the Florida Kidcare premium; amending s. 409.815, F.S.; revising provisions relating to health benefits coverage for specified services to include habilitative and behavior analysis services; providing definitions; limiting the lifetime maximum of health benefits coverage for certain services; amending s. 409.818, F.S.; revising timeframe for redetermination or reverification of eligibility for Florida Kidcare; amending s. 409.906, F.S.; creating the "Window of Opportunity Act"; authorizing the Agency for Health Care Administration to seek federal approval through a state plan amendment to provide home and community-based services for autism spectrum disorder and other development disabilities; specifying eligibility criteria; specifying limitations on provision of benefits; requiring reports to the Legislature; requiring legislative approval for implementation of certain provisions; amending s. 409.91, F.S.; revising duties of the Florida Healthy Kids Corporation; creating s. 624.916, F.S.; creating the "Window of Opportunity Act"; directing the Office of Insurance Regulation to establish a workgroup to develop and execute a compact relating to coverage for insured persons with development disabilities; providing for membership of the workgroup; requiring the workgroup to convene within a specified period of time; directing the office to establish a consumer advisory workgroup and providing purpose thereof; requiring the compact to contain specified components; requiring reports to the Governor and the Legislature; creating s. 627.6686, F.S.; creating the "Steven A. Geller Autism Coverage Act";

providing health insurance coverage for individuals with autism spectrum disorder; providing definitions; providing coverage for certain screening to diagnose and treat autism spectrum disorder; providing limitations on coverage; providing for eligibility standards for benefits and coverage; prohibiting insurers from denying coverage under certain circumstances; specifying required elements of a treatment plan; providing, beginning January 1, 2011, that the maximum benefit shall be adjusted annually; clarifying that the section may not be construed as limiting benefits and coverage otherwise available to an insured under a health insurance plan; prohibiting the Office of Insurance Regulation from enforcing certain provisions against insurers that are signatories to the developmental disabilities compact by a specified date; creating s. 641.31098, F.S.; providing coverage under a health maintenance contract for individuals with autism spectrum disorder; providing definitions; providing coverage for certain screening to diagnose and treat autism spectrum disorder; providing limitations on coverage; providing for eligibility standards for benefits and coverage; prohibiting health maintenance organizations from denying coverage under certain circumstances; specifying required elements of a treatment plan; providing, beginning January 1, 2011, that the maximum benefit shall be adjusted annually; prohibiting the Office of Insurance Regulation from enforcing certain provisions against health maintenance organizations that are signatories to the developmental disabilities compact by a specified date; providing an effective date.

On motion by Senator Geller, the Senate refused to concur in the House amendment to **CS for CS for CS for SB 2654** and the House was requested to recede. The action of the Senate was certified to the House.

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has amended Senate Amendment 1, concurred in the same as amended, and passed CS for CS for HB 745 as further amended, and requests the concurrence of the Senate.

William S. Pittman III, Chief Clerk

CS for CS for HB 745—A bill to be entitled An act relating to postsecondary education; amending s. 216.136, F.S.; revising provisions relating to student enrollment projections, and adjustments thereto, for the state educational system developed by the Education Estimating Conference; amending s. 1005.32, F.S.; revising requirements for application for licensure by accreditation by an independent postsecondary educational institution; amending s. 1007.24, F.S.; revising provisions regarding determination of equivalency of courses; amending s. 1009.01, F.S.; providing definitions relating to postsecondary education; amending s. 1009.21, F.S.; providing that determination of resident status applies to eligibility for state financial aid awards and tuition assistance grants; revising definitions; revising provisions relating to qualification as a resident for tuition purposes; providing for reclassification of status; providing duties of institutions of higher education; amending s. 1009.22, F.S.; revising provisions relating to the workforce education postsecondary student capital improvement fee; amending s. 1009.23, F.S.; providing an exemption relating to establishment of the community college activity and service student fee; authorizing an increase in the amount of fees collected for financial aid purposes; increasing the amount of financial aid fees that may be used to assist students who meet specified criteria; authorizing rulemaking; amending s. 1009.24, F.S.; revising provisions relating to state university student fees; providing for the establishment of tuition and fees at the undergraduate and graduate levels and for professional programs; revising provisions relating to use of the student financial aid fee; revising provisions relating to establishment and conditions of the undergraduate tuition differential; amending s. 1009.25, F.S.; revising provisions authorizing student fee exemptions by community colleges; defining "fee-paying student"; amending s. 1009.265, F.S.; revising conditions for the use of state employee fee waivers; amending ss. 1009.98 and 1011.48, F.S.; conforming cross-references; amending s. 196.192, F.S.; specifying educational institutions as exempt entities for purposes of exemptions from ad valorem taxation for property owned by exempt entities; providing an effective date.

House Amendment 1 (289389) to Senate Amendment 1 (with title amendment)—Between lines 71 and 72, insert:

Section 2. Subsection (1) of section 1005.32, Florida Statutes, is amended to read:

1005.32 Licensure by means of accreditation.—

(1) An independent postsecondary educational institution that meets the following criteria may apply for a license by means of accreditation from the commission:

(a) The institution has operated legally in this state for at least 5 consecutive years.

(b) The institution holds institutional accreditation by an accrediting agency evaluated and approved by the commission as having standards substantially equivalent to the commission's licensure standards.

(c) The institution has no unresolved complaints or actions in the past 12 months.

(d) The institution meets minimum requirements for financial responsibility as determined by the commission.

~~(e) The institution is a Florida corporation.~~

Section 3. Subsection (7) of section 1007.24, Florida Statutes, is amended to read:

1007.24 Statewide course numbering system.—

(7) Any student who transfers among postsecondary institutions that are fully accredited by a regional or national accrediting agency recognized by the United States Department of Education and that participate in the statewide course numbering system shall be awarded credit by the receiving institution for courses satisfactorily completed by the student at the previous institutions. Credit shall be awarded if the courses are judged by the appropriate statewide course numbering system faculty committees representing school districts, public postsecondary educational institutions, and participating nonpublic postsecondary educational institutions to be academically equivalent to courses offered at the receiving institution, including equivalency of faculty credentials, regardless of the *United States Department of Education recognized accrediting agency and* public or nonpublic control of the previous institution. The Department of Education shall ensure that credits to be accepted by a receiving institution are generated in courses for which the faculty possess credentials that are comparable to those required by the accrediting association of the receiving institution. The award of credit may be limited to courses that are entered in the statewide course numbering system. Credits awarded pursuant to this subsection shall satisfy institutional requirements on the same basis as credits awarded to native students.

Section 4. Subsection (1) of section 1009.265, Florida Statutes, is amended to read:

1009.265 State employee fee waivers.—

(1) As a benefit to the employer and employees of the state, ~~subject to approval by an employee's agency head or the equivalent,~~ each state university and community college shall waive tuition and fees for state employees to enroll for up to 6 credit hours of courses*, including distance learning or online courses,* per term on a space-available basis. *The employee must have the approval of his or her supervisor to use the waiver to take a course or courses during normal work hours. For purposes of implementing this section, the space available in a course is to be determined based on the number of seats or capacity remaining in the course at the end of the drop-add period. State employee fee waivers may not be used for dissertation, thesis, directed individual study (DIS), or other one-to-one instruction.*

Section 5. Section 196.192, Florida Statutes, is amended to read:

196.192 Exemptions from ad valorem taxation.—Subject to the provisions of this chapter:

(1) All property owned by an exempt entity*, including educational institutions,* and used exclusively for exempt purposes shall be totally exempt from ad valorem taxation.

(2) All property owned by an exempt entity*, including educational institutions,* and used predominantly for exempt purposes shall be exempted from ad valorem taxation to the extent of the ratio that such predominant use bears to the nonexempt use.

(3) All tangible personal property loaned or leased by a natural person, by a trust holding property for a natural person, or by an exempt entity to an exempt entity for public display or exhibition on a recurrent schedule is exempt from ad valorem taxation if the property is loaned or leased for no consideration or for nominal consideration.

For purposes of this section, each use to which the property is being put must be considered in granting an exemption from ad valorem taxation, including any economic use in addition to any physical use. For purposes of this section, property owned by a limited liability company, the sole member of which is an exempt entity, shall be treated as if the property were owned directly by the exempt entity. This section does not apply in determining the exemption for property owned by governmental units pursuant to s. 196.199.

And the title is amended as follows:

Remove lines 79-89 and insert: An act relating to postsecondary education; amending s. 1009.24, F.S.; revising requirements for the Board of Governors in establishing tuition and out-of-state fees for graduate and professional programs; revising requirements for the Board of Governors in establishing a uniform maximum undergraduate tuition differential for universities that have research and development expenditures of a specified amount; allowing the university board of trustees to maintain the differential unless otherwise directed by the Board of Governors; amending s. 1005.32, F.S.; revising requirements for application for licensure by accreditation by an independent postsecondary educational institution; amending s. 1007.24, F.S.; revising provisions regarding determination of equivalency of courses; amending s. 1009.265, F.S.; revising conditions for the use of state employee fee waivers; amending s. 196.192, F.S.; specifying educational institutions as exempt entities for purposes of exemptions from ad valorem taxation for property owned by exempt entities; providing an effective date.

Senator Lynn moved the following amendment which was adopted:

Senate Amendment 1 (792204) (with title amendment) to House Amendment 1 to Senate Amendment 1—Delete line(s) 7-67 and redesignate subsequent sections.

And the title is amended as follows:

Delete line(s) 108-114 and insert: otherwise directed by the Board of Governors; amending s. 196.192, F.S.;

On motion by Senator Lynn, the Senate concurred in **House Amendment 1 to Senate Amendment 1** as amended and requested the House to concur in the Senate amendment to the House amendment.

CS for CS for HB 745 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—38

Mr. President	Diaz de la Portilla	Oelrich
Alexander	Dockery	Peaden
Aronberg	Fasano	Posey
Atwater	Gaetz	Rich
Baker	Garcia	Ring
Bennett	Geller	Saunders
Bullard	Haridopolos	Siplin
Carlton	Hill	Storms
Constantine	Jones	Villalobos
Crist	King	Webster
Dawson	Lawson	Wilson
Dean	Lynn	Wise
Deutch	Margolis	

Nays—2

Joyner	Justice

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has amended Senate Amendment 1, concurred in the same as amended, and passed HB 7067 as further amended, and requests the concurrence of the Senate.

William S. Pittman III, Chief Clerk

HB 7067—A bill to be entitled An act relating to virtual education; amending s. 1000.04, F.S.; providing that K-8 virtual schools are public K-12 schools; amending ss. 1002.20 and 1002.31, F.S.; providing that K-8 virtual schools are a public school choice option; amending s. 1002.415, F.S.; establishing the school district K-8 Virtual School Program; requiring school districts to offer a K-8 Virtual School Program beginning with the 2009-2010 school year; authorizing school districts to offer such program for the 2008-2009 school year; authorizing the provision of specified online instruction to students in grades 6 through 8 through a franchise agreement with the Florida Virtual School; specifying qualifications for and requiring Department of Education approval of contracted providers; requiring department approval for district programs; specifying requirements for a K-8 virtual school relating to employees, curriculum, equipment, and fees; requiring specified capacity and limiting future enrollment increases; providing student eligibility and enrollment requirements; requiring student compliance with specified attendance provisions; requiring students to take state assessment tests; providing funding through the Florida Education Finance Program for district K-8 Virtual School Programs; requiring K-8 virtual schools to participate in the state assessment program and education performance accountability system and receive school grades; requiring school improvement plans for schools that receive specified grades; requiring annual department review and reporting of student performance; specifying reasons for nonrenewal or termination of provider contracts; providing for continuation of existing K-8 virtual schools under contract with the department for specified students; providing requirements for the funding of such schools; requiring rulemaking; providing for application of section; amending s. 1003.01, F.S.; amending the definition of the term "core-curricula courses" to exclude Florida Virtual School and K-8 Virtual School Program courses; amending s. 1011.61, F.S.; defining a K-8 virtual school full-time equivalent student; providing effective dates.

House Amendment 1 (428985) to Senate Amendment 1—Remove lines 67-228 and insert:

(1) PROGRAM.—

(a) Beginning with the 2009-2010 school year, each school district shall provide students the option of participating in a virtual instruction program. The purpose of the program is to make virtual instruction available to full-time students in the school district based on the student's enrollment in full-time virtual courses in kindergarten through grade 8 or in full-time or part-time virtual courses in grades 9 through 12 as authorized in paragraph (7)(c).

(b) Each school district's virtual instruction program may consist of one or more schools that are operated by the district or by contracted providers approved by the Department of Education under subsection (2). School districts may participate in multi-district contractual arrangements, which may include contracts executed by a regional consortium for its member districts, to provide such programs.

(c)1. A charter school may enter into a joint agreement with the school district in which it is located for the charter school's students to participate in an approved district virtual instruction program.

2. If a charter school does not want to participate in the school district virtual instruction program under subparagraph 1., the charter school may submit a request to the Commissioner of Education for participation by its students in the K-8 Virtual School Program under s. 1002.415.

(2) PROVIDER QUALIFICATIONS.—On or before March 1, 2009, and annually thereafter, the department shall provide school districts with a list of providers approved to offer virtual instruction. To be approved by the department, a contract provider must annually document that it:

(a) Is nonsectarian in its programs, admission policies, employment practices, and operations;

(b) Complies with the antidiscrimination provisions of s. 1000.05;

(c) Locates an administrative office or offices in this state, requires its administrative staff to be state residents, and requires all instructional staff members to be Florida-certified teachers;

(d) Possesses prior, successful experience offering online courses to elementary, middle, or high school students;

(e) Utilizes an instructional model that relies on certified teachers, not parents, to provide at least 85 percent of the instruction to the student;

(f) Is accredited by the Commission on Colleges of the Southern Association of Colleges and Schools, the Middle States Association of Colleges and Schools, the North Central Association of Colleges and Schools, or the New England Association of Colleges and Schools; and

(g) Complies with all requirements under this section.

Notwithstanding this subsection, approved providers of virtual instruction shall include the Florida Virtual School established under s. 1002.37 and providers that operate under s. 1002.415.

(3) SCHOOL DISTRICT VIRTUAL INSTRUCTION PROGRAM REQUIREMENTS.—Each virtual instruction program operated or contracted by a school district must:

(a) Require all instructional staff to be certified professional educators under chapter 1012.

(b) Conduct a background screening of all employees or contracted personnel, as required by s. 1012.32, using state and national criminal history records.

(c) Align virtual course curriculum and course content to the Sunshine State Standards under s. 1003.41.

(d) Offer instruction that is designed to enable a student to gain proficiency in each virtually delivered course of study.

(e) Provide each student enrolled in the program with all the necessary instructional materials.

(f) Provide, when appropriate, each household having a full-time student enrolled in the program with:

1. All equipment necessary for participants in the school district virtual instruction program, including, but not limited to, a computer, computer monitor, and printer; and

2. Access to or reimbursement for all Internet services necessary for online delivery of instruction.

(g) Not require tuition or student registration fees.

(4) PROGRAM CAPACITY; ENROLLMENT.—Beginning with the 2010-2011 school year, except for courses offered by the Florida Virtual School under s. 1002.37, a school district may not increase the enrollment for its full-time virtual instruction program in excess of its prior school year enrollment unless the program for the previous school year is designated with a grade of "C," making satisfactory progress, or better under the school grading system provided in s. 1008.34.

(5) STUDENT ELIGIBILITY.—Enrollment in a school district virtual instruction program is open to any student residing within the district's attendance area if the student meets at least one of the following conditions:

(a) The student has spent the prior school year in attendance at a public school in this state and was enrolled and reported by a public school district for funding during the preceding October and February for purposes of the Florida Education Finance Program surveys.

(b) The student is a dependent child of a member of the United States Armed Forces who was transferred within the last 12 months to this state from another state or from a foreign country pursuant to the parent's permanent change of station orders.

(c) The student was enrolled during the prior school year in a school district virtual instruction program under this section or a K-8 Virtual School Program under s. 1002.415.

(6) STUDENT PARTICIPATION REQUIREMENTS.—Each student enrolled in a school district virtual instruction program must:

(a) Comply with the compulsory attendance requirements of s. 1003.21. Student attendance must be verified by the school district.

(b) Take state assessment tests within the school district in which such student resides, which must provide the student with access to the district's testing facilities.

(7) FUNDING.—

(a) For purposes of a district virtual instruction program, "full-time equivalent student" has the same meaning as provided in s. 1011.61(1)(c)1.b.(III) or (IV).

(b) The school district shall report full-time equivalent students for the school district virtual instruction program and for a charter school's students who participate under paragraph (1)(c) to the department only in a manner prescribed by the department, and funding shall be provided through the Florida Education Finance Program.

(c) Full-time or part-time school district virtual instruction program courses provided under this section for students in grades 9 through 12 are limited to Department of Juvenile Justice programs and dropout prevention programs.

(d) If a charter school's students participate in the K-8 Virtual School Program under subparagraph (1)(c)2., the school district shall remit payment to the provider instructing the students in the amount per full-time equivalent student established in the General Appropriations Act pursuant to s. 1002.415(6)(a). Any funds received in excess of such amount shall be retained by the school district reporting the charter school's full-time equivalent students under paragraph (b).

(8) ASSESSMENT AND ACCOUNTABILITY.—

(a) With the exception of the programs offered by the Florida Virtual School under s. 1002.37, each school district virtual instruction program must:

1. Participate in the statewide assessment program under s. 1008.22 and in the state's education performance accountability system under s. 1008.31.

2. Receive a school grade as provided in s. 1008.34. A school district virtual instruction program shall be considered a school under s. 1008.34 for purposes of this section, regardless of the number of individual providers participating in the district's program.

(b) The performance of part-time students under paragraph (7)(c) shall not be included for purposes of school grading under subparagraph (a)2.; however, their performance shall be included for school grading purposes by the nonvirtual school providing the student's primary instruction.

(c) A program that is designated with a grade of "D," making less than satisfactory progress, or "F," failing to make adequate progress, must file a school improvement plan with the department for consultation to determine the causes for low performance and to develop a plan for correction and improvement.

(d) The school district shall terminate its program, including all contracts with providers for such program, if the program receives a grade of "D," making less than satisfactory progress, or "F," failing to make adequate progress, for 2 years during any consecutive 4-year period. If a contract is not renewed or is terminated, the contracted provider is responsible for all debts of the program or school operated by the provider.

(e) A school district that terminates its program under paragraph (d) shall contract with a provider selected and approved by the department for the provision of virtual instruction until the school district receives approval from the department to operate a new school district virtual instruction program.

(f) A school district virtual instruction program must have a sufficient number of students enrolled in each grade for a grade to be assigned to the program pursuant to s. 1008.34 and State Board of Education rule.

(9) EXCEPTIONS.—A provider of digital or online content or curriculum that is used to supplement the instruction of students who are not enrolled in a virtual instruction program under this section is not required to meet the requirements of this section.

(10) MARKETING.—Any information provided by a school district to parents and students regarding the school district's virtual instruction program must include information about opportunities available at, and the parent's and student's right to access courses offered by, the Florida Virtual School under s. 1002.37.

(11) 2008-2009 SCHOOL DISTRICT VIRTUAL INSTRUCTION PROGRAM.—For the 2008-2009 school year, each school district in the state may offer a school district virtual instruction program to provide full-time virtual courses in kindergarten through grade 8 or to provide full-time or part-time virtual courses in grades 9 through 12 as authorized in paragraph (7)(c). Such program may be operated or contracted as provided under paragraph (1)(b) and must comply with all requirements of this section, except that contracts under this subsection may only be issued for virtual courses in kindergarten through grade 8 to providers operating under s. 1002.415 or for virtual courses in grades 9 through 12 as authorized under paragraph (7)(c) to providers who contracted with a regional consortium in the 2007-2008 school year to provide such services.

(12) RULES.—The State Board of Education shall adopt rules necessary to administer this section, including rules that prescribe school district and charter school reporting requirements.

Section 5. Subsection (14) of section 1003.01, Florida Statutes, is amended to read:

1003.01 Definitions.—As used in this chapter, the term:

(14) "Core-curricula courses" means courses defined by the Department of Education as mathematics, language arts/reading, science, social studies, foreign language, English for Speakers of Other Languages, exceptional student education, and courses taught in traditional self-contained elementary school classrooms. The term is limited in meaning and used for the sole purpose of designating classes that are subject to the maximum class size requirements established in s. 1, Art. IX of the State Constitution. *This term does not include courses offered under ss. 1002.37, 1002.415, and 1002.45.*

And the title is amended as follows:

Remove lines 300-336 and insert: provide students the option of participating in a virtual instruction program beginning with the 2009-2010 school year; providing a purpose; authorizing a school district to implement virtual instruction programs through district-operated programs or programs provided by contracted providers approved by the Department of Education; authorizing a school district to participate in multi-district contractual arrangements; authorizing a charter school to enter into a joint agreement for charter school students to participate in an approved district virtual instruction program or to request participation in the K-8 Virtual School Program; requiring contract providers to meet certain qualifications; providing an exemption from such qualifications for the Florida Virtual School and K-8 Virtual School Program providers; requiring each virtual instruction program operated or contracted by a school district to meet certain requirements; prohibiting a school district from increasing its enrollment in a virtual education program in excess of the prior year's enrollment unless the program achieves a certain performance grade under the school grading system; providing an exemption for such prohibition for the Florida Virtual School; specifying eligibility requirements for students to participate in a district virtual instruction program; specifying participation requirements for enrolled students; defining the term "full-time equivalent student"; providing that specified virtual instruction programs be funded through the Florida Education Finance Program; limiting virtual program instruction courses for students in grades 9 through 12; providing for payment by school district for charter school students participating in K-8 Virtual School Program; providing for school district retention of specified excess funds; requiring participation in the statewide assessment program and education performance accountability system; requiring a school improvement plan or program termination under specified circumstances; exempting certain providers from the act; requiring school districts to include certain information about the Florida Virtual School in information provided to parents and students about the district's virtual instruction program; authorizing school districts to offer specified virtual instruction programs in the 2008-2009 school year; requiring the State

Senator Wise moved the following amendments which were adopted:

Senate Amendment 1 (946918) to House Amendment 1 to Senate Amendment 1—Delete line(s) 7-14 and insert:

(a) Beginning with the 2009-2010 school year, each school district shall provide eligible students within its boundaries the option of participating in a virtual instruction program. The purpose of the program is to make instruction available to students using online and distance learning technology in the nontraditional classroom. The program shall provide virtual instruction to full-time students enrolled in full-time virtual courses in kindergarten through grade 8 or in full-time or part-time virtual courses in grades 9 through 12 as authorized in paragraph (7)(c).

Senate Amendment 2 (045342) (with title amendment) to House Amendment 1 to Senate Amendment 1—Delete line(s) 22-30 and insert:

(c) A charter school may enter into a joint agreement with the school district in which it is located for the charter school's students to participate in an approved district virtual instruction program.

And the title is amended as follows:

Delete line(s) 231 and 232 and insert: virtual instruction program; requiring contract providers to meet

Senate Amendment 3 (853650) (with title amendment) to House Amendment 1 to Senate Amendment 1—Delete line(s) 127-135 and insert: *Juvenile Justice programs, dropout prevention programs, and career and vocational programs.*

And the title is amended as follows:

Delete line(s) 249-251.

Senate Amendment 4 (515614) to House Amendment 1 to Senate Amendment 1—Delete line(s) 172-175.

On motion by Senator Wise, the Senate concurred in **House Amendment 1 to Senate Amendment 1** as amended and requested the House to concur in the Senate amendments to the House amendment.

HB 7067 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—40

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Aronberg	Gaetz	Posey
Atwater	Garcia	Rich
Baker	Geller	Ring
Bennett	Haridopolos	Saunders
Bullard	Hill	Siplin
Carlton	Jones	Storms
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dawson	King	Wilson
Dean	Lawson	Wise
Deutch	Lynn	
Diaz de la Portilla	Margolis	

Nays—None

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has passed CS for CS for SB 682, with 1 amendment(s), and requests the concurrence of the Senate.

William S. Pittman III, Chief Clerk

CS for CS for SB 682—A bill to be entitled An act relating to the Department of Transportation; requiring the department to conduct a study of transportation alternatives for the Interstate 95 corridor; providing an effective date.

House Amendment 1 (162105)(with title amendment)—Remove line 26 and insert:

Section 2. Paragraph (h) of subsection (2) of section 20.23, Florida Statutes, is amended to read:

20.23 Department of Transportation.—There is created a Department of Transportation which shall be a decentralized agency.

(2)

(h) The commission shall appoint an executive director and assistant executive director, who shall serve under the direction, supervision, and control of the commission. The executive director, with the consent of the commission, shall employ such staff as are necessary to perform adequately the functions of the commission, within budgetary limitations. All employees of the commission are exempt from part II of chapter 110 and shall serve at the pleasure of the commission. *The salary and benefits of the executive director shall be set in accordance with the Senior Management Service.* The salaries and benefits of all *other* employees of the commission shall be set in accordance with the Selected Exempt Service; ~~provided,~~ however, ~~that~~ the commission *has* ~~shall have~~ complete authority for fixing the salary of the executive director and assistant executive director.

Section 3. Subsection (5) of section 125.42, Florida Statutes, is amended to read:

125.42 Water, sewage, gas, power, telephone, other utility, and television lines along county roads and highways.—

(5) In the event of widening, repair, or reconstruction of any such road, the licensee shall move or remove such water, sewage, gas, power, telephone, and other utility lines and television lines at no cost to the county *except as provided in s. 337.403(1)(e).*

Section 4. Paragraphs (a), (h), and (j) of subsection (6) of section 163.3177, Florida Statutes, are amended to read:

163.3177 Required and optional elements of comprehensive plan; studies and surveys.—

(6) In addition to the requirements of subsections (1)-(5) and (12), the comprehensive plan shall include the following elements:

(a) A future land use plan element designating proposed future general distribution, location, and extent of the uses of land for residential uses, commercial uses, industry, agriculture, recreation, conservation, education, public buildings and grounds, other public facilities, and other categories of the public and private uses of land. Counties are encouraged to designate rural land stewardship areas, pursuant to the provisions of paragraph (11)(d), as overlays on the future land use map. Each future land use category must be defined in terms of uses included, and must include standards to be followed in the control and distribution of population densities and building and structure intensities. The proposed distribution, location, and extent of the various categories of land use shall be shown on a land use map or map series which shall be supplemented by goals, policies, and measurable objectives. The future land use plan shall be based upon surveys, studies, and data regarding the area, including the amount of land required to accommodate anticipated growth; the projected population of the area; the character of undeveloped land; the availability of water supplies, public facilities, and services; the need for redevelopment, including the renewal of blighted areas and the elimination of nonconforming uses which are inconsistent with the character of the community; the compatibility of uses on lands adjacent to or closely proximate to military installations; *lands adjacent to an airport as defined in s. 330.35 and consistent with provisions in s. 333.02;* and, in rural communities, the need for job creation, capital investment, and economic development that will strengthen and diversify the community's economy. The future land use plan may designate areas for future planned development use involving combinations of types of uses for which special regulations may be necessary to ensure development in accord with the principles and standards of the comprehensive plan and this act. The future land use plan element shall include criteria to be used to achieve the compatibility of adjacent or closely proximate lands with military installations*; lands adjacent to an airport as defined in s. 330.35 and consistent with provisions in s. 333.02.* In addition, for rural communities, the amount of land designated for future planned industrial use shall be based upon surveys and studies that reflect the need for job creation, capital investment, and the necessity to strengthen and diversify the local economies, and shall not be limited solely by the projected population of the rural community. The future land use plan of a county may also designate areas for possible future municipal incorporation. The land use maps or map series shall generally identify and depict historic district boundaries and shall designate historically significant properties meriting protection. For coastal counties, the future land use element must include, without limitation, regulatory incentives and criteria that encourage the preservation of recreational and commercial working waterfronts as defined in s. 342.07. The future land use element must clearly identify the land use categories in which public schools are an allowable use. When delineating the land use categories in which public schools are an allowable use, a local government shall include in the categories sufficient land proximate to residential development to meet the projected needs for schools in coordination with public school boards and may establish differing criteria for schools of different type or size. Each local government shall include lands contiguous to existing school sites, to the maximum extent possible, within the land use categories in which public schools are an allowable use. The failure by a local government to comply with these school siting requirements will result in the prohibition of the local government's ability to amend the local comprehensive plan, except for plan amendments described in s. 163.3187(1)(b), until the school siting requirements are met. Amendments proposed by a local government for purposes of identifying the land use categories in which public schools are an allowable use are exempt from the limitation on the frequency of plan amendments contained in s. 163.3187. The future land use element shall include criteria that encourage the location of schools proximate to urban residential areas to the extent possible and shall require that the local government seek to collocate public facilities, such as parks, libraries, and community centers, with schools to the extent possible and to encourage the use of elementary schools as focal points for neighborhoods. For schools serving predominantly rural counties, defined as a county with a population of 100,000 or fewer, an agricultural land use category shall be eligible for the location of public school facilities if the local comprehensive plan contains school siting criteria and the location is consistent with such criteria. Local governments required to update or amend their comprehensive plan to include criteria and address compatibility of *lands adjacent to an airport as defined in s. 330.35 and consistent with provisions in s. 333.02* ~~adjacent or closely proximate lands with existing military installations~~ in their future land use plan element shall transmit the update or amendment to the *state land planning agency* ~~department~~ by June 30, *2011* ~~2006~~.

(h)1. An intergovernmental coordination element showing relationships and stating principles and guidelines to be used in the accomplishment of coordination of the adopted comprehensive plan with the plans of school boards, regional water supply authorities, and other units of local government providing services but not having regulatory authority over the use of land, with the comprehensive plans of adjacent municipalities, the county, adjacent counties, or the region, with the state comprehensive plan and with the applicable regional water supply plan approved pursuant to s. 373.0361, as the case may require and as such adopted plans or plans in preparation may exist. This element of the local comprehensive plan shall demonstrate consideration of the particular effects of the local plan, when adopted, upon the development of adjacent municipalities, the county, adjacent counties, or the region, or upon the state comprehensive plan, as the case may require.

a. The intergovernmental coordination element shall provide ~~for~~ procedures to identify and implement joint planning areas, especially for the purpose of annexation, municipal incorporation, and joint infrastructure service areas.

b. The intergovernmental coordination element shall provide for recognition of campus master plans prepared pursuant to s. 1013.30*, and airport master plans pursuant to paragraph (k).*

c. The intergovernmental coordination element may provide for a voluntary dispute resolution process as established pursuant to s. 186.509 for bringing to closure in a timely manner intergovernmental disputes. A local government may develop and use an alternative local dispute resolution process for this purpose.

d. The intergovernmental coordination element shall provide for interlocal agreements, as established pursuant to s. 333.03(1)(b).

2. The intergovernmental coordination element shall further state principles and guidelines to be used in the accomplishment of coordination of the adopted comprehensive plan with the plans of school boards and other units of local government providing facilities and services but not having regulatory authority over the use of land. In addition, the intergovernmental coordination element shall describe joint processes for collaborative planning and decisionmaking on population projections and public school siting, the location and extension of public facilities subject to concurrency, and siting facilities with countywide significance, including locally unwanted land uses whose nature and identity

are established in an agreement. Within 1 year of adopting their intergovernmental coordination elements, each county, all the municipalities within that county, the district school board, and any unit of local government service providers in that county shall establish by interlocal or other formal agreement executed by all affected entities, the joint processes described in this subparagraph consistent with their adopted intergovernmental coordination elements.

3. To foster coordination between special districts and local general-purpose governments as local general-purpose governments implement local comprehensive plans, each independent special district must submit a public facilities report to the appropriate local government as required by s. 189.415.

4.a. Local governments must execute an interlocal agreement with the district school board, the county, and nonexempt municipalities pursuant to s. 163.31777. The local government shall amend the intergovernmental coordination element to provide that coordination between the local government and school board is pursuant to the agreement and shall state the obligations of the local government under the agreement.

b. Plan amendments that comply with this subparagraph are exempt from the provisions of s. 163.3187(1).

5. The state land planning agency shall establish a schedule for phased completion and transmittal of plan amendments to implement subparagraphs 1., 2., and 3. from all jurisdictions so as to accomplish their adoption by December 31, 1999. A local government may complete and transmit its plan amendments to carry out these provisions prior to the scheduled date established by the state land planning agency. The plan amendments are exempt from the provisions of s. 163.3187(1).

6. By January 1, 2004, any county having a population greater than 100,000, and the municipalities and special districts within that county, shall submit a report to the Department of Community Affairs which:

a. Identifies all existing or proposed interlocal service delivery agreements regarding the following: education; sanitary sewer; public safety; solid waste; drainage; potable water; parks and recreation; and transportation facilities.

b. Identifies any deficits or duplication in the provision of services within its jurisdiction, whether capital or operational. Upon request, the Department of Community Affairs shall provide technical assistance to the local governments in identifying deficits or duplication.

7. Within 6 months after submission of the report, the Department of Community Affairs shall, through the appropriate regional planning council, coordinate a meeting of all local governments within the regional planning area to discuss the reports and potential strategies to remedy any identified deficiencies or duplications.

8. Each local government shall update its intergovernmental coordination element based upon the findings in the report submitted pursuant to subparagraph 6. The report may be used as supporting data and analysis for the intergovernmental coordination element.

(j) For each unit of local government within an urbanized area designated for purposes of s. 339.175, a transportation element, which shall be prepared and adopted in lieu of the requirements of paragraph (b) and paragraphs (7)(a), (b), (c), and (d) and which shall address the following issues:

1. Traffic circulation, including major thoroughfares and other routes, including bicycle and pedestrian ways.

2. All alternative modes of travel, such as public transportation, pedestrian, and bicycle travel.

3. Parking facilities.

4. Aviation, rail, seaport facilities, access to those facilities, and intermodal terminals.

5. The availability of facilities and services to serve existing land uses and the compatibility between future land use and transportation elements.

6. The capability to evacuate the coastal population prior to an impending natural disaster.

7. Airports, projected airport and aviation development, and land use compatibility around airports *that includes areas defined in ss. 333.01 and 333.02*.

8. An identification of land use densities, building intensities, and transportation management programs to promote public transportation systems in designated public transportation corridors so as to encourage population densities sufficient to support such systems.

9. May include transportation corridors, as defined in s. 334.03, intended for future transportation facilities designated pursuant to s. 337.273. If transportation corridors are designated, the local government may adopt a transportation corridor management ordinance.

Section 5. Subsection (3) of section 163.3178, Florida Statutes, is amended to read:

163.3178 Coastal management.—

(3) Expansions to port harbors, spoil disposal sites, navigation channels, turning basins, harbor berths, and other related inwater harbor facilities of ports listed in s. 403.021(9); port transportation facilities and projects listed in s. 311.07(3)(b); and intermodal transportation facilities identified pursuant to s. 311.09(3) *and facilities determined by the Department of Community Affairs and applicable general purpose local government to be port-related industrial or commercial projects located within 3 miles of or in a port master plan area which rely upon the utilization of port and intermodal transportation facilities* shall not be developments of regional impact where such expansions, projects, or facilities are consistent with comprehensive master plans that are in compliance with this section.

Section 6. Paragraph (c) is added to subsection (2) of section 163.3182, Florida Statutes, and paragraph (d) of subsection (3), paragraph (a) of subsection (4), and subsections (5) and (8) of that section are amended, to read:

163.3182 Transportation concurrency backlogs.—

(2) CREATION OF TRANSPORTATION CONCURRENCY BACKLOG AUTHORITIES.—

(c) The Legislature finds and declares that there exists in many counties and municipalities areas with significant transportation deficiencies and inadequate transportation facilities; that many such insufficiencies and inadequacies severely limit or prohibit the satisfaction of transportation concurrency standards; that such transportation insufficiencies and inadequacies affect the health, safety, and welfare of the residents of such counties and municipalities; that such transportation insufficiencies and inadequacies adversely affect economic development and growth of the tax base for the areas in which such insufficiencies and inadequacies exist; and that the elimination of transportation deficiencies and inadequacies and the satisfaction of transportation concurrency standards are paramount public purposes for the state and its counties and municipalities.

(3) POWERS OF A TRANSPORTATION CONCURRENCY BACKLOG AUTHORITY.—Each transportation concurrency backlog authority has the powers necessary or convenient to carry out the purposes of this section, including the following powers in addition to others granted in this section:

(d) To borrow money*, including, but not limited to, issuing debt obligations, such as, but not limited to, bonds, notes, certificates, and similar debt instruments*; to apply for and accept advances, loans, grants, contributions, and any other forms of financial assistance from the Federal Government or the state, county, or any other public body or from any sources, public or private, for the purposes of this part; to give such security as may be required; to enter into and carry out contracts or agreements; and to include in any contracts for financial assistance with the Federal Government for or with respect to a transportation concurrency backlog project and related activities such conditions imposed pursuant to federal laws as the transportation concurrency backlog authority considers reasonable and appropriate and which are not inconsistent with the purposes of this section.

(4) TRANSPORTATION CONCURRENCY BACKLOG PLANS.—

(a) Each transportation concurrency backlog authority shall adopt a transportation concurrency backlog plan as a part of the local govern-

ment comprehensive plan within 6 months after the creation of the authority. The plan shall:

1. Identify all transportation facilities that have been designated as deficient and require the expenditure of moneys to upgrade, modify, or mitigate the deficiency.

2. Include a priority listing of all transportation facilities that have been designated as deficient and do not satisfy concurrency requirements pursuant to s. 163.3180, and the applicable local government comprehensive plan.

3. Establish a schedule for financing and construction of transportation concurrency backlog projects that will eliminate transportation concurrency backlogs within the jurisdiction of the authority within 10 years after the transportation concurrency backlog plan adoption. The schedule shall be adopted as part of the local government comprehensive plan. *Notwithstanding such schedule requirements, as long as the schedule provides for the elimination of all transportation concurrency backlogs within 10 years after the adoption of the concurrency backlog plan, the final maturity date of any debt incurred to finance or refinance the related projects may be no later than 40 years after the date such debt is incurred and the authority may continue operations and administer the trust fund established as provided in subsection (5) for as long as such debt remains outstanding.*

(5) ESTABLISHMENT OF LOCAL TRUST FUND.—The transportation concurrency backlog authority shall establish a local transportation concurrency backlog trust fund upon creation of the authority. Each local trust fund shall be administered by the transportation concurrency backlog authority within which a transportation concurrency backlog has been identified. *Each local trust fund shall continue to be funded pursuant to this section for as long as the projects set forth in the related transportation concurrency backlog plan remain to be completed or until any debt incurred to finance or refinance the related projects are no longer outstanding, whichever occurs later.* Beginning in the first fiscal year after the creation of the authority, each local trust fund shall be funded by the proceeds of an ad valorem tax increment collected within each transportation concurrency backlog area to be determined annually and shall be *a minimum of* 25 percent of the difference between *the amounts set forth in paragraphs (a) and (b), except that if all of the affected taxing authorities agree pursuant to an interlocal agreement, a particular local trust fund may be funded by the proceeds of an ad valorem tax increment greater than 25 percent of the difference between the amounts set forth in paragraphs (a) and (b)*:

(a) The amount of ad valorem tax levied each year by each taxing authority, exclusive of any amount from any debt service millage, on taxable real property contained within the jurisdiction of the transportation concurrency backlog authority and within the transportation backlog area; and

(b) The amount of ad valorem taxes which would have been produced by the rate upon which the tax is levied each year by or for each taxing authority, exclusive of any debt service millage, upon the total of the assessed value of the taxable real property within the transportation concurrency backlog area as shown on the most recent assessment roll used in connection with the taxation of such property of each taxing authority prior to the effective date of the ordinance funding the trust fund.

(8) DISSOLUTION.—Upon completion of all transportation concurrency backlog projects *and repayment or defeasance of all debt issued to finance or refinance such projects*, a transportation concurrency backlog authority shall be dissolved, and its assets and liabilities shall be transferred to the county or municipality within which the authority is located. All remaining assets of the authority must be used for implementation of transportation projects within the jurisdiction of the authority. The local government comprehensive plan shall be amended to remove the transportation concurrency backlog plan.

Section 7. Paragraph (c) of subsection (9) of section 287.055, Florida Statutes, is amended to read:

287.055 Acquisition of professional architectural, engineering, landscape architectural, or surveying and mapping services; definitions; procedures; contingent fees prohibited; penalties.—

(9) APPLICABILITY TO DESIGN-BUILD CONTRACTS.—

(c) Except as otherwise provided in s. 337.11*(8)*~~(7)~~, the Department of Management Services shall adopt rules for the award of design-build contracts to be followed by state agencies. Each other agency must adopt rules or ordinances for the award of design-build contracts. Municipalities, political subdivisions, school districts, and school boards shall award design-build contracts by the use of a competitive proposal selection process as described in this subsection, or by the use of a qualifications-based selection process pursuant to subsections (3), (4), and (5) for entering into a contract whereby the selected firm will, subsequent to competitive negotiations, establish a guaranteed maximum price and guaranteed completion date. If the procuring agency elects the option of qualifications-based selection, during the selection of the design-build firm the procuring agency shall employ or retain a licensed design professional appropriate to the project to serve as the agency's representative. Procedures for the use of a competitive proposal selection process must include as a minimum the following:

1. The preparation of a design criteria package for the design and construction of the public construction project.

2. The qualification and selection of no fewer than three design-build firms as the most qualified, based on the qualifications, availability, and past work of the firms, including the partners or members thereof.

3. The criteria, procedures, and standards for the evaluation of design-build contract proposals or bids, based on price, technical, and design aspects of the public construction project, weighted for the project.

4. The solicitation of competitive proposals, pursuant to a design criteria package, from those qualified design-build firms and the evaluation of the responses or bids submitted by those firms based on the evaluation criteria and procedures established prior to the solicitation of competitive proposals.

5. For consultation with the employed or retained design criteria professional concerning the evaluation of the responses or bids submitted by the design-build firms, the supervision or approval by the agency of the detailed working drawings of the project; and for evaluation of the compliance of the project construction with the design criteria package by the design criteria professional.

6. In the case of public emergencies, for the agency head to declare an emergency and authorize negotiations with the best qualified design-build firm available at that time.

Section 8. Section 316.0741, Florida Statutes, is amended to read:

316.0741 *High-occupancy-vehicle* ~~High occupancy vehicle~~ lanes.—

(1) *As used in this section, the term:*

(a) "*High-occupancy-vehicle* ~~High occupancy vehicle~~ lane" or "HOV lane" means a lane of a public roadway designated for use by vehicles in which there is more than one occupant unless otherwise authorized by federal law.

(b) "Hybrid vehicle" means a motor vehicle:

1. That draws propulsion energy from onboard sources of stored energy which are both an internal combustion or heat engine using combustible fuel and a rechargeable energy-storage system; and

2. That, in the case of a passenger automobile or light truck, has received a certificate of conformity under the Clean Air Act, 42 U.S.C. ss. 7401 et seq., and meets or exceeds the equivalent qualifying California standards for a low-emission vehicle.

(2) The number of persons that must be in a vehicle to qualify for legal use of the HOV lane and the hours during which the lane will serve as an HOV lane, if it is not designated as such on a full-time basis, must also be indicated on a traffic control device.

(3) *Except as provided in subsection (4),* a vehicle may not be driven in an HOV lane if the vehicle is occupied by fewer than the number of occupants indicated by a traffic control device. A driver who violates this section shall be cited for a moving violation, punishable as provided in chapter 318.

(4)*(a)* Notwithstanding any other provision of this section, an inherently low-emission vehicle (ILEV) that is certified and labeled in accordance with federal regulations may be driven in an HOV lane at any time, regardless of its occupancy. In addition, upon the state's receipt of written notice from the proper federal regulatory agency authorizing such use, a vehicle defined as a hybrid vehicle under this section may be driven in an HOV lane at any time, regardless of its occupancy.

(b) All eligible hybrid and all eligible other low-emission and energy-efficient vehicles driven in an HOV lane must comply with the minimum fuel economy standards in 23 U.S.C. s. 166(f)(3)(B).

(c) Upon issuance of the applicable Environmental Protection Agency final rule pursuant to 23 U.S.C. s. 166(e), relating to the eligibility of hybrid and other low-emission and energy-efficient vehicles for operation in an HOV lane regardless of occupancy, the Department of Transportation shall review the rule and recommend to the Legislature any statutory changes necessary for compliance with the federal rule. The department shall provide its recommendations no later than 30 days following issuance of the final rule.

(5) The department shall issue a decal and registration certificate, to be renewed annually, reflecting the HOV lane designation on ~~such~~ vehicles *meeting the criteria in subsection (4)* authorizing *driving in an HOV lane at any time* ~~such use~~. The department may charge a fee for a decal, not to exceed the costs of designing, producing, and distributing each decal, or $5, whichever is less. The proceeds from sale of the decals shall be deposited in the Highway Safety Operating Trust Fund. *The department may, for reasons of operation and management of HOV facilities, limit or discontinue issuance of decals for the use of HOV facilities by hybrid and low-emission and energy-efficient vehicles, regardless of occupancy, if it has been determined by the Department of Transportation that the facilities are degraded as defined by 23 U.S.C. s. 166(d)(2).*

(6) Vehicles having decals by virtue of compliance with the minimum fuel economy standards under 23 U.S.C. s. 166(f)(3)(B), and which are registered for use in high-occupancy toll lanes or express lanes in accordance with Department of Transportation rule, shall be allowed to use any HOV lanes redesignated as high-occupancy toll lanes or express lanes without payment of a toll.

~~(5) As used in this section, the term "hybrid vehicle" means a motor vehicle:~~

~~(a) That draws propulsion energy from onboard sources of stored energy which are both:~~

~~1. An internal combustion or heat engine using combustible fuel; and~~

~~2. A rechargeable energy storage system; and~~

~~(b) That, in the case of a passenger automobile or light truck:~~

~~1. Has received a certificate of conformity under the Clean Air Act, 42 U.S.C. ss. 7401 et seq.; and~~

~~2. Meets or exceeds the equivalent qualifying California standards for a low-emission vehicle.~~

(7)~~(6)~~ The department may adopt rules necessary to administer this section.

Section 9. Subsection (4) of section 316.193, Florida Statutes, is amended to read:

316.193 Driving under the influence; penalties.—

(4)*(a)* Any person who is convicted of a violation of subsection (1) and who has a blood-alcohol level or breath-alcohol level of *0.15* ~~0.20~~ or higher, or any person who is convicted of a violation of subsection (1) and who at the time of the offense was accompanied in the vehicle by a person under the age of 18 years, shall be punished:

1.~~(a)~~ By a fine of:

a.~~1.~~ Not less than $500 or more than $1,000 for a first conviction.

b.~~2.~~ Not less than $1,000 or more than $2,000 for a second conviction.

c.~~3.~~ Not less than $2,000 for a third or subsequent conviction.

2.~~(b)~~ By imprisonment for:

a.~~1.~~ Not more than 9 months for a first conviction.

b.~~2.~~ Not more than 12 months for a second conviction.

(b) For the purposes of this subsection, only the instant offense is required to be a violation of subsection (1) by a person who has a blood-alcohol level or breath-alcohol level of *0.15* ~~0.20~~ or higher.

(c) In addition to the penalties in *subparagraphs (a)1. and 2.* ~~paragraphs (a) and (b)~~, the court shall order the mandatory placement, at the convicted person's sole expense, of an ignition interlock device approved by the department in accordance with s. 316.1938 upon all vehicles that are individually or jointly leased or owned and routinely operated by the convicted person for *not less than* ~~up to~~ 6 *continuous* months for the first offense and for *not less than* ~~at least~~ 2 *continuous* years for a second offense, when the convicted person qualifies for a permanent or restricted license. ~~The installation of such device may not occur before July 1, 2003.~~

Section 10. Effective October 1, 2008, paragraph (b) of subsection (1) and subsections (6) and (8) of section 316.302, Florida Statutes, are amended to read:

316.302 Commercial motor vehicles; safety regulations; transporters and shippers of hazardous materials; enforcement.—

(1)

(b) Except as otherwise provided in this section, all owners or drivers of commercial motor vehicles that are engaged in intrastate commerce are subject to the rules and regulations contained in 49 C.F.R. parts 382, 385, and 390-397, with the exception of 49 C.F.R. s. 390.5 as it relates to the definition of bus, as such rules and regulations existed on October 1, *2007* ~~2005~~.

(6) The state Department of Transportation shall perform the duties that are assigned to the *Field Administrator, Federal Motor Carrier Safety Administration* ~~Regional Federal Highway Administrator~~ under the federal rules, and an agent of that department, as described in s. 316.545(9), may enforce those rules.

(8) For the purpose of enforcing this section, any law enforcement officer of the Department of Transportation or duly appointed agent who holds a current safety inspector certification from the Commercial Vehicle Safety Alliance may require the driver of any commercial vehicle operated on the highways of this state to stop and submit to an inspection of the vehicle or the driver's records. If the vehicle or driver is found to be operating in an unsafe condition, or if any required part or equipment is not present or is not in proper repair or adjustment, and the continued operation would present an unduly hazardous operating condition, the officer may require the vehicle or the driver to be removed from service pursuant to the North American *Standard* ~~Uniform~~ Out-of-Service Criteria, until corrected. However, if continuous operation would not present an unduly hazardous operating condition, the officer may give written notice requiring correction of the condition within 14 days.

(a) Any member of the Florida Highway Patrol or any law enforcement officer employed by a sheriff's office or municipal police department authorized to enforce the traffic laws of this state pursuant to s. 316.640 who has reason to believe that a vehicle or driver is operating in an unsafe condition may, as provided in subsection (10), enforce the provisions of this section.

(b) Any person who fails to comply with an officer's request to submit to an inspection under this subsection commits a violation of s. 843.02 if the person resists the officer without violence or a violation of s. 843.01 if the person resists the officer with violence.

Section 11. Subsection (2) of section 316.613, Florida Statutes, is amended to read:

316.613 Child restraint requirements.—

(2) As used in this section, the term "motor vehicle" means a motor vehicle as defined in s. 316.003 *which* ~~that~~ is operated on the roadways, streets, and highways of the state. The term does not include:

(a) A school bus as defined in s. 316.003(45).

(b) A bus used for the transportation of persons for compensation, other than a bus regularly used to transport children to or from school, as defined in s. 316.615(1) (b), or in conjunction with school activities.

(c) A farm tractor or implement of husbandry.

(d) A truck *having a gross vehicle weight rating of more than 26,000* ~~of net weight of more than 5,000~~ pounds.

(e) A motorcycle, moped, or bicycle.

Section 12. Paragraph (a) of subsection (3) of section 316.614, Florida Statutes, is amended to read:

316.614 Safety belt usage.—

(3) As used in this section:

(a) "Motor vehicle" means a motor vehicle as defined in s. 316.003 *which* ~~that~~ is operated on the roadways, streets, and highways of this state. The term does not include:

1. A school bus.

2. A bus used for the transportation of persons for compensation.

3. A farm tractor or implement of husbandry.

4. A truck *having a gross vehicle weight rating of more than 26,000* ~~of a net weight of more than 5,000~~ pounds.

5. A motorcycle, moped, or bicycle.

Section 13. Paragraph (a) of subsection (2) of section 316.656, Florida Statutes, is amended to read:

316.656 Mandatory adjudication; prohibition against accepting plea to lesser included offense.—

(2)(a) No trial judge may accept a plea of guilty to a lesser offense from a person charged under the provisions of this act who has been given a breath or blood test to determine blood or breath alcohol content, the results of which show a blood or breath alcohol content by weight of *0.15* ~~0.20~~ percent or more.

Section 14. Section 322.64, Florida Statutes, is amended to read:

322.64 Holder of commercial driver's license; *persons operating a commercial motor vehicle;* driving with unlawful blood-alcohol level; refusal to submit to breath, urine, or blood test.—

(1)(a) A law enforcement officer or correctional officer shall, on behalf of the department, disqualify from operating any commercial motor vehicle a person who while operating or in actual physical control of a commercial motor vehicle is arrested for a violation of s. 316.193, relating to unlawful blood-alcohol level or breath-alcohol level, or a person who has refused to submit to a breath, urine, or blood test authorized by s. 322.63 arising out of the operation or actual physical control of a commercial motor vehicle. *A law enforcement officer or correctional officer shall, on behalf of the department, disqualify the holder of a commercial driver's license from operating any commercial motor vehicle if the licenseholder, while operating or in actual physical control of a motor vehicle, is arrested for a violation of s. 316.193, relating to unlawful blood-alcohol level or breath-alcohol level, or refused to submit to a breath, urine, or blood test authorized by s. 322.63.* Upon disqualification of the person, the officer shall take the person's driver's license and issue the person a 10-day temporary permit for the operation of noncommercial vehicles only if the person is otherwise eligible for the driving privilege and shall issue the person a notice of disqualification. If the person has been given a blood, breath, or urine test, the results of which are not available to the officer at the time of the arrest, the agency employing the officer shall transmit such results to the department within 5 days after receipt of the results. If the department then determines that the person ~~was arrested for a violation of s. 316.193 and that the person~~ had a blood-alcohol level or breath-alcohol level of 0.08 or higher, the department shall disqualify the person from operating a commercial motor vehicle pursuant to subsection (3).

(b) The disqualification under paragraph (a) shall be pursuant to, and the notice of disqualification shall inform the driver of, the following:

1.a. The driver refused to submit to a lawful breath, blood, or urine test and he or she is disqualified from operating a commercial motor vehicle for a period of 1 year, for a first refusal, or permanently, if he or she has previously been disqualified as a result of a refusal to submit to such a test; or

b. The driver *was driving or in actual physical control of a commercial motor vehicle, or any motor vehicle if the driver holds a commercial driver's license, had an unlawful blood-alcohol level or breath-alcohol level of 0.08 or higher, and his or her driving privilege shall be disqualified for a period of 1 year for a first offense or permanently disqualified if his or her driving privilege has been previously disqualified under this section.* ~~violated s. 316.193 by driving with an unlawful blood-alcohol level and he or she is disqualified from operating a commercial motor vehicle for a period of 6 months for a first offense or for a period of 1 year if he or she has previously been disqualified, or his or her driving privilege has been previously suspended, for a violation of s. 316.193.~~

2. The disqualification period for operating commercial vehicles shall commence on the date of ~~arrest or~~ issuance of *the* notice of disqualification~~, whichever is later~~.

3. The driver may request a formal or informal review of the disqualification by the department within 10 days after the date of ~~arrest or~~ issuance of *the* notice of disqualification~~, whichever is later~~.

4. The temporary permit issued at the time of ~~arrest or~~ disqualification *expires* ~~will expire~~ at midnight of the 10th day following the date of disqualification.

5. The driver may submit to the department any materials relevant to the *disqualification* ~~arrest~~ .

(2) Except as provided in paragraph (1)(a), the law enforcement officer shall forward to the department, within 5 days after the date of the ~~arrest or the~~ issuance of the notice of disqualification, ~~whichever is later,~~ a copy of the notice of disqualification, the driver's license of the person *disqualified* ~~arrested~~, and ~~a report of the arrest, including, if applicable,~~ an affidavit stating the officer's grounds for belief that the person *disqualified* ~~arrested~~ was *operating or in actual physical control of a commercial motor vehicle, or holds a commercial driver's license, and had an unlawful blood-alcohol or breath-alcohol level* ~~in violation of s. 316.193~~; the results of any breath or blood *or urine* test or an affidavit stating that a breath, blood, or urine test was requested by a law enforcement officer or correctional officer and that the person arrested refused to submit; a copy of the *notice of disqualification* ~~citation~~ issued to the person ~~arrested~~; and the officer's description of the person's field sobriety test, if any. The failure of the officer to submit materials within the 5-day period specified in this subsection or subsection (1) *does* ~~shall~~ not affect the department's ability to consider any evidence submitted at or prior to the hearing. The officer may also submit a copy of a videotape of the field sobriety test or the attempt to administer such test *and a copy of the crash report, if any*.

(3) If the department determines that the person arrested should be disqualified from operating a commercial motor vehicle pursuant to this section and if the notice of disqualification has not already been served upon the person by a law enforcement officer or correctional officer as provided in subsection (1), the department shall issue a notice of disqualification and, unless the notice is mailed pursuant to s. 322.251, a temporary permit which expires 10 days after the date of issuance if the driver is otherwise eligible.

(4) If the person *disqualified* ~~arrested~~ requests an informal review pursuant to subparagraph (1)(b)3., the department shall conduct the informal review by a hearing officer employed by the department. Such informal review hearing shall consist solely of an examination by the department of the materials submitted by a law enforcement officer or correctional officer and by the person *disqualified* ~~arrested~~, and the presence of an officer or witness is not required.

(5) After completion of the informal review, notice of the department's decision sustaining, amending, or invalidating the disqualification must be provided to the person. Such notice must be mailed to the person at the last known address shown on the department's records, and to the address provided in the law enforcement officer's report if

such address differs from the address of record, within 21 days after the expiration of the temporary permit issued pursuant to subsection (1) or subsection (3).

(6)(a) If the person *disqualified* ~~arrested~~ requests a formal review, the department must schedule a hearing to be held within 30 days after such request is received by the department and must notify the person of the date, time, and place of the hearing.

(b) Such formal review hearing shall be held before a hearing officer employed by the department, and the hearing officer shall be authorized to administer oaths, examine witnesses and take testimony, receive relevant evidence, issue subpoenas *for the officers and witnesses identified in documents as provided in subsection (2)*, regulate the course and conduct of the hearing, and make a ruling on the disqualification. The department and the person *disqualified* ~~arrested~~ may subpoena witnesses, and the party requesting the presence of a witness shall be responsible for the payment of any witness fees. If the person who requests a formal review hearing fails to appear and the hearing officer finds such failure to be without just cause, the right to a formal hearing is waived ~~and the department shall conduct an informal review of the disqualification under subsection (4)~~.

(c) A party may seek enforcement of a subpoena under paragraph (b) by filing a petition for enforcement in the circuit court of the judicial circuit in which the person failing to comply with the subpoena resides. A failure to comply with an order of the court shall result in a finding of contempt of court. However, a person shall not be in contempt while a subpoena is being challenged.

(d) The department must, within 7 days after a formal review hearing, send notice to the person of the hearing officer's decision as to whether sufficient cause exists to sustain, amend, or invalidate the disqualification.

(7) In a formal review hearing under subsection (6) or an informal review hearing under subsection (4), the hearing officer shall determine by a preponderance of the evidence whether sufficient cause exists to sustain, amend, or invalidate the disqualification. The scope of the review shall be limited to the following issues:

(a) If the person was disqualified from operating a commercial motor vehicle for driving with an unlawful blood-alcohol level ~~in violation of s. 316.193~~:

1. Whether the arresting law enforcement officer had probable cause to believe that the person was driving or in actual physical control of a commercial motor vehicle*, or any motor vehicle if the driver holds a commercial driver's license,* in this state while he or she had any alcohol, chemical substances, or controlled substances in his or her body.

~~2. Whether the person was placed under lawful arrest for a violation of s. 316.193.~~

2.~~3.~~ Whether the person had an unlawful blood-alcohol level *or breath-alcohol level of 0.08 or higher* ~~as provided in s. 316.193~~.

(b) If the person was disqualified from operating a commercial motor vehicle for refusal to submit to a breath, blood, or urine test:

1. Whether the law enforcement officer had probable cause to believe that the person was driving or in actual physical control of a commercial motor vehicle*, or any motor vehicle if the driver holds a commercial driver's license,* in this state while he or she had any alcohol, chemical substances, or controlled substances in his or her body.

2. Whether the person refused to submit to the test after being requested to do so by a law enforcement officer or correctional officer.

3. Whether the person was told that if he or she refused to submit to such test he or she would be disqualified from operating a commercial motor vehicle for a period of 1 year or, in the case of a second refusal, permanently.

(8) Based on the determination of the hearing officer pursuant to subsection (7) for both informal hearings under subsection (4) and formal hearings under subsection (6), the department shall:

(a) Sustain the disqualification for a period of 1 year for a first refusal, or permanently if such person has been previously disqualified from operating a commercial motor vehicle as a result of a refusal to submit to such tests. The disqualification period commences on the date of the arrest or issuance of the notice of disqualification, whichever is later.

(b) Sustain the disqualification*:*

1. For a period of *1 year if the person was driving or in actual physical control of a commercial motor vehicle, or any motor vehicle if the driver holds a commercial driver's license, and had an unlawful blood-alcohol level or breath-alcohol level of 0.08 or higher; or* ~~6 months for a violation of s. 316.193 or for a period of 1 year~~

2. Permanently if the person has been previously disqualified from operating a commercial motor vehicle or his or her driving privilege has been previously suspended *for driving or being in actual physical control of a commercial motor vehicle, or any motor vehicle if the driver holds a commercial driver's license, and had an unlawful blood-alcohol level or breath-alcohol level of 0.08 or higher* ~~as a result of a violation of s. 316.193~~.

The disqualification period commences on the date of the arrest or issuance of the notice of disqualification~~, whichever is later~~.

(9) A request for a formal review hearing or an informal review hearing shall not stay the disqualification. If the department fails to schedule the formal review hearing to be held within 30 days after receipt of the request therefor, the department shall invalidate the disqualification. If the scheduled hearing is continued at the department's initiative, the department shall issue a temporary driving permit *limited to noncommercial vehicles* which *is* ~~shall be~~ valid until the hearing is conducted if the person is otherwise eligible for the driving privilege. Such permit shall not be issued to a person who sought and obtained a continuance of the hearing. The permit issued under this subsection shall authorize driving for business *purposes* ~~or employment use~~ only.

(10) A person who is disqualified from operating a commercial motor vehicle under subsection (1) or subsection (3) is eligible for issuance of a license for business or employment purposes only under s. 322.271 if the person is otherwise eligible for the driving privilege. However, such business or employment purposes license shall not authorize the driver to operate a commercial motor vehicle.

(11) The formal review hearing may be conducted upon a review of the reports of a law enforcement officer or a correctional officer, including documents relating to the administration of a breath test or blood test or the refusal to take either test. However, as provided in subsection (6), the driver may subpoena the officer or any person who administered or analyzed a breath or blood test.

(12) The formal review hearing and the informal review hearing are exempt from the provisions of chapter 120. The department is authorized to adopt rules for the conduct of reviews under this section.

(13) A person may appeal any decision of the department sustaining the disqualification from operating a commercial motor vehicle by a petition for writ of certiorari to the circuit court in the county wherein such person resides or wherein a formal or informal review was conducted pursuant to s. 322.31. However, an appeal shall not stay the disqualification. This subsection shall not be construed to provide for a de novo appeal.

(14) The decision of the department under this section shall not be considered in any trial for a violation of s. 316.193, s. 322.61, or s. 322.62, nor shall any written statement submitted by a person in his or her request for departmental review under this section be admissible into evidence against him or her in any such trial. The disposition of any related criminal proceedings shall not affect a disqualification imposed pursuant to this section.

(15) This section does not preclude the suspension of the driving privilege pursuant to s. 322.2615. The driving privilege of a person who has been disqualified from operating a commercial motor vehicle also may be suspended for a violation of s. 316.193.

Section 15. *Notwithstanding any law to the contrary, a county, municipality, or special district may not own or operate an asphalt plant or a portable or stationary concrete batch plant having an independent mixer; however, this prohibition does not apply to any county that owns*

or is under contract to purchase an asphalt plant as of April 15, 2008, and that furnishes its plant-generated asphalt solely for use by local governments or company's under contract with local governments for projects within the boundaries of such county. Sale of plant generated asphalt to private entities or local governments outside the boundaries of such county is prohibited.

Section 16. Paragraph (g) of subsection (5) of section 337.0261, Florida Statutes, is amended to read:

337.0261 Construction aggregate materials.—

(5) STRATEGIC AGGREGATES REVIEW TASK FORCE.—

(g) The task force shall be dissolved on *June 30, 2009* ~~July 1, 2008~~.

Section 17. Subsection (7) of section 337.11, Florida Statutes, is amended to read:

337.11 Contracting authority of department; bids; emergency repairs, supplemental agreements, and change orders; combined design and construction contracts; progress payments; records; requirements of vehicle registration.—

(7) If the department determines that it is in the best interest of the public, the department may pay a stipend to unsuccessful firms who have submitted responsive proposals for construction or maintenance contracts. The decision and amount of a stipend will be based upon department analysis of the estimated proposal development costs and the anticipated degree of competition during the procurement process. Stipends shall be used to encourage competition and compensate unsuccessful firms for a portion of their proposal development costs. The department shall retain the right to use ideas from unsuccessful firms that accept a stipend.

(8)~~(7)~~(a) If the head of the department determines that it is in the best interests of the public, the department may combine the design and construction phases of a building, a major bridge, a limited access facility, or a rail corridor project into a single contract. Such contract is referred to as a design-build contract. *The department's goal shall be to procure up to 25 percent of the construction contracts which add capacity in the 5-year adopted work program as design-build contracts by July 1, 2013.* Design-build contracts may be advertised and awarded notwithstanding the requirements of paragraph (3)(c). However, construction activities may not begin on any portion of such projects for which the department has not yet obtained title to the necessary rights-of-way and easements for the construction of that portion of the project has vested in the state or a local governmental entity and all railroad crossing and utility agreements have been executed. Title to rights-of-way shall be deemed to have vested in the state when the title has been dedicated to the public or acquired by prescription.

(b) The department shall adopt by rule procedures for administering design-build contracts. Such procedures shall include, but not be limited to:

1. Prequalification requirements.

2. Public announcement procedures.

3. Scope of service requirements.

4. Letters of interest requirements.

5. Short-listing criteria and procedures.

6. Bid proposal requirements.

7. Technical review committee.

8. Selection and award processes.

9. Stipend requirements.

Section 18. Subsection (7) of section 337.14, Florida Statutes, is amended to read:

337.14 Application for qualification; certificate of qualification; restrictions; request for hearing.—

(7) No "contractor" as defined in s. 337.165(1)(d) or his or her "affiliate" as defined in s. 337.165(1)(a) qualified with the department under this section may also qualify under s. 287.055 or s. 337.105 to provide testing services, construction, engineering, and inspection services to the department. This limitation shall not apply to any design-build prequalification under s. 337.11*(8)*~~(7)~~.

Section 19. Paragraph (a) of subsection (2) of section 337.16, Florida Statutes, is amended to read:

337.16 Disqualification of delinquent contractors from bidding; determination of contractor nonresponsibility; denial, suspension, and revocation of certificates of qualification; grounds; hearing.—

(2) For reasons other than delinquency in progress, the department, for good cause, may determine any contractor not having a certificate of qualification nonresponsible for a specified period of time or may deny, suspend, or revoke any certificate of qualification. Good cause includes, but is not limited to, circumstances in which a contractor or the contractor's official representative:

(a) Makes or submits to the department false, deceptive, or fraudulent statements or materials in any bid proposal to the department, any application for a certificate of qualification, any certification of payment pursuant to s. 337.11*(11)*~~(10)~~, or any administrative or judicial proceeding;

Section 20. Paragraph (b) of subsection (1) of section 337.18 is amended to read:

337.18 Surety bonds for construction or maintenance contracts; requirement with respect to contract award; bond requirements; defaults; damage assessments.—

(1)

(b) *Prior to beginning any work under the contract, the contractor shall maintain a copy of the payment and performance bond required under this section at its principal place of business and at the jobsite office, if one is established, and the contractor shall provide a copy of the payment and performance bond within 5 days after receipt of any written request therefor. A copy of the payment and performance bond required under this section may also be obtained directly from the department via a request made pursuant to chapter 119.* ~~Upon execution of the contract, and prior to beginning any work under the contract, the contractor shall record in the public records of the county where the improvement is located the payment and performance bond required under this section.~~ A claimant shall have a right of action against the contractor and surety for the amount due him or her, including unpaid finance charges due under the claimant's contract. Such action shall not involve the department in any expense.

Section 21. Subsections (1), (2), and (7) of section 337.185, Florida Statutes, are amended to read:

337.185 State Arbitration Board.—

(1) To facilitate the prompt settlement of claims for additional compensation arising out of construction *and maintenance* contracts between the department and the various contractors with whom it transacts business, the Legislature does hereby establish the State Arbitration Board, referred to in this section as the "board." For the purpose of this section, "claim" shall mean the aggregate of all outstanding claims by a party arising out of a construction *or maintenance* contract. Every contractual claim in an amount up to $250,000 per contract or, at the claimant's option, up to $500,000 per contract or, upon agreement of the parties, up to $1 million per contract that cannot be resolved by negotiation between the department and the contractor shall be arbitrated by the board after acceptance of the project by the department. As an exception, either party to the dispute may request that the claim be submitted to binding private arbitration. A court of law may not consider the settlement of such a claim until the process established by this section has been exhausted.

(2) The board shall be composed of three members. One member shall be appointed by the head of the department, and one member shall be elected by those construction *or maintenance* companies who are under contract with the department. The third member shall be chosen by agreement of the other two members. Whenever the third member

has a conflict of interest regarding affiliation with one of the parties, the other two members shall select an alternate member for that hearing. The head of the department may select an alternative or substitute to serve as the department member for any hearing or term. Each member shall serve a 2-year term. The board shall elect a chair, each term, who shall be the administrator of the board and custodian of its records.

(7) The members of the board may receive compensation for the performance of their duties hereunder, from administrative fees received by the board, except that no employee of the department may receive compensation from the board. The compensation amount shall be determined by the board, but shall not exceed $125 per hour, up to a maximum of $1,000 per day for each member authorized to receive compensation. Nothing in this section shall prevent the member elected by construction *or maintenance* companies from being an employee of an association affiliated with the industry, even if the sole responsibility of that member is service on the board. Travel expenses for the industry member may be paid by an industry association, if necessary. The board may allocate funds annually for clerical and other administrative services.

Section 22. Subsection (1) of section 337.403, Florida Statutes, is amended to read:

337.403 Relocation of utility; expenses.—

(1) Any utility heretofore or hereafter placed upon, under, over, or along any public road or publicly owned rail corridor that is found by the authority to be unreasonably interfering in any way with the convenient, safe, or continuous use, or the maintenance, improvement, extension, or expansion, of such public road or publicly owned rail corridor shall, upon 30 days' written notice to the utility or its agent by the authority, be removed or relocated by such utility at its own expense except as provided in paragraphs *(a)-(f)* ~~(a), (b), and (c)~~.

(a) If the relocation of utility facilities, as referred to in s. 111 of the Federal-Aid Highway Act of 1956, Pub. L. No. 627 of the 84th Congress, is necessitated by the construction of a project on the federal-aid interstate system, including extensions thereof within urban areas, and the cost of such project is eligible and approved for reimbursement by the Federal Government to the extent of 90 percent or more under the Federal Aid Highway Act, or any amendment thereof, then in that event the utility owning or operating such facilities shall relocate such facilities upon order of the department, and the state shall pay the entire expense properly attributable to such relocation after deducting therefrom any increase in the value of the new facility and any salvage value derived from the old facility.

(b) When a joint agreement between the department and the utility is executed for utility improvement, relocation, or removal work to be accomplished as part of a contract for construction of a transportation facility, the department may participate in those utility improvement, relocation, or removal costs that exceed the department's official estimate of the cost of such work by more than 10 percent. The amount of such participation shall be limited to the difference between the official estimate of all the work in the joint agreement plus 10 percent and the amount awarded for this work in the construction contract for such work. The department may not participate in any utility improvement, relocation, or removal costs that occur as a result of changes or additions during the course of the contract.

(c) When an agreement between the department and utility is executed for utility improvement, relocation, or removal work to be accomplished in advance of a contract for construction of a transportation facility, the department may participate in the cost of clearing and grubbing necessary to perform such work.

(d) If the utility facility being removed or relocated was initially installed to exclusively serve the department, its tenants, or both the department and its tenants, the department shall bear the costs of removal or relocation of that utility facility. The department shall not be responsible, however, for bearing the cost of removal or relocation of any subsequent additions to that facility for the purpose of serving others.

(e) If, pursuant to an agreement between a utility and the authority entered into after the effective date of this subsection, the utility conveys, subordinates, or relinquishes a compensable property right to the authority for the purpose of accommodating the acquisition or use of the right-of-way by the authority, without the agreement expressly addressing future responsibility for cost of removal or relocation of the utility, then the authority shall bear the cost of such removal or relocation. Nothing in this paragraph is intended to impair or restrict, or be used to interpret, the terms of any such agreement entered into prior to the effective date of this paragraph.

(f) If the utility is an electric facility being relocated underground in order to enhance vehicular, bicycle, and pedestrian safety and in which ownership of the electric facility to be placed underground has been transferred from a private to a public utility within the past 5 years, the department shall incur all costs of the relocation.

Section 23. Subsections (4) and (5) of section 337.408, Florida Statutes, are amended, subsection (7) is renumbered as subsection (8), and a new subsection (7) is added to that section, to read:

337.408 Regulation of benches, transit shelters, street light poles, waste disposal receptacles, and modular news racks within rights-of-way.—

(4) The department has the authority to direct the immediate relocation or removal of any bench, transit shelter, waste disposal receptacle, *public pay telephone,* or modular news rack which endangers life or property, except that transit bus benches which have been placed in service prior to April 1, 1992, are not required to comply with bench size and advertising display size requirements which have been established by the department prior to March 1, 1992. Any transit bus bench that was in service prior to April 1, 1992, may be replaced with a bus bench of the same size or smaller, if the bench is damaged or destroyed or otherwise becomes unusable. The department is authorized to adopt rules relating to the regulation of bench size and advertising display size requirements. If a municipality or county within which a bench is to be located has adopted an ordinance or other applicable regulation that establishes bench size or advertising display sign requirements different from requirements specified in department rule, the local government requirement shall be applicable within the respective municipality or county. Placement of any bench or advertising display on the National Highway System under a local ordinance or regulation adopted pursuant to this subsection shall be subject to approval of the Federal Highway Administration.

(5) No bench, transit shelter, waste disposal receptacle, *public pay telephone,* or modular news rack, or advertising thereon, shall be erected or so placed on the right-of-way of any road which conflicts with the requirements of federal law, regulations, or safety standards, thereby causing the state or any political subdivision the loss of federal funds. Competition among persons seeking to provide bench, transit shelter, waste disposal receptacle, or modular news rack services or advertising on such benches, shelters, receptacles, or news racks may be regulated, restricted, or denied by the appropriate local government entity consistent with the provisions of this section.

(7) Public pay telephones, including advertising displayed thereon, may be installed within the right-of-way limits of any municipal, county, or state road, except on a limited access highway, provided that such pay telephones are installed by a provider duly authorized and regulated by the Public Service Commission pursuant to s. 364.3375, that such pay telephones are operated in accordance with all applicable state and federal telecommunications regulations, and that written authorization has been given to a public pay telephone provider by the appropriate municipal or county government. Each advertisement shall be limited to a size no greater than 8 square feet and no public pay telephone booth shall display more than 3 such advertisements at any given time. No advertisements shall be allowed on public pay telephones located in rest areas, welcome centers, and other such facilities located on an interstate highway.

Section 24. Subsection (6) is added to section 338.01, Florida Statutes, to read:

338.01 Authority to establish and regulate limited access facilities.—

(6) All new limited access facilities and existing transportation facilities on which new or replacement electronic toll collection systems are installed shall be interoperable with the department's electronic toll collection system.

Section 25. Present subsections (7) and (8) of section 338.165, Florida Statutes, are redesignated as subsections (8) and (9), respectively, and a new subsection (7) is added to that section, to read:

338.165 Continuation of tolls.—

(7) This section does not apply to high-occupancy toll lanes or express lanes.

Section 26. Section 338.166, Florida Statutes, is created to read:

338.166 High-occupancy toll lanes or express lanes.—

(1) Under s. 11, Art. VII of the State Constitution, the department may request the Division of Bond Finance to issue bonds secured by toll revenues collected on high-occupancy toll lanes or express lanes located on Interstate 95 in Miami-Dade and Broward Counties.

(2) The department may continue to collect the toll on the high-occupancy toll lanes or express lanes after the discharge of any bond indebtedness related to such project. All tolls so collected shall first be used to pay the annual cost of the operation, maintenance, and improvement of the high-occupancy toll lanes or express lanes project or associated transportation system.

(3) Any remaining toll revenue from the high-occupancy toll lanes or express lanes shall be used by the department for the construction, maintenance, or improvement of any road on the State Highway System.

(4) The department is authorized to implement variable rate tolls on high-occupancy toll lanes or express lanes.

(5) Except for high-occupancy toll lanes or express lanes, tolls may not be charged for use of an interstate highway where tolls were not charged as of July 1, 1997.

(6) This section does not apply to the turnpike system as defined under the Florida Turnpike Enterprise Law.

Section 27. Paragraphs (d) and (e) are added to subsection (1) of section 338.2216, Florida Statutes, to read:

338.2216 Florida Turnpike Enterprise; powers and authority.—

(1)

(d) The Florida Turnpike Enterprise is directed to pursue and implement new technologies and processes in its operations and collection of tolls and the collection of other amounts associated with road and infrastructure usage. Such technologies and processes shall include, without limitation, video billing and variable pricing.

(e)1. The Florida Turnpike Enterprise shall not under any circumstances contract with any vendor for the retail sale of fuel along the Florida Turnpike if such contract is negotiated or bid together with any other contract, including, but not limited to, the retail sale of food, maintenance services, or construction, with the exception that any contract for the retail sale of fuel along the Florida Turnpike shall be bid and contracted together with the retail sale of food at any convenience store attached to the fuel station.

2. All contracts related to service plazas, including, but not limited to, the sale of fuel, the retail sale of food, maintenance services, or construction, except for services provided as defined in s. 287.055(2)(a), awarded by the Florida Turnpike Enterprise shall be procured through individual competitive solicitations and awarded to the most cost-effective responder. This paragraph does not prohibit the award of more than one individual contract to a single vendor if he or she submits the most cost-effective response.

Section 28. Paragraph (b) of subsection (1) of section 338.223, Florida Statutes, is amended to read:

338.223 Proposed turnpike projects.—

(1)

(b) Any proposed turnpike project or improvement shall be developed in accordance with the Florida Transportation Plan and the work program pursuant to s. 339.135. Turnpike projects that add capacity, alter access, affect feeder roads, or affect the operation of the local transportation system shall be included in the transportation improvement plan of the affected metropolitan planning organization. If such turnpike project does not fall within the jurisdiction of a metropolitan planning organization, the department shall notify the affected county and provide for public hearings in accordance with s. 339.155*(5)*~~(6)~~(c).

Section 29. Section 338.231, Florida Statutes, is amended to read:

338.231 Turnpike tolls, fixing; pledge of tolls and other revenues.—The department shall at all times fix, adjust, charge, and collect such tolls *and amounts* for the use of the turnpike system as are required in order to provide a fund sufficient with other revenues of the turnpike system to pay the cost of maintaining, improving, repairing, and operating such turnpike system; to pay the principal of and interest on all bonds issued to finance or refinance any portion of the turnpike system as the same become due and payable; and to create reserves for all such purposes.

~~(1) In the process of effectuating toll rate increases over the period 1988 through 1992, the department shall, to the maximum extent feasible, equalize the toll structure, within each vehicle classification, so that the per mile toll rate will be approximately the same throughout the turnpike system. New turnpike projects may have toll rates higher than the uniform system rate where such higher toll rates are necessary to qualify the project in accordance with the financial criteria in the turnpike law. Such higher rates may be reduced to the uniform system rate when the project is generating sufficient revenues to pay the full amount of debt service and operating and maintenance costs at the uniform system rate. If, after 15 years of opening to traffic, the annual revenue of a turnpike project does not meet or exceed the annual debt service requirements and operating and maintenance costs attributable to such project, the department shall, to the maximum extent feasible, establish a toll rate for the project which is higher than the uniform system rate as necessary to meet such annual debt service requirements and operating and maintenance costs. The department may, to the extent feasible, establish a temporary toll rate at less than the uniform system rate for the purpose of building patronage for the ultimate benefit of the turnpike system. In no case shall the temporary rate be established for more than 1 year. The requirements of this subsection shall not apply when the application of such requirements would violate any covenant established in a resolution or trust indenture relating to the issuance of turnpike bonds.~~

(1)~~(2)~~ Notwithstanding any other provision of law, the department may defer the scheduled July 1, 1993, toll rate increase on the Homestead Extension of the Florida Turnpike until July 1, 1995. The department may also advance funds to the Turnpike General Reserve Trust Fund to replace estimated lost revenues resulting from this deferral. The amount advanced must be repaid within 12 years from the date of advance; however, the repayment is subordinate to all other debt financing of the turnpike system outstanding at the time repayment is due.

(2)~~(3)~~ The department shall publish a proposed change in the toll rate for the use of an existing toll facility, in the manner provided for in s. 120.54, which will provide for public notice and the opportunity for a public hearing before the adoption of the proposed rate change. When the department is evaluating a proposed turnpike toll project under s. 338.223 and has determined that there is a high probability that the project will pass the test of economic feasibility predicated on proposed toll rates, the toll rate that is proposed to be charged after the project is constructed must be adopted during the planning and project development phase of the project, in the manner provided for in s. 120.54, including public notice and the opportunity for a public hearing. For such a new project, the toll rate becomes effective upon the opening of the project to traffic.

(3)(a)~~(4)~~ For the period July 1, 1998, through June 30, 2017, the department shall, to the maximum extent feasible, program sufficient funds in the tentative work program such that the percentage of turnpike toll and bond financed commitments in Dade County, Broward County, and Palm Beach County as compared to total turnpike toll and bond financed commitments shall be at least 90 percent of the share of net toll collections attributable to users of the turnpike system in Dade County, Broward County, and Palm Beach County as compared to total net toll collections attributable to users of the turnpike system. The requirements of this subsection do not apply when the application of such requirements would violate any covenant established in a resolution or trust indenture relating to the issuance of turnpike bonds. *The*

department at any time for economic considerations may establish lower temporary toll rates for a new or existing toll facility for a period not to exceed 1 year, after which the toll rates promulgated under s. 120.54 shall become effective.

(b) The department shall also fix, adjust, charge, and collect such amounts needed to cover the costs of administering the different toll collection and payment methods and types of accounts being offered and utilized, in the manner provided for in s. 120.54, which will provide for public notice and the opportunity for a public hearing before adoption. Such amounts may stand alone, or be incorporated in a toll rate structure, or be a combination thereof.

(4)~~(5)~~ When bonds are outstanding which have been issued to finance or refinance any turnpike project, the tolls and all other revenues derived from the turnpike system and pledged to such bonds shall be set aside as may be provided in the resolution authorizing the issuance of such bonds or the trust agreement securing the same. The tolls or other revenues or other moneys so pledged and thereafter received by the department are immediately subject to the lien of such pledge without any physical delivery thereof or further act. The lien of any such pledge is valid and binding as against all parties having claims of any kind in tort or contract or otherwise against the department irrespective of whether such parties have notice thereof. Neither the resolution nor any trust agreement by which a pledge is created need be filed or recorded except in the records of the department.

(5)~~(6)~~ In each fiscal year while any of the bonds of the Broward County Expressway Authority series 1984 and series 1986-A remain outstanding, the department is authorized to pledge revenues from the turnpike system to the payment of principal and interest of such series of bonds and the operation and maintenance expenses of the Sawgrass Expressway, to the extent gross toll revenues of the Sawgrass Expressway are insufficient to make such payments. The terms of an agreement relative to the pledge of turnpike system revenue will be negotiated with the parties of the 1984 and 1986 Broward County Expressway Authority lease-purchase agreements, and subject to the covenants of those agreements. The agreement shall establish that the Sawgrass Expressway shall be subject to the planning, management, and operating control of the department limited only by the terms of the lease-purchase agreements. The department shall provide for the payment of operation and maintenance expenses of the Sawgrass Expressway until such agreement is in effect. This pledge of turnpike system revenues shall be subordinate to the debt service requirements of any future issue of turnpike bonds, the payment of turnpike system operation and maintenance expenses, and subject to provisions of any subsequent resolution or trust indenture relating to the issuance of such turnpike bonds.

(6)~~(7)~~ The use and disposition of revenues pledged to bonds are subject to the provisions of ss. 338.22-338.241 and such regulations as the resolution authorizing the issuance of such bonds or such trust agreement may provide.

Section 30. Subsection (4) of section 339.12, Florida Statutes, is amended to read:

339.12 Aid and contributions by governmental entities for department projects; federal aid.—

(4)(a) Prior to accepting the contribution of road bond proceeds, time warrants, or cash for which reimbursement is sought, the department shall enter into agreements with the governing body of the governmental entity for the project or project phases in accordance with specifications agreed upon between the department and the governing body of the governmental entity. The department in no instance is to receive from such governmental entity an amount in excess of the actual cost of the project or project phase. By specific provision in the written agreement between the department and the governing body of the governmental entity, the department may agree to reimburse the governmental entity for the actual amount of the bond proceeds, time warrants, or cash used on a highway project or project phases that are not revenue producing and are contained in the department's adopted work program, or any public transportation project contained in the adopted work program. Subject to appropriation of funds by the Legislature, the department may commit state funds for reimbursement of such projects or project phases. Reimbursement to the governmental entity for such a project or project phase must be made from funds appropriated by the Legislature, and reimbursement for the cost of the project or project phase is to begin in the year the project or project phase is scheduled in the work program as of the date of the agreement. Funds advanced pursuant to this section, which were originally designated for transportation purposes and so reimbursed to a county or municipality, shall be used by the county or municipality for any transportation expenditure authorized under s. 336.025(7). Also, cities and counties may receive funds from persons, and reimburse those persons, for the purposes of this section. Such persons may include, but are not limited to, those persons defined in s. 607.01401(19).

(b) Prior to entering an agreement to advance a project or project phase pursuant to this subsection and subsection (5), the department shall first update the estimated cost of the project or project phase and certify that the estimate is accurate and consistent with the amount estimated in the adopted work program. If the original estimate and the updated estimate vary, the department shall amend the adopted work program according to the amendatory procedures for the work program set forth in s. 339.135(7). The amendment shall reflect all corresponding increases and decreases to the affected projects within the adopted work program.

(c) The department may enter into agreements under this subsection for a project or project phase not included in the adopted work program. As used in this paragraph, the term "project phase" means acquisition of rights-of-way, construction, construction inspection, and related support phases. The project or project phase must be a high priority of the governmental entity. Reimbursement for a project or project phase must be made from funds appropriated by the Legislature pursuant to s. 339.135(5). All other provisions of this subsection apply to agreements entered into under this paragraph. The total amount of project agreements for projects or project phases not included in the adopted work program *authorized by this paragraph* may not at any time exceed *$250* ~~$100~~ million. However, notwithstanding such *$250* ~~$100~~ million limit and any similar limit in s. 334.30, project advances for any inland county with a population greater than 500,000 dedicating amounts equal to $500 million or more of its Local Government Infrastructure Surtax pursuant to s. 212.055(2) for improvements to the State Highway System which are included in the local metropolitan planning organization's or the department's long-range transportation plans shall be excluded from the calculation of the statewide limit of project advances.

(d) The department may enter into agreements under this subsection with any county that has a population of 150,000 or less as determined by the most recent official estimate pursuant to s. 186.901 for a project or project phase not included in the adopted work program. As used in this paragraph, the term "project phase" means acquisition of rights-of-way, construction, construction inspection, and related support phases. The project or project phase must be a high priority of the governmental entity. Reimbursement for a project or project phase must be made from funds appropriated by the Legislature pursuant to s. 339.135(5). All other provisions of this subsection apply to agreements entered into under this paragraph. The total amount of project agreements for projects or project phases not included in the adopted work program authorized by this paragraph may not at any time exceed $200 million. The project must be included in the local government's adopted comprehensive plan. The department is authorized to enter into long-term repayment agreements of up to 30 years.

Section 31. Paragraph (d) of subsection (7) of section 339.135, Florida Statutes, is amended to read:

339.135 Work program; legislative budget request; definitions; preparation, adoption, execution, and amendment.—

(7) AMENDMENT OF THE ADOPTED WORK PROGRAM.—

(d)1. *Whenever the department proposes any amendment to the adopted work program, as defined in subparagraph (c)1. or subparagraph (c)3., which deletes or defers a construction phase on a capacity project, it shall notify each county affected by the amendment and each municipality within the county. The notification shall be issued in writing to the chief elected official of each affected county, each municipality within the county, and the chair of each affected metropolitan planning organization. Each affected county and each municipality in the county, is encouraged to coordinate with each other to determine how the amendment effects local concurrency management and regional transportation planning efforts. Each affected county, and each municipality within the county, shall have 14 days to provide written comments to the department*

regarding how the amendment will effect its respective concurrency management systems, including whether any development permits were issued contingent upon the capacity improvement, if applicable. After receipt of written comments from the affected local governments, the department shall include any written comments submitted by such local governments in its preparation of the proposed amendment.

2. Following the 14-day comment period in subparagraph 1., if applicable, whenever the department proposes any amendment to the adopted work program, which amendment is defined in subparagraph (c)1., subparagraph (c)2., subparagraph (c)3., or subparagraph (c)4., it shall submit the proposed amendment to the Governor for approval and shall immediately notify the chairs of the legislative appropriations committees, the chairs of the legislative transportation committees, *and* each member of the Legislature who represents a district affected by the proposed amendment*. It shall also notify*~~,~~ each metropolitan planning organization affected by the proposed amendment, and each unit of local government affected by the proposed amendment*, unless it provided to each the notification required by subparagraph 1.* Such proposed amendment shall provide a complete justification of the need for the proposed amendment.

3.~~2.~~ The Governor shall not approve a proposed amendment until 14 days following the notification required in subparagraph *2.* ~~1.~~

4.~~3.~~ If either of the chairs of the legislative appropriations committees or the President of the Senate or the Speaker of the House of Representatives objects in writing to a proposed amendment within 14 days following notification and specifies the reasons for such objection, the Governor shall disapprove the proposed amendment.

Section 32. Section 339.155, Florida Statutes, is amended to read:

339.155 Transportation planning.—

(1) THE FLORIDA TRANSPORTATION PLAN.—The department shall develop ~~and annually update~~ a statewide transportation plan, to be known as the Florida Transportation Plan. The plan shall be designed so as to be easily read and understood by the general public. The purpose of the Florida Transportation Plan is to establish and define the state's long-range transportation goals and objectives to be accomplished over a period of at least 20 years within the context of the State Comprehensive Plan, and any other statutory mandates and authorizations and based upon the prevailing principles of: preserving the existing transportation infrastructure; enhancing Florida's economic competitiveness; and improving travel choices to ensure mobility. The Florida Transportation Plan shall consider the needs of the entire state transportation system and examine the use of all modes of transportation to effectively and efficiently meet such needs.

(2) SCOPE OF PLANNING PROCESS.—The department shall carry out a transportation planning process in conformance with s. 334.046(1). ~~which provides for consideration of projects and strategies that will:~~

~~(a) Support the economic vitality of the United States, Florida, and the metropolitan areas, especially by enabling global competitiveness, productivity, and efficiency;~~

~~(b) Increase the safety and security of the transportation system for motorized and nonmotorized users;~~

~~(c) Increase the accessibility and mobility options available to people and for freight;~~

~~(d) Protect and enhance the environment, promote energy conservation, and improve quality of life;~~

~~(e) Enhance the integration and connectivity of the transportation system, across and between modes throughout Florida, for people and freight;~~

~~(f) Promote efficient system management and operation; and~~

~~(g) Emphasize the preservation of the existing transportation system.~~

(3) FORMAT, SCHEDULE, AND REVIEW.—The Florida Transportation Plan shall be a unified, concise planning document that clearly defines the state's long-range transportation goals and objectives ~~and documents the department's short-range objectives developed to further such goals and objectives~~ . The plan shall*:*

(a) Include a glossary that clearly and succinctly defines any and all phrases, words, or terms of art included in the plan, with which the general public may be unfamiliar. ~~and shall consist of, at a minimum, the following components:~~

(b)~~(a)~~ *Document* ~~A long-range component documenting~~ the goals and long-term objectives necessary to implement the results of the department's findings from its examination of the *prevailing principles and* criteria *provided under* ~~listed in~~ subsection (2) and s. 334.046(1). ~~The long-range component must~~

(c) Be developed in cooperation with the metropolitan planning organizations and reconciled, to the maximum extent feasible, with the long-range plans developed by metropolitan planning organizations pursuant to s. 339.175. ~~The plan must also~~

(d) Be developed in consultation with affected local officials in nonmetropolitan areas and with any affected Indian tribal governments. ~~The plan must~~

(e) Provide an examination of transportation issues likely to arise during at least a 20-year period. ~~The long-range component shall~~

(f) Be updated at least once every 5 years, or more often as necessary, to reflect substantive changes to federal or state law.

~~(b) A short-range component documenting the short-term objectives and strategies necessary to implement the goals and long-term objectives contained in the long-range component. The short-range component must define the relationship between the long-range goals and the short-range objectives, specify those objectives against which the department's achievement of such goals will be measured, and identify transportation strategies necessary to efficiently achieve the goals and objectives in the plan. It must provide a policy framework within which the department's legislative budget request, the strategic information resource management plan, and the work program are developed. The short-range component shall serve as the department's annual agency strategic plan pursuant to s. 186.021. The short-range component shall be developed consistent with available and forecasted state and federal funds. The short-range component shall also be submitted to the Florida Transportation Commission.~~

~~(4) ANNUAL PERFORMANCE REPORT.—The department shall develop an annual performance report evaluating the operation of the department for the preceding fiscal year. The report shall also include a summary of the financial operations of the department and shall annually evaluate how well the adopted work program meets the short-term objectives contained in the short-range component of the Florida Transportation Plan. This performance report shall be submitted to the Florida Transportation Commission and the legislative appropriations and transportation committees.~~

(4)~~(5)~~ ADDITIONAL TRANSPORTATION PLANS.—

(a) Upon request by local governmental entities, the department may in its discretion develop and design transportation corridors, arterial and collector streets, vehicular parking areas, and other support facilities which are consistent with the plans of the department for major transportation facilities. The department may render to local governmental entities or their planning agencies such technical assistance and services as are necessary so that local plans and facilities are coordinated with the plans and facilities of the department.

(b) Each regional planning council, as provided for in s. 186.504, or any successor agency thereto, shall develop, as an element of its strategic regional policy plan, transportation goals and policies. The transportation goals and policies must be prioritized to comply with the prevailing principles provided in subsection (2) and s. 334.046(1). The transportation goals and policies shall be consistent, to the maximum extent feasible, with the goals and policies of the metropolitan planning organization and the Florida Transportation Plan. The transportation goals and policies of the regional planning council will be advisory only and shall be submitted to the department and any affected metropolitan planning organization for their consideration and comments. Metropolitan planning organization plans and other local transportation plans

shall be developed consistent, to the maximum extent feasible, with the regional transportation goals and policies. The regional planning council shall review urbanized area transportation plans and any other planning products stipulated in s. 339.175 and provide the department and respective metropolitan planning organizations with written recommendations which the department and the metropolitan planning organizations shall take under advisement. Further, the regional planning councils shall directly assist local governments which are not part of a metropolitan area transportation planning process in the development of the transportation element of their comprehensive plans as required by s. 163.3177.

(c) Regional transportation plans may be developed in regional transportation areas in accordance with an interlocal agreement entered into pursuant to s. 163.01 by two or more contiguous metropolitan planning organizations; one or more metropolitan planning organizations and one or more contiguous counties, none of which is a member of a metropolitan planning organization; a multicounty regional transportation authority created by or pursuant to law; two or more contiguous counties that are not members of a metropolitan planning organization; or metropolitan planning organizations comprised of three or more counties.

(d) The interlocal agreement must, at a minimum, identify the entity that will coordinate the development of the regional transportation plan; delineate the boundaries of the regional transportation area; provide the duration of the agreement and specify how the agreement may be terminated, modified, or rescinded; describe the process by which the regional transportation plan will be developed; and provide how members of the entity will resolve disagreements regarding interpretation of the interlocal agreement or disputes relating to the development or content of the regional transportation plan. Such interlocal agreement shall become effective upon its recordation in the official public records of each county in the regional transportation area.

(e) The regional transportation plan developed pursuant to this section must, at a minimum, identify regionally significant transportation facilities located within a regional transportation area and contain a prioritized list of regionally significant projects. The level-of-service standards for facilities to be funded under this subsection shall be adopted by the appropriate local government in accordance with s. 163.3180(10). The projects shall be adopted into the capital improvements schedule of the local government comprehensive plan pursuant to s. 163.3177(3).

(5)~~(6)~~ PROCEDURES FOR PUBLIC PARTICIPATION IN TRANSPORTATION PLANNING.—

(a) During the development of the ~~long-range component of the~~ Florida Transportation Plan and prior to substantive revisions, the department shall provide citizens, affected public agencies, representatives of transportation agency employees, other affected employee representatives, private providers of transportation, and other known interested parties with an opportunity to comment on the proposed plan or revisions. These opportunities shall include, at a minimum, publishing a notice in the Florida Administrative Weekly and within a newspaper of general circulation within the area of each department district office.

(b) During development of major transportation improvements, such as those increasing the capacity of a facility through the addition of new lanes or providing new access to a limited or controlled access facility or construction of a facility in a new location, the department shall hold one or more hearings prior to the selection of the facility to be provided; prior to the selection of the site or corridor of the proposed facility; and prior to the selection of and commitment to a specific design proposal for the proposed facility. Such public hearings shall be conducted so as to provide an opportunity for effective participation by interested persons in the process of transportation planning and site and route selection and in the specific location and design of transportation facilities. The various factors involved in the decision or decisions and any alternative proposals shall be clearly presented so that the persons attending the hearing may present their views relating to the decision or decisions which will be made.

(c) Opportunity for design hearings:

1. The department, prior to holding a design hearing, shall duly notify all affected property owners of record, as recorded in the property appraiser's office, by mail at least 20 days prior to the date set for the hearing. The affected property owners shall be:

a. Those whose property lies in whole or in part within 300 feet on either side of the centerline of the proposed facility.

b. Those whom the department determines will be substantially affected environmentally, economically, socially, or safetywise.

2. For each subsequent hearing, the department shall publish notice prior to the hearing date in a newspaper of general circulation for the area affected. These notices must be published twice, with the first notice appearing at least 15 days, but no later than 30 days, before the hearing.

3. A copy of the notice of opportunity for the hearing must be furnished to the United States Department of Transportation and to the appropriate departments of the state government at the time of publication.

4. The opportunity for another hearing shall be afforded in any case when proposed locations or designs are so changed from those presented in the notices specified above or at a hearing as to have a substantially different social, economic, or environmental effect.

5. The opportunity for a hearing shall be afforded in each case in which the department is in doubt as to whether a hearing is required.

Section 33. Subsection (3) and paragraphs (b) and (c) of subsection (4) of section 339.2816, Florida Statutes, are amended to read:

339.2816 Small County Road Assistance Program.—

(3) Beginning with fiscal year 1999-2000 until fiscal year 2009-2010*, and beginning again with fiscal year 2012-2013,* up to $25 million annually from the State Transportation Trust Fund may be used for the purposes of funding the Small County Road Assistance Program as described in this section.

(4)

(b) In determining a county's eligibility for assistance under this program, the department may consider whether the county has attempted to keep county roads in satisfactory condition, including the amount of local option fuel tax ~~and ad valorem millage rate~~ imposed by the county. The department may also consider the extent to which the county has offered to provide a match of local funds with state funds provided under the program. At a minimum, small counties shall be eligible only if~~:~~

~~1.~~ The county has enacted the maximum rate of the local option fuel tax authorized by s. 336.025(1)(a).~~, and has imposed an ad valorem millage rate of at least 8 mills; or~~

~~2. The county has imposed an ad valorem millage rate of 10 mills.~~

(c) The following criteria shall be used to prioritize road projects for funding under the program:

1. The primary criterion is the physical condition of the road as measured by the department.

2. As secondary criteria the department may consider:

a. Whether a road is used as an evacuation route.

b. Whether a road has high levels of agricultural travel.

c. Whether a road is considered a major arterial route.

d. Whether a road is considered a feeder road.

e. Whether a road is located in a fiscally constrained county, as defined in s. 218.67(1).

f.~~e.~~ Other criteria related to the impact of a project on the public road system or on the state or local economy as determined by the department.

Section 34. Subsections (1) and (3) of section 339.2819, Florida Statutes, are amended to read:

339.2819 Transportation Regional Incentive Program.—

(1) There is created within the Department of Transportation a Transportation Regional Incentive Program for the purpose of providing funds to improve regionally significant transportation facilities in regional transportation areas created pursuant to s. 339.155*(4)*~~(5)~~.

(3) The department shall allocate funding available for the Transportation Regional Incentive Program to the districts based on a factor derived from equal parts of population and motor fuel collections for eligible counties in regional transportation areas created pursuant to s. 339.155*(4)*~~(5)~~ .

Section 35. Subsection (6) of section 339.285, Florida Statutes, is amended to read:

339.285 Enhanced Bridge Program for Sustainable Transportation.—

(6) Preference shall be given to bridge projects located on corridors that connect to the Strategic Intermodal System, created under s. 339.64, and that have been identified as regionally significant in accordance with s. 339.155*(4)*~~(5)~~(c), (d), and (e).

Section 36. *Part III of chapter 343, Florida Statutes, consisting of sections 343.71, 343.72, 343.73, 343.74, 343.75, 343.76, and 343.77, is repealed.*

Section 37. Subsection (4) of section 348.0003, Florida Statutes, is amended to read:

348.0003 Expressway authority; formation; membership.—

(4)(a) An authority may employ an executive secretary, an executive director, its own counsel and legal staff, technical experts, and such engineers and employees, permanent or temporary, as it may require and shall determine the qualifications and fix the compensation of such persons, firms, or corporations. An authority may employ a fiscal agent or agents; however, the authority must solicit sealed proposals from at least three persons, firms, or corporations for the performance of any services as fiscal agents. An authority may delegate to one or more of its agents or employees such of its power as it deems necessary to carry out the purposes of the Florida Expressway Authority Act, subject always to the supervision and control of the authority. Members of an authority may be removed from office by the Governor for misconduct, malfeasance, misfeasance, or nonfeasance in office.

(b) Members of an authority are entitled to receive from the authority their travel and other necessary expenses incurred in connection with the business of the authority as provided in s. 112.061, but they may not draw salaries or other compensation.

(c) Members of *each expressway* ~~an~~ authority*, transportation authority, bridge authority, or toll authority, created pursuant to this chapter, chapter 343, or chapter 349, or pursuant to any other legislative enactment,* shall be required to comply with the applicable financial disclosure requirements of s. 8, Art. II of the State Constitution. *This subsection does not subject a statutorily created expressway authority, transportation authority, bridge authority, or toll authority, other than one created under this part, to any of the requirements of this part other than those contained in this subsection.*

Section 38. Paragraph (c) is added to subsection (1) of section 348.0004, Florida Statutes, to read:

348.0004 Purposes and powers.—

(1)

(c) Notwithstanding any other provision of law, expressway authorities created under parts I-X of chapter 348 may index toll rates on toll facilities to the annual Consumer Price Index or similar inflation indicators. Once a toll rate index has been implemented pursuant to this paragraph, the toll rate index shall remain in place and may not be revoked. Toll rate index for inflation under this subsection must be adopted and approved by the expressway authority board at a public meeting and may be made no more frequently than once a year and must be made no less frequently than once every 5 years as necessary to accommodate cash toll rate schedules. Toll rates may be increased beyond these limits as directed by bond documents, covenants, or governing body authorization or pursuant to department administrative rule.

Section 39. Subsection (1) of section 479.01, Florida Statutes, is amended to read:

479.01 Definitions.—As used in this chapter, the term:

(1) "Automatic changeable facing" means a facing *that* ~~which through a mechanical system~~ is capable of delivering two or more advertising messages *through an automated or remotely controlled process* ~~and shall not rotate so rapidly as to cause distraction to a motorist~~.

Section 40. Subsections (1), (5), and (9) of section 479.07, Florida Statutes, are amended to read:

479.07 Sign permits.—

(1) Except as provided in ss. 479.105(1)(e) and 479.16, a person may not erect, operate, use, or maintain, or cause to be erected, operated, used, or maintained, any sign on the State Highway System outside an *urban* ~~incorporated~~ area*, as defined in s. 334.03(32),* or on any portion of the interstate or federal-aid primary highway system without first obtaining a permit for the sign from the department and paying the annual fee as provided in this section. For purposes of this section, "on any portion of the State Highway System, interstate, or federal-aid primary system" shall mean a sign located within the controlled area which is visible from any portion of the main-traveled way of such system.

(5)(a) For each permit issued, the department shall furnish to the applicant a serially numbered permanent metal permit tag. The permittee is responsible for maintaining a valid permit tag on each permitted sign facing at all times. The tag shall be securely attached to the sign facing or, if there is no facing, on the pole nearest the highway; and it shall be attached in such a manner as to be plainly visible from the main-traveled way. *Effective July 1, 2011, the tag shall be securely attached to the upper 50 percent of the pole nearest the highway and shall be attached in such a manner as to be plainly visible from the main-traveled way.* The permit will become void unless the permit tag is properly and permanently displayed at the permitted site within 30 days after the date of permit issuance. If the permittee fails to erect a completed sign on the permitted site within 270 days after the date on which the permit was issued, the permit will be void, and the department may not issue a new permit to that permittee for the same location for 270 days after the date on which the permit became void.

(b) If a permit tag is lost, stolen, or destroyed, the permittee to whom the tag was issued *may* ~~must~~ apply to the department for a replacement tag. *The department shall establish by rule a service fee for replacement tags in an amount that will recover the actual cost of providing the replacement tag.* Upon receipt of the application accompanied by *the* ~~a~~ service fee ~~of $3~~, the department shall issue a replacement permit tag. *Alternatively, the permittee may provide its own replacement tag pursuant to department specifications which the department shall establish by rule at the time it establishes the service fee for replacement tags.*

(9)(a) A permit shall not be granted for any sign for which a permit had not been granted by the effective date of this act unless such sign is located at least:

1. One thousand five hundred feet from any other permitted sign on the same side of the highway, if on an interstate highway.

2. One thousand feet from any other permitted sign on the same side of the highway, if on a federal-aid primary highway.

The minimum spacing provided in this paragraph does not preclude the permitting of V-type, back-to-back, side-to-side, stacked, or double-faced signs at the permitted sign site. *If a sign is visible from the controlled area of more than one highway subject to the jurisdiction of the department, the sign shall meet the permitting requirements of, and, if the sign meets the applicable permitting requirements, be permitted to, the highway with the more stringent permitting requirements.*

(b) A permit shall not be granted for a sign pursuant to this chapter to locate such sign on any portion of the interstate or federal-aid primary highway system, which sign:

1. Exceeds 50 feet in sign structure height above the crown of the main-traveled way, if outside an incorporated area;

2. Exceeds 65 feet in sign structure height above the crown of the main-traveled way, if inside an incorporated area; or

3. Exceeds 950 square feet of sign facing including all embellishments.

(c) Notwithstanding subparagraph (a)1., there is established a pilot program in Orange*, Hillsborough,* and Osceola Counties*, and within the boundaries of the City of Miami,* under which the distance between permitted signs on the same side of an interstate highway may be reduced to 1,000 feet if all other requirements of this chapter are met and if:

1. The local government has adopted a plan, program, resolution, ordinance, or other policy encouraging the voluntary removal of signs in a downtown, historic, redevelopment, infill, or other designated area which also provides for a new or replacement sign to be erected on an interstate highway within that jurisdiction if a sign in the designated area is removed;

2. The sign owner and the local government mutually agree to the terms of the removal and replacement; and

3. The local government notifies the department of its intention to allow such removal and replacement as agreed upon pursuant to subparagraph 2.

The department shall maintain statistics tracking the use of the provisions of this pilot program based on the notifications received by the department from local governments under this paragraph.

Section 41. Section 479.08, Florida Statutes, is amended to read:

479.08 Denial or revocation of permit.—The department has the authority to deny or revoke any permit requested or granted under this chapter in any case in which it determines that the application for the permit contains knowingly false or *knowingly* misleading information*. The department has the authority to revoke any permit granted under this chapter in any case in which* ~~or that~~ the permittee has violated any of the provisions of this chapter, unless such permittee, within 30 days after the receipt of notice by the department, ~~corrects such false or misleading information and~~ complies with the provisions of this chapter. *For the purpose of this section, the notice of violation issued by the department shall describe in detail the alleged violation.* Any person aggrieved by any action of the department in denying or revoking a permit under this chapter may, within 30 days after receipt of the notice, apply to the department for an administrative hearing pursuant to chapter 120. If a timely request for hearing has been filed and the department issues a final order revoking a permit, such revocation shall be effective 30 days after the date of rendition. Except for department action pursuant to s. 479.107(1), the filing of a timely and proper notice of appeal shall operate to stay the revocation until the department's action is upheld.

Section 42. Section 479.156, Florida Statutes, is amended to read:

479.156 Wall murals.—Notwithstanding any other provision of this chapter, a municipality or county may permit and regulate wall murals within areas designated by such government. If a municipality or county permits wall murals, a wall mural that displays a commercial message and is within 660 feet of the nearest edge of the right-of-way within an area adjacent to the interstate highway system or the federal-aid primary highway system shall be located in an area that is zoned for industrial or commercial use and the municipality or county shall establish and enforce regulations for such areas that, at a minimum, set forth criteria governing the size, lighting, and spacing of wall murals consistent with the intent of the Highway Beautification Act of 1965 and with customary use. *Whenever a municipality or county exercises such control and makes a determination of customary use, pursuant to 23 U.S.C. s. 131(d), such determination shall be accepted in lieu of controls in the agreement between the state and the United States Department of Transportation, and the Department of Transportation shall notify the Federal Highway Administration pursuant to the agreement, 23 U.S.C. s. 131(d), and 23 C.F.R. s. 750.706(c).* A wall mural that is subject to municipal or county regulation and the Highway Beautification Act of 1965 must be approved by the Department of Transportation and the Federal Highway Administration *where required by federal law and federal regulation pursuant to* ~~and may not violate~~ the agreement between the state and the United States Department of Transportation *and* ~~or violate~~ federal regulations enforced by the Department of Transportation under s. 479.02(1). The existence of a wall mural as defined in s. 479.01(27) shall not be considered in determining whether a sign as defined in s. 479.01(17), either existing or new, is in compliance with s. 479.07(9)(a).

Section 43. Subsections (1), (3), (4), and (5) of section 479.261, Florida Statutes, are amended to read:

479.261 Logo sign program.—

(1) The department shall establish a logo sign program for the rights-of-way of the interstate highway system to provide information to motorists about available gas, food, lodging, ~~and~~ camping*, attractions, and other* services*, as approved by the Federal Highway Administration,* at interchanges~~,~~ through the use of business logos, and may include additional interchanges under the program. ~~A logo sign for nearby attractions may be added to this program if allowed by federal rules.~~

(a) An attraction as used in this chapter is defined as an establishment, site, facility, or landmark *that* ~~which~~ is open a minimum of 5 days a week for 52 weeks a year; *that* ~~which charges an admission for entry; which~~ has as its principal focus family-oriented entertainment, cultural, educational, recreational, scientific, or historical activities; and *that* ~~which~~ is publicly recognized as a bona fide tourist attraction. ~~However, the permits for businesses seeking to participate in the attractions logo sign program shall be awarded by the department annually to the highest bidders, notwithstanding the limitation on fees in subsection (5), which are qualified for available space at each qualified location, but the fees therefor may not be less than the fees established for logo participants in other logo categories.~~

(b) The department shall incorporate the use of RV-friendly markers on specific information logo signs for establishments that cater to the needs of persons driving recreational vehicles. Establishments that qualify for participation in the specific information logo program and that also qualify as "RV-friendly" may request the RV-friendly marker on their specific information logo sign. An RV-friendly marker must consist of a design approved by the Federal Highway Administration. The department shall adopt rules in accordance with chapter 120 to administer this paragraph, including rules setting forth the minimum requirements that establishments must meet in order to qualify as RV-friendly. These requirements shall include large parking spaces, entrances, and exits that can easily accommodate recreational vehicles and facilities having appropriate overhead clearances, if applicable.

(c) The department may implement a 3-year rotation-based logo program providing for the removal and addition of participating businesses in the program.

(3) Logo signs may be installed upon the issuance of an annual permit by the department or its agent and payment of *a* ~~an application and~~ permit fee to the department or its agent.

(4) The department may contract pursuant to s. 287.057 for the provision of services related to the logo sign program, including recruitment and qualification of businesses, review of applications, permit issuance, and fabrication, installation, and maintenance of logo signs. The department may reject all proposals and seek another request for proposals or otherwise perform the work. ~~If the department contracts for the provision of services for the logo sign program, the contract must require, unless the business owner declines, that businesses that previously entered into agreements with the department to privately fund logo sign construction and installation be reimbursed by the contractor for the cost of the signs which has not been recovered through a previously agreed upon waiver of fees.~~ The contract also may allow the contractor to retain a portion of the annual fees as compensation for its services.

(5) Permit fees for businesses that participate in the program must be established in an amount sufficient to offset the total cost to the department for the program, including contract costs. The department shall provide the services in the most efficient and cost-effective manner through department staff or by contracting for some or all of the services. *The department shall adopt rules that set reasonable rates based upon factors such as population, traffic volume, market demand, and costs for annual permit fees. However, annual permit fees for sign locations inside an urban area, as defined in s. 334.03(32), may not exceed $5,000 and annual permit fees for sign locations outside an urban area, as defined*

in s. 334.03(32), may not exceed $2,500. After recovering program costs, the proceeds from the logo program shall be deposited into the State Transportation Trust Fund and used for transportation purposes. ~~Such annual permit fee shall not exceed $1,250~~.

Section 44. *Business partnerships; display of names.—*

(1) School districts are encouraged to partner with local businesses for the purposes of mentorship opportunities, development of employment options and additional funding sources, and other mutual benefits.

(2) As a pilot program through June 30, 2011, the Palm Beach County School District may publicly display the names and recognitions of their business partners on school district property in unincorporated areas. Examples of appropriate business partner recognition include "Project Graduation" and athletic sponsorships. The district shall make every effort to display business partner names in a manner that is consistent with the county standards for uniformity in size, color, and placement of the signs. Whenever the provisions of this section are inconsistent with the provisions of the county ordinances or regulations relating to signs or the provisions of chapter 125, chapter 166, or chapter 479, Florida Statutes, in the unincorporated areas, the provisions of this section shall prevail.

Section 45. *Notwithstanding any provision of chapter 74-400, Laws of Florida, public funds may be used for the alteration of Old Cutler Road, between Southwest 136th Street and Southwest 184th Street, in the Village of Palmetto Bay.*

(1) The alteration may include the installation of sidewalks, curbing, and landscaping to enhance pedestrian access to the road.

(2) The official approval of the project by the Department of State must be obtained before any alteration is started.

Section 46. Subsection (1) of section 120.52, Florida Statutes, is amended to read:

120.52 Definitions.—As used in this act:

(1) "Agency" means:

(a) The Governor in the exercise of all executive powers other than those derived from the constitution.

(b) Each:

1. State officer and state department, and each departmental unit described in s. 20.04.

2. Authority, including a regional water supply authority.

3. Board, including the Board of Governors of the State University System and a state university board of trustees when acting pursuant to statutory authority derived from the Legislature.

4. Commission, including the Commission on Ethics and the Fish and Wildlife Conservation Commission when acting pursuant to statutory authority derived from the Legislature.

5. Regional planning agency.

6. Multicounty special district with a majority of its governing board comprised of nonelected persons.

7. Educational units.

8. Entity described in chapters 163, 373, 380, and 582 and s. 186.504.

(c) Each other unit of government in the state, including counties and municipalities, to the extent they are expressly made subject to this act by general or special law or existing judicial decisions.

This definition does not include any legal entity or agency created in whole or in part pursuant to chapter 361, part II, any metropolitan planning organization created pursuant to s. 339.175, any separate legal or administrative entity created pursuant to s. 339.175 of which a metropolitan planning organization is a member, an expressway authority pursuant to chapter 348 or *any* transportation authority under *chapter 343 or* chapter 349, any legal or administrative entity created by an interlocal agreement pursuant to s. 163.01(7), unless any party to such agreement is otherwise an agency as defined in this subsection, or any multicounty special district with a majority of its governing board comprised of elected persons; however, this definition shall include a regional water supply authority.

Section 47. *The Legislature directs the Department of Transportation to establish an approved transportation methodology which recognizes that a planned, sustainable development of regional impact will likely achieve an internal capture rate greater than 30 percent when fully developed. The transportation methodology must use a regional transportation model that incorporates professionally accepted modeling techniques applicable to well-planned, sustainable communities of the size, location, mix of uses, and design features consistent with such communities. The adopted transportation methodology shall serve as the basis for sustainable development traffic impact assessments by the department. The methodology review must be completed and in use by March 1, 2009.*

Section 48. Except as otherwise expressly provided in this act, this act shall take effect upon becoming a law.

And the title is amended as follows:

Remove line 5 and insert: corridor; amending s. 20.23, F.S.; providing for the salary and benefits of the executive director of the Florida Transportation Commission to be set in accordance with the Senior Management Service; amending s. 125.42, F.S.; providing for counties to incur certain costs related to relocation or removal of certain utility facilities under specified circumstances; amending s. 163.3177, F.S.; revising requirements for comprehensive plans; providing a timeframe for submission of certain information to the state land planning agency; providing for airports, land adjacent to airports, and certain interlocal agreements relating thereto in certain elements of the plan; amending s. 163.3178, F.S.; providing that certain port-related facilities are not developments of regional impact under certain circumstances; amending s. 163.3182, F.S., relating to transportation concurrency backlog authorities; providing legislative findings and declarations; expanding the power of authorities to borrow money to include issuing certain debt obligations; providing a maximum maturity date for certain debt incurred to finance or refinance certain transportation concurrency backlog projects; authorizing authorities to continue operations and administer certain trust funds for the period of the remaining outstanding debt; requiring local transportation concurrency backlog trust funds to continue to be funded for certain purposes; providing for increased ad valorem tax increment funding for such trust funds under certain circumstances; revising provisions for dissolution of an authority; amending s. 287.055, F.S.; conforming a cross-reference; amending s. 316.0741, F.S.; redefining the term "hybrid vehicle"; authorizing the driving of a hybrid, low-emission, or energy-efficient vehicle in a high-occupancy-vehicle lane regardless of occupancy; requiring certain vehicles to comply with specified federal standards to be driven in an HOV lane regardless of occupancy; revising provisions for issuance of a decal and certificate; providing for the Department of Highway Safety and Motor Vehicles to limit or discontinue issuance of decals for the use of HOV facilities by hybrid and low-emission and energy-efficient vehicles under certain circumstances; directing the department to review a specified federal rule and make a report to the Legislature; exempting certain vehicles from the payment of certain tolls; amending s. 316.193, F.S.; revising the prohibition against driving under the influence of alcohol; revising the blood-alcohol or breath-alcohol level at which certain penalties apply; revising requirement for placement of an ignition interlock device; amending s. 316.302, F.S.; revising references to rules, regulations, and criteria governing commercial motor vehicles engaged in intrastate commerce; providing that the department performs duties assigned to the Field Administrator of the Federal Motor Carrier Safety Administration under the federal rules and may enforce those rules; amending ss. 316.613 and 316.614, F.S.; revising the definition of "motor vehicle" for purposes of child restraint and safety belt usage requirements; amending s. 316.656, F.S.; revising the prohibition against a judge accepting a plea to a lesser offense from a person charged under certain DUI provisions; revising the blood-alcohol or breath-alcohol level at which the prohibition applies; amending s. 322.64, F.S.; providing that refusal to submit to a breath, urine, or blood test disqualifies a person from operating a commercial motor vehicle; providing a period of disqualification if a person has an unlawful blood-alcohol or breath-alcohol level; providing for issuance of a notice of disqualification; revising the requirements for a formal review hearing following a person's disqualification from operating a commercial motor vehicle; providing that a county, municipality, or special

district may not own or operate an asphalt plant or a portable or stationary concrete batch plant having an independent mixer; provides exemptions; amending s. 337.0261, F.S.; revising the sunset date for the Strategic Aggregate Review Task Force; amending s. 337.11, F.S.; providing for the department to pay a portion of certain proposal development costs; requiring the department to advertise certain contracts as design-build contracts; amending ss. 337.14 and 337.16, F.S.; conforming cross-references; amending s. 337.18, F.S.; requiring the contractor to maintain a copy of the required payment and performance bond at certain locations and provide a copy upon request; providing that a copy may be obtained directly from the department; removing a provision requiring a copy be recorded in the public records of the county; amending s. 337.185, F.S.; providing for the State Arbitration Board to arbitrate certain claims relating to maintenance contracts; providing for a member of the board to be elected by maintenance companies as well as construction companies; amending s. 337.403, F.S.; providing for the department or local governmental entity to pay certain costs of removal or relocation of a utility facility that is found to be interfering with the use, maintenance, improvement, extension, or expansion of a public road or publicly owned rail corridor under described circumstances; amending s. 337.408, F.S.; providing for public pay telephones and advertising thereon to be installed within the right-of-way limits of any municipal, county, or state road; amending s. 338.01, F.S.; requiring new and replacement electronic toll collection systems to be interoperable with the department's system; amending s. 338.165, F.S.; providing that provisions requiring the continuation of tolls following the discharge of bond indebtedness does not apply to high-occupancy toll lanes or express lanes; creating s. 338.166, F.S.; authorizing the department to request that bonds be issued which are secured by toll revenues from high-occupancy toll or express lanes in a specified location; providing for the department to continue to collect tolls after discharge of indebtedness; authorizing the use of excess toll revenues for improvements to the State Highway System; authorizing the implementation of variable rate tolls on high-occupancy toll lanes or express lanes; amending s. 338.2216, F.S.; directing the Florida Turnpike Enterprise to implement new technologies and processes in its operations and collection of tolls and other amounts; providing contract bid requirements for fuel and food on the turnpike system; amending s. 338.223, F.S.; conforming a cross-reference; amending s. 338.231, F.S.; revising provisions for establishing and collecting tolls; authorizing collection of amounts to cover costs of toll collection and payment methods; requiring public notice and hearing; amending s. 339.12, F.S.; revising requirements for aid and contributions by governmental entities for transportation projects; revising limits under which the department may enter into an agreement with a county for a project or project phase not in the adopted work program; authorizing the department to enter into certain long-term repayment agreements; amending s. 339.135, F.S.; revising certain notice provisions that require the Department of Transportation to notify local governments regarding amendments to an adopted 5-year work program; amending s. 339.155, F.S.; revising provisions for development of the Florida Transportation Plan; amending s. 339.2816, F.S., relating to the small county road assistance program; providing for resumption of certain funding for the program; revising the criteria for counties eligible to participate in the program; amending ss. 339.2819 and 339.285, F.S.; conforming cross-references; repealing part III of ch. 343 F.S.; abolishing the Tampa Bay Commuter Transit Authority; amending s. 348.0003, F.S.; providing for financial disclosure for expressway, transportation, bridge, and toll authorities; amending s. 348.0004, F.S.; providing for certain expressway authorities to index toll rate increases; amending s. 479.01, F.S.; revising provisions for outdoor advertising; revising the definition of the term "automatic changeable facing"; amending s. 479.07, F.S.; revising a prohibition against signs on the State Highway System; revising requirements for display of the sign permit tag; directing the department to establish by rule a fee for furnishing a replacement permit tag; revising the pilot project for permitted signs to include Hillsborough County and areas within the boundaries of the City of Miami; amending s. 479.08, F.S.; revising provisions for denial or revocation of a sign permit; amending s. 479.156, F.S.; modifying local government control of the regulation of wall murals adjacent to certain federal highways; amending s. 479.261, F.S.; revising requirements for the logo sign program of the interstate highway system; deleting provisions providing for permits to be awarded to the highest bidders; requiring the department to implement a rotation-based logo program; requiring the department to adopt rules that set reasonable rates based on certain factors for annual permit fees; requiring that such fees not exceed a certain amount for sign locations inside and outside an urban area; creating a business partnership pilot program; authorizing the Palm Beach County School District to display names of business partners on district property in unincorporated areas; exempting the program from specified provisions; authorizing the expenditure of public funds for certain alterations of Old Cutler Road in the Village of Palmetto Bay; requiring the official approval of the Department of State before any alterations may begin; amending s. 120.52, F.S.; revising a definition; directing the Department of Transportation to establish an approved transportation methodology for certain purpose; providing requirements; providing effective dates.

On motion by Senator Bullard, the Senate concurred in the House amendment.

CS for CS for SB 682 passed as amended and was ordered engrossed and then enrolled. The action of the Senate was certified to the House. The vote on passage was:

Yeas—34

Mr. President	Diaz de la Portilla	Peaden
Alexander	Gaetz	Posey
Atwater	Garcia	Rich
Baker	Haridopolos	Saunders
Bennett	Hill	Siplin
Bullard	Jones	Storms
Carlton	Joyner	Villalobos
Constantine	Justice	Webster
Crist	King	Wilson
Dawson	Lawson	Wise
Dean	Lynn	
Deutch	Margolis	

Nays—5

Aronberg	Fasano	Ring
Dockery	Oelrich	

Vote after roll call:

Yea to Nay—Crist

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has passed CS for CS for SB 2760, with amendment(s), and requests the concurrence of the Senate.

William S. Pittman III, Chief Clerk

CS for CS for SB 2760—A bill to be entitled An act relating to dentistry; amending s. 466.003, F.S.; providing a definition; amending s. 466.006, F.S.; revising the requirements for entitlement to take the necessary examinations to practice dentistry in this state; creating s. 466.0067, F.S.; providing requirements for application for a health access dental license in this state; creating s. 466.00671, F.S.; providing requirements for renewal of a health access dental license; creating s. 466.00672, F.S.; providing conditions in which the Board of Dentistry of the Department of Health may revoke a health access dental license; providing that the failure of a holder of a health access dental license to limit the practice of dentistry to health access settings is the unlicensed practice of dentistry; creating s. 466.00673, F.S.; providing for the repeal of statutory language regarding health access dental licensure; creating s. 466.00775, F.S.; requiring the board to adopt rules; amending s. 466.011, F.S.; conforming provisions to changes made in this act; amending s. 466.021, F.S.; revising requirements relating to retention of dental laboratories by dentists; changing terminology to reflect employment of dental laboratories and to change references to work orders to prescriptions; requiring a dental laboratory to keep the original or an electronic copy of prescriptions; amending s. 466.032, F.S.; requiring specified continuing education for renewal of registration of a dental laboratory by a time certain; providing a listing of agencies or organizations that are authorized to develop and offer continuing education; requiring a dental laboratory owner to submit a sworn statement attesting to compliance with continuing education requirements and providing specified information; authorizing the Department of Health to request documentation of continuing education; authorizing the department to request such documentation at random without cause; providing exemptions from continuing education requirements; providing for voluntary compliance by certain dental laboratories; providing an effective date.

House Amendment 2 (115465)(with title amendment)—Between lines 327 and 328, insert:

Section 11. Paragraph (b) of subsection (3) of section 466.007, Florida Statutes, is amended to read:

466.007 Examination of dental hygienists.—

(3) A graduate of a dental college or school shall be entitled to take the examinations required in this section to practice dental hygiene in this state if, in addition to the requirements specified in subsection (2), the graduate meets the following requirements:

(b) Successfully completes one or more courses, of a scope and duration approved and defined by board rule, that meet the requirements of law for instructing health care providers on the human immunodeficiency virus and acquired immune deficiency syndrome. In addition, the board may require an applicant who graduated from a nonaccredited dental college or school to successfully complete additional coursework*, only after failing the initial examination*, as defined by board rule, at an educational institution approved by the board or accredited as provided in subparagraph (2)(b)1. A graduate of a foreign dental college or school not accredited in accordance with s. 466.006(2)(b) may not take the coursework set forth in this paragraph until the board has approved the credentials required by paragraph (a).

And the title is amended as follows:

Remove line 39 and insert: certain dental laboratories; amending s. 466.007, F.S.; providing that certain applicants for examination for licensure as a dental hygienist be required to complete additional coursework only after failing to pass the initial examination; providing an effective date.

On motion by Senator Peaden, the Senate concurred in the House amendment.

CS for CS for SB 2760 passed as amended and was ordered engrossed and then enrolled. The action of the Senate was certified to the House. The vote on passage was:

Yeas—40

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Aronberg	Gaetz	Posey
Atwater	Garcia	Rich
Baker	Geller	Ring
Bennett	Haridopolos	Saunders
Bullard	Hill	Siplin
Carlton	Jones	Storms
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dawson	King	Wilson
Dean	Lawson	Wise
Deutch	Lynn	
Diaz de la Portilla	Margolis	

Nays—None

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has amended Senate Amendment 1, concurred in the same as amended, and passed CS for CS for CS for HB 653 as further amended, and requests the concurrence of the Senate.

William S. Pittman III, Chief Clerk

CS for CS for CS for HB 653—A bill to be entitled An act relating to the Corporate Income Tax Credit Scholarship Program; amending s. 220.187, F.S.; providing legislative findings; revising program purposes; providing that siblings of certain students are eligible for participation in the program; revising provisions authorizing the total amount of tax credits that may be granted and deleting the reservation of a portion thereof; revising authorized uses of scholarship funds; revising provisions relating to expenditure of contributions received by a scholarship-funding organization during a state fiscal year; authorizing expenditure of contributions for specified administrative expenses by certain scholarship-funding organizations; providing for the annual return of specified eligible contributions to the State Treasury; correcting a cross-reference; revising scholarship amounts and providing for adjustments in future scholarship amounts; revising requirements relating to verification of student attendance for purposes of scholarship payment; providing for preservation of credits under certain circumstances; requiring the Office of Program Policy Analysis and Government Accountability to submit a report on funding for the scholarship program; specifying report requirements; providing an effective date.

House Amendment 1 (161591) to Senate Amendment 1 (with directory and title amendments)—Remove lines 88-223 and insert:

(6) OBLIGATIONS OF ELIGIBLE NONPROFIT SCHOLARSHIP-FUNDING ORGANIZATIONS.—An eligible nonprofit scholarship-funding organization:

(d) Must provide scholarships, from eligible contributions, to eligible students for *the cost of*:

1. Tuition *and fees* ~~or textbook expenses~~ for~~, or transportation to,~~ an eligible private school~~. At least 75 percent of the scholarship funding must be used to pay tuition expenses~~; or

2. Transportation ~~expenses~~ to a Florida public school that is located outside the district in which the student resides or to a lab school as defined in s. 1002.32.

(i)*1. May use up to 3 percent of eligible contributions received during the state fiscal year in which such contributions are collected for administrative expenses if the organization has operated under this section for at least 3 state fiscal years and did not have any negative financial findings in its most recent audit under paragraph (l). Such administrative expenses must be reasonable and necessary for the organization's management and distribution of eligible contributions under this section. No more than one-third of the funds authorized for administrative expenses under this subparagraph may be used for expenses related to the recruitment of contributions from corporate taxpayers.*

2. Must expend for annual or partial-year scholarships an amount equal to or greater than 75 percent of the net eligible contributions remaining after administrative expenses during the state fiscal year in which such contributions are collected. No more than 25 percent of such net eligible contributions may be carried forward to the following state fiscal year. Any amounts carried forward shall be expended for ~~Must obligate, in the same fiscal year in which the contribution was received, 100 percent of the eligible contribution to provide~~ annual or partial-year scholarships~~; however, up to 25 percent of the total contribution may be carried forward for expenditure~~ in the following state fiscal year. *Net eligible contributions remaining on June 30 of each year that are in excess of the 25 percent that may be carried forward shall be returned to the State Treasury for deposit in the General Revenue Fund.*

3. ~~A scholarship-funding organization~~ Must, before granting a scholarship for an academic year, document each scholarship student's eligibility for that academic year. A scholarship-funding organization may not grant multiyear scholarships in one approval process. ~~No portion of eligible contributions may be used for administrative expenses. All interest accrued from contributions must be used for scholarships.~~

Any and all information and documentation provided to the Department of Education and the Auditor General relating to the identity of a taxpayer that provides an eligible contribution under this section shall remain confidential at all times in accordance with s. 213.053.

(8) PRIVATE SCHOOL ELIGIBILITY AND OBLIGATIONS.—An eligible private school may be sectarian or nonsectarian and must:

(c) Be academically accountable to the parent for meeting the educational needs of the student by:

1. At a minimum, annually providing to the parent a written explanation of the student's progress.

2. Annually administering or making provision for students participating in the scholarship program to take one of the nationally norm-referenced tests identified by the Department of Education. Students with disabilities for whom standardized testing is not appropriate are

exempt from this requirement. A participating private school must report a student's scores to the parent and to the independent research organization selected by the Department of Education as described in paragraph (9)(j).

3. Cooperating with the scholarship student whose parent chooses to *have the student* participate in the statewide assessments pursuant to s. *1008.22* ~~1008.32~~.

The inability of a private school to meet the requirements of this subsection shall constitute a basis for the ineligibility of the private school to participate in the scholarship program as determined by the Department of Education.

(11) SCHOLARSHIP AMOUNT AND PAYMENT.—

(a) The amount of a scholarship provided to any student for any single school year by an eligible nonprofit scholarship-funding organization from eligible contributions shall *be for total costs authorized under paragraph (6)(d),* not *to* exceed the following annual limits:

1. *Three thousand nine hundred fifty dollars* ~~Three thousand seven hundred fifty dollars~~ for a scholarship awarded to a student enrolled in an eligible private school *for the 2008-2009 state fiscal year and each fiscal year thereafter*.

2. Five hundred dollars for a scholarship awarded to a student enrolled in a Florida public school that is located outside the district in which the student resides or in a lab school as defined in s. 1002.32.

(b) Payment of the scholarship by the eligible

Remove lines 7-12 and insert: subsection (5), paragraphs (d) and (i) of subsection (6), paragraph (c) of subsection (8), and subsection (11) of section 220.187, Florida Statutes, are amended, and

And the title is amended as follows:

Remove lines 305-318 and insert: of scholarship funds; revising provisions relating to expenditure of contributions received by a scholarship-funding organization during a state fiscal year; authorizing expenditure of contributions for specified administrative expenses by certain scholarship-funding organizations; providing for the annual return of specified eligible contributions to the State Treasury; correcting a cross-reference; revising scholarship amounts; revising

On motion by Senator Gaetz, the Senate concurred in the House amendment to the Senate amendment.

CS for CS for CS for HB 653 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—31

Mr. President	Diaz de la Portilla	Margolis
Alexander	Dockery	Oelrich
Atwater	Fasano	Posey
Baker	Gaetz	Saunders
Bennett	Garcia	Siplin
Bullard	Haridopolos	Storms
Carlton	Hill	Villalobos
Constantine	Jones	Webster
Crist	King	Wise
Dawson	Lawson	
Dean	Lynn	

Nays—8

Aronberg	Joyner	Ring
Deutch	Justice	Wilson
Geller	Rich	

Vote after roll call:

Yea—Peaden

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has amended Senate Amendment 1, concurred in the same as amended, and passed HB 7077 as further amended, and requests the concurrence of the Senate.

William S. Pittman III, Chief Clerk

HB 7077—A bill to be entitled An act relating to child protection; amending s. 39.01, F.S.; defining the term "child who has exhibited inappropriate sexual behavior"; amending s. 39.0121, F.S.; authorizing the Department of Children and Family Services to adopt rules providing for reporting, locating, recovering, and stabilizing missing children who are involved with the department; amending s. 39.0138, F.S.; specifying additional persons to be subject to a criminal history records check prior to placement of a child; requiring a criminal history records check of persons being considered for placement of a child to include a search of the department's automated abuse information system; authorizing the department to adopt rules establishing standards for evaluating such information; creating s. 39.0141, F.S.; requiring the department, the community-based care provider, or the appropriate law enforcement agency to file a report following a determination that a child involved with the department is missing; amending s. 39.201, F.S.; providing for additional methods to report suspected child abuse, abandonment, and neglect of a child or to report a child who has exhibited inappropriate sexual behavior; amending s. 39.301, F.S.; conforming language relating to reporting suspected child abuse, abandonment, and neglect; providing certain exceptions to the requirements that a child protective investigation be closed within 60 days; amending s. 39.307, F.S.; revising provisions relating to the provision of services to a child in cases of child-on-child sexual abuse to include a child who has exhibited inappropriate sexual behavior; revising terminology; amending s. 39.401, F.S.; requiring a law enforcement officer who takes a child into custody to release such child to an adoptive parent of the child's sibling, if the sibling was previously adopted; requiring judicial approval for the placement of a child with a nonrelative; amending s. 39.502, F.S.; requiring certain notice to foster and preadoptive parents of any hearings involving the child in their care; amending s. 39.503, F.S.; revising procedures relating to diligent searches for missing parents and relatives; amending s. 39.504, F.S.; revising procedures related to injunctions pending disposition of petition issued to protect a child; requiring that such injunctions remain in effect until modified or dissolved by the court; providing additional conditions for an injunction to protect a child from domestic violence; providing for process of service; authorizing law enforcement officers to exercise certain arrest powers; amending s. 39.507, F.S.; limiting a court to one order adjudicating dependency; providing for supplemental findings; correcting a cross-reference; amending s. 39.521, F.S.; providing an exception from the requirement for a predisposition study in dependency proceedings; correcting cross-references; amending s. 39.621, F.S.; requiring that an adoptive parent of a child's sibling be given the opportunity to apply to adopt such child if the child is available for adoption; requiring that such application be given priority consideration if it is in the best interest of the child; amending s. 39.701, F.S.; requiring that notice of a judicial review of a child's status be served on certain persons regardless of whether or not they attended a prior hearing at which the hearing was announced; amending s. 63.0541, F.S.; permitting certain information contained in the Florida Putative Father Registry to be disclosed to the department; amending s. 322.142, F.S.; authorizing the department to be provided copies of driver's license files maintained by the Department of Highway Safety and Motor Vehicles for the purpose of conducting protective investigations and expediting the determination of eligibility for public assistance; amending s. 402.401; providing for administration of the Florida Child Welfare Student Loan Forgiveness Program by the Department of Children and Family Services rather than the Department of Education; authorizing loan reimbursement to certain eligible employees; revising loan eligibility requirements; directing the Department of Children and Family Services to adopt rules to administer the program; amending s. 409.1671, F.S.; providing for certain coverage in lieu of personal motor vehicle insurance for automobiles not owned by a lead agency that are used for agency business; amending s. 409.175, F.S.; revising requirements for licensure as a foster home or child-caring agency; deleting the exemption from licensure for persons who receive a child from the department; clarifying that a permanent guardian is exempt from licensure; amending s. 787.04, F.S.; prohibiting a person from knowingly and willfully taking or removing a minor from the state or concealing the location of a minor during the pendency of a dependency proceeding or any other action concerning alleged abuse or neglect of the minor; amending s. 937.021, F.S.; requiring that a report of a missing child made by the department, a community-based care provider, or the appropriate law enforcement agency be treated as a missing child report filed by a parent

or guardian; prohibiting a law enforcement agency from requiring an order that a child be taken into custody or any other such order before accepting a missing child report for investigation; amending ss. 393.0661, 393.071, 393.125, 39.0015, 39.205, 39.302, 39.6011, 39.828, and 419.001, F.S.; conforming cross-references; amending s. 1, ch. 2007-174, Laws of Florida; extending the date for the repeal of provisions authorizing the reorganization of the Department of Children and Family Services; providing effective dates.

House Amendment 1 (590895) to Senate Amendment 1—Between lines 1295 and 1296, insert:

Section 31. *(1) Notwithstanding the provisions of s. 216.181(2)(f), Florida Statutes, the Legislative Budget Commission may consider the approval of a budget amendment for fiscal year 2008-2009 appropriations only, recommended by the Executive Office of the Governor and submitted by the Department of Children and Family Services, requesting additional trust fund authority for expenditures enhancing child protection and adoption.*

(2) This section is effective upon becoming a law.

And the title is amended as follows:

Remove line 1404 and insert: cross-references; permitting the Legislative Budget Commission to consider the approval of a budget amendment meeting certain requirements requesting additional trust fund authority for expenditures enhancing child protection and adoption during fiscal year 2008-2009; providing effective dates.

On motion by Senator Lynn, the Senate concurred in the House amendment to the Senate amendment.

HB 7077 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—40

Mr. President	Dockery	Oelrich
Alexander	Fasano	Peaden
Aronberg	Gaetz	Posey
Atwater	Garcia	Rich
Baker	Geller	Ring
Bennett	Haridopolos	Saunders
Bullard	Hill	Siplin
Carlton	Jones	Storms
Constantine	Joyner	Villalobos
Crist	Justice	Webster
Dawson	King	Wilson
Dean	Lawson	Wise
Deutch	Lynn	
Diaz de la Portilla	Margolis	

Nays—None

RECONSIDERATION OF BILL

On motion by Senator Gaetz, the Senate reconsidered the vote by which—

CS for CS for CS for HB 653—A bill to be entitled An act relating to the Corporate Income Tax Credit Scholarship Program; amending s. 220.187, F.S.; providing legislative findings; revising program purposes; providing that siblings of certain students are eligible for participation in the program; revising provisions authorizing the total amount of tax credits that may be granted and deleting the reservation of a portion thereof; revising authorized uses of scholarship funds; revising provisions relating to expenditure of contributions received by a scholarship-funding organization during a state fiscal year; authorizing expenditure of contributions for specified administrative expenses by certain scholarship-funding organizations; providing for the annual return of specified eligible contributions to the State Treasury; correcting a cross-reference; revising scholarship amounts and providing for adjustments in future scholarship amounts; revising requirements relating to verification of student attendance for purposes of scholarship payment; providing for preservation of credits under certain circumstances; requiring the Office of Program Policy Analysis and Government Accountability to submit a report on funding for the scholarship program; specifying report requirements; providing an effective date.

—passed as amended in Messages this day.

House Amendment 2 (703899) to Senate Amendment 1—Between lines 277 and 278, insert:

(c) Identifies strategies to encourage private schools that accept scholarship students to participate in the statewide assessment program under s. 1008.22, Florida Statutes.

On motion by Senator Gaetz, the Senate concurred in the House amendment to the Senate amendment.

CS for CS for CS for HB 653 passed as amended and the action of the Senate was certified to the House. The vote on passage was:

Yeas—30

Mr. President	Diaz de la Portilla	Lynn
Alexander	Dockery	Margolis
Atwater	Fasano	Oelrich
Baker	Gaetz	Peaden
Bennett	Garcia	Posey
Carlton	Haridopolos	Saunders
Constantine	Hill	Siplin
Crist	Jones	Storms
Dawson	King	Villalobos
Dean	Lawson	Webster

Nays—9

Aronberg	Geller	Rich
Bullard	Joyner	Ring
Deutch	Justice	Wilson

REPORTS OF COMMITTEES

Pursuant to Rule 4.17(2), the President Pro Tempore, the Majority Leader, and the Minority Leader submit the following bills to be placed on the Special Order Calendar for Friday, May 2, 2008: CS for SB 838, SB 1626, CS for CS for SB's 2086 and 2498, CS for SB 2272, CS for SB 2374, CS for SB 2494, CS for SB 2504, CS for CS for SB 2528

Respectfully submitted,
Lisa Carlton, President Pro Tempore
Daniel Webster, Majority Leader
Steven A. Geller, Minority Leader

REPORTS OF COMMITTEES RELATING TO EXECUTIVE BUSINESS

Ms. Faye Blanton May 2, 2008
Secretary of the Florida Senate

Dear Madam Secretary:

The following executive appointments were referred to the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7(1) of the Rules of the Florida Senate:

Office and Appointment	*For Term Ending*
Board of Clinical Laboratory Personnel	
Appointee: Madan, Nilia	10/31/2007
Board of Trustees of Brevard Community College	
Appointee: Richey, James H.	05/31/2011
Board of Trustees of North Florida Community College	
Appointee: Boatright, Johnie Walter, Jr.	05/31/2010
Board of Trustees of Santa Fe Community College	
Appointee: Weingart, Breck A.	05/31/2007
Electrical Contractors' Licensing Board	
Appointee: MacGowan, Sandra C.	10/31/2010
Council on Efficient Government	

Office and Appointment		*For Term Ending*
Appointees:	Agrawal, Akhil K.	08/22/2007
	Evans, Steven L.	08/22/2007
Higher Educational Facilities Financing Authority		
Appointee:	Cotter, Richard	01/17/2011
Citrus County Hospital Board		
Appointee:	Langer, David	07/08/2010
Executive Director, Agency for Enterprise Information Technology		
Appointee:	Zingale, James A.	Pleasure of Governor and Cabinet
Florida Inland Navigation District		
Appointee:	Kavanagh, George L.	01/09/2011
Board of Nursing		
Appointees:	Kemp, Barbara R.	10/31/2007
	Kirkpatrick, Lavigne Ann	10/31/2007
Board of Optometry		
Appointee:	Underhill, Timothy E.	10/31/2011
Board of Pilot Commissioners		
Appointee:	Jones, Jeffrey L.	10/31/2007
Board of Podiatric Medicine		
Appointee:	Frisch, Dennis R.	10/31/2007
Northeast Florida Regional Planning Council, Region 4		
Appointee:	Stern, Karen R.	10/01/2007
Withlacoochee Regional Planning Council, Region 5		
Appointees:	Johnston, Joseph E. III	10/01/2007
	Powers, Linda B.	10/01/2009
Treasure Coast Regional Planning Council, Region 10		
Appointee:	Kanjian, Robert J.	10/01/2009
Jacksonville Port Authority		
Appointee:	Fowler, Lloyd Buck	09/30/2007
Manasota Basin Board of the Southwest Florida Water Management District		
Appointee:	Bispham, Paul J.	03/01/2008

The following executive appointment was referred to the Senate Committee on Children, Families, and Elder Affairs and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7(1) of the Rules of the Florida Senate. The Senate Committee on Children, Families, and Elder Affairs and the Senate Committee on Ethics and Elections did not consider the following appointment and the appointee was left pending and was not acted on by the Senate upon adjournment of the 2008 Regular Session:

Office and Appointment		*For Term Ending*
Director, Agency for Persons with Disabilities		
Appointee:	Johnson, Jane E.	Pleasure of Governor

The following executive appointment was referred to the Senate Committee on Criminal Justice and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7(1) of the Rules of the Florida Senate. The Senate Committee on Criminal Justice and the Senate Committee on Ethics and Elections did not consider the following appointment and the appointee was left pending and was not acted on by the Senate upon adjournment of the 2008 Regular Session:

Office and Appointment		*For Term Ending*
Secretary of Juvenile Justice		
Appointee:	Parker, Jennifer A.	Pleasure of Governor

The following executive appointment was referred to the Senate Committee on Environmental Preservation and Conservation and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7(1) of the Rules of the Florida Senate. The Senate Committee on Environmental Preservation and Conservation and the Senate Committee on Ethics and Elections recommended confirmation but the appointee resigned and was not acted on by the Senate upon adjournment of the 2008 Regular Session:

Office and Appointment		*For Term Ending*
Governing Board of the Southwest Florida Water Management District		
Appointee:	Whitehead, Judith C.	03/01/2011

The following executive appointment was referred to the Senate Committee on Environmental Preservation and Conservation and the Senate Committee on Ethics and Elections for action pursuant to Rule 12.7(1) of the Rules of the Florida Senate. The Senate Committee on Environmental Preservation and Conservation recommended confirmation. The Senate Committee on Ethics and Elections did not consider the following appointment and the appointee was left pending and was not acted on by the Senate upon adjournment of the 2008 Regular Session:

Office and Appointment		*For Term Ending*
Executive Director of Southwest Florida Water Management District		
Appointee:	Moore, David L.	Pleasure of The Board

The Senate Committee on Ethics and Elections did not consider the following appointees because the terms of the appointments expired:

Akhil K. Agrawal; Paul J. Bispham; Steven L. Evans; Lloyd Buck Fowler; Dennis R. Frisch; Joesph E. Johnston III; Jeffrey L. Jones; Barbara R. Kemp; Lavigne Ann Kirkpatrick; Nilia Madan; Karen R. Stern; Breck A. Weingart

The Senate Committee on Ethics and Elections did not consider the following appointments and the appointees were left pending and were not acted on by the Senate upon adjournment of the 2008 Regular Session of the Florida Legislature:

Richard Cotter; Sandra C. MacGowan; Linda B. Powers; Timothy E. Underhill; James A. Zingale

The Senate Committee on Ethics and Elections did not consider the following appointments because the appointee resigned:

Johnie Walter Boatwright Jr.; Robert J. Kanjian; James H. Richey

The Senate Committee on Ethics and Elections did not consider the following appointee because the appointee is deceased:

George L. Kavanagh

The Senate Committee on Ethics and Elections recommended confirmation of the following appointment but the appointee was not acted on by the Senate upon adjournment of the 2008 Regular Session of the Florida Legislature:

David Langer

Respectfully submitted,
Lee Constantine, Chair

Ms. Faye Blanton May 2, 2008
Secretary of the Florida Senate

Dear Madam Secretary:

Please be advised that the following appointments were not received by the Florida Senate for consideration in the 2008 Regular Session. Therefore, pursuant to s. 114.05(1)(e), F.S., the Senate took no action on these appointments during the regular session immediately following the effective date of the appointment.

Office and Appointment	*For Term Ending*
Jacksonville Aviation Authority	
Pass, Deborah S.	01/23/2008
Secretary of Business and Professional Regulation	
Drago, Charles W.	02/22/2008
Board of Professional Engineers	
Garcia De Quevedo, Nola A.	02/12/2008
Board of Nursing Home Administrators	
Moore, Carolyn	12/06/2007

Respectfully submitted,
Lee Constantine, Chair

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

FIRST READING

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has passed CS for HB 951 and requests the concurrence of the Senate.

William S. Pittman III, Chief Clerk

By the Jobs and Entrepreneurship Council; and Representative Schultz and others—

CS for HB 951—A bill to be entitled An act relating to the Beverage Law; amending s. 561.42, F.S.; extending to importers and primary American sources of supply, brand owners, and brand registrants, and brokers, sales agents, and sales persons thereof, the prohibition against providing certain financial assistance to retail vendors; defining the term "brand owner"; providing an effective date.

—was referred to the Committee on Regulated Industries.

RETURNING MESSAGES—FINAL ACTION

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has passed SB 230, SB 366, CS for SB 502, CS for CS for SB 610, SB 642, CS for CS for CS for SB 996, CS for CS for SB 1648, CS for CS for SB 2082, CS for SB 2326; receded from House Amendment 1, concurred in Senate Amendment l to House Amendment 1 and passed CS for CS for CS for SB 2654 as amended; receded from House Amendment 2 and passed CS for CS for SB 866; and adopted SM 2662.

William S. Pittman III, Chief Clerk

The bills contained in the foregoing messages were ordered enrolled.

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has concurred in Senate Amendment(s) to House Amendment(s) and passed CS for CS for SB 2534 as amended; and concurred in Senate Amendment(s) to House Amendment(s) and passed CS for CS for SB 1906 as further amended.

William S. Pittman III, Chief Clerk

The bills contained in the foregoing messages were ordered engrossed and then enrolled.

The Honorable Ken Pruitt, President

I am directed to inform the Senate that the House of Representatives has passed CS for CS for HB 601, CS for HB 697, CS for CS for HB 745, CS for HB 909, CS for HB 1429, CS for HB 7059 and HB 7067 as amended.

William S. Pittman III, Chief Clerk

CORRECTION AND APPROVAL OF JOURNAL

The Journal of May 1 was corrected and approved.

CO-INTRODUCERS

Senators Alexander—CS for SB 274, CS for SB 276, CS for CS for CS for SB 1712, CS for CS for SB 1716, CS for SB 1908; Atwater—SB 86, CS for SB 274, CS for SB 276, CS for CS for SB 850, CS for CS for SB 1672, CS for SB 2048, SB 2232, SB 2294, SB 2322, SJR 2384; Baker—SB 626, CS for CS for SB 682, CS for CS for SB 992, CS for SB 1300, CS for CS for CS for SB 1544, CS for SB 1552, SB 1638, CS for SB 1752, CS for CS for SB 2080; Crist—CS for CS for SB 482, SB 798, CS for CS for SB 1430; Lynn—CS for SB 790, SB 1022, CS for CS for SJR 2308; Rich—CS for SB 790; Wilson—CS for SB 12; Wise—CS for SB 1752

ADJOURNMENT

On motion by Senator King, the Senate adjourned sine die at 5:59 p.m.

Journal of the Senate

Final Reports After Adjournment Sine Die — Regular Session 2008

ENROLLING REPORTS

CS for SB 2310, CS for SB 2326, CS for CS for SB 2534 and CS for CS for CS for SB 2654 have been enrolled, signed by the required Constitutional Officers and presented to the Governor on May 16, 2008.

SB 38, SB 40, SB 50, SB 54, SB 56, SB 60, CS for SB 68, SB 154, SB 230, CS for SB 464, CS for SB 648, CS for SB 732, CS for SB 734, CS for CS for CS for SB 756, CS for SB 758, CS for CS for SB 766, SB 874, CS for SB 1070, SB 1092, CS for SB 1378, CS for SB 1474, CS for CS for SB 1488, CS for SB 1502, CS for SB 1552, CS for SB 1616, CS for SB 1694, CS for CS for SB 1716, CS for SB 1988, CS for CS for SB 2000, CS for CS for CS for SB 2016, CS for SB 2052, CS for SB 2224, CS for SB 2366, CS for SB 2422, SB 2516, CS for CS for SB 2532, CS for CS for SB 2598, CS for CS for SB 2760 and SB 2820 have been enrolled, signed by the required Constitutional Officers and presented to the Governor on May 19, 2008.

CS for SB 2582 and CS for CS for SB's 2860 and 1196 have been enrolled, signed by the required Constitutional Officers and presented to the Governor on May 20, 2008.

SB 186, CS for SB 192, CS for CS for SB 370, SB 432, CS for CS for SB 564, CS for CS for SB 610, CS for SB 630, CS for SB 646, CS for CS for SB 704, CS for CS for SB 866, CS for SB 948, CS for CS for CS for SB 996, CS for CS for SB 1286, CS for CS for SB 1294, CS for CS for SB 1702, CS for CS for CS for SB 1712, CS for SB 1774, CS for SB 1788, CS for SB 1790, CS for SB 1792, CS for SB 1864, CS for SB 1882, CS for SB 1888 and CS for SB 1892 have been enrolled, signed by the required Constitutional Officers and presented to the Governor on June 2, 2008.

SB 78, CS for SB 82, CS for SB 274, SB 366, CS for CS for SB 428, CS for SB 502, CS for CS for SB 686, CS for CS for SB 696, CS for SB 736, CS for CS for SB 854, CS for SB 856, CS for SB 1026, CS for SB 1042, SB 1046, CS for SB 1076, CS for SB 1414, CS for CS for CS for SB 1442, CS for SB 1604, CS for SB 1706, CS for CS for SB 1906, CS for CS for CS for SB 1992, SB 2296 and CS for SB 2438 have been enrolled, signed by the required Constitutional Officers and presented to the Governor on June 11, 2008.

CS for SB 92, SB 458, SB 642, CS for CS for SB 682, CS for SB 966, CS for SB 988, CS for SB 1008, CS for CS for SB 1012, CS for CS for SB 1276, CS for CS for SB 1310, CS for SB 1318, CS for CS for SB 1360, SB 1456, CS for SB 1588, CS for SB 1630, CS for CS for SB 1648, SB 1986, CS for CS for SB 2012, CS for CS for CS for SB 2158, CS for SB 2222, CS for CS for SB 2264, CS for SB 2462, CS for SB 2610, CS for CS for SB 2630 and CS for CS for SB 2676 have been enrolled, signed by the required Constitutional Officers and presented to the Governor on June 13, 2008.

CS for CS for SB 526, CS for CS for SB 542, CS for SB 622, CS for SB 794, CS for CS for SB's 1094 and 326, CS for CS for SB 1302, SB 1558, CS for SB 1618, CS for SB 1908, CS for CS for SB 1946 and CS for CS for SB 2082 have been enrolled, signed by the required Constitutional Officers and presented to the Governor on June 19, 2008.

SM 1454, SM 1742 and SM 2662 have been enrolled, signed by the required Constitutional Officers and filed with the Secretary of State on June 19, 2008.

Faye W. Blanton, Secretary

MESSAGES FROM THE GOVERNOR AND OTHER EXECUTIVE COMMUNICATIONS

The Governor advised that he had filed with the Secretary of State the following bills which he approved—

SB 38, SB 40, SB 50, SB 54, SB 56, SB 60, CS for SB 68 and CS for SB 2326 on May 19, 2008.

CS for CS for CS for SB 2654 on May 20, 2008.

CS for SB 2310 and CS for CS for SB 2534 on May 21, 2008.

SB 154, SB 230, CS for SB 464, CS for SB 648, CS for SB 732, CS for SB 734, CS for CS for CS for SB 756, CS for SB 758, CS for CS for SB 766, SB 874, CS for SB 1070, SB 1092, CS for SB 1378, CS for SB 1474, CS for CS for SB 1488, CS for SB 1502, CS for SB 1552, CS for SB 1616, CS for SB 1694, CS for CS for SB 1716, CS for SB 1988, CS for CS for SB 2000, CS for CS for CS for SB 2016, CS for SB 2052, CS for SB 2224, CS for SB 2366, CS for SB 2422, SB 2516, CS for CS for SB 2532, CS for SB 2582, CS for CS for SB 2598, CS for CS for SB 2760, SB 2820 and CS for CS for SB 2860 on May 28, 2008.

CS for CS for SB 610 on June 2, 2008.

CS for CS for SB 866 on June 5, 2008.

SB 186, CS for SB 192, CS for CS for SB 370, SB 432, CS for CS for SB 564, CS for SB 630, CS for SB 646, CS for CS for SB 704, CS for SB 948, CS for CS for SB 1286, CS for CS for SB 1702, CS for CS for CS for SB 1712, CS for SB 1774, CS for SB 1788, CS for SB 1790, CS for SB 1792, CS for SB 1864, CS for SB 1882, CS for SB 1888 and CS for SB 1892 on June 10, 2008.

CS for CS for SB 1294 on June 11, 2008.

CS for SB 856 on June 13, 2008.

SB 78, CS for SB 82, CS for SB 274, SB 366, CS for CS for SB 428, CS for SB 502, CS for CS for SB 696, CS for SB 736, CS for CS for SB 854, CS for SB 966, CS for SB 1026, CS for SB 1042, SB 1046, CS for CS for SB 1076, CS for SB 1414, CS for CS for CS for SB 1442, CS for SB 1588, CS for SB 1604, CS for CS for SB 1906, SB 1986, CS for CS for CS for SB 1992, CS for CS for CS for SB 2158, CS for CS for SB 2264, SB 2296, CS for SB 2438 and CS for SB 2462 on June 17, 2008.

CS for SB 92, SB 458, SB 642, CS for SB 988, CS for CS for SB 1012, CS for CS for SB 1276, CS for CS for SB 1310, CS for SB 1318, CS for CS for SB 1360, SB 1456, CS for SB 1630, CS for CS for SB 1648, CS for CS for SB 2012, CS for SB 2222, CS for SB 2610, CS for CS for SB 2630 and CS for CS SB 2676 on June 23, 2008.

CS for CS for SB 526, CS for CS for SB 542, CS for SB 794, CS for CS for SB's 1094 and 326, CS for CS for SB 1302, SB 1558, CS for SB 1618, CS for SB 1908, CS for CS for SB 1946 and CS for CS for SB 2082 on June 30, 2008.

CS for SB 622 on July 2, 2008.

CERTIFICATE

THIS IS TO CERTIFY that the foregoing pages, numbered 1 through 1719, inclusive, are and constitute a complete, true and correct journal and record of the proceedings of the Senate of the State of Florida at the Fortieth Regular Session of the Legislature convened under the Constitution as revised in 1968, held from March 4 through May 2, 2008. Additionally, there has been included a record of the transmittal of Acts and Resolutions and actions taken by the Governor subsequent to the sine die adjournment of the Regular Session.

Faye W. Blanton
Secretary of the Senate

Tallahassee, Florida
July 3, 2008

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TO THE

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HOW TO FIND OR TRACE A BILL, RESOLUTION OR MEMORIAL

When the bill, resolution or memorial number is unknown, use the:

SUBJECT INDEX OF SENATE AND HOUSE BILLS, RESOLUTIONS AND MEMORIALS.

The subject matter of each bill is indexed and cross-indexed in an alphabetical arrangement, using topics of catchwords related closely to the subject matter. This is followed by the number of the bill, resolution or memorial.

When the bill, resolution or memorial number is known, use the:

NUMERICAL INDICES OF SENATE AND HOUSE BILLS, RESOLUTIONS AND MEMORIALS.

Each bill is listed in numerical order. Opposite each bill number is the subject, the name of introducer, the page numbers where the bill involved appears in the journal, and the final status of the bill.

Tracing all Senate and House Actions

It is possible to trace the progress of legislation from introduction to final disposition, step by step, as it is recorded on the various pages of the Senate Journal by looking at the pages referred to in the numerical index.

To follow the progress of Senate legislation passed by the Senate and sent to the House, use the indices contained in the House Journal to trace House action.

JOURNAL OF THE SENATE

MEMBERS OF THE SENATE; BILLS, RESOLUTIONS AND MEMORIALS INTRODUCED; AND COMMITTEE ASSIGNMENTS

REGULAR SESSION
March 4 through May 2, 2008

[Source: Office of Legislative Services]

(Boldfaced bill numbers passed both houses—adopted one-house resolutions are also boldfaced.)

ALEXANDER, JD—17th District

Introduced: **186**, **966**, 1450, 1608, 1620, 1626, 1632, 1642, **1702**, 1808, 1810, 1812, 1814, 1816, 1818, 1820, 1822, 1824, 1826, 1828, 1830, 1832, 1834, 1836, 1838, 1840, 1842, 1844, 1846, 1848, 1850, 2126, **2128**, **2130**, **2132**, 2134, 2322, **2422**, 2580, 2708

Co-introduced: **274**, **276**, **712**, 920, 1440, **1712**, **1716**, **1908**, 1964, 2546, **2654**, **2922**, **3024**

Committees: Agriculture, Chair; General Government Appropriations, Chair; Fiscal Policy and Calendar Committee; Responsible Regulation Policy and Calendar Committee; Banking and Insurance; Ethics and Elections; Health Regulation; Rules; *Select Committee on Property Insurance Accountability*; *Legislative Budget Commission*

ARONBERG, DAVE—27th District

Introduced: 12, 48, 72, 96, 272, 288, 304, 328, 330, 404, 452, **464**, 528, 548, 552, 694, 964, 1124, 1280, 1430, 1438, 1466, 1494, 1628, 1646, 1650, 1660, 1662, **1694**, **2016**, 2194, 2214, 2226, 2230, 2236, 2258, 2338, 2352, 2354, 2378, 2530, 2596, 2664, 2688, 2710, 2716, 2718, 2720, 2736, 2772, **2944**, **2950**, **2970**

Co-introduced: 74, **276**, 362, 572, 706, **712**, 780, 848, **996**, 1062, 2014, 2580, **2654**, 2726, **2922**, **3024**

Local Bills—Introduced: 28, **56**

Local Bill—Co-introduced: 16

Committees: Communications and Public Utilities, Vice Chair; Criminal Justice, Vice Chair; Law and Justice Policy and Calendar Committee; Oversight and Procedural Policy and Calendar Committee; Responsible Regulation Policy and Calendar Committee; General Government Appropriations; Health Regulation; Regulated Industries; *Joint Legislative Committee on Everglades Oversight, Alternating Chair*; *Committee on Public Service Commission Oversight*

ATWATER, JEFF—25th District

Introduced: 18, 66, 76, 394, 404, 454, 626, 822, 906, 908, 910, 912, 914, 916, 918, 1540, 1550, 1564, 1994, 2314, 2350, **2598**, 2680, 2724, 2770, 2774, 2782, 2858, **2860**, 2862, 2876, 2878, **2956**

Co-introduced: 86, **274**, **276**, 322, 388, 532, 540, 572, 706, **712**, 850, 992, 1084, 1086, 1316, 1580, 1650, 1672, 1964, 2014, 2048, **2082**, 2232, 2294, 2298, 2322, 2384, **2654**, **2922**, **3024**

Committees: Economic Opportunities Policy and Calendar Committee, Chair; Health Regulation, Chair; Social Responsibility Policy and Calendar Committee; Banking and Insurance; Communications and Public Utilities; Ethics and Elections; Finance and Tax; Rules; *Select Committee on Property Insurance Accountability, Co-Chair*; *Joint Select Committee on Property Tax Relief and Reform*

BAKER, CAREY—20th District

Introduced: 52, 86, 88, **192**, 228, **230**, 382, 422, 504, 538, 540, 544, 574, 706, 710, 752, 754, 760, 762, 764, 770, 774, 776, 778, 790, 792, 882, 1210, 1234, **1310**, 1426, 1562, 1578, **1604**, 1606, 1640, 1666, 1684, 1688, 1692, 1696, **1946**, 1978, 1982, **1992**, **2052**, 2054, 2206, 2246, 2248, 2250, 2256, 2288, 2290, 2368, 2384, 2600, 2638, 2784, 2874

Co-introduced: 76, 108, **154**, **186**, 222, **274**, **276**, 282, 446, 456, **542**, **564**, 626, **642**, 678, **682**, **712**, 920, 992, **1012**, 1030, 1064, **1094**, 1116, 1130, 1296, 1300, **1356**, 1384, 1440, **1442**, 1462, 1544, **1552**, 1628, 1638, 1752, 1964, 2018, 2026, 2060, 2080, 2148, 2172, 2322, 2350, 2352, 2400, 2418, **2422**, 2546, 2554, 2564, 2580, **2654**, 2692, 2866, **2922**, **3024**

Local Bills—Introduced: **50**, 2196

Committees: Transportation, Chair; Economic Opportunities Policy and Calendar Committee; Children, Families, and Elder Affairs; Communications and Public Utilities; General Government Appropriations; Judiciary; *Joint Select Committee to Receive Century Commission Findings*; *Select Committee on Property Insurance Accountability*; *Committee on Public Service Commission Oversight*

BENNETT, MICHAEL S. "MIKE"—21st District

Introduced: 412, 414, 416, 418, 426, **428**, 430, **432**, 498, 616, 658, 660, 662, 664, **686**, **704**, **758**, 784, **794**, 796, 816, 818, 828, 844, 982, 984, 1016, 1040, 1086, 1104, 1176, 1246, 1248, 1250, 1252, 1254, 1256, 1258, 1260, 1262, 1264, 1266, **1276**, 1282, 1288, 1308, 1382, 1386, 1412, 1422, 1490, 1496, 1506, 1530, 1634, 1700, 1966, 1970, 2050, 2062, **2082**, 2086, 2150, 2188, 2190, 2198, 2284, 2304, 2406, 2410, 2432, 2498, 2506, 2518, 2602, 2616, 2704, 2722, 2744

Co-introduced: 108, 164, 278, 362, 574, 608, 620, 640, 678, 706, **712**, 780, 790, 848, **1012**, 1096, 1242, 1440, 1544, 1704, 1964, 2060, 2148, 2246, 2546, 2580, **2654**, 2726, 2790, **2922**, **3024**

Committees: Communications and Public Utilities, Chair; Oversight and Procedural Policy and Calendar Committee; Responsible Regulation Policy and Calendar Committee; Banking and Insurance; Criminal Justice; General Government Appropriations; Higher Education; Rules; *Joint Select Committee to Receive Century Commission Findings, Alternating Chair*; *Administrative Procedures Committee, Alternating Chair*; *Committee on Public Service Commission Oversight, Co-Chair*; *Select Committee on Property Insurance Accountability*

BULLARD, LARCENIA J.—39th District

Introduced: 442, 444, 446, 460, 500, 680, **682**, 684, 768, 1324, **1366**, **1368**, 1664, **1674**, **1740**, 1948, 1952, **1960**, 1984, **2066**, **2068**, 2070, 2074, 2096, 2442, 2728, 2732, 2734, 2748, **2958**, **2960**, **2962**, **3000**, **3002**, **3018**

Co-introduced: 76, **82**, 86, 88, 94, 100, **110**, 116, 142, 172, 188, 214, 226, **276**, 292, 298, 302, 334, **366**, 378, 440, 472, 478, 482, 484, 520, **542**, 544, 548, 586, 614, 708, **712**, 998, 1010, 1020, 1036, 1064, 1186, **1236**, **1302**, 1326, **1552**, 1600, **1618**, 1650, **1706**, 1962, 2006, **2296**, 2308, 2468, 2492, 2554, **2654**, 2678, 2726, **2922**, **3024**

Local Bill—Introduced: 2928

Committees: Agriculture, Vice Chair; Transportation, Vice Chair; Economic Opportunities Policy and Calendar Committee; Responsible Regulation Policy and Calendar Committee; Education Pre-K - 12; Education Pre-K - 12 Appropriations; Military Affairs and Domestic Security; Rules

CARLTON, LISA—23rd District

Introduced: **1742**, 1886, **1888**, 1890, **1892**, 1894, 1896, 1898, 1900, 1902, 1904, 2308, **2894**

Co-introduced: 94, **712**, **1712**, 2580, **2654**, **2922**, **3024**

Committees: Fiscal Policy and Calendar Committee, Chair; Agriculture; Education Facilities Appropriations; Education Pre-K - 12; *Legislative Budget Commission*

CONSTANTINE, LEE—22nd District

Introduced: 308, 310, 312, 314, 316, 318, 320, 322, 324, 326, **502**, 556, 558, 560, 562, **564**, 566, 568, 570, **610**, 864, **866**, 868, 876, 878, **1094**, 1212, 1214, 1216, 1218, 1220, 1222, 1224, 1226, 1228, 1230, 2584, 2586, 2590, 2594, 2604, 2614, 2640

Co-introduced: **712**, **1236**, 1544, **2366**, 2546, **2654**, 2866, **2922**, **3024**

Committees: Responsible Regulation Policy and Calendar Committee, Chair; Ethics and Elections, Chair; Law and Justice Policy and Calendar Committee; Communications and Public Utilities; Education Pre-K - 12 Appropriations; Higher Education; Rules; Transportation; *Committee on Public Service Commission Oversight*; *Joint Legislative Committee on Everglades Oversight*; *Joint Select Committee on Collective Bargaining*

CRIST, VICTOR D.—12th District

Introduced: 162, 164, 166, 298, 300, 378, 386, 556, 606, 608, 612, 654, 672, 688, 700, 726, 728, 730, 746, 748, 786, 1556, 1690, 1786, **1788**, **1790**, **1792**, 1794, 1796, 1798, 1800, 1802, 1804, 1806, **1956**, 1996, 2098, **2100**, 2168, 2172, 2336, 2490, 2492, 2524, 2588, 2670, **2676**, 2678, 2684, 2686, 2690, **2820**, **2954**

Co-introduced: 76, **82**, 86, 88, 90, 278, 390, 424, 472, 482, 496, **502**, **622**, 640, **712**, 798, 850, 994, **1008**, **1076**, **1094**, 1384, 1430, 1440, 1536, 1564, 1692, 1704, 1964, **2012**, 2026, 2062, **2310**, 2350, 2440, 2538, 2546, 2574, 2652, **2654**, 2712, 2714, 2778, **2922**, **3024**

Local Bill—Introduced: 16

Local Bills—Co-introduced: 1524, 1734

Committees: Criminal and Civil Justice Appropriations, Chair; Health Policy, Vice Chair; Fiscal Policy and Calendar Committee; Social Responsibility Policy and Calendar Committee; Commerce; Community Affairs; Criminal Justice; Rules

DAWSON, M. MANDY—29th District

Introduced: 888, 890, 892, 894, 896, 898, 900, 902, 904, 2364, 2372, 2392, 2446

Co-introduced: 164, 446, 500, 678, 684, **712**, 768, 846, 1664, 2468, **2654**, 2790, **3024**

Committees: Health Policy, Chair; Social Responsibility Policy and Calendar Committee; Banking and Insurance; Community Affairs; Criminal and Civil Justice Appropriations; Criminal Justice; *Select Committee on Property Insurance Accountability*; *Administrative Procedures Committee*

DEAN, CHARLES S. "CHARLIE", SR.—3rd District

Introduced: **274**, 472, 614, 740, 742, 798, 1110, 1188, 1376, 1384, 1462, 1464, 1468, 1470, 1472, 1476, **1488**, 1698, 2058, 2060, 2202, 2286, 2294, 2606, 2620, 2634, 2648, 2658

Co-introduced: **276**, 678, **712**, **766**, 846, 1064, 1580, 1964, 2148, 2472, 2546, **2654**, 2726, **2922**, **3024**

Local Bill—Introduced: **68**

Committees: Military Affairs and Domestic Security, Chair; Law and Justice Policy and Calendar Committee; Criminal and Civil Justice Appropriations; Governmental Operations; Health Policy; Regulated Industries

DEUTCH, TED—30th District

Introduced: 420, 572, 698, 848, 924, 1108, 1238, 1244, 1314, 1326, 1410, 1622, 1624, **2012**, 2014, 2020, 2028, 2076, 2160, 2200, 2342, 2470, 2510, 2528, 2538, 2552, 2554, 2674, 2696, 2738, 2740, 2746, 2766, 2768, 2790, 2846, 2868, 2870

Co-introduced: 94, 164, 226, **276**, 362, 668, 678, 706, **712**, **766**, 780, 920, **1094**, 1490, 1668, 1964, **2654**, **2922**, **3024**

Local Bill—Introduced: **38**

Committees: Banking and Insurance, Vice Chair; Finance and Tax, Vice Chair; Economic Opportunities Policy and Calendar Committee; Fiscal Policy and Calendar Committee; Agriculture; Education Pre-K - 12; Judiciary; Rules; *Joint Select Committee on Property Tax Relief and Reform*; *Joint Select Committee to Receive Century Commission Findings*; *Select Committee on Property Insurance Accountability*

DIAZ DE LA PORTILLA, ALEX—36th District

Introduced: 160, 928, 930, 932, 934, 936, 938, 940, 942, 944, 946, **948**, 950, 952, 954, **1414**, 1416, 1418, 1974, 2006, **2310**, **2366**, 2374, 2682, 2866, 2872, **2998**

Co-introduced: 678, 706, **712**, 1668, 2322, 2546, **2654**, **2922**, **3024**

Local Bill—Introduced: 64

Committees: Commerce, Chair; Economic Opportunities Policy and Calendar Committee; Agriculture; Education Pre-K - 12; Judiciary; Transportation and Economic Development Appropriations; *Select Committee on Property Insurance Accountability*; *Florida Legislative Committee on Intergovernmental Relations*

DOCKERY, PAULA—15th District

Introduced: 496, **622**, 624, 830, 832, 834, 836, 838, 840, 842, 1062, 1064, 1162, 1178, **1442**, **1988**, 1990, **2000**, 2508, 2512, **2578**, 2726, 2742, 2754, 2762, 2764, 2776, 2780, 2792, 2852

Co-introduced: 74, **82**, 88, **92**, 108, 116, 164, **192**, 268, **276**, 340, 420, **432**, 472, **502**, 556, 562, 614, 638, 644, 692, **712**, **756**, 790, 846, 998, **1094**, **1302**, 1440, **1456**, 1600, 1668, 1704, 1732, 1964, **2654**, 2778, **2922**, **3024**

Local Bill—Introduced: 2940

Committees: Law and Justice Policy and Calendar Committee, Chair; Criminal Justice, Chair; Education Pre-K - 12 Appropriations; Environmental Preservation and Conservation; Health Policy; Rules; Transportation; *Committee on Public Service Commission Oversight*

FASANO, MIKE—11th District

Introduced: 62, **82**, 106, 108, **110**, 112, 114, 116, 118, 120, 122, 124, **154**, 188, 190, 214, 216, 224, 232, 294, 296, 358, 360, 380, 384, 388, 396, 398, 400, 402, 508, 512, 514, 534, 620, **630**, 632, 634, 636, 674, 676, 678, 716, 718, **734**, 788, 850, 852, **854**, **856**, 860, 862, 870, 872, **874**, 920, 992, 994, 1004, 1018, **1026**, 1098, 1128, 1174, 1180, 1272, **1356**, 1362, **1378**, 1428, 1498, 1870, 1872, 1874, 1876, 1878, 1880, **1882**, 1884, 2022, 2024, 2032, 2136, 2138, 2140, 2142, 2144, 2146, 2232, 2298, 2356, 2360, 2522, 2540, 2564, 2574, 2712, 2714, 2778, 2830, **2898**, 2938, **2952**

Co-introduced: 76, **242**, **276**, 328, **366**, 496, **502**, 608, **712**, **1012**, 1062, 1116, 1196, **1236**, 1316, 1408, 1440, 1458, 1564, **1694**, 1964, **2012**, 2026, 2028, 2094, 2170, 2190, 2320, 2324, 2362, 2402, 2452, 2504, 2546, **2654**, **2860**, 2878, **2922**, **3024**

Local Bills—Introduced: 1436, 1524, 2386

Committees: Transportation and Economic Development Appropriations, Chair; Fiscal Policy and Calendar Committee; Communications and Public Utilities; Health Regulation; Judiciary; Regulated Industries; Rules; *Select Committee on Property Insurance Accountability*; *Legislative Budget Commission*

GAETZ, DON—4th District

Introduced: **1012**, 1014, 1030, 1120, 1208, 1274, 1316, **1318**, 1440, 1670, **1906**, **1908**, 1910, 1912, 1914, 1916, 1918, 1920, 1922, 1924, 1926, 1928, 1930, 1932, 1934, 1936, 1938, 1940, 1942, 1944, 2274, 2302, 2306, 2334, 2362, **2462**, 2476, 2556, 2562, 2568, 2592, 2650, **2992**, **2994**, 2996, **3020**, **3022**

Co-introduced: 76, **82**, **92**, 94, 114, 124, 162, 190, 240, 268, **274**, **276**, 286, 368, 388, 390, 392, 394, 402, 420, 422, 424, 426, **432**, 532, 540, 574, 576, 620, 624, 626, 638, 644, 662, 674, 678, 688, **696**, **704**, 706, 710, **712**, **734**, **758**, 798, 812, 884, 920, 956, 958, 992, 1020, 1022, 1080, **1094**, 1232, **1356**, **1378**, 1458, 1514, 1522, **1534**, 1606, 1672, 1684, **1712**, **1716**, **1742**, 1964, 2022, 2190, 2308, 2384, **2534**, 2546, 2554, **2630**, **2654**, 2848, **2860**, **2922**, **3024**

Committees: Education Pre-K - 12, Chair; Social Responsibility Policy and Calendar Committee; Banking and Insurance; Environmental Preservation and Conservation; Health and Human Services Appropriations; Judiciary; *Select Committee on Property Insurance Accountability*; *Joint Legislative Sunset Committee, Co-Chair*; *Administrative Procedures Committee*

GARCIA, RUDY—40th District

Introduced: 156, 184, 306, 438, 474, 476, 478, 480, 482, 484, 486, 488, 490, 492, 802, 2238, 2652

Co-introduced: **712**, 1440, **2654**, 2726, **2860**, **2922**, **3024**

Committees: Community Affairs, Chair; Responsible Regulation Policy and Calendar Committee; Commerce; Education Pre-K - 12 Appropriations; Health Policy; Military Affairs and Domestic Security; Rules; *Legislative Budget Commission, Alternating Chair*

GELLER, STEVEN A.—31st District

Introduced: 74, 290, 962, 970, 980, 1006, 1020, 1102, 1196, 1284, 1482, 1510, 1512, 1532, 1736, 2030, 2040, 2376, 2382, **2654**, 2656, 2702, **2860**

Co-introduced: 94, **276**, 362, 426, **712**, 848, **1236**, 1964, **2922**, **3024**

Committees: Education Facilities Appropriations, Vice Chair; Regulated Industries, Vice Chair; Economic Opportunities Policy and Calendar Committee; Fiscal Policy and Calendar Committee; Community Affairs; Finance and Tax; Judiciary; Rules; *Select Committee on Property Insurance Accountability, Co-Chair*; *Joint Select Committee on Property Tax Relief and Reform*

HARIDOPOLOS, MIKE—26th District

Introduced: 424, 494, 884, **1094**, 1584, 1586, **1588**, 1590, 1592, 1594, 1596, 1602, **1958**, 1964, 1972, 2080, 2148, **2268**, 2328, 2358, 2412, 2428, **2516**, **2582**, 2624, 2788, **3008**, **3010**

Co-introduced: 76, 86, 112, **274**, **276**, 392, 394, 472, **502**, 540, 618, 624, **712**, **758**, 850, **974**, 1096, 1316, **1378**, 1384, 1440, 1606, **1742**, 2350, 2384, **2654**, 2666, **2922**, **3024**

Local Bill—Introduced: 2888

Committees: Finance and Tax, Chair; Fiscal Policy and Calendar Committee; Children, Families, and Elder Affairs; Community Affairs; Military Affairs and Domestic Security; Regulated Industries; Rules; *Joint Select Committee on Property Tax Relief and Reform, Chair*; *Legislative Auditing Committee*

HILL, ANTHONY C. "TONY", SR.—1st District

Introduced: 20, 22, 466, 468, 470, 516, 518, 520, 522, 524, **732**, **820**, 824, 826, 1010, 1338, 1346, 1350, **1558**, **2090**, 2092, 2240, 2404, 2408, 2420, 2672, 2706, 2786, **2972**, **2974**

Co-introduced: 94, **276**, 678, **712**, **1236**, 1580, 1600, 2152, 2312, 2424, **2654**, 2842, **2922**, **3024**

Local Bill—Introduced: 42

Committees: Community Affairs, Vice Chair; Military Affairs and Domestic Security, Vice Chair; Law and Justice Policy and Calendar Committee; Oversight and Procedural Policy and Calendar Committee; Responsible Regulation Policy and Calendar Committee; Children, Families, and Elder Affairs; Regulated Industries; Transportation and Economic Development Appropriations; *Florida Legislative Committee on Intergovernmental Relations, Alternating Chair*

JONES, DENNIS L., D.C.—13th District

Introduced: 24, 550, 554, 576, 578, 580, 582, 584, 586, 588, 590, 592, 594, 596, 598, 600, 602, 604, 638, 692, 772, 960, 976, 978, 986, 1100, 1206, **1236**, 1242, 1380, 1420, 1518, 1668, 1672, 2086, 2164, 2618, 2646, **2806**, **3014**

Co-introduced: 76, **82**, 94, **276**, 322, 362, 368, 426, **432**, **502**, 624, 706, **712**, 780, 1086, **1094**, 1370, 1374, 1964, 2018, 2394, **2654**, 2726, **2860**, **2922**, **3024**

Local Bills—Introduced: 2346, 2348

Committees: Regulated Industries, Chair; Economic Opportunities Policy and Calendar Committee; Environmental Preservation and Conservation; Ethics and Elections; General Government Appropriations; Health Regulation; Rules; *Joint Legislative Sunset Committee*

JOYNER, ARTHENIA L.—18th District

Introduced: 36, 448, 656, **756**, 858, 968, **1066**, **1168**, 1434, **1474**, 1582, 1722, 1732, **2046**, **2186**, 2280, 2456, 2482, 2536, **2924**, **2968**

Co-introduced: 12, 200, **276**, 362, 614, 644, **712**, **766**, 780, 848, 994, 1080, 1600, **1956**, 1962, 1964, **1988**, **2654**, 2790, **2922**, **3024**

Local Bills—Introduced: **54**, 1734

Committees: Criminal and Civil Justice Appropriations, Vice Chair; Judiciary, Vice Chair; Fiscal Policy and Calendar Committee; Law and Justice Policy and Calendar Committee; Communications and Public Utilities; Education Facilities Appropriations; Health Policy; Rules; Transportation; *Select Committee on Property Insurance Accountability*

JUSTICE, CHARLIE—16th District

Introduced: 410, 440, 532, 644, 810, 886, 1114, 1432, 1526, 1600, 2088, 2330, 2544, 2622, **2926**, **2936**

Co-introduced: **82**, 94, 226, 322, 362, 512, 572, **712**, 716, **736**, 772, **1076**, **1094**, 1178, **1236**, 1382, **1956**, 1964, 2414, **2654**, 2710, 2726, 2768, **2922**, **3024**

Committees: Commerce, Vice Chair; Ethics and Elections, Vice Chair; Economic Opportunities Policy and Calendar Committee; Law and Justice Policy and Calendar Committee; Environmental Preservation and Conservation; Higher Education; Higher Education Appropriations; Rules; *Committee on Public Service Commission Oversight*

KING, JAMES E. "JIM", JR.—8th District

Introduced: 1000, **1070**, **1076**, 1644, **1676**, **1678**, **1680**, **1682**, 1778, 1780, 1782, 1784, 2312, 2864, **2920**, **2942**

Co-introduced: 74, **276**, **564**, 678, **712**, 1380, 1440, 1600, 1650, 1668, 2424, **2654**, 2726, **2922**, **3024**

Committees: Oversight and Procedural Policy and Calendar Committee, Chair; Education Facilities Appropriations, Chair; Rules, Chair; Fiscal Policy and Calendar Committee; Criminal Justice; Governmental Operations; Higher Education; Higher Education Appropriations; Regulated Industries

LAWSON, ALFRED "AL", JR.—6th District

Introduced: 30, 32, **34**, 46, 1032, 1034, 1036, 1038, 1268, 1278, 1392, 1394, 1396, 1400, 1402, 1654, 1656, 2038, 2056, **2064**, 2260, **2264**, 2266, 2270, 2660, **2832**, 2848, 2946, **2964**

Co-introduced: 12, 94, 362, 446, 460, 500, 678, **682**, **712**, **766**, 768, 920, **1236**, 1440, 1580, 1600, 1606, 1664, 1668, 2030, 2126, **2128**, **2130**, **2132**, 2134, **2654**, 2790, **2922**, **3024**

Local Bill—Introduced: 70

Committees: Governmental Operations, Chair; General Government Appropriations, Vice Chair; Fiscal Policy and Calendar Committee; Responsible Regulation Policy and Calendar Committee; Banking and Insurance; Health Regulation; Military Affairs and Domestic Security; Rules; *Joint Select Committee on Collective Bargaining, Co-Chair*; *Select Committee on Property Insurance Accountability*; *Joint Legislative Sunset Committee*

LYNN, EVELYN J.—7th District

Introduced: 202, 204, 206, 280, 282, 340, 342, 374, 376, 650, 652, 670, 814, 1170, 1566, 1568, 1570, 1572, 1722, 1762, 1764, 1766, 1768, 1770, 1772, **1774**, 1776, 2048, 2208, 2276, 2278, 2418, 2460, 2478, **2532**, **2934**

Co-introduced: 76, **78**, **82**, **92**, 116, 164, 226, 268, **274**, 278, 286, **366**, **370**, 390, **432**, 472, **502**, 508, 522, **526**, 530, **542**, 556, **564**, 574, **622**, 624, 628, 678, 688, 694, **696**, 706, 708, **712**, **732**, **736**, 748, **756**, 788, 790, 800, 846, **854**, 862, 886, **948**, **966**, **988**, 992, **996**, **1012**, 1022, **1026**, **1042**, 1044, **1046**, 1048, 1068, **1076**, 1084, 1086, **1094**, 1096, 1116, 1152, 1188, 1192, 1270, **1302**, **1318**, 1370, **1378**, 1384, **1414**, 1426, **1442**, 1462, 1544, 1554, 1608, **1616**, **1618**, 1640, **1648**, 1652, 1670, 1692, **1712**, **1716**, 1732, 1752, **1906**, **1908**, 1954, 1962, 2062, 2152, **2282**, 2308, 2350, **2366**, 2492, 2522, 2552, 2564, 2626, **2630**, **2654**, 2762, 2778, **2922**, **3024**

Committees: Higher Education Appropriations, Chair; Fiscal Policy and Calendar Committee; Children, Families, and Elder Affairs; Commerce; Communications and Public Utilities; Criminal Justice; Rules

MARGOLIS, GWEN—35th District

Introduced: 14, 362, 364, **366**, 406, 434, 436, **646**, 720, 722, 724, 782, 1096, 1116, 1478, 1492, **1502**, **1706**, 1708, 1980, 2494, 2558, 2844, 2850

Co-introduced: 94, 164, 200, 226, 446, 460, 500, 508, 572, 628, 684, **712**, 768, 780, 816, 848, 880, 920, 1084, 1664, **1694**, 1962, **2654**, **2922**, **3024**

Committees: Children, Families, and Elder Affairs, Vice Chair; Transportation and Economic Development Appropriations, Vice Chair; Fiscal Policy and Calendar Committee; Oversight and Procedural Policy and Calendar Committee; Social Responsibility Policy and Calendar Committee; Communications and Public Utilities; Ethics and Elections; Transportation; *Legislative Auditing Committee, Alternating Chair*; *Legislative Budget Commission*

OELRICH, STEVE—14th District

Introduced: 368, 390, 640, **696**, 956, 958, 1024, 1398, 1560, 1714, **1716**, 1718, 1720, 1724, 1726, 1728, 1730, 1738, 2078, 2170, 2242, 2572, **2610**, 2612, **2630**, 2840, 2932

Co-introduced: 94, 668, **712**, 920, **1012**, 1440, 1964, **2654**, **2922**, **3024**

Committees: Higher Education, Chair; Social Responsibility Policy and Calendar Committee; Commerce; Ethics and Elections; Governmental Operations; Higher Education Appropriations; *Florida Legislative Committee on Intergovernmental Relations*

PEADEN, DURELL, JR.—2nd District

Introduced: **750**, 1022, 1080, 1130, 1290, **1360**, 1598, 1852, 1854, 1856, 1858, 1860, 1862, **1864**, 1866, 1868, **2102**, **2104**, **2106**, **2108**, **2110**, **2112**, **2114**, **2116**, **2118**, **2120**, **2122**, **2124**, 2234, **2326**, **2534**, 2642, **2662**, 2694, 2752, 2756, 2758, **2760**, **2882**, **3004**

Co-introduced: 94, **712**, 1440, 1580, 1704, **2654**, **2922**, **3024**

Committees: Health and Human Services Appropriations, Chair; Fiscal Policy and Calendar Committee; Agriculture; Banking and Insurance; Education Facilities Appropriations; Health Regulation; Military Affairs and Domestic Security; *Select Committee on Property Insurance Accountability*

POSEY, BILL—24th District

Introduced: 44, 618, **648**, 666, 668, 1968, 2018, 2034, 2036, 2042, 2044, 2072, 2174, 2176, 2178, 2180, 2182, 2184, 2272, **2296**, 2318, 2320, 2324, 2332, 2340, 2426, 2434, **2438**, 2440, 2444, 2448, 2450, 2452, 2454, 2458, 2464, 2480, 2484, 2486, 2488, 2504, 2526, 2542, 2666, 2816, 2824, 2826

Co-introduced: 532, 540, 640, 678, 706, **712**, 920, **1012**, **1094**, 1116, 1440, 1650, 2294, 2428, **2654**, **2922**, **3024**

Local Bill—Introduced: 2976

Committees: Banking and Insurance, Chair; Governmental Operations, Vice Chair; Economic Opportunities Policy and Calendar Committee; Responsible Regulation Policy and Calendar Committee; Rules; *Select Committee on Property Insurance Accountability, Vice Chair*

PRUITT, KEN—28th District

Co-introduced: **712**, **2654**, **2922**, **3024**

RICH, NAN H.—34th District

Introduced: 94, 200, 226, **276**, 278, 628, 702, 744, **766**, 780, 846, 880, **974**, **1002**, 1084, 1088, 1186, 1192, 1198, 1352, 1404, 1408, 1574, 1580, 1710, 1950, 1954, 1962, 2344, 2370, 2414, 2472, 2550, 2566, 2576, 2668, **2922**, **2948**, **2978**, **3006**

Co-introduced: 322, 362, 426, 572, 644, 706, **712**, 790, 848, 886, **1236**, 1600, 1964, **2654**, 2790, **3024**

Committees: Environmental Preservation and Conservation, Vice Chair; Health and Human Services Appropriations, Vice Chair; Fiscal Policy and Calendar Committee; Responsible Regulation Policy and Calendar Committee; Children, Families, and Elder Affairs; Ethics and Elections; Regulated Industries; Rules; *Legislative Budget Commission*

RING, JEREMY—32nd District

Introduced: 344, 346, 348, 350, **352**, 354, 356, 462, 926, 1082, 1112, 1126, 1166, 1182, 1194, **1204**, 1320, 1500, 1542, 1636, 1658, 1976, **1986**, 1998, 2026, **2310**, 2466, 2730

Co-introduced: 94, 200, 268, **276**, 362, 392, 426, **502**, 572, **642**, 668, 706, **712**, 780, 848, 920, **1012**, **1236**, 1576, 1600, 1964, **2654**, 2790, **2922**, **3024**

Local Bills—Introduced: **60**, 2980, 2982, 2984, 2986, 2988, 2990, 3012, 3016

Committees: Higher Education, Vice Chair; Higher Education Appropriations, Vice Chair; Fiscal Policy and Calendar Committee; Social Responsibility Policy and Calendar Committee; Agriculture; Commerce; Judiciary; *Select Committee on Property Insurance Accountability*; *Joint Legislative Sunset Committee*; *Legislative Auditing Committee*

SAUNDERS, BURT L.—37th District

Introduced: 84, 90, 332, 334, 336, 338, 530, **536**, **542**, 708, **736**, 738, 972, 1028, 1106, 1122, 1184, **1286**, 1292, **1294**, 1296, 1298, 1300, **1302**, 1304, 1306, 1312, 1388, 1390, 1444, **1480**, 1484, 1486, 1508, **1538**, 1540, 1544, 1546, 1548, 1550, **1552**, **1648**, **2244**, 2380, 2388, 2394, 2608, 2698, **2890**, **2892**, **2896**, **2916**, **2918**

Co-introduced: 164, **276**, **432**, 706, **712**, 1440, 1964, **2654**, **2922**, **3024**

Local Bills—Introduced: 2884, 2886

Committees: Social Responsibility Policy and Calendar Committee, Chair; Environmental Preservation and Conservation, Chair; Responsible Regulation Policy and Calendar Committee; Commerce; Education Facilities Appropriations; Health and Human Services Appropriations; Health Policy; Judiciary; Rules; *Select Committee on Property Insurance Accountability*; *Joint Legislative Committee on Everglades Oversight*

SIPLIN, GARY—19th District

Introduced: 302, **642**, 1068, 1322, 1328, 1330, 1332, 1334, 1336, 1344, 1348, 1354, 1406, 2228, 2252, 2254, 2468, 2520, 2628, 2808, 2834, 2836, 2838, 2842, 2854

Co-introduced: 142, **276**, 362, 678, **712**, 798, **1236**, 1440, 1458, 2152, 2214, 2404, **2654**, 2846, **2922**, **3024**

Local Bill—Introduced: 26

Committees: Education Pre-K - 12 Appropriations, Vice Chair; Health Regulation, Vice Chair; Fiscal Policy and Calendar Committee; Social Responsibility Policy and Calendar Committee; Commerce; Community Affairs; Military Affairs and Domestic Security; *Florida Legislative Committee on Intergovernmental Relations*

STORMS, RONDA—10th District

Introduced: 392, 806, 808, 812, **1008**, 1132, 1134, 1136, 1138, 1140, 1142, 1144, 1146, 1148, 1150, 1152, 1154, 1156, 1158, 1160, 1164, 1232, 1514, 1516, 1520, 1522, 1528, **1534**, 1536, 1576, 1704, **2004**, 2010, 2192, 2216, 2546, 2626, 2632, 2636, 2644, 2692, 2750

Co-introduced: 12, 36, 94, 282, 446, 460, 500, 644, 678, **682**, **712**, **1012**, **1076**, 1280, 1426, 1440, 1606, 1650, 1668, **1956**, 1964, 1968, 2190, 2580, **2654**, 2848, **2922**, **3024**

Local Bill—Co-introduced: 1734

Committees: Children, Families, and Elder Affairs, Chair; Social Responsibility Policy and Calendar Committee; Banking and Insurance; Community Affairs; Finance and Tax; Military Affairs and Domestic Security; *Joint Select Committee on Property Tax Relief and Reform*; *Select Committee on Property Insurance Accountability*; *Joint Legislative Sunset Committee*; *Legislative Auditing Committee*

VILLALOBOS, J. ALEX—38th District

Introduced: 58, **92**, 268, 800, 1050, 1052, 1054, 1056, 1058, 1060, 1072, 1074, 1364, 2084, 2292, 2300, 2514, 2548, 2560

Co-introduced: 226, 508, **712**, 2546, **2654**, 2726, **2922**, **3024**

Committees: Judiciary, Chair; Law and Justice Policy and Calendar Committee; Children, Families, and Elder Affairs; Community Affairs; Criminal and Civil Justice Appropriations; Transportation; *Select Committee on Property Insurance Accountability, Vice Chair*

WEBSTER, DANIEL—9th District

Introduced: 2094, 2390, 2400, 2430, **2966**, **3026**

Co-introduced: **712**, **756**, 1650, **2654**, **2922**, **3024**

Committees: Education Facilities Appropriations; Judiciary; Transportation; Transportation and Economic Development Appropriations; *Select Committee on Property Insurance Accountability*

WILSON, FREDERICA S.—33rd District

Introduced: **78**, 80, 98, 100, 102, 104, 126, 128, 130, 132, 134, 136, 138, 140, 142, 144, **146**, 148, 150, 152, 158, **168**, 170, 172, 174, 176, 178, 180, 182, 194, 196, 198, **208**, **210**, 212, 244, 246, 248, 250, 252, 254, 256, 258, 260, 262, 264, 266, 270, 292, 450, 506, 510, 546, **712**, 714, 922, 1118, 1358, **1454**, **1456**, **1460**, 2162, 2166, 2316, **2880**

Co-introduced: 12, 94, **276**, 278, 362, 446, 500, 514, **646**, **682**, 706, **732**, **756**, **766**, 768, 780, 848, **856**, 858, 1116, **1474**, **1558**, 1650, 2028, **2090**, 2152, 2308, 2468, **2654**, 2660, 2848, **2860**, **2922**, **3024**

Local Bill—Introduced: **40**

Committees: Education Pre-K - 12, Vice Chair; Rules, Vice Chair; Oversight and Procedural Policy and Calendar Committee; Social Responsibility Policy and Calendar Committee; Banking and Insurance; Criminal Justice; Governmental Operations; Health and

Human Services Appropriations; *Select Committee on Property Insurance Accountability*

WISE, STEPHEN R.—5th District

Introduced: 218, 220, 222, 234, 236, 238, 240, **242**, 284, 286, **370**, 372, 456, **458**, **526**, 690, 804, **988**, 990, **996**, 998, 1078, 1172, 1190, 1200, 1202, 1240, 1270, 1340, 1342, 1424, **1446**, 1448, 1452, 1458, 1504, 1554, 1610, 1686, 1744, 1746, 1748, 1750, 1752, 1754, 1756, 1758, 1760, **2204**, 2262, **2282**, 2396, 2398, 2402, 2416, 2424, 2436, 2496, 2570, 2700, 2810, 2812, 2814, 2818, 2822, 2828, 2856

Co-introduced: **276**, 678, **712**, 920, **1236**, 1440, 1650, **1908**, 2312, 2546, **2654**, 2692, 2842, **2922**, **3024**

Committees: Education Pre-K - 12 Appropriations, Chair; Fiscal Policy and Calendar Committee; Community Affairs; Criminal Justice; Education Pre-K - 12; Regulated Industries; Rules; *Legislative Auditing Committee*; *Legislative Budget Commission*; *Joint Select Committee on Collective Bargaining*

JOURNAL OF THE SENATE

BILLS, RESOLUTIONS AND MEMORIALS INTRODUCED BY COMMITTEES

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March 4 through May 2, 2008

[Source: Office of Legislative Services]

(Boldfaced bill numbers passed both houses.)

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Introduced: **1630**, 1638, **2222**
Committee Substitutes: 310, 394, 964, **1630**, **1702**, **1946**, 1994, 2060, **2222**, 2246, 2286, 2352, 2624

BANKING AND INSURANCE
Introduced: 2156, **2158**
Committee Substitutes: 406, 644, 656, 752, 818, 992, 1010, **1012**, 1018, 1098, 1270, 1374, 1422, **1488**, 1598, 1684, **2012**, 2048, **2082**, 2156, **2158**, 2174, **2264**, 2272, 2338, 2388, **2462**, 2488, 2528, **2534**, **2654**, **2860**

CHILDREN, FAMILIES, AND ELDER AFFAIRS
Introduced: **1042**, 1044, **1046**, 1048
Committee Substitutes: **370**, **502**, 628, 638, 786, 846, **856**, 862, 1048, 1084, 1150, 1152, 1582, 1614, 1670, 1704, 1950, 1954, 2216, **2532**, 2552, 2626, 2644, 2762

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Introduced: 2474
Committee Substitutes: 304, 380, **428**, 556, 572, 672, 692, 694, 850, **854**, 886, 926, 928, 930, 940, **948**, 954, **966**, 1120, 1270, 1398, 1670, 1692, 1722, 2006, 2150, **2264**, 2304, 2338, 2374, 2426, 2458, 2706, 2712, 2714, 2774, 2856

COMMUNICATIONS AND PUBLIC UTILITIES
Introduced: 2212
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Introduced: **2224**
Committee Substitutes: 392, 474, 482, 512, 560, 640, 850, 976, 1116, 1208, 1242, **1318**, **1378**, 1426, 1490, 1492, 1496, 1672, **2016**, 2084, 2148, 2236, 2388, 2494, 2594, 2648, 2710

CRIMINAL AND CIVIL JUSTICE APPROPRIATIONS
Introduced: 2798, 2908
Committee Substitutes: 76, 328, 472, 546, 624, 700, **756**, 858, **1442**, 1614, **1788**, **1790**, **1792**, 1800, 1802, **2000**, 2026, **2676**

CRIMINAL JUSTICE
Introduced: 340, 1612, 1614, **1616**, **1618**, 2152, 2154
Committee Substitutes: 76, 116, 268, 278, 282, 340, 390, 522, 556, 614, **622**, 654, 658, 668, 672, 700, 706, **756**, 782, 790, 792, 802, 838, 924, **1008**, 1064, **1076**, 1086, 1110, 1128, **1310**, 1408, 1430, 1438, **1442**, 1614, **1618**, 1690, 1722, 1730, 1732, 1800, **1988**, **1992**, **2000**, 2026, 2152, 2172, 2490

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Introduced: 1652, **1712**
Committee Substitutes: 236, **242**, 318, **526**, **610**, 1062, **1070**, **1276**, **1414**, 1440, 1458, 1652, 1670, **1712**, **1906**, **1908**, 1914, 2308, 2546, 2692

EDUCATION PRE-K - 12 APPROPRIATIONS
Introduced: 2794, 2904
Committee Substitutes: 318, **526**, **610**, 1062, 1440, 1458, 1652, **1712**, 1744, 1746, 1752, 1756, 1760, **1906**, 1914, 2700

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FISCAL POLICY AND CALENDAR COMMITTEE
Introduced: 2500, **2502**, 2900, 2902

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Introduced: 2802, 2910
Committee Substitutes: 498, **542**, 652, 818, **996**, **1012**, **1286**, **1294**, 1296, **1302**, 1376, 1422, 1428, **1502**, 1544, 1684, **1702**, 1810, 1814, 1820, 1824, 1830, 1838, 1844, 1848, 1886, **1888**, **1892**, 1968, 2002, **2016**, 2018, 2080, **2082**, 2156, **2158**, 2174, 2212, 2246, 2378, **2532**, 2580, 2640, 2848, **2860**

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Introduced: 2002, 2008
Committee Substitutes: 108, 316, 322, 392, 498, 546, 652, 706, **766**, 800, 862, 920, 928, **1026**, 1034, 1090, 1120, 1428, 1464, 1654, 1684, **1694**, **1712**, 1994, 1996, 1998, 2002, 2152, 2156, **2224**, **2310**, **2422**, 2528, **2610**, 2626, **2630**, 2652, 2660, 2762, 2848

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Introduced: 1090, **1092**
Committee Substitutes: 164, 888, **988**, 1338, 1598, **1648**, **2012**, 2652, **2654**, 2790

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Introduced: 2796, 2906
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[Source: Office of Legislative Services]

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SENATE BILLS, RESOLUTIONS AND MEMORIALS BY NUMBER WITH SUBJECT, INTRODUCER AND DISPOSITION

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March 4 through May 2, 2008

(To Obtain the Number of a Bill, see Subject Index.)

Abbreviations:

BA — Bill Action
Ch. — Chapter Number, Bill Passed
CO — Co-Introducers
CR — Committee Report
CS — Committee Substitute
FR — First Reading
MO — Motion
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Types of Bills:

SB/HB — Senate/House Bill
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SR — Senate Resolution

Final Disposition:

Adopted
CSP — Companion or Similar Bill Passed
DCC — Died in Conference Committee
DCH — Died on House Calendar
DCS — Died on Senate Calendar
DHC — Died in House Committee
DM — Died in Messages
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DSC — Died in Senate Committee
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LTS — Laid on Table in Senate
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56 Relief/Schneidine Theogene/Miami-Dade County (Aronberg) (FR)170, (CR)344, (RC)347, (CR)425, (MO)503, (BA)512, (CR)520, (BA)**542**, 1094 Ch. 2008-264
58 Relief/Luis Diaz (Villalobos) (FR)8 DSC
60 Relief/Adrian Fuentes/South Broward Hospital Dist. (Ring) (FR)8, (CR)345, (RC)347, (CR)390, (MO)503, (BA)504, (BA)512, (CR)519, (BA)**541**, 1094 Ch. 2008-265
62 Relief/Stephenson/DOT (Fasano) (FR)8 DSC
64 Relief/Brian Daiagi/SFWMD (Environmental Preservation and Conservation) (FR)8, (RC)481, (CR)520, (CR)754, (CS)755, (BA)944, (BA)956, (CR)973 LTS/CSP-CS/HB 787
66 Relief/Garcia-Bengochea/DCFS (Atwater) (FR)9 DSC
68 Relief/Tyler Giblin/Munroe Regional Health System (Health Regulation) (FR)9, (CR)345, (RC)347, (CR)480, (CS)481, (MO)503, (BA)504, (BA)512, (CR)519, (BA)**541**, 1094 Ch. 2008-266
70 Relief/Police & Donaldson/City of Belle Glade (Lawson) (FR)9 DSC
72 Relief/Estrada/USF Board of Trustees (Aronberg) 9 WNI
74 Documents Excise Taxes/State Housing Trust Fund (Geller and others) (FR)9, (CO)415 DSC
76 Criminal Activity/Criminal Gangs (Criminal and Civil Justice Appropriations and others) (FR)9, (CS)122, (CR)132, (CR)162, (CO)254, (MO)452, (CR)618, (CS/CS)619, (BA)678, (BA)679, (CR)686, (CO)781, (CO)1261 LTS/CSP-CS/CS/HB 43
78 Child Welfare Professionals Recognition Day (Wilson and others) (FR)9, (CR)130, (CR)131, (BA)197, (CR)247, (BA)**258**, (CO)448, 1094 Ch. 2008-157
80 Documents Excise Tax Distribution/State Housing TF (Wilson) (FR)9 DSC
82 Public Library Grants/State Aid (Transportation and Economic Development Appropriations and others) (FR)9, (CR)130, (CR)131, (CO)254, (CR)289, (CS)317, (RC)329, (CO)331, (CO)415, (BA)423, (CR)424, (BA)**454**, 825, 1094, (CO)1261 Ch. 2008-158

SB
84 Outdoor Recreation/Local Govts. Project Grants (Saunders) (FR)10 DSC
86 Sales Tax Exemption/Hurricane Preparedness Items (Baker and others) (FR)10, (CO)282, (CO)331, (CO)1261, (CO)1719 DSC
88 School Safety/Bullying and Harassment (Baker and others) (FR)10, (CO)331, (CO)415, (CO)1261 DSC/CSP-HB 669
90 United States Flag Display/Local Ordinances (Saunders and others) (FR)10, (CO)1261 DSC
92 Persons Injured by Crime/Medical Treatment (Judiciary and others) (FR)10, (CS)123, (CR)130, (CR)131, (CO)415, (CR)618, (BA)678, (CR)686, (BA)**706**, (CO)781, 1261 Ch. 2008-208
94 Safety Belt Law Enforcement (Rich and others) (FR)10, (CO)282, (CO)331, (CO)781 DSC
96 Marital Assets and Liabilities (Aronberg) (FR)10, (CR)287, (BA)422, (CR)424, (BA)**453**, 825 DM
98 Testing for Infectious Diseases/Juvenile Centers (Wilson) (FR)10 DSC
SJR
100 Clemency/Restoration of Civil Rights (Wilson and others) (FR)10, (CO)448 DSC
SB
102 Pub. Rec./Juveniles/Blood Test Results/DJJ (Wilson) (FR)10 DSC
104 School Wellness and Physical Education Policies (Wilson) (FR)11 DSC
106 FRS/Special Risk Class Credit Purchase (Fasano) (FR)11 DSC
108 Service-disabled Veteran Business Enterprises (Governmental Operations and others) (FR)11, (CS)123, (CR)131, (CO)282, (CO)331, (CR)391, (CS/CS)392, (CO)415, (CR)618, (BA)720, (CR)751 LTS/CSP-CS/HB 687
SR
110 Disability History and Awareness Weeks (Fasano and others) (CO)331, (FR)**380** Adopted
SB
112 Student Voter Education Program (Fasano and others) (FR)11, (CO)254, (CR)260 DSC
114 Decorated Combat Vets/Repayment of Student Loans (Fasano and others) (FR)11, (MO)198 WS
116 Electronic Monitoring/Lost Persons (Criminal Justice and others) (FR)11, (CR)130, (CR)162, (CS)165, (CO)331, (CO)415 DSC
118 Qualified Blind Trusts/Public Officials (Fasano) (FR)11 DSC
120 Residential Property Just Valuation (Fasano) (FR)11, (MO)198 WS
122 Personal Identification Information/Criminal Use (Fasano) (FR)11, (MO)198 WS
124 Aliens/Unauthorized Employment (Fasano and others) (FR)11, (MO)198 WS
126 Bishop Victor Tyrone Curry Boulevard/Miami-Dade (Wilson) (FR)12 DSC/CSP-CS/SB 1604
128 AIDS Education Grants in Public Schools (Wilson) (FR)12 DSC
130 School-based Health Centers (Wilson) (FR)12 DSC
SJR
132 Commissioner of Education/Elected Cabinet Member (Wilson) (FR)12 DSC
SB
134 Elections/Qualifying Fee for Write-in Candidates (Wilson) (FR)12 DSC
136 Child Care Personnel Training/Domestic Violence (Wilson) (FR)12 DSC
138 Imitation Firearms (Wilson) (FR)12 DSC
140 Juvenile Proceedings/Use of Restraints on a Child (Wilson) (FR)12 DSC
142 Racial Profiling/Complaint Against Law Enforcement (Wilson and others) (FR)12, (CO)448, (CO)532 DSC
144 Female Inmates Who are Parents of Minor Children (Wilson) (FR)12 DSC
SR
146 Chronic Kidney Disease Awareness Day (Wilson) (FR)283, **284** Adopted
SB
148 Voluntary Prekindergarten Education Program (Wilson) (FR)13 DSC
150 Miccosukee Tribe of Indians/State Jurisdiction (Wilson) (FR)13 DSC
152 Mandatory Employee Paid Sick Leave (Wilson) 13 WNI/CSP-HB 489
SB
154 Pedestrian Safety/Driver Requirements (Fasano and others) (FR)13, (CR)131, (CO)168, (BA)195, (CR)247, (BA)**256**, 1094 Ch. 2008-33
156 Insurance Fraud/Motor Vehicles/Specialty Clinics (Garcia) 13 WNI
158 Public Schools/Reading Lab for Grades 1-3 (Wilson) (FR)13 DSC
160 Sports Franchises (Diaz de la Portilla) (FR)13 DSC
162 Veterans' In-state Tuition (Crist and others) (FR)13 DSC
164 Mental/Nervous/Substance Disorders/Insurance (Health Policy and others) (FR)13, (CR)169, (CO)331, (CR)345, (CS)347, (CO)415, (CO)497 DSC
166 Official Orchestra Designation (Crist) (FR)13 DSC
SR
168 Minority Cancer Awareness Week (Wilson) (FR)**499** Adopted
SB
170 Not Used
SJR
172 Teachers/Beginning and Average Salaries (Wilson and others) (FR)13, (CO)448 DSC
SB
174 Infant Eye Care/Mandatory Examinations (Wilson) (FR)14 DSC
176 School Nurse Services (Wilson) (FR)14 DSC
178 Motor Vehicle Insurance/Foster Children (Wilson) 14 WNI
180 Teachers/Public School/Cost-of-Living Increase (Wilson) (FR)14 DSC
182 Prisoners/Sexual Barrier Protection Devices (Wilson) (FR)14 DSC
184 Telecommunications Svc. Contracts/Written Consent (Garcia) (FR)14, (MO)616 WS
186 University of South Florida Polytechnic (Alexander and others) (FR)14, (CR)287, (CO)415, (CR)478, (BA)747, (CR)751, (BA)**791**, 1094 Ch. 2008-97
188 Elderly or Disabled/Criminal Offenses Against (Fasano and others) (FR)14, (CO)331 DSC
190 Small Business Health Care Insurance Assistance (Fasano and others) (FR)14 DSC
192 State Parks (Environmental Preservation and Conservation and others) (FR)14, (CR)170, (CS)185, (CR)345, (CO)415, (BA)423, (CR)424, (BA)**454**, 825, 979 Ch. 2008-98
194 Students Withdrawing from School (Wilson) (FR)15 DSC
196 Miami-Dade County Foster Care Pilot Program (Wilson) (FR)15 DSC
198 HIV Testing in Prisons (Wilson) (FR)15 DSC
200 Adoption (Rich and others) (FR)15, (CO)331 DSC
202 DNA Testing of Mentally Incompetent Offenders (Lynn) (FR)15 DSC
204 Health Insurance for Dependent Children (Lynn) (FR)15 DSC/CSP-CS/CS/SB 2534
206 Construction Licensing Exemptions (Lynn) (FR)15 DSC
SR
208 Alpha Kappa Alpha Sorority, Inc. (Wilson) (FR)**284** Adopted
210 STOP Day/April 18, 2008 (Wilson) (FR)**644** Adopted
SB
212 HIV Testing/County Detention Facilities/Inmates (Wilson) (FR)15 DSC
214 Disability History and Awareness Pilot Project (Fasano and others) 15, (CO)331 WNI/CSP-HR 9153, SR 110, CS/SB 856
216 State Procurement Advisory Committee (Fasano) (FR)15 DSC
218 Firefighter & Municipal Police Pensions (Wise) (FR)16 DSC
220 Change of Name/Petition (Wise) (FR)16, (CR)130, (CR)162, (CR)478, (BA)518, (CR)520, (BA)**554** DM
222 License Plates/County/State Motto/Sunshine State (Transportation and Economic Development Appropriations and others) (FR)16, (CR)288, (CS)317, (CO)360, (CR)752, (CR)754, (CS/CS)755, (BA)836, (CR)852 LTS/CSP-CS/HB 69
224 Luring or Enticing a Child (Fasano) (FR)16 DSC
226 Social Worker Identification (Rich and others) (FR)16, (CO)331, (CO)415, (CO)497, (CO)532, (CR)617, (CO)643, (MO)686, (MO)852, (BA)944, (CR)973 LTS/CSP-HB 35
228 Sales Tax on Rent (Baker) (FR)16 DSC
230 State Symbols/Fla. Cracker Horse/Loggerhead Turtle (Baker) (FR)16, (CR)287, (MO)720, (BA)836, (CR)852, (BA)864, (BA)926, **927**, 1719 Ch. 2008-34

SB
232 Developmental Disabilities Institutions (Fasano) 16 WNI
234 Governor's School for Science and Technology (Wise) (FR)17 DSC
236 Interpreters for the Deaf and Hard of Hearing (Education Pre-K - 12) (FR)17, (CS)123, (RC)128, (CR)132 DSC
238 Charter Schools (Wise) 17 WNI
240 Workforce Education Grant Program (Wise and others) 17 WNI
242 Schools/Single-gender Classes (Judiciary and others) (FR)17, (CS)123, (CR)132, (CR)170, (CS/CS)185, (RC)189, (BA)197, (CR)247, (BA)**258**, (CO)282, 532, 642 Ch. 2008-26
244 Statewide Educational Assessment Program (Wilson) (FR)17 DSC
246 Restoration of Civil Rights Act/Former Felons (Wilson) (FR)17 DSC
248 Juvenile Sentencing (Wilson) (FR)17 DSC
250 Criminal History Records/Expunction and Sealing (Wilson) (FR)17 DSC
252 Compulsory School Attendance/Age Requirement (Wilson) (FR)18 DSC
254 School Progression/Retention/Reading Proficiency (Wilson) (FR)18 DSC
256 Council on the Social Status of Black Men & Boys (Wilson) 18 WNI/CSP-CS/CS/HB 1395
258 Corporate Income Tax Credits/Nonprofit Educ. Orgs. (Wilson) (FR)18 DSC
260 Gold Seal Quality Care/Child Care Placement (Wilson) (FR)18 DSC
262 Indigent Care/Hospital Reimbursement (Wilson) (FR)18 DSC
264 Kidcare Outreach Program Study/Uninsured Children (Wilson) (FR)18 DSC
266 Cellular Telephones/Use in a Motor Vehicle (Wilson) (FR)18 DSC
268 Truth in Government Act/Legislature (Criminal Justice and others) (FR)18, (CR)130, (CR)163, (CS)165, (CO)331, (CO)415, (MO)852, (BA)944, (CR)973, (BA)**998** DM
SM
270 Haitians/Temporary Protective Status (Wilson) (FR)19 DSC
SB
272 Street Gang Prevention/Civil Causes of Action (Aronberg) (FR)19 DSC/CSP-CS/CS/HB 43
274 POW-MIA Flag/State Parks (Military Affairs and Domestic Security and others) (FR)19, (CS)123, (CR)131, (CR)478, (CO)497, (BA)518, (CR)520, (BA)**554**, (CO)643, (MO)645, 780, (CO)1719 Ch. 2008-159
276 Food Donation by Public Food Service Establishment (Judiciary and others) (FR)19, (CS)123, (CR)130, (CR)132, (BA)195, (BA)198, (CR)247, (BA)**257**, (CO)331, (CO)415, 532, 642, 774, (CO)1261, (CO)1719 Ch. 2008-25
278 Lifeguards/Assault or Battery (Criminal Justice and others) (FR)19, (CS)124, (CR)131, (CR)618, (BA)678, (CR)686, (BA)**706** DM
280 Religious-exempt Child Care Programs (Lynn) (FR)19 DSC
282 Drivers' License Restrictions/Person Under 18 Yrs. (Criminal Justice and others) (FR)19, (CR)162, (CS)165, (CO)254, (CR)346, (CS/CS)347, (CO)979 DCS
284 Technical Colleges (Wise) (FR)19 DSC
286 Educators Teaching English/Inservice Requirements (Wise and others) (FR)19, (CR)130, (CR)131, (BA)197, (CR)247, (CO)254, (BA)**259** DM
SM
288 Home Health Services/Increase Federal Funding (Aronberg) (FR)19 DSC
SB
290 Electronic Gaming Machines (Geller) (FR)19 DSC
292 School Grading System (Wilson and others) (FR)20, (CR)131 USC/LTS
294 FRS/Special Risk Class (Fasano) (FR)20 DSC
296 Bingo/Electronic Verification of Numbers (Regulated Industries) (FR)20, (CS)124, (CR)132, (BA)196, (CR)247, (BA)**257** DHC
298 Blind Children/Literacy Education (Crist and others) (FR)20, (CO)497 DSC
300 Service of Process (Judiciary) (FR)20, (CS)124, (CR)131, (CR)162, (CR)478, (BA)518, (BA)519, (CR)520, (BA)554, **555** DM
302 Public School Dress Requirements (Siplin and others) (FR)20, (CR)131, (BA)197, (CR)247, (CO)254, (BA)**259**, (BA)1632 DM
SB
304 Corporations Not for Profit (Judiciary) (FR)21, (CR)(CS)249, (CR)426, (CS/CS)428, (MO)519 DSC
306 Motor Vehicle Insurers/Homeowners' Insurance (Garcia) 22 WNI
308 Energy Conservation (Constantine) (FR)22 DSC/CSP-CS/HB 697, HB 7135
310 Biomass Energy Production (Agriculture) (FR)22, (CR)169, (CS)185, (RC)189 DSC/CSP-HB 7135
312 Sustainable Standards for State Buildings (Constantine) (FR)23 DSC/CSP-HB 7135
314 Renewable Energy Technologies Tax Credits (Constantine) (FR)23 DSC/CSP-HB 7135
316 Energy Use (Governmental Operations) (FR)23, (CR)169, (CS)185, (RC)190 DSC/CSP-HB 7135
318 Exceptional Students with Disabilities (Education Pre-K - 12 Appropriations) (FR)23, (CR)426, (CS)429, (CR)754, (CS/CS)755, (BA)917, (BA)918, (CR)928, (BA)**934** DM
320 University Fees/Undergraduate Tuition Differential (Higher Education) (FR)23, (CR)346, (CS)347, (CO)415 DSC/CSP-CS/CS/HB 745
322 Local Governments/Officers and Employees/Conduct (Governmental Operations and others) (FR)23, (CS)124, (CR)130, (CR)132, (BA)422, (CR)424, (BA)**452**, 825 DM
324 Gift Certificates (Constantine) (FR)23 DSC
326 Vessels/Clean Ocean Act (Constantine) (FR)23, (CO)331, (CR)391, (CS)397, (RC)412, (CO)415, (MO)424, (CR)618, (CS/CS)625, (MO)720, (BA)**844**, (CR)852, (CO)860, 1094, (CO)1261 Ch. 2008-231
328 Video Voyeurism (Criminal and Civil Justice Appropriations and others) (FR)24, (CR)130, (CR)248, (CO)331, (CR)618, (CS)620, (BA)679, (CR)686 LTS/CSP-CS/HB 537
330 State Excise Tax/Casualty Insurance Premiums (Aronberg) (FR)24, (CR)130, (CR)752 DSC
332 Construction Liens/Notices of Commencement (Saunders) (FR)24 DSC
334 Pharmacists (Health Regulation and others) (FR)24, (CS)124, (CR)132, (MO)477, (BA)680, (CR)686, (BA)**709**, (CO)781 DM/CSP-CS/CS/SB 1360
336 Sheriffs & Deputy Sheriffs/Complaint Review Boards (Saunders) (FR)24 DSC
338 Officers' Rights in Disciplinary Proceedings (Saunders) (FR)24 DSC
340 Salvia Divinorum and Salvinorin A (Criminal Justice and others) (FR)24, (CR)249, (CS)250, (CR)286, (CO)415, (CR)618, (BA)679, (CR)686 LTS/CSP-CS/HB 1363
342 Law Enforcement Officers/Candidates/Public Office (Transportation and Economic Development Appropriations) (FR)24, (CR)131, (CR)754, (CS)755, (BA)813, (BA)814, (CR)819, (BA)**835** DM
344 Sports Coaches/Youth Athletic Teams/Screening (Ring) 24 WNI
346 Sure Futures Scholarship Program & Foundation (Higher Education) (FR)24, (CR)389, (CR)390, (CS)392, (CR)617 DSC
348 Stalking (Ring) 25 WNI
350 Repeat Sexual Offenders/Electronic Monitoring (Ring) 25 WNI
SR
352 Amyotrophic Lateral Sclerosis Awareness Month (Ring) (FR)980, **981** Adopted
SB
354 Online Dating Safety (Ring) 25 WNI
356 Pub. Rec./Donor Info./Pub. Buildings or Facilities (Ring) (FR)25 DSC
358 Biomedical Research/Botanical Drugs (Fasano) (FR)25 DSC
360 Community Redevelopment Areas/Ad Valorem Taxes (Fasano) (FR)25 DSC
SCR
362 Equal Rights for Men and Women (Margolis and others) (FR)25, (CO)191, (CO)331, (CR)390, (CO)642 DSC
SB
364 Cystic Fibrosis Treatment/Insurance Coverage (Margolis) (FR)25, (MO)372 WS
366 Elderly Persons & Disabled Adults/Abuse & Neglect (Margolis and others) (FR)25, (CR)130, (CR)286, (CO)331, (MO)424, (BA)519, (CR)520, (BA)555, **556**, (CO)781, 1719 Ch. 2008-160
368 Collective Bargaining Impasse/Legislative Body (Oelrich and others) (FR)25 DSC

SB
370 Personal Care Attendant Program (Health and Human Services Appropriations and others) (FR)25, (CR)130, (CR)170, (CS)185, (CR)480, (CS/CS)481, (BA)513, (CR)519, (BA)**547**, 979 Ch. 2008-99
372 Florida Prepaid Tuition Scholarship Endowment (Wise) (FR)26 DSC
374 Child Dependency/Legal Representation (Lynn) (FR)26 DSC
376 Interspousal Transfers of Real Property (Lynn) (FR)26 DSC
378 Urban Revitalization Congress (Crist and others) (FR)26, (CO)497 DSC
380 Tax Exemption/Fractional Aircraft Ownership Prog. (Commerce) (FR)26, (CS)124, (CR)131 DSC
382 School Zone Signs (Baker) (FR)26 DSC/CSP-CS/CS/CS/SB 1992
384 Restitution/Criminal Cases (Fasano) (FR)26, (MO)198 WS
386 Food Service/Restroom Inspections (Health Regulation) (FR)26, (CR)248, (CR)288, (CS)317, (CR)478 DCS
388 Security and Immigration Compliance Act (Fasano and others) (FR)26, (CO)331 DSC
390 Controlled Substances (Criminal Justice and others) (FR)27, (CR)391, (CS)393, (CO)497, (CR)686, (MO)972, (BA)1079, (CR)1089, (CO)1261 LTS/CSP-CS/HB 173
392 Transparency in Local Government Contracts (Finance and Tax and others) (FR)27, (CR)345, (CS)347, (CR)391, (CS/CS)393, (CR)426, (CS/CS/CS)429, (CO)448, (BA)590, (BA)591, (CR)617, (CR)618, (BA)645, (BA)**651**, (CO)694 DM
394 Sales Tax Exemption/Electricity/Packinghouses (Agriculture and others) (FR)27, (CS)124, (CR)131, (CO)254 DSC
396 FRS/Defined Contribution Retirement Program (Fasano) (FR)27 DSC
SR
398 Deron Mikal/Veterans Service Officer (Fasano) 27 WNI
SB
400 Insurance/Unfair Competition/Deceptive Acts (Fasano) (FR)27 DSC
402 Target Industry Businesses/Expedited Permitting (Environmental Preservation and Conservation and others) (FR)28, (CR)479, (CS)481, (CR)752, (MO)852 DSC
404 Organized Crime Groups (Aronberg) (FR)28 DSC/CSP-CS/CS/HB 43
406 Commercial Parasailing (Banking and Insurance) (FR)28, (CR)169, (CS)186, (CR)426, (CS/CS)429 DSC
408 Not Used
410 Health Insurance/Local Govt. Officers & Employees (Justice) (FR)28, (CR)260, (CR)287 DSC
412 Energy (Bennett) (FR)28 DSC/CSP-HB 7135
414 Alternative Energy Center/Incentive Program (Bennett) (FR)29 DSC
416 Florida Alternative Energy Center Trust Fund (Bennett) (FR)29 DSC
418 Pub. Rec./Florida Alternative Energy Center (Bennett) (FR)29 DSC
420 State Purchase/Hybrid/Flex-fuel/Biodiesel Vehicles (Deutch and others) (FR)29, (CO)415 DSC
422 School Funding/Student's District of Residence (Baker and others) (FR)29 DSC
424 Human Smuggling (Haridopolos and others) (FR)29, (CO)1261 DSC
SM
426 Oil and Gas Drilling/Florida Coastline (Bennett and others) (FR)30 DSC
SB
428 Workforce Innovation (Transportation and Economic Development Appropriations) (FR)30, (CR)162, (CS)165, (CR)287, (CR)619, (CS/CS)620, (BA)749, (CR)752, (BA)**792**, 1261 Ch. 2008-161
430 Certificates of Need/Geriatric Specialty Hospitals (Bennett) 30 WNI
432 Artificial Reefs/Placement of Vessels (Bennett and others) (FR)30, (CR)169, (CO)415, (CR)752, (CR)753, (BA)836, (CR)852, (BA)**864**, 979, (CO)1261 Ch. 2008-100
434 Energy-Efficient Motor Vehicle Sales Tax Refund (Margolis) (FR)30 DSC
436 High School Graduation/Diploma Requirements/Voting (Margolis) (FR)30, (MO)372 WS
SJR
438 Elected Property Appraisers (Garcia) 30 WNI
SB
440 High School Graduation Requirements/Health Ed. (Justice and others) (FR)30, (CO)331 DSC
442 Major Disasters/Cash, Food, and Shelter Assistance (Bullard) (FR)30 DSC
444 Sale of Dogs and Cats/DOACS (Judiciary) (FR)30, (CR)390, (CR)479, (CS)481 DSC
446 Bicycle Safety (Bullard and others) (FR)31, (CR)248, (CO)282, (CO)331, (CO)378, (CO)448, (CO)497, (CR)686 DSC
448 Breast Cancer/Lymph Node Dissection Coverage (Joyner) (FR)31, (CR)390, (CR)617 DSC
450 Not Used
452 FRS/Credit for Prior Military Wartime Service (Aronberg) (FR)31 DSC
454 Employee Leasing Companies (Regulated Industries) (FR)31, (CR)479, (CS)481 DSC
456 Ignition Interlock Devices/DUI (Transportation and others) (FR)31, (CR)260, (CS)281, (CO)282, (CR)686 DSC
458 Amateur Matches/Fraternal Order of Police (Wise) (FR)31, (CR)131, (BA)196, (CR)247, (BA)**257**, 1094 Ch. 2008-209
460 Congenital Craniofacial Anomalies/Coverage Study (Bullard and others) (FR)31, (CO)282, (CO)331, (CO)497 DSC
462 Prevention of Harassment/Public K-12 Schools (Ring) 31 WNI/CSP-HB 669
464 Transfer Fee Covenants/Real Property (Judiciary) (FR)31, (CR)289, (CS)317, (CR)390, (BA)519, (CR)520, (BA)**556**, 780 Ch. 2008-35
466 Veterans' Day Observance/School Districts (Hill) (FR)31 DSC
468 Child Care Personnel/Fingerprinting (Hill) (FR)31 DSC
470 Seaport Security Standards (Military Affairs and Domestic Security) (FR)32, (CR)345, (CS)348, (RC)411 DSC
472 DNA Testing (Criminal and Civil Justice Appropriations and others) (FR)32, (CR)130, (CR)162, (CO)282, (CO)331, (CO)415, (CR)480, (CS)482, (BA)519, (CR)520, (CO)643, (CO)1261 LTS/CSP-CS/HB 29
474 Growth Management (Transportation) (FR)32, (CR)618, (CS)620, (RC)634, (CR)819, (CS/CS)852, (RC)855, (BA)926, (CR)928, (BA)944, (BA)1032, (BA)1102, (BA)1228, (BA)1242, (BA)1583, (BA)1613 DCS/CSP-CS/HB 697
476 Growth Management (Garcia) (FR)32 DSC
478 Department of Community Affairs (Garcia and others) (FR)32, (CO)360 DSC
480 Department of Community Affairs (Garcia) (FR)32 DSC
482 Affordable Housing (Transportation and Economic Development Appropriations and others) (FR)32, (CO)360, (CR)392, (CS)393, (RC)411, (CR)619, (CS/CS)621, (BA)797, (CR)819, (BA)836, (BA)918, (BA)944, (BA)948, (BA)998, (BA)1098, (BA)**1102**, (CO)1719 DM
484 Affordable Housing (Garcia and others) (FR)32, (CO)360 DSC
486 Property Tax Administration (Garcia) (FR)32 DSC
488 Property Tax Administration (Garcia) (FR)32 DSC
490 Building Codes (Garcia) (FR)32 DSC
492 Building Codes (Garcia) (FR)32 DSC
494 Not Used
496 Lewd or Lascivious Molestation/Victim Under Twelve (Dockery and others) (FR)32, (CR)130, (CR)752, (BA)812, (CR)819, (CO)1261 LTS/CSP-HB 85
498 Agency Inspectors General (General Government Appropriations) (FR)33, (CR)391, (CS)393, (CR)819, (CS/CS)820, (BA)836, (BA)837, (CR)852 LTS/CSP-CS/HB 165
500 Children's Zones (Health and Human Services Appropriations and others) (FR)33, (CO)282, (CO)331, (CO)378, (CO)497, (MO)616, (CR)617, (MO)686, (CR)754, (CS)755, (BA)797, (BA)800, (CR)819 LTS/CSP-CS/HB 3
502 Missing Persons/Investigation (Children, Families, and Elder Affairs and others) (FR)33, (CR)288, (CS)317, (CR)389, (CO)415, (MO)519, (BA)680, (CR)686, (BA)**704**, (CO)1261, 1719 Ch. 2008-162
504 Motor Vehicles/Wireless Communications Devices (Baker) (FR)33, (CR)389, (CR)520 DSC
506 Juveniles/Records (Wilson) (FR)33 DSC
508 Hospitalized Patients/Safe Lifting Policies (Health Regulation and others) (FR)33, (CS)124, (CR)132, (CO)191, (BA)197, (CR)247, (BA)**259**, (CO)282, (CO)497 DHC
510 School-entry/Vision Examinations (Wilson) (FR)33 DSC
512 Property Assessments/Appraisers/DOR Review (Community Affairs and others) (FR)34, (CR)753, (CS)755, (CO)781 DSC

SB
514 Schools/Disability History & Awareness Instruction (Fasano and others) (FR)34, (MO)286 WS/CSP-CS/SB 856, HR 9153, SR 110
516 Forensic Client Services (Hill) (FR)34 DSC
518 Public Transit/Restroom Breaks for Operators (Hill) (FR)34 DSC
520 Pardons/Restoration of Rights/Rosa Parks Act (Hill and others) (FR)34, (CO)415 DSC
522 Radio Equipment Using Law Enforcement Frequencies (Criminal Justice and others) (FR)34, (CR)390, (CS)394, (BA)721, (CR)751, (CR)752, (CO)781 LTS/CSP-CS/HB 151
524 Disabled Parking Permits/Health Care Facilities (Hill) 34 WNI
526 Interscholastic and Intrascholastic Sports (Education Pre-K - 12 Appropriations and others) (FR)34, (CS)124, (CR)131, (CR)289, (CS/CS)317, (RC)329, (BA)341, (BA)342, (CR)344, (BA)**363**, 1174, **1175**, (CO)1261 Ch. 2008-228
528 Sexual Battery Involving Minor Victims/Prosecution (Aronberg) (FR)34, (CR)162 DSC
530 Household Moving Services (Saunders and others) (FR)34, (CR)130, (CR)752 DSC
532 Campaign Financing/Local Government Expenditures (Justice and others) (FR)35 DSC
534 Veterans/Local Government (Fasano) 35 WNI
SR
536 William Lascheid, M.D. and Nancy Lascheid, R.N. (Saunders) (FR)284, **285** Adopted
SB
538 Sexual Predators/Fees/Supervision and Registration (Baker) (FR)35 DSC
540 Felons/Enforcement of Federal Immigration Laws (Baker and others) (FR)35, (CO)282, (CO)331 DSC
542 Land Acquisition and Management (General Government Appropriations and others) (FR)35, (MO)452, (CR)479, (CS)482, (RC)493, (BA)589, (BA)(MO)600, (BA)611, (CR)617, (CR)618, (CS/CS)621, (BA)645, (BA)700, **703**, (CO)781, 1094 Ch. 2008-229
544 Motor Vehicle Temporary License Tags (Transportation and Economic Development Appropriations and others) (FR)35, (CS)124, (CR)132, (CR)287, (CR)754, (CS/CS)755, (BA)837, (CR)852, (CO)860, (BA)865 LTS/CSP-CS/HB 167, CS/CS/CS/SB 1992
546 Council on the Social Status of Black Men & Boys (Criminal and Civil Justice Appropriations) (FR)35, (CR)130, (CR)288, (CS)317, (CR)754, (CS/CS)755, (BA)803, (CR)819 LTS/CSP-CS/CS/HB 1395
548 Sales Tax Exemption/Water-efficient Products (Aronberg and others) 35, (CO)331 WNI
550 Elevator Safety/Alternative Power Sources (Regulated Industries) (FR)35, (CS)124, (CR)131 DSC
552 Assault/Battery/Law Enforcement Officer & Others (Aronberg) (FR)35 DSC
554 Pinellas Bayway/Department of Transportation (Jones) (FR)36, (MO)286 WS
556 Secondary Metals Recycling (Criminal Justice and others) (FR)36, (CS)124, (CR)131, (RC)167, (CO)254, (CR)288, (CS/CS)317, (CO)415, (CR)478, (BA)597, (CR)617, (BA)649, (BA)705 LTS/CSP-CS/CS/HB 105
558 Florida Building Code (Constantine) (FR)36 DSC/CSP-CS/HB 697
560 Building Code Standards (Transportation and Economic Development Appropriations) (FR)36, (CR)170, (CS)186, (CR)288, (CS/CS)318, (CR)480, (CS/CS/CS)482, (CR)619, (CS/CS/CS/CS)622, (BA)795, (BA)797, (CR)819, (BA)829, (BA)864, (BA)934, (BA)992, (BA)1020, (BA)1021 LTS/CSP-CS/HB 697, HB 7135, CS/CS/SB 2860
562 Educational Facilities/Building Standards (Constantine and others) (FR)36, (CO)415, (CR)520, (MO)616 DSC
564 Automated External Defibrillators (Judiciary and others) (FR)36, (CS)125, (CR)132, (CR)170, (CS/CS)186, (RC)190, (BA)197, (CR)247, (BA)**259**, (CO)331, 1094 Ch. 2008-101
566 Automated External Defibrillators/Public Schools (Constantine) (FR)36 DSC
568 Money Transmitters' Code (Constantine) (FR)36 DSC/CSP-CS/CS/CS/SB 2158
570 Wekiva Onsite Sewage Treatment Grant Program (Constantine) (FR)36, (CR)389, (CR)520 DSC
572 Civil Rights/Sexual Orientation & Familial Status (Commerce and others) (FR)36, (CO)168, (CR)479, (CS)483, (CO)497 DSC
SB
574 School Access/Jr. or Sr. Officers' Training Corps (Higher Education and others) (FR)37, (CS)125, (RC)128, (CR)131, (CO)254, (CR)288, (CS/CS)318, (CR)618, (BA)680, (CR)686, (BA)709, (CO)781 LTS/CSP-CS/HB 251
576 Ad Valorem Tax Assessment (Jones and others) (FR)37 DSC
578 Alcoholic Beverages (Jones) (FR)37 DSC
580 Cardrooms (Jones) (FR)37 DSC
582 Construction Contracting (Jones) (FR)37 DSC
584 Construction Lien Law (Jones) (FR)37 DSC
586 Department of the Lottery (Regulated Industries and others) (FR)37, (CS)125, (RC)128, (CR)131, (CR)389, (CO)497 DSC
588 Elevator Safety (Jones) (FR)37 DSC
590 Pari-mutuel Wagering (Regulated Industries) (FR)37, (CS)125, (RC)129, (CR)131, (MO)477, (BA)599, (BA)600, (CR)617, (BA)**650** DM
592 Professional and Business Regulation (Jones) (FR)37 DSC
594 Professions (Jones) (FR)37 DSC
596 Simulcast Wagering (Jones) (FR)38 DSC
598 Slot Machine Gaming (Jones) (FR)38 DSC
600 Tribal-state Gaming Compact (Jones) (FR)38 DSC
602 Video Lotteries (Jones) (FR)38 DSC
604 Pari-mutuel Wagering (Regulated Industries) (FR)38, (CR)288, (CS)318, (RC)356, (BA)386, (BA)387, (CR)389, (BA)421, **422** DM
606 Towing Vehicles or Vessels on Private Property (Crist) (FR)38 DSC
608 Indigent Persons/Court Fees and Penalties (Crist and others) (FR)38, (CO)415, (CO)497 DSC
610 Physical Education/Grades 6-8 (Education Pre-K - 12 Appropriations) (FR)38, (CR)346, (CS)348, (RC)356, (CR)426, (CS/CS)429, (BA)504, (BA)512, (BA)513, (CR)519, (BA)**547**, 1719 Ch. 2008-94
612 Judges (Crist) (FR)38 DSC
614 Public Defenders/Classification and Pay Plans (Criminal Justice and others) (FR)38, (CR)163, (CS)165, (CO)331, (CR)345, (CO)415, (CR)752 DSC
616 Driver Financial Responsibility (Bennett) (FR)38 DSC
618 Space Mile Marker One/Space Florida Headquarters (Posey and others) (FR)38, (CO)254 DSC
620 Veterans' In-state Tuition Waivers (Fasano and others) (FR)38, (CO)282 DSC
622 Orders of No Contact with Victims of Crimes (Criminal Justice and others) (FR)39, (CS)125, (RC)129, (CR)131, (CR)248, (CR)478, (BA)519, (CR)520, (BA)**556**, 1094, (CO)1261 Ch. 2008-251
624 Human Smuggling (Criminal and Civil Justice Appropriations and others) (FR)39, (CR)130, (CR)131, (CR)286, (CR)618, (CS)622, (BA)721, (CR)751, (CO)781, (BA)**784**, (CO)825 DCH
626 Just Valuation of Property (Atwater and others) (FR)39, (CO)1719 DSC/CSP-CS/HB 909
628 Court Actions Involving Families (Judiciary and others) (FR)39, (CS)125, (CR)132, (CR)260, (CS/CS)281 DSC
630 Vehicle Registration/Family First Contribution (Transportation and Economic Development Appropriations) (FR)39, (CR)161, (CR)287, (CR)372, (CR)480, (CS)483, (BA)600, (CR)617, (BA)**651**, 1261 Ch. 2008-102
632 Emergency Medical Dispatchers/Training (Fasano) 39 WNI
634 Veterans' Day/Paid Holiday (Fasano) (FR)39 DSC
636 Domestic Violence/Injunction for Protection (Fasano) (FR)39, (CR)478 DSC
638 Sexual Battery/Termination of Parental Rights (Children, Families, and Elder Affairs and others) (FR)39, (CS)125, (CR)131, (CO)448, (CR)478 DSC
640 Local Governments/Financial Management (Community Affairs and others) (FR)39, (CR)618, (CS)623, (MO)944 DCS
642 School/Multiple Birth Siblings/Classroom Placement (Siplin and others) (FR)40, (CR)372, (CR)478, (BA)680, (CR)686, (BA)**709**, 1719 Ch. 2008-210
644 My Safe Florida Home Program/Wind Certification (Banking and Insurance and others) (FR)40, (CR)162, (CS)165, (CO)415, (MO)852, (BA)948, (CR)973, (BA)998, (CO)1261 LTS/CSP-HB 7103
646 HIV and AIDS Educational Requirements (Health Regulation and others) (FR)40, (CS)125, (CR)132, (CR)287, (BA)342, (CR)344, (BA)**365**, 780, (CO)1261 Ch. 2008-103
648 Insurable Interest/Insurance Contracts (Judiciary) (FR)40, (CR)248, (BA)386, (CR)389, (CR)392, (CS)394, (BA)**421**, 780 Ch. 2008-36

SB
650 Sex Trafficking (Lynn) 40 WNI
652 Workplace Safety (General Government Appropriations) (FR)40, (CR)390, (CS)394, (CR)617, (CR)819, (CS/CS)820, (BA)1079, (CR)1089, (BA)1099 LTS/CSP-CS/CS/HB 967
654 Offenses Against Officers/Execution of Legal Duty (Criminal Justice) (FR)40, (CR)248, (CS)250, (CR)425, (BA)680, (CR)686, (BA)741, (CR)751 LTS/CSP-HB 61
656 Judicial and Execution Sales of Property (Banking and Insurance) (FR)40, (CR)130, (CR)163, (CS)165, (BA)422, (CR)424, (BA)**452**, 825 DM
658 Road Rage and Aggressive Careless Driving (Criminal Justice) (FR)40, (CR)344, (CR)753, (CS)755 DSC
660 Seagrass Beds/Protection and Restoration (Environmental Preservation and Conservation) (FR)41, (CR)169, (CS)186 DSC
662 Impact Fees (Bennett and others) 41 WNI
664 Proposed Property Tax Notices (Bennett) (FR)41 DSC
666 Abandoned Petroleum Storage/Financial Assistance (Posey) 41 WNI/CSP-CS/HB 527
668 Child-restraint Requirements (Criminal Justice and others) (FR)41, (CO)168, (CR)389, (CR)754, (CS)756, (MO)1004 DCS
SM
670 Security and Prosperity Partnership of N. America (Lynn) (FR)41 DSC
SB
672 Wrecker Services (Criminal Justice) (FR)41, (CR)130, (CR)344, (CR)391, (CS)394, (CR)686, (CS/CS)687 DSC
674 Just Valuation of Real Property/Highest & Best Use (Fasano and others) (FR)42 DSC
676 Publicly Funded Facilities for Children (Fasano) (FR)42, (MO)198 WS
678 Ad Valorem Tax Assessments (Fasano and others) (FR)43, (CO)168, (CO)254, (CO)282, (CO)415 DSC/CSP-CS/HB 909
680 Cellular Telephones in School Zones (Bullard) (FR)43 DSC
682 Department of Transportation (Transportation and Economic Development Appropriations and others) (FR)43, (CS)126, (RC)129, (CR)132, (CR)162, (CO)331, (CO)448, (CO)497, (CR)(CS/CS)521, (BA)597, (CR)617, (BA)**649**, 1698, **1714**, (CO)1719 Vetoed/CSP-CS/HB 697, HB 7135, CS/SB 1604, CS/CS/SB 1906, CS/CS/CS/SB 1992
684 Barriers/Highways, Canals and Bodies of Water (Bullard and others) (FR)43, (CO)282, (CO)448 DSC
686 Nursing Facilities (Judiciary) (FR)43, (CS)126, (CR)132, (CR)162, (CS/CS)165, (CR)287, (BA)342, (CR)344, (BA)**365**, **1098** Vetoed
688 Developmentally Disabled/Guardian Advocates (Health and Human Services Appropriations and others) (FR)43, (CR)130, (CO)191, (CR)391, (CS)395, (CR)819, (CS/CS)820, (BA)918, (CR)928 LTS/CSP-CS/HB 739
SJR
690 School District Division (Wise) 43 WNI
SB
692 Recycling (Commerce and others) (FR)43, (CR)169, (CR)389, (CO)448, (CR)479, (CS)483 DSC
694 Caller ID Anti-spoofing Act (Commerce and others) (FR)44, (CR)162, (CS)165, (CO)331, (CR)686, (MO)972, (BA)1079, (CR)1089 LTS/CSP-CS/HB 225
696 Community Colleges (Higher Education Appropriations and others) (FR)44, (CS)126, (CR)130, (CR)131, (BA)342, (CR)344, (CR)346, (CS/CS)348, (BA)**366**, 1094, (CO)1261 Ch. 2008-163 CSP-CS/CS/SB 1716
698 Business Entities (Judiciary) (FR)44, (CR)248, (CR)426, (CS)429, (CR)617, (CR)753, (BA)837, (CR)852 LTS/CSP-CS/HB 419
700 Juvenile Justice (Criminal and Civil Justice Appropriations) (FR)44, (CR)346, (CS)348, (RC)377, (CR)520, (CS/CS)521, (RC)635, (CR)753, (CS/CS/CS)756, (RC)771, (BA)837, (BA)838, (CR)852, (BA)866 LTS
702 Prekindergarten Education (Rich) (FR)44 DSC
704 Open Government Act/Administrative Procedures (Transportation and Economic Development Appropriations and others) (FR)44, (CR)130, (CR)392, (CS)395, (CR)619, (CS/CS)623, (BA)**797**, (CR)819, 979 Ch. 2008-104
706 Special Risk Class Retirement Benefits (Governmental Operations and others) (FR)45, (CR)248, (CS)250, (RC)329, (CO)360, (CO)378, (CR)389, (CR)753, (CS/CS)756 DSC
708 Water Management (Environmental Preservation and Conservation and others) (FR)45, (CO)331, (CR)391, (CS)396, (MO)1004 DCS
SB
710 Credit Cards/Marketing to Undergraduate Students (Baker and others) (FR)45 DSC
SR
712 Barrington Irving (Wilson and others) (FR)533, **534** Adopted
SB
714 Registry for Companions (Wilson) 45 WNI
716 Clinical Laboratories (Fasano and others) (FR)45, (CR)130, (CR)162, (BA)197, (CR)247, (BA)259, **260**, (CO)282 DCH
718 Data Theft (Fasano) (FR)45 DSC
720 Homestead Property Assessment (Margolis) (FR)45 DSC
722 Residential Property Assessment (Margolis) (FR)45 DSC
SJR
724 Residential Property/Assessed Value (Margolis) (FR)46 DSC
SB
726 Temporary Child Support/Alleged Father (Crist) (FR)46 DSC
728 Museums/Conveyance of Bodies Into or Out of State (Crist) (FR)46, (CR)169, (CR)390, (BA)423, (CR)424, (BA)**454** DM
730 Class I Landfills/Permits (Environmental Preservation and Conservation) (FR)46, (CR)521, (CS)522, (RC)635, (MO)720 DSC
732 Bethune-Cookman University License Plates (Transportation and others) (FR)46, (CR)289, (CS)318, (BA)368, (CR)372, (BA)**382**, (CO)497, 780, (CO)1261 Ch. 2008-37
734 License Plates (Transportation and Economic Development Appropriations and others) (FR)46, (CR)287, (CR)521, (CS)522, (BA)838, (BA)839, (CR)852, (BA)875, (BA)877, (BA)**880**, (CO)979, 1094 Ch. 2008-38
736 Clinical Nurse Specialists/Certification (Health Regulation and others) (FR)46, (CS)126, (CR)132, (BA)197, (CR)247, (BA)**260**, (CO)331, 780 Ch. 2008-164
738 Research Commercialization Matching Grant Program (Saunders) 46 WNI
740 Retired Justices and Judges (Judiciary) (FR)46, (CR)619, (CS)623, (BA)742, (BA)745, (CR)751, (BA)**785** DM
742 Electronic Surveillance Equipment/Use in Crimes (Dean) (FR)46 DSC
744 Sexual Activities Involving Animals (Rich) (FR)46, (CR)686, (MO)720 DSC
746 Return of Firearms Taken Under Search Warrant (Crist) (FR)46 DSC
748 Secondary Metals Recyclers/Purchase Transaction (Crist and others) (FR)46, (CS)124, (CR)131, (RC)167, (CO)191, (CO)254, (CR)288, (CS/CS)317, (CO)415, (CR)478, (BA)597, (CR)617, (BA)649, (BA)705 DCS/CSP
SR
750 Osteopathic Medicine Day (Peaden) (FR)**450** Adopted
SB
752 False Claims/Personal Injury Protection Insurance (Banking and Insurance) (FR)47, (CR)289, (CS)318, (CR)389 DSC
754 Hurricane Preparedness and Insurance (Baker) (FR)47 DSC/CSP-CS/CS/SB 2860
756 Wrongful Incarceration Compensation (Criminal and Civil Justice Appropriations and others) (FR)47, (CR)(CS)373, (CO)415, (CR)479, (CS/CS)483, (CO)532, (CR)618, (CS/CS/CS)623, (BA)679, (BA)685, (BA)(CR)686, (BA)**703**, (CO)781, 979, (CO)1261 Ch. 2008-39
758 Inland Navigation Districts (Environmental Preservation and Conservation and others) (FR)47, (CR)169, (CS)187, (CO)254, (CR)287, (CR)618, (BA)797, (BA)798, (CR)819, (BA)**829**, 979 Ch. 2008-40
760 Highway Safety (Baker) (FR)47 DSC
762 Highway Safety (Baker) (FR)47 DSC
764 Department of Highway Safety and Motor Vehicles (Baker) (FR)47 DSC
766 Pub. Rec./Judicial and Administrative Officials (Governmental Operations and others) (FR)48, (CR)260, (CS)281, (CO)282, (CR)480, (CS/CS)483, (MO)616, (BA)742, (CR)751, (BA)**786**, 1094, (CO)1261 Ch. 2008-41
768 Public Display of a Noose (Bullard and others) (FR)48, (CO)282, (CO)331, (CO)378, (CO)448 DSC
770 Department of Highway Safety and Motor Vehicles (Baker) (FR)48 DSC
772 Florida Retirement System/Regular Class Benefits (Jones and others) (FR)48, (CO)532 DSC
774 Transportation/Construction Aggregate Materials (Transportation) (FR)48, (CR)372, (CS)374, (RC)412, (CR)520, (CR)753 USC/LTS
776 Transportation (Baker) (FR)48 DSC

SB
778 Department of Transportation (Baker) (FR)48 DSC
780 Reproductive Health Services and Family Planning (Health Regulation and others) (FR)48, (CO)168, (CO)282, (CR)618, (CS)623 DSC
782 Weapons and Firearms (Criminal Justice) (FR)48, (CR)289, (CS)318 DSC
784 Local Telecommunications Services (Bennett) (FR)48, (CR)131, (BA)(CR)424, (BA)**454**, 825 DM
786 Homelessness (Children, Families, and Elder Affairs) (FR)49, (CR)618, (CS)624 DSC
788 Transportation Disadvantaged/Services (Health and Human Services Appropriations and others) (FR)49, (CR)162, (CR)260, (CR)426, (CS)430, (RC)635, (CR)754, (CS/CS)756, (BA)839, (CR)852, (CO)979 LTS/CSP-CS/CS/HB 1175
790 School Safety/Bullying and Harassment (Criminal Justice and others) (FR)49, (CR)286, (CO)415, (CR)479, (CS)484, (CO)532, (MO)720, (BA)1079, (CR)1089, (CO)1719 LTS/CSP-HB 669
792 Juvenile Justice (Criminal Justice) (FR)49, (CR)480, (CS)484, (CR)752 DSC
794 Underground Utilities/Excavations and Demolitions (Communications and Public Utilities) (FR)49, (CS)126, (CR)131, (CR)169, (CR)478, (BA)591, (CR)617, (BA)646, (BA)**651**, 979 Ch. 2008-230
796 Affordable Housing (Bennett) (FR)50 DSC
798 Retirement/Special Risk Class (Dean and others) (FR)50, (CR)389, (CO)415, (CO)1719 DSC
800 FRS/Special Risk Class/Prior Service Upgrade (Governmental Operations and others) (FR)50, (CR)286, (CR)389, (CR)521, (CS)522, (CR)753, (BA)842, (CR)852, (BA)877, (CO)1094 LTS/CSP-CS/HB 531
802 Operation of Motor Vehicles (Transportation and Economic Development Appropriations) (FR)50, (CR)425, (CS)430, (CR)480, (CS/CS)484, (CR)619, (CS/CS/CS)624, (BA)751, (CR)752, (BA)811, (BA)812, (BA)842, (BA)918 LTS/CSP-CS/HB 137
804 Traffic Accidents/Blood Testing (Wise) (FR)50 DSC
806 Pub. Rec./Criminal Investigations/Seaport Security (Storms) (FR)50 DSC
808 Seaport Security Briefings (Storms) (FR)50 DSC
810 Contributions/Electioneering Communication Orgs. (Justice) (FR)50 DSC
812 Property Appraisal/Highest and Best Use (Storms and others) (FR)50 DSC
814 DNA Testing of Arrested Persons (Lynn) (FR)51 DSC
816 Uniform Traffic Control (Transportation and others) (FR)51, (CO)282, (CR)288, (CS)318, (RC)329, (CR)477 DSC
818 Financial Services (General Government Appropriations) (FR)51, (CR)162, (CS)165, (CR)248, (MO)452, (CR)618, (CS/CS)624, (BA)747, (BA)748, (CR)752 LTS/CSP-CS/CS/HB 343
SR
820 Dr. Howard W. Thurman (Hill) (FR)**783** Adopted
SB
822 Ad Valorem Tax Data/Department of Revenue (Atwater) (FR)51, (CR)752 DSC/CSP-CS/HB 909
SM
824 Employee Free Choice Act (Hill) (FR)51 DSC
SB
826 Juneteenth Independence Day/The End of Slavery (Hill) (FR)51 DSC
828 Motorcycles or Mopeds/Young Riders (Bennett) (FR)51, (MO)198 WS
830 Corrections (Dockery) (FR)52 DSC
832 Juvenile Justice (Dockery) (FR)52 DSC
834 Death Penalty (Dockery) (FR)52 DSC
836 Criminal Penalties (Dockery) (FR)52 DSC
838 Department of Law Enforcement (Criminal Justice) (FR)52, (CR)480, (CS)484, (RC)526, (MO)802, (MO)1257, (MO)1258, (BA)1613, (CR)1717 LTS/CSP-HB 7113
840 Community Supervision (Dockery) (FR)52 DSC
842 Parole (Dockery) (FR)52 DSC
844 Health Care Providers/Immunity from Civil Damages (Bennett) (FR)52 DSC
846 Medicaid/Psychiatric Disabilities (Children, Families, and Elder Affairs and others) (FR)52, (CO)360, (CR)372, (CO)415, (CR)426, (CS)430, (CO)448 DSC
848 Public Schools/Human Sexuality Education (Deutch and others) (FR)52, (CO)168, (CO)254, (CO)360, (CR)389 DSC
850 Corporate Income Tax Credits (Community Affairs and others) (FR)52, (CR)288, (CS)319, (CO)360, (CO)415, (CR)753, (CS/CS)756, (CO)1719 DSC
SB
852 Flag Procurement Act (Fasano) (FR)53 DSC
854 Unemployment Compensation/Day Laborer (Transportation and Economic Development Appropriations and others) (FR)53, (CR)163, (CS)166, (CR)346, (CS/CS)348, (BA)368, (CR)372, (BA)382, **383**, 979 Ch. 2008-165
856 Disability History and Awareness (Children, Families, and Elder Affairs and others) (FR)53, (CR)130, (CR)345, (CS)348, (CO)497, (CR)618, (BA)680, (CR)686, (BA)709, **710**, 1094 Ch. 2008-156 CSP-HR 9153, SR 110
858 Noncriminal Traffic Offenses/Community Service (Criminal and Civil Justice Appropriations and others) (FR)53, (CR)345, (CR)479, (CS)484, (CR)754, (CS/CS)757, (BA)842, (CR)852, (BA)878, (CO)1261 LTS/CSP-CS/HB 1509
860 Employee Leave (Fasano) (FR)53, (MO)344 WS
862 Developmental Disabilities Institutions (Governmental Operations and others) (FR)53, (CS)126, (RC)129, (CR)132, (CR)753, (CS/CS)757 DSC
864 Elections (Constantine) (FR)53 DSC
866 Elections (Judiciary) (FR)54, (CR)426, (CS)430, (BA)742, (BA)744, (CR)751, (CR)754, (CS/CS)757, (RC)772, (BA)786, **787**, 1199, (BA)1200, 1719 Ch. 2008-95
868 Elections (Constantine) (FR)54 DSC
870 Pub. Rec./Injunction/Domestic Violence (Fasano) (FR)54, (CR)260 DSC
872 Video Voyeurism (Fasano) (FR)54 DSC/CSP-CS/HB 537
874 Title Loans/Regulation/Consumers (Fasano) (FR)54, (CR)247, (CR)287, (BA)368, (CR)372, (BA)**382**, 780 Ch. 2008-42
876 Elections (Constantine) (FR)54 DSC
878 Elections (Constantine) (FR)54 DSC
880 Elections (Ethics and Elections and others) (FR)54, (CR)425, (CS)431, (CO)448 DSC
882 Civil Actions Against Insurers (Baker) (FR)54 DSC
884 Obsolete/Outdated Agency Plans/Reports/Programs (Haridopolos and others) (FR)54 DSC/CSP-HB 5085, HB 7137, CS/CS/SB 1286
886 Toxic Substances in Children's Products (Commerce and others) (FR)57, (CR)289, (CS)319, (CO)331, (RC)356, (CR)478, (CR)752, (MO)852, (BA)948, (CR)973, (BA)**1000** DM
888 Florida Kidcare Program (Health Policy) (FR)57, (CR)479, (CS)485, (RC)635 DSC
890 Medicaid Reform (Dawson) (FR)57 DSC
892 Medicaid (Dawson) (FR)57 DSC
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898 Agency for Health Care Administration (Dawson) (FR)57 DSC
900 Health Insurance (Dawson) (FR)57 DSC
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904 Public Records and Meetings Exemptions (Dawson) (FR)58 DSC
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920 Driver's License Fees (Transportation and Economic Development Appropriations and others) (FR)58, (CR)162, (CS)166, (CO)168, (RC)190, (CR)391, (CS/CS)396, (CR)617, (CR)618, (CS/CS/CS)624, (CO)642, (CR)753 DCS
922 Ex-offenders/Employment (Wilson) (FR)58, (CR)287 DSC
924 Correctional Officers/Definition (Criminal Justice) (FR)58, (CR)345, (CS)348 DSC
926 Tax/Food, Beverages, or Alcohol/Education Funding (Commerce) (FR)58, (CO)331, (CR)391, (CS)396, (RC)494 DSC
928 Economic Development (Governmental Operations) (FR)59, (CR)520, (CS)522, (RC)636, (CR)754, (CS/CS)758, (BA)948, (BA)972, (CR)973 LTS/CSP-HB 7109
930 Economic Development (Commerce) (FR)59, (CR)520, (CS)522, (RC)636 DSC/CSP-HB 7109
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936 Economic Development (Diaz de la Portilla) (FR)59 DSC
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952 Department of Agriculture and Consumer Services (Diaz de la Portilla) (FR)59 DSC
954 Motor Vehicle Dealers (Commerce) (FR)59, (CR)480, (CS)485, (RC)636 DSC
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956 Public Financing of Campaigns/Statewide Office (Oelrich and others) (FR)60, (CR)248, (CO)781 DSC
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958 Public Campaign Financing (Oelrich and others) (FR)60, (CR)248, (CO)781 DSC/CSP-CS/CS/CS/SB 1992
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964 Nicole Hornstein Act/Equine Activities (Agriculture) (FR)60, (CR)392, (CS)396, (CR)478 DSC
966 Automated Teller Machine Transactions (Commerce and others) (FR)60, (CR)161, (CR)249, (CS)250, (RC)329, (CO)331, (BA)368, (CR)372, (BA)**382**, 979 Ch. 2008-166
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972 Medically Underserved/ARNP/Controlled Substances (Saunders) (FR)61 DSC
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974 Spinal Cord Injury Awareness Week (Rich and others) (FR)**381**, (CO)415 Adopted
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976 Firefighter and Municipal Police Pensions (Community Affairs) (FR)61, (CR)753, (CS)758
978 Ad Valorem Taxation for District School Operations (Jones) (FR)61 DSC
980 Tribal-state Gaming Compacts (Geller) (FR)61, (CR)130 DSC
982 Slot Machine Applicants/Equal Treatment (Bennett) (FR)61 DSC
984 Motor Fuels Taxes (Bennett) (FR)61 DSC
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988 Transitional Services/Young Adults/Disabilities (Health Policy and others) (FR)62, (CR)425, (CS)431, (CR)478, (CR)618, (BA)746, (CR)751, (CO)781, (BA)811, (BA)833, (BA)**836**, 1094 Ch. 2008-211
990 Gifted/Academically Talented Student Education (Wise) (FR)62 DSC
992 Foreclosure Fraud (Judiciary and others) (FR)62, (CR)289, (CS)319, (CO)331, (CR)521, (CS/CS)522, (MO)944, (BA)1080, (CR)1089, (CO)1261, (CO)1719 LTS/CSP-CS/HB 643
994 Employee Leave/Victims of Sexual Violence (Judiciary and others) (FR)62, (CR)286, (CR)345, (CO)378, (CR)425, (CR)754, (CS)758, (BA)804, (CR)819, (BA)831, (BA)835, (CO)860 LTS/CSP-HB 489, CS/HB 1141
996 Cosmetology (General Government Appropriations and others) (FR)62, (CR)162, (CS)166, (CR)391, (CS/CS)396, (CR)686, (CS/CS/CS)688, (CR)753, (BA)918, (CR)928, (BA)937, (BA)**941**, (CO)1261, 1719 Vetoed/CSP-CS/CS/HB 601
998 Retirement Benefits for Public School Personnel (Wise and others) (FR)63, (CO)331 DSC
1000 Jacksonville Transportation Authority (King) (FR)63 DSC
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1002 AARP (Rich) (FR)379, **380** Adopted
SB
1004 Partial Payment of Property Taxes (Fasano) (FR)63 DSC
1006 Cardrooms (Finance and Tax) (FR)63, (CR)391, (CS)397, (CR)618, (CS/CS)624 DSC
1008 Failure to Redeliver Hired Vehicles (Criminal Justice and others) (FR)63, (CR)162, (CR)346, (CS)348, (BA)387, (CR)389, (BA)**422**, (CO)497, 979 Vetoed
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1010 Senator Les Miller Act/Prostate Cancer Screening (Banking and Insurance and others) (FR)63, (CO)415, (CR)426, (CS)431, (CR)617 DSC
1012 Health Insurance Claims Payments (General Government Appropriations and others) (FR)64, (CS)126, (CR)131, (RC)191, (CR)248, (CO)282, (CR)372, (CR)389, (CO)415, (MO)477, (CR)618, (CS/CS)624, (BA)739, (BA)741, (CR)752, (BA)**795**, 979 Ch. 2008-212 CSP-CS/CS/SB 2012
1014 Historic Pensacola Properties Management (Higher Education) (FR)64, (CR)169, (CR)346, (CS)348, (CR)478, (CR)618, (BA)799, (CR)819 LTS/CSP-CS/HB 337
1016 Podiatrists/Ankle Surgery (Bennett) (FR)64 DSC
1018 Property Insurance Appraisal Umpires (Banking and Insurance) (FR)64, (CR)248, (CS)250, (CR)752 DSC
1020 Affordable Housing for Veterans (Geller and others) (FR)65, (CO)331 DSC
1022 Health Flex Plans (Peaden and others) (FR)65, (CR)248, (CR)287, (CO)331, (BA)517, (CR)520, (BA)1080, (CR)1089, (CO)1719 LTS/CSP-HB 461, CS/CS/SB 2534
1024 Retirement/Officer Malcolm Thompson Act (Oelrich) (FR)65 DSC
1026 Unemployment Compensation Benefits (Governmental Operations and others) (FR)65, (CR)162, (CO)168, (CR)288, (CR)289, (CS)319, (BA)368, (CR)372, (BA)**382**, 933 Ch. 2008-167
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1030 Highway Safety (Transportation and others) (FR)65, (CR)162, (CS)166 DSC
1032 Retiree Health Insurance Subsidy/FRS (Lawson) (FR)66 DSC
1034 State Group Insurance Program (Governmental Operations) (FR)66, (CR)169, (CS)187 DSC
1036 Inmate Death Notification (Lawson and others) (FR)66, (CR)287, (CO)331, (BA)422, (CR)424, (BA)452, (BA)453, **454**, 825 DM
1038 Insurance Agents/Continuing Education (Lawson) 66 WNI
1040 Electrical Power Plants (Bennett) (FR)66 DSC/CSP-HB 7135
1042 OGSR/Putative Father Registry/Department of Health (Judiciary and others) (FR)66, (CR)130, (CR)162, (CS)167, (CR)287, (MO)616, (BA)747, (CR)751, (BA)**790**, 1094 Ch. 2008-168
1044 Child Abuse, Abandonment, or Neglect Reporting (Children, Families, and Elder Affairs and others) (FR)66, (CR)130, (CO)168, (CR)752 DCS
1046 OGSR/Foster Parents/DCFS (Children, Families, and Elder Affairs and others) (FR)66, (CR)130, (CR)162, (CO)168, (CR)287, (MO)616, (BA)747, (CR)751, (BA)**791**, 1094 Ch. 2008-169
1048 Child Protection (Health and Human Services Appropriations and others) (FR)66, (CS)126, (RC)129, (CR)131, (CO)168, (CR)289, (CS/CS)319, (CR)480, (CS/CS/CS)485, (BA)722, (CR)751 LTS/CSP-HB 7077
1050 State Judicial System (Villalobos) (FR)66 DSC
1052 Individual Rights (Villalobos) (FR)67 DSC
1054 Justice Administrative Commission (Villalobos) (FR)67 DSC
1056 State Courts System (Villalobos) (FR)67 DSC
1058 Public Records and Meetings (Villalobos) (FR)67 DSC
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1060 State Constitution Amendment (Villalobos) (FR)67 DSC
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1062 Educator Certification/Foreign Languages (Education Pre-K - 12 Appropriations and others) (FR)67, (CS)127, (CR)131, (CR)480, (CS/CS)486, (RC)636, (CO)1261 DSC/CSP-CS/SB 1908
1064 Murder/Attempted Murder/Law Enforcement Officers (Criminal Justice and others) (FR)67, (CR)163, (CS)167, (CR)344, (CO)360, (CR)618, (BA)679, (CR)686, (CO)694 LTS/CSP-CS/HB 321
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1066 Women's History Month (Joyner) (FR)**500** Adopted
SB
1068 Public School Required Instruction (Siplin and others) (FR)67, (CO)360 DSC
1070 Intergovernmental Cooperation (Education Pre-K - 12 and others) (FR)67, (CR)130, (CR)288, (CS)320, (CR)345, (BA)422, (BA)423, (CR)424, (BA)**453**, (CO)643, 780, 825 Ch. 2008-43
1072 Judiciary (Villalobos) (FR)67 DSC

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1074 Litigation (Villalobos) (FR)67 DSC
1076 Motor Vehicles and Mobile Homes/Destruction (Transportation and Economic Development Appropriations and others) (FR)67, (CR)161, (CR)248, (CO)282, (CR)289, (CS)320, (CO)497, (CR)619, (CS/CS)625, (BA)750, (CR)752, (BA)**794**, 1094 Ch. 2008-170
1078 Personal Property Title Insurance (Wise) (FR)68 DSC
1080 Byrd Alzheimer's Center and Research Institute (Health and Human Services Appropriations and others) (FR)68, (CO)168, (CR)346, (CS)349, (RC)356, (CO)360, (CR)426, (CS/CS)431, (BA)504, (BA)505, (CR)519, (BA)542, **543** DM
1082 Stalking (Ring) (FR)68 DSC
1084 Termination of Parental Rights/Adoption/Paternity (Judiciary and others) (FR)68, (CR)289, (CS)320, (CO)331, (CR)520, (CS/CS)522, (CR)618, (CO)694, (BA)747, (CR)751 LTS/CSP-CS/HB 663
1086 Illegal or Undocumented Aliens/DOC (Criminal Justice and others) (FR)68, (CO)331, (CR)391, (CS)397, (CO)497, (CR)752, (CO)781, (MO)972 DCS
1088 Emergency Management Powers (Rich) (FR)69 DSC
1090 OGSR/Florida Kidcare Program (Governmental Operations) (FR)69, (CR)130, (CR)753, (CS)758, (RC)772, (BA)844, (CR)852, (BA)878 LTS/CSP-HB 7053
1092 Alzheimer's Disease/Medicaid Waiver Program (Health Policy) (FR)69, (CR)130, (CR)162, (MO)372, (BA)384, (CR)388, (BA)**420**, 780 Ch. 2008-44
1094 Gambling Vessels/Clean Ocean Act (Regulated Industries and others) (FR)69, (CO)331, (CR)391, (CS)397, (RC)412, (CO)415, (MO)424, (CR)618, (CS/CS)625, (MO)720, (BA)**844**, (CR)852, (CO)860, 1094, (CO)1261 Ch. 2008-231
1096 Wine Production and Shipment (Finance and Tax and others) (FR)69, (CO)254, (CR)287, (CR)392, (CS)397, (BA)599, (CR)617, (BA)**650** DM
1098 Insurance Adjusters (Banking and Insurance) (FR)69, (CR)249, (CS)251, (CR)344, (MO)1004 DSC/CSP-CS/CS/SB 2012
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1102 High-occupancy-vehicle (HOV) Lanes (Geller) (FR)70 DSC/CSP-HB 7135, CS/CS/CS/SB 1992
1104 Alcohol Abuse/Expectant Mothers (Bennett) (FR)70 DSC
1106 Physician Assistants/Prescriptions/Formulary (Saunders) (FR)70, (CR)130, (CR)162, (MO)616, (BA)805, (CR)819 LTS/CSP-HB 989
1108 Delinquent Property Taxes (Deutch) (FR)70 DSC
1110 Court Costs (Criminal Justice) (FR)71, (CR)346, (CS)349, (CR)478, (CR)617 DSC
1112 Public School Supervision of Students (Ring) (FR)71 DSC
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1116 Mortgage Fraud (Community Affairs and others) (FR)71, (CR)169, (CS)187, (CR)345, (CO)378, (CR)389, (CO)415, (CR)617, (MO)720, (BA)919, (CR)928, (CO)1261 LTS/CSP-CS/HB 743
1118 Illegal Aliens (Wilson) (FR)71 DSC
1120 Research Commercialization Matching Grant Program (Governmental Operations) (FR)71, (CR)426, (CS)431, (CR)521, (CS/CS)523 DSC
1122 Siting of Power Plants and Transmission Lines (Saunders) (FR)71 DSC/CSP-HB 7135
1124 Summary Guardianship/Persons with Mental Illness (Aronberg) (FR)72 DSC
1126 Dept. of Gaming Control/Government Reorganization (Ring) (FR)72 DSC
1128 Minors/Distribution of Harmful Material (Judiciary) (FR)72, (CR)479, (CS)486, (CR)617, (CR)753, (CS/CS)758, (MO)944, (BA)1080, (CR)1089 LTS/CSP-CS/HB 559
1130 Firearms in Motor Vehicles (Judiciary and others) (FR)72, (CR)287, (CR)392, (CS)397, (BA)418, (BA)419, (CR)424 LTS/CSP-CS/HB 503
1132 Protective Services (Storms) (FR)73 DSC
1134 Children (Storms) (FR)73 DSC
1136 Persons with Disabilities (Storms) (FR)73 DSC
1138 Abandoned Infants (Storms) (FR)73 DSC
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1150 Mental Health and Substance Abuse (Health and Human Services Appropriations) (FR)73, (CR)391, (CS)397, (RC)412, (CR)753, (CR)754, (CS/CS)758, (CS/CS/CS)759, (BA)805, (CR)819 LTS/CSP-CS/HB 697
1152 Child Support Enforcement (Judiciary and others) (FR)73, (CR)170, (CS)187, (RC)191, (CO)254, (CR)426, (CS/CS)431, (CR)618, (BA)746, (CR)751 LTS/CSP-HB 7073, HB 5003
1154 Assisted Living (Storms) (FR)74 DSC
1156 Public Records (Storms) (FR)74 DSC
1158 Agency for Persons with Disabilities (Storms) (FR)74 DSC
1160 Putative Father Registry (Storms) (FR)74 DSC
1162 Sentencing (Dockery) (FR)74 DSC
1164 Termination of Parental Rights (Storms) (FR)74 DSC
1166 Florida Gaming Trust Fund/Dept. of Gaming Control (Ring) (FR)74 DSC
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1168 Black History Month (Joyner) (FR)**500** Adopted
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1170 High School Students/End-of-course Testing (Lynn) (FR)74 DSC/CSP-CS/SB 1908
1172 Public School Utilization (Wise) (FR)74 DSC
1174 Insurance Rate Standards (Fasano) (FR)74 DSC/CSP-CS/CS/SB 2860
1176 Storm Cost Recovery/Small Local Exchange Companies (Bennett) (FR)74 DSC
1178 Renewable Energy Technologies & Energy Efficiency (Dockery and others) (FR)75 DSC/CSP-HB 7135
1180 Pasco County/Water-wastewater Utility System (Fasano) (FR)75 DSC
1182 Sports Coaches/Criminal History Screening (Ring) (FR)75, (CR)344, (CR)686 DSC
1184 Board-certified Emergency Physicians (Saunders) (FR)75 DSC
1186 Patients' Right-to-Know Act (Rich and others) (FR)75, (CO)331, (MO)477 WS
1188 Dating Violence (Dean and others) (FR)75, (CR)478, (CO)643, (CR)686, (MO)852, (BA)949, (CR)973 LTS/CSP-HB 313
1190 Motor Vehicle Sales Warranties (Wise) (FR)75 DSC
1192 Personal Watercraft Safety (Environmental Preservation and Conservation and others) (FR)75, (CR)169, (CS)187, (CR)287, (CO)331 DSC
1194 Sexual Battery on a Minor (Ring) (FR)76, (CR)345 DSC
1196 Insurance Rate Standards (Geller and others) (FR)76, (CO)360, (CR)391, (CS)410, (CO)415, (CR)480, (CS/CS)492, (BA)508, (BA)511, (CR)520, (BA)544, **546**, 1177, **1198**, (CO)1261 Ch. 2008-66 CSP-CS/HB 697, CS/CS/SB 2012
1198 Public Broadcasting Program System (Rich) (FR)76 DSC
1200 Alzheimer's Disease (Wise) (FR)76 DSC
1202 Parking Spaces/Disabled Persons (Wise) (FR)76 DSC
SR
1204 City of Coral Springs/Malcolm Baldrige Award (Ring) (FR)534, **535** Adopted
SB
1206 Public Accountancy (Regulated Industries) (FR)76, (CR)162, (CS)167, (CR)389, (MO)720, (BA)844, (CR)852, (BA)879 LTS/CSP-HB 797
1208 Water Pollution Control (Community Affairs) (FR)76, (CR)390, (CS)398, (CR)521, (CS/CS)523, (MO)944, (BA)1080, (BA)1081, (CR)1089 LTS/CSP-CS/HB 547
1210 Special Districts/Charter Codification (Baker) (FR)76 DSC
1212 Lake Jesup Restoration (Constantine) (FR)77 DSC
1214 Wekiva Parkway Protection Act (Constantine) (FR)77 DSC
1216 Public K-12 Students/Hazardous Walking Conditions (Constantine) (FR)77 DSC
1218 Ethics (Constantine) (FR)77 DSC
1220 Code of Ethics/Public Officers and Employees (Ethics and Elections) (FR)77, (CR)260, (CS)281 DSC
1222 Ethics (Constantine) (FR)77 DSC
1224 Ethics (Constantine) (FR)77 DSC
1226 Ethics (Constantine) (FR)77 DSC
1228 Ethics (Constantine) (FR)77 DSC
1230 Elections (Constantine) (FR)77 DSC
1232 Student Financial Assistance (Storms and others) (FR)77 DSC
1234 Lake County Magnet High School Pilot Project (Baker) (FR)77 DSC
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1236 Florida Lottery's 20th Anniversary (Jones and others) (CO)331, (CO)415, (FR)498, **499**, (CO)933 Adopted
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1238 Driver Licenses/Minors (Deutch) (FR)78 DSC
1240 Political Party Executive Committees (Wise) 78 WNI

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1242 Environmental Permitting (Community Affairs and others) (FR)78, (CO)168, (CR)390, (CS)398, (CR)753, (CS/CS)759 DSC
1244 Political Advertisement Website (Deutch) (FR)78 DSC
1246 Communications (Bennett) (FR)78 DSC
1248 Energy (Bennett) (FR)78 DSC
1250 Public Service Commission (Bennett) (FR)78 DSC
1252 Electric Utilities (Bennett) (FR)78 DSC
1254 Energy Security (Bennett) (FR)78 DSC
1256 Telecommunications (Bennett) (FR)78 DSC
1258 Electric Utilities (Bennett) (FR)79 DSC
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1262 Energy (Bennett) (FR)79 DSC
1264 Handguns/Purchase and Delivery (Bennett) 79 WNI
1266 Electronic Wireless Communications Devices/Driving (Bennett) (FR)79 DSC
1268 Free License Plates/Choctaw Indians (Lawson) (FR)79, (CR)287 DSC
1270 Automatic Renewal of Service Contracts (Banking and Insurance and others) (FR)79, (CR)288, (CS)321, (CO)331, (CR)426, (CS/CS)432
1272 EMTs and Paramedics/Emergency Services/Hospitals (Fasano) 79 WNI
1274 Horse Country License Plate (Gaetz) (FR)79, (CR)752 DSC/CSP-CS/SB 734
1276 Educational Facilities (Education Facilities Appropriations) (FR)79, (CS)127, (CR)131, (CR)346, (CS/CS)349, (BA)383, (CR)388, (BA)**420**, 1553, **1554** Ch. 2008-213 CSP-HB 5083
1278 Physical Therapy (Lawson) (FR)79 DSC
1280 Criminal Conduct/Child Abuse and Neglect (Aronberg and others) (FR)79, (CR)286, (CR)686 DSC
1282 Court Costs (Bennett) (FR)79, (MO)158 WS
1284 Compacts and Agreements/Ratification Authority (Regulated Industries) (FR)80, (CR)425, (CR)618, (CS)625 DSC
1286 Fish and Wildlife Conservation Commission (General Government Appropriations) (FR)80, (CR)287, (CR)288, (CS)321, (CR)426, (CS/CS)432, (BA)**476**, (CR)(MO)477, (BA)536, (BA)616, 1117, **1119**, 1261 Ch. 2008-106 CSP-HB 7091
1288 Franchises (Bennett) (FR)80, (MO)198 WS
1290 Insurance/Amino Acid Formulas/Mental Disorders (Peaden) 80 WNI
1292 Land Acquisition/Florida Forever Trust Fund (Saunders) (FR)80 DSC
1294 Environmental Protection (General Government Appropriations) (FR)80, (CR)287, (CR)288, (CS)321, (CR)426, (CS/CS)432, (BA)**476**, (CR)(MO)477, (BA)537, (BA)616, 1119, **1131**, 1261 Ch. 2008-150
1296 Water Management Districts (General Government Appropriations and others) (FR)80, (CR)391, (CS)398, (RC)413, (MO)452, (CR)687, (CS/CS)689, (CO)979, (MO)1613 DCS
1298 Submerged Lands/Surcharges (Saunders) (FR)80 DSC
1300 Seagrass Scarring/Illegally Taken Wildlife (Environmental Preservation and Conservation and others) (FR)80, (CR)345, (CS)349, (RC)357, (CR)478, (CR)618, (BA)797, (CR)819, (BA)829, (BA)864, (BA)934, (BA)992, (BA)1029, (CO)1719 LTS
1302 Wastewater Disposal/Ocean Outfalls (General Government Appropriations and others) (FR)80, (CR)345, (CS)349, (RC)357, (CR)426, (CS/CS)432, (BA)511, (BA)512, (CR)520, (BA)**553**, (CO)781, 1094 Ch. 2008-232
1304 Fish and Wildlife Conservation (Environmental Preservation and Conservation) (FR)80, (CR)753, (CS)759, (RC)823, (BA)949, (CR)973, (BA)1001 LTS/CSP-HB 7091, CS/CS/SB 1286
1306 Collective Bargaining Impasse/Sheriff's Office (Saunders) (FR)80 DSC
1308 Cemeteries/Eminent Domain (Judiciary) (FR)80, (CR)389, (CR)478, (CR)754, (CS)760, (BA)803, (CR)819 LTS/CSP-CS/HB 853
1310 Sellers of Travel (Criminal Justice) (FR)81, (CR)248, (CR)288, (CS)321, (CR)753, (CS/CS)760, (BA)**1081**, (CR)1089, 1094 Ch. 2008-214
1312 Petroleum Cleanup (Saunders) (FR)81 DSC
1314 Motor Vehicles/Wireless Communications Devices (Deutch) (FR)81 DSC
1316 Tower Cranes/Tower Crane Operators Certification (Gaetz and others) (FR)81, (CR)247, (CO)360, (CO)694, (CO)781 DSC
1318 Onsite Sewage Treatment and Disposal Systems (Community Affairs and others) (FR)81, (CR)162, (CR)286, (CR)521, (CS)523, (BA)680, (BA)681, (CR)686, (BA)**710**, (CO)825, 1094 Ch. 2008-215

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1320 Florida Bright Futures Scholarship Program (Ring) (FR)81 DSC
1322 Economic Development/Local Option Tourist Dev. Tax (Siplin) (FR)81 DSC
1324 Gifts/Candidates, Officers, and State Employees (Bullard) (FR)81 DSC
1326 Out-of-State Collegiate License Plate (Deutch and others) (FR)82, (CO)331 DSC
1328 State Work Opportunity Tax Credit/Felons (Siplin) (FR)82 DSC
1330 Law Enforcement Officers/Annual Salary Increase (Siplin) (FR)82 DSC
1332 Paintball Guns and Markers (Siplin) (FR)82 DSC
1334 Inmates/Substance Abuse Treatment Services (Siplin) (FR)82 DSC
1336 Juvenile Proceedings/Use of Restraints (Siplin) (FR)82 DSC
1338 Acute Care Hospitals/Staffing (Health Policy) (FR)82, (CR)686, (CS)689 DSC
1340 Public School Student Discipline (Wise) (FR)82 DSC
1342 Workforce Education Grant Program (Wise) 82 WNI
1344 Health Care for Children (Siplin) (FR)82 DSC
1346 School Board Policies/Crime and Victimization (Hill) (FR)83 DSC
1348 Community Reinvestment Plans/Tax Credits (Siplin) (FR)83 DSC
1350 Presidential Elections/Popular Vote (Hill) (FR)83 DSC
1352 Agency for Early Learning (Rich) (FR)83 DSC
1354 Pornographic Materials/Commercial Distribution (Siplin) (FR)83 DSC

SR
1356 Ronald Reagan Day (Fasano and others) (FR)**381**, (CO)448 Adopted

SB
1358 Low and Moderate Income Insurance Assistance Fund (Wilson) (FR)83 DSC
1360 Pharmacy Technicians (Health and Human Services Appropriations) (FR)84, (CR)288, (CS)322, (CR)372, (CR)619, (CS/CS)625, (BA)681, (CR)686, (BA)**710**, 1261 Ch. 2008-216
1362 Affordable Housing Preservation (Fasano) (FR)84 DSC
1364 Immigration (Villalobos) (FR)84 DSC

SR
1366 Eugene C. Badger (Bullard) (FR)**1264** Adopted
1368 Don Daly/Community Service Work (Bullard) (FR)695, **696** Adopted

SB
1370 Florida Patient Safety Corporation (Judiciary and others) (FR)84, (CR)162, (CR)288, (CS)322, (CR)389, (MO)477, (BA)513, (CR)519, (BA)**548**, (CO)781 DM
1372 Emergency Services and Care Access (Health Regulation) (FR)84 DSC
1374 Home Health Care (Health and Human Services Appropriations and others) (FR)84, (CR)169, (CS)187, (CR)289, (CS/CS)322, (CR)426, (CS/CS/CS)433, (BA)513, (CR)519, (BA)681, (BA)682, (CR)686, (BA)710, (BA)711 LTS/CSP-CS/HB 7083
1376 Agriculture (General Government Appropriations) (FR)85, (CO)415, (CR)520, (CR)819, (CS)820, (MO)1088 DCS/CSP-CS/SB 2222
1378 Display of Flags/Homeowners' Associations (Community Affairs and others) (FR)85, (CO)254, (CR)289, (CS)323, (CR)390, (BA)517, (BA)518, (CR)520, (BA)553, **554**, 780, (CO)781 Ch. 2008-45
1380 Electronic Gaming Machines (Finance and Tax and others) (FR)85, (CS)(CS/CS)127, (CR)131, (CR)132, (BA)196, (CR)247, (BA)257, **258** DHC
1382 Net Metering (Bennett and others) (FR)85 DSC/CSP-HB 7135
1384 Theft of Copper or Other Nonferrous Metals (Communications and Public Utilities and others) (FR)85, (CO)168, (CR)169, (CS)188, (CO)254, (CO)282, (CR)286, (CO)360, (CR)478, (CR)752, (BA)919, (CR)928 LTS/CSP-CS/HB 799
1386 Telecommunications Services/Universal Service (Bennett) (FR)85 DSC
1388 Ephedrine and Related Compounds/Retail Sale (Saunders) (FR)85 DSC
1390 Pub. Rec./Sale of Ephedrine (Saunders) (FR)86 DSC
1392 Public Records and Meetings (Lawson) (FR)86 DSC
1394 Public Records and Meetings (Lawson) (FR)86 DSC
1396 Public Records and Meetings (Lawson) (FR)86 DSC

SB
1398 Research and Development Expenses Tax Credit (Commerce) (FR)86, (CR)373, (CS)374 DSC
1400 Public Records and Meetings (Lawson) (FR)86 DSC
1402 Public Records and Meetings (Lawson) (FR)86 DSC
1404 Child Care/Early Learning Programs/Pre-K Education (Rich) (FR)86 DSC
1406 Consumer Credit Reports (Siplin) (FR)86 DSC
1408 Residential Tenancies/Domestic and Sexual Violence (Criminal Justice and others) (FR)86, (CR)753, (CS)760 DSC
1410 Physician & Dental Services/Medicaid Reimbursement (Deutch) (FR)87 DSC
1412 Public Moneys and Property/Sports Teams (Bennett) (FR)87 DSC
1414 Supplemental Educational Services (Education Pre-K - 12 and others) (FR)87, (CR)345, (CS)349, (CR)618, (BA)682, (CR)686, (BA)**719**, (CO)781, **1175** Ch. 2008-171
1416 Alimony/Supportive Relationship (Diaz de la Portilla) (FR)87, (CR)287 DSC
1418 Taxes/Property Rental Fees and Admissions (Diaz de la Portilla) (FR)87, (CR)344, (CR)752 DSC
1420 Physicians and Osteopathic Physicians (Jones) (FR)87 DSC
1422 Commercial Property Insurance (General Government Appropriations) (FR)87, (CR)390, (CS)398, (CR)617, (CR)819, (CS/CS)820 DCS
1424 Driving Privileges/Driving Under the Influence (Transportation) (FR)88, (CR)520, (CS)523 DSC
1426 Mobile Homes Sales Tax Reimbursement/Tornadoes (Community Affairs and others) (FR)88, (CR)288, (CS)323, (CO)331, (CR)372, (CR)478, (BA)591, (CR)617, (BA)**646**, (CO)781 DM
1428 Retirement/Community Colleges & Universities (General Government Appropriations) (FR)88, (CR)345, (CS)349, (CR)373, (CS/CS)374, (BA)423, (BA)(CR)(MO)424, (CR)520 USC/LTS/CSP-HB 5063
1430 Sexual Predators/Sexual Offenders/Public Safety (Judiciary and others) (FR)88, (CR)391, (CS)399, (CR)753, (CS/CS)761, (MO)852, (BA)949, (BA)969, (BA)970, (CR)973, (BA)1001, (BA)1098, (BA)1582, (BA)1653, **1658**, (CO)1719 DM
1432 Renewable Energy Generation and Net Metering (Justice) (FR)88 DSC
1434 Hearsay Statements/Felony Cases (Joyner) (FR)88 DSC
1436 Not Used
1438 Utility Services/Unlawful Use/Controlled Substance (Criminal Justice) (FR)89, (CR)753, (CS)761 DSC
1440 Corporate Income Tax Credit Scholarship Program (Education Pre-K - 12 Appropriations and others) (FR)89, (CO)331, (CR)345, (CS)350, (CR)425, (CO)448, (CR)687, (CS/CS)689, (BA)810, (CR)819, (BA)844, (BA)919, (BA)949, (BA)950 LTS/CSP-CS/CS/CS/HB 653
1442 Exploited Children (Criminal and Civil Justice Appropriations and others) (FR)89, (CR)162, (CS)167, (CR)287, (CO)415, (CR)425, (CS/CS)433, (CR)618, (CS/CS/CS)625, (BA)744, (BA)745, (CR)751, (CO)781, (BA)**788**, 933 Ch. 2008-172
1444 Fla. Forever Water Management District Work Plan (Saunders) (FR)89 DSC
SR
1446 Aerospace Education (Wise) (FR)332, **333** Adopted
SB
1448 Expert Witnesses (Wise) (FR)89 DSC
1450 Agriculture (Alexander) (FR)89 DSC
1452 Building Inspection Professionals (Wise) (FR)89, (CR)247 DSC/CSP-CS/CS/HB 601
SM
1454 Federal 2010 Census in Creole (Wilson) (FR)90, (CR)287, (BA)(CR)**424**, 933 Adopted
SB
1456 Inmates/Medical Assistance Eligibility/Medicaid (Wilson and others) (FR)90, (CR)389, (CR)478, (CR)752, (MO)783, (BA)803, (CR)819, (BA)**832**, (CO)979, 1261 Ch. 2008-217
1458 School Breakfast Programs (Education Pre-K - 12 Appropriations and others) (FR)90, (CR)425, (CS)433, (CR)478, (MO)616, (CR)754, (CS/CS)761, (CO)781, (BA)919, (CR)928 LTS/CSP-CS/HB 623
SR
1460 Go Red For Women Day (Wilson) (FR)**285** Adopted
SB
1462 Veterans' Affairs/Direct-support Organization (Military Affairs and Domestic Security and others) (FR)90, (CS)251, (CR)287, (CR)288, (CO)331, (CR)618, (BA)679, (CR)686, (BA)708, (CO)781 LTS/CSP-CS/HB 861, CS/HB 863
SB
1464 Pub. Rec./Direct-support Organization/FDVA (Governmental Operations) (FR)90, (CR)248, (CR)346, (CS)350, (MO)616, (BA)721, (CR)751 LTS/CSP-CS/HB 863, CS/HB 861
1466 Construction Contracting (Aronberg) (FR)90 DSC
1468 Department of Military Affairs (Dean) (FR)90 DSC
1470 Uniform Port Access Credential Card (Military Affairs and Domestic Security) (FR)90, (CR)479, (CS)486, (RC)636 DSC
1472 Emergency Preparedness (Dean) (FR)90 DSC
1474 Dissolution of Marriage (Judiciary and others) (FR)90, (CR)480, (CS)486, (BA)741, (BA)742, (CR)751, (BA)**785**, (CO)1261 Ch. 2008-46
1476 Department of Veterans' Affairs (Dean) (FR)91 DSC
1478 Psychology Licensure (Health Regulation) (FR)91, (CR)260, (CS)281, (MO)477, (BA)682, (CR)686 LTS/CSP-CS/HB 803
SR
1480 Naples High School Golden Eagles Football Team (Saunders) (FR)**193** Adopted
SB
1482 Onsite Sewage Treatment and Disposal Systems (Geller) (FR)91 DSC
1484 Limited English Proficient Students/Instruction (Saunders) (FR)91 DSC
1486 State Tortoise (Saunders) (FR)91, (CR)169, (MO)720, (BA)803, (BA)804, (BA)805, (CR)819, (BA)830, **831** DM/CSP-CS/CS/SB 542
1488 Health Care Consumer's Right to Information Act (Banking and Insurance) (FR)91, (CR)390, (CS)399, (CR)479, (CS/CS)486, (CR)618, (BA)810, (CR)819, (BA)**832**, 979 Ch. 2008-47
1490 Affordable Housing (Community Affairs and others) (FR)91, (CR)391, (CS)399, (CR)617, (CO)642, (MO)802, (BA)920, (CR)928, (BA)961 DCS
1492 Discretionary Surtax on Documents (Community Affairs) (FR)91, (CR)345, (CS)350, (CR)752, (MO)802, (BA)920, (BA)921, (BA)927, (BA)(CR)928, (BA)938, (BA)942 LTS
1494 Secretary of State/Nonpartisan Statements (Aronberg) (FR)92 DSC
1496 Service Animals for Individuals with Disabilities (Community Affairs) (FR)92, (CR)288, (CS)323, (CR)752 DSC
1498 Public Schools/Service-learning Programs (Fasano) (FR)92 DSC
1500 Paid Holidays/Presidential Election Day (Ring) (FR)92 DSC
1502 Leased Property for Public Purposes (General Government Appropriations) (FR)92, (CR)287, (CR)520, (CR)617, (CR)819, (CS)820, (BA)961, (CR)973, (BA)**1001**, 1094 Ch. 2008-48
1504 Termination of Pregnancy/Nonresident Minors (Wise) (FR)92 DSC
1506 Electric Utilities (Bennett) (FR)92 DSC/CSP-HB 7135
1508 Medicaid Managed Care Programs (Saunders) (FR)93, (CR)390, (CR)478 DSC
1510 Public Meetings and Records/Pending Litigation (Geller) (FR)93 DSC
1512 Transportation and Transit Authorities (Geller) (FR)93 DSC
1514 Taxpayer Rights/Property Appraiser's Assessment (Storms and others) (FR)93, (CO)282 DSC
1516 Art in Public Buildings (Storms) (FR)93, (CR)752 DSC
1518 Arcade Amusement Centers (Jones) (FR)93 DSC
1520 Medicaid Personal Allowance/Sales Tax (Storms) (FR)93 DSC
1522 Real Property Assessments/Burden of Proof (Storms and others) (FR)94, (CO)282 DSC
1524 Pasco County/Property Insurance Reduction (Fasano and others) (FR)94, (CO)1261 DSC
1526 Salvage Motor Vehicles (Justice) (FR)94 DSC/CSP-CS/CS/SB 1076
1528 Community Redevelopment Agencies/Dissolution (Storms) (FR)94 DSC
1530 Access to Dwelling Units (Bennett) (FR)94 DSC
SJR
1532 Embryonic Stem Cell Research (Geller) (FR)94 DSC
SR
1534 Vets for Victory Day/June 16, 2008 (Storms and others) (FR)**380** Adopted
SB
1536 Internet Predator Awareness and Online Safety Act (Storms and others) (FR)94, (CR)344, (CO)415 DSC

SR
1538 Patient Safety Awareness Week/March 2-8,2008 (Saunders) (FR)**158** Adopted
SB
1540 Pub. Rec./Patients' Medication History Website (Health Regulation) (FR)94, (CR)391, (CS)399 DSC
1542 Pharmaceutical Drugs (Ring) (FR)94 DSC
1544 Energy Conservation (General Government Appropriations and others) (FR)95, (CR)345, (CS)350, (RC)357, (CR)391, (CS/CS)399, (MO)452, (BA)589, (MO)600, (BA)611, (BA)(CO)(MO)616, (CR)617, (CR)618, (CS/CS/CS)626, (BA)651, (BA)677, (BA)705, (CO)781, (BA)783, (BA)828, (BA)864, (BA)934, (BA)981, (BA)992, (BA)993, (BA)995, (BA)997, (CO)1719 LTS/CSP-CS/HB 697, HB 7135
1546 Personal Floatation Devices (Saunders) (FR)95 DSC
1548 Property Appraisers (Finance and Tax) (FR)95, (CR)389, (CR)618, (CS)628 DSC
1550 Patients' Medication History Website (Health Regulation) (FR)95, (CR)391, (CS)401 DSC
1552 Everglades Restoration Bonds (Finance and Tax and others) (FR)95, (CR)287, (CR)753, (CS)761, (RC)856, (BA)961, (BA)962, (CR)973, (CO)979, (BA)**1001**, 1261, (CO)1719 Ch. 2008-49
1554 Firesafety/Structure Markings (Wise and others) (FR)95, (CR)247, (CR)752, (MO)972, (BA)1081, (BA)1082, (CR)1089, (BA)1101, (CO)1261 LTS/CSP-CS/HB 727
1556 Florida Locksmith Services Act (Crist) (FR)95 DSC
1558 Official State Anthem and Official State Song (Hill and others) (FR)95, (CR)287, (CR)478, (MO)519, (BA)803, (BA)**804**, (CR)819, (CO)825, 1261 Ch. 2008-233
1560 Hoax Firearms (Oelrich) (FR)96 DSC
1562 Payment Card Transactions/Sales Tax Credit (Baker) (FR)96 DSC
1564 Insurance Rate Standards (Atwater and others) (FR)96, (CO)360, (CO)1261 DSC/CSP-CS/CS/SB 2860
1566 Medicaid Managed Care Plans (Lynn) (FR)96, (CR)287, (CR)617 DSC
1568 Contributions to Relieve Homelessness (Lynn) (FR)96 DSC
1570 Medicaid Managed Care Pilot Program (Lynn) (FR)96, (CR)287 DSC
1572 Enterprise Zones/City of Ocala (Lynn) (FR)96, (CR)617, (MO)720 DSC
1574 Ignition Interlock Devices/Blood Alcohol Level (Rich) (FR)96 DSC
1576 Public Employees' Charitable Campaigns (Storms and others) (FR)96 DSC
1578 Property Rights (Baker) (FR)97, (CR)752 DSC
1580 Swimming Pool and Spa Safety Drains (Regulated Industries and others) (FR)97, (CR)289, (CS)323, (CO)360, (CO)415, (CR)425, (CS/CS)433, (CR)752 DSC
1582 Guardians Ad Litem (Judiciary) (FR)97, (CR)391, (CS)402, (CR)754, (CS/CS)761, (BA)810, (CR)819, (BA)**832** DM
1584 Property Taxation (Haridopolos) (FR)97 DSC
1586 Corporate Income Tax (Finance and Tax) (FR)97, (CR)426, (CS)434, (RC)494, (BA)515, (CR)520, (BA)550 LTS/CSP-HB 5065
1588 Property Taxation (Finance and Tax) (FR)97, (CR)425, (CS)434, (RC)494, (BA)515, (BA)517, (CR)520, (BA)**552**, 1658, **1659** Ch. 2008-173
1590 Taxation (Finance and Tax) (FR)97, (CR)618, (CS)628
1592 Taxation (Haridopolos) (FR)97 DSC
1594 General Tax Administration (Haridopolos) (FR)97 DSC
1596 Taxation (Haridopolos) (FR)97 DSC
1598 Health Insurance Coverage/Amino-acid-based Formula (Health Policy) (FR)97, (CR)426, (CS)434, (CR)479, (CS/CS)486, (CR)753, (BA)844, (CR)852, (BA)**879** DM
SM
1600 Rotating Regional Presidential Primary System (Justice and others) (FR)98, (CO)168, (CR)248, (CO)254, (CO)331 USC/LTS
SB
1602 Sales and Use Tax (Haridopolos) (FR)98 DSC
1604 Designations (Transportation) (FR)98, (CR)521, (CS)524, (BA)921, (BA)922, (BA)923, (CR)928, (BA)938, (BA)992, (BA)993, (BA)(MO)1011, **1012**, 1659, 1660, **1661** Ch. 2008-256 CSP-CS/CS/CS/SB 1992
1606 Veterans Special License Plates (Baker and others) (FR)98, (CR)248, (CO)254, (CO)282, (CR)287, (CR)372, (CR)478, (BA)720, (BA)721, (CR)751 LTS/CSP-CS/HB 1027
1608 Home Care Consumer and Worker Act (Alexander and others) (FR)98 DSC
SB
1610 State Attorneys (Wise) (FR)98 DSC
1612 Salvia Divinorum and Salvinorin A (Criminal Justice) (FR)98, (CR)249, (CS)250, (CR)286, (CO)415, (CR)618, (BA)679, (CR)686 LTS/CSP-CS/HB 1363
1614 Department of Corrections (Criminal and Civil Justice Appropriations) (FR)98, (CR)248, (CS)252, (CR)391, (CS/CS)402, (CR)618, (CS/CS/CS)628, (CR)754, (CS/CS/CS/CS)761, (BA)812, (BA)813, (CR)819, (BA)834 LTS/CSP-HB 7137
1616 Weapon & Firearm Licenses/Interagency Data Sharing (Judiciary and others) (FR)99, (CR)247, (CR)287, (CO)331, (CR)480, (CS)487, (BA)519, (CR)520, (BA)**556**, 1261 Ch. 2008-50
1618 OGSR/Victims of Child Abuse or Sex Crimes (Criminal Justice and others) (FR)99, (CR)345, (CS)352, (CR)425, (MO)477, (BA)680, (CR)686, (BA)**708**, (CO)781, 1094 Ch. 2008-234
1620 Agriculture (Alexander) (FR)99 DSC
1622 Nonprofit Cooperative Associations (Deutch) (FR)99 DSC
1624 Public Procurement (Deutch) (FR)99 DSC
1626 Charter County Transit System Surtax (Alexander) (FR)99, (CR)344, (CR)520, (MO)720, (MO)1088, (MO)1257, (MO)1258, (BA)1613, **1614**, (CR)1717 DM
1628 Early Voting Sites/Community College Facilities (Aronberg and others) (FR)100, (CO)415 DSC
1630 OGSR/Department of Agriculture & Consumer Services (Agriculture) (FR)100, (CR)170, (CS)188, (CR)287, (MO)388, (BA)517, (CR)520, (BA)**553**, 1094 Ch. 2008-218
1632 Citrus (Alexander) (FR)100 DSC
1634 Wastewater Management (Bennett) (FR)100, (CR)478, (CR)752 DSC
1636 Courts/Collection of Fees, Service Charges & Costs (Judiciary) (FR)100, (CR)391, (CS)402 DSC
1638 Pest Control Compact (Agriculture and others) (FR)100, (CR)169, (CR)425, (CR)752, (MO)944, (BA)1082, (CR)1089, (CO)1719 LTS
1640 Emergency Health Care Providers (Baker and others) (FR)100, (CO)254 DSC
1642 Department of Citrus (Alexander) (FR)100 DSC
1644 Transportation (King) (FR)100 DSC
1646 Student Loans/Attorneys (Aronberg) (FR)101 DSC
1648 HIV Testing/Informed Consent (Health Policy and others) (FR)101, (CR)426, (CS)434, (CR)480, (CS/CS)487, (BA)513, (CR)519, (BA)**547**, (CO)781, 1719 Ch. 2008-219
1650 School Nurses/Epinephrine Auto-injectors (Aronberg and others) (FR)101, (CO)282, (CO)331, (CO)781 DSC
1652 Charter Schools/Charter Technical Career Centers (Education Pre-K - 12 Appropriations and others) (FR)101, (CR)169, (CS)188, (BA)342, (BA)343, (CR)344, (CR)346, (CS/CS)352, (BA)**366**, (CO)415, 1632, (BA)1641 DM
1654 State Construction Management Contracting (Governmental Operations) (FR)101, (CR)521, (CS)524, (RC)637 DSC
1656 Governmental Effectiveness and Efficiency (Lawson) (FR)101 DSC
1658 Computer Users/Spyware Offenses (Ring) (FR)101 DSC
1660 Pub. Rec./Emergency Medical Technicians/Paramedics (Aronberg) (FR)101 DSC
1662 School Bus Safety (Aronberg) (FR)102 DSC
1664 Culpable Negligence/Assault Weapons (Bullard and others) (FR)102, (CO)282, (CO)331, (CO)448 DSC
1666 Commuter Rail Service (Baker) (FR)102, (MO)286 WS
1668 Nursing Homes and Assisted Living Facilities (Health Regulation and others) (FR)102, (CO)415, (CO)497, (CR)686, (CS)689 DSC
1670 Early Learning (Transportation and Economic Development Appropriations and others) (FR)102, (CR)345, (CS)352, (CR)390, (CS/CS)402, (RC)413, (CO)415, (CR)479, (CS/CS/CS)487, (MO)616, (CR)754, (CS/CS/CS/CS)762, (BA)922, (CR)928, (BA)962, (BA)963 LTS/CSP-HB 879, CS/CS/CS/SB 1712
1672 Beach Management (Community Affairs and others) (FR)102, (CR)288, (CS)323, (CO)331, (CR)479, (CS/CS)487, (MO)802, (BA)923, (CR)928, (CO)1719 LTS/CSP-CS/HB 1427
SR
1674 Monty Trainer (Bullard) (FR)500, **501** Adopted
SB
1676 Official Florida Statutes (King) (MO)4, (FR)103, (CR)131, (BA)**160**, 331, 415, 496 Ch. 2008-3
1678 Florida Statutes (Rules) (MO)4, (FR)103, (CS)128, (CR)132, (BA)160, **161**, 331, 415, 496 Ch. 2008-4

SB
1680 Florida Statutes (King) (MO)4, (FR)103, (CR)131, (BA)**161**, 331, 415, 496 Ch. 2008-5
1682 Florida Statutes (King) (MO)4, (FR)103, (CR)131, (BA)**161**, 331, 415, 496 Ch. 2008-6
1684 Title Insurance (General Government Appropriations and others) (FR)103, (CR)288, (CS)323, (CO)331, (CR)753, (CS/CS)762, (CR)819, (CS/CS/CS)820, (BA)844, (BA)845, (CR)852, (BA)879 LTS/CSP-CS/HB 937
1686 Public School Grading System (Wise) 104 WNI
1688 Transportation (Baker) (FR)104, (CR)286 DSC
1690 Capital Collateral Representation (Criminal Justice) (FR)104, (CR)346, (CS)353, (RC)377, (CR)478 DSC
1692 Copies of Recordings/Unauthorized (Commerce and others) (FR)104, (CO)360, (CR)373, (CS)374 DSC
1694 911 Emergency Dispatchers (Governmental Operations and others) (FR)104, (CO)331, (CR)389, (CR)425, (CR)753, (CS)762, (BA)**810**, (CR)819, 1261 Ch. 2008-51
1696 Orthotics, Prosthetics, and Pedorthics (Health and Human Services Appropriations) (FR)104, (CR)346, (CS)353, (MO)388, (CR)619, (CS/CS)629, (BA)810, (BA)811, (BA)814, (CR)819, (BA)845, (BA)880 LTS/CSP-CS/HB 607
1698 Sexual Offenders and Predators (Dean) (FR)105 DSC
1700 Seminole Tribe of Florida/Mutual Aid Agreements (Bennett) (FR)105, (CR)248, (CR)478, (CR)752, (CR)753, (BA)813, (CR)819, (BA)**834** DCH
1702 Agriculture (General Government Appropriations) (FR)105, (CR)345, (CS)353, (RC)359, (CR)426, (CS/CS)434, (BA)476, (CR)(MO)**477**, (BA)537, (BA)616, 825, 1131, **1133**, 1261 Ch. 2008-107
1704 Surrendered Newborn Infants/Safe Haven Protection (Children, Families, and Elder Affairs and others) (FR)105, (CO)168, (CR)289, (CS)323, (CR)390, (CO)415, (CO)497, (CR)686, (BA)746, (CR)751, (CO)781 LTS/CSP-HB 7007
1706 Developments of Regional Impact (Higher Education and others) (FR)106, (CR)286, (CR)345, (CR)390, (CR)521, (CS)524, (BA)845, **847**, (CR)852, (CO)860, 1094 Vetoed
1708 Child Nutrition (Margolis) (FR)106 DSC
1710 Soil & Water Conservation/Watershed Improvement (Rich) (FR)106 DSC
1712 Ethics in Education Act (Education Pre-K - 12 Appropriations and others) (FR)106, (CR)170, (CS)188, (CR)287, (CR)289, (CS/CS)323, (BA)343, (CR)344, (CR)346, (CS/CS/CS)353, (CO)360, (BA)366, **367**, (CO)415, 1661, **1672**, (CO)1719 Ch. 2008-108
1714 Higher Education (Oelrich) (FR)106 DSC
1716 Postsecondary Education (Higher Education Appropriations and others) (FR)106, (CR)346, (CS)354, (RC)359, (CR)426, (CS/CS)435, (BA)504, (BA)513, (BA)515, (CR)519, (CO)532, (BA)**542**, 698, **700**, (CO)781, (CO)1719 Ch. 2008-52 CSP-CS/CS/SB 696
1718 Higher Education (Oelrich) (FR)107 DSC
1720 Public Records (Oelrich) (FR)107 DSC
1722 Sex Trafficking (Criminal Justice) (FR)107, (CR)373, (CS)374, (CR)753, (CS/CS)762 DSC
1724 Higher Education (Oelrich) (FR)107 DSC
1726 Higher Education (Oelrich) (FR)107 DSC
1728 Trust Funds (Oelrich) (FR)107 DSC
1730 Service of Process (Criminal Justice) (FR)107, (CR)288, (CS)324, (CR)686, (CS/CS)689 DSC
1732 Florida Statewide Task Force on Human Trafficking (Transportation and Economic Development Appropriations and others) (FR)107, (CR)390, (CS)403, (CR)478, (CR)754, (CS/CS)763, (BA)813, (CR)819, (CO)825, (BA)**834**, (CO)860 DM
1734 Not Used
1736 Winery Shippers (Geller) (FR)107, (MO)198 WS
SJR
1738 Higher Education (Oelrich) (FR)108 DSC
SR
1740 Father's Day (Bullard) (FR)1264, **1265** Adopted
SM
1742 Educator Ethics (Carlton and others) (FR)108, (CR)162, (BA)**197**, (CR)247, (CO)254, 979 Adopted
SB
1744 Special Appropriations/District School Boards (Education Pre-K - 12 Appropriations) (FR)108, (CS)128, (CR)132
1746 Public School Funding (Education Pre-K - 12 Appropriations) (FR)108, (CR)426, (CS)435, (BA)467, **468**, (CR)477 DS/CSP-HB 5083
1748 Public Schools (Wise) (FR)108 DSC
1750 Early Learning (Wise) (FR)108 DSC
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1752 Virtual Instruction Programs (Education Pre-K - 12 Appropriations and others) (FR)108, (CR)426, (CS)435, (MO)477, (RC)494, (BA)923, (CR)928, (BA)963, (BA)966, (BA)967, (CO)1094, (CO)1719 LTS/CSP-HB 7067
1754 Education Accountability (Wise) (FR)108 DSC
1756 Classroom Size Reductions (Education Pre-K - 12 Appropriations) (FR)108, (CR)426, (CS)435, (BA)468, **469**, (CR)(MO)477, (BA)537, (BA)616, 825 DCC/CSP-HB 5083
1758 Florida Education Finance Program (Wise) (FR)108 DSC
1760 Implementing 2008-2009 General Appropriations Act (Education Pre-K - 12 Appropriations) (FR)108, (CR)426, (CS)435
1762 Postsecondary Distance Learning (Higher Education) (FR)108, (CR)426, (CS)435, (RC)445, (CR)619, (CS/CS)629, (BA)847, (BA)(CR)852 LTS/CSP-CS/HB 7105
1764 Workforce Education and Adult Education Services (Lynn) (FR)108 DSC
1766 Student Financial Assistance (Lynn) (FR)108 DSC
1768 University Tuition (Higher Education Appropriations) (FR)109, (CR)754, (CS)763, (BA)847, (CR)852 LTS/CSP-CS/CS/HB 745
1770 Independent Postsecondary Education (Lynn) (FR)109 DSC
1772 Educational Accountability (Lynn) (FR)109 DSC
1774 Postsecondary Education (Higher Education Appropriations) (FR)109, (CR)426, (CS)436, (BA)**469**, (CR)(MO)477, (BA)538, (BA)616, 825, 1134, **1136**, 1261 Ch. 2008-109
1776 Implementing 2008-2009 General Appropriations Act (Lynn) (FR)109 DSC
1778 Educational Facilities (King) (FR)109 DSC
1780 Educational Facilities Planning (King) (FR)109 DSC
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1784 K-12 Educational Facilities (King) (FR)109 DSC
1786 Clerks of Court (Crist) (FR)109 DSC
1788 Indigent Civil Defense Trust Fund/JAC (Criminal and Civil Justice Appropriations) (FR)109, (CR)426, (CS)436, (BA)**469**, (CR)(MO)477, (BA)538, (BA)617, 825, 1136, **1137**, 1261 Ch. 2008-110
1790 State Judicial System (Criminal and Civil Justice Appropriations) (FR)109, (CR)426, (CS)436, (BA)469, **470**, (CR)(MO)477, (BA)538, (BA)617, 825, 1137, **1152**, 1261 Ch. 2008-111
1792 Criminal Justice Information (Criminal and Civil Justice Appropriations) (FR)109, (CR)426, (CS)437, (BA)**470**, (CR)(MO)477, (BA)539, (BA)617, 825, 1152, **1153**, 1261 Ch. 2008-112
1794 Juvenile Justice (Crist) (FR)109 DSC
1796 Corrections (Crist) (FR)109 DSC
1798 Parole Commission (Crist) (FR)110 DSC
1800 Correctional Work Programs (Criminal Justice) (FR)110, (CR)426, (CS)437, (RC)445, (CR)753, (CS/CS)763 DSC
1802 Implementing 2008-2009 General Appropriations Act (Criminal and Civil Justice Appropriations) (FR)110, (CR)426, (CS)437
1804 Department of Legal Affairs (Crist) (FR)110 DSC
1806 Juvenile Justice Facilities (Crist) (FR)110 DSC
1808 Regulatory Fees (Alexander) (FR)110 DSC
1810 Agriculture (General Government Appropriations) (FR)110, (CR)426, (CS)437, (BA)470, **471**, (CR)477, 825 DS/CSP-CS/CS/SB 1702
1812 Governmental Operations (Alexander) (FR)110 DSC
1814 Transfer-of-interest Return/Clerk of the Court (General Government Appropriations) (FR)110, (CR)426, (CS)437, (BA)471, (CR)477 LTS/CSP-HB 7019
1816 Governmental Operations (Alexander) (FR)110 DSC
1818 Fees (Alexander) (FR)110 DSC
1820 Department of Business and Professional Regulation (General Government Appropriations) (FR)110, (CR)426, (CS)437, (BA)471, **472**, (CR)477, 825 DS/CSP-CS/HB 995, HB 5047, HB 5051, CS/CS/CS/SB 2016
1822 Governmental Operations (Alexander) (FR)110 DSC
1824 Financial Services (General Government Appropriations) (FR)110, (CR)426, (CS)437, (BA)**472**, (CR)477, 825 DS/CSP-HB 5043
1826 Regulation (Alexander) (FR)111 DSC
1828 Governmental Operations (Alexander) (FR)111 DSC
1830 Disposition of Traffic Infractions (General Government Appropriations) (FR)111, (CR)426, (CS)438, (BA)**472**, (CR)477, 825 DS/CSP-HB 5059
1832 Governmental Operations (Alexander) (FR)111 DSC
1834 Department of the Lottery (Alexander) (FR)111 DSC
1836 Governmental Operations (Alexander) (FR)111 DSC

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1838 Department of Revenue (General Government Appropriations) (FR)111, (CR)426, (CS)438, (BA)**472**, (CR)477, 825 DS/CSP-HB 5061
1840 Governmental Operations (Alexander) (FR)111 DSC
1842 Citrus (Alexander) (FR)111 DSC
1844 Implementing 2008-2009 General Appropriations Act (General Government Appropriations) (FR)111, (CR)426, (CS)438
1846 Water Management Districts (Alexander) (FR)111 DSC
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1848 Water Management Districts/Millage Rate (General Government Appropriations) (FR)111, (CR)426, (CS)438, (RC)495 DSC
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1850 Trust Funds (Alexander) (FR)111 DSC
1852 Medicaid Providers/Reimbursement (Health and Human Services Appropriations) (FR)111, (CS)128, (RC)130, (CR)132, (BA)(MO)**159**, 160, (CR)161, 168 DCC/CSP-HB 5085
1854 Medicaid Program (Health and Human Services Appropriations) (FR)112, (CR)426, (CS)438, (BA)473, **474**, (CR)477 DS/CSP-HB 5085
1856 Tobacco Education & Use Prevention Program (Health and Human Services Appropriations) (FR)112, (CR)426, (CS)438, (BA)**474**, (CR)477, 825 DS
1858 Medicaid (Peaden) (FR)112 DSC
1860 Department of Children and Family Services (Peaden) (FR)112 DSC
1862 Department of Health (Peaden) (FR)112 DSC
1864 Medical Research (Health and Human Services Appropriations) (FR)112, (CR)426, (CS)438, (BA)**474**, (CR)(MO)477, (BA)540, (BA)617, 1153, **1154**, 1261 Ch. 2008-113
1866 Home and Community-based Services/Disabled (Health and Human Services Appropriations) (FR)112, (CR)426, (CS)439, (BA)**474**, (CR)477 DS/CSP-HB 5087
1868 Implementing 2008-2009 General Appropriations Act (Health and Human Services Appropriations) (FR)112, (CR)426, (CS)439
1870 Economic Development (Fasano) (FR)112 DSC
1872 Economic Development (Fasano) (FR)112 DSC
1874 Transportation (Fasano) (FR)112 DSC
1876 Transportation (Fasano) (FR)112 DSC
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1880 Governmental Operations (Fasano) (FR)112 DSC
1882 Distribution of Excise Taxes (Transportation and Economic Development Appropriations) (FR)113, (CR)426, (CS)439, (BA)**475**, (CR)(MO)477, (BA)540, (BA)617, 825, 1154, **1159**, 1261 Ch. 2008-114
1884 Implementing 2008-2009 General Appropriations Act (Transportation and Economic Development Appropriations) (FR)113, (CR)426, (CS)439
1886 State Group Insurance Program (General Government Appropriations) (FR)113, (CR)426, (CS)439, (BA)**472**, (CR)(MO)477, (BA)535, (BA)616, 825 DCC
1888 State Employment/Collective Bargaining (General Government Appropriations) (FR)113, (CR)426, (CS)439, (BA)**473**, (CR)(MO)477, (BA)536, (BA)616, 825, 1159, **1160**, 1261 Ch. 2008-115
1890 Retirement Contribution Rates (Carlton) (FR)113 DSC
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1894 Not Used
1896 Not Used
1898 Not Used
1900 Not Used
1902 Not Used
1904 Not Used
1906 Alternative High School Courses & Programs (Education Pre-K - 12 Appropriations and others) (FR)113, (CR)288, (CS)324, (RC)330, (BA)343, (BA)(CR)344, (CR)346, (CS/CS)354, (BA)**367**, (CO)415, 1687, **1690**, 1719 Ch. 2008-174
1908 Education (Education Pre-K - 12 and others) (FR)113, (CR)288, (CS)324, (RC)330, (BA)(CR)344, (CR)345, (BA)**367**, (CO)415, (CO)448, 1673, **1684**, (CO)1719 Ch. 2008-235 CSP-HB 5083
1910 Pre-K through 12 Education (Gaetz) (FR)113 DSC
1912 Pre-K through 12 Education (Gaetz) (FR)113 DSC
1914 Education (Education Pre-K - 12 Appropriations) (FR)113, (CR)426, (CS)440, (RC)445, (CR)687, (CS/CS)690, (RC)692, (MO)720, (BA)848, (CR)852, (BA)923, (BA)963, (BA)1032, (BA)1033, (BA)1034 LTS/CSP-CS/SB 1908
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1916 Pre-K through 12 Education (Gaetz) (FR)113 DSC
1918 Pre-K through 12 Education (Gaetz) (FR)113 DSC
1920 Pre-K through 12 Education (Gaetz) (FR)113 DSC
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1922 Pre-K through 12 Education (Gaetz) (FR)114 DSC
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1932 Pre-K through 12 Education (Gaetz) (FR)114 DSC
1934 Pre-K through 12 Education (Gaetz) (FR)114 DSC
1936 Pre-K through 12 Education (Gaetz) (FR)114 DSC
1938 Pre-K through 12 Education (Gaetz) (FR)114 DSC
1940 Pre-K through 12 Education (Gaetz) (FR)114 DSC
1942 Pre-K through 12 Education (Gaetz) (FR)114 DSC
1944 Pre-K through 12 Education (Gaetz) (FR)114 DSC
1946 Agricultural and Farming Equipment/Highways (Transportation and Economic Development Appropriations) (FR)114, (CR)344, (CR)480, (CS)487, (CR)619, (CS/CS)629, (BA)751, (CR)752, (BA)794, **795**, 1094 Ch. 2008-236
1948 Palmetto Bay Boulevard (Bullard) (FR)114 DSC/CSP-CS/SB 1604
1950 Forensic Services for Retarded or Autistic Persons (Children, Families, and Elder Affairs) (FR)115, (CR)391, (CS)403, (CR)752, (MO)944 DCS/CSP-HB 7075
1952 Cutler Bay Boulevard (Bullard) (FR)115 DSC/CSP-CS/SB 1604
1954 Developmental Disabilities (Children, Families, and Elder Affairs and others) (FR)115, (CR)391, (CS)403, (CR)478, (CR)618, (BA)811, (CR)819, (BA)848, (BA)923, (BA)926, (BA)938, (BA)972, (CO)979 LTS/CSP-HB 7075
SR
1956 Hillsborough County Day (Crist and others) (FR)**501** Adopted
1958 Obesity Awareness Day (Haridopolos) (FR)**501** Adopted
1960 Mothers (Bullard) (FR)**1265** Adopted
SB
1962 Tax Exemptions/Nonprofit Hospital Laundries (Finance and Tax and others) (FR)115, (CR)260, (CS)281, (CR)391, (CS/CS)403, (MO)852, (BA)963, (CR)973, (BA)1079, (BA)1085, (BA)1086, (CO)1094 LTS/CSP-CS/HB 1059
1964 Cigarette Tax Revenues (Higher Education and others) (FR)115, (CO)254, (CO)282, (CR)289, (CS)325, (RC)330, (CO)331, (CO)360, (CO)378, (CO)497 DSC
1966 Commercial Development and Capital Improvements (Bennett) (FR)115 DSC
1968 Health Insurance (General Government Appropriations and others) (FR)115, (CR)248, (CR)287, (CO)378, (CR)618, (CS)629, (BA)748, (CR)752 LTS/CSP-CS/HB 535
1970 Housing Authorities (Bennett) (FR)115 DSC
1972 Sales and Use Tax Credits or Refunds (Haridopolos) (FR)115 DSC
1974 State Parks/Military Personnel & Families (Diaz de la Portilla) (FR)116, (CR)425, (CO)497, (CR)686, (CR)752 DSC
1976 Nonpublic Postsecondary Institutions/Accreditation (Ring) (FR)116 DSC
1978 Department of Transportation (Transportation and Economic Development Appropriations) (FR)116, (CR)260, (CS)282, (CR)372, (MO)720, (CR)754, (CS/CS)763, (RC)772, (CR)852, (CS/CS/CS)853, (BA)964, (BA)970, (BA)971, (CR)973, (BA)1079, (BA)1103, (BA)1104, (BA)1613 DCS/CSP-CS/HB 697, CS/CS/HB 1175, HB 7135, CS/SB 1604, CS/CS/CS/SB 1992
1980 Community Residential Homes (Margolis) (FR)116 DSC
1982 Cleanup of Contaminated Petroleum Sites (Baker) (FR)116, (CR)425, (CR)520, (CR)617, (CR)753, (BA)923, (CR)928 LTS/CSP-HB 961
1984 Motorsports Entertainment Complexes (Bullard) (FR)116 DSC
1986 Homeowners' Associations/Lien Claims (Ring) (FR)117, (CR)287, (CR)477, (CR)618, (BA)797, (BA)813, (CR)819, (BA)829, (BA)835, **836**, 1094 Ch. 2008-175
1988 Drivers' Licenses/Suspended, Revoked, or Canceled (Criminal Justice and others) (FR)117, (CR)248, (CS)252, (CR)390, (BA)**475**, (CR)(MO)477, (CO)497, (BA)539, (BA)617, 826, 1170, **1171**, 1261 Ch. 2008-53
1990 Inmates/Supervised Reentry Programs (Dockery) (FR)117, (CR)248 DSC
1992 Department of Highway Safety and Motor Vehicles (Transportation and Economic Development Appropriations)

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(FR)117, (CR)288, (CS)325, (CR)345, (CS/CS)354, (CR)425, (BA)598, (BA)599, (MO)616, (CR)617, (CR)619, (CS/CS/CS)629, (BA)677, (BA)683, (BA)684, (BA)705, **706**, 1242, **1257** Ch. 2008-176 CSP-CS/HB 167, HB 7135, CS/SB 1604
1994 Gertrude Maxwell Save a Pet Act (Governmental Operations) (FR)118, (CR)288, (CS)326, (CR)521, (CS/CS)524, (MO)751, (BA)924, (CR)928 LTS/CSP-CS/HB 219
1996 Public Libraries/Internet Safety Education Program (Governmental Operations) (FR)118, (CR)479, (CS)487, (CR)752, (MO)1004 DCS
1998 Electronic Health Records (Governmental Operations) (FR)118, (CR)425, (CS)440, (CR)617, (CR)753, (CS/CS)764 DSC
2000 Correctional Policies (Criminal and Civil Justice Appropriations) (FR)118, (CR)248, (CS)252, (CR)426, (CS/CS)440, (BA)**475**, (CR)(MO)477, (BA)539, (BA)617, 826, 1171, **1172**, 1261 Ch. 2008-54
2002 FRS/Payroll Contribution Rates (General Government Appropriations) (FR)119, (CR)345, (CS)355, (CR)426, (CS/CS)441, (BA)(CR)**477**, 826 DS/CSP-HB 5063
SR
2004 Swimming Pool Safety Month (Storms) (FR)**362** Adopted
SB
2006 Concealed Weapons Licenses (Commerce and others) (FR)119, (CO)331, (CR)373, (CS)374 DSC
2008 Information Technology (Governmental Operations) (FR)119 DSC/CSP-CS/SB 1892
2010 I Believe License Plates (Storms) (FR)119 DSC
2012 Insurance (Health Policy and others) (FR)119, (CR)248, (CS)252, (BA)385, (CR)389, (CR)392, (CS/CS)403, (CO)415, (BA)**421**, (CO)1261, 1554, **1563** Ch. 2008-220 CSP-CS/CS/SB 1012, CS/CS/SB 2860
2014 Affordable Senior Housing (Deutch and others) (FR)119, (CO)360 DSC
2016 Public Lodging and Food Service Establishments (General Government Appropriations) (FR)119, (CR)248, (CS)253, (CR)286, (CR)479, (CS/CS)487, (CR)687, (CS/CS/CS)690, (BA)749, (BA)750, (CR)752, (BA)792, (BA)828, (BA)829, (BA)**830**, 1261 Ch. 2008-55 CSP-HB 5047
2018 Contaminated Petroleum Site/Financial Assistance (General Government Appropriations and others) (FR)120, (CO)254, (CR)287, (CR)479, (CS)488, (CR)819, (CS/CS)821, (BA)924, (CR)928 LTS/CSP-CS/HB 527
2020 Political Advertisements/Disclaimers (Deutch) (FR)120 DSC
SJR
2022 Homestead Tax Exemption/Disabled Veterans (Fasano and others) (FR)120, (CO)254 DSC
2024 Just Valuation of Real Property (Fasano) (FR)120 DSC
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2026 Sexual Offenders and Predators (Criminal and Civil Justice Appropriations and others) (FR)120, (CR)249, (CS)253, (CR)391, (CS/CS)403, (CO)415, (CO)532, (CR)819, (CS/CS/CS)821, (CO)933, (BA)964, (CR)973, (BA)**1002** DM
2028 Disabled School Students/Discipline (Deutch and others) (FR)120, (CO)360, (CO)448 DSC
2030 Adolescent Offenders/Parole (Geller and others) (FR)120, (CO)254 DSC
2032 Florida Kidcare Program/Medikids (Fasano) (FR)120 DSC
2034 Open House Parties/Serve Alcohol or Drugs to Minor (Posey) (FR)121 DSC
SJR
2036 Legislative Session Dates (Posey) (FR)121 DSC
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2038 Examination/Investigation Reports/FSC/DFS (Lawson) (FR)121 DSC
2040 Excise Tax On Documents (Finance and Tax) (FR)121, (CR)479, (CS)488, (CR)753, (CS/CS)764, (RC)823, (BA)924, (CR)928, (BA)939, (BA)**943** DM
2042 Learner's Driver's License/Communication Devices (Posey) (FR)121 DSC
2044 Alcoholic Beverages/Persons Under 21 Years (Regulated Industries) (FR)121, (CR)391, (CS)403, (CR)752, (BA)848, (CR)852, (BA)**881** DM
SR
2046 Reverend Dr. Martin Luther King, Jr. (Joyner) (FR)**534** Adopted
SB
2048 Probate (Banking and Insurance and others) (FR)170, (CR)618, (CS)630, (CR)752, (CO)1719 DSC
SB
2050 Impact Fees (Bennett) (FR)170 DSC
2052 Water and Wastewater Utilities (Communications and Public Utilities) (FR)171, (CR)288, (CS)326, (CR)618, (BA)803, (CR)819, (BA)**831**, 1094 Ch. 2008-56
2054 Surveyors and Mappers/Fences/Agricultural Land (Regulated Industries) (FR)171, (CR)618, (CS)630, (MO)720 DSC
2056 Lobbyist/Prohibition of Acceptance of Expenditures (Lawson) (FR)171 DSC
2058 Hunter Safety Course Requirements/Military (Military Affairs and Domestic Security) (FR)171, (CR)288, (CS)326, (CR)389 DSC
2060 Agriculture and Consumer Services (Agriculture and others) (FR)171, (CO)331, (CR)345, (CS)355, (RC)359, (CO)415 DSC
2062 Airline Travel (Bennett and others) (FR)171, (CR)287, (CO)360 DSC
SR
2064 FAMU Day (Lawson) (FR)255, **256** Adopted
2066 Greater Miami Chapter of Continental Societies (Bullard) (FR)**696** Adopted
2068 Delta Sigma Theta Sorority, Inc./Delta Days (Bullard) (FR)501, **502** Adopted
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2070 Super Enterprise Zones (Bullard) (FR)171 DSC
2072 Motor Vehicles/Minor in Bed of Truck (Posey) (FR)172 DSC
2074 American Legion Way (Bullard) (FR)172 DSC/CSP-CS/SB 1604
2076 Arbitration (Deutch) (FR)172, (CR)372, (CR)389 DSC
2078 Florida Springs Stewardship Act (Oelrich) (FR)172, (CR)389, (CR)752 DSC
2080 Value Adjustment Boards (General Government Appropriations and others) (FR)172, (CR)390, (CS)403, (RC)413, (CR)752, (CR)819, (CS/CS)821, (BA)924, (CR)928, (BA)939, (BA)993, (BA)1003, (BA)1004, (BA)1087, (CO)1719 LTS/CSP-CS/HB 909
2082 Insurance (General Government Appropriations and others) (FR)163, (CR)288, (CS)326, (CO)331, (BA)384, (BA)385, (CR)389, (CR)392, (CS/CS)404, (BA)420, **421**, (MO)939, (BA)1626, **1630**, 1719 Ch. 2008-237
2084 Community Associations (Community Affairs) (FR)172, (MO)388, (CR)390, (CS)404, (RC)413, (CR)618, (CS/CS)631, (RC)637, (BA)737, (BA)738, (BA)739, (CR)752, (CR)753 LTS/CSP-CS/HB 995, CS/HB 1105
2086 Department of Business and Professional Regulation (Judiciary) (FR)173, (CR)372, (CS)375, (CR)478, (CR)753, (CS/CS)764, (MO)928, (MO)1088, (MO)1257, (MO)1258, (BA)1614, (BA)1615, (BA)1616, (CR)1717 LTS/CSP-CS/CS/HB 601, CS/HB 697
2088 Water Supply (Justice) (FR)173 DSC
SR
2090 Power to End Stroke Month (Hill and others) (FR)**783**, (CO)1261 Adopted
SB
2092 Florida Retirement System (Hill) (FR)174, (CR)617 DSC
2094 Sales Tax Exemption/Books/Clothing/School Supplies (Finance and Tax and others) (FR)174, (CR)753, (CS)766, (RC)773, (CO)781, (BA)848, (CR)852, (BA)924, (BA)964 DCS
2096 Department of Transportation (Bullard) (FR)174, (CR)344, (CR)520 DSC
2098 Federal Grants Trust Fund/Parole Commission (Crist) (FR)174, (CR)287, (BA)**335**, (CR)344 DM
2100 Shared County/State Juvenile Detention TF/DJJ (Crist) (FR)174, (CR)287, (BA)**336**, (CR)344, 532, 642 Ch. 2008-8
2102 Trust Funds/Agency for Health Care Administration (Health and Human Services Appropriations) (FR)175, (CR)289, (CS)326, (RC)330, (BA)**336**, (CR)344, 532, 642 Ch. 2008-9
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2106 Tobacco Settlement Trust Fund/APD (Peaden) (FR)175, (CR)287, (BA)**336**, (CR)344, 532, 642 Ch. 2008-11
2108 Federal Grants Trust Fund/APD (Peaden) (FR)175, (CR)287, (BA)**337**, (CR)344, 532, 642 Ch. 2008-12
2110 Operations and Maintenance Trust Fund/APD (Peaden) (FR)175, (CR)287, (BA)**337**, (CR)344, 532, 642 Ch. 2008-13
2112 Social Services Block Grant Trust Fund/APD (Peaden) (FR)175, (CR)287, (BA)**337**, (CR)344, 532, 642 Ch. 2008-14
2114 Welfare Transition Trust Fund/DCFS (Peaden) (FR)175, (CR)287, (BA)**337**, (CR)344, 532, 642 Ch. 2008-15

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2116 Trust Funds/DCFS (Health and Human Services Appropriations) (FR)175, (CR)289, (CS)326, (RC)330, (BA)337, **338**, (CR)344, 532, 642 Ch. 2008-16
2118 Welfare Transition Trust Fund/Department of Health (Peaden) (FR)176, (CR)287, (BA)**338**, (CR)344, 532, 642 Ch. 2008-17 CSP-CS/SB 2122
2120 Trust Funds/Department of Veterans' Affairs (Peaden) (FR)176, (CR)287, (BA)**338**, (CR)344, 532, 642 Ch. 2008-18
2122 Trust Funds/Department of Health (Health and Human Services Appropriations) (FR)176, (CR)289, (CS)327, (RC)330, (BA)338, **339**, (CR)344, 532, 642 Ch. 2008-19 CSP-SB 2118
2124 Trust Funds/Department of Elderly Affairs (Peaden) (FR)176, (CR)287, (BA)**339**, (CR)344, 532, 642 Ch. 2008-20
2126 Water Protection and Sustainability Program TF/DEP (Alexander and others) (FR)176, (CR)260, (BA)**339**, (CR)344 DM
2128 Administrative Trust Fund/FWC (Alexander and others) (FR)176, (CR)260, (BA)**339**, (CR)344, 532, 642 Ch. 2008-21
2130 Federal Grants Trust Fund/FWC (Alexander and others) (FR)176, (CR)260, (BA)**339**, (CR)344, 532, 642 Ch. 2008-22
2132 Grants and Donations Trust Fund/FWC (Alexander and others) (FR)176, (CR)260, (BA)**340**, (CR)344, 532, 642 Ch. 2008-23
2134 Working Capital Trust Fund/DFS (Alexander and others) (FR)176, (CR)260, (BA)**340**, (CR)344 DM
2136 Federal Grants Trust Fund/Department of State (Fasano) (FR)176, (CR)288, (BA)**340**, (CR)344 DM
2138 Clearing Funds Trust Fund/Department of State (Fasano) (FR)177, (CR)288, (BA)**340**, (CR)344 DM
2140 Welfare Transition Trust Fund/DMA (Transportation and Economic Development Appropriations) (FR)177, (CR)289, (CS)327, (RC)331, (BA)340, **341**, (CR)344 DM
2142 Federal Grants TF/Department of Community Affairs (Fasano) (FR)177, (CR)288, (BA)**341**, (CR)344 DM
2144 Trust Funds/Department of State (Fasano) (FR)177, (CR)288, (BA)**341**, (CR)344 DM
2146 Trust Funds/Department of Community Affairs (Fasano) (FR)177, (CR)288, (BA)**341**, (CR)344 DM
2148 Public Construction/Independent Mixers (Community Affairs and others) (FR)177, (CO)254, (CO)415, (CR)754, (CS)766, (MO)852 DSC/CSP-CS/HB 697
2150 Motor Vehicle Dealerships (Commerce) (FR)177, (CR)372, (CS)376, (CR)426, (CS/CS)441 DSC
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